RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER NE corner of Hammonds Ferry and OF BALTIMORE COUNTY Hollins Ferry Rds., 13th District HUMBLE OIL & REFINING COMPANY,: Cose No. 83-48-X Petitioner 1111111 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 therefor, and of the passage of any preliminary or final Order in connection therewith. John W. Hessian, III Peter Max Zimmerman People's Counsel for Baltimore County Deputy People's Counsel Rm. 223, Court House Towson, Maryland 21204 I HEREBY CERTIFY that on this 6th day of August, 1982, a copy of the foregoing Order was mailed to Arthur L. Decker, District Manager, EXXCN Company, Towson Plaza, Towson, Maryland 21204, Petitioner; and Mr. Bradley G. Eirman, 2023

John W. Hessian, III

Flintstone Road, Millers, Maryland 21107, Contract Lessee.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 17, 1982

COUNTY OFFICE BLDG. 111 W. C. esapeake Ave. Towson, Maryland 21204

000

Mr. Bradley Firman Nicholas B. Commodari 2823 Flintstone Road Millers, Md. 21107

MEMBERS Bureau of

Engineering Department of Traffic Engineering State Roads Commissio

Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration

Industrial

Development

RL: Item No. 259 - Case No. 83-48-X Petitioner - Humble Oil & Refining Company Special Exception Petition

Dear Mr. Eirman:

Enclosed please find addendum comments for the abovereferenced case.

Very truly yours,

Redalas & Camudan NICHOLAS B. COMMODARI

Chairean Zoning Plans Advisory Committee

NBC: bsc

Enclosure

cc: G. W. Stephens, Jr. & Associates 303 Allegheny Avenue Baltimore, Md. 21204

Budley Minen 2023 Flinbuicoe Road

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day

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 \_\_\_\_\_31st \_\_\_\_\_ day of \_\_\_August

1982 , that the subject matter of this petition be advertised, as

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

WILLIAM E. HAMMOND

Zoning Commissioner of Baltimore County.

Zoning Commissioner

Petitioner's Attorney

FOR

CEIVED

ORDER

Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204

PAUL H REINCKE CHIEF

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

Attention: Pick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Humble Oil and Refining Company

Location: NE/Cor. Hammonds Ferry Road and Hollins Ferry Road

Item No.: 259

Centlemen:

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

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

EXCEEDS the maximum allowed by the Fire Department.

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

( ) 6. Site plans are approv. , as drawn.

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

Planning Group Special Inspection Division

Fire Prevention Treau

Mr. William Hammond Zoning Commissioner September 1, 1982 Page two

Comment #4: All self-service statios shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of class I liquids, according to NFPA 30, Section 7.7.4.3.

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 25, 1982

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

Nicholas B. Commodari

MEMBERS Bureau of Engineering Department of Traffic Engineering

State Boads Commissio Bureau of Fire Prevention Health Department Project Flanning Building Separtment Board of Education

2 .ing Administration

Petitioner - Humble Oil & Refining Company Special Exception Petition

Dear Mr. Eirman:

Mr. Bradley Eirman

2823 Flintstone Road

Millers, Maryland 21107

The Zoning Plans Adv.sory 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.

R.: Item No. 259 - Case No. 83-49-X

In view of your proposal to legalize the existing use on this property, this hearing is required.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> Very truly yours, nichelas & Commadare, NICHOLAS B. COMMODARI

Chairman Zoning Plans Advisory Committee

Enclosures cc: George William Stephens, Jr. & Associates, Inc. 303 Allegheny Avenue Towson, Maryland 21204

Zoning Agenda: Meeting of June 22, 1982

Department of Public Works.

( ) 3. The vehicle dead end condition shown at

(X) 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.

RE. IEWPR Lett Grant Kelly 9/2/87 Approved XLC

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zon'ng Regulations

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Special Exception

1 Post

DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 494-3900

Mr. William E. Hommond, Zoning Commissioner

13th

and other applicable Codes.

Section/s \_\_\_\_\_\_

a professional seal.

Comments on Item # 259 Zoning Advisory Committee Leeting

Location: NE Corner Hammonds Ferry Road and Hollins Ferry Road

X A. All structure shall conform to the Baltimore County Building Code 1981,

application. Architect/Engineer seal is/is not required.

Council Bill 1-82 State of Mary and Code for the Handicapped and Aged;

X D. Commercial: Three mets of construction drawings with a Muryland Registered

7. Requested variance conflicts with the Bultimore County Smilding Code,

parking, sign., access, curb cuts, etc., etc.

be construed as the full extent of any permit.

(Plans Review) at 111 West Chesapeake Ave., Towner.

X G. A change of occupacy shall be applied for, slong with an alteration permit

brobitect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6'0 of an adjacent

lot line shall be of one hour fire remistive construction, no openings permitted

within 3'-0 of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 1407 and Table 1402.

application, and three required sets of drawin, indicating how the structure will seet the Gode requirements for the proposed thangs. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the survices of a Registered in Maryland Architect or Engineer certify to this

NUTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Soning and are not intended to

If desired additional information may be obtained by visiting Boom #122

office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction

I i. Comments Service stations are classified as "B" Business use .Food Sales are "M" mercantile when the incluental uses exceed 10% of the floor are some

other high fire separation may be required by the Code. Please review Section 312.2 for compliance - Under 10% we will not require such

Very truly yours.

Plane Review

Charles E. Burnham, Chie.

separation. Show compliance to the State Handicapped Code on the site plan,

C. Residential: Three sets of construction drawings are required to file a permit

permit shall be required before beginning construction.

Property Govern Humble Oil and Refining Company

Office of Planning and Zoning

County Office Building Townon, Maryland 21201

June 22, 1982

TED ZALESKILIR.

Dear Mr. Rammond;

Existing Zonings

Proposed Zonings

Districts

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON MARYLAND 21204

HARRY L DISTEL P. E. DIRECTOR

July 21, 1982

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

> Re: Item #259 (1981-1982) Property Owner: Humble Oil & Refining Co. N/E cor. Hammonds Ferry Rd. & Hollins Ferry Rd. Acres: 0.458 District: 13th

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

#### General:

Baltimore County highway and utility improvements are not directly involved, and exist as secured by Public Works Agreement 136511 executed in conjunction with the development of "Esso Service Station and Commercial Store", (BLD. 498-65).

The comments which were supplied in conjunction with the Zoning Advisory Committee review of this property in Jonnection with Items 115 (1974-1975) and 10 (1976-1977) are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 259 (1981-1982) .

Bureau of Public Services

RAM: EAM: FWR: SS

cc: Jack Wimbley

C-NE Key Sheet 22 SW 9 & 10 Pcs. Sheets SW 6 C Topo 109 Tax Map

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

NORMAN E. GERBER DIRECTOR

August 10, 1982

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

Dear Mr. Harrmond:

Comments on Item # 25°, Zoning Advisory Committee Meeting, June 22, 1982 , are as follows:

Property Owner: Humble Oil & Refining Company Location: NE/corner Hammonds Ferry Road and Hollins Ferry Road Acres: 0.458 District: 15th

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.

This petition meets the requirements of the Division of Current Planning and

Very truly yours,

Planner III Current Planning & Development

JLW:rh

Lowell K. Bridwell M. S. Coltridor

June 25, 1982

Mr. William Hammond Zoning Commissioner County Office Bldg. Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting of 6-22-82 ITEM: #259. Property Owner: Humble Oil & Refining Company Location: NE/Cor. Hammonds Ferry Road (Route 891) and Hollins Ferry Road Existing Zoning: BY-CNS Proposed Zoning: Special Exception for food store in combination with self-service gas station. Acres: 0.458 District: 13th

Dear Mr. Hammond:

on review of the site plan of May 20, 1982 and field inspection, the State Highway Administration finds the plan generally acceptable.

> Very truly yours, Charle Lin Charles Lee, Chief Bureau of Engineering Access Permits

CL:GW:maw

By: George Wittman

August 25, 1982

Very truly yours,

Michael S. Flanigan

Engineering Associate II

The Department of Traffic Engineering has no comments for

cc: Mr. J. Wimbley

BALTIMORE COUNTY

Mr. William Hammond

Zoning Commissioner County Office Building

Dear Mr. Hammond:

MSF/rlj

Towson, Maryland 21204

STEPHEN E. COLLINS DIRECTOR

TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

RE: ZAC Meeting of June 22, 1982

items number 259, 260, 261, 262 and 264

My telephone number is (301) 659-1350 Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY DEPARTMENT OF HEALTH TOWSON, MARYLAND 21204 DONALD I ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

August 10, 1982

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

Dear Mr. Hammond:

Comments on Item #259, Zoning Advisory Committee Meeting of June 22, 1982, are as follows:

Property Owner:

Humble Oil & Refining Company NE/Cor. Hammonds Ferry Road and Hollins

pation with self-service gas station.

Ferry Road Existing Zoning: BL-CNS

Proposed Zoning: Special Exception for food store in combi-

Acres:

Location:

District:

13th

Metropolitan water and sever exist.

If a food service facility is proposed, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, Baltimore County Department of Health, for review and approval prior to construction.

The contents of any existing waste oil tanks must be removed and the tanks either be properly backfilled or removed.

> Very truly yours, Ian J. Forrest, Director

BUREAU OF ENVIRONMENTAL SERVICES

IJF/als

cc: J. A. Butcher

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H REINCKE

September 1, 1952

Mr. William Hammond Coming Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 2120

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

PE: Property Owner: Humble Oil and Refining Company

Location: NE/Cor. Hammonds Ferry Road and Hollins Ferry Road

Item No.: 259

Zoning Agenda: Meeting of June 22, 1982

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 feet along an approved road in 'ocated at intervals or 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

EXCESDS the maximum allowed by the Fire Department.

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

(X) 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.

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

Planning Group Special Inspection Division

Fire Prevention Bureau

JK/mb / cm

CEStrej

Comment #4: A.1 self-service statios shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of class I liquids, according to NFPA 30, Section 7.7.4.3.

# BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

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

[259] 260, 261, 262, 263 & 264 Property Owner Location: Present Zoning: Proposed Zoning:

All of the above items have no bearing on student population.

Very truly yours, Wm. Nick Petrovich, Assistant

WNP/bp

Date: June 21, 1982

Z.A.C. Meeting of: June 22, 1982

District: No. Acres:

Dear Mr. Hummond:

Department of Planning

9/19/83 - Following were notified of hearing set for THURSDAY, NOVEMBER 10, 1983 at 10 a.m.

Humble Oil and Refining Co. Mrs. T. Lowry J. Hessian N. Gerber & J. Hoswell A. Jablon J. Dyer

J. Jung

494-3180

County Bourd of Appeals Room 200, Court House Towson, Maryland 21204

Hearing Room #218

September 21, 1983

#### 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 POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$59-79

CASE NO. 83-48-X

HUMBLE OIL & REFINING COMPANY

FOR SE - FOOD STORE IN COMBINATION WITH SELF-SERVICE STATION

NE corner Hammonds Ferry and Hallins Ferry Rds.

13th District

6/7/83 - Z.C. GRANTED, with restrictions

ASSIGNED FOR:

THURSDAY, NOVEMBER 10, 1983 at 10 a.m. Petitioner

cc: Humble Oil & Refining Co.

Mrs. Theresa Lowry

Protestant

John W. Hessian, III, Esq.

People's Counsel

Mr. N. E. Gerber

Mr. J. G. Hoswell

Mr. A. E. Jablon

Mr. J. E. Dyer

Mrs. J. Jung

Edith T. Eisenhart, Adm. Secretary

494-3180

County Board of Apprels Room 200, Court House Towns, Maryland 21204

Hearing Room #218

September 21, 1983

## 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 POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$59-79

CASE NO. 83-48-X

HUMBLE OIL & REFINING COMPANY

FOR SE - FOOD STORE IN COMBINATION WITH SELF-SERVICE STATION

NE corner Hammonds Ferry and Hollins Ferry Rds

13th District

6/7/83 - Z.C. GRANTED, with restrictions

ASSIGNED FOR:

THURSDAY, NOVEMBER 10, 1983 at 10 a.m.

cc: Humble Oil & Refining Co. Mrs. Theresa Lowy

Petitioner

Protestant

John W. Hessian, III, Esq.

People's Counsel

Mr. N. E. Gerber

Mr. J. G. Hoswell

Mr. A. E. Jublon

Mr. J. E. Dyer

Mrs. J. Jung

Edith T. Eisenhart, Adm. Secretary



County Board of Appeals of Baltimore County Room 200 Court Mouse Comson, Maryland 21204 (301) 494-3180 November 22, 1983

Mrs. Theresa Lowry 2517 Hammonds Ferry Rd. Baltimore, Md. 21227

Door Mrs. Lowry:

Re: Case No. 83-43-X Humble Oil & Refining Company

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

Very truly yours,

cc: Humble Oil & Refining Co. J. W. Hessian, Esq. N. E. Gerber J. Hoswell A. E. Jablon J. E. Dyer J. Jung Alle

Sowson Lower ma.

So when it may excur.

We wish to appeal the decision on this young core and the ruling of the Hammers, Josephonen.



PETITION FOR SPECIAL EXCEPTION

13th Election District

ZONING:

LOCATION:

Fenny Ld

Pet.tion for Special Exception

DATE & TIME:

Tao aday, August 31, 1982 at 1:45 P. M.

Northeast corner of Hammonds Ferry and Hollins Ferry Roads

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 Exception for food store use in combination with self-service station

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

Being the property of Humble Oil & Refining Company, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, August 31, 1982 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

### BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond TO\_Zooing\_Commissioner\_ Norman E. Gerber, Director FROM Office of Planning and Zoning

Date August 10, 1982

SUBJECT Zoning Petition No. 83-48-X Humble Oil & Refining Company

The proposed use would not be inappropriate here.

Director of Planning and Zoning

NEG:JGH:slc

cc: (Arlene January Shirley Hess

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204 491-3353

> WILLIAM E HAMMOND ZONING COMMISSIONER

June 7, 1983

Mr. Bradley Eirman 2823 Flintstone Road Millers, Maryland 21107

> RE: Petition for Special Exception NE/corner of Hammonds Ferry and Hollins Ferry Roads - 13th Election District Humble Oil & Refining Company - Petitioner NO. 83-48-X (Item No. 259)

Dear Mr. Eirman:

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

WILLIAM E. HAMMOND Zoning Commissioner

。一种是一种一种产品,可以使用的一种类似。这种种种,这种种种种,然后,但是有种种种种种种种,但是一种种种种种种种,这种种种种种种种种种种种种种种种种种种种种种种

WEH/srl

Attachments.

cc. Mrs. Theresa Lowry 2517 Hammonds Ferry Road Baltimore, Maryland 21227

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

August 4, 1982

Mr. Bradley Lirman 2823 Flintstone Road Millers, Maryland 21107

HOTICE OF REARING

Re: Petition for Special Exception NE/corner Hammonds Ferry & Hollins Ferry Rds. Humble Oil & Refining Co. - Petitioner Case #83-48-X Item #259

TDE: 1:45 P. M.

DATE: Tuesday, August 31, 1982

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

TOWSON, MARYLAND

BALITIMORE COUNTY

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

WILLIAM E HAMMOND ZONING COMMISSIONER

Place in 83-48-X

August 20, 1982

Mr. Stewart Bain and Mr. Jack Merrill Exxon Company, U.S.A. Plaza One-Hunt Valley Cockeysville, Maryland 21030

RE: 3023 Hammonds Ferry Road Case No. 82-256-V

Dear Messrs. Bain and Merrill:

A recent inspection of your property has revealed that full compliance with the Deputy Zoning Commissioner's Order, dated July 1, 1982, has not been attained.

Our investigation has revealed that an unau horized sign is displayed and merchandise for sale is displayed and stacked in the driveway area. Therefore, this office has no other alternative but to schedule this matter for criminal prosecution in the District Court of Maryland.

Penalties for noncompliance with the Deputy Zening Commissioner's Order are as follows:

> Baltimore County Code - Title 22 - Section 22-35-"Any violation of regulations, or of any final written order made or adopted pursuant to this title shall be a misdemeanor, punishable by a fine not to exceed one hundred dollars or by imprisonment not to exceed thirty days, or both fine and imprisonment. Any person who shall violate such regulations, restrictions or final order shall be deemed guilty of a separate offense for every day that such violation shall continue."

> > Very truly yours,

Zoning Inspector

Protestant's Ex. 1

HEP:ech

cc: Mr. Bradley Eirman Mrs. Theresa Lowry File

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

WILLIAM E HAMMOND ZONING COMMISSIONER

July 11, 1983

Mr. Bradley Eirman 2823 Flintstone Road Millers, Maryland 21107

> he: Petition for Special Exception NE/corner of Hammonds Ferry and Hollins Ferry Roads Humble Oil & Refining Co. - Petitioner Case No. 83-48-X

Dear Mr. Eirman:

Please be advised that an appeal has been filed by Theresa Lowry, President of the Lansdowne Improvement Association, Inc., from the decision rendered by the Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

William E. Hammond

Zoning Commissioner

WEH:aj

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



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

WILLIAM E HAMMOND ZONING COMMISSIONER

August 20, 1982

Mr. Stewart Bain and Mr. Jack Merrill Exxon Company, U.S.A. Plaza One-Hunt Valley Cockeysville, Maryland 21030

RE: 3023 Hammonds Ferry Road Case No. 82-256-V

Dear Messrs. Bain and Merrill:

A recent inspection of your property has revealed that full compliance with the Deputy Zoning Commissioner's Order, dated July 1, 1982, has not been attained.

Our investigation has revea'ed that an unauthorized sign is displayed and merchandise for sale is displayed and stacked in the driveway area. Therefore, this office has no other alternative but to schedule this matter for criminal prosecution in the District Court of Maryland.

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> > Very truly yours,

HENRY E. PHIPPS Zoning Inspector

HEP:eoh

cc: Mr. Bradley Eirman Mrs. Theresa Lowry

Beginning for the same at the intersection of the northeast side of Hammonds Ferry Road and the North side of Mollins Ferry Road and running thence

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.

ENGINEERS

303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

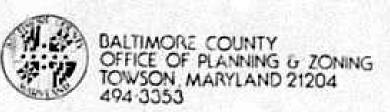
Description To Accompany

Special Exception

1. North 47" 04' 45" West 176.34 feet thence

binding on the northeast side of Hammonds Feery Road

- 2. North 85° 43' 47" East 172.50 feet thence
- 3. South 36" 58' 15" East 154.29 feet to the North side of Hollins Ferry Road thence binding on the North side of Hollins Ferry Road.
- 4. South 85" 55' 35" West 136.02 feet to the place of beginning. Containing 0.458 acres of land more or less.



WILLIAM E HAMMOND ZONING COMMISSIONER

July 1, 1982

Mr. Stewart Bain and Mr. Jack Merrill Exxon Company, U.S.A. Plaza One-Hunt Valley Cockeysville, Maryland 21030

RE: 3023 Hammonds Ferry Road Case No. 82-256-V

Dear Messrs. Bain and Merrill:

I have this date passed my order in the above captioned Latter. Copy of said Order is enclosed.

Failure to comply with the attached Order will result in District Court action.

Deputy Zoning Commissioner

Very truly yours,

JMHJ:ech

Enclosure

cc: Mr. Bradley Eirman c/o Lansdowne Exxon 3023 Hammonds Ferry Road Baltimore, Maryland 21227

> Mrs. Theresa Lowry c/o Lansdowne Improvement Association 2517 Hammonds Ferry Road Baltimore, Maryland 21227

File

RE: ALLEGED ZONING VIOLATION

A complaint has been filed with the Zoning Office concerning an alleged violation of the Baltimore County Zoning Regulations on property at the above location. A hearing was held to determine whether a violation exists.

The following Baltimore County Zoning Regulations are involved:

BEFORE THE

Section 102.1 - "No land shall be used or occupied and no building or structure shall be erected, altered, located, or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use."

Section 101 - Definitions - "Sign, Business: A sign which calls attention to a business, service, industry or other activity conducted on the premises upon which the sign is located."

Section 101 - Definitions - "Trailer (or Mobile Home): Any of the various types of vehicles or mobile homes, with or without motive power, including small structures transportable by a pickup truck or similar vehicle, which are used for human habitation or for business purposes, but excluding vehicles used only for transportation of materials, products, or animals. A trailer (or mobile home) shall still be regarded as such even though its mobility may have been eliminated by removing its wheels, or otherwise, and placing it on a stable foundation, or rigid supports. Recreational vehicles, as defined herein, are excepted from this definition."

Section 230 - "Use Regulations (B.L. Zone)."

Section 405.4.B.4 - "Signs. Portable "A" or "sandwich board" signs shall be prohibited. In all other respects, the regulations of Section 413 shall be applicable."

service stations were established by Bill No. 40, 1967 and predated the present method of merchandising motor vehicle fuel, i.e., gas and go. As such, it would seem that the County Council did not consider food shops or food stores to include the sale of pet food, but said sales may be included since there is no exclusion.

Since the pecitioners have met the requirements of Section 502.1 and the health, safety, and general welfare of the community will not be adversely affected, the special exception for a food store as a use in combination with an existing selfservice station should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7777 day of June, 1983, that the Petition for Special Exception for a food store as a use in combination with a self-service station, in accordance with Petitioners' Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- 1. The food store shall be limited to the sale of jet lood only.
- 2. Compliance with the comments submitted by the Department of Permits and Licenses, dated June 22, 1982, the Fire Department, dated September 1, 1982, and the Department of Health, dated August 10, 1982.
- 3. A revised site plan, incorporating the restrictions set forth above, shall be submitted for approval by the Department of Public Works and the Office of Planning and Zoning.

Zo ing Commissioner of **Baltimore County** 

Section 405.4.C. - "Permitted Ancillary Uses. The ses listed below shall be permitted as of right in conjunction with any such service station so permitted, or may be permitted at the discretion of the Zoning Commissioner in conjunction with any such station permitted, or may be permitted at the discretion of the Zoning Commissioner in conjunction with any such station permitted by special exception. The minimum area of the site as determined under Subparagraph 405.4.A.1 shall be increased for each ancillary use by at least the number of square feet indicated in the listing for that use, where such a figure is stated. Only uses listed in this Paragraph C or in Paragraph D (Uses in Combination with Service Stations) shall be permitted in conjunction with any service station regulated under this Subsection 405.4."

Section 405.4.D - "Uses in Combination with Service Stations. The uses listed below and uses accessory thereto may be permitted in integral combination with such a service station by special exception. The minimum area of the site as determined under Subparagraph 405.4.A.1 shall be increased for each such combining use by a total of the product of the number of square feet of gross floor area occupied by such use times the factor stated at the end of the listing for that use, where such a factor is stated."

Section 500.4 - "In cases in which no building permit is required, any person desiring to use any land for any purpose other than that for which said land is being used at the time of adoption of this Order and Resolution, shall make application to the Zoning Commissioner for a use permit, upon such form as the Zoning Commissioner may prescribe. If such use is permissible the Zoning Commissioner may issue a use permit, conditioned by other provisions contained in the Regulations which shall indicate that it authorizes particular use applied for."

Section 500.9 - "The Zoning Commissioner shall have the power to require the production of plats of developments or subdivisions of land, or of any land in connection with which application for building or use permits or petitions for a Special Exception, a reclassification, or a temporary use shall be made, such plats to show the location of streets or roads and of buildings or other structures proposed to be erected, repaired, altered, or added to. All such plats shall be drawn to scale and shall clearly indicate the proposed location, size, front, side and rear setbacks from property lines and elevation plans of proposed building or other structures. Such details shall conform in all respects with Zoning Regulations. No such plats or plans, showing the opening or laying out or roads or streets, shall be approved by the Zoning Commissioner unless such plats or plans shall have been previously approved by the office of Planning and the Department of Public Works of Baltimore County."

IN THE MATTER OF THE APPLICATION OF HUMBLE OIL & REFINING COMPANY FOR SPECIAL EXCEPTION NORTHEAST CORNER OF HAMMONDS : FERRY AND HOLLINS FERRY ROADS 13th DISTRICT

BEFORE COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

No. 83-48-X 

ORDER OF DISMISSAL

This matter having come before the Board this day, and the Petitioner, Humble Oil & Refining Company, the purported prior Lessee of the subject property, and the purported present Lessee of the property failing to attend, the Board hereby dismisses this action.

Testimony by the Protestant and the record of this Board revealed that actual notice was provided to the property owner and Lessees. As such, their failure to attend provides grounds for this dismissal. Therefore, a motion for dismissal was made by People's Counsel. The Board granted said motion.

# ORDER

For the reasons set forth above, it is this 22nd day of November, 1983. by the County Board of Appeals, ORDERED that because the Petitioner failed to appear, People's Counsel's Motion for Dismissal is GRANTED and the Petition is hereby DISMISSED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

> OF BALTIMORE COUNTY Keith S. Franz, Acting Chairman

COUNTY BOARD OF APPEALS

William R. Evans ymur

Testimony at the hearing indicated that the Defendants are guilty of violating the above referenced Baltimore County Zoning Regulations, except those sections pertaining to a trailer, in that signs have been placed on the property without proper permits and full compliance with an approved site plan has not been attained.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 1st day of July, 1982, that any signs not in compliance with Sections 413 and 405. . B.4 of the Baltimore County Zoning Regulations must be removed within 30 days from the date

It is FURTHER ORDERED that full compliance with the most recently approved site plan (C 284-73) must be attained or a Petition for Special Exception and a site plan must be filed, either within 45 days from the date of this Order.

It is FURTHER ORDERED that the Petition for Special Exception must be accepted for filing within 45 days from the date of this Order.

It is FURTHER ORDERED that full compliance with any Order issued subsequent to the Special Exception hearing must be attained within 30 days from the date that same was rendered.

It is FURTHER ORDERED that since the trailer has been removed from the subject property, this charge is hereby DISMISSED.

Any appeal from this decision must be in accordance with Section 500.10 of the Baltimore County Zoning Regulations within 30 days.

Baltimore County

Protestant's Ex1

RE: PETITION FOR SPECIAL EXCEPTION: NE/corner of Hammonds Ferry and Hollins Ferry Roads - 13th Election Humble Oil & Refining Company - :

NO. 83-48-X (Item No. 259)

BALTIMORE COUNTY

111 111

BEFORE THE

ZONING COMMISSIONER

The petitioners herein, owner and lessee of the subject property, seek a special exception for a food store as a use in combination with a self-service station, in accordance with the site plan prepared by George William Stephens, Jr. and Associates, Inc., dated May 20, 1982, and marked Petitioners' Exhibit 1. The subject site is located on the northwest corner of Hammonds Ferry and Hollins Ferry Roads, contains 0.458 of an acre, more or less, and is zoned B.L. (Business, Local) with a C.N.S. (Commercial, Neighborhood Shopping) District superimposed thereon. The petition was filed in compliance with the terms and provisions of the Order rendered in Case No. 82-256-V. dated July 1, 1982 (Protestants' Exhibit 1).

Bradley Eirman testified that he leased the self-service Alert gasoline station in 1979. On the advice of his attorney, he decided to sell pet food and use the station's three bay areas for storage. While the patron has his gas tank filled, the pet food may be placed in his car. This operation, which began in 1981, precipitated the zoning violation case.

Theresa Lowry, in opposition to the request, stated that this intersection has an automotive-service station on each of its four corners and that by allowing one to sell anything other than gasoline or a related product would create a proliferation of uses in combination, worsen the traffic problem, and depreciate the properties in the jarea. She felt that the petitioners had not met the burden of proof required by Section \$602.1 of the Baltimore County Zoning Regulations and requested that the special excep-

Section 405.4.D. allows:

"3. 'Carry-out' food shops..." and

"8. Food stores with less than 5,000 square feet of retail sales

Either of these terms could be applied to the petition since Petitioners' Exhibit I clearly indicates the retail sales area is less than 5,000 square feet. The question is raised, though, as to whether or not pet food is what was contemplated by "food shops" or "food stores". A history of the above section indicates these uses in combination with

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

WILLIAM E. HAMMOND ZONING COMMISSIONER

August 20, 1982

Mr. Stewart Bain and Mr. Jack Merri Exxon Company, J.S.A. Plaza One-Hurt Valley Cockeysville, Maryland 21030

RF: 3023 Hammonds Ferry Road Case No. 82-256-V

Dear Messrs. Bain and Merrill:

A recent inspection of your property has revealed that full compliance with the Deputy Zoning Commissioner's Order, dated July 1, 1982, has not been attained.

Our investigation has revealed that an unauthorized sign is displayed and merchandise for sale is displayed and stacked in the driveway area. Therefore, this office has no other alte tive but to schedule this matter for criminal prosecution in the District Court of Maryland.

Penalties for noncompliance with the Deputy Zoning Commissioner's Order are as follows:

Baltimore County Code - Title 22 - Section 22-35-"Any violation of regulations, or of any final written order made or adopted pursuant to this title shall be a misdemeanor, punishable by a fine not to exceed one hundred dollars or by imprisonment not to exceed thirty days, or both fine and imprisonment. Any person who shall violate such regulations, restrictions or final order shall be deemed guilty of a separate offense for every day that such violation shall continue."

Very truly yours,

Zoning Inspector

HEP:eoh

cc: Mr. Bradley Eirman Mrs. Theresa Lowry



FOR

RECEIVED

ORDER

DALTIMORE COUNTY

OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 212U4
494-3353

WILLIAM T. HAY WOND LONG COMM SIONER

July 1, 1982

Mr. Stewart Bain and Mr. Jack Merrill Exxon Company, U.S.A. Plaza One-Hunt Valley Cockeysville, Maryland 21030

RE: 3023 Hammonds Ferry Road Case No. 82-256-V

Dear Messrs. Bain and Merrill:

I have this date passed my Order in the above captioned matter. Copy of said Order is enclosed.

Pailure to comply with the attached Order will result in District Court action.

> Very truly yours, Deputy Zoning Commissioner

JMHJ:eoh

Enclosure

cc: Mr. Bradley Eirman c/o Lansdowne Exxon 3023 Hammonds Perry Road Baltimore, Maryland 21227 Mrs. Theresa Lowry

c/o Lansdowne Improvement Association 2517 Hammonds Ferry Road Baltimore, Maryland 21227

ON AND AFTER JUNE 14, 1982, THE EFFECTIVE DATE OF PTLL NO. 43-82, THE ZONING COMMISSIONER, OR HIS DEPUTY, MAY IMPOSE A CIVIL PENALTY OF NOT MORE THAN \$100.00 PER DAY FOR EACH VIOLATION FOUND TO EXIST AS THE RESULT OF A VIOLATION HEARING.

IF YOU DESIRE ANY ADDITIONAL INFORMATION REGARDING THE EFFECT OF THIS NEW LAW, CONTACT THE ZONING OFFICE, ENFORCEMENT SECTION.

RECEIVED

- 2 -

A complaint has been filed with the Zoning Office concerning an alleged violation of the Baltimore County Zoning Regulations on property at the above location. A hearing was held to determine whether a violation exists.

The following Baltimore County Zoning Regulations are involved:

Section 102.1 - "No land shall be used or occupied and no building or structure shall be erected, altered, located, or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use."

Section 101 - Definitions - Sign, Business: A sign which calls attention to a business, service, industry or other activity conducted on the premises upon which the sign is located."

Section 101 - Definitions - "Trailer (or Mobile Home): Any of the various types of vehicles or mobile homes, with or without motive power, including small structures transportable by a pickup truck or similar vehicle, which are used for human habitation or for business purposes, but excluding vehicles used only for transportation of materials, products, or animals. A trailer (or mobile home) shall still be regarded as such even though its mobility may have been eliminated by removing its wheels, or otherwise, and placing it on a stable foundation, or rigid supports. Recreational vehicles, as defined herein, are excepted from this definition."

Section 230 - "Use Regulations (B.L. Zone)."

Section 405.4.B.4 - "Signs. Portable "A" or "sandwich"board" signs shall be prohibited. In all other respects, the regulations of Section 413 shall be applicable."

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Section 405.4.C. - "Permitted Ancillary Uses. The

Section 405.4.D - "Uses in Combination with Service Stations. The uses listed below and uses accessory thereto may be permitted in integral combination with such a service station by special exception. The minimum area of the site as determined under Subparagraph 405.4.A.1 shall be increased for each such combining use by a total of the product of the number of square feet of gross floor area occupied by such use times the factor stated at the end of the listing for that use, where such a factor is stated."

Section 500.4 - "In cases in which no building permit is required, any person desiring to use any land for any purpose other than that for which said land is being used at the time of adoption of this Order and Resolution, shall make application to the Zoning Commissioner for a use permit, upon such form as the Zoning Commissioner may prescribe. If such use is permissible the Zoning Commissioner may issue a use permit, conditioned by other provisions contained in the Regulations which shall indicate that it authorizes particular use applied for."

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83-48-X Office of 19750 Little Paturent Pkwy

August 12 19 82

THIS IS TO CERTIFY, that the annexed advertisement of Petition FC

Columbia, MD 21044

was inserted in the following: Catonsville Times x Arbutus Times

weekly rewspapers published in Baltimore County, Maryland once a week for one successive weeks before the 14 day of August 19 82, that is to say, the same was inserted in the issues of

August 12, 1982

By Corp.

ZONING DEPARTMENT OF BALTIMORE COUNT!

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| Location of property: NE/                                    | Corner Hangon        | le Ferry and Ho     | Clina Form |
| Ronda  |                      | 7                   | d          |
| Location of Signs: NELCox                                    | our of Hamowoods Fer | ry and Holling Fes  | ry Rodo    |
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| Demarke:   |                      |                     |            |

CERTIFICATE OF POSTING

Date of return August 20 1982

| CERTIFICATE OF P         | COTING       |
|--------------------------|--------------|
| ONING DEPARTMENT OF BALT | IMORE COUNTY |
| Touren, Marylan          | 83           |

| ZOMING I                   | DEPARTMENT OF BALTIMORE |                             |
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|                            | Tourse, Maryland        | 83-48-X                     |
| District 13-ft             |                         | sto of Posting July 30 1983 |
| Posted for . appal         |                         |                             |
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| Roda NE Conse              | of se mondo Fee         | ng and Haline Ferry         |
| Remarks:                   |                         |                             |
| Posted by J.g. Chata       | Date of                 | return August 5, 1983       |
| Number of Signs:           |                         |                             |

Testimony at the hearing indicated that the Defendants are guilty of violating the above referenced Baltimore County Zoning Regulations, except those sections pertaining to a trailer, in that signs have been placed on the property without proper permits and full compliance with an approved site plan has not been attained.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this /at day of July, 1982, that any signs not in compliance with Sections 413 and 405.4.B.4 of the Baltimore County Zoning Regulations must be removed within 30 days from the date

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Any appeal from this decision must be in accordance with Section 500.10 of the Baltimore County Zoning Regulations within 30 days.

> peputy Zoning Commissioner Baltimore County

13th District

NE/cor. of Hammonds Ferry and Hollins Ferry Rds. Humble Oil and Refining Co.

1 SIGN

ton # 259

183-48-X

PETITION MAPPING PROGRESS SHEET Duplicate Tracing 200 Sheet FUNCTION date by date by date by date by date Descriptions checked and outline plotted on map Petition number added to Denied Granted by ZC, BA, CC, CA Revised Plans: Reviewed by: (1ch Change in outline or description\_\_\_Yes Previous case: 65-316 RX Map # 214 77-47 ,75-763X

| ACCOUNT R-01-515-000  |
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| TOTAL THATTED TO STAND  |
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| Appeal of Case No. 83-48-X  |
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WILLIAM E HAMMOND ZONING COMMISSIONER

August 25, 1982

Mr. Bradley Eirman 2823 Flintstone Road Millers, Maryland 21107

> Re: Petition for Special Exception NE/corner Hammonds Ferry & Hollins Ferry Rds. Humble Oil & Refining Co. - Petitioner Case #83-48-X Item #259

Dear Mr. Eirman:

This is to advise you that \$46.40 is due for advertising and posting of the above property.

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

Very truly yours,

Seller WILLIAM E. HAMMOND Zoning Commissioner

BALTIMORE COUNTY, MARYLAND Me. 108987 MISCELLANFOUS CASH RECEIPT DATE 9/23/82 R-01-615-000

AMOUNT \$55.75 RECEIVED Gue Excharge, Inc. Advertising & Posting Case #83-48-X
(Humble Oil & Refining Company)

6 U80\*\*\*\*\*55751b 8248A

VALIDATION OR SIGNATURE OF CATHIER

83-48-4 CERTIFICATE OF PUBLICATION

TOWSON, MD., \_\_\_\_, 19.82\_\_\_, 19.82\_\_\_ THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., compression ar one time savement before the 31st

day of \_\_\_\_\_ August\_\_\_\_\_, 19\_82\_, the wast publication appearing on the 12th day of ..... August .... 19.82

THE JEFFERSONIAN

Cost of Advertisement, s. 21,00

DATE & TIME Tuesday, Aurus' 21, 1982 of 145 P.M. PUBLIC HEARING, Room 100, Courty Office Building, 188 M., Cheraposta, Austra, Tessan,

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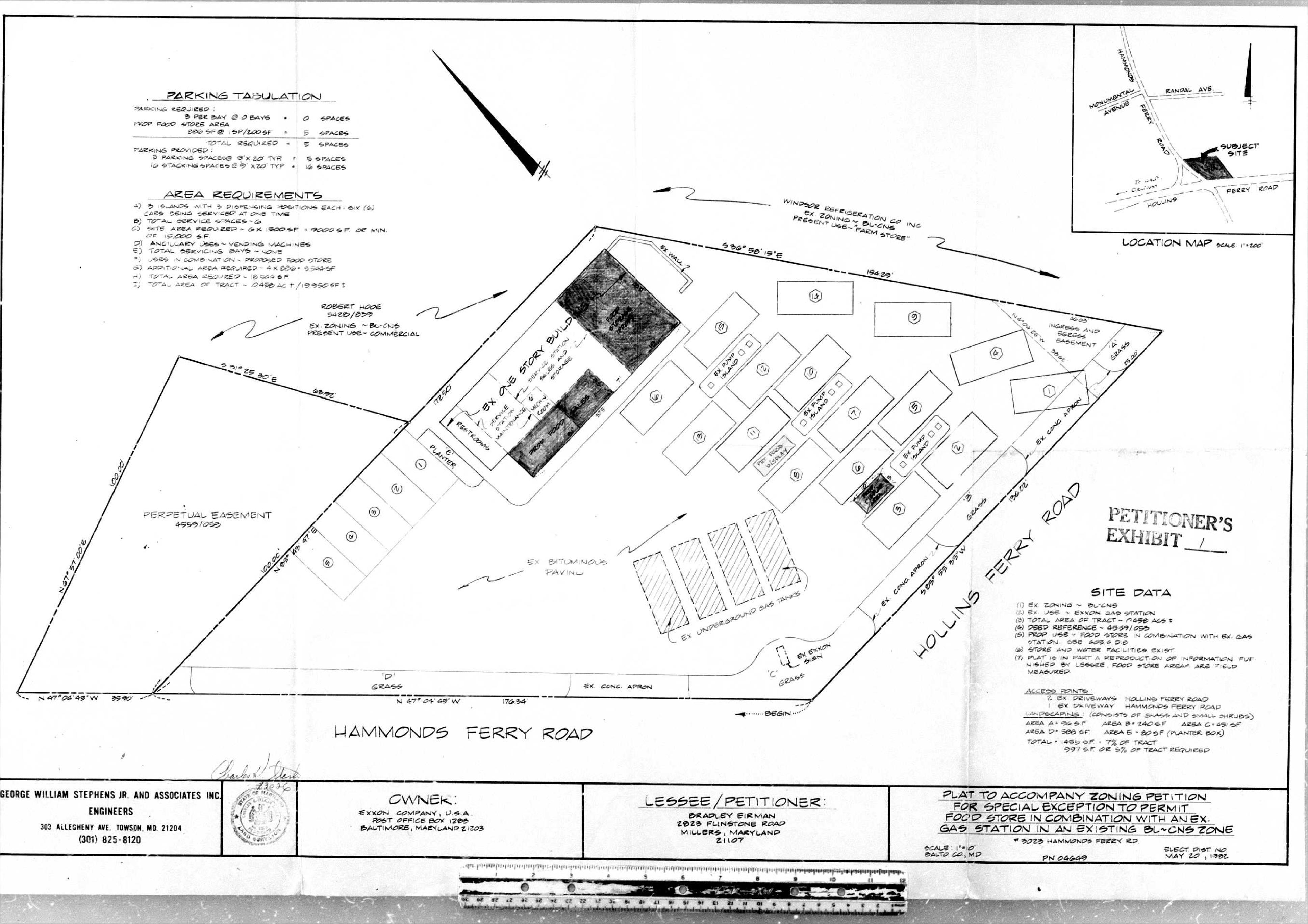
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### BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

| Your Petition has been received this                      | 7 day of            | June              | , 1952, 0           |
|---|---------------------|-------------------|---------------------|
| Filing Fee \$_50.00                                       | Received: _         | Check             |                     |
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|   | William E. Hamm     | ond. Zoning Com   | rmissioner          |
| Petitioner / mb/e Cil                                     | _Submitted by       |                   | DOMESTIC CONTRACTOR |
| Petitioner's Attorney                                     | Reviewed by         | Cal               |                     |
| * This is not to be interpreted as accepted hearing date. | eptance of the Peti | tion for assignme | ent of a            |

