

566-123X
MAP
4-B
EASTERN
AREA
MPP
NE-1-I
"X"
CNS

RE: PETITION FOR SPECIAL EXCEPTION
for a Gasoline Service Station, and
C.N.S. (commercial, neighborhood
shopping District
NE/S Back River Neck Road and
Middleborough Road,
15th District
John Crowley, et al
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 66-123-X

OPINION

The petitioner in this case seeks a special exception to erect a gasoline service station on a .486 acre parcel of ground zoned E.R. situated at the intersection of Back River Neck Road and Middleborough Road in the Fifteenth Election District of Baltimore County. The petitioner also requests that the Board grant him a C.N.S. (commercial, neighborhood shopping) District on the subject parcel to permit the construction of a gasoline service station.

The property is presently improved by an old, extremely dilapidated, general store. Immediately to the south of the subject parcel is a small shopping area improved with a Royal Farms store. It is proposed that there will be an interconnection between the gasoline service station and the Royal Farms store parking lot.

Testimony produced by the petitioner indicated that the only feasible use of the subject property is for the development of some type of automobile oriented use, or that a gasoline station would not create any traffic congestion or problems, and would indeed open up the corner. Other witnesses for the petitioner testified that the service station would not be detrimental to the general health, safety, or welfare of the community, nor depreciate surrounding properties.

Without going into detail as to the testimony of each witness, the Board finds that the construction of a gasoline service station here would not violate any requirements of Section 502.1 of the Zoning Regulations, nor Section 405.3 of Bill #40, enacted by the County Council on May 1, 1967.

Re: John Crowley, et al - #66-123-X

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of February, 1968 by the County Board of Appeals, ORDERED that the special exception for a gasoline service station petitioned for, be and the same is hereby GRANTED; also the C.N.S. (commercial, neighborhood shopping) District petitioned for, be and the same is hereby GRANTED.

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

John A. Slawik

John A. Miller

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
John Crowley, J. Paul Guckert, Sibarco Stations, Inc. The Atlantic
County and others, petitioners, for the purpose of making a part hereof,
hereby petition (1) that the property situated at the intersection of
Back River Neck Road and Middleborough Road, in the Fifteenth Election District
of Baltimore County, be reclassified from E.R. to C.N.S. (commercial, neighborhood
shopping) District, 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 gasoline filling station.

See attached description

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.

Address: P.O. Box 1895
Baltimore, Maryland 21203
Petitioner's Attorney
H. Kemp MacDaniel, Esq. Daniel and Payne
Address: 2601 Pennsylvania Avenue (21204)
2601 Pennsylvania Avenue (21204)
Contract purchaser
Cassius M. Kantis
Address: 1601 Middleborough Rd.
Baltimore, Md. 21202
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County this 13th day
of October, 1968, 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 the public hearing be held before the Zoning
Commissioner of Baltimore County in room 106, County Office Building in Towson, Baltimore
County, on the 17th day of November, 1968, at 10:00 o'clock
A.M.



Maryland
Surveying and
Engineering Co., Inc.

SIBARCO CORP.
DESCRIPTION FOR SPECIAL EXCEPTION
BACK RIVER NECK RD. & MIDDLEBOROUGH RD.

BEGINNING for the same at a point on the Northeast Side of
Back River Neck Road as now widened by Baltimore County R/W Plat
Numbers HEW 63-163-18 & 19, said point being 1 mile by the inter-
section of the Southeast R/W line of the Middleborough Road connection
as now laid out by Baltimore County and the aforementioned Northeast
R/W line of Back River Neck Road; THENCE leaving the said point of
beginning and blinding on the Southeast Side of Middleborough Road com-
mencing N 31° 12' 55" E, 257.9 feet to the South Side of Middleborough
Road, as now widened; thence blinding on the South Side of Middleborough
Road the following courses and distances: S 45° 17' 00" E, 15 feet; N 31°
12' 55" E, 7.00 feet; thence S 64° 24' 15" E, 44.00 feet; thence S 60° 50'
18" E, 75.00 feet; thence N 65° 50' 00" E, 4.00 feet; thence leaving the
South Side of Middleborough Road S 33° 10' 30" W, 176.36 feet to inter-
sect the Northeast Side of Back River Neck Road; thence blinding on the
Northeast Side of Back River Neck Road; as now widened, N 36° 50'
20" W, 281.67 feet to the place of beginning.
Containing 0.486 acres more or less.



Signed this 30th day of Sept 1965
J Robert Russell

NOT ENTERED AS EXHIBIT BUT INCLUDE IN
FILE IF AN APPEAL IS TAKEN

WSB:etc

James Kardash
ATTORNEY-AT-LAW



1740 EASTERN BOULEVARD
BALTIMORE, MD. 21201

Mr. John G. Rose
Zoning Commissioner
Baltimore County Office of Planning
and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception for
Gasoline Filling Station - N/E Side
Back River Neck Road and S/S
Middleborough Road, 15th District -
Cassius Mantis and Anna M. Kantis,
Petitioners - John Crowley, J. Paul
Guckert, Sibarco Stations, Inc., and
The Atlantic Refining Co., Cont. Pur.
No. 66-123-X

Dear Mr. Rose:
Please enter an Appeal from the Order dated November 30th, 1965
in the above referenced Petition.

Very truly yours
James Kardash
Attorney-At-Law

cc: Make Back River Neck Area Safe Association -
Appeals



RE: PETITION FOR SPECIAL EXCEPTION
For Gasoline Filling Station
N/E Side Back River Neck Road
and S/S Middleborough Road,
15th District, Cassius Mantis and
Anna M. Kantis, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 66-123-X

The petitioners have requested a special exception for a gasoline filling station on the northeast side of Back River Neck Road and the south side of Middleborough Road, in the Fifteenth District of Baltimore County.

As the petitioners have complied with all the requirements of Section 502.1 of the Baltimore County Zoning Regulations a special exception for a gasoline filling station should be granted.

It is this 30th day of November, 1965 by the Zoning Commissioner of Baltimore County ORDERED that a special exception for a gasoline filling station should be and the same is hereby granted, from and after the date of this Order, provided that the Sibarco Stations, Inc., their successors; The Atlantic Refining Company, their successors and assigns; and Cassius Mantis and Anna M. Kantis, their heirs and assigns, shall comply strictly with Section 405.1 of the Baltimore County Zoning Regulations in that the gasoline filling station shall not be used for any of the following:

1. Storing of school buses shall not be permitted for any portion of the day.
2. Rental trucks and rental trailers shall not be stored or parked on the subject premises.
3. No used cars or wrecked cars shall be stored on the subject property.
4. No advertising displays shall be permitted on the outside of the building without prior approval of the Zoning Commissioner.
5. No vending machines shall be permitted on the property except such as are approved by the Office of Planning and Zoning on the final construction and building plans for the gasoline filling station at the time a building permit shall be issued.

The site plan for the development of said property is subject to approval of the Bureau of Public Services and the Office of Planning and Zoning.

H. Kemp MacDaniel, Esq.
2601 Pennsylvania Ave.
Towson, Md. 21204

No. Petition for Special Exception for Cassius Mantis
#66-123-X

TIME: 10:00 A.M.
DATE: Wednesday, November 17, 1965
PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: William S. Baldwin,
Chairman, Baltimore County
Board of Appeals
FROM: James E. Dyer, Zoning Supervisor
SUBJECT: Zoning Case #66-123-X
Automotive Service Station

As per your request, I have reviewed Bill 40 with regard to the appropriate district for the subject service station, located on the S/E corner of Back River Neck and Middleborough Roads.

It appears this subject site can possibly fall within the definition of a C.N.S. district.

Bill 40 states that C.N.S. districts may be applied to certain existing or proposed centers of business activity which are owned land zoned commercial or M.L., and be intended to include at least one supermarket or grocery store and have less than 15 retail stores in total. The subject site is presently zoned Business Roadside - the adjoining site is zoned Business Local and presently has a food store located on it. The zoning map also indicates large areas of contiguous commercial property which could be interpreted to be proposed centers of business activity.

If you have any further questions on this matter, please do not hesitate to contact me.

James E. Dyer
JUN. E. DYER,
Zoning Supervisor

JED:jd
cc: John G. Rose
George E. Gavrilis

Rec'd 1-24-68
9:30 A.M.

RE: PETITION FOR SPECIAL EXCEPTION
for a Filling Station
NE/S Back River Neck Road
and Middleborough Road,
15th District
John Crowley, et al,
Petitioners
No. 66-123-X

BEFORE #66-123-X
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
William S. Baldwin, Chairman
Messrs. Slowik and Miller

HEARING ROOM 301 - COUNTY OFFICE BUILDING
THURSDAY, JUNE 1, 1967

MR. BALDWIN: This is the petition of John Crowley, et al, for a special exception for a filling station on the northeast side of Back River Neck Road and Middleborough Road in the Fifteenth Election District of Baltimore County.

The petitioner is represented by Paul T. McHenry, Esq. of the firm of Payne and McHenry; the protestants are represented by James Kardash, Esq.; and Baltimore County is represented by Richard Byrd, Esq. Assistant County Solicitor, for Baltimore County.

The petitioner filed with the Board, on May 25th, a motion for hearing on the merits under the existing Zoning Regulations, sending a copy thereof to Mr. Kardash and the Baltimore County Office of Law. In his petition the petitioner alleges that the Baltimore County Moratorium Bill #117 was declared invalid by the Court of Appeals; Baltimore County vs. American Oil Company, et al, #83 Advance, September Term, 1967; that the County Council, on May 1, 1967, enacted Bill #40, which has been signed by the County Executive, setting out new regulations covering gasoline service stations. The Board had discussed with counsel for all parties and amici curiae, Johnson Bowie, Esq., to try to determine on a hearing on this case what law would apply. Included in the discussion was Mr. James Dyer of the Office of Planning and Zoning.

Bill #40, enacted May 1, 1967, sets forth various requirements which must be complied with before a filling station can be constructed, and among other things, purports to set up certain districts which are to be superimposed on top of the existing

John Crowley, et al - #66-123-X

Zoning Regulations. Counsel for the petitioner argues that since the districts referred to in Bill #40 have not yet been enacted by the County Council or the Planning Board, and further, that certain road classifications, such as Commercial Motorway, Class 1, under the ordinance are required to be so designated by ordinance of the County Council, that there is no existing workable law under which he can construct a gasoline filling station. Accordingly, the Board will grant the petitioner's motion for hearing on the merits and reserve ruling until the time of such hearing as to which regulations apply.

One of the specific questions raised is whether or not the Board of Appeals has the authority to set up a district for a particular piece of property, or whether or not the petitioner would be required to begin the entire zoning process with the Zoning Commissioner by filing a petition with the Zoning Commissioner for the particular property and requesting that a district be granted for his property that would allow a filling station use.

MR. KARDASH: Counsel for the protestants feels that Bill #40 may be applied as the existing law and that any part of it specifically referring to districts, perhaps if found to be invalid, must be created by act of Council, then the other part of the law may be applied excluding provisions relative to districts.

MR. MCHENRY: Now, as counsel for the petitioner, we contend that the ordinance, by its terms and by its title, is a comprehensive new bill with respect to filling stations and drive-in restaurants, and that the bill is not severable without the districts.

December 8, 1965

Maryland Association of Petroleum Retailers,
2326 North Charles Street,
Baltimore, Maryland 21208

Att. Mr. A. L. Collins, Pres.

Re: Petition for Special Exception
For Gasoline Filling Station
NE/S Back River Neck Road
and S/S Middleborough Road,
15th Dist., Casimir Kania and
Anna M. Kania, Petitioners
No. 66-123-X

Dear Mr. Collins:

I am attaching a copy of Order passed in the above matter on November 30, 1965.

Very truly yours

Zoning Commissioner

RE: PETITION FOR SPECIAL EXCEPTION
For Gasoline Filling Station
NE/S Back River Neck Road
and S/S Middleborough Road,
15th Dist., Casimir Kania and
Anna M. Kania, Petitioners
BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 66-123-X

The petitioners have requested a special exception for a gasoline filling station on the northeast side of Back River Neck Road and the south side of Middleborough Road, in the Fifteenth District of Baltimore County.

As the petitioners have complied with all the requirements of Section 502.1 of the Baltimore County Zoning Regulations a special exception for a gasoline filling station should be granted.

It is this 31st day of November, 1965 by the Zoning Commissioner of Baltimore County ORDERED that a special exception for a gasoline filling station should be and the same is hereby granted, from and after the date of this Order, provided that the Station Stations, their successors; The Atlantic Refining Company, their successors and assigns; and Casimir Kania and Anna M. Kania, their heirs and assigns, shall comply strictly with Section 502.1 of the Baltimore County Zoning Regulations in that the gasoline filling station shall not be used for any of the following:

1. Storing of school buses shall not be permitted for any portion of the day.
2. Rental trucks and rental trailers shall not be stored or rented from the subject premises.
3. No used cars or wrecked cars shall be stored on the subject property.
4. No advertising displays shall be permitted on the outside of the building without prior approval of the Zoning Commissioner.
5. No vending machines shall be permitted on the property except such as are approved by the Office of Planning and Zoning on the final construction and building plans for the gasoline filling station at the time a building permit shall be issued.

The site plan for the development of said property is subject to approval of the Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of
Baltimore County

December 23, 1965

No. 66-123-X - John Crowley, et al

Petition, description of property Order of Zoning Commissioner
Certificate of posting
Certificate of advertisement
Comments of office of planning
Letter of protest - Make Back River Neck Area Safe Ass'n., Inc.
Petition of protest
Order of appeal I sign
Photographs
Plot filed with petition

H. Kamp MacDonald, Esq.,
26 W. Pennsylvania Avenue,
Towson, Maryland 21204

Counsel for petitioners

James Kardash, Esq.,
1760 Eastern Boulevard,
Baltimore, Maryland 21221

" for Appellants

RE: PETITION FOR SPECIAL EXCEPTION
For Gasoline Filling Station
NE/S Back River Neck Road
and S/S Middleborough Road,
15th Dist., Casimir Kania and
Anna M. Kania, Petitioners
BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 66-123-X

The petitioners have requested a special exception for a gasoline filling station on the northeast side of Back River Neck Road and the south side of Middleborough Road, in the Fifteenth District of Baltimore County.

As the petitioners have complied with all the requirements of Section 502.1 of the Baltimore County Zoning Regulations a special exception for a gasoline filling station should be granted.

It is this 31st day of November, 1965 by the Zoning Commissioner of Baltimore County ORDERED that a special exception for a gasoline filling station should be and the same is hereby granted, from and after the date of this Order, provided that the Station Stations, their successors; The Atlantic Refining Company, their successors and assigns; and Casimir Kania and Anna M. Kania, their heirs and assigns, shall comply strictly with Section 502.1 of the Baltimore County Zoning Regulations in that the gasoline filling station shall not be used for any of the following:

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4. No advertising displays shall be permitted on the outside of the building without prior approval of the Zoning Commissioner.
5. No vending machines shall be permitted on the property except such as are approved by the Office of Planning and Zoning on the final construction and building plans for the gasoline filling station at the time a building permit shall be issued.

The site plan for the development of said property is subject to approval of the Bureau of Public Services and the Office of Planning and Zoning.

PETITION FOR SPECIAL EXCEPTION
FOR A FILLING STATION

RE: Petition for Special Exception for a Filling Station
Location: Northeast side of Back River Neck Road and Middleborough Road.
DATE & TIME: WEDNESDAY, NOVEMBER 17, 1965 at 10:00 A.M.
PUBLIC HEARING: Room 100, County Office Building, 111 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.
Petition for Special Exception for a Filling Station.
All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Casimir Kania and Anna M. Kania, as shown on plot filed with the Zoning Department.

Hearing Dates: Wednesday, November 17, 1965 at 10:00 A.M.
Public Hearing: Room 100, County Office Building, 111 W. Chesapeake Avenue, Towson

BY ORDER OF
JOHN R. ROSE
ZONING COMMISSIONER - BALTIMORE COUNTY

Nov. 10, 1965

H. Kamp MacDonald, Esq.,
26 W. Pennsylvania Avenue
Towson, Md. 21204

Re: Petition for Special Exception for Filling Station
for Casimir Kania, et al
#66-123-X

Dear Sirs:

This is to advise you that \$46.40 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson, Room 121, County Office Building, before the hearing.

Yours very truly,

JOHN R. ROSE
ZONING COMMISSIONER

October 18, 1965

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

H. L. McDaniel, McDaniel and Payne, Esquire
26 W. Pennsylvania Avenue
Towson, Maryland 21204

Dear Sir:

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

BUREAU OF TRAFFIC ENGINEERING: This office will review and submit any necessary comments at a later date.

BUREAU OF ENGINEERING:
Water - Existing 12" water in Middleborough Road. Existing 16" water in Back River Neck Rd.
Sewer - Existing 8" sewer in Middleborough Road.
Adequacy of existing utilities to be determined by developer or his engineer.
Road - Back River Neck Road is to be developed as a minimum 18' road on a 50' right of way and is under construction at this time. Middleborough Road is to be developed as a minimum 30' road on a 50' right of way.

ZONING ADMINISTRATION DIVISION: The location of any outdoor vending machines, refreshment stands or tire rack must be indicated on the petitioners site plan.

The above 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 the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Fire Bureau-Lane Review
Health Department
Industrial Development Commission
Board of Education
Buildings Department
State Roads Commission

Very truly yours,

James E. Rose
James E. Rose, Chief
Petition and Permit Processing

cc: Mr. G. Richard Moore-Bureau of Traffic Engineering
Mr. Carl's Brown-Bureau of Engineering
Mr. James E. Rose-Zoning Administration Division

Maryland

Surveying and
Engineering Co., Inc.

SUBJECT: JORT.
DESCRIPTION FOR SPECIAL EXCEPTION
BACK RIVER NECK RD. & MIDDLEBOROUGH RD.

BEGINNING for the same at a point on the Northeast Side of Back River Neck Road as now widened by Baltimore County R/W Plat Numbers MEW 43-104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



Signed This 30th day of Sept 1965
Robert Carroll

1701 N. CALVERT STREET
Baltimore, Maryland 21202
Phone: 441-3300, 441-0470
REGISTERED
Maryland-New York
Pennsylvania-Delaware

#66-123X
NAP
15-B
11/17

RE: PETITION FOR SPECIAL EXCEPTION
For Gasoline Filling Station
N/E Side Back River Neck Road
and S/E Middleborough Road,
15th Dist., Casimir Kanis and
Anna M. Kanis, Petitioners

BEFORE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

No. 66-123-X

The petitioners have requested a special exception for a gasoline filling station on the northeast side of Back River Neck Road and the south side of Middleborough Road, in the Fifteenth District of Baltimore County.

As the petitioners have complied with all the requirements of Section 502.1 of the Baltimore County Zoning Regulations a special exception for a gasoline filling station should be granted.

It is this day of November, 1965 by the Zoning Commissioner of Baltimore County ORDERED that a special exception for a gasoline filling station should be and the same is hereby granted, from and after the date of this Order, provided that The Siba Service Stations, their successors; The Atlantic Refining Company, their successors and assigns; Casimir Kanis and Anna M. Kanis, their heirs and assigns, shall comply strictly with Section 405.1 of the Baltimore County Zoning Regulations in that the gasoline filling station shall not be used for any of the following:

1. Storing of school buses shall not be permitted for any portion of the day.
2. Rental trucks and rental trailers shall not be stored or rented from the subject premises.
3. No used cars or wrecked cars shall be stored on the subject property.
4. No advertising displays shall be permitted on the outside of the building without prior approval of the Zoning Commissioner.
5. No vending machines shall be permitted on the property except such as are approved by the Office of Planning and Zoning on the final construction and building plans for the gasoline filling station at the time a building permit shall be issued.

The site plan for the development of said property is subject to approval of the Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION
For Gasoline Filling Station
N/E Side Back River Neck Road
and S/E Middleborough Road,
15th Dist., Casimir Kanis and
Anna M. Kanis, Petitioners

BEFORE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

No. 66-123-X

The petitioners have requested a special exception for a gasoline filling station on the northeast side of Back River Neck Road and the south side of Middleborough Road, in the Fifteenth District of Baltimore County.

As the petitioners have complied with all the requirements of Section 502.1 of the Baltimore County Zoning Regulations a special exception for a gasoline filling station should be granted.

It is this day of November, 1965 by the Zoning Commissioner of Baltimore County ORDERED that a special exception for a gasoline filling station should be and the same is hereby granted, from and after the date of this Order, provided that The Siba Service Stations, their successors; The Atlantic Refining Company, their successors and assigns; Casimir Kanis and Anna M. Kanis, their heirs and assigns, shall comply strictly with Section 405.1 of the Baltimore County Zoning Regulations in that the gasoline filling station shall not be used for any of the following:

1. Storing of school buses shall not be permitted for any portion of the day.
2. Rental trucks and rental trailers shall not be stored or rented from the subject premises.
3. No used cars or wrecked cars shall be stored on the subject property.
4. No advertising displays shall be permitted on the outside of the building without prior approval of the Zoning Commissioner.
5. No vending machines shall be permitted on the property except such as are approved by the Office of Planning and Zoning on the final construction and building plans for the gasoline filling station at the time a building permit shall be issued.

The site plan for the development of said property is subject to approval of the Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of
Baltimore County

PETITION FOR ZONING RECLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

John Crowley, J. Paul Robert, Siba Service Stations, Inc. The Atlantic Refining Company, Casimir Kanis and Anna M. Kanis have made a part hereof. We hereby petition for a special exception for a gasoline filling station on the northeast side of Back River Neck Road and the south side of Middleborough Road, in the Fifteenth District of Baltimore County.

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 gasoline filling station.

Proposed to be posted and advertised as prescribed by Zoning Regulations

I, the undersigned, do hereby agree to pay expenses of notice to the public and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Robert Carroll
Robert Carroll
Legal Owner
Address: P.O. Box 1895
Baltimore, Maryland 21203

Robert Carroll
Robert Carroll
Legal Owner
Address: 26 W. Pennsylvania Avenue (21204)
Baltimore, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County this 13th day of October 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 at the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of November 1965, at 10:00 o'clock.

Robert Carroll
Robert Carroll
Legal Owner
Address: 26 W. Pennsylvania Avenue (21204)
Baltimore, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: November 5, 1965

FROM: George E. Gavrilis, Director

SUBJECT: #66-123-X, Petition for Special Exception for a Filling Station, Northeast Side of Back River Neck Road and Middleborough Road. Being the property of Casimir Kanis and Anna M. Kanis.

15th District
HEARING: Wednesday, November 17, 1965 (10:00 A.M.)

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

1. We question the need for yet another filling station in this location.

2. If it should be decided to grant the subject petition, we strongly recommend that a number of restrictions be incorporated within the order. In particular, the northwesterly area of the property (shown on the petitioner's plan as being bounded by Middleborough Road, Back River Neck Road, and the two northwesterly entrances) should be zoned and landscaped with low planting, as should the two corners of the lot at the intersections of the southeasterly property line with Middleborough Road and Back River Neck Road. In addition, some means of insuring that the two northwesterly entrances are not used as a traffic short-cut from Middleborough to Back River Neck should be provided. Further, in view of growing concern over the appearance of filling stations, it would be appropriate to place limitations on signs and lightings. "No plan" is made subject to the approval of this office, some of these problems can be worked out here.



#66-123X
NAP
15-B
11/17

Mr. John Rose-Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Sir:

The "KANE BACK RIVER NECK AREA SAFE ASSOCIATION, INC." voted unanimously at the general meeting on November 5, 1965 to oppose the proposed "special exception" filling station zoning requested by Casimir Kanis for property located at Back River Neck Road and Middleborough Road. We believe this section of Back River Neck Road has reached the saturation point with eight stations located within seven-tenths mile. Two of these stations are now "For Lease".

Spokesman for this association shall be Mr. A. E. Clasing and Mrs. A. T. Geronowski.

Very truly yours,

A. E. Clasing
A. E. Clasing
President

518 Back River Neck Road
Baltimore, Maryland 21201
November 16, 1965

We, the undersigned, are operators of service stations presently located on Back River Neck Road. We feel that any additional businesses of this type would create a hardship on present owners.

Sinclair Service Station
Back River Neck Road & Homberg Avenue
FOR LEASE
American Service Station
Back River Neck Road & Hopewell Avenue
FOR LEASE
Sinclair Service Station
Back River Neck Road & Howard Avenue
FOR LEASE
Sunoco Service Station
Back River Neck Road south of French's Avenue
FOR LEASE
Crown Service Station
Back River Neck Road & Williams Avenue
FOR LEASE
Shell Service Station
Back River Neck Road & Howard Avenue
FOR LEASE
Citgo Service Station
Back River Neck Road south of Howard Avenue
FOR LEASE
Esso Service Station
Back River Neck Road & French's Avenue
FOR LEASE

We hereby authorize *Mr. Association of Baltimore* to act as spokesman for us.

Mr. Clasing
Mr. Morgan

LAW OFFICE
PAYNE AND MCHENRY
THE LAW BUILDING
22 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

RICHARD D. PAYNE
PAUL T. MCHENRY, JR.

June 22, 1967

The Honorable William S. Baldwin
County Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning File No. 66-123-X
John Crowley, et al, Petitioners

Dear Mr. Baldwin:

The above entitled case has been scheduled for a hearing on Thursday, July 6, 1967 at 10 a.m. I have checked with my expert witnesses and found that one of my most important witnesses will be out of town on vacation on the day of the hearing, and therefore I must ask for the case to be rescheduled for another day.

We are rather anxious, however, to have the case heard as promptly as possible and would appreciate having the hearing set for sometime during the last three weeks in August.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

PAYNE AND MCHENRY

Richard D. Payne

cc: James Kardash, Esq.

Rec'd 6/26/67
9:30 a.m.

MIDDLEBOROUGH IMPROVEMENT ASSOCIATION
BALTIMORE 21, MARYLAND

2231 Monocacy Rd.,
Baltimore, Md. 21221
June 30, 1967

Zoning Board of Appeals
County Office Bldg.
Towson, Md. 21204

Re: Kanes Property - John Crowley, et al.
Southeastern corner Back River Neck and
Middleborough Roads

Gentlemen:

At a meeting of the Middleborough Civic Association, Inc. it was unanimously agreed to oppose the erection of a service station at the southeast corner of Back River Neck and Middleborough Roads.

The history of service stations along the stretch of road on Back River Neck from Homberg Avenue to the intersection where the petitioners want to erect one is replete with aggravation, right and utter futility by the people in the surrounding area for the past many years. It is one of constant opening and closing of service stations that do nothing but disrupt and depreciate the neighborhood.

At the present time, starting from Homberg Avenue on Back River Neck Road to the location for the proposed station which is a distance of only .5 of a mile, there are sites for nine service stations. Of the nine, only six are operating, three of which have been opened and closed several times.

The people in this area are not opposed to service stations as such, nor they object to the reasonable use of any kind of business. They have always endeavored to aid businesses or to increase business and commercial expansion that inures to the mutual benefit of the business community and to the community's life and social activity. The fact that they have tolerated this existing deplorable situation so long betrays very well of their tolerance and stoicism. But to permit another station to be built at this intersection would allow, we repeat nine service stations (two have been closed) in a distance of .5 of a mile.

We believe, as we are sure, other thinking people do, that this situation would serve no useful purpose whatever, but would only aggravate a situation that is ripe with discontent and aggravate an already intolerable and deplorable situation, both from a healthy, safety and fire situation standpoint. The opening and closing of service stations bear ample testimony to immediate need for curtailing the building of new service stations so that the people will be given some respite from this ugly situation.

We believe that permission to erect so many stations in such close proximity has

Rec'd 7-3-67
9 AM

Middleborough Civic Assn. Inc.

-2-

done a grave injustice to the people in this area. Despite the fact that the people have objected to the erection of these service stations en masse at the hearings, the building has continued in utter disregard of the people's wishes. In view of the above, we, therefore, respectfully ask this board to deny their petition.

Yours very truly,

Joseph J. Martin
(MR. JOSEPH J. MARTIN)
Corres. Secretary

JJM:K

cc Mr. Alfred Glasing, Jr.
Mr. Harry Barbenfelder
Hon. James Kardash

TURKEY POINT IMPROVEMENT ASSOCIATION

TURKEY POINT - MIDDLE RIVER
BALTIMORE COUNTY, MARYLAND
21221 Turkey Pt. Road

June 22, 1967

Mr. S. Baldwin
Board of Zoning Appeals
County Office Building
Towson, Maryland 21204

Dear Mr. Baldwin:

This letter is in reference to a petition for a Special Exception for the construction of a filling station at Back River Neck Road and Middleborough Road, in the 15th District. Reference Petition No. 66-123-X, John Crowley, et al.

The members of this association and all citizens of this area must use Back River Neck Road as the only means of entry and egress to and from their homes in the Turkey Point Road area.

As a result, we have all become increasingly conscious of the general appearance of this highway. We are quite sure the area is already saturated with filling stations, since two have been forced to close, and a third, a newly constructed station, has only been in operation about one half the time since its completion.

While it is realized that the area of the proposed new station could well present a better appearance than it now does, it is also realized that another filling station at this spot would only result in another of the existing stations being forced to close.

It appears that a trend has been established by the major oil companies to outdo each other with bigger and more sumptuous stations, and with competition so keen, and with a definite limit to the sale of their product, the inevitable answer is that wherever another of these emporiums is built, a previously established business is forced to close.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15
Posted for: Hearing held Nov. 17-65 at 9 AM
Petitioner: E. S. Kanes
Location of property: 1113 Back River Neck Rd. and Middleborough Rd.
Location of Sign: 2 on Middleborough Rd. and 2 on Back River Neck Rd.
Remarks: Robert Lee Bull Jr.
Posted by: Signature Date of return: 11/4/65

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15
Posted for: John Crowley et al.
Petitioner: John Crowley et al.
Location of property: 1113 Back River Neck Rd. and Middleborough Rd.
Location of Sign: 2 on the front of the property and 2 on the back of the property
Remarks: Robert Lee Bull Jr.
Posted by: Signature Date of return: 11/4/65

CERTIFICATE OF PUBLICATION

TOWSON, M.D. 1965
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 successive weeks before the 17th day of October, 1965, the first publication appearing on the 17th day of October, 1965.

THE JEFFERSONIAN

Robert Lee Bull Jr.
Manager

Cost of Advertisement, \$.....

CERTIFICATE OF PUBLICATION

OFFICE OF
The Community Press

DUNDALK, MD., October 27, 1965

THIS IS TO CERTIFY, that the annexed advertisement of "Casalini Kanes" was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive weeks before the 26th day of October 1965; that is to say, the same was inserted in the issues of 10-27-65

Stromberg Publications, Inc.

Publisher.

By Mrs. Palmer Price

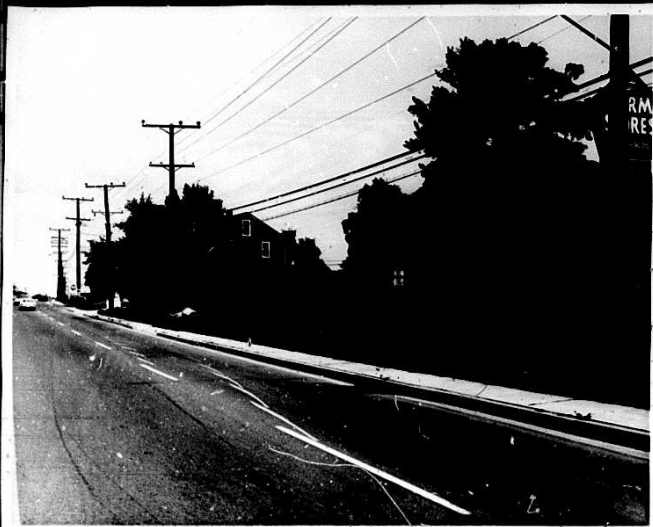
Mrs. Palmer Price

66-123-X

NE/S Back River Neck Road & Middleborough Road

John Crowley et al, Petitioners

1-2p



4.

Pat
xh 50



5.

Pat
xh 87



2.

Pat xh
50



Pat
xh
7



Pat
xh 30



6-

Prot 8B

PHOTOGRAPHED BY
GEORGE B. BROWN, JR.
1000 10th Avenue N.E.
BIRMINGHAM, ALA. 35203
© 1967

MICROFILMED



- 3 - Sinclair - 2nd Ave. N. & 1st St.
- 5 - Mobil - 2nd Ave. N. & 1st St.
- 6 - Sinclair - 4th Ave. N.
- 4 - Sinclair - 4th Ave. N.
- 7 - Crown - 4th Ave. N.
- 2 - Shell - 4th Ave. N.
- 8 - CITGO - 4th Ave. N.
- 1 - ESSO - 4th Ave. N.

South on 1st Ave. N.
2nd Ave. N. & 1st St.

A Series of Photos
Taken on 1st Ave. N. & 1st St.

2nd Ave. N. & 1st St.

#11 SINCE
BACK

#12 CITGO
BACK



1 1st Ave. N.
2 1st St.

Prot A

MICROFILMED

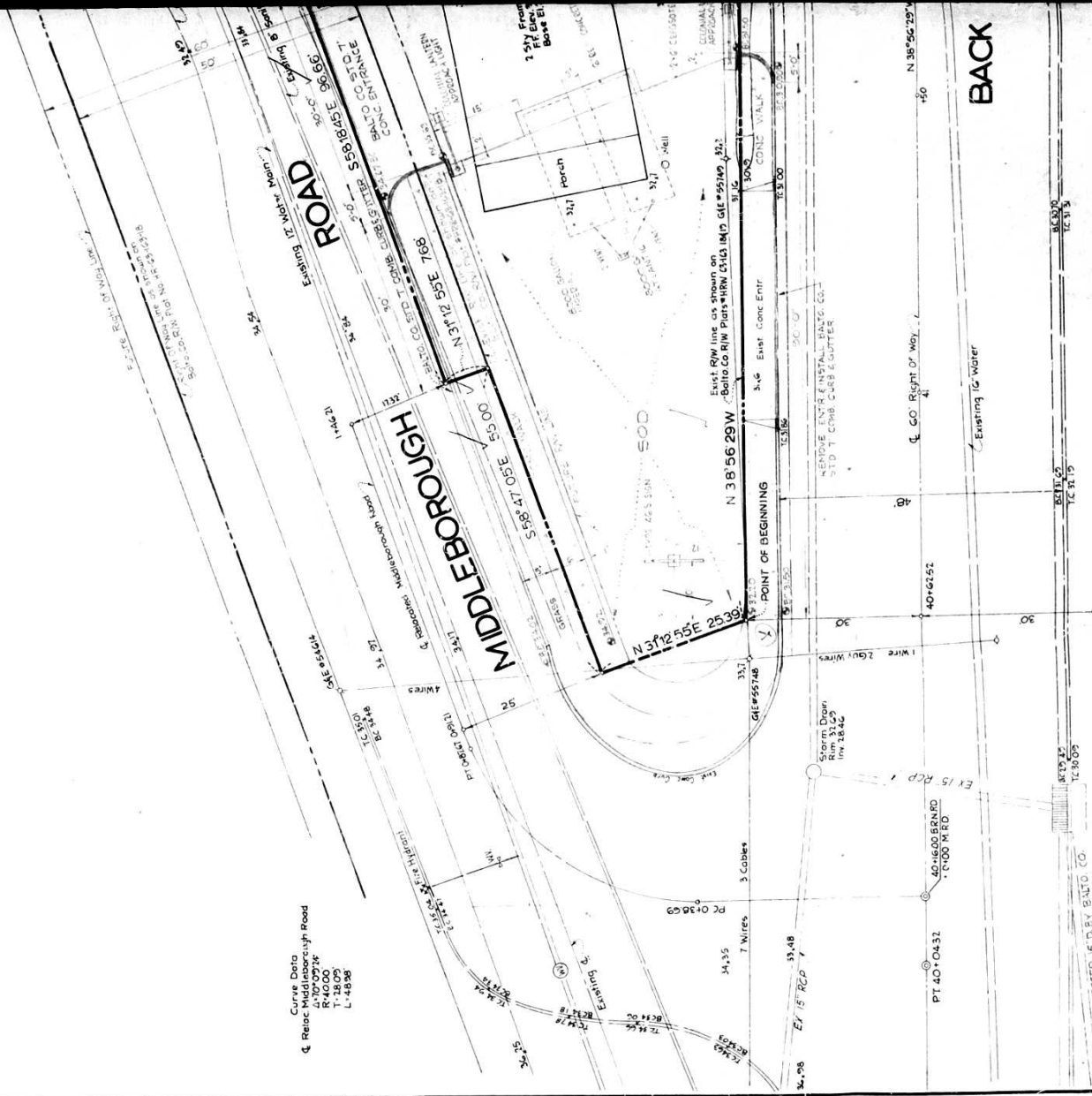
ZONING NOTES

AREA: (C484.4C)
 PRESENT USE: REVENUE STORE
 PROPOSED USE: SERVICE STATION
 PRESENT ZONING: B-1
 PROPOSED ZONING: B-1
 ELECTION DISTRICT: 572

GENERAL NOTES

- Coordinates and Bearings as shown hereon are based on
 1. Back River Neck Road Station
 PT 40+04.32 N 38°56'29" E 128.681
 and were obtained from Baltimore County plat nos.
 HRW 63-163-18 & HRW 63-163-19
- Utility Companies:
 Baltimore Gas & Electric Company
 Chesapeake & Potomac Telephone Company
 320 St. Place
 Baltimore, Maryland 21202 LE 977000
- Water and Sanitary Mains are under jurisdiction of
 Baltimore County.
- Elevations as shown hereon are based on Baltimore County
 Hub # 853.4.
- Nature of Soil: Clay - Bearing value 3 tons per sq. ft.
- Reference: Baltimore Co. Dept. of Pub. Works, Bureau of Engr. # 64-955
 Sanitary Sewer & Force Main Plan - Baltimore Co. Dept. of Public
 Works, Bureau of Engineering # 59-982
 Construction Plan - Baltimore County Dept. of Public Works
 Division of Engineering # 138
 Plot of Hilltop Park, User B, Folio 32

Curve Data
 1. Reloc Middleborough Road
 R=400.00' W
 T=128.09'
 L=48.98'



Right of Way Line as shown on Baltimore
 County Plats HRW 63-163-18 & 19

PROPOSED 15' D.B.V. EASEMENT

