# PETITION FOR SPECIAL HEARING

80-174-SPH
108

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Exxon Corporation 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 for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an extension of the time for utilization of the Redistricting/Special Exception (Case No. 77-226-RX) for an automotive service station (Section 502.3 of the Baltimore County Zoning Regulations)

NW 26
1
11/21/79
SPH

EXXON CORPORATION 80-174-SPH
NE/C Security Blvd and Belmont Avenue
1st

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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

Address

Steward A. Baum
EXXON CORPORATION
Legal Owner

Address P.O. BOX 1288
BALTIMORE, MD 21203

F Vernon Boozer
Petitioner's Attorney
F.Vernon Boozer
Address 614 Bosley Ave., Towson, MD 21204
828-9441

Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 16th day of January, 1980, 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 4th day of March 1980, at 1:45 o'clock P. M.

[signature]
Zoning Commissioner of Baltimore County

(over)

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77-226 RX

ORDER RECEIVED FOR FILING
DATE October 18, 1977
BY Stella L. Lacey, clk

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the requirements of Section 259.2.B of the Baltimore County Zoning Regulations having been met,

the above Re-districting should be had; and it further appearing that by reason of the requirements of Sections 405.3 and 502.1 of the Baltimore County Zoning Regulations having been met,

a Special Exception for an Automotive Service Station should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 11th day of October, 1977, that the herein described property or area should be and the same is hereby re-districted from Undistricted to a C.N.S. District and for a Special Exception for an Automotive Service Station should be and the same is GRANTED, from and after the date of this Order, subject to the approval of the site plan by the Department of Public Works and the Office of Planning and Zoning.

[signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Re-districting should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19__, that the above re-districting 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 ____; and/or the Special Exception for ____

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# BALTIMORE COUNTY

# ZONING PLANS

# ADVISORY COMMITTEE

BALTIMORE COUNTY MARYLAND

## PETITION AND SITE PLAN

## EVALUATION COMMENTS

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**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

oOo

Nicholas B. Commodari
Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

February 25, 1980

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: No. 108
Petitioner-Exxon Corporation
Special Hearing Petition

Dear Mr Boozer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's propoasl to extend the time for utilization of the Special Exception/Redistricting Petition (Case No. 77-226-RX), which granted the right to construct a service station on the subject property, this Special Hearing is required.

Particular attention should be afforded to the comments of the Office of Current Planning and those of the Health Department.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. This petition is accepted 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,

[signature]
NICHOLAS. B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Exxon Corp.
P.O. Box 1288
Baltimore, Md 21203

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BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

January 16, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #108 (1979-1980)
Property Owner: Exxon Corporation
N/E cor. Security Blvd. & Belmont Ave. (Relocated)
Existing Zoning: B.M.-C.N.S.
Proposed Zoning: Special Hearing to extend the time for utilization of Special Exception Case No. 77-226RX (Item No. 142; 1976-1977)
Acres: 1.00 District: 1st

Dear Mr. Hammond:

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.

General:

The comments which were supplied in conjunction with the Zoning Advisory Committee review of this property for Item 142 (1976-1977), 77-226-RX, are referred to for your consideration.

In addition, it is anticipated that no sanitary sewer connection allocations will be available for projects within the Gwynns Falls drainage basin until the improvements at the Patapsco Waste Water Treatment Plant are completed, which is expected to be in June, 1981.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 108 (1979-1980).

Very truly yours,

[signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley, J. Somers

L-SE Key Sheet
6 NW 26 Pos. Sheet
NW 2 G Topo
94 Tax Map

Attachment

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February 10, 1977

Mr. S. [illegible] DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #142 (1976-1977)
Property Owner: Zanvyl Krieger
N/EC Security Blvd. & Belmont Ave.
Existing Zoning: BM
Proposed Zoning: BM-CSA
Acres: 1.0 District: 1st

Dear Mr. DiNenna:

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:

Security Boulevard and Belmont Avenue, existing County roads, are improved as a divided or dual lane highway with closed section roadways on a 150-foot right-of-way and as a 40-foot closed section roadway on a 60-foot right-of-way, respectively. No further highway improvements are proposed at this time.

The construction or reconstruction of concrete sidewalks, curbs and gutters, entrances, aprons, etc. will be the full responsibility of the Petitioner. Sidewalks shall be 5 feet rather than the 4 feet width indicated on the submitted plan.

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:

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.

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Item #142 (1976-1977)
Property Owner: Zanvyl Krieger
Page 2
February 10, 1977

Water and Sanitary Sewer:

Public water supply and sanitary sewerage exist in Belmont Avenue. This property is tributary to the Dead Run - Gwynns Falls Sanitary Sewerage System, subject to State Health Department restrictions.

Very truly yours,

[signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

L-SE Key Sheet
6 NW 26 Pos. Sheet
NW 2 G Topo
94 Tax Map

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BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #108, Zoning Advisory Committee Meeting, December 4, 1979, are as follows:

Property Owner: Exxon Corporation
Location: NE/C Security Blvd and Belmont Ave. (Relocated)
Existing Zoning: B.M.- .N.S
Proposed Zoning: Special Hearing to extend the time for utilization of Special Exception Case No. 77-226-RX (Item #142; 1976-77)
Acres: 1.00
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Landscaping must be provided as previously approved.

Very truly yours,

[signature]
John L. Wimbley
Planner III
Project and Development Planning

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

| | |
|---|---|
| Item No. 108 | - ZAC - December 4, 1979 |
| Property Owner: | Exxon Corporation |
| Location: | NE/C Security Blvd. & Belmont Ave.(Relocated) |
| Existing Zoning: | B.M.-C.N.S. |
| Proposed Zoning: | Speical Hearing to extend the tire for utilization of Special Exception Case No. 77-226-RX (Item No. 142; 1976-77) |
| Acres: | 1.00 |
| District: | 1st |

Dear Mr. Hammond:

No major problems are anticipated by the request to extend the time limit for the Special Exception.

Very truly yours,

Michael S. Flanigan
Engineer Associate II

MSF/hmd

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BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE COUNTY HEALTH OFFICER

January 16, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #108, Zoning Advisory Committee Meeting of December 4, 1979, are as follows:

| | |
|---|---|
| Property Owner: | Exxon Corporation |
| Location: | NE/C Security Blvd. & Belmont Ave. (Relocated) |
| Existing Zoning: | B.M. - C.N.S. |
| Proposed Zoning: | Special Hearing to extend the time for utilization of Special Exception Case No. 77-226-RX (Item No. 142; 1976-77) |
| Acres: | 1.00 |
| District: | 1st |

Metropolitan water and sewer are available. Connection to metropolitan sewer is subject to the Gwynns Falls sewer moratorium.

A Permit to Construct from the Division of Air Pollution Control is required for such items as paint spray processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

Very truly yours,

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/fthG

cc: Division of Air Pollution

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baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

December 19, 1979

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee

Re: Property Owner Exxon Corporation

Location: NE/C Security Blvd. & Belmont Ave. (Relocated)

Item No. 108 Zoning Agenda: Meeting of 12/4/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or ________ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at ________________ EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code" 1976 Edition prior to occupancy.

( ) 6. Site plans are approved as drawn.

(x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Capt. Joseph Kelly 12-19-79 Planning Group Special Inspection Division

Noted and Approved: George M. Weyandt Fire Prevention Bureau

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baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFFERT
DIRECTOR

December 4, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #108 Zoning Advisory Committee Meeting, December 4, 1979 are as follows:

| | |
|---|---|
| Property Owner: | Exxon Corporation |
| Location: | NEC Security Blvd. & Belmont Ave. (Relocated) |
| Existing Zoning: | B.M. - C.N.S. |
| Proposed Zoning: | Special Hearing to extend the time for utilization of Special Exception Case No. 77-226-X (item No. 142 1976-77) |
| Acres: | 1.00 |
| District: | 1st |

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

X B. A building permit shall be required before construction can begin.

X C. Additional Tank and other miscellaneous Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section ________.

I. No Comment.

J. Comment:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not to be construed as the full extent of any permit.

Very truly yours,

Charles E. Burnham, Chief
Plans Review

CEB:rrj

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# BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland – 21204

Date: November 28, 1979

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: December 4, 1979

RE: Item No: 96, 105, 106, 107, 108, 109
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

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RE: PETITION FOR SPECIAL HEARING : BEFORE THE
NE/corner of Security Boulevard and
Belmont Avenue - 1st Election District : ZONING COMMISSIONER
Exxon Corporation - Petitioner
NO. 80-174-SPH (Item No. 108) : OF
: BALTIMORE COUNTY

::: ::: ::: ::: ::: :::

This matter, having been advertised and posted, comes before the Zoning Commissioner on a Petition for Special Hearing, filed by Exxon Corporation, to extend the time for utilization of the redistricting/special exception (Case No. 77-226-RX) granted for an automotive service station.

Under the provisions of the Baltimore County Zoning Regulations, Section 502.3 states:

> "A Special Exception which has not been utilized within a period of two years from the date of the final order granting same, or such longer period not exceeding five years, as may have been specified therein, shall thereafter be void...After a final order granting a Special Exception the Zoning Commissioner, at any time prior to expiration of the period of time authorized for its utilization, may grant one or more extensions of such periods, provided that a maximum time for utilization of the Special Exception is not thereby extended for a period of more than five years from the date of the final order granting same."

Since no construction has begun nor has there been any allusion to the inadequacy or unavailability of public sewer or water facilities, the balance of Section 502.3 is not germane to the facts in this matter or to this Order.

The following information is being set forth as the findings of facts involved in this matter:

1. An Order granting the special exception for an "automotive service station" was signed by the then Zoning Commissioner, S. Eric DiNenna, on October 18, 1977;

2. An appeal to the aforementioned Order was filed by the People's Counsel to the County Board of Appeals on November 9, 1977;

3. A Motion to Dismiss the appeal was filed by the People's Counsel with the County Board of Appeals on January 23, 1978;

4. An Order to Dismiss on Motion was signed by the County Board of Appeals on January 26, 1978;

ORDER RECEIVED FOR FILING
DATE June 13, 1980
BY [signature] ADMINISTRATIVE ASSISTANT

5. The "final order granting same", as referred to in the aforementioned Section, is found to be January 26, 1978; and

6. The Petition for Special Hearing for "an extension of the time for utilization of the Redistricting/Special Exception (Case No. 77-226-RX) for an automotive service station" was received on November 23, 1979.

Mr. Stewart Bain, on behalf of Exxon Corporation, testified that the subject property was settled for under the Contract of Sale only after the special exception was granted and the appeal dismissed. Part of the two-year period for utilization of the special exception was lost by reason of various and sundry delays occurring in securing a building permit, which was finally issued on April 25, 1979. He further testified that construction would probably not begin until 1981 and thus requested consideration, should an extension be granted, of the extension being for a period of two years—a period which will not equal or exceed the maximum five years provided for in Section 502.3.

The Protestants, Mr. Alex Nikolsky and Mr. George Hess, both testified they are operators of automobile service stations in the same area. They allege that a Sears station has been closed as has been a station on Security Boulevard at Whitehead Road (one within one-half mile and one within one mile of the subject site); however, both acknowledged this was not true at the time of the original grant of the special exception on October 18, 1977, and apparently was also not true when the Motion to Dismiss was filed on January 23, 1978. Further testimony appeared to contradict the closing of the station at Security Boulevard and Whitehead Road when it was disclosed that such station was sold by Citco to BP and converted to a "self-service" operation on the assumption that Citco's allocation could be utilized. It was apparently determined later that this fuel allocation was not available to the purchaser (BP) so BP was unable to operate the station as initially contemplated. There was no evidence indicating the reasons for closing the Sears station.

Assuming arguendo, both automotive service stations have, in fact, been closed since the granting of the special exception, it is this Commissioner's opinion that such is only germaine to the original grant of the special



ORDER RECEIVED FOR FILING
DATE June 13, 1980
BY [signature] ADMINISTRATIVE ASSISTANT

exception and not to the extension of what must be presumed to have been a validly granted special exception.

In view of this conclusion, the only remaining question to be answered is whether or not the extension should be granted. In this regard, the findings of fact indicate a delay in utilization of the special exception of approximately three months until the appeal was dismissed on January 26, 1978, and, according to the testimony of an Exxon Corporation representative, a period of fifteen months until a building permit was issued on April 25, 1979.

This Petition refers to "redistricting" in its language only to the extent that it was necessary to do so, but neither the Zoning Commissioner nor the Deputy Zoning Commissioner have any jurisdiction of Petitions for Redistricting which constitute, in essence, a legal effect similar to reclassifications. For this reason, the redistricting portion of this Petition is to be denied.

Therefore, for the reasons hereinbefore set forth, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of June, 1980, that the special exception is hereby extended for a period of two years, measured from January 26, 1980, as requested in the herein Petition for Special Hearing, subject, however, to compliance with the site plan approved or to be approved by the Department of Public Works and the Office of Planning and Zoning as contained in the original Order of October 18, 1977.

It is FURTHER ORDERED that the redistricting portion of the Petition for Special Hearing to approve an extension of time be and the same is hereby DENIED.

Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE June 13, 1980
BY [signature] ADMINISTRATIVE ASSISTANT

RE: PETITION FOR SPECIAL HEARING
NE corner of Security Blvd. and
Belmont Ave., 1st District

EXXON CORPORATION, Petitioners

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 80-174-SPH

::::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 22nd day of February, 1980, a copy of the aforegoing Order was mailed to F. Vernon Boozer, Esquire, 614 Bosley Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hessian, III

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RE: PETITION FOR SPECIAL HEARING
NE/corner of Security Boulevard
and Belmont Avenue, 1st District

EXXON CORPORATION, Petitioner

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 80-174-SPH (Item 108)

::::::::

ORDER FOR APPEAL

Mr. Commissioner:

Please note an appeal from your decision, under date of June 13, 1980, granting an extension of the special exception for a period of two years, measured from January 26, 1980, as requested in the Petition for Special Hearing in the above-entitled matter, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 3rd day of July, 1980, a copy of the aforegoing Order for Appeal was mailed to F. Vernon Boozer, Esquire, 614 Bosley Avenue, Towson, Maryland 21204, Attorney for Petitioner; Mr. Alex Nikolsky, 7175 Security Boulevard, Baltimore, Maryland 21207; and Mr. George Hess, 6600 Security Boulevard, Baltimore, Maryland 21207, Protestants.

John W. Hessian, III

JUL 7 '80 AM

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RE: PETITION FOR SPECIAL HEARING
NE corner of Belmont Ave. (Relocated)
and Security Blvd., 1st District

EXXON CORPORATION, Petitioner

BEFORE THE
COUNTY BOARD OF APPEALS
FOR
BALTIMORE COUNTY

Case No. 80-174-SPH
(Item 108)

MOTION

TO THE HONORABLE MEMBERS OF SAID BOARD:

Exxon Corporation, by F. Vernon Boozer, its attorney, Appellee herein, respectfully moves the Board reverse the decision of the Zoning Commissioner and remand the matter for a hearing on a Petition for Special Exception to be filed by Appellee on the ground that the Special Court of Appeals of Maryland in the case of Baltimore Lodge No. 7 of the BPOE et al v. People's Counsel for Baltimore County filed October 2,1980 decided the portion of Section 502.3 of the Baltimore County Zoning Regulations providing for an extension of time for the utilization of Special Exceptions was null and void and in violation of due process of law.

Your Movant furthersuggests that there are no other Appellees herein and respectfully requests that the Board by its appropriate Order reverse the Zoning Commissioner and remand the matter for a hearing on a Petition for Special Exception to be filed by Appelee.

AND, AS IN DUTY BOUND, ETC.

F.Vernon Boozer
Atty. for Petitioner
614 Bosley Avenue
Towson,MD 21204
828-9441

RECEIVED
BALTIMORE COUNTY
NOV 10 11 13 AM '80
COUNTY BOARD
OF APPEALS
BY: ___

---

I HEREBY CERTIFY that on this 6th day of November,1980, a copy of the aforegoing Motion was mailed to John W. Hessian,III, People's Counsel for Baltimore County, County Office Building, Towson,MD 21204.

F.Vernon Boozer

---

RE: PETITION FOR SPECIAL HEARING
NE corner of Belmont Ave. (Relocated)
and Security Blvd.- 1st District

EXXON CORPORATION, Petitioner

BEFORE THE
COUNTY BOARD OF
APPEALS
OF
BALTIMORE COUNTY

Case No. 80-174-SPH
(Item 108)

ORDER

Upon the aforegoing Motion of Exxon Corporation, Appellee, the sole Appellee herein, it is this____day of November,1980, by the County Board of Appeals for Baltimore County,

ORDEREC that the decision of the Zoning Commissioner herein, dated June 13,1980, be and it is hereby reversed and the matter remanded for a hearing on the Petition for Special Exception to be filed by Appelee.

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RE: PETITION FOR SPECIAL HEARING
for extension of time for utilization
of the Redistricting/special Exception
for an automotive service
station
NE corner Security Boulevard
and Belmont Avenue
1st District
Exxon Corporation
Petitioner

: BEFORE
: COUNTY BOARD OF APPEALS
: OF
: BALTIMORE COUNTY
: No. 80-174-SPH
:

: : : : : : : : : : : : : : : : : : : : : : : : : :

ORDER OF DISMISSAL

Petition of Exxon Corporation for a special hearing for the extension of the time for utilization of the Redistricting/Special Exception (Case No. 77-226-RX) for an automotive service station (Section 502.3 of the Baltimore County Zoning Regulations) on property located on the northeast corner of Security Boulevard and Belmont Avenue, in the First Election District of Baltimore County.

WHEREAS, in open hearing before the Board of Appeals on April 23, 1981, and prior to the taking of any testimony, the Petitioner's attorney made a Motion to Dismiss the case. This Motion was granted by the Board.

ORDER

For the reasons set forth above, it is this 21st day of May , 1981, by the County Board of Appeals, ORDERED that the Motion to Dismiss be and the same is hereby GRANTED - without prejudice - to allow the Petitioner to pursue a special exception before the Zoning Commissioner.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John V. Murphy, Acting Chairman

Patricia Phipps

John A. Miller

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494-3180

County Board of Appeals
Room 219 Court House
TOWSON, MARYLAND 21204

January 13, 1981

NOTICE OF POSTPONEMENT and REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-174-SPH — EXXON CORPORATION

NE/C of Security Blvd. and Belmont Ave.

1st District

SPH-extension of time for utilization of the redistricting/special exception for an automotive service station

6/13/80 - Z.C. (Hammond) extended special exception for 2 yrs. and DENIED redistricting portion of petition for special hearing to approve an extension of time

The above case scheduled for hearing on TUESDAY, MARCH 17, 1981, at 10 a.m. has been POSTPONED by the Board at the request of counsel for the petitioner, and

| | |
|---|---|
| REASSIGNED FOR: | THURSDAY, APRIL 23, 1981, at 10 a.m. |
| cc: F. Vernon Boozer, Esq. | Counsel for the Petitioner |
| Exxon Corp. | Petitioner |
| Mr. Alex Nikolsky | Protestant |
| Mr. Geo. Hess | " |
| J. W. Hessian, Esq. | People's Counsel |
| J. E. Dyer | Zoning Office |
| William Hammond | " " |

June Holmen, Secretary

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PETITION FOR SPECIAL HEARING

1st District

ZONING: Petition for Special Hearing

LOCATION: Northeast corner of Security Boulevard and Belmont Avenue

DATE & TIME: Tuesday, March 4, 1980 at 1:45 P.M.

PUBLIC HEARING: Room 106, 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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an extension of the time for utilization of the Redistricting/Special Exception (Case No. 77-226-RX) for an automotive service station (Section 502.3 of the Baltimore County Zoning Regulations).

Section 502.3 - Anyone having a Special Exception for an automotive service station shall have such exception automatically extended for a period of five (5) years after said property is designated a district in accordance with the automotive service stations regulations of Baltimore County

All that parcel of land in the First District of Baltimore County

Being the property of Exxon Corporation, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, March 4, 1980 at 1:45 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM F. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

## NOTICE OF HEARING

RE: Petition for Special Hearing - NE/C of Security Boulevard and Belmont Avenue
Exxon Corporation - Case No. 80-174-SPH

TIME: 1:45 P.M.

DATE: Tuesday, March 4, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

---

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond, Zoning Commissioner
Date: February 14, 1980

FROM: John D. Seyffert, Director, Office of Planning and Zoning

SUBJECT: Petition No. 80-174-SPH Item 108

Petition for Special Hearing
Northeast corner of Security Boulevard and Belmont Avenue
Petitioner Exxon Corporation

First District

HEARING: Tuesday, March 4, 1980 (1:45P.M.)

There are no comprehensive planning factors requiring comment on this petition.'

John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:ob

---

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

February 22, 1980

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing - NE/C
Security Blvd and Belmont Ave. -
Exxon Corporation - Case No. 80-174-SPH

Dear Sir:

This is to advise you that $93.00 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

---

PETITION FOR SPECIAL HEARING
1st District
ZONING: Petition for Special Hearing
LOCATION: Northeast corner of Security Boulevard and Belmont Avenue
DATE & TIME: Tuesday, March 4, 1980 at 1:45 P.M.
PUBLIC HEARING: Room 106, 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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an extension of the time for utilization of the Redistricting/Special Exception (Case No. 77-226-RX) for an automotive service station (Section 502.3 of the Baltimore County Zoning Regulations.)
Section 502.3 - Anyone having a Special Exception for an automotive service station shall have such exception automatically extended for a period of five (5) years after said property is designated a district in accordance with the automotive service stations regulations of Baltimore County.
All that parcel of land in the First District of Baltimore County
BEGINNING FOR THE SAME at a point in the Northerly Right-of-Way Line of Security Blvd. as laid out on Baltimore County Right-of-Way Plats RW 70-119-3 and RW 70-119-2, said point being North 3° 12' 57" East, 77.00 feet radially from Baseline of Right-of-Way P.O.C. Station 24+98.34, said point also being at the intersection of Right-of-Way "sight flare" with Northerly Right-of-Way Line of Security Blvd. as indicated on the aforesaid plats; thence leaving the Point of Beginning and binding on the aforesaid "site flare", bearings referred to the Baltimore County Metropolitan Grid System, North 46° 04' 58" West, 52.76 feet to the Easterly Side of Relocated Belmont Avenue, 60 feet wide; thence binding on said Easterly Right-of-Way Line North 02° 21' 42" East, 1.46 feet; thence still binding on said Right-of-Way Line by a curve to the right Northeasterly 191.12 feet, said curve having a radius of 290.00 feet and a chord bearing and distance of North 21° 14' 31" East, 187.68 feet; thence North 40° 07' 20" East, 94.97 feet; thence leaving the aforesaid Easterly Right-of-Way Line and running for two "New-Lines-of-Division" crossing over and through the undivided residue of the lands of Zanyl Krieger as described in a deed recorded among the Land Records of Baltimore County in Liber O.T.G. 4527 - Folio 149: (1) South 49° 52' 40" East, 102.94 feet and (2) South 05° 03' 35" West, 231.00 feet to intersect the Northerly Right-of-Way Line of Security Boulevard, said intersection point being situated North 5° 03' 35" East, 77 feet from baseline of Right-of-Way Station 26 + 45.86; thence binding on the Northerly Right-of-Way Line of Security Blvd. Westerly by a curve to the left, 150 feet, said curve having a radius of 4660.66 feet and a chord bearing and distance of North 86° 51' 38" West 149.99 feet to the place of beginning. Containing 43,560 square feet or 1.0 acres exactly.
Being the property of Exxon Corporation, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, March 4, 1980 at 1:45 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER OF BALTIMORE COUNTY
Feb. 14.

Office of
COLUMBIA Publishing Corp.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

February 14 1980

...S IS TO CERTIFY, that the annexed advertisement of Petition for Special Hearing ... inserted in the following:

Catonsville Times
Arbutus Times

...ekly newspapers published in Baltimore County, Maryland, once a week for one successive weeks before the 15th day of February 1980 that is to say, the same was inserted in the issues of 2/14/80

COLUMBIA PUBLISHING CORP.
By

IN... FOR ... vs Defendant CERTIFICATE OF PUBLICATION OF

---

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #108, Zoning Advisory Committee Meeting, December 4, 1979, are as follows:

Property Owner: Exxon Corporation
Location: NE/C Security Blvd and Belmont Ave. (Relocated)
Existing Zoning: B.M.- .N.S
Proposed Zoning: Special Hearing to extend the time for utilization of Special Exception Case No. 77-226-RX (Item #142; 1976-77)
Acres: 1.00
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Landscaping must be provided as previously approved.

Very truly yours,

John L. Wimbley
Planner III
Project and Development Planning

---

EXXON CORP.

80-1235 file

COVAHEY & BOOZER
ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAN
DOUGLAS W. BISER

June 2,1980

AREA CODE 301
828-9441

William E. Hammond
Zoning Commissioner
of Baltimore County
County Office Building
Towson, MD 21204

RE: Petition for Special Hearing
NE/C of Security Blvd. and Belmont Ave.
Exxon Corporation
Case No. 80-174-SPH

Dear Mr. Hammond:

At the hearing on the above you requested proof that the station at that location has not been abandoned. Accordingly, enclosed please find a letter from D.E. McClenathan with respect to same.

Very truly yours,

F.Vernon Boozer

FVB/pa
Enc.

JUN 4 '80 AM
ZONING DEPARTMENT
By

---

BP Oil Inc.
2155 NORTHBRIDGE AVE., BALTIMORE, MARYLAND 21226

May 29, 1930

Exxon Company, U.S.A.
3801 Boston Street
Baltimore, Maryland 21224
Attention: Mr. Stewart A. Bain

Gentlemen:

We have not abandoned ~~our location~~ at Security Blvd. & Whitehead. A request for a realistic base period volume assignment has been made and if this request is approved by the D.O.E. we will reopen and/or rebuild the facility.

Yours truly,

BP OIL INC.

D. E. McCLENATHAN
Division Manager - Retail

DEM:m

---

MARYLAND SURVEYING AND ENGINEERING CO., INC.
Affiliated With LYON ASSOCIATES, INC.
6707 WHITESTONE ROAD • BALTIMORE, MARYLAND 21207 • TELEPHONE: 301-944-9291
ENGINEERING • SURVEYING • PLANNING

DESCRIPTION
EXXON COMPANY
N.E. CORNER RELOCATED BELMONT & SECURITY BLVD.

BEGINNING FOR THE SAME at a point on the Northerly Right-of-Way Line of Security Blvd. as laid out on Baltimore County Right-of-Way Plats RW 70-119-3 and RW 70-119-2, said point being North 3° 12' 57" East, 77.00 feet radially from Baseline of Right-of-Way P.O.C. Station 24+98.34, said point also being at the intersection of Right-of-Way "sight flare" with Northerly Right-of-Way Line of Security Blvd. as indicated on the aforesaid plats; thence leaving the Point of Beginning and binding on the aforesaid "site flare", bearings referred to the Baltimore County Metropolitan Grid System, North 46° 04' 58" West, 52.76 feet to the Easterly Side of Relocated Belmont Avenue, 60 feet wide; thence binding on said Easterly Right-of-Way Line North 02° 21' 42" East, 1.46 feet; thence still binding on said Right-of-Way Line by a curve to the right Northeasterly 191.12 feet, said curve having a radius of 290.00 feet and a chord bearing and distance of North 21° 14' 31" East, 187.68 feet; thence North 40° 07' 20" East, 94.97 feet; thence leaving the aforesaid Easterly Right-of-Way Line and running for two "New-Lines-of-Division" crossing over and through the undivided residue of the lands of Zanyl Krieger as described in a deed recorded among the Land Records of Baltimore County in Liber O.T.G. 4527 - Folio 149: (1) South 49° 52' 40" East, 102.94 feet and (2) South 05° 03' 35" West, 231.00 feet to intersect the Northerly Right-of-Way Line of Security Boulevard, said intersection point being situated North 5° 03' 35" East, 77 feet from baseline of Right-of-Way Station 26 + 45.86; thence binding on the Northerly Right-of-Way Line of Security Blvd. Westerly by a curve to the left, 150 feet, said curve having a radius of 4660.66 feet and a chord bearing and distance of North 85° 51' 38" West, 149.99 feet to the place of beginning. Containing 43,560 square feet or 1.0 acres exactly.

Being a portion of the undivided residue of the lands conveyed to Zanyl Krieger from Grace L. Zimmerman by deed dated October 4, 1965, said deed being recorded among the Land Records of Baltimore County in Liber O.T.G. 4527 Folio 149.

STATE OF MARYLAND
J. ROBERT CASSELL
No. 1557
REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR

Signed This 2nd day June 1976

SCALE ____ ft. - 1 inch

File No. 1805-431

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 13, 1980

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
NE/corner of Security Boulevard
and Belmont Avenue - 1st Election
District
Exxon Corporation - Petitioner
NO. 80-174-SPH (Item No. 108)

Dear Mr. Boozer:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Mr. Alex Nikolsky
7175 Security Boulevard
Baltimore, Maryland 21207

Mr. George Hess
6600 Security Boulevard
Baltimore, Maryland 21207

John W. Hessian, III, Esquire
People's Counsel

---

1/8/81 - Notified the following of hearing set for TUES., MARCH 17, 1981, at 10:00 a.m.:

F. V. Boozer, Esq.
Exxon Corp.
Alex Nikolsky
George Hess
J. Hessian
J. Dyer
W. Hammond

Postponed 1-13-81

1/13/81 - Above notified of hearing set for THURSDAY, APRIL 23, 1981 at 10 a.m.

4-23-81 - Per JVM - Dismissed without prejudice to allow Petitioner to persue SE before Z.C.

---

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

May 21, 1981

John W. Hessian, III, Esquire
People's Counsel for Baltimore County
Courthouse
Towson, Md. 21204

Re: Case No. 80-174-SPH
Exxon Corporation

Dear Mr. Hessian:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: F. Vernon Boozer, Esquire
Exxon Corporation
Mr. Alex Nikolsky
Mr. George Hess
Mr. J. E. Dyer
Mr. W. E. Hammond
Mr. N. E. Gerber
Mr. J. Hoswell

---

COVAHEY & BOOZER
ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAN
DOUGLAS W. BISER

January 14,1981

AREA CODE 301
828-9441

County Board of Appeals
Room 219
Court House
Towson,MD 21204

RE: Case No. 80-174-SPH
Exxon Corporation
NE/C of Security Blvd. and Belmont Ave.

Gentlemen:

I am in receipt of a notice setting the above-captioned matter in for trial on Tuesday, March 17,1981 at 10:00 a.m. However, as I am scheduled to be out of town on vacation on that date it is respectfully requested that this matter be postponed and scheduled at your convenience.

Very truly yours,

F.Vernon Boozer

FVB/pa
cc: J.W.Hessian,Esquire

1/15/81
Called Mr. Boozer's office & spoke to his secretary. Told them new date was 4/23/81 at 10:00. She said she'd tell him. Our letter must have crossed in the mail.
J.H.

RECEIVED
BALTIMORE COUNTY
JAN 15 2 57 PM '81
COUNTY BOARD OF APPEALS
BY

---

COVAHEY & BOOZER
ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAN
DOUGLAS W. BISER

January 9,1981

AREA CODE 301
828-9441

County Board of Appeals
for Baltimore County
Room 219 Court House
Towson,MD 21204

RE: Case No. 80-174-SPH
Exxon Corporation
NE/C of Security Blvd. and Belmont Ave.

Gentlemen:

I am in receipt of a notice setting the above-captioned matter in for hearing on Tuesday, March 17,1981 at 10:00 a.m. However, on that date I have the previously scheduled equity case of Penley v. Penley in the Baltimore County Circuit Court and accordingly, must request a postponement of the above.

Very truly yours,

F.Vernon Boozer

FVB/pa
cc: John W. Hessian,Esquire

Walk-postponement granted
1/13/81 - Reset on 4/23 - J.H.

RECEIVED
BALTIMORE COUNTY
JAN 12 11 55 AM '81
COUNTY BOARD OF APPEALS
BY

---

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

January 8, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-174-SPH — EXXON CORPORATION

NE/C of Security Blvd. and Belmont Ave.

1st District

SPH-extension of time for utilization of the redistricting/special exception for an automotive service station

6/13/80 - Z.C. (Hammond) extended special exception for 2 yrs. and DENIED redistricting portion of Petition for special hearing to approve an extension of time

ASSIGNED FOR: TUESDAY, MARCH 17, 1981, at 10 a.m.

Reset on 4/23/81

cc: F. Vernon Boozer, Esq. — Counsel for Petitioner
Exxon Corp. — Petitioner
Mr. Alex Nikolsky — Protestant
Mr. George Hess — "
J. W. Hessian, Esq. — People's Counsel
J. E. Dyer — Zoning Office
W. Hammond — " "

June Holmen, Secretary

---

PETITION FOR SPECIAL HEARING
1st DISTRICT

ZONING: Petition for Special Hearing
LOCATION: Northeast corner of Security Boulevard and Belmont Avenue
DATE & TIME: Tuesday, March 4, 1980 at 1:45 P.M.
PUBLIC HEARING: Room 106, 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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an extension of the time for utilization of the Redistricting/Special Exception (Case No. 77-296-RX) for an automotive service station (Section 502.2 of the Baltimore County Zoning Regulations).

Section 502.2—Anyone having a Special Exception for an automotive service station shall have such exception automatically extended for a period of five (5) years after said property is designated a district in accordance with the automotive service stations regulations of Baltimore County

All that parcel of land in the First District of Baltimore County

Beginning for the same at a point on the Northerly Right-of-Way Line of Security Blvd. as laid out on Baltimore County Right-of-Way Plats BW 70-119-3 and BW 70-119-2, said point being North 8° 19' 57" East, 77.00 feet radially from Baseline of Right-of-Way P.O.C. Station 24+ 88±L, said point also being at the intersection of Right-of-Way "sight flare" with Northerly Right-of-Way Line of Security Blvd. as indicated on the aforesaid plats; thence leaving the Pt. of Beginning and binding on the aforesaid "site flare", bearings referred to the Baltimore County Metropolitan Grid System, North 46° 04' 58" West, 52.78 feet to the Easterly Side of Relocated Belmont Avenue, 80 feet wide; thence binding on said Easterly Right-of-Way Line North 02° 21' 42" East, 1.46 feet; thence still binding on said Right-of-Way Line by a curve to the right Northeasterly 191.13 feet, said curve having a radius of 290.00 feet and a chord bearing and distance of North 21° 14' 31" East, 187.68 feet; thence North 40° 07' 20" East, 94.97 feet; thence leaving the aforesaid Easterly Right-of-Way Line and running for two "New Lines-of-Division" crossing over and through the undivided residue of the lands of Zanyl Krieger as described in a deed recorded among the Land Records of Baltimore County in Liber O.T.G. 4457—Folio 148: (1) South 49° 53' 40" East, 128.94 feet and (2) South 02° 02' 38" West, 231.00 feet to intersection Northerly Right-of-Way Line of Security Boulevard, said intersection point being situated North 8° 07' 55" East, 77 feet from baseline of Right-of-Way Station 26 + 46.86; thence binding on the Northerly Right-of-Way Line of Security Blvd. Westerly by a curve to the left, 150 feet, said curve having a radius of 4660.00 feet and a chord bearing and distance of North 85° 51' 38" West, 149.99 feet to the place of beginning. Containing 44,500 sq. ure feet or 1.0 acres exactly.

Being the property of Exxon Corporation, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, March 4, 1980 at 1:45 P.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

By Order Of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County

Feb 14.

---

DUPLICATE

CERTIFICATE OF PUBLICATION

TOWSON, MD., ~~February 14~~, 1980

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 time~~ ~~successive weeks~~ before the 4th day of March, 1980, the first publication appearing on the 14th day of February 1980.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, $ 38.50

---

80-174-SPH

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st — Date of Posting FEB 17 1980
Posted for: Petition for Special Hearing
Petitioner: Exxon Corporation
Location of property: NE/c Security Blvd. AND Belmont Avenue
Location of Signs: NE/c Security Blvd. & Belmont Ave.
Remarks:
Posted by Thomas P. Roland (Signature) — Date of return: FEB 28, 1980

1 - SIGN

---

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 85617

DATE February 6, 1980 ACCOUNT 01-662
AMOUNT $25.00
RECEIVED FROM F. Vernon Boozer, Esquire
FOR: Filing Fee for Case No. 80-174-SPH

B 27 52 FEB 6 25.00 MH

VALIDATION OR SIGNATURE OF CASHIER

---

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 23rd day of November, 1979.*

Filing Fee $ 25.00 Received: ✓ Check / Cash / Other

William E. Hammond, Zoning Commissioner

108

Petitioner Stewart Exxon
Petitioner's Attorney F. Vernon Boozer
Submitted by F. Vernon Boozer
Reviewed by [illegible]

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

## PETITION MAPPING PROGRESS SHEET

| FUNCTION | Wall Map date | Wall Map by | Original date | Original by | Duplicate date | Duplicate by | Tracing date | Tracing by | 200 Sheet date | 200 Sheet by |
|---|---|---|---|---|---|---|---|---|---|---|
| Descriptions checked and outline plotted on map | | | | | | | | | | |
| Petition number added to outline | | | | | | | | | | |
| Denied | | | | | | | | | | |
| Granted by ZC, BA, CC, CA | | | | | | | | | | |

Reviewed by: DT

Revised Plans:
Change in outline or description ____Yes ____No

Previous case: 77-226RX

Map # _____

80-174-SPH

## CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st

Date of Posting 7-20-80

Posted for: APPEAL

Petitioner: EXXON CORPORATION

Location of property: NE/C SECURITY BLVD. AND BELMONT AVENUE

Location of Signs: NE/c SECURITY BLVD. & BELMONT AVE.

Remarks:

Posted by Thomas K. Roland (Signature)

Date of return: July 25, 1980

Number of Signs: ONE.

F. Vernon Boozer, Esquire
614 Bosley Avenue
Towson, Maryland 21204

cc: Exxon Corporation
P. O. Box 1284
Baltimore, Maryland 21203

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 16th day of January, 1980

WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Exxon Corp.
Petitioner's Attorney F. Vernon Boozer, Esq.

Reviewed by: Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 86312

DATE March 4, 1980 ACCOUNT 01-662

AMOUNT $93.00

RECEIVED FROM: F. Vernon Boozer, Esquire

FOR: Advertising and Posting for Case No. 80-174-/sph

B 99 48MR 5 93.00 MSC

VALIDATION OR SIGNATURE OF CASHIER

80-174-SPH
Item No. 133

1st Distr...

NE/c of Security Blvd.
& Belmont Avenue

Exxon Corporation

1 sign

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 089632

DATE July 8, 1980 ACCOUNT 01-662

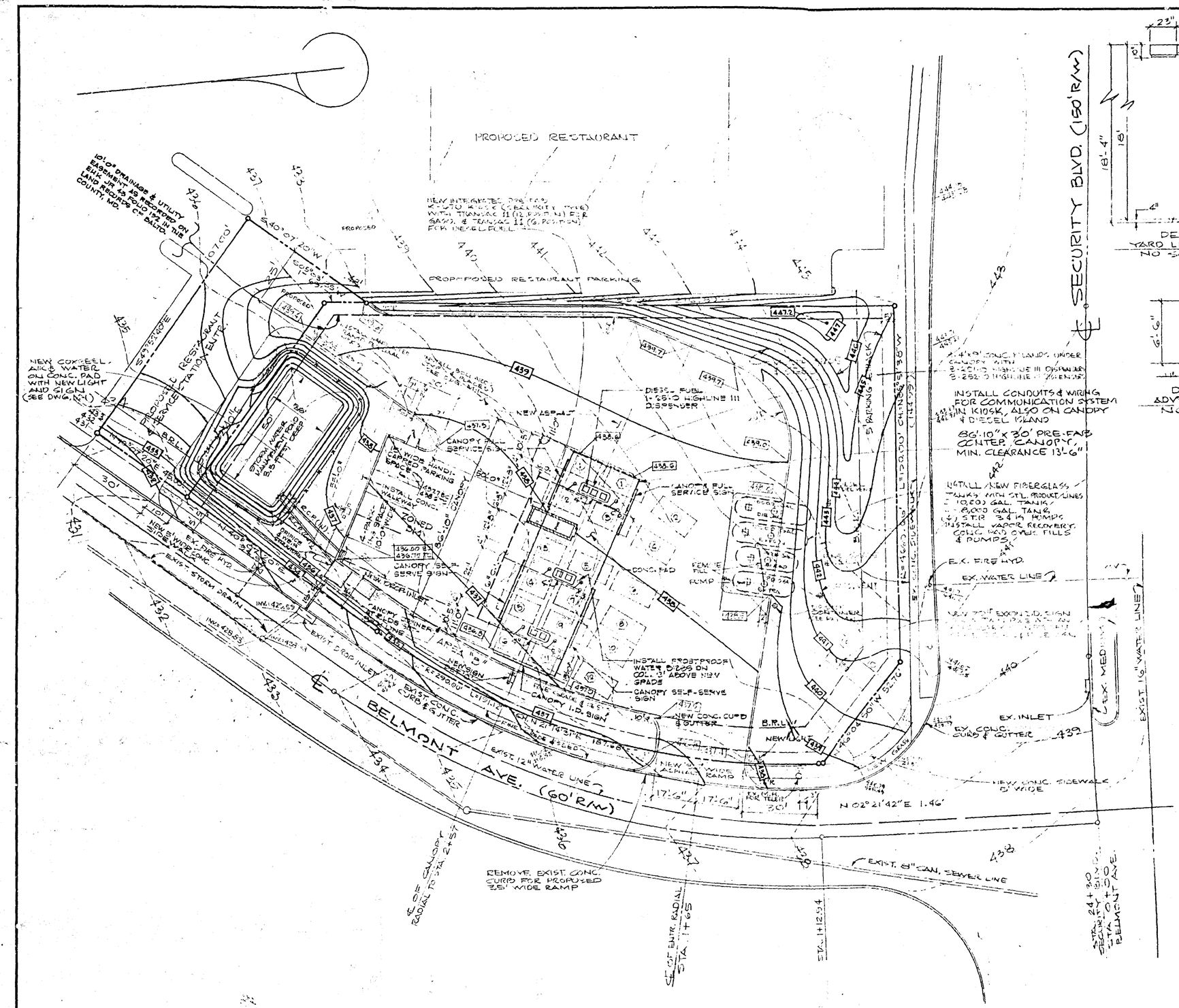
AMOUNT $10.00

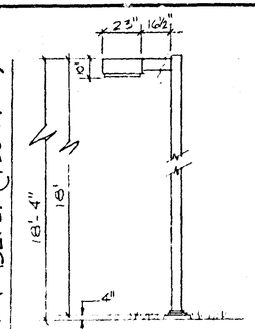
RECEIVED FROM: John W. Hessian, III, Esquire

FOR: Filing Fee for Appeal of Case No. 80-174-SPH

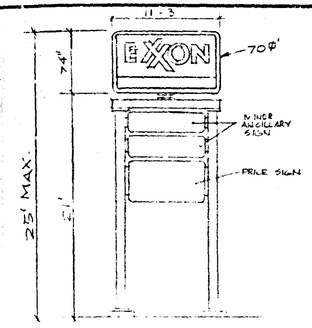
B05 [illegible] 4 10.00 MC

VALIDATION OR SIGNATURE OF CASHIER

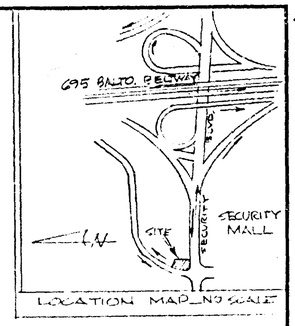


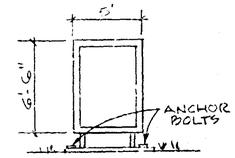

DETAIL "A"
YARD LIGHT DETAIL
NO SCALE




DETAIL "B"
I.D. SIGN DETAIL
NO SCALE




LOCATION MAP NO SCALE




DETAIL "C"
ADVERTISING SIGN
NO SCALE

MAP 28
NW 2 G
ELECTION DISTRICT 1
D. TO 11/27/79
TYPE
NUMBER 32N
BY
ENTER

## ZONING NOTES

ZONING STATUS

EXIST. ZONING: BM PROPOSED ZONING: NO CHANGE
EXIST. DISTRICT: CNS WITH SPECIAL EXCEPTION FOR SERVICE STATION

AREA REQUIREMENTS

3 - DESPENSER ISLANDS WITH 6, DUAL DISPENSER UNITS SERVING 6, CARS AT ONE TIME.
TOTAL SERVICING SPACES = 6 ——→ (6)
TOTAL WAITING SPACES = 12 ——→ (12)

SITE AREA REQUIRES

ANCILLARY USES = NONE
ADDITIONAL AREA REQ. = NONE
PROPOSED COMBINATION USES = NONE
TOTAL AREA REQ. =
TOTAL AREA OF TRACT = 42,516 SQ. FT.

ACCESS POINTS

1, DRIVEWAY ON BELMONT AVE 35' WIDE
1, DRIVEWAY 25' WIDE FROM A 30' WIDE MUTUAL DRIVEWAY ON BELMONT AVE. FOR INGRESS & EGRESS TO THE PROPOSED RESTAURANT ADJACENT TO THE SERVICE STATION.

LANDSCAPING: (SEE SPECIAL LANDSCAPING PLAN)
CONSISTS OF GRASS AND SMALL SHRUBS.
AREA "A" = 13,416 SQ.FT.
AREA "B" = 3,964 SQ.FT.
TOTAL 17,380 SQ. FT. 41 % OF TRACT.

PARKING:
PARKING SPACES REQ = 0
(3) PER BAY, 0 BAY = 0
TOTAL PARKING, PARKING SPACES PROVIDED = 5

LIGHTING
(4), 400 W. SUPER METAL ARC.

LEGEND:
(3) = DENOTES SERVICE SPACES (6, TOTAL)
(3) = DENOTES WAITING SPACES (12, TOTAL)

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

| REVISIONS: | | |
|---|---|---|
| REV. GRADES | J.G. | 5-22-78 |
| REV. EX. DISTR. ZONING | J.G. | 4-5-78 |
| REV. TO INCLUDE DIESEL & NEW I.D. SIGN | J.G. | 5-30-78 |
| REV. ADDED BS-2 BLDG | J.G. | 11-1-78 |

| REVISIONS: | | |
|---|---|---|
| REV. RELOCATED SB-1 BLD G. | J.G. | 11-6-78 |
| REV. DELETE SB-1, ADD 15' B.R.L., MOVE ISLANDS & CANOPY ADD S.W.M. POND | TWH(JGB) | 1-12-79 |

**EXXON** COMPANY, U.S.A.
(A DIVISION OF EXXON CORPORATION)
POST OFFICE BOX 1288
BALTIMORE, MARYLAND 21203

PROPOSED GRASSROOT SELF-SERVE

DRAWN BY: JOE GOTT.
CHECKED BY:
APPROVED BY:
SCALE: 1" = 20'

PLOT PLAN
SECURITY & BELMONT
BALTIMORE Co., MARYLAND

DATE: 3-15-78
FILE NO.: 7733
SHEET NO.: OF:
DWG. NO.: 1-B