IN RE: PETITION FOR VARIANCE NE/S Old Annapolis Road, 120 ft. SE centerline of Alabama Avenue 13th Election District 1st Councilmanic District **(4007 Annapolis Road)** Wang Se Oh *Petitioner*	* * * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-531-A

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Wang Se Oh. The Petitioner is requesting variance relief for property located at 4007 Annapolis Road in the western area of Baltimore County. The variance request is from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 10 parking spaces in lieu of the required 22 parking spaces.

The property was posted with Notice of Hearing on May 22, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on May 24, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances.***

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of

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Date 6/10/05
By

Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Bureau of Development Plans review dated May 17, 2005, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the variance request was Wang Se Oh, the Petitioner. David P. Olslund, Esquire, represented the Petitioner. Richard and Marjorie LeCompte appeared in opposition to the request at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 03-8311) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioner cannot use the fact that an addition is being constructed without a permit to set a precedent in order to allow it to continue. Nor does the fact that it may be costly to remove the addition come into consideration of the zoning case. The reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioners as some sort of an additional punishment. Zoning Enforcement is conducted by the Department of

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Date 6/10/05
By

Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this office.

Testimony and Evidence

Testimony and evidence indicated that the property, which is approximately 0.2 acres and zoned BL, is improved by a building of mixed residential and commercial uses located on Annapolis Road in the Baltimore Highlands section of Baltimore County. Mr. Olslund, proffered that the building was constructed in 1955 and contained several commercial and residential uses.

The Petitioner testified that he purchased the property several years ago and began to renovate the building not realizing he needed a permit to renovate a portion of the structure. The County issued a stop work order to him, he applied for a permit, and eventually learned he needed a parking variance. The Petitioner indicated that he was unaware of the problems on the property.

The property presently has six parking spaces in the front on Annapolis Road which serve the commercial tenants and four spaces in the rear which serve the apartment tenants. He is required to have 22 spaces for the present uses. See Petitioner's Exhibit 4.

The Petitioner testified that his commercial tenants are a driving school and electrical contractor whose customers and employees need parking only during the day. On the other hand, his residential tenants require parking in the evening, nighttime and weekend hours. Consequently, he indicated that 10 spaces are adequate to serve all his tenants.

His neighbors, the LeComptes, operate a sports bar adjacent to the subject property and also own a parking lot behind the Petitioner's property, which turned out to be the primary issue between the parties. Initially, Mrs LeCompte indicated that she objected to the hearing because the property was not posted properly. Mr. Olslund disagreed pointing to the certificates of posting and publication in the file. After some discussion, however, she indicated that she did not want to postpone the hearing to allow posting as this would inconvenience all parties.

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Date 6/10/05
By

Mrs. LeCompte recounted several instances of misunderstandings and disagreements between the parties in the past, but focussed her complaints in this case on the fact that the Petitioner's residential tenants routinely trespass onto her parking lot behind the subject property. As shown in Petitioner's Exhibit 4, the stairs leading to the apartment units end at the LeCompte's parking lot. She indicated that she had the gate to this lot from the subject property welded shut only to find that the Petitioner's tenants sawed the gate open. She attributed this problem to lack of parking space on the subject property.

Mr. LeCompte indicated that he had no objection to the Petitioner having commercial tenants, lauded the Petitioner for work that improved other properties in the neighborhood and indicated that, if the Petitioner erected a fence across the rear of the property, the LeComptes would not oppose the requested parking variance.

The Petitioner agreed to erect a chain link fence across the rear of the property at least 6 feet high within 30 days of approval of this request.

Findings of fact and conclusions of law

Perhaps as important to note is what I find in this case as opposed to what I do not find. I do not find that the Petitioner has the right to have four apartments in this building nor do I find that the Petitioner has simultaneously the right to have three commercial tenants. All may well be allowed by right or by nonconforming use. But these issues were not presented in the case.

I am asked to approve a parking variance, which the Petitioner contends requires 6 parking spaces for residential uses and 16 spaces for commercial uses. He has 10 spaces to offer. From Petitioner's Exhibit 4 it is obvious that the site is overbuilt. The property is completely covered by building save the 10 parking spaces shown. As in many of these older commercial strips along major roadways in the County, I realize that property owners do not have the luxury of redesigning parking for handicapped access much less provide adequate on-site maneuvering area as noted by the Department of Public Works.

ORDER RECEIVED FOR FILING
Date 6/10/05

One of the most troublesome impacts of this particular site is the constant use by the Petitioner's tenants of the LeCompte's property in spite of much effort to solve the problem. The parties tell me that this can be solved, if only the Petitioner will erect a fence across the rear of the property. Somehow the Petitioner's tenants will respect this fence where they did not respect the LeCompte's attempts to keep them out. I hope they know what they are agreeing to because I doubt that this will work any better. Nevertheless, I do not want to stand in the way of their agreement.

Consequently, I find that that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. In particular, I find that the existing building is a structure, which presents special conditions making the property unique from a zoning standpoint. I also find strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The Petitioner would suffer a hardship if his use of the building would be limited by the available parking. Finally, I find this request can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. If the LeCompte's are satisfied with a fence erected by the Petitioner, who am I to say otherwise.

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 variance request should be granted.

THEREFORE, IT IS ORDERED, this 10 day of June, 2005, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 10 parking spaces in lieu of the required 22 parking spaces, be and is hereby GRANTED subject, however, to the following restrictions:

1. The Petitioner shall contact the Bureau of Development Plans Review (410-887-3751) to address the ZAC comment made in their correspondence dated May 17, 2005.

2. The Petitioner shall erect and maintain a chain link fence across the rear of the subject property at least 6 feet high within 30 days this Order at the Petitioner's expense.

ORDER RECEIVED FOR FILING
Date 6/10/05
By

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

IMAGE RECEIVED FOR FILMING
6/10/05

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

June 10, 2005

David Olslund, Esquire
8206 Whitebark Lane
Severn, Maryland 21144

Re: Petition for Variance
Case No. 05-531-A
Property: 4007 Annapolis Road

Dear Mr. Olslund:

Enclosed please find the decision rendered in the above-captioned case. The petition for variance 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,

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Wang Se Oh, 4105 Annapolis Road, Baltimore, MD 21227
Richard Le Compte, 4015 Annapolis Road, Baltimore, MD 21227
Marjorie Le Compte 2822 Hoffman Avenue, Baltimore, MD 22127

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4007 Annapolis Road

which is presently zoned BL

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)

409.6 to permit 10 parking spaces in lieu of the required 22 spaces.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Property purchased at Auction and identified as continued mixed use (commercial & residential). Use had been since 1955. Se Oh attempted to restructure attic area when cited under 03-8371. Property does not have satisfactory parking for mixed use and present requirement would render lots as useless for present use and impractical in compliance.

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:

WANG SE OH
Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

WANG SE OH
Name - Type or Print

Signature

Name - Type or Print

Signature

4105 Annapolis Rd.
Address — Telephone No.

Baltimore, MD 21227
City — State — Zip Code

Attorney For Petitioner:

David P. Olslund
Name - Type or Print

David P. Olslund
Signature

David P. Olslund, P.C.
Company

8206 Whitebark Lane (410) 519-7770
Address — Telephone No.

Severn MD 21144
City — State — Zip Code

Representative to be Contacted:

David P. Olslund
Name

8206 Whitebark Lane (410) 519-7770
Address — Telephone No.

Severn, MD 21144
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 05-531-A

Reviewed By BK **Date** 4/18/05

REV 9/15/98

PROPERTY DESCRIPTION FOR 4007 ANNAPOLIS ROAD

BEGINNING AT A POINT ON THE EAST SIDE OF ANNAPOLIS ROAD WHICH IS 21.5 FEET EAST OF THE CENTERLINE OF OLD ANNAPOLIS ROAD AS SHOWN ON SHA PLAT Nos. 49519 AND 49520 AND IS 108± FEET NORTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, PENNSYLVANIA AVENUE, WHICH IS 50 FEET WIDE.

PROPERTY IS DESIGNATED AS LOTS NUMBERED FIVE(5), SIX(6), SEVEN(7), and EIGHT(8) AS SHOWN ON A REVISED PLAT OF ROSEMONT, FILED AND RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY ON FEBRUARY 2, 1924 IN PLAT BOOK WPC NO.7, FOLIO 100. THE IMPROVEMENTS BEING KNOWN AS 4007 ANNAPOLIS ROAD AND LOCATED IN THE 13th ELECTION DISTRICT 1st COUNCILMANIC DISTRICT.

THE DESCRIBED PROPERTY IS TWENTY-ONE (21.5) FEET FROM THE CENTERLINE OF ANNAPOLIS ROAD, AN IMPROVED ROAD IN BALTIMORE COUNTY.

STATE OF MARYLAND
ARTHUR M. HOTTERILL
PROFESSIONAL LAND SURVEYOR
No. 10886

4/11/05

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 443885

DATE 4/18/05 ACCOUNT R001-006-6150

AMOUNT $ 325.00

RECEIVED FROM: David P. Oistad, PC

FOR: Variance

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
BUSINESS ACTUAL TIME DATE
4/18/2005 4/18/2005 09:32:13
REG 0029 ZONING REG DEP
RECEIPT # 205977 4/18/2005 09:32
Rept: S 329 ZONING VERIFICATION
CR #: 043885
Rcpt Tot $325.00
$325.00 CK $0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #05-531-A
4007 Annapolis Road
N/east of Old Annapolis Road, 120 feet s/east of centerline of Alabama Avenue
13th Election District
1st Councilmanic District
Legal Owner(s): Wang Se Oh
Variance: to permit 10 parking spaces in lieu of the required 22 spaces.
Hearing: Tuesday, June 7, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

JT 5/744 May 24 52285

CERTIFICATE OF PUBLICATION

5/26/, 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 5/24/, 2005.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-531-A

Petitioner/Developer: WANG SE ON

Date of Hearing/Closing: JUNE 7, 2005

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}

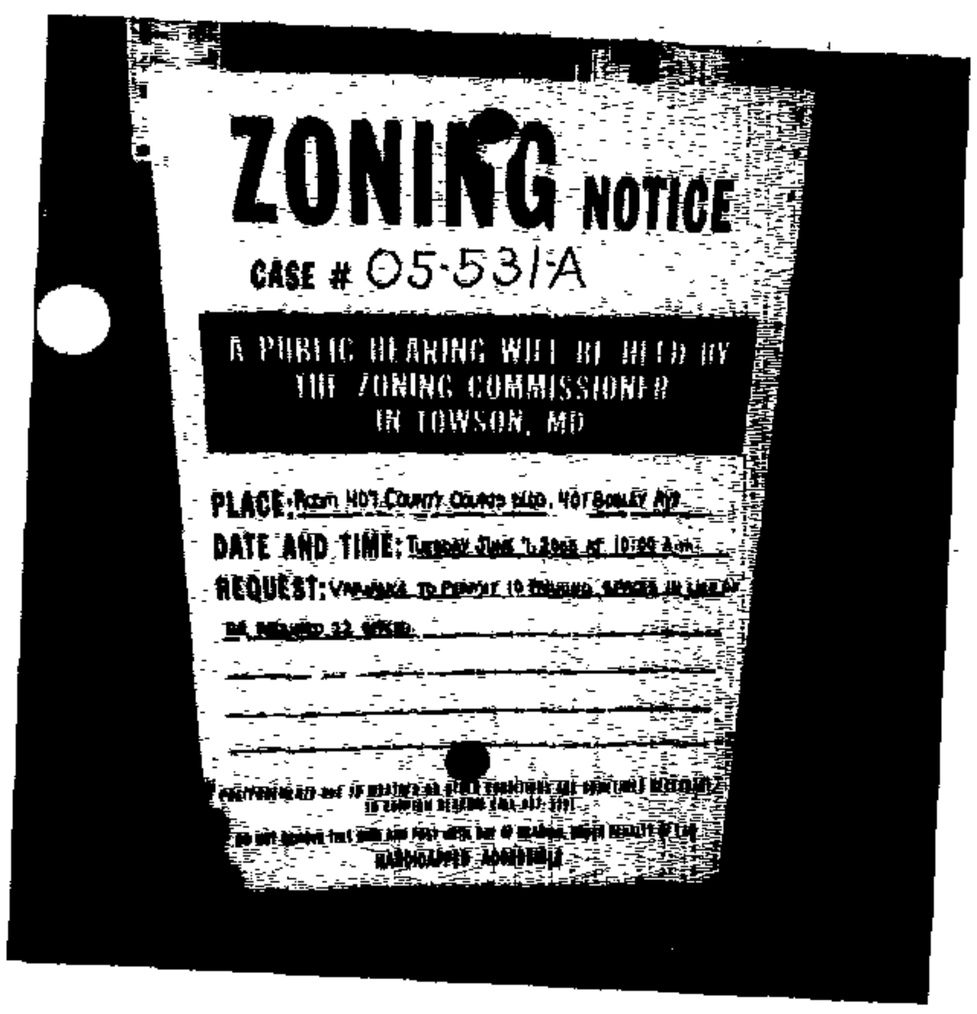
Ladies and Gentlemen:

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:

4007 ANNAPOLIS RD

The sign(s) were posted on MAY 22, 2005
(Month, Day, Year)

Sincerely,



Robert Black 5/24/05
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

MAY 24 2005

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 24, 2005 Issue - Jeffersonian

Please forward billing to:
David Olsund
8206 Whitebark Lane
Severn, MD 21144

410-519-7470

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: 05-531-A
4007 Annapolis Road
N/east of Old Annapolis Road, 120 feet s/east of centerline of Alabama Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Wang Se Oh

Variance to permit 10 parking spaces in lieu of the required 22 spaces.

Hearing: Tuesday, June 7, 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 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

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

April 29, 2005

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: 05-531-A
4007 Annapolis Road
N/east of Old Annapolis Road, 120 feet s/east of centerline of Alabama Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Wang Se Oh

Variance to permit 10 parking spaces in lieu of the required 22 spaces.

Hearing: Tuesday, June 7, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: David Olsund, 8206 Whitebark Lane, Severn 21144
Wang Se Oh, 4105 Annapolis Road, Baltimore 21227

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 23, 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.

Printed on Recycled Paper

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: 05-531-A

Petitioner: Wang Seoh

Address or Location: 4007 Annapolis Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: David P. Olslund

Address: 8206 Whitebark Ln.
Severn, Md 21144

Telephone Number: (410) 519-7470

Revised 2/20/98 - SCJ

copy of sign posters given

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

May 31, 2005

David Oslund
8206 Whitebark Lane
Severn, Maryland 21144

Dear Mr. Oslund:

RE: Case Number: 05-531-A, 4007 Annapolis Road

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Wang Se Oh 4105 Annapolis Road Baltimore 21227

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

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

May 5, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: May 5, 2005

Item No.: ~~529-541~~ 531

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.

Lieutenant J.D.Mezick
Fire Marshal's Office
410-887-4881
MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 17, 2005

FROM: Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 9, 2005
Item No. 531

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

The parking spaces shown do not have adequate on-site maneuvering area.

DAK:CEN:clw
Cc: file
ZAC-ITEM NO 531-05172005.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr

DATE: May 24, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 2, 2005

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

05-530
05-531
05-532
05-533
05-538
05-539
05-540
05-541

Reviewers: Sue Farinetti, Dave Lykens

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

Pw
6/7

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 17, 2005

RECEIVED

MAY 17 2005

ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 5-531**

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

Prepared By: Mark A Cunningham

Division Chief: Lyn Lanham

MAC/LL

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

State Highway Administration
Driven to Excel

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

Maryland Department of Transportation

Date: 5.2.05

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

RE: Baltimore County
Item No. 531 BPR

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/~~US~~ 648.
are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

RE:	PETITION FOR VARIANCE 4007 Annapolis Road; NE/side Old Annapolis Road, 120' SE c/line Alabama Avenue 13th Election & 1st Councilmanic Districts Legal Owner(s): Wang Se Oh Petitioner(s)	* * * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 05-531-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 and all 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 2nd day of May, 2005, a copy of the foregoing Entry of Appearance was mailed to, David P. Olslund, Esquire, 8206 Whitebark Lane, Severn, MD 21144, Attorney for Petitioner(s).

RECEIVED

Per.....

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

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

File

RECEIVED

AUG 29 2005

ZONING COMMISSIONER

August 26, 2005

David P. Olslund, PC
8206 Writebark Lane
Severn, MD 21144

Re: Zoning Variance (Item # 531)

Dear Mr. Olslund,

This is in response to your letter dated August 10, 2005.

The current zoning regulations require a 22-feet-wide driveway where perpendicular parkings are located. This is to provide adequate on-site maneuvering area in addition to providing for traffic flow.

After talking with Mr. John Murphy, the Deputy Zoning Commissioner, since this site has been in existence for a long time and the space is limited, this business can be allowed to continue its current operation.

Should you have any questions please call me at (410) 887-3751. Thank you!

Very truly yours,

Dennis A. Kennedy

Dennis Kennedy, Supervisor
Bureau of Development Plans Review

DAK:RJFclw
cc: File

Granted 6/10/05
w/ rests,

Memo to file

Case no. 05-531

I called Mr. LeCompte at 410-789-5046 on June 29, 2005 to ask if he wanted to appeal my decision in this case as shown by his letter of June 22, 2005. I explained that appeals are to be filed with PDM and a fee must be paid. He told me that they Petitioner's fence company had just started to tear down the old fence and so likely he would dismiss the appeal.

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: May 4, 2005

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT:		
	Item No.:	5-531-a
	Legal Owner/Petitioner	Wang, Se Oh
	Contract Purchaser:	N/A
	Property Address:	4007 Annapolis Rd
	Location Description:	N/E Old Annapolis Rd 120' S/E Centerline Alabama Ave.

VIIOLATION INFORMATION:		
	Case No.	03-8311
	Defendants:	Wang Se Oh

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Marjorie LeCompte	4015 Annapolis Rd Balto. Md. 21227

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

X 1. Complaint letter/memo/email/fax (if applicable)
X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
X 3. State Tax Assessment printout
☐ 4. State Tax Parcel Map (if applicable)
☐ 5. MVA Registration printout (if applicable)
☐ 6. Deed (if applicable)
X 7. Lease-Residential or Commercial (if applicable)
X 8. Photographs including dates taken
X 9. Correction Notice/Code Violation Notice
X 10. Citation and Proof of Service (if applicable)
☐ 11. Certified Mail Receipt (if applicable)
X 12. Final Order of the Code Official/Hearing Officer (if applicable)
X 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if 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

Baltimore County
Department of Permits and
Development Management

Code Inspection and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No.: 03-8311

Property No.: 13 13 855 170

Zoning: BL

Name(s): OH Se Wang

Address: 4105 Annapolis Rd 21227

Violation Location: 4007 Annapolis Rd

Violation Dates: 10/27/03 Thru 11/18/03

BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE-NAMED PERSON(S) DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS:

Failure to obtain Permit for Addition constructed on Roof - Sec 105.1 IBC

Failure to obtain Zoning approval for Apartments - BCZR 101, 102.1, 1B01.1A 408B & 409.2

Pursuant to Section 1-8, Baltimore County Code, a civil penalty has been assessed, as a result of the violation cited herein, in the amount indicated: $ 4200.00

A quasi-judicial hearing has been pre-scheduled in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, for: Date: 1/6/04 Time: 9:00 AM

Citation must be served by: Date: 12/3/03

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Print Name: Paul Hohne

11/18/03 Date

Inspector's Signature

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name:

Citation/Case No.:

Address:

Date

Defendant's Signature

DEFENDANT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

County Office Building, Room 119
111 West Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, Plaintiff, vs. OH SIE WANG, Defendant

Case # 03-8371 Violation Address 4007 Annapolis Rd Zip 21227

Hearing Date 1/6/04 Issued Date 11/18/03 Expiration Date 12/3/03

Author of Citation PAUL HOHNE

REQUEST FOR SERVICE

Please serve the attached process on the person shown.

ORDER FOR SERVICE

You are hereby commanded to serve the attached process and to make your return promptly on this Order if served, and if you are unable to serve, you are to make your return on this Order and return the original process no later than the last day following the termination of the validity of the process.

PROOF OF SERVICE

I hereby CERTIFY that:

___ A Citation and all other papers filed with it were served by restricted delivery mail, return card attached.

(X) A Citation and all other papers filed with it were served by personal delivery to OH SIE WANG.
Individual or agent served

4105 Annapolis Rd Zip 21227, on 11/19/03 10:07 a.m./p.m.
At this address Date Time

Description of Person Served: Race _____ Sex: (M) F Height: 5' ft. 4 in. Wt. 160 lbs.

Age: 35 yrs. Other: _____

Telephone verification of citation acknowledgment from _____ on ___/___/___.

• I was unable to serve:

1st Attempt ___/___/___ _____ a.m./p.m. because _____ _____ Initials

2nd Attempt ___/___/___ _____ a.m./p.m. because _____ _____ Initials

3rd Attempt ___/___/___ _____ a.m./p.m. because _____ _____ Initials

I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief, and do further affirm that I am a competent person over 18 years of age and not a party to the case.

111 W. Chesapeake Ave. Towson, MD 21204
Server's Address

410-887-3351
Telephone

ALLEN GEE
Server's Name (Print)

11/19/03
Date

Server's Signature

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET AND FINANCE • COURTHOUSE ROOM 150
TOWSON, MARYLAND 21204-4665
TELEPHONE (410) 887-2413

CASHIER USE ONLY

WANG SE OH
KEUN SE OH
4007 ANNAPOLIS RD
BALTIMORE MD 21227-3629

INVOICE NO. 255688

INVOICE DATE 3/23/05

SUBMITTING AGENCY AND ORGANIZATION	PROVIDER CODE	INVOICE TYPE	TOTAL AMOUNT DUE
017-1715			$1,000.00

LINE NO	FUND	AGCY	ORGN	SUB ORGN	ACTV	OBJ	SUB OBJ	REV SOURCE	SUB REV	REPT CATG	BS ACCT	LINE AMOUNT
01	001	006						3120				$1,000.00
02												
03												

COMMENTS:
CIVIL PENALTY

DESCRIPTION:
PROPERTY #13-13-855170 PREMISE: 04007 ANNAPOLIS RD
REPRESENTS PENALTY ASSESSED PURSUANT TO CIVIL CITATION #03-8371
THIS INVOICE CONSTITUTES A LIEN AGAINST THE REAL PROPERTY
COLLECTED IN THE SAME MANNER OF TAXES
IF THE CHARGES ARE NOT PAID WITHIN 30 DAYS OF INVOICE DATE THEY
WILL BE SUBJECT TO INTEREST AT THE RATE OF ONE (1) PERCENT PER MONTH
INSPECTOR: PAUL HOHNE #03-8371

INVOICE NO. 255688

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE • COURTHOUSE ROOM 150 • TOWSON, MARYLAND 21204-4665

ORIGINATING AGENCY COPY

LECOMPTE'S SPORTS BAR
4015 Annapolis Rd.
Baltimore, Maryland 21227
Phone (410) 789-5046
Fax (410) 789-5100

RECEIVED
JUN 28 2005
ZONING COMMISSIONER

Zoning Commissioner
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

June 22, 2005

Re: Case 05-53

Dear Mr. John V. Murphy:

This letter is to appeal your decision to allow 10 parking spaces in lieu of the needed 22 parking spaces for 4007 Annapolis Road. It was our understanding that your decision would take at least 30 days and within that time frame Mr. Oh would erect a 6 foot fence between our residential properties and an 8 foot fence between our commercial properties across the back of the property in an "L" shaped format thus separating our properties. With your decision made on June 10, 2005 the exception which was noted in court has no time to take place allowing us to appeal if it does not happen. To date Mr. Oh has not contacted us about the fence so we are noting our appeal at this time.

The Tanning Salon has also expressed an interest in appealing this decision but I have not had the opportunity to show them the final decision to date.

There are several issues I wish to raise at this time, although the building was a two story building in 1958 Mr. Savalaski added two additional apartments to the existing two that were already there with in the past ten years I would guess. Now Mr. Oh is adding a fifth apartment. I believe the Assessments and Taxation should be asked to review the value of the property to bring it up to date with what is built there. We never agreed to the fifth apartment nor did we give the impression that the residential apartments were not a problem. Our statement as referred to in your document only said we did not have a problem with the commercial part of Mr. Oh's building.

After reading your summation of the hearing many other problems have come to our attention. The shared driveway back to the four (4) back parking spaces is only 9 foot 7 inches in width according to your chart, which is not up to code. There is no handicap parking spaces or facilities in the apartments which is not up to code and totally unacceptable as we had to go letter for letter to the code when we remodeled our building. Non-accessibility to the handicap is against the law in any state no matter what the cost is to the building owner. His walkway to his apartments is 2 foot 7 inches, also under the minimum walkway for building code.

Send to David Oldsland Esq

Due to the fact that the Tanning Salon was not aware of the hearing I again state that the property was not properly marked for the hearing. I am also sure the Baltimore Highlands Improvement Association would be interested in your decision.

Since your finding not only conveys that there is not enough parking for the apartments but the commercial properties also do not have adequate parking I do not understand how this Variance could be granted per your own wording.

I also appreciate the fact that you stated in your decision "that you only hope that we know what we are agreeing to because you doubt that this will work any better", meaning the fence. Perhaps we should meet with the community and hire a lawyer to better resolve this problem to better satisfaction to all concerned.

WE, Richard and Marjorie LeCompte do appeal your decision of May 10, 2005, Case # 05-531-A.

We would also like to be notified in writing of any future action on this case as the sign seemed to disappear after the photos were taken and we feel we have no other way of being notified as to what is going on with Mr. Oh.

Thank you in advance for your time and cooperation with this matter. We will be awaiting to hear from your office.

Sincerely,

Mr. & Mrs. Richard LeCompte

Mr. & Mrs. Richard LeCompte

Mll:mll

Cc: Mr. Oh
Mr. Dennis Kennedy, Acting Supervisor
Bureau of Development Plans Review
Mr. Timothy Kotroco, Director
Department of Permits and Development Management
Tanning Salon
Mr. James Malone, Delegate
Mr. Paul Hohn, Inspector
Mr. W. Carl Richards, Supervisor, Zoning Review,
Department of Permits and Development Management

RECEIVED
JUN 23 2005
05-1144
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

LECOMPTE'S SPORTS BAR

4015 Annapolis Rd.
Baltimore, Maryland 21227
Phone (410) 789-5046
Fax (410) 789-5100

Zoning Commissioner
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

PROP APPEAL - PER CONVERSATION WITH RICHARD LECOMPTE 6/30/05 @ 10 AM

To: Kristin need $ ucw

June 22, 2005

Dear Mr. John V. Murphy:

This letter is to appeal your decision to allow 10 parking spaces in lieu of the needed 22 parking spaces for 4007 Annapolis Road. It was our understanding that your decision would take at least 30 days and within that time frame Mr.Oh would erect a 6 foot fence between our residential properties and an 8 foot fence between our commercial properties across the back of the property in an "L" shaped format thus separating our properties. With your decision made on June 10, 2005 the exception which was noted in court has no time to take place allowing us to appeal if it does not happen. To date Mr. Oh has not contacted us about the fence so we are noting our appeal at this time.

The Tanning Salon has also expressed an interest in appealing this decision but I have not had the opportunity to show them the final decision to date.

There are several issues I wish to raise at this time. although the building was a two story building in 1958 Mr. Savalaski added two additional apartments to the existing two that were already there with in the past ten years I would guess.. Now Mr. Oh is adding a fifth apartment. I believe the Assessments and Taxation should be asked to review the value of the property to bring it up to date with what is built there. We never agreed to the fifth apartment nor did we give the impression that the residential apartments were not a problem. Our statement as referred to in your document only said we did not have a problem with the commercial part of Mr. Oh's building.

After reading your summation of the hearing many other problems have come to our attention. The shared driveway back to the four (4) back parking spaces is only 9 foot 7 inches in width according to your chart, which is not up to code. There is no handicap parking spaces or facilities in the apartments which is not up to code and totally unacceptable as we had to go letter for letter to the code when we remodeled our building. Non-accessibility to the handicap is against the law in any state no matter what the cost is to the building owner. His walkway to his apartments is 2 foot 7 inches, also under the minimum walkway for building code.

Due to the fact that the Tanning Salon was not aware of the hearing I again state that the property was not properly marked for the hearing. I am also sure the Baltimore Highlands Improvement Association would be interested in your decision.

Since your finding not only conveys that there is not enough parking for the apartments but the commercial properties are also do not have adequate parking I do not understand how this Variance could be granted per your own wording.

I also appreciate the fact that you stated in your decision "that you only hope that we know what we are agreeing to because you doubt that this will work any better" meaning the fence. Perhaps we should unit with the community and hire a lawyer to better resolve this problem to better satisfaction to all concerned.

WE, Richard and Marjorie LeCompte do appeal your decision of May 10, 2005, Case # 05-531-A.

We would also like to be notified in writing of any future action on this case as the sign seemed to disappear after the photos were taken and we feel we have no other way of being notified as to what is going on with Mr. Oh.

Thank you in advance for your time and cooperation with this matter. We will be awaiting to hear from your office.

Sincerely,

Mr. & Mrs. Richard LeCompte

Mr. & Mrs. Richard LeCompte

Mlk:mll

Cc: Mr. Oh
Mr. Dennis Kennedy, Acting Supervisor
Bureau of Development Plans Review
Mr. Timothy Kotroco, Director
Department of Permits and Development
Tanning Salon
Mr. James Malone, Delegate
Mr. Paul Hohn, Inspector
Mr. W. Carl Richards, Supervisor, Zoning Review,
Department of Permits and Development Management

RECEIVED
JUN 23 2005
05-1144
DEPT. OF PLANNING &
DEVELOPMENT MANAGEMENT

EFCOMPTE'S SPORTS BAR
4015 Annapolis Rd.
Baltimore, Maryland 21227
Phone (410) 789-5046
Fax (410) 789-5100

Zoning Commissioner
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

June 22, 2005

Dear Mr. John V. Murphy,

This letter is to appeal your decision to allow 10 parking spaces in lieu of the needed 22 parking spaces for 4007 Ann[illegible] Road. It was our understanding that your decision would take at least 30 days and within that time frame Mr Oh would erect a 6 foot fence between our residential properties and an 8 foot fence between our commercial properties across the back of the property in an "L" shaped format thus separating our properties. With your decision made on June 10, 2005 the exception which was noted in court has no time to take place allowing us to appeal if it does not happen. To date Mr. Oh has not contacted us about the fence so we are noting our appeal at this time.

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There are several issues I wish to raise at this time, although the building was a two story building in 1958 Mr. Sava asked added two additional apartments to the existing two that were already there with in the past ten years I would guess. Now Mr Oh is adding a fifth apartment. I believe the Assessments and Taxation should be asked to review the value of the property to bring it up to date with what is built there. We never agreed to the fifth apartment not [illegible] on that the residential apartments were not a pro[illegible] d to in your document only said we did not have a problem [illegible] part of Mr. Oh's building.

After reading your summation of the hearing many other problems have come to our attention. The shared driveway back to the four (4) back parking spaces is only 9 foot 7 inches in width according to your chart which is not up to code. There is no handicap parking spaces or facilities in the apartments which is not up to code and totally unacceptable as we had to go letter for letter to the code when we remodeled our building. Non-accessibility to the handicap is against the law in any state no matter what the cost is to the building owner. His walk way to his apartment is 2 foot 7 inches, also under the minimum walkway for building code.

Left message
after phoning
twice 6/28/05.
Fee for appeal was
not rec'd in any
office. Not a valid request.

Due to the fact that the [illegible] was not aware of the complaint against the property was not properly posted to the neighborhood, I am also sure the Baltimore Highlands Improvement Association would be interested in your decision.

Since you finding not only [illegible] that there is not enough parking for the apartments but the commercial properties [illegible] do not have adequate parking I do not understand how this Variance could be granted [illegible] your own words.

I also appreciate the fact that you state in your decision that you only hope that we know what we are doing [illegible] you do but that this will work any better meaning the fence. Perhaps we should meet with the community and hire a lawyer to better resolve this problem [illegible] to all concerned.

WE, Richard and Marjorie LeCompte, do appeal your decision of May 10, 2005, Case # 05-531-A.

We would also like to be notified in writing of any future action on this case as the sign seemed to disappear after the photos were taken and we feel we have no other way of being notified as to what is going on with Mr. Oh.

Thank you in advance for your time and cooperation with this matter. We will be awaiting to hear from your office.

Sincerely,

Mr & Mrs. Richard LeCompte

Mr. & Mrs. Richard LeCompte

Mlmlml

Cc: Mr. Oh
Mr. Dennis Kennedy, Acting Supervisor
Bureau of Development Plans Review
Mr. Timothy Kotroco, Director
Department of Permits and Development Management
Tanning Salon
Mr. James Malone, Delegate
Mr. Paul Hohn, Inspector
Mr. W. Carl Richards, Supervisor, Zoning Review
Department of Permits and Development Management

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

In the Matter of

Wang Se Oh
4105 Annapolis Road
Baltimore, MD 21227

Respondent

Civil Citation No.03-8311

4007 Annapolis Road

FINDINGS OF FACT AND CONCLUSION OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on October 12, 2004 for a hearing on a citation for violations under the Baltimore County Code § 105.1 for failure to obtain building permit for addition to the roof area and stairwell on residential property zoned BL located at 4007 Annapolis Road, 21227.

A previous hearing on the matter wherein the Respondent was advised to apply for a building permit and submit a site plan meeting the requirements set forth in the Zoning Regulations. According to a statement of facts presented by David P. Olslund, Esquire, the Respondent has made valid attempts to obtain a building permit. An engineer was hired at $1,200.00 (one thousand two hundred dollars) to provide two sets of sealed drawings and data sheets. Mr. Olslund submitted a request for petition of variance, as Respondent's Exhibit #1 included with this exhibit is a site plan and neighborhood map showing location. Respondent's Exhibit #2 is a copy of an application for a building permit to construct an addition to roof to enclose stairwell leading to door of attic, improve attic area to include flooring and drywall. The application has yet to be accepted as zoning has issues with parking therefore the petition for variance request.

I find the Respondent to be actively pursuing the required permit. Given the extraordinary amount of time lapsing since the previous hearing, it is imperative for the Respondent to file for and receive confirmation of a meeting with zoning officials to officially file for the variance. It is obvious a building permit will not be processed until the variance proceeding is over and granted. If the Zoning Commissioner grants the variance, a permit may be issued even while under appeal if such an action is undertaken.

If the Zoning Commissioner denies the variance, then the Respondent may appeal. At any rate, this situation may take months to determine the final outcome. The inspector shall monitor the case on a monthly basis to determine if the variance and approval process is indeed working toward an end.

Wang Se Oh, Respondent appeared for the hearing and testified.
David P. Olslund, Esquire appeared on behalf of the Respondent.
Paul Hohne, Code Enforcement Officer also testified.

IT IS ORDERED by the Code Enforcement Hearing Officer, this 18th day of October 2004, that a civil penalty be imposed in the amount of $1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty in the amount of $1,000.00 (one thousand dollars) shall be suspended on condition the Respondent obtains the requisite approved and building permit on or before March 15, 2005.

If the Respondent fails to correct the violations, then the civil penalty imposed shall be $1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the inspector inspect the property to determine whether the violation has been corrected.

Signed: Raymond S. Wisnom, Jr.
Raymond S. Wisnom, Jr.
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of $150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

RSW/jaf

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

In the Matter of
Wang Se Oh
Respondent

Civil Citation No. 03-8371
4007 Annapolis Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW

FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on 6 January 2004, for a hearing on a citation for violations under the Baltimore County Building Code, IBC, §105.1, Baltimore County Zoning Regulations, §101; 102.1; 408.B; 409.2, for failure to obtain a building permit for addition to existing structure, failure to obtain zoning approval for apartments on property zoned, BL located at 4007 Annapolis Road.

On 18 November 2003, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued by P. Hohne, code enforcement inspector. The citation was legally served on the Respondent.

The citation proposed a civil penalty of $4200 to be assessed.

Paul Hohne, *testified that based upon a complaint from Mrs. Lecompte, he* inspected the property and observed an addition being constructed on the roof of the structure located at 4007 Annapolis Road. It appears that a citation was issued without the required correction notice being served prior to the citation. The code requires a correction notice be issued providing the Respondent the opportunity to comply prior to issuance of the citation.

The owner and Respondent Mr. Wang Se Oh appeared and was represented by Mr. David P. Olslund, Esquire.

At this juncture, a building permit has yet to be applied for in regards to the addition, which will enclose an exterior stairway on the property. An electrical permit has been issued for replacing and upgrading the meter stacks. According to testimony there is a property line issue with regard to the apartments in the rear of the structure and the ability for the tenants to ingress and egress should a fence or barrier be placed at the property line. The property line issue and ramifications of same should be addressed by the parties sharing the common property line and if required, by civil action by one or both parties. It is clear that apartments or boarding rooms have existed for some time. Section 230.3 of the Zoning Regulations allows boarding or rooming houses in a BL zone therefore allegations that living quarters are not permitted appear to be inaccurate. Set back issues and appropriate ingress for the tenants of this property was described by real estate appraiser, Hlubb and Associates as a "two story frame commercial and apartment dwelling built in 1955."

Testimony and evidence submitted show the property owner to be in violation of constructing an addition without the required building permit applied for and issued prior to beginning construction of same. Section 101 of Baltimore County Zoning Regulations is dismissed as it is a definition and not a regulation or code. Section 102.1 is hereby dismissed, as it is not been proven that the property is used contrary to zoning regulations. Section 1B01.1A is dismissed as it pertains to residential property and not to BL zoned property, Section 408.B is dismissed as it applies to boarding houses in DR zones. Section 409.2 applies, as it requires a plan for off street parking when a building is erected or enlarged.

Therefore, the Respondent is required to apply for a building permit and submit a site plan meeting the requirements set forth in the zoning regulations.

If a permit is not obtained or cannot be approved for any reason than the addition constructed must be removed. The Respondent is advised to meet with zoning officials to determine if the structure as built can be approved via a certificate of zoning approval or if not, file for or request a hearing before the Zoning Commissioner.

A civil penalty will not be assessed at this time due to the absence of a correction notice being issued affording the Respondent time to take immediate steps to legitimize the use of the property and report regularly to the building inspector at each step of the process. A subsequent hearing will be held on the matter with civil penalties assessed should the Respondent fail to pursue zoning approval within 60 days or 24 March 2004.

IT IS FURTHER ORDERED that the inspector, inspect the property to determine whether the violation has been corrected.

Signed: Raymond S. Wisnom
Raymond S. Wisnom
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of $150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

Res-Exh 1

PETITION FOR VARIANCE

TO THE: Zoning Commissioner of Baltimore County

Subject Property: 4007 Annapolis Road (Baltimore Highlands)

Property Description: Property is a two story mixed use building with the front being commercial and the rear being residential apartments(presently four apartments). The property has been in existence since 1955 with no improvements being made since that date.

Mr. Wang Se Oh, purchased the property from the estate of Jerry Siviliski in May of 2003, who had an ongoing friendly relationship with his neighbors. It made sense for Mr. Se Oh to clean up the units and rent out the commercial and residential units. Following bad weather, he set about to do some roof repairs, wherein, he discovered that there was adequate room in the attic for storage or possible living quarters. He broke out the roof and set about to improve the attic space. He was not aware of the requirement so he did not obtain the necessary permit. His neighbors, Le Compte's who own the next door sports bar and liquor store, did not appreciate what he was trying to do, so they had the properties surveyed and declared that Mr. Se Oh was infringing on their property.[1] They also complained to the County about what appeared to them to be work without a permit. One inspector was sent out and he did not find anything. Mr. Paul Hohne was then resent and Mr. LeCompte allowed Mr. Hohne to peer over into the neighbor's lot from his second story. Some roof work appeared evident. Mr. Se Oh was cited under **03-8371**. Citation was for not obtaining a permit under sect. 105.1, and failing to obtain zoning approval under BLZR 101, 102.1, 1B01.1A, 408.b and 409.2. A hearing was held in January, 2004, where Hearing Office Wisnom declared that Mr. Se Oh needed to needed to obtain a permit.

Initially when permit process was under way, Mr. Se Oh was informed emphatically by the Building and Fire Division that he would be scrutinized unmercifully. So they required him to have two sets of sealed plans and data sheets from an Engineer/Architect. At an expense (for one small attic unit) of $1,200.00 Mr. Se Oh obtained the services of an Engineer who took six months to present such plans and data sheets. These were then approved. The Environmental Division approved without issue. Then Mr. Se Oh went to the Zoning Division where he was advised that he needed 12 sets of Site Plans. He

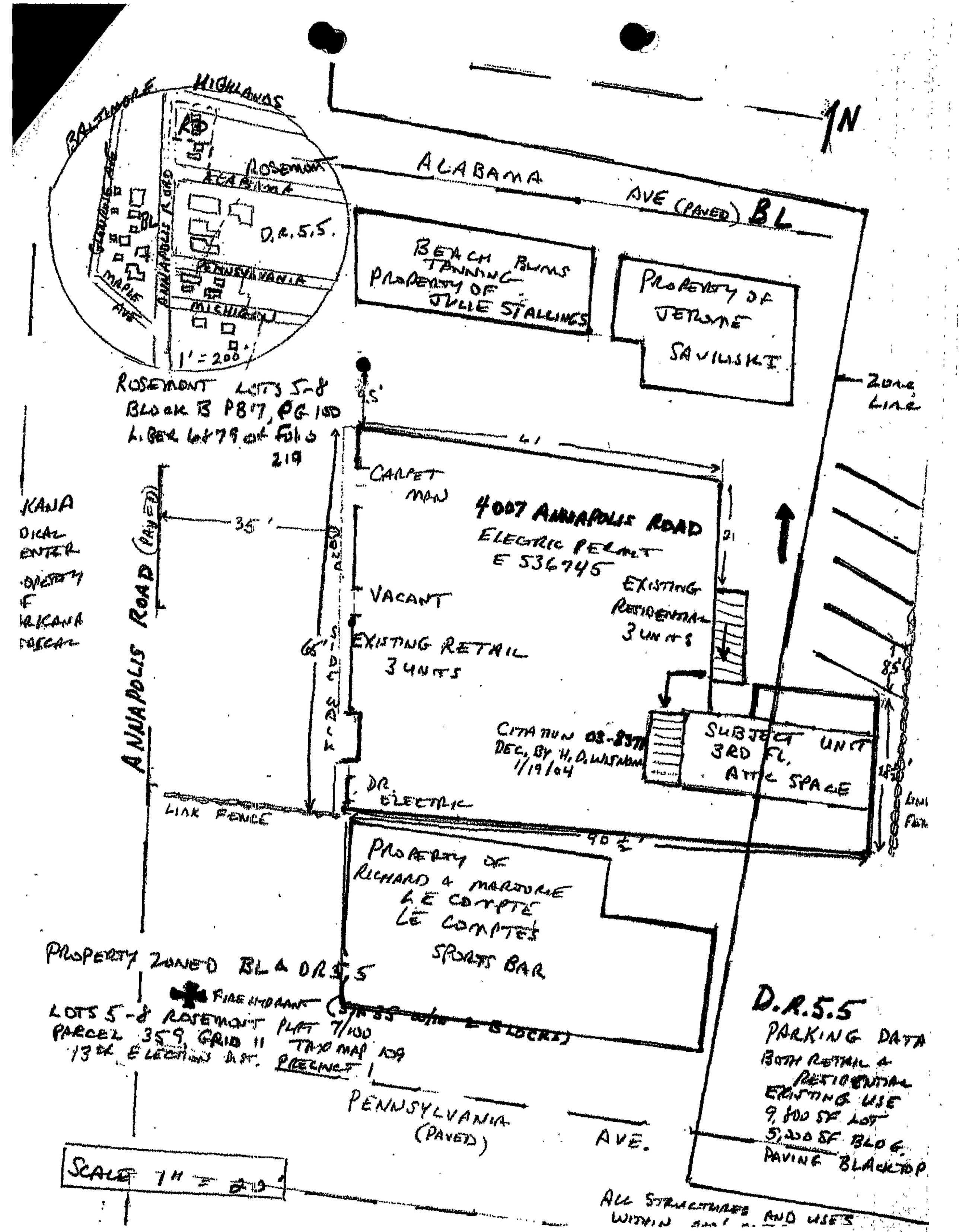
[1]Appears to be adversely possessed under the law.

obtained same indicating all the information necessary. [2] When he attempted to have the division approve same, but was he was advised that parking was inadequate, and that he must send $50.00 to Mr. Kotrereco.. He sent through his attorney the check for $50..00 and received in reply an application for Variance. Attached is Mr. Se Oh's Petition for Variance as well as a check for the required cost of filing same..

Mr. Se Oh only requests that because the property had a long continuing use, that the parking requirement be waived. There is existing parking that could be used on a transitional commercial to residential during the day. In addition, adequate side street parking is also available. The requirement to have adequate parking pursuant to zoning would require Mr. Se Oh to vacate his residential units or attempt the erection of a parking garage. The first represents a hardship to Mr. Se Oh. The later is impractical and not feasible. Respectfully submitted.

---

[2]Mr. Se Oh bent over backwards to obtain the permit as required by the Hearing Officer only to meet roadblock after roadblock with apparently no coordination of the different divisions.


BALTIMORE HIGHLANDS
ROSEMONT
ALABAMA
D.R.5.5.
PENNSYLVANIA
MICHIGAN
MAPLE AVE
ANNAPOLIS ROAD
1" = 200'
N
ALABAMA AVE (PAVED) BL
BEACH BUMS TANNING
PROPERTY OF JULIE STALLINGS
PROPERTY OF JEROME SAVILISKI
ZONING LINE
ROSEMONT LOTS 5-8
BLOCK B PB 7, PG 150
LIBER 6879 of Folio 219
CARPET MAN
4007 ANNAPOLIS ROAD
ELECTRIC PERMIT
E 536745
EXISTING RESIDENTIAL 3 UNITS
VACANT
EXISTING RETAIL 3 UNITS
CITATION 03-8371
DEC. BY H. D. WISNAM
1/19/04
SUBJECT UNIT 3RD FL. ATTIC SPACE
DR ELECTRIC
LINK FENCE
ANNAPOLIS ROAD (PAVED)
35'
66'
41'
21'
85'
PROPERTY OF RICHARD & MARJORIE LE COMPTE
LE COMPTES SPORTS BAR
PROPERTY ZONED BL & DR 5.5
FIRE HYDRANT
LOTS 5-8 ROSEMONT PLAT 7/100
PARCEL 359, GRID 11 TAX MAP 109
13TH ELECTION DIST. PRECINCT 1
PENNSYLVANIA (PAVED) AVE.
D.R.5.5
PARKING DATA
BOTH RETAIL & RESIDENTIAL
EXISTING USE
9,800 SF LOT
5,200 SF BLDG.
PAVING BLACKTOP
SCALE 1" = 20'
ALL STRUCTURES WITHIN ... AND USES

Neighborhood Map

Dec Exh.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 4/29/07
OEA: MR/SK
HISTORIC DISTRICT/BLDG.: ☐ YES ☑ NO ☐ DO NOT KNOW

PERMIT #: B
RECEIPT #: A
CONTROL: 001
XREF #: 100
FEE: 40 + 80 + 175
PAID: 217.00
PAID BY: appl
INSPECTOR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

PROPERTY ADDRESS: 4007 Annapolis Rd
SUITE/SPACE/FLOOR:
SUBDIV: Roslyn
TAX ACCOUNT #: 1313855170
DISTRICT/PRECINCT: 13 1

OWNER'S INFORMATION (LAST,FIRST)
NAME: Wang Se Oh.
ADDR: 4105 Annapolis Rd. 21227

DOES THIS BLDG. HAVE SPRINKLERS YES ___ NO ___

APPLICANT INFORMATION
NAME: David P. Olslund, Esq.
COMPANY:
STREET: 8206 Whitebark Ln.
CITY,ST,ZIP: Severn, MD 21144
PHONE #: (410) 519-7470 MHIC #: ___ MHBR #: ___
APPLICANT SIGNATURE: David P. Olslund HIC#:
PLANS: CONST ___ PLOT ___ PLAT ___ DATA ___ EI ___ PL ___
TENANT:
CONTR: Kirk Contractors
ENGNR: A Fountain Designers
SELLR: Sawalski Jerome

TYPE OF IMPROVEMENT
1. ___ NEW BLDG CONST
2. ___ ADDITION
3. ✓ ALTERATION
4. ___ REPAIR
5. ___ WRECKING
6. ___ MOVING
7. ___ OTHER

DESCRIBE PROPOSED WORK: Const. add. on roof to enclose of stairwell leading to door of attic & alt to improve attic area - to include flooring, & drywall. Work already done. Separate permit required for any add'l work. see citation - 03 - 837 dated 10-27-04 - 11-18-0

TYPE OF USE

RESIDENTIAL
01. ___ ONE FAMILY
02. ___ TWO FAMILY
03. ___ THREE AND FOUR FAMILY
04. ___ FIVE OR MORE FAMILY (ENTER NO UNITS) ___
05. ___ SWIMMING POOL
06. ___ GARAGE
07. ___ OTHER

NON-RESIDENTIAL
08. ___ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ___ CHURCH, OTHER RELIGIOUS BUILDING
10. ___ FENCE (LENGTH ___ HEIGHT ___)
11. ___ INDUSTRIAL, STORAGE BUILDING
12. ___ PARKING GARAGE
13. ___ SERVICE STATION, REPAIR GARAGE
14. ___ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ___ OFFICE, BANK, PROFESSIONAL
16. ___ PUBLIC UTILITY
17. ___ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ___ SIGN
19. ___ STORE ___ MERCANTILE ___ RESTAURANT SPECIFY TYPE ___
20. ___ SWIMMING POOL SPECIFY TYPE ___
21. ___ TANK, TOWER
22. ___ TRANSIENT HOTEL, MOTEL (NO. UNITS ___
23. ___ OTHER ___

C.L. Permit Stamp E 536745
for attic to eventually become Habitable (opt) space. Living room, bathroom, kitchen

TYPE FOUNDATION: 1. SLAB 2. BLOCK 3. CONCRETE
BASEMENT: 1. FULL 2. PARTIAL 3. NONE

TYPE OF CONSTRUCTION: 1. MASONRY 2. WOOD FRAME 3. STRUCTURE STEEL 4. REINF. CONCRETE

TYPE OF HEATING FUEL: 1. GAS 2. OIL 3. ELECTRICITY 4. COAL

TYPE OF WATER SUPPLY: 1. ✓ PUBLIC SYSTEM ✓ EXISTS ___ PROPOSED; 2. ___ PRIVATE SYSTEM ___ EXISTS ___ PROPOSED

TYPE OF SEWAGE DISPOSAL: 1. ✓ PUBLIC SEWER ✓ EXISTS ___ PROPOSED; 2. ___ PRIVATE SYSTEM ___ SEPTIC ___ EXISTS ___ PROPOSED; ___ PRIVY ___ EXISTS ___ PROPOSED

CENTRAL AIR: 1. ___ 2. ___
ESTIMATED COST: $ 200 OF MATERIALS AND LABOR
Total = 4 Apts
PROPOSED USE: Comm. Portion Future Office Space & 3 Apts - occupied & add'l alt
EXISTING USE: Comm. portion - vacant & apts - occupied

OWNERSHIP: 1. ✓ PRIVATELY OWNED 2. ___ PUBLICLY OWNED 3. ___ SALE 4. ___ RENTAL

RESIDENTIAL CATEGORY: 1. ___ DETACHED 2. ___ SEMI-DET. 3. ___ GROUP 4. ___ TOWNHSE 5. ___ MIDRISE 6. ___ HIRISE
#EFF: ___ #1BED: ___ #2BED: ___ #3BED: ___ TOT BED: ___ TOT APTS/CONDOS: ___
1 FAMILY BEDROOMS ___
GARBAGE DISPOSAL 1. YES 2. NO ___ BATHROOMS ___ CLASS 06
POWDER ROOMS ___ KITCHENS ___ LIBER 09 FOLIO 100

			APPROVAL SIGNATURES	DATE
BUILDING SIZE SF	LOT SIZE AND SETBACKS SF		BLD INSP :	
FLOOR 250	SIZE 9800		BLD PLAN 20 OK To File Plans SLO	5-13-04
WIDTH	FRONT STREET		FIRE 20 OK To File Plans SLO	5-18-04
DEPTH	SIDE STREET		SEDI CTL :	
HEIGHT 20'±	FRONT SETBK		ZONING :	
STORIES	SIDE SETBK	NA	PUB SERV :	
LOT #'S	SIDE STR SETBK		ENVRMNT 4/16 NC Certificate Sent LAC	5/24/04
CORNER LOT	REAR SETBK			
1. ___ YES 2. ✓ NO	ZONING		PERMITS :	

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

signatures & fee ok per Lotte

2 SETS SEALED PLANS AND DATA SHEETS RETAINED

DAVID P. OLSLUND, PC
8206 Whitebark Lane
Severn, Maryland 21144

David P. Olslund, Sr., Esquire
Admitted in MD; NJ; PA; AZ & HI

Phone/Fax (410) 519-7470
Email: dpolaw@yahoo.com

October 4, 2004

Mr. Raymond S. Wisnom
Code Enforcement Officer
111 West Chesapeake Avenue
Towson, MD 21204

By Facsimile Only

RE: **Civil Citation No. 03-8371, 4007 Annapolis Rd.**

Dear Mr. Wisnom:

Thank you for accommodating the date of October 12th; however, neither Mr. Se Oh or I have been copies with the Motion apparently filed by Mr. Hohne. Mr. Se Oh is entitled to Proper Notice and at this time, I do not believe Proper Notice has been accorded him. I cannot ask him to attend and defend the Show Cause without the ability to prepare a responsive pleading or an answer to the Motion. Thank you for your attention in this matter.

Sincerely yours,

DAVID P. OLSLUND

Cf: Mr. Hohne, Code Enforcement

Department of Permits a
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

Baltimore County

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

September 27, 2004

David P. Olslund, Esquire
8206 Whitebark Lane
Severn, MD 21144

Re: Case No. 03-8371
4007 Annapolis Road

Dear Mr. Olslund:

Please be advised that a Code Enforcement Hearing has been rescheduled for Tuesday, October 12, 2004 at 9:00 a.m. in Room 116 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204. This Hearing is based on a civil citation issued with respect to certain violations concerning the above property. It is important that you appear for the hearing and state your side of the case. If you have any questions, please call Code Enforcement Inspector, Paul Hohne at 410-887-3351.

Sincerely,

June A Fisher
Code Enforcement

C: Paul Hohne: Code Enforcement Inspector
Wang Se Oh: Respondent

DAVID P. OLSLUND, Attorney
DAVID P. OLSLUND, P.C.
8206 Whitebark Lane
Severn, MD 21144
Phone (410) 519-7470
Fax (410) 519-7470
Alt. Ph. (410) 519-8226
Email: dpolaw@yahoo.com

FACSIMILE COVER SHEET

Date 9/23/04

To: Mr. Wisnor (410) 887-2824

From: D. O.

RE: 03-8371 ; 4007 Annapolis Rd.

Note: See attached letter

WARNING: The attached facsimile is intended only for the named Recipient and concerns a sensitive legal matter. If you are an unintended recipient, please call the above phone number to advise them that this document was not sent to the proper location. This document may contain privileged and classified material not to be reviewed by anyone outside of the Sender and Recipient. You may be asked to destroy any document that has been received in error.

Page 1 of 2 pages.

DAVID P. OLSLUND, P.C.
8206 Whitebark Lane
Severn, MD 21144

David P. Olslund, Sr., Attorney
Lic. in MD, NJ, PA, HI & AZ.

Phone/Fax: (410) 519-7470
Email: dpolaw@yahoo.com
Alt. Phone: (410) 519-8226
Cell Phone (443) 858-8210

September 23, 2004

Mr. Raymond S. Wisnom
Vode Enforcement Officer
111 West Chesapeake Avenue
Towson, MD 21204

By facsimile and regular mail.

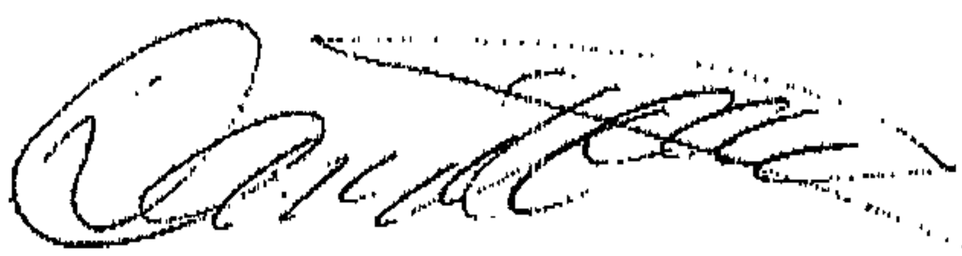
RE: **Civil Citation No. 03-8371; 4007 Annapolis Road**
21227

10/12/04

Dear Mr. Wisnom:

Please be advised that I represent the interest of Mr. Wang Se Oh in the matter. Mr. Se Oh and I are both in receipt of your **SHOW CAUSE**; however, neither of us has been copied with the Motion which must have been filed by Code Enforcement(probably Mr. Hohne) in this matter. Furthermore, I am unable to attend on October 5th, 2004 as set forth. Please reschedule. If you should have any questions, please feel free to contact me. Thank you.

Sincerely yours,



DAVID P. OLSLUND

cf: Wang Se Oh
Hohne, Baltimore Cnty.

B5400 9/27/04

Same as fax

DAVID P. OLSLUND, P.C.

8206 Whitebark Lane
Severn, MD 21144

David P. Olslund, Sr., Attorney
Lic. in MD, NJ, PA, HI & AZ.

Phone/Fax: (410) 519-7470
Email: dpolaw@yahoo.com
Alt. Phone: (410) 519-8226
Cell Phone (443) 858-8210

September 23, 2004

Mr. Raymond S. Wisnom
Vode Enforcement Officer
111 West Chesapeake Avenue
Towson, MD 21204

By facsimile and regular mail.

RE: **Civil Citation No. 03-8371; 4007 Annapolis Road**

Dear Mr. Wisnom:

Please be advised that I represent the interest of Mr. Wang Se Oh in the matter. Mr. Se Oh and I are both in receipt of your **SHOW CAUSE**; however, neither of us has been copied with the Motion which must have been filed by Code Enforcement(probably Mr. Hohne) in this matter. Furthermore, I am unable to attend on October 5th, 2004 as set forth. Please reschedule. If you should have any questions, please feel free to contact me. Thank you.

Sincerely yours,

DAVID P. OLSLUND

cf: Wang Se Oh
Hohne, Baltimore Cnty.

RECEIVED
SEP 27 2004
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

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

In the Matter of

Baltimore County

Respondent

Oh Se Wang

Civil Citation No.03-8371

SHOW CAUSE ORDER

Upon consideration of the foregoing Motion to Impose Penalty, it is this 12 ~~14th~~ day of October ~~September~~, 2004, by the Code Enforcement Hearing Officer.

ORDERED, that the Respondent, Oh Se Wang, be and they are hereby directed to appear in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, at 9:00 A.M. on the 5th day of October, to show cause why the civil penalty in the amount of $4,200.00 should not be imposed, for failing to obey an Order passed on January 6, 2004, provided a copy of aforegoing Motion and this Show Cause Order be served upon the Respondent .

Code Enforcement Hearing Officer

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

In the Matter of

Baltimore County

Respondent

Oh Se Wang

Civil Citation No.03-8371

SHOW CAUSE ORDER

Upon consideration of the foregoing Motion to Impose Penalty, it is this 14th day of September, 2004, by the Code Enforcement Hearing Officer.

ORDERED, that the Respondent, Oh Se Wang, be and they are hereby directed to appear in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, at 9:00 A.M. on the 5th day of October, to show cause why the civil penalty in the amount of $4,200.00 should not be imposed, for failing to obey an Order passed on January 6, 2004, provided a copy of aforegoing Motion and this Show Cause Order be served upon the Respondent .

Code Enforcement Hearing Officer

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

June 4, 2004

David P. Olslund, Sr.
8206 Whitebark Lane
Severn, Maryland 21144

RE: Zoning Verification
4007 Annapolis Road
13th Election District

Dear Mr. Olslund,

Your letter to Timothy Kotroco, Director of Permits and Development Management has been referred to me for reply. Based upon the information provided therein and our research of the zoning records, the following has been determined.

The subject property has a civil citation # 03-8371. As per my discussion with Mr. Carl Richards, Zoning Supervisor, a petition for special hearing and possible petition for variance are required to establish the use of the apartment units and compliance with Section 409 of the Baltimore County Zoning Regulations (BCZR).

I am enclosing the filing procedures, including the required forms and checklist, and when completed, you should call the number referenced below for an appointment to file you petition.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

Jun R. Fernando
Planner II
Zoning Review

JRF/ clb

Paul Hohne

DAVID P. OLSLUND, PC
8206 Whitebark Lane
Severn, Maryland 21144

David P. Olslund, Sr., Esquire
Admitted in MD; NJ; PA; AZ & HI

Phone/Fax (410) 519-7470
Email: dpolaw@yahoo.com

May 27, 2004

Mr. Raymond S. Wisnom
Code Enforcement Officer
111 West Chesapeake Avenue
Towson, MD 21204

RE: **Civil Citation No. 03-8371, 4007 Annapolis Rd.**

Dear Mr. Wisnom:

Respectfully on behalf of my client, Mr. Wang Se Oh, I would request an additional period of time to complete the permit application Pursuant to your Order, attempts have been made to obtain a permit for 4007 Annapolis Road. Just when we thought we had one, the individual at the counter of the Zoning Unit indicates that the dwelling unit would be nonconforming and that we would need to contact the Director. Obviously, additional time will be needed to run our proposal through his office. Respectfully request additional time with which to obtain the permit in this matter. Thank you for your anticipated favorable consideration of this matter.

Sincerely yours,

DAVID P. OLSLUND

Encl.
Cf: Mr. Hohne, Code Enforcement

04-1468

DAVID P. OLSLUND, PC
8206 Whitebark Lane
Severn, Maryla[illegible]1144

David P. Olslund, Sr., Esq [illegible]ne/Fax (410) 519-7470
Admitted in MD; NJ; PA; AZ & [illegible] [illegible]il: dpolaw@yahoo.com

Received 6/1
Sent out 6/4

May 27, 2004

Mr. Timothy Kotroco, Director
Division of Permits and Developme[illegible]ment
111 West Chesapeake Avenue
Towson, MD 21204

RE: **Civil Citation No. 03-8371, 4007 Annapolis Rd.**

Dear Mr. Kotroco:

I was advised to contact you on behalf of my client, Mr. Wang Se Oh. Mr. Se Oh purchased a property at 4007 Annapolis Road through an auction after the unexpected death of Mr. Jerry Saviliski. At that address was both residential and retail space and zoned BL as well as D.R.5.5 which cuts into the back part of the lots owned.

Mr. Se Oh did not hit it off well with the neighbor, Mr. LeCompte who reported him as doing work without a permit. Apparently, Mr. Se Oh was confused as to the need for a permit to improve an attic area on the third floor. He had bumped out an area at the roof for ceiling clearance and Mr. LeCompte reported him to Code Enforcement. Mr. Se Oh was cited by Mr. Paul Hohne, who along with other inspectors came out to the site a number of times, before they ascertained what the neighbor was complaining of. Mr. Se Oh was cited under 03-8371 for Failure to Obtain a Permit and Failure to obtain Zoning approval for apartments.

A hearing was held before Mr. Wisnom, who under Order required Mr. Se Oh obtain a permit for the construction; however, he found the use to be conforming and existing. Upon application for a permit, Mr. Se Oh was required to submit data sheets and site plans which he did after struggling with a CE for prompt completion. Environment also signed off on the project; however, the Zoning and Public Services Unit refused to approve declaring that it was non-conforming. They indicated that a letter would have to be addressed to you indicating why this permit should be permitted. I am addressing such a letter to you. It would appear that the permit should be permitted for the following reasons:

1. Mr. Se Oh purchased this property which had an ongoing commercial and residential usage.

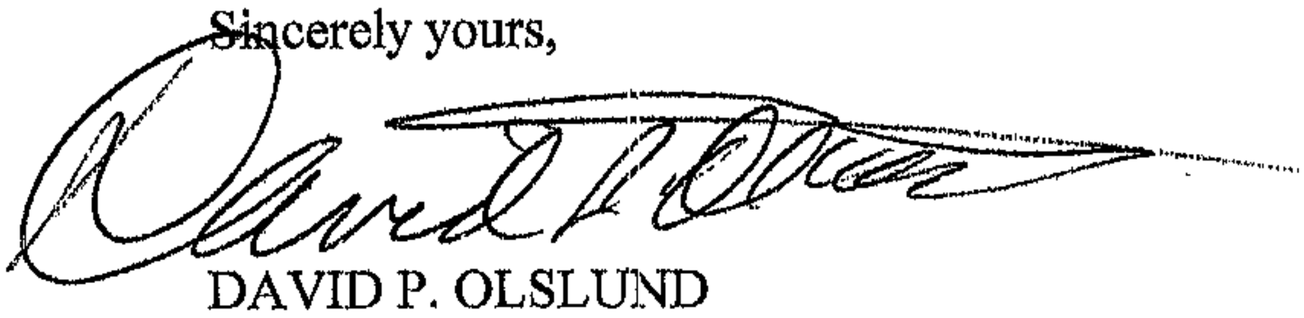
2. That the improvement of the attic area does not go against the zoning that was in effect at the time this property was established.

3. That while parking does appear to be an issue, the property has adequate parking for the retail establishment and can accommodate the additional use. In other words, any overflow would be able to park either on side streets or in the retail section. Neither the Carpet Man or Dr. Electric intend to have any frequent visitors. They are both only offices to dispatch workers only.

4. Mr. Wisnom's Findings of Fact and Conclusions of Law support Mr. Se Oh's positions with respect to the above. (See attached).

I was advised to also pay the sum of $50.00 for consideration in this matter. I am attaching my check for same. I thank you in advance for your anticipated favorable consideration of this matter.

Sincerely yours,



DAVID P. OLSLUND

Encls-1. Findings of Fact & Concl. Of Law.
2. Citation Number 03-8371.
3. Application for Permit.
4. Site Map(s).

Cf: Mr. Hohne, Code Enforcement

Baltimore County
Department of Permits and
Development Management

Code Inspections and [illegible]ement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

03-8371

Property No. 13 13 855 170

Zoning: BL

Name(s): OH Se Wang

Address: 4105 Annapolis Rd 21227

Violation Location: 4007 Annapolis Rd

Violation Dates: 10/27/03 Thru 11/18/03

BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE-NAMED PERSON(S) DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS:

Failure to obtain Permit for Addition constructed on Roof - Ser 105.1 IBC

Failure to obtain Zoning approval for Apartments - BCZR 101, 102.1, 1B01.1A 408B + 409.2

Pursuant to Section 1-8, Baltimore County Code, a civil penalty has been assessed, as a result of the violation cited herein, in the amount indicated: $ 4200 00

A quasi-judicial hearing has been pre-scheduled in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, for: Date: 1/6/04 Time: 9:00 AM

Citation must be served by: Date: 12/3/03

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Print Name: Paul Hohne

11/18/03 Date

Inspector's Signature

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

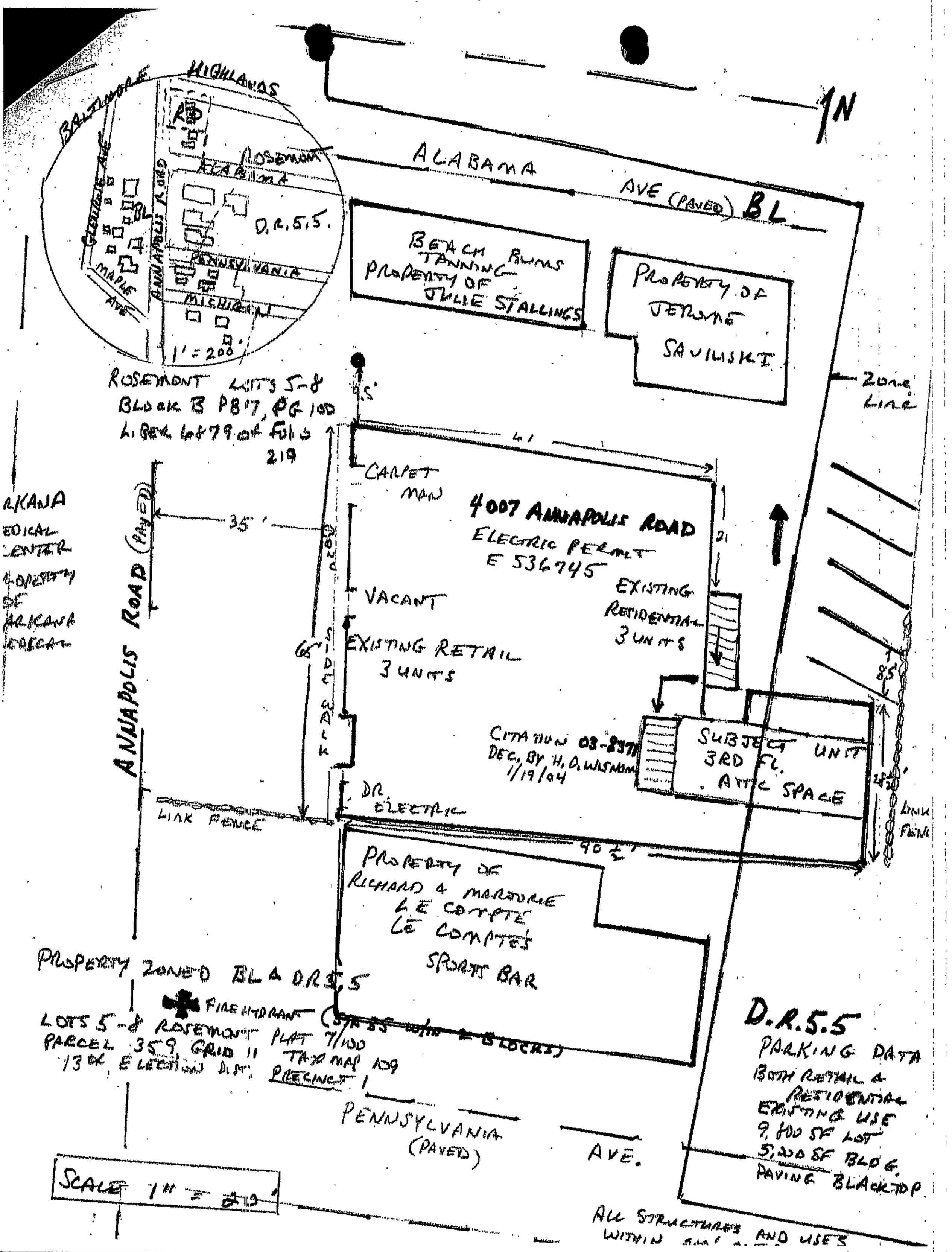
Print Name:

Citation/Case No.:

Address:

Date

Defendant's Signature


BALTIMORE HIGHLANDS
GLENMORE AVE
ANNAPOLIS ROAD
ROSEMONT
ALABAMA
D.R.5.5.
PENNSYLVANIA
MICHIGAN
MAPLE AVE
BL
1" = 200'
ALABAMA AVE (PAVED) BL
BEACH BUMS TANNING PROPERTY OF JULIE STALLINGS
PROPERTY OF JEROME SAVILISKI
ZONE LINE
ROSEMONT LOTS 5-8
BLOCK B PB 7, PG 100
LIBER 6879 of Folio 219
ARKANA MEDICAL CENTER PROPERTY OF ARKANA MEDICAL
ANNAPOLIS ROAD (PAVED)
35'
41'
CARPET MAN
4007 ANNAPOLIS ROAD
ELECTRIC PERMIT E 536745
EXISTING RESIDENTIAL 3 UNITS
VACANT
EXISTING RETAIL 3 UNITS
66' SIDE LINE
CITATION 03-8371 DEC. BY H. A. WILSHOM 1/19/04
SUBJECT UNIT 3RD FL. ATTIC SPACE
85'
28½'
LINK FENCE
DR ELECTRIC
LINK FENCE
40½'
PROPERTY OF RICHARD & MARJORIE LE COMPTE
LE COMPTE'S SPORTS BAR
PROPERTY ZONED BL & DR 5.5
FIRE HYDRANT
LOTS 5-8 ROSEMONT PLAT 7/100
PARCEL 359, GRID 11 TAX MAP 109
13th ELECTION DIST. PRECINCT 1
PENNSYLVANIA (PAVED) AVE.
D.R.5.5
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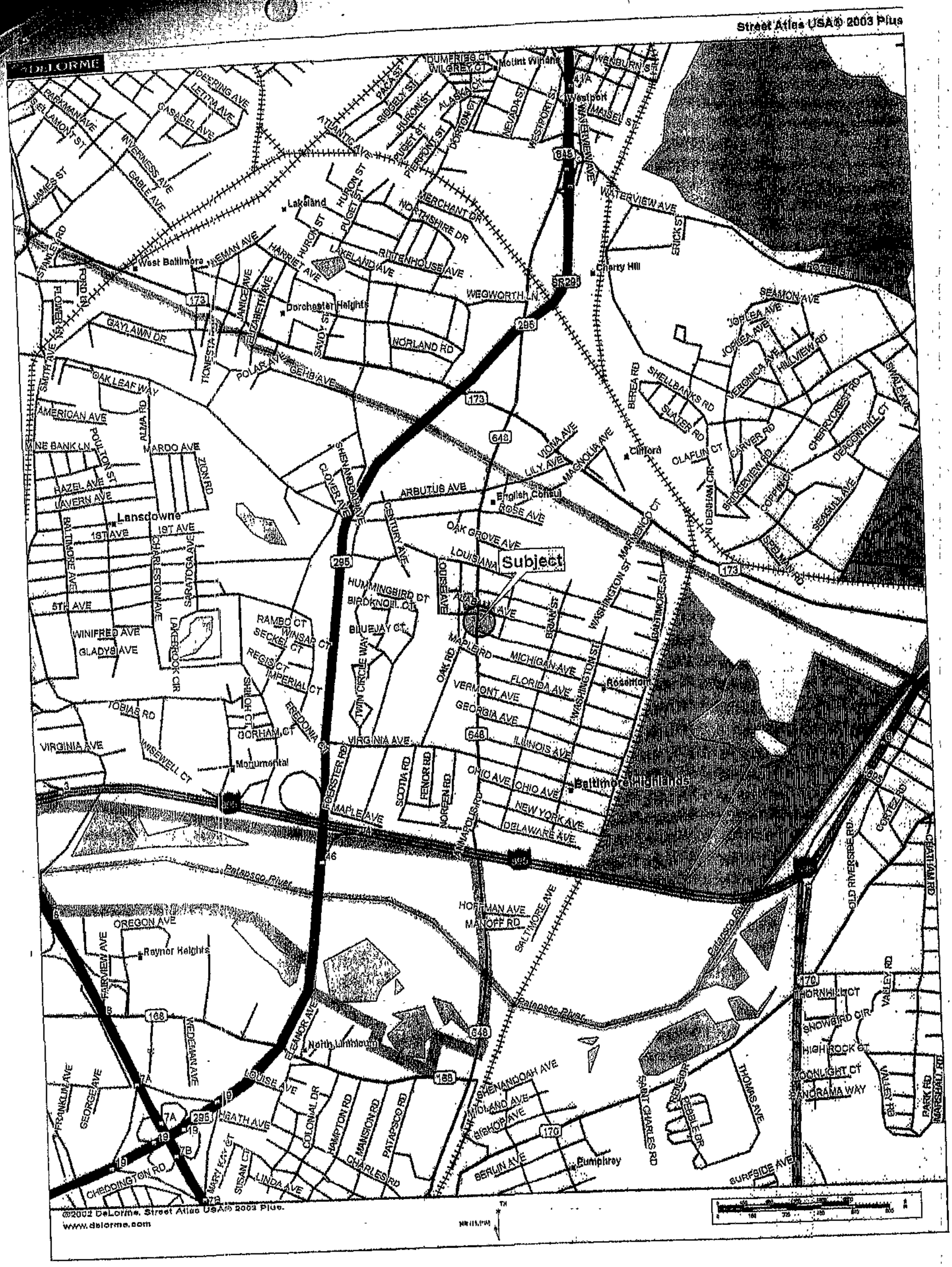
BOTH RETAIL & RESIDENTIAL
EXISTING USE
9,800 SF LOT
5,200 SF BLDG.
PAVING BLACKTOP
SCALE 1" = 20'
ALL STRUCTURES AND USES WITHIN



Neighborhood Map

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 5/13/04
QEA: MR/SK
HISTORIC DISTRICT/BLDG: YES [ ] NO [✓] DO NOT KNOW [ ]

PERMIT #: B
RECEIPT #: A
CONTROL: 04A
XREF #: 100
FEE: 40 + 4 + 17 =
PAID: 217.00
PAID BY: appl
INSPECTOR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

PROPERTY ADDRESS: 4007 Annapolis Rd.
SUITE/SPACE/FLOOR:
SUBDIV: Roslyn
TAX ACCOUNT #: 1313855170
DISTRICT/PRECINCT: 13 1

OWNER'S INFORMATION (LAST,FIRST)
NAME: Wang Se Oh.
ADDR: 4105 Annapolis Rd. 21227

DOES THIS BLDG. HAVE SPRINKLERS YES — NO —

APPLICANT INFORMATION
NAME: David P. Olslund, Esq.
COMPANY:
STREET: 8206 Whitebark Ln.
CITY,ST,ZIP: Severn, MD 21144
PHONE #: (410) 519-9470 MHIC #: MHBR #:
APPLICANT SIGNATURE: David P. Olslund
BRC#:
PLANS: CONST ___ PLOT ___ PLAT ___ DATA ✓ EL ___ PL ___
TENANT:
CONTR: Kulle Contractors.
ENGNR: Atlantic Designers
SELLR: Savalieski Jerome

TYPE OF IMPROVEMENT
1. ___ NEW BLDG CONST
2. ___ ADDITION
3. ✓ ALTERATION
4. ___ REPAIR
5. ___ WRECKING
6. ___ MOVING
7. ___ OTHER

DESCRIBE PROPOSED WORK: Constr. add. on roof to enclose ex. stairwell leading to door of attic & alt. to improve attic area - to include flooring & drywall. Work already done. Separate permit required for any add'l work.

see citation -03- 8371. Issued 10-27-04 - 11-18-2

TYPE OF USE

RESIDENTIAL
01. ___ ONE FAMILY
02. ___ TWO FAMILY
03. ___ THREE AND FOUR FAMILY
04. ___ FIVE OR MORE FAMILY (ENTER NO UNITS) ___
05. ___ SWIMMING POOL
06. ___ GARAGE
07. ___ OTHER

NON-RESIDENTIAL
08. ___ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ___ CHURCH, OTHER RELIGIOUS BUILDING
10. ___ FENCE (LENGTH ___ HEIGHT ___)
11. ___ INDUSTRIAL, STORAGE BUILDING
12. ___ PARKING GARAGE
13. ___ SERVICE STATION, REPAIR GARAGE
14. ___ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ___ OFFICE, BANK, PROFESSIONAL
16. ___ PUBLIC UTILITY
17. ___ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ___ SIGN
19. ___ STORE ___ MERCANTILE ___ RESTAURANT
SPECIFY TYPE
20. ___ SWIMMING POOL
SPECIFY TYPE
21. ___ TANK, TOWER
22. ___ TRANSIENT HOTEL, MOTEL (NO. UNITS ___
23. ___ OTHER

Cl. Permit
Receipt E536745
To attic to eventually become habitable (apt) space - living room, bathroom & kitchen.

TYPE FOUNDATION
1. ___ SLAB
2. ___ BLOCK
3. ___ CONCRETE

BASEMENT
1. ___ FULL
2. ___ PARTIAL
3. ___ NONE

TYPE OF CONSTRUCTION
1. ___ MASONRY
2. ___ WOOD FRAME
3. ___ STRUCTURE STEEL
4. ___ REINF. CONCRETE

TYPE OF HEATING FUEL
1. ___ GAS 3. ___ ELECTRICITY
2. ___ OIL 4. ___ COAL

TYPE OF SEWAGE DISPOSAL
1. ✓ PUBLIC SEWER ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM
___ SEPTIC ___ EXISTS ___ PROPOSED
___ PRIVY ___ EXISTS ___ PROPOSED

TYPE OF WATER SUPPLY
1. ✓ PUBLIC SYSTEM ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM ___ EXISTS ___ PROPOSED

CENTRAL AIR: 1. ___ 2. ___
ESTIMATED COST OF MATERIALS AND LABOR: $20,000

Total = 4 apts
PROPOSED USE: Comm. Portion - Future Office Space & Apts - occupied & add + alt
EXISTING USE: Comm. portion - vacant & apts - occupied

OWNERSHIP
1. ✓ PRIVATELY OWNED 2. ___ PUBLICLY OWNED 3. ___ SALE 4. ___ RENTAL

RESIDENTIAL CATEGORY: 1. ___ DETACHED 2. ___ SEMI-DET. 3. ___ GROUP 4. ___ TOWNHSE 5. ___ MIDRISE 6. ___ HIRISE
#EFF: ___ #1BED: ___ #2BED: ___ #3BED: ___ TOT BED: ___ TOT APTS/CONDOS: ___
1 FAMILY BEDROOMS ___
GARBAGE DISPOSAL 1. ___ YES 2. ___ NO
BATHROOMS ___ CLASS 06
POWDER ROOMS ___ KITCHENS ___ LIBER 07 FOLIO 100

BUILDING SIZE SF
FLOOR 250
WIDTH ___
DEPTH ___
HEIGHT 20'±
STORIES ___
LOT #'S 5
CORNER LOT
1. ___ YES 2. ✓ NO

LOT SIZE AND SETBACKS SF
SIZE 9800
FRONT STREET ___
SIDE STREET ___
FRONT SETBK ___
SIDE SETBK ___
SIDE STR SETBK ___
REAR SETBK ___
ZONING ___

NC

APPROVAL SIGNATURES		DATE
BLD INSP		
BLD PLAN	20 OK To File Plans SLD	5-13-04
FIRE	120 012 To File Plans SLD	5-13-04
SEDI CTL		
ZONING		
PUB SERV		
ENVRMNT	4/6 NC [illegible]	5/24/04
PERMITS		

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

signatures & fee ok per Lette

2 SETS SEALED PLANS AND DATA SHEETS REQUIRED NB Mr

To Paul Hohne

DAVID P. OLSLUND, PC
8206 Whitebark Lane
Severn, Maryland 21144

David P. Olslund, Sr., Esquire
Admitted in MD; NJ; PA; AZ & HI

Phone/Fax (410) 519-7470
Email: dpolaw@yahoo.com

March 21, 2004

Mr. Raymond S. Wisnom
Code Enforcement Officer
111 West Chesapeake Avenue
Towson, MD 21204

RE: **Civil Citation No. 03-8371, 4007 Annapolis Rd.**

Dear Mr. Wisnom:

Respectfully on behalf of my client, Mr. Wang Se Oh, I would request an additional period of time to complete the permit application. I would suggest a period of one month. While, the application was initiated on January 23rd(see attached), it has been difficult to find a licensed Architect/Engineer who would commit to a project of this small size. After the first individual was found to be unlicensed, we were able to locate Associated Designers in Millersville who have complete the site plans; however, have not completed the data sheets required by the Building Inspection Unit Chief. I have been on the phone today to inquire about the sheets that had been promised to me as of last week. Thank you for your anticipated favorable consideration of this matter.

Sincerely yours,

DAVID P. OLSLUND

Encl.

4/30

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 1/23/04
OEA: MR

PERMIT #: B
RECEIPT #: A
CONTROL: 01
XREF #: 160
FEE: 40 + 80 + 17=
PAID: 217.00
PAID BY: appl
INSPECTOR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

PROPERTY ADDRESS 4007 Annapolis Rd
SUITE/SPACE/FLOOR
SUBDIV: Rosemont
TAX ACCOUNT #: 1313855770

HISTORIC DISTRICT/BLDG.
YES [ ] NO [✓]
DO NOT KNOW
DISTRICT/PRECINCT 13 1

OWNER'S INFORMATION (LAST,FIRST)
NAME: Wang Se Oh.
ADDR: 4105 Annapolis Rd. 21227

DOES THIS BLDG. HAVE SPRINKLERS
YES ___ NO ___

APPLICANT INFORMATION
NAME: David P. Olslund, Esq.
COMPANY:
STREET 8206 Whitebark Ln.
CITY,ST,ZIP Severn, MD 21144
PHONE #: (410) 519-7470 MHIC # MHBR #
APPLICANT SIGNATURE David P. Olslund DRC#
PLANS: CONST ___ PLOT ___ PLAT ___ DATA ___ EL ___ PL ___
TENANT
CONTR: Kwik Contractors
ENGNR:
SELLR: Lavaliski Jerome

DESCRIBE PROPOSED WORK: Const. add. on roof to enclose of stairwell leading to door of attic & alt. to improve attic area - to include flooring & drywall. Work already done. Separate permit required for any add'l work.

see citation - 03 - 837 dated 10-27-04 - 11-18-04

C.L. Permit E536745

Alt. of attic to eventually become habitable space - living room, bathroom & kitchen

TYPE OF IMPROVEMENT
1. ___ NEW BLDG CONST
2. ✓ ADDITION
3. ✓ ALTERATION
4. ___ REPAIR
5. ___ WRECKING
6. ___ MOVING
7. ___ OTHER

TYPE OF USE

RESIDENTIAL
01. ___ ONE FAMILY
02. ___ TWO FAMILY
03. ___ THREE AND FOUR FAMILY
04. ___ FIVE OR MORE FAMILY (ENTER NO UNITS) ___
05. ___ SWIMMING POOL
06. ___ GARAGE
07. ___ OTHER

NON-RESIDENTIAL
08. ___ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ___ CHURCH, OTHER RELIGIOUS BUILDING
10. ___ FENCE (LENGTH ___ HEIGHT ___)
11. ___ INDUSTRIAL, STORAGE BUILDING
12. ___ PARKING GARAGE
13. ___ SERVICE STATION, REPAIR GARAGE
14. ___ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ___ OFFICE, BANK, PROFESSIONAL
16. ___ PUBLIC UTILITY
17. ___ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ___ SIGN
19. ___ STORE ___ MERCANTILE ___ RESTAURANT SPECIFY TYPE
20. ___ SWIMMING POOL SPECIFY TYPE
21. ___ TANK, TOWER
22. ___ TRANSIENT HOTEL, MOTEL (NO. UNITS ___
23. ___ OTHER

TYPE FOUNDATION
1. ___ SLAB
2. ___ BLOCK
3. ___ CONCRETE

BASEMENT
1. ___ FULL
2. ___ PARTIAL
3. ___ NONE

TYPE OF CONSTRUCTION
1. ___ MASONRY
2. ___ WOOD FRAME
3. ___ STRUCTURE STEEL
4. ___ REINF. CONCRETE

TYPE OF HEATING FUEL
1. ___ GAS 3. ___ ELECTRICITY
2. ___ OIL 4. ___ COAL

TYPE OF SEWAGE DISPOSAL
1. ✓ PUBLIC SEWER ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM
___ SEPTIC ___ EXISTS ___ PROPOSED
___ PRIVY ___ EXISTS ___ PROPOSED

TYPE OF WATER SUPPLY
1. ✓ PUBLIC SYSTEM ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM ___ EXISTS ___ PROPOSED

CENTRAL AIR: 1. ___ 2. ___
ESTIMATED COST: $ 2000 OF MATERIALS AND LABOR

PROPOSED USE: Comm. Portion - Future Office Space & Apts - occupied & add + alt.
EXISTING USE: Comm. portion - vacant & apts - occupied

OWNERSHIP
1. ✓ PRIVATELY OWNED 2. ___ PUBLICLY OWNED 3. ___ SALE 4. ___ RENTAL

RESIDENTIAL CATEGORY: 1. ___ DETACHED 2. ___ SEMI-DET. 3. ___ GROUP 4. ___ TOWNHSE 5. ___ MIDRISE 6. ___ HIRISE
#EFF: ___ #1BED: ___ #2BED: ___ #3BED: ___ TOT BED: ___ TOT APTS/CONDOS: ___
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. ___ YES 2. ___ NO BATHROOMS ___ CLASS 06
POWDER ROOMS ___ KITCHENS ___ LIBER 09 FOLIO 100

BUILDING SIZE SF
FLOOR 250
WIDTH
DEPTH
HEIGHT
STORIES
LOT #'S 5
CORNER LOT
1. ___ YES 2. ✓ NO

LOT SIZE AND SETBACKS SF
SIZE 9800
FRONT STREET
SIDE STREET
FRONT SETBK
SIDE SETBK
SIDE STR SETBK NA
REAR SETBK
ZONING

APPROVAL SIGNATURES	DATE
BLD INSP :	
✓ BLD PLAN 20	
✓ FIRE 20	
SEDI CTL :	
✓ ZONING 11	
✓ PUB SERV 11	
✓ ENVRMNT 46	
PERMITS :	

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

signatures & fee ok per Lette

2 SETS SEALED PLANS AND DATA SHEETS RETAINED NB Brown

Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

13 +4

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953
Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 03-8371
Property No. 13 13 855 770
Zoning:

Name(s): Savalisk Jerome

Address: P.O. Box 1401 Pasadena Md 21123

Violation Location: 4004 Annapolis Rd

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCC sec 7-181, IBC 105.1 - Electric permit required for Meters and new wiring obtain Electrical Permit $1000.00 fine

Permit Required for addition constructed on roof - obtain building permit $1000.00 fine.

Zoning approval required for Apartments in BL Zone. obtain Zoning approval for Apartments.

Plans Required

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 11/10/03
Date Issued: 10/27/03

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: Paul Hohne

INSPECTOR: [signature]

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:

Not Later Than:
Date Issued:

INSPECTOR:

for Exh 2

REALTOR®

RESIDENTIAL LEASE AGREEMENT

Listing Broker _____ Phone _____ Listing Agent _____

Leasing Broker _____ Phone _____ Leasing Agent _____

A. THIS LEASE, made this 15th day of December, 19__ between Victoria Savalski hereinafter call

and Jackie Bailey hereinafter c

WITNESSETH: That the Landlord leases to the Tenant and the Tenant leases from the Landlord the pr

4007E Annapolis Rd. Baltimore MD. 21227

for use as a single family dwelling under the following terms and conditions:

1. TERM: 12 months and — days beginning on the First December 2002 and ending on the 30 day of November

2. RENT: Total rent for the term of Six Ty Six Hundred Dollars _____ DOLLARS ($ 6600.00).

made in monthly installments of Five Hundred Fifty Dollars DOLLARS ($ 550.00) due and payable in advance on the first of the month at Fe

Pasadena, MD. 21123

Pro-rata rent from _____ 19__ through _____ DOLLARS ($ _____

due on the _____ day of _____, 19__.

3. SECURITY DEPOSIT (see B1) none required

4. AUTHORIZED OCCUPANTS (see B3) _____

5. PERSONAL PROPERTY OF LANDLORD Appliances

6. DAYS TO BE SHOWN (see B8) FOR RENT _____; FOR SALE _____

7. MINIMUM DEDUCTIBLE AMOUNT (see B2d) _____

8. LIABILITY INSURANCE (see B12) _____

9. NAME, ADDRESS, TELEPHONE NUMBER OF OWNER/MANAGEMENT COMPANY (see B5)

Victoria Savalski P.O Box 1401 Pas, MD.

B. TERMS OF THE LEASE Rent includes utilities N/A

1. SECURITY DEPOSIT: The Tenant shall, upon execution of this lease, deposit with the Landlord th Paragraph A3 above, which shall not exceed two months rent. The Landlord hereby acknowledges Tenant, payment of the security deposit and said Tenant is hereby advised of the Tenant's rights under regards to said deposit paid and acknowledged above. If the Landlord requires a security deposit, he s request promptly provide the Tenant with a written list of all existing damages. The request must be (15) days of the Tenant's occupancy. The security deposit or any portion thereof, may be withheld for un due to breach of this lease or for damage to the leased premises by the Tenant, Tenant's family, agents, en guests in excess of ordinary wear and tear. The Tenant has the right to be present when the Landlord or inspects the premises in order to determine if any damage was done to the premises, if the Tenant no by certified mail of intention to move, the date of moving and his new address. The notice to be furnis to the Landlord shall be mailed at least fifteen (15) days prior to the date of moving. Upon receipt of the n shall notify the Tenant by certified mail of the time and date when the premises are to be inspecte inspection shall occur within five (5) days before or five (5) days after the date of moving as designat notice. The security deposit is not liquidated damages and may not be forfeited to the Landlord for b agreement, except in the amount that the Landlord is actually damaged by the breach. In calculating dam rents, any amount of rents received by the Landlord for the premises during the remainder, if any, of shall reduce the damages by a like amount. The Landlord shall return, within forty-five (45) days a Tenancy, the security deposit to the Tenant, together with simple interest which has accrued in the an State law less any damages rightfully withheld. Said interest shall accrue at six month intervals from t

THE PARTIES INITIALS ARE FOR ACKNOWLEDGING PAGES 1 & 2 (ON REVERSE) OF THIS RES AGREEMENT.

LANDLORD LANDLORD TENANT

s the Landlord the security deposit and interest is not compounded. If any portion of the security the Landlord must present by first class mail, directed to the last known address of the Tenant within the termination of the Tenancy, a written list of the damages claimed in the above paragraph togethe the cost actually incurred. Also, the Tenant may not utilize the security deposit as rent and the Tenan same as the last month's rent.

2. MAINTENANCE OF PREMISES: It is agreed that the Tenant will keep said premises, including ga order and condition, keep all lawn and hedges mowed or trimmed and flower beds and shrubbery in g gutters clear of leaves and debris, promptly remove ice and snow from all walks, steps and drives, kee leased premises in clean and sanitary condition, and comply with all applicable federal, state, and loc and regulations with respect to said premises. Firewood and other sources of termites shall not be sto feet of dwelling.

a. Notice of Defects: It is further agreed that the Tenant will give the Landlord or his Agent prompt n leaks, or breakage in the structure, equipment or fixtures of the said premises, including damage by fire

b. Alterations: Tenant will not remodel or make any structural changes, alterations or additior remove or exchange appliances or equipment, such as, but not limited to air conditioning, heating, refrig units, radio or television antennae, will not drive nails or other devices into the walls or woodwork (a r of small nails as picture hangers excepted; tape not to be used), will not change the existing locks, refi wood floors of the premises, without prior written permission of the Landlord or the Landlord's Agent.

c. Responsibilities: Any washer, dryer, range, refrigerator, dishwasher, disposal or humidifier and property/appliances located on the property which are installed in the premises are for the Tenant's use and are not warranted by the Landlord. The Tenant agrees to maintain said appliances at the Tenant's owr and return them in good order. In the event of replacement of said appliances, the cost shall be the res Landlord. By definition, replacement shall be necessary in the event the cost of repair exceeds fifty per replacement cost. The Tenant shall furnish the Tenant's own electric light bulbs and fuses at the Tenant's c shall replace faucet washers as needed. The Tenant is responsible for proper lubrication of heating/air cor and fans, replacement of furnace filters and shall have oil and gas heaters, if any, regularly serviced by comp to prevent avoidable damage. If the house is equipped with an oil burner, the Tenant agrees to purchase contract from some reputable company providing for the cleaning of the furnace and burner which doe any existing service contract. All garbage and trash must be placed in suitable covered containers. The Te responsible for any damage to the premises caused by any negligence on the part of the Tenant, or the Ter invitees, including, but not limited to, damage caused by bursting pipes from failure to turn off water i stoppage of the water closets and drains, etc. The Tenant shall not refinish or sand the wood floors but shall and in good order. The Tenant shall keep the floors and floor covering clean and in good order.

d. Repairs: Any repairs made necessary due to negligent acts of commission or omission of the Te guests, employees, or pets shall be paid for by the Tenant, but the Tenant shall not order repairs on or abc without prior approval from the Landlord/Agent. Any repairs required which are not otherwise covered subject to a deductible amount (see A7) which is to be paid by the Tenant, excepting repairs on the furnace, h central air conditioning, and roof which shall be paid by the Landlord.

e. Smoke Detectors: The Tenant acknowledges the Tenant's responsibility to equip the premises w approved smoke detector in accordance with the provisions of Article 38A , Paragraph 12A(b) of the Ann the State of Maryland, as amended. The Tenant further acknowledges the Tenant's responsibility to maintai and assumes all liability therefore, and hereby waives and exonerates the Landlord/Agent from any and all li from any defect.

3. AUTHORIZED OCCUPANTS: The persons listed in paragraph A4 above and any future offspring are occupy the premises. This paragraph is not intended to preclude occupancy by "occasional guests", which persons who, with the Tenant's consent, temporarily occupy the premises for not more than fifteen (15) con Written permission from the Landlord must be obtained for any additional residents. (See A4.)

4. ACCIDENT LIABILITY: The Tenant hereby releases the Landlord from all responsibility, and expressl liability, in any action for damage which may arise from any kind of injury to anyone, by and on account of the u of that portion of the demised premises within the exclusive control of Tenant, or by and on account of any phys whatsoever, that may at any time exist upon that portion of the premises within the exclusive control of th

5. NOTICES: In every instance in which notice is required to be given hereunder, such notice shall be i personally delivered or sent by 1st class, certified or registered mail addressed to Landlord (see A9) or to the premises. All notices sent by mail shall be deemed as given as of the postmark date or the sender's mail recei of certified or registered mail. Either party may change the address to which notices to it are to be sent by sen notice of such new address to the other party.

6. TERMINATION BY DEATH: If any party to this lease should die during the term of this lease, the Personal Re of the estate of the deceased may terminate this lease by giving at least one (1) months' written notice from an date.

7. AGENTS: Should the Landlord retain an Agent who is a licensed real estate broker, any authority vested in t under the terms of this lease may be exercised by the Landlord's Agent and all notices to be furnished to the La be furnished to the Agent instead.

8. INSPECTION DURING OCCUPANCY: The Tenant will allow the Landlord or Agent to enter upon purpose of inspecting at all reasonable times. If the Landlord/Agent is unable to gain access after making r to arrange an appointment with the Tenant, the Tenant authorizes the Landlord/Agent to use an office k to the property. Before using this authorization, the Landlord/Agent shall notify the Tenant of the da inspection, although the Landlord/Agent is under no obligation to inspect.

During the last (see A6) days of this lease, the Tenant shall permit the posting of a "For Rent" sign premises to be shown to prospective Tenants during the hours of 10:00 A.M. to 8:00 P.M. daily. Duri days of this lease, the Tenant shall permit the posting of a "For Sale" sign and shall allow the premis prospective Buyers during the hours of 10:00 A.M. to 8:00 P.M. daily. The Landlord/Agent shall, if request at least one hour's telephone notice of such showings. However, if the Tenant is not home when the tele the premises may be shown utilizing the key retained by the Landlord/Agent or by use of a key lockbo the Landlord, during the periods the property is on the market for sale or rent.

9. TAX INCREASE: If the real estate taxes increase during the term of this lease, the Landlord may, at the monthly rent by one-twelfth (1/12) of the annual tax and/or insurance increase, rounded off to the Tenant shall, if requested in writing, be supplied with reasonable proof of the increase. Such notification o shall be given at least thirty (30) days prior to the due date of the rent which includes the increase.

10. PETS: The Tenant shall not keep or allow pets on the premises without prior written consent of th

11. PERSONAL PROPERTY: The Tenant acknowledges that all the Tenant's personal property or tha others placed on the premises at the invitation of or with the consent of the Tenant shall be at the Ten

12. LIABILITY INSURANCE: The Tenant agrees to obtain Tenant liability insurance in an amount not le in Paragraph A8 above and shall have the owner of the property named as an additional insured. Tena the Landlord/Agent a copy of such insurance prior to occupancy and at any other time upon request.

13. CASUALTY DAMAGE: If the premises are destroyed by fire, act of God, act of nature, public enemies the term of this lease shall immediately cease upon payment of rent apportioned to the day of such happ the premises are only partially destroyed or damaged and the Landlord decides to repair same, such rep by the Landlord without reasonable delay, and this lease shall remain in full force and effect, without any Should Tenant negligence be the cause of the destruction or damage, the lease shall not cease nor abatement in rent.

14. ACT OF GOVERNMENT: If the leased premises is acquired or condemned by eminent domain for a public use or purpose, whether in whole or in part, and renders the premises uninhabitable then the term cease and terminate as of the date of title vesting in such proceedings, and all rents shall be paid to that d shall have no claims against the Landlord for any value of the unexpired term of the lease.

15. RENEWAL PROVISION: At the end of the Term set forth in Paragraph A1, unless one of the parties pr party at least 30 days written notice of its intention to terminate this lease at the end of such Term, then this to and continue as a month-to-month lease, subject to all remaining conditions of this lease. Either party month-to-month lease at the end of any rental month by giving the other party at least 30 days prior w

16. PAYMENT OF RENT: It is agreed and understood by all parties to this Lease Agreement that any rental by the Landlord five (5) days or more after the due date shall be subject to imposition of a late charge o of the monthly rent. Said late charge, if not remitted with the delinquent rental payment shall remain immediately. Should the Landlord/Agent accept any partial payment of rent, this acceptance shall not changing the terms of the lease which require the payment of rent in advance. Any payment made by Landlord/Agent shall first be applied to any outstanding amounts for charges other than the current mont charges, legal fees, returned check charges, repair bills, etc.) before being applied to the current month's r always be applied to the security deposit due before being applied to rent. If any personal check used in security deposit, or any other monies due the Landlord, is returned by the bank for insufficient funds, c for any other reason, all future payments must be made in cash, certified check, or money order at the optio Agent. Tenant agrees to pay Landlord an administrative charge of $25.00 on all such returned checks. Unl payment by check or money order, Landlord/Agent shall give Tenant a receipt showing payment and th payment covers. All late fees payable by Tenant shall constitute additional rent due under this Lease.

17. UTILITIES: The Tenant shall pay all gas, electric, water, telephone, fuel charges, sewer use, refuse co other utilities for the premises as and when the same shall become due during the term of their tenancy, and deposits therefore. In the event the Tenant fails to make such payments, then the amount thereof may, at the Landlord, be added to or deemed part of the rent due and the Landlord shall have the right to seek the collection of such charges as for rent. The Tenant agrees to forward a receipted water bill for the above Landlord/Agent at the termination of the lease.

18. ASSIGN, SUBLET, AND USE: The Tenant covenants that the Tenant will not carry on any business premises, nor use the premises for any purpose other than that of a private, single family residence, nor p be used for any disorderly or unlawful purposes. The Tenant shall not sublet the said premises, nor assign t consent in writing of the Landlord/Agent. The Tenant shall not use or permit to be used the leased premises act in or upon the leased premises, nor make nor permit to be made any disturbing noises, or do an unreasonably interfere with the rights, comforts or conveniences of neighbors, or act in any manner constitute a nuisance. Any breach of this provision shall be sufficient cause for the Landlord/Agent to iss a thirty (30) day notice to vacate, any other provision of this agreement notwithstanding.

Res Ex (1)

FYI: M[redacted]+MT) 6/23/03

From Sung Chung Cy

MEMORANDUM OF PURCHASE
AT PUBLIC AUCTION

Property 4007 Annapolis Road

I, the undersigned purchaser hereby acknowledge that I (or We) have this day purchased the property described in the attached advertisement, subject to the conditions stated therein, at the price of

$ 230,000

And have paid to ALEX COOPER AUCTIONEERS, INC., the sum of

$ 10,000

by way of deposit and earnest money, and I (or We) agree to complete the purchase in accordance with said conditions in the advertisement ~~and on the reverse side of contract~~.

As witness my hand this 22nd day of May 20 03

(SEAL)
PURCHASER

(SEAL)
PURCHASER

4105 ANNAPOLIS RD
ADDRESS

410-789-8490
PHONE

PAID

I acknowledge receipt of deposit

CK. NO.
DATE

AUCTIONEER

The above offer is accepted subject to the conditions of sale in said advertisement, and I (or We) agree to deliver title as therein stated to complete the sale, subject to the conditions herein set forth.

(SEAL)
SELLER OR AUTHORIZED AGENT

(SEAL)
SELLER OR AUTHORIZED AGENT

COPY OF ADVERTISEMENT

ESTATE PUBLIC AUCTION SALE

TWO COMMERCIAL/RESIDENTIAL PROPERTIES IN THE BALTO. HIGHLANDS

Sales To Be Held On The Premises

THURSDAY, MAY 22, 2003

10:30 A.M. - 3601 ANNAPOLIS RD.

Improved by a 2-Story Building Presently Containing a Commercial Storefront and 4 apartment units. One unit is partially complete. Each unit has separate gas heat and central air. The present monthly rental income in $2,150. The tenants pay for heat, AC, hot water, gas & electric.

11:00 A.M. - 4007 ANNAPOLIS RD.

Improved by a 2-Story Building Presently Containing 3 Commercial Storefronts and 4 apartment units. Each commercial unit has separate gas heat and central air. The commercial tenants pay for heat, AC, hot water, gas & electric.

Terms of Sale: A deposit of 10% of the purchase price, of which a $10,000 cash deposit, cashier's check or certified check is due, on **each property**, at the time and place of sale. The difference to bring the deposit up to 10% is due within 5 business days. Settlement is 45 days from the sale date. If payment of the balance of the purchase price or deposit does not take place within the specified period, the deposit will be forfeited and the property will be resold at the risk and expense of the defaulting purchaser. All income and expenses, including real estate taxes, and sanitary and/or metropolitan district charges, are to be adjusted to date of settlement and assumed thereafter by the purchaser. Cost of all documentary stamps and transfer taxes to be paid by the purchaser. The property will be sold in "As is" condition without express or implied warranty as to the nature and description of the improvements. The property will be sold subject to easements, agreements, restrictions or covenants of record affecting the same, if any. Dimensions and acreage are more or less. Time is of the essence as to the terms of this contract.

Alex Cooper auctioneers inc.
908 YORK ROAD · TOWSON, MD 21204 · 410-828-4838

Buyer Seller

Alex Cooper auctioneers inc.
908 YORK ROAD — TOWSON, MARYLAND 21204
TELEPHONE (410) 828—4838 • fax 410-828-9348
http://www.alexcooper.com

Rch 4

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

DIRECTOR

BUILDINGS ENGINEER

ELECTRICAL PERMIT

PERMIT #: E536745 XREF #: E536745 DIST: 13 PREC: 00

JOB LOCATION: 4007 ANNAPOLIS RD
SUBDIVISION: DATE ISSUED: 10/28/2003

OWNERS INFORMATION
NAME: WANG SE OH
ADDR:
OCCUPANT INFORMATION
NAME:
ADDR:
PHONE #:

APPLICANT INFORMATION

CHRIS ATOUN

PHONE #: 410-563-1202 LICENSE #: MD 10193 BUILDING PERMIT #:

EXISTING METER #: POLE #:
STRUCTURE USE: RESIDENTIAL BUILDING: OLD WORK DESCRIPTION: NEW
INSPECTOR REQUESTED DATE: DATE POWER CO. NOTIFIED: 00/00/0000

DETAIL OF WORK AND ADDITIONAL INFORMATION
REPLACEING EX 5 METER STACK W/NEW STACKK REPLACE 3 100AMP PANELS
W/NEW 100AMP SUB. REPLACE 2 4 SERVICE CABLES FEE: 50.00

WOULD; WIRING OUTLETS

LIGHT	SWITCH	RECEPT	LOW VOLTAGE
MISC			

RECEIPT #: 6484591 FEE: 150.00

PAGE 1 OF 1

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

1/1 2000

R2R4

Contract

Page No. of Pages

5000.00 PD 10-23
2000.00 PD 10-31
Balance 4000.00 upon completion of work
2000.00 PD 11-13

Kenneth Klinedinst

KWK CONTRACTORS
4027 ANNAPOLIS RD.
BALTIMORE MD. 21227
PHONE 410-370-5936
MD. 2061

PROPOSAL SUBMITTED TO Wang Se Oh, Kuen Se Oh		PHONE 410-789-8595	DATE 10-7-03
STREET 4105 Annapolis Rd		JOB NAME 4007 Annapolis Rd.	
CITY, STATE AND ZIP CODE Baltimore MD 21227		JOB LOCATION 4007 Annapolis Rd.	
ARCHITECT Ken Klinedinst	DATE OF PLANS 10-7-03	Baltimore MD 21227	JOB PHONE 410-789-8490

We hereby submit specifications and estimates for: A service seperation at 4007 Annapolis Rd units C, D, E, G, H Baltimore MD 21227. Each of these units will have a 100 Amp sub panel and service cable installed. Each unit will be separated from unit D and connected in the appropriate unit. Grounding will be upgraded as follows, water main, gas main, ground rod and water heater will all be bonded. A new meter stack will be installed. (5 units). A new service cable for the meter stack will be installed. All appropriate permits will be filed for Baltimore County Electrical inspections and connection by BGE. This contract meets the original proposal price of $12,000 however there is a 5th panel and meter installation for the final floor apt (unit C). At no additional charge.

All work will begin on 10-8-03 and will be completed by 11-21
All work will meet or exceed National Electrical Code standards
All work will have a 1 year parts and labor guarantee.

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of: $4,000.00 Deposit, $4,000.00 Upon completion of meters 12,000.00 dollars ($)

Payment to be made as follows: ~~$4,000.00~~ At the completion of all of the work.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature: Kenneth Klinedinst

Note: This proposal may be withdrawn by us if not accepted within 30 days

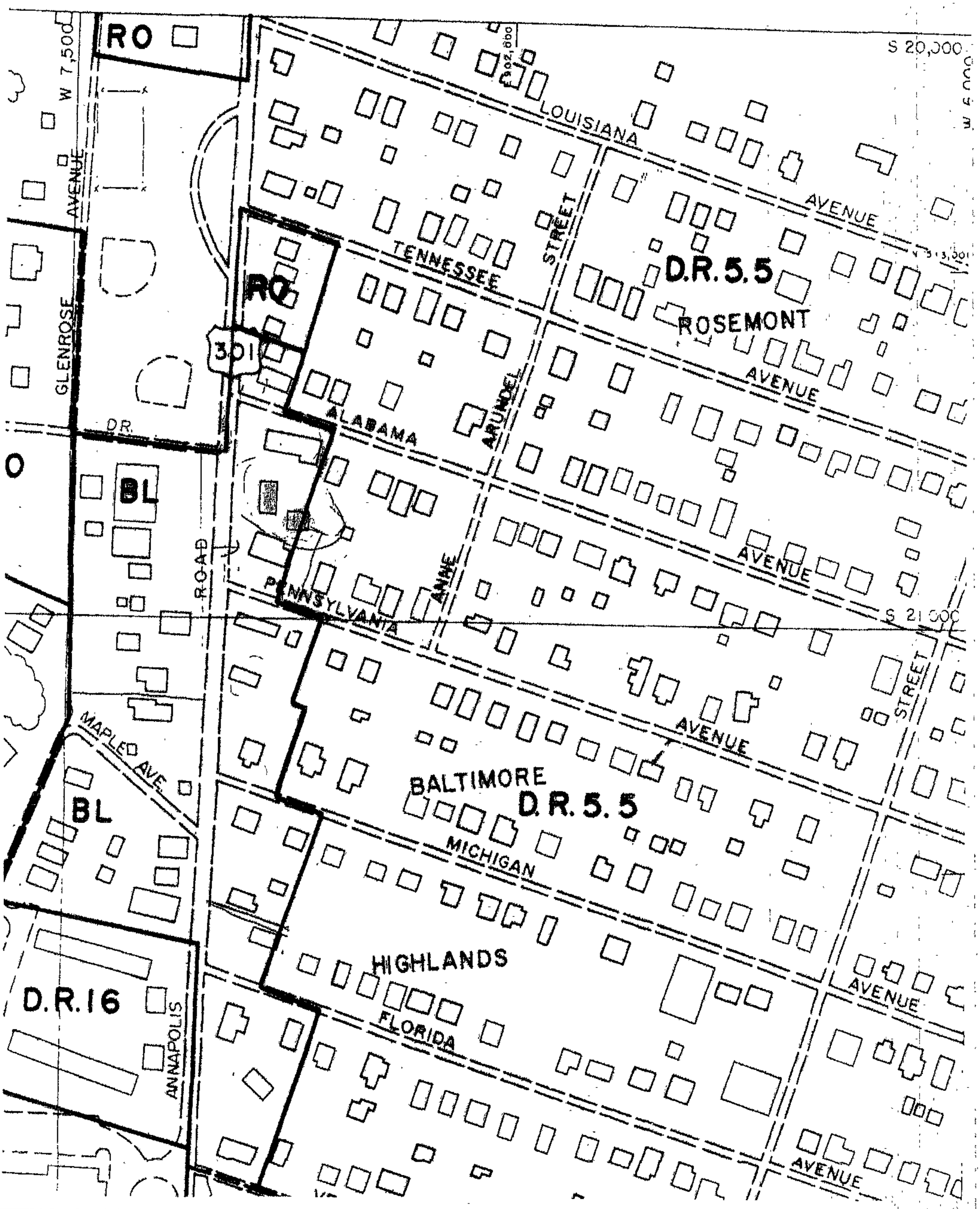
ACCEPTANCE OF CONTRACT — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

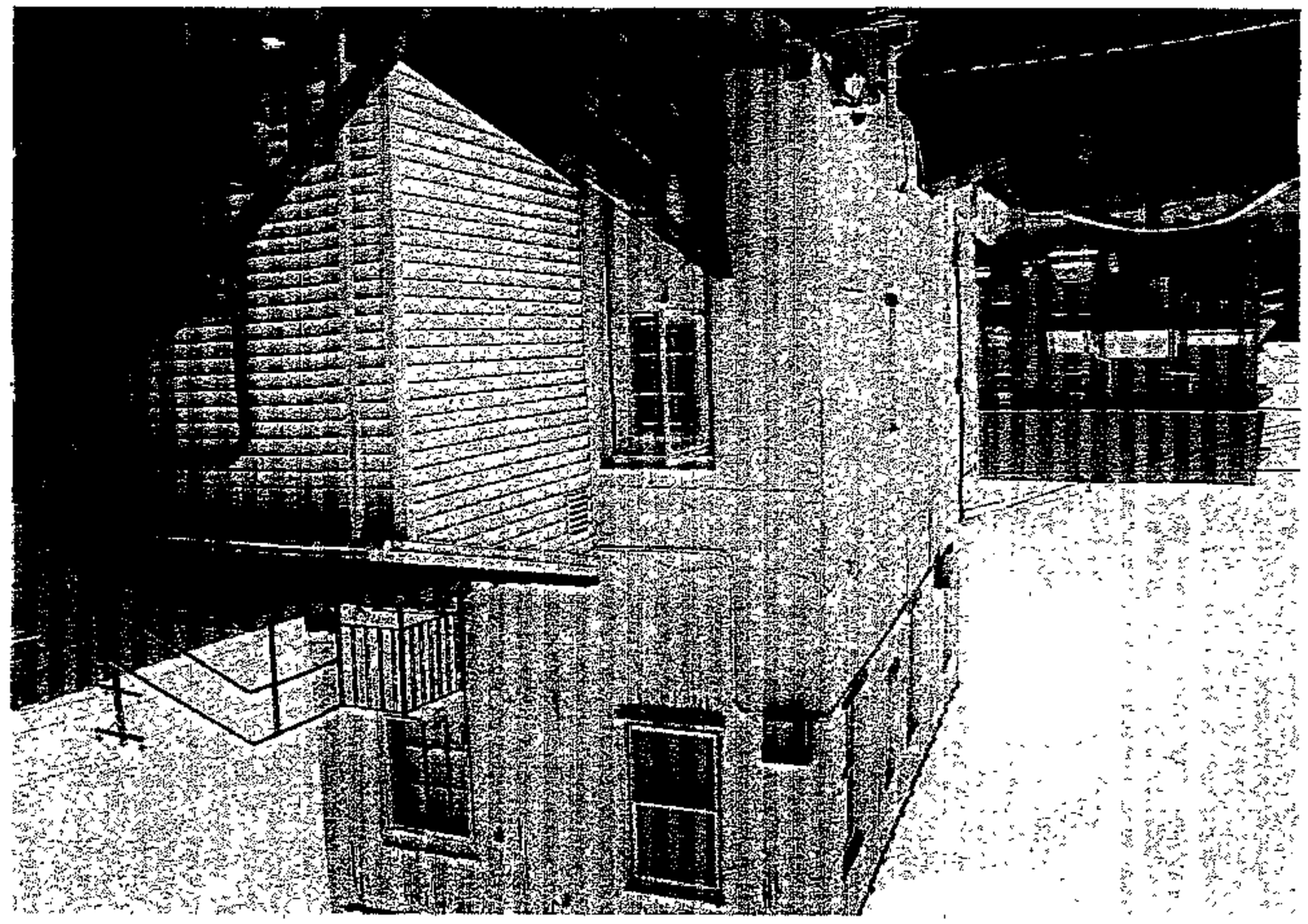
Signature: L C Lee

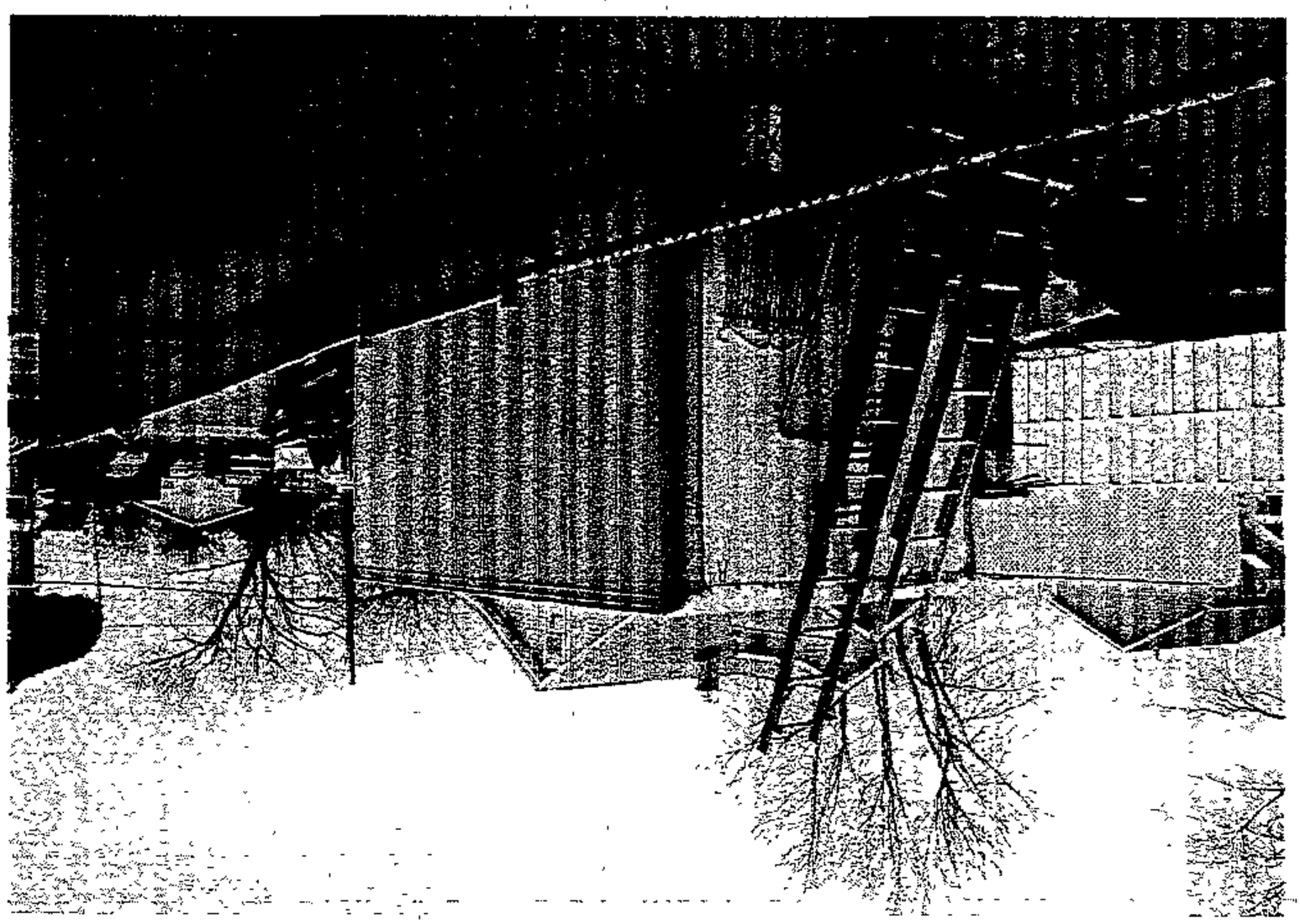
Signature:

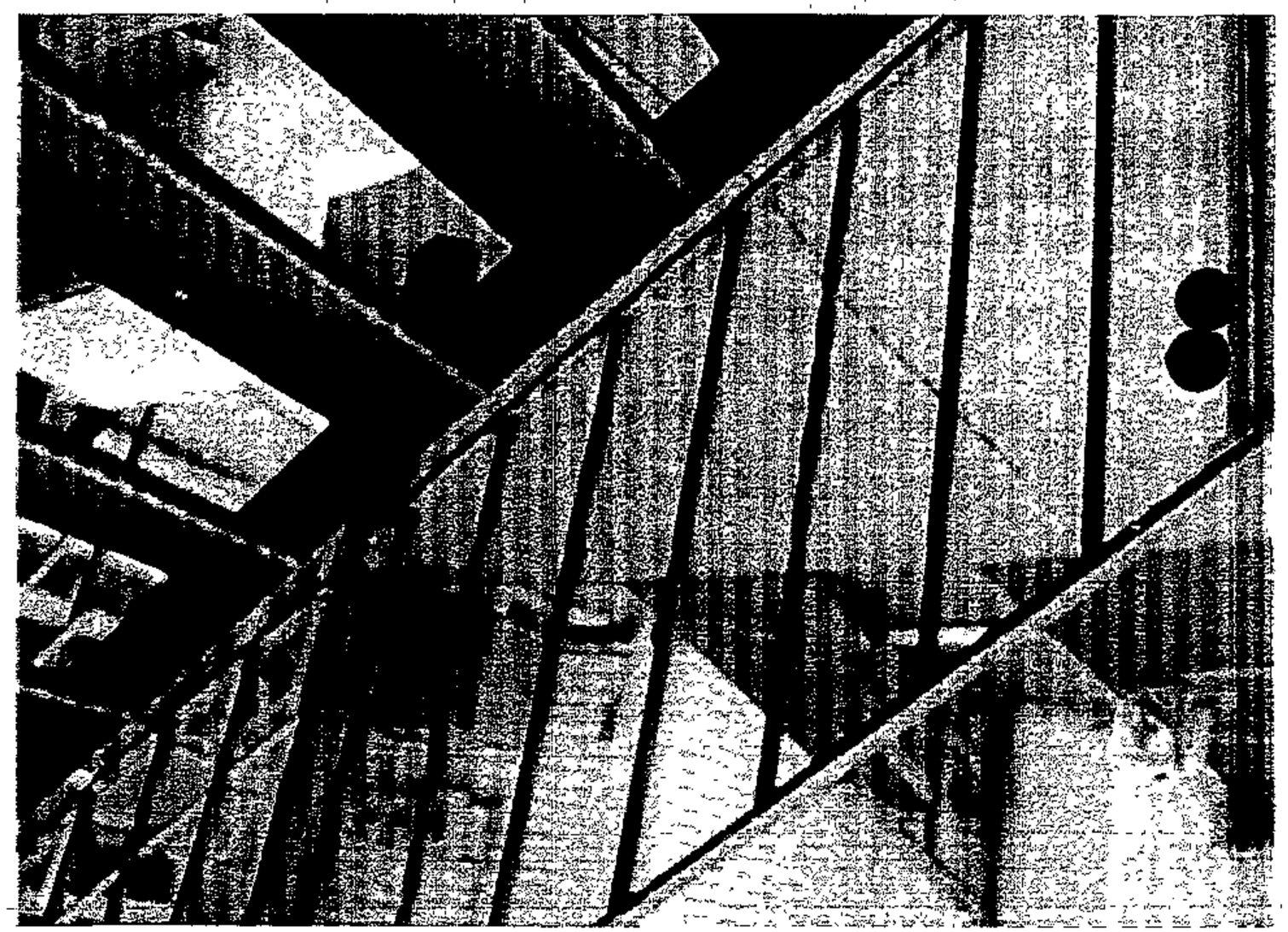
Date of Acceptance:

SW G-B Res Exh 3 (410) 370-5936









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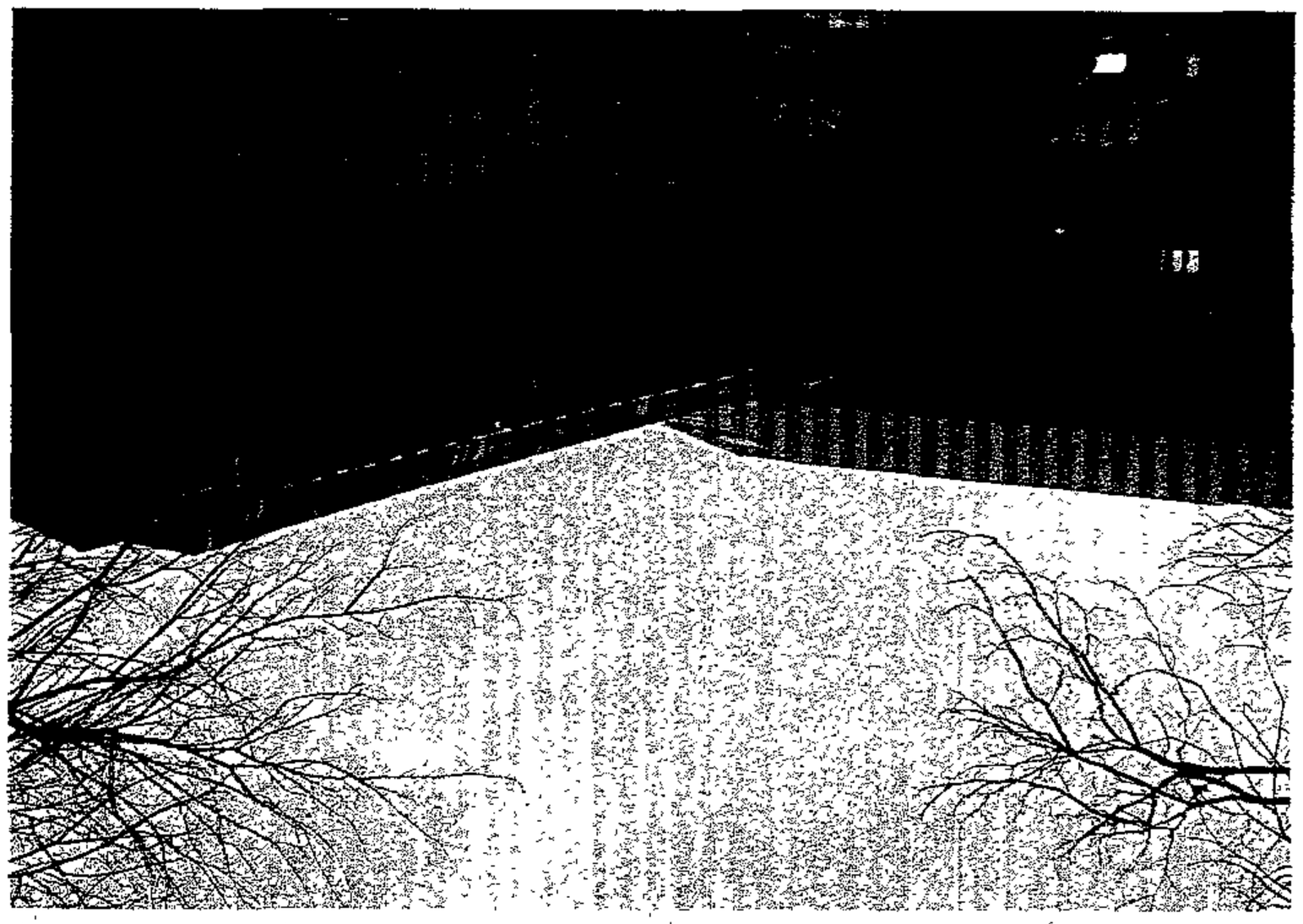
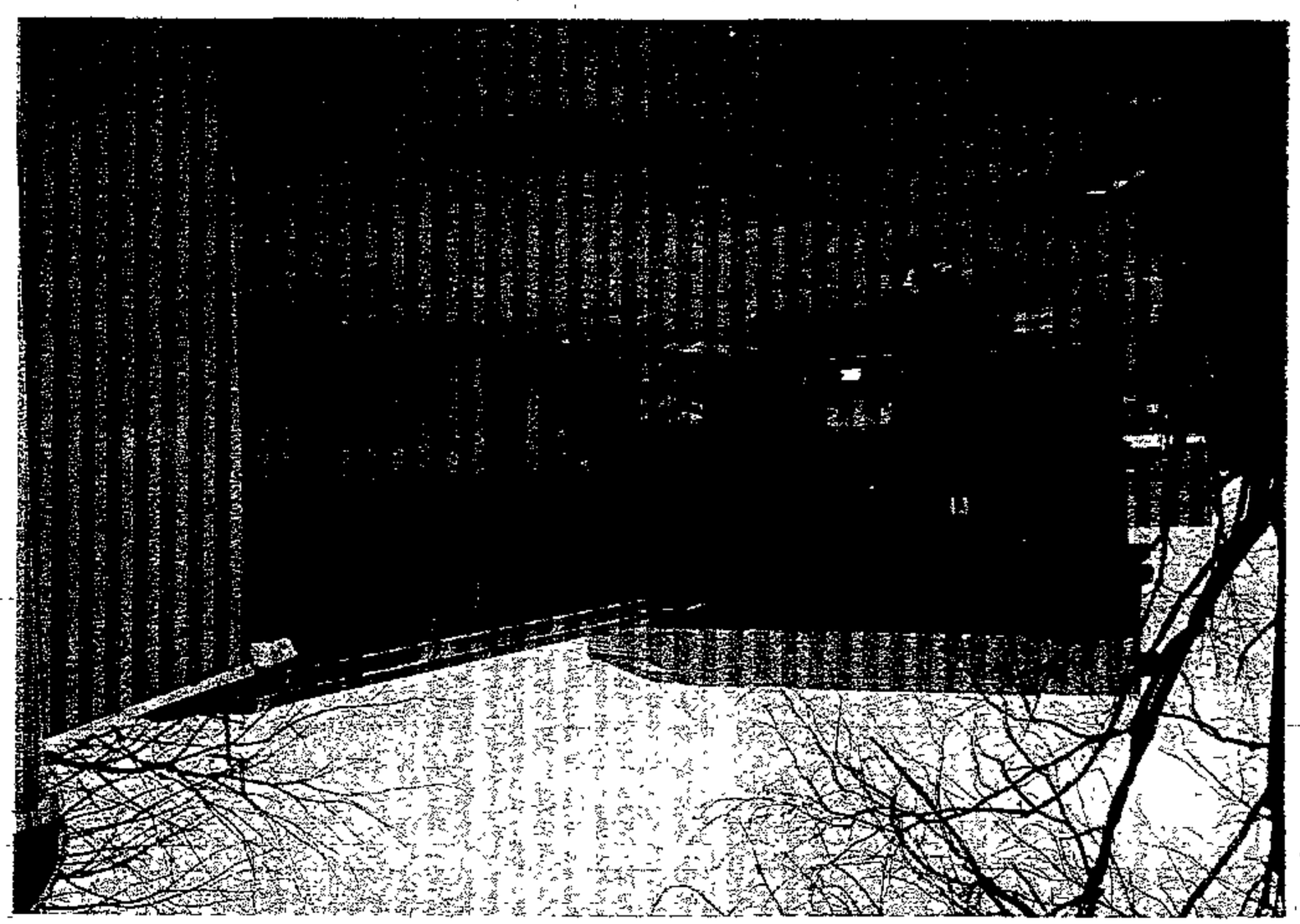
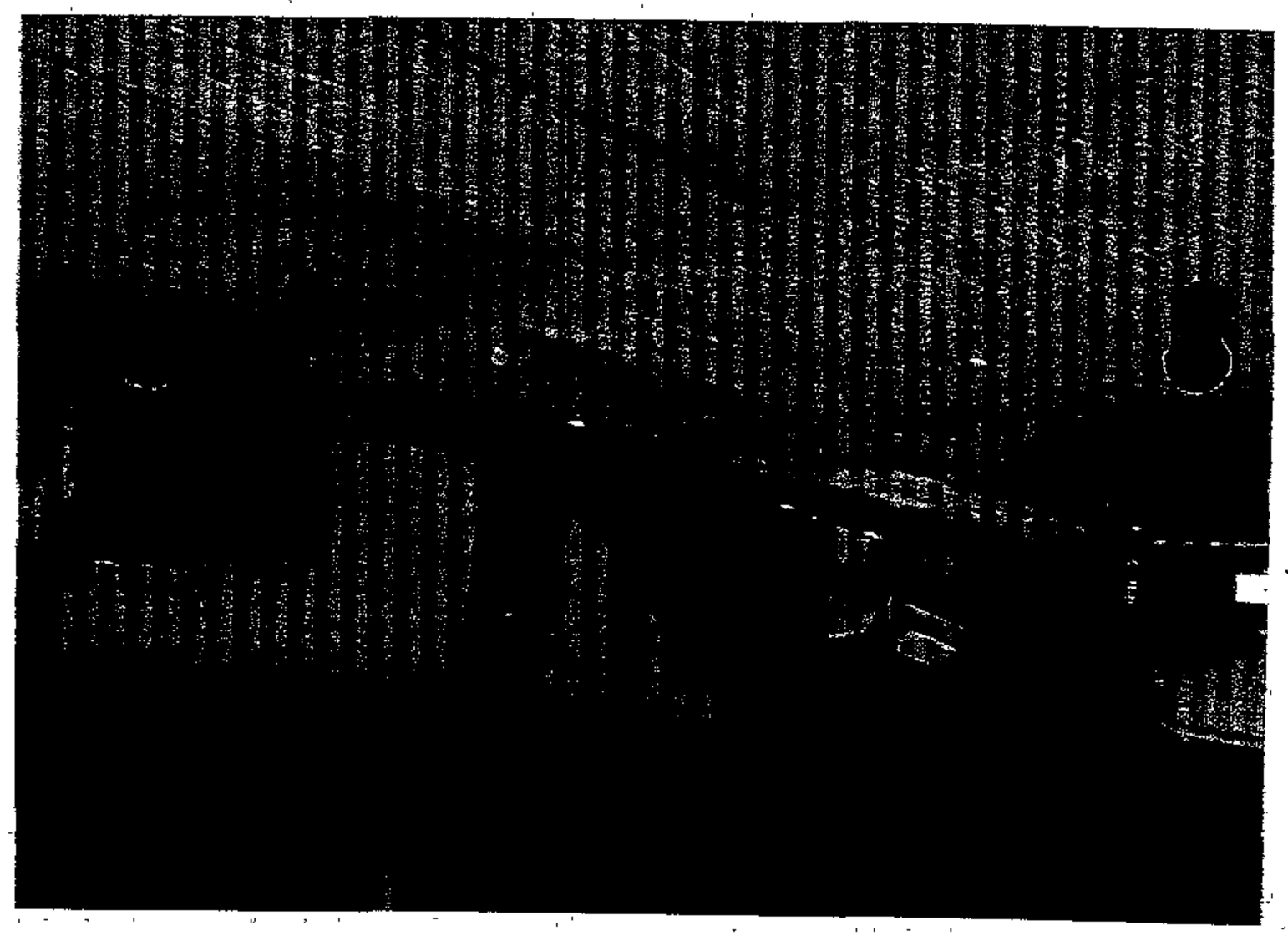




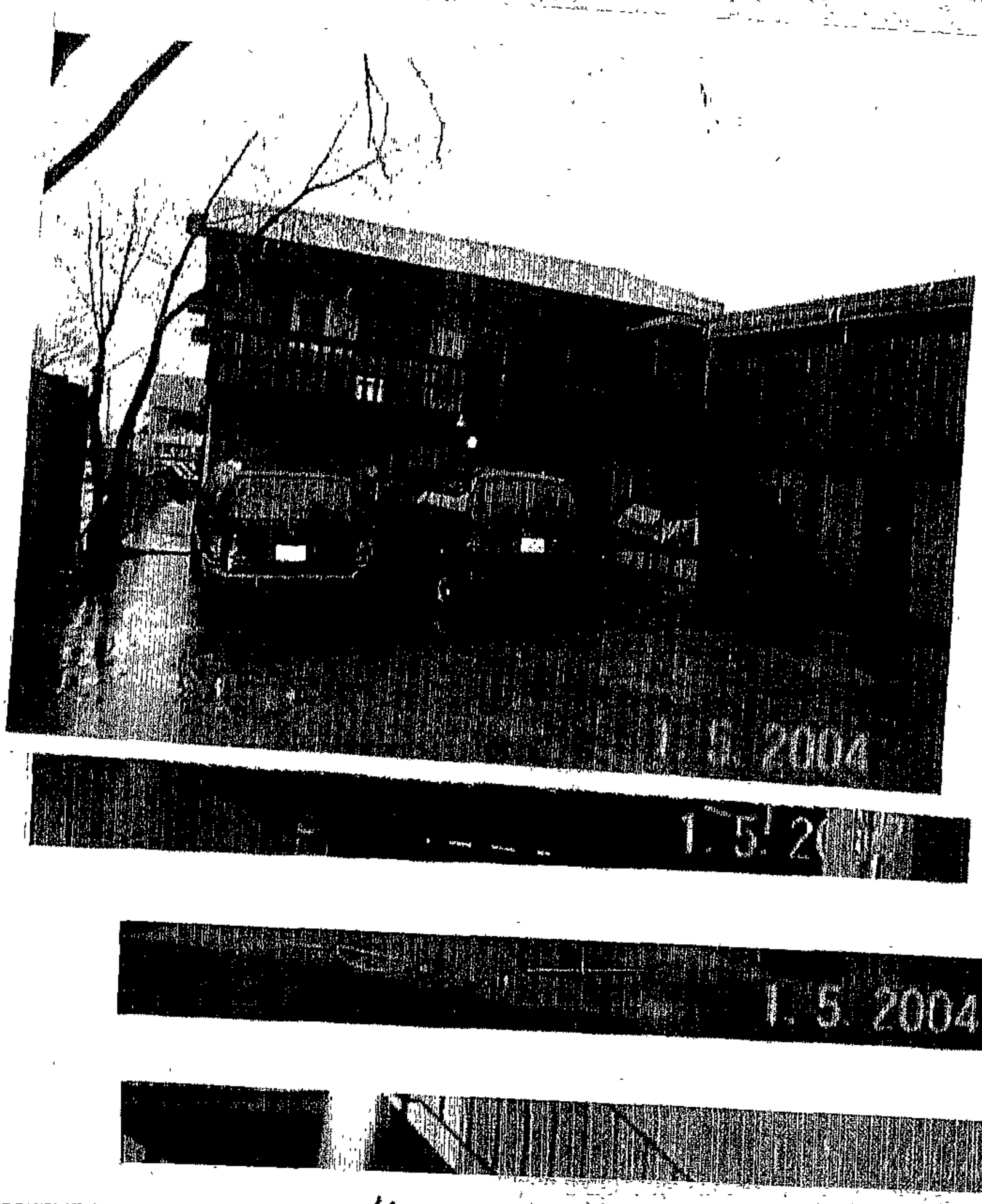


8 437

PHOTOGRAPHIC RECORD

Citation/Case No.: 03-8371

Date of Photographs: 1/5/03



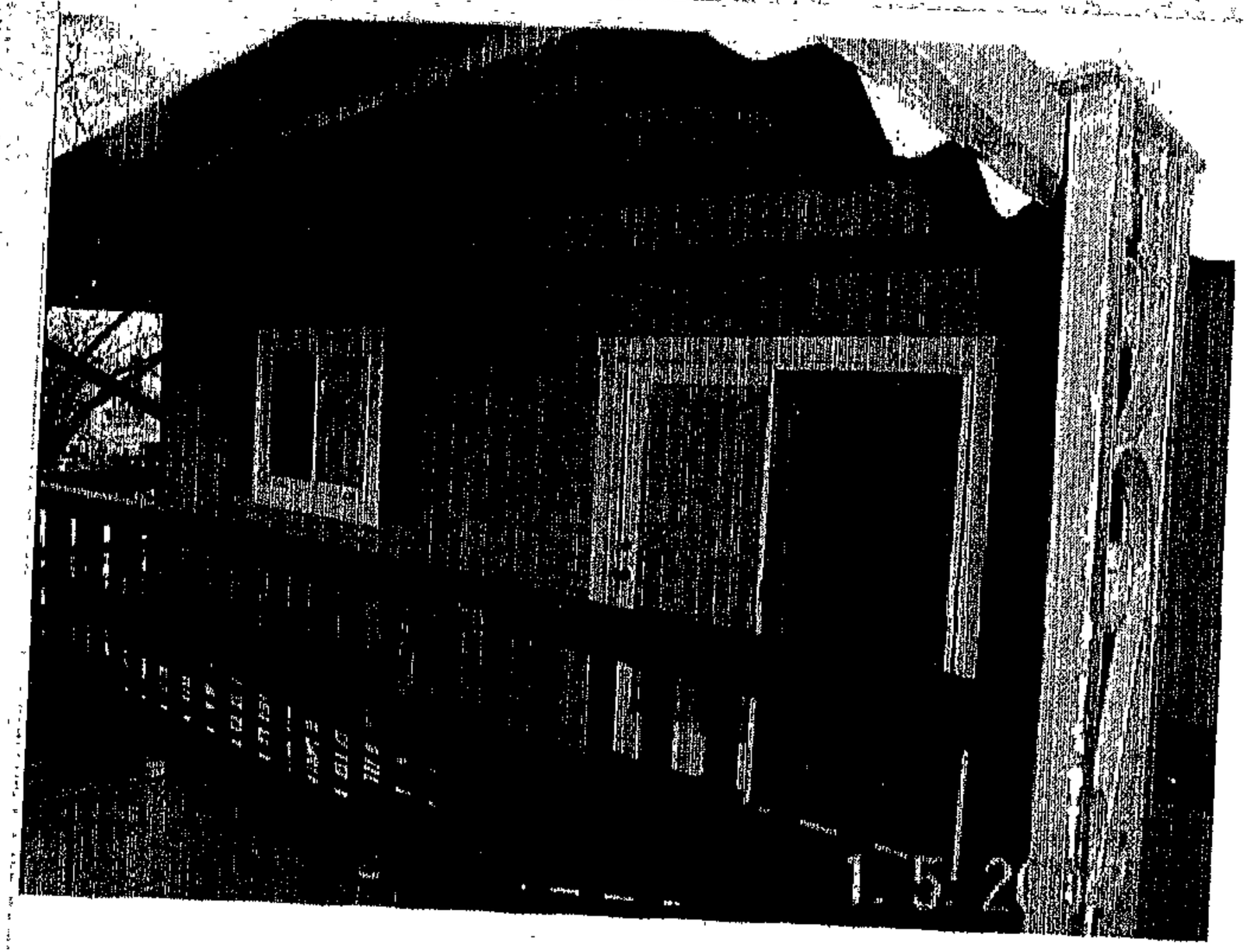
I HEREBY CERTIFY that I took the 4 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

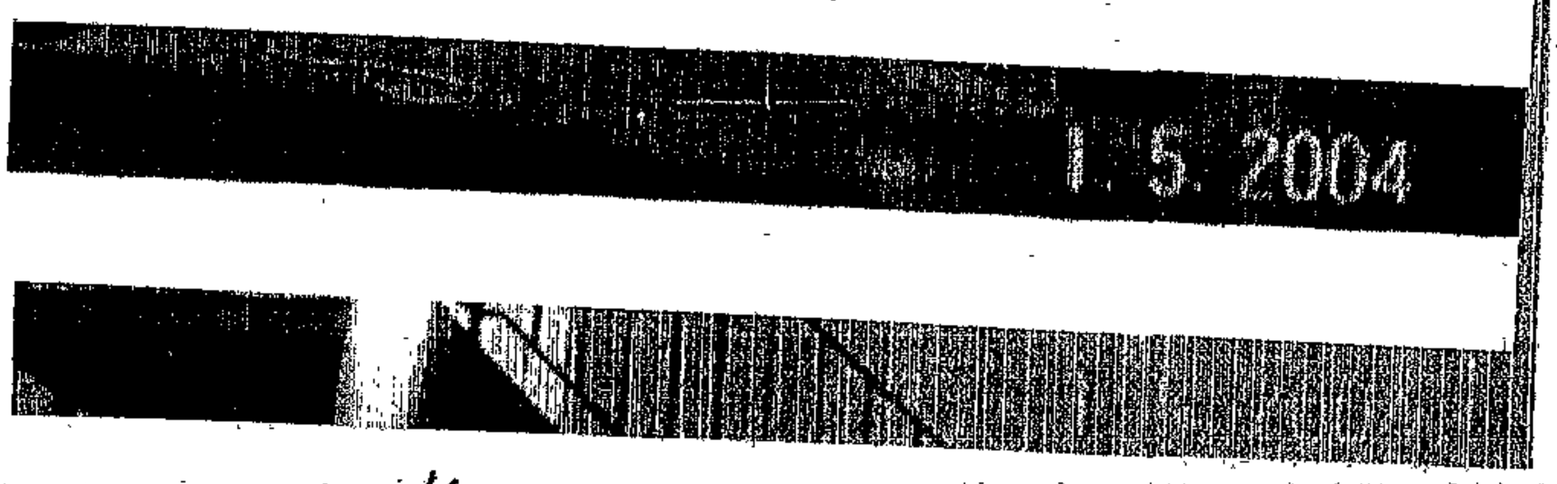
Enforcement Officer

1/14/00

Citation/Case

Date of Photo





I HEREBY CERTIFY that I took the 4 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

Enforcement Officer

1/14/00

Citation/Case

Date of Photog

HEREBY CERTIFY that I took the 4 (number of photos) photographs set out above, and that these photographs airly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

Enforcement Officer

1/14/00

Citation/Case

Date of Photo

I HEREBY CERTIFY that I took the 4 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

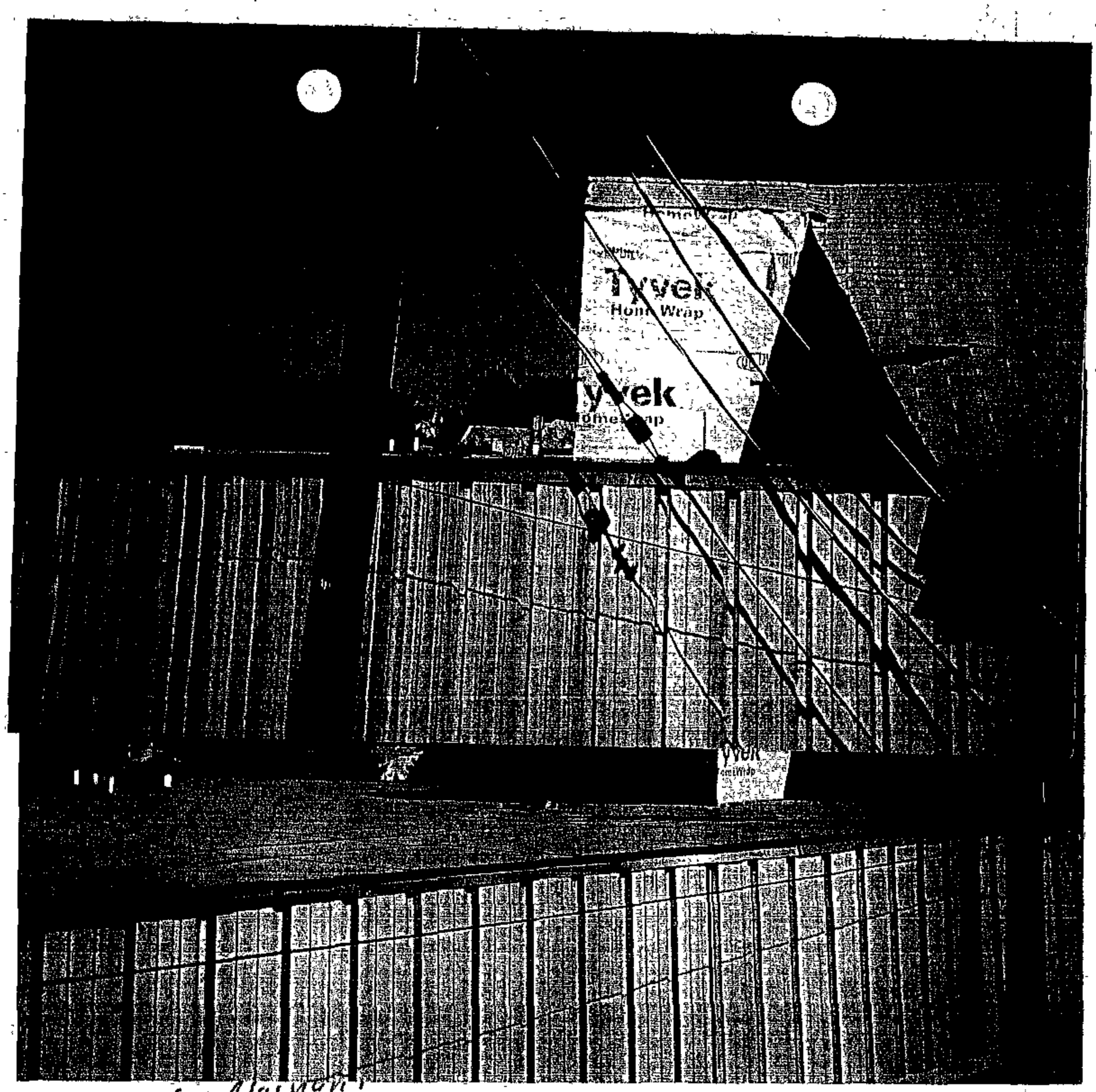
Enforcement Officer

1/14/00

PHOTOGRAPHIC RECORD

Citation/Case No.: 03-8371

Date of Photographs: 10/14/03



I HEREBY ~~CERTIFY that~~ X took the 2 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

Complainant

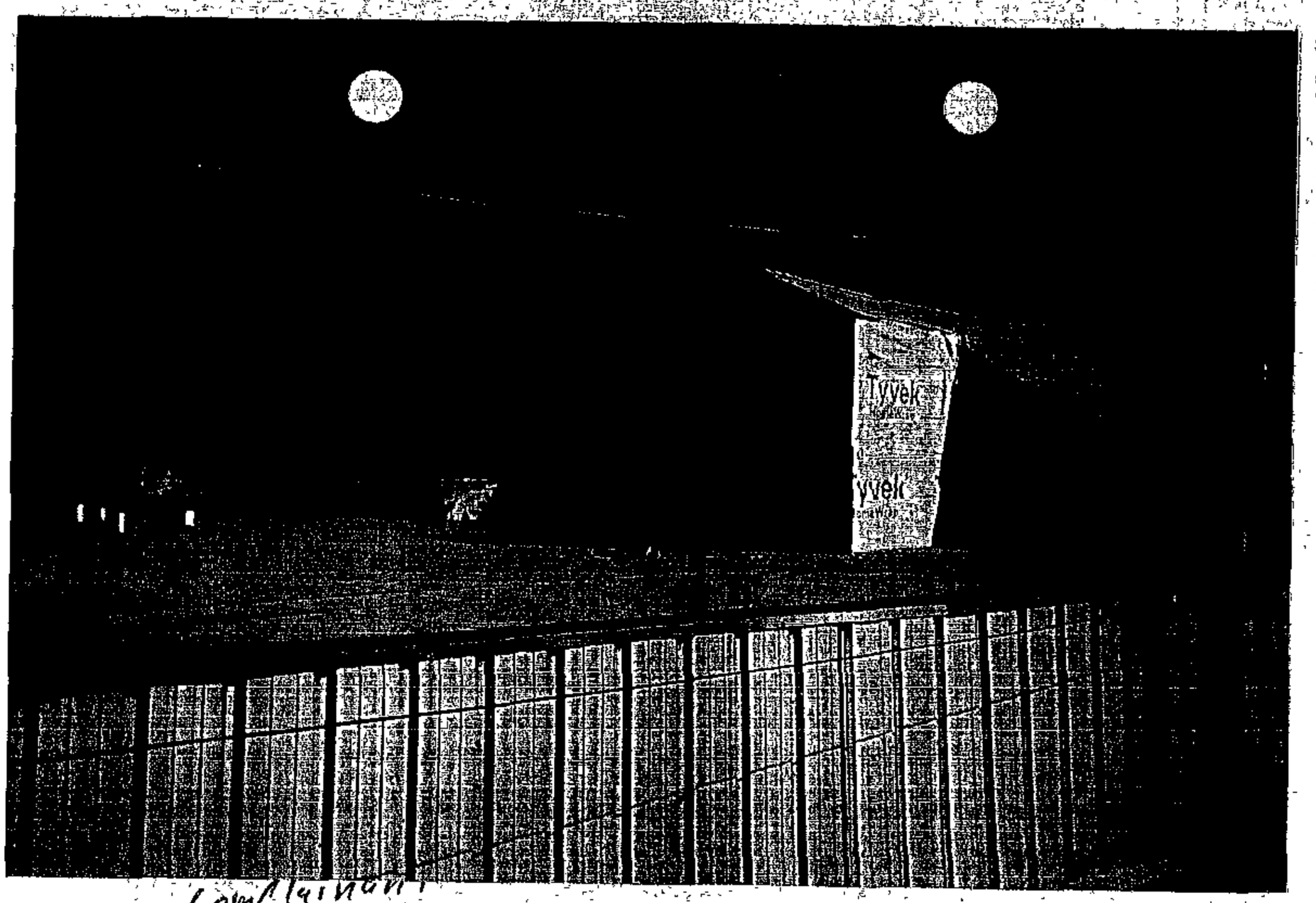
Enforcement Officer

1/14/00

Citation/Ca

Date of Ph

10-14
TM3



HEREBY ~~CERTIFY that~~ I Complainant took the 2 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.

Enforcement Officer

1/14/00

Restricted Use Appraisal

of

4007 Annapolis Road
Baltimore, Maryland 21227

as of

7/9/02

Hlubb & Associates
Real Estate Appraisers
A division of Buhl Enterprises, Inc.
8492 Baltimore National Pike, Suite 200
Ellicott City, Maryland 21043
Bus 410.465.9970 Fax 410.465.9972

7/16/02

Bithi Bose
Maryland Permanent Bank
9612 Reisterstown Road
Owings Mills, MD 21117

Reference:
4007 Annapolis Road
Baltimore, MD 21227

This is a Restricted Use Appraisal Report that has been prepared for use by Maryland Permanent Bank in conjunction with corporate planning. The purpose is to develop an opinion of the Market Value as defined in FIRREA. It is not intended to be distributed to or relied upon by third parties. The appraiser is not responsible for the unauthorized use of this report. This appraisal was prepared in accordance with the requirements of a Restricted Use Appraisal as set forth in The Uniform Standards of Professional Appraisal Practice.

The real property interest - Fee Simple

Date of Inspection – 7/9/03

Effective date of valuation – 7/9/03

Market value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: a. buyer and seller are typically motivated; b. both parties are well informed or well advised, and each acting in what he considers his own best interest; c. a reasonable

time is allowed for exposure in the open market; d. payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

The scope of this appraisal included an inspection of the subject property, the surrounding neighborhood and recent sales of similar type properties. The subject is a multi tenant property but currently has two residential tenants. The appraisal is limited to the sales comparison approach. The cost approach was not considered relevant. The income approach was not developed due to the lack of tenants. It is reported in a Restricted Use report. All supporting information not presented in this report has been retained in the work file by the appraiser.

Legal - Lots 5 – 8, Rosemont, Plat 7/100, Parcel 359, Grid 11, Tax Map 109 among the land records of Baltimore County, Maryland.

Ownership History - the property is currently owned by Jerome Shivaliski who has owned the property since 1985. It is under contract to Wang Se Oh for $230,000.

Assessment - $215,700. Annual taxes are $3,271.

The subject is located in the Baltimore Highlands area of Southwestern Baltimore County. This area is generally bordered by Baltimore City on the North, the Harbor Tunnel Thruway on the East and South and the Baltimore Washington Parkway on the West. The area is residential makeup with commercial uses generally along Annapolis Road and at the corners. The majority of the residential users are with older detached and group homes. The market for properties like the subject is considered good within this area. The convenient location of the area makes it a very desirable location for commercial uses and should continue well into the future.

The subject site is located on the East side of Annapolis Road between Pennsylvania and Alabama Avenues. Annapolis Road is a two lane with a center turn lane paved county street with concrete sidewalks, curbs, gutters and storm sewer. The site fronts on both roads and contains 9,800 sq ft. It is at street grade and level. The site is surrounded by compatible commercial and residential properties to the rear. The site is served with electric, gas, telephone, and public water and sewer. No adverse easements or encroachments are known. Census tract is 4301.

Improvements consist of a two story frame commercial and apartment building built in 1955 and containing 5,268 sq ft. It is of frame construction with shingle siding and an asphalt shingle roof. Windows are wood frame fixed pane storefront and aluminum replacement double hung. Doors are wood in wood frame. Gutters and down spouts are aluminum. The first floor has three commercial spaces in the front. One has two offices, a drive in bay, a lavatory and a loft area. The other two each have 3 rooms and a lavatory. Finish includes vinyl floor, and acoustic tile ceiling with fluorescent lighting.

The rear of the first floor has an apartment with a living room, kitchen, one bedroom and a bath. The second floor has three apartments. Each has a living room, kitchen and bath. One has one bedroom and two have two bedrooms. Finish to the apartments includes carpeted floors, painted gypsum board walls and acoustic drop ceilings. Each unit has separate FWA gas heat and electric A/C. The improvements are in average condition.

Zoning - BL - Business Local District. Current use conforms to the zoning.

The highest and best use of a property is considered to be for the continued use of the subject as a multi use commercial use.

VALUATION

Sales Comparison Approach

There were three sales of properties in the subject neighborhood that were considered indicative of value for the subject. Value is estimated on a price per sq ft of all building improvements. Adjustment for date of sale was based on 2.5% per year which is the average annual CPI rate for the past 5 years. The sales are outlined and adjusted as follows.

# Address	Date	Price	Land SF	Bldg SF	$/Sq Ft	Adj. Value
1. 3612 Annapolis	2/21/03	$199,900	9,453	4,612	$43.34	$43.34
2. 4017 Annapolis	5/21/02	$162,000	6,268	3,507	$46.19	$47.34
3. 1310 Linden	6/8/00	$128,000	2,950	2,895	$44.21	$46.42

The indicated value for the subject is $45.00/sq ft. As the subject contains 5,268ft, value is indicated at $237,000 ®.

Exposure time is estimated to be 6 -12 months.

Marketing time is estimated to be 6 -12 months.

Final opinion of value is $237,000

UNDERLYING ASSUMPTIONS AND CONTINGENT CONDITIONS

This appraisal is subject to the following limiting conditions:

-That the legal description furnished is assumed to be correct.

-That no responsibility is assumed for matters legal in character, nor is any opinion rendered us to title which is assumed to be marketable. All existing liens and encumbrances have been disregarded and the property is appraised as though free and clear, under responsible ownership and competent management.

-That the stamps placed on deeds used to indicate sales are in correct relationship to the actual dollar amount of the transaction.

-That unless otherwise noted, it is assumed there are no encroachments, zoning violations or restrictions existing in the subject property.

-That the appraiser is not required to give testimony or attendance in court by reason of this appraisal, unless previous arrangements have been made therefore.

-The values for land and/or improvements, as contained in this report, are constituent parts of the total value reported and neither is (or are) to be used in making a summation evaluation by a combination of values created by another appraiser. Either is invalidated if so used. The current purchasing power of the dollar is the basis for the value.

-The plans in this report are included to assist the reader in visualizing the property. The appraiser has made no survey of the property and assumed no responsibility in connection with such matters.

-Information, estimated and opinions contained in this report, obtained from sources outside of this office, are considered reliable however, no liability for them can be assumed by the appraiser.

-Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purposes by any but the applicant without the previous written consent of the appraiser or the applicant, and in any event, only with proper qualifications.

-That this appraisal shall be considered in its entirety. No part thereof shall be utilized separately, or out of context.

-That the value found herein is subject to these and to any other predications set forth in the body of this report but which may have been inadvertently omitted herein.

-That, if required by governmental authorities, any environmental impact statement prepared for the subject property will be favorable and will win approval of the appropriate regulatory bodies.

-That, unless otherwise noted in the body of this report, this appraisal assumes that the subject property does not fall within the areas where mandatory flood insurance is effective.

-The appraiser assumes no guarantee for the condition or purity of the well and/or septic system if applicable. It is assumed that all county standards have or will be met.

-Unless otherwise stated in this report, the existence of any hazardous material (including but not limited to radon, asbestos, urea-formaldehyde, toxic contamination or other environmental hazards) that may or may not be present in or on the property, was not observed by the appraiser. The appraiser is not qualified to detect such substances. The presence of these substances may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise required to discover them. The client should retain an expert in the field, if desired.

-Environmental Requirements: any federal, state, or local law, stature, ordinance, or regulation; or court or administrative order or decree; or private agreement pursuant to which materials require special handling in collection, storage, treatment, or disposal.

-Hazardous Material: any hazardous or toxic substance, material, or waste including, but not limited to, those substances, materials, and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302) and amendments thereto, or such substances, materials, and wastes that are or become regulated under any applicable federal, state, or local law, ordinance, or regulations including, but not limited to, the Resource Conservation and Recovery Act, the Toxic Substances Control Act, the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA' or "Superfund"), the Clean Air Act, and the Clean Water Act.

-The appraiser is not qualified to make a compliance analysis/ survey of the property to determine whether or not it is in conformity with the Americans with Disabilities Act. Non compliance could result in a negative effect on the value of the property. Your appraiser did not consider any ADA requirements in estimating the value of the property.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct,

- the reported analysis, opinions and conclusions are limited only by reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analysis, opinions and conclusions.

- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

- my engagement in this assignment was not contingent upon developing or reporting predetermined results.

- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

- my analysis, opinions and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.

- I have made personal inspection of the property that is the subject of this report.

- no one provided significant professional assistance to the person signing this report.

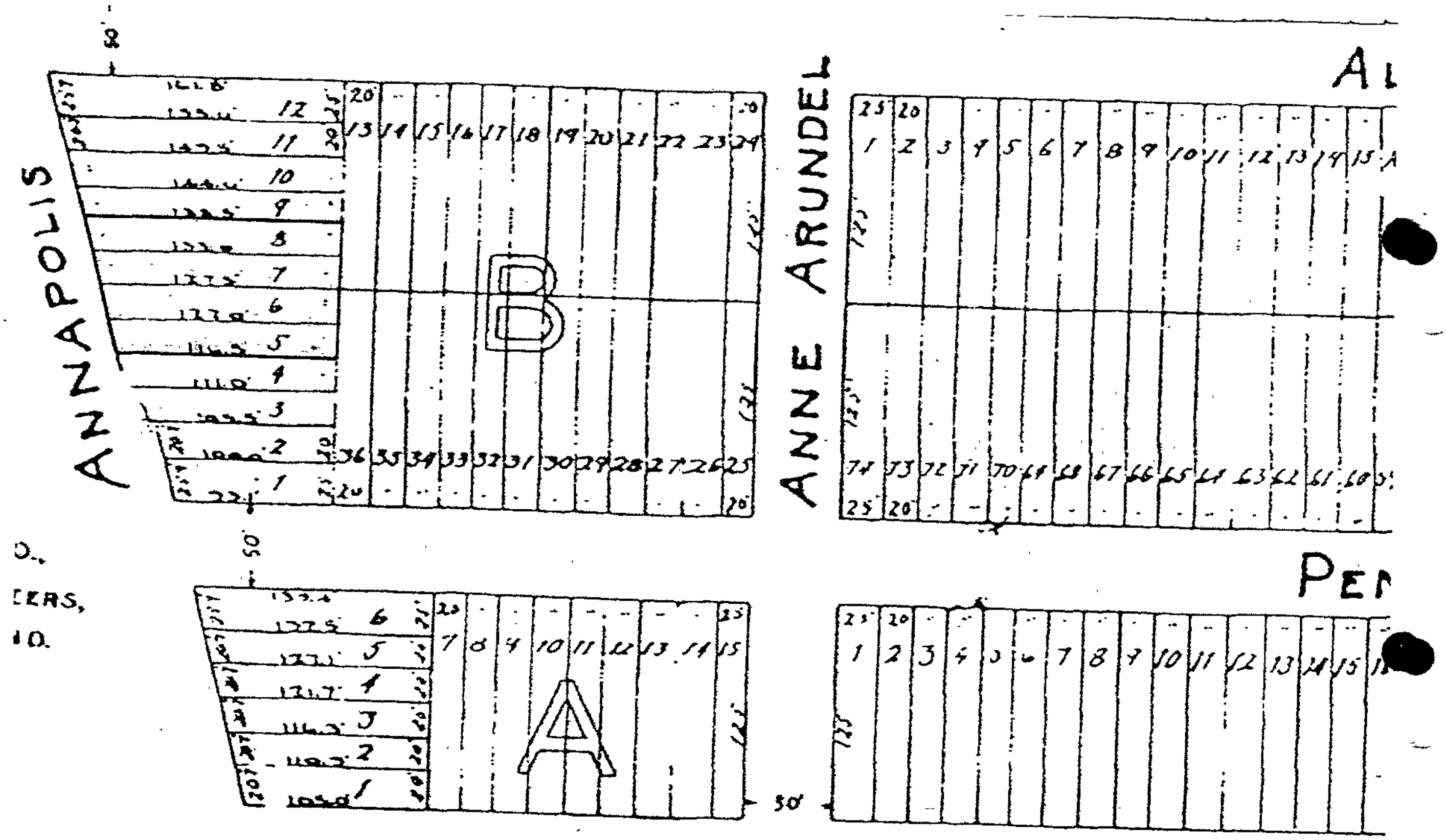
- the reported analysis, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

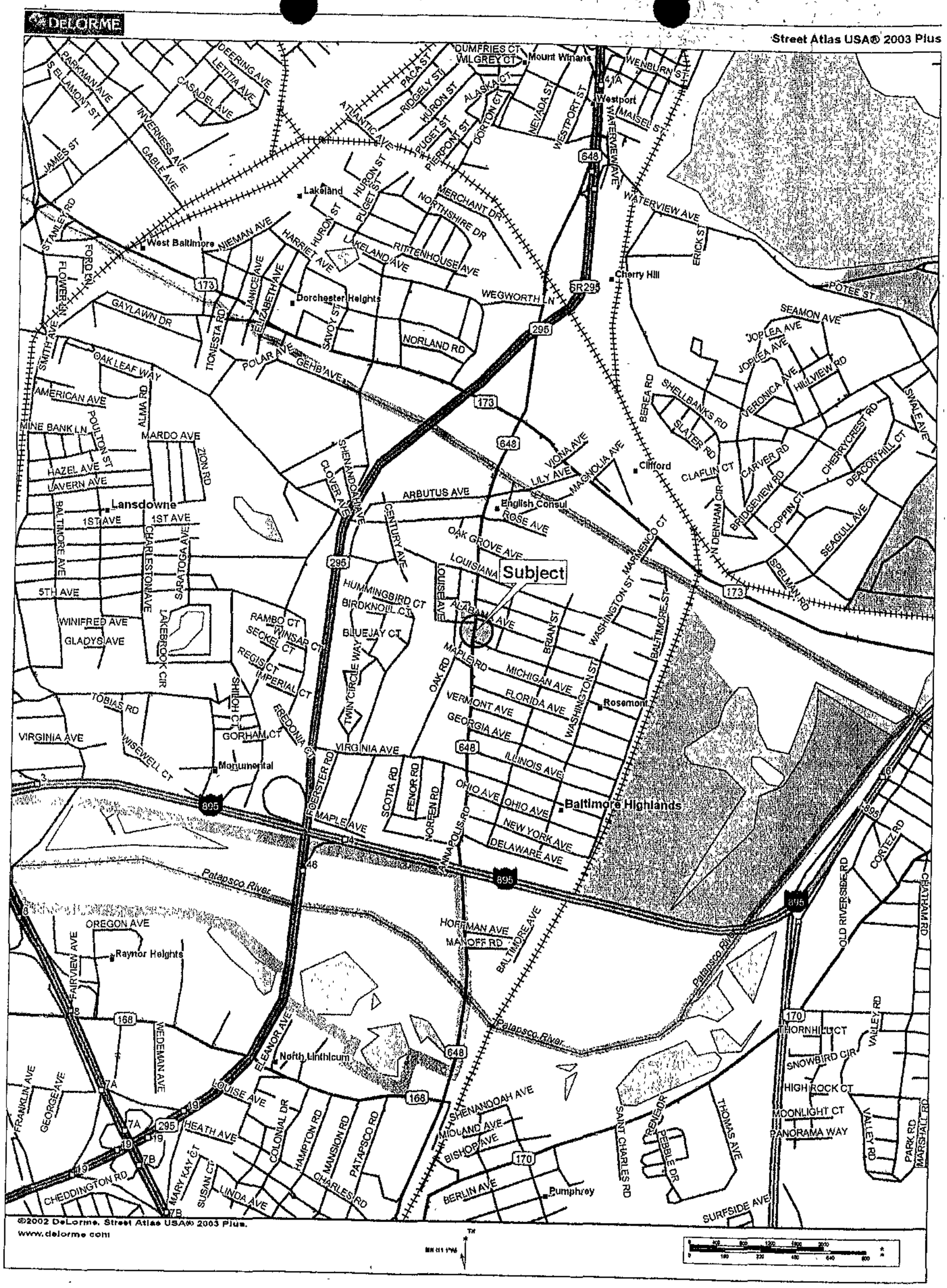
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

-as of the date of this appraisal, I have completed the continuing education requirements of the Appraisal Institute.

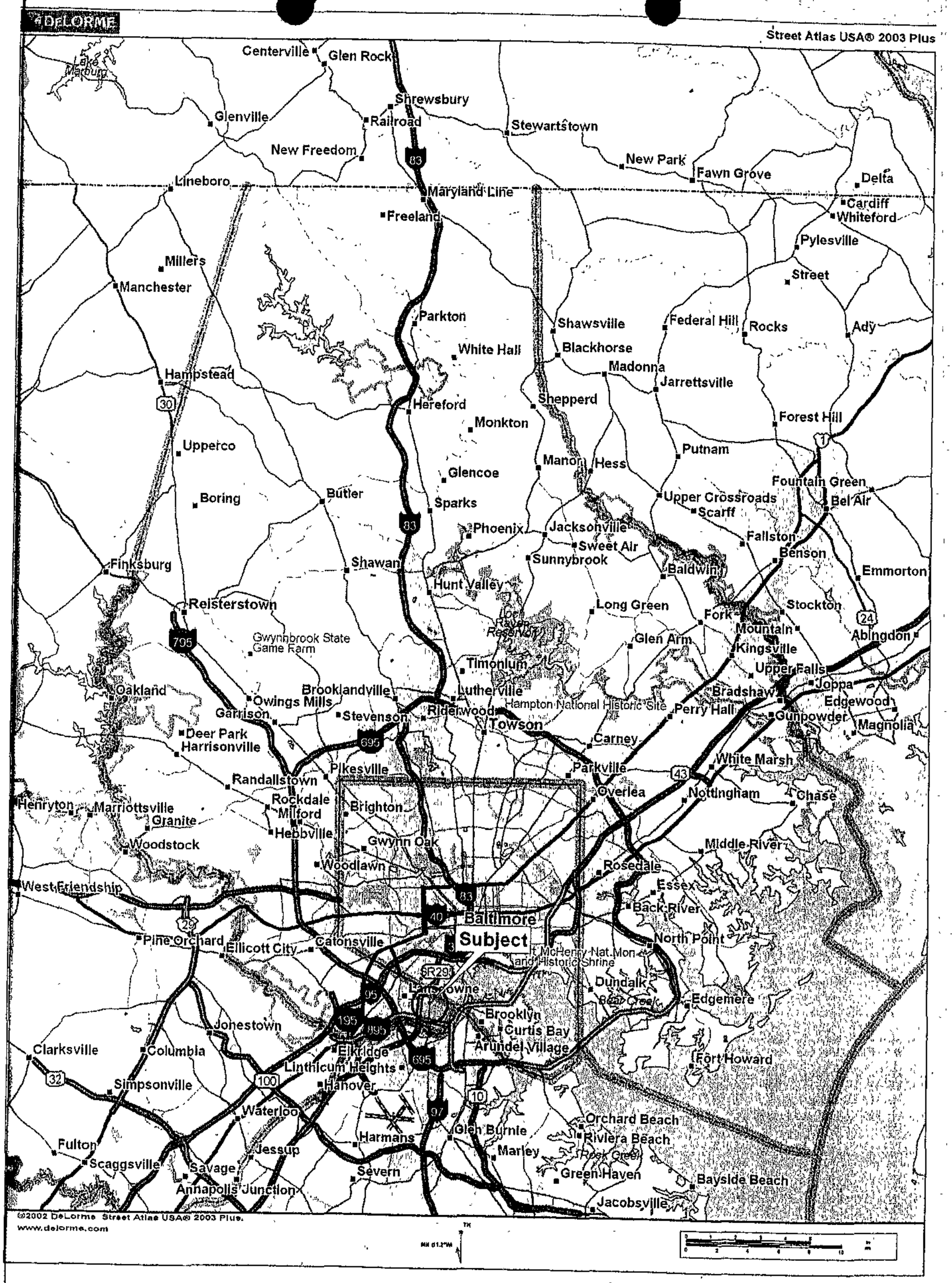
Paul F. Hlubb, Jr. CRE, MAI, SRA
Certified General Appraiser
Maryland # 04-2284

Plat

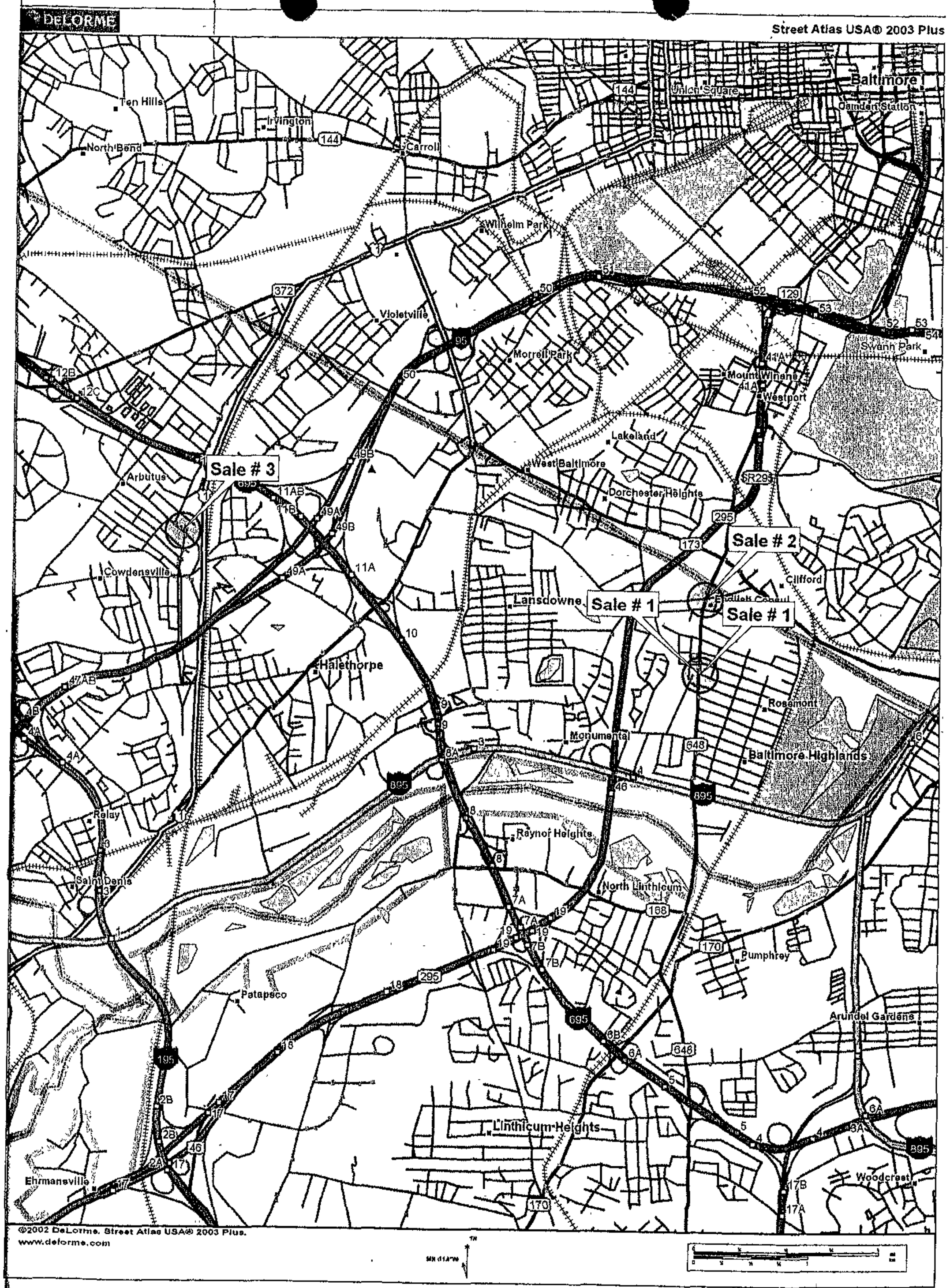




Neighborhood Map



Baltimore County Map



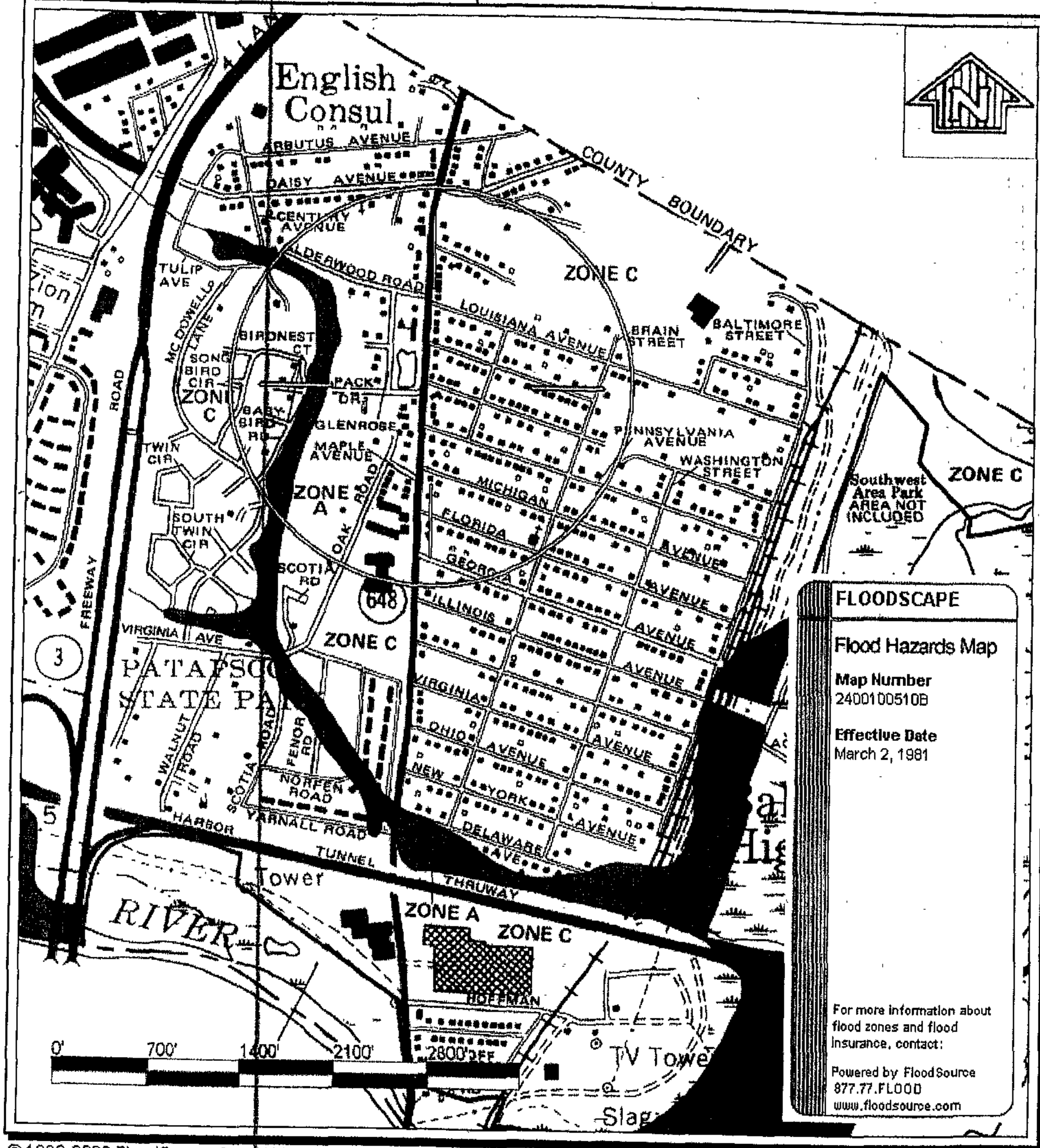
Sales Comparison Map

InterFlood by a la mode

www.interflood.com • 1-800-252-6633

Prepared for:
Hlubb & Associates

4007 Annapolis Road
Halethorpe, MD 21227-3629



FLOODSCAPE

Flood Hazards Map

Map Number
2400100510B

Effective Date
March 2, 1981

For more information about flood zones and flood insurance, contact:

Powered by FloodSource
877.77.FLOOD
www.floodsource.com

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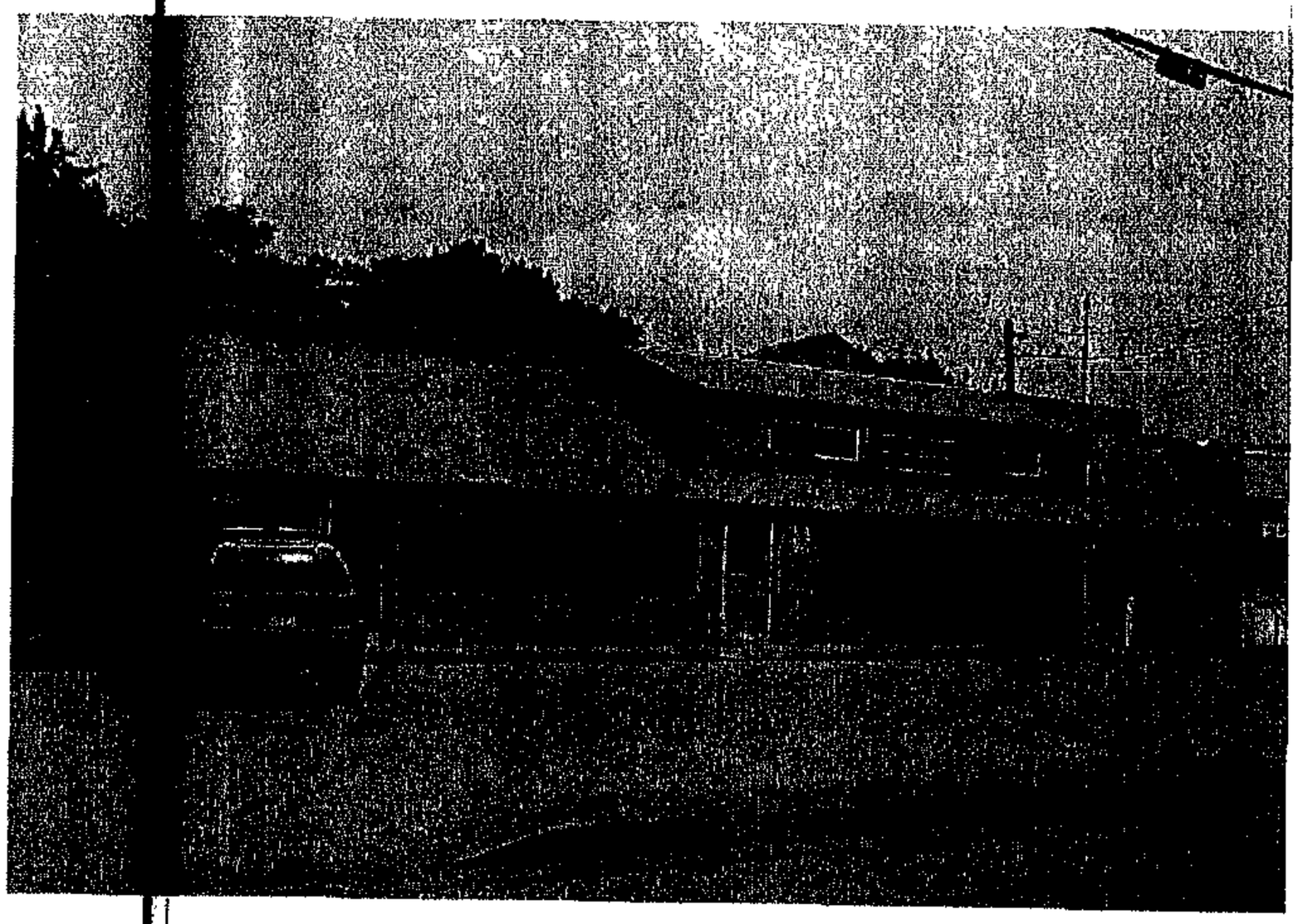

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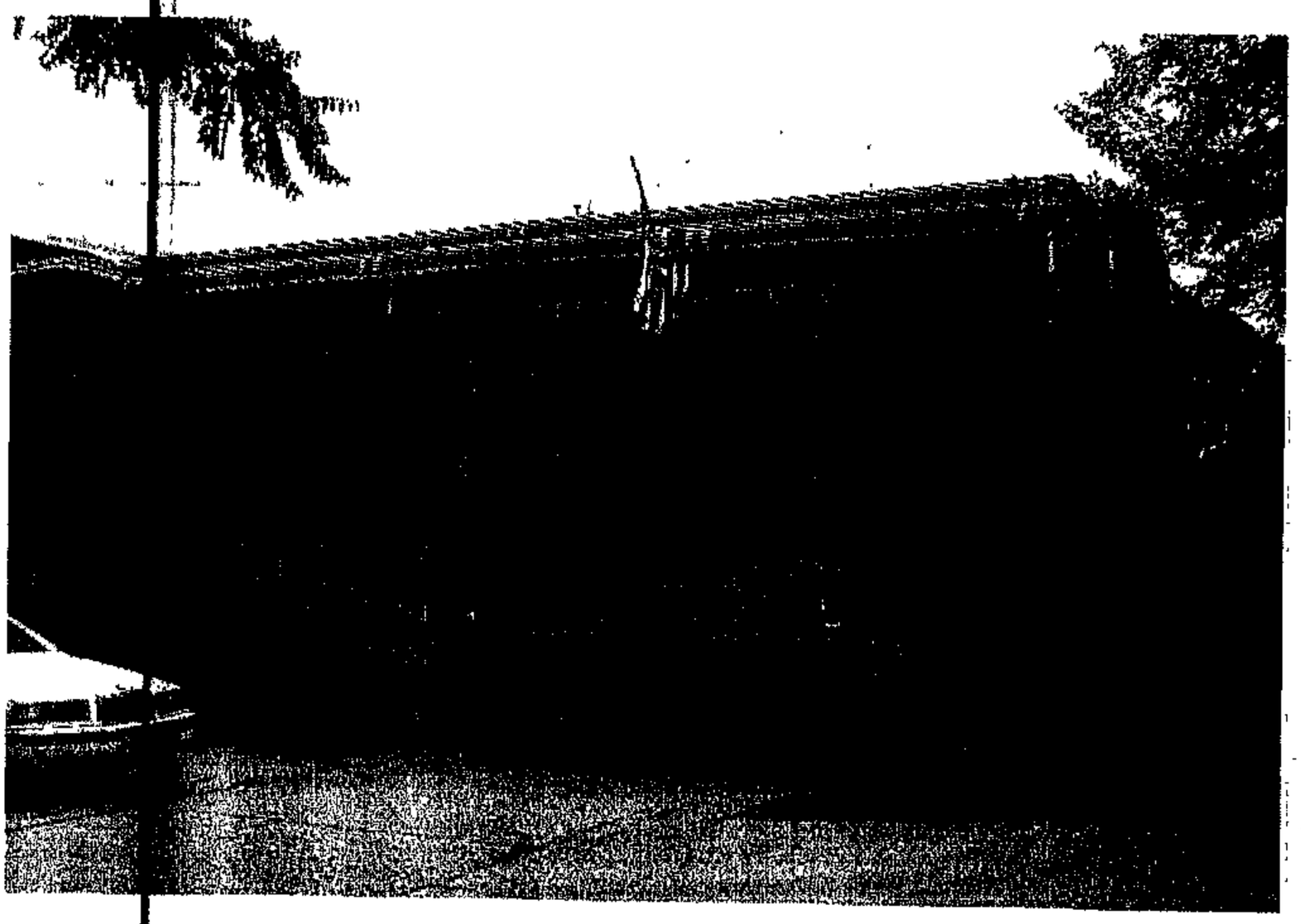

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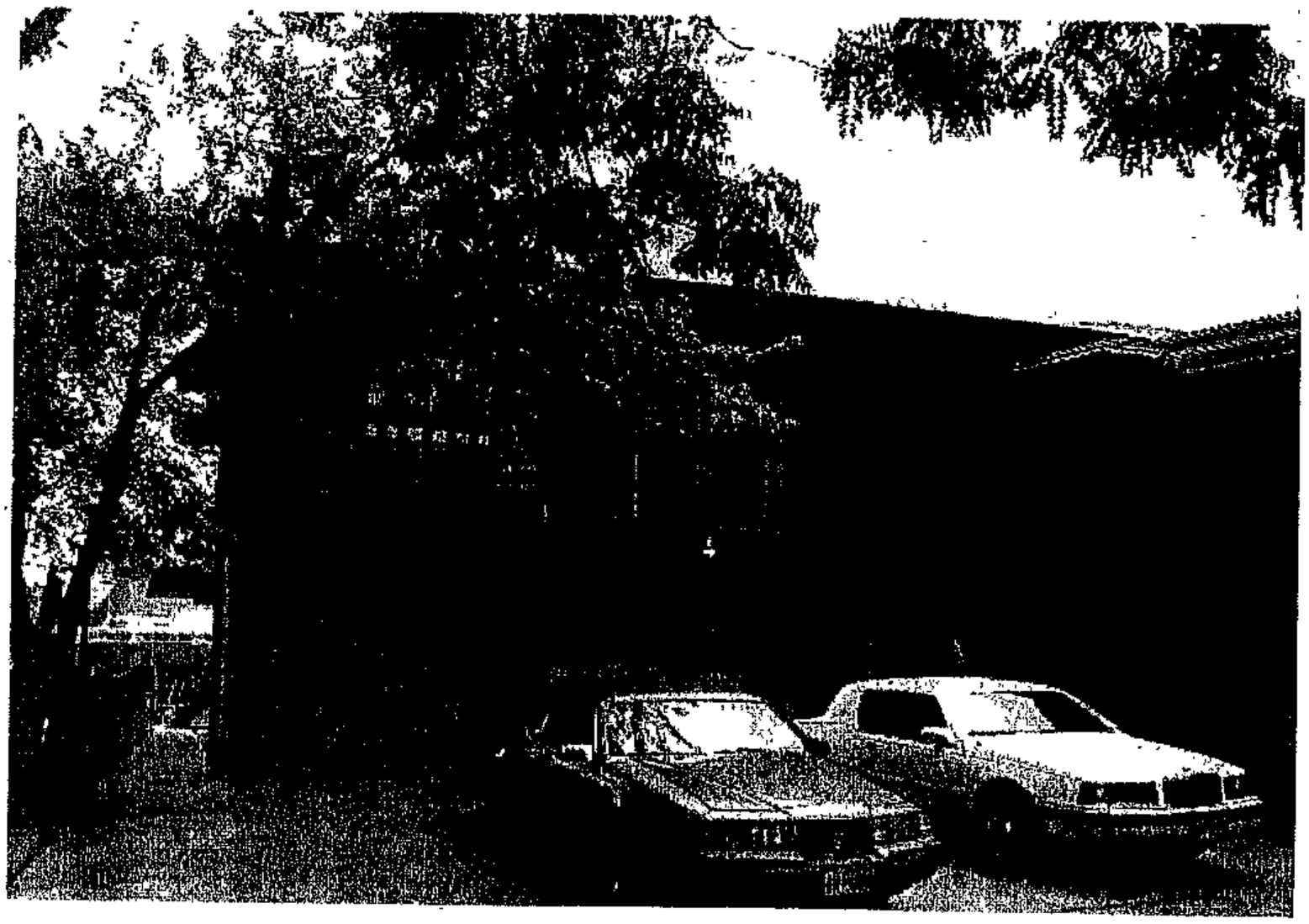

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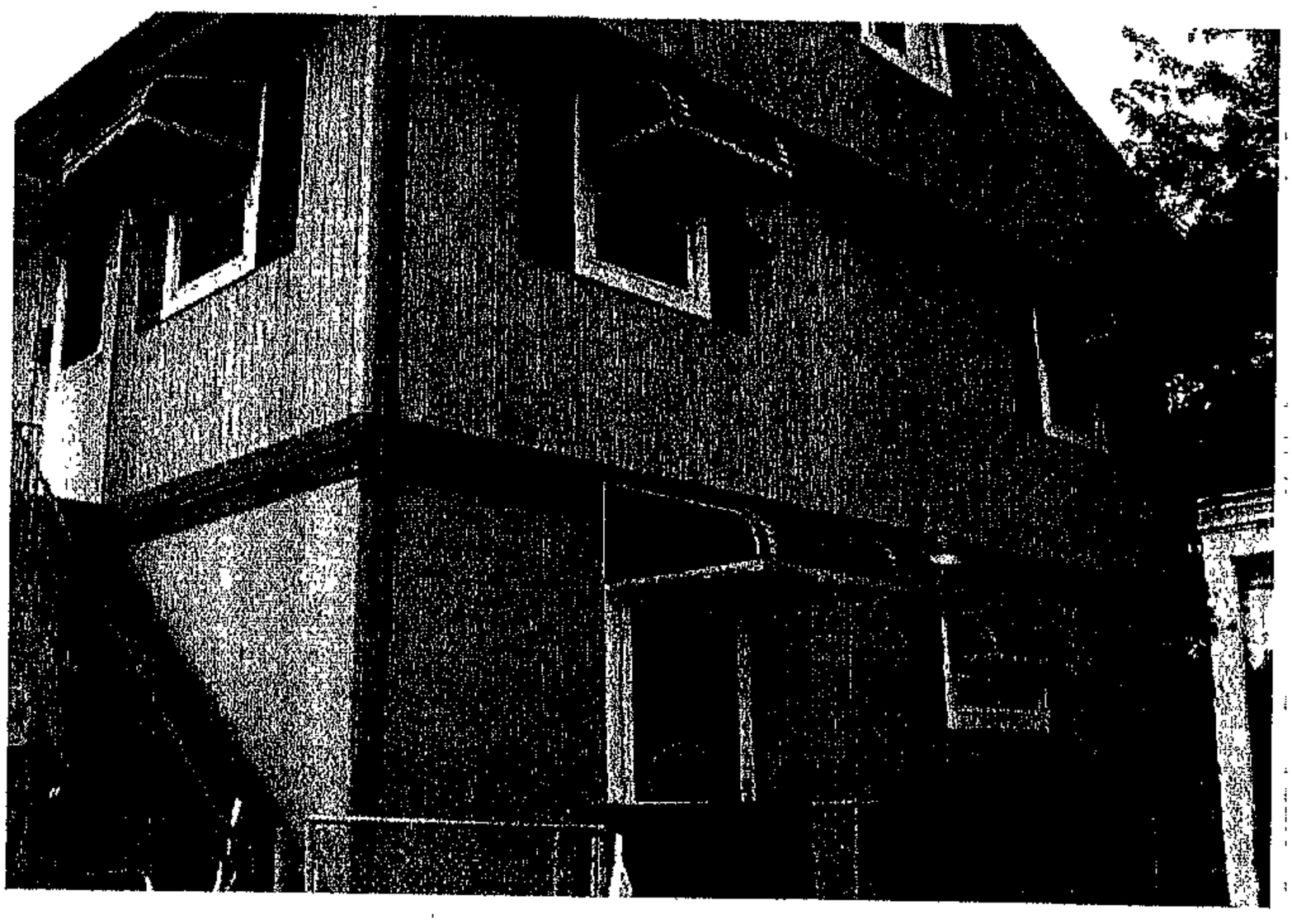
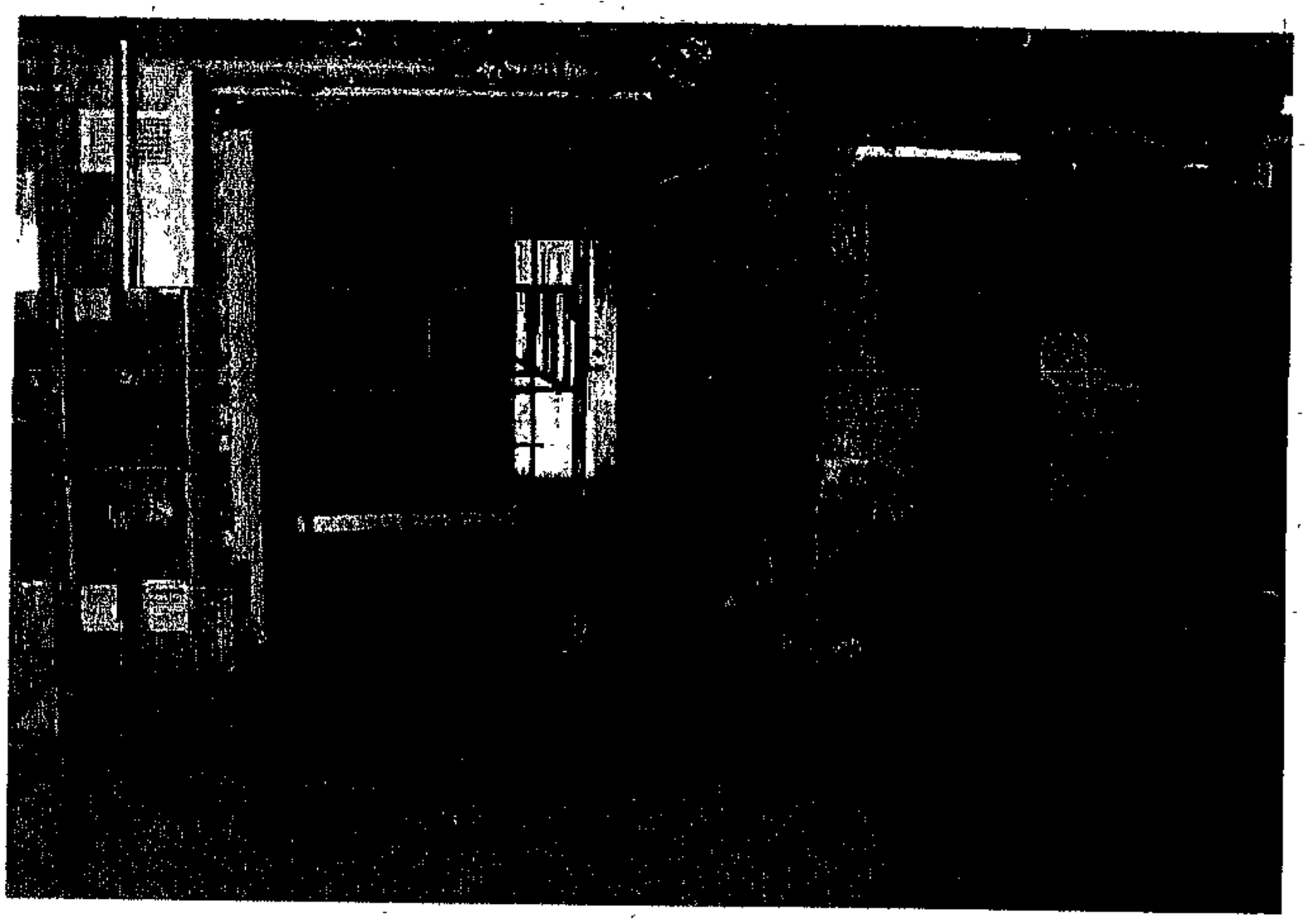
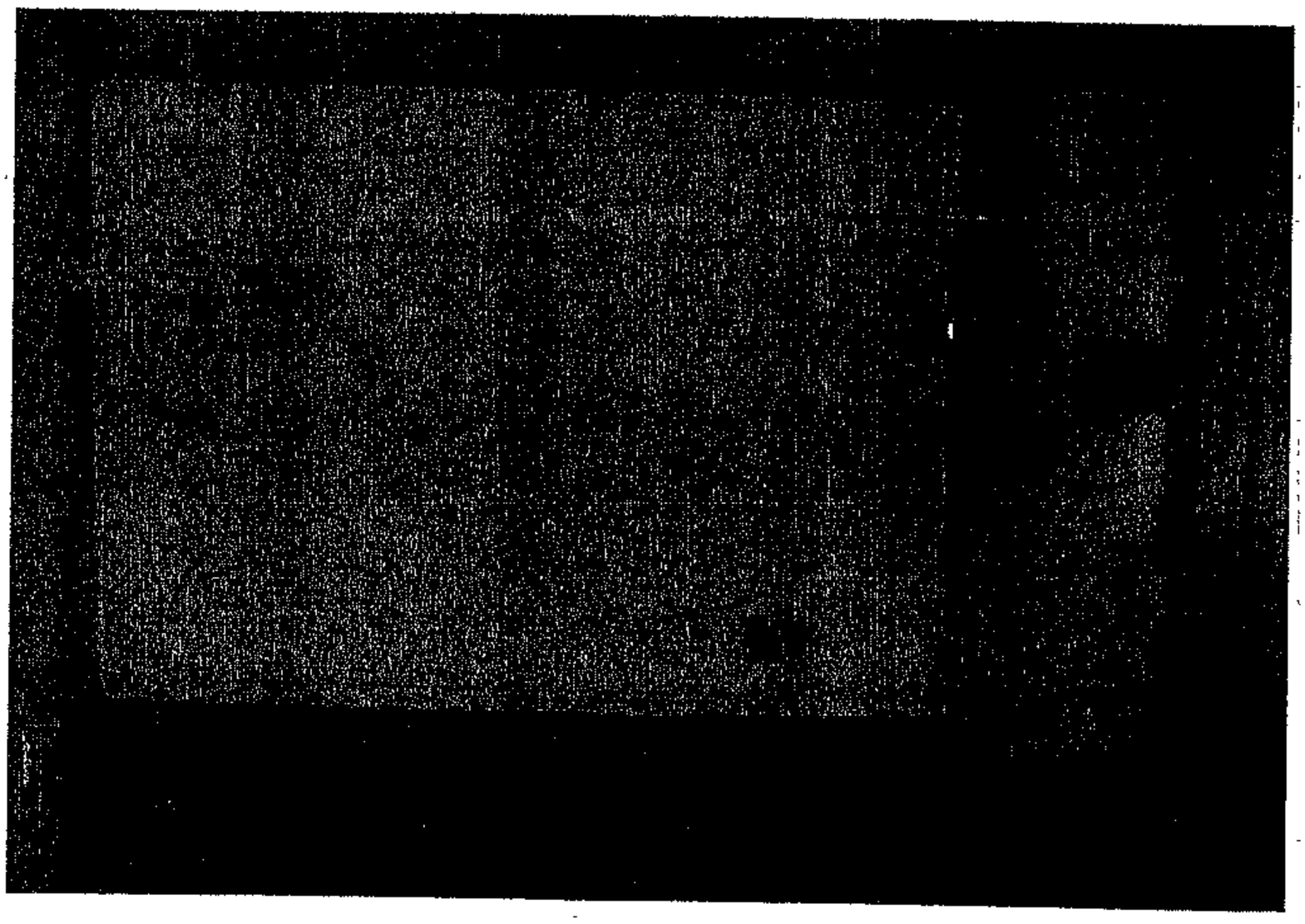


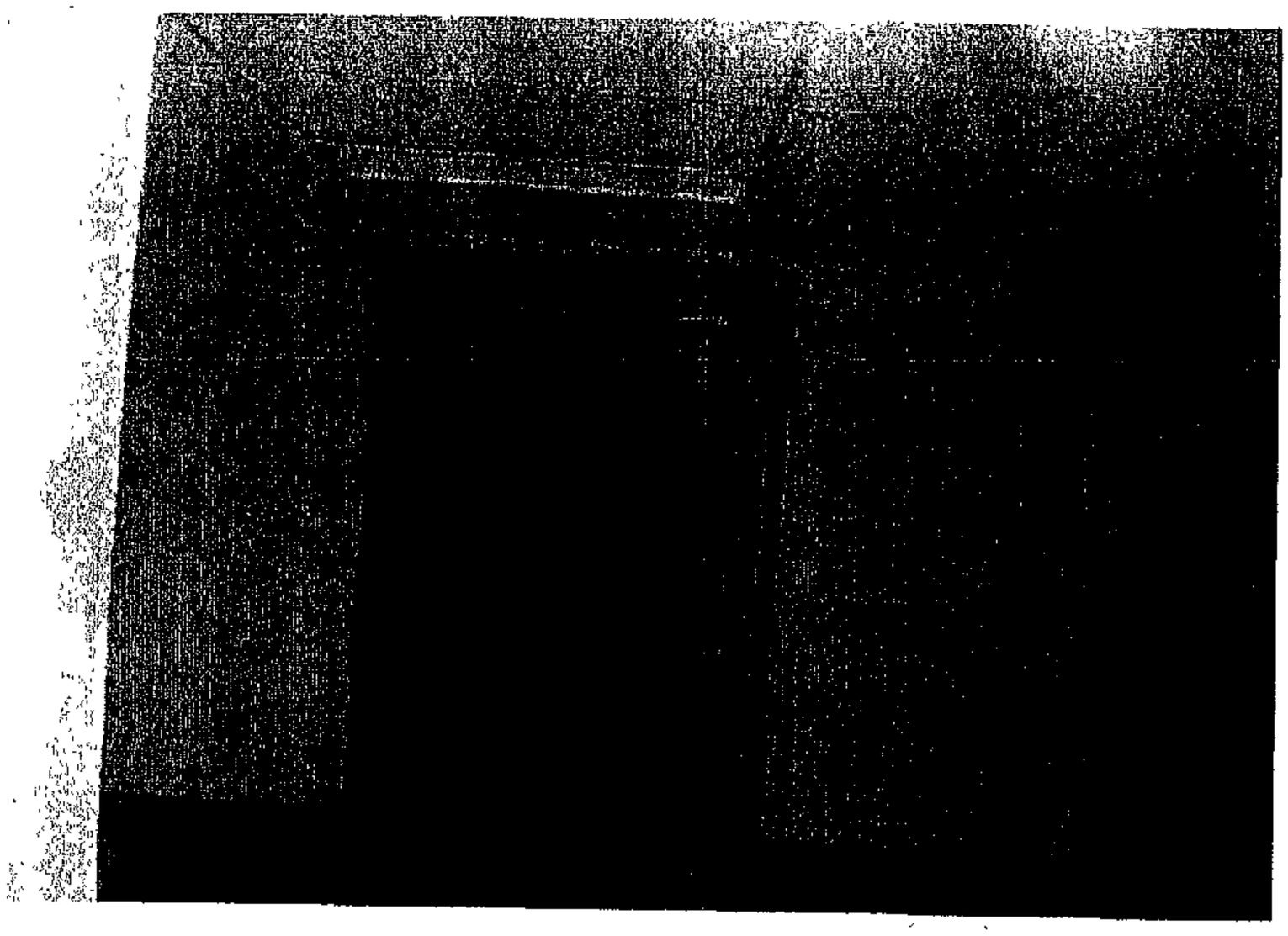
Rear



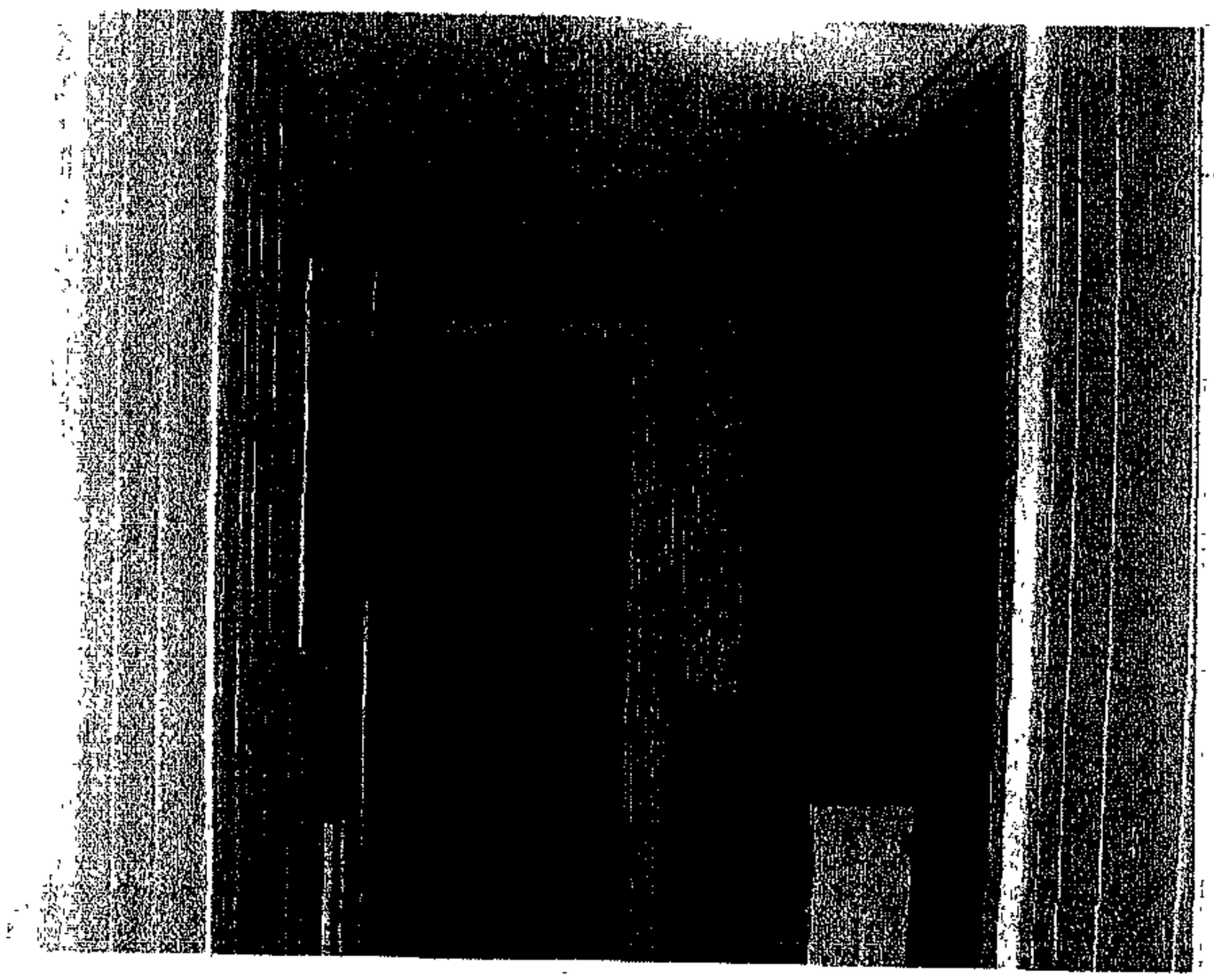
First Floor Garage



First Floor Commercial



First Floor Office



First Floor Office

Annapolis Road Looking North

Annapolis Road Looking South

Sale Number One – 4017 Annapolis Road

Sale Number Two – 3612 Annapolis Road

Sale Number Three – 1310 Linden Avenue

QUALIFICATIONS OF

PAUL F. HLUBB, JR
Real Estate Appraiser and Consultant

MEMBER:
The Counselors of Real Estate - CRE
Appraisal Institute - MAI , SRA - Past Chapter President
International Real Estate Federation - FIABCI
Urban Land Institute
Mortgage Bankers Advisory Committee to MICRF (1981 – 82)
Greater Baltimore Board of Realtors - Realtor Member - Board Member (1986-87)
Greater Capital Area Association of Realtors - Realtor Member
Maryland Association of Realtors - Realtor Member
National Association of Realtors - Realtor Member
Licensed Real Estate Broker - Maryland Real Estate Commission
Certified General Appraiser - State of Maryland, Commonwealth of Virginia and District of Columbia

EDUCATION AND BACKGROUND
Baltimore Polytechnic Institute
Clemson University, BA Economics
Staff Appraiser - American National Building & Loan Assn.
Associate Appraiser - McCurdy-Lipman and Associates
Assistant Vice President - Maryland National Bank
President - Maryland Capital Services Corporation
President - Maryland Realty Appraisers, Inc.
Vice President and Chief Appraiser - First Maryland Bancorp
President – Buhl Enterprises, Inc. - Independent Fee Appraiser and Consultant

HAVE APPRAISED AND CONSULTED FOR;

Key Bank & Trust	Allied Irish Bank
BB &T Bank	McDonald's Corporation
Allfirst Bank	PNC Bank
Farmers and Mechanics Bank	Maryland Permanent Bank
1st Mariner Bank	Westminster Union Bank
Potomac Valley Bank	Bay-Vanguard Federal Savings Bank
National Bank of Fredericksburg	Equitable Life Assurance Society
Kan Am Properties, Ltd.	Resolution Trust Corp.
New Windsor State Bank	Bucs Federal Bank

Various other banks, savings and loan associations, relocation companies, attorneys, developers and individuals.

Qualified as an expert witness before the Anne Arundel County Circuit Court, the City of Annapolis, the Howard County Circuit Court and Federal Bankruptcy Court.

ASSIGNMENTS HAVE INCLUDED;

Appraisal and counseling assignments of commercial and retail establishments, motels and hotels industrial land and buildings, warehouses, inner city urban renewal projects, condominiums, office buildings, apartment buildings, cooperatives, special purpose properties, subdivisions, land parcels and numerous old and new single family residential properties in the Baltimore-Washington Metropolitan areas, along with Virginia, Delaware, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Texas, Colorado, Minnesota, Illinois, West Virginia, New York and Pennsylvania.

Baltimore County
Department of Permits and
Development Management

Code Inspection and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953
Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

SERVE ON RESIDENT AGENT, CORPORATE OFFICER, OWNER, TENANT, AS APPLICABLE

Citation/Case No.: 03-8371
Property No.: 13 13 855 170
Zoning: BL

Name(s): OH Se Wang

Address: 4105 Annapolis Rd 21227

Violation Location: 4007 Annapolis Rd

Violation Dates: 10/27/03 Thru 11/18/03

BALTIMORE COUNTY FORMALLY CHARGES THAT THE ABOVE-NAMED PERSON(S) DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS:

Failure to obtain Permit for Addition constructed on Roof - Sec 105.1 IBC

Failure to obtain Zoning approval for Apartments BCZR 101, 102.1, 1B01.1A 408B + 409.2

Pursuant to Section 1-8, Baltimore County Code, a civil penalty has been assessed, as a result of the violation cited herein, in the amount indicated: $ 4200.00

A quasi-judicial hearing has been pre-scheduled in Room 116, 111 West Chesapeake Avenue, Towson, Maryland, for: Date: 1/6/04 Time: 9:00 AM

Citation must be served by: Date: 12/3/03

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Print Name: Paul Hohne

11/18/03 Date

Inspector's Signature

SEE REVERSE SIDE FOR ADDITIONAL DETAILS AND INFORMATION

NOTICE OF INTENTION TO DEFEND

Print Name:

Citation/Case No.:

Address:

Date

Defendant's Signature

VIOLATION SITE

03-8371

DAVID P. OLSLUND, PC
8206 Whitebark Lane
Severn, Maryland 21144

David P. Olslund, Sr., Attorney
Admitted in MD; NJ; PA; AZ & HI

Phone/Fax (410) 519-7470
Email: dpolaw@yahoo.com
Alternate Phone: (410) 519-8226

December 20, 2003

Mr. Paul Hohne
Baltimore County
Code Inspections and Enforcement
111 West Chesapeake Avenue
Towson, MD 21204

RE: **4007 Annapolis Road; Wang Se Oh**

Dear Mr. Hohne:

Please be advised that I represent Mr. Wang Se Oh relating to the Zoning Enforcement action that you are taking against him. I do believe that this may be a dispute amongst the neighbors that has somehow manifested into a retaliation against Mr. Oh.

Pursuant to the Freedom of Information Act, please provide me a coy of any document in your file with respect to the violation or anything concerning Mr. Oh. Thank you for your prompt attention this request.

Sincerely yours,

DAVID P. OLSLUND

cf: Wang Se Oh

PANEL BP1003M

TIME: 08:46:56 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 10/29/2003
DATE: 01/06/2004 GENERAL PERMIT APPLICATION DATA EMB 09:55:07

PERMIT #: E536745 PROPERTY ADDRESS
RECEIPT #: A484501 4007 ANNAPOLIS RD
SUBDIV:
XREF #: E536745 TAX ACCOUNT #: DISTRICT/PRECINCT 13 00
OWNERS INFORMATION (LAST, FIRST)
FEE: 50.00 NAME: WANG SE OH
PAID: 50.00 ADDR:
PAID BY: APPL
DATES APPLICANT INFORMATION
APPLIED: 10/28/2003 NAME:
ISSUED: 10/28/2003 COMPANY: CHRIS STURM
OCCPNCY: ADDR1:
ADDR2:
INSPECTOR: 13B PHONE #: 410-388-1402 LICENSE #: MG 10198
NOTES: EB

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

PANEL BP1011M

TIME: 08:47:10 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 10/28/2003
DATE: 01/06/2004 ELECTRIC DETAIL SCREEN 1 EMB 15:16:36

OCCUPANT INFORMATION (LAST, FIRST)
NAME:
ADDR: PHONE

PERMITS: ELECTRIC: E536745 POLE:
EXISTING METER:

STRUCTURE USE: R COMMERCIAL OR RESIDENTIAL (C/R)
BUILDING: O NEW OR OLD (N/O)
WORK DESCRIPTION: N NEW OR OLD (N/O)
DETAIL OF WORK AND ADDITIONAL INFO POWER CO NOTIFIED DATE:
REPLACEING EX 5 METER STACK W/NEW STAQCK REPLACE 3 100AMP PANELS
W/NEW 100AMP SUBS REPLACE 2-4 SERVICE CABLES FEE: 50.00

PASSWORD:

ENTER - NEXT DETAIL PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

PANEL BP1012M

TIME: 08:47:17 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 10/28/2003
DATE: 01/06/2004 ELECTRIC DETAIL SCREEN 2 EMB 15:16:36
PERMIT #: E536745

- - - ROUGH WIRING OUTLETS - - -

LIGHT SWITCH RECEPT LOW VOLTAGE
MISC

- - - EQUIPMENT - - -

FIXTURES	KW SURFACE	HP PUMP	KW DRYER
AMP SERV EQUIPMT	KW RANGE	KW WTR HTR	KW HEATR
AMP SERV CONDUCT	KW OVEN	KW GARBAGE	# BURNRS
	HP AIR COND	KW DISHWSHR	TO WIRE/CONTRL

- - - MOTORS (HP) - - -

1/30	1/8	1/2	2	10	30	100
1/20	1/6	3/4	3	15	40	150

JB

Code Enforcement - Daily Worksheet

GB

Inspector - Hahne

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
015	03-8371	4007 ANNAPOLIS RD		21227	10/14/2003	10/22/2003

Tax Acct #: 1313855170

Complainant Name: (Last) ANON (First)
Addr:
Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work)

Problem: BUILDING ADDITION W/O PERMIT; APT IN REAR, WIRING W/O PERMIT *** REOPENED FOR 5 APTS ON 3 COMM. FRONTS, NO PERMITS, NO PARKING, NO 3FT. CLEANANCE FROM REAR INTO BLDG. WIRING 5TH. APT. & NEW METERS, HAVE TO COME TO REAR RESTURANT TO SEE COMPLS.HUSBAND RICHARD WILL BE THERE.....

Notes:

03-8371 10/16/03 INSPECTED LOCATION. SEE NO NEW CONSTRUCTION. SEE ELECTRICAL METER UPGRADED. NO BUILDING VIOLATION. CASE CLOSED. A.GEE/NS*** **10/22/03 NO PERMITS OR CHANGE OF OCCUPANCY IN LAST 3YRS. PER(L.W), ZONED BL & PER 230-13. LIVING QUARTERS NOT PERMITTED. COMPL. IS MARJOUR LE COMPTE, 4015 ANNAPOLIS RD, 410-636-2324, 789-5046.....(SCJ/SS)***

P/U Date		Closed Date		Gary F to update
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary
Executive office complaint	**Yes**	**No**	If Yes is Executive memo attached? **Yes**	**No**

DE ENFORCEMENT REPO

(13)

DATE: 10/22/03 INTAKE BY: SCJ CASE #: 03-8371 INSPEC: 15

COMPLAINT LOCATION: 4007 ANNAPOLIS ROAD

ZIP CODE: 21227 DIST:

COMPLAINANT NAME: Marjorie LeCompte PHONE #: (H) 6316-2324 (W) 789-5046

ADDRESS: LeCompte's Restaurant - 4015 Annapolis ZIP CODE: 21207

PROBLEM: 5 apts, 3 commercial fronts - no permits; no parking; no 3-ft clearance from rear into building; wiring 5th apt + new meters - have to come to rear of restaurant to see complainant's husband, Richard, will be at restaurant

IS THIS A RENTAL UNIT? YES ____ NO ____

IF YES, IS THIS SECTION 8? YES ____ NO ____

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 1313855170 ZONING:

INSPECTION:

RE-OPEN

REINSPECTION:

no permits or change of occupancy in last 3 years per Len Wasliewski; zoned BL & per 230.13 ~~need~~ living

REINSPECTION: quarters not permitted

10/27/03 - Found small Addition to building on roof as well as elec meter upgrading, NO permits issued SWO told to obtain permits also told to obtain zoning

REINSPECTION: ok for apartments. Apartments look as if they have been there for a very long time Recheck

11/10/03 - spoke to Complainants manager at site

OK

102F Permits Development - Livability System
View Cases

Case No: 03-8371

Address: 04007 ANNAPOLIS RD 21227
Cmd No: 015 District: 000 Date Rcv: 10/14/2003 Grp: ENF Intk: CEK
Inspec: GEE, A. Inspec2: Date Inspec: 0/00/0000
Close: 10/20/2003 Activity: Delete: P

Problem: BUILDING ADDITION W/O PERMIT; APT IN REAR, WIRING W/O PERMIT

CL Name: ANON
CL Address: 00000

CL Home Phone: CL Work Phone: Tax Acct. 1313855170

Enter=Continue F12=Cancel

103F Permits Development - Livability System
View Cases

Case No: 03-8371

Notes: 03-8371 10/16/03 INSPECTED LOCATION. SEE NO NEW CONSTRUCTION. SEE ELECTRICAL METER UPGRADED. NO BUILDING VIOLATION. CASE CLOSED. A.GEE/NS***

Enter=Continue F12=Cancel

RA1001B

DATE: 10/22/2003 STANDARD ASSESSMENT INQUIRY (1)
TIME: 09:59:42

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
13 13 855170	13	2-2	06-00	N	NO		01/08/03

SAVALISKI JEROME
DESC-1.. IMPSPT LTS 5-8 .2249 A
DESC-2.. ROSEMONT
P O BOX 1401
PREMISE. 04007 ANNAPOLIS RD
00000-0000
PASADENA MD 21123-1401 FORMER OWNER: SITZ DENNIS L S AVALISKI

	FCV PRIOR	FCV PROPOSED		PHASED IN CURR FCV	CURR ASSESS	PRIOR ASSESS
LAND:	68,600	78,400				
IMPV:	138,300	141,700	TOTAL..	215,700	215,700	211,300
TOTL:	206,900	220,100	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0
DATE:	10/98	08/01				

---- TAXABLE BASIS ----		FM DATE
03/04 ASSESS:	215,700	02/19/02
02/03 ASSESS:	211,300	05/30/02
01/02 ASSESS:	206,900	06/01/01

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

10/22/2003 13:05

10.24.03
gave to
Rich
12:00

=== COVER PAGE ===

TO: _____

FROM: LECOPTES RESTAURANT

FAX: 4107895100

TEL: 4107895046

COMMENT: URGENT

PAUL
INVESTIGATE
ON
MONDAY
10/27

10/22/2003 13:05

10.24.03
gave to
Rich
12:00

=== COVER PAGE ===

TO: _____

FROM: LECOPTES RESTAURANT

FAX: 4107895100

TEL: 4107895046

COMMENT: URGENT

PAUL
INVESTIGATE
ON
MONDAY
10/27

LeCompte's Restaurant, Inc.
4015 Annapolis Road
Baltimore, Maryland 21227
(410) 789-5046

October 22, 2003

ATTN: Mr. Tim Rotroco, Director of Development Management

Dear Mr. Rotroco:

On October 14, 2003 my husband called in a building and zoning complaint against 4007 Annapolis Road a building which is located directly next to our business at 4015 Annapolis Road, at that time he did not leave his name. On October 16, 2003 Inspector Alan Gee came to inspect the property and found no new construction or electrical work going on and closed the case. In my opinion this is impossible since we have photographed the building and electrical work step by step, which is still going on. The workers are coming on to our property to do the electrical work.

According to Inspector Wasilewski (Permits) there have been no permits pulled on this property for the past three years, which certainly makes this construction going on illegal. Furthermore, the building is zoned **BL** and under your zoning code 230.13 (Living quarters in a commercial building) these apartments are not permitted. There are now five (5) apartments and three (3) commercial offices. There has also been no change of occupancy filed with your offices and this building was just recently purchased from an estate. We have been inside of this building many times and there are literally 4 X 4's holding up the second floor the last time we seen it.

The former owner, Mr. Jerry Sevaleski, did heating and air conditioning and was a builder so we had no reason to think when the first two apartments were added on that it was done illegally. He had only two of his employees stay in the apartments and they also took care of the premises.

Recently the property was surveyed and per the stakes in the ground Mr. Hoo, the new owner of the building does not even have a three foot clearance for the renters of the apartments to enter the property. Also the driveway used to access the apartments is only half his and he really has no legal access for a car to the back of his property. We have marked our property with spray paint stake to stake so that the violation will be obvious to the next inspector.

FAX COVER SHEET

LeCompte's Restaurant, Inc.
4015 Annapolis Road
Baltimore, Maryland 21227

(410) 789-5046
(410)789-5100 Fax

SEND TO	From
Company name Development Management	Mrs. Marjorie LeCompte
Attention Mr. Tim Kotroco, Director	Date October 22, 2003
Office location Towson, Maryland	Office location 4015 Annapolis Road
Fax number 410-887-5706	Phone number 410-636-2324

[x] Urgent [ ] Reply ASAP [ ] Please comment [x] Please review [ ] For your information

Total pages, including cover: 3

COMMENTS

As it is my understanding that the property in question 4007 Annapolis Road, Baltimore, Maryland 21227 will be inspected again tomorrow, October 23, 2003, we would appreciate this letter being given immediate attention so all matters can be cleared up at the same time. Thank you.

I am confused as to why Inspector Gee did not see the wiring laying all over the ground, the new meter boxes, notice the new apartment or even check for a building permit. I would think a seasoned Inspector would pick up on all these things.

To protect ourselves from someone falling and getting hurt on our property, which his tenants use to enter their apartments (going so far as to break the lock and chain off the gate we had put there) we now have to "apply for a permit" for a privacy fence. I understand that we must do this to protect ourselves legally but it certainly boggles my mind that Mr. Hoo can build an entire apartment and rewire a building without permits and we have to pay $20 plus a trip to Towson to protect our rights as property owners to put up a fence.

Today I logged a second complaint with Sophia (410-887-3351) she was very courteous and helpful - which I appreciated. I also tried to contact Inspector Gee but he had already gone out into the field and I was asked to return the call to him at approximately 3:00 p.m., which I really don't know what this would accomplish.

Along with the detailed complaint I gave to Sophia today, it is my hope that this letter will resolve our problems with all the violations that are taking place next to our business and protect us from any law suits should one of Mr. Hoo's tenants fall on our property.

The complaint number is #03-8371. As of today it has been reopened and hopefully with the new detailed information and our names and phone numbers for contact we will be informed as to the status of this complaint.

For your information:

Mr. Richard LeCompte 410-789-5046 (Business)
Mrs. Marjorie LeCompte 410-636-2324 (Home)

Thank you in advance for you time and cooperation with this troublesome matter, should you need any additional information please do not hesitate to contact us.

Very truly yours,

Mrs. Marjorie LeCompte

Mrs. Marjorie LeCompte

cc: Delegate James Malone

Code Enforcement - Daily Worksheet

Inspector - J.C.

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
~~009~~ 15	03-8371	4007 ANNAPOLIS RD		21227	10/14/2003	

Tax Acct #: 1313855170

Complainant Name: (Last) ANON (First)
Addr:
Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work)

Problem: BUILDING ADDITION W/O PARMIT CALSO, APT, IN REAR, WIRING W/O PERMIT;'

10-16-03 INSPECTED LOCATION SEE NO NEW CONSTRUCTION SEE ELECTRICAL METER UP GRADED NO BUILDING VIOLATION CASE CLOSED 10-20-03 AGEE

P/U Date			Closed Date		Gary F to update
Anonymous Complaint	Complainant Updated		Updated by voice message	Unable to update	Update not necessary
Executive office Complaint	**Yes**	**No**	If Yes is Executive memo attached?	**Yes**	**No**

CODE ENFORCEMENT REPORT

NCF

DATE: 10/14/03 INTAKE BY: JGK CASE #: 03-8371 INSPEC: 15

COMPLAINT LOCATION: 4007 ANNAPOLIS RD

ZIP CODE: 21227 DIST:

COMPLAINANT NAME: ANONYMOUS PHONE #: (H) (W)

ZIP CODE:

ADDRESS:

PROBLEM: BUILDING ADDITION W/O A PERMIT
(ALSO, APT. IN REAR - WIRING W/O PERMIT)

IS THIS A RENTAL UNIT? YES ____ NO ____
IF YES, IS THIS SECTION 8? YES ____ NO ____

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 13 13 855170 ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

RA1001B

10/14/2003 STANDARD ASSESSMENT INQUIRY (1)
ME: 13:09:43

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
13 13 855170	13	2-2	06-00	N	NO		01/08/03

SAVALISKI JEROME

DESC-1.. IMPSPT LTS 5-8 .2249 A
DESC-2.. ROSEMONT
PREMISE. 04007 ANNAPOLIS RD
00000-0000

P O BOX 1401

PASADENA MD 21123-1401 FORMER OWNER: SITZ DENNIS L S AVALISKI

FCV	PRIOR	PROPOSED
LAND:	68,600	78,400
IMPV:	138,300	141,700
TOTL:	206,900	220,100
PREF:	0	0
CURT:	0	0
DATE:	10/98	08/01

PHASED IN	CURR FCV	CURR ASSESS	PRIOR ASSESS
TOTAL..	215,700	215,700	211,300
PREF...	0	0	0
CURT...	0	0	0
EXEMPT.		0	0

---- TAXABLE BASIS ----		FM DATE
03/04 ASSESS:	215,700	02/19/02
02/03 ASSESS:	211,300	05/30/02
01/02 ASSESS:	206,900	06/01/01

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

PLEASE PRINT CLEARLY

CASE NAME 4007 Annapolis Rd
CASE NUMBER 05-531-A
DATE 6/7/05

PETITIONER'S SIGN-IN SHEET

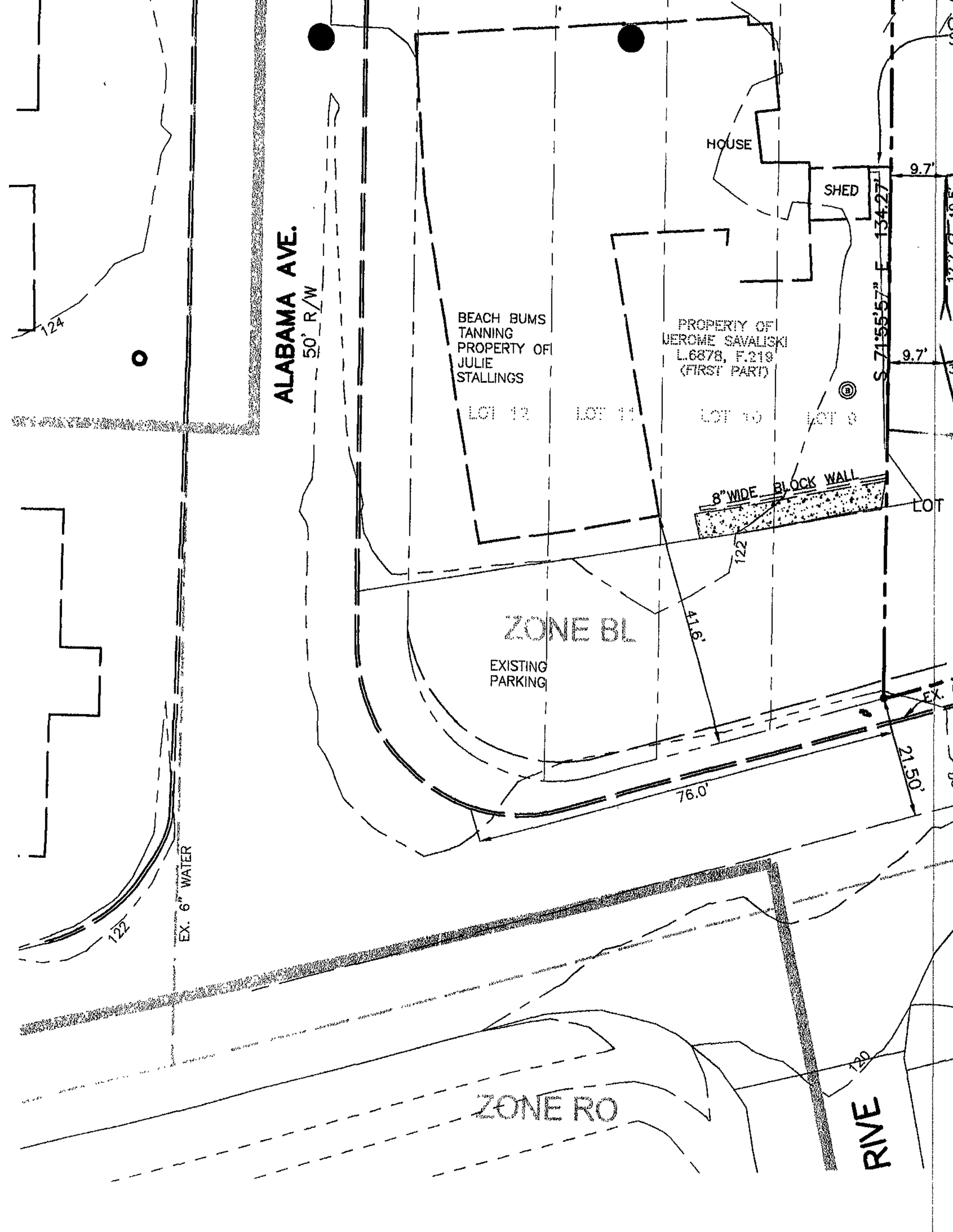
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Wang Seok	4105 Annapolis Rd	Baltimore MD 21227	
David P. Olslund, Esq	8206 Whitebark Ln	Severn, MD 21144	dpolaw@yahoo.com

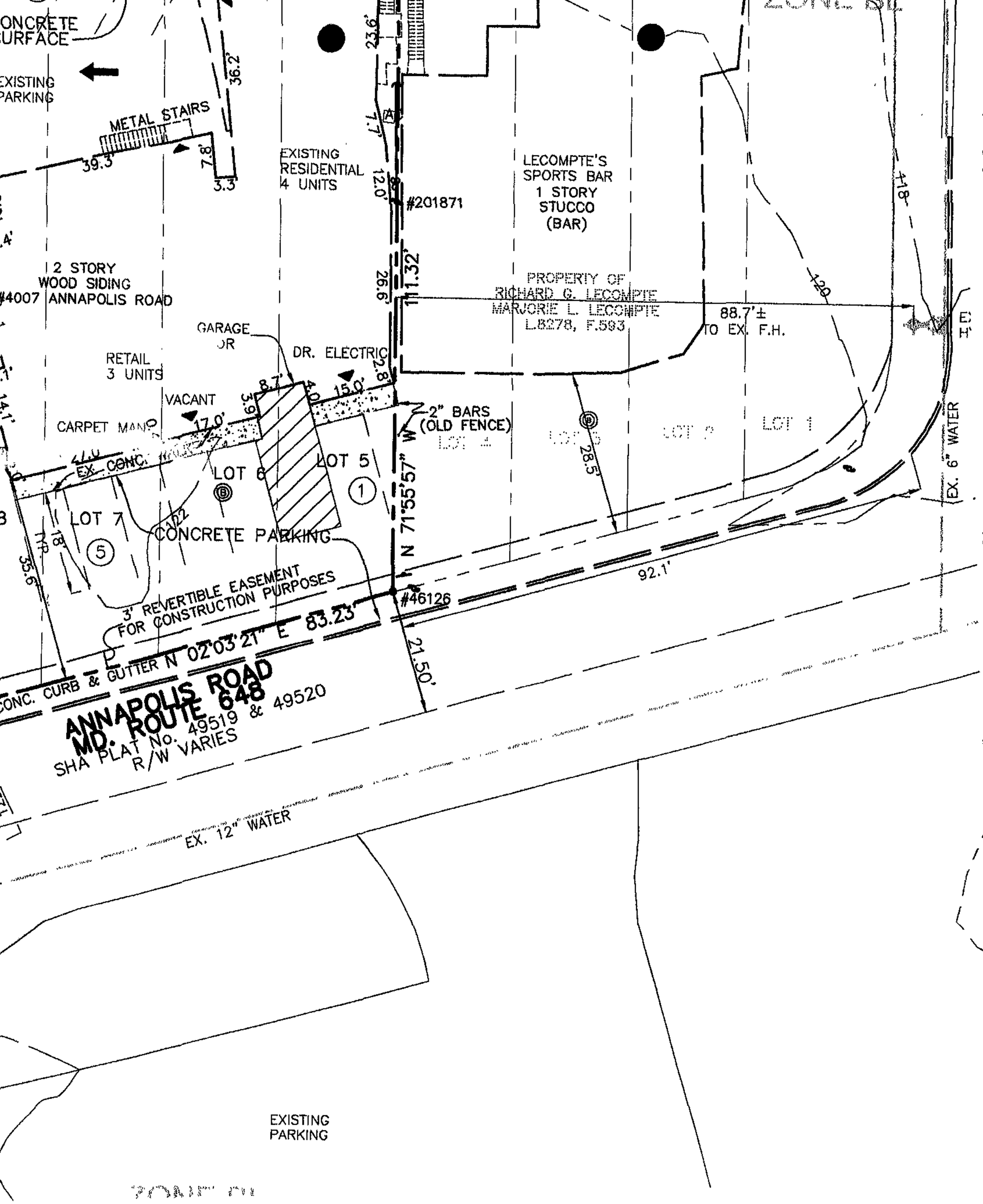
PLEASE PRINT CLEARLY

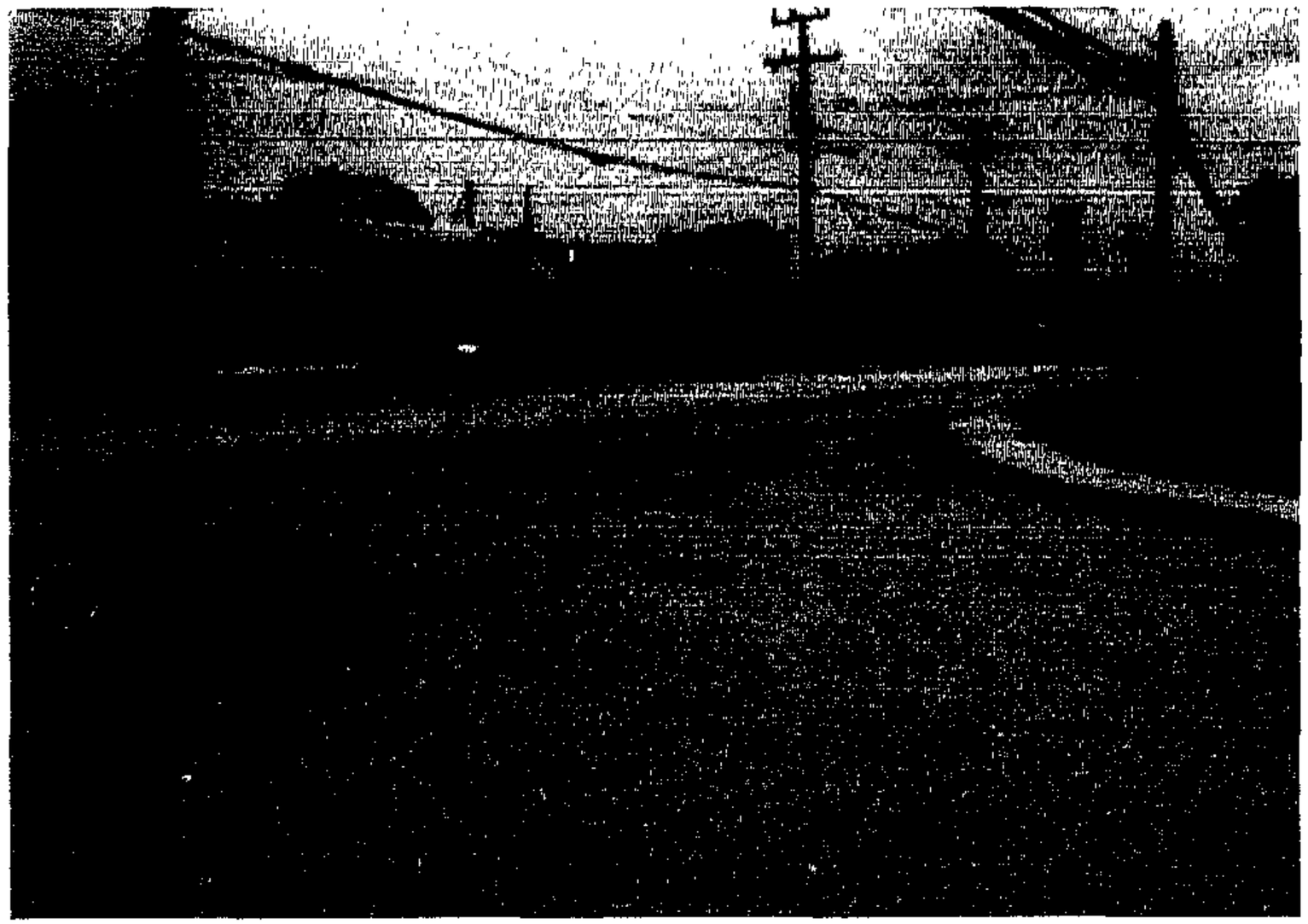
CASE NAME 4001 Annapolis Rd.
CASE NUMBER 05-531-A
DATE 6/7/05

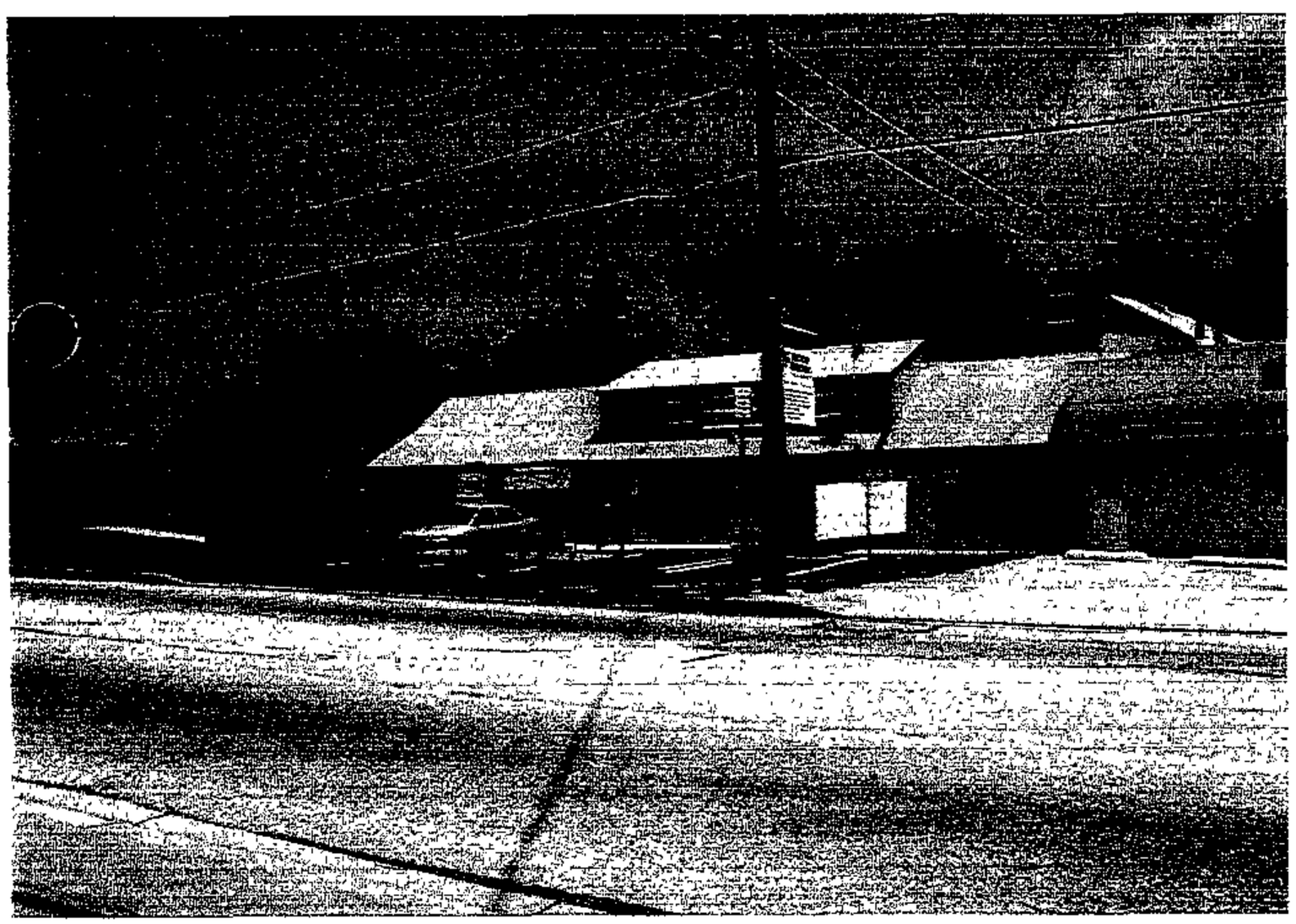
CITIZEN'S SIGN-IN SHEET

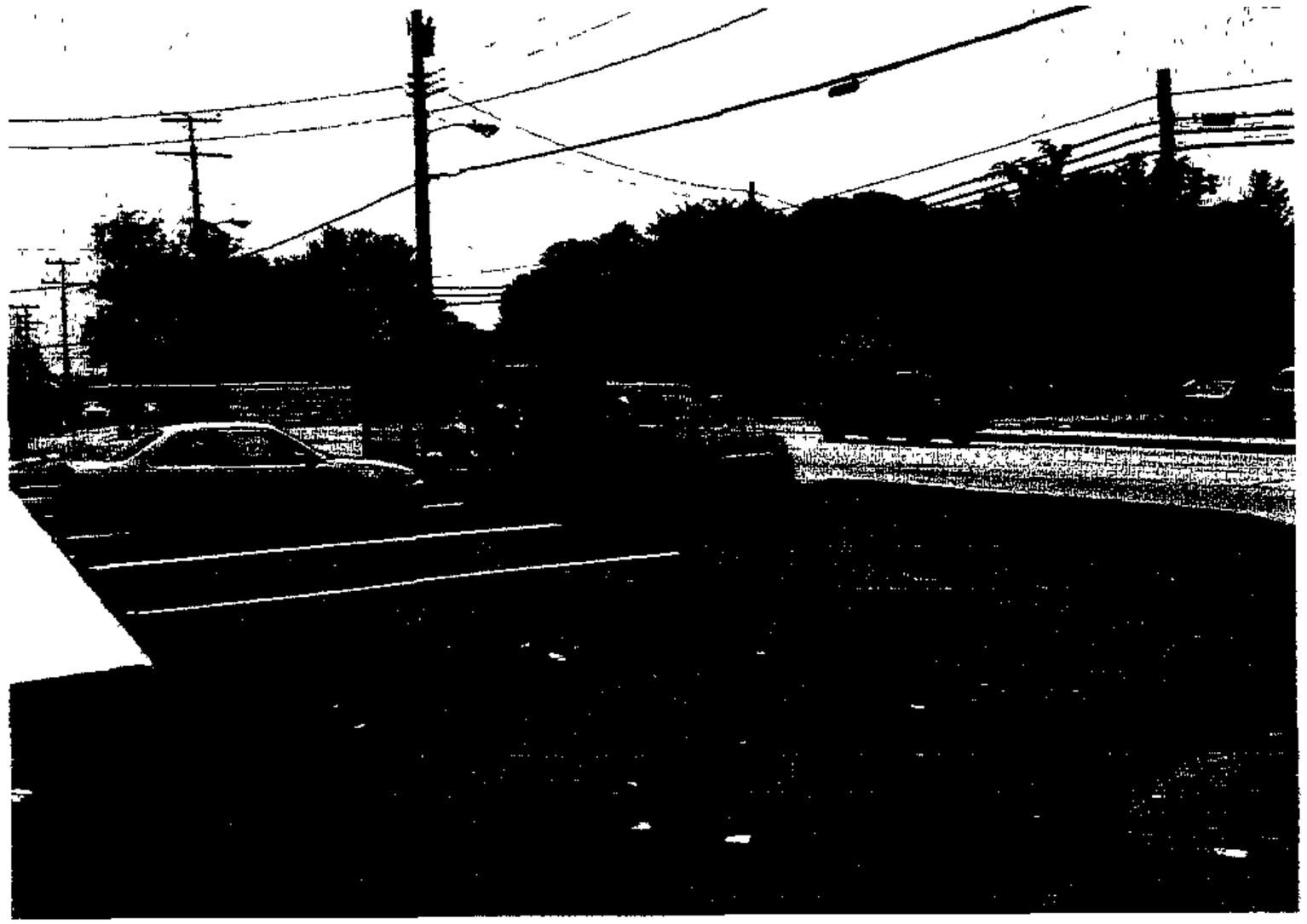
NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
RICHARD LeCOMPTE	4015 Annapolis Rd (Bus)	Baltimore, Md 21227	–
Marjorie Le Compte	2822 Hoffman Avenue	Baltimore, Md 21227	–


ALABAMA AVE.
50' R/W
BEACH BUMS TANNING PROPERTY OF JULIE STALLINGS
PROPERTY OF JEROME SAVALISKI L.6878, F.219 (FIRST PART)
HOUSE
SHED
9.7'
9.7'
S 71°55'57" E 134.27'
LOT 12
LOT 11
LOT 10
LOT 9
8" WIDE BLOCK WALL
LOT
122
41.6'
ZONE BL
EXISTING PARKING
EX.
21.50'
76.0'
124
122
EX. 6" WATER
120
ZONE RO
RIVE


CONCRETE SURFACE
EXISTING PARKING
METAL STAIRS
39.3'
7.8'
3.3'
36.2'
23.6'
7.7'
EXISTING RESIDENTIAL 4 UNITS
12.0'
#201871
LECOMPTE'S SPORTS BAR 1 STORY STUCCO (BAR)
2 STORY WOOD SIDING #4007 ANNAPOLIS ROAD
111.32'
26.6'
PROPERTY OF RICHARD G. LECOMPTE MARJORIE L. LECOMPTE L.8278, F.593
88.7'± TO EX. F.H.
GARAGE DR
DR. ELECTRIC
RETAIL 3 UNITS
VACANT
CARPET MANP
8.7'
3.6'
15.0'
2.8'
17.0'
2" BARS (OLD FENCE)
EX. CONC.
LOT 6
LOT 5
LOT 7
CONCRETE PARKING
3' REVERTIBLE EASEMENT FOR CONSTRUCTION PURPOSES
N 71°55'57" W
28.5'
LOT 1
EX. 6" WATER
92.1'
#46126
N 02°03'21" E 83.23'
21.50'
CONC. CURB & GUTTER
ANNAPOLIS ROAD
MD. ROUTE 648
SHA PLAT No. 49519 & 49520
R/W VARIES
EX. 12" WATER
EXISTING PARKING







Plan Sheet: *109B1*

Note:
Section 32-3-202 of the Baltimore County, 2003 Code establishes the zoning geodatabase. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Legend

Zoning
Buildings
Streams
Roads
Vegetation

Baltimore County
Office of Planning and Zoning
Official Zoning Map

101C3	102A3	102B3	
108C1	109A1	109B1	109C1
108C2	109A2	109B2	109C2

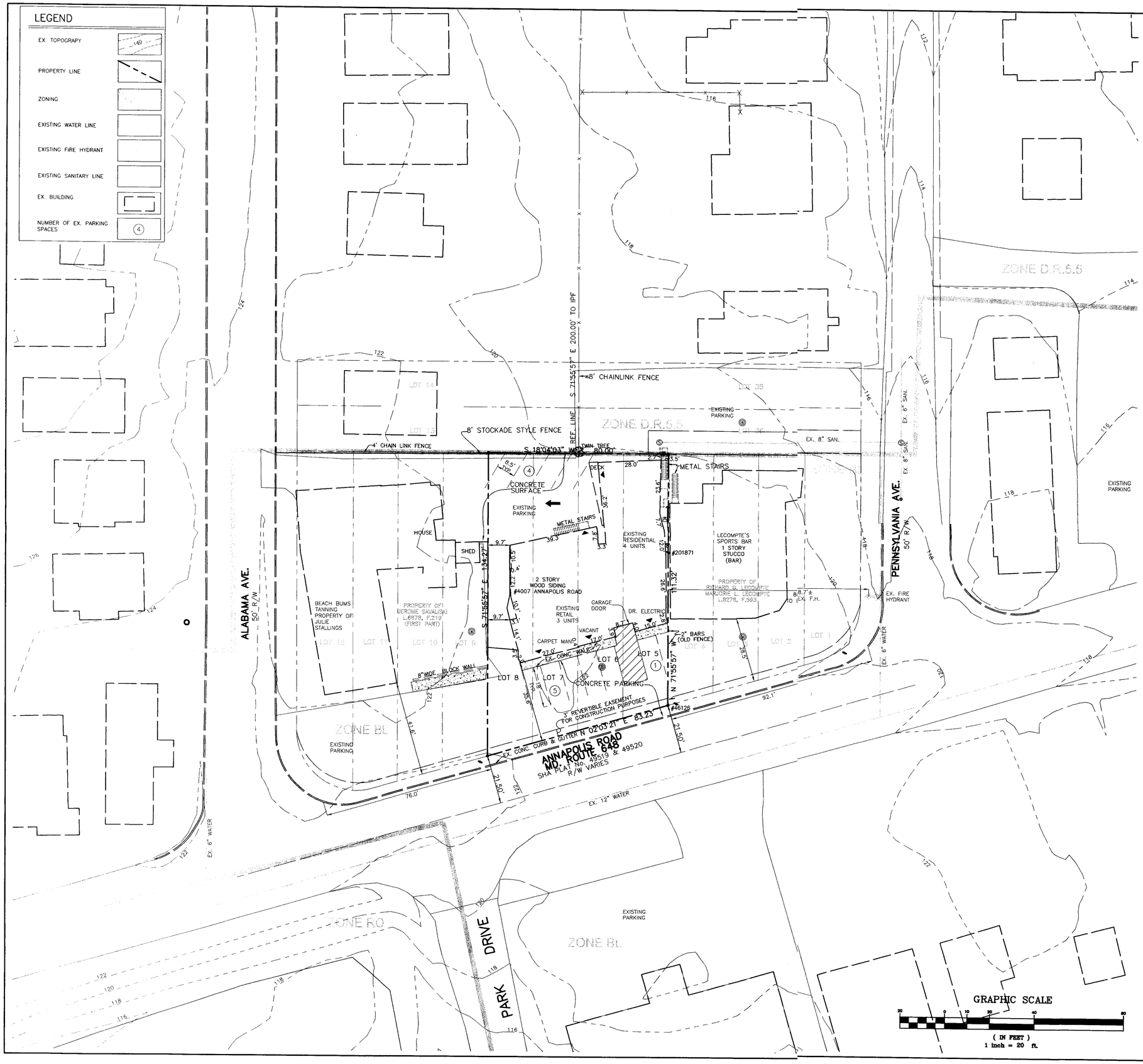
Scale

1" = 200'

0 100 200 400 Feet

1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004



NOTES:

1. 13TH ELECTION DISTRICT; COUNTY COUNCIL DISTRICT 1.
2. SITE AREA: 0.2255 AC (9,824 SF)
3. EXISTING USE: EX. 2 STORY BUILDING
   RETAIL 3 UNITS AND 4 RESIDENTIAL UNITS (3–TWO BEDROOOM AND 1–ONE BEDROOM).
   CARPET MAN. – 800 SF
   DR. ELECTRIC – 1,900 SF
   OTHER VACANT COMMERCIAL – 900 SF
   RESIDENTIAL – 1,800 SF
   TOTAL – 5,400 SF
4. DEED REFERENCE: /19420/516.
5. TAX ACCOUNT NUMBER: 1313855170
6. TAX MAP 109 GRID 11 PARCEL 359
7. THIS SITE IS NOT IN A 100 YEAR FLOODPLAIN (FEMA MAP NO. 240010 0510B).
8. EXISTING ZONING: BL (BUSINESS LOCAL ZONE)
   (ZONING MAP SW 6–B)
9. F.A.R.
   PERMITTED IN B.L. ZONE: 3.0
   EXISTING F.A.R.:
   TOTAL ADJUSTED GROSS FLOOR AREA / GROSS SITE AREA =
   5,400 SF / 11,613 SF = 0.46
10. BUILDING SETBACKS IN BL ZONE
    FRONT: 10'
    SIDE: NONE REQUIRED ON INTERIOR LOTS
    REAR: NONE REQUIRED, EXCEPT THAT WHERE THE REAR LOT LINE ABUTS A LOT IN A RESIDENCE ZONE THERE SHALL BE A REAR YARD NOT LESS THAN 20 FEET DEEP.

    BUILDING SETBACKS PROVIDED
    FRONT: 35'±
    SIDE: 0.2'±
    REAR: 2.7'±
11. EXISTING HEIGHT: 20'
12. AMENITY OPEN SPACE: NONE REQUIRED.
13. PARKING REQUIRED:
    RESIDENTIAL: 1.5 SP PER APARTMENT WITH 1–2 BEDROOMS
    1.5 SP X 4 = 6 SPACES

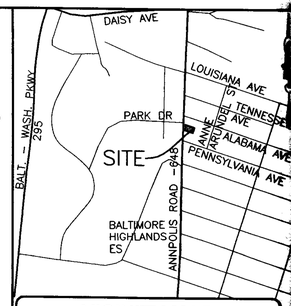
    CARPET STORE: 2.5 SP / 1,000 SF
    2.5 SP X 800/1,000 SF = 2 SP
    RETAIL GENERAL: 5 SP / 1,000 SF
    5 SP X 2,800/1,000 SF = 14 SP

    TOTAL PARKING REQUIRED: 22 SPACES

    PARKING PROVIDED: 10 SPACES
    TYPICAL PARKING SPACE: 18' X 8.5'
14. AN ELECTRICAL PERMIT HAS BEEN ISSUED FOR THIS PROPERTY (PERMIT # E 536745.)
15. A CITATION WAS ISSUED FOR THIS PROPERTY ON 1/19/04 (CITATION # 03–8311.)
16. TO THE BEST OF OUR KNOWLEDGE AND BELIEF THERE ARE NO KNOWN THREATENED OR ENDANGERED SPECIES, SEPTIC SYSTEMS, WELLS, UNDERGROUND STORAGE TANKS, OR CEMETERIES WITHIN 100' OF THE SITE.
17. THERE ARE NO KNOWN HAZARDOUS MATERIALS ON THE DEVELOPMENT SITE.

	YES	NO
CHESAPEAKE BAY CRITICAL AREA?	☐	☒
FLOODPLAIN?	☐	☒
HISTORIC?	☐	☒

ZONING OFFICE USE ONLY	
REVIEWED BY	ITEM #



VICINITY MAP
SCALE: 1"=1000'

OWNER / DEVELOPER: WANG SE OH, KEUN SE OH, 4007 ANNAPOLIS ROAD, BALTIMORE, MD 21227

ATTORNEY: DAVID P. OLSLUND, P.C., 8280 WHITEWOOD LANE, SEVERN, MD 21144

Patton Harris Rust & Associates, pc
Engineers. Surveyors. Planners. Landscape Architects.
8818 Centre Park Drive Columbia MD 21045
T 410-997-8900 F 410-997-9282

No.	REVISION	DATE	BY

ZONING SITE PLAN TO ACCOMPANY VARIATION REQUEST

4007 ANNAPOLIS ROAD

TAX MAP 109 PARCEL 359 LOTS 5-8
4007 ANNAPOLIS ROAD
BALTIMORE, MD 21227

13TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

SEAL
STATE OF MARYLAND — CHRISTOPHER A. REIS — No. 15949 — REGISTERED PROFESSIONAL ENGINEER
BY: 3.22.05

PHR+A

DESIGNED: ALC	FILE NO: 13583–1–0
DRAWN: ALC	
DATE: 03/22/05	SHEET: 1 OF 1
SCALE: 1" = 20'	

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