

MEMORANDUM

DATE: July 20, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0300-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on July 19, 2017. 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**

(522 Virginia Avenue)

15th Election District

7th Council District

Karen L. Leishure

Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2017-0300-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 Karen L. Leishure, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve the continued use of garage as a residence, as originally approved in Case No. 1139-X (1948).

J. Robertson and Barbara Evans appeared in support of the petition. Herbert Burgunder, III, 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. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request.

The subject property is approximately 0.165 acres in size and zoned D.R. 5.5. The property is improved with a single-family dwelling constructed in 1940. In addition, there is a two-story accessory building at the rear of the lot. In a 1948 Order, the Zoning Commissioner granted a "petition for special permit" to approve "servants quarters" in the garage. Counsel proffered that the building has been used as living quarters since that time, although it is unclear what was meant by "servants quarters," terminology not used or defined in the B.C.Z.R. Counsel was unsure

ORDER RECEIVED FOR FILING

Date 6/19/17

By sln

whether the structure was used to provide housing for workers at a commercial enterprise in the area or whether domestic worker(s) lived in the garage and provided services to the owners of the single-family dwelling on the same lot.

Leaving the anachronistic nomenclature aside, it appears this structure has served as an apartment or living quarters for many years (i.e., before the 1955 adoption of the B.C.Z.R.) and may continue to be used in that capacity.

THEREFORE, IT IS ORDERED this 19th day of June, **2017** by this Administrative Law Judge, that the Petition for Special Hearing to approve continued use of a garage as a residence, as originally approved in Case No. 1139-X (1948), and as shown on the site plan marked as Petitioner's Exhibit 1, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Only one "family" (as that term is defined in the B.C.Z.R.) may lease and/or occupy the accessory building/garage at any one time or for any given period or term.

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 6/19/17
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 522 Virginia Avenue, Baltimore, MD which is presently zoned DR 5.5
Deed References: Liber 28715, folio 370 10 Digit Tax Account # 1 5 0 8 5 5 0 3 5 0
Property Owner(s) Printed Name(s) Karen L. Leishure

(SELECT THE HEARING(S) BY MARKING X 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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve continued use of garage as residence, as approved in Case Number 1139-S (1948), and modify the approval to permit the entire garage to be used as a residence.
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:

Herbert Burgunder III
Name- Type or Print HB
Signature _____
901 Dulaney Valley Road, Suite 500, Towson, Maryland
Mailing Address _____ City _____ State _____
21204 / 410-664-6500 / hb3@pklaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Karen L. Leishure /
Name #1 Type or Print _____ Name #2 – Type or Print _____
Signature #1 Karen Leishure Signature #2 _____
222 Castletown Road, Lutherville, Maryland
Mailing Address _____ City _____ State _____
21093 / 443-801-4433 / jrobau91@hotmail.com
Zip Code Telephone # Email Address

Representative to be contacted:

Herbert Burgunder III
Name – Type or Print HB
Signature _____
901 Dulaney Valley Road, Suite 500, Towson, Maryland
Mailing Address _____ City _____ State _____
21204 / 410-664-6500 / hb3@pklaw.com
Zip Code Telephone # Email Address

CASE NUMBER 2017-0300-SPH Filing Date 5/9/2017 Do Not Schedule Dates: _____ Reviewer W



ZONING DESCRIPTION
522 & 522R Virginia Avenue
Baltimore County, Maryland

Beginning at a point on the north side of Virginia Ave which is 50' wide at a distance of 75' west of the centerline of the intersection of Virginia Ave and South Woodward Drive which is 50' wide.

Being the lot of ground known as lot 19 on block 2B, section A of the Revised Plat of the Property of The Taylor Company, recorded among the land records of Baltimore County in Plat Book No. 9, Folio 74 dated August 1930.

Saving and excepting the lot of ground taken by County Highway Deed recorded among the land records of Baltimore County in Liber No. 3302, Folio 398, dated 01/03/1958, containing 48.2 SF.

Containing 7,201.7 SF or 0.165 Acres.

Located in the 15th Election District and 7th Councilmanic District. Known as 522 & 522R Virginia Avenue.



APRIL 27, 2017

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203

Expiration Date: 11/02/2018

2017-0300-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 4970888

Sold To:

PESSIN KATZ LAW PA - CU00194898
901 Dulaney Valley Rd Ste 400
Towson, MD 21204

Bill To:

PESSIN KATZ LAW PA - CU00194898
901 Dulaney Valley Rd Ste 400
Towson, MD 21204

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

May 25, 2017

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: # 2017-0300-SPH

522 Virginia Avenue
N/s Virginia Avenue at the northwest corner of S.
Woodward Drive
15th Election District - 7th Councilmanic District
Legal Owner(s) Karen Leishure

Special Hearing: to determine whether or not the Administrative Law Judge should approve continued use of garage as residence, approved in Case No. 1139-S (1948), and modify the approval to permit the entire garage to be used as a residence.

Hearing: Friday, June 16, 2017 at 11:00 a.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.

5/141 May 25 4970888

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

CERTIFICATE OF POSTING

2017-0300-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Karen Leishure

June 16, 2017

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: _____

522 Virginia Avenue

May 27, 2017

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



Sincerely,

(Signature of Sign Poster)

May 27, 2017

(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*

May 16, 2017

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: 2017-0300-SPH

522 Virginia Avenue

N/s Virginia Avenue at the northwest corner of S. Woodward Drive

15th Election District – 7th Councilmanic District

Legal Owners: Karen Leishure

Special Hearing to determine whether or not the Administrative Law Judge should approve continued use of garage as residence, approved in Case No. 1139-S (1948), and modify the approval to permit the entire garage to be used as a residence.

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a circular stamp. The stamp contains the text "Arnold Jablon" and "Director" below it.

Arnold Jablon
Director

AJ:kl

C: Herbert Burgunder, III, 901 Dulaney Valley Road, Ste. 500, Towson 21204
Karen Leishure, 222 Castletown Road, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 27, 2017.**
- (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, May 25, 2017 Issue - Jeffersonian

Please forward billing to:

Herbert Burgunder, III
Pessin Katz Law, P.A.
901 Dulaney Valley Road, Ste. 500
Towson, MD 21204

410-664-6500

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: 2017-0300-SPH

522 Virginia Avenue

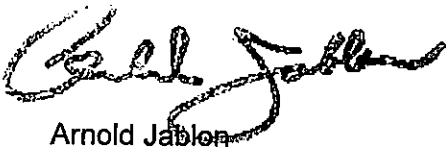
N/s Virginia Avenue at the northwest corner of S. Woodward Drive

15th Election District – 7th Councilmanic District

Legal Owners: Karen Leishure

Special Hearing to determine whether or not the Administrative Law Judge should approve continued use of garage as residence, approved in Case No. 1139-S (1948), and modify the approval to permit the entire garage to be used as a residence.

Hearing: Friday, June 16, 2017 at 11:00 a.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
522 Virginia Avenue; N/S Virginia Avenue,
NW corner of S. Woodward Drive
15th Election & 7th Councilmanic Districts
Legal Owner(s): Karen L. Leishure
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2017-300-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
MAY 16 2017

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 16th day of May, 2017, a copy of the foregoing Entry of Appearance was mailed to Herbert Burgunder, III, Esquire, 901 Dulaney Valley Road, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

Revised 7/9/2015

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

№ 153060

Date: 5/9/17

Rev Sub
Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
201	806	0000		6150				500.00

Total: 500.00

Rec From:

PK LAW - Herbert Burgender III 75.00

For:

522 Virginia Ave

2017-0300-SPH

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
5/10/2017 5/09/2017 09:39:46 3

REG W303 WALKIN CAN
>>RECEIPT # 725449 5/09/2017 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 153060

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

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

June 7, 2017

Karen L Leisure
222 Castletown Road
Lutherville MD 21093

RE: Case Number: 2017-0300 SPH, Address: 522 Virginia Avenue

Dear Ms. Leisure:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 9, 2017. 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 horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Herbert Burgunder, Esquire, 901 Dulaney Valley Road, Suite 500, Towson MD 21204

Date: 5/15/17

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. 2017-0300-SPH

Special Hearing
Karen L. Leishure
522 Virginia Avenue

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,



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

WW/RAZ

6-16-17

BALTIMORE COUNTY, MARYLAND

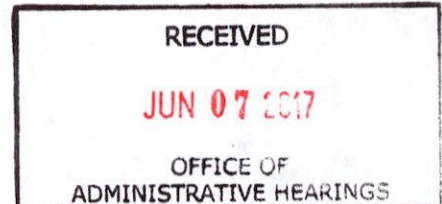
INTER-OFFICE MEMORANDUM

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

DATE: 5/31/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-300



INFORMATION:

Property Address: 522 Virginia Avenue
Petitioner: Karen L. Leishure
Zoning: DR 5.5
Requested Action: Special Hearing

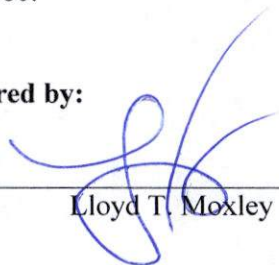
The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the continued use of the garage as a residence, as approved in Case Number 1139-S (1948), and to modify the approval to permit the entire garage to be used as a residence.

A site visit was conducted on May 23, 2017.

The Department of Planning has no objection to granting the petitioned zoning relief provided the total number of dwellings as approved in the aforementioned case remains the same.

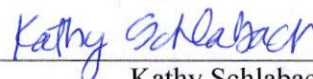
For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Josephine Selvakumar
Herbert Burgunder, III
Office of the Administrative Hearings
People's Counsel for Baltimore County

REVISOR.

1977

1977
1977

0-16

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: May 17, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0300-SPH
Address 522 Virginia Avenue
(Leishure Property)

Zoning Advisory Committee Meeting of **May 22, 2017**

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

Reviewer: Steve Ford

Date: 5-17-2017

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 31, 2017

FROM: *MCD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 22, 2017
Item No. 2017-0291, 0292, 0294, 0296, 0299, 0300, 0301 and 0303

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

VKD: CEN

cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC05222017.doc

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: May 17, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0300-SPH
Address 522 Virginia Avenue
(Leishure Property)

Zoning Advisory Committee Meeting of **May 22, 2017**

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

Reviewer: Steve Ford Date: 5-17-2017

Case No.: 2017-0300-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

7-20-17
DW

Sen
6-19-17

No. 1	Plan	
No. 2	Order + docs. from 1948 Zoning Case	
No. 3	Google Map photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF
Petition of
Fred. Himmelheber
and
Katherine A. Himmelheber

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For A Special Permit

To the Zoning Commissioner of Baltimore County

Fred. & Katherine A. Himmelheber Legal Owner

Contract Purchaser

herby petition for a Special Permit, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 077 of the Acts of General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Permit to use the land (and improvements now or to be erected thereon) hereinafter described for a double

garage and a apartment on second story

Lot 19 Blk. 2 B. Sec. A 522 Virginia Ave. Balto. 21

Essex, Md. Situate at the northwest corner of Virginia Ave. and Woodward Drive, Essex, 15th Dist. of Balto. Co., fronting northerly on west side of Virginia Ave. 50' with right angle depth of 150' on west side of Woodward Drive. Being property known as 522 Virginia Ave.

Contract Purchaser

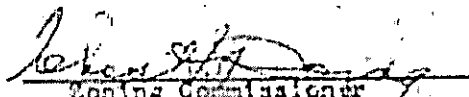
Legal Owner

Address

Address

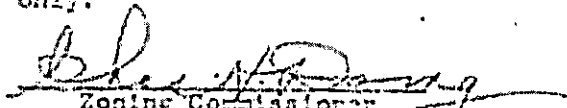
Pet. Fr. 2

ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of January, 1948, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Record Building, Towson, Baltimore County, Maryland, on the 18th day of February, 1948, at 1:00 p. m.


Zoning Commissioner
of Baltimore County.

Upon hearing on petition for special permit and after the required advertisement and posting of property and it appearing by reason of location said petition should be granted, therefore:

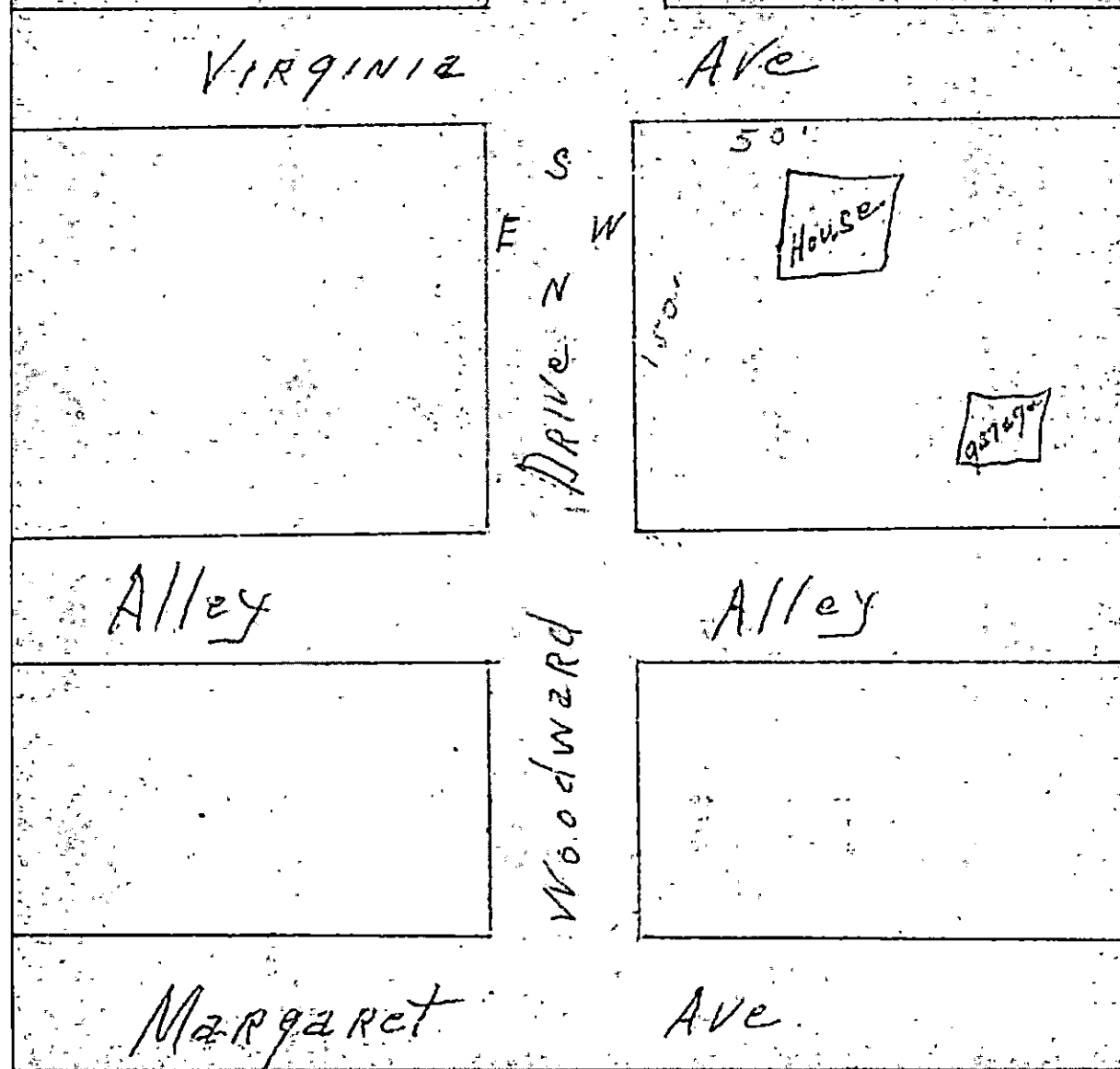
It is this 16th day of February, 1948, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid petition for special permit be and the same is hereby granted for servants quarters only.


Zoning Commissioner
of Baltimore County.

The garage and apartment is approximately 175 feet from Margaret Ave. and approximately 160 feet from Virginia Ave. My house is located on the North West corner of Virginia Ave. and Woodward Drive. My lot is 50 x 150 less 5 feet for the alley.

Fred Himmelheber
622 Virginia Ave.
Falto, 21, Essex, Md.

11 950 M



NO PLAT
IN
THIS FOLDER

CERTIFICATE OF POSTING
JAMES M. HAYES
1139-S

CERTIFICATE OF PUBLICATION
RUD FEB 9 1918
1139-S

PAID
RECEIVED
JAN 10 1918
JAMES M. HAYES
1139-S

RECEIVED
JAN 10 1918
JAMES M. HAYES
1139-S

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JAMES M. HAYES
1139-S

RECEIVED
JAN 10 1918
JAMES M. HAYES
1139-S

Google Maps



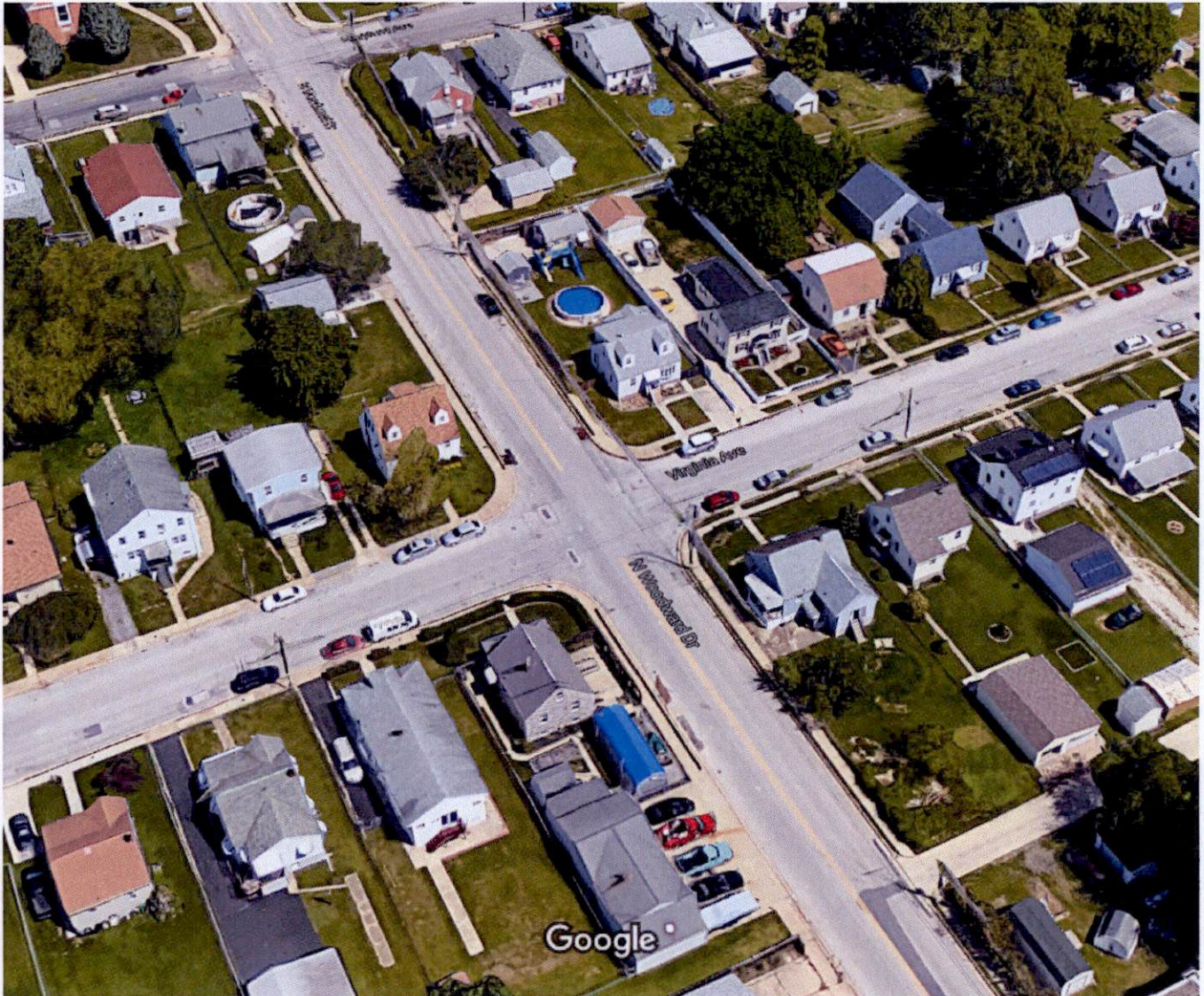
Imagery ©2017 Google, Map data ©2017 Google 100 ft

PETITIONER' S

EXHIBIT NO.

3

Google Maps



Imagery ©2017 Google, Map data ©2017 Google 20 ft

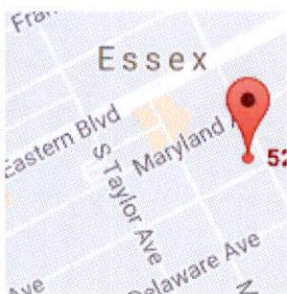
Google Maps 586 Virginia Ave



Image capture: Jul 2016 © 2017 Google

Essex, Maryland

Street View - Jul 2016



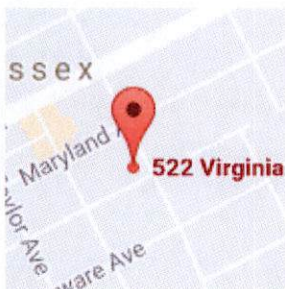
Google Maps 327 N Woodward Dr



Image capture: Jul 2016 © 2017 Google

Essex, Maryland

Street View - Jul 2016



CASE NAME _____
CASE NUMBER 2017-0300 -SPH
DATE June 16, 2017

[illegible]

CHECKLIST

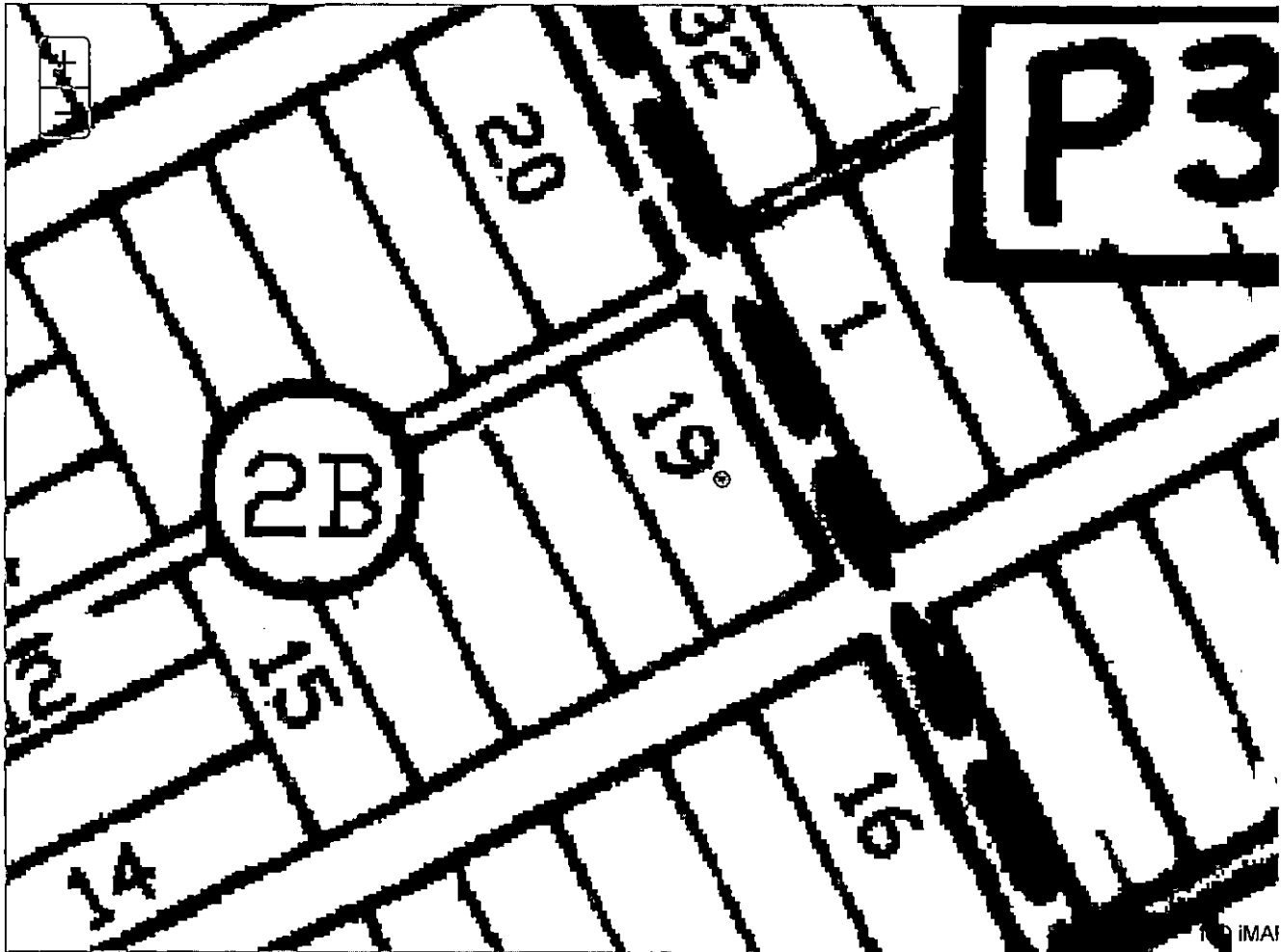
<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>5/31/17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>no Comment</u>
<u>5/17/17</u>	DEPS (if not received, date e-mail sent _____)	<u>no comment</u>
_____	FIRE DEPARTMENT	_____
<u>5/31/17</u>	PLANNING (if not received, date e-mail sent _____)	<u>Comment</u>
<u>5/15/17</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>5/25/17</u>	
SIGN POSTING	Date: <u>5/27/17</u> by <u>SSG Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 15 Account Number - 1508550350								
Owner Information										
Owner Name:		LEISHURE KAREN L				Use:		RESIDENTIAL		
Mailing Address:		222 CASTLETOWN RD LUTHERVILLE MD 21093-6715				Principal Residence:		NO		
						Deed Reference:		/28715/ 00370		
Location & Structure Information										
Premises Address:		522 VIRGINIA AVE BALTIMORE 21221-6861				Legal Description:		522 VIRGINIA AVE TAYLOR LAND COMPANY		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0097	0008	0370		0000	A	2B	19	2015	Plat Ref:	0009/0074
Special Tax Areas:				Town:		NONE				
				Ad Valorem:						
				Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1940		1,170 SF		350 SF		7,250 SF		04		
Stories	Basement	Type		Exterior		Full/Half Bath	Garage	Last Major Renovation		
1 1/2	YES	STANDARD UNIT		ASBESTOS SHINGLE		1 full	1 Detached			
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2015		07/01/2016		07/01/2017		
Land:		62,000		62,000						
Improvements		95,000		100,100						
Total:		157,000		162,100		160,400		162,100		
Preferential Land:		0						0		
Transfer Information										
Seller: RUTH MARIAN JOYCE				Date: 10/06/2009			Price: \$225,000			
Type: ARMS LENGTH IMPROVED				Deed1: /28715/ 00370			Deed2:			
Seller: SECRETARY OF HOUSING & URBAN DEV				Date: 09/15/2000			Price: \$83,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /14697/ 00124			Deed2:			
Seller: BITTNER GARY				Date: 10/12/1999			Price: \$157,800			
Type: NON-ARMS LENGTH OTHER				Deed1: /14082/ 00231			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										

Baltimore CountyNew Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **15** Account Number: **1508550350**

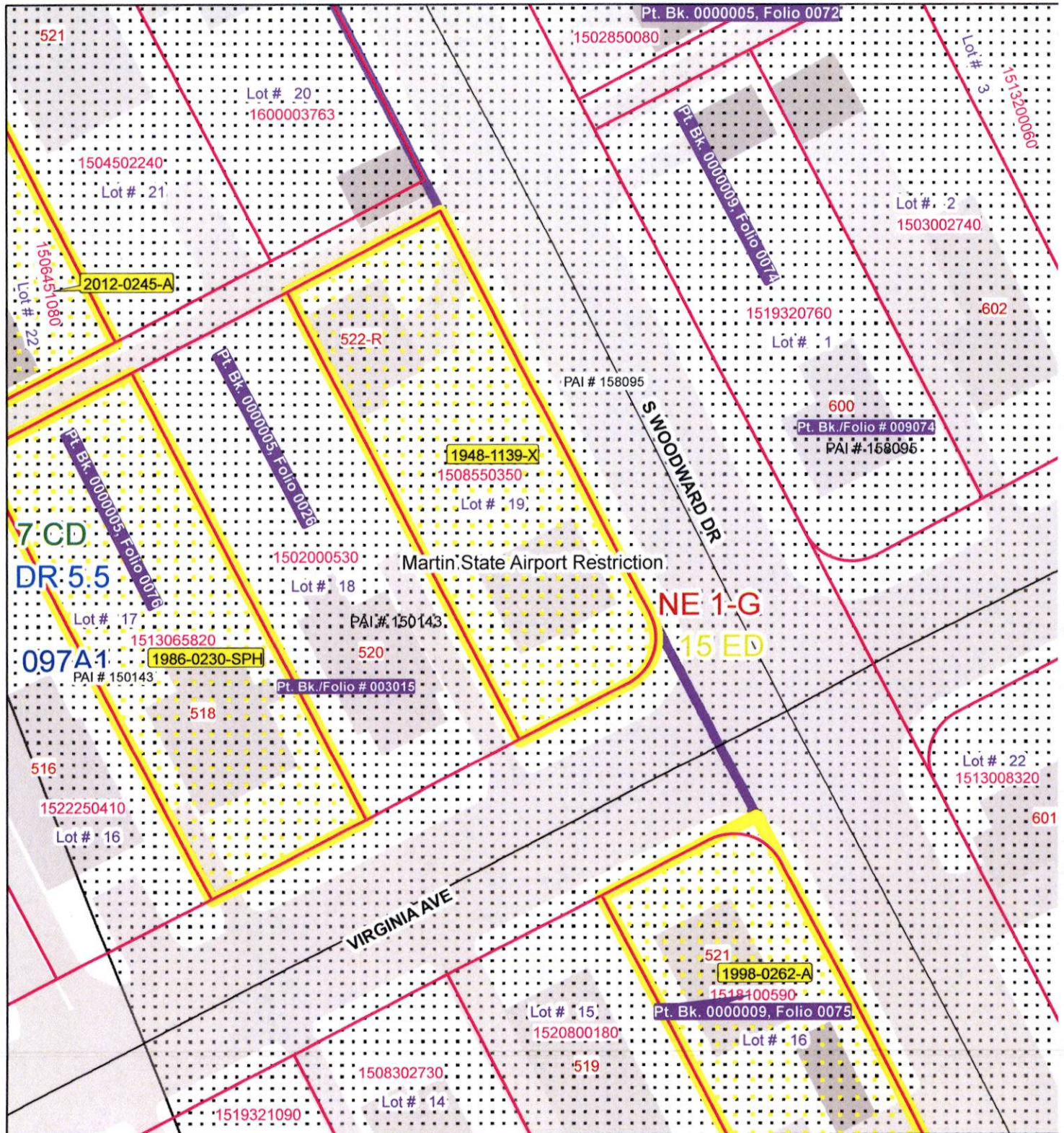
The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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>).

522 Virginia Avenue 2017-U300-SPH



Publication Date: 5/9/2017



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



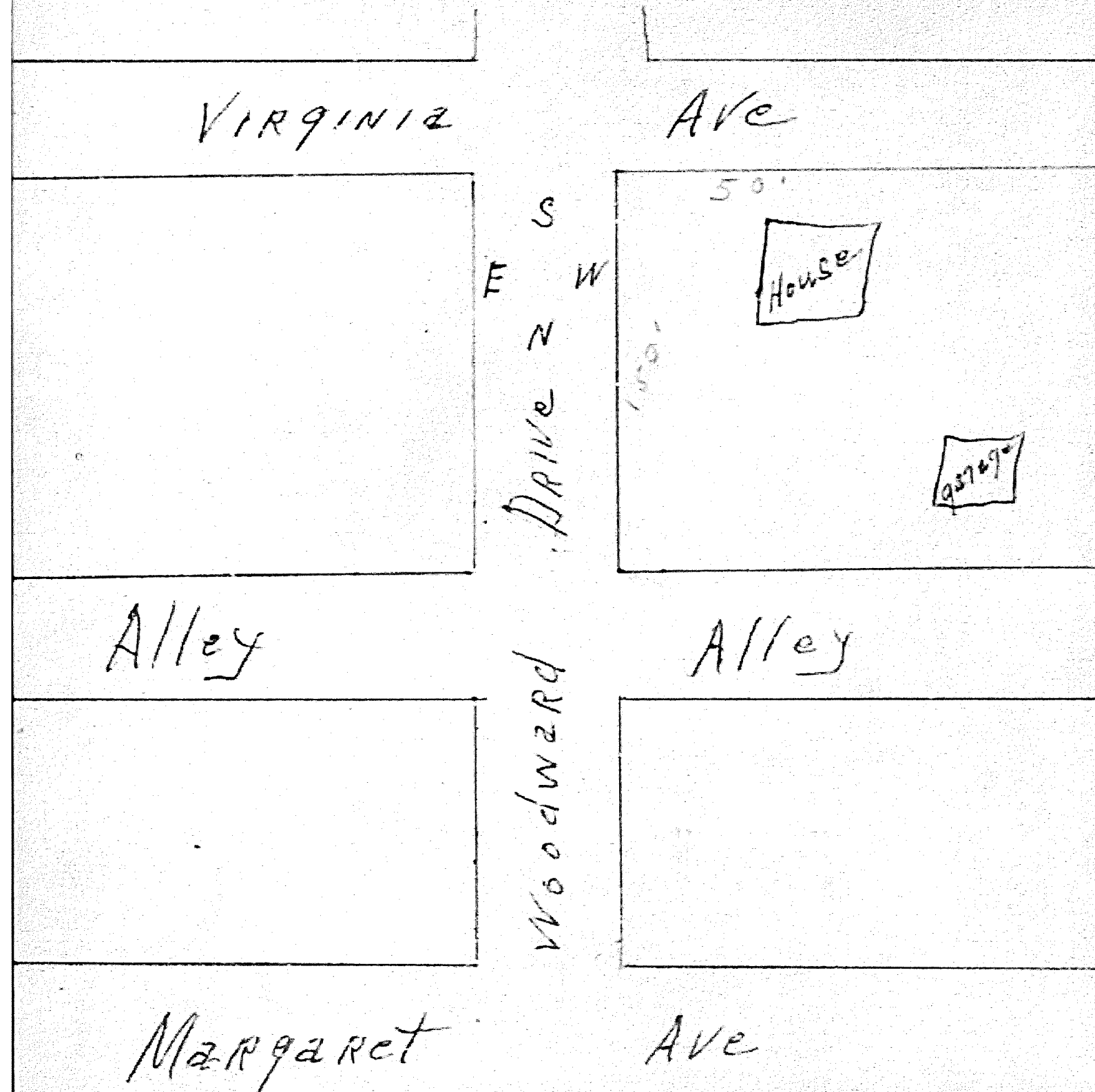
0 10 20 40 60 80 Feet

1 inch = 40 feet

The garage and apartment is approximately 175 feet from Margaret Ave. and approximately 160 feet from Virginia Ave. My house is located on the North West corner of Virginia Ave. and Woodward Drive. My lot is 50 x 150 less 5 feet for the alley.

Fred Himmelheber
522 Virginia Ave.
Baltimore 21, Essex, Md.

11 950-M



139-8
1139-S
MAP
#15-B

POSITION FOR SPECIAL PERMIT

BY THE MASTER OF
Petition of
Fred. Himmelheber
and
Katherine A. Himmelheber

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For a Special Permit
To the Zoning Commissioner of Baltimore County

Fred. & Katherine A. Himmelheber Legal Owner
Contract Purchase

hereby petition for a Special Permit, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Permit to use the land (and improvements now or to be erected thereon) hereinafter described for a double

garage and a apartment on second story of existing garage

Lot 18 Blk. 2 B. Sec. A 182 Virginia Ave. Balto. 21

Essex, Md. Situate at the northwest corner of Virginia Ave. and Woodward Drive, Essex, 15th Dist. of Balto. Co., fronting northerly on west side of Virginia Ave. 80' with right angle depth of 150' on west side of Woodward Drive. Being property known as 342 Virginia Ave.

Contract Purchase Fred. Himmelheber Legal Owner

Address 342 Virginia Ave.

1139-8
MAP
#15-B

ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of January, 1948, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Reckord Building, Towson, Baltimore County, Maryland, on the 16th day of February, 1948, at 1:00 p. m.

Upon hearing on petition for special permit and after the required advertisement and posting of property and it appearing by reason of location said petition should be granted, therefore:

It is this 16th day of February, 1948, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid petition for special permit be and the same is hereby granted for servants quarters only.

Charles H. Doing
Zoning Commissioner
of Baltimore County.

SPECIAL PERMIT #1139-S

LOCATION - N.W. cor. Virginia Avenue & Woodward Drive, "Essex," 15th Dist.

OWNERS - Fred. A. Himmelheber & wife

PURPOSE -

PROPOSED ZONING - Special Permit for garage with apartment on second floor

DATE SUBMITTED - February 3, 1948

DATE OF HEARING - February 25, 1948

There do not seem to be any planning factors involved in the disposition of this special permit.

Malcolm H. Dill
Director
Baltimore County Planning Commission

cc: Charles H. Doing
Nathan L. Smith
Christian H. Kahl
William W. Macfear

January 27, 1948

\$18.00

RECEIVED of Fred. Himmelheber and wife the sum of Eighteen (\$18.00) Dollars, being cost of petition for special permit, advertising and posting of property, Cor. Virginia Ave. and Woodward Drive, Essex, in the 15th District of Baltimore County.

Zoning Commissioner

Hearings:

Monday, Feb. 16, 1948

at 1:00 o'clock p. m.

PAID
JAN 21 1948
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

REC'D FEB 9 1948
1139-8

CERTIFICATE OF PUBLICATION

TOWSON, MD. Feb 4, 1948

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each day of Feb 4, 1948, the first publication appearing on the 30th day of January 1948.

THE JEFFERSONIAN.

Manager

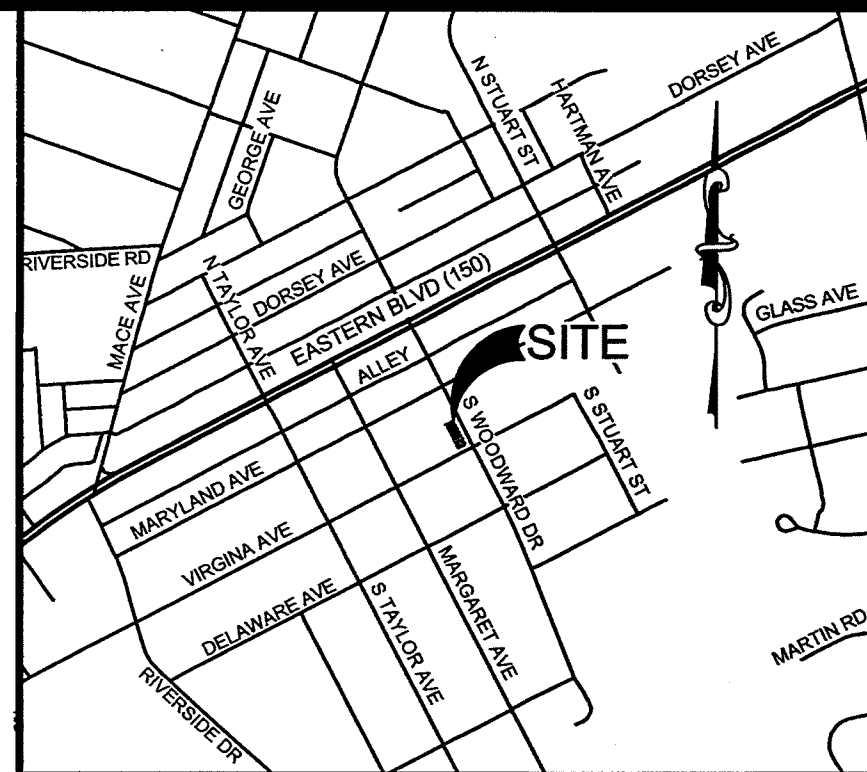
Cost of Advertisement, \$

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1139-S

District 15
Post for garage, quarters over garage
Petitioner Fred. Himmelheber
Location of property northwest corner of Virginia Ave
& Woodward Drive
Location of Signs northwest corner of Virginia Ave &
Woodward Drive
Remarks Harry C. Gant
Posted by Harry C. Gant Date of return Feb. 3, 1948

NO PLAT
IN
THIS FOLDER



VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNERS:
KAREN L LEISHURE

MAILING ADDRESS:
222 CASTLETOWN RD
LUTHERVILLE MARYLAND, 21093-6715

PREMISES ADDRESS:
522 & 522R VIRGINIA AVENUE
BALTIMORE MARYLAND, 21221-6881
- SITE DATA:
TAX ACCOUNT NUMBER: 1508550350
DEED REFERENCE: LIBER 28715 FOLIO 370
PLAT: 974 (PROPERTY OF TAYLOR LAND COMPANY)
SECTION 2B - LOT 19
TAX MAP: 087 H1
GRID: 008
PARCEL: 370
CENSUS TRACT: 450400
WATERSHED: BACK RIVER
ZIP COMMUNITY NAME: ESSEX
GIS TILE (200 SCALE): 097A1
- SITE ZONING: D.R. 5.5
- EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
- SITE AREA: 7,201.7 SF OR 0.165 AC±
- ZONING HISTORY:
CASE NUMBER 1948-1139-X SPECIAL PERMIT
REQUEST: DOUBLE GARAGE AND SECOND STORY APARTMENT FOR SERVANTS QUARTER.
DECISION: GRANTED FEBRUARY 16TH, 1948 (APARTMENT FOR SERVANTS QUARTERS ONLY)
- THIS SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SUBJECT SITE IS SERVED BY PUBLIC WATER AND SEWER.
- BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON A DEED PLOT. ADDITIONAL INFORMATION IS TAKEN FROM BALTIMORE COUNTY GIS AND AVAILABLE RECORDS AND DOES NOT REPRESENT A FIELD RUN SURVEY.
- NOT HISTORIC

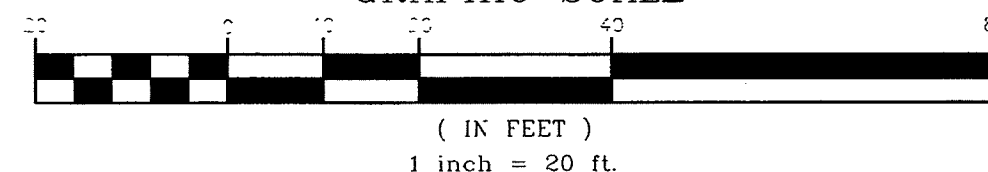
PETITIONER'S

EXHIBIT NO. 1

Case No. 2017-0309 SP4

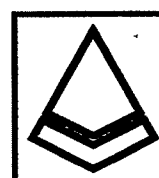
PLAN TO ACCOMPANY ZONING PETITION
522 & 522R VIRGINIA AVENUE
LOT 19 - BLOCK 2B - SECTION A -
REVISED PLAT OF "THE PROPERTY OF THE TAYLOR
LAND COMPANY PROPERTY" L: 9 F: 74
RECORDED AUGUST, 1930
BALTIMORE COUNTY MARYLAND, 21221
7TH COUNCILMANIC DISTRICT
15TH ELECTION DISTRICT

GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



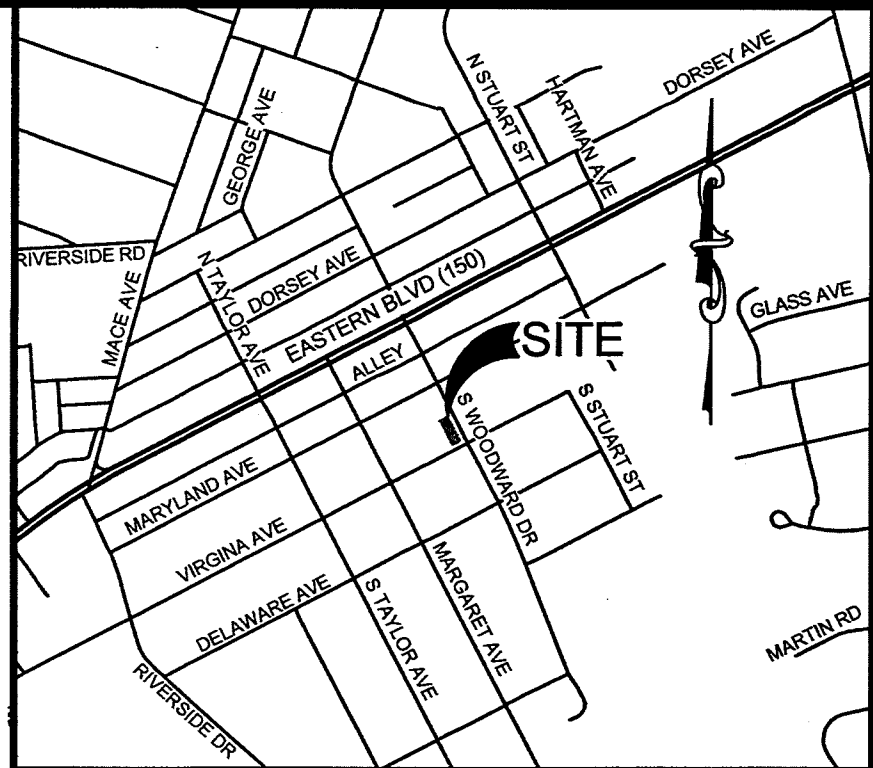
Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 13203 Expiration Date: 11/02/2018

SCALE: 1" = 20'
DATE: 4/27/2017
JOB NO.: 2017104
DESIGNED: MS
DRAWN: MS
CHECKED: CMR

FILE: 2017104 Virginia Ave (current).dwg

DRAWING NUMBER: VAR-1

NO. DATE REVISIONS: BY SHEET 1 OF 1



VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES:

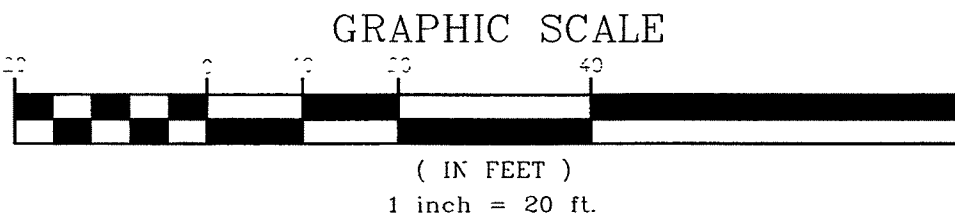
- OWNERS:
KAREN L LEISHURE

MAILING ADDRESS:
222 CASTLETOWN RD
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ZIP COMMUNITY NAME: ESSEX
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- EXISTING USE: RESIDENTIAL
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- NOT HISTORIC

Case No. 2017-0300 SPN

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522 & 522R VIRGINIA AVENUE
LOT 19 - BLOCK 2B - SECTION A -
REVISED PLAT OF "THE PROPERTY OF THE TAYLOR
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RECORDED AUGUST, 1930
BALTIMORE COUNTY MARYLAND, 21221
7TH COUNCILMANIC DISTRICT
15TH ELECTION DISTRICT



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SCALE: 1" = 20'

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JOB NO.: 2017104

DESIGNED: MS

DRAWN: MS

CHECKED: CMR

FILE: 2017104 Virginia Ave (current).dwg

DRAWING NUMBER: VAR-1

NO. DATE REVISIONS: BY SHEET 1 OF 1