

1st to Street
2nd to sidewalk.
Commercial Property.
Allegany - State road.

M. Ott. Liberty Architects
100,000 sq ft. permitted.
98,000 sq ft. under present regulations.
60,000 sq ft. - parking.
37' - Allegheny
2' - Joppa Rd.
130' from ground + 10' penthouse.

M. A. Proctor City - Baltimore
M. A. Bangs City - Baltimore

APPLICATION FOR VARIANCE : BEFORE WILSIE H. ADAMS
OF JOHN CLEMON and : ZONING COMMISSIONER OF
ANNE STICK CLEMON, his wife : BALTIMORE COUNTY

APPLICATION FOR VARIANCE

John Clemon and Anne Stick Clemon, his wife, respectfully request the Zoning Commissioner of Baltimore County to grant them a variance from Section 231 - Height Regulations - and a variance from Section 232 - Area Regulations - under B.L. Zone of the Zoning Regulations for Baltimore County, and as grounds for such request say:

1. That the Applicants are the Owners of property known as 28 Allegheny Avenue, Towson, Ninth Election District, Baltimore County, Maryland, under Deed from Helen Cole Green dated December 1, 1953, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2397, Folio 563.
2. That the property referred to in Paragraph 1 is more particularly described as follows:
"Beginning for the same at the Northeast corner of Allegheny and Washington Avenues, running thence Easterly and binding on the North side of Allegheny Avenue One Hundred and Forty (140) feet; running thence Northerly, parallel to Washington Avenue, One Hundred and Sixty-Five (165) feet to the Southwest side of Joppa Road; running thence Northwesterly and binding on the Southwest side of the Joppa Road One Hundred and Forty-four (144) feet and Six (6) inches to the East side of Washington Avenue; running thence Southerly and binding on the East side of Washington Avenue Two Hundred and One (201) feet and Two (2) inches to the place of beginning."
3. That the Applicants desire to erect an office building on said lot, which, under the present Zoning Map, is in a Commercial Zone, and under the proposed Zoning Map for the Ninth Election District for Baltimore County will be classified as a B.L. Zone.
4. That under the Zoning Regulations - Section 231 - it is provided

-1-

parking area.

John Clemon
John Clemon
Anne Stick Clemon
Anne Stick Clemon
Applicants

Kenneth C. Proctor
Kenneth C. Proctor
Attorney for Applicants

ORDERED BY the Zoning Commissioner of Baltimore County this 26th day of September, 1955, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and that a meeting be held at the office of the Zoning Commissioner of Baltimore County, Maryland, on the 26th day of October, 1955, at 10:00 o'clock A.M.

Zoning Commissioner
of Baltimore County

IN THE MATTER OF : BEFORE WILSIE H. ADAMS
APPLICATION FOR VARIANCE : ZONING COMMISSIONER OF
OF : BALTIMORE COUNTY
JOHN CLEMON and :
ANNE STICK CLEMON : Case No. 3646 V

OPINION

The Application for Variance in the instant cause seeks a variance from Section 231 - Height Regulations - and from Section 232 - Area Regulations - under B.L. Zone of the Zoning Regulations of Baltimore County. The property as improved is known as No. 28 Allegheny Avenue, in the Ninth Election District, Baltimore County. It is located at the Northeast corner of the intersection of Washington and Allegheny Avenues in Towson.

The purpose of the application is to secure a variance from the aforementioned regulations to erect an office building on said lot which will contain within the structure parking spaces sufficient to satisfy all parking requirements incident to the use of the property as desired.

The applicable provision for the granting or denial of this request and the guides and standards to govern the decision of the Zoning Commissioner are to be found in Section 307 of the Zoning Regulations.

The testimony on behalf of the applicants and the exhibits furnished at the hearing clearly established that the granting of this variance would in no way react to the harm or detriment of the vicinal community. It is found, as a fact, that the allegations contained in the application with reference to commercial improvements in the immediate area were properly represented and a site inspection of the area confirms this conclusion.

This is found to be of primary importance because it is desired to have a zero setback along Allegheny and Washington Avenues where the proposed improvements will abut public sidewalks.

that "No building shall exceed a height of 50 feet or 4 stories except as provided in Section 300 (see Section 302). Any applicant for a building permit hereunder, in lieu of the height requirements of the preceding sentence, may at his request be governed by the height requirements in Section 216, including set-back requirements applicable in a R.A. Zone."

5. Under Section 300.1 it is provided that "The height limitations of these regulations shall not apply to * * * water tanks and towers, elevator shafts, penthouses and similar structures provided that any such structures shall not have a horizontal area greater than 25 per cent of the roof area of the building."

6. That under the Zoning Regulations for Baltimore County, and specifically under Sections 231 and 300.1 above quoted, it is permissible for the Applicants to erect an office building on the lot described in Paragraph 2, above, with an aggregate floor area of 98,880 square feet, not including the required parking area; that a rendering of such a building is shown on Applicants' Exhibit #1 attached hereto and prayed to be taken as a part hereof; that, however, because of the size and the shape of the lot referred to above, such an office building would be economically unsound, for the reason that a large portion of the building available for offices would be exterior space without benefit of outside light and air and, therefore, undesirable for offices.

7. That if the Applicants are granted a variance from the height regulations set forth in Section 231 they will be able to erect on the lot described in Paragraph 2, above, an office building, the central section of which will be twelve stories in height, which building would contain a floor area of not more than 98,880 square feet, not including the required parking area, which would be an economically sound investment; that the rendering shown on Applicants' Exhibit #2, annexed hereto and prayed to

-2-

be taken as a part hereof, shows in general the style of building which the Applicants desire to erect on said lot.

8. That as a number of commercial buildings have already been erected on the north side of Allegheny Avenue, in the same block as Applicants' property, with a zero setback along Allegheny Avenue and likewise a zero setback along Joppa Road, and as other commercial buildings have been erected on Washington Avenue in the block to the north and also one block away to the south (facing the Court House) with zero setbacks, the Applicants desire a variance from Section 232 - Area Regulations - under B.L. Zone of the Zoning Regulations for Baltimore County, the property lines having already been established by existing commercial structures as the building line.

9. That except for the variances requested by this Application, the building which the Applicants propose to erect on the lot described in Paragraph 2, above, would in all other respects fully comply with the Zoning Regulations for Baltimore County.

10. That if the Applicants are required to erect an office building on the lot described in Paragraph 2, above, of the size and shape of that shown on Applicants' Exhibit #1, it will result in many practical difficulties and undue hardship to the Applicants.

11. That if the requested variances from the Height and Area Regulations are granted the Applicants, the granting of such variances will be without substantial injury to the public health, safety, and general welfare.

WHEREFORE THE APPLICANTS request the Zoning Commissioner of Baltimore County to grant them variances from the Height and Area Regulations set forth in the Zoning Regulations for Baltimore County - Sections 231 and 232 - so that it will be permissible for them to erect an office building with zero setbacks, containing not more than twelve floors and not more than 98,880 square feet, not including the required

-3-

It is felt that strict compliance with the Zoning Regulations of Baltimore County would result both in practical difficulty and unreasonable hardship to the applicants in their proposed use of the premises. No good purpose would be served in denying the application for variance and no one would benefit or gain if such request is denied. It is believed that the granting of this variance both as to area and to height would in no way be in violation of the spirit and intent of the Regulations and would not create any hazard as to the public health, safety and general welfare with the reservation to be hereinafter noted.

The proposed site is at the intersection of two heavily traveled streets in the community of Towson. As such, in the interest of the public health, safety and general welfare, before any such proposed use should be begun at this site, it should first be approved by the office of Planning of Baltimore County, the Baltimore County Highway Department or its successor in title and the Maryland State Roads Commission, all in conformance with Section 102.6 of the Regulations.

ORDER

It is, therefore, this 26th day of December, 1955, by the Zoning Commissioner of Baltimore County, ORDERED that the application for Variance in the within cause be granted provided that the provisions of Section 102.6 of the Zoning Regulations be first complied with before any use is made of the premises as authorized by this Order.

Wilsie H. Adams
Wilsie H. Adams
Zoning Commissioner

CERTIFICATE OF POSTING

3646

10-12-53

10-13-53

The public is hereby notified that there will be a hearing before the Zoning Commissioner of Baltimore County:

Randallstown

ing in the Dakotas or Alberta. It is a thing regular is the matter. Most grounds provide dogs to hunters. Sportsmen may use their own dogs if properly trained. Pleasant shooting preserves are especially popular with hunters from metropolitan areas to whom public or farm lands are not readily accessible. Military personnel also

OCT 14 1955

CERTIFICATE OF PUBLICATION

TOWSON, MD., --October--14--- 195--5

The UNION NEWS

A. F. Keyser
Manager

September 5, 1955

\$25.00

RECEIVED of Dr. John Jamson, petitioner, the sum of Twenty Five (\$25.00) Dollars, being cost of petition for Variance, advertising and posting property, northeast corner of Allghany and Washington Avenues, 9th District, Baltimore County.

Zoning Commissioner of Baltimore County

HEARING:

Wednesday, October 26, 1955

at 10:00 a.m.

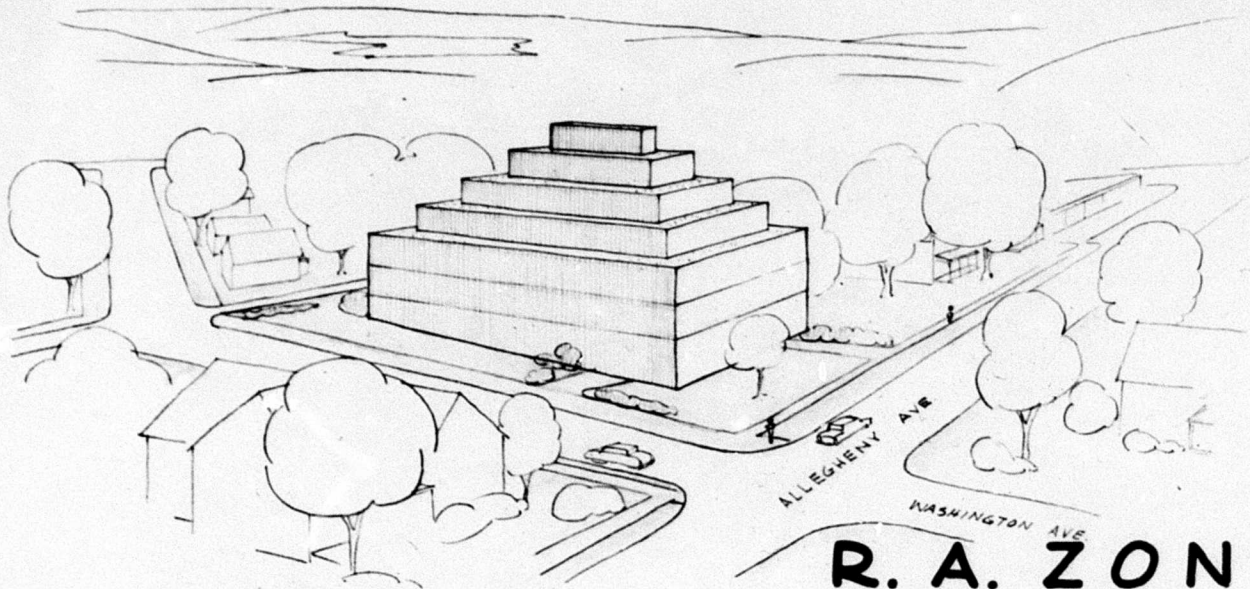
County Office Building
111 W. Chesapeake Avenue
Room 164

RECEIVED

OCT 5 1955

COMPTROLLER'S OFFICE

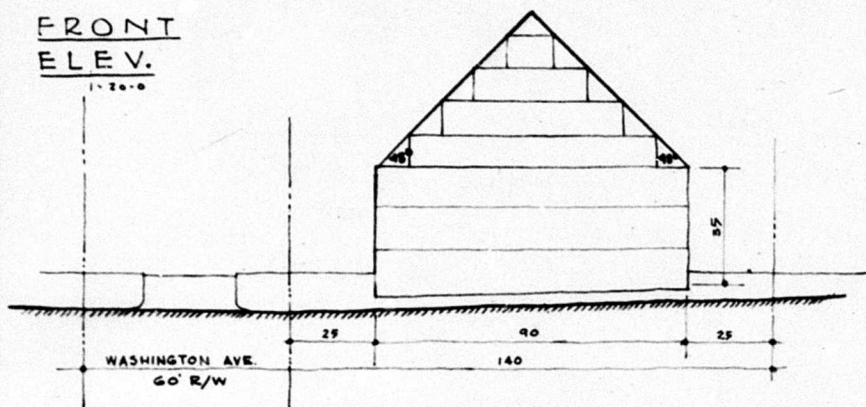
2767



R. A. ZONE LIMITATIONS

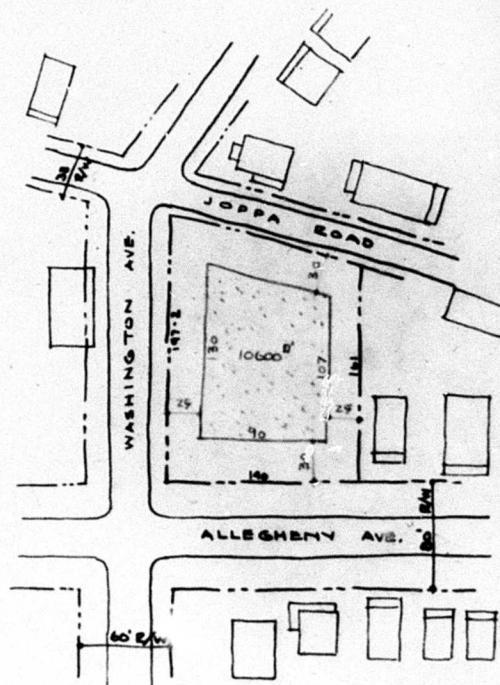
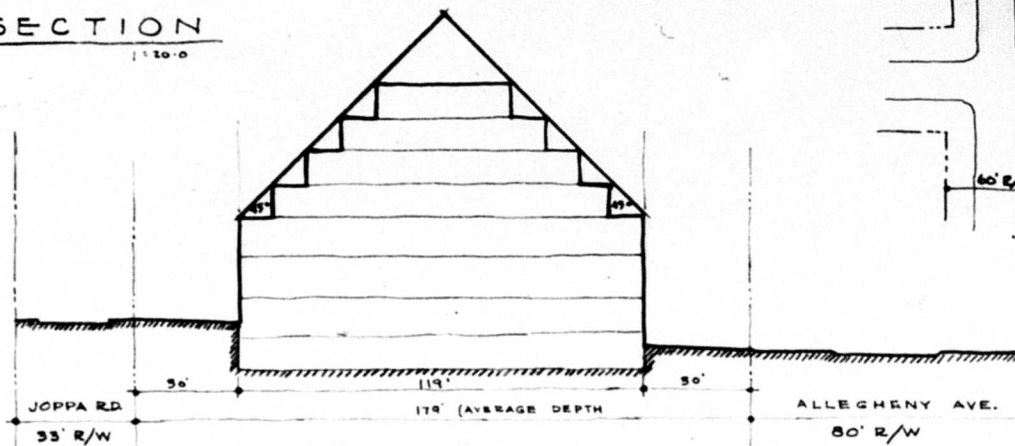
FRONT
ELEV.

1" = 20'-0"



SECTION

1" = 20'-0"



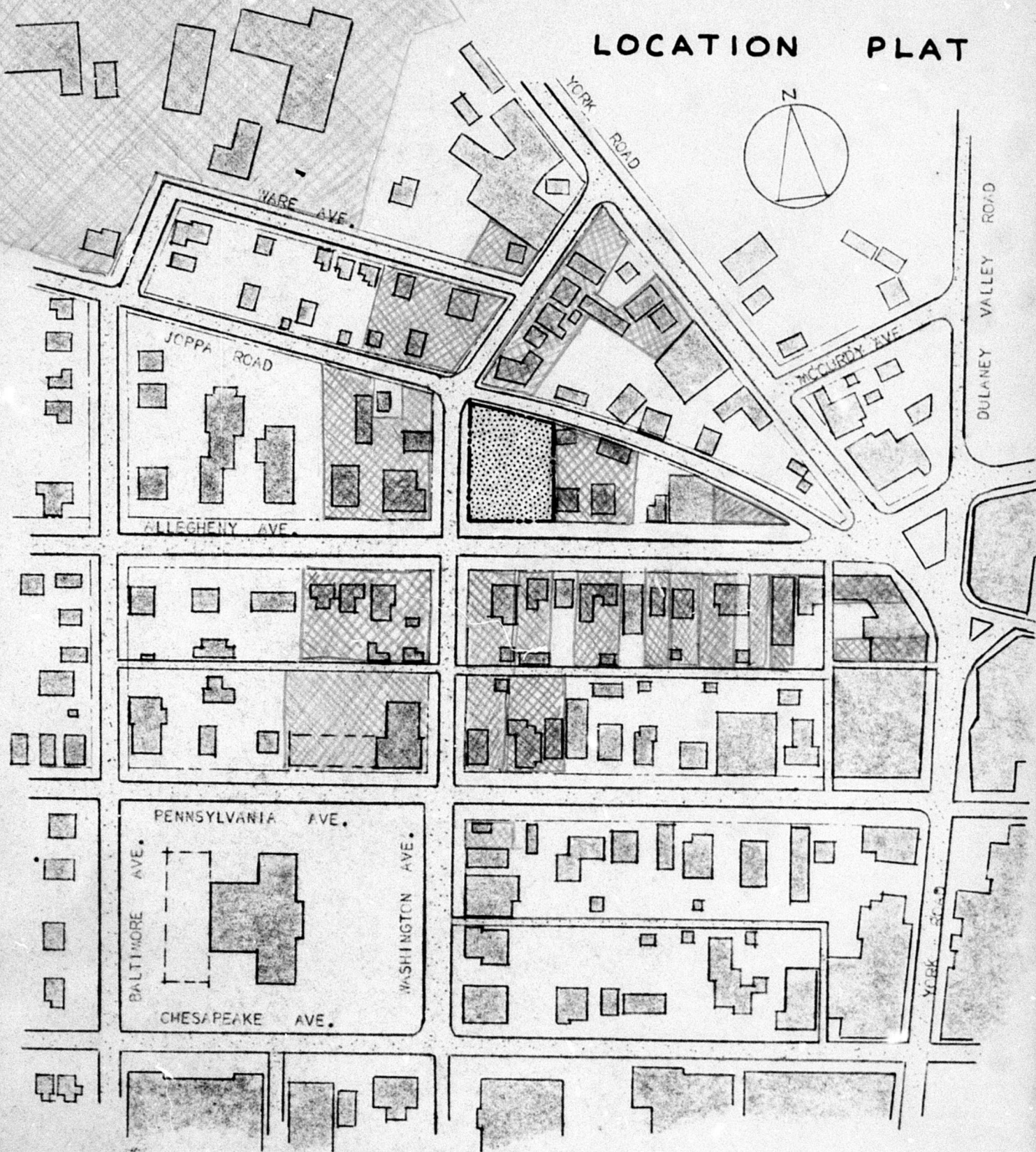
PLAN
1" = 50'-0"

Building Areas

3 typ. floors (119 x 90)	32,130'
4th - (79 x 70)	5,530'
5th - (79 x 60)	4,740'
6th - (79 x 30)	2,370'
7th - (79 x 10)	790'
basmt.	18,710'
total	55,880'

F.A.R. = $\frac{55,880}{24,880} = 2.24$
parking not figured

LOCATION PLAT



**PROPOSED OFFICE BUILDING
WASHINGTON & ALLEGHENY AVES.
TOWSON 4, MARYLAND**

WILSON AND CHRISTIE
ASSOCIATED ARCHITECTS
403 WASHINGTON AVE.
TOWSON 4, MD., VA 37863