IN RE: PETITION FOR VARIANCE

SE side of Hopewell Avenue, 215 feet NE of the c/l of Oakhurst Avenue (1621 Hopewell Avenue) 15<sup>th</sup> Election District 6<sup>th</sup> Councilmanic District

Angelo Janouris, Jr. Petitioner

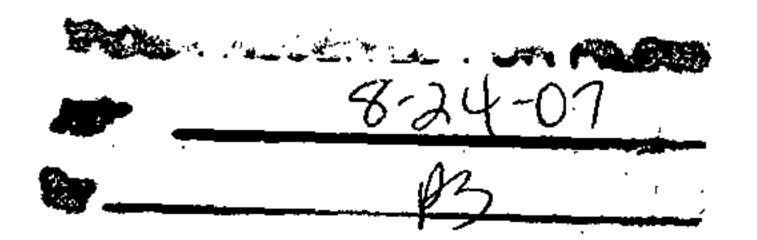
- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 07-552-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owner of the subject property, Angelo Janouris, Jr. The variance request is from Sections 304 and 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed replacement single-family dwelling to be erected on a lot having an area of 17,850 square feet and lot width of 50 feet in lieu of the required 20,000 square feet and 100 feet; and to permit a side setback of 10 feet with a sum of 20 feet in lieu of the required 15 feet with a sum of 40 feet, respectively. The subject property is shown in a photograph which was marked and accepted into evidence as Petitioner's Exhibit 1. In addition, which was marked and accepted into evidence as Petitioner's Exhibit 6.

Appearing on Petitioner's behalf at the requisite public hearing in support of the variance request was Vincent Moskunas with Site Rite Surveying, Inc., the consultant who prepared the site plan. Petitioner did not attend the hearing and there were no Protestants or other interested persons in attendance.

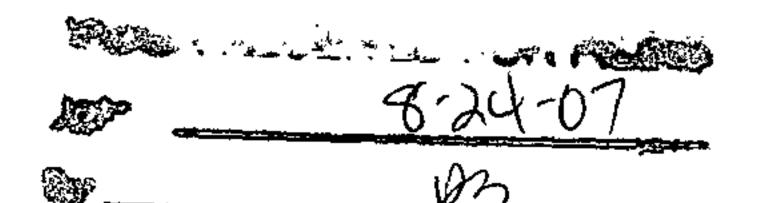
Testimony and evidence offered from Mr. Moskunas revealed that the subject property is a rectangular-shaped parcel approximately 50 feet wide by 368 feet deep. It contains 17,850 square feet or 0.409 acre, more or less, and is zoned D.R.2. The lot is located northeast of Back



River Neck Road, south of Old Eastern Avenue in the Essex area of Baltimore County, and is currently improved with an existing one-story single-family dwelling built in 1928. Marked and accepted into evidence as Petitioner's Exhibit 2 was a copy of the original record plat from 1912 for "Midriver Park" showing a portion of the subject property on lot number 24, which at that time was approximately 100 feet wide. Marked and accepted into evidence as Petitioner's Exhibit 3 was a copy of the deed for the property from 1914. Also marked and accepted into evidence as Petitioner's Exhibit 4 was a copy of the deed from 1951 which evenly split lot 24 into two 50-foot parcels, one of which is the subject property.

According to Mr. Moskunas, the dwelling has been vacant for some time and is in dilapidated condition, as evidenced by the photograph (Petitioner's Exhibit 1) accepted into evidence, and the active Code Enforcement case. The photographic record from the Code Enforcement case showed very high grass and weeds and debris on the property, and also showed the exterior of the dwelling in a state of disrepair, with areas of siding removed and tarps over the roof.

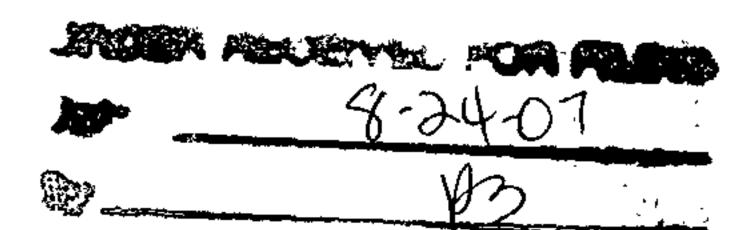
In May 2007, Petitioner purchased the subject property at a foreclosure auction. Marked and accepted into evidence as Petitioner's Exhibit 5 was a copy of the trustee's deed of the property showing Petitioner to be the legal owner of the property. Petitioner desires to raze the current structure and erect a new, replacement two-story single-family dwelling approximately 30 feet wide by 31 feet deep. Petitioner proposes a driveway from Hopewell Avenue to the front of the dwelling, with a 12 foot by 16 foot deck attached to the rear of the dwelling. However, in order to do so, Petitioner is in need of variance relief from the area requirement of 20,000 square feet, a lot width of 100 feet, and a side setback of 15 feet with a sum of 40 feet. The area of the lot is 17,850 square feet and the lot is 50 feet wide. Moreover, based on the site plan and the location and size of the proposed dwelling, Petitioner proposes a side setback of 10 feet with a



sum of 20 feet. Mr. Moskunas indicated the structure would be compatible in size and location on the lot to the other homes in the area, and opined that the removal of the old, decaying dwelling, which is a visual eyesore and poses a safety hazard, and the related variance request were within the spirit and intent of the zoning regulations. He further opined that the granting of the variance would not be detrimental to the health, safety, and welfare of the public, and would in fact be beneficial to the neighborhood in particular, and to the community in general.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comment received from the Office of Planning dated July 26, 2007 indicates that Petitioner does not own sufficient adjoining land to conform to the minimum width and area requirements and therefore does meet the standards stated in Section 304.1.C of the B.C.Z.R. The comment notes that there appear to be several existing undersized lots in the neighborhood, and as such, the Office of Planning does not oppose Petitioner's request. The comment also requests that Petitioner shall provide landscaping, submit building elevations, and building materials shall be compatible with adjacent dwellings.

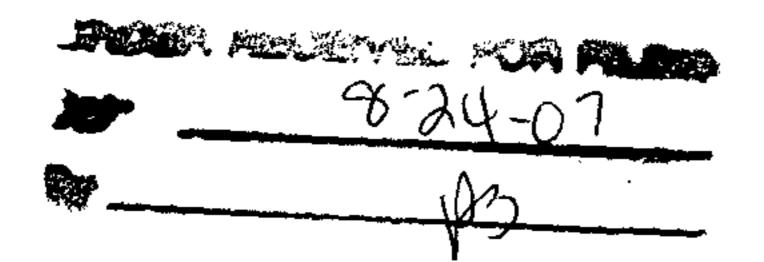
Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. It is impossible for Petitioner to comply with current zoning requirements due to the size of the lot, and Petitioner is not in a position to purchase additional land on each side in order to meet current zoning regulations. Moreover, the imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning district. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.



Finally, I find the requested variance relief 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.

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' variance request should be granted.

- 1. Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. Petitioner shall submit building elevations to the Office of Planning for review and approval prior to the issuance of any building permits. The proposed dwelling shall be compatible in size, exterior building materials, color and architectural detail as that of the existing dwellings in the area.
- 3. Provide landscaping along the public road, if consistent with the existing streetscape.
- 4. Petitioner shall regularly maintain the property in good condition, free of excessive grass and weeds, and free of trash and debris. Petitioner shall also remain in compliance with all other zoning, building code, and code enforcement regulations. Petitioner shall, upon reasonable notice, make the property available for inspection by Baltimore County Code Inspectors when so notified.



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

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 24, 2007

ANGELO JANOURIS, JR. 1621 HOPEWELL AVENUE BALTIMORE MD 21221

Re: Petition for Variance
Case No. 07-552-A
Property: 1621 Hopewell Avenue

Dear Mr. Janouris:

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

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Vincent Moskunas, Site Rite Surveying, Inc., 200 East Joppa Road, #101, Towson MD 21286



# Datition for Variance

	Petition for Variance	
<u>☆★★★★</u>	Zoning Commissioner of Baltimore County  for the property located at 1621 Hopewell Avenue  which is presently zoned D.R. 2	
owner(s) of the property situate in and made a part hereof, hereby per and made a part hereof, hereby per the period of the Zoning Regulations of Ba (indicate hardship or practical difficulties).	e Department of Permits and Development Management. The undersigned, legal Baltimore County and which is described in the description and plat attached hereto tion for a Variance from Section(s) BCZR 304, IB02.3C    EDVSINGLE FAMILY DWELLING TO BE ERECTED ON A LITY OF TAND LOT WIDTH OF 30 FEET IN LIEU OF THE AND 100 FEET; AND TO PERMIT A SIDE SETBACK OF 10 FEET AND 100 FEET; AND TO PERMIT A SIDE SETBACK OF 10 FEET IN LITHY OF THE PERMITS	TH
Property is to be posted and adver- l, or we, agree to pay expenses of aboregulations and restrictions of Baltimo	ised as prescribed by the zoning regulations.  ve Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning ve Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning ve Variance, advertising, posting, etc. and further agree to and affirm, under the penalties of John Derjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.	
Contract Purchaser/Lessee:	Legal Owner(s):  ANGELO JANOURIS, JR.	-
Name - Type or Print Signature	Name - Type or Print  Signature	
	Name Time or Dript	

				OURIS, JR	)
Name - Type or Print	<u></u>	Na		nglofa	1
Signature			Signature	·	
Address	<u> </u>	Telephone No.	Name - Type or Pri	int	
City	State	Zip Code	Signature	ell Avenue	(410) <u>236~6</u> 927
Attorney For Petition	er:		Address		Telephone No.
-			Baltimore	MD	21221 Zip Code
Name - Type or Print	<del></del>	C	City	State	·
			Representat	tive to be Contac	Teu.
Signature			<u>Site Rite</u> Name	Surveying, In	<u>c.</u>
Company				pa Road, #101	(410) 828-9060
Address	<u></u>	Telephone No.	Address	MD	21286
City	State	Zip Code	City	5	State Zip Code
<b>U</b>				OFFICE USE ONLY	
Case No 07-	552-A	<del>}</del>	ESTIMATED LEN	IGTH OF HEARING	<del>,</del>
		Reviewed B	WINAVATLABLE F	OR HEARING	2007
REV 9/15/98					

MELETY BUT PUR PRESENT
9-24-07
mb.

#### REASONS TO ACCOMPANY VARIANCE PETITION #1621 HOPEWELL AVENUE

- This is part of a lot of record on a plat dated 1912. The lot was divided in 1951 as recorded Liber 1988, folio 245. There is no contiguous ownership in order to meet B.C.Z.R.
- The lot is improved with an existing dwelling built in 1928 containing 722 S.F. of enclosed area. The owner proposes a replacement dwelling that is more realistic with the family living needs of today's standard.
- Granting relief as requested would not adversely affect the safety or general welfare of the neighborhood. This request is within the spirit and intent of the B.C.Z.R.

#### ZONING DESCRIPTION #1621 HOPEWELL AVENUE

which is 50 feet wide at the distance of 215 feet northeast of the centerline of Oakhurst Avenue which is 30 feet wide. Being Part of Lot #24, in the Subdivision of "Midriver Park" as recorded in Baltimore County Plat Book #4, Folio #12, containing 17,850 S.F.. As recorded in Deed Liber 25638, folio 705 and running and binding along Hopewell Avenue northeasterly 50 feet; thence southeasterly 367.10 feet; thence southeasterly 50 feet and thence northwesterly 368.02 feet to the POINT OF BEGINNING.

Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road, #101 Towson MD 21286 (410) 828-9060

File: 1621 Hopewell 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 pipperty identified herein as follows:

Case: # 07-552-A

1621 Hopewell Avenue
Seast side of Hopewell Avenue, 215 feet northeast of the centerline of Oakhurst Avenue
15th Election District - 6th Councilmanic District
Légal Owner(s): Angelo Janouris, Jr.

Varience: to permit a proposed replacement single family dwelling to be erected on a lot having an area of 17,850 sq. ft. and 100 feet and to permit a side setback of 10 feet with a sum of 20 feet in lieu of the required 15 feet in lieu of the required 15 feet in lieu of the required 15 feet with a sum of 40 feet, respectively.

Hearing: Tuesday, August 7, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

William J. WiseMan, III
Zonling Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zonling Commissioner's Office at (410) 887-3868.

(2) <sup>1</sup>For Information concerning the File and/or Hearing, Contact the Zonling Review Office at (410) 887-3391.

JT 7(322 July 24

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

The Jeffersonian

imes Arbutus Times Catonsville T

Owings Mills Times Towson Times

Reporter NE Booster/]

North County News

Wullus

LEGAL ADVERTISING

RECEIVED FROM: DATE OFFICE OF BUDGET & FINANCE BALTIMORE MISCELLANEOUS 62 COUNTY, b RECEIPT OKENEL MARYLAND AMOUNT ACCOUNT SURVEY AVE 5 W, 11116) 0066 No.

AND MILIT

· 河外中 单 中海市 1/19/200 19.独位的数 Recent link Weath. Haltimurp frest. **松田** 南耳其其其人人。 医红色 粒 WILL LAW **阿根** (Ort., 13) 14ths the Print 165. (R) 417 • \* **\*** .

CASHIER'S VALIDATION

DISTRIBUTION WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

#### CERTIFICATE OF POSTING

RE: Case No.: 07-55Z-A

Petitioner/Developer: ANGELO JANOURIS, JR,
Date of Hearing/Closing: AUC, 7, 2009

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

Attention: Christen Matthews

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
#1621 HOPEWELL AVE.

The sign(s) were posted on

2007

(Month, Day, Year)

### ZONING NOTICE

CASE #\_ 07-552-A

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

ROOM 407, COUNTY COURTS BUILDING

PLACE: TOWSON, MO. 21204

TUESDAY, AUGUST 7, ZOO7

DATE AND TIME: 1000 A.M.

REQUEST: VARIANCE TO PERMITA PROPOSED REPLACEMENT SINGLE FAMILY DWELLING TO BE

ERECTED ON A LOT HAYING AN AREA OF 17,850 SOFT. AND LOT WIOTH OF SO FEET IN LIEU OF THE REQUIRED 20,000 SOFT. AND 100 FEET AND TO PERMITA SIDE SETBACK OF 10 FEET WITH A SUM OF 29 FEET IN LIEU OF THE REQUIRED IS FEET IN LIEU OF THE REQUIRED 15 FEET WITH A SUM OF 40 FEET RESPECTIVELY.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST LINTIL DAY OF HEARING, UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE

Sincerely,

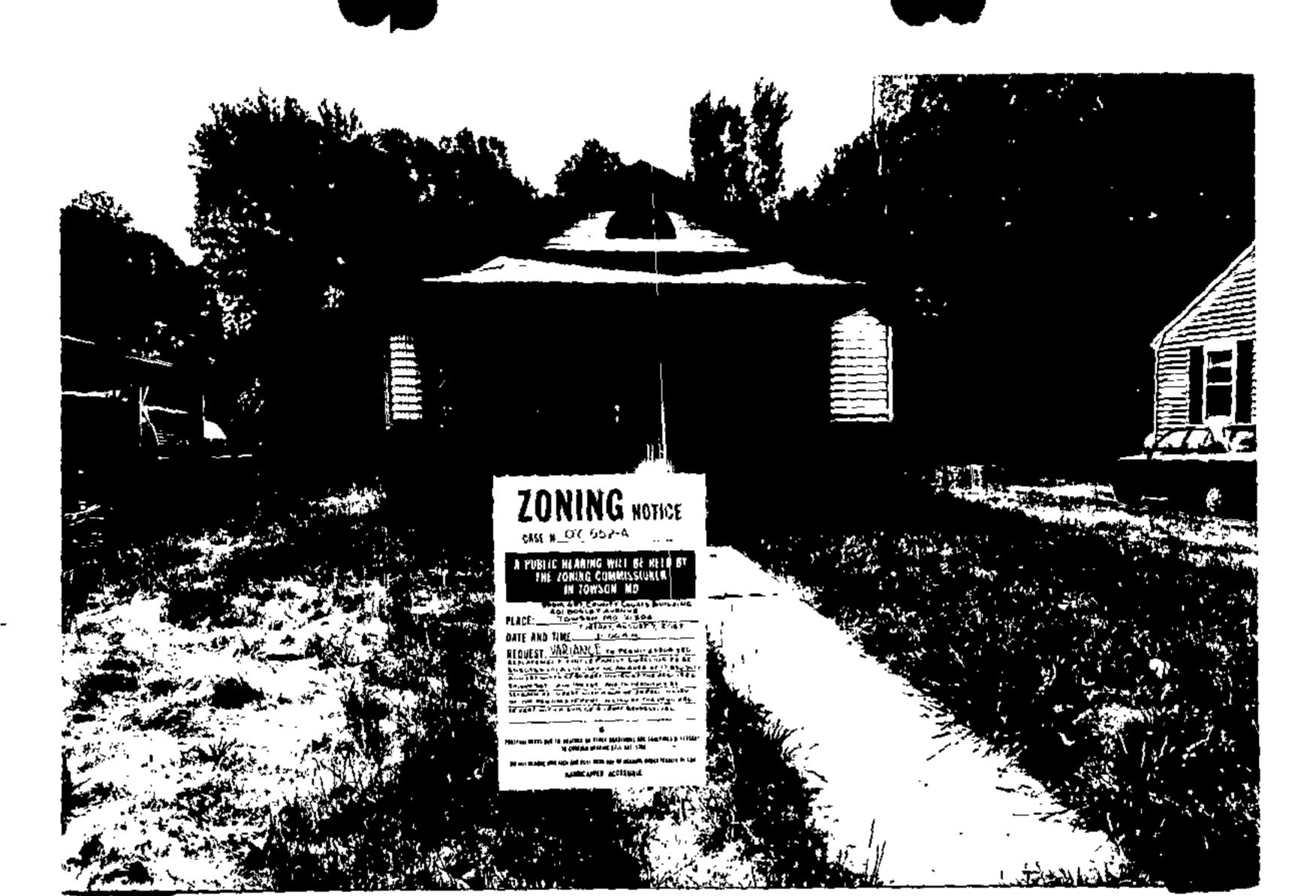
(Signature of Sign Poster and Date)

CARLAGE E. MOORE (Printed Name)

3225 RYERSONI CIRCLE (Address)

BALTIMO12E, MD, 21227 (City, State, Zip Code)

410) 242-4263 (Telephone Number)







JAMES T. SMITH, JR. County Executive

June 28,.2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

#### 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: 07-552-A

1621 Hopewell Avenue

S/east side of Hopewell Avenue, 215 feet northeast of the centerline of Oakhurst Avenue 15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owner: Angelo Janouris, Jr.

Variance to permit a proposed replacement single family dwelling to be erected on a lot having an area of 17, 850 sq. ft. and lot width of 50 feet in lieu of the required 20,000 sq. ft. and 100 feet and to permit a side setback of 10 feet with a sum of 20 feet in lieu of the required 15 feet in lieu of the required 15 feet with a sum of 40 feet, respectively.

Hearing: Tuesday, August 7, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Angelo Janouris, 1621 Hopewell Avenue, Baltimore 21221 Site Rite Surveying, Inc., 200 E. Joppa Road, #101, Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 23, 2007.

- (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, July 24, 2007 Issue - Jeffersonian

Please forward billing to:

Angelo Janouris, Jr. 11450 Pulaski Highway, Ste. 1 White Marsh, MD 21162 410-236-6927

#### 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: 07-552-A

1621 Hopewell Avenue

S/east side of Hopewell Avenue, 215 feet northeast of the centerline of Oakhurst Avenue 15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owner: Angelo Janouris, Jr.

<u>Variance</u> to permit a proposed replacement single family dwelling to be erected on a lot having an area of 17, 850 sq. ft. and lot width of 50 feet in lieu of the required 20,000 sq. ft. and 100 feet and to permit a side setback of 10 feet with a sum of 20 feet in lieu of the required 15 feet in lieu of the required 15 feet with a sum of 40 feet, respectively.

Hearing: Tuesday, August 7, 2007 at 11:00 a.m. in Room 407, County Courts Building, Booley 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.



#### **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 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: 07-55 Z - A
Item Number or Case Number:
Petitioner: ANAUO JANOUVIS, JV.
Address or Location: 1621 Hopewell Avenue
PLEASE FORWARD ADVERTISING BILL TO:
Name: Avado Janouvis, dv.
11460 DINIACKI HOMANANA
Address:
Milhard Marsh MD 21162
110 121 611
Telephone Number: 410 256-0921



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

August 2, 2007

Angelo Janouris, Jr. 1621 Hopewell Avenue Baltimore, MD 21221

Dear Mr. Janouris:

RE: Case Number: 07-552-A, 1621 Hopewell Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 8, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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.

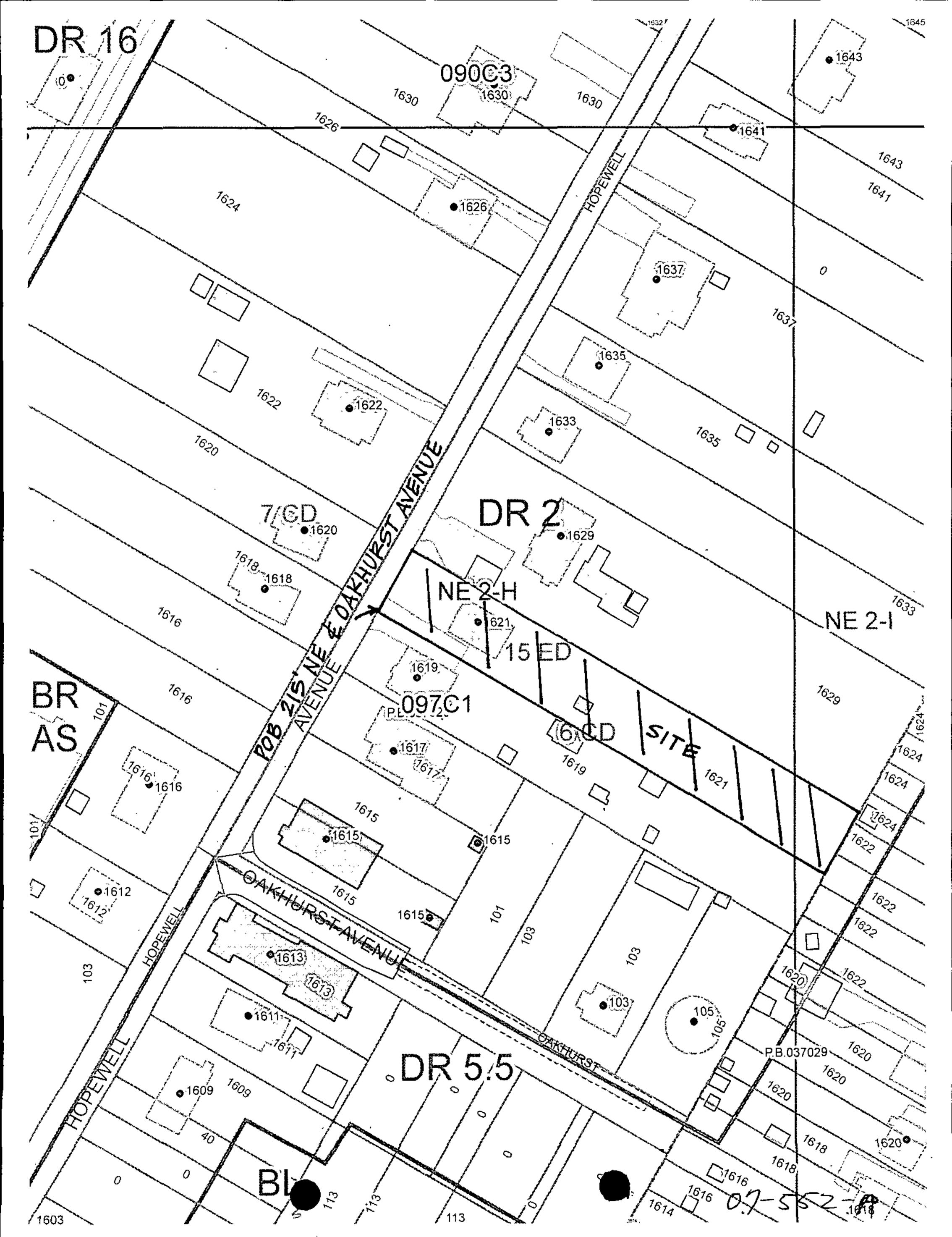
Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road, #101 Towson 21286



Case No.: 07 - 552 - A

#### **Exhibit Sheet**

#### Petitioner/Developer

#### Protestant

No. 1	Photograph of property	
No. 2	Original 1912 Record	
No. 3	Deed from 1914	
No. 4	Deed Bron 1950	
No. 5	Petitions s seed from 5/10/07	
No. 6	Site Plan	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
<u></u> <u>i_</u>		

7

PETITIONER'S

EXHIBIT NO.

lu the finespariq Deil, and be achieved elget the forespoint Deed to Recorded fance Itual, 1914, at 8,00 a. Un and opposite Etyco Realty Caupany His Deed, Made this I'm clay of Hebre. Deed to any, in the year one Manand drive him John I Rhillips Wife School and frustreig between the Cityes Roully Coneparcy of Vacturiore City a body corksrate duly incorporated mider the laws of the state of Manylands. of the first part, and John " Hillips and Mary V Halle With easeth, that in consideration of the auni of the Holland here by exclinaveledged, the said bilies Really Company of Builti nive City doith want and convey muto the and folial. Thielips and Many V. Phillips, his onfor they heres and arrigus, all that let of granied retuate in Baltimore bounty aforeraid, and deserbed as follows; Requiring for the same ar the Santheast side of Hospewell. Uredue at the corner of lot to, menty one of and running there e Vortheasterly ulorg the Southeast ricle of Hopewell article are hundred feet to lot Ivo, I wently five, thence bouche atterly along Let No twenty five three hundred and septy seven feet and the and ten one hundredites feet to the whole author of the property Courses ed to the Cityco Really Conspany as herein after referred to; thenet Southwesterly along said outline we hundred feet to lot No twenty three; thence but westerly afing lots boo, twenty-three, tricity him twenty one 6 Niverity one of three limited ed and sixty light and live one hundred the feet to the place of heginning. Being Lot No, twenty forwar laid out on the plan of Midniver Party filed for oree and containing the Land Records of Baltaniere County For Pette Ree deed from the Owners Realty Company of Bartimore bety to the City or Realty Company of Bartimore Cety, duted May lot 1914 and recorded aring the Land Records of Bartimore County in Lilier N. P. C., No. 395, Folis 204, Together millette buildings thereupon, and the nights, allays mays, waters, privileges, appurlenances and advantages, thereto INTERESTIFICATION FOR THE CONSTRUCT OF SECURITY WITH 120 6. 64361 FINISH DEVELOPENT HE BURGET ON THE BORD OF SECURITY OF SECUR To have and to hold the raid described but of granich and five

ETITIONER'S

#### CONFIRMATORY DEED

FEE SIMPLE DEED CODE CTY OR COUNTY.

(4.45

1857 1988 PAGE 245

This Deed, Made this - - 11th ---- day of June ----

- - - in the year one thousand nine hundred and fifty-one , by and

between AURELIA JACKSON, widow, of the City of Beltimore, State of Maryland, of the first part; and JAMES TAYLOR and ESSIE TAYLOR, his wife, of the second part;

MHEREAS, heretofore on the 13th day of May, 1950, by deed between the Grantor herein and James Taylor and Essie Taylor, (inadvertently referred to as Effic Taylor) which deed is recorded among the Lend Records of Baltimers County in Liber T.B.S. No. 1837 folio 423 etc., the Easternmost one-half of the whole low of groundreferred to on the plat of Midriver Park filed for record among the Land Records of Baltimers County in Plat Book W.F.C. No. 4 folio 12 was granted and conveyed by the Grantor herein to the Grantes herein wherein the wife of the Grantes, James Taylor was erroneously referred to an Taffie Taylor"; and

AH: BRAS, it is the intention hereby to confirm the conveyance of the 50 foot lot referred to in the former deed and correct the name of the wife of the Grantes.

Witnesselb that in consideration of the sum of Five dollars (\$5.00) and other good and valuable considerations, the said AUTELIA JICKSON, widow - - - - - - - -

do th grant and convey unto JAMES TAYLOR and ESSIE TAYLOR, his wife, as tenente by the entireties, their assigns and unto the survivor of them, his or her --

- --heim and assigns in fee-simple, all that lot of ground ----

Baltimore County - - - - - - - - - - and described as follows, that is to say

Anoming for the BEING the Easternmost one-half of the whole lot of ground of 100 feet and more particularly described as being on the Southeast side of Hopewell Avenue beginning 50 feet East of the corner of Lot No. Eventy-One MAR, and running thence Northeasterly along the Southeasterly along Lot No. Avenue 50 feet to Lot No. Twenty-five thence Southeasterly along Lot No. Eventy-five 367 feet and ten one-hundredths feet to the whole outline of the property conveyed to the Cityco Realty Company as hereinefter referred to, thence Southwesterly along said outline 50 feet to Lot No. Eventy-three thence Northwesterly parellel to the division line between the property being described and that of No. Eventy-three, Eventy-two, Twenty-one "C" Twenty-one "A", Twenty-one "A" three hundred and sixty-eight and two one-hundredths feet to the place of beginning.

PETITIONER'S

EXHIBIT NO.

4

#### 18691988 MGE 246

BRING a one-half part of lot No. 24 as laid out on the plat of Midriver Park filed for record among the Land Records of Baltimore County in Plat Book W.P.C. No. 4 folio 12.

BEING also part of the lot of ground conveyed or being intended to be conveyed in fee-simple to Mary V. Phillips and her husband, John T. Phillips, on the 23rd day of February, 1914, by the Cityco Realty Corporation of Baltimore City, and recorded among the Land-Records of Baltimore County in Liber W.P.C. No. 429 folio 436. The said John T. Phillips died on or about the 13th day of March, 1917.

See also Confirmatory Reed from Cityco Realty Company to Mary V. Phillips, dated May 22, 1929 and recorded among the Land Records of Baltimore County.

MX-2865

#### TRUSTEE'S DEED

MARYLAND TITLE COMPANY 22 LIGHT STREET SUITE 450 BALTIMORE, MARYLAND 21202

THIS TRUSTEE'S DEED, is made this O day of April, 2007, by and between DONALD MAZOR, Trustee, party of the first part, and ANGELO JANOURIS, SR., party of the second part.

WHEREAS, the lot of ground hereinafter described (the "Property") was previously encumbered by a Deed of Trust dated December 22, 2005, and recorded among the Land Records of Baltimore County, in Liber 23261, Folio 438;

WHEREAS, by virtue of foreclosure proceedings commenced in the Circuit Court for Baltimore County, in Equity Docket/Case No. 03 CO 6012176, dated 11/17/06, by Order entered, the party of the first part was authorized to sell the Property in accordance with the terms of the Deed of Trust aforesaid and did sell the Property to the said party of the second part at such sale on January 3, 2007, said sale being duly ratified and confirmed on 3/26/07, by Final Order of the Circuit Court of Baltimore County; and

WHEREAS, all of the monies due under the sale have been paid over to the said party of the first part by the said party of the second part which is entitled to a deed conveying to it fee simple title to the Property. Wherefore these presents are executed.

NOW, THEREFORE, THIS DEED WITNESSETH, that in consideration of the premises and the sum of \$5.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the monetary consideration as certified by the parties hereto being NINETY FIVE THOUSAND DOLLARS (\$95,000.00), the said party of the first part in exercise of and pursuant to his powers as trustee as aforesaid does grant and convey unto the said party of the second part, his personal representatives and assigns, in fee simple, the Property, being more particularly described as follows, that is to say:

#### SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING the same lot of ground which by Deed dated December 22, 2005 and recorded among the Land Records of Baltimore County in Liber 23261, Folio 432, was granted and conveyed by John T. Williams, Jr., unto Cathy E. Miller.

BALTIMORE COUNTY CIRCUIT COURT (Land Records) [MSA CE 62-25493] SM 25638, p. 0705. Printed 08/07, of 05/22/2007.

PETITIONER'S

EXHIBIT NO.

5

002563817071

#### EXHIBIT "A"

BEGINNING FOR THE SAME and being the easternmost 1/2 of the whole lot of ground 100 feet and more particularly described as being on the Southeast side of Hopewell Avenue being 50 feet East of the corner of Lot No. 21 "A" and running thence Northeasterly along the Southeast side of Hopewell Avenue 50 feet to Lot No. 25, thence Southeasterly along Lot No. 25, 367 10/100 feet to whole outline of the property conveyed to the Cityco Realty Company, as hereinafter referred to thence Southwesterly along said outline 50 feet to Lot No. 23, thence Northwesterly Parallel to the division line between the property being described and that of Lot No. 23, 22, 21"C", 21 "B", 368 2/100 feet to the place of beginning.

BEING 1/2 of Lot No. 24, as laid out on the Plat of Midriver Park and recorded among the Land Records of Baltimore County in Plat Book WPC No. 4, folio 12.

The improvements thereon being known as No. 1621 Hopewell Avenue, Baltimore, MD 21221

RE: PETITION FOR VARIANCE

1621 Hopewell Avenue; SE/S Hopewell

Avenue, 215' NE of c/line Oakhurst Avenue \*

15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts

Legal Owner(s): Angelo Janouris, Jr.

Petitioner(s)

BEFORE THE BOARD

OF APPEALS

FOR

**BALTIMORE COUNTY** 

07-552-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

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 22<sup>nd</sup> day of June, 2007, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

JUN 22 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per....

CASE NAME 16 CASE NUMBER DATE DO O

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# DIVISION OF CODE INSPECTIONS AND ENFORCEMENT VIOLATION CASE DOCUMENTS

VIOLATION CASE: 07-6228

1621 Hopewell Avenue

ZONING CASE: 07-552-A 1621 HOPEWELL AVENUE DATE:

June 28, 2007

TO:

W. Carl Richards, Jr.

Zoning Review Supervisor

FROM:

Rick Wisnom, Hearing Officer

Division of Code Inspections & Enforcement

SUBJECT:

Item No.: 552

Legal Owner/Petitioner: Angelo Janouris, Jr.

Contract Purchaser:

Property Address: 1621 Hopewell Avenue

Location Description: Southeast side of Hopewell Avenue, 215 feet northeast of the

centerline of Oakhurst Avenue

VIOLATION INFORMATION:

Case No.: 07-6228

Defendants: Angelo Janouris, Jr.

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:

> **Gregory Scales** 1629 Hopewell Avenue Baltimore, MD 21221

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:

Complaint Intake Form State Tax Assessment printout Correction Notice/Code Violation Notice Photographs Property Check List Citations

Other: data entry form

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

**RSW** 

c: Ed Creed

#### PHONE DUTY INTAKE SHEET

Wednesday, May 09, 2007

INTAKE OF CASE# 07-628 AREA 15	INSPECTOR:
PROBLEM tall grass, tarp hanging off side, snakes	·
VIOL. LOCATION 1621 Hopewell Ave	VIOL. ZIP 21221
COMPLAINTANT NAME Gregory Scales	
COMP. ADDRESS 1629 Hopewell Ave	COMPL. ZIP 21221
COMPL. PHONE (410) 780-0146 COMPL. WORK #:	MOUS CASE MUMPERS.
OWNERS INFO/ NOTES PREV	/IOUS CASE NUMBERS:
DATE: 05/09/2007 STANDARD AS	966 DNCF
TIME: 08:43:57	REOPEN
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DE	
407 MIDDLE RIVER RD PR	•
BALTIMORE MD 21220-3707	•
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**§/0**9/2007

ANDARD ASSESSMENT IN TRACE

**3:43:57** 

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CATHY E

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DESC-2.. MID RIVER PARK

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ASSESS: 85,046

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ASSESS:

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

02/17/06



410-887-3351 410-887-3953 410-887-3960 410-887-3620 × 410-887-3896 Code Enforcement
Building Inspect
Electrical Inspect
Plumbing Inspect
Signs/ Fences

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402: Illegal conversion of dw 101; 102.1; ZCPM: Illegal bo	ne occupation	Viola	tion of commer	cial site plan and/or	zoning order
		RE COUNTY CO	4-1- <b>-</b>		
13-7-112: Cease all nuisance	niesnes & lien costs	☐ 35-2-3( ☐ 18-2-6(	11: Remove al	l obstruction(s) at st	rect, alley, ros
13-7-310: Remove all trash	& debris from propert	y <sub>2</sub>	10(2): «Remove 02: Violation o	f development plan	site pian
13-7-201(2): Cease stagnant	pool water	IBC 11	(5; BCBC (13) ture board and	secure all openings	to premise
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POTENTIAL FINE: \$200		per day, per violati	on and to be pl	aced as a lien upon	your tax bill.
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#### PHOTOGRAPHIC RECORD

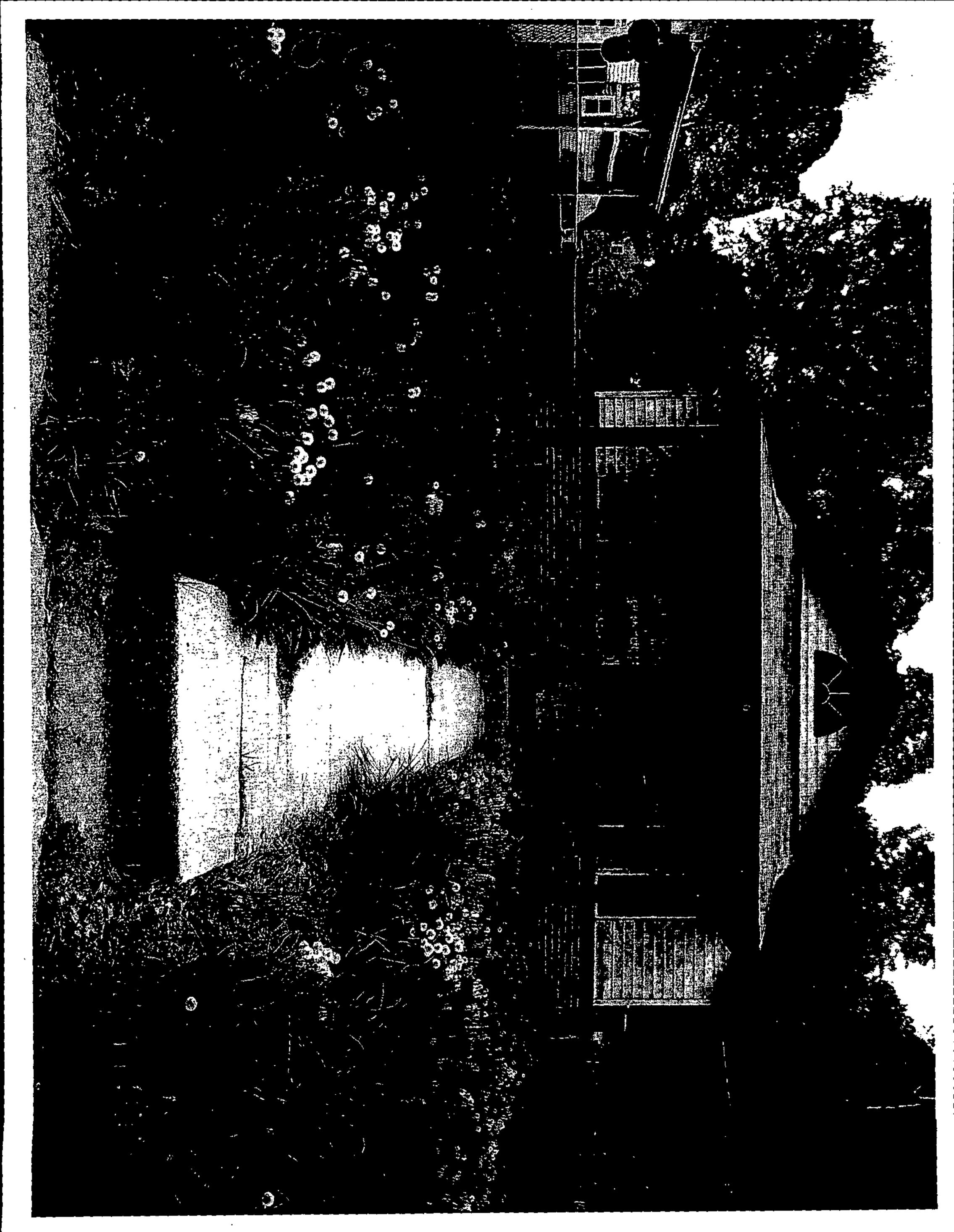
Citation/Case No.: 2-6.278 - 1621 Happense CDate of Photographs: 5-11-07



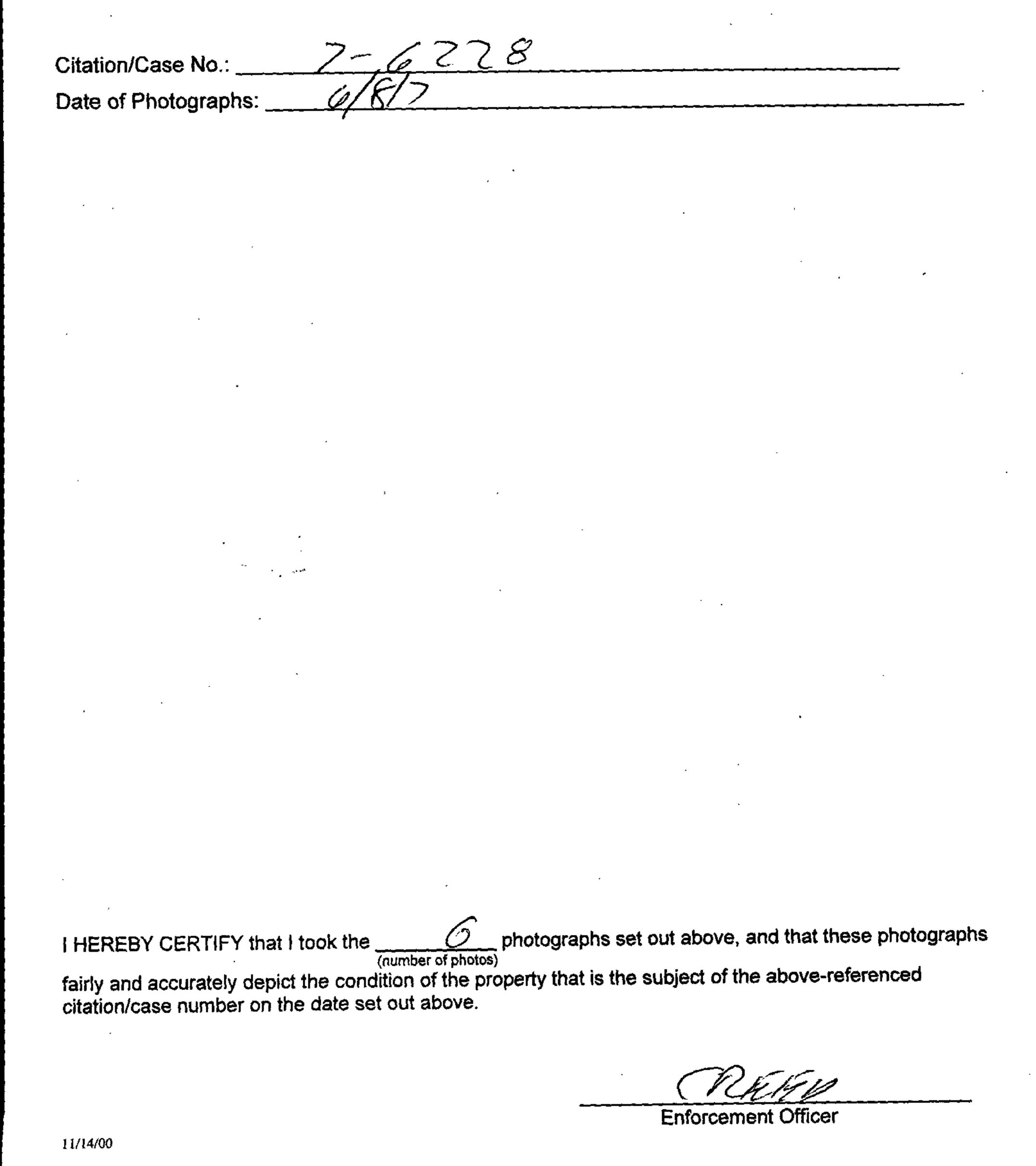
I HEREBY CERTIFY that I took the \_\_\_\_\_\_ photographs set out above, and that these photographs (number of photos)

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.

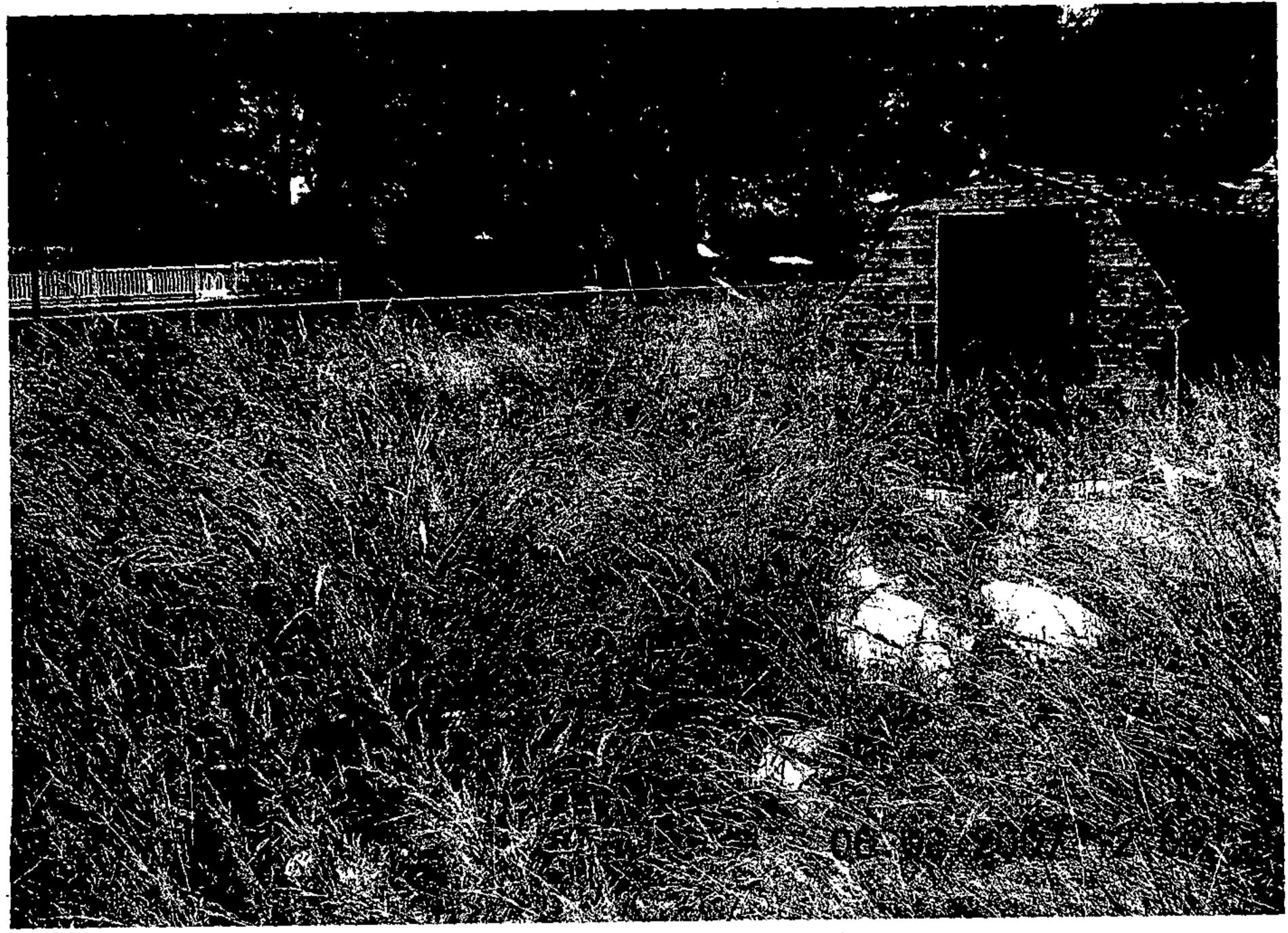
Enforcement Officer



















## PROPERTY MAINTENANCE CHECK LIST

÷	INSPECTOR SNAME ED CREED MEASEND 7-6223
	ADDRESS /62/ HOPENALL AND ZIPCODE 2/22/
	VACANT UNIMPROVED OCCUPIED
$\subset$	COPRECTION NOTICE POSTED ON SITE? YESNO
Ξ	CORRECTION NOTICE SENT BY REGULAR MAIL TO OWNER SHOWN ON CURRENT TAN PRINTOUT
	YES (USE BCC 13-7-112, 13-7-115, AND OR 13-7-401, 13-7-403)
F.	ADC MAP COORDINATES $37-1-9$
•	WORK TO BE DONE
ì	General grass mowing to 3" height Acre 17850 Details 18 18 18 18 18 18 18 18 18 18 18 18 18
2	Bushho's mowing, brush, vines, saplings to 1', etc. Acre 17850 Details Rimore Current
3	Trimming along walks, buildings, fences, etc. Foot 300 Details
4	Raking, removal, and disposal of grass and mowing debris. AcreDetails
5	Ture removal and disposal: Each Details
5.	Litter, debris, bulk trash removal and disposal. Ton Details
<b>?</b> .	Recyclables, removal and disposal: TonDetails
<b>.</b> .	Vehicle removal and disposal: Each Details
) _	Pool, drain water into storm drain: GallonsDetails
0.	Trumming bushes, cut up and removal of fallen trees and or branches, removal of chippings, etc.
	HourDetails
!	Mobilization fee for numbers: 1.2.3.4.9.10.13 only
2	Mobilization fee for all other numbers
3 . (	Chemical treatment of noxious weeds. Square feetDetails
4	Liner, bulk trash removal from interior of building Ton Details
5.	Labor to Repair Secure Building Hour
5 ;	Materials to Repair / Secure Building. 'Copies of Invoices for materials must be included.
3	PECLAL INSTRUCTIONS
	5/24/07 GW No 5593 PURILE 6/7/07
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Permits and Development Management Code Inspections and Enforcement County Office Building, Rh. 111 West Chesapeake Ave. Towson, Maryland 21204



Code Emission
Building State tion
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Signs/ Fences

410-837-335 410-837-335 410-837-365 410-837-365

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amount indicated:						A/>
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				IME:		) P.M.
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Inspector Printed Name: PRINT NAME VIOLATION SITE

Case Entry/Update Format		Mode . : CHANGE File . : PDLV0001
Insp: <u>CREED</u> Address: <u>1621</u>	Insp Grp: ENF Insp Area	Case #: 07-6228 a: 15 Tax Acct: 1520001260 Apt #: Zip: 21221 21220-3707
Problem Descript.: 5	TALL GRASS, TARP HANGING	OFF SIDE, SNAKES
MAP 32-F9		
Complainant Name (La	ast): <u>SCALES</u> (Fi	rst): <u>GREGORY</u>
Complainant Addr:	1629 <u>HOPEWELL</u>	AVE
Complainant City: B	ALTIMORE State	: MD Zip: 21221
	H): 4107800146 (W):	
Date of Reinspection	n: <u>7102007</u> Date Closed:	Delete Code (P):
- ,		
•		
F3=Exit	F5=Refresh	F6=Select format

F10=Entry

F9=Insert

F11=Change

Case Entry/Update

Format . . . : <u>CASREC</u>

Mode .

CHANGE

PDLV0001

File . . :

Notes: \*\*\*5/11/07, WROTE A NOTICE TO THE ASSIGNED CASE FOR GRASS. P/U 5/17/07,

COMPLAINANT UPDATED. EC/MK\*\*\*

\*\*\*5/21/07-NO CHANGE. BID PUT OUT. COMPLIANT UPDATED. P/U 6/20/07. EC/AW\*\*\*

\*\*\*6/8/07, NO WORK DONE. MR/MRS SCALES VERY UPSET. WROTE A CITATION FOR 6/13/07.

P/U

\*\*6/11/07 ON DOCKET FOR 6/13/07 PER E CREED /JF\*\*.

\*\*\*6/8/07, NO WORK DONE. MR/MS SCALES VERY UPDSET, WROTE A CITATION FOR 6/13/07.

P/U 6/18/07. EC/MK\*\*\*

\*\*\*6/12/07, MADE CONTACT WITH MS MILLER. SOLD AT AUCTION TO JANOUNIS ANGELO SR.

NO FOREWARDING ADDRESS ONLY TAX INFO OF VIOLATION SITE THIS LOCATION IS A SAFETY

, HEALTH, ISSUE. HEARING GO ON. EC/MK\*\*\*

\*\*\*6/18/07, P/U 6/25/07 FOR ED C. TO HANDLE PER MARK, P/U FOR FINAL ORDER,

UPDATE NOT NECESSARY, MSK/CG\*\*\*

\*\*\*6/25/07, WROTE NEW CITATION TO NEW OWNER, P/U 7/10/07, EC/CG\*\*\*

<u>>>>>>>>>>>>>>></u>

F3=Exit

F5=Refresh

F6=Select format

F9=Insert

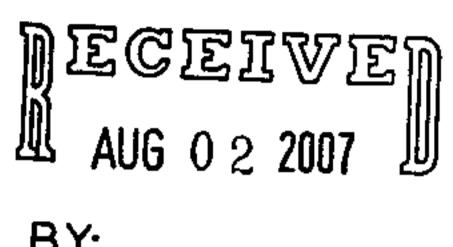
F10=Entry

F11=Change

### BALTIMORE COUNTY, MARYLAND

### Inter-Office Correspondence





	•	D 1						
TO:	Timothy M. Ko	Timothy M. Kotroco						
FROM:	Dave Lykens, l	Dave Lykens, DEPRM - Development Coordination						
DATE:	August 2, 2007	August 2, 2007						
SUBJECT	Address	# 07-552-A 1621 Hopewell Avenue (Janouris Property)						
Zor	ning Advisory Com	mittee Meeting of June 18, 2007						
	X The Department of Environmental Protection and Resource Management comments on the above-referenced zoning item.							
		epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:						
	Protection of V	of the property must comply with the Regulations for the Vater Quality, Streams, Wetlands and Floodplains (Sectionally 33-3-120 of the Baltimore County Code).						
	Conservation F	Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).						
	Critical Area R	of this property must comply with the Chesapeake Bay Regulations (Sections 33-2-101 through 33-2-1004, and of the Baltimore County Code).						

Additional Comments:

Reviewer:

Paul A. Dennis

Date: July 17, 2007



### 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) 7-552- Variance SUBJECT:

**DATE:** July 26, 2007

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

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

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

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay with the Office of Planning at 410-887-3480.

CM/LL

# 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

**DATE:** July 26, 2007

III 3 0 2007

BY:\_\_\_\_

SUBJECT: Zoning Advisory Pa

Zoning Advisory Petition(s): Case(s) 7-552- Variance

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Prepared By:

Division Chief:

CM/LL







Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

State Highway Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: June 19,2007

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

RE:

**Baltimore County** 

Item No. 7-55Z-A

1621 HOPEWELL AVENUE

-ANOUBLE YEADPE

VARI ANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-552-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** June 21, 2007

Department of Permits & Development

Management

Dennis A. Kennedy, Supervisor FROM:

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For June 25, 2007

Item Nos. 07-550, 551 (552) 553, and 556

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-06212007.doc

# 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 June 25, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 18, 2007

552

Item Number: 550% Through 554 and 556

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

