IN THE MATTER OF:

<u>CARROLL W. LEBRUN-LEGAL OWNER</u>

<u>W/S CHESAPEAKE ROAD, 15' E OF C/L</u>

<u>OF BAY DRIVE (1526 CHESAPEAKE ROAD)</u>

15th Election District 5th Councilmanic District

- BEFORE THE
- BOARD OF APPEALS
- * OF BALTIMORE COUNTY
- Case No.: 96-305-A

ORDER OF DISMISSAL

This matter having come before this Board on appeal dated May 23, 1996 from a decision of the Zoning Commissioner dated April 23, 1996, wherein a Petition for Variance seeking relief to permit a detached accessory structure (existing shed) to be located in the rear yard other than the third of the lot farthest removed from the street on a corner lot was granted and a Petition for Variance seeking to permit two recreational vehicles (boats on trailers) to be stored on the property in lieu of the one permitted was granted with restrictions.

WHEREAS, the Board has been reviewing its docket with reference to inactive cases with the intent to dismiss and close as many of these cases as possible; and

WHEREAS, the subject matter has been held on the Board's docket since October 29, 1996, and no further action has occurred in this matter;

IT IS THEREFORE ORDERED, this _______ day of ________. 2009 by the Board of Appeals for Baltimore County that the above-referenced appeal in Case No.: 96-305-A be and is hereby DISMISSED FOR LACK OF PROSECUTION.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Maureen E. Murphy, Chairman



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

October 29, 1996

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), BOARD'S RULES OF PRACTICE & PROCEDURE, APPENDIX C, BALTIMORE COUNTY CODE.

CASE NO. 96-305-A

CARROLL W. LeBRUN, JR. -Petitioner W/s Chesapeake Road, 15' E of c/l of Bay Drive (1526 Chesapeake Road)
15th Election District
5th Councilmanic District

VAR -To permit accessory detached structure (existing shed) to be located in rear lot other than third of lot farthest removed from the street on corner lot; to permit two boats on trailers in rear yard in lieu of permitted one.

4/23/96 -Z.C.'s Order in which Petition for Variance is GRANTED with restrictions.

Which was scheduled for hearing on November 14, 1996 has been POSTPONED at the request of Appellant /Petitioner, with no reset date, to allow sufficient time for resolution of boat placement; will either reschedule on request or dismiss upon withdrawal.

cc: Carroll LeBrun, Jr.

Appellant /Petitioner

Mr. Joseph Krause Mr. John E. Buchwald

People's Counsel for Baltimore County Pat Keller /Planning Director Lawrence E. Schmidt Arnold Jablon, Director /PDM Virginia W. Barnhart, County Attorney

> Kathleen C. Bianco Legal Administrator





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

September 18, 1996

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), BOARD'S RULES OF PRACTICE & PROCEDURE, APPENDIX C, BALTIMORE COUNTY CODE.

CASE NO. 96-305-A

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CARROLL W. LeBRUN, JR. -Petitioner
W/s Chesapeake Road, 15' E of c/l of Bay Drive
(1526 Chesapeake Road)
15th Election District
5th Councilmanic District

VAR -To permit accessory detached structure (existing shed) to be located in rear lot other than third of lot farthest removed from the street on corner lot; to permit two boats on trailers in rear yard in lieu of permitted one.

4/23/96 -Z.C.'s Order in which Petition for Variance is GRANTED with restrictions.

ASSIGNED FOR:

THURSDAY, NOVEMBER 14, 1996 at 10:00 a.m.

cc: Carroll LeBrun, Jr.

Appellant /Petitioner

Mr. Joseph Krause Mr. John E. Buchwald

People's Counsel for Baltimore County Pat Keller /Planning Director Lawrence E. Schmidt Arnold Jablon, Director /PDM Virginia W. Barnhart, County Attorney

> Kathleen C. Bianco Legal Administrator

COUNTY BOARD OF APPEALS 400 WASHINGTON AVE., RM 47 BALTO, MD ZIZAY

MR. Comissioner: Re: 96:305A.

Being the only Appellont in this case
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To pllon more time to persue other Avenews
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OR withdrawn:

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40-335-4204

C: JOSEPH KRAUSE JOHN E. BUCHWALD PEOPLE'S CONSEL FOR BALTU. CO.

96 OCT 28 PH 1: 10

Lawrence E. Schmidt'
Zoning Commissioner for Baltimore County
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Dear Mr. Schmidt:

Re: Petition for Variance
W/S Chesapeake Road,
15' E of the C/1 of Bay Drive
1526 Chesapeake Road
15th Election District
5th Councilmanic District
Carroll W. LeBrun, Jr.,
et ux - Petitioners
CASE No. 96-305-A

I am Appealing this Variance for the property known as 1526 Chesapeake Road.

Mr. & Mrs. Carroll W. LeBrun, Jr. 1526 Chesapeake Road Baltimore, Maryland 21220

POCK # 821

Carroll W. LeBrun, Jry

Petition for Variance W/S Chesapeake Road, 15' E of the c/1 of Bay Drive (1526 Chesapeake Road) 15th Election District - 5th Councilmanic District Case No.96-305-A Carroll W. LeBrun, Jr., et ux - Petitioners

Petition for Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Protestants Sign-In Sheets

Petitioner's Exhibits: 1 - Plan to accompany variance 7 - Three photographs

Protestant's Exhibits: 1 - One Photograph 2 - One Photograph

Zoning Commissioner's Order dated April 23, 1996

Notice of Appeal received on May 23, 1996 from Carroll W. LeBrun, Jr., et ux

cc: Mr. Joseph Krause, 1522 Chesapeake Road, Baltimore, MD 21220 Mr. John E. Buchwald, 1508 Chesapeake Road, 21220

 \divideontimes Mr. and Mrs. Carroll W. LeBrun, Jr., 1526 Chesapeake Road, 21220 People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner Arnold Jablon, Director of PDM

9/18/96 -Notice of Assignment for hearing scheduled for Thursday, November 14, 1996 at 10:00 a.m. sent to following:

Carroll LeBrun, Jr.
Mr. Joseph Krause
Mr. John E. Buchwald
People's Counsel for Baltimore County
Pat Keller /Planning Director
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

10/28/96 -Letter from C. LeBrun, Appellant /Petitioner, requesting postponement of 11/14/96 hearing to allow time to pursue other avenues regarding his request for storage of two boats in lieu of permitted one. (Only appellant in this matter; no other appeals taken from the granting of variance for existing shed; appeal by LeBrun as to boat storage only.) Requests that matter be rescheduled only upon request as he may be withdrawing the appeal altogether at a later date. Copy to PC this date.

10/29/96 -Notice of PP sent to parties; to be rescheduled only on request; to hold on inactive docket.

ZONING DEPARTMENT OF BALTIMORE COUNTY 94-305-14

Townen, Maryland

District 1508 Posted for: Appeal	Date of Posting 4/8/94
Petitioner: Corroll W.	pooks Kds , W/s
Location of property: 12 26 Cheso	pooks Rds , W/s
Location of Signs: Facing Two Lie	my on proporty being opposed & for sourty
Remarks:	
Posted bySignature	Date of return: 6 /14/96
Number of Signs:/	

Plat to accompany Petition for Zoning Variance	
PROPERTY ADDRESS: 1526 Ches & pen Ku Rd. Subdivision name: Bow Ley's Quarters Plat book# 3, follo# 56, lot# 13+15, section# 96-305-A	HECKLIST for additional required information
OWNER: Carroll & Christina La Brum Tr	0
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KRAUSS.	Chosapeoke Rd. Supporty.
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La	LOCATION INFORMATION Election District: 15 Councilmanic District: 08
FRONT 4 Short 430 C	1'-200' scale map#: N.E. 1-L. Zoning: R. C. 5. Lot size: 0.27 11,725
30'12	acreage square feet
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Bry DR. PDEX NO.1	Zoning Office USE ONLY!
North date: 2-2-94 prepared by: Owner Scale of Drawing: 1'= 3c	Tevlewed by: ITEM #: CASE#:

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COOKING SOUTH ALONG REPARATE PROPERTY TO BONTS TO BE
UNDERVICED #296



CORING DOWN BAY DR.

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Prox No 1



ORDER RECEIVED FOR FILING

By

IN RE: PETITION FOR VARIANCE

W/S Chesapeake Road, 15' E of

the c/l of Bay Drive (1526 Chesapeake Road) 15th Election District 5th Councilmanic District

Carroll W. LeBrun, Jr., et ux

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 96-305-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 1526 Chesapeake Road, located in the vicinity of Bowleys Quarters Road in Bowleys Quarters. The Petition was filed by the owners of the property, Carroll W. LeBrun, Jr., and his wife, Christine J. Lebrun. The Petitioners seek relief from Section 400.1 to permit a detached accessory structure (existing shed) to be located in the rear yard other than the third of the lot farthest removed from the street on a corner lot, and from Section 415.A.1.A to permit two (2) recreational vehicles (boats on trailers) in the rear yard in lieu of the one (1) permitted. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Carroll W. Lebrun, Jr., property owner. Appearing as Protestants in the matter were Joseph Krause, adjoining property owner, and John E. Buckwald, a nearby resident.

Testimony and evidence offered revealed that the subject property consists of 0.27 acres, more or less, zoned R.C.5, and is improved with a one and one/half story stone and frame residence with an attached concrete garage and a detached 16' x 12' shed. As noted above, the property is

located on the northwest corner of Chesapeake Road and Bay Drive near Bowleys Point across from the Chesapeake Bay. The house fronts Chesapeake Road and the attached garage fronts Bay Drive. Apparently, the Petition was filed in response to a complaint registered with the Department of Permits and Development Management concerning the Petitioner's use of the subject property. Upon investigation by the Zoning Enforcement Division, a determination was made that a violation existed concerning the location of the detached shed and the storage of two recreational vehicles on the property.

In support of his position, Mr. Lebrun testified that he has lived on the property since 1988. As to the detached shed, Mr. Lebrun testified that the existing shed was erected last summer to replace one that existed in the same location for nearly 25 years. Mr. Lebrun testified that he needs the shed to store lawn and garden tools and equipment, outdoor furniture, and other miscellaneous personal items. As for the two recreational boats, Mr. LeBrun testified that he owns a 30-foot off-shore racing boat and a smaller 18-foot ski boat, both of which are kept on trailers behind his home on the macadam-paved driveway. Mr. LeBrun testified that he is a professional marine mechanic, but races his 30-foot boat for pleasure. Testimony and evidence showed that due to the location of existing improvements on this corner property, there is no other place to store these boats.

For their part, the Protestants are opposed to the two boats being stored on the property. Both Mr. Krause and Mr. Buckwald believe the Petitioner is using his garage for commercial purposes as a marine mechanic and that he has stored as many as three boats inside the garage.

In response to the Protestants' concerns, Mr. LeBrun agreed that he would not use his garage for any commercial activity.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. <u>McLean v. Soley</u>, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances are not granted. The uncontradicted testimony established that special circumstances or conditions exist that are peculiar to the land and structure which are the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. However, the granting of the relief requested shall be conditioned upon the Petitioner's compliance with the restrictions imposed at the end of this Order to insure that there is not detriment to the health, safety and general welfare of the surrounding locale.

ORDER RECEIVED FOR FILING
Date
Oy

Oy

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of April, 1996 that the Petition for Variance seeking relief from Section 400.1 to permit a detached accessory structure (existing shed) to be located in the rear yard other than the third of the lot farthest removed from the street on a corner lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 415.A.1.A to permit two (2) recreational vehicles (boats on trailers) to be stored on the property in lieu of the one (1) permitted, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The granting of the variance to allow the storage of two recreational boats on the property is limited to the Petitioner's storage of one of the boats within the garage. The other boat shall be stored along the side of the garage (as indicated on the site plan) in such a manner that it does not protrude past the front wall, or face, of the garage.
- 3) There shall be no commercial uses or activities on the subject property. Specifically, the Petitioner is prohibited from performing repairs on marine craft on his property for hire or for profit.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

April 23, 1996

Mr. & Mrs. Carroll W. LeBrun, Jr. 1526 Chesapeake Road Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE

W/S Chesapeake Road, 15' E of the c/l of Bay Drive

(1526 Chesapeake Road)

15th Election District - 5th Councilmanic District

Carroll W. LeBrun, Jr., et ux - Petitioners

Case No. 96-305-A

Dear Mr. & Mrs. LeBrun:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Joseph Krause 1522 Chesapeake Road, Baltimore, Md. 21220

> Mr. John E. Buchwald 1508 Chesapeake Road, Baltimore, Md. 21220

People's Counsel; Case File

Printed with Soybean Ink on Recycled Paper

ORDER RECEIX

Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 1576 Chesapeal which is presently zo

This Petition shall be filed with the Office of Zoning Administration & Development Management.

which is presently zoned

#296

The undersigned legal owner(a) of the undersigned legal owner(a) of the	istration & Development Management.	RC.5
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	We do solemnly declare and affirm, under the penalties of pe	rjury, that I/we are the
Contract Purchaser/Lessee:	legal owner(s) of the property which is the subject of this Petition	n
, _	Legal Owner(s)	
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96-305-A

ZONING DESCRIPTION FOR 1526 CHESAPEAKE ROAD

Beginning at a point on the <u>WEST</u> side of		
Chesapeake Road which is 30' wide at		
the distance of 15' East of the centerline		
of the nearest improved intersecting street Bay Drive		
which is 30' wide. *Being Lot # 75,		
Plat $3L$, Folio $\#56$ in the subdivision of Bowleys's		
Quarters as recorded in Baltimore County Plat Book $\frac{\#L}{}$,		
Folio $\frac{\$56}{}$, containing $\frac{0.27}{}$ (square feet or acres).		
Also known as 1526 Chesapeake Road and located in the		
8 Election District, 15 Councilmanic District.		

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towner, Maryland

District	Date of Posting
Posted for:	Date of Posting
Petitioner:	
Location of property: 1526 Mensylve Rel	
Location of Signe Two Card	-
Remarks:	·~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Posted by 1 1 / 29/01	of return:
Number of Signs:	·

of the Zoning Act and Regulations of Baltimore County will have a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118. Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-305-A
(Item 296)
1526 Otesapeake Road
W/S Chesapeake Road, NC of
Chesapeake and Bay Drive
15th Election District
5th Councilmanic
Legal Owner(s):

Carroll W. LeBrun, Jr. & Christine J. LeBrun

Variance: to allow a detached accessory structure (existing shed) to be in the rear yard other than the third of the lot farthest removed from any street on a corner lot; and to allow 2 recreational vehicles (boats on trailers) to be kept in the rear yard in lieu of 1 vehicle.

Hearing: Tuesday, March 19, 1996 at 900 am in Ros 116, Old Courlinuse.

> LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County 10 TES: (1) Hearings are

MOTES: (1) fleatings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

2/351 Feb. 29

C34598

CERTIFICATE OF PUBLICATION

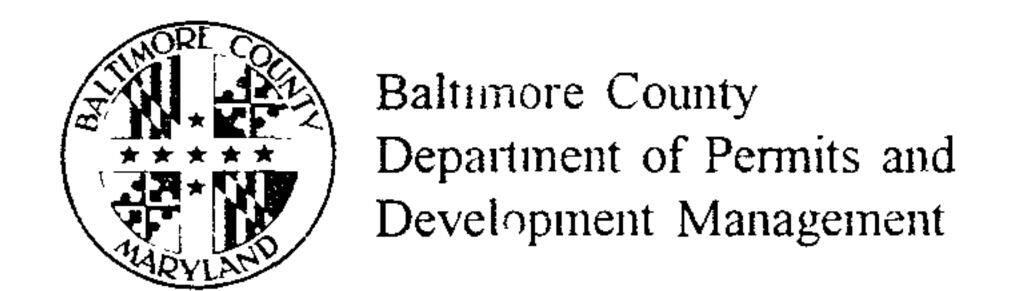
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TOWSON, MD.,	2/29	, 19 <i>96</i>
THIS IS TO CERTIFY, that the a	nnexed adverti	sement was
published in THE JEFFERSONIAN, a w	eekly newspape	er published
in Towson, Baltimore County, Md., once	e in each of	_ successive
weeks, the first publication appearing o	n <u>2/29</u>	, 1996
THE JE	FFERSONL	AN,
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LEGAL AD. - TOWSON

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

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Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

· P	RNOLD JABLON, DIRECTOR
For newspaper advertising:	·
Item No.: Petitioner: CARR	ou ? CHoustine LE Drun.
Location: 1526 CHESAFEARC	Ro. Bowlers Questress.
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: CARROLE CHRISTING	Brus.
	Donieus Quarters.
PHONE NUMBER: 335-4204.	#29G

TO: PUTUXENT PUBLISHING COMPANY
February 29, 1996 Issue - Jeffersonian

Please foward billing to:

Carroll and Christine LeBrun 1526 Chesapeake Road Baltimore, MD 21220 335-4204

NOTICE OF HEARING

The Zoning Commissioner 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-305-A (Item 296)

1526 Chesapeake Road

W/S Chesapeake Road, NC of Chesapeake and Bay Drive

15th Election District - 5th Councilmanic

Legal Owner: Carroll W. LeBrun, Jr. & Christine J. LeBrun

Variance to allow a detached accessory structure (existing shed) to be in the rear yard other than the third of the lot farthest removed from any street on a corner lot; and to allow 2 recreational vehicles (boats on trailers) to be kept in the rear yard on lieu of 1 vehicle.

HEARING: TUESDAY, MARCH 19, 1996 at 9:00 a.m. in Room 118, 0ld Courthouse.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 26, 1996

NOTICE OF HEARING

The Zoning Commissioner 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-305-A (Item 296)

1526 Chesapeake Road

W/S Chesapeake Road, NC of Chesapeake and Bay Drive

15th Election District - 5th Councilmanic

Legal Owner: Carroll W. LeBrun, Jr. & Christine J. LeBrun

Variance to allow a detached accessory structure (existing shed) to be in the rear yard other than the third of the lot farthest removed from any street on a corner lot; and to allow 2 recreational vehicles (boats on trailers) to be kept in the rear yard on lieu of 1 vehicle.

HEARING: TUESDAY, MARCH 19, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

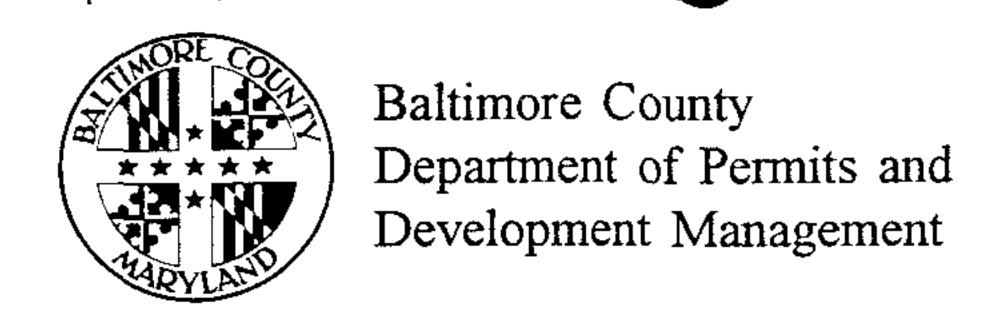
Arnold Jablon

Director

cc: Carroll and Christine LeBrun

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 12, 1996

Mr. and Mrs. Carroll W. LeBrun 1526 Chesapeake Road Baltimore, MD 21220

> Item No.: 296 RE:

> > Case No.: 96-305-A

Petitioner: C. W. LeBrun, et ux

Dear Mr. and Mrs. LeBrun:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

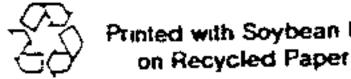
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/jw Attachment(s)



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BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 26, 1996 Zoning Administration and Development Management

FROM Development Plans Review

RE: Zoning Advisory Committee Meeting

for February 26, 1996

Items 294, 295, 296, 298, 299, 300, 301, 302, 7

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500

Office of the Fire Marshal (410) 887-4880

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

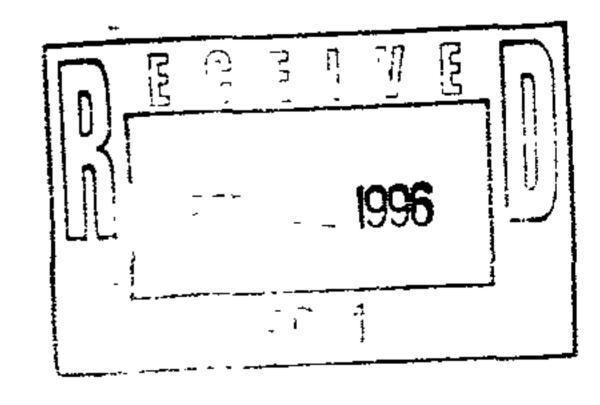
Location: DISTRIBUTION MEETING OF FEB. 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294,295,296,298.299,300,301,302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 21, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 295, (296,) 298, 300, 301, 303 and 304

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL



Maryland Department of Transportation State Highway Administration

David L. Winstead Secretary Hal Kassoff Administrator

2-16-96

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Baltimore County Item No. 296 (JRA) RE:

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

Division

BS/es

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

Mr. Arnold Jablon, Director

March 4, 1996

Zoning Administration and Development Management

FROM:

Patricia M. Farr

DEPRM

SUBJECT:

Zoning Item #296 - LeBrun Property

1526 Chesapeake Road

Zoning Advisory Committee Meeting of February 20, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The structure in question was built prior to the effective date of Chesapeake Bay Critical Area regulations and is grandfathered from these regulations.

PMF:TI:sp

LEBRUN/DEPRM/TXTSBP

RE: PETITION FOR VARIANCE * BEFORE THE

1526 Chesapeake Road, W/S Chesapeake Rd,

NC of Chesapeake and Bay Drive * ZONING COMMISSIONER

15th Election District, 5th Councilmanic * OF BALTIMORE COUNTY

Carroll W. & Christine J. LeBrun, Jr.

Petitioners * CASE NO. 96-305-A

* * * * * * * * *

ENTRY OF APPEARANCE

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

aible 5. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of March, 1996, a copy of the foregoing Entry of Appearance was mailed to Carroll W. & Christine J. LeBrun, Jr., 1526 Chesapeake Road, Baltimore, MD 21220, Petitioners.

PETER MAX ZIMMERMAN

5/23/96 50 SL

May 23, 1997

Lawrence E. Schmidt'
Zoning Commissioner for Baltimore County
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Dear Mr. Schmidt:

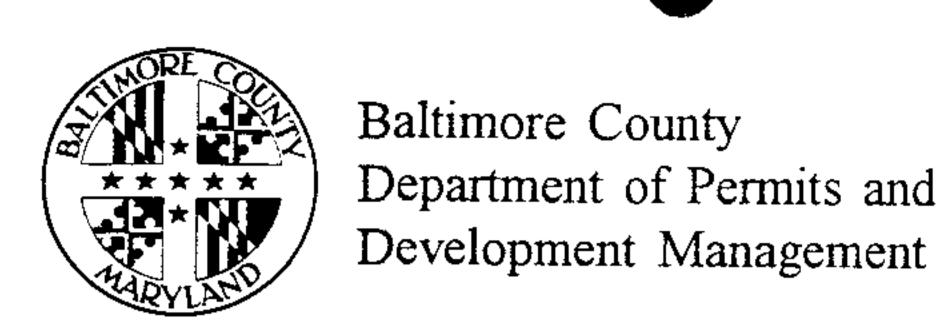
Re: Petition for Variance
W/S Chesapeake Road,
15' E of the C/1 of Bay Drive
1526 Chesapeake Road
15th Election District
5th Councilmanic District
Carroll W. LeBrun, Jr.,
et ux - Petitioners
CASE No. 96-305-A

I am Appealing this Variance for the property known as 1526 Chesapeake Road.

Mr. & Mrs. Carroll W. LeBrun, Jr. 1526 Chesapeake Road Baltimore, Maryland 21220

Carroll W. LeBrun, Jry

FEIVE NY 3 BB



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 30, 1996

Mr. Joseph Krause 1522 Chesapeake Road Baltimore, MD 21220

Mr. John E. Buchwald 1508 Chesapeake Road Baltimore, MD 21220

RE: Petition for Variance
W/S Chesapeake Road, 15'
E of the c/1 of Bay Drive
(1526 Chesapeake Road)
15th Election District
5th Councilmanic District
Carroll W. LeBrun, Jr.,
et ux - Petitioner
Case No. 96-305-A

Dear Mr. Krause and Mr. Buchwald:

Please be advised that an appeal of the above-referenced case was filed in this office on May 23, 1996 by Mr. and Mrs. Carroll W. LeBrun, Jr. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

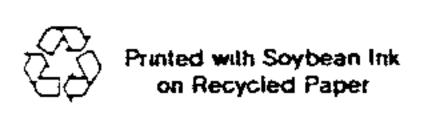
Sincerely,

ARNOLD JABLON

Director

AJ:rye

cc: People's Counsel



APPEAL

Petition for Variance
W/S Chesapeake Road, 15' E of the c/1 of Bay Drive
(1526 Chesapeake Road)
15th Election District - 5th Councilmanic District
Case No.96-305-A
Carroll W. LeBrun, Jr., et ux - Petitioners

Petition for Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Protestants Sign-In Sheets

Petitioner's Exhibits: 1 - Plan to accompany variance

2 - Three photographs

Protestant's Exhibits: 1 - One Photograph

2 - One Photograph

Zoning Commissioner's Order dated April 23, 1996

Notice of Appeal received on May 23, 1996 from Carroll W. LeBrun, Jr., et ux

cc: Mr. Joseph Krause, 1522 Chesapeake Road, Baltimore, MD 21220

Mr. John E. Buchwald, 1508 Chesapeake Road, 21220

Mr. and Mrs. Carroll W. LeBrun, Jr., 1526 Chesapeake Road, 21220 People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner

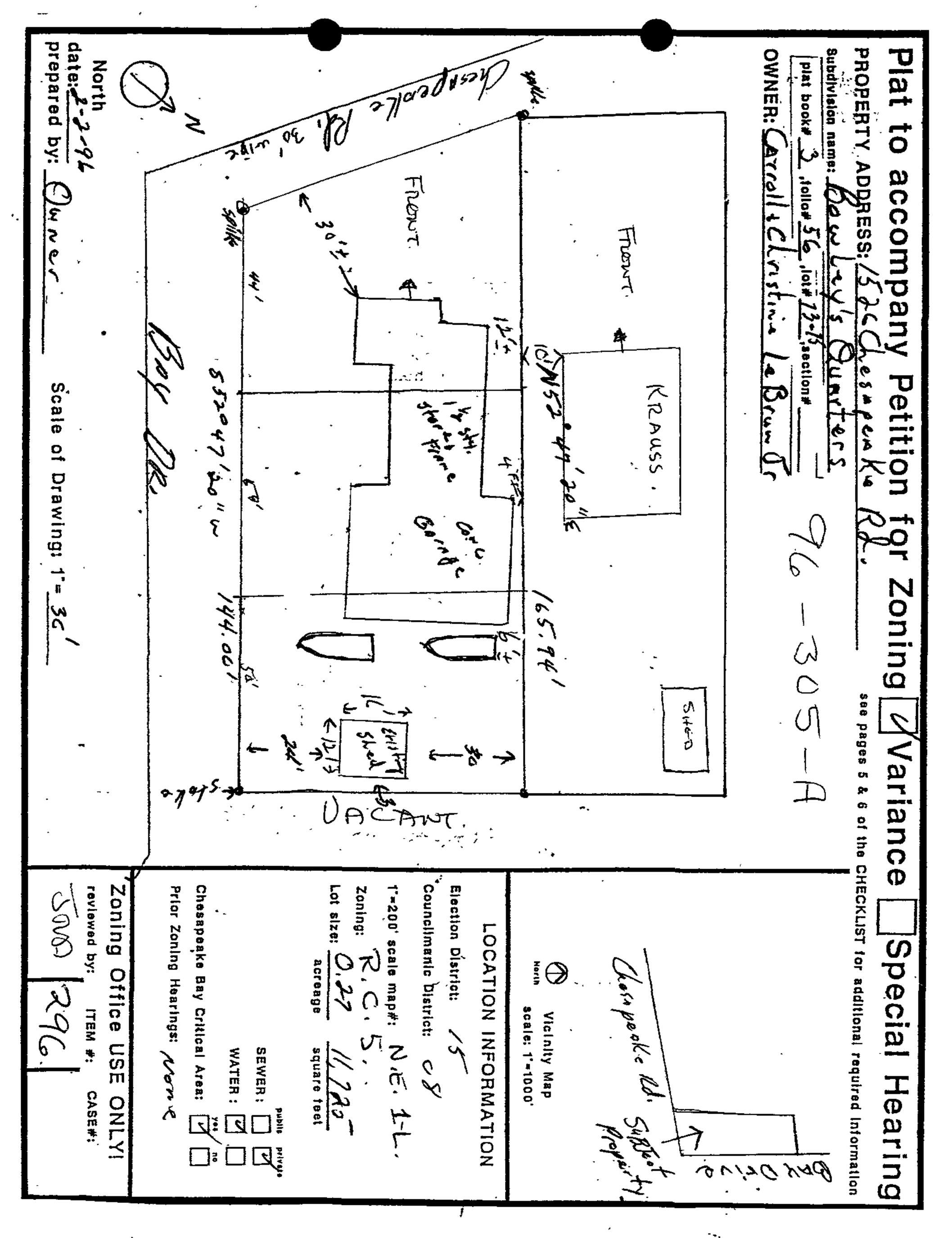
Arnold Jablon, Director of PDM

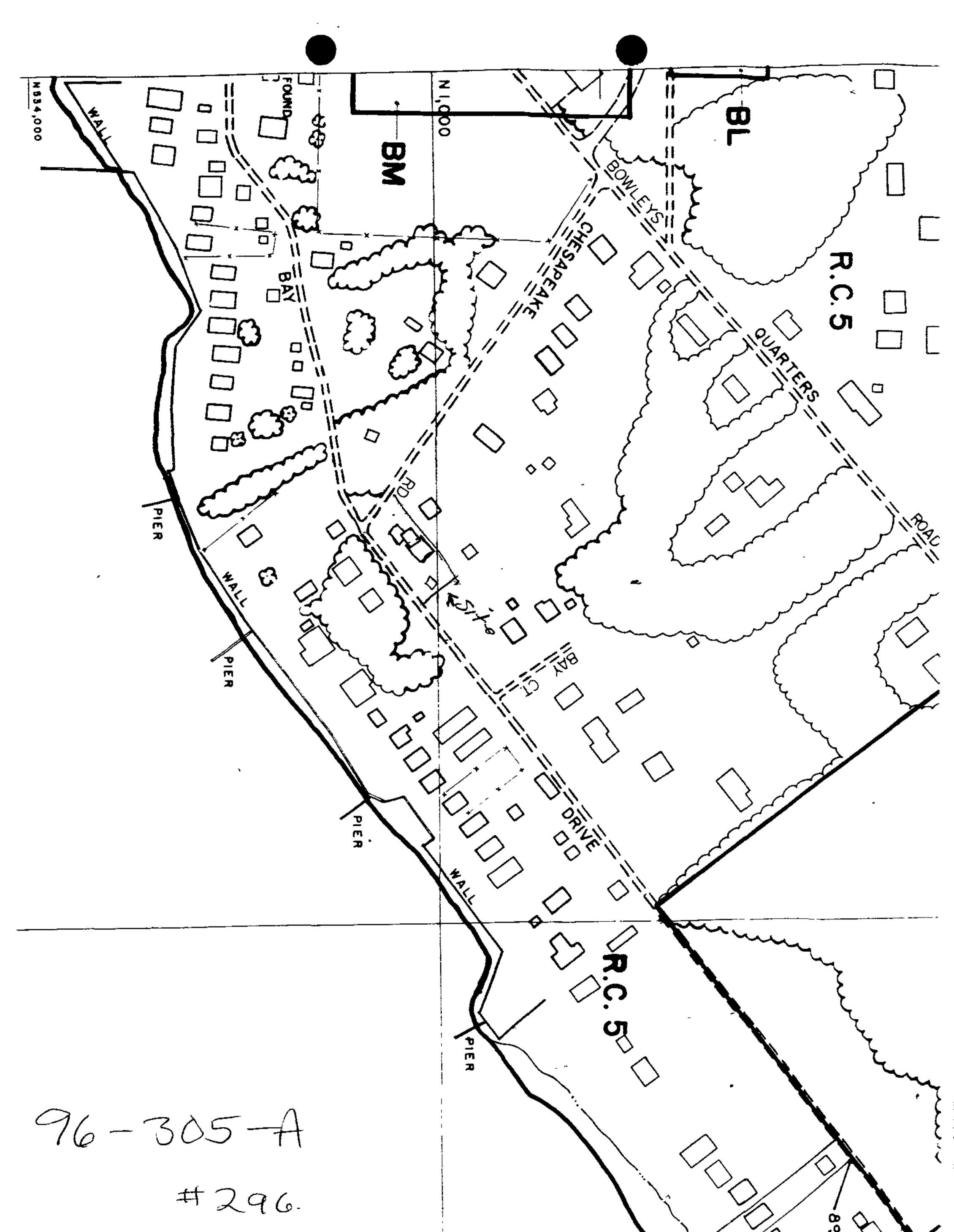
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Carroll WLe Bin Jo	1525 Chrispeoke Rd.
	Boltinois Md. 21220.
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PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Joseph 12 rouse	1522 Chesaplake Ad 2128
John & Buchworld	1522 Chesaplake Rd 2128 1508 CHESPPERKE RD 2125
	
	
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LOCATION BOWLEY'S QUARTERS

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91.-305-4