

IN RE: PETITION FOR VARIANCE
W side Jefferson Avenue, 97 feet N
c/l Towsontown Blvd.
9th Election District
5th Councilmanic District
(409 Jefferson Avenue)

NHS Baltimore LLC
Felix Torres Colon
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-297-A**

* * * * *

IN RE: PETITION FOR VARIANCE
W side Jefferson Avenue, 60 feet S
c/l Lennox Avenue
9th Election District
5th Councilmanic District
(407 Jefferson Avenue)

NHS Baltimore LLC
Felix Torres Colon
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-307-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Deputy Zoning Commissioner for consideration of Petitions for Variance filed by Felix M. Torres Colon on behalf of the legal owner of the subject properties, Petitioner NHS Baltimore LLC. In each case number, Petitioner is requesting the following variance relief:

Case No. 08-297-A: For the property located at 409 Jefferson Avenue, the variance request is from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6.2 feet for a proposed addition and 2.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet respectively.

Case No. 08-307-A: For the property located at 407 Jefferson Avenue, the variance request is from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit

3.10.08
m

a side yard setback of 3.8 feet for a proposed addition and 1.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet respectively. The subject properties and the requested relief are more fully described on the site plans which were marked and accepted into evidence as Petitioner's Exhibits 1A and 1B.

Appearing at the requisite public hearing in support of the variance requests were Sunny L. Cooper, Senior Project Manager of Real Estate Development for Petitioner Neighborhood Housing Services, LLC (NHS), and Todd Connelly, an architect with Trace Architects. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that NHS is a non-profit organization that purchases distressed properties and renovates and rehabilitates the structures in order to give lower income families opportunities at home ownership. Eligible families are normally at 80% or below the median family income for the State. In the instant matter, Ms. Cooper indicated that NSH was approached by the Baltimore County Office of Community Conservation to consider whether these properties would be good candidates for their program. NHS then purchased the subject properties in September 2007. NHS is familiar with the Towson area and is involved in several other projects in East Towson. NHS now desires to rehabilitate these properties as well as build additions that will make them more habitable for a family. Right now, each property sits on a footprint of only 361 square feet for a two-story total of just over 720 square feet. The goal with the additions is to double the amount of living space for sufficient bedrooms, bathrooms and living areas for a family.

In support of their variance requests, Petitioner submitted the site plan for 407 Jefferson Avenue which was marked and accepted into evidence as Petitioner's Exhibit 1A, the site plate for 409 Jefferson Avenue which was marked and accepted into evidence as Petitioner's Exhibit 1B, and an aerial photograph showing the surrounding areas which was marked and accepted into evidence as Petitioner's 2. As shown on the aerial photograph, to the east is residential East Towson and to

3-10-08
P2

the south and west are mostly business and commercial uses. Photographs of the front of the subject duplex dwellings were marked and accepted into evidence as Petitioner's Exhibit 3. These photographs show the dwellings as currently boarded up and uninhabitable. The elevation drawings were marked and accepted into evidence as Petitioner's Exhibit 4. These drawings depict the appearances of the front, side and rear of the subject dwellings, with the proposed addition serving both dwellings. Because the property is located in historic East Towson, Mr. Connelly, Petitioner's architect with Trace Architects, contacted Andrew Lewis of the Maryland Historical Trust for his consideration of the plans for the two dwellings. An email from Mr. Connelly referencing the plans and showing Mr. Lewis' approval was marked and accepted into evidence as Petitioner's Exhibit 5.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The comment dated February 5, 2008 from the Office of Planning pertaining to the property at 407 Jefferson Avenue indicates the property falls within the East Towson Design Review Area. The property is known as the Tomes House and is noted on the Maryland Inventory of Historic Properties as BA-1039 and this designation should be placed on the site plan. The comment also directs Petitioner to schedule and/or discuss the appropriate procedure for review of the proposed addition, that building elevations should be submitted for review, and that the size of the addition will weigh heavily on the appropriate review procedures of the subject request. If the proposed area of improvements exceeds 50% of the existing (including the basement area) structure, the proposal is subject to DRP review. It is not clear whether the proposed addition exceeds 50% of the existing square footage, and hence, the Office of Planning is unable to give a recommendation (support or opposition) on the subject petition. Thereafter, the Office of Planning submitted a comment dated February 21, 2008 pertaining to both properties, wherein it reiterated that the properties are listed on the Maryland Inventory of Historic Properties, and that the site falls

ORDER ADVISED FOR FILING
3-10-08
[Signature]

within the East Towson DRP area. It also indicated that the Office of Planning was not opposed to the variance requests.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structures which are the subject of the variance requests. As indicated by Mr. Connelly, the subject properties are located in a historic district in East Towson. Both existing dwellings date back to the 1800's and are also historic. The existing footprints of the dwellings are non-conforming as to the current setback requirements and predate the zoning regulations. Another unique feature is the purpose for which the subject dwellings are being rehabilitated -- to give lower income families a chance at affordable home ownership. Hence, I find the properties unique in a zoning sense, and also find that the imposition of zoning disproportionately impacts the subject properties as compared to other properties in the zoning district.

Finally, I find these variances 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. The requested variance relief for side yard setback of 6.2 feet and 3.8 feet will be no more than the current non-conforming existing setbacks of existing dwelling footprints. The 2.5 foot and 1.5 foot setbacks for the proposed porch and steps will allow a reasonably sized porch for each dwelling and will also allow for ingress and egress from the rear of the dwellings. This is reasonable given the age and current placement of the dwellings on the properties.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered, I find that Petitioner's variance requests should be granted.

THEREFORE, IT IS ORDERED, this 10th day of March, 2008 by this Deputy Zoning Commissioner, that variance relief for properties set forth as follows:

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3-10-08
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Case No. 08-297-A: For the property located at 409 Jefferson Avenue, variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6.2 feet for a proposed addition and 2.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet, respectively, be and is hereby GRANTED; and

Case No. 08-307-A: For the property located at 407 Jefferson Avenue, variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 3.8 feet for a proposed addition and 1.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet, respectively, be and is hereby GRANTED.

Both properties are subject, however, to the following conditions precedent to the relief granted herein:

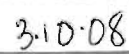
1. Petitioner may apply for their building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner will be required to return, and be responsible for returning, said property to its original condition.
2. Note on the site plan that the existing semi-detached dwellings at 407 and 409 Jefferson Avenue are listed on the MIHP as BA-1039.
3. Petitioner shall contact Jenifer German of the Office of Planning at 410-887-3480 to schedule and/or discuss the appropriate procedure for review of the proposed addition.
4. Petitioner shall submit building elevations for review by the Office of Planning.

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




BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 10, 2008

SUNNY L. COOPER
SENIOR PROJECT MANAGER
OF REAL ESTATE DEVELOPMENT
NHS BALTIMORE LLC
244 NORTH PATTERSON PARK AVENUE
BALTIMORE MD 21231

Re: Petitions for Variance
Case No. 08-297-A and 08-307-A
Property: 409 Jefferson Avenue and 407 Jefferson Avenue

Dear Mr. Cooper:

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: Todd Connelly, Trace Architects, 2901 East Baltimore Street, Baltimore MD 21224



historic

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 409 Jefferson Avenue

which is presently zoned PR 10.5

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 Variance from Section(s)

see attached

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1) existing structures are non-conforming for the side setbacks 2) no additions would be allowed under current side setbacks 3) houses are too small in current condition for livability 4) no increase in density 5) addition is 2-story

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

NHS Baltimore LLC - Felix Torres

Name - Type or Print

Signature

Name - Type or Print

Signature

244 N. Patterson Park Ave 410327

Address

Telephone No.

Baltimore MD

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 08-297-A

1B02.3.C.1 and 301.1A to permit a side yard setback of 6.2 ft. for a proposed addition and 2.5 ft. for a proposed porch in lieu of the required 10 ft. and 7.5 ft. respectively.

ZONING DESCRIPTION

Zoning Description For 409 Jefferson Avenue

Metes & Bounds: (E'ly 10.8', E'ly 6.5', N'ly 2.35', E'ly 5.75', S'ly 2.35', E'ly 12.8'), S.
72 52'E. 67.5 ft., S. 66 43'E. 16.10 ft., S. 21 45'W. 20.5 ft., N. 72 52'W. 121 ft., N. 21
45E. 23 ft. to the place of the beginning.

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: #08-297-A

409 Jefferson Avenue

W/side of Jefferson Avenue, 97 feet north of centerline of Towsontown Blvd.

9th Election District - 5th Councilmanic District

Legal Owner(s): NHS Baltimore, LLC

Variance: to permit a side yard setback of 6.2 feet for a proposed addition and 2.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet respectively.

Hearing: Wednesday, March 5, 2008 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT/2/748 Feb. 19

164154

CERTIFICATE OF PUBLICATION

2/21, 2008

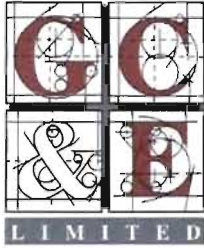
THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/19, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkins

LEGAL ADVERTISING

Form # 297



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

**RE: CASE#08-307-A
PETITIONER/DEVELOPER:
NHS Baltimore, LLC
DATE OF HEARING:
March 5, 2008**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION: KRISTEN 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 PROPERTY LOCATED AT**

(see page 2 for full size photo)

LOCATION:
407 Jefferson Avenue

SIGNATURE OF SIGN POSTER

Bruce E. Doak

**GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX**

POSTED ON: 2/13/08

ZONING NOTICE

CASE # :08-307-A

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

Room 407 County Courts Building
PLACE: 401 Bosley Avenue, Towson, MD

TIME & DATE : 11:00 am Wednesday, March 5, 2008

Variance: to permit a side yard set-back of 3.8 feet for a proposed addition and 1.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet respectively.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 410-887-1201 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS NOTICE UNTIL YOU SEE A HEARING CANCELLATION CAN
HEARINGS ARE HANDICAPPED ACCESSIBLE

02.13.2008 10:12

PETITIONER'S

EXHIBIT NO.

3

ST. JAMES WAY

LENNOX AVE

JEFFERSON AVE

STOP

02.13.2008 10:14

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 08-297-A
Petitioner: Neighborhood Housing Services of Baltimore
Address or Location: 409 Jefferson Ave - Towson MD 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name: Neighborhood Housing Services of Baltimore
Address: 244 N. Patterson Park Ave
Baltimore, MD 21231
Attn: Sunny Cooper
Telephone Number: 410 327-1200 ext 23



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 24, 2008
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: 08-297-A

409 Jefferson Avenue

W/side of Jefferson Avenue, 97 feet north of centerline of Towsontown Blvd.

9th Election District – 5th Councilmanic District

Legal Owners: NHS Baltimore, LLC

Variance to permit a side yard setback of 6.2 feet for a proposed addition and 2.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet respectively.

Hearing: Wednesday, March 5, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Felix Torres, 244 N. Patterson Park Avenue, Baltimore 21231

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 19, 2008.**
- (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, February 19, 2008 Issue - Jeffersonian

Please forward billing to:

Sunny Cooper
Neighborhood Housing Services of Baltimore
244 N. Patterson Park Avenue
Baltimore, MD 21231

410-327-1200 ext. 23

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: 08-297-A

409 Jefferson Avenue

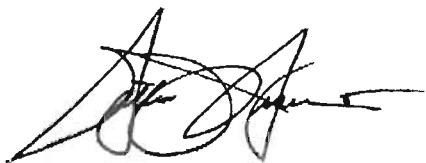
W/side of Jefferson Avenue, 97 feet north of centerline of Towsontown Blvd.

9th Election District – 5th Councilmanic District

Legal Owners: NHS Baltimore, LLC

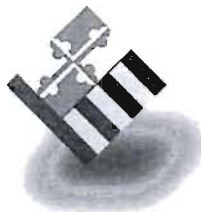
Variance to permit a side yard setback of 6.2 feet for a proposed addition and 2.5 feet for a proposed porch in lieu of the required 10 feet and 7.5 feet respectively.

Hearing: Wednesday, March 5, 2008 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

February 27, 2008

NHS Baltimore LLC
Felix Torres
244 N. Patterson Park Avenue
Baltimore, MD 21231

Dear Mr. Torres:

RE: Case Number: 08-297-A, 409 Jefferson Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 10, 2008. 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

TB 3/5 10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 21, 2008

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

RECEIVED
FEB 26 2008

BY: _____

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-297 and 8-307- Variance**

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request.

Note on the plan that the existing semi-detached dwellings at 407 and 409 Jefferson Avenue are listed on the MIHP as BA-1039.

The site falls within the East Towson DRP area. If the proposed area of improvements exceed 50% of the existing (including the basement area) structure the proposal is subject to DRP review. It is not clear whether the proposed addition exceeds 50% of the existing square footage.

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

Prepared By: 

Division Chief: 

CM/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 15, 2008

FROM: ^{DM}Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 21, 2008
Item Nos. 08-288, ~~289~~, 290, 291, 293,
294, 295, 296, and 297

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-01152008.doc



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

State Highway
Administration

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

Maryland Department of Transportation

Date: Jan. 15, 2008

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

RE: Baltimore County
Item No. 8-297-A
409 JEFFERSON AVENUE
NHS BALTIMORE LLC
VARIANCE

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. 8-297-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
for Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

RE: PETITION FOR VARIANCE * BEFORE THE
409 Jefferson Avenue; W/S Jefferson Avenue, * ZONING COMMISSIONER
97' N c/line Towsontowne Boulevard *
9th Election & 5th Councilmanic Districts *
Legal Owner(s): NHS Baltimore LLC * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-297-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 22nd day of January, 2008, a copy of the foregoing Entry of Appearance was mailed to, NHS Baltimore LLC, 244 N. Patterson Park Avenue, Baltimore, MD 21231, Petitioner(s).

RECEIVED

JAN 22 2008

Per.....



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 407 & 409 Jefferson
CASE NUMBER 08-207-A ; 08-297-A
DATE 3/5/08

NAME _____

CITY, STATE, ZIP

[illegible]



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 09 Account Number - 0920550120

Owner Information

Owner Name:	NHS BALTIMORE LLC	Use:	RESIDENTIAL
Mailing Address:	244 N PATTERSON PARK AVE BALTIMORE MD 21231-1338	Principal Residence:	NO
		Deed Reference:	1) /26219/ 93 2)

Location & Structure Information

Premises Address
 407 JEFFERSON AVE

Legal Description

407 JEFFERSON AVE WS
 97 W CHESAPEAKE AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
70A	16	123						2	Plat Ref:

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1903	904 SF	1,890.00 SF	04

Stories	Basement	Type	Exterior
2	YES	END UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2007	07/01/2008
Land	41,500	54,000		
Improvements:	31,330	46,850		
Total:	72,830	100,850	72,830	82,170
Preferential Land:	0	0	0	0

Transfer Information

Seller: NEIGHBORHOOD HOUSING SERVICES OF	Date: 09/28/2007	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /26219/ 93	Deed2:
Seller: DIGGS ELLA TOMES	Date: 06/27/2007	Price: \$90,000
Type: NOT ARMS-LENGTH	Deed1: /25866/ 232	Deed2:
Seller: TOMES CHARLIE	Date: 09/18/1978	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5936/ 356	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 09 Account Number - 0920550130

Owner Information

Owner Name: NHS BALTIMORE LLC **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 244 N PATTERSON PARK AVE **Deed Reference:** 1) /26219/ 93
 BALTIMORE MD 21231-1338 2)

Location & Structure Information

Premises Address
 409 JEFFERSON AVE

Legal Description

409 JEFFERSON AVE WS
 115 N CHESAPEAKE AV

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
70A	12	429						2	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1903	747 SF	2,783.00 SF	04

Stories	Basement	Type	Exterior
2	YES	END UNIT	FRAME

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2007	07/01/2008
Land	42,000	54,000		
Improvements:	25,180	37,660		
Total:	67,180	91,660	67,180	75,340
Preferential Land:	0	0	0	0

Transfer Information

Seller: NEIGHBORHOOD HOUSING SERVICES OF	Date: 09/28/2007	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /26219/ 93	Deed2:
Seller: DIGGS JOSEPH ALBERT	Date: 06/27/2007	Price: \$90,000
Type: NOT ARMS-LENGTH	Deed1: /25866/ 264	Deed2:
Seller: DIGGS ELLA TOMES	Date: 01/29/2007	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /25137/ 127	Deed2:

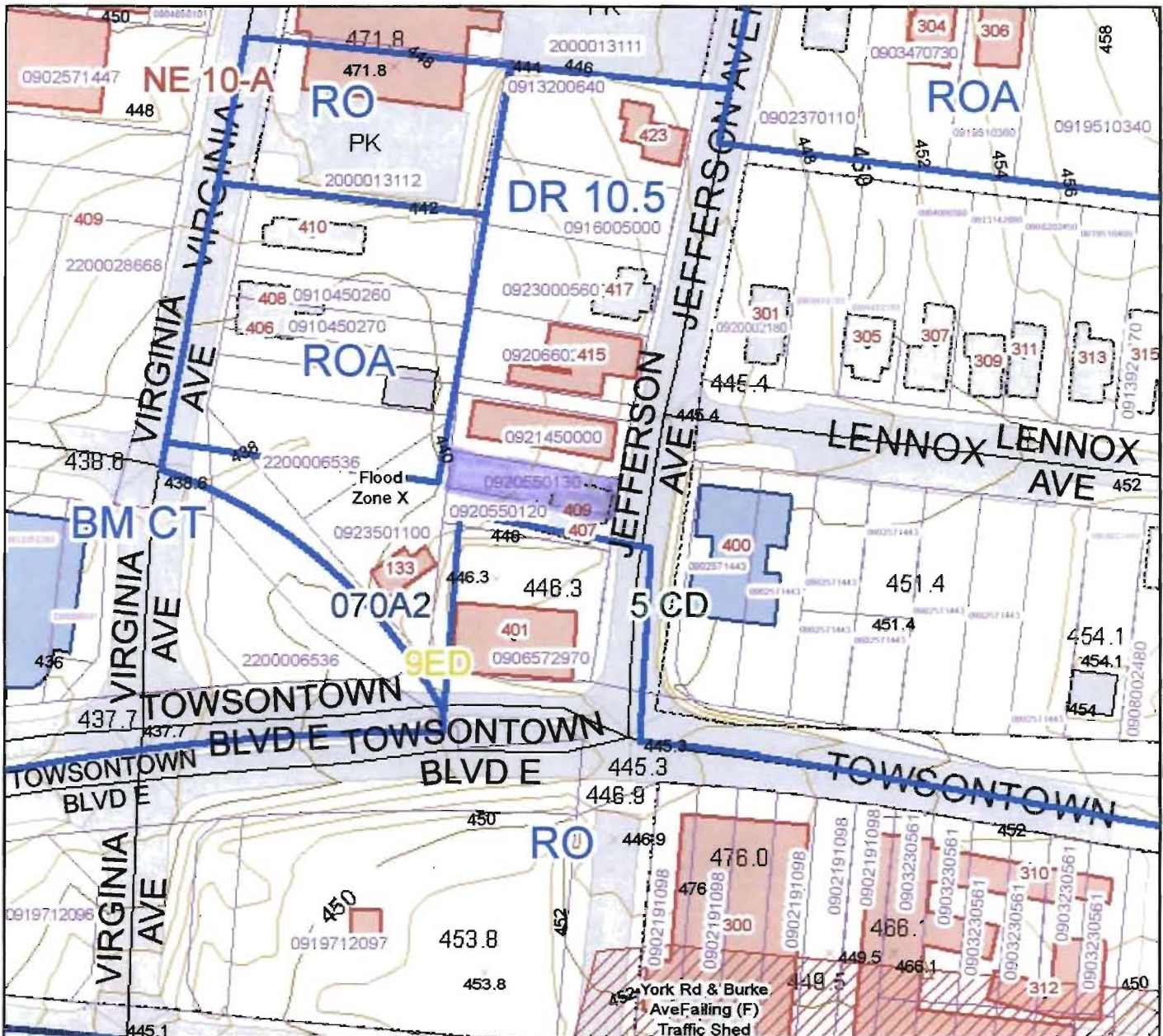
Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

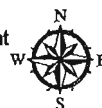
407 & 409 Jefferson St



DQ Map Notes



Publication Date: December 06, 2007
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



100 0 100
 Feet
 1 inch equals 100 feet



Location Drawing

Scale: 1" = 25'

This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, dwellings or other existing or future improvements nor does this plat purport to reflect setbacks or other distances with any specific level of accuracy. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing. The approximate location of the dwelling is shown in relation to the apparent property lines for the property known as

409 Jefferson Avenue
Baltimore County, Maryland

William T. Matthews

6/6/07

Ruxton Design Corporation

8422 Bellona Lane
Suite 300

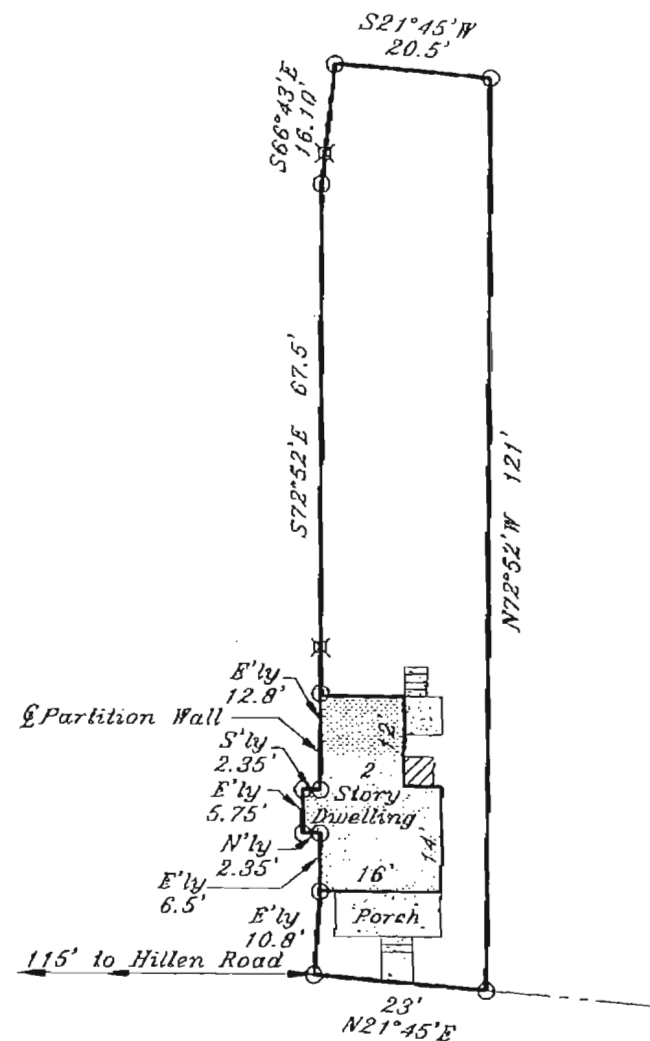
Towson, Maryland 21204

410-823-5000

410-823-0115fax

rdc@ruxtondesign.com

www.ruxtondesign.com



JEFFERSON AVENUE



SUSQUEHANNA

PETITIONER'S

EXHIBIT NO.

2

#307

200703709

F
HUD
CAL

A Lewis

From: todd@tracearchitects.com
Sent: Wednesday, October 10, 2007 12:46 PM
To: A Lewis
Cc: 'Sunny Cooper'
Subject: 407 & 409 Jefferson Ave.
Attachments: 407-09Jeffersonelev.pdf; 407-09Jeffersonplans.pdf

Mr. Lewis,

BA CO

I have attached our schematic plans and elevations for a project at 407 & 409 Jefferson Ave. in historic East Towson for your review. Jim Shetler has informed me that you have discussed this project developed by Neighborhood Housing Services of Baltimore. NHS is using Home Funds for this project which requires your approval. Please let me know if you need any more information from us.

Thanks for your time,

Todd

Todd Connelly | traceARCHITECTS

MOBILE 410 961 7811 | FAX 410 563 9386

2901 East Baltimore Street | Baltimore, MD 21224

todd@tracearchitects.com | www.tracearchitects.com

The Maryland Historical Trust has determined
that this undertaking will have no adverse effect
on historic properties.

Andrew Lewis Date 10/23/07

PETITIONER'S

EXHIBIT NO.

5

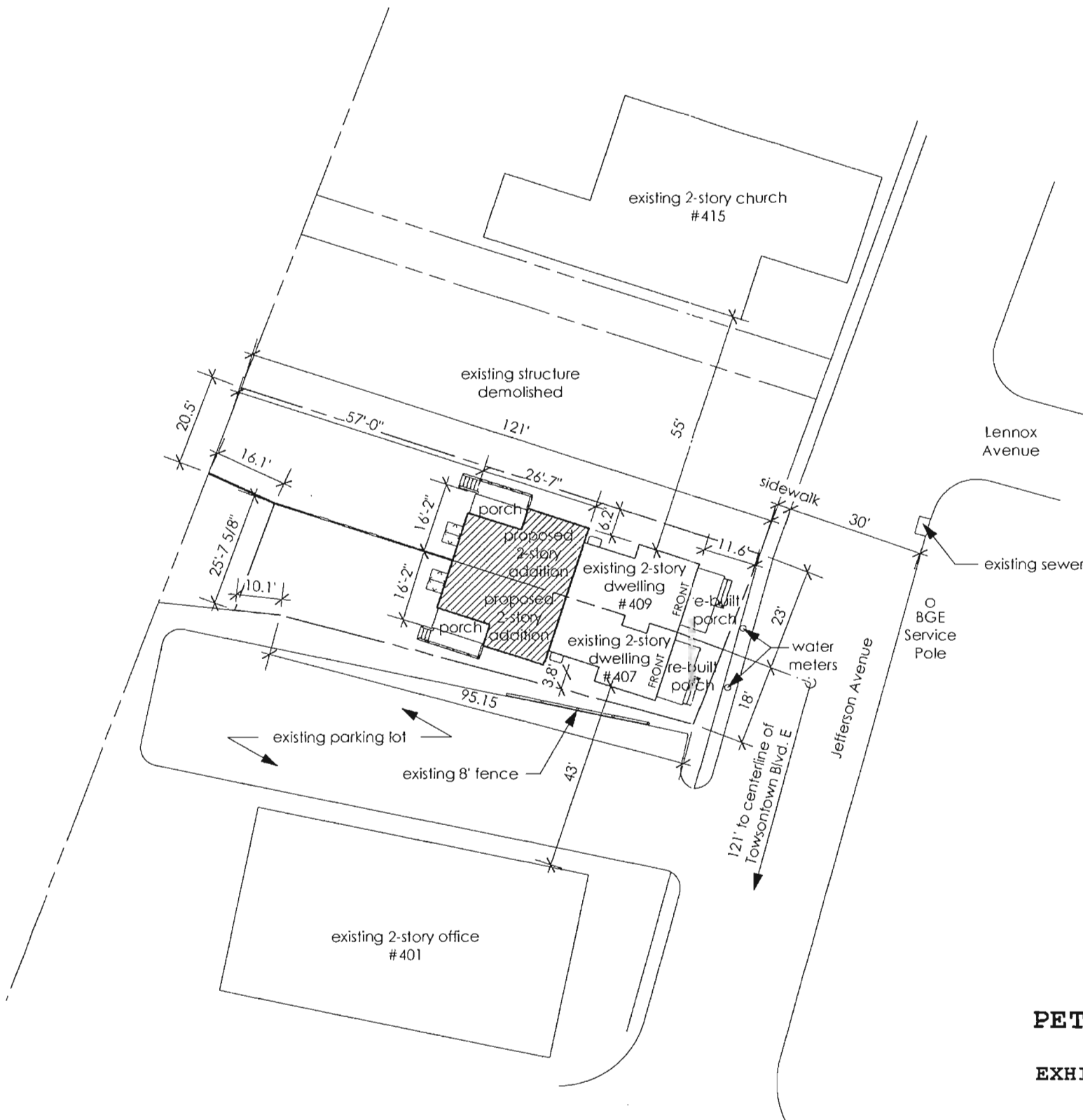
297

10/18/2007

2WA
CAL
10/22/07

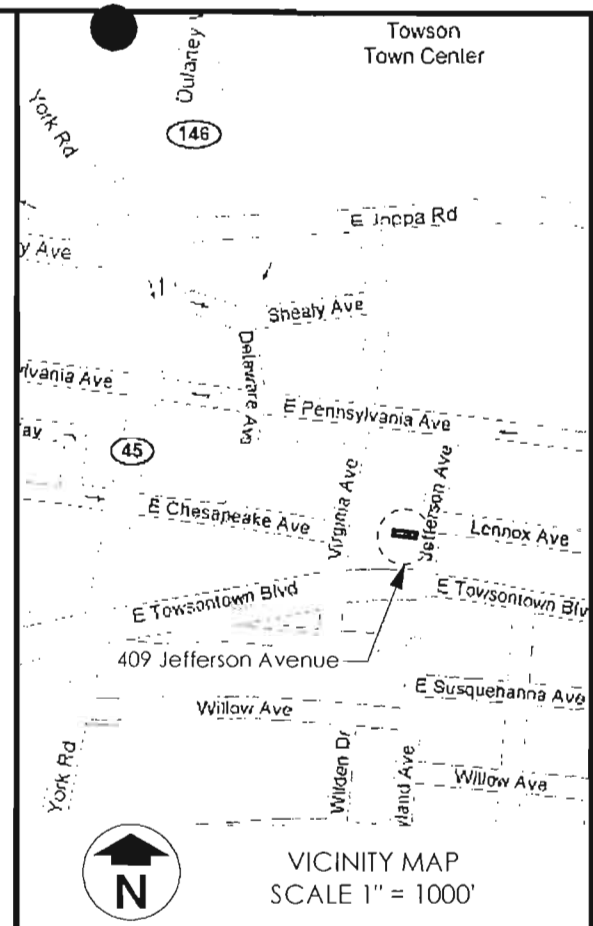
PLAT TO ACCOMPANY FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 409 Jefferson Avenue
LIBER # 26219 FOLIO # 93
OWNER Neighborhood Housing Services of Baltimore



PETITIONER'S

EXHIBIT NO. 1B



LOCATION INFORMATION

ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 5
1" = 200' SCALE MAP # NE 10 A
ZONING DR 10.5
LOT SIZE 2783 SF or .06 acres

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☒	☐
PRIOR ZONING HEARING	☐	☒



PREPARED BY Todd Connelly SCALE OF DRAWING 1" = 30' DATE 1.10.2008

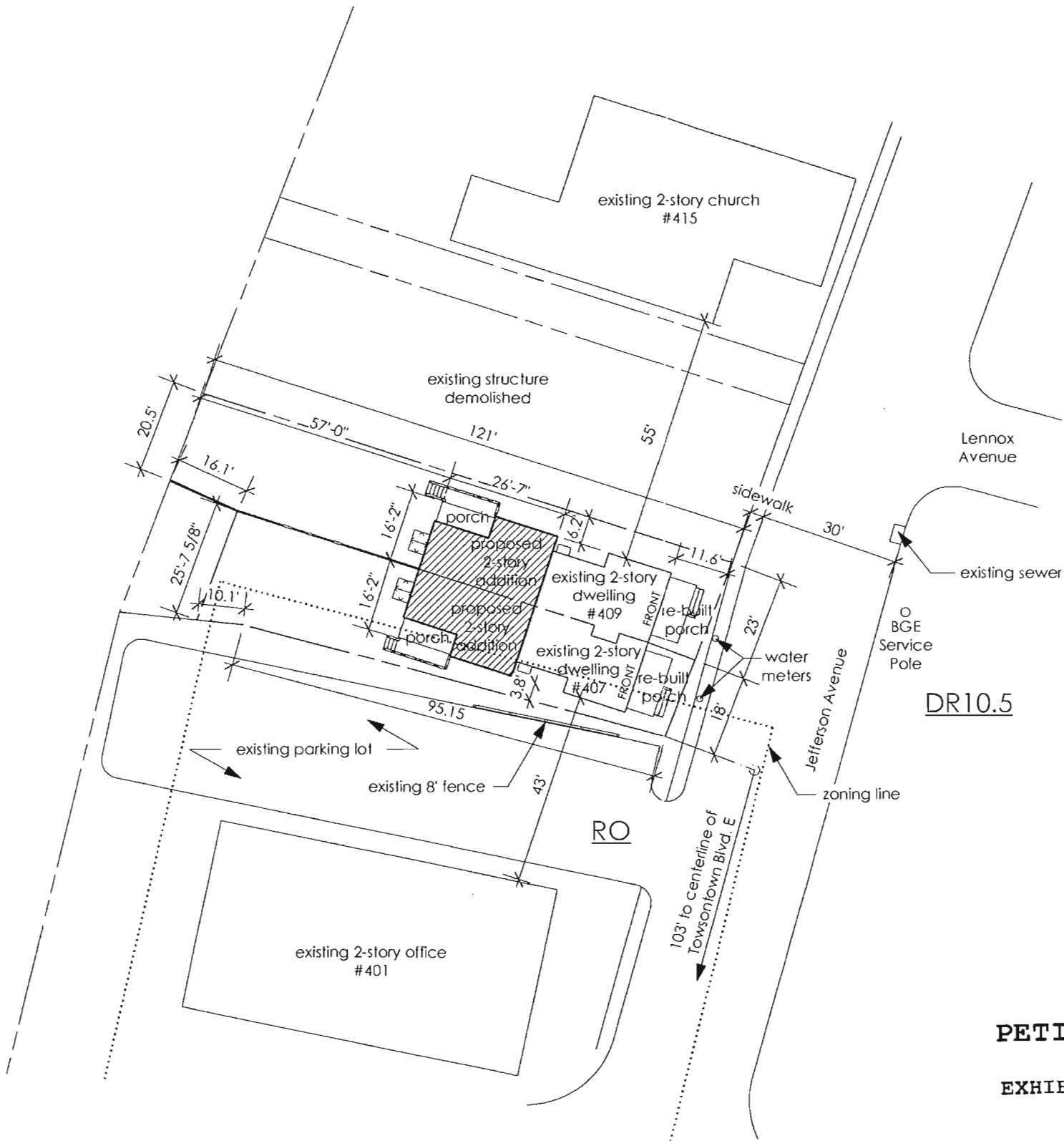
trace ARCHITECTS 2901 East Baltimore Street
Baltimore Maryland 21224

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
<u>BN</u>	<u>297</u>	<u>08-297-A</u>

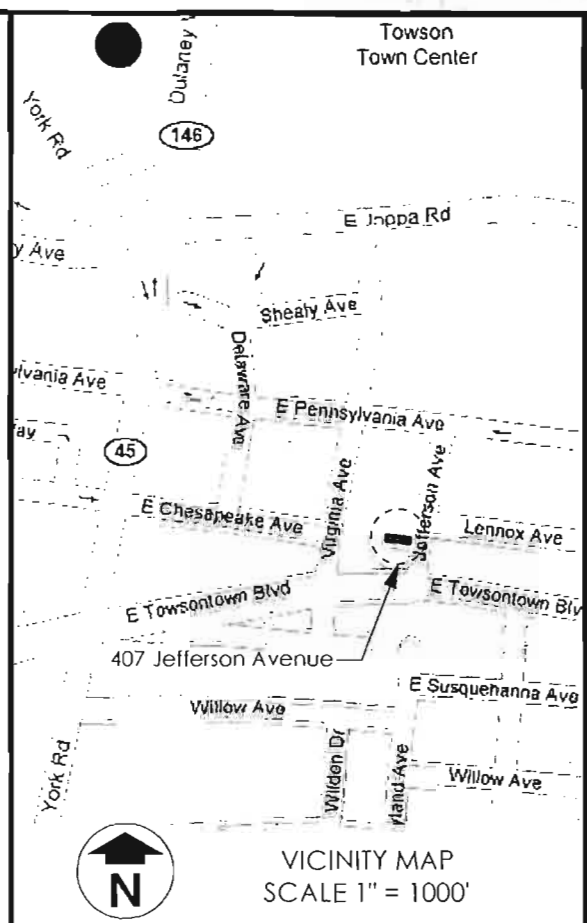
PLAT TO ACCOMPANY FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 407 Jefferson Avenue
LIBER # 26219 FOLIO # 93
OWNER Neighborhood Housing Services of Baltimore



PETITIONER'S

EXHIBIT NO. LA



LOCATION INFORMATION

ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 5
1" = 200' SCALE MAP # NE 10 A
ZONING DR 10.5 & RO
LOT SIZE 1890 SF or .04 acres

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICAL AREA	YES ☐	NO ☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☒	☐
PRIOR ZONING HEARING	☐	☒



PREPARED BY Todd Connelly SCALE OF DRAWING 1" = 30' DATE 1.14.2008

trace ARCHITECTS 2901 East Baltimore Street
Baltimore Maryland 21224

ZONING OFFICE USE ONLY
REVIEWED BY BK ITEM # 307 CASE # 08-307-A

exist. brick chimney
to remain

fiberglass simulated
slate shingles

6 over 6 wood
double hung
windows

standing seam
metal roof

4-panel solid wood
door



1 East Elevation
SD1 Scale: 1/8" = 1'-0"

half round gutter &
downspout

exist. wood shakes
to remain

4x4 wood cloumn
w/ chamfered
edge

2x2 painted
balusters

5/4x6 painted wood
railing



2 West Elevation
SD1 Scale: 1/8" = 1'-0"

1x4 painted exterior
casing & apron; typ.

half round gutter &
downspout

1 over 1 fiberglass
clad windows

6" painted
cemelitious lap
siding

4x4 wood cloumn
w/ chamfered
edge

5/4x6 painted wood
railing

2x2 painted
balusters

1x6 painted corner
trim

parged foundation
wall

exist. brick chimney
to remain

exist. wood shakes
to remain

6 over 6 wood
double hung
windows

exist. stone
foundation to
remain



3 North Elevation
SD1 Scale: 1/8" = 1'-0"

fiberglass simulated
slate shingles

6" painted
cemelitious lap
siding

1x4 painted exterior
casing & apron; typ.

half round gutter &
downspout

1x6 painted corner
trim

standing seam
metal roof

4x4 wood cloumn
w/ chamfered
edge

2x2 painted
balusters

5/4x6 painted wood
railing

parged foundation
wall

Schematic Elevations

CLIENT: Neighborhood Housing Services of Baltimore, Inc.

PROJECT: 407 & 409 Jefferson Street / Towson, Maryland 21224

DATE: 10/04/2007

2901 EAST BALTIMORE STREET BALTIMORE, MARYLAND 21224 (P) 410 961 7811 (F) 410 563 9386

trace
ARCHITECTS