

IN RE: PETITIONS FOR VARIANCE
E/S Lincoln Avenue, Across and
50'S of the c/l Geise Avenue
(2229 & 2227 Lincoln Avenue)
15th Election District
7th Council District

Gary M. Maynor, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Cases Nos. 05-461-A & 05-462-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by the owner of the subject adjacent properties, Gary M. Maynor, Jr. Since the properties are owned by the same person and are located adjacent to one another, the two cases were heard contemporaneously. In this regard, it is to be noted that the Petitioner had previously filed for relief under Cases Nos. 05-284-A and 05-285-A and a hearing was scheduled before Deputy Zoning Commissioner John V. Murphy on February 1, 2005. However, as a result of a misunderstanding, neither the Petitioner nor his representative attended the hearing, nor was there any request for postponement. Thus, by Order dated February 8, 2005, Deputy Zoning Commissioner Murphy dismissed the requested variance without prejudice. Subsequently, the Petitioner advised that he was not aware that his presence at the public hearing was required and requested a reconsideration of the matter. Ultimately, the Director of the Department of Permits and Development Management allowed the Petitioner to re-file his requests under the above-captioned Case numbers seeking relief as more particularly described below.

In Case No. 05-461-A, the Petitioners request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an existing dwelling, known as 2227 Lincoln Avenue, on a lot with a width of 50 feet in lieu of the required 55 feet. In Case No. 05-462-A, the Petitioners request similar relief from Sections 1B02.3.C.1 and 304.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the minimum required 55 feet and approval of

ORDER RECEIVED FOR FILING

Date

By

the subject property as an undersized lot, for a proposed dwelling, to be known as 2229 Lincoln Avenue. The subject properties and requested relief are more particularly described on the site plans submitted in each case, which were accepted into evidence and marked respectively as Petitioners' Exhibits 1.

Appearing at the requisite public hearing in support of the request was Gary Maynor, property owner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject properties are located on the east side of Lincoln Avenue, across from its intersection with Geise Avenue in Edgemere, not far from Jones Creek and Old Road Bay. The properties are also identified as being part of Lot 1G of the J. W. Hinson property, an older subdivision that was platted and recorded in the Land Records in 1935, well prior to the adoption of the first set of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots are undersized and do not meet current area and width requirements for development. In this regard, the subject property is comprised of two parcels, both of which are 50 feet wide and range in depth from 235 to 240 feet deep. As shown on the site plan, the property known as 2227 Lincoln Avenue, contains a gross area of 11,811 sq.ft., zoned D.R.5.5, and is improved with a two-story dwelling in which the Petitioner resides. The property known as 2229 Lincoln Avenue contains a gross area of 11,937 sq.ft., split-zoned B.L. and D.R.5.5, and is unimproved; however, has traditionally been used as the side yard to the improved parcel known as 2227 Lincoln Avenue. In this regard, although the subject property is located in an area predominantly zoned D.R.5.5, a larger area of this parcel is zoned B.L., apparently due to the fact that the immediately adjacent property to the north is zoned B.L. and is improved with an apartment building which contains a convenience store on the first floor. In any event, both properties are served by public water and sewer, and have their own individual tax identification numbers.

The instant Petitions were filed seeking recognition that the subject properties are two separate building lots so as to permit development of the unimproved lot, and to legitimize the existing dwelling. In this regard, both lots are only 50 feet wide; however, contain more than

11,000 sq.ft. in area. The D.R.5.5 zoning regulations require a minimum lot width of 55 feet, and minimum lot area of 6,000 sq.ft. Thus, the only deficiency in both instances is the lot width, which is 5 feet shy of the required 55 feet. The new house will meet all front, side and rear yard setback requirements and will be located a consistent distance from the road as other houses in the vicinity. In that both lots contain well above the minimum required area, that portion of the request seeking approval of the unimproved lot as undersized shall be dismissed as moot.

Turning first to the relief requested in Case No. 05-462-A, I am persuaded that relief should be granted to allow construction of the proposed single-family dwelling on the property known as 2229 Lincoln Avenue. The fact that this subdivision was platted and recorded many years ago, well prior to the adoption of the B.C.Z.R. is a persuasive factor. Moreover, the proposed dwelling will meet all front, side, and rear yard setback requirements and will be situated on the lot consistent with other homes along Lincoln Avenue. Finally, the neighbors support the proposal. The only deficiency in this instance is the lot width, which is 5 feet shy of the required 55 feet. It is to be noted that given the property's close proximity to the water, the proposed development must be in compliance with Chesapeake Bay Critical Areas Regulations. Moreover, the proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning.

Relief will likewise be granted in Case No. 05-461-A to legitimize the existing dwelling on the property known as 2227 Lincoln Avenue. As noted above, these lots were created in 1935 and the dwelling has existed on the subject property since 1947. Thus, it is clear that strict compliance with the zoning regulations would be impractical and result in an unreasonable hardship for the Petitioners. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and meets the spirit and intent of Section 307 for relief to be granted.

Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

ORDER RECEIVED FOR FILING
Date 7/12/16
By [Signature]

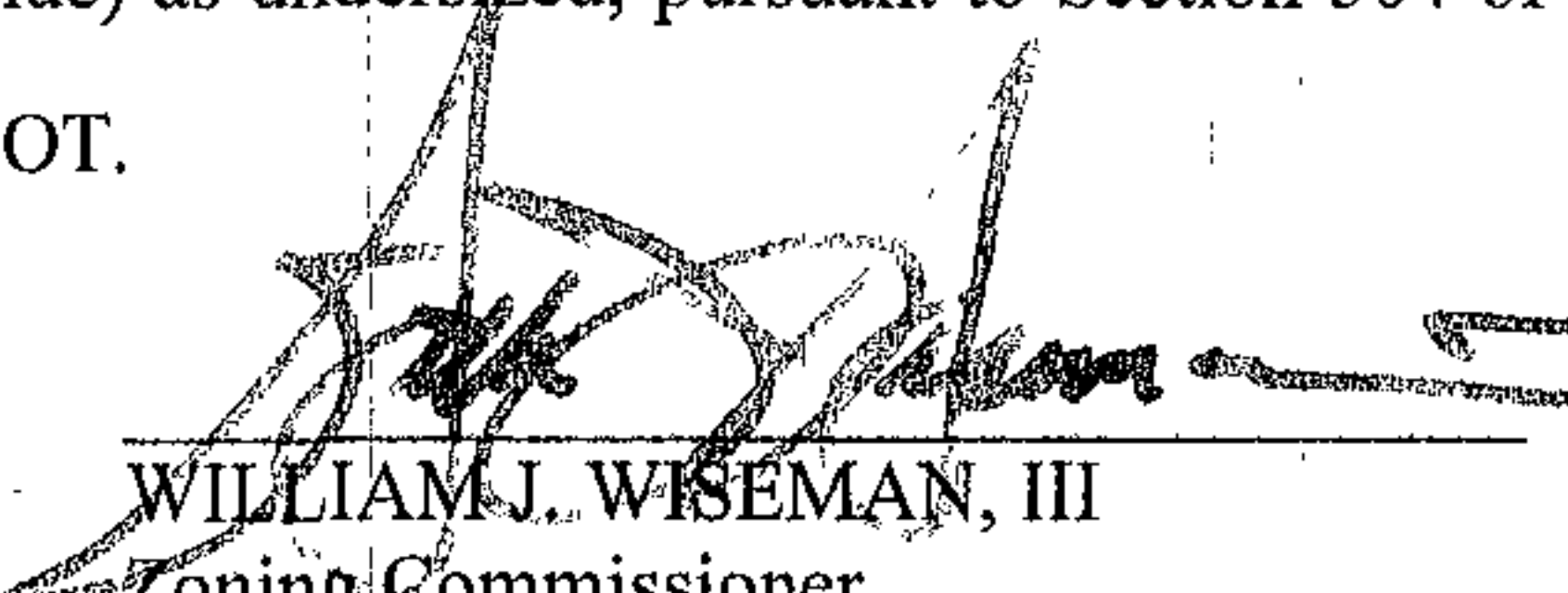
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of April 2005 that the Petition for Variance filed in Case No. 05-461-A seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot width of 50 feet in lieu of the required 55 feet, for the existing dwelling known as 2227 Lincoln Avenue, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance filed in Case No. 05-462-A, seeking relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with Chesapeake Bay Critical Areas regulations as set forth in the ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated January 24, 2005, a copy of which is attached hereto and made a part hereof.
- 3) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning. Additionally, the Petitioners shall provide landscaping along the public road for both properties.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

IT IS FURTHER ORDERED that the relief requested in Case No. 05-462-A seeking approval of the unimproved lot (2229 Lincoln Avenue) as undersized, pursuant to Section 304 of the B.C.Z.R., be and is hereby DISMISSED AS MOOT.

WJW:bjs


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

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

April 12, 2005

Mr. Gary M. Maynor, Jr.
2227 Lincoln Avenue
Baltimore, Maryland 21219

RE: PETITIONS FOR VARIANCE
E/S Lincoln Avenue, Across and 50' S of the c/l Geise Avenue
(2227 & 2229 Lincoln Avenue)
15th Election District – 7th Council District
Gary M. Maynor, Jr. - Petitioner
Cases Nos. 05-461-A and 05-462-A

Dear Mr. Maynor:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Variance have 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 horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
DEPRM; Office of Planning; People's Counsel; Case File

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





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2229 UNCOLN AVE, BALTIMORE
which is presently zoned D.R.5.5 + B.L.

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 Variance from Section(s) 1202, BC.1. + 304 (BCZR)

TO PERMIT CONSTRUCTION OF A DWELLING ON A LOT WITH A WIDTH OF 50-FEET IN LIEU OF 55-FEET AND TO APPROVE AN UNDERSIZED LOT.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(indicate hardship or practical difficulty)

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

I, or we, agree to pay expenses of above Variance, 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

GARY MAYNOR

Name - Type or Print

Signature

Name - Type or Print

Signature

2227 LINCOLN AVE

Address

410-477-1746

Telephone No.

BALTC.

MD

State

21219

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By D.T.

Date 3/17/05

Case No. 05-462-A

REV 9/15/98

3/16/05
James A. Carruth
comm exp 9/1/07

COPIES RECEIVED FOR FILING

730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

**ZONING DESCRIPTION
2229 LINCOLN AVENUE
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the east side of Lincoln Avenue, a right- of- way (50) feet wide at the distance of 0 feet south of the centerline of the nearest improved intersecting street Geise Avenue, a right- of- way (40) feet wide. Being lot #1G in the subdivision of J W Hinson as recorded in Baltimore County Plat Book #10, Folio #97, containing 11,937 Sq.Ft. or 0.274 Ac.+/- Also known as 2229 Lincoln Avenue and located in the 15th. Election District, 7th Councilmanic District.

05-462-A

05-285-A

**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: #05-462-A
2229 Lincoln Avenue
East side of Lincoln Avenue
0 feet south of centerline of
Geise Avenue.
15th Election District
7th Councilmanic District
Legal Owner(s):

Gary Maynor

Variance: to permit construction of a dwelling on a lot with a width of 50 feet in lieu of 55 feet and to approve an undersized lot.

Hearing: Thursday, March 31, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
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.

3/300 Mar 17 43519

CERTIFICATE OF PUBLICATION

3/17/, 2005

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 3/17/, 2005.

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



LEGAL ADVERTISING



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

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

*Both Posted
3/16/05 GF*

NEW 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: 05-462-A

2229 Lincoln Avenue
East side of Lincoln Avenue, 0 feet south of centeline of Geise Avenue
15th Election District—7th Councilmanic District
Legal Owner: Gary Maynor

Variance to permit construction of a dwelling on a lot with a width of 50 feet in lieu of 55 feet and to approve an undersized lot.

Hearing: Thursday, March 31, 2005 at 10:00 a.m., in Room 407, County Courts Building
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK: klm

C: Gary & Kristy Maynor, 2227 Lincoln Avenue Baltimore 21219
Patrick Richardson, 110 Old Padonia Rd., Cockeysville 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 16, 2005.**
- (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.



**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: 05-4162-A

Petitioner: MAYNOR

Address or Location: 2229 LINCOLN AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MARK RUTH

Address: 8001 WOOD AVE.

BALTO. MD 21219

Telephone Number: 443-506-0540

PLEASE SCHEDULE THESE TWO
HEARINGS FOR THE SAME DATE

05-461-A	2227 LINCOLN AVE.
05-462-A	2229 LINCOLN AVE.

THANKS,

DONNA

**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

March 22, 2005

Gary Mayner
2227 Lincoln Avenue
Baltimore, Maryland 21219

Dear Mr. Mayner:

RE: Case Number: 05-462-A, 2229 Lincoln Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 17, 2005.

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

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

March 23, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: March 21, 2005

Item No: 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 457,
461, 462.

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.

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

Acting Lieutenant Don W. Muddiman
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 1, 2005
RECEIVED

APR - 6 2005

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-461 and 5-462

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform to the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. However, there appears to be several existing 50-foot wide lots in the neighborhood. As such, this office does not oppose the petitioner's request.

If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling:

1. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
2. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By:

Mark A. Cunniff

Division Chief:

Amy Mantay

MAC/LL

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



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

Maryland Department of Transportation

Date: 3.18.05

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

RE: Baltimore County
Item No. 05-462-A
2229 LINCOLN AVE.

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, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director DATE: April 8, 2005
Department of Permits & Development
Management

FROM: Dennis A. Kennedy, ^{DAK} Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 28, 2005
Item No. 462

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right of way width for all roads in Baltimore County is 40-foot. Setback shall be modified accordingly

DAK:CEN:clw
Cc: file
ZAC-ITEM NO 05-462 03282005.doc

Jan 21

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

RECEIVED

JAN 24 2005

ZONING COORDINATOR

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr JDO
DEPRM

DATE: January 24, 2005

SUBJECT: Zoning Item # 05-285 (AKA #462)
Address 2229 Lincoln Ave (Maynor Property)

Zoning Advisory Committee Meeting of December 13, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: Mike Kulis

Date: January 24, 2005

S:\Devcoord\ZAC SHELL 11-20-03.doc

ORDER RECEIVED FOR FILING
Date 1/27/05
By [Signature]

RE: PETITION FOR VARIANCE	*	BEFORE THE
2229 Lincoln Avenue; E/side Lincoln Avenue,	*	ZONING COMMISSIONER
0' S c/line Geise Avenue	*	
15 th Election & 7 th Councilmanic Districts	*	FOR
Legal Owner(s): Gary Maynor	*	
Contract Purchaser(s): Mark Ruth	*	BALTIMORE COUNTY
Petitioner(s)	*	
	*	05-462-A

* * * * *

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
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 28th day of March, 2005, a copy of the foregoing Entry of Appearance was mailed to, Gary Maynor, 2227 Lincoln Avenue, Baltimore, MD 21219, Petitioner(s).

RECEIVED

Per.....

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

Interoffice Memorandum

TO: Zoning Advisory Committee Members

Zoning Items 284 & 285 resulted in Case #05-284-A & 05-285-A. Both hearings were held on February 1, 2005, and both cases were dismissed. Due to a misunderstanding the petitioners did not attend the hearings. The Deputy Zoning Commissioner and Director of Permits & Development Management have agreed to reprocess the same requests with new hearing numbers – new case – same requests.

Address	Old Case #	New Case #
2227 Lincoln Avenue	05-284-A	05-461-A
2229 Lincoln Avenue	05-285-A	05-462-A

BALTIMORE COUNTY
SELECTION/SEQUENCE- NAME KEY

PAGE 1 OF 1

SELECT ONE	NAME	ACCOUNT KEY NUMBER	STREET LOCATION	OWN OCC MAP	PAR	LOT
	MAYNOR GARY MICHAEL	15-1505880060	²²²⁹ LINCOLN AVE	N 111	272	1G
	MAYNOR GARY MICHAEL	15-1505880061	2227 LINCOLN AVE	H 111	272	1G

05-462A

F1 = PAGE FOWARD F2 = PAGE BACK F3 = RETURN ENTRY

Exhibit 3

* INTAKE SHEET VERIFICATION *

ACCOUNT NO: 15 1505880060 NAME KEY: MAYNOR GARY MICHAELJR 10/23/1992
 /17243/ 496 MAP PARCEL PT LT 1G W 50.06
 30011 111 / 272 D .00

PLAT: 10/ 97

HINSON PLAT

MAYNOR GARY MICHAEL, JR
 2227 LINCOLN AVE
 BALTIMORE

PREMISE:

LINCOLN AVE

00000

MD 21219	AREA: 11900.000 S	FCV	BASE	CURRENT
	LOT /BLOCK/SEC SUB	L:	23220	23220
	1G/ /	I:	0	0
		T:	23220	23220
		PR:	0	0
		CB:	0	0

GEO : 82 GRID: 16 TX CL:

USE : R TOWN: 000 EX ST: 0 CO PROP CD: 04

OWNR: N ZONE: EX CL: 000 INC LIEN DT:

BPRUC: 00000 H OWN TX CRED: N REZN RL PR :

LETTER OF INTENT DT: CC ASMT DT :

AG TAX DUE UNTIL: EXP DT :

FCMA: EXT EXP DT :

PARTIAL EX

CO 000 0

ST 000 0

MU 000 0

TRANS FM: EVANS WILLIAM EDRIS

12/17/2002 /13621/ 228

F1 = PRIMARY F4 = TRANSFERS F7 = NAME LIST F10= PERMITS

F2 = VALUES F5 = TAX/NEW CONS F8 = NOTICES F11= APPEALS

F3 = LOCATION F6 = ENTRY SCREEN F14= HIST

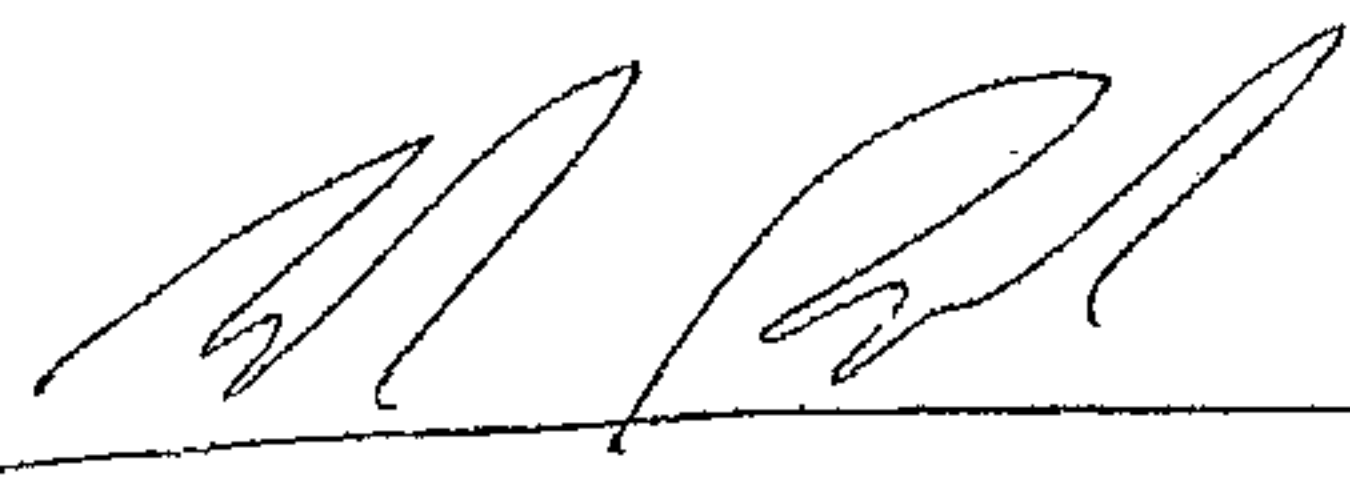
unimproved

410-987-5708

Attn: Kristen
Matthews

May 27, 2005

I Mark Ruth do not wish
to proceed with the Appeal
that I filed on April 29, 2005
Against case number #05-462-A

X 
Mark Ruth

May 27, 2005

Rec'd 5/27/05

Case No.:

05-461A - 2227 Lincoln Lot 272

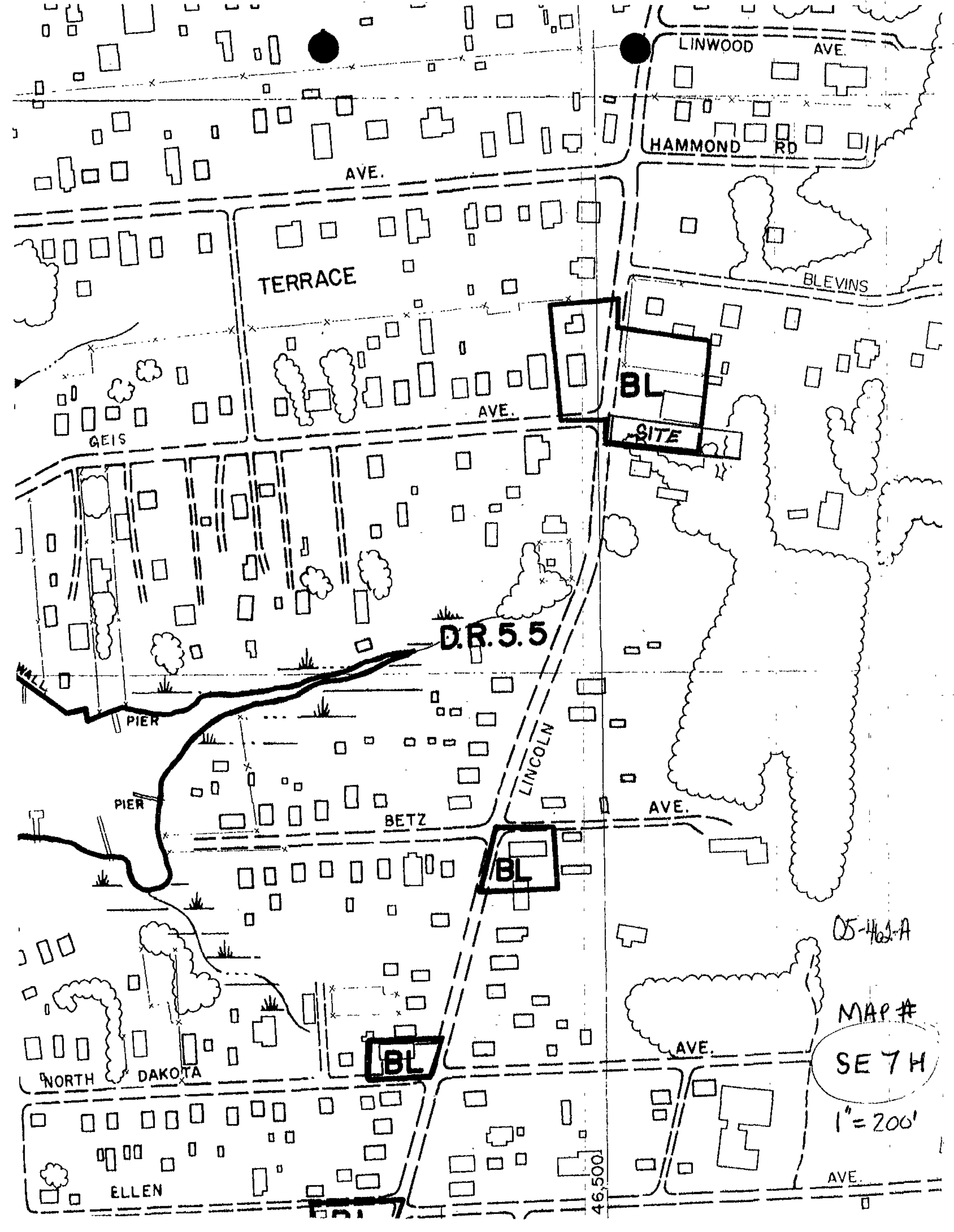
05-462A - 2229 Lincoln Lot 197

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN Site PLAN	
No. 2	SUBDIVISION PLAT - <u>both cases</u>	
No. 3	SEPARATE TAX Bills	
No. 4	DEED	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



(1)

This Deed, MADE THIS 2ND day of December in the year Two Thousand Two by and between William Edris Evans and Carol Joyce Evans, parties of the first part, and Gary Michael Maynor, Jr., party of the second part.

Witnesseth, That in consideration of the sum of **One Hundred Thirty Eight Thousand Dollars and NO Cents (\$138,000.00)**, the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said party of the second part, as Sole Owner, his/her personal representatives, heirs and assigns, in fee simple, that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

See Exhibit A attached hereto and made a part hereof

BEING the same parcel of ground which by deed dated March 22, 1999 and recorded among the Land Records of Baltimore County, Maryland in Liber SM No. 13621, folio 228 was granted and conveyed by William Edris Evans unto William Edris Evans and Carol Joyce Evans, the Grantors herein.

**AFFIDAVIT OF INDIVIDUAL(S)
TO QUALIFY FOR TAX EXEMPTION FOR FIRST TIME MARYLAND HOMEBUYER(S)**

Grantee(s) hereby make oath or affirm under penalties of perjury that the following statements are true:

1. The undersigned individuals and each of them has/have never before owned an interest in residential real property located in the State of Maryland; and
2. the property described in the Deed to which this affidavit is attached is improved by a residence which will be occupied as my/our principal residence; and
3. I/we am/are fully qualified to make this affidavit.
4. This affidavit is made to qualify Grantee(s) for benefits under TP section 13-203.

This is to certify the within instrument was prepared under the supervision of an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland.



F. Michael Grace

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said party of the second part as Sole Owner, his/her personal representatives, heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Pet.
ax 4

EXHIBIT A

Beginning for the first thereof in the center of Lincoln Avenue, as the distance of 315-4/10 feet on the fifty or south 5 degrees 30 minutes west 511-78/100 feet line of Lot "GI" as laid down on a plat filed in the case of Cora A. Hinson vs. Mary Stanley Cremen, et al., running thence binding in the center of said Avenue and on said line South 5 degrees 30 minutes West 50-6/100 feet, running thence for lines of division the three following courses and distances, viz: South 81 degrees 36 minutes East 234-95/100 feet North 8 degrees 24 minutes West 50 feet and North 81 degrees 36 minutes West 237-47/100 feet to the place of beginning. Containing 27/100 of an acre of land, more or less. Being known and designated as No. 2227 Lincoln Avenue; and

Beginning for the second thereof in the center of Lincoln Avenue, at the end of the first or South 5 degrees 30 minutes West 150-2/100 feet line of that lot of ground which by deed dated March 5, 1942 and recorded among the Land Records of Baltimore County in Liber CHK No. 1220, folio 34, was conveyed by Cora A. Dunn and husband to Bruce E. Betts, running thence binding on the center of Lincoln Avenue South 5 degrees 30 minutes West 50-6/100 feet, more or less, to the end of the last or North 81 degrees 36 minutes West 237-47/100 feet line of that lot of ground which by Deed dated February 18, 1946 and recorded among the Land Records of Baltimore County in Liber RJS No. 1342, folio 503 was conveyed by Cora A. Dunn and husband to Donald Stewart and wife, thence binding reversely on the last line of the Stewart Deed and running South 81 degrees 36 minutes East 237-47/100 feet, thence running North 8 degrees 24 minutes East 50 feet to intersect the end of the second line of the aforementioned Deed from Dunn to Betts, and thence binding on the Betts lot and running North 81 degrees 36 minutes West 240 feet to the place of beginning.

WITNESS the hands and seals of said Grantor(s) and Grantee(s).

Test: 7

William Edris Evans (SEAL)
 WILLIAM EDRIS EVANS

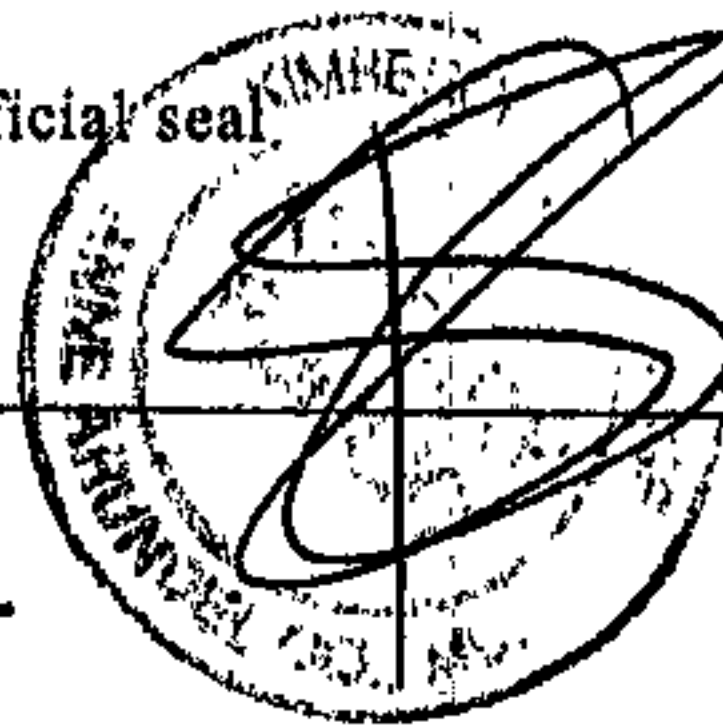
Carol Joyce Evans (SEAL)
 CAROL JOYCE EVANS

Gary Michael Maynor, Jr. (SEAL)
 GARY MICHAEL MAYNOR, JR.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I Hereby Certify, That on this 2nd day of December in the year Two Thousand Two, before me, the subscriber, a Notary Public of the State of Maryland, County of A.A. personally appeared William Edris Evans and Carol Joyce Evans and Gary Michael Maynor, Jr. known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal



My Commission Expires: 2-1-05

File Number: 10250WM

Return Deed To:

Gary Maynor
 2227 Lincoln Avenue
 Baltimore, Maryland 21219

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

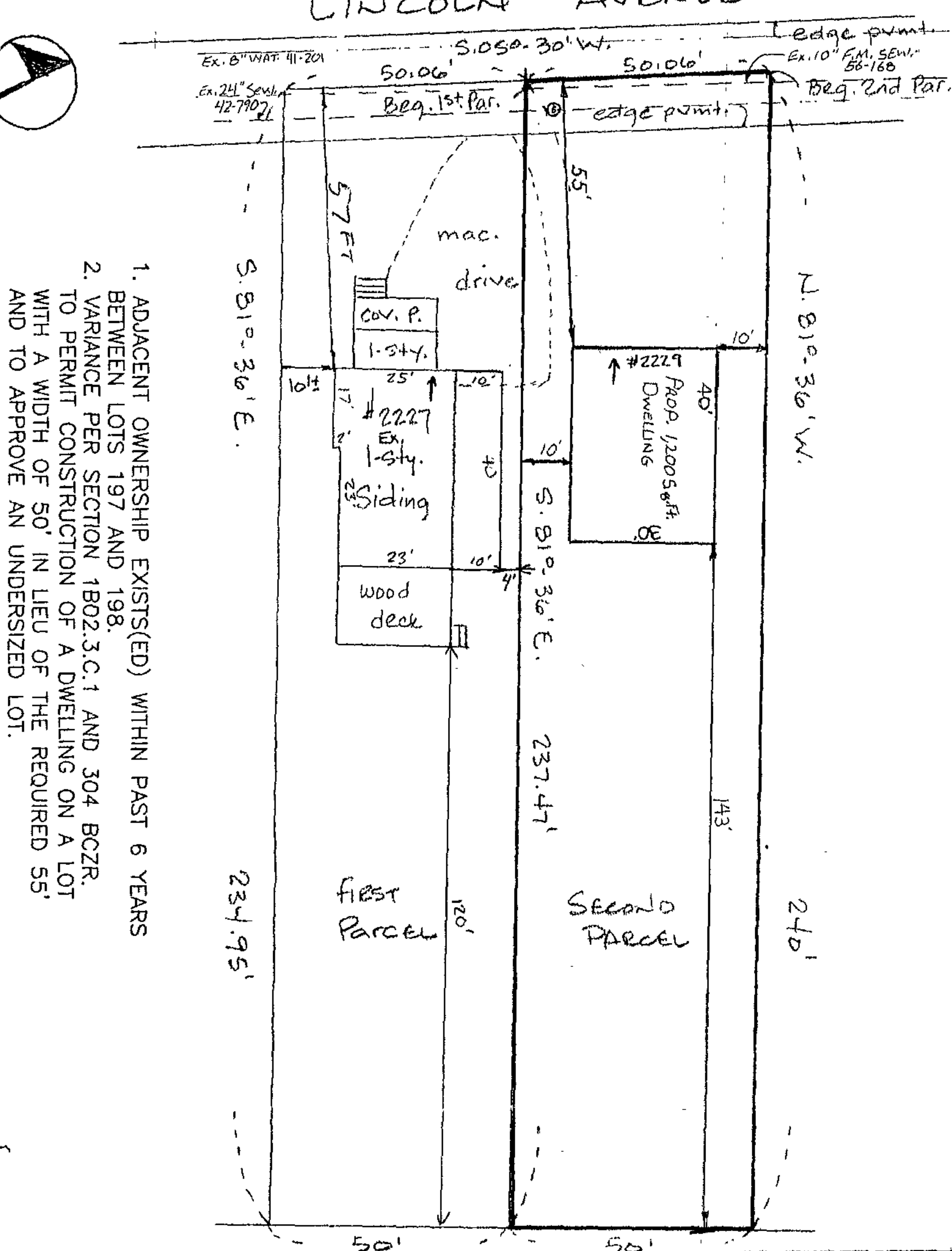
PROPERTY ADDRESS #2229 LINCOLN AVENUE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME N/A

PLAT BOOK # 10 FOLIO # 97 LOT # 16 SECTION # N/A

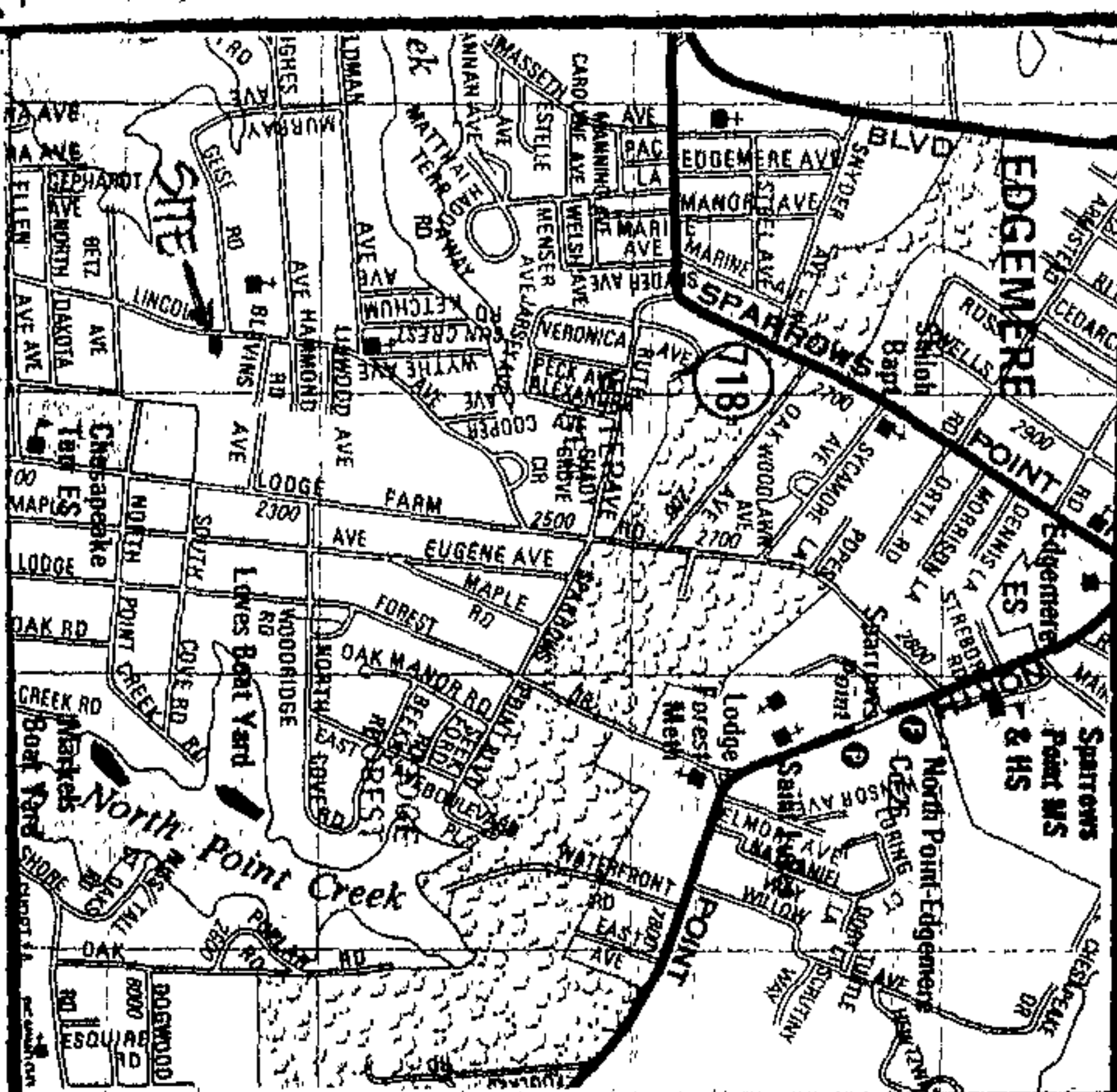
OWNER: GARY M. MAYNOR, Sr



1. ADJACENT OWNERSHIP EXISTS(ED) WITHIN PAST 6 YEARS BETWEEN LOTS 197 AND 198.
2. VARIANCE PER SECTION 1B02.3.C.1 AND 304 BCZR. TO PERMIT CONSTRUCTION OF A DWELLING ON A LOT WITH A WIDTH OF 50' IN LIEU OF THE REQUIRED 55' AND TO APPROVE AN UNDERSIZED LOT.

PREPARED BY MARK RUTH

SCALE OF DRAWING: 1" = 30 ^{Feet}

**LOCATION INFORMATION**

ELECTION DISTRICT

COUNCILMANIC DISTRICT

1"=200' SCALE MAP # SE 7-4

ZONING DP. S.S. & BL

LOT SIZE 0.274 11,937 SQ. FT.

[illegible]

PUBLIC PRIVATE

SEWER

WATER:

CHESAPEAKE BAY
CRITICAL AREA

HISTORIC PROPERTY/
BUILDING

PRIOR ZONING HEARING

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

Df

752

05-2-67