



PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, JOSEPH J. MARTIN, 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) for the zoning of the herein described property as Automotive Service Station pursuant to the Zoning Law of Baltimore County, from the following space:

It is requested that variance be granted to Section 405.4-3 to permit freestanding area lights 14 feet in height and freestanding island lights 12 feet in height instead of required 8 feet.

Section 405.4-3a - To permit curb tangent of 5 feet instead of the required 10 feet required between property line and southerly entrance on Bellona Avenue, and a 15 foot curb tangent instead of the required 20 feet required between northerly Bellona Ave., entrance and street intersection radius.

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 Automotive Service Station

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.

JOSEPH J. MARTIN
Petitioner's Attorney
Address: 1311 Fidelity Bldg., 21st Fl., Baltimore, Md. - 21201

JOSEPH J. MARTIN
Legal Owner
Address: 2236 Nonnocy Road, Baltimore, Md. - 21221

R.C. MURPHY
Professional's Attorney
Address: 409 Washington Ave., Towson, Md. - 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of July, 1971, 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 23rd day of August, 1971, at 11:00 o'clock.

Eric D. Nenna
Deputy Zoning Commissioner of Baltimore County.

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County this 27th day of September, 1971, that the original Order, dated September 10, 1971, passed in the above captioned matter, should be and the same is hereby AMENDED to read as follows:

1. That the present Automotive Service Station located on the northeast corner of Bellona Avenue and Ruxton Road be razed within ninety (90) days of the opening of the new structure and that a covenant and restriction be included in any Deed transferring ownership of this property, prohibiting its use as a future Automotive Service Station for twenty (20) years from the date of said Order.
2. That the subject station cannot open for business or be in operation prior to 6:00 A. M. and must close by 11:00 P. M.
3. To remain as stipulated.

Eric D. Nenna
Zoning Commissioner of Baltimore County

april
attorneys at law
3320 ROSALIE AVE.
BALTIMORE, MD. 21234
PHONE: 444-4323

DESCRIPTION OF PROPERTY
TO ACCOMPANY PETITION FOR REZONING
BELLONA AVE AND RUXTON ROAD
NINTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

BEGINNING FOR THE SAME at a corner formed by the intersection of the centerline of Bellona Avenue with the centerline of Ruxton Road; thence running from said point of beginning and binding along the centerline of Ruxton Road, referring all courses to the True Meridian as established for the Baltimore County Metropolitan District, North 80 degrees 29 minutes 20 seconds East 173.87 feet to the Westerly outline of land shown on the plat of Ruxton Village Apartments, recorded among the Land Records of Baltimore County in Flat Book O.T.G. 34, folio 32; thence crossing Ruxton Road and binding on the Westerly outline of Ruxton Village Apartments South 00 degrees 40 minutes 55 seconds West 209.91 feet; thence binding along the Northerly outline of said Ruxton Village Apartments South 85 degrees 36 minutes 45 seconds West 168.21 feet to the centerline of Bellona Avenue; thence running with and binding along said centerline of Bellona Avenue by a curve to the right having a radius of 860.00 feet for an arc distance of 194.45 feet and a chord of North 00 degrees 22 minutes 53 seconds East 194.03 feet to the point of beginning; containing 34,955 square feet.

BEING part of land which by Deed dated June 9, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3851, page 345 was conveyed by John McCowbray, Assignor, to Joseph J. Martin.

5/6/1971

HESSEY & HESSEY
ATTORNEYS AT LAW
1311 FIDELITY BUILDING
CHARLES AND LEVINGTON STREETS
BALTIMORE, MARYLAND 21201

JOHN H. HESSEY, IV
JOHN H. HESSEY, IV
WILLIAM H. HESSEY
ARTHUR H. HESSEY, JR.

Mr. S. Eric DiNenna
Deputy Zoning Commissioner
of Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition 72-34-XA

Dear Mr. DiNenna:

I received your Order in the above matter, which is framed in conformity with the property owner's wishes as well as with the wishes of the community, so far as I am aware.

However, because of the language in the Order, I thought it best to write you for a clarification so that this clarification would be in the file in the event of any future proceedings. The special exception and variance were granted subject to three conditions listed in your Order. The first required, inter alia, that a covenant and restriction be included in any deed transferring the ownership of the present Amco property on the northeast of Bellona Avenue and Ruxton Road prohibiting its use as a future automotive service station. The evidence indicated that the American Oil Company intended to do this, but the deed restriction would be for a period of 20 years.

Additionally, Paragraph 2 states "that the hours of operation shall be 6:00 A.M. through 11:00 P.M." It was not the intent to have this station open throughout this entire period. It was rather the intent that the station could not open before 6:00 A.M. and must close at or prior to 11:00 P.M.

If these two interpretations are consistent with your thinking in the matter, I would appreciate your assenting to the same by signing the original and a copy of this letter, placing the original in the file, and returning a copy to this office. Thank you for your co-operation.

Sincerely,

John H. Hessey, IV

JOHN H. HESSEY, IV
Above interpretation of Zoning Commissioner's Order passed, the 10th day of September, 1971, is approved.

S. Eric DiNenna, Deputy Zoning Commissioner of Baltimore Co.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 26, 1971

John H. Hessey, IV, Esq.
1311 Fidelity Building
Baltimore, Maryland 21201

Re: Type of Hearing: Variance & Special Exception
Location: S/M Cor. Mission Rd. & Bellona Ave.
Petitioners: Joseph J. Martin
Committee Meeting of July 6, 1971
9th District
Item 1

Dear Sir:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition 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 located on the southwest corner of Ruxton Road and Bellona Avenue. It is currently a vacant lot that is unimproved and adjoins a new apartment project that is now under construction to the north and south of the subject site. Across the street from this property there is an existing American Oil station, and the property on the west side of Bellona Avenue is unimproved land. There is no curb and gutter along Bellona Avenue at this point, and there is a stone wall that runs along Ruxton Road.

BUREAU OF ENGINEERING:

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.

Highways:

Bellona Avenue (Md. 134) is a State road; therefore, all improvements, intersections and entrances on this road will be subject to State Roads Commission requirements.

Ruxton Road, an existing road, is proposed to be improved as a 36-foot closed-type highway cross section on a 50-foot right of way widening will be required in connection with any grading or building permit applications.

John H. Hessey, IV, Esq.
Item 1
July 26, 1971

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Bellona Avenue (Md. 134) is a State road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water:

Public water supply is available to serve this property.

Sanitary Sewer:

Public sanitary sewerage can be made available to serve this property by construction of approximately 200 feet of public sanitary sewer from the 8-inch sanitary sewerage, presently under construction, along Bellona Avenue. (See Drawing #70-0437, File 1).

DEPT. OF TRAFFIC ENGINEERING:

Since the land is presently zoned B8, a special exception for a service station should not increase the trip density of the subject property.

It must be pointed out, however, that with the poor sight distance, any commercial use may have difficulty exiting from the property.

John H. Hessey, IV, Esq.
Item 1
July 26, 1971

BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and regulations when plans are submitted. Also, see Parking Lots, "Section 409.10M".

BOARD OF EDUCATION:

No bearing on student population.

STATE ROADS COMMISSION:

There is inadequate stopping sight distance at the proposed entrances due to the alignment of Bellona Avenue, the roadside bank and the foliage along the road. Hopefully, when the lot is graded the problem will be alleviated.

The entrances must be radius return type rather than depressed curb type as indicated on the plan.

The plan must indicate the dimension from the center line of Bellona Ave. to the roadside curb (15').

The plan should be revised prior to a hearing date being assigned.

The entrances will be subject to the State Highway Administration's approval and permit.

FIRE PREVENTION BUREAU:

Fire hydrants for the proposed site shall be in accordance with Baltimore County Standards.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

HEALTH DEPARTMENT:

Public water is available to the site.

Public sewer must be extended to accommodate this service station before hearing date.

John H. Hessey, IV, Esq.
Item 1
July 26, 1971

ZONING ADMINISTRATION DIVISION:

This office is withholding approval of this petition until revised plans are submitted to this office that indicate you have met the requirements of the State Roads Commission and Section 405.4 A 3. a. found in the Zoning Regulations.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

THE above re-classification should NOT BE MADE and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, _____ day of _____, 197__, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

1) Parking spaces must be a minimum of 8.5' wide.

By Ruth Morgan

TELEPHONE
1UP-2413

INVOICE

No. 84940

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

DATE Sept. 23, 1974

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

MAILED

To: Womers, Womers & Womers
1311 Fidelity Building
Baltimore, Md. 21201

Zoning Dept. of Baltimore County

01-662

TOTAL AMOUNT
\$95.25

DETACH ALONG VERTICAL LINE AND KEEP THIS PORTION WITH YOUR REV. INVOICE

QUANTITY

ADVERTISING POSTING OF PROPERTY FOR Joseph J. Martin
8/2-34-2A

85.25

4

IMPORTANT: MAKE CHECK PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

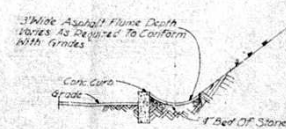
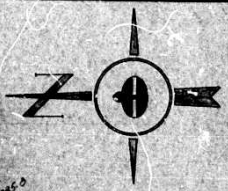
TELEPHONE 404-2413		INVOICE		No. 84915	
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE				DATE July 30, 1977	
Revenue Division COURT HOUSE TOWSON, MARYLAND 21204				BILLED BY	
To: American Oil Company One North Charles Street Baltimore, Md. 21201				Billing Dept. of Baltimore County	
REPORT TO ACCOUNT NO. 01-443		RETURN THIS PORTION WITH YOUR REMITTANCE			
QUANTITY		CHECK EACH LINE PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS			
4		TOTAL AMOUNT \$20.00			
Petition for Special Exception and Variance for Joseph Harris #73-34-31		50.00			

Cost of Advertisement, \$ _____

NOV 11 1971

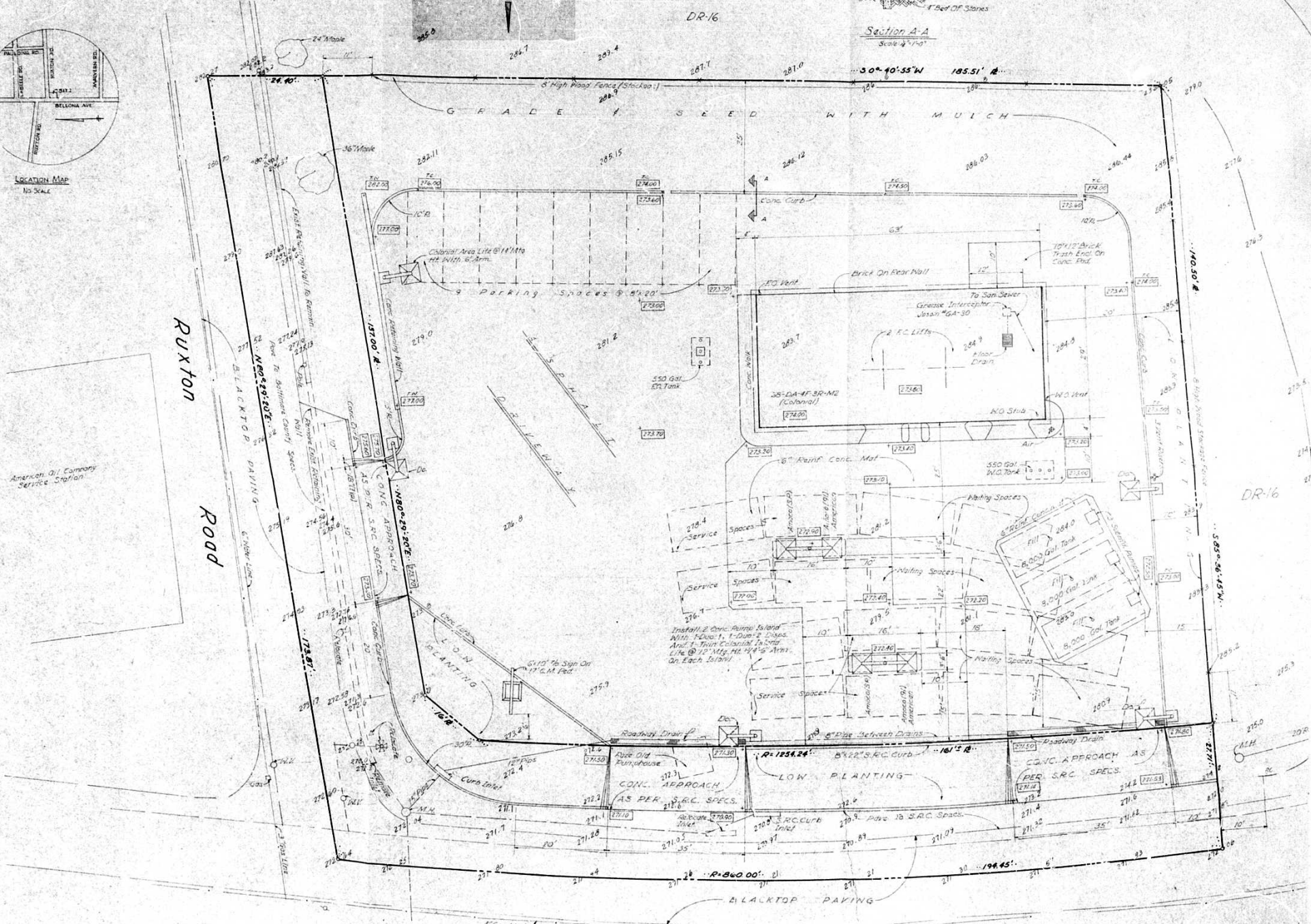


LOCATION MAP
No Scale



DR-16

Section A-A
Scaling 1/100'

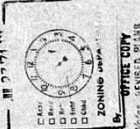
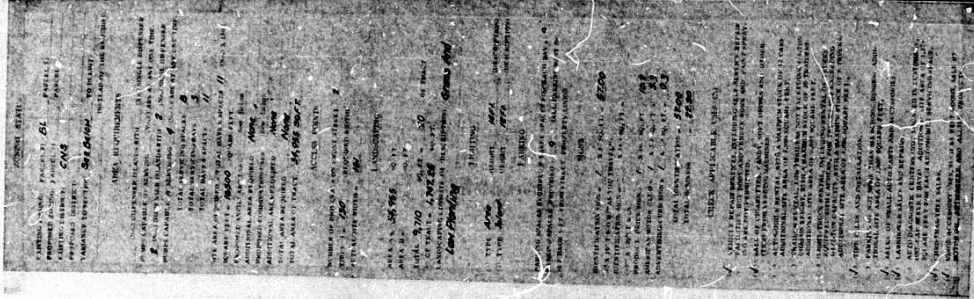


Bellona

Avenue



R.D. Martin P.E. #2519



OFFICE COPY
General Notes Revised Plans

1. The Contractor Shall Resolve The Final Location Of Tanks And Fills With The Area Engineer. When The Station Is Under Construction.
2. C-170 Lining Standard Details Nos. 1, 2, 3, 5, 7, 8, 10.

A. A. MacKenzie P.E. 2519

Bellona Avenue



AMERICAN OIL COMPANY

Proposed Service Station
7613 Bellona Ave. & Ruxton Rd.
Towson, Md. Balto. County

SCALE 1"=10'-0"
DRAWN BY R. M. JAMES
CHECKED WILFRED
RECEIVED:
K. S. G. 6.12.71

NO. 33.563
DO NOT SCALE, USE DIMENSIONS ONLY

