

MEMORANDUM

DATE: October 31, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0032-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on October 28, 2016. 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** *
(5206 Carroll Place)
13th Election District *
1st Council District *

Mary C. Morrison
Legal Owner

Petitioner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2017-0032-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Mary C. Morrison, legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a non-conforming two unit dwelling in a DR 5.5 zone.

Owner Mary C. Morrison appeared in support of the petition. Evan Feldman, Esq., represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received.

The subject property is 4,000 sq. ft. in area and zoned DR 5.5. The property is comprised of two lots (Lots 10 & 11 on the plat of Linden Heights) and is improved with a single-family dwelling constructed in 1945. The Petitioner has listed the house for sale and a mortgage underwriter has requested verification the property is a lawful two-unit dwelling.

The relevant date in determining the existence of a nonconforming use in this case is 1970, at which time the County Council enacted Bill No. 100-1970. That law eliminated certain archaic definitions of "duplex" and "semi-detached" dwellings, and specified the circumstances under which a dwelling may be "converted" to multi-family use. B.C.Z.R. §402.1. Petitioner presented

ORDER RECEIVED FOR FILING

Date

By

9/28/16

sen

affidavits from several individuals, all of whom stated the property was used as a "two apartment dwelling" since at least 1951. Ex. 5. One affiant, Charles Rittenhouse, stated he owned the subject property in 1957, and that is was then (and had been for several years prior) used and occupied as a two apartment dwelling. Petitioner also submitted photographs of separate utility meters which serve the units. Ex. 3. In these circumstances, I believe Petitioner has established a lawful nonconforming use under B.C.Z.R. §104.

THEREFORE, IT IS ORDERED this 28th day of September, **2016** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve a lawful non-conforming two unit dwelling in a DR 5.5 zone, be and is hereby GRANTED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 9/28/16
By slh



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 5206 Carroll Place, 21227 which is presently zoned DR 5.5
 Deed References: 345551 326 10 Digit Tax Account # 1318350191
 Property Owner(s) Printed Name(s) Mary C. Morrison

(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 a non-conforming two unit dwelling 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 _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Mary C. Morrison /
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
Mary C. Morrison /
 Signature #1 _____ Signature #2 _____
1326 Brook Rd Catonsville MD
 Mailing Address _____ City _____ State _____
21228 410-926-0137 m.morrison10
 Zip Code _____ Telephone # _____ Email Address _____
St Mark's school

Representative to be contacted:

Name - Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2017-0032-SPH Filing Date 8/1/16

Do Not Schedule Dates: _____ Reviewer BR

ZONING DESCRIPTION

Zoning Description for 5206 Carroll Place

Beginning at a point on the Northwest side of Carroll Place, which is 40 ft. wide at the distance of 225 ft. southwest of the centerline of the nearest improved intersecting street Linden Avenue, which is 40 ft. wide. Being Lots # 10 and 11, Block 1 in the subdivision of Linden Heights as recorded in Baltimore County Plat Book #0005, Folio# 0064, containing 4,000 square feet and located in the 13th Election District, 1st Councilmanic District.

CERTIFICATE OF POSTING

RE: Case No. 2017-0032-SPH

Petitioner: Mary Morrison

Hearing / Closing Date: 9/26/16

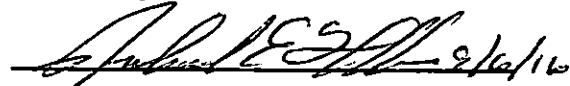
Baltimore County Department of
Permits and Development Management
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

5206 Carroll Place

_____ on 9/6/16

Sincerely,

 9/6/16

Richard E. Hoffman

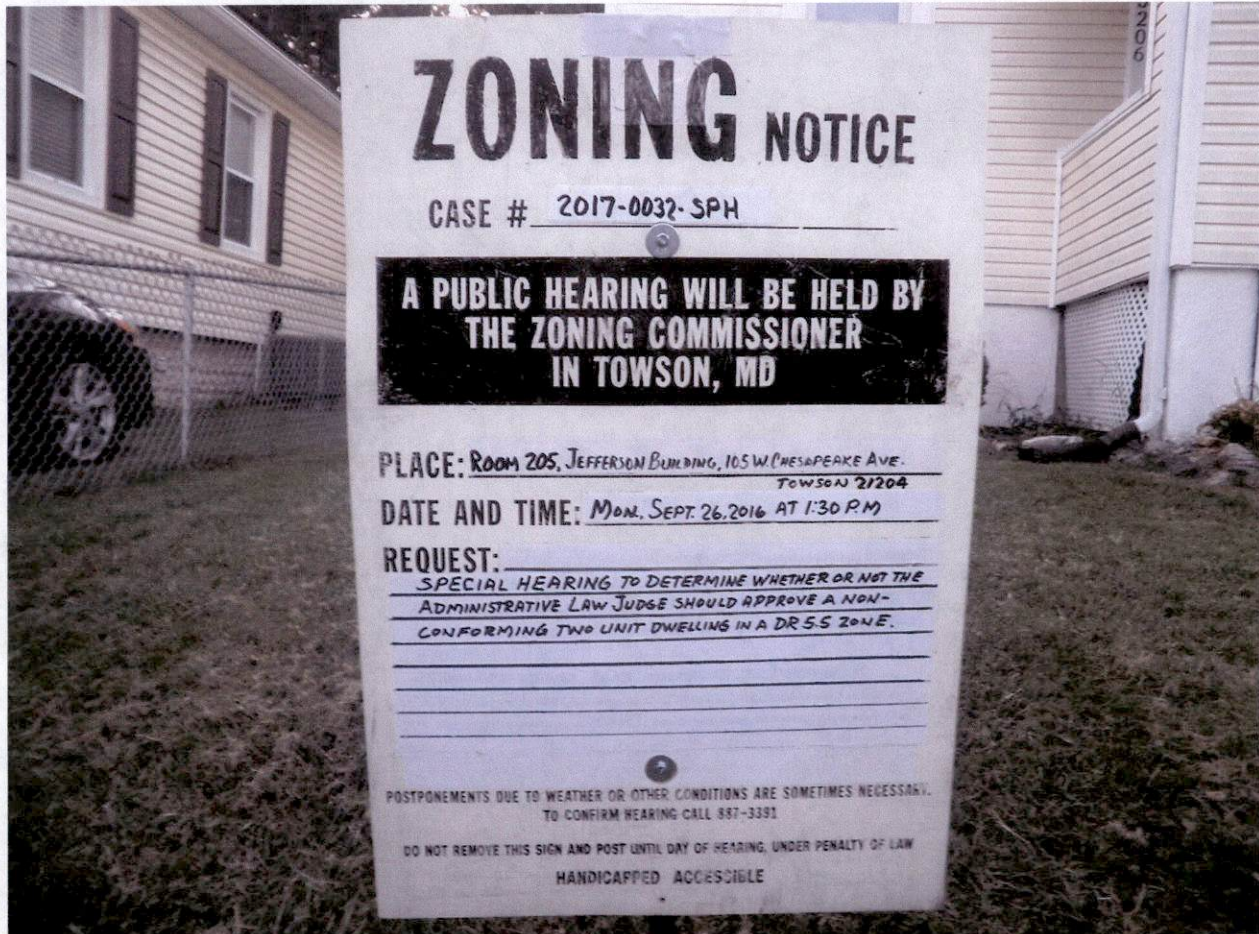
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

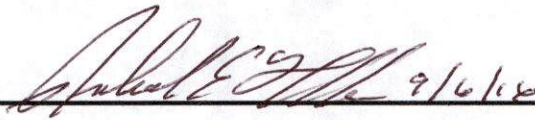
Certificate of Posting

Case No. 2017-0032-SPH



5206 Carroll Place

(Posted 9/6/16)

 9/6/16

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4422199

Sold To:

Mary Morrison - CU00558591
1326 Brook Rd
Catonsville, MD 21228-5703

Bill To:

Mary Morrison - CU00558591
1326 Brook Rd
Catonsville, MD 21228-5703

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Sep 06, 2016

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

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: # 2017-0032-SPH

5206 Carroll Place
NW/s Carroll Place, 225 ft. S/w of Linden Avenue
13th Election District - 1st Councilmanic District
Legal Owner(s) Mary C. Morrison

SPECIAL HEARING: to determine whether or not the Administrative Law Judge should approve a non-conforming two unit dwelling in a DR 5.5 zone.

Hearing: Monday, September 26, 2016 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 9/603 September 6 4422199

CERTIFICATE OF POSTING

RE: Case No. 2017-0032-SPH

Petitioner: Mary Morrison

Hearing / Closing Date: 9/26/16

Baltimore County Department of
Permits and Development Management
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

5206 Carroll Place

on 9/6/16

Sincerely,

 9/16/16

Richard E. Hoffman

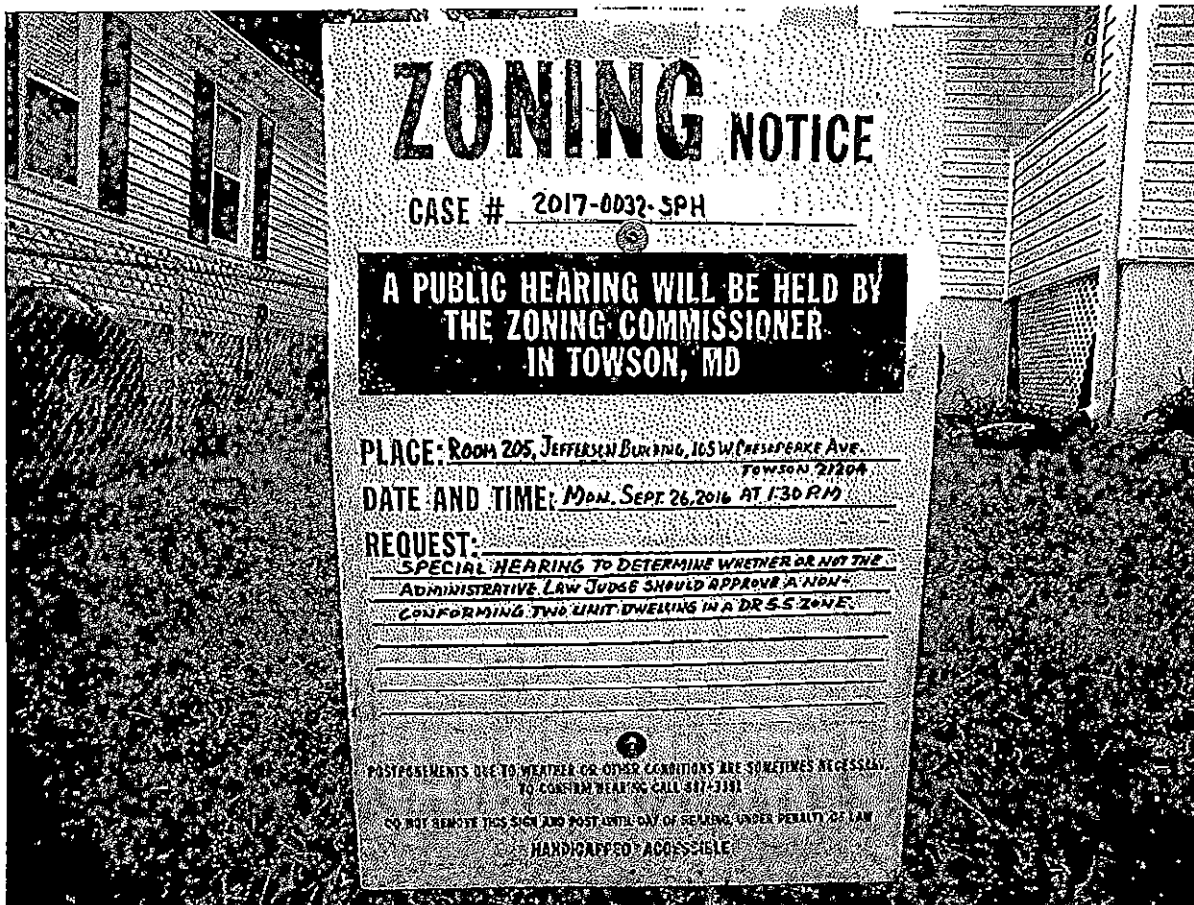
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certificate of Posting

Case No. 2017-0032-SPH



5206 Carroll Place

(Posted 9/6/16)

 9/6/16

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 6, 2016 Issue - Jeffersonian

Please forward billing to:
Mary Morrison
1326 Brook Road
Catonsville, MD 21228

410-926-0137

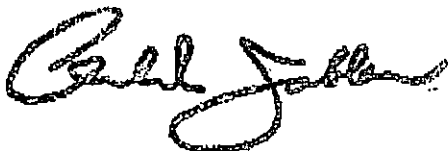
NOTICE OF ZONING HEARING

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CASE NUMBER: 2017-0032-SPH
5206 Carroll Place
NW/s Carroll Place, 225 ft. S/w of Linden Avenue
13th Election District – 1st Councilmanic District
Legal Owners: Mary C. Morrison

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Hearing: Monday, September 26, 2016 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 26, 2016

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: 2017-0032-SPH

5206 Carroll Place
NW/s Carroll Place, 225 ft. S/w of Linden Avenue
13th Election District – 1st Councilmanic District
Legal Owners: Mary C. Morrison

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming two unit dwelling in a DR 5.5 zone.

Hearing: Monday, September 26, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mary Morrison, 1326 Brook Road, Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 6, 2016.**
- (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.

RE: PETITION FOR SPECIAL HEARING
5206 Carroll Place; NW/S Carroll Place,
225' SW of Linden Avenue
13th Election & 1st Councilmanic Districts
Legal Owner(s): Mary C. Morrison
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2017-032-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.

RECEIVED

AUG 09 2016

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of August, 2016, a copy of the foregoing Entry of Appearance was mailed to Mary C. Morrison, 1326 Brook Road, Catonsville, Maryland 21228, Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0032-SPH
Property Address: 5206 Carroll Place
Property Description: SFD

Legal Owners (Petitioners): Mary C. Morrison
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mary C. Morrison
Company/Firm (if applicable): _____
Address: 1326 Brook Rd
Catonsville, MD 21228

Telephone Number: 410-926-0137

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

No. **142811**

Date: **8/1/16**

PAID RECEIPT

BUSINESS ACTUAL TIME BOM
8/02/2016 8/01/2016 10:24:17 3

NO. 4303 WALKIN CAN
RECEIPT # 689473 8/01/2016 CFLN

Dpt S 528 ZONING VERIFICATION
NO. 142811

Recpt Tot \$75.00
\$75.00 CK \$0.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 75.00

Total: **\$ 75.00**

Rec.
From: Mary Harrison

For: Special Hearing petition

DISTRIBUTION:

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

CASHIER'S
VALIDATION

CASE # 211-0030 SPH



KEVIN KAMENETZ
County Executive

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

September 22, 2016

Mary C Morrison
1326 Brook Road
Catonsville MD 21228

RE: Case Number: 2017-0032 SPH, Address: 5206 Carroll Place

Dear Ms. Morrison:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 1, 2016. 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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "R" and a trailing flourish.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 8/8/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0032-SPH

*Special Hearing
Mary C. Morrison
5206 Carroll Place.*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Wolcott".

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 8/8/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No.

2017-0632-SPH
Special Hearing
Mary C. Morrison
5206 Carroll Place.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Zeller'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

9-26

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: September 8, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-032

RECEIVED

SEP 13 2016

INFORMATION:

Property Address: 5206 Carroll Place
Petitioner: Mary C. Morrison
Zoning: DR 5.5
Requested Action: Special Hearing

OFFICE OF ADMINISTRATIVE HEARINGS

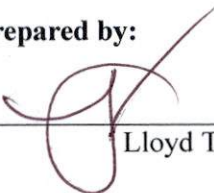
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve the property for a non-conforming two-unit dwelling in a DR 5.5 zone.

A site visit was conducted on August 17, 2016.

The Department of Planning has no objection to granting the petitioned zoning relief.

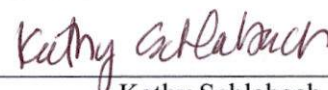
For further information concerning the matters stated herein, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:

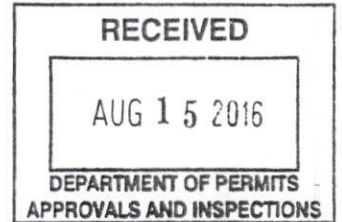


Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Mary C. Morrison
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE



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

DATE: August 12, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For August 15, 2016
Item No. 2017-0028, 0029, 0030, 0031, 0032, 0034, 0035 and 0037

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\ZAC08152016.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: September 8, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-032

INFORMATION:

Property Address: 5206 Carroll Place
Petitioner: Mary C. Morrison
Zoning: DR 5.5
Requested Action: Special Hearing

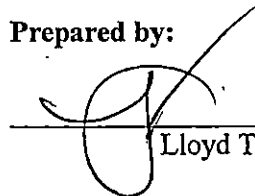
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A site visit was conducted on August 17, 2016.

The Department of Planning has no objection to granting the petitioned zoning relief.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Mary C. Morrison
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 12, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0032-SPH
Address: 5206 Carroll Place
(Morrison Property)

Zoning Advisory Committee Meeting of **August 15, 2016.**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 08-12-2016

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 13 Account Number - 1318350191			
Owner Information					
Owner Name:		MORRISON MARY C		Use:	RESIDENTIAL
Mailing Address:		1326 BROOK RD BALTIMORE MD 21228-5703		Principal Residence:	NO
				Deed Reference:	/34555/ 00326
Location & Structure Information					
Premises Address:		5206 CARROLL PL BALTIMORE 21227-		Legal Description:	LT 10,11 LINDEN HEIGHTS
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0101	0023	1226		0000	1 10 2016 0005/0064
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area		Property Land Area	County Use
1945	1,260 SF			4,000 SF	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1 1/2	YES	STANDARD UNIT	ASBESTOS SHINGLE	2 full	
Value Information					
	Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	45,000	45,000			
Improvements	90,400	114,100			
Total:	135,400	159,100	143,300	151,200	
Preferential Land:	0			0	
Transfer Information					
Seller: MORRISON BRIAN R		Date: 12/27/2013		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /34555/ 00326		Deed2:	
Seller: SMITH MARY ROSALIE		Date: 08/30/1983		Price: \$59,900	
Type: ARMS LENGTH IMPROVED		Deed1: /06582/ 00424		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore CountyNew Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **13** Account Number: **1318350191**

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 (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8-12</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>8-12</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
_____	FIRE DEPARTMENT	_____
<u>8-8-16</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO Obj</u>
<u>8-8-16</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>9-8-16</u>	
SIGN POSTING	Date: <u>9-6-16</u> by <u>Hoffman</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

CASE NAME Mary C Morrison
CASE NUMBER 2017-0032 SPH
DATE 9/26/2016

[illegible]

Case No.: 2017-0032-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

DW 10-31-16

No. 1	Plan	
No. 2	aerial photo	
No. 3	photos of BGE meters	
No. 4	Jablon letter 6-6-86	
No. 5	Letter w/ affidavits	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Pt. Bk. 0000012, Folio 0062

1308300010
Lot # 39

Pt. Bk./Folio # 012062
1313401200
Lot # 39

1302650360

PAI # 138024 # 38

PAI # 138024

Pt. Bk. 0000010, Folio 0118

Pt. Bk./Folio # 010118

1302570020

Lot # 16
1301540200

Lot # 37

1308650770

Lot # 16
1312400370

5200

1319710250
Lot # 36

Lot # 14
Lot # 12

Lot # 10
1310250171

Lot # 12
5204

1323750090

SW 4-D

101C3 DR 5.5
1 CD 13 ED

Lot # 10
1318350191

Lot # 8
1316000121

1991-0245-A

Lot # 8
5208

Lot # 6
1316000120

PAI # 138035

Pt. Bk./Folio # 005054C
PAI # 138035

CARROLL PL

Lot # 24
1322450100

Lot # 27
1302850280

5205

Lot # 24

Lot # 16
1319610060

Lot # 29
Lot # 29

Lot # 29
1313751340

Lot # 14
1313400490

Lot # 11
1318471430

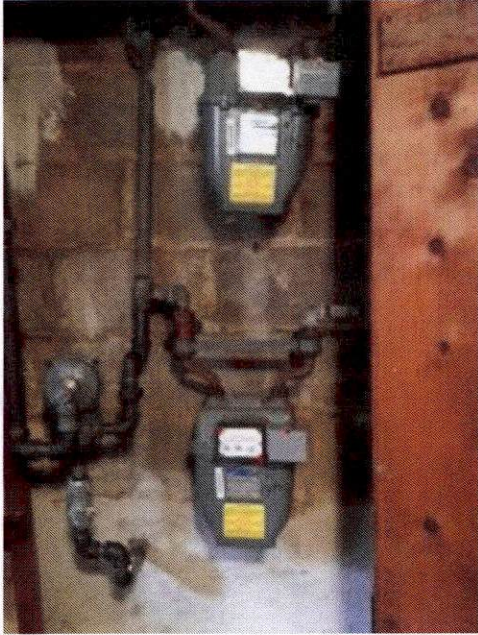
LINDEN AVE

1230

SW 5-D

1225

EX-3





9/1/2016

IMG_2456.JPG







BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 6, 1986

Mr. Brian R. Morrison
5206 Carroll Place
Arbutus, Maryland 21227

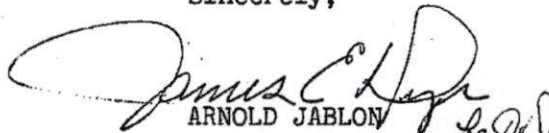
RE: Conditional Acceptance of Alleged
Nonconforming Use
5206 Carroll Place
1st Election District

Dear Mr. Morrison:

Based upon the Notarized Affidavits signed by Elizabeth T. Hofmann, Sererine H. Miles and Ann C. Lindblade, this office conditionally accepts the above-referenced property/use, zoned Density, Residential (D.R.5.5), as having a nonconforming use status for a two-apartment dwelling. Said acceptance is subject, however, to the following conditions:

1. It is understood by all concerned that this acceptance does not establish an irrefutable presumption of a legal nonconforming use status for this property.
2. This decision is based upon the understanding that the use in question presently exists and the Notarized Affidavits establish a reasonable basis to permit a continuance of the use pending a challenge by any interested citizen of this conditional acceptance.
3. In the event of a challenge, this approval is automatically rescinded, and to be reestablished, a public hearing would be required.
4. In the event of a challenge, the burden of proof is entirely upon the owner of the property in question.

Sincerely,


ARNOLD JABLON
Zoning Commissioner

AJ:JED:kkb

cc: Mr. James E. Dyer, Zoning Supervisor

Ex. 4

May 22, 1986

Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Enclose please find four notarized affidavits and a copy of the site scale plan for my home located at 5206 Carroll Place in Arbutus, Maryland 21227. It is my understanding that the enclosed is the information your office requires for a letter of conditional approval for a nonconforming use. If I can be of further assistance please feel free to call me.

Sincerely,

Brian Morrison
Brian R. Morrison
5206 Carroll Place
Arbutus, Maryland 21227

Home - 247-2998
Work - 455-2901

Enc.

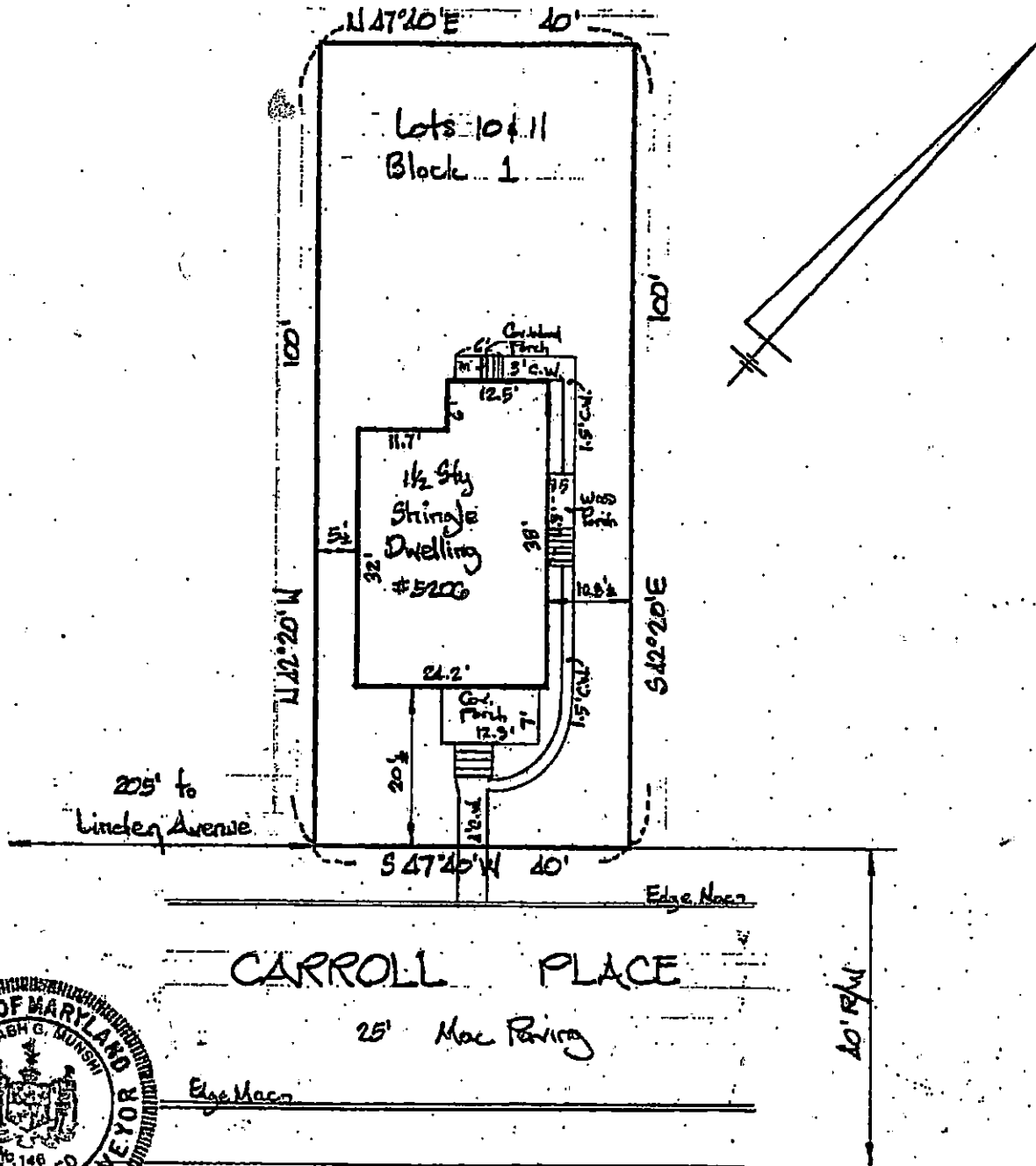
Attention: Mr. James Dyer, Zoning Supervisor

Dear Mr. Dyer:
I am attempting to re-finance my home through M.D. National Bank. To my knowledge it has been in continuous use as a two apt. house since the mid 1940's.

Sincerely
Brian Morrison

EX. 5

Survey of property known as #5206 Carroll Place, also known as Lots 10 & 11 Block "1" as shown on Plat No. 1 "LINDEN HEIGHTS" and recorded among the Land Records of Baltimore County in Plat Book W.P.C. 5 Folio 64.



Sourabh Munshi.

This is to certify that the improvements indicated hereon are located as shown. This is not a property line survey and should not be used as such.

DON LYNCH ASSOC., INC.
4907 HARFORD ROAD
BALTIMORE, MD. 21214

Scale: 1" = 20'

Date: 8/17/83

A F F I D A V I T

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

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

Elizabeth T. Hofmann
AFFIANT (Handwritten Signature)

Elizabeth T. Hofmann
AFFIANT (Printed Name)

I have personal knowledge that the home located at

5206 Carroll Place, Baltimore, Maryland
(Address)

has been occupied as a two apartment dwelling since
(two, three, etc.)

January, 1951. I also have personal knowledge that all
(month) (year)

apartments within the dwelling have been occupied as such continuously and without interruption of more than one (1) year during any one period since January, 1951. This personal knowledge is based upon:
(month) (year)
my knowledge of the neighborhood.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of April, 19 86, before me, a Notary Public of the State of Maryland, in and for the County afore-said, personally appeared Elizabeth T. Hofmann, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Nikajean Potts
NOTARY PUBLIC Nikajean Potts

My Commission Expires: July 1, 1986

A F F I D A V I T

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

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

Serenine H Miles
AFFIANT (Handwritten Signature)

Serenine H Miles
AFFIANT (Printed Name)

I have personal knowledge that the home located at 5206

Carroll Place, Arbutus, MD. 21227
(Address)

has been occupied as a Two apartment dwelling since
(two, three, etc.)

6, 1955. I also have personal knowledge that all
(month) (year)

apartments within the dwelling have been occupied as such continuously and without interruption of more than one (1) year during any one period since 6, 1955. This personal knowledge is based upon:
(month) (year)

My recollection of living in the neighborhood

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7th day of April, 1986, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared SERENINE H. MILES, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Carl R. Biddinger
NOTARY PUBLIC

My Commission Expires: 7-1-86

A F F I D A V I T

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

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

Charles K. Rittenhouse
AFFIANT (Handwritten Signature)

CHARLES K. RITTENHOUSE
AFFIANT (Printed Name)

I have personal knowledge that the home located at

5206 Carroll Place, Baltimore, Maryland, 21227
(Address)

has been occupied as a two apartment dwelling since
(two, three, etc.)

Sept, 1957. I also have personal knowledge that all
(month) (year)

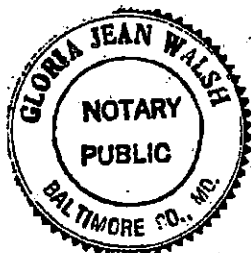
apartments within the dwelling have been occupied as such continuously and without interruption of more than one (1) year during any one period since September, 1957. This personal knowledge is based upon:
(month) (year)

owning the property in 1957 and being familiar with it since that time. When I purchased the property in 1957 it was a 2 apt house and I'm very certain it was used for that purpose several years prior to my purchase.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4 day of April, 1986, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Charles K. Rittenhouse, the Affiant herein, personally known or satisfactorily identified to me as such Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.



Gloria Jean Walsh
NOTARY PUBLIC

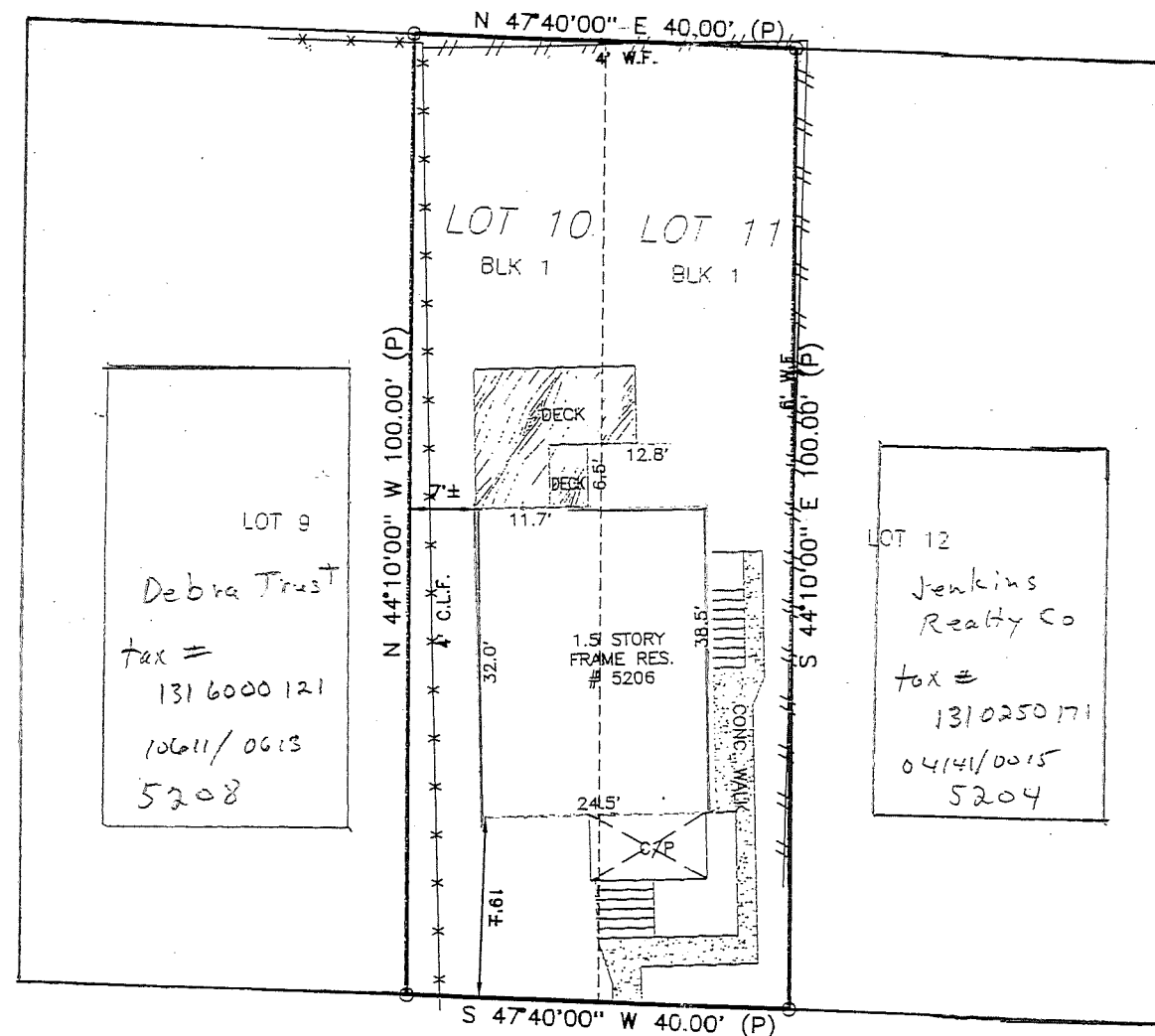
My Commission Expires: 7/1/86

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

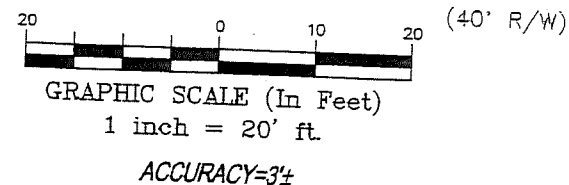
ADDRESS 5206 Carroll Place OWNER(S) NAME(S) Mary C. Morrison

SUBDIVISION NAME Linden Heights LOT # 1041 BLOCK # 1 SECTION # N/A

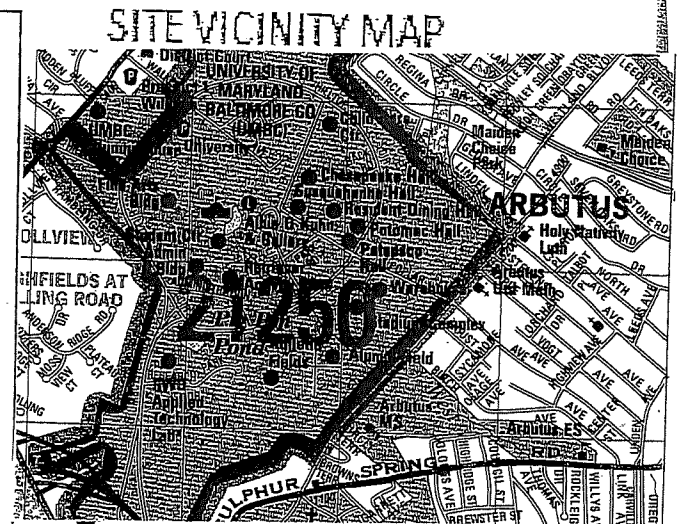
PLAT BOOK # WPC 5 FOLIO # 64 10 DIGIT TAX # 1318350191 DEED REF. # 345551-326



CARROLL PLACE



PLAN DRAWN BY MM DATE 8/1/14 SCALE: 1 INCH = 20 FEET



MAP IS NOT TO SCALE
ZONING MAP# 101 C3
SITE ZONED DR-5.5
ELECTION DISTRICT 13
COUNCIL DISTRICT 1
LOT AREA ACREAGE .04
OR SQUARE FEET 4000
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

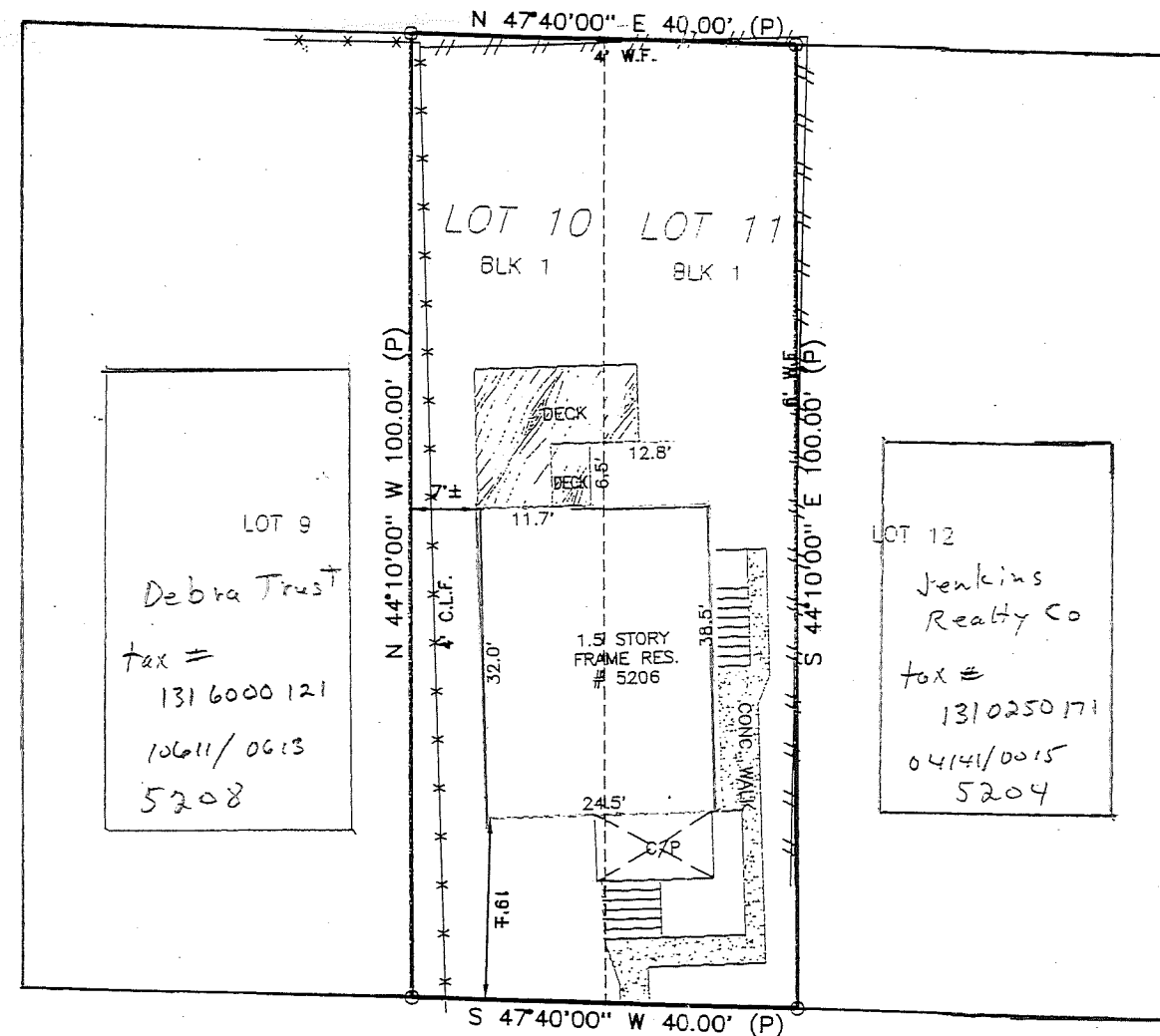
VIOLATION CASE INFO:

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

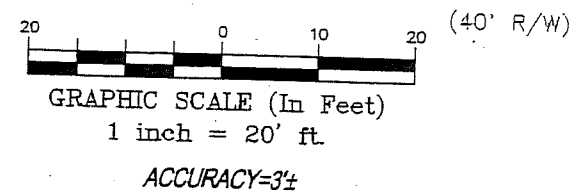
ADDRESS 5206 Carroll Place OWNER(S) NAME(S) Mary C. Morrison

SUBDIVISION NAME Linden Heights LOT # 10 BLOCK # 1 SECTION # N/A

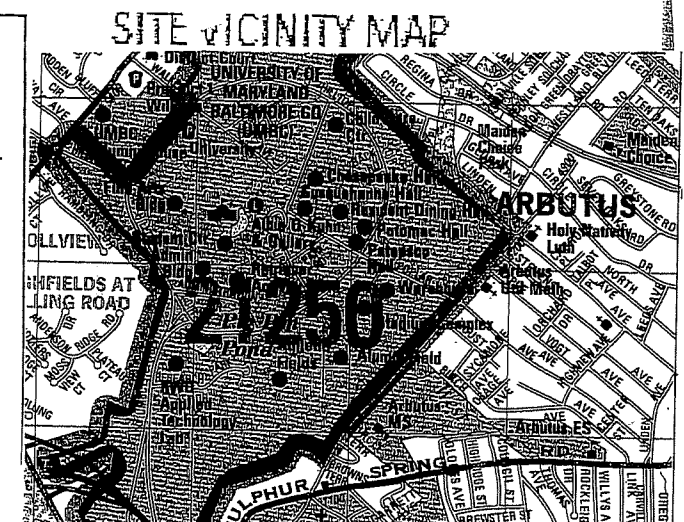
PLAT BOOK # WPC 5 FOLIO # 64 10 DIGIT TAX # 1318350191 DEED REF. # 345551-326



CARROLL PLACE



PLAN DRAWN BY MM DATE 8/1/16 SCALE: 1 INCH = 20 FEET



MAP IS NOT TO SCALE
ZONING MAP# 10/C3
SITE ZONED DR-5.5
ELECTION DISTRICT 13
COUNCIL DISTRICT 1
LOT AREA ACREAGE .04
OR SQUARE FEET 4000
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

Ex. 1

VIOLATION CASE INFO: