

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Frederick J. Beste, Jr., and Janice M. Beste, legal owners 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 a _____ 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.

Sup Oil Company
Agent
Address 2311 Belair Road
Baltimore, Maryland 21213
Petitioner's Attorney
Address 300 N. E. Street
Baltimore, Maryland 21202

Janice M. Beste
Contract purchaser
Address 17 Northampton Road
Timonium, Maryland 21093
Petitioner's Attorney
Ernest C. Trimble
Address 404 Jefferson Building
Baltimore, Maryland 21202

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers 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 _____, 196____, at _____ o'clock

Zoning Commissioner of Baltimore County
(over)

FREDERICK J. BESTE, JR.,
et al
Vs.
WILLIAM S. BALDWIN,
W. GILES PARKER and
JOHN A. SLOWIK,
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
and
ROBERT J. ROULEAU
and
TWILAH WIER

Docket 8
Folio 110
File No. 3565

ORDER

This cause standing ready for hearing, argument of counsel having been heard in Open Court, the proceedings were read and considered by the Court.

WHEREUPON, it is this _____ day of December, 1966, by the undersigned, one of the Judges of the Circuit Court for Baltimore County, and by the authority of this Court, ORDERED that the Order of the County Board of Appeals of Baltimore County, dated June 3, 1966, be and the same is hereby affirmed.

Judge

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____ the petitioners have met all requirements of Section 502.1 of the Baltimore County Zoning Regulations

a Special Exception for a _____ Filling Station _____ should 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.

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

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to William L. Jacob, Esquire, First National Bank Building, Towson, Maryland 21204 and David L. Klein, Esquire, 300 St. Paul Place, Baltimore, Maryland 21202, and the County Board of Appeals, County Office Building, Towson, Maryland 21204 to the attention of Mr. William S. Baldwin, Chairman this day of December, 1966.

H. Jacqueline McCurdy
of Counsel

RE: PETITION FOR SPECIAL EXCEPTION:
For Filling Station
NW corner York Road and
Ensor Avenue
8th District
Frederick J. Beste, Jr., et al
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-231-X

OPINION

The petitioner in this case seeks a special exception for a gasoline service station on the northwest corner of York Road and Ensor Avenue, in the 8th Election District of Baltimore County. The property on which the special exception is sought consists of .59 acres of vacant land, which is presently zoned Manufacturing Light, and is on the west side of York Road opposite the Cockeysville Elementary School.

It appears from the testimony before the Board that the primary, if not sole objection to the special exception sought here is on the ground that the construction of a filling station opposite the Elementary School would create a hazardous traffic condition. The Board is satisfied that the granting of a special exception for the subject property would not violate Subsection b. through f. of Section 502.1 of the Zoning Regulations; therefore, the sole question to be determined is whether or not the granting of the special exception would violate Subsection a. of this Regulation.

The Board feels that the placement of a filling station opposite the Elementary School entrance would create a hazardous traffic condition in that there would be numerous conflicting turning movements of vehicles entering and leaving the school property and the proposed filling station.

For the reasons given above, the petition for special

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Frederick J. Beste, Jr., et al - #65-231-X

exception for filling station will be denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this _____ day of June, 1966, by the County Board of Appeals, ORDERED that the special exception petitioned for be and the same is hereby DENIED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman
W. Giles Parker
John A. Slowik

MICROFILMED

FREDERICK J. BESTE, JR.
et al.
Appellants
Vs.
WILLIAM S. BALDWIN,
W. GILES PARKER
JOHN A. SLOWIK,
constituting the County
Board of Appeals of
Baltimore County
Appellees

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

ORDER OF APPEAL

Mr. Clerk:

Please enter an appeal to the Circuit Court for Baltimore County on behalf of Frederick J. Beste, Jr., Janice M. Beste, and the Sun Oil Company from the Order of the County Board of Appeals of Baltimore County denying the special exception for a filling station at the northwest corner of York Road opp. Ensor Avenue in the 8th District of Baltimore County, Maryland.

This appeal, which is filed pursuant to Maryland Rules B2 et seq., is from the decision of Case No. 65-231-X of the County Board of Appeals dated June 3, 1966.

William L. Jacob
First National Bank Building
Towson, Maryland 21204
VA 5-7020
Attorney for Appellants

MICROFILMED

I hereby certify that on this _____ day of _____, 1966, a copy of the foregoing Order of Appeal was hand-delivered to the County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland, 21204.

William L. Jacob

MICROFILMED

Richard C. Murray
606 Loyola Federal Building
Towson 4, Maryland
VA. 5-1515
Attorney for Robert J. Rouleau
and William E. Standiford
and Wife.

SCALE _____ ft. = 1 inch
File No. 1769-15

TELEPHONE 683-5000		INVOICE		BALTIMORE COUNTY, MARYLAND		No. 38959	
				OFFICE OF FINANCE		DATE 7/27/46	
		Division of Collection and Receipts		COURT HOUSE			
		TOWSON, MARYLAND 21204					
To: William L. Smith, Esq. First National Bank Building Towson, Maryland 21204		BILLED BY:		County Board of Appeals (Landing)			
DISPOSIT TO ACCOUNT NO.		Q1712		TOTAL AMOUNT			
QUANTITY		DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		COST			
Cost of Certified Documents -		No. 68-281-X Frederick J. Smith, Jr., et al 1414 corner York Road & Rivers Avenue Old Elmdale		7.00		7.00	
		FID - Baltimore County, Md. - Office of Finance					
		1-2966 6-5-46 • 38959 TIP-				7.00	
4							
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.							

District: 874 Date of Posting: April 9 1905
 Posted for: Appeal
 Petitioner: Frederick J. Kestel et al
 Location of property: n.w. cor. York Rd. & Essex Ave.
 Location of Signs: n.w. cor. York Rd. & Essex Ave.
 Remarks: J. Bone
 Posted by: J. Bone Date of return: April 15 1905

District S. FH Date of Posting Feb. 12, 1965
 Posted for: Spin. Export. Filling Station
 Petitioner: Andrews & Co. Inc.
 Location of property: an/Per York Rd & lower Ave
 Location of Signs: ① n/s York Rd 50' a/p lower Ave
② n/s lower Ave 50' w/p E York Rd
 Remarks:
 Posted by J. J. Moore Date of return Feb. 18, 1965

**PETITION FOR
SPECIAL EXCEPTION.**

8th DISTRICT

ZONING: Petition for Special Exception for Filling Station.

LOCATION: Northeast corner of York Road and Ennor Avenue.

DATE & TIME: WEDNESDAY, MARCH 3, 1965, 10:00 A.M.

PUBLIC HEARING: Room 105, County Office Building, 1115 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:

Present Zoning: M.L.

Proposed Zoning: Special Exception for Filling Station

All that parcel of land in the Eighth District of Baltimore County

Cost of Advertisement, \$ 24.00
Purchase Order A0737
Requisition No. 92620

TELEPHONE
823-9000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 28672

DATE 4/4/68

To: Richard C. Harvey, Esq.,
Leyden Building
Towson, Maryland 21204

BILLED BY: Office of Planning & Zoning
119 County Office Bldg.,
Towson, Maryland 21204

01-401

DEPOSIT TO ACCOUNT NO.

TOTAL AMOUNT
\$0.00

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE.

QUANTITY

COST

Cost of appeal - Fred. J. Banta, Jr., et al
Re. 65-231-1

\$70.00

PAID - Baltimore County, Md. - Office of Finance

4-765 3075 • 28672 TIP-

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.

Beginning for the same at a point on the Western Right-of-Way line of York Road, 66 feet wide, said point of beginning being situated North 18 degrees 48 minutes 40 seconds West 25 feet from the intersection of the centerline of Ensor Road extended to intersect the West Right-of-Way line of York Road. Said point also being situated on the North side of a private road, 30 feet wide, there situate. Thence running and binding on the North side of said 30-ft. private road, South 71 degrees 11 minutes 20 seconds West 144.0 feet; thence North 18 degrees 48 minutes 40 seconds West 194.12 feet; thence North 83 degrees 27 minutes 20 seconds East 147.36 feet to a point set on the West side of York Road; thence running and binding on the West side of York Road South 18 degrees 48 minutes 40 seconds East 192.81 feet to the place of beginning.

Containing 0.59 Acres, more or less.

The beginning point mentioned above being also 312 feet more or less Northerly from the Northernmost side of Bosley Road, extended to intersect the West Right-of-Way line of York Road.

Being the property of Frederick J. Beste, Jr. and Janice M. Beste, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, March 3, 1965 at 10:00 A.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

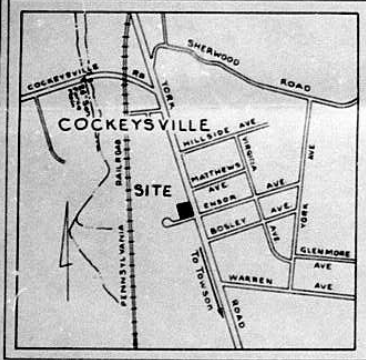
By Order Of
John G. Rose
Zoning Commissioner Of Baltimore County.

THE TIMES.
John M. Martin
Manager.
Cost of Advertisement \$ 24.00
Business Order A2737
Registration No. 92600

HBS:GCH:clm

1. The Cockeysville Elementary School is located directly across from the subject property.
2. The parcel is recorded as part of a larger tract of some 5 acres, and of a depth suited to industrial development.
3. This frontage was formerly zoned M. R. In order to provide a buffer. If the present request should be granted, this office would require a site plan showing sufficient landscaping and setbacks to meet that end. In addition, the site plan should show adequate provision of sidewalks and coordination of access with the industrial property to the side and rear.

cc: State Roads Commission
Industrial Development Commission
Office of Planning and Zoning



LOCATION MAP
Scale: 1" = 1000'

DH. & E.L. GOBELI
WJR 3928/469
ZONED ML

F.J. & F.M. BESTE JR.
RRC 4360/582
ZONED ML

Woods

F.J. & F.M. BESTE JR.
RRC 4360/582

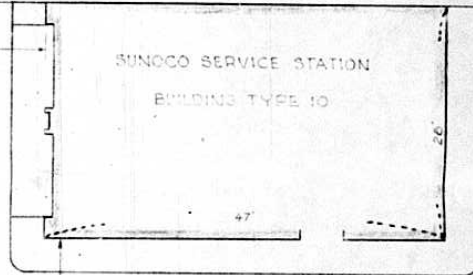
PRIVATE ROAD (50' R/W)

ENSOR AVE. (NOT THROUGH)
(40' R/W)

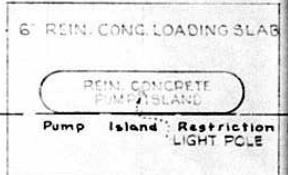
YORK ROAD MD. RTE. 45

COCKEYSVILLE ELEMENTARY SCHOOL

COCKEYSVILLE ELEMENTARY SCHOOL



ASPHALTIC CONCRETE PAVING



S 18° 48' 40" E

S 71° 11' 20" W

N 18° 48' 40" W

90° 00' 00"

25'

30'

15'

144.00'

Restriction Line

Building Restriction Line

30'

15'

10'

POINT OF BEGINNING FOR ZONING

End of 8" Conc. Curb

End of 8" Conc. Curb

End of 8" Conc. Curb

End of 8" Conc. Curb

End of 8" Conc. Curb

End of 8" Conc. Curb

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End of 8" Conc. Curb

End of 8" Conc. Curb

End of 8" Conc. Curb

MICROFILMED

FJ & FM. BESTE JR.
R.R. 4360/582
ZONED ML

Woods

Woods

Fence

24" Maple

30" Maple

Triple Walnut Trees

170' to Universal Litho Co. Bldg.

Macadam Parking Lot

UNIVERSAL LITHOGRAPHERS
R.R. 4223/507
ZONED ML

ZONING NOTES

ELECTION DISTRICT : 8
AREA OF PROPERTY : 25,699 SQ. FT. - .590 ACRES
EXISTING USE : UNDEVELOPED
PROPOSED USE : SERVICE STATION
PRESENT ZONING : ML
PROPOSED ZONING : ML WITH SPECIAL EXCEPTION

N 18° 48' 40" W

194.12'

77° 44' 00"

FJ & FM. BESTE JR.
R.R. 4360/582

8" Gum
14" Gum

SUNOCO SERVICE STATION
BUILDING TYPE 10

ASPHALTIC CONCRETE PAVING

Building Restriction Line

6" REIN. CONC. LOADING SLAB

REIN. CONCRETE
PUMP ISLAND

Pump Island Restriction Line

CONC. CURB

CONCRETE ENTRANCE

CONCRETE SIDEWALK

CONCRETE ENTRANCE

Exist. 8" Conc. Curb

45' - 9 1/4"

Exist. 8" Conc. Curb

35' - 0"

20" Water

Edge Macadam Shoulder

139' to Fire Hydrant

Edge Macadam Paving

YORK ROAD MD. RTE. 45 (66' R/W)

COCKEYSVILLE ELEMENTARY SCHOOL

SEAL



REVISION
DATE BY
1/5/68 GRP.

ZONING-PLAT

YORK ROAD & ENSOR AVENUE
COCKEYSVILLE BALTO. COUNTY, MARYLAND
SUN OIL CO. 1910 RUSSELL ST. BALTO., MD

MARYLAND SURVEYING AND ENGINEERING CO., INC.
1701 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202
MU. 5-0459

J.L.
SCALE: 1" = 10'
DATE 8/12/64
FILE 1769-15