

M E M O R A N D U M

DATE: November 1, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0035-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on October 31, 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	*	BEFORE THE
(901 Elm Ridge Avenue)		
13 th Election District	*	OFFICE OF
1 st Council District		
Gregory M. Murawski (Deceased)	*	ADMINISTRATIVE HEARINGS
Donna L. Hall		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
Petitioner	*	Case No. 2017-0035-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 Gregory M. Murawski (Deceased), legal owner and Donna L Hall ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve a non-conforming use for a two apartment building located at this site. Donna Hall and professional engineer Rick Richardson appeared in support of the petition. 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 from any of the County agencies.

The subject property is 4,971 sq. ft. in size and zoned DR 10.5. The property is improved with a dwelling constructed in 1941. Ms. Hall testified the home has two apartment units, one on top of the other. The apartments are separately accessed by way of a vestibule containing two doorways. The house is listed for sale and the purchaser is seeking confirmation that it is a lawful two-unit dwelling.

Petitioner presented affidavits from two neighbors verifying the property has since at least 1946 been used as a two apartment dwelling. Exhibit 4. In addition, Petitioner submitted a

ORDER RECEIVED FOR FILING

Date 9-30-16

By Sen

photograph of the separate utility meters which serve these apartments. Exhibit 3. Finally, Petitioner presented a copy of the Order in Case No. 93-438-SPH wherein former Deputy Zoning Commissioner Kotroco found the adjacent dwelling at 905 Elm Ridge Avenue was a nonconforming two-apartment building. In these circumstances I believe Petitioner has presented sufficient proof to establish the nonconforming use under B.C.Z.R. §104.

THEREFORE, IT IS ORDERED this 30th 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 non-conforming use for a two apartment building located at this site, 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 9-30-16
By slh

ZONING DESCRIPTION
901 Elm Ridge Avenue WASHINGTON BLVD.
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING at a point on the east side of Elm Ridge Avenue which is 50 feet wide, where it intersects the south side of College Avenue which is 30 feet wide. Being lot 447, in the subdivision of "Elm Ridge" recorded in the land records of Baltimore County in Plat Book 12 Folio 65; containing a net area of 4,971 square feet, or 0.11 acres of land, more or less.

2017-0035-SPH



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 4432678

Sold To:

Donna Hall - CU00559318
10538 Bird River Rd
Middle River, MD 21220-1510

Bill To:

Donna Hall - CU00559318
10538 Bird River Rd
Middle River, MD 21220-1510

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

Sep 08, 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: # 2017-0035-SPH
901 Elm Ridge Road
E/s Elm Ridge, NE corner of intersecting streets Elm Ridge Avenue and College Avenue
13th Election District - 1st Councilmanic District
Legal Owner(s) Gregory Murawski (Deceased), Donna Hall (Executor)
Contract Purchaser(s): Donna Hall

Special Hearing: to determine whether or not the Administrative Law Judge should approve a non-conforming use for a two apartment building located at this site.

Hearing: Wednesday, September 28, 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.

9/07/16 September 8 4432678

CERTIFICATE OF POSTING

RE: Case No. 2017-0035-SPH

Petitioner: Donna Hall

Hearing / Closing Date: 9/28/16

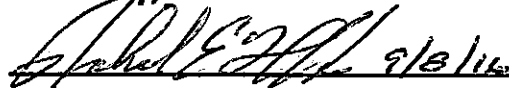
Baltimore County Department of
Permits and Development Management
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

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

901 Elm Ridge Road

on 9/8/16

Sincerely,

 9/8/16

Richard E. Hoffman

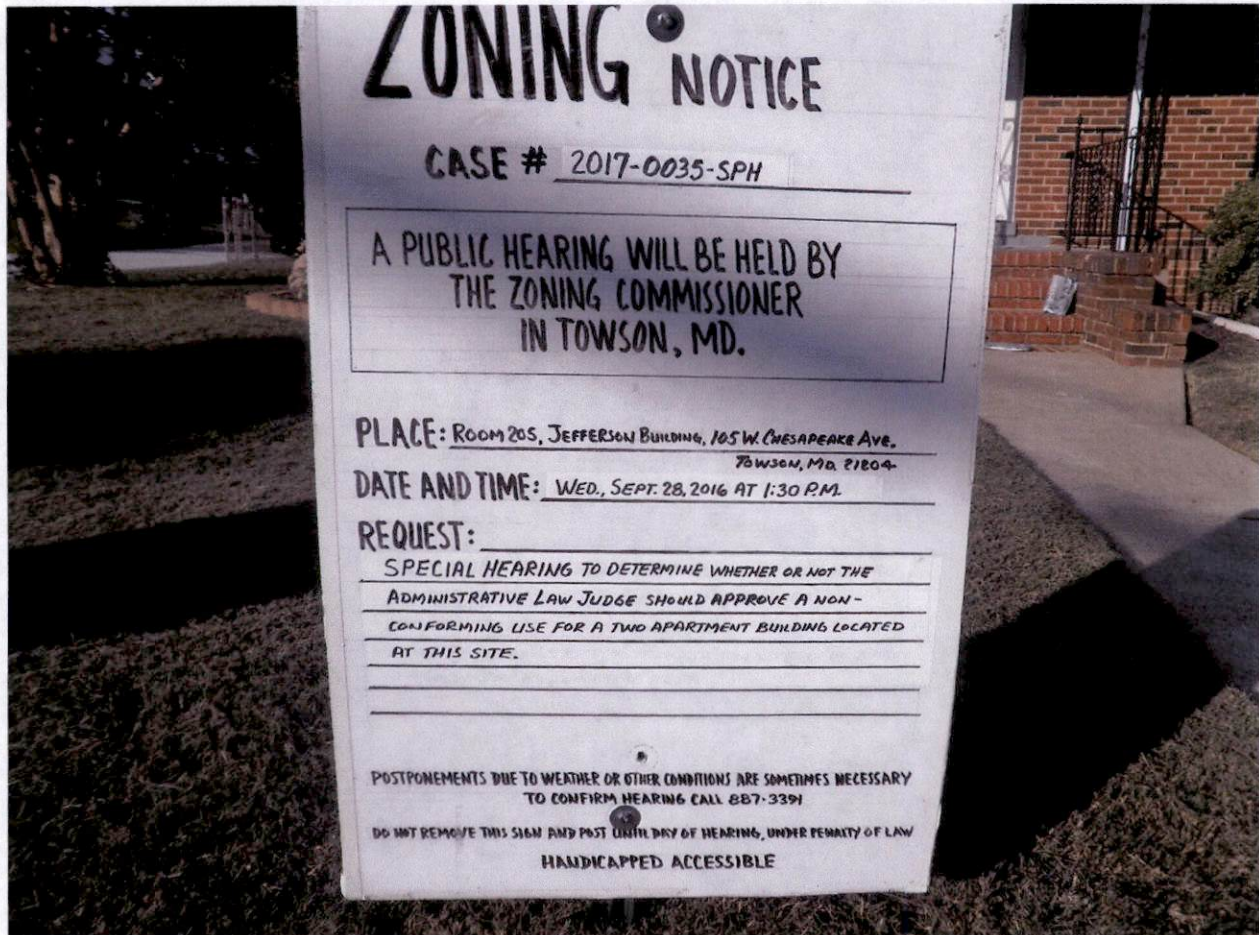
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certificate of Posting

Case No. 2017-0035-SPH



901 Elm Ridge Road

(Posted 9/8/16)

Richard E. Hoffman 9/8/16

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

CERTIFICATE OF POSTING

2017-0035-SPH

RE: Case No.: _____

Petitioner/Developer: _____

**Donna Hall (Executor)
Murawski (Deceased)**

September 28, 2016

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:

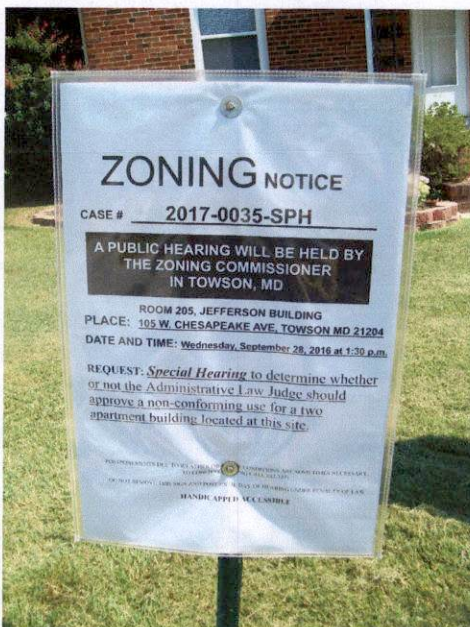
Ladies and Gentlemen:

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: _____

901 Elm Ridge Road

September 8, 2016

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



Sincerely,

September 8, 2016

(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)



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: 2017-0035-SPH

901 Elm Ridge Road

13th Election District – 1st Councilmanic District

E/s Elm Ridge, NE corner of intersecting streets Elm Ridge Avenue and College Avenue

13th Election District – 1st Councilmanic District

Legal Owners: Gregory Murawski (Deceased), Donna Hall (Executor)

Contract Purchaser/Lessee: Donna Hall

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for a two apartment building located at this site.

Hearing: Wednesday, September 28, 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: Donna Hall, 10538 Bird River Road, Baltimore 21220
Rick Richardson, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., SEPTEMBER 8, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 8, 2016 Issue - Jeffersonian

Please forward billing to:
Donna Hall
10538 Bird River Road
Baltimore, MD 21220

410-241-4480

NOTICE OF ZONING HEARING

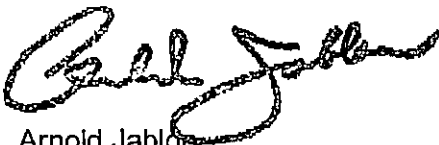
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901 Elm Ridge Road
13th Election District – 1st Councilmanic District
E/s Elm Ridge, NE corner of intersecting streets Elm Ridge Avenue and College Avenue
13th Election District – 1st Councilmanic District
Legal Owners: Gregory Murawski (Deceased), Donna Hall (Executor)
Contract Purchaser/Lessee: Donna Hall

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for a two apartment building located at this site.

Hearing: Wednesday, September 28, 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
901 Elm Ridge Road; E/S Elm Ridge Road, * OF ADMINISTRATIVE
NE corner of Elm Ridge & College Avenues * HEARINGS FOR
13th Election & 1st Councilmanic Districts
Legal Owner(s): Gregory Murawski (Deceased)*
And Donna Hall (Executor)
Petitioner(s) * BALTIMORE COUNTY
* 2017-035-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 Richardson Engineering, LLC, 30 East Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF RMITTS AND DEVELOPM T 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: 2017-0035-SPH

Petitioner: DONNA L HALL

Address or Location: 901 ELM RIDGE RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DONNA L. HALL

Address: 10538 BIRD RNER ROAD

BALT, MD 21220

Telephone Number: 410-241-4480

Revised 2/20/98 - SCJ

No. 142813
Date: 8/2/16

BUSINESS	ACTUAL	TIME	DRM
8/02/2016	8/02/2016	10:19:48	5

JG W905 WALKIN LRB
 RECEIPT # 864811 8/02/2016 OFLN
 Dept 5 528 ZONING VERIFICATION
 C NO. 142813

Recpt Tot \$75.00
 \$75.00 CK \$1.00 CA
 Baltimore County, Maryland

[illegible]

Total:

Rec
From: DONNA LYN HALL

For: 901 ELM RIDGE RD

2017-0035-SPH

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

September 21, 2016

Gregory M Murawski
Donna Hall
901 Elm Ridge Road
Baltimore MD 21229

RE: Case Number: 2017-0035 SPH, Address: 901 Elm Ridge Road

Dear Ms. Hall:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 2, 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Donna Hall, 10538 Bird River Road, Baltimore MD 21220
Richardson Engineering LLC, Rick Richardson, 30 E Padonia Road, Timonium MD 21093

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. 2017-0035 - SPH

Special Hearing
Gregory M. Murawski Donna Hall
901 Elm Ridge Road

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 'Wendy Wolcott'.

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

WW/RAZ

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

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-035

SEP 13 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 901 Elm Ridge Avenue
Petitioner: Donna L. Hall
Zoning: DR 10.5
Requested Action: Special Hearing

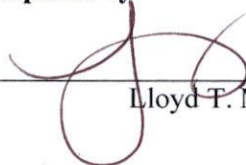
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for a two apartment building.

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:

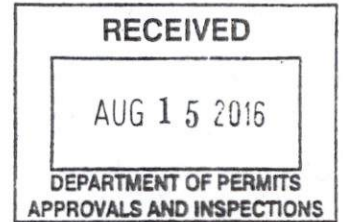


Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Rick Richardson, Richardson Engineering
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: 17-035

INFORMATION:

Property Address: 901 Elm Ridge Avenue

Petitioner: Donna L. Hall

Zoning: DR 10.5

Requested Action: Special Hearing

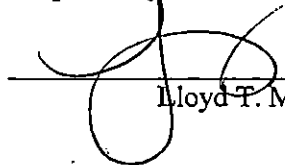
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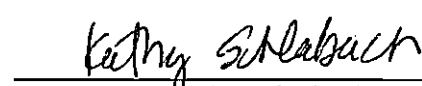
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Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Rick Richardson, Richardson Engineering
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 # 2017-0035-SPH
Address: 901 Elm Ridge Road
(Murawski 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

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 2017-0035-SPH

DATE 9-28-2016

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

RICK RICHARDSON

30 E. PADONIA RD SUITE 500

TIMONIUM, MD 21093

RICK@RICHARDSONENGINEERING.NET

DONNA L. HALL

10538 BIRD RIVER Rd.

MIDDLE RIVER MD 21220

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
-----------------------------	-------------------	---

8/12/16

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

N/C

8/12/16

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

N/C

FIRE DEPARTMENT

8/8/16

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

no obj

8/8/16

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8/8/16

SIGN POSTING

Date:

8/8/16

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

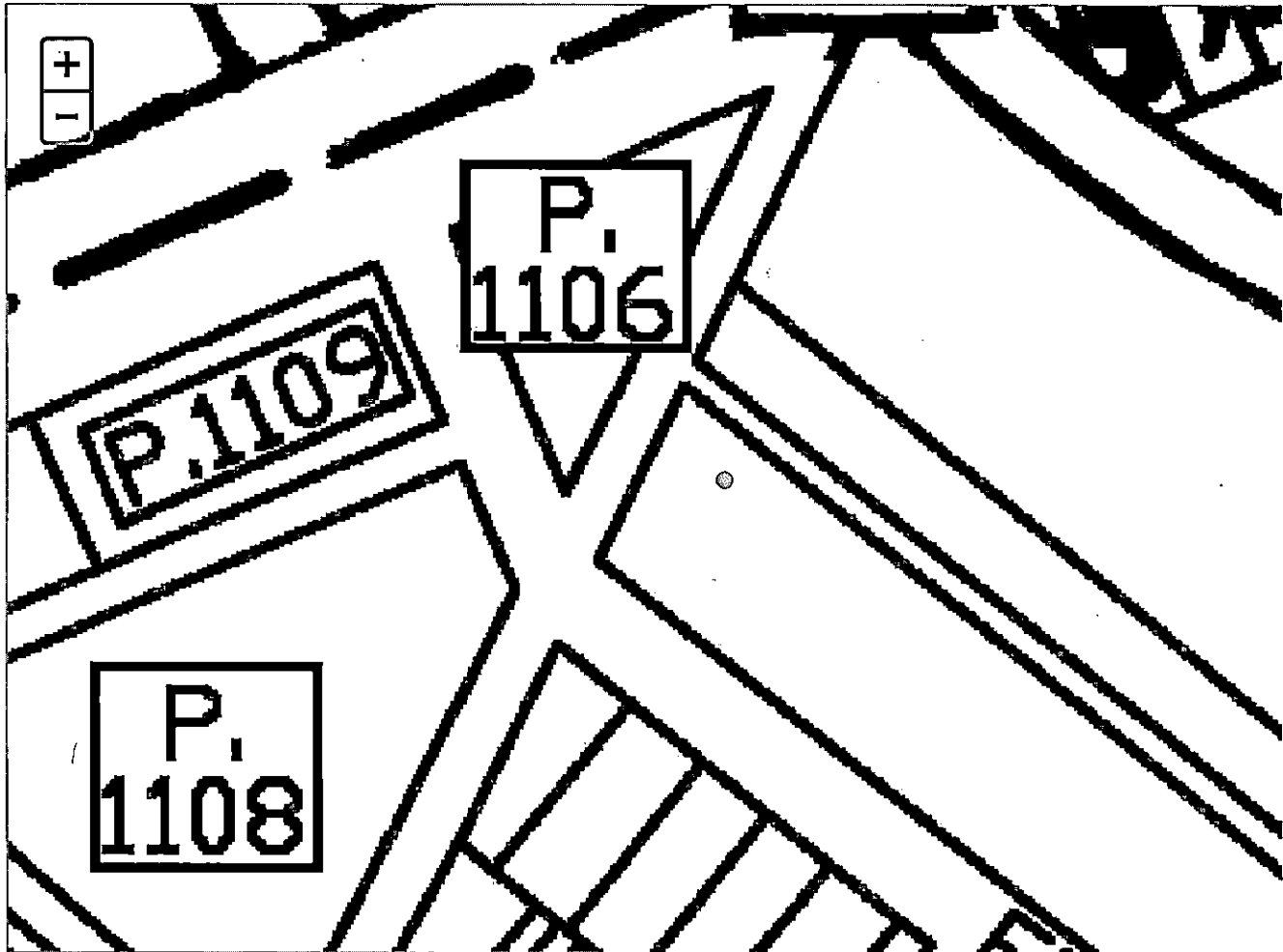
Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 13 Account Number - 1302571230			
Owner Information					
Owner Name:		MURAWSKI GREGORY M		Use:	RESIDENTIAL
Mailing Address:		10538 BIRD RIVER RD BALTIMORE MD 21220-1510		Principal Residence:	NO
				Deed Reference:	/15150/ 00430
Location & Structure Information					
Premises Address:		901 ELM RIDGE AVE BALTIMORE 21229-4838		Legal Description:	901 ELM RIDGE AVE ELM RIDGE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: 5
0101	0017	1107		0000	447 2016 Plat Ref: 0012/0065
Special Tax Areas:			Town: NONE		
			Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1941	1,200 SF	400 SF	4,880 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	END UNIT	BRICK	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:	52,400	52,400			
Improvements	80,500	122,600			
Total:	132,900	175,000	146,933	160,967	
Preferential Land:	0			0	
Transfer Information					
Seller: ALBANOWSKI DOUGLAS G		Date: 04/25/2001		Price: \$100,500	
Type: ARMS LENGTH IMPROVED		Deed1: /15150/ 00430		Deed2:	
Seller: MCCAMMON ROGER C		Date: 01/06/1998		Price: \$92,350	
Type: ARMS LENGTH IMPROVED		Deed1: /12586/ 00486		Deed2:	
Seller: SILVER STAR ASSO CIATES		Date: 08/07/1992		Price: \$89,000	
Type: ARMS LENGTH IMPROVED		Deed1: /09313/ 00316		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: Denied					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **13** Account Number: **1302571230**

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>).

Case No.: 2017-0035-SPH

Exhibit Sheet

Petitioner/Developer

11-1-16
DW

Protestant

Alm
9-30-16

No. 1	Plan	
No. 2	SDAT record	
No. 3	photo utility meters	
No. 4	affidavits	
No. 5	Order in # 93-438	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Search Result for BALTIMORE COUNTY

30x124.04 - 3721.20
833-43

Owner: MURAWSKI GREGORY M

Use: Principal Residence: RESIDENTIAL NO

Deed Reference: /15150/ 00430

10538 BIRD RIVER RD
BALTIMORE MD 21220-1510

901 ELM RIDGE AVE
BALTIMORE 21229-4838

Legal Description: 901 ELM RIDGE AVE
ELM RIDGE

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
10101	0017	1107		0000			447	2016		5
									Plat Ref:	0012/0065

Special Tax Areas:

Town: NONE

Ad Valorem:

Tax Class:

Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use
1941	1,200 SF	400 SF	4,880 SF 4971	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	YES	END UNIT	BRICK	2 full		

Value Information

	Base Value	Value As of 01/01/2016	Phase-in Assessments As of 07/01/2015	As of 07/01/2016
Land:	52,400	52,400		
Improvements	80,500	122,600		
Total:	132,900	175,000	132,900	146,933
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
ALBANOWSKI DOUGLAS G	04/25/2001	\$100,500
Type: ARMS LENGTH IMPROVED	Deed1: /15150/ 00430	Deed2:
MCCAMMON ROGER C	01/06/1998	\$92,350
Type: ARMS LENGTH IMPROVED	Deed1: /12586/ 00486	Deed2:
SILVER STAR ASSO CIATES	08/07/1992	\$89,000
Type: ARMS LENGTH IMPROVED	Deed1: /09313/ 00316	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2015	07/01/2016
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Tax Exempt:

Exempt Class:

Special Tax Recapture: NONE

Homestead Application Information

Homestead Application Status: Denied

EX-2



EX.3

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Director of Department of Permits, Approvals and Inspections (PAI), 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.

[Handwritten Signature]
AFFIANT (Handwritten Signature)

Edward Raymond Ostrowski
AFFIANT (Printed Name)

909 Elmridge Ave
ADDRESS (Printed)

410-247-3615 (Home)
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 901 Elmridge Ave has been occupied as a 2 apartment dwelling since August (month), 1986 (year)? Yes (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since August (month), 1987 (year)? Yes (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, 17th day of JUNE, 20 16, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Edward Raymond Ostrowski, the Affiant herein, personally known or satisfactorily identified to me as such Affiant.

AS WITNESS my hand and Notarial Seal.



Revised 1/13/12

[Handwritten Signature]
NOTARY PUBLIC
My Commission Expires 6/16/18

Ex. 4

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Director of Department of Permits, Approvals and Inspections (PAI), 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.

John W. Cavey
AFFIANT (Handwritten Signature)

John W. Cavey
AFFIANT (Printed Name)

911 Elmridge Ave
ADDRESS (Printed)

410-565-6263
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 901 Elmridge Ave (address) has been occupied as a 2 apartment dwelling since 11/12/1946 (month) (year)? Yes (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since 11/12/1946 (month) (year)? Yes (answer)

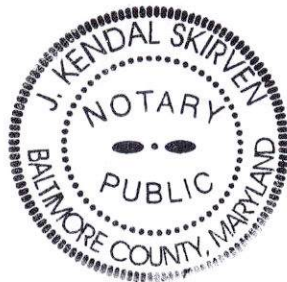
3. Will you realize any gain from the sale of this property? No (answer) *

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY this, 17th day of June, 2016, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared JOHN W. CAVEY, the Affiant herein, personally known or satisfactorily identified to me as such Affiant.

AS WITNESS my hand and Notarial Seal.



J. Kendal Skirven
NOTARY PUBLIC
My Commission Expires 6/16/18

IN RE: PETITION FOR SPECIAL HEARING
NE/S Elmridge Avenue, 50' E
of Old Maiden Choice Lane
(905 Elmridge Avenue)
13th Election District
1st Councilmanic District

Robert R. Slavikas, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-438-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property, Robert R. and Joana D. Slavikas. The Petitioners request approval to use the subject property as a two-apartment dwelling, in accordance with Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was Robert R. Slavikas, property owner. Mr. Slavikas was represented by Richard C. B. Woods, Esquire. Appearing as a Protestant in the matter was Eleanor Vandevender on behalf of the Maiden Choice Community Association, Inc.

Testimony indicated that the subject property, known as 905 Elmridge Avenue, consists of 0.057 acres, more or less, and is improved with an attached townhouse dwelling unit. The instant Petition was filed as a result of a complaint registered with the Zoning Administration office as to the use of the property as two apartments. It should be noted that although not requested within the Petition filed, the Petitioner seeks a determination that the property enjoys a nonconforming use as two apartments.

Mr. Slavikas testified that he purchased the subject property in 1987 at which time it contained two apartments, with a common hallway on the first floor and a separate entrance to the second floor apartment. He

By
JAN 1994

testified that he resided in the property until 1990 at which time he moved down the street. Mr. Slavikas, who is originally from eastern Europe, testified that until he moved from the property, he used the second floor apartment for visiting relatives from Europe. Further testimony indicated that Mr. Slavikas continued to rent the property as two separate apartments after he moved.

Further testimony indicated that the homes along this stretch of Elmridge Avenue were built in the 1940s, prior to the commencement of World War II, and that many of the houses were built as two apartment dwellings. Affidavits submitted by Mr. Slavikas verify that the subject property was, in fact, constructed as two-apartments. Mr. Slavikas testified as to the layout of the property and introduced a floor plan of the two apartments, marked as Petitioner's Exhibit 2. The Petitioner also submitted as Petitioner's Exhibit 4 a list of other dwellings along Elmridge Avenue which contain two apartments.

On behalf of the Maiden Choice Community Association, Ms. Eleanor VanDevender testified that a problem occurred with a particular family who rented one of the apartments in the subject dwelling. Ms. VanDevender testified, and the Petitioner confirmed, that the family in question consisted of 8 to 10 members who resided in the same apartment and that parking problems resulted from the number of cars associated with that family. Further testimony indicated that this family was responsible for creating other problems in the neighborhood. However, once this problem was brought to the attention of Mr. Slavikas, eviction proceedings followed and the family was eventually removed from the premises. Mr. Slavikas stated that he has not leased the two apartments pending the outcome of this hearing.

It was clear from the uncontradicted testimony that the subject property was built as a two-apartment dwelling prior to the establishment of the zoning regulations governing such use and that there has been no intent to abandon its use as two apartments. It was also clear that the Petitioner has and will continue to be cooperative with the community and that he wishes to resolve this matter to their satisfaction.

Mr. Slavikas has demonstrated genuine concern and a willingness to work with the community concerning this matter. He testified that he continues to reside in the community and wishes to be a good neighbor and a good landlord. To that end, Mr. Slavikas and his attorney have agreed that prior to placing any future tenants in the property, Mr. Slavikas will present the names of any prospective tenant and their lease agreement to the Community Association for their review and approval prior to permitting any such tenant to take up residence. Mr. Slavikas further agreed to limit the number of people who will reside in each apartment to an amount agreeable to the Association, and to limit the number of cars associated with each apartment to two. Furthermore, Mr. Slavikas has agreed to place a parking pad in the rear yard of the subject property in the location of an existing metal shed. The parking pad will be of sufficient size to accommodate two automobiles to remedy any parking problems on Elmridge Avenue, in that two of the possible four vehicles associated with this property will be able to park in the rear yard.

As with all nonconforming use cases, the first task is to determine whether a lawful nonconforming use existed on the subject property prior to the year in which a change in the zoning regulations caused the use of the property to become illegal. The controlling year in this case is 1945.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, Md., 39 Md. App.257, 385 A2d. 96 (1978).

When the claimed nonconforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original nonconforming use;

(b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

McKemy v. Baltimore County, Md., Supra.

After due consideration of the testimony and evidence presented, it is clear that the subject property has been used continuously and without interruption as a two apartment dwelling since prior to 1945 and that there has been no intent to abandon its use as such.

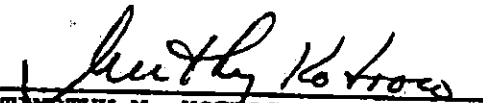
FILED IN REVENUE FOR FILING

6/27/63
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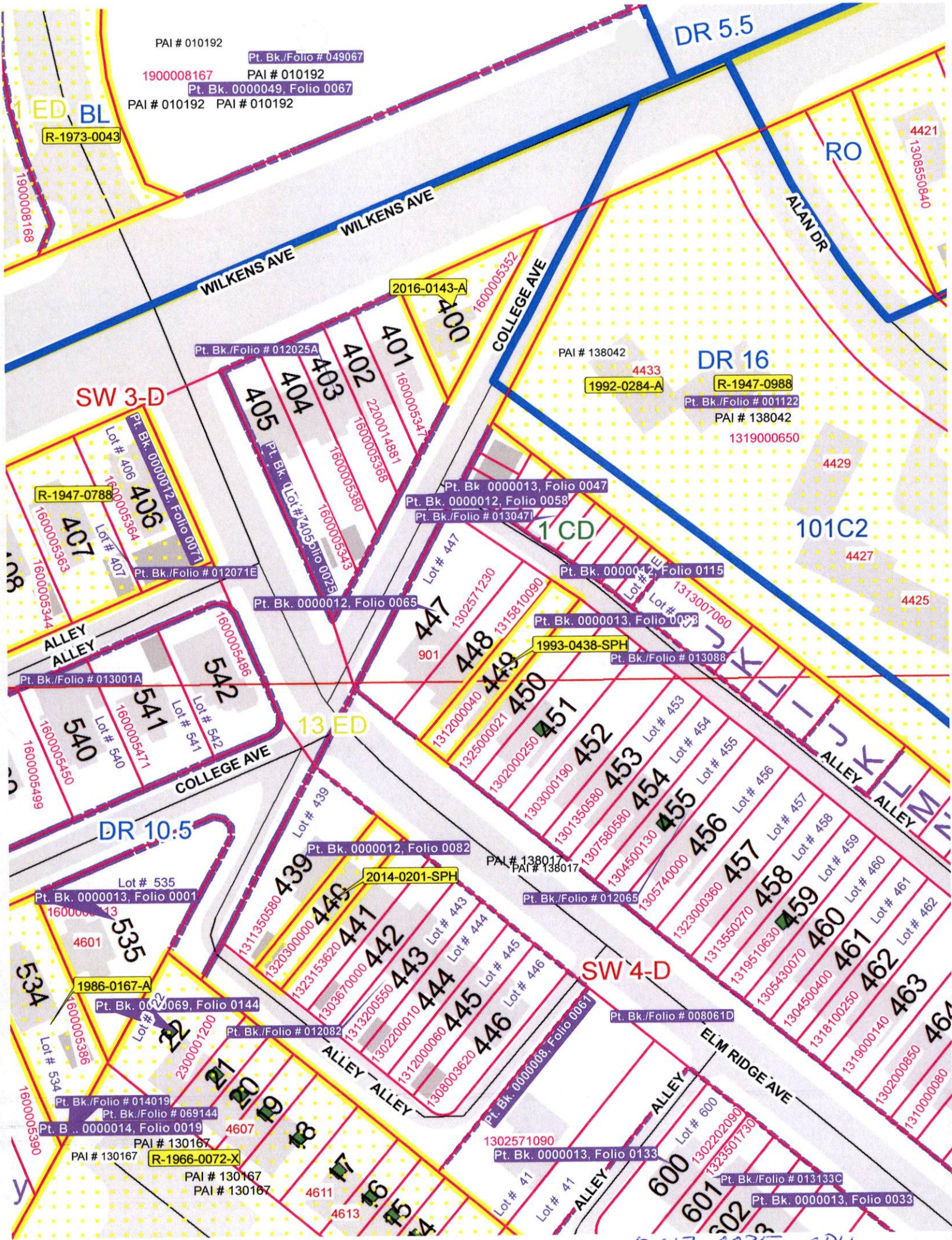
6) These terms and conditions shall bind any future purchaser or transferee of the subject property. Accordingly, within sixty (60) days of the date of this Order, the Petitioner shall cause a copy of this Order to be recorded in the Land Records of Baltimore County which shall forever notify any potential purchaser or successor in interest of the subject property of the conditions and restrictions that apply thereto. In the event this property is ever sold or transferred to another party, that party will be bound by these terms and conditions. Written documentation certifying that a copy of this Order has been recorded within the Land Records of Baltimore County shall be submitted to the Zoning Administration and Development Management office (ZADM) for inclusion in the case file. If a future purchaser or transferee of this property does not wish to be bound by these terms, then the property shall be converted for use as a single family dwelling only.

7) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

RECEIVED FOR FILING
8/17/93
1/10/94



PAI # 010192

Pt. Bk./Folio # 049067

1900008167

PAI # 010192

Pt. Bk. 0000049, Folio 0067

PAI # 010192 PAI # 010192

R-1973-0043

DR 5.5

RO

4421
130850840

WILKENS AVE

2016-0143-A

COLLEGE AVE

PAI # 138042

DR 16

R-1947-0988

Pt. Bk./Folio # 001122

PAI # 138042

1319000650

SW 3-D

Pt. Bk./Folio # 012025A

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403

402

401

400

Pt. Bk. 0000012, Folio 0071

Lot # 406

1600005364

Lot # 407

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1600005344

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1600005110

1600005109

CERTIFICATION OF VITAL RECORD

VIEW PRESENCE OF WATERMARK - HOLD TO LIGHT TO VIEW

STATE OF MARYLAND

Department of Health and Mental Hygiene

Division of Vital Records

Certificate of Death

File Number *32016MD016547*

1. Decedent's Name, AKA Name (if any) GREGORY MURAWSKI GREGORY MARK MURAWSKI			2. Date of Death 04/19/2016		3. Time of Death 1435	
4a. Facility Name 10538 BIRD RIVER RD.			4b. City, Town or Location of Death MIDDLE RIVER		4c. County of Death BALTIMORE	
5. Social Security Number 213581667		6. Sex M	7. Age 62 YR		8. Date of Birth 09/05/1953	
9. Birthplace MARYLAND		10a. County BALTIMORE		10b. City, Town or Location MIDDLE RIVER		10c. Inside City Limits? NO
10d. Address 10538 BIRD RIVER RD.						10e. Zip Code 21220
11. Marital Status DIVORCED (AND NOT REMARRIED)		12. Ever in U.S. Armed Forces? NO		13. Hispanic Origin? NO		14. Race WHITE
15. Decedent's Education ASSOCIATE		16a. Decedent's Usual Occupation FIREMAN		16b. Business/Industry PUBLIC SAFETY		
17. Father's Name CHARLES JOSEPH MURAWSKI			18. Mother's Name Prior to First Marriage MARY SOPHIE BEGAY			
19. Surviving Spouse's Name						
20a. Informant's Name		20b. Informant's Relationship		20c. Informant's Mailing Address -- --, UNK		
21a. Method of Disposition DONATION		21b. Place of Disposition		21c. Date of Disposition UNK		21d. Location -- --, MD
22a. Signature of Funeral Service Licensee RONALD SPENCER WADE		22b. License No M00598		22c. Name and Address of Funeral Facility MARYLAND STATE ANATOMY BOARD 655 W. BALTIMORE STREET, BALTIMORE, MD 21201		
23a. Part I. Disease, injuries, or complications that directly caused the death METASTATIC RENAL CANCER						Approximate Interval Between Onset and Death
Immediate Cause (final disease or condition resulting in death) a. Due to (or as a consequence of): Conditions, if any, leading to immediate cause b. Due to (or as a consequence of): c. Due to (or as a consequence of): d.						
Part II. Other significant conditions contributing to death but not resulting in the underlying cause in Part I						23b. Did tobacco use contribute to the cause of death? UNK
24a. Was an autopsy performed? NO	24b. Were autopsy findings available prior to completion of cause of death? NO	25a. Was case referred to medical examiner? NO	25b. Medical Examiner Countersignature			
26. Place of Death HOME		27. Manner of Death NATURAL		28a. Date of Injury		28b. Time of Injury
28c. How Injury occurred		28d. Injury at work?	28e. Transportation Injury?	28f. Place of Injury		
28g. Location of Injury						
29a. Certifier Type CERTIFYING PHYSICIAN		29b. Signature and Title of Certifier P. LEDAKIS		29c. License No D47934		29d. Date signed 05/02/2016
30a. Name of person who completed cause of death P. LEDAKIS		30b. Address of person who completed cause of death 227 ST. PAUL PL., BALTIMORE, MD 21202				
For Office Use Only:						
31. Date Filed 05/12/2016		32. Registrar at Filing GENEVA G. SPARKS		33. Date Issued 05/12/2016		34. This is to certify that this is a true and correct copy of the official record on file in the office of the Maryland Division of Vital Records. Registrar's Signature <i>Geneva G. Sparks</i>

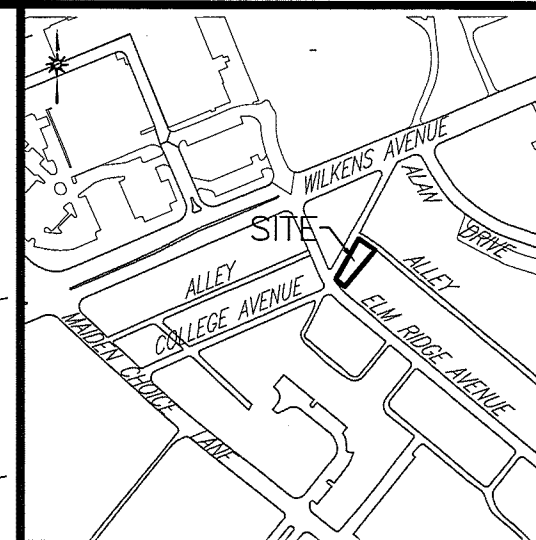
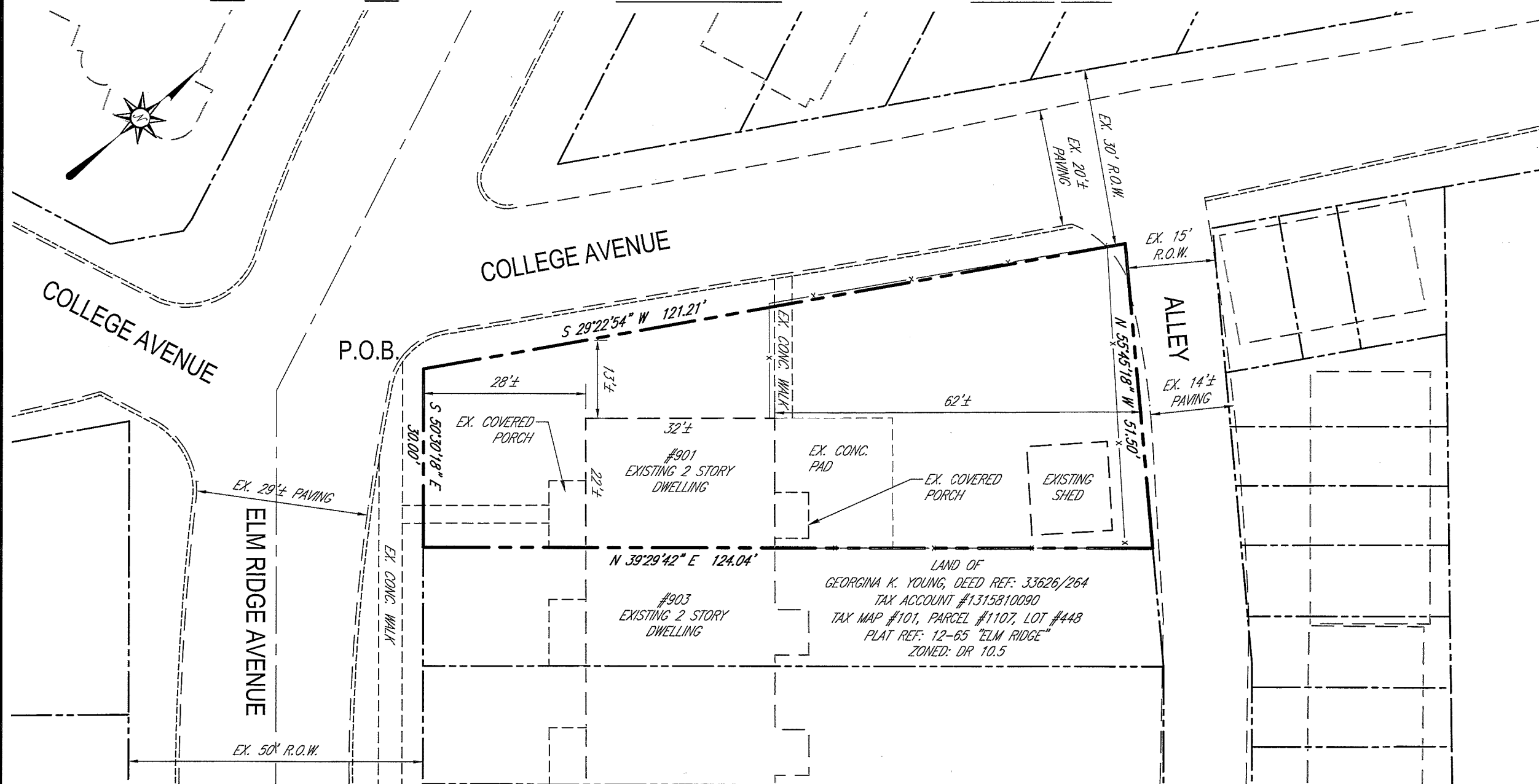
2537195

DO NOT ACCEPT UNLESS ON SECURITY PAPER WITH SEAL OF VITAL RECORDS CLEARLY EMBOSSED.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

2017-0035-SPH

ZONING HEARING PLAN FOR VARIANCE ____ FOR SPECIAL HEARING X
 ADDRESS: 901 ELM RIDGE AVENUE BALTIMORE, MARYLAND 21229 OWNER: GREGORY M. MURAWSKI
 SUBDIVISION NAME: ELM RIDGE LOT #447 BLOCK #N/A SECTION #N/A
 PLAT BOOK #12 FOLIO #65 10 DIGIT TAX #1302571230 DEED REF. #15150/430



LOCATION MAP

SCALE: 1" = 500'

ZONING MAP:	#101C2
SITE ZONED:	DR 10.5
ELECTION DISTRICT:	13
COUNCIL DISTRICT:	1
LOT AREA ACREAGE:	0.11
LOT AREA SQUARE FEET:	4,971
HISTORIC:	NO
IN CBCA:	NO
IN FLOOD PLAIN:	NO
UTILITIES	
WATER	PUBLIC ☒ PRIVATE ☐
SEWER	PUBLIC ☒ PRIVATE ☐
PRIOR HEARING:	NO
VIOLATION CASE INFO:	NONE

LAND OF
 GEORGINA K. YOUNG, DEED REF: 33626/264
 TAX ACCOUNT #1315810090
 TAX MAP #101, PARCEL #1107, LOT #448
 PLAT REF: 12-65 "ELM RIDGE"
 ZONED: DR 10.5

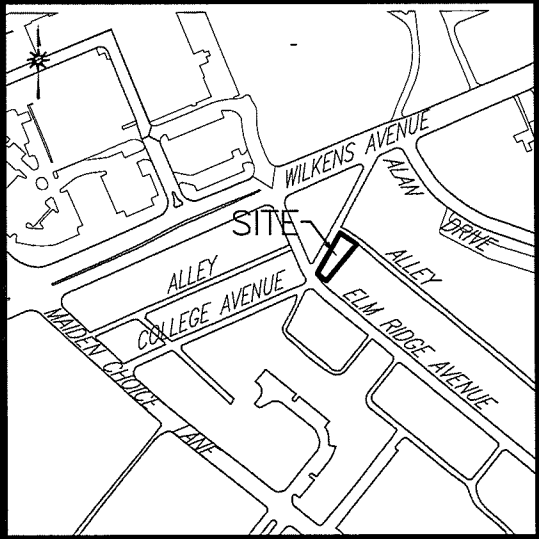
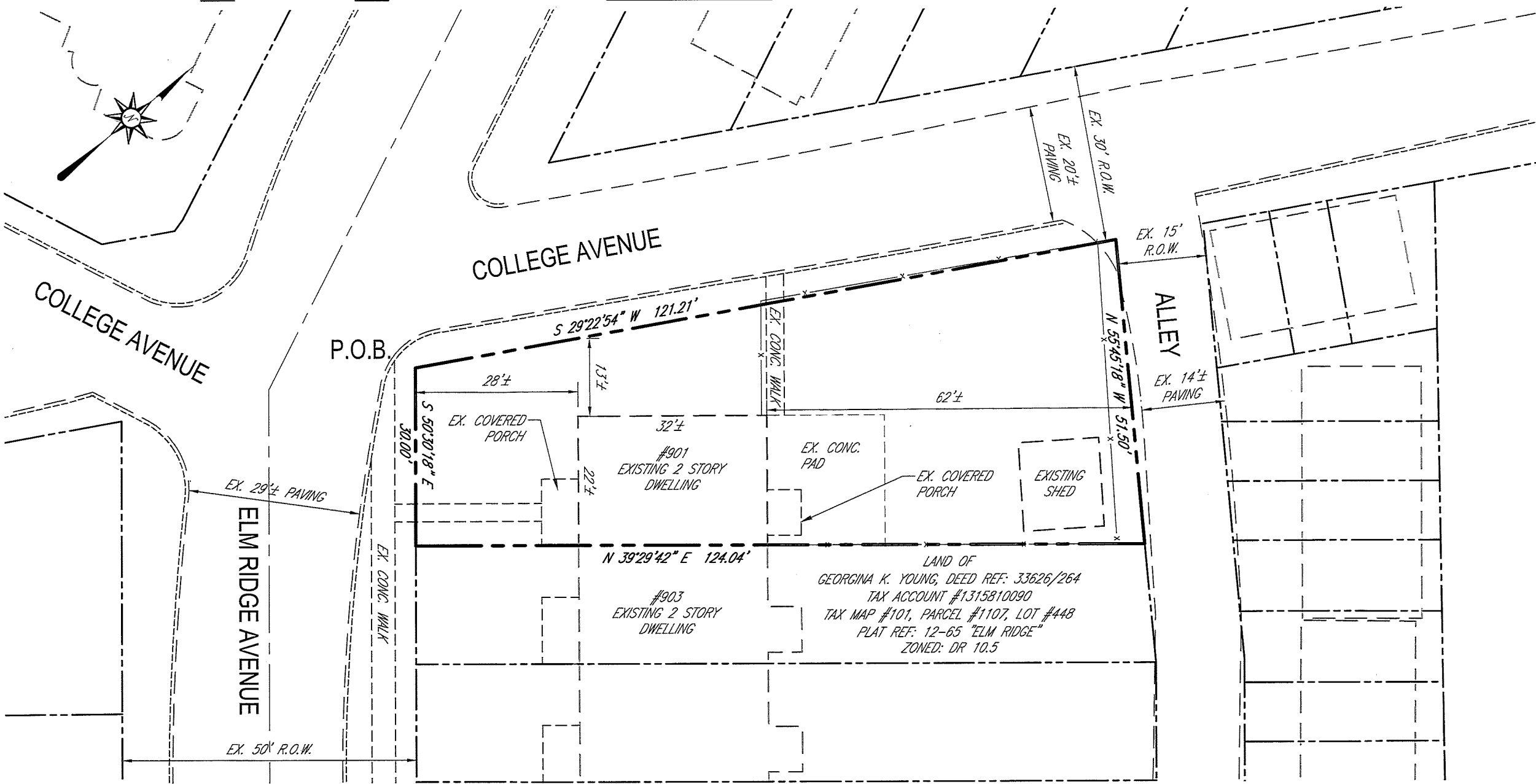
2017-0035-SPH

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
 Timonium, Maryland 21093
 Phone: 410-560-1502 Fax: 443-901-1208

DRAWN BY: CND	CHECKED BY: PCR	SCALE: 1" = 20'
DATE: 07-29-16	JOB NO.: 16086	SHEET NO.: 1 OF 1

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X
ADDRESS: 901 ELM RIDGE AVENUE BALTIMORE, MARYLAND 21229 OWNER: GREGORY M. MURAWSKI
SUBDIVISION NAME: ELM RIDGE LOT #447 BLOCK #N/A SECTION #N/A
PLAT BOOK #12 FOLIO #65 10 DIGIT TAX #1302571230 DEED REF. #15150/430



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HISTORIC: NO
IN CBCA: NO
IN FLOOD PLAIN: NO
UTILITIES
WATER PUBLIC ☒ PRIVATE ☐
SEWER PUBLIC ☒ PRIVATE ☐
PRIOR HEARING: NO
VIOLATION CASE INFO: NONE

2017-0035-SPH

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DATE: 07-29-16	JOB NO.: 16086	SHEET NO.: 1 OF 1

EX. 1