

MEMORANDUM

DATE: November 1, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0017-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on October 25, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: **PETITION FOR SPECIAL HEARING** *
(119 Main Street)
Bessie M. Martin *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
*
CASE NO. 2013-0017-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed by Petitioner Bessie M. Martin. The Petitioner is requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Administrative Law Judge should approve a non-conforming use for two (2) apartments in a DR 5.5 zone. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing held for this case was Mary Strawther and Bettie Martin. The Petitioner's daughters indicated their mother is very ill and is hospitalized at GBMC (*See* Exhibit 4), and they presented the case on her behalf. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. The file does not contain any letters of opposition or protest.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A ZAC comment was received from the Department of Planning on August 20, 2012, indicating the following:

ORDER RECEIVED FOR FILING

Date 9-25-12

By [Signature]

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning recommends the Administrative Law Judge determine if the subject use (2 apartment units in one building) is a legally non-conforming use. The Department of Planning has no position on the aforementioned as no supporting documentation regarding the history of the property accompanied the petition. However, this department requests that any relief granted be subject to the petitioner repairing and upgrading the subject apartment building. Upgrades should complement existing architecture in the surrounding neighborhood and upgrade the visual aesthetic of the subject site.

Testimony and evidence revealed that the subject property is 3,125 square feet (.070 acre) and is zoned DR 5.5. The Petitioner and her husband purchased the home in 1971 at which time the property was occupied by two tenants, one living in an upstairs apartment and one living in the downstairs apartment. The Petitioner's daughters indicated that their parents have since 1971 rented two apartments in the subject property, and they provided documentation showing they have secured the necessary licenses from Baltimore County to operate a rental property at this location.

But more importantly, the Petitioner presented the affidavit of Alfred Wilcox (Exhibit 2), who has resided in the neighborhood (he lives at 123 Main Street, just two houses down from the subject property) since 1954. Mr. Wilcox indicated that since June 1954, the dwelling at 119 Main Street has been occupied as a two apartment building, and has been occupied by renters/tenants every year since that time.

In these circumstances, the Petitioner has established that the two apartment use qualifies as a lawful nonconforming use under county and state law. Baltimore County adopted its first set of zoning regulations in 1955, and prior to that time – as noted above – the Petitioner's predecessors in title had used the property as a two apartment dwelling, which is of course prohibited under current zoning regulations. But that is the essence of a nonconforming use, and

ORDER RECEIVED FOR FILING

Date 9-25-12

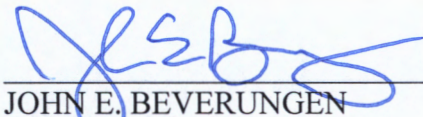
2

By kw

the property at 114 Main Street enjoys that status unless and until such time as the apartment use is discontinued and/or abandoned, as provided in B.C.Z.R. § 104.

THEREFORE, IT IS ORDERED, this 25th day of September, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Administrative Law Judge should approve a non-conforming use for two (2) apartments in a DR 5.5 zone, be and is hereby GRANTED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 9-25-12

By AW



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

September 25, 2012

Bessie M. Martin
119 Main Street
Baltimore, Maryland 21222

RE: Petition for Special Hearing
Case No.: 2013-0017-SPH
Property: 119 Main Street

Dear Ms. Martin:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Mary Strawther, 1701 Forrest Avenue, Baltimore, MD 21234
Bettie Martin, 1405-H Winter Park Circle, Essex, MD 21221



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 119 Main St Dundalk Md 21222 which is presently zoned Single Family
 Deed References: 5185/135 10 Digit Tax Account # 1202026251
 Property Owner(s) Printed Name(s) Bessie M. Martin

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve NON conforming use for 2 apartments in a DR 5.5 zone

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Date

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Bessie M. Martin

Name #1 - Type or Print

Name #2 - Type or Print

Bessie M. Martin

Signature #1

Signature #2

121 Main St Baltimore Maryland

Mailing Address

City

State

21222 410-282-2142

Zip Code

Telephone #

Email Address

Representative to be contacted:

Mary Strawther

Name - Type or Print

Signature

1701 Forrest Ave Balto Md

Mailing Address

City

State

21234 410-668-0555

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0017-SH4 Filing Date 7/24/12

Do Not Schedule Dates:

Reviewer GH

Zoning Hearing Property Description
119 Main St. Dundalk, MD

Part A

Beginning at a point on the northeast side of Main Street which is 40 ft. wide at the distance of 62.5 feet northwest of the centerline of the nearest improved intersecting street, Henry Street which is 25 feet wide.

Part B

Being Lot # 35, Block , Section # in the subdivision of Turner as recorded in Baltimore County Plat Book 0000007, Folio # 36 containing 3,125 sq. ft.. Located in the 12th Election District and 7th Council District.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2013-0017-SPH
Petitioner: Bessie M. Martin
Address or Location: 119 Main Street, Balto. MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mary Strawther
Address: 1701 Forrest Ave.
Baltimore, MD 21234
Telephone Number: 410-668-0555

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **87110**
 Date: **7/24/12**

PAID RECEIPT
 BUSINESS RECEIPT
 7/24/2012 7:07:20 10:42:50
 RES: MED2 PAID JEFFREY
 RECEIPT # 00007 7/24/2012 0014
 Dept 5 REP ZONING APPLICATION
 CL NO 00110
 Receipt # 00000000000000000000
 \$100.00 \$100.00
 \$100.00
 Baltimore County, MD Land

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **Bessie Martin**
 For: **2013-0017-SPH**
119 Main St.

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

RE: PETITION FOR SPECIAL HEARING
119 Main Street; NE/S Main Street,
62.5' NW of c/line of Henry Street
12th Election & 7th Councilmanic Districts
Legal Owner(s): Bessie M. Martin
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-017-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

AUG 03 2012

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of August, 2012, a copy of the foregoing Entry of Appearance was mailed to Mary Strawther, 1701 Forrest Avenue, Baltimore, Maryland 21234, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CERTIFICATE OF POSTING

2013-0017-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Bessie Martin

September 24, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

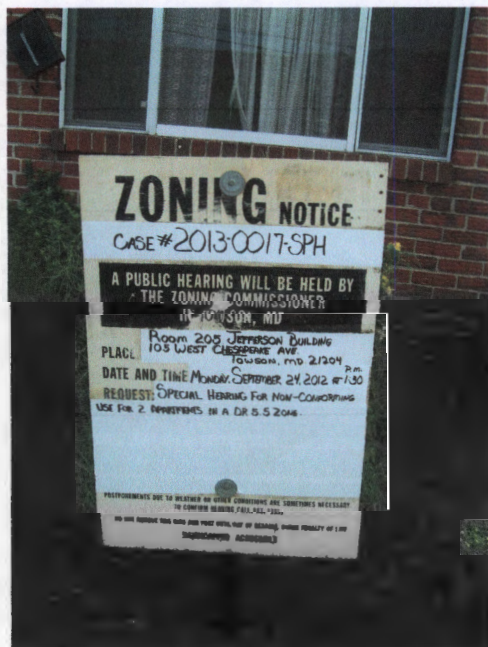
Ladies and Gentlemen:

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: _____

119 Main St

September 4, 2012

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

September 4, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2013-0017-SPH

119 Main Street

NE/s of Main Street, 62.5 ft. NW of the centerline of Henry Street

12th Election District - 7th Councilmanic District

Legal Owner(s): Bessie Martin

Special Hearing for non-conforming use for 2 apartments in a DR 5.5 zone.

Hearing: Monday, September 24, 2012 at 1:30 p.m. in Room 205 Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

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

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

JT 09/601 September 4

872581



501 N. Calvert Street, Baltimore, MD 21278

September 6, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on September 4, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 4, 2012 Issue - Jeffersonian

Please forward billing to:
Mary Strawther
1701 Forrest Avenue
Baltimore, MD 21234

410-668-0555

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2013-0017-SPH

119 Main Street

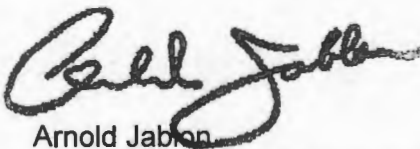
NE/s of Main Street, 62.5 ft. NW of the centerline of Henry Street

12th Election District – 7th Councilmanic District

Legal Owners: Bessie Martin

Special Hearing for non-conforming use for 2 apartments in a DR 5.5 zone.

Hearing: Monday, September 24, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 21, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0017-SPH

119 Main Street

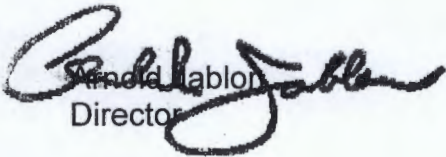
NE/s of Main Street, 62.5 ft. NW of the centerline of Henry Street

12th Election District – 7th Councilmanic District

Legal Owners: Bessie Martin

Special Hearing for non-conforming use for 2 apartments in a DR 5.5 zone.

Hearing: Monday, September 24, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Bessie Martin, 121 Main Street, Baltimore 21222
Mary Strawther, 1701 Forrest Avenue, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 4, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Debra Wiley - ZAC Comments - Distribution Mtg. of 7/30

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 8/14/2012 12:01 PM
Subject: ZAC Comments - Distribution Mtg. of 7/30

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2013-0006-SPHA - 8227 Liberty Road
Hearing: 9/17 @ 10 AM

2013-0013-XA - 3716 Washington Blvd.
Hearing: 9/5 @ 10 AM

2013-0014-A - 341 Worton Road
No hearing in data base as of 8/14

2013-0015-A - 1414 Walnut Ave.
No hearing in data base as of 8/14

2013-0016-A - 901 Monaghan Ct.
Administrative Variance - Closing Date: 8/20

2013-0017-SPH - 119 Main St.
No hearing in data base as of 8/14

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

September 19, 2012

Bessie M. Martin
121 Main Street
Baltimore MD 21222

RE: Case Number: 2013-0017 SPH, Address: 119 Main Street, 21222

Dear Ms. Martin:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 24, 2012. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a dark, textured background.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Mary Strawther, 1701 Forrest Avenue, Baltimore MD 21234

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 8-2-12

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

RE: Baltimore County
Item No 2013-0017-SPH
Special Hearing
Bessie M. Martin
119 Main Street

Dear Ms. Lewis:

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. 2013-0017-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, which appears to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

9/24 1:30
205

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: August 16, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 119 Main street

INFORMATION:

Item Number: 13-017
Petitioner: Bessie M. Martin
Zoning: DR 5.5
Requested Action: Special Hearing

RECEIVED

AUG 20 2012

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning recommends the Administrative Law Judge determine if the subject use (2 apartment units in one building) is a legally non-conforming use. The Department of Planning has no position on the aforementioned as no supporting documentation regarding the history of the property accompanied the petition. However, this department requests that any relief granted be subject to the petitioner repairing and upgrading the subject apartment building. Upgrades should be complement existing architecture in the surrounding neighborhood and upgrade the visual aesthetic of the subject site.

For further information concerning the matters stated here in, please contact Krystle Patchak or Terri Kingeter at 410-887-3480.

Prepared by:

Division Chief:
AVA/LL: CM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: August 08, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For August 13, 2012
Item Nos. 2013-0015, 0016, and 0017.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08132012-NO COMMENTS.doc

119 Main
CASE NAME ~~2013~~
CASE NUMBER 2013-0017-SAH
DATE 9-24-2012

[illegible]

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

8-8

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

NC

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

8-26

PLANNING
(if not received, date e-mail sent _____)

Comments - w/ cond.

8-2

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 9-4-12 The Jeffersonian

SIGN POSTING Date: 9-4-12 by Black 20 days

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

7/24
1:30 pm

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 12 Account Number - 1202026251

Owner Information

Owner Name: MARTIN BESSIE MAE
Mailing Address: 121 MAIN ST
BALTIMORE MD 21222-6125

Use: RESIDENTIAL
Principal Residence: NO
Deed Reference: 1) /05185/ 00135
2)

Location & Structure Information**Premises Address**

119 MAIN ST
0-0000

Legal Description

50 W HENRY ST
TURNERS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0110	0005	0051		0000			35	3	Plat Ref: 0007/0036

Special Tax Areas
Town NONE
Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1924	1,840 SF	3,125 SF	04

Stories	Basement	Type	Exterior
2.000000	NO	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2011	07/01/2012
Land	27,500	27,500		
Improvements:	86,000	38,300		
Total:	113,500	65,800	113,500	65,800
Preferential Land:	0			0

Transfer Information

Seller: BERMAN MORRIS, ET AL	Date: 05/12/1971	Price: \$4,000
Type: ARMS LENGTH IMPROVED	Deed1: /05185/ 00135	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class: **Special Tax Recapture:** NONE

Homestead Application Information

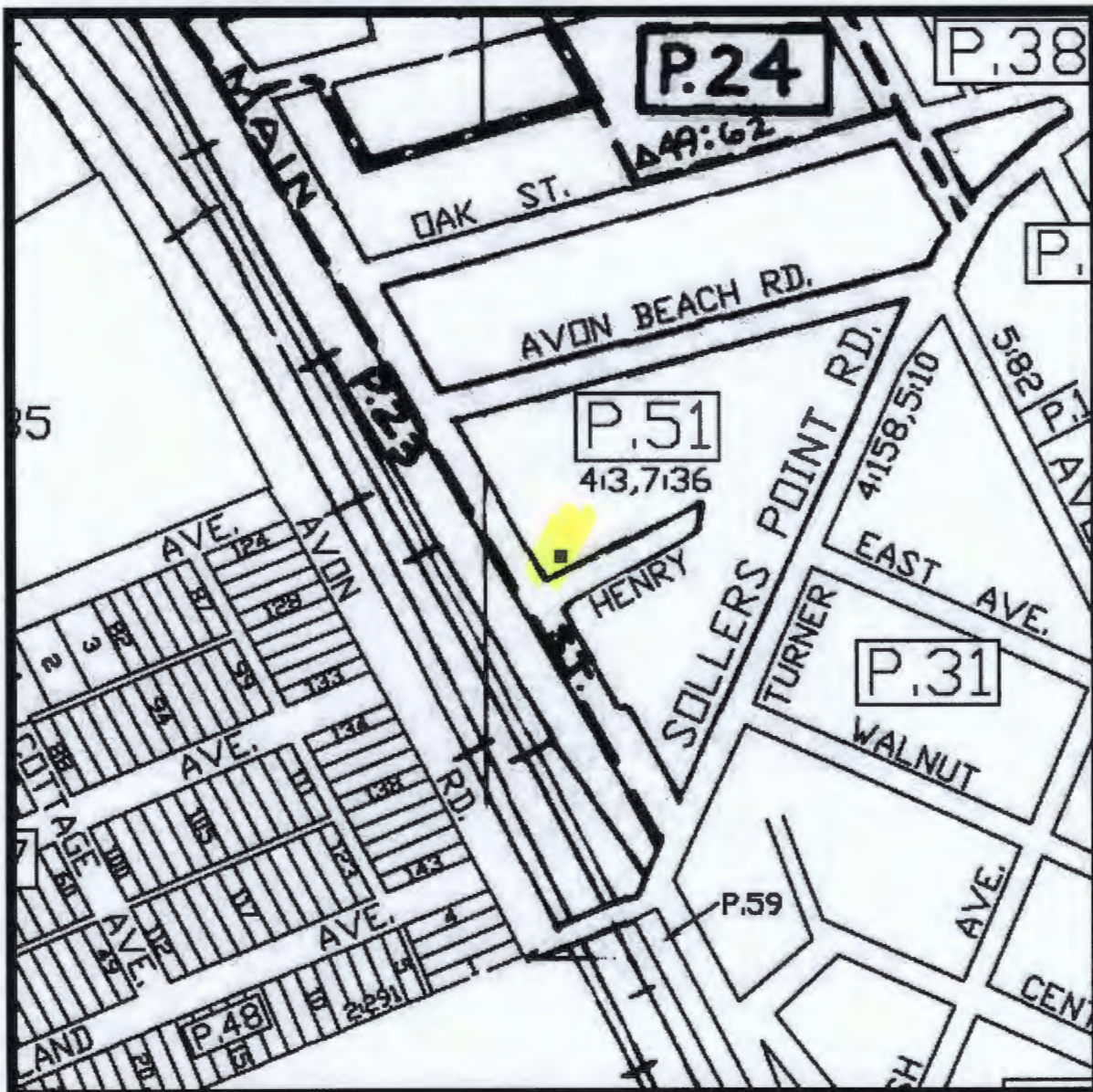
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 12 Account Number - 1202026251



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2011.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

Petition of Support

Current Turner Station resident and owner of the property located at 119 Main Street, Baltimore Maryland 21222, is requesting your support. This property has been used as two apartments for over 50 years and would like to continue to do so with your help.

Please confirm your support by signing below. Thank-you in advance for your support.

Printed Name Iver Clowney Address 127 MAIN Street
Signature Iver Clowney Phone # _____

Printed Name Sylvester Johnson Address 101 Main St
Signature Sylvester Johnson Phone # _____ Apt. C.

Printed Name Charlene Robertson Address 101 Main Street Apt 1A
Signature Charlene Robertson Phone # _____

Printed Name Diamond Chester Address 101 main st
Signature Diamond Chester Phone # _____

Printed Name Edward J. Fleming Address 113 Main St
Signature Ed. J. Fleming Phone # 410 961 0871

Printed Name Kenneth Moyd Address 225 S. Avondale RD.
Signature Kenneth Moyd Phone # _____

PETITIONER' S

EXHIBIT NO. 3

Petition of Support

Current Turner Station resident and owner of the property located at 119 Main Street, Baltimore Maryland 21222, is requesting your support. This property has been used as two apartments for over 50 years and would like to continue to do so with your help.

Please confirm your support by signing below. Thank-you in advance for your support.

Printed Name ARON MALLORY Address 510 main st

Signature Arion mally Phone # _____

Printed Name Veronica Steele Address 1255 Shellbank

Signature Veronica Steele Phone # 410

Printed Name Patricia Brown Address 124 William Wadsworth Ave

Signature Patricia Brown Phone # _____

Printed Name DAVID MCGOWENS Address 3531 CABOT RD

Signature David T. McGowen Phone # 410-340-3478

Printed Name ALFRED C. WILCOX Address 123 MAIN ST

Signature Alfred C. Wilcox Phone # 410-288-3747

Printed Name ALLEN STOKES Address 115 MAIN ST.

Signature Allen Stokes Phone # _____

Petition of Support

Current Turner Station resident and owner of the property located at 119 Main Street, Baltimore Maryland 21222, is requesting your support. This property has been used as two apartments for over 50 years and would like to continue to do so with your help.

Please confirm your support by signing below. Thank-you in advance for your support.

Printed Name _____ Address _____

Signature _____ Phone # _____

Printed Name _____ Address _____

Signature _____ Phone # _____

Printed Name _____ Address _____

Signature _____ Phone # _____

Printed Name _____ Address _____

Signature _____ Phone # _____

Printed Name _____ Address _____

Signature _____ Phone # _____

Printed Name _____ Address _____

Signature _____ Phone # _____

Case No.:

2013-0017-SPH

JTB 9/24

Exhibit Sheet

Petitioner/Developer

Protestant

PW 9/25/12

No. 1	Site plan	
No. 2	Affidavit - Alfred Wilcox	
No. 3	Petitions - Support	
No. 4	Hospitalization + Representation Documentation	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

AFFIDAVIT

COPY

The undersigned hereby affirms under the penalties of perjury to the Director of Department of Permits and Development Management (PDM), as follows:

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

Alfred C. Wilcox
AFFIANT (Handwritten Signature)

ALFRED C. WILCOX
AFFIANT (Printed Name)

123 MAIN ST BALTO MD
ADDRESS (Printed) 21222

410-288-3747
TELEPHONE NUMBER

BASED UPON YOUR PERSONAL KNOWLEDGE, PLEASE ANSWER THE FOLLOWING:

1. Can you verify by this affidavit and/or testify in court, if necessary, that the home located at

119 Main Street has been occupied as a 2 apartment S
(address) (2 etc.)
dwelling since JUNE 1954? YES
(month) (year) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by

renters every year since JUNE 1954? YES
(month) (year) (answer)

3. Will you realize any gain from the sale of this property? NO
(answer)

If the answer is yes, this form cannot be approved.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY this 10th day of April, 2012, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Alfred C. Wilcox, the Affiant herein, personally known or satisfactorily identified to me as such Affiant.

AS WITNESS my hand and Notarial Seal.

Edward R. Flannery
NOTARY PUBLIC
My Commission Expires Sept 1, 2014

Revised 6/1/00

PETITIONER'S

EXHIBIT NO. 2

COPY

GREATER BALTIMORE MEDICAL CENTER
6701 N. CHARLES STREET
BALTIMORE, MARYLAND 21204

Name:

Martin, Bessie

DOB = 7/31/1929

Address:

NOT VALID FOR SCHEDULE DRUGS

Ms. Martin is admitted to GBMC Hospital
under our care since 9/22/12 and her
discharge is still ~~not~~ ~~not~~ ~~can~~ can't be
predicted.

Mfg.

Lot. No.

Exp. Date:

MMA # 00000H045

Signed:

Print:

Telephone Number:

Subhash

Subhash Chandrag

4438493760

Date: 9/23/12

M.D.

M.D.

G.B.P. # E:281342400 W:055002700

9/24/12

To Whom It May Concern,

I authorize my daughter, Mary Strawther to act on my behalf at court today concerning the zoning of my property (119 Main St. Balto. MD 21222). I am now hospitalized at GBMC.

Bessie M. Martin

Laura Y
9/24/12

LAURA YEPEZ
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires July 6, 2013

PETITIONER'S

EXHIBIT NO.

4

Debra Wiley - Case # 13-017-SPH; 119 Main Street

From: John Beverungen
To: Curtis Murray; Lynn Lanham
Date: 9/25/2012 12:02 PM
Subject: Case # 13-017-SPH; 119 Main Street
CC: Debra Wiley

This was a request for special hearing, to confirm that 2 apartments in a SFD enjoyed nonconforming use status. I agreed that it did, and sent out an order today.

A comment was submitted by Planning, requesting that if relief was granted, the petitioner be required to upgrade the appearance of the dwelling. I did not include that condition in the order, but I did not want you to think that I ignored or did not consider your comment.

Rather, it was a unique case, and I didn't feel comfortable imposing that requirement. The petitioner is 85 years old and hospitalized at GBMC; the case was presented by her daughters, who indicated the mother is in grave condition. The daughters stated they were attempting to sell the house, and wanted confirmation that the 2 apartment use was legal. I simply did not want to burden them with any additional requirements that would delay the sale of the house.

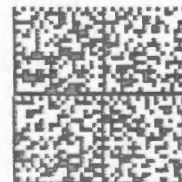
If, when the property changes hands, the appearance continues to deteriorate, I think the most appropriate avenue of relief would be through the code enforcement process.

Thanks, John.



Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Jefferson Building
Towson, Maryland, 21204

PRESORTED
FIRST CLASS



Hasler

016H26512962

\$00.350

09/26/2012

Mailed From 21204
US POSTAGE

RECEIVED

OCT 02 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Return Service Requested

Bessie M. Martin
119 Main Street
Baltimore

212 NFE 1 612C 00 10/01/12
RETURN TO SENDER
MARTIN, BETTIE M
1405 WINTER PARK CIR APT H
ESSEX MD 21221-4616
RETURN TO SENDER

21204@4710
HKXLS55 21



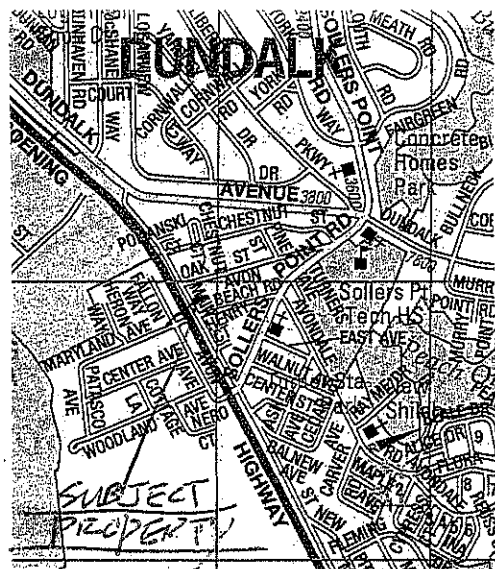
Resent
10/2/12

2013-0017-SFH

ST. MATTHEW UMC 6290/264

13' Mac. Alley S 28° 23' E

Reservation



OWNER:
Bessie Mae Martin
121 Main Street
Baltimore, MD 21222

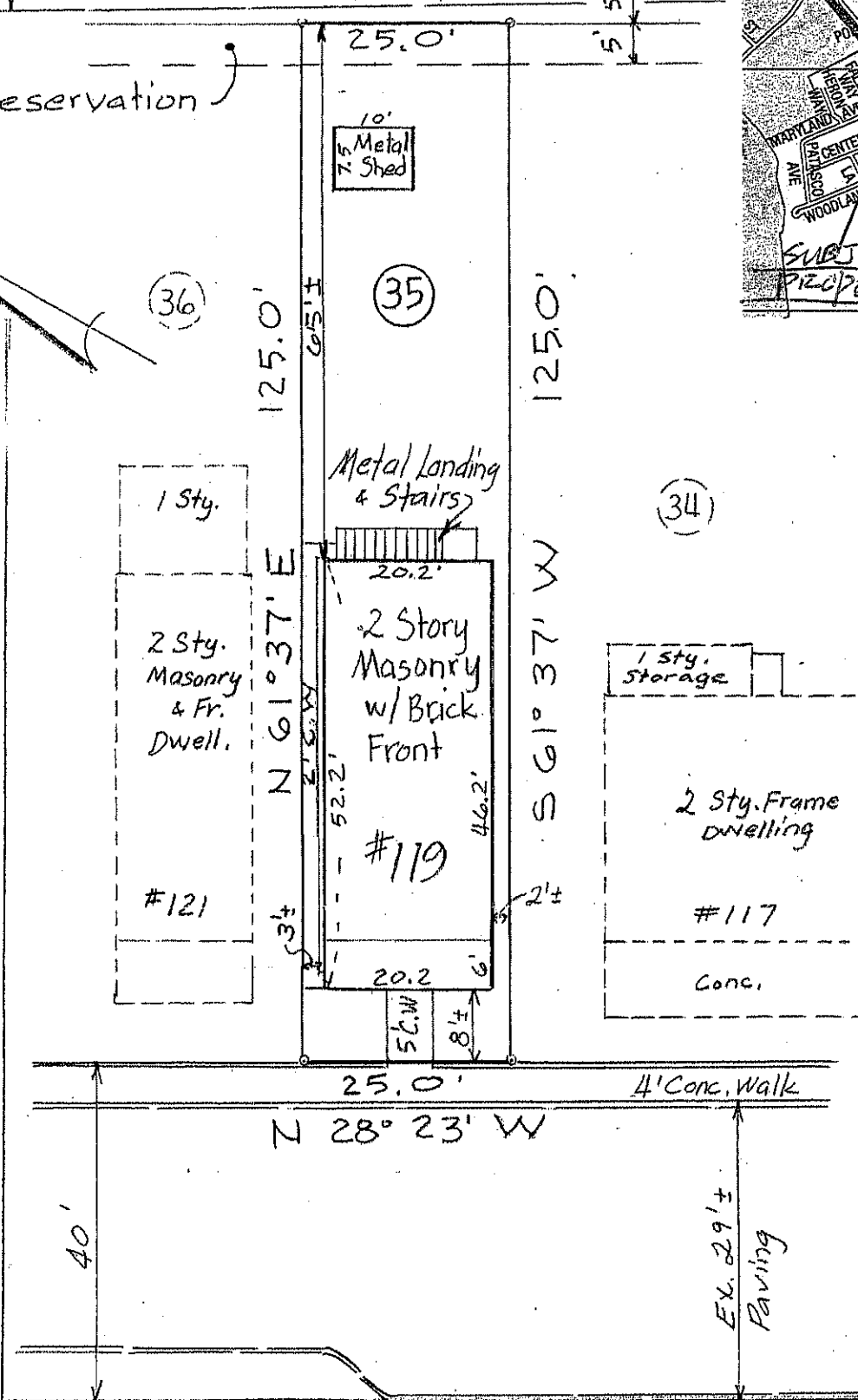
DEED: 5185/135

TAX MAP: 110

PARCEL: 51

MAP IS NOT TO SCALE
ZONING MAP# 1108.1/110C1
SITE ZONED DR 3.5
ELECTION DISTRICT 12
COUNCIL DISTRICT 7
LOT AREA ACREAGE .070
OR SQUARE FEET 3125
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS: PUBLIC X PRIVATE
SEWER IS: PUBLIC X PRIVATE
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:



MAIN STREET

L G WOLFF ASSOCIATES
LAND SURVEYING*PLANNING*DESIGN
4052 Wilkinson Road
Havre de Grace, Maryland 21078
Phone 410-836-2222 Fax 410-399-4079
Email: glogvolff7@comcast.net



L. Gerald Wolff
L. GERALD WOLFF

7-16-12
DATE

PETITIONER'S

EXHIBIT NO. 1

LOCATION DRAWING

Lot 35

Plat of

TURNER

Plat WPC 7-36

Known As

#119 Main Street

12th Elec. Dist. Baltimore Co., Md.

Scale 1" = 20' Date May 7, 2012
File 009-12 Rev. July 16, 2012



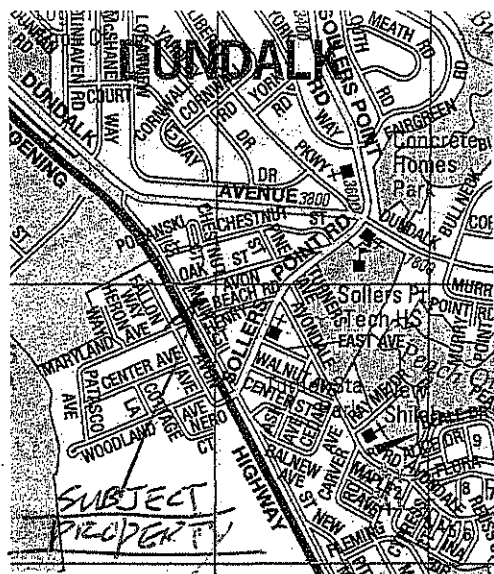
2013-0017-SPH

DATE 7-16-12 SCALE: 1 INCH = 20' FEET

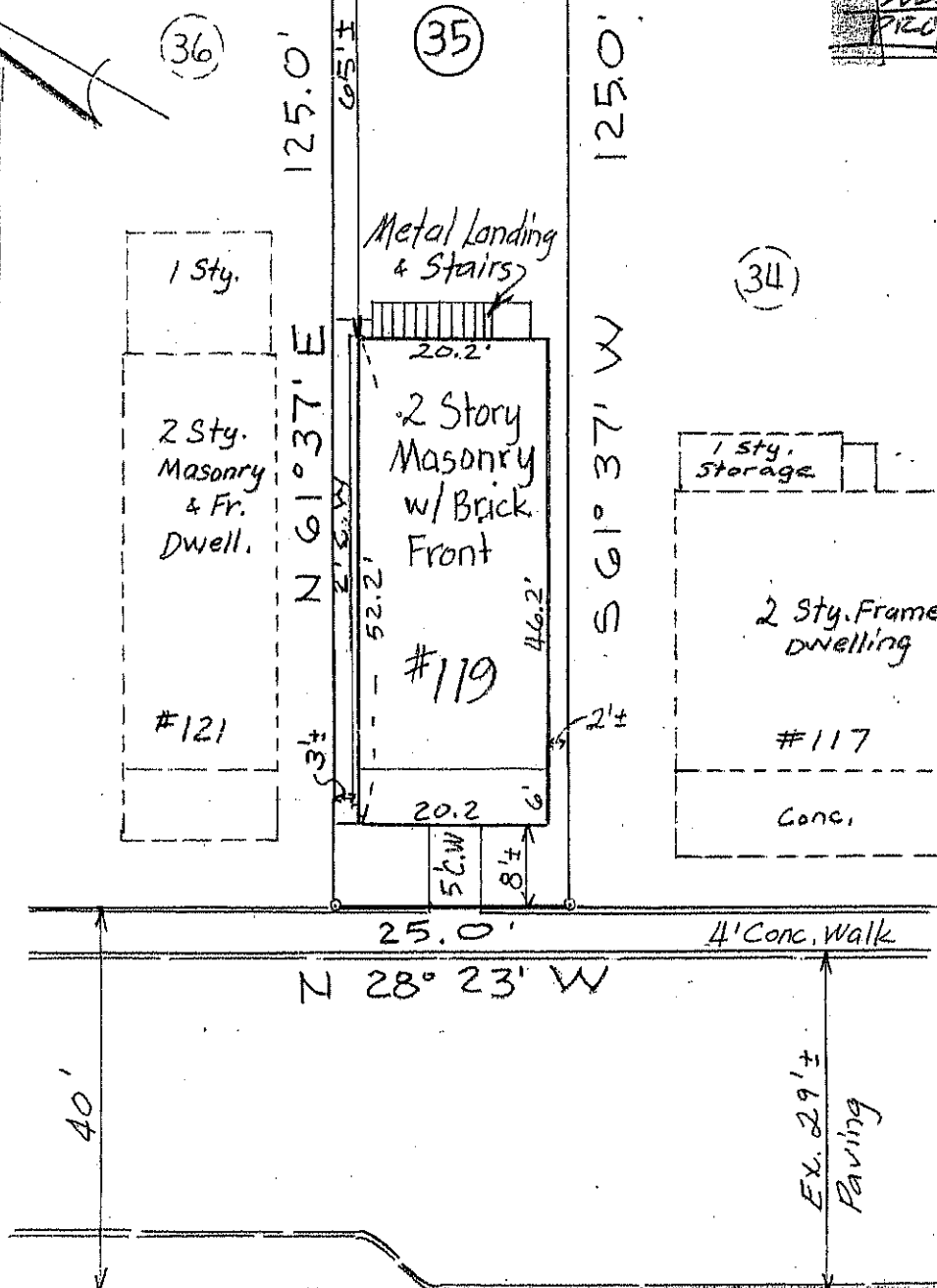
ST. MATTHEW UMC 6290/264

13' Mac. Alley S 28° 23' E

Reservation



ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
ADDRESS 119 Main Street OWNER(S) NAME(S) Bessie M. Martin
SUBDIVISION NAME Turner
LOT # 35 BLOCK # SECTION #
PLAT BOOK # 00D DEED FOLIO # 36 10 DIGIT TAX # J202026251 DEED REF. # 51851335



OWNER:
Bessie Mae Martin
121 Main Street
Baltimore, MD 21222

DEED: 5185/135

TAX MAP: 110

PARCEL: 51

MAP IS NOT TO SCALE
ZONING MAP# 1108.1/110C1
SITE ZONED DR 5.5
ELECTION DISTRICT 12
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L. GERALD WOLFF

7-16-12
DATE

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Plat of

TURNER

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File 009-12 Rev. July 16, 2012



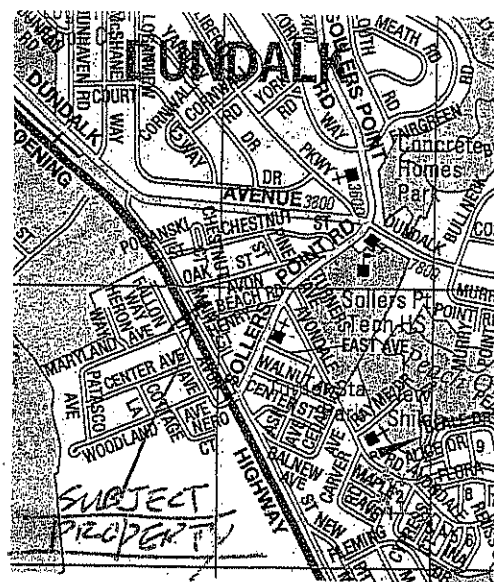
2013-0017-SPH

DATE 7-16-12 SCALE: 1 INCH = 20' FEET

ST. MATTHEW UMC 6290/264

13' Mac. Alley 528° 23' E

Reservation



OWNER:

Bessie Mae Martin
121 Main Street
Baltimore, MD 21222

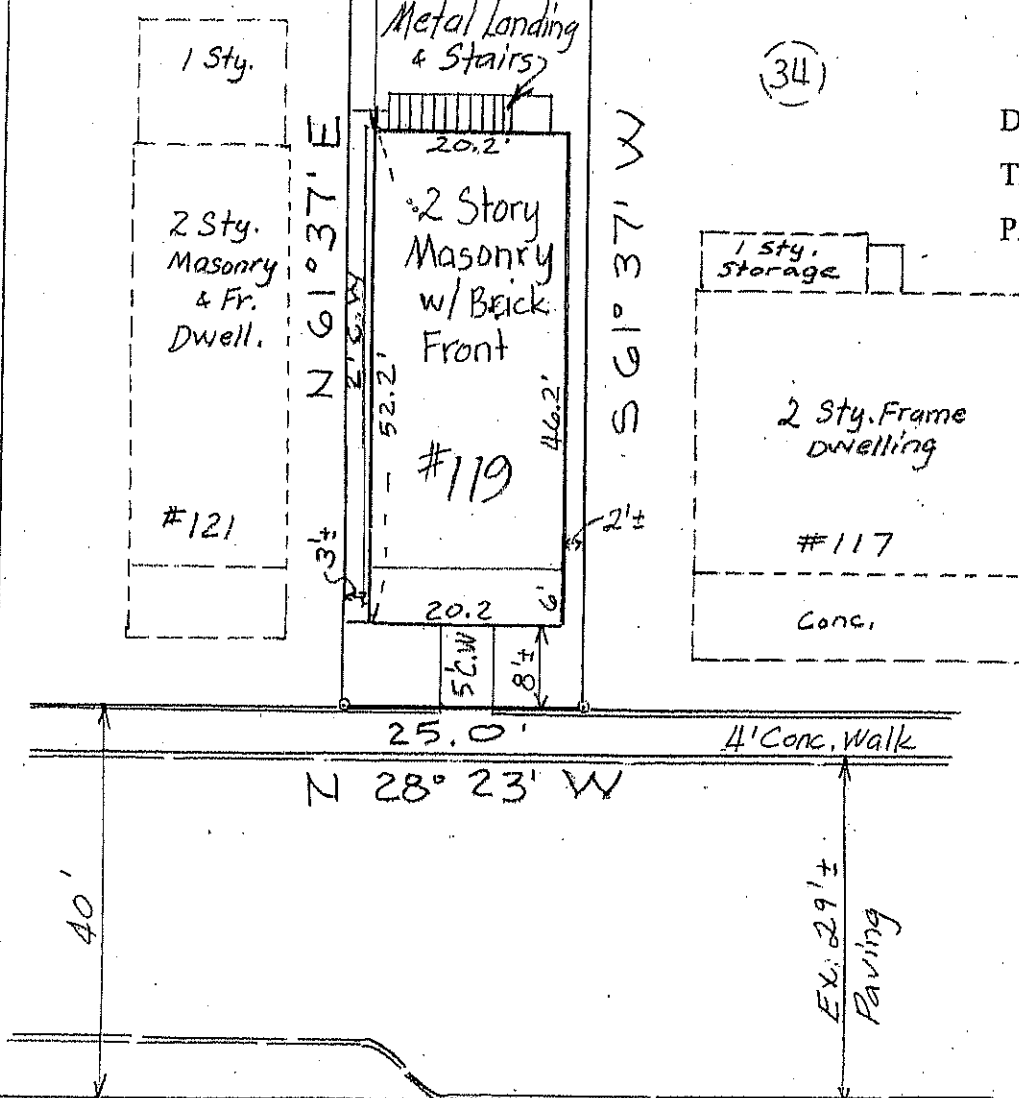
DEED: 5185/135

TAX MAP: 110

PARCEL: 51

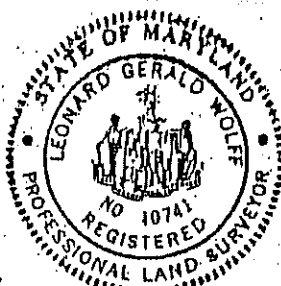
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ZONING MAP 1108/1100C1
SITE ZONED DR 5.5
ELECTION DISTRICT 12
COUNCIL DISTRICT 7
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2013-0017-SPH



1 2 3 4 5 6 7 8 9 10 11 12 SCALE: 1 INCH = 20' FEET