

IN RE: PETITION FOR SPECIAL HEARING  
NW/S Edmondson, 138 ft. NE of  
Laurel Hill Lane  
5702 Edmondson Avenue  
1st Election District  
1st Councilmanic District

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 95-322-SPH

Mark Wayne Clements, et ux  
Petitioners

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for that property known as 5702 Edmondson Avenue in the Catonsville section of Baltimore County. The Petition was filed by the owners of the property, Mark W. Clements and Margaret L. Clements, his wife. Special hearing relief is requested for approval of a nonconforming use of the subject property to a two apartment dwelling. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioners' Exhibit No. 4.

Appearing at the requisite public hearing held for this case were the aforementioned property owners, Mark W. Clements and Margaret L. Clements, Petitioners. Also appearing was John E. Deppisch, S.G. Hamner, Jim Cohill and Dottie Miciche. There were no other interested persons or Protestants present.

Testimony and evidence offered was that the subject site is approximately .20 acres in size and is zoned D.R.5.5. The property is a rectangularly shaped lot which is approximately 60 ft. in width and 100 ft. deep. The site abuts Edmondson Avenue, not far from that road's intersection with Laurel Hill Lane in Catonsville. The property is improved by a wood shingle, two story dwelling. The dwelling contains two apartment units. The first floor contains a living room and dining room area, as well as three bedrooms and a kitchen and bath. The second floor also have a liv-

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Date 4/26/95  
By M. Ward

MICROFILMED

ing room and dining room area, a bedroom, as well as a kitchen and a bath. The property has an attic and a basement area for storage.

Mrs. Clements testified that she purchased the property in July of 1978. Shortly after her purchase, she occupied the second floor apartment unit and testified that, at that time, the downstairs apartment unit was rented to a married couple. Ultimately, the couple vacated the property and when she married Mr. Clements, they became joint owners of the property.

Mrs. Clements further testified that the property has been used as a two apartment unit for so long as she can remember. She indicated that each apartment has a separate entrance and separate kitchen and bath facilities. Moreover, each unit has each own utility meter for gas and electric. Her testimony was that the apartments have been continuously occupied as two rental units since her acquisition of the property in 1978.

She also presented affidavits in support of the Petition for Special Hearing. One of these affidavits was signed by Edward G. Linnbaum, Jr. and indicated that he has been familiar with the property since September of 1963. The affidavit states that the apartments have been occupied by renters every year since that time on a continuous basis. A similar affidavit was submitted by Emma Lastner. Ms. Lastner's knowledge of the property goes back further in time, to June of 1952. She also corroborated that the dwelling has been used as a two apartment unit since that time. Lastly, both live testimony and a written affidavit was produced from John E. Deppisch. Mr. Deppisch has familiarity with the property since January 1950. He testified that he was a youth at that time and maintained a paper route in the area. He has personal recollection of two apartments existing in the subject dwelling. He noted that the property is immediately adjacent to a Lutheran church and he remembered the use of this site.

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4/26/95  
By: Mr. Spack

Mr. Jim Cohill on behalf of the Westbrook Community Association also appeared. He noted that this property is not within his community associations' boundaries; yet he took an interest in the case. He apparently objects generally to any apartment use in this locale.

As noted above, the matter comes before the Zoning Commissioner as a Petition for Special Hearing for a nonconforming use. A nonconforming use is defined in Section 101 of the Baltimore County Zoning Regulations (BCZR). Therein, the term is stated to mean "A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use." A nonconforming use designation is frequently used to grandfather an otherwise illegal use. That is, if the property owner can prove that the use existed prior to the prohibiting legislation or regulation, and its said use has continued uninterruptedly, the use is nonconforming and permissible under the BCZR. Moreover, a nonconforming use is regulated by Section 104 of the BCZR. Therein, it is provided that nonconforming uses cannot be expanded more than 25% of the original ground floor area of the building and must operate continuously in order to remain valid.


In applying these definitions to the testimony and evidence offered, it is clear that the subject use is nonconforming. Thus, the Petition for Special Hearing should and must be granted. This is not a case where the Zoning Commissioner must decide the propriety of a particular use or whether same adversely affects the surrounding locale. For so long as it existed prior to the adoption of comprehensive zoning regulations, which prohibited the use in 1955, the use may continue. Mr. Deppisch's testimony was persuasive on this point.

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DATE 4/26/91  
By Jn. G. G. G.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 26<sup>th</sup> day of April, 1995 that, pursuant to the Petition for Special Hearing, approval of a nonconforming use of the subject property to a two apartment dwelling, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

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4/26/95  
By: M. Hood

MICROFILMED

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

April 25, 1995

Mr. and Mrs. Mark W. Clements  
4414 Ocean Pines  
Berlin, Maryland 21811

RE: Petition for Special Hearing  
Case No. 95-322-SPH  
Property: 5702 Edmondson Avenue

Dear Mr. and Mrs. Clements:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

cc: Mr. J. Cahill, 10 Cherry Hill Road, 21225  
cc: Mrs. Dottie Miciche, Christ Lutheran Church  
5700 Edmondson Avenue, 21228

MICROFILMED





# Petition for Special Hearing

95-322-SPH

to the Zoning Commissioner of Baltimore County

for the property located at 5702 EDMONDSON AVENUE,

which is presently zoned D.R.S.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

TO ESTABLISH A NON CONFORMING USE OF  
A TWO APARTMENT DWELLING.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of 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/Lessor

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

MR. MARK WAYNE CLEMENTS

(Type or Print Name)

Mark W. Clements

Signature

MRS. MARGARET LOUISE CLEMENTS

(Type or Print Name)

Margaret L. Clements

Signature

4414 OCEAN RIDGES 410-208-6656

Address

Phone No

BERLIN, MD

City

21811

State

Zipcode

Name, Address and phone number of representative to be contacted

MARK WAYNE CLEMENTS

Name

4414 OCEAN RIDGES - 410-208-6656

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE



OFFICE OF ZONING ADMINISTRATION & DEVELOPMENT MANAGEMENT

95-322--SPH

BALTIMORE COUNTY, MARYLAND

ZONING OFFICE

DESCRIPTION

Beginning at point on the NW side of Edmondson Avenue at a point distant 138' NE of Laurel Hill Lane. Thence bounding on Edmondson Ave. N 41 degree 30' E 60' thence leaving Edmondson Ave. N 51 degree 45' W 150' thence S 41 degree 30' W 60' and thence S 51 degree 45' W 150' to the point of beginning. Also known as 5702 Edmondson Ave. located in the 1st Election District, 1st Councilmanic District.

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

95-322-SPH

District 1st Date of Posting 3/24/95

Posted for: Special Hearing

Petitioner: Mark Wayne & Margaret L. Clements

Location of property: 5702 Edmondson Ave, NWIS

Location of Signs: Facing roadway on property, being removed

Remarks:

Posted by M. Healy Date of return: 3/31/95  
Signature

Number of Signs: 1





**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 herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-322-SPH  
(Item 315)  
5702 Edmondson Avenue  
NW/S Edmondson Avenue,  
138' NE of Laurel Hill Lane  
1st Election District

1st Councilmanic  
Legal Owner(s):  
Mark Wayne Clements  
and Margaret Louise Clements  
Hearing: Tuesday,  
April 18, 1995 at 10:00  
a.m. in Rm. 118, Old  
Courthouse.

Special Hearing to establish  
a non-conforming use of a two-  
apartment dwelling.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1)Hearings are Handi-  
capped Accessible; for special ac-  
commodations Please Call  
887-3353.

(2)For information concern-  
ing the File and/or Hearing, Please  
Call 887-3391.  
3/367 March 30.

**CERTIFICATE OF PUBLICATION**

TOWSON, MD.,

March 31, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 30, 1995.

**THE JEFFERSONIAN,**

*A. Henickson*

**LEGAL AD. - TOWSON**

~~Printed Name~~



E. W. ...  
**Zoning Administration &  
 Development Management**  
 111 West Chesapeake Avenue  
 Towson, Maryland 21204

receipt

95-322-5PH

Account: R-001-6150

Number 315

CAM

Date 14 MAR 95

MARK CLEMENTS - 5752 Edmondson Ave.

D 30 - 50.00

O 80 - 35.00

---

85.00

PAID TO ORDER

U.S. POSTAL SERVICE  
 BALTIMORE, MD 21201-3940 3-14-95

100-001

Please Make Checks Payable To: Baltimore County

Cashier Validation



111 West Chesapeake Avenue  
Lanham, MD 21204

(410) 887-3353

315

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
  - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 315  
 Petitioner: MARK + MARGARET CLEMENTS  
 Location: 5702 EDMONDSON AVE. BALTO. MD. 21228

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MARK CLEMENTS  
 ADDRESS: 4414 OCEAN PINES  
BERLIN, MARYLAND. 21811  
 PHONE NUMBER: 410-208-6656

AJ:ggs

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY  
March 30, 1995 Issue - Jeffersonian

Please forward billing to:

Mark and Margaret Clements  
4414 Ocean Pines  
Berlin, MD 21811  
410-208-6656

---

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 herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-322-SPH (Item 315)  
5702 Edmondson Avenue  
NW/S Edmondson Avenue, 138' NE of Laurel Hill Lane  
1st Election District - 1st Councilmanic  
Legal Owner(s): Mark Wayne Clements and Margaret Louise Clements  
HEARING: TUESDAY, APRIL 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Hearing to establish a non-conforming use of a two-apartment dwelling.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

March 23, 1995

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 herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-322-SPH (Item 315)  
5702 Edmondson Avenue  
NW/S Edmondson Avenue, 138' NE of Laurel Hill Lane  
1st Election District - 1st Councilmanic  
Legal Owner(s): Mark Wayne Clements and Margaret Louise Clements  
HEARING: TUESDAY, APRIL 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Hearing to establish a non-conforming use of a two-apartment dwelling.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon  
Director

cc: Mark and Margaret Clements

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

April 10, 1995

Mr. and Mrs. Mark Wayne Clements  
4414 Ocean Pines  
Berlin, Maryland 21811

RE: Item No.: 315  
Case No.: 95-322-SPH  
Petitioner: Mark Clements, et ux

Dear Mr. and Mrs. Clements:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 14, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
*W. Carl Richards, Jr.*

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: April 4, 1995

FROM: Pat Keller, Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 315, 316, 326, 327, and 328

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/3/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 3/27/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

314

315

316

317

318

LS:sp

LETTY2/DEPRM/TXTSBP



JOHN F. GARDNER

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: *RWB* Arnold Jablon, Director      DATE: April 3, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for April 3, 1995  
Items 314, 315, 316, 317, 318, 319, and 320

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:sw

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
5702 Edmondson Avenue, NW/S Edmondson Ave,	*	ZONING COMMISSIONER
138' NE of Laurel Hill Lane, 1st	*	OF BALTIMORE COUNTY
Election District, 1st Councilmanic	*	CASE NO. 95-322-SPH
Mark W. and Margaret L. Clements		
Petitioners		

\* \* \* \* \*

ENTRY OF APPEARANCE

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

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10<sup>th</sup> day of April, 1995, a copy of the foregoing Entry of Appearance was mailed to Mark W. and Margaret L. Clements, 4414 Ocean Pines, Berlin, MD 21811, Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

**RECEIVED**  
APR 11 1995

**ZADM**

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/02/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
Mail STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAR. 27, 1995

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

B. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 314, 315, 316, 317,  
318, 319 AND 320.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-110EF

cc: File

MICHOPIA M...





**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

3-24-94

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: \$ 315 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Martha Clements

5702 EDMONDSON AVE

BALTO. MD. 21228

Margaret L. Clement

4414 Ocean View

Berlin Md. 21811

John E. Kuppner

6015 Stamford Ave

Balto Md 21207

Mr. S. G. HAMNER

600 LAUREL HILL LANE

BALT., MD 21228

copy { MR. JIM CONILL

10 Cherry Hill Rd

BALTO. MD 21205

copy { Dottie Miciche

Christ Lutheran

5700 Edmondson Ave

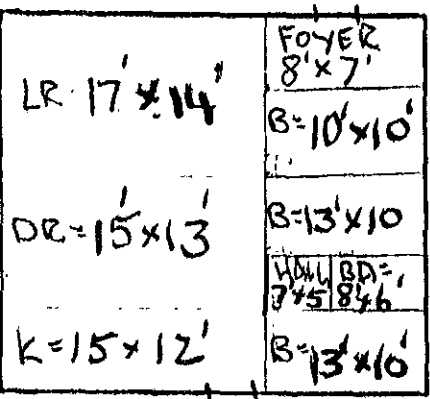
Baltimore, Maryland 21228

J

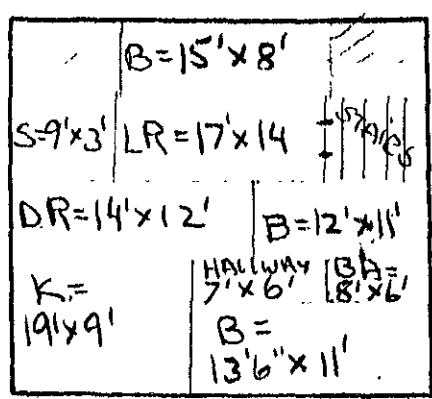




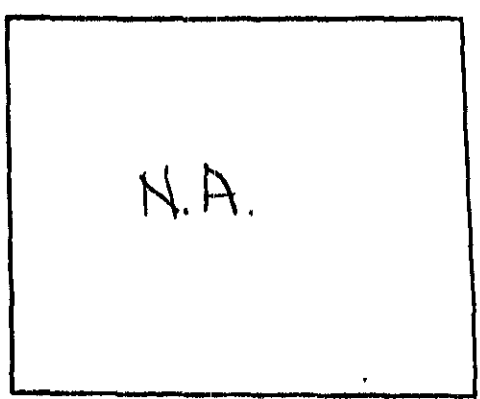
THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$20.00 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



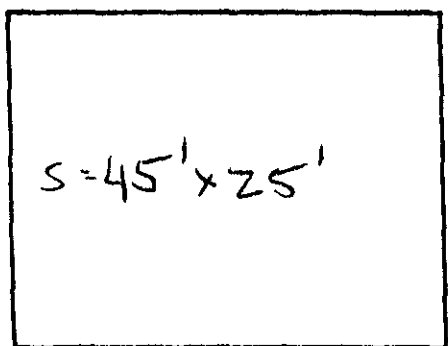
FIRST FLOOR



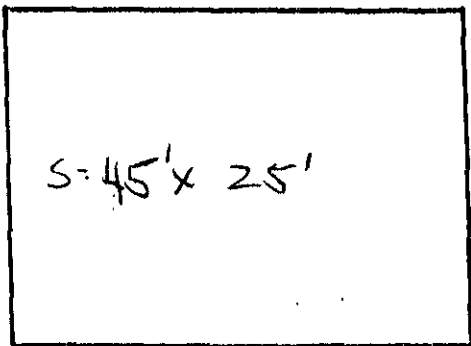
SECOND FLOOR



THIRD FLOOR



BASEMENT

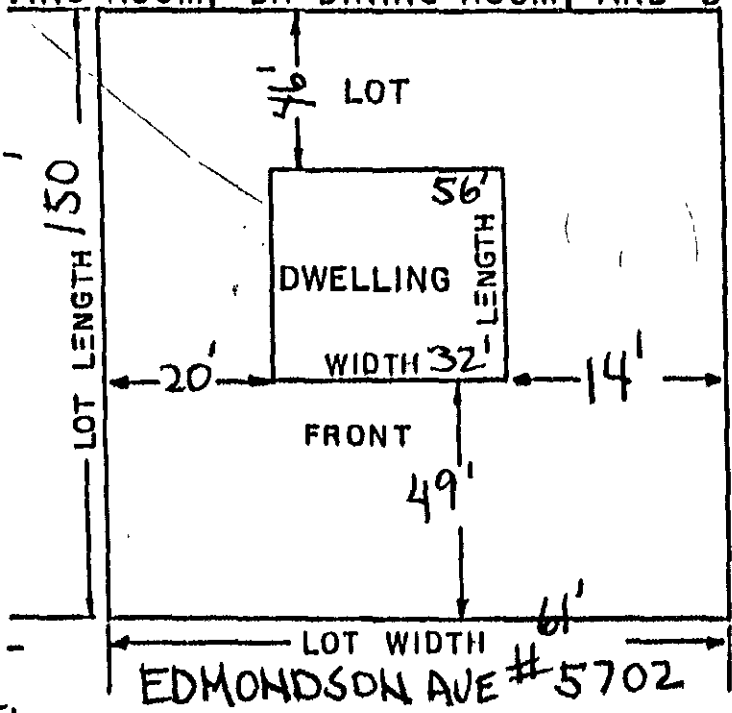


ATTIC

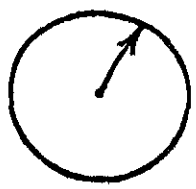
DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.

*95.322 SPT*



SHOW NORTH ARROW IN CIRCLE.



INCLUDE DWELLING DISTANCE TO PROPERTY LINES. FRONT, SIDES, AND REAR.

321' TO MERIDALE ROAD.

DISTANCE TO NEAREST INTERSECTING ROAD

138' TO LABEL HILL LANE

DISTANCE TO NEAREST INTERSECTING ROAD

NAME OF STREET FRONTING PROPERTY (IF A CORNER LOT NAME SIDE STREET)

MICROFILMED

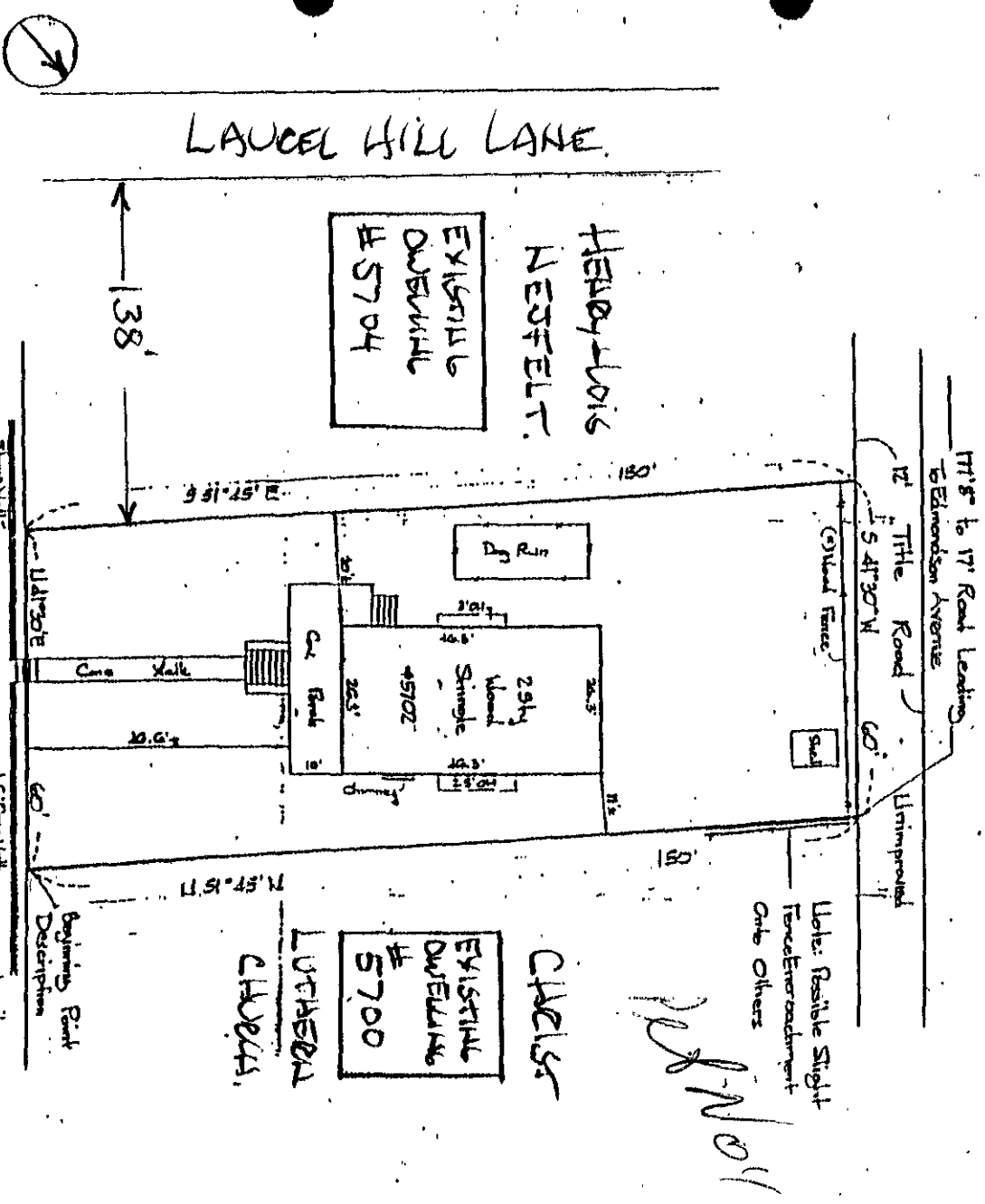
# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 5702 EDWARDS AVE see pages 5 & 6 of the CHECKLIST for additional required information

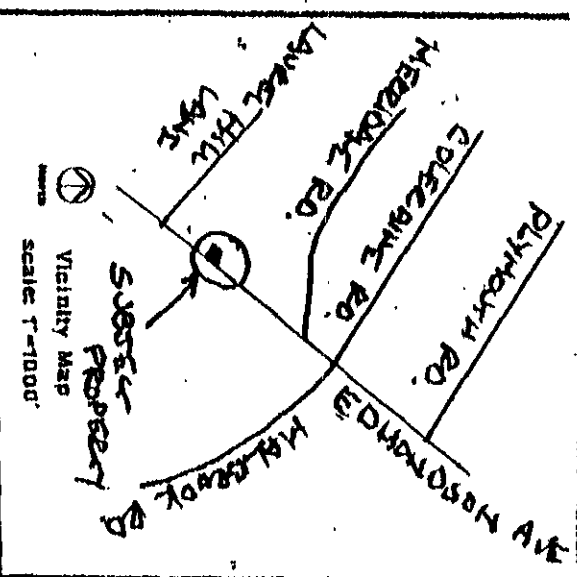
Subdivision name: \_\_\_\_\_ # 1400 FLOOD PLAIN

plat book# \_\_\_\_\_ folio# \_\_\_\_\_ lot# \_\_\_\_\_ section# \_\_\_\_\_ 95-322-5PT

OWNER: MARK + MARGARET CLEMENTS



North  
date: 3/1/95  
prepared by: M.W. CLEMENTS  
Scale of Drawing: 1" = 30'



## LOCATION INFORMATION

Election District: \_\_\_\_\_  
Councilmanic District: \_\_\_\_\_

T-200' scale map: SD-2-E

Zoning: D.R. 5.5

Lot size: 0.20 acreage 9000.00 square feet

- SEWER:
- WATER:

Chesapeake Bay Critical Area:

Prior Zoning Hearings: NONE

Zoning Office USE ONLY

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

315



A F F I D A V I T

*Ed No 1*

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.

*Edward G. Linnbaum Jr*  
AFFIANT (Handwritten Signature)

EDWARD G. LINNBAUM JR  
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 5702 EDMONDSON AVE (21228)

has been occupied as a 2 (TWO) apartment dwelling since (two, three, etc.)

SEPTEMBER, 1963 ? YES  
(month) (year) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since SEPTEMBER,

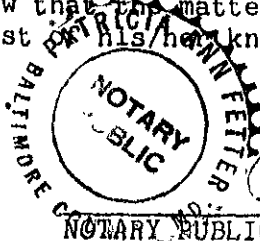
1963 ? YES  
(year) (answer)

3. Will you realize any gain from the sale of this Property? NO  
(answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of October, 1989, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Edward G. Linnbaum Jr., 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.



*Patricia Ann Fetter*  
NOTARY PUBLIC

MICROFILMED

My Commission Expires: My Commission Expires July 1, 1990

CONDITIONAL USE PERMIT

FOR

TWO OR MORE APARTMENTS

This Use Permit for \_\_\_\_\_ apartment(s) at \_\_\_\_\_  
(address)  
is issued entirely upon the basis of the herein affidavit, including the dates  
of original use and continuous use sworn to therein. The responsibility for the  
accuracy of said dates and uses is entirely that of the legal owner and/or agent  
thereof. In the event that the accuracy is challenged our approval is auto-  
matically withdrawn; the use permit will be reinstated only after public hearing  
and submission of testimony that alleviates the allegations contained in the  
challenge and otherwise provides the proofs necessary to establish a legal non-  
conforming use for the number of apartments claimed. Knowingly falsifying the  
affidavit information on the reverse side of this permit is subject to the  
penalties of perjury.

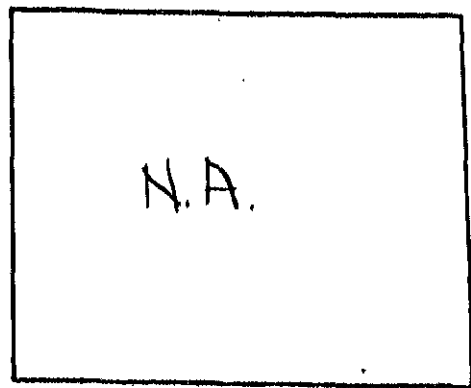
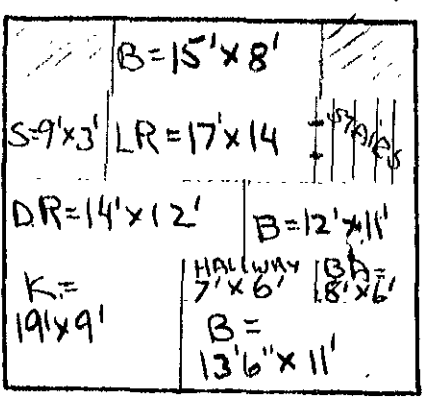
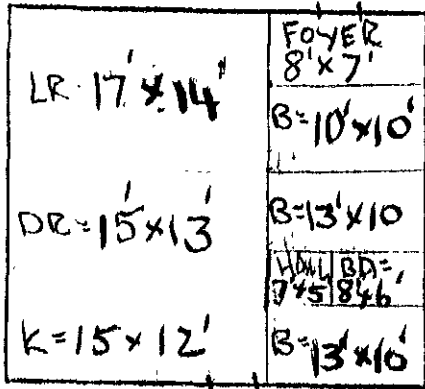
DATE: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_

ZONING COMMISSIONER, BALTIMORE COUNTY

REV: 5/18/87 MS051

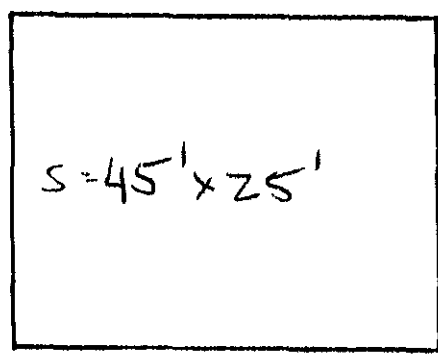
THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$20.00 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



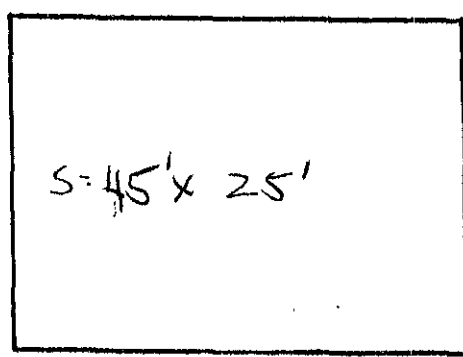
FIRST FLOOR

SECOND FLOOR

THIRD FLOOR



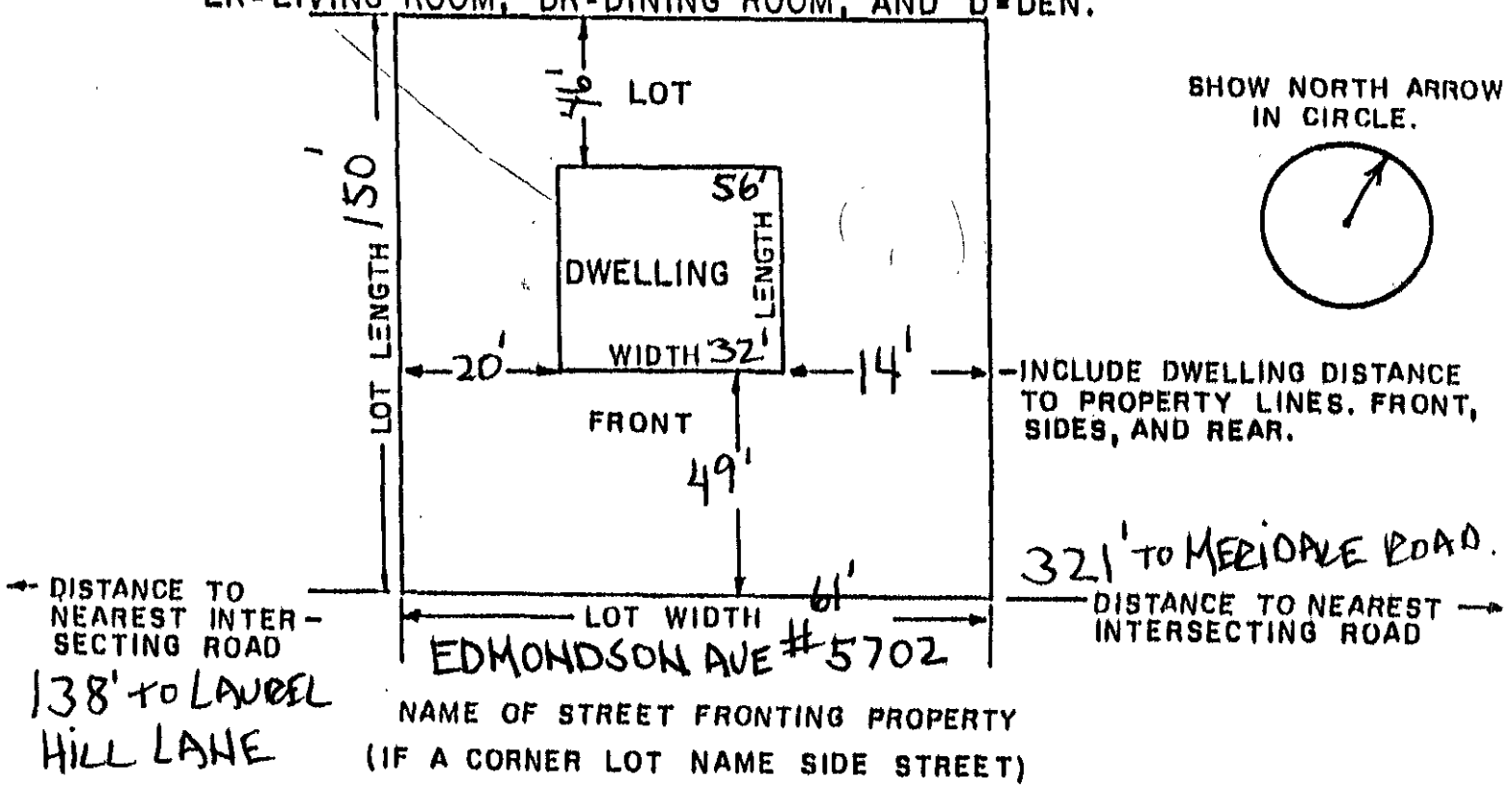
BASEMENT



ATTIC

DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



NAME OF STREET FRONTING PROPERTY (IF A CORNER LOT NAME SIDE STREET)

A F F I D A V I T

*Red Noz*

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.

*Emma Lastner*  
AFFIANT (Handwritten Signature)

**EMMA LASTNER**  
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 5702 EDMONDSON AVE (71228) has been occupied as a 2 (TWO) apartment dwelling since JUNE, 1952 ? \* Yes  
(month) (year) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since JUNE, 1952 ? \* Yes  
(month) (year) (answer)

3. Will you realize any gain from the sale of this Property? \* No  
(answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of Jan, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Emma Lastner, 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.

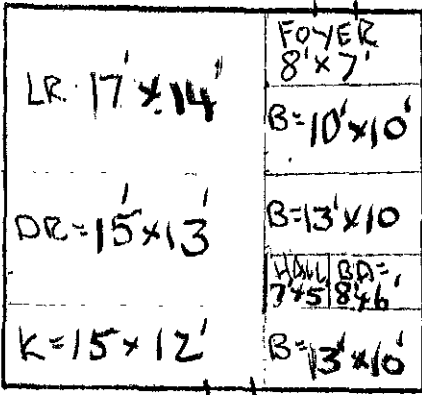
AS WITNESS my hand and Notarial Seal.

*[Signature]*  
NOTARY PUBLIC

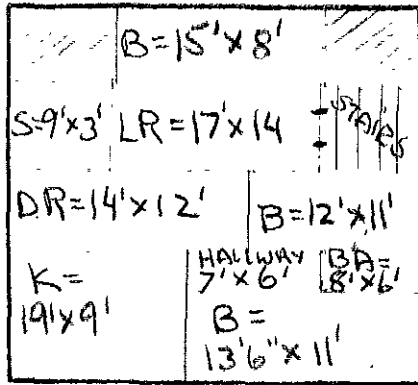
My Commission Expires:



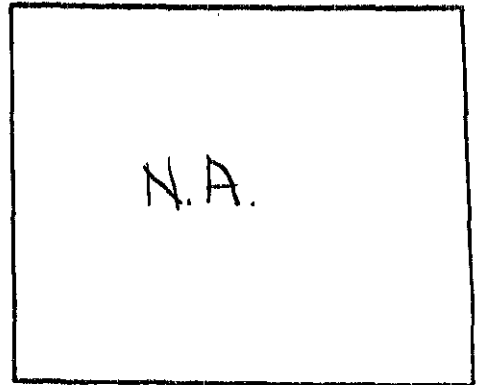
THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$20.00 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



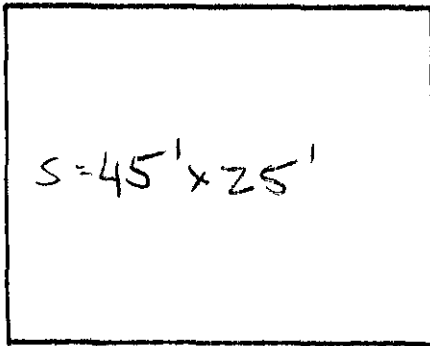
FIRST FLOOR



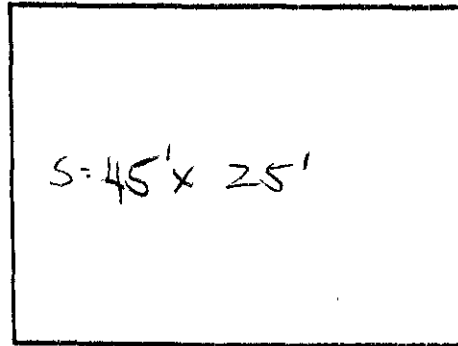
SECOND FLOOR



THIRD FLOOR



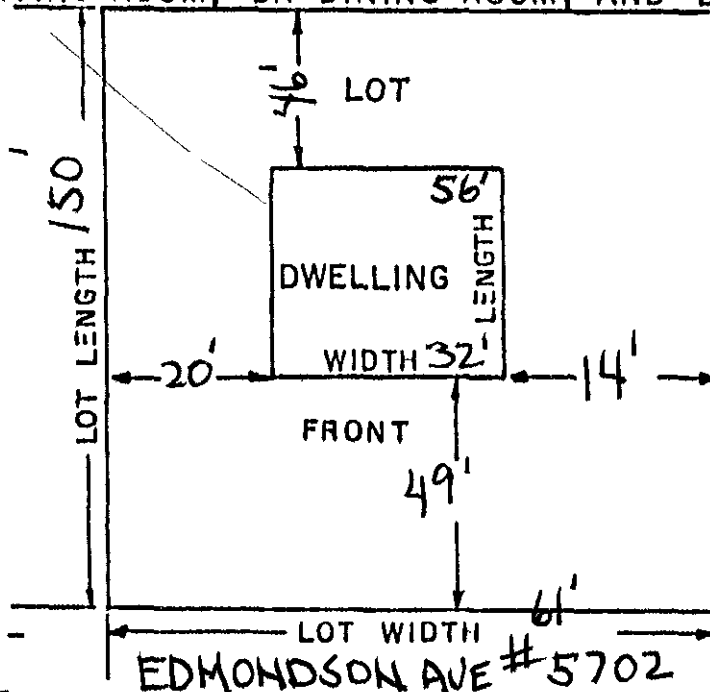
BASEMENT



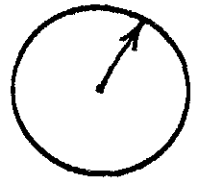
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LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



SHOW NORTH ARROW IN CIRCLE.



INCLUDE DWELLING DISTANCE TO PROPERTY LINES. FRONT, SIDES, AND REAR.

DISTANCE TO NEAREST INTERSECTING ROAD

DISTANCE TO NEAREST INTERSECTING ROAD

138' TO LAUREL HILL LANE

NAME OF STREET FRONTING PROPERTY (IF A CORNER LOT NAME SIDE STREET)

AFFIDAVIT

Red 103

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.

John E. Deppisch  
AFFIANT (Handwritten Signature)  
John E. Deppisch  
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 5702 EDMONDSON AVE., BALTIMORE, MD. 21228 has been occupied as a TWO apartment dwelling since (two, three, etc.)

January, 1950 ? Yes  
(month) (year) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since January, (month)

1950 ? Yes  
(year) (answer)

3. Will you realize any gain from the sale of this Property? No  
(answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

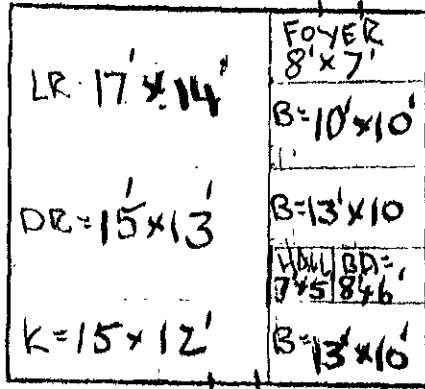
I HEREBY CERTIFY, this 28th day of NOVEMBER, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared JOHN E. DEPPISCH, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that 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.

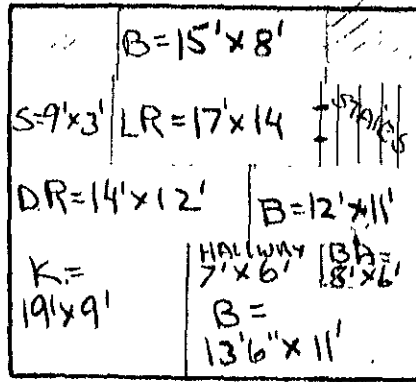
Stephen L. Hook  
NOTARY PUBLIC  
BALTIMORE COUNTY

My Commission Expires: March 1, 1993

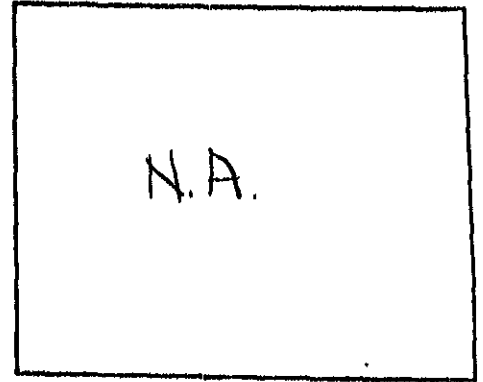
THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$20.00 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



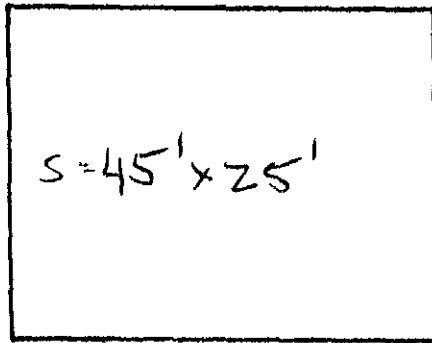
FIRST FLOOR



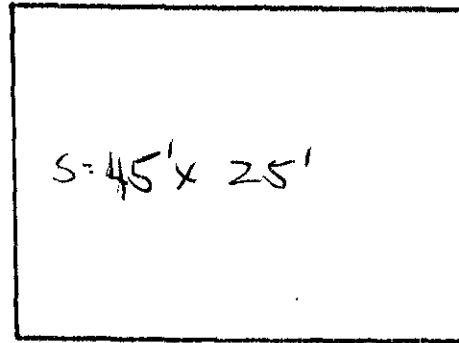
SECOND FLOOR



THIRD FLOOR



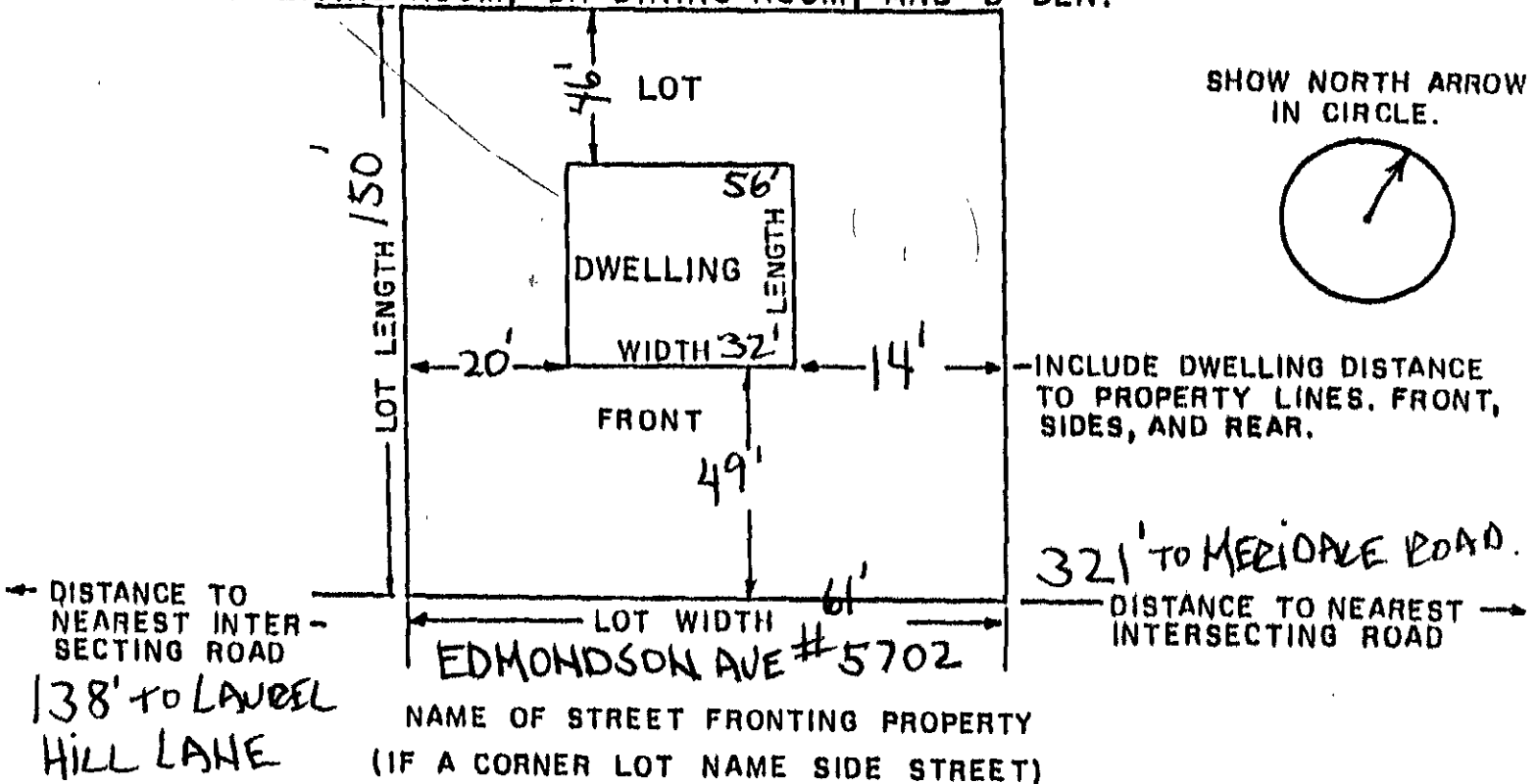
BASEMENT



ATTIC

DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.





Conditional Approval

for 2 apt. dwelling  
on 5702 Edmondson Avenue

MSK - 12/5/90

In the event that this approval  
is challenged, a hearing will  
be required to establish this use



**receipt**  
 95-322-SPH  
 Account # 001 6150  
 Number 315  
 CAM

DATE: 4/14/95  
 MARK CLEMENTS - 5702 EDMONDSON AVE.  
 320 - 5700  
 320 - 3500  
 65.00

185.00  
 Please Make Checks Payable To: Baltimore County

Baltimore County Government  
 Office of Zoning Administration  
 and Development Management

111 West Chesapeake Avenue  
 Towson, MD 21284 (410) 887-3353

**ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES**

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

*Carl Jablon*  
 ARNOLD JABLON, DIRECTOR

For newspaper advertising:  
 Item No.: 315  
 Petitioner: MARK + MARGARET CLEMENTS  
 Location: 5702 EDMONDSON AVE. BALD. MD 21228

PLEASE FORWARD ADVERTISING BILL TO:  
 NAME: MARK CLEMENTS  
 ADDRESS: 4414 OCEAN PINES  
 BERLIN, MARYLAND 21811  
 PHONE NUMBER: 410-208-6656

AJ:egs (Revised 04/09/93)

**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 herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

**CASE NUMBER: 95-322-SPH (Item 315)**  
 5702 Edmondson Avenue  
 NW/SE Edmondson Avenue, 138' NE of Laurel Hill Lane  
 1st Election District - 1st Councilmanic  
 Legal Owner(s): Mark Wayne Clements and Margaret Louise Clements  
 HEARING: TUESDAY, APRIL 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Hearing to establish a non-conforming use of a two-apartment dwelling.

LAWRENCE E. SCHRIFF  
 ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
 (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
 Office of Zoning Administration  
 and Development Management

111 West Chesapeake Avenue  
 Towson, MD 21204 (410) 887-3353

March 23, 1995

**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 herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

**CASE NUMBER: 95-322-SPH (Item 315)**  
 5702 Edmondson Avenue  
 NW/SE Edmondson Avenue, 138' NE of Laurel Hill Lane  
 1st Election District - 1st Councilmanic  
 Legal Owner(s): Mark Wayne Clements and Margaret Louise Clements  
 HEARING: TUESDAY, APRIL 18, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Special Hearing to establish a non-conforming use of a two-apartment dwelling.

*Carl Jablon*  
 Arnold Jablon  
 Director

cc: Mark and Margaret Clements

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
 (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
 (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
 Office of Zoning Administration  
 and Development Management

111 West Chesapeake Avenue  
 Towson, MD 21204 (410) 887-3353

April 10, 1995

Mr. and Mrs. Mark Wayne Clements  
 4414 Ocean Pines  
 Berlin, Maryland 21811

RE: Item No.: 315  
 Case No.: 95-322-SPH  
 Petitioner: Mark Clements, et ux

Dear Mr. and Mrs. Clements:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 14, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

*W. Carl Richards, Jr.*  
 W. Carl Richards, Jr.  
 Zoning Supervisor

WCR/jw  
 Attachment(s)

BALTIMORE COUNTY, MARYLAND  
 INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
 Zoning Administration and  
 Development Management

DATE: April 4, 1995

FROM: Pat Keller, Director  
 Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
 Item Nos. 315, 316, 326, 327, and 328

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*  
 Division Chief: *Carol L. Kerms*

PK/JL

ITEM315/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
 INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/3/95

FROM: DEPRM  
 Development Coordination

SUBJECT: Zoning Advisory Committee  
 Agenda: 3/27/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 314  
 315  
 316  
 317  
 318

LS:sp  
 LETTY2/DEPRM/TXTSP

BALTIMORE COUNTY, MARYLAND  
 INTER-OFFICE CORRESPONDENCE

TO: *Pat* Arnold Jablon, Director  
 Zoning Administration and Development Management

DATE: April 3, 1995

FROM: Robert W. Bowling, P.E., Chief  
 Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
 For April 3, 1995  
 Items 314, 315, 316, 317, 318, 319, and 320

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:ew

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-1500

DATE: 03/22/95

Arnold Tablen  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21286  
MAIL STOP 1105

RE: Property Owner: SEE BELOW

ATTENTION: DISTRIBUTION MEETING OF APR. 27, 1995

FROM: SEE BELOW Zoning Agent:

Subject:

Pursuant to your request, the referenced property has been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the project.

2. The Fire Marshal's Office has no comments at this time. III REFERENCE TO THE FOLLOWING ITEM NUMBERS: 214, 312, 313, 314, 315, 317 AND 320.

APPROVED: LT. ROBERT P. SAUERHOLD  
Fire Marshal Office, PHONE 892-6881, RS-11002

DATE: 03/22/95

MDTA Maryland Department of Transportation  
State Highway Administration

O James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

3-21-94

Re: Baltimore County  
Item No: 3315 (CAM)

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,  
Bob Small  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-8236 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING  
5702 Edmondson Avenue, NW/S Edmondson Ave.,  
138' NE of Laurel Hill Lane, 1st  
Election District, 1st Councilmanic

Mark W. and Margaret L. Clements  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 95-322-SPH

ENTRY OF APPEARANCE

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

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

MARGIE S. DEMELLO  
Deputy People's Counsel  
Near 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16<sup>th</sup> day of April, 1995, a copy of the foregoing Entry of Appearance was mailed to Mark W. and Margaret L. Clements, 4414 Ocean Pines, Berlin, MD 21811, Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

RECEIVED  
APR 11 1995  
ZADM

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Martha Clements	5702 Edmondson Ave Baltimore, MD 21228
Margaret L. Clements	4414 Ocean Pines Berlin, MD 21811
John E. Deppe	6015 Linden Ave Baltimore, MD 21207
M. S. G. HAMNER	600 Laurel Hill Lane Baltimore, Md 21228
Mr. Tom Coyle	10 Cherry Hill Rd Baltimore, Md 21205
Debra Michele	4414 Ocean Pines Berlin, Md 21811
	700 Edmondson Ave Baltimore, Md 21228

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.

Edward G. Linbaum Jr.  
AFFIANT (Handwritten Signature)  
EDWARD G. LINBAUM JR.  
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 5702 EDMONDSON AVE (21228) has been occupied as a 2 (TWO) apartment dwelling since SEPTEMBER, 1963 (month) (year) YES (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since SEPTEMBER (month) 1963 (year) YES (answer)

3. Will you realize any gain from the sale of this Property? NO (answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of October, 1989, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Edward G. Linbaum Jr. 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 Seal: Edward G. Linbaum Jr., Notary Public, My Commission Expires: My Commission Expires July 1, 1990

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.

Emma Lastner  
AFFIANT (Handwritten Signature)  
EMMA LASTNER  
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 5702 EDMONDSON AVE (21228) has been occupied as a 2 (TWO) apartment dwelling since JUNE, 1952 (month) (year) YES (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since JUNE (month) 1952 (year) YES (answer)

3. Will you realize any gain from the sale of this Property? NO (answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of May, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Emma Lastner 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 Seal: Notary Public, My Commission Expires:

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.

John E. Deppe  
AFFIANT (Handwritten Signature)  
John E. Deppe  
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 5702 Edmondson Ave, Baltimore, MD 21228 has been occupied as a Two apartment dwelling since January, 1960 (month) (year) YES (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since January (month) 1960 (year) YES (answer)

3. Will you realize any gain from the sale of this Property? NO (answer)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28th day of November, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared John E. Deppe 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.

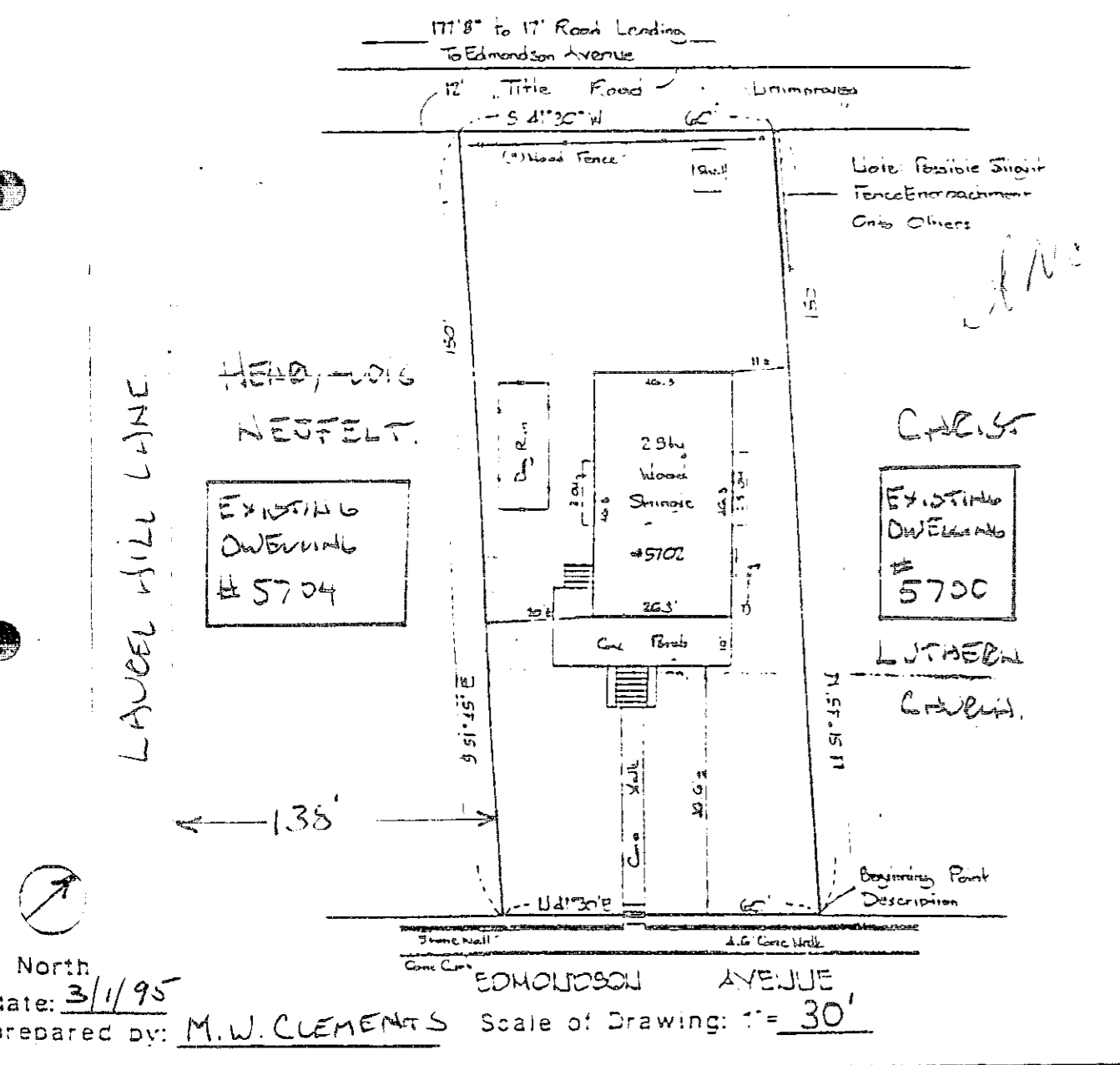
AS WITNESS my hand and Notarial Seal.

Notary Seal: Notary Public, My Commission Expires: March, 1995

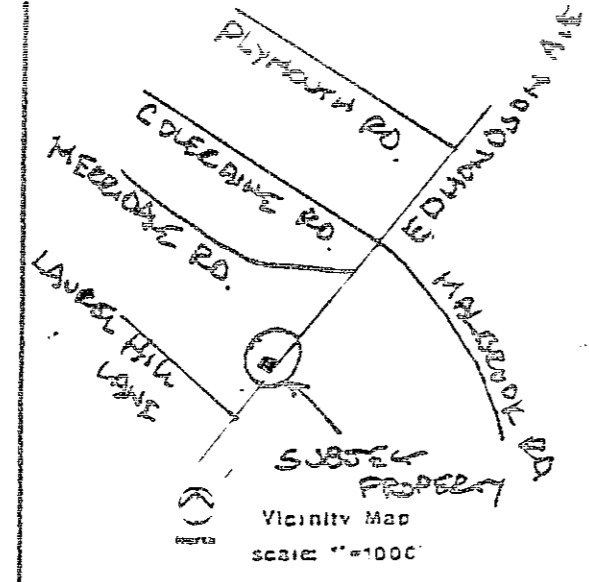
Plat to accompany Petition for Zoning  Variance  Special Hearing

PROPERTY ADDRESS: 5702 EDMONDSON AVE see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: # NOT IN FLOOD PLAIN  
 DIST BOOK# \_\_\_\_\_ LOT# \_\_\_\_\_ SECTION# \_\_\_\_\_  
 OWNER: MARK + MARGARET CLEMENTS

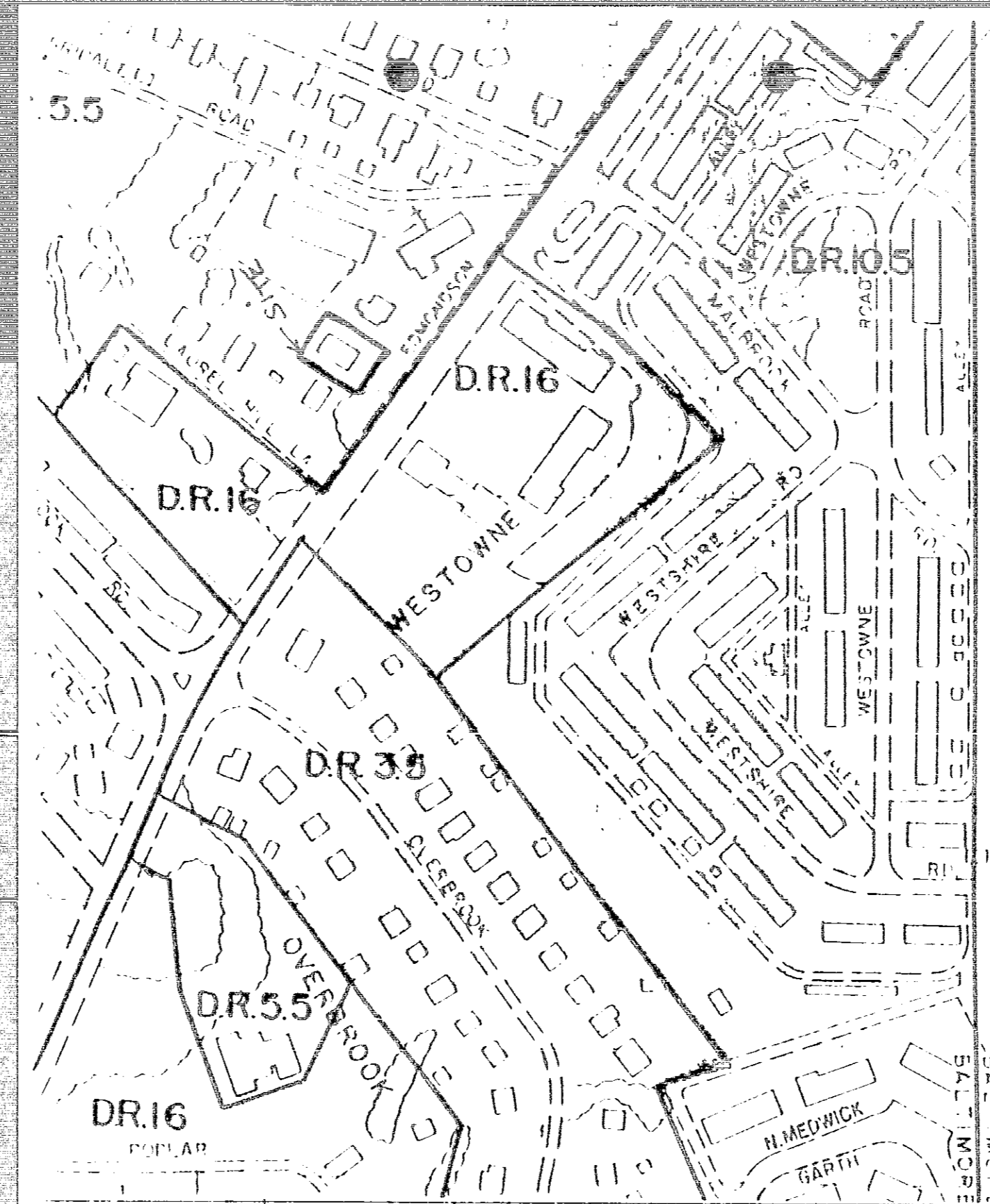


North  
 date: 3/1/95  
 prepared by: M.W. CLEMENTS Scale of Drawing: 1" = 30'



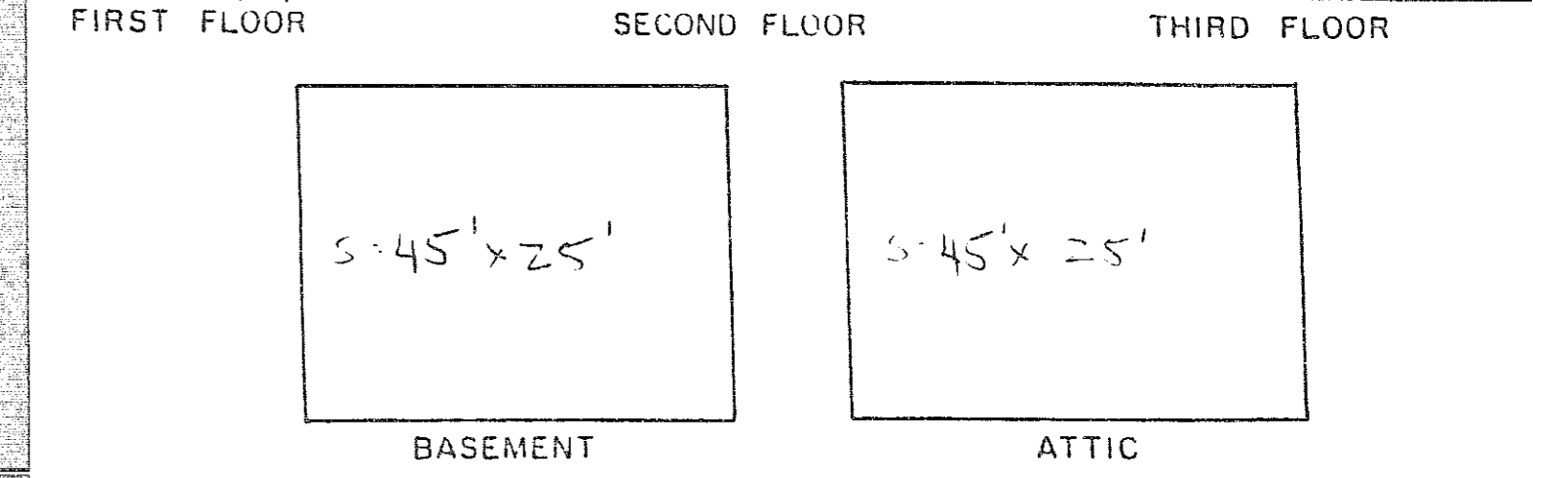
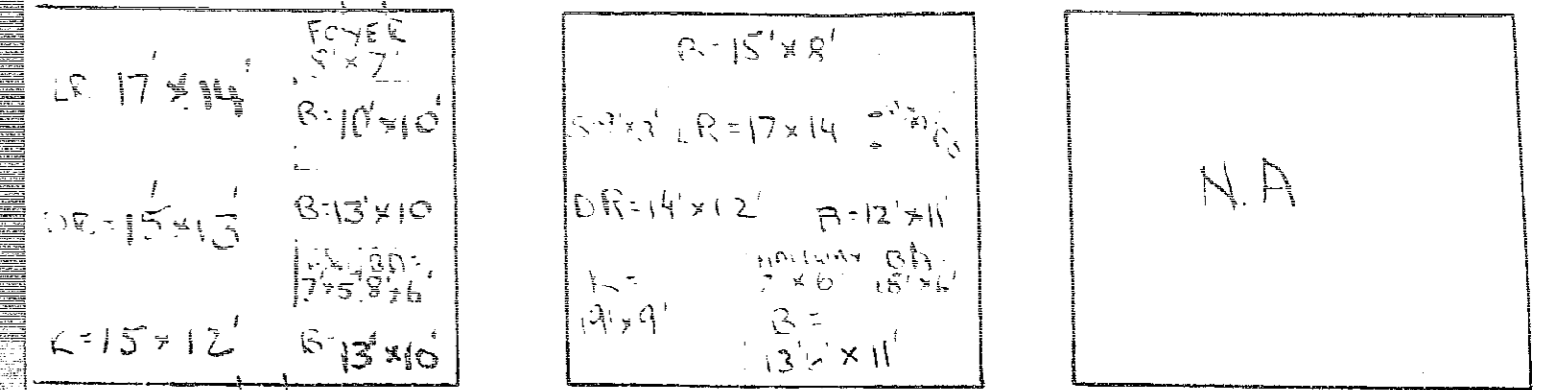
LOCATION INFORMATION  
 Election District: 1  
 Councilmanic District: 1  
 1"=200' scale map: SW-2-E  
 Zoning: D.R. 5.5  
 Lot size: 0.20 acreage 9000.00 square feet  
 Sewer: [Symbol] [Symbol] [Symbol] [Symbol] [Symbol]  
 Water: [Symbol] [Symbol] [Symbol] [Symbol] [Symbol]  
 Chesapeake Bay Critical Area: [Symbol] [Symbol] [Symbol] [Symbol] [Symbol]  
 Prior Zoning Hearings: NONE

Zoning Office USE ONLY!  
 reviewed by: ITEM #: CASE #:

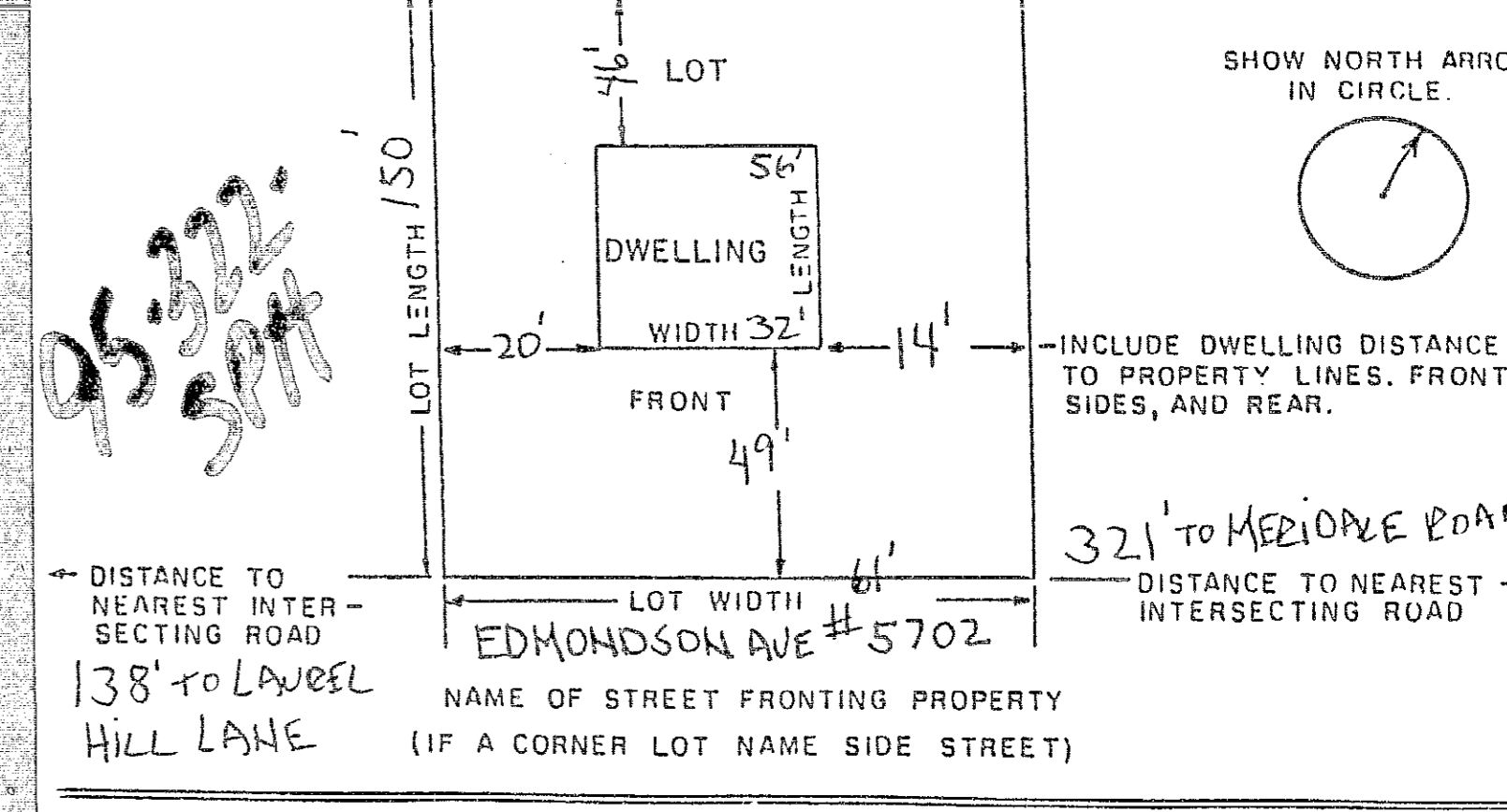


SCALE LOCATION SHEET  
 CATONSVILLE S.W. 2-E

THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$20.00 MADE PAYABLE TO BALTIMORE COUNTY, MARYLAND



DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.  
 LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



95-322-504  
 DISTANCE TO NEAREST INTERSECTING ROAD: 138' TO LAUREL HILL LANE  
 DISTANCE TO NEAREST INTERSECTING ROAD: 321' TO MEDVALE ROAD  
 NAME OF STREET FRONTING PROPERTY (IF A CORNER LOT NAME SIDE STREET): EDMONDSON AVE #5702