

80-116-A 71 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, INTERFACE, INC., 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 1802.3.C.1 (303.1), to permit a front yard setback of 25 feet in lieu of the required maximum average front yard setback of 40'

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
1. Having obtained all required County permits, owner erected and substantially completed two homes in good faith, allowing 25 feet front yard setback, before being informed of alleged violation.
 2. Although one adjacent lot is improved with approx. 40 foot setback, nearly all other homes in area have 25 feet or less, and application of Sec. 303.1 would prejudice Petitioner.
 3. Extreme hardship to Petitioner would result if req'd to relocate homes after construction nearly completed. Grant of variance will work no inconvenience or damage to any nearby owner.
 4. Such other reasons as may be cited at hearing.

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.

BY: Stephen J. Manza
STEPHEN J. MANZA, Legal Owner
President 2426 Chetwood Circle
Towson, Maryland 21204

Contract purchaser

Christian M. Kahl

Petitioner's Attorney

502 Baltimore Avenue

Towson, Maryland 21204

Phone: 321-0400

ORDERED by the Zoning Commissioner of Baltimore County, Inc. on the 20th day of November, 1979, at 11:30 o'clock

P. M.

Zoning Commissioner of Baltimore County.

(over)

INTERFACE, INC.,
a body corporate of the
State of Maryland

Plaintiff

vs.

ZONING COMMISSIONER OF
BALTIMORE COUNTY

and

BOARD OF APPEALS OF BALTIMORE
COUNTY

Defendants

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

Docket: Misc. 12
Folio: 59
Case No: 7009

FINAL ORDER OF DISMISSAL

Pursuant to the Order of this Court dated January 3, 1980, directing that the ZONING COMMISSIONER OF BALTIMORE COUNTY and the BOARD OF APPEALS OF BALTIMORE COUNTY show cause, if any they have, why an alleged Appeal to Baltimore County Zoning Case No. 80-116-A received in the Office of the Zoning Commissioner more than thirty (30) days from the date of the Order of the Zoning Commissioner, should not be summarily dismissed, such cause to have been shown on or before the 18th day of January, 1980, and the Defendants not having shown any cause to the contrary by said date so ordered, it is this 23rd day of January, 1980, by the Circuit Court for Baltimore County,

ORDERED, that the alleged Appeal to Baltimore County Zoning Case No. 80-116-A, the same having not been timely filed, be and it is hereby dismissed with prejudice.

Edward A. D. Waters Jr.
JUDGE

T. A. Grogan
Deputy Clerk

RE: PETITION FOR VARIANCE
NE/S of Brighton Ave., 175'
NW of Ridge Ave., 3rd District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

INTERFACE, INC., Petitioner : Case No. 80-116-A

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.

Peter Max Zimmerman
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 7th day of November, 1979, a copy of the foregoing Order was mailed to Christian M. Kahl, Esquire, 502 Baltimore Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession, III
John W. Hession, III

6025 SAUGHTON AVENUE
STEPHEN J. MANZA
2426 CHETWOOD CIRCLE #303, TIMONIUM, MD. 21093 NR 3 1

OWNER
HARRY W. GIESLER
E/S BRIGHTON AVENUE

TYPE OF IMPROVEMENT
RESIDENTIAL
CONSTRUCT A SINGLE FAMILY DWELLING WITH NO GARAGE.

OWNERSHIP
20,000

TYPE OF CONSTRUCTION
SINGLE FAMILY UNITS
TOTAL NO. OF APARTMENTS

STEPHEN J. MANZA
2426 CHETWOOD CIRCLE, TIMONIUM, MD. 21093
STEPHEN J. MANZA
252-8786

DATE: November 24, 1979
FILED: 11/24/79
RECEIVED FOR FILING

6025 SAUGHTON AVENUE
JOHN M. MOGLASSON
2 BRIGGSWELL COURT COCKEYSVILLE 21030 NR 3 1

NOTE: THIS BUILDING CANNOT BE OCCUPIED UNTIL PUBLIC WATER AND ON SEWERS ARE AVAILABLE AND CONNECTED THERETO.

HARRY W. GIESLER
E/S BRIGHTON AVENUE

A. TYPE OF IMPROVEMENT
CONSTRUCT ONE STORY, 3 BEDROOMS
ONE FAMILY DWELLING
NO GARAGE

C. TYPE OF USE
RESIDENTIAL
SINGLE FAMILY UNITS

OWNERSHIP
20,000

D. TYPE OF CONSTRUCTION
SINGLE FAMILY UNITS
TOTAL NO. OF APARTMENTS

JOHN M. MOGLASSON
2 BRIGGSWELL COURT COCKEYSVILLE 21030
JACK MOGLASSON
666-7068

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 13, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Christian M. Kahl, Esquire
502 Baltimore Avenue
Towson, Maryland 21204

RE: Item No. 71
Petitioners - Interface, Inc.
Variance Petition

Dear Mr. Kahl:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. 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.

This Variance is required in order to legalize the front setback of the existing dwellings, which were not constructed in line with the existing dwelling immediately to the west.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:h

Enclosures

cc: Interface, Inc.
2426 Chetwood Circle
Timonium, Md. 21093

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Peinecke
CHIEF

October 8, 1979

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

Attention: Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee

Re: Property Owner Interface, Inc.

Location: NE/S Brighton Ave. 175' NW Ridge Ave.

Item No. 71

Zoning Agenda: Meeting of 10/2/79

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.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with 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.
- (x) 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" 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: George M. Wagonet
Noted and Approved:
Planning Group A
Special Inspection Division
Fire Prevention Bureau

ORDER RECEIVED FOR FILING
DATE November 15, 1979
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the 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(s), the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 26th day of November, 1979, that the herein Petition for the Variance(s) to permit a front yard setback of 25 feet in lieu of the required maximum average front yard setback of 40 feet 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.

Deputy [Signature]
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County

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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

November 15, 1979

Christian M. Kahl, Esquire
502 Baltimore Avenue
Towson, Maryland 21204

RE: NE/S Brighton Ave., 175'
NW Ridge Ave.
Petition for Variance
Interface, Inc.
Case No. 80-116-A

Dear Sir:

This is to advise you that \$37.90 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and remit to Mrs. Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

[Signature]
William E. Hammond
Zoning Commissioner

WES/sj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: September 25, 1979

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

Z.A.C. Meeting of: October 2, 1979

RE: Item No: 29, 65, 66, 67, 68, 69, 70, 71, 72
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no adverse effect on student population.

Very truly yours,

[Signature]
W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH H. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROTBART

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROGER E. HAYDEN

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACY, D.V.M.

ROBERT V. DUBEL, SUPERINTENDENT

Christian M. Kahl, Esquire
502 Baltimore Avenue
Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Variance - NE/S Brighton Avenue, 175' NW Ridge Avenue
Interface, Inc. - Case No. 80-116-A

TIME: 1:30 P.M.

DATE: Tuesday, November 20, 1979

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

o

[Signature]
ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR VARIANCE

3rd District

ZONING: Petition for Variance for front yard setback
LOCATION: Northeast side of Brighton Avenue, 175 feet Northwest of Ridge Avenue
DATE & TIME: Tuesday, November 20, 1979 at 1:30 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 Variance to permit a front yard setback of 25 feet in lieu of the required maximum average front yard setback of 40 feet

The Zoning Regulation to be excepted as follows:

Section 1B02.3.C.1 (303.1) - front yard setbacks

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

Being the property of Interface, Inc., as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, November 20, 1979 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
TO: Zoning Commissioner
John D. Seyffert, Director
FROM: Office of Planning and Zoning
SUBJECT: Petition No. 80-116-A - Item 71

Petition for Variance for front yard setback
Northeast side of Brighton Avenue, 175 feet Northwest of Ridge Avenue
Petitioner - Interface, Inc.

3rd District

HEARING: Tuesday, November 20, 1979 (1:30 P.M.)

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

[Signature]
John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:dme

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3311

JOHN D. SEYFFERT
DIRECTOR

November 10, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #71, Zoning Advisory Committee Meeting, October 2, 1979, are as follows:

Property Owner: Interface, Inc.
Location: NE/S Brighton Ave. 175' NW Ridge Ave
Existing Zoning: D.M.5.5
Proposed Zoning: Variance to permit a front setback of 25' in lieu of the average 40'.
Acres: 0.379
District: 3rd

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,

[Signature]
John W. Wimbley
Planner III
Current Planning and Development

LAW OFFICES
BEACH, CADOGAN & KAHL
502 BALTIMORE AVENUE
TOWSON, MARYLAND 21204
December 28, 1979

Zoning Commissioner
109 County Courts Building
Towson, Maryland 21204

Re: Petition for Variance
NE/S of Brighton Ave., 175' NW
of Ridge Avenue, 3rd Election
District.
Interface, Inc. - Petitioner
No. 80-116-A (Item No. 71)

Dear Mr. Commissioner:

On December 28, 1979, you received a letter noting an Appeal on behalf of Dennis J. Cullen in the above captioned matter. This is, of course, more than 30 days from the date of the Order of the Commissioner in this case.

We have reviewed the letter, the enclosed check and, most importantly, the envelope on the alleged Appeal and it is perfectly clear that the envelope is postmarked by the U. S. Postal Service on December 27, 1979, and that the letter seeking an Appeal was not received by you until December 28, 1979.

It is our strong contention that your office should not receive this request for Appeal since it was filed beyond the time maintained by the Maryland Rules of Procedure, Sec. 22-32, Baltimore County Code, 1978 Edition. We also understand that a similar matter has been before you in an earlier case, but in that particular case the party against whom the Appeal was sought filed a Motion in the jurisdiction of the Board of Appeals. This particular protest in the instant case is made to the Office of the Zoning Commissioner, and it is our opinion that the Zoning Commissioner should reject the claimed Appeal out of hand and forthwith.

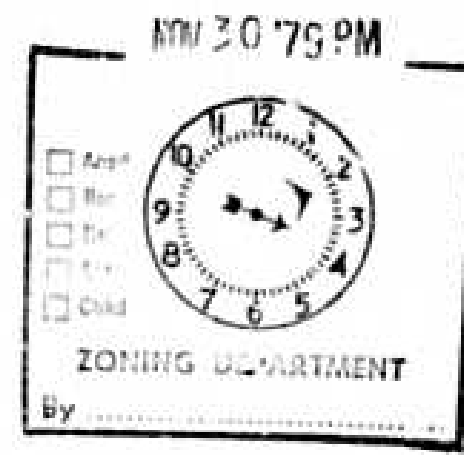
We respectfully suggest that you would have no problem with this matter if the request for Appeal was 30 days late. You should also have no problem where it is less than 30 days late. It was not filed within 30 days, it was not postmarked within 30 days, it was not stamped into your office within 30 days and it is, therefore, defective.

The Zoning Commissioner has the power to reject the so-called "Appeal".

Very truly yours,

[Signature]
Richard F. Cadigan

RFC/jll
Enc.
CC: Mr. Stephen J. Manza
Brian L. Herzberger



November 29, 1979

The Honorable William E. Hammond
Zoning Commissioner of Baltimore County
County Office Building, Room 109
Towson, Maryland 21204

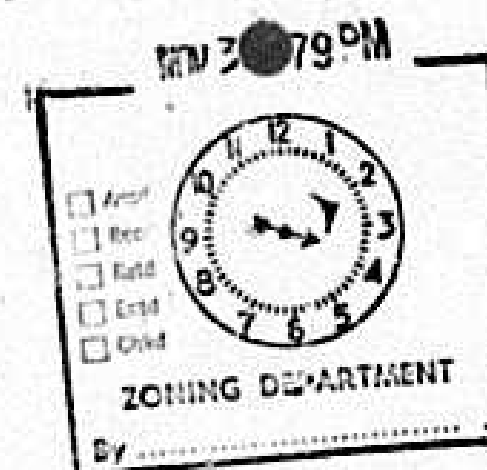
Re: Case No: 80-116-A (Item No. 71)
Building Permits Nos. 14032-NR
14399-NR
6623 & 6625 Brighton Avenue
Third Election District of Baltimore
County

Dear Mr. Hammond:

I, the undersigned, Stephen J. Manza, am the President of Interface, Inc., owner of the above properties at 6623 and 6625 Brighton Avenue. You will recall that a Stop Work Order was issued by the Office of the Buildings Engineer which interrupted the construction of the improvements on these properties, when a discovery was made that an apparent violation of set-back regulations existed. Thereafter, the above case was filed and under date of November 26, 1979, Deputy Zoning Commissioner, Jean M.H. Jung granted our Petition for Variance to the set-back regulation. We hereby acknowledge that we are fully aware that her Order is subject to a thirty day appeal period, but are requesting that the Stop Work Order previously issued in these matters, be lifted so that we can proceed with the construction of improvements on the properties prior to the expiration of said appeal period.

We hereby relieve Baltimore County, Maryland, and yourself from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has been continued.

Yours very truly,
Stephen J. Manza
Stephen J. Manza
President
Interface, Inc.



November 29, 1979

The Honorable William E. Hammond
Zoning Commissioner of Baltimore County
County Office Building, Room 109
Towson, Maryland 21204

Re: Case No: 80-116-A (Item No. 71)
Building Permits Nos. 14032-NR
14399-NR
6623 & 6625 Brighton Avenue
Third Election District of Baltimore
County

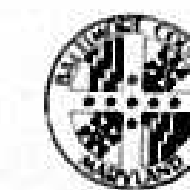
Dear Mr. Hammond:

I, the undersigned, Stephen J. Manza, am the President of Interface, Inc., owner of the above properties at 6623 and 6625 Brighton Avenue. You will recall that a Stop Work Order was issued by the Office of the Buildings Engineer which interrupted the construction of the improvements on these properties, when a discovery was made that an apparent violation of set-back regulations existed. Thereafter, the above case was filed and under date of November 26, 1979, Deputy Zoning Commissioner, Jean M.H. Jung granted our Petition for Variance to the set-back regulation. We hereby acknowledge that we are fully aware that her Order is subject to a thirty day appeal period, but are requesting that the Stop Work Order previously issued in these matters, be lifted so that we can proceed with the construction of improvements on the properties prior to the expiration of said appeal period.

We hereby relieve Baltimore County, Maryland, and yourself from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has been continued.

Yours very truly,

Stephen J. Manza
President
Interface, Inc.



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

December 3, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #71 (1979-1980)
Property Owner: Interface, Inc.
N/S Brighton Ave. 175' NW Ridge Ave.
Existing Zoning: DR 5.5
Proposed Zoning: Variance to permit a front setback of 25' in lieu of the average 40'.
Acres: 0.379 District: 3rd

Dear Mr. Hammond:

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:

This property comprises Lots 15, 17, 19, 21, 23 and 25 of Block "G", plat of "Brighton", recorded J.W.S. 1 - Part 1, Folio 46. Although not indicated on the submitted plan, there is or had been a residence on Lots 17 and 19. The Baltimore City-County Boundary Line traverses this property.

Highways:

Brighton Avenue, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on the present 60-foot right-of-way.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #71 (1979-1980)
Property Owner: Interface, Inc.
Page 2
December 3, 1979

Water and Sanitary Sewer:

There is a public 6-inch water main and 8-inch public sanitary sewerage in Brighton Avenue (Drawings #46-0420, File 3 and #66-0200, File 1).

The Petitioner is responsible for the cost of capping and plugging any existing service connection not used to serve the proposed dwellings.

This property is tributary to the Gwynns Falls Interceptor. It is anticipated that no sanitary sewer connection allocations will be available for projects within the Gwynns Falls drainage basin until the improvements at the Patapsco Waste Water Treatment Plant are completed, which is expected to be in June 1981. However, the sewer corrections are considered "constructively available".

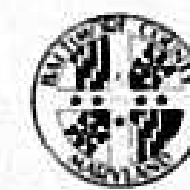
Very truly yours,

Edmund H. Diver, P.E.
Edmund H. Diver, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Wimbley
J. Somers

O-SK Key Sheet
21 NW 18 & 19 Pos. Sheets
NE 6 E Topo
78 Tax Map



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

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

November 26, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #71, Zoning Advisory Committee Meeting of October 2, 1979, are as follows:

Property Owner: Interface, Inc.
Location: NE/S Brighton Ave. 175' NW Ridge Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a front setback of 25' in lieu of the average 40'.
Acres: 0.379
District: 3rd

Metropolitan water and sewer exist; therefore, no health hazards are anticipated.

Very truly yours,
Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

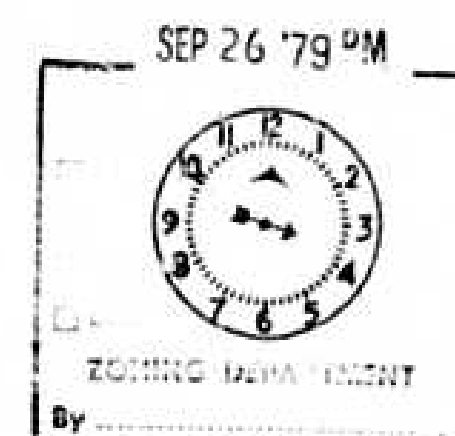
LJF/JRP/rth

INTERFACE, INC.

LAW OFFICES
BRACH, CADIGAN & KAHL
502 BALTIMORE AVENUE
TOWSON, MARYLAND 21204

September 25, 1979

JAMES G. BRACH, JR.
RICHARD E. CADIGAN
CHRISTIAN M. KAHL
TIMOTHY L. GARDIN



Honorable William E. Hammond
Baltimore County Zoning Commissioner
Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition of Interface, Inc.
for Variance
6623 and 6625 Brighton Avenue
Third Election District
Item No. 71

Dear Mr. Hammond:

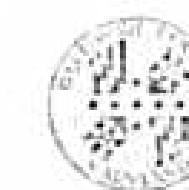
The above matter was filed in your office on September 21, 1979. I understand that it has not yet been accepted for assignment of a hearing date. The purpose of this letter is to request that it be promptly so assigned a date at the earliest possible opportunity.

Due to the circumstances surrounding this matter, any unnecessary delay will work to the detriment of the Petitioner. Your cooperation in assigning the matter to the earliest possible hearing date will accordingly be appreciated.

Yours very truly,

Christian M. Kahl
Christian M. Kahl

CMK:lj
cc: Mr. Stephen J. Manza



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-5353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

November 26, 1979

Christian M. Kahl, Esquire
502 Baltimore Avenue
Towson, Maryland 21204

RE: Petition for Variance
NE/S of Brighton Avenue, 175' NW
of Ridge Avenue - 3rd Election District
Interface, Inc. - Petitioner
NO. 80-116-A (Item No. 71)

Dear Mr. Kahl:

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

Very truly yours,

Jean M.H. Jung
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/me

Attachments

cc: Mr. Dennis Cullen
6627 Brighton Avenue
Baltimore, Maryland 21208

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

January 3, 1980

Christian M. Kahl, Esquire
Brach, Cadigan & Kahl
502 Baltimore Avenue
Towson, Maryland 21204

RE: Petition for Variance
NE/S of Brighton Avenue, 175'
NW of Ridge Avenue - 3rd Election
District
Interface, Inc. - Petitioner
Case No. 80-116-A (Item No. 71)

Dear Mr. Kahl:

Please be advised that an appeal has been filed by Brian Lee Bernberger, Esquire, on behalf of Dennis Cullen on December 25, 1979, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the Baltimore County Board of Appeals.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEM:sj

cc: Brian Lee Bernberger, Esquire
Self & Bernberger, P.A.
Suite 10 - 110 Painters Mill Road
Owings Mills, Maryland 21117

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



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 9, 1982

Mr. Dennis Cullen
6627 Brighton Avenue
Baltimore, Maryland 21215

Re: Appeal of Case #80-116-A

Dear Mr. Cullen:

Per your request, I am sending you a copy of the check list for the appeal of the above case. This appeal was originally prepared on January 2, 1980, but because of an error, the appeal was mislaid and was just recently sent to the Board of Appeals. The appeal fee for this case was paid.

Very truly yours,

Arlene E. January

Enclosure

BALTIMORE COUNTY, MARYLAND

Executive Office
Inquiry

Constituent's Name Dennis Cullen Telephone
Address 6627 Brighton Ave Zip Code 21215
Received By Letter
In Person Telephone
Nature of Problem and Location

Referred to Department
Investigation By Date
Nature of Correction DP 132267, dated Sept. 13, 1982, prepared for direct
payment of \$40.00 to Dennis Cullen for appeal fee.
Officer advised Mr. Cullen about the fee.

Date of Correction 9/13/82
CONSTITUENT NOTIFIED:
By Phone Date
By Visit Date
By Letter Date

Handwritten:
As requested I am sending these papers
to you, let have more papers and let it be that I
can submit if necessary.
Please return these papers after copies are made.
Sincerely,
Dennis Cullen
6627 Brighton Ave
Baltimore MD 21215

DONALD P. HUTCHINSON
COUNTY EXECUTIVE

February 12, 1980

Mr. Dennis Cullen
6627 Brighton Avenue
Baltimore, Maryland 21215

Dear Mr. Cullen:

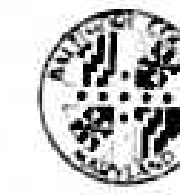
I am writing in regard to the construction of two new homes on your street.

Mr. Ted Zaleski, Director of Permits and Licenses, has informed my office that after the building permits were issued for the two properties in question, Zoning became aware of the inaccurate setback information and sent a letter to the builder requesting a correction. Shortly thereafter, a building inspector issued a stop-work order.

The builder later filed for a zoning variance, the variance hearing notices were posted on the construction sites, and the hearing was held November 20, 1979. The Deputy Zoning Commissioner granted the variance, (and there was no appeal). As directed by Zoning, the stop-work order was lifted November 30, 1979.

If I can be of further assistance, please contact my office.

Sincerely,
Donald P. Hutchinson
County Executive



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 9, 1982

Mr. Dennis Cullen
6627 Brighton Avenue
Baltimore, Maryland 21215

Re: Appeal of Case #80-116-A

Dear Mr. Cullen:

Per your request, I am sending you a copy of the check list for the appeal of the above case. This appeal was originally prepared on January 2, 1980, but because of an error, the appeal was mislaid and was just recently sent to the Board of Appeals. The appeal fee for this case was paid.

Very truly yours,

Arlene E. January

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

July 1, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108.

CASE NO. 80-116-A INTERFACE, INC.
NE/s of Brighton Ave., 175' NW of Ridge Ave.
3rd District
Variance-to permit a front yd. setback of 25' in lieu of req. 40'.
11/26/79 - D.Z.C. GRANTED variance subj. to approval of site plan
THURSDAY, AUGUST 12, 1982, at 10 a.m.
ASSIGNED FOR:
cc: Stephen J. Manza, Pres. Interface, Inc.
Christian Kahl, Esq.
Dennis Cullen
W. Hammond & J. Jung
J. W. Hession, Esq.
J. E. Dyer
Petitioner
Counsel for Petitioner
Protestant
Zoning Office
People's Counsel
Zoning Office

June Holmen, Secy.

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
July 15, 1982

CASE NO. 80-116-A INTERFACE, INC.
NE/s of Brighton Ave., 175' NW of Ridge Ave. - 3rd District
For a variance to permit a front yard setback of 25' in lieu of required 40'.
Assigned for hearing on Thursday, August 12, 1982, at 10 a.m.
HEARING CANCELLED. BOARD'S FILE CLOSED PURSUANT TO ORDER OF CIRCUIT COURT FOR BALTIMORE COUNTY DATED JANUARY 23, 1980, COPY OF WHICH IS ATTACHED HEREIN.
cc: Interface, Inc.
Christian M. Kahl, Esq.
Dennis Cullen
W. Hammond
J. Jung
J. W. Hession, Esq.
J. E. Dyer

June Holmen, Secy.

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

July 1, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108.

CASE NO. 80-116-A INTERFACE, INC.
NE/s of Brighton Ave., 175' NW of Ridge Ave.
3rd District
Variance-to permit a front yd. setback of 25' in lieu of req. 40'.
11/26/79 - D.Z.C. GRANTED variance subj. to approval of site plan
THURSDAY, AUGUST 12, 1982, at 10 a.m.
ASSIGNED FOR:
cc: Stephen J. Manza, Pres. Interface, Inc.
Christian Kahl, Esq.
Dennis Cullen
W. Hammond & J. Jung
J. W. Hession, Esq.
J. E. Dyer
Petitioner
Counsel for Petitioner
Protestant
Zoning Office
People's Counsel
Zoning Office

June Holmen, Secy.

7/1/82 - Notified the following of hearing set for Thurs. Aug. 12, 1982, at 10 a.m.:

Stephen J. Manza
Christian Kahl
Dennis Cullen
Hammond and Jung
J. Hession
J. Dyer

Handwritten:
Cancelled 7/15/82

July 14, 1982

County Board of Appeals
Room 219
Courthouse
Towson, Maryland 21204

Attn: Ms. June Holmen,
Secretary

Re: Zoning Appeal No. 80-116-A
Interface, Inc.

Dear Ms. Holmen:

We are in receipt of your notice of assignment dated July 1, 1982, with regard to the above matter, assigning the case for hearing before the Board of Appeals on Thursday, August 12, 1982, at 10:00 A.M.

Please be advised that this case is entirely moot. The appeal was a nullity, having been not timely filed. Please see the enclosed copy of a final Order of Dismissal of this case dated January 3, 1980, signed by Judge Edward A. DeWaters, Jr., of the Circuit Court for Baltimore County.

The matter should be removed from your assignment docket, as there is nothing to be heard. Thank you for your attention to this matter.

Yours, very truly,

Christian M. Kahl
Christian M. Kahl

CMK/ljr
Enc.
cc: Mr. Stephen J. Manza

RECEIVED
BALTIMORE COUNTY
JUL 15 9 25 AM '82
BY: [Signature]
CLERK

Interface, Inc.
2426 Chestwood Circle
Timonium, Md. 21093

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 2nd day of October, 1979.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Interface, Inc.

Petitioner's Attorney Christian M. Kahl, Esq. Reviewed by Nicholas E. Commodore
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 21 day of Sept, 1979.

Filing Fee \$ 25 Received: ☒ Check
☐ Cash
☐ Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Interface, Inc.

Submitted by C. KAHL

Reviewed by NDC

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

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

July 15, 1982

CASE NO. 80-116-A

INTERFACE, INC.
NE/4 of Brighton Ave., 175' NW of
Ridge Ave. - 3rd District
For a variance to permit a front yard setback
of 25' in lieu of required 40',
Assigned for hearing on Thursday,
August 12, 1982, at 10 a.m.

HEARING CANCELLED. BOARD'S FILE CLOSED PURSUANT

TO ORDER OF CIRCUIT COURT FOR BALTIMORE COUNTY DATED

JANUARY 23, 1980, COPY OF WHICH IS ATTACHED HERETO.

cc: Interface, Inc.
Christian M. Kahl, Esq.
Dennis Cullen
W. Hommard
J. Jung
J. W. Hession, Esq.
J. E. Dyer

June Holmen, Secy.

SEIF & HERZBERGER, P.A.

ATTORNEYS AT LAW
SUITE 10
PAINTERS MILL PROFESSIONAL BUILDING
110 PAINTERS MILL ROAD
DOWNS MILLS, MARYLAND 21117
WALTER I. SEIF, JR.
BRIAN LEE HERZBERGER

(301) 363-4800

December 19, 1979

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Variance
NE/S of Brighton Avenue, 175' NW
of Ridge Avenue - 3rd Election District
Interface, Inc. - Petitioner
No. 80-116-A (Item No. 71)

Dear Sir:

Please enter an Appeal on behalf of Dennis J. Cullen, 6627 Brighton Avenue, Baltimore, Maryland 21215, from the decision of the Zoning Commissioner dated November 26, 1979 wherein a Variance was granted allowing a setback of 25 feet in lieu of a setback of 40 feet.

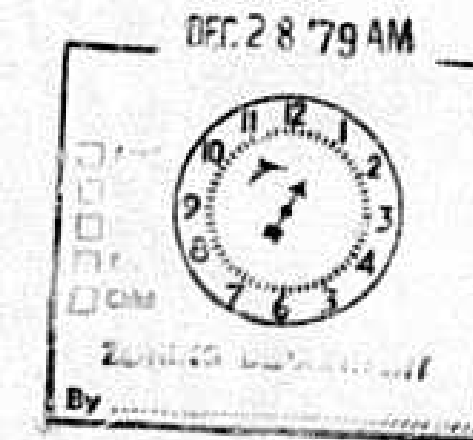
Very truly yours,

Brian Lee Herzberger
Brian Lee Herzberger

BLH/rfr

Enclosures

cc: Christian M. Kahl, Esquire



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 85562

DATE January 2, 1980 ACCOUNT 01-662

AMOUNT \$10.00

RECEIVED FROM Brian Lee Herzberger, Esquire

FOR Filing Fee for Appeal of Case No. 80-116-A

6601 JUN 3 4 00 PM '80

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 83276

DATE November 7, 1979 ACCOUNT 01-662

AMOUNT \$37.90

RECEIVED FROM Interface, Inc.

FOR Advertising and Posting for Case No. 80-116-A

826 25 21 37 90 PM

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting OCT. 31, 1979

Posted for: PETITION FOR VARIANCE

Petitioner: INTERFACE, INC.

Location of property: NE/S BRIGHTON AVE., 175' NW RIDGE AVENUE

Location of Signs: FRONT, BETWEEN 6623 & 6625 BRIGHTON AVE

Remarks: Thomas E. Roland

Posted by [Signature] Date of return: Nov. 8, 1979

1-SIGN

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting July 2, 1982

Posted for: Appeal

Petitioner: Interface, Inc.

Location of property: NE/S of Brighton Ave. - 175' NW of

Ridge Ave.

Location of Signs: NE side of Brighton Avenue between

6623 and 6625 Brighton Avenue

Remarks: Post 2nd time July 2, 1982

Posted by [Signature] Date of return July 2, 1982

Number of Signs: 1

OFFICE OF THE TIMES

NEWSPAPERS

TOWSON, MD. 21204 November 1 1979

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR VARIANCE - Interface, Inc. was inserted in the following:

- ☐ Catoisville Times ☐ Arbutus Times
☐ Essex Times ☒ Community Times
☐ Towson Times

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 2nd day of November, 1979, that is to say, the same was inserted in the issues of November 1, 1979.

STROMBERG PUBLICATIONS, INC.

BY Edite Burger

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 1, 1979

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., one time

one time before the 20th

day of November, 1979, the one publication

appearing on the 15th day of November

1979.

THE JEFFERSONIAN

L. Frank Johnston
Manager

Cost of Advertisement, \$

PETITION FOR VARIANCE
and INTERFAC
ZONING: Petition for Variance for
front yard setback
LOCATION: Northeast side of
Brighton Avenue, 175 feet North-
west of Ridge Avenue
DATE & TIME: Tuesday, Novem-
ber 20, 1979 at 1:30 P.M.
PUBLIC HEARING: Room 305
County Office Building, 111 W.
Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Bal-
timore County, by authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing.
Petition for Variance to permit a
front yard setback of 25 feet in lieu
of the required maximum average
front yard setback of 40 feet.
The hearing will be held at the
location of the property at 1:30 P.M.
on Tuesday, November 20, 1979.
All that parcel of land in the
Third District of Baltimore County
containing an area of 1.22 acres
and known as Lots 15, 17, 18, 21,
22, 23, 24, and 25 as shown on the
map of "Brighton Land and Develop-
ment, Inc." which is recorded in the
Land Records of Baltimore
County in Liber 1, Page 46.
Being the property of Interface,
Inc. as shown on the plan filed
with the Zoning Department.
Hearing Date: Tuesday, Novem-
ber 20, 1979 at 1:30 P.M.
Public Hearing: Room 305, Coun-
ty Office Building, 111 W. Ches-
apeake Avenue, Towson, Maryland.
By Order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Nov. 7.

Dear Mrs. January
Enclosure is receipt as requested
Dennis J. Cullen
6627 Brighton Ave
Baltimore MD 21215

No. 12/19/1979
Received of Dennis Cullen
Fifty and 00/100 Dollars
Applied to Zoning
\$45.00 B. 2 H. H.

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

No. 83239

DATE October 23, 1979 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Interface, Inc.

FOR Filing Fee for Case No. 80-116-A

601 1026 14 *2500*

VALIDATION OR SIGNATURE OF CASHIER



VICINITY MAP

SCALE: 1" = 200'

REISTERSTOWN ROAD PLAZA

WESTERN MARSH ROAD

WABASH AVE

VINCENNES

ARMSTRONG

PARR

CEYLON INSTITUTE

BRIGHTON

PARCEL IN QUESTION

BRIGHTON CITY CHURCH

MAP	DATE
ELECTION	DIS. DIST.
DIST.	DIST.
TYPE	HEADING
BY	BY
BY	BY

BRIGHTON

BUILDER: INTERFACE, INC.
 BUILDING PERMIT ISSUANT: STEPHEN J. MANZA
 ELECTION DISTRICT: 3
 ADDRESS: 6623 + 6625 BRIGHTON AVE
 BUILDING PERMIT NOS.: 14032 + 14399
 CURRENT ZONING: DR-5.5
 REFERENCE: JWS 1, FOLIO 46, BLOCK "G"
 SCALE: 1" = 50'
 OWNER: INTERFACE, INC., 2426 CHETWOOD CIRCLE
 TIMONUM, MD. 21093

NOTE: S.F.D.:
 SINGLE FAMILY DWELLING

