

RE: PETITION FOR SPECIAL EXCEPTION
for Gasoline Service Station
W/S Bradshaw Road, N/S of
Jerusalem Road
11th District
Melvin C. Neuman, et al
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5776-X

ORDER OF DISMISSAL

Petition of Melvin C. Neuman, et al, for special
exception for a Gasoline Service Station on the west side of
Bradshaw Road and the north side of Jerusalem Road, in the
Eleventh District of Baltimore County.

Whereas the Board of Appeals is in receipt of an
Order dated May 29, 1963 from the attorney representing
the protestants in the above entitled matter.

Whereas the said attorney for the said protestants
requests that the appeal filed on behalf of said protestants, be
dismissed and withdrawn as of May 29, 1963.

It is hereby ORDERED this 1st day of June,
1963 that said appeal be dismissed with prejudice as of the
aforementioned date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

ACTING CHAIRMAN

Charles H. Hoff

CERTIFICATE OF PUBLICATION

TOWSON, MD. 31st Jan. 1963.
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 99th... successive weeks before the
20th day of February 1963... the first
publication appearing on the 31st... day of
January 1963.

THE COUNTY NEWS WEEK

W. J. Neuman
Manager

Petition for Special Exception
for Gasoline Service Station,
W/S Bradshaw Road, N/S of
Jerusalem Road - 11th Dist.
Melvin C. Neuman, et al.
Petitioners - No. 5776-X

COUNTY BOARD
OF
APPEALS

ORDER OF DISMISSAL

Gentlemen:

Please enter your Order dismissing the appeal in the above styled matter.

Lewis L. Fleury
Masonic Building
VA 5-9200
Attorney for Protestor

PETITION FOR A SPECIAL EXCEPTION
FOR A DRIVE-IN GASOLINE SERVICE
STATION, Westside of Bradshaw Road
Melvin C. Neuman and
Catherine L. Neuman, his wife,
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
No. 5776

NOTICE OF APPEAL

Honorable John G. Rose
Zoning Commissioner
of Baltimore County:

John Paul McAllister, protestant, by Lewis L. Fleury, his attorney, hereby
enters his appeal to the Baltimore County Board of Zoning Appeals, from the Order
of the Zoning Commissioner dated February 21, 1963, in the above entitled matter.

Lewis L. Fleury
Attorney for John Paul McAllister
Masonic Building
Towson 4, Maryland

cc: County Board of Appeals

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Melvin C. Neuman, & Catherine L. Neuman, 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... to an...
...; and 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 Drive-in 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.

Melvin C. Neuman
Catherine L. Neuman
Contract purchaser
Address: Cedar Lane
Kingsville, Md.
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this... 18th... day
of... December... 1963, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out 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... 20th day of February... 1963... at 11:00 o'clock
A.M.



Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 8, 1963
FROM: Mr. George B. Gavett, Deputy Director
SUBJECT: #5776-X, Special Exception for Gasoline Service
Station, West side of Bradshaw Road, (also called Sunshine
Ave.), and North side of Jerusalem Rd. Being property of
Melvin Neuman.
11th District
HEARING: Wednesday, February 20, 1963 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed
the subject petition for special exception for a gasoline
service station. It offers no adverse comment concerning
the appropriateness of a service station here. However, it
does call attention to the unique size and shape of the prop-
erty which will require special treatment and extraordinary
plans revised in order to assure provision of safe and proper
access. It notes also that the building as currently shown on
the plans does not have the required 10 feet setback from
Belair Road. Any granting of this petition should be withheld
pending approval of final site plans by the appropriate State
and County agencies.

GB:mas

JOHN ALLEN DIVEN B.S. in C.E.

Professional Engineer and Land Surveyor No. 1003

11 ST. MICHAELS WAY
BALTIMORE 12, MD.

...ZONING TO
BE CHANGED WITH A SPECIAL EXCEPTION.

BEGINNING for the same at the intersection formed by the West
side of Bradshaw Road, also called Sunshine Avenue, as laid out 33 feet wide
and the North side of Jerusalem Road as established by Charter of 1867 and
60 feet wide, and running thence as now surveyed binding on the North side
of Jerusalem Road South 54 degrees, 16 minutes West 54.93 feet to the West
side of a 3.5 foot walkway; thence binding on the West side of said walkway
North 41 degrees, 12 minutes, 47 seconds West 56.64 feet to the East side of
Belair Road and established as 60 feet wide and shown on State Roads Commission
Plat 963; thence binding on the East side of Belair Road North 29 degrees,
26 minutes East 142.43 feet; thence binding on the apron into Bradshaw Road
by a curve to the right with a radius of 13 feet for a distance of 34.81 feet;
thence South 87 degrees, 8 minutes East 3.50 feet to the West side of Bradshaw
Road; thence binding on said West side South 2 degrees, 52 minutes West 193.55
feet to the place of beginning, according to a survey of W. H. Priemerow of
Towson, Maryland, about July 30, 1953.



Member A.S.C.E.
Member Md. Society of Surveyors
Member National Society of Professional Engineers

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 11-0
Special Exception, Date of Posting: FEB 22 1963
Posted for: GEORGINA S. GAVETT, et al, Hearing: Wed Feb 20, 1963
Petitioner: MELVIN C. NEUMAN
Location of property: W/S of Bradshaw Rd. N/S of Jerusalem Rd.
Location of Sign: On West side of Bradshaw Rd. 23 ft from Sta.
Belair Rd. Belair Rd. Access from St. John Church.
Remarks: EASEMENT 3.5 FT. WALKWAY 3.5 FT. WALKWAY
Posted by: Robert A. Bullitt, Jr. Date of return: Feb 27 1963

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

To: Messrs. Proctor, Rayston & Mueller
Campbell Building
Towson 4, Md.
BILLED BY: Zoning Department of Baltimore County

REPORT TO ACCOUNT NO. 01622
QUANTITY: DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE
Advertising and posting of property for Melvin C. Neuman
Pet. #5776-X
2-1863 5765 • • • TIL- 2969

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.

No. 16517
DATE 3/22/63

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of ~~location, the safety, health and the general welfare~~ of the locality involved not being detrimentally affected, a special exception should be granted.

TO: Louis L. Fleury, Esq.,
Masonic Building
Towson 4, Maryland

Office of Planning & Zoning
119 County Office Bldg.,
Towson, Md. Maryland

REPORT TO ACCOUNT /	01.622	TOTAL AMOUNT
QUANTITY	DETAIL UPPER SECTION AND RETURN WITH YOUR REMITANCE	COST
	Cost of appeal in matter of petition of Melvin C. Newman No. 5776-X	\$70.00
	3-2603 8403 * * * 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.

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

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, 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 _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

No. 15390
DATE 12/18/62

To: William T. Biermann
508 Surrey Drive
Towson 4, Md.

BY
Zoning Department of
Baltimore County

REPORT TO ACCOUNT NO.		01622	TOTAL AMOUNT \$50.00
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		COST
—	Petition for Special Exception for Melvin Newman FILED - JUNE 20, 1962 - JAMES A. HARRIS 12 1862 3 071 * * * TUL—		\$50.00
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.

PETITION FOR SPECIAL EXCEPTION
11TH DISTRICT
ZONING: Petition for Special Exception
for Gasoline Service Station
LOCATION: West Side of Bradshaw Road
(also called Sunshine Avenue) and the
North side of Jerusalem Road.
DATE & TIME: Wednesday, February 24
1963 at 11:00 A.M.
PUBLIC HEARING: Room 108, County
Office Building, 111 W. Chesapeake Avenue,
New Town, 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 Eleventh District of Baltimore, (Continued)

Beginning for the same at the Intersection of the West side of Brattle Shaw Road, also called Sunshine Avenue, as laid out 22 feet wide and the North side of the East side of the West side of Charter of 1842 and 60 feet wide, and running thence as now surveyed binding on the North side of Jerusalem Road Southward 100 feet to the East side of the West side of a 3.5 foot walkway; thence binding on the West side of said walkway 47 seconds West 92.64 feet to the East side of Belair Road and established as a 30 foot wide road; thence binding on the Cornerstone Plat 942; thence binding on the East side of Belair Road North 29 degrees 26 minutes East 142.45 feet; thence binding on the East side of Belair Road to a curve to the right with a radius of 132 feet for a distance of 24.81 feet; thence binding on the East side of Belair Road to the West side of Brattle Shaw Road; thence binding on said West side South 2 degrees 26 minutes East 100 feet to the place of beginning, according to a survey of W. M. Primrose of Towson, Maryland.

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

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 1, 1963.

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 20th day of February, 1963, the first publication appearing on the 1st day of February, 1963.

THE JEFFERSONIAN.

Frank Weston
Manager

Cost of Advertisement, \$.....

August 30, 1979

Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Existing Fire Damaged
Service Station
Intersection of Bradshaw and
Belair Roads -
11th Election District

Dear Mr. Covahey:

Reference is made to your letter of July 26, 1979, requesting information as to whether or not the above site would permit the restoration of a gasoline service station, without the necessity of a public hearing.

Our records indicate that the subject property was granted a Special Exception (Case No. 5776-X) for a gasoline service station on February 21, 1963. Since the site was improved with a service station, it is obvious that the Special Exception was utilized within the required time-frame. A Special Exception ceases to exist only upon application by the owner of the property for a change of occupancy to another use, or by application of Section 405.6 of the Baltimore County Zoning Regulations, wherein the Zoning Commissioner has the authority to terminate, after a public hearing, any such Special Exception which has been abandoned for a period of twelve (12) months. Notwithstanding the fact that the service station was damaged by fire approximately nine (9) months ago and has not been operated as such since that time, it is my opinion that, in the absence of any such change of occupancy permit or hearing established under Section 405.6, the Special Exception remains in effect so long as one of these events do not occur.

If you need further information, please contact this office.

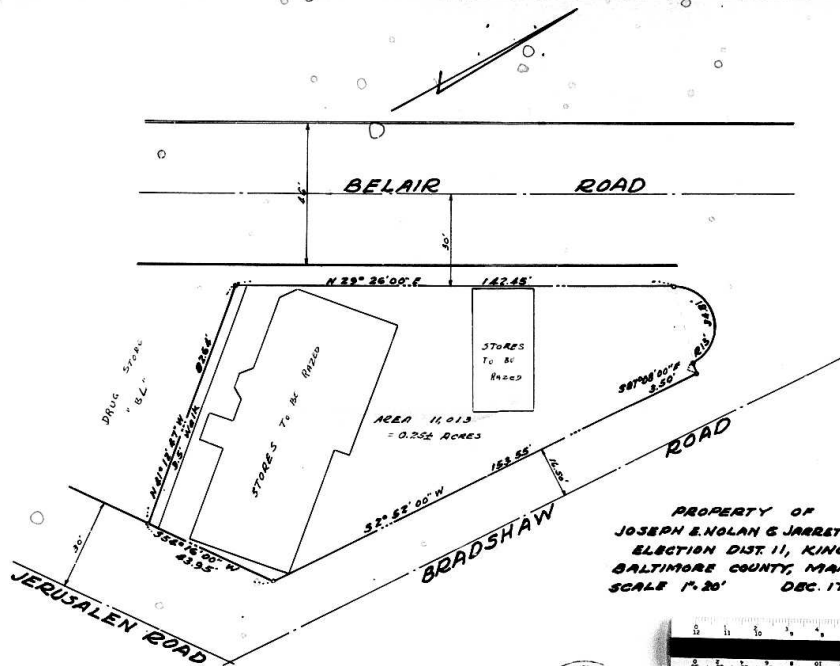
Very truly yours,

15/
WILLIAM E. HAMMOND
Zoning Commissioner

WJH/JED/st

cc: Mrs. Jean M. H. Jung, Deputy Zoning Commissioner ✓

Mr. James E. Dyer, Zoning Supervisor



Present Zoning B.L.
needs Special Exception.

PROPERTY OF
JOSEPH E. NOLAN & JARRETT S. BELL
ELECTION DIST 11, KINGSVILLE
BALTIMORE COUNTY, MARYLAND
SCALE 1"=20' DEC. 17 1962



John A. Diven

PLAT BY
JOHN A. DIVEN
Registered Professional Engineer & Land Surveyor
11 St. Michael's Way Baltimore 12, Maryland

