

86-210-SPH #94 **PETITION FOR SPECIAL HEARING** 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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve: 2 dwellings (detached dwelling and an apartment above a garage) on one lot, as a nonconforming use.

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

I, or we, agree to pay expenses of the above Special Hearing 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: Legal Owner(s): Ruby J. Henninger
(Type or Print Name) (Type or Print Name)
Signature: Ruby J. Henninger
Address: (Type or Print Name)
City and State: Signature:
Attorney for Petitioner: 5030 E. Oliver St. 325
(Type or Print Name) Address Phone No. 3466
Signature: BALTO. MD. 21205
Address: Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State: Name
Attorney's Telephone No.: Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day of February, 1986, 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 10th day of March, 1986, at 10:00 o'clock a.m.

Call John
Zoning Commissioner of Baltimore County.

PETITION FOR SPECIAL HEARING 12th Election District

LOCATION: West Side of Gray Manor Court, 260 feet South of Oakwood Road (2707 Gray Manor Court)

DATE AND TIME: Monday, March 10, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. 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 Hearing for two dwellings (a detached dwelling and an apartment above a garage) on one lot as a nonconforming use

Being the property of Ruby J. Henninger, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

ZONING DESCRIPTION

Located on the west side of Gray Manor Court, approximately 260' south of Oakwood Road and known as lot #119 as shown on Amended Plat of lots #114-130, Gray Manor #2. Recorded in Libro 13, Folio 60. Also known as 2707 Gray Manor Court.

IN RE: PETITION SPECIAL HEARING *
W/S of Gray Manor Court, 260' *
S of Oakwood Road (2707 Gray *
Manor Court) - 12th Election *
District *
Ruby J. Henninger, *
Petitioner *
Case No. 86-210-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests confirmation of a nonconforming use for two dwellings on one lot, as described on Petitioner's Exhibit 1.

The Petitioner appeared and testified. Vicki Fabian, a tenant, also testified on behalf of the Petitioner. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.5.5 and located on Gray Manor Court, is improved with a dwelling and a detached garage with an apartment above. Ms. Fabian resides in the apartment and her mother resides in the house. The apartment is a second living unit. Mrs. Henninger testified that she and her late husband purchased the property in 1957 and constructed the garage with the apartment shortly thereafter. They divorced but were remarried in 1983. She rents both the house and the apartment for the income and for the protection of the property.

The Petitioner seeks confirmation pursuant to Section 104.1, Baltimore County Zoning Regulations (BCZR).

Unfortunately, Mrs. Henninger's testimony is clear that the property in question did not enjoy a nonconforming use prior to the adoption of the current BCZR in 1955. Prior to 1955 and after the first zoning regulations went into effect in 1945, a two-family dwelling was permitted in a residential zone. In other words, a single home could have two apartments. Prior to 1945 there were no such restrictions, i.e., a property could have either a

multiple-family dwelling or more than one detached dwelling housing a family in each. The latter was not permitted after 1945, and after 1955, neither was permitted unless certain area requirements could be satisfied. Since the garage was constructed in 1957 and inasmuch as the Petitioner does not have sufficient area to satisfy the area requirements for a two-dwelling property, the request for a nonconforming use cannot be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the confirmation prayed for should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of March, 1986, that a nonconforming use for two dwellings on one lot be disapproved and, as such, the Petition for Special Hearing is hereby DENIED, from and after the date of this Order, subject to the following:

1. The Petitioner shall cease and desist the operation of the apartment as a dwelling within 90 days from the date of this Order.

Call John
Zoning Commissioner of Baltimore County

AJ/srl
cc: Mrs. Ruby J. Henninger
People's Counsel

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 12, 1985

Ms. Ruby J. Henninger
5030 E. Oliver Street
Baltimore, Maryland 21205

Re: Petition for Special Hearing
W/S Gray Manor Ct., 260' S/Oakwood Rd.
(2707 Gray Manor Ct.)
12th Election District
Ruby J. Henninger - Petitioner
Case No. 86-210-SPH

Dear Ms. Henninger:

This is to advise you that \$56.20 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Call John
Arnold Jablon
Zoning Commissioner

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 5, 1986

Ms. Ruby J. Henninger
5030 East Oliver Street
Baltimore, Maryland 21205

RE: PETITION FOR SPECIAL HEARING
W/S Gray Manor Ct., 260' S/Oakwood Rd.
(2707 Gray Manor Ct.)
12th Election District
Ruby J. Henninger - Petitioner
Case No. 86-210-SPH

Dear Ms. Henninger:

This is to advise you that \$54.60 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

No. 018527

DATE: 3/10/86 ACCOUNT: 86-210-SPH

AMOUNT: \$10.80

RECEIVED FROM: Ruby J. Henninger

FOR: Baltimore County, Maryland

8 8044*****110101 2108 SPH

VALIDATION OR SIGNATURE OF CASHIER

Ms. Ruby J. Henninger
5030 East Oliver Street
Baltimore, Maryland 21205

February 7, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
W/S Gray Manor Court, 260' S/Oakwood Rd.
(2707 Gray Manor Court)
12th Election District
Ruby J. Henninger - Petitioner
Case No. 86-210-SPH

TIME: 10:00 a.m.

DATE: Monday, March 10, 1986

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

Call John
Zoning Commissioner of Baltimore County

AJ:med
cc: Ms. Vicki King

AUG 11 1986

PETITION FOR SPECIAL HEARING
12th Election District

LOCATION: West Side of Gray Manor Court, 260' South of Oakwood Road (2707 Gray Manor Court)

DATE AND TIME: Wednesday, November 20, 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 Hearing to approve 2 dwellings (a detached dwelling and an apartment above a garage) on one lot as a non-conforming use.

Being the property of Ruby J. Henninger 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 HEARING : BEFORE THE ZONING COMMISSIONER
W/S Gray Manor Ct., 260' S of : OF BALTIMORE COUNTY
Oakwood Rd. (2707 Gray Manor :
Ct.), 12th District :
RUBY J. HENNINGER, Petitioner : Case No. 86-210-SPH

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
Room 223, Court House
Towson, MD 21204
434-2188

I HEREBY CERTIFY that on this 22nd day of October, 1985, a copy of the foregoing Entry of Appearance was mailed to Ruby J. Henninger, 5030 E. Oliver St., Baltimore, MD 21205, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Ms. Ruby J. Henninger
5030 E. Oliver Street
Baltimore, Maryland 21205

October 16, 1985

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
W/S Gray Manor Ct., 260' S/Oakwood Rd.
(2707 Gray Manor Ct.)
12th Election District
Ruby J. Henninger - Petitioner
Case No. 86-210-SPH

TIME: 11:00 a.m.
DATE: Wednesday, November 20, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

No. 012581

DATE: 10/16/85 ACCOUNT: Henninger, Ruby J.
RECEIVED: 10/16/85 AMOUNT: \$ 25.00
FOR: Special Hearing Fee
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 20, 1986

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 February 20, 1986

THE JEFFERSONIAN,

JB Kentz
Publisher

Cost of Advertising

86-210-SPH 22.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-210-SPH

District: 12th Date of Posting: 2/20/86
Posted for: Special Hearing
Petitioner: Ruby J. Henninger
Location of property: W/S Gray Manor Ct., 260' S/Oakwood Rd.
2707 Gray Manor Ct.
Location of Sign: Facing Gray Manor Ct., across 12th Ex. road way,
on property of R. Henninger
Remarks:
Posted by: JB Kentz Date of return: 2/21/86
Number of Signs: 1

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 February 20, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #74137 - Reg. # 87491 - 69 lines @ \$27.60.

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 21st day of February 1986; that is to say, the same was inserted in the issues of Feb. 20, 1986

Kimbel Publication, Inc.
per Publisher.

By K.C. O'Brien

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 31, 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 October 31, 1985

THE JEFFERSONIAN,

JB Kentz
Publisher

Cost of Advertising
22.00

CERTIFICATE OF PUBLICATION

86-210-SPH

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 October 31, 1985

THIS IS TO CERTIFY, that the annexed advertisement of zoning office of Baltimore County was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week before the 1st day of November 1985; that is to say, the same was inserted in the issues of

Kimbel Publication, Inc.
per Publisher.

By Kimbel E.O. O'Brien

PETITION FOR SPECIAL HEARING
12th Election District
LOCATION: West Side of Gray Manor Court, 260' South of Oakwood Road (2707 Gray Manor Court)
DATE AND TIME: Wednesday, November 20, 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 Hearing to approve 2 dwellings (a detached dwelling and an apartment above a garage) on one lot as a non-conforming use.
Being the property of Ruby J. Henninger, as shown on 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
Oct. 31.

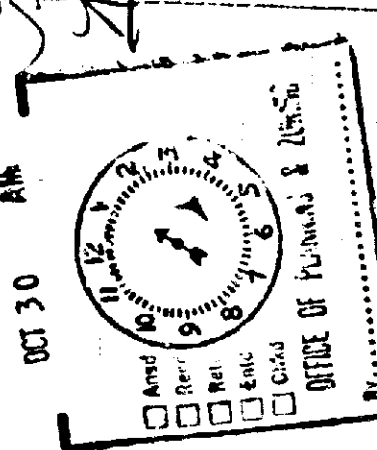
PETITION FOR SPECIAL HEARING
12th Election District
LOCATION: West Side of Gray Manor Court, 260' South of Oakwood Road (2707 Gray Manor Court)
DATE AND TIME: Wednesday, November 20, 1985 at 11:00 a.m.
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BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Oct. 31.

PETITION FOR SPECIAL HEARING
12th Election District
LOCATION: West Side of Gray Manor Court, 260' South of Oakwood Road (2707 Gray Manor Court)
DATE AND TIME: Monday, March 10, 1986 at 10:00 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 Hearing to approve 2 dwellings (a detached dwelling and an apartment above a garage) on one lot as a non-conforming use.
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BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Oct. 31.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-210-SPH

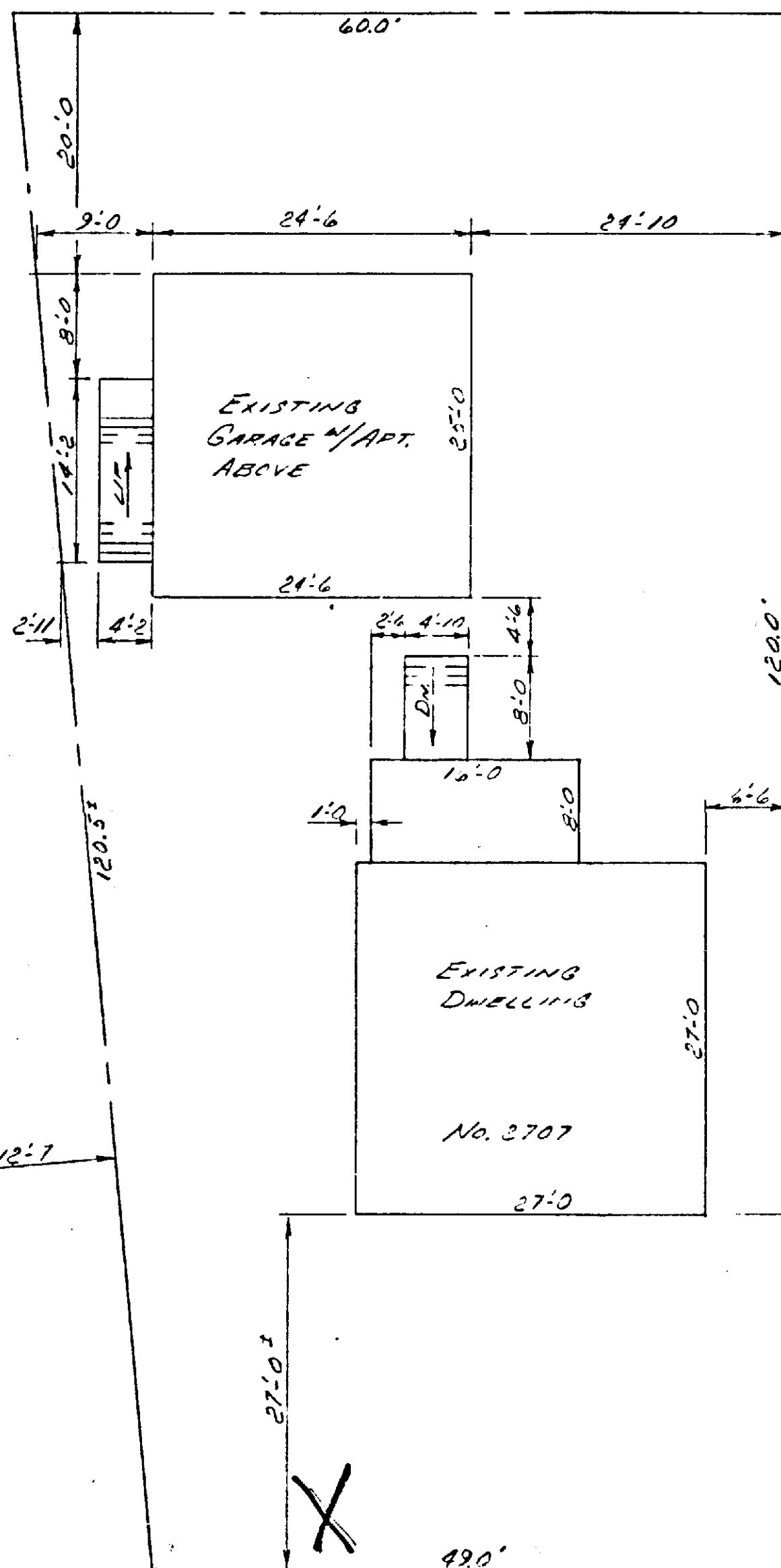
District: 12th Date of Posting: 10/22/85
Posted for: Special Hearing
Petitioner: Ruby J. Henninger
Location of property: W/S Gray Manor Ct., 260' S/Oakwood Rd.
2707 Gray Manor Ct.
Location of Sign: Facing Gray Manor Ct., across 12th Ex. road way,
on property of R. Henninger
Remarks:
Posted by: JB Kentz Date of return: 11/1/85
Number of Signs: 1



Mr. O'Brien, Case No. 86-210-SPH
I would like to have
Case No. 86-210-SPH rescheduled for
some time in the future. I
sent a letter before but you
you didn't get it. This is for
an apartment at 2707 Gray
Manor Ct. Baltimore Md. 21205
Thank you
P.S. Try to make it on Monday
as that is the day I check for
Hendrick has to go to his
(C. J. 11-1-86)

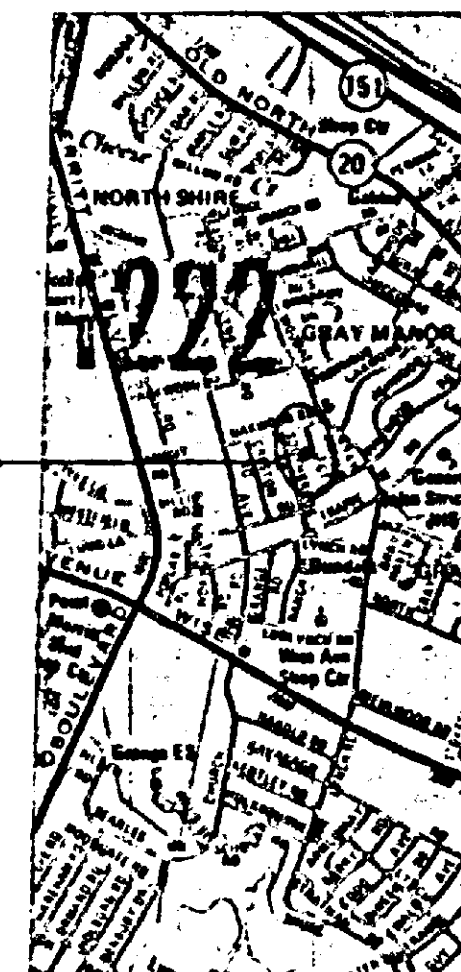


ALLEY OF SOUTHBROOK (16' PAVING)



EXISTING DWELLING

EXISTING DWELLING



SUBJECT PROPERTY

VICINITY MAP

PETITIONER'S
EXHIBIT 1

MAP	4.A
ELECTION	SE 3 F
DISTRICT	12
DATE	7/2/86
TYPE	HEARING, SPH
BY	BE
FINAL	
BY	

DR 5.5
FLAT FOR ZONING VARIANCE
OWNER: Ruby J. Hennington
DISTRICT 12
SUBDIVISION GRAY MANOR
EXISTING UTILITIES GRAYMANOR COURT
#94
OFFICE COPY

ARCHITECTURAL PLANNING AND DESIGN	
974-4103	ANNAPOLIS, MD.
PLOT PLAN	
DESIGN & DRAWN BY: HASKELL	CONTRACT NO. RB-1-P
CHECKED BY: SANS	
CONTRACTED BY: NONE	
SCALE: 1"=10'-0"	DATE: 8-16-85 DWG. 1

GRAYMANOR COURT (26' PAVING)

