IN RE: PETITION FOR SPECIAL HEARING

E side of Lilac Avenue, 93 feet N of Violet

Avenue

13<sup>th</sup> Election District

1<sup>st</sup> Councilmanic District

(3220 Violet Avenue)

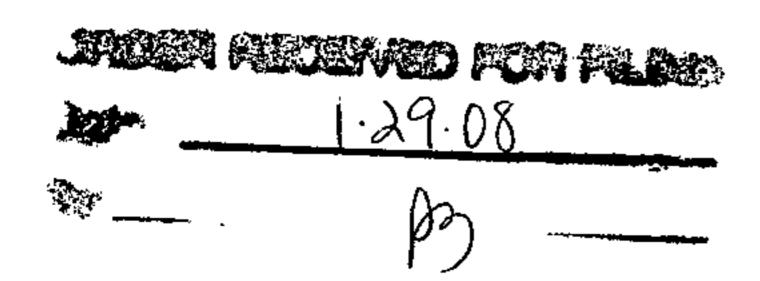
Randle Kids II, LLC; by Karen Randle, Owner Petitioner

- \* BEFORE THE
- \* DEPUTY ZONING
- \* COMMISSIONER
- \* FOR BALTIMORE COUNTY
- \* Case No. 08-183-SPH

# FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Karen Randle, owner, on behalf of Randle Kids II, LLC, the legal property owner. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a group of lots, a portion of which are in Baltimore County and a portion of which are in Baltimore City to be used to meet the area regulations under Section 102.4 of the B.C.Z.R., when the proposed dwelling is located in Baltimore County or, in the alternative, to permit a dwelling to be built on a lot containing less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing was Jason Randle on behalf of Petitioner Randle Kids II, LLC, and Jason Vettori, Esquire, attorney for Petitioner. Also appearing in support of the requested relief was Richard E. Matz with Colbert Matz Rosenfelt, Inc., the professional engineer who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.



Testimony and evidence offered revealed that the subject property is a square-shaped parcel consisting of approximately 20,992 square feet, 10,771 of which is located in Baltimore County and 10,211 in Baltimore City. The property is situated north of Violet Avenue behind an existing property at 3222 Violet Avenue in the Arbutus area of Baltimore County. 3222 Violet Avenue is also owned by Petitioner and comprises Lots 898, 899, and 900 of English Consul Estates. It is improved with an existing two-story dwelling. Lots 892, 893, 894, 895, 896, and 897 comprise the subject property. It is unimproved. It is bounded by an existing 14 foot wide unimproved alley on the east side and Lilac Avenue on the west side. As shown on the site plan, a distinct feature of the subject property is that Lot 897 lies completely in Baltimore County and Lot 892 lies completely in Baltimore City. The other four lots have some area in both the City and the County. The property is also shown on the posting photograph which was marked and accepted into evidence as Petitioner's Exhibit 2. This photograph shows a large commercial structure located adjacent to the subject property as well. Photos that were marked and accepted into evidence as Petitioner's Exhibits 3A through 3J show the existing dwelling at 3222 Violet Avenue, as well as the homes located adjacent to Lilac Avenue.

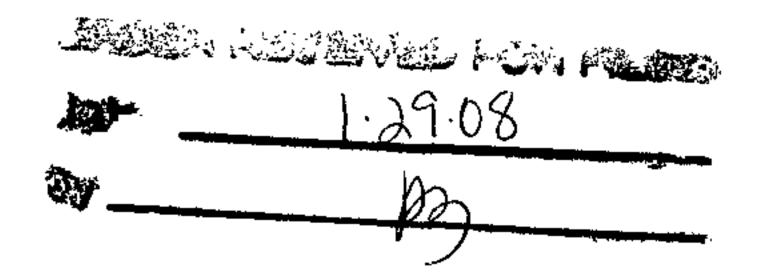
Petitioner proposes to construct a two-story dwelling on the subject property. Access would be by way of a driveway utilizing a portion of the unimproved alley which leads from Violet Avenue. The driveway would crossover Lots 897 and 896, and a parking pad would be located on part of Lot 895. The remaining Lots 894, 893, and 892 would be utilized as a yard area. The proposed dwelling would be located entirely in Baltimore County. Some members of the family currently reside in the 3222 Violet Avenue dwelling and the proposed dwelling would be constructed for additional family members. In order to construct the proposed dwelling, Petitioner requests a determination by this Commission that the area necessary to meet the

minimum lot area requirements need not lie completely or exclusively in Baltimore County, and that adjacent land lying in Baltimore City can be utilized to meet the minimum lot area requirements. Specifically, Section 102.4 of the B.C.Z.R. states that "[n]o dwelling, other than a multifamily building, shall be built on a lot containing less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel..." Alternatively, Petitioner seeks approval to permit a dwelling to be built on a lot containing less than 20,000 square feet.

In support of this request, Petitioner points to the "General Requirements" language of Section 102.1 of the B.C.Z.R. The section states that "[n]o land shall be used or occupied and no building or structure shall be erected, altered, located or used except in conformity with these regulations and this shall include any extension of a lawful nonconforming use." Petitioner argues that this language does not specify County land only, nor does it distinguish between County or City land in meeting the requirements of the Zoning Regulations.

Petitioner also invokes the doctrine of zoning merger and argues that although part of the lots lie in the City and part lie in the County, zoning merger would allow the smaller lots to merge into one parcel in order to comply with zoning requirements. The doctrine of zoning merger was first addressed by the Court of Appeals in *Friends of the Ridge*, et al. v. Baltimore Gas and Electric Company, 352 Md. 645, 724 A.2d 34 (1999). In that case, the Court recognized the existence of the doctrine of zoning merger in Maryland, stating:

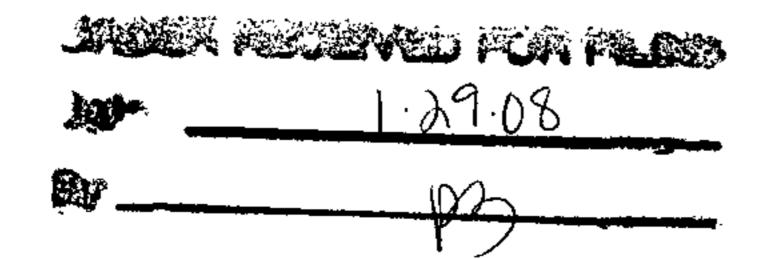
Efforts throughout the country, including Baltimore County, have been to restrict undersize parcels, not oversized parcels. These efforts have resulted in the creation and evolution in zoning of the doctrine of merger, which, in zoning cases, generally prohibits the use of individual substandard parcels if contiguous parcels have been, at any relevant time, in the same ownership and at the time of that ownership, the combined parcel was not substandard.



In short, the zoning merger doctrine, according to the Court, "seeks to prevent the proliferation or use of nonconforming, undersized lots by holding that they have been combined or merged into a larger parcel..." In the instant matter, Petitioner argues that combining the undersized Lots 892 through 897 into one larger parcel to meet the minimum area requirements is not only the intent of Petitioner, but that zoning merger is also the legal consequence of combining the six lots, whether they be situated in part in the City and/or the County. In doing so, Petitioner also recognizes there shall be no further development or density rights with respect to the lots.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Bureau of Development Plans Review dated October 23, 2007 which indicates that Petitioner must verify that the existing 14 foot alley is not owned by Baltimore County. Petitioner then must have a title attorney state in writing that Petitioner has the right to use the alley for access and for installation of private utilities. Upon satisfaction of this comment, the Bureau of Development Plans Review has no objection to the use of the alley. In response to this comment, Petitioner presented a letter from James H. Patterson, President of Paragon Title Abstract Company, Inc. dated January 16, 2007 to Carol Ann Wildesen, Esquire of NRT Mid-Atlantic Title Services LLC, which was marked and accepted into evidence as Petitioner's Exhibit 4. Petitioner believes this letter addresses the issue raised in the aforementioned comment that the alley is not owned by Baltimore County.

Based on the testimony and evidence presented, I am persuaded to grant the special hearing relief. I find under the doctrine of zoning merger that the six lots numbered Lots 892 through 897 have been combined and merged in order to meet the minimum 20,000 square foot area requirement of Section 102.4 of the B.C.Z.R. I also find that this merging of the lots can



occur notwithstanding the fact that part of the lots are situated in both the City and the County, there being no prohibition against such a result in the zoning regulations.

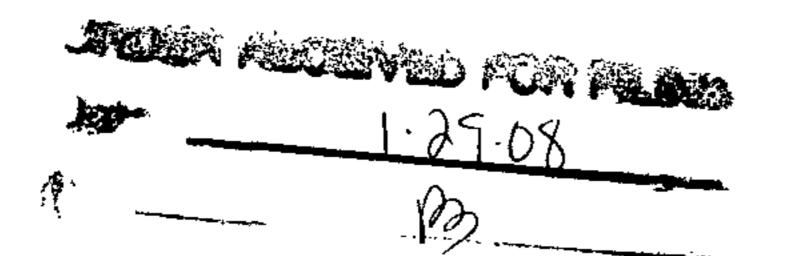
In my judgment, Petitioner's proposal is appropriate and will not be detrimental to the health, safety, or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's request for special hearing should be granted with conditions.

IT IS FURHTER ORDERED THAT the request, in the alternative, to permit a dwelling to be built on a lot contain less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel is hereby DISMISSED as MOOT.

The relief granted herein is subject to the following conditions:

- 1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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 must verify that the existing 14 foot alley is not owned by Baltimore County and must then must have a title attorney state in writing that Petitioner has the right to use the alley for access and for installation of private utilities.
- 3. Other than the relief granted herein, there shall be no further development or density rights with respect to any of the combined or merged lots.



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

OMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

1.29.08



# Petition for Special Hearing

# to the Zoning Commissioner of Baltimore County

for the property located at: 3220 Violet Avenue	··
which is presently zoned <u>DR-3.5</u>	

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 of thereof, hereby petition for a Special Hearing under 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should permit

A group of lots, a portion of which are Baltimore County and a portion of which are in Baltimore City to be used to meet the area regulations under Section 102.4, BCZR, when the proposed dwelling is located in Baltimore County

Or, in the alternative, to permit a dwelling to be built on a lot containing less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel.

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:

Name - Type or Print		
Signature		
Address.	Teleph	one No.
<u> </u>		
City	State	Zip Code
<b>Attorney For Petitioner:</b>		
Name - Type or Print		
	<u></u>	
Signature		
Company		
<u> </u>	<del></del>	
Address	Teleph	one No.
		7in Cada
City	State	Zip Code

# <u>Legal Owner(s):</u>

Name Frype or Frint		
Farin Kandle		
'\$ignature		
Name - Type or Print		
Name - Type or Print		
Signature		_
6234 Chestnut Oak Lane	240-8	76-5515_
Address.	Teleph	one No.
Linthicum	MD	21090_
City	State	Zip Code
5		

# Representative to be Contacted:

Richard E. Matz, P.E.		
COLBERT MATZ ROSENFELT, INC (ev	e) 410-4	84-8757
2835 Smith Avenue, Suite G (day)	410-6	53-3838
Address	Teleph	one No.
Baltimore	MD	21209
City	State	Zip Code

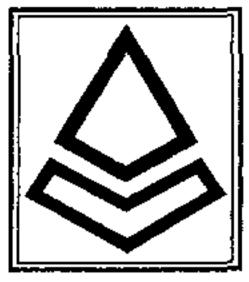
1.29.08

08-183-5PH JNP 10/18/9

Randle Kids II, LLC

# Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



# **ZONING DESCRIPTION**3220 VIOLET AVENUE

the east side of



Beginning at a point on Lilac Avenue, an unimproved street which is 40 feet wide, at a distance of 93 feet + frem the centerline of Violet Avenue, which is 40 feet wide. Thence the following courses and distances:

N 09°47'16" E, 149.18 ft.; N 88°00'36" E, 147.98 ft.; S 09°47'16" W, 140.67 ft.; thence S 84°49'23" W, 149.95 ft. to the Point of Beginning

A portion of which is recorded in Deed Liber 23343, folio 654, and containing 0.25 acre. Also known as #3220 Violet Avenue and located in the 13<sup>th</sup> Election District, 1<sup>st</sup> Councilmanic District.



BALTIMORE COUNTY, MARYLAND  OFFICE OF BUDGET AND FINANCE  MISCELLANEOUS RECEIPT  BY CALLANEOUS RECEIPT  Sub Rev Catg Acct Amount Date  On Organ Source Rev Catg Acct Amount Date  On Organ Source Rev Catg Acct Amount Date  For Carlo Car		TOTAL MAIN TOTAL T			Haltingra Linguity, Harytinst				,	VALIDATION	
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# CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 12/04/07

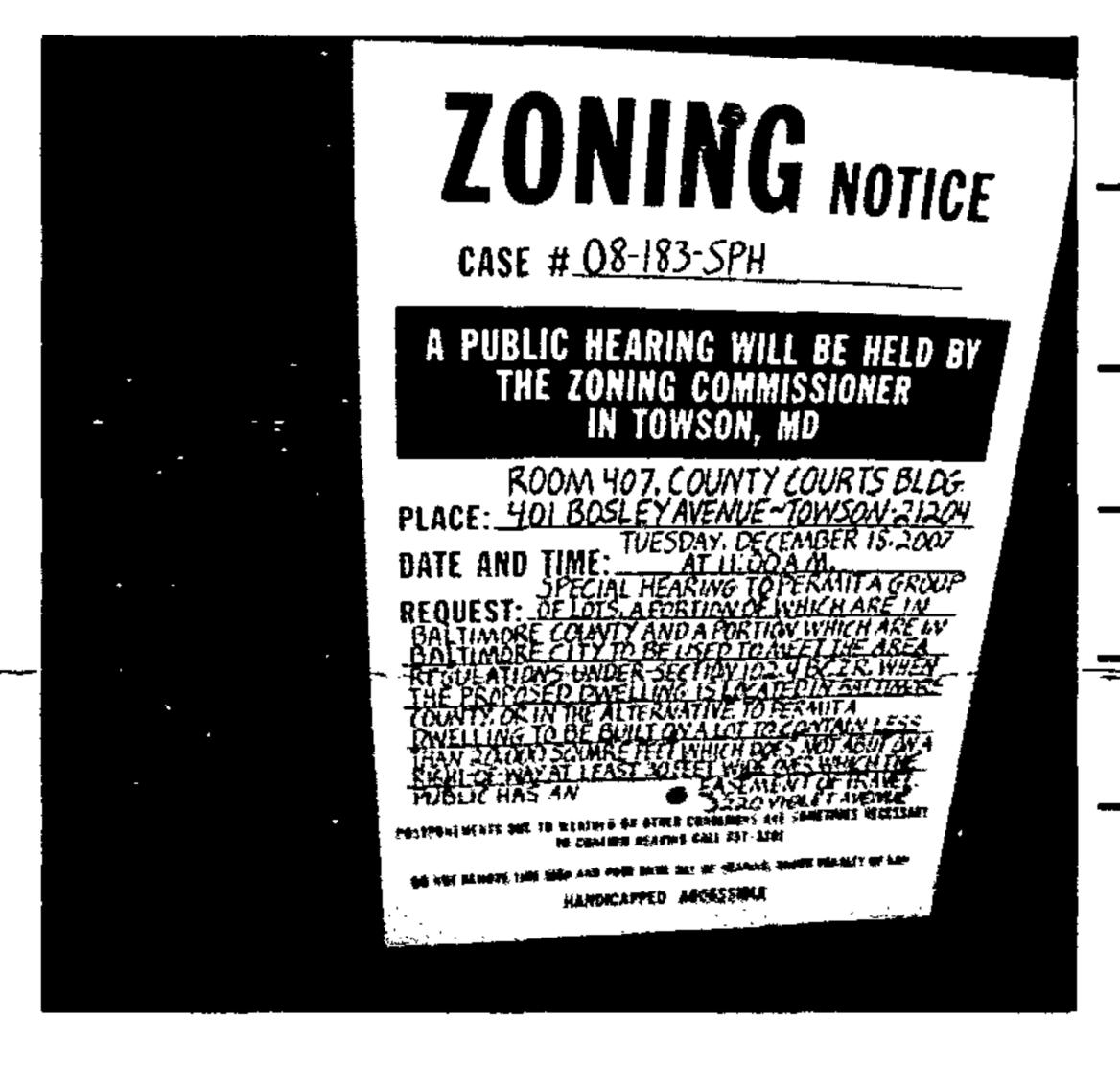
Case Number: <u>08-183-SPH</u>

Petitioner / Developer: COLBERT, MATZ & ROSENFELT INC.

Date of Hearing (Closing): DECEMBER 18, 2007

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 3220 VIOLET AVENUE

The sign(s) were posted on: 12/01/07



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, Maryland 21030

-(City, State, Zip of Sign Poster)

410 - 666 - 5366

(Telephone Number of Sign Poster)

# CERTIFICATE OF POSTING

RE: Case No.: 08-183-SPH

Petitioner/Developer: KADELI RINGOLIS

Date of Hearing/Closing: DEC, 18, 2007

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 \_\_

# 3220 VIOLET AVELIUG

The sign(s) were posted on

(Month, Day, Year)

# ZONING NOTICE

CASE # 08-183-SPH

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

ROOM 407, COUNTY COURTS BUILDING

PLACE: 401 BOSLEY AVENUE

TUESDAY, DECEMBER 18-2007

DATE AND TIME: \_\_\_AT 11:00 A.M.

REQUEST: SPECIAL HEARING TO PERMIT A

BALTIMORE COUNTY AND A PORTION OF WHICH ARE IN BALTIMORE CITY TO BE USED TO MEET THE AREA

REGULATIONS UNDER SECTION 102.4 BCZR, WHEN THE PROPOSED DWELLING IS LOCATED IN

BALTIMORE COUNTY, OR IN THE ALTERNATIVE, TO DERMIT A DWELLING TO BE BUILT ON A LOT TO CONTAIN LESS

THAM 20,000 BOURRE FEET WHICH DOES NOT ABUT ON A RIGHT-OF-WAY AT LEAST 30 FEET WIDE OVER WHICH THE PUBLIC HAS AN EASEMENT OF TRAVEL

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

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

Sincerely,

(Signature of Sign Poster and Date)

CARLAGE, MOORE (Printed Name)

3225 RYERSON CIRCLE (Address)

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

(410) 242-4263

(Telephone Number)



JAMES T. SMITH, JR. County Executive

October 25, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
NG
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: 08-183-SPH

3220 Violet Avenue

E/side of Lilac Avenue (unimproved), 93 feet north of Violet Avenue

13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owners: Randle Kids II, LLC, Karen Randle

Special Hearing to permit a group of lots, a portion of which are Baltimore County and a portion of which are in Baltimore City to be used to meet the area regulations under Section 102.4, BCZR, when the proposed dwelling is located in Baltimore County, or in the alternative, to permit a dwelling to be built on a lot to contain less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel.

Hearing: Tuesday, December 18, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Karen Randle, 6234 Chestnut Oak Lane, Linthicum 21090 Richard Matz, 2835 Smith Avenue, Ste. G., Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 3, 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, December 4, 2007 Issue - Jeffersonian

Please forward billing to:

Jason Randle 506 Greenwood Road Linthicum, MD 21090 240-876-6515

### **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: 08-183-SPH

3220 Violet Avenue

E/side of Lilac Avenue (unimproved), 93 feet north of Violet Avenue

13<sup>th</sup> Election District – 1<sup>st</sup> Councilmanic District

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Special Hearing to permit a group of lots, a portion of which are Baltimore County and a portion of which are in Baltimore City to be used to meet the area regulations under Section 102.4, BCZR, when the proposed dwelling is located in Baltimore County, or in the alternative, to permit a dwelling to be built on a lot to contain less than 20,000 square feet which does not abut on a right-of-way at least 30 feet wide over which the public has an easement of travel.

Hearing: Tuesday, December 18, 2007 at 11:00 a.m. in Room 407, County Courts Building,

#01 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 ZONING REVIEW

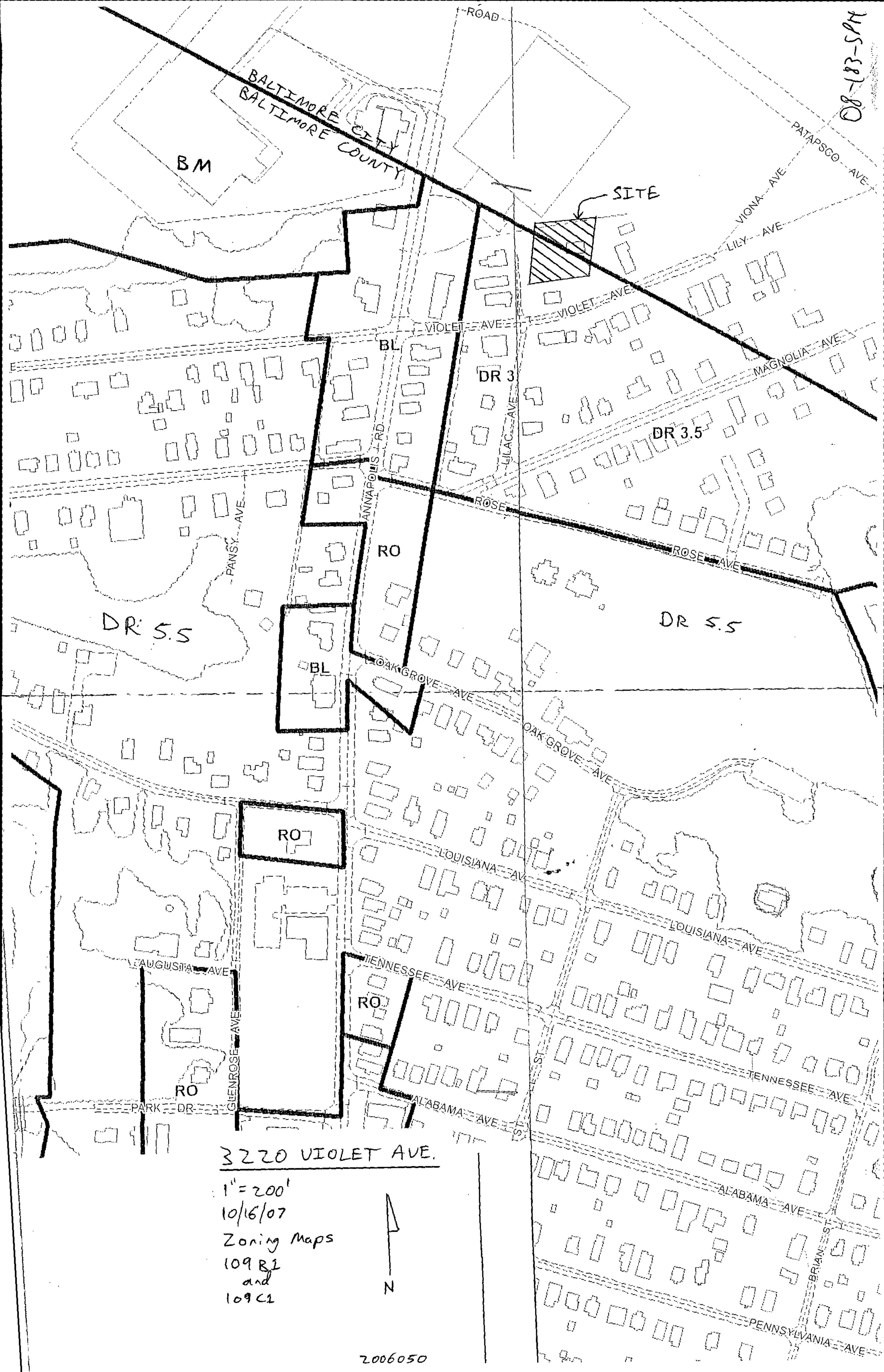
# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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:
Item Number or Case Number: 08-183-SPH Petitioner: Randle Kids II, LLC
Address or Location: 3220 Violet Avenue
PLEASE FORWARD ADVERTISING BILL TO:  Name: Jason Randle
Address: 506 Greenwood Road
Linthiaun, MD 21090
<del></del>
Telephone Number: <u>240-876-6515</u>





JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

December 12, 2007

Randle Kids II, LLC Karen Randle, Owner 6234 Chestnut Oak Lane Linthicum, Maryland 21090

Dear Ms. Randle:

RE: Case Number: 08-183-SPH, 3220 Violet Avenue

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

Richard E. Matz, P.E. Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, Suite G Baltimore 21209



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

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

Maryland Department of Transportation

Date: OCTOBER 25, 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. 8-183-9PH

3220 VIOLET AVENUE

RANDLE PROPERTY

SPECIAL HEARING

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. 8-103-504.

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,

For

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief
Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 11, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 22, 2007

Item Number: Item Number 171 through 177 and 179 through 183

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 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

# 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

PECEIVE

NOV 1 5 2007

BY:\_\_\_\_

**DATE:** November 7, 2007

SUBJECT:

Zoning Advisory Petition(s): Case(s) 8-183 - Special Hearing

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Reviewed By-

CM/LL

### BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** October 23, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For October 29, 2007 Item No. 08-183

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

The petitioner must verify that the existing 14-foot alley is not owned by Baltimore County. The petitioner then must have a title attorney state in writing that the petitioner has the right to use the alley for access and for installation of private utilities. After these things, we have no objection to the use of the alley.

DAK:CEN:clw cc: File

ZAC-ITEM NO 08-183-10232007.doc

RE: PETITION FOR SPECIAL HEARING
3220 Violet Avenue; E/S Lilac Avenue,
93' N Violet Avenue
13<sup>th</sup> Election & 1<sup>st</sup> Councilmanic Districts
Legal Owner(s): Randle Kids, II
Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

\* FOR

BALTIMORE COUNTY

\* 08-183-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 31<sup>st</sup> day of October, 2007, a copy of the foregoing Entry of Appearance was mailed to, Richard E. Matz, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, Representative for Petitioner(s).

RECEIVED

OCT 3 1 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

From:

"Bryan Sheppard" <bccdistrict1@comcast.net>

To:

<crichards@baltimorecountymd.gov>

Date:

11/7/2007 2:52 PM

Subject:

3220 Violet Avenue, 8-183-SPH

Carl,

Can I get a copy of the Special Hearing file for 3220 Violet Avenue, Case # 8-183-SPH? Inter-office would be great.

Thanks,

Bryan Sheppard

For Pik up Brynn Shypara

Please return Completo Silv to Rosa Zunin T. Yuw

ND. 145

# PARAGON TITLE ABSTRACT COMPANY, INC.

12240 ROUNDWOOD ROAD, UNIT 401 TIMONIUM, MARYLAND 21093 Telephone: 443-756-3121 Fex: 410-832-5752

January 16, 2007

CAROL ANN WILDESEN, ESQUIRE NRT Mid-Atlantic Title Services L.L.C. 11350 McCormick Road Suite 200 Hunt Valley, MD 21031

Re: Beds of Lilac Avenue, Violet Avenue and alley to rear of Lilac Avenue

Dear Carol Ann,

Pursuant to your request, I have searched the titles to the above captioned properties.

The underlying fee simple title to the bed of Violet Avenue as shown on the Plat entitled Section A, English Consul Estate, filed among the Plat Records of Baltimore County in Plat Book W.P.C. No. 3, folio 108 is vested in the adjoining property owners. Each lot owner owns to center of the road. This ownership is subject to the rights of use by the public and other lot owners.

Violet Avenues is also subject to an Agreement dated July 19, 1909, by and between Catherine Gable and Charles W. Hull et al recorded among the Land Records of Baltimore County in Liber W.P.C. No.343, folio 583.

The underlying fee simple title to the beds of Lilac Avenue and the alley to the rear of the lots fronting on Lilac Avenue as shown on the Plat entitled Section A, English Consul Estate, filed among the Plat Records of Baltimore County in Plat Book W.P.C. No. 3, folio 108 is vested in the adjoining property owners. Each lot owner owns to center of the road and alley. This ownership is subject to the rights of use by the public and other lot owners.

All of the above streets and alleys are subject to the following:

- The rights of Baltimore Gas and Electric Company as set forth in the Agreement dated May 22, 1911 by and between Charles J. Hull et al and Consolidated Gas, Electric Light and Power Company recorded among the Land Records of Baltimore County in Liber W.P.C. No. 380, folio 432.
- The note on the Plat states the streets are open but not dedicated to public use.

- 3. Baltimore County maintains the paved portions of Violet Avenue and Lilac Avenue.
- 4. Per the plats enclosed, there are water mains located in Violet Avenue and Lilac Avenue.
- 5. There is no record of any sewer lines located in these streets.

This report is not an opinion of title. Records and Indices have been run and checked through December 20, 2006.

PARAGON TITLE ABSTRACT COMPANY, INC.

By:

1AMES H .PATTERSON,

President

CASE NAME 3220 VIOLET AVE CASE NUMBER 08-1839PH DATE DEC 18,2007

# PETITIONER'S SIGN-IN SHEET

								Carla Kyon	2 7. VES	Jason Randle	RICHARD F. MATE	NAME
								2835 Smith a Ave. Since Co	600 WASHIMEN VIE. SEE. 500	506 Greenwood Road	2835 SMITH AVE, SUITE G	ADDRESS
								Bauto, MD 21209	Towson us	Linthicum, MD 21090	BATMORE, MO 21209.	CITY, STATE, ZIP
								cryon@cmreng.neevs.com	mogilieall c. com	jounned 570 Caldestandrom		E- MAIL

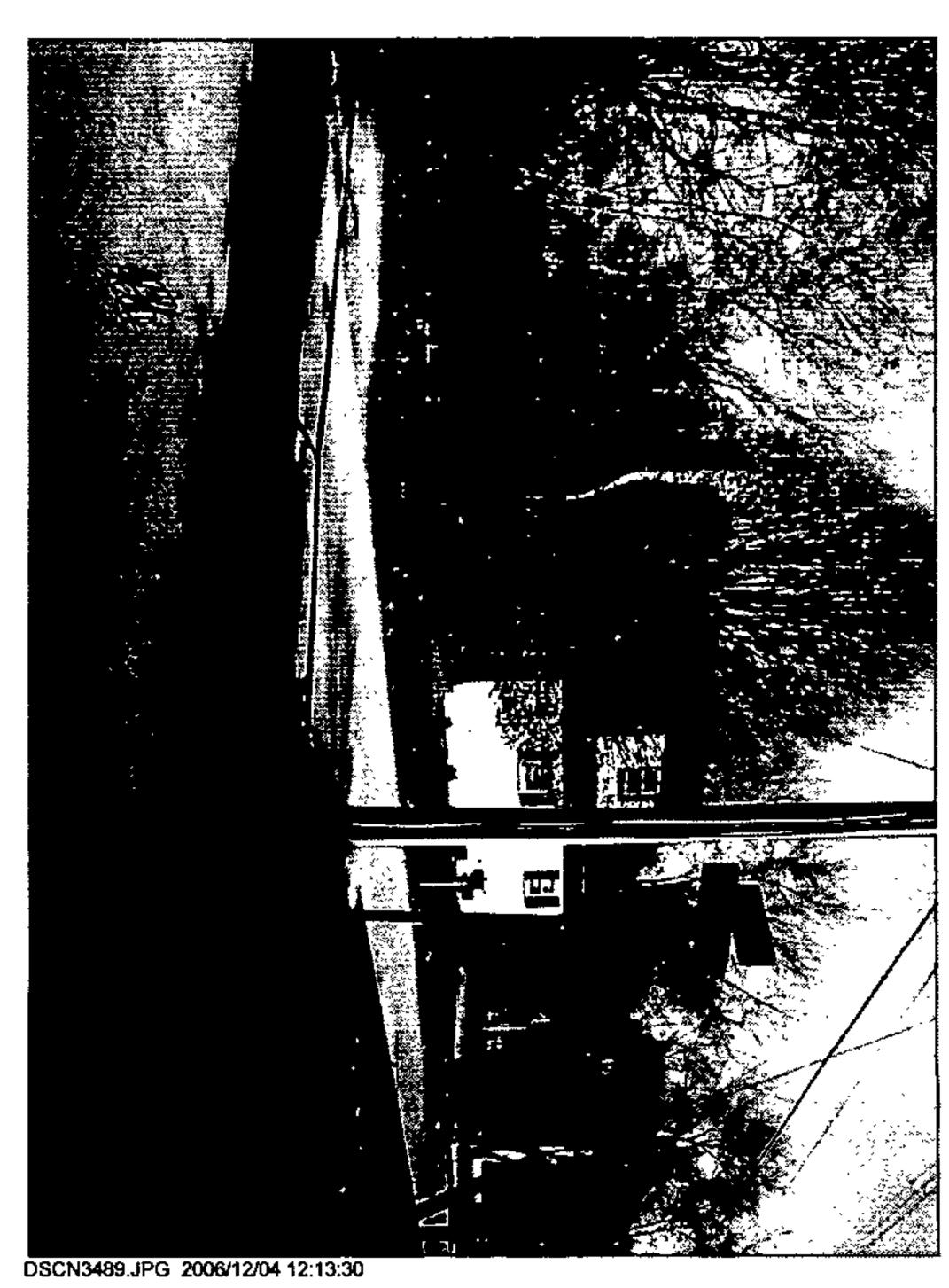


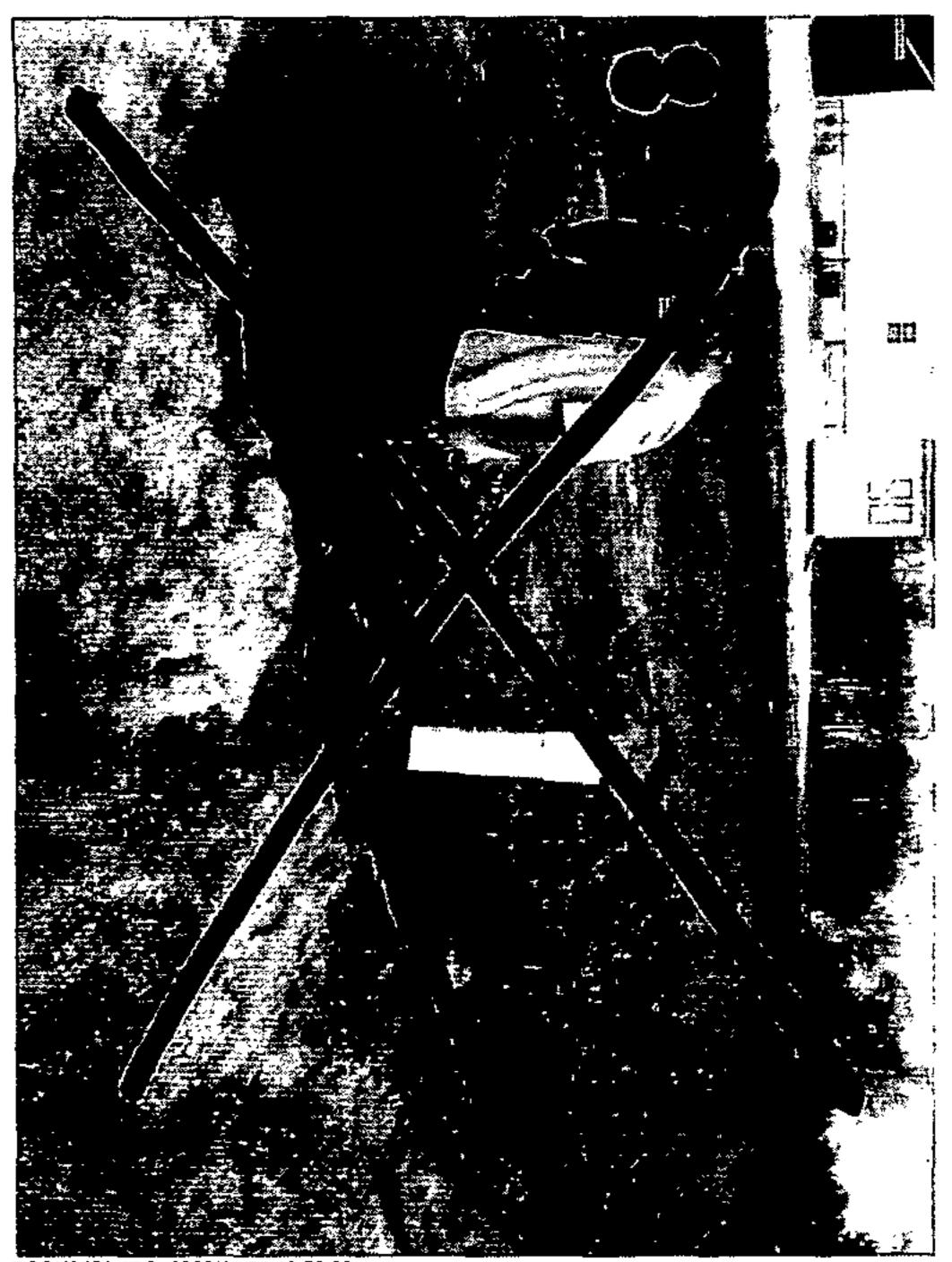
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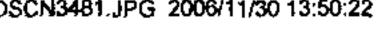


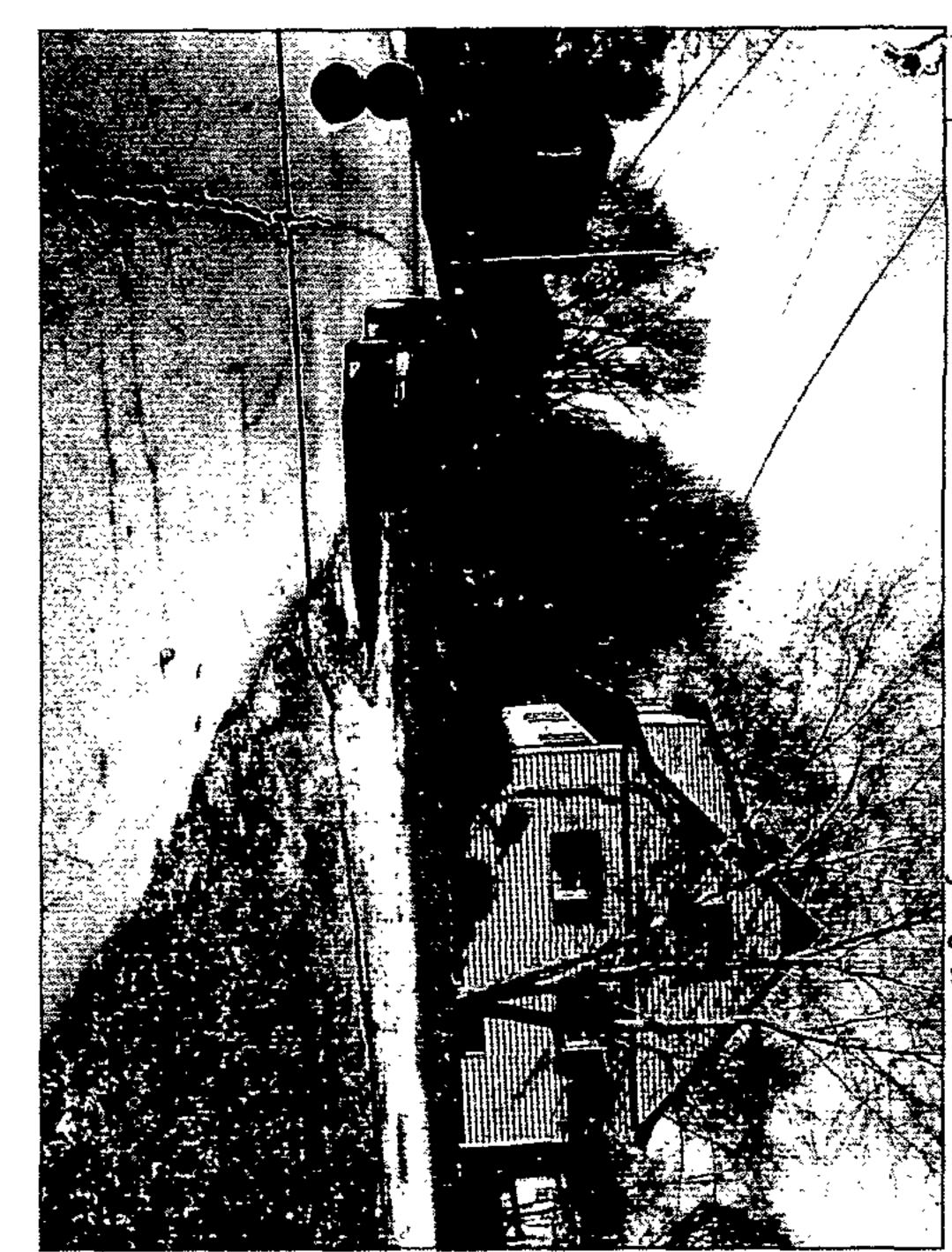


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
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


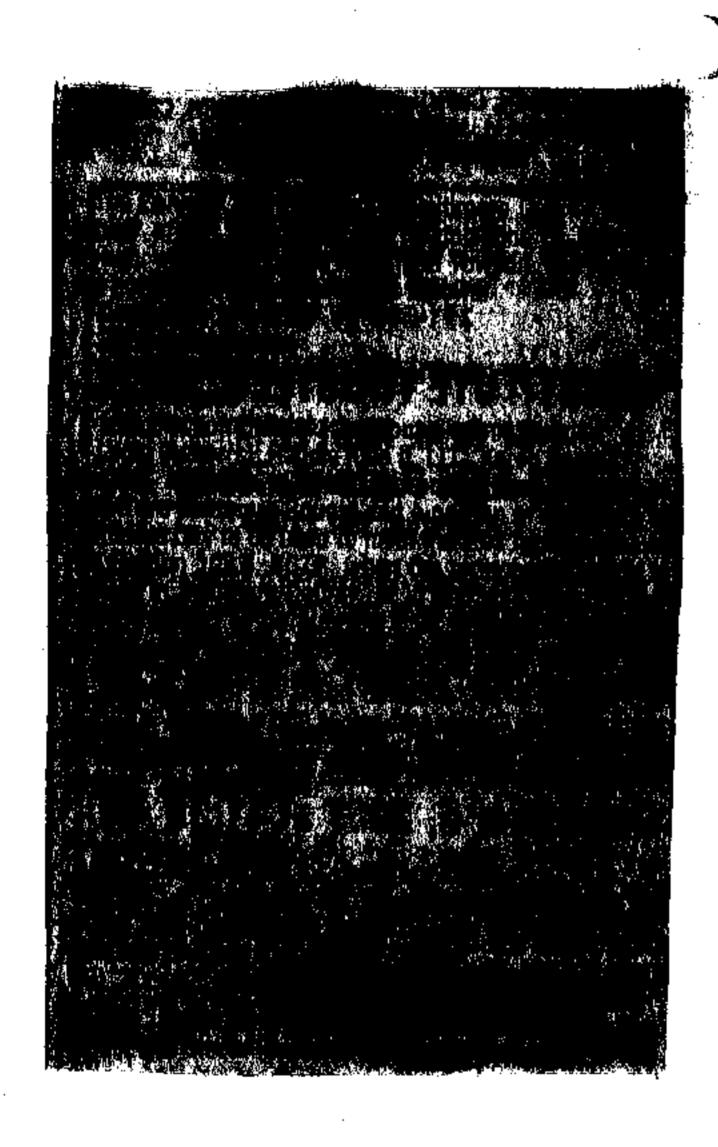
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# CERTIFICATE OF PUBLICATION

[26],2007
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 12/4 ,2007.
The Jeffersonian
The Jeffersonian  Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

J. W. LING LEGAL ADVERTISING

