

IN RE: PETITION FOR SPECIAL HEARING
E/S Wendover Avenue, 238' S of
the c/l of Highpoint Road
(7835 and 1/2 Wendover Avenue)
9th Election District
6th Councilmanic District

Christine Ann Richardson
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-181-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Christine Ann Richardson, seeking approval of a two apartment dwelling, with deficient setbacks, as legal and nonconforming. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Christine Richardson, property owner, Joseph D. and Tom Longo, potential purchasers of the subject property, Terry A. Blauvelt, Maggi Ayd, and Cathy Norton. Appearing as interested parties in the matter were Charles Grieb, adjoining property owner, Eugene and Anne McGraw, who resides to the rear of the subject property on Birmingham Avenue, and their son, Craig McGraw.

Testimony and evidence offered revealed that the subject property consists of 0.090 acres, more or less, zoned D.R. 5.5, and is improved with a two-story stucco building, the first floor of which is used as a two-car garage, and the second floor as two separate apartments. The front facade of the building is constructed of stone masonry, while the sides are made of stucco. The front portion of the lot is paved with macadam and serves as a parking area. Access to the two apartments on the

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Date 1/15/98

By

second floor is provided by stairs leading up to two separate entrances on the outside of the building. Ms. Richardson testified that the property has been in her family for many years. She is now desirous of selling the property and in order to offer same as a two-apartment building, has filed the instant Petition to legitimize existing conditions. Ms. Richardson testified that the subject building was constructed as a two-car garage with two apartments above it in 1940. As can be seen from the site plan, the building actually straddles the property line of the adjoining property, known as 7837 Wendover Avenue, which is owned by Charles Grieb. In addition, the building has a rear setback of 4 feet, and a south side setback of 10 feet. Ms. Richardson was able to determine from records kept by her grandparents that the two apartments have been used continuously and without interruption as two separate living units since 1952.

Further testimony revealed that Mr. Joseph Longo and Mr. Tom Longo wish to purchase the subject property. Mr. Joseph Longo intends to live on the adjacent property and maintain the two apartments and garage on the subject property as two separate rental units. However, prior to purchasing the property, the Longos wanted confirmation that the property is legal and nonconforming as a two-apartment dwelling.

As noted above, Eugene and Anne McGraw, their son, Craig, and a neighbor, Charles Grieb, appeared as interested citizens. Mr. and Mrs. McGraw live to the rear of the subject property and have lived there since 1955. They testified that the subject two-apartment dwelling is located very close to their home and they do not contest that the two apartments have existed on the property since 1952. However, they are concerned over the utilization of the garage for commercial purposes. Furthermore, they are concerned, and wanted assurances that, no additional apartments will

be constructed within this building. Mr. McGraw also expressed concern over storm water runoff from the subject building and wanted assurances that all water runoff from the subject property would be directed away from his property.

Section 101 of the B.C.Z.R. defines a nonconforming use as a legal use that does not conform to a use regulation for the zone in which it is located or to a specific regulation applicable to such a use. In essence, a legal nonconforming use designation can operate to "grandfather" an otherwise prohibited use in a specific location. However, the Petitioner must adduce testimony and evidence that any such use existed prior to the effective date of the prohibiting legislation. Moreover, it must be shown that the use has not changed, been abandoned or discontinued for a period of one year or more since the use began. Furthermore, regulations are provided regarding the alteration and/or enlargement of such use.

As with all nonconforming use cases, the first task is to determine whether a lawful nonconforming use existed on the subject property prior to the year in which a change in the zoning regulations caused the use of the property to become illegal. The controlling year in this case is 1945 for a three apartment use and 1955 for a two apartment use. As noted above, the testimony was undisputed that the subject building has been used continuously and without interruption as a two-apartment dwelling since 1952.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the origi-

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Date 11/5/98
By [Signature]

nal use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, Md., 39 Md. App.257, 385 A2d. 96 (1978).

When the claimed nonconforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original nonconforming use;

(b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

McKemy v. Baltimore County, Md., Supra.

After due consideration of the testimony and evidence presented, it is clear that the subject property has been used continuously and without interruption as a two-apartment dwelling since prior to 1952, and as such, enjoys a legal nonconforming use. Therefore, the relief requested in the Petition for Special Hearing should and must be granted. Although the Petitioner has met the burden of proof relative to the two second floor apartments on the subject property, conditions and restrictions shall be imposed upon the use of the first floor, or garage space, to insure that same will not be used for commercial purposes. The garage area itself shall serve as accessory to the residential apartment uses on

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Date 11/2/98
By [Signature]

the second floor of the building and only the storage of personal items associated with that use shall be permitted. No commercial activity on the subject property shall be permitted, and no commercial vehicles or equipment shall be stored on the subject property.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of January, 1998 that the Petition for Special Hearing seeking approval of a two apartment dwelling, with deficient setbacks, as legal and nonconforming, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) There shall be no additional apartments created within the building on the subject property. Only the two, nonconforming apartments are permitted.
- 3) The garage area located below the two nonconforming apartments shall be used for residential storage purposes, only. There shall be no commercial activity on the subject property, nor the storage of commercial vehicles or equipment thereon.
- 4) The Petitioner shall take steps to have appropriate gutters and downspouts installed on the building to insure that all storm water runoff from the subject building is channeled away from adjacent residential properties and out to Wendover Avenue.
- 5) The two apartments will be regularly maintained in accordance with all applicable County regulations pertaining to rental units.

ORDER RECEIVED FOR FILING

Date 1/15/98

By [Signature]

6) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/15/19
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

January 15, 1998

Ms. Christine A. Richardson
3137 Pine Orchard Lane, Unit #302
Ellicott City, Maryland 21042

RE: PETITION FOR SPECIAL HEARING
E/S Wendover Avenue, 238' S of the c/l of Highpoint Road
(7835 and 1/2 Wendover Avenue)
9th Election District - 6th Councilmanic District
Christine Ann Richardson - Petitioner
Case No. 98-181-SPH

Dear Ms. Richardson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Joseph D. Longo, 10125 Charington Road, Cockeysville, Md. 21030
Mr. Tom Longo, 16 W. Seminary Avenue, Lutherville, Md. 21093

Mr. & Mrs. Eugene G. McGraw, Sr.
7838 Birmingham Avenue, Baltimore, Md. 21234

Mr. Charles Grieb, 19543 Middletown Road, Parkton, Md. 21120

People's Counsel; Case/Files



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7835 1/2 WENDOVER AVE
which is presently zoned DR 5.5

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

the existence of a two apartment dwelling
with deficient setbacks as a legal non-conforming use.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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):

CHRISTINE ANN RICHARDSON

(Type or Print Name)

Christine Ann Richardson

Signature

(Type or Print Name)

Signature

3137 UNIT 302 PINE ORCHARD LN.

Address

Phone No.

ELLICOTT CITY MD 21042 (410) 750-7216

City

State

Zipcode

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

(410) 461-2300 W

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: CAM

DATE

5 Nov 97

ORDER RECEIVED FOR FILING

Date

By



Zoning Administration

Development Management

98-181-S PH

181

ZONING DESCRIPTION FOR 7835 1/2 WENDOVER AVE

BEGINNING AT A POINT ON THE EASTERNMOST SIDE OF WENDOVER AVE WHICH IS 40 FEET WIDE AT A DISTANCE OF 238 ft. SOUTH OF THE CENTERLINE OF HIGHPOINT RD WHICH IS 30 ft. WIDE. THESE ARE PART OF LOT 515 AND 518 AND ALL OF LOTS 516 AND 517 IN THE AREA KNOWN AS PARKVILLE HEIGHTS AS RECORDED IN BALTIMORE COUNTY PLAT BOOK 7 FOLIO 38 CONTAINING 3916 SQUARE FT. ALSO KNOWN AS 7835 1/2 WENDOVER AVE AND LOCATED IN THE 9th ELECTION DISTRICT; 4th COUNCILMANIC DISTRICT.

98-181-SPH

CERTIFICATE OF PUBLICATION

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: #86-181-SPH
7835-1/2 Wendover Avenue
E/S Wendover Avenue, 238' S
of centerline Highpoint Road
9th Election District
6th Councilmanic District
Legal Owner(s):

Christine Ann Richardson
Special Hearing: to approve the existence of a two-apartment dwelling with deficient setbacks as a legal non-conforming use.
Hearing: Friday, December 12, 1997 at 11:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

11/392 Nov 27 C192429

TOWSON, MD., November 27, 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 Nov. 27, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

044365

PAID RECEIPT

PROCESS ACTUAL TIME

11/06/1997 11/05/1997 14:16:55

NO. 001 CASHIER CLINICAL CENTER

5 MISCELLANEOUS CASH RECEIPT

Receipt # 000000

UT NO. 044365

50.00 CASH = 11

Baltimore County, Maryland

DATE 5 Nov 97 ACCOUNT R-001-6150

181

AMOUNT

\$ 50.00

CASH

RECEIVED
FROM:

Richardson

FOR: Special Hearing

7835 1/2 Wendover Ave

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-181 SPH

Petitioner/Developer: C.A. RICHARDSON, ETAL

Date of Hearing/Closing: 12/12/97
@ 11:00 AM
RM. 106
C.O.B.

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 # 7835 1/2 WENDOVER RD.

The sign(s) were posted on _____

11/25/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 11/30/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

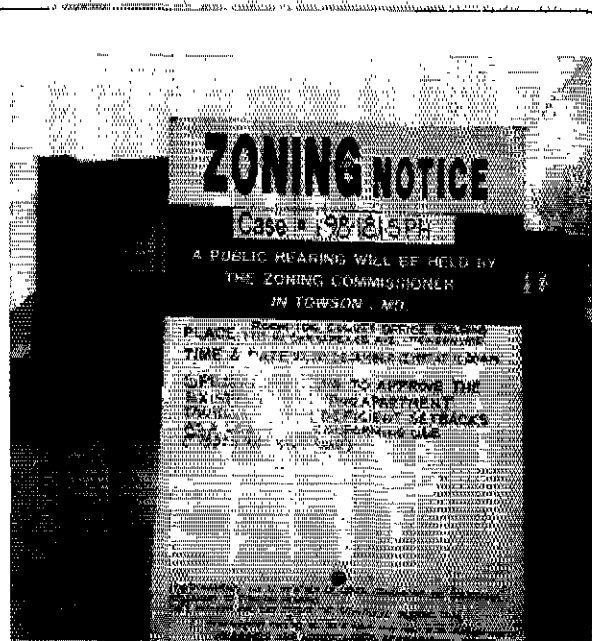
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Page (410) 905-8571



A10-461-2300

11-410-750-7216

7835 1/2 WENDOVER

98-181-SPH

P. 11/25/97 RICHARDSON-H. 12/12/97

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:

ZONING NOTICE

Case No.: 98-181-SPH

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

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Hearing to approve the existence
of a two apartment dwelling with
A deficient setbacks as a legal nonconforming
Use.

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



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
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.:

181

Petitioner:

CHRISTINE RICHARDSON

Location:

7835 1/2 WENDOVER AVE BALTIMORE MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

NAME:

CHRISTINE RICHARDSON

ADDRESS:

3137 UNIT 302 PINE ORCHARD LN.

ELLICOTT CITY MD 21042

PHONE NUMBER:

410 750 7216 H 410 461 2300 W

AJ:ggs

(Revised 09/24/96)

TO: PATUXENT PUBLISHING COMPANY
November 26, 1997 Issue - Jeffersonian

Please forward billing to:

Christine Richardson	410-750-7216 (home)
3137 Unit 302 Pine Orchard Lane	410-461-2300 (work)
Ellicott City, MD 21042	

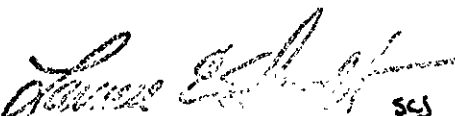
NOTICE OF HEARING

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: 98-181-SPH
7835-1/2 Wendover Avenue
E/S Wendover Avenue, 238' S of centerline Highpoint Road
9th Election District - 6th Councilmanic District
Legal Owner: Christine Ann Richardson

Special Hearing to approve the existence of a two-apartment dwelling with deficient setbacks as a legal non-conforming use.

HEARING: Friday, December 12, 1997 at 11:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

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

November 14, 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: 98-181-SPH
7835-1/2 Wendover Avenue
E/S Wendover Avenue, 238' S of centerline Highpoint Road
9th Election District - 6th Councilmanic District
Legal Owner: Christine Ann Richardson

Special Hearing to approve the existence of a two-apartment dwelling with deficient setbacks as a legal non-conforming use.

HEARING: Friday, December 12, 1997 at 11:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

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

Arnold Jablon *sd*
Director

c: Christine Ann Richardson

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 26, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

December 3, 1997

Ms. Christine Ann Richardson
3137 Pine Orchard Lane, Unit 302
Ellicott City, MD 21042

RE: Item No.: 181
Case No.: 98-181-SPH
Petitioner: Christine Richardson

Dear Ms. Richardson:

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 November 5, 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." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 11/14/97
Item No. 181 CAM

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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



Baltimore County
Fire Department

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

November 20, 1997

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

RE: Property Owner: William Carter Stone, D.D.S. & Doris Marie
Stone
Christine Ann Richardson

Location: DISTRIBUTION MEETING OF November 17, 1997

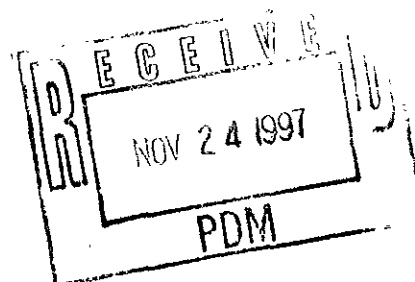
Item No.: 178 and 181 Zoning Agenda:

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: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File



B A L T I M O R E C O U N T Y, M A R Y L A N D

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: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: November 24, 1997

FROM: *Sub* Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for November 24, 1997
 Item Nos. 175, 179, 180, 181, 183,
 and 184

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

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

TO: PDM

DATE: 11/21/97

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Nov 17, 97

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

Item #'s:

173

181

177

183

178

184

179

180

RBS:sp

BRUCE2/DEPRM/TXTSBP

*Roslyn
As. file*

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: November 19, 1997

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

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 179, 180, 181, 182, 183, and 184

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

AFK/JL

RE: PETITION FOR SPECIAL HEARING
7835-1/2 Wendover Avenue, E/S Wendover
Avenue, 238' S of c/l Highpoint Road
9th Election District, 6th Councilmanic

Christine A. Richardson
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-181-SPH

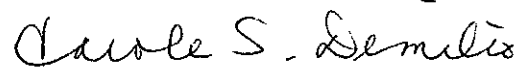
* * * * *

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
People's Counsel for Baltimore County



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 1st day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to Christine A. Richardson, 3137 Pine Orchard Lane, Unit 302, Ellicott City, MD 21042, Petitioner.



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.

[Handwritten Signature]
AFFIANT (Handwritten Signature)

TERRY A. BLANVELT
AFFIANT (Printed Name)

4603-C LONG GLEN RD
ADDRESS (Printed)

GLEN AVE, MD
21057

410-526-3535
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 7835 1/2 WENDOVER AVE BALTO MD 21234 has been occupied as a two apartment dwelling since AUGUST, 1952? YES
(address) (month) (year) (answer)
(2, etc.)
2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since AUGUST, 1952? 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 27th day of AUGUST, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Terry Blauvelt, 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.

Mary Beth Holmes
NOTARY PUBLIC
My Commission Expires 3-6-00

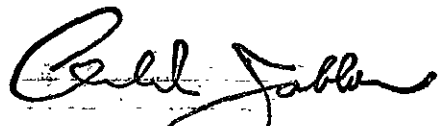
**CONDITIONAL USE PERMIT
FOR
TWO APARTMENTS**

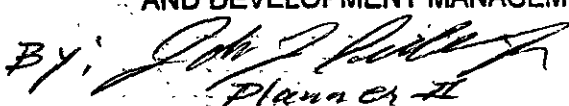
This use permit for two apartments at 7835(1/2) Wendover Ave
(address)

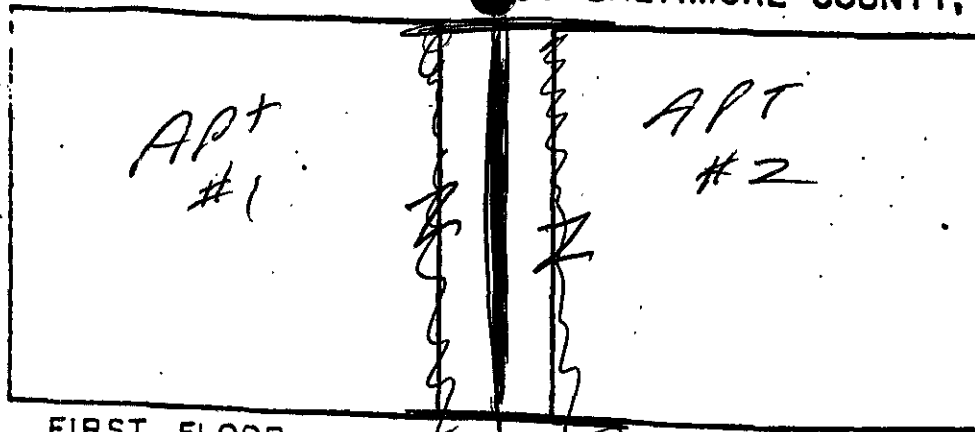
is issued entirely upon the basis of the herein affidavit, including the dates of original use and continuous use sworn to therein. The responsibility for the accuracy of said dates and uses is entirely that of the legal owner and/or agent thereof. In the event that the accuracy is challenged, our approval is automatically 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: 9-25-97

APPROVED BY:

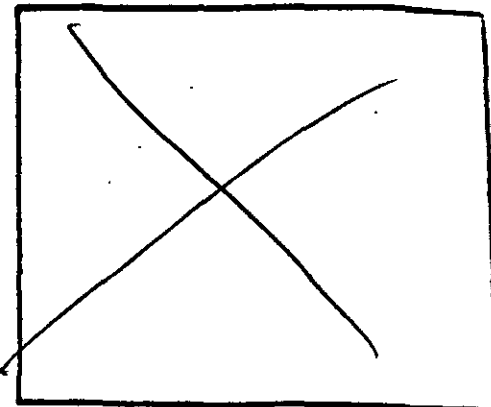

DIRECTOR, ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT

By:  / JLL
Planner II

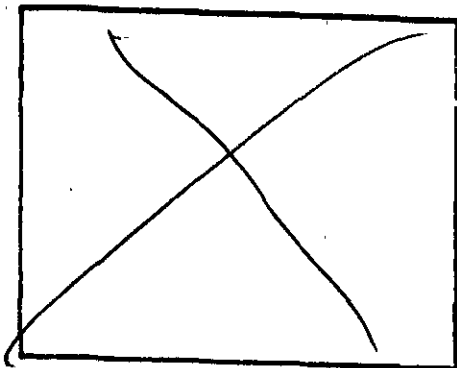


FIRST FLOOR

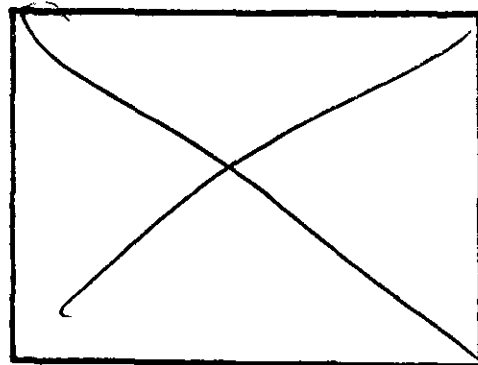
SECOND FLOOR



THIRD FLOOR



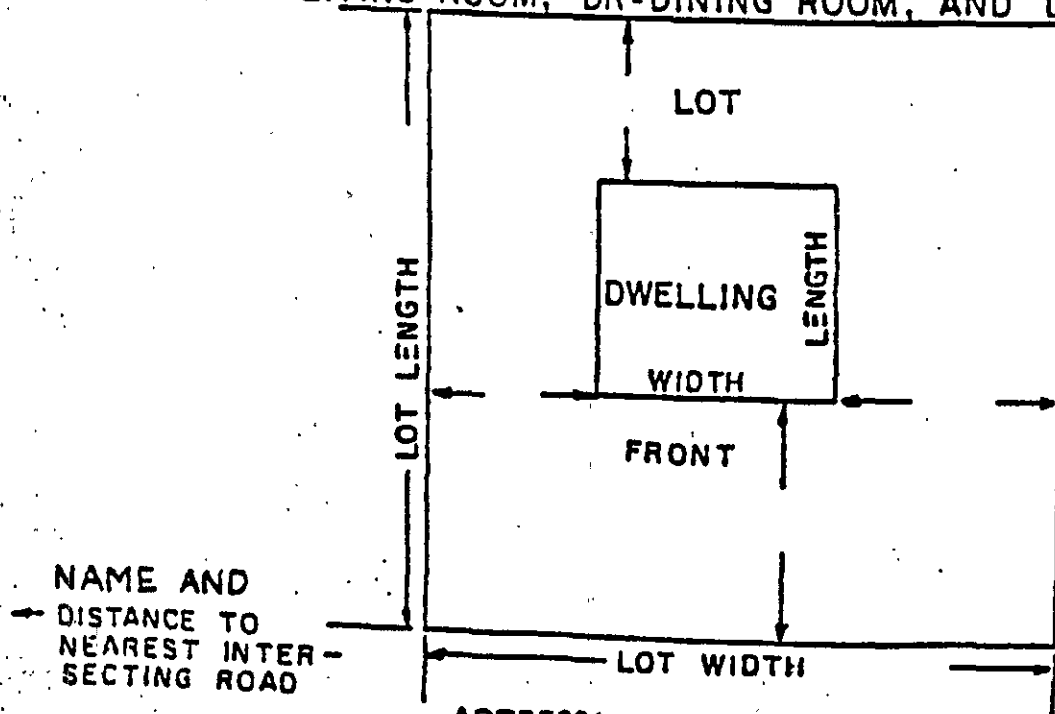
BASEMENT



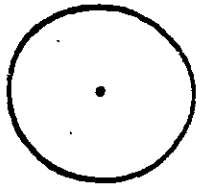
ATTIC

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.



SHOW NORTH ARROW IN CIRCLE.



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

NAME AND DISTANCE TO NEAREST INTERSECTING ROAD

NAME AND DISTANCE TO NEAREST INTERSECTING ROAD

ADDRESS:

NAME OF STREET FRONTING PROPERTY

(IF A CORNER LOT NAME SIDE STREET)

OWNERS

SIGNATURE

December 12, 1997

To: Zoning Commissioner

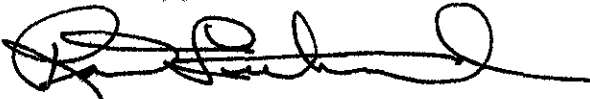
From: Robert Lee Leatherwood

Re: Occupancy of 7835-B Wendover Avenue

I was a tenant at this address for the beginning of my studies at Towson State College. I lived there in 1969 and 1970.

If you have any questions, please feel free to call me at 410-526-3535.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Lee Leatherwood', with a long horizontal flourish extending to the right.

Robert Leatherwood

Citizens

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Eugene J McHawest
Anne T McGraw
Craig McGraw
Charles Grieb

7838 Birmingham Ave 21234
7838 Birmingham Ave
1725 Glen Riders 21234
19543 Middleton Rd 7837 Wendover

Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 7835 1/2 Wendoever Ave

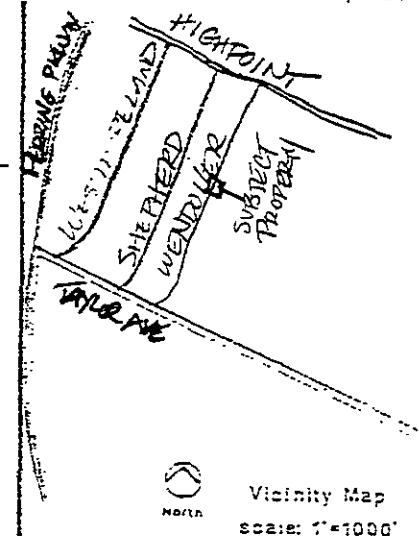
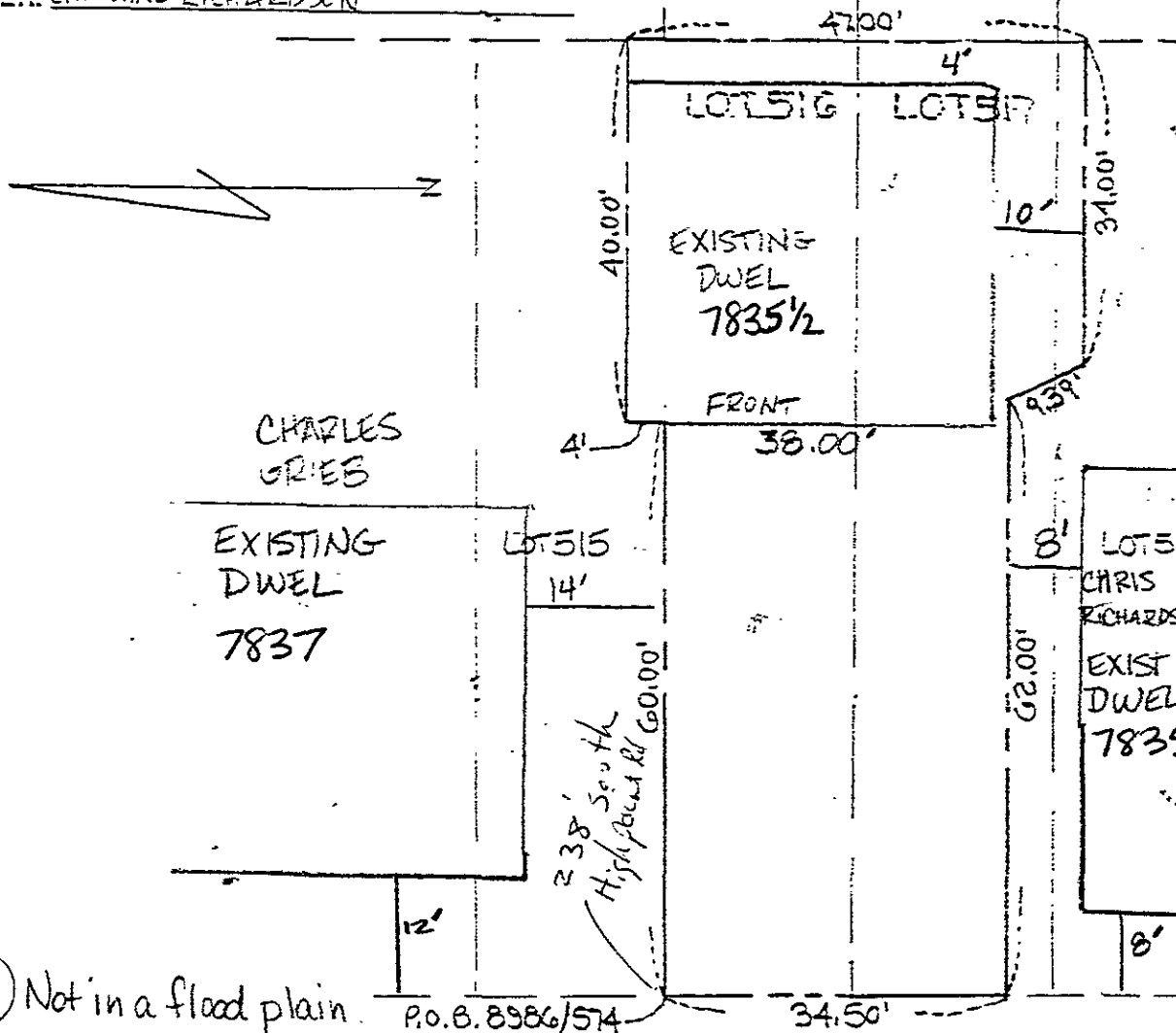
See pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Parkville Heights

plat book# 7 ,folio# 38 ,lot# 515 516 517 518 ,section# ---

OWNER: CHRISTINE RICHARDSON

Lot 458 LOT459 LOT460 LOT461



LOCATION INFORMATION

Election District: 9

Councilmanic District: A

1"=200' scale map: NE-ED

Zoning: DRS.5

Lot size: 0.030 3916
acres square feet

SEWER: ☒ ☐
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE #:

181

○ Not in a flood plain.

North

date: 10-27-97

prepared by: Chris Richardson

P.O.B. 8986/574

WENDOEVER AVENUE
40' R/W

Scale of Drawing: 1" = 20'

HDS-181-86

N 555,000

D.R. 5.5

98-181-SPH

N 31,000

WENDOVER

AVE.

AVE.

AVE.

ROAD

VILLA CRESTA
ELEMENTARY SCHOOL

(SHEET N.E. 8-C)

N 30,000

PARKVILLE
HEIGHTS

AIKEN

HIGHPOINT

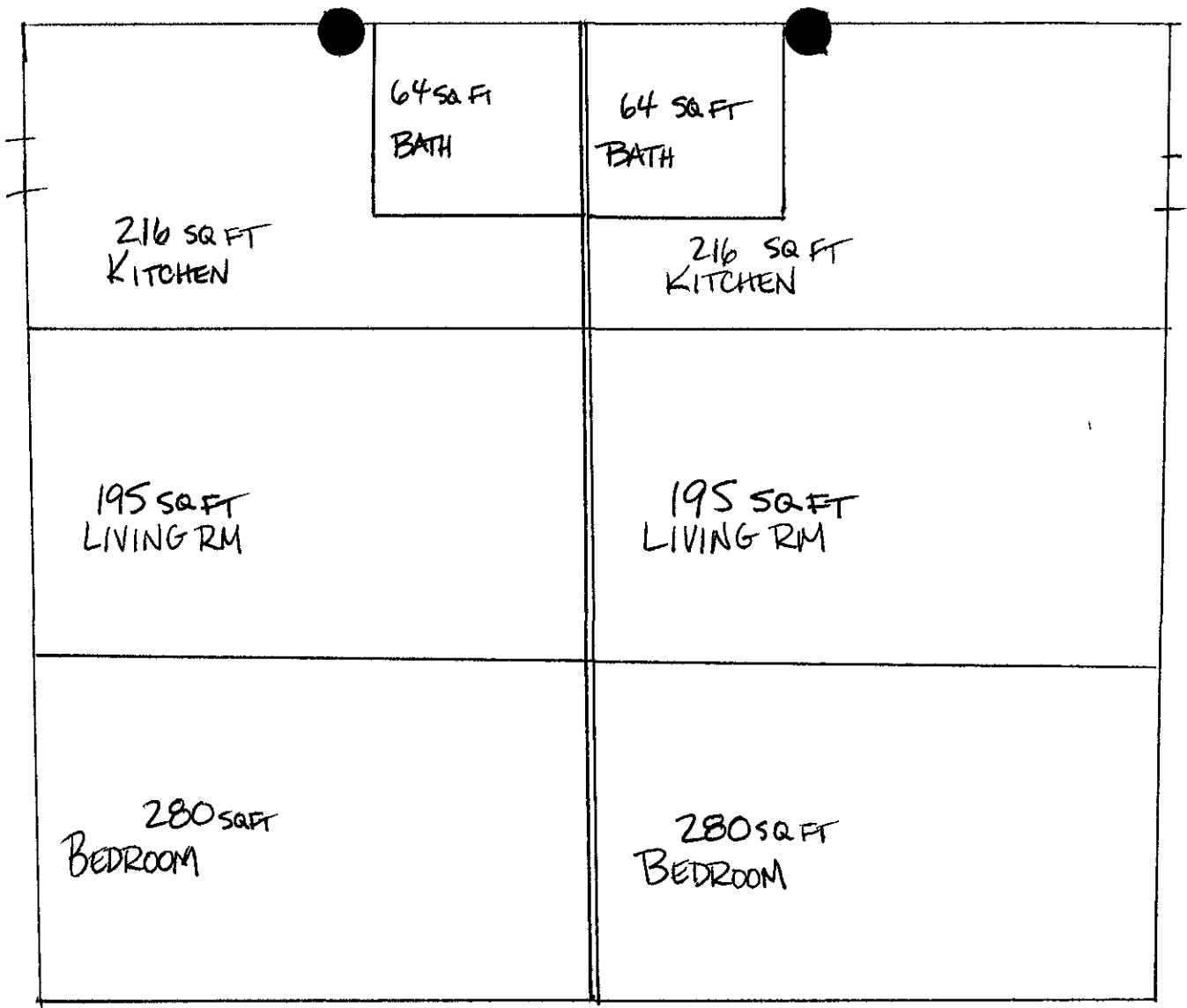
AVENUE

TIL MONT
AVE.

RADER

AVENUE

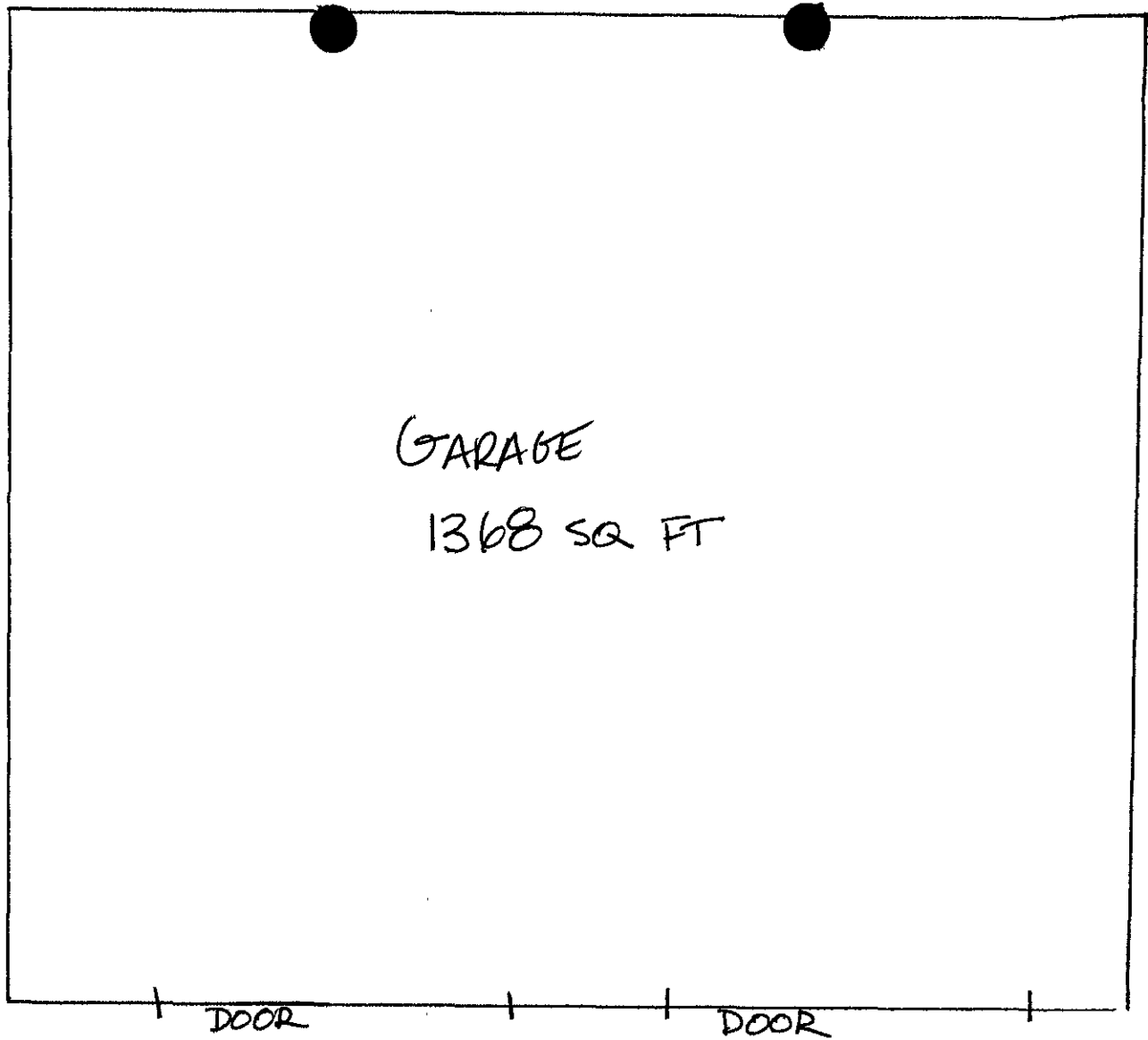
HARRIS



FRONT

"2ND FLOOR" PLAN

98-181-SPH

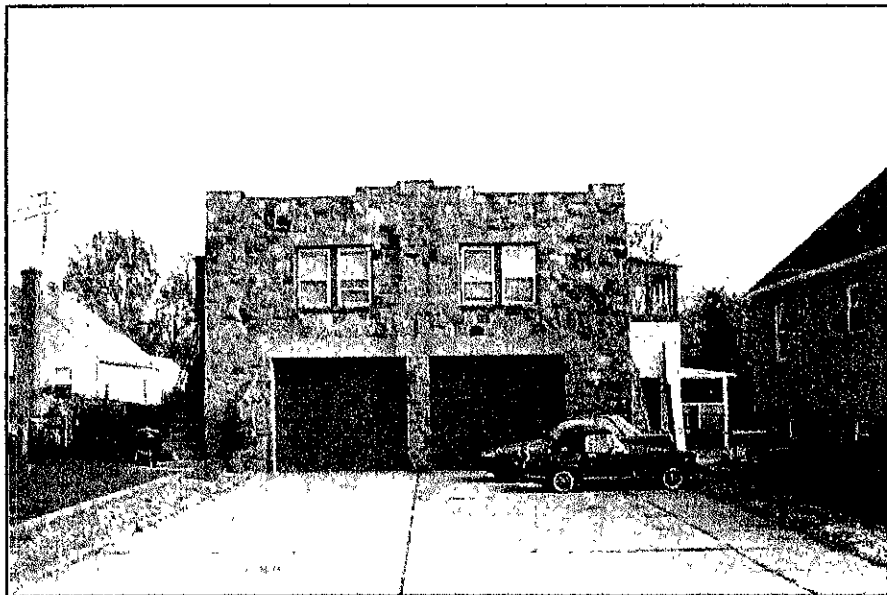


"1ST FLOOR" PLAN

SUBJECT PROPERTY PHOTO ADDENDUM



File No. 96-3263



**FRONT VIEW OF
SUBJECT PROPERTY AT:**

7835 1/2 Wendover Avenue
Baltimore County, MD 21234
Appraised: 11/13/96

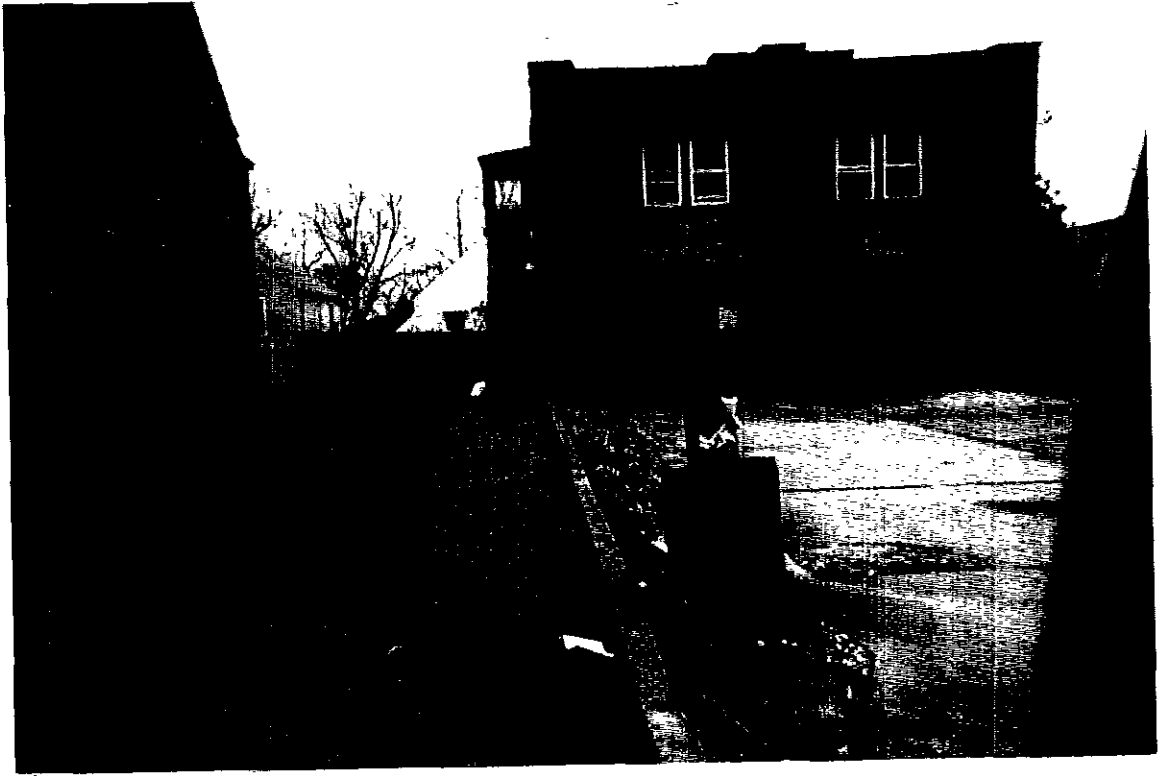
**REAR VIEW OF
SUBJECT PROPERTY**



STREET SCENE

photograph

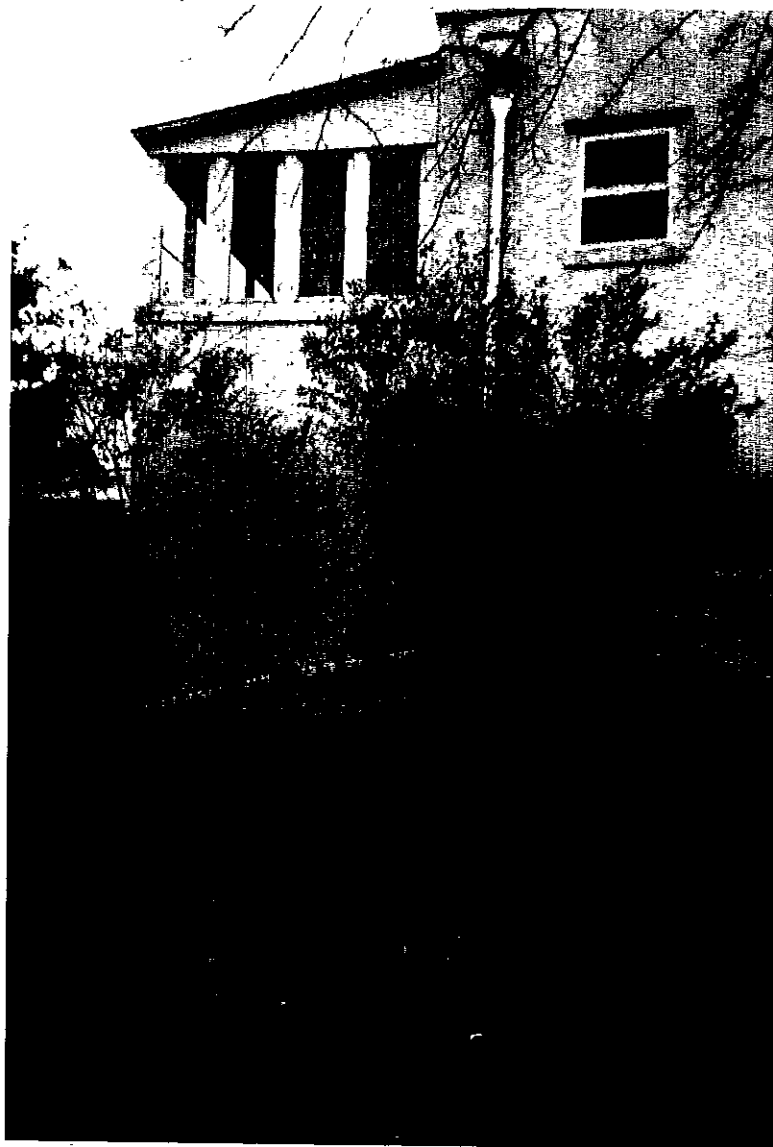
Case 98-181-SPH

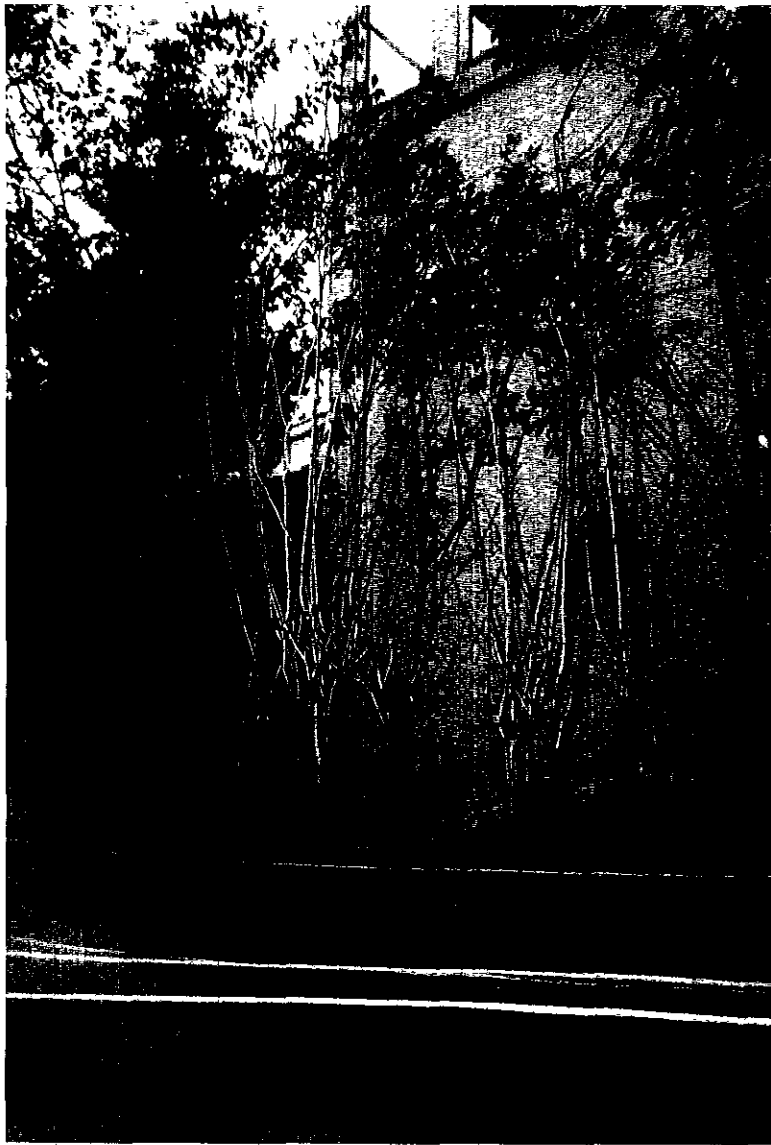














Petitioners

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Christine Richardson

3137 unit 302 Pine Orchard Ln.
Ellicott City MD 21043

TERRY A. BLANCKET

4603 C LONG GREEN RD. 21057

JOSEPH D. Longo

10125 CHARINGTON RD
COCKEYSVILLE, MD. 21030

MAGGI AYD

P.O. BOX 805

COLUMBIA, MD 21044

Cathy Norton

9 Pleasant Run Ct

~~Tom Longo~~

Jumonium, Md 21042

Tom Longo

16 W Serrano Ave
Luth. Md. 21093

