

IN RE: PETITION FOR SPECIAL HEARING
SE/S Ritchie Avenue, 183' SW of the c/l
North Point Road
(3019 Ritchie Avenue)
15th Election District
7th Council District

John Wesley Myers, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-121-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, John W. Myers, and his wife, Barbara Lynn Myers, through their attorney, Ralph K. Rothwell, Jr., Esquire. The Petitioners request a special hearing to approve an apartment over an existing garage as a nonconforming use, pursuant to Section 104 of the Baltimore County Zoning Regulations (B.C.Z.R.). 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 John and Barbara Myers, property owners, and Ralph K. Rothwell, Jr., Esquire, attorney for the Petitioners. Also appearing in support of the request were Herbert Grace and his wife, Sudie Grace, who reside to the rear of the subject property. There were no Protestants or other interested persons present; however, this matter came before me as the result of a complaint registered with the Code Enforcement Division of the Department of Permits and Development Management relative to the multi-family use of the subject property. Specifically, the Petitioner was cited with a zoning violation notice relative to an illegal conversion of the existing dwelling into apartments and an additional apartment over the existing garage.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel, approximately 50' wide by 133' deep, located on the southeast side of Ritchie

ORDER RECEIVED FOR FILING

Date

By

11/18/14

[Signature]

Avenue, south of North Point Road in Edgemere. The property is comprised of two lots, identified as Lots 30 and 31 of Cedar Crest, an older subdivision in the community which was recorded many years ago in the Land Records of Baltimore County well prior to the enactment of the first set of zoning regulations. The property contains a combined gross area of .152 acres, more or less, zoned D.R.5.5 and is improved with a 1½-story dwelling, swimming pool and a detached garage. The dwelling and garage have apparently existed on the property for many years. In fact, Maryland Department of Assessments and Taxation records show that the dwelling was constructed in 1927. (See Petitioner's Exhibit 2) Moreover, a County Tax Position Map, dated February 4, 1941 shows that both the dwelling and the garage existed on the property at that time. (See Petitioner's Exhibit 5) Moreover, Petitioner's Exhibit 6, a Baltimore County Sewer Plan (Drawing No. 53-313) identifies the garage structure as "Garage & House."

In any event, testimony revealed that Barbara Myers and her sister, Benita Benny, purchased the subject property with their husbands from the Ratsch family in 1983. At that time, there were two apartments in the dwelling, which the couples ultimately occupied, respectively, as in-fee owners, and an apartment over the existing garage, which was then occupied by Joseph Krysko. In 1991, Mr. & Mrs. Myers purchased the property from Mrs. Myers' sister and converted the dwelling to a single-family use; however, the garage apartment continued to be occupied by Mr. Krysko. After his death in 1994, Mr. Krysko's brother, Matthew Baker, moved to the property and leased the garage apartment until his marriage in November 2000. Subsequently, Arlene Abendschoen moved to the property and continues to reside in the garage apartment today.

Testimony was then received from Herbert Grace and Sudie Grace, who are long-time residents of the area and are 83 and 84 years of age, respectively. Mr. and Mrs. Grace have owned and resided at 6805 North Point Road since 1944. They testified that they also owned and operated a grocery store and deli across the street from the subject property at 6900 North Point Road, from 1939 until 1969 and had daily contact with most of the neighbors. Mrs. Grace testified under oath that the one-bedroom apartment over the garage has existed on the Petitioners' property since 1939. At that time, "Grandma" Ratsch lived in the apartment and her two sons lived in the

main house with their wives. Grandma Ratsch passed away in 1964 and a month later, the Gephardts (a mother and son) moved to the apartment, followed by George Murphy and his sister, who remained there for about 5 years after which Mr. Krysko moved to the property. The Graces knew all of the tenants who were regular customers in their grocery store. The only occasional breaks in occupancy occurred when one tenant vacated the premises and another moved in; however, these lapses were short-lived and were never more than a month or two in duration.

As noted above, the Petitioners were recently cited with a zoning violation notice relative to the garage apartment and the alleged illegal conversion of the dwelling into apartments. Apparently, an anonymous complaint was registered with the Code Enforcement Division of the Department of Permits and Development Management (DPDM) and the Petitioners were advised to file the instant Petition to legitimize existing conditions on the property.

Nonconforming uses are defined in Section 101 of the B.C.Z.R. and regulated by Section 104 thereof. 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." Often, the nonconforming use designation is applied to grandfather an otherwise illegal use. That is, if the Petitioner can establish that the use existed prior to the date of the zoning regulation that prohibited such use and the use has been continuous and without interruption for a period of one year or more, the use may continue with a nonconforming use status. In this case, the relevant date is March 30, 1955, the date the current B.C.Z.R. were adopted.

It is clear from the testimony and evidence presented that the garage apartment has existed on the property since at least 1939, and that its use has been continuous and without interruption since that time. Thus, the use enjoys a nonconforming status. As to the dwelling, the Petitioners testified that the house has been used and occupied as a single-family dwelling since 1991. Although it was previously used and occupied as a two-apartment dwelling, its nonconforming use was forfeited upon its conversion to a single-family use in 1991. As noted above, the Petitioners seek relief as to the nonconforming use of the garage apartment, only.

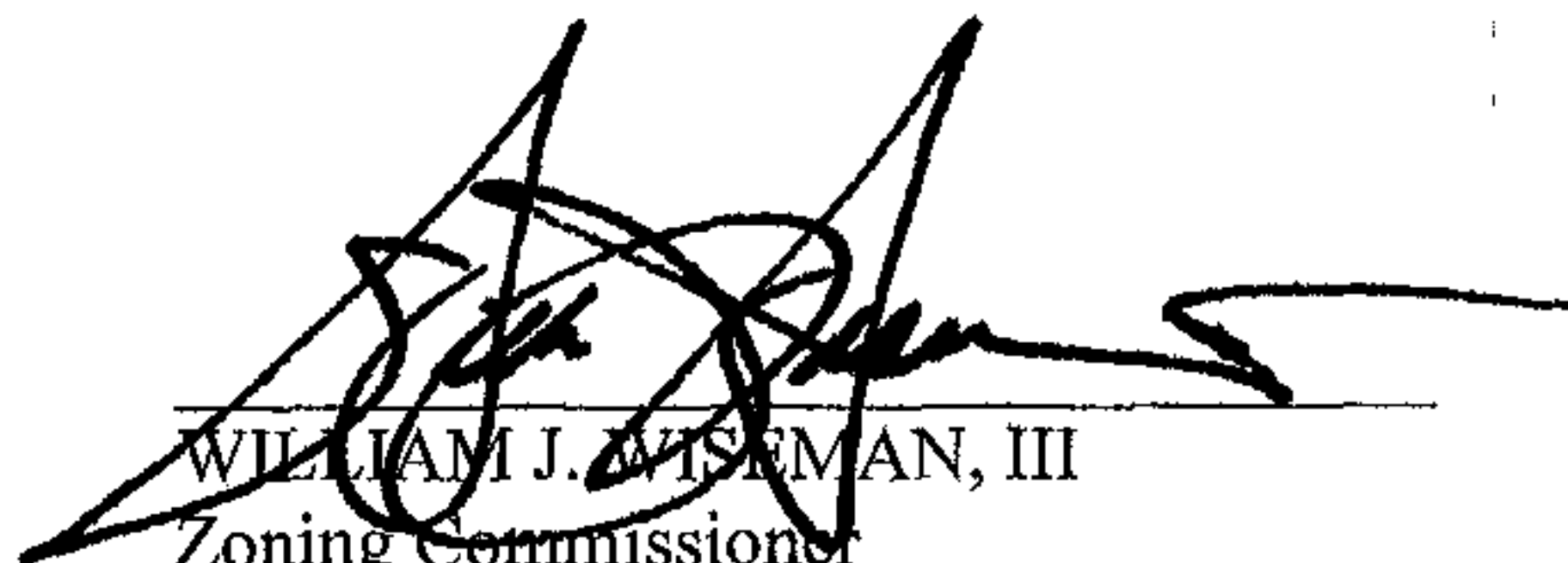
Based upon the testimony and evidence presented, I easily find that the relief requested should be granted. The testimony offered by Mr. & Mrs. Grace was particularly persuasive that the garage apartment has been used continuously and without interruption since 1939 and thus, enjoys a nonconforming use status. Therefore, the relief requested shall be granted. However, as noted above, the dwelling lost its nonconforming status as two apartments upon its conversion to single-family status in 1991 and therefore must remain as a single-family use.

Pursuant to the advertising, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of November 2004 that the Petition for Special Hearing seeking approval to allow the continued use of an existing apartment over the detached garage as a nonconforming use, pursuant to Section 104.1 of the B.C.Z.R., be and is hereby GRANTED.

IT IS FURTHER ORDERED that the dwelling shall remain a single-family use and cannot be converted for use as a multi-family building.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING

Date 11/18/04

By [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

November 18, 2004

Ralph K. Rothwell, Jr., Esquire
Maslan, Maslan, Rothwell & O'Brien
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: PETITION FOR SPECIAL HEARING
SE/S Ritchie Avenue, 183' SW of the c/l North Point Road
(3019 Ritchie Avenue)
15th Election District – 7th Council District
John W. Myers, et ux - Petitioners
Case No. 05-121-SPH

Dear Mr. Rothwell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, 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,

A handwritten signature in black ink, appearing to read "William J. Wiseman, III", is written over a circular stamp that contains the text "BALTIMORE COUNTY" and "MARYLAND".

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. John W. Myers
3019 Ritchie Avenue, Baltimore, Md. 21219
Mr. & Mrs. Herbert Grace
6805 North Point Road, Baltimore, Md. 21219
Code Enforcement Division, DPDM; People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3019 Ritchie Avenue
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

The non-conforming use of said property to allow the continued use of an apartment over the ^{detached} garage as a 2nd dwelling unit on the subject property. Said use having existed continuously since 1944. (see Section 104 Baltimore County Zoning Regulations.)

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

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

Contract Purchaser/Lessee:

Legal Owner(s):

John Wesley Myers

Name - Type or Print

Signature

Barbara Lynn Myers

Name - Type or Print

Signature

3019 Ritchie Avenue

Address

410-477-1278

Telephone No.

Baltimore, MD 21219

City

State

Zip Code

Representative to be Contacted:

Ralph K. Rothwell, Jr.

Name

7508 Eastern Avenue

Address

410-282-2700

Telephone No.

Baltimore, MD 21224

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP

Date 9/3/04

Case No. 05-121-SPH

ORDER RECEIVED FOR FILING
DATE 11/13/04

Office: 410-282-2700

Fax: 410-282-3336

Ralph K. Rothwell, Jr.
Attorney At Law

MASLAN, MASLAN, ROTHWELL & O'BRIEN, P.A.
7508 Eastern Avenue
Baltimore, MD 21224

email : RROTHDDL@AOL.COM

**DESCRIPTION TO ACCOMPANY PETITION FOR
SPECIAL HEARING**

3019 RITCHIE AVENUE

Beginning for the same at a point on the southeast side of Ritchie Avenue (40 feet wide), distant 183 feet southwesterly from the it's intersection with the centerline of North Point Road (50 feet wide), thence being all of Lots 30 and 31, Block B as shown on the plat entitled Cedar Crest recorded among the plat records of Baltimore County in Plat Book 8 Folio 68. Containing 6,625 square feet or 0.152 acre of land, more or less. *plw*

Being known as 3019 Ritchie Avenue and located in the 15th Election District, 7th Councilmanic District of Baltimore County, Maryland.



05-121-SPN

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 48673

DATE 9/3/04 ACCOUNT R-001-006-6050

AMOUNT \$ 65.00

RECEIVED FROM:

M. J. Miller / Mark A. Rothwell, Jr.

FOR:

Special Hearing - 3019 Ridge Avenue

DT-121-SPH (MYERS)

DISTRIBUTION

WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

PAID RECEIPT

BUSINESS DATE

9/03/2004 9/03/2004 10:45:00

AMOUNT PAID

65.00

DATE

9/03/2004

AMOUNT PAID

65.00

DATE

9/03/2004

AMOUNT PAID

65.00

DATE

9/03/2004

AMOUNT PAID

65.00

DATE

9/03/2004

AMOUNT PAID

65.00

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-121-SPH

Petitioner/Developer: JOHN WESLEY

& BARBARA LYNN MYERS

Date of Hearing/Closing: OCT 19, 04

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

3019 RICHIE AVE

The sign(s) were posted on

10/4/04

(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

10/7/04
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

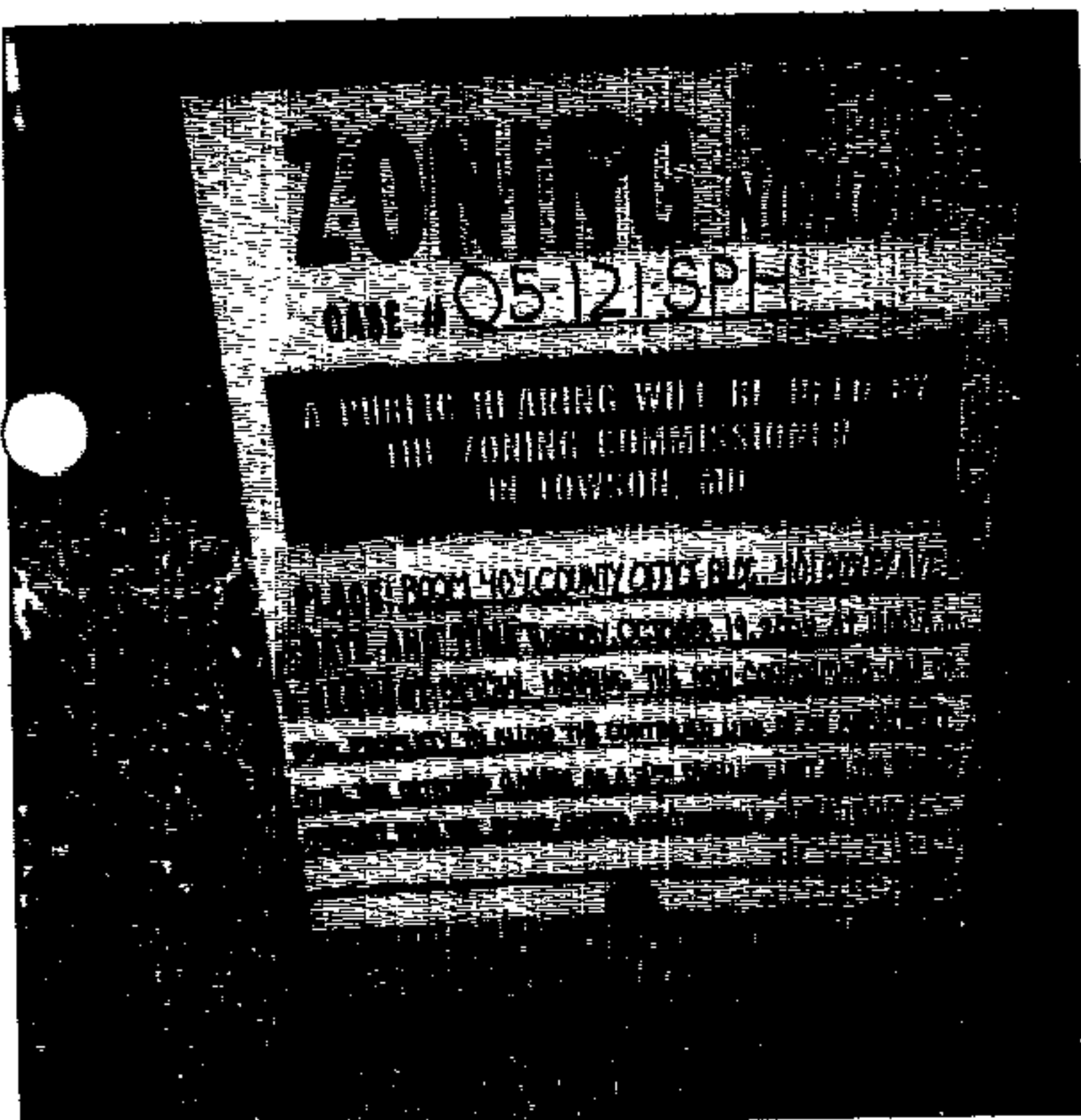
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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: #06-121-SPH
3019 Ritchie Avenue
S/east side of Ritchie Avenue, 183 feet S/west of North Point Road

15th Election District — 7th Councilmanic District
Legal Owner(s): John Wesley & Barbara Lynn Myers
Special Hearing: the non-conforming use of said property to allow the continued use of an apartment over the detached garage as a 2nd dwelling unit on the subject property said use having existed continuously since 1944.
Hearing: Tuesday, October 19, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4388.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 10/614 Oct. 5 24395

CERTIFICATE OF PUBLICATION

10/7/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/5/, 2004.

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

S. Wilkinson

LEGAL ADVERTISING

RECEIVED

OCT 12 2004

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number 05-121-SPH

Petitioner: JOHN & BARBARA MYERS

Address or Location: 3019 RITCHIE AVENUE

PLEASE FORWARD ADVERTISING BILL TO

Name: Ralph Rothwell

Address: 7508 Eastern Ave

Balto., Md. 21224

Telephone Number: 410-282-2700

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

September 10, 2004

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: 05-121-SPH

3019 Ritchie Avenue
S/east side of Ritchie Avenue, 183 feet s/west of North Point Road
15th Election District – 7th Councilmanic District
Legal Owner: John Wesley & Barbara Lynn Myers

Special Hearing the non-conforming use of said property to allow the continued use of an apartment over the detached garage as a 2nd dwelling unit on the subject property said use having existed continuously since 1944.

Hearing: Tuesday, October 19, 2004 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Ralph Rothwell, Jr., Maslan, Maslan & Rothwell, 7508 Eastern Ave., Baltimore 21244
John & Barbara Myers, 3019 Ritchie Avenue, Baltimore 21219

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 4, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 5, 2004 Issue - Jeffersonian

Please forward billing to:
Ralph Rothwell
7508 Eastern Avenue
Baltimore, MD 21224

410-282-2700

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: 05-121-SPH

3019 Ritchie Avenue

S/east side of Ritchie Avenue, 183 feet s/west of North Point Road

15th Election District – 7th Councilmanic District

Legal Owner: John Wesley & Barbara Lynn Myers

Special Hearing the non-conforming use of said property to allow the continued use of an apartment over the detached garage as a 2nd dwelling unit on the subject property said use having existed continuously since 1944.

Hearing: Tuesday, October 19, 2004 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 14, 2004

Ralph K. Rothwell, Jr.
Maslan, Maslan, & Rothwell, PA.
7508 Eastern Avenue
Baltimore, Maryland 21224

Dear Mr. Rothwell:

RE: Case Number: 05-121-SPH, 3019 Ritchie Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 3, 2004.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
John and Barbara Meyers 3019 Ritchie Avenue Baltimore 21219

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

September 14, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: September 13, 2004

Item No.: 121

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code.

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

cc: File

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

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



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

Maryland Department of Transportation

Date: 9.13.04

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

RE: Baltimore County
Item No. 121 JNP

Dear Ms. Matthews:

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,

Steven D. Foster, Acting Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BW 10/19 Robin Full

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

TO: Tim Kotroco

FROM: John D. Oltman, Jr. *JO*

OCT - 6 2004

DATE: October 6, 2004

ZONING COMMISSIONER

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of September 13, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-108
04-117
04-118
04-119
04-121
04-122
04-123
04-124
04-126
04-128
04-129

Reviewers: Sue Farinetti, Dave Lykens

BU
10/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: September 27, 2004

RECEIVED

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

SEP 28 2004

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-121

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:



Division Chief:



MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 28, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For September 20, 2004
Item No. 121

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

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
3019 Ritchie Avenue; SE/side Ritchie Avenue, *
183' SW of North Point Road * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
Legal Owner(s): John Wesley and * FOR
Barbara Lynn Myers *
Petitioner(s) * BALTIMORE COUNTY
* 05-121-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 and documentation filed in the case.

RECEIVED

SEP 22 2004

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of September, 2004, a copy of the foregoing Entry of Appearance was mailed to Ralph K. Rothwell, Jr, Esquire, 7508 Eastern Avenue, Baltimore, MD 21224, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

FDLV0102F

Permits & Development - Livability System
View CasesCase No: 04-6404

Address: 03019 RITCHIE AVE 21219
Insp Area: 012 Dist: 000 Date Rcv: 7/19/2004 Grp: ENF Intk: DJT
Inspec: Inspec2: Date Inspec: 11/12/2004
Close: 0/00/0000 Activity: Delete:

Problem: ILLEGAL CONVERSION OF HOUSE INTO APTS & DWELLING UNIT IN DETACHED
ARAGE

CL Name: PICK UP/DJTCL Address: 00000CL Home Phone: CL Work Phone: Tax Acct. 1518001450Owner: JOHN & BARBARA MYERS

Enter=Continue F12=Cancel

FAX 3468
MR. WISEMAN

1

PDLV0103F

Permits & Development - Livability System
View Cases

Case No: 04-6404

Notes: ****7/19/04, CORRECTION NOTICE ISSUED. P/U 8/19/04, DJT/CP****
***8/23/04 SPOKE WITH OWNERS ATTORNEY - RALPH ROTHWELL (410-282-2700). HE HAS A
APPOINTMENT TO APPLY ON 9/2/04. P/U 9/8/04 TO VERIFY. ANON COME (DJT/JR)***
**** CASE # 05-121-SPH
***9/9/04, P/U 10/9/04 TO CHECK ON STATUS OF ZONING CASE. UPDATE NOT NECESSARY/
PICK UP/DJT. DJT/CP***
***10/12/04, ZONING HEARING IS SET FOR 10/19/04, P/U 11/12/04 TO CHECK FOR
ZONING ORDER. ANONYMOUS COMPL. DJT/CP***

Enter=Continue F12=Cancel

CASE NAME 05-121 SPH
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.:

05-121 SPH

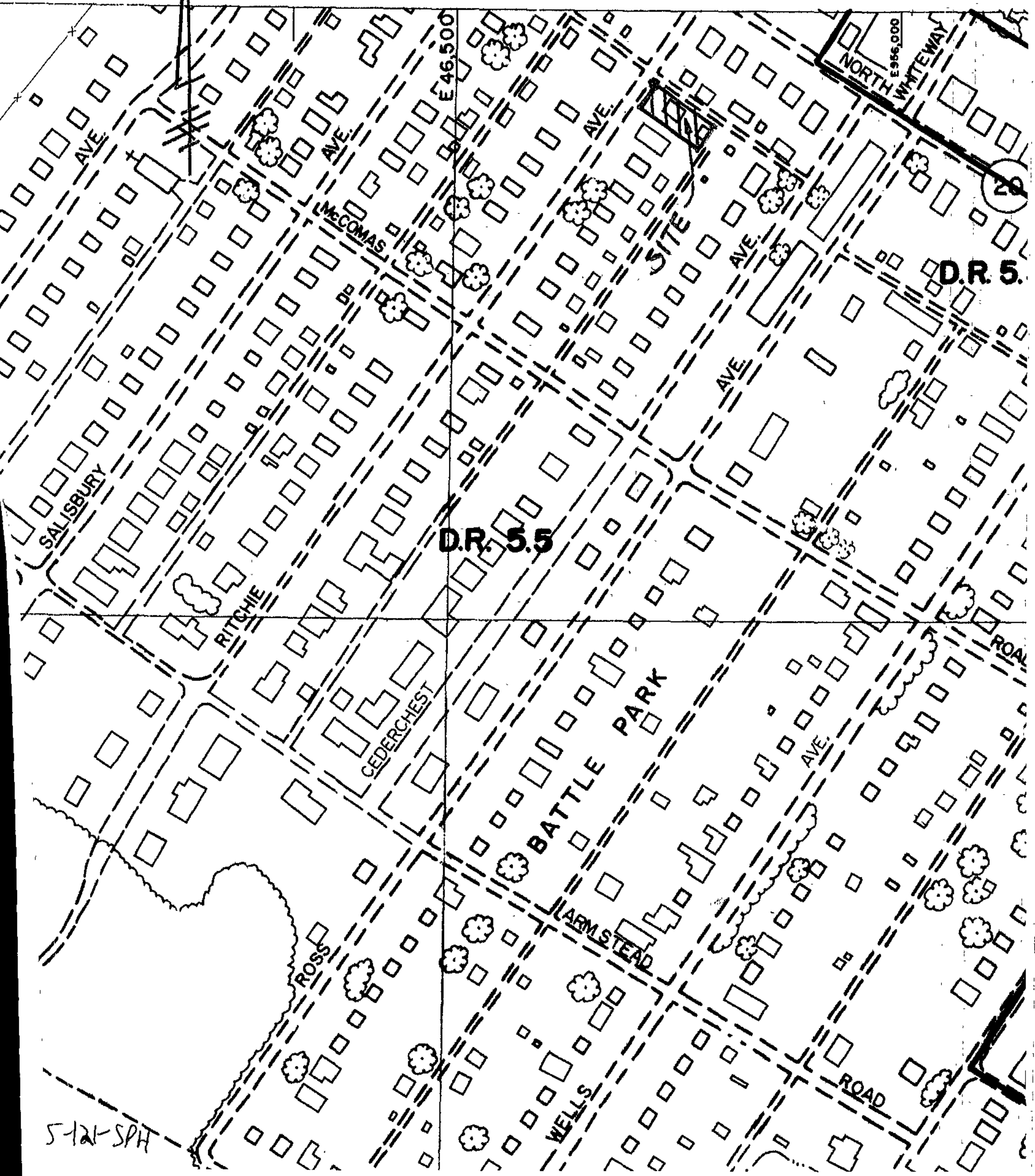
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	PLAT OF MYERS PROPERTY	
No. 2	PROPERTY TAX INFO SHEET	
No. 3	DEED TO 3019 RITCHIE AVE	
No. 4	DEED - TITLE DEED TO 3019 RITCHIE AVE	
No. 5	COUNTY TAX POSITION MAP DATED 2/4/41	
No. 6	BALTO. COUNTY SEWER PLAN DRAWING NO. 53-313 (denotes 2 - Garage + House)	
No. 7	PHOTOS (5 all together)	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

3019 RITCHIE AVENUE
SCALE: 1" = 200'
S.E. 6-H



D.R. 5.5

D.R. 5.

5-121-SPH

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search
Ground Rent

Account Identifier: District - 15 Account Number - 1518001450

Owner Information

Owner Name: MYERS JOHN WESLEY
MYERS BARBARA LYNN
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3019 RITCHIE AVE
BALTIMORE MD 21219-1224
Deed Reference: 1) / 8805/ 210
2)

Location & Structure Information

Premises Address
3019 RITCHIE AVE

Legal Description
LT 30,31
CEDAR CREST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:	Plat Ref:
111	4	126			B		30	82		8/ 68

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1927	1,623 SF	6,600.00 SF	04
Stories 1 1/2	Basement YES	Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Value As Of 01/01/2003	Phase-In Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	30,600	30,600		
Improvements:	73,630	81,440		
Total:	104,230	112,040	109,436	112,040
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
BENNY BENITA	05/31/1991	\$0
Type: NOT ARMS-LENGTH	Deed1: / 8805/ 210	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

2

LIBER 8805 PAGE 210

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM
File No. 104697BC
NO CONSIDERATION
NO TITLE SEARCH
NO EXAMINATION

SUMMIT TITLE COMPANY
Suite 502, Lafayette Building
40 West Chesapeake Avenue
Towson, Maryland 21204
883-6363

This Deed, MADE THIS 21st day of May

in the year one thousand nine hundred and ninety-one by and between
BARBARA LYNN MYERS, Grantor and party

XX

of the first part, and

✓ JOHN WESLEY MYERS and BARBARA LYNN MYERS, husband and wife, Grantees and parties

of the second part.

WHEREAS, the actual consideration paid is XERO (\$0.00) DOLLARS.
WITNESSETH, That in consideration of the sum of FIVE (\$5.00) DOLLARS, which is the actual
consideration paid or to be paid, the receipt whereof is hereby acknowledged

the said party of the first part

does grant and convey to the said parties of the second part, as Tenants by the Entireties,
their assigns, the survivor of them and the survivor's

personal representatives/ ~~successors~~ and assigns, in fee simple, all

that lot of ground situate in Baltimore County, State of Maryland,

and described as follows, that is to say:

BEING known and designated as Lots No. 30 and 31, Section B, as shown on Plat of Cedar
Crest, which Plat is recorded among the Land Records of Baltimore County in Plat Book
WPC No. 8, Folio 68. The improvements thereon being known as No. 3019 Ritchie Avenue.

BEING the same lot or parcel of ground which by Deed dated of even date herewith and
recorded or intended to be recorded among the Land Records of Baltimore County immediately
prior hereto was granted and conveyed by Benita Sanders, formerly known as Benita Benny,
and Barbara Myers, unto Barbara Lynn Myers, the within Grantor.

TAX NOT REQUIRED

State of Finance
BALTIMORE COUNTY MARYLAND

For Barbara Lynn Myers
Authorized Signature
Date 5/31/91 Sec. 11-85 A

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

53-3191
DATE

C RC/F 13.00

DEED 0 #

SH CLERK 13.00

838529 0001 R02 T14:45

05/31/91

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE JR DATE 53191

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM
File No. 104697BC
NO TITLE SEARCH
NO EXAMINATION

SUMMIT TITLE COMPANY
Suite 502, Lafayette Building
40 West Chesapeake Avenue
Towson, Maryland 21204
583-6353

This Deed, MADE THIS 21st day of May, 1991

in the year one thousand nine hundred and ninety-one by and between
BENITA SANDERS, formerly known as BENITA BENNY, and BARBARA MYERS, her sister, Grantors,
and parties

of the first part, and

BARBARA LYNN MYERS, Grantee and party

of the second part.

WITNESSETH, That in consideration of the sum of EIGHTEEN THOUSAND TWO HUNDRED and
00/100ths----- DOLLARS (\$18,200.00), which is the actual consideration paid or
to be paid, the receipt whereof is hereby acknowledged

the said parties of the first part

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE IR DATE 5-31-91

RECEIVED FOR TRA
State Department
Assessments & Taxation
for Baltimore County
JK 5-31-91

do grant and convey to the said party of the second part, her

C RC/F 14.00
C T TX 72.50
C DUES 225.00
DEED 0 #

personal representatives/~~SUCCESSORS~~ and assigns

, in fee simple, and
439325 0001 R02 T14:41
05/31/91

that lot of ground situate in Baltimore County, State of Maryland,

and described as follows, that is to say:
BEING known and designated as Lots No. 30 and 31, Section B, as shown on Plat of Cedar
Crest, which Plat is recorded among the Land Records of Baltimore County in Plat Book
WPC No. 8, Folio 68. The improvements thereon being known as No. 3019 Ritchie Avenue.

FOR TITLE, SEE THE FOLLOWING:

Deed dated September 19, 1983 and recorded among the Land Records of Baltimore County in
Liber No. 6595, Folio 805 by Donald Ratsch and Henry B. Ratsch and Frances L. Ratsch, by
her Guardian Eric W. Ratsch, Jr. unto Robert Benny and Benita Benny, his wife, and John
Myers and Barbara Myers, his wife.
Deed dated September 2, 1986 and recorded as aforesaid in Liber No. 7259, Folio 064, by
Robert Benny and Benita Benny, his wife, and John Myers and Barbara Myers, his wife, unto
Robert Benny and Benita Benny, his wife, and Barbara Myers.
Deed dated February 27, 1988 and recorded as aforesaid in Liber No. 8148, Folio 232 by
Robert Benny unto Benita Benny.

I/WE, the Grantee(s), hereby certify under penalty of perjury that the residentially
improved property which is located at 3019 Ritchie Avenue, Baltimore, Maryland
21219 is the owner-occupied residence of the undersigned.

Barbara Lynn Myers
BARBARA LYNN MYERS

Subscribed and sworn to before me this 21st day of May, 1991.

[Signature]
Notary Public

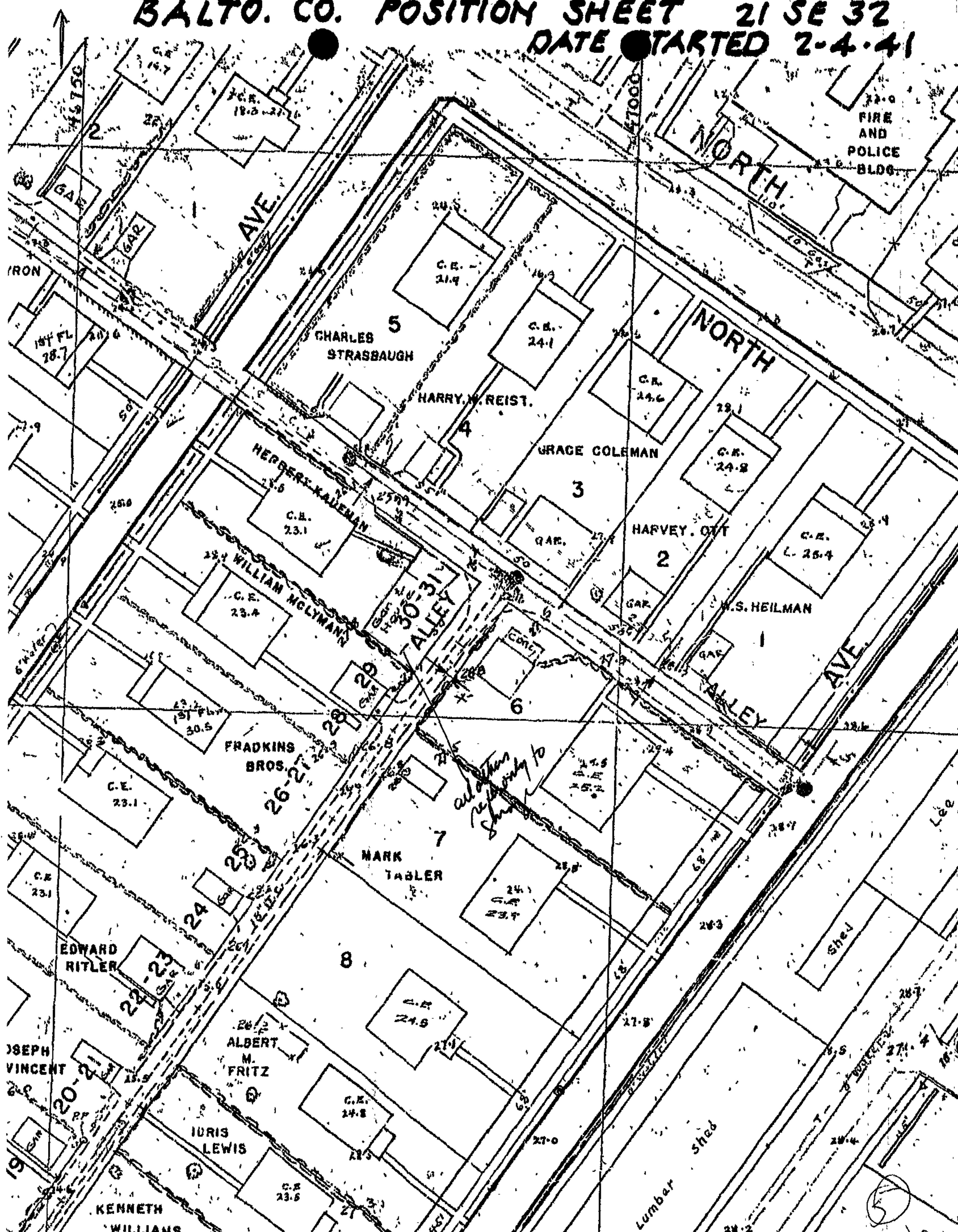
My commission expires: 3-1-92

CLAYTON S. CHARNOVICH
NOTARY
EA 0001:3/ET/05-31-91
HOWARD CO.

\$712.00

(4)

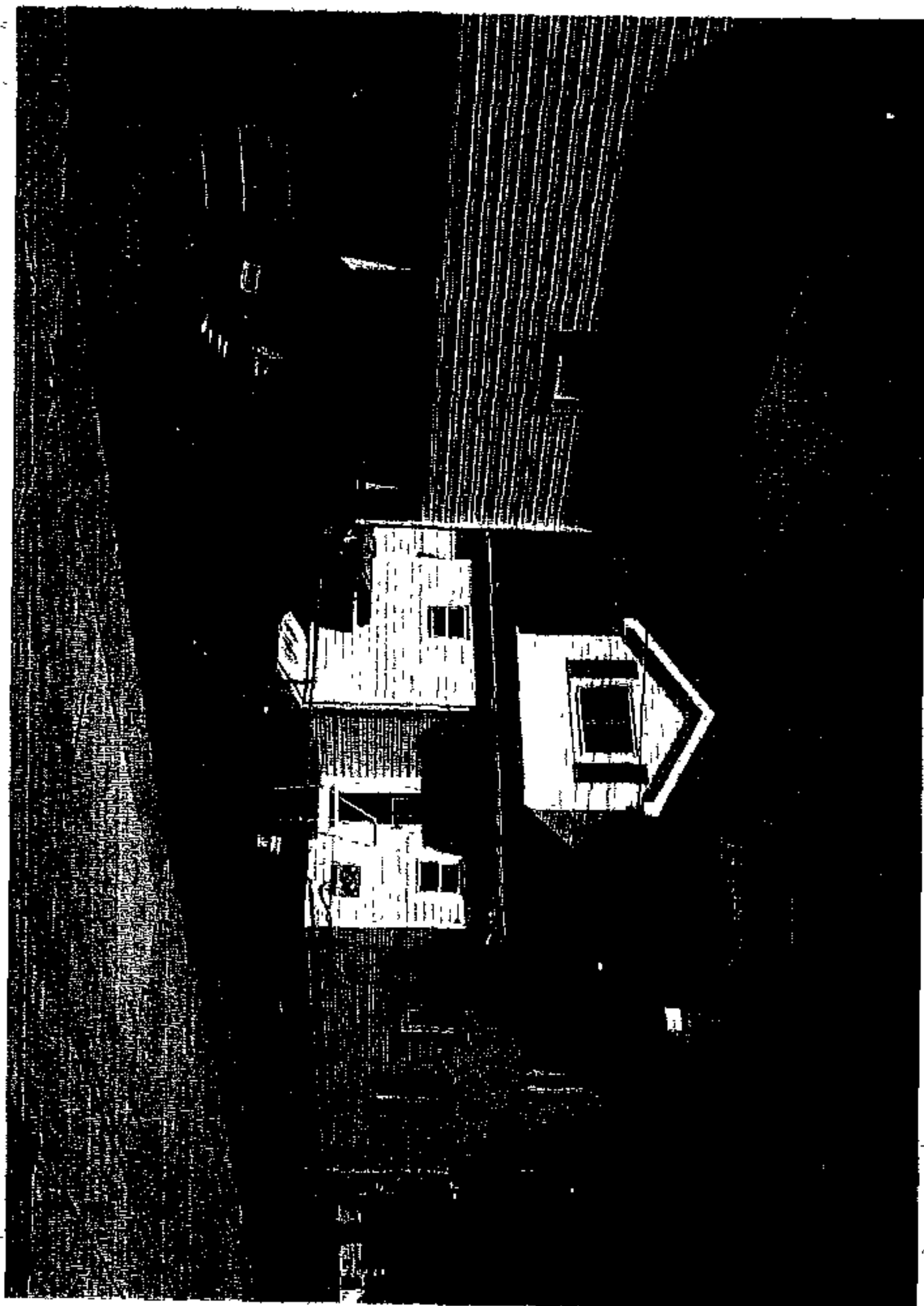
DATE STARTED 2-4-41



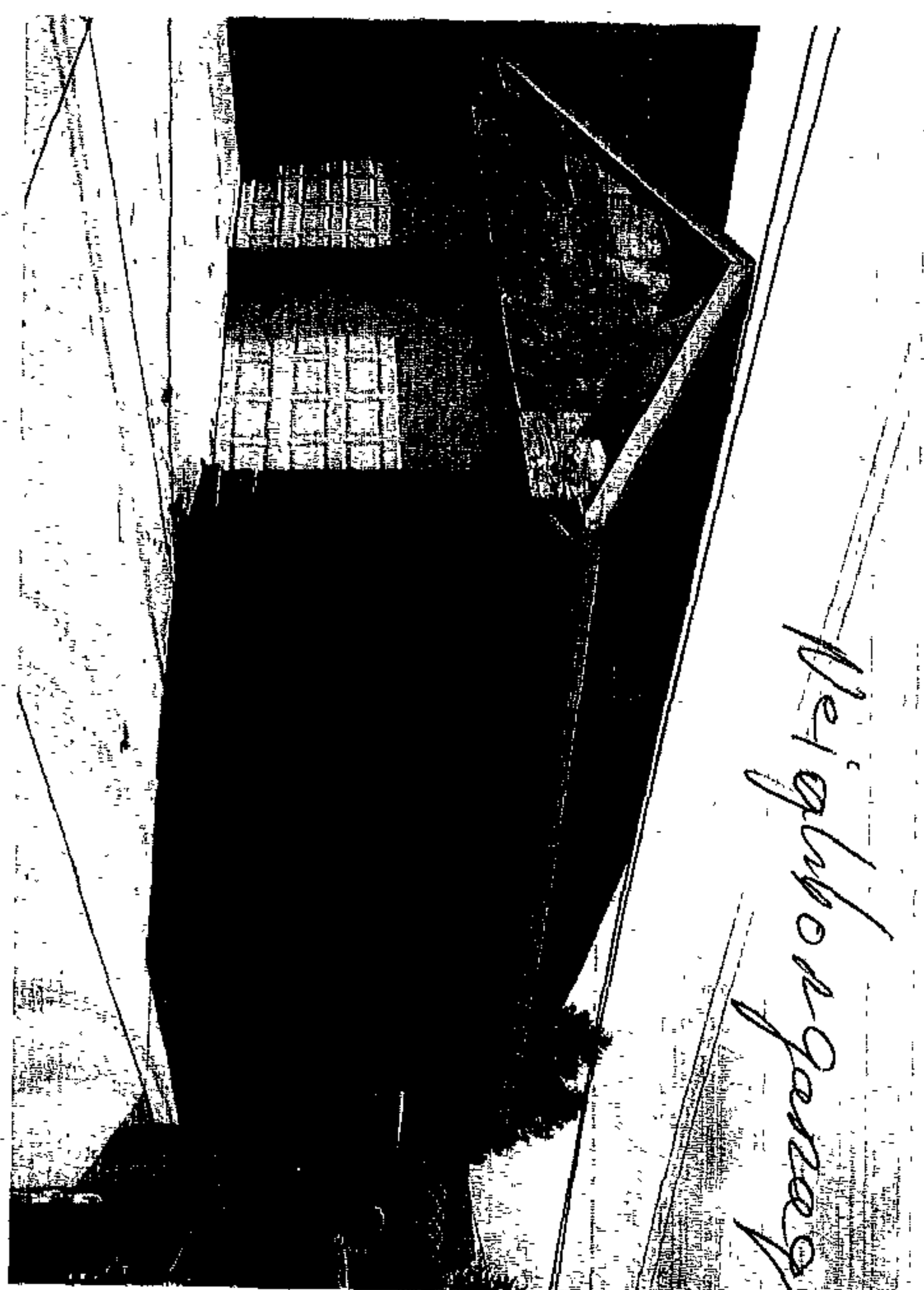
AVENUE



1



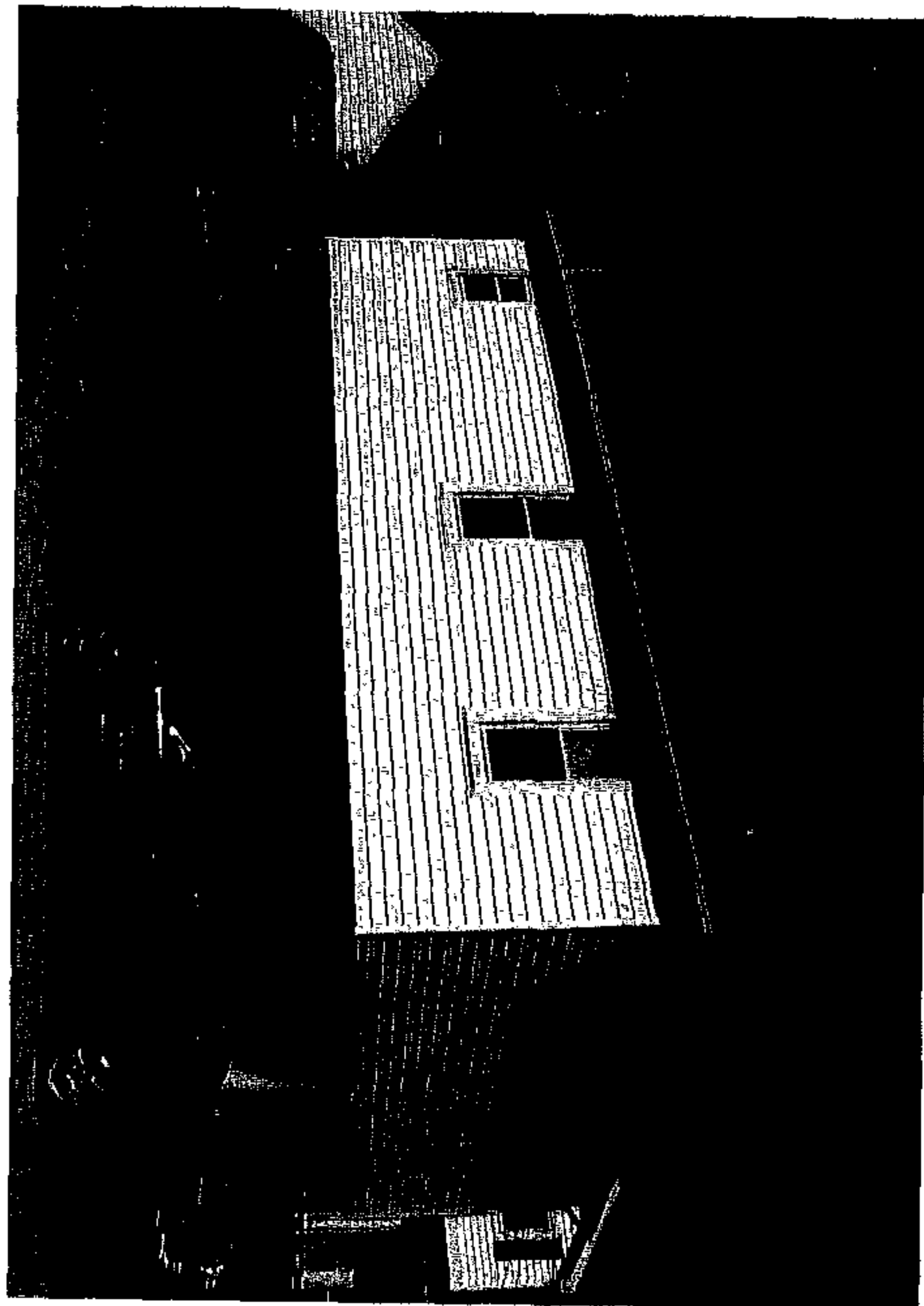
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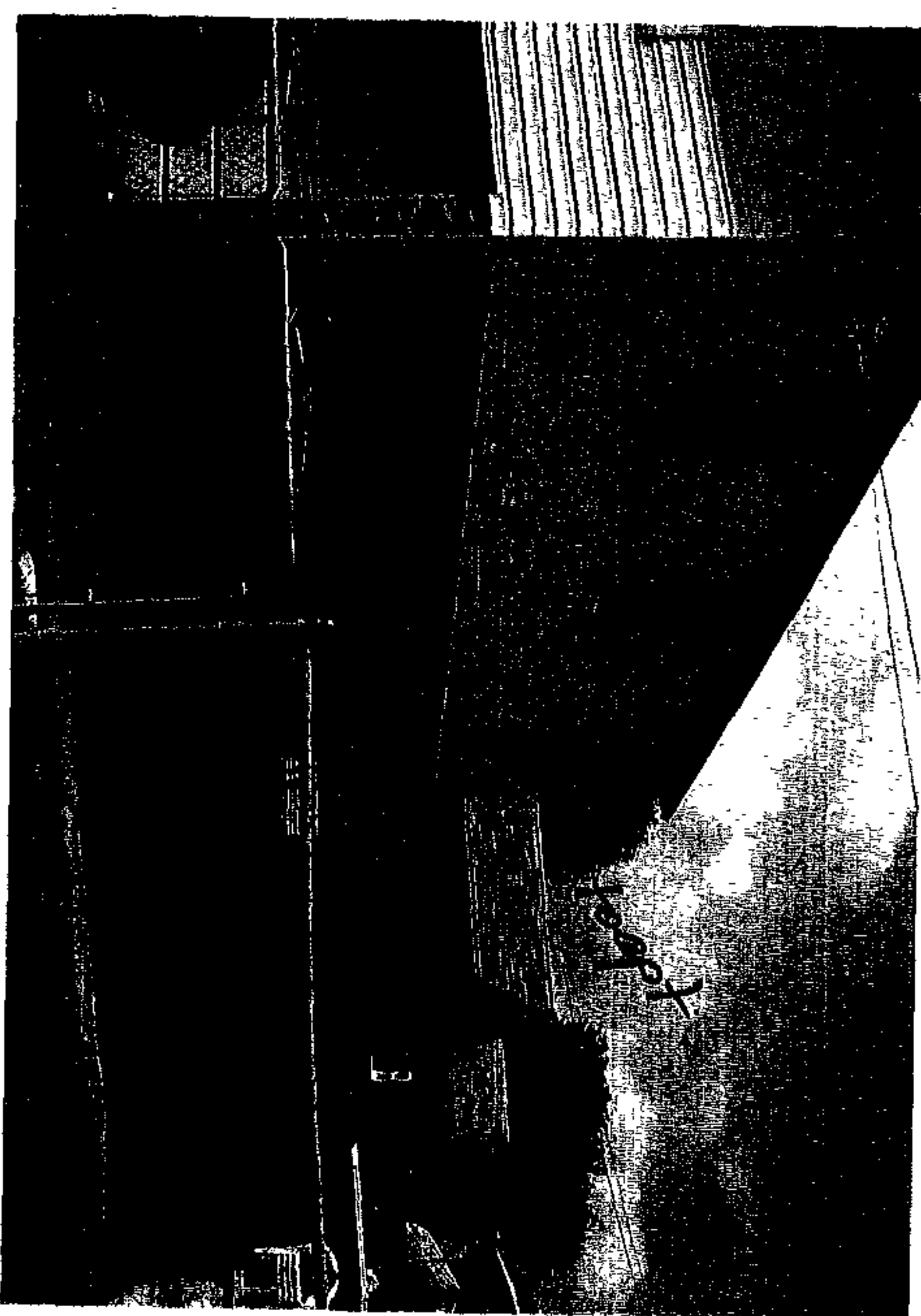
Neighborhood garage

(7)

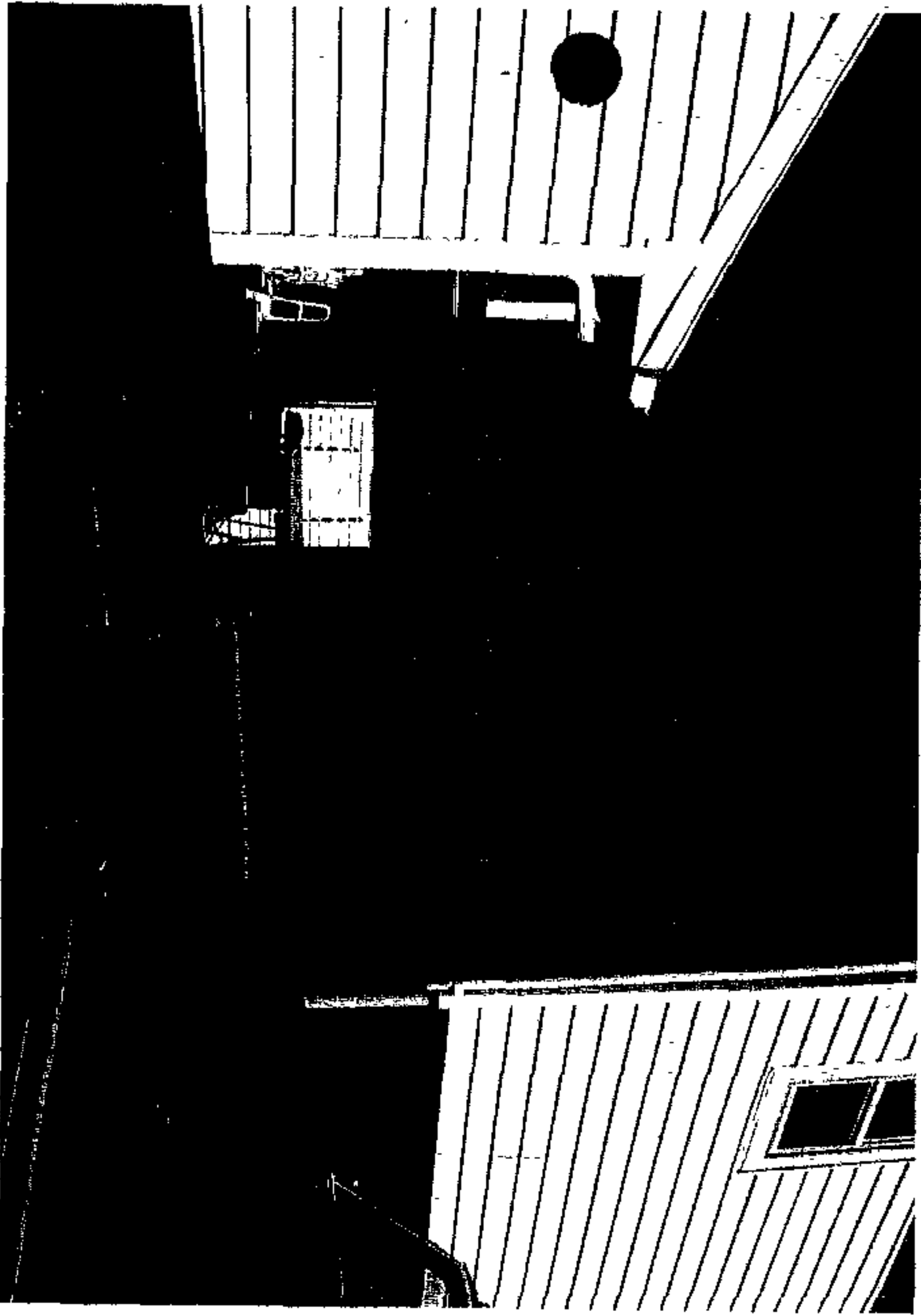
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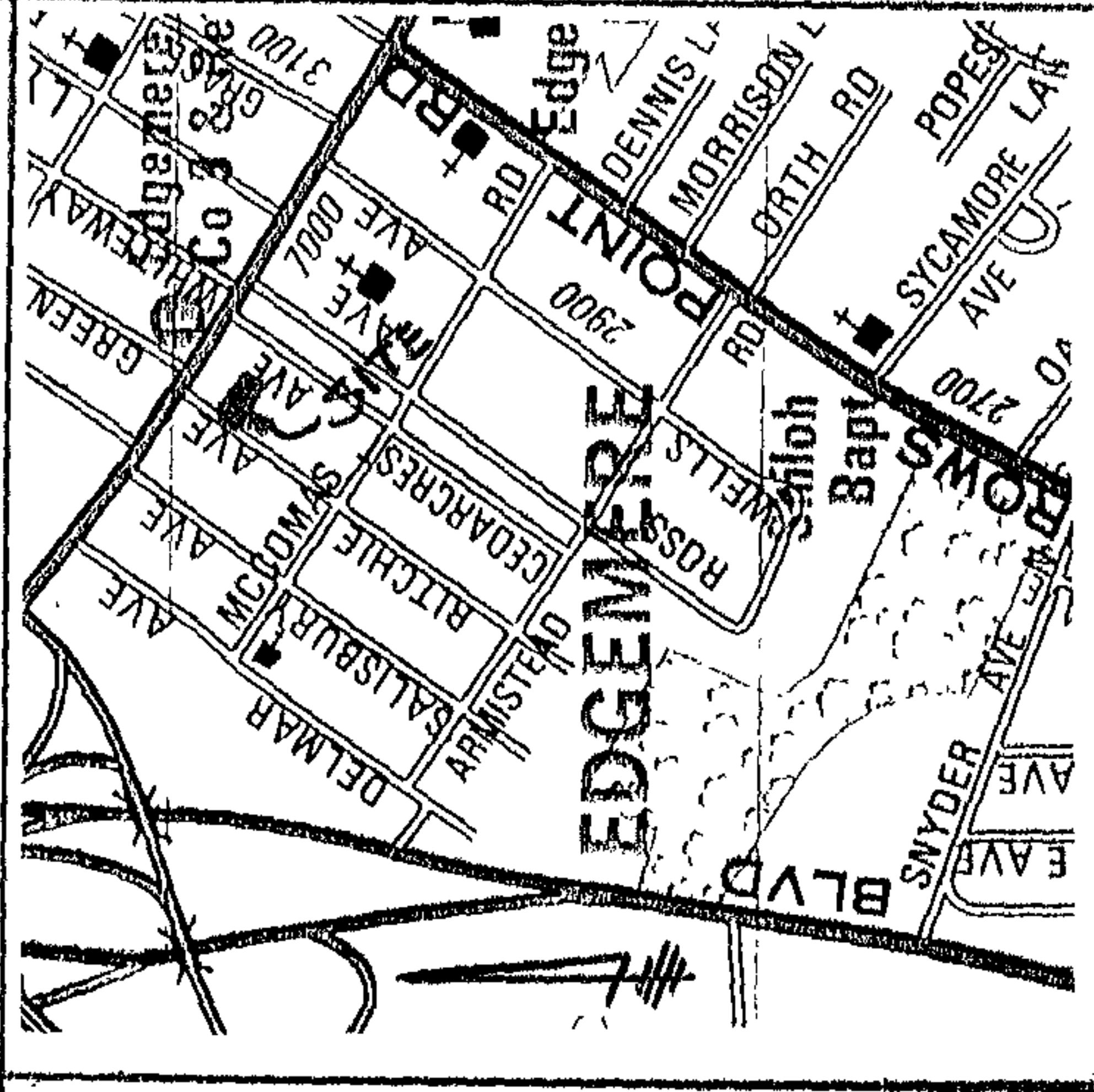


4



67





VICINITY MAP
SCALE: 1" = 1000'

NOTES:

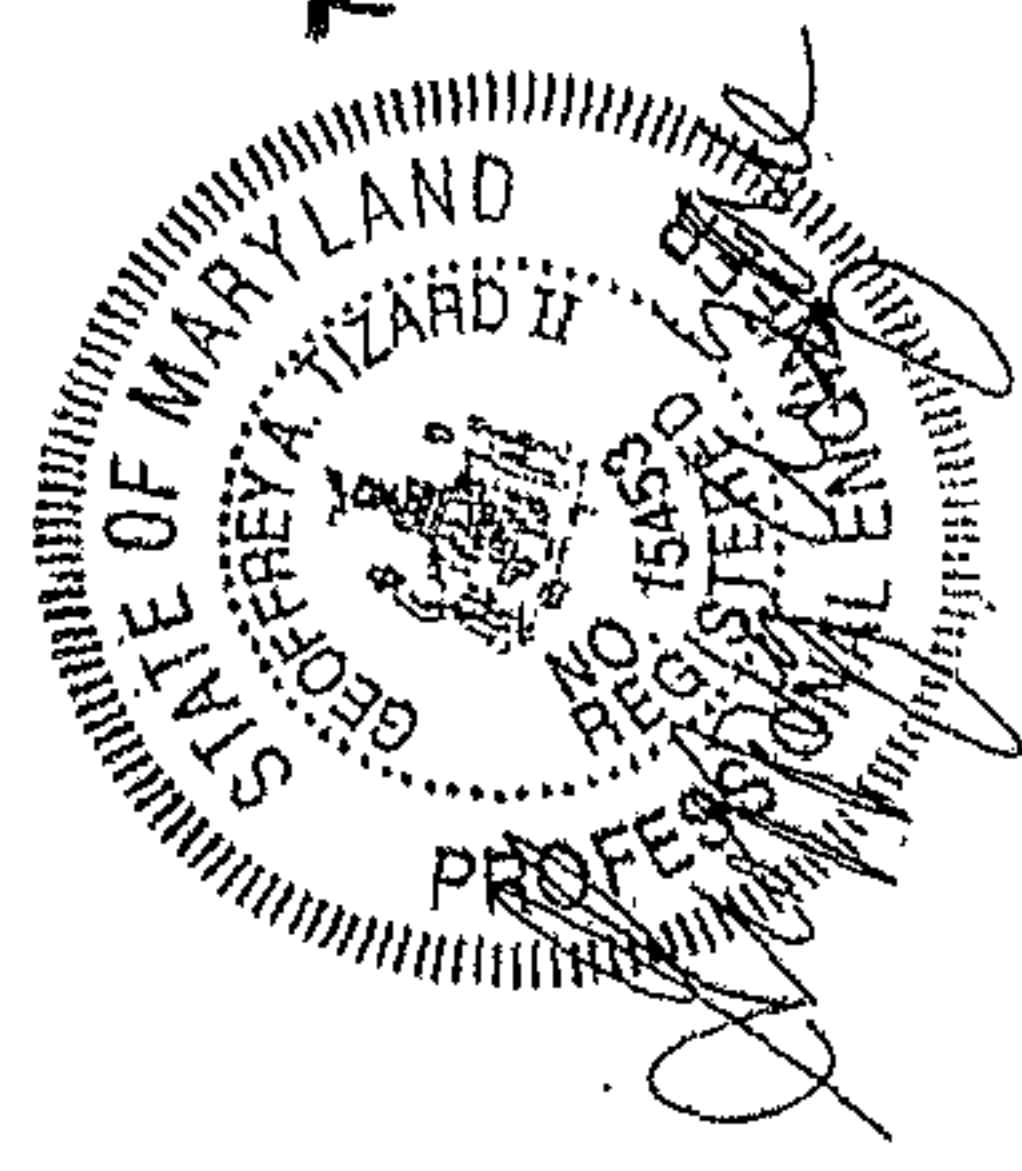
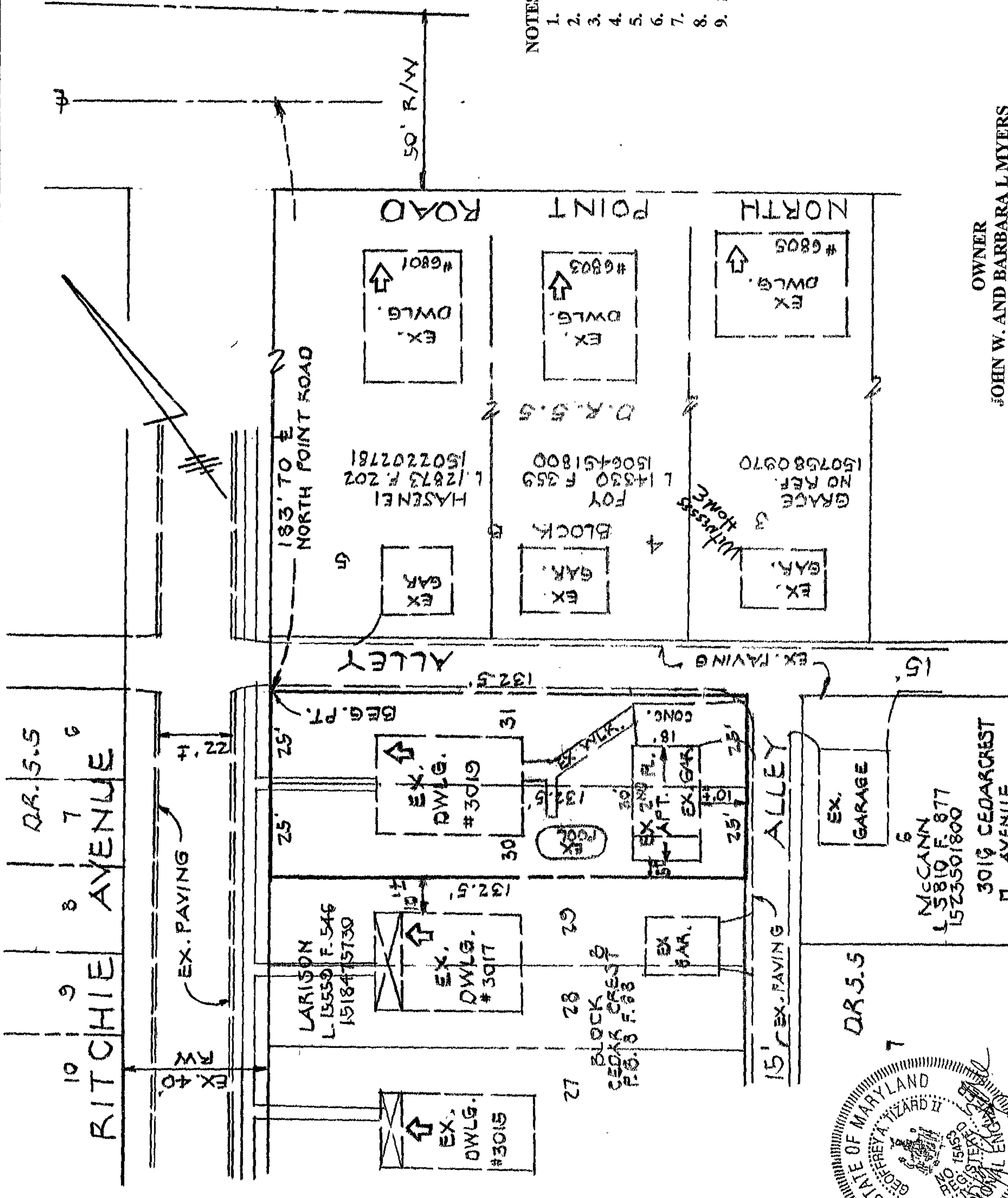
1. ZONING.....D.R. 5.5
2. AREA = 6625 S.F. = 0.152 AC. +/-
3. SITE IS LOCATED IN THE CBCA
4. SITE IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN
5. NO HISTORIC BUILDINGS EXIST
6. NO PREVIOUS ZONING HISTORY
7. PUBLIC WATER AND SEWER EXIST
8. 1 INCH = 200 FEET ZONING MAP (SE 6-H)
9. SEE VIOLATION CASE NO. 04-6404

2xHabit 1

PLAT TO ACCOMPANY PETITION
FOR SPECIAL HEARING
3019 RITCHIE AVENUE
ELECTION DISTRICT 15,C7
BALTIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 30 FEET
AUGUST 14, 2004

05-121-SP4

OWNER
JOHN W. AND BARBARA L MYERS
3019 RITCHIE AVENUE
BALTIMORE, MD. 21219
L.8805 F.210
ACCT. NO. 1518001450



CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719