

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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

2524 Yorkway (5 apartments total)

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 do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Newton A. Williams,
Esquire, Plumbhoff & Williams, Chartered
(Type or Print Name)

Signature

204 W. Pennsylvania Ave.
Address

Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

WESLEY D. PAUL
(Type or Print Name)

Signature

MILDRED T. PAUL
(Type or Print Name)

Signature

1907 Sunnberry Road
Address

Dundalk, Maryland 21222
City and State

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

Newton A. Williams
Name

204 W. Pennsylvania Avenue
Address

Towson, Maryland 21204
City and State

Phone No. 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of April, 1987, 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 21st day of May, 1987, at 10:30 o'clock A.M.

Arnold Jablon
Zoning Commissioner of Baltimore County.

IN RE: PETITION FOR SPECIAL HEARING
NE/S Yorkway, 822' NW of
Leeway (2501 Yorkway); and,
PETITION FOR SPECIAL HEARING
NE/S Yorkway, 283.42' SE of
Leeway (2524 Yorkway)
12th Election District
7th Councilmanic District

Wesley D. Paul, et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case Nos. 87-469-SPH and
87-470-SPH

The Petitioners herein request a special hearing to approve the existing five-apartment dwellings at 2501 and 2524 Yorkway as a non-conforming use.

Testimony by one of the Petitioners indicated that Mr. Paul purchased 2501 Yorkway in 1956 and 2524 Yorkway in 1960. At the time of purchase, the basement of 2501 Yorkway contained one apartment consisting of a living room, kitchen, one bedroom and a bathroom. When 2524 Yorkway was purchased, the basement contained one apartment consisting of a living room, kitchen, two bedrooms and a bathroom. Both apartments have been continuously rented since Mr. Paul's purchase. Chris Loucas, currently residing at 1110 Peachtree Road, Fallston, Maryland, testified that he was quite familiar with both sides of the 2500 block of Yorkway from the late 1930's until 1970. The apartment buildings were constructed by a Mr. Gebhart in 1940 or 1941, with each building containing four apartments, and no basement apartments (oil tanks were stored in the basements). In 1946, Mr. Loucas visited Mr. Gebhart in his office, located in the basement of one of the 2500 block apartment houses. Also in 1946, Mr. Loucas purchased 2504 Yorkway and hired a Mr. Spahn to construct one basement apartment before 1950. As far as he knows, Mr. Loucas was the first owner to add a basement apartment in the block. He added a second basement apartment to 2504 Yorkway no later than 1952. He is of the opinion that shortly after 1950, all, or almost all, the owners in the 2500 block added one or two basement apartments and moved the oil tanks from the basement to the rear yard. In 1949 Mr. Loucas purchased

2507 Yorkway, which already contained two basement apartments. He became familiar with 2529 Yorkway in 1948 when it had no basement apartment and knows that one basement apartment was constructed before 1950. Mr. Loucas subsequently purchased that building from his mother-in-law. His sister purchased 2506 Yorkway in the early 1940s with one basement apartment and did not add a second basement apartment.

There were no Protestants.

Pursuant to the advertisement, posting of property, and public hearing held on this case and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, it appears most likely that both 2501 and 2524 Yorkway had one basement apartment constructed prior to 1955 and that the apartments have been continuously rented from the date of construction to the present. The requested special hearing would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 17th day of June, 1987 that the two existing five-apartment dwellings as described herein, be approved as a non-conforming use, and as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.

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

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

Arnold Jablon
Zoning Commissioner

Newton A. Williams, Esquire
Douglas L. Burgess, Esquire
Nolan, Plumbhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204

June 12, 1987

RE: Petition for Special Hearing
NE/S Yorkway, 822' NW of Leeway
and Petition for Special Hearing
NE/S Yorkway, 283.42' SE of
Leeway (2501 & 2524 Yorkway)
12th Election District
7th Councilmanic District
Wesley D. Paul, et ux
Case Nos. 87-469-SPH and
87-470-SPH

Dear Messrs. Williams & Burgess:

Pursuant to the hearing recently held on the above-referenced case, enclosed please find a copy of the decision rendered. Your Petitions for Special Hearing have been Granted in accordance with the attached Order.

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

Very truly yours,

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

JNH:bjb

Enclosures

cc: People's Counsel

PETITION FOR SPECIAL HEARING

12th Election District - 7th Councilmanic District

Case No. 87-470-SPH

LOCATION: Northeast Side of Yorkway, 283.42 feet Southeast of Leeway
(2524 Yorkway)

DATE AND TIME: Thursday, May 21, 1987, at 10:30 a.m.

PUBLIC HEARING: Room 301, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

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

Petition for Special Hearing to approve the existence of nonconforming apartments at 2524 Yorkway (5 apartments total)

Being the property of Wesley D. Paul, 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

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NE/S Yorkway, 283.42' SE of : OF BALTIMORE COUNTY
Leeway (2524 Yorkway),
12th District
WESLEY D. PAUL, et ux, : Case No. 87-470-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 29th day of April, 1987, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esquire, Nolan, Plumbhoff & Williams, Chartered, 204 W. Pennsylvania Ave., Towson, MD 21204, Counsel for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

May 12, 1987

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams, Chartered
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S Yorkway, 283.42' SE of Leeway
(2524 Yorkway)
12th Election District - 7th Councilmanic District
Wesley D. Paul, et ux - Petitioners
Case No. 87-470-SPH

Dear Mr. Williams:

This is to advise you that \$78.77 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

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

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

Please make the check payable to Baltimore County, Maryland, and remit to the Treasurer, Baltimore County, Maryland, 111 W. Chesapeake Avenue, Towson, Maryland

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

DATE: 5/21/87 ACCOUNT: 8-01-615-000

SIGNS & POSTS
RETURNED AMOUNT \$ 157.04

RECEIVED FROM: Wes-Mil Paul Co., 1907 Sunnberry Rd.,
Dundalk, Md. 21222

ADVERTISING & POSTING COSTS RE CASE NOS.
87-469-SPH and 87-470-SPH

FOR: 8 D43*****157341a 8216F

VALIDATION OR SIGNATURE OF CASHIER

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
day of April, 1987.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Wesley D. Paul, et ux
Petitioner's Attorney: Newton A. Williams, Esquire

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

Date: April 13, 1987

SUBJECT: Zoning Petitions No. 87-465-SpH, 87-469-SpH and 87-470-SpH

In view of the subject of these petitions, this office offers
no comments.

Norman E. Gerber, AICP
Director

NEG:JGH:slb

RECEIVED
APR 14 1987
ZONING OFFICE

CPS-004

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 8, 1987

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

Newton A. Williams, Esquire
Bolan, Plunhoff and Williams, Chartered
204 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 296 - Case No. 87-470-SPH
Petitioners: Wesley D. Paul, et ux
Petition for Special Hearing

Dear Mr. Williams:

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 suit-
ability 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, AICP
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures



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

STEPHEN E. COLLINS
DIRECTOR

March 14, 1986

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

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

Across:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for
items numbered 289, 290, 291, 292, 294, 295, 296/297, 298, 299, 300,
and 301.

Michael S. Flanagan
Traffic Engineer Associate II

MEF/bld



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

PAUL H. REINCKE
CHIEF

February 21, 1986

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

Attention: Nick Commodori, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Wesley D. Paul

Location: NE/S Yorkway, 283.42' SE of Leeway

Item No.: 296 Zoning Agenda: Meeting of 2-25-86

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 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. Bedrooms & living room shall have windows for rescue & ventilation,
Sec. 22.7.2.1
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature]
Planning Group
Special Inspection Division

Noted and
Approved: [Signature]
Fire Prevention Bureau



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

TED ZALESKI, JR.
DIRECTOR

February 28, 1986

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

Dear Mr. Jablon:

Comments on Item # 296 Zoning Advisory Committee Meeting are as follows:

Property Owner: Wesley D. Paul, et ux
Location: NE/S Yorkway, 283.42 feet SE of Leeway
District: 12th.

APPLICABLE CODES AND STANDARDS

All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85,
the Baltimore Code for the Management and Control of Buildings, Part I - 1980 and other applicable codes and standards.
See Section 809.1, Section 809.2

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

C. 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.

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

E. All one storage except shed, Single Family Detached Buildings require a minimum of 1 hour fire rating for
exterior walls 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 401, Section 401.1, Section 401.2 and Table 401.3. No openings are permitted in an
exterior wall within 3'-0" of an interior lot line.

F. The structure does not appear to comply with Table 505 for permitted: single/dwelling. 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 401 and 505 and have your Architect/Engineer contact this department.

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

H. When filing for a required Change of Use/Temporary Permit, an alternative permit application shall also
be filed along with three sets of construction drawings indicating how the existing structure is
to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or
Engineer seals are locally required. The change of Use Group is Fire Use _____ to Use _____ or
to Mixed Use _____. See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain. Flood/Division: Please see the attached
copy of Section 514.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct
elevations above sea level for the 1st and the Final Floor levels including basement.

J. Commercial: Basement apartments shall comply with 103.1 as amended by Council
Bill #17-85. Exits shall comply with Section 809.3 and bedrooms shall
comply with Section 809.4. Smoke detectors shall be in compliance to
Section 1716.3.4.

K. These observations 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. Revised
applications may obtain additional information by visiting Room 120 of the County Office Building at 111
W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Burroughs, Chief
Building Plans Section

4/27/86

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer
FROM: James Thompson
SUBJECT: Item No. 296
Wesley D. & Mildred T. Paul - Petitioner

Date: March 3, 1986

2524 Yorkway

Please note that the above-subject petition is an active violation case,
C-86-606.

JT/la

CPS-004

This Deed. MADE THIS 11th day of January,
in the year one thousand nine hundred and seventy-nine,
by and between
JAMES W. PAUL and WESLEY D. PAUL and MILDRED T. PAUL, his wife, all
Grantors
of Baltimore County, State of Maryland, parties
of the first part and
WESLEY D. PAUL and MILDRED T. PAUL, his wife, parties
of the second part, Grantees.

TRANSFER TAX NOT REQUIRED
RUSSELL B. ROSENKRANTZ
DIRECTOR OF TAXES
BALTIMORE COUNTY, MARYLAND
For: Donna E. De Luca
1-17-80 1611-R-1

the said James W. Paul and Wesley D. Paul and Mildred T. Paul, his wife,

do grant and convey to the said Wesley D. Paul and Mildred T. Paul, his wife, as
tenants by the entirety, their assigns, the survivor of them, his or her

personal representatives, ~~successors~~ and assigns
in fee simple, all that
lot of ground situate in Baltimore County, State of Maryland,
and described as follows, that is to say:

BEGINNING FOR THE SAME at a point on the southwesterly line of Yorkway as now laid out distant 283.42 feet northwesterly measured along the said southwesterly line of Yorkway from the northwesterly line of Leeway as now laid out 60 feet wide, all as shown on "Plat No. 4 of Dundalk" and running thence south 35 degrees 53 minutes 53 seconds west 118.99 feet part of which distance is intended to be along the center line of a party wall there situate to intersect the northeasterly line of a fourteen foot alley there situate and as shown on said plat; thence binding on the northeasterly line of said alley north 51 degrees 06 minutes 49 seconds west 49.08 feet, thence north 35 degrees 53 minutes 53 seconds east 116.45 feet, part of which distance is intended to be along the center line of a party wall there situate to intersect the said southwesterly line of Yorkway, thence southeasterly binding on the said southwesterly line of Yorkway the two following courses and distances: On a curve to the right with a radius of 14,254.90 feet for a distance of 42.05 feet and on a curve to the right with a radius of 4,075 feet for a distance of 6.95 feet to the place of beginning. The improvements thereon being known as No. 2524 Yorkway.

BEING THE SAME lot of ground which by deed dated May 17, 1960 and recorded among the Land Records of Baltimore County in Liber MJE No. 3702, folio 202 was granted and conveyed by George A. Frank and Goldie B. Frank, his wife, unto James W. Paul and Mary E. Paul, his wife, and Wesley D. Paul and Mildred T. Paul, his wife.

THE SAID Mary E. Paul having departed this life on or about the 27th day of February, 1969 thereby vesting her interest in the said James W. Paul.

PETITIONERS
EXHIBIT 46

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To HAVE AND TO HOLD the said described lot of ground and premises to the said Wesley D. Paul and Mildred T. Paul, his wife, as tenants by the entirety, their assigns, the survivor of them, his or her

personal representatives, ~~successors~~ and assigns
in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors

Test:
John O. Hennegan
James W. Paul (SEAL)
Wesley D. Paul (SEAL)
Mildred T. Paul (SEAL)
MILDRED T. PAUL

(NO TITLE EXAMINATION-DESCRIPTION FURNISHED BY GRANTORS)

STATE OF MARYLAND, County of Baltimore, to wit:
I HEREBY CERTIFY, That on this 11th day of January,
in the year one thousand nine hundred and seventy-nine, before me,
the subscriber, a Notary Public of the State aforesaid, personally appeared James W. Paul and Wesley D. Paul and Mildred T. Paul, his wife,

known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:

July 1, 1982

P. Denise Rachuba
P. DENISE RACHUBA
NOTARY PUBLIC
BALTIMORE COUNTY, MD

Rec'd for record JAN 28/980 at 9:42
Per Elmer H. Kahline, Jr., Clerk
Mail to Mr. & Mrs. Wesley D. Paul
Receipt No. 1-10-1100

DEED

FROM

JAMES W. PAUL and WESLEY D. PAUL
and MILDRED T. PAUL, his wife.
WESLEY D. PAUL and MILDRED T. PAUL, his wife.

Block No. _____

Received for Record, _____, 19____,
at _____ o'clock _____ M. Same day recorded
in Liber _____ No. _____ Folio _____ &c.,
one of the Land Records of _____,
and examined per _____, Clerk.

Cost of Record, \$ _____
Mail to
Mr. & Mrs. Wesley D. Paul
1907 Sunberry Road
Baltimore, MD 21222

RECORDED
INDEXED
FILED
JAN 13 1980
6:12 PM
782

