

IN RE: PETITION FOR SPECIAL HEARING

Cor. NE/S Overlea Avenue
& SE/S Linden Avenue
14th Election District
6th Councilmanic District
(102-104 Overlea Avenue)

Cornelia Vanderlain
Petitioner

*

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*

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BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 01-476-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 property, Cornelia Vanderlain. The Petitioner is requesting a special hearing for property she owns at 102-104 Overlea Avenue. The special hearing request is to approve a four-apartment building in a DR 5.5 zone.

Appearing at the hearing on behalf of the special hearing request were Cornelia Vanderlain, owner of the property, Dolores A. Jeffers and C. William Clark, attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 0.344 acres, more or less, zoned DR 5.5. The subject property is improved with a very large dwelling which has been converted into four separate residential apartments. The details of the property, as well as the apartment building in question, are more particularly shown on Petitioner's Exhibit Nos. 1 and 1A. The Petitioner has requested a special hearing to approve the nonconforming use of the subject building as four separate apartments.

Testimony and evidence introduced at the hearing demonstrated that the subject dwelling was constructed in 1901. Mrs. Dolores Jeffers, who resided in the area in the mid-1930's and whose parents actually resided in one of the apartments within the subject dwelling, testified that

COPIES RECEIVED FOR FILING
2/13/01
D. Jeffers

the building in question has always been four separate apartment units since the mid-1930's until the present time. In addition, Mrs. Cornelia Vanderlain, who currently owns the property at this time and inherited the property from her parents, testified that since 1958 when her family became owners of the property until the present time, there has always been four separate apartment units in the building. Based on the testimony of Mrs. Vanderlain and Mrs. Jeffers, I am convinced that the subject property has been used continuously and uninterruptedly as a four-apartment building since the 1930's and, therefore, enjoys a nonconforming use.

As with all nonconforming use cases, the first task is to determine whether a lawful nonconforming use existed on the subject property prior to the year in which a change in the zoning regulations caused the use of the property to become illegal. The controlling year in this case is 1945.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, Maryland, 39 Md. App. 257, 385 A.2d 96 (1978).

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

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

ORDER RECEIVED FOR FILING
Date 7/13/01
By R. J. Jenson

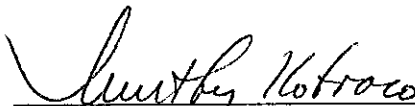
- (b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature and kind;
- (c) Does the current use have a substantially different effect upon the neighborhood;
- (d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

McKemy v. Baltimore County, Md., supra.

After considering the uncontradicted testimony and evidence offered at the hearing, I find that the special hearing to approve the nonconforming use shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of July, 2001, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations, to approve a four-apartment building in a DR 5.5 zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED
DATE 7/13/01
BY R. J. [signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 13, 2001

C. William Clark
Nolan, Plumhoff & Williams
502 Washington Avenue, Suite 700
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No.: 01-476-SPH
Property: 102-104 Overlea Avenue

Dear Mr. Clark:

Enclosed please find the decision rendered in the above-captioned case. The petition 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

TMK:raj
Enclosure

c: Mrs. Cornelia Vanderlain
65 E. Burke Avenue
Towson, MD 21204

Don Hicks, P.E.
Hicks Engineering, Inc.
200 E. Joppa Road, Suite 402
Towson, MD 21204



Census 2000



For You, For Baltimore County



Census 2000





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 102-104 Overlea Avenue
which is presently zoned D.R. 5.5

14th Election District; 4th Councilmanic District

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a multifamily building (existing) in a D.R. 5.5 Zone.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

C. William Clark

Name - Type or Print

City

Signature

Nolan, Plumbhoff & Williams, Chartered

Company

502 Washington Ave. #700 (410) 823-7800

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Cornelia Vanderlain

Name - Type or Print

Signature

Cornelia L. Vanderlain

Name - Type or Print

Signature

65 E. Burke Avenue

(410) 823-1711

Address

Telephone No.

Towson

MD

21204

State

Zip Code

Representative to be Contacted:

Don Hicks

Hicks Engineering, Inc.

Name

200 E. Joppa Rd. Suite 402 (410) 494-0001

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

ORDER RECEIVED FOR FILING

Date

By

Case No. 01-476-SPH

REV 9/5/98

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

92881

DATE

5/9/01

ACCOUNT

8001-006-6150

AMOUNT \$

250.00

RECEIVED
FROM:

Cornelia Vandervort

FOR:

Special Hearing

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item #

PAID RECEIPT

PAYMENT ACTUAL TIME
5/10/2001 5/09/001 14:27:09

RECEIVED BY CASHIER LWL LDJ BRANER 3
SLIP # 133211 OFLN

DEPT 5 520 ZONING VERIFICATION
CR NO. 092001

Receipt Tot 250.00
250.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**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: #01-476-SPH
102-104 Overlea Avenue
Cor. NE/S Overlea Avenue &
SE/S Linden Avenue
14th Election District
6th Councilmanic District
Legal Owner(s):

Cornelia Vandertain

Special Hearing: to allow a multifamily building (existing) in a D.R.4.4 zone.

Hearing: Tuesday, July 10, 2001 at 9:30 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning 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.

JT/6/778 June 28 0477419

CERTIFICATE OF PUBLICATION

6/28, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/26, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson
LEGAL ADVERTISING

ZONING DESCRIPTION

BEGINNING at a point formed by the intersection of the north side of Overlea Avenue, fifty-foot wide right of way, with the east side of Linden Avenue, fifty-foot wide right of way, thence, running with the said east side of Linden Avenue,

- 1) North 44 degrees East 100.00 feet to a point, thence leaving said east right of way and running the two (2) following courses and distances,
- 2) South 46 degrees East 150.00 feet to a point, thence,
- 3) South 44 degrees West 100.00 feet to a point on the aforesaid north right of way line of Overlea Avenue, thence running with the north right of way line,
- 4) North 46 degrees West 150.00 feet to the Point of Beginning, as recorded among the Land Records of Baltimore County, Maryland in Liber 11806 at Folio 473.

CONTAINING 15,000.00 square feet or 0.3444 acres of land, more or less.



ZONING NOTICE

CASE # Q1-476-SPH

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

ROOM 407, COUNTY COURTS

PLACE: BLDG. 401 BOSLEY AVENUE

DATE AND TIME: TUESDAY, JULY 10, 2001
AT 9:00 A.M.

REQUEST: SPECIAL HEARING

TO ALLOW A MULTIFAMILY

BUILDING (EXISTING) IN A

D.R. 44 ZONE

POSTPONEMENTS DUE TO DELAYS OR OTHER REASONS ARE SOMETIMES NECESSARY.
IF CANCELLING OR DEFERRING CALL 443-5791

YOU ARE REQUESTED TO SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 01-476-SPH

Petitioner/Developer: _____

CORNELIA VANDERLAIN

Date of Hearing/Closing: JULY 10, 2001

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 _____

102-104 OVERLEA AVE.

The sign(s) were posted on JUNE 23, 2001
(Month, Day, Year)

Sincerely,

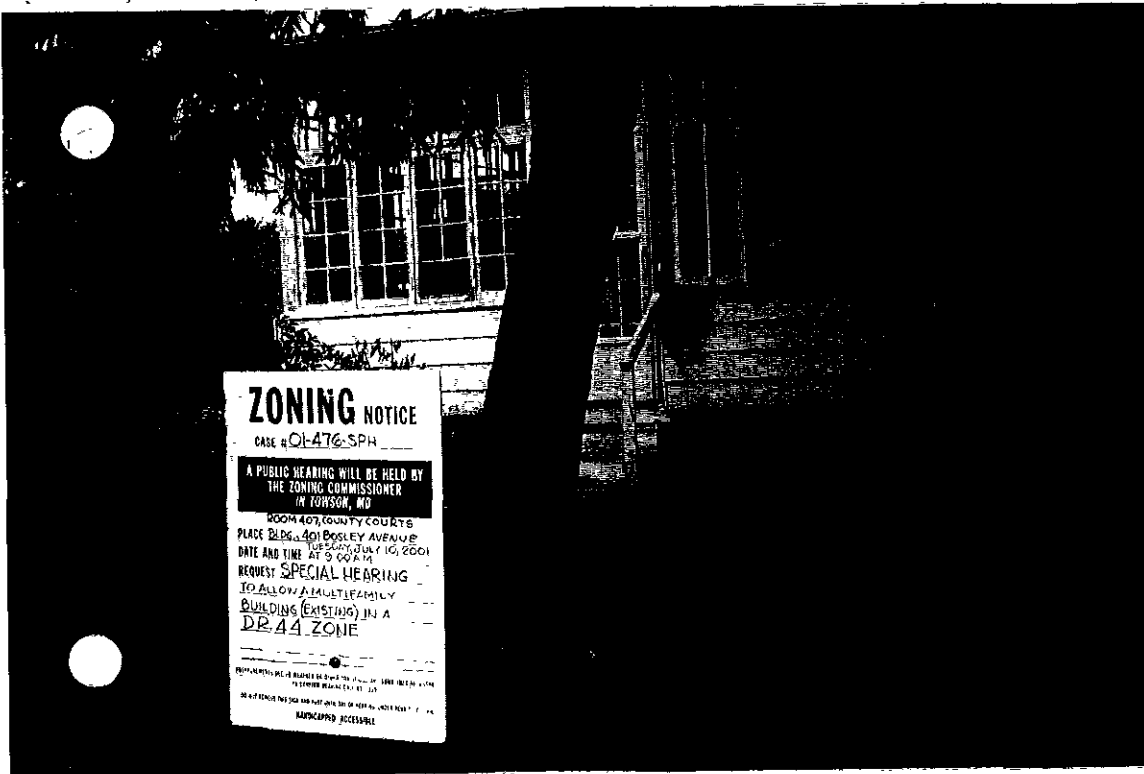
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

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

(410) 242-4263
(Telephone Number)



ZONING NOTICE

CASE #01-476-SPH

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

DOCK #07, COUNTY COURTS

PLACE BLDG. 401 BOULEY AVENUE

DATE AND TIME AT 9:00 AM

REQUEST SPECIAL HEARING

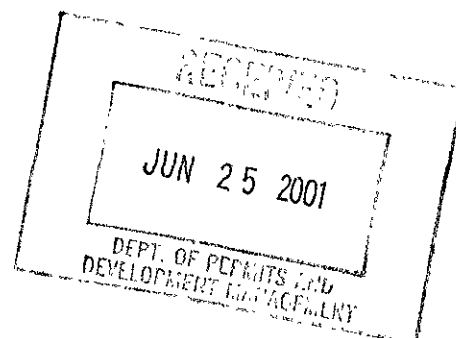
TO ALLOW A MULTIFAMILY

BUILDING (EXISTING) IN A

DR 44 ZONE

NOTICE: THIS NOTICE IS BEING POSTED IN THE PUBLIC PLACE OF THE PROPERTY IN ORDER TO GIVE THE PUBLIC NOTICE OF THE HEARING. IF YOU HAVE ANY COMMENTS, PLEASE CONTACT THE ZONING COMMISSIONER AT (410) 326-1234.

UNRECORDED ACCESSIBLE



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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: 01-476-SBH
Petitioner: CORNELIA VANDERLAIN
Address or Location: 102-104 OVERLEA RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: C. WILLIAM CLARK, ESQ
Address: 502 WASHINGTON ~~BLVD~~ AVE STE 700
TOWSON MD
Telephone Number: (410) 823-7800



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

June 6, 2001

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: 01-476-SPH
102-104 Overlea Avenue
Cor. NE/S Overlea Avenue & SE/S Linden Avenue
14th Election District – 6th Councilmanic District
Legal Owner: Cornelia Vanderlain

Special Hearing to allow a multifamily building (existing) in a D.R.4.4 zone.

HEARING: Tuesday, July 10, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

Arnold Jablon GJZ
Director

C: C. William Clark, Nolan Plunhoff & Williams Chartered, 502 Washington
Avenue #700, Towson 21204
Cornelia Vanderlain, 65 E Burke Avenue, Towson 21204
Don Hicks, Hicks Engineering Inc, 200 E Joppa Rd Ste 402, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 25, 2001**
- (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
Tuesday, June 26, 2001 Issue – Jeffersonian

Please forward billing to:
C. William Clark Esquire
502 Washington Avenue
Suite 700
Towson MD 21204

410 823-7800

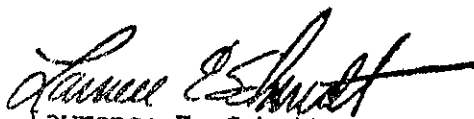
NOTICE OF ZONING HEARING

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CASE NUMBER: 01-476-SPH
102-104 Overlea Avenue
Cor. NE/S Overlea Avenue & SE/S Linden Avenue
14th Election District – 6th Councilmanic District
Legal Owner: Cornelia Vanderlain

Special Hearing to allow a multifamily building (existing) in a D.R.4.4 zone.

HEARING: Tuesday, July 10, 2001 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 602
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.

Jim
7/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 8, 2001

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

SUBJECT: 102-104 Overlea Avenue

INFORMATION:

Item Number: 476

Petitioner: Cornelia Vandelain

Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

As indicated on the plan accompanying this Petition for Special Hearing, the subject property is improved with a 2-story frame dwelling that has been converted into four apartments. It is clear that the applicant will need to prove to the satisfaction of the Zoning Commissioner that these apartments are non-conforming. In this case, the petitioner will also be required to demonstrate that these four units have been used in an uninterrupted manner since prior to adoption of the Baltimore County Zoning Regulations (BCZR) in 1945.

In lieu of proving a non-conforming use, the applicant would need to meet the requirements found in Section 402 of the BCZR. Information found on the Conversion of One-Family Dwellings Minimum Dimensions chart in Section 402 indicates that given the zoning of the property, the applicant would be required to have at least 16,000 square feet in lot area. Site data listed on the petitioner's plan indicates the subject property is 15,000 square feet or 0.334 acres in size; therefore, sufficient land is not owned to support a fourth apartment unit. In addition, Section 402.2 of the BCZR requires: "Separate cooking facilities and a separate bathroom shall be provided." The applicant's plan reveals that one of the first floor apartments does not contain a bathroom. Finally, this office is concerned about the lack of off-street parking as none is provided. Obvious on-street parking options include Linden Avenue and Overlea Avenue, and both of these streets are narrow and were never intended to support parking needs of this magnitude.

The lack of off-street parking could cause unnecessary congestion and inconvenience in the immediate neighborhood. For the reasons stated above, the Office of Planning recommends that the applicant's request be denied.

Section Chief:
AFK:MAC:

A handwritten signature in cursive script, reading "Jeffrey M. Long", is written over a horizontal line.



Baltimore County
Fire Department

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

June 5, 2001

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 May 21, 2001

Item No.: 462, 475, 476, 480, 481, 006

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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", 1994 edition prior to occupancy.

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

cc: File

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: June 5, 2001

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 29, 2001
Item No. 476

The Bureau of Development Plans Review has reviewed the subject zoning item.

The issue of on-site parking shall be addressed.

RWB:HJO:jrb

cc: File

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 01-476-SPH

Date Completed/Initials

6-1-01

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

6-1-01

DETERMINE HEARING DATE (schedule within 45 days of filing, post and advertise at least 15 days prior to hearing)

6-6-01

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file, update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies, mail original and copies; send copy to zoning commissioner; file copy in hearing file, update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

GDZ

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file, send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

6-23

RE: PETITION FOR SPECIAL HEARING
102-104 Overlea Avenue, Corner NE/S Overlea Ave
and SE/S Linden Ave
14th Election District, 6th Councilmanic

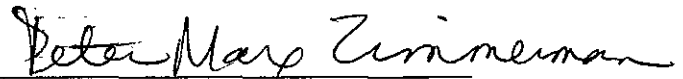
Legal Owner: Cornelia Vanderlain
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-476-SPH

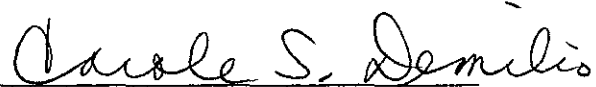
* * * * *

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.



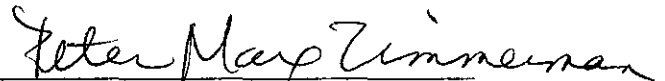
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 4th day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to C. William Clark, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

#01-476-SPH

NAME

ADDRESS

C. William Clark

502 WASHINGTON AVE, TOWSON, MD 21204

Cornelia L. Vanderlain

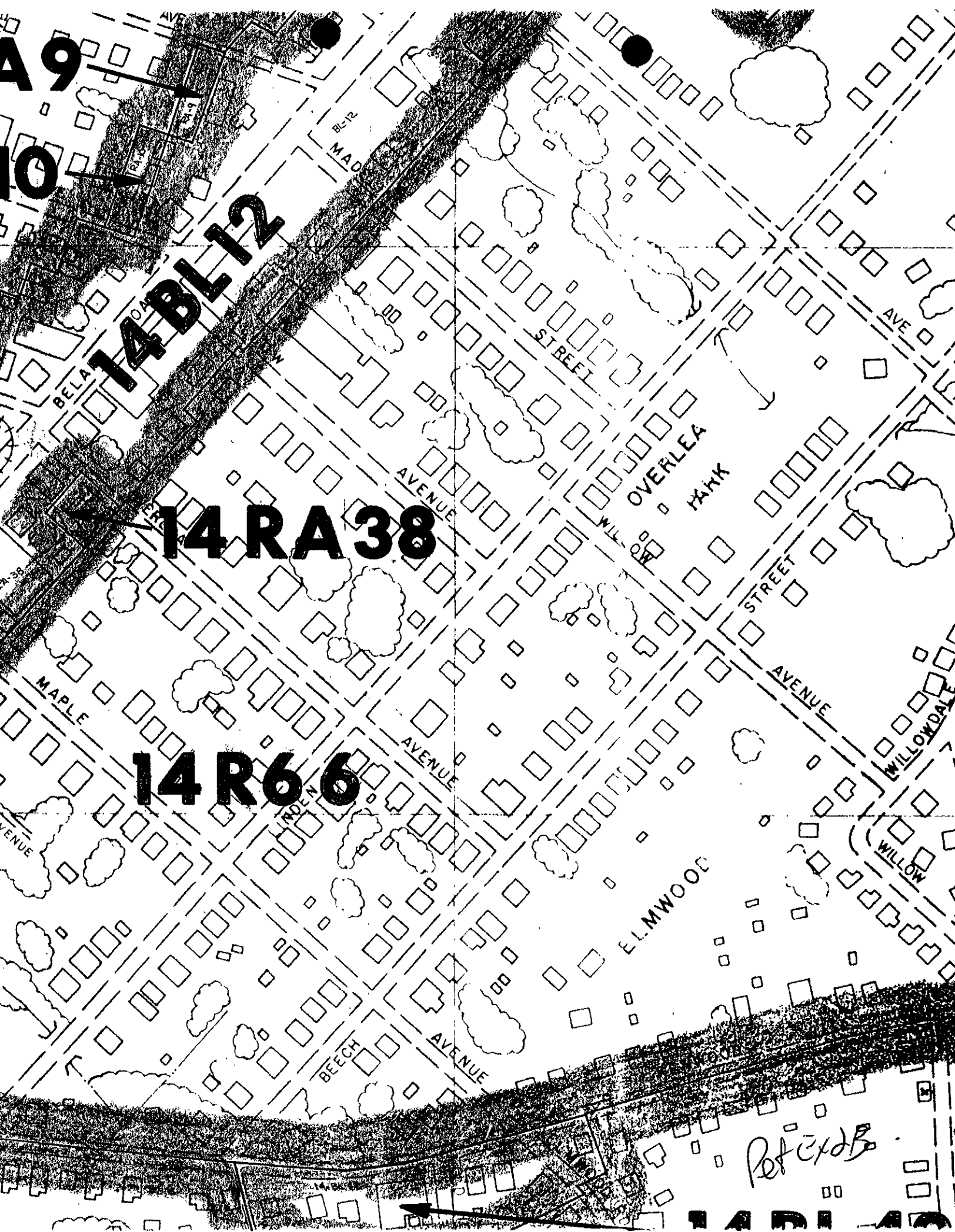
65 E. BURKE AVE, Towson 21286

Dolores A. Jeffers

715 Maiden Choice Ln CR201, Catonsville 21228



Map showing a residential street grid. Key streets include Kenwood Ave, Spruce, Maple, Linden, Beech, Willow, Elm, Oak, and Ash. Lot numbers 3637 X and 3638 X are visible. Handwritten notes include 'P. 2A' and '2777'.



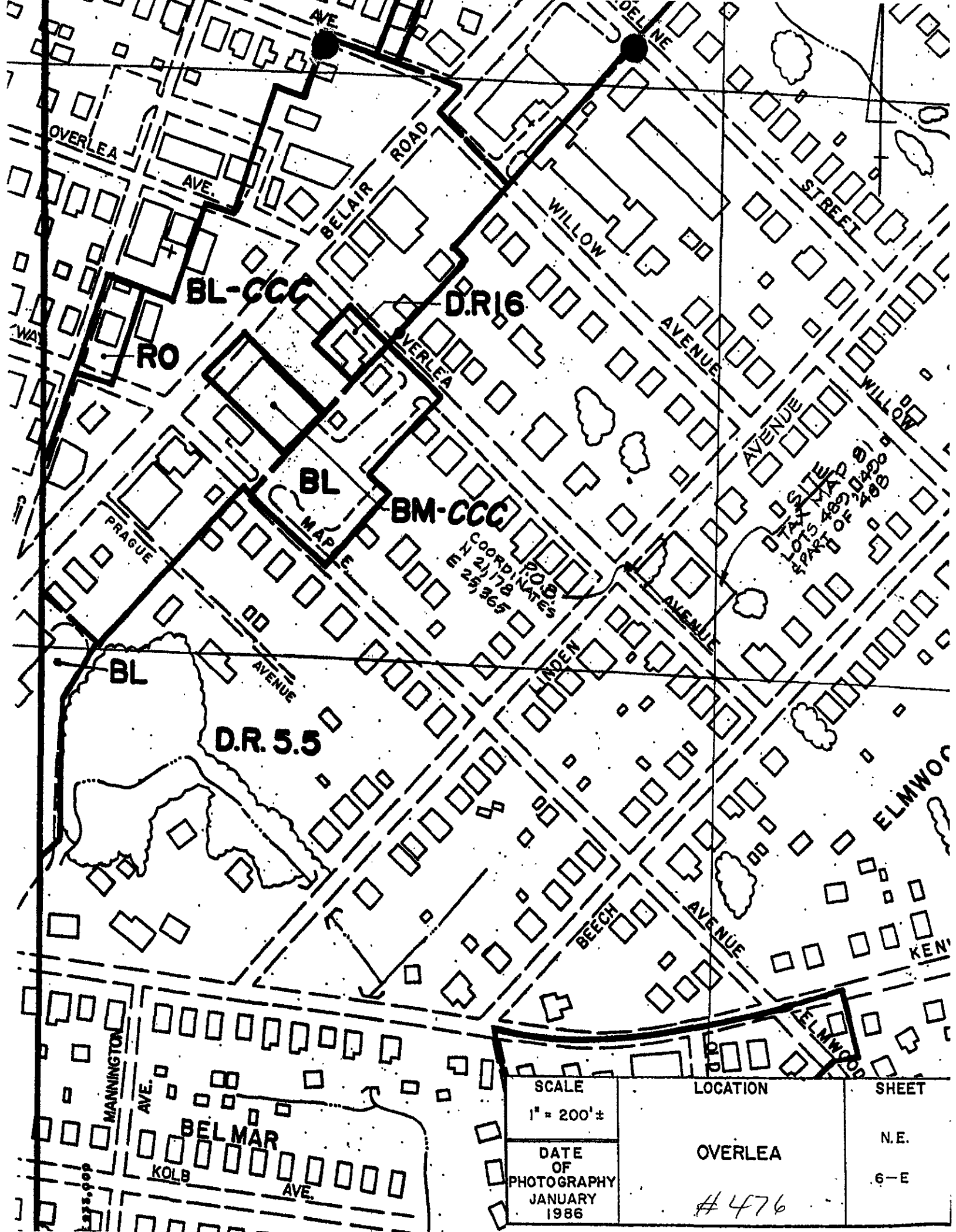
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14 BL 12

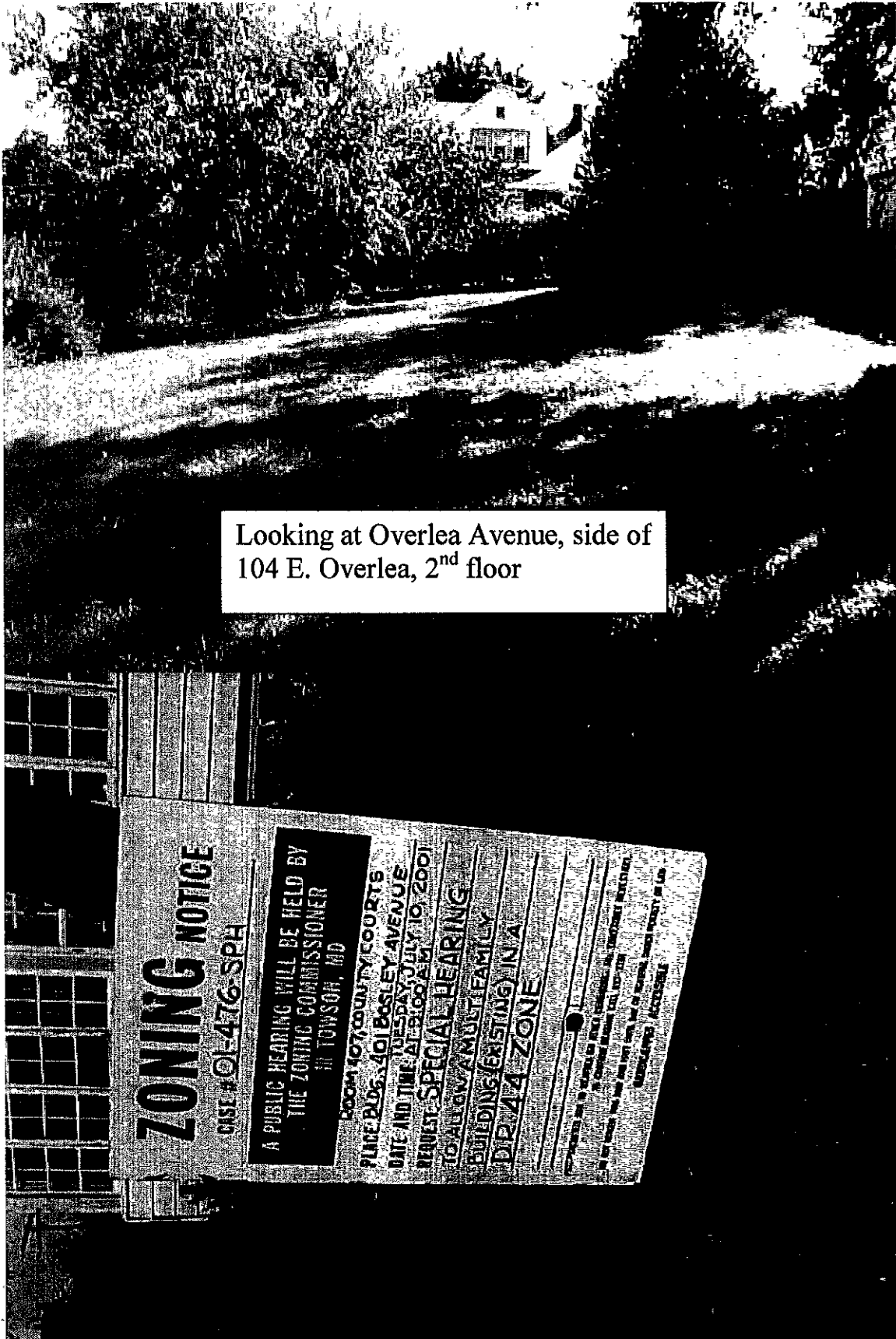
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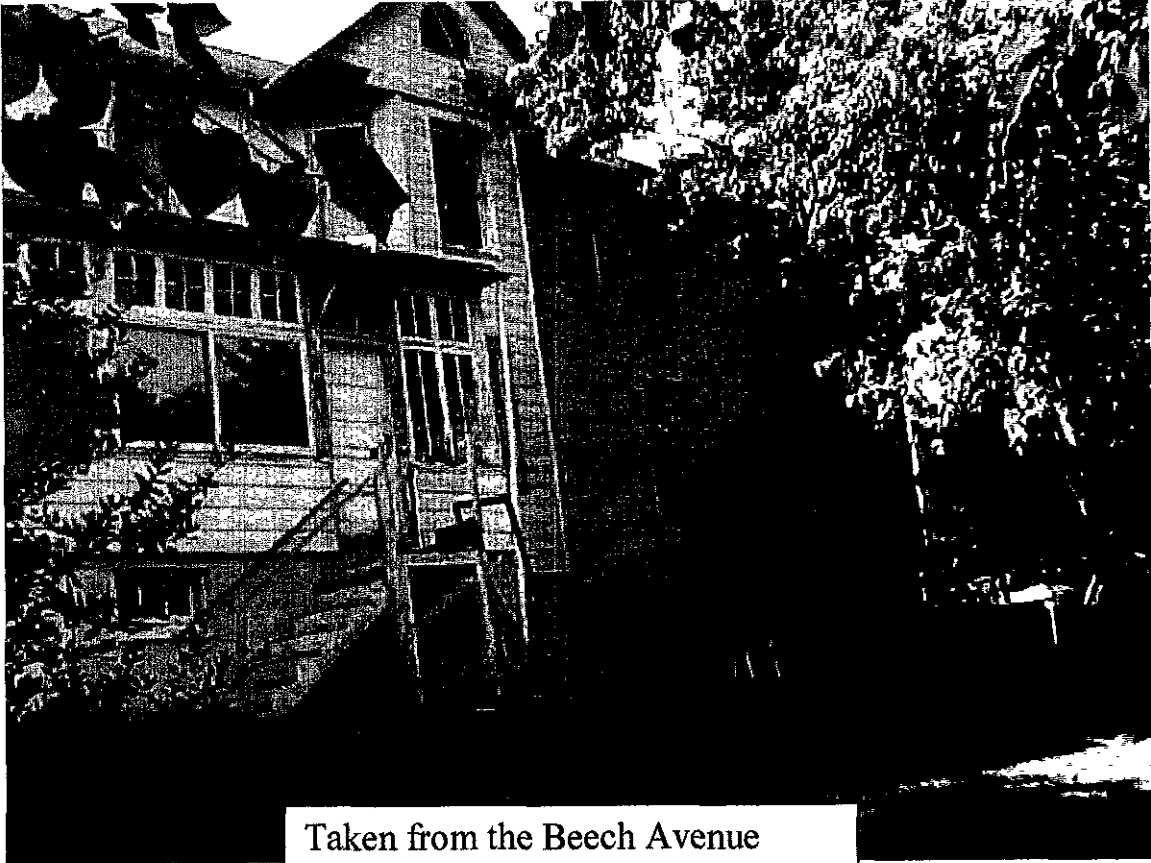
14 R 6 6

Ref Cx0B

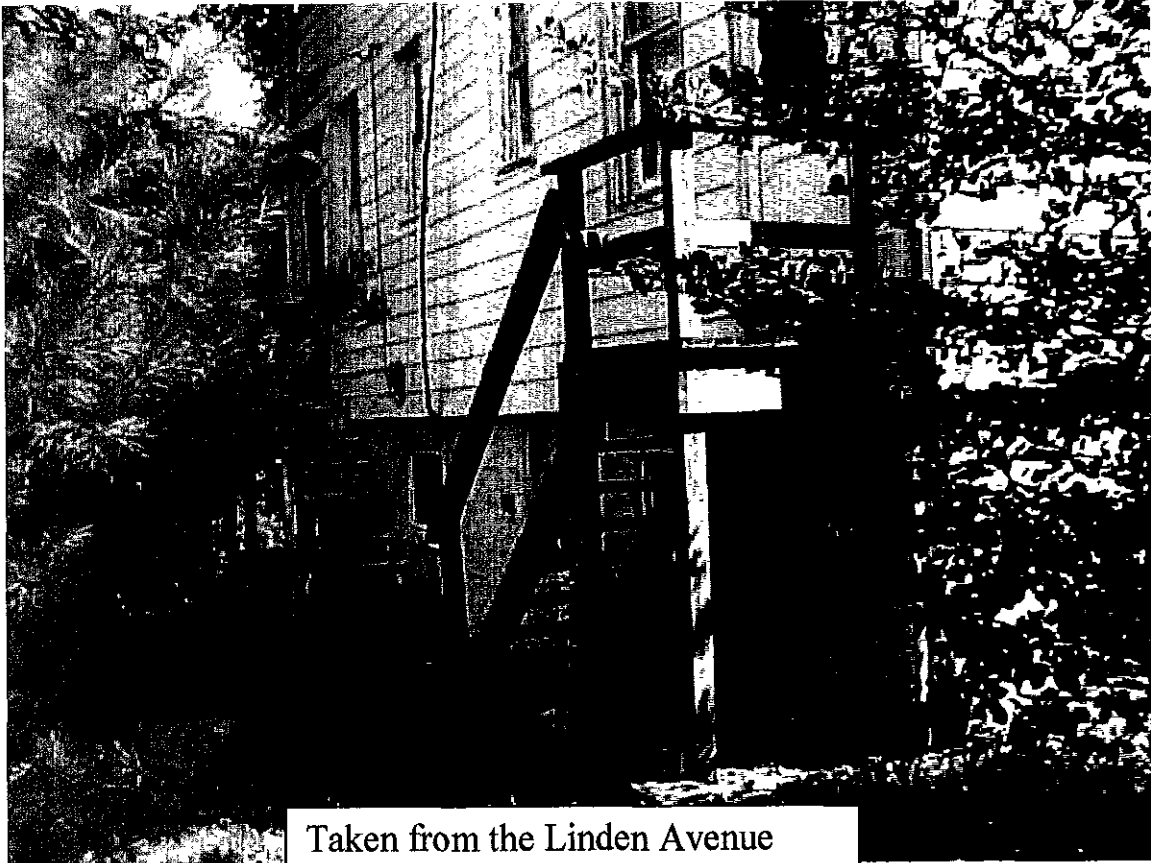


SCALE 1" = 200' ±	LOCATION OVERLEA # 476	SHEET N.E. 6-E
DATE OF PHOTOGRAPHY JANUARY 1986		

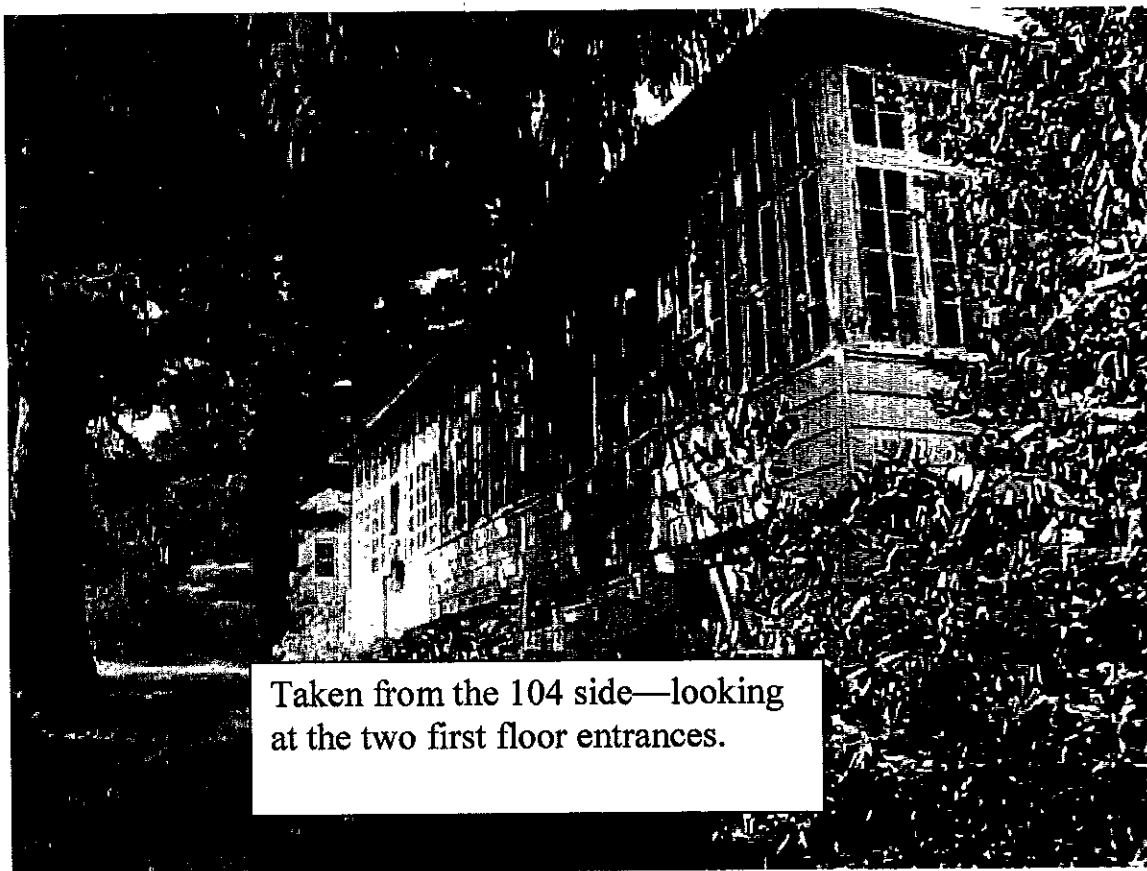




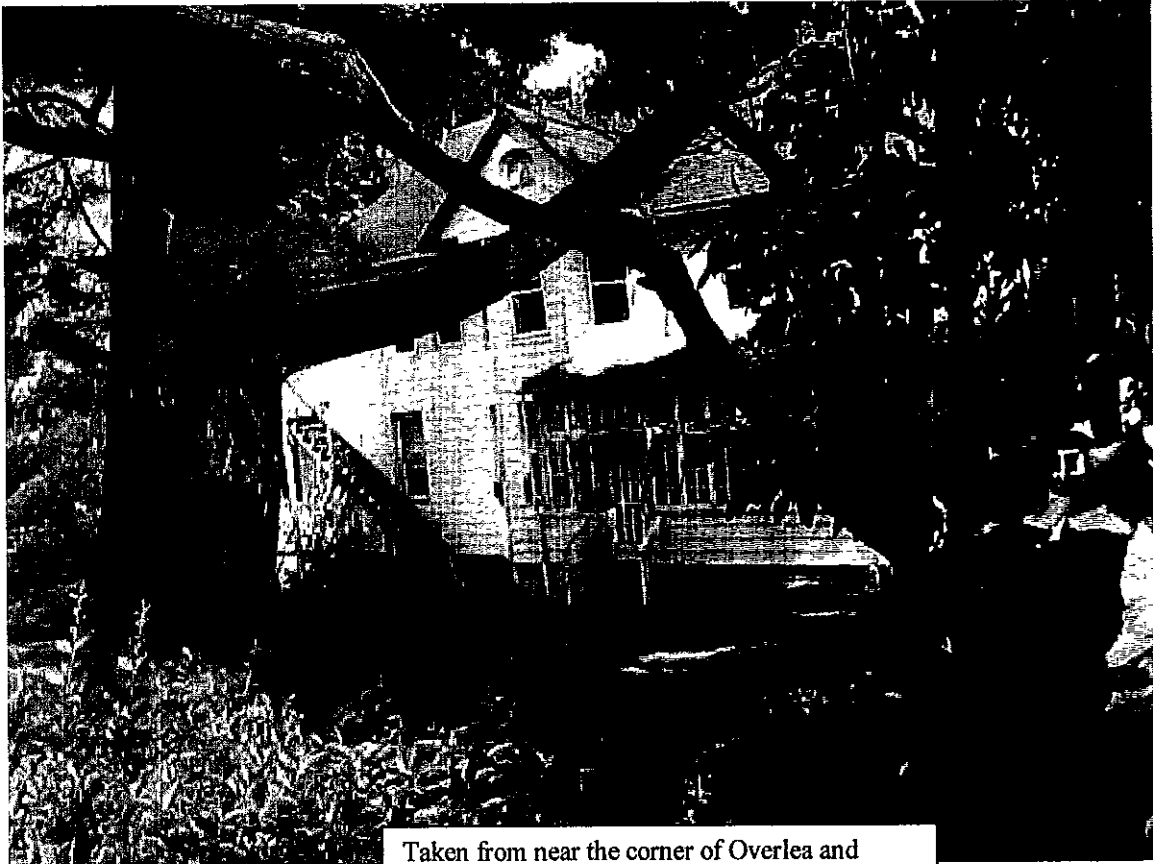
Taken from the Beech Avenue
side—looking at the 2nd floor front
and rear doors, 104 E. Overlea



Taken from the Linden Avenue
side—looking at the 1st floor rear
doors, 102 and 104 E. Overlea



Taken from the 104 side—looking
at the two first floor entrances.



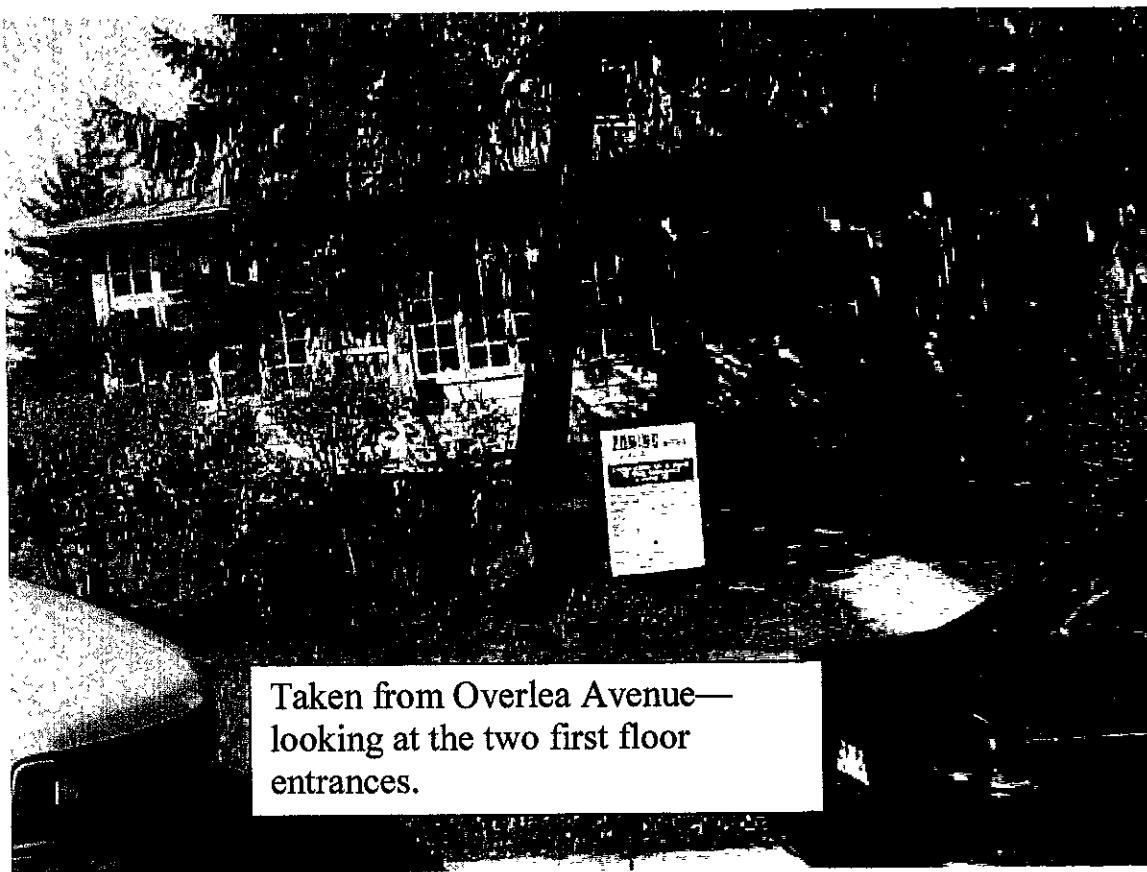
Taken from near the corner of Overlea and
Linden looking at 102 E. Overlea, sencond floor
entrance.

25



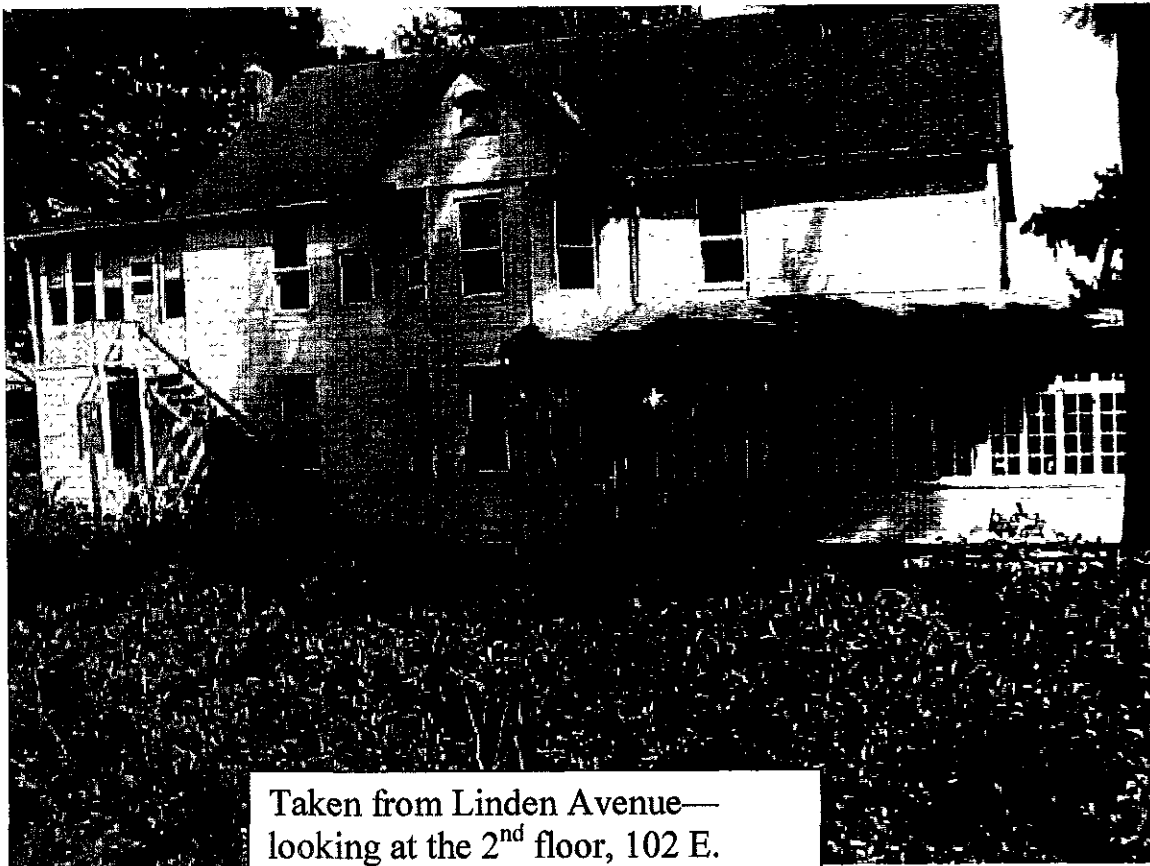
Taken from Linden Avenue—
looking at the 2nd floor, 102 E.
Overlea entrance.

3F

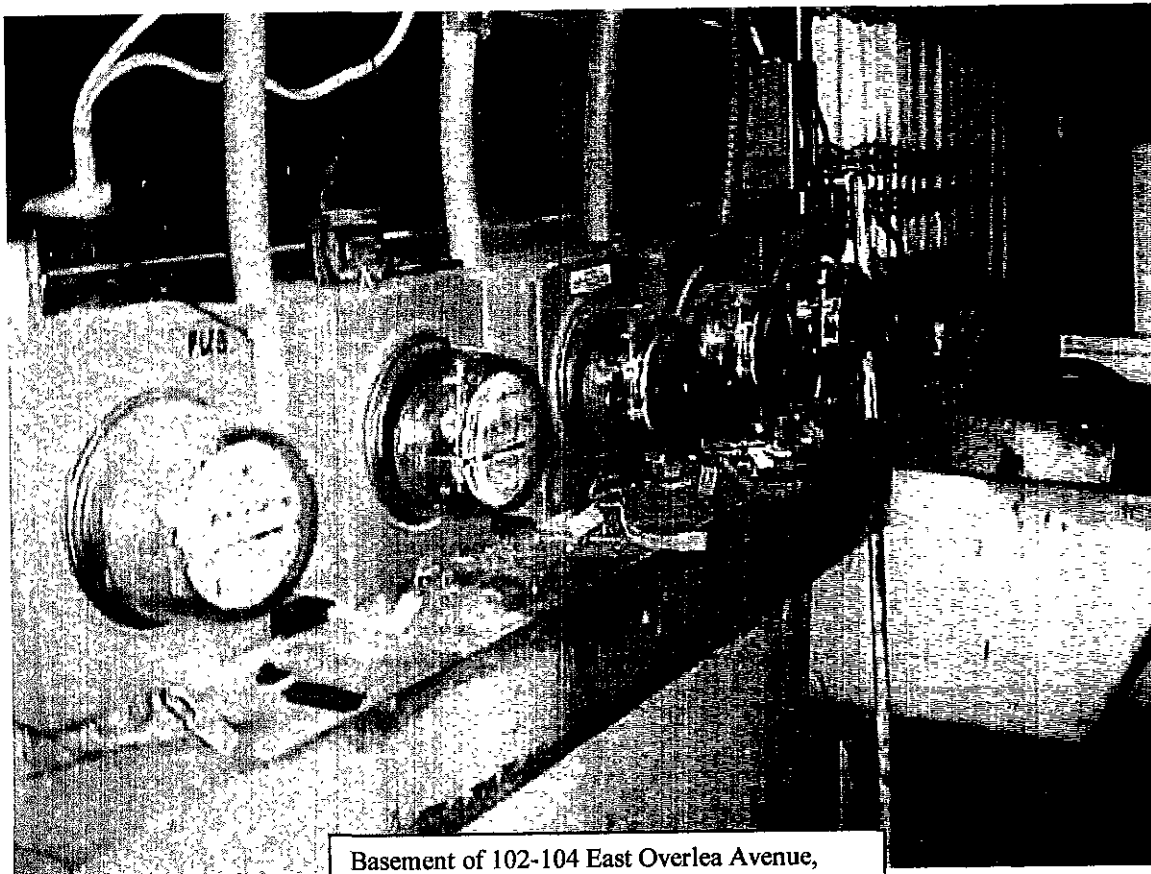


Taken from Overlea Avenue—
looking at the two first floor
entrances.

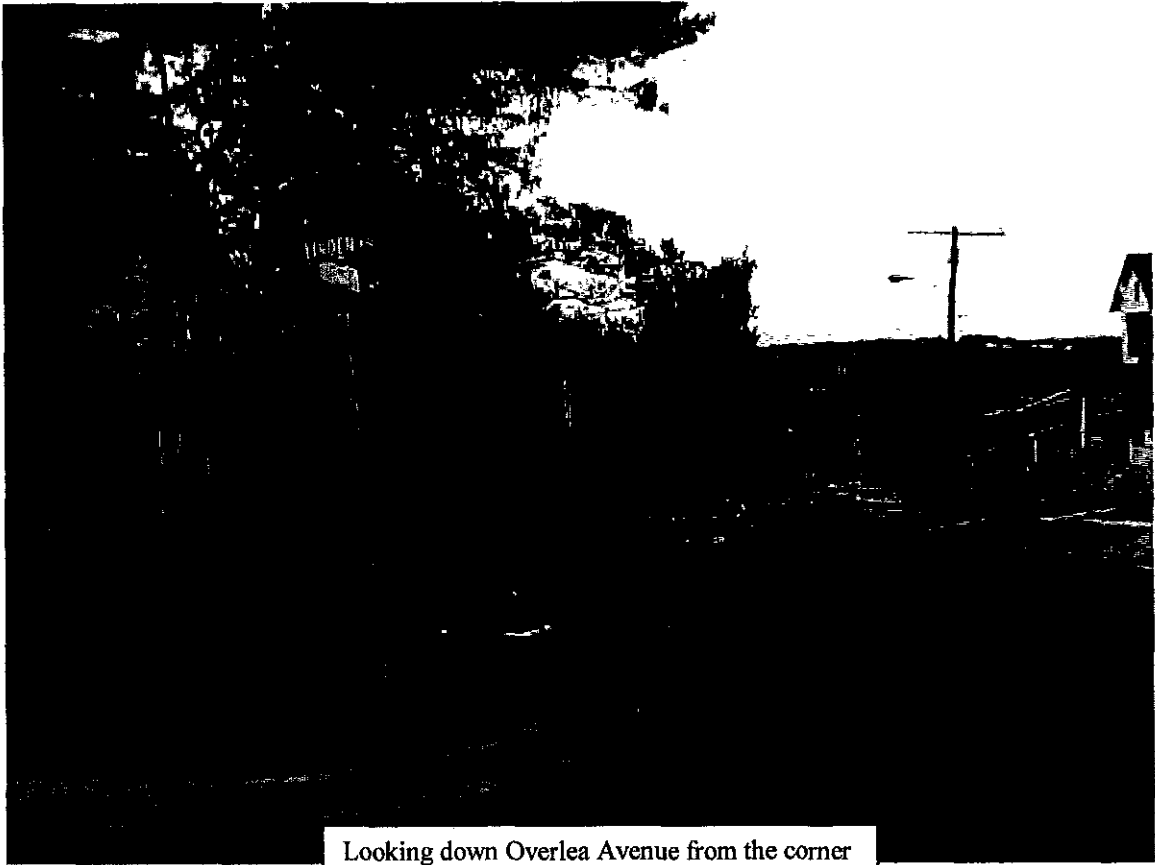
36



Taken from Linden Avenue—
looking at the 2nd floor, 102 E.
Overlea entrance.

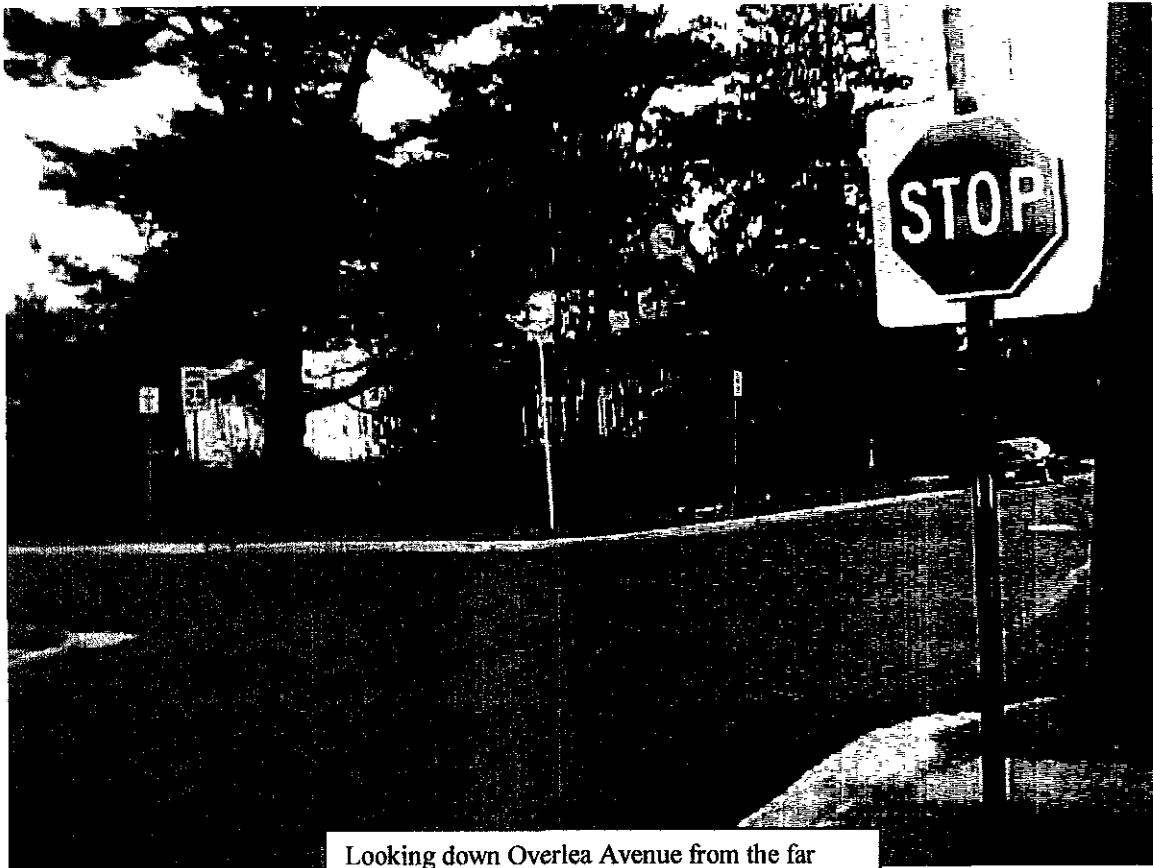


Basement of 102-104 East Overlea Avenue,
showing utility meters for the four apartments
as well as the public space.



Looking down Overlea Avenue from the corner
of Linden & Overlea—the sign by the
mushrooms says no parking from the sign to
corner.

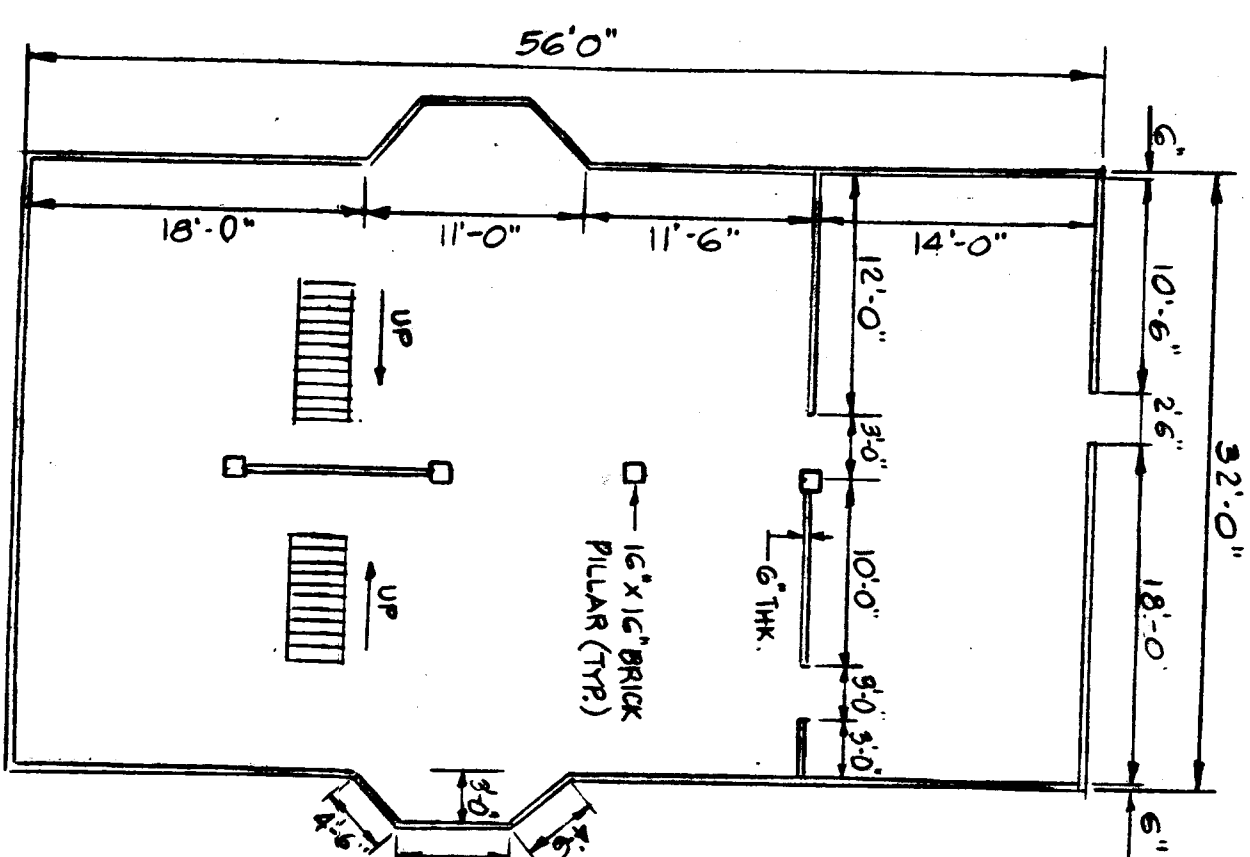
35



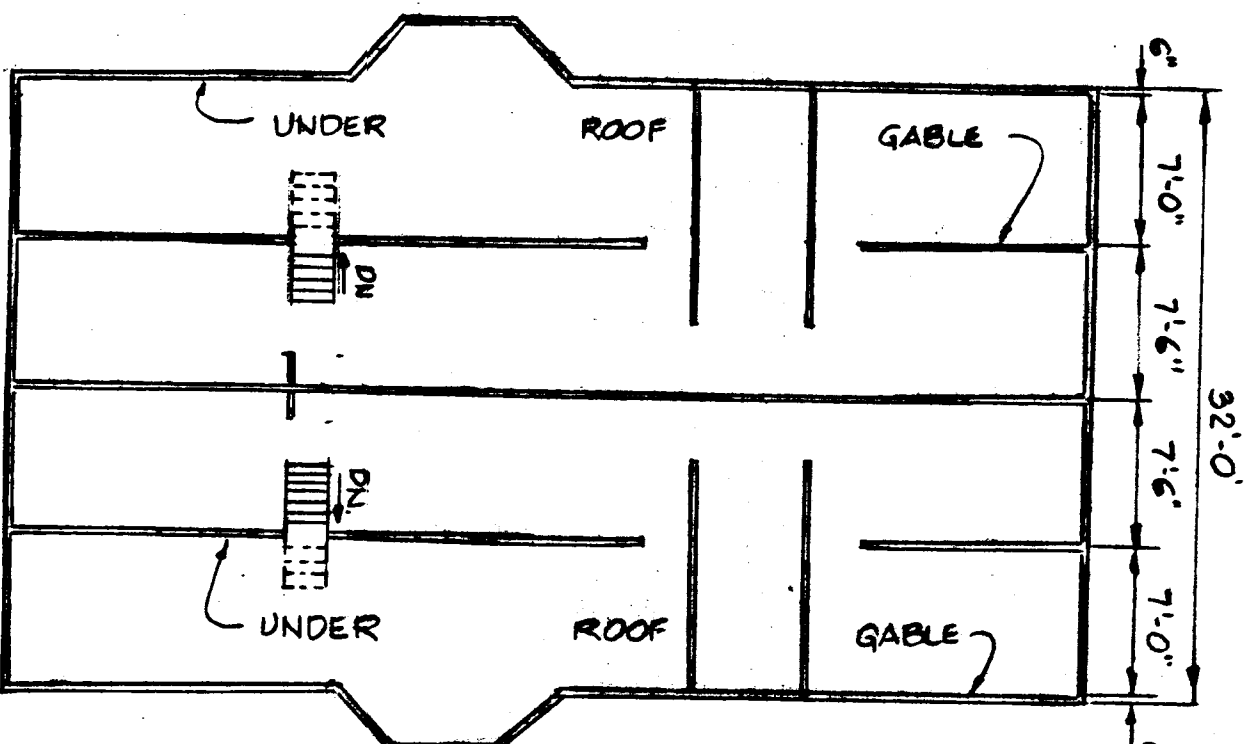
Looking down Overlea Avenue from the far corner of Linden & Overlea—the sign by the mushrooms says no parking from the sign to corner, as does the sign right behind the speed limit sign on Linden. (This is the sign on Overlea.)



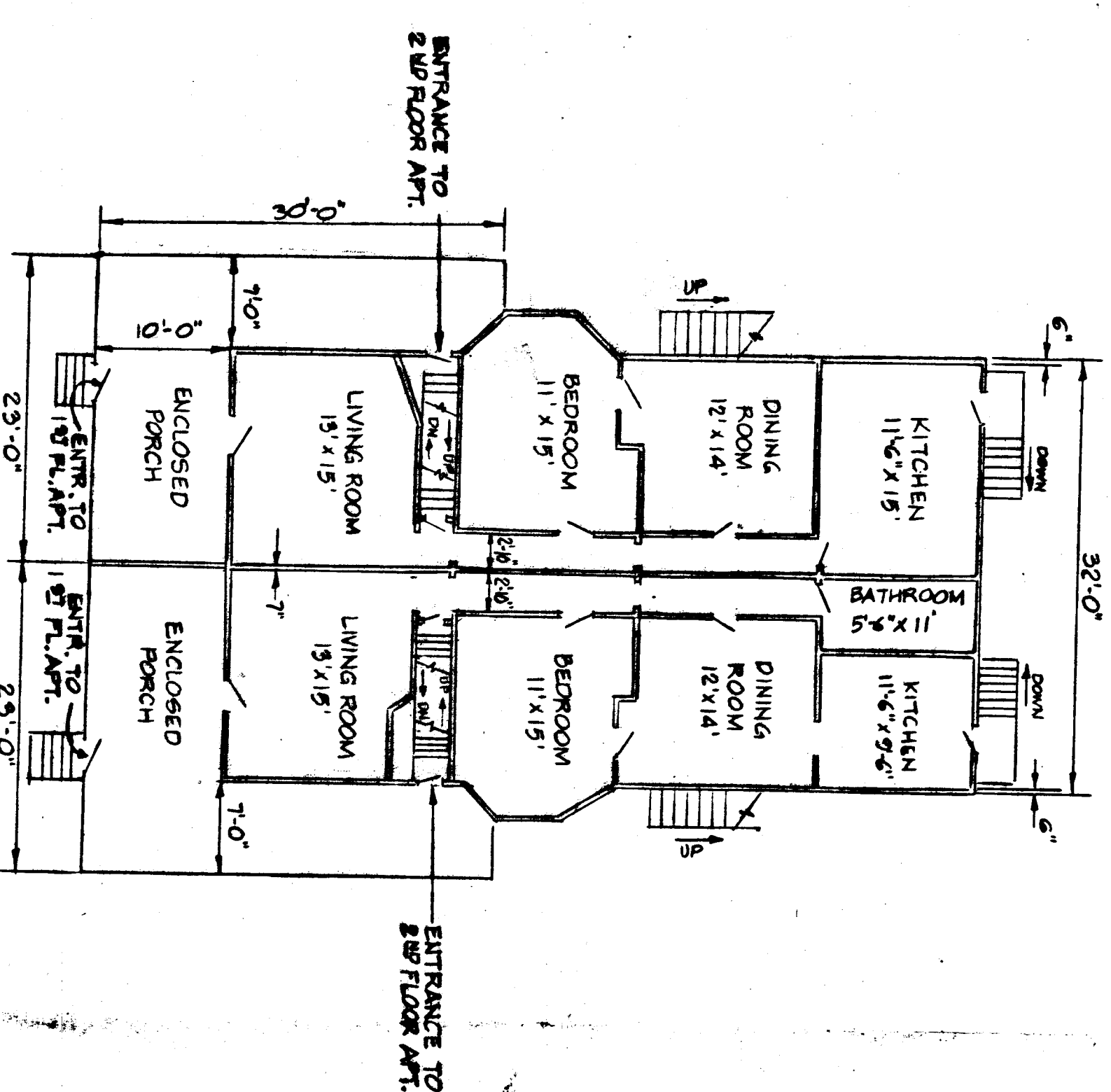
34



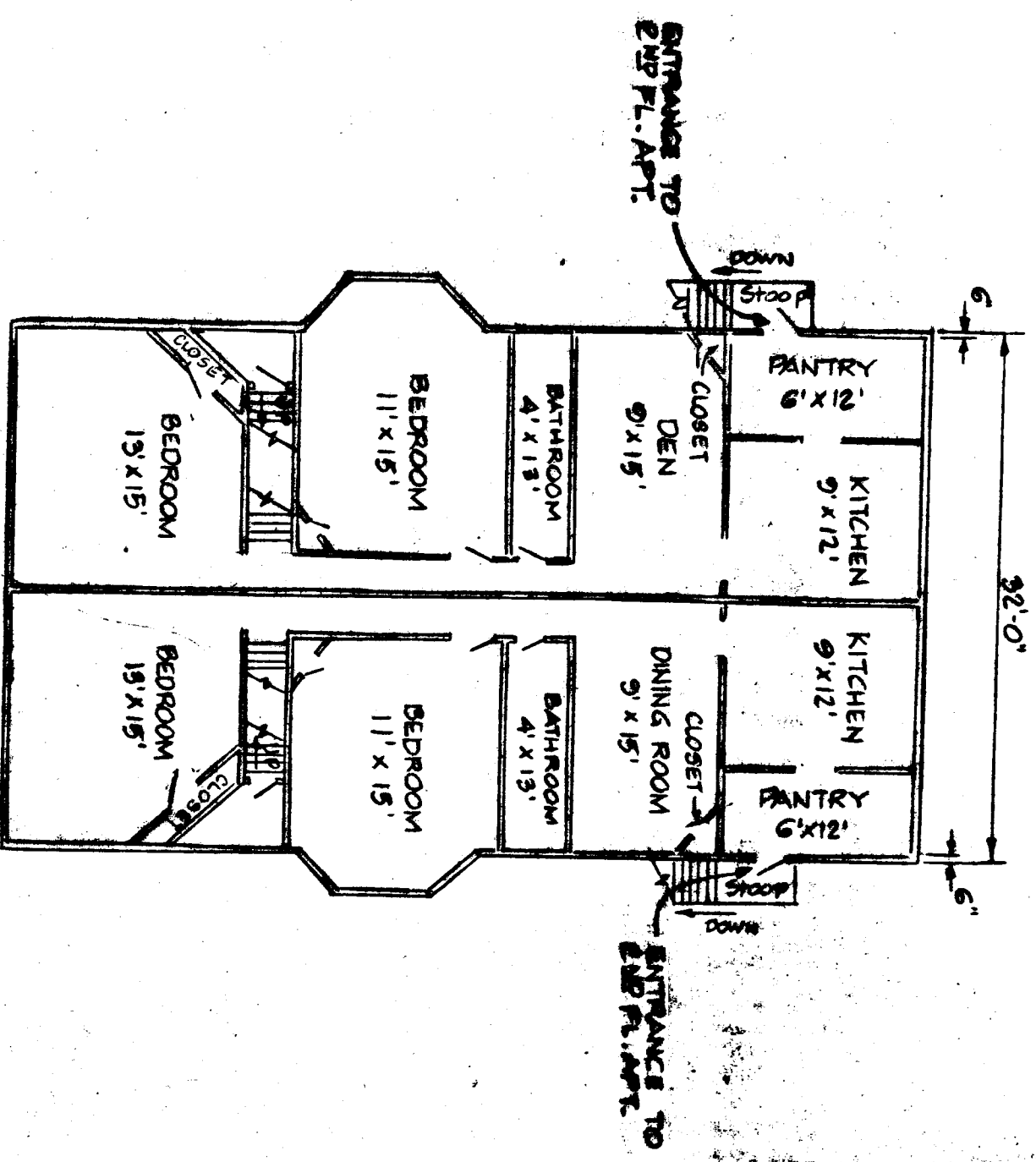
BASEMENT



ATTIC



FIRST FLOOR



SECOND FLOOR

FLOOR PLAN

SCALE: 1"=10'

1. EXISTING ZONING: D.L. 5.5
2. SUBJECT DATA: NO. 6901 OVERLEA AVENUE BALTIMORE, MD 21206 PARCEL NO. 21; TAX MAP 81; GRID 21 LATER GROUND FOLD 502 ACCOUNT NO. 14884155
3. OWNER: CORNELIA VANDERLAIN 65 E. BURKE AVENUE BALTIMORE, MD 21204-4116
4. AREA: 15,000 SQUARE FEET ON 0.34 ACRES OF LAND, JAMES ON LHM.
5. PARKING: PARKING SPACES REQUIRED - 8 SPACES PER APARTMENT X 4 APARTMENTS = 32 SPACES. PARKING SPACES PROVIDED - 8 SPACES OFF SITE ON PUBLIC STREETS WITHIN 500 FEET WALKING DISTANCE PER 409.7A.
6. BASE RESERVES AVAILABLE: A. BALTIMORE: 1) THIS SITE MEETS SEVEN A TRAFFIC IMPROVEMENT ASSESSMENT ON THE 2ND FLOOR, FOR THE GOVERNING LEVEL OF SERVICES FOR THE AREA, B. C. 7) AN ADJACENT PUBLIC ROAD IS AVAILABLE TO THIS SITE.
7. PUBLIC WATER AND SEWER: 1) PUBLIC WATER IS AVAILABLE TO THIS SITE. 2) PUBLIC SEWER IS AVAILABLE TO THIS SITE. 3) THIS SITE IS WITHIN THE BALTIMORE COUNTY SANITARIUM PLANT DISTRICT. 4) WATER AND SEWER SERVICE IS AVAILABLE TO THIS SITE.
8. NEW PROPERTY IS NOT IN THE CROWNED AREA OF THE SITE.
9. THE PROPERTY IS NOT IN A FLOOD PLAIN, AND IS NOT IN A FLOOD HAZARD AREA.

EDWARD & COX, JR. & SONS, INC. 100 OVERLEA AVENUE BALTIMORE, MD 21206 ACCOUNT NO. 14-10-0001100

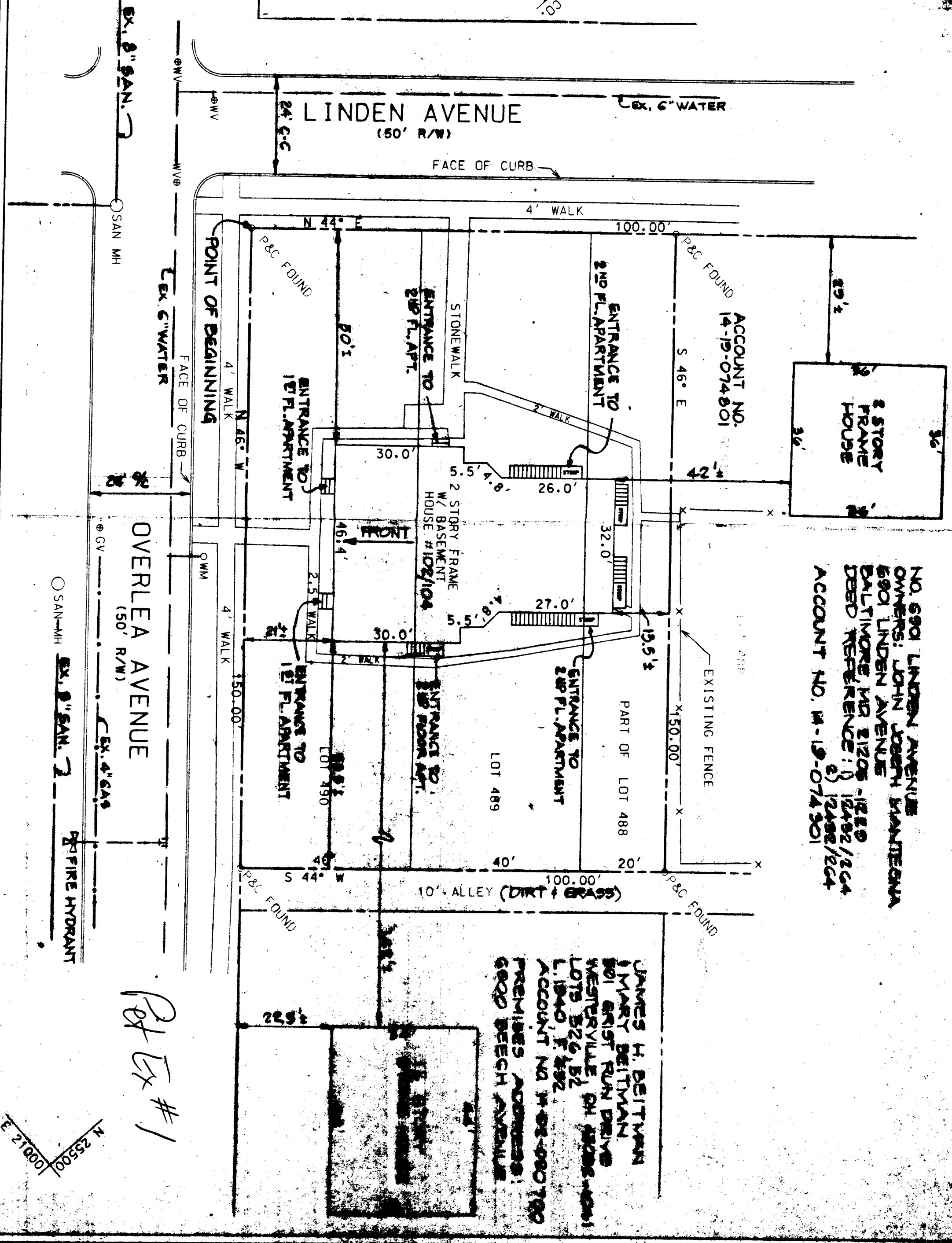
HICKS ENGINEERING CO., INC.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JORPA ROAD - SUITE 402
TOWSON, MARYLAND 21286-3160
(410) 494-0001

DATE: REVISED APRIL 30, 2001
SCALE: 1"=20'
DRAWN BY: JAC
CHECKED BY: DEH

NO.	DATE	REVISIONS:

OWNER: CORNELIA VANDERLAIN
65 E. BURKE AVENUE
BALTIMORE, MD 21286-1116

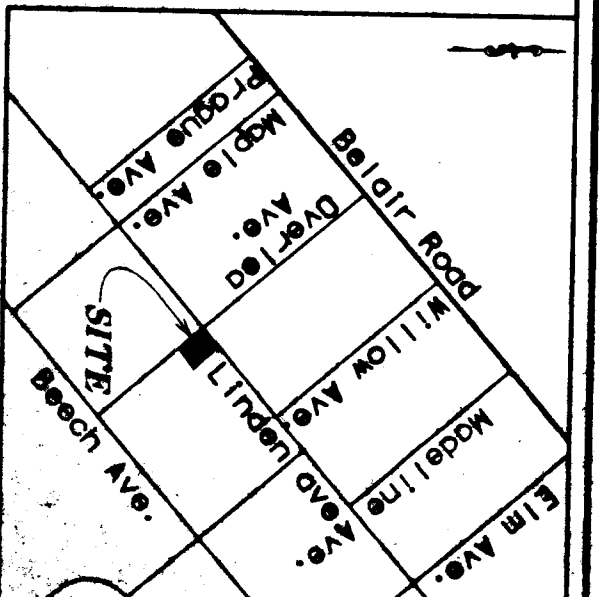
PLAT TO ACCOMPANY
PETITION FOR SPECIAL HEARING
LOTS 489, 490 AND PART OF LOT 488
PLAT ADDITION TO OVERLEA
J.W.S. NO. 2 PLAT NO. 2 PLAT PAGE 16
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT 14

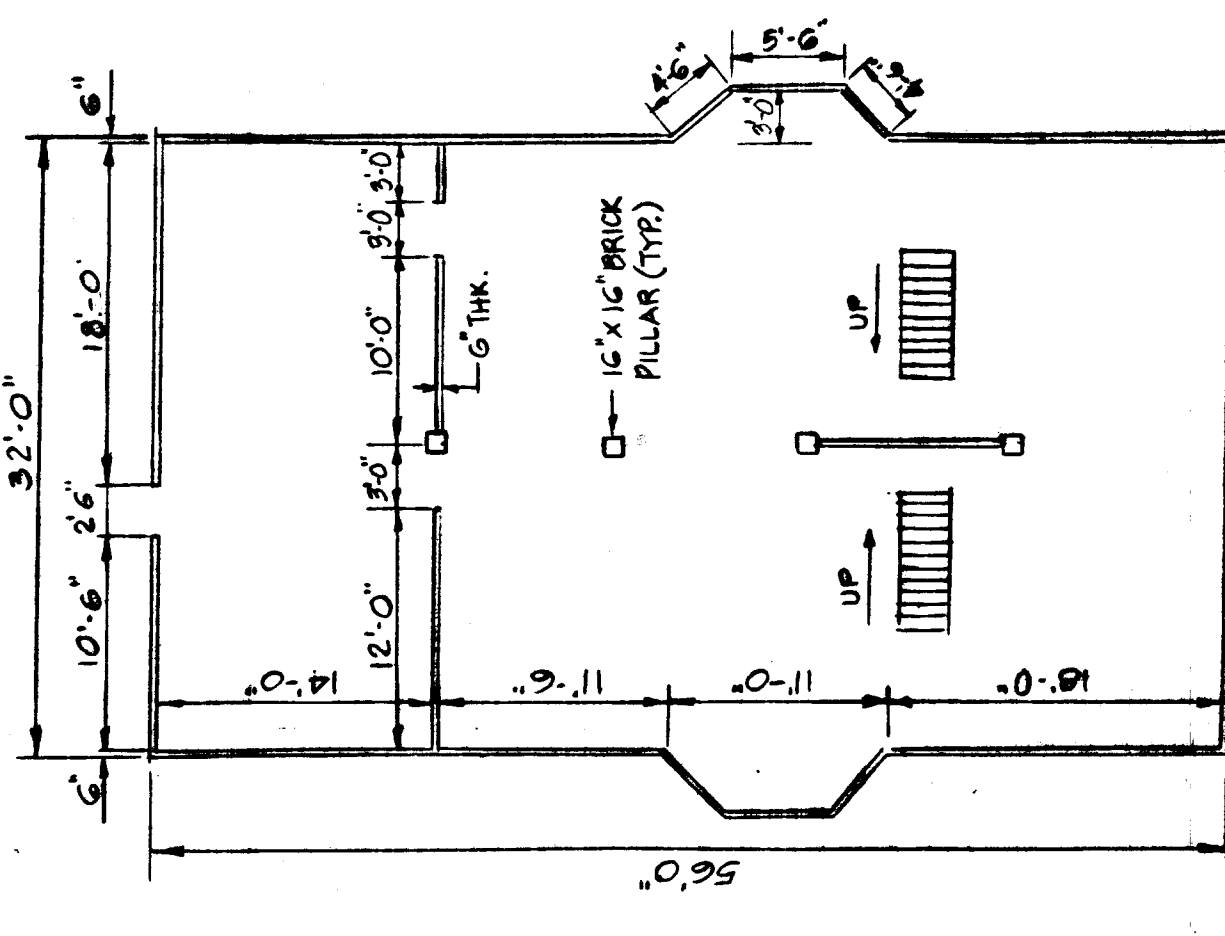


NO. 6901 LINDEN AVENUE
OWNERS: JOHN JOSEPH SPANITZ
6901 LINDEN AVENUE
BALTIMORE, MD 21206-1549
DEED REFERENCE: 1) 12482/1244
ACCOUNT NO. 14-10-074501

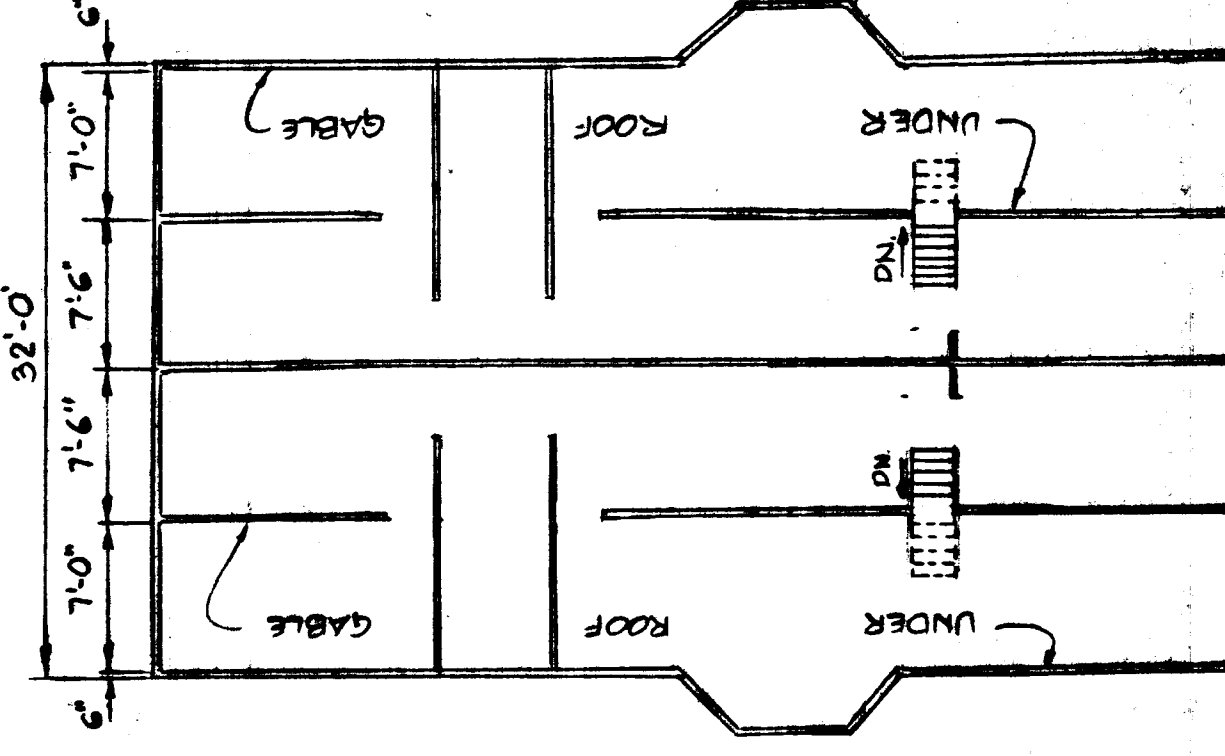
JAMES H. DELTMAN
1001 DELTMAN
WESTVILLE, OH 44091-0001
LOT 489 & 490
ACCOUNT NO. 14-10-0001100
PREMIERES ADDRESS:
6901 LINDEN AVENUE

VICINITY MAP
SCALE: 1"=2000'
TAX MAP 81
GRID 21
PARCEL 21
ADC MAP 36-E1
ELECTION DISTRICT 14

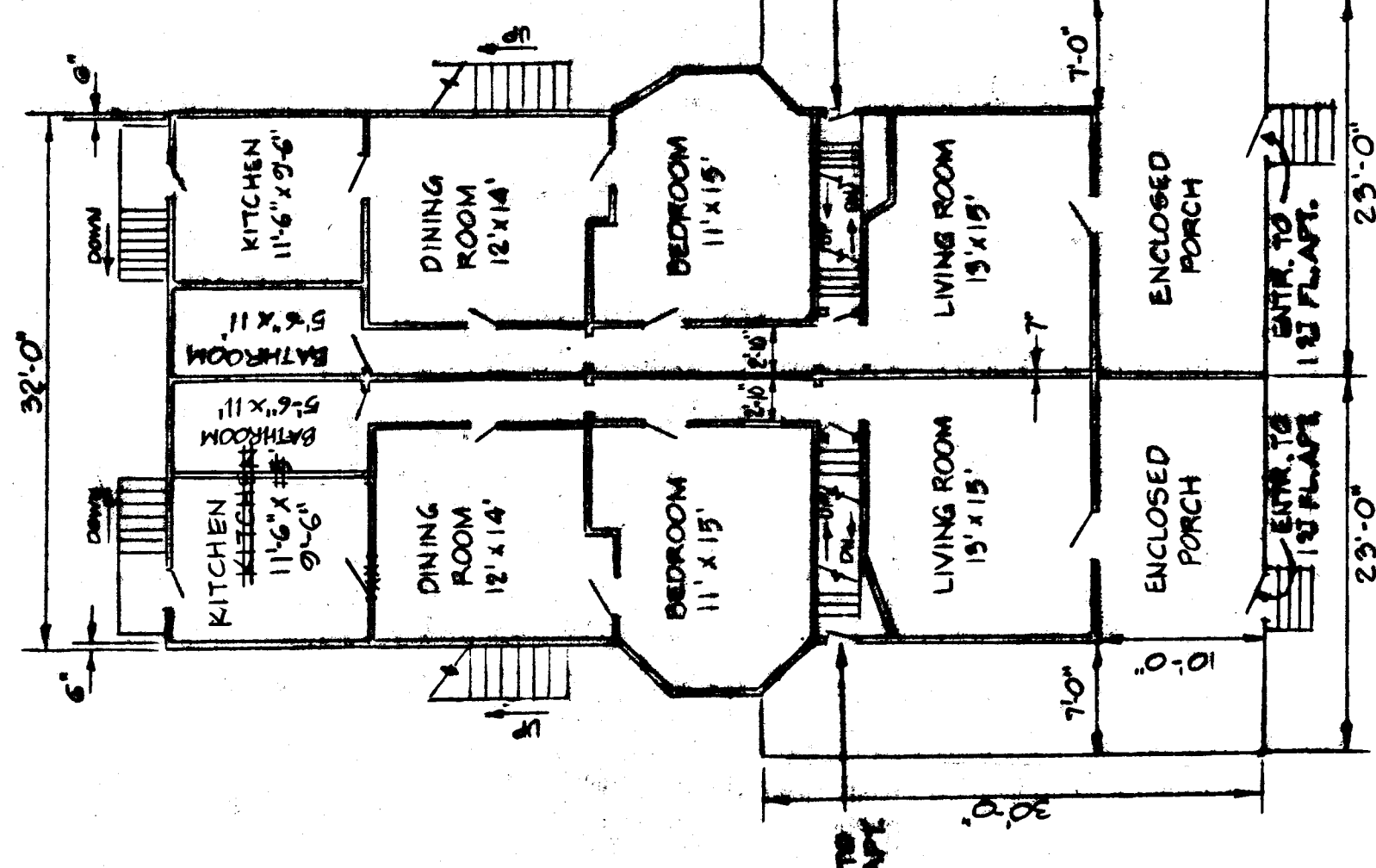




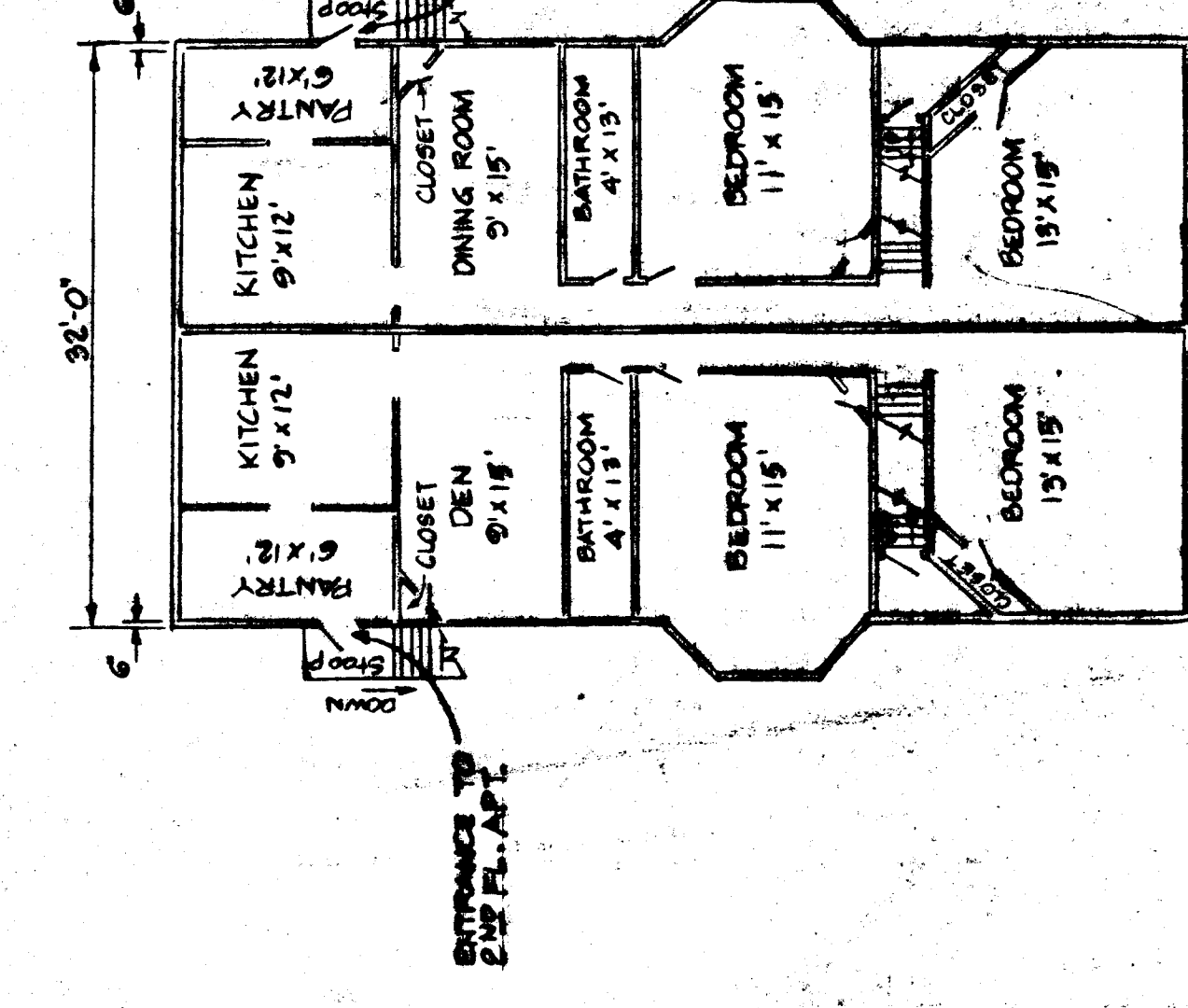
BASEMENT



ATTIC



FIRST FLOOR

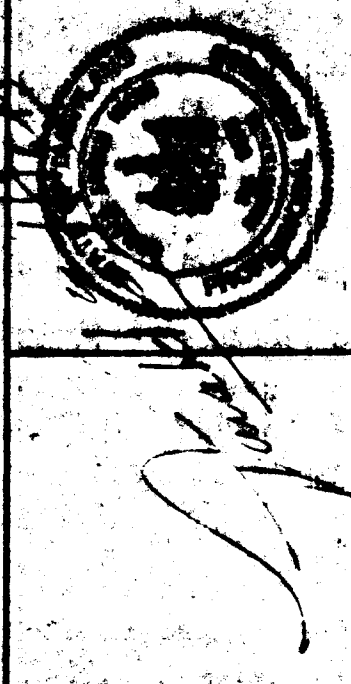


SECOND FLOOR

FLOOR PLAN

SCALE: 1/8"=1'-0"

HICKS ENGINEERING CO., INC.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JOPPA ROAD - SUITE 402
TOWSON, MARYLAND 21286-3160
(410) 494-0001

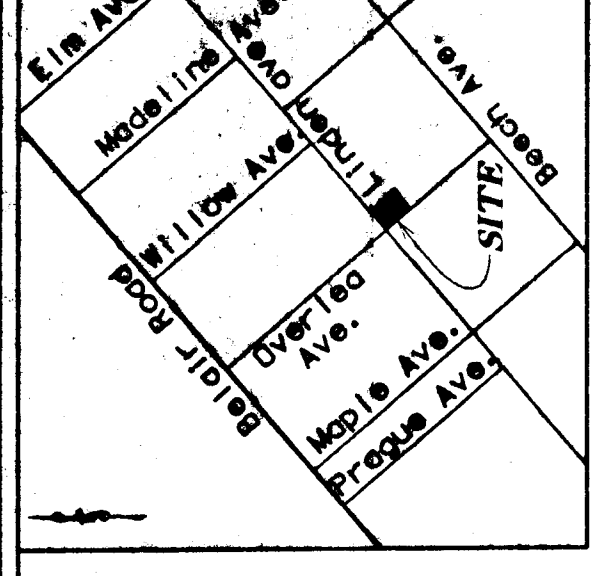


DATE: REVISED APRIL 30, 2001
SCALE: 1/8"=20'
DRAWN BY: JAC
CHECKED BY: DEH

NO.	DATE

OWNER: CORNELIA VANDERLAIN
65 E. BURKE AVENUE
BALTIMORE, MD 21286-1116

PLAT NO. 14-10-001100
PLAT ADDITION TO OVERLEA
J.W.S. NO. 2 PLAT NO. 2 PLAT PAGE 190
BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT 14, COME LIVING DISTRICTS



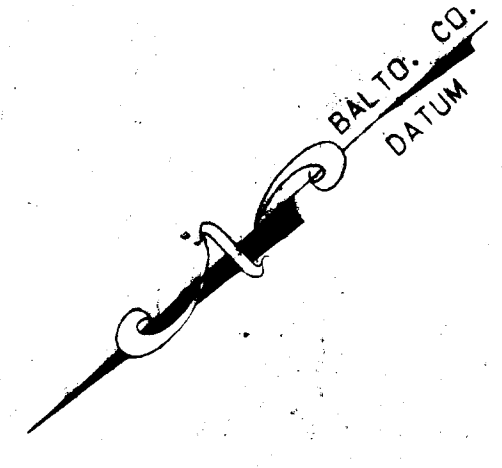
VICINITY MAP
SCALE: 1"=2000'
TAX MAP 81
GRID 21
PARCEL 21
ADC MAP 36-E1
ELECTION DISTRICT 14

1. **PROPERTY DATA**
NO. 102104 OVERLEA AVENUE
BALTIMORE, MD 21206
PARCEL NO. 21; TAX MAP 81; GRID 21
LIBER 011362, POLSO 552
ACCOUNT NO. 142001125
OWNER:
CORNELIA VANDERLAIN
65 E. BURKE AVENUE
BALTIMORE, MD 21286-1116
AREA = 15,000 SQUARE FEET OR
0.344 ACRES OF LAND, MORE OR LESS.

2. **PARKING**
PARKING SPACES REQUIRED - 4-6 SPACES PER APARTMENT X 4
APARTMENTS - 8 SPACES
PARKING SPACES PROVIDED - 8 SPACES OFF SITE ON PUBLIC STREETS
WITHIN 300 FEET WALKING DISTANCE PER
409.77A

3. **PLANNING SERVICES AVAILABLE**
A. TRAFFIC
1) THIS SITE IS NOT WITHIN A TRAFFIC
EXCEPT AREA ON THE 2000 MAP.
2) THE GOVERNING LEVEL OF SERVICE
FOR THIS AREA IS A-C.
3) AN ADEQUATE PUBLIC ROAD IS
AVAILABLE TO THE SITE.
B. WATER AND SEWER
1) PUBLIC WATER IS AVAILABLE TO THE SITE.
2) PUBLIC SEWER IS AVAILABLE TO THE SITE.
3) THE SITE IS WITHIN THE BALTIMORE
COUNTY METROPOLITAN DISTRICT.
4) WATER AND SEWER SERVICE DEDICATION
IS 14' & 14'.
4. THIS PROPERTY IS NOT IN THE CHESAPEAKE
BAY CRITICAL AREA.
5. THIS PROPERTY IS NOT IN A 100-YEAR FLOOD
PLAIN - ZONE A, FROM PANEL NUMBER
240810 0410 B

NO. 692 LINDEN AVENUE
OWNERS: JOHN JOSEPH MANTENGA
692 LINDEN AVENUE
BALTIMORE, MD 21208-1239
DEED REFERENCE: 1) 12452/264
2) 12452/264
ACCOUNT NO. 14-19-074301



EDWARD & COX, JR. &
JACOB L. FRANK
200 EAST JOPPA AVENUE
SUITE 402
TOWSON, MD 21286-3160
ACCOUNT NO. 14-10-001100