IN RE: PETITION FOR SPECIAL HEARING NW/S of Fullerdale Avenue, 156' NE of Chenoak Avenue 9<sup>th</sup> Election District 5th Councilmanic District (9302 Fullerdale Avenue)

> Michael Anthony Butler Petitioner

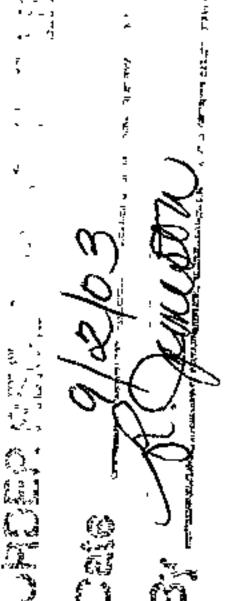
- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- CASE NO. 03-596-SPH

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner on a Petition for Special Hearing for the property located at 9302 Fullerdale Avenue in Carney. The Petition was filed by Michael Anthony Butler, property owner. Special Hearing relief is requested to approve the non-conforming status of two existing dwellings on the subject property. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the petition for special hearing.

Appearing at the requisite public hearing held for this case was Michael A. Butler, property owner. Also present was Geoffrey C. Schultz of McKee & Associates, Inc., the professional land surveyor who prepared the site plan. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. Joseph G. Reives, an adjacent neighbor, appeared as an interested person. There were no protestants or other interested persons present.

The subject property under consideration is a rectangularly shaped parcel with frontage on Fullerdale Avenue near Chenoak Avenue in Fullerton. Collectively, the property is approximately 82 ft. wide and 178 ft. deep. The property is zoned D.R.5.5. The property was originally platted as part of the subdivision known as "Fullerdale". A copy of the plat was offered as Petitioner's Exhibit No. 2. That exhibit showed that the plat was recorded in the Land



Records of Baltimore County on November 6, 1922. The subject property is known as Lots 19 and 20 of that subdivision. Obviously, this plat was recorded and these lots laid out well prior to the establishment of the first zoning regulations in Baltimore County.

As more particularly shown on the site plan, two houses were built on Lot 20. One building is located in the front portion of the site immediately adjacent to Fullerdale Avenue. The plan shows that building as a one-story frame dwelling with an attached wood deck to the rear. It appears that the wood deck slightly crosses the property line into Lot 19. The second dwelling is to the rear of Lot 20. That is also shown as a one-story frame dwelling with an attached rear deck. As noted above, all of the improvements but for a corner of the wood deck on the front house are located on Lot 20. Lot 19 is used as a side lawn area.

Special hearing relief is requested to approve a non-conforming use. Non-conforming uses are defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) and regulated in Section 104. Essentially, the non-conforming designation is utilized to grandfather an otherwise illegal use. That is, the Petitioner must demonstrate that the use which is impermissible under the current zoning regulations was in place prior to the adoption of those regulations. In this regard, the Petitioner offered records from the Maryland State Department of Assessments & Taxation. Those records indicate that the buildings were constructed on this site in 1930. Additionally, a series of affidavits were offered which verify that the two dwellings have existed on the property for many years. An affidavit executed by Edward L. Chenoweth verifies that the buildings have been in place and used as single-family dwellings since at least 1943.

This property is the subject of an active zoning violation case. Apparently, Mr. Butler sought to sell the property and the two dwellings. During the course of investigating the

property for sale, it was determined that a non-conforming use designation was required because two dwellings were on the single lot. There is an indication in the zoning violation case file that the rear dwelling was constructed as a chicken coop. However, the violation file does not indicate when the building was converted to a dwelling. Mr. Chenoweth's affidavit is persuasive that the conversion was prior to the adoption of the first zoning regulations in 1945.

Based upon the uncontradicted testimony and evidence offered, I am persuaded to grant the relief requested. The Petitioner has presented sufficient testimony for a finding that the use of the two dwellings on the subject property is non-conforming and should be permitted to remain. I also find that there has been no discontinuance or abandonment of the use for a period of one year or more in accordance with the requirements of Section 104 of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's special hearing request should be granted.

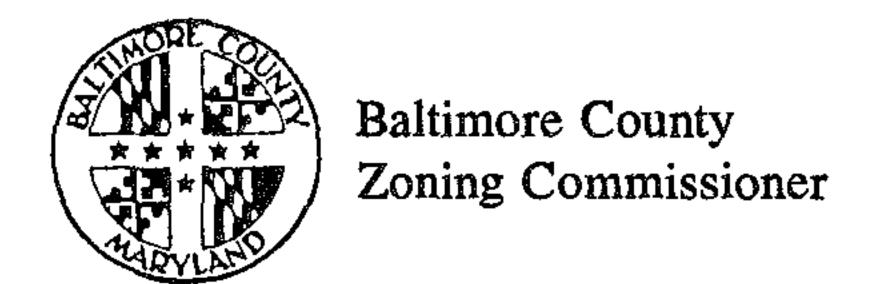
THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this Aday of September, 2003, that the Petitioner's request for special hearing, to approve the non-conforming status of two existing dwellings on the subject property, be and is hereby GRANTED.

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

LAWRENCE E. SCHMIDT ZONING COMMISSIONER

FOR BALTIMORE COUNTY

LES:raj



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

Fax: 410-887-3468

September 2, 2003

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. Nottingham Centre, 8<sup>th</sup> Floor 502 Washington Avenue Towson, Maryland 21204

> Re: Petition for Special Hearing Case No. 03-596-SPH

Property: 9302 Fullerdale Avenue

Dear Mr. Alderman:

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,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure

c: Michael Anthony Butler 9302 Fullerdale Avenue Baltimore, MD 21234 Geoffrey C. Schultz McKee & Associates, Inc. 5 Shawan Road, Suite 1 Cockeysville, MD 21030



REV 9/15/98

# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	9302 Fullendale Avenue
	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

The non-conforming status of the existing dwellings on the subject property.

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

#### Legal Owner(s): Contract Purchaser/Lessee: Michael Anthony Butler Name - Type ArPrint Name - Type or Print Signature Signature Name - Type or Print Telephone No. Address Zip Code Signature State City 9302 Fullendale Avenue (410) 574-5330 Attorney For Petitioner: Telephone No. Address Baltimore 21234 Maryland Howard I. Alderman Dr. Zip Code State Name Type or Print Representative to be Contacted: Signature Geoffrey C. Schultz McKee and Associates, Inc. Levin and Gann. P.A. Name Company Nottingham Centre, 8th Floor, 502 Washington Avenue 5 Shawan Road, Suite 1 (410) 527-1555 (410) 321-0600 Telephone No. Telephone No. Address Address 21030 210204 Maryland Cockeysville Maryland Towson, Zip Code City State Zip Code State City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING \_\_\_\_\_ Case No. 03-596-50/+ UNAVAILABLE FOR HEARING Reviewed By BN Date 6/18/03

Engineering • Surveying • Environmental Planning
Real Estate Development

June 18, 2003

ZONING DESCRIPTION OF 9302 FULLERDALE AVENUE 9<sup>TH</sup> ELECTION DISTRICT 5<sup>TH</sup> COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND



BEGINNING at a point on the northwest side of Fullerdale Avenue (20-foot wide right-of-way) at the distance of 156.10 feet northeast of the northeast side of Chenoak Avenue (30-foot wide right-of-way) and being known as Lots 19 and 20 as shown on a Plat of "Fullerdale", recorded in Plat Book 5, folio 12.

CONTAINING 14,776 square feet or 0.339 acres of land as recorded in Deed Liber 9139, folio 798.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

No. 25020

RECEIVED MART Butter

FOR: Succial Heavisia Lain 19500

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DISTRIBUTION HITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item 1 596

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 <u>Towson. Maryland</u> on the property identified herein as follows:

Case: #03-596-SPH

9302 Fullerdale Avenue

N/west side of Fullerdale Avenue, 156 feet northeast of

Chenoak Avenue

9th Election District - 5th Councilmanic District

Legal Owner(s): Michael Anthony Butler

Special Hearing: to permit the non-conforming status of the existing dwellings on the subject property.

Hearing(s): Monday, August 25, 2803 at 9:00 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) 887-3391

8/009 Aug 7

# CERTIFICATE OF PUBLICATION

<u>8</u> 7,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
$\frac{8}{7}$ ,2003.
The Jeffersonian  Arbutus Times
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

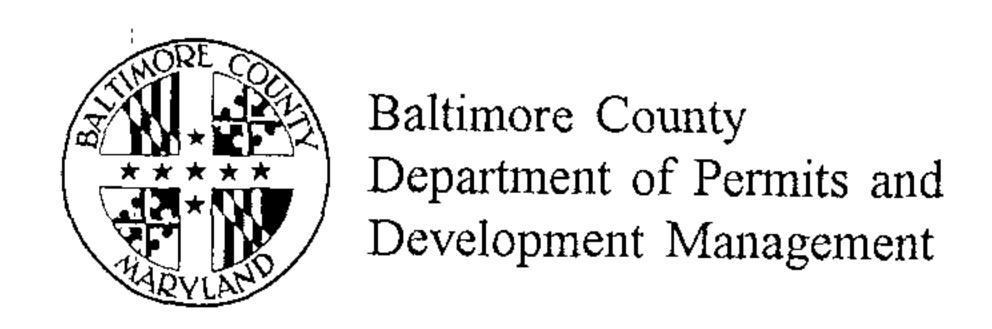
LEGAL ADVERTISING

# CERTIFICATE OF POSTING

		Date: _	August 11, 2003
RE: Case Number Petitioner/Developer:	03 <b>-</b> 596-SIH Michael Anthony B	utler	
Date of Hearing/Closi This is to certify unde	r the penalties of	perjury that the n	ecessary sign(s) required by law
vere posted conspicuously o	on the property loa	cated at	02 Fullerdale Avenue
The sign(s) were post	ed on Au	gust 8, 2003 (Month.	Day, Year)



D'Lawrence Pelson
(Signature of Sign Poster)
•
J. Lawrence Pilson
(Printed Name of Sign Poster)
McKee and Associates, Inc.
5 Shawan Road, Suite 1
(Street Address of Sign Poster)
Cockeysville, Maryland 21030
(Cily, State, Zip Code of Sign Poster)
(410) 527-1555
(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

July 1, 2003

## 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: 03-596-SPH

9302 Fullerdale Avenue

N/west side of Fullerdale Avenue, 156 feet northeast of Chenoak Avenue

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: Michael Anthony Butler

Special Hearing to permit the non-conforming status of the existing dwellings on the subject property.

Hearings:

Monday, August 25, 2003 at 9:00 a.m. in Room 407, County Courts Bldg.,

401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Howard Alderman, Jr., Levin & Gann, 502 Washington Ave., 8<sup>th</sup> Floor, Towson 21204 Michael Anthony Butler. 9302 Fullerdale Avenue, Baltimore 21234 Geoffrey Schultz, McKee & Associates, 5 Shawan Rd., Ste. 1, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 9, 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, August 7, 2003 Issue - Jeffersonian

Please forward billing to:

Michael Anthony Butler 9302 Fullerdale Avenue Baltimore, MD 21234

410-574-5330

# 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: 03-596-SPH

9302 Fullerdale Avenue

N/west side of Fullerdale Avenue, 156 feet northeast of Chenoak Avenue

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

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Lawrence E. Scholdt

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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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

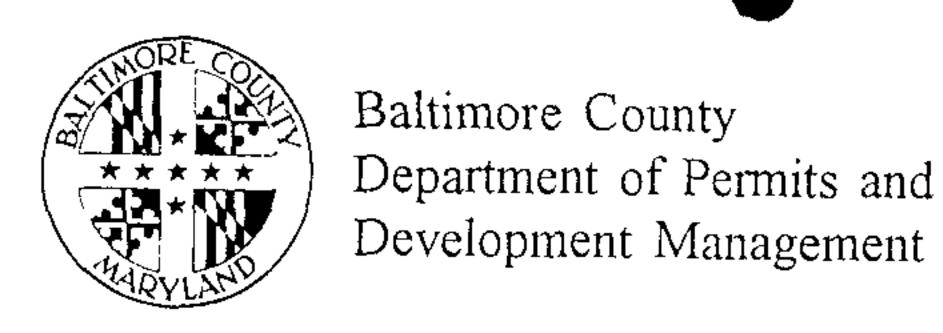
## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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: _	03-596-SPH	_ <del></del>
Petitioner:	Michael Anthony Butler	
Address or Location:	9302 Fullerdale Avenue	
PLEASE FORWARD ADVERTIS Name:	ING BILL TO:  Michael Anthony Butler	
Address:	9302 Fullerdale Avenue	
	Baltimore, MD 21234	
<del></del>		
Telephone Number:	(410) 574-5330	



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

August 21, 2003

Howard Alderman, Jr. Levin & Gann, P.A. 502 Washington Avenue, 8<sup>th</sup> Floor Towson, MD 21204

Dear Mr. Alderman:

RE: Case Number: 03-596-SPH, 9302 Fullerdale Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 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
Michael Anthony Butler, 9302 Fullerdale Ave., Baltimore 21234
Geoffrey Schultz, McKee & Associates, 5 Shawan Rd., Ste. 1, Cockeysville 21030

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



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

#### MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 7.1.03

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

RE: Baltin

Baltimore County

Item No. 596

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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,

In

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



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

July 1, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: June 30, 2003

Item No.: 577-580, 583-588, 590-601

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File

400

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 8, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case 03-579 and 03-596

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: Mark Cungle

Section Chief: Cathy Schlabnet

AFK/LL:MAC

RECEIVED

JUL - 9 2003

ZONING COMMISSIONER

#### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

**DATE:** September 5, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For July 7, 2003 Item Nos. 577, 578, 580, 581, 587, 589, 590, 593, 594, 595, 596, 597,

598, 599, and 600

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING
9302 Fullerdale Avenue; NW/side Fullerdale
Avenue, 156' NE Chenoak Avenue
9th Election & 5th Councilmanic Districts
Legal Owner(s): Michael Anthony Butler
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

\* BALTIMORE COUNTY

03-596-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

RECEIVED

JUL 0 3 2003

Per.....

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 day of July, 2003, a copy of the foregoing Entry of Appearance was mailed to Geoffrey C. Schultz, McKee and Associates, Inc, 5 Shawan Road, Suite 1, Cockeysville, MD, 21030 and to Howard L Alderman, Levin & Gann, P.A., 502 Washington Avenue, 8<sup>th</sup> Floor, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

DAT	ΓE:	July 29, 2003		
TO:		W. Carl Richards, Jr. Zoning Review Supervi	sor	
FRC	M:	Rick Wisnom, Chief Division of Code Inspec	ctions & Enforc	ement
SUB	BJECT:	Item No.: Legal Owner/Petitioner Contract Purchaser: Property Address: Location Description:		596 Michael Anthony Butler N/A 9302 Fullerdale Ave N/W side Fullerdale Ave 156' N/E Chenook Av
VIO	LATION	INFORMATION:	Case No. Defendants:	03-2626 Michael Anthony Butler
			•	ion is the subject of an active violation case. ase notify the following person(s) regarding the
NAN	МE			ADDRESS
the v		dition, please find attached case, for review by the Zor	•	by of the following pertinent documents relative to oner's Office:
	1.	Complaint letter/memo/	email/fax (if an	policable)
X	2.	•	` •	nent Officer's report and notes
X	3.	State Tax Assessment p	rintout	
	4.	State Tax Parcel Map (i	f applicable)	
	5.	MVA Registration print	tout (if applical	ole)
	6.	Deed (if applicable)		
	7.	Lease-Residential or Co	•	oplicable)
	8.	Photographs including of		
X	9.	Correction Notice/Code		
	10.	Citation and Proof of Se	` •	able)
	11.	Certified Mail Receipt (	,	O CC ('C 1' 11)
	12.			ng Officer (if applicable)
	13.	<del>-</del>	_	otice/Property Lien Sheet (if applicable)
Ц	14.	Billing Notice/Property	. •	ning with the first complaint through the applicable).

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/ph

C: Code Enforcement Officer

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re County Lartment of Permits and Development Management Code Inspections and Enforcement County Office B 111 West Chesapeake Avenue Towson, MD 21204

Code	Enforcement	:
Ruild	ing Inspection	

410-887-3620 Plumbing Inspection: 410-887-3351 410-887-3960 Electrical Inspection: 410-887-3953 punging inspection: BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE Zoning Catation/Case No. Property No. 70 520 Name(s): Address: Ave Violation 302 Location: VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS: COUNTRY hance 1211850x BCZR 101 102 11
approval reduired Zoning 1301 -YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE: Date Issued: On or Before: FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH. Print Name HOHNS av INSPECTOR: **STOP WORK NOTICE** PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: Date Issued: Not Later Than:

INSPECTOR: AGENCY DATE: 04/30/2003

TIME: 15:19:19

TANDARD ASSESSMENT INQUIRY (1)

CLASS OCC. HISTORIC

PROPERTY NO. DIST GROUP CLASS OCC 09 19 270520 09 2-2 04-00 D

NO

DEL LOAD DATE

01/08/03

BUTLER MICHAEL ANTHONY

DESC-1.. IMPSLT 19-20

DESC-2.. FULLERDALE

9302 FULLERDALE AV

PREMISE. 09302 FULLERDALE

AVE 00000-0000

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03/04 ASSESS: 124,020 07/13/02 02/03 ASSESS: 119,020 07/31/02 01/02 ASSESS: 114,020 06/01/01

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

Robert L. Ehrlich, Jr. Governor



Audrey E Scott Secretary

Plorence E. Burian
Deputy Secretary

Michael S. Steele Lt. Governor

July 1, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Room 111, Mail Stop # 1105
Towson MD 21204

Zoning Advisory Committee Agenda, 07/07/03 re: case numbers 03-577-A, 03-578-A, 03-579-SPH, 03-580-SPHA, 03-583-A, 03-584-A, 03-585-SPHXA, 03-586-SPH, 03-587-A, 03-588-A, 03-589-SPH, 03-590-A, 03-591-A, 03-592-A, 03-593-A, 03-594-A, 03-595-SPH, 03-596-SPH, 03-597-A, 03-598-SPHA, 03-599-A, 03-600-HAS & 03-601-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 07/01/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning Planning Services

cc: Mike Nortrup

CASE NAME	9302 Fullusdale
CASE NUMŖĒĪ	7 03-596-SPH
DATE 8/25	5/03

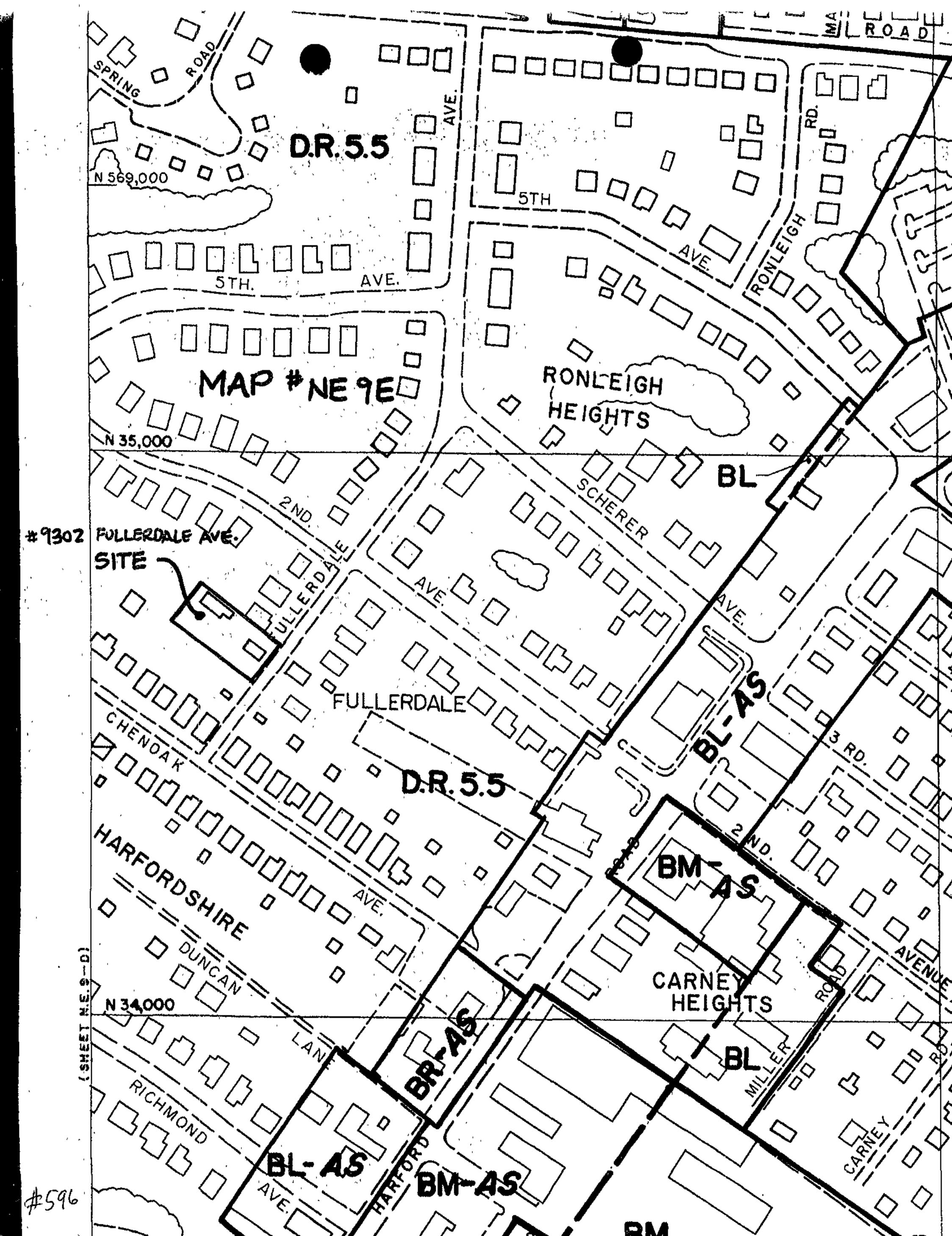
# CITIZEN'S SIGN-IN SHEET

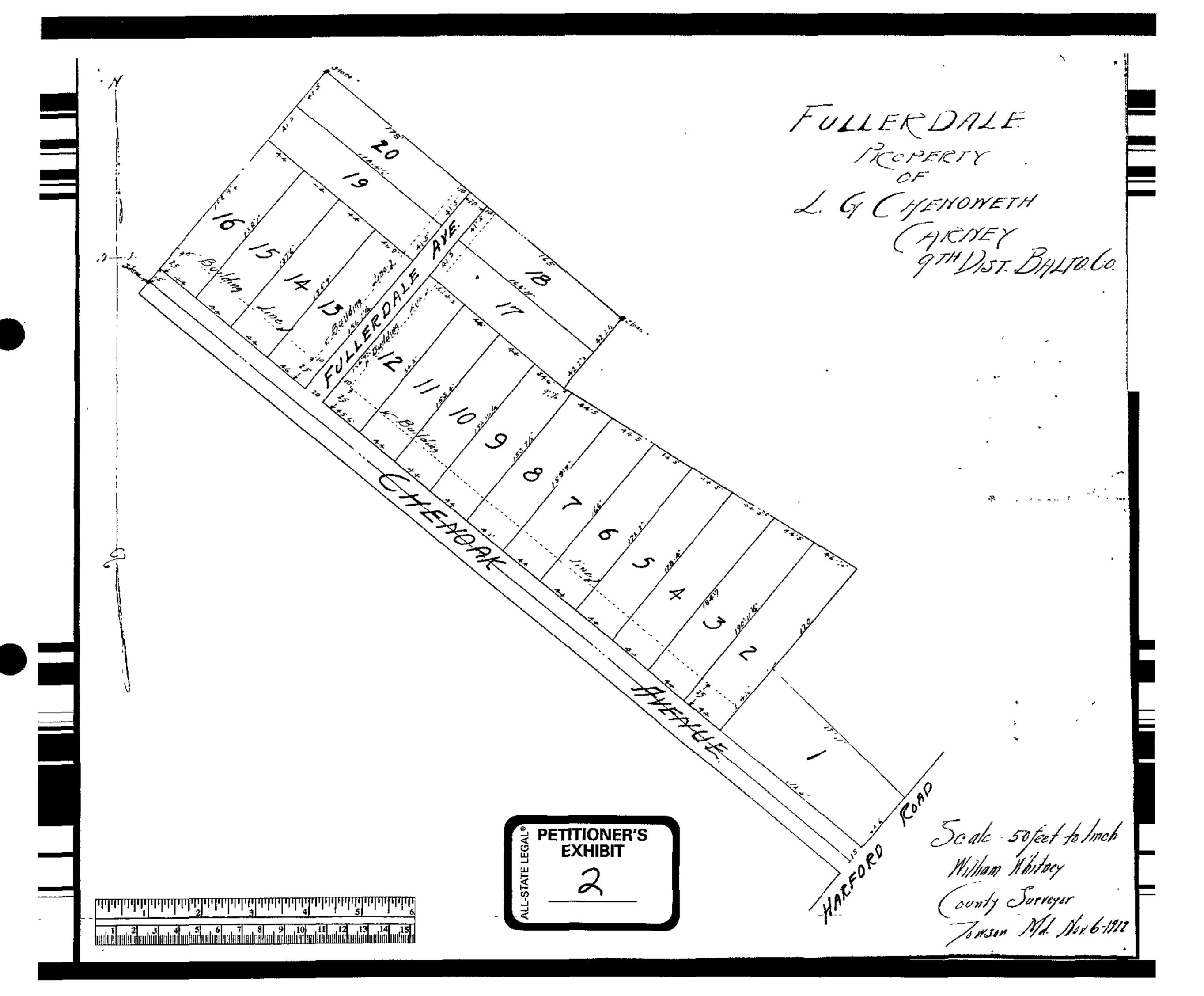
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
JOSEPH G REIVES	9303 FULLERDALE AVE	BALTO CO 21234 5015	
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CASE NAME 9302 Julluarle CASE NUMBER 03-596-59H DATE 8/95/03

# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Howard L. Alderman, Jr, Esq.	Levin & Gann, PA 502 Washington Ave., Suite 800	Towson, MD 21204	halderman@LevinGann.com
GEOFFREY C. SCHULTZ	MCKEE + ASSOC. 5 SHAWAN RD.	HUNT VALLEY MO. 21030	
Michael A. Butlan	1931 Sue Creek Dp.	Balto. MD. 1221	
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# STATE OF MARYLAND DEPARTMENT OF ASSESSMENTS AND TAXATION

Page REENTIAL WORKSHEET - REASSESSMENT YEAR 2

1	PROPERTY ADMINIST	TRATIVE DATA		•	Dwelling N	o: 1	Grade	4
	Account No. Map/Gr/Par/Sec/Bl/Lt District / Card Seq Owner's Name Address	04 09 0919270520 71 / 15 / 1186 / / / 19 09 / 21508-000-00-00 BUTLER MICHAEL AND 9302 FULLERDALE 00000		CamaSet 9.14 CamaSubset 184	MVI/Model Occupancy Curtilage Land Use Valued by Year built	No 39	Condition DwellingType Foundation Area Enclosed Area Sec. 1 Perimeter Total Perimeter	Good Standard Unit
2	DWELLING COST CA	LCULATION	•					<del></del>
	SEC. STORY	Pagamant	TYPE	LENGTH	WIDTH	SQUARE FEET	RATE	COST
	1 1 Story With		Siding	·		972	72.36	70,335
3	SUBTOTAL: DWELLI	NG SQUARE FOOT COS	ST					70,330
4	OTHER CHARGES	·····						
	ITEM			LENGTH	WIDTH	SIZE/UNITS	RATE	COST
	Roof - Composition Sh	ingle						
	Heat - Hot Air							
	AC Combined System					972	1.35	1,312
	Fireplace - 1 Story Brid	k				1	2,860.00	2,860
	Deck					360	8.35	3,006
	Enclosed Porch					192	32.70	6,278
	Basement Adjustment				<del> </del>	-24	7.80	-187
5	SUBTOTAL: OTHER	CHARGES						40.000
	TOTAL DWELLING B	ASE COST			<del></del>			13,260
						<u> </u>		83,590
	Cost Index						X	1.23
	Replacement Cost Nev	w (RCN)						102,816
	Less Depreciation						40%	-41,126
	Subtotal: RCN Less Do	epreciation						61,680
	Market Value Index	·					Х	0.95
7	<b>DWELLING VALUE</b>							

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SALL-STATE LEGAL®

58,590

Page

2

1	PROPERTY ADMINIST	RATIVE DAT	Α		Dwelling N	io: 2	Grade	2
	Account No. Map/Gr/Par/Sec/Bi/Lt District / Card Seq Owner's Name Address	09 / 21508-	6 / / / 19 -000-00-00 CHAEL ANTHONY	CamaSet 9.14 CamaSubset 184	MVI/Model Occupancy Curtilage Land Use Valued by Year built	No 254 y 90730	Condition DwellingType Foundation Area Enclosed Area Sec. 1 Perimeter Total Perimeter	Average Standard Unit 982 982 160 160
2	DWELLING COST CA SEC. STORY 1 1 Story No B		TYPE Wood Shingle	LENGTH	WIDTH	SQUARE FEET 982	<b>RATE</b> 43.85	<b>COST</b> 43,058
3	SUBTOTAL: DWELLII	NG SQUARE	FOOT COST					43,050
4	OTHER CHARGES ITEM Roof - Composition Sh Heat - Hot Air	ingle		LENGTH	WIDTH	SIZE/UNITS	RATE	COST
5	SUBTOTAL: OTHER	CHARGES				<u> </u>	<u>.                                    </u>	0
6	TOTAL DWELLING BA	ASE COST				·		43,050
	Cost Index Replacement Cost Nev	v (RCN)					X	1.23 52,952
	Less Depreciation Subtotal: RCN Less De	•					45%	-23,828 29,120
7	Market Value Index  DWELLING VALUE	·		<u> </u>	<del></del>		X	0.80

Page

3

PROPERTY ADMINIST	IRATIVE DATA				<b>Dwelling No:</b>	1	Grade	4
Account No.	04 09 0919270520				MVI/Model No	39	Condition	Good
Map/Gr/Par/Sec/BI/Lt	71 / 15 / 1186 / / / 19		CamaSet	9.14	Occupancy	Dual Use (D)	DwellingType	Standard Unit
District / Card Seq	09 / 21508-000-00-00		CamaSubset	184	Curtilage	90730	Foundation Area	972
Owner's Name	<b>BUTLER MICHAEL ANTI</b>	YNOF			Land Use	Residential	<b>Enclosed Area</b>	972
Address	9302 FULLERDALE	AVE			Valued by	443	Sec. 1 Perimeter	136
	00000				Year built	1930	Total Perimeter	136

	Address	9302 FULLERDALE 00000	AVE		Valued by Year built	443 1930	Sec. 1 Perimeter Total Perimeter	136 136
8	ACCESSORY STRUC	CTURES	LENGTH	WIDTH	SIZE/UNITS	RATE	DEPR	COST
9	TOTAL ACCESSORY	Y STRUCTURES VALU	E			,	<u> </u>	<u> </u>
10	TOTAL IMPROVEME	NT VALUE	<del></del> -	<u> </u>				0
	<u> </u>		<del></del>			· · · · · · · · · · · · · · · · · · ·		81,880
11	LAND VALUATION							
	LAND TYPE	Land 1	SIZE	Square Feet	RATE	ADJUSTMENT		COST
	Primary			6,000.00	5.00			30,000
	Secondary			2,000.00	1.00			2,000
	Tertiary			596.00	0.25			149
	HS#2			6,000.00	2.50			15,000
	Total Land Size			14,596.00				
12	TOTAL LAND VALUE	<b>=</b>	<del></del>	<u> </u>		<u> </u>		
		. <u> </u>	<u></u>	<u> </u>				47,140
13	TOTAL PROPERTY	VALUE						129,020
	REMARKS	<del></del>						
	R/A '02-03: P/U CAC,	Cond chg from A-G (43	3). 99 <b>∤</b> 00- 2 MAII	LBOXÉS.				

9302 Fullerdale Avenue

**ZONING CASE No.:** 

03-596-SPH

# AFFIDAVIT OF TWO DWELLINGS ON LOT

1.	I am a person over 1	8 years of age,	and am legally	competent to	execute
	this Affidavit.			-	

2.	I reside at _	9304 Fullerdale ans.	_
	1		

- 3. I am familiar with the property located at 9302 Fullerdale Avenue, Baltimore, Maryland (the "Property").
- 3. Based upon personal knowledge and belief, I am aware that two (2) separate, detached, single-family dwellings have been located continuously on the Property since 1970 00 so [insert year]

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the above facts set forth are true and correct.

MARY J. STAIRS

[PRINTED/TYPED NAME]

PETITIONER'S
EXHIBIT

4

9302 Fullerdale Avenue

**ZONING CASE No.:** 

03-596-SPH

# AFFIDAVIT OF TWO DWELLINGS ON LOT

1. and deliver	I am a person over 18 years of age, and am legally competent to execute this Affidavit.
2.	I reside at <u>2908 Chenoak Ane.</u>
3. Baltimore, l	I am familiar with the property located at 9302 Fullerdale Avenue, Maryland (the "Property").
3. separate, de Property sin	Based upon personal knowledge and belief, I am aware that two (2) stached, single-family dwellings have been located continuously on the loce  [insert year]

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the above facts set forth are true and correct.

TPRINTED/TVPED NAME

9302 Fullerdale Avenue

**ZONING CASE No.:** 

03-596-SPH

# AFFIDAVIT OF TWO DWELLINGS ON LOT

and d	1. elive	I am a person r this Affidavi	on over 18 years of age, and am legally competent to execute it.
<del></del>		_	9305 FULLERDALE AVE, BALFO, MD
Baltin	3. nore,	I am famili Maryland (th	ar with the property located at 9302 Fullerdale Avenue, ne "Property").

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the above facts set forth are true and correct.

[PRINTED/TYPED NAME]

S. 1

.

9302 Fullerdale Avenue

**ZONING CASE No.:** 

03-596-SPH

# AFFIDAVIT OF TWO DWELLINGS ON LOT

- I am a person over 18 years of age, and am legally competent to execute and deliver this Affidavit.
  - I reside at 2902 Chenook Chrones
- I am familiar with the property located at 9302 Fullerdale Avenue, Baltimore, Maryland (the "Property").
- Based upon personal knowledge and belief, I am aware that two (2) separate, detached, single-family dwellings have been located continuously on the Property since August 29, 1959.

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the above facts set forth are true and correct.

[PRINTED/TYPED NAME]

9302 Fullerdale Avenue

**ZONING CASE No.:** 

03-596-SPH

# AFFIDAVIT OF TWO DWELLINGS ON LOT

1. I am a person over 18 years of age, and am legally competent to execute and deliver this Affidavit.

3. I am familiar with the property located at 9302 Fullerdale Avenue, Baltimore, Maryland (the "Property").

3.	Based	upon persona	l knowledge	and belief,	I am av	vare that t	wo (	(2)
separate,	detached,	single-family	dwellings ha	ve been lo	cated cor	itinuously	on t	he
Property	since	1943		•				
	¥	[insert year]			-	•		

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the above facts set forth are true and correct.

[PRINTED/TYPED NAME]

