

PETITION FOR ZONING VARIANCE 85-332-A 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 402.2 to permit a lot width of 75' in lieu of the required 80' and to determine if a recently relocated single-family dwelling can be converted to a two-family dwelling.

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

- 1) I moved this house from the flood plain area, and had to put it on a basement foundation to correspond with the neighboring houses with basements.
- 2) Since the area is zoned for multiple housing, I did not realize there would be any difficulty in having a basement apartment.

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 _____
(Type or Print Name)
City and State _____
Signature _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Address _____
City and State _____
Attorney's Telephone No.: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of April, 1985, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, Maryland on the 22nd day of May, 1985, at 10:15 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

85-332-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 15th day of April, 1985.

Petitioner: Elmond L. McDaniel
Petitioner's Attorney: _____

Received by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 15, 1985

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

Mr. Elmond L. McDaniel
1010 Leland Avenue
Baltimore, Maryland 21220

Chairman
Nicholas B. Commodari

RE: Item No. 290 - Case No. 85-332-A
Petitioner - Elmond L. McDaniel
Variance Petition

Dear Mr. McDaniel:

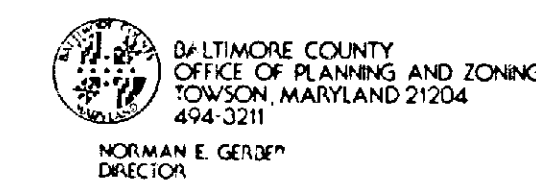
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

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
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc
Enclosures



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

MAY 3, 1985

Re: Zoning Advisory Meeting of April 16, 1985
Item # 290
Property Owner: ELMOND L. McDANIEL
Location: W/S MIDDLE RIVER ROAD, 180' N. FROM E BARBOUR RD.

Dear Mr. Jablon:

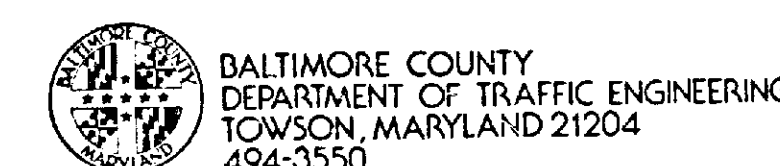
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ 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 arrangements 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 22-58 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 Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is _____.
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments: _____

Eugene A. Boher
Chief, Current Planning and Development

cc: James Hoswell

ORDER RECEIVED FOR FILING
DATE: May 29, 1985
BY: _____



STEPHEN E. COLLINS
DIRECTOR

May 16, 1985

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

Item No. 290 - ZAC Meeting of April 16, 1985
Property Owner: Elmond L. McDaniel
Location: W/S Middle River Road 180' N. from c/l Barbour Road
D.R. 5.5 & D.R. 16
Existing Zoning: Variance to permit lot width of 75' in lieu of the required 80' and to determine if a recently relocated single family dwelling can be converted to a two family dwelling.
Proposed Zoning: _____

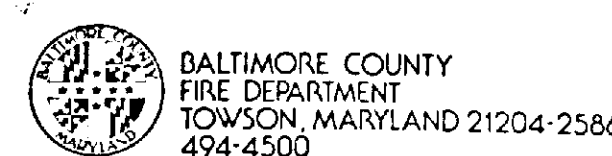
Acres: 75 X 175
District: 15th

Dear Mr. Jablon:

This site should provide on-site parking for two families.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm



PAUL H. REINCKE
CHIEF

April 25, 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: Elmond L. McDaniel

Location: W/S Middle River Road 180' N. from c/l Barbour Road

Item No.: 290 Zoning Agenda: Meeting of 4/16/85

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 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.

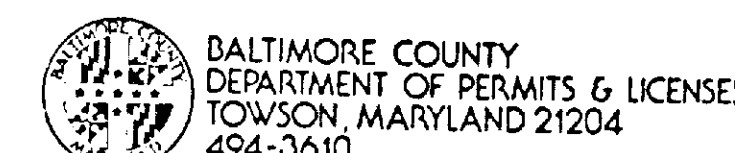
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

6. Site plans are approved, as drawn.

7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *Paul W. Kemmer*
Noted and Approved: _____
Planning Group: _____
Special Inspection Division: _____

/mb



TED ZALESKI, JR.
DIRECTOR

April 22, 1985

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

Dear Mr. Jablon:

Comments on Item # 290 Zoning Advisory Committee Meeting are as follows:

Property Owner: Elmond L. McDaniel
Location: W/S Middle River Road 180' N. from c/l Barbour Road
District: 15th.

APPLICABLE ITEMS ARE CHECKED

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.B.S.I. Bill 7-79 - 1980) and other applicable codes and standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.
4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Approved seals are not acceptable.
5. All Use Groups except Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. For Use Groups require a one hour wall of closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.2 and Table 101.2. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. The structure does not appear to comply with Table 505 for permissible height/area. Apply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Party and Architectural or Engineer seals are usually required. The change of Use Groups are from the _____ to the _____, or to the _____.
9. The proposed project appears to be located in a Flood Plain, Flood Hazard, or Flood Hazard Area. Please see the attached copy of Section 510.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the Flood Hazard levels including basement.
10. Comments - A 1 hour fire separation shall be provided between tenants. Each tenant shall be provided with an approved independent exit. See Table 809.3, Two Family, in fire dwelling would require a fire wall separation.
11. These abbreviated 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, the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Schuman
Charles E. Schuman, Chief
Building Plans Section

BALTIMORE COUNTY, MARYLAND

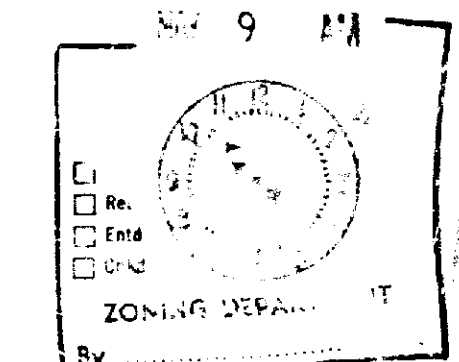
INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions Nos. 85-323-A, 85-324-A, 85-327-A, 85-328-A, 85-329-A, 85-331-A, 85-332-A and 85-334-A

There are no comprehensive planning factors requiring comment on these petitions.

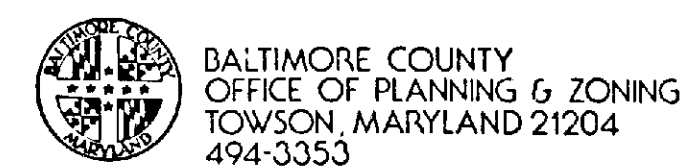
Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG-JCH:elm



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/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

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



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 29, 1985

Mr. Elmond L. McDaniel
1910 Leland Avenue
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
W/S Middle River Road,
180' N of the centerline
of Barbour Road -
15th Election District

Elmond L. McDaniel -
Petitioner

Case No. 85-332-A (Item No. 290)

Dear Mr. McDaniel:

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

Very truly yours,

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

JMJJ:bq

Attachments

cc: Mr. Harold Malson
509 Middle River Road
Baltimore, Maryland 21220

People's Counsel

RE: PETITION FOR VARIANCE
W/S Middle River Road,
180' N of the centerline
of Barbour Road -
15th Election District
Elmond L. McDaniel -
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-332-A (Item No. 290)

The Petitioner herein requests a variance to permit a lot width of 75 feet in lieu of the required 80 feet, and the determination permitting a recently relocated single-family dwelling to be converted to a two-family dwelling.

Testimony by the Petitioner indicates that the twenty-year-old house was continuously inhabited for more than three years while in a Baltimore County flood plain. Following its auction in January 1984, the house was moved to its present location, zoned D.R. 5.5 and D.R. 16, in May 1984, and placed on a full basement which the Petitioner proposes to utilize as a two bedroom apartment with a rear entrance. The Petitioner intends to rent the dwelling to two families. Presently there are apartment buildings to the west of the property.

A neighboring resident protested that the building was not designed for two families and that a two family dwelling was not appropriate at this location. His chief concerns were that the construction has not been completed, building materials and trash are an eyesore, and, especially, that the apartments might attract undesirable persons. He was not opposed to the granting of a variance to permit a lot width of 75 feet.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, strict compliance with the

Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the variance requested will not adversely affect the health, safety, and general welfare of the community and would be in strict harmony with the spirit and intent of the BCZR and the zoning office policy RM-4, and, therefore, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 29th day of May, 1985, that, in the instant case, the Petition for Zoning Variance to permit a lot width of 75 feet in lieu of the required 80 feet, and to convert the recently relocated single-family dwelling to a two-family dwelling, in accordance with the site plan submitted, is GRANTED, from and after the date of this Order, subject to the following:

1. All construction shall be completed, all construction materials, trash and debris shall be removed, and landscaping shall be installed prior to the occupancy of either apartment.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE May 29, 1985
BY J. A. [Signature]
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING
DATE May 29, 1985
BY J. A. [Signature]
ADMINISTRATIVE ASSISTANT

PETITION FOR VARIANCE
15th Election District

LOCATION: West side Middle River Road, 180 ft. North from the centerline of Barbour Road

DATE AND TIME: Wednesday, May 22, 1985 at 10:15 a.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 Variance to permit a lot width of 75 ft. in lieu of the required 80 ft. and to determine if a recently relocated single-family dwelling can be converted to a two-family dwelling

Being the property of Elmond L. McDaniel 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

Located on the west side of Middle River Road approximately 180' north of the centerline of Barbour Rd. and running N 88° 30' W 175' thence N 1° 30' E 75' thence S 88° 30' E 175' to the west side of Middle River Rd. and thence south along said road 75' to the place of the beginning.

RE: PETITION FOR VARIANCE
W/S Middle River Rd.,
180' N from the Center-
line of Barbour Rd.,
15th District
Elmond L. McDaniel,
Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 85-332-A

ENTRY OF APPEARANCE

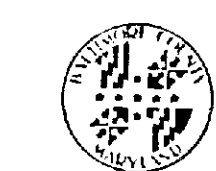
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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

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

I HEREBY CERTIFY that on this 2nd day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Elmond L. McDaniel, 1910 Leland Avenue, Baltimore, MD 21220, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

May 16, 1985

Mr. Elmond L. McDaniel
1910 Leland Avenue
Baltimore, Maryland 21220

RE: Petition for Variance
W/S Middle River Rd., 180' N from the
c/l of Barbour Road
Elmond L. McDaniel - Petitioner
Case NO. 85-332-A

Dear Mr. McDaniel:

This is to advise you that \$23.34 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,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT		No. 007422	
DATE	5/12/85	ACCOUNT	494-332-001
AMOUNT \$		53.34	
RECEIVED FROM	Elmond L. McDaniel		
FOR	Advertising and Posting Case 85-332-A		
VALIDATION OR SIGNATURE OF CARRIER			

April 23, 1985

Mr. Elmond L. McDaniel
1910 Leland Avenue
Baltimore, Maryland 21220

NOTICE OF HEARING

RE: Petition for Variance
W/S Middle River Road, 180' N
from the c/l of Barbour Road
Elmond L. McDaniel - Petitioner
Case No. 85-332-A

TIME: 10:15 a.m.

DATE: Wednesday, May 22, 1985

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

C. E. Hall
Zoning Commissioner
Baltimore County

No. 005361

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

DATE: 4/23/85 ACCOUNT: R-01-615-000

AMOUNT: \$ 100.00

RECEIVED FROM: *Rev. E. Lamar McDaniel*

FOR: *feeling fee for floor 1990*

VALIDATION OR SIGNATURE OF CASHIER

PLACE: ZONING COMMISSION OFFICE
RM. 106 CHESAPEAKE AVE. TOWSON, MD.

MAY 22 1985 10:15 AM.
CASE # 85-332-A

TO PERMIT 75' FRONT IN LIEU OF REQUIRED 80'

TO PERMIT SINGLE FAMILY DWELLING RECENTLY MOVED ON SITE TO A
TWO FAMILY DWELLING.

OBJECTION:

1- AS STATED THIS DWELLING WAS DESIGNED AS A SINGLE FAMILY
UNIT AND DOES NOT APPEAR APPROPRIATE AS A TWO FAMILY
DWELLING.

2- TWO FAMILY'S IN THIS BUILDING COULD CREATE A VERY OVER
CROWDED CONDITION AND MOST LIKELY ATTRACT A VERY UNDESIRABLE
CLIENTEL.

3- THIS BUILDING WAS MOVED ON SITE APPROXIMATELY ONE YEAR
AGO, IT IS A EYE SORE TO THE NEIGHBORHOOD. BUILDING MATERIAL
IS IN DISAPPEY SCATTERED ACROSS THE FRONT AREA UP TO THE
SIDEWALK. THERE ARE TWO 55 GALLON DRUMS PARTIALLY FILLED
WITH WATER, TRASH AND OTHER MATERIAL. AT THE PRESENT RATE OF
PROGRESS IT WILL TAKE TWO MORE YEARS TO COMPLETE AND BE
READY FOR OCCUPANCY WITHOUT ANY CONVERSION TO TWO FAMILY
DWELLING.

4- WE DO NOT OBJECT TO PERMIT 75' FRONT IN LIEU OF
REQUIRED 80'

5- WE HAVE A NUMER OF PROBLEMS ON MIDDLE RIVER ROAD, MOST
OF THESE WE HAVE LIVED WITH FOR A LONG TIME BEFORE ZONING
WAS AVAILABLE AND BEFORE MASTER PLANNING WAS INITIATED. WE
HOPE TO AVOID CREATING NEW PROBLEMS NOW THAT THESE CONTROLS
EXIST

HAROLD E. MALSON

Harold E. Malson TEL. 287-2790

ALICE F. MALSON
Alice F. Malson

509 MIDDLE RIVER ROAD
BALTIMORE, MD. 21220

J. URSO

Jim J. Urso
502 MIDDLE RIVER ROAD

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1574

Date of Posting: 5/14/85

Posted for: Variance

Petitioner: Elmond L. McDaniel

Location of property: W/S Middle River Rd., 180' N. Fr. Barbour Rd.

Location of Signs: Facing Middle River Rd., across 24' fr. road way,
on property of R. H. Hovner

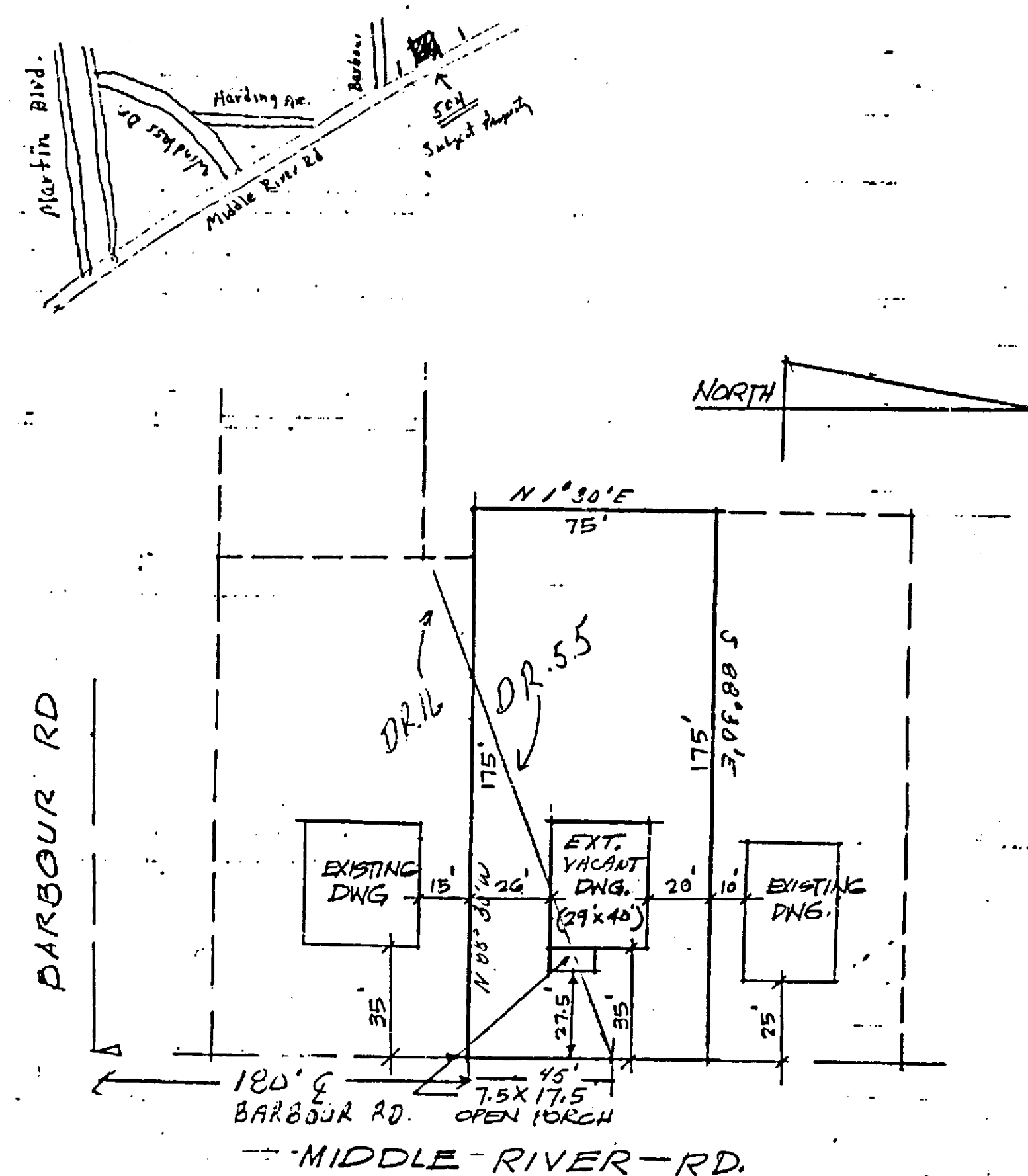
Remarks:

Posted by: *M. Hovner*
Signature

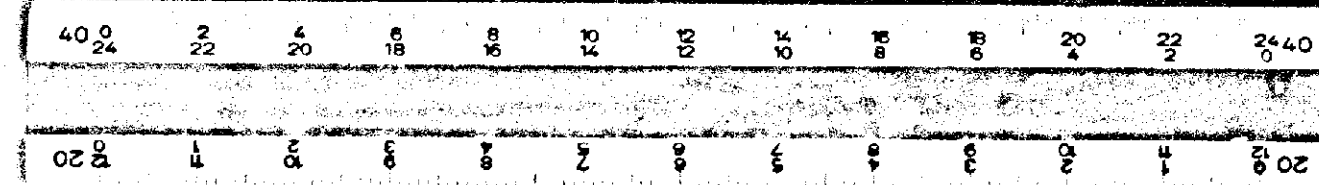
Date of return: 5/10/85

Number of Signs: 1

From Elmond L. McDaniel
For Elmond L. McDaniel
**PROTESTANT'S
EXHIBIT 1**



PLAT FOR ZONING VARIANCE
OWNER -- ELMOND LAMAR MC DANIEL
DISTRICT - 15, ZONED D.R. 16 / O.R. 5.5
SUBDIVISION--
(Meets & bounds description) Liber OTG 6707; Folio 019
Existing Utilities in Middle River Road
Scale: 1" = 10'



PETITION FOR VARIANCE
15th Election District
LOCATION: West side Middle
River Road, 180 ft. North
from the centerline of Bar-
bour Road
DATE AND TIME: Wednes-
day, May 22, 1985 at 10:15
a.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 Regu-
lations of Baltimore County,
will hold a public hearing:
Petition for Variance to per-
mit a lot width of 75 ft. in
lieu of the required 80 ft. and
to determine if a recently re-
located single-family dwelling
can be converted to a two-
family dwelling.
Being the property of El-
mond L. McDaniel as shown
on the plat filed with the
Zoning Office.
In the event that this Peti-
tion is granted, a building
permit may be issued within
the thirty (30) day appeal pe-
riod. The Zoning Commissioner
will, however, entertain any
request for a stay of the in-
surance 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
May 2, 1985

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 2, 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
May 2, 1985

THE JEFFERSONIAN,

B. Venetouli

Publisher

Cost of Advertising

27.50

Petition for Variance
15th Election District
LOCATION: West side of Middle
River Road, 180 ft. north from the cen-
terline of Barbour Road.
DATE & TIME: Wednesday, May
22, 1985 at 10:15 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 West
Chesapeake Avenue, Towson,
Maryland.
The Zoning Commissioner of Bal-
timore County, by authority of the Zon-
ing Act and Regulations of Baltimore
County, will hold a public hearing:
Petition for Variance to permit a lot
width of 75 ft. in lieu of the required 80
ft. and to determine if a recently re-
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Being the property of Elmond L.
McDaniel, as shown on the plat filed
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In the event that this Petition is
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sued within the thirty (30) day appeal
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will, however, entertain any request
for a stay of the issuance of said per-
mit 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

The Times

Middle River, Md., May 2, 1985

This is to Certify, That the annexed

Petition - McDaniel
Reg. L. 717.2X

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of *me* successive

weeks before the *2nd* day of

May, 1985

Sh. D. W. Hovner Publisher.

PETITION FOR SPECIAL EXCEPTION 85-333-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to permit the herein described property for a dentist's office in accordance with Section 1801.1.C.9B

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., up to 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:
Richard C. and Nancy G. Powell
Signature
518 Towson Avenue
Lutherville, Maryland 21903
City and State

Legal Owner(s):
A. Lloyd Bryant
(Type or Print Name)
Signature
Jean Bryant
(Type or Print Name)
Signature

Attorney for Petitioner:
Cook, Howard, Downes & Tracy
(Type or Print Name)
Signature Herbert R. O'Connor, III
210 Allegheny Avenue
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Herbert R. O'Connor, III
Name
210 Allegheny Avenue
Address
823-4111
Phone No.

Attorney's Telephone No.: 823-4111

ORDERED BY The Zoning Commissioner of Baltimore County, this 15th day of April, 1985, 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 22nd day of May, 1985, at 11:00 o'clock.

Cell John
Zoning Commissioner of Baltimore County.

ECG No. 1 (over)

ORDER RECEIVED FOR FILING
DATE May 29/1985
BY Barbara A. Schell
ADMINISTRATIVE ASSISTANT

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S of Dulaney Valley Road, * DEPUTY ZONING COMMISSIONER
192.90' N of the centerline of * OF BALTIMORE COUNTY
Locustvale Rd. (1006 Dulaney Valley) *
9th Election District - *
A. Lloyd Bryant, et ux - * Case No. 85-333-X (Item No. 292)
Petitioners *

The Petitioners herein request a Special Exception to permit a dentist's office within the same building as that serving as the dentist's primary residence.

Testimony on behalf of the Petitioners indicates that the contract purchaser is a dentist who, for six months, has been associated with the dentist who, for twenty-seven years, has lived and practiced dentistry at that location. The office occupies 22% of the floor area of the residence. It is the purchaser's intention to acquire the practice and property, make no changes unless outside changes are required by the Maryland Department of Transportation, and reside and practice dentistry on the site. The contract purchaser will meet the access requirements of the State Highway Administration and the landscape/screening requirements of the Baltimore County Division of Current Planning and Development as well as all requirements of Section 1801.1.C.9.B of the Baltimore County Zoning Regulations.

There were no Protestants, however, two neighbors expressed concern that lawn and residential appearance would be reduced if excess parking and driveway access were required.

After due consideration of the testimony and evidence presented and appearing that the requirements of Section 502.1 of the Baltimore County Zoning Regulations have been met and the health, safety and general welfare

of the community will not be adversely affected, the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 29th day of May, 1985, that the herein Petition for Special Exception to permit a dentist's office within the same building as that serving as the dentist's primary residence, in accordance with the site plan prepared by Gerhold, Cross & Etzel, Registered Professional Land Surveyors, dated March 25, 1985 and marked Petitioner's Exhibit 1, is GRANTED, from and after the date of this Order, subject to the following:

1. Requirements of the State Highway Administration and the Division of Current Planning and Development, with minimum disturbance to existing trees and lawn, shall be met.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE May 29/1985
BY Barbara A. Schell
ADMINISTRATIVE ASSISTANT

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 29, 1985

Herbert R. O'Connor, III, Esquire
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
W/S of Dulaney Valley Road,
192.90' N of the centerline of
Locustvale Rd. (1006 Dulaney Valley)
9th Election District
Case No. 85-333-X (Item No. 292)
A. Lloyd Bryant, et ux -
Petitioners

Dear Mr. O'Connor:

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

JMH:bg

Attachments

cc: Mr. Charles Stokes
901 Locustvale Road
Towson, Maryland 21204

Mr. John Marshall Jones, Jr.
1016 Dulaney Valley Road
Towson, Maryland 21204

People's Counsel

PETITION FOR SPECIAL EXCEPTION

9th Election District

LOCATION: West side Dulaney Valley Road, 192.90 ft. North from the centerline of Locustvale Road (1006 Dulaney Valley Road)

DATE AND TIME: Wednesday, May 22, 1985 at 11:00 a.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 dentist's office in accordance with Section 1801.1.C.9.B

Being the property of A. Lloyd Bryant, et ux 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

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
W/S Dulaney Valley Rd., 192.90' : OF BALTIMORE COUNTY
N from the Centerline of :
Locustvale Rd. (1006 Dulaney :
Valley Rd.), 9th District :
A. LLOYD BRYANT, et ux, : Case No. 85-333-X
Petitioners : : : : : :

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
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2168

I HEREBY CERTIFY that on this 2nd day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to Herbert R. O'Connor, III, Esquire, Cook, Howard, Downes & Tracy, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

May 16, 1985

Herbert R. O'Connor, III, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
W/S Dulaney Valley Rd. 192.90' N from the c/l of
Locustvale Road (1006 Dulaney Valley Road)
A. Lloyd Bryant, et ux - Petitioners
Case No. 85-333-X

Dear Mr. O'Connor:

This is to advise you that \$64.35 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,

Arnold Jablon
Zoning Commissioner

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

No. 007256

DATE 5/16/85 ACCOUNT R-01-113-000

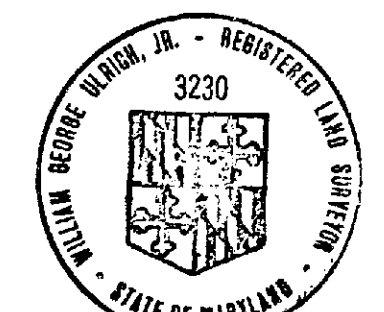
AMOUNT \$ 64.35

RECEIVED FROM Cook Howard Downes & Tracy

FOR 85-333-X

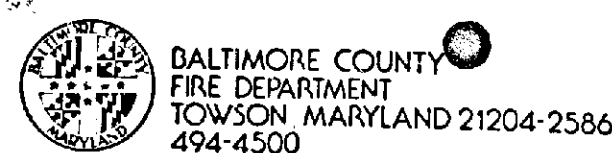
8104*****45514 5216F

VALIDATION OR SIGNATURE OF CARRIER



William S. Schell

APR 17 1987



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4300

PAUL H. REINCKE
CHIEF

April 25, 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: A. Lloyd Bryant, et ux

Location: W/S Dulany Valley Road 192.90' N. from c/l Locustvale Rd.

Item No.: 292

Zoning Agenda: Meeting of 4/16/85

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 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.

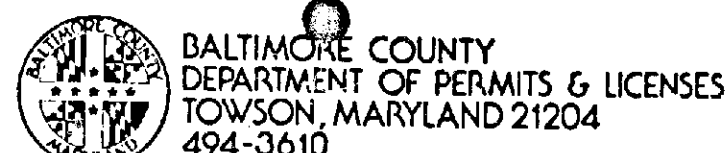
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: Paul H. Reincke Noted and Approved: Paul H. Reincke
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



TED ZALESKI, JR.
DIRECTOR

April 22, 1985

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

Dear Mr. Jablon:

Comments on Item # 292 Zoning Advisory Committee Meeting are as follows:

Property Owner: A. Lloyd Bryant, et ux
Location: W/S Dulany Valley Road 192.90' N. from c/l Locustvale Road
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

(1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #17-1 - 1980) and other applicable Codes and Standards.

(2) A building and other miscellaneous permits shall be required before the start of any construction.

(3) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

(4) Commercial: One set of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

(5) All the Groups except Plot Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Plot the Groups require a one hour wall, if closer than 6'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.2. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

(6) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 505 and 506 and have your architect/engineer contact this department.

(7) The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

(8) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirement. For the new use, Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the 10-1, 10-2, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-9, 10-10, 10-11, 10-12, 10-13, 10-14, 10-15, 10-16, 10-17, 10-18, 10-19, 10-20, 10-21, 10-22, 10-23, 10-24, 10-25, 10-26, 10-27, 10-28, 10-29, 10-30, 10-31, 10-32, 10-33, 10-34, 10-35, 10-36, 10-37, 10-38, 10-39, 10-40, 10-41, 10-42, 10-43, 10-44, 10-45, 10-46, 10-47, 10-48, 10-49, 10-50, 10-51, 10-52, 10-53, 10-54, 10-55, 10-56, 10-57, 10-58, 10-59, 10-60, 10-61, 10-62, 10-63, 10-64, 10-65, 10-66, 10-67, 10-68, 10-69, 10-70, 10-71, 10-72, 10-73, 10-74, 10-75, 10-76, 10-77, 10-78, 10-79, 10-80, 10-81, 10-82, 10-83, 10-84, 10-85, 10-86, 10-87, 10-88, 10-89, 10-90, 10-91, 10-92, 10-93, 10-94, 10-95, 10-96, 10-97, 10-98, 10-99, 10-100, 10-101, 10-102, 10-103, 10-104, 10-105, 10-106, 10-107, 10-108, 10-109, 10-110, 10-111, 10-112, 10-113, 10-114, 10-115, 10-116, 10-117, 10-118, 10-119, 10-120, 10-121, 10-122, 10-123, 10-124, 10-125, 10-126, 10-127, 10-128, 10-129, 10-130, 10-131, 10-132, 10-133, 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12-059, 12-060, 12-061, 12-062, 12-063, 12-064, 12-065, 12-066, 12-067, 12-068, 12-069, 12-070, 12-071, 12-072, 12-073, 12-074, 12-075, 12-076, 12-077, 12-078, 12-079, 12-080, 12-081, 12-08



May 8, 1985

The Zoning Board
Baltimore County

Gentlemen:

Dr. A. Lloyd Bryant has been my family's dentist for over 30 years, the majority of that time at his office and home at 1006 Dulaney Valley Road.

Following Dr. Bryant's retirement, my dental care was continued at the same address with Dr. Richard C. Powell. I intend to continue my family's care with Dr. Powell; therefore, I hope that he will be allowed to continue his practice at this location, which is very convenient to the majority of his patients.

Sincerely,

Donald W. DeHaven

Donald W. DeHaven,
Vice-President
244-6042

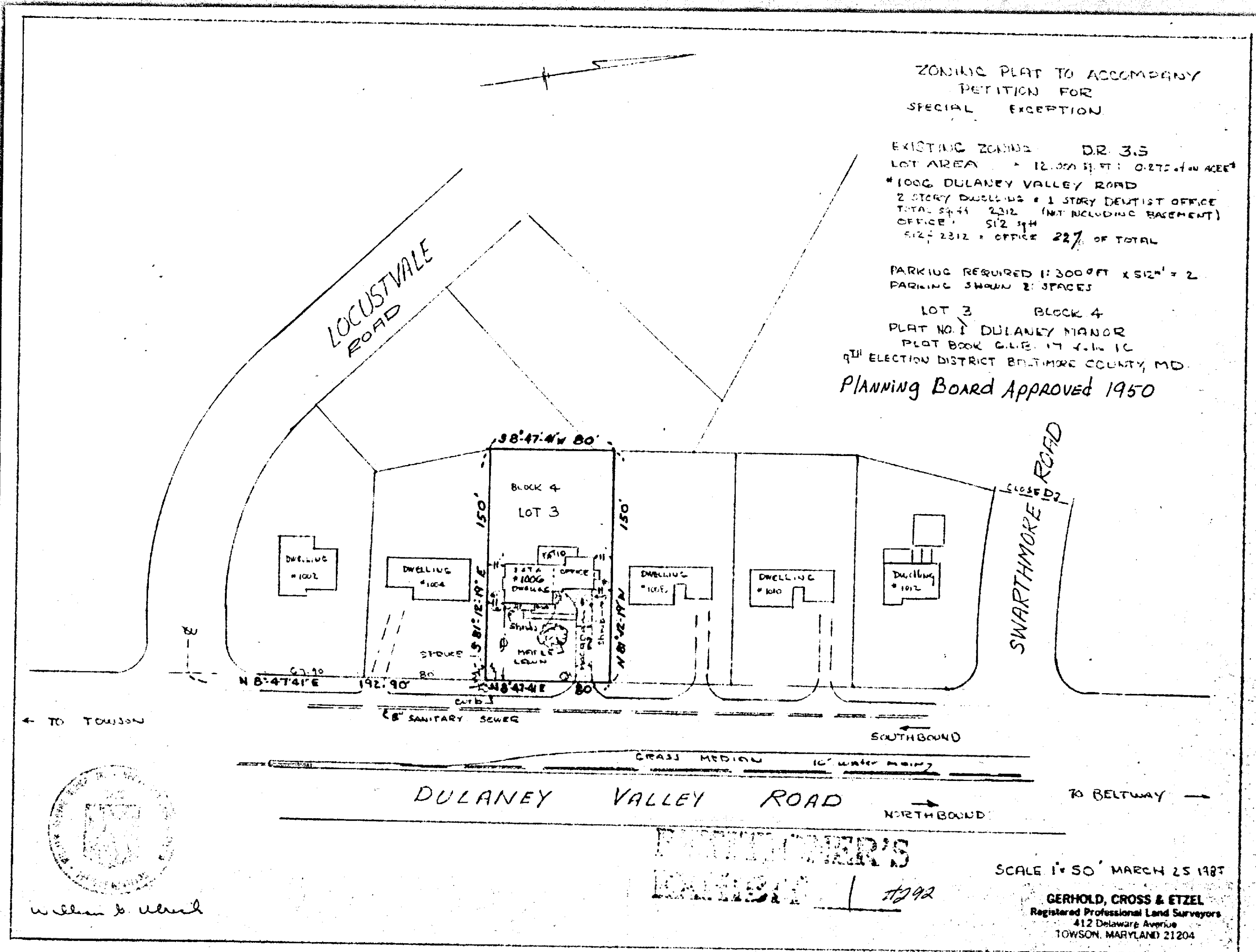
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EXHIBIT 2

Mr. William N. S. Pugh
1002 Dulaney Valley Road, Towson, Maryland 21204

To whom it may concern -
Having been a patient and neighbor of Dr. Bryant for over 15 years, I can see no objection to Dr. Powell having an office at the same address.

William N. S. Pugh



To whom it may concern,
Dr. A. Lloyd Bryant had been my dentist and my wife's dentist for some years. When he was taken ill and Dr. Powell took over for him I was very pleased to be able to continue at the same convenient location for our dental needs. We hope that Dr. Powell will continue his practice at 1006 Dulaney Valley Road in Towson.

Sincerely,
George L. Grice
1006 Dulaney Valley Road
Towson, Md.