Cub Hill Rd. 50' wide & 913 ft. +/Northeasterly c/l of Cub Hill Rd.
& Cromwell Bridge Rd. 50 ft. wide
9th Election District
3rd Councilmanic District
(2407 Cub Hill Road)

Robert M. Haslbeck

Petitioner

IN RE: PETITION FOR VARIANCE

\* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 06-100-A

\*

\* \* \* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Robert M. Haslbeck. The Petitioner is requesting variance relief for property located at 2407 Cub Hill Road Variance relief is requested from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing accessory structure (shed) in the front yard in lieu of the rear yard; and a proposed structure (24' x 24' garage) in the side yard in lieu of the rear yard.

This property was posted with Notice of Hearing on September 26, 2005, for 15 days prior to the hearing, in order to notify any interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 29, 2005 to notify any interested persons of the scheduled hearing date.

#### Applicable Law

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such

PADER RECEIVED FOR FILING

variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

#### **Zoning Advisory Committee Comments**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were submitted by the Office of Planning dated September 14, 2005 and the Department of Environmental Protection & Resource Management (DEPRM) dated September 7, 2005, copies of which are attached hereto and made a part hereof.

#### **Interested Persons**

Appearing at the hearing on behalf of the variance request were Clyde Hinkle, Zoning Consultant, and Robert Haslbeck, Petitioner. J. Neil Lanzi, Esq. represented the Petitioner. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

#### **Testimony and Evidence**

Mr. Lanzi opened with the observation that this is the most "unique" variance case he has seen. This one-acre property zoned RC 5 is bisected by a stream and flood plain which requires a bridge across the stream to get to the Petitioner's home from Cub Hill Road. In addition the property is burdened with an easement for the public sewer line in the stream bed which again crosses the property dividing the road portion from the rear portion. The property is improved by an existing home and shed near the road and was purchased by the Petitioner four years ago. See Petitioner's exhibit 1.

Mr. Haslbeck testified that he suffered some damage to the existing shed during a storm and began to repair the roof and siding. Apparently a County Inspector issued a stop work order as the shed was in the front yard of his home. He uses the shed to store lawn and garden equipment. He presented photographs of his property which show that his home has a vertical back yard, which rises steeply from the home to an old quarry on top of the hill behind his house. See photographs 2 A through 2 S. As such there is no rear yard to move the shed even if this were economically feasible.

In addition he would like to build a 24 x 24 foot garage to store his vehicles out of the weather. Again the only flat space to build the garage is as shown on Petitioner's exhibit 1 and is the side yard because of the stream and steep hillsides on the property.

He indicated that granting the requests for the existing shed and proposed garage would not impact the neighborhood. He proposes to finish the repair of the shed and erect the garage using cedar type shingles compatible with his home. He presented letters of support from the two adjacent neighbors who favor this request. He agrees with the comments of the Office of Planning.

Mr. Hinkle, a zoning consultant, reinforced the Petitioner's testimony regarding the unique nature of the property because of the stream, steep slopes, and hill side immediately behind the Petitioner's home. He noted that the only other flat place on the property is an old and unstable quarry on the top of the hill overlooking the Petitioner's home but that this was not a feasible location for either the shed or the garage. In addition to the instability of the quarry, to get to this portion of the property one would have to construct an environmentally damaging driveway if this were possible given the constraints of the site. He concluded that there would be no adverse impact on the community if the relief were granted. Rather, the repaired shed and new garage will blend with the neighborhood adding value to property in the area.

# ORDER RECEIVED FOR FILTING Dee

#### Findings of Fact and Conclusions of Law

I agree with Mr. Lanzi's assessment that this site could easily be the example of unique property when *Cromwell v Ward* is discussed. There is no back yard. The home is built against the hillside. Building the garage or moving the shed to the quarry is clearly infeasible from an environmental and economic standpoint. I find that the Petitioner would suffer practical difficulty if the regulations were strictly enforced. Finally, I find that the proposed garage and existing shed have no detrimental impact on this rural area.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED, this <u>3</u> day of November, 2005, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing accessory structure (shed) in the front yard in lieu of the rear yard; and a proposed structure (24' x 25' garage) in the side yard in lieu of the rear yard, be and is hereby GRANTED, subject however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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 Petitioners would be required to return, and be responsible for returning, said property to its original condition;
- 2. The Petitioners must be in compliance with the ZAC comments submitted by the Office of Planning dated September 14, 2005, a copy of which is attached hereto and made a part hereof;
- 3. The Petitioners must be in compliance with the ZAC comments submitted by DEPRM dated September 7, 2005 a copy of which is attached hereto and made a part hereof;

ONDER FRECEIVED FOR FILEY Date | Section of Filey By | Section of 4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order; and

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw

#### Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468





James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

November 3, 2005

J. Neil Lanzi, Esq.
J. Neil Lanzi, P.A.
409 Washington Avenue
Suite 617
Towson, Maryland 21204

Re: Petition for Variance
Case No. 06-100-A
Property: 2407 Cub Hill

Property: 2407 Cub Hill Road

Dear Mr. Lanzi:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:dlw Enclosure

c: Mr. Robert M. Haslbeck, 2407 Cub Hill Road, Baltimore, MD 21234 Mr. Clyde Hinkle, P.E., Bafitis & Associates, Inc., 1249 Engleberth Road, Baltimore, MD 21221 People's Counsel; Code Enforcement; Case File



Visit the County's Website at www.baltimorecountyonline.info



## Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at \_\_\_\_\_\_2407 Cub Hill Road which is presently zoned \_\_\_\_\_RC 5

This Petition shall be filed with the Department of Permits and Development Management. 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(s)

400.1 to allow:

- An existing accessory structure (shed) in the front yard in lieu of the rear yard; and
- 2. A proposed accessory structure (24'x24' garage) in the side yard in lieu of the rear yard.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DISCUSSEND AT THE HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:		<u>Legal Owner(s):</u> Robert M. Haslbeck			
Name - Type or Print	·	Name - Type or Print	= Mal		<del></del>
Signature		Signature Signature	Man Value		, <u>"</u>
Address	hone No.	Name - Type or Print			<del></del>
City State  Attorney For Petitioner:	Zip Code	Signature 2407 Cub Hill Road	4	10-905-	3587
J. Neil Lanzi		Address Baltimore, MD 2123	34	Tek	phone No.
Name - Type or Print	<del></del>	City	State		Zip Code
Signature	·····	Representative to be C	ontacted:		
J. Neil Lanzi, P.A. Company	<del></del> -	JNac (Gnzi			
410 Washington Avenue, Ste 617	)-296-0686	Name 409 Washington	ave .	4102	76 0686
Address Teleph Towser, MD 21204	none No.	Address TOWJON	m)		phone No.
	Zip Code	City	State	₩	Zip Code
		OFFICE U	SE ONLY		
		ESTIMATED LENGTH OF	HEARING_		
	Reviewed By_	UNAVAILABLE FOR HEAD	RING OS		<del></del>
3 &					



## FOR 2407 CUB HILL ROAD BALTIMORE, MARYLAND 21234 9<sup>TH</sup> ELECTION DISTRICT

Beginning for the same at a point in the center of Cub Hill Road 50' wide and 913 feet  $\pm$  northeasterly to the centerline intersection of Cub Hill Road and Cromwell Bridge Road 50 foot wide.

- 1) Thence running and binding along the centerline of Cub Hill Road; South 42°-01'-21" West 103.31 feet to a point;
- 2) Thence South 39°-46'-51" West 96.60 feet to a point;
- 3) Thence leaving said road the four following courses and distances: North 49°-01'-39" West 233.91 feet to a point;
- 4) North 44°-32'-21" East 200.00 feet to a point;
- 5) South 49°-05'-39" East 175.72 feet to a point;
- 6) South 49°-05'-39" East 45.63 feet to the point of beginning.

Containing 45,271 Square Feet or 1.039 Acres ±.

Being Deed 19851/431 recorded among Land Records of Baltimore County, Maryland.

Maryland Registration No. 11641

Date / 20/05

100

#### NOTICE OF ZOWING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #06-100-A

2407 Cub Hill Road

N/west side of Cub Hill Road, s/west of Cub Hill Road and Cromwell Bridge Road.

9th Election District - 3rd Councilmanic District

Legal Owner(s): Robert M. Hasibeck

Variance: to permit an accessory structure, shed, in the front yard in lieu of the rear yard and to permit a proposed accessory structure (24' x 24' garage) in the side yard in lieu of the rear yard.

Hearing: Monday, October 17, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21284.

WILLIAM J. WISEMAN, III.

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

9/402 Sept. 29

9/402 Sept. 29

#### CERTIFICATE OF PUBLICATION

929,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md., once in each ofsuccessive weeks, the first publication appearing
on 929 ,2005.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No	
DATE SISS ACCOUNT TO AMOUNT \$ G		8/19/2005
RECEIVED J. EIL J. FROM:	\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	ear.C. I. rarviewd
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTO	MER	CASHIER'S VALIDATION

#### CERTIFICATE OF POSTING

		RE: Case No.: 06 - 100 -	<u>A</u>
		Petitioner/Developer: RoBa	ERIM.
		HASIBECK	<del></del>
		Date of Hearing/Closing:	717,200
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204			
ATTN: Kristen Matthews {(410) 887-3394}	•		,
Ladies and Gentlemen:	*		
This letter is to certify under the penalties of posted conspicuously on the property located	f perjury that d at:	t the necessary sign(s) required by l	aw were
2407 CUB	HILL	RD	
The sign(s) were posted on	9-2	6-05	
		Day, Year)	<u> </u>
	Sincerely	y,	
	•••	Robert Black 9-	27-05
		(Signature of Sign Poster) (I	Date)
		SSG Robert Black	-
		(Print Name)	<del></del>
		1508 Leslie Road	
		(Address)	<u> </u>
	-	Dundalk, Maryland 21222	
The property of the property o		(City, State, Zip Code)	
<ul> <li>Control of the Control of the Control</li></ul>		(410) 282-7940	•
		(Telephone Number)	

2407 COB HILL RD

#### Department of Permits and Development Management

Director's Office
County Office Building
111 W' Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

August 26, 2005

#### **NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-100-A

2407 Cub Hill Road

N/west side of Cub Hill Road, s/west of Cub Hill Road and Cromwell Bridge Road 9<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Robert M. Haslbeck

<u>Variance</u> to permit an accessory structure, shed, in the front yard in lieu of the rear yard and to permit a proposed accessory structure (24' X 24' garage) in the side yard in lieu of the rear yard.

Hearing: Monday, October 17, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: J. Neil Lanzi, 409 Washington Avenue, Ste. 617, Towson 21204 Robert Haslbeck, 2407 Cub Hill Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 30, 2005.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY

Thursday, September 29, 2005 Issue - Jeffersonian

Please forward billing to:

Robert Haslbeck 2407 Cub Hill Road Baltimore, MD 21234 410-665-3587

#### **NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 06-100-A

2407 Cub Hill Road

N/west side of Cub Hill Road, s/west of Cub Hill Road and Cromwell Bridge Road

9<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Robert M. Haslbeck

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Hearing: Monday, October 17, 2005 at 2:00 p.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

## OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: OG-100-A
Petitioner: Robert M. Haslberk
Address or Location: 2407 (ub NIII ROD)
PLEASE FORWARD ADVERTISING BILL TO:
Name: Robert Nosibroll
Address: 2407 (ub Will Road
Baito mi) 21234
Telephone Number:410 665 3587

## Department of Permits and Development Management

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



## Baltimore County

James T. Smith, Jr, County Executive Timothy M Kotroco, Director

October 17, 2005

J. Neil Lanzi J. Neil Lanzi, P.A. 409 Washington Avenue, Ste. 617 Towson, Maryland 21204

Dear Mr. Lanzi:

RE: Case Number: 06-100-A, 2407 Cub Hill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 18, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

W. Carl Richards, Jr.

Supervisor, Zoning Review

U. Carl Richal D

WCR: clb

Enclosures

c: People's Counsel Robert M. Haslbeck 2407 Cub Hill Road Baltimore 21234

Visit the County's Website at www.baltimorecountyonline.info

#### Fire Department

700 East Joppa Road Towson, Maryland 21286-5500 Tel: 410-887-4500



### Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

Department of Permits&Development Management Room 111 County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (Mail Stop#1105)

August 26, 2005

ATTENTION: Kristen Matthews

Distribution Meeting of: August 29,2005

Item No.: 091-094,096-102&104

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The fire marshal's office has no comments at this time.

Lt. Jimmie Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** September 2, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 6, 2005

Iter 110, 091, 094, 095, 096, 097, 098,

09, 100, 01, 103, and 104

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-09022005.doc

#### BALTIMORE COUNTY, MARYLAND

#### Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

R. Bruce Seeley MS

DATE:

September 7, 2005

SUBJECT:

Zoning Item # 06-10

Address

Haslbeck Property

Zoning Advisory Committee Meeting of August 29, 2005

\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

The garage shall not be moved any closer to the stream bank than shown on the plan. A silt fence must be installed no greater than ten feet (10') from the proposed structure on the stream side.

An inspection of the well and the shed by this Department will be required prior to approval of any building permits.

Reviewers:

Paul Dennis, Sue Farinetti

Date: August 31, 2005

S:\Devcoord\ZAC06-100.doc

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** September 14, 2005

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 6-100 - Variance

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit an accessory structure in the front yard in lieu of the required rear yard.

In addition, the Office of Planning also does not oppose the petitioner's request to permit an accessory structure (24' X 24') in the side yard in lieu of the required rear yard provided the following conditions are met:

- 1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Bill Hughey at 410-887-3480.

Prepared by:

**Section Chief:** 

AFK/LL: CM



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L Flanagan, Secretary Neil J Pedersen, Administrator

#### Maryland Department of Transportation

RE:

Date: 8 · 30 · 05

Baltim

Item No.

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

Dear. Ms. Matthews.

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

1. J. Houll

Engineering Access Permits Division

RE: PETITION FOR VARIANCE \* BEFORE THE
2407 Cub Hill Road; NW/side Cub Hill Road,
SW Cub Hill & Cromwell Bridge Road \* ZONING COMMISSIONER
9<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts
Legal Owner(s): Robert Haslbeck \* FOR
Petitioner(s)

\* BALTIMORE COUNTY

\* 06-100-A

#### ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this May of August, 2005, a copy of the foregoing Entry of Appearance was mailed to, J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

AUG 2 6 200E

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Рег.....

DATE: September 9, 2005 TO: W. Carl Richards, Jr. Zoning Review Supervisor FROM: Rick Wisnom, Chief Division of Code Inspections & Enforcement SUBJECT: Item No.: 06-100 a Legal Owner/Petitioner Haslbeck, Robert Contract Purchaser: N/A2407 Cub Hill Rd Property Address: 600 N/W Flagstone Dr Location Description:

VIIOLATION INFORMATION:

Case No.

04-9566

Defendants:

Haslbeck, Robert

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME ADDRESS

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

X 1. Complaint letter/memo/email/fax (if applicable)

X 2. Complaint Intake Form/Code Enforcement Officer's report and notes

X 3. State Tax Assessment printout

☐ 4. State Tax Parcel Map (if applicable)

☐ 5. MVA Registration printout (if applicable)

☐ 6. Deed (if applicable)

☐ 7. Lease-Residential or Commercial (if applicable)

☐ 8. Photographs including dates taken

X 9. Correction Notice/Code Violation Notice

☐ 10. Citation and Proof of Service (if applicable)

11. Certified Mail Receipt (if applicable)

☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)

☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)

X 14. Complete Chronology of Events, beginning with the first complaint through the

Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/rr

C: Code Enforcement Officer

• <u>CONE ENFORCEMENT R</u>	EPORT C
DATE: 12/6/ INTAKE BY: 101/C CASE #:	049564 INSPEC: 9R
COMPLAINT 2407 CuB Hall nd	· · · · · · · · · · · · · · · · · · ·
	ZIP CODE:DIST:
COMPLAINANT D. 5 warm  PHONE #: (H)	3900 (W)
ADDRESS: Cors	ZIP CODE:
PROBLEM: Construction access.	structure UN
IS THIS A RENTAL UNIT?  IF YES, IS THIS SECTION 8?  OWNER/TENANT INFORMATION:  OBJUST  HASES  NO  INFORMATION:	
TAX ACCOUNT #: 0906 201590	ZONING:
INSPECTION: 126 d 155 uns 5w	- our Redaan
Retusting Blob. But lavor	en & Complete
R/C 12.	-03-04
REINSPECTION:	Man
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REINSPECTION:	

And the second of the second o

DATE: 12/06/2004 TIME: 08:25:58

ANDARD ASSESSMENT INQUIRY 1)

CLASS OCC. HISTORIC GROUP

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

PROPERTY NO. DIST

09 06 201590 09 2-0 04-00

DEL LOAD DATE

10/07/04

HASLBECK ROBERT M

2407 CUB HILL RD

DESC-1.. IMPS1.0796 AC WS

DESC-2.. 600 NW FLAGSTONE DR

PREMISE, 02407 CUB HILL

NO

BD

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						0000	0-0000
BALTIM	ORE	MD 2	1234-1003	FORMER OWNE	ER: HASLBECK	ROBERT M	
		**** **** **** **** ****		PHASET	1 14		
	PRIOR	PROPOSED		CURR	CURR	PRIOR	
LAND:	65,520	65,520		FCV	ASSESS	ASSESS	
IMPV:	165,360	165,360	TOTAL.,	230,880	230,890	230,880	
TOTL:	230,880	230,880	PREF	0	0	0	
PREF:	O	0	CURT	230,880	230,880	230,880	
CURT:	230,880	230,880	EXEMPT.		0	O	
DATE:	08/01	10/04					
	AXABLE BAS	IS	FM DATE				
-	ASSESS:	230,880	10/05/04				
	ASSESS:	230,880					
	ASSESS:	0					

Garage / shed?

) ) )	
	Code Inspections and Enforcement
Baltimore County	County Office Building and 111 West Chesapeake Avenue
Towartment of Permit	Townson MD 21204
Development Manage	Ment 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
410-88	Plumbing Inspection:
and the contraction of the contr	Claster of Inspection   Claste
Building Inspection: 410-00	CONFENE CORRECTION NOTICE
BALTIMORE COUNTY UNIF	7.3953 ORM CODE ENFORCEMENT CORRECTION NOTICE Zoning Zoning
	No.
Citation/Case No.	OG HOLL TO DESTRUCT TO THE PARTY OF THE PART
	TATE OF THE PARTY
Name(s)	
Address 1 1 In 1 Co	5 1 1 1 PA
Violation Charles	THE TOTAL THE PROPERCULATION OF THE PROPERCU
Location: WEITLY VIOL	TIETHÉ FOLLOWING BALTIMORE COUNTY LAWS.
DID UNLA MARCHINE DE	
B. Bacunik	PELINOY - 1
	LAMONUME IN PROVI
7.300079	
	TOY ATION(S) ON OR BEFORE
WOLLARE HEREBY ORDERED	TO CORRECT THESE VIOLATION(S) ON OR BEFORE  Date Issued:
Reforce:	EXECUTION FOR
COMPLY WITH	THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER LYIOLATION, OR 90 DAYS IN JAIL, OR BOTH.
FAILURE TO COMPLICATION SUBJECTS	YOU TO POTENTIAL FINES OF 1200.  I VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.
VIOLATION, DEPENDING ON	(VIOLATION, OR 70 DASSESSED AND ASSESSED
Print Name	
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Date Issued:

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Not Later Than:

PDLV0102F

## Permits Development - Livability Speem View Cases

Case No: <u>04-9566</u>

Enter=Continue F12=Cancel

Address: 02407CUB H	ILL_RD	21234	
Insp Area: 017 Dist: 00	0 Date Rcv: <u>12/06</u>	/2004 Grp: <u>ENF</u> Intk: <u>F</u>	OHLFS, R
Inspec: ROHLFS, R	Inspec2:	Date Inspec: _	9/01/2005
Close: <u>0/00/0000</u> Act	ivity:	Delete: _	
Problem: CONSTR. ACCESSO	RY STRUCTURE IN FRO	ONT YD.	
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	<del></del>	- <u>-</u>	
CL Name: <u>SWAM</u>	DOUG		
CL Address: <u>00000</u>			
CL Home Phone:	CL Work Phone:	410-887-3900 Tax Acct	0906201590
Owner:		,,,	<u> </u>

Case No: <u>04-9566</u>

Notes: 12/06/04 ISSUED SWO-OWNER REPLACING EXISTING BLDG. BUT LARGER & COMPLET
E REBUILD. PERMITS REQ'D. R.ROHLFS/KH.***
12/15/04 OWNER APPLIED FOR PERMIT-ZONING VAR. REQUUIRED. P/U 01/20/05. R.ROHLFS
/KH.***
01/21/05 NO CHANGE-P/U 03/30/05. R.ROHLFS/KH.***
03/31/05 NO RESULTS OF HEARING. P/U 04/27/05. R.ROHLFS/KH.***
05/09/05 OWNER HAS RETAINED AN ATTY. & CIVIL ENG. WHO HAVE OBATINED AN APPT. TO
FILE FOR VAR. P/U 06/15/05. R.ROHLFS/KH.***
06/16/05 NO HEARING RESULTS. P/U 08/24/05. R.ROHLFS/KH.***
07/05/05 OWNER HAS RETAINED COUNCIL & A P.E. VARIANCE. HEAR SHOULD BE SCHEDULED
FOR LATE JULY. P/U 08/30/05. R.ROHLFS/KH.***
09/01/05 CASE SCHEDULED FOR 10/17/05. P/U 10/28/05. R.ROHLFS/KH.***

Enter=Continue F12=Cancel

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 296-0686

J. Neil Lanzi

FAX: (410) 296-0689

COLUMBIA Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044

Reply to Towson

OF COUNSEL Fred L. Coover\*

\*Also Admitted in District of Columbia

DATE: August 16, 2005

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Richard Rohlfs

TELECOPIER NO.: 410-887-8081

FROM: Neil Lanzi, Esquire

Total Number of Pages, including this page:

DOCUMENTS TRANSMITTED:

Enclosed letter

If you do not receive all pages, please call back as soon as possible at (410) 296-0686, Telecopier Number: (410) 296-0689.

ORIGINAL TO BE: MAILED

FED. EX.

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FORMS\OFFICE\FAXFORM

06-100-A 10/17/05 2:00 pm Rm-451

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

OF COUNSEL

J. Neil Lanzi

FAX: (410) 296-0689

COLUMBIA
Suite 420, Parkside Bldg
10500 Little Patuxent Parkway

Fred L. Coover\*

E-Mail: lanzilaw@cs.com

Columbia, Marylan | 21044-3563

\*Also Admitted in District of Columbia

Reply to Towson

August 16, 2005

Sent Via Facsimile: 410-887-8081

Department of Permits and Development Management Building Inspection Division 111 West Chesapeake Avenue Towson, Maryland 21204 Attn: Richard Rohlfs

Re:

My Client: Robert Haslbeck

Property Address: 2407 Cub Hill Road

Dear Richard:

This letter is in follow up to my August 11, 2005 letter. The plans were finalized and I was able to do a "drop off filing" with Jun of the zoning office on Monday of this week. A hearing will be scheduled next with the zoning commissioner.

Should you have any questions please do not hesitate to contact me. Thank you for your continued cooperation.

Very truly yours,

J. Neil Lanzi

JNL\mai

cc: Clyde Hinkle

Robert Hasibeck

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

OF COMMERT

J. Neil Lanzi

FAX: (410) 296-0689

OF COUNSEL
Fred L. Coover\*

\*Also Admitted in District of Columbia

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044

Reply to Towson

COLUMBIA

DATE: August 11, 2005

PLEASS DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Richard Rohlfs

TELECOPIER NO.: AREA CODE (410) 887-8081

TELEPHONE NO.: AREA CODE

FROM: J. Neil Lanzi

Total Number of Pages, including this page:

DOCUMENTS TRANSMITTED:

If you do not receive all pages, please call back as soon as possible at: (410) 296-0686, Telecopier Number: (410) 296-0689.

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FORMS\OFFICE\FAXFORM

p.2

#### J. NEIL LANZI, P.A.

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 296-0686

E-Mail: lanzilaw@cs.com

FAX: (410) 296-0689

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

COLUMBIA

J. Neil Lanzi

OF COUNSEL Fred L. Coover\*

\*Also Admined in District of Columbia

August 11, 2005

Sent Via Facsimile: 410-387-8081 Department of Permits and Development Management Building Inspection Division 111 West Chesapeake Avenue Towson, Maryland 21204 Attn: Richard Rohlfs

Re: My Client: Robert Haslbeck

Property Address: 2407 Cub Hill Road

Dear Richard:

This letter is to provide you with a status report on the above referenced property. Prior to my leaving for vacation, I forwarded photographs of the accessory structure and elevation drawings of the proposed garage to the Office of Planning. In addition, the engineers have been discussing the project with the Department of Environment with regard to location of the existing and proposed structures. I had anticipated these matters would be fully resolved by the first week of August, 2005 and I have been advised the engineers are finalizing the plans for filing. As I advised you previously, I do not need to schedule a filing appointment as I had previously met with Jun of the Zoning Office and will be able to do a "drop off filing" with Jun in the near future.

Should you have any questions or in the event our plan of action is not acceptable, please contact me immediately.

Thank you for your continued cooperation.

Very truly yours,

JNL\mal

cc: Clyde Hinkle

Robert Haslbeck

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

(410) 296-0686

J. Neil Lanzi

OF COUNSEL Fred L. Coover\*

\*Also Admitted in District of Columbia

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

**COLUMBIA** 

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

July 22, 2005

Department of Permits and Development Management **Building Inspection Division** 111 West Chesapeake Avenue Towson, Maryland 21204 Attn: Richard Rohlfs

Re: My Client: Robert Haslbeck

Property Address: 2407 Cub Hill Road

#### Dear Richard:

As promised, this letter shall provide you with a status of the above referenced property. I have now conducted a site visit and have photographs to send to the office of Planning as requested by planning staff. The engineers have commenced discussions with the Department of Environment with regard to the location of the existing and proposed structures. As indicated in my letter dated June 29, 2005, it is my intention to conduct a "drop off" filing with Jun in the Zoning Office during the first week of August.

Should you have any questions or comments, please feel free to call me.

Very truly yours,

J. Neil Lanzi

JNL\mal

cc: Clyde Hinkle

Robert Haslbeck

J. Neil Lanzi

OF COUNSEL

Fred L. Coover\*

#### J. NEIL LANZI, P.A.

ATTORNEY AT LAW MERCANTILE BUILDING, SUITE 617 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

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FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

COLUMBIA

Suite 420, Parkside Bldg 10500 Little Patuxent Parkway Columbia, Maryland 21044-3563

Reply to Towson

\*Also Admitted in District of Columbia

June 29, 2005

Sent Via Facsimile: 410-887-8081

Department of Permits and Development Management Building Inspection Division 111 West Chesapeake Avenue Towson, Maryland 21204 Attn: Richard Rohlfs

> Re: My Client: Robert Haslbeck

> > Property Address: 2407 Cub Hill Road

Dear Richard:

This letter will confirm our telephone conversation earlier today. I have recently been retained by the property owner, Robert Haslbeck with regard to the correction notice and zoning variance concerning his property. As I advised you this morning, a filing appointment was held yesterday although the petitions were not accepted for filing. Prior to formerly filing the Petition for Variance for the accessory structure on the property, further due diligence is necessary with various county agencies.

Specifically, I have met with the Office of Planning and they would like to see photographs of the accessory structure and elevation drawings of the proposed garage. In addition, the engineers will be meeting with the Department of Environment with regard to the location of the existing and proposed structures. I anticipate that our due diligence will be completed so that the formal filing will take place within the next thirty days and no later than the first week of August, 2005. I will be on vacation the last week of July and intend to provide you with a status report prior to July 23, 2005.

Richard Rohlfs June 29, 2005 Page Two

Finally, would you kindly send a copy of the correction notice for this property. My fax number is at the top of this letter.

Thank you again for your cooperation.

Very truly yours,

J. Neil Lanzi

JNL\mal

cc: Clyde Hinkle Robert Haslbeck

Re: 2407 Cub Hill Road 09-0906201590 Haslbeck, Robert M.

#### TO WHOM IT MAY CONCERN:

The undersigned hereby certifies that I am an owner/tenant/occupant, of a dwelling adjacent to or in close proximity to the captioned property; and, further, have seen the shed as it now exists and existed prior thereto.

The repairs made to the shed are a marked improvement, visually appealing, do not compromise the architectural integrity of the community and are aesthetically pleasing insofar as it is in keeping with the style of the existing dwelling owned by Mr. Haslbeck located on the captioned property.

I further state that I have no objection to the completion of the improvements or the structure as and where it now stands.

Date

Re: 2407 Cub Hill Road 09-0906201590 Haslbeck, Robert M.

#### TO WHOM IT MAY CONCERN:

The undersigned hereby certifies that I am an owner/tenant/occupant, of a dwelling adjacent to or in close proximity to the captioned property; and, further, have seen the shed as it now exists and existed prior thereto.

The repairs made to the shed are a marked improvement, visually appealing, do not compromise the architectural integrity of the community and are aesthetically pleasing insofar as it is in keeping with the style of the existing dwelling owned by Mr. Haslbeck located on the captioned property.

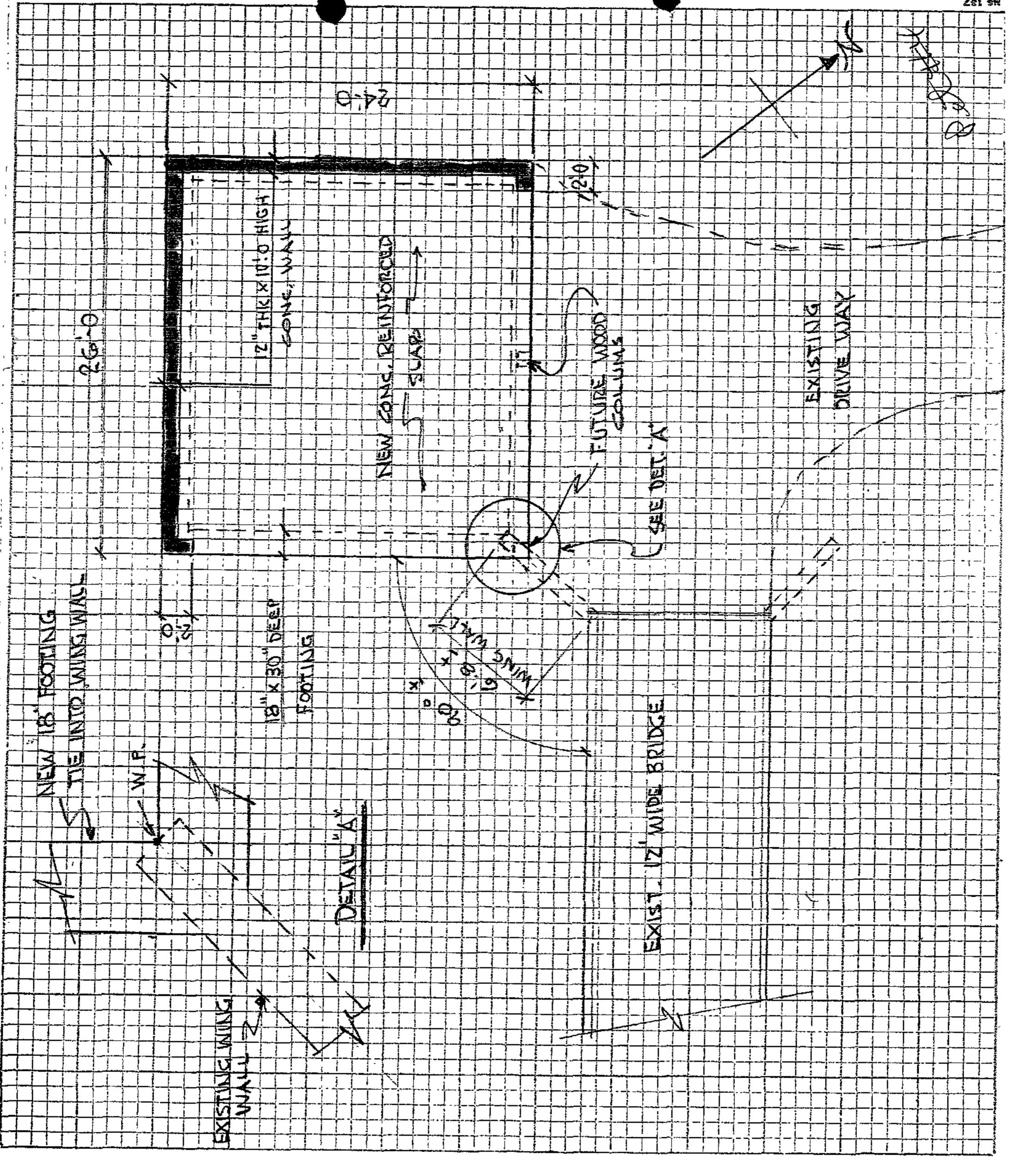
I further state that I have no objection to the completion of the improvements or the structure as and where it now stands.

Name

Date/

DEW RETAINING WALLS

YTULOD GIJAB, BALTO. COUNTY :401772 PROJECT:



PLEASE PRINT CLEARLY

CASE NUMBER DATE

## PETITIONER'S SIGN-IN SHEET

E- MAIL												
CITY, STATE, ZIP		N	1 HOCK ON SOM									
ADDRESS	2407 CUB HIII Rd	17/1 & Agradia	409 Weshington an #617									
NAME	Kabut HASLBECK	Clyde Hinkla	JUNG Lanzi									

