

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The evidence and testimony provided by both the attorney's proffer and by the direct testimony of the Petitioner, Richard Luxemburg, indicates that the Petitioner has purchased an existing old mansion on the subject site. This building is the remaining portion of an old farm that has been improved with a large residential community known as Valley Gate. The overall zoning for the area is D.R.3.5. and the property exists of .936 acres. The Petitioner intends to convert the old remaining mansion house to four condominium units which are the remaining appropriate

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

-2-

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of October, 1988 that the Petition for Zoning Variances from Section 1802.3.B to permit a window to street right-of-way of 15' and a window to property line of 5' in lieu of the required 25' and 15'; respectively and to amend the Partial Development Plan of "Valley Gate, Section II Lot 49" to allow construction of this building (windowed walls) outside of the building envelope and to request a variance from Section 400.1 to allow two accessory structures (garages) to be located in the front yard in lieu of the required rear yard, in accordance with Peti-

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mm
cc: Peoples Counsel
Richard Luxenberg, 206 Church Lane, Baltimore, Md. 21208

(over

Very truly yours,

 J. Robert Haines
 Zoning Commissioner

JRH:mgg
att.
cc: Peoples Counsel
Mr. Richard Luxemburg, 206 Church Lane, Baltimore, Md. 21208

Peter Max Zimmerman
Peter Max Zimmerman

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of August, 1988, 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 for the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 6th day of October, 1988, at 11 o'clock A.M.

J. Robert Finney
Zoning Commissioner of Baltimore County

(over)

DESCRIPTION OF PROPERTY
Lot No. 49, Plat One Section Two Valley Gate, recorded among the Land Records of Baltimore County in Plat Book S.M. 57, folio 34.
Beginning on the north side of Belchase Road 50' wide, 14.14' 531° 30' 00"E to 66.90' 513° 30' 00"W to 186.27' 88° 23' 54"E to 213.72' N13° 30' 00"E to 217.97' S76° 30' 00"E to the beginning. Also being the northeast corner of Hillchase Court and Belchase Court.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 3rd Date of Posting 9-11-88
Posted for: Variance
Petitioner: Valley Gate Limited Partnership
Location of property: 555 of Hillchase Court, 25' N c/l of Belchase Court
Location of Sign: In front of subject property Lot #49
Remarks: _____
Posted by: AJ Oates Date of return: 9-22-88
Number of Signs: 2

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance Case Number: 89-120-A
E/S Hillchase Court, 25' N c/l of Belchase Court (Lot #49)
3rd Election District
Petitioner(s): Valley Gate Limited Partnership
Hearing Date: Thursday, Oct. 6, 1988 at 11:00 a.m.
Variance to allow two (2) accessory structures (garages) to be located in the front yard in lieu of the required rear yard.
Variance to permit a window to street right-of-way at 15' and a window to property line of 5' in lieu of the required 25' and 15' respectively, and to amend the Partial Development Plan of "Valley Gate, Section II, Lot 49" to allow construction of this building (windowed walls) outside of the building envelope.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
Oct 6, 1988

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 19, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON-TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 15, 1988.

\$ 45.00
PO# 05050
PO# M18976
S. Zeke Orlean
TOWSON-TIMES
Publisher

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Zoning Commissioner of Baltimore County
Oct 6, 1988

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 19, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on September 15, 1988.

\$ 45.00
PO# 05051
PO# M18975
S. Zeke Orlean
THE JEFFERSONIAN
Publisher

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

DATE 7/8/88 ACCOUNT 01-115
AMOUNT \$ 100.00
RECEIVED FROM _____
FOR _____
B 0306*****1000013 0000F
VALIDATION OR SIGNATURE OF CARRIER

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

DATE 8/19/88 ACCOUNT 01-115
AMOUNT \$ 100.00
RECEIVED FROM _____
FOR _____
B 0307*****1000013 0154F
VALIDATION OR SIGNATURE OF CARRIER

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

DATE 11/1/88 ACCOUNT 01-115-000
AMOUNT \$ 100.00
RECEIVED FROM Valley Gate Ltd. Partnership
FOR Printing Costs
B 0302*****1200013 0000F
VALIDATION OR SIGNATURE OF CARRIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

Date: 9/22/88

Baltimore Home Builders, Inc.
208 Church Lane
Baltimore, Maryland 21208

ATTN: Mr. RICHARD LUXENBURG

Re: Petition for Zoning Variance
CASE NUMBER: 89-120-A
E/S Hillchase Court, 25' N c/l of Belchase Court (Lot #49)
Petitioner(s): Valley Gate Limited Partnership
HEARING SCHEDULED: THURSDAY, OCTOBER 6, 1988 at 11:00 a.m.

Gentlemen:

Please be advised that 1/10.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines
Zoning Commissioner of Baltimore County

JRH:gs

cc: Sidney Schlachman, Esq.
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

September 7, 1988

NOTICE OF HEARING

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J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Valley Gate Limited Partnership
Baltimore Home Builders, Inc.
Sidney Schlachman, Esq.
File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner
TO: _____ Date: October 12, 1988
Pat Keller, Deputy Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition Nos. 89-120-A (Valley Ltd.); 89-122-A (C. Weiner); 89-125-A (Gibst); 89-127-A (Brown); 89-129-A (Lewis); 89-130-A (Reeder); 89-131-A (Markert); 89-132-A (Sunderland); 89-134-X (Zink)

The Office of Planning and Zoning has no comment on the above listed projects.

FR/sf

RECEIVED ZONING OFFICE
DATE: 10/14/88

RECEIVED
OCT 14 1988
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

June 20, 1989

Mr. Sidney Schlachman
Schlachman, Belsky & Weiner, P.A.
207 East Redwood Street
Ninth Floor
Baltimore, Maryland 21202

RE: Valley Gate, Section II, Lot 49
Five ft. Variance granted via
Case 89-120-A

Dear Mr. Schlachman:

By letter dated June 9, 1989, you have indicated that one corner of the above referenced building has been erroneously constructed within three feet of the property line in lieu of the five feet granted by the above referenced variance. While I agree and sympathize with the conditions and facts as explained in your correspondence, I do not feel that legal and binding relief can be granted in the absence of another public hearing. In order to expedite the hearing, I would suggest that you prepare the necessary petitions and accompanying plans and make arrangements to file same directly with James Dyer, Zoning Supervisor. Once filed, I will make every attempt to schedule an early hearing.

Should you have any question concerning the above, please do not hesitate to contact either myself or James Dyer.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JRH:JED:cer

Gaylord Brooks Architectural Committee, Inc.
P.O. Box 193, Paper Mill Road, Phoenix, Maryland 21131 (301) 667-0800

September 2, 1988

Mr. Carl Luxenburg
Mr. Richard Luxenburg
8006 Perry Lane
Owings Mills, Maryland 21117

Re: House Plan Approval
Valley Gate, Section II
Lot 49

Dear Gentlemen,

This is to inform you that Gaylord Brooks Architectural Committee, Inc. has approved the plans for the renovations and additions to the house on the above referenced lot. All of us at Gaylord Brooks would like to compliment you on your plans for renovating this house and look forward to seeing it in its completed state.

Sincerely,

Gabrielle J. Gasparello
Vice President

**PETITIONER'S
EXHIBIT 3**

[illegible]

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PATHHANDLE PROFILES

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