

PETITION FOR SPECIAL EXCEPTION
FOR OFFICES AND VARIANCE TO THE
ZONING REGULATIONS: NE corner
of York Road and Alghurth Road
9th District
Hamilton Park Corp.-Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
of
BALTIMORE COUNTY
No. 66-82-AX

The petitioner has requested a Special Exception
to use his property for a professional office building and also
asks Variances to Sections 217.3 and 217.4 of the Baltimore County
Zoning Regulations.

The requirements of Section 590.1 of the Baltimore
County Zoning Regulations having been met, a Special Exception for
a professional office building should be granted, subject to the
restriction, however, that the said building be occupied only by
the following professional representatives: Physicians, Dentists,
Engineers, Architects, Attorneys at Law, and Certified Public
Accountants. Only that portion of the property as outlined on the
plat submitted herewith shall be used for offices.

For failure to show practical difficulty or unreasonable
hardship, the Variance to Section 217.3 to permit a side yard of
16.5 feet and a Variance to Section 217.4 to permit a rear yard of
20 feet should be denied. However, because of practical difficulty,
a Variance to Section 217.4 to permit a rear yard of 22 feet along
the south 115° 50' 00" W line should be granted.

For the foregoing reasons, it is ORDERED by the
Deputy Zoning Commissioner of Baltimore County this 11th day of
October, 1965, that the herein Petition for Special Exception for
a professional office building should be and the same is granted,
subject to the aforementioned restriction and also subject to the
approval of the site plan by the Bureau of Public Services and the
Office of Planning and Zoning. The Variance to Section 217.3
to permit a side yard of 16.5 feet is hereby denied. The Variance
to Section 217.4 to permit a rear yard of 20 feet is hereby denied.
The Variance to permit a rear yard of 22 feet along the 115° 50' 00" W
line is hereby granted.

Edward D. Hardy
Deputy Zoning Commissioner of
Baltimore County

HAMILTON PARK CORP.
66-82-AX
NE corner of York & Alghurth Rd.
9th

PETITION FOR ZONING VARIANCE

FROM THE HAMILTON PARK CORPORATION
AND SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

1. or we, Hamilton Park 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 Variance from Section 217.3 to permit a side yard of 16.5 feet
the north side of Alghurth Road instead of the required 25 feet; Section 217.4 to
permit rear yards of 15' and 20' along the S 115° 50' 00" W and S 78° 13' 50" E lines
respectively, instead of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the
following reasons: indicate hardship or practical difficulty

The purpose of this request is to enable us to improve subject property in a
manner by which we may preserve the natural beauty and dignity of the site.
Specifically, so that we may retain the existing trees and provide broad
asphalt setbacks for the improvements from busy York Road.

Also, for a SPECIAL EXCEPTION, under the said Zoning Law Regulations of Baltimore
County, to use the herein described property, for: Offices (Professional).

see attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.
1. or we agree to pay expenses of above Variance 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

HAMILTON PARK CORPORATION	HAMILTON PARK CORPORATION
BY: Joseph L. Soley, President	BY: Joseph L. Soley, President
Contract purchaser	Legal Owner
Address: 3 Ballin Avenue	Address: 3 Ballin Avenue
Baltimore, Maryland 21210	Baltimore, Maryland 21210
Petitioner's Attorney	Protestant's Attorney
Address:	Address:

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day

of August, 1965, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County that property be posted, and that the public hearing be held before the Zoning
Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore
County on the 30th day of September, 1965, at 1:00 o'clock

P. M.
Zoning Commissioner of Baltimore County.

JOHN G. ARTHUR, JR.
ATTORNEY AT LAW
212 WASHINGTON AVENUE
TOWSON, MD. 21204
VALLEY 8-9111

September 22, 1965

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson 4, Maryland

Dear Mr. Rose:

I represent Mr. George A. Franke, Jr., owner of the
property 5 Alghurth Road, Baltimore County.

There is presently pending for hearing before you
the application of the Hamilton Park Corporation for variances
and special exception for the property on the northeast corner
of Alghurth Road and York Road, your file no. 66-82-AX.

Please enter my appearance on behalf of Mr. Franke,
whose property abuts the subject property.

Very truly yours,

John G. Arthur, Jr.

JGA/pr

cc - Hamilton Park Corporation
Donald J. Gilmore, Esq.
Robert P. Mann, Esq.

JAMES S. SPAMER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
400 YORK ROAD - TOWSON, MD. 21204

DATE: AUG. 16, 1965
Description for Zoning Variance
CARDIFF HALL EAST - 2th. Al. Distr.

Beginning for the same at a stone heretofore set at the intersection
formed by the east side of York Road and the north side of Alghurth Road
and running thence binding on the east side of York Road North 11° 50' 00"
East 522.50 feet, thence leaving York Road South 78° 13' 50" East 323.52
feet, thence parallel to York Road South 11° 50' 00" West 500.00 feet to
the north side of Alghurth Road, thence binding thereon North 80° 47' 50"
West 323.52 feet to the place of beginning.

Containing 3.327 acres of land, more or less.

Being all of the two parcels of land which by a deed dated April 30,
1957 and recorded among the Land Records of Baltimore County in Liber 31.8,
No. 3185, folio 167 was conveyed by Alma N. Vandernast, et al to Greater
Towson Development Corporation.



Wm. S. Spamer

AGREEMENT

THIS AGREEMENT, Made this day of September, 1965, by and between
George A. Franke, Jr., hereinafter referred to as "Frank", and The Jobar
Corporation, Hamilton Park Corporation, and Joseph L. Soley and Howard N.
Berman, hereinafter collectively referred to as "Hamilton Park":

BACKGROUND STATEMENT OF FACTS

This Background Statement of Facts is not merely prefatory, but it is
expressly made a part of this Agreement.

The Jobar Corporation is the contract purchaser of a tract of land on
the northeast side of Alghurth Road at its intersection with York Road,
Baltimore County, Maryland, which tract of land is more particularly describ-
ed in a deed from Caroline Vandernast, et al, to the Greater Towson
Development Corporation, dated April 30, 1957, and recorded among the Land
Records of Baltimore County in Liber 31.8 folio 467. Joseph L. Soley and
Howard N. Berman represent and warrant that they are officers and sole
stockholders of The Jobar Corporation and Hamilton Park Corporation.
Hamilton Park Corporation will take title to the above described tract of
land as the assignee of The Jobar Corporation, and has filed an application
with the Zoning Commissioner of Baltimore County for certain variances and
a special exception to the Zoning Regulations of Baltimore County, for the
above described tract of land. Frank is the owner of the property abutting
the above described property to the east, and has protested the said
application for variances and special exception, which application is pre-
sently pending for hearing before the Zoning Commissioner.

NOW THEREFORE THIS AGREEMENT WITNESSETH:

In consideration of the sum of Five Dollars (\$5.00) paid by each party
to the other, the mutual promises and covenants contained herein, and other
good and valuable considerations, the receipt whereof is hereby acknowledged,
the parties hereby agree that:

1.) Frank will not press his protest before the Zoning Commissioner of
Baltimore County pending application of Hamilton Park for variances and
special exception.

2.) Hamilton Park agrees that:

a.) The location of Building No. 1, as shown on a plat filed in
the zoning proceedings, a copy of which is initialed by the parties and
attached hereto, and made a part hereof, shall be no less than eighty feet
(80') from the eastmost, or S 11° 50' 00" W lot line of the above
described tract, which eastmost line is the boundary line between the
property of Hamilton Park and that of Frank.

b.) The location of Building No. 2, as shown on said plat, shall
be no less than Twenty-two feet (22') from the said eastmost or S 11° 50'
00" W lot line above referred to, and further shall not be located less than
two hundred fifteen feet (215') from the southerly, or S 80° 47' 50" W
lot line of Hamilton Park's land.

c.) Hamilton Park shall remove the three large trees on Frank's
land, designated by Frank, which are located along the S 11° 50' 00" W lot
line above referred to, and said trees shall be cut off flush with the
ground. Hamilton Park agrees to repair any damage to the fence resulting
from such tree removal.

3.) Hamilton Park recognizes and acknowledges the ownership of Frank
in and to the fence running along the S 11° 30' 00" W lot line above
described, and both Frank and Hamilton Park agree that the said fence and
the shrubbery and vines growing thereon on both sides, shall be retained.
Hamilton Park further agrees that the gap in said fence occasioned by the
removal of the carriage house as shown on said plat, shall be filled in with
fencing of a quality comparable to that of the existing fence, and Hamilton
Park agrees that it shall plant shrubbery and vines along said new position
of fence.

4.) Hamilton Park agrees for itself, its successors and assigns that
the area bounded by the eastmost or S 11° 50' 00" W lot line of its tract,
which line is also its boundary with the property of Frank, the S 80° 47' 50"
W line of said tract, the eastmost line of Building No. 1 and the

southerly line of Building No. 2, all of which appear on the plat above referred to and attached hereto, shall not be, nor ever be, used for the parking of any vehicles whatsoever, particularly including, but not limited to motor vehicles of any description, and that Hamilton Park retain the trees in said area, in its discretion, and shall plant said area with grass.

The covenants, conditions and representations made herein shall run with the land and shall be binding on, and ensure to the parties hereto, their heirs, successors and assigns, forever.

In Witness Whereof, the parties hereto have hereunto set their hands and seals this 30 day of September, 1965.

George A. Frank, Jr.

The Jobar Corporation

By Joseph L. Soley, President

Hamilton Park Corporation

By Joseph L. Soley, President

Joseph U. Soley

Howard M. Bernum

As Sold Stockholders of The Jobar Corporation and Hamilton Park Corporation

State of Maryland }
Baltimore County } To Wit

I hereby certify that on this day of September, 1965, before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore County aforesaid, personally appeared George A. Frank, Jr., The Jobar Corporation by Joseph L. Soley, its President, Hamilton Park Corporation by Joseph L. Soley, its President, and Joseph L. Soley and Howard M. Bernum, as sole stockholders of The Jobar Corporation and Hamilton Park Corporation, and they acknowledged the foregoing Agreement to be their respective acts and deeds.

As Witness my hand and notarial seal.

Notary Public

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: September 17, 1965
FROM: George E. Gavett
SUBJECT: Petition #66-82-A, for a Special Exception for offices and variance from side and rear yard requirements at the Northeast corner of York Road and Alghurth Road, 9th District. (Hamilton Park Corporation; hearing: September 30, 1965.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

1. We understand that this petition arises from a desire to save as much of this property, its natural landscape as is feasible. We believe this to be a commendable objective, but question that it cannot be fulfilled without variances, or, in any event, with lesser variances than those requested. Should it be decided to grant variances for the subject property, we request that the grant be subject to approval of the site plan by this office. The site plan should clearly indicate all trees to be saved.
2. The proposal for professional offices on the subject property is reasonable. We recommend, however, that the Special Exception limit the floor area to be devoted to professional office space to the 1,902 square feet shown on the petitioner's plat.

TELEPHONE
823-3000

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

No. 33431
DATE 9/21/65

TO: Hamilton Park Corp.
3 Hollins Ave.
Baltimore, Md. 21210

BILLED BY: Zoning Dept. of Balto. Co.

QUANTITY	DEBIT TO ACCOUNT NO. 01-622 DEBIT UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT \$25.50 COST
Advertising and posting of property		\$4.50
#66-82-A		
		\$4.50

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF PUBLICATION

OFFICE OF The Community Press

DUNDALK, MD., September 9, 1965

THIS IS TO CERTIFY, that the annexed advertisement of "Hamilton Park Corp." was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive weeks before the 7th day of September 1965; that is to say, the same was inserted in the issues of 9-8-65.

Stromberg Publications, Inc.
Publisher.

By: [Signature] Publisher

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
(A-2000)

George E. Gavett
Zoning Commissioner

Hamilton Park Corporation
3 Hollins Avenue
Baltimore, Maryland 21210

RE: Special Exception for Offices and side and rear yard variances for Hamilton Park Corporation located in/for York and Alghurth Rds., 9th District (Item 1 A, August 24, 1965)

Dear Sir:

The Zoning Advisory Committee has reviewed the subject petition and has no comment to offer with regard to the proposed development plan.

The above 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 policies that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commission's hearing.

Very truly yours,

John G. Rose, Chief
Petition and Permit Processing

JGR:lyb

District: 9th Date of Posting: 9/21/65
Posted for: Hamilton Park Corp.
Petitioner: Hamilton Park Corp.
Location of property: NE Cor. of York Rd and Alghurth Rd.
Location of Signs: 4 on Alghurth Rd. and 1 on York Rd.
Remarks: [Signature]
Plotted by: [Signature] Date of return: 9/21/65

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MARYLAND

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 9, 1965

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 each week for 1 successive weeks before the 20th day of September, 1965, the first publication appearing on the 14th day of September.

THE JEFFERSONIAN.

Manager.

Cost of Advertisement, \$...

PETITION FOR SPECIAL EXCEPTION AND VARIANCE 9th DISTRICT

ZONING: Petition for Special Exception for Offices.
Petitioner: Hamilton Park Corp.
LOCATION: Northeast corner of York Road and Alghurth Road.
DATE & TIME: Thursday, September 30, 1965 at 1:00 P.M.
PUBLIC HEARING: Room 104, 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 on the Petition for Special Exception for Offices.

Petition for Variance to the Zoning Regulations of Baltimore County to permit a side yard of 15 feet along the north side of Alghurth Road instead of the required 25 feet; to permit rear yards of 15 feet and 20 feet along South 11 degrees 11 minutes 50 seconds East 78 degrees 13 minutes 50 seconds East lines respectively instead of the required 30 feet.

The Zoning Regulation to be excepted as follows:
Section 217.4 - Rear Yards - 25 feet.
Section 217.4 - Rear Yards - 20 feet.
All that parcel of land in the North District of Baltimore County, containing 3.827 acres of land, more or less.

Being all of the two parcels of land which by a deed dated April 16, 1957 and recorded among the Land Records of Baltimore County in Liber G.L.R. No. 2148, folio 417 was conveyed by Alma M. Vandermaas, et al to Greater Towson Development Corporation.

SPECIAL EXCEPTION
Offices in use of 3 bedroom apartment.
Level A.B.C. at 614 square feet each equals 1,902 square feet total.

Being the southwest extension of building No. 3 only and 28 feet length by 22 feet 7.8 inches width as shown on Plat for Zoning Purposes dated August 16, 1965.

Being the property of Hamilton Park Corporation, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, September 30, 1965 at 1:00 P.M.
Public Hearing Room 104, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

In order of
JOHN G. ROSE
Zoning Commissioner of Baltimore County

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JOHN G. ROSE
Zoning Commissioner of Baltimore County

Hamilton Park Corp.
3 Hollins Ave.
Baltimore, Md. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your petition has been received and accepted for filing this 20th day of August, 1965.

Petitioner: Hamilton Park Corp.

Petitioner's Attorney

Reviewed by: [Signature]
Chairman of Advisory Committee

TELEPHONE 823-3000	INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204	No. 32092 DATE 8/31/65
TO: Hamilton Park Corp. 2550 Linden Ave. Baltimore, Md. 21204	BILLED BY: Zoning Dept. of Balto. Co.	
DEBIT TO ACCOUNT NO. 01-622 DEBIT UPPER SECTION AND RETURN WITH YOUR REMITTANCE	QUANTITY	TOTAL AMOUNT \$50.00 COST
	Petition for Special Exception & Variances #66-82-A	
		\$50.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.		

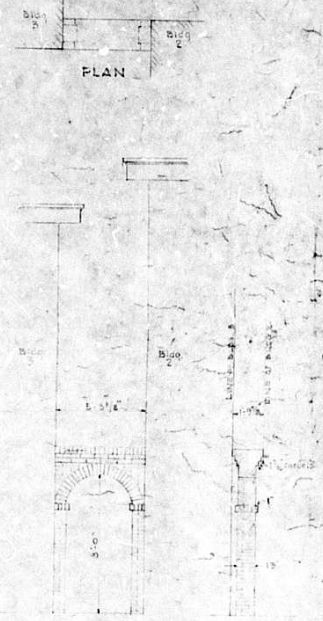
PRIVATE AND SEWER CONNECTION

Each building installation shall be as follows:

Total Fixture Units per Building

Fixtures	Units	Unit Value	Total Fixture Units
Kitchen sink - 1/2" pipe	1	1	1
Dishwasher	1	1	1
Bath tub - 1/2" shower head	1	1	1
Lavatory	1	1	1
Water closet - back spouted	1	1	1
Shower stall	1	1	1
Laundry tray	1	1	1
Washing machine	1	1	1
Total Fixture Units/Building			410

410 F.U. = 120 gal/min. = 0.181 mgd.
 410 F.U. = 120 gal/min. = 0.181 mgd.
 1740 F.U. = 495 gal/min. = 0.724 mgd.



ELEVATION SECTION

BRICK ARCH DETAIL

Note: All sewer construction to conform to County Code.
 Clean-outs (C.O.) to be placed 6' apart 6" Max.
 All materials to conform to County Regulations.

PLANS APPROVED

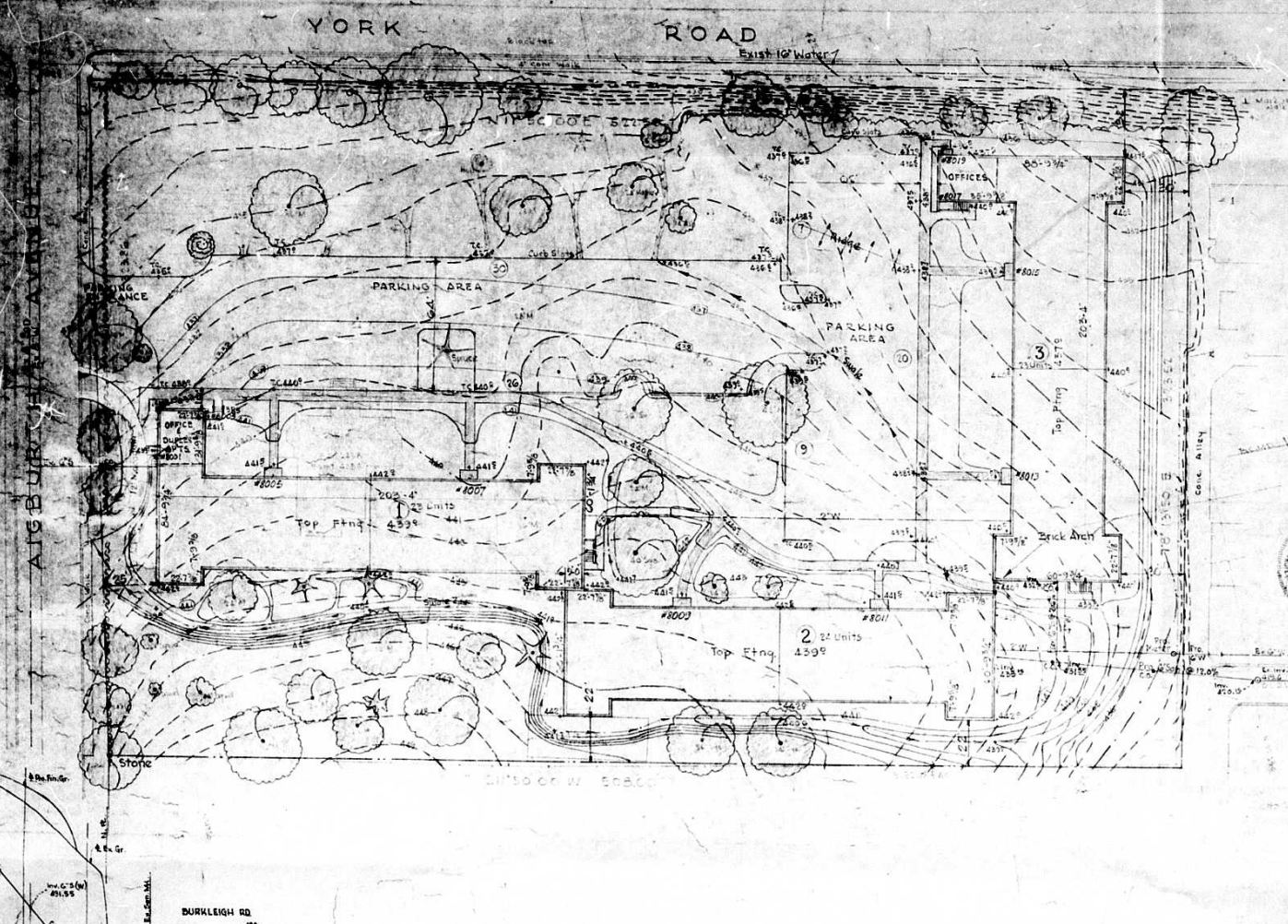
OFFICE OF PLANNING & ZONING

BY: *J. J. J. J.*

11/1/66

66-824K

JAMES S. SPAMER & ASSOCIATES
 ENGINEERS & SURVEYORS
 400 YORK ROAD
 TOWSON, MD. 21204



SITE PLAN **CARDIFF HALL EAST**

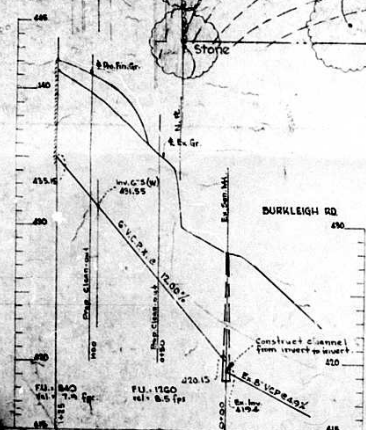
For: The Hamilton Building Co- 3 Hollins Ave. Balto 21210

9th District Balto. Co., Md.

Oct. 27, 1965

Scale: 1" = 30'

Rev. 12/9/66 Rev. 10/17/66



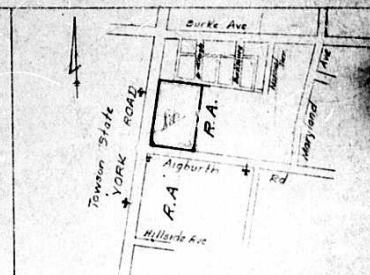
Scale: 1"=30'

Plat for Zoning Purposes

Cardiff Hall East

For: The Hamilton Building Co - 3 Hollins Ave. Baltimore, Md 21210
9th District
Scale: 1"=30'
Aug. 16, 1965

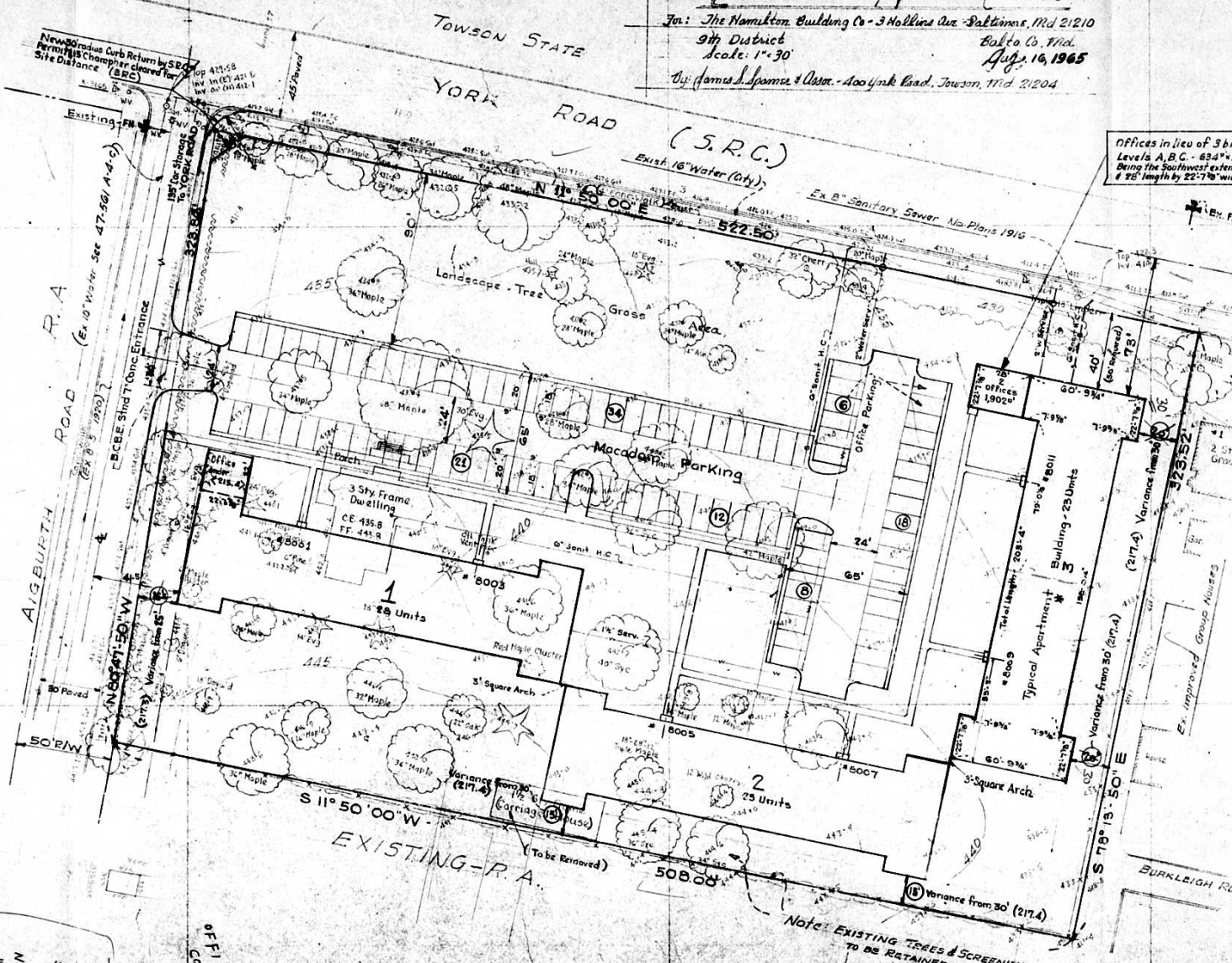
Site: former S. Spamer & Assoc. - 400 York Road, Towson, Md 21204



LOCATION MAP Scale 1"=300'



Scale: 1"=30'



Offices in lieu of 3 b.r. apartment
Levels A, B, C - 634' x 5' = 1902' Total
Being the Southwest extension of Building #3 only.
4' 70' length by 22' 70' width.

Zoning Data

Exist. P.A.	Area. P.A.
Coverage	Area: 4.4 Acre: 3.89
Units	Area: 70 Acre: 69
Parking	(9' x 20' spaces) 18' x 69' provided 99

6" H.C. Sewer & 2" W. Services by Plumbing Permit
Public: All utilities available
Private: All utilities & parking easements
1. Zoning: Application for Special Exception - Office (1955)
2. Zoning: Application for Variance.
Building #3 - Rear Yard 20' (217.4' - 30')
Building #2 - Rear Yard 15' (217.4' - 30')
Building #1 - Sideyard 18.5' (217.9' - 25')

Parking Apartments - Required - 69 Provided 99
Professional Offices: 1902' / 300 = 6 spaces req'd
Provided 8 spaces as shown
Parking Total: 99 Spaces



JAMES S. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
400 YORK ROAD
TOWSON, MD. 21204

Notes: See G.L.B. 3142 F.461
Outline & Topo Field Run W.D.L. X-3105 & 66
B.C.B.E. Ref. Key Sheet N'W Pos. Sh. 36 NE3
York Rd. E. 16' City Water
Preliminary Plat Approved Aug. 12, 1965
See Comments: Aug. 10, 1965

MD
#9
SIC3-C
NE-9A
"X-A"

OFFICE
COPY