IN RE: PETITION FOR SPECIAL HEARING
N/Side of Eastern Avenue, Service Drive,
Parallel to the n/side of Eastern Blvd., n/e
of Adams Place
12th Election District
7th Councilmanic District

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

(7012, 7010, 7004 & 7006 Eastern Avenue)

Gilbert T. Barker, Sr., Geraldine I. Schmidt, William S. Streeter, & Maria Apostolou *Petitioners*

CASE NOS. 06-114-SPH, 06-134-SPH, 06-135-SPH & 06-139-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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This matter comes before this Deputy Zoning Commissioner on a Petition for Special Hearing for the properties located in the eastern area of Baltimore county, at 7012 Eastern Avenue (the Petition was filed by Gilbert T. Barker, Sr.), at 7010 Eastern Avenue (Petition filed by Geraldine I. Schmidt), at 7004 Eastern Avenue (Petition filed by William S. Streeter), and 7006 Eastern Avenue (the Petition was filed by Maria Apostolou).

Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a non-conforming use for a two-family dwelling within a group house.

The properties were posted with Notice of Hearing on October 21, 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 October 20, 2005, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all



zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Zoning Advisory Committee Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing relief were Gilbert T. Barker, Sr., Geraldine I. Schmidt, William S. Streeter, Maria Apostolou, Jim Apostolou, Peter Vailas, and Jim Sprole. John B. Gontrum, Esquire represented the Petitioners. Appearing at the hearing in opposition to the Petitioners request were Bradley Vance, Jerry Makowiecki and Linda Dapp, the latter representing the Eastwood Community Association. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Comments Code Enforcement

These matters are currently the subject of active violation cases (Case Nos. 05-5997, 5996, 5993 and 5995) in the Division of Code Inspections and Enforcement. Citations for code violations have been issued in these matters due to the allegation that the Petitioners converted these houses into two (2) apartments.

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 a structure has been built to set a precedent in order to allow it to continue. Nor does the fact that a structure may be costly to remove or modify 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

may have been done which could violate the law is not held against the Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of 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

At the outset, the parties agreed to hear these four (4) cases together as the evidence for any case would be the identical evidence for all. Consequently, the cases were consolidated.

Mr. Gontrum proffered that these four (4) properties are each town house construction zoned DR 10.5. They are adjacent properties on a service road off Eastern Avenue. The Petitioners are the owners of 7004, 7006 (but not 7008) 7010 and 7012 Eastern Avenue. Mr. Vance who brought the complaint that triggered these hearings lives in 7008 Eastern Avenue. See Petitioner's Exhibit 1.

Mr. Gontrum proffered that these buildings were constructed by the Meyerhoff Corporation in 1954 with two (2) apartments in each building. He indicated that all four (4) were identical construction with one (1) entrance door leading to a landing from which two (2) doors lead to a downstairs apartment and upstairs apartment. Both apartments have kitchens and baths in identical locations. He presented deeds indicating the initial date of purchase in 1954. He noted that prior to 1955 the County zoning regulations allowed single and two family group (row) homes. In 1955, the County changed the regulations to allow only single family in row homes. Consequently, the question in this case was whether or not the buildings were used as two (2) apartments continuously and without interruption for more than one (1) year since the law was changed in 1955?

Mr. Richardson, the civil engineer who drafted the Plat to Accompany, testified that he personally examined each apartment and found identical layout and location of rooms. Each had original plaster walls with identical doors and molding. In addition, he noted that while some kitchens were redone, kitchen plumbing was old galvanized pipe where the appliances entered the wall, which was used many years ago rather than more modern PVC plumbing. See photographs, Petitioner's Exhibit 4. He concluded that these four (4) buildings were designed as two (2) family apartments.

Mr. Gontrum proffered that Ms. Apostolou and Mr. Vailas who were present at the hearing would testify to their personal knowledge that these buildings were used continuously and without interruption as two (2) apartments since 1954. He further proffered that Mr. Barker would testify of similar use from his personal knowledge and that of his in-laws relayed to him. Finally, he presented a letter from James Sprole, who was present at the hearing, that he had the assignment in the military to find housing for military personnel in the 1960's and became aware of the apartments, which are the subject of this hearing.

Mr. Gontrum also presented records from the State Department of Assessments and Taxation (S.D.A.T.) that Mr. Vance's property at 7008 Eastern Avenue is also approved for two (2) apartments.

Mr. Vance, Mr. Makowiecki, and Ms. Dapp related the many problems the tenants in these apartment buildings presented. Mr. Vance lived at 7008 Eastern for the past four (4) years, and related how these apartments have spiraled down since he first moved in. Some of the problems are that the yards are not kept up, police knocking on doors early in the morning, car parts on the properties, illegal parking along the service road, trees overgrown and dropping fruit, and tenants drying wash on the porch roofs. They were concerned these problems would

cause rodent infestations. None of the protestants complained about two (2) apartments in each building or denied that the use of each was for two (2) apartments since 1954. They were concerned about how the buildings were maintained and tenant use.

Findings of Fact and Conclusions of Law

While I acknowledge the complaints that the protestant's brought to the hearing, they did not contest the narrow issue of the special hearing and non-conforming use. Mr. Gontrum indicated that he encouraged his clients to engage in a dialogue with the protestants regarding their complaints which began as the hearing was ending. Hopefully, these complaints will be addressed.

However, as far as the issue of non-conforming use is concerned, I find that the four (4) buildings were legally used as two (2) apartments prior to the law changing in 1955 and that non-conforming use has continued uninterruptedly since that time. Consequently, I will grant the special hearing relief.

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 Petitioners, I find that the Petitioners' request for special hearing should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 18 day of November, 2005, that the Petitioners' request for special hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), for properly located at 7004, 7006, 7010 and 7012 Eastern Avenue, to approve a non-conforming use for a two-family dwelling within a group house, be and it is hereby GRANTED.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

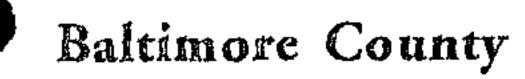
FOR BALTIMORE COUNTY

JVM:dlw

Zoning Commissioner

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





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

November 18, 2005

John B. Gontrum, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

Re: Petition for Special Hearing

Case Nos. 06-114-SPH, 06-134-SPH, 06-135-SPH & 06-139-SPH

Property: 7012, 7010, 7004 & 7006 Eastern Avenue

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned cases.

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:dlw Enclosure

c: Gilbert T. Barker, Sr., 9511-P Kingscroft Terrace, Perry Hall, MD 21128 Geraldine I. Schmidt, 6602 River Drive Road, Baltimore, MD 21219 William S. Streeter, 2 Right Elevator Drive, Baltimore, MD 21220 Maria Apostolou, 730 S. Ponca St., Baltimore, MD 21224 Jim Apostolou, 26 Manor Springs Court, Glen Arm, MD 21057 Peter Vailas, 14615 Manor Road, Phoenix, MD 21131 Jim Sprole, 6602 River Drive Road, Baltimore, MD 21219 Bradley Vance, 7008 Eastern Avenue, Baltimore, MD 21224 Linda Dapp, 6808 Eastbrook Avenue, Baltimore, MD 21224 Jerry Makowiecki, 6903 Eastbrook Avenue, Baltimore, MD 21224 People's Counsel; Code Enforcement; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	7006	Eastern	Avenue	
		zoned D.		

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a non-conforming use for a two-family dwelling within a group house.

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

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

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

Contract Purchaser/Lessee:

CICE CENCE CANCELO TO

Legal Owner(s):

•			<u> Maria Apost</u>	colou v	
Name - Type or Print		Name -	Type or Print	Alosi	OLOW
Signature	<u></u>		Signature		<u></u>
Address	- 	Telephone No.	Name - Type or Print	<u>,</u>	······································
City	State	Zip Code	Signature		
Attorney For Petitione	<u>r:</u>		26 Manor Spr Address	rings Court	410-592-9217 Telephone No.
John B. Gontrum	. Esquire		Glen Arm,	MD	21057
Name - Type or Print		Ofty	•	State	Zip Code
Signature B ()IMMM	<u> </u>		Representative	to be Contacted:	•
1.3	or C Drocke	m -T.T.D	John B. Cor	ntrum, Esqui	ro
Whiteford, Taylo Company	or a presco	117 71775	Name	ile Lain, Jasqua	<u> </u>
210 WM Pennsylv	ania Avenue	410-832-20		nnsylvania A	venue 410-832-
Address		Telephone No.	Address		Telephone No. 200 (
Towson.	MD	21204	Towson,	MD	21204
Towson, City	State	Zip Code	City	State	Zip Code
1			O.E.	ETAC LICE ANNA	
3			<u>Ur</u>	FICE USE ONLY	
-3			ESTIMATED LENGTH	OF HEARING	
Case No. 06-13	9-SPH		UNAVAILABLE FOR HE	ARING	
		N=t	ed By	Date	7 - OJ
REV 9/15/98	•	Keviewe	ed By	Date	

110 Old Padonia Road, Suite LC Cockeysville, Maryland 21030

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

ZONING DESCRIPTION FOR 7006 EASTERN AVENUE 12TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the north side of Eastern Avenue, (parallel to the north side of Eastern Boulevard) a right- of-way 73.70 feet wide at the distance of 66.91 feet north east of the centerline of the nearest improved intersecting street Adams Place, a right-of- way 60.00 feet wide. Being lot #4R, section #2B in the subdivision of EASTWOOD as recorded in Baltimore County Plat Book #18, Folio #95, containing 2,950 Sq.Ft. or 0.068 Ac.+/-. Also known as 7006 Eastern Avenue and located in the 12th. Election District, 7th Councilmanic District.

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NOTICE OF ZONING HEARING

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

Case: #06-139-SPH

7006 Eastern Avenue N/side of Eastern Avenue at the distance of 66.91 feet n/east of centerline of Adams Place 12th Election District 7th Councilmanic District Legal Owner(s): Marla Apostolow

Special Hearing: to allow a non-conforming use for a two-family dwelling within a group house.

Hearing: Monday, November 7, 2005 at 10:30 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 accommoda-tions Please Contact the Zoning Commissioner's Of-

fice at (410) 887-4386.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

71611 10/200 Oct. 20

CERTIFICATE OF PUBLICATION

1020,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 020 , 2005 .
The Jeffersonian Arbutus Times Catonsville Times
Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News

J. W. LEGAL ADVERTISING

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CERTIFICATE OF POSTING

	RE: Case No.: 06-139-SPH
	RE: Case No.: OG 139 SPH Petitioner/Developer: MARIA
	APOSTOIC
	Date of Hearing/Closing: 100 72
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Fowson, Maryland 21204	
ATTN: Kristen Matthews {(410) 887-3394}	· ·
Ladies and Gentlemen:	•
posted conspicuously on the property located at: [2006] EASTERA	ury that the necessary sign(s) required by law were
- 	10-21-05
	Month, Day, Year)
$oldsymbol{s}$	Sincerely,
ALL MOTICE AND ADDRESS OF THE PROPERTY OF THE	(Signature of Sign Poster) (Date)
1. 16m x 08 MD e - ロービュメント・・コ E <u>D</u> Jayl EL <u>D</u>	SSG Robert Black
	(Print Name)
Check have of Tr Only Lead & Control of the order beautiful to the order of the or	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

7006 EASTERN AVE

OCT 25 2005

Department of Permits and Development Management

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



Baltimore County

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

September 16, 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: 06-139-SPH

7006 Eastern Avenue

N/side of Eastern Avenue at the distance of 66.91 feet n/east of centerline of Adams Place

12th Election District – 7th Councilmanic District

Legal Owner: Maria Apostolow

Special Hearing to allow a non-conforming use for a two-family dwelling within a group house.

Hearing: Tuesday, October 25, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204 Maria Apostolow, 26 Manor Springs Court, Glen Arm 21057

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 10, 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.



TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 11, 2005 Issue - Jeffersonian

Please forward billing to:

John Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, MD 21204

410-832-2000

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: 06-139-SPH

7006 Eastern Avenue

N/side of Eastern Avenue at the distance of 66.91 feet n/east of centerline of Adams Place 12th Election District – 7th Councilmanic District

Legal Owner: Maria Apostolow

Special Hearing to allow a non-conforming use for a two-family dwelling within a group house.

Hearing: Tuesday, October 25, 2005 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM JUNSEMANNI

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. Chesapcake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

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

October 5, 2005

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 06-139-SPH

7006 Eastern Avenue

N/side of Eastern Avenue at the distance of 66.91 feet n/east of centerline of Adams Place 12th Election District – 7th Councilmanic District

Legal Owner: Maria Apostolow

Special Hearing to allow a non-conforming use for a two-family dwelling within a group house.

Hearing: Tuesday, November 7, 2005 at 10:30 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204 Maria Apostolow, 26 Manor Springs Court, Glen Arm 21057

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 22, 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.



TO: PATUXENT PUBLISHING COMPANY

Thursday, October 20, 2005 Issue - Jeffersonian

Please forward billing to:

John Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue

Towson, MD 21204

410-832-2000

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: 06-139-SPH

7006 Eastern Avenue

N/side of Eastern Avenue at the distance of 66.91 feet n/east of centerline of Adams Place 12th Election District – 7th Councilmanic District

Legal Owner: Maria Apostolow

Special Hearing to allow a non-conforming use for a two-family dwelling within a group house.

Hearing: Tuesday, November 7, 2005 at 10:30 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISËMAN III

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 ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is ubject 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: 06-139-SPH
Petitioner: x Maria Apostolou
Address or Location: x 7006 Eastern authoritie
PLEASE FORWARD ADVERTISING BILL TO: Name: John Gentrum, Whik pid Tenjior 1- Prestory Address: 210 W Pansylvania aug. Tausun MD 21204
Telephone Number: 410 832 2000

Department of Permits 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

November 7, 2005

John B. Gontrum, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

Dear Mr. Gontrum:

RE: Case Number: 06-139-SPH, 7006 Eastern Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 7, 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.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

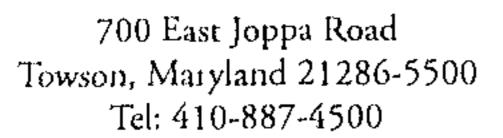
Enclosures

c: People's Counsel

Maria Apostolou 26 Manor Springs Court Glen Arm 21057



Fire Department





Baltimore County

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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 September 22, 2005

ATTENTION: Zoning review planners

Distribution Metings of: September 26, 2005

Item No.: 127,138-141,143-144,146-154

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 410-887-4880 MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 23, 2005

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 5, 2005

Item Nos. 139 J 42, 144, 145, 146, 147,

148, 149, 150, 152, 153, and 154

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-09232005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Zoning Advisory Petition(s): Case(s) 6-139- Special Hearing

DATE: October 4, 2005

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 Amy Mantay in the Office of Planning at 410-887-3480.

Division Chief:

CM/LL



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

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

Maryland Department of Transportation

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

RE: Baltimore County.

Item No. 130 JRF

9.21.05

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

f. f. Frank

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING 7006 Eastern Avenue; N/side Eastern Ave, 66.91' NE c/line Adams Place 12th Election & 7th Councilmanic Districts

Legal Owner(s): Maria Apostolou

Petitioner(s)

FOR

BALTIMORE COUNTY

ZONING COMMISSIONER

BEFORE THE

06-139-SPH

*

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

ER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of September, 2005, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

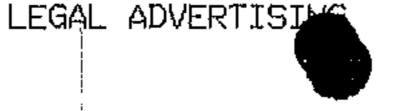
RECEIVED

311 2 0 MM

SIMMEMON PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per....





410-82-4278

Towson Office 409 Washington Avenue Legal Advertising

Ph: 410-337-2425 FAX: 410-825-4278

Susan Wilkinson Ext. 3425
Ellen Harris Ext. 3418
Leah Dean Ext. 3432
Joanne Wernick Ext. 3512
Kathy Conahan Ext. 3417
Sue Thomas Ext. 3513

VERIFICATION OF CANCELLATION

TO: 40 500 2	
RE: Ad No.	1065
Invoice No.	Run Dates:
Property No.	06-(25)-5914-7006 EASKANAVC
Amount Owed:	_
The above ad was to Please verify this cancel	entatively canceled on lation by signing below and faxing this form back to us.
Your written verifica	ation is necessary in order to stop charges on this ac
	Signature Keth Malshews
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U RC2 (1A01) U RC7 (1A03) U RC20 & 50 (1A05) U RC	C6 (1A07) U MR (240) U ML (253) U MH (250)	
CI RC3 (1A02) CI IRC5(1A04) CI RCC (1A06) CI RC	C7 (1A08) □ OTHER:	
BALTIMORE COUNTY ZONIN	NG REGULATIONS (B.C.Z.P.)	
AUTHORITY TO ENFORCE ZONING REGUL.	ATTONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114	
13 1301.1: DR Zones regulations 13 428: License/Remove all untagged/imprerative	13 415A: License remove untagged recreation vehicle 13 415A: Empreparty parked recreation vehicle	
or demaged dischled motor vehicles	II 415A: One recreational vehicle per property II 410: Hogal Class II trucking facility	
O 431: Remove commercial ministrates	13 400: Illegal accumusty structure placement 13 1902 ft 270: 411.1: Ellegal kennel, Limit 3 dogs	
The state of the s	1 102.5; Medicential site line violation /obstruction 1 4008; Medical recurring/ bearding house 1 SCC: 32-3-192; 500.9 BCZR; ZCPM: Violation of	
101; 103.1; ECPM: Megal house occupation	Commercial site plan and/or reming order	
BALTIMORE COUN	TY CODE (B.C.C)	
13-7-115: County to abate nuistence & flor costs	135-2-301: Obtain ballding/fence/ sign permit 13-2-402: Obstruction of county right of way	
13-7-312: Remove accumulations of debris, materials, etc	13-7-310(2): Remove bird seed / other food for rate 13-3-102: Violation of development pink/ site plan	
13.12-3-106: Remove animal feces dally	LI LECTION DESCRIPTION REPORT MESATE STREETE	
35-5-200(a)(c): Seal exterior openings from redents & pests 1 13-4-201(b)(d): Store garbage in containers w/tight lids	13-7-401; 13-7-402; 13-7-403: Cat & rentove all tall grass & weeds to 3 inches in height	
OWNER OCCUPIED		
35-5-392(a)(1); Unsanitary conditions. [] 35-5-392(a)(3): Coase	C 35-5-302(a)(2): Store all garbage in trask cams D 35-5-302(b)(1): Repair exterior structure	
Cl. 35-5-302(h)Y1 Y4); Wannin abbrevious & absolute a second	U 35-5-302(b)(1)(3) Repair extentor extensions U 35-5-302(b)(1)(5) Repair metal/wood parfaces	
10 30 302 (a)(1)(5)). Royale definition descript / winds with	35-5-502(b)(1)(7) Repair defective female	
INVESTMENT PRO 35-2-404(a)(1)(i): Remove hazardous or unsafe condition		
1. 35-2-404(a)(1)(41): Repair twof or harkowish members 1. 35-2-404(a)(1)(v): Repair ext. planter or masonry	35-2-404(a)(1)(ll): Repair ext. walks / vertical members 35-3-404(a)(1)(iv): Repair exterior chimney	
35-2-484(a)(1)(vii): Repair exterior construction (see below) 1 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s)	35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations 35-2-404(a)(1)(2): Remove track, rubbits, & debris	
	35-2-404(a)(4)(l)(li): Board & eleura. Material to match building color of structure	
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POTENTIAL PINE: #4700.00 () \$500.00 [] \$1000.00 Per Dav	Yes Violation and to be placed as a tien was	
POTENTIAL PINE: #10200.00 (18500.00 [151000.00 Per Day COMPLIANCE: MONTH TO DAY	YEAR	
INSPECTOR NAME: (D- RIOUX	YEAR	
COMPLIANCE: MONTH DAY	ISSUED DATE 13,05	

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

October 5, 2005

Mr. John B. Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, MD 21204

Dear Mr. Gontrum:

RE: Case Number: 06-139-SPH, 7006 Eastern Avenue

The above matter, previously scheduled for October 25, 2005, has been postponed at your request. The hearing has been rescheduled and the new notice is attached.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours! Korroco

Timothy Kotroco Director

TK:klm

C: Maria Apostolou, 26 Manor Springs Court, Glen Arm 21057



WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET BALTIMORE, MARYLAND 21202-1626 TELEPHONE 410 347-8700 FAX 410 752-7092

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210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204-4515 410 832-2000 FAX 410-832-2015

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1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2928 TELEPHONE 703 836-5742 FAX 703 836-0265

September 7, 2005

Via Hand Delivery

Ms. Kristin Matthews Department of Permits & Development Management Room 111 111 W. Chesapeake Avenue Towson, Maryland 21204

> Schedule for Special Hearings: Re:

> > 06-114-SPH (G. Barker, 7012 Eastern Ave.) 06-134-SPH (G. Schmidt, 7010 Eastern Ave.) 06-135-SPH (W. Streeter, 7004 Eastern Ave.) 06-139-SPH (M. Apostolou, 7006 Eastern Ave.)

Dear Ms. Matthews:

Please accept this letter as a formal request to schedule the above-referenced special hearings for the same date and time, as they are identical non-conforming use cases all located on Eastern Avenue and represented by Whiteford, Taylor & Preston, LLP.

Please call me at the number noted above if you have any questions or concerns.

Cc: John Gontrum, Esq.

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