IN RE: PETITION FOR VARIANCE E/S Glenwood Avenue, 160' S

Lavonia Place

1st Election District

1st Councilmanic District

(21 Glenwood Avenue)

Linda and Stephen Amos Petitioners * BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-024-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 owners of the subject property, Linda and Stephen Amos. The Petitioners are requesting a special hearing for property they own at 21 Glenwood Avenue. The subject property is zoned D.R. 5.5. The special hearing request is from Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a 3-apartment dwelling on a 40 ft. wide lot.

Appearing at the hearing on behalf of the special hearing request were Linda and Stephen Amos, owners of the property and Scott Dallas, the property line surveyor who prepared the site plan of the property. There were no others in attendance.

Testimony and evidence indicated that Mr. and Mrs. Amos own a 3-apartment dwelling located at 21 Glenwood Avenue. The subject property is improved with a very large dwelling which contains a small apartment on each of its 3 floors. The uncontradicted testimony and evidence offered at the hearing demonstrated that the subject dwelling has been utilized as a 3-apartment building since prior to 1945. The 3-apartment use has been open and continuous since 1945 and uninterrupted up unto the present date.

The Petitioners request has been reviewed by the Office of Planning who supports the Petitioners' request for a 3-apartment dwelling unit and has recommended approval.

SECTION TO THE FIRE

Furthermore, no one attended the hearing in opposition to the Petitioners' request and no testimony was offered to contradict the testimony presented by the Petitioners. Accordingly, the special hearing request to approve a 3-apartment dwelling on a 40 ft. wide lot shall be approved.

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 January 1, 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;
- (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.

Pursuant to the advertisement, posting of the property and public hearing held on the petition and for the reasons given above, the special hearing request should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17 day of September, 2001, that the Special Hearing Request to approve a 3-apartment dwelling on a 40 ft. wide lot, be and is hereby APPROVED.

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

ON THE SECTION OF THE

IN THE MATTER OF
THE APPLICATIONS OF
LINDA AND STEPHEN AMOS -LEGAL
OWNERS FOR VARIANCE AND SPECIAL
HEARING ON PROPERTIES LOCATED
ON THE E/S GLENWOOD AVENUE, 120'
AND 160'S OF C/L LAVONIA PLACE
23 GLENWOOD AVENUE AND
21 GLENWOOD AVENUE

IST ELECTION DISTRCIT
IST COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

CASE NO. 02-023-A AND CASE NO. 02-024-SPH

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of appeals filed by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, from a decision of the Deputy Zoning Commissioner dated September 17, 2001 in which the subject Petition for Variance was granted with restrictions (Case No. 02-023-A); and from a decision of the Deputy Zoning Commissioner dated September 17, 2001 in which the subject Petition for Special Hearing was approved (Case No. 02-024-SPH).

WHEREAS, the Board is in receipt of a letter of withdrawal of appeals filed November 5, 2001 by the Office of People's Counsel for Baltimore County, Appellant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeals taken in these matters be withdrawn and dismissed as of November 5, 2001,

IT IS ORDERED this 8th day of November, 2001 by the County Board of Appeals of Baltimore County that the appeals taken in Case No. 02-023-A and Case No. 02-024-SPH be and the same are hereby DISMISSED.

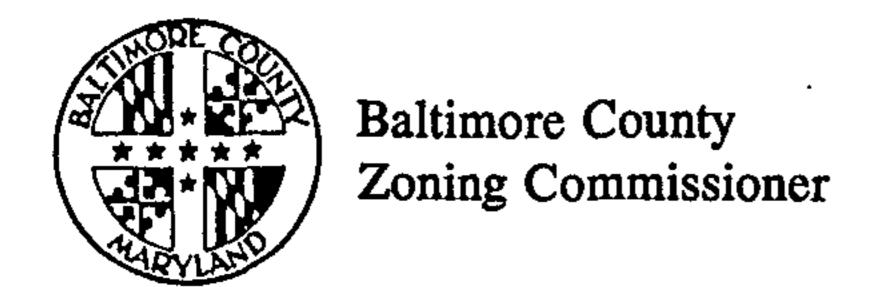
COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Lawrence S. Wescott, Chairman

Munch Mittellight 1

Melissa Moyer Adams

C. Lynn Barranger



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

Fax: 410-887-3468

September 17, 2001

Mr. & Mrs. Stephen Amos 110 Mellor Avenue Baltimore, Maryland 21228

> Re: Petition for Special Hearing Case No. 02-024-SPH

Property: 21 Glenwood Avenue

Dear Mr. & Mrs. Amos:

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,

Lunthy lotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

c: J. Scott Dallas

J. S. Dallas, Inc.

13523 Long Green Pike

Baldwin, MD 21013



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

fo	r the	property	located at	#	21 Glenwo	ood	Ave	enue	· . '.	
1			which is	pre	sently zoned	D.	R.	5.5	· · · · · · · · · · · · · · · · · · ·	 -
										┿

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 an existing non-conforming

- apartment dwelling on a 40 foot wide lot.

Property is to be posted and advertised as prescribed by the

mtrant Demokasant	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.
ntract Purchaser/Lessee.	Legal Owner(s):
	Stephen Amos
ne - Type or, Print	The state of the s
	Name - Type or Print
nature	Signature
Iress	Linda Amos
Telephone No.	Name - Type or Brint
State . Zin Code	Signature Ce Can
State Zip Code torney For Petitioner:	U.S. IORATO
TITES I VIII VIII VIII VIII VIII VIII VIII	110 Mellor Avenue (410-788-7557)
	Address
ne - Type or Print	Baltimore MD 21228
——————————————————————————————————————	Zip Code
nature	Representative to be Contacted:
npany	J. Scott Dallas (J.S. Dallas, In
	Name P. O. Box 26
ress	13323 Long Green Pike 1410_817_440
Telephone No.	Address Telephone No.
State Zip Code	Baldwin MD 21013
3	State Zip Code
}	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
se No. 02 - 024 - SPH	UNAVAILABLE FOR HEARING

J. S. DALLAS, IIC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE P.O. BOX 26 BALDWIN, MD 21013 (410) 817-4600 FAX (410) 817-4602

ZONING DESCRIPTION FOR #21 GLENWOOD AVENUE

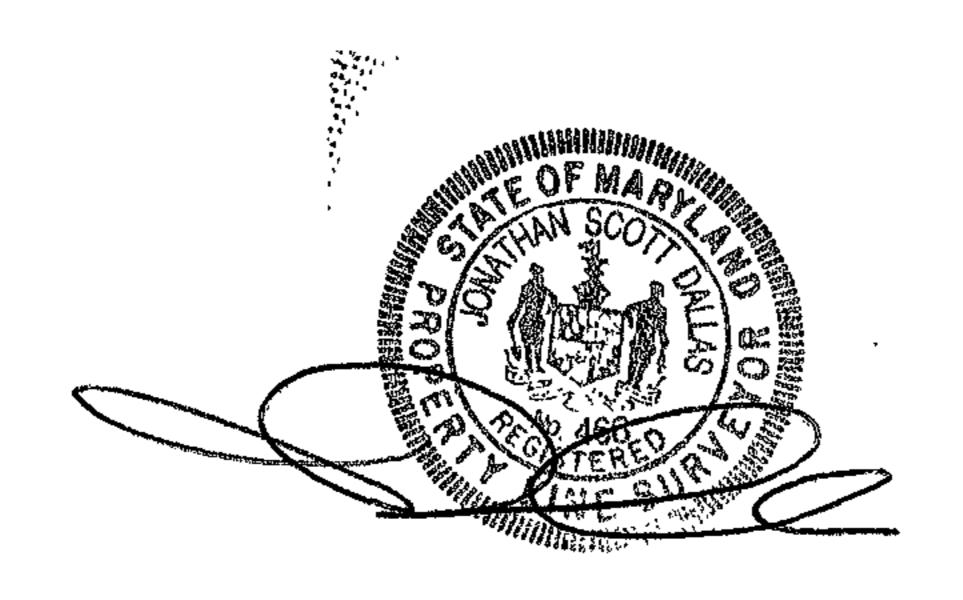
BEGINNING at a point on the east side of Glenwood Avenue, 50 feet wide, at the distance of 160 feet south of the extension of the south side of Lavonia Place, which is 50 feet wide.

BEING Lot 21, Block 11, **"EAST CATONSVILLE"** as recorded in Baltimore County Plat Book No.1 Folio 215.

CONTAINING 3,761 square feet of land, more or less or **0.0863** acres of land, more or less.

ALSO known as # 21 Glenwood Avenue and located in the 1st Election District 1st Councilmanic District.

Note: above description is based on existing record plat and is for zoning purposes only.



HOTICE OF ZOLING

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: #02-024-SPH
21 Glenwood Avenue
21 Glenwood Avenue
ES Glenwood Avenue
160'S
Lavonia Place
1st Election District
1st Councilmanic District
1st Councilmanic District
Legal Owner(s): Linda &
Stephen Amos
Special Hearing: to allow
an existing non-conforming
3 – apartment dwelling on a
40 foot wide lot.
Hearing: Thursday. September 6, 2001 at 10:00
a.m. in Room 407, County
Courts Building, 401 Bosley Avenue.

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-

LAWRENCE E. SCHMIDT

3391. 8/239 Aug. 23

C489036

CERTIFICATE OF PUBLICATION

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23
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on Ξ once in each the following weekly newspaper published in Baltimore County, Md., I'HIS IS TO CERTIFY, that the annexed advertisement was published \sim successive weeks, the first publication appearing

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

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	4002	I PAY	PAID R	ECEIPT ACTUAL	3° Y idr	Section .
DATE 7-16-01 ACCOUNT 00	1-006-0	6150	(1) (種) 場 (2) (正)	OZ CASI IPT II 175	7/16/2001 HER (MAT (1696	11ME 09:56:15 3MJ DYAMER	OF LN
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FROM: Chancer Mennes # 2/ Glenwich Aver FOR: Special Hearing		134: JAF		Tallino	e County,		
					•	,	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER				CAS	HIER'S VAL	IDATION	

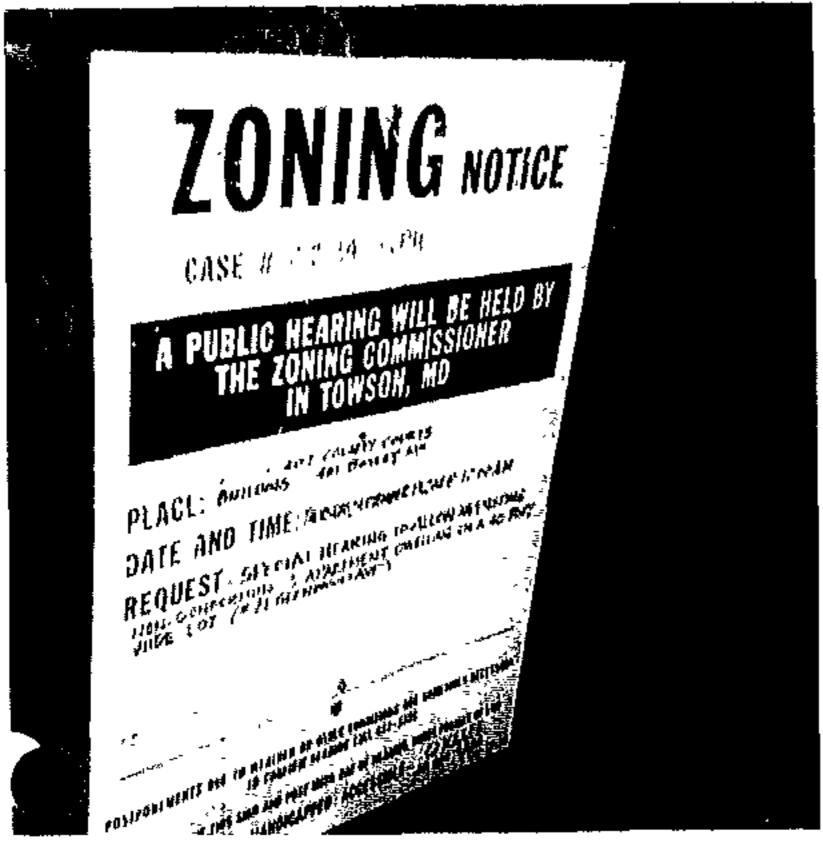
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CERTIFICATE OF POSTING

JM3

"	E: Case No.: 07-07	4314
•	Petitioner/Developer: A	MOS, ETAL
	Date of Hearing/Closing	9/13/01
Baltimore County Department of Permits and Development Management County Office Building, Room III 111 West Chesapeake Avenue Towson, MD 21204		
Attention: Ms. Gwendolyn Stephens/MR. GEORGE	ZAHNER	-
Ladies and Gentlemen:		
This letter is to certify under the penalties of perjury were posted conspicuously on the property located	that the necessary sign(s) real #21-GLENWOOD	equired by law
	<u></u>	
The sign(s) were posted on (Mo	nth, Day, Year)	



02.024.384 421.461544469 9/13/81 Sincerely,

(Signature of Sign Poster and Date)

Patrick M. O'Keele

(Printed Name)

523 Penny Lane (Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

905-8571

[410] 666-5366

Pager (410) 646-88

(Telephone Number)

APPEAL SIGN POSTING REQUEST

CASE NO. 02-024-SPH

LINDA & STEPHEN AMOS -Legal Owners

E/s Glenwood Avenue, 160' S of c/l Lavonia Place (21 Glenwood Avenue)

1st Election District

Appealed: 9/28/01

Attachment – (Plan to accompany Petition - Petitioner's Exhibit No.1)

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals 400 Washington Avenue, Room 49 Towson, Maryland 21204

Attention: Kathleen Bianco

Administrator

RE: Case No. 02-024-5PH
Petitioner/Developer:

Stephen & Jenda amos

This is to certify that the necessary appeal sign(s) was posted conspicuously on

property located at 21 Glenwood Que.

The sign(s) was posted on 10/31 _____, 2001

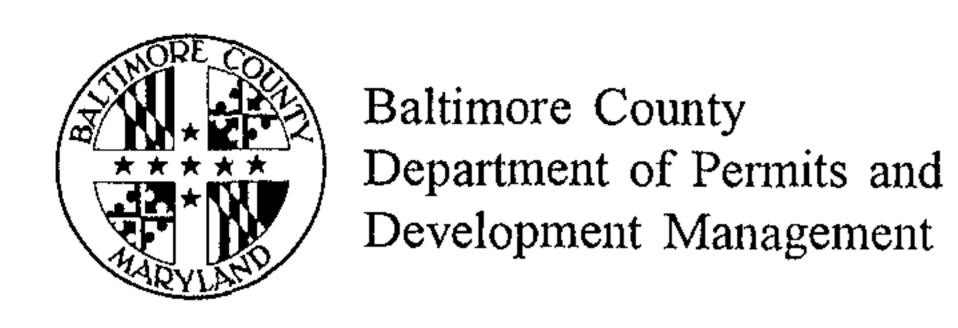
By Hung & Slend
(Signature of Sign Poster)

GARY C. FREUND

(Printed Name)

01 NOW 19 PER 3

41 E2



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

Fax: 410-887-5708

August 13, 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: 02-024-SPH
21 Glenwood Avenue
E/S Glenwood Avenue, 160' S Lavonia Place
1st Election District — 1st Councilmanic District
Legal Owners: Linda & Stephen Amos

Special Hearing to allow an existing non-conforming 3 – apartment dwelling on a 40 foot wide lot.

HEARING: Thursday, September 13, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

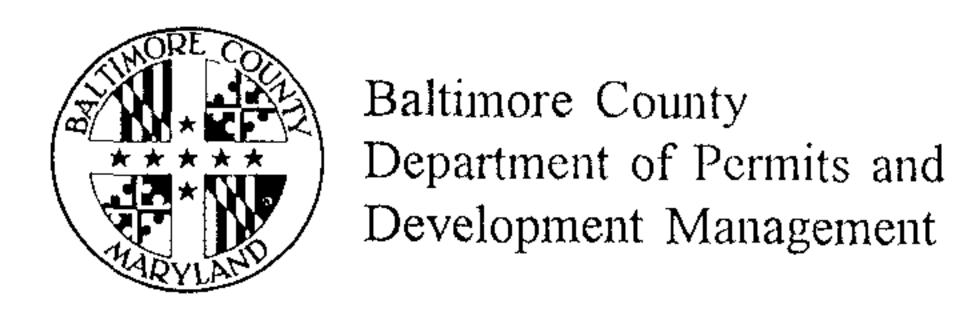
Arnold Jablon 60乙 Director

C: Linda & Stephen Amos, 110 Mellor Avenue, Baltimore 21228 J. Scott Dallas, 13523 Long Green Pike, Baldwin 21013

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, AUGUST 27, 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.



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

September 7, 2001

Linda & Steve Amos 110 Mellor Avenue Baltimore MD 21228

Dear Mr. & Mrs. Amos:

RE: Case Number: 02-024-SPH, # 21 Glenwood Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 16, 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. Gかて Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: J. Scott Dallas, 13523 Long Green Pike, Baldwin 21013 People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 6, 2001

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SEP 13.4

SUBJECT:

Zoning Advisory Committee Meeting

For August 13, 2001

Item No. 024.

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

The issue of adequate on-site parking shall be addressed.

RWB:HJO:jrb

cc: File

Junt 9/13

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

SUBJECT:

21/23 Glenwood Avenue

INFORMATION:

Item Number:

02-023 & 02-024

Petitioner:

Stephen Amos

Zoning:

DR 5.5

Requested Action:

Special Hearing

Amended Comment

The Office of Planning has received additional information from the applicant's representative, Scott Dallas. Based upon this information, staff revises its previous comment and recommends approval conditioned upon the following:

- 1) Provide a greater degree of articulation at the front door area (Mr. Dallas has indicated a front porch will be added to the front elevation); and
- 2) Narrow the width of the parking pad to accommodate only one car.

Section Chief: () fry 17 -

AFK:JL

SEP 1 1 2001

DATE: September 11, 2001

Jan 3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 21, 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

21 Glenwood Avenue

INFORMATION:

Item Number:

02-024

Petitioner:

Stephen Amos

Zoning:

DR 5.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit an existing 3-apartment dwelling on a 40 foot wide lot providing the adjacent lot (lot 22)—which is under common ownership and listed under the same tax account number—is reviewed and considered in concert with the subject lot.

Prepared by:

Section Chief:

AFK:MAC:



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

August 14, 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: 024 - Linda & Stephen Amos

Location: DISTRIBUTION MEETING OF August 6, 2001

Item No.: 024

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.

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



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 8.10.01

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

RE:

Baltimore County

Item No. 024

JRF

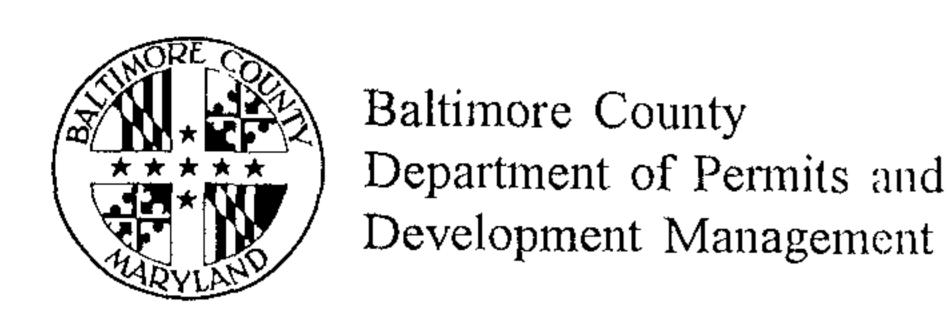
Dear. Ms. Jackson:

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,

1. J. Hardh 1~ Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



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

October 16, 2001

J. Scott Dallas J. S. Dallas, Inc. 13523 Long Green Pike Baldwin MD 21013

Dear Mr. Dallas:

RE: Case No. 02-024-SPH, Address 21 Glenwood Avenue

Please be advised that an appeal of the above-referenced case was filed in this office on September 28, 2001 by Peter M. Zimmerman, Office of People's Counsel, Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

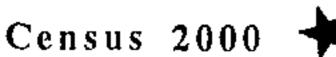
Arnold Jablon GDZ

Director

AJ: gdz

c: Linda & Stephen Amos, 110 Mellor Avenue, Baltimore 21228 People's Counsel

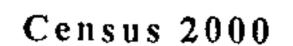


















OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

September 28, 2001

Deputy People's Counsel

PETER MAX ZIMMERMAN People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR VARIANCES

23 Glenwood Avenue, E/S Glenwood Ave,

120' S of c/l Lavonia Pl,

1st Election District, 1st Councilmanic

Stephen & Linda Amos, Petitioners

Case No.: 02-23-A

PETITION FOR SPECIAL HEARING

21 Glenwood Avenue, E/S Glenwood Ave,

160' S of c/l Lavonia Pl,

1st Election District, 1st Councilmanic

Stephen & Linda Amos, Petitioners

Case No.: 02-24-SPH

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated September 17, 2001 of the Baltimore County Deputy Zoning Commissioner in **both** of the above-entitled cases.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

DECEIVED SEP 28 2001 By GD Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

Peter Max Zeimmerman

Carole S. Demilio

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf

cc: Stephen & Linda Amos, 110 Mellor Avenue, Baltimore, MD 21228, Petitioners
J. Scott Dallas, J.S. Dallas, Inc., 13523 Long Green Pike, P.O. Box 26, Baldwin, MD 21013,

Representative for Petitioner



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN People's Counsel November 5, 2001

Deputy People's Counsel

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in

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S

Lawrence S. Wescott, Esq., Chairman County Board of Appeals of Baltimore County 401 Washington Avenue, Room 49 Towson, MD 21204

Hand-delivered

Re: Petitions for Special Hearing and for Variance

21 & 23 Glenwood Avenue

1st Election District, 1st Councilmanic Stephen & Linda Amos, Petitioners

Case Nos.: 02-23-A and 02-24-SPH

Dear Mr. Wescott:

Please withdraw the appeals filed by People's Counsel in the above-captioned cases. Upon further review of all the matters it does not appear the appeals are in the public interest.

Very truly yours,

Do Max Commann

Peter Max Zimmerman

People's Counsel for Baltimore County

Carlo Silon Ci

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf Enclosure

cc: J. Scott Dallas, J.S. Dallas, Inc., 13523 Long Green Pike, P.O. Box 26, Baldwin, MD 21013, Representative for Petitioners

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

Sharon J. Miller
AFFIANT (Handwritten Signature)
SHARON L. MILLER
AFFIANT (Printed Name)
I have personal knowledge that the home located at
21 Glenwood Avenue Catonsville, Maryland, 21228
(Address)
has been occupied as a three, etc.) apartment dwelling since
(month) (year). I also have personal knowledge that all
apartments within the dwelling have been occupied as such continuously
and without interruption of more than one (1) year during any one period
since
I was born, and raised on therwood are west
of Danniel and thought on the
of knowledge though my mother and growing up it's been apartments plus I've level at 24 Ylener STATE OF HARYLAND. COUNTY OF HOWARD for 30 years
to be seen opanimenta plus me level cet a 4 Denter
THE TAX THE WITH ADDITE OF WOUTH THOUGH TO MILE
I HEREBY CERTIPY, this With day of January and, a notary Public of the State of Maryland in and for the County afore-
"" " " " " P " P " P " P " P " N II D N II D D D D D D D D D D D D D D
and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.
AS WITHESS my hand and Notarial Seal.
Teonard A. Monis
NOTARY PUBLIC
My Commission Expires: 2/1/02

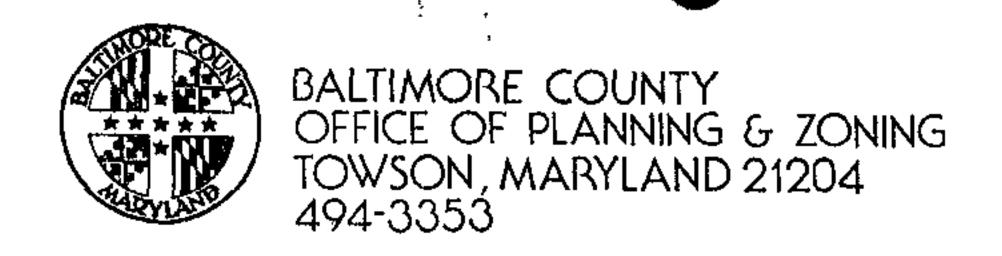
January 03,2001

To whom it may concern,

I, Sharon L. Miller, to the best of my knowledge remember that the house at 21Glenwood Ave. has always been apartments. My parents moved here in their house on Glenwood Ave. in 1947, when their house was built, and completed. I was born their in 1948, and as far as my memory of 21 Glenwood Ave. its been apartments. I talked to my mother and brother, they say the same. I was married in 1968, and moved an apartment in Catonsville. Then I moved back to Glenwood Ave. in house number 24 in 1970, and rented for 1 year. Bought the property in March of 1971. I will be living at 24 Glenwood Ave. for 30 years in March of 2001.

Thank you,

Sharon L. Miller Sharon L. Muller



ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

July 26, 1985

Mr. James A. Sapia, Jr. Associate Broker
Martin and Gary
Catonsville Professional Center
405 Frederick Road
Baltimore, Maryland 21228

RE: Conditional Acceptance of Alleged Nonconforming Use 21 Glenwood Avenue -First Election District

Dear Mr. Sapia:

Based upon your recent letter and attached Affidavit verifying that the subject property has been utilized continuously as a three-apartment dwelling since prior to our recent letters of July 6 and October 3, 1984 (copies enclosed), this office conditionally accepts the above-referenced property/use as nonconforming as indicated previously. Said acceptance is subject to the conditions stated in the letter of July 6, 1984.

Sincerely,

ARNOLD JABLON

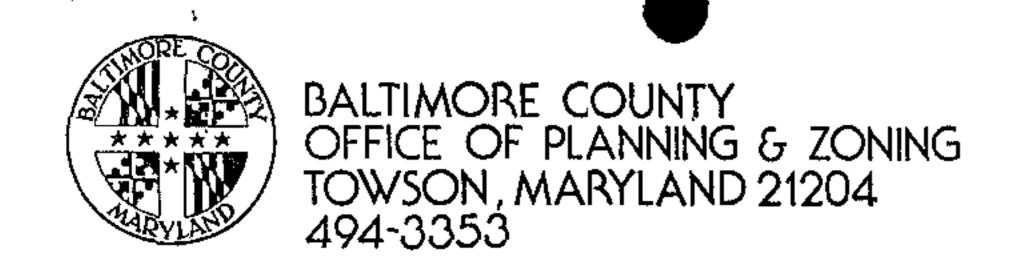
Zoning Commissioner

AJ:JED:NBC:nr Enclosures

cc: Mr. James E. Dyer

Zoning Supervisor

Chron. File



ARNOLD JABLON ZONING COMMISSIONER

October 3, 1984

Mr. Lloyd George Cox Rt. 2, Box 217 Lake Drive Leonardtown, Maryland '20650

> RE: 21 Glenwood Avenue lst Election District

Dear Mr. Cox:

In order to expedite your request regarding the subject property, I am enclosing a copy of our approval letter of July 6, 1984.

There is no challenge on file in this office regarding this particular property being utilized as a three-apartment dwelling. Therefore, our previous approval is still valid.

If you have any further questions regarding this matter, please feel free to contact this office.

Sincerely,

ARNOLD JABLON

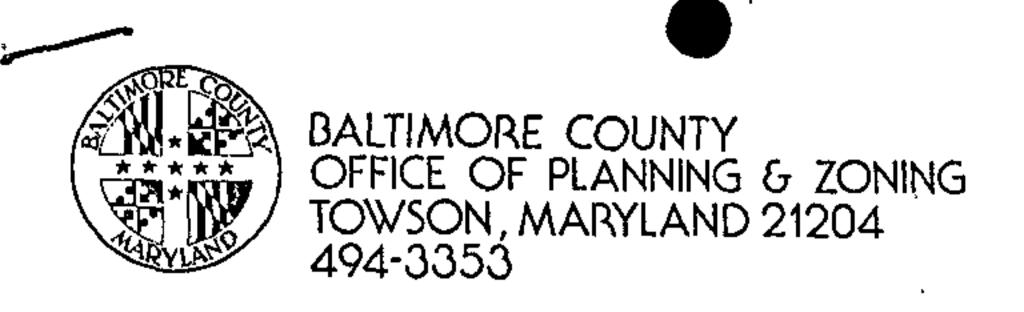
Zoning Commissioner

AJ:JED:nr

Enclosure

cc: Mr. James E. Dyer

Zoning Supervisor (-494-3395



ARNOLD JABLON ZONING COMMISSIONER

July 6, 1984

Mr. Lloyd G. Cox Rt. 2, 217 Lake Drive Leonardtown, Maryland 20650

RE: Conditional Acceptance of Alleged Nonconforming Use 21 Glenwood Avenue - 1st Election District

Dear Mr. Cox:

Based upon the Notarized Affidavit signed by Bernadine Weglein and copy of letter dated October 21, 1944 with attached settlement sheet prepared by James D. C. Downes, Attorney at Law, this office conditionally accepts the above-referenced property/use, zoned Density, Residential (D.R.5.5), as having a nonconforming use status for a three-apartment dwelling. Said acceptance is subject, however, to the following conditions:

- 1. It is understood by all concerned that this acceptance does not establish an irrefutable presumption of a legal nonconforming use status for this property.
- 2. This decision is based upon the understanding that the use in question presently exists and the Notarized Affidavit and letter with attached settlement sheet establish a reasonable basis to permit a continuance of the use pending a challenge by any interested citizen of this conditional acceptance.
- In the event of a challenge, this approval is automatically rescinded and, to be reestablished, a public hearing would be required.
- 4. In the event of a challenge, the burden of proof is entirely upon the owner of the property in question.

Sincerely,

ARNOLD JABLON

Zoning Commissioner

AJ:JED:nr

Lloyd G. Cox Rt.#2, 217 Lake Dr., Leonardtown, Md. 20650

The Zoning Commissioner of Baltimore Mr. Arnold Jabcon

Dear Sir,

In accordance with your zoning code of 1950 (retro-active to 1945), we would like to exercise the Grandfather clause which permits the issurance of a permanent zoning exemption. My apartment located at 21 Glenwood Ave, Baltimore, Md. has been used continuously as a 3 unit apartment since before 1945. All the required legal documents are enclosed. I wish to request a permanent zoning exemption. Your co-operation in the matter will be greatly appreciated.

Sincerely yours,

Lloyd G. Cox

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify there to in the event that a public hearing is scheduled in the future with regard thereto;

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20 day of me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Connection of Satisfactorial County the affiant herein, personally known or satisfactorial continue of and facts hereinabove set forth are true and correct to the less of knowledge and belief.

AS WITNESS my hand and Notarial Seal

totary Public Silmune

PUBLIC

JAMES D. C. DOWNES ATTORNEY AT LAW RECKORD BUILDING TOWSON, MD. TELEPHONE TOWSON 1256 October 21, 1944 Mr. and Mrs. Carl J. Somazze 410 Ingleside Avenue Catonsville 28, Maryland Dear Mr. and Mrs. Somazze: All matters pertaining to the purchase by you of that simple property known as No. 21 Glenwood Avenue, Catonsville, from James Bourke Holtzner and wife have been consummated. Under and by virtue of this transaction, you are the owners as tenants by the entireties of a good and marketable fee simple title Taxes for 1944 and prior there to have been paid. Such portions of said property as lie in the bed of Glenwood Avenue are subject to the right of user on the part of the public thereover. This property is subject to the covenants, conditions and restrictions as contained in a deed from Robert Treat Paine, Jr. and Marie L. Paine, his wife, to Villiam O. MacGill dated January 31, 1899, and recorded among the Land Records of Baltimbre County in Liber N.B.M. No. 238, folio 73. I am enclosing herewith the following papers in connection with this transaction: (1) Copy of settlement sheet. Record ticket showing the recording of the deed from Mr. and Mrs. Holtzner to you. If at the end of sixty days you will forward this ticket to me, I will be happy to withdraw the original deed from record and forward it to you. Statement showing monies advanced by me for your account in this matter and my charge for services rendered. At your convenience you may forward to me your check covering this statement. Should there be any additional information which you desire in connection with this transaction, kindly advise me. Very truly yours,

SETTLEMENT BETWEEN JAMES BOURKE HOLTZNER AND WIFE AND CARL J. SOMAZZE AND VIFE

Re: Purchase of property No. 21 Glenwood Avenue, Catonsville Purchase price \$ 8,800.00 Adjustment of taxes paid in advance, 9/23/44 to 12/31/44 22.78 \$ 8,822.78 Deductions: Paid on account \$ 500.00 Adjustment of rent first floor apartment, Earl Oldershaw, tenant, from 9/23/44 to 10/1/44 10.50 Adjustment of rent second floor apartment, Margaret E. Noel, tenant, from 9/23/44 to 10/15/44 25,74 Adjustment of rent third floor apartment, Maude Kummer, tenant, from 9/23/44 to 9/26/44 2.50 1/2 of federal revenue stamps 4.95 1/2 of state revenue stamps 4,40 548.09

\$ 8,274.69

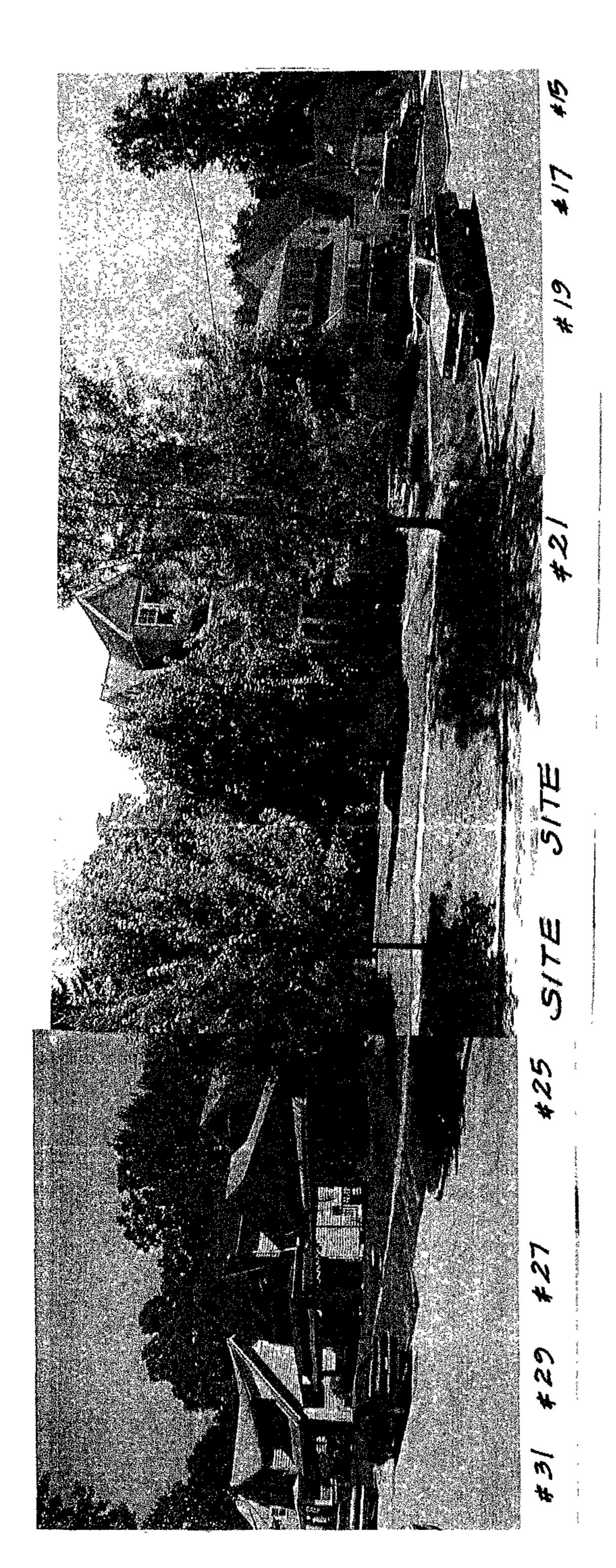
Balance due by purchasers

perch to the beginning. Containing and laid out for one siere more or less Being part of the land inherited by the said fermen B. Jackson front This father alexions Jackson who obtained the Lame of the Elistica Freklow and wife by deed bearing date the 14th day of July a. 19. 1878 and recorded during the Land Records of Battimore Bounty fin Tiber J. B. no 104 folio 57140. Together with the buildings and wife not mental thereunto lellonging or in anywire appertaining. To blave suit. to Hold the begunte for described land and premises with the appertenances thereunts belonging unto the said Elizabeth J. Brown her hers and assigno to her and their own proper use and therefor forever and the said James B. Jackson and annettie Jackson Unswife do hereby Covenant that they will tharrant specially that property hereby conveyed and that they will execute such further assurances as rufy whereof we herewito subscribe our names and off our seals on the day and year first hereinbefore written. Hamle B. Hackeon King (Dunettie () ackeon (sea) State of Maryland Saltimore Commity to wis: I hereby certify that on this 30 the day of aprice in the year uneted taludred and three beforethe the subscriber a Hustice of the Peace of the State of Manyland in and for Bal. Klinion Corbuty personally appeared Harries B. Jackson land autiti Jaskson his wife and each acknowledged the foregoing deld be their respective acr. Recorded may 4th and Examinate 11580 (Colvert J. Vaine for This deed made this lightly day. of While a.d. One thousand mik. Heed to Mundred and three between Wobert George Frederic Thusph great Vaine for and marie & Vaine his wife of the City of Boston Count of Suffock. leonywouvealth of Massachusetts flastie if the Heret Rant and George Gredbrick Knapp of Cleveland Oling parting of the second part. Witnesseth this the said parties of the first part in consideration of the stant of Twelve tundeld Hollage lawfue vironey of the Muited Efecter paid by the party of the second hart redulps whereif is hereby acknowled ged de hereby of sant, bargain, sell kul convey unto the said George Frederic Mapp his Keirs and assigns in fee sunfle

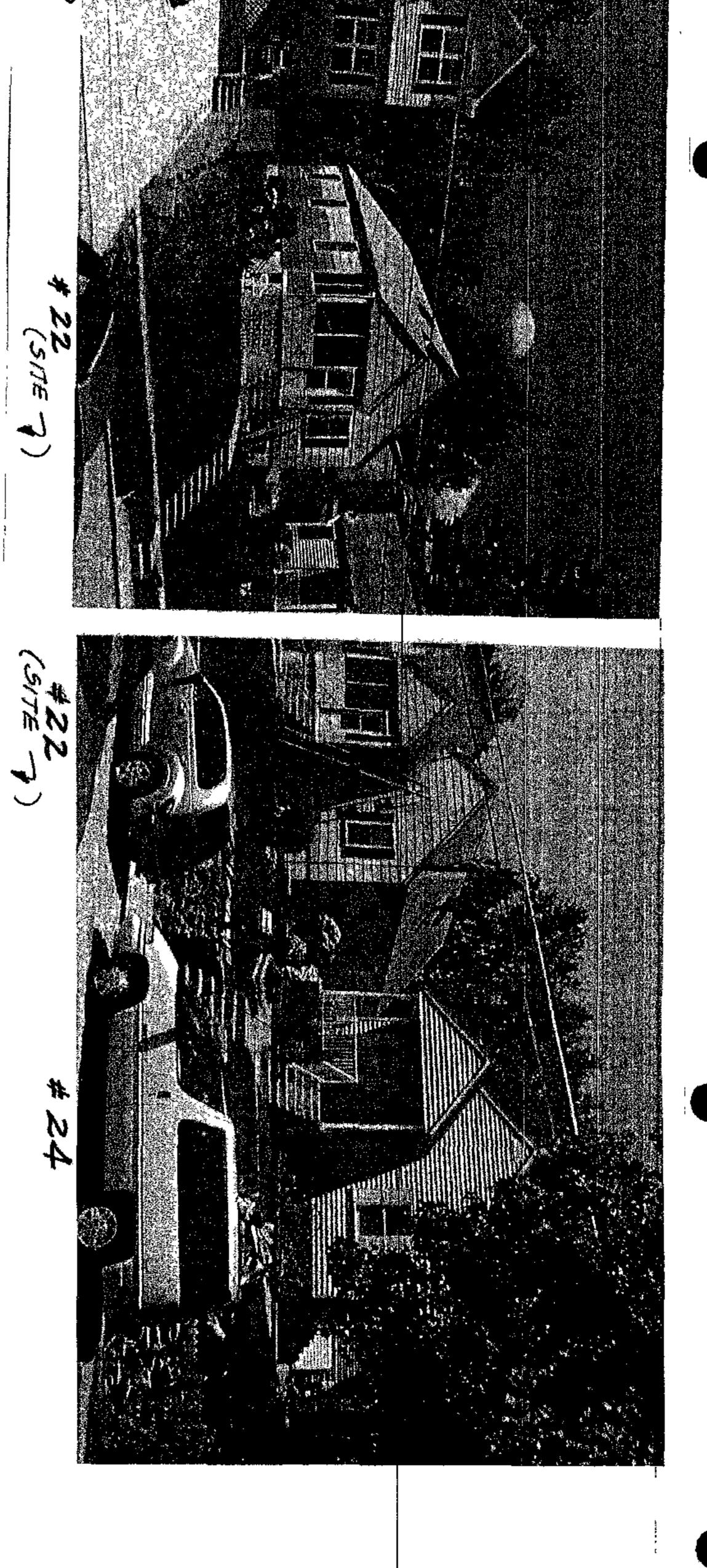
MacGill on Jan. 31, 1899 as returned in Settlement letter to Carl J. Soma zze dated Oct 21, 1944. See Liber N.B.M. No. 238, Folio 73.

subject to the trinitations and restrictions beremake named all that certain precen parcel of land situated in the bourty of Ballinian state of maryland and designated and known as Lote runblened forting the forty three forting for fronty five, (42, 43. 44. 45) in a certain I heart of clots carred Carl Carl Catonbrille surveyed by Thom as Hollanen surveyor as shown on the Olar thereof which is duly recorded among the records in the office of the blenk of the blenis bourtles Ballinon County in Olate Ille of Wid no, Follio 215 (said hold being a fran of that track of thind which Robert Amague Hale by Indenture blearing date the twenty fourth day of February 1894 and recorded in the office aforesaid his liby L. M. B. 210 Lolioss 4 granted and Conveyed unto the Said Robert Breas Varied Fr.) Togstoles with all the unprovements thereon and all the rights and applytenances belonging of in any write appertaining. To have and to hold the same unto the said of racile ligh herre and assignment simple but subject to the following true tations and building restrictions viz: that the Said George Rederick Mush his line and assigno will not as am, time before the first day of Jaman a. H. musteen hundred erees or bried of cause of pennis to be exected: or built upon the precion, granted lot of ground I am hart thereof, any hotel taven druking kalow blackemith or Whilewright shop stepm mice tamen slaufter house livery stable to other building thereon breeted fuern verted before Raid first day of Harmany A. N. smeten lunded into a hold tavern, drinking southon blacksmith or wheelwinghe shop Steam mill. Hamery, slaughter lines, livery stable, or used for any offensive purpose or vacupation. Than no hard of any building slight be erected, nearer to the avenue or street from thom fifteen (5) feet that us barn stable corp or other outbuilding shall likewise be exerted preaser to the avenue or street, front this sevency (40) feet and the no dwelling krouse costing less than ... dollar shall be built upon said premiser before Raidfus day of Harmany a. N. 1940 The said grantoss coverious that they have that done any set frustler or thing to bucumber the property hereby granted "fil conveyed, I have they will warrant the Laine Afficially and Efecute such other assurances as may be required to Confine there presents and the said granter hereby siccepte this chi. veyance subject to the lunitations and justiletions aforesaid: and hereby covenants and agree or puiself wil here if assigned that the same shall thereafted be conflered with in all respects. I'w witness whereof the said parties of the first part have hereinto set their bands and lest the day and year fine.

Signed sealed and alivered Robert Breas Danie for Eins Marie L. Paine in the presence of No. Compson. Commonwealth of Massachusette. Country of luffolk. ic. Ou this 28th day of april 1900. The fore multhe Bubscriber a commissioner of Medde for maryland resident in massachusette hereonally appeared Robert J. Paine for to me personally known after Known to me to be the person of that name described in and who executed the foregoing deed and duly acknowledged that be the the same and on the same day before me personally Came Marie L. Paine to me benown to be one of the persons of. scribed in and who executed the foregoing deed and acknowledged to me that she executed the saul as the act and deed of the said marie L. Vaine by virtue of the said Former of attorney In Sestimony whereof Thave hereunto serving tidand and affixed my official seal the day and year friest about. Fred W. Wood. Commissioner of Decle for the State of mangland resident in Massachmette. Recorded may 41 1918 as 1000 a.m. and Examined The Booley Merryman. Clerky 11581 Ellen B. Corkraw This bleed made this forith day of man in theyear one thousand rime blundred) and three by Cellen, B. Corperan and Boyce. Montgomeny & Corkraw her husband of et al Baltimore Country and State of Mangeand xx- Witnessech that in consideration of the sum of sever lumdred and fifty two dollars and Gifty Centy. Ele said Bellen B. Centeran Red Montgomery B. Centheran her hurband do grant and convey unto John a Boyer quil William W. Borger as tenants in Common their heils and assigns in See Suiple all that lot or parcel of ground situate lying and beling in Baltimore born ty and deveribed as for. lows, that is to day. Beginning for the stone as the strain of a mable tree by the side of which is now planted a stone said fiving located withe western outline of a certainlos no is which by duid dated October 1st 1900 and recorded among the



MUNDON ANENJE



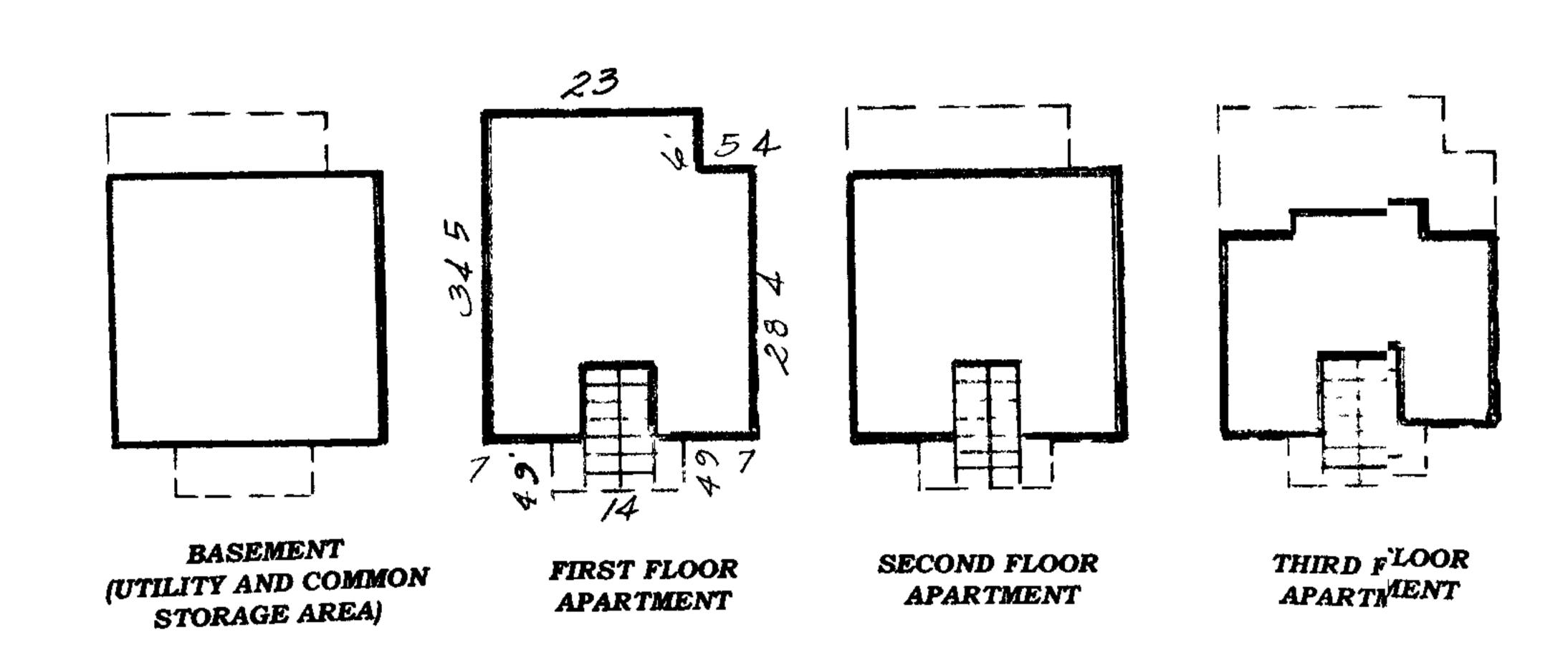
1. PRIOR ZONING AFFIDAVIT- "CONDITIONAL ACCEPTANCE OF ALLEGED NONCONFORMING USE # 21 GLENWOOD AVENUE" CONDITIONAL ACCEPTANCE LETTER DATED 7/6/84. 2. OWNERSHIP: (LOTS 21 AND 22) STEPHEN AMOS & LINDA AMOS DEED REFERENCE: 14974/046 110 MELLOR AVENUE BALTIMORE, MD 21228 PHONE. 410-788-7557 3. PROPERTY INFORMATION: TAX MAP 101 GRID 2 PARCEL 1099

LOT 21 (# 21) & LOT 22 (#23) "EAST CATONSVILLE" 1/215 ACCT NO. 1700003552 4. AREA OF LOT 21:3,761 SF +- OR 0.0863 AC. +-22: 3,758 SF +- OR 0.0863 AC. +-

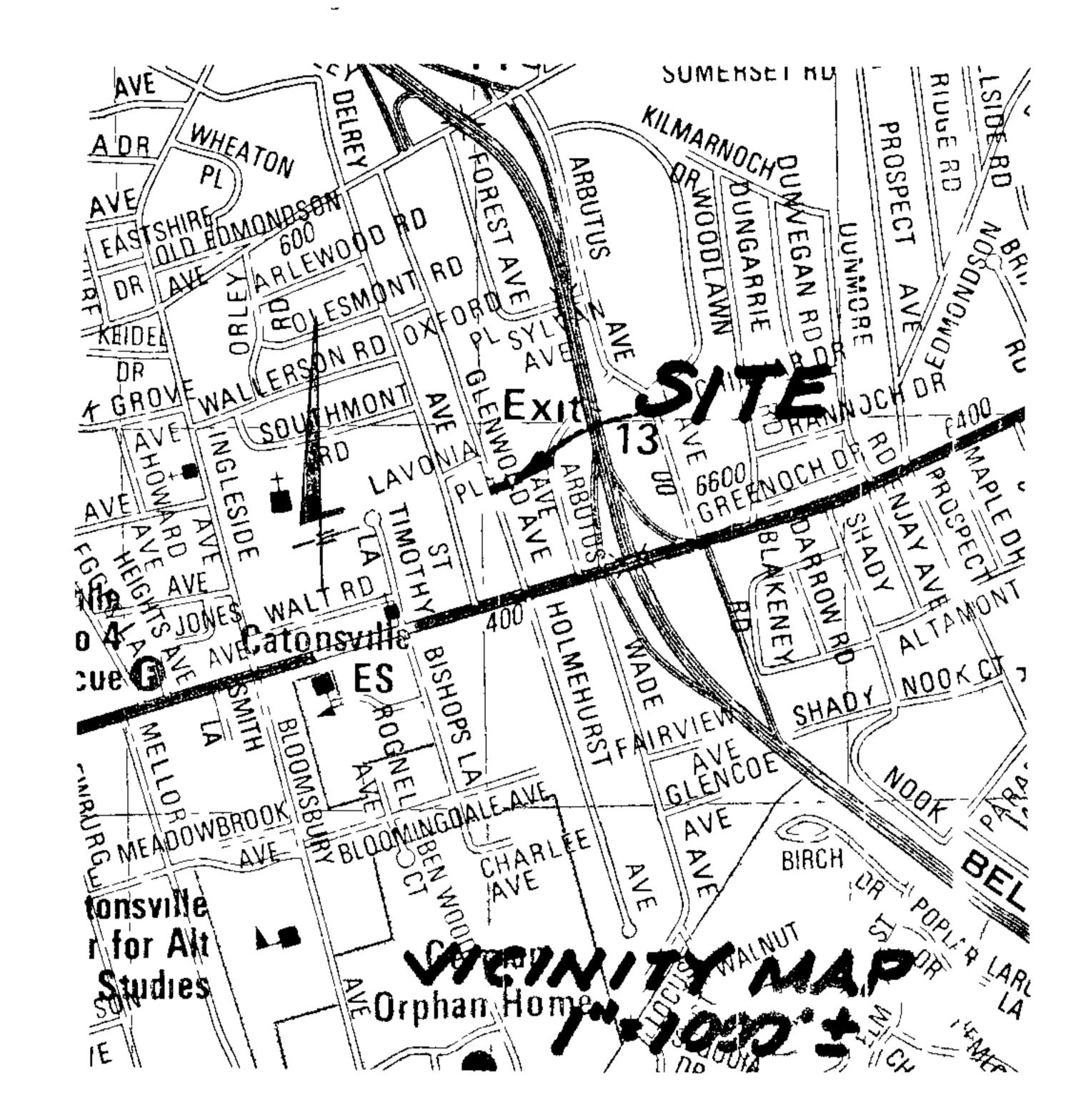
5. PUBLIC WATER AND SEWER AS REFERENCED HEREON. 6. ZONING OF SITE AND SURROUNDING PROPERTIES D.R. 5.5 (D.R. 3.5

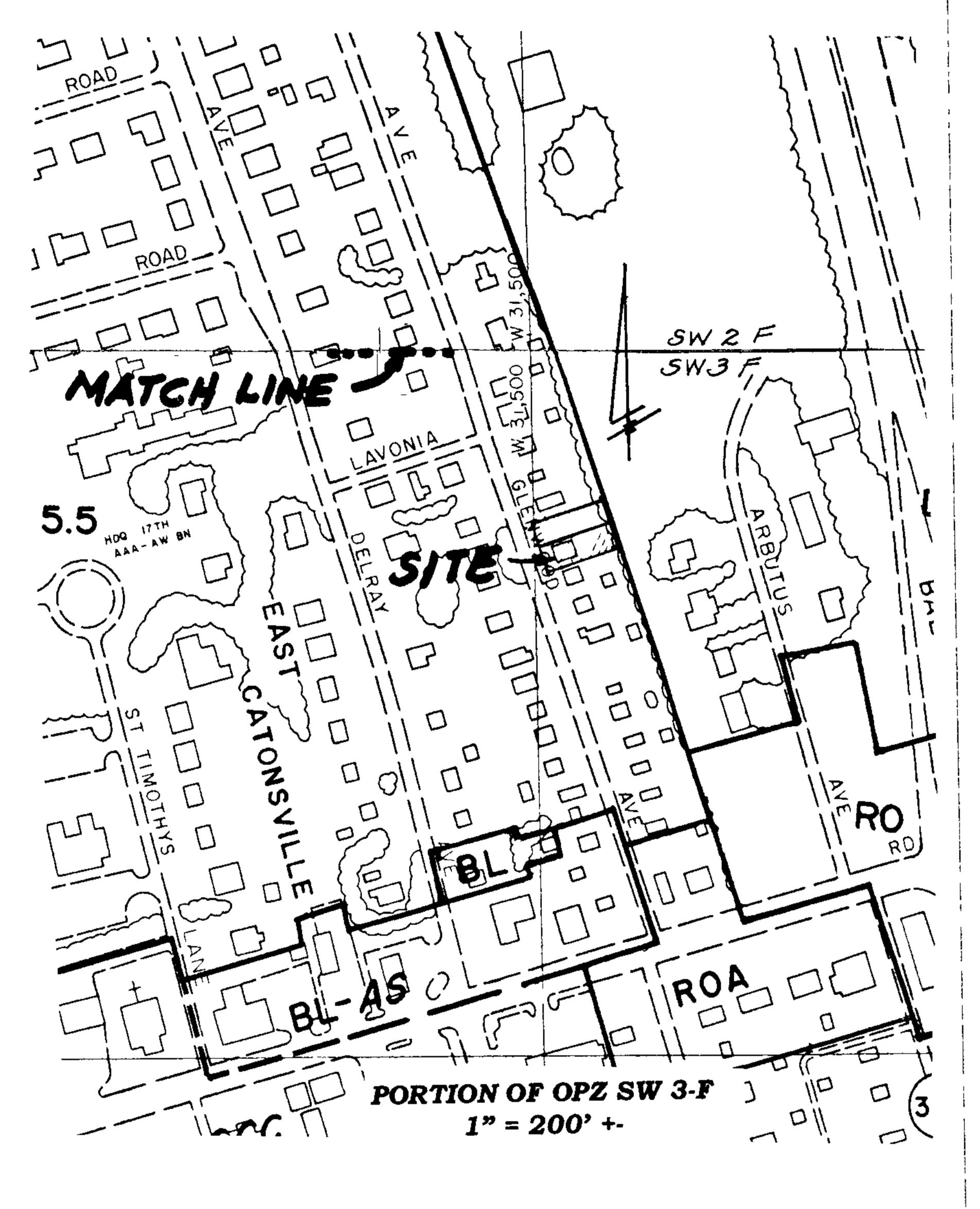
TO EAST) 7. SITE LIES OUTSIDE CBCA.

8. SITE LIES WITHIN FLOOD ZONE C PER F.I.R.M. NO. 240010 0390 B.



21 GLENWOOD AVENUE 3 STORY MULTIFAMILY DWELLING APARTMENT DETAILS 1"=20'





BALTIMORE COUNTY

FOR OF PLANNING & ZONING

10%50N MARYLAND 21204

494 7353

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER arnold jablon Zoning commissioner

July 26, 1985

Mr James A Sapia, Jr Ascociate Broker Mar ' an 'iry Capr 11 Frofessional Center 405 m derik Ruad Baltimore Maryland 21228

RF Conditional Acceptance of Alleged Nonconforming Use 21 Glenwood A/enue -First Election District

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON MARYLAND 21204
494 3353

arnold jageon Zoning commissioner July 6, 1984

Mr Lloyd G Cox Rt 2 217 Lake Drive Leonardtown Maryland 20650

Dear Mr Cox

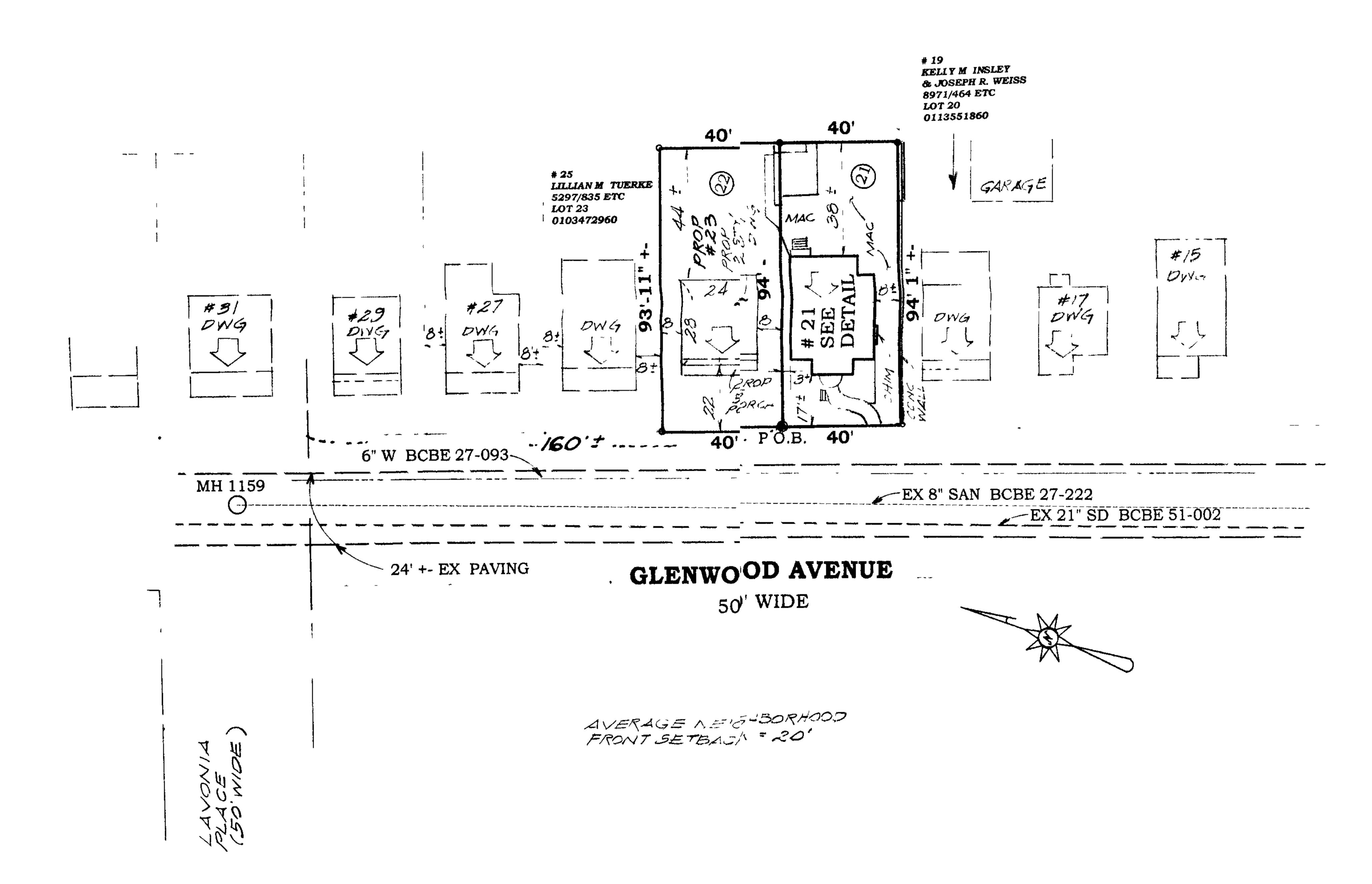
RE Conditional Acceptance of Alleged Nonconforming Use 21 Glenwood Avenue -1st Election District

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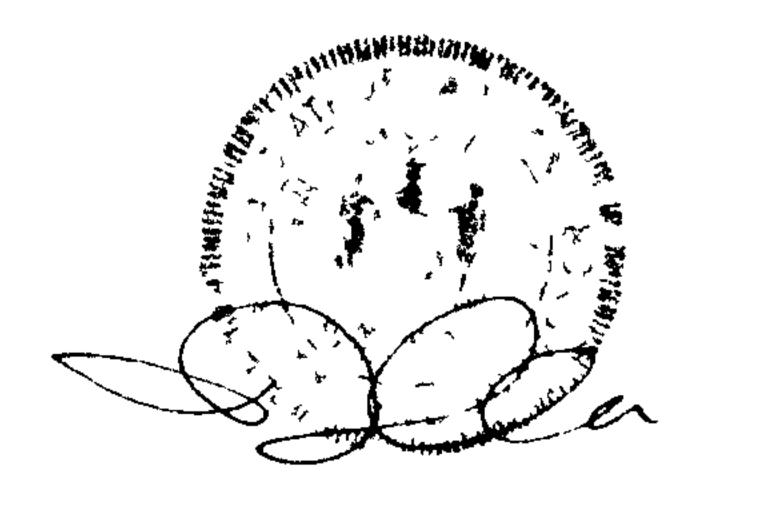
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J.S. DALLAS, INC.

Surveying & Engineering Baldwin, MD. 21013 (410) 817-4600



SITE PLAN TO ACCOMPANY PETITION FOR SPECIAL

TO APPROVE A NON CONFORMING 3-APARTMENT DWELLING ON A 40' WIDE LOT