

#68-181RX

I, or we, W. J. McKeown and W. J. McKeown, Jr. of the property situate in Baltimore County and which is described in the description of the property 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-6, R-10 zone to an NW-12-A

1. That the granting of this Petition would give to the residential property to the west and to the north a utilized buffer zone, giving to the area a transition from the commercial zone along York Road to the residential zoning to the west.
2. That the highest and best use to which the subject property could be put is for RA with a special exception for offices.
3. That the granting of this Petition would in no way be a violation of the zoning regulations of Baltimore County.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for office use

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.

OPINION

All of the property on the south side of Seminary Avenue west of this tract is zoned for residential purposes, and directly across Seminary Avenue from the subject property is a small area zoned for business, which is occupied by a drive-in submarine sandwich and pizza emporium.

- 2 -

Other testimony included that of Mr. Frederick P. Klaus, a realtor and appraiser, who had also made a study and inspection and had taken pictures of the property (Petitioner's Exhibit No. 5), and had also made a study of various changes in land use and zoning since the adoption of the map, which incidentally was dated November 1955. There can be no dispute as to the vast number of changes which have occurred

- 3 -

For the reasons stated above the Board is of the opinion that the change in classification should be granted, as well as the special exception for the construction of the office building, subject to certain restrictions.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 2 day of July, 1969, by the County Board of Appeals ORDERED, that the reclassification petitioned for be and the same is hereby granted, and that the special exception petitioned for also be

February 22, 1968

- 4 -

COUNTY BOARD OF APPEALS
C.F. BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

John A. Slowik
John A. Slowik

RE: Petition for Reclassification :
from R-6 and R-10 Zones to :
P A Zone and Special Exception : Before
the Office Use - S/S Seminary Ave. : Zoning Commissioner
2301 W. of York Road, 9th Dist. :
Humble Oil & Refining Co. : of
Petitioner :
: Baltimore County
: No. 68-181-RX

The petitioner has requested a reclassification of the subject property from R-6 and R-10 Zones to an R-A Zone and a special exception for office use. The majority of the property in question is zoned R-10. The Humble Oil & Refining Company is the petitioner and also the owner of the property located at southwest corner of York Road and Seminary Avenue, which is zoned B-L and is used as a gasoline service station and a training school for The Humble Oil and Refining Company.

There have been many requests for gasoline service stations in Baltimore County located in B-L zones, wherein the rear of the proposed gasoline service station adjoins an R-6 Zone or an R-10 Zone. Such requests have been granted subject to proper screening. The situation existing here is no different.

Testimony at the hearing did not indicate any change in zoning in the Lutherville residential area which would warrant the reclassification requested, nor did such testimony prove that there was an error on the zoning map. There being no case for the reclassification it is unnecessary to consider the special exception.

For the above reasons the reclassification is DENIED.

It is this 9th day of February, 1968 by the Zoning Commissioner of Baltimore County, ORDERED that the above reclassification 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 R-6 and R-10 Zones and the Special Exception for Office Use be and the same is hereby DENIED.

MULLER, RAPHEL & ASSOCIATES, INC.
PROFESSIONAL ENGINEERS - LAND SURVEYORS - TOWNSHIP CONSULTANTS
221-205 COURTLAND AVENUE, TOWSON, MARYLAND 21284
AUGUSTINE J. MULLER, P.E. & L.S. 410-3906 - 410-1301
CLEARBROOK, MD.

Description to Accompany Zoning Petition
HUMBLE OIL CO. of NEW JERSEY
Seminary Avenue and York Road
9th Election District, Towson, Md.

BEGINNING FOR THE SAME at a point in the center line of Senitary Avenue at a distance of 230' west of the Intersection formed by the center line of "Aminatory Avenue and the center line of York Road said point being in the second or S-85°20'28" W 136.00 feet line of "and which by dated March 1, 1953 and recorded among the land records of Baltimore County in Liber GLB 2655 folio 130 was conveyed by WILLIAM T. BERGMANN and wife to ESSO STANDARD OIL COMPANY of NEW JERSEY running thence in the center line of Senitary Avenue and on part of the second line in the foresaid deed S-85°20'28" W 129.10 feet thence leaving the center line of Senitary Avenue and binding on the 3rd and part of the 4th line in the foresaid deed the 2nd line of the 2nd lot in the foresaid deed S-85°20'28" W 129.10 feet thence leaving the 4th line in the foresaid deed and running for a line of division N-1°40'35" W 275.44 feet to the place of beginning. Containing 1,221 acres of land more or less.

BEING part of the land which by deed dated March 1, 1955 and recorded among the land records of Baltimore County in Liber CLB 2655 folio 130 was conveyed by William T. Biermann and wife to Esso Standard Oil Company of New Jersey.

Date Dec 29 1967

E. F. T. V. L.
E. F. T. V. L. : 5. 1224

SURVEYS - LOTS - FARMS - TOPOGRAPHY - LOCATION - CONTRACTORS SERVICE - SUBDIVISION DESIGN AND LAYOUT
 COUNCILMAN MEMBERS - EARTH DRILLING - WATER - ZONING PLATS, DESCRIPTIONS AND TESTIMONY.

Jan. 8, 1968

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

John J. Bishop, Jr., Esq.
203 Courtland Avenue
Towson, Maryland 21204

SUBJECT: Reclassification from R-6 and R-10 to R-A, Special Exception for Office Use, for Humble Oil & Refining Company, located S/S Seminary Avenue 230' West of York Rd., 9th District (Item 68, January 2, 1968)

Dear Sir:

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

BUREAU OF ENGINEERING:
Water - Existing 12" water in Seminary Avenue
Sewer - Existing 8" sanitary sewer in Seminary Avenue
Road - Seminary Ave. is a State road

TRAFFIC ENGINEERING:
Plans must be revised to show Seminary Avenue to be at least a 40' roadway on a 60' R/W, showing proposed curb along the entire frontage, and the entrances must conform to Baltimore County and State Roads Commission standards.

STATE ROADS COMMISSION:
The entire frontage must be curbed with 8" x 22" concrete curb. The roadside face of curb is to be 18" from and parallel to the existing centerline of Seminary Ave. The entrances must have a minimum width of 25'. There must be a minimum of 5' tangent from the property line to the P.C. of the curb return into the entrance. There is a proposed 50' R/W for Seminary Avenue based on the existing centerline, which must be indicated on the plan. The plan must be revised prior to a hearing date being assigned. The entrance is subject to State Roads approval and permit.

HEALTH DEPARTMENT:
Public utilities should be shown on plan.

ZONING ADMINISTRATION:
Revised plan must be submitted to this office including the following items prior to the hearing:

1. Parking area must be screened with 4' high compact screening on the north 64 deg. 23 min. 24 seconds east 225.45 ft. line.
2. The type of paving for the parking area and drive must be indicated.
3. The entrance must meet Baltimore County and State Roads Commission standards.

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 Commission's hearing.

The following members had no comment to offer:

Project Planning Division
Bureau of Fire Prevention
Building Engineer
Board of Education
Industrial Development

John J. Bishop, Jr., Esq.
203 Courtland Avenue
Towson, Maryland 21204

- 2 - January 8, 1968

Very truly yours,

JAMES E. DYER,
Principal Zoning Technician

JED:djd

cc: Carlyle Brown-Bur. of Eng. & C. Richard Moore-Traffic Eng. John Meyers-
State Roads Commission; William Greenwell-Health Dept.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: January 24, 1968

FROM: George E. Gonnelli, Director of Planning

SUBJECT: Petition #68-181-RX, South side of Seminary Avenue 230 feet West of York Road. Petition for Reclassification from R-6 & R-10 to R-A, Zone. Petition for Special Exception for Offices and Office Building. Humble Oil & Refining Company - Petitioners

9th District

HEARING: Wednesday, February 7, 1968. (1:00 P.M.)

The planning staff of the Office of Planning and Zoning has reviewed Petition #68-181-RX and #68-182-RX together. We offer the following comments:

1. We understand that the subject properties are contiguous, although this is not clear from the plans and descriptions submitted.
2. We have often said that R-A, Zoning is appropriate as a means of providing for transitional development between commercial and cottage residential land. Once a transition is accomplished, however, additional apartment zoning is not necessarily justified. With respect to these two petitions, we favor the granting of #68-181-RX since it would provide for the transitional function. We do not favor the granting of #68-182-RX, however, since the lot with which the petition is concerned is not adjacent to commercial zoning and because granting of the petition would tend to set a precedent leading to a series of additional changes; it was and is the purpose of the 9th District Zoning Map to establish cottage residential usage as a primary characteristic along this portion of Seminary Avenue.

GEG:dbn

John J. Bishop, Jr., Esq.
203 Courtland Avenue
Towson, Maryland 21204

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this day of _____, 1968.

John G. Rose,
Zoning Commissioner

Petitioner's Attorney
Humble Oil & Refining Co.

Reviewed by _____
Chairman of Advisory Com.

OFFICE OF
THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Baltimore, Md.

THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue CATONVILLE, MD.

January 22, 1968

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

was inserted in THE BALTIMORE COUNTIAN, a group of weekly newspapers published in Baltimore County, Maryland, once a week for One week before the 22nd day of Jan., 1968, that is to say the same was inserted in the issues of January 18, 1968.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editorial Manager
R.M.

TELEPHONE 823-3000 EXT. 387

INVOICE No. 51798

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

DATE Feb. 23, 1968

TO: F. Vernon Booser, Esq.,
203 Courtland Avenue
Towson, Md. 21204

Office of Planning and Zoning
119 County Office Bldg.,
Towson, Md. 21204

REPORT TO ACCOUNT NO. 01-622

QUANTITY 1

Cost of appeal - The Humble Oil & Refining Co.
No. 68-181-RX 1 sign 70.00 5.00 \$75.00

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

TELEPHONE 823-3000 EXT. 387

INVOICE No. 51775

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

DATE Feb. 7, 1968

TO: Stewart A. Dean
404 Polk Road
Baltimore, Md. 21228

Advertising and posting of property for Humble Oil & Ref. Co.
#68-181-RX

REPORT TO ACCOUNT NO. 01-622

QUANTITY 1

Advertising and posting of property for Humble Oil & Ref. Co.
#68-181-RX 50.00

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

TELEPHONE 823-3000 EXT. 387

INVOICE No. 51724

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

DATE Jan. 14, 1968

TO: John J. Bishop, Jr., Esq.,
203 Courtland Ave.
Towson, Md. 21204

Position for Reclassification & Special Exception for Humble Oil & Ref. Co.
#68-181-RX

REPORT TO ACCOUNT NO. 01-622

QUANTITY 1

Position for Reclassification & Special Exception for Humble Oil & Ref. Co.
#68-181-RX 50.00

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 9th

Posted for: Hearing, Wed. Feb. 7, 1968, 1:00 P.M.

Petitioner: Humble Oil & Refining Co.

Location of property: S/S Seminary Ave. 230' West of York Road

Location of Sign: Posted approx. 230' West of York Road

Remarks: Mailed to Dean

Posted by: M. H. Dean

Date of return: Jan. 25, 1968

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th

Posted for: Hearing, Wed. Feb. 7, 1968, 1:00 P.M.

Petitioner: Humble Oil & Refining Co.

Location of property: S/S Seminary Ave. 230' West of York Road

Location of Sign: Posted approx. 230' West of York Road on Seminary Ave. from York Seminary Co.

Remarks: Mailed to Dean

Posted by: M. H. Dean

Date of return: March 8, 1968

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION FOR ZONING

ZONING: From R-4 and R-10 to R.A.

Purpose: For Special Exception for
Office and Office Building.

LOCATION: South side of Seminary
Avenue 275 feet West of York
Road.

DATE & TIME: Wednesday, February
19, 1968, at 1:00 P.M.

PUBLIC HEARING: Room 105, Coun-
ty Office Building, 111 W. Chesape-
ake Avenue, Towson, Maryland.

The zoning Commissioner of Bal-
timore County, by authority of the
Planning and Zoning Commission of Bal-
timore County, will hold a public hear-
ing.

Present zoning: R-4 and R-10.

Proposed zoning: R.A. (Special Exception for
Office and Office Building).

For information of the public, the
Commissioner of Baltimore County
has received a petition for Special Exception for
Office and Office Building.

All that parcel of land in the
North District of Baltimore County
beginning on the west side of a point
in the center of Seminary Avenue
at a distance of 275 feet from the
intersection thereof with the center
line of Seminary Avenue and the
center line of York Road and going
being in the second of 8.57 10' 14"
W 115.10 feet line of land which by
deed dated March 1, 1915 and re-
corded among the land records of
Baltimore County in Liber 118-119 folio
112 was conveyed by William
F. Buchanan and wife to Rose Strand
and Old Company of New Jersey
and being thereon to the center line
of Seminary Avenue and the part of
the second line of 115.10 feet line
there leaving the center line of
Seminary Avenue and ending on the
line and part of the 4th line in the
aforesaid deed, the 1/2 following
courses and distances: S 77° 15' E
144.15 feet and N 67° 25' 14" E
122.45 feet thence leaving the 4th
line in the aforesaid deed and run-
ning for a line of division S 21° 45'
W 115.10 feet to the center of
Seminary Avenue, containing 1.221 acres
of land more or less.

Being part of the land which by
deed dated March 1, 1915 and re-
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Seminary Avenue, containing 1.221 acres
of land more or less.

Being the property of Hunkle Oil
and Refining Company, as shown on
plat plan filed with the zoning com-
missioner.

Hearing Date: Wednesday, Febru-
ary 14, 1968, at 1:00 P.M.

Public Hearing: Room 105, Coun-
ty Office Building, 111 W. Chesapeake
Avenue, Towson, Md.

By order of
JAMES C. MOSE
Zoning Commissioner of
Baltimore County.

CERTIFICATE OF PUBLICATION

TOWSON, MD. JAN 18 1968 19.....

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 97th day ~~successive days~~ before the 7th day of February 1968, the first publication appearing on the 18th day of January 1968.

THE JEFFERSONIAN,

Richard A. Mose
Manager.

Cost of Advertisement, \$.....

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Hearing Date: Wednesday, Febru-
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Public Hearing: Room 105, Coun-
ty Office Building, 111 W. Chesapeake
Avenue, Towson, Md.

By order of
JAMES C. MOSE
Zoning Commissioner of
Baltimore County.

Jan. 15.

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