IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E/S Willys Avenue, 50' S of the c/l		
June Road	*	ZONING COMMISSIONER
(5537 Willys Avenue)		
13 th Election District	*	OF
1 st Councilmanic District		
	*	BALTIMORE COUNTY
William M. Porter, et ux		
Petitioners	*	CASE NO. 06-467-SPH
William M. Porter, et ux	*	BALTIMORE COUNTY

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, William M. Porter, and his wife, Carol Porter. The Petitioners request a special hearing seeking approval of the three-apartment dwelling on the subject property as a legal, nonconforming use. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were William M. Porter, property owner, Herbert Malmud, the Surveyor who prepared the site plan for this property, and Michael P. Tanczyn, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present. However, it is to be noted that a letter of opposition was received from Keith and Katheryn Hartig, nearby residents of the area who reside at 5505 Willys Avenue.

They included Petitioners' Exhibit 1, the site plan to accompany the Petition for Special Hearing, as well as an orthoplot (Petitioners' Exhibit 2), showing the Petitioners' property as it appears in the community of Sulphur Spring Terrace. Petitioner's Exhibit 3 was the plat of Sulphur Spring Terrace, indicating it had been approved as a subdivision in 1925. Petitioners' Exhibits 5A-5C were pictures showing the house, in its present condition, on the same footprint that it was built on in 1940. Petitioner's Exhibits 6A

and 6B were Affidavits from long time residents of the community, including Leon L. Lineburg, whose father was the builder of the three-apartment dwelling on the subject property and who saw it constructed. All of the Affiants claim personal knowledge that each of the apartments in the dwelling were used continuously and uninterruptedly from April of 1940 to the time of Affidavit, as separate apartment units. Affiants included former residents and tenants of the former owner, who had resided in 5537 Willys Avenue, as well as long standing next door neighbors who claimed the property had been continuously rented as three apartments and some had resided in it as far back as the early and late 1940s. Petitioners also presented a flood map excerpt, to show that the property did not lie within a floodplain, which was Petitioners' Exhibit 7. Petitioners' proffer was that the three apartments had been continuously rented from time of Affidavit to the present.

The facts presented by proffer and exhibit in this case are clear and undisputed. The subject property at 5537 Willys Avenue lies in the subdivision of Sulphur Spring Terrace in Baltimore County, as shown on Petitioners' Exhibit 1. The property contains a gross area of 6,250 sq. ft., zoned D.R.5.5 and is improved with a one-in-a-half story, cape code, which contains three apartments. The site plan submitted sets forth the floor plans, indicating that there are two, one-bedroom apartments on the first floor and one, one-bedroom apartment on the second floor, with dimensions stated and floor plans for each floor shown thereon. The Petitioners have owned the property since December 1998; however, recently registered same as a rental property. It was during the course of a routine home inspection during the application process that the Petitioners were advised to file the instant Petition to verify and legitimize the nonconforming use of the property as a three-apartment dwelling unit.

The undisputed testimony and proffer was that the house was built in 1940 as a three-apartment dwelling, with two units on the first floor and one unit on the second floor. The configuration of the house has remained unchanged since its construction, well before the adoption of zoning regulations in

Baltimore County in 1945, or their comprehensive re-adoption in 1955. It is clear that the case comes before me, not as an instance where a single family house was converted to a multi-family dwelling, but where the dwelling was constructed and used as a three family dwelling well before the adoption of the zoning regulations in Baltimore County.

The testimony and proffer and Affidavits, also undisputed, indicate that the property had been continuously and uninterruptedly used as a three family unit dwelling from the time of its construction until the present.

The standard to legitimize a nonconforming use is set forth within Section 104 of the B.C.Z.R. Specifically, Section 104.1 provides:

"A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, the right to continue or resume such nonconforming use shall terminate."

It is clear that the nonconforming use presented in this case predates, by a substantial period, the adoption of the B.C.Z.R. in1955 and the earlier regulations in 1945.

The undisputed and uncontradicted evidence principally through the Affidavits of long time neighborhood residents and former occupants, and in some cases, former tenants of this structure persuades me that the property has been used as a three family dwelling unit, continuously and uninterruptedly to the present. The proffered testimony of the present owner, William Porter, advised me that there are separate meters for utilities for each of the units and that each of them has separate mail boxes. He stated that he paid the water bill for the property, which was not separately metered.

As noted above, a letter of opposition was received from Keith and Katheryn Hartig who reside in the neighborhood. It is unfortunate that Mr. & Mrs. Hartig did not attend the hearing in this matter. Apparently, they were unaware of the history of the subject property and were under the impression that

CAST RECEIVED FOR FILING PARTIES AND TO SELLING PARTIES AND TO SELLI

the requested relief was to allow the conversion of the home from a single-family dwelling use to a multi-family dwelling. In any event, it is clear that the subject property has existed as a three-apartment dwelling since its construction in 1940 and that the use has been continuous and uninterrupted since that time.

After due consideration of the testimony and evidence presented, I am persuaded that the subject property has been used continuously as a three-apartment dwelling since 1940 and as such, is nonconforming. The evidence is uncontradicted that there has been no change in the use and the structure. The property retains the same characteristics and floor plan as when built as three family apartments within the single two story structure. The use has continued uninterruptedly through the present. I find as fact that there is no evidence of abandonment or discontinuance of use.

Pursuant to the advertisement, posting of the property, and public held thereon, and for the stated reasons, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this day of May 2006, that the Petition for Special Hearing seeking approval of the three apartment dwelling on the subject property as a nonconforming use, in accordance with Petitioner's Exhibit 1, be and the same is hereby APPROVED.

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

Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

May 24, 2006

Michael P. Tanczyn, Esquire 606 Baltimore Avenue, Suite 106 Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING

E/S Willys Avenue, 50'S of the c/l June Road (5537 Willys Avenue)
13th Election District — 1st Council District
William M. Porter, et ux - Petitioners
Case No. 06-467-SPH

Dear Mr. Tanczyn:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very traffy yours,

Zoning Commissioner-

for Baltimore County

AM I WISEMAN, III

WJW:dlw

c:

Mr. & Mrs. William Porter, 3829 Paul Mill Road,
Ellicott City, Md. 21042-3771
Mr. Herbert Malmud, H. Malmud & Associates, Inc.,
12018 Ridge Valley Drive, Owings Mills, Maryland 21117
Mr. & Mrs. Keith Hartig, 5505 Willys Avenue,
Baltimore, Md. 21227
People's Counsel; Case File



CHICALONIC THEORY

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	5537	Willys	Avenue	3
which is	presently	zoned	DR 5.	5

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

for a three apartment residence, pursuant to BCZR 104.1

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

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

	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	William M. Porter
Name - Type or Print	Name - Type or Print Port
Signature	Signature
A didana	Carol Ann Porter
Address Telephone No.	Name - Type or Print (As a land for Test
City State Zip Code	Signature
Attorney For Petitioner:	3829 Paul Mill Road 410-750-2900
Michael P. Tanczyn, Esquire	Address Ellicott City MD 21042-3771
Name - Type or Print	City State Zip Code
my That	Representative to be Contacted:
Signature	TOPTOOTICALLY OF TO A CONTRACTOR
Michael P. Tanczyn, P.A.	**************************************
Company	Name
606 Baltimore Avenue, Ste. 106 Address Telephone No. Maryland 296-8823	Address Telephone No.
Towson Maryland $\frac{410-296-8823}{204}$ State Zip Code	City State Zip Code
	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No. OG 467-5P4	UNAVAILABLE FOR HEARING
	iewed By 500-) Date 0324-06

H. MALMUD & ASSOCIATES, INC. 12018 RIDGE VALLEY DRIVE OWINGS MILLS, MARYLAND 21117

TELEPHONE 410 382-2959

ZONING DESCRIPTION 5537 WILLYS AVENUE BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME ON THE EAST SIDE OF WILLYS AVENUE, 40 FEET WIDE, 50 FEET SOUTHERLY FROM THE SOUTH SIDE OF JUNE ROAD, 30 FEET WIDE, THENCE BINDING ON WILLYS AVENUE:

- (1) SOUTH 03 DEGREES 00' 00" EAST 50.00 FEET, THENCE LEAVING WILLYS AVENUE AND RUNNING THE THREE FOLLOWING COURSES AND DISTANCES:
 - (2) NORTH 87 DEGREES 00' 00" EAST 125.00 FEET,
 - (3) MORTH 03 DEGREES 00' 00" WEST 50.00 FEET AND
- (4) SOUTH 87 DEGREES 00' 00" WEST 125.00 FEET TO THE PLACE OF BEGINNING.

CONTAINING 6250 SQUARE FEET OR 0.143 OF AN ACRE OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE,

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY, AND/OR COVENANTS OF RECORD AND LAW.



HERBERT MALMUD REGISTERED LAND SURVEYOR MARYLAND # 7558 OCTOBER 16, 2005

file Zoning Petition 5537 Willys Ave

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: #06-467-SPH

5537 Willys Avenue East side of Willys Avenue, 50 feet south of June Road 13th Election District 1st Councilmanic District Legal Owner(s): William M. &

13th Election District
1st Councilmants District
Legal Owner(s): William M. &
Carol Ann Porter
Speicla Hearing: to allow a
non-conforming use for a
three-apartment residence.
Hearing: Friday, May 12,
2006 at 9:00 a.m. in Acom
407, County Courts Bullding, 401 Bosley Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-4386.

fice at (410) 887-4386, (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

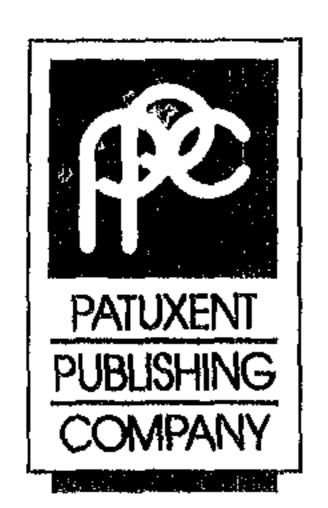
4/300 Apr 27

92824

CERTIFICATE OF PUBLICATION

427,2006
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 $4\sqrt{27}$, 2006 .
The Jeffersonian
🖵 Arbutus Times
🖵 Catonsville Times
☐ Towson Times
🗀 Owings Mills Times
□ NE Booster/Reporter
North County News

UNERTISING



13337



型件 原金额学

FILEPARE INVESTMENT

PLEASE FORWARD PAYMENT TO: 10750 Little Patuxent Parkway Columbia, MD 21044 Advertising 410-337-2425 (Ext. 3418) or (Ext. 3425) Billing 410-730-3990 (Ext. 1217) TIN/EIN 52-2064223

> WESSEL F FONGEYR ESSE other the states are other W. W. 130 THESAN TO TENIA

CHICHERLY LANGUA

16-111-1119-28-24 INVOICE NO. 79,1916 REF

- Columbia Flier
- Howard County Times
- Laurel Leader
- Soundoff!
- Arbutus Times
- Catonsville Times
- Owings Mills Times
- Towson Times
- Northeast Booster
- Northeast Reporter
- Baltimore Messenger
- Jeffersonian
- North County News

5m 1cm YFC - 3937 利益表別、Average PAYMENT DUE UPON RECEIPT OF INVOICE	INVOICE	DATE	13	/ (6/ /(6	
DESCRIPTION	LINES	TIMES	AGATE LINES	. PATE	AMOUNT
1.77.7086 4/27/2006 Entitle the Teletic Meaning of the Tonker of Selections County, by the Selections County, by the Selections County, by the Tonker County and known with your residence County with your residence County with your residence.		A. T.			
PUBLICATIONS		A	DJUSTMI	ENTS	
P.O. NO.		PH	OOF CHA	ANGES	
		PRI	EPAID AN	/IOUNT	
OMGINAL. This invoice has been printed with environment		TOTA	VL AMO	INT DUE	vi 34 . ₹.

This invoice has been printed with environmentally safe ink.

CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Attention: Christen Matthews

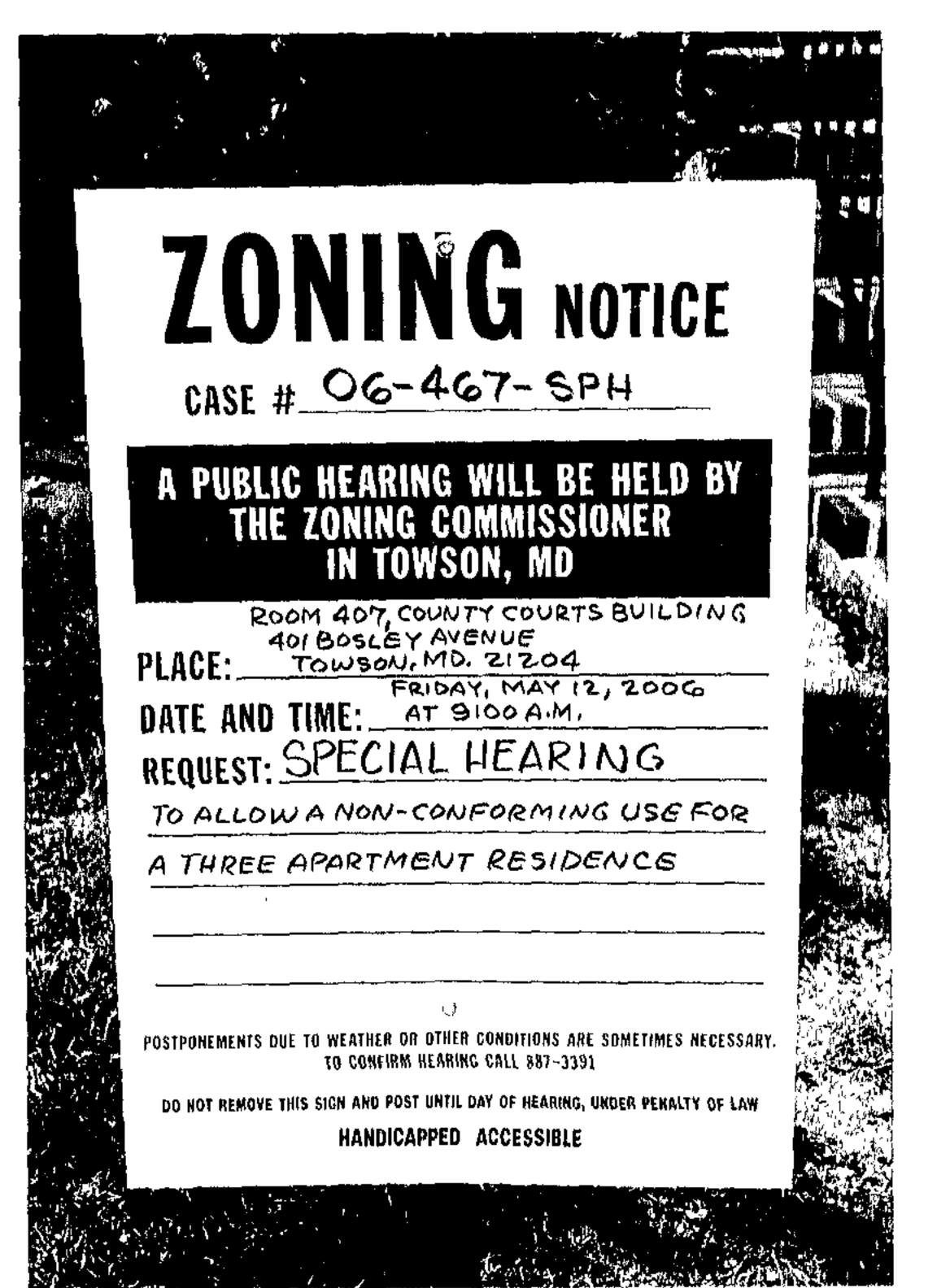
The sign(s) were posted on

Towson, MD 21204

Permits and Development Management

Petitioner/Developer: WILLIAM POT7512 Date of Hearing/Closing: MAY 12, ZOCC 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 propery located at (Month, Day, Year) Sincerely, (Signature of Sign Poster and Date) CJAPLAGED E, MOORE (Printed Name) 3225 RYERSON CIRCLE BAUTIMORE, MD, 21227
(City, State, Zip Code) (410) 242-4263 (Telephone Number)

RE: Case No.: 06-467-564



ATE () ()	12 ([- ()/(_ ACCOUNT	(1.000000000000000000000000000000000000
		AMOUNT \$	1. () () () () () () () () () (
ECEIVED	((' t z \ e	(1) h. M. M. M. M. M.	, }
·		((115, 1) C)	11-1. (1.46)(c., .

10 6 6 (Color 124)

CASHIER'S VALIDATION

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: 66-467-574 Petitioner: WILLIAM PERTER
Address or Location: 5537 WILLYS Av-R
PLEASE FORWARD ADVERTISING BILL TO:
Name: Michael TANCZYN
Address: STE 106 GOG BALTIMODE AUP
Towson, MD 21204
·
Telephone Number: 1/10296 8333

Revised 2/20/98 - SCJ

06-467.5PH

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

March 31, 2006

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: 06-467-SPH

5537 Willys Avenue East side of Willys Avenue, 50 feet south of June Road 13th Election District – 1st Councilmanic District Legal Owners: William M. & Carol Ann Porter

Special hearing to allow a non-conforming use for a three-apartment residence.

Hearing: Wednesday, May 3, 2006 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Michael Tanczyn, 606 Baltimore Avenue, Ste. 106, Towson 21204 William M. & Carol Ann Porter, 3829 Paul Mill Road, Ellicott City 21042-3771

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 18, 2006.

- (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.

PATUXENT PUBLISHING COMPANY TO:

Tuesday, April 18, 2006 Issue - Jeffersonian

Please forward billing to:

Michael Tanczyn 606 Baltimore Avenue, Ste. 106 Towson, MD 21204

410-296-8823

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: 06-467-SPH

5537 Willys Avenue East side of Willys Avenue, 50 feet south of June Road 13th Election District – 1st Councilmanic District Legal Owners: William M. & Carol Ann Porter

Special hearing to allow a non-conforming use for a three-apartment residence.

Hearing: Wednesday, May 3, 2006 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN 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

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 5, 2006

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: 06-467-SPH

5537 Willys Avenue
East side of Willys Avenue, 50 feet south of June Road
13th Election District – 1st Councilmanic District
Legal Owners: William M. & Carol Ann Porter

Special hearing to allow a non-conforming use for a three-apartment residence.

Hearing: Friday, May 12, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Michael Tanczyn, 606 Baltimore Avenue, Ste. 106, Towson 21204 William M. & Carol Ann Porter, 3829 Paul Mill Road, Ellicott City 21042-3771

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY APRIL 27, 2006.

- (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, April 27, 2006 Issue - Jeffersonian

Please forward billing to:

Michael Tanczyn

606 Baltimore Avenue, Ste. 106

Towson, MD 21204

410-296-8823

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: 06-467-SPH

5537 Willys Avenue East side of Willys Avenue, 50 feet south of June Road 13th Election District – 1st Councilmanic District Legal Owners: William M. & Carol Ann Porter

Special hearing to allow a non-conforming use for a three-apartment residence.

Hearing: Friday, May 12, 2006 at 9:00 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

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



Baltimore County

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

May 5, 2006

Michael P. Tanczyn, Esquire 606 Baltimore Avenue, Ste 106 Towson, MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 06-467-SPH, 5537 Willys Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 24, 2006.

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:amf

Enclosures

c: People's Counsel William M. Porter Carol Ann Porter 3829 Paul Mill Road Ellicott City 21042-3771



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: April 6, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For April 10, 2006

Item Nos. 446, 457, 458, 459, 462, 463, 464, 465, 467, 468, 469, and 470

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-04062006.doc

53

M32 5/12

DATE: April 11, 2006

The same of the sa

APR 2 1 2000

ZONNIG COMBINED

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

SUBJECT:

5537 Willys Avenue

INFORMATION:

Item Number:

6-467

Petitioner:

William M. Porter

Zoning:

DR 5.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and it appears the subject property is not large enough to accommodate a 3-apartment dwelling (i.e. parking etc...). Furthermore, apartment uses are not consistent with the existing neighborhood. Single-family detached dwellings are the current principal use. As such the Office of Planning recommends the petitioner's request be <u>denied</u>.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL: CM

Fire Department

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





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 April 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: April 3, 2006

Item Numbers: 446, 457-470

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.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



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



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

Maryland Department of Transportation

Date: 3.31-121

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

RE:

Baltimore County

Item No. 447

JRA

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

Steven D. Foster, Chief

1. p. Small

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING
5537 Willys Avenue; E/S Willys Avenue,
50' S June Road

13th Election & 1st Councilmanic Districts Legal Owner(s): William & Carol Porter Petitioner(s) * BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 06-467-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 and all documentation filed in the case.

PETER 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 7th day of April, 2006, a copy of the foregoing Entry of Appearance was mailed to, Michael Tancyzn, Esquire, 606 Baltimore Avenue, St. 106, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

APR 0 7 2006

Per. Yw

LAW OFFICES

MICHAEL P. TANCZYN, P.A.

Suite 106 • 606 Baltimore Avenue Towson, Maryland 21204

Phone: (410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

March 24, 2006

VIA HAND-DELIVERY

W. Carl Richards
Zoning Administrator
111 W. Chesapeake Avenue
Towson, MD 21204

Re: 5537 Willys Avenue

DR 5.5

Dear Carl:

Based on feedback we received from a zoning technician, enclosed herewith please find the documents mentioned below, along with our check in the amount of \$325.00 for filing costs:

- 1. Three original Petitions For Special Hearing, executed by the parties and counsel;
- 2. Three surveyor's descriptions, sealed by Herbert Malmud, registered land surveyor;
- 3. One 200 scale map excerpted with the property highlighted in yellow and outlined.
- 4. Twelve copies of the plat to accompany Petition For Special Hearing, setting forth the information required on the Zoning Commissioner's checklist.

Please be advised that there are no active or pending violation cases concerning this matter. Please advise us of any hearing dates scheduled in this matter.

If there are any other questions, please do not hesitate to contact me. Thank you for your assistance in this regard.

Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl

Encl.

cc: Mr. and Mrs. Porter

Herbert Malmud

LAW OFFICES

MICHAEL P. TANCZYN, P.A.

Suite 106 • 606 Baltimore Avenue Towson, Maryland 21204

Phone: (410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

April 5, 2006

Department of Permits and Development Management Attn: Ms. Kristen Mathews 111 W. Chesapeake Avenue Towson, MD 21204

Re: Case No.: 06-467-SPH

Dear Kristen:

The purpose of this is to confirm that the above case has been rescheduled for Friday, May 12, 2006 at 9:00 a.m. in Rm. 407, County Courts Building, Bosley Avenue, Towson, Maryland 21204. Pursuant to our conversation of April 5, 2006, I understand you will take care of the ad and I will advise the sign poster to advertise it that way. I understand that you will not be giving us a further notice and that this confirmatory letter will be placed in the file.

Thank you for your assistance and welcome back from maternity leave. I hope that all are doing well.

Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl

cc:

Mr. and Mrs. Porter Herbert Malmud

5505 Willys Ave. Baltimore, MD 21227

May 11, 2006

Mr. William Wiseman Zoning Commisioner 401 Bosley Ave. Towson, MD

Dear Mr. Wiseman:

We would like to express our opposition to the petition for a non-conforming use to allow three apartments at 5537 Willys Ave. (Case 6-467-SPH, William and Carol Ann Porter). The requested non-conforming use does not meet current zoning requirements for lot size & set-backs and is not in keeping with other properties on the street. Furthermore, it does not meet the requirements for exemption under the "grandfathering" laws dating back to the 1950s.

There is already a relatively high percentage of rental property, both single-family and multi-family housing, in this neighborhood. More rental properties will only further degrade property values in this area.

Finally, please consider that the current regulations were enacted to protect both the character of the neighborhoods and property values of homes in older neighborhoods such as this. This request violates the intent of the existing zoning regulations and therefore should not be granted.

Thank you for your time and attention to this matter.

Sincerely,

Kelth and Katheryn Hartig

5505 Willys Ave.

Baltimore, MD 21227

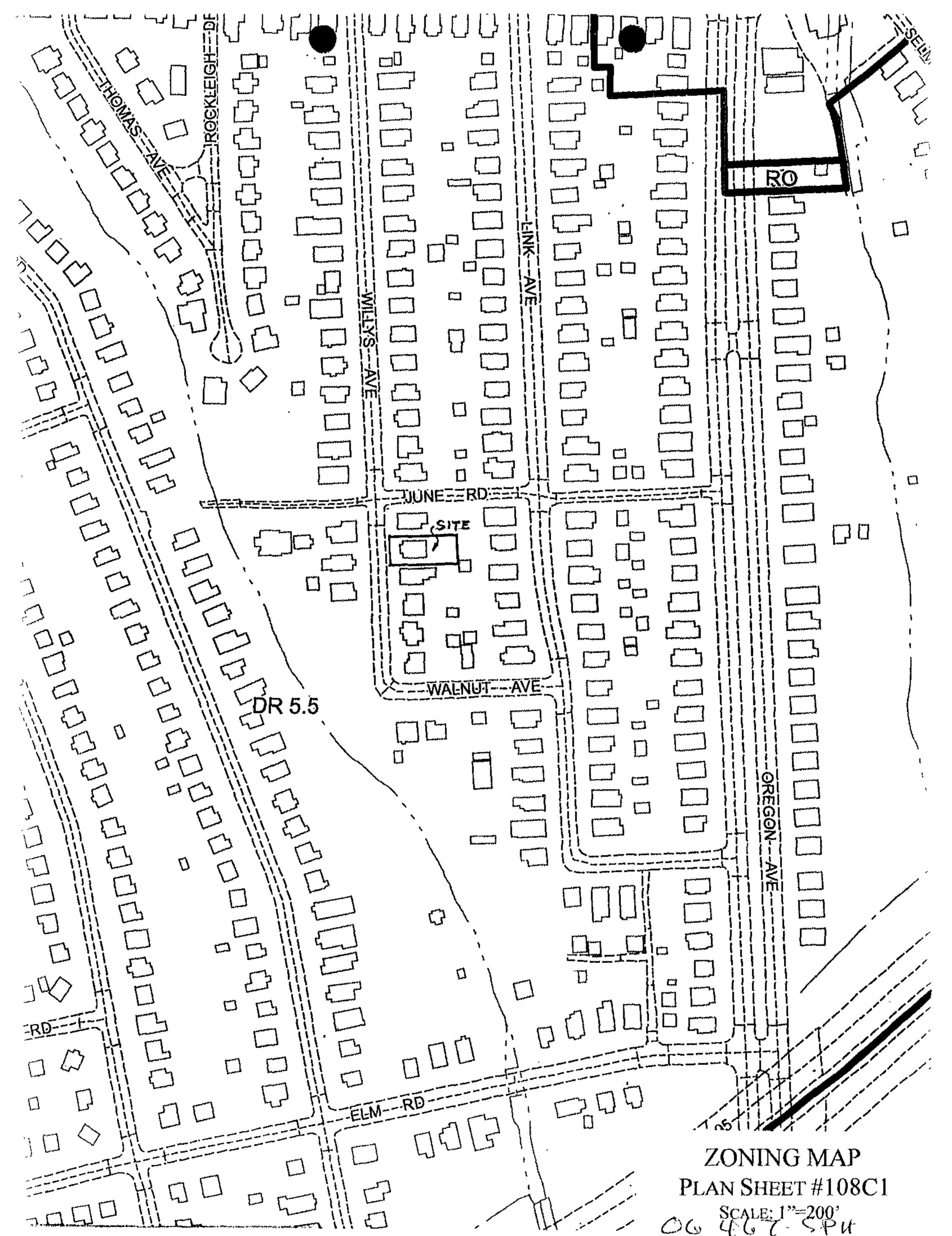
410.242.4639

PLEASE PRINT CLEARLY

CASE NUMBER GON HEN SPH DATE MARK TOOK HEN SPH

PETITIONER'S SIGN-IN SHEET

E- MAIL	MPTIANS VERIZON, NET	PAPA JARS & ACL, COM								
CITY, STATE, ZIP	To wood	5 =								
ADDRESS	3000	12018 RIDGE VALLEY DR								
NAME	Michied Porte	MAL								



Case No.:

06-461 SPH

Exhibit Sheet

Petitioner/Developer

Protestant

NI _O 1		
No. 1	Site Peron	
	J 1 12 121.0 3	
No. 2	ORTHO PLAT OF,	
	ORTHO PLAT OF (GIS) NEIGHBOR HOOD (GIS)	
No. 3		
	Sulphun Strong terrace	
	Sulphun Strong terrace)
No. 4	Deep duted	
	12/11/98 - to letitioner	
No. 5	Collectively - Photograph	۵
	2000	
No. 6	Colleativary LA	
110.0	AFFIDAVITS - 1986 6B	
	6 from Long time Residents	
No. 7		
	FLOOD MAP	
No. 8		
į		
No. 9		VIEW
1NO. 9		
	······································	
No. 10		
No. 11		
N1. 10		
No. 12		
		•

0013420 733

This Deed, MADE THIS 11th day of December in the year One Thousand Nine Hundred Ninety Eight by and between Allan W. Davis, Audrey B. Davis and Miles Davis, parties of the first part, and William M. Porter and Carol Ann Porter, parties of the second part.

Witnesseth, That in consideration of the sum of One Hundred Thirty Four Thousand Nine Hundred Dollars and NO Cents (\$134,900.00), the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, as Tenants by the Entircties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple, that parcel of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING for the same on the East side of Willys Avenue fifty feet south from the southeast corner of Willys Avenue and June Road and running thence South on the East side of Willys Avenue fifty feet with a depth of even width throughout in a Easterly direction of one hundred twenty five feet; meaning and intending to convey Lot No. 24 as shown on the Plat No. 2 of Sulphur Spring Terrace, which Plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 7, folio 193. The improvements thereon being known as No. 5537 Willys Avenue.

BEING the same parcel of ground which by deed dated February 2, 1990 and recorded among the Land Records of Baltimore County, Maryland in Liber SM No. 8416, folio 700 was granted and conveyed by Rose Marie Bryant Ind. & as atty in fact for Donna L. Bryant Michele M. Bryant & Trustee of Richard L. Bryant, Jr. unto Allan W. Davis, Audrey B. Davis and Miles Davis, the Grantor herein.

This is to certify the within instrument was prepared under the supervision of an Atto	rney duly admitted to practice befor	e _{e a}
the Court of Appeals of the State of Maryland.	1 KEEDROING TEE	3.80 W.WI
$\Omega_{\alpha} = \Lambda \Omega_{\alpha} = \Lambda \Omega_{\alpha}$	KECORDATION I	
LIVING ALXINY	NVIA IR TAX STATE	(] 4 . [3]
A. Joseph Cservek	=	
	Regt RACE Hort t	111
'\ \	SM BC (12) 1 1	95

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

TO HAVE AND TO HOLD the said described lot of ground and premises to the said parties of the second part as Tenants by the Entireties, their assigns, the survivor of them and the survivor's personal representatives, heirs and assigns, in fee simple.

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

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

rest;		
	allen W. Denne	(SEAL
	ALLAN W. DAVIS	
	Jan- 5, Ani	(SEAL)
	AUDREY B. DAVIS	
······································	My Dona	(SEAL)
	MILES DAVIS	-

STATE OF MARYLAND, COUNTY OF HOWARD, to wit:

I Hereby Certify, That on this 11th day of December in the year One Thousand Nine Hundred Ninety Eight, before me, the subscriber, a Notary Public of the State of MARYLAND, County of HOWARD personally appeared Allan W. Davis, Audrey B. Davis and Miles Davis known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act, and in my presence signed and sealed the same.

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

ANITA A. GALLO NOTARY PUBLIC STATE OF MARYLAND YTP/UCU CRAWOH Commission Expires October 1, 2000

File Number: 2016CEC

My Commission Expires: October 1, 2000

- ~ これとしいれないなる よたしいおいしつ: FOUNTAINHEAD TITLE GROUP 5310 STEVENS FOREST ROAD SUITE 105

COLUMBIA, MARYLAND 21046 FILE NO. 2016 -CEC

PETITIONER'S

EXHIBIT NO.

0013420 734

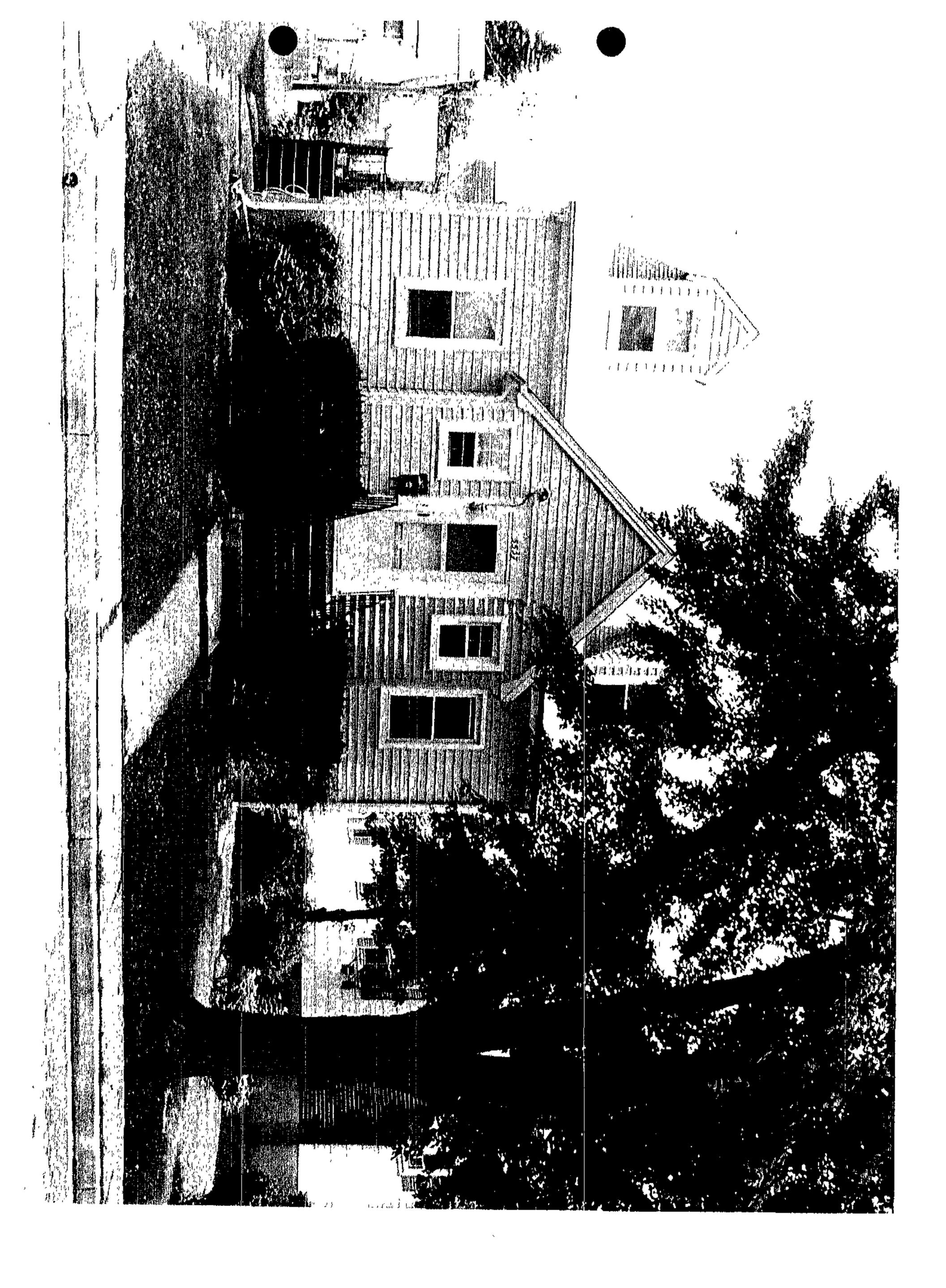
State of Maryland Land Instrument Intake Sheet Bakimore City County: Baltimore County

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.

CCHALLEMITION
FRUIESS ACTUAL
12/21 1998 12/21/1998 14:25:
REG NOOS CASHIER LSMI : Y TRADE:
7 TILLE TRANSFER

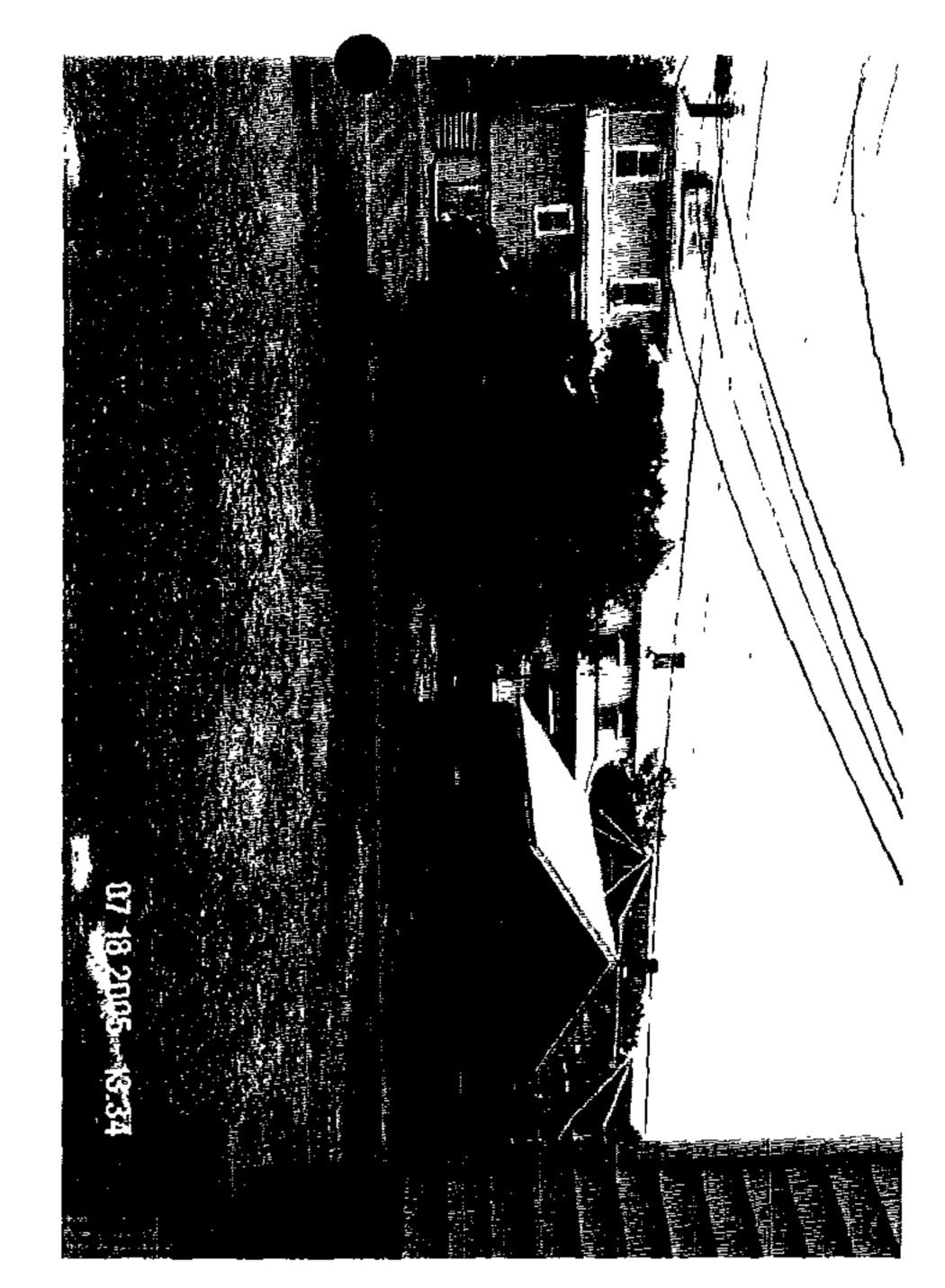
graphic to the contract of the	(Type or Print	in Black Ink C	nly - All Copie	s Must Be Legib	le)		7 TILE 1	FRANSFER	ara enda M er			
Type(s)	(1) Check Box	if Addendum i	nake Fixin ia A	ttached.)		Ke	CELPT	Ú8854	1			
of Instruments	1 Deed		rigage	Other		Other HO	CON TYNUC	1317/5/490	•			
-	Deed of Tra	usi Le	isc					•	$\{0\}_{i=1}^{n}$			
2 Conveyance Type	X Improved S	ale Un	improved Sale	Multiple Acc	ount	Not an Arn	is- Bolti	Goore Count	y - Middle Lagran			
Check Box	Arm-Length	1[1] Ar	ms-Length(2)	Arms-Length		Length Sale	1	1000	2 4 4 4			
3 Tax Exemptions	Recordation	or , cit		· · · · · · · · · · · · · · · · · · ·			1.1					
(if applicable)	State Leasader		- 	· · · · · · · · · · · · · · · · · · ·								
Cite or Explain Authority	County Transf	er:										
4	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Consideration	Amount:	· · · · · · · · · · · · · · · · · · ·	7		ce Office					
	Purchase Price/	Consideration	\$	134,900.00	 	Transfer and	Bacanda	Edward Charles				
Consideration	Any New Mort	gage	\$		-00/0147505644	w Tax Count		18 182 -4				
and Tax	Balance of Exis	ting Mortgage	5		X(14	ngagangan ng kanabat ng Pro- man at at Pro-Ambat na Ambat ng Ambat na Ambat Managan na Ambat	12				
Calculations	Other:	······	5		I see To	comption Am		+	-			
						raisin Tax			*******			
	Other:		\$			etion Tax Co		-	*******************************			
	1					per \$500	MANCE BAR IS	i jap	## \$\$#\$###############################			
	Full Cash Value		\$		TOTAL		*********	12				
5	Amount of		D	bė.·I	h:x:0	The second of the second of the second		12	- Pak-Titisan prisangangan bermana			
Fees	Recording Char	 	1	********	†************	Noc. 2		Agent:				
	Surcharge	<u> </u>	\ <u>`</u>	20.00	4							
$\mathcal{O}_{\mathbb{R}}$	State Recording	Tax	 	5.00	 			Tax Bill:				
P) /	State Transfer T		<u> </u>	675.00	13	······································			1994Tilbrig open blesse <u>r a</u>			
. 15.	County Transfer		<u> </u>	674.50	13			C.B. Cred	k:			
1150	Other		-	2023.50	 }							
177	Other		13		12			A.G. Tax	Other:			
		Barbanas Was			5	والمعارض والمعارض والمعارض والمعارض والمعارض والمعارض						
Description of	************			ntor Liber/Folio	!	Map	Perc	e No.	Var. LOG			
Property	13	Subdivision Na	70490 841						()(5)			
SDAT Requires				Lot (3a)	Plock(3)	Sect/ARG) Plat	Rei. S	qFVAcroqu(4)			
	Sulphur Sp			1 24			7/193					
Submission of all		L	ocation/Addre	s of Property Be	ing Con	reyed (2)		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~				
applicable information.	5537 Willy	s Avenue,	Baltimore	, MD 21227				1866-146-146-146-146-146-146-146-146-1	 			
A maximum of 40	and the same of th	Other Propert	y Identifiers (t	applicable)			Wate	e Meler Ac	recent No.			
characters will be		ۻۻڰڹڰڝڝڰٙڝڝڰۺ ۻ ۼڝڝڰۼڝڮ					·····	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 	******			
	Residential (2 c		****	Fee Simple 20	r Groces	d Rout Ar	mount: \$					
with the priority cited in	Partial Couvey	MICE? [] Yes []	No De	scription/Amt. of S	SqFt/Acr	eage Transfei	red:					
Real Property Article												
Section 3-10(g)(3)(i).	If Partial Conve			veyed:		· · · · · · · · · · · · · · · · · · ·			· · · · · · · · · · · · · · · · · · ·			
		c. 1 - Grantor(ı) Name(s)			Dec. 2 - G	ranter(s)	Nauso(s)				
Transferred	Allan W. p							***************************************	***************************************			
From	Audrey B.	Davis, Mil	les Davis									
	Duc. 1 - Cremer	(n) of Record, i	! Different for	m Gruntor(s) D	oc. 2 · O	wner(s) of R	scord. If Y	Witheren's for	ma (Grantoria)			
												
	Dec	:, 1 - Grantou(s	Namua(s)			Doc. 2 - G	Grantee(s) Name(s)					
	William M.	Porter		······································	was a . strongly tribingly							
Transferred	Carol Ann											
To			New Owne	r's (Grantee) Ma	iling Ad	årøss						
	3829 Paul Mill Rd., Ellicott City, MD 21042											
9 Other Names	Doc. 1 - Add	itional Name(s)	to be indexed	(Optional)	Doc. 2 -	Additional N	sereist to	na Exclavad	(Cluster at)			
To Be Indexed				******************	*****			na straitan	(Obrasium)			
			····································						<u> </u>			
10	The state of the s	istrument Subr	alted Hy or Co	entuct Person			10	Raturn to C	Contact Person			
		ele Loheof		FIL	E :	2016CEC	<u> </u>	j month (U (SOMMER E CESUII			
Information	T	Fountainhe	 				ļ	Hold for P	ickun			
	Address: 6310		 	d			L) WIG 101 F	·~wah			
	Suite 100,	Columbia	MD 21046	(410)	381-53	300		Return A.t.	ress Provided			
ì	11 IMPORTA!	vi both th	E ORIGINAL	DEED AND A PI	Ютос	OPY MUST	ACCOMP	ANV BACT	TDANCERD			
	· ···	Yes X	No Will the p	roperty being con-	veyed be	the granter's	principal	residences	Printer ASSE, Tries			
	Assessment	Yes X	No Does tran	sfer include persor	nal nrore	rty! If wee i	gentitus dentitus	volucité (
	Information	******	-	*	- tracks	y y wat t	-venity i					
		Yes X	No Was prop	erty surveyed? If	Yes, altai	ch conviotism	rumu lif	nnedad	remai no			
			white a company of the	# LASSA × FOG LASS A	Write Na	har This I is	• · · · · · · · · · · · · · · · · · · ·	orucu, no c	oby reduited)			
	Torrand Varia		I JOUCHUM ARIA	Contract to the second second	TYCH			H YAME BOX	NA VOMORNO			
	TANGE REPORT	118			AS PARKS			A PERSON IN				
	Land	***************************************	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Zorang	G		0.0					
ļ	Be Rivers	******			P	*************	Sector	Section (Section)	Con Ca			
	REMARKS		40 To 10 To	Town Op.	I.		D. C.		Oot. Cd			

		4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-4-		*****	***************************************				the second second			
}	***************************************	************		***************************************		, , , , , , , , , , , , , , , , , , , 	****	************				
ľ	****	s - Clerk's Office	**************************************	******************				······································				
ĺ	Cana	ry - SSDAT										
j		- Office of Finance										
	Sinkle	anrod - Preparer										

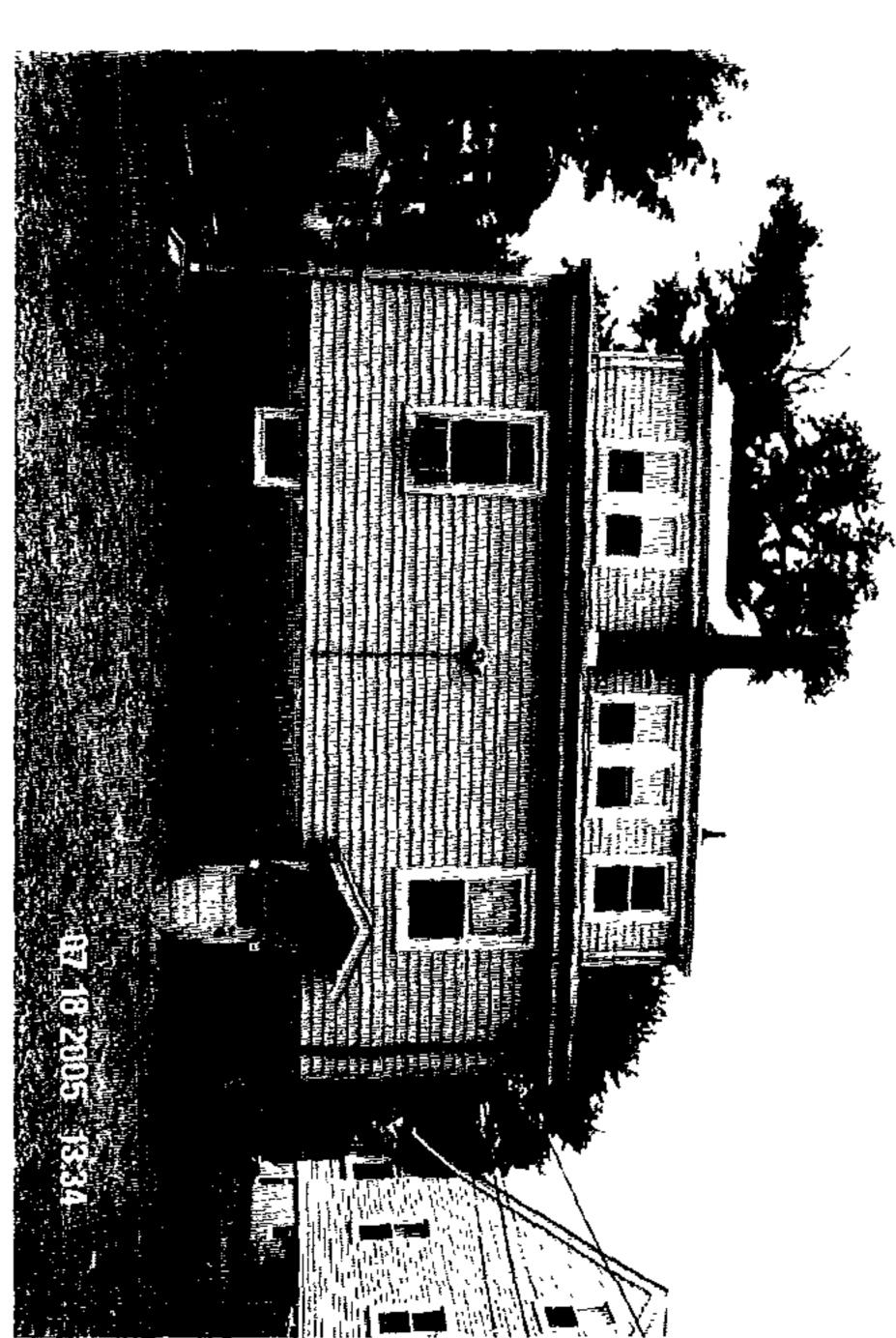


PETITIONER'S
EXHIBIT NO.





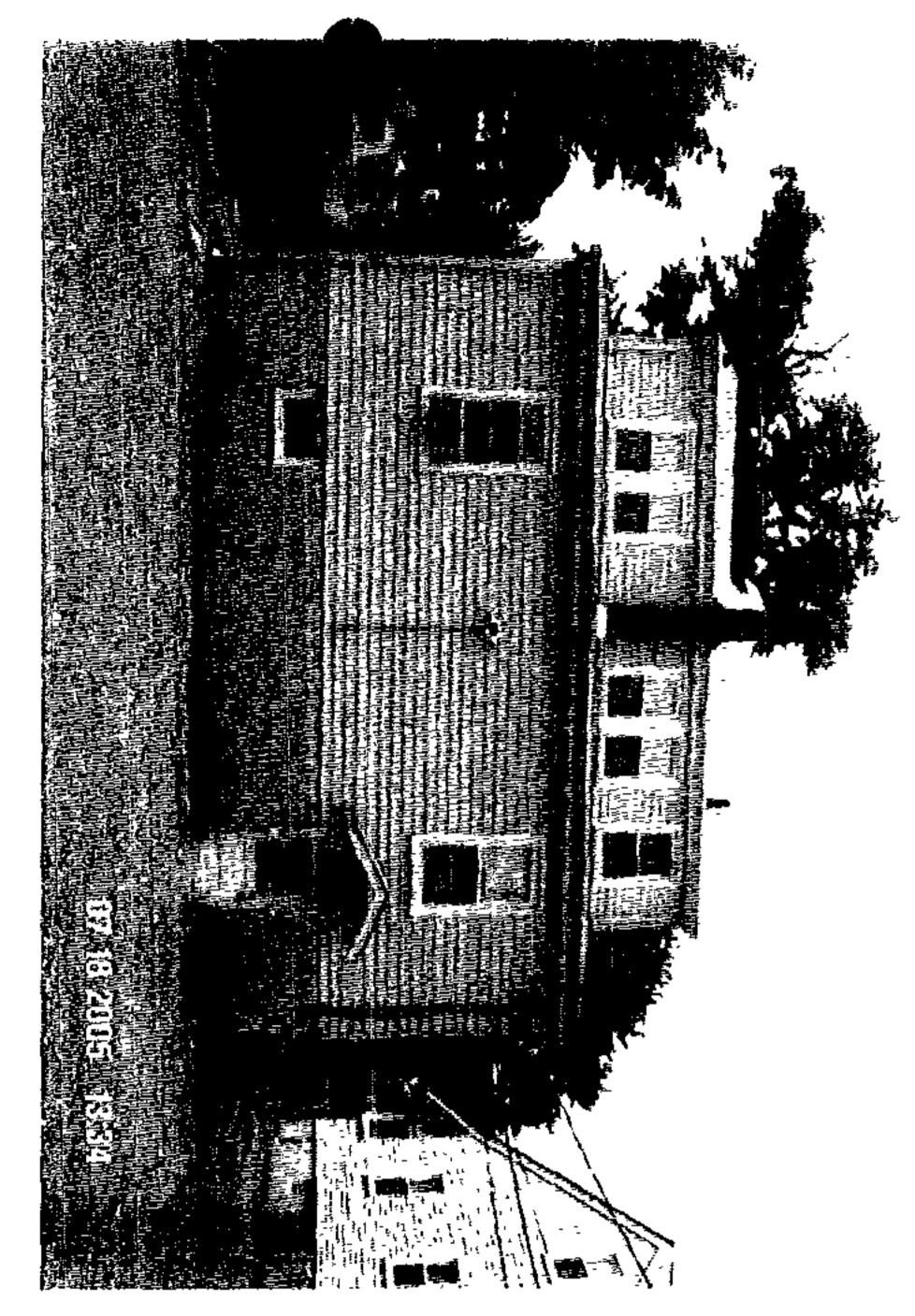




PETITIONER'S

EXHIBIT NO.









PETITIONER'S

EXHIBIT NO.

George M. Mervin 5535 Willys Ave. Baltimore, MD 21227

June 22, 2005

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Ave.
Room 111
Towson, Maryland 21204

Re: 5537 Willys Ave Baltimore, MD 21227

Dear Sir,

To my knowledge as a home owner that has lived next to the above listed property since 1975 the following statements are true:

1) That 5537 Willys Ave was built in the early 1940 era as a three unit apartment building.

- 2) That 5537 Willys Ave has been used as a three unit apartment building since I have lived here in 1975
- 3) That to the best of my knowledge this address has been consistently rented as three apartments

4) That I rented one of the three apartments and lived in it in 1948

Regards,

George M. Mervin

Cc; file

William M. Porter Jr.

PETITIONER'S

EXHIBIT NO.

Paul E. Gamber 5536 Willys Ave. Baltimore, MD 21227

June 22, 2005

Zoning Review
Department of Permits and Development Management
111 West Chesapeake Ave.
Room 111
Towson, Maryland 21204

Re: 5537 Willys Ave Baltimore, MD 21227

Dear Sir,

To my knowledge as a home owner that has lived across from the above listed property since 1976 the following statements are true:

- 1) That 5537 Willys Ave was built in the early 1940 era as a three unit apartment building.
- 2) That 5537 Willys Ave has been used as a three unit apartment building since I have lived here in 1976
- 3) That to the best of my knowledge this address has been consistently rented as three apartments

Regards,

Paul E. Gambler

Cc; file

William M. Porter Jr.

Caul E. Gomber

Ester S. Gamber 5536 Willys Ave. Baltimore, MD 21227

June 22, 2005

Zoning Review Department of Permits and Development Management 111 West Chesapeake Ave. Room 111 Towson, Maryland 21204

Re: 5537 Willys Ave Baltimore, MD 21227

Dear Sir,

To my knowledge as a home owner that has lived across from the above listed property since 1976 the following statements are true:

That 5537 Willys Ave was built in the early 1940 era as a three unit apartment building.

That 5537 Willys Ave has been used as a three unit apartment building since I have lived here in

That to the best of my knowledge this address has been consistently rented as three apartments

Regards,

Ester S. Gambler

Cc; file

William M. Porter Jr.

Milli

NATIONAL FLOOD INSURANCE PROGRAM

FIRM

FLOOD INSURANCE RATE MAP

BALTIMORE COUNTY,
MARYLAND
(UNINCORPORATED AREAS)

PANEL 505 OF 575

(SEE MAP INDEX FOR PANELS NOT PRINTED)

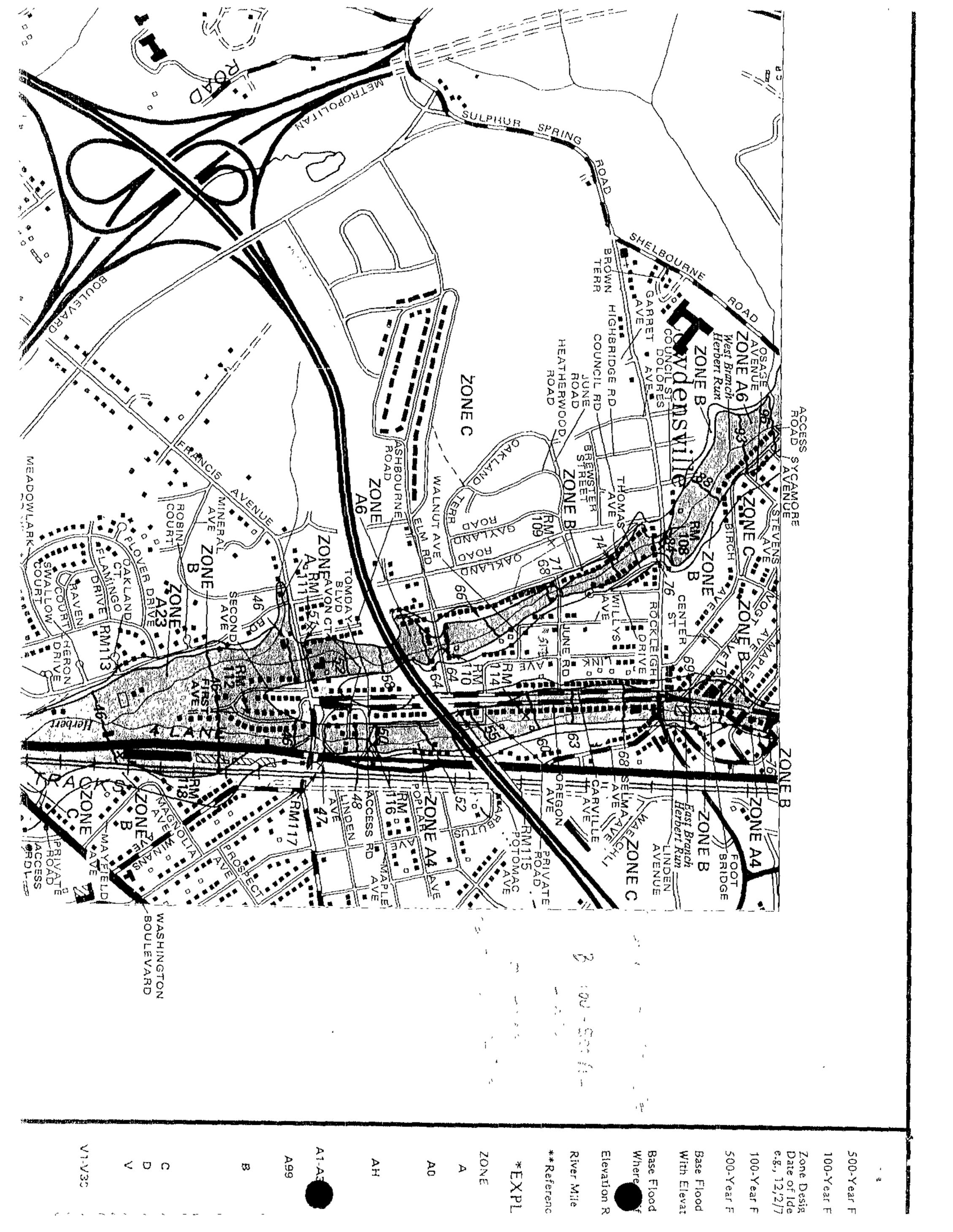
COMMUNITY-PANEL NUMBER
240010 0505 B

EFFECTIVE DATE:
MARCH 2, 1981

federal emergency management agency federal insurance administration

PETITIONER'S

EXHIBIT NO.



The undersigned hereby affirms under the penalties of perjury to the Coming Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant.

Atthant Backt

I have personal knowledge that the home located at 5537

Willy Ave ArbiTus 21027 has been used as a Taree (two/three, stc.)

apartment dwelling since Tek. (951 I also have personal (month) (year)

knowledge that all apartments within the dwelling have been utilized as such continuously and uninterrupedly since Tek. (month) (year)

This personal knowledge is based upon: 3 fave Lived on William Ave. And 19610 and paper That my funt lived in The Ave. And 19610 and paper That my funt

June 21 1986 My Wents Experty 1, 1990

PETITIONER'S

EXHIBIT NO.

64

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

Doris	Comminge
Affiant	1., 1.1111111 E 1144 C.

I have personal knowledge that the home located at
5537 Willys Ave., 21227 has been used as a three (address) has been used as a (two/chree, etc.,
aparement welling since April (month) (year). I also have personal
know sudge that all apartments within the dwelling have been utilized
as such continuously and uninterrupedly since april (month) (year)
This personal knowledge is based upon: seriou the house being built
in 1940, living next deor.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared the statistic for the County the attiant berein, personally knewn or satisfactorily identified to me as such affiant, and cade outh in the form of law that the matters and facts hereinabove set forth are true and correct to the best of knowledge and besief.

AS WITNESS my hand and Notarial Seut

Notary Public

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information horein given is within the personal knowledge of the affiant.

Affiant Montrek

I have personal knowledge that the home located at 5537

Will's Aug Arbitus 2:127 has been used as a Three (two/three, etc.)
apartment dwelling since April . 1940 . I also have personal knowledge that all apartments within the dwelling have been utilized as such continuously and uninterrupedly since April . 1940 . (month) (year)

This personal knowledge is based upon: Torre time 2 was a farant of 5537 Willey Aug. and 2 currently

Tomant at 5537 Willy Ave., and.

Love morfolk

June 21, 1986 My Venti Ex July 1, 1940 :..

4100216367

AFFEDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimare County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is compotent to testify thereto in the event that a public hearing is scheduled in the future with

Leon L. Lineburg

I have personal knowledge that the home located at 5537 Willys Ave., 21227 has been used as a (address) three apartment dwelling since April (month) 1940 I also have personal (two/three.etc.) knowledge that all apartments within the dwelling have been utilized as such continuously and uninterrupedly since _April ' 1040 (Wear) This personal knowledge is based upon: My father was the builder of the three unit house at 5537 Willys Ave. I saw it constructed.

STATE OF MARYLAND, COUNTY OF BALLIMORE, to wit:\

me, a Notary Public of the State in Maryland, in and for the County aforesaid, personally appeared been L. Lineburg me as such arriant, and mate outh in due form of law that the marters and faces hereinahove set forth are true and correct to the best of

AS WITNESS my hand and Notarial Seal

Norary Imblic

APPIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the affiant and affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto;

Affiant

I have personal knowledge that the home located at

| S537 Willys Ave., 21227 | has been used as a three stc.) (address)
| apartment dwelling since | April | 1940 | I also have personal (month) (year)
| knowledge that all apartments within the dwelling have been utilized as such continuously and uninterrupedly since | April | 1940 | (month) (year)
| This personal knowledge is based upon: | ar car time I was a tenant | at 5537 Willys Ave., and I currently reside next door to the property.

STATE OF MARYLAND, COUNTY OF BALLINOPE, TO WIELL

me, a Notary Public of the State of Marriand, in and for the Court aforesoid, personally appeared take to take the officer herein, personally known or salestority identified to me as such affiant, and made oath in due form of law than the matters and facts hereinahove set forth are true and correct to the best of knowledge and belief.

AS WITNESS my hand and Notaria, Scal

1101 11 1 1 1 1 1 1 C

9537

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Faltimore County, as follows:


That the information herein given is within the personal knowledge of the affiant.

Henry J March - we

There were a summer of the sum	and the second of the second the
I have personal knowledge that the he	
Willis Ave Arbutus 21227 has be	een used as a Three
apartment dwelling since (month)	(year) (two/three, etc.)
knowledge that all spartments within the	dwelling have been utilized
as such continuously and uninterrupedly si	ince (month) (year)
This personal knowledge is based upon:	I have lever.
on Willip Ave since 9	une 1944.
	Honsy I Wacher
•	
anne 21 1986	\hat{\chi_{\text{\chi}}} \dag{\chi}
June 21 1986	``.

The contract of the contract o





> - 4 ~

YAENNE

(ZLE1-64 DMG) 6 "6 X3

Bans SNOS

(8141-P4 DMG) W"S X

,0005 3,00,00 EQ S

 $MI\Gamma \Gamma XS$ 40,8/M – 30 5, by and

PETITIONER'S EXHIBIT NO EXHIBIT NO EXHIBIT NO EXHIBIT NO SOLUTIONER'S EXHIBIT NO SOLUTIONER'S EXHIBIT NO SOLUTIONER'S	ROAD 50 50 50 445 5	1
PETITIONER'S EXHIBIT NO EXHI	50 50	
5 5 39 6 8 3 5 38 7 8 3 6 9 8 3 5 . 10 8 3 3 1 10 8 3 3 1 10 8 3 3 1 10 8 3 1	72/	6 Street Ca
7 8 3 8 37 8 36 8 36 8 36 8 35 . 10 8 34 8 34 8 34 8 33 8 33 8 33 8 33 8 3	46 125 47 8	
10 8 34 11 8 5 33 12 8 32 4 13 8 8 31 14 8 6 30 16 8 3 8 29 1 16 8 3 8 29 1 16 8 3 8 29 1	48 B 3 W 3 W 3	
10 8 34 11 8 5 33 12 8 32 4 13 8 8 31 14 8 6 30 16 8 39 1 16 8 29 1 16 8 28 17 8 28	50 8	
50000000000000000000000000000000000000	51 52 2	
SUPPING 14 8 8 31 5 PRING 16 8 30 16 8 30 16 8 30 16 8 30 16 8 30 17 8 28 17 8 28	53	1
SUCIPMUR 14 8 8 30 SPRING 16 8 3 8 29 1 17 8 3 8 27	54	• • • • • • • • • • • • • • • • • • •
SPRING 16 : 3 : 29 : TERROCE 17 : 3 : 28 : 27 ;	55 B	
TERROCE, 16 3 8 27	57 S X	
	58 3	
	60	
LOTS for sale by George Links for Sale by Halethorpe Po	125 125 61	1
\ \\\\\\\\\\\\\\	62 8	
Scale 100 feet per mech Mostbelienen Surveyor	63	
May 1915		

