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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 22, 1981

Mr. Joseph L. Soley
8001 York Road
Towson, Maryland 21204

RE: Request for Extension of Special Exception (Case No. 75-139-XA) NE/corner of York Road and Aigburth Avenue - 9th Election District

Dear Mr. Soley:

I am in receipt of your letter of September 21, 1981, and wish to advise that the Order granting the special exception cannot be extended for any additional period of time.

The Court of Special Appeals of Maryland has held that the Ex Parte granting of an extension denies due process by failure to give notice of such extension with an opportunity to be heard. In addition, Section 502.3 of the Baltimore County Zoning Regulations states:

> "A Special Exception which has not been utilized within a period of two years from the date of the final order granting same, or such longer period not exceeding five years, as may have been specified therein, shall thereafter be void."

The file reflects that an Extension Order was signed by S. Eric DiNenna, the then Zoning Commissioner, on October 18, 1978, for a period of three years, expiring April 19, 1982. Adding this three-year extension to the two original years from the granting of the special exception equals a total of five years—the maximum permitted period.

If any further information is required, please advise.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

81-2159

8001 York Road
Towson, Maryland 21204

September 21, 1981

Mr. William D. Hammond
Zoning Commissioner
Room 109
County Office Building
Towson, Maryland 21204

Re: Case No. 75-139-XA
Joseph L. Soley

Dear Mr. Hammond:

I wish to apply for an extension for the utilization of the Special Exception in the above case.

Please advise that the extension has been granted.

Thank you.

Very truly yours,

Joseph L. Soley

JLS:da

SEP 22 '81

72-3567

8001 York Road
Towson, Maryland 21204

October 3, 1978

Mr. S. E. DiNenna, Zoning Commissioner
Room 109
County Office Building
Towson, Maryland 21204

Re: Case No. 75-139-XA
Joseph L. Soley

Dear Mr. DiNenna:

I wish to apply for a three year extension for the utilization of the Special Exception in the above case.

Please advise that the extension has been granted.

Thank you.

Very truly yours,

Joseph L. Soley
Joseph L. Soley

da

OCT 10 '78 AM
ZONING DEPARTMENT
By .....

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3353

S. ERIC DINENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

October 18, 1978

Mr. Joseph L. Soley
8001 York Road
Towson, Maryland 21204

RE: Petition for Special Exception
NE/corner of York Road and
Aigburth Avenue - 9th Election
District
Joseph L. Soley - Petitioner
NO. 75-139-XA (Item No. 65)

Dear Mr. Soley:

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

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED:nr

Attachment

ORDER RECEIVED FOR FILING
DATE October 17, 1978
BY Sylvia L. Lowry
ADMINISTRATIVE SECRETARY

RE: PETITION FOR SPECIAL EXCEPTION NE/corner of York Road and Aigburth Avenue - 9th Election District Joseph L. Soley - Petitioner NO. 75-139-XA (Item No. 65)	: : : :	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

::: ::: :::

EXTENSION ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of October, 1978, that the Special Exception for an office building and offices, granted April 28, 1977, be and the same is hereby extended, in accordance with Section 502.3 of the Baltimore County Zoning Regulations, for a period of three years, beginning April 28, 1979, and ending April 28, 1982.

Zoning Commissioner of
Baltimore County

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph L. Soley 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 1B02.2B(504-V.B.2) to permit a one yard set back of 0 feet instead of the required 30 feet and to permit a 0 feet side yard set back instead of the required 25 feet and a variance to Section 409.2c.4 to permit off street parking to be 3 feet from a street property line instead of the required ~~60 feet~~ ~~attached description~~

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

Extreme hardship and practical difficulty because of proposed future street widenings.

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

I, 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.

Contract purchaser

Legal Owner

Address

Address 8011 York Road, 21204

W. Lee Harrison, Petitioner's Attorney

Protestant's Attorney

Address 306 W. Joppa Road
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this ..... day of ..... 196..., 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 ..... 196..., at ..... o'clock ..... M.

Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING

JOSEPH L. SOLEY
NE/corr. of York Rd. and Aiburth Ave.
9th
#75-139-XA

75-139-XA
#65

RE: PETITION FOR SPECIAL EXCEPTION for Offices and Office Building, and VARIANCES from Section 1B02.2B (504-V.B.2) and Section 409.2c.4 of the Baltimore County Zoning Regulations
NE corner York Road and Aigburth Avenue
9th District
Joseph L. Soley
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 75-139-XA

OPINION

This case comes before the Board on an appeal by the Petitioner from an Order of the Deputy Zoning Commissioner, dated March 5, 1975, denying the requested petition for a special exception and variances from required setbacks.

The property in question is located on the northeast corner of Airburth Road and York Road, adjoins a D.R. 16 zoning classification and contains approximately .68 acres, which is out of a larger tract owned by the Petitioner that is already improved with apartments and offices.

The proposal which is under consideration here is for the construction of a two story office building, 60 feet by 60 feet, as indicated on Petitioner's Exhibit #1. In support of this the Petitioner testified, as did his professional engineer, and both indicated that the requirements of Section 502.1 of the Baltimore County Zoning Regulations would be fully satisfied. There was no testimony from the Protestants side of the case to the contrary. There was some general reference as to the increase in traffic congestion, however, the Board notes from the report, dated October 17, 1974, from the Baltimore County Department of Traffic Engineering that the increase of traffic generated by the proposal over that which would be generated if the subject property were developed under the existing zoning would be negligible; namely, an increase of from 90 trips per day to approximately 108 trips per day. Consequently, the Board feels that the special exception for offices should be granted.

Also, it is interesting to note that the only individual witnesses from the neighborhood who were opposed to the idea of an office building at the subject site were unaware that the Petitioner already has offices in that portion of his property which has already been developed. We feel that this speaks well for the type of project that the

---

Petitioner proposes, and that same will be developed in taste and in harmony with his existing apartment and office development.

The second aspect of this case is for variances requested by the Petitioner; namely, from a required thirty (30) foot front yard setback the Petitioner is requesting a zero (0) foot setback. This variance is requested because of the proposal for a future widening of York Road to eighty-four (84) feet. Similarly, a variance for a three (3) foot setback for the parking area from York Road from the required distance of eight (8) feet is requested for the same reason. Under the testimony from the Petitioner's engineer, it was disclosed that the Petitioner could have met the requirements for the front yard setbacks prior to the proposal for the widening of York Road. The Petitioner is required by the State and County to dedicate the right-of-way to obtain the necessary permits in order to proceed with his project. Consequently, the Board feels that this does present both an unreasonable hardship and a practical difficulty upon the Petitioner, and as can be evidenced by Petitioner's Exhibit #1, shows that by moving the building back from the York Road further would cause the loss of some of the parking area which would be necessary for this project.

The remaining variance requested is from a required twenty-five (25) feet to a zero (0) foot setback on the side yard from Aigburth Road. This is required as the Petitioner plans to put a chanfer on the corner of the intersection of York and Aigburth Roads, thereby increasing the sight distance along York Road. However, in so doing this would reduce the side yard setback to zero (0) feet at the point where the chanfer meets the proposed office building. An examination of Petitioner's Exhibit #1 shows this situation delineated in red ink and will further show that the building itself actually does sit back twenty-five (25) feet from the Aigburth Road proper, with the exception of the shortening of that distance occasioned by the construction of the chanfer aforesaid. According to the engineer, the variances are required because the chanfer technically becomes a permanent property line and thereby would necessitate the requested variance.

Again, the Board feels that to deny this variance would not only place a hardship and difficulty upon the Petitioner, but also would not be in the best interest of the public for by granting the variance, which requires the Petitioner to again relinquish some of his property, this would also serve the public by giving the vehicular traffic a better and improved sight distance, both on York Road and Aigburth Road. Therefore, the Board finds that the special exception for an office building should be granted, and also the three variances should likewise be granted.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 28th day of April, 1977, by the County Board of Appeals, ORDERED that the special exception and variances petitioned for, be and the same are hereby GRANTED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

Robert L. Gilland

John A. Miller

JAMES S. SPAMER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
6017 YORK ROAD — TOWSON, MD. 21204

BY WOF Description of Property Located at Northeast Corner of Aigburth Road and York Road
DATE 9/28/67 April 17,1974
SHEET 1 OF 1
FILE 1-1356A

All that piece or parcel of land situate, lying and being in the 9th Election District of Baltimore County, Maryland and described as follows, TO WIT:

BEGINNING for the same at a stone heretofore planted at the corner formed by the intersection of the east side of York Road with the north side of Aigburth Road; and running thence binding on the east side of York Road, (1) North 11° 50' 00" East 310 feet, thence for lines of division now made, the four following courses and distances, (2) South 80° 47' 50" East 75 feet, (3) South 11° 50' 00" West 50 feet, (4) South 80° 47' 50" East 25 feet, and (5) South 11° 50' 00" West 260 feet, thence binding on the north side of Aigburth Road, (6) North 80° 47' 50" West 100 feet to the place of beginning.

CONTAINING 0.68 Acres of land more or less.

BEING part 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 G.L.B. No. 3148 folio 467 and which was conveyed by Alma M. Vandermast, et al, to Greater Towson Development Corporation.

BALTIMORE OFFICE
MILTON D. SCHULZER
ROBERT F. SHIPLEY
WINSTON T. BRUNDIGE
JOHN J. GHINGHER, JR.
JAMES A. FRANKS, JR.
DAVID M. BLUM
WALTER K. SANFORD
SAMUEL J. MILLER, JR.
EARL F. LA TYRE
JAMES A. BOTTOM
RICHARD J. HIRSELMAN
STANLEY J. NEUMANN'S
JAMES A. FRANKS, JR.
JAMES J. FRANKS, JR.
T. COWARD MATTHEWS
WILLIAM E. SCHOLES
THEODORE R. MARZILLI, JR.
JOHN J. GHINGHER, JR.
HOWARD LEVINTON
EDWARD J. SMITH, JR.
JAMES E. SCHEIDT
JAMES E. DYER
LEE I. MILLER
RICHARD J. KROHN
STANFORD G. REES
RICHARD S. SONDLOW

ROBERT F. SHIPLEY, JR.
JOHN J. GHINGHER
WILLIAM M. CAHILL, JR.
MARK D. COPLIN
JOHN J. GHINGHER, JR.
JOHN G. ROTSTEIN
WILBUR E. JENSEN
JACOB S. DAVIS
HOWARD M. MILLER
WILLIAM M. CAHILL, JR.
SHELDON S. SATZRAT
THEODORE S. KAPLAN
JOHN J. GHINGHER, JR.
NORMAN R. BLOOMBAUM
LESLIE J. POLT
JOHN J. GHINGHER, JR.
VILAS R. KAMINKIN
JOHN J. GHINGHER, JR.
FRANK S. KEYSER
JOHN J. MIDDLETON
JAMES E. SCHEIDT
DENNIS F. RAMBERG
MARTIN B. ELLIS
NORMAN TERRY DEUTSCH
JAMES R. DEVENEY, II
JEFFREY L. LEVIN

TOWSON OFFICE
W. LEE HARRISON
DONALD J. DONAHUE
J. EDWARD DAVIS
ROBERT M. CANNON
JOHN F. ENG
ANDREW C. McCLOSKEY
THOMAS G. DEANGIS

COUNSEL:
GEORGE SOCHMAN SOUR
TANYA KAUZER
J. PAUL SCHMIDT
CHARLES J. STRUCCHENS

LAW OFFICES
WEINBERG AND GREEN
NINETEENTH FLOOR
10 LIGHT STREET
BALTIMORE, MD. 21202
(301) 539-2125

SUITE 601
401 WASHINGTON AVENUE
TOWSON, MD. 21204
(301) 823-1200

March 6, 1975

S. Eric DiNenna, Esq.
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Special Exception and Variance,
NE/corner of York Road and Aigburth Avenue - 9th District
Joseph L. Soley - Petitioner, NO. 75-139-XA (Item No. 65)

Dear Mr. DiNenna:

Please note an appeal to the County Board of Appeals from the decision and Order dated March 5, 1975, denying the above requested Special Exception and Variance on behalf of the Petitioner.

I enclose herewith check in the amount of $75.00 to cover the costs of said appeal.

Very truly yours,

W. Lee Harrison

W. Lee Harrison

b/enc.

MAR 6 4 25 PM

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

S. ERIC DINENNA
Zoning Commissioner

JAMES E. DYER
Deputy Zoning Commissioner

(301) - 494-3351
(301) - 494-3352

March 5, 1975

W. Lee Harrison, Esquire
Suite 601
401 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and Variance
NE/corner of York Road and Aigburth Avenue - 9th District
Joseph L. Soley - Petitioner
NO. 75-139-XA (Item No. 65)

Dear Mr. Harrison:

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

Very truly yours,

James E. Dyer

JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: Mr. Herbert R. Steiner
President
Towson Manor Association
13 Maryland Avenue
Towson, Maryland 21204

Mr. Martin S. Reff
8011 York Road, Apt. C-8
Towson, Maryland 21204

Mr. William A. Miller
8005 York Road
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric DiNenna, Zoning Commissioner Date January 3, 1975

FROM William D. Fromm, Director of Planning

SUBJECT Petition #75-139-XA. Northeast corner of York Road and Aigburth Avenue.
Petition for Special Exception for Offices and Office Building.
Petition for Variance for Front and Side Yards and Off-Street Parking
Petitioner - Joseph L. Soley

9th District

HEARING: Monday, January 6, 1975 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

The 1980 Guideplan, the County's official master plan, recommends that office buildings be confined to designated town and community centers. The subject property lies outside the Towson town center boundary as officially designated by the Planning Board. Further the proposed Towson Master Plan recommends that offices be allowed in D.R. 16 zones adjacent to the ring road system via conversion of existing dwelling and that the buildings should retain the outward appearance of a dwelling.

This request does not appear to be consistent with the policies of either the 1980 Guideplan or the proposed Towson master plan policies.

William D. Fromm

William D. Fromm
Director of Planning

WDF:NEG:rw

JAN 3 3 25 PM

75-139 XA

Jos. L. Soley

Exhibits

BOARD OF APPEALS
PETITIONER'S
EXHIBIT ① Plat of S.P.
James Spanner 10-29-74

② Plat of S.P. – Spanner 9-25-74
③ Plat sheet 4 of 9
④ Plat " 7 of 8

RETURNED TO ZONING WITH FILE - 6.6.77

Per Counsel
① A-F Photos of Immed. Area.
② Plat of S.P. 4-14-71
③ Plat – Spanner – 4-14-71 & accompanying Zoning File 72-40 XA & 72-283 A

RETURNED TO P.O.

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCE
NE/corner of York Road and Aigburth Avenue - 9th District
Joseph L. Soley - Petitioner
NO. 75-139-XA (Item No. 65)

: BEFORE THE
: DEPUTY ZONING
: COMMISSIONER
: OF
: BALTIMORE COUNTY

::: ::: :::

This Petition represents a request for a Special Exception for an office building and offices as well as Vaiances to building and parking setback requirements. The subject property is located on the northeast corner of York Road and Aigburth Avenue and lies within the Ninth Election District of Baltimore County.

The property in question contains a total of 6.923 acres of land, is improved with several apartment buildings containing a total of one hundred units, within which is also included four office units containing 4,135 square feet.

The above described apartments were considered by many, including present residents of the apartment complex who testified, as having been done in excellent taste with the saving of many large trees and aesthetically pleasing use of open space and green areas.

Considering the total number of apartment and office units and provisions for the required parking spaces, the total area of the site has been determined to contain sufficient area to permit the construction of the proposed office building. Said building would be located within the open space situated at the northeast corner of York and Aigburth Roads.

The developer testified that while residue area over and above that required to meet density requirements does exist, its shape, as dictated by existing structures and parking areas, is narrow and elongated requiring setback Variances. If granted, the office structure would set back two feet

ORDER RECEIVED FOR FILING
DATE March 5, 1975
BY Leila P. Jankowski
Secretary to Zoning Commissioner

---

and the parking area three feet from the York Road right of way line as proposed to be widened to seven feet.

Testimony of area residents together with comments of the Zoning Plans Advisory Committee raised serious question as to overcrowding of the subject land and the existence of traffic problems on York Road that would be aggravated by the proposed improvements.

Without reviewing all testimony and evidence in detail but based on all such testimony and evidence presented, it is the opinion of the Deputy Zoning Commissioner that the testimony of the Petitioner/Developer was not sufficient to overcome the prerequisites of Section 502.1 and/or the provisions of Section 307, necessary to grant the requested Variances.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 5TH day of March, 1975, that the herein requested Special Exception for an office building and offices as well as Variances to building and parking setback requirements for said building and parking, should be and the same is hereby DENIED.

James E. Dyer
Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE March 5, 1975
BY Leila P. Jankowski
Secretary to Zoning Commissioner

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

75-139 XA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph L. Soley 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an zone to an zone; for the following reasons:

See attached description

MAP 9 NE 9-H
ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 4
PRIOR ZONING
LAND USE
TAX MAP
DATE 6-16-74
BY

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

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

I, or we, agree to pay expenses of above re-classification 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

Legal Owner
Address 8001 York Road, 21204

W. Lee Harrison
W. Lee Harrison, Petitioner's Attorney

Protestant's Attorney

Address 306 W. Joppa Road
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of December, 1974 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 6th day of JANUARY, 1975 at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

1:00 P.M. 1/6/75

ORDER RECEIVED FOR FILING
DATE March 5, 1975
BY Leila P. Jankowski
Secretary to Zoning Commissioner

November 29, 1974

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204

RE: Variance Petition
Item 65
Joseph L. Soley - Petitioner

Dear Mr. Harrison:

This office is in receipt of revised plans and/or descriptions which reflect the required changes of the participating agency(s) of the Zoning Plans Advisory Committee.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JAMES E. DYER, III
Chairman,
Zoning Plans Advisory Committee

JED:JD

Enclosure

cc: James S. Spanner & Associates
8017 York Road
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Item 65

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204

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

Your Petition has been received and accepted for filing this 2nd day of December 1974.

S. Eric DiNenna,
Zoning Commissioner

Petitioner Joseph L. Soley

Petitioner's Attorney W. Lee Harrison, Esq. Reviewed by

cc: James S. Spanner & Associates
8017 York Road
Towson, Md. 21204

Franklin T. Hogans, Jr.
Chairman,
Zoning Plans
Advisory Committee

Appeal

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

75-139-XA

District 9th. Date of Posting 3-27-75

Posted for: #

Petitioner: Joseph L. Soley

Location of property: NE/cor of York Rd. & Aigburth Ave

Location of Signs: 2 Sign 1 on York Rd. one on Aigburth Ave

Remarks:

Posted by Merl H. Hess (Signature) Date of return: 4/3/75

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

No. 17932

DATE March 13, 1975 ACCOUNT 01-662

AMOUNT $75.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

W. Lee Harrison, Esquire
Cost of Filing of an Appeal and Partial Posting (One (1) Sign) of Property on Case No. 75-139-XA (Item No. 65)
NE/corner of York Road and Aigburth Avenue - 9th Election District
Joseph L. Soley - Petitioner

75.00

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

No. 17179

DATE Dec. 6, 1974 ACCOUNT 01-662

AMOUNT $50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

W. Lee Harrison, Esq.
Equitable Bank Building
Towson, Md. 21204
Petition for Variance and Special Exception for
Joseph L. Soley------#75-139-XA

50.00

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

No. 17422

DATE Jan. 6, 1975 ACCOUNT 01-662

AMOUNT $82.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Joseph L. Soley
8001 York Rd.
Towson, Md. 21204
Advertising and posting of property------#75-139-XA

82.00

ZONING AND SITE PLAN

EVALUATION COMMITTEE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

******

James B. Byrnes, III
Chairman

MEMBERS
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

October 17, 1974

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Maryland 21204

RE: Variance Petition
Item 65
Joseph L. Soley - Petitioner

Dear Mr. Harrison:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These 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 appropriateness of the requested zoning.

The subject property is located on the northeast corner of York Road and Aigburth Avenue, in the 9th Election District of Baltimore County, and is part of the Aigburth Manor apartment project.

The Darkleigh Square rowhouse development abuts the property to the north and Towson State College exists opposite the site on York Road.

The petitioner is requesting a Special Exception for offices and proposes to erect a two-story professional office building of 7200 square feet. Off street parking is proposed for 27 vehicles. Additional variances have been requested for front and side yard setbacks, as well as parking setback from a street right-of-way line.

W. Lee Harrison, Esq.
Re: Item 58
October 17, 1974 Page 2

This Committee is withholding approval of the subject application until such time as the site plans have been revised to reflect the comments of State Highway Administration.

Very truly yours,

JAMES B. BYRNES, III
Chairman,
Zoning Plans Advisory Committee

JBB:JD

Enclosure

cc: James S. Spamer & Associates
8017 York Road
Towson, Md. 21204

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P. E. CHIEF

October 1, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #65 (1974-1975)
Property Owner: Joseph L. Soley
N/E cor. of Aigburth Rd. & York Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices and office building. Variance from Sec. 1B02.2B (504-V.2) to permit a front yard setback of 0' instead of the required 30' and to permit a 0' side yard setback instead of the required 25' and a Variance of Sec. 409.2C.4 to permit off street parking to be 3' from a street property line instead of the required 8'
No. of Acres: 0.68 Dist.ict: 9th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item #193 (1973-1974) remain valid, applicable and are reemphasized in connection with this Item #65 (1974-1975): the submitted plan must be revised accordingly.

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

N-NW Key Sheet
35 NE 3 Pos. Sheet
NE 9 A Topo
70 Tax Map

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary
Bernard M. Evans
Administrator

September 26, 1974

Mr. S. Eric Di Nenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Att: Mr. James B. Byrnes III

Re: ITEM 65
Zoning Advisory Committee
Meeting - Sept. 24, 1974
Owner: Jos. L. Soley
Location: NE/L of Aigburth Rd. (Route 45)
Existing Zoning: D.R. 16
Proposed Zoning: Spec. Except. for Offices & Office Bldg. - Var. from Sec. 1B02.2B (504-V.2) to permit a front yard setback to 0 ft. No. of Acres: 0.68
District: 9th

Dear Sir:

As mentioned several times in previous comments, the State Highway Administration does not see the need or advantage of the proposed entrance from York Road. The site has good access from York Road by way of Aigburth Ave. The intersection of Aigburth Ave. with York Road is signalized. Due to the heavy volume of traffic on York Road; 18,000 vehicles, 1973 average daily traffic, which causes back-ups from the signal, it may be extremely difficult for vehicles leaving by the proposed entrance to proceed south on York Road.

Although the plan has a note indicating a 3% down grade on the proposed entrance, a review of existing contours and inspections at the site revealed that it may be difficult, if not impossible, to provide the maximum permitted grade of 3%. In order to consider the entrance, the plan must indicate proposed contours with elevations from the highway to and including the Parking Lot.

It is our opinion that the petition should be held in abeyance until such time as this is accomplished.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits
By: J. E. Meyers

CL:JEMtbk

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

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

September 30, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 65, Zoning Advisory Committee Meeting, September 24, 1974, are as follows:

Property Owner: Joseph L. Soley
Location: NE/C of Aigburth Rd. & York Rd.
Existing Zoning. D.R. 16
Proposed Zoning: Special Exception for offices & office Bldg. Variance from Sec. 1B02.2B (504-V.2) to permit a front yard setback of 0 ft. instead of the required 30 ft. & to permit a 0 ft. side yard setback instead of the required 25 ft. & a Variance of Sec. 409.2C.4 to permit off street parking to be 3 ft. from a street property line instead of the required 8 feet.
No. of Acres: 0.68
District: 9th

Metropolitan water and sewer are available.

Jones Falls Moratorium: A moratorium was placed on new sewer connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on November 13, 1973; therefore approval may be withheld for this connection.

Food Protection Comments: If a food service facility is proposed; complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Page 2
Zoning Advisory Committee Meeting
September 24, 1974
Comment 65

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/ncG

CC--L.A. Schuppert
W.L. Phillips

WILLIAM D. FROMM
DIRECTOR

S. ERIC DINENNA
ZONING COMMISSIONER

October 14, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #65, Zoning Advisory Committee Meeting, September 24, 1974, are as follows:

Property Owner: Joseph L. Soley
Location: NE/c of Aigburth Road and York Road
Existing Zoning: D.R.16
Proposed Zoning: Special Exception for offices and office bldg Variance from Sec. 1B02.2.B (504-V.2) to permit a front yard setback of 0 ft. instead of the required 30 ft. and to permit a 0 ft. side yard setback instead of the required 25 ft. and a variance of Sec. 409.2C.4 to permit off street parking to be 3 ft. from a street property line instead of the required 8 feet
No. of Acres: 0.68
District: 9th

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 plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 494-3211 ZONING 494-3351

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: September 25, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: September 24, 1974

Re: Item 65

Property Owner: Joseph L. Soley

Location: NE/C of Algburth Road and York Road

Present Zoning: D.R. 16

Proposed Zoning: Special Exception for offices and office building. Variance from Section 1B02.2B (504-V.2) to permit a front yard setback of 0 ft. instead of the required 30 ft. and to permit a 0 ft. side yard setback instead of the required 25 ft. and a Variance of Section 409.2C.4 to permit off street parking to be 3 ft. from a street property line instead of the required 8 ft.

District: 9th

No. Acres: 0.68

Dear Mr. DiNenna:

Acreage too small to have an effect on student population.

Very truly yours,

W. Nick Petrovich

W. Nick Petrovich.,
Field Representative.

WNP/mi

H. EMSLIE PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERNEY
MARCUS M. BOTSARIS
JOSEPH N. McGOWAN
ALVIN LORECK
JOSHUA R. WHEELER, SUPERINTENDENT
T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD K. WUERFEL

BALTIMORE COUNTY, MARYLAND

JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E., DIRECTOR
WM. T. MELZER, DEPUTY TRAFFIC ENGINEER

October 17, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 65 - ZAC - September 24, 1974
Property Owner: Joseph L. Soley
Location: NE/C of Aigburth Rd. and York Road
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices and office bldg. Variance from Sec. 1B02.2B (504-V.2) to permit a front yard setback of 0 ft. instead of the required 30 ft. & to permit a 0 ft. side yard setback instead of the required 25 ft. & a variance of Sec. 409.2C.4 to permit off street parking to be 3 ft. from a street property line instead of the required 8 feet.

No. of Acres: 0.68
District: 9th

Dear Mr. DiNenna

As presently zoned this site would generate approximately 90 trips per day. The proposed zoning would generate between 108 to 230 trips per day.

Very truly yours,

Michael S. Flanigan

Michael S. Flanigan
Traffic Engineer Asso.

MSF/lb

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
9th DISTRICT

ZONING: Petition for Special Exception for Offices and Office Building.
Petition for Variance for Front and Side Yards and Off-Street Parking.
LOCATION: Northeast corner of York Road and Aigburth Avenue.
DATE & TIME: MONDAY, JANUARY 6, 1975 at 1:00 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for Offices and Office Building.
Petition for Variances from the Zoning Regulations of Baltimore County to permit a front yard setback of 10 feet instead of the required 30 feet; and to permit Zero feet for a side yard instead of the required 25 feet; and to permit off-street parking to be 3 feet from a street property line instead of the required 8 feet.
The Zoning Regulation to be excepted as follows:
Section 1B02.2B (504-V.B.2) - Front Yard - 30 feet
Side Yard - 25 feet.
Section 409.2c.4 - No parking space shall be closer than eight feet to a street property line.
All that parcel of land in the Ninth District of Baltimore County
BEGINNING for the same at a stone heretofore planted at the corner formed by the intersection of the east side of York Road with the north side of Aigburth Road; and running thence binding on the east side of York Road, (1) North 11° 30' 00" East 310 feet, thence for lines of division now made, the four following courses and distances: (2) South 80° 47' 30" East 75 feet, (3) South 11° 30' 00" West 50 feet, (4) South 80° 47' 30" East 25 feet, and (5) South 11° 30' 00" West 260 feet, thence binding on the north side of Aigburth Road, (6) North 80° 47' 30" West 100 feet to the place of beginning.
CONTAINING 0.68 Acres of land more or less.
BEING part 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 G.L.B. No. 3148 folio 467 and which was conveyed by Alma M. Vandermast, et al, to Greater Towson Development Corporation.
Being the property of Joseph L. Soley, as shown on plat plan filed with the Zoning Department.
Hearing Date: Monday January 6, 1975 at 1:00 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DiNENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Dec. 20 [illegible]

OFFICE OF

THE TOWSON TIMES

TOWSON, MD. 21204 December 20 1974

THIS IS TO CERTIFY, that the annexed advertisement of PETITION - NORTHEAST CORNER OF YORK ROAD was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~successive~~ weeks before the 6th day of Jan. 1975 that is to say, the same was inserted in the issues of December 20, 1974.

STROMBERG PUBLICATIONS, Inc.

By [signature]

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
9th DISTRICT

ZONING: Petition for Special Exception for Offices and Office Building.
Petition for Variance for Front and Side Yards and Off-Street Parking.
LOCATION: Northeast corner of York Road and Aigburth Avenue.
DATE & TIME: Monday, January 6, 1975 at 1:00 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for Offices and Office Building.
Petition for Variances from the Zoning Regulations of Baltimore County to permit a front yard setback of 10 feet instead of the required 30 feet; and to permit Zero feet for a side yard instead of the required 25 feet; and to permit off-street parking to be 3 feet from a street property line instead of the required 8 feet.
The Zoning Regulation to be excepted as follows:
Section 1B02.2B (504-V.B.2)—Front Yard—30 feet, Side Yard—25 feet.
Section 409.2c.4—No parking space shall be closer than eight feet to a street property line.
All that parcel of land in the Ninth District of Baltimore County
Beginning for the same at a stone heretofore planted at the corner formed by the intersection of the east side of York Road with the north side of Aigburth Road; and running thence binding on the east [illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 19, 1974

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in each~~ of one time ~~successive weeks~~ before the 6th day of January, 1975, the first publication appearing on the 19th day of December 1974.

THE JEFFERSONIAN,

D. Frank Struthers
Manager.

Cost of Advertisement, $

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 11th day of Sept. 1974. Item # ________.

S. Eric DiNenna

S.Eric DiNenna,
Zoning Commissioner

Petitioner Soley Submitted by Harrison
Petitioner's Attorney Harrison Reviewed by JBBa

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

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#75-139-XA

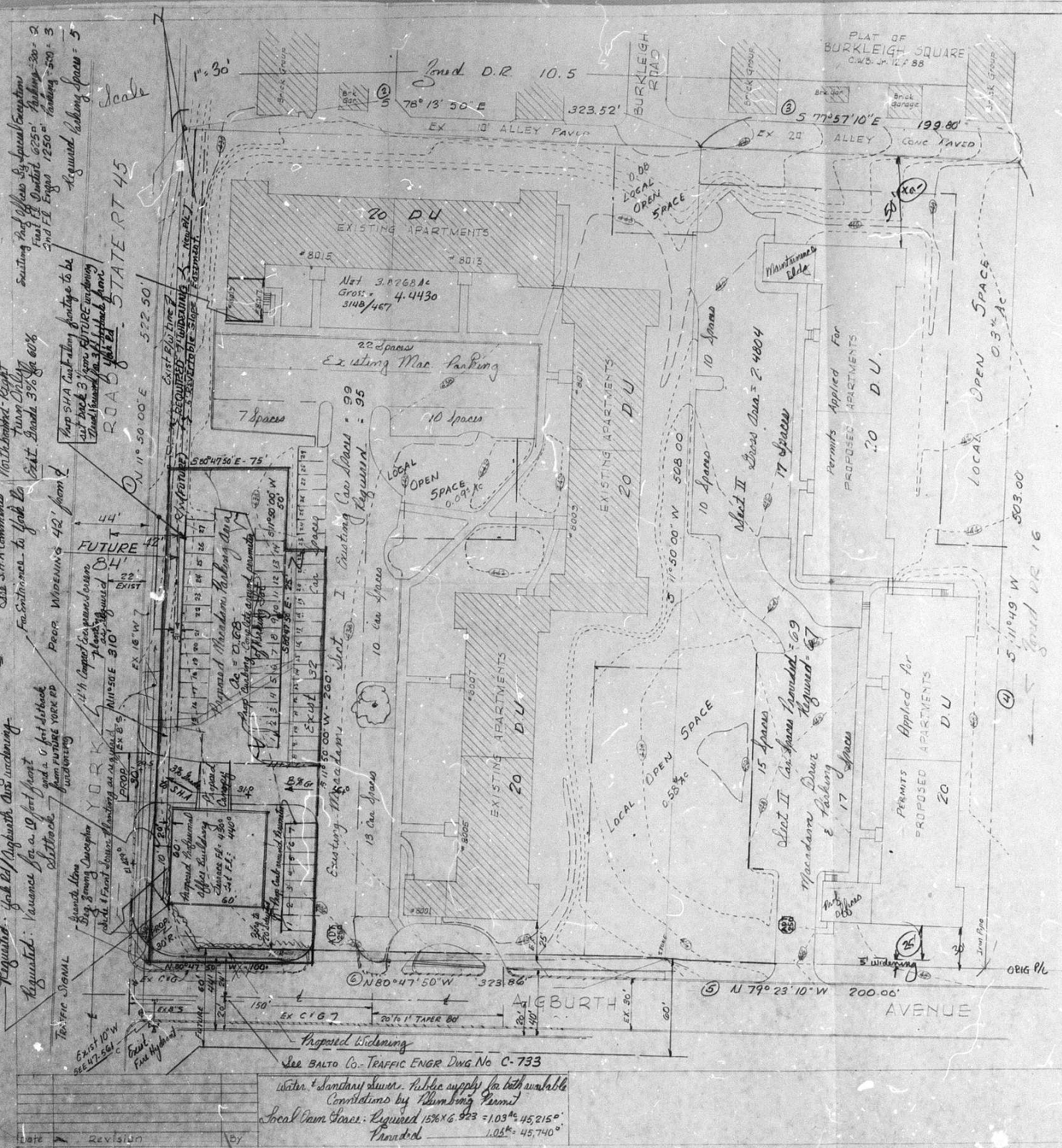
District 9th Date of Posting Dec. 19-74
Posted for: Hearing Mon Jan 6th 1975 @ 1:00 PM.
Petitioner: Joseph L. Soley
Location of property: NE/cor of York Rd & Aigburth ave
Location of Signs: 2 Sign Posted on York Rd 2 Sign Posted on Aigburth ave
Remarks:
Posted by Merl L. Hess (Signature) Date of return: Dec. 26-74

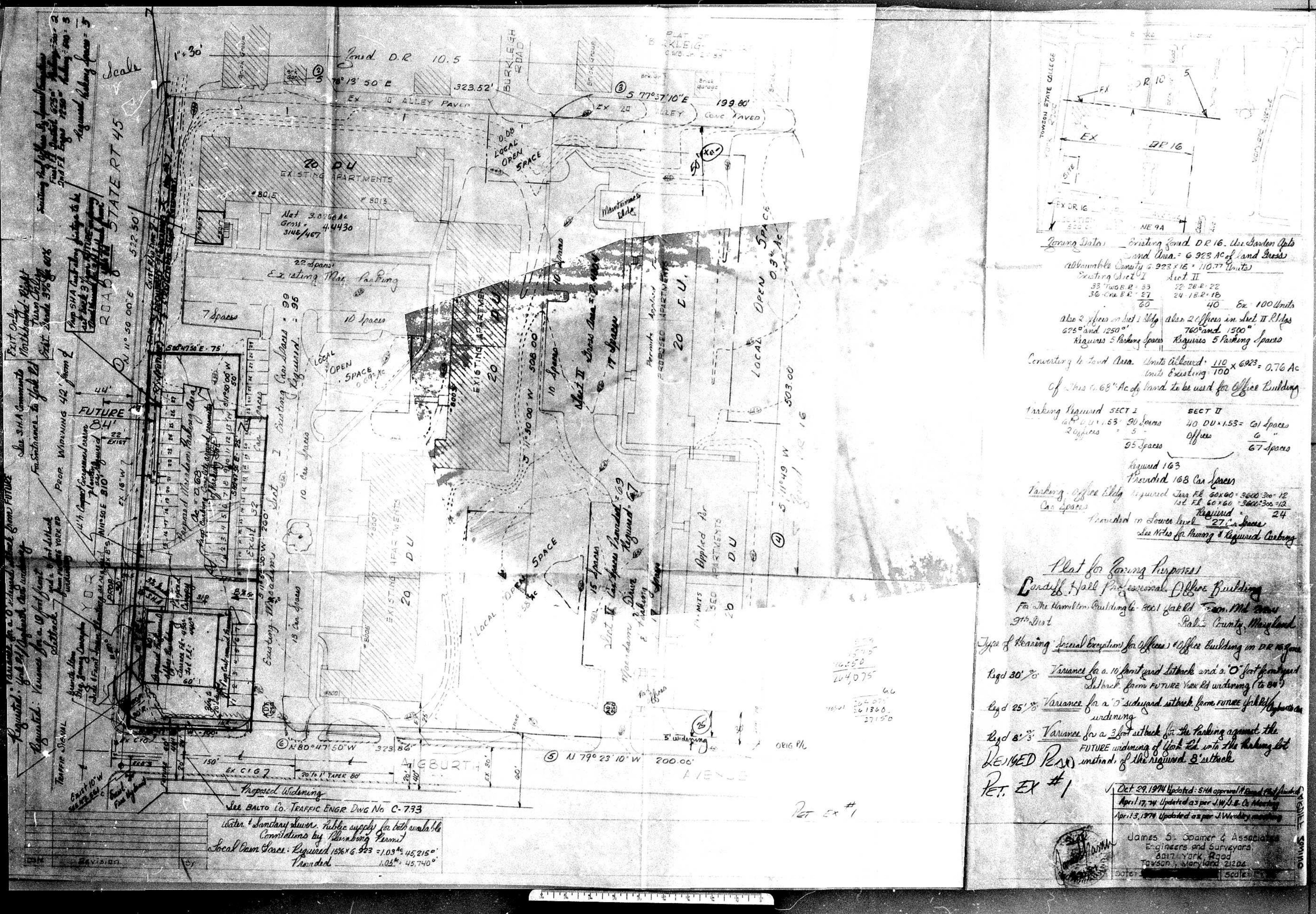
PETITION MAPPING PROGRESS SHEET

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

Reviewed by: JBBa
Previous case:

Revised Plans:
Change in outline or description ___Yes ___No
Map #


Scale 1" = 30'
Zoned D.R. 10.5
PLAT OF BURKLEIGH SQUARE
BURKLEIGH ROAD
S 78° 13' 50" E 323.52'
S 77° 57' 10" E 199.80'
EX 10' ALLEY PAVED
EX 20' ALLEY CONC PAVED
20 DU EXISTING APARTMENTS
Net 3.0268 Ac
Gross = 4.4430
3148/467
Existing Mar. Parking
22 Spaces
7 Spaces
10 Spaces
EXISTING APARTMENTS 20 DU
LOCAL OPEN SPACE
Shot II Gross Area = 2.4804
17 Spaces
Permits Applied For PROPOSED APARTMENTS 20 D.U.
OPEN SPACE 0.39 Ac
Existing Car Spaces = 99
Required = 95
Shot I
Shot II
Proposed Meadow Parking Area
Proposed Office Building
FUTURE 84'
PROP. WIDENING 42' from ℄
EXIT ONLY
Northbound - Right Turn Only
Exit South 3% Gr. 60'
See SHA Comments
Fr. Continuous to York Rd
Requested: Variance for a 10' front setback and a 0' set back from FUTURE YORK RD widening
Requested: Variance for a 0' sideyard setback from FUTURE York Rd. and Aigburth Ave. widening
Requested: Variance for a 3' setback for the Parking against the FUTURE widening of York Rd into the Parking lot instead of the required 8' setback
Existing Prof. Offices by special Exception
First Fl. Dentist 625 Parking = 30 = 12
2nd Fl. Engrs 1250 Parking = 50 = 3
Required Parking Spaces = 5
Map SHA Contribution footage to be set back 3' from FUTURE widening and Need Variance for 3' setback from this Rd.
Meadow Parking
Meadow Drive & Parking
Existing Car Spaces = 32
Proposed Car Spaces = 0.68
Required = 0.68
Shot I
Shot II
Shot II Car Spaces Provided = 69
Required = 67
Shot II Car Spaces Provided = 15
Required = 17
Shot I Car Spaces Provided = 13
Required = 10
Shot I Car Spaces Provided = 10
Required = 10
Shot II Car Spaces Provided = 10
Required = 10
Shot II Car Spaces Provided = 15
Required = 17
Shot I Car Spaces Provided = 10
Required = 10
Shot II Car Spaces Provided = 15
Required = 17
Shot I Car Spaces Provided = 13
Required = 10
Shot II Car Spaces Provided = 15
Required = 17
Shot I Car Spaces Provided = 10
Required = 10
Shot II Car Spaces Provided = 15
Required = 17
Shot I Car Spaces Provided = 13



Zoned D.R. 10.5
1" = 30'
S 78° 13' 50" E 323.52'
BURKLEIGH ROAD
S 77° 37' 10" E 199.80'
EX 10 ALLEY PAVED
EX 20 ALLEY CONC PAVED
0.08 Ac LOCAL OPEN SPACE
20 DU EXISTING APARTMENTS
#8015
#8013
Net 3.8760 Ac
Gross 4.4430
3146/457
22 Spaces Existing Misc. Parking
7 Spaces
10 Spaces
Existing Car Spaces 99
Required 95
LOCAL OPEN SPACE 0.695 Ac
Maintenance Bldg.
EXISTING APARTMENTS 20 DU
S 11° 30' 00" W 508.00'
Sect II Gross Area 2.71 Ac
17 Spaces
10 Spaces
Permits Applied PROPOSED APARTMENTS 20 D.U.
LOCAL OPEN SPACE 0.3 Ac
S 11° 49' W 503.00
D.R. 16
EXISTING APARTMENTS 20 DU
LOCAL OPEN SPACE
15 Spaces
Sect II Car Spaces Provided 69
Required 67
Applied for APARTMENTS DU
N 80° 47' 50" W 323.86'
N 79° 23' 10" W 200.00'
AIGBURTH AVENUE
5' widening
STATE RT 45 YORK ROAD
N 11° 50' 00" E 532.50'
FUTURE 84'
EX 16' W
Proposed Widening
See BALTO Co. TRAFFIC ENGR. DWG No C-733
TRAFFIC SIGNAL
Water & Sanitary Sewer Public supply for both available
Connections by Plumbing Permit
Local Open Space: Required 15% x 6.923 = 1.03 Ac = 45,215 □'
Provided 1.05 Ac = 45,740 □'
Revision
Required: Variance for a "0" sideyard setback from FUTURE York Rd widening
Required: Variance for a 10 foot front yard setback from future York Rd widening
Zoning Data: Existing Zoned D.R. 16. Use Garden Apts
Land Area = 6.923 Ac of land Gross
Allowable Density 6.923 x 16 = 110.77 Units
Existing Sect I: 33 Two B.R. = 33; 36 One B.R. = 27; 60
Sect II: 22 2B.R. = 22; 24 1B.R. = 18; 40
Ex 100 Units
Also 2 offices in Sect I Bldg 625 □' and 1250 □' Requires 5 Parking Spaces
Also 2 Offices in Sect II Bldgs 760 □' and 1500 □' Requires 5 Parking Spaces
Converting to Land Area: Units Allowed 110 / Units Existing 100 x 6.923 = 0.76 Ac
Of this 0.68 Ac of land to be used for Office Building
Parking Required Sect I: 60 DU x 1.53 = 90 Spaces; 2 offices = 5; 95 Spaces
Sect II: 40 DU x 1.53 = 61 Spaces; Offices 6; 67 Spaces
Required 163
Provided 168 Car Spaces
Parking - Office Bldg Car Spaces Required: Terr Fl. 60 x 60 = 3600 ÷ 300 = 12; 1st Fl. 60 x 60 = 3600 ÷ 300 = 12; Required = 24
Provided in Lower level 27 Car Spaces
See Notes for Paving & Required Curbing
Plat for Zoning Purposes
Cardiff Hall Professional Office Building
For The Hamilton Building Co. 8001 York Rd Towson, Md.
9th Dist
Balto. County, Maryland
Type of Hearing: Special Exception for Offices & Office Building in D.R. 16 Zone
Reqd 30' / 0': Variance for a 10 front yard setback and a "0" foot front yard setback from FUTURE York Rd widening (to 84')
Reqd 25' / 0': Variance for a "0" sideyard setback from FUTURE York Rd widening
Reqd 8' / 3': Variance for a 3 foot setback for the Parking against the FUTURE widening of York Rd into the Parking lot instead of the required 8' setback
REVISED
PET. EX #1
Oct 29, 1974 Updated: SHA approval & Board Plat
April 17, '74 Updated as per J.W./Z.C. Meeting
April 3, 1974 Updated as per J. Wimbley meeting
James S. Spamer & Associates
Engineers and Surveyors
8017 York Road
Towson, Maryland 21204
Scale

Requested: Variance for a 0' sideyard setback from FUTURE York Rd/Aigburth Ave widening

Requested: Variance for a 19 foot front setback and a 0 foot setback from FUTURE YORK RD widening

Existing Parking Offices Sq Footage Exemptions
First Fl Quotient .625 = Parking = 30 = 2
2nd Fl Engrs 1.250 = Parking = 60 = 3
Required Parking Spaces = 5

Scale 1" = 30'

Zoned D.R. 10.5

PLAT OF BURKLEIGH SQUARE C.W.B. Jr. 12 F 88

BURKLEIGH ROAD

78° 13' 50" E 323.52'

EX 10 ALLEY PAVED

S 77° 57' 10" E 199.80'

EX 20 ALLEY CONC PAVED

STATE RT 45

ROAD

N 11° 50' 00" E 322.50'

EX. R/W LINE

Plan SHA Construction footage to be set back 3' from FUTURE widening line. Must have 3' setback from SHA Grounds

20 DU EXISTING APARTMENTS

Net 3.8768 Ac
Gross = 4.4430
3148/467

22 Spaces Existing Mac Parking

7 Spaces

10 Spaces

LOCAL OPEN SPACE 0.09 Ac

0.08 LOCAL OPEN SPACE

EXISTING APARTMENTS 20 DU

Maintenance Bldg

10 Spaces

Shot II Spaces Area = 2.4804

17 Spaces

Permits Applied For PROPOSED APARTMENTS 20 DU

LOCAL OPEN SPACE 0.3 Ac

S 11° 50' 00" W 508.00'

S 11° 49' W 503.00'

FUTURE 42' 84'

EXIST

44'

Fa. Entrance to York Rd dep. S.H.A. Grounds John Myers

PROP. WIDENING 42' from ℄

S 80° 47' 50" E - 75'

EX. R/W 7

4" Compact Evergreens to be Planted

S 80° 47' 50" E - 25'

S 11° 50' 00" W 50'

Existing Car Spaces = 99
Required = 95

Shot I Car Spaces

10 Car Spaces

13 Car Spaces

Existing Macadam Parking Area

Proposed Macadam Parking Area

Ac = 0.68

Prop Parking Consists of Gravel Pavement

S 11° 50' 00" W - 260'

EX 10'

EXISTING APARTMENTS 20 DU

LOCAL OPEN SPACE 0.58 Ac

15 Spaces

Car Spaces Provided = 69
Required = 67

Shot II Car Spaces

Macadam Drive & Parking 17 Spaces

Applied for PROPOSED APARTMENTS 20 DU

PERMITS

First Floor Offices

2nd Floor

S 11° 49' W

Fa. Entrance to York Rd dep. S.H.A. Grounds John Myers

Requested: Variance for a 0' sideyard setback from FUTURE York Rd/Aigburth Ave widening

Requested: Variance for a 19 foot front setback from FUTURE YORK RD widening

Proposed Canopy

Proposed Highland Office Building Change Fl. 4800 2nd Fl. 4400

Prop Curb around Planting

Prop Curb around Planting

Prop Curb around Planting

Proposed Widening

Existing Fire Hydrant

Existing Sewing Concrete Walk & Front Lawn Planting as shown

Prop Sewing Concrete Walk & Front Lawn Planting as shown

TRAFFIC SIGNAL

EXIST 10" W SEE 47-561

N 80° 47' 50" W - 100'

EX C16

EX 8.5

EX C16 7

150'

20' to 1' TAPER 80'

EX. 90'

60'

N 60° 47' 50" W 323.86'

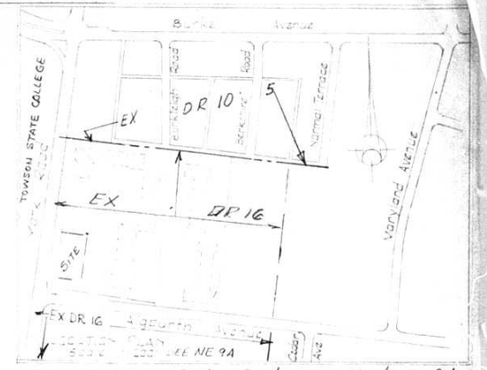
N 79° 23' 10" W 200.00'

AIGBURTH AVENUE

See BALTO Co. TRAFFIC ENGR. DWG No C-733

Water & Sanitary Sewer. Public supply for both available
Conditions by Plumbing Permit
Local Open Space: Required 15% x 6.923 = 1.03 Ac. 45,215 □'
Provided 1.05 Ac = 45,740 □'

Date	Revision	By



Zoning Data: Existing Zoned D.R. 16. Use Garden Apts
Land Area = 6.923 Ac (Land Gross)
Allowable Density 6.923 x 16 = 110.77 Units

Existing Sect I	Sect II
33 Two B.R. = 33	22 2B.R. = 22
36 One B.R. = 27	24 1B.R. = 18
60	40

Ex. 100 Units

Also 2 Offices in Sect I Bldg 625 and 1250 = Requires 5 Parking Spaces

Also 2 Offices in Sect II Bldgs 760 and 1500 = Requires 5 Parking Spaces

Converting to Land Area: Units Allowed: 110/100 x 6.923 = 0.76 Ac
Units Existing:
Of This 0.68 Ac of Land to be used for Office Building

Parking Required

SECT I	SECT II
168 D.U. x 1.53 = 90 Spaces	40 DU x 1.53 = 61 Spaces
2 Offices = 5 "	Offices 6 "
95 Spaces	67 Spaces

Required 163
Provided 168 Car Spaces

Parking - Office Bldg Car Spaces Required: 1st Fl 60 x 60 = 3600 ÷ 300 = 12
2nd Fl 60 x 60 = 3600 ÷ 300 = 12
Required = 24

Provided on lower level 27 Car Spaces
See Notes for Parking & Required Curbing

Plat for Zoning Purposes
Cardiff Hall Professional Office Building
For The Hamilton Building Co. 8001 York Rd Towson, Md. 21204
9th Dist Baltimore County, Maryland

Type of Hearing Special Exceptions for Offices & Office Building in DR 16 Zone

Reqd 30' ⅔ Variance for a 10 foot yard setback and a "0" foot front yard setback from FUTURE York Rd widening (to 84')

Reqd 25' ⅔ Variance for a "0" sideyard setback from FUTURE York Rd/Aigburth Ave widening

Reqd 8' ⅓ Variance for a 3 foot setback for the Parking against the FUTURE widening of York Rd into the Parking lot instead of the required 8' setback

old Plat

April 17, 74 Updated as per J.W./J.B. Co Meeting	
April 3, 1974 Updated as per J Wimbley meeting	

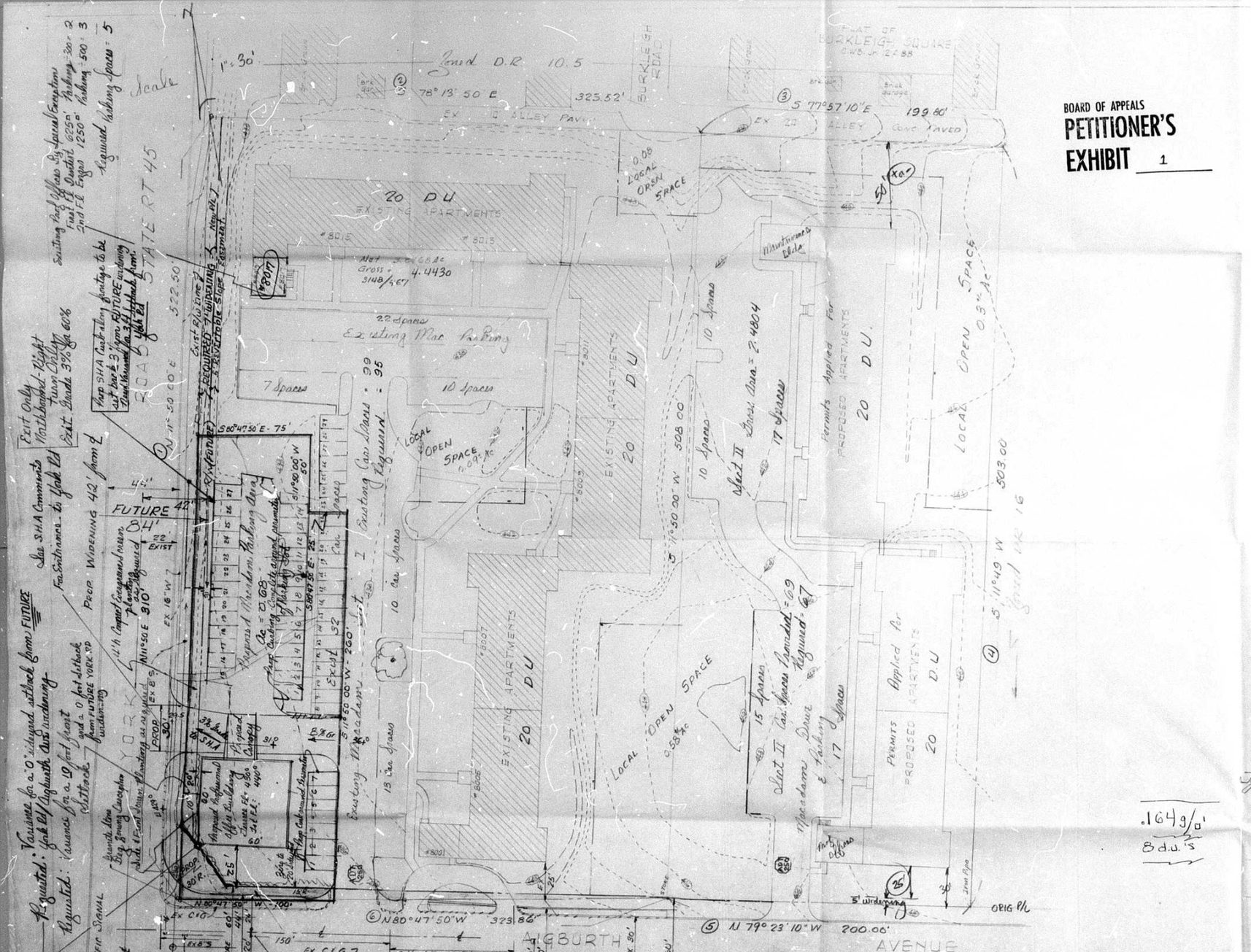
James S. Shomer & Associates
Engineers and Surveyors
8017 York Road
Towson, Maryland 21204

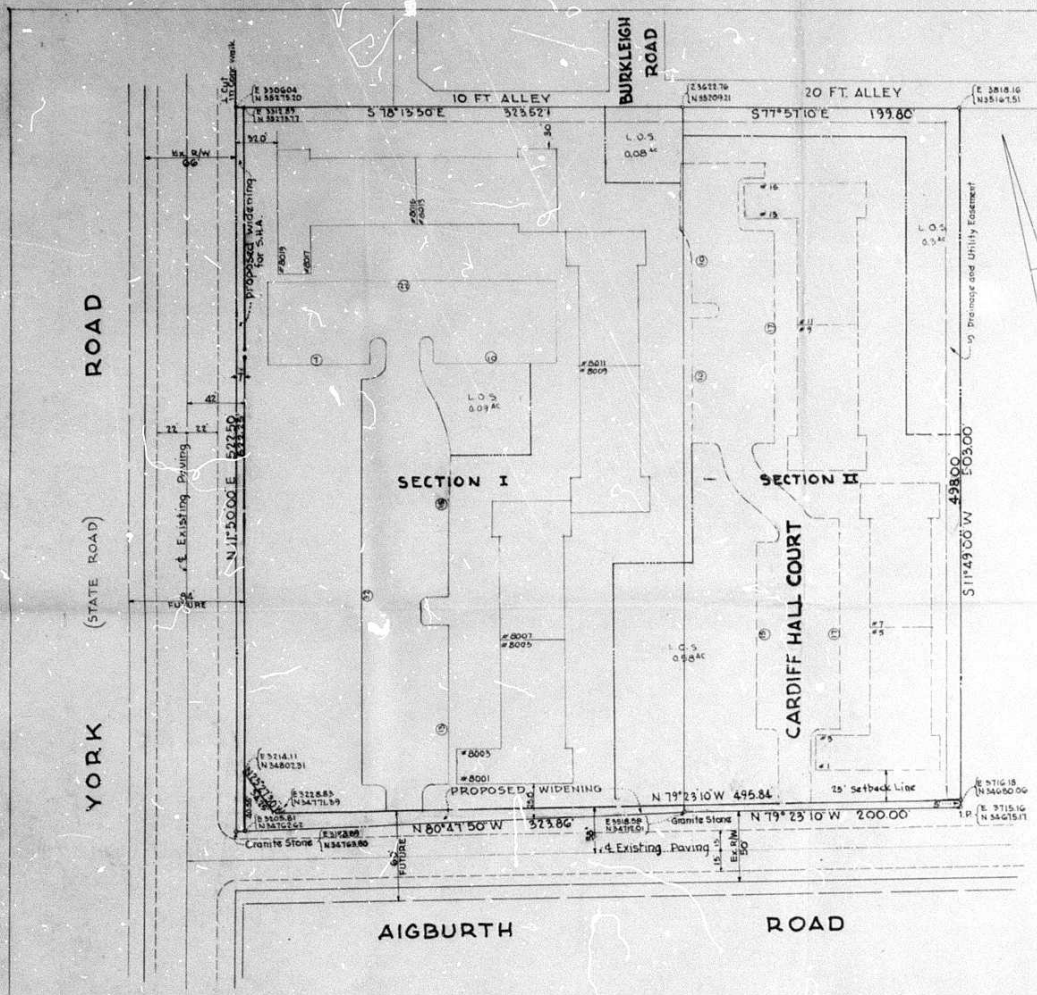
Date: Feb. 25, 1974 Scale 1" = 30'

CARDIFF SQUARE

BOARD OF APPEALS

PETITIONER'S EXHIBIT 1


Scale 1" = 30'
Zoned D.R. 10.5
78° 13' 50" E
323.52'
S 77°57'10" E
199.80'
BURKLEIGH ROAD
EX 22' ALLEY PAVED
EX 12' ALLEY PAVED
20 D.U.
EXISTING APARTMENTS
LOCAL OPEN SPACE
0.08 Ac
Maintenance Bldg
Shopping Center
Shopping Center
Shopping Center



BOARD OF APPEALS
PETITIONER'S EXHIBIT 2

DENSITY TABLE
ZONE D.R.16

AREA SECT. I	4.4430 AC
AREA SECT. II	2.4804
AREA SECT. I + SECT. II	6.9234
UNITS ALLOWED I + II × 16	110.8 ALLOWED
UNITS EXISTING SECT. I	60
ADDITIONAL UNITS ALLOWED	50 ALLOWED
UNITS PROVIDED SECT. II	40 PROVIDED
EXIST. DENSITY UNITS SECT. I	
1B (36 × 0.75)	= 27
2B (33 × 1.0)	= 33
TOTAL	= 60 DENSITY UNITS
DWELLING UNITS	= 69
PROP. DENSITY UNITS SECT. II	
1B (24 × 0.75)	= 18
2B (22 × 1.0)	= 22
TOTAL	= 40 DENSITY UNITS
DWELLING UNITS	= 46
SECTS. I + II = TOTAL	100 DENSITY UNITS
SECTS. I + II = TOTAL	115 DWELLING UNITS

PARKING TABULATION
9 × 18 STALLS

SECT. I	60 × 1.5	= 90 REQUIRED
	2 OFFICES	= 5
	TOTAL SECT. I	= 95 REQ'D
	TOTAL SECT. I	= 94 PROVIDED
SECT. II	40 × 1.55	= 61 REQ'D.
	OFFICE	= 6
	TOTAL SECT. II	= 67 REQ'D.
	TOTAL SECT. II	= 69 PROVIDED

LOCAL OPEN SPACE
0.15 × 6.9234 = 1.04 AC REQ'D.
PROVIDED = 1.05 AC
AND MAINTAINED BY OWNER.

CARDIFF HALL EAST APMTS.

JOSEPH L. SOLEY
8001 YORK TOWSON MD. 21204
9TH DIST. IV C BALTIMORE CO., MD.

W. W. A. Completion None DH.L.
Final Plat Checked:
Plat
Engineering
Street Numbers
Houses Nos.

TRAVERSE STATIONS
X-3164 E 3278.65 N 55185.11
X-3165 E 3177.48 N 54711.95

BALTIMORE COUNTY HEALTH DEPARTMENT APPROVAL	APPROVED FOR BALTIMORE COUNTY PLANNING BOARD	APPROVED FOR STREET ALIGNMENT & LOCATION	The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.
Deputy State / County Health Officer — Date	Director — Date	Roads Engineer of Baltimore County — Date	

OWNER'S CERTIFICATE
The requirements of Sections 224 to 226 of Article 17 of the Annotated Code of Maryland, 1924 Edition, Chapter 1064 of the Acts of 1945, as amended by Chapter 1, 1961 and 79, of the Acts of 1947 and subsequent Acts, if any, amendatory thereto, so far as may concern the making of the plat and setting of the markers, have been complied with.
JOSEPH L. SOLEY
Owner of Land Shown Hereon
Joseph L. Soley

ENGINEER'S CERTIFICATE
I, WILLIAM O. LUETTE, JR., a Registered Professional Engineer and Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out and the plat thereof prepared in accordance with Sections 224 to 226, inclusive, of Article 17 of the Annotated Code of Maryland, 1924 Edition, as amended by Chapter 1, 1961 and 79, 1947 and subsequent Acts, if any, amendatory thereto, so far as may concern the making of the plat and setting of the markers, if any, immediately thereunder.
Wm. O. Luette Jr.
Registered Professional Engineer and Land Surveyor No. 2075

STATE OF MARYLAND — WILLIAM OTTO LUETTE, JR. — No. 2075 — REGISTERED PROFESSIONAL ENGINEER & LAND SURVEYOR

JAMES S. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
BOX 9804
TOWSON, MD. 21204

SCALE: 1" = 50'
DATE: SEPT. 25, 1974

TOWSON STATE COLLEGE

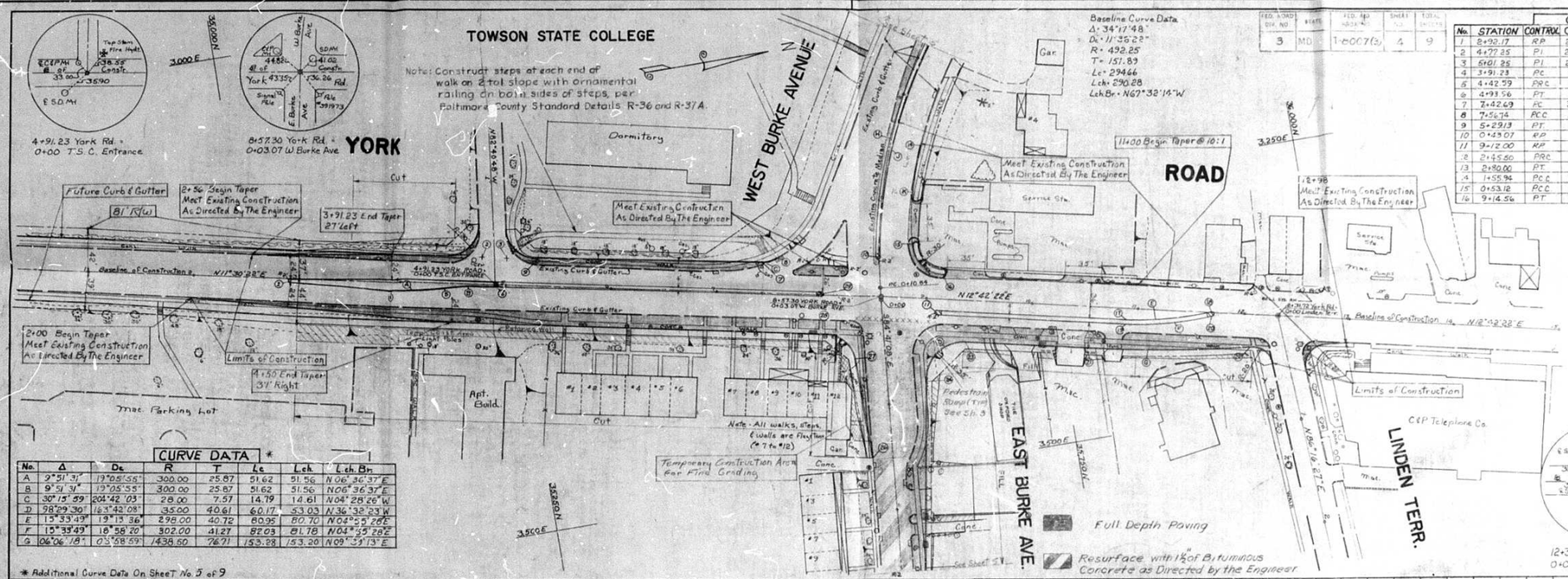
Note: Construct steps at each end of walk on 2 to1 slope with ornamental railing on both sides of steps, per Baltimore County Standard Details R-36 and R-37A.

Baseline Curve Data
Δ = 34°17'48"
Dc = 11°35'22"
R = 492.25'
T = 151.83
Lc = 294.66
Lch = 290.28
Lch Br = N67°32'16"W

FED. AID ROAD DIV. NO.	STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL NO. OF SHEETS
3	MD	T-8007(3)	4	9

CONTROL POINTS

No.	STATION	CONTROL	OFFSET	No.	STATION	CONTROL	OFFSET
1	8+92.17	RP	2.31' Rt	17	10+89.51	PC	11.00' Rt
2	4+77.35	PI	27.06' Lt	18	11+70.00	PCC	0.00' Rt
3	5+01.25	PI	27.06' Lt	19	10+89.51	PC	15.00' Rt
4	3+91.23	PC	9.86' Rt	20	11+70.00	PCC	4.00' Rt
5	4+42.59	PRC	4.43' Rt	21	10+55.00	PC	39.00' Rt
6	4+93.56	PT	1.00' Rt	22	12+06.50	PT	30.95' Rt
7	7+42.49	PC	30.18' Lt	23	9+39.06	PT	39.00' Rt
8	7+56.74	PCC	36.26' Lt	24	0+81.49	PC	36.56' Lt
9	5+29.13	PT	27.00' Lt	25	4+00.00	PT	13.00' Lt
10	0+45.07	RP	1.00' Lt	26	1+50.00	PT	18.00' Rt
11	9+12.00	RP	13.00' Rt	27	0+51.46	PT	29.98' Rt
12	2+45.80	PRC	2.35' Rt	28	8+08.30	PC	37.00' Rt
13	2+80.00	PT	7.31' Rt	29	8+05.00	RP	1.00' Lt
14	1+55.94	PCC	29.43' Rt	30	4+00.00	PT	13.00' Lt
15	0+53.18	PCC	32.17' Rt				
16	9+14.56	PT	25.00' Lt				



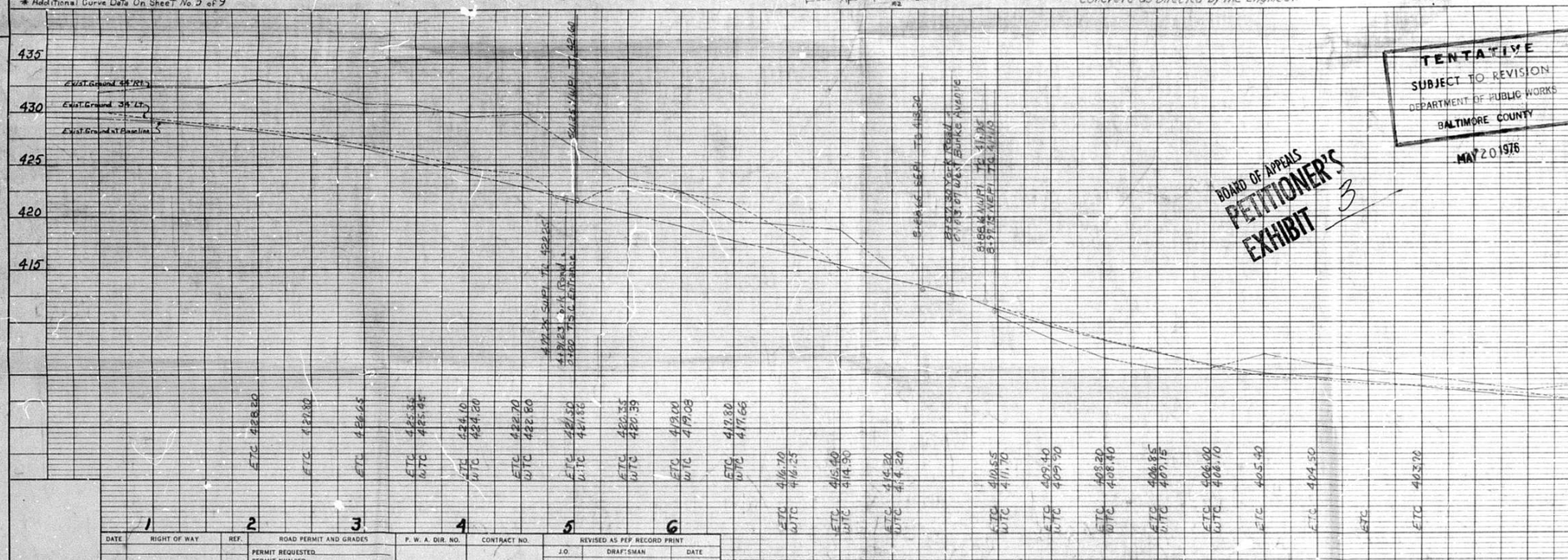
STATION AT ℄ OF DRIVEWAY	EXISTING DRWY. MATERIAL	ADJUSTMENT DISTANCE *
9+92 Rt	MAC	25'
10+37 Rt	MAC	12'
10+79 Rt	MAC	8'

* approx distance to tie in from R/W line.

CURVE DATA *

No.	Δ	Dc	R	T	Lc	Lch	Lch Br.
A	2°51'31"	19°05'55"	300.00	25.87	51.62	51.56	N06°36'37"E
B	5°51'31"	19°05'55"	300.00	25.87	51.62	51.56	N06°36'37"E
C	30°15'59"	204°42'03"	28.00	7.57	14.79	14.61	N04°28'26"W
D	98°29'30"	163°42'08"	35.00	40.61	60.17	53.03	N36°32'23"W
E	15°33'49"	19°13'36"	298.00	40.72	80.95	80.70	N04°55'28"E
F	15°33'49"	18°58'20"	302.00	41.27	82.03	81.78	N04°55'28"E
G	06°06'18"	03°58'59"	1438.50	76.71	153.28	153.20	N09°31'13"E

* Additional Curve Data On Sheet No. 5 of 9



REQUIRED SLOPE EASEMENT IN FT. BY STATIONS	LEFT (west)	RIGHT (east)
2+00	0'	0'
2+50	0'	0'
3+00	0'	0'
3+50	0'	12' C
4+00	5' C	15' C
4+50	7' C	23' C
5+00	—	25' C
5+50	0'	16' C
6+00	0'	14' C
6+50	0'	13' C
7+00	0'	12' C
7+50	0'	13' C
8+00	0'	4' C
8+50	0'	0'
9+00	0'	0'
9+50	0'	3' F
10+00	1' F	5' F
10+50	1' F	6' F
11+00	1' F	1' F
11+50	0'	3' C
12+00	0'	4' C

TENTATIVE
SUBJECT TO REVISION
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY
MAY 20 1976

BOARD OF APPEALS
PETITIONER'S EXHIBIT 3

DATE	RIGHT OF WAY	REF.	ROAD PERMIT AND GRADES	P. W. A. DIR. NO.	CONTRACT NO.	REVISED AS PER RECORD PRINT J.O.	DRAFTSMAN	DATE
			PERMIT REQUESTED PERMIT NUMBER GRADE ESTABLISHED PROFILE NUMBER					

SEAL

DESIGNED F.N.	DRAWN F.N.	CHECKED	ENGINEER	DATE	LIC. NO.	BUREAU OF ENGINEERING REVIEWED	DATE	HIGHWAYS	STRUCTURES	STORM DRAINS	WATER	SEWER	FIELD ENGINEER

BUREAU OF ENGINEERING — APPROVED ____ CHIEF — DATE ____

DEPARTMENT OF PUBLIC WORKS — APPROVED ____ DIRECTOR — DATE ____

LEVEL BK. | DETAIL BK. | KEY SHEET NNW | POSITION SHEET 36NE3

DATE | REVISION | BY

SCALE — PLAN 1" = 50' — PROFILE HOR. 1" = 50' VERT. 1" = 5'

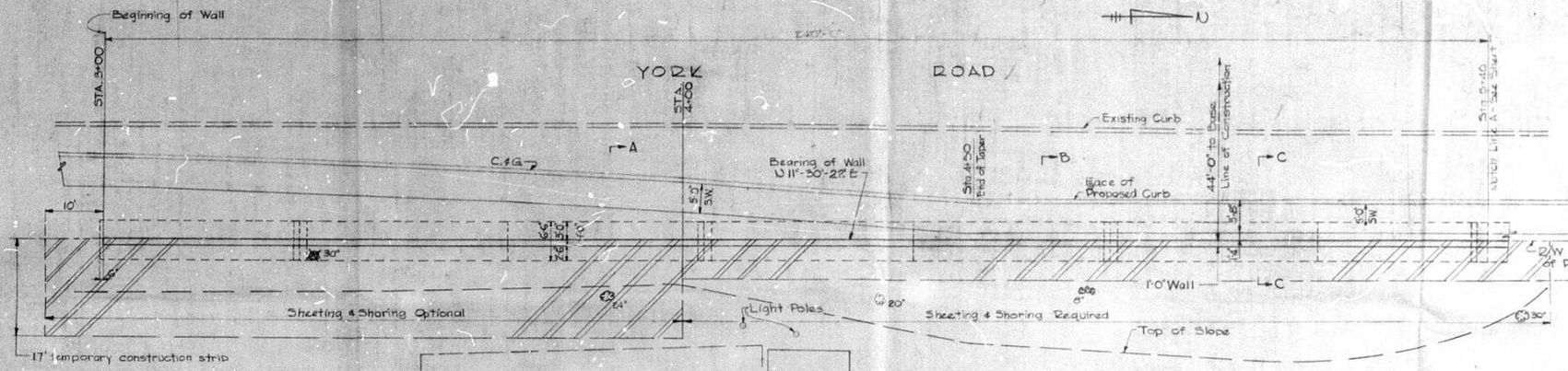
BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING

YORK ROAD & BURKE AVENUE

SUBDIVISION TOWSON — EL. DISTRICT NO. 9 — BALTIMORE COUNTY TYPE NUMBER 3

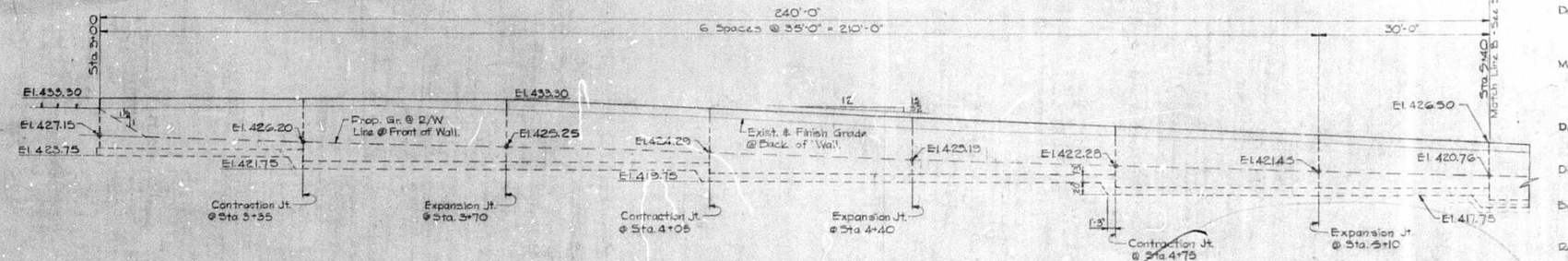
JCB ORDER NO. 5-286-16
SHEET 4 OF 9
DWG. NO. 73-0093
FILE: 5

FED. ROAD DIV. NO.	STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
3	MD	T-8007(3)	7	9

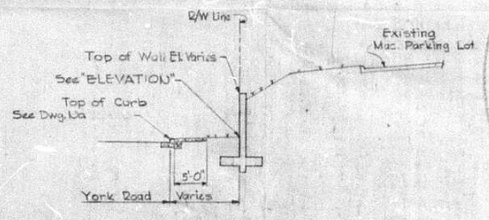


X Denotes tree to be removed
Denotes temporary construction area

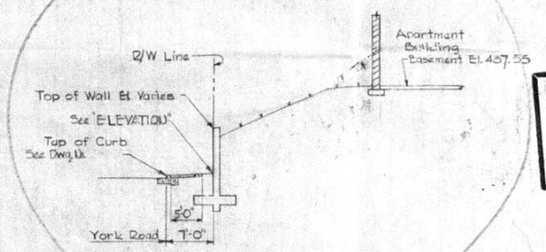
PLAN
Scale: 1"=10'-0"



ELEVATION
Scale: 1"=10'-0"



SECTION A-A
STA. 3+00 thru STA. 4+50
Scale: 1"=10'-0"



SECTION B-B
STA. 4+50 thru STA. 7+93
Scale: 1"=10'-0"

GENERAL NOTES

Specifications: Materials and Construction - Baltimore County Standard Specifications for Construction dated 1971. Design - A.A.S.H.O. Standard Specifications for Highway Bridges dated 1973.

Concrete: Class "A-1" Air-entrained concrete with a minimum compressive strength of 3500 psi. in 28 days, unless noted.

Concrete Finish: Exposed Edges - 3/4" x 3/4" Chamfers except where noted. Exposed Surfaces - "Class I Surface Finish." All other surfaces - "Ordinary Surface Finish."

Reinforcement: A.S.T.M. Designation A-615 Grade 60. Deformations - A.S.T.M. Designation A 305. Bar Splices - 24 bar dia. lap unless noted. Dowels - Same sizes and spacing as bars being lapped. Concrete Cover - 2" min. unless noted.

Dampproofing: Apply 2 prime coats and 1 seal coat to rear faces of all walls to within 2' of finished grade.

Membrane Waterproofing: 2 ply Membrane Waterproofing (Abbreviated M.W.P.) shall be 18" wide and applied where shown on the drawings.

Design Soil Pressure: Walls - 45 lbs./cu. ft. Equiv. Fluid Pressure. Footing - 4000 p.s.f.

Datum: Baltimore County Metropolitan District Standard Datum.

Bench Mark: Dia. X-2076, El. 423.381, cut "+" 10' south of south end curb return S.E. cor. York Rd. and Aigburth Rd.

Reference Drawings: Dwg. No. 73-0095, File No. 5

BOARD OF APPEALS
PETITIONER'S
EXHIBIT 4

TENTATIVE
SUBJECT TO REVISION
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY

MAY 20 1976

CITY OF BALTIMORE

DIRECTOR DEPT. OF PUBLIC WORKS	DATE	CHIEF, WATER DIV. BUREAU OF ENGINEERING	DATE

DATE	RIGHT OF WAY	REF.	ROAD PERMIT AND GRADES	P. W. A. DIR. NO.	CONTRACT NO.	REVISED AS PER RECORD PRINT		
			PERMIT REQUESTED			J.O.	DRAFTSMAN	DATE
			PERMIT NUMBER					
			GRADE ESTABLISHED					
			PROFILE NUMBER					

SEAL

DESIGNED J. LOGAN		BUREAU OF ENGINEERING	HIGHWAYS	STRUCTURES	STORM DRAINS	WATER	SEWER	FIELD ENGINEER
DRAWN H. OBERG	ENGINEER	REVIEWED					
CHECKED E. PADDY	DATE LIC. NO.	DATE					

BUREAU OF ENGINEERING
APPROVED CHIEF
DATE

DEPARTMENT OF PUBLIC WORKS
APPROVED DIRECTOR
DATE

LEVEL BK.	KEY SHEET
DETAIL BK.	D-UW
	POSITION SHEET
	3606 B

DATE	REVISION	BY

SCALE
PLAN As Shown
PROFILE HOR. VERT.

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING

YORK ROAD
RETAINING WALL FOR CARDIFF HALL APARTMENTS
SUBDIVISION TOWSON EL. DISTRICT NO. 3

BALTIMORE COUNTY TYPE NUMBER 1

JOB ORDER NO.
5-286-16
SHEET 7 OF 9
DRG. NO.
73-0097
FILE: 5