

Granted
5/2/85

MAP RE-7D
36
E.D. 14
DATE 1-8-87
200
1000
DP

RECEIVED BY THE CLERK OF BALTIMORE COUNTY
86-261-SPH
148

1-8-87
86-261-SPH
148

86-261-SPH
148

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 800.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

TO CONTINUE AN EXISTING LEGAL NON-CONFORMING USE FOR A 3 UNIT DWELLING

MAP RE-7D
36
E.D. 14
DATE 1-8-87
200
1000

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: _____
Signature

Address: _____
(Type or Print Name)

City and State: _____
Signature

Attorney for Petitioner: _____
(Type or Print Name)

Address: _____
Phone No. _____
City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
Name _____
Address _____
Phone No. _____

Attorney's Telephone No.: _____
Address _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 20th day of _____ 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 106, County Office Building in Towson, Baltimore County, on the _____ 23rd day of _____ 1985, at 10:00 o'clock.

Carl J. J...
Zoning Commissioner of Baltimore County.



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-SPH

Dear Mr. Smith:

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

Very truly yours,

Jeann M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMJ:hg

Attachments

cc: People's Counsel

Ms. Joan Burke
7809 Wilson Avenue
Baltimore, Md. 21234

Ms. Becky Crisp
7809 Wilson Avenue
Apartment B
Baltimore, Md. 21234

Zoning Description

Beginning at a point on the southeast side of Wilson Avenue, 140' northeast of Linwood Avenue and known as lots 115, 116 and 117 of Taylor Heights and recorded among the land records of Baltimore County in Plat Book 6, Folio 171. Also known as 7809 Wilson Avenue.

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-SPH

The Petitioner herein requests a special hearing for approval to continue an existing legal nonconforming use for a three-apartment dwelling.

Testimony by the Petitioner indicated that he purchased the property in 1979 from a real estate listing specifying three apartments (Petitioner's Exhibit 6) and has so utilized it since that time. He submitted a December 23, 1985 letter from the Baltimore County Department of Permits and Licenses stating that in March 1937 the fixtures installed were two water closets, two lavatories, one tub and one kitchen sink, a letter which the Petitioner contends indicated two apartments. A December 13, 1985 letter from the Baltimore County Office of Finance referred to a 1947 plumbing permit for two water closets, two lavatories, two tubs, two kitchen sinks and a laundry tub, a letter which the Petitioner put in evidence for the existence of at least three apartments by 1947. A neighbor, who can see the site from her home, testified in support of the Petitioner. She stated that the upstairs floor of the single family home was converted to an apartment sometime between 1947 and 1951 and the two story frame building has been continuously utilized as two apartments since that time. Two persons appeared in protest, a tenant of the building and a nearby neighbor who has inhabited her current residence since 1965. The latter testified that from 1965 to 1970 the first floor was inhabited by the owner's family, the second floor apartment was rented, and the basement was utilized as a basement with laundry facilities. In 1970 her husband helped partition parts of the basement and installed a powder room to be used as an office for the family's

PETITION FOR SPECIAL HEARING
14th Election District

LOCATION: East side of Wilson Avenue, 140 feet Northeast of Linwood Avenue (7809 Wilson Avenue)

DATE AND TIME: Monday, December 23, 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 to continue an existing legal non-conforming use for a three apartment dwelling.

Being the property of Richard C. Smith, Jr. 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

business. Shortly thereafter and until at least 1976, the first floor apartment was rented as well as the second floor apartment. First the owners, then another family, utilized the entire house for a period of time temporarily before the Petitioner purchased the property. For short periods of time in the late 1970's the sons of one family, and later two men, used the basement as a sleeping area but not as an apartment.

In the opinion of the Deputy Zoning Commissioner, the evidence and testimony indicated that the property has been used continuously as a two-apartment dwelling since prior to 1951 according to testimony, and prior to 1947 according to a letter (Petitioner's Exhibit 3) and, therefore, a nonconforming use exists for a two-apartment dwelling. It appears that a third apartment was not established until the late 1970's.

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 and would not be detrimental to the health, safety and general welfare of the community, and, therefore, should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 26th day of December, 1985, that the herein Petition for Special Hearing to continue an existing legal nonconforming use for a two-apartment dwelling of the dimensions shown on the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

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

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson
Ave.), 14th District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-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 26th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Richard C. Smith, Jr., 7809 Wilson Ave., Parkville, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 17, 1985

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Parkville, Maryland 21234

Re: Petition for Special Hearing
E/S Wilson Ave., 140' NE of Linwood Ave.
(7809 Wilson Avenue)
14th Election District
Richard C. Smith, Jr. - Petitioner
Case No. 86-261-SPH

Dear Mr. Smith:

This is to advise you that \$50.15 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 until the time it is placed by self.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012462
DATE 12/21/85 ACCOUNT 86-261-SPH
AMOUNT \$ 50.15
RECEIVED FROM Richard C. Smith, Jr.
FOR Petition for Special Hearing
B 8017 *****501114 22746
VALIDATION OR SIGNATURE OF CASHIER

Petition for Special Hearing

LOCATION: East side of Wilson Avenue, 140' NE of Linwood Avenue (7809 Wilson Avenue)
DATE: December 17, 1985
PUBLIC HEARING: Hearing at County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by resolution of the Board of Appeals and Regulations of Baltimore County, will hold a public hearing on the petition for Special Hearing to consider an existing lot nonconforming use for three apartment dwellings, being the property of Richard C. Smith, Jr., 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 appeal for a stay of the issuance of said permit during this period for good cause shown. Any request must be received in writing by the date above specified, not above or made at the hearing.
BY ORDER OF
Arnold Jarlon
Zoning Commissioner
Baltimore County

The Times

Middle River, Md., Dec 5 1985

This is to certify that the annexed was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 5th day of Dec 1985

By Order of
Arnold Jarlon
Zoning Commissioner
Baltimore County

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 14th
Posted for: Special Hearing
Petitioner: Richard C. Smith, Jr.
Location of property: E/S Wilson Ave., 140' NE of Linwood Ave., 7809 Wilson Ave.
Location of Sign: 7809 Wilson Ave., across E. road, or property of Petitioner
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1
Date of return: 12/21/85

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 5 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 December 5, 1985.

THE JEFFERSONIAN

18th Street
Publisher

Cost of Advertising
22.00

PETITION FOR SPECIAL HEARING

LOCATION: East side of Wilson Avenue, 140' NE of Linwood Avenue (7809 Wilson Avenue)
DATE: December 17, 1985
PUBLIC HEARING: Hearing at County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by resolution of the Board of Appeals and Regulations of Baltimore County, will hold a public hearing on the petition for Special Hearing to consider an existing lot nonconforming use for three apartment dwellings, being the property of Richard C. Smith, Jr., 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 appeal for a stay of the issuance of said permit during this period for good cause shown. Any request must be received in writing by the date above specified, not above or made at the hearing.
By Order of
Arnold Jarlon
Zoning Commissioner
Baltimore County

November 21, 1985
Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Parkville, Maryland 21234
NOTICE OF HEARING
Re: Petition for Special Hearing
E/S Wilson Ave., 140' NE of Linwood Avenue
(7809 Wilson Avenue)
14th Election District
Richard C. Smith, Jr. - Petitioner
Case No. 86-261-SPH
TIME: 10:00 a.m.
DATE: Monday, December 23, 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. 012763
DATE 12-16-85 ACCOUNT 86-261-SPH
AMOUNT \$ 10.00
RECEIVED FROM [Signature]
FOR E/S Wilson Ave., 140' NE of Linwood Ave.
B 8125 *****1003013 21763
VALIDATION OR SIGNATURE OF CASHIER

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
SECTION 8 EXISTING HOUSING PROGRAM
INSPECTION CHECKLIST
NAME OF FAMILY: Becky G. Gage
TENANT ID NO.: [blank]
DATE OF REQUEST: [blank]
INSPECTOR: [Signature]
NEIGHBORHOOD/CENSUS TRACT: [blank]
DATE OF INSPECTION: 4-12-85
TYPE OF INSPECTION: ☒ Initial ☐ Special ☐ Re-inspection
DATE LAST INSPECTION: [blank]
PH: [blank]
A - GENERAL INFORMATION
STREET: 7809 Wilson Ave.
CITY: [blank]
STATE: [blank]
ZIP: [blank]
COUNTY: [blank]
ADDRESS OF INSPECTED UNIT: [blank]
HOUSING TYPE: ☐ Manufactured Home ☐ Single Family Detached ☐ Duplex or Two Family ☐ Row House or Town House ☐ Low Rise: 3 or 4 stories, including Garden Apartment ☐ High Rise: 5 or more stories ☐ Congregate ☐ Cooperative ☐ Independent Group Residence ☒ Other
NAME OF OWNER OR AGENT AUTHORIZED TO LEASE UNIT INSPECTED: Richard Smith
PHONE NO.: 882-5257
ADDRESS OF OWNER OR AGENT: 7809 Wilson Ave.
B - SUMMARY DECISION ON UNIT (To be completed after form has been filled out)
SECTION 8 OCCUPANCY STANDARD
No. of rooms used for sleeping (for could be used if unit is vacant): 1
C - INSPECTION CHECKLIST
ITEM NO. 1. LIVING ROOM YES NO IN-CONC. COMMENT FINAL APPROV/INITIAL/DATE
1.1 Living Room Present ☒ ☐ ☐
1.2 Electricity ☒ ☐ ☐
1.3 Electrical Hazards ☒ ☐ ☐
1.4 Security ☒ ☐ ☐
1.5 Window Condition ☒ ☐ ☐
1.6 Ceiling Condition ☒ ☐ ☐
1.7 Wall Condition ☒ ☐ ☐
1.8 Floor Condition ☒ ☐ ☐
1.9 Lead Paint ☒ ☐ ☐
HUD-52500 (9-81)

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3353
S. ERIC DINENNA
ZONING COMMISSIONER
Ms. Shirley DeShong
Friend Realty, Inc.
1818 Pot Spring Road
Timonium, Maryland 21093
February 12, 1979
RE: Zoning Approval for
Two Family Dwelling
7805 Wilson Avenue -
9th Election District
Dear Ms. DeShong:
Reference is made to your letter of January 17, 1979, requesting verification of the above property.
The subject property is currently zoned Density, Residential (D.R. 5.5) and, as such, would not permit a two-family dwelling. However, based upon the affidavits submitted to this office establishing the use of the structure as a two family dwelling since 1955, it appears that the property in question is a legal, nonconforming use. This approval is subject, however, to a future challenge to the contrary and would result in a public hearing, at which time you would be required to provide further proof.
If you have any further questions, please do not hesitate to contact this office.
Very truly yours,
S. ERIC DINENNA
Zoning Commissioner
cc: Mr. George J. Martinak, Deputy Zoning Commissioner
Mr. James E. Dyer, Zoning Supervisor

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610
TED ZALESKI, JR.
DIRECTOR
December 23, 1985
Richard C. Smith
7809 Wilson Avenue
Baltimore, Maryland 21234
Mr. Smith,
According to our records in Baltimore County we show the following:
The property known as 7809 Wilson Avenue was tied into the Metropolitan sewer system on March 2, 1937. At that time the fixtures installed were: 2 water closets, 2 lavatories, 1 bath tub and 1 kitchen sink.
If I can be of further assistance please call me at 494-3614.
Sincerely,
Debbie Power
Office Engineering Assistant I
cc: Pauline Pocos
File

BALTIMORE COUNTY
OFFICE OF FINANCE
TOWSON, MARYLAND 21204
494-2480
ANNETTE GRIM
DIRECTOR
December 13, 1985
Mr. Richard Smith
7809 Wilson Avenue
Baltimore, Maryland 21234
Dear Mr. Smith:
A check with the records of our office shows that a plumbing permit for two (2) water closets, two (2) lavatories, two (2) bath tubs, two (2) kitchen sinks and one (1) laundry tray was applied for on December 29, 1947 for your property at 7809 Wilson Avenue, known as Baltimore County Property No. 14-11-017870. The number of the permit was 36014.
Kind regards,
Ronald C. Powers
Public Service Estimator
Metropolitan District Financing
RC:la

Mr. Richard Smith
7809 Wilson Avenue
Parkville, Md. 21234

Dear Mr. Smith:

This is to certify that as a former resident of 7809 Wilson Avenue, Parkville, Md., in the early 1940's, there were at least two apartments in existence there since 1947, approximately.

Very Truly yours,

Mrs. Mildred Coleman

Mrs. Mildred Coleman

216 Nicodemus Road
Reisterstown, Md. 21136
September 21, 1985

Mr. Richard Smith
7809 Wilson Avenue
Parkville, Md. 21234

Dear Mr. Smith:

This is to certify that, as a former resident of 7809 Wilson Avenue, Parkville, Maryland, there were at least two apartments in existence there prior to 1951.

Sincerely, *William E. Murray*
9-7-85
782 Powhatan Beach Rd.
Baltimore, Md. 21122

William E. Murray
(301) 255-7051 (tel.)

782 Powhatan Beach Rd.
Baltimore, Md. 21122
September 7, 1985

NO.	DATE	DESCRIPTION	AMOUNT	DATE	DESCRIPTION	AMOUNT
1	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
2	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
3	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
4	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
5	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
6	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
7	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
8	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
9	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
10	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00

MERCANTILE MORTGAGE CORPORATION

January 31, 1979

Mr. Richard Smith, Jr.
8303 Harris Avenue
Baltimore, MD 21234

Property: 7809 Wilson Avenue
Baltimore, MD 21234

Dear Mr. Smith:

We are pleased to advise you that we have approved a first mortgage loan on the above referenced property. Our obligation to make this loan is specifically conditioned upon the terms and conditions of this letter, including the General Conditions printed on the reverse side of this letter, and upon those contained in Exhibit "A" attached hereto and referenced below:

Loan Amount: \$42,900 Loan Type: VA Loan Term: 30 years

Rate: 9.5 % per annum, subject to Exhibit "A", Condition No. 2

Purchase Price of Property: \$42,900 P & I: \$360.79

In Fee: (x) Ground Rent: () \$

Origination Fee Paid by Borrower: \$ 429 Discount Paid by Seller: \$1287 (3%)

Exhibit "A" Conditions: A1, A2, A6, A9

Special Conditions:

It is our understanding that title to the property will be taken in the name(s) of Richard Carroll Smith, Jr. If this is not correct, please notify us immediately. Each person must be present at the time of settlement.

Settlement will be conducted by Title Guarantee Company in

to arrange a settlement date with them. We require an exact date and time of settlement to be part of your written acceptance of this commitment. Please allow enough time for the Title Insurance Binder and Property Location Survey to reach our office. (See General Conditions on the reverse side of this page.)

Upon receipt of your written acceptance of this commitment, which should be made within seven (7) working days from the date of this letter, this commitment will become effective and will remain in effect until February 21, 1979. If your written response is not received by February 15, 1979, this commitment will automatically expire.

We appreciate this opportunity to assist you in the financing of your home.

Should you have any questions, please call us at 237-5882.

Very truly yours,
Nancy Hauprich n.
Nancy Hauprich (Mrs.)
Administrative Officer

ND/ON
CC Title Guarante
Friend Realty
Majestic Services

TWO HOPKINS PLAZA / P.O. BOX 7027 / BALTIMORE, MARYLAND 21203 / 301-237-5888

E - INSPECTION SUMMARY (OPTIONAL)	
PROVIDE A SUMMARY DESCRIPTION OF EACH ITEM WHICH RESULTED IN A RATING OF FAIL OR PASS WITH COMMENTS.	TENANT ID NO. DATE OF INSPECTION
INSPECTION TYPE OF INSPECTION ADDRESS OF INSPECTED UNIT	INSPECTION TYPE OF INSPECTION ADDRESS OF INSPECTED UNIT
ITEM NO.	REASON FOR "FAIL" RATING OR COMMENTS
6.7	No HANDRAIL ON ENTRANCE STEPS
	PASS 4-15-85

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500
PAUL H. REINCKE
CHIEF

November 18, 1985

Mr. Richard Smith
7809 Wilson Avenue
Baltimore, Maryland 21234

Dear Mr. Smith:

On November 12, 1985, Inspector James H. Boyd investigated Complaint 85-752, regarding the lack of fire escapes at the above address.

Inspector Boyd found that the stairway leading to the second floor apartment was enclosed and led directly to the outside. This is an approved exit for apartment buildings of three (3) stories or less, according to the 1976 Life Safety Code, and does not require the installation of fire escapes.

If you have any further questions regarding this matter, please contact this office at 494-3028.

Very truly yours,

William F. Brady
William F. Brady, Captain
Fire Prevention Bureau
INVESTIGATIVE SERVICES

Application No. H-98059

LOAN 5992 PAGE 17

VA Form 26-316 (Home Loan)
Jan 1977, the revised
Section 1010, File 18 U.S.C.
Acceptable in Federal National
Mortgage Association.

Baltimore, MARYLAND

DEED OF TRUST

This Deed, made this 21st day of February, 1979, by and between

RICHARD CARROLL SMITH, JR.
7809 Wilson Avenue, Baltimore, Maryland 21234

TO 25-79 1532634 ****1500
TO 25-79 1532632 ****1500
party of the first part, and ROBERT E. VOELKEL, JR. and EDWARD J. MURN, Trustees,
as hereinafter set forth, party of the second part:

WHEREAS, the party of the first part is justly indebted unto MERCANTILE MORTGAGE CORPORATION, a Maryland Corporation, whose Post Office address is 2 Hopkins Plaza, P. O. Box 17027, Baltimore, Maryland 21201;

a corporation organized and existing under the laws of the State of Maryland, in the principal sum of FORTY-TWO THOUSAND NINE HUNDRED AND 00/100THS Dollars (\$42,900.00), with interest from date at the rate of nine and one-half per centum (9 1/2%) per annum on the unpaid balance until paid, for which amount the said party has signed and delivered a certain promissory note bearing even date herewith and payable in monthly installments of Three Hundred Sixty and 79/100ths Dollars (\$360.79), commencing on the first day of April, 1979, and continuing on the first day of each month thereafter until the principal and interest are fully paid, except that the final payment of principal and interest, if not sooner paid, shall be due and payable on the first day of March, 2009.

The hereinafter described property having been purchased in whole or in part with the sums secured hereby. AND WHEREAS, the party of the first part desires to secure the prompt payment of said debt, and interest thereon, when and as the same shall become due and payable, and all costs and expenses incurred in respect thereto, including reasonable counsel fees incurred or paid by the said party of the second part or substituted Trustee, or by any person hereby secured, on account of any litigation at law or in equity which may arise in respect to this trust or the property hereinafter mentioned, and of all money which may be advanced as provided herein, with interest on all such costs and advances from the date thereof.

Now, THEREFORE, THIS INDENTURE WITNESSETH, that the party of the first part, in consideration of the premises, and of one dollar, lawful money of the United States of America, to him in hand paid by the party of the second part, the receipt of which, before the making and delivery of these presents, is hereby acknowledged, has granted, sold, conveyed, and does hereby grant and convey unto the party of the second part, as Trustee, its successors and assigns, the following described land and premises, situate in the county of Baltimore and State of Maryland, to wit:

BEING KNOWN AND DESIGNATED as Lots Nos. 115, 116 and 117, as shown on the Plat of "Taylor Heights", which Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 6, page 171. The improvements thereon being known as No. 7809 Wilson Avenue.

BEING the same lots of ground which by Deed, dated of even date herewith and recorded or intended to be recorded among the Land Records of Baltimore County, immediately prior hereto, from William C. Eschenbach, III and Lynn A. Eschenbach, his wife, unto Richard Carroll Smith, Jr., the within named party of the first part, together with all the improvements in anywise appertaining, and all the estate, right, title, interest, claim, either at law or in equity, or otherwise, however, of the party of the first part, of, in, to, or out of the land and premises; and all fixtures now or hereafter attached to or used in connection with the premises herein described and in addition thereto the following described household appliances, which are, and shall be deemed to be, fixtures and a part of the realty, and are a portion of the security for the indebtedness herein mentioned; specifically including 3 stoves (2 gas and 1 electric) 3 refrigerators, fireplace artificial, fenced-in back yard, 2200 service.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer Date: October 17, 1985

FROM: James H. Thompson

Item No. 148
SUBJECT: Richard Carroll Smith, Jr., Petitioner

The Subject Petition is an active violation, Case No. C-86-45. When scheduled for a hearing, please notify: Becky Crisp
7809 Wilson Avenue
Baltimore, Maryland 21234

Case No. 86-361-572

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 20th day of November, 1985.

Petitioner: Richard Carroll Smith, Jr.
Chairman, Zoning Advisory Committee
Received by: *James E. Dyer*
Zoning Commissioner

Case No. 96-261-SPH
Item No. 148
Date: January 24, 1986
E/S Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr., Petitioner

SPH to continue an existing legal non-conforming use for a 3 apt. dwelling.
Copy of Petition

2. Copy of Description of Property

3. Copy of Certificate of Posting (1 Sign)

4. Copy of Certificates of Publication

5. Copy of Zoning Advisory Committee Comments

6. Copy of Comments from the Director of Planning

7. Planning Board Comments and Accompanying Map

8. Copy of Order to Enter Appearance

9. Copy of Order - ~~Existing~~ Deputy Zoning Commissioner - 12/26/85,
GRANTED.

10. Copy of Plat of Property

11. 200' Scale Location Plan

12. 1000' Scale Location Plan

13. Memorandum in Support of Petition

14. Letter(s) from Protestant(s)

15. Letter(s) from Petitioner(s)

16. Protestants' Exhibits to

17. Petitioners' Exhibits 1 to 10

18. Letter of Appeal, 1/23/86 by Richard C. Smith, Jr.

*Mr. Richard C. Smith, Jr. Petitioner
7809 Wilson Avenue
Baltimore, MD 21234

Ms. Joan Burke
7809 Wilson Avenue
Baltimore, MD 21234

Ms. Becky Crisp
7809 Wilson Avenue
Baltimore, MD 21234

THOMAS J. BOLLINGER, Esq.

Phyllis C. Friedman, Esquire

Norman E. Gerber

James Hoswell

Arnold Jablon

Jean M. H. Jung

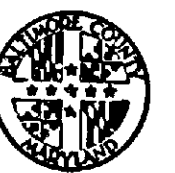
James E. Dyer

Dominick Garcia, Esq.

Dunkirk Bldg.
Dundalk, Md. 21222

Counsel for Petitioner

RECEIVED
COUNTY BOARD OF APPEALS
JAN 24 1986



County Board of Appeals of Baltimore County

Room 200 Court House

Towson, Maryland 21204

(301) 494-3180

July 25, 1986

Dominick Garcia, Esq.
Dunkirk Bldg.
Dundalk, Md. 21222

Dear Mr. Garcia:

Re: Case No. 86-261-SPH
Richard C. Smith, Jr.

Enclosed herewith is a copy of the Order of Dismissal
passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June W. Holmen, Secretary

Encl.
cc: Richard C. Smith, Jr.
Joan Burke
Norman E. Gerber
James Hoswell
Arnold Jablon
Jean Jung
James Dyer
Thomas J. Bollinger, Esq.

IN THE MATTER OF
THE APPLICATION OF
RICHARD C. SMITH, JR.
FOR SPECIAL HEARING
ON PROPERTY LOCATED ON
THE EAST SIDE OF WILSON AVE.,
140 FT. NORTHEAST OF LINWOOD
AVE. (7809 WILSON AVENUE)
14th DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY

No. 86-261-SPH

ORDER OF DISMISSAL

Petition of Richard C. Smith, Jr., for a Special Hearing to
continue an existing legal non-conforming use for a three apartment dwelling
on property located on the east side of Wilson Avenue, 140 feet northeast of
Linwood Avenue, (7809 Wilson Avenue), in the 14th Election District of Baltimore
County.

WHEREAS, the Board of Appeals is in receipt of a letter of
dismissal of Petition filed July 24, 1986, a copy of which is attached hereto
and made a part hereof, from the attorney representing the Petitioner in the
above entitled case, and

WHEREAS, the said attorney for the said Petitioner requests that
the Petition filed on behalf of said Petitioner be withdrawn as of July 24, 1986.

IT IS HEREBY ORDERED, this 25th day of July, 1986, that said
Petition be and the same is withdrawn and dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

Patricia Phipps

Lawrence E. Schmidt

Law Office of
FRIEDMAN, PACHINO & GARCIA

DUNKIRK BUILDING
DUNDALK, MARYLAND 21222

COUNSEL
IRVIN S. FRIEDMAN

AREA CODE 301
284-9080
289-0000

July 22, 1986

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204

Re: Richard C. Smith, Jr.
Case No. 86-261-SPH

Dear Sir:

Please be advised that I, on behalf of Richard C. Smith, Jr. am requesting
that the above-captioned Appeal scheduled for July 24, 1986 be dismissed.

Thank you for your courtesy and cooperation.

Very truly yours,

Dominick A. Garcia

DAG/jeg

CC: Tom Bollinger, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
JUL 24 1986

7809 Wilson Avenue
Baltimore, Md. 21234
January 23, 1986

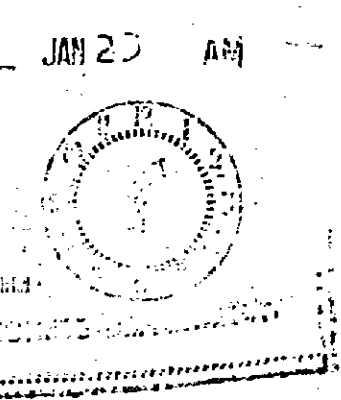
Baltimore County
Board of Appeals
Old Court House, Room 200
Towson, Maryland 21204

Dear Sirs:

I am serving notice this date that I wish to appeal the
Zoning decision made on December 26, 1985, Case No. 86-
261-SPH. Thank you.

Sincerely,

Richard C. Smith, Jr.



7809 Wilson Avenue
Baltimore, Md. 21234
January 23, 1986

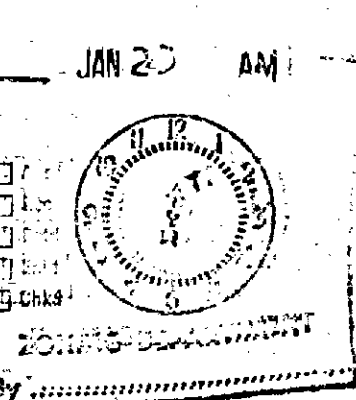
Baltimore County
Board of Appeals
Old Court House, Room 200
Towson, Maryland 21204

Dear Sirs:

I am serving notice this date that I wish to appeal the
Zoning decision made on December 26, 1985, Case No. 86-
261-SPH. Thank you.

Sincerely,

Richard C. Smith, Jr.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 016188
DATE 1/27/86
ACCOUNT R-01-615-000
AMOUNT \$ 80.00
RECEIVED BY Richard C. Smith, Jr.
APPEAL Fee for Case No. 86-261-SPH
VALIDATION OR SIGNATURE OF CARRIER

3/7/86 - Following notified of hearing set for Thurs. July 3, 1986, at 10 a.m.

Richard Smith
Joan Burke
Becky Crisp
Phyllis Friedman
W. Gerber, J. Hoswell
A. Jablon, J. Jung, J. Dyer

Postponed 6-19-86
by Mr. Hackett
(in case)

6/19/86 - Above notified of appeal hearing scheduled for THURSDAY, JULY 24, 1986 at 10 a.m.

Also, Dominick Garcia, Esq., Counsel for Petitioner
(Removed Becky Crisp from file as returned mail indicated that
she had moved and left no forwarding address)

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 27, 1986

Phyllis C. Friedman, Esquire
People's Counsel for Baltimore County
Room 223, Courthouse
Towson, MD 21204

RE: PETITION FOR SPECIAL HEARING
E/S Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-SPH

Dear Ms. Friedman:

Please be advised that an appeal has been filed by the Petitioner,
Mr. Richard C. Smith, Jr., from the decision rendered by the Deputy
Zoning Commissioner of Baltimore County in the above referenced matter.

You will be notified of the date and time of the appeal hearing
when it is scheduled by the County Board of Appeals.

Sincerely,

Arnold Jablon

Zoning Commissioner

AJ:bg

cc: Mr. Richard C. Smith, Jr.
Ms. Joan Burke
Ms. Becky Crisp

NOTE: People's Counsel referred DECISION to
County Attorney on 1-2-86. Petitioner for special
hearing for (nonconforming use) is not within
our jurisdiction.

Shirley M. Huan
Legal Assistant
People's Counsel

Granted
5/2/85

MAP REC-7D
36
E.D. 14
DATE 1-8-87
200
1000
DP

RECEIVED BY THE CLERK OF THE BALTIMORE COUNTY ZONING COMMISSION
86-261-SPH
148



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-SPH

Dear Mr. Smith:

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

Very truly yours,

Jeann M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMJ:bg

Attachments

cc: People's Counsel

Ms. Joan Burke
7809 Wilson Avenue
Baltimore, Md. 21234

Ms. Becky Crisp
7809 Wilson Avenue
Baltimore, Md. 21234

86-261-SPH
148

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 800.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

TO CONTINUE AN EXISTING LEGAL NON-CONFORMING USE FOR A 3 UNIT DWELLING

MAP REC-7D
36
E.D. 14
DATE 1-8-87
200
1000

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):
Richard C. Smith, Jr.
(Type or Print Name)
Richard C. Smith, Jr.
Signature

Address

(Type or Print Name)

City and State

Signature

Attorney for Petitioner:

7809 Wilson Ave. 862-5259
Address
Parkville, MD. 21234
City and State

Signature

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

Address

Name

City and State

Name

Attorney's Telephone No.:

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of November, 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 106, County Office Building in Towson, Baltimore County, on the 23rd day of December, 1985, at 10:00 o'clock

Carl Jung
Zoning Commissioner of Baltimore County

(over)

Zoning Description

Beginning at a point on the southeast side of Wilson Avenue, 140' northeast of Linwood Avenue and known as lots 115, 116 and 117 of Taylor Heights and recorded among the land records of Baltimore County in Plat Book 6, Folio 171. Also known as 7809 Wilson Avenue.

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-SPH

The Petitioner herein requests a special hearing for approval to continue an existing legal nonconforming use for a three-apartment dwelling.

Testimony by the Petitioner indicated that he purchased the property in 1979 from a real estate listing specifying three apartments (Petitioner's Exhibit 6) and has so utilized it since that time. He submitted a December 23, 1985 letter from the Baltimore County Department of Permits and Licenses stating that in March 1937 the fixtures installed were two water closets, two lavatories, one tub and one kitchen sink, a letter which the Petitioner contends indicated two apartments. A December 13, 1985 letter from the Baltimore County Office of Finance referred to a 1947 plumbing permit for two water closets, two lavatories, two tubs, two kitchen sinks and a laundry tub, a letter which the Petitioner put in evidence for the existence of at least three apartments by 1947. A neighbor, who can see the site from her home, testified in support of the Petitioner. She stated that the upstairs floor of the single family home was converted to an apartment sometime between 1947 and 1951 and the two story frame building has been continuously utilized as two apartments since that time.

Two persons appeared in protest, a tenant of the building and a nearby neighbor who has inhabited her current residence since 1965. The latter testified that from 1965 to 1970 the first floor was inhabited by the owner's family, the second floor apartment was rented, and the basement was utilized as a basement with laundry facilities. In 1970 her husband helped partition parts of the basement and installed a powder room to be used as an office for the family's

PETITION FOR SPECIAL HEARING

14th Election District

LOCATION: East side of Wilson Avenue, 140 feet Northeast of Linwood Avenue (7809 Wilson Avenue)

DATE AND TIME: Monday, December 23, 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 to continue an existing legal non-conforming use for a three apartment dwelling.

Being the property of Richard C. Smith, Jr. 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

business. Shortly thereafter and until at least 1976, the first floor apartment was rented as well as the second floor apartment. First the owners, then another family, utilized the entire house for a period of time temporarily before the Petitioner purchased the property. For short periods of time in the late 1970's the sons of one family, and later two men, used the basement as a sleeping area but not as an apartment.

In the opinion of the Deputy Zoning Commissioner, the evidence and testimony indicated that the property has been used continuously as a two-apartment dwelling since prior to 1951 according to testimony, and prior to 1947 according to a letter (Petitioner's Exhibit 3) and, therefore, a nonconforming use exists for a two-apartment dwelling. It appears that a third apartment was not established until the late 1970's.

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 and would not be detrimental to the health, safety and general welfare of the community, and, therefore, should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 26th day of December, 1985, that the herein Petition for Special Hearing to continue an existing legal nonconforming use for a two-apartment dwelling of the dimensions shown on the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

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

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson
Ave.), 14th District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-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 26th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Richard C. Smith, Jr., 7809 Wilson Ave., Parkville, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

ORDER RECEIVED FOR FILING

DATE 12-26-85
BY *Carl Jung*
ADMINISTRATIVE ASSISTANT



ARNOLD JARLON
ZONING COMMISSIONER

JEAN A. H. JUNG
DEPUTY ZONING COMMISSIONER

December 17, 1985

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Parkville, Maryland 21234

Re: Petition for Special Hearing
E/S Wilson Ave., 140' NE of Linwood Ave.
(7809 Wilson Avenue)
14th Election District
Richard C. Smith, Jr. - Petitioner
Case No. 86-261-SPH

Dear Mr. Smith:

This is to advise you that \$50.15 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 until the time it is placed by self.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012462
DATE 12/21/85 ACCOUNT 86-261-SPH
AMOUNT \$ 50.15
RECEIVED FROM Richard C. Smith, Jr.
FOR Pet. of Special Hearing
B 8017 *****501114 22746
VALIDATION OR SIGNATURE OF CASHIER

Petitioner
For Special Hearing
14th Election District
LOCATION: East side of Wilson Avenue, 140' NE of Linwood Avenue (7809 Wilson Avenue)
DATE: December 17, 1985
PUBLIC HEARING: Hearing on the Petition for Special Hearing will be held at the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, on Monday, December 23, 1985, at 10:00 a.m.
The Zoning Commissioner of Baltimore County, by resolution of the Board of Appeals and Zoning Commission, will hold a public hearing on the Petition for Special Hearing to determine whether the proposed use is a use permitted by the zoning ordinance. The hearing will be held at the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, on Monday, December 23, 1985, at 10:00 a.m.
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. Any request must be received in writing by the date above specified or at the hearing.
BY ORDER OF
Arnold Jarlon
Zoning Commissioner
Baltimore County

The Times

Middle River, Md., Dec 5 1985

This is to certify that the annexed was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 5th day of December, 1985.

By Order of
James P. Smith
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 14th
Posted for: Special Hearing
Petitioner: Richard C. Smith, Jr.
Location of property: E/S Wilson Ave., 140' NE of Linwood Ave., 7809 Wilson Ave.
Location of Sign: 7809 Wilson Ave., 140' NE of Linwood Ave., 7809 Wilson Ave.
Remarks: Petitioner's Office
Posted by: M. J. Smith
Number of Signs: 1
Date of return: 12/21/85

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 5 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 December 5, 1985.

THE JEFFERSONIAN

18th Street
Publisher

Cost of Advertising
22.00

PETITION FOR SPECIAL HEARING
14th Election District
LOCATION: East side of Wilson Avenue, 140' NE of Linwood Avenue (7809 Wilson Avenue)
DATE: December 17, 1985
PUBLIC HEARING: Hearing on the Petition for Special Hearing will be held at the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, on Monday, December 23, 1985, at 10:00 a.m.
The Zoning Commissioner of Baltimore County, by resolution of the Board of Appeals and Zoning Commission, will hold a public hearing on the Petition for Special Hearing to determine whether the proposed use is a use permitted by the zoning ordinance. The hearing will be held at the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, on Monday, December 23, 1985, at 10:00 a.m.
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. Any request must be received in writing by the date above specified or at the hearing.
By Order of
Arnold Jarlon
Zoning Commissioner
Baltimore County

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Parkville, Maryland 21234

November 21, 1985

NOTICE OF HEARING

Re: Petition for Special Hearing
E/S Wilson Ave., 140' NE of Linwood Avenue
(7809 Wilson Avenue)
14th Election District
Richard C. Smith, Jr. - Petitioner
Case No. 86-261-SPH

TIME: 10:00 a.m.

DATE: Monday, December 23, 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. 012763
DATE 12-21-85 ACCOUNT 86-261-SPH
AMOUNT \$ 10.00
RECEIVED FROM Richard C. Smith, Jr.
FOR Pet. of Special Hearing
B 8125 *****1003011 21763
VALIDATION OR SIGNATURE OF CASHIER

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
SECTION 8 EXISTING HOUSING PROGRAM
INSPECTION CHECKLIST
NAME OF FAMILY: Becky G. Goss
TENANT ID NO.:
DATE OF REQUEST:
INSPECTOR: C. Smith
NEIGHBORHOOD/CENSUS TRACT: 4-12-85
DATE OF INSPECTION:
TYPE OF INSPECTION: ☒ Initial ☐ Special ☐ Re-inspection
DATE LAST INSPECTION:
PH: A - GENERAL INFORMATION
STREET: 7809 Wilson Ave.
CITY:
STATE: ZIP:
COUNTY:
ADDRESS OF INSPECTED UNIT:
HOUSING TYPE: ☐ Manufactured Home ☐ Single Family Detached ☐ Duplex or Two Family ☐ Row House or Town House ☐ Low Rise: 3 or 4 stories, including Garden Apartment ☐ High Rise: 5 or more stories ☐ Congregate ☐ Cooperative ☐ Independent Group Residence ☒ Other
NAME OF OWNER OR AGENT AUTHORIZED TO LEASE UNIT INSPECTED: Richard Smith
PHONE NO.: 882-5257
ADDRESS OF OWNER OR AGENT: 7809 Wilson Ave.
B - SUMMARY DECISION ON UNIT (To be completed after form has been filled out)
SECTION 8 OCCUPANCY STANDARD
No. of rooms used for sleeping (for could be used if unit is vacant): 1
INSPECTION CHECKLIST
ITEM NO. 1. LIVING ROOM YES NO IN- COMMENT FINAL APPROV/ INITIAL/DATE
1.1 Living Room Present ☒ ☐ ☐
1.2 Electricity ☒ ☐ ☐
1.3 Electrical Hazards ☒ ☐ ☐
1.4 Security ☒ ☐ ☐
1.5 Window Condition ☒ ☐ ☐
1.6 Ceiling Condition ☒ ☐ ☐
1.7 Wall Condition ☒ ☐ ☐
1.8 Floor Condition ☒ ☐ ☐
1.9 Lead Paint ☒ ☐ ☐
HUD-52500 (9-81)

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
494-3353

S. ERIC DINENNA
ZONING COMMISSIONER

Ms. Shirley DeShong
Friend Realty, Inc.
1818 Pot Spring Road
Timonium, Maryland 21093

Dear Ms. DeShong:

Reference is made to your letter of January 17, 1979, requesting verification of the above property.

The subject property is currently zoned Density, Residential (D.R. 5.5) and, as such, would not permit a two-family dwelling. However, based upon the affidavits submitted to this office establishing the use of the structure as a two family dwelling since 1955, it appears that the property in question is a legal, nonconforming use. This approval is subject, however, to a future challenge to the contrary and would result in a public hearing, at which time you would be required to provide further proof.

If you have any further questions, please do not hesitate to contact this office.

Approved: 12/21/85
S. ERIC DINENNA
Zoning Commissioner

cc: Mr. George J. Martinak, Deputy Zoning Commissioner
Mr. James E. Dyer, Zoning Supervisor

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

December 23, 1985

Richard C. Smith
7809 Wilson Avenue
Baltimore, Maryland 21234
Mr. Smith,

According to our records in Baltimore County we show the following:

The property known as 7809 Wilson Avenue was tied into the Metropolitan sewer system on March 2, 1937. At that time the fixtures installed were: 2 water closets, 2 lavatories, 1 bath tub and 1 kitchen sink.

If I can be of further assistance please call me at 494-3614.

Sincerely,

Debbie Power
Office Engineering Assistant I

cc: Pauline Pooz
File

BALTIMORE COUNTY
OFFICE OF FINANCE
TOWSON, MARYLAND 21204
494-2480

ANNETTE GRIM
DIRECTOR

December 13, 1985

Mr. Richard Smith
7809 Wilson Avenue
Baltimore, Maryland 21234
Dear Mr. Smith:

A check with the records of our office shows that a plumbing permit for two (2) water closets, two (2) lavatories, two (2) bath tubs, two (2) kitchen sinks and one (1) laundry tray was applied for on December 29, 1947 for your property at 7809 Wilson Avenue, known as Baltimore County Property No. 14-11-017870. The number of the permit was 36014.

Kind regards,

Ronald C. Smith
Public Service Estimator
Metropolitan District Financing

RC:la

Mr. Richard Smith
7809 Wilson Avenue
Parkville, Md. 21234

Dear Mr. Smith:

This is to certify that as a former resident of 7809 Wilson Avenue, Parkville, Md., in the early 1940's, there were at least two apartments in existence there since 1947, approximately.

Very Truly yours,

Mrs. Mildred Coleman

Mrs. Mildred Coleman

216 Nicodemus Road
Reisterstown, Md. 21136
September 21, 1985

Mr. Richard Smith
7809 Wilson Avenue
Parkville, Md. 21234

Dear Mr. Smith:

This is to certify that, as a former resident of 7809 Wilson Avenue, Parkville, Maryland, there were at least two apartments in existence there prior to 1951.

Sincerely, *William E. Murray*
9-7-85
782 Powhatan Beach Rd.
Baltimore, Md. 21122
2/1/22

William E. Murray
(301) 255-7051 (tel.)

782 Powhatan Beach Rd.
Baltimore, Md. 21122
September 7, 1985

NO.	DATE	DESCRIPTION	AMOUNT	DATE	DESCRIPTION	AMOUNT
1	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
2	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
3	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
4	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
5	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
6	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
7	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
8	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
9	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00
10	10/1/85	PAID TO RICHARD SMITH, JR.	100.00	10/1/85	PAID TO RICHARD SMITH, JR.	100.00

MERCANTILE MORTGAGE CORPORATION

January 31, 1979

Mr. Richard Smith, Jr.
8303 Harris Avenue
Baltimore, MD 21234

Property: 7809 Wilson Avenue
Baltimore, MD 21234

Dear Mr. Smith:

We are pleased to advise you that we have approved a first mortgage loan on the above referenced property. Our obligation to make this loan is specifically conditioned upon the terms and conditions of this letter, including the General Conditions printed on the reverse side of this letter, and upon those contained in Exhibit "A" attached hereto and referenced below:

Loan Amount: \$42,900 Loan Type: VA Loan Term: 30 years

Rate: 9.5 % per annum, subject to Exhibit "A", Condition No. 2
Purchase Price of Property: \$42,900 P & I: \$ 360.79

In Fee: (x) Ground Rent: () \$
Origination Fee Paid by Borrower: \$ 429 Discount Paid by Seller: \$1287 (3%)

Exhibit "A" Conditions: A1, A2, A6, A9

Special Conditions:
1. Subject to receipt of statement of approval from Local Zoning Dept. that building is in conformity with Local Building and Zoning requirements for two units.

It is our understanding that title to the property will be taken in the name(s) of Richard Carroll Smith, Jr. If this is not correct, please notify us immediately. Each person must be present at the time of settlement.

Settlement will be conducted by Title Guarantee Company in Baltimore, MD. Please ask your sales representative or agent to arrange a settlement date with them. We require an exact date and time of settlement to be part of your written acceptance of this commitment. Please allow enough time for the Title Insurance Binder and Property Location Survey to reach our office. (See General Conditions on the reverse side of this page.)

Upon receipt of your written acceptance of this commitment, which should be made within seven (7) working days from the date of this letter, this commitment will become effective and will remain in effect until February 21, 1979. If your written response is not received by February 15, 1979, this commitment will automatically expire.

We appreciate this opportunity to assist you in the financing of your home. Should you have any questions, please call us at 237-5882.

Very truly yours,
Nancy Hauprich n.
Nancy Hauprich (Mrs.)
Administrative Officer

ND/ON
CC Title Guarantee
Friend Realty
Majestic Services

TWO HOPKINS PLAZA / P.O. BOX 7027 / BALTIMORE, MARYLAND 21203 / 301-237-5888

E - INSPECTION SUMMARY (OPTIONAL)	
PROVIDE A SUMMARY DESCRIPTION OF EACH ITEM WHICH RESULTED IN A RATING OF FAIL OR PASS WITH COMMENTS.	TENANT ID NO. _____ DATE OF INSPECTION 12-22-85 INSPECTION BY _____ TYPE OF INSPECTION ☒ Initial ☐ Special ☐ Reinspection ADDRESS OF INSPECTED UNIT 7809 WILSON RD
ITEM NO.	REASON FOR "FAIL" RATING OR COMMENTS
6.7	No HANDRAIL ON ENTRANCE STEPS PASS 4-15-86

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500
PAUL H. REINCKE
CHIEF

November 18, 1985

Mr. Richard Smith
7809 Wilson Avenue
Baltimore, Maryland 21234

Dear Mr. Smith:

On November 12, 1985, Inspector James H. Boyd investigated Complaint 85-752, regarding the lack of fire escapes at the above address.

Inspector Boyd found that the stairway leading to the second floor apartment was enclosed and led directly to the outside. This is an approved exit for apartment buildings of three (3) stories or less, according to the 1976 Life Safety Code, and does not require the installation of fire escapes.

If you have any further questions regarding this matter, please contact this office at 494-3028.

Very truly yours,

William F. Brady
William F. Brady, Captain
Fire Prevention Bureau
INVESTIGATIVE SERVICES

Application No. H-98059

LEEN 5992 PAGE 17

VA Form 24-316 (Home Loan)
Jan 1977, Use Revised
Section 1116, Title 38 U.S.C.
Acceptable to Federal National
Mortgage Association.

Baltimore, MARYLAND

DEED OF TRUST

This Deed, made this 21st day of February, 1979, by and between

RICHARD CARROLL SMITH, JR.
7809 Wilson Avenue, Baltimore, Maryland 21234

TO 25-79 1532634 ****1500
TO 25-79 1532632 ****1500
party of the first part, and ROBERT E. VOELKEL, JR. and EDWARD J. MURN, Trustees,
as hereinafter set forth, party of the second part:

WHEREAS, the party of the first part is justly indebted unto MERCANTILE MORTGAGE CORPORATION, a Maryland Corporation, whose Post Office address is 2 Hopkins Plaza, P. O. Box 17027, Baltimore, Maryland 21201;

and WHEREAS, a corporation organized and existing under the laws of the State of Maryland, in the principal sum of FORTY-TWO THOUSAND NINE HUNDRED AND 00/100THS Dollars (\$42,900.00), with interest from date at the rate of nine and one-half per centum (9 1/2%) per annum on the unpaid balance until paid, for which amount the said party has signed and delivered a certain promissory note bearing even date here- with and payable in monthly installments of Three Hundred Sixty and 79/100ths Dollars (\$360.79), commencing on the first day of April, 1979, and continuing on the first day of each month thereafter until the principal and interest are fully paid, except that the final payment of principal and interest, if not sooner paid, shall be due and payable on the first day of March, 2009.

The hereinafter described property having been purchased in whole or in part with the sums secured hereby, AND WHEREAS, the party of the first part desires to secure the prompt payment of said debt, and interest thereon, when and as the same shall become due and payable, and all costs and expenses incurred in respect thereto, including reasonable counsel fees incurred or paid by the said party of the second part or substituted Trustee, or by any person hereby secured, on account of any litigation at law or in equity which may arise in respect to this trust or the property hereinafter mentioned, and of all money which may be advanced as provided herein, with interest on all such costs and advances from the date thereof.

Now, THEREFORE, THIS INDENTURE WITNESSETH, that the party of the first part, in consideration of the premises, and of one dollar, lawful money of the United States of America, to him in hand paid by the party of the second part, the receipt of which, before the making and delivery of these presents, is hereby acknowledged, has granted, sold, conveyed, and does hereby grant and convey unto the party of the second part, as Trustee, its successors and assigns, the following described land and premises, situate in the county of Baltimore and State of Maryland, to wit:

BEING KNOWN AND DESIGNATED as Lots Nos. 115, 116 and 117, as shown on the Plat of "Taylor Heights", which Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 6, page 171. The improvements thereon being known as No. 7809 Wilson Avenue.

BEING the same lots of ground which by Deed, dated of even date herewith and recorded or intended to be recorded among the Land Records of Baltimore County,

Immediately prior hereto, from William C. Eschenbach, III and Lynn A. Eschenbach, his wife, unto Richard Carroll Smith, Jr., the within named party of the first part, together with all the improvements in anywise appertaining, and all the estate, right, title, interest, claim, either at law or in equity, or otherwise, however, of the party of the first part, of, in, to, or out of the land and premises; and all fixtures now or hereafter attached to or used in connection with the premises herein described and in addition thereto the following described household appliances, which are, and shall be deemed to be, fixtures and a part of the realty, and are a portion of the security for the indebtedness herein mentioned; specifically including 3 stoves (2 gas and 1 electric) 3 refrigerators, fireplace artificial, fenced-in back yard, 2200 service.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer Date: October 17, 1985

FROM: James H. Thompson

Item No. 148
SUBJECT: Richard Carroll Smith, Jr., Petitioner

The Subject Petition is an active violation, Case No. C-86-45. When scheduled for a hearing, please notify: Becky Crisp
7809 Wilson Avenue
Baltimore, Maryland 21234

Case No. 86-361-572

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 20th day of November, 1985.

Petitioner: Richard Carroll Smith, Jr.
Zoning Commissioner: *James E. Dyer*
Chairman, Zoning Advisory Committee: *James E. Dyer*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Norman E. Gerber, AICP
FROM: Director of Planning and Zoning
SUBJECT: Zoning Petition No. 86-261-SPH

Date: November 26, 1985

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

Norman E. Gerber, AICP
Director

NEG:JGH:elm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 6, 1985

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

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Parkville, Maryland 21234

RE: Item No. 148 - Case No. 86-261-SPH
Petitioner - Richard C. Smith, Jr.
Special Hearing Petition

Dear Mr. Smith:

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
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3311
NORMAN E. GERBER
DIRECTOR

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

NOVEMBER 25, 1985

Re: Zoning Advisory Meeting of OCTOBER 29, 1985
Item # 148
Property Owner: RICHARD CARROLL SMITH, JR.
Location: SE side of WILSON AVE. 140' NE of LINWOOD AVE.

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 applicable.

- (X) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (X) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A rear plot will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- (X) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on _____.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- (X) The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and as conditions change re-evaluation annually by the County Council.
- (X) Additional comments: _____.

ANY FUTURE EXPANSION OF SITE MUST COMPLY TO ALL APPLICABLE COUNTY REGULATIONS AND STANDARDS.

cc: James Howell

Eugene A. Bober
Chief, Current Planning and Development

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

PAUL H. REINCKE
CHIEF

November 20, 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: Richard Carroll Smith, Jr.

Location: SE side of Wilson Avenue, 140' NE of Linwood Avenue

Item No.: 148

Zoning Agenda: Meeting of October 29, 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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (X) 2. A second means of vehicle access is required for the site.
- (X) 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 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.
- (X) 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *Paul H. Reincke*
Planning Group
Special Inspection Division

Noted and Approved: *John F. O'Neill*
Fire Prevention Bureau

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 5, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 148 Zoning Advisory Committee Meeting are as follows:

Property Owner: Richard Carroll Smith, Jr.
Location: SE Side of Wilson Avenue, 140 feet NE of Linwood Avenue
District: 114th.

APPLICABLE ITEMS ARE CHECKED:

- (X) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- (X) A building and other miscellaneous permits shall be required before the start of any construction.
- (X) 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.
- (X) Commercial: Three sets of construction drawings needed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable.
- (X) All Two Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 The 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 101.7, Section 101.8 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- (X) 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.
- (X) The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- (X) 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 plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The design of the structure may vary from the _____ to the _____ or Fixed Use _____.
- (X) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached elevations above sea level for the 1st and the finish floor levels including basement.
- (X) Comments: Section 103.0 as amended by Council Bill #17-85 would be applicable.
- (X) 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 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

1/21/85

By: C. E. Burman, Chief
Building Plans Review

Charles E. Burman

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

November 15, 1985

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

Item No. -ZAC-
Meeting of October 29, 1985
148
Property Owner: Richard Carroll Smith, Jr.
Location: SE side of Wilson Avenue, 140 ft NE of Linwood Ave.
D.R. 5.5
Existing Zoning: Special Hearing to continue an existing legal nonconforming use for a 3 apartment dwelling

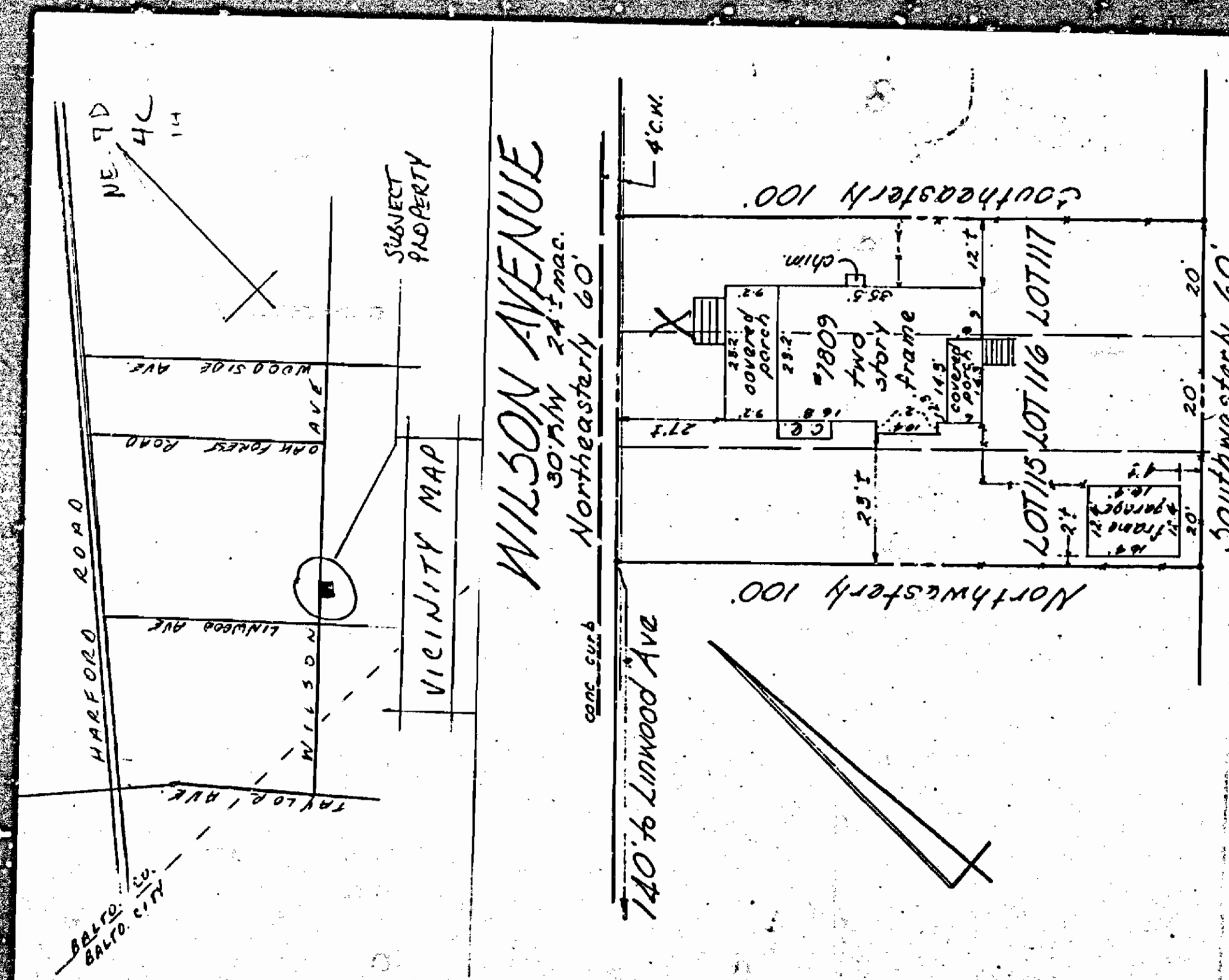
Acres: .137
District: 14th

Dear Mr. Jablon:

This item should provide off street parking for the 3 apartments.

Michael S. Planigan
Michael S. Planigan
Traffic Engineer Associate II

MSF/bld



PLAN FOR SPECIAL HEARING
OWNER - RICHARD C. SMITH, JR.
DISTRICT 14th, ZONE D.R. 5.5
SUBDIVISION - TAYLOR HEIGHTS
LOTS 115, 116, 117, LIBER 5234, FOLIO 236
EXISTING UTILITIES IN WILSON AVE.
SCALE: 1" = 20'

Case No. 96-261-SPH
Item No. 148
Date: January 24, 1986
E/S Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr., Petitioner

SPH to continue an existing legal non-conforming use for a 3 apt. dwelling.
Copy of Petition

1. Copy of Description of Property
2. Copy of Certificate of Posting (1 Sign)
3. Copy of Certificates of Publication
4. Copy of Zoning Advisory Committee Comments
5. Copy of Comments from the Director of Planning
6. Planning Board Comments and Accompanying Map
7. Copy of Order to Enter Appearance
8. Copy of Order - ~~Existing~~ Deputy Zoning Commissioner - 12/26/85, GRANTED.
9. Copy of Plat of Property
10. 200' Scale Location Plan
11. 1000' Scale Location Plan
12. Memorandum in Support of Petition
13. Letter(s) from Protestant(s)
14. Letter(s) from Petitioner(s)
15. Protestants' Exhibits to
16. Petitioners' Exhibits 1 to 10
17. Letter of Appeal, 1/23/86 by Richard C. Smith, Jr.

*Mr. Richard C. Smith, Jr. Petitioner
7809 Wilson Avenue
Baltimore, MD 21234

Ms. Joan Burke
7809 Wilson Avenue
Baltimore, MD 21234

Ms. Becky Crisp
7809 Wilson Avenue
Baltimore, MD 21234

Phyllis C. Friedman, Esquire
People's Counsel for Baltimore County
Room 223, Courthouse
Towson, MD 21204

James E. Gerber
Request Notification

James Hoswell
Request Notification

Arnold Jablon
Request Notification

Jean M. H. Jung
Request Notification

James E. Dyer
Request Notification

Dominick Garcia, Esq.
Dunkirk Bldg.
Dundalk, Md. 21222
Counsel for Petitioner



County Board of Appeals of Baltimore County

Room 200 Court House

Towson, Maryland 21204

(301) 494-3180

July 25, 1986

Dominick Garcia, Esq.
Dunkirk Bldg.
Dundalk, Md. 21222

Dear Mr. Garcia:

Re: Case No. 86-261-SPH
Richard C. Smith, Jr.

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June W. Holmen
June W. Holmen, Secretary

Encl.

cc: Richard C. Smith, Jr.

Joan Burke

Norman E. Gerber

James Hoswell

Arnold Jablon

Jean Jung

James Dyer

Thomas J. Bollinger, Esq.

IN THE MATTER OF
THE APPLICATION OF
RICHARD C. SMITH, JR.
FOR SPECIAL HEARING
ON PROPERTY LOCATED ON
THE EAST SIDE OF WILSON AVE.,
140 FT. NORTHEAST OF LINWOOD
AVE. (7809 WILSON AVENUE)
14th DISTRICT

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 86-261-SPH

ORDER OF DISMISSAL

Petition of Richard C. Smith, Jr., for a Special Hearing to continue an existing legal non-conforming use for a three apartment dwelling on property located on the east side of Wilson Avenue, 140 feet northeast of Linwood Avenue, (7809 Wilson Avenue), in the 14th Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of Petition filed July 24, 1986, a copy of which is attached hereto and made a part hereof, from the attorney representing the Petitioner in the above entitled case, and

WHEREAS, the said attorney for the said Petitioner requests that the Petition filed on behalf of said Petitioner be withdrawn as of July 24, 1986.

IT IS HEREBY ORDERED, this 25th day of July, 1986, that said Petition be and the same is withdrawn and dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Patricia Phipps
Patricia Phipps

Lawrence E. Schmidt
Lawrence E. Schmidt

Law Office of
FRIEDMAN, PACHINO & GARCIA
DUNKIRK BUILDING
DUNDALK, MARYLAND 21222

July 22, 1986

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204

Re: Richard C. Smith, Jr.
Case No. 86-261-SPH

Dear Sir:

Please be advised that I, on behalf of Richard C. Smith, Jr. am requesting that the above-captioned Appeal scheduled for July 24, 1986 be dismissed.

Thank you for your courtesy and cooperation.

Very truly yours,

Dominick A. Garcia
Dominick A. Garcia

DAG/jeg

CC: Tom Bollinger, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
JUL 24 1986

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JUL 24 1986

Granted
5/2/85

MAP RE-7D
36
E.D. 14
DATE 1-8-87
200
1000
DP

RECEIVED BY THE CLERK OF BALTIMORE COUNTY
86-261-SPH
148

1-8-87
86-261-SPH
148

86-261-SPH
148

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 800.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

TO CONTINUE AN EXISTING LEGAL NON-CONFORMING USE FOR A 3 UNIT DWELLING

MAP RE-7D
36
E.D. 14
DATE 1-8-87
200
1000

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: _____
Signature

Address: _____
(Type or Print Name)

City and State: _____
Signature

Attorney for Petitioner: _____
(Type or Print Name)

Address: _____
Phone No. _____
City and State: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
Name _____
Address _____
Phone No. _____

Attorney's Telephone No.: _____
Address _____
Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 20th day of _____ 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 106, County Office Building in Towson, Baltimore County, on the _____ 23rd day of _____ 1985, at 10:00 o'clock.

Carl J. J...
Zoning Commissioner of Baltimore County.



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-SPH

Dear Mr. Smith:

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

Very truly yours,

Jeann M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMJ:hg

Attachments

cc: People's Counsel

Ms. Joan Burke
7809 Wilson Avenue
Baltimore, Md. 21234

Ms. Becky Crisp
7809 Wilson Avenue
Apartment B
Baltimore, Md. 21234

Zoning Description

Beginning at a point on the southeast side of Wilson Avenue, 140' northeast of Linwood Avenue and known as lots 115, 116 and 117 of Taylor Heights and recorded among the land records of Baltimore County in Plat Book 6, Folio 171. Also known as 7809 Wilson Avenue.

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson Ave.)
14th Election District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-SPH

The Petitioner herein requests a special hearing for approval to continue an existing legal nonconforming use for a three-apartment dwelling.

Testimony by the Petitioner indicated that he purchased the property in 1979 from a real estate listing specifying three apartments (Petitioner's Exhibit 6) and has so utilized it since that time. He submitted a December 23, 1985 letter from the Baltimore County Department of Permits and Licenses stating that in March 1937 the fixtures installed were two water closets, two lavatories, one tub and one kitchen sink, a letter which the Petitioner contends indicated two apartments. A December 13, 1985 letter from the Baltimore County Office of Finance referred to a 1947 plumbing permit for two water closets, two lavatories, two tubs, two kitchen sinks and a laundry tub, a letter which the Petitioner put in evidence for the existence of at least three apartments by 1947. A neighbor, who can see the site from her home, testified in support of the Petitioner. She stated that the upstairs floor of the single family home was converted to an apartment sometime between 1947 and 1951 and the two story frame building has been continuously utilized as two apartments since that time. Two persons appeared in protest, a tenant of the building and a nearby neighbor who has inhabited her current residence since 1965. The latter testified that from 1965 to 1970 the first floor was inhabited by the owner's family, the second floor apartment was rented, and the basement was utilized as a basement with laundry facilities. In 1970 her husband helped partition parts of the basement and installed a powder room to be used as an office for the family's

PETITION FOR SPECIAL HEARING
14th Election District

LOCATION: East side of Wilson Avenue, 140 feet Northeast of Linwood Avenue (7809 Wilson Avenue)

DATE AND TIME: Monday, December 23, 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 to continue an existing legal non-conforming use for a three apartment dwelling.

Being the property of Richard C. Smith, Jr. 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

business. Shortly thereafter and until at least 1976, the first floor apartment was rented as well as the second floor apartment. First the owners, then another family, utilized the entire house for a period of time temporarily before the Petitioner purchased the property. For short periods of time in the late 1970's the sons of one family, and later two men, used the basement as a sleeping area but not as an apartment.

In the opinion of the Deputy Zoning Commissioner, the evidence and testimony indicated that the property has been used continuously as a two-apartment dwelling since prior to 1951 according to testimony, and prior to 1947 according to a letter (Petitioner's Exhibit 3) and, therefore, a nonconforming use exists for a two-apartment dwelling. It appears that a third apartment was not established until the late 1970's.

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 and would not be detrimental to the health, safety and general welfare of the community, and, therefore, should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 26th day of December, 1985, that the herein Petition for Special Hearing to continue an existing legal nonconforming use for a two-apartment dwelling of the dimensions shown on the plan submitted and filed herein, is hereby GRANTED, from and after the date of this Order.

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

RE: PETITION FOR SPECIAL HEARING
E/S of Wilson Ave., 140' NE of
Linwood Ave. (7809 Wilson
Ave.), 14th District
Richard C. Smith, Jr.,
Petitioner
Case No. 86-261-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 26th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Richard C. Smith, Jr., 7809 Wilson Ave., Parkville, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 17, 1985

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Parkville, Maryland 21234

Re: Petition for Special Hearing
E/S Wilson Ave., 140' NE of Linwood Ave.
(7809 Wilson Avenue)
14th Election District
Richard C. Smith, Jr. - Petitioner
Case No. 86-261-SPH

Dear Mr. Smith:

This is to advise you that \$50.15 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 until the time it is placed by self.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 012462
DATE 12/21/85 ACCOUNT 86-261-SPH
AMOUNT \$ 50.15
RECEIVED FROM Richard C. Smith, Jr.
FOR Petition for Special Hearing
B 8017 *****501114 22746
VALIDATION OR SIGNATURE OF CASHIER

Petition for Special Hearing

LOCATION: East side of Wilson Avenue, 140' NE of Linwood Avenue (7809 Wilson Avenue)
DATE: December 17, 1985
PUBLIC HEARING: Hearing at County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by resolution of the Board of Appeals and Regulations of Baltimore County, will hold a public hearing on the petition for Special Hearing to consider an existing lot nonconforming use for three apartment dwellings on the property of Richard C. Smith, Jr. 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 appeal for a stay of the issuance of said permit during this period for good cause shown. Any request must be received in writing by the date above specified or above or made at the hearing.
BY ORDER OF
Arnold Jarlon
Zoning Commissioner
Baltimore County

The Times

Middle River, Md., Dec 5 1985
This is to certify that the annexed was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 5th day of Dec 1985
James P. Smith
Publisher

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 14th
Posted for: Special Hearing
Petitioner: Richard C. Smith, Jr.
Location of property: E/S Wilson Ave., 140' NE of Linwood Ave., 7809 Wilson Ave.
Location of Sign: 7809 Wilson Ave., across E. road, or property of Petitioner
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1
Date of return: 12/21/85

November 21, 1985

Mr. Richard C. Smith, Jr.
7809 Wilson Avenue
Parkville, Maryland 21234

NOTICE OF HEARING

Re: Petition for Special Hearing
E/S Wilson Ave., 140' NE of Linwood Avenue
(7809 Wilson Avenue)
14th Election District
Richard C. Smith, Jr. - Petitioner
Case No. 86-261-SPH
TIME: 10:00 a.m.
DATE: Monday, December 23, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 5 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 December 5, 1985.

THE JEFFERSONIAN

Publisher
Cost of Advertising
22.00

PETITION FOR SPECIAL HEARING

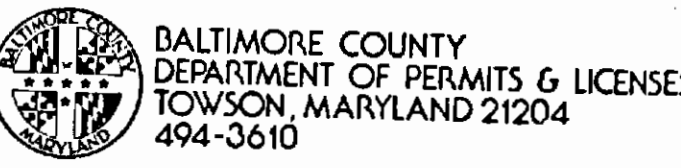
LOCATION: East side of Wilson Avenue, 140' NE of Linwood Avenue (7809 Wilson Avenue)
DATE: December 17, 1985
PUBLIC HEARING: Hearing at County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by resolution of the Board of Appeals and Regulations of Baltimore County, will hold a public hearing on the petition for Special Hearing to consider an existing lot nonconforming use for three apartment dwellings on the property of Richard C. Smith, Jr. 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 appeal for a stay of the issuance of said permit during this period for good cause shown. Any request must be received in writing by the date above specified or above or made at the hearing.
By Order of
Arnold Jarlon
Zoning Commissioner
Baltimore County

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

No. 012763
DATE 12-21-85 ACCOUNT 86-261-SPH
AMOUNT \$ 50.15
RECEIVED FROM [Signature]
FOR E/S Wilson Ave., 140' NE of Linwood Ave.
B 8125 *****1003013 21763
VALIDATION OR SIGNATURE OF CASHIER

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
SECTION 8 EXISTING HOUSING PROGRAM
INSPECTION CHECKLIST
NAME OF FAMILY: Becky G. Gage
TENANT ID NO.: [blank]
DATE OF REQUEST: [blank]
INSPECTOR: [Signature]
NEIGHBORHOOD/CENSUS TRACT: [blank]
DATE OF INSPECTION: 4-12-85
TYPE OF INSPECTION: ☒ Initial ☐ Special ☐ Re-inspection
DATE LAST INSPECTION: [blank]
PH: [blank]
A - GENERAL INFORMATION
STREET: 7809 Wilson Ave.
CITY: [blank]
STATE: [blank]
ZIP: [blank]
COUNTY: [blank]
ADDRESS OF INSPECTED UNIT: [blank]
HOUSING TYPE: ☐ Manufactured Home ☐ Single Family Detached ☐ Duplex or Two Family ☐ Row House or Town House ☐ Low Rise: 3 or 4 stories, including Garden Apartment ☐ High Rise: 5 or more stories ☐ Congregate ☐ Cooperative ☐ Independent Group Residence ☒ Other
NAME OF OWNER OR AGENT AUTHORIZED TO LEASE UNIT INSPECTED: Richard Smith
PHONE NO.: 882-5257
ADDRESS OF OWNER OR AGENT: 7809 Wilson Ave.
B - SUMMARY DECISION ON UNIT (To be completed after form has been filled out)
SECTION 8 OCCUPANCY STANDARD
No. of rooms used for sleeping (for could be used if unit is vacant): 1
C - INSPECTION CHECKLIST
ITEM NO. 1. LIVING ROOM YES NO IN- COMMENT FINAL APPROV/ INITIAL/DATE
1.1 Living Room Present ☒ ☐ ☐
1.2 Electricity ☒ ☐ ☐
1.3 Electrical Hazards ☒ ☐ ☐
1.4 Security ☒ ☐ ☐
1.5 Window Condition ☒ ☐ ☐
1.6 Ceiling Condition ☒ ☐ ☐
1.7 Wall Condition ☒ ☐ ☐
1.8 Floor Condition ☒ ☐ ☐
1.9 Lead Paint ☒ ☐ ☐
HUD-52500 (9-81)

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3353
S. ERIC DINENNA
ZONING COMMISSIONER
Ms. Shirley DeShong
Friend Realty, Inc.
1818 Pot Spring Road
Timonium, Maryland 21093
February 12, 1979
RE: Zoning Approval for Two Family Dwelling 7805 Wilson Avenue - 9th Election District
Dear Ms. DeShong:
Reference is made to your letter of January 17, 1979, requesting verification of the above property.
The subject property is currently zoned Density, Residential (D.R. 5.5) and, as such, would not permit a two-family dwelling. However, based upon the affidavits submitted to this office establishing the use of the structure as a two family dwelling since 1955, it appears that the property in question is a legal, nonconforming use. This approval is subject, however, to a future challenge to the contrary and would result in a public hearing, at which time you would be required to provide further proof.
If you have any further questions, please do not hesitate to contact this office.
Very truly yours,
S. ERIC DINENNA
Zoning Commissioner
cc: Mr. George J. Martinak, Deputy Zoning Commissioner
Mr. James E. Dyer, Zoning Supervisor



TED ZALESKI, JR.
DIRECTOR

December 23, 1985

Richard C. Smith
7809 Wilson Avenue
Baltimore, Maryland 21234
Mr. Smith,

According to our records in Baltimore County we show the following:

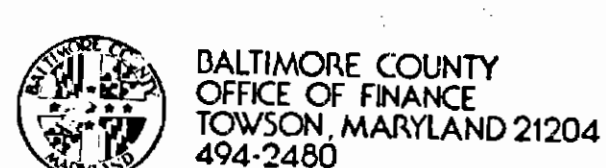
The property known as 7809 Wilson Avenue was tied into the Metropolitan sewer system on March 2, 1937. At that time the fixtures installed were: 2 water closets, 2 lavatories, 1 bath tub and 1 kitchen sink.

If I can be of further assistance please call me at 494-3614.

Sincerely,

[Signature]
Debbie Power
Office Engineering Assistant I

CC: Pauline Pocos
File



ANNETTE GRIM
DIRECTOR

December 13, 1985

Mr. Richard Smith
7809 Wilson Avenue
Baltimore, Maryland 21234
Dear Mr. Smith:

A check with the records of our office shows that a plumbing permit for two (2) water closets, two (2) lavatories, two (2) bath tubs, two (2) kitchen sinks and one (1) laundry tray was applied for on December 29, 1947 for your property at 7809 Wilson Avenue, known as Baltimore County Property No. 14-11-017870. The number of the permit was 36014.

Kind regards,

[Signature]
Ronald C. Powers
Public Service Estimator
Metropolitan District Financing

RC:la

Petitioner Exhibit 2

Petitioner Exhibit 3

Mr. Richard Smith
7809 Wilson Avenue
Parkville, Md. 21234

Dear Mr. Smith:

This is to certify that as a former resident of 7809 Wilson Avenue, Parkville, Md., in the early 1940's, there were at least two apartments in existence there since 1947, approximately.

Very Truly yours,

Mrs. Mildred Coleman

Mrs. Mildred Coleman

216 Nicodemus Road
Reisterstown, Md. 21136
September 21, 1985

Mr. Richard Smith
7809 Wilson Avenue
Parkville, Md. 21234

Dear Mr. Smith:

This is to certify that, as a former resident of 7809 Wilson Avenue, Parkville, Maryland, there were at least two apartments in existence there prior to 1951.

Sincerely, *William E. Murray*
9-7-85
782 Powhatan Beach Rd.
Baltimore, Md. 21122
2/1/22

William E. Murray
(301) 255-7051 (tel.)

782 Powhatan Beach Rd.
Baltimore, Md. 21122
September 7, 1985

NO.	DATE	DESCRIPTION	AMOUNT	DATE	DESCRIPTION	AMOUNT
1	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
2	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
3	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
4	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
5	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
6	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
7	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
8	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
9	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00
10	10/1/85	RECEIVED FROM RICHARD CARROLL SMITH, JR.	1500.00	10/1/85	PAYROLL DEDUCTION	1500.00

MERCANTILE MORTGAGE CORPORATION

January 31, 1979

Mr. Richard Smith, Jr.
8303 Harris Avenue
Baltimore, MD 21234

Property: 7809 Wilson Avenue
Baltimore, MD 21234

Dear Mr. Smith:

We are pleased to advise you that we have approved a first mortgage loan on the above referenced property. Our obligation to make this loan is specifically conditioned upon the terms and conditions of this letter, including the General Conditions printed on the reverse side of this letter, and upon those contained in Exhibit "A" attached hereto and referenced below:

Loan Amount: \$42,900 Loan Type: VA Loan Term: 30 years

Rate: 9.5 % per annum, subject to Exhibit "A", Condition No. 2
Purchase Price of Property: \$42,900 P & I: \$360.79

In Fee: (x) Ground Rent: () \$
Origination Fee Paid by Borrower: \$ 429 Discount Paid by Seller: \$1287 (3%)

Exhibit "A" Conditions: A1, A2, A6, A9

Special Conditions:
1. Subject to receipt of statement of approval from Local Zoning Dept. that building is in conformity with Local Building and Zoning requirements for two units.

It is our understanding that title to the property will be taken in the name(s) of Richard Carroll Smith, Jr. If this is not correct, please notify us immediately. Each person must be present at the time of settlement.

Settlement will be conducted by Title Guarantee Company in Baltimore, MD. Please ask your sales representative or agent to arrange a settlement date with them. We require an exact date and time of settlement to be part of your written acceptance of this commitment. Please allow enough time for the Title Insurance Binder and Property Location Survey to reach our office. (See General Conditions on the reverse side of this page.)

Upon receipt of your written acceptance of this commitment, which should be made within seven (7) working days from the date of this letter, this commitment will become effective and will remain in effect until February 21, 1979. If your written response is not received by February 15, 1979, this commitment will automatically expire.

We appreciate this opportunity to assist you in the financing of your home. Should you have any questions, please call us at 237-5882.

Very truly yours,
Nancy Hauprich n.
Nancy Hauprich (Mrs.)
Administrative Officer

ND/ON
CC Title Guarante
Friend Realty
Majestic Services

TWO HOPKINS PLAZA / P.O. BOX 7027 / BALTIMORE, MARYLAND 21203 / 301-237-5888

E - INSPECTION SUMMARY (OPTIONAL)	
PROVIDE A SUMMARY DESCRIPTION OF EACH ITEM WHICH RESULTED IN A RATING OF FAIL OR PASS WITH COMMENTS.	TENANT ID NO. DATE OF INSPECTION INSPECTION TYPE OF INSPECTION ADDRESS OF INSPECTED UNIT
ITEM NO.	REASON FOR "FAIL" RATING OR COMMENTS
6.7	No HANDRAIL ON ENTRANCE STEPS PASS 4-15-85

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500
PAUL H. REINCKE
CHIEF

November 18, 1985

Mr. Richard Smith
7809 Wilson Avenue
Baltimore, Maryland 21234

Dear Mr. Smith:

On November 12, 1985, Inspector James H. Boyd investigated Complaint 85-752, regarding the lack of fire escapes at the above address.

Inspector Boyd found that the stairway leading to the second floor apartment was enclosed and led directly to the outside. This is an approved exit for apartment buildings of three (3) stories or less, according to the 1976 Life Safety Code, and does not require the installation of fire escapes.

If you have any further questions regarding this matter, please contact this office at 494-3028.

Very truly yours,

William F. Brady
William F. Brady, Captain
Fire Prevention Bureau
INVESTIGATIVE SERVICES

Application No. H-98059

DEED 5992 PAGE 17

VA Form 24-316 (Home Loan)
Set 1977, the revised
Section 1010, File 18 U.S.C.
Acceptable in Federal National
Mortgage Association.

Baltimore, MARYLAND

DEED OF TRUST

This Deed, made this 21st day of February, 1979, by and between

RICHARD CARROLL SMITH, JR.
7809 Wilson Avenue, Baltimore, Maryland 21234

TO 25-79 1532634 ****1500
TO 25-79 1532632 ****1500
party of the first part, and ROBERT E. VOELKEL, JR. and EDWARD J. MURN, Trustees,
as hereinafter set forth, party of the second part:

WHEREAS, the party of the first part is justly indebted unto MERCANTILE MORTGAGE CORPORATION, a Maryland Corporation, whose Post Office address is 2 Hopkins Plaza, P. O. Box 17027, Baltimore, Maryland 21201;

and WHEREAS, a corporation organized and existing under the laws of the State of Maryland, in the principal sum of FORTY-TWO THOUSAND NINE HUNDRED AND 00/100THS Dollars (\$42,900.00), with interest from date at the rate of nine and one-half per centum (9 1/2%) per annum on the unpaid balance until paid, for which amount the said party has signed and delivered a certain promissory note bearing even date here- with and payable in monthly installments of Three Hundred Sixty and 79/100ths Dollars (\$360.79), commencing on the first day of April, 1979, and continuing on the first day of each month thereafter until the principal and interest are fully paid, except that the final payment of principal and interest, if not sooner paid, shall be due and payable on the first day of March, 2009.

The hereinafter described property having been purchased in whole or in part with the sums secured hereby. AND WHEREAS, the party of the first part desires to secure the prompt payment of said debt, and interest thereon, when and as the same shall become due and payable, and all costs and expenses incurred in respect thereto, including reasonable counsel fees incurred or paid by the said party of the second part or substituted Trustee, or by any person hereby secured, on account of any litigation at law or in equity which may arise in respect to this trust or the property hereinafter mentioned, and of all money which may be advanced as provided herein, with interest on all such costs and advances from the date thereof.

Now, THEREFORE, THIS INDENTURE WITNESSETH, that the party of the first part, in consideration of the premises, and of one dollar, lawful money of the United States of America, to him in hand paid by the party of the second part, the receipt of which, before the making and delivery of these presents, is hereby acknowledged, has granted, sold, conveyed, and does hereby grant and convey unto the party of the second part, as Trustee, its successors and assigns, the following described land and premises, situate in the county of Baltimore and State of Maryland, to wit:

BEING KNOWN AND DESIGNATED as Lots Nos. 115, 116 and 117, as shown on the Plat of "Taylor Heights", which Plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 6, page 171. The improvements thereon being known as No. 7809 Wilson Avenue.

BEING the same lots of ground which by Deed, dated of even date herewith and recorded or intended to be recorded among the Land Records of Baltimore County, immediately prior hereto, from William C. Eschenbach, III and Lynn A. Eschenbach, his wife, unto Richard Carroll Smith, Jr., the within named party of the first part, together with all the improvements in anywise appertaining, and all the estate, right, title, interest, claim, either at law or in equity, or otherwise, however, of the party of the first part, of, in, to, or out of the land and premises; and all fixtures now or hereafter attached to or used in connection with the premises herein described and in addition thereto the following described household appliances, which are, and shall be deemed to be, fixtures and a part of the realty, and are a portion of the security for the indebtedness herein mentioned; specifically including 3 stoves (2 gas and 1 electric) 3 refrigerators, fireplace artificial, fenced-in back yard, 2200 service.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer Date: October 17, 1985

FROM: James H. Thompson

Item No. 148
SUBJECT: Richard Carroll Smith, Jr., Petitioner

The Subject Petition is an active violation, Case No. C-86-45. When scheduled for a hearing, please notify: Becky Crisp
7809 Wilson Avenue
Baltimore, Maryland 21234

Case No. 86-361-572

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 20th day of November, 1985.

Petitioner: Richard Carroll Smith, Jr.
Chairman, Zoning and Advisory Committee
Received by: *James E. Dyer*
Zoning Commissioner

