

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - NE/S Avondale Road,
240' SE of Oak Avenue * DEPUTY ZONING COMMISSIONER
(625 S. Avondale Road)
12th Election District * OF BALTIMORE COUNTY
7th Councilmanic District * Case No. 98-199-XA
Day Village Limited Partnership *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Day Village Limited Partnership, by Brian Quinn, Agent, through their attorney, John B. Gontrum, Esquire. The Petitioners request a special exception to permit a community building in a D.R. 16 zone with day care, and a variance from Section 409.6.A.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 0 parking spaces in lieu of the required 16 spaces. 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 Brian Quinn and Rogers Cockrell, representatives of the Day Village Limited Partnership, Bob Gajdys, a representative of the Community Assistance Network, Inc. (C.A.N.), William P. Monk, Land Planning and Zoning Consultant, and John B. Gontrum, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is located along the northeast side of Avondale Road, just south of its intersection with Oak Avenue in Dundalk, and is the site of the Day Village Apartments complex. The property which is the subject of this special

ORDER RECEIVED FOR FILING

Date

By

exception request consists of a gross area of 0.21 acres, more or less, zoned D.R.16, and is improved with a two-story brick building which currently contains eight (8) residential living units. The owners of the property and the Community Assistance Network (C.A.N.) propose to convert this building for use as a community building for the residents of Day Village Apartments. The use proposed will include such services as day care, after-school latchkey programs, a medical clinic, meeting room for Boy Scouts/Girl Scouts and Athletic Leagues, as well as employment offices. A prototype of the use proposed has been tested at the Village of Tall Trees in Essex and has been extremely successful. The building in question and the area of the special exception are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

It was clear from the testimony presented that C.A.N. and the Day Village Limited Partnership are excited about the opportunity to provide these much needed services to the residents who reside in this apartment complex. However, in order to proceed as proposed, the requested special exception is necessary.

As to the requested variance, certain parking requirements must be met, given the types of uses proposed within the building. Although there are some parking spaces available, those spaces were never designed to comply with County standards as to size and layout. Thus, the Petitioners thought it best to request a variance for 0 parking spaces. Furthermore, most of the services to be provided by the community building will serve the residents of the Day Village Apartment complex who would simply walk to the building and not drive. Therefore, the Petitioners believe that the requested parking variance is appropriate in this instance.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.16 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28
(1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

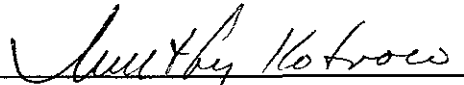
Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the requested special exception and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of December, 1997 that the Petition for Special Exception to permit a community building in a D.R. 16 zone with day care, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 12/22/97
By [Signature]

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 0 parking spaces in lieu of the required 16 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

12/22/97

By





Baltimore County
Zoning Commissioner
Office of Planning

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

December 22, 1997

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL EXCEPTION EXCEPTION
NE/S Avondale Road, 240' SE of Oak Avenue
(625 S. Avondale Road)
12th Election District - 7th Councilmanic District
Day Village Limited Partnership - Petitioners
Case No. 98-199-XA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have 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 cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Messrs. Brian Quinn and Rogers Cockrell, Day Village Ltd. Part.,
503 Avondale Road, Baltimore, Md. 21222

Mr. Bob Gajdys, C.A.N., Inc.
7701 Dunmanway, Baltimore, Md. 21222

Ms. Mary Emerick Harvey, Eastern Sector Coordinator
Baltimore County Office of Community Conservation
Investment Bldg., Suite 800, One Investment Place, Towson, Md. 21204

People's Counsel; Case Files





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 625 S. Avondale Road

which is presently zoned D.R. 16

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a community building in a D.R. 16 zone with day care.

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

I, or we, agree to pay expenses of above Special Exception 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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

John B. Gontrum

(Type or Print Name)

Signature

814 Eastern Blvd (410) 686-8274

Address

Phone No.

Baltimore, MD 21221

City

State

Zipcode

Legal Owner(s):

Day Village Limited Partnership

(Type or Print Name)

Signature

by: Brian Quinn, Agent for Partnership

(Type or Print Name)

Signature

503 Avondale Road (410) 284-7100

Address

Phone No.

Baltimore, MD 21222

City

State

Zipcode

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

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JRF

DATE 11/20/97

#199

98-199-XA

ORDER RECEIVED FOR FILING

Date 12/22/97

By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

625 S. Avondale Road

which is presently zoned D.R. 16

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 Variance from Section(s) 4096A4 to permit 0 parking spaces in lieu of the required 16 spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Site is a unique old apartment complex predating zoning requirements. Proposal is to convert existing apartments to a community building to serve needs of other tenants in complex. Without variance no community center would be possible without tearing down building.

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

I, or we, agree to pay expenses of above Variance 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:

John B. Contrum

(Type or Print Name)

Signature

814 Eastern Blvd (410) 686-8274

Address Phone No

Baltimore, MD 21221

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).

Day Village Limited Partnership

(Type or Print Name)

Signature

by: Brian Quinn, Agent for Partnership

(Type or Print Name)

Signature

503 Avondale Road (410) 284-7100

Address Phone No

Baltimore, MD 21222

City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: JRP DATE 11/20/97

199

ORDER RECEIVED FOR FILING

Date

By

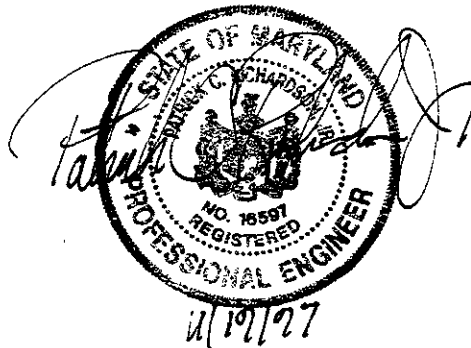
98-199-XA

**ZONING DESCRIPTION
DAY VILLAGE COMMUNITY CENTER
12th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME on the northeast side of Avondale Road south 240 feet Southeast of the intersection with Avondale Road; the following course and distance from a P.C. on the right-of-way of South Avondale Road north 90 degrees 00 minutes 00 seconds east 106.5 feet to the point of beginning of the area of special exception: thence, (1) North 00 degrees 00 minutes 00 seconds East 49.0 feet, (2) North 90 degrees 00 minutes 00 seconds East 76.0 feet, (3) South 01 degrees 30 minutes 00 seconds East 95.0 feet, (4) South 53 degrees 00 minutes 00 seconds West 52.0 feet, (5) North 90 degrees 00 minutes 00 seconds West 42.0 feet, (6) South 36 degrees 00 minutes 00 seconds West 14.5 feet, (7) North 54 degrees 00 minutes 00 seconds West 6.0 feet, (8) North 36 degrees 00 minutes 00 seconds East 22.0 feet (9) North 00 degrees 00 minutes 00 seconds East 73.0 feet to the place of beginning.

Containing 0.21 acres of land, more or less.

97144des/d44



#199
98-199-XA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **046797**

DATE 11/20/97 ACCOUNT B-001-615-000
AMOUNT \$ 550.00

RECEIVED FROM: DAYVILLAGE LIMITED PART.
625 S. AVONDALE RD. ITEM # 199
020 Unionce \$250
FOR: 050 Spec Ex. \$300
Taken by: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

11/21/1997 11/20/1997 15:23:20

REG 0503 CASHIER UNTIL VLM DRAWER 3

5 MISCELLANEOUS CASH RECEIPT

Receipt # 025318

CR NO. 046797

550.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

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: #98-199-XA
625 S. Avondale Road
NE/S Avondale Road, S 240'
SE of intersection with Avondale Road
12th Election District
7th Councilmanic District
Legal Owner(s):
Day Village Limited Partnership

Special Exception: for a community building with day care. **Variance:** to permit zero parking spaces in lieu of the required 16 spaces.

Hearing: Friday, December 19, 1997 at 9:00 a.m., 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.

12/032 Dec. 4 C193734

TOWSON, MD., December 4, 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 Dec. 4, 1997.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case No.: 98-199XA

Petitioner/Developer: WM. MONK, ETAL
% DAYS VILLAGE

Date of Hearing/Closing: 12/19/97

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 # 625 AVONDALE RD. SOUTH

The sign(s) were posted on 11/29/97
(Month, Day, Year)

Sincerely,

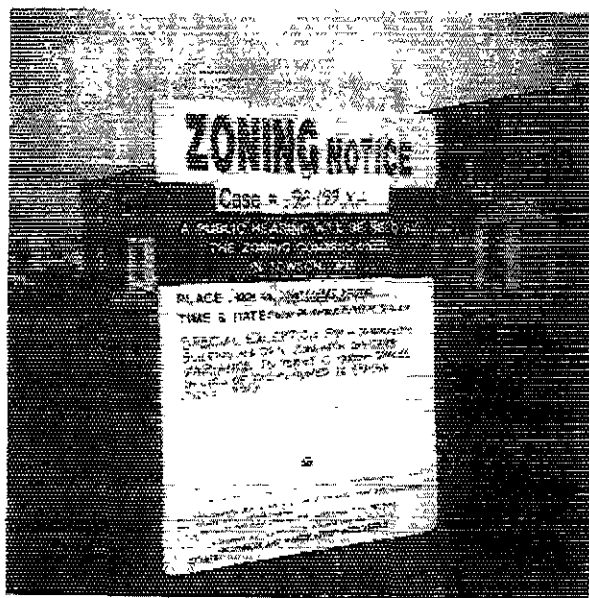
Patrick M. O'Keefe 11/30/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)

523 Penny Lane
(Address)

Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366 905-8571
(Telephone Number) Page (410) 666-5366



98-199XA
#625 AVONDALE RD. S.
BILL MONK - P-11/29/97 H- 12/19/97

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.: 98-199-XA

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

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL EXCEPTION - For a community building
in a DR-16 zone with day care.

VARIANCE - To permit 0 parking spaces
in lieu of the required 16 spaces.

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.: 199

Petitioner: DAY VILLAGE LTD PARTNERSHIP

Location: 503 AVONDALE ROAD, BALTO MD 21222

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BRIAN QUINN

ADDRESS: 18 E. 22ND ST, NY, NY 10010

PHONE NUMBER: 212-674-3043

AJ:ggs

(Revised 09/24/96)

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

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

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____ prepared by: _____ Scale of Drawing: 1" = _____

 Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

public private
SEWER: ☐ ☐
WATER: ☐ ☐
Chesapeake Bay Critical Area: ☐ yes ☐ no
Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

TO: PATUXENT PUBLISHING COMPANY
December 4, 1997 Issue - Jeffersonian

Please forward billing to:

Brian Quinn 212-674-3043
18 E. 22nd Street
NY, NY 10010

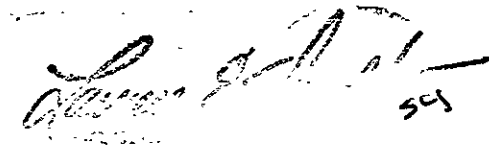
NOTICE OF HEARING

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: 98-199-XA
625 S. Avondale Road
NE/S Avondale Road, S 240' SE of intersection with Avondale Road
12th Election District - 7th Councilmanic District
Legal Owner: Day Village Limited Partnership

Special Exception for a community building with day care. Variance to permit zero parking spaces in lieu of the required 16 spaces.

HEARING: Friday, December 19, 1997 at 9:00 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.



Baltimore County
Department of Permits and
Development Management

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

November 26, 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: 98-199-XA
625 S. Avondale Road
NE/S Avondale Road, S 240' SE of intersection with Avondale Road
12th Election District - 7th Councilmanic District
Legal Owner: Day Village Limited Partnership

Special Exception for a community building with day care. Variance to permit zero parking spaces in lieu of the required 16 spaces.

HEARING: Friday, December 19, 1997 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small mark at the end.

Arnold Jablon
Director

c: John B. Gontrum, Esquire
Day Village Limited Partnership

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 4, 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 12, 1997

John B. Gontrum, Esquire
814 Eastern Boulevard
Baltimore, MD 21221

RE: Item No.: 199
Case No.: 98-199-XA
Petitioner: Day Village Ltd. Part.

Dear Mr. Gontrum:

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 20, 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, reading "W. Carl Richards, Jr.", written in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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: December 8, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for December 8, 1997
 Item No. 199

The Bureau of Developer's Plans Review has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation for this site is 10.4 feet (flood elevation of 9.4 feet plus 1.0 feet of freeboard).

RWB:HJO:jrb

cc: File

ZONE1208.199

Baltimore County Government
Fire Department



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

(410) 887-4500

December 10, 1997

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

See Below
RE: Property Owner: ~~Michael Zulle & Carol T. Zulle~~

Location: DISTRIBUTION MEETING OF December 1, 1997

Item No.: 191, 192, 193, and 199 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. SAUEPWALD

Fire Marshal Office. PHONE 887-4881. MS-1102F

cc: File





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 11/28/97
Item No. 199 JRF

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

TO: PDM

DATE: Dec 9, 1997

FROM: R. Bruce Seeley *RBS/90*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Dec 1, 1997

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

Item #'s:

191	192
192	<u>199</u>
193	200
194	

RBS:sp

BRUCE2/DEPRM/TXTS8P

Jim
12/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 10, 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 No. 199

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: Gary L. Kerns

AFK/JL

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE
625 S. Avondale Road, NE/S of Avondale Rd,* ZONING COMMISSIONER
240' SE of intersection with Avondale Rd
12th Election District, 7th Councilmanic * OF BALTIMORE COUNTY
Day Village Limited Partnership * CASE NO. 98-199-XA
Petitioner
* * * * *

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 1st day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., 814 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

DAY VILLAGE LIMITED PARTNERSHIP

LIMITED POWER OF ATTORNEY

November 13, 1997

TO WHOM IT MAY CONCERN:

This document is a continuing limited Power of Attorney granted by me, William S. Ehrlich as General Partner for Day Village Limited Partnership to authorize Brian Quinn to act for me, and as though he were the General Partner, in his capacity as Agent for the General Partner of the Day Village Limited Partnership. This authority shall extend to the execution of legal documents, commitment of funds, and representation of any sort granted under a Power of Attorney, except that such grant shall be restricted to the actions and authorities which would normally accrue to the General Partner of Day Village Limited Partnership.

Brian Quinn SS#: 540-56-5328
3 Hawk Street
Chestnut Ridge, NY 10977

Whereof I have this **DAY SET MY HAND**
DAY VILLAGE LIMITED PARTNERSHIP (A Maryland Limited Partnership)

William S Ehrlich

William S. Ehrlich, General Partner
WSE/as

enc:

cc: Brian Quinn

199

98-199-XA

18 E. 22ND STREET, NEW YORK CITY, NEW YORK 10010

212-674-3043 FAX: 212-473-5207

PAGE 1

FILENAME: Document1 DATE LAST PRINTED: 11/13/97 6:01 AM



Baltimore County
Office of Community Conservation

Investment Building, Suite 800
One Investment Place
Towson, Maryland 21204
(410) 887-3317
Fax: (410) 887-5696
TTY: (410) 887-2799

December 18, 1997

Jim

Mr. Lawrence E. Schmidt
Baltimore County Zoning Commissioner
401 Bosley Avenue
Towson, MD 21204

Re: Case No. 98-199XA

Dear Mr. Schmidt:

On behalf of the Office of Community Conservation, I would like to take this opportunity to offer support for the Day Village Limited Partnership's request for a Special Exception for a Community Center and Day Care facility located within the Day Village community.

As you may know, rental housing communities such as Day Village are a major focus for the Office of Community Conservation. Efforts such as this will bring needed services to an isolated community thereby stabilizing and strengthening the resident base. Similar efforts in the Villages of Tall Trees have produced a lower crime rate, less evictions and better living conditions. We have every reason to believe that by using this same strategy in Day Village we can affect positive changes for this community as well.

Thank you for the opportunity to express our support for this project.

Sincerely,

Mary Emerick Harvey

Mary Emerick Harvey
Eastern Sector Coordinator

c: P. David Fields
Steve Lafferty



**STATE DEPARTMENT OF ASSESSMENTS AND TAXATION
COMPUTATION SHEET**

Assessor JOHN ZIDALIS Date 11/17/97
 District 12 Property Number 12-04-001150 Levy Year 1997
 Owner DAY VILLAGE LIMITED PARTNERSHIP
 Property Name DAY VILLAGE OF BALTIMORE No. of Units 503

Total Gross Potential Income (Include Owner's, Resident Manager's Apartment, etc.) 2300⁴⁸ - + 18,400 0.350 \$ 2,131,000

Less: Vacancy and Turnover Allowance 15% 2

Effective Gross Rental Income \$ 18,113.50

Add: Other Income \$

Effective Gross Income \$ 18,113.50

Less: Normal Operating Expenses 200/UNIT/MONTH % 12.07200

Less: Services Not Included in Base Expenses .

Air Conditioning	%	\$
Electricity	%	
Gas	%	
Heat	%	
Bus Service	%	
Elevator	%	
Security	%	
Swimming Pool	%	
Switch Board Service	%	
Reserve for Appliances	%	
Miscellaneous/Other - List	%	
Total		\$

Adjusted Net Income Before Taxes \$ 604,150

Less: Return Attributable to Land: Value _____ X _____ % \$

Capitalized Value of Improvements: Income 604,500 ÷ 10.5 Cap. Rate... \$ 57,538.00

	Market Value	Assessed Value
Land	\$	\$
Improvements	\$	\$
Total	\$	\$

JULY 1998
ASSESSMENT
11430 UNIT

X 8 UNITS

91440

Use Reverse Side for Remarks

VALUE OF 625-639 S. AVONDALE RD

98-199-XA

509 Du

503 LIVING UNITS @ \$350/Month/Unit
 $2131000 \div 503$

INCOME
\$4,236/Unit

DATE: 11/14/97

STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:43:12

AS10011
- 15% VACANCY

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC

12 04 001150 12 1-1 13-00 N NO

DEL FM DATE

10/31/97

DAY VILLAGE LIMITED PARTNERSHIP

DESC-1.. IMP37.329 AC

DESC-2.. DAY VILLAGE OF BALTO

503 N AVONDALE RD

PREMISE. 00000 AVONDALE

RD

00000-0000

BALTIMORE

MD 21222-6218

FORMER OWNER: MILTON L EHRlich INC

----- FCV -----

----- PHASED IN -----

	PRIOR	PROPOSED		CURR FCV	CURR ASSESS	PRIOR ASSESS
LAND:	2426,380	2426,380				
IMPV:	3874,920	3874,920	TOTAL..	6301,300	2520,520	2520,520
TOTL:	6301,300	6301,300	PREF...	0	0	0

PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0

DATE: 03/96 00/00

----- TAXABLE BASIS -----

FM DATE

98/99 ASSESS: 2520,520

08/27/97

97/98 ASSESS: 2520,520

08/27/97

96/97 ASSESS: 2520,520

10/18/96

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

500

625 - 27 - 29 - 31 - 33 - 35 - 37 - 39

S. AVONDALE TRAIL

8 UNIT BUILDING

* JOHN ZIDALIS -

INCOME QUESTIONNAIRE FORM WAS USED
TO MAKE ASSESSMENT - NOT BASED
ON INDIVIDUAL BUILDINGS

Dec 29 TH - NEW ASSESSMENTS

98-199-XA



FEDERAL EMERGENCY MANAGEMENT AGENCY

NATIONAL FLOOD INSURANCE PROGRAM

ELEVATION CERTIFICATE

AND

INSTRUCTIONS

199

98-199-XA

PAPERWORK REDUCTION ACT NOTICE

Public reporting burden for the Elevation Certificate is estimated to average 2.25 hours per response. Burden means the time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to the Federal Emergency Management Agency. You are not required to respond to this collection of information unless a valid OMB control number is displayed in the upper right corner of each form. You may send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0077). To ensure timely receipt and processing of the completed forms, return them to the address provided in the instructions to the forms. Do not send completed form(s) to the above address. Your response to this collection of information is required to obtain or retain benefits under the National Flood Insurance Program.

ELEVATION CERTIFICATE
FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 3067-0077

Expires July 31, 1999

ATTENTION: Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). You are not required to respond to this collection of information unless a valid OMB control number is displayed in the upper right corner of this form.

Instructions for completing this form can be found on the following pages.

SECTION A PROPERTY INFORMATION		FOR INSURANCE COMPANY USE
BUILDING OWNER'S NAME <u>DAY VILLAGE LIMITED PARTNERSHIP</u>	POLICY NUMBER	
STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg. Number) OR P.O. ROUTE AND BOX NUMBER <u>625 S. AVONDALE ROAD</u>	COMPANY NAIC NUMBER	
OTHER DESCRIPTION (Lot and Block Numbers, etc.)		

CITY <u>BALTIMORE</u>	STATE <u>MD</u>	ZIP CODE <u>21222</u>
--------------------------	--------------------	--------------------------

SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM (See Instructions):

1. COMMUNITY NUMBER	2. PANEL NUMBER	3. SUFFIX	4. DATE OF FIRM INDEX	5. FIRM ZONE	6. BASE FLOOD ELEVATION (in AO Zones, use depth)
<u>240010</u>	<u>0535</u>	<u>B</u>	<u>MARCH 2, 1981</u>	<u>A9</u>	<u>EL. 9</u>

7. Indicate the elevation datum system used on the FIRM for Base Flood Elevations (BFE): ☒ NGVD '29 ☐ Other (describe on back)
8. For Zones A or V, where no BFE is provided on the FIRM, and the community has established a BFE for this building site, indicate the community's BFE: 9 0 feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION C BUILDING ELEVATION INFORMATION

1. Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level 8.
- 2(a). FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of 7 feet NGVD (or other FIRM datum—see Section B, Item 7).
- (b). FIRM Zones V1-V30, VE, and V (with BFE). The bottom of the lowest horizontal structural member of the reference level from the selected diagram, is at an elevation of feet NGVD (or other FIRM datum—see Section B, Item 7).
- (c). FIRM Zone A (without BFE). The floor used as the reference level from the selected diagram is feet above ☐ or below ☐ (check one) the highest grade adjacent to the building.
- (d). FIRM Zone AO. The floor used as the reference level from the selected diagram is feet above ☐ or below ☐ (check one) the highest grade adjacent to the building. If no flood depth number is available, is the building's lowest floor (reference level) elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown
3. Indicate the elevation datum system used in determining the above reference level elevations: ☒ NGVD '29 ☐ Other (describe under Comments on Page 2). (NOTE: If the elevation datum used in measuring the elevations is different than that used on the FIRM [see Section B, Item 7], then convert the elevations to the datum system used on the FIRM and show the conversion equation under Comments on Page 2.)
4. Elevation reference mark used appears on FIRM: ☐ Yes ☒ No (See Instructions on Page 4)
5. The reference level elevation is based on: ☒ actual construction ☐ construction drawings
(NOTE: Use of construction drawings is only valid if the building does not yet have the reference level floor in place, in which case this certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be required once construction is complete.)
6. The elevation of the lowest grade immediately adjacent to the building is: 9 4 feet NGVD (or other FIRM datum—see Section B, Item 7).

SECTION D COMMUNITY INFORMATION

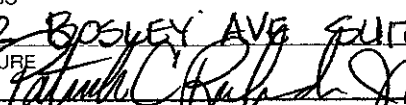
1. If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is: feet NGVD (or other FIRM datum—see Section B, Item 7).
2. Date of the start of construction or substantial improvement EXISTING.

SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

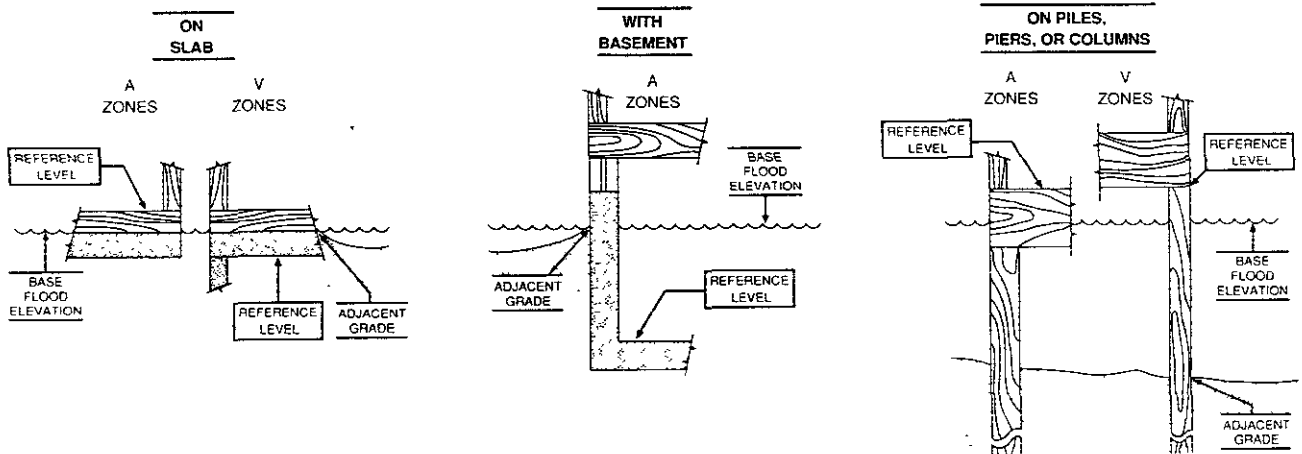
Reference level diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

*I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available.
I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.*

CERTIFIER'S NAME PATRICK C RICHARDSON TITLE	LICENSE NUMBER (or Affix Seal) PE 16597 MD
ADDRESS 222 BOSLEY AVE SUITE C-6	COMPANY NAME WILLIAM MONK, INC.
CITY TOWSON	STATE MD
SIGNATURE 	DATE 11/18/97
	PHONE 410 494 8931
ZIP 21204	

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

COMMENTS:



The diagrams above illustrate the points at which the elevations should be measured in A Zones and V Zones.

Elevations for all A Zones should be measured at the top of the reference level floor

Elevations for all V Zones should be measured at the bottom of the lowest horizontal structural member.

THE NATIONAL FLOOD INSURANCE PROGRAM ELEVATION CERTIFICATE

PURPOSE OF THE ELEVATION CERTIFICATE

The Elevation Certificate is an important administrative tool of the National Flood Insurance Program (NFIP).

As part of the agreement for making flood insurance available in a community, the NFIP requires the community to adopt a floodplain management ordinance containing certain minimum requirements intended to reduce future flood losses. One such requirement is that the community "obtain the elevation of the lowest floor (including basement) of all new and substantially improved structures, and maintain a record of all such information." The Elevation Certificate is one way for a community to comply with this requirement.

The Elevation Certificate is also required to properly rate post-FIRM structures, which are buildings constructed after publication of the Flood Insurance Rate Map (FIRM), for flood insurance in FIRM Zones A1-A30, AE, AO, AH, A (with Base Flood Elevations [BFE's]), V1-V30, VE, and V (with BFE's). In addition, the Elevation Certificate is also needed for pre-FIRM structures being rated under post-FIRM flood insurance rules.

Use of this certificate does not in any way alter the flood insurance purchase requirement. The Elevation Certificate is only used to provide information necessary to ensure compliance with applicable community floodplain management ordinances, to determine the proper flood insurance premium rate, and/or to support a request for a Letter of Map Amendment or Revision (LOMA or LOMR). Only a LOMA or LOMR from the Federal Emergency Management Agency (FEMA) can amend the FIRM and remove the Federal requirement for a lending institution to require the purchase of flood insurance. Note that the lending institution may still require flood insurance.

This certificate is only used to certify the elevation of the reference level of a building. If a non-residential building is being floodproofed, then a Floodproofing Certificate must be completed in addition to certifying the building's elevation. Floodproofing of a residential building does not alter a community's floodplain management elevation requirements or affect the insurance rating unless the community has been issued an exception by FEMA to allow floodproofed residential basements.

INSTRUCTIONS FOR COMPLETING THE ELEVATION CERTIFICATE

The Elevation Certificate is to be completed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE's), V1-V30, VE, and V (with BFE's) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information may also complete this form. For Zones AO and A (without BFE's), a building official, a property owner, or an owner's representative may also provide the information on this certification.

SECTION A Property Information

The Elevation Certificate identifies the building, its owner and its location. Provide the building owner's name(s), the building's complete street address, and lot and block number. If the property address is a rural route or PO box number, provide a legal description or an abbreviated location description based on distance from a reference point.

SECTION B Flood Insurance Rate Map Information

In order to properly complete the Elevation Certificate, it is necessary to locate the building on the appropriate FIRM, and record the appropriate information. To obtain a FIRM, contact the community or call 1-800-333-1363.

The Elevation Certificate may be completed based on either the FIRM in effect at the time of the certification *or* the FIRM in effect when construction of the building was started.

Items 1 - 6. Using the FIRM Index and the appropriate FIRM panel for the community, record the community number, panel (or page) number, suffix, and Index date. From the appropriate FIRM panel, locate the property and record the zone and the BFE (or flood depth number) at the building site. BFE's are shown on a FIRM for Zones A1-A30, AE, AH, V1-V30, and VE; flood depth numbers are shown for Zone AO.

Item 7. Record the vertical datum system to which the elevations on the applicable FIRM are referenced. The datum is specified in the upper right corner of the title block of the FIRM.

Item 8. In A or V Zones where BFE's are not provided on the FIRM, the community may have established BFE's based on data from other sources. For subdivisions and other development greater than 50 lots or 5 acres, establishment of BFE's is required by community floodplain management ordinance. When this is the case, complete this item.

SECTION C Building Elevation Information

Item 1. The Elevation Certificate uses a building's reference level as the point for measuring its elevation. Pages 5 and 6 of this Elevation Certificate package contain a series of eight diagrams of various building types that are to be used to help determine the reference level. Choose the diagram that best represents this building, record the diagram number, and use the indicated reference level to measure the elevation as requested in Items 2a-d.

Item 2. Depending on the property location's FIRM Zone, complete Item 2a, 2b, 2c, or 2d. Use the reference level shown in the appropriate building diagram as the point of measurement. As shown in the diagram on the back of the Certificate, for all A Zones, the elevation should be measured at the top of the reference level floor. For all V Zones, the elevation should be measured at the bottom of the lowest horizontal structural member of the reference level floor. Reporting of elevations in Items 2a and 2b should be to the nearest tenth of a foot, or alternatively, unless prohibited by state or local ordinance, the reference level elevation may be "rounded down" to the nearest whole foot ("**rounding up**" is prohibited).

Item 2(a). For structures located in FIRM Zones A1-A30, AE, AH, and A (with BFE's), record the elevation (to the nearest tenth of a foot) of the top of the floor identified as the reference level in the applicable diagram.

Item 2(b). For structures located in FIRM Zones V1-V30, VE, and V (with BFE's), record the elevation (to the nearest tenth of a foot) of the bottom of the lowest horizontal structural member of the floor identified as the reference level in the applicable diagram.

Item 2(c). For structures located in FIRM Zone A (without BFE's), record the height (to the nearest tenth of a foot) of the top of the floor indicated as the reference level (from the applicable diagram) above or below the highest adjacent grade immediately next to the building.

Item 2(d). For structures located in FIRM Zone AO, the FIRM will show the base flood depth. For locations in FIRM Zone AO record the height (to the nearest tenth of a foot) of the top of the floor identified as the reference level (from the applicable diagram) above or below the highest adjacent grade immediately next to the building. For post-FIRM buildings, the community's floodplain management ordinance requires that this value equal or exceed the base flood depth provided on the FIRM. For those few communities where this base flood depth is not available, the community will need to determine if the lowest floor is elevated in accordance with their floodplain management ordinance.

Item 3. Record the vertical datum system used in identifying the reference level elevations for all buildings. If the datum used in measuring the elevations is different than that used on the FIRM, then convert the elevations in Items 2a-d to the datum used on the FIRM, and show the conversion equation under the Comments section on Page 2.

Item 4. Indicate if the elevation reference mark used appears on the FIRM. Reference marks other than those shown on the FIRM may be used for elevation determinations. In areas experiencing ground subsidence, the most recently adjusted reference mark elevations must be used for reference level elevation determinations.

Item 5. Indicate if the reference level used in making the elevation measurement is based on actual construction or construction drawings. Construction drawings should only be used if the building does not yet have the reference level floor in place, in which case the Elevation Certificate will only be valid for the building during the course of construction. A post-construction Elevation Certificate will be needed once construction is complete.

Item 6. Record the elevation measurement of the lowest grade adjacent to the building (to the nearest tenth of a foot). Adjacent grade is defined as the elevation of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure. This measurement should be to the nearest tenth of a foot if this Certificate is being used to support a request for a LOMA/LOMR.

SECTION D Community Information

Completion of this section may be required by the community in order to meet the minimum floodplain management requirements of the NFIP. Otherwise, completion of this section is not required.

Item 1. The community's floodplain management ordinance requires elevation of the building's "lowest floor" above the BFE. For the vast majority of building types, the reference level and the lowest floor will be the same. If the community determines that there is a discrepancy, record the elevation of the lowest floor.

Item 2. Enter date. These terms are defined by local ordinance.

SECTION E Certification

Complete as indicated. The Elevation Certificate may only be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE's), V1-V30, VE, and V (with BFE's) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information may also sign this certification. In the case of Zones AO and A (without BFE's), a building official, a property owner, or an owner's representative may sign this certification.

Certification is normally to the information provided in Sections B and C. If the certifier is unable to certify to the selection of reference level diagram 6, 7 or 8 (Section C, Item 1), e.g., because of difficulty in obtaining construction or building use information needed to determine the Distinguishing Feature(s), the certifier must list the Feature(s) excluded from the certification under Comments on Page 2. The diagram number used for the Reference level must still be entered in Section C, Item 1.

INSTRUCTIONS

The following 8 diagrams contain descriptions of various types of buildings. Compare the features of your building with those shown in the diagrams and select the diagram most applicable. Indicate the diagram number on the Elevation Certificate (Section C, Item 1) and complete the Certificate. The reference level floor is that level of the building used for underwriting purposes.

NOTE: In all A Zones, the reference level is the top of the lowest floor; in V Zones the reference level is the bottom of the lowest horizontal structural member (see diagram on page 2). Agents should refer to the Flood Insurance Manual for instruction on lowest floor definition.

DIAGRAM NUMBER 1

ALL SINGLE AND MULTIPLE FLOOR BUILDINGS (OTHER THAN SPLIT LEVEL), INCLUDING MANUFACTURED (MOBILE) HOUSING AND HIGH RISE BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSE, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The first floor is *not* below ground level (grade) on *all* sides*. This includes "walkout" basements, where at least one side is at or above grade. (Not illustrated)

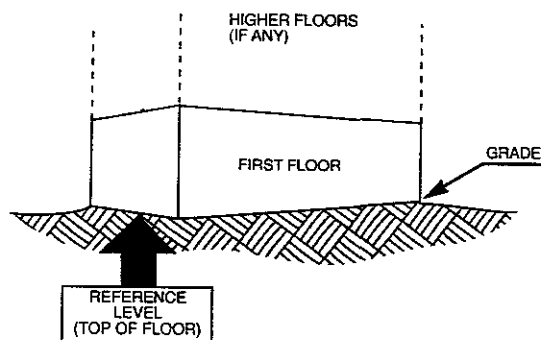


DIAGRAM NUMBER 2

ALL SINGLE AND MULTIPLE FLOOR BUILDINGS (OTHER THAN SPLIT LEVEL), INCLUDING MANUFACTURED (MOBILE) HOUSING AND HIGH RISE BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The first floor *or* basement (including an underground garage*) is below ground level (grade) on *all* sides*.

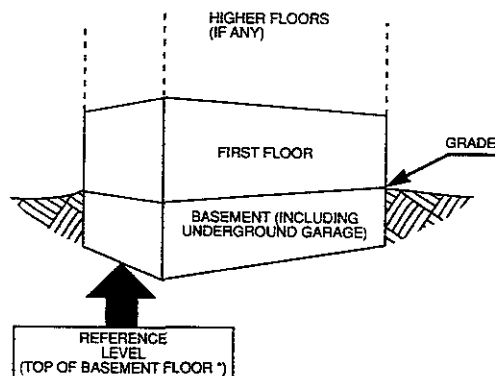


DIAGRAM NUMBER 3

ALL SPLIT LEVEL BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The lower level is *not* below ground level (grade) on *all* sides*. This includes "walkout" basements, where at least one side is at or above grade.

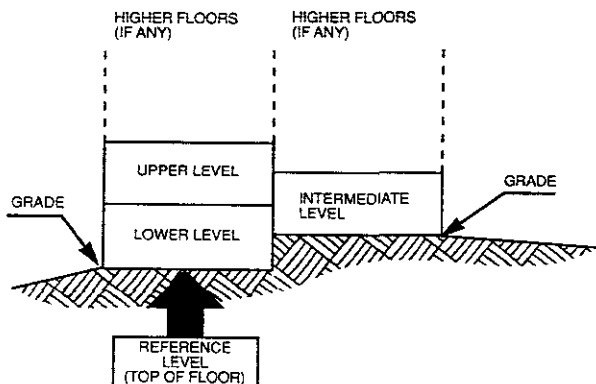
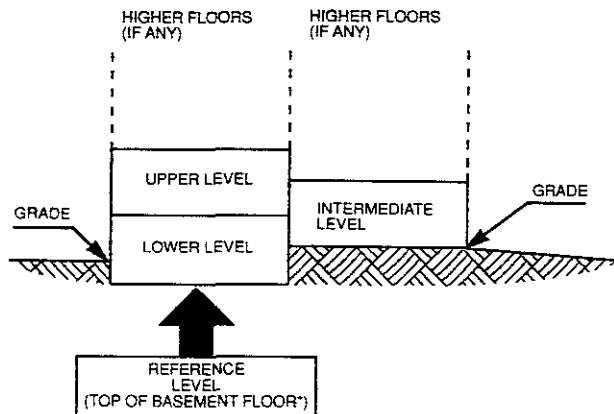


DIAGRAM NUMBER 4

ALL SPLIT LEVEL BUILDINGS, EITHER DETACHED OR ROW TYPE (E.G., TOWNHOUSES, ETC.); WITH OR WITHOUT ATTACHED GARAGE.

Distinguishing Feature - The lower level (or intermediate level) is below ground level (grade) on *all* sides*.



* Under the National Flood Insurance Program's risk classification and insurance coverage, a floor that is below ground level (grade) on all sides is considered a basement even though the floor is used for living purposes, or as an office, garage, workshop, etc.

Note: In all A Zones, the reference level is the top of the lowest floor; in V Zones the reference level is the bottom of the lowest horizontal structural member (see diagram on page 2). Agents should refer to the Flood Insurance Manual for instruction on lowest floor definition.

DIAGRAM NUMBER 5

ALL BUILDINGS, INCLUDING MANUFACTURED (MOBILE) HOMES ELEVATED ON PIERS, POSTS, COLUMNS, SHEAR WALLS, WITH OR WITHOUT PARKING AREA BELOW ELEVATED FLOOR.

Distinguishing Feature - For all zones, the area below the elevated floor is open, with no obstruction to the flow of flood waters (open wood lattice work or readily removable insect screening is permissible).

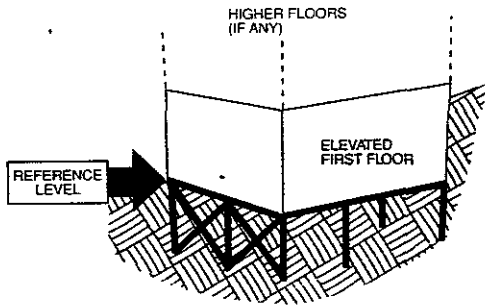


DIAGRAM NUMBER 6

ALL BUILDINGS, INCLUDING MANUFACTURED (MOBILE) HOMES ELEVATED ON PIERS, POSTS, COLUMNS, SHEAR WALLS, WITH OR WITHOUT PARKING AREA BELOW ELEVATED FLOOR.

Distinguishing Feature - For V Zones only, the area below the elevated floor is enclosed, either partially or fully, by solid breakaway walls **. When enclosed area is greater than 300 square feet or contains equipment servicing the building, use Diagram Number 7; this will result in a higher insurance rate. The enclosed area can be used for parking, building access or limited storage.

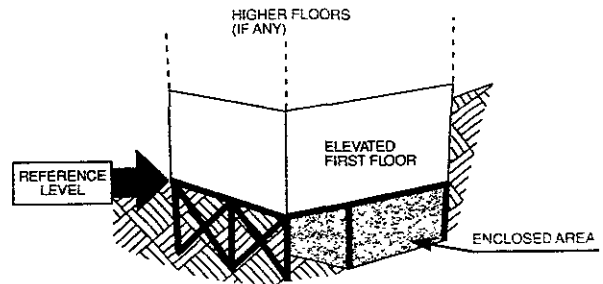


DIAGRAM NUMBER 7

ALL BUILDINGS, INCLUDING MANUFACTURED (MOBILE) HOMES ELEVATED ON PIERS, POSTS, COLUMNS, SHEAR WALLS, SOLID NON-BREAKAWAY WALLS, WITH OR WITHOUT PARKING AREA BELOW ELEVATED FLOOR.

Distinguishing Feature - For all zones, the area below the elevated floor is enclosed, either partially or fully, by solid non-breakaway walls, or contains equipment servicing the building. For V Zones only, the area is enclosed, either partially or fully, by solid breakaway walls** having an enclosed area greater than 300 square feet. For A Zones only, with an area enclosed by solid walls having proper openings,*** and used only for parking, building access, or limited storage, use Diagram Number 8 to determine the reference level.

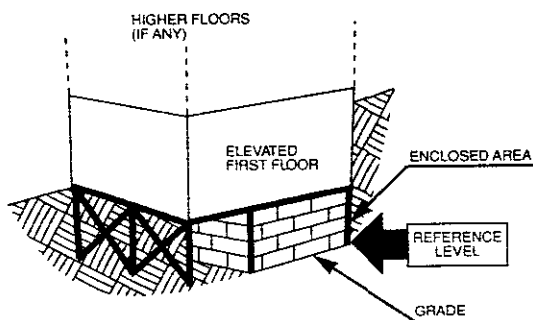
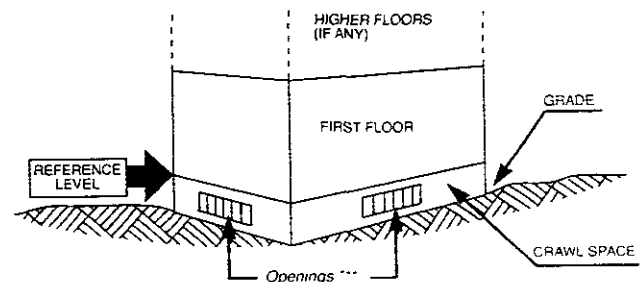


DIAGRAM NUMBER 8

ALL BUILDINGS CONSTRUCTED ABOVE AN UNFINISHED SPACE, INCLUDING CRAWL SPACE.

Distinguishing Feature - For A Zones only, the area below the first floor is enclosed by solid or partial perimeter walls, is unfinished, and contains no equipment servicing the structure. The area can be used for parking, building access, or limited storage.



* Under the National Flood Insurance Program's risk classification and insurance coverage, a floor that is below ground level (grade) on all sides is considered a basement even though the floor is used for living purposes, or as an office, garage, workshop, etc.

** Solid breakaway walls are walls that are not an integral part of the structural support of a building and are intended through their design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation. An area so enclosed is not secure against forceable entry.

*** If the area below the lowest floor is fully enclosed, then a minimum of two openings are required with a total net area of at least one square inch for every square foot of area enclosed with the bottom of the openings no more than one foot above grade. Alternatively, certification may be provided by a registered professional engineer or architect that the design will allow equalization of hydrostatic flood forces on exterior walls. If neither of these criteria are met, then the reference level is the lowest grade adjacent to the structure.

4. If the answer to question 3 is "c", then:

- What is the date of construction? _____
- What is the type of construction? (a) crawl space; (b) slab on grade; (c) basement; (d) other (Answer "a," "b," "c," or "d") _____

5. The following documents have been enclosed in support of the request:

_____ a. Copy of Plat Map (with recordation data)

or

_____ Copy of the property deed (with recordation data) accompanied by a tax assessor's map or other suitable map showing the surveyed location of the property with respect to local streets and watercourses. (If the plat map and property deed are available, then both should be submitted.)

_____ b. Copy of the effective Flood Insurance Rate Map panel on which the property location has been accurately plotted

_____ c. Map showing the location of any structures

_____ d. Metes and bounds description and accompanying map (only if the request is for a portion of the property), certified by a registered professional engineer or licensed surveyor

_____ e. A completed Federal Emergency Management Agency, National Flood Insurance Program, Elevation Certificate, certified by a registered professional engineer or licensed surveyor

or

_____ Elevations, certified by a registered professional engineer, or licensed surveyor, as outlined above in the Basis of Determination

_____ f. If data to substantiate the 100-year flood elevation is not available from an authoritative source (such as a Federal or State agency), the 100-year flood elevation must be calculated and the backup calculations must be provided.

_____ g. Community Acknowledgement Form (only if fill has been placed; form may be obtained from the regional office shown below or community)

_____ h. Additional information (attach list)

6. All information submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.

Property Owner's Name: _____

Mailing Address, & Daytime Telephone Number: _____

Signature

Date

Please submit this form and all supporting data to the following address:

Director, Mitigation Division
Federal Emergency Management Agency, Region III
Liberty Square Building
105 South Seventh Street, Second Floor
Philadelphia, Pennsylvania 19106-3316

**FEDERAL EMERGENCY MANAGEMENT AGENCY
APPLICATION FORM FOR SINGLE RESIDENTIAL LOT OR STRUCTURE
ADMENTS AND REVISIONS TO NATIONAL FLOOD INSURANCE PROGRAM MAPS**

O.M.B. NO. 3067-0257
Expires September 30, 1997

Paperwork Burden Disclosure Notice

Public reporting burden for this is estimated to average 2.4 hours per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the form. Send comments regarding the accuracy of the burden estimate to: Information Collection Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472; and to the Office of Management and Budget, Paperwork Reduction Project (3067-0257), Washington, DC 20503.

This form should be used by an individual property owner to request that the Federal Emergency Management Agency (FEMA) remove a single residential structure or legally recorded parcel of land or portions thereof, described by metes and bounds certified by a registered licensed land surveyor or professional engineer, from a designated Special Flood Hazard Area (SFHA), an area that would be inundated by the 100-year (one-percent annual) flood, via Letter of Map Amendment (LOMA) or Letter of Map Revision Based on Fill (LOMR-F). It shall not be used for requests involving changes to base flood elevations, floodway designations, or proposed projects. In addition, it shall not be used for requests submitted by developers or for requests involving multiple structures or lots.

APPLICABLE REGULATIONS

The regulations pertaining to LOMAs and LOMRs-F are presented in the National Flood Insurance Program (NFIP) regulations under Title 44, chapter I Parts 65 and 70, Code of Federal Regulations. The purpose of Part 70 is to provide an administrative procedure whereby FEMA will review information submitted by an owner or lessee of property who believes that his or her property has been inadvertently included in a designated SFHA. The necessity of Part 70 is due in part to the technical difficulty of accurately delineating the SFHA boundary on an NFIP map. Part 70 procedures shall not apply if the topography has been altered since the effective date of the first NFIP map (i.e., a Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map) showing the property to be within the SFHA. Request involving changes in topography (such as the placement of fill) are handled under the procedures described in Part 65. In such instances, note especially NFIP regulations, Section 65.5.

BASIS OF DETERMINATION

FEMA's determination as to whether a structure or legally recorded parcel of land, or portions thereof, described by metes and bounds, may be removed from the SFHA will be based upon a comparison of the base (100-year) flood elevation (BFE) with certain elevation information. The elevation information required is dependent on whether a structure, a legally recorded parcel of land, or portions thereof are to be removed from the SFHA and whether fill has been placed on the property to raise the structure or parcel of land above the BFE, as outlined below.

ITEM TO BE REMOVED FROM THE SFHA

Structure located on natural ground

Structure located on fill

Undeveloped legally recorded parcel of land or portions thereof

ELEVATION INFORMATION REQUIRED

Lowest adjacent grade (the elevation of the lowest ground touching the structure) to the structure

Lowest adjacent grade to the structure and the elevation of the lowest floor (including basement)

Elevation of the lowest ground on the parcel or within the portion of land to be removed from the SFHA

Please note the following list of some of the special considerations that may affect FEMA's determination:

- Fill is defined as material placed to raise the ground to or above the BFE. Fill placed before the effective date of the first NFIP map showing the property to be within the SFHA is treated as natural ground. If this cannot be determined, then the initial identification date will be used.
- In areas of sheetflow flooding (AO Zones), the FEMA Regional Office should be contacted to clarify the elevation information that will be required for a determination as to whether a structure or legally defined parcel of land can be removed from the SFHA.
- If the lowest floor of a building has been elevated on posts, piers, or pilings above the BFE in the SFHA and any portion of the structure (i.e., post or piers) is still below the BFE, the building will not be removed from the SFHA.

1. Street address of your property: _____
2. Has fill been placed on your property? ____ If yes, when? _____
3. Are you requesting that the flood zone designation be removed from: a) your entire legally recorded property; b) a portion of your legally recorded property (a metes and bounds description must be written and certified by a registered professional surveyor or engineer and submitted with a map showing the metes and bounds area); or c) a structure on your property? (Answer "a," "b," or "c") _____

...map to determine which actuarial rates apply to structures in the zones where elevations or depths have been established.

To determine if flood insurance is available in this community, contact your insurance agent, or call the National Flood Insurance Program at (800) 638-6620, or (800) 424-8872.



APPROXIMATE SCALE

1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

**BALTIMORE COUNTY,
MARYLAND**
(UNINCORPORATED AREAS)

PANEL 535 OF 575
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
240010 0535 B

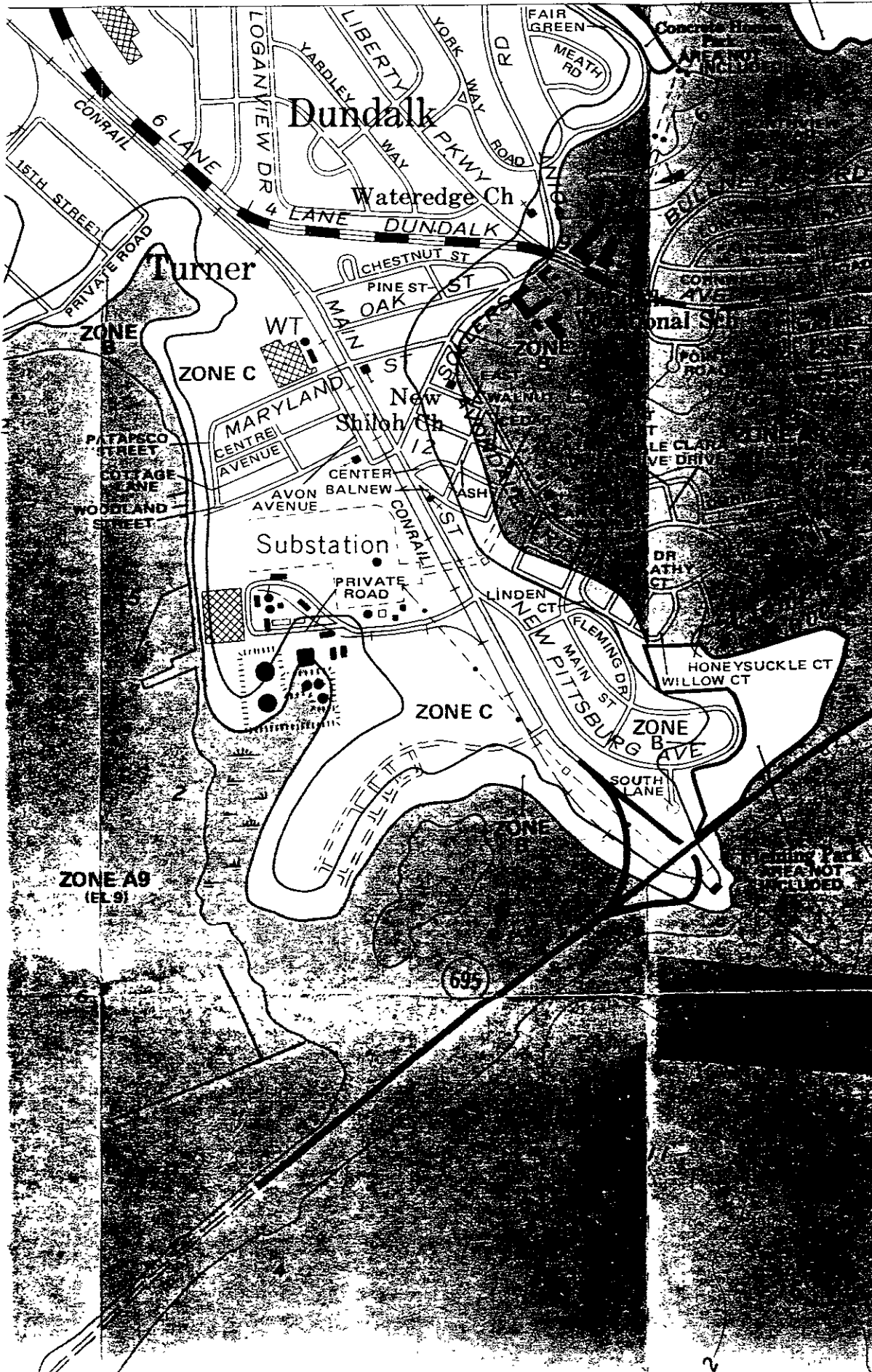
EFFECTIVE DATE:
MARCH 2, 1981



federal emergency management agency
federal insurance administration

98-199-XA

Chesterwood Park
AREA NOT INCLUDED



FIELD BOOK

DATE : 11/15/97

JOB NAME : DAY VILLAGE

JOB No. : 97009

CREW : GILSON & THURMAN

LOCATION : S. AVONDALE R.

TA	BS	FS	DD	MM	SS	DIST.	DIFF. ELEV.	REMARK
						109.39		
B.M.	2.48	(25.17)				22.64		RR spike @ 0.17
TP			9.55			15.62		
	1.51	(17.13)						
TP			6.89			10.24		
	3.82	(14.06)						
TP			6.10			7.96		
	4.55	(12.51)						
TP			5.82			6.69		
	6.10	(12.79)						
TP			5.27			7.52		
	5.95	(13.47)						
TP			6.90			6.57		
	5.35	(11.92)						(9.07) (9.04)
TP			4.30			7.54		-3.98 -4.01
	5.51	(13.65)						
FF			1.30		FF	(11.75)		#639 Faint RENE
BSM/T			8.98		BSM/T	(4.07)		@ #639
FF			1.47					#625 - 3.97 = 3.95
FF			1.30		FF	(11.75)		#633 (9.08) (9.10)
TP			5.99			7.06		
	3.81	(10.87)						
TP			3.81			7.06		
	5.85	(12.91)						
TP			4.82			8.04		
FF	4.32	(12.41)						
TP			5.82			6.59		
	6.27	(12.86)						
TP			5.26			7.60		

98-199-XA

FIELD BOOK

JOB NAME : _____

JOB No. : _____

LOCATION : _____

[illegible]

Petitioners

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Bill Monk

222 BUSLEY AVE

SUITE C-6

TOWSON, MD 21204

BOB GADYS

COMMUNITY ASSISTANCE NETWORK, INC.

7701 DUNMANWAY

BALTIMORE, MD 21222

Brian Quinn

Milton L. Ehrlich, Inc.

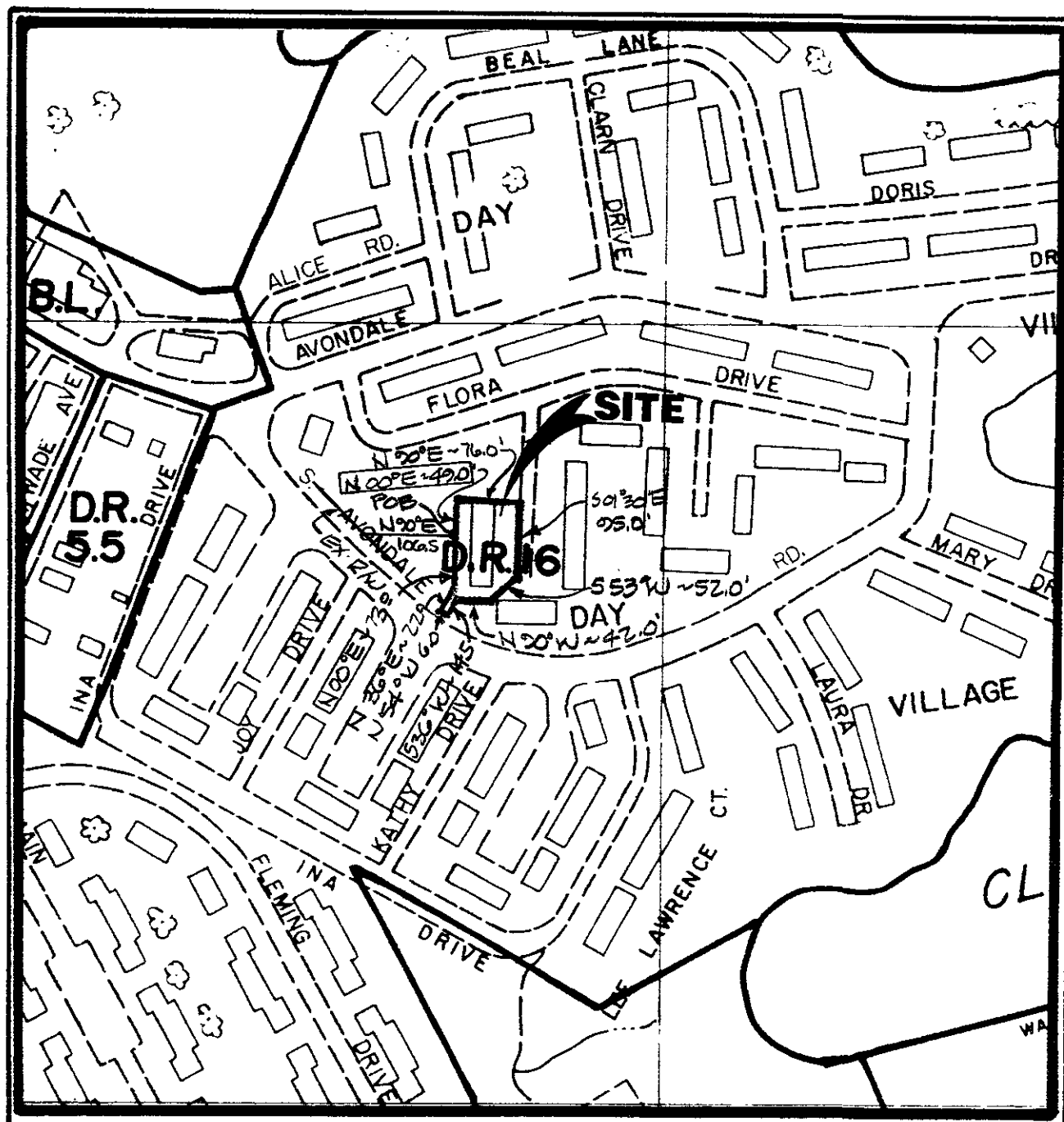
18 E 22ND ST

NYC, NY 10010

Roger Coxtrell

503 Avondale Rd (Day Village Bldg)
Baltimore Md

ENGINEERS • PLANNERS



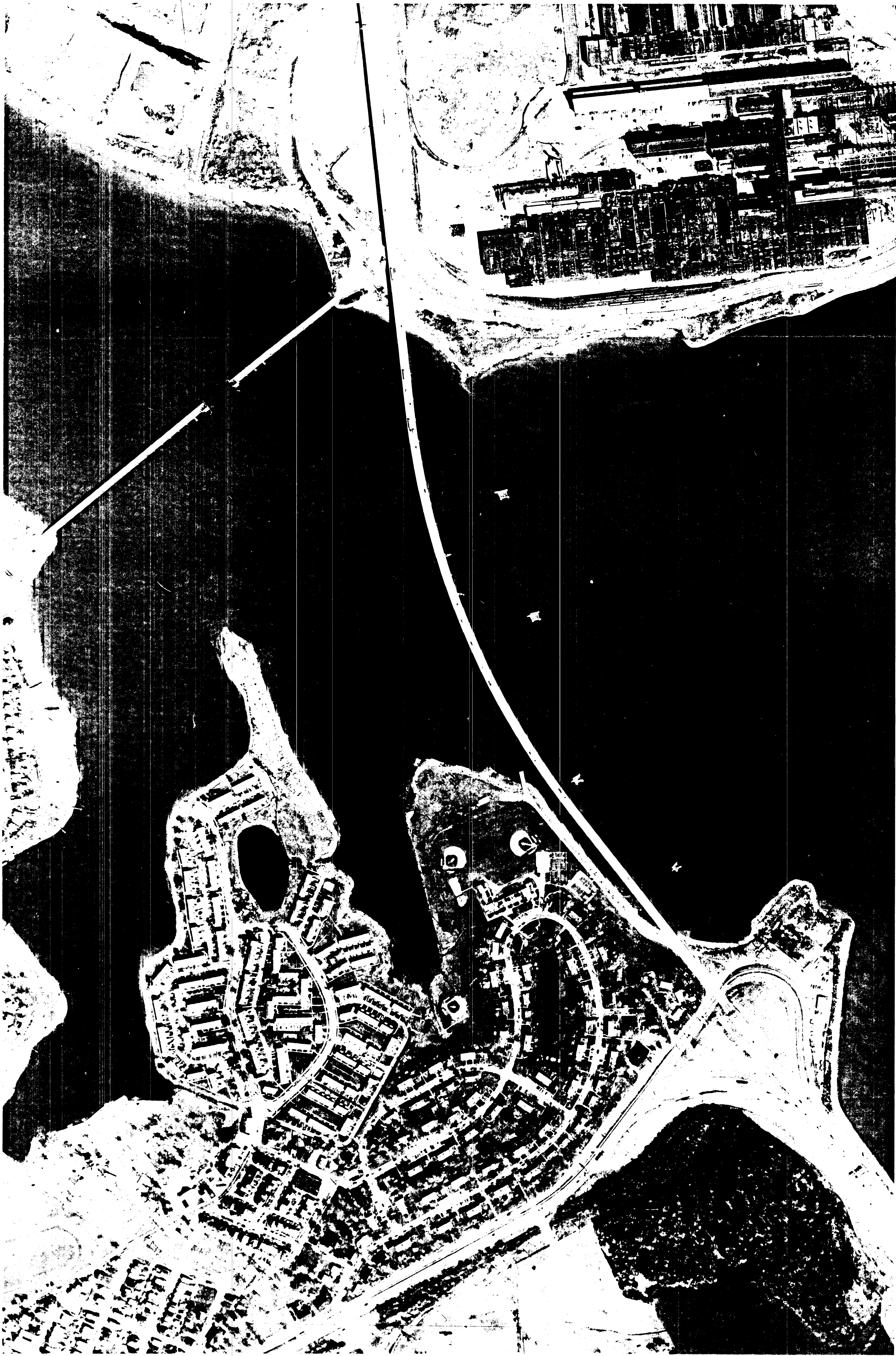
ZONING MAP

SCALE : 1"=200'

ZONING MAP No. SE F-6

98-199-XA

199



20x 17

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

DUNDALK
TURNERS STATION

SHEET

S. E.
6-F

HEARING ~~SET FOR~~

DECEMBER 19, 1997

at 9 AM. in Rm. 106

PER Arnold Jablon

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