

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
NE/C Arline Ave. & Jeanne Ave. \* ZONING COMMISSIONER  
(4314 Arline Ave.) \* OF BALTIMORE COUNTY  
13th Election District \*  
1st Councilmanic District \*  
Arthur and Ella Mae Johnson \* Case No. 88-272-SPH  
Petitioners \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request approval, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine a nonconforming use for a fenced enclosed area for the care and maintenance of fowl in a D.R.5.5 zone at 4314 Arline Avenue, Halethorpe, Maryland, 21227, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared, testified and were represented by counsel, W. Ralph Birt, Jr., Esquire. Their testimony was supported by the testimony of Mr. and Mrs. Ayers and by several letters and documentary evidence. There were no Protestants and no one appeared in opposition to this Petition.

The best testimony and evidence in light of the Petitioner's request seems to indicate that the Petitioners have lived on the subject property since July 9, 1957 and have had a chicken and goose pen since the time they purchased the property.

The evidence seems to indicate that the subject property was used by the predecessors to the Petitioners for the maintenance of chickens and geese on the subject property. The testimony of Mrs. Ayers, who lives at 4845 Springline Avenue, indicates that she has lived in the immediate vicinity of the subject site since the 1930s. That the subject site has had a chicken and

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
NE Corner Arline Ave. & Jeanne : OF BALTIMORE COUNTY  
Ave. (4314 Arline Ave.), :  
13th Election District :  
ARTHUR JOHNSON, et ux, : Case No. 88-272-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 the 1st day of December, 1987, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Arthur Johnson, 4314 Arline Ave., Halethorpe, MD 21227, Petitioners.

Peter Max Zimmerman  
Peter Max Zimmerman

goose pen since approximately 1940. That the first owners built the chicken and goose pen in the 1940s.

Mr. Ayers, testified that he has lived in the area his entire life. That he lived across the street from 4314 Arline Avenue during the period 1940 to 1957 and that the chicken and goose pen was located on this property prior to World War II.

Additional testimony was proffered by Mr. Birt on behalf of his clients indicating that the subject property was zoned residential under the 1945 B.C.Z.R. and that the zoning classification permitted farming. That the property has had in existence and in continuous use a chicken and goose coop for the benefit of the homeowners.

The testimony tends to indicate that the goose pen is now only being used for a total of six (6) geese. There are no chickens on the property or any other type of fowl.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County, Maryland, this 21<sup>st</sup> day of April, 1988 that the approval of the use of a fenced enclosure for care and maintenance of fowl in a D.R.5.5 zone, as more particularly described on Petitioner's Exhibit 1, be and the same is hereby GRANTED, subject, however, to the following restrictions, as follows:

1. That the Petitioners have no more than six (6) geese on the property at one time and that no chickens or other type of fowl be allowed.

ATTACHMENT TO:  
PETITION FOR SPECIAL HEARING

PROPERTY: 4314 Arline Avenue, Halethorpe, Maryland 21227

OWNERS: Arthur Johnson & Ella Mae Johnson

DESCRIPTION OF PROPERTY

Located on the N.E. side of Arline Avenue at a distance of 128 ft. S.E. of Jeanne Avenue, being known as lots 7, 8, and 9, Blk. E, as shown on plat of Halethorpe Terrace recorded in Plat Book 7, folio 72 among the Land Records of Baltimore County.

CERTIFICATE OF PUBLICATION

TOWSON, MD. Dec 31, 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 on Dec 31, 1987

THE JEFFERSONIAN,  
Publisher

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described in the name of the County Clerk's Office in Towson, Maryland at 11:00 A.M. on Friday, January 22, 1988 at 11:00 A.M. Pursuant to Section 500.7 of the Zoning Regulations, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner and his/her representative may require for a day of the sequence of proceedings during the period set forth above. Such requirement shall be in writing and received at the office by the date of the hearing set above or presented at the hearing.

2. That the contents of the Baltimore County Zoning Plans Advisory Committee (ZAC) be complied with to the satisfaction of the Department of Environmental Protection and Resource Management.

3. That no other type of fowl other than geese may be permitted upon the site at any time.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

JRH:mmn  
cc: Peoples Counsel

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 use of a fenced enclosure for care and maintenance of fowl in a D.R.5.5 zoning district at 4314 Arline Avenue, Halethorpe, Maryland 21227.

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):  
(Type or Print Name) Arthur Johnson  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_

Attorney for Petitioner: \_\_\_\_\_  
Baltimore County, Maryland No. 41606  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 9-11-87 ACCOUNT: 000-615  
AMOUNT: \$ 35.00  
RECEIVED W. Ralph Birt, Jr.  
FOR Special Hearing Item # 110

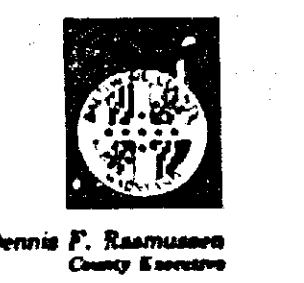
Commissioner of Baltimore County in and for Baltimore County, Maryland, on the 22nd day of January, 1988, at 11:00 o'clock A.M.  
Reset 1/22/88 for 1/29/88 at 9 pm JHR  
Reset 1/29/88 for 2/16/88 at 11 pm JHR

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland 88-272-SPH

District: 13th Date of Posting: Jan 22, 1988  
Posted for: Arthur Johnson  
Petitioner: Arthur Johnson  
Location of property: NE/C Arline Avenue and Jeanne Ave.  
(4314 Arline Avenue)  
Location of Sign: Alan Birt, Jr. 4314 Arline Avenue  
Remarks: Petition 3rd time due to post payment  
Posted by: \_\_\_\_\_ Date of return: 2-2-88  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner



April 21, 1988

W. Ralph Birt, Jr., Esquire  
400 E. Pratt Street  
Suite 400  
Baltimore, Maryland 21202

Re: Petition for Special Hearing  
Arthur and Ella Mae Johnson  
Case No. 88-272-SPH

Dear Mr. Birt:

Pursuant to the recent hearing held on the subject case, please be advised that the Petition for Special Hearing has been GRANTED.

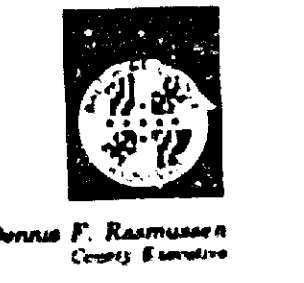
If you have any questions, concerning this matter, please do not hesitate to contact this office.

Very truly yours,  
J. Robert Haines  
ZONING COMMISSIONER

JRH:mmn  
enclosure

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner



JAN 21 1988

Mr. & Mrs. Arthur Johnson  
4314 Arline Avenue  
Halethorpe, Maryland

Re: Case number 88-272-SPH  
Petition for Special Hearing  
NE/C Arline Avenue and Jeanne Avenue (4314 Arline Ave.)  
13th Election District - 1st Councilmanic District  
Arthur and Ella Mae Johnson - Petitioners

Dear Mr. & Mrs. Johnson:

Please be advised that \$106.22 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

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.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

Very truly yours,  
J. Robert Haines  
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND No. 45967  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 2/16/88 ACCOUNT: 000-615  
AMOUNT: \$ 106.22  
RECEIVED FROM: Arthur Johnson  
FOR: Special Hearing

VALIDATION OR SIGNATURE OF CASHIER

**Office of PATUXENT Publishing Company**  
10750 Line Patent Pkwy., Columbia, MD 21044

January 4 19 88

**NOTICE OF HEARING**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case Number: 88-272-SPH

Position for Special Hearing:

NE/C Arline Avenue and Jeanne Avenue (4314 Arline Ave.)  
13th Election District - 1st Councilmanic District  
Arthur and Ella Mae Johnson - Petitioners

Friday, January 22, 1988 at 11:00 a.m.

Petition for Special Hearing to approval of the use of a fenced enclosure for care and maintenance of a dog in a DR 5.5 zoning district at 4314 Arline Ave., Halethorpe, Maryland.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
713-A-Doc. 31

**DEFENDENT**

**CERTIFICATE OF PUBLICATION OF**

was inserted in the following:

Calonsville Times  Booster Weekly  
 Arbutus Times \$34.04  Owings Mills Flier  
 Reporter Weekly  Towson Flier

weekly newspapers published in Baltimore County, Maryland once a week for one successive weeks before the 2 day of January 1988 that is to say, the same was inserted in the issues of

December 31, 1987

**PATUXENT PUBLISHING COMPANY**  
By: *[Signature]*

63404

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case number: 88-272-SPH  
Petition for Special Hearing  
NE/C Arline Avenue and Jeanne Avenue (4314 Arline Ave.)  
13th Election District - 1st Councilmanic District  
Arthur and Ella Mae Johnson - Petitioners  
DATE/TIME: Friday, January 22, 1988 at 11:00 a.m.

Petition for Special Hearing for approval of the use of a fenced enclosure for care and maintenance of fowl in a DR 5.5 zoning district at 4314 Arline Ave., Halethorpe, Maryland.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

*J. Robert Haines*

cc: Arthur and Ella Mae Johnson  
Michael Coolahan  
file

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
484-5534

October 16, 1987

Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Zoning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 523, 107, 108, 109, 110, 111, 112, 115, 116, 118, and 119.

Very truly yours,  
*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer

MSF:ab

RECEIVED  
NOV 9 1987

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 112, Zoning Advisory Committee Meeting of October 6, 1987  
Property Owner: Arthur Johnson et ux  
Location: NE corner Arline Ave. and Jeanne Ave. District 13  
Water Supply: none Sewage Disposal: none

COMMENTS ARE AS FOLLOWS:

- Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- A permit to construct from the Bureau of Air Quality Management is required for any chabbotler operation which has a total cooking surface area of five (5) square feet or more.
- Prior to approval of a Building Permit Application for construction to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Natural and Child Health.
- If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- Soil percolation tests, have been \_\_\_\_\_, must be \_\_\_\_\_ conducted.  
( ) The results are valid until \_\_\_\_\_  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.  
( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until \_\_\_\_\_  
( ) If not acceptable and must be "retested," this must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- Prior to occupancy approval, the possibility of the water supply must be verified by collect a of bacteriological and chemical water samples.
- If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

Other Section 12-90 of the Baltimore County code prohibits the housing of maintenance of fowl or small livestock within any residential area in Baltimore County or properties less than one acre in size.

*Karen M. Hervey*  
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Baltimore County  
Fire Department  
Towson, Maryland 21204-2536  
494-4300

Paul H. Reivick  
Chief

October 16, 1987

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: Arthur Johnson, et ux  
Location: NE corner Arline Avenue and Jeanne Avenue  
Item No.: 110 Zoning Agenda: Meeting of 10/6/87

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.

- 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.
- A second means of vehicle access is required for the site.
- The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 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.
- Site plans are approved, as drawn.
- The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *John F. O'Neill*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

7/31

**CERTIFICATE OF POSTING** 88-272-SPH  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 13th Date of Posting: January 3, 1988

Posted for: Special Hearing  
Petitioner: Arthur Johnson  
Location of property: NE/C Arline Ave. and Jeanne Ave. (4314 Arline Ave.)  
Location of Signs: In front of 4314 Arline Ave.  
Remarks: Reopened 1-22-88 for new hearing date of 1-29-88  
Posted by: J. Robert Haines Date of return: January 8, 1988  
Number of Signs: \_\_\_\_\_

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

January 5, 1988

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

Mr. Arthur Johnson  
4314 Arline Avenue  
Halethorpe, Maryland 21227

RE: Item No. 110 - Case No. 88-272-SPH  
Petitioner: Arthur Johnson, et ux  
Petition for Special Hearing

MEMBERS

Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Dear Mr. Johnson:

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  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Mr. W. Ralph Birt, Jr.  
400 East Pratt Street  
Suite 639  
Baltimore, Maryland 21202

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-5333

J. Robert Haines  
Zoning Commissioner

January 29, 1988

W. Ralph Birt, Jr., Esq.  
400 E. Pratt Street, Suite 400  
Baltimore, Maryland 21202

Re: Case number: 88-272-SPH  
Petitioner(s): Arthur and Ella Mae Johnson

Dear Mr. Birt:

This letter serves to confirm your telephone conference with this office on January 28, 1988.

You stated that you would be unable to attend the January 29, 1988 hearing of the above matter, as you were scheduled to be in Federal District Court that morning. You, therefore, requested that the instant matter be reset for a later date.

We advised that the matter will be reset for February 16, 1988 at 11:00 a.m.; that no further requests for continuance would be entertained; and that the property will have to be reposted, bringing the costs incurred for posting and advertising to \$121.22. These costs must be paid on February 16, 1988, just prior to the hearing. Also the sign and post must be returned.

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

Very truly yours,  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: Arthur & Ella Mae Johnson  
File

88-272-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 3rd day of November 1987.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner Arthur Johnson, et ux  
Petitioner's Attorney

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

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21284  
494-3353

J. Robert Haines  
Zoning Commissioner

JAN 29 1988



Dennis F. Reamussen  
County Executive

**NOTICE OF HEARING**  
(New Date - Last Postponement)

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing  
Case number: 88-272-SPH  
NE/C Arline Avenue and Jeanne Avenue  
(4314 Arline Avenue)  
13th Election District - 1st Councilmanic District  
Petitioner(s): Arthur and Ella Mae Johnson  
HEARING SCHEDULED: TUESDAY, FEBRUARY 16, 1988 at 11:00 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. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: W. Ralph Birt, Jr., Esq.  
Arthur and Ella Mae Johnson  
Mr. John Morris  
Mr. Michael Coolahan  
File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Townson, Maryland 21284  
494-3353

J. Robert Haines  
Zoning Commissioner

JAN 22 1988



Dennis F. Reamussen  
County Executive

**NOTICE OF HEARING**  
(New Date)

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing  
Case number: 88-272-SPH  
NE/C Arline Avenue and Jeanne Avenue  
(4314 Arline Avenue)  
13th Election District - 1st Councilmanic District  
Arthur and Ella Mae Johnson - Petitioners  
HEARING SCHEDULED: FRIDAY, JANUARY 29, 1988 at 9:00 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. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: W. Ralph Birt, Jr., Esq.  
Arthur and Ella Mae Johnson  
People's Counsel  
Mr. John Morris  
File

**BALTIMORE COUNTY, MARYLAND**

INTER-OFFICE CORRESPONDENCE

TO: James Dyer  
Zoning Supervisor Date: 9/17/87

FROM: James Thompson  
Zoning Enforcement Coordinator

Item No. 110 (if known)

SUBJECT: Petitioner(s) Johnson (if known)

VIOLATION CASE # C-87-2157

LOCATION OF VIOLATION 4314 Arline Avenue

DEFENDANT Ella Johnson ADDRESS Same

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME Michael Coolahan ADDRESS 2011 Jeanne Avenue, 21227

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

**BALTIMORE COUNTY, MARYLAND**

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
TO: Zoning Commissioner Date: December 3, 1987

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

Zoning Petitions No. 268-SPH,  
SUBJECT: 88-272-SPH, 88-262-SPH

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

*Norman E. Gerber, AICP*  
Norman E. Gerber, AICP  
Director

NEG:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
File

LIBER 3191 PAGE 329

Together with the buildings thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages, thereto belonging, or in otherwise appertaining.

We have and in full the above described lots of ground and premises, together with the rights, privileges, appurtenances, and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Arthur Johnson and Ella Mae Johnson, his wife, as tenants by the entireties, the survivor of them, their assigns, his or her heirs and assigns in fee simple.

AND the said Grantors 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.

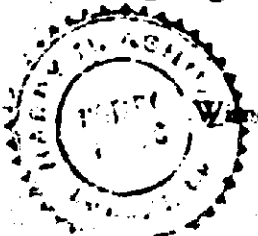
TEST: *Ray L. Alexander* (SEAL)  
Ray L. Alexander (SEAL)

*Sara J. Alexander* (SEAL)  
Sara J. Alexander (SEAL)

*Harry M. Schmag*  
Harry M. Schmag

State of MARYLAND, CITY OF BALTIMORE

I HEREBY CERTIFY, that on this 7th day of July, in the year nineteen hundred and fifty-seven, before me, the subscriber a Notary Public, of the State of Maryland in and for Baltimore City aforesaid, personally appeared Ray L. Alexander and Sara J. Alexander, his wife, the above named Grantors, and they acknowledge the foregoing Deed to be their act.



Notary Public

LIBER 3191 PAGE 328

This Deed, Made this 9th day of July, nineteen hundred and fifty-seven, by and between RAY L. ALEXANDER and SARA J. ALEXANDER, his wife, of Baltimore County in the State of Maryland, Grantors, and ARTHUR JOHNSON and ELLA MAE JOHNSON, his wife, of Baltimore City in the State of Maryland, Grantees.

WITNESSETH, That in consideration of the sum of Five Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Ray L. Alexander and Sara J. Alexander, his wife, do hereby grant and convey unto the said Arthur Johnson and Ella Mae Johnson, his wife, as tenants by the entireties, the survivor of them, their assigns, his or her heirs and assigns in fee simple, all those lots of ground situate and lying in Baltimore County, State of Maryland, and described as follows:

The 1st thereof being known and designated as Lots Nos. 26 and 27, in Block B, as shown on the Plat of Halethorpe Terrace, in the Thirteenth Election District, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7 folio 72.

BEING the same lots of ground which by Deed dated June 13, 1950 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1831 folio 293, was granted and conveyed by Hanor Development Company, Incorporated, unto the Grantors herein.

The 2nd thereof being known and designated as Lots Nos. 7, 8, and 9 in Block E, as shown on the Plat of Halethorpe Terrace, which Plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7 folio 72.

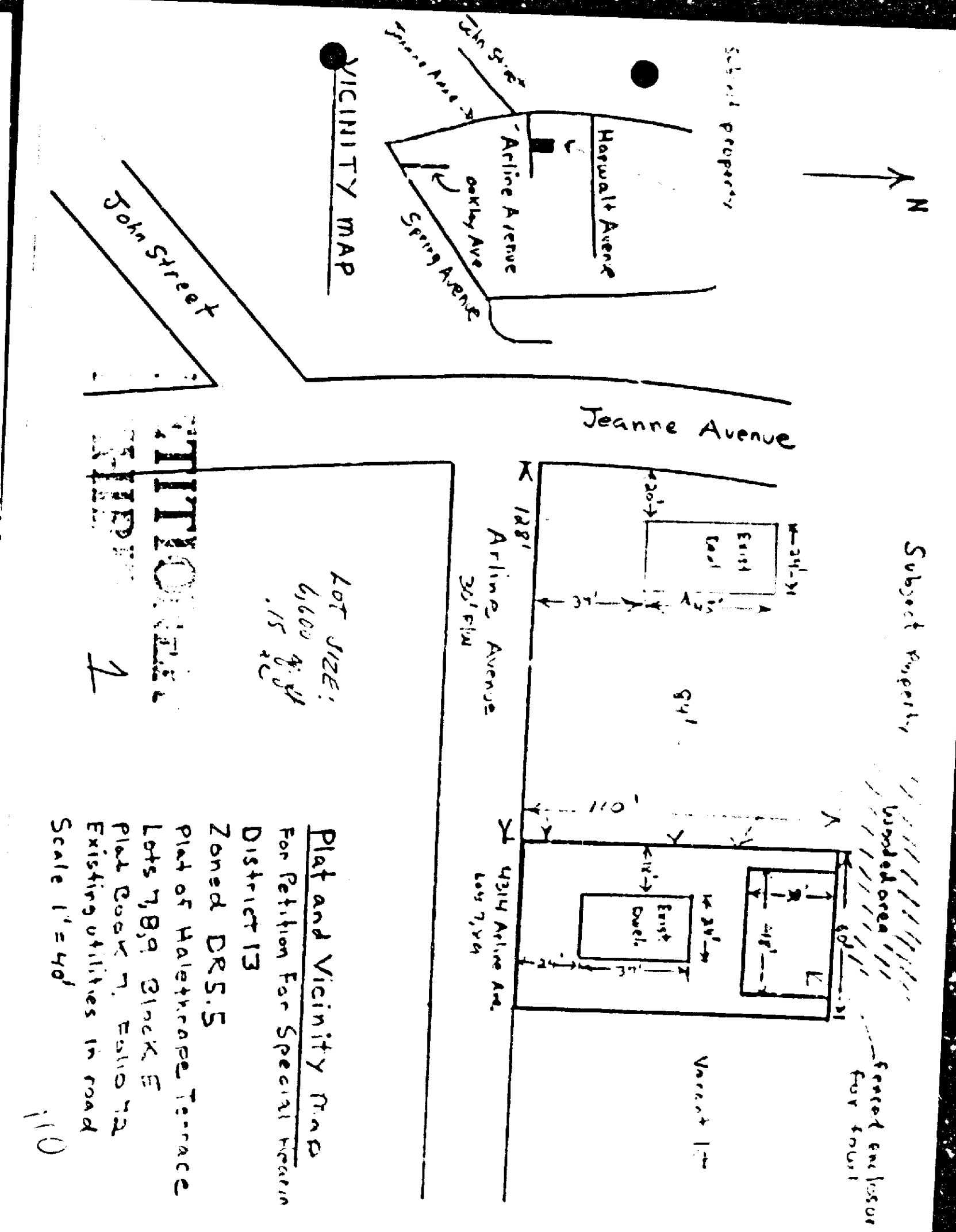
BEING the same lots of ground which by Deed dated July 1, 1957 and recorded or intended to be recorded among the Land Records aforesaid immediately prior hereto, was granted and conveyed by Hanor Development Company, Incorporated unto the Grantors herein.

DEED CONVEYED FROM RAY L. ALEXANDER AND SARA J. ALEXANDER, his wife TO ARTHUR JOHNSON and ELLA MAE JOHNSON, his wife

Recorded for Record in Liber 3191, Folio 328, at 10:00 A.M. State day recorded in Liber 3191, Folio 328, one of the Land Records of Baltimore County, and transmitted per Harry M. Schmag, Notary Public, Baltimore, Maryland

HARRY M. SCHMAG  
Notary Public  
180 N. CHARLES STREET  
BALTIMORE, MARYLAND

EXHIBIT 2



7/16/87  
 The property at 4314  
 Arline is long maintained  
 in a sanitary manner  
 and appears to be free  
 of ticks, fleas, etc.  
 I have papers from  
 Maryland Dept.  
 Paul W. Kempf

Paul Kempf  
 Baltimore, Md.  
 576-6955  
 6 23 1987

PETITIONER'S  
 EXHIBIT 7

To Whom It May Concern,

The residents of 4310 Arline  
 Ave have no complaints or see  
 any reason why Mr + Mrs Johnson  
 should have to get rid of their  
 geese.

Thank You  
 Elroy D. Lee

PETITIONER'S  
 EXHIBIT 6

I, Bang Jung own lots 10, 11  
 Arline Ave, 4312, do testify  
 that Mrs Johnson's geese  
 do not bother me.

2/10/88  
 Bang Jung

PETITIONER'S  
 EXHIBIT 5

TO WHOM IT MAY CONCERN:

In regard to Case #RR-272-394, we the realents of the 4300  
 block of Arline Avenue, and the neighbors of Mr. & Mrs. Arthur  
 Johnson of 4311 Arline Avenue located in Halethorpe, Maryland  
 in Baltimore County, would like any and all interested persons  
 to know that we have no objections to the Johnson family having  
 pet Geese on their property.

The Johnsons have been living on Arline Avenue longer than  
 any of us. I, John Ayers, am also a long time resident of the  
 neighborhood and I remember that the previous family, from whom  
 the Johnsons purchased the house, had Geese there and left them  
 there when the Johnsons took possession of the property. The  
 Johnsons have had geese as pets since that time and that was at  
 least 25 years ago or longer. So, we have no objections to the  
 geese and they do not bother us in any way.

Mr + Mrs John Kitzner 4303 Arline Ave  
 Mr + Mrs Helen Harris 4309 Arline Ave

PETITIONER'S  
 EXHIBIT 4

