

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the O'Neill Club of Towson, Inc., of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from _____ to _____ for the following reasons:

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____ a community building.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser _____ Address _____
Paul J. Feeley, Esquire
Petitioner's Attorney
Address: 1000 North Avenue, Baltimore, Maryland
Protestant's Attorney
Address: _____
ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1966, 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 _____ day of April, 1966, at 11:00 o'clock A.M.

No. 66-219-X - O'Neill Club - 2 -

Protestants' opposition was based primarily on their fear of traffic that may be generated, on noises that possibly may emanate from the site, and on a resultant threat to their privacy.

As a fact, the Board believes that the objections are somewhat exaggerated and will be minimized by the proper planning of the site. The site is most suitable for the petitioned use.

The Board finds that the requirements of subsections (a) and (b) of Section 502.1 of the Zoning Regulations have been satisfied, and hereby affirm the Order of the Zoning Commissioner by granting the petition.

ORDER

For the reasons set forth in the foregoing Opinion, it is this _____ day of March, 1967, by the County Board of Appeals ORDERED that the special exception petitioned for be and the same is hereby GRANTED, subject to any construction taking place in accordance with the plans as shown on the exhibits in this record, as approved or to be approved by the Office of Planning and Zoning of Baltimore County.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slowik

NOTE: Mr. Paul T. McHenry, Jr., sat at the hearing of this case; however, his term expired prior to the Board's decision, and hence Mr. McHenry did not vote on this case.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and the provisions of the Zoning Law of Baltimore County, the petitioner having complied with all requirements of Section 502.1 of the Baltimore County Zoning Regulations

a Special Exception for a Community Building _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of April, 1966, that the above reclassification and the same is hereby DENIED and that the above described property or area be and the same is hereby DENIED to remain a _____ zone, and/or the Special Exception for _____ be and the same is hereby DENIED.

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

the above reclassification 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 _____, 1966, that the above reclassification and the same is hereby DENIED and that the above described property or area be and the same is hereby DENIED to remain a _____ zone, and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

SMALKIN & HESSIAN
ATTORNEYS AT LAW
117 ALLEGANY AVENUE
TOWSON, MARYLAND 21204

May 16, 1966

John G. Rose, Esquire
Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for Special Exception
for a Community Building - N/E
Cor. Seminary Ave. & Baltimore
Harriburg Expressway, 8th District -
The O'Neill Club of Towson, Inc.,
Petitioner - No. 66-219-X

Dear Mr. Rose:

On behalf of William J. Meier, 625 Goucher Avenue, Lutherville, Baltimore County, Maryland, Donald F. Kelly, 703 Goucher Avenue, Lutherville, Baltimore County, Maryland, and G. Hart Hubbell, 611 Goucher Avenue, Lutherville, Baltimore County, Maryland, all property owners and residents of this community immediately adjacent to the site of the above captioned property, please note an appeal to the County Board of Appeals of Baltimore County from your decision of April 19, 1966, in the above matter and forward all papers in connection therewith to said Board for hearing.

A check payable to the order of Baltimore County, Maryland, in the amount of \$70.00 in payment of costs for said appeal is enclosed.

Very truly yours,

John W. Hessian, III

JWH:vh

Enclosure

CC: Paul J. Feeley, Esq.

L. ALAN EVANS & ASSOCIATES
4800 ELAND AVENUE - BALTIMORE, MD. 21214 - HAMMILL - 6-2144
BRANCH - OFFICE - 220 POPP AR STREET - CAMBRIDGE, MD. 21613 - AC 6-3350
L. ALAN EVANS, L.S. LAND SURVEYOR REG. NO. 1001
J. CARROLL HAGAN SITE PLANNER
NORMAN C. EMERICK, P.E. ENGINEERING CONSULTANT REG. NO. 2880

February 21, 1966.

REQUIRING for the same at the corner formed by the intersection of the Easternmost Right of Way line of the Through Highway of the Baltimore-Harrisburg Expressway and the north side of Seminary Avenue and running thence from said place of beginning, binding on said Easternmost Right of Way line of said Baltimore-Harrisburg Expressway North 30 degrees 43 minutes 12 seconds East 1234.70 feet, thence South 3 degrees 27 minutes 42 seconds East 441.40 feet, thence South 7 degrees 45 minutes 19 seconds East 543.91 feet, thence South 70 degrees 57 minutes 19 seconds East 466.25 feet, thence South 17 degrees 32 minutes 41 seconds West 172.70 feet, thence North 70 degrees 57 minutes 19 seconds West 150 feet, thence South 17 degrees 32 minutes 41 seconds West 166.86 feet, to the north side of Seminary Avenue, thence running and binding on said north side of Seminary Avenue the nine following courses and distances, viz: North 62 degrees 31 minutes 43 seconds West 55.23 feet, thence North 60 degrees 28 minutes 55 seconds West 11.45 feet, thence North 29 degrees 41 minutes 55 seconds East 20.00 feet, thence North 60 degrees 28 minutes 55 seconds West 63.71 feet, thence South 79 degrees 41 minutes 55 seconds West 20.00 feet, thence North 63 degrees 37 minutes West 79.47 feet, thence North 9 degrees 33 minutes 30 seconds West 25.45 feet, thence westerly by a curve to the left having a radius of 1206.97 feet a distance of 492.30 feet and thence North 83 degrees 18 minutes 55 seconds West 49.47 feet, more or less, to the place of beginning.

Containing 10.331 acres of land more or less.

Note: This description has been prepared for zoning purposes only and is not intended to be used for conveyance.



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

No. 38622
DATE 5/18/66

TO: John W. Hessian, III, Esq.,
117 Allegany Avenue,
Towson, Maryland 21204

DEPOSIT TO ACCOUNT NO. 01-222
QUANTITY
COST
Cost of appeal - The O'Neill Club of Towson, Inc.
No. 66-219-X
\$70.00

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.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

MICROFILMED

District 5th Date of Posting Jan 1, 1966
Posted for: Appeal
Petitioner: The O'Neill Club of Towson, Inc.
Location of property: NE Cor. Seminary Ave. & Baltimore Harriburg Expy.
Location of Sign: NE Cor. Seminary Ave. & Baltimore Harriburg Expy.
Remarks: 1/3 Seminary Ave. Opposite Red End, Towson, Md.
Posted by: J. Rose
Signature
Date of return: Jan 21, 1966
2 Signs

RE: PETITION FOR SPECIAL EXCEPTION :
for a Community Building
in an R-6 zone
Northeast corner of Seminary Avenue
and Baltimore-Harrisburg Expressway :
8th District
The O'Neill Club of Towson, Inc. :
Petitioner :
COUNTY BOARD OF APPEALS :
OF :
BALTIMORE COUNTY :
No. 66-219-X :
RECEIVED :
JAN 21 1966 :
X

OPINION

This case comes before the Board as an appeal of the Protestants from a granting of the referenced petition by the Zoning Commissioner.

The property is located at the corner, on the East side of the Baltimore-Harrisburg Expressway, and the North side of Seminary Avenue. It is roughly triangular in shape with 1234.70 feet of denied access frontage along the Expressway and an average width, disregarding curvature, of approximately 775 feet fronting along Seminary Avenue. It contains approximately 10.331 acres of land.

The area to the South, across Seminary Avenue, is an R-6 development of older, small cottages and some vacant land which is owned by the Baltimore County Department of Recreation. The area to the North and East of the hypotenuse of the subject property line is R-6 land, known as Country Club Park, and developed with medium priced, well maintained houses. A 40 foot wide wooded gully with a small stream bordered by a wide flood plain traverses along this division line and provides some natural screening between the residences and the subject site.

Petitioner's expert witnesses described the irregular shape and topographical features of the property as being undesirable for residential development. They maintained that the proposed use of the site for operation of a Knights of Columbus Community Building would not be detrimental to the health, safety and general welfare of the locality, or violate Section 502.1 of the Zoning Regulations in any way.

MICROFILMED

OFFICE OF
THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Baltimore, Md.

THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue
CATONSVILLE, MD.

March 21, 1966.

MICROFILMED TO CERTIFY, that the annexed advertisement of _____ was inserted in THE BALTIMORE COUNTIAN, a group of _____ weekly newspapers published in Baltimore County, Maryland, once a week for _____ weeks before the _____ day of March, 1966, that is to say the same was inserted in the issues of _____

March 17, 1966.

THE BALTIMORE COUNTIAN

By: Paul J. Morgan

Editor and Manager

PETITION FOR
SPECIAL EXCEPTION
for a Community Building

Exception for a Community Building

LOCATION: Northeast corner of Seminary Avenue and the Baltimore-Harrisburg Expressway

DATE & TIME: WEDNESDAY, APRIL 4, 1966 at 11:00 A.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 Exception for a Community Building, All that parcel of land in the Eighth District of Baltimore County

BEGINS for the same at the corner formed by the intersection of the Easternmost Right of Way line of the Through Highway of the Baltimore-Harrisburg Expressway and the north side of Seminary Avenue and running thence from said place of beginning, binding on said Easternmost Right of Way line of said Baltimore-Harrisburg Expressway North 30 degrees 43 minutes 12 seconds East 1234.70 feet, thence South 3 degrees 27 minutes 42 seconds East 441.40 feet, thence South 7 degrees 45 minutes 19 seconds East 543.91 feet, thence South 70 degrees 57 minutes 19 seconds East 466.25 feet, thence South 17 degrees 32 minutes 41 seconds West 172.70 feet, thence North 70 degrees 57 minutes 19 seconds West 150 feet, thence South 17 degrees 32 minutes 41 seconds West 166.86 feet, to the north side of Seminary Avenue, thence running and binding on said north side of Seminary Avenue the nine following courses and distances, viz: North 62 degrees 31 minutes 43 seconds West 55.23 feet, thence North 60 degrees 28 minutes 55 seconds West 11.45 feet, thence North 29 degrees 41 minutes 55 seconds East 20.00 feet, thence North 60 degrees 28 minutes 55 seconds West 63.71 feet, thence South 79 degrees 41 minutes 55 seconds West 20.00 feet, thence North 63 degrees 37 minutes West 79.47 feet, thence North 9 degrees 33 minutes 30 seconds West 25.45 feet, thence westerly by a curve to the left having a radius of 1206.97 feet a distance of 492.30 feet and thence North 83 degrees 18 minutes 55 seconds West 49.47 feet, more or less, to the place of beginning.

10.331 acres of land more or less.

For the property of The O'Neill Club of Towson, Inc., as shown on plan filed with the Zoning Department, Baltimore County, Maryland, on April 4, 1966 at 11:00 A.M.

Public hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF JOHN G. ROSE, ZONING COMMISSIONER OF BALTIMORE COUNTY.

March 17, 1966.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

66-219 X

District: 8th Date of Posting: March 19, 1966

Posted for: St. Peter of Seminary Ave. & Baltimore Harriburg Expressway

Petitioner: The O'Neill Club of Towson, Inc.

Location of property: at the intersection of Seminary Ave. & Baltimore Harriburg Expressway

Location of Sign: at the intersection of Seminary Ave. & Baltimore Harriburg Expressway

Remarks: None

Posted by: [Signature] Date of return: March 24, 1966

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 24, 1966

FROM: Mr. George E. Gavrelli, Director of Planning

SUBJECT: "Petition #66-219-X, Northeast corner of Seminary Avenue & Baltimore Harriburg Expressway. Petition for Special Exception for a Community Building. The O'Neill Club of Towson, Inc. - Petitioners"

8th District

HEARING: Wednesday, April 6, 1966. (11:00 A.M.)

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

If it should be decided to grant the subject petition, we recommend that the site plan be made subject to our approval.

Paul J. Feeley, Register
203 Courtland Avenue
Towson, Maryland 21204

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

4 day of MAR, 1966

[Signature]
JOHN G. ROSE
Zoning Commissioner

Petitioner: The O'Neill Club of Towson, Inc.

Petitioner's Attorney: Paul J. Feeley Reviewed by: James E. Blum
Chairman of Advisory Committee

TELEPHONE 823-3000

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

No. 37667

DATE: 4/12/66

TO: Baltimore

BILLED BY: Zoning Dept. of Balto. Co.

O'Neill Club of Towson
318 Alabama Road
Towson, Md. 21204

QUANTITY	DEBIT TO ACCOUNT NO. 01-622	TOTAL AMOUNT DUE
Advertising and posting of property #66-219-X	67.50	67.50
	37667 TWP-	67.50

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.

PETITION FOR SPECIAL EXCEPTION

8th DISTRICT

ZONING: Petition for Special Exception for a Community Building

LOCATION: Northeast corner of Seminary Avenue and the Baltimore Harriburg Expressway.

DATE & TIME: WEDNESDAY, APRIL 6, 1966 at 11:00 A.M.

PUBLIC HEARING: Room 108, 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 following petition for Special Exception for a Community Building.

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

Containing 10.311 acres of land more or less, being the property of The O'Neill Club of Towson, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Dates: Wednesday, April 6, 1966 at 11:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR SPECIAL EXCEPTION

8th DISTRICT

ZONING: Petition for Special Exception for a Community Building

LOCATION: Northeast corner of Seminary Avenue and the Baltimore Harriburg Expressway.

DATE & TIME: Wednesday, April 6, 1966 at 11:00 A.M.

PUBLIC HEARING: Room 108, 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 following petition for Special Exception for a Community Building.

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

Containing 10.311 acres of land more or less, being the property of The O'Neill Club of Towson, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Dates: Wednesday, April 6, 1966 at 11:00 A.M.
Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21204

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 a week on the 1st day of March, 1966, the first publication appearing on the 31st day of March, 1966.

THE JEFFERSONIAN

[Signature]
Manager

Cost of Advertisement, \$.....

OFFICE OF THE BALTIMORE COUNTY

THE COMMUNITY NEWS
Baltimore, Md.

THE HERALD-ARGUS
Catonville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD

March 1, 1966

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for successive weeks before the 1st day of March, 1966, that is to say the same was inserted in the issues of March 17, 1966.

THE BALTIMORE COUNTIAN

By: Paul J. Morgan
Editor and Manager

TELEPHONE 823-3000

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

No. 37609

DATE: 4/11/66

TO: The Delgar Corp.
Towson, Md. 21093

BILLED BY: Zoning Dept. of Balto. Co.

QUANTITY	DEBIT TO ACCOUNT NO. 01-622	TOTAL AMOUNT DUE
Petition for Special Exception for The O'Neill Club of Towson #66-219-X	50.00	50.00
	37609 TWP-	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.

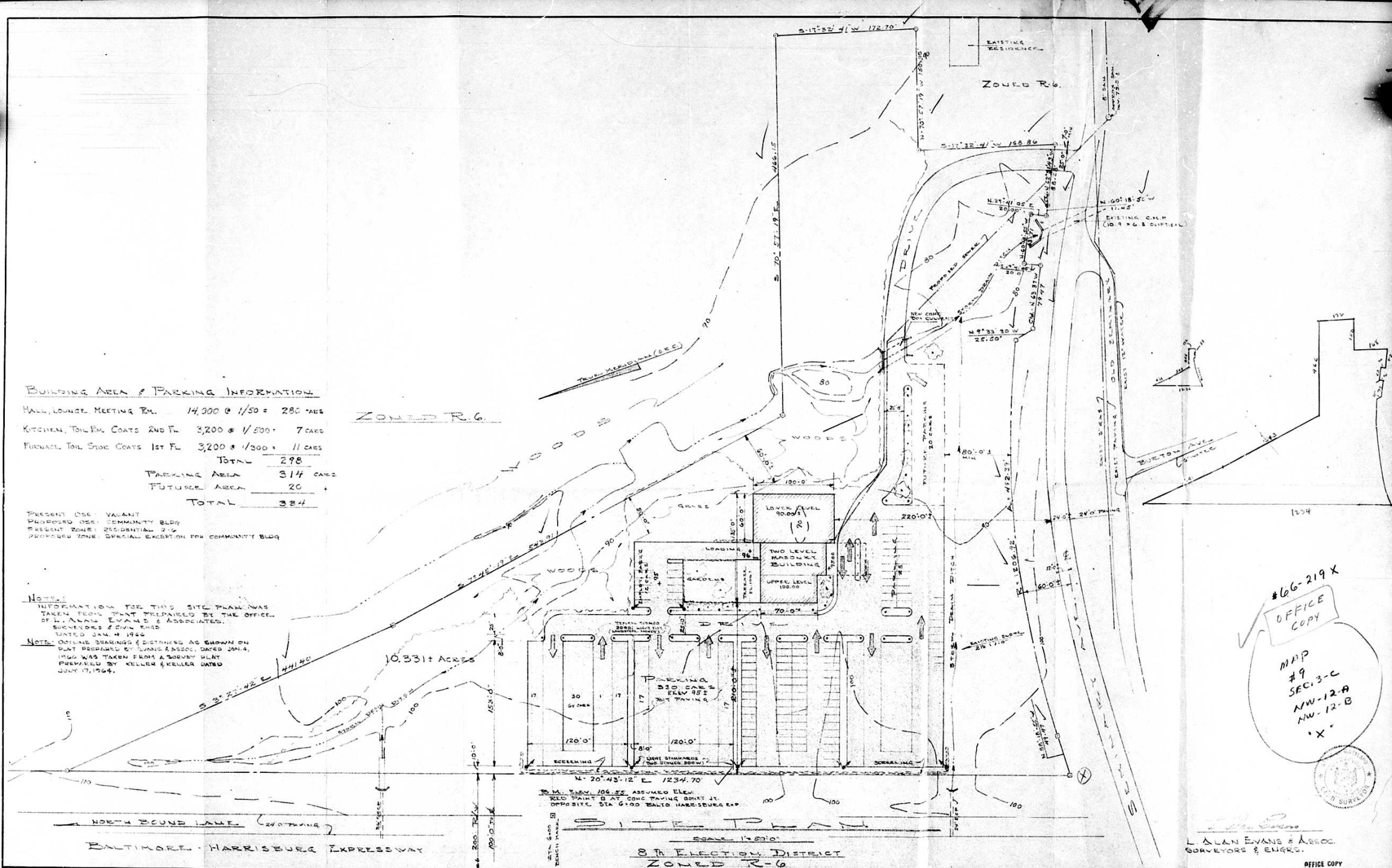
BUILDING AREA & PARKING INFORMATION

HALL, LOUNGE, MEETING RM.	14,000 @ 1/50 =	280' ARE
KITCHEN, TOILET, COATS 2ND FL.	3,200 @ 1/500 =	7 CARS
FURNACE, TOILET, COATS 1ST FL.	3,200 @ 1/300 =	11 CARS
TOTAL		298
PARKING AREA		314 CARS
FUTURE AREA		20
TOTAL		334

PRESENT USE: VACANT
 PROPOSED USE: COMMUNITY BLDG
 PRESENT ZONE: RESIDENTIAL 2-1/2
 PROPOSED ZONE: SPECIAL EXCEPTION FOR COMMUNITY BLDG

NOTES:
 INFORMATION FOR THIS SITE PLAN WAS
 TAKEN FROM THAT PREPARED BY THE OFFICE
 OF L. ALAN EVANS & ASSOCIATES,
 SURVEYORS & CIVIL ENGRS.
 DATED JAN. 4, 1966

NOTE: OUTLINE DRAWINGS & DISTANCES AS SHOWN ON
 PLAN PREPARED BY EVANS & ASSOC. DATED JAN. 4,
 1966 WAS TAKEN FROM A SURVEY PLAN
 PREPARED BY KELLER & KELLER DATED
 JULY 17, 1964.



NO.	REVISIONS



The Daiger Corporation
 General Contractors
 Timonium, Maryland
 - L.H.J.

PROPOSED BUILDING
 KNIGHTS OF COLUMBUS
 O'NEIL CLUB - COUNCIL NO.
 SEMINARY AVE. & BALTIMORE-HARRISBURG EXP.
 BALTIMORE, MD.

DATE
 JANUARY 1966
 PROJECT NO.
 5760
 WEST 20
 1/4



Therefore, Mr. Commissioner, on behalf of Father O'Neill Council and the O'Neill Club of Towson, Inc., I respectfully request that you grant an extension of the special exception to the reference property for the full 5 year period.

Thank you very much for your consideration.

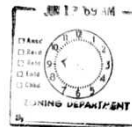
Very truly yours,

J. Carroll Hagan
Grand Knight

cc: Mr. Leonard McEvoy, President
The O'Neill Club of Towson, Inc.
Mr. George Hogan, D.S.G.

Father O'Neill Council No. 4011 Knights of Columbus

June 16 1969.



Mr. John Rose
Zoning Commissioner
Baltimore County Zoning Dept.
Baltimore County Office Building
Towson, Md. 21204

Re: Special Exception No. 66217X
O'Neill Club of Towson, Inc.

Dear Mr. Rose:

It was brought to our attention last month that the special exception granted to the above property was valid for only 2 years unless a building permit was granted and construction began.

I was asked by my fellow members of the O'Neill Club of Towson, Inc., which is a holding company for the Father O'Neill Council, Knights of Columbus, to inquire as to the status of the above exception.

I was surprised to find that the 2 year period expired on March 3, 1969 and that if we had been improving the site for construction during this period we could be granted an extension of this special exception for the full 5 year period allowed.

This, we have been doing. During the last 2 years we have had numerous meetings with a builder, architect and a planner to discuss the various details involved in constructing a council house and then, as you can understand, we had to present this to the membership and have them approve, disapprove or revise what the committee had presented. This takes time. We have also had the site partially graded and at the present time Oscar Gray & Sons, who is working on Joppa Road, is hauling in fill dirt and spreading this in the low areas so that the site will be pre-graded and ready for construction. You realize also that by taking advantage of opportunities such as Oscar Gray & Sons, we can accomplish this work at a minimum cost. It takes a little longer, but we have limited funds and have no choice.

Mail all communications to Financial Secretary
Edward H. Hession, 539 Valley View Road, Towson 4, Md.
Be sure to use the ZIP and Office Building or room number.

MICROFILMED

October 16, 1969

Paul J. Feeley, Esq.
253 Courtland Avenue
Towson Maryland 21204

Re: Petition for Special Exception
N/E Cor. Seminary Ave. and
Harrisburg Expressway 8th Dist.
The O'Neill Club of Towson.
Petitioner - No. 66-219-X

Dear Mr. Feeley:

Please be advised that an appeal had been filed from the decision of the Zoning Commissioner granting an extension of the special exception in the above matter.

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

Very truly yours

Sup. Zoning Commissioner

cc: Mr. John L. Coffin,
1438 Burton Avenue
Lutherville, Md.

Miss Patricia O. Hubbard
611 Goucher Avenue
Lutherville, Md.

Mr. Preston R. Chilcoat
611 Spring Avenue
Lutherville, Md.

MICROFILMED

RE: Petition for Special Exception
for Community Building
N/E Cor. Seminary Avenue
and Balto. Harrisburg
Expressway 8th District
The O'Neill Club of Towson
Inc., Petitioner
Before
Zoning Commissioner
of
Baltimore County
No. 66-219-X

It is this 15th day of September, 1969, by the
the Zoning Commissioner of Baltimore County, ORDERED that
the foregoing special exception, granted March 3, 1967, is
hereby extended to March 3, 1972.

J. Carroll Hagan
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE 7/15/69
BY J. Carroll Hagan
Zoning Commissioner

MICROFILMED

SMALKIN & HESSIAN

ATTORNEYS AT LAW
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
VALLEY BRANCH

September 26, 1969

BALTIMORE OFFICE
SMALKIN & HESSIAN
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
VALLEY BRANCH

SMALKIN & HESSIAN

ATTORNEYS AT LAW
102 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
VALLEY BRANCH

October 10, 1969

Mr. John G. Rose
Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for Special Exception
for Community Building
N/E Cor. Seminary Ave.
and Harrisburg Expressway,
8th Dist., The O'Neill Club
of Towson, Petitioner -
No. 66-219X

Dear Mr. Rose:

Please note an appeal to the Board of Appeals on behalf of Earl Jones and John L. Coffin, et al, from your Order of September 15, 1969, extending the time within which the special exception, granted March 3, 1969, might be utilized.

A check in the amount of \$79.00 for the appeal cost is enclosed.

Very truly yours,

John W. Hession, III

JWH:vh

cc: Paul J. Feeley, Esquire

Very truly yours,

John W. Hession, III

Mr. John G. Rose, Zoning Commissioner
Baltimore County Office of Planning and Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception for Community Building,
Borlaseast Corner Seminary Avenue and Harrisburg
Expressway,
Eighth District,
The O'Neill Club of Towson, Petitioner
No. 66-219-X

Dear Mr. Rose:

On March 3, 1967, the County Board of Appeals granted the Special Exception sought by The O'Neill Club of Towson for a community building on the property in Lutherville, more particularly described above. The Board's Order was the "Final Order" in the case.

Section 502.3 of the Baltimore County Zoning Regulations then applicable specifies, in part, "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". Later, the section continues, "After a final Order granting a Special Exception the Zoning Commissioner, at any time prior to the expiration of the period of time authorized for its utilization, may grant one or more extensions of such period, provided that the 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". (Emphasis mine).

The Board in its Final Order did not specify a period of longer than two years for the utilization of the Special Exception. By the terms of the ordinance, the Special Exception expired on March 3, 1969. Your "Order" of September 15, 1969, is therefore a nullity, at best an attempt at "instant zoning" and as attorney for the various residents who appeared as parties protestant in this proceeding, I write this as notice to all parties to the proceeding that any attempt to resuscitate the expired Special Exception will be vigorously resisted.

JWH:VL
cc: Paul J. Feeley, Esquire
Mr. John L. Coffin
Miss Patricia O. Hubbard
Mr. Preston R. Chilcoat

MICROFILMED

66-219-X -- The O'Neill Club of Towson

Petition, description of property, Order of Zoning Commissioner.
Order of Board of Appeals in prior hearing - March 3, 1969

Extension of Special Exception - 9/15/69

Certificate of posting

Certificates of advertising

Comments of Office of Planning

Letter from John W. Hession III dated 5/16/66

" " J. Carroll Hagan dated June 16, 1969

" " from John W. Hession, dated 9/16/69

" " J. Carroll Hagan dated 9/4/69

Order of appeal

Plat marked Office copy

Paul J. Feeley, Esq., Counsel for petitioner
253 Courtland Avenue
Towson, Md. 21204

Mr. John L. Coffin, protestant
1438 Burton Avenue
Lutherville, Md.

Miss Patricia O. Hubbard, "
611 Goucher Ave.,
Lutherville, Md.

Mr. Preston R. Chilcoat, "
611 Spring Avenue
Lutherville, Md.

John W. Hession III Esq., Counsel for proprietors
102 West Pennsylvania Avenue
Towson, Md. 21204

MICROFILMED

TELEPHONE 225-5000 EXT. 387		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204		No. 67018 DATE 10/16/69	
TO: John W. Hession, III Esq., 102 West Pennsylvania Ave., Towson, Md. 21204		BILLED BY: Zoning Office 105 County Office Bldg., Towson, Md. 21204		TOTAL AMOUNT 79.00 COAT	
REPORT TO ACCOUNT NO. 61-422		RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORD		TOTAL AMOUNT 79.00 COAT	
QUANTITY		Cost of appeal The O'Neill Club of Towson, Inc. No. 66-219-X		TOTAL AMOUNT 79.00 COAT	
IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204					

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It is apparent, from the testimony and exhibit presented before the Board, that the Special Exception granted The O'Neil Club on March 3, 1967 had not been utilized within a period of two years from the date of the final Order granting same, nor

W. Giles Parker

John A. Slowik