#7'-93 RA SPN W PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTMORE OF

L or we. SIBARCO STATIONS, INGegal owner of the property situate in Baltimore map I, or we....SIBMICONIATIONS, INNegal owner... of the property situate in naturnov and county and which is described in the description and plat attached hereto and made a part hereof, #13 hereby petition (1) that the roung status of the herein described property be re-classified, pursuant and the property is the property be re-classified. Sw-5-D

_BL____zone, for the following reasons:

1. Error in original Zoning;

1. Error in original Zoning;
2. Genuine change in neighborhood; and for special hearing to expand an existing automotive service station.

Patition for Variance from Section 405,4 = 8 = 5 - to permit a 16 foot free-standing lundrary approach light instead of the required 8 feet.

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 ...

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 zering possing, etc. upon filing of this petition, and further agree to and are to be bound by the accin regulations and restrictions of Baltimore County adopted rursuant to the Zoning Law for Baltimore County.

Elier & Fitzwitz

SIBARCO STATIONS, INC. Anagene Contract purchaser James L. Harkin, Legh Owner Agent_{P.C.} Box 1695 Baltimore, Maryland 21203

W. Lee Harriso Retitioner's Attorney

305 W. Joppa Road, Towson, Maryland 21204--823-1200

ORDERED By The Zoning Commissioner of Baltimore County, this 4thday 1987.0, 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 Challengere County in Room 106, County Office Building in Towson, Baltimore County on the xx branch 104 March 104 day of September 196870 at 10339 clock

W. Lee Harrison, Esq. 306 W. Joppa Road Towson, Maryland 21204

Edward D. Hardes to

Aurust 12., 1970

RE: Type of Hearing: Reclassification from a % zore to an 81 zone Location. SW/S tinden Wenus between Highwirw Rouri and East Drive Petitioners Stance Stations, Inc. Committee Meeting of April 14, 1970 1314 District

BALTIMORE COUNTY ZONING ADVISORY COMM'TTEE

Item 23Z

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced outsiton and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a

The subject porcerty is presently improved with a me story decling, with the properties to the north improved with declings, 10 to 10 years of ago, in excellent read; The property to the norticest is in excellent read; The property to the norticest is increased with the feet subject in the southeast is the property of the southeast is received with the Equitable Trust Building. The property is the southeast is more and the property of the southeast is more within a maintain service station. The properties to the southeast are improved with a maintain service station. The properties to the southeast are improved with the subject in the southeast are improved with the southeast are improved with declinings in the southeast property from these stores, northeasterly, are improved with declinings and East Drive have some like accelent read curb and concrete curb and gatter existings however, it is not accounted.

MARYLAND SURVEYING AND ENGINE RING CO., INC.

BALTIMORE MARYLAND 21207 .

#71-93 RA

ZONING LESCRIPTION
AN TO BL
DISTRICT CCC
S.W. SIDE LINDEN AVENUE BE, SEN NIGHVIEW ROAD & EAST DRIVE

Reginning for the same at a point on the Southwest Side of Linden Avenue, 40 feet wide, said point being situated N 42° 25' 00" W, 63.11 feet from the point formed by Southwest Right-of-Way Line of said Linden Avenue, hwest Right-of-Way Line of East Drive, 66 fest wide; thenca leaving the said point of beginning and rugning S 47" 31' 00" W, 107.41 feet/to a point; thence N 44° 09' 51" W, 60.00 feet; thence N 47° 31' 00" E, 109.17 Teet to interthwest Side of said Linden Avenue; thence running and binding on said Southwest Side of Linden Avenue, S 42° 29' 00" E, 60.00 feet to the place of be-

Containing 6.488.71 feet more or less.



File No. 4/164-140

SCALE_

day March & Robert Cassell

W. Lee Harrison, Esq. Towson, Maryland 21204 Item 232

August 121970

The partition was a provide necessary distinge facilities (temporary or parament) is unevant creating one provided and considered despects to adjoint properties, especially the the parameter conference waters. Correction of any arables which was result used to forecome groung or improver installation of drainage facilities, would be the full responsibility of the partitioner.

Sediment Control:

Development of this property through "tripping, grading and staullization could result in a seciment pollution problem, demaping private and public holdings domestream of the property. A grading permit 1s, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Water and Sanitary Sewers

Public water and sanitary sewer services are available to serve this site.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

DEPARTMENT OF TRAFFIC ENGINEERING:

It appears that the subject petition is requesting a change in zoning to enlarge an existing service station. This improvement should improve circulation and access to the site. There is some question about entrances meeting present County standards for service stations.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code, Rules and Regulations.

RE: RECLASSIFICATION FROM R-A ZONE TO B-L ZONE, SW SIDE LINDEN AVENUE BETWEEN HIGHVIEW ROAD AND EAST DRIVE: PETITIONER: SIBARCO STATIONS, : BALTIMORE

REF ORF THE ZONING COMMISSIONER

BALTIMORE COUNTY

MEMORANDUM

Now comes Sibarco Stations, Inc., Legal Owner of the above captioned property, by W. Lee Harrison, its attorney, and in accordance with Bill 72, Section 22,22(b) states that the reclassification requested should be granted and for reasons says:

- 1. Numerous reclassifications have taken place in the immediate neighborhood:
- a. Case No. 5650 SW/S of North Avenue, 288,70 SE of Leeds Avenue, Reclassification from R-A to B-L. Cranted
- b. Case Nc. 4885 283 feet NW/S Southwestern Boulevard and NE/S North Avenue and 558 feet SE/S Leeds Avenue, Reclassification from R-A to B-L. Granted 5/6/60
- c. Case No. 64-48-RA SE/S Linden Avenue. !50.18 feet SE of East Avenue. Reclassification from R-A to B-L. Granted 2/19/64.
- d. Case No. 66-74-R NE/S Sulphur Spring Road, 147,08 feet N of Selma Avenue, Reclassification from R-A to B-L. Granted 15/6/66.
- e. Case No. 69-202-R S/S Sulphur Spring Road, 105 feet NE of Seima Avenue. Reclassification from R-A to B-L. Granted 4/2/69.
- 2. And for such other and further reasons as may be shown at the

W. Lee Harrison 306 W. Joppa Road Towson, Maryland 21204 823-1200 torney for Petitione:

BALLIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Edward D. Hardesty, Zoning Commission September 9, 1970

FROM Mr. George E. Gavrelis, Director of Planning

SUBJECT Petition #71-93- RASPH. Southwest tide of Linden Ave. between Highview Rd. and East Drive.

Patition for Reclassification from R.A. to B.L.

Patition for Special fearing to expand an existing automotive service station.

Patition for Variance to permit a 16 foot free-standing L minary approach light

instead of the required 8 feet. Sibarco Stations, Inc. - Petitioners.

13th District

HEARING: Manday, September 14, 1970 (10:30 a.m.)

In reviewing this petition, both the Planning Staff and a committee of the Planning Board recommended the extension of commercial zoning as requested. We feel that the commercial suages across the street on Linden Avenue and the high standards now required for developing service stations make this petition rational.

We oppose, however, the variance on light height. The very purpose of the 8-foot requirement is to assure compatibility with adjoining residential areas. Greating the variance would not be in accordance with the purpose and intent of the Zoning

GEG:msl

502 1 3 -70 895 -

W. Lee Harrison, Esq. 305 W. Joppa Road Towson, Karyland 21204 Iten 232

- 3 - August 12. , 1970

FIRE DEPARTMENT:

This office has no commont on the proposed site.

BOARD OF EDUCATION:

Would not increase student population since the purpose of the reclassification is to expend an existing automotive service station. HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Air Follution Comments: The building or buildings on this site may be subjecto registration and combines with 'e Heryland State Health Air Pollution Control Regulations, Additional information may be obtained from the Bivision of Air Pollution, Baltimore County Depresent of Health.

ZONING ADMINISTRATION DIVISION:

This petition is accorded for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

Enc.

CERTIFICATE OF PUBLICATION

11-13

TOWSON MD August 27, 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 ere time marrestre weeks before the 1htm gay of Sertember 19.70, the first publication appearing on the 27th day of August

19. 79. THE JEFFERSONIAN.

Cost of Advertise

02-18-71

Hi gliways:

PROJECT PLUSSIN

ZONING ADMINISTRAT

ENDESTRIAL DEVELOPMENT

East Drive and Linden Avenue are existing curbed streets on a 66-foot right-of-way and a 40-foot right-of-way, respectively. No improvements are required at this time; however, a 10-foot widening on Linden Avenue will be required for a future 60-foot

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

right-of-way in this area.

BUREAU OF ENGINEERING:

Pursuant to the advertisement posting of preperty, and public hearing on the above Petition and it appearing that by reason of substantial changes in the character of the neighborhood, the Beclassification should be had; and it further appearing that by virtue of the requirements of Section 405.8 of the Baltimore County Zoning Regulations having been complied with, the Special Hearing to expand an existing automotive service atation should be granted; and it further appearing that by reason of failure to show practical difficulty or unreasonable hardship, the Yariance should NOT BE GRANTED.

0

IT IS ORDERED by the Zoning Commissioner of Baltimore County this. / 0 day of December 196.70 that the herein described property or area should be and

the same is hereby reclassified, from an R.A. Zone to a B.L. that the herein Petition for a Special Hearing should be and the same is gone and was longered Prophendicon Construction Special Conference and Was also and the same is gone and was longered Prophendicon Construction. GRANTED, to explind an existing automotive service station, from and after the granted steen and steen the station, the station states and states the station of the statio date of this Order, subject to the ap-proval of the site plan by the Bureau of Public Services and the Office of

nning and Zoning It is further ORDERED that the Variance be and the same is hereby DENIED.

IT IS OPDERED by the Zoning Commissioner of Baltimore County, this..... 196.... that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and zone, and o the Special Exception for ...

Profession 1

be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

MICROFILMED

MICRUFILMED

(Address) 1315 Linden AZE	Date Received / 20/6 6 How Received?
(Address) 1315 Under AZE	Date Received / >w/6 6 How Received?
(Address) 1315 Under AZE	Date Received >v/6 6 How Received? Phone Letter In Person
(Address) 1315 Linger AZE	How Received?
	Phone Letter In Person
(10Wh)	61020
(Phone) C.R-7-0032	BA Myoul
Nature of Complaint: 737-7364 B+ 0 . Ce	wirel alley 1
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A w Shopping area cen	
Soparhing allegel- w/ on pro	
Investigated By:	Date:
Kesarks: Mu. Papp -	
stoke to me weed in office	1 (Troffin) 3.CM - 2/14/
U ^U	
10. 110 0 111	
Complaint will the gir	en to Mr. Butter
ecommendation:	15274 /L 10

Mr. Ldward L. Hariesty Zoning Commissioner County Office bldg. Bear Lr. haidesty,

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EA

SW'S of

we appeared at a hearing before you on sept. 14th in regard to rezoning from hA to BL the property at 1317 Linden Ave. in Arbutus so that the arco station at hast brive and Linden ave. could expand and rebuild. At that time you suggested we get together with arco representative, kr. Larkin, and see if we could reach some agreement. This is to let you know that we have not reached an agreement because no offer or concession has been made. Mr. Larkin said on Sept. 18th that arco is not interested in our property. he offered to bring a commercial realtor to see us which he did this past week. The figure he suggested we could get, provided the next door neighbor came in with us and offered her property too, did not make selling feasible. We inquired from another realtor and got the same answer. With the combined 140 ft. frontage of our property. 30 ft., and our neighbor, Mrs. Foulnott 60 ft., with an average depth of LLC ft., possibilities for commercial development appear very slim. Also, after checking into prices of nomes we find it impossible to replace our home with something equivalent with net price we could get seiling cornercially.

The rit-maters at 1517 and the Poulnotts at 1515 have both tried in the past to sell residentially but could not get enough to cover their original investment

It was discussed with hr. Larkin that the 3 bays for the proposed station would be facing our property, a fact that had not been mentioned and he agreed that he should have mentioned it and thought he had. We found it out by studying the blueprint. He said he could not put the bays in the front because it would spoil the appearance and to our suggestion that they be put on the Last brive side, his only comment was that we couldn't have everything. As we see it, aron is giving us nothing. MICROFILME

TELEPHON No. 73855 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE COURT HOUSE 71.00 MICROFILMED AKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO OFFICE OF FINANCE, REVENUE DIVISION

6 5/5.05

71-93-RASPH

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE CO

istrict 13 7th .	Date of Posting A46, 29-1970
osted for RECLASSIFICATION	Date of Posting Mills. # 1. 1770 o. FROM R.A. TO B.L. & SPECIAL MEANING &
	WARRENE BETWEEN HIGHVIEN Rd AND
EAST DRIVE	FAST DRIVE - 45-6 S/s of LINDEN AVE.
ocation of Signs 1-2-3 W/S of 100 FT+- W of EAS	T DRIVE
temarks Charles M. Ma	d Date of return. SEPT. 11, 1970

Besides this problem, locating another access 15 ft. from our property line also creates another craffic hazard in the short block between Leeds ave. and East Drive which already has a severe traffic problem.

As you suggested, we are requesting Mr. Meyman to rezone our property to BL for future protection and sale flexibility, but we are hoping that we will not be forced to move.

we know that sometimes the comfort of a few has to be sacrificed for the good of the majority, but in this case the only ones to profit will be the Arco people and the Fitzwaters and surely the thru traffic and the pedestrian travel on both sides of this block will suffer and we will. The Fitzweters did nothing to stop the gas station from being built some 15 years ago, which we objected to then and do now.

In connection with our objection to the peculiar bay location for this station, we have looked at all stations in our area and have not found one ... th this odd design. we request that this oddity be called to the attention of the county department responsible for approval of filling stations designs for their comments.

also, you furnished us with a copy of a letter dated aug. 12th, 1970 addressed to Mr. W. Lee Harrison, Esq. from Mr. Cliver L. Myers, Chairman of Balto. Co. Loning Advisory Committee in which comment was made by Dept. of Traffic angineers about service station entrances on which there was some question about meeting county standards for service stations. Has this question been sentled? In addition, the attached Traffic Complaint Form dated Teb. 54, 1966 has never been enswered. This complaint on head in parking is directly across Linden Ave. opposite the proposed new entrance to the arco station.

It is noted in Mr. Myers letter that the Fire Lept, makes no comment. Traffic wise, the Halethorpe Fire Dept. had a misney due to traffic congestion sometime back when the man steering the rear wheels of a long tandem ladder truck was thrown to the ground while trying to

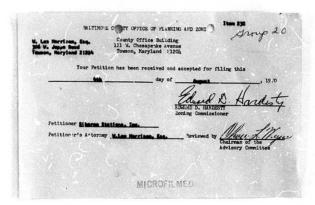
MICROFILMED

make a left turn from Last Drive into Linden ave. Perhaps the Fire Dept. could offer corments as to the trouble this congested corner has caused them. Also, fire hazards within 300 ft. of my property boundaries include a paint store, pizza parlor (grease), liquor store, Texaco station, 2P station, and the Leeds Cleaners (cleaning fluids).

For these reasons we again definitely oppose the rezoning as applied for since it would have a "ma: 14" advarge effect upon the enjoyment" (see Bill 40 page 15 section b), and would not enhance the value of our adjacent property.

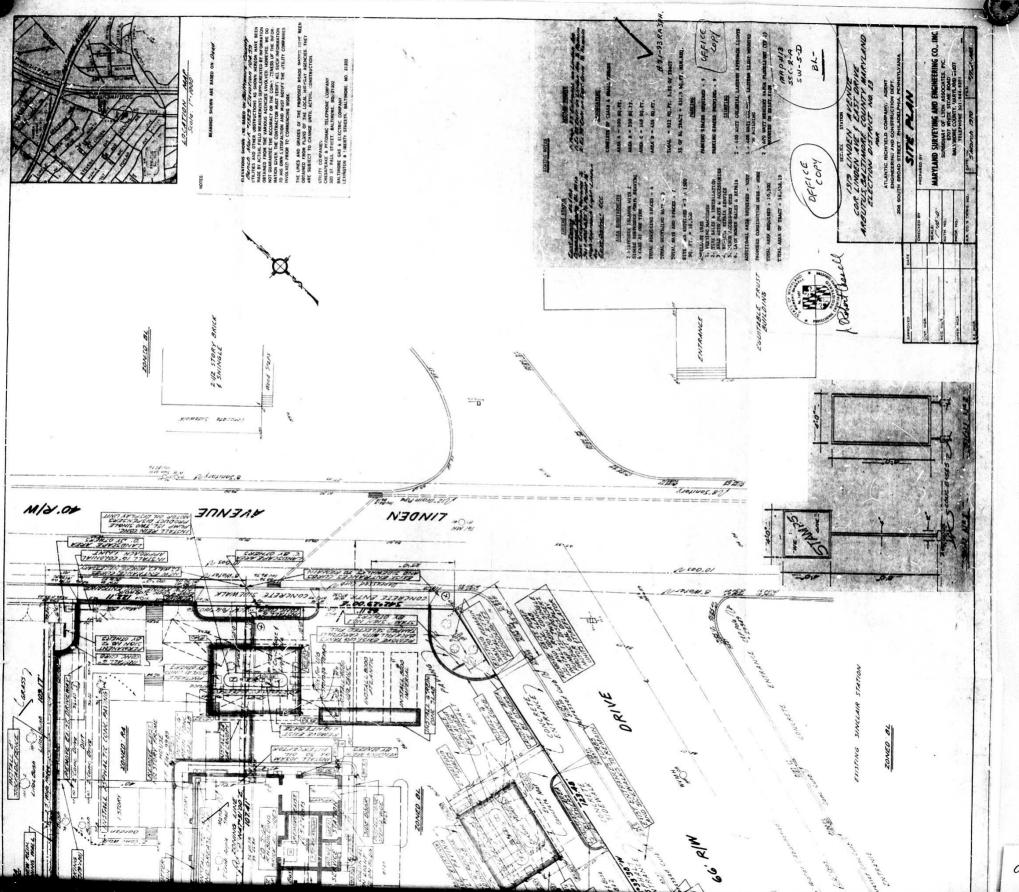
> Very truly yours, Come in & Popp Farraine H. Portok Er. and Ers. Socials F. Popp 1315 Linder ave. heightnorge, Ed. 21227

MICRO:



ILEPHONE 194-2413	BALTI ORE COUNTY, MARYI ND	3782 • 20, 1970
To: v	Les territors (see St	CHANCY
DEPOSIT TO	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	COST
1 345 20	Position for Decisional Fluction, Spatial Hearing & Variance for Silvers Sabriens, Tor., 91-95884599	5.00
	MICRUFILMED	
	Wickerstein	
US.		
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MAIL TO OFFICE OF FINANCE, REVENUE DIVISION



02-18-7

