

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: November 9, 1984

FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: H. A. Professional Building

PROJECT NUMBER: #84130

LOCATION: N/S of Allegheny Avenue,
E. of Highland Avenue

DISTRICT: 9C4

The Plan for the subject site, dated May 14, 1984, with the latest revision dated October 15, 1984, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

The easement for future alley widening is acceptable. All other previous comments remain valid.

The Plan may be approved, subject to all previous and current comments.

EDWARD A. MCDONOUGH, P.E., Chief
Developers Engineering Division

EAM:REC:as
cc: File

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 29, 1985

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

Re: Item #233 (1984-1985)
Property Owner: Joseph H. Seipp, D.D.S.
N/E cor. Allegheny Ave. and Highland Ave.
Acres: 0.310
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.

General Comments:

The comments on correspondence submitted to the Zoning Commissioner, dated September 22, 1982, reference Item #44 (1982-1983), from Robert A. Morton, P.E., Chief, Bureau of Public Services, still apply to this plat.

At this time, this office has no additional comments.

Very truly yours,

JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:HJO:as

DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND

TO : Mr. Robert A. Morton

DATE: 4/14/84

FROM : C. Richard Moore

SUBJECT: C.R.G. COMMENTS

PROJECT NAME: HA Professional Bldg C.R.G. PLAN: ✓

PROJECT NUMBER & DISTRICT: 9C4 DEVELOPMENT PLAN: ✓

LOCATION: Highland Ave & Allegheny Ave RECORD PLAT: ✓

The existing gravel hedge needs to be trimmed/maintained to provide sight distance for the driveway off the alley to the east of the site.

2011 Jms

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

STEPHEN E. COLLINS
DIRECTOR

February 27, 1985

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

Item No. 220, 221, 223, 224, and 225. ZAC- Meeting of February 12, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 220, 221, 223, 224, and 225.

Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/ccu

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

Re: Zoning Advisory Meeting of February 12, 1985
Item # 223
Property Owner: JOSEPH H. SEIPP, DDS.
Location: NE COR. ALLEGHENY AVE. & HIGHLAND AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by §111.118-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- () The property is located in a traffic area controlled by a "D" level intersection as defined by §111.118-79, and as conditions change traffic capacity may become more limited. The Basic Service Areas are re-evaluated annually by the County Council.
- (X) Additional comments:

THE CRG PLAN IX-432 WAS APPROVED 11/14/84,
PLAN APPROVAL EXPIRES 11/14/87

cc: James Hoswell

Eugene A. Bober
Chief, Current Planning and Development

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: June 19, 1984

PROJECT NAME: H. A. Professional Building PLAN XXXXXXXXXXXXXX

COUNCIL & ELECTION DISTRICT IX-432 PLAN EXTENSION

REVISED PLAN

FLAT

The Office of Planning and Zoning has reviewed the subject plan dated May 14, 1984 and has the following comments:

The plan must include the average height, exterior materials, character etc. of the proposed addition.

The parking spaces should be redesigned so that the bumpers do not overhang into the screening along the alley. The parking lot must meet the requirements of Section 409 of the Zoning Regulations. The spaces shown on the plan are 9' x 15', which is insufficient.

A landscape plan is required as per the provisions of the Baltimore County Landscape Manual, adopted May 7, 1984. The final landscape plan must be approved prior to issuance of building permits.

Susan Carrell
Susan Carrell

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: November 13, 1984

PROJECT NAME: The H. A. Professional Building PLAN XXXXXXXXXXXXXX

COUNCIL & ELECTION DISTRICT IX-432 PLAN EXTENSION

REVISED PLAN

FLAT

The Office of Planning and Zoning has reviewed the subject plan dated October 15, 1984 and has the following comments:

This plan is subject to the requirements of the Baltimore County Landscape Manual. The calculations for tree requirements and schematic landscaping must be shown on the plan. The tree requirements are:

1 tree for 40' linear road frontage 240' ÷ 6 trees
1 tree for 12 parking spaces 13 ÷ 1 tree
7 trees total

A request for modification of the 8' planting area standard will be necessary for the screening of the parking spaces along the alley. A Final Landscape Plan must be approved by this office prior to issuance of a building permit.

The plan is generally acceptable subject to compliance with the landscape requirements.

The status of the previous Special Exception case pending before the Board of Appeals must be resolved prior to CRG approval.

Susan Carrell
Susan Carrell

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: June 19, 1984

FROM: ZONING

PROJECT NAME: H. A. Professional Building PLAN: June 20, 1984

LOCATION: N/S Allegheny Ave. E of Highland Ave DEVELOPMENT PLAN:

DISTRICT: 9th Election District PLAT:

- The following comments were written on the plan dated 5/14/84.
- The site was the subject of a zoning hearing, Case No. 83-136-X for a Class B office building in an R.O. zone in which the Zoning Commissioner William E. Hammond denied this request on 5/9/83. It was subsequently appealed to the Board of Appeals; however, the appeal has not as yet been heard.
 - If the appeal before the Board is dismissed, and the case is heard de novo before the Zoning Commissioner, the petition for special exception may not be filed unless 18 months has elapsed from the date of the final order of the Zoning Commissioner.
 - If CRG approval occurs, it would be contingent upon the outcome of the special exception hearing.
 - The plan before the CRG differs somewhat from the plan reviewed at the Special Exception hearing. The original plan proposed a 16.5' x 46.6', 2 story frame addition with a total building area of 4200 sq. ft. The CRG plan proposes an 18' x 42', 1 story frame addition with basement and a basement under the existing porch for a total of 4275 sq. ft.
 - The following revisions must be on the plan and elevation drawings.
 - The average height of the building from average grade to the midpoint of the roof must be dimensioned on the elevation drawing.
 - The parking data must show the square footage of the existing building and the square footage of the addition.

7/32bse

- 2 -
- The 8 sq. ft. sign must be on the building wall and may not be illuminated; the note on signage must be revised accordingly.
 - It appears that in order to meet the parking requirements for 9' x 19' spaces, the spaces overhang into the landscaping strip. The actual depth of spaces adjoining the alley is 15-16' at most. It is recommended that the parking area be revised to meet the following requirements: 9' x 20' with a 20' wide driveway, or 8.5' x 18' with 250 sq. ft. of maneuvering area per space and attendant parking. If it does not appear to be feasible to provide the area required for the parking spaces shown for to meet the 13 parking spaces required on site, perhaps a parking in common arrangement could occur with the adjacent parking lot at 406 Allegheny. An overall plan and parking calculations would be needed on both sites, and a lease agreement.
- Insufficient parking to support the proposed use will undoubtedly be one of the factors considered by the Zoning Commissioner in granting or denying the special exception request.

Diana Titter
DIANA TITTER
Zoning Associate III

Dfaj

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: November 14, 1984

FROM: ZONING OFFICE

PROJECT NAME: The H.A. Professional Building PLAN: ✓

LOCATION: 408 Allegheny Avenue DEVELOPMENT PLAN:

DISTRICT: 9th Election District PLAT:

- The following comments were written on the revised CRG plan dated October 15, 1984.
- The previous comment, No. 1 with regard to the Special Exception hearing (Case No. 83-136-X), is still valid.
- The revised plan is acceptable in terms of the size of the parking spaces and configuration of the parking lot and driveways, due to the fact that it complies with the parking policy to the extent possible on this site, and that the site plan has been processed by Baltimore County since prior to May 9, 1983. The revisions concerning showing the average height of the building and the parking data breakdown have occurred and are acceptable.

Diana Titter
DIANA TITTER
Zoning Associate III

Df:ech

BALTIMORE COUNTY, MARYLAND 825054

DATE: November 5, 1984

SUBJECT: SUBDIVISION REVIEW COMMENTS

FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU

Captain Joseph Kelly

PROJECT NAME: H. A. Professional Building PRELIMINARY PLAN

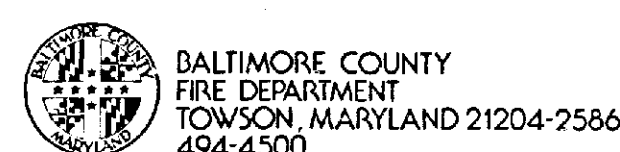
PROJECT NUMBER: CRG Agenda 11/14/84, 10:10 am TENTATIVE PLAN

LOCATION: Allegheny & Highland DEVELOPMENT PLAN

DISTRICT: 9 FINAL PLAT

Comments

- Proposed buildings shall be designed and constructed so as to meet the applicable provisions of the Fire Prevention Code and the NFPA 101 Life Safety Code, 1981 Edition.



PAUL H. REINCKE
CHIEF

February 11, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 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

Item No.: 223 Zoning Agenda: Meeting of 2/12/85

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.

Noted and Approved: *Kay W. Hammer*
Reviewed: *Kay W. Hammer*
Planning Group Fire Prevention Bureau
Special Inspection Division

/nb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Catherine Warfield, C.R.G. C-2-B Date: October 26, 1984

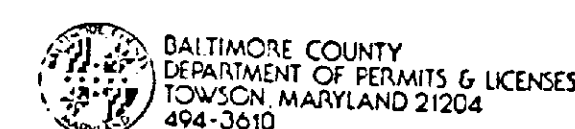
FROM: C.R. Burnham, Chief, Plans Review

SUBJECT: H.A. Professional Building, District 9 Cl
N.E. Corner Allegheny and Highland Avenues

1. Three sets construction plans signed and sealed by a registered in Maryland Architect or Engineer shall be required to apply for a Building Permit.
2. A change of occupancy permit application from "R-1" single family dwelling to "B" Business use shall be filed with the application for a building permit.
3. Architects plans shall comply with Table 303.2.
4. One hour tenant separations shall be provided horizontally and vertically separating each tenant from other tenants and common spaces. See Bill 4-82.
5. Each tenant shall have access to independent exits as required by the Code.
6. Verification by the Architect shall be required on the L.L. capacity for the floors. If they cannot meet the required loading capacity they shall be reinforced to comply.
7. The interior of the building shall comply with the State Handicapped Code. The second floor is exempted as it is under 4,000 square feet.
8. A full review will be done when plans are submitted for a permit.

CEB/vw

RECEIVED
OCT 29 1984
DIVISION OF PUBLIC SERVICES



February 27, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 223 Zoning Advisory Committee Meeting are as follows:

Property Owner: Joseph H. Seipp, D.D.S.
Location: NE/Cor. Allegheny Avenue and Highland Avenue
Existing Zoning: R.O.
Proposed Zoning: Special exception for a Class F Office Building in an R.O. zone by an addition to an existing utilized Class A Office Building.

Acres: 0.310
District: 9th.

The items checked below are applicable:

- All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- A building/ & other miscellaneous permit shall be required before beginning construction.
- Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, Item 2, Section 1407 and Table 1402, also Section 503.2.
- Requested variance appears to conflict with the Baltimore County Building Code, Section 5.
- 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.
- Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 1401.

- Comments - These comments do not in any way approve the construction plan. If there is more than one tenant a minimum 1 hour tenant separation is required. An independent exit for each tenant is required. The attic cannot be used for any purpose including storage as the height limitation is two stories, under todays code as well as previous codes.

NOTES: 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 (Plans Review) at 131 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
NE Corner Allegheny & Highland : OF BALTIMORE COUNTY
Aves. (408 Allegheny Ave.),
9th District
JOSEPH H. SEIPP, D.D.S., : Case No. 85-299-X
Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 26th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, and Nolan, Plunhoff & Williams, Chartered, 204 W. Pennsylvania Avenue, Towson, MD 21204, Counsel for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD., April 4, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 4, 1985.

THE JEFFERSONIAN,

W. Ventak
Publisher

20.00

PETITION FOR SPECIAL EXCEPTION
In Room 106
LOCATION: Northeast corner Allegheny Avenue and Highland Avenue (408 Allegheny Avenue)
DATE AND TIME: Monday, April 22, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the Petition for Special Exception for a Class B Office Building in an R.O. zone by an addition to an existing, utilized Class A Office Building.
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
April 4

CARL L. GERHOLD
PHILIP F. TROSE
JOHN P. ELLIS
WILLIAM A. LUNCH
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

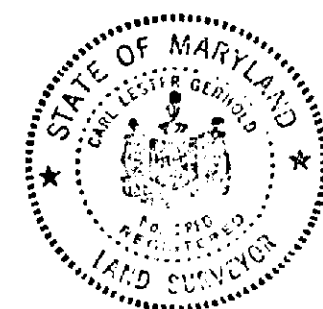
EXECUTIVE
PAUL E. DOLANBERG
FRED H. DOLANBERG

Zoning Description

All that piece or parcel of land situate, lying and being in the Ninth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the corner formed by the intersection of the north side of Allegheny Avenue with the east side of Highland Avenue and running thence and binding on the north side of Allegheny Avenue and running North 13 degrees 59 minutes East 150 feet to the south side of an alley 20 feet wide there situate, thence binding on the south side of said alley, North 76 degrees West 90 feet to the east side of Highland Avenue and thence binding on the east side of Highland Avenue South 13 degrees 59 minutes West 150 feet to the place of beginning.

Containing 0.310 of an Acre of land more or less.



PETITION FOR SPECIAL EXCEPTION

9th Election District

LOCATION: Northeast corner Allegheny Avenue and Highland Avenue (408 Allegheny Avenue)

DATE AND TIME: Monday, April 22, 1985 at 1:30 p.m.

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

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

Petition for Special Exception for a Class B Office Building in an R.O. zone by an addition to an existing, utilized Class A Office Building.

Being the property of Joseph H. Seipp, D.D.S. as shown on the plat filed with the Zoning Office.

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

WEST TOWSON NEIGHBORHOOD ASSOCIATION, INC.

Mr. Arnold Jablon, Zoning Commissioner
Baltimore County, Maryland

Dear Mr. Jablon:

A pressing engagement prevents my appearance at the hearing on Dr. Seipp's proposal for a class B office building in the 400 block of Allegheny Avenue. West Towson wants to inform you that we are satisfied with the design that is being presented to you, and willing for Dr. Seipp to proceed.

Sincerely yours,
Berkley Matthews
Berkley Matthews,
Board Member and Past President

C.C. Mr. Newton Williams

Pd. 5

PETITIONER'S
EXHIBIT 5

CERTIFICATE OF PUBLICATION

PETITION FOR SPECIAL EXCEPTION
In Room 106
LOCATION: Northeast corner Allegheny Avenue and Highland Avenue (408 Allegheny Avenue)
DATE AND TIME: Monday, April 22, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the Petition for Special Exception for a Class B Office Building in an R.O. zone by an addition to an existing, utilized Class A Office Building.
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
April 4

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 consecutive weeks, the first publication appearing on the 3rd day of April 1985.

The TOWSON TIMES
W. Ventak

Cost of Advertisement: \$24.91

IN RE: PETITION SPECIAL EXCEPTION
NE/corner of Allegheny and
Highland Avenues
(408 Allegheny Avenue) -
9th Election District
Joseph H. Seipp, D.D.S.,
Petitioner
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-299-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a Class B office building in a R-O Zone, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared and testified and was represented by Counsel. Carl Gerhold, a registered land surveyor; Hugh Gelston, a real estate appraiser; and Charles V. Pippin, a registered architect, appeared on behalf of the Petitioner. There were no Protestants. In fact, the West Towson Neighborhood Association, Inc., by Berkley Matthews, President, indicated its support of the proposed project by letter, Petitioner's Exhibit 5.

Testimony indicated that the subject property, located on the corner of Allegheny and Highland Avenues in Towson and zoned R-O, is presently improved with a Class A office building converted from a residential building. The Petitioner proposes to add an 18' x 42' single-story structure with basement to the east side of the existing building and a 25' x 9' porch to the Allegheny Avenue side. The proposed addition would face an existing two-story office building and would be compatible with the existing frame structure and the surrounding buildings, most of which are offices converted from residential uses. Evidence presented is clear that the conditions precedent as delineated in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisfied and that the proposal conforms to the purposes established by the Baltimore County Council for the R-O Zone as described in Section 203.2, BCZR.

The County Review Group (CRG) approved the site plan on November 14, 1984. The Petitioner seeks relief from Section 203.3.B.2, pursuant to Section 502.1, BCZR.

It is clear that the BCZR permits the use requested by the Petitioner in a R-O Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. *Schultz v. Pritts*, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held and it appearing that by reason of the requirements of Section 502.1

having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of April, 1985, that the Petition for Special Exception for a Class B office building in a R-O Zone be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

A. Seipp
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Newton A. Williams, Esquire
People's Counsel

PETITION FOR SPECIAL EXCEPTION

9th Election District

LOCATION: Northeast corner Allegheny Avenue and Highland Avenue (408 Allegheny Avenue)

DATE AND TIME: Monday, April 22, 1985 at 1:30 p.m.

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

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

Petition for Special Exception for a Class B Office Building in an R.O. zone by an addition to an existing, utilized Class A Office Building.

Being the property of Joseph H. Seipp, D.D.S. as shown on the plat filed with the Zoning Office.

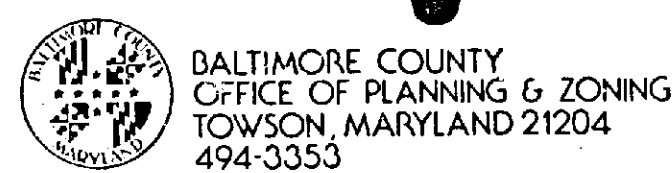
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing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

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
DATE April 22, 1985
BY [Signature]

ORDER RECEIVED FOR FILING
DATE April 22, 1985
BY [Signature]

ORDER RECEIVED FOR FILING
DATE April 22, 1985
BY [Signature]



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

ARNOLD JABLON
ZONING COMMISSIONER

April 16, 1985

Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
NE/cor. Allegheny Ave. & Highland Ave.
(408 Allegheny Avenue)
Joseph H. Seipp, D.D.S. - Petitioner
Case No. 85-299-X

Dear Mr. Williams:

This is to advise you that \$49.91 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

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,

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

No. 005397

ARNOLD JABLON
Zoning Commissioner

DATE 4/22/85 ACCOUNT R-01-615-000

AMOUNT \$49.91

RECEIVED FROM Newton A. Williams, Esquire

FOR advertising & posting \$5.000-V (feeling)

B125*****45.133 0230F

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-299-X

District 9th Date of Posting 3-29-85

Posted for Joseph H. Seipp, D.D.S.

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

Location of property: NE/cor. of Allegheny and Highland Avenues

(408 Allegheny Avenue)

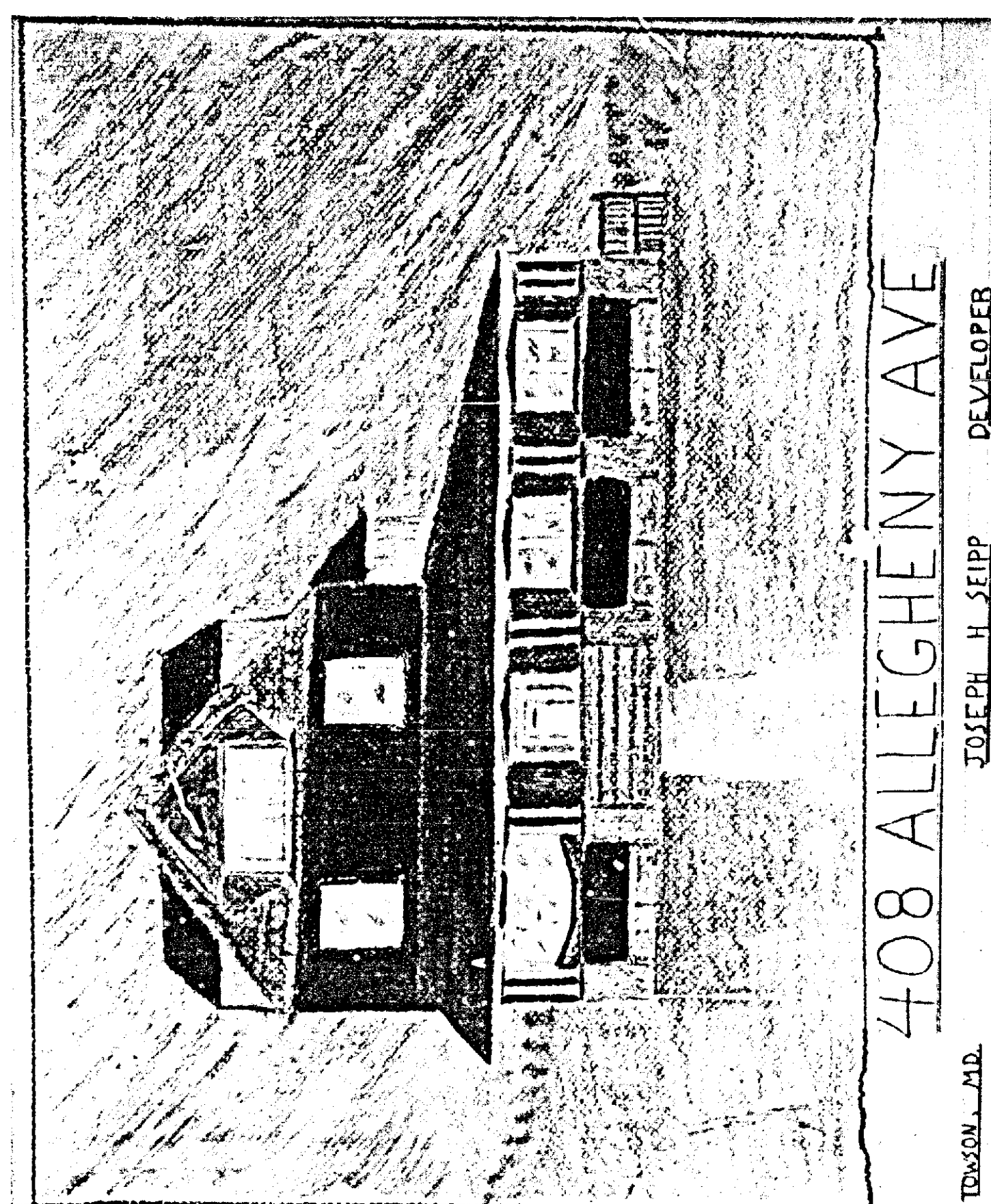
Location of Sign: NE/cor. of Allegheny and Highland Avenues

(408 Allegheny Avenue)

Remarks:

Posted by J. H. Seipp Date of return 4-5-85

Number of Signs: 1



G. SAME VIEW AS IN F. ALONG PROPERTY LINE.



H. LOOKING S/E AT AREA OF PROPOSED ADDITION.



I. LOOKING N/E AT RIGHT TO LEFT 408 (SEIP), 406, 404 (HENNESSEY AND 402 (CAROL & FARLEY)



A. The Seipp Offices at the NE/c of Allegheny Ave. & Highland Ave.



D. Looking E/ly past Seipp pole, and poles, to the E on N/S of Allegheny



C. Looking N/Ely AT THE SEIPP PROPERTY 408 ALLEGHENY AVE.



J. 408 ALLEGHENY AVE. AT NW/c OF ALLEGHENY & CENTRAL AVES. - CAROL & FARLEY



K. 404 ALLEGHENY AVE. - HENNESSEY



L. 408 ALLEGHENY AVE. - TO THE EAST OF SEIPP PROPERTY AT 408 ALLEGHENY AVE.



O. LOOKING S/Ely AT SEIPP PROPERTY



E. LOOKING S/Ely PAST SEIPP ALONG THE E/S OF HIGHLAND AVE.



F. LOOKING N/Ely BETWEEN SEIPP AT 408 AND PROPERTY AT 406 ALLEGHENY.

March 21, 1985

Newton A. Williams, Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

NOTICE OF HEARING
RE: Petition for Special Exception
NE/cor. Allegheny and Highland
Avenues (408 Allegheny Avenue)
Joseph H. Seipp, D.D.S. - Petitioner
Case No. 85-299-X

TIME: 1:30 p.m.

DATE: Monday, April 22, 1985

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

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

No. 004915

ARNOLD JABLON
Zoning Commissioner

DATE 4/22/85 ACCOUNT 01-115-000

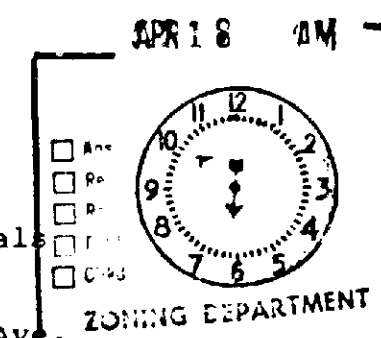
AMOUNT \$100.00

RECEIVED FROM Newton A. Williams, Esquire

FOR E/ly PAST SEIPP 408

VALIDATION OR SIGNATURE OF CASHIER

Board of Zoning Appeals
Baltimore County
Room 106
111 West Chesapeake Ave.
Towson, Md. 21204



6 Highland Ave.
Towson, Md., 21204
April 16, 1985

Dear Person,

I am writing to request that the zoning appeals case number 85-299-X, concerning the property on 408 Allegheny Ave. be denied. I am a life long resident of Towson and wish to preserve the neighborhood of west Towson. Businesses have taken over numerous residential houses in our area and the residential character of the neighborhood is being steadily eroded. Of note, the master zoning plan of Baltimore County recommends that the area west of Bosley Ave. in Towson remain residential, and not be the site of new office buildings.

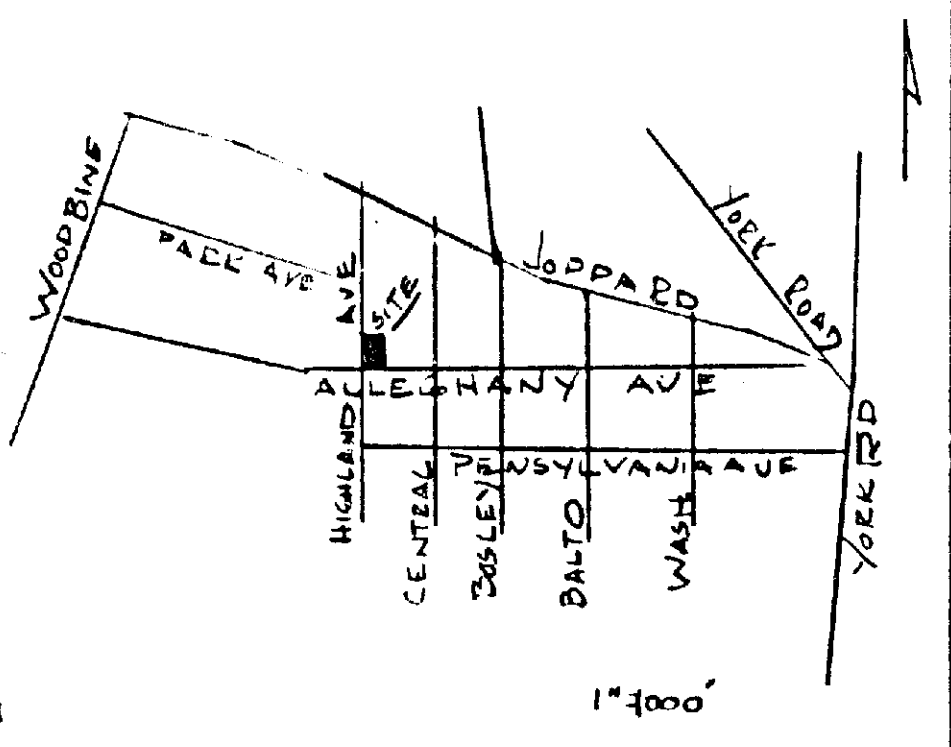
I am requesting that the guidelines for the Towson area zoning be upheld, and that our neighborhood be permitted to remain residential and not be turned into a new office building center. Currently there is a brisk expansion of new office buildings east of Bosley Ave., which is permitted under the zoning plan.

Because I cannot leave work to attend the hearing on April 22, I am submitting this letter to you. Thank you for your consideration.

Sincerely,

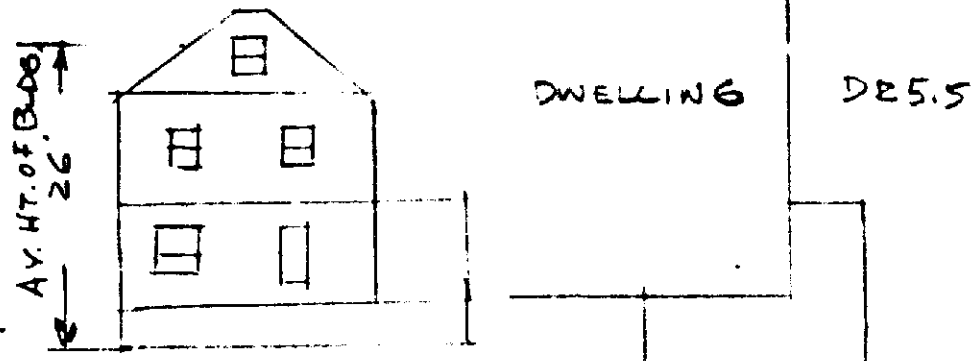
Mark Jameson

Mark Jameson



GROSS AREA = 0.48 ACRES
 NET AREA = 0.31 ACRES
 AMENITY OPEN SPACE
 $21600 \times 1.25 = 54000'$ REQUIRED
 $5500'$ PROVIDED
 AMENITY OPEN SPACE SHOWN THUS
 PARKING
 EXISTING 1ST FLOOR $1494' \div 300 = 5$ SPACES
 2ND FLOOR $1118' \div 500 = 3$ SPACES
 PROPOSED 1ST FLOOR $756' \div 300 = 3$ SPACES
 BASEMENT $981' \div 500 = 2$
 TOTAL SPACES PROVIDED = 13 TOTAL REQUIRED = 13 SPACES
 PARKING SPACES TO BE STRIPED
 A.D.T. $4275 \times 12.3 = 52.6$

BERNARD SIEBERTS
 3269-112



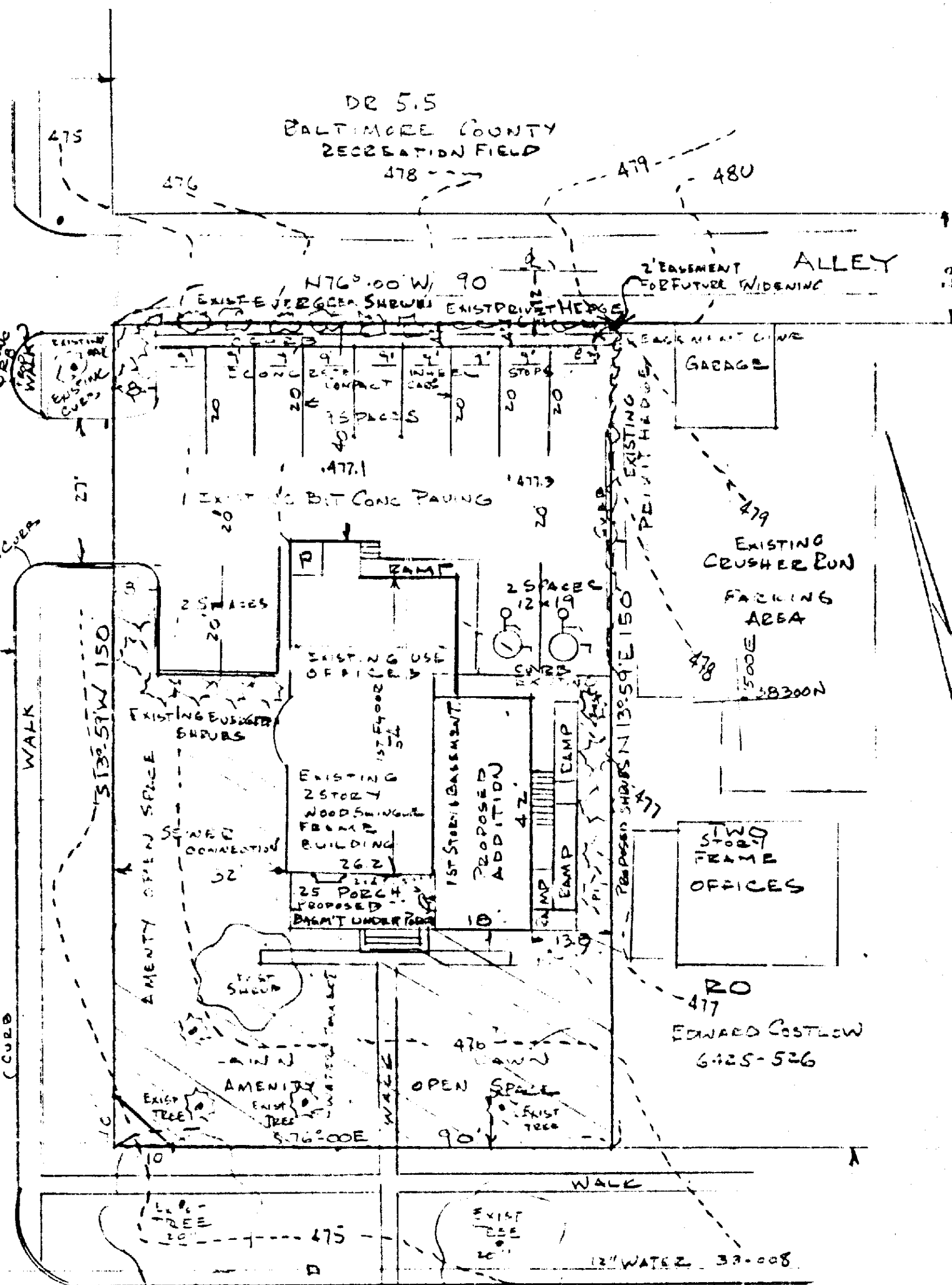
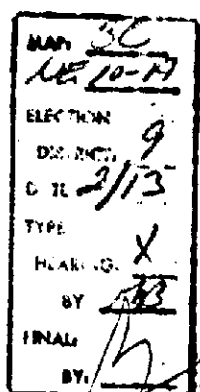
NO OUTDOOR LIGHTING
 PUBLIC TRANSIT 3 BLOCKS EAST
 1 BLOCK SOUTH
 EXEMPT FROM STORM WATER MANAGEMENT
 NO WETLANDS OR SIGNIFICANT GEOLOGICAL FEATURES
 NO ARCHEOLOGICAL SITES OR CRITICAL AREAS
 NO ENDANGERED SPECIES HABITAT OR HAZARDOUS MATERIAL
 NO HISTORIC BUILDINGS

SOIL TYPE GLENELG URBAN

ZONED R0
 EXISTING USE OFFICES
 EXISTING 2 STORY WOOD SHINGLE
 FRAME BUILDING
 PROPOSED ADDITION TO CONFORM
 WITH EXISTING BUILDING
 PROPOSED ADDITION $42' \times 18'$
 1 STORY WITH BASEMENT AND
 BASEMENT UNDER EXISTING PORCH
 $25' \times 9'$
 EXIST. $2' \times 4' = 8'$ SIGN ON FRONT WALL OF BUILDING
 NON ILLUMINATED

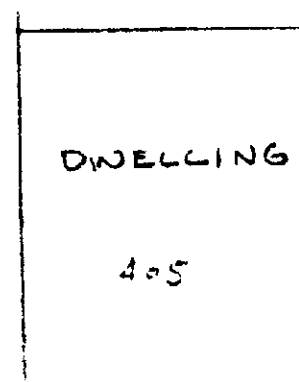
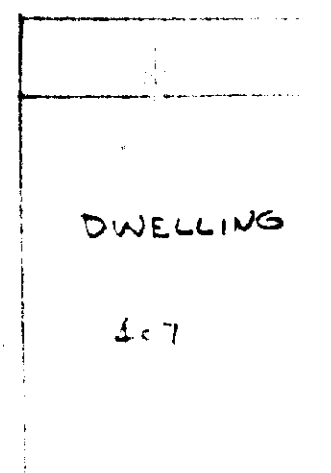
THE H. A. PROFESSIONAL BUILDING
 NO 408 ALLEGHANY AVENUE
 ELECTION DISTRICT NO. 9
 COUNCILMANIC DISTRICT NO. 4
 CENSUS TRACT NO. 4907.02
 WATER SHED NO. 23
 SUBSEWER SHED NO. 55

OWNER & DEVELOPER
 JOSEPH H. SEIPP JR
 4100 N CHARLES STREET
 BALTO MD 21218
 235-0560
 DEED REF 6324-405
 PROP NO 9-02-650340



ALLEGHANY AVENUE

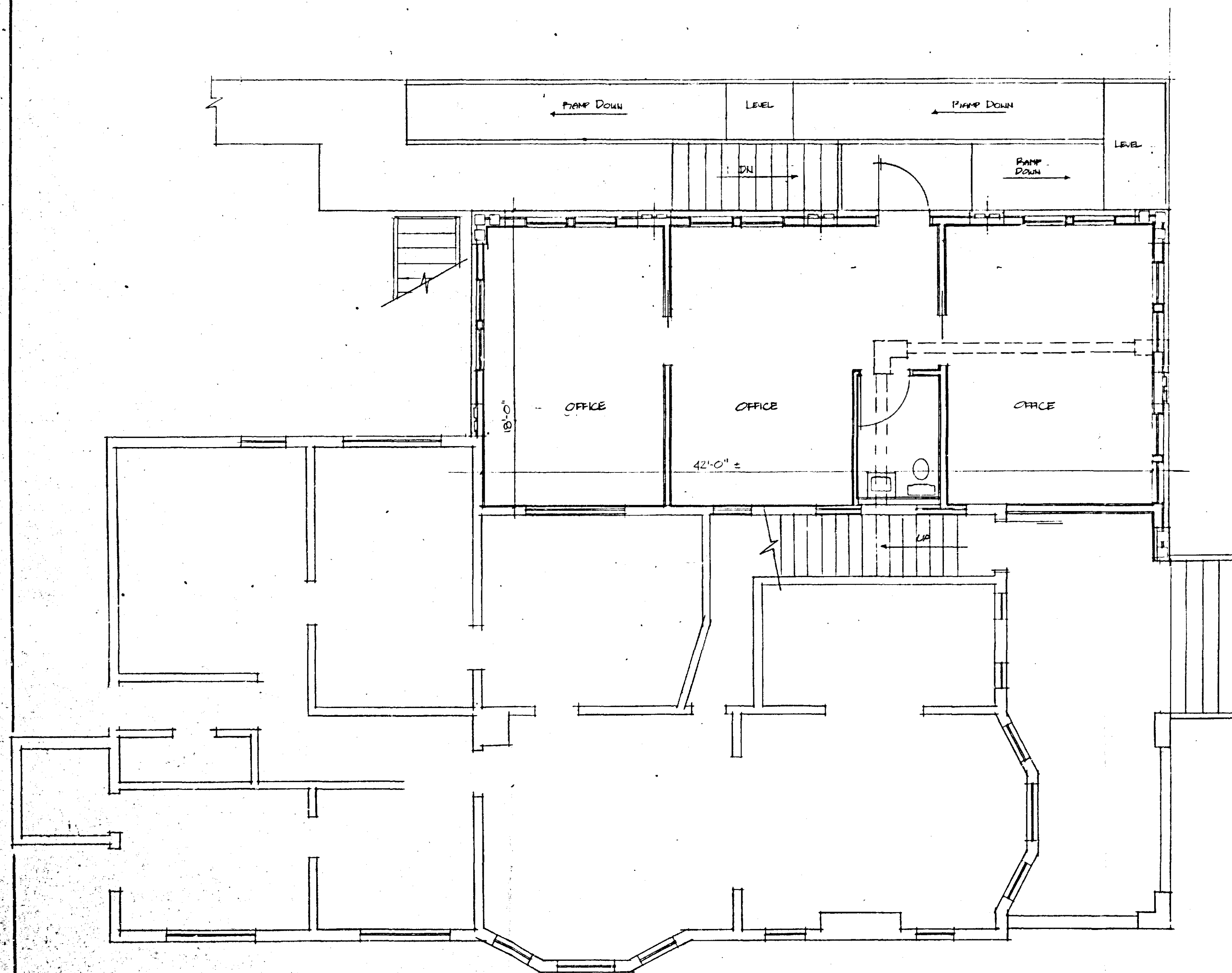
DANNA WILLIAMS
 6410-574



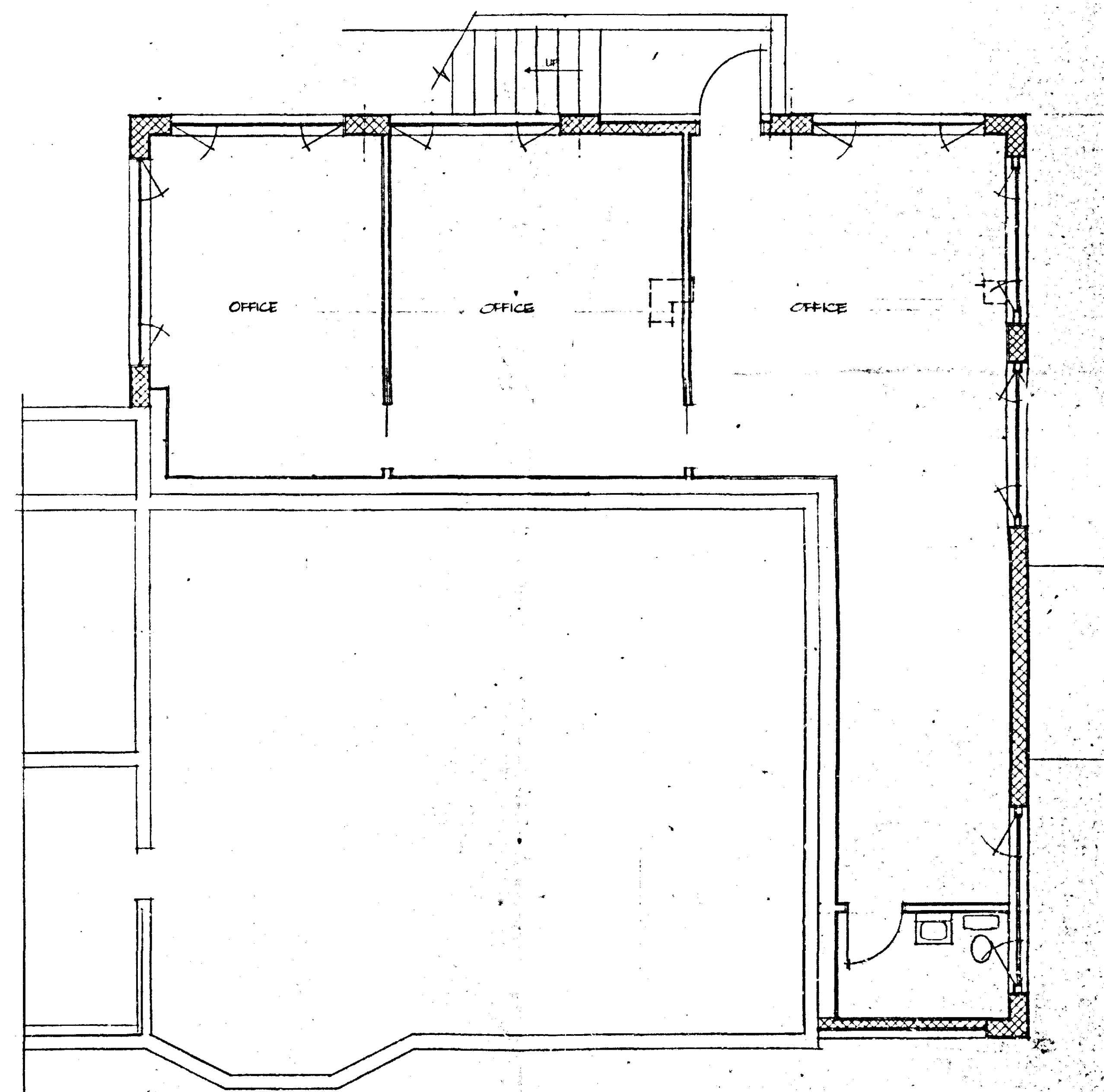
EXISTING ZONING R0
 PROPOSED SPECIAL EXCEPTION
 FOR CLASS B OFFICE BUILDING



REVISED JAN 21 1984
 REVISED OCT 15, 1984
 REVISED JUNE 18, 1984
 SCALE: 1" = 20'
 MAY 14, 1984
 GERHOLD, CROSS & ETZEL
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON, MD. 823-4470



FIRST FLOOR
Scale 1/4" = 1'-0"



RENOVATION TO 408 E. JEGHENY AVE

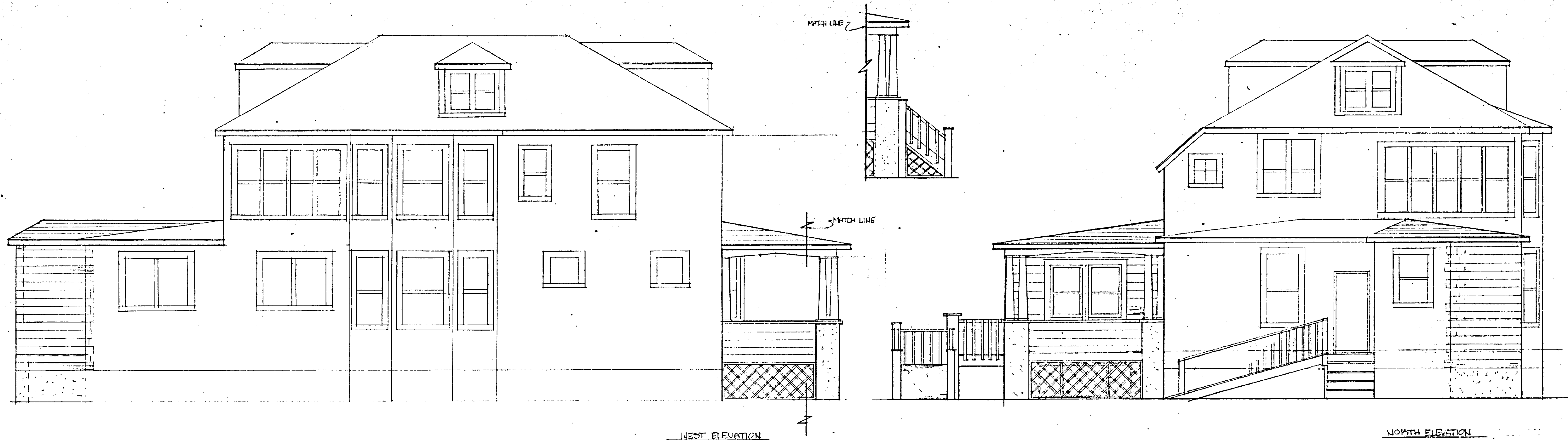
CHARLES GAUGHAN PIPPEN
2305 POT SPRING RD

ARCHITECT
TIMONIUM, MARYLAND 21293

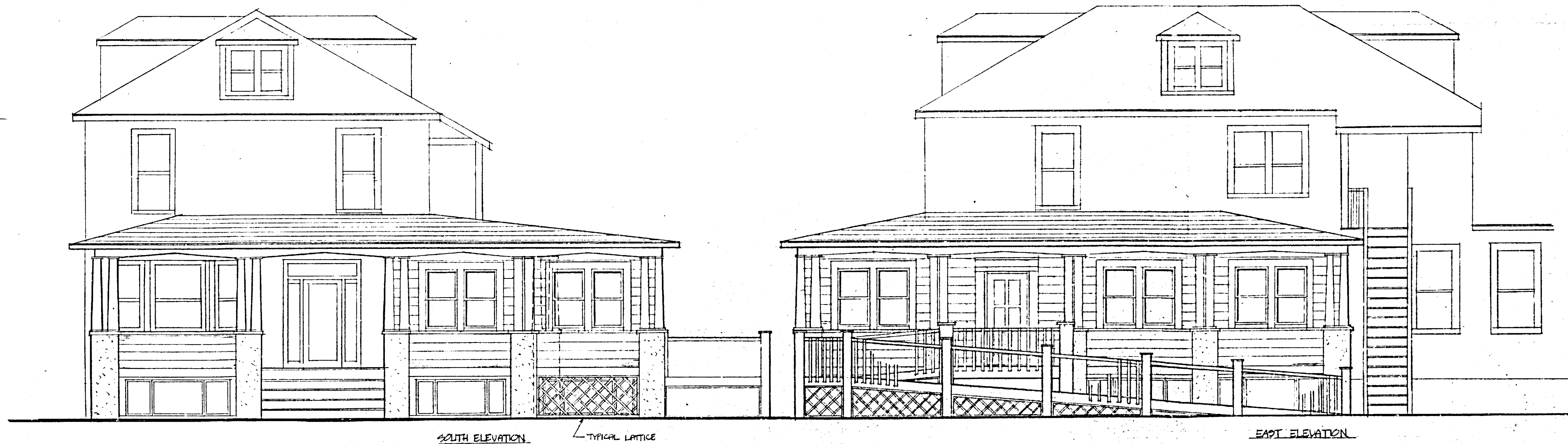
DWG NO.

11-1

Date



Pet. 2



ELEVATIONS
SCALE 1/4" = 1'-0"

EXHIBIT 2

RENOVATION TO 408 ALLEGHENY AVE		DWG NO. A-2
CHARLES VAUGHAN RIPPEN 2305 POT SPRING RD	ARCHITECT TIMONIUM, MARYLAND 21093	Date