

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 the nonconforming use as a two apartment dwelling.

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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Scottie D. McDonald

(Type or Print Name)

Signature

Mary Lou McDonald

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Scottie McDonald

Name

P.O. Box 18124, 686 1114

Baltimore, Md. 21220

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of October, 1985, 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 108, County Office Building in Towson, Baltimore County, on the 3rd day of December, 1985, at 10:00 o'clock.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

Case No. 86-230-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 30th day of October, 1985.

Arnold Jablon
Zoning Commissioner

Petitioner: Scottie D. McDonald, et ux
Petitioner's Attorney:

Received by: *James E. Dyer*
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 12, 1985

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. and Mrs. Scottie D. McDonald
P. O. Box 18124
Baltimore, Maryland 21220

RE: Item No. 115 - Case No. 86-230-SPH
Petitioners - Scottie D. McDonald, et ux
Special Hearing Petition

Dear Mr. and Mrs. McDonald:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

November 20, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 115 Zoning Advisory Committee Meeting are as follows:

Property Owners: Scottie D. McDonald, et ux
Location: N/S Virginia Avenue, 125' W of Woodward Drive
District: 15th.

APPLICABLE TYPES ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as amended by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.G. #117-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a Registered in Maryland Architect or Engineer is/ is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Approved seals are not acceptable.

5. All Use Groups except R-1, Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. R-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.2, Section 101.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Accessory Permit, an alteration permit application shall also be filed along with three sets of acceptable construction drawings indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineering seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Use _____ See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 216.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

10. Comments: Tenants shall be separated at all points (floors, walls, etc.) by a minimum of an approved one hour fire resistive assembly. Each tenant shall have an independent exit complying with the Code. See also Plumbing and Heating regulations in the respective Codes.

11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dyer
S. E. Dyer, Chief
Building Plans Review

4/21/85



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

NOVEMBER 14, 1985

RE: Zoning Advisory Meeting of OCTOBER 1, 1985
Item # 115
Property Owner: SCOTTIE D. McDONALD, et ux
Location: N/S VIRGINIA AVE, 125' W.
OF WOODWARD DR.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are:

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ The parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development of these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ Remodeling: Must comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and its conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments: ANY FUTURE EXPANSION OF SITE MUST COMPLY TO ALL APPLICABLE COUNTY REGULATIONS AND STANDARDS.

cc: James Howell

Eugene A. Boser
Chief, Current Planning and Development

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: November 21, 1985

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-230-SPH

In view of the subject of this petition, this office offers no comment.

NEG:JGH:slm

Norman E. Gerber
Director



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

October 2, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Scottie D. McDonald, et ux
Location: N/S Virginia Avenue, 124' W of Woodward Drive
Item No.: 115
Zoning Agenda: Meeting of October 1, 1985

Gentlemen:

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

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *Carl J. Jablon* 10/2/85 Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 4, 1985

Mr. and Mrs. Scottie D. McDonald
P. O. Box 18124
Baltimore, Maryland 21220

RE: PETITION FOR SPECIAL HEARING
N/S of Virginia Avenue, 125'
W of Woodward Avenue,
(518 Virginia Avenue) -
15th Election District
Scottie D. McDonald, et ux,
Petitioners
Case No. 86-230-SPH

Dear Mr. McDonald:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbg

Attachments

cc: People's Counsel

AUG 13 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

RE: PETITION FOR SPECIAL HEARING
N/S of Virginia Avenue, 125'
W of Woodward Avenue,
(518 Virginia Avenue) -
15th Election District
Scottie D. McDonald, et ux,
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-230-SPH

The Petitioners herein request approval of a nonconforming use of a two apartment dwelling.

Testimony by and on behalf of the Petitioner indicated that the building was constructed as two apartments around 1952 and has been so used continuously to date. The apartments are entirely separate as to entrances, meters, heat, etc. For the entire period, except for five years, members of the Petitioners family have lived in one of the dwelling units. There were no protestants.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the granting of the Special Hearing would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community and, therefore, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 4th day of December, 1985, that the herein Petition for Special Hearing for the nonconforming use of a two apartment dwelling, in accordance with the site plan submitted and filed herein, marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Any future expansion must comply with the BCZR and all applicable county regulations and standards.

Jean M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE December 4, 1985
BY *John A. Schmitt*

ZONING DESCRIPTION

Beginning at a point on the North side of Virginia Avenue (50 feet wide), 125 feet West of the centerline of Woodward Avenue and known as lot 17, Block 2B, as shown on the plat of "Plat G, Essex," which is recorded in the Land Records of Baltimore County in Liber WPC No. 5, Folio 76/77

PETITION FOR SPECIAL HEARING
15th Election District

LOCATION: North side of Virginia Avenue, 125' West of Woodward Avenue, (518 Virginia Avenue)

DATE AND TIME: Tuesday, December 3, 1985 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 under Section 500.7 for the nonconforming use as a two apartment dwelling.

Being the property of Scottie D. McDonald, et ux 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 JADION
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING
N/S Virginia Ave., 125' W of
Woodward Ave. (518 Virginia
Ave.), 15th District
SCOTTIE D. McDONALD, et ux,
Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-230-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
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 8th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Scottie D. McDonald, P. O. Box 18124, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JADION
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER
November 27, 1985

Mr. & Mrs. Scottie D. McDonald
P.O. Box 18124
Baltimore, Maryland 21220

Re: Petition for Special Hearing
N/S Virginia Ave., 125' W of
Woodward Ave. (518 Virginia Ave.)
15th Election District
Scottie McDonald, et ux, Petitioners
Case No. 86-230-SPH

Dear Mr. & Mrs. McDonald:

This is to advise you that \$47.84 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 send the above amount to Baltimore County, Maryland, and remit to the Treasurer, Towson, Maryland

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

No. 012418

DATE 12-3-85 ACCOUNT R-01-615-000

AMOUNT \$ 47.84

RECEIVED FROM Scottie D. McDonald, et ux

FOR Advertising & Posting 86-230-SPH

VALIDATION OR SIGNATURE OF CASHIER

Mr. and Mrs. Scottie D. McDonald
P. O. Box 18124
Baltimore, Maryland 21220

November 1, 1985

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
N/S Virginia Ave., 125' W of
Woodward Ave. (518 Virginia Ave.)
15th Election District
Scottie D. McDonald, et ux, Petitioners
Case No. 86-230-SPH

TIME: 10:00 a.m.
DATE: Tuesday, December 3, 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. 012688

DATE 12-17-85 ACCOUNT R-01-615-000

AMOUNT \$ 117.00

RECEIVED FROM Scottie D. McDonald, et ux

FOR Advertising & Posting 86-230-SPH

VALIDATION OR SIGNATURE OF CASHIER

WILLIAM F. PODLICH
ROBERT F. PODLICH
ATTORNEYS AT LAW
AUBURN FEDERAL BUILDING
CHARLES STREET AT BALATOGA
BALTIMORE, MARYLAND 21201

WALTER P. REESE
January 10, 1986

Mr. and Mrs. Edward A. Richards
318 Virginia Avenue
Baltimore, Maryland - 21221

Dear Mr. and Mrs. Richards:

I will be ready to consummate your sale of the property 318 Virginia Avenue to Mr. and Mrs. Scottie D. McDonald on Wednesday, January 17, 1986, at 11:45 A.M., in my Baltimore Office.

It will be necessary for both of you to be present at the time mentioned above.

Under the terms of the Contract of Sale, possession of the property is to be given to the McDonalds at the time of settlement.

It is my understanding that the first floor and the basement are to be unoccupied and that the second floor tenant is to be allowed to remain in the property.

I should be advised of the amount of rent payable on the second floor and the date of its last payment so that a proper rental adjustment can be made in this matter.

With kind regards, I am,

Very truly yours,

Robert F. Podlich

cc: Mr. Walter J. Ramonson
Mr. and Mrs. Scottie D. McDonald

PETITIONER'S
EXHIBIT 3



CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203

Customer Relations Department

November 25, 1985

Mr. Scottie D. McDonald
P. O. Box 18124
Baltimore, MD 21220

Dear Mr. McDonald:

Our records show that 518 Virginia Avenue has been separately metered as two apartments since at least February, 1971. We do not have records available prior to 1971 to indicate the exact date the building was started as two apartments.

If you have any questions, please call me at 234-5497.

Sincerely,

R. Broadwater

R. Broadwater
Customer Representative

RB/apm

PETITIONER'S
EXHIBIT 4

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

PETITIONER'S
EXHIBIT 6

I have personal knowledge that the home located at 518 Virginia Ave (address) has been used as a Two (two/three, etc.) apartment dwelling since Summer (month), 1952 (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer (month), 1952 (year).

This personal knowledge is based upon: Being a resident of 112 Maryland Ave since 1947

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of November, 1985, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared James O. Seall the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

Charles D. Pfeiffer
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

I have personal knowledge that the home located at 518 Virginia Ave., Essex Md. 21221 (address) has been used as a Two (two/three, etc.) apartment dwelling since Summer (month), 1964 (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer (month), 1964 (year).

This personal knowledge is based upon: I have lived next door since from 1964 to present

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 26 day of Nov, 1985, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Louis Vello the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

John Littenberger
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

I have personal knowledge that the home located at 518 Virginia Ave (address) has been used as a 2 (two/three, etc.) apartment dwelling since Summer (month), 1952 (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer (month), 1952 (year).

This personal knowledge is based upon: I have lived across the street at 513 Virginia Ave since 1952. The house was built I know the Richard & Mrs. Donald

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of November, 1985, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Richard G. Littenberger the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

Charles D. Pfeiffer
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

Ann F. Shuman
Affiant

I have personal knowledge that the home located at 518 Virginia Ave Essex Md 21221 (address) has been used as a Two (two/three, etc.) apartment dwelling since Summer (month), 1952 (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer (month), 1952 (year).

This personal knowledge is based upon: I live across st at 519 Virginia Ave.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of November, 1985, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Ann F. Shuman the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

Charles D. Pfeiffer
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

James T. Tuckerton
Affiant

I have personal knowledge that the home located at 518 Virginia Ave 21221 (address) has been used as a Two (two/three, etc.) apartment dwelling since Summer (month), 1952 (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer (month), 1952 (year).

This personal knowledge is based upon: I have lived at 519 Virginia Ave across the street since 1923

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of November, 1985, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared James T. Tuckerton the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

Charles D. Pfeiffer
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

Chas. F. Bader
Affiant
520 Virginia Ave
Essex-Md-21221

I have personal knowledge that the home located at 518 VIRGINIA AVE., ESSEX MD. 21221 (address) has been used as a Two (two/three, etc.) apartment dwelling since ? (month), 1953 (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer (month), 1953 (year).

This personal knowledge is based upon: The fact that I lived at 520 since 1947

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of November, 1985, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Chas. F. Bader the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

Charles D. Pfeiffer
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

Richard G. Littenberger
Affiant

I have personal knowledge that the home located at 518 Virginia Ave 21221 (address) has been used as a Two (two/three, etc.) apartment dwelling since Summer (month), 1952 (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer (month), 1952 (year).

This personal knowledge is based upon: I have lived two doors away in 522 Virginia Ave since 1947

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 11th day of November, 1985, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Richard G. Littenberger the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

Charles D. Pfeiffer
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

Mrs Mildred Sheppard
Affiant

I have personal knowledge that the home located at 518 Virginia Ave (address) has been used as a (two/three, etc.) apartment dwelling since Summer, 1952 (month) (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since Summer, 1952 (month) (year).

This personal knowledge is based upon: This has been before me
was built - it has always been apartment
this 515 Virginia Ave.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 1st day of November, 1985, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Mrs Mildred Sheppard, the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

Carolyn Sheppard
Notary Public

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

Joseph J. Novotny
Affiant

My physical health will not permit me to attend a hearing, but I will be happy to discuss this matter at my home or over the phone.

I have personal knowledge that the home located at 518 Virginia Ave., Essex, Md. 21221 (address) has been used as a Two (two/three, etc.) apartment dwelling since May, 1952 (month) (year). I also have personal

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterruptedly since May, 1952 (month) (year).

This personal knowledge is based upon: my personal participation in the building and construction of the home as two separate apartments with separate utilities and fixtures. I was a personal friend of the original owners, Edward and Henrietta Richards and have known the McDonalds since they purchased the property in 1968. I have lived less than two blocks away since 1931.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 24th day of August, 1985, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Joseph J. Novotny, the affiant herein, personally known or satisfactorily identified to me as such affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notarial Seal

PETITIONER'S
EXHIBIT

Carolyn Sheppard
Notary Public

Standard Contract of Sale

DIAL REALTY INC.

1750 EASTERN BLVD.

BALTIMORE, MD. 21221

This Agreement of Sale, made this 19th day of December

nineteen hundred and sixty-seven between Edward A. Richards and

Henrietta Richards, his wife Seller, and

Scottie D. McDonald and Mary Lou McDonald, his wife Buyer

Witness that the said Seller does hereby bargain and sell unto the said Buyer, and the latter

does hereby purchase from the former the following described property, situate and lying in 15th

District, Baltimore County, Maryland, being that property known as 518

Virginia Avenue, described in a deed dated 10/18/60 and recorded among

the Land Records of Baltimore County in Liber W.J.R. 3767, Folio 542.

Included in this sale are kitchen stove, _____ burner, electric light fixtures, flowers and shrubbery.

GROUND RENT TO BE CREATED (IF APPLICABLE) Check: Yes _____ or No X Subject to

an annual ground rent of \$ _____ for a term of 99 years, renewable forever to be reserved in a

lease to be recorded prior to the transfer of the herein described property; said rent to be payable in equal

semi-annual installments of \$ _____ each, accounting from the date of the lease in which said rent

is reserved. (Redemption date _____)

EXISTING GROUND RENT (IF APPLICABLE) Check: Yes _____ or No X Subject to an

existing annual ground rent of \$ _____ as provided in a lease now recorded among The Land

Records of Baltimore _____ (Redemption Date _____)

at and for the price of Sixteen thousand five hundred dollars - in fee simple

of which Five Hundred Dollars (\$ 500.00)

have been paid prior to the signing hereof, and the balance to be paid as follows: An additional

\$2,800.00 to be paid at the time of settlement making a total down

payment of \$3,300.00. This sale is subject to the buyers obtaining

approval of a direct reduction mortgage of \$13,200.00 for 25 years

at 6%, otherwise, this sale is null and void and the deposit paid

hereon shall be returned to the buyers. This contract is further

subject to the seller furnishing a termite certificate of said

property.

Settlement shall be on or before 30 days from the date of this contract.

PETITIONER'S
EXHIBIT 2

AND upon payment as above provided of the unpaid purchase money, a deed for the property containing covenants of special war-

ranty and further assurance shall be executed at the Buyer's expense by the Seller, which shall convey the property to the Buyer. Title

to be good and merchantable, free of liens and encumbrances except as specified herein and except: Use and occupancy restrictions of public

utility records assessments for public utilities and any other easements which may be observed by an inspection of the property.

Ground rent, rent, water rent, taxes, including Metropolitan District charges for sewer and water, if any, and all other public charges,

on an annual basis, against the premises shall be apportioned as of date of settlement, at which time possession shall be given, and the

said parties hereto hereby bind themselves, their heirs, executors and administrators and assigns, for the faithful performance of this

agreement.

The herein described property is to be held at the risk of the Seller except as to damages arising from accidental fire or other insurable

casualty until legal title has passed or possession given; it is also understood and agreed that the Seller shall immediately have all of the

force during the life of this Contract.

This Contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall be bound by

any terms, conditions or representations not herein written; time being of the essence of this Agreement. Cost of all documentary stamps

and transfer, recording, conveying and other similar taxes, where applicable, required by law shall be divided equally between the

parties hereto.

F.H.A. CLAUSE REQUIRED IN THE CONTRACT OF SALE OF APPLICABLE Check: Yes _____ or No X "It is expressly agreed

that, notwithstanding any other provisions of this contract, the purchaser shall not be obligated to complete the purchase of the property

described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the seller has delivered to the purchaser

a written statement issued by the Federal Housing Commissioner setting forth the appraised value of the property for mortgage in-

surance purposes of not less than \$ _____ which statement the seller hereby agrees to deliver to the purchaser promptly

after such appraised value statement is made available to the seller. The purchaser shall, however, have the privilege and option of pro-

ceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing

Commissioner."

Seller hereby agrees to pay commission on this sale, in accordance with the Standard Schedule of Commissions to Dial Realty, Inc.

WITNESSES TO SELLER'S SIGNATURE Edward A. Richards (SEAL)

WITNESSES TO SELLER'S SIGNATURE Henrietta Richards (SEAL)

WITNESSES TO BUYER'S SIGNATURE Scottie D. McDonald (SEAL)

WITNESSES TO BUYER'S SIGNATURE Mary Lou McDonald (SEAL)

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 14, 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 November 14, 1985

THE JEFFERSONIAN,

18 Kenton

Publisher

Cost of Advertising

22.00

PETITION FOR SPECIAL HEARING
15th Election District
LOCATION: North side of Virginia Avenue, 125' West of Woodward Avenue, (518 Virginia Avenue)
DATE AND TIME: Tuesday, December 3, 1985 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 on the Petition for Special Hearing under Section 500.7 for the nonconforming use as a two apartment dwelling. Being the property of Scottie D. McDonald, et al 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 above or made at the hearing. By Order Of: ARNOLD JABLON, Zoning Commissioner of Baltimore County Nov. 14, 1985

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Settlement shall be on or before 30 days from the date of this contract.

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to be good and merchantable, free of liens and encumbrances except as specified herein and except: Use and occupancy restrictions of public

utility records assessments for public utilities and any other easements which may be observed by an inspection of the property.

Ground rent, rent, water rent, taxes, including Metropolitan District charges for sewer and water, if any, and all other public charges,

on an annual basis, against the premises shall be apportioned as of date of settlement, at which time possession shall be given, and the

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The herein described property is to be held at the risk of the Seller except as to damages arising from accidental fire or other insurable

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This Contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall be bound by

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WITNESSES TO BUYER'S SIGNATURE Mary Lou McDonald (SEAL)

District 15th Date of Posting 11/18/85

Posted for: Seaciel Hearing

Petitioner: Scottie R. McDonald, et al

Location of property: 125' W. of Woodward Ave. 518 Virginia Ave.

Location of Sign: Facing Virginia Ave. approx 15' from corner

on property of Baltimore

Remarks: _____

Posted by: M. J. H. H. H. Date of return: 11/18/85

Number of Signs: 1

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 15th Date of Posting 11/18/85

Posted for: Seaciel Hearing

Petitioner: Scottie R. McDonald, et al

Location of property: 125' W. of Woodward Ave. 518 Virginia Ave.

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Posted by: M. J. H. H. H. Date of return: 11/18/85

Number of Signs: 1

Petition For Special Hearing

15th Election District

LOCATION: North side of Virginia Avenue, 125' West of Woodward Avenue, 518 Virginia Avenue

DATE AND TIME: Tuesday, December 3, 1985 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 on the Petition for Special Hearing under Section 500.7 for the nonconforming use as a two apartment dwelling.

Being the property of Scottie D. McDonald, et al 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

Seaciel Hearing

11/18/85

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