

84-70-A PETITION FOR ZONING VARIANCE 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 Variance from Section 1B02.3C.1 - to permit a lot width of 58' in lieu of the required 70' and a minimum side yard setback of 6' in lieu of the required 10' and a sum of side yard setbacks of 13' in lieu of the required 25'.

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

The configuration of the present lot creates wasted space and area, and consequently the property owner cannot fully and completely use the subject property creating a hardship as to present use and value.

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.

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.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Phone No.: _____

Legal Owner(s): _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Phone No.: _____

Attorney for Petitioner: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Phone No.: _____

Stephen R. Tully, Esquire
144 Fris. Tuck Mill
Annapolis, Maryland 21405
City and State: _____
Phone No.: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Stephen R. Tully
6905 York Road
Baltimore, Maryland 21212
City and State: _____
Phone No.: 377-7403

Attorney's Telephone No.: (301) 377-7403

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day

of July 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of September 1983, at 10:30 o'clock

At A.M.
RESCHEDULED:
Tuesday, October 4, 1983 at
9:30 A.M.

(over)

84-245-A PETITION FOR ZONING VARIANCE 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 Variance from Section 402 to permit a lot width of 61' in lieu of the required 105' and minimum side yard setback of 8' in lieu of the required 20' and a sum of side yards setback of 24' in lieu of the required 40' for Lot A; and a side yard setback of 8'-6" in lieu of the required 20' for Lot B.

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

The dwellings in question are existing and are to remain.

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.

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.

Contract Purchaser: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Phone No.: _____

Legal Owner(s): _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Phone No.: _____

Attorney for Petitioner: _____
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Phone No.: _____

2403 SYLVANIA RD. 21220
Baltimore, Md. 21207
City and State: _____
Phone No.: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Alvin E. Wagenheim
2403 Sylvania Rd.
Baltimore, Maryland 21220
City and State: _____
Phone No.: _____

Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day

of January 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of March 1984, at 9:45 o'clock

At A.M.
Zoning Commissioner of Baltimore County.

(over)

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 5th day of April 1984, that the herein Petition for Variance(s) to permit a lot width of 61 feet in lieu of the required 105 feet, minimum side yard setbacks of 8 feet in lieu of the required 20 feet, and a sum of side yard setbacks of 24 feet in lieu of the required 40 feet for Lot A; a side yard setback of 8 feet 6 inches in lieu of the required 20 feet for Lot B, all for the existing dwellings, in accordance with the site plan prepared by Daft, McCune, Walker, Inc., revised January 4, 1984, and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following:

1. A revised site plan shall be submitted reflecting the changes made and approved by the County Review Group (CRG).
2. Compliance with all CRG requirements.
3. Approval of the aforementioned site plan by the Office of Planning and Zoning.

John M. Duggan
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 30, 1983

Stephen R. Tully, Esquire
6905 York Road
Baltimore, Maryland 21212

RE: Item No. 6 - Case No. 84-70-A
David Gaudreau
Variance Petition

Dear Mr. Tully:

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 will 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 subdivide the subject property and create an additional building lot in the rear, these variance requests for lot width and side yard setbacks are required.

I contacted the Office of Current Planning concerning the proposed 12 foot driveway, and it met with their approval.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures
cc: Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, Md. 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

August 8, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #6 (1983-1984)
Property Owner: David Gaudreau
S/S Allegheny Ave. 840' W. from centerline
Highland Ave.
Acres: 0.84 District: 9th

Dear Mr. Jablon:

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 Avenue is proposed to be further improved in the future as a 42-foot closed section roadway on a 60-foot right-of-way in this vicinity. An individual lot requires a 20-foot parhandle.

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:

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm.

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 #6 (1983-1984)
Property Owner: David Gaudreau
Page 2
August 8, 1983

Water and Sanitary Sewers
A 12-inch public water main and 8-inch public sanitary sewerage exist in Allegheny Avenue. A fire hydrant is located at Highland Avenue.

Very truly yours,

Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EM:FW:ISS
cc: William Munchel

N-M Key Sheet
39 NE 1 Pos. Sheet
NE 10 A Topo
70 Tax Map

BALTIMORE COUNTY DEPARTMENT OF HEALTH

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

Zoning Item # 6, Zoning Advisory Committee Meeting of July 5, 1983

Property Owner: David Gaudreau

Location: S/S Allegheny Avenue District 9

Water Supply: public Sewage Disposal: public

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Pursuant to the advertisement, posting of property, and public hearing on the petition, as well as an on-site inspection of the property, and it appearing that the granting of the petition would not be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and strict compliance with these regulations would not result in practical difficulty and unreasonable hardship upon the petitioner, and as the granting of the variances requested will adversely affect the health, safety, and general welfare of the community, the variances should not be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 7th day of November, 1983, that the herein Petition for Variances to permit a lot width of 58 feet in lieu of the required 70 feet, a minimum side yard setback of six feet in lieu of the required ten feet, and a sum of side yard setbacks of thirteen feet in lieu of the required twenty-five feet, is hereby DENIED.

ORDER RECEIVED FOR FILING

DATE November 7, 1983

BY Mary Campagna (clerk)

John M. DeLong
Deputy Zoning Commissioner of
Baltimore County

Zoning Item # 6
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- () Soil percolation tests have been conducted.
 - { The results are valid until
 - { Revised plans must be submitted prior to approval of the percolation tests.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - { shall be valid until
 - { is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be faced with a dustless, bonding material.
- () No health hazards are anticipated.
- (X) Others: A Hydrogeological Study and an Environmental Effects Report may be required. A Reserve Capacity Use Certificate may be required before a building permit is issued.

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

July 28, 1983

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

Dear Mr. Hammond:

Comments on Item # 6 Zoning Advisory Committee Meeting July 5, 1983

are as follows:

Property Owner: David Gaudreau
Location: 529 S. 1st St. 840' W. from centerline Highland Ave.
Existing Zoning: R-1
Proposed Zoning: Variance to permit a lot width of 58' in lieu of the required 70', to permit a side yard setback of 6' in lieu of the required 10' & a sum of side yard setbacks of 13' in lieu of the required 25'.
District: 9th

The items checked below are applicable:

- (A) All structures shall conform to the Baltimore County Building Code 1981/ Council Bill 1-83 amended, Maryland Code - Building - Subchapter 10-100 and other applicable Codes.
- (B) A building and other miscellaneous permits shall be required before beginning construction.
- (C) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer seal is/is not required.
- E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A fire wall is required if construction is on the lot line, see Table 601, line 2, Section 1007 and Table 1401.
- F. Requested variances conflict with the Baltimore County Building Code, Section/s _____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the same, thru the services of a Registered Professional Architect or Engineer, certify to this office, that, the structure for which a proposed change in use is proposed complies with the height/area requirements of Table 505 and the required construction classification of Table 601.

I. Comments:

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired, additional information may be obtained by visiting Room #122 (Plan Review) on 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Burman
Charles E. Burman, Chief
Plan Review

CEB:rrj

PCN 01-02

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
S/S Allegheny Ave., 840' W of : OF BALTIMORE COUNTY
Highland Ave., 9th District
DAVID L. GAUDREAU, : Case No. 84-70-A
Petitioner

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of August, 1983, a copy of the foregoing Order was mailed to Stephen R. Tully, Esquire, 6905 York Road, Baltimore, MD 21212, Attorney for Petitioner.

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

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204 2565
494-4200

THE CHIEF

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

Attention: Nick Conzatti, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: David Gaudreau

Location: S/S Allegheny Avenue 840' W. from centerline Highland Avenue

Item No. 6 Zoning Advisory Meeting of July 5, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the corners 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 _____ 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 operation.
- (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.

REVIEWED: *11/13/83* *11/13/83* APPROVED: *Charles E. Burman*
Planning Group Fire Prevention Bureau
Special Inspection Division

/nb

IN THE MATTER OF THE APPLICATION OF : BEFORE
DAVID L. GAUDREAU : COUNTY BOARD OF APPEALS
FOR A VARIANCE FROM :
§1802.3C.1 OF THE :
BALTIMORE COUNTY :
ZONING REGULATIONS : BALTIMORE COUNTY
S/S OF ALLEGHENY AVENUE :
840' W. OF HIGHLAND AVENUE :
9TH DISTRICT : NO. 84-70-A

OPINION

This case comes before the Board on an appeal from the Deputy Zoning Commissioner's denial of the property owner's petition for a variance. The date of said Order was November 7, 1983.

The facts can be simply stated. Mr. Gaudreau is the owner of a lot located at 529 Allegheny Avenue. The lot has a relatively narrow but deep configuration. In the front portion of the lot, bordering on Allegheny Avenue, there is an existing two-story dwelling. Mr. Gaudreau leases this property. The property owner wishes to construct another dwelling in the rear of the property for his own occupancy. In order to erect this structure it will be necessary that a panhandle access route be completed. Mr. Gaudreau cannot construct a panhandle with a width of the required twenty feet because of the narrowness of the lot. In all other respects, the property can accommodate the proposed structure under the Zoning Regulations of Baltimore County.

Appearing on behalf of Mr. Gaudreau was Paul Lee, a professional engineer. Mr. Lee, who is recognized as an expert in this field, advised that he had proposed a twelve foot panhandle as an access route to the contemplated structure. In his opinion, Mr. Lee felt that such a width could accommodate the anticipated traffic. Mr. Lee also indicated that in the existing neighborhood, there were two properties currently in use where panhandles were less than the required twenty foot distance, and less than the twelve foot distance requested in the subject case.

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 2, 1983

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

Item No. 275, 276, 1, 4, 5, 6, 7, 8, 9, 10, and 11. ZAC-Meeting of July 5, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 275, 276, 1, 4, 5, 6, 7, 8, 9, 10, and 11.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/ccm

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: July 5, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: July 5, 1983

RE: Item No: 275, 276, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

DAVID L. GAUDREAU - #84-70-A

2.

Mr. Gaudreau also appeared on his own behalf and described his proposed improvements. The witness's testimony largely consisted of statements evidencing the improvement that would be wrought upon the neighborhood by the construction of this house. However, he did state that the inability to develop his property as proposed would cause him hardship in that the site would remain underutilized and he would be faced to seek a lot for his proposed residence at a less desirable location.

The testimony of the People's Counsel consisted of statements made by James Hoswell, a planner with Baltimore County, and the testimony of the owner of a neighboring property at 535 Allegheny Avenue. Mr. Hoswell indicated that, in his expert opinion, the proposed panhandle was not sufficient and he felt that the variance should be denied. However, he acknowledged that there is within the Planning Board a difference of opinion as to this issue. Specifically, there have been other approvals in this neighborhood of sites having existing panhandles narrower than that proposed here.

The testimony of Mr. Schroeder, the owner of the neighboring property, primarily concerned the aesthetics of the proposed development, specifically, the extra traffic and garbage generated.

The power to grant variances is provided to the Zoning Commissioner and to the Board of Appeals by §307 of the Baltimore County Zoning Regulations. Specifically, that section provides that variances can be granted when strict compliance with the Zoning Regulations "would result in practical difficulty or unreasonable hardship". In the present case, the primary thrust of the testimony in support of the variance was as to the beneficial effect of these improvements on this neighborhood. However, although less than overwhelming, there was testimony, particularly from Mr. Gaudreau, that to deny his

DAVID L. GAUDREAU - #84-70-A

3.

petition for a variance would result in practical difficulty and/or unreasonable hardship. Having satisfied this standard, the Board is inclined to allow the use of this property as contemplated in the petition. The Board particularly notes that other panhandles in the immediate area are narrower than the proposal here. There was little substantial testimony from either the County or the neighbor to convince the Board that this variance should not be allowed. Therefore, the Board will reverse the Order of the Deputy Zoning Commissioner and grant the petition for a variance, and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 25th day of September, 1984, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated November 7, 1983, be REVERSED, and that the variance petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman

Lawrence E. Schmidt

William R. Evans

494-3180

County Board of Appeals

Room 219 Court House

TOWSON, MARYLAND 21204

May 24, 1984

NOTICE OF POSTPONEMENT and REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASON. 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. 84-70-A

DAVID L. GAUDREAU

5 1/2 Allegheny Ave., 840' W of Highland Ave.

9th District

Variances

11/7/83 - D.Z.C.'s Order - DENIED

The above case, scheduled for hearing on Tuesday, July 10, 1984, at 10 a.m., has been POSTPONED by the Board at the request of Counsel for the Petitioner, and

REASSIGNED FOR: THURSDAY, AUGUST 23, 1984, at 10 a.m.

cc: Stephen R. Tully, Esq.

Counsel for Petitioner

David Gaudreau

Petitioner

Frederick Schroeder

Protestant

Eugene Cross

"

Mrs. Mary Ginn

"

People's Counsel.

"

N. Gerber

"

J. Hoswell

"

J. Jung

"

J. Dyer

"

A. Jablon

"

June Holmen, Secy.



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)

Towson, Maryland 21204

(301) 494-3180

May 9, 1984

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 #59-78

CASE NO. 84-70-A

DAVID L. GAUDREAU

5 1/2 Allegheny Ave., 840' W of Highland Ave.

9th District

Variances

11/7/83 - D.Z.C.'s Order - DENIED

TUESDAY, JULY 10, 1984, at 10 a.m.

ASSIGNED FOR:

cc: Stephen Tully, Esq.

Atty. for Petitioner

David Gaudreau

Petitioner

Frederick Schroeder

Protestant

Eugene Cross

"

Mrs. Mary Ginn

"

People's Counsel

"

N. Gerber

"

J. Hoswell

"

J. Jung

"

J. Dyer

"

A. Jablon

"

June Holmen, Secy.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: August 16, 1983

FROM: Norman E. Gerber, Director
Office of Planning and Zoning

SUBJECT: David L. Gaudreau
84-70-A

This office is opposed to the granting of this request. The panhandle width is not sufficient to meet County standards; nor is there sufficient yard area within which to provide the required 20 feet. Further, were this type of two-deep development on a narrow lot permitted here, it would establish a precedent for such in the area.

Norman E. Gerber
Director of Planning and Zoning

NEG:cav

STEEN, HUGHES, SEIGEL & TULLY

712 PARK AVENUE

BALTIMORE, MARYLAND 21201

TELEPHONE (301) 969-9300

January 6, 1984

County Board of Appeals of
Baltimore County
Room 200 Court House
Towson, Maryland 21204

RE: Case No. 84-70-A
Petitioner: David L. Gaudreau
Our File: 13T-336

Dear Sir:

I herein request a postponement for the Petition of David L. Gaudreau scheduled for Thursday, March 29, 1984 at 10:00am due to the fact that Mr. Gaudreau will be in Japan at that time. I would herein request a scheduling after June 15th, 1984 to assure Mr. Gaudreau's presence in Baltimore at that time. Thank you for your cooperation in this matter.

Very truly yours,

Stephen R. Tully

SRT/jlm
cc: A. Jablon
J. Jung
J. Dyer
J.W. Hesler
Frederick Schroeder

MICROFILMED

PETITION FOR VARIANCES

9th Election District

ZONING: Petition for Variances

LOCATION: South side of Allegheny Avenue, 840 ft. West of Highland Avenue

DATE & TIME: Wednesday, September 7, 1983 at 10:30 A.M.

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

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a lot width of 58 ft. in lieu of the required 70 ft. and a minimum side yard setback of 6 ft. in lieu of the required 10 ft. and a sum of side yard setbacks of 13 ft. in lieu of the required 25 ft.

The Zoning Regulation to be excepted as follows:
Section 1B02.3C.1 - side and sum of side yard setbacks and lot width in D.R. 3.5 zone

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

Being the property of David L. Gaudreau, as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, September 7, 1983 at 10:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR VARIANCES

9th Election District

ZONING: Petition for Variances
LOCATION: South side of Allegheny Avenue, 840 ft. West of Highland Avenue
DATE & TIME: Tuesday, October 4, 1983 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

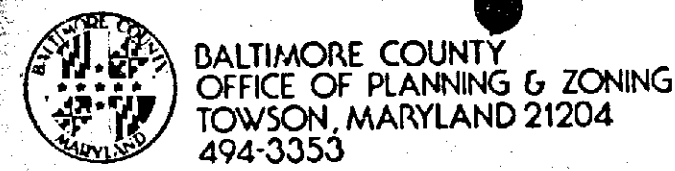
Petition for Variances to permit a lot width of 58 ft. in lieu of the required 70 ft. and a minimum side yard setback of 6 ft. in lieu of the required 10 ft. and a sum of side yard setbacks of 13 ft. in lieu of the required 25 ft.

The Zoning Regulation to be excepted as follows:
Section 1B02.3C.1 - side and sum of side yard setbacks and lot width in D.R. 3.5 zone
All that parcel of land in the Ninth District of Baltimore County

Being the property of David L. Gaudreau, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



ARNOLD JABLON
ZONING COMMISSIONER

September 22, 1983

Stephen R. Tully, Esquire
6905 York Road
Baltimore, Maryland 21212

Re: Petition for Variances
S/S Allegheny Ave., 840' W of
Highland Avenue
David L. Gaudreau - Petitioner
Case No. 84-70-A

Dear Mr. Tully:

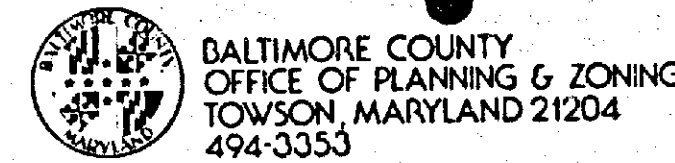
This is to advise you that \$64.37 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

Sincerely,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 121560
DATE 10/4/83 ACCOUNT R-01-615-000
AMOUNT \$64.37
RECEIVED David L. Gaudreau
FOR Advertising & Posting Case #84-70-A
G 049*****642716 #042A



ARNOLD JABLON
ZONING COMMISSIONER

August 23, 1983

Stephen R. Tully, Esquire
6905 York Road
Baltimore, Maryland 21212

Re: Petition for Variances
S/S Allegheny Ave., 840' W of
Highland Avenue
David L. Gaudreau - Petitioner
Case No. 84-70-A

Dear Mr. Tully:

This is to advise you that \$61.18 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

Sincerely,

ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 121512
DATE 9/8/83 ACCOUNT R-01-612-000
AMOUNT \$61.18
RECEIVED Stephen R. Tully, Esquire
FOR 1st advertising & posting of Case #84-70-A
(David Gaudreau)
G 038*****6121812 #086A

Paul Lee P.E.

Paul Lee Engineering Inc.
305 W. Pennsylvania Ave.
Towson, Maryland 21204
212-5341

DESCRIPTION

#529 ALLEGHENY AVENUE - NINTH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point in or near the center of Allegheny Avenue, said point being located 840' ± westerly from the intersection of Highland Avenue; thence leaving the center of Allegheny Avenue

- (1) S 29°04'11" West 391.56 feet; thence
- (2) S 89°09'00" West 86.50 feet; thence
- (3) S 79°40'00" West 4.30 feet; thence
- (4) N 30°11'58" East 433.92 feet

to a point in or near the center of Allegheny Avenue, thence binding on the center of Allegheny Avenue

- (5) S 63°53'02" East 70.00 feet

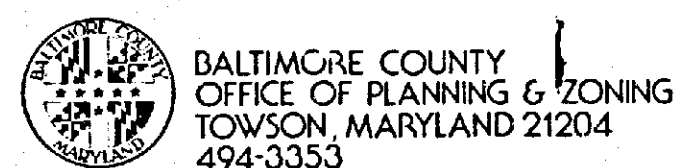
to the point of beginning.

Containing 0.84 acres of land, more or less, and known as #529 Allegheny Avenue, Baltimore County, Maryland.



OFFICE COPY

Engineers - Surveyors - Site Planners 3/29/83



ARNOLD JABLON
ZONING COMMISSIONER

November 7, 1983

Stephen R. Tully, Esquire
6905 York Road
Baltimore, Maryland 21212

RE: Petition for Variances
S/S of Allegheny Ave., 840'
W of Highland Ave. - 9th Election
District
David L. Gaudreau - Petitioner
NO. 84-70-A (Item No. 6)

Dear Mr. Tully:

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

Very truly yours,
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Frederick Schroeder
535 Allegheny Avenue
Towson, Maryland 21204

Mr. Eugene Cross
501 Groom Drive
Towson, Maryland 21204

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

Line Office

STEEN, HUGHES, SEIGEL & TULLY

712 PARK AVENUE
BALTIMORE, MARYLAND 21201

TELEPHONE: (301) 668-9300

December 1, 1983

Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Petition for Variance
S/S Allegheny Avenue, 840'
W of Highland Avenue, 9th
Election District
David L. Gaudreau - Petitioner
No. 84-70-A (Item No. 6)

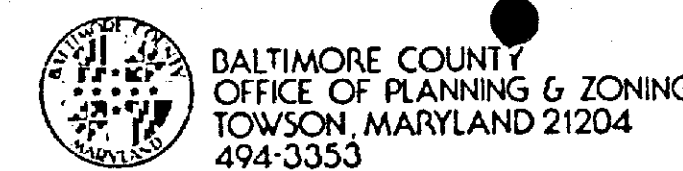
Dear Sir:

Please enter an appeal for the Petitioner, David L. Gaudreau with reference to the above referred to Petition and Order passed by Jean M.H. Jung, Deputy Zoning Commissioner, on the 7th day of November, 1983. I herein enclose my check for one hundred (\$100.00) dollars made payable to Baltimore County Maryland to cover the cost of the appeal. Should there be any other costs, like posting, please forward the bill to me immediately and it will be paid forthwith.

Very truly yours,
Stephen R. Tully

SRT/jlm
Enclosure
cc: David L. Gaudreau

Note: Appeal is \$80. Mr. Tully issued a new check for the amount.



ARNOLD JABLON
ZONING COMMISSIONER

December 8, 1983

Mr. Frederick Schroeder
535 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Variances
S/S of Allegheny Ave., 840' W of
Highland Avenue
David L. Gaudreau - Petitioner
Case No. 84-70-A

Dear Mr. Schroeder:

Please be advised that an appeal has been filed by Stephen R. Tully, attorney for the petitioner, 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 County Board of Appeals.

Very truly yours,

ARNOLD JABLON
Zoning Commissioner

AJ:aJ

cc: Eugene Cross
501 Groom Drive
Towson, Maryland 21204

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

12/1/83

6/10/83
back, call me
if you are able to
for an appeal
not, if not, let me
know by 1/1/84

STEEN, HUGHES, SEIGEL & TULLY
712 PARK AVENUE
BALTIMORE, MARYLAND 21201
TELEPHONE: (301) 668-9300

August 29, 1983

Arnold Jablon,
Zoning Commissioner
Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: David L. Gaudreau -
Petitioner
Case No.: 84-70 A
Our file: 137-336

Dear Mr. Jablon:

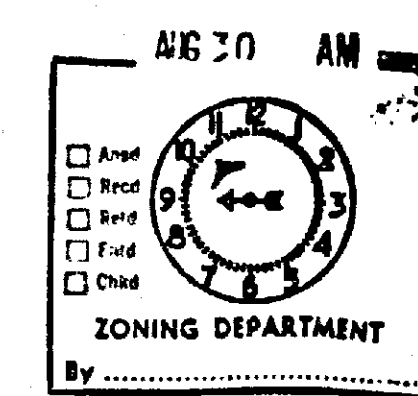
I am afraid I have been unable to clear my docket for the hearing date scheduled for Wednesday, September 7, 1983 at 10:30 a.m. I must appear at the United States Bankruptcy Court at 9:15 a.m. on that day and in Howard County at 9:00 on the same day. I have enclosed copies of each notice.

Thank you for your kind attention to this matter.

Very truly yours,

Stephen R. Tully

SRT/kab
Enclosures



IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MARYLAND

IN RE: **SELMAR C. HASSELHOFF**

Debtor(s)

PROVIDENT SAVINGS BANK OF BALTIMORE

Plaintiff(s)

VS

SELMAR C. HASSELHOFF

Defendant(s)

CASE NO.: 81-2-1746L

ADVERSARY NO.: 82-0767

LINE

You are hereby notified that the hearing on the Complaint Objecting to Discharge and to Determine Dischargeability of Debts, has been rescheduled for September 7, 1983 and to appear at 9:15 a.m. in Hearingroom 2-B, U.S. Courthouse, 101 W. Lombard Street, Baltimore, Maryland 21201.

Dated: March 29, 1983

cc: Stephen R. Tully, Esq.
David F. Albright, Esq.
Merrill Cohen, Esq.

JAMES F. SCHNEIDER
Bankruptcy Judge

By *Erma J. Hager*

DISTRICT COURT OF MARYLAND FOR HOWARD COUNTY

LOCATED AT 3451 COURTHOUSE DR
ELLICOTT CITY

CASE NO. 84-70-A

STATE OF MARYLAND VS. MURPHY, CLARENCE WINFIELD (Jr.)

TO: MURPHY, CLARENCE WINFIELD (Jr.)
520 COURT STREET
ELICOTT CITY

DE 199710000

YOU ARE HEREBY SUMMONED TO APPEAR AS DEFENDANT

ON SEPTEMBER 07, 1983 AT 09:00 AM. THE LOCATION OF THE TRIAL IS

ROOM 2451 COURTHOUSE DR ELLICOTT CITY MD.

FAILURE TO OBEY THIS SUMMONS MAY RESULT IN YOUR BEING CHARGED WITH CONTEMPT OF COURT AND BEING TAKEN INTO CUSTODY UNDER A WRIT OF HABEAS CORPUS.

23-1764

Line Office
STEEN, HUGHES, SEIGEL & TULLY
712 PARK AVENUE
BALTIMORE, MARYLAND 21201
TELEPHONE (301) 848-9300

AUG 17 AM

August 16, 1983

Zoning Commissioner
Baltimore County
111 W. Chesapeake Ave.
Towson, Maryland 21204

Re: Case #84-70-A

Dear Sir:

Please be advised that the hearing date of Wednesday, September 7, 1983, at 10:30 conflicts directly with my schedule since I am to be before the District Court in Howard County at 9:00 for a Criminal Case in the State VS. Murphy and the United States Bankruptcy Court for 9:15 in the case in reference to Hasselhoff. I would therefore request a postponement date to the earliest date around September 7, 1983. Thank you for your cooperation in this matter.

Very truly yours,
Stephen R. Tully

SRT:clc

cc: David Gaudreau

8/17/83
Nick, call Tully
to get copy of
of notice of
prior to date
of

8/18
Called Stephen Tully
and he will send someone else
in his place

August 16, 1983

Stephen R. Tully, Esquire
6905 York Road
Baltimore, Maryland 21212

NOTICE OF HEARING
Re: Petition for Variances
S/S Allegheny Ave., 840' W of
Highland Avenue
David L. Gaudreau - Petitioner
Case No. 84-70-A

TIME: 10:30 A.M.

DATE: Wednesday, September 7, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

David L. Gaudreau
Zoning Commissioner
of Baltimore County

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

DATE: 8/24/83 ACCOUNT: R-01-615-220

AMOUNT: \$35.00

RECEIVED FROM: *Stephen Tully*

FOR: *pay for fee*

0 072*****3501b 8246A

VALIDATION OR SIGNATURE OF CARRIER

September 1983

Stephen R. Tully, Esquire
6905 York Road
Baltimore, Maryland 21212

**RESCHEDULED
NOTICE OF HEARING**
Re: Petition for Variances
S/S Allegheny Ave., 840' W of
Highland Avenue
David L. Gaudreau - Petitioner
Case No. 84-70-A

TIME: 9:30 A.M.

DATE: Tuesday, October 4, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

David L. Gaudreau
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: David Gaudreau

Location: S/S Allegheny Avenue 840' W. from centerline Highland Avenue

Item No.: 6 Zoning Agenda: Meeting of July 5, 1983

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 or 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 operation.
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. Hegmann*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb
10/14/83

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

September 25, 1984

Stephen R. Tully, Esquire
6905 York Road
Baltimore, MD 21212

Re: Case No. 84-70-A
David L. Gaudreau

Dear Mr. Tully:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,
Edith T. Eisenhart
Edith T. Eisenhart,
Adm. Secretary

Encl.

cc: David L. Gaudreau
Frederick Schroeder
Eugene Cross
Mrs. Mary Ginn
Phyllis Cole Friedman
Norman E. Gerber
James G. Hoswell
Arnold Johnson
Jean M. H. Jung
James E. Dyer

Baltimore County, Maryland

PEOPLE'S COUNSEL
OLD COURT HOUSE
TOWSON, MARYLAND 21204

TEL. 494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

August 24, 1984

The Honorable
Keith S. Franz, Esquire
Acting Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: David L. Gaudreau, Petitioner
Zoning Case No. 84-70-A

Dear Chairman Franz:

As requested, enclosed is a copy of the Deputy Zoning Commissioner's Order dated April 5, 1984 in the case of Alvin E. Wagenheim, Case No. 84-245-A (Item 185).

Very truly yours,
Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

Enclosure

cc: Stephen R. Tully, Esquire

PMZ:sh

RECEIVED APPEALS
COUNTY BOARD OF
NOV 28 1984



DISTRICT COURT OF MARYLAND FOR HOWARD COUNTY

LOCATED AT 3451 COURTHOUSE DR
ELLSWORTH CITY MD. 21043

CASE NUMBER: 0873916

STATE OF MARYLAND VS. MURPHY, CLARENCE WINFIELD (JR)

TO: MURPHY, CLARENCE WINFIELD (JR)
220 COURT STREET
TOWSON, MD 21204

DE 195310000

SUMMONS

YOU ARE HEREBY SUMMONED TO APPEAR AS DEFENDANT
ON SEPTEMBER 07, 1993 AT 09:00 AM. THE LOCATION OF THE TRIAL IS
ROOM 3451 COURTHOUSE DR ELLSWORTH CITY MD.
FAILURE TO OBEY THIS SUMMONS MAY RESULT IN YOUR BEING CHARGED
WITH CONTEMPT OF COURT AND BEING TAKEN INTO CUSTODY UNDER A
WARRANT OF BODY ATTACHMENT.

BY: LYNNE KING

John C. ...
(CLERK)

DATE: 01/06/83

IF YOU HAVE ANY QUESTIONS CONCERNING THIS DOCUMENT, CALL 455-4644
PLEASE BRING THIS FORM WITH YOU.

SERVICE INFORMATION: SERVED NEXTST THIS DAY OF 19

BY:

1001

CR 765 (10/82)



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)
Towson, Maryland 21204
(301) 494-3180

December 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 P. E 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 #59-77

CASE NO. 84-70-A

DAVID L. GAUDREAU

5/4 Allegheny Ave., 840' W of Highland Ave.

9th District

Variances

11/7/83 - D.Z.C.'s Order - DENIED

ASSIGNED FOR:

THURSDAY, MARCH 29, 1984, at 10 a.m.

cc: Stephen Tully, Esq.

Atty. for Petitioner

David Gaudreau

Petitioner

Frederick Schroeder

Protestant

Eugene Cross

"

J. W. Hession

People's Counsel

N. Gerber

J. Hoswell

J. Jung

J. Dyer

A. Jablon

June Holmen, Secy.

Law Office

STEEN, HUGHES, SEIGEL & TULLY
712 PARK AVENUE
BALTIMORE, MARYLAND 21201

TELEPHONE (301) 668-8300

COUNTY OFFICE
8008 YORK ROAD
TOWSON, MARYLAND 21204
(301) 277-7403

January 6, 1984

County Board of Appeals of
Baltimore County
Room 200 Court House
Towson, Maryland 21204

RE: Case No. 84-70-A
Petitioner: David L. Gaudreau
Our File: 137-336

Dear Sir:

I herein request a postponement for the Petition of David L.
Gaudreau scheduled for Thursday, March 29, 1984 at 10:00am due to
the fact that Mr. Gaudreau will be in Japan at that time. I would
herein request a scheduling after June the 15th, 1984 to assure Mr.
Gaudreau's presents in Baltimore at that time. Thank you for your
cooperation in this matter.

Very truly yours,

Stephen R. Tully

SRT/jlm

cc: A. Jablon
J. Jung
J. Dyer
J.W. Hession
Frederick Schroeder

Postponement granted by order 1/10/84

12/21/83 - Following were notified of hearing set for Thurs. March 29, 1984, at 10:00 a.m.:

S. Tully
D. Gaudreau
F. Schroeder
E. Cross
J. Hession
N. Gerber & J. Hoswell
J. Jung, Dyer, & Jablon

*Respond 1-11-84
Mr. Gaudreau in Japan
Post after June 15th*

5/9/84 - Above notified of hearing set for Tues. July 10, 1984, at 10 a.m.

Postponed 5-24-84

5/24/84 - Above notified of postponement and reassignment for Aug. 23, 1984, Thurs., at 10 a.m.

RE: Petition for Variances
David L. Gaudreau, Petitioner
Case No: 84-70-A
Our File: 137-336

Dear Sir:

I must reluctantly request a postponement of the Tuesday, July
10, 1984 hearing on the above referred to matter. I will be on vacation
and out of state until Monday, July 23, 1984. I am scheduled in trial
on Monday, July 23, 1984 and Wednesday, July 25, 1984 but any other
day would be acceptable for scheduling this matter.

Very truly yours,

Stephen R. Tully

SRT/jlm

cc: David L. Gaudreau

RECEIVED
COUNTY BOARD OF APPEALS
JAN 21 1984

*for the Board
at 11:23-11:30*



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

January 11, 1984

NOTICE OF POSTPONEMENT

CASE NO. 84-70-A

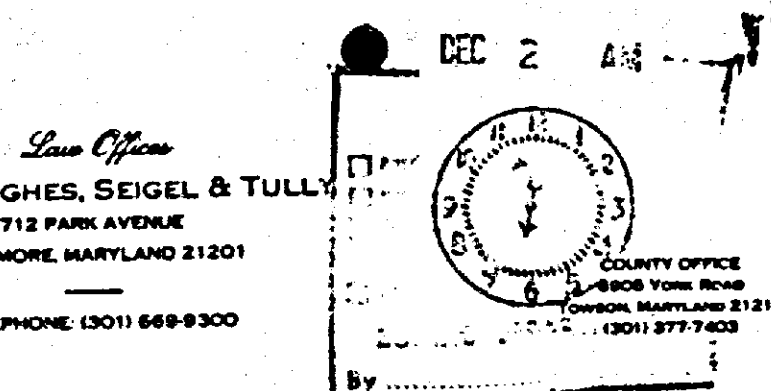
David L. Gaudreau

5/4 Allegheny Ave. 840' W. Highland Ave.
9th District

Scheduled for hearing on Thursday, March 29, 1984 at 10 a.m.
has been POSTPONED at the request of counsel for the petitioner
(Mr. Gaudreau will be in Japan at that time). Case will be
rescheduled at a later date.

cc: Stephen Tully, Esquire
David L. Gaudreau
Frederick Schroeder
Eugene Cross
Peter M. Zimmerman
N. E. Gerber
J. G. Hoswell
J. Jung
J. E. Dyer
A. Jablon

Edith T. Eisenhart, Adm. Secretary



Law Office

STEEN, HUGHES, SEIGEL & TULLY
712 PARK AVENUE
BALTIMORE, MARYLAND 21201

TELEPHONE (301) 668-8300

December 1, 1983

Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Petition for Variance
S/S Allegheny Avenue, 840
W of Highland Avenue, 9th
Election District
David L. Gaudreau - Petitioner
No. 84-70-A (Item No. 6)

Dear Sir:

Please enter an appeal for the Petitioner, David L.
Gaudreau with reference to the above referred to Petition
and Order passed by Jean N.H. Jung, Deputy Zoning Commis-
sioner, on the 7th day of November, 1983. I herein
enclose my check for one hundred (\$100.00) dollars made
payable to Baltimore County Maryland to cover the cost
of the appeal. Should there be any other costs, like
posting, please forward the bill to me immediately and
it will be paid forthwith.

Very truly yours,

Stephen R. Tully

SRT/jlm

Enclosure
cc: David L. Gaudreau

*After Appeal is \$80. Mr. Tully advised a
new check for this amount.*

84-34
829

Case File

Law Offices

STEEN, HUGHES, SEIGEL & TULLY

712 PARK AVENUE

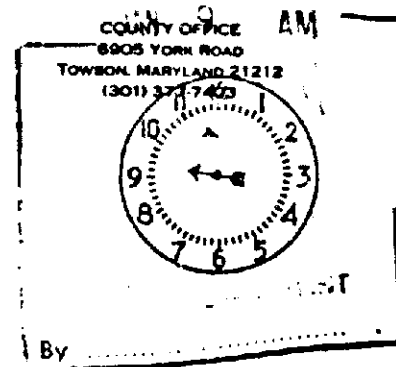
BALTIMORE, MARYLAND 21201

TELEPHONE: (301) 669-9300

SAMUEL G. STEEN, JR.
LEO A. HUGHES, JR.
I. STEVEN SEIGEL
STEPHEN R. TULLY
DAVID E. FURRER

January 6, 1984

County Board of Appeals of
Baltimore County
Room 200 Court House
Towson, Maryland 21204



RE: Case No. 84-70-A
Petitioner: David L. Gaudreau
Our File: 13T-336

Dear Sir:

I herein request a postponement for the Petition of David L. Gaudreau scheduled for Thursday, March 29, 1984 at 10:00am due to the fact that Mr. Gaudreau will be in Japan at that time. I would herein request a scheduling after June the 15th, 1984 to assure Mr. Gaudreau's presents in Baltimore at that time. Thank you for your cooperation in this matter.

Very truly yours,

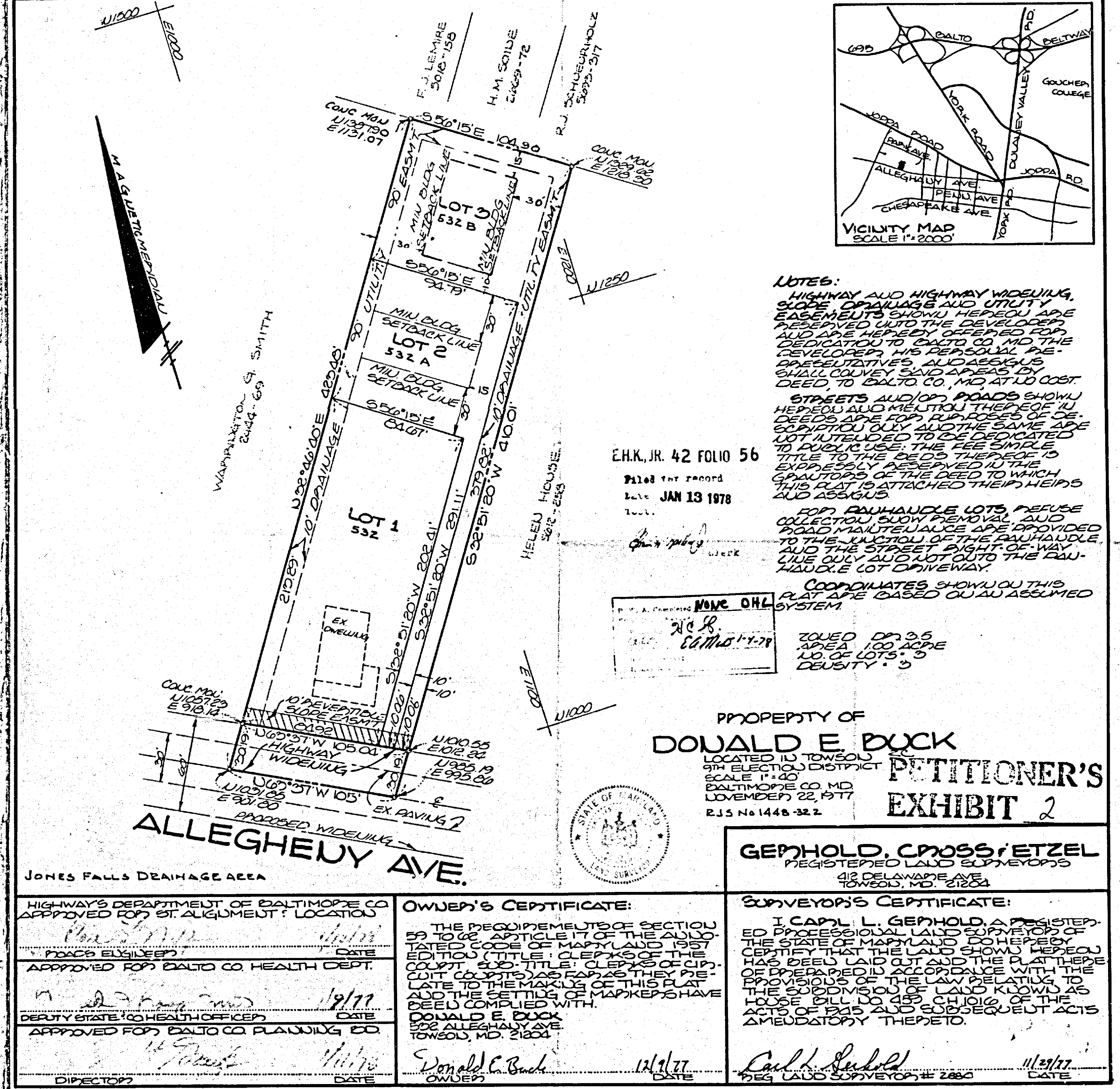
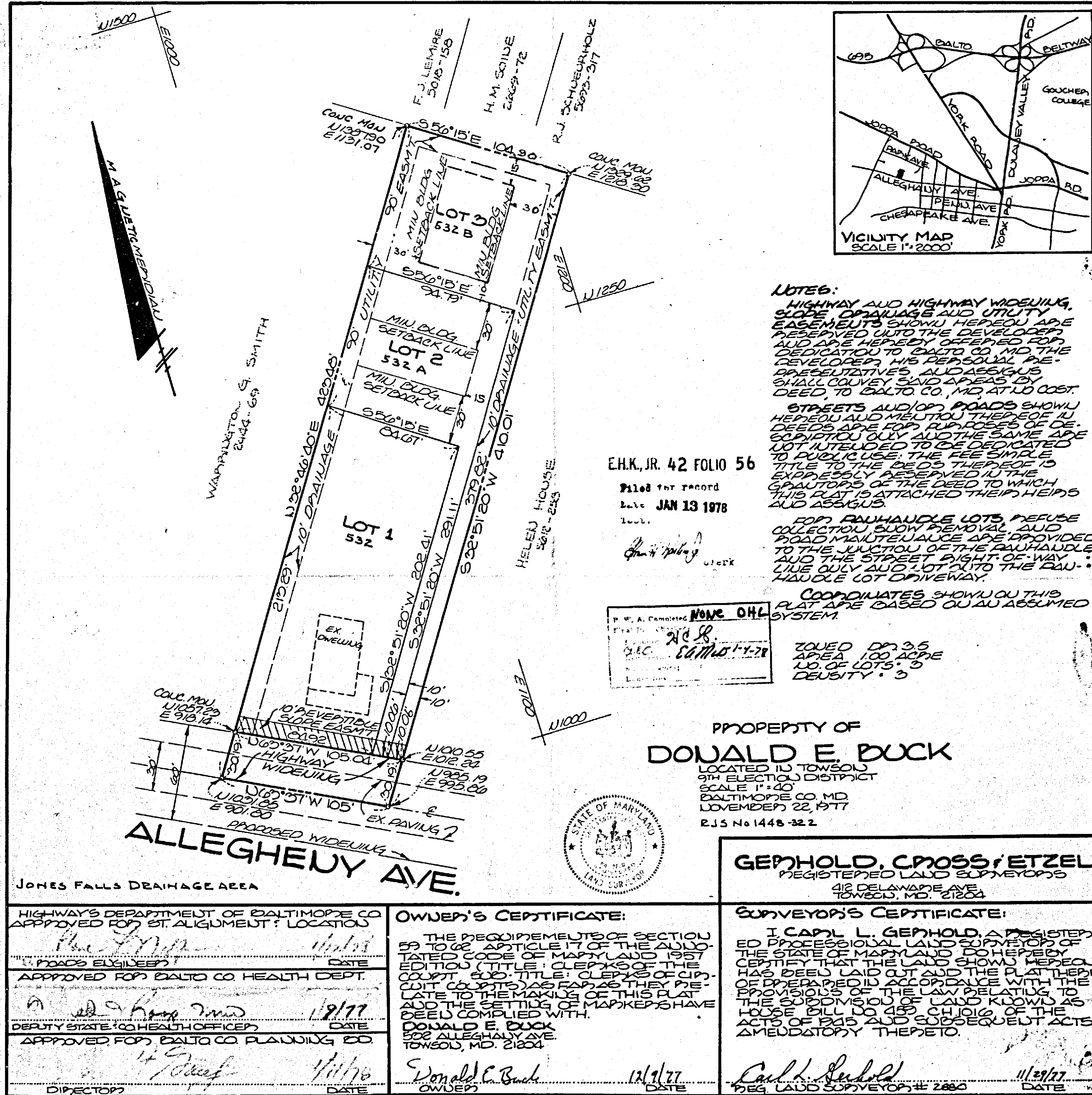
15/
Stephen R. Tully

SRT/jlm

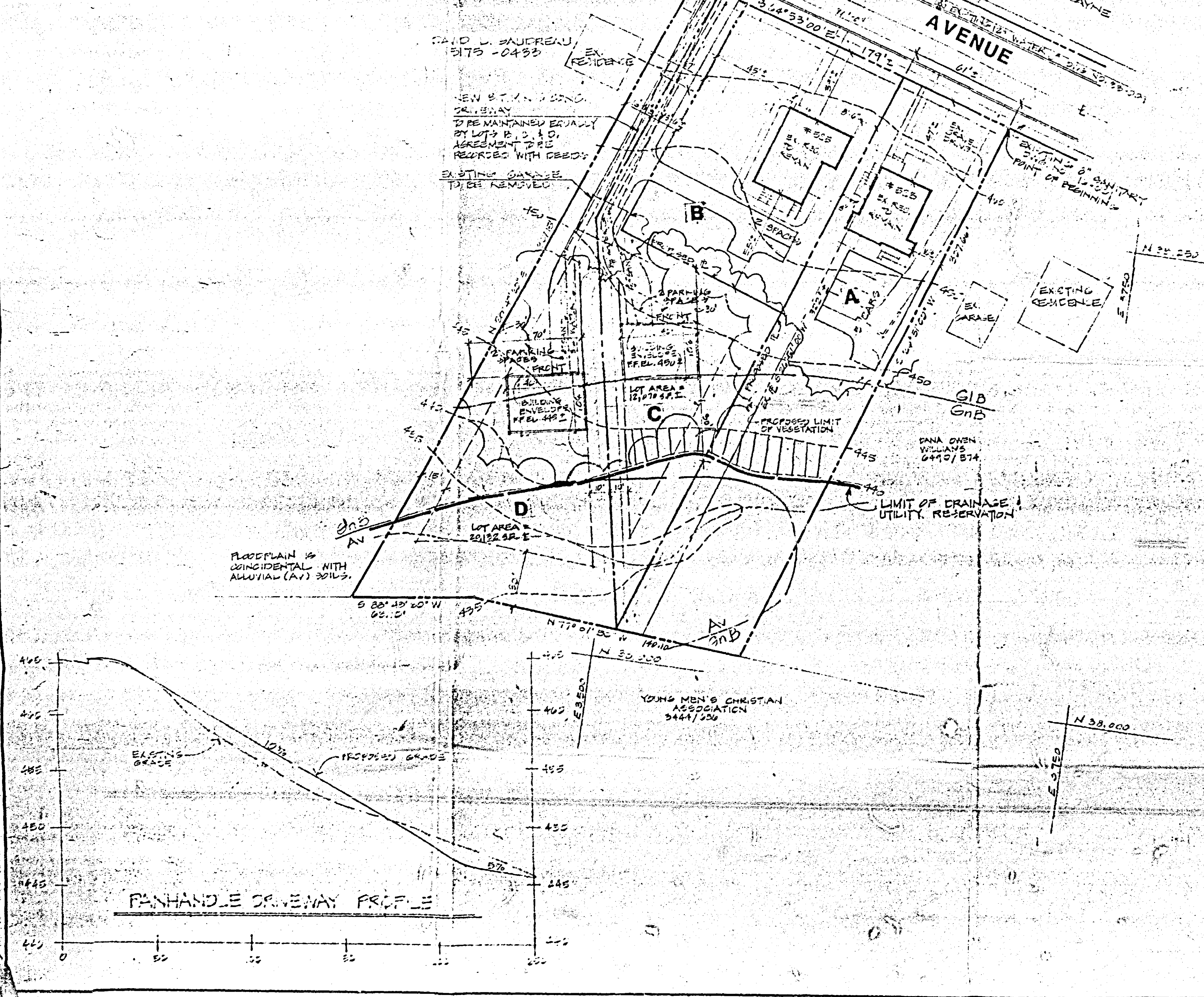
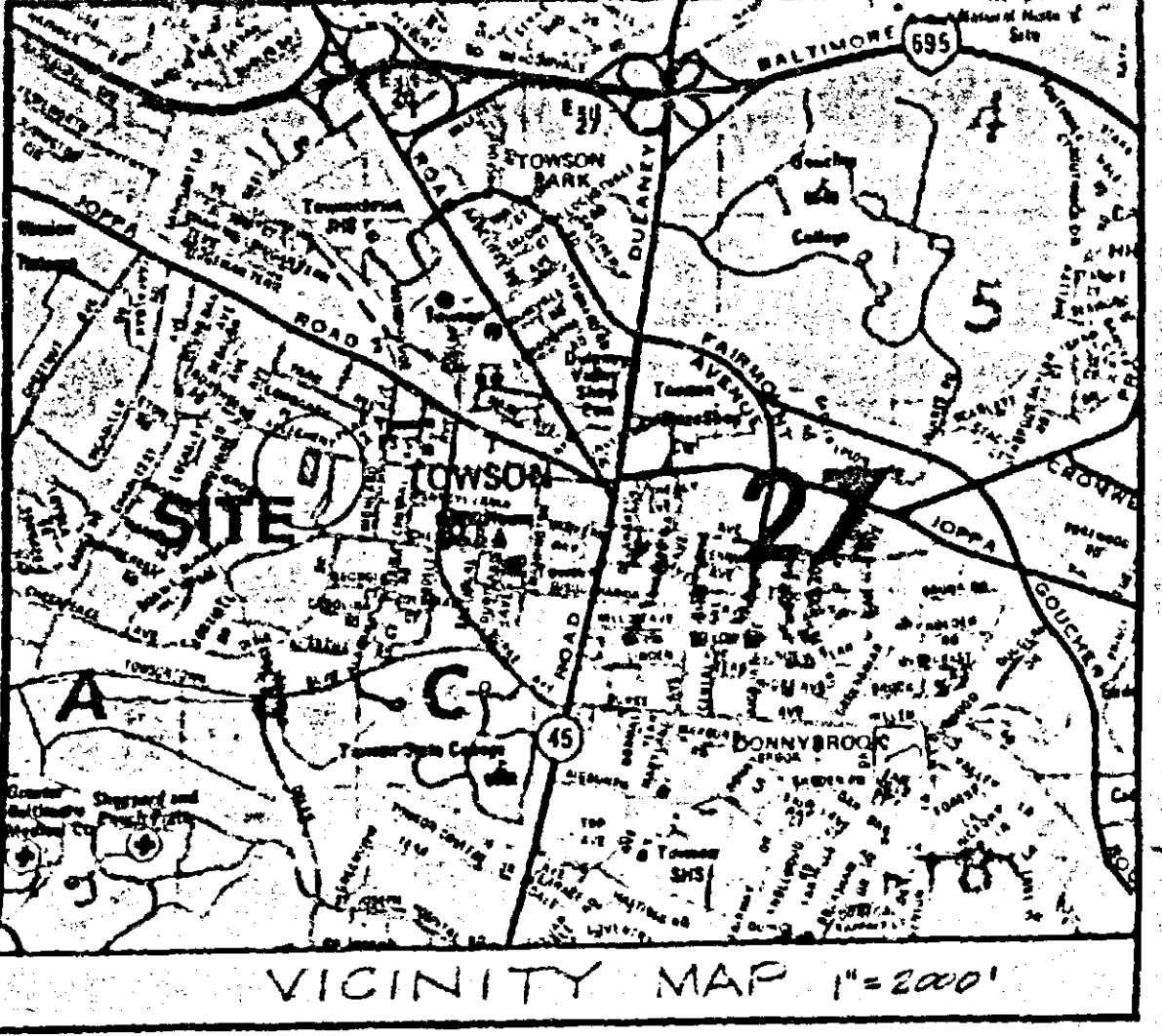
cc: A. Jablon
J. Jung
J. Dyer ✓
J.W. Hessian
Frederick Schroeder



PETITIONER'S
EXHIBIT 1



Petitioners Note



- General Notes**
- Owner/Applicant: Alvin Wagenheim, 2403 Sylva Road, Baltimore, Maryland 21209 (301) 252-2200
 - Election District 9; Councilmanic District 4; Census Tract 4907.02.
 - Watershed 23; Subwatershed 53.
 - Site Acreage: Gross = 1.528 Acres +/-
Net = 1.405 Acres +/-
Current Zoning U.R. 3.5
- Density:
Allowed = 1.528 Acres +/- x 3.5 = 5.348 Units
Proposed = Lot A - Three existing apartments to remain.
Lot B - Existing single family unit to be converted to two apartments.
- Lot A = 16,500 S.F.
Lot B = 12,500 S.F.
- Lots A and B will be adjusted to comply with the area, frontage and setback requirements of Baltimore County Zoning Regulations, Section 407.2. A variance for minimum lot width has been requested for Lot A and a variance for minimum side yards has been requested for Lots A and B.
- Open Space:
Required = 1.528 A x 0.63 = 1,197 S.F.
Proposed = An open space waiver is being requested.
- Parking:
Required = 5 Apartment Units @ 1 = 5
2 Single Family @ 2 = 4
Total = 9
Proposed = A minimum of 9 parking spaces will be provided.
All lots (inclusive of their respective rental units) will be for sale.
- There are no existing or proposed well or septic areas on the site.

- 6. Limitations**
- | Soil Series and Symbol | Roses With Basements | Roses Without Basements | Streets and Parking |
|------------------------|---|---|---|
| Alluvial Land (Av) | Severe: High Water Table and Flood Hazard | Severe: High Water Table and Flood Hazard | Severe: High Water Table and Flood Hazard |
| Glenn (Glb) | Slight | Slight | Moderate: Slope |
| Glennville (Gnb) | Severe: High Water Table | Moderate: High Water Table | Severe: High Water Table |
- Wooded areas will be cleared only as necessary for construction of proposed residences.
 - The 100 year flood plain lies within the alluvial soils at the south end of the site.
 - There are no historic buildings on the site.
 - Current zoning on the site and adjacent properties is D.R. 3.5.
 - The entire site is within a residential transition area.
 - There are no public roads within the site, therefore street lights will not be necessary.
 - Alvin Wagenheim, 2403 Sylva Road, Baltimore, Maryland 21209:
523 Alleghany Avenue, Liber 6224 Folio 0408, Property No. 09-0918003210
525 Alleghany Avenue, Liber 4299 Folio 8308, Property No. 09-091857620
 - Estimated Average Daily Trips:
5 Apartments @ 6.5 = 32.5 ADT's
2 Single Family Homes @ 10.4 = 20.8 ADT's
Total = 53.3
 - There are no existing or proposed storm drains. Sewer service to Lots C and D will be by means of individual sanitary sewer ejectors into the main in Alleghany Avenue.
 - Wetlands are coincidental with the hydric (Av) soils as shown on the plan, and they will not be disturbed.
 - There are no critical areas, archeological sites, endangered species habitats or hazardous materials on the site.
 - The development is exempt from stormwater management.
 - COMBINED PARKING FOR PARCELS A & B WILL BE STUDIED AT THE TIME THAT THE FINAL DEVELOPMENT PLAN IS PREPARED.

BALTIMORE COUNTY MD. COUNTY REVIEW GROUP.

This Plan Was Reviewed By The CRG On 1-26-87 With The Following Action Taken:

PLAN APPROVED

Plan Approved By CRG Date 1-26-87

Plan Approved By CRG Date 1-26-87

Approval Expiration Date 1-26-87

Plan Disapproved _____

Continued A/C Required _____

Plan Referred To Plan, Bd. _____

DAFT-McCUNE-WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
530 EAST JOPPA ROAD
TOWSON, MD 21204
TELEPHONE 301-256-2233

523 & 525 ALLEGHANY AVENUE ZONING PLAT

DATE 1-26-87 **REVISIONS** 1-26-87 (Preliminary Comments) 1-27-87 (CRG Comments)

SCALE: 1" = 30'

JOB ORDER NO. B3054

ISSUE DATE 1-27-87

SHEET 1 OF 1

BEARING INFORMATION BASED ON
FIELD SURVEY BY APRIL 1985
DATE 1-26-87