

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

TO: Jeff Long, Deputy Director
Office of Planning

DATE: January 27, 2005

Jeff Mayhew
Division Chief, Community Planning

FROM: Diana Itter 
2nd Councilmanic District Planner

SUBJECT: West side of Bellona Avenue, 250 feet south of Malvern Avenue.
1"= 200' scale NW9B Zoning Map adjustment

After extensive research into the zoning history for the property known as 7456 Bellona Avenue, it appears that Baltimore County failed to map the reclassification of the property granted by the Board of Appeals final order on February 25, 1969 in Case No. 65-313RX. The Board's order had been appealed to the Circuit Court and was subsequently dismissed.

This oversight was carried through on subsequent zoning maps from the 1971 map to the 2004 map.

Please be advised that the electronic zoning layer should be adjusted to reflect BL zoning on the entire property known as 7456 Bellona Avenue (see attachments).

This office requests that the Department of Permits and Development Management adjust the 1971, 1"=200' scale map to reflect the correct case number, location and property outline for 7546 Bellona Avenue. Case No. 65-313RX not 63-313RX should be mapped on the west side of Bellona Avenue 250 feet south of Malvern Avenue instead of the east side of Bellona Avenue as shown on the attached 200' scale map.

DI:lsn

Attachments

c: Nancy West, Assistant County Attorney, Law Office

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Humble Oil & Refining Co., 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 R-10 zone to an CC-1 zone; for the following reasons:

Existed as non-conforming use. Would like to enlarge station and completely remodel. Therefore, proper zoning is necessary.

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 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.

Contract purchaser: Humble Oil & Refining Co.
 Address: Dundalk, Avenue near Eastern Avenue, Baltimore, Maryland 21221
 Legal Owner: _____
 Address: _____
 Petitioner's Attorney: _____
 Protestor's Attorney: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of March, 1965, 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 10th day of May, 1965 at 10:30 clock A.M.



Edward D. Hardisty
 Zoning Commissioner of Baltimore County

HUMBLE OIL & REF. CO. - 65-313-RX
 119 Eastern Ave. - Baltimore, Md. 21202

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 be had, and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 1965, that the herein described property or area should be and the same is hereby re-classified, 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 petition and it appearing that by reason of failure to show an error in the original zoning map or substantial changes in the character of the neighborhood the above Re-classification should NOT BE HAD; and failure to meet the requirements of Section 592.1 of the Baltimore County Zoning Regulations the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10 day of June, 1965, 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 R-10 zone, and the Special Exception for Filling Station be and the same is hereby DENIED.

Edward D. Hardisty
 Deputy Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 9TH Date of Posting: Aug 5 1965
 Posted for: Appeal
 Petitioner: Humble Oil & Refining Company
 Location of property: W. S. Bellona Ave. 250' South of Malvern Ave.
 Location of Signs: W. S. Bellona Ave. 250' South of Malvern Ave.
 Remarks: _____
 Posted by: J. G. Rose Signature Date of return: Aug 9 1965

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 9TH Date of Posting: April 24 1965
 Posted for: Relaxation from R-10 to B-L - Spec. Expt.
 Petitioner: Humble Oil & Ref. Co.
 Location of property: W. S. Bellona Ave. 250' S. of Malvern Ave.
 Location of Signs: W. S. Bellona Ave. 250' S. of Malvern Ave.
 Remarks: _____
 Posted by: J. G. Rose Signature Date of return: April 29 1965

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 23, 1965
 FROM: George E. Gnywally, Director
 SUBJECT: Petition # 65-313-RX. R-10 to B-L with a Special Exception for a Filling Station. West side of Bellona Avenue 250 feet south of Malvern Avenue. Being the property of Humble Oil and Refining Company.
9th District
 HEARING: Monday, May 10, 1965 (10:30 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

Recent occurrences indicate a definite sufficiency of commercial zoning in the vicinity of the subject property. A recent petition (which was denied) sought to reclassify property zoned B-L across Bellona Avenue as an R. A. Zone. The Comprehensive Rezoning Map for the 9th District affirmed - but limited - commercial zoning on the same side of Bellona Avenue to the north of the subject property. It was not the intent of the map to set a roadside commercial trend - this is what rezoning of the subject parcel would do.

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

TO: Mr. James A. Myer, Chairman Date: April 12, 1965
 Zoning Advisory Committee
 FROM: Lt. Charles F. Morris, Sr.
 Fire Bureau, Plans Section
 SUBJECT: Property Owner - Humble Oil & Refining Co.
W/S Bellona Ave., 250' S. Malvern Ave.
District 9
Present Zoning - R-10
Proposed Zoning - B-L & Special Exception for Filling Station
No. Across: 1413

Must meet all fire department regulations in regards to Service Stations.

Humble Oil & Refining Co.
 DUNDALK AVE., NE. EASTERN AVE.
 BALTIMORE, MD. 21224

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson 4, Maryland

Your petition has been received and accepted for filing this _____ day of _____, 1965

30th day of March, 1965

Owner Name: Humble Oil & Refining Co.
 Reviewed by: John G. Rose

TELEPHONE 823-3000 INVOICE BALTIMORE COUNTY, MARYLAND No. 30557 DATE 5/1/65

OFFICE OF FINANCE

Division of Collection and Receipts
 COURT HOUSE
 TOWSON 4, MARYLAND

To: Humble Oil & Refining Co.
 Dundalk Ave. NE Eastern Ave.
 Baltimore, Maryland 21224

BILLED BY: Office of Planning & Zoning
 119 County Office Bldg.
 Towson, Maryland 21284

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT PAID
	Cost of advertising property - No. 65-313-RX	\$75.00
		7800
		7800

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 823-3000 INVOICE BALTIMORE COUNTY, MARYLAND No. 31943 DATE 7/4/65

OFFICE OF FINANCE

Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21284

To: Humble Oil & Refining Co.
 300 Dundalk Ave.
 Baltimore, Maryland

BILLED BY: Office of Planning & Zoning
 119 County Office Bldg.
 Towson, Maryland 21284

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT PAID
	Cost of appeal - Humble Oil Co., No. 65-313-R	\$ 70.00
	posting	5.00
		\$75.00
		7500

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 823-3000 INVOICE BALTIMORE COUNTY, MARYLAND No. 28638 DATE 3/23/65

OFFICE OF FINANCE

Division of Collection and Receipts
 COURT HOUSE
 TOWSON 4, MARYLAND

To: Raymond A. Utnerworth
 4339 Penn Ave.
 Baltimore 36, Md.

BILLED BY: Zoning Department of Baltimore County

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT PAID
	Petition for reclassification for Humble Oil & Refining Co.	\$0.00
		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.

25-313RX
ZONING: From R-10 to B.L. Zone.
Petition for Special Exception for Filling Station.
LOCATION: West side of Beltona Avenue 250 feet South of Malvern Avenue.

CERTIFICATE OF PUBLICATION

TO-WSON, MD.
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 10th day of April, 1965, the first publication appearing on the 22nd day of April, 1965.

THE JEFFERSONIAN.

John G. Huse, Manager

Cost of Advertisement \$ 35.00

Public Hearing: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of: JOHN G. HUSE, Zoning Commissioner of Baltimore County.

B.L. ZONING DESCRIPTION
Beginning for the same at a point set in the centerline of Beltona Avenue, said point being Southeastwesterly 250 feet more or less from the intersection of the centerline of Beltona Avenue and the South side of Malvern Avenue extended, said point of beginning being at the end of the first line in the B.L. Zoning Description, RL-2; thence ranging and running along the centerline of Beltona Avenue Southeastwesterly 200 feet more or less, thence leaving the centerline of Beltona Avenue and running Southeastwesterly 14 feet more or less, thence South 1 degree 05 minutes East 104.95 feet to the East Right-of-Way line of the Pennsylvania Railroad, Harriburg Branch, thence ranging and binding on the centerline of the main tracks of the Pennsylvania Railroad, Northern 245 feet more or less, thence leaving the centerline of the main tracks of the Pennsylvania Railroad and running Easterly 95 feet more or less to the place of beginning.

Containing 1.413 Acres, more or less.

Using the property of Humble Oil and Refining Company, as shown on plat also filed with the Zoning Department.

Heating Date: Monday, May 10, 1965 at 10:30 A.M.
Public Hearing: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of: JOHN G. HUSE, Zoning Commissioner of Baltimore County.

HEARD AND APPROVED:
John G. Huse, Zoning Commissioner of Baltimore County.

SCALE: 1" = 100'
File No. 1305-20

100 N. CALVERT STREET
Baltimore, Maryland 21202
Phone: 551-2000 (4 lines)
REGISTERED:
Maryland State York
Professional Engineer

Maryland
Surveying and
Engineering Co., Inc.

HEARD AND APPROVED:
John G. Huse, Zoning Commissioner of Baltimore County.

SCALE: 1" = 100'
File No. 1305-20

65-313RX
ZONING: From R-10 to B.L. Zone.
Petition for Special Exception for Filling Station.
LOCATION: West side of Beltona Avenue 250 feet South of Malvern Avenue.

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. April 22, 1965.
THIS IS TO CERTIFY that the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 10th day of May, 1965, the first publication appearing on the 22nd day of April, 1965.

THE TIMES.

John M. Martin, Manager

Cost of Advertisement \$ 35.00

Purchase Order A6785
Requisition No. 7416

Public Hearing: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of: JOHN G. HUSE, Zoning Commissioner of Baltimore County.

B.L. ZONING DESCRIPTION
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Containing 1.413 Acres, more or less.

Using the property of Humble Oil and Refining Company, as shown on plat also filed with the Zoning Department.

Heating Date: Monday, May 10, 1965 at 10:30 A.M.
Public Hearing: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

By Order of: JOHN G. HUSE, Zoning Commissioner of Baltimore County.

HEARD AND APPROVED:
John G. Huse, Zoning Commissioner of Baltimore County.

SCALE: 1" = 100'
File No. 1305-20

100 N. CALVERT STREET
Baltimore, Maryland 21202
Phone: 551-2000 (4 lines)
REGISTERED:
Maryland State York
Professional Engineer

Maryland
Surveying and
Engineering Co., Inc.

HEARD AND APPROVED:
John G. Huse, Zoning Commissioner of Baltimore County.

SCALE: 1" = 100'
File No. 1305-20

100 N. CALVERT STREET
Baltimore, Maryland 21202
Phone: 551-2000 (4 lines)
REGISTERED:
Maryland State York
Professional Engineer

65-313RX
ZONING: From R-10 to B.L. Zone.
Petition for Special Exception for Filling Station.
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John M. Martin, Manager

Cost of Advertisement \$ 35.00

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Requisition No. 7416

Public Hearing: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of: JOHN G. HUSE, Zoning Commissioner of Baltimore County.

B.L. ZONING DESCRIPTION
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John G. Huse, Zoning Commissioner of Baltimore County.

SCALE: 1" = 100'
File No. 1305-20

100 N. CALVERT STREET
Baltimore, Maryland 21202
Phone: 551-2000 (4 lines)
REGISTERED:
Maryland State York
Professional Engineer

MAP
#9
SEC 3-C
NW-9B
BL
4/24/65

Signed This 18 day March 1965
J. Robert Caswell

RE: PETITION FOR RECLASSIFICATION
from an R-10 Zone to a B-L Zone, and
SPECIAL EXCEPTION FOR FILLING STATION
West Side of Bellona Avenue 250' from
South of Malvern Avenue
9th District
Humble Oil & Refining Company
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-313-RX

OPINION

This case arises from an application for rezoning from an R-10 zone to a B-L zone for a portion of a piece of property owned by the Humble Oil & Refining Company on the west side of Bellona Avenue south of Malvern Avenue in Ruxton, in the 9th Election District of Baltimore County.

The property owned by the Humble Oil Company consists of 1.413 acres, of which seven-tenths of an acre (or approximately half) was zoned B-L at the time of the adoption of the Map in 1955, and the balance of the property being zoned R-10 by the same Map. There has been a gasoline station on this lot since 1936, and the present operator, Mr. Ernest W. Gill, has been lessee since September, 1948. Prior to the adoption of the Map in 1955, the entire tract was zoned commercial under the old zoning of 1945, but for reasons which no one seems able to determine, half of the property, amounting to approximately seven-tenths of an acre, was zoned R-10 in 1957. It was testified that this fact did not come to the attention of the Oil Company or Mr. Gill until 1965. It is undisputed that the present existing service station is obsolete, cannot adequately serve the needs of the community, and should be expanded or replaced.

A witness for the Oil Company testified that in 1947 when the Humble Oil Company acquired the land, the market potential in gallons of gasoline was fifteen to twenty thousand per month. They are now pumping over thirty thousand gallons per month, and there is an immediate potential of at least forty-five thousand gallons if the

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Humble Oil & Refining Co. - #65-313-RX

station were adequately equipped to handle the business. This, of course, is due to the increase in population in the area in recent years and changes in the road patterns in the area. The Oil Company considers the present building an "eyesore", and proposes to erect a new modern service station building adequate to care for the needs of the community and using part of the land now zoned R-10, which has been continuously used as a vacant lot for parking and servicing of automobiles in connection with the existing station. All of the above is confirmed by the various plot plans filed as exhibits in the case.

The original application was for a special exception, in addition to the rezoning, which, however, was abandoned by amendment, the petitioner stating that if the rezoning was granted, they would proceed under Section 405 of the Zoning Laws and Regulations as amended recently to effect the "expansion of an existing service station." It is therefore not necessary for the Board to pass upon the question of the requirements for the granting of a special exception in this case. The Board feels that this property should be rezoned from R-10 to B-L, and it will be so ordered.

In addition to the testimony on behalf of the Oil Company, many other witnesses appeared in favor of this petition, and it appears from their testimony that the proposed improvement will not affect the traffic on Bellona Avenue and will create no traffic hazard, and at least aesthetically will improve the neighborhood rather than be a detriment to it.

Mr. Walter D. Pinkard, a well-known and well-qualified real estate broker and appraiser, testified that he had been familiar with the property for forty years and that he had been a customer of Mr. Gill for twenty years. His opinion adequately supported by the facts, was that it would be impossible to develop this property as residential and that the R-10 zoning in 1955 was in error, and that the rezoning would have no adverse effect on property values in the neighborhood. He pointed out that the criteria for size of gasoline stations in 1955 was a minimum of 150 feet by 125 feet, which he felt was too small even then, and that confining the present gasoline station to its location

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Humble Oil & Refining Co. - #65-313-RX

is actually to the detriment of the community. The present criteria for size, he stated, should be at least 125 feet deep by 175 feet.

Representatives of the Maryland Association of Petroleum Retailers appeared in favor of this petition, as did a number of residents of the Ruxton community, of which more than forty attended the hearing and indicated that they favored the granting of the petition, as opposed to only three or four who were opposed to it.

Mr. Ernest W. Gill, who was born in Ruxton, has operated this gasoline station since 1948. He stated there have been no substantial changes in the station since the building was constructed in 1936, and that he has continuously leased the entire 1.43 acres of land from the Humble Oil Company. He stated that his present operation might be hazardous, cars waiting in the street to enter the station, which he described as a "Model T" gas station. He has no waiting room or office space for customers, and has only room for two pumps in his present installation. He testified that the area has changed greatly since 1955, the population having increased approximately three times, resulting in a service area at the present containing five thousand or more people. He also stated that his new station would attract more customers, enable better service, and would not increase traffic but would lead to much safer conditions overall.

Mr. Hugh E. Gelston, a qualified real estate broker and appraiser, testified that he had been familiar with the station for at least thirty years and had studied the existing situation. In his opinion the R-10 zoning in 1955 was in error because it did not recognize the existing use, changed an already existing commercial zone to R-10 without rhyme or reason, and split a small tract under one ownership. The land cannot be used for R-10 purposes without sewer service, which is unavailable except at a cost out of all reason; that there have been many changes in the character of the neighborhood due to population increase, relocation of roads, construction of apartments and various zoning changes in the area. As a matter of fact, the Board must take note of a recent zoning change on the opposite side of Bellona Avenue north of Malvern, in which a change of

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Humble Oil & Refining Co. - #65-313-RX

zoning was granted to R-A, and which decision has been affirmed by the courts (Joseph J. Martin, Zoning File No. 65-220-R).

Under all of the evidence in the case, the Board is constrained to find that there was error in the original zoning, and further, that even had this not been so, there have been sufficient changes in the neighborhood to warrant the rezoning, and that the use proposed by the petitioner will, beyond question, be of benefit to the neighborhood and will have no adverse effect whatever on the general welfare of the community. The petition will therefore be granted and the application for rezoning from R-10 to B-L of a portion of the Humble Oil Company property will be granted.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 25th day of February, 1969, by the County Board of Appeals ORDERED, that the reclassification petitioned for and the same is hereby GRANTED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

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

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND

Humble Oil and Refining Co.
Dundalk Ave near Harbor Avenue
Baltimore, Maryland 21224

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

The following comments are not intended to indicate the appropriateness of the Zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commission's meeting.

OFFICE OF PLANNING AND ZONING: A field inspection of the site indicated several cars in disrepair without license plates. The petitioner is reminded that a gas station operation permits only minor emergency repairs and that these cars must be removed prior to special exception being granted for gasoline service station.

STATE BOARD COMMISSION: Access to the site will be subject to approval by this Commission.

HEALTH DEPARTMENT: Subject to Health Department requirements pertaining to water and sewer.

DEPT OF ENGINEERING:
Wiltshire - Widening 12" to Bellona Ave.
Sewer - Widening 12" Sewer along Poland Run
Adequacy of water and sewer to be determined by developer or his engineer.
Road - Bellona Avenue is a state Road.

The following members had no comment to offer:
Board of Education
Fire Department
Industrial Commission
Traffic Engineering
Buildings Department

See Albert V. Culpsey - Office of Planning & Zoning
John Harwood - Health Commission
William Greenwell - Health Department
Caryl Brown - Bureau of Engineering

Yours very truly,

James E. Oyer
Chief of Permit and
Petitioner Processing

MICROFILMED

PETITION FOR RE-CLASSIFICATION
FROM AN R-10 ZONE TO A B-L ZONE
AND SPECIAL EXCEPTION FOR A FILLING
STATION ON THE WEST SIDE OF BELLONA AVENUE,
250 FEET SOUTH OF MALVERN AVENUE,
NINTH DISTRICT, HUMBLE
OIL AND REFINING COMPANY, PETITIONER

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

MR. CLERK:

Please enter an Appeal in the above captioned case from the action of the County Board of Appeals on granting the re-classification in the above captioned case.

G. LEIPER CARY
1207 Malvern Avenue
Ruxton, Maryland

Richard B. Murray
7825 Bellona Avenue
Baltimore, Maryland 21204

I HEREBY CERTIFY that on this day of July, 1969, two (2) copies of the above Order for Appeal was delivered by the undersigned to the County Board of Appeals, County Office Building, 111 W. Chesapeake Avenue, and one (1) copy to Austin W. Brizendine, Esquire, 22 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Humble Oil and Refining Company.

G. LEIPER CARY

MICROFILMED

PETITION FOR RECLASSIFICATION
FROM AN R-10 ZONE TO A B-L ZONE
AND SPECIAL EXCEPTION FOR A FILLING
STATION ON THE WEST SIDE OF BELLONA AVENUE,
250 FEET SOUTH OF MALVERN AVENUE,
NINTH DISTRICT, HUMBLE
OIL AND REFINING COMPANY, PETITIONER

BEFORE THE ZONING
COMMISSIONER OF
BALTIMORE COUNTY

NOTICE OF APPEAL

Mr. Commissioner:

Please enter an appeal to the County Board of Appeals from the decision of the Deputy Zoning Commissioner denying the above Application.

Austin W. Brizendine
606 Loyola Federal Building
Towson 4, Maryland
VA. 3-1114
Attorney for Petitioner

I HEREBY CERTIFY a copy of the foregoing Notice to Appeal delivered to Richard C. Murray, 606 Loyola Federal Building, Towson 4, Maryland on this day of July, 1969.

Austin W. Brizendine

MICROFILMED

PETITION FOR RE-CLASSIFICATION
FROM AN R-10 ZONE TO A B-L ZONE
AND SPECIAL EXCEPTION FOR A FILLING
STATION ON THE WEST SIDE OF BELLONA AVENUE,
250 FEET SOUTH OF MALVERN AVENUE,
NINTH DISTRICT, HUMBLE
OIL AND REFINING COMPANY, PETITIONER

CIRCUIT COURT
FOR
BALTIMORE COUNTY

MR. CLERK:

Please withdraw the Appeal entered by us, the undersigned, in the above captioned case.

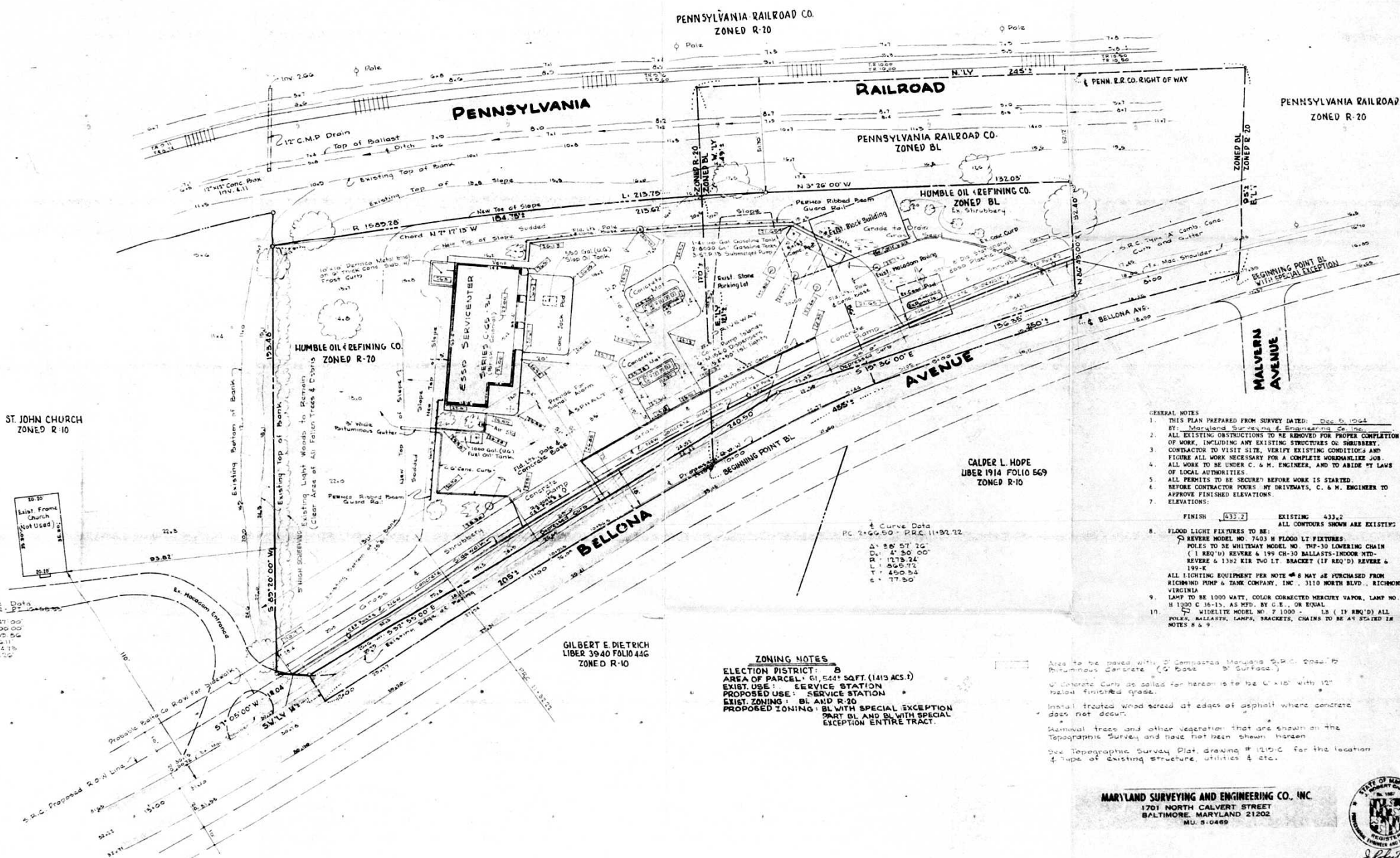
G. LEIPER CARY
1207 Malvern Avenue
Ruxton, Maryland

Austin W. Brizendine
606 Loyola Federal Building
Towson 4, Maryland
VA. 3-1114
Attorney for Petitioner

I HEREBY CERTIFY that on this day of July, 1969, two (2) copies of the above request of withdrawal of Appeal was delivered by the undersigned to the County Board of Appeals, County Office Building, 111 W. Chesapeake Avenue, and one (1) copy to Austin W. Brizendine, Esquire, 22 W. Pennsylvania Avenue, Towson, Maryland, 21204, Attorney for Humble Oil and Refining Company.

G. LEIPER CARY

MICROFILMED



- GENERAL NOTES**
1. THIS PLAN PREPARED FROM SURVEY DATED: Dec 5, 1964
 2. BY: Maryland Surveying & Engineering Co., Inc.
 3. ALL EXISTING OBSTRUCTIONS TO BE REMOVED FOR PROPER COMPLETION OF WORK, INCLUDING ANY EXISTING STRUCTURES OR OBSTACLES.
 4. CONTRACTOR TO VISIT SITE, VERIFY EXISTING CONDITIONS AND FLOORS. ALL WORK NECESSARY FOR A COMPLETE WORKMANLIKE JOB.
 5. ALL WORK TO BE UNDER C. & H. ENGINEER, AND TO ABIDE BY LAWS OF LOCAL AUTHORITIES.
 6. ALL PERMITS TO BE SECURED BEFORE WORK IS STARTED.
 7. BEFORE CONTRACTOR POURS ANY DRIVEWAYS, C. & H. ENGINEERS TO APPROVE FINISHED ELEVATIONS.
 8. ELEVATIONS:

FINISH	432.2	EXISTING	433.2
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 9. FLOOD LIGHT FIXTURES TO BE:
 - REVERSE MODEL NO. 7403 H FLOOD LT FIXTURES.
 - POLES TO BE WHITNEY MODEL NO. THP-30 LOWERING CHAIN
 - (1 REQ'D) REVERSE & 199 CH-30 BALLASTS-1000W WTD.
 - REVERSE & 1392 KIR TWO LT BRACKET (IF REQ'D) REVERSE & 199-K
 10. ALL LIGHTING EQUIPMENT PER NOTE #8 MAY BE PURCHASED FROM RICHMOND PUMP & TANK COMPANY, INC., 3110 NORTH BLVD., RICHMOND, VIRGINIA.
 11. LAMP TO BE 100W WATT, COLOR CONNECTED MERCURY VAPOR, LAMP NO. H 1200 C 16-15, AS MFD. BY G.E. OR EQUAL.
 12. WIDELITE MODEL NO. 7 1000 LB (11 REQ'D) ALL PINS, BALLASTS, LAMPS, BRACKETS, CHAIRS TO BE AS STATED IN NOTES 8 & 9.

ZONING NOTES

ELECTION DISTRICT: B
 AREA OF PARCEL: 61,544 SQFT. (1.413 ACS.)
 EXIST. USE: SERVICE STATION
 PROPOSED USE: SERVICE STATION
 EXIST. ZONING: BL AND R-20
 PROPOSED ZONING: BL WITH SPECIAL EXCEPTION
 PART BL AND BL WITH SPECIAL EXCEPTION ENTIRE TRACT.

Area to be paved with 2" Compacted Maryland S.P.C. Small P. Bituminous Concrete (2" Base & 2" Surface).
 Concrete Curb as called for herein is to be 6" x 12" with 12" radial finished grade.
 Install treated wood screed at edges of asphalt where concrete does not occur.
 Removal trees and other vegetation that are shown on the Topographic Survey and have not been shown herein.
 See Topographic Survey Plat, drawing # 1210-C for the location & type of existing structure, utilities & etc.

MARYLAND SURVEYING AND ENGINEERING CO., INC.
 1701 NORTH CALVERT STREET
 BALTIMORE, MARYLAND 21202
 M.U. 5-0469



ZONING PLAT

PLOT PLAN
 Account No 10635
 Bellona Avenue
 Ruxton, Balto. Co., Maryland

DATE: February 5, 65
FILE NO.
SHEET NO.
DWG. NO. 1210-15

THIS BLUEPRINT IS LOANED TO YOU AND MUST BE RETURNED WHEN IT HAS SERVED THE PURPOSE FOR WHICH INTENDED

REVISIONS:

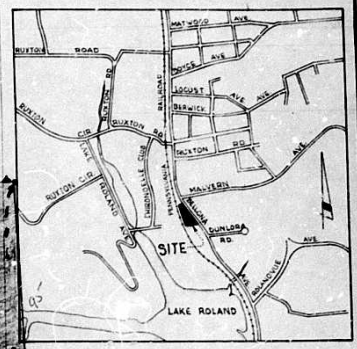
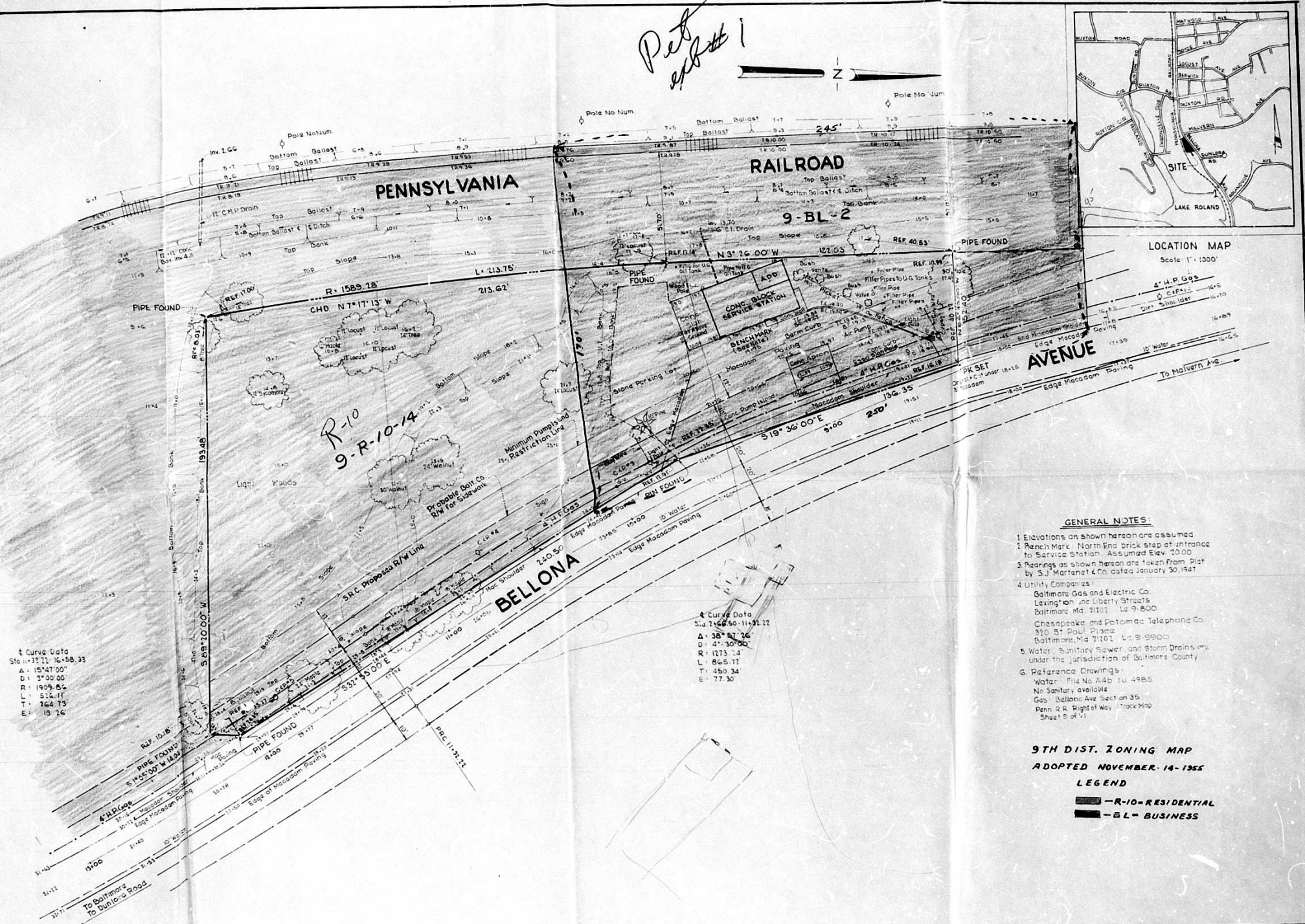
REVISIONS:

HUMBLE OIL & REFINING CO.
 7720 YORK ROAD
 TOWSON, MARYLAND 21204

Demolish & Rebuild
 Existing Servicenter

DRAWN BY: J.L. Mathias
 CHECKED BY: J.L. Mathias
 APPROVED BY: J.L. Mathias
 SCALE: 1" = 10'

*Perk
Sept 1*



LOCATION MAP
Scale: 1" = 1000'

Curve Data
Sta. 11+37.11 16+56.33
Δ: 154.47 00
D: 2730.00
R: 1909.85
L: 516.11
T: 164.73
E: 18.26

Curve Data
Sta. 2162.50 - 11+31.12
Δ: 38° 57' 16"
D: 47' 30.00"
R: 1273.24
L: 865.77
T: 450.34
E: 77.30

GENERAL NOTES:

- Elevations as shown hereon are assumed.
- French Mark - North End brick step at entrance to Service Station. Assumed Elev. 10.00
- Measurements as shown hereon are taken from Plat by S.J. Martens & Co. dated January 30, 1947.
- Utility Companies:
Baltimore Gas and Electric Co.
Lexington and Liberty Streets
Baltimore, Md. 21202 L2-9-800
Chesapeake and Potomac Telephone Co.
310 St. Paul Place
Baltimore, Md. 21201 L2-9-8900
- Water, Sanitary Sewer, and Storm Drains are under the jurisdiction of Baltimore County.
- Reference Drawings:
Water - File No. A46-14-49B5
No Sanitary available
Gas - Bellona Ave. Section 35
Penn. R.R. Right Way - Track Map
Sheet 2 of 11

**9TH DIST. ZONING MAP
ADOPTED NOVEMBER 14, 1955**

LEGEND

- R-10-RESIDENTIAL
- BL-BUSINESS

J. Robert Russell

REVISIONS
PREPARED BY
FILE NO. 1905-27
MARYLAND SURVEYING AND ENGINEERING CO., INC.
1701 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202
M.E. 5-6419

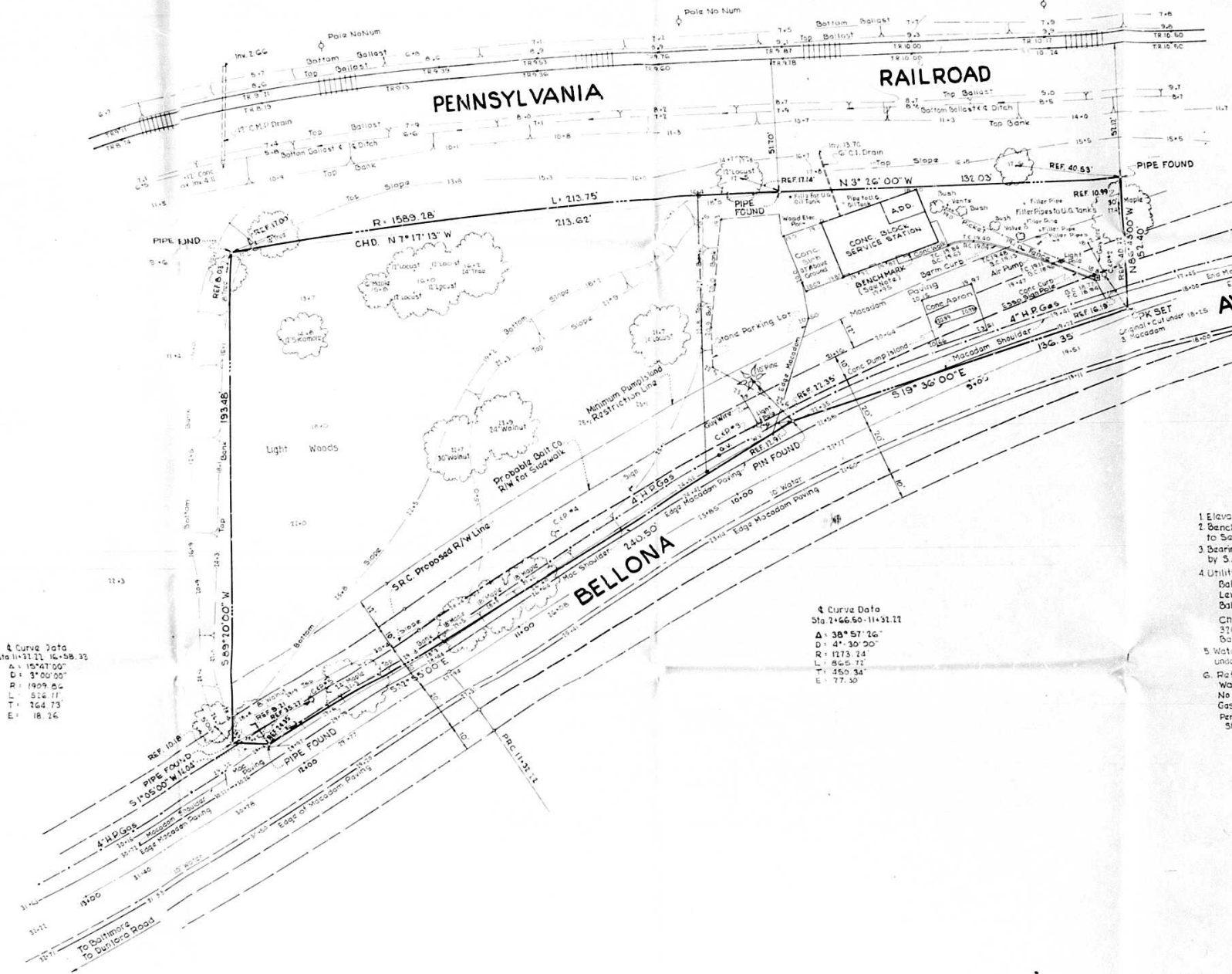
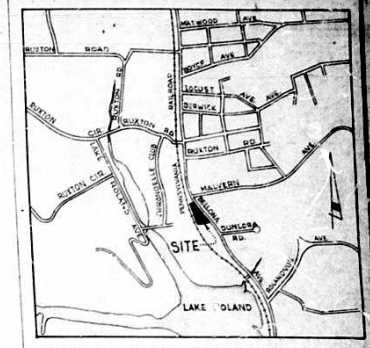
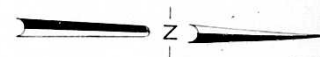
HUMBLE OIL & REFINING CO.
7720 YORK ROAD
TOWSON 4, MARYLAND

ACCOUNT # 10638

DRAWN BY
G.R.P.
APPROVED BY
SCALE
1" = 20'

TOPOGRAPHIC SURVEY
WEST SIDE BELLONA AVENUE
BETWEEN DUNLORA ROAD & MALVERN AVE.
RUXTON BALTIMORE CO., MD. DISTRICT 9

DATE
DEC 5, 1964
FILE
DWC NO.



Curve Data
 Sta 11+31.11 to 16+58.33
 Δ = 15°47'00"
 D = 31'00"00"
 R = 1909.84
 L = 514.11
 T = 164.73
 E = 18.24

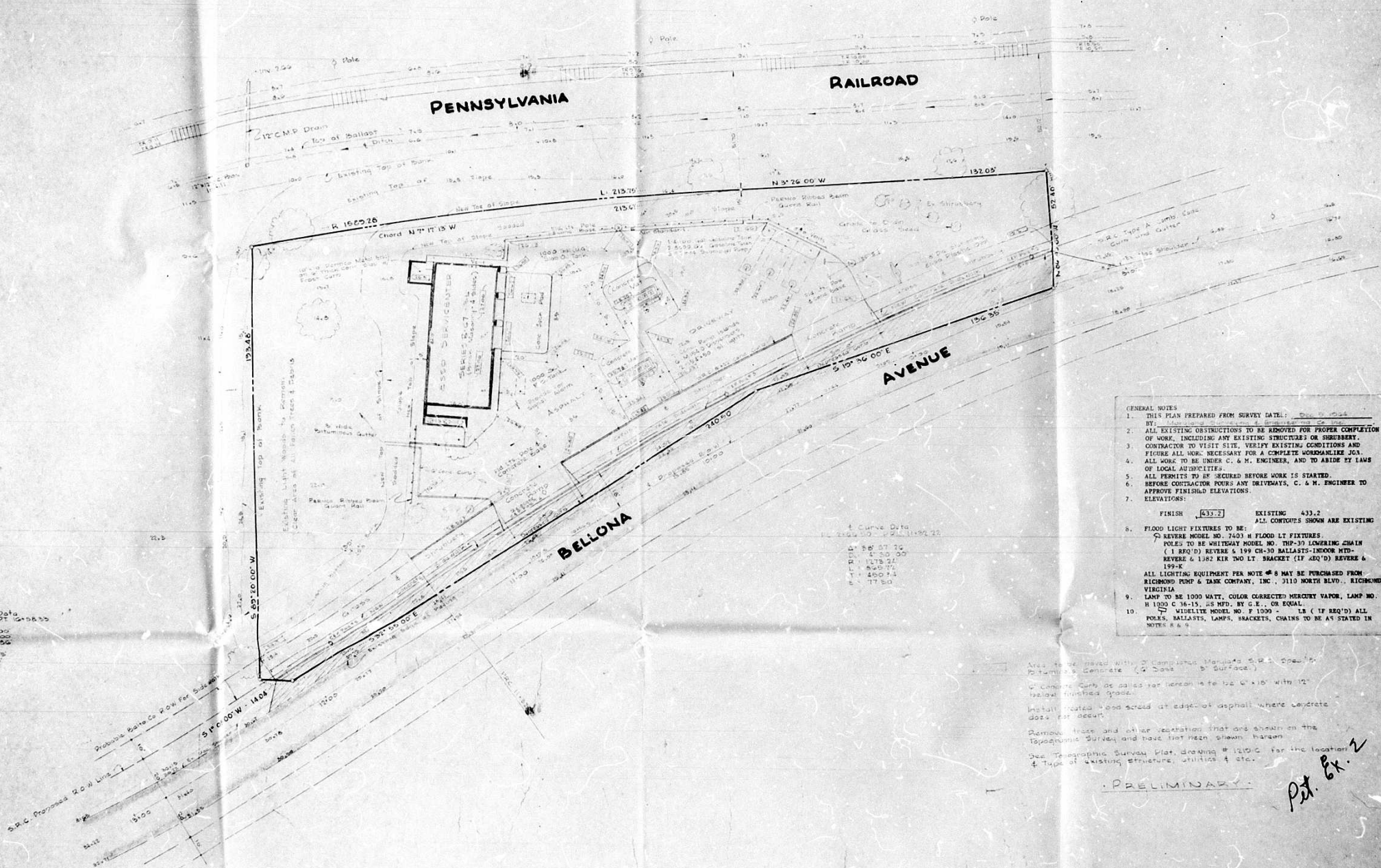
Curve Data
 Sta 2+66.50 to 11+31.11
 Δ = 38°57'26"
 D = 4" 30' 00"
 R = 1273.24
 L = 865.12
 T = 250.34
 E = 77.30

- GENERAL NOTES:**
- Elevations as shown hereon are assumed.
 - Bench Mark: North End brick step at entrance to Service Station. Assumed Elev. 20.00
 - Bearings as shown hereon are taken from Plat by S. J. Martenat & Co. dated January 30, 1947
 - Utility Companies:
 Baltimore Gas and Electric Co.
 Lexington and Liberty Streets
 Baltimore, Md. 21201, L2 9-8300
 Chesapeake and Potomac Telephone Co.
 370 St. Paul Place
 Baltimore, Md. 21201, L2 9-9900
 - Water, Sanitary Sewer and Storm Drains are under the jurisdiction of Baltimore County
 - Reference Drawings:
 Water: File No. A4b J.O. 498.5
 No Sanitary available
 Gas: Bellona Ave. Section 55
 Penn. R.R. Right of Way & Track Map
 Sheet B of VI

*Pr. br. #1
(false copy)*



REVISIONS 	PREPARED BY MARYLAND SURVEYING AND ENGINEERING CO., INC. 1701 NORTH CALVERT STREET BALTIMORE, MARYLAND 21202 ME. 5-0499	HUMBLE OIL & REFINING CO. 7720 YORK ROAD TOWSON 4, MARYLAND	ACCOUNT # 10638	DRAWN BY G.R.P. APPROVED BY SCALE 1" = 10'	DATE DEC. 5, 1964 FILE 5039 DWS. NO.
	TOPOGRAPHIC SURVEY WEST SIDE BELLONA AVENUE BETWEEN DUNLORA ROAD & MALVERN AVE. RUXTON BALTIMORE CO., MD. DISTRICT 9				



Curve Data
 P.C. 1182.11 P.T. 1508.33
 Δ 97.41 05
 D. 20.00 00
 R. 1000.00
 L. 526.11
 T. 224.75
 E. 18.70

Curve Data
 P.C. 1182.11 P.T. 1508.33
 Δ 97.41 05
 D. 20.00 00
 R. 1000.00
 L. 526.11
 T. 224.75
 E. 18.70

- GENERAL NOTES
- THIS PLAN PREPARED FROM SURVEY DATE: 5/20/54 BY: [Signature]
 - ALL EXISTING OBSTRUCTIONS TO BE REMOVED FOR PROPER COMPLETION OF WORK, INCLUDING ANY EXISTING STRUCTURES OR SHRUBBERY.
 - CONTRACTOR TO VISIT SITE, VERIFY EXISTING CONDITIONS AND FIGURE ALL WORK NECESSARY FOR A COMPLETE WORKMANLIKE JOB.
 - ALL WORK TO BE UNDER C. & M. ENGINEER, AND TO ABIDE BY LAWS OF LOCAL AUTHORITIES.
 - ALL PERMITS TO BE SECURED BEFORE WORK IS STARTED.
 - BEFORE CONTRACTOR POURS ANY DRIVEWAYS, C. & M. ENGINEER TO APPROVE FINISHED ELEVATIONS.
 - ELEVATIONS:
 FINISH 433.2 EXISTING 433.2
 ALL CONTOURS SHOWN ARE EXISTING
 - FLOOD LIGHT FIXTURES TO BE:
 REVERSE MODEL NO. 7401 H FLOOD LT FIXTURES.
 POLES TO BE WHITEWAY MODEL NO. TRP-39 LONGERING CHAIN
 (1 REQ'D) REVERSE & 199 CH-30 BALLASTS-INDOOR MTD-REVERSE & 192 KIR TWO LT BRACKET (IF REQ'D) REVERSE & 199K
 ALL LIGHTING EQUIPMENT PER NOTE #8 MAY BE PURCHASED FROM RICHMOND PUMP & TANK COMPANY, INC., 3110 NORTH BLVD., RICHMOND, VIRGINIA
 LAMP TO BE 1000 WATT, COLOR CORRECTED MERCURY VAPOR, LAMP NO. H 1000 C 36-15, AS MFD. BY G.E., OR EQUAL.
 77 WIDELITE MODEL NO. F 1000 - LB (IF REQ'D) ALL POLES, BALLASTS, LAMPS, BRACKETS, CHAINS TO BE AS STATED IN NOTES # 8 & 9

Area to be paved with 2" Companso Menulite 5,000 Spec. Portland Concrete (4" Base 1" Surface).
 Concrete curb at edges for height to be 12" x 12" with 12" radius finished tops.
 Install rebar 4" x 4" spaced at edges of asphalt where concrete does not occur.
 Remove trees and other vegetation that are shown on the Topographic Survey and have not been shown herein.
 See Topographic Survey Plot, drawing # 1210-C for the location & type of existing structures, utilities & etc.

PRELIMINARY

Plat. Ex. 2

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REVISIONS:	REVISIONS:

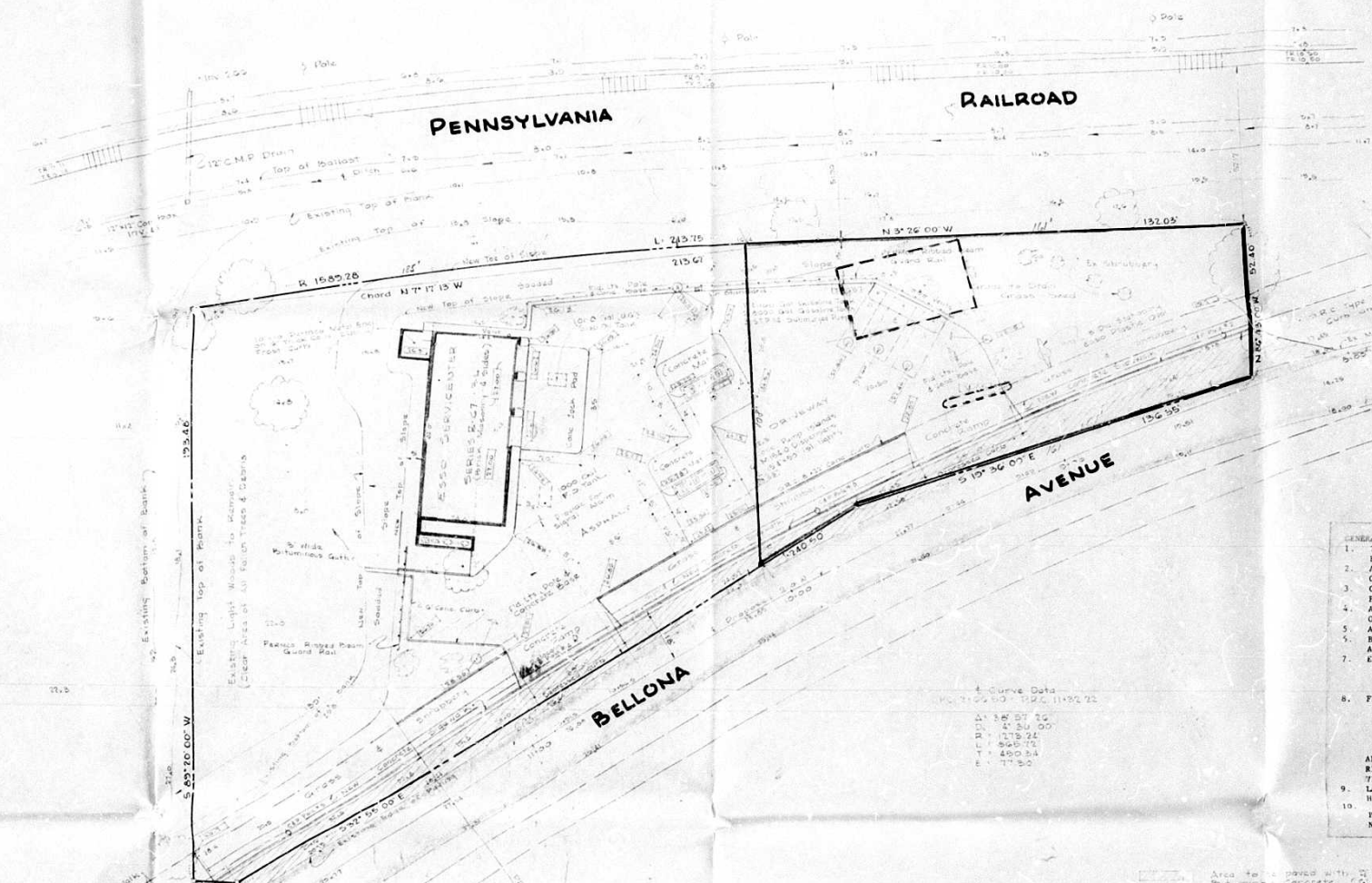
HUMBLE OIL & REFINING CO.
 7720 YORK ROAD
 TOWSON, MARYLAND 21204

Demolish & Rebuild
 Existing Servicenter

DRAWN BY: J.L. Williams
CHECKED BY:
APPROVED BY:
SCALE: 1" = 10'

PLOT PLAN
 Account No 1068B
 Bellona Avenue
 Ruxton, P.O. Co. Maryland

DATE: February 5, 55
FILE NO: 5039
SHEET NO: 071
DWG. NO: 12-2-55



Curve Data
P.C. 11482.21 P.T. 1255.55

Station	10+00.00
Station	11+00.00
Station	12+00.00
Station	13+00.00
Station	14+00.00
Station	15+00.00
Station	16+00.00
Station	17+00.00
Station	18+00.00
Station	19+00.00
Station	20+00.00

Curve Data
P.C. 11482.21 P.T. 1255.55

Station	10+00.00
Station	11+00.00
Station	12+00.00
Station	13+00.00
Station	14+00.00
Station	15+00.00
Station	16+00.00
Station	17+00.00
Station	18+00.00
Station	19+00.00
Station	20+00.00

- GENERAL NOTES
- THIS PLAN PREPARED FROM SURVEY DATED: 12-15-55 BY: J.L. Matthes
 - ALL EXISTING OBSTRUCTIONS TO BE REMOVED FOR PROPER COMPLETION OF WORK, INCLUDING ANY EXISTING STRUCTURES OR SHRUBBERY.
 - CONTRACTOR TO VISIT SITE, VERIFY EXISTING CONDITIONS AND FIGURE ALL WORK NECESSARY FOR A COMPLETE WORKMANLIKE JOB.
 - ALL WORK TO BE UNDER C. & M. ENGINEER, AND TO ABIDE BY LAWS OF LOCAL AUTHORITIES.
 - ALL PERMITS TO BE SECURED BEFORE WORK IS STARTED.
 - BEFORE CONTRACTOR FIXES ANY DRIVEWAYS, C. & M. ENGINEER TO APPROVE FINISHED ELEVATIONS.
 - ELEVATIONS:

FINISH	433.2	EXISTING	433.2
--------	-------	----------	-------
 - FLOOD LIGHT FIXTURES TO BE:
 - REVERSE MODEL NO. 7403 H FLOOD LT FIXTURES
 - POLES TO BE WHITNEY MODEL NO. THP-30 LOWERING CHAIN (1 REQ'D) REVERSE & 199 CH-39 BALLASTS-INHOOK MTD-REVERSE & 1352 KIR TWO LT BRACKET (IF REQ'D) REVERSE & 199-K
 - ALL LIGHTING EQUIPMENT PER NOTE # 8 MAY BE PURCHASED FROM RICHMOND PUMP & TANK COMPANY, INC. 3110 NORTH BLVD. RICHMOND, VIRGINIA
 - LAMP TO BE 1000 WATT, COLOR CORRECTED MERCURY VAPOR, LAMP NO. H 1000 C 36-15. AS REQ'D. BY C.E. OR EQUAL.
 - WIDELITE MODEL NO. F 1-00 - LB (IF REQ'D) ALL POLES, BALLASTS, LAMP, BRACKETS, CHAINS TO BE AS STATED IN NOTES 8 & 9.

Area to be paved with 2" Compacted Maryland 5-8-10 coarse bituminous concrete (2" Base - 2" Surface)

Concrete curb on calked for height to be 6" high with 2" below finished grade.

Install treated wood sored at edges of asphalt where concrete does not occur.

Remove trees and other vegetation that are shown on the topographic survey, and have not been shown herein.

See Topographic Survey Plat drawn # 1210-C for the location & type of existing structures, utilities & etc.

PRELIMINARY

J.L. Matthes, No. 3

THIS BLUEPRINT IS LOANED TO YOU AND MUST BE RETURNED WHEN IT HAS SERVED THE PURPOSE FOR WHICH INTENDED

REVISIONS:

REVISIONS:

HUMBLE OIL & REFINING CO.
7720 YORK ROAD
TOWSON, MARYLAND 21204

Demolition & Rebuild
Existing Servicestation

DATE: February 9, 1956

DOWN BY:	J.L. Matthes
CHECKED BY:	
APPROVED BY:	
SCALE:	1" = 10'

PLOT PLAN
Account No. 10626
Bellona Avenue
Baltimore, Md., Maryland

DATE:	February 9, 1956
FILE NO.:	5839
SHEET NO.:	01
DWG. NO.:	1210-C