TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a Class B Office Building in an R.O. Zone by an addition to an existing, utilized Class A Office Building

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

1, or we, agree to pay expenses of above 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.

> I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Baltimore, Maryland 21218

City and State

Legal Owner(s): Contract Purchaser JOSEPH H. SEIPP, D.D.S. (Type or Print Name) (Type or Print Name) (Type or Print Name) City and State

4100 N. Charles Street t Barhight & Nolan, Plumboff and w Print Name) Williams, Chartered Name and telephone number of legal owner, con-tract purchaser or representative to be contacted Dr. Joseph H. Seipp and Nolan, etc

Attorbey's Telephone No : 823-7800 ORDERED By The Zoning Commissioner of Baltimore County, this 9th day 19 82 , that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106. County Office Building in Towson, Baltimore day of December

Ο,

RECEIVE

ORDER

2.C.O --No. 1

Item No. 44 - Case No. 83-136-X Special Exception Petition

Petitioner - Joseph H. Seipp, D.D.S.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

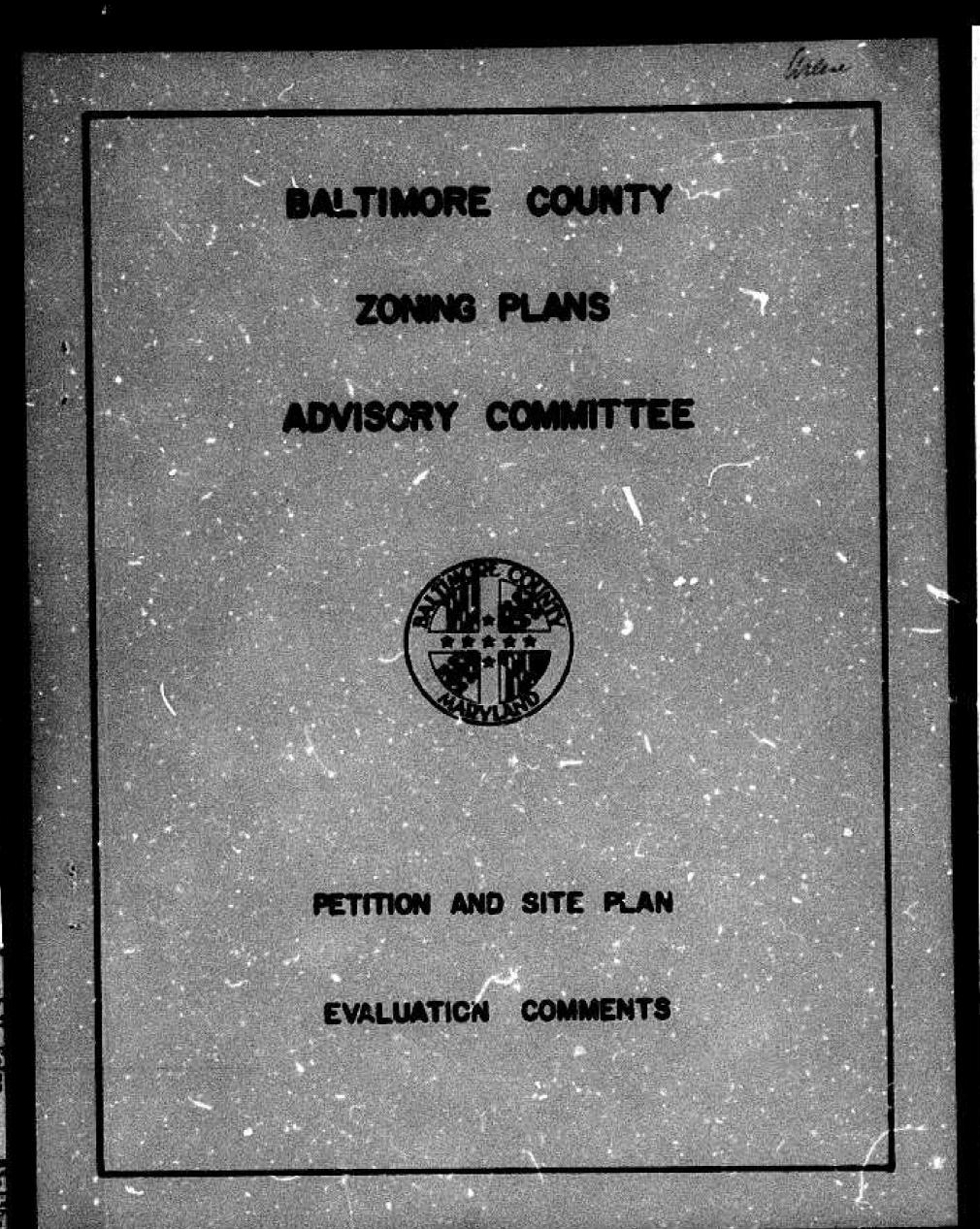
> Very truly yours, necholar & Commodere: NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NBC:bsc

Page 2

Enclosures

cc Gerhold, Cross & Etzel 4.2 Delaware Avenue Towson, Md. 21204



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Norman E. Gerber, Director PROM Office of Planning and Zoning

SUBJECT Zoning Petition No. 83-136-X
Joseph H. Seipp

This office is opposed to the granting of the subject request. Were the proposed expansion constructed, the overall size of the facility would be less in keeping with the residential area immediately to the west.

Director of Planning and Zoning

Date November 26, 1982

NEG:JGH:slc

cc: Arlene January Shirley Hess

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 3, 1982

DUNTY SEF-CE BLOG. 11 W. Chesspeake Ave. owson, Maryland 7120

204 W. Pennsylvania Avenue Victolas B. Commodari Chattman

MEMBERS Burnay of

Transpering

Department of Traffic Engineering " ... Roads Commiss: hureau of

Fire Prevention

Boulth Denattment Project Stanning Building Departmen

board of Education Luning Administratio Industrial.

Townon, Maryland 21204 RE: Item No. 44 - Case No. 83-136-X Special Exception Petition Petitioner - Joseph H. Seipp, D.D.S.

Dear Mr. Barhight:

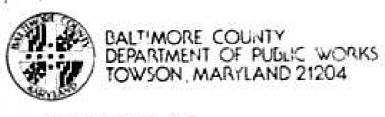
G. Scott Barhight, Esquire

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 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.

In view of your client's proposal to construct a two story addition to the side of the existing office building, which is zoned R.O., this special exception is required. The existing use and site plan was originally approved by the Planning Board on June 19, 1981.

Particular attention should be afforded to the comments of the Department of Permits and Licenses, and if any additional information is required you may contact Mr. Charles Burnham at 494-3987.

At the time of this writing comments from theDepartment of Traffic Engineering (Mr. Michael Flanigan 494-3554) and Current Planning (Mr. Jack Wimbley 494-3335) were not available. I suggest that prior to the scheduled hearing, you contact these gentlemen and discuss this matter. Enclosed are comments from other members of this Committee that offer or request information on this petition. The remaining members felt that the proposal presented no specific problems with their respective department and their comments were included in the hearing file.



HARRY I PISTEL P E

September 22, 1982

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

> Re: Item #44 (1982-1983) Property Owner: Joseph H. Seipp, D.D.S. N/E corner Allegheny Ave. & Highland Ave. Acres: 0.310 District: 9th

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.

Highways:

Allegheny and Highland Avenues, existing public roads, are proposed to be further improved in the future as 42 and 40-foot closed section roadways on 80 and 60-foot rights-of-way, respectively, with fillet areas for sight distance at their intersection.

The status of the 20-foot allev at the rear of this property is unknown. This alley is proposed to be improved in the future as a 20-foot cummercial-type alley on a 24-foot right-of-way.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

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:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #44 (1982-1963) Property Owner: Joseph H. Seipp, D.D.S. September 22, 1982

Storm Drains: (Cont'd)

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 Juli responsibility of the Petitioner.

Water and Sanitary Sewer:

There are 8 and 12-inch public water mains in Highland and Allegheny Avenues, respectively; and 8-inch public sanitary sewerage exists in Highland Avenue.

RAM: EAM: FWR: SS

cc: Jack Wimbley John Trenner (S. Foehlman)

N-NW Key Sheet 39 NE 1 Pos. Sheet NE 10 A Topo 70 & 70A Tax Maps

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner Date October 26, 1982 TO Office of Planning and Zoning

FROM IAR J. Forrest

SUBJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments remarding same:

Item #22 - Simon B. & Esther P. Weiner

Item #42 - James R. & Conile Myrick

Item (#44) - Joseph H. Seipp, D.D.S.

Item #U8 - Herbert S.W. & Mary V. Basler

Item #19 - Donald Ellis

Item #50 - Wayne Sullivan

ten #52 - Quality Fouse, Inc.

Item #55 - hoy & Margaret Bolyard

Item #56 - Earl R. & Janice C. Jackson, Jr.

Item #58 - Paul Goodman

Item #59 - Dorothy Haines Item #60 - Margaret Emala, et al

Item #61 - Primo & Elisa A. China

Item #63 - Chrysler Overseas Capital Corp.

Item #64 - Daniel A. & Janice B. Agostino

Item #67 - Francis W. & Victoria A. Rippel

Item #68 - D. C. & Elizabeth Foling

Item #70 - Sarah & Martin Lazarus, L.P.T.

Item #73 - Helmut G. & Therest C. Rau

Item #71 - Roscoe Vandevander

Item #72 - Jean G. Young, et al

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICE

IT IS ORDERED by the Zoning C	Commissioner of Baltimore County, this
day of	., 19, that the herein Petition for Special Exception

RE: PETITION FOR SPECIAL EXCEPTION:

Avenues - 9th Election District

III III III

tioner's Exhibit I.

changes.

Joseph H. Seipp - Petitioner NO. 83-136-X (Item No. 44)

NE/corner of Allegheny and Highland

BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204 825-7310

PAUL H. REINCKE CHIEF

October 8, 1982

Mr. William Mammond Joning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Joseph H. Seipp, D. D. S.

Location: NE/Cor. Allegheny Avenue and Highland Avenue

Zoning Agenda: Meeting of September 14, 1982 Item No. : 44

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 feet along an approved road in located at intervals or 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 _____

EXCEPDS the maximum allowed by the Pire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

Planning Group Pire 's

Special Inspection Division

BEFORE THE

ZONING COMMISSIONER

BALTIMORE COUNTY

222 222

The petitioner herein, Joseph A. Seipp, D.D.S., seeks a special exception for a

Dr. Seipp testified that the first and second floors of the improvement, known

Mary Ginn and Catherine Turner, appearing in behalf of their respective im-

provement associations, oppose the proposal not only because of the aesthetic considera-

tions, but also on the basis of a prescedent being set in this area by converting a

Class A office building to a Class B. Mrs. Ginn recalled that when the petitioner ap-

peared before the Baltimore County Planning Board on June 19, 1981 to secure approval

of the Class A office building, he testified that he did not intend to make any exterior

Regulations, are pertinent to this finding and are set forth as follows:

The following definitions, under Section 101 of the Baltimore County Zoning

"Office building, Class A: A principal building that was originally

constructed as a 1-family or 2-family detached dwelling and that

is converted to office use without any external enlargement for the purpose of creating the office space or otherwise accommo-

dating the office use. For the purposes of this definition, enclo-

sure of a porch of a house does not constitute external enlarge-

3. Is the only building on the lot on which it is situated;

4. Has a floor area ratio of no more than 0.5; and

Is devoted primarily to office use, clinic or group-medical-center use (including the practice of dentistry), or opticians'

Office building, Class B: A principal building that -

or outometrists' establishments:

2. Is not attached to any other building;

5. Is no higher than 35 feet."

Class B office building in an R-O (Residential-Office) Zone by proposing to construct

an addition to the east side of the existing Class A office building, as depicted on the

site plan prepared by Gerhold, Cross and Etzel, dated July 21, 1982, and marked Peti-

and designated as 408 Allegheny Avenue, are already rented and he proposes to con-

struct a two-story addition of approximately 750 square feet.

Of additional importance is the Statement of Legislative Policy contained in Section

"The R-O zoning classification is established, pursuant to the findings stated above, to accommodate houses converted to office buildings and some small Class B office buildings in predominantly residential areas on sites that, because of adjacent

Since the subject site fails to meet the legislative intent set forth in Section 203.2, as well as the criteria set forth in Section 502.1, the special exception should not be granted.

OR FILING WED F

(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 pat this time.

203.2, which reads, in part, as follows:

commercial activity, heavy commercial traffic, or other, simi-lar factors, can no longer reasonably be restricted solvly to uses allowable in moderate-density residential zones..." (emphasis add-

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of May, 1983, that the Petition for Special Exception for a Class B office building in an R-O Zone by constructing an addition to the existing Class A office building is hereby DENIED.

- 2 -

Leter Cax Emmerma Peter Max Zimmerman Deputy People's Counsel

Mr. Commissioners

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204

I HEREBY CERTIFY that on this 23rd day of November, 1982, a copy of the foregoing Order was mailed to G. Scott Barhight, Esquire and Nolun, Piumhoff & Williams, Chartered, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorneys for Petitioner.

BALTIMORE COUNTY
DEBARTMENT OF PERMITS 6 LICENSES
TOWSON, MARYLAND 21204
494-3900

Nr. William R. Remmet, Sening Commissioner Office of Floratog and Suning County Office Building Toutes, Rayland 21204

Property Comers Joseph H. Seipp, D.D.S.
Loretians HE/Cor. Allegheny Avenue and Highland Avenue
Buisting Property Special Exception for a Class B office B Special Exception for a Class B office Building in an

R-O Zone by an addition to an existing utilized Class Motorice 9th

X. All structure shall conform to the Bultimore County Building Code 1981/ Council Mill b-82 State of Maryland Code for the Mandisapped and Agent

XD. A building/and other miscellaneous paratic shall be remained before bestmine

C. Desidential: Three arts of organization descings are required to file a purmit application. Architect/Degianer coal in/is not required.

XD. Communial: These sets of construction drawings with a Maryland Registered Architect or Register shall be required to file a possit application.

3. In orderier wall erected within 6'0 of an edjacent lot line shall be of one hour fire societive construction, so openings possitted within 3'-0 of lot lines. A firewall is required if discussion is on the lot line, See Table 501, line 2, Section 1507 and Table 1502.

F. Asquested varience conflicts with the Bultimore County Building Code, Section/s

XG. A change of corrector shall be applied for, 'long with an alteration possit application, and these required note of drawings indicating how the elevature will most the Code requirements for the proposed change. Branings may require

H. Refers this office can opposed as the above structure, please here the super, thru the corriers of a Registered in Maryland Architect or Register cortify to this office, that, the structure for which a proposed change in use is proposed our comply with the height/area requirements of Table 505 and the required construction elements of Table 505.

XI. Commune: Habitable uses of the attic will not be permitted. If more than one tenent occupies the structure, 1 hour fire separation shall be provided. All exits shall comply with Article 8. Storage areas shall be sprinkled.

PARTS These commute reflect only or the information provided by the fracings emignitted to the office of Flaming and Reging and are not intended to be construed as the full extent of any parmit.

If desired, additional information may be obtained by visiting Room \$122

(Flame Review) at 111 West Champesin Ave., 21206.

March & Hundren Charles E. Burchen, Chief Flums Bories

FC3M 01-85

RE: PETITION FOR SPECIAL EXCEPTION 1 BEFORE THE ZONING COMMISSIONER NE comer of Allegheny & Highland

Aves., 9th District

: Case No. 83-136-X

OF BALTIMORE COUNTY

JOSEPH H. SEIPP, Petitioner

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524,? 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 therefor,

and of the passage of any preliminary or final Order in connection thorowith.

494-2188

CASE NO. 83-136-X

JOSEPH H. SEIPP

OF POSTPONEMENT

NE/comer Allegheny and Highland Aves.

9th District

COUNTY BOARD OF APPEALS

Room 219 Court House

Towson, Md. 21204

July 7, 1983

Hearing Room 218

BALTIMORE COUNTY PUBLIC SCHOOLS

All of the above have no bearing on student population.

Towson, Maryland - 21204

Date: Sept. 7, 1982

Z.A.C. Meeting of: Sept. 14, 1982

Very truly yours,

Mm. Nick Petrovich, Assistant

Department of Planning

Un lid tetrout

Robert Y. Dubel, Superintendent

Mr. William E. Hammond

Towson, Maryland 21204

RE: Item No: /44 45. 46

Property Owner:

Present Zoning:

Proposed Zoning

Location:

District:

Dear Mr. Hammond:

WNP/bp

494-3180

No. Acres:

Baltimore County Office Building

1111 West Chesapeake Avenue

Zoning Commissioner

SE-Class 8 office building in an R.O. zone by an addition to an existing, utilized Class A office Building

5/9/83 - Z.C. 's Order - DENIED

The above hearing set for TUESDAY, SEPTEMBER 20, 1983, at 10 a.m., HAS BEEN POSTPONED by the Board at the request of Counsel for the

Petitioner.

cc: Newton A. Williams, Esq. Counsel for Petitioner G. Scott Barhight, Esq.

Mrs. Mary Ginn

Mrs. Catherine Tumer

Joseph H. Seipp, D. D. S.

J. W. Hessian, Esq.

People's Counsel N. E. Gerber

J. Koswell

W. E. Hammond

J. E. Dyer

June Holmen, Secretary

IN THE MATTER OF THE APPLICATION OF JOSEPH H. SEIPP FOR SPECIAL EXCEPTION FOR A CLASS BE OFFICE **BUILDING IN AN RO ZONE** NE CORNER ALLEGHENY AND HIGHLAND AVENUES 9th DISTRICT

appeal be and the same is DISMISSE!...

COUNTY BOARD OF APPEALS

BEFORE

BALTIMORE COUNTY

NO. 83-136-X

ORDER OF DISMISSAL

Petition of Joseph H. Seipp for a special exception for a Class B Office Building in an R.O. zone on property located at the northeast corner of Allegheny and Highland Avenues, in the Ninth Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed July 5, 1984 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioner in the above entitled case; and

WHEREAS, the said attorney for the said Petitioner-Appellant requests that the appeal filed on behalf of said l'etitioner-Appellant be dismissed as of

July 5, 1984, IT IS HEREBY ORDERED this 10th day of July, 19°4, that said

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

LAW OFFICES

J. EARLE PLUMHOFF NEWTON A WILLIAMS WILLIAM M. HESSON, JF HOMAS J. RENNER WILLIAM R ENGLEHART, JP STEPHEN J. NOLAN G. SCOTT BARNIGHT ROBERT L. HAMLEY, JR.

NOLAN, PLUMMOFF & WII GIAMA CHARTERED 204 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204

7ELEA-04E

July 5, 1983

Ms. June Holmen, Secretary Baltimore County Board of Appeals Rm. 200, Court House Towson, Maryland 21204

Case No. 83-136-X Joseph H. Seipp, DDS - NE Corner of Allegheny and Highland Avenues, Assigned Hearing Date

Tuesday, September 20, 1983

Dear Ms. Holmen:

As your records will reflect, this case involves a request for a Special Exception for a Class B Office Building for 408 Allegheny Avenue here in Towson. This request was denied by Commissioner Hammond's opinion and order of May 9, 1983, from which an appeal was taken.

Earlier this year, we filed a request for a waiver under Section 22-43 from the CRG Process, in view of the fully advertised, posted and reviewed zoning case. Unfortunately, Mr. Gerber by his letter of June 16th 1983 has denied this CRG waiver request. Thus, we are in a position where we must convert our Special Exception plan into a CRG Plan and process it through the CRG process.

Accordingly, we would respectfully ask that this matter be postponed from the assigned hearing date of September 20, in order that the CRG Processing may be carried out.

In all probability, whether the CRG approval is given or withheld, either the property owner or perhaps interested neighborhood community representatives would wish to appeal the CRG action to the Board. We believe that it would be only fair to all parties concerned, including the Board, the property owner, the protestants, and Baltimore County to have both the Special Exception and the CRG Appeal tried in one hearing before the Board. It seems wasteful of the time of all parties concerned particularly the Board, to require the Board to hear essentially the same evidence twice.

LAW OFFICES

NOLAN, PLUMBOFF & WILLIAMS

J. EARLE PLUMHOFF NEWTON A WILLIAMS WILLIAM M. HESSON, JA THOMAS J. REHNER WILLIAM P. ENGLEHART, JR. STEPHEN J. HOLAN G. SCOTT BARHIGHT POBERT L. HANLEY, JR. ROBERT S GLUSHAKOW

OF COUNSEL CMASTERED RALPH E. DEITZ 204 WEST PENNSYLVANIA AVENUE 9026 LIBERTY ROAD TOWSON, MARYLAND 21204 RANDALISTOWN, MARYLAND 21133 1300 823-7800 13011 922-2121

July 2, 1984

The Honorable William T. Hackett, Chairman Baltimore County Board of Appeals Courthouse Towson, Maryland 21204

> Re: Dismissal Without Prejudice of the Appeal by Joseph H. Seipp, D.D.S. Case No. 83-133-X, Special Exception for Office Building

Dear Chairman Hackett:

As your records will reveal, shortly after the passage of the development regulations in the Spring of 1982, Dr. Seipp filed a special exception for an addition to an existing approved R.O. Class A office building at 408 Allegheny Avenue.

Subsequently, this Application was denied by Zoning Commissioner Hammond's Opinion and Order of May 9, 1983, which we promptly appealed to the Board of Appeals.

Since that time, my client, his architect and engineer, have completely re-designed the building, essentially in a well-integrated minor extension of the Class A office building, which would give the appearance of an enclosed porch.

This re-design has been well received by both County agencies, as well as by the West Towson Community Association.

Following recent talks with Mr. Zimmerman, we are hereby dismissing our appeal from Case No. 83-136-X, without prejud.ce, and we will not be proceeding with that earlier design.

This dismissal without prejudice is in conformity with the recent C.R.G., from the Zoning Commissioner's office signed by Ms. Diana Itter, dated June 19, 1984, namely comment No. 1. Thus, it is our belief, namely Mr. Zimmerman, myself, and evidently, the Zoning Commissioner's staff, that the 18 months under Section 5 12,

Ms. June Holmen

July 5, 1983

Therefore, we would respectfully request that the Special Exception Appeal be postponed until such time as the combined CRG Appeal may be heard with it.

Thanking you and the Board for your kind attention to this request, I am.

Sincerely yours,

Newton A. Williams

NAW:ak

- cc: John W. Hessian, Esquire Peoples' Counsel
- cc: Mrs. Mary Ginn 606 Horncrest Rd. Towson, Md. 21204
- cc: Mrs. Catherine Turner 618 W. Chesapeake Ave. Towson, Md. 21204
- cc: Joseph H. Seipp, DD5 4100 N. Charles St. Baltimore, Md. 21218
- Mr. Carl Gerhold Gerhold, Cross & Etzel 412 Delaware Ave. Towson, Md. 21204
- cc: Mr. Charles Vaughan Pippen, AIA 2305 Pot Spring Pd. Timonium, Md. 21093

The Honorable William T. Hackett, Chairman July 2, 1984 Page 2

would then run from Commissioner Hammond's Opinion and Order of May 9, 1983, that is, into November, 1984.

In any case, we are waiting the disposition of certain cases in West Towson, and this short waiting period should not be a handicap.

Thus, it will be greatly appreciated if, pursuant to this letter, the County Board of Appeals will dismiss Case No. 83-136-X, without prejudice, and we will then pursue the pending C.R.G., which has been continued on a number of grounds, and subsequently will seek a special exception for this new, more compatible, well-integrated extension of the existing building.

Thanking you and your staff, as well as all other interested parties, for your cooperation in this regard, I am

Newton A. Williams

NAW: jms

cc: Ms. Diana Itter, Office of Planning and Zoning Ms. Kathleen Warfield, Department of Public Works Peter Max Zimmerman, Esquire, People's Counsel Office Charles Vaughan Pippen, A.I.A. Mr. Carl Gerhold Joseph H. Seipp, D.D.S.



County Boar? of Appeals of Baltimore County Moom 200 Court Mouse (Hearing Room #218) Cotoson, Maryland 21204 (331) 494-3180

June 21, 1983

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 POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$59-79

CASE NO. 83-136-X

JOSEPH H. SEIPP

NE/comer Allegheny and Highland Aves.

9th Distel

SE- Class B office building in an R.O. zone by an addition to an existing, utilized / Class A office building

15/9/83 - Z. C. 's Order-DENIED

ASSIGNED FOR: TUESDAY, SEPTEMBER 20, 1983, at 10 a.m.

cc: Newton A. Williams, Esq. Counsel for Petitioner G. Scott Barbight, Esq.

Joseph H. Selpp, D.D.S. Petitioner

W. Hessian, Esq. People's Counsel N. E. Gerber

J. Hoseell

W. E. Hammand

J. E. Dyer

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS J EARLE PLUMHOFF HENTON A WILLIAMS CHARTERED WILLIAM M. HESS JN, JR 204 WEST PENNSYLVANIA AVENUE THOMAS J. RENNER WILLIAM P. ENGLEHART, JR.

TELEPHONE 301 823 7800

May 23, 1983

TOWSON, MARYLAND 21204

The Honorable William E. Hammond HAND DELIVERED Baldimore County Office Building

> Re: Petition For Special Exception Northeast Corner of Allegheny & Highland Avenues Ninth Election District Joseph H. Seipp, D.D.S. - Petitioner No. 83-136-X (Item No. 44)

Dear Commissioner Hammond:

STEPHEN J. NOLAN

G SCOTT BARHIGHT

POBERT L. HANLEY, JR.

Zoning Commissioner

Townon, Maryland 21204

Please accept this letter as an order of appeal to the County Board of Appeals from each and every part of your Opinion and Order of May 9, 1983, in this matter, denying the requested special exception to add an addition to an existing Class A office building, i.e., a Class B office building in an R.O. zone.

We are enclosing herewith our rheck in the amount of \$100 made payable to Baltimore County, which we believe is the correct appeal fee for a special exception pursuant to Bill 57-82, which became effective June 28, 1982. It will be greatly appreciated if your staff and the staff of the County Board of Appeals will note this appeal, and we will appreciate it if you will notify us immediately if this is not the correct appeal fee.

We thank you and your staff, as well as the staff of the County Board of Appeals for its kind attention to this appeal.

Respectfully,

Newton G. Williams

Newton A. Williams

cc: County Board of Appeals Mrs. Mary Ginn Mrs. Catherine Turner John W. Hessian, III, Esquire Mr. Cari Gerhold

Mr. Hugh E. Gelston

Joseph H. Seipp, U.D.S.

J. Dyer

THEMT DEFENTAGE OF U.

MAY 23 80 AM

a/21/83 - Following were notified of hearing set for Tues., Sept. 20, 183, at 10 a.m.:

Newton Williams Mary Ginn Catherine Jumer Jos. H. Seipp J. Hessian Gerber J. Hoswel

Becd. 7/6/83 50.00.

Patpore-Donotrescheliuntel

June Holman, Secy.



County Board of Appeals of Baltimore County Room 200 Court Mouse Comson, Margland 21204 (301) 494-3180

July 10, 1984

Newton A. Williams, Esquire G. Scott Barhight, Esquire 204 W. Pennsylvania Avenue Towson, MD 21204

> Re: Case No. 83-136-X Joseph H. Seipp

Dear Sirs:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled

Very truly yours,

November 17, 1982

NE/corner of Allegheny & Highland Avenues

ZONING COMMISSIONER OF

MORE COUNTY

NOTICE OF HEARING

Joseph H. Seipp - Petitioner

Case #83-136-X Item #44

Re: Petition for Special Enc ption

PLACE: Room 106, County Office Building, !11 West

Chesapeake Avenue, Towson, Maryland

m. 107979

Edith T. Eisenhart, Adm. Secretary

Encl.

G. Scott Barbight, Loquire

Nolan, Plumboff and William s

204 W. Penasylvania Avenue

TIME: 11:00 A. M.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION

DATE 8-20-52 ACCOUNT 01-662

063---- 18000to 8225A

VALIDATION OR SIGNATURE OF CASHIER

MISCELLANEOUS CASH RECEIPT

DATE: Tuesday, December 14, 1982

Towson, Maryland 21204

cc: Mrs. Mary Ginn Mrs. Catherine Turner Phyllis C. Friedman Norman E. Gerber James G. Hoswell Arnold Jablon James E. Dyer Jean Jung Joseph L. Seipp, D.D.S. BALTIMORE COUNTY OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

WILLIAM E. HAMMOND ZONING COMMISSIONER

May 9, 1983

G. Scott Barhight, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Sp-cial Exception NE/corner of Allegheny and Highland Avenues -9th Election District Joseph H. Seipp - Petitioner NO. 83-136-X (Item No. 44)

Dear Mr. Barhight:

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

> Very truly yours, Zoning Commissioner

Attachments

cc: Mrs. Mary Ginn 606 Horncrest Road Towson, Maryland 21204

> Mrs. Catherine Turner 618 Chesapeake Avenue

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

WEH/srl

Towson, Maryland 21204

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

WILLIAM E HAMMOND ZONING COMMISSIONER

December 3, 1962

G. Scott Barhight, Lequire 204 W Pennsylvania Avenue Townen, Maryland 21204

> Re: Potition for Special Exception NE/corner of Allegheny & Highland Avenues Joseph H. Seipp - Petitioner Case #83-136-X

Dear Mr. Barhight:

This is to advise you that \$58.85 is due for advertising and posting of the above property.

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

Very truly yours,

WILLIAM E. HAMMOND Zoning Commissioner

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION HISCELLANEOUS CASH RECEPT

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VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES

MOLAN, PLUMBOFF & WILLIAMS J. BARLE PLUMHOFF CHANTONNO NEWTON A. WILLIAMS WILLIAM M. HESSON, JR

204 WEST PENNSYLVANIA AVENUE THOMAS J. RENNER WILLIAM & ENGLEHART, JE TOWSON, MARYLAND 21204 STEPHEN J. HOLAN G. SCO. T BARHIGHT

TELEPHONE. 00.11-058 1001

HAND DELIVERED

May 23, 1983

The Honorable William E. Harmond Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

POBERT L. HANLEY, JR.

Re: Petition For Special Exception Northeast Corner of Allegheny & Highland Avenues Ninth Election District Joseph H. Seipp, D.D.S. - Petitioner No. 83-136-X (Itam No. 44)

Dear Commissioner Harmond:

Please accept this letter as an order of appeal to the County Board of Appeals from each and every part of your Opinion and Order of May 9, 1983, in this matter, denying the requested special exception to add an addition to an existing Class A office building, i.e., a Class B office building in an R.O. zone.

We are enclosing herewith our check in the amount of \$100 made payable to Baltimore County, which we believe is the correct appeal fee for a special exception pursuant to Bill 57-82, which became effective June 28, 1982. It will be greatly appreciated if your staff and the staff of the County Board of Appeals will note this appeal, and we will appreciate it if you will notify us immediately if this is not the correct appeal fee.

We thank you and your staff, as well as the staff of the County Board of Appeals for its kind attention to this appeal.

PETITION FOR SPECIAL EXCEPTION

Northeast corner of Allegheny and Highland Avenues

Tuesday, December 14, 1982 at 11:00 A.M.

7th Election District

Petition for Special Exception

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

Petition for Special Exception for a Class B office building

in an R.O. zone by an addition to an existing, utilized

Avenue, Towson, Maryland

and Regulations of Baltimore County, will hold a public hearing:

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

Class A office building

Respectfully,

Newton G Williams Newton A. Williams

NAW:pr

ZONING:

LOCATION:

DATE & TIME:

cc: County Board of Appeals Mrs. Mary Ginn Mrs. Catherine Turner John W. Hessian, III, Esquire Mr. Carl Gerhold Fir. Hugh E. Gelston Joseph H. Seipp, D.D.S.



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

WILLIAM E HAMMOND ZONING COMMISSIONER

May 24, 1983

Mrs. Mary Ginn 636 Horncrest Road Towson, Maryland 21204

> Re: Petition for Special Exception NE/corner of Allegheny and Highland Avenues Joseph H. Seipp - Petitioner Case No. 83-136-X

Dear Mrs. Ginn:

Please be advised that an appeal has been filed by Newton A. Williams, Esquire, on behalf of the petitioner, from the decision rendered by the 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 County Board of Appeals.

William E. Hammond Zoning Commissioner

WEH:aj

cc: Mrs. Catherine Turner 6!8 Chesapeake Avenue Towson, Maryland 21204

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

EARLE PLUMHOFF

ROBERT L. HANLEY, JA

LAW OFFICES

NOLAN. PLUMHOFF & WILLIAMS CHARTERED 204 WEST PENNSYLVANIA AVENUE

NEWTON A WILLIAMS WILLIAM M HESSON, JR THOMAS I PENNER TOWSON, MARYLAND 21204 WILLIAM P ENCLEHART UR STEPHEN J. NOLAN G. SCOTT BARHIGHT

March 24, 1983

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

> Re: Revised Floor Plans For Proposed Class B Office Building Addition To Existing Offices At 408 Allegheny Avenue, Case No. 83-136-X JOSEPH N. SAIPP

Dear Commissioner Hammond:

As was discussed at the hearing on December 14, 1982, my clients are hereby modifying their petition pursuant to the enclosed, revised twopage floor plan and elevation of 408 Allegheny Avenue as revised March 15,

You and your staff will note that the <u>primary change</u> is to move the <u>front building wall of the proposed addition back flush with the existing front porch line, while at the same time widening the proposed width of the addition from 16 1/2 feet to 18 feet. We believe that the net effect</u> of this widening will be to provide for a 13.8 foot side yard on the east side, which is still substantially wider than the existing side yard at 406 to the

It will be greatly appreciated if you and . r staff, as well as Mrs. Ginn on behalf of the West Towson Association and Mrs. Turner on behalf of the Southland Hills will examine these plans, which we believe will make this proposed addition even more compatible with its neighbors.

Should you wish us to do so, <u>please advise us whether Mr. Gerhold should revise his zoning plat</u>, Zoning Commissioner's Petitioners' Exhibit 1. Of course, these revised floor plans and elevations supplement Petitioners'

Thanking you and your staff, as well as Mrs. Ginn and Mrs. Turner, for your kind attent'on to these revised plans, and looking forward to seeing you in your office again at an early date, I am, with best wishes for your

R 01 615 000 AMOUNT \$58.85 received Nichan, Planshoff & Williams Advertising & Posting Case #83-136-X (Joseph H. Selpp)

Being the property of Joseph H. Seipp, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, December 14, 1982 at 11:00 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeske Avenue, Towson, Maryland

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

The Honorable William E. Hammond Baltimore County Zoning Commissioner March 24, 1983 Page two

continued speedy recovery -

Sincerely,

newton Newton A. Williams

NW:pr encs.

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

> Peter M. Zimmerman, Esquire Deputy People's Counsel

Mrs. Mary Ginn

Mrs. Kay Turner

Joseph H. Seipp, D.D.S.

Mr. Carl Gerhold

Mr. Charles V. Pippen, A.I.A.

HICROFILMED

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 WILLIAM E. HAMMOND Loning Commissioner Petitioner's Attorney C. Scott Sestight, Beginned by: Chairman, Zoning Plane "ICROFILMED Advisory Committee

MALTIMORE COUNTY, MARYLAND MINOCEL PROMICE - REVENUE BRIMINGS DATE_ \$/36/83 AMOUNT \$105.00 race. Melen Plane bell & WV thoug speed Fee on Case No. 83-136-X opt H. Baler CROFILMED SZDA

LAW OFFICES

J. EARLE PLUMHOFF NEWTON A. WILLIAMS WILLIAM M. HESSON, JR THOMAS J. REHNER RENAETH H. MASTERS STEPHEN J. NOLAN WILLIAM P. ENGLEHART, JR. G. SCOTT BARHIGHT

ROBERT L. HANLEY, JR.

Zoning Commissioner

NOLAN, PLUMBOFF & WILLIAMS CHARTRED 204 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204

AREA CODE 301 TELEPHONE 823 7800

January 4, 1983

MAILING ADDRESS P.O. 101 9496 TOWSON, MARYLAND 2/204

The Honorable William E. Hammond County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Joseph H. Seipp, D.D.S., Special Propertion For 6 5
Expansion Of Existing Office Building, 408 Allegheny Avenue; Case No. 83-136-X

Dear Commissioner Hammond:

Dr. Seipp and his architect, Charles Vaughan Pippen, have recessioned the roof line and window line of the proposed addition at 408 Bosley Avenue based upon the comments of Mrs. Cinn and Mrs. Turner. We are enclosing herewith an undated elevation plat, which has been furnished to these two community leaders as well.

Everyone will also note that the handicapped ramp has been switched for rear parking lot access as was also requested.

Thanking you, Mrs. Ginn and Mrs. Turner for your interest in this matter, I am -

> Respectfully, Newton A. Williams

NW:pr oc: Mrs. Hary Ginn Mrs. Yay nurner Joseph H. Seipp, D.D.S.

MICROFILMED

CERTIFICATE OF PUBLICATION

-TOWSON, MD., ... November 25, 19 82 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed one time ________ before the ___lith_____ day of _____ December __, 19.82 __, the #56 publication appearing on the 25th day of November 19.82

THE JEFFERSON!AN, drette Cost of Advertisement, \$ 21.00

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AMEA CODE 304 CHASTERN TELEPHONE 204 WEST PENNSYLVANIA AVENUE 823-7800 TOWSON, MARYLAND 21204

MAILING ADDRESS IN 157. SA, AMPLAND SIZOS January 14, 1983

83-136-X

The Honorable Jean M. H. Jung Deputy Zoning Commissioner County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Re: Dr. Joseph H. Seitz, 408 Allegheny Avenue

Dear Mrs. Jung:

Subsequent to the mid December hearing and in response to the concerns of the neighborhood organizations involved, Dr. Seipp has asked his architect Charles Vaughan Pippen to pull the front wall of the new building back to the existing front porch building line, a reduction of approximately 4 feet or so.

By a carbon copy of this letter directed to Dr. Seipp and Charles Vaughan Pippen, we are asking that this front facade charge be made. Dr. Seipp may wish to extend the east side of the addition only 1 1/2 feet, a minor change.

As we all will recall, the front porch building line at 408 Bosley Avenue is already located further back from Allegheny Avenue than any of the properties to the south, namely 406, 404 or 402 Allegheny

This change is being made in a spirit of cooperation in an effort to accommodate the wishes of the neighborhood organizations involved.

In all probability, this letter will reach you upon your return from your well earned two week vacation. All parties concerned look forward to a resolution after that date. With best regards, I am -

Sincerely,

Newton a. Williams Newton A. Williams (PC)

NW:pr

oc: Mrs. Mary Ginn Mrs. Kay Turner John W. Hessian, III, Eaguire Peter M. Zimmerman, Esquire Or. and Mrs. Joseph H. Seipp Charles Vaughan Pippen

MICROFILMED

£ 136183 0 B21 CERTIFICATE OF PUBLICATION TOWSON. MD. THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for ____ successive weeks, the first publication appearing on the 24th day of ______ 1982. THE TOWSON TIMES Surranne anselella

Cost of Advertisement, \$ 32.85

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PROPOSED ADDITION TO THE SEIPP OFFICE PROPERTY AT 408 ALLECHENY AVENUE

Dr. Seipp has already improved and refurbished 408 Allegheny Avenue, and it is in excellent condition, with very attractive and well maintained plantings and yards. As to the total building size the total 31 F.A.R. ONLY floor area of .31 with the addition represents only 60% of the permitted floor area ration of .5 allowed for a Class B office building in an RO

30 BLOCK LEGHENY - ALL

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6, 404 OR 402

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2. The entire north side of Allegheny Avenue from Central Avenue on the east to Highland Avenue to the west, is either presently in office use, or planned for office use in the near future. 3. The proposed addition on the east side of the existing offices

will not impinge significantly on either the present front yard, or at all upon the side yard on the Highland Avenue side. 4. The proposed addition at 408 Allegheny Avenue will be further

DITION FURTHER from the commor boundary line than the vacant adjoining house at 406 Allegheny Avenue which has recently i men sold.

5. The proposed addition to 408 Allegheny Invenue is designed in a compatible architectural style, both as to the existing building and the neighboring buildings, and, in fact, is set back further from Allegheny Avenue than 402, 404 or the adjoining property at 406 Uleyheny Avenue. See the photographs.

6. The requested addition added to the present building in total

OTPRINT WITH DITION COMP- Et is comparable in size and building footprint to others in this area of NELE TO OTHERS AREA

LL BE FIRST LE MATERIALS landscaped grounds.

larger, older buildings. 7. The proposed addition will be done with the same first class materials and workmanship as the present building, parking area and well

MICROFILMED

CLERK OF CHRCUIT COURT

EXHIBITS- # 83-136-X SEIPP

Prot. El. #, 4 2 A thru 5 A in closet





G. SAME VIEW AS IN F. ALONG PROPERTY LINE



J. 400 ALLECHENY AVE AT VW/O OF ALLECHERY U PENTRAL AVES . - COADY+ FARLEY



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L. 4. B ALLEGHENY AVE. - TO THE EAST CF SEEP PRIPERTY AT 408 ALLECHEUY AVE.







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C. REAR VIEW OF 408 ALLEGHENY AVE. PRIOR TO REMODELLING



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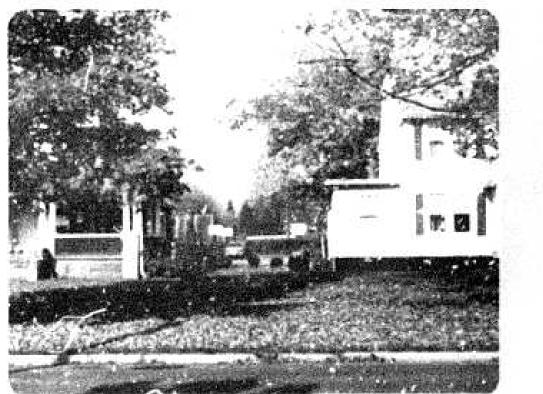
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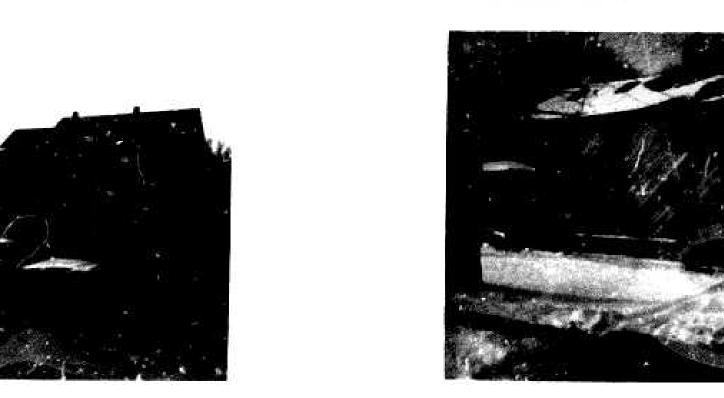
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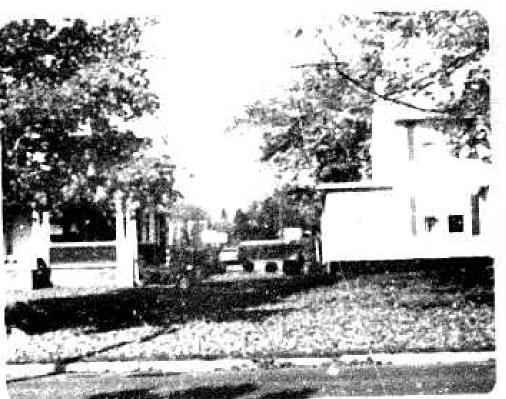
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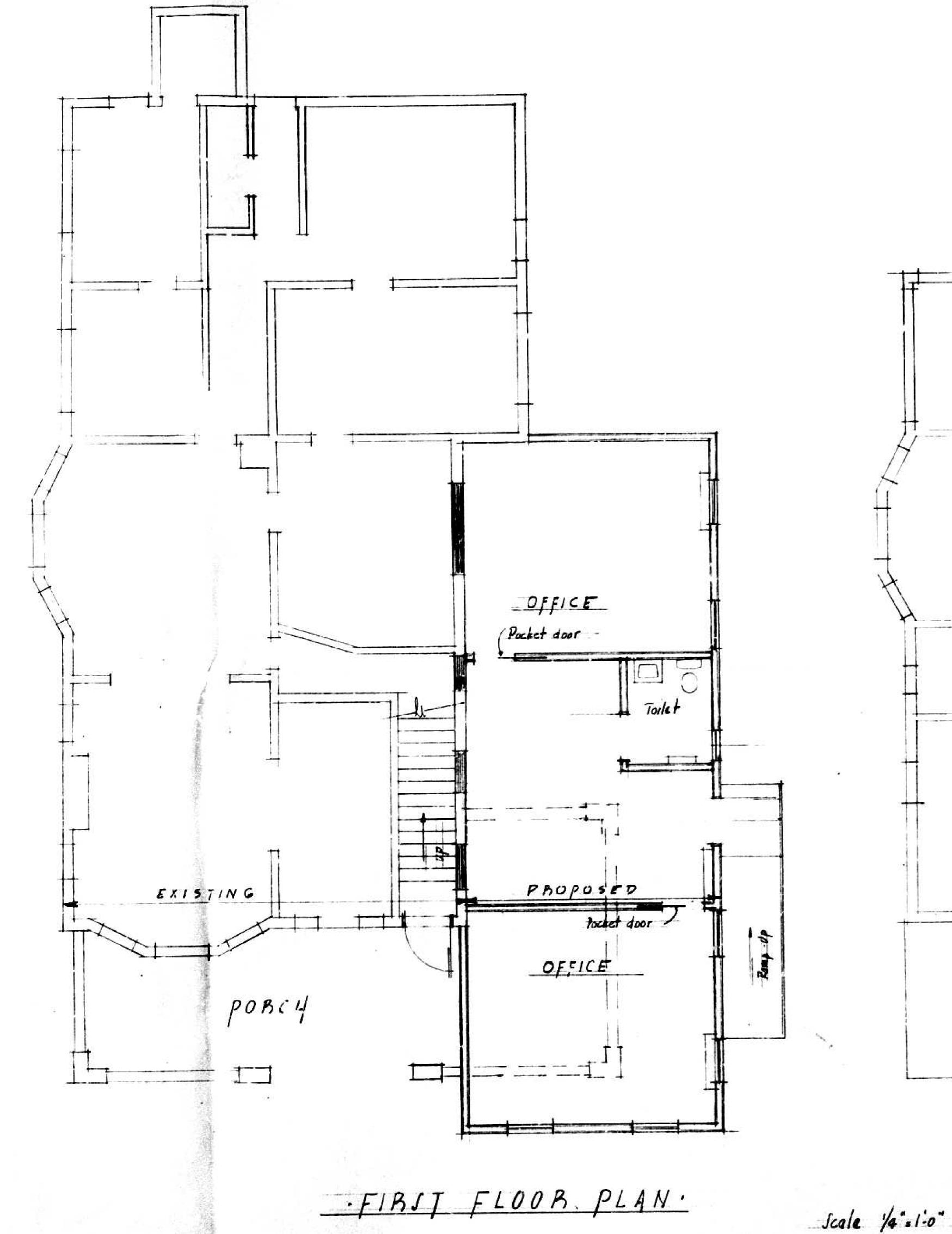




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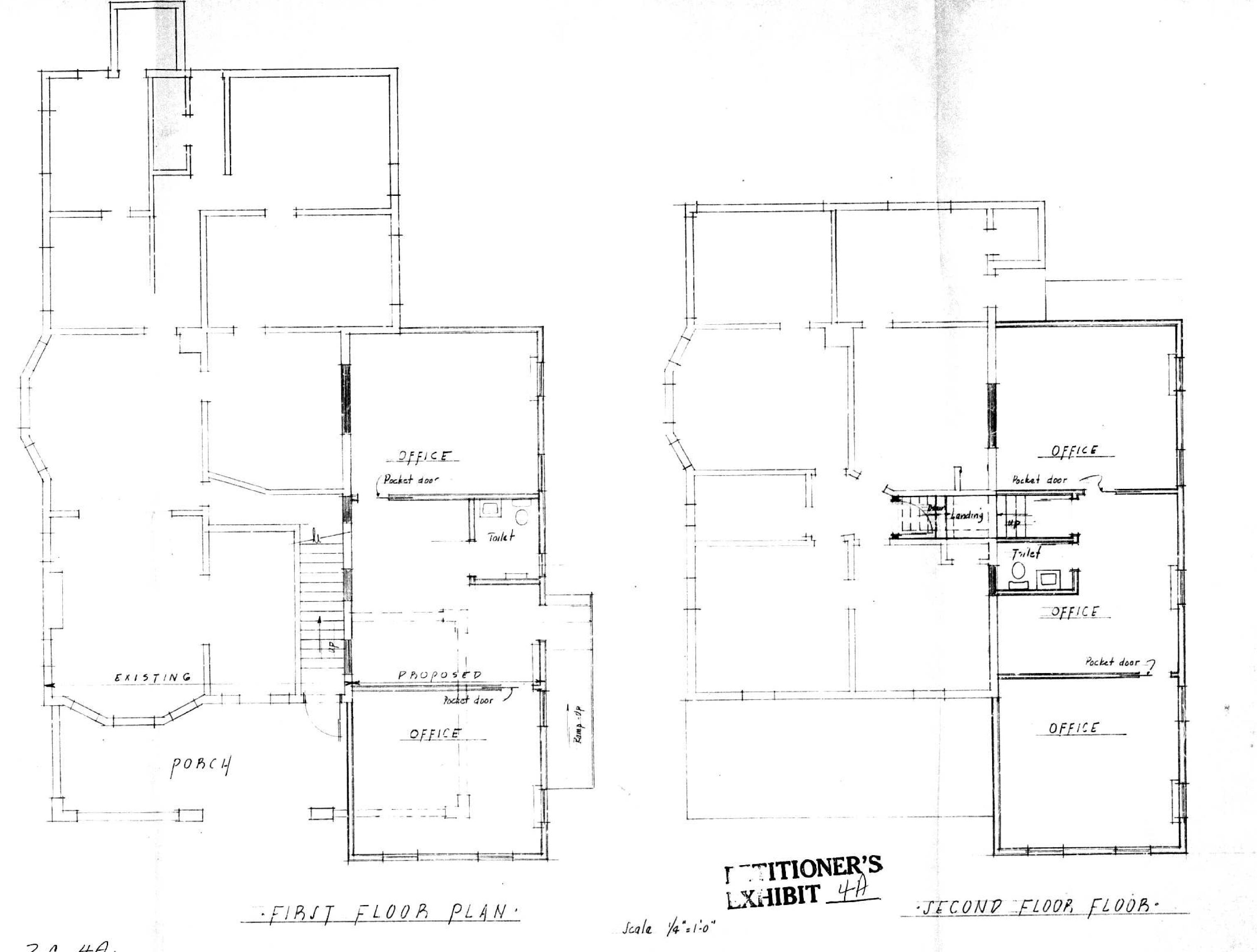


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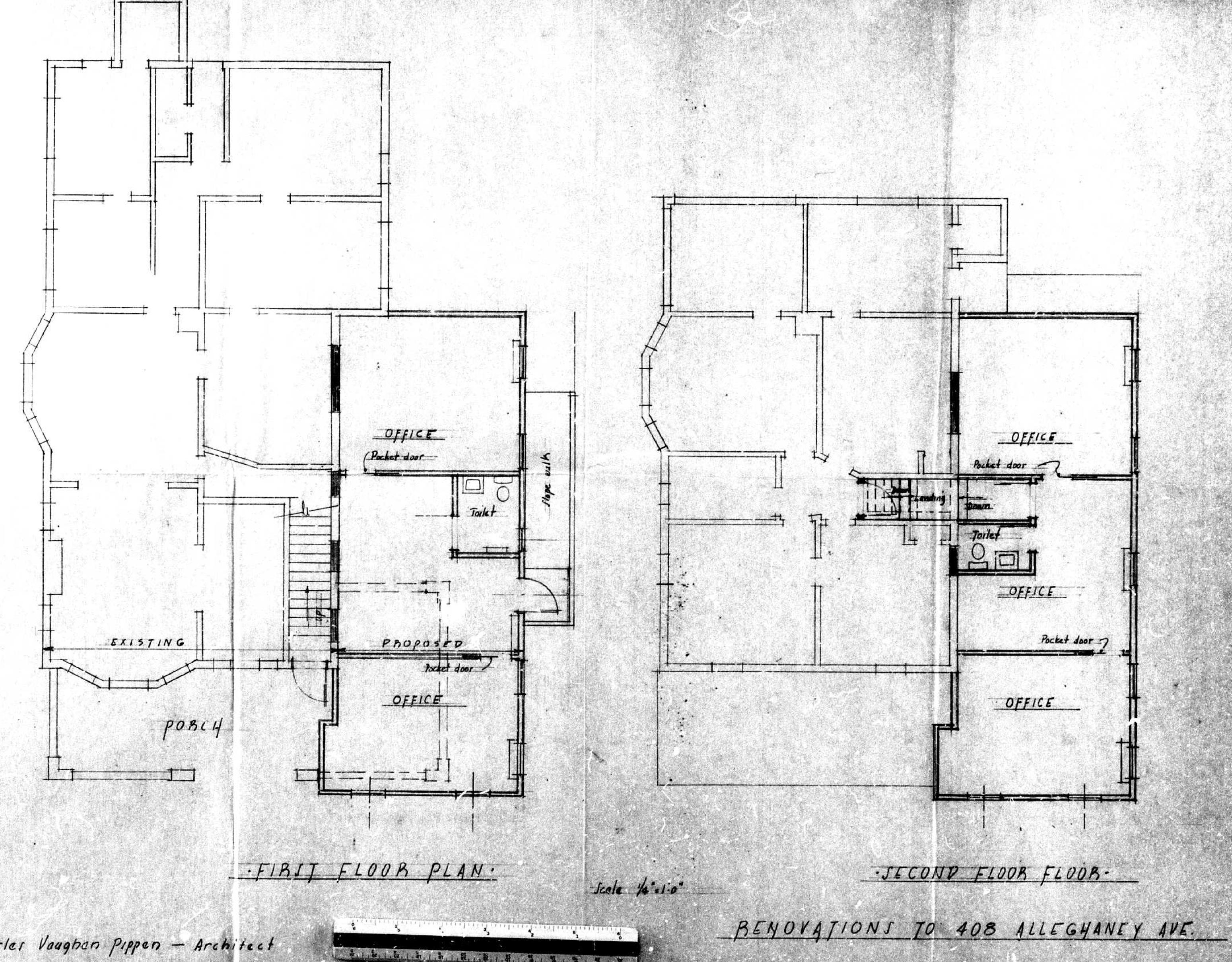
Charles Voughan Pippen - Architect

BENOVATIONS TO 408 ALLEGHANEY AVE.

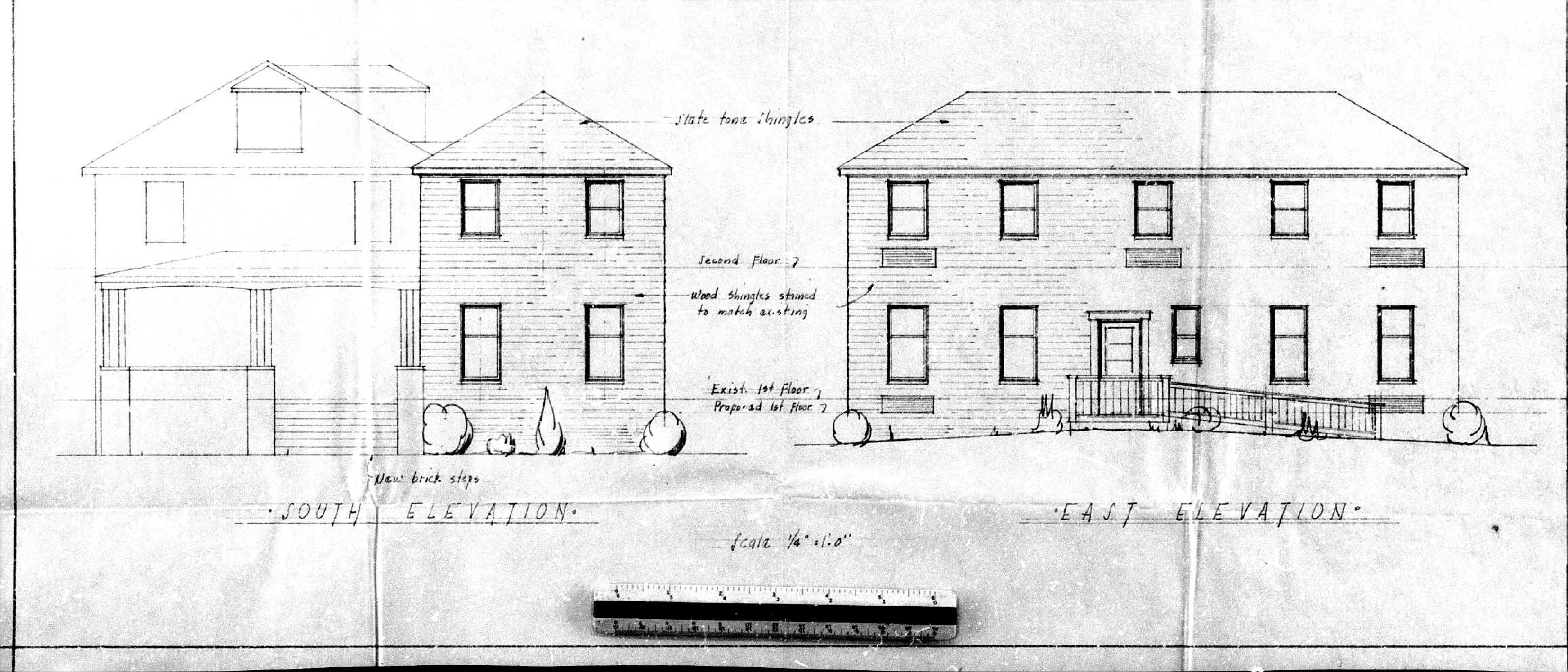


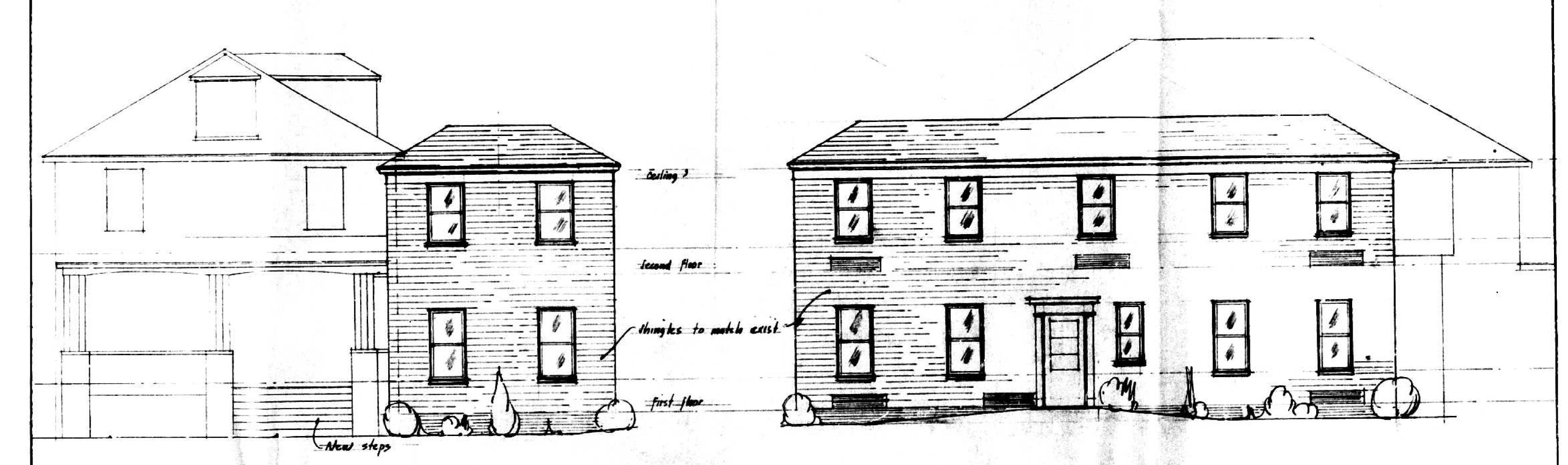
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BENOVATIONS TO 408 ALLEGHANEY AVE.



Charles Voughan Pippen - Architect 12/29/82



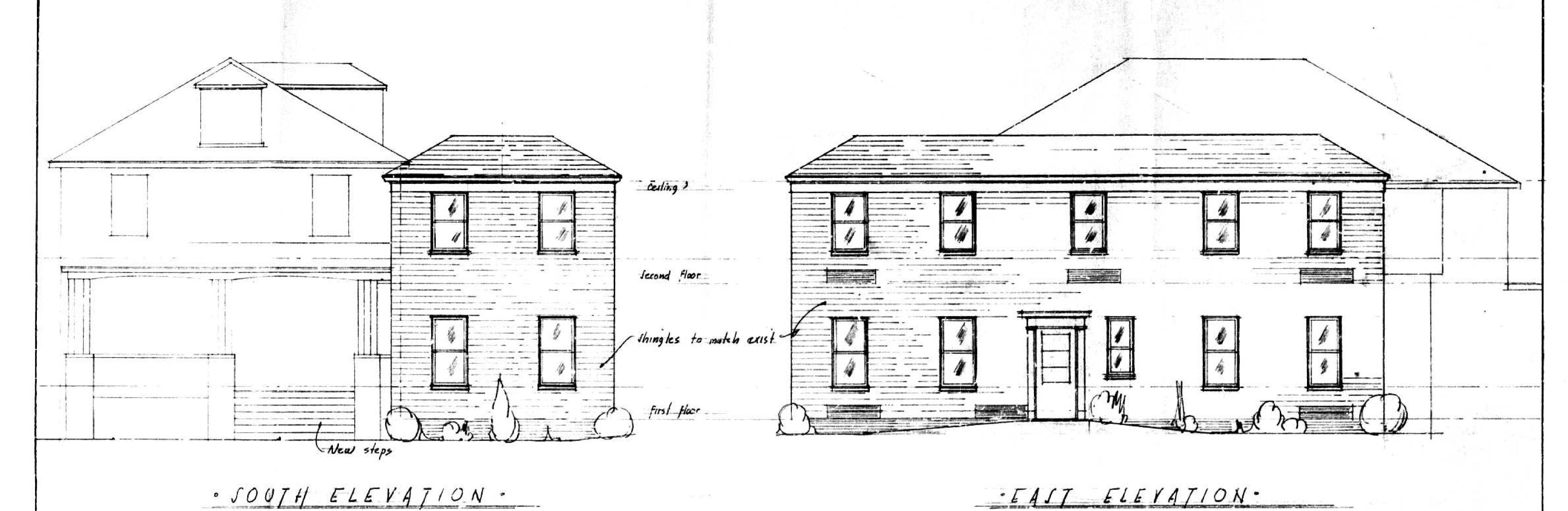


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PETITIONER'S
EXHIBIT 45

2.C. Pet. Eph. 48.



PETITIONER'S
EXHIBIT 48

