RDEFINE FOR FILING

IN RE: PETITION FOR SPECIAL HEARING

S/S Iroquois Avenue, 455' E centerline Lodge Farm Road 15th Election District 7th Councilmanic District (7509 Iroquois Avenue)

Oran Todd Warner Petitioner BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 01-542-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, Oran Todd Warner. The Petitioner is requesting a special hearing to approve 2 dwelling units on a single lot of record known as 7509 Iroquois Avenue. The subject property is located in the Edgemere area of Baltimore County.

Appearing at the hearing on behalf of the special hearing request were Oran Warner, owner of the property and many other individuals from the surrounding community who appeared in support of Mr. Warner's request. Appearing as protestants in the matter were James Carr, Rosemary Shkor, both residents of properties adjacent to the Petitioner's property, as well as others from the surrounding community.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, is a rectangularly shaped lot, 50 ft. in width and approximately 377 ft. in depth. The subject property is improved with a two-story, single-family dwelling located approximately in the center of the property. Closer to Iroquois Avenue, there exists a one-story building that has been used as a residential dwelling. The subject property is a waterfront lot situated on a body of water known as Old Road Bay.

As to the history of the property, Mr. Warner was granted permission in 1987 to construct the two-story single-family dwelling wherein he currently resides. That is, the dwelling that is

5290 OR FILING

situated approximately in the center of the property. In conjunction with the granting of the variances and the approval to construct the new home on the property, Mr. Warner was required, pursuant to that order, to convert the residential dwelling shown closer to Iroquois Avenue into a shed. The new home was constructed on the property. However, the small building closer to Iroquois Avenue was never converted back to a shed.

In approximately 1989, Mr. Warner again petitioned the Zoning Commissioner for variances to allow the subdivision of the subject lot, so that two separate dwellings could exist. One dwelling would be the new home that he just constructed on the property and the second dwelling, the small shed closer to Iroquois Avenue, which had been used for residential purposes. The variances requested in order to allow those 2 dwellings to remain on the property were denied by the Deputy Zoning Commissioner and, thereafter, by the County Board of Appeals in Case No. 89-268-A. Since 1989, the property owner has resided in the newly constructed two-story dwelling on the property and has used what is to be the shed for residential purposes. In fact, testimony revealed that Mr. Warner himself resided in the small shed dwelling during the time which he and his wife were going through a divorce. None of the neighbors had any objection to that particular use and felt it was in the best interest of their family to allow that to occur. However, at this time, Mr. Warner has moved back into the main dwelling in the center of the property and now wishes to utilize the small shed/residence as a second dwelling unit. He testified that he intends for his aunt to move into that small residence during the time necessary for her to recuperate from any injury. Thereafter, he may have his parents reside in that second dwelling. Further testimony revealed that Mr. Caldwell, who appeared and testified at the hearing, would like to utilize the dwelling to help elderly residents in the community who are unable to find suitable housing due to their financial situation. Therefore, it appears from the

ORDER TO THE FILING

testimony that Mr. Warner is interested in utilizing the old shed/residence as a second dwelling unit, either for a family member or an indigent elderly member of the community.

As stated previously, many residents from the surrounding community appeared in opposition to Mr. Warner's request. The cumulative testimony of these protestants was that they oppose a second dwelling unit on this property for several reasons. First of all, they believe that Mr. Warner, by previous zoning rulings, was ordered to convert the small shed back to a storage building and was not permitted at all to utilize it as a residence. They overlooked this mandate by the Zoning Office during the time that Mr. Warner himself resided in the small shed as a result of a family divorce. However, they are not interested in seeing the small shed being rented out to other individuals. They are concerned about additional traffic on Iroquois Avenue which is a very narrow residential street. They are also concerned over the overcrowding of the property itself. Additionally, they feel that parking would be a problem on the property. These neighbors argued that Mr. Warner was ordered to convert this building back to a storage shed when he was granted approval to build his new home. In addition, Mr. Warner was denied the subdivision of his lot to allow the 2 dwellings to exist thereon by the zoning case which was heard in 1989. They therefore believe Mr. Warner should not be permitted at this time to have 2 residences on the property when he was already ordered not to do so by 2 previous zoning decisions.

After considering the testimony and evidence offered by the Petitioner, as well as the neighbors who appeared in opposition to the request, and based on my site visit to the property, I find that the Petitioner's request to allow 2 separate dwellings to exist on this narrow lot, located on Iroquois Avenue, be and is hereby denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of August, 2001, that the Petitioner's Request for Special Hearing from Section 500.7 of the Baltimore County Zoning Regulations, to allow 2 dwellings on a single lot, be and is hereby DENIED.

IT IS FURTHER ORDERED, that the Petitioner shall cease and desist from allowing anyone to reside in the small structure located closest to Iroquois Avenue and shall be prohibited from allowing said structure to be utilized in a residential fashion. The property owner shall be required to allow a representative of the Code Enforcement Section for Baltimore County to make necessary inspections to insure compliance with this decision.

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

ТІМОТНУ М. КОТROCO

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

August 29, 2001

Mr. Oran Todd Warner 7509 Iroquois Avenue Baltimore, Maryland 21219

Re: Petition for Special Hearing

Case No.: 01-542-SPH

Property: 7509 Iroquois Avenue

Dear Mr. Warner:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been denied 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.

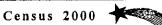
Very truly yours,

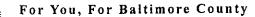
Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure











Copies to:

Mr. Tim Caldwell 3106 Whiteway Road Baltimore, MD 21219

Mr. James Carr 7505-09 Iroquois Avenue Baltimore, MD 21219

Ms. Rosemary Shkor John Shkor 7511 Iroquois Avenue Baltimore, MD 21219



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	7509	Froguo	is Ave	21219
which is	presently	zoned O Di	7 5,5	

I/We do solemnly declare and affirm, under the penalties of

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

TWO DWELLINGS ON A SINGLE LOT

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.

,			perjury, that I/we are the legal owner(s is the subject of this Petition.) of the property which
Contract Purchaser/Lessee:		Legal Owner(s):		
			Oran Todd Warn	er
Name - Type or Print			Name Type or Print	
Signature			Signature ;	<u>~</u>
Address		Telephone No.	Name - Type or Print	
City	State	Zip Code	Signature	
Attorney For Petition	<u>1er:</u>		7509 IROQUOIS	AVE 410,477,143
			Address	Telephone No.
Name - Type or Print		··· , ····	BAUTIMORE MD City Sta	212.9
Name - Type or Print		0	•	<u> </u>
Signature		Representative to be Contacte	e <u>d:</u>	
% : # JI			TIM CAUSINEN	
Company			Name /).
2 2			3106 WHITENAY R	1) 410.477.6771
Address 5		Telephone No.	Address	Telephone No.
The state of the s	State	Zip Code		1) 21219
* BIF	State	Zip Code	City	te Zip Code
			OFFICE USE ON	<u>LY</u>
		ESTIMATED LENGTH OF HEAR	ING	
	Case No. 01-542-5PH UNAVAILABLE FOR HEARING		-	
REV 9/15/98		Revi	iewed By <u>CTM</u> Date <u>(</u>	6/26/01

PROPERTY DESCRIPTION

Zoning description for 7509 Iroquois Avenue

#542

BALTIMORE COUNTY, MARYLA DO OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 333	PAYMENT ACTUAL TIME
DATE (/26/01 ACCOUNT	12001 006 615C	SAFPETE I M ALAMA
AMOUNT	\$ 50.00	Derit 5 528 ZONING VERIFICATION OR NO. 003331 Recet Tot 50.
RECEIVED MR W	MARIER	50.00 CK .00 Baltimore County, Maryland
FOR: <i>SPCcl</i>	AL HEAMING	· ·
	#542	· · ·
DISTRIBUTION		CASHIER'S VALIDATION

,

• 7

•

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: #01-542-SPH
7509 Iroquois Avenue
S/S Iroquois Avenue, 455' E
centerline Lodge Farm Road
15th Election District
7th Councilmanic District

7th Councilmanic District Legal Owner(s): Oran Todd Warner

Special Hearing: to permit two dwellings on a single lot. Hearing: Tuesday, August 21, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley, Avenue. nue.

LAWRENCE E. SCHMIDT 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
(4.10) 887-4388.
(2) For information concerning the File and/or
Hearing, Contact the Zoning
Review Office at (4.10) 8873391.

3391. JT/8/611 Aug. 7 C485966

CERTIFICATE OF PUBLICATION

8/9/,2001
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 8 7 ,20 <u>01 .</u>
☑ The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
•

LEGAL ADVERTISING

CERTIFICA OF POSTING

Date of Hearing/Closing: Aug. 21, 20 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 7509 IROQUOIS Ave. The sign(s) were posted on Aug. 6, 2001 (Month, Day, Year) Sincerely, Sincerely, Sincerely, Signature of Sign Poster and Date) SSC ROBERT BLACK	,	RE: Case No.: 62-542-5PH
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 7509 TROGUOIS AVE. The sign(s) were posted on AUG 6, 2001 (Month, Day, Year) Sincerely, Sincerely, Signature of Sign Poster and Date) 88C ROBERT BLACK	•	Petitioner/Developer: ORAN Toda
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 7509 TROGUOIS AVE The sign(s) were posted on AUG 6, 2001 (Month, Day, Year) Sincerely, Sincerely, Signature of Sign Poster and Date) SSC ROBERT BLACK	·	WARNER
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 7509 IROQUOIS AVE The sign(s) were posted on AUG 6, 2001 (Month, Day, Year) Sincerely, Sincerely, Sincerely, Signature of Sign Poster and Date) A PURIL OF MARKET WAS IN THE POST OF		Date of Hearing/Closing: AUG 21, 200
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 7509 IROGUOIS AVE The sign(s) were posted on AUG 6,2001 (Month, Day, Year) Sincerely, Sincerely, Sincerely, Signature of Sign Poster and Date) 111 ZONING COMMISSIONER BLOCK SIGNATURE BLACK	Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue	
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 7509 IROQUOIS AVE. The sign(s) were posted on AUG 6,2001 (Month, Day, Year) Sincerely, Sincerely, Gignature of Sign Poster and Date) 886 ROBERT BLACK	Attention: Ms. Gwendolyn Stephens	
The sign(s) were posted on AUG 6 2001 (Month, Day, Year) Sincerely, Sincerely, A PUBLIC AND SIGN POSTER and Date) A STREET BLACK SSC ROBERT BLACK	Ladies and Gentlemen:	
Sincerely, Sincerely, (Signature of Sign Poster and Date) A PUBLIC HEARING WIG BY PRINCE THE ZONING COMMISSIONER IN 19WSON MG SSINCERELY, Sincerely, (Signature of Sign Poster and Date)	The sign(s) were posted on	
(Signature of Sign Poster and Date) A PUBLIC HE ARRIGGING SOMMISSIONER IN 1998 SON MILE 88G ROBERT BLACK		•
A PUBLIC HEARING WIGH BE RELEASED. THE ZONING COMMISSIONER IN TOWSON MID SEC ROBERT BLACK		8/6/01
	THE ZONING COMMUSSION R	SSG ROBERT BLACK
Fine at DATE I LEAR WATER TO THE TENER OF TH	PLACE ROOM COUNTY OF THE	•
1508 Leslie Rd	SIME UT	
(Address)		· · · · · · · · · · · · · · · · · · ·
Dundalk, Maryland 21222		
(City, State, Zip Code) (410) 282-7940		•
(Telephone Number)	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	

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: 01-542-5P1-1 Petitioner: Oran Todd Warner
; Ottooror
Address or Location: 7509 Troquois Avenue Batto. MD 21219
PLEASE FORWARD ADVERTISING BILL TO:
Name: Oran Godd Warner
Address: 7509 Troquois Avenue
Baffo. MD. 21219
Telephone Number: 410 477-1433

TO:

PATUXENT PUBLISHING COMPANY

Tuesday, August 7, 2001 Issue - Jeffersonian

Please forward billing to:

Oran Todd Warner 7509 Iroquois Avenue Baltimore MD 21219

410 477-1433

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: 01-542-SPH

7509 Iroquois Avenue

S/S Iroquois Avenue, 455' E centerline Lodge Farm Road

15th Election District – 7th Councilmanic District

Legal Owner: Oran Todd Warner

Special Hearing to permit two dwellings on a single lot.

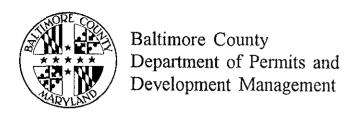
HEARING:

Tuesday, August 21, 2001 at 2:00 p.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT 672 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.



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

July 20, 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: 01-542-SPH

7509 Iroquois Avenue

S/S Iroquois Avenue, 455' E centerline Lodge Farm Road 15th Election District – 7th Councilmanic District

Legal Owner: Oran Todd Warner

Special Hearing to permit two dwellings on a single lot.

HEARING: Tuesday, August 21, 2001 at 2:00 p.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon GDZ Director

C: Oran Todd Warner, 7509 Iroquois Avenue, Baltimore 21219 Tim Caldwell, 3106 Whiteway Road, Baltimore 21219

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 6, 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.



Baltimore County
Department of Permits and
Development Management

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

August 17, 2001

Oran T Warner 7509 Iroquois Avenue Baltimore MD 21219

Dear Mr. Warner:

RE: Case Number: 01-542-SPH, 7509 Iroquois Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 26, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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. 692 Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: Tim Caldwell, 3106 Whiteway Road, Baltimore 21219 People's Counsel

In alexander

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 2, 2001

Department of Permits & Development Mgmt.

FROM:

bbert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 23, 2001

Item Nos. 485, 527, 528, 529, 530, 532, 534, 536, 537, 540, 541, 542, 543, 544,

546, 547, 548, 549, and 550

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

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

July 24, 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 July 16, 2001

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:

527, 528, 529, 531, 533, 534, 535, 536, 539, 540, 541, 542, 543, 545, 548, 550, and 551

REVIEWER: LIEUTENANT JIM MEZICK, 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
DATE:	September 5, 2001
SUBJECT:	Zoning Item 542 5 Address 7509 Iroquois Ave
Zoning	g Advisory Committee Meeting of <u>July 16, 2001</u>
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
X	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
	Additional Comments:
Reviev	ver: Kieth Kelley Date: July 27, 2001

\$ 8/21 Sim

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

JUL 25

DATE: July 25, 2001

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-542

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/JL:MAC



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 7. 23.01

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

RE:

Baltimore County

Item No. 942 LTM

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.us).

Very truly yours,

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

1. 1. Godle

RE: PETITION FOR SPECIAL HEARING 7509 Iroquois Avenue, S/S Iriquois Ave, 455' E of c/l Lodge Farm Rd 15th Election District, 7th Councilmanic

) 3

Legal Owner: Oran Todd Warner

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

Case No. 01-542-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.

> Eta Max Timmerman PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

eS. Demilio

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 7th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to Tim Caldwell, 3106 Whiteway Road, Baltimore, MD 21219, representative for Petitioners.

Case Number #61-542-SPH

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
M. James Carr	7505 Iroquois Ave	Balto. Md.	21219
Rosemany Shkor	7511 TROQUOIS AVE	BALTO MD	21219
Kathy Hicks	7515 Ivoquois Anes	Batho, MD	21219
David Hicks	7515 Iroquois Ae.	Balt Md,	21219
nongo Blusines	7519 Siogiois and	· · · · · · · · · · · · · · · · · · ·	21219
Momas 1. Wortham	7523 BAJFRONTAS	BACTNO	21219
Oakn Ilh	75/1 IRAGONIS RD	BALT. MD	21219
	-		
		Revised 4	

Case Number 401-542-5PH

PLEASE <u>PRINT</u> LEGIBLY

PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
Oran T. Warner	7509 Troquois Aul	Butto. Mi)	21219
T. CALDUTU	3106 WHITERY RD	Elwnen M	t i
N.L. STRAKA	7513 FRO QUOISNE	BUTTO MD	21219
GARY E SEIDERT	2905 CEDARLRESTAVE	ED4EMEREM	21219
Brandon Bennu	2407 lodge farm B.D	EDGEMere M.	21219
Oran Warner I	7509 Iroquois Ave.	1 /1	21219
Marion Szymanski	1	Batto Md.	21219
Levie Warner Jacks	5976 Turnabout Lane	Columbia	2/044
DONALD E WARNERS	R 8014 PENWOOD AVE	BALT MD	21219
MADISON D. WARNER	7507 BAY FRONT PD.	DALT, MD	7/219
JACALYN Pease	2125 LINCOLN	11 11	11
		Revised 4	/17/00

Prot 41

(407)

Tuesday, August 21, 2001

M. James Carr 7505-07 Iroquois Avenue Baltimore, Maryland 212194 (410)477-4272

Zoning Hearing (Case #02-542-SPH) scheduled for 2pm on August 21, 2001 at 401 Bosley Avenue in the Courts Square Building. For Oran Warner of 7509 Iroquois Avenue – to permit 2 dwellings on a single lot located at 7509 Iroquois Avenue.

Background in brief!

Located upon the property (7509 Iroquois Avenue) are two structures; a residential dwelling house closest to the waterfront (Old Road Bay) and a single story shed in the rear portion of the property which abuts Iroquois Avenue. Originally the property contained only the single story structure which at one time was used as an apartment/residence by the property owner.

1987

In 1987 the owner requested permission from Baltimore County to construct and move into a larger dwelling unit. As a condition for approval the petitioner agreed that the existing structure would be converted to a storage shed and not used residentially.

1989

On or about February 6, 1989 the owner requested approval to convert the shed back to a dwelling unit and allow 2 dwelling units on this property.

The decision of the Deputy Zoning Commissioner of Baltimore County dated February 6, 1989 denied the property owner's Petition for zoning variances.

1990

This case went to the County Board of Appeals of Baltimore County (Case No. 89-268-A) on or about January 11, 1990 which denied the property owner's Petition for zoning variances.

2001

Zoning Hearing (Case #02-542-SPH) scheduled for 2pm on August 21, 2001 at 401 Bosley Avenue in the Courts Square Building.

I believe that this petition should be denied for and among other reasons public safety and welfare in our community.

This is in concurrence with the decision by the County Board of Appeals of Baltimore County on January 11, 1990 denying the petition for variance.

Quote:

"However, we also note in passing that the petitioner fails to comply with the standard as set forth in the third requirement listed in <u>Anderson</u>. Simply, we do not believe that the construction of a second dwelling as show on the Petitioner's plat, particularly in view of the character of the surrounding properties and neighborhood and the long zoning history of this district, is within the spirit of the ordinance. Development within this area of the County should and must be carefully monitored. In view of this specific locale and its environs, we believe the public safety and welfare are best secured by the denial of the variance. For these reasons, the Board will deny the Petitions for Variance and will so order."

Pet CX 1A

EDGEMERE SENIOR CENTER COUNCIL

6600 North Point Road ~ Baltimore, MD 21219 Phone 410-887-7530

August 20, 2001

Mr. Arnold Jablon, Director Baltimore County Dept. of Permits and Development Mgt. 111 West Chesapeake Avenue Towson, MD 21204

Dear Mr. Jablon:

As president of the Edgemere Senior Center Council, I am writing to confirm my support for Edgemere's C.O.P.S. in their efforts to secure community based domiciliary and assisted living facilities for our elderly population. The proposal for recognizing the small unit on 7509 Iroquois Avenue as a domicile for those in need can only benefit the community as a whole. Edgemere C.O.P.S. has demonstrated assistance to our elderly on a regular basis, and I wholeheartedly support the foundation's community based initiatives.

Sincerely,

Harold (Butch) Wills Council President

Butto will-

hgw

6600 North Point Road ~ Baltimore, MD 21219 Phone 410-887-7530

8/20/01

MR. ARNOLD JABLON.

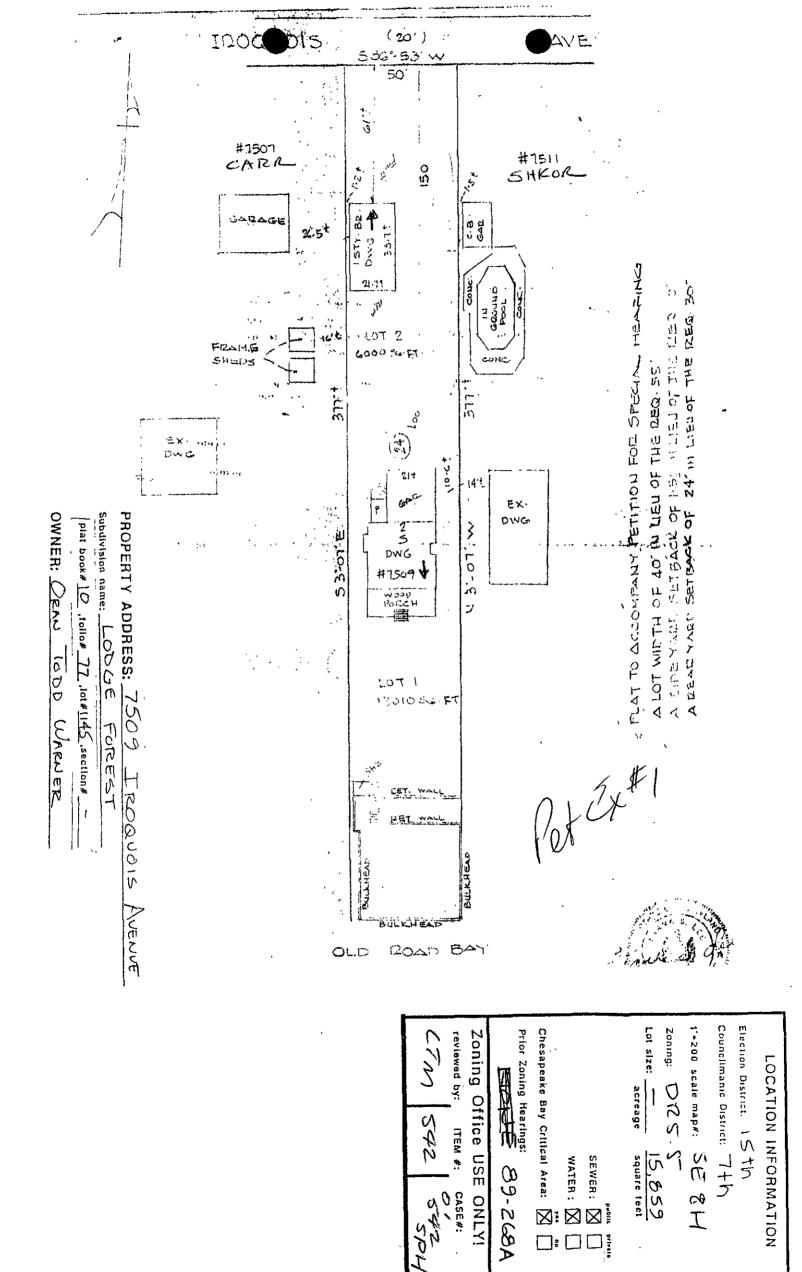
AS AMEMBER OF THE ABOVE, I SEE NO ADVERSE EFFECTS
BY GRANTING APPROVAL TO MRWARNER, FOR PERMISSION
TO HOLP NEEDY AND INDEGENT PEOPLE.

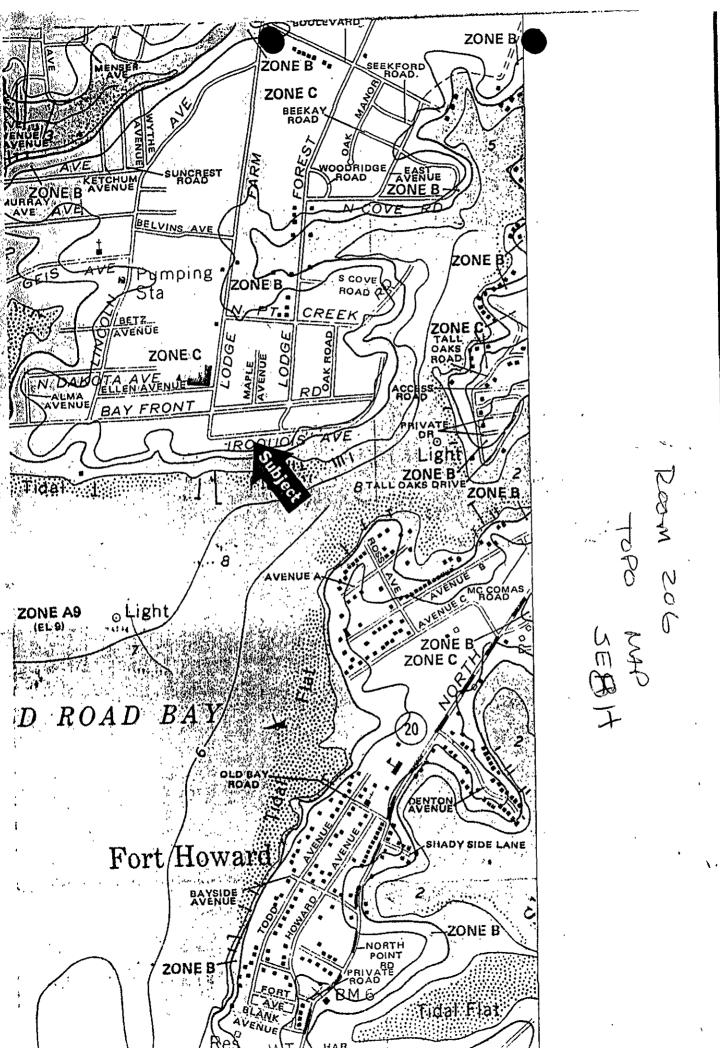
I THINK IT'S A HOMANE ACT TO HELP THISE PEOPLE AFFER ALL, WHERE ARE THISE PEOPLE TO GO WHEEN THEY ARE IN NEED,?

Sincreely

al, Djimih

COUNCIL ADVECATE.





Certain areas may be protec This map is f sarily show a all planimetric For adjoining Panels.

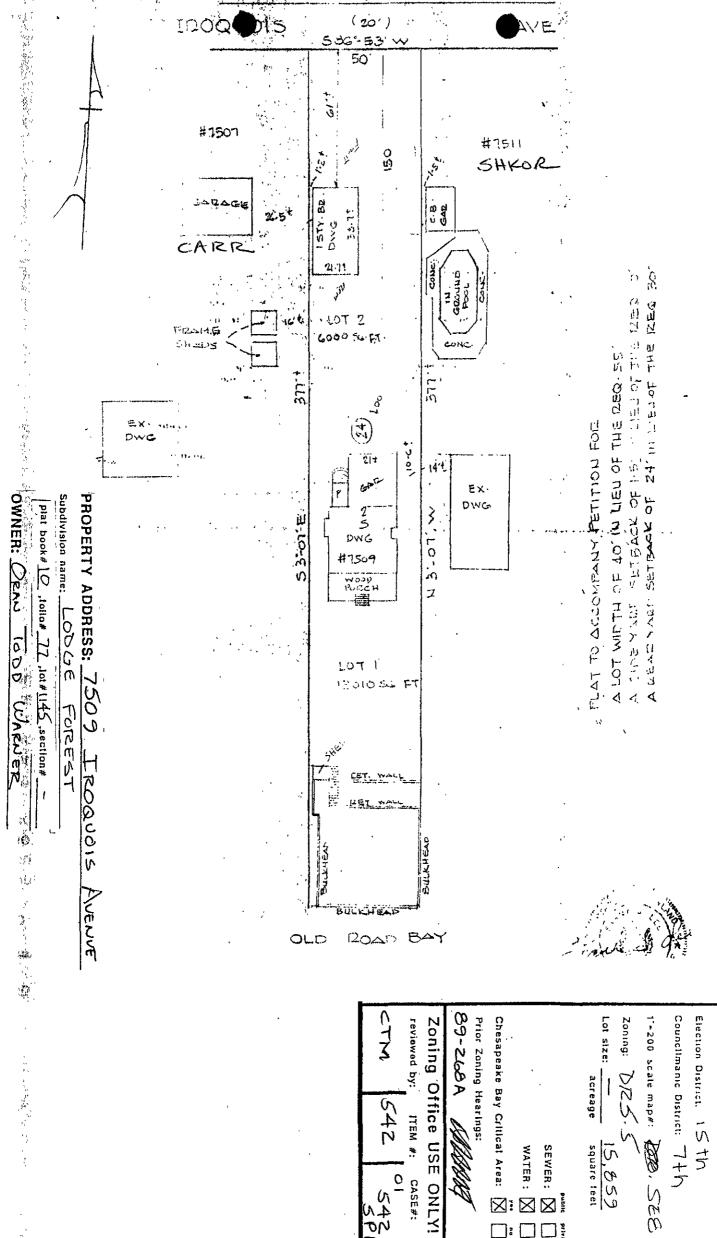
FLO

FL

FL

Refer to date showr structures established

To determ contact you Program at

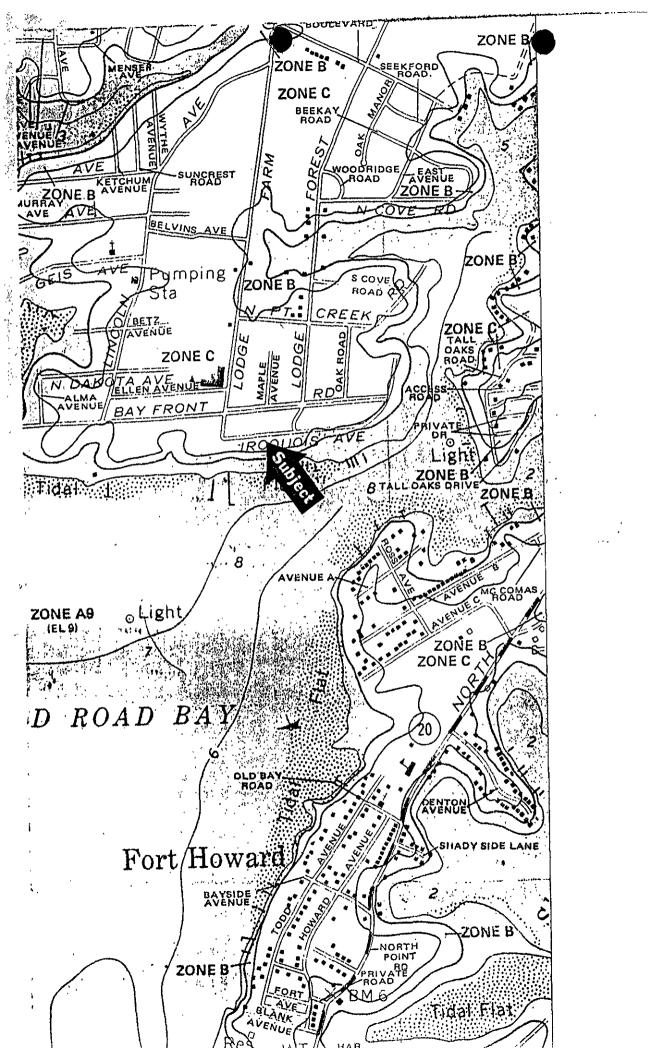


LOCATION INFORMATION

I

SEWER:

CASE#:



Certain areas may be protect

This map is t sarily show all planimetri

For adjoining

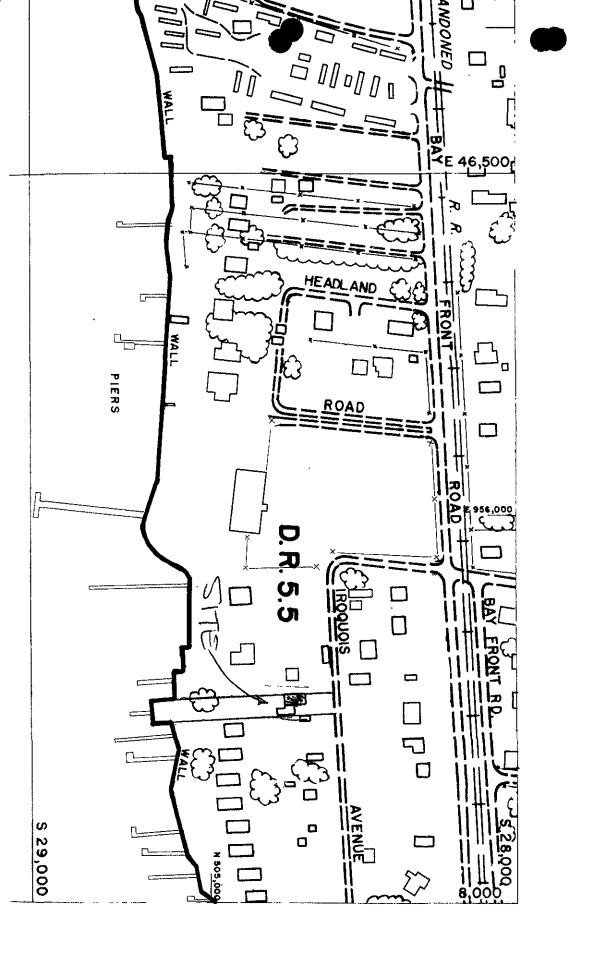
FLO

E1

F

Refer to date shows structures established

Fo determine contact you Program a



2/25 H

SH 00 I

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT VIOLATION CASE DOCUMENTS

VIOLATION CASE: 01-1518

7509 Iroquois Avenue

ZONING CASE 01-542 SPH 7509 Troquois Avenue LETTENS MAILDE 8-6-01

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

♠ DATE: August 3, 2001

TO: W. Carl Richards, Jr.

Zoning Review Supervisor

FROM: Rick Wisnom, Chief

Division of Code Inspections & Enforcement

SUBJECT: Item No.: 542 – (01-542-SPH)

Legal Owner/Petitioner: Oran Todd Warner Property Address: 7509 Iroquois Avenue

Location Description: S/S Iroquois Avenue, 455" E. centerline Lodge Farm Road

VIOLATION INFORMATION: Case No.: 01-1518

Defendants: Oran Todd Warner

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME ADDRESS Councilman John Olszewski, Sr. M.S. 2201

In addition, please find attached a duplicate copy of the pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office.

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/hek

c: Code Enforcement Officer Derek Propalis

Code Enforcement - Daily Worksheet

___ Closed Report

Area Case # Location

Apt Zip Date Rec Reinsp Dt

001 01-1518 7509 IROQUOIS AVE

21219 4/03/2001 6/17/2001

Tax *Acct #: 1509650140

Complainant Name: (Last) OLSZEWSKI (First) COUNCILMAN

Addr:

Str # Dir Street Name

Type Apt

City

Phone: (Home)

ST Zip × / (Work) 41/088-717 Zip

Problem: SOMEONE LIVING IN SHED;

**4/4/01-TWO DWELLINGS ON PROPERTY. NEIGHBOR SAYS PERMIT CAL LED IT A SHED. HOWARD SHOWS NO RECENT PERMITS. I WANT TO DO SOME CHECKING SINCE WATER- FRONT PROPERTIES HAVE BEEN K NOWN TO HAVE 2 HOUSES. CHECKED PURGED PERMIT B008742 WHICH C ALLS FOR ONE FAMILY PER APPLICANT. NO TIME TO WRITE NOTICE. POP-UP 4/6/01(DP/SCJ)

**4/9/01-LAND AREA 15,700 S Q FT. ZONING IS D.R.5.5. BCZR 1B02.3.C.1 DEMANDS 6,000 S Q FT FOR EACH DWELLING IN D.R.5.5. FILE FOR PUBLIC HEARING F OR SETBACK VARIANCES. COPY TO COMPLAINANT. POP-UP 5/10/01. (DP/SCJ) **4/23/01-RECEIVED INFORMATI ON THAT OWNER DID TRY FOR A ZONING VARIANCE. I SERVED LETTER TO CEASE THE USE OF THE BRICK BUILDING FOR A RESIDENCE. WILL MAIL COPY TO COMPLAINANT. POP-UP 5/25/01. (DP/SCJ)

**4/26/01-LETTER DATED 4/25 IN FIL

E TO OWNER. MR WARNER HAS ALREADY GONE THE VARIANCE PETITION ROUTE AND LOST AT BOARD OF APPEALS. 1/11/90 LETTER GIVES 30 DAYS TO: (1) VACATE BRICK BUILDING, (2) DEMANDING ADMITTAN CE TO IT TO ENSURE THAT ALL KITCHEN AND SANITARY FACILITIES ARE "REMOVED EXCEPT HAND SINK". (DP/SCJ)

GO TO NEXT PAGE

05/24/01 TIM CARVEL CALLED TO SAY HE WAS HANDLING "ZONING VA RIANCE" FOR MR. WARNER. HE LEFT 2 PHONE NUMBERS TO CALL HIM. I LEFT A MESSAGE AT BOTH NUMBERS. 410-903-6771 & 410-477-67 DP/JF**. **05/29/01

45,G-13 NO ANSWER AT EITHER BLDG., NO EVIDENCE OF HABITAT ION BUT, NO ADMITTANCE TO "SHED".WILL ISSUE CITATION BASED ON NON-COMPLIANCE WITH ZONING COMMISSIONER'S ORDER. COPY OF CITATION TO COMPLAINANT. DP/JF**. **6/4/01-CITATION SENT BY CERTIFIED MAIL TO ORAN WARNER AT VIOLATION ADD RESS. (DP/SCJ)

**06/04/01 REQUESTED CERTIFIED M
ALL SERVICE OF CITATION. DP/JF**. **06/18/01 C

ASE CLOSED 6/08/01 BY INSPECTOR D.PROPALIS. PC/JF**.

06/20/01 D. PROPLAIS ON 6/8/01 INSPECTED INTERIOR OF SHED. NO OCCUPANCY; IN COMPLIANCE WITH ZONING HEARING. CI TATION DISMISSED. COMPLAINANT COPIED. CASE CLOSED. DP/JF.

C DE ENF	O MENT REPO	F N.C.F
DATE: '/ / 3 / 0/ INTAKE BY:		· · · · · · · · · · · · · · · · · · ·
COMPLAINT 75 09 TROG		
		CODE: 2 (2 (9) DIST:
COMPLAINANT John, Osla. OF		
ADDRESS:		ZIP CODE:
PROBLEM: 1 LIVINGIN	Shed	
IS THIS A RENTAL UNIT? YES IF YES, IS THIS SECTION 8? YES OWNER/TENANT INFORMATION:		
TAX ACCOUNT #: Cher in cong. 15-00	7-650140	ZONING:
INSPECTION:		
	/	
REINSPECTION:		
REINSPECTION:		
•		
REINSPECTION:		

Date:	4/26/01
Time:	9 (a.m.) p.m.
Inspector:	$\mathcal{D}\mathcal{P}$
Case Number:	1-1518
Address:	-01-1518
Comments:	vetter dated 4/25 in file to owner
Mr. Warrer	has already gave the variance petition route and and Appeals 1/11/90 letter gives 30 days
to a vaca	to have back hulding 2) domadice ad-
mittances to	it to ensure all Kitchen and sanitary facilities
are " remo	red except hand sink.

	,
	<u> </u>
	() \

ENTERED INTO AS400

Date:	6/4					
Time:		a.m.	p.m.			
Inspector:	D+		· 16 11111			
Case Number:	0/-/5	18				
Address:	01-15 7509	In	190015			
			•		-/	. 0
Comments:	Beg vus m	ted	certi	Fred ma	ul sen	11ce of
					P/0 6	
				,		
						
				,		
	<u> </u>					
						
					<u> </u>	

ENTERED INTO AS400 44

Date: _	5/24/01	_	
Time: _	a.m. p.	m.	
Inspector: _	DP	-	
Case Numbe	er: <u>01-1518</u> <u>7509 Trog</u>		
Address:		0013	
Comments:	Tim Carvel Zoning Variance" ne numbers to cae numbers 410 9	1 called to say	he was
handling	Zoning Variance"	for Mr. Warner	He lest
2 phon	ne numbers to cal	Chim I lesta	nersage
at both	numbers 4/0 9	03 677/ + 4/0	477-677
		,	
J. 1885			

ENTERED INTO AS400 (15/15/

Date: $4/23/07$ Time: 4 a.m. p.m
Case Number: 0/ 15/8 Address: 7509 Iraquais Ave
Comments: received into that owner did try for a
I soved letter to cease theure of the brick bldg for a residence will mail copy to
compl. P/U 5/25
,

RA1001B

DATE: 04/03/2001 STANDARD ASSESSMENT INQUIRY (1)

TIME: 13:44:17

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC
5 09 650140 15 3-2 34-00 H NO 01/08/01
WARNER ORAN T DESC-1.. IMPS

DESC-1.. IMPS DESC-2.. LODGE FOREST

AVE PREMISE. 07509 IROQUOIS 7509 IROQUOIS AVE 00000-0000

						0000	30-0000
BALTIM	ORE	MD 2	1219-2123	FORMER OWNE	ER: WARNER	ORAN T	
	FCV -			PHASEI	D IN		
	PRIOR	PROPOSED		CURR	CURR	PRIOR	
LAND:	83,420	83,420		FCV	ASSESS	ASSESS	
IMPV:	138,560	139,680	TOTAL	222,726	222,726	88,940	
TOTL:	221,980	223,100	PREF	0	0	0	
PREF:	0	0	CURT	222,726	222,726	88,940	
CURT:	221,980	223,100	EXEMPT.		0	0	
DATE:	10/96	06/99					
T	AXABLE BAS	SIS	FM DATE				
01/02	ASSESS:	222,726	09/30/00				
00/01	ASSESS:	88,940	06/01/00				
99/00	ASSESS:	88,790	06/04/99				

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

PLOT PLAN
OWNER CANAL CONTRACTOR NO.
ADDRESS 7509 Trosani Sin
PLEASE SHOW BELOW: (
- property line dimensions and easements.
 existing buildings. existing well/septic. (show distance to nearest structure)
- road names and location of alleys if your property is in a tidal or riverine flood area,
indicate elevation of lowest floor of proposed work. - the proposed work and the setback distances to the proposed
work.
Front yard setback Left side setback
Rear yard setback Right side setback
NOTE: 1. If a fence is to be closer than 2 feet to any existing fence or wall, adequate access must be provided for maintenance
Cannot fence access easements.
DWELLING
DWELLING
(front) (10) 1/2

. I grade
OIL KE TELL
-CAN NAME ILLOSUON: +hill
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \

Å

B

ċ



Baltim ounty
Department of Permits and
Development Management

Code Inspections and forcement County Office Buila 111 West Chesapeake Avenue Towson, MD 21204

Code Enforcement: Building Inspection:

.410-887-3351 410-887-3953

Plumbing Inspection: Electrical Inspection: 410-887-3620 410-887-3960

AGENOY

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No	518	Property No.	65	0140	Zoning: DR 5.3
Name(s):	0	ran U)a rra		
Address:	7509.	Irogue	215	hve Bali	L M2219
Violation Location:	LAWFULL	Y VIOLATE TH	HE FOLI	OWING BALTIN	MORE COUNTY LAWS:
	0+0		יון מט		
101	102.	1 180	117		4.30
100	r lan	darea	has	15,700	Eg.ft., solti
<u>cient</u> BUT	land the	for 2		parate	churlings.
regain	e men	/	cen	,);	Have an
appT by	COCH	ection	dote	zoning i	14 (14 11 6 6)
		· · · · · · · · · · · · · · · · · · ·	<u>_, _, , , , , , , , , , , , , , , , , ,</u>		
	BY ORDERI	ED TO CORREC	T THESE	VIOLATION(S) ON	OR BEFORE:
On or Before:	5/9/ OMPLY WIT	/ // TH THE DEADL	INE STA	TED IS A MISDEN	901 MEANOR. A CONVICTION FO
EACH VIOLAT	ION SUBJEC	CTS YOU TO P	OTENTI/		, \$500, OR \$1000 PER DAY, PE
	erek	tropal	15		relis
PURSUANT TO) INSDECTI			K NOTICE	YOU SHALL CEASE ALL WOR
UNTIL THE V	OLATIONS 1 THE APPR	ARE CORRECT	TED AND	O/OR PROPER PE N OF CODE INSPI	RMITS OBTAINED WORK CA
Not Later Than:	TIONS MUS	ST BE CORRECT	TED NOT	Date Issued:	
					-



Code Inspections and Enforcement County Office. ding 111 West Chesapeake Avenue Towson, MD 21204

Code Enforcement: Building Inspection: 410-887-3351 410-887-3953 Plumbing Inspection: Electrical Inspection: 410-887-3620 410-887-3960

AGENCY

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION SERVE ON RESIDENT AGENT CORPORATE OFFICER OWNER TENANT, AS APPLICABLE

			ORATE OFFICER,	JWINER, IENA	NI, AS APPLICABLE
Citation/Co	5/8	Property No. 1509	65014	40	Zoning:
Name(s):	on	an wh	rner		
Address:	7509	Trogue	is Ave R	Balto	MD 21219
Violation Location:	SA	ME			
					NAMED PERSON(S) DID AWS OR REGULATIONS:
F9/1	fore to	comply itting s	/ /	89-c vspec;	768-A by
	ssed, as a resu	ltimore County C t of the violation			6000
		been pre-schedul ue, Towson, Mary			ne: 9 AM
Citation mus	t be served by		· · · · · · · ·	Da	ite: 10/15/01
		ffirm, under the p	ormation, and b		ontents stated above are true
5/3	1/01 I	spector's Signatu	ul II	ropae	li s
S		SIDE FOR ADD			INFORMATION END
Print Name:					Citation/Case No.:
Address:					
Date	D	efendant's Signat	ure		

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs. Orgn /	Jarnes			, Defendant
Hearing Date 7/17/0/ Issued Date 5/3	,	Expiration Dat	. 6//3	_, Delendant
REQUEST FOR	R SERVICE			
Please serve the attached process on the person shown.				
ORDER FOR	SERVICE			
You are hereby commanded to serve the attached process and to rare unable to serve, you are to make your return on this Order and the termination of the validity of the process.	make your return return the origina	promptly on thi	s Order if serve er than the last	ed, and if you day following
PROOF OF S	ERVICE			
I hereby CERTIFY that:				
A Citation and all other papers filed with it were served by res	tricted delivery n	nail, return card :	attached.	
A Citation and all other papers filed with it were served by per				
· · · · · · · · · · · · · · · · · · ·		-	Name	·
Title Da	**	_, at		a.m./p.m.
1.11.0	ate		Time	
Description of defendant: Race Sex	F	leight		
WeightAgeOth	er			
The premises at				were posted.
I was unable to serve because 5/3/ no answe	c in/1	4, 4, 4		were posted.
the answer	$\gamma = 0/1/n$	o gno wes		
I solemniy affirm under the penalties of perjury that the contents of information, and belief, and do further affirm that I am a competent Signature Address	of the foregoing person over 18 y	paper are true to years of age and Title	not a party to the	y knowledge, ne case.
10/1/01		12 3.	5	a.m.io.m

Time

/ Date



Code Inspections and Enforcement County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmenforce@co.ba.md.us pdminspect@co.ba.md.us

April 25, 2001

Oran Warner 750° Iroguois Avenue Baltimore, Md. 21219

Re Case No. 01-1518, 7509 Iroquois Avenue

Dear Mr. Warner:

I issued you a correction notice April 9, 2001 advising you to file for zoning variances to permit two (2) dwellings on your land.

Information has come into my possession whereby you did petition for a zoning variance in 89-268-A. The petition was denied January 11, 1990.

Therefore within thirty (30) days of the date of this letter, you most cease the use of the brick building for habitation. To comply with your permits to construct your new house I demand admittance to the brick building to ensure that all kitchen and sanitary facilities are "removed except hand sink."

Your failure to comply will result in a citation at \$200 per day starting April 9,2001.

If you have any questions I can be reached at 410-887-3352.

Sincerely,

Derek J. Propalis
Code Inspections &
Enforcement Officer

DP/kp

01-1518

Baltimore County, Maryland Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, Maryland 21204 887-3353

IN THE MATTER OF	* BEFORE THE CODE OFFICIAL
Oran Warner	* OF BALTIMORE COUNTY *
Case No. 8/-15/8	* VIOLATION ADDRESS * 7509 Iroquois Au * * * * * * * * * * * * * * * * * * *
TO THE DIRECTOR.	<u>NOITC</u>
Please dismiss the above entitled	matter scheduled for hearing on
open inspecting in found the property of	for the following reason(s). terior of shed, I to be in compliance
	Signed: Signed: Inspector Date: (a/8/01
Ma 18/10	

