

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204

January 30, 1987

Art Warshaw

D.R. 5.5

Moodside Avenues

12,500 square feet

13th Election District

Traffic Engineer Associate II

Meeting of December 30, 1986

N/S Woodside Avenue, Corner Poplar &

Special Hearing to approve nonconforming status of a 4 unit apartment building

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

> 1tem No. 267 Property Ownc : Location:

Existing Zoning: Proposed Zoning:

District:

Dear Mr. Jablon: This site should provide off-street parking for the residents of the

MSF:1t

building.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon Date....March.19, 1897....-TO Zoolog Commissioner

Norman E. Gerber, AICP, Director FROM _ Office_of_Planning_and_Zoning_

SUBJECT_ Zoning_Petition_No._87-386-SpH

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

NEG: JGH: slb

CP5-008

-3

ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 11, 1987

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

MEMBERS

Chaseman:

bureau of Engineering Department of Traffic Engineering State Poads Compilesion Bureau of

Fire Prevention Health Department Project Planning Building Department hoard of Education Juning Administration Industrial

Development

5737 Richardson Mews Baltimore, Maryland 21227

RE: Item No. 267 - Ca. : No. 87-386-SPH Petitioner: Arthur W. Warshaw Petition for Special Hearing

Dear Mr. Warshaw:

Mr. Arthur W. Warshaw

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 acheduled accordingly.

> Very truly yours. WAMES E. DYER Zoning Plans Advisory Committee

JED: kkb

Enclosures

cc: Don Lynch Assoc., Inc. 4907 Harford Road Baltimore, Maryland 21214

DALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204 NORMAN E. GERBER THE DIRECTOR when the sea state of the second section is Mr. Arnold Jablon

MARCH 4, 1987

Re: Zoning Advisory Meeting of December 30,1986 Property Owner: ARTHUR W. WARSHOW Location: NE/C WOODSIDE + POPLAR AUE'S

Dear Mr. Jablon:

cc: James Hoswell

Zoning Commissioner County Office Building

Towson, Maryland 21204

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

> There are no site planning factors requiring comment.)A County Review Group Meeting is required. A County Review Group meeting was held and the minutes will be

forward by the Bureau of Public Services.)Inis site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.

)A record plat will be required and must be recorded prior to issuance of a building permit.

)The access is not satisfactory.)The circulation on this site is not satisfactory.)The parking arrangement is not satisfactory.

)Parking calculations 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 22-98 of the Development

Regulations. Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

)The amended Development Plan was approved by the Planning Board

)Landscaping: Must comply with Baltimore Crunty Landscape Manual.)The property is located in a deficient service area as defined by Bill 178-/9. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service

)The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

TO ALL APPLICABLE CONTY PEGULATIONS STOLLBAGOE"

> David Fields, Acting Chief Current Planning and Development

TOWSON MARYLAND 21204-2586 494-4500

PAUL H. REINCKE CHIEF January 27, 1987

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towser "aryland 21204

FE: Property Owner: Art Warshaw

Location: N/S Woodside Avenue, corner Poplar & Woodside Avenues

Item No.. 267

Zoning Agenda: Meeting of 12/30/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Sureau 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 or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(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.

Special Inspection Division

DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 TED ZALESKI, JR DIRECTOR

Mr. Armold Jablon, Zoning Commissioner Office of Flanning and Joning Towson, Maryland 2120L

Comments on Item # 267 Zoning Advisory Committer Meeting here as follows:

Property Owner: Art Warshaw Location: N/S Woodside Avenue, Corner Forlar & Woodside Avenues Districts D.R. 5.5

A.) All etructures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Eandinapped and Aged (A.F.S.I. #117-1 - 1980) and other applicable Codes and Standards.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered to Maryland Architect or Engineer 1s/1s not required on plans and technical data.

(b.) a building and other miscellaneous permits with be required before the start of any construction

D.) Commercia': Three sets of construction drawings scaled and signed by a registered in Maryland Architect or Engineer commit be required to file with a permit application. Reproduced scale are not acceptable.

E. All Coe Groupe except R-L Single Femily Detached Deellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-L Coe Groupe require a one hour wall if closer than 3'-0 to an interior let line. Any well built on an interior let line shall require a fire or party wall. See Table 401, Section 407, Section 1406.2 and Tab's 1407. So openings are permitted in an exterior wall within 3'-0 of on interior let line.

7. The structure does not appear to comply with Table 505 for penciseable height/area. Reply to the requested variance by this office carmot be considered until the necessary data pertaining to height/area and construction type is provided. See Table LC1 and 505 and have your Architect/Engineer contact this department.

When filing for a required these of Teo/Occupancy Permit, on alteration promit application shall also be filed along with three sets of acceptable construction plane indicating how the existing structure is to be altered in order to comply with the Tode requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use R_{-2} to Use R_{-2} , or to Mixed Uses ________. See Section 317 of the Building Code.

I. The proposed project agreers to be located in a Flood Flain, Tital/Riverine. Please see the attached copy of Section 516.0 of the Suilding Ords as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement. See section 103.1

Communities Exits and Pire seperation shall comply with Article 8, and Table 401. The occupancy load of the structure shall not exceed 200 sq ft per person gross area, see table 806.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Boning and are not intended to be construed so the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 1.1 W. Chesapeake Avenue, Towson, Maryland Zi 201 .. Marlo & Henrihan BY: C. E. Burnham, Onte? Building Plans hev.ev

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 Afriant and Afriant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

AFFIANT (Handwritten Signature)

AFFIANT (Printed Name)

I have ersonal knowledge that the home located at 1609 Woodside Avenue

(Address) has been occupied as a four unit apartment dwelling since (two, three, etc.)

(month) (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 $\frac{D \in \mathcal{Coult}}{(\text{month})}$. $\frac{1749}{(\text{year})}$. This personal knowledge is based upon:

MAYING RESIDED AT 1605 +1609 WOODSIDE AVE.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20 day of November . 1986, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Geace A. Les to 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.

NOTARY PUBL My Commission Exp.

Rev. 12/12/85 - nr

L/22/84

AFFIDAVIT

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

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

I have personal knowledge that the home located at 1609 Woodsice Avenue

Baltimore, Md. 21227

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

(month) (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

_____, _/''//___. This personal knowledge is based upon:

Wavin resided at 1603 wood rele

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20 day of November , 1986, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Grace A. Scales , 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.

Rev. 12/12/85 - nr

BEGINNING FOR THE SAME at the northeast corner or intersection of Woodside and Poplar Avenues, as shown onthe Plat of Haletborpe, recorded among the Land Records of Baltimore County in Plat Book JWS No. 1, rolis 60, and running thence northerly binding on the east side of Woodside Avenue 100 feet to the south side of lot numbered sixty-five (65) and running thence easterly parallel with Poplar Avenue and along the South line of Lot Numbered sixty-five (65) one hundred twenty-five feet (125) feet to the west line of lot numbered sixty-eight (68) and running thence southerly binding on the west line of lot numbered sixty-eight (3) one hundred (100) feet to the north side of Poplar Avenue

and running thence westerly binding on the north side of Poplar Avenue 125 feet to the

place of beginning. The improvements thereon being known as 1609 WOODSIDE AVENUE.

IN RE: PETITION FOR SWIAL HEARING NE/cor. Woodside & Poplar Aves.

(1609 Woodside Avenue) 13th Election District 1st Councilmanic District

Arthur W. Warshaw

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

BEFOR

Case No. 87-386-SPH

Petitioner

The Petitioner herein requests a special hearing to approve the non-conforming status of a four unit apartment building which has been used continuously as such since 1945.

Testimony by the Petitioner indicated that, although he has lived in the area his entire life, he was unfamiliar with the instant site until shortly before his purchase seven months ago. The dwelling appears to have been designed for the four apartments now present: a large center hall on both the first and second floors with a left and a right apartment on each floor. The basement is cement slab and unfinished: the attic is also unfinished. The electrical work appears to be WWII vintage or earlier. There are five electrical meters, one for each apartment and one for the common areas. Two persons who lived in the neighborhood and in the building in question prior to 1945, and have lived in the immediate vicinity ever since, have signed affidavits that the building has been used continuously as a four unit apartment dwelling since December 1944. There were no Protestants.

After due consideration of the testimony and evidence presented, it is clear that a nonconforming use exists. The uncontroverted testimony conclusively indicates that the property has been used continuously and without interruption as a four unit apartment building since December 1944.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 9 day of April, 1987, that a nonconforming use as a four unit Spartment building be approved and, as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.

of Baltimore County

PETITION FOR SPECIAL HEARING

13th Election District - 1st Councilmanic District

LOCATION:

Northeast Corner Woodside and Poplar Avenues

(1609 Woodside Avenue)

Case No. 87-386-SPH

DATE AND TIME: Tuesday, April 7, 1987, 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 to approve nonconforming status of a four-unit apartment building which has been used as such continuously since

Being the property of Arthur W. Warshaw 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

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353

Arnold Jablon Zoning Commissioner

Dennis F. Rasmussen

Mr. Arthur W. Warshaw 5737 Richardson Mews Baltimore, Maryland 21227

> RE: Petition for Special Hearing NE/cor. Woodside and Implar Aves. (1609 Woodside Avenue) 13th Election Listrict 1st Councilmanic District Case No. 87-386-SPH

Dear Mr. Warshaw:

Enclosed please find a copy of the decision rendered in the above-referenced case. Your Petition for Zoning Variance has been Granted in accordance with the attached Order.

April 9, 1987

If you have any questions on the subject, please do not hesitate to contact this office.

Deputy Zoning Commissioner

JMHJ:bjs

Enclosure

cc: People's Counsel

RE: PETITION FOR SPECIAL HEARING NE/Corner Woodside & Poplar Aves (1609 Woodside Ave.) 3th District

Case No. 87-386-SPH ARTHUR W. WARSHAW, Petitioner

ENTRY OF APPEARANCE

1 1 1 1 1 1 1 1

Please enter the appearance of the People's Counsel in the abovecaptioned 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 Freedman Phyllis Cole Friedman

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

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

I HEREBY CERTIFY that on this 9th day of March, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. Art Warshaw, 5737 Richardson Mews, Baltimore, MD 21227, Petitioner.

PETITION FOR SPECIAL HEARING

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

Nonconforming status of a four (4) unit apartment building which has been used continuously since 1945 as such.

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 fil-ing 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):	MAP SW	
(Type or Print Name)	(Type or Print Name)	<u>2</u>	
Signature	Signature	DATE 7/20	
Address	(Type or Print Name)	1000	
City and State	Signature		
Attorney for Petitioner:		5 20,3 w 20,5	
(Type or Print Name)	Address	Phone No.	
Signature	City and State		
Add.ress	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted		
City and State	NATION W WARIER.		
Attorney's Telephone No.:	5 732 FILHRADES MOST 3A Address	7, Mo 2/12 Phone No.	

of --- February----, 19-87., 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 7th day of April 19.87, at 10:30 o'clock

2011010	DEPARTMENT	07	BALTIMORE	COU
				200

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7/ .	Date of Posting 2-16-57
cial Learing	

Posted for:

Poste

87-376-5PH



ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

remit

April 1, 1987

Mr. Arthur W. Warshaw 5737 Richardson Mews Baltimore, Maryland 21227

> RE: PETITION FOR SPECIAL HEARING NE/cor. Woodside and Poplar Avenues (1609 Woodside Ave.) 13th Election District - 1st Councilmanic District Arthur W. Warshaw - Petitioner Case No. 87-386-SPH

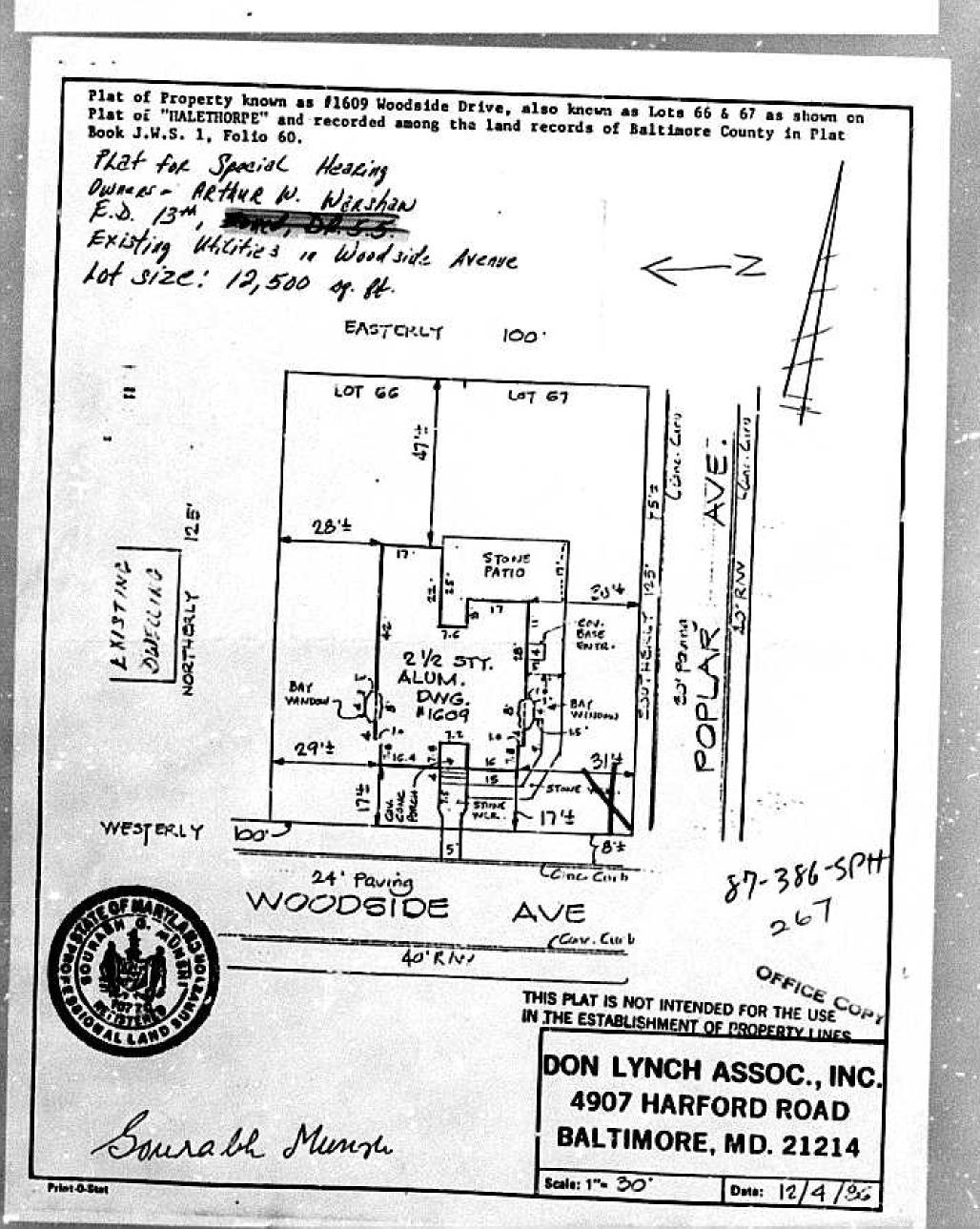
Dear Mr. Warshaw:

This is to advise you that <u>\$65.05</u> is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST PE 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

tnis	office until the da	y of the	hearing itsel	f
BALTIMORE COUN OFFICE OF FINANCE MISCELLANEOUS (- REVENUE DIVISION	80.	33172	County, Maryland, and ig, Towson, Maryland
DATE4/7/87	ACCOUNT	-01-615-0	000	
SIGN & POST RETURNED M	r. Arthur W. Warshaw Mews, Balto., Md. 21	, 5737 R	lchardson	
ADVERTISING &	POSTING COSTS RE CA	SE #87-38	86-SPII	
, 8	B 029*****6505:	a 307hF		
	VALIDATION OR SIGNATURE O	F CASHIER		



CERTIFICATE OF PUBLICATION

TOWSON, MD., March 19 1987

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 onKarch 19, 167

THE JEFFERSONIAN,

Publisher

2896

10750 Letin Patuxent Pkwy Columbia, MD 21044

THIS IS TO CERTIFY, that the annexed advertisement of

March 24

19 87

PETITION FOR SPECIAL HEARING

was inserted in the following:

Catonsville Times × Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for _____one ____ successive weeks before the ____day of ___March ___19_87_, that is to say. the same was inserted in the issues of

March 19, 1987

PATUXENT PUBLISHING CORP.

Mr. Arthur W. Warshaw 5737 Richardson Mews Baltimore, Maryland 21227

February 18, 1987

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING NE/cor. Woodside and Poplar Avenues (1609 Woodside Ave.) 13th Election District - 1st Councilmanic District Arthur W. Warshaw - Petitioner

Tuesday, April 7, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake

Case No. 87-386-SPH

Avenue, Towson, Maryland

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

Bind*****ioungia colli

VALIDATION OR SIGNATURE OF CASHIER