

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 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the proposed use of the property.

The property located at 2505 Yorkway, as a nonconforming use as an apartment building since 1941 with the expansion of 1 additional apartment since 1947.

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 resolutions 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): _____
(Type or Print Name) (Type or Print Name)
Signature _____ Signature _____
Address _____ Address _____
City and State _____ City and State _____
Attorney for Petitioner: _____
(Type or Print Name) _____
Address _____ Phone No. _____
City and State _____
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____ Phone No. _____

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of April, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of May, 1986, at 10:30 o'clock.

Carl J. Jahn
Zoning Commissioner of Baltimore County.

(over)

AFFIDAVIT

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

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

Walter S. Chavlat
AFFIANT (Handwritten Signature)
WALTER S. CHAVLAT
AFFIANT (Printed Name)

I have personal knowledge that the home located at 2505 Yorkway

Dundalk, Maryland 21222 (Address)

has been occupied as a five apartment dwelling since April (month)

1952. I also have personal knowledge that all apartments within the dwelling (year)

have been occupied as such continuously and without interruption of more than one

(1) year during any one period since April (month), 1952 (year). This

personal knowledge is based upon: I have lived in this neighborhood and visited friends at 2505 Yorkway.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20 day of May, 1986, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Mary B. Gorman
NOTARY PUBLIC
My Commission Expires: July 1, 1986

Rev. 12/19/85 - nr

AFFIDAVIT

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

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

Philomila Siskos
AFFIANT (Handwritten Signature)

Philomila Siskos
AFFIANT (Printed Name)

I have personal knowledge that the home located at

2505 Yorkway, Dundalk, Maryland 21222 (Address)

has been occupied as a five (5) apartment dwelling since (two, three, etc.)

January (month), 1954 (year). I also have personal knowledge that all

apartments within the dwelling have been occupied as such continuously and without interruption of more than one (1) year during any one period

since January (month), 1954 (year). This personal knowledge is based upon:

The property was sold to me in January, 1954 as a five (5) apartment dwelling and I continued to rent the subject property as a five (5) apartment dwelling until it was sold on July 7, 1983 to Dr. Vinod K. Bhalla/Madhu Bhalla, his sister.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of February, 1986, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Philomila Siskos, the Affiant, herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.



Manuel M. Pedersen
NOTARY PUBLIC

My Commission Expires: July 1, 1986

Rev. 12/19/85 - nr

SIBREA & BLOOM

ATTORNEYS AT LAW
208 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

JOHN E. SIBREA
MILAN D. BLOOM
SUSAN L. MACDONALD

March 11, 1986

TELEPHONE
(410) 628-0010

Office of Planning and Zoning
Baltimore, Maryland 21204

RE: Request for Special Hearing
Non-Conforming use
2505 Yorkway
Dundalk, Maryland 21222

To Whom It May Concern:

My office has been retained by Dr. Vinod K. Bhalla and Madhu Bhalla, who own 2505 Yorkway, a five apartment building in Dundalk, Election District 12.

The Land Records show that on April 16th, 1940, Dundalk Company purchased Plat No. 4, Liber 596, folio 549, known as 2505 Yorkway. The construction was then conveyed and completed in March/April, 1941. The buildings were then conveyed to the landlords and occupied on or before May 1st, 1961. That between May 1st, 1941 and June 11th, 1947, the original owner, N. V. Gebhart, rented the four apartments on the first and second floor, and expanded the basement area into a large living area and utilized as his personal residence.

That between June of 1947 and January of 1954, John H. Cadwell and Bonnie E. Cadwell owned the said property and rented the five units. The dwelling has been occupied as such continuously and without interruption for more than one year during the above mentioned period.

That between January of 1954 and June 1st, 1964, P. Marcoronis and Philomila Marcoronis owned the said dwelling and rented the five apartments continuously and without interruption for more than one year during the above mentioned period.

That upon the death of P. Marcoronis, the widow remarried and continued ownership of the property as Philomila Siskos after being married to John Siskos in 1955.

That Dr. Vinod K. Bhalla and Madhu Bhalla, his sister, purchased the above property on July 7th, 1983 as a five apartment dwelling from Philomila Siskos and continued to rent all five units, and that the dwelling has been occupied as such continuously and without interruption since July of 1983.

AFFIDAVIT

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

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

Philomila Siskos
AFFIANT (Handwritten Signature)

Philomila Siskos
AFFIANT (Printed Name)

I have personal knowledge that the home located at

2505 Yorkway, Dundalk, Maryland 21222 (Address)

has been occupied as a five (5) apartment dwelling since (two, three, etc.)

January (month), 1954 (year). I also have personal knowledge that all

apartments within the dwelling have been occupied as such continuously and without interruption of more than one (1) year during any one period

since January (month), 1954 (year). This personal knowledge is based upon:

The property was sold to me in January, 1954 as a five (5) apartment dwelling and I continued to rent the subject property as a five (5) apartment dwelling until it was sold on July 7, 1983 to Dr. Vinod K. Bhalla/Madhu Bhalla, his sister.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of February, 1986, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Philomila Siskos, the Affiant, herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.



Manuel M. Pedersen
NOTARY PUBLIC

My Commission Expires: July 1, 1986

Rev. 12/19/85 - nr

AFFIDAVIT

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

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

William B. Bloom
AFFIANT (Handwritten Signature)

William B. Bloom
AFFIANT (Printed Name)

I have personal knowledge that the home located at

Dundalk, Maryland 21222 (Address)

has been occupied as a five (5) apartment dwelling since (two, three, etc.)

January (month), 1954 (year). I also have personal knowledge that all

apartments within the dwelling have been occupied as such continuously and without interruption of more than one (1) year during any one period

since January (month), 1954 (year). This personal knowledge is based upon:

I have lived in this neighborhood and visited friends at 2505 Yorkway.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of February, 1986, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared William B. Bloom, the Affiant, herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

William B. Bloom
NOTARY PUBLIC

My Commission Expires: July 1, 1986

Rev. 12/19/85 - nr

Since the dwelling had been converted to and utilized as a five apartment building between 1941 and 1947, and has now continuously and without interruption been utilized as a five rental unit building, I request that consideration may be given so as to conform to the applicable Zoning Regulations in existence at the present time.

We may further add that Philomila Siskos, only surviving owner of the said dwelling since 1954, is in poor health and unable to personally testify, and has provided a notarized affidavit to support her statement. No other owner/neighbor who have the knowledge of said property are known to be living at this time. Also, William and Dora Roseller, tenants of Apartment C since 1974 and having grown up and lived in the neighborhood, will be able to testify if needed to support their knowledge of the fact that five apartments existed at the said property as early as 1954.

Respectfully submitted,

John E. Sibrea

JES:wh



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
454-0610

April 23, 1986

TED ZALESKI JR.
DIRECTOR

My Affidavit, Certificate of Compliance, Office of Planning and Zoning, County of Baltimore, Maryland, is hereby filed for the record.

Legal Description:

Subject: 2505 Yorkway, Dundalk, Maryland 21222

Property Owner: Vinod K. Bhalla, et ux

Address: 2505 Yorkway, Dundalk, Maryland 21222

Use: 12th.

APPLICABLE CODES AND REGULATIONS:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 100-100.

2. The Maryland Code for the Department of Permits & Licenses, Title 17, Subtitle 10, Chapter 100, shall apply to all structures and standards.

3. A building and other structures shall be required to comply with the standards of the Department of Permits & Licenses.

4. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

5. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

6. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 100-100.

7. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

8. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

9. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

10. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

11. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

12. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

13. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

14. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

15. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

16. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

17. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

18. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

19. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

20. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

21. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

22. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

23. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

24. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

25. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

26. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

27. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

28. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

29. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

30. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

31. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

32. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

33. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

34. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

35. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

36. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

37. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

38. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

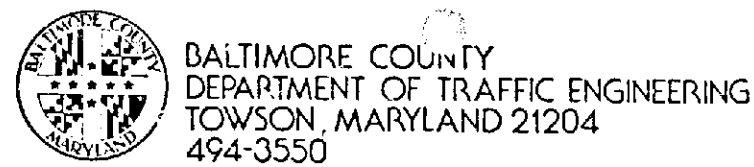
39. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

40. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

41. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

42. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.

43. The Department of Permits & Licenses shall be required to file a permit application, the seal of a Notary Public, and a Certificate of Compliance with the Department of Permits & Licenses.



STEPHEN E. COLLINS
DIRECTOR

April 1, 1986

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

Item No. -ZAC- Meeting of March 25, 1986
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 324, 325, 326, 327, 328, 329, and 330.

MSE/bld



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

Customer Relations Department

March 4, 1986

Dr. Vinod K. Bhalla
12 Glen-Alpine Road
Phoenix, Maryland 21131

RE: 2505 Yorkway

Dear Dr. Bhalla:

Thank you for your recent inquiry concerning the meters at 2505 Yorkway.

Our records indicate a gas meter installation date of April 1, 1959 for Apt D, a gas meter installation date of May 1, 1973 for Apt E, and a gas meter installation date of December 1, 1972 for the Public Service account.

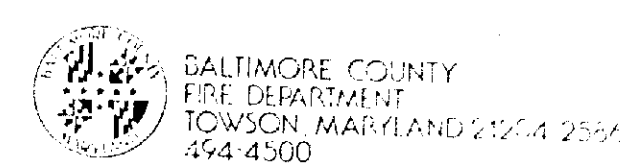
Unfortunately, our records do not go back beyond the above information.

Please call me at 234-5478 if I may be of any further assistance.

Sincerely,

D. Holland
Customer Representative

DH:clc



PAUL H. REINCKE
CHIEF

March 27, 1986

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

Attention: Rick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Vinod K. Bhalla, et ux

Location: NE/S Yorkway, 724.86 feet NW of Lee Way

Item No.: 330

Zoning Advisory Meeting of 3/25/86

Gentlemen:

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

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

REVIEWED: 3/27/86 Noted and Approved: [Signature]
Special Inspection Division Fire Prevention Bureau

/mb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 25, 1986

Mr. & Mrs. Vinod K. Bhalla
12 Glen-Alpine Road
Phoenix, Maryland 21131

RE: Item No. 330 - Case No. 86-471-SPH
Petitioner - Vinod K. Bhalla, et ux
Special Hearing Session

Dear Mr. & Mrs. Bhalla:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the referenced petition. The following comments are not intended to restrict the appropriateness of the zoning action requested, but to ensure that all zoning and code requirements of the City of Baltimore are met. The Department of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the proposed zoning.

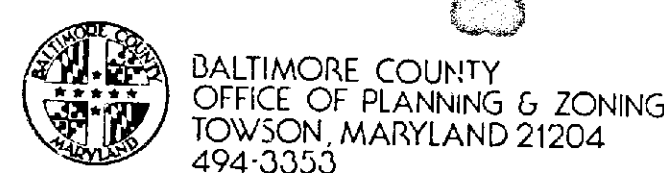
There are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file.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

Very truly yours,

[Signature]

JOHN F. JONES
Chairman, Zoning Plans Advisory Committee

JOHN F. JONES
Chairman
1703 East Johns Road, 21204



ARNOLD JABLON
ZONING COMMISSIONER

June 27, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

John E. Sibrea, Esquire
208 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
NE/S of Yorkway, 724.22' NW
of Lee Way (2505 Yorkway)
Vinod K. Bhalla, et ux

Dear Mr. Sibrea:

It has come to my attention that the bill for the advertising and posting in the above remittance has not been paid.

Please be advised that if I do not receive payment in full within 5 days of the date of this letter, I will not schedule any matter before me in which you are involved in the future.

It bothers me that your office has been contacted by letter and telephone and that we have been ignored.

Sincerely,

Arnold Jablon
Zoning Commissioner

AJ/sz

Re by Mrs. Bhalla
7-11-86

John E. Sibrea, Esquire
208 West Pennsylvania Avenue
Towson, Maryland 21204

April 15, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
NE/S of Yorkway, 724.22' NW of Lee Way
(2505 Yorkway)
12th Election District
Vinod K. Bhalla, et ux - Petitioners
Case No. 86-471-SPH

TIME: 4:00-5:00 p.m. 2:30 p.m.

DATE: Tuesday, May 13, 1986

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

[Signature]
Zoning Commissioner
Baltimore County

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

No. 419284

DATE 6/11/86 ACCOUNT 2505 Yorkway

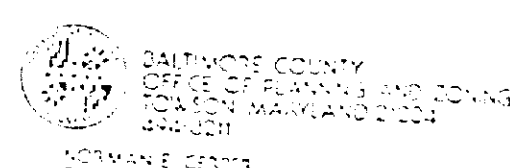
AMOUNT \$ 100.00

RECEIVED FROM Vinod K. Bhalla Md.

FOR Sub. # 330

ICE TO ALL PARTIES

VALIDATION OR SIGNATURE OF CASHIER



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

APRIL 21, 1986

Re: Zoning Advisory Meeting of March 25, 1986
Item # 330 VINOD K. BHALLA, et ux
NE/S Yorkway, 724.86' NW
of Lee Way

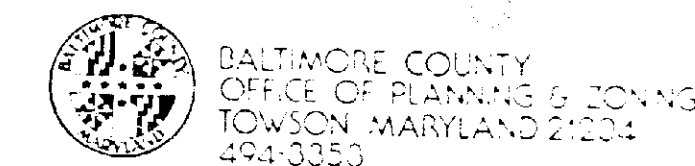
Dear Mr. Jablon:

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

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Board Meeting is required.
- ☒ A County Review Board Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract therefore it is subject to a subdivision. The plan must show the entire tract, to include a full subdivision.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking development is not satisfactory.
- ☒ Planned circulation must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-29 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on _____.
- ☒ The property is located in a residential district and the use of the property is not in accordance with the Baltimore County Zoning Ordinance. A use variance may be issued until a future date.
- ☒ The property is located in a residential district and the use of the property is not in accordance with the Baltimore County Zoning Ordinance. A use variance may be issued until a future date.
- ☒ The property is located in a residential district and the use of the property is not in accordance with the Baltimore County Zoning Ordinance. A use variance may be issued until a future date.

CC: (Baltimore)

George A. Jones
Chief, Current Planning and Development



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

362 11, 1986

The Reverend Eva O'Diam
Dundalk Church of the Brethren
113 Kentway
Baltimore, Maryland 21222

RE: Case No. 86-471-SPH
Vinod K. Bhalla, et ux,
Petitioners

Dear Reverend O'Diam:

I am ready to render a decision in this case. The Petitioner has presented two affidavits in support of the nonconforming use, and the evidence presented indicates that the property enjoys a nonconforming use. Do you have any evidence to the contrary? If you do not, an Order will be issued granting a nonconforming use for a four-apartment dwelling on the subject property.

Sincerely,

[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ/grl

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner
Date: April 30, 1986

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

SUBJECT: Zoning Petition No. 86-471-SPH

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

Norman E. Gerber, AICP
Norman E. Gerber, AICP

WBG/JGH/sf

Description of property 2505 Yorkway, Dundalk, Elec. District 12, Plat. Book 12, Folio 236, Plat. No. 4, Liber. 4251.

BEGINNING for the same at a point on the southwesterly line of Block 8, which is also the northeasterly line of Yorkway, as now laid out, distant seven hundred twenty-four and eighty-six one-hundredths feet (724.86') northeasterly measured along the said southwesterly line of Block 8 from the northwesterly line of Leeway, as now laid out sixty feet wide, all as shown on the plat hereinafter referred to; and running thence North fifty-four degrees forty-six minutes ten seconds east one hundred seven and forty one-hundredths feet (N 54 degrees 46 minutes 10 seconds E 107.40'), part of which distance is intended to be along the center line of a party wall there situate, to intersect the southwesterly line of a fourteen foot alley there situate; thence North forty-six minutes nine seconds west forty-nine and ten one-hundredths feet (N 46 degrees 46 minutes 09 seconds W 49.10'); thence South fifty-four degrees forty-six minutes ten seconds west one hundred three and forty four one-hundredths feet (S 54 degrees 46 minutes 10 seconds W 103.44'), part of which distance is intended to be along the center line of a party wall there situate, to intersect the aforesaid southwesterly line of Block 8; thence to the right with a radius of 1310.00 feet for a distance of forty-nine and one one-hundredth feet (49.01') to the place of beginning. The improvements thereon being known as No. 2505 Yorkway.

5171 B

cc: Millard D. Bloom, Esquire

The Reverend Dan O'Dian

People's Counsel

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th
Posted for: Special Hearing
Petitioner: Vinod K. Bhalla, et ux
Location of property: 2505 Yorkway, Dundalk, Md.
Location of Signs: 2505 Yorkway, Dundalk, Md.
Remarks:
Posted by: Arnold Jablon
Number of Signs: 1
Date of return: 4/30/86

86-471-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

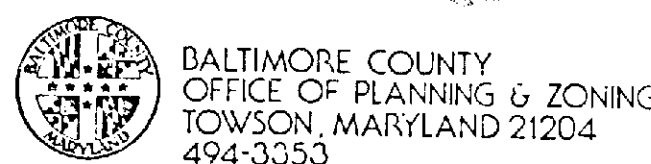
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 14th day of April, 1986.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Vinod K. Bhalla, et ux
Petitioner's Attorney: Received by: James F. Dyer, Chairman
Zoning Plans Advisory Committee

CPS-008



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

May 6, 1986

John E. Sibrea, Esquire
Sibrea & Bloom
208 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S of Yorkway, 724.22' NW of Leeway
(2505 Yorkway)
12th Election District
Vinod K. Bhalla, et ux - Petitioners
Case No. 86-471-SPH

Dear Mr. Sibrea:

This is to advise you that \$68.95 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

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

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

No. 021786

County, Maryland, and remit to, Towson, Maryland

DATE: 5/6/86 ACCOUNT:

RECEIVED FROM:

AMOUNT: \$

RECEIVED FROM: Vinod Bhalla, et ux, 12 Chesapeake Ave., Towson, Md.

FOR: Advertising and Posting re Case 86-471-SPH

\$ 68.95

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NE/S of Yorkway, 724.22' NW of Leeway (2505 Yorkway), : OF BALTIMORE COUNTY
12th District
VINOD K. BHALLA, et ux, : Case No. 86-471-SPH
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of April, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Vinod K. Bhalla, 12 Glen Alpine Road, Phoenix, MD 21131, Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR SPECIAL HEARING

12th Election District

Case No. 86-471-SPH

LOCATION: Northeast Side of Yorkway, 724.22' NW of Leeway (2505 Yorkway)

DATE AND TIME: Tuesday, May 13, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing for a nonconforming use of a multiple family dwelling (5 apartments)

Being the property of Vinod K. Bhalla, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

April 24, 1986

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of petition for Spec. Hrg. No. 86-471-SPH - Reg. #589376 - 73 lines @ \$29.20.

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 25th day of April 1986; that is to say, the same was inserted in the issues of April 24, 1986

Kimbel Publication, Inc.
per Publisher.

By *[Signature]*

IN RE: PETITION SPECIAL HEARING * BEFORE THE
NE/S of Yorkway, 724.22' NW * ZONING COMMISSIONER
of Leeway (2505 Yorkway) - * OF BALTIMORE COUNTY
12th Election District *
Vinod K. Bhalla, et ux, * Case No. 86-471-SPH
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request approval of a nonconforming use for a multi-family dwelling, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified and were represented by Counsel. William Rossler, a tenant in the instant building, testified on their behalf. The Reverend Eva O'Diam, D'ndalk Church of the Brethren, appeared as an observer. There were no Protestants.

Testimony indicated that the subject property, 2505 Yorkway, zoned D.R.10.5, was purchased by the Petitioners in 1983, and at that time, the building had five units. Mr. Rossler testified that he has been familiar with the property since 1964 and that the building has always had five units. By an uncontradicted affidavit from Walter Schuldt, who has lived in the neighborhood since April, 1952, the building has always had five units and they have existed continuously since 1952 without interruption.

The buildings on Yorkway were constructed during World War II as four-unit dwellings. Some time between World War II and 1947, the fifth unit was added to the subject building. A search of the tax records of Baltimore County indicated that the property's first owner had rented four units on the first and second floor and lived in the basement. In June, 1947, the original owner sold the property, and the tax records show five units in the building

PETITION FOR SPECIAL HEARING
12th Election District
Case No. 86-471-SPH
LOCATION: Northeast Side of Yorkway, 724.22' NW of Leeway (2505 Yorkway)
DATE AND TIME: Tuesday, May 13, 1986, at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing. Petition for Special Hearing for a nonconforming use of multiple family dwelling (5 apartments).
Being the property of Vinod K. Bhalla, et ux, as shown on plat plan 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
Apr. 24.

CERTIFICATE OF PUBLICATION

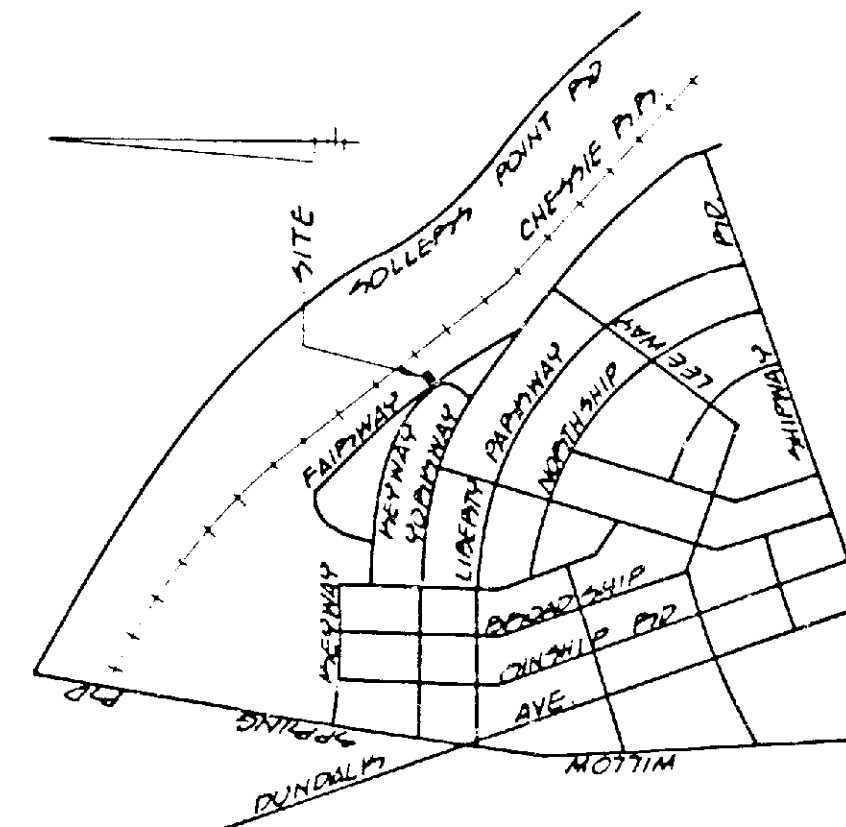
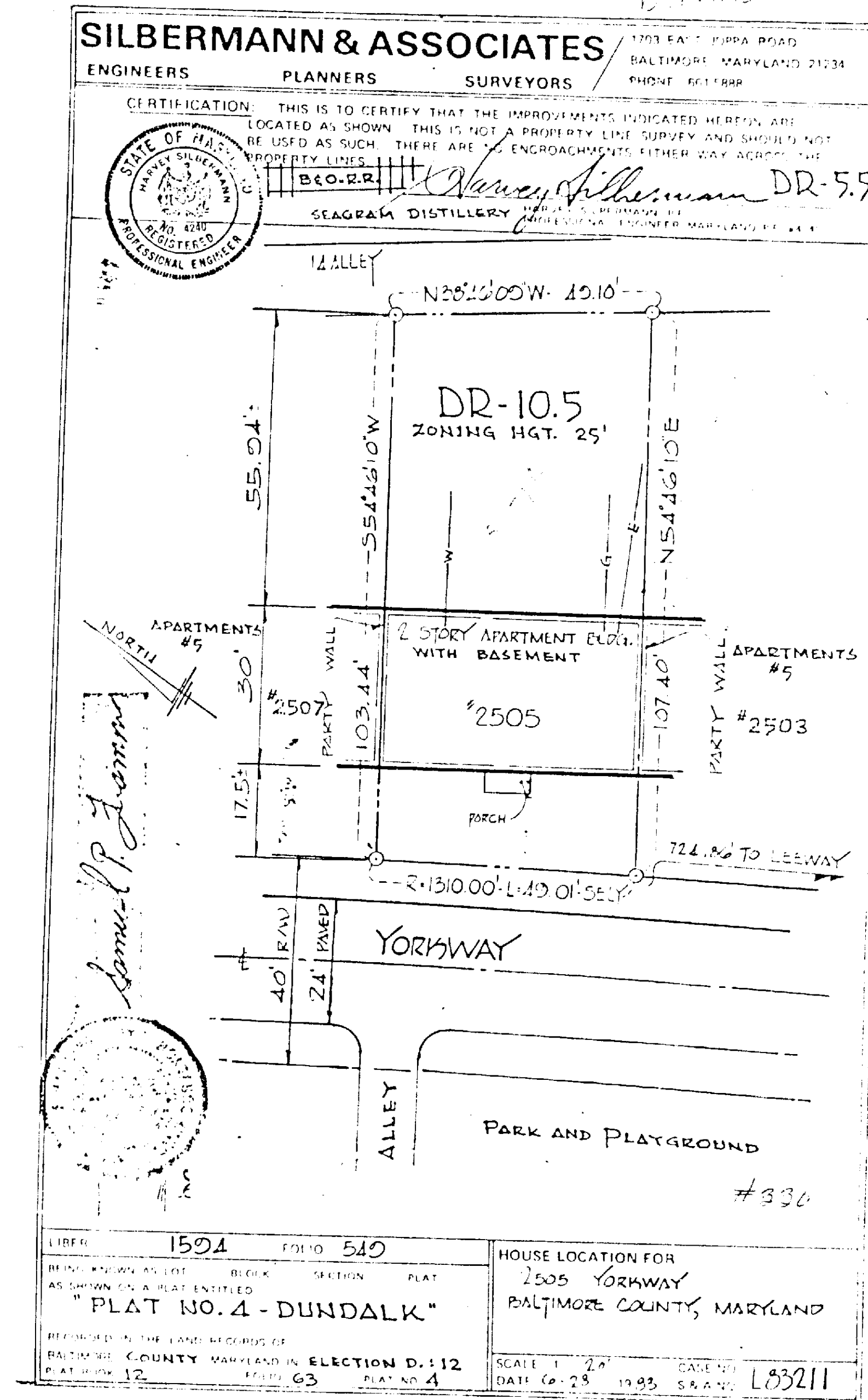
TOWSON, MD., April 24, 1986
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 24, 1986

THE JEFFERSONIAN,

Publisher

Cost of Advertising

24.75



ZONING DESCRIPTION
RESIDUAL ON THE NORTHEAST SIDE OF YORKWAY (IMPROVEMENTS)
724.86 TO LEEWAY
THE INTERSECTION OF THE ADJUTIVE ALLEY
PLAT NO. 4 (LEEWAY) AND THE NORTHEAST PLAT LINE OF
SEAGRAM DISTILLERY (IMPROVEMENTS) AND THE ADJUTIVE ALLEY
PLAT NO. 4 (LEEWAY) IS LOCATED AT 724.86 TO LEEWAY
OF PLAT NO. 4 (LEEWAY)

at that time. The property was sold in 1954 and then to the Petitioners in 1983 as a five-unit dwelling.

The Petitioners seek relief from Section 104.1, Baltimore County Zoning Regulations (BCZR).

The use described here predates the establishment of the first zoning regulations in 1945 and, therefore, is clearly nonconforming inasmuch as such a multi-family dwelling would not be permitted as of right in a D.R.10.5 Zone, which was created by the adoption of the 1955 zoning regulations. The lot area is not sufficient to permit such a use. However, pursuant to the 1945 regulations, inasmuch as the expansion of the building to include the fifth apartment occurred prior to 1947, a nonconforming use was permitted to be expanded "to an extent not more than once again the area of the land used in the original nonconforming use". Section XI, 1945 BCZR.

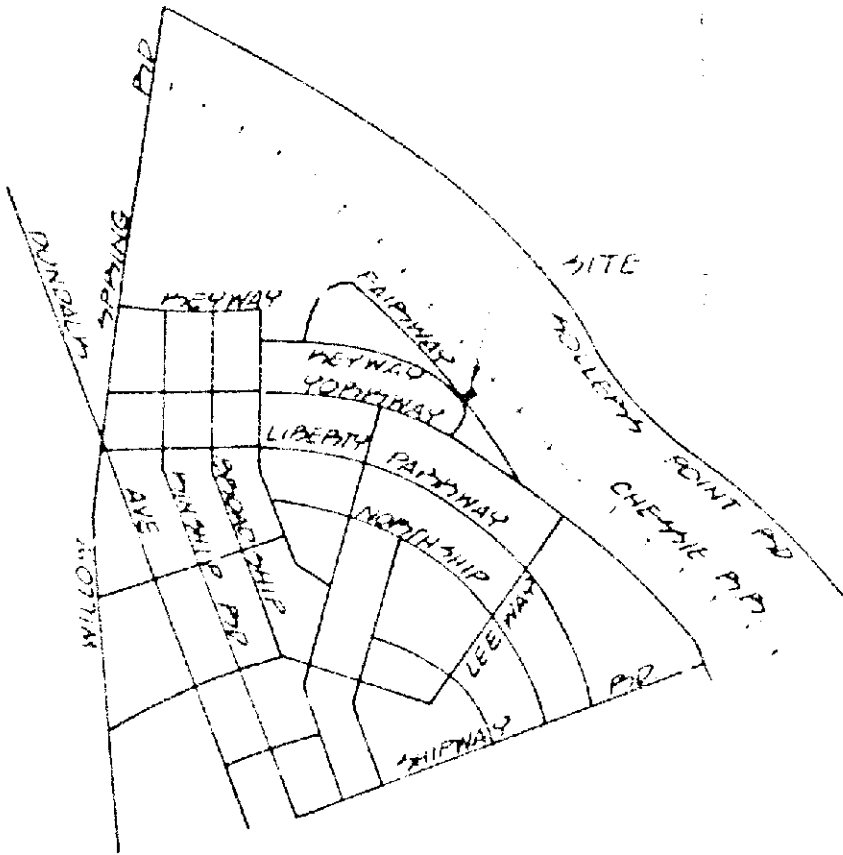
The uncontroverted testimony, which was amply supported, conclusively indicates that the property has been used continuously and without interruption as a five-apartment dwelling since 1952. After due consideration of the testimony and evidence presented, it is clear that a nonconforming use exists.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the approval prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of July, 1986, that a nonconforming use as a five-apartment dwelling be approved and, as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl



VICINITY MAP
SCALE: 1"=1000'

ML

DR-10.5

DR-10.5

FAIRWAY (40' W/ 24' MAC)

YONGEWAY (40' W/ 24' MAC)

DR-10.5

KEYWAY

KEYWAY

OWNER: VINOD K BHALLA, PH.D.
ELECTION DISTRICT: 12
PROPERTY IS ZONED: DR-10.5
SUBDIVISION: "PLAT NO 4 DUNDALK"
PLAT REF: BOOK 12 FOLIO 63
SCALE: 1"=50' MAP CH 15, 1986
EXISTING UTILITIES IN YONGEWAY & KEYWAY

SITE PLAN FOR
SPECIAL HEARING
NON-CONFORMING USE
APARTMENTS

#32 10/1/86
RECEIVED
86 10/1/86