

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

James Perry Wade
I, or we, Elizabeth R. Wade, 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 reclassified pursuant to the Zoning Law of Baltimore County, from an undistricted tract to a C.S.A. District for the following reasons:

To create a district compatible to districts recommended by the Planning Board on the other three corners of Liberty and Old Court Roads.

See attached description

and for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for:

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above mentioned 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: James Perry Wade
Address: 111 West Chesapeake Avenue, Towson, Md. 21204
Petitioner's Attorney: John G. Rose
Address: 111 West Chesapeake Avenue, Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of July, 1967, 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 16th day of August, 1967, at 2:00 o'clock.

By John G. Rose, Zoning Commissioner of Baltimore County.

68-41-R
ORDER RECEIVED FOR FILING
DATE 3/22/67
BY James Perry Wade

RE: PETITION FOR REDISTRICTING
NE corner of Liberty Road and
Old Court Road - 2nd District
James Perry Wade, Petitioner
NO. 68-41-R

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The above Petition involves an existing Gasoline Service Station located on the northeast corner of Liberty and Old Court Roads in the 2nd Election District of Baltimore County. The station has or will be rendered unusable for that purpose by a taking of the State Roads Commission for the widening of Liberty Road and a taking by Baltimore County for the widening of Old Court Road.

It is necessary for the Applicants to reconstruct this station because of the taking by the respective governmental bodies. There is a contiguous vacant lot to the east on Liberty Road which has been, under lease to Humble Oil and Refining Company, the Lessee of the existing service station. Therefore, it is possible to relocate the building and improvements on the adjoining lot and keep this location in operation.

Under the provisions of Council Bill 40-1967, an Automotive Service Station is permitted as a matter of right in a C.S.A. District and it would not be possible for the applicant to relocate the station on the lot (which is zoned Business Major) unless the entire property was classified as a C.S.A. district or some other district permitting an automotive service station either by special exception or as a matter of right.

The Planning Board of Baltimore County has recommended to the County Council the various districts for various properties in various sections of Baltimore County. The recommendations of the Planning Board to the County Council for the properties located on the four (4) corners of Liberty and Old Court Roads included recommendations for a C.S.A. district on all three (3) corners except the northeast corner where this automotive service station is located. There appears to be no logical reason why a C.S.A. District should not be the recommendation of the Planning Board or that the recommendation should be anything other than a C.S.A. District which would permit this automotive service station, which has existed on this corner for more than fifteen (15) years, to remain in business. It is clear from the testimony that the recommendation of the Planning Board to the County Council is erroneous and a C.S.A. district is the proper, correct and appropriate district for this corner in order to protect the general welfare and the public interests. Obviously, if this automotive service station is put out of business by the taking of the County on Old Court Road and the inability of the owner and Lessee to reconstruct the station by utilizing the adjoining Business Major lot, the damages which must be paid the owner and the Lessee would be far in excess of those to which they would otherwise be entitled.

Therefore, IT IS ORDERED by the Zoning Commissioner, this

July 20, 1967

Mr. Robert L. Tate, Chairman
Baltimore County Planning Board
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Tate:

As Attorney representing James Perry Wade, the owner of the Humble Filling Station situate at the northwest corner of Liberty Road and Old Court Road I am writing your Board to request its consideration of the re-zoning of that property to C.S.A. from C.C.C.

The property in question has been an existing filling station on Liberty Road for, I would say, well over twenty years and is adjacent to the shopping center of Food Fair and I feel that it is pretty rough to destroy the rights of a property owner who has acquired legally the right to use his property for a commercial purpose and acquire a property value as a result of such zoning and then turn around and reduce its use and its value by making the same a property with a non-conforming use.

I am sure that you and the members of your Board will see the position of the owner of this station and reclassify the same to a C.S.A. zone.

Thanking you for your kindness and cooperation with me in this matter, I am

Sincerely,

James D. C. Downes

JDC:dad
#16353

day of August, 1967, that the above described property or area should be and the same is hereby redistricted from an Undistricted tract to a C.S.A. District, subject to approval of the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

John G. Rose
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 4, 1967
FROM: George E. Gavrellis, Director of Planning

SUBJECT: Petition #68-41-R... Northeast corner of Liberty & Old Court Roads. Petition for Undistricted Tract to a C.S.A. District
James Perry Wade - Petitioner.

2nd District
HEARING: Wednesday, August 16, 1967 (2:00 P.M.)

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

- The maps showing the recommended boundaries of proposed districts do not show the subject property as a C.S.A. District, but, rather, as part of a C.C.C. District. The proposal to classify it as a C.S.A. District will be brought to the attention of the Planning Board as it completes its consideration of the preliminary recommendations and formulates its final recommendations. The staff will recommend to the Board that the presently proposed C.C.C. District boundary be adjusted and that a C.S.A. District be applied to the subject property.

GE:Gams

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

V. Lee Harrison, Esq.,
607 Loyola Federal Bldg.,
Towson, Maryland 21204

Your petition has been received and accepted for filing this 25th day of July, 1967

John G. Rose
Zoning Commissioner

Petitioner: James Perry Wade

Petitioner's Attorney: V. Lee Harrison, Esq. Reviewed by James D. C. Downes
Chairman of Advisory Com.

Maryland
Surveying and
Engineering Co., Inc.

J. PERRY WADE PROPERTY
N.W. CORNER LIBERTY & OLD COURT
EXISTING UNDISTRICTED TRACT

Beginning for the same at the intersection of the Northeast Side of Liberty Road before widening and the Northwest Side of Old Court Road before widening; thence binding on the Northeast Side of Liberty Road N 64° 24' 27" W, 138.00 feet; thence leaving said Northeast Side of Liberty Road, N 36° 25' 03" E, 150.17 feet; thence S 64° 32' 24" E, 151.15 feet to intersect the Northwest Side of Old Court Road before widening; thence binding on said Northwest Side S 41° 14' 48" W, 153.53 feet to the place of beginning. Containing 0.507 Acres, more or less.



Signed This 17th day of July, 1967
J. Robert Caswell

SCALE: 1" = 100' 0"

INVOICE		No. 48428
BALTIMORE COUNTY, MARYLAND		DATE: Aug. 22, 1967
OFFICE OF FINANCE		
Division of Collection and Receipts		
COURT HOUSE		
TOWSON, MARYLAND 21204		
TO: Humble Oil & Refining Co. Eastern Area Region 720 York Road Baltimore, Md. 21212		
Zoning Dept. of Balto. Co.		
DEPOSIT TO ACCOUNT NO. 01-622	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT \$44.50
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST
Advertising and posting of property for James Perry Wade #68-41-R		44.50
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204		

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

V. Lee Harrison, Esq.,
607 Loyola Federal Building
Towson, Md. 21204

Your petition has been received and accepted for filing this 25th day of July, 1967

John G. Rose
Zoning Commissioner

Petitioner: James Perry Wade

Petitioner's Attorney: V. Lee Harrison, Esq. Reviewed by James D. C. Downes
Chairman of Advisory Com.

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: July 27, 1967
Posted for: Undistricted Tract to a C.S.A. District
Petitioner: James Perry Wade
Location of property: NE corner of Liberty Rd & Old Court Rd
Location of signs: On NE corner of Liberty Rd, 50' NW of Old Court Rd
On NW corner of Liberty Rd, 50' East of Liberty Rd
Remarks: 3 signs
Posted by: J. D. C. Downes Date of return: Aug 3, 1967

**PETITION FOR REDISTRICTING
2nd DISTRICT**

ZONING: From an Undistricted Tract to a CSA District.
LOCATION: Northeast corner of Liberty and Old Court Roads.
DATE & TIME: Wednesday, August 16, 1967 at 2:00 P.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
From an Undistricted Tract to a CSA District.

All that parcel of land in the Second District of Baltimore County, Beginning for the same at the intersection of the Northeast Side of Liberty Road before widening and the Northwest Side of Old Court Road before widening; thence binding on the Northeast Side of Liberty Road N 64° 24' 27" W, 138.00 feet, thence leaving said Northeast Side of Liberty Road, N 36° 26' 03" E, 150.17 feet, thence S 64° 32' 24" E, 151.18 feet to intersect the Northeast Side of Old Court Road before widening; thence binding on said Northwest Side S 41° 14' 45" W, 153.53 feet to the place of beginning. Containing 0.507 Acres, more or less. Being the property of James Perry Wade and Elizabeth B. Wade, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, August 16, 1967 at 2:00 P.M.

Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By order of
JOHN G. ROSE,
Zoning Commissioner of Baltimore County
July 27.

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 27th, 1967.

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 one ~~successive~~ weeks before the 16th day of August, 1967, the first publication appearing on the 27th day of July, 1967.

L. Frank Smith
THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

**PETITION FOR
REDISTRICTING
2nd DISTRICT**

ZONING: From an Undistricted Tract to a CSA District.
LOCATION: Northeast corner of Liberty and Old Court Roads.
DATE & TIME: WEDNESDAY, AUGUST 16, 1967 at 2:00 P.M.

PUBLIC HEARING: Room 108, 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:
From an Undistricted Tract to a CSA District. All that parcel of land in the Second District of Baltimore County.

Beginning for the same at the intersection of the Northeast Side of Liberty Road before widening and the Northwest Side of Old Court Road before widening; thence binding on the Northeast Side of Liberty Road N 64 degrees 24' 27" W, 138.00 feet; thence leaving said Northeast Side of Liberty Road, N 36 degrees 26' 03" E, 150.17 feet; thence S 64 degrees 32' 24" E, 151.18 feet to intersect the Northwest Side of Old Court Road before widening; thence binding on said Northwest Side S 41 degrees 14' 48" W, 153.53 feet to the place of beginning. Containing 0.507 Acres, more or less.

Being the property of James Perry Wade and Elizabeth B. Wade, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, August 16, 1967 at 2:00 P.M.

Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY.
July 27.

ORIGINAL

OFFICE OF

THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Roisterdown, Md

THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

July 31, 1967

THIS IS TO CERTIFY, that the annexed advertisement of
John G. Rose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of ~~three~~ weekly newspapers published in Baltimore County, Maryland, once a week for One ~~successive~~ weeks before the 31st day of July, 1967, that is to say the same was inserted in the issues of

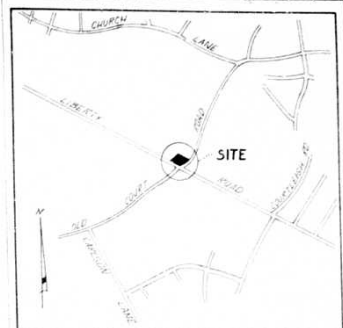
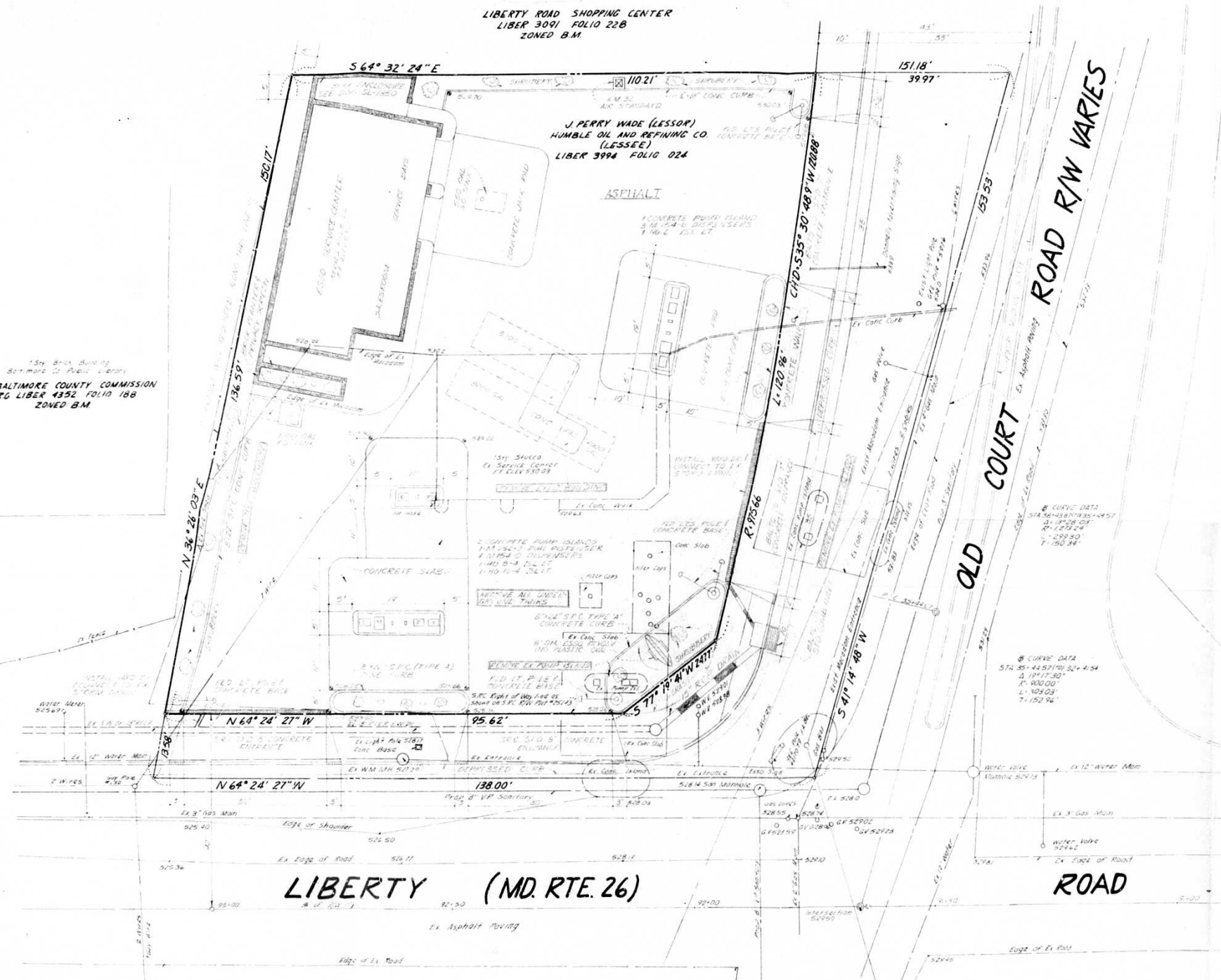
July 27, 1967.

THE BALTIMORE COUNTIAN

By *Paul J. Morgan*
Editor and Manager.
e.m.

LIBERTY ROAD SHOPPING CENTER
LIBER 3001 FOLIO 228
ZONED B.M.

1.54 Brick Building
Baltimore Co Public Library
BALTIMORE COUNTY COMMISSION
R.R.G. LIBER 4352 FOLIO 188
ZONED B.M.



LOCATION MAP
SCALE 1"=100'

- NOTES
- COORDINATES AND BEARINGS SHOWN ARE BASED ON BEARINGS AT 3900' ON 3-4-1971 P.M. 10-15-1971
 - ELEVATIONS SHOWN ARE BASED ON STATE ROADS COMMISSION BENCH MARK. CORNER OF CONCRETE BASE SIGN POST 8-18-17 SECTION 21-12-12 6-17-19 30' LEFT STATION 91432.5 (100) ELEV 529.23 (10) SHOWN ON SDC CORNER PLAT B-445-2-47 5-17-19
 - THE LOCATIONS OF THE UTILITIES ON THIS PLAT HAVE BEEN MADE BY ACTUAL FIELD MEASUREMENTS, SUPPLEMENTED BY DATA FURNISHED BY THE AGENCIES OPERATING THE SAME. ALL UTILITIES ARE SUBJECT TO VERIFICATION BY THE CONTRACTOR.
 - THE LINES AND GRADES OF THE PROPOSED ROADS SHOWN HAVE BEEN OBTAINED FROM PLANS OF THE LOCAL HIGHWAY AGENCIES THEY ARE SUBJECT TO CHANGE UNTIL ACTUAL CONSTRUCTION.
 - UTILITY COMPANIES
CHEEPEAKE & POTOMAC TELEPHONE COMPANY
320 ST. PAUL STREET, BALTIMORE, MD. 21202
BALTIMORE GAS & ELECTRIC COMPANY
LEXINGTON & LIBERTY STREETS, BALTIMORE, MD. 21202.

ZONING NOTES

EXISTING ZONING MAP
PROPOSED ZONING MAP
EX-12-1971-30
PROPOSED ZONING MAP
EX-12-1971-30
PROPOSED ZONING MAP
EX-12-1971-30

#68-41R
MAP
2-B
WESTERN
AREA
NW-6-1-X



OFFICE COPY

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

PREPARED BY
MARYLAND SURVEYING AND ENGINEERING CO., INC.
1701 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202
MD. S-0489

REVISIONS: Soft 2-19-71 21/17 1-1-71

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

DRAWN BY: SUTER
CHECKED BY:
APPROVED BY:
SCALE: 1"=100'

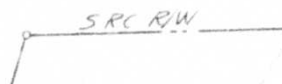
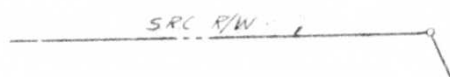
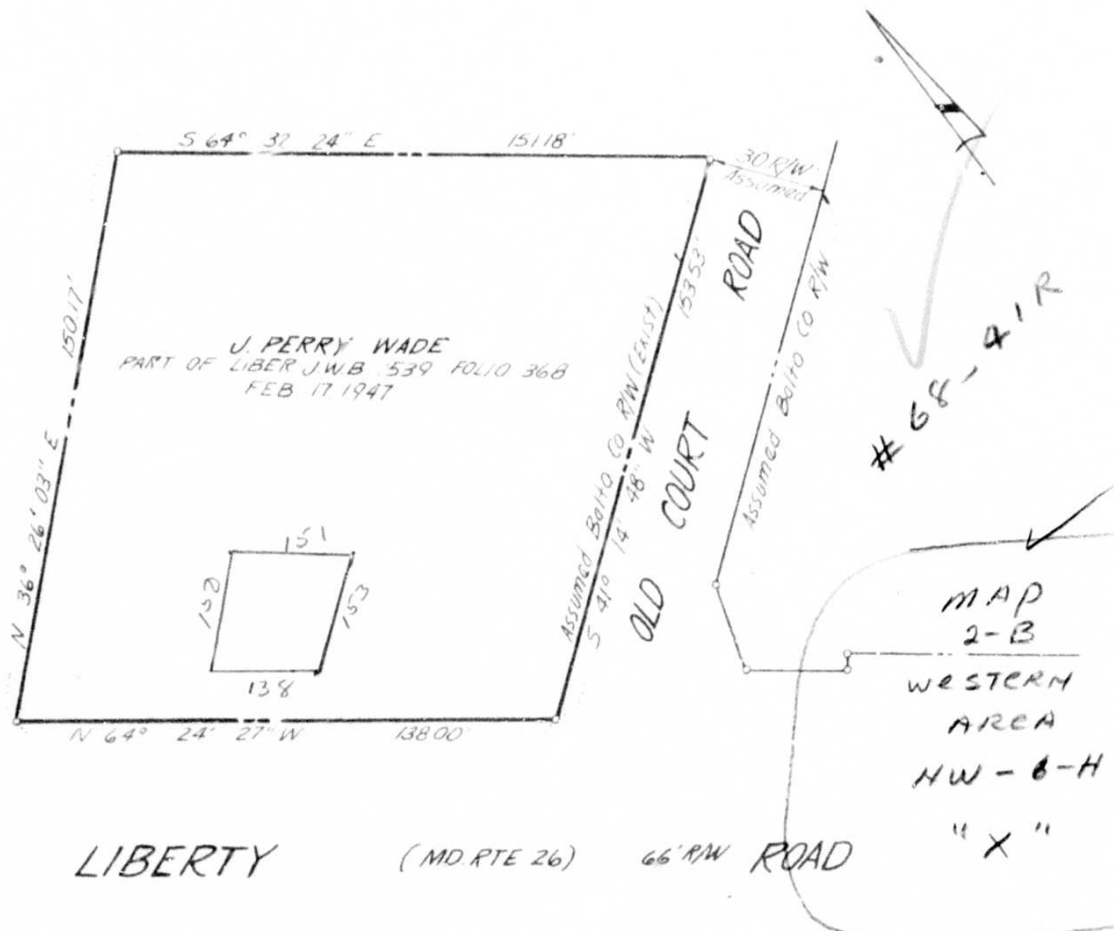
ZONING PLAT
NW COR. LIBERTY RD (MD. RTE. 26) OLD COURT RD
DISTRICT NO. 2 BALD CO. MARYLAND

DATE: 5/1/67
FILE NO.:
SHEET NO.:
OF:
DWS NO.:

Maryland
Surveying and
Engineering Co., Inc.

1701 N. CALVERT STREET
Baltimore, Maryland 21202
Phone: MULberry 5-0469-0470

REGISTERED
Maryland - New York
Pennsylvania - Delaware



PLAT OF
EXISTING UNDISTRICTED TRACT



Signed This 17 day July 1967

BUREAU OF ENGINEERING *J Robert Caswell*

SCALE 40 ft. = 1 inch

File No. 1805-98