

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
SW/S Malbrook Road, 383.98'
SEly of Edmondson Avenue * ZONING COMMISSIONER
118 Malbrook Road
1st Election District * OF BALTIMORE COUNTY
1st Councilmanic District
Robert E. Kraus, et ux * CASE No. 95-193-SPH
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 118 Malbrook Road in the Westowne community of Baltimore County. Relief is requested to approve the use of the subject property as a nonconforming use for two apartments. The Petition is filed by Robert E. Kraus and Kathy L. Kraus, his wife, property owners. The subject property and requested relief are more particularly shown on the Petitioners' Exhibit No. 2, the site plan.

Appearing at the requisite public hearing held for this case were the aforementioned Petitioners, Robert E. Kraus and Kathy L. Kraus, his wife. They were represented by C. Victor McFarland, Esquire. Also present was Paul R. Richards and Andrew Huebeck, long time residents of the community. Also present was Bradley T. Franey, a tenant in one of the apartments on the subject property. Appearing as a Protestant was Julie C. Hipley.

Testimony and evidence presented was that the subject property is approximately .045 acres in area and is zoned D.R.10.5. The subject property is located in western Baltimore County, within the long established community known as Westowne. The property is improved by a two story brick townhouse dwelling. The subject dwelling was constructed in 1939.

The term "nonconforming use" is defined within Section 101 of the Baltimore County Zoning Regulations (BCZR) and such uses are governed by Section 104. Essentially, a designation of a use as nonconforming is a zoning mechanism to grandfather an otherwise illegal use. Such designation allows the

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Date

By

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use to continue so long as same is not discontinued or abandoned. That is, the BCZR recognizes that some uses existed prior to the adoption of the zoning regulations or the particular ordinance which prohibits that use. The conferring of nonconforming use status on a given use allows the use to continue for so long as same is not abandoned, discontinued or significantly enlarged. In this case, the Petitioners had the good fortune of locating and producing at the hearing two long time residents of the subject locale. These residents were Mr. Paul Richards who has lived in the area since the community began in the late 1930s, and Mr. Andrew Huebeck who lived on the subject site many, many years ago. Both of these witnesses corroborated that the subject property has been used for two apartments since the structure was built in 1939. Moreover, their testimony established that the use has not been discontinued or abandoned over the many years. It is clear, based on this uncontradicted testimony and evidence, that the Petition for Special Hearing should be granted and that the apartment use is, indeed, nonconforming.

It is also to be noted that an immediate next door neighbor, Julie C. Hipley, appeared at the hearing as a Protestant. She explained that she does not contest the propriety of the nonconforming use designation for this site. In fact, she confirmed that the property has been used as two apartments for so long as she can remember. Her concern relates to the maintenance of the property and the tenants who occupy the site. She indicated that a number of unrelated individuals lived within the apartments and that they did not keep up the property and detrimentally affected the neighborhood. As I advised all parties at the hearing, the designation of a nonconforming use of the property does not allow the same to be used as a boarding or rooming house. Rather, although designation of the property as a nonconforming use for two apartments is entirely appropriate, rental of the apart-

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Date

By

ments must be in accordance with the zoning regulations and other applicable codes. Thus, I remind the Petitioners that although the two apartment use can continue, the apartments should be utilized in accordance with the regulations. Moreover, as a protection to the community, I shall restrict the relief granted herein to allow inspection of the premises by a representative of the Office of Zoning Administration and Development Management (ZADM) on an as needed basis.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9th day of February, 1995 that, pursuant to the Petition for Special Hearing, approval, from Section 101 of the Baltimore County Zoning Regulations (BCZR), for the nonconforming use of the subject dwelling as two apartments, be and is hereby GRANTED subject, however, to the following restrictions, which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to ensure compliance with this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING

Date

By

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 8, 1995

C. Victor McFarland, Esquire
1002 Frederick Road
Catonsville, Maryland 21228

RE: Case No. 95-193-SPH
Petition for Special Hearing
Robert E. Kraus, et ux, Petitioners

Dear Mr. McFarland:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.

cc: Mr. and Mrs. Robert E. Kraus
Mrs. Julie C. Hipley
Mr. Paul R. Richards
Mr. Andrew Huebeck

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Petition for Special Hearing

95-193-SPT

to the Zoning Commissioner of Baltimore County

for the property located at 118 Malbrook Road
which is presently zoned DR-10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The property should be recognized as a non-conforming use since the 1940's, predating the applicable zoning regulations of Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Attorney for Petitioner:

(Type or Print Name)

C. Victor McFarland
1002 Frederick Road 788-2300
Signature

Address

Phone No.

Catonsville, Maryland 21228
City State Zipcode

Address

Phone No.

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

C. Victor McFarland
1002 Frederick Rd. 788-2300
Name Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER

REVIEWED BY: CAM DATE 25 Nov 94

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189

95-193-SPH

Mates and bounds description of 118 Malbrook Road property of Robert E. and Kathy L. Kraus from their deed dated July 31, 1987 and recorded among the Land Records of Baltimore County in Liber No. 7674, page 176.

BEGINNING FOR THE FIRST at a point on the southwest side of Malbrook Road distant 383.98 feet southeasterly measured along the said southwest side of Malbrook Road for the intersection of said southwest side of Malbrook Road and the southeast side of Edmondson Avenue said point of beginning being at the intersection of said southwest side of Malbrook Road and a line drawn northeasterly through the center of the partition wall between the building erected on the lot now being described and that on the lot next adjacent to the northwest and running thence binding on said southwest side of Malbrook Road south 39 degrees 49 minutes 30 seconds east 20 feet to intersect a line drawn northeasterly through the center of the partition wall between the building erected on the lot now being described and that on the lot next adjacent to the southeast thence reversing said last mentioned line and binding thereon south 49 degrees 52 minutes west 97.47 feet to the northeast side of an alley varying in width from 15 feet to 20 feet thence binding on the northeast side of said alley with the use thereof in common with others North 42 degrees 18 minutes west 20.01 feet to intersect a line drawn southwesterly from the point of beginning through the center of said first mentioned partition wall thence reversing said line so drawn and binding thereon North 49 degrees 52 minutes east 98.33 feet to the place of beginning. The improvements thereon being known as 118 Malbrook Road.

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-193-SPH

District 1st Date of Posting 12/2/94
Posted for: Special Hearing
Petitioner: Robert E. & Kathy L. Kross
Location of property: 115 Malbrook Rd, SW/S
Location of Signs: Facing the driveway on property being zoned
Remarks: _____
Posted by M. J. Kross Date of return: 12/8/94
Signature
Number of Signs: 1

RECEIVED



CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec. 9, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 8, 1994.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Planning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 104 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on December 8, 1994 at 2:00 p.m. in the Old Courthouse, 118 Old Courthouse Avenue, Towson, Maryland 21204.

21204 as follows:

Case: 44-199-2PM

(Item 189)

118 Malbrook Road

SW/8 Malbrook Road

383-96 SEly of

Edmondson Avenue

1st Election District

1st Councilmanic

Legal Owner(s):

Robert E. Kraus and

Kathy L. Kraus

Hearing: Tuesday,

January 3, 1995 at 2:00

p.m. in Rm. 118, Old

Courthouse

Special Hearing to approve
a non-conforming use.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are Hand-
capped Accessible for special ac-
commodations. Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3381.

12/14 December 8.

MICROFILMED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-193-SPH

Account: R-001-6150

Number

189

CAM

Date

25 Nov 94

KRAUS - 118 Mac-BROOK Ave

030 - 50

080 - 35

\$85.00

MICROFILMED

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 189

✓ Petitioner: Robert E. Kraus

Location: 118 McIlbrook Rd Baltimore, MD 21229

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robert E. Kraus

ADDRESS: 2034 Pleasant Villa Ave

Catonsville, MD 21228-4001

PHONE NUMBER: 410 788-8576

AJ:ggs

(Revised 04/09/93)

MICROFILMED



TO: PUTUXENT PUBLISHING COMPANY
December 8, 1994 Issue - Jeffersonian

Please forward billing to:

Robert E. Kraus
2034 Pleasant Villa Avenue
Catonsville, Maryland 21228-4001
410-788-8576

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-193-SPH (Item 189)
118 Malbrook Road
SW/S Malbrook Road, 383.98' Sely of Edmondson Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Robert E. Kraus and Kathy L. Kraus
HEARING: TUESDAY, JANUARY 3, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve a non-conforming use.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204
DECEMBER 2, 1994

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-193-SPH (Item 189)
118 Malbrook Road
SW/S Malbrook Road, 383.98' SEly of Edmondson Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Robert E. Kraus and Kathy L. Kraus
HEARING: TUESDAY, JANUARY 3, 1995 at 2:00 p.m. in Room 118, Old Courthouse.

Special Hearing to approve a non-conforming use.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Robert and Kathy Kraus
C. Victor McFarland
Julie Hipley

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 22, 1994

C. Victor McFarland, Esquire
1002 Frederick Road
Catonsville, Maryland 21228

RE: Item No: 189
Case No.: 95-193-SPH
Petitioner: Robert and Kathy Kraus

Dear Mr. McFarland:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on November 25, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i. e. 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/05/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ROBERT E. KRAUS & KATHY L. KRAUS

LOCATION: SW/S MALBROOK RD., 383.98' SE1/4 OF EDMONDSON AVE.,
(118 MALBROOK RD.)

Item No. 189

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

RECEIVED
DEC 7 1994
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4081, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 12/15/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: see below

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

Agenda -
Mtg. of 11/28/94
Items # 178, 179, 180, 183, 184, 185

Mtg. of 12/5/94
Items 188 and 189

Mtg. of 12/12/94
Items 191, 192, 194, 195, 198

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 12, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for December 12, 1994
Items 187, 188, and 189

The Developers Engineering Section has reviewed the subject zoning items and we have no comments.

RWB:EW



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

11-30-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: \$189 (CAM)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Zoning Administration and
 Development Management

DATE: November 30, 1994

FROM: Pat Keller, Director
 Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 178, 179, 180, 181, 182, 183, 185, 187, 188 and 189

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerno

PK/JL

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

DATE: November 28, 1994
TO: Gwen Stephens
FROM: James Thompson
RE: Item No. 189
Kraus - Petitioner
118 Malbrook Road
1st Election District

The referenced case is subject to an active zoning violation,
C-95-334 with Kevin Connor as the inspector.

When this matter is subject to a public hearing, please notify:

Julie Hipley
116 Malbrook Road
Baltimore, Maryland 21229

The case file will be located in the open docket within our office.

JHT/hek

c: Inspector Kevin R. Connor

MICROFILMED

RE: PETITION FOR SPECIAL HEARING
118 Malbrook Road, 383.98' Sely of
Edmondson Avenue, 1st Election
District, 1st Councilmanic

Robert E. Kraus and Kathy L. Kraus
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 95-193-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 1994, a copy of the foregoing Entry of Appearance was mailed to C. Victor McFarland, Esquire, 1002 Frederick Road, Baltimore, MD 21228, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

1994 DEC 13

*Cars of residents of 118 within
1994*

Zoning Hearing 1/3/95
118 Malbrook Rd. Ground Floor apt.

TAG #S	VEHICLE	OWNER	LISTED ADDRESS
VHG 645	both tags allegedly turned in 1988		
83B 810	'94 Isuzu truck	Scott Thomas Hessenauer	1804 Aberdeen Rd. 21234
42B628	'88 GMC Truck	Donald William Fink	8505 New Cut Rd. Severn, 21144
BMW 514	'90 Nissan	Woodland Thomas Franey	1210 Biddle Place 21228
63B 102	'86 Toyota Truck	Woodland Thomas Franey	1210 Biddle Place 21228



A Media Company

dbf corporation

MODEL RELEASE

Video/Motion-Picture/Still Photographic

I, the undersigned, hereby irrevocably give

all rights of every kind and character whatsoever to videotape/film/photograph
me and to use my likenesses for any and all purposes including commercial
and advertising purposes and/or use on television or any other kind of public
showing.

I warrant that I am over 18 years of age.

Signed:

Guardian's Signature:

Address:

City/State/Zip Code:

Phone Number:

P O Box 900

Waldorf, MD 20601

(301) 843-7110 • (301) 645-6110

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.

Paul R. Richard
AFFIANT (Handwritten Signature)

PAUL R. RICHARD
AFFIANT (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 118 McIlbrook Rd, Catonsville, MD 21229 has been occupied as a two apartment dwelling since (two, etc.)

Jan., 1941 ? Yes
(month) (year) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since Jan. (month)

1941 ? Yes
(year) (answer)

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of November, 19 , before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Paul R. Richard, 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.

Les Sub
NOTARY PUBLIC

My Commission Expires: 11/1/98

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

JULIE C. HIPLEY

116 MALBROOK RD



2000-10-03

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

O'Neil McMillan

1002 Independence Rd 21228

Robert E. Kraus

2034 Pleasant Villa Ave 21228

John D. Kraus

2034 Pleasant Villa Ave. 21228

Lee Ann Strickland

6109 Regent Park Rd. Balb 21228

Paul R. Rink

120 Malbrook Rd. 21229

Brady T. Franey

1210 Biddle Place 21228

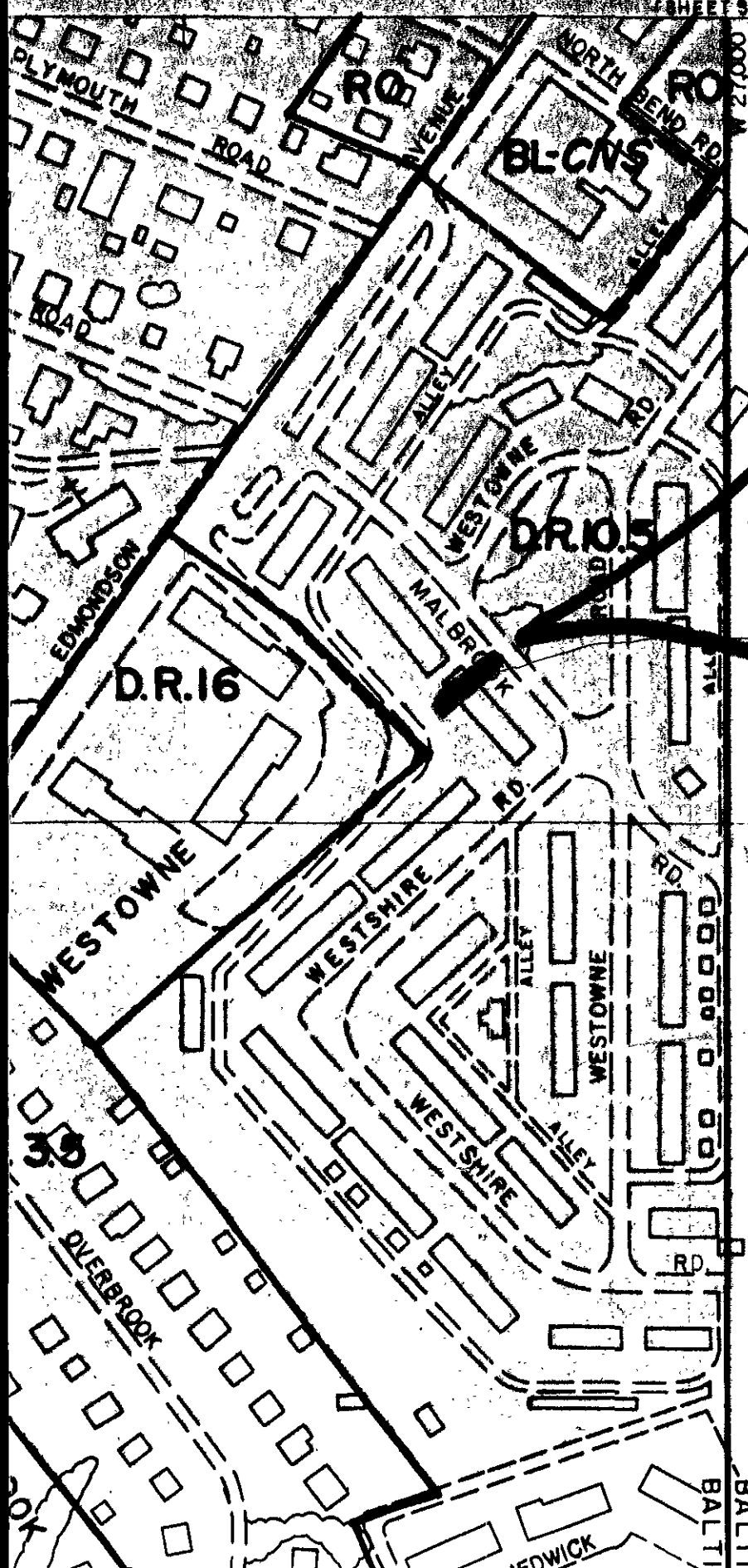
Stuart Smith

118 Malbrook Rd 21229

Charles Kraus

1606 Park Grove 21228



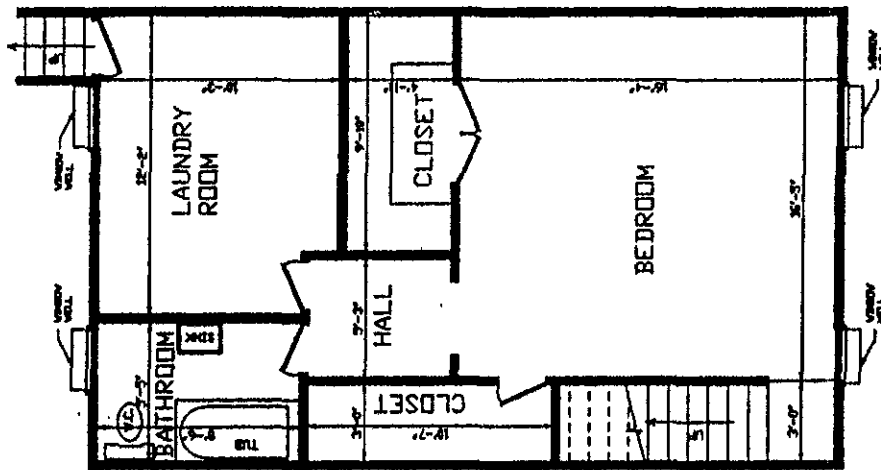


SITE

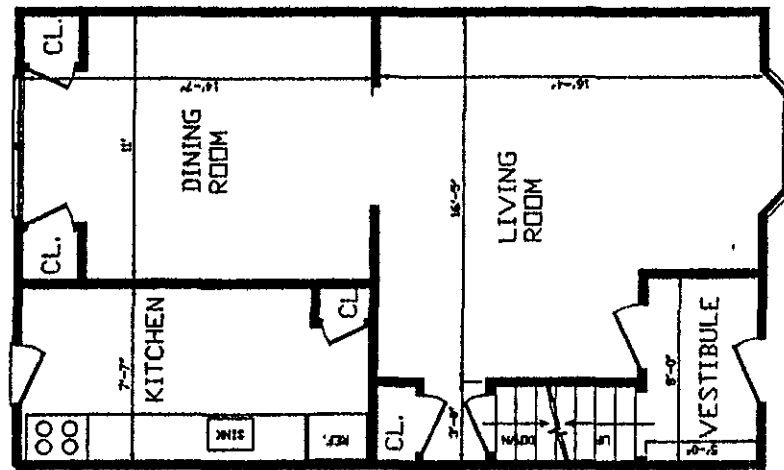


95-193-581

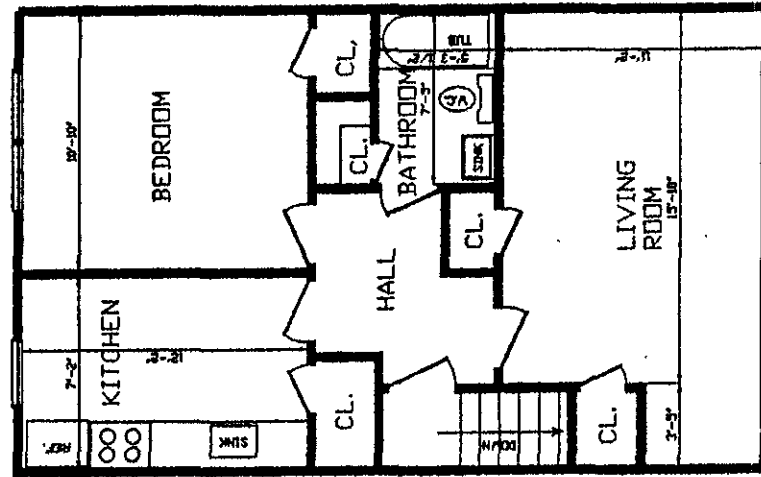
MICROFILMED
SW ZE



BASEMENT



FIRST FLOOR



SECOND FLOOR

118 Halbrook Road, Catonsville, MD

BUY

UNITED STATES

DEFENSE STAMPS

and

BONDS

Westowne Community Association, Inc.

Westowne Community Association

INCORPORATED

INTRODUCTORY PARTY and DANCE

Hotel Belvedere

February 7th, 1942

JOE DOWLING'S MUSIC

Box No. 1

MICROFILMED

DIRECTORY

1942

Meet Your Friends and Neighbors

at

Restaurant, Inc.

5509 EDMONDSON AVENUE

(4 Doors West of North Bend Street Car Loop)

• TASTY FOOD

• DELIGHTFUL DRINKS

• PACKAGE GOODS

FOR DELIVERY SERVICE, PHONE:

EDmondson 1221

CATonsville 1835

WARREN WIX

LEONARD FINK, Jr.

Your Officers and Committeemen

M. V. LARDNER, President
J. T. STANSBURY, Vice-President
W. H. BENNETT, Jr., Secretary
R. A. NOLAN, Recording Secretary
M. J. TRAVIESO, Treasurer
E. R. DESCH, Sergeant at Arms

Committees

MEMBERSHIP
A. A. CALLENS, Chairman
G. E. REAHL
E. R. DESCH
E. S. PITTINGER
R. S. BENNETT
FINANCE
E. L. TODD, Chairman
C. W. McBRIDE
L. G. SHIPLEY
L. ZINSER
E. W. PARKS
ENTERTAINMENT
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SAMUEL M. PISTORIO



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WESTSHIRE ROAD

Hammond, E. M.	200	Drohan, E. L.	330
Dukehart, J. M.	202	Mayberry, A. L.	334
Dukehart, C.	202	Feritta, D. P.	336
Ricktor, W. T.	204	Patterson, A. T.	338
Henzler, R. J.	206	*Porpora, S. D.	340
Gibson, A. P.	208	Winters, J. L.	342
*Rollman, J. R.	210	Bennett, R. S.	342
*White, P. E.	212	Ford, C. L.	344
Roloff, W. F.	214	Beck, R. F.	346
Kitchen, Jr., J. B.	216	Shurtle, C. E.	348
*Wilson, H. H.	216	*Travieso, M. J.	350
Ilegnifritz, W. B.	218	*Nolan, R. A.	352
Stanton, D. P.	220	*Callens, A. A.	354
Ryan, J. P.	222	Bracken, W. J., Jr.	356
Stallings, H. M.	224	McBride, C. W. J.	400
Iampieri, M.	226	Warthen, J. E., Jr.	402
Clark L. J.	228	Watson, R.	404
Pickel, G. L.	230	Trimmer, R. E.	406
Hart, Anna	232	Cavalier, R.	408
Smith, H. W.	234	Iula, F. J.	401
Eakin, P.	300	Schaaf, K. T.	403
Schultheis, V. G.	302	Harris, R.	405
Carmine, H. E.	304	Grochmal, A. C.	407
Johnson, C. H.	306	Flanigan, M. E.	409
Hunt, W. J.	308		

WESTSHIRE ROAD

Hall, P. W.	201
Hall, W. E.	201
Kroneberger, W. M., Jr.	203
Hamm, G. B.	203
Snyder, J.	205
Sweater, C.	205
Define, W. J.	207
Fogg, H. L.	207
Kelly, N. (Miss)	209
Loane, W. G.	209

WESTOWNE ROAD

Hall, P. W.	201
Hall, W. E.	201
Kroneberger, W. M., Jr.	203
Hamm, G. B.	203
Snyder, J.	205
Sweater, C.	205
Define, W. J.	207
Fogg, H. L.	207
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Residents of Weststone

WESTOWNE ROAD

Rensch, P.	211
*DiPaulo, A. D.	211
Goodliffe, W. H.	213
Reahl, G. E.	215
McGovern, J. O., Jr.	217
Hale, J. E.	219
Miller, A. (Mrs.)	221
Wilson, J.	221
Leonard, E. (Miss)	223
Newman, R. K.	223
*Grochmal, J.	225
Bjerk, B. W.	227
McNicol, D. E. (Mrs.)	229
Tesch, T. W.	231
Albrecht, C. G.	231
Zahn, E. L., Jr.	233
Taylor, T. F., Jr.	235
*Desch, E. R.	301
Topper, B.	303
Bennett, H. W.	305
O'Neill, F. J.	307
Todd, E. L.	309
Boyce, S. F.	311
Zinser, L.	313
Lee, G. A.	315
Fox, L.	317
Stansbury, J. T.	319
Fowler, H. C.	321
Parks, E. W.	323
Bennett, W. H., Jr.	325
Lennon, F. I.	327
Crook, D. C., Jr.	329
*Bailey, F. C.	331
Gawel, J. J.	333

MALBROOK ROAD

Clayton, C. L. (Mrs.)	100
Edgar, H.	100
Spencer, E. A.	102
*Moran, W. J.	102
Shipley, L. G.	104
Sturm, C. T.	106
*Lardner, M. V.	108
*Kircher, J. E.	108
Trumpler, A. L., Jr.	110
Koch, W. E.	112
Blair, J.	112
Onnen, A. C. (Dr.)	114
Marahrens, W.	116
*Pittenger, E. S.	116
*Pelton, J. R.	118
Heubeck, A., Jr.	118
Richard, P. R.	120
Bayly, E.	122
Sekel, C.	122
Ruth, J.	124
Titsworth, C.	124
Dowling, J. F.	126
Tipton, D. (Dr.)	126
Bauernschub, F. T.	128

EDMONDSON AVENUE

Ferguson, R. P.	5701
Brohawn, C.	5701
Rockwal, S. R.	5703
Hogga, J. T.	5703
Ridgley, G.	5705
Hirsch, G.	5705
Freeland, E. D.	5709
Willard, W. D.	5711

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County Commissioners

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The Officers and Members of the various Committees express their sincere thanks to all of you, who by your prompt cooperation, made this Party the success that it is.

Your attention is called to the subscribers of this Program, who, of course, made it possible. We highly recommend the use of their services and products. We sincerely trust that their kindness will be recalled on many occasions. Use the Westowne Directory as a permanent guide to better acquaint yourself with your neighbors and also as a reference for your buying needs.

OUR SONG

(MELODY — GOD BLESS AMERICA)

Westowne is our Home Town
Proud neighbors we
Skies are bluer, friends truer
It's a haven for you and for me
Children brighter, taxes lighter
Everything's fine we agree
Westowne's the only place
We want to be
We'll always live
In this Community.

Summary of Occupants of 118 Malbrook Road

Year	Owner	1st	2nd
1940	Erler	Pelton	Neubeck
1941			Robey
1942			
1943			
1944			
1945			
1946		Erler	
1947			
1948			
1949			
1950			
1950			
1951	Keepers	Klein	Klein
1952			
1953			
1954			
1955			
1956			
1957			
1958			
1959			
1960			
1961			
1962			
1963			
1964			
1965			
1966			
1967			
1968			
1969			
1970			
1971	Foell		
1971			
1972			
1973			
1974		Larve	Hadley
1975			
1976			
1977	Kraus	Kraus	Burk
1978			
1979		Mason, Jean	Kunkel, Molly
1980			
1981			
1982			
1983		Angil, Helen	Fluka, Kathy
1984			Benson, Tracy
1985			Broache, K
1986			
1987			Hamilton, Laura
1988			
1989		Juraco	Brag, Bill & Denise
1990		Midkiff, Mich.	Martin
1991			
1992		Midkiff/ Hamilton	
1993		/Allen, Bill/ Cardaccia, Ter.	
1994		/Franev	

Ref No 3

Residents of Westowne

WESTSHIRE ROAD

Hammond, E. M.	200
Dukehart, J. M.	202
Dukehart, C.	202
Ricktor, W. T.	204
Henzler, R. J.	206
Gibson, A. P.	208
*Rollman, J. R.	210
White, P. E.	212
Roloff, W. F.	214
Kitchen, Jr., J. B.	216
*Wilson, H. H.	216
Iginifritz, W. B.	218
Stanton, D. P.	220
Ryan, J. P.	222
Stallings, H. M.	224
Iampieri, M.	226
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Hart, Anna	232
Smith, H. W.	234
Eakin, P.	300
Schuitheis, V. G.	302
Carmine, H. E.	304
Johnson, C. H.	306
Hunt, W. J.	308
Cook, S.	310
Maranto, N. J.	312
Moran, J. S.	314
Green, Z. T.	316
Bigham, C. A.	318
Kraus, G. C. (Dr.)	320
Doherty, C.	322
Klein, W. F.	324
Murphy, E. H.	326
Herzog, C. C.	328

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WESTSHIRE ROAD

Drohan, E. L.	330
Mayberry, A. L.	334
Fertitta, D. P.	336
Patterson, A. T.	338
*Porpora, S. D.	340
Winters, J. L.	342
Bennett, R. S.	342
Ford, C. L.	344
Beck, R. F.	346
Shettle, C. E.	348
*Travieso, M. J.	350
*Nolan, R. A.	352
*Callens, A. A.	354
Bracken, W. J., Jr.	356
McBride, C. W. J.	400
Warthen, J. E., Jr.	402
Watson, R.	404
Trumper, R. E.	406
Cavalier, R.	408
Iula, F. J.	401
Schaaf, K. T.	403
Harris, R.	405
Grochmal, A. C.	407
Flanagan, M. E.	409

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Hall, W. E.	201
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Hamm, G. B.	203
Snyder, J.	205
Swearer, C.	205
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Loane, W. G.	209

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*DiPaulo, A. D.	211
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Lennon, F. I.	327
Crook, D. C., Jr.	329
*Bailey, F. C.	331
Gawel, J. J.	333

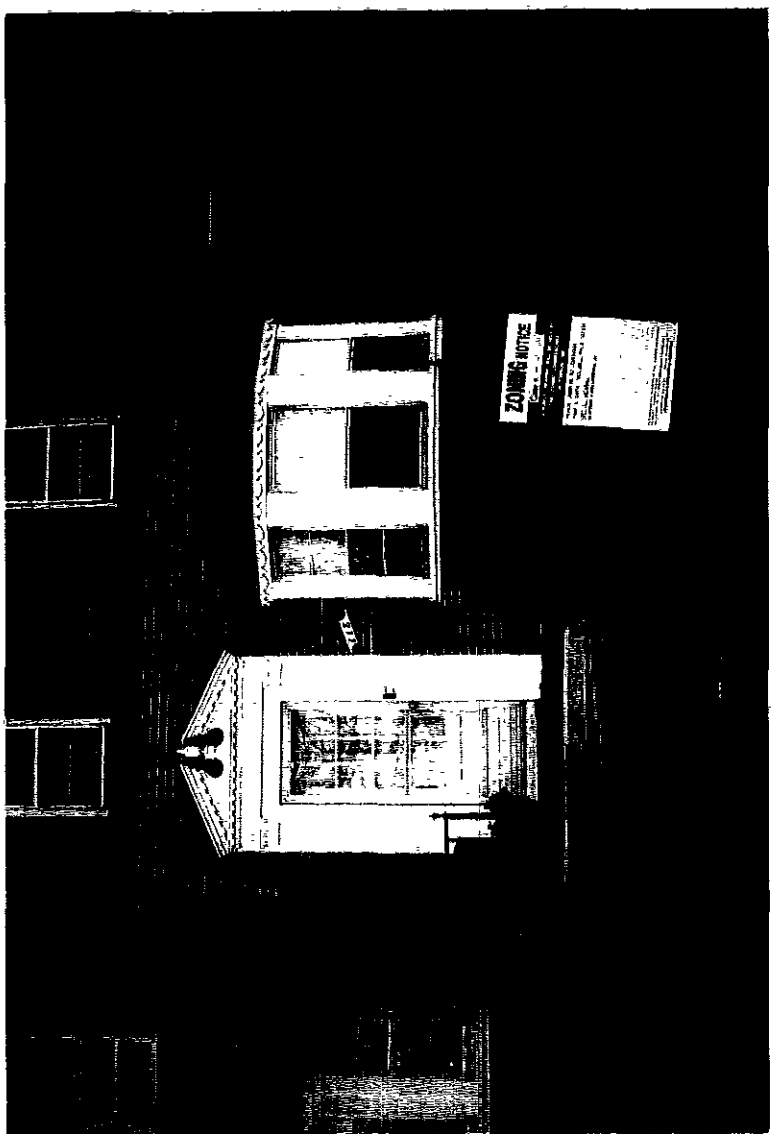
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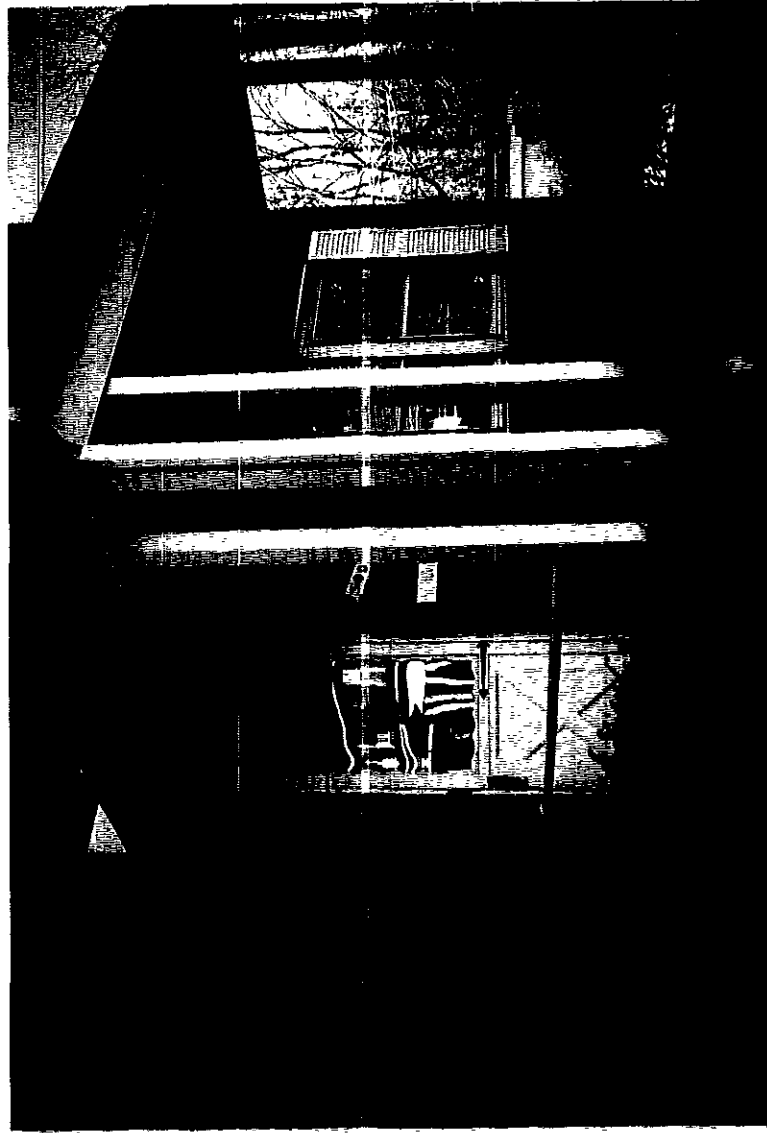
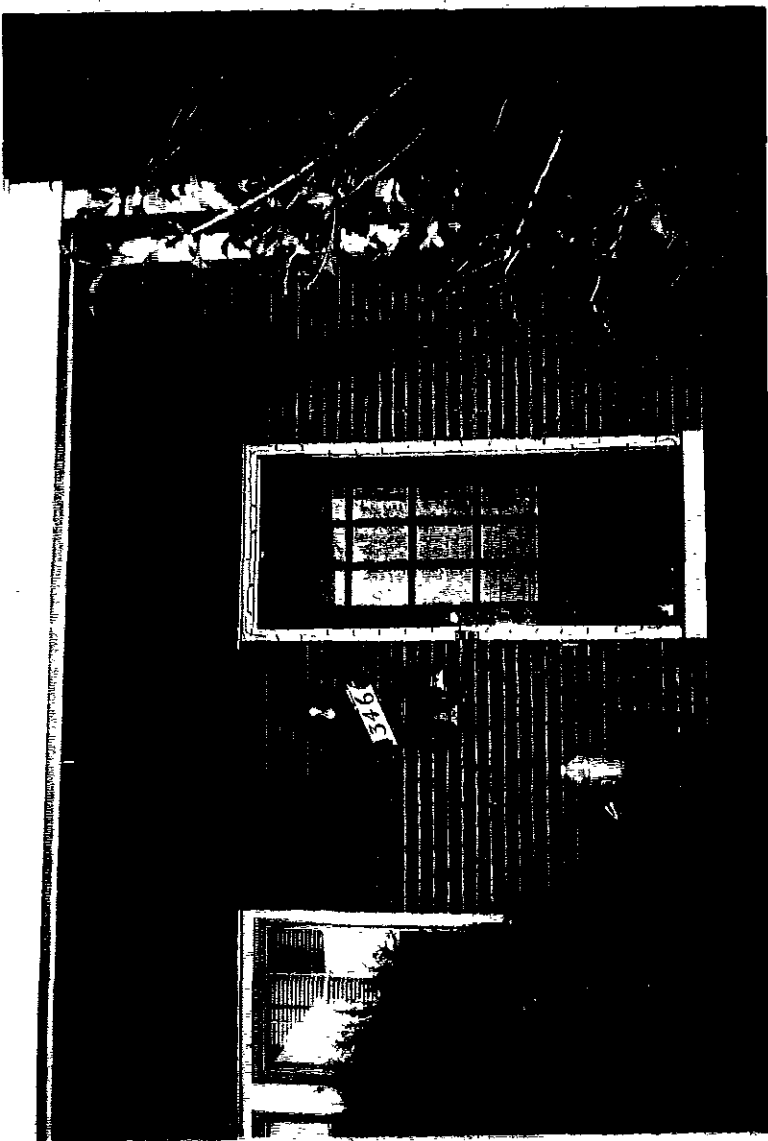
Clayton, C. L. (Mrs.)	100
Edgar, H.	100
Spencer, E. A.	102
*Moran, W. J.	102
Shipley, L. G.	104
Sturm, C. T.	106
*Lardner, M. V.	108
*Kircher, J. E.	108
Trumpler, A. L., Jr.	110
Koch, W. E.	110
Blair, J.	112
Onnen, A. C. (Dr.)	114
Marahrens, W.	116
*Pitenger, E. S.	116
Richard, P. R.	120
Bayly, E.	122
Stekel, C.	122
Ruth, J.	124
Titsworth, C.	124
Dowling, J. F.	126
Tipton, D. (Dr.)	126
Bauernschub, F. T.	128

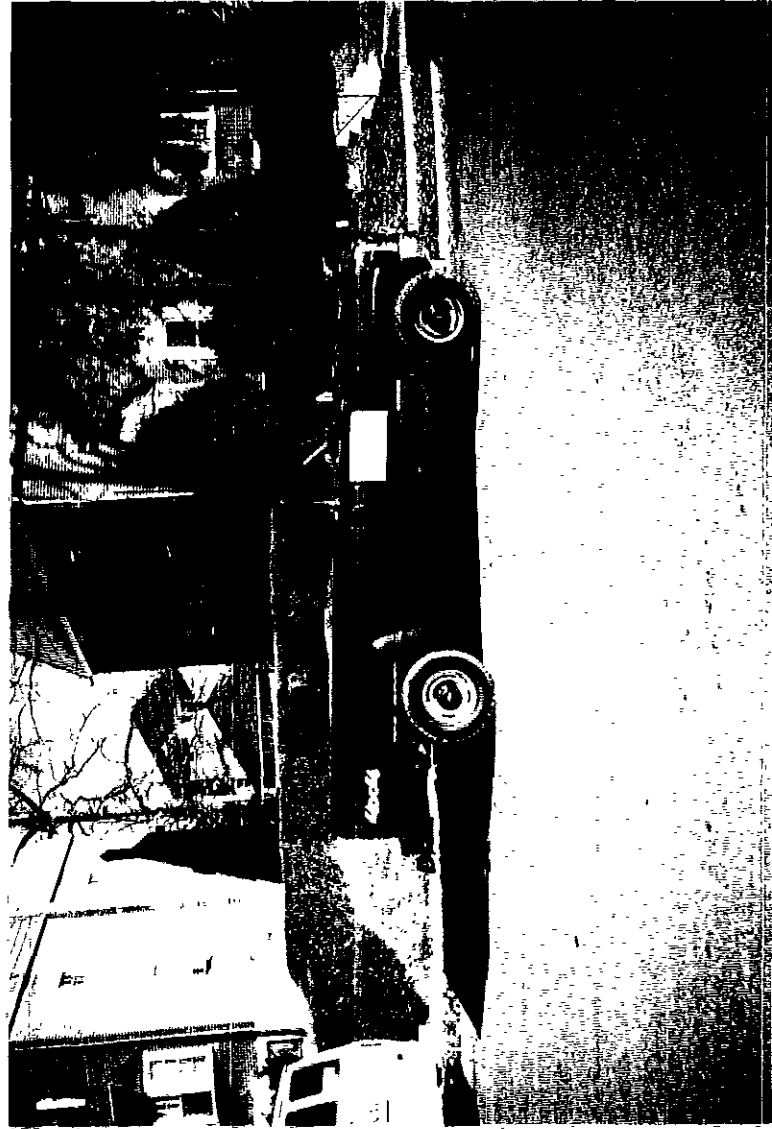
EDMONDSON AVENUE

Ferguson, R. P.	5701
Brohawn, C.	5701
Rockwal, S. R.	5703
Hogga, J. T.	5705
Ridgley, G.	5705
Hirsch, G.	5705
Freeland, E. D.	5709
Willard, W. D.	5711









Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

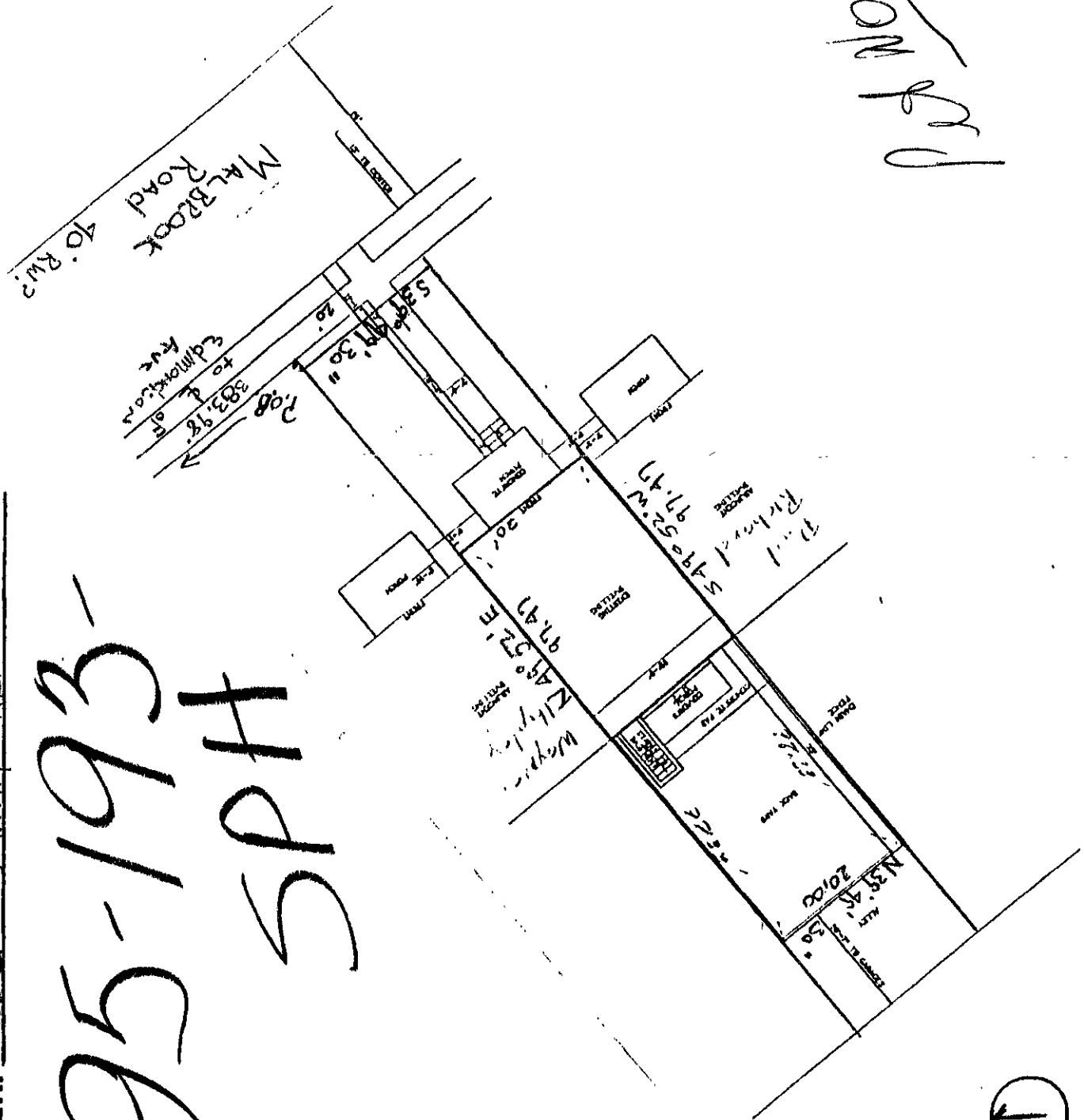
PROPERTY ADDRESS: 118 MaLbrook Rd

Subdivision name: N/A

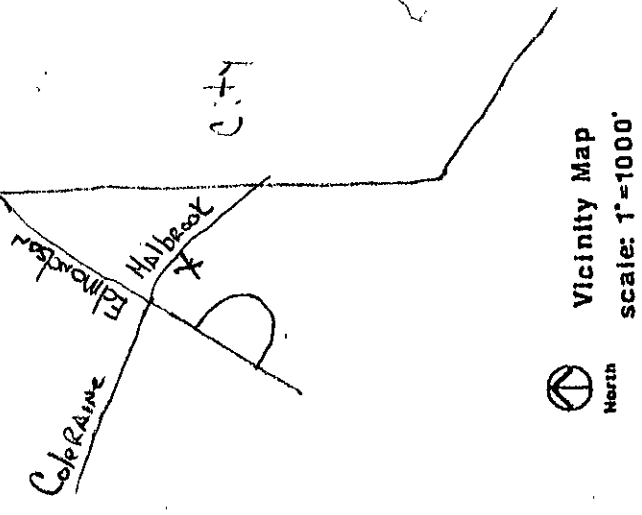
plat book# , folio# , lot# , section#

OWNER: ROBERT AND KATHY KRAUS

95-193-SPH



95-193



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: 1

Councilmanic District: 1

1"=200' scale map#: SWZE

Zoning: DR 10.5

Lot size: .045 acreage 1978 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: CAM ITEM #: 189 CASE#:

North
date: prepared by: Scale of Drawing: 1"= 20'