

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
Cor. E/S Potomac Avenue * ZONING COMMISSIONER
and N/S Linden Avenue * OF BALTIMORE COUNTY
1607 Potomac Avenue * Case No. 98-46-SPH
13th Election District *
1st Councilmanic District *
Janet F. McCabe, Petitioner *
* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 1607 Potomac Avenue in Arbutus. The Petition was filed by Janet F. McCabe, property owner. The Petitioner seeks approval of the nonconforming use of the property for a two apartment dwelling. The subject property and requested relief are more particularly shown on the plat for the Petition for Special Hearing and was received and marked as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case was Janet F. McCabe, property owner. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is an irregularly shaped lot, known as lot No. 121 of the subdivision of James Rittenhouse, et al, known as Halethorpe. The property is a corner lot, located in the northeast corner of the intersection of Potomac Avenue and Linden Avenue. The property is improved with a two story frame dwelling which fronts Potomac Avenue.

Ms. McCabe testified that she has owned the subject property for several years and resides therein. She produced a floor plan which indicates that the dwelling is used as two apartments, a first floor unit and a unit on the second floor. She resides on the first floor and rents the second story. As the floor shows, each apartment contains a kitchen and bath, as well as bedrooms and associated living areas. Additionally, each

9/15/97
M. Horak

unit is served by its own metered utilities and there is a separate entrance to each.

Ms. McCabe also submitted copies of affidavits from two elderly neighbors. One such affidavit was executed by Thomas E. Lester, who lives immediately across the street at 4615 Linden Avenue. Mr. Lester's affidavit indicates that he has been a resident of the area since 1950 and that the subject property has been used as a two apartment dwelling continuously and uninterruptedly since then. A second former neighbor, Anthony J. Keydash, also submitted an affidavit. Mr. Keydash's affidavit indicates that he has been familiar with the property since July of 1952 and he also verified that the property has been used as a two apartment unit since that time.

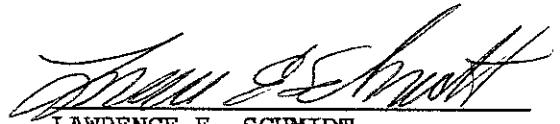
As noted above, there were no Protestants or other interested persons present. Based on the uncontradicted testimony and evidence presented, I am persuaded to grant the Petition for Special Hearing. In my judgment, the Petitioner has submitted satisfactory evidence that the property is nonconforming, as required by Section 104 of the BCZR. Specifically, I find that the dwelling has been used as a two apartment unit since prior to 1955, the date of the enactment of the comprehensive zoning regulations of Baltimore County. Moreover, it is clear that the use has been continuous and uninterrupted since that time.

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 15TH day of September 1997 that, pursuant to the Petition for Special Hearing, approval for the nonconforming use of the property for a

two apartment dwelling, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner 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:mmm

RECEIVED FOR FILING
JUL 15 1997
W. G. G. G.



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 15, 1997

Ms. Janet F. McCabe
1607 Potomac Avenue
Baltimore, Maryland 21227

RE: Petition for Special Hearing
Case No. 98-46-SPH
Property: 1607 Potomac Avenue

Dear Ms. McCabe:

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

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 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

c: John C. Mellema Sr., Inc.
5409 East Drive
Baltimore, Maryland 21227





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1607 Potomac Ave

which is presently zoned DR5.5

98-46-SPH

This Petition shall be filed with the Department of Permits & 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

the legal nonconforming 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/Lessee

Legal Owner(s)

(Type or Print Name)

Janet F. McCabe
(Type or Print Name)

Signature

x Janet F. McCabe
Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

1607 POTOMAC AVE 410-536-0649
Address Phone No

(Type or Print Name)

BALTD. CO. MD. 21227
City State Zipcode

Name, Address and phone number of representative to be contacted.

Signature

JOHN C. MELEMA SR INC.
Name

Address

Phone No

5409 EAST DR. BALTD. CO. 410-247-7488
Address Phone No

City

State

Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1-2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: mk

DATE

8/6/97





John C. Mellema, Sr. Inc.

5409 East Drive
Baltimore, MD 21227

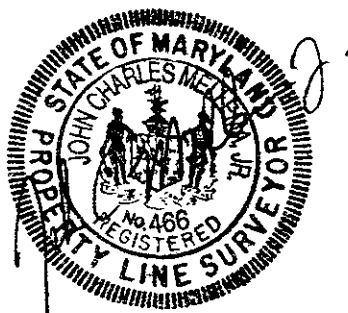
(410) 247-7488 Fax (410) 247-2507
August 5, 1997

98-46-SPH

DEED DESCRIPTION FOR # 1607 POTOMAC AVENUE

Beginning for the same at the corner formed by the intersection of the Easternmost side of Potomac Avenue and the Northernmost side of Linden Avenue, said point also being the Southwesternmost corner of lot 121 as shown on a plan of Subdivision of James Rittenhouse Et Al called Halethorpe recorded in Baltimore County Maryland, in plat book J.W.S. No.1 folio 60, thence binding on the Easternmost side of Potomac Avenue North 11 degrees 43 minutes 53 seconds East a distance of 174.11 feet to division line between lot 121 and 112 as shown on aforementioned plat, thence running with the division line between lot 121 and lot 112, North 89 degrees 15 minutes 00 seconds East for a distance of 39.25 feet to the division line between lot 121 and lot 122 as shown on aforementioned plat, thence running with and binding on the division line between lot 121 and lot 122, South 00 degrees 45 minutes 00 seconds East for a distance of 170.00 feet to intersect the Northernmost side of Linden Avenue and the Southernmost line of lot 121 as shown on aforementioned plat South 89 degrees 15 minutes 00 seconds West for a distance of 76.88 feet to the place of beginning containing 9.871.05 square feet of land more or less as now surveyed by John C. Mellema, Sr. Inc. Land Surveyors bearings based on magnetic North July 1997.

Being known and designated as lot no. 121 on the plan of subdivision of James Rittenhouse Et Al called Halethorpe and recorded among the land records of Baltimore County Maryland in plat book J.W.S. No.1 Folio 60.



46

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 in Towson, Maryland on the property identified herein as follows:

Case: #98-46-SPH

1607 Polomac Avenue
corner E/S Polomac Avenue
and W/S Under Avenue
13th Election District
1st Councilmatic

Legal Owner(s):
Janet F. McJabe

Special Hearing: to approve the legal nonconforming use of a two apartment dwelling.

Hearing: Friday, September 12, 1997 at 10:00 A.M.
Room 106 County Office Building, 111 W. Chateaufort Avenue.

LAWRENCE B. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible, for special accommodations please call (410) 887-3353.
(2) For information concerning this file and/or hearing please call (410) 887-3391.

8/31/97 August 28 C168072

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug 28, 1997

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 Aug 28, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 042709

DATE 8/6/97

ACCOUNT 01-615

By: msl
Item: 46

AMOUNT \$ 50.00

RECEIVED FROM: McAtley Janet — 1607 Potomac Ave

FOR: 030-Rs Sp. Henry — \$ 50.00

CONTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

REC'D 8/6/97 2/30/1997 10:50 AM
5 MISCELLANEOUS CASH RECEIPT
RECEIPT # 042709
R.R. NO. 042709

BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 28-46 SPH

Petitioner/Developer: _____

JANET F. MCCABE

Date of Hearing/Closing: 9-12-97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

1607 POTOMAC AVE.

The sign(s) were posted on AUGUST 27, 1997
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1607 Potomac Ave

98-46-SPH

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits & 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

the legal nonconforming 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.

Legal Owner(s):

Janet F. McCabe

(Type or Print Name)

Janet F. McCabe

Signature

(Type or Print Name)

Signature

1607 POTOMAC AVE

Address

410-536-0629

Phone No

BALTO. CO. MD. 21227

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

JOHN C. WELLENBA SR INC.

Name

5409 EAST PR.

Address

410-247-7488

Phone No

BALTO. CO. MD 21227

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1-2 hr

the following dates

Next Two Months

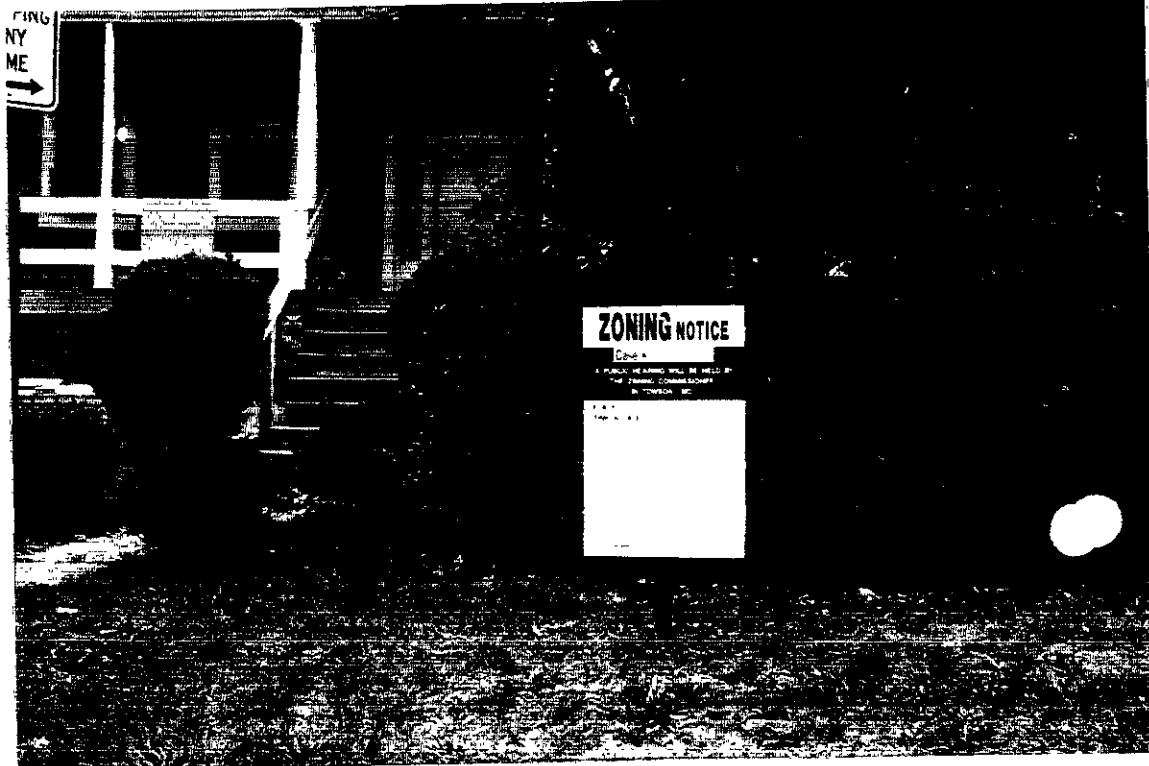
ALL

OTHER

REVIEWED BY: MTA

DATE 8/6/97





ZONING NOTICE

Case # : 98-46-SPL

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

ROOM 106 COUNTY OFFICE BLDG.
PLACE : 111 W. CHESAPEAKE AVE.

TIME & DATE : FRIDAY, SEPTEMBER 12, 1997
10:00 A.M.

SPECIAL HEARING TO APPROVE THE
LEGAL NONCONFORMING USE OF A
TWO APARTMENT DWELLING.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 867-1391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

NO ONE SHOULD EVER LOSE A HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 46

Petitioner: Janet F. McCabe

Location: 1607 Potomac Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Janet F. McCabe

ADDRESS: 1607 Potomac Ave

Balto. MD. 21227

PHONE NUMBER: (410) 536-0649

AJ:ggg

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____ *

Format for Sign Printing, Black Letters on White Background:

Item # 46

ZONING NOTICE

Case No.: 98-46-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____ *

DATE AND TIME: _____ *

REQUEST: special hearing to approve the legal nonconforming
use of a two-apartment dwelling

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTTIXENT PUBLISHING COMPANY

August 28, 1997 Issue - Jeffersonian

Please forward billing to:

Janet F. McCabe
1607 Potomac Avenue
Baltimore, MD 21227
410-536-0649

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-46-SPH
1607 Potomac Avenue
corner E/S Potomac Avenue and N/S Linden Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): Janet F. McCabe

Special Hearing to approve the legal nonconforming use of a two apartment dwelling.

HEARING: FRIDAY, SEPTEMBER 12, 1997 at 10:00 a.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

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
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 18, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-46-SPH
1607 Potomac Avenue
corner E/S Potomac Avenue and N/S Linden Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): Janet F. McCabe

Special Hearing to approve the legal nonconforming use of a two apartment dwelling.

HEARING: FRIDAY, SEPTEMBER 12, 1997 at 10:00 a.m., Room 106 County Office Building, 111 W. Chesapeake Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Janet F. McCabe
John C. Mellema, Sr., Inc.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 28, 1997.
(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
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 8, 1997

Ms. Janet F. McCabe
1607 Potomac Avenue
Baltimore, MD 21227

RE: Item No.: 46
Case No.: 97-46-SPH
Petitioner: Janet McCabe

Dear Ms. McCabe:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 6, 1997.

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 (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 Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: August 15, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 23, 42, 43, 46, 47, 48, 49, 50, and 51

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol Kerns

AFK/JL



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

August 19, 1997

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

RE: Property Owner: JANET F. MCCABE

Location: DISTRIBUTION MEETING OF August 25, 1997

Item No.: 046

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.

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", 1991 edition prior to occupancy.

REVIEWER: L. C. ROBERT M. SAUERWALD

Fire Marshal Office, PHONE 887-1881, ME-1102F

cc: File



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

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 12, 97

DATE: 8/26/97

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

Item #'s:

42
46
47
48
49
50
51

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 22, 1997

FROM:  Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 25, 1997
Item Nos. 044, 045, 046, 047, 048,
049, 050, and 051

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE825.NOC

RE: PETITION FOR SPECIAL HEARING
1607 Potomac Avenue, Corner E/S Potomac
Avenue and N/S Linden Avenue
13th Election District, 1st Councilmanic

Legal Owner(s): Janet F. McCabe
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-46-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

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 28th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to John C. Mellema, Sr., Inc., 5409 East Drive, Baltimore, MD 21227, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Director of Zoning Administration and Development Management (ZADM), as follows:

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

Anthony J. Keydash
AFFIANT (Handwritten Signature)

ANTHONY J. KEYDASH
AFFIANT (Printed Name)

5815 HERON Dr - 21227
ADDRESS (Printed)

242-5824
TELEPHONE NUMBER

BASED UPON YOUR PERSONAL KNOWLEDGE, PLEASE ANSWER THE FOLLOWING:

- Can you verify by this affidavit and/or testify in court, if necessary, that the home located at 1607 Potomac Ave, Hakeyhope MD has been occupied as a 2 apartment dwelling since JULY 1952? YES
(address) (month) (year) (2. etc.) (answer)
- Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since JULY 1952? YES
(month) (year) (answer)
- Will you realize any gain from the sale of this property? NO *
(answer)

*If the answer is yes, this form cannot be approved.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY this 22 day of May, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Anthony J. Keydash 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 herein above set forth are true and correct to the best of his/her knowledge and belief

AS WITNESS my hand and Notarial Seal.

Norma Heister
NOTARY PUBLIC
My Commission Expires Sept. 8, 1998

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Director of Zoning Administration and Development Management (ZADM), as follows:

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

Thomas E Lester
AFFIANT (Handwritten Signature)

Thomas E Lester
AFFIANT (Printed Name)

4615 LINDEN AVE 21227
ADDRESS (Printed)

410 242 1614
TELEPHONE NUMBER

BASED UPON YOUR PERSONAL KNOWLEDGE, PLEASE ANSWER THE FOLLOWING:

1. Can you verify by this affidavit and/or testify in court, if necessary, that the home located at 1607 Potomac Ave Halethorpe MD has been occupied as a 2 apartment dwelling since August, 1950? YES
(address) (month) (year) (2, etc.) (answer)
2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since August, 1950? YES
(month) (year) (answer)
3. Will you realize any gain from the sale of this property? NO *
(answer)

*If the answer is yes, this form cannot be approved.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

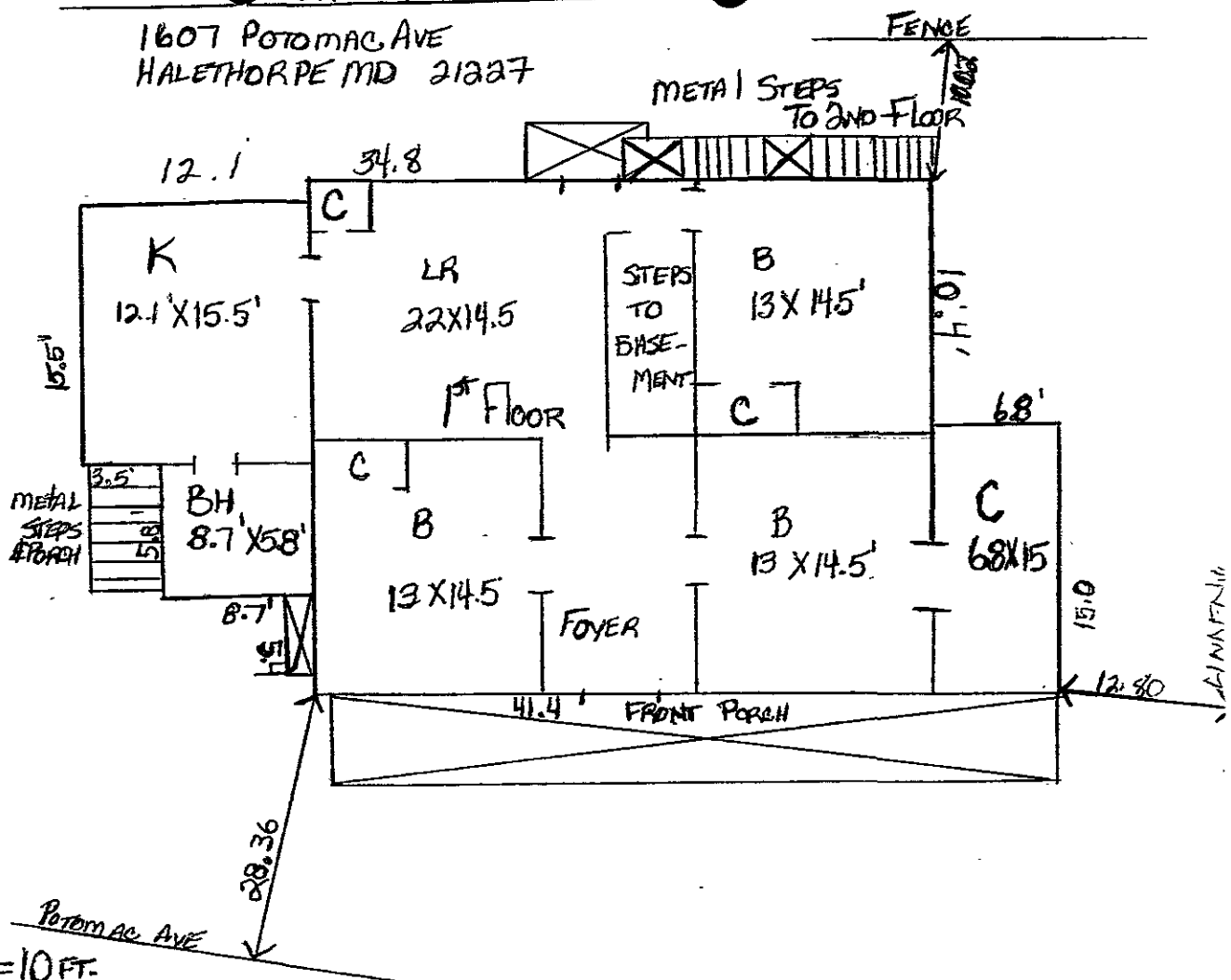
I HEREBY CERTIFY this 22 day of May, 1998, before me a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Thomas E Lester the Affiant herein personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts herein above set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Anna Heide
NOTARY PUBLIC
My Commission Expires Sept. 8, 1998

1607 POTOMAC AVE
HALETHORPE MD 21227

1ST Floor,



SCALE: 1 in. = 10 ft.

BASEMENT

C=Closet

K = KITCHEN

B = BEDROOM

BH = BATH

LR = LIVING ROOM

DR= DINING ROOM

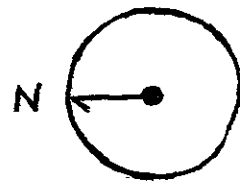
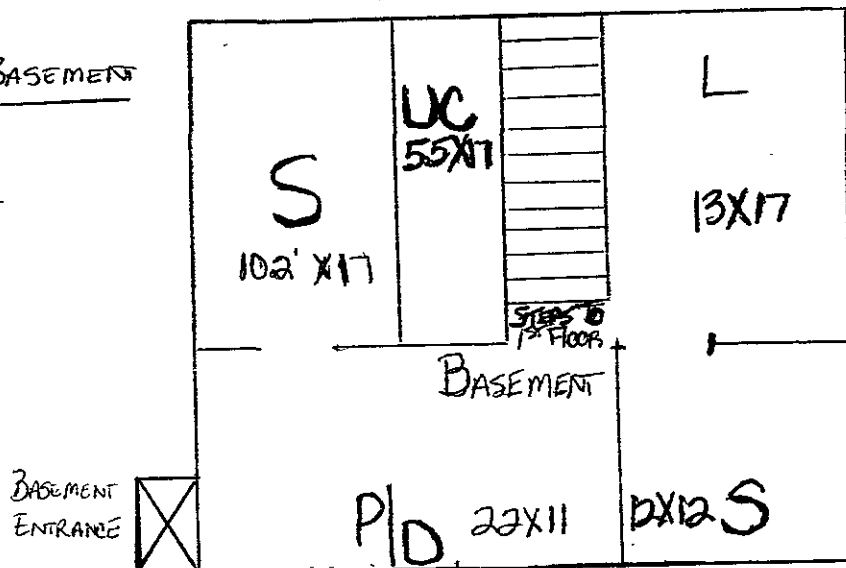
$$D = D_{EN}$$

L = LAUNDRY

S= STORAGE

P = PLAYROOM

UC = UTILITY CLOSET

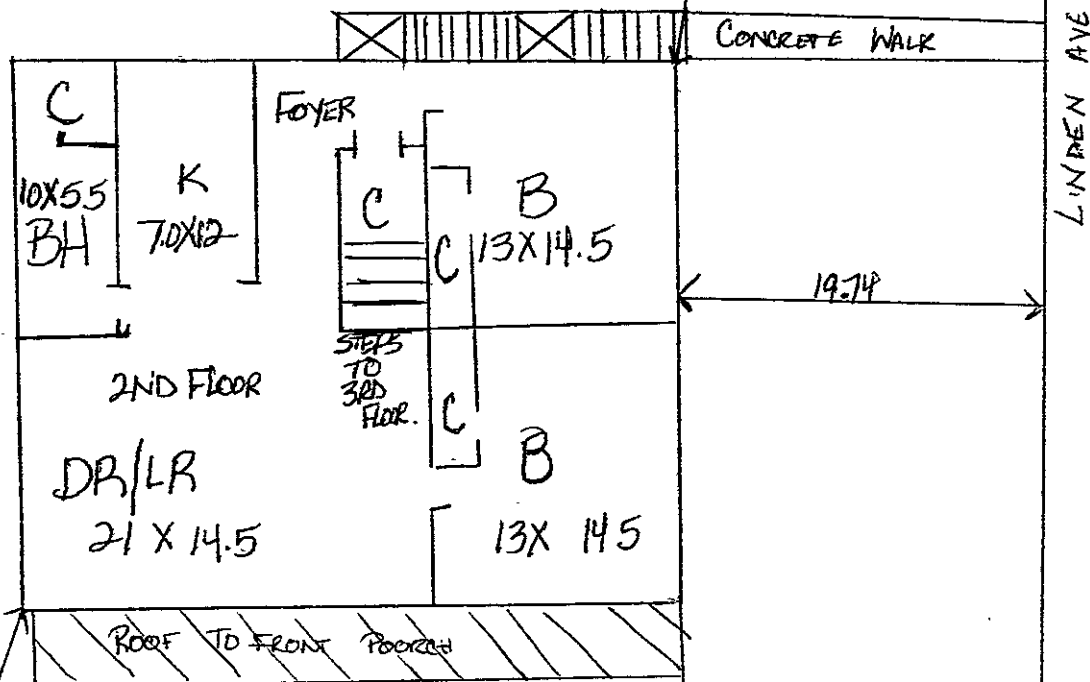


Janet McCasle

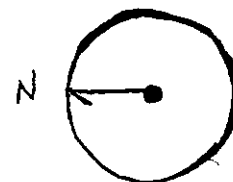
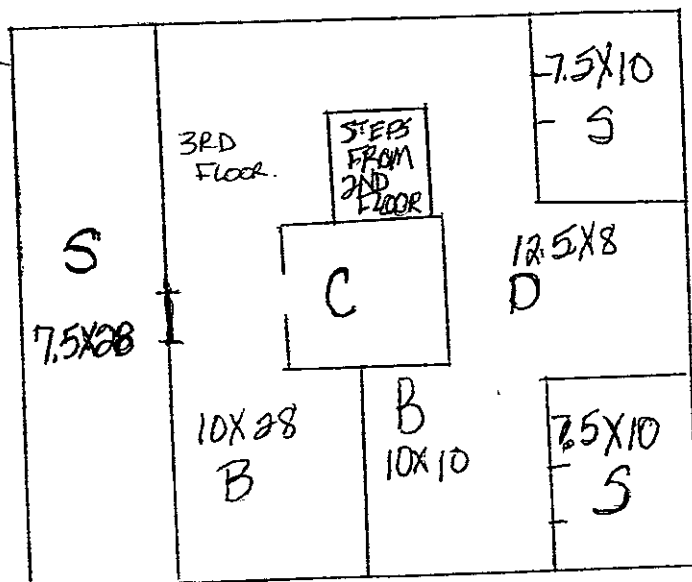
OWNERS SIGNATURE

2ND FLOOR APARTMENT
1607 ROTOMAC AVE
HALETHORPE MD 21227.

2ND
FLOOR



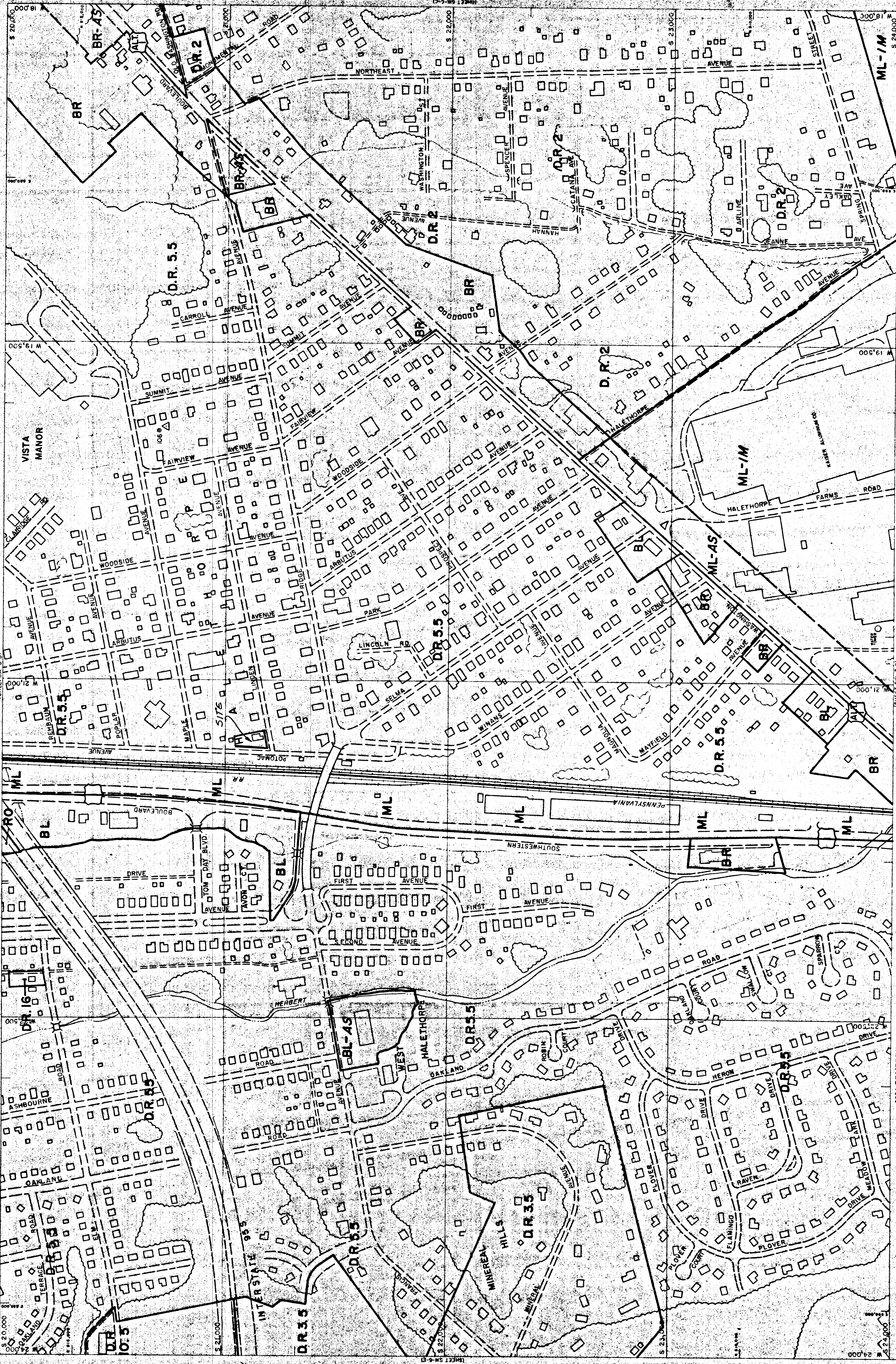
3RD
Floor.



SEE PAGE 1 FOR KEY.

Garet M. Case
OWNERS SIGNATURE

98-46
SPH



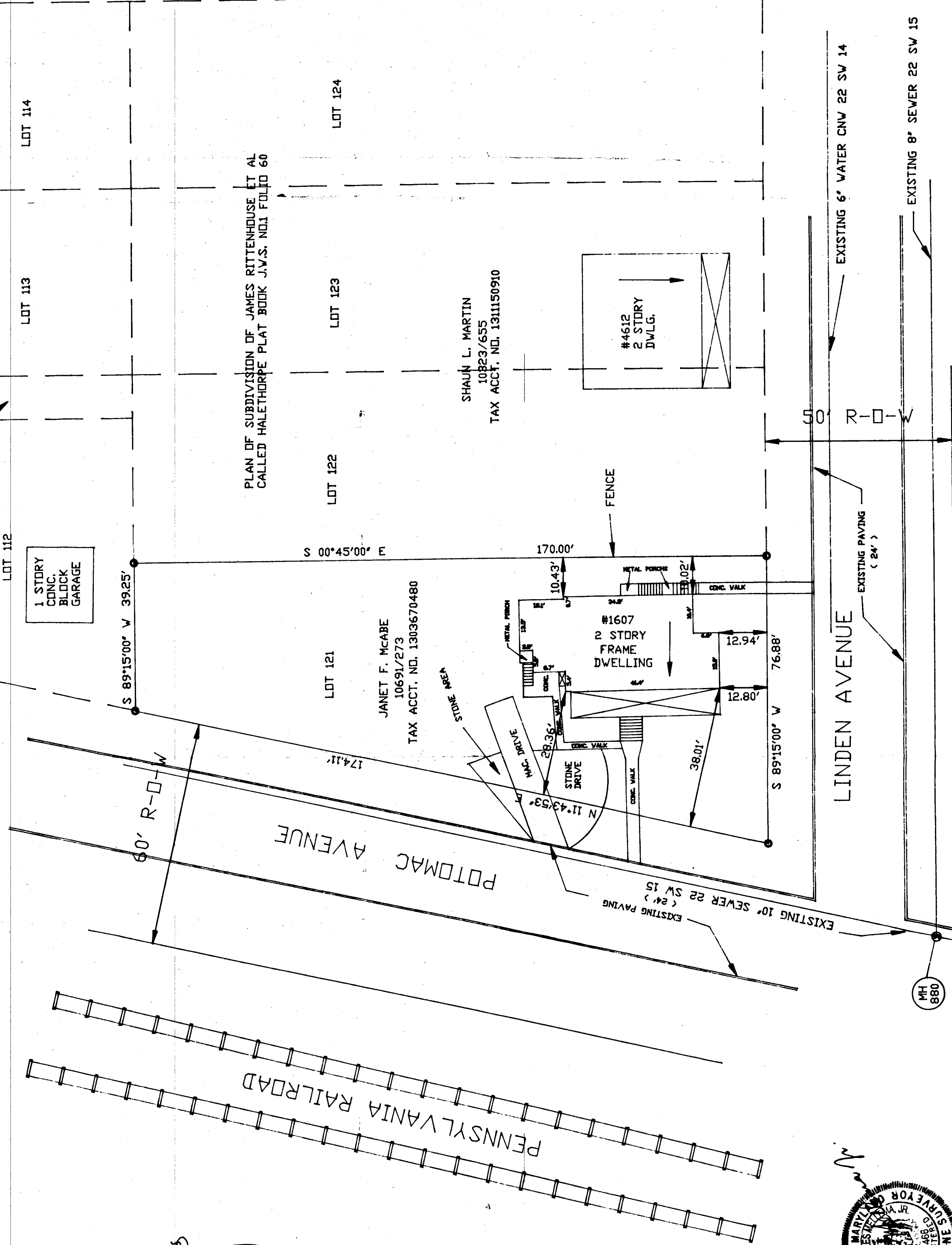
1996 COMPREHENSIVE ZONING MAP ADOPTED BY THE BALTIMORE COUNTY COUNCIL OCTOBER 8, 1996 Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96		SCALE 1" = 200' ±	LOCATION HALETHORPE	SHEET S.W. 6-D #46
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP				
<i>Karin Kameny</i> Chairman, County Council				
THIS MAP HAS BEEN REVISED IN SELECTED AREAS TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21216				

PLAT TO ACCOMPANY PETITION FOR ZONING
PROPERTY ADDRESS: 1607 POTOMAC AVENUE
SUBDIVISION NAME: PLAN OF SUBDIVISION OF JAMES RITTENHOUSE ET AL
CALLED HALETHORPE
PLAT BOOK J.V.S. NO. 1 FOLIO 60 LOT 121
OWNER: JANET F. MCABE

☐ VARIANCE ☒ SPECIAL HEARING

WILLIAM FRANCIS ROBINSON
AND ELLEN S. ROBINSON
4079/367
TAX ACCT. # 1318470950
SAVE & EXCEPTING

DONALD EDWARD SCHAFER
8202/540
TAX NO. 1319070470



VICINITY MAP
SCALE 1"=2000'



WHEN THE PRESENT OWNER MS. JANET F. MCABE PURCHASED THE PROPERTY, JULY 28, 1994 FROM RUSSELL G. CORKRIN AND DINA M. F. CORKRIN THE DWELLING WAS ALREADY BEING USED AS A RESIDENCE WITH ONE APARTMENT, COMPLETE WITH A SEPARATE ENTRANCE, LIVING, COOKING AND BATHING FACILITIES. MS. MCABE WAS UNAWARE AT THE TIME OF PURCHASE THAT THE EXISTING USE WAS A VIOLATION OF ANY ZONING CODE MS. MCABE FOLLOWING NOTIFICATION OF THE ZONING VIOLATION CONSULTED WITH LOCAL RESIDENCE IN AN ATTEMPT TO ESTABLISH HOW LONG THE DWELLING HAS BEEN USED IN THIS CAPACITY AND AS A RESULT OF HER INQUIRIES HAS OBTAINED SWORN AFFIDAVITS FROM NEIGHBORS INDICATING THE USE AND OCCUPANCY OF THIS DWELLING HAS BEEN IN EXISTENCE SINCE SOMETIME BETWEEN 1950 AND 1952.

MINIMUM AREA FOR CONVERSION OF ONE FAMILY DWELLINGS
ZONING DR5.5 (R6+) 10,000 SQ.FT.
EXISTING AREA 9,871.05 SQ.FT.

98-46-SPH
#46

PLAT TO ACCOMPANY SPECIAL HEARING
(APARTMENT USE)

OWNER: JANET F. MCABE
#1607 POTOMAC AVENUE
BALTO. CO. MARYLAND 21227
ELEC. DIST. 13 COUNCILMANIC DIST. 1
CENCUS TRACT: 4304 R.P.D. 325A
SCALE: 1"=20' DATE: JULY, 1997
TAX MAP 108 PARCEL 60 GRID 12

OWNER:
JANET F. MCABE
#1607 POTOMAC AVE.
BALTO. CO. MD. 21227
DEED REF. 10691/273
TAX ID NO. 1303670480

PREPARED BY
JOHN C. MELLEMA SR. INC.
LAND SURVEYORS
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PHONE 410-247-7488 FAX 410-247-2507

