ORDER RECEIVED FOR FILING

IN RE: PETITION FOR SPECIAL HEARING

NE/S of Windsor Mill Road and

NW/S Gwynn Oak Avenue

2nd Election District

2nd Councilmanic District

(2100 Gwynn Oak Avenue)

Namdi C. Iwuoha

Petitioner

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 00-503-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Namdi C. Iwuoha. The Petitioner is requesting a special hearing for property he owns at 2100 Gwynn Oak Avenue, located in the Woodlawn area of Baltimore County. The subject property is zoned BL-AS. The special hearing request is to amend the previously approved site plan in Case No. 99-287, to remove Restriction No. 4 from Commissioner Schmidt's previous Order and to increase the amount of off-site parking spaces to 22 for the subject property.

Appearing at the hearing on behalf of the special hearing request were Namdi Iwuoha and Ugo Iwuoha. Also in attendance was Mr. William Obrecht, Vice-President of the Security/Woodlawn Business Association. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 0.16 acres, more or less, zoned BL-AS. The subject property is improved with a two-story brick and block building containing 5,834 sq. ft. of space. In addition, the property contains 9 parking spaces. The property was the subject of a prior hearing heard by Commissioner Schmidt in 1999. In Case No. 99-287-SPHA, Commissioner Schmidt, by Order dated April 19, 1999, granted permission to the Petitioner to construct a second story addition on top of his existing building and also approved a variance to allow 9 parking spaces in

lieu of the required 22. In addition, in that hearing, the Petitioner secured an additional 10 parking spaces by way of a lease agreement with a nearby property owner. Restriction No. 4 of Commissioner Schmidt's Order required that the second floor of the applicant's building be used only as office space and not as retail space. The purpose of that restriction was to lessen the parking requirements, given that the Petitioner was unable to meet his parking obligations to allow the entire building to be used as retail use. Therefore, Commissioner Schmidt deemed it necessary to restrict the use of the second floor of the building.

Since the issuance of Commissioner Schmidt's Order, the Petitioner has leased an additional 12 parking spaces. He submitted into evidence as Petitioner's Exhibit 2 and Petitioner's Exhibit 3 copies of those lease agreements indicating that he is currently leasing an additional 22 parking spaces within 500 ft. of his business. As mentioned previously, he provides 9 parking spaces on-site. Therefore, the Petitioner is providing a total of 31 parking spaces for his building. The parking calculations indicate that the required amount of parking spaces for a building of this size is 30 spaces. Therefore, the Petitioner exceeds the requisite amount of parking by one space. He, therefore, is entitled, pursuant to the Baltimore County Zoning Regulations, to utilize the entire 5,834 sq. ft. of his building for retail use. Restriction No. 4 which was previously imposed by Commissioner Schmidt is no longer applicable, given that the Petitioner has met his parking obligation. Therefore, it is appropriate to eliminate that particular restriction. Further testimony and evidence offered at the hearing by both Mr. Obrecht, as well as the Petitioner, was that parking in this retail area of Woodlawn is a problem. All of the other retail uses at this location do not meet their parking requirements. Mr. Iwuoha is the only property owner who has leased enough parking spaces to satisfy the parking requirements imposed upon him. Therefore, he should not be burdened with the restriction that

was previously imposed by Commissioner Schmidt. However, as an accommodation to this customers and other business owners in the area, he must require that his tenants and employees of his tenants park in those parking spaces furthest from the subject building and not in the parking spaces provided on-site. This will free up more parking for customers and patrons of the businesses who are located in his building at 2100 Gwynn Oak Avenue.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief 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 be detrimental 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 this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of July, 2000, that Restriction No. 4 previously imposed by Commissioner Schmidt in Case No. 99-287-SPHA, specifically in his Order dated April 19, 1999, be and is hereby eliminated.

IT IS FURTHER ORDERED that Petitioner's request to amend the previously approved site plan in Case No. 99-287, to remove Restriction No. 4 from Commissioner Schmidt's previous Order and to increase the amount of off-site parking spaces to 22 for the subject property, be and is hereby GRANTED, subject, however, to the following conditions and restrictions:

THE STREET ON FILING

- 1. The Petitioner shall require that all tenants and employees of the tenants park in the available parking furthest away from the subject building, leaving the closest parking spaces to the site for patrons and customers.
- 2. The Petitioner shall be required to continue to lease the additional 22 off-site parking spaces to accommodate the uses situated within his building. In the event the Petitioner ceases to lease the additional 22 parking spaces, then the uses occurring within his building must cease and desist at that time.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty

(30) days of the date of this Order.

ГІМОТНУ М. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

July 17, 2000

Mr. Namdi C. Iwuoha 6502 Kriel Street Baltimore, Maryland 21207

> Re: Petition for Special Hearing Case No 00-503-SPH Property: 2100 Gwynn Oak Avenue

Dear Mr. Doak:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

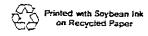
Timothy M. Kotroco

Deputy Zoning Commissioner

buthy llotroco

TMK:raj Enclosure

c: Mr. William Obrecht 2137 Gwynn Oak Avenue Baltimore, MD 21207





REU 9|15|98

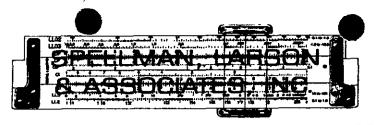
Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2100	Gywnn	Oak	Aue.	Bato 213	2
which is prese					

owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Special Hearing County, to determine whether or not the Zoning Commissione Brue and Site plan approved in	Case No , 99 - 287-5041
allow the apolans remove	perkung spaces to 22 real use of oldg.
Property is to be posted and advertised as prescribed by the l, or we, agree to pay expenses of above Special Hearing, advertise zoning regulations and restrictions of Baltimore County adopted pure to the property of the p	ing, posting, etc. and further agree to and are to be bounded by the
Contract Purchaser/Lessee:	<u>Legal Owner(s):</u>
	Namai C. Iwuoha
Name - Type or Print	Name - Type or Frint
Signature	Signature NAM DI - CLID LEDHA
Address Telephone No.	Name - Type or Print
City State Zip Code	Signature (11/2) 2/2022/11
Attorney For Petitioner:	6502 Friel Street (410)2987211
3	Address Telephone No.
Name - Type or Print	Baltimore Ma 21207 City State Zip Code
Name Type or Print	•
5 ignature	Representative to be Contacted:
P	Go Iw uoha
(Company)	Name 6502 Kriel Street 4845202
Address XI Telephone No.	
2 of P	Balto- Md 2120
State Zip Code	City State Zip Code
	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING 1- 7h
Case No. <u>60 - 50 3 - 594</u>	UNAVAILABLE FOR HEARING
Davi	inuad Pu 37-4 Para 5/30/04





POBERT E. SPELLMAN, P.L.S. JOSEPH L. LARBON

CIVIL ENGINEERS AND LAND SURVEYORS

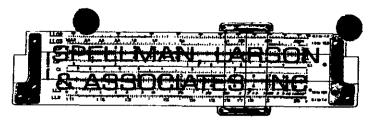
SUITE 406 - JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / (410) 823-3539 FAX (410) 825-5215

DESCRIPTION FOR A ZONING PETITION
2100 GWYNN OAK AVENUE
SECOND DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a point on the northwest side of Gwynn Oak Avenue, 40 feet wide, at the end of a cut off connecting the northwest side of Gwynn Oak Avenue and the northeast side of Windsor Mill Road, of variable width, said cut off being shown on Baltimore County Department of Public Works Bureau of Land Acquisitions Plat HRW 63-053-21 said Plat being for a widening of Windsor Mill Road and running thence and binding on the northwest side of Gwynn Oak Avenue north 50 degrees 03 minutes east 44 feet, more or less, thence leaving the northwest side of Gwynn Oak Avenue and running north 36 degrees 09 minutes west 94.31 feet and south 55 degrees 00 minutes west 81 feet, more or less, to the widening line herein referred to running thence and binding on said widening line southeasterly by a curve to the right with a radius of 3472.57 feet the distance of 79.95 feet (the chord of the arc bears south 51 degrees 20 minutes 01 seconds

> #503 00-503-5PH





OBERT E. SPELLMAN, P.L.S JOSEPH L. LARBON

CIVIL ENGINEERS AND LAND SURVEYORS

SUITE 406 - JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / (410) 823-3539 FAX (410) 825-5215

DESCRIPTION FOR A ZONING PETITION
2100 GWYNN OAK AVENUE
SECOND DISTRICT, BALTIMORE COUNTY, MARYLAND.

Page 2

east 79.95 feet) to the cut off herein referred to as shown on said Plat running thence and binding on said cut off north 86 degrees 48 minutes 30 seconds east 31 feet, more or less, to the place of beginning.

Containing 0.16 acres of land, more or less.

05/19/2000



BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

DISTRIBUTION

No. 081412

MISCELLANEOUS RECEIPT DATE 5/30/200 ACCOUNT OC/1- 6/50 It. 503 By MITK AMOUNT \$ 250. FROM: Alecha Carrier Since - 215- Curan Orente FOR: 640- Coma Social Herr - \$ 20.00

Receipt 1 15-745 课他 路紅 Rest lot - There

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THERE S F28 JULIUS VERTELIATION

29.00 C .00 G Billete Centy, Bryland

CASHIER'S VALIDATION

YELLOW - CUSTOMER

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 propenty identified herein as follows:

Case: #00-503-SPH

2100 Gwynn Oak Avenue

NE/S of Windsor Mill Road and NW/S Gwynn Oak Avenue 2nd Election District - 2nd Councilmanic District

Legal Owner(s):Namdi C. Iwuoha

Hearing: Thursday, July 13, 2000 at 9:00 a.m. in Room 407. County Courts Building, 401 Bosley Avenue, Towson, MD 21204.

Special Hearing: an amendment to the order and site plan approved in Case #99-287-SPHA to remove restrictions #4 and increase the amount of off site parking spaces to 22 to accommodate 100% commercial use of building. LAWRENCE E SCHMIDT

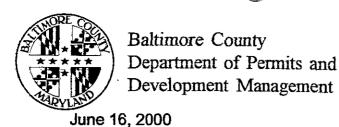
Zonino Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing,

Contact the Zoning Review Office at (410) 887-3391. 6/239 June 22

CERTIFICATE OF PUBLICATION

TOWSON, MD,	6	22	, 2000
THIS IS TO CERTIFY, the	at the annexe	d adv	ertisement was
published in THE JEFFERSONIA	N, a weekly n	iewspa	per published in
Towson, Baltimore County, Md., or	nce in each of _	1	successive
weeks, the first publication appear	ring on	3/22	, 2000
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<i>). t</i>	NULLI	r St	2
L	EGAL ADVE	ERTIS	SING



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

NOTICE OF ZONING 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: 00-503-SPH
2100 Gwynn Oak Avenue
NE/S of Windsor Mill Road and NW/S Gwynn Oak Avenue
2nd Election District – 2nd Councilmanic District
Legal Owner(s): Namdi C. Iwuoha

HEARING: THURSDAY, JULY 13, 2000 at 9:00 a.m. in Room 407, County Courts

Building, 111 W. Chesapeake Avenue, Towson, MD 21204

Special Hearing an amendment to the order and site plan approved in Case #99-287-SPHA to remove restrictions #4 and increase the amount of off site parking spaces to 22 to accommodate 100% commercial use of building.

Arnold Jablon

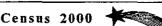
Director

C: Namdi and ugo Iwuoha, 6502 Kriel Street, Baltimore, MD 21207

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 28, 2000.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.









TO: PATUXENT PUBLISHING COMPANY June 22, 2000 Issue – Jeffersonian

Please forward billing to:
Ugo Iwuoha
6502 Kriel Street
Baltimore MD 21207

410-9840-5202

NOTICE OF ZONING 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: 00-503-SPH 2100 Gwynn Oak Avenue NE/S of Windsor Mill Road and NW/S Gwynn Oak Avenue 2nd Election District – 2nd Councilmanic District Legal Owner(s): Namdi C. Iwuoha

HEARING: THURSDAY, JULY 13, 2000 at 9:00 a.m. in Room 407, County Courts Building, 111 W. Chesapeake Avenue, Towson, MD 21204

Special Hearing an amendment to the order and site plan approved in Case #99-287-SPHA to remove restrictions #4 and increase the amount of off site parking spaces to 22 to accommodate 100% commercial use of building.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 - (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

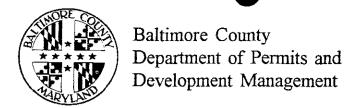
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 60-503-574 Petitioner: Namdi C. Twoha
Address or Location: 2100 Guynn Oak Avc
PLEASE FORWARD ADVERTISING BILL TO:
Name: Ugo Iuvoha Address: 6502 Kriel Street
Bulto. MD. 21207.
Telephone Number: (416) 984 -5202



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

July 7, 2000

Mandi C. Iwuoha 6502 Kriel Street Baltimore, MD 21207

Dear Petitioner:

RE: Case Number: 00-503-SPH, Location - 2100 Gwynn Oak Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 30, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:scj

C: Ugo Iwuoha, 6502 Kriel Street, Baltimore 21207

Enclosures

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: July 14, 2000

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 19, 2000

Item Nos. 503, 504, 505, 508, 511, 514,

and 515

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



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

June 16, 2000

Department of Permits and Development Management (PDM) County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 12, 2000

Item No.: See Below

Dear Ms. Stephens:

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

504, 508, 510, 511, and 515

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley (145)

DATE:

July 13, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of June 12, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
503	2100 Gwynn Oak Avenue
506	2401 and 2401A York Road
507	2401A York Road
508	519 Rest Avenue
511	10643 Anglohill Road
514	Middle River Road
515	49 Wiltshire Road





Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

6.12.00

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

RE:

Baltimore County

Item No. 503

MJK

Dear, Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.vs).

Very truly yours,

f. f. Doelle

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

My telephone number is _

RE: PETITION FOR SPECIAL HEARING 2100 Gwynn Oak Avenue, Cor NE/S Windsor Mill Rd & NW/S Gwynn Oak Ave 2nd Election District, 2nd Councilmanic

Legal Owner: Namdi C. Iwuoha Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 00-503-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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 2000 a copy of the foregoing Entry of Appearance was mailed to Namdi C. and Ugo Iwuoha, 6502 Kriel Street, Baltimore, MD 21207, Petitioner.

PETER MAX ZIMMERMAN

AVELON REAL ESTATES

July 15, 2000

Honorable Timothy Kotrocco
Deputy Commissioner for Baltimore County
County Court Building
401 Bosley Avenue
Towson, Maryland 21204

410664192

Re: Zoning Hearing on July 13, 2000, Case #99-287-SPHA

Dear Deputy Commissioner Kotrocco.

We must thank you for the opportunity given to us to state our concerns as may be related to the above referenced hearing.

It is particularly important to have observed the fairness you exhibited in presiding over the hearing and we hope that fairness will also reflect on your final decision on this issue.

Thank you once again

Sincerely,

Namdi & Ugo bwooha

Shared 1999/2100 Gwynn Cale/Namid's latter to the deputy somm for Ballo Co

01/26/1994 14:40

=== COVER PAGE ===

: O FAX: *674108873458

MR UGO'S OFF.MMU LID

FOR S

FAX: 4106641925

TEL: 4106649727

COMMENT: PLEASE CALL

William Obriecht 2137 Gwynn Oak Avenue Baltimore, Md. 21207

July 12, 2000

Honorable Lawrence E. Schmidt Tim Ketruc U Zoning Commissioner for Baltimore County Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Re: Amendment to 99-287-SPHA

Dear Mr. Schmidt, Kotroco

Mr. Iwuoha has built a good looking building which is an improvement over the previous building. In order to build a building twice as large as the previous building, he had to meet certain requirements in order to assure that the larger size would not adversely impact the existing businesses in Woodlawn Village.

I am concerned about Mr. Iwuoha's adherence to the requirements.

On the initial site plan the total floor area was shown as 5,150 square feet. It appears that the building is actually 5,834 square feet

Restriction 4 of the original decision dated April 19, 1999 states that: "The use of the building shall be restricted to allow only a retail operation on the first floor and an office use on the second floor. Any change of use shall require approval by this Zoning Commissioner following a public hearing." Half of the second floor has been a Hair Salon for several months.

Restriction 5 states that "the onsite spaces shall be reserved for customers." This requirement appears to have been followed only during the past several months.

We are now faced with a difficult situation. At the very least no changes in the current use of the building should be allowed. Any changes in the current use of the building should only be considered after a period of one or more years of strict compliance with the existing restrictions.

Sincerely,

William Obriecht





POBERT E. SPELLMAN, P.L.S JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

April 18, 2000

APR 20

Mr. Lawrence Schmidt Zoning Commissioner Baltimore County

"Hand Delivered"

Re:

2100 Gwynn Oak Avenue Case No.: 99-287-SPHA

Job No.: 98092

Dear Commissioner Schmidt:

Please be advised that 2100 Gwynn Oak Avenue was the subject of a recent Zoning Petition for Special Hearing and also a Zoning Petition for Variance in conjunction with proposed improvements that the owner was contemplating for the subject property.

Although both Petitions were granted, the Variance Petition was conditioned on the premise that the owner would be required to lease 10 off street parking spaces and also would restrict use of the building to retail use on the first floor and office use on the second floor.

Currently the owner is proposing to convert the second floor to retail use which, of course, triggers the need for additional parking to support this effort.

The owner, in this endeavor, has been successful in gaining additional parking to support the 2nd floor retail use by leasing 12 additional spaces by formal Lease Agreement. These spaces are located in the existing off street parking lot across the street from his office building where his originally leased spaces reside.

Commissioner Lawrence Schmidt Case No.: 99-287-SPHA

Job No. 98092

SELLMAN, LARSON & ASSOC. April 18, 2000 Page Two

Please refer to the attached Site Plan for a schematic representation of the parking layout and the 2^{nd} Lease Agreement.

We are formally requesting herein approval of this Site Plan revision as being within the spirit and intent of the Zoning Regulations to allow him to move forward with the retail occupancy of the building.

Should you have any questions or wish to discuss this situation in any further detail please feel free to contact me at any time.

Very truly yours,

SPELLMAN, LARSON & ASSOC.

Joseph D. Larson

PRESIDENT

JLL/bar Enclosures

CC: Mr. Nnamdi Iwuoha

00-503

Called PDM to sel whether

they could locate posting

Cartificate. No success. By 7/20/00

Called Ju farson to see if he

had an certra copy of posting

certificate. He said be would fax it, but

he never did. By 7/21/00

Called Joe Parsons office & requested

them to fax copy of posting. Shey

IN RE: PETITION FOR SPECIAL HEARING

AND VARIANCE

NE/S Gwynn Oak Ave. & Windsor Mill Rd. *

ZONING COMMISSIONER

BEFORE THE

2100 Gwynn Oak Avenue

2nd Election District 2nd Councilmanic District

Nnamdi Iwuoha, Petitioner

OF BALTIMORE COUNTY

Case No. 99-287-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and Petition for Variance for the property located at 2100 Gwynn Oak Avenue in the Woodlawn Village community of western Baltimore County. The Petitions were filed by Nnamdi Iwuoha, property owner. Special Hearing relief is requested to approve an amended site plan; namely, that plan which was received into evidence as Petitioner's Exhibit No. 1. It depicts the subject property and surrounding locale and is dated January 12, 1999. Variance relief is requested to approve a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 7 parking spaces on site, in lieu of the required 22. However, that variance Petition was amended in an open hearing so that now 9 parking spaces on site are proposed.

Appearing at the requisite public hearing held for this case was the Petitioner/property owner, Nnamdi Iwuoha. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. Also appearing and testifying was Joseph Larson of Spellman, Larson & Associates, Inc. That firm prepared the site plan. Appearing as an interested person was Bill Obriecht, on behalf of the Woodlawn Village Business and Professional Association.

Mr. Larson testified and presented the site plan. The property is roughly rectangular in shape, located adjacent to the intersection of Gwynn Oak Avenue and Windsor Mill Road in the downtown business community known as Woodlawn Village. The property is zoned B.L.-A.S. The property is approximately .16 acres in area.

Photographs submitted at the hearing as well as the site plan show that the property is

improved with a one story brick and block building known as 2100 Gwynn Oak Avenue. Mr. Larson testified that at one time the building was used as a Subway Sandwich Shop and that the building has also been used as a Royal Farm Store. However, the building is presently vacant and has been so for some time.

The existing building is approximately 2,575 sq. ft. in area. The Petitioner proposes making substantial improvements to the structure. Specifically, he proposes adding a second floor which will double the area of the building to 5,150 sq. ft. As to the potential use of the building, Mr. Iwuoha has entered into negotiations with a tenant to operate a Tuxedo/Formal Wear Shop on the first floor. The second floor of the building will be used for Mr. Iwuoha's offices. He is in the construction management business and operates that enterprise with a small office staff of approximately 4 employees.

As part of the site improvements, the HVAC unit will be located on the roof of the building. This will provide two additional parking spaces to the side of the building adjacent to Gwynn Oak Avenue. When completed, there will be 9 parking spaces provided on site. As shown on the site plan, 22 spaces are required under the Section 409 of the BCZR.

That section of the BCZR also allows the Petitioner to lease offsite parking spaces at a location not more than 500 ft. from the subject property, in order to cure a deficient parking arrangement. In this regard, the Petitioner submitted at the hearing a copy of the lease (Petitioner's Exhibit No. 3), indicating that he had made arrangements to lease 10 parking spaces from the private parking lot which is located caddy corner from the subject site, across Windsor Mill Road. Photographs of that lot were submitted as well as a schematic plan (Petitioner's Exhibit No. 4) which shows that the spaces are approximately 145 ft. from the subject property.

In addition to the testimony and evidence described above, the Petitioner offered a series of signed Petitions from neighbors and businesses supporting the request. Those Petitions generally indicate that most of the surrounding business and property owners support an active business on this site, as opposed to the present vacant building. Indeed, the

proposal does represent an opportunity to improve this property, which is located in the heart of the Woodlawn/Security Blvd. Business area. The property, in its present vacant state, has the potential to be a blight on the surrounding area.

Mr. Obriecht offered testimony during the hearing. Although he supports the use of the property, he raised a number of questions and concerns regarding the proposed use. Frankly, some of his suggestions might so limit the use of the property so as to make any business operation thereon untenable. Nonetheless, I am appreciative of Mr. Obriecht's concerns that the use of the property will not over burden the parking which is available in the vicinity.

Based upon the testimony and evidence presented, I am persuaded to grant the Petitions, however, impose certain conditions to alleviate any potential impacts. These restrictions shall be strictly enforced. If the Petitioner fails to comply with the conditions, it is assumed that Mr. Obriecht and/or his association will contact Baltimore County's Bureau of Code Enforcement so that an inspector can visit the property to ensure compliance.

The restrictions/conditions to be entered are:

- 1. The Petitioner shall redevelop the property only in the manner as shown on the site plan (Petitioner's Exhibit No. 1). The area of the redeveloped building, the 9 parking spaces shown, and the other improvements to the site shall be as shown on Petitioner's Exhibit No. 1.
- 2. The Petitioner shall continue, for so long as the building is occupied, to lease 10 off street spaces. This requirement may be modified through another public hearing in the event future circumstances warrant such a change. However, in order to ensure that there will be no congestion in the area, the Petitioner shall lease the 10 spaces described hereinabove.
- 3. The use of the building shall be restricted to allow only a retail operation on the first floor and an office use on the second floor. Any change of use shall require approval by this Zoning Commissioner following a public hearing.

4. During business hours for the use on the first floor, the onsite parking spaces shall be reserved for customers. Employees of the business and in the office shall park across the street, on the leased premises.

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

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 9 parking spaces on site, in lieu of the required 22, be and is hereby GRANTED, subject, however, to the following restrictions:

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AND END STORY ADDITIONS
(CANCELS UNISSUED \$395364)

9. DEVELOPMENT REVIEW COMMITTEE 4-7 LIMITED EXEMPTION GRANTED MAT 4, 1998 REFER TO D.R.C. & 0504 BC.

LEASE AGREEMENT

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B.B.J. Inc. (Contract Purchastrs) of the parking for at Windoor Mill Road and Groven Oak Ave. 6322 Windoor Mill Road Baltimetre, Marvland 2120"

And

Named Investor - Owner of the property located at 2100 Garyon Oak Ave. Baltumore, No. 21207

Made of the 30° of September 1998

Terms of Lease. The lease agreement shall be for a parted of 5 years beginning this 30° day of September, 1998 and ending on Midneght of 30° day of September, 20%

3 Only 10 parting spaces will be allowed in this agreement.

Rest. The yearly restal amount of the parking space (s) shall be \$5,000.00 due at the beginning of October of each year starting with the year 1998.

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Additional terms and conditions agreed to by book purpose

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21

LEASE AGREEMENT

This lease agreement:

Between

B.B.J. INC. Landlord and Nnamdi Iwuoha tenant agree as follows:

Terms of lease: The lease shall be for a period of 5 years from October 1, 1999 and end on September 30, 2004.

Twelve (12) parking spaces will be allotted in this agreement.

The yearly rent will be \$3,000.00 due beginning on October 1, 1999 and on the 1st of October each year during the term of this lease.

The parking spaces will be used for parking tagged automobiles belonging to the tenant, his employees and customers.

This agreement is in addition to the existing Lease Agreement signed 9-30 98.

MR. Sela

m.R. Sula

BBJ INC by

James R. Mudgett

Mandi Iwusha

050 041

EXISTING

HORANT

WATER ITEN

NG

YIGINITY CALE: 1" 2000

SITE DATA

AREA deed reference TAX ACCOUNT No. COUNCILMANIC DIST. EXIST. ZONING

697068 .. O.16 Acs.41. 12648/201 190000 1982

TAX MAP/MARCEL/GRID

BL. AS MAPNW SF 98/20/210

FLOOR AREA RATIO CALCULATIONS

TOTAL FLOOR AREA = SITE AREA

5.150 SF 0.16 Acq1/-

5,150 SF+ 0.16 As.

0.74

PARKING CALCULATIONS

troposed use -METAIL SPACES REQUIRED

5 sps per 1000 sf flack area

5 x (6,150/1000)

26 SPACES

7 PROVIDED ON SITE 22 SPACES LEASED FROM WEIGHBORNIG PROPERTY; REFER TO LEASE AGGREMENT SHOWN HERE M.

TOTAL PROVIDED PARKING: 225PS.

PARKING CALCULATION NOTE

The parking calculations as shown hereon are supported, in part, by the current Five Year Parking Lease for parking spaces on the property across Windsor Mill Road as shown on this Site Plan.

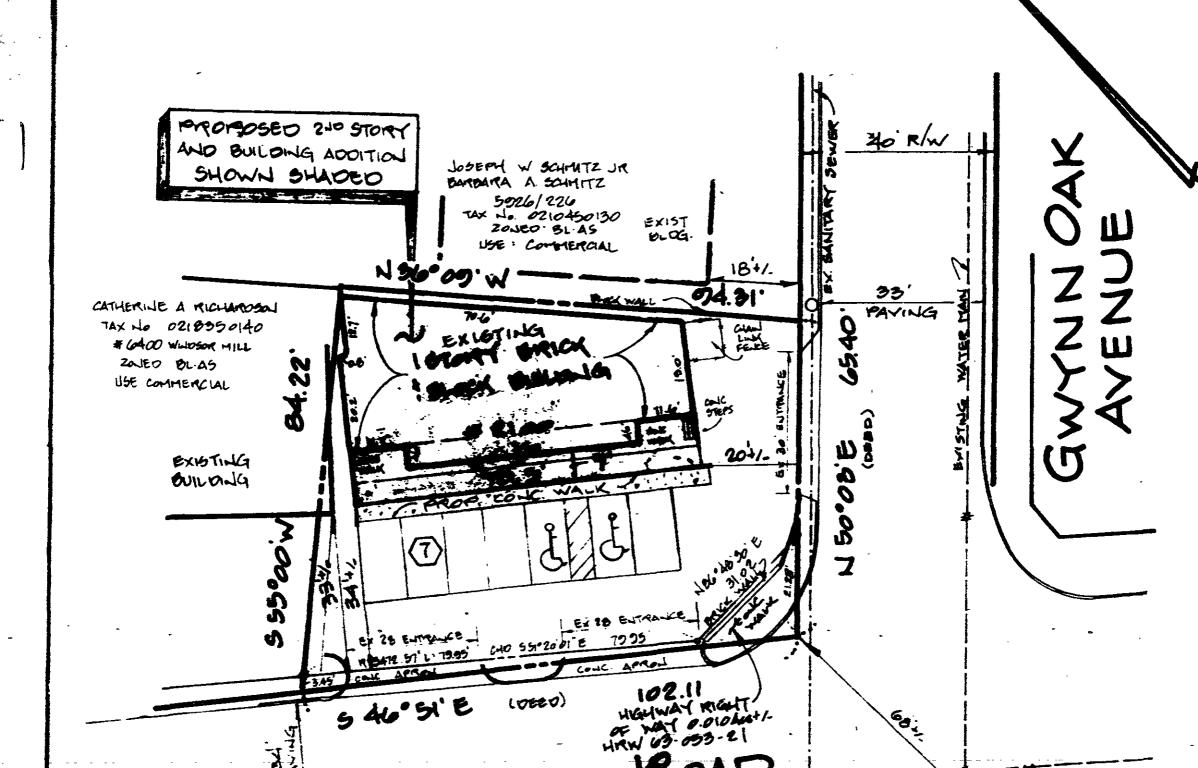
In the event that a long term lease is not achievable at this site within the five year period the owner is responsible to take whatever appropriate measures are necessary to accommodate the parking requirements dictated by the Baltimore County Zoning Regulations. These measures can be accomplished by either obtaining a long term lease at another site or obtaining a Parking Variance from the Zoning Regulations by way of a Zoning Hearing before the Zoning Commissioner of Baltimore County.

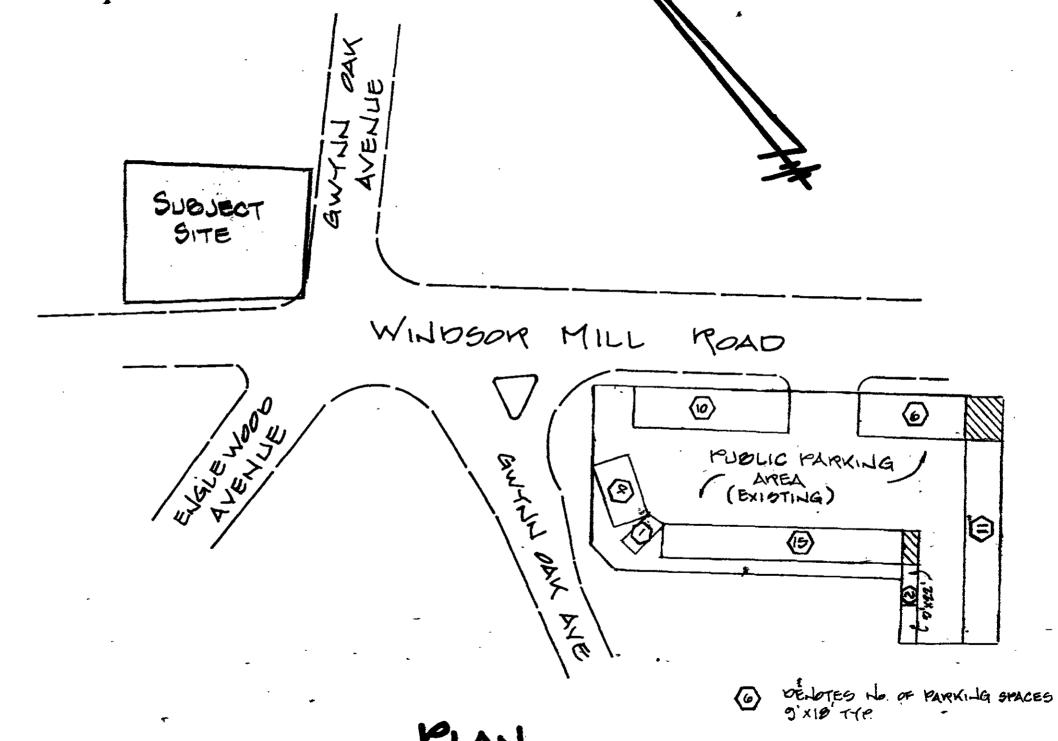
Should none of those avenues be available to the owner than at the termination of the five year lease the existing building will have to be varated to such a degree to only occupy that such of the floor area that can be supported by the parking that is existing on site.

OWNERS CERTIFICATION

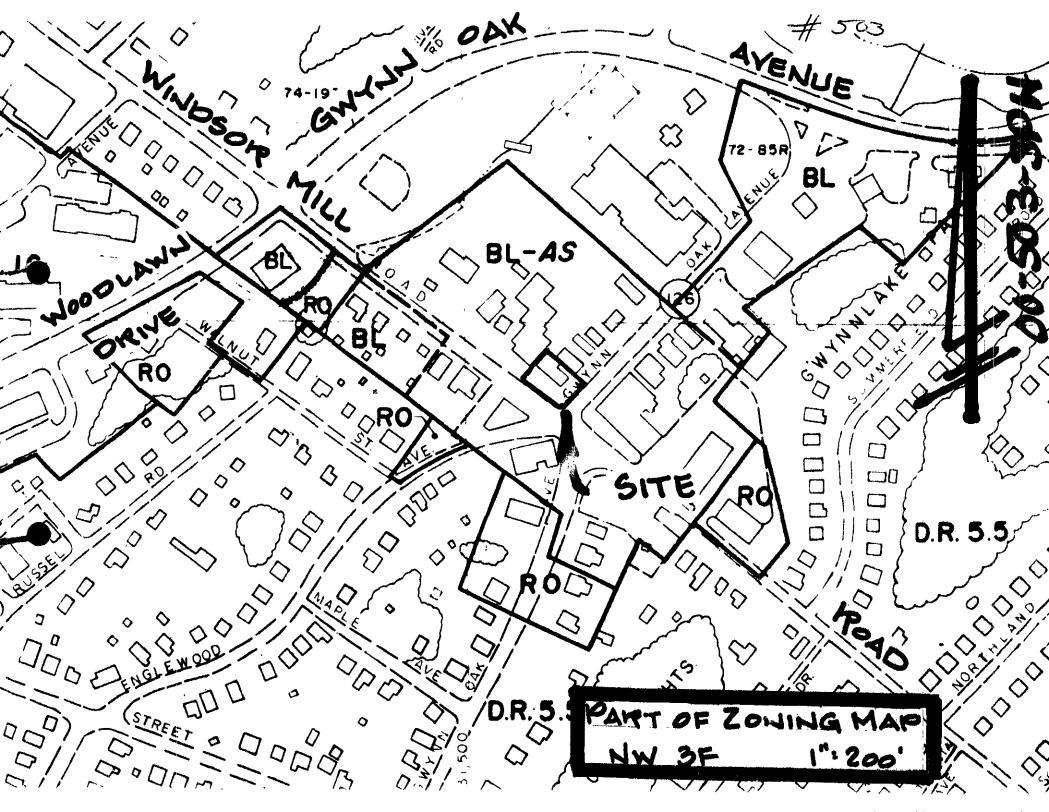
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PLAN NOT TO SCALE



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DO WE HAV	E A PARKING	PROBLEM IN T	HE MIDDLE OF W	'OODLAWN VILLAGE?
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Please return the survey to Bill Obriecht, 2137 Gwynn Oak Ave.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 191 day of April, 1999 that, pursuant to the Petition for Special Hearing, approval of an amended site plan received into evidence as Petitioner's Exhibit No. 1, depicting the subject property and surrounding locale dated January 12, 1999, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 9 parking spaces on site, in lieu of the required 22, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired.
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Please return the s	urvey to B	ill Obriecht.	2137 Gwynn	Oak Ave.		

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19 day of April, 1999 that, pursuant to the Petition for Special Hearing, approval of an amended site plan received into evidence as Petitioner's Exhibit No. 1, depicting the subject property and surrounding locale dated January 12, 1999, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 9 parking spaces on site, in lieu of the required 22, be and is hereby GRANTED, subject, however, to the following restrictions:

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Yes	No	Don't know	
Name of Business Wo	Jel I		
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	Yes	No	<u>/</u> D	on't know	
Name of Business Woodlawh Barber Shop					
Name	Name be Puckworth				

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Please retur	n the survey to B	ill Obriecht, 2	137 Gwynn	Oak Ave.	

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1914 day of April, 1999 that, pursuant to the Petition for Special Hearing, approval of an amended site plan received into evidence as Petitioner's Exhibit No. 1, depicting the subject property and surrounding locale dated January 12, 1999, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 9 parking spaces on site, in lieu of the required 22, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired.
- 2. The Petitioner shall redevelop the property only in the manner as shown on the site plan. The area of the redeveloped building, the 9 parking spaces shown, and the other improvements to the site shall be as shown on Petitioner's Exh. No. 1
- 3. The Petitioner shall continue, for so long as the building is occupied, to lease 10 off street parking spaces. This requirement may be modified through another public hearing in the event future circumstances warrant such a change. However, in order to ensure that there will be no congestion in the area, the Petitioner shall lease the 10 parking spaces described hereinabove.
- 4. The use of the building shall be restricted to allow only a retail operation on the first floor and an office use on the second floor. Any change of use shall require approval by this Zoning Commissioner following a public hearing.
- 5. During business hours for the use on the first floor, the onsite parking spaces shall be reserved for customers Employees of the business and in the office on the second floor, shall park across the street on the leased premises.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER

Do we or don't we have a parking problem in the middle of Woodlawn Village?

The question is asked because Avalon Business Center wishes to change from office space to retail space on the second floor of the building. In accordance with the Zoning Commissioner's decision of April 19, 1999 (see the reverse side for the restrictions on the building), this change requires approval by the Zoning Commissioner following a public hearing.

Mr. Nnamdi Iwuoha, the owner of Avalon Business Center has asked that approval be given without a public hearing. At the last meeting of the Security Woodlawn Village Business Association, I agreed to survey the businesses in Woodlawn Village to see whether a change should be permitted without a public hearing.

Recognizing a need for more spaces for retail use instead of office use, Mr. Iwuoha has leased 12 more spaces (he already leased 10 last year) in the large private lot across from Woodlawn Cleaning, Woodlawn Hardware and Rippel's Florist. These spaces have not yet been marked for the use of Avalon Center employees (restriction 5 of the Zoning decision requires that employees park in this lot so that all the spaces in front of Avalon Center will be available for customers).

Except for street parking, we have no public parking in Woodlawn Village. All lots are privately owned. Some owners allow everyone to park on their lots and some owners have "No parking - tow a way signs" or similar restrictions. Naturally all the private lots could be restricted (or sold) if the owners choose to do so.

DO WE HA	VE A PARK	ING PROBLEM	M IN THE N	MIDDLE OF	WOODLAW	N VILLAGE?
Y	es	_No	_Don't kno	w		
IF YES, HO	OW SEVERE	IS THE PROB	LEM?			
Se	evere	Severe at tir	nes	_Moderate	M	fild
THE CHAN SHOULD A PI SHOULD BE	UBLIC HEAR			-		
	Yes	No	D	on't know		
SHOULD A		ARING BE HI E NEEDED?	ELD TO DE	TERMINE T	ГНЕ ТҮРЕ С	F PARKING
Y	es/	No	D	on't know		
Name of Busin	ness_W50	llawn	Clea	novi		
Name G	trick '	Par Lov				

Please return the survey to Bill Obriecht, 2137 Gwynn Oak Ave.

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DO '	WE HAVE A PAF	KKING PROBL	EM IN THI	E MIDDLE OF WO	ODLAWN VILLAGE?
	Yes	No/	Don't k	now	
IF Y	ES, HOW SEVER	E IS THE PRO	BLEM?		
	Severe	Severe at	times	Moderate	Mild
SHOUL		ARING BE HE		LL REQUIRE MOR TERMINE WHETH	RE PARKING. IER THE CHANGE
	Yes	No	/	Don't know	
	ULD A PUBLIC I			DETERMINE THE	TYPE OF PARKING
	Yes	No	/	Don't know	
Name o	f Business <u>W</u> bob SRi	ood burus Lien	Nor	z D ,	

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DO WE H	AVE A PARKII	NG PROBLEM IN TH	E MIDDLE OF WOOD	LAWN VILLAGE?
Y	es	NoDon't l	know	
IF YES, H	OW SEVERE I	S THE PROBLEM?		
s	evere	_Severe at times	Moderate	Mild
SHOULD A F			ILL REQUIRE MORE I TERMINE WHETHER	
	Yes	No	_Don't know	
/	A PUBLIC HEADNS THAT ARI		DETERMINE THE TY	PE OF PARKING
	es	No	_Don't know	
Name of Busi	ness SAI	3		

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PETITION OF SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

Dear business associates, my name is Namdi Iwuoha, I am the owner of The Avalon Center and also a resident of the community. As a new business it is my responsibility to keep you updated on The Avalon Center at 2100 Gwynn Oak Avenue development of the business district of Woodlawn in my efforts in improving the community.

As you are aware this property was vacant for over 5 years and was giving the appearance of a failing community being located at such a high profiled intersection.

At the conception of the building, I had intended to use the upper floor for my office in which I deal in construction.

Upon completion of the building, I did not think it would be in the best interest of the community to have various construction vehicles and equipment on such a busy intersection.

Also, with the nature of construction, this means that some of the equipment such as backhoes, skid loaders, rollers, concrete mixers and so on will be parked in front of the building occasionally. As I mentioned earlier I didn't think this would be an appropriate look for this particular intersection. The upper space is now converted into a salon which required additional parking spaces

So upon completion of the building, I leased additional parking spaces to exceed the minimum parking requirement for the commercial building. It is my desire to participate whole heartedly in the progress of our community and together we will make a better more meaningful Woodlawn Business Association.

I do ask that since the parking requirement have been met, that you kindly support The Avalon Commercial Center. Looking at Woodlawn District, we do have a lot to offer to each other. If you have any questions, please do not hesitate to give me a call at (410) 298-1044.

"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn Community.

Taking all of these facts into consideration, I so humbly ask for your support for the Avalon Center by signing below:

Signature

Name

Name of Business'

<u>Address</u>

Baltiner M. 2001

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Name of Business

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Signature

ame of Business

<u>Name</u>

<u>Address</u>

6400 Windsor MM Rd

SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

Dear business associates, my name is Namdi Iwuoha, I am the owner of The Avalon Center. As a new business in your community once again it is my responsibility to keep you updated on The Avalon Center at 2100 Gwynn Oak Ave. I live in the community and would like to contribute to the development of the business district of Woodlawn.

As you are aware this property was vacant for over 5 years and was giving the appearance of a flooding community.

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I do ask that since the parking requirement has been meet, that you kindly support The Avalon Commercial Center. Looking at Woodlawn District, we do have a lot to offer to each other. If you have any questions, please do not hesitate to give me a call at (410) 298-1171.

"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn District.

Taking all of these facts into consideration, I so humbly ask for your support for the Avalon Center by signing below:

Name of Business

Signature

and soa

nF. Connelly

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Signature

Name of Business

Address

Name

1/2 (+1 more m) 21207

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Signature

Name of Business

<u>Address</u>

Name

5214 / Jan W80

bod ave

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<u>Signature</u>

Name

Name of Business

Address

Salan LOD partowness 30 Mill Jole Rd

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Name

Name of Business

Address

Solan 2000 Part Ownests Milliage Rd

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Signature (Onde)	Name Kathle Could		
Name of Business	Address		

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Name of Business

Name of Business

Name of Business

Address

6322Windsor Mill Pd

Barro Mid-21207

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"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn Community.

Taking all of these facts into consideration, I so humbly ask for your support for the Avalon Center by signing below:

<u>Signature</u>	<u>Name</u>
Rachel OZIEL	Rachel OZIEL
Name of Business	Address
Tanvar Plazza	GRES WINDSOF MILL 120

PETITION OF SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

Dear business associates, my name is Namdi Iwuoha, I am the owner of The Avalon Center and also a resident of the community. As a new business it is my responsibility to keep you updated on The Avalon Center at 2100 Gwynn Oak Avenue development of the business district of Woodlawn in my efforts in improving the community.

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Address

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Signature

Name of Business

Name

6405 WININDSOR MOJIRD

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Signature,

Name of Business

CAINO WOR RETT.

Name

Address

2029, Explesood for

Bald. MD 21257.

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<u>Signature</u>

Name

Name of Business

Address

Woodlawnd Cleaners

6324-WinderermillRI

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<u>Signature</u>

Name of Business

Woodlawn Cleaners

Name

Patrick Parkov

Address
6324 Windsor Mill RJ
Balt MD 21207

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Signature	<u>Name</u>
M.R. Sala	M.R. SEILM
Name of Business	<u>Address</u>
WOOD LAW, HARD.	6322 Wie Dson Mill

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<u>Signature</u>	^	<u>Name</u>	
Met Molin	owski	MEL	MALINOWSKI
Name of Business		<u>Address</u>	

Security Auto Body 6400 WINDSOR MILL Rd 21207

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Name

Name of Business

Address

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Signature

Name

Name of Business

Cec. L Shif Clitt

Address

2110 Guyns ONK AVENUA

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Signature

Name

PATRENA L. CACOWELL

Name of Business

Address

711 W. Yoth Street 2/211

Means-Brunowide PT fearices

shen flakhell

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Signature

HARRICE BROWN

Address

Widdson Will Rd

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Signature U	Wil	Name Carul	Wilson
-			

Name of Business Address

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Signature lebele	Name Richard Subiles
Name of Business	Address
PS FORMAL WEAR	7419Lesada DAZ.

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Signature	<u>Name</u>
7. a. Taylon	TIMOTHY A-FOWIKES
Name of Business	Address
RESIDENT	6811 PARSONS AND

SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

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<u>Signature</u>	<u>Name</u>
Tracy tankes	TRACY Trulkes
Name of Business	<u>Address</u>
Resident	6911 PARSUNS AVE
	21207

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Signature

Name of Business

Address

Name

22 Ceclai Hight Ct.

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Signature

Damara X. Berry

<u>Name</u>

Tanaka L. BERRY

Name of Business

ResiDENT

<u>Address</u>

WOODLAWN APT.

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Signature

Name

Address

Name of Business

2023

road lawn.

#6

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Signáture

Address

Thempson. Hillsdale Rd.

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Name

Name of Rusiness

Audics

6803 Lechardson Rd.

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IN /

Address

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16/12

Smart Paul Aire

<u>Name</u>

Address

Name of Business

Jbll Wilvan Ave

Bully ms 21207

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Name of Business

Name

Address

1920 Coym Och hu 2120)

April 20, 2000



WOODLAWN BUSINESS DISTRICT COMMUNITY SURVEY

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Name of Business	Address
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Signature	Name
Henry 6. Kiris	BENNYG. KING
Name of Business	Address
NA	

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Signature	<u>Name</u>
Vatrick amphill	PATRICK CAMPBELL
<i>y</i>	Address
Name of Business	Address 5302 BELLE AVE BADD, MD 21207
	TRAUTO, MD 2160

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"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn Community.

Signature I Nuhare E. Pleu	Name Observe Michael E. Rice
Name of Business	Address 6455 Nordgreen Ci
	6139 JV Fragasico

SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

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Signature

Name of Business

Address

BAHO MM). DISOT

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Signature	<u>Name</u>
West Poylor	ALBERT PAYLOR
Or. The state of t	
Name of Business	Address
	3310 OPO4DON PD-

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Signature

Name

Michelle Brooks

Address
10402 Walnut Cor

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<u>Signature</u>

Nebrol Mordy

Name of Business

D. J. formal wear

<u>Deborah Moody</u> <u>Address</u> 3617 Wabash Que

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Signature

Name of Business

P. T. Formal Wear

<u>Name</u>

Addrose

3633Wabash Ave Balto, Md 21215

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Signature Alle atel	Name Melissa Lee
Name of Business	Address
P. J. Fornal Clear	

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Signature	Name	
lateasha Kna	Arteashe Khap	
Name of Business	<u>Address</u>	
PJ'S Formal Weller		

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Signature

Name of Business

<u>Name</u>

Address

2100 Swyn Caldre #H

21201

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Signatu

Name of Business

Address 2102 GWYNL Oak

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<u>Signature</u>

Name

Name of Business

Liberty Campet Connection

Address

2125 (A) Gray NOV DAK AVE

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Signature

Name of Business

JIMMI GRETISTA.

Address
Woodlawn db.

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Officer Robort Broks

Address

h 404 Walnuthur

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Signature //	<u>Name</u>
Malan	JOSEPH STRICKAN
Name of Business	Address

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Signature	<u>Name</u>
De-Cum Courais	Toama Cowers
Name of Business	<u>Address</u>
	Pelvieu AVE

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"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn District.

<u>Name</u>
Teleura Courans
Address
Windson Mill

SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

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Signature

Mame of Business

Signature

Name

Raddress

Address

Big Bills carryout 6401 Windson Will Rul

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War San	Miorelsande
Name of Business	<u>Address</u>

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Name of Business

Name

Address

3903 MDowe//(n)

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Signature	<u>Name</u>
Joseph K. Marios	Soe Manns
Name of Business	Address
Jos Mans Almode Tor	210512 Gayna Clar AVR

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Signature Ham lian	Name Toma Hamitton
Name of Business	Address
	12 Benkert Ave.

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<u>Signature</u>

Name of Business

Name

Address

2100 Suyan liak

21201

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Signature

Name of Business

Address

2102 GWYNL Oak

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<u>Signature</u>

Ben A-4

Name

GERALD Arsby

Name of Business

Liberty Campet Connection

<u>Address</u>

2125 (A) GrayiNN DAIR AVE

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Wood / Aun Fire Department

Name

Address

Woodlawn St.

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Name

Name of Business

Address

Officer Robert Broks

Address

6404 Walnut aun

Balt. Police Departme

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<u>Name</u>
JOSEPH STRICKIAN
Address

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Signature	<u>Name</u>
Je-Curra Courais	Toana Cowens
Name of Business	Address
	Belvieu AVE

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Signature Je-Cume Calusus	Name Tealung Courses
Name of Business Down A Tenama	Address Windson Mill

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Big Bills carryout 401 Windson Mill Rule

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Signature	<u>Name</u>
War	Miorelsande
	· · · · · · · · · · · · · · · · · · ·
Name of Business	<u>Address</u>

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Name of Business

<u>Name</u>

<u>Address</u>

3903 MDOWE//C

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"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn District.

Signature	<u>Name</u>
Joseph K. Mario	Joe Manns
Name of Business	Address
Joe Manns Awards Inc.	2105/2 Gwynn OAK AVR

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Signature .	<u>Name</u>
Town Home lias	Toris HAMitton
	
Name of Business	<u>Address</u>
	12 RenkARY Ave

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Signature	Name
Bura Reener	Bouce Reinemann
Name of Business	Address Litchfield New Hampshire

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Signature

Name of Business

Name

Address

1811 Swynn Call ave Bultimore mi 21207

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Signature

Name of Business

Address

Name

5214 Mar W60

ood live

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<u>Signature</u>

Name

Name of Business

Address

LOD partowners 30 Mill Jole Rd

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Signature Dora Hate Guilas

Name

Address

Name of Business

Johan 2000 Part Canesiso Millione Rd

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Avalon Center by signing below: Signature Once	Name Kathle C. Canill
Name of Business	Address

and a garage talker of grown and a single

WOODLAWN BUSINESS DISTRICT COMMUNITY SURVEY

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Name of Business

<u>Name</u>

James R. Mudgety

Address

6322Windsor Mill Pd

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Signature	<u>Name</u>
Rachel OZIEL	Rachae Orjiec
Name of Business	Address
Tanyac pizza	G325 WINDSOF MILL PO

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<u>Name</u>

- winden him

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Signature

Name of Business

MANTERS

Name

<u>Address</u>

6405 WININDSOR MOLLRD

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Signature

Name of Business

CHINA WOR RETT.

Name

Address

2029, Explesood Due

Bald, MD 21207

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Signature

Name

Name of Business

<u>Address</u>

6324-Winderermiller

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Name of Business

Name

Name

Name

Address

Woodlawn Cleaners

Address
6324 Windsor Mill Ro
Balt MD 21207

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Signature	<u>Name</u>	
M.R. Sala	M.R. SEILM	
Name of Business	<u>Address</u>	
WOOD LAW HOKE.	6322 Wir Ason Mill	

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Signature Molimowski	Name MEL MALINOWSKI
Name of Business	Address
Security Auto Body	6400 WINDSOR MILL Rd 21207

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Signature

<u>Name</u>

Name of Business

<u>Address</u>

Security At Bidy 1044 Windson Mill Ren

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Name

Name of Business

Cec. L Shifflett

Address

2110 Gugns OAK Avenue

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<u>Signature</u>

Name

PATRENA L. CACOWELL

Name of Business

Address

711 W York Street 2/211

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Address

Name

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- Jondolla	Jone-	Condesta)010/

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Signature /

Name of Business

Name

Address
3924 Rosecrest De

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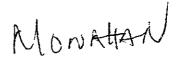
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Signature	Name
Name of Business	BENNYGEKING
<u> </u>	Address

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Signature	<u>Name</u>
Patrick amphill	PATRICK CAMPBELL
Name of Business	Address
A. M. A. A. M.	5302 BELLE AVE BAUD, MD 21707

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Nuhare E Plear	Name Wichael E. Ricce
Name of Business	Address
	6455 Andgreen C

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<u>Signature</u>	Name
Wirt Freshor	ALBERT PAYLOR
Name of Business	Address
	3310 GROYDON RD-

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Signatuk

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Address

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Signature	<u>Name</u>
T. a. forlan	TIMOTHY A-FOWIKES
Name of Business	Address
RESIDENT	6811 PARSONS AVE

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Signature	<u>Name</u>
Tracy Julkes	TRACY For IKES
Name of Business	<u>Address</u>
Resident	6911 PARSONS AVE
	21207

PETITION OF SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

Dear business associates, my name is Namdi Iwuoha, I am the owner of The Avalon Center and also a resident of the community. As a new business it is my responsibility to keep you updated on The Avalon Center at 2100 Gwynn Oak Avenue development of the business district of Woodlawn in my efforts in improving the community.

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"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn Community.

Taking all of these facts into consideration, I so humbly ask for your support for the Avalon Center by signing below:

Signature /	<u>Name</u> Bruce Reinemann
Name of Business	Bruce Keinemann Address

N/A hitchie

Litchfield New Hampshire

William Obriecht 2137 Gwynn Oak Ave. Baltimore, Md. 21207

June 9, 2000

Honorable Lawrence E. Schmidt

Zoning Commissioner for Baltimore County

Suite 405, County Courts Building

401 Bosley Avenue

Towson, Marylagnd 21204

Re: April 19, 1999 decision on Avalon Center property

Dear Mr. Schmidt,

It would appear that your April 19, 1999 decision on the Avalon Center property has not been followed. Restriction 4 allows only office space on the second floor. A hair salon is currently located on the second floor.

To gauge the response of nearby businesses, a survey on parking was circulated to Woodlawn Village businesses. Nine survey forms from businesses within 600 feet of Avalon Center have been returned to date. Four report a parking problem in Woodlawn Village, 5 request a public hearing for the change from office to retail on the second floor and 4 request a hearing to determine the type of parking restrictions that are needed.

The complete survey form with the results are attached.

Sincerely.

I will be glad to send the actual responses or I will bring them to a hearing if a hearing is scheduled. I can be reached at 410-944-2450 if you would like any additional information.

Per our convertion,

William Voulet

William Obriecht

I did advise mr.

TO BUSINESSES IN THE WOODLAWN VILLAGE AREA

Do we or don't we have a parking problem in the middle of Woodlawn Village?

The question is asked because Avalon Business Center wishes to change from office space to retail space on the second floor of the building. In accordance with the Zoning Commissioner's decision of April 19, 1999 (see the reverse side for the restrictions on the building), this change requires approval by the Zoning Commissioner following a public hearing.

Mr. Nnamdi Iwuoha, the owner of Avalon Business Center has asked that approval be given without a public hearing. At the last meeting of the Security Woodlawn Village Business Association, I agreed to survey the businesses in Woodlawn Village to see whether a change should be permitted without a public hearing.

Recognizing a need for more spaces for retail use instead of office use, Mr. Iwuoha has leased 12 more spaces (he already leased 10 last year) in the large private lot across from Woodlawn Cleaning, Woodlawn Hardware and Rippel's Florist. These spaces have not yet been marked for the use of Avalon Center employees (restriction 5 of the Zoning decision requires that employees park in this lot so that all the spaces in front of Avalon Center will be available for customers).

Except for street parking, we have no public parking in Woodlawn Village. All lots are privately owned. Some owners allow everyone to park on their lots and some owners have "No parking - tow a way signs" or similar restrictions. Naturally all the private lots could be restricted (or sold) if the owners choose to do so.

DO WE HAVE A PARKING PROBLEM IN THE MIDDLE OF WOODLAWN VILLAGE?
Yes 3 No 2 Don't know
IF YES, HOW SEVERE IS THE PROBLEM?
Severe Severe at times Moderate Mild
THE CHANGE FROM OFFICE TO RETAIL WILL REQUIRE MORE PARKING. SHOULD A PUBLIC HEARING BE HELD TO DETERMINE WHETHER THE CHANGE SHOULD BE APPROVED?
5 Yes 3 No Don't know
SHOULD A PUBLIC HEARING BE HELD TO DETERMINE THE TYPE OF PARKING RESTRICTIONS THAT ARE NEEDED?
Yes 3 No 2 Don't know
Name of Business
Name
Please return the survey to Bill Obriecht, 2137 Gwynn Oak Ave.

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 9 parking spaces on site, in lieu of the required 22, be and is hereby GRANTED, subject, however, to the following restrictions:

- The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired.
- 2. The Petitioner shall redevelop the property only in the manner as shown on the site plan. The area of the redeveloped building, the 9 parking spaces shown, and the other improvements to the site shall be as shown on Petitioner's Exh. No. 1
- 3. The Petitioner shall continue, for so long as the building is occupied, to lease 10 off street parking spaces. This requirement may be modified through another public hearing in the event future circumstances warrant such a change. However, in order to ensure that there will be no congestion in the area, the Petitioner shall lease the 10 parking spaces described hereinabove.
- 4. The use of the building shall be restricted to allow only a retail operation on the first floor and an office use on the second floor. Any change of use shall require approval by this Zoning Commissioner following a public hearing.
- 5. During business hours for the use on the first floor, the onsite parking spaces shall be reserved for customers Employees of the business and in the office on the second floor, shall park across the street on the leased premises.

Cold To BUIL

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY 00-1690 (logsed in 6/9/00)

RECEIVED

JUN 26 2000

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT



May 1, 2000

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

Fax: 410-887-3468

Mr. William Obriecht 2415 Popular Drive Woodlawn, Maryland 21207

RE: 2100 Gwynn Oak Avenue Case No. 99-287-SPHA

Dear Mr. Obriecht:

Enclosed please find copies of correspondence I received (dated April 18th and April 24, 2000) from Joseph L. Larson, President of Spellman, Larson & Associates, Inc., relative to the above-captioned property. The owner of the subject property, Mr. Nnamdi Iwuoha, is proposing to convert the second floor of the building thereon to retail use, and through Mr. Larson, is requesting that I approve same as being within the spirit and intent of my original Order. Inasmuch as you actively participated in the proceedings in this case on behalf of the Woodlawn Village Business and Professional Association, I am enclosing herewith a copy of Mr. Larson's letters and the accompanying site plan for your review and consideration.

Please contact me at your earliest convenience and advise me if your organization has any objections to this latest proposal. I am inclined to require that the Petitioner file a new Petition for Special Hearing to amend the Order and site plan approved in prior Case No. 99-287-SPHA. However, if your organization agrees with this latest proposal, I would be willing to make a decision on the merits of their request without a public hearing.

Thank you for your attention in this matter.

nm Gelmutt Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

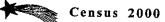
for Baltimore County

LES:bis

cc: Mr. Joseph Larson

Spellman, Larson & Assoc., Inc. 105 W. Chesapeake Avenue, Towson, Md. 21204

Case File



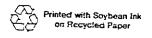


For You, For Baltimore County



Census 2000









ROBERT E. SPELLMAN, P.L.S. JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 TEL (410) 823-3535 / FAX (410) 825-5215

Mr. Lawrence Schmidt Zoning Commissioner Baltimore County April 24, 2000

"HAND DELIVERED"

4架27

Re:

2100 Gwynn Oak Avenue

Case No.: 99-287 SPHA

Job No.: 98092

Dear Commissioner Schmidt:

As a supplement to my letter to you of April 18, 2000, regarding the above-captioned property the owner has forwarded to me sixty-six Petitions in support of the renovations and occupancy of his Avalon Business Center.

The owner has requested I forward these Petitions to you to demonstrate a community-wide support of his endeavor.

The Petition is quite clear and self explanatory and I trust that the number of Petitions are sufficiently convincing for you to review our request and provide a response in the affirmative.

I will await word from you with regard to your decision on this matter.

Very truly yours,

SPELLMAN, LARSON & ASSOC.

Joseph L. Larson

PRESIDENT

JLL/bar

CC: Nnamdi Uuwaho

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Signature

Name of Business

Name

Address

22 Cedar Thight Ct.

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Signature

Damara X. Bery

<u>Name</u>

Tanaka L. BERRY

Name of Business

ResiDENT

Address

2023 RUSSELLAVE

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Signature

<u>Name</u>

Address

Name of Business

3023

RUSSELLAGE.

Wood lawn.

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Signáture

Ja. Thempson.

Iddress

3301 Hillsdale Rd.

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Signature

Name

Name of Business

Sold Park Concrete Inc.

Address

6803 Ceharotson Rol.

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Signature Whad	Name Carel Wilan
Name of Business	Address
Truly STOP	2007 EVELECUM AME

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Name Lois Colavita Address

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Signature de leudiel	Name Kelly Hendry
Name of Business	Address
Monaghans	

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Name of Business

Address
Widdson Will Ret

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Signature Williams	Carul Wilson	
	-	

Name of Business Address

SUPPORT FOR THE AVALON CENTER AT 2100 GWYNN OAK AVE.

Dear business associates, my name is Namdi Iwuoha, I am the owner of The Avalon Center. As a new business in your community once again it is my responsibility to keep you updated on The Avalon Center at 2100 Gwynn Oak Ave. I live in the community and would like to contribute to the development of the business district of Woodlawn.

As you are aware this property was vacant for over 5 years and was giving the appearance of a flooding community.

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I do ask that since the parking requirement has been meet, that you kindly support The Avalon Commercial Center. Looking at Woodlawn District, we do have a lot to offer to each other. If you have any questions, please do not hesitate to give me a call at (410) 298-1171.

"UNITED WE STAND AND DIVIDED WE FALL". So please let's all work together to bring up the Woodlawn District.

Signature 1 hechaie	Name Pichard Jubile
Name of Business	Address
PS FORMAL WEAR	7419Lesada Pro.

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Signature Khonda Byrd

Name of Business

alivear

Rhonda Byrd

2100 Brogno Cale line

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Signature

Name

Name of Business

17. FORMAL WAS

Michelle Brooks

Address

6403 Walnut Car

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<u>Signature</u>

<u>Name</u>

<u>Nebrol</u> Mordy <u>Name of Business</u> D. J. Immal wear

Address

3617 Wabash que

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Name of Business

Name

Dynecha Gale

Address

3632Wabash Ave

Balto, Ma 21215

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Signature Alle a Tel	Name Melissa Lee
Name of Business	Address
P. J. Fornallikar	

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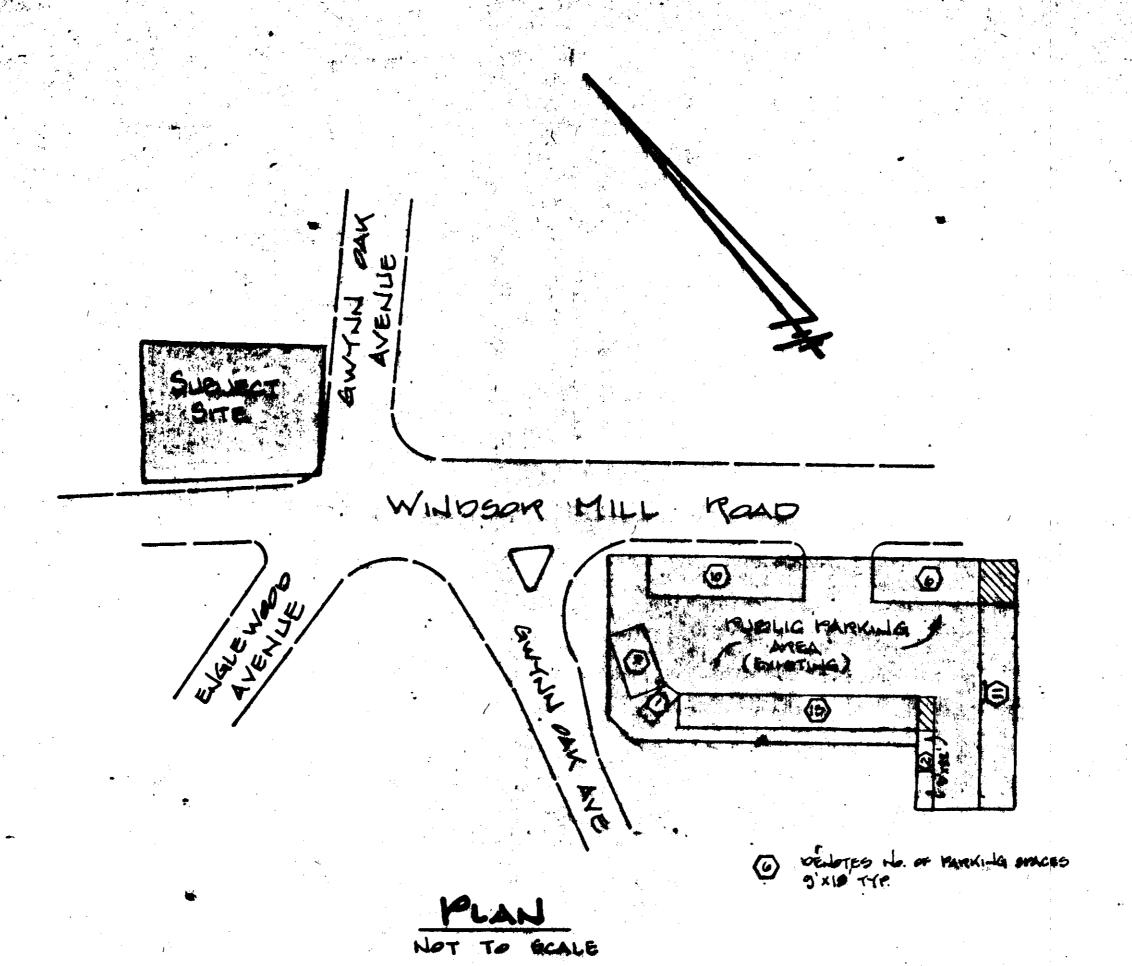
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Signature	<u>Name</u>	
lateasha Thias	Articihe Kap	· · · · · · · · · · · · · · · · · · ·
Name of Business	Address	
PJ'S Formal Welr		



LEAGE AGREEMENT

This lease agreement:

* Actoon

B.B.J. IMC. Landlord and Mnamdi Iwoha tenant agree as follows:

Terms of lease: The lease shall be for a period of 5 years
from October 1, 1999 and end on September 30, 2004,

Twelve (12) parking maces will be allorted in this

The yearly rent will be \$3,000.00 due beginning on October 1, 1999 and on the lat of October each year during the term of this lease.

The parking spaces will be used for parking tagged automobiles belonging to the tenant, his apployees and customers.

This agreement is in addition to the existing Lead Agreement signed 9-30 98,

MR. Sala

m. R. Sala

4.4

BBJ INC by James R. Mudgett OWNER

NNAMDI IWUPHA
6502 KRIEL STREET
BALTIMORE, MARYLAND
21207-4203

Pet Ex3

		REVISIONS -	
NO.	DATE	DESCRIPTION	Ł.
! [• •		

SPELLMAN, LARSON

ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 408, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY APPLICATION FOR WILLDING PERMIT

2100 GWYNN DAK AVE

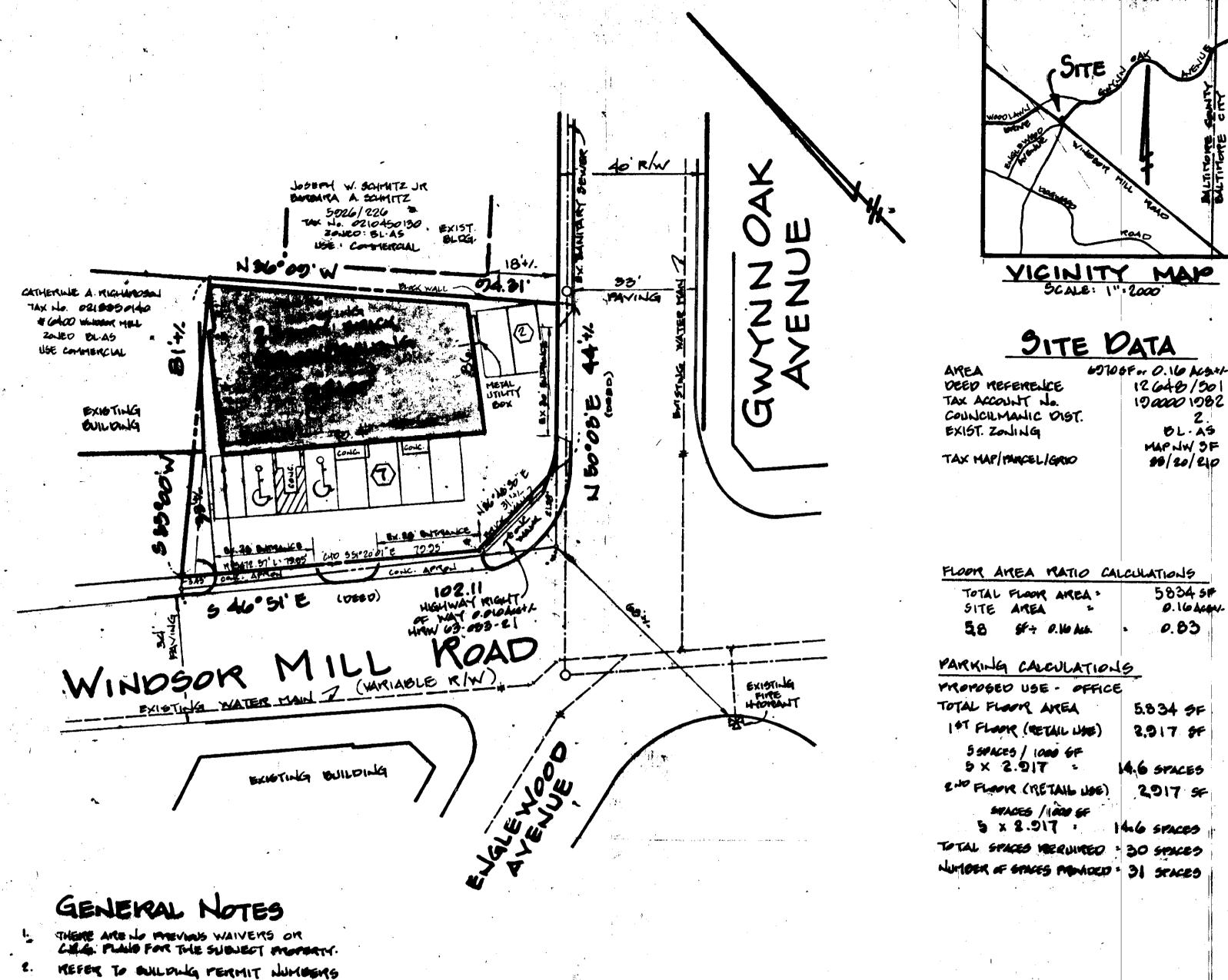
ELECTICAL DIST. No. 2

BUTHONE CO., MO

SCALE: A4 640-4 DES. BY: DATE: 3/28/00 DRN. BY: P.M.J.

SHT. 2 OF 2

26022



- refer to building permit humbers

 0.386370 wishing alterations to the
- 0-386370 WIGRIAN ALTERATIONS TO DEMO MITERIOR AND EXECTING NOST
- 6. 356 048 INTERIOR ALTERATIONS TO
 CONSTRUCT DRYWALL MATITIONS
 ETC. AND TO CONSTRUCT FRONT
 AND SUB STORY ADDITIONS
 . (CANDELS UNISSUED B395364
- DEVELOPMENT REVIEW COMMITTEE A-7 LIMITED EXEMPTION ARANTED MAY 4, 1998 REFER TO D.R.C. # 1994 BC.
- 4. THERE AREND EXISTING SIGNS AN THE SUBJECT PROPERTY. ANY FUTURE SIGNS WILL COMPLY WITH THE BALTIMORE COUNTY ZOUING REGULATIONS.

 5. PUBLIC WATER AND SEWER EXIST TO SERVE THE SUBJECT PROPERTY.
- 6. THIS PROPERTY IS NOT IN THE CHESAPEAKE BAY



REVISIONS				
NQ.	DATE		DESCRIPTION	
			•	
			•	
1				

SPELLMAN, LARSON & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

ZONWG BETITION
2100 GWYNN OAK AYE

ELECTION PIET No 2

BUTIMONE G., MO

00.503.5PH # 503

SGALE: 1.20 DES. BY:
DATE: 5/5/200 DRN. BY: MM.J. SMT. 1 OF 1

OWNER

NUAMOI INSIDHA 6502 KRIEL STREET BALTIMORE, MARYLAND 21207-4203 ZOWING PETITION NOTE

THIS PLAT ACCOMPANIES A ZONING PETITION FOR SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE ORDER AND SITE PLAN APPROVED IN CASE No. 29-287-944A TO REMAR MESTRICTION No. 4 AND INCREASE THE AMOUNT OF OFF-SITE PARKING SPACES TO 22 TO ACCOMPATE 100% COMMERCIAL USE OF BUILDING.

Peter 1

20002