ORDER RECEIVED FOR FILING Date W/W/03 By W/W/02 IN RE: PETITION FOR SPECIAL HEARING
W/S Liberty Parkway, 269' N of the c/l
Belclare Road
(3120 Liberty Parkway)
12th Election District
7th Council District

David L. Burford, et ux Petitioners

- BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 03-491-SPH

* * * * * * * *

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, David L. Burford and his wife, Ilar M. Burford, through their attorney, John B. Gontrum, Esquire. The Petitioners request a special hearing to approve the two-unit apartment building on the subject property zoned D.R.5.5, as a "non-conforming" use. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were David and Ilar Burford, property owners, and their attorney, John B. Gontrum, Esquire. Appearing as Protestants in the matter were Deborah McConnaughey, David and Deborah Jurs, and Angela Dacre, nearby residents.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the west side of Liberty Parkway, just north of its intersection with Belclare Road in Dundalk. The property is approximately 29 feet wide and 125 feet deep and contains a gross area of 0.0842 acres, more or less, zoned D.R.5.5. The site is improved with a two-story brick duplex dwelling, which shares a common partition wall with an adjacent property owned by Argel E. Bonnett and Sara A. Bonnett, now deceased. Mr. & Mrs. Burford purchased the subject property at auction in 2002 at which time, the property was advertised as a two-apartment dwelling unit. A letter from the Auctioneer attesting to the two-apartment nature of the

property was submitted into evidence as Petitioner's Exhibit 3. The Petitioners believe that the property has been used as two apartments for many years. Specifically, there is an upstairs unit and a separate downstairs unit. The Petitioners produced at the hearing two electric meters (one for each apartment). The meters appear to be quite old and apparently were installed around the time the house was constructed in the early 1940s. In addition, the Petitioners produced a series of letters from individuals who indicated that they reside in the area and have been familiar with the property for many years. One such letter was a notarized statement signed by Mr. Bonnett, which indicated that he has resided next door to the subject property for 58 years. His statement further provides that, "As long as I have lived at this address, the home adjacent to me (3120 Liberty Parkway) has been separated into two units, as well as most of the homes, including my property in the neighborhood."

As noted above, the property is zoned D.R.5.5. Under that zoning classification, the property must be used as a single-family dwelling. That is, the D.R.5.5 zoning classification would not permit two apartments on this property. The Petitioners seek relief pursuant to Section 104 of the B.C.Z.R., which permits the ongoing use of a property in a nonconforming nature. A nonconforming use is defined in Section 101 of the B.C.Z.R. as "A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use." Essentially, the nonconforming use designation is utilized to grandfather otherwise illegal uses of a property. Nonconforming uses are regulated by Section 104 of the B.C.Z.R. That Section requires that in order for a use to be designated as nonconforming, the Petitioner must establish that the property has been used in the nonconforming manner since prior to the adoption of the zoning regulation which prohibits the use. Moreover, Section 104 provides that a nonconforming use is forfeited if the use is discontinued/abandoned for a period of more than one year. Finally, Section 104 prohibits the inappropriate expansion of nonconforming uses.

Clearly, the Petitioners have no personal knowledge of the subject property prior to their acquisition in 2002. The wording of Mr. Bonnett's affidavit is interesting, in that he indicates that the subject property has been "separated into two units." His affidavit does not indicate if the

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property was <u>occupied</u> as two units. The other letters produced by the Petitioners are not dispositive. The language used in those letters does not specifically address the ongoing use of subject property, but merely state, "Most of the homes in the area are separated into two apartment units and have been for many years."

The Protestants who appeared oppose the nonconforming use. They are mainly concerned about the impacts of absentee owners in the neighborhood. However, as I explained to the Protestants, the effect of the two-apartment use is not an issue before me. Rather, the case turns on the narrow interpretation of whether the property, by definition, is nonconforming. If so, the two-apartment use may continue. If the property is not nonconforming, the two-apartment use is not allowed.

The Protestants produced a letter signed by Shirley Darling. Therein, she states that the subject property was used as a single family home for 40 years. She indicated that her family used the building as one dwelling unit, with bedrooms upstairs and a living room, dining room and kitchen on the downstairs floor.

Ms. Dacre also provided persuasive testimony. She testified that to the best of her knowledge and belief, the property was originally utilized as a two-apartment dwelling during World War II (1941 – 1945). After the war years, the property was converted to a single-family unit and used in that fashion by Mrs. Darling and her family for many years. Mrs. Dacre has lived in the neighborhood for many years and personally observed this use.

It is well settled that nonconforming uses are not favored under the law. Nonconforming uses are contrary to the zoning scheme established by the zoning regulations. (See McKemy v. Baltimore County, 39 Md. App. 257 (1978)). Moreover, it is the burden of the Petitioners to conclusively prove the nonconforming character.

Based upon all of the testimony and evidence offered, I am not persuaded that the Petitioners have met their burden in this case. In my judgment, the credible and reliable testimony offered is persuasive to a finding that the property was used for many years as a single-family dwelling. Thus, the Petition must be denied and the two-apartment use discontinued. This decision

is not a reflection upon the Petitioners in this case. They appeared to take reasonable steps to investigate the use of the property prior to their purchase. Unfortunately, however, it appears that they did not obtain an accurate description of the use of this property over the years. Although the subject building may have been used as a two-apartment dwelling at one time (1945-50), it is clear that the use was discontinued when the Darling family occupied the property.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June 2003 that the Petition for Special Hearing to approve the two-unit apartment building on the subject property zoned D.R.5.5, as a "non-conforming" use, be and is hereby DENIED.

IT IS FURTHER ORDERED that the use of the subject property as a two-apartment dwelling must cease within one hundred-twenty (120) days of the date of this Order.

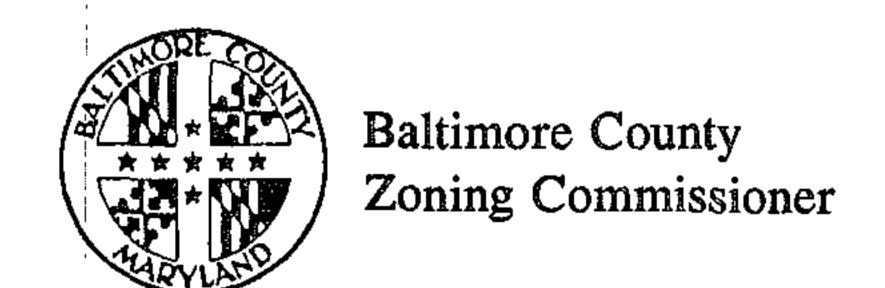
Any appeal of this decision must be entered with thirty (30) days of the date hereof.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs





June 23, 2003

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

Fax: 410-887-3468

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

RE: PETITION FOR SPECIAL HEARING
W/S Liberty Parkway, 269' N of the c/l Belclare Road
(3120 Liberty Parkway)
12th Election District – 7th Council District
David L. Burford, et ux - Petitioners
Case No. 03-491-SPH

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. & Mrs. David L. Burford

8 Brenda Lee Court, Baltimore, Md. 21221

Mr. & Mrs. David Jurs, 3125 Liberty Parkway, Baltimore, Md. 21222

Ms. Angela Dacre, 3121 Liberty Parkway, Baltimore, Md. 21222

Ms. Deborah McConnaughey, 3105 Liberty Parkway, Baltimore, Md. 21222

People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	3120 Liberty	Parkway	
which is	presently zoned	DR 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

two unit apartment building in a DR 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.

- ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '		perjury, that I/we are is the subject of this i	clare and affirm, under the legal owner(s) of the Petition.	the penalties of ne property which
Contract Purchaser/Lessee:	•	Legal Owner(s):		
Name - Type or Print		David L. Burfo	ord	
Signature		Signature	12-12	
Address	Telephone No.	Name - Type or Print		
City	Zip Code	eignature 1	16/M	
Attorney For Petitioner:		8 Brenda Lee C	ourt . 410-829-	
John B. Contrum, Esq.		Address Baltimore, MD	21221	Telephone N
Varne - Type or Print		City Depresentative to	State	: Zip Code
Romadka & Gontrum, LLC	· 	Representative to	De Contactea:	
814 Eastern Blvd 410-686-	-8274	Name		
Bantimore, MD 21221	Telephone No.	Address		Telephone No.
State	Zip Code	City	State	Zip Code
SA.		<u>OFF</u>	ICE USE ONLY	e de la compansa de l
		ESTIMATED LENG	TH OF HEARING	
Case No. 03-491 SP4		UNAVAILABLE FO	R HEARING	
age >	.	ewed By	Date 04-	10 07

Zoning Description of 3120 Liberty Parkway Tax Map 103, Parcel 501, Lot 55 Baltimore County, Maryland

BEGINNING for the same at a point in the westerly right-of-way line of Liberty Parkway, having a right of way width of 80.00 feet, said point being distant 269.70 feet along the arc of curve to the right, having a radius of 3,095.60 feet subtended by a chord of North 16°43'36" West, 296.57 feet from the point of intersection of said Liberty Parkway and the northerly right-of-way line of Belclare Road, having a right-of-way width of 30.00 feet; thence departing said point so fixed and binding reversely on the line of division with Lot 56 as shown on a plat of subdivision entitled "Resubdivision of Part of Plat 3" as recorded among the Land Records of Baltimore County, Maryland in Plat Book 13 at Folio 84 with meridian reference to said plat,

- 1. South 75°32'05" West, 125.00 feet to intersect with a 14 foot alley; thence departing said Lot 56 and binding on a portion of said 14 foot alley
- 2. northwesterly, 29.93 feet along an arc of a curve to the right, having a radius of 3,220.60 feet, subtended by a chord of North 14° 11° 57" West, 29.93 feet; thence departing said alley and binding on the line of division with Lot 54 as shown on said plat of subdivision
- 3. North 76° 04° 02" East, 125.00 feet to intersect with the aforesaid Liberty Parkway; thence binding thereon, in part
- 4. southeasterly, 28.77 feet along an arc of a curve, having a radius of 3,095.60 feet subtended by a chord of South 14° 11' 57" East, 28.77 feet to the point of beginning,

CONTAINING 3,669 square feet or 0.0842 of an acre of land, more or less,

BEING all of the land conveyed by deed dated November 20, 2002 by and between Paul H. Leamer to David Burford and Ilar M. Burford as recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 17129 at Folio 532 and as located in the Second Election District, Seventh Councilmanic District.

Gary J. Thuman

Register Property Line Surveyor

Maryland License No. 322

Date

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

03-491-5PF

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DEP 5 528 ZONING VERTILIATION

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ACCOUNTY OF COUNTY, Naryland

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, Manuford on the preparty Maryland on the property dentified herein as follows:

Case: #03-491-SPH 3120 Liberty Parkway W/side Liberty Parkway 269 feet north of centerline of Belclare 12th Election District 7th Councilmanic District Legal Owner(s): David L Burford and Har M Burford Special Hearing: to permit a non-conforming two-unit apartment building in a D.R.5.5 zone Hearing: Tuesday, June 10, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

l-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.

3391.

5/333 May 22 C605157

CERTIFICATE OF PUBLICATION

5 23 ,2003
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 $5/22/2003$.
☐ The Jeffersonian ☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News
P/M/Mara

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION:	BECKY	HART
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Date: May 26, 2003

RE:

Case Number <u>03-491-5PH</u>

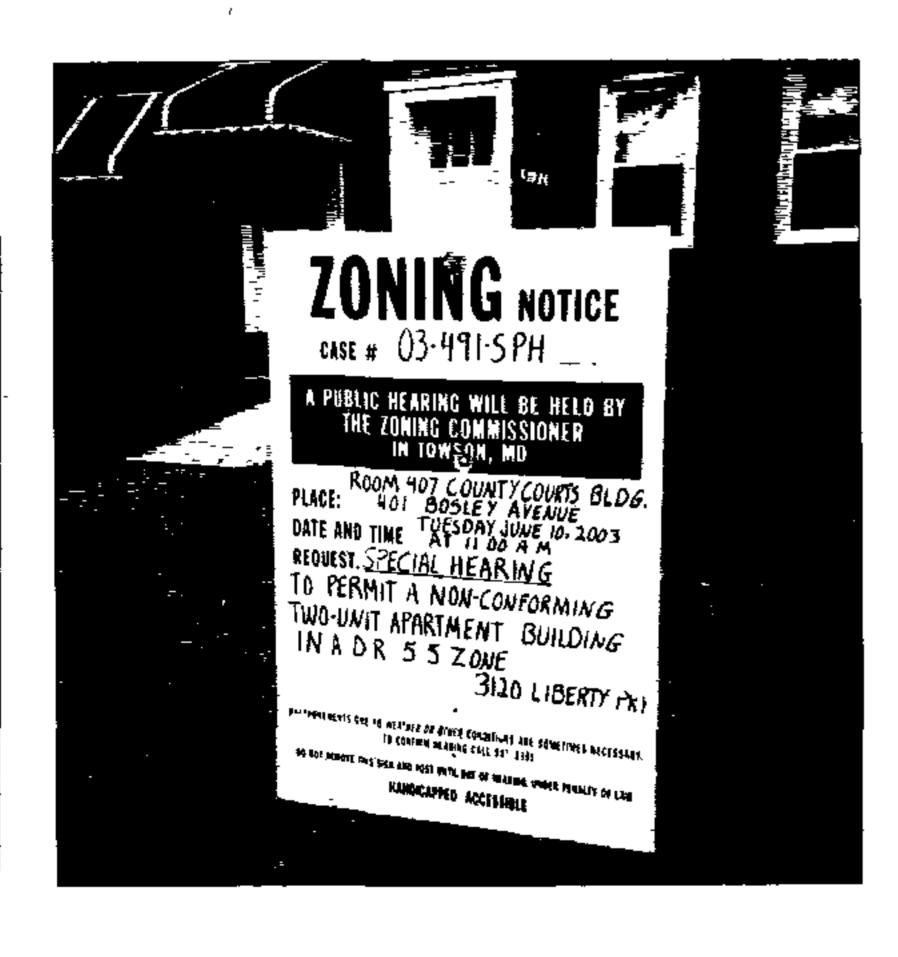
Petitioner/Developer: JOHN GONTRUM, ROMADKA + 6-ONTRUM/BURFORD/ETAL,

Date of Hearing/Closing: JUNE 10, 2003

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 3/20 LIBERTY PARKWAY

The sign(s) were posted on _

Month, Day, Year)



3120 LIBERTY PARKWAY

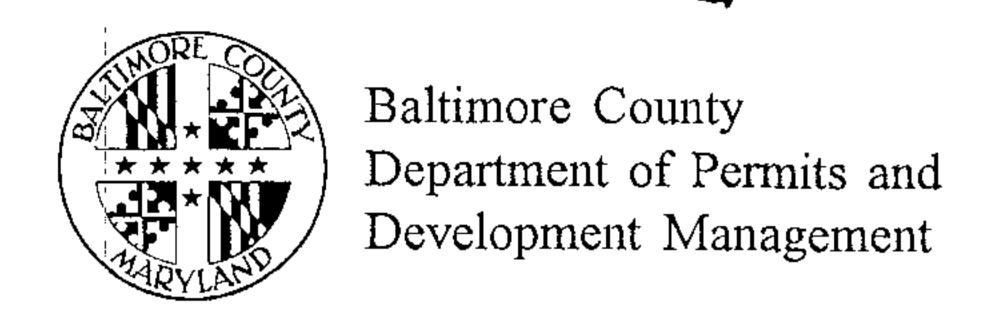
Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030 (City, State, Zip Code of Sign Poster)

410-666-5365 (Telephone Number of Sign Poster-



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

Fax: 410-887-5708

April 29, 2003

CORRECTED 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: 03-491-SPH

3120 Liberty Parkway
W/side Liberty Parkway 269 feet north of centerline of Belclare
12th Election District – 7th Councilmanic District
Legal Owners: David L. Burford and Ilar M. Burford

Special Hearing to permit a non-conforming two-unit apartment building in a D. R. 5.5 zone.

Hearings:

Tuesday, June 10, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon Director

AJ:rlh

C: John B. Gontrum, Romadka & Gontrum, 814 Eastern Blvd., Baltimore 21221 David L. Burford and Ilar M. Burford, 8 Brenda Lee Court, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 24, 2003.

- (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

Thursday, May 22, 2003 Issue - Jeffersonian

Please forward billing to:

David Burford 8 Brenda Lee Court Baltimore, MD 21221

410-825-8561

CORRECTED 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: 03-491-SPH

3120 Liberty Parkway

W/side Liberty Parkway 269 feet north of centerline of Belclare

12th Election District – 7th Councilmanic District

Legal Owners: David L. Burford and Ilar M. Burford

Special Hearing to permit a non-conforming two-unit apartment building in a D. R. 5.5 zone.

Hearings:

Tuesday, June 10, 2003 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1)

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

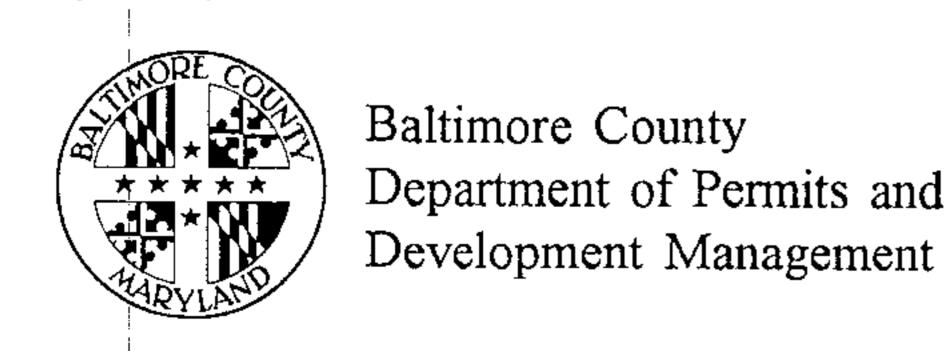
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:
Item Number or Case Number: 03-49(-SPA.
Petitioner: DAULO L. BURFORD.
Address or Location: 3120 (BESUCY PANKWAY
PLEASE FORWARD ADVERTISING BILL TO: Name: David Burkend
Address: 8 Brenda Lee Count
BATIMONE, and 2122/
Telephone Number: 4/6-8-25-8-56/

Revised 2/20/98 - SCJ



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

June 6, 2003

John B. Gontrum, Esq. Romadka & Gontrum, LLC 814 Eastern Boulevard Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Case Number: 03-491-SPH, 3120 Liberty Parkway

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 18, 2003.

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. Supervisor, Zoning Review

U. Callibal)

WCR:klm

Enclosures

c: People's Counsel
David Burford, Ilar Burford, 8 Brenda Lee Court, Baltimore 21221



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5. 1. 03

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

RE:

Baltimore County

Item No. 491

JRA

Dear. Ms. Hart:

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,

p

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

1.1. Hoell



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

April 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 28, 2003

Item No.:

491

Dear Ms. Hart:

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 Baltimore County Fire Prevention Code, (2000 edition of NFPA 1 & 101), prior to occupancy or beginning of operation.

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

cq: File

1010

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

DATE: May 29, 2003

RECEIVED

MAY 2 9 2003

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-489 and 03-49

contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

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

Prepared by:

Section Chief:

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 6, 2003

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 5, 2003 Item No. 491

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

The issue of onsite parking should be addressed.

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING

3120 Liberty Parkway; W/side Liberty

Parkway, 269' N c/line Belclare 12th Election & 7th Councilmanic Districts

Legal Owner(s): David L. & Ilar M. Burford*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

* BALTIMORE COUNTY

03-491-SPH

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 \(\frac{\psi^2}{2} \) day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Romadka & Gontrum, LLC. 814

Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioner(s).

RECEIVED

MAY 0 5 2003

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

 \wedge

Per.



WE THE UNDERSIGNED REJECT THE PROPOSED ZONING CHANGE OF A NON CONFORMING TWO UNIT APARTMENT BUILDING IN A D.R. 5. 5 ZONE AT THE LOCATION OF 3120 LIBERTY PARKWAY DUNDALK MD 21222

NAME	ADDRESS	PHONE #	SIGNATURE
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Colorad hus	3/25 Liberty 1	Muy 0 410284-27	75 (Bossel Miss
Teff BAUIS	3133 Liberty	Dewy 410-282-53	37 Flolly Palhus
Michael Fitzport	1 3129 4 berty	Pkay 410-288-53	The Man Hall
Ruth Richmo	nd 3117 Liberty 4	May 410-282-4	92 Ruth Richmond
Tpray omervelle	3/23 Liberty P		
MARILA SOMERVIT	• • • • •		
Zmily Noel	3130 Liberty Pku	A 17	
JARI Cederhor	3217 MEshaw	Way 410 285-44	191 Leve Cederhorg
Su Much	3215 MC Shave	May 410-284-768	Jake Stellich ()
Kay Burris	3209 McShaul		
ANDREA GEIBER	3203 Mc Shone U		
Mobert C Miller II	3132 Dunglow Rd	410-285-766.	1 A
/	y 3105 LIBERTY PKY	6	A!
JAMES MORGANI Tarrie		Ky 410-284-485	
		huy 410-284-936	Cane Col
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DUNLOGAN COMMUNITY COUNCIL

PO Box 35054
Dundalk,Maryland 21222
Phone 410-384-0403
Cpersiani@comcast net



June 12,2003

Baitimore County Zoning

Commissioner Schmidt

401 Bosley Ave. Towson, Md. 21204

Dear Commissioner:

I am writing on the behalf of the entire community of Dunlogan. We have learned that a hearing was held on Tuesday June 10th on Case number 03-491-5PH. The property in question has been a single family resident for forty plus years. Our community is over loaded with rental. We are strongly against adding any rental to the community. We are against the converting of single family dwelling into apartments. Please concern our community in the making of your decision.

Sincerély

Carl J Persian! / President

Cc: Councilman John Olszewski

FAX COVER SHEET

Send to: BALTIMONE CO. ZONING	From: Dunlog HAN Simmunity
Attention: Commisser Schmidt	Date
Office Location.	Office Location:
Fax Number: 887-3468	Phone Number: 284-0403

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<u>Comments:</u>		
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June 9, 2003

Office of Zoning

Attention: Hearing Officer

I am writing this letter in reference to the proposed Zoning Change of a Single Household Dwelling to a Two Apartment Unit at the location of 3120 Liberty Pkwy in Old Dundalk.

I have owned our home on Liberty Pkwy for 15 Years now and over this time have had numerous problems involving rental properties in my area, I have spent much time resolving issues of Prostitution, Vandalism, Theft, Drug Dealing etc.

It has been an issue of Absentee Landlords with two unit apartments that has been the major problem in this entire area. I know that this battle has been going on for many years, and with much progress. It would be a great setback in the efforts to continue in the improvement of our neighborhoods.

I personally know that this property has been a single Home for as long as I have been in this area, knowing the previous owner as she was my Daughters Teacher for a time. This property clearly should NOT be granted this zoning change and if it were I feel then we have little chance in our continued efforts in making Old Dundalk a safer and more attractive place to Live.

Investment property is a great way to financial security however it should not come at the cost of the this mostly quit old neighborhood.

In closing, I look forward to a single Family rental moving into this property.

Sincerely, Michael Sean Fitzpatrick

Zoning Commission

To Whom It May Concern:

Since I can not attend the zoning meeting, I am writing this letter. I have been an owner and resident for 56 years and during that time I can only remember the unit at 3120 as a single family unit.

The last thing this neighborhood needs is another rental property. When I heard about the zoning meeting I took a walk up and down the block. At this moment there are at least 3 obviously empty rental units on the block. There is also the house at 3135 that has been empty over a year.

This use to be a very nice neighborhood. The rental properties are bringing the property values down. Examples are:

- One of the empty units now has a broken blind at one window and no blind at the other. It looks terrible.
- The house that has been empty for over a year, has bricks falling off the porch and parts of the rain spouts are missing.
- Another had grass growing 2 to 3 feet tall before a neighbor, not the 0wner, cut it.
- Another has had to have the health department come and tell them to clean up the dog feces from the yard. And not just on one occasion.
- From one rental unit we had to suffer from a stream of drug dealer and prostitutes and police constantly being called. Since my house is the same side of the duplex as that rental unit, just one duplex down, I had to deal with people constantly trying to walk in my front door or through the yard to the back door.
- And there is the time, after the dog barked at a noise, that I found a dirty old kitchen range unit had been left on my front porch almost blocking the front door. It was just dumped there, no one knocked on the door or attempted to contact me.
- The people in the rental units have been parking with one set of tires up on the grass. They have killed all the grass and created a strip of mud in front of at least 4 duplex units. They have no respect of private property. They will park up on the grass in front of anyone house.

Again I would like to state that the unit at 3120 has been as single family unit as long as I can remember and as a resident and owner I feel that another rental unit would hurt rather than help the neighborhood.

Thank You . Somewill

Marion Somerville

3123 Liberty Pkwy.

June 3, 2003

The house on 3120 Liberty
Parkway was my family home
for forty years. We had bath
and bedrooms upstairs; downstairs
ivas living room, dinning room
and kitchen.
Shirley Darling



PLEASE PRINT (CLEARLY
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CASE NAME		
CASE NUMBER		_
DATE	 	-

PETITIONER'S SIGN-IN SHEET

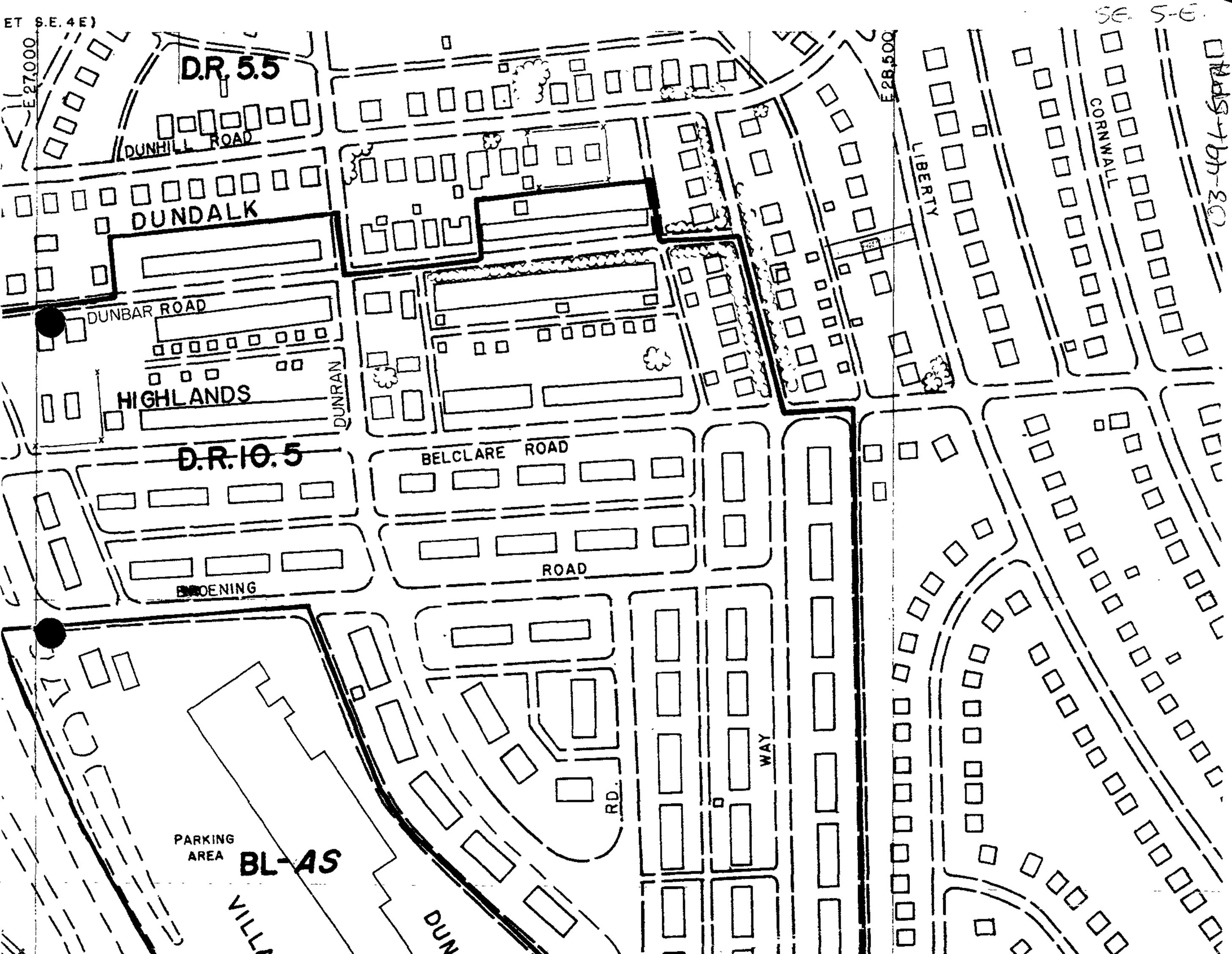
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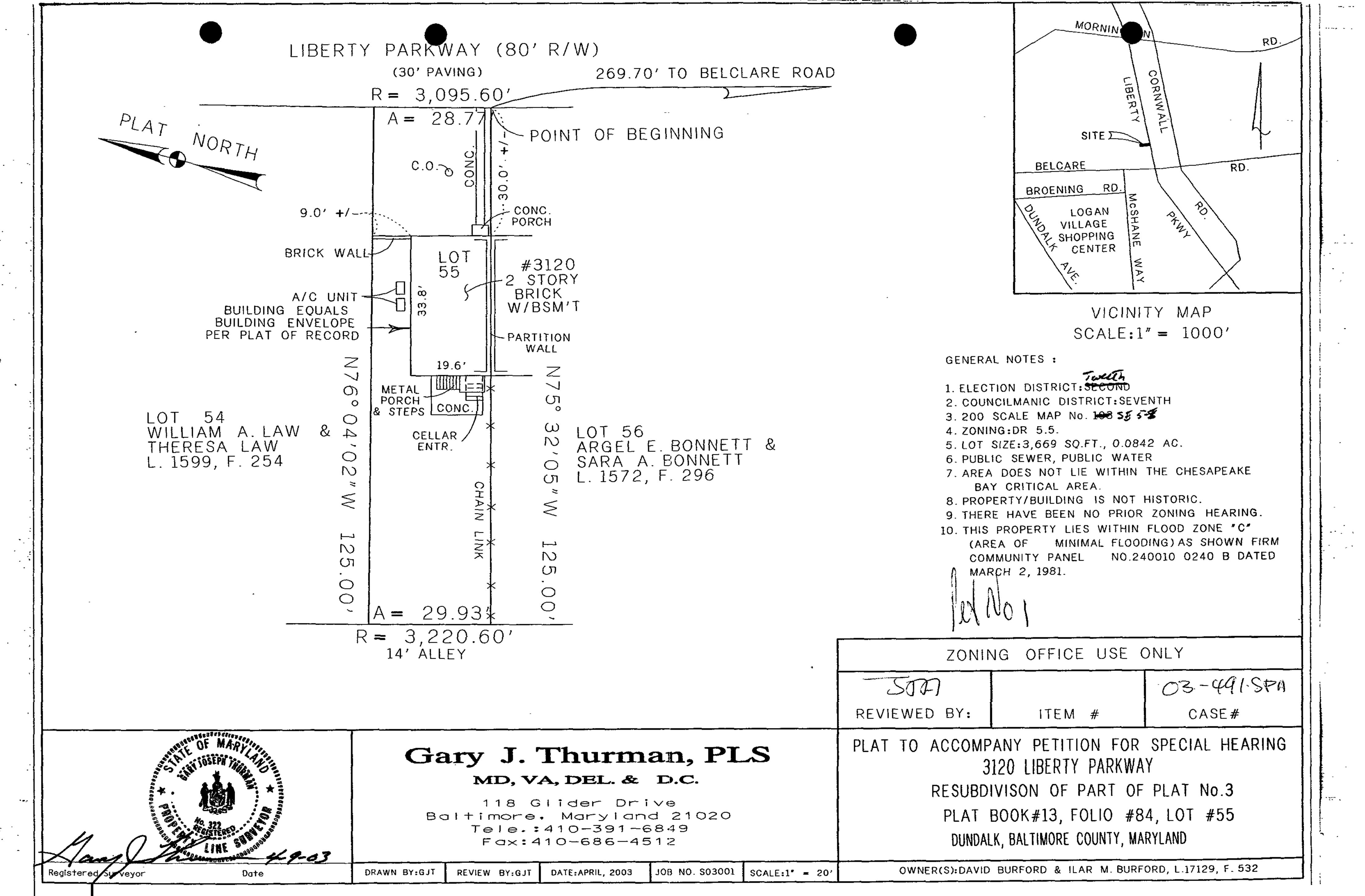
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PLEASE <u>PRINT</u> LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code	
DEBORAH McConNAughey	3105 LIBERTY PKWY	BALTO.MD.	21222	
Deborah Jurs:	3125 Liberty Play	Balto.MD	21222	
Angela Dacre	3/21 Liberty Plany	<i>t</i> • • • • • • • • • • • • • • • • • • •	21212	
DAVID JUPS	3125 Liberty PKWY	((e e e	
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JAY EDWARDS & ASSOCIATES, LLC AUCTIONEERS & APPRAISERS

210 E. Broadway, Lower level Bel Air, Maryland 21014 410-569-4125 or 800-992-9045, Fax 410-569-8556

June 6, 2003

Mr. & Mrs. David Burford 3120 Liberty Parkway Baltimore, Maryland 21220

RE: Public Auction- August 17, 2002-3120 Liberty Parkway, Baltimore, Md. 21222

Dear Mr. & Mrs. Burford:

In accordance with your request, the above referenced property was being utilized as two separate apartment units prior to the public auction on August 17, 2002. Each unit was set up to have their own kitchen, living room, bedroom, bathroom including separate electric and gas meters. At the time of auction there was only one tenant leasing/occupying the property. I am certain that at the time of my own physical inspection of the property (on or before June 19, 2002) it had been set up this way for several years prior to the auction.

To the best of my knowledge this property has been set up for two apartments for the past 20 or more years, according to statements made to me by the previous owners Mr. & Mrs. Paul Leamer.

Should you have any questions, please feel free to contact me.

Jany 1

uctioneer

11/100



Maryland Department of Assessments and Taxation 1

Taxpayer Services Division

301 West Preston Street W Baltimore, Maryland 21201

<u>Main</u> Menu

Security Interest Filings (UCC)

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Taxpayer Services Division

Entity Name: BALTIMORE GAS AND ELECTRIC COMPANY Dept. ID #: D00510735

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NOTIC	E <u>ABOUT IMA</u> GE	<u> AVAILABI</u>	LITY AND	<u>)_</u> ACCUF	<u>RACY</u>		
Page 8 of 11							
Description	Date Filed	Time	Film	Folio	Pages	View Document	Order Copies
CHANGE OF R.A.	05/03/1957	08:30- AM	F-35	369	0000		
CONVERTED AMENDMENT WITH NAME CHANGE	04/04/1955	09:00- AM	497	255	0003	(1)	
AMENDMENT N.C. FROM:		D GAS ELEG		GHT AN	D POWE	R COMPANY	OF
ARTICLES OF AMENDMENT	03/30/1953	02:30- PM	417	83	0005		
CONVERTED AMENDMENT	07/02/1951	08:30- AM	363	393	0000		
	APPT. OF	RESIDENT	AGENTS				
ARTICLES OF AMENDMENT	03/31/1950	04:00- PM	324	179	0007		
ARTICLES SUPPLEMENTARY	08/12/1940	10:15- AM	160	140	0003		
ARTICLES SUPPLEMENTARY	04/06/1939	11:55- AM	151	590	0004		
ARTICLES SUPPLEMENTARY	11/20/1935	03:00- PM	131	226	0004		



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Link Definition

General Information

General information about this entity

Amendments

Original and subsequent documents filed

Personal Property

Personal Property Return Filing Information and Personal Property

Assessments

Certificate of Status

Get a Certificate of Good Standing for this entity.



Maryland Department of Assessments and Taxation 1

Taxpayer Services Division

301 West Preston Street B Baitimore, Maryland 21201

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Taxpayer Services Division

Entity Name: BALTIMORE GAS AND ELECTRIC COMPANY Dept. ID #: D00510735

General Information	Amendments	Personal	Property	Сег	tificate o	f Status		
7	NOTICE ABOUT IMAG	E AVAILABI	LITY AND	<u>ACCU</u>	R <u>ACY</u>			
Page 8 of 11								
Description	Date Filed	<u>Time</u>	Film	Folio	Pages	View Document	Order Copies	
CHANGE OF R.A.	05/03/1957	7 08:30- AM	F-35	369	0000	(20)		
CONVERTED AMENDMENT W NAME CHANGE	<u>1TH</u> 04/04/1955	5 09:00- AM	497	255	0003	(19)		
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ARTICLES SUPPLEMENTARY	04/06/1939	11:55- AM	151	590	0004			
ARTICLES SUPPLEMENTARY	11/20/1935	03:00- PM	131	226	0004	E		

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General Information

General information about this entity

Amendments

Original and subsequent documents filed

Personal Property

Personal Property Return Filing Information and Personal Property

Assessments

Certificate of Status

Get a Certificate of Good Standing for this entity.

November 8, 2002

David L. Burford 8 Brenda Lee Court Baltimore, MD 21221 443-829-8561

Regards,

Peb No 6

June 5, 2003

David L. Burford 3120 Liberty Pkwy. Dundalk, MD 21222 443-829-8561

To	Whom	It May	Concern:
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I, Jason Spurck have rented a unit at 3029 Liberty Parkway. I lived there for 34cacs. Most of the homes in the area are separated into two (2) units, and have been for many years.

Signature

David L. Burtord

Date

Date /

June 5, 2003

David L. Burford 3120 Liberty Pkwy. Dundalk, MD 21222 443-829-8561

To Whom It May Concern:

I, May O'The owner and resident of 3040 Liberty Parkway. I have lived here since 1878. Most of the homes in the area are separated into two (2) units, and have been for many years.

Signature /

David L. Barrord

6903

2/ 1/

June 5, 2003

David L. Burford 3120 Liberty Pkwy. Dundalk, MD 21222 443-829-8561

To Whom It May Concern:

I, RIAN K. SANNER owner and resident of 3022 Liberty Parkway, I have lived here 18 years. Most of the homes in the area are separated into two (2) units, and have been for many years.

Signature

5 June 2003

June 5, 2003

David L. Burford 3120 Liberty Pkwy. Dundalk, MD 21222 443-829-8561

To Whom It May Concern:	*		
I, <u>Pane/A</u> Morre 5 have lived here since <u>6-99</u> (2) units, and have been for many	owner and resident of Most of the homes in y years.		

June 5, 2003

David L. Burford 3120 Liberty Pkwy. Dundalk, MD 21222 443-829-8561

To Whom It May Concern:

I, Liberty Parkway since 3 years.

Liberty Parkway since 3 years.

Signature

avid L. Burford

6/9/03 Dafe

6/9/03

June 5, 2003

David L. Burford 3120 Liberty Pkwy. Dundalk, MD 21222 443-829-8561

To Whom It May Concern:

I, Janiel J. Took have lived at 340 Liberty Parkway since 1927 Most of the homes in the area are separated into two (2) units, and have been for many years.

Signature)

avid L. Burtord

0/9/0-Date







