

Mr. J. Herbert Gaston, City Purchasing Agent (cont'd)

It is the opinion of this office, therefore, that the matter rests in the Board's discretion. The irregularity alleged in the present instance is doubtless one completely within the discretion of the Board, and if the Board in canvassing the entire situation is of the opinion that there has in fact been no fraud, collusive or unfair advantage, and looked at from the standpoint of the City the low bid is best, the irregularity, if it can be called such, may be waived.

We trust this answers your inquiry, but if not, please call us further.

Very truly yours,

/s/ THOMAS N. BIDDISON  
City Solicitor

TNB/keb

/s/ F. CLIFFORD HANE  
Assistant City Solicitor

File No. 96462

October 4, 1956

Mr. Gilbert V. Rubin, Executive Secretary  
Board of Municipal and Zoning Appeals  
204 Municipal Office Building  
Baltimore 2, Maryland

RE: Appeal No. 132-56 (7013 Wallis Avenue)  
133-56 (7007-09 Wallis Avenue)  
134-56 (7005 Wallis Avenue)

Dear Mr. Rubin:

You have inquired whether or not plats filed with the Board by owners of property in the 7000 block of Wallis Avenue, involved in the above appeals, are erroneous. This query arises from the fact that permits were granted for the erection of fences in the rear of the Wallis Avenue properties, and the Board of Municipal and Zoning Appeals has now received information from property owners in the 7000 block of Boxford Road that the said plats were erroneous, as a result of which the fences are erected