

IN RE: PETITION FOR SPECIAL HEARING
S/S Magnolia Avenue, 750' W of
the c/l of Winans Avenue
(4621 Magnolia Avenue)
13th Election District
1st Councilmanic District

Gordon Bull, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-284-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Gordon and Sandra L. Bull. The Petitioners seek approval of the house on the subject property as a legal, nonconforming four-apartment dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Sandra Bull, owner of the property, and Rich Odom, a friend of the Petitioner. There were no Protestants or other interested persons present; however, this matter comes before me as the result of an anonymous inquiry to the Code Enforcement Division of the Department of Permits and Development Management (DPDM) as to whether the use of the property is legal.

Testimony and evidence offered revealed that the subject property consists of a gross area of 7,500 sq.ft., zoned D.R. 5.5, and is improved with a two-story dwelling which presently contains four (4) apartments. In support of the request, Mrs. Bull testified that she and her husband have lived next door at 4619 Magnolia Avenue since 1989 and that they purchased the subject property in 1994. Mrs. Bull testified that she and her husband are able to manage the subject property from their home and

COPIES RETURNED FOR FILING
Date 3/9/98
By [Signature]

are able to keep an eye on the tenants. Mrs. Bull presented two affidavits signed by long-time residents from the surrounding community. The affidavit provided by Ms. Susan Agnes revealed that Ms. Agnes was actually born on the subject property, in Apartment 1, and lived there from 1942 until 1953. Ms. Agnes stated in her affidavit that the subject building, known to the neighborhood for a long time as the Maple Apartments, had been built as four apartments and used as such at least since 1942 until the present time, based on her personal knowledge. The second affidavit was provided by former District Court Judge John C. Coolahan, who resides nearby. Judge Coolahan stated in his affidavit that the subject building has been used as a four-apartment dwelling since the early 1940s and that there has been no interruption in that use up to the present time.

Section 101 of the B.C.Z.R. defines a nonconforming use as a legal use that does not conform to a use regulation for the zone in which it is located or to a specific regulation applicable to such a use. In essence, a legal nonconforming use designation can operate to "grandfather" an otherwise prohibited use in a specific location. However, the Petitioner must adduce testimony and evidence that any such use existed prior to the effective date of the prohibiting legislation. Moreover, it must be shown that the use has not changed, been abandoned or discontinued for a period of one year or more since the use began. Furthermore, regulations are provided regarding the alteration and/or enlargement of such use.

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.

ORDER RECEIVED FOR FILING

Date

BY

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 four-apartment dwelling since prior to 1945, and as such, enjoys a legal nonconforming use. The undisputed testimony and evidence offered by Mrs. Bull, both from her own investigation as well as

ORDER RECEIVED FOR FILING

Date

By


3/9/88
[Signature]

the affidavits submitted by the long-time residents of the community, I find that the subject property enjoys a legal nonconforming use as a four-apartment dwelling and should therefore be granted.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of March, 1998 that the Petition for Special Hearing to approve the house on the subject property as a legal, nonconforming four-apartment dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ONLINE REGISTRATION FILING
Date 3/9/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

March 9, 1998

Mr. & Mrs. Gordon Bull
4619 Magnolia Avenue
Halethorpe, Maryland 21227

RE: PETITION FOR SPECIAL HEARING
S/S Magnolia Avenue, 750' W of the c/l of Winans Avenue
(4621 Magnolia Avenue)
13th Election District - 1st Councilmanic District
Gordon Bull, et ux - Petitioners
Case No. 98-284-SPH

Dear Mr. & Mrs. Bull:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Code Enforcement Division, DPDM
People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4621 Magnolia Ave, Halethorpe MD

which is presently zoned B.R.5.5

This Petition shall be filed with the Department of Permits & 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

Petitioners request the zoning commissioner to hold a hearing to determine that the alleged violation that the property is illegally being used as a four apartment dwelling is in error and that in fact the dwelling was built prior to 1945 as an apartment house and has been continually used as such since its construction.

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:

Legal Owner(s):

(Type or Print Name)

Sandra L. Bull
(Type or Print Name)

Signature

Sandra L. Bull
Signature

Address

Gordon Bull
(Type or Print Name)

City

State

Zipcode

Gordon Bull
Signature

Attorney for Petitioner

4619 Magnolia Ave. 410-247-7629
Address Phone No

Halethorpe MD 21227
City State Zipcode

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

Signature

Sandra L. Bull
Name

Address

Phone No

939 Elkridge Landing Rd 410-691-9100
Address Phone No x3170

City

State

Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: RT

DATE

1-30-98

Revised 9/5/95

284

98-284-SPA

ORDER RECEIVED FOR FILING

Date 3/2/98

By [Signature]

ZONING DESCRIPTION FOR 4621 Magnolia Ave

Beginning at a point on the SOUTH side of
Magnolia which is 60 feet
wide at the distance of 750' +/- ~~EAST~~ **WEST** of the
centerline of the nearest improved intersecting street Winans Ave
which is 50 feet wide. *Being Lot # 286 Block _____,
Section# _____ in the subdivision of Hall and Smith Farms
as recorded in Baltimore County Plat Book # 1, Folio # 60,
containing 7500 square feet. Also known as 4621 Magnolia Ave
and located in the 13th Election District, 1 Councilmanic District.

#284

98-284-SPA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

98-284

No. 048655

DATE 1-30-78 ACCOUNT R 001-6150

040-CODE AMOUNT \$ 250.00

RECEIVED FROM: SANDRA BULL

FOR: SPECIAL HEARING, 4621 MAGNOLIA AVE,
HALETHORPE, MD

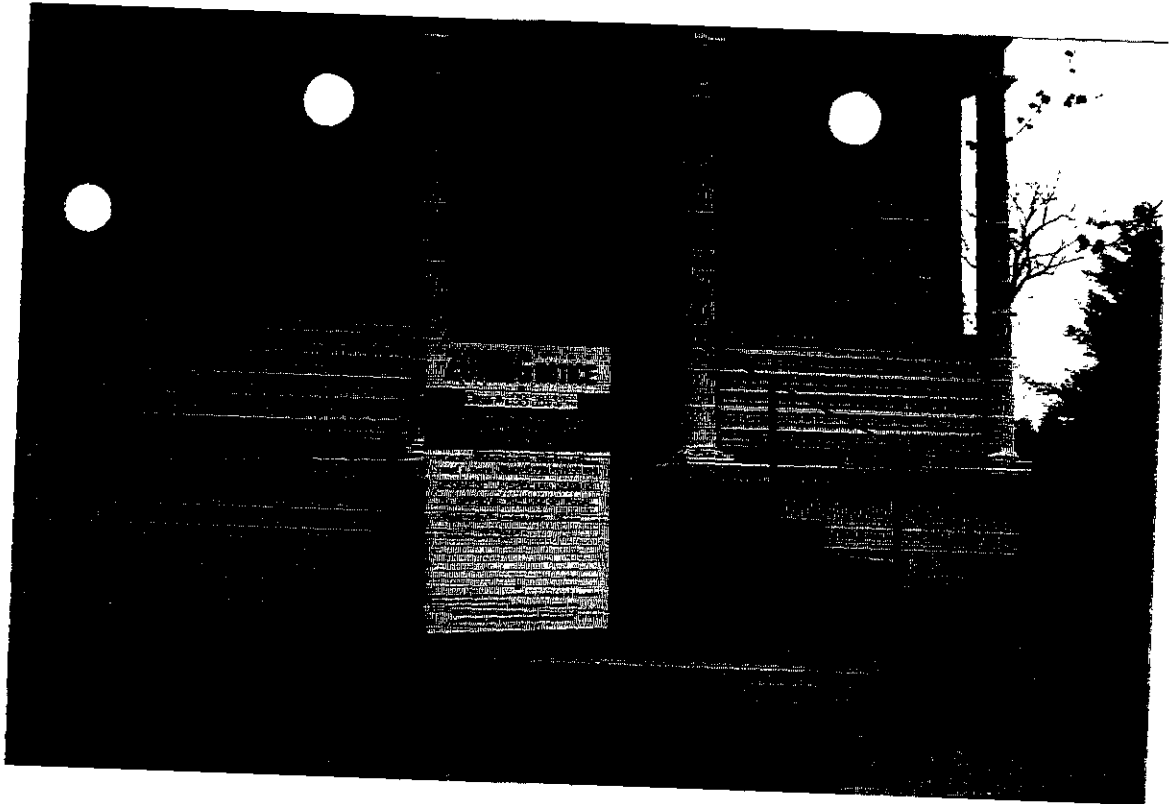
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

R.T.

DATE RECEIVED
TWO FIVE
LSD/100 L/STAMPED IN FULL
BY FROM CASHIER LEFT L.P. SHAW
E MISCELLANEOUS CASH RECEIPT
Receipt # 00485
CR. NO. 048655
250.00 CHECK
Baltimore County, Maryland

98-284-SPH

CASHIER'S VALIDATION



CERTIFICATE OF PUBLICATION

TOWSON, MD., 2-12, 1998

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 2-12, 1998

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON

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 in Towson, Maryland on the property identified herein as follows:

Case: #98-284-SPH
4621 Magnolia Avenue
S/S Magnolia Avenue, 750' +/-
W of centerline Winans Avenue
13th Election District
1st Councilmanic District
Legal Owner(s): Sandra L. Bull & Gordon Bull

Special Hearing: to determine that the alleged violation that the property is illegally being used as a four apartment dwelling is in error.
Hearing: Wednesday, March 4, 1998 at 11:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

2209 Feb 12 C206745

CERTIFICATE OF POSTING

RE: Case No.: 98-284-SPH

Petitioner/Developer: _____

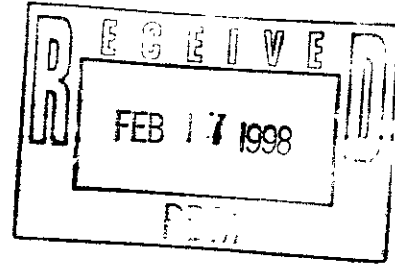
SANDRA & BORDON BULL

Date of Hearing/Closing: 3-4-98

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:



the

ZONING NOTICE

Case #: 98-284-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

ROOM 407 COURTS BUILDING
PLACE: 401 BOSLEY AVE. TOWSON, MD.

TIME & DATE: MARCH 4, 1998 AT 11:00 A.M.

REQUEST: A SPECIAL HEARING
TO APPROVE THE USE OF FOUR
APARTMENT DWELLING BUILT
PRIOR TO 1945.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

DO NOT REMOVE THIS SIGN & POST! VIOLATION OF HEARING ORDER PENALTY BY LAW.
HEARINGS ARE HANDICAPPED ACCESSIBLE.

perjury that the necessary sign(s) required by law

located at _____

SNOLIA AVE.

16, 1998

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



Baltimore County
 Department of Permits and
 Development Management

Development Processing
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood 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 which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 284

Petitioner: Sandra L. Bull & Gordon Bull

Location: 4621 Magnolia Ave., Halethorpe MD 21227

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Sandra L. Bull

ADDRESS: 4619 Magnolia Ave., Halethorpe MD 21227

PHONE NUMBER: 410-691-9100 x3170

AJ:ggs

(Revised 09/24/96)

98-284-SPH

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM 284

ZONING NOTICE

Case No.: 98-284 SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: _____

DATE AND TIME: _____

REQUEST: A SPECIAL HEARING TO APPROVE
THE USED OF FOUR APARTMENT DWELLING
BUILT PRIOR TO 1945.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 5, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner 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: 98-284-SPH
4621 Magnolia Avenue
S/S Magnolia Avenue, 750' +/- W of centerline Winans Avenue
13th Election District - 1st Councilmanic District
Legal Owner: Sandra L. Bull & Gordon Bull

Special Hearing to determine that the alleged violation that the property is illegally being used as a four apartment dwelling is in error.

HEARING: Wednesday, March 4, 1998 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Sandra & Gordon Bull

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEBRUARY 17, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 25, 1998

Sandra and Gordon Bull
4619 Magnolia Avenue
Halethorpe, MD 21227

RE: Item No.: 284
Case No.: 98-284-SPH
Petitioner: Sandra and Gordon Bull

Dear Mr. & Mrs. Bull:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 30, 1998.

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 (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 Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/ggs
Attachment(s)



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

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
 Department of Permits & Development
 Management

Date: February 24, 1998

FROM:  Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for February 17, 1998
 Item Nos. 281 and 284

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb


cc: File

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

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
 Department of Permits & Development
 Management

Date: February 24, 1998

FROM:  Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for February 17, 1998
 Item Nos. 281 and 284

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: February 4, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item No. 281, 283 and 284

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

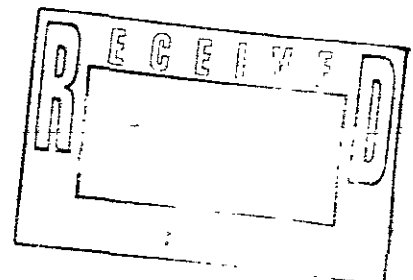
Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keller

AFK/JL



10m 3/4/98

RE: PETITION FOR SPECIAL HEARING
4621 Magnolia Ave, S/S Magnolia Ave,
750' ± W of c/l Winans Ave
13th Election District, 1st Councilmanic

Gordon and Sandra L. Bull
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-284-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 26th day of February, 1998, a copy of the foregoing Entry of Appearance was mailed to Gordon and Sandra L. Bull, 4619 Magnolia Avenue, Baltimore, MD 21227, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

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

TO: PDM

DATE: 2/11/98

FROM: R. Bruce Seeley (RBS/4)
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Feb. 9, 98

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

Item #'s:

280

281

282

284
285

RBS:sp

BRUCE2/DEPRM/TXTS8P



Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: February 5, 1998

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - DP
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 284
PETITIONER: Sandra L. Bull and Gordon Bull

VIOLATION CASE NO.: 97-3990

LOCATION OF VIOLATION: 4621 Magnolia Avenue
13th Election District

DEFENDANT(S): Sandra L. Bull and Gordon Bull
4621 Magnolia Avenue

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

<u>NAME</u>	<u>ADDRESS</u>
-------------	----------------

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/DP/hek



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 10, 1998

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

RE: Property Owners: Sandra L. Bull and Gordon Bull

Location: DISTRIBUTION MEETING OF FEBRUARY 9, 1998

Item No.: 294 Zoning Agenda:

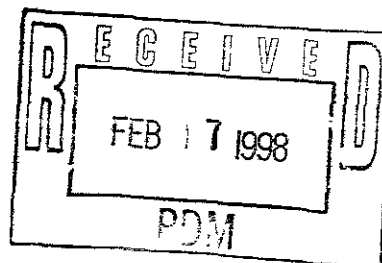
Gentlemen:

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

- 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.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 2/6/98
Item No. 284 RT
Magnolia Ave

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Ron Burns'.

Ronald Burns, Chief
Engineering Access Permits
Division

for

LG

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



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension 7201
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No. 106933
Case No.: <u>97-3990</u>

Election District 13 Permit No. _____
Name (s) Gordon & Sandra Bull
Address 4021 Magnolia Ave 21227
Location of Violation (if different than address) _____
Vehicle License No.: _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

<u>County Code:</u>	<u>Zoning Regulations:</u>
§§ _____	§§ <u>7201</u>
§§ _____	§§ <u>402</u>
<u>Building Code (BOCA):</u>	<u>Livability Code (18-66):</u>
§§ _____	§§ _____
§§ _____	§§ _____
<u>Investment Property Act (7-66):</u>	<u>Electrical Code (NEC):</u>
§§ _____	§§ _____
<u>Plumbing Code (NSPC):</u>	<u>Dwelling (CABO):</u>
§§ _____	§§ _____
Other: §§ _____	

COMMENTS OR OTHER VIOLATIONS:

- ① Reconvert to a single family dwelling or file for a public hearing to prove that it has been 4 units since 1945
- ② Reduce the number of trailers to 1 or file for a public hearing to keep the 4 there

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE 1/11/98 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON THE REVERSE SIDE OF THIS VIOLATION NOTICE.
DATE ISSUED: 12/8/97 INSPECTOR: Propolis

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: _____
DATE ISSUED: _____ INSPECTOR: _____

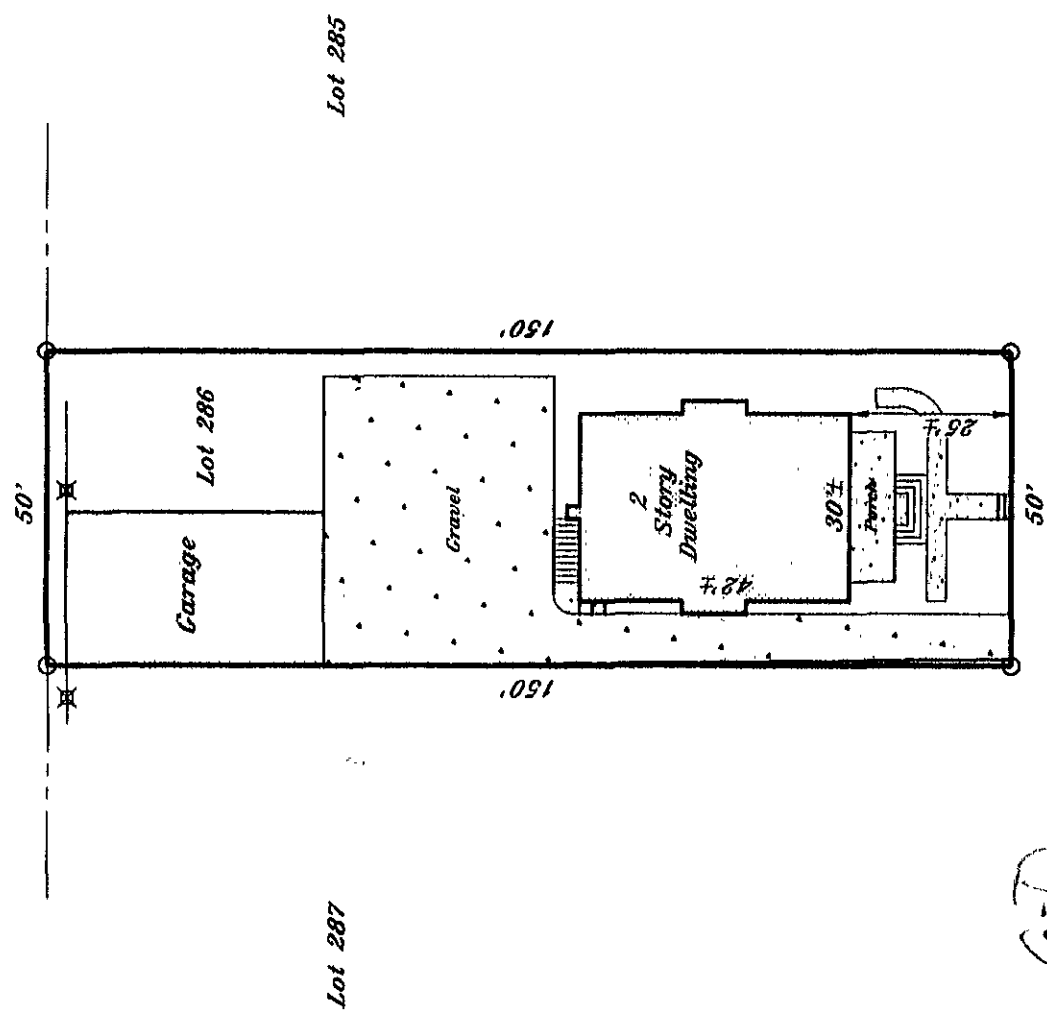
IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE

98-284-SPA

#284

Lot Number : 286
 Block/Section :
 Plat Reference : Book : 1 Page : 60
 Title of Plat : Halethorpe, Plan of the Subdivision of the Hall and Smith Farms

Lot 290



MAGNOLIA AVENUE

Property lies in Flood Zone
 (F.E.M.A. Map Panel Number
 240810 4505 E, Dated 03/02/81)



I certify to the best of my knowledge and belief the dwelling shown on this drawing on the property known as 4621 Magnolia Avenue Baltimore County, Maryland lies within the lot lines shown as compiled from title or other sources. Other improvements shown are for pictorial purposes only. This drawing is not a boundary survey and has been prepared exclusively for title purposes only.

Lawrence Hastings 12/2/94

Ruxton Design Corporation
 8422 Bellona Lane
 Towson, Maryland 21204
 (410) 823-5000
 Fax (410) 823-0115 . Scale 1" = 30'

W-6-D

ITEM # 284

98-284-SPH

DR 5.5 Existing 2000

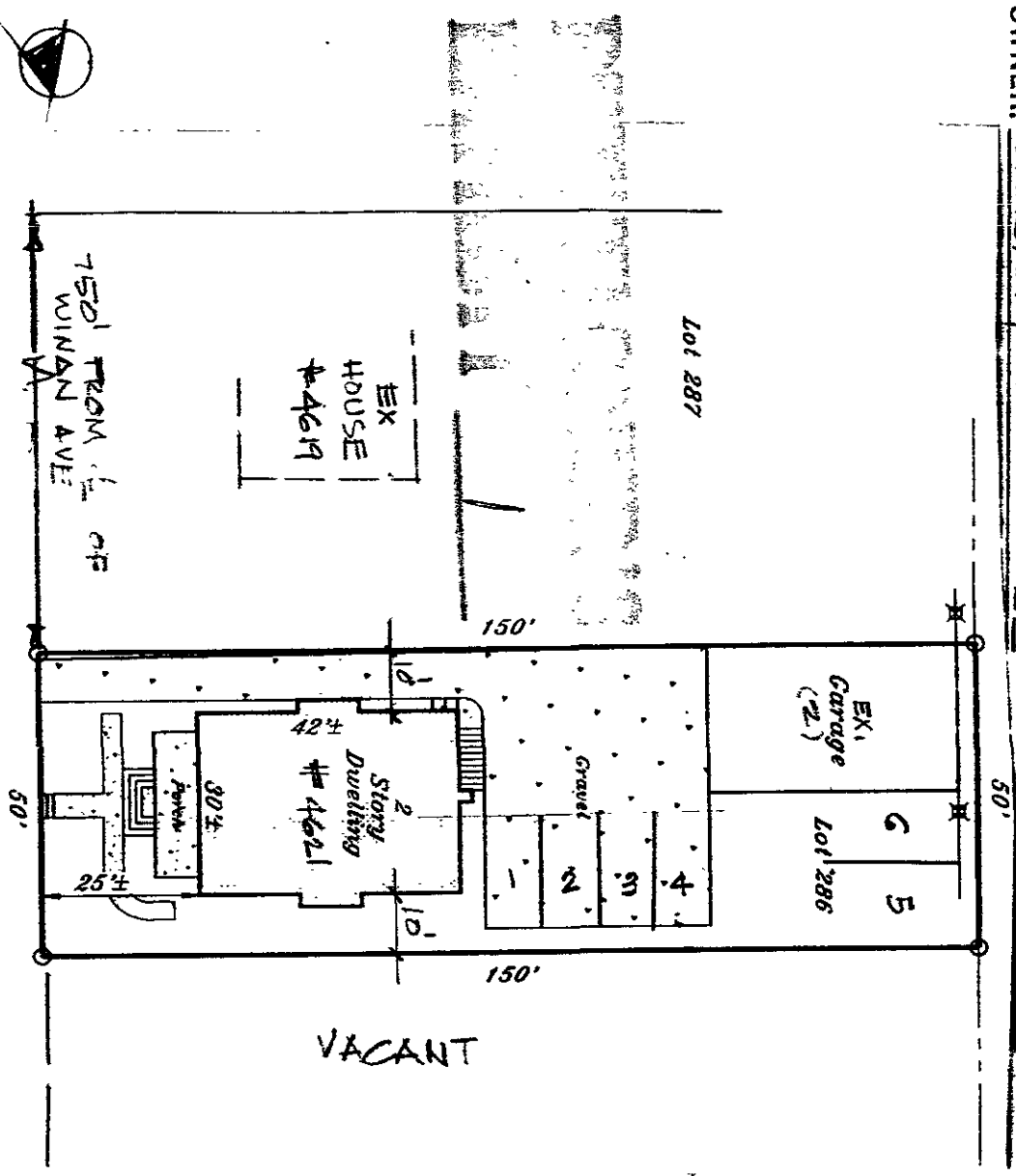
Plat to accompany Petition for Zoning Variance Special Hearing


PROPERTY ADDRESS: 4621 MAGNOLIA AVE. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HALL AND SMITH FARMS

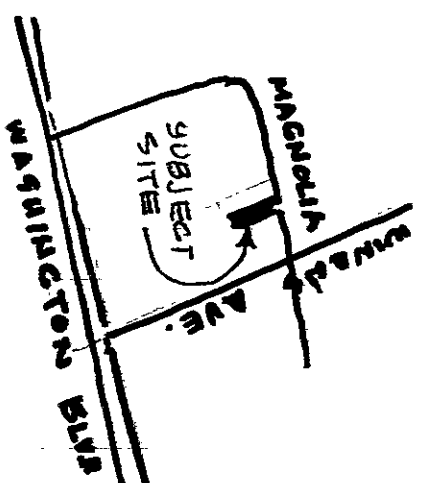
plat book # 1, folio # 50, lot # 284, section #

OWNER: SANDRA & GORDON BULL



North 
 date: 1-22-98
 prepared by: G.B.

MAGNOLIA AVE.
 Scale of Drawing: 1" = 30



LOCATION INFORMATION

Election District: 13
 Councilmanic District: 1

1"=200' scale map#: SWGD

Zoning: DR S15

Lot size: 7500 acreage square feet

SEWER: public private
 WATER:
 Chesapeake Bay Critical Area: yes no
 Prior Zoning Hearings: N/A

Zoning Office USE ONLY

reviewed by: RT ITEM #: 284 CASE#:

98-284-SPH

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury the following:

I live at 4625 Magnolia Ave., Halethorpe MD 21227 and have lived at this address for the past thirty years. The property next door to me known as the Maple Apartments and located at 4621 Magnolia Ave, Halethorpe, Md 21227 has, during that entire time been occupied as a four (4) apartment house. Further I know from personal knowledge that this property was occupied as an apartment house from at least 1943-1944 on, as I walked passed the property on a number of occasions as a child in the early 40's when I would be on my way to play football with school friends.

John Coolahan

John Coolahan
4625 Magnolia Ave.
Halethorpe, Md 21227
(410)242-5924

HOWARD

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY this 3rd day of March, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared John Coolahan 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 herein above are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

Richard Kellum
NOTARY PUBLIC
My Commission Expires 6/1/2001

LA

AFFIDAVIT

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

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

John Coolahan
AFFIANT (Handwritten Signature)

John Coolahan
AFFIANT (Printed Name)

4625 Magnolia Ave. Halethorpe MD 21227
ADDRESS (Printed)

(410) 242-5924
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 4621 Magnolia Ave. Halethorpe MD 21227 has been occupied as a 4 apartment dwelling since at least 1943 or 1944 ? yes
(address) (month) (year) (2, etc.) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since 1943 or 1944 ? yes
(month) (year) (answer)

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

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

HOWARD
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY this 3rd day of March, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared John Coolahan, 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 herein above set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Michael A. Keller
NOTARY PUBLIC
My Commission Expires 6/1/2001

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury the following:

My name is Susan Agnes, I reside at 4726 Ruby Ave. Relay MD 21227. I was born on June 20, 1942 in apt. # 1, Maple Apartments, 4621 Magnolia Ave., Halethorpe MD 21227 and I lived at that address until 1953 when my parents bought the house next door at 4619 Magnolia Ave., Halethorpe MD 21227 where I lived with my parents and my brother until I was married in 1961 My parents house was sold to Mr. & Mrs. Bull by my brother and me after my parents had died. The Bull's bought the Maple Apartments in 1994 from Mr. Will Schmidt and his wife. I know from personal knowledge that 4621 Magnolia Ave., the Maple Apartments, has been operated and rented as a four (4) apartment building continuously since at least June 1942.

Susan Agnes
Susan Agnes
4726 Ruby Ave..
Relay, MD 21227
(410)247-3347

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY this 2nd day of March, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Susan Agnes 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 herein above are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

Gloria Regina
NOTARY PUBLIC
My Commission Expires 6/28/99

JB

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

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

Susan Agnes
AFFIANT (Handwritten Signature)

Susan Agnes
AFFIANT (Printed Name)

4726 Ruby Ave. Relay MD 21227
ADDRESS (Printed)

(410) 247-3347
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 4621 Magnolia Ave. Halethorpe MD 21227 has been occupied as a 4 apartment dwelling since June, 1942 ? yes
(address) (month) (year) (answer)
(2, etc.)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since June, 1942 ? yes
(month) (year) (answer)

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

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY this 2nd day of March, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Susan Agnes, 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 herein above set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Alfred R. Riggins
NOTARY PUBLIC
My Commission Expires 6-28-99

98-284-5PH

photographs



ZONING NOTICE

Case # : 98-284-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE : ROOM 407 COURTS BUILDING
401 BOSLEY AVE. TOWSON, MD.

TIME & DATE : MARCH 4, 1998 AT 11:00 A.M.

REQUEST: A SPECIAL HEARING

TO APPROVE THE USE OF FOUR

APARTMENT DWELLING BUILT

PRIOR TO 1945.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING
CALL 887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE.

DO NOT REMOVE THIS SIGN & POST UNTIL DAY OF HEARING UNDER PENALTY OF THE LAW
HEARINGS ARE HANDICAPPED ACCESSIBLE

