

2-24-78 1977 A 245 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
NEST COMPANY

Gaylord Brooks Investment Co., legal owner, of the property situated 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 1A-2.1B5 (A) (1) to permit side yard setbacks of 40' on each side instead of the required 50'.

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

Contract purchasers have construction plans for a ranch home which is approximately 87' in length. The house is appropriate for the neighborhood, but too wide for the presently permitted building width on the lot. The ranch house cannot be situated on the lot in any other position. The variance would permit construction and eliminate the hardship caused by the setback requirements.

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.

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

Address: 406 Jefferson Bldg., Towson, Md. 21204

By: *Robert J. Ryan*, Petitioner's Attorney

By: *John W. Heslin, III*, People's Counsel

By: *John W. Heslin, III*, People's Counsel

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By: *John W. Heslin, III*, People's Counsel

RE: PETITION FOR VARIANCE
W/S of Mount Laurel Court,
515' N of St. Paul Avenue,
4th District

GAYLORD BROOKS INVESTMENT CO., : Case No. 79-22-A
Petitioner

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Robert J. Ryan
Peter Max Zimmerman
Deputy People's Counsel

John W. Heslin, III
John W. Heslin, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 14th day of July, 1978, a copy of the foregoing Order was mailed to Robert J. Ryan, Esquire, 406 Jefferson Building, Towson, Maryland 21204, Attorney for Petitioner.



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
201-954-1200

S. ERIC DI NENNA
ZONING COMMISSIONER
George J. Martinak
Deputy Zoning Commissioner

August 10, 1978

Mr. Richard A. Moore, President
Gaylord Brooks Investment Company
P.O. Box 400, Paper Mill Road
Phoenix, Maryland 21131

RE: Petition for Variances
W/S of Mount Laurel Court
515' N of St. Paul Avenue -
4th Election District
Gaylord Brooks Investment
Company - Petitioner
NO. 79-22-A (Item No. 245)

Dear Mr. Moore:

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

Very truly yours,
George J. Martinak
George J. Martinak
Deputy Zoning Commissioner

GJM:m

Attachment

cc: Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

John W. Heslin, III, Esquire
People's Counsel

R. RAPHAEL & ASSOCIATES
Registered Professional Land Surveyors
801 COUNTRYLAND AVENUE
TOWSON, MARYLAND 21204
May 10, 1978

OFFICE 888-8888

RESIDENCE 771-8888

Description to Accompany Petition for Side Yard Variance
Lot 88 - Sagamore Forest

BEGINNING for the same at a point on the west side of Mount Laurel Court at a distance of 515 feet northerly, more or less, from the intersection formed by the north side of St. Paul Avenue with the west side of Mount Laurel Court, said point being the division line between Lots #87 and #88 as shown on the plat of Section Five of Sagamore Forest and recorded among the Plat Records of Baltimore County in Liber E.H.K.Jr. 39, folio 142, running thence on the outline of Lot #88 as shown on said plat the five following courses and distances: (1) binding on the west side of Mount Laurel Court N 21° 42' 00" E 174.00 feet thence on the division line of Lots #88 and #89 (2) N 68° 18' 00" W 376.00 feet (3) S 86° 26' 30" W 111.05 feet, thence (4) S 30° 33' 30" E 140.00 feet to the division line between Lots #87 and #88, thence binding thereon S 68° 18' 00" E 417.29 feet to the place of beginning. CONTAINING 1.764 acres of land, more or less. BEING Lot #88 Section Five of Sagamore Forest and recorded among the Plat Records of Baltimore County in Liber E.H.K.Jr. 39, folio 142.



E. F. Raphael
E. F. Raphael
Registered Professional Land Surveyor

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: July 11, 1978
FROM: Leslie H. Grief, Director of Planning
SUBJECT: Petition 79-22-A, Item #245

Petition for Variance for side yard setbacks
West side of Mount Laurel Court, 515 feet North of St. Paul Avenue
Petitioner - Gaylord Brooks Investment Company

4th District

HEARING: Monday, July 31, 1978 (10:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Leslie H. Grief
Leslie H. Grief
Director of Planning

LHG:JGH

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 1st day of June 1978.

Shirley DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner: Gaylord Brooks
Petitioner's Attorney: Ryan
Reviewed by: *William B. Grief*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
THOMAS M. BOLING, P.E.
DIRECTOR

July 12, 1978

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

Re: Item #245 (1977-1978)
Property Owner: Gaylord Brooks Investment Co.
W/S Mt. Laurel Ct. 515' N. St. Paul Ave.
Existing Zoning: R-3
Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50'.
Acres: 1.764 District: 4th

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:

Baltimore County highway and utility improvements are not directly involved and are as required by Public Works Agreement #47603, executed in connection with the development of "Sagamore Forest - Sections Three & Five", of which this property is Lot 88, Section Five, Sagamore Forest, recorded E.H.K.Jr. 39, folio 142.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #245 (1977-1978).

Very truly yours,
Edw. M. Dyer, P.E.
EDWARD M. DYER, P.E.
Chief, Bureau of Engineering

ENCLOSURE

cc: E. Shalowitz
W-28 Key Sheet
64 NW 36 Pce. Sheet
NW 16 I Gogo
45 Tax Map

OCT 25 1978

ORDER RECEIVED FOR FILING
DATE 10/25/78
John L. Wimbley, Jr.

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner:

the above Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community. Variance to permit side yard setbacks of 40 feet in lieu of the required 50 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10/25/78, that the Petition for the aforementioned Variance should be and the same is GRANTED from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10/25/78, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
TOWSON, MARYLAND 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Route Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert J. Ryan, Esquire
406 Jefferson Building
Towson, Maryland 21204

July 20, 1978

RE: Variance Petition
Item No. 245
Petitioner - Gaylord Brooks

Dear Mr. Ryan:

The Zoning Plans 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 not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to construct a dwelling on this vacant lot within 40 feet of both side property lines in lieu of the required 50 feet, this Variance is recommended. Revised plans reflecting the location of the proposed well and septic system must be submitted prior to the scheduled hearing.

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

Mr. Ryan
Page 2
July 20, 1978

filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:amr

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 484-5711
LESLIE H. ORAFF
DIRECTOR

June 9, 1978

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

Dear Mr. DiNenna:

Comments on Item #245, Zoning Advisory Committee Meeting, June 1, 1978, are as follows:

Property Owner: Gaylord Brooks Investment Co.
Location: W/S Mount Laurel Ct. 515' N. St. Paul Avenue
Existing Zoning: RC-5
Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50'.
Acres: 1.764
District: 4th

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, Jr.
John L. Wimbley
Planner III
Current Planning and Development

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

July 21, 1978

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

Dear Mr. DiNenna:

Comments on Item #245, Zoning Advisory Committee Meeting of June 1, 1978, are as follows:

Property Owner: Gaylord Brooks Investment Co.
Location: W/S Mount Laurel Ct. 515' N. St. Paul Ave.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50'.
Acres: 1.764
District: 4th

Metropolitan water is available and the proposed variance will not interfere with the location of the sewage disposal area, therefore no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TEB/btz/rth

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 484-3880

STEPHEN E. COLLINS
DIRECTOR

June 21, 1978

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

Item No. 245 - EAC - June 1, 1978
Property Owner: Gaylord Brooks Investment Co.
Location: W/S Mount Laurel Ct. 515' N. St. Paul Ave.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50'.

Acres: 1.764
District: 4th

Dear Mr. DiNenna:

The variance should have no effect on traffic.

Very truly yours,

Stephen E. Weber
Engineer I

SEM/dm

Baltimore County
The Department
TOWSON, MARYLAND 21204
(301) 485-7350

Paul H. Heinicke
Chief

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Gaylord Brooks Investment Co.

Location: W/S Mount Laurel Ct. 515' N. St. Paul Ave.

Item No. 245 Zoning Agenda Meeting of 6/1/78

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with the Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ exceeds the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: George M. Hegonoff
Planning Group
Special Inspection Division
Approved: George M. Hegonoff
Fire Prevention Bureau

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 484-5711
JOHN S. REBERT
DIRECTOR

June 1, 1978

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

Dear Mr. DiNenna:

Comments on Item # 245 Zoning Advisory Committee Meeting, June 1, 1978 are as follows:

Property Owner: Gaylord Brooks Investment Co.
Location: W/S Mount Laurel Ct. 515' N. St. Paul Ave.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50'.

Acres: 1.764
District: 4th

The items checked below are applicable:

1. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and Code and other applicable codes.
2. A building permit shall be required before construction can begin.
3. Additional _____ permits shall be required.
4. Building shall be upgraded to new use - require alteration permit.
5. Three sets of construction drawings will be required to file an application for a building permit.
6. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
7. Wood frame walls are not permitted within 3' of a property line. Contact Building Department if distance is between 3' and 6' of property line.
8. Setback variance conflicts with No. Baltimore County Building Code, See Section _____.
9. No Comment.
10. Comment:

Very truly yours,
Charles E. Burman
Charles E. Burman
Plans Review Chief

CBB:bj

OCT 25 1978

August 22, 1978

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

Dear Mr. DiNenna: **REVIEWED**
 Comments on Plan of Planning Advisory Committee Meeting, August 8, 1978
 are as follows:

Property Owner: Gaylord Brooks Investment Co.
 Location: W/S Mount Laurel Court 515' N. St. Paul Ave.
 Existing Zoning: R.C. 5
 Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50'.

Acres: 1.764
 District: 4th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.)
 1970 Edition and the 1972 Supplement, and other applicable codes.

X B. A building permit shall be required before construction can begin.

C. Additional _____ Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

X F. Three sets of construction drawings will be required to file an application for a building permit.

G. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

H. Wood frame walls are not permitted within 7'0" of a property line. Contact Building Department if distance is between 7'0" and 6'0" of property line.

I. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

J. No Comment.

K. Comment:

Very truly yours,

Charles E. Humber
 Charles E. Humber
 Planning Review Chief

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 1, 1978

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

Z.A.C. Meeting of: June 1, 1978

RE: Item No: 245
 Property Owner: Gaylord Brooks Investment Co.
 Location: W/S Mount Laurel Ct. 515' N. St. Paul Ave.
 Present Zoning: R.C. 5
 Proposed Zoning: Variance to permit side setbacks of 40' in lieu of the required 50'.

District: 4th
 No. Acres: 1.764

Dear Mr. DiNenna:

No tearing on student population.

Very truly yours,

W. Nick Petrovich
 W. Nick Petrovich,
 Field Representative

JOSEPH H. MCDONALD, PRESIDENT
 T. BARBAR WILLIAMS, JR., VICE-PRESIDENT
 MARCUS M. BODDARD

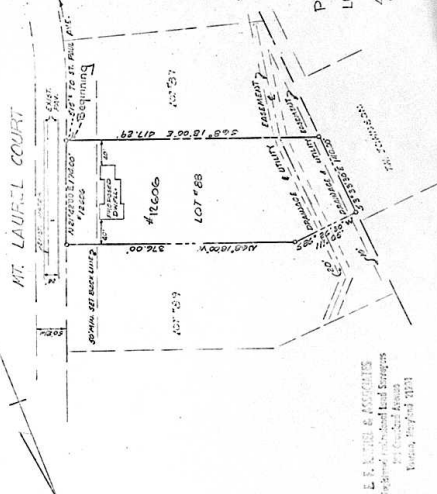
THOMAS H. BOYER
 MRS. LOURANE F. CHURCH
 ROBERT B. HAYDEN

ALVIN LORECK
 MRS. MILTON R. SMITH, JR.
 RICHARD N. TRALEY, D.V.M.

ROBERT T. WELLS, SUPERINTENDENT



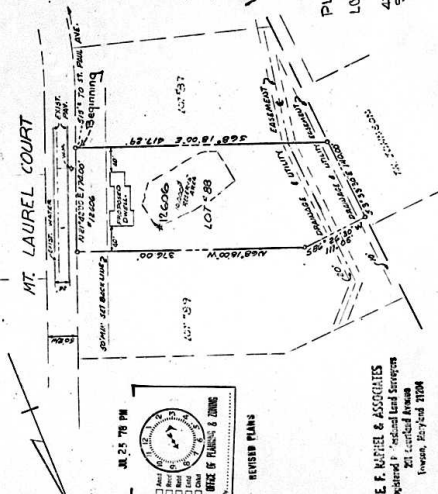
GENERAL NOTES:
 AREA OF LOT: 1764 Sq. Ft.
 EXISTING ZONE - R.C. 5
 EXISTING USE - UNIMPROVED
 PROPOSED USE - RESIDENTIAL
 VARIANCE REQUESTED:
 SETBACK OF 40' INSTEAD OF
 THE REQUIRED 50'
 PLAT TO ACCOMPANY PETITION
 FOR VARIANCE:
 LOT 1764 SECTION 5 (BLK. 25) 1/42
 SAGAMORE FOREST
 4th ELEC. DIST.
 BALTO. CO.
 SCALE 1" = 100'
 MAY 10, 1978



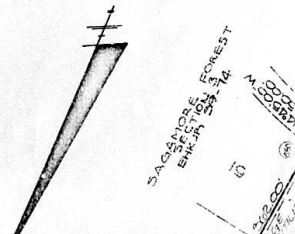
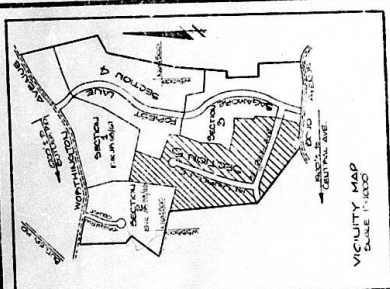
E. F. HUBER & ASSOCIATES
 Registered Professional Surveyors
 201 Larchmont Avenue
 Towson, Maryland 21204



GENERAL NOTES:
 AREA OF LOT: 1764 Sq. Ft.
 EXISTING ZONE - R.C. 5
 EXISTING USE - UNIMPROVED
 PROPOSED USE - RESIDENTIAL
 VARIANCE REQUESTED:
 SETBACK OF 40' INSTEAD OF
 THE REQUIRED 50'
 PLAT TO ACCOMPANY PETITION
 FOR VARIANCE:
 LOT 1764 SECTION 5 (BLK. 25) 1/42
 SAGAMORE FOREST
 4th ELEC. DIST.
 BALTO. CO.
 SCALE 1" = 100'
 MAY 10, 1978



E. F. HUBER & ASSOCIATES
 Registered Professional Surveyors
 201 Larchmont Avenue
 Towson, Maryland 21204



OFFICE OF
THE TIMES
 NEWSPAPERS
 TOWSON, MD. 21204 July 13 19 78

THIS IS TO CERTIFY that the annexed advertisement of
 PETITION FOR VARIANCE - Gaylord Brooks
 Investment Company
 was inserted in the following:

- ☐ Catonsville Times
 ☐ Towson Times
- ☐ Dundalk Times
 ☐ Arbutus Times
- ☐ Essex Times
 ☐ Community Times
- ☐ Suburban Times East
 ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,
 once a week for one successive weeks before the
 14th day of July 1978, that is to say, the same
 was inserted in the issues of July 13, 1978

STROMBERG PUBLICATIONS, INC.
 BY *Erika Bunge*

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 13, 1978

THIS IS TO CERTIFY that the annexed advertisement was
 published in THE JEFFERSONIAN, a weekly newspaper printed
 and published in Towson, Baltimore County, Md.

day of July 1978, the first publication
 appearing on the 13th day of July
 1978.

THE JEFFERSONIAN
L. Frank Smith
 Manager

Cost of Advertisement, \$ _____

1-Sign 79-22-A
CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 4th Date of Posting: July 13, 1978

Posted for: PETITION FOR VARIANCE

Petitioner: GAYLORD BROOKS INVESTMENT CO.

Location of property: W/S OF MOUNT LAUREL COURT 515' N. OF

ST. PAUL AVENUE

Location of Sign: W/S OF MOUNT LAUREL CT. 515' N. OF

ST. PAUL AVE.

Remarks: *Thomas R. Humber*

Posted by: *Thomas R. Humber* Date of return: July 14, 1978

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 19th day of

May 1978.

Filing Fee \$ 25.00.

Received Check

 Cash

 Other

S. Eric DiNenna
Zoning Commissioner

Petitioner

(Wayland Brooks Inver Corp)
Richard Moore Pres

Submitted by

Robert J Ryan

Petitioner's Attorney

Robert J Ryan

Reviewed by

Diane Otter

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

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

No. 73428

DATE August 3, 1978

ACCOUNT 01-662

AMOUNT \$57.64

RECEIVED FROM Robert J. Ryan, Esquire, 406 Jefferson Bldg., Towson, Md. 21204, Cost of Advertising and Posting for Case No. 79-22-A

1978 AUG 3

57.64 MS

VALIDATION OR SIGNATURE OF CASHIER

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

No. 73374

DATE July 6, 1978

ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Robert J. Ryan, Esq. 406 Jefferson Bldg. Balto., Md. 21204, Filing Fee for Case No. 79-22-A

1978 JUL 7

25.00 MSC

VALIDATION OR SIGNATURE OF CASHIER