

IN RE: PETITION FOR SPECIAL HEARING
SWC Sulphur Spring Road &
Willy's Avenue
1307 Sulphur Spring Road
13th Election District
1st Councilmanic District
Mark G. Bastille, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-337-SPH

* * * * *

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 1307 Sulphur Spring Road in Arbutus. The Petition was filed by Mark G. Bastille and Bettina Bastille, property owners. Relief is requested to confirm a nonconforming use for a three family (apartment) dwelling and to confirm the nonconforming status, pursuant to Section 402.2, as to: (1) A width at the front building line of 50 ft., in lieu of the required 105 ft; (2) a lot area of 6922 sq. ft., in lieu of the required 13,000 sq. ft.; and (3) side yard setbacks of 10 ft. each, in lieu of the required 20 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Mark G. Bastille, property owner/co-Petitioner. The Petitioners were represented by Stephen J. Nolan, Esquire. Also appearing and testifying on behalf of the Petitioners was Janet Cearfoss, former owner of the property. A number of individuals appeared in opposition to the request. Serving as spokespersons for these individuals was Keith Hartig, Kathy Hartig and Sheri Stocksdales. The full list of Protestants who appeared is contained on the Protestants Sign-in Sheet which has been incorporated into the record of this case.

ORDER RECEIVED FOR FILING

Date

by

11/24/98
SPM/Morale

An examination of the site plan shows that the subject property is approximately .158 acres in area, zoned D.R.5.5. The lot is a corner property, located at the southwest corner of the intersection of Sulphur Spring Road and Willys Avenue in Arbutus. The lot is approximately 50 ft. wide at its frontage on Sulphur Spring Road and tapers slightly to a width of 54.17 ft. at the rear property line. The depth of the property ranges from 131.15 ft. to 133.25 ft. The property is improved with a 2-1/2 story frame dwelling. The dwelling fronts Sulphur Spring Road, however, there are several entrances from different sides of the house. The property also contains 12-1/2 ft. by 18 ft. detached garage in the rear yard, which is served by a small macadam drive.

Mr. Bastille, and his wife, purchased the property in March of 1996. Presently, Mr. Bastille testified that three apartment units are maintained in the building. A floor plan showing each of the apartment units is contained on the site plan. The floor plan drawings show a basement apartment which contains one bedroom, kitchen, bathroom and other living area; a one bedroom, kitchen, bathroom and open living room area on the first floor; and, a two bedroom (including an attic), kitchen, bathroom and living room area in the upstairs apartment. Mr. Bastille testified extensively about the layout of these units and about the use of these three apartments since the time of his purchase of the property. He also described in some detail the renovations he had undertaken to improve the property and discussed numerous tenants who have rented from him since the date of his purchase of the site.

The Petitioner seeks a designation of the property as a nonconforming use, as that term is defined in Section 101 of the BCZR and regulated by Section 104. A nonconforming use is defined in Section 101 as "A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use." In essence,

the nonconforming use designation is utilized to grandfather an otherwise illegal use. That is, if a Petitioner can establish that a particular use existed prior to the date of the zoning regulation which prohibits that use, the use may remain as nonconforming. As noted above, nonconforming uses are regulated in Section 104 of the BCZR. It is of particular note that this section requires that a nonconforming use cannot be discontinued or abandoned for a period of one year or more. In such an event, the right to continue or resume the nonconforming use will terminate.

In an effort to establish his nonconforming use, Mr. Bastille presented the testimony of Janet Cearfoss, the prior owner of the property. Ms. Cearfoss is elderly (80 years old) and sold the property to Mr. Bastille in 1996. She testified extensively about her former occupancy of the property and her family's long ownership of the site. Apparently, the property has been in her family for many years and the house was originally built by her parents in 1924. She testified somewhat inconsistently about the occupancy of the site since then. Essentially, she concluded that the property had always been used as a three apartment building since the years during World War II. However, when questioned specifically, she was unable to recall specific tenants and her testimony was not persuasive in supporting the Petitioner's claim that the three apartment use had continued uninterruptedly over the years.

In opposition to the request, testimony was received from a number of the neighbors. Among those who testified were Richard Kidd, Kathy Hartig, Sheri Stocksdales, Janice A. Little and Keith Hartig. It is of particular note that many of the Protestants have lived in the area for many years. Many of the witnesses testified that they had resided in the area as children, moved away briefly during early adulthood, and then purchased houses in the neighborhood and returned to raise their families in this

ORDER RECEIVED FOR FILING

Date

By

community. Clearly, this is a well established community with strong residential roots.

The cumulative testimony of the Protestants was dispositive to the conclusion that the building has been used as a two apartment complex since prior to 1945 and has continued uninterruptedly since that time. Mrs. Stocksdales, in particular, testified that she remembered playing in the house as a child with the children of the tenants who lived in the upstairs unit at that time. Documentary evidence offered by Mrs. Hartig also showed that the property was registered with the State of Maryland for the purpose of property tax assessment as a two apartment unit during the 1950s.

As noted during the hearing, the first substantive set of zoning regulations were adopted in Baltimore County in 1945. The property is presently zoned D.R.5.5; therefore, in order for the nonconforming status to be conferred, the Petitioner must show that the three apartment use existed prior to the effective date of those regulations. Moreover, it must be shown that the use has been uninterrupted since 1945.

As I stated at the conclusion of the hearing, I am indeed persuaded that the use is nonconforming so as to allow two apartment units. The testimony from Ms. Cearfoss was helpful in reaching this conclusion. She did unequivocally state that there were at least two apartment units for many years which were occupied by various members of her extended family. The fact that these tenants were family members does not, in my judgment, alter the two apartment character of the building. Moreover, as noted above, the documentary evidence and all testimony by the Protestants supported this conclusion.

However, the overwhelming weight of the testimony was also that the building has not been continuously and uninterruptedly used as a three apartment structure. Although there is a basement unit at the present

ORDER RECEIVED FOR FILING

Date

By

time, it appears that the basement was uninhabitable for many years and not occupied. Additionally, during other periods that the premises were livable, the basement area was used in conjunction with the first floor unit.

Based upon the cumulative testimony and evidence offered, therefore, I am persuaded to grant the Petition for Special Hearing, in part, and deny same, in part. Nonconforming use status will be conferred on the subject property to continue the use of the premises as a two apartment building. However, the Petitioner shall not be allowed to maintain three apartments and the basement apartment unit must be vacated as a separate unit within 60 days from the date of this Order. Additionally, it is clear that the footprint of the building and exterior of the structure has not been materially altered over the years. There have been some changes as to the entrances to the premises, however, the building's footprint has remained unchanged. Thus, nonconforming status will be granted as to the width of the building at the front property line, the lot area and the side yard setbacks. It is clear that these conditions have existed since the building was constructed in the 1920s.

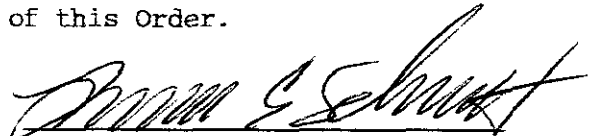
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted, in part, and denied, in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 2nd day of July 1998 that, pursuant to the Petition for Special Hearing, approval to continue the use of the premises as a two apartment building, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that a nonconforming use status as to Section 402.2 of the BCZR, to allow a width at the front building line of 50 ft., in lieu of the required 105 ft; a lot area of 6922 sq. ft., in lieu of the required 13,000 sq. ft.; and side yard setbacks of 10 ft. each, in lieu of

the required 20 ft., be and is hereby GRANTED, subject, however, to the following restrictions:

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.
2. The structure can be used only for two apartments, and the third apartment located in the basement must be removed as a separate unit within 60 days from the date of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 7/27/98
By M. Novak



Baltimore County
Zoning Commissioner
Office of Planning

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

July 1, 1998

Stephen J. Nolan, Esquire
Newton A. Williams, Esquire
700 Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 98-337-SPH
Mark G. Bastille, et ux, Petitioners

Gentlemen:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. and Mrs. Mark Bastille
33 Maple Avenue
Catonsville, Maryland 21228





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
for the property located at 1307 Sulphur Spring Road
which is presently zoned B.R.5.5.

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, 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 a **confirm a non-conforming use for a three family (apartment) dwelling; and to confirm a non-conforming status as to Section 402.2 as to:**

1. Width at front building line - 50 feet for required 105 feet;
2. Lot area 6922 s.f. for 13,000 s.f.; and
3. Side yards - 10 feet for required 20 feet.

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

I, or we, agree to pay expenses of above Variance 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.

PLEASE BILL ADVERTISING TO LEGAL OWNERS

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zip Code

Attorney for Petitioner:

Newton A. Williams

Nolan, Plumhoff & Williams, Chtd.

(Type or Print Name)

Newton A. Williams

Signature

700 Nottingham Centre
502 Washington Avenue 410-823-7800

Address Phone No.

Towson MD 21204
City State Zip Code

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

Legal Owner(s):

Mark G. Bastille

(Type or Print Name)

Mark G. Bastille

Signature

Bettina Bastille

(Type or Print Name)

Bettina Bastille

Signature

33 Maple Avenue

Address

813 - 681 - 1208

Phone No.

Catonsville.

City

MD

State

21228

Zip Code

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

Newton A. Williams

Nolan, Plumhoff & Williams, Chtd.

Name

700 Nottingham Centre
502 Washington Avenue

Towson, MD 21204

Address

410-823-7800

Phone No.

Office Use Only

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

ALL

OTHER

REVIEWED BY:

Next Two Months

May 6, 7 & 8

DATE



Zoning Administration and
Development Management

98-337-SPH

337

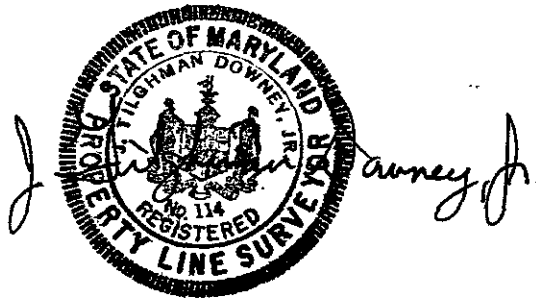
M. & H. DEVELOPMENT ENGINEERS, INC.

200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
(410) 828-9060

NOVEMBER 25, 1997

ZONING DESCRIPTION FOR #1307 SULPHUR SPRING ROAD

BEGINNING at a point on the south side of Sulphur Spring Road which is 50' wide at the distance of 20' from the centerline of the nearest improved intersecting street, Willys Avenue which is 40' wide. Being Lot #3 in the subdivision of Sulphur Spring Terrace as recorded in Baltimore County Plat Book No. 7, folio No. 99, containing 0.158 of an acre, more or less. Also known as #1307 Sulphur Spring Road and located in the 13th. Election District, 1st. Councilmanic District.



J. Tilghman Downey, Jr.

48-337-SPA

337

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/4/, 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 6/4/, 1998.

THE JEFFERSONIAN,

A. Henickson
LEGAL AD. - TOWSON

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 #98-337-SPH
1307 Sulphur Spring Road
SWC Sulphur Spring Road
and Willy's Avenue
13th Election District
1st Councilmanic District
Legal Owner(s): Mark G. Bastille & Bettina Bastille

Special Hearing: to confirm a non-conforming use for a three family (apartment) dwelling; and to confirm a non-conforming status as to width at front building line - 50 feet for required 105 feet, lot area 6,922 square feet for 13,000 square feet, and side yards - 10 feet for required 20 feet.

Hearing: Friday, June 19, 1998 at 1:00 p.m., in Room 407, County Courts Bldg., 401 Bosley Avenue. (This hearing was postponed from May 11, 1998).

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.

6/028 June 4 C223416

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 351734

DATE C4C ACCOUNT R CCI-G150

AMOUNT \$ 250.00

RECEIVED FROM: Mr. & Mrs. R. STILLE

FOR: C4C - SPECIAL HANDLING 250.00
TOTAL 750

PAID RECEIPT
PROCESS ACTUAL TIME
3/17/1998 3/17/1998 09:42:01
SERV NO. 0002 CASHIER JRIC JMR DRAWER 2
5 MISCELLANEOUS CASH RECEIPT
Receipt # 037014
CR NO. 051734

250.00 CHECK
Baltimore County, Maryland

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

98-337-
SPH

CASHIER'S VALIDATION

**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: #98-337-SPH
1307 Sulphur Spring Road
SWC Sulphur Spring Road
and Willy's Avenue
13th Election District
1st Councilmatic District

Legal Owner(s):
Mark G. Bastille & Bettina
Bastille

Special Hearing: to confirm a non-conforming use for a three family (apartment) dwelling; and to confirm a non-conforming status as to width at front building line - 50 feet for required 105 feet, lot area 6,922 square feet for 13,000 square feet, and side yards - 10 feet for required 20 feet.

Hearing: Monday, May 11, 1998 at 9:00 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.

4/30/98 April 23 C223034

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/23/, 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 4/23/, 1998

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

RE: PETITION FOR SPECIAL HEARING
1307 Sulphur Spring Road, SW corner
Sulphur Spring Rd and Willy's Ave.
13th Election District, 1st Councilmanic

Mark and Bettina Bastille
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-337-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 15th day of April, 1998, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plunhoffs & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

March 25, 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: 98-337-SPH
1307 Sulphur Spring Road
SWC Sulphur Spring Road and Willy's Avenue
13th Election District - 1st Councilmanic District
Legal Owner: Mark G. Bastille & Bettina Bastille

Special Hearing to confirm a non-conforming use for a three family (apartment) dwelling; and to confirm a non-conforming status as to width at front building line - 50 feet for required 105 feet, lot area 6,922 square feet for 13,000 square feet, and side yards - 10 feet for required 20 feet.

HEARING: Monday, May 11, 1998 at 9:00 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: Newton A. Williams, Esquire
Bettina & Mark Bastille

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 26, 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.



TO: PATUXENT PUBLISHING COMPANY
April 23, 1998 Issue - Jeffersonian

Please forward billing to:

Mark & Bettina Bastille
33 Maple Avenue
Catonsville, MD 21228

813-681-1208

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: 98-337-SPH

1307 Sulphur Spring Road

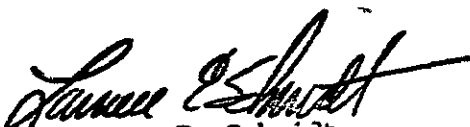
SWC Sulphur Spring Road and Willy's Avenue

13th Election District - 1st Councilmanic District

Legal Owner: Mark G. Bastille & Bettina Bastille

Special Hearing to confirm a non-conforming use for a three family (apartment) dwelling; and to confirm a non-conforming status as to width at front building line - 50 feet for required 105 feet, lot area 6,922 square feet for 13,000 square feet, and side yards - 10 feet for required 20 feet.

HEARING: Monday, May 11, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

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.



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/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of 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.: 337.

Petitioner: Mark & Bettina Bastille

Location: #1307 Sulphur Spring Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Mark & Bettina Bastille

ADDRESS: 33 Maple Avenue
Catonsville, MD 21228

PHONE NUMBER: 813-681-1208

AJ:ggs

(NOTE: Newton Williams - A-774)
410-823-7800

(Revised 09/24/96)

98-337-SPA

337.

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:

337

ZONING NOTICE

Case No.: 98-337-SP11

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

PLACE: _____

DATE AND TIME: _____

REQUEST: TO CONFIRM A NON-CONFORMING USE FOR A
3 FAMILY (APARTMENT) DWELLING & NON-CONFORMING
STATUS AS TO SECT. 402.2 B.C.Z.R.

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

337.

CERTIFICATE OF POSTING

RE. Case No.: 98-337-SPH

Petitioner/Developer: M. BASTILLE, ETAL
% N. WILLIAMS, ETAL

Date of Hearing/Closing: 6/19/98 @ 1100 PM
Rescheduled

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:

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 #1307 SULPHUR SPRING RD

The sign(s) were posted on 5/15/98 - FIXED.
(Month, Day, Year)

REDONE / FIX

Sincerely,

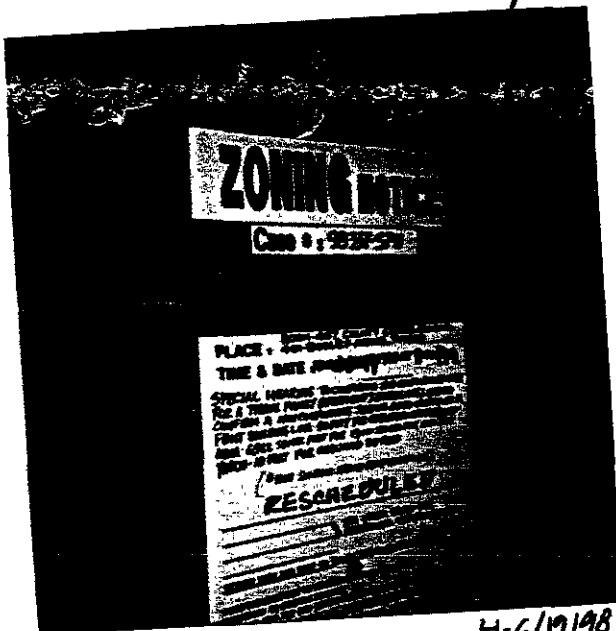
Patrick M. O'Keefe
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



98-337 SPH
#1307 SULPHUR SPRING RD.
@ WILLY'S AVE. (BASTILLE)

CERTIFICATE OF POSTING

RE: Case No. 98-337-SPH

Petitioner/Developer: MARK BASTILLE, ETAL

% NEWTON WILLIAMS, ESQ

Date of Hearing/Closing: 6/19/98

RESCHEDULED
FROM 5/11/98 @ 1:00PM

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:

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 #1307 SULPHUR

SPRING ROAD

The sign(s) were posted on 4/25/98
5/15/98

REPOSTED

(Month, Day, Year)

Sincerely,

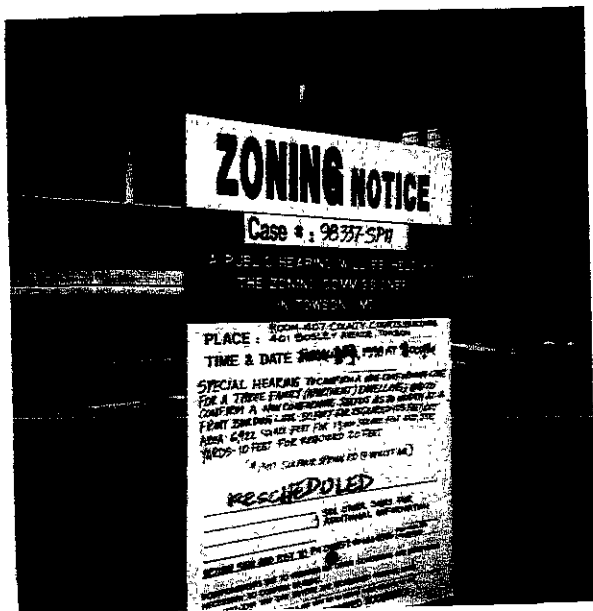
Patrick M. O'Keefe 5/15/98
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



98-337 SPH
#1307 SULPHUR SPRING RD.
@ WILLY'S AVE. (BASTILLE)

CERTIFICATE OF POSTING

RE. Case No 98-337-SPH
Petitioner/Developer: M. BASTILLE, ETAL
96 NEWTON WILLIAMS
Date of Hearing/Closing: 6/19/98

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

RESCH. FROM
5/11/98

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sig. (s) required by law
were posted conspicuously on the property located at: #1307 SULPHUR SPRING RD

The sign(s) were posted on 5/15/98
(Month, Day, Year)

REPOST

Sincerely,

Patrick M. O'Keefe 5/15/98

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

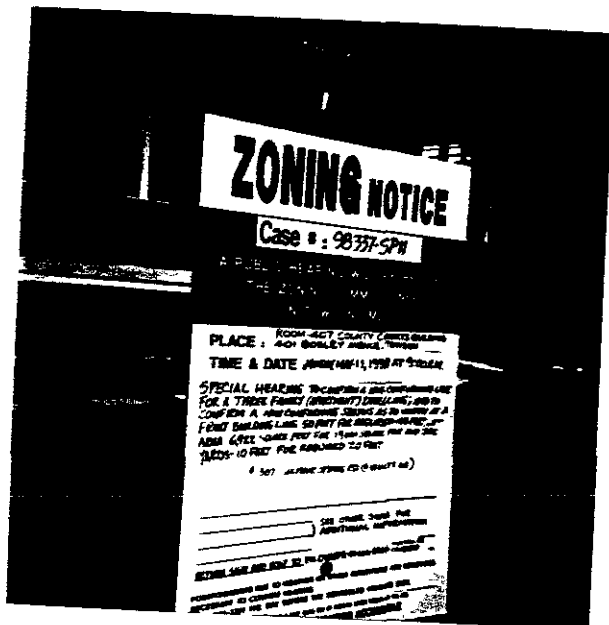
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



#1307 SULPHUR SPRING RD

98-337 SPH

REPOST
5/15/98



Baltimore County
Department of Permits and
Development Management

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

May 13, 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: 98-337-SPH
1307 Sulphur Spring Road
SWC Sulphur Spring Road and Willy's Avenue
13th Election District - 1st Councilmanic District
Legal Owner: Mark G. Bastille & Bettina Bastille

Special Hearing to confirm a non-conforming use for a three family (apartment) dwelling; and to confirm a non-conforming status as to width at front building line - 50 feet for required 105 feet, lot area 6,922 square feet for 13,000 square feet, and side yards - 10 feet for required 20 feet.

HEARING: Friday, June 19, 1998 at 1:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue. (This hearing was postponed from May 11, 1998.)

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

c: Newton A. Williams, Esquire
Bettina & Mark Bastille

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 4, 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.



TO: PATUXENT PUBLISHING COMPANY
June 4, 1998 Issue - Jeffersonian

Please forward billing to:

Mark & Bettina Bastille 813-681-1208
33 Maple Avenue
Catonsville, MD 21228

(Attorney: Newton Williams - 410-823-7800)

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: 98-337-SPH
1307 Sulphur Spring Road
SWC Sulphur Spring Road and Willy's Avenue
13th Election District - 1st Councilmanic District
Legal Owner: Mark G. Bastille & Bettina Bastille

Special Hearing to confirm a non-conforming use for a three family (apartment) dwelling; and to confirm a non-conforming status as to width at front building line - 50 feet for required 105 feet, lot area 6,922 square feet for 13,000 square feet, and side yards - 10 feet for required 20 feet.

HEARING: Friday, June 19, 1998 at 1:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue. (This hearing was postponed from May 11, 1998.)



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.



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 11, 1998

5/13/98 - Talked to NAW -
He will repost; wants
me to readvertise -
Haven't gotten this
letter yet. scj

Newton A. Williams, Esquire
Nolan, Plunhoffs & Williams
502 Washington Avenue, Suite 700
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SW/Corner Sulphur Spring Road and Willys Avenue
(1307 Sulphur Spring Road)
13th Election District - 1st Councilmanic District
Mark G. Bastille and Betina Bastille
Case No. 98-337-SPH

Dear Mr. Williams:

This letter is to confirm the postponement of the above-captioned matter, which was granted in open hearing on Monday, May 11, 1998. The postponement was granted due to the fact that the sign advertising the public hearing on this case was not timely posted on the subject property.

As agreed, this case has been rescheduled for Friday, June 19, 1998 at 1:00 PM and will be held in Room 407 of the County Courts Building. I understand that you will arrange for the reposting and readvertisement of the property. In addition, a copy of this letter is being provided to all of the Protestants who appeared at the hearing and to Ms. Sophia Jennings in the Department of Permits and Development Management (DPDM) for future reference and incorporation into the case file.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr & Mrs. Keith Hartig, 5505 Willys Avenue, Baltimore, Md. 21227
Ms. Sheri Stocksdales, 5515 Willys Avenue, Baltimore, Md. 21227
Mr. Bill Rice, Greater Arbutus Community Alliance
1257 Birch Avenue, Baltimore, Md. 21227
Ms. Mary Jane Macgill, 319 Gun Road, Baltimore, Md. 21227
Ms. Eleanor VanDevender, P.O. Box 18262, Baltimore, Md. 21227
Ms. Paula Wolf, 5524 Selma Avenue, Baltimore, Md. 21227
Ms. Sophia Jennings, DPDM; People's Counsel; Case Files



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 11, 1998

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams
502 Washington Avenue, Suite 700
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SW/Corner Sulphur Spring Road and Willys Avenue
(1307 Sulphur Spring Road)
13th Election District - 1st Councilmanic District
Mark G. Bastille and Betina Bastille
Case No. 98-337-SPH

Dear Mr. Williams:

This letter is to confirm the postponement of the above-captioned matter, which was granted in open hearing on Monday, May 11, 1998. The postponement was granted due to the fact that the sign advertising the public hearing on this case was not timely posted on the subject property.

As agreed, this case has been rescheduled for Friday, June 19, 1998 at 1:00 PM and will be held in Room 407 of the County Courts Building. I understand that you will arrange for the reposting and readvertisement of the property. In addition, a copy of this letter is being provided to all of the Protestants who appeared at the hearing and to Ms. Sophia Jennings in the Department of Permits and Development Management (DPDM) for future reference and incorporation into the case file.

Very truly yours,

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr & Mrs. Keith Hartig, 5505 Willys Avenue, Baltimore, Md. 21227
Ms. Sheri Stocksdales, 5515 Willys Avenue, Baltimore, Md. 21227
Mr. Bill Rice, Greater Arbutus Community Alliance
1257 Birch Avenue, Baltimore, Md. 21227
Ms. Mary Jane Macgill, 319 Gun Road, Baltimore, Md. 21227
Ms. Eleanor VanDevender, P.O. Box 18262, Baltimore, Md. 21227
Ms. Paula Wolf, 5524 Selma Avenue, Baltimore, Md. 21227
Ms. Sophia Jennings, DPDM; People's Counsel; Case Files



Baltimore County
Fire Department

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

April 13, 1998

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

RE: Property Owner: Mark G. Bastille and Bettina Bastille
Martha J. Kielek

Location: DISTRIBUTION MEETING OF March 30, 1998

Item No.: 337 and 338

Zoning Agenda:

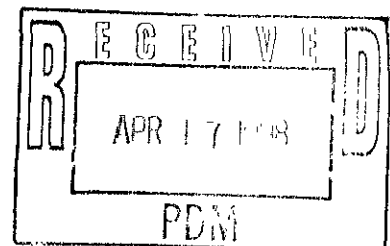
Gentlemen:

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", 1994 edition prior to occupancy.

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

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: April 8, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
 for April 6, 1998
 Item No. 337

 The Bureau of Developer's Plans Review has reviewed the subject zoning item. The issue of parking should be addressed.

RWB:HJO:jrb

cc: File

ZONE0406.337

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

TO: PDM
FROM: R. Bruce Seeley *RBS/yr*
Permits and Development Review
DEPRM

DATE: *3/30/98*

SUBJECT: Zoning Advisory Committee
Meeting Date: *March 30, 98*

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

Item #'s:

337

338

339

341

342

443

344

345

347

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

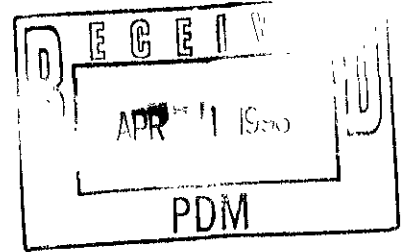
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: March 26, 1998

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

SUBJECT: Zoning Advisory Petitions



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

Item No. (337) 339, 340, 341, 343, 344, 345, and 346

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by: Jeffrey W. Long
Division Chief: Carol L. Kerns

AFK/JL



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 3/25/98
Item No. 337

Mark G Bastille

JRA

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,

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

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

May 8, 1998

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams
Suite 700, Nottingham Centre
502 Washington Avenue
Towson, MD 21204-4528

RE: Case Number 98-337-SPH
Petitioner: Bastille
Location: 1307 Sulphur Spring Rd.

Dear Mr. Williams:

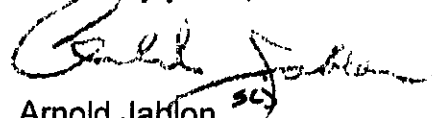
The above matter, previously assigned to be heard on Monday, May 11, 1998 has been postponed at your request.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

As you were notified by Mr. Richards on May 4, 1998, the property must be re-advertised with the new hearing date. Our office will fulfill the requirement of making sure that the advertising is timely, but the cost of the advertisement is the responsibility of the petitioner. As with the original advertising, they will be billed directly by the newspaper.

Very truly yours,


Arnold Jablon
Director

AJ:scj

c: Bettina & Mark Bastille
James Thompson, Enforcement



had 2

AFFIDAVIT

I, Minna Schultz, a resident of Baltimore County, whose address is 1313 Sulphur Spring Road, Baltimore, Maryland 21227, hereby certify the following regarding the Zoning Commissioner's hearing, Case No. 98-337-SPH, 1307 Sulphur Spring Road, to confirm a nonconforming use for a three-family apartment dwelling:

THAT I am the owner of 1313 Sulphur Spring Road and have resided at this address for 47 years;

THAT I knew the son of the original owner of the dwelling at 1307 Sulphur Spring Road, Mr. Lee Shimp, and have personal knowledge that he at times allowed members of a local youth group to stay in the basement of the dwelling but not as a separate, rented apartment;

THAT the basement of the dwelling has never been occupied as a separate apartment of the dwelling; and

I HEREBY CERTIFY under penalty of perjury that the information contained herein is accurate to the best of my knowledge, information, and belief.

AS WITNESS OUR HANDS AND SEAL this 17th day of May, 1998.

WITNESS:

Alan M. Glasser

By: *Minna Schultz*
Minna Schultz

STATE OF MARYLAND)
) ss:
COUNTY OF BALTIMORE)

I HEREBY CERTIFY that on this 17th day of May, 1998, before me, the subscriber, a Notary Public for the State of Maryland, personally appeared [MINNA SCHULTZ], and she acknowledged this Affidavit to be her free act and deed.

WITNESS my hand and Notarial Seal.

Deanna Sollers
Notary Public

My Commission Expires:

DEANNA SOLLERS
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 2, 2001

prod 3

AFFIDAVIT

I, Charles White, a resident of Baltimore County, whose address is 5504 Willys Avenue, Baltimore, Maryland 21227, hereby certify the following regarding the Zoning Commissioner's hearing, Case No. 98-337-SPH, 1307 Sulphur Spring Road, to confirm a nonconforming use for a three-family apartment dwelling:

THAT I am the owner of 5504 Willys Avenue and have resided at this address for 52 years;

THAT I know the former owner of 1307 Sulphur Spring Road and have personal knowledge that it had been a single-family house at the time at which I purchased my house at 5504 Willys Avenue in May, 1946;

THAT I have personal knowledge that a second-floor apartment was originally established for use by the former owner's daughter and son-in-law in the 1950's or early 1960's;

THAT a separate entrance for the second-floor apartment was added approximately one to two years prior of the sale of the house in March, 1996;

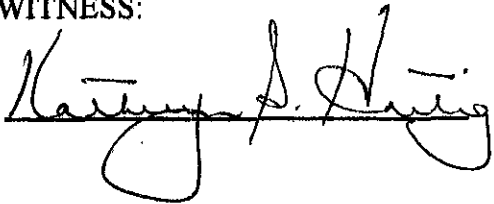
THAT the basement was never occupied as a separate apartment and that the basement entrance of the dwelling that faces Willys Avenue was not used as an entrance into the dwelling until after the house was sold in March, 1996; and

THAT home contracting work occurred in the basement area of the house that is accessed by the entrance facing Willys Avenue beginning around September, 1997, and that the basement entrance is now used as an apartment entrance; and

I HEREBY CERTIFY under penalty of perjury that the information contained herein is accurate to the best of my knowledge, information, and belief.

AS WITNESS OUR HANDS AND SEAL this 18th day of June, 1998.

WITNESS:



By:

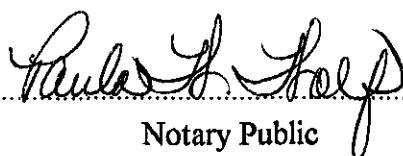


Charles White

STATE OF MARYLAND)
) ss:
COUNTY OF BALTIMORE)

I HEREBY CERTIFY that on this 18th day of June, 1998, before me, the subscriber, a Notary Public for the State of Maryland, personally appeared [CHARLES WHITE], and he acknowledged this Affidavit to be his free act and deed.

WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: June 1, 1999

[illegible]

Code: M Type: S

Katheryn Hartig

Receipt No.: M08657

5505 Willys Avenue
Baltimore, MD 21227

Amt Received: 11.00

Charge: N

Amount Due: 0.00

410-242-4639

Date Answered: 06/16/98

Thank you for your inquiry. This certification has been provided in response to your request received on 06/16/98.

The Maryland State Archives does hereby certify that the attached reproduction is a true and accurate copy of the following record:

MSA No. T207

DEPARTMENT OF ASSESSMENTS AND TAXATION BA SUPERVISOR OF ASSESSMENTS
(Assessment Record)

Charles Lee Schimp, Jr.
Account 9725
Reassessed 1950
Box 12
0-61-4-49

As witness the seal of the Hall of Records Commission of the State of Maryland as authorized by State Government Article, sec. 9-1009, Annotated Code of Maryland, 1984 edition as amended to date.

Prepared by:

99

Ellen Alers
Archivist III

PROTESTANT(S) SIGN-IN SHEET

ADDRESS

5505 Willys Ave
5505 Willys Ave. 21227
5515 Willys Ave.
5517 Willys Ave.
5511 Willys AV 21227
P.O. Box 18262 21227
1257 Birch Ave
PO Box 18262 21227
5524 Selma Ave 21227
5513 Willys Ave. 21227

5/11/98

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

823-7800

NAME

ADDRESS

Newton Williams

700 Nottingham Centre
582 Wash. Ave. Towson,
Md. 21204



5/11/98

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Katheryn Hartig
Sheei Stocksdale
Bill Rice GACA
Mary Jane Macgill
K. H. Hartig
Eleanor VanDevender
Paula Wolf

5505 Willys Ave. 21227
5515 Willys Ave. 21227
1257 Birch Ave 21227
319 Gun Rd. 21227
5505 Willys Ave 21227
P.O. Box 18262, 21227
5524 Selma Ave 21227

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

STEPHEN J. NOLAN

502 WASHINGTON AVE

ST 700, TOWSON, MD

MARK BASTILLE

33 Maple Ave Catonsville 21204

~~Janeh Cearford~~

21228

J. Janeh Cearford

ATMONIUM, MD 21093
2 BALLINDINE CT UNIT 201



To: WHOM IT MAY CONCERN
From: IVY JANET CEARFOSS
Re: 1307 SULPHUR SPRING ROAD
ARBUTUS, MARYLAND 21227

I, IVY JANET CEARFOSS, CERTIFY
THAT 1307 SULPHUR SPRING ROAD IS TO
MY KNOWLEDGE A 3 UNIT DWELLING AND
HAS EXISTED AS SUCH TO MY KNOWLEDGE
PRIOR TO 1945.

Ivy Janet Cearfoss
1307 SULPHUR SPRING ROAD
ARBUTUS, MARYLAND 21227

Sharon A. Andrews

Sharon A. Andrews

My Commission expires: June 18, 1996

Noted

98-337 SPH

5/1/98

8

WCR

9 stank must
be readjusted-

Told Newton 5/4/98
98-1756 WCR

5/1/98
8
WCR

98-1756

Further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.

Esq. Louis E. Le Brun (senior)
Esq. Leona A. Le Brun (senior)

State of Maryland.

Baltimore City to-wit:-

I hereby certify that on this 11th day of February in the year one thousand nine hundred and twenty five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Louis E. Le Brun, and Leona A. Le Brun, his wife, the grantors, named in the above deed and each acknowledged the foregoing deed to be their act.

As witness my hand and Notary seal.

E. H. Colburn.

E. H. C.

Notary Public
Recorded Feb 13, 1925 at 10³⁰ - A. M. T. End
seal
Rev. Wm. P. Cole - Clerk.

14647 L. C. Link
R. S. & wife

Deed to

Chas. L. Schimp
& wife

This Deed made this 14th day of January in the year one thousand nine hundred and twenty five, by and between George

Link and Carrie Link, his wife, of the County of Baltimore, State of Maryland hereinafter called Grantors, parties of the first part, and Charles L. Schimp and Elizabeth Schimp his wife hereinafter called Grantees, parties of the second part.

Witnesseth that in consideration of the payment of the sum of five dollars (\$5.00) and other valuable consideration, the receipt whereof is hereby acknowledged, and the performance of the cove-

DELIVERED
PER TICKET
APR 27 1925

wants and agreements hereinafter set out to be performed by the said Grantees, their heirs and assigns. the said Grantors do hereby grant and convey unto the said Grantees, their heirs and assigns in fee simple subject to the said covenants and agreements all that piece or parcel of ground situate and lying in Baltimore County, State of Maryland designated and known as lot number Three (3), as shown on the Plat of Sulphur Spring Terrace which plat is recorded among the Land Records of Baltimore County in Plat Book number 7 folio 99, said plat being referred to for more particular description.

For title see deed from Nicholas Link, et al. to George Link, dated the 11th of April 1896, and recorded among the Land Records of Baltimore County in Liber L. M. B. no. 717 folio 160, see also deed from Martin Schuler to George Link, et al. among the same records in Liber J. H. S. no. 164 folio 371.

Together with the buildings and improvements thereon and all and every the rights and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold the above granted property unto the said Grantees, their heirs and assigns forever in fee simple subject however to the following covenants and agreements which are hereby entered into by the said Grantees, their heirs and assigns with the said Grantors as a part of the consideration for this deed.

1. That no factory, saloon, no hospital, asylum or institution of like or kind, red nature, and no charitable institution, no hotel nor apartment house nor club house shall be erected or maintained on the land or any part

thereof hereby conveyed, and no gasoline or oil of any kind, character or description, for commercial purposes, shall be stored thereon or sold therefrom, and no mining or digging shall be done other than that necessary for foundation purposes.

2. That no swine or cows shall be kept on the said land, or any part thereof and no nuisance of any kind shall be maintained or allowed thereon nor any use thereof made or permitted which shall be noxious or dangerous to health.

3. That no chickens, pigeons, or other domestic fowls of any kind shall be allowed to run or be at large on the said land or any part thereof.

4. That the said land hereby conveyed, shall not nor shall any part thereof be rented, leased, sold, transferred to, or occupied by persons of Hebrew, Mongolian or of Negro extraction.

5. That no residence or building shall at any time be erected or kept on the premises hereby conveyed within thirty feet of the front line, that there shall not be more than one residence upon a lot, and no lot shall have a frontage of less than fifty feet.

6. That no fence more than three feet high shall be permitted on the front of said lot, nor shall any fence be permitted on the side of said lot more than three feet high, which shall come within fifty feet of the front building line.

7. That the Grantors, their heirs and assigns shall have the right at any time, at their own expense, to lay down and construct sewers, drains and water pipes in and upon said

canal and to keep and maintain the same for the convenience of the land hereby granted and that of all of the other land adjoining same, provided, however, that such sewers, drains and water pipes shall be constructed and maintained in such a manner that the Grantees or their land shall suffer no damage thereby.

8. It is distinctly covenanted and agreed between the parties hereto that all the covenants and agreements above expressed shall be held to run with and bind the land hereby conveyed and all subsequent owners and occupants thereof until the first day of January in the year 1945 and the acceptance of this deed shall have the same effect and binding force upon the Grantees, their heirs and assigns as if the same were signed and sealed by the said Grantees.

And the said Grantors subject to the above covenants and agreements on the part of the Grantees, their heirs and assigns, covenant that they will warrant specially the land and premises hereby granted and conveyed and that they will execute such further assurances of said land and premises as may be requisite.

As Witness the hands and seals of the said Grantors.

Test: George Link - (seal)
O. August Still Carrie Link - (seal)
State of Maryland.

County of Baltimore, to wit:..
I hereby certify that on this 1st day of January 1945 before me the subscriber a Notary Public of the State of Maryland in and for Baltimore City, personally appeared George Link and Carrie Link his wife the within named Grantors and severally acknow.

lodge the said deed to be their act.
As witness my hand and Notarial seal.

P. August Gull

Notary Public

Notarially Recorded Jan'y 13. 1915. at 4 P.M. Term.
Per John R. Gole. - Clerk.

14643
P.S.
\$1.50

George Link

& wife

(Deed to)

Elias F. Schimpf

& wife

This Deed made this 14th
day of January in the
year one thousand nine
hundred and twenty-five
by and between George
Link and Carrie Link.

DELIVERED
PER TICKET
APR 27 1915

his wife, of the County of Baltimore
State of Maryland. Hereinafter called
Grantors. Parties of the first part, and
Charles F. Schimpf and Elizabeth Sch-
impf, his wife. Hereinafter called
Grantees. Parties of the second part.
Witnesseth that in consideration of the
payment of the sum of five dollars
(\$5.00) and other valuable considerations,
the receipt whereof is hereby acknowl-
ged, and the performance of the covenants
and agreements hereinafter set out to be
performed by the said Grantors, their
heirs and assigns the said Grantors do
hereby grant and convey unto the said
Grantees, their heirs and assigns, in
fee simple subject to the said cove-
nants and agreements, all that piece or
parcel of ground situated and lying in
Baltimore County, State of Maryland,
designated and known as lot number
two (2), as shown on the plat of Joseph
Spring Branch which plat is recorded
among the Land Records of Baltimore
County in Plat Book Number of folio
99 said plat being referred to for more
particular description.

For title see deed from Nicholas Link
et al. to George Link, dated the 27th of

STATE OF MARYLAND, BALTIMORE COUNTY, TO WITH

I HEREBY CERTIFY that the foregoing is a true copy of the original
DEED taken from the records of said Circuit Court as
recorded in Liber WPC No. 606
Bollo 502-586 one of the LAND
records of Baltimore County.

IN TESTIMONY WHEREOF I have set my hand
and affix the seal of the Circuit Court for
Baltimore County

this 28th day of May 1998

Raymond P. ...

Notary Public for the State of Maryland
My Comm. Expires on 06/30/2000

Not 5

laded the said deed to be that is as.
As witness my hand and Notarial seal.

O. August 3, 1915

Notary Public

Notary Recorded Jan 13, 1915, at 4 P.M. Exh.

Per John R. Gole, Clerk

14643 George Link

R.S. & wife

\$1.50 Deed, Co

Chas L Schimp husband and twenty five

& wife

This Deed made this 14th day of January in the year one thousand nine

hundred and twenty five

between George

Link and Carrie Link

his wife, of the County of Baltimore

State of Maryland, hereinafter called

Grantors parties of the first part, and

Charles L. Schimp and Elizabeth Schimp

his wife hereinafter called

Grantees parties of the second part.

Witnesseth that in consideration of the

payment of the sum of five dollars

(\$5.00) and other valuable considerations

the receipt whereof is hereby acknowledged

and the performance of the covenants

and agreements hereinafter set out to be

performed by the said Grantees, their

heirs and assigns the said Grantors do

hereby grant and convey unto the said

Grantees, their heirs and assigns, in

fee simple subject to the said cove-

nants and agreements, all that piece or

parcel of ground situated and lying in

Baltimore County, State of Maryland,

designated and known as lot number

two (2), as shown on the plat of Sulphur

Spring Terrace, which plat is recorded

among the Land Records of Baltimore

County, in Plat Book Number of folio

99, said plat being referred to for more

particular description.

For title see deed from Nicholas Link

et al. to George Link, dated the 17th of

DELIVERED
PER TICKET

APR 27 1915

April, 1896 and recorded among the Land Records of Baltimore County in Liber L. M. B. No. 217 folio 160. See also deed from Martin Schuler to George Link et al. among the same records in Liber J. H. S. No. 164 folio 371.

Together with the buildings and improvements thereon, and all and every the rights and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold the above granted property unto the said Grantees, their heirs and assigns forever, in fee simple subject however, to the following covenants and agreements, which are hereby entered into by the said Grantees, their heirs and assigns with the said Grantors as a part of the consideration for this deed.

1. That no shop, store, factory, saloon, or business house of any kind, no hospital, asylum or institution of like or kindred nature, and no charitable institution, no hotel, nor apartment house, nor club house shall be created or maintained on the land or any part thereof hereby conveyed, and no mining or digging other than that necessary for foundation purposes shall be done, but the said premises shall be occupied and used for residential purposes only and not otherwise.

2. That no swine or cows shall be kept on the said land or any part thereof, and no nuisance of any kind shall be maintained or allowed thereon, nor any use thereof made or permitted which shall be noxious or dangerous to health.

3. That no chickens, pigeons or other domestic fowls of any kind shall be allowed to run or be at large on the said land or any part thereof.

4. That the said land hereby conveyed shall not nor shall any part thereof be.

rented, leased, sold, transferred to, or occupied by, persons of Hebrew, Mongolian or of Negro extraction.

5. That no residence or building shall at any time be erected or kept on the premises hereby conveyed, within thirty feet of the front line, that there shall not be more than one residence upon a lot, and, no lot shall have a frontage of less than fifty feet.

6. That no fence more than three feet high shall be permitted on the front of said lot, nor shall any fence be permitted on the side of said lot more than three feet high, which shall come within fifty feet of the front building line.

7. That the Grantors, their heirs and assigns shall have the right at any time at their own expense, to lay down and construct sewers, drains and water pipes in and upon said land, and to keep and maintain the same for the convenience of the land hereby granted, and that of all of the other land adjoining same provided, however, that such sewers, drains and water pipes shall be constructed and maintained in such a manner that the Grantors or their land shall suffer no damage thereby.

8. It is distinctly covenanted and agreed between the parties hereto that all the covenants and agreements above expressed shall be held to run with and bind the land hereby conveyed, and all subsequent owners and occupants thereof until the first day of January in the year 1945, and the acceptance of this deed shall have the same effect and binding force upon the Grantors, their heirs and assigns as if the same were signed and sealed by the said Grantors.

And the said Grantors subject to the

above covenants and agreements on the part of the Grantors, their heirs and assigns covenants that they will warrant specially the land and premises hereby granted and conveyed and that they will execute such further assurances of said land and premises as may be requisite.

As Witness the hands and seals of the said Grantors.

Test: George Link (seal)
P. August Grill. Carrie Link (seal)
State of Maryland.

County of Baltimore, to wit:

I hereby certify that on this 13th day of January, 1915, before me, the undersigned a Notary Public of the State of Maryland in and for Baltimore City, personally appeared George Link and Carrie Link, his wife, the within named Grantors, and severally acknowledged the said deed to be their act.

As witness my hand and Notarial seal.

P. August Grill
Notary Public

P. A. G.
Notarially Recorded Jan'y 13, 1915, at 4 P. M. T. Ed.
see. Per Wm. P. Cole Clerk

1465 Edwin S. Evans.

R.S.

400

Wife to

John A. Vunlauff.

Wife

This deed made the
sixteenth day of January
in the year one thousand

and nine hundred
and twenty-five by and

between Edwin S. Evans
and Agnes Evans, his wife, Grantors, of
Baltimore County in the State of Maryland,
of the first part, John A. Vunlauff and
Joe Ada Vunlauff, his wife, Grantors,
of the same place, of the second part.

Witnesseth that in consideration of the
sum of five dollars and other good and
valuable considerations the receipt of which
is hereby acknowledged the said Grantors.

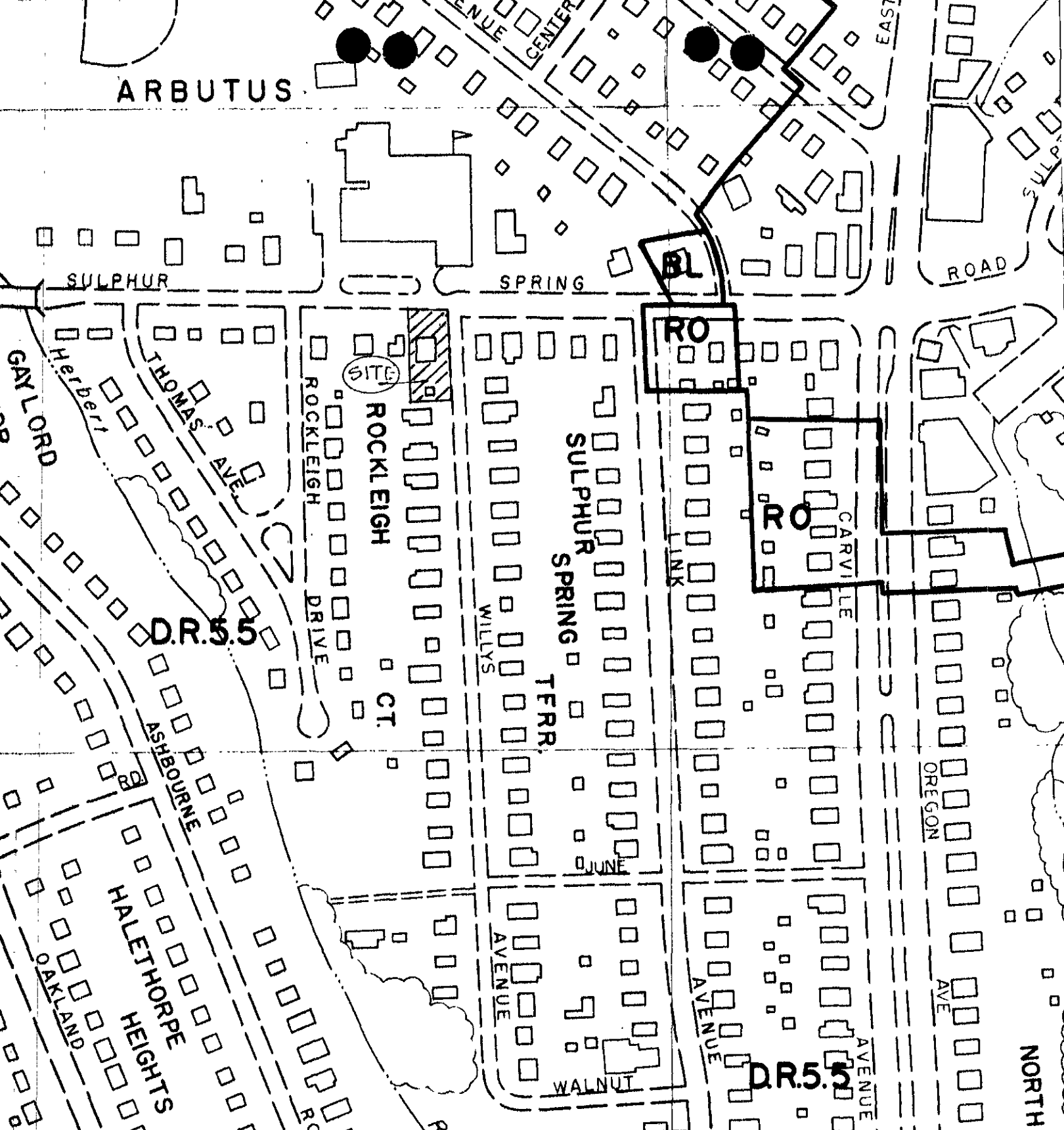
FILE FOR TICKET
JUL 16 1927

STATE OF MARYLAND, BALTIMORE COUNTY, TO WITH

I HEREBY CERTIFY that the foregoing is a true copy of the original
taken from the records of said Circuit Court as
recorded in Liber DEED No. 6006
Folio 5810-78 one of the 6006
records of Baltimore County.

IN TESTIMONY WHEREOF I hereto set my hand
and affix the seal of the Circuit Court for
Baltimore County, this 20 day of May 1968

Argus
Clerk of the Circuit Court of Baltimore County



SCALE

" = 200' ±

LOCATION

SHEET

98.337-SPH

S.W.

5-D

HALETHORPE

337.

DATE
OF
PHOTOGRAPHY
JANUARY
1986

WALK AVENUE

NORTH
HALETHORPE

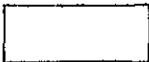
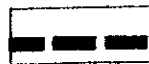
ZONING MAP OF BALTIMORE COUNTY MARYLAND

REPRODUCTION OF THE USE DISTRICT MAPS
PART OF THE
ZONING REGULATIONS AND RESTRICTIONS

Prepared by The Zoning Department

SEPTEMBER 1, 1947

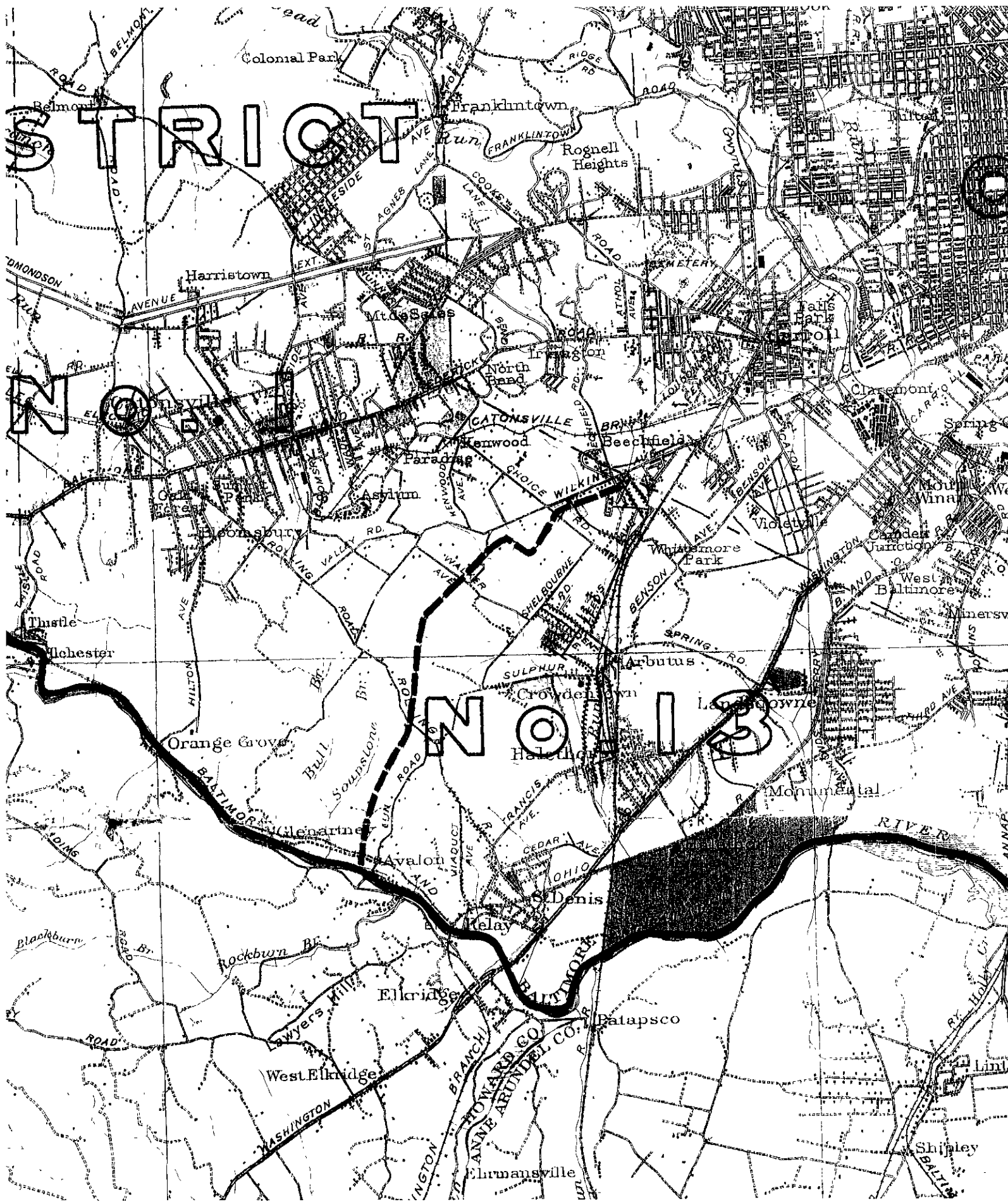
LEGEND

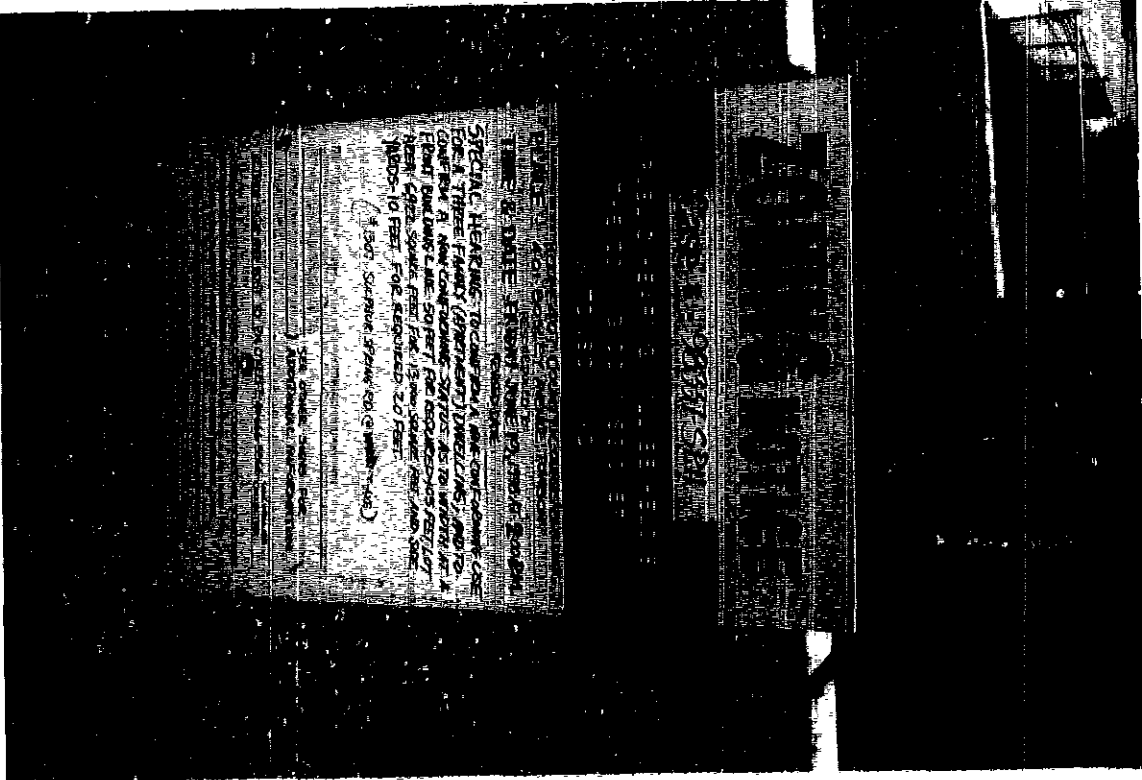
-  - A—Residence Zone
-  - B—Residence Zone
-  - C—Residence Zone
-  - D—Residence Zone
-  - E—Commercial Zone
-  - F—Light Industrial Zone
-  - G—Heavy Industrial Zone
-  - District Boundary Lines

N. B. This is a diagrammatic reproduction. For exact location of boundaries of zones, consult the Official Maps in the Office of the Zoning Commissioner, Towson, Maryland.

ON A BASE FURNISHED BY
THE MARYLAND GEOLOGICAL SURVEY
IN COOPERATION WITH
THE UNITED STATES GEOLOGICAL SURVEY

Ref. No 3



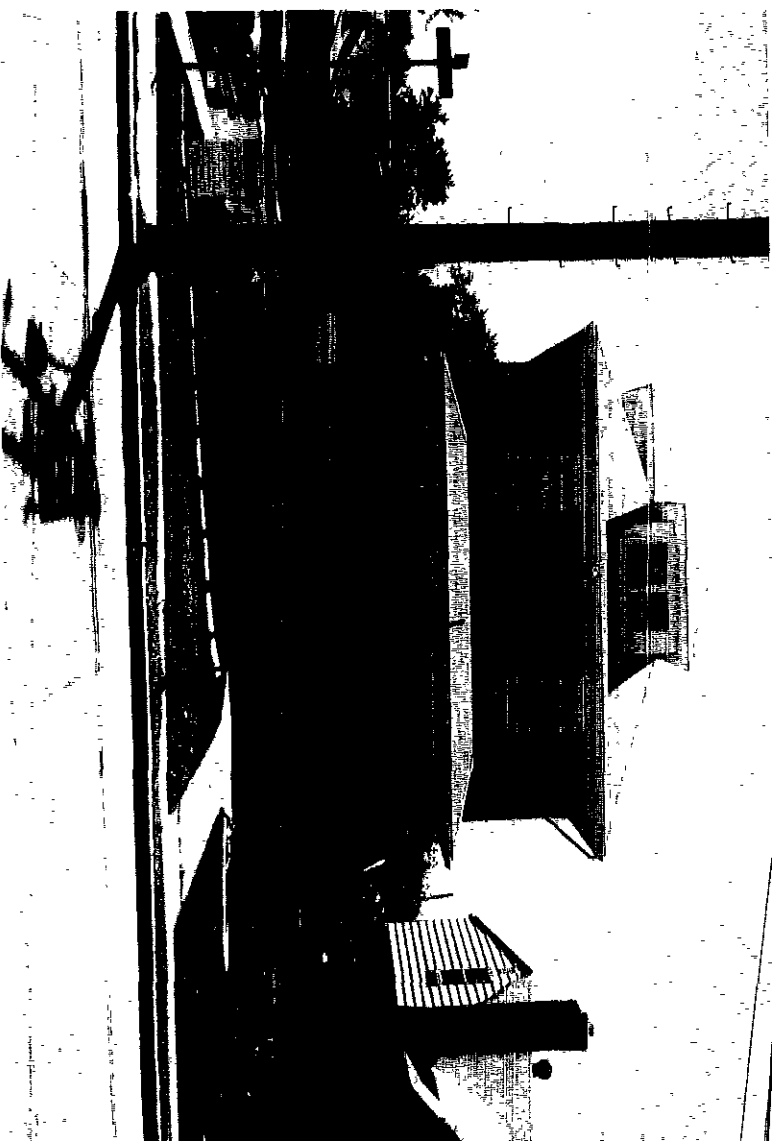


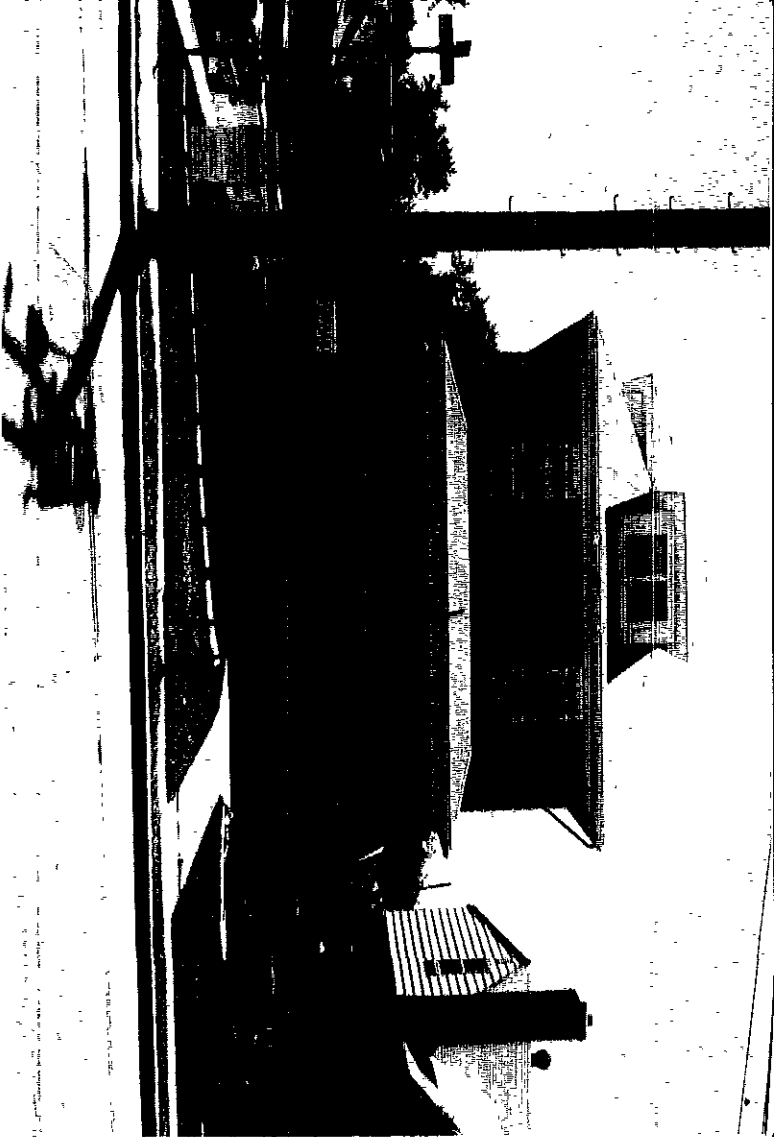
A. Second Station - June 19th -
 Leaving - at corner of
 Sulphur Springs Road and
 N. W. Ave. Crescent.

The Quattle Property.
1307 Sulphur Spring Road.
Non-conforming 3 dwelling
car and site criteria
50% of Sulphur Spring Road
and Village Council

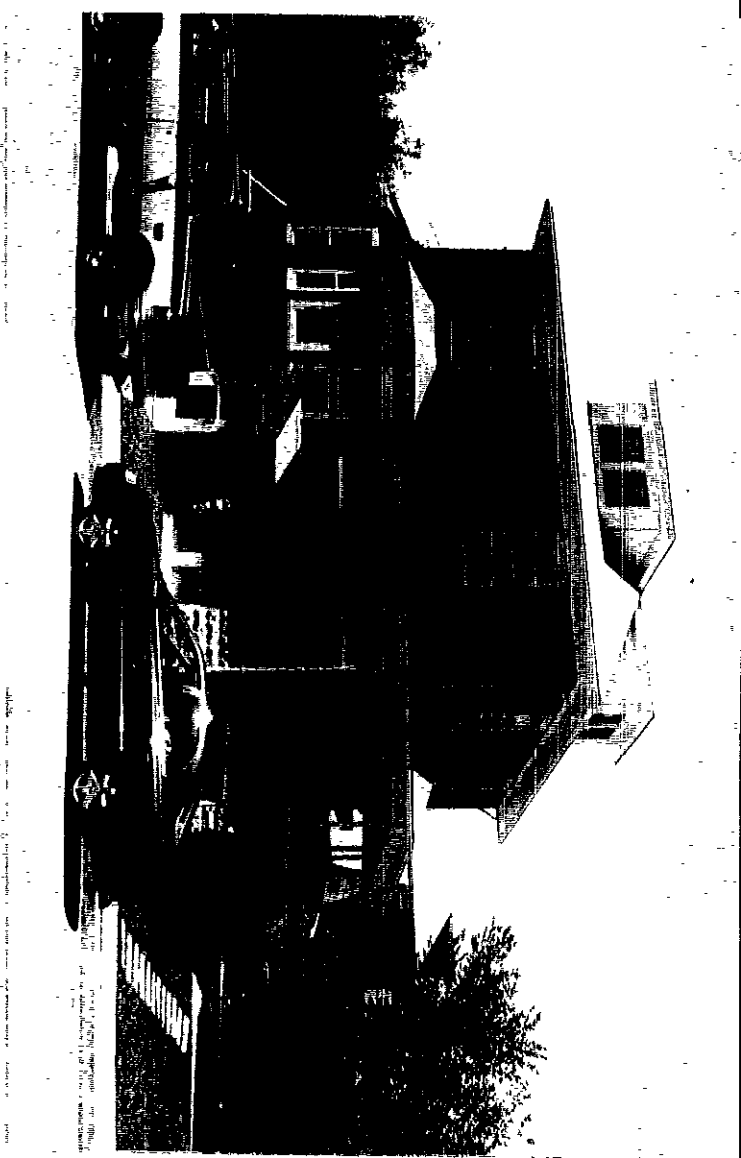
B, Front of house - note front door, 1st floor access, side door W/Steps Ave - Bpt
Basement Apartment entrance and
side door right (2nd floor entrance)
apartment

Nov 2

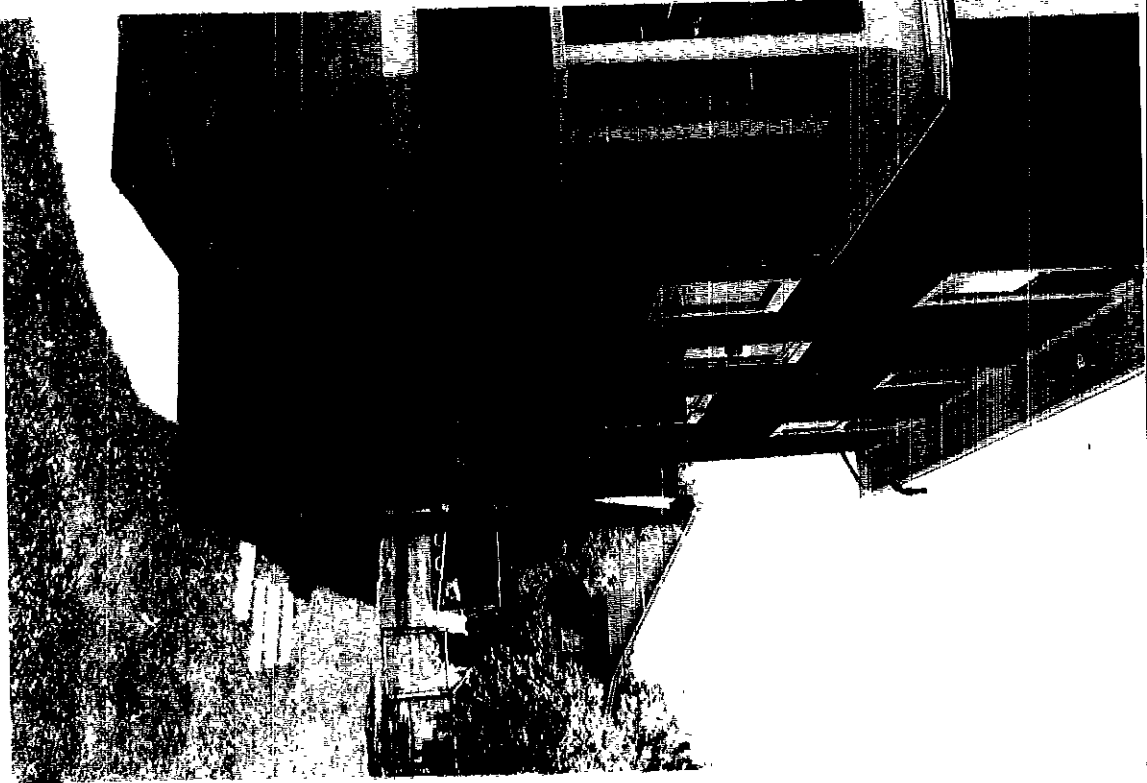




C. Front of 1307, SW/C of Lufkin Spring
Road and Milling Ave.



D. East side of hotel, looking across Milling Avenue
Reverent Apartment Entrance



E, West side of house -
second floor entrance -



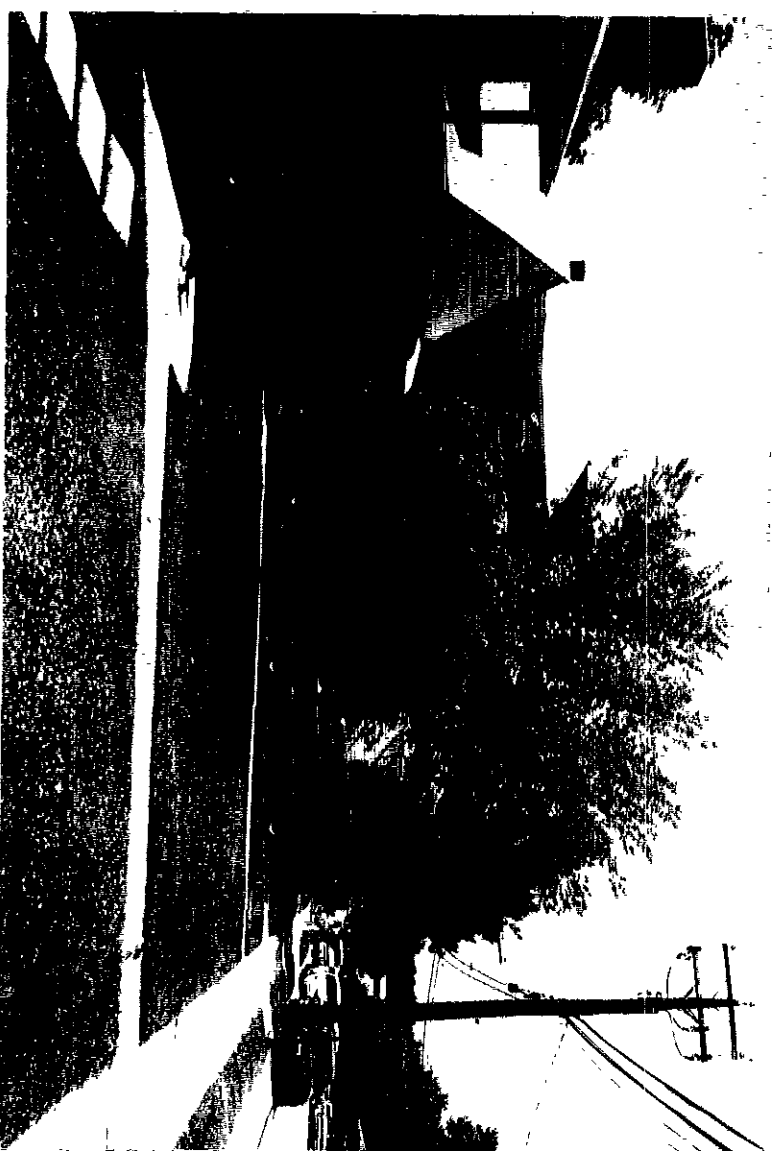
F, Rear deck and back
door to first floor
apartment

6. View of property on west side of Maple Ave. - note Alberta Elementary School across highway on right





H. Looking west on front of 1307 on duplicate
 spring from Millers Avenue.



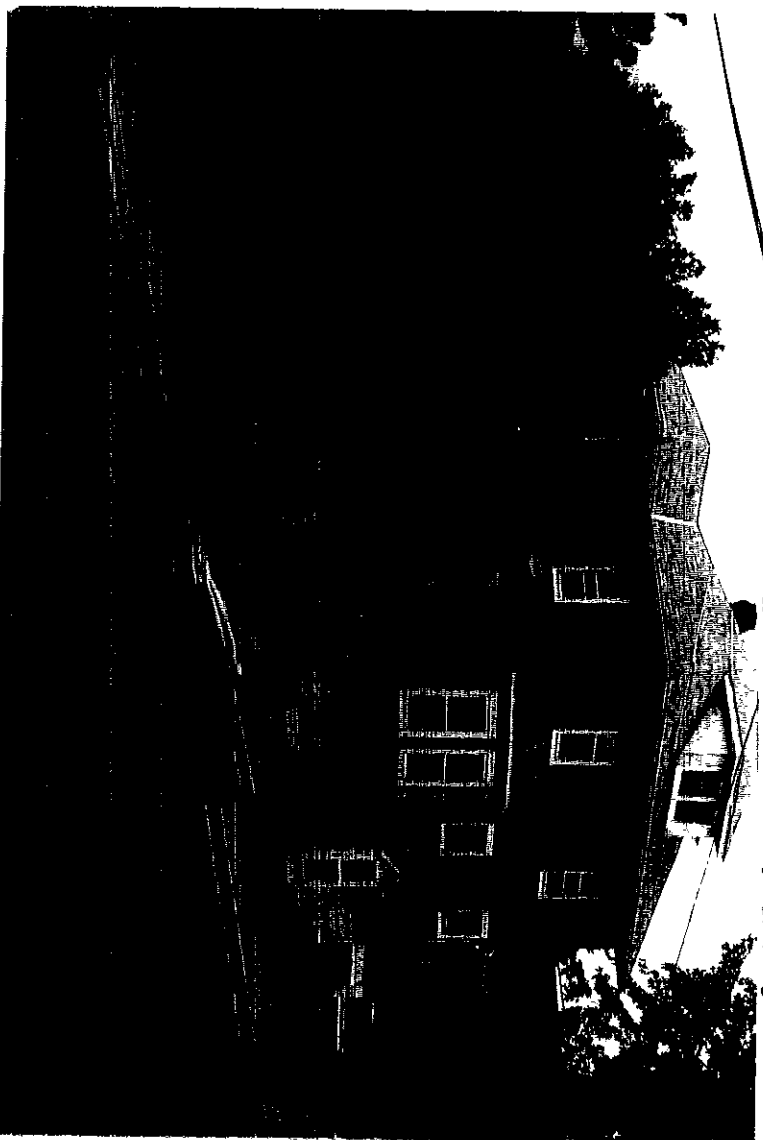
I. Front yard of 1307 and adjoining front yard.
 Looking west.



✓ Lorbury south on Millers Ave. from side of 1307 Lorbury spring

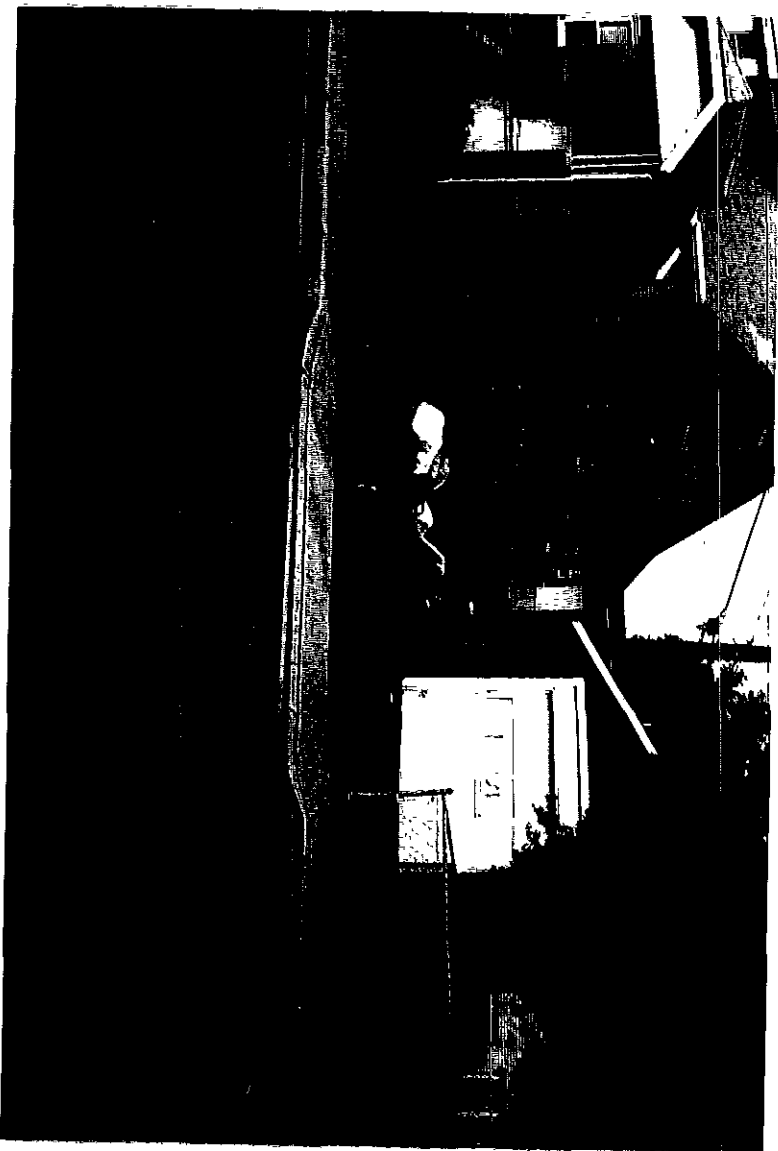


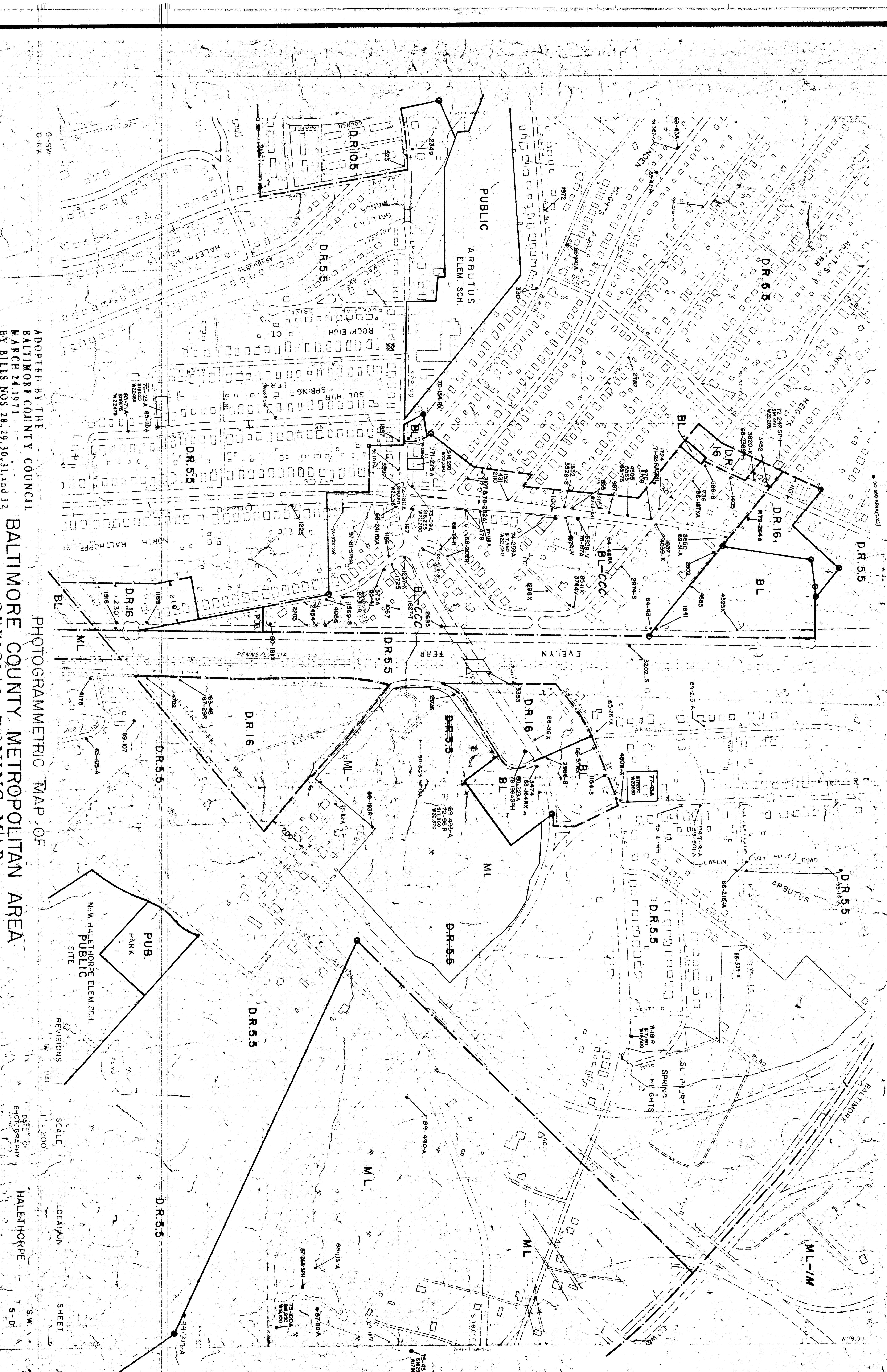
X. View across Millers Ave. from 1307, Lorbury south at





L. Arbutus Elementary School on north
side of Superior Spring Road at
W. Valley Ave., opposite the house
at 1307





ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
MARCH 24, 1971
BY BILLS NOS. 28, 29, 30, 31, and 32

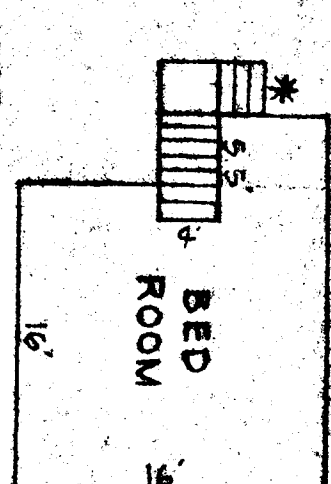
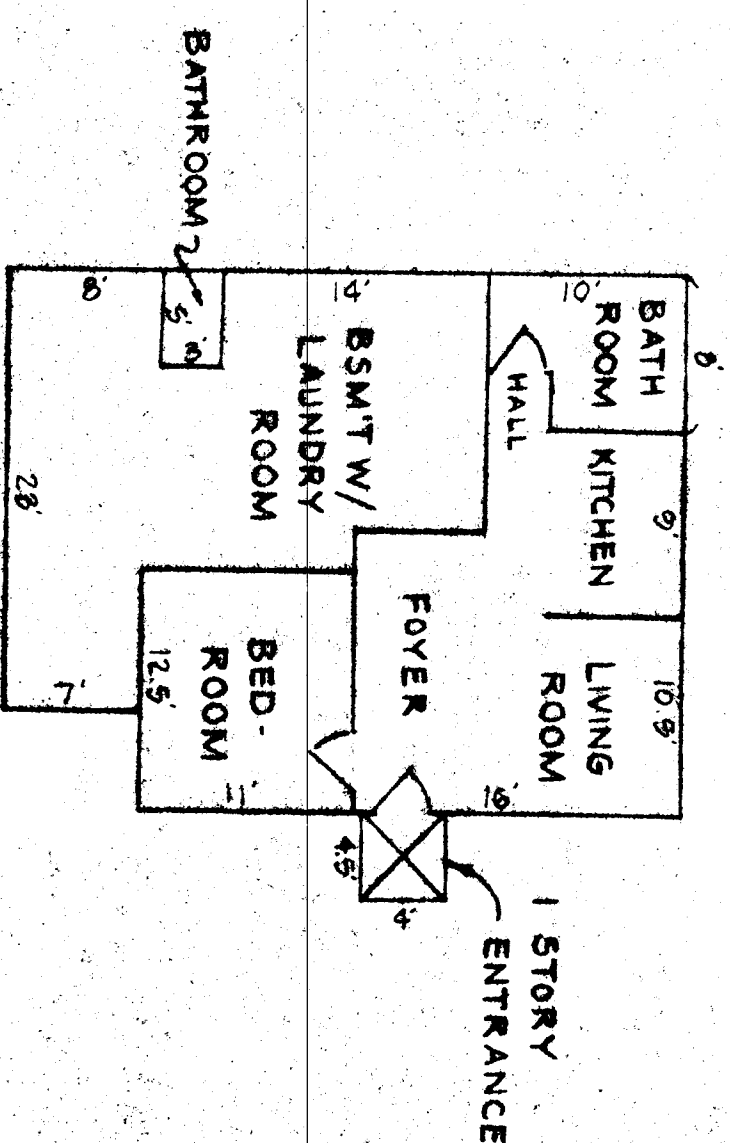
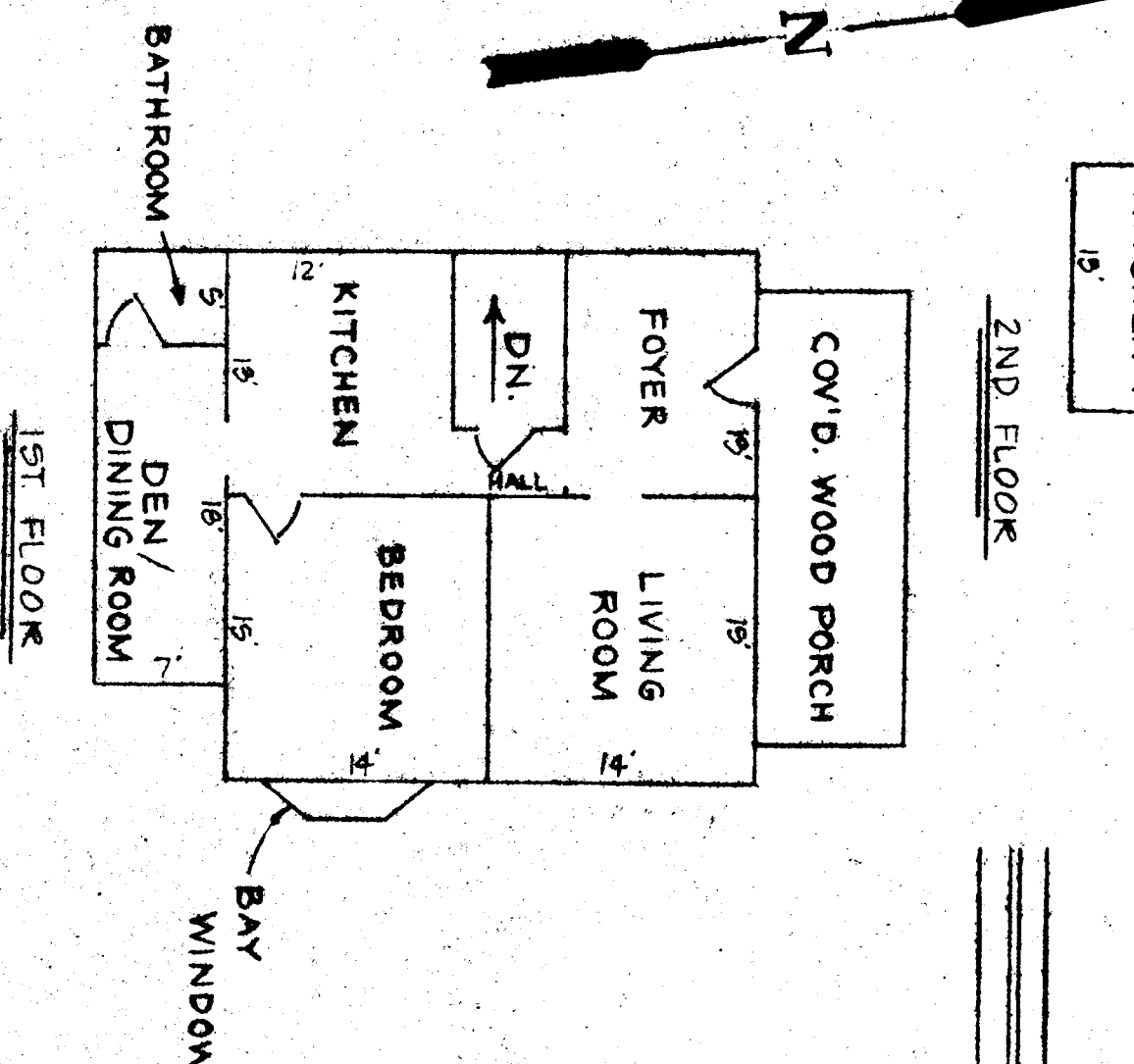
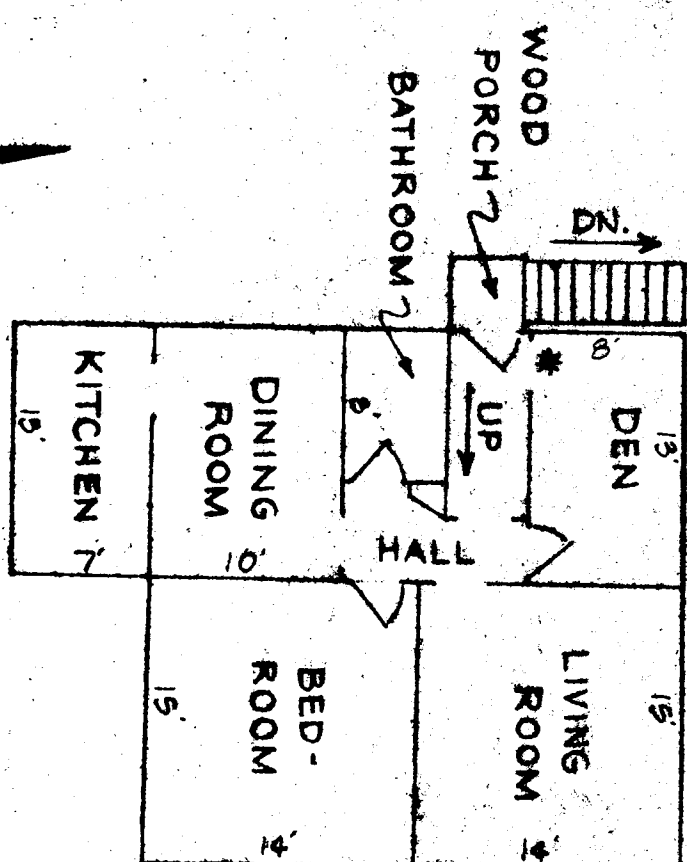
PHOTOGAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

DATE OF
PHOTOGRAPHY
HALETHORPE
7-5-D

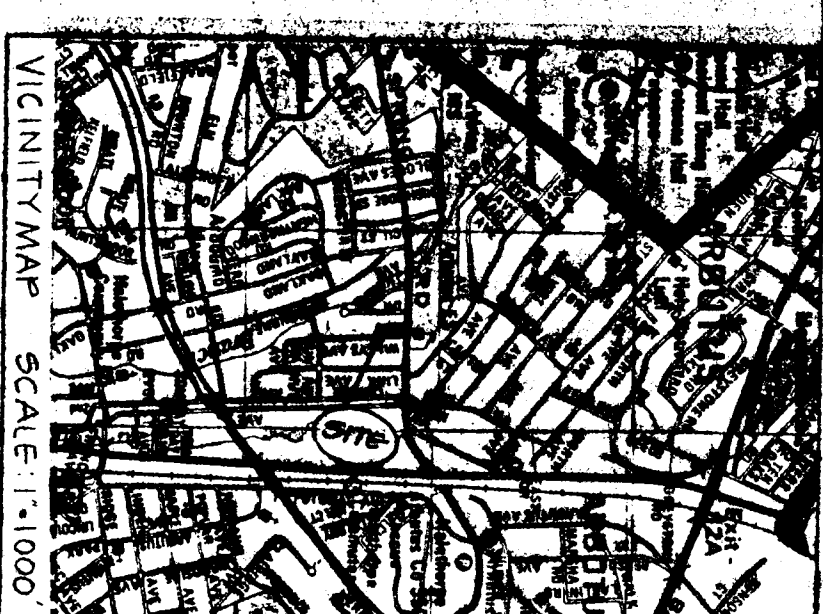
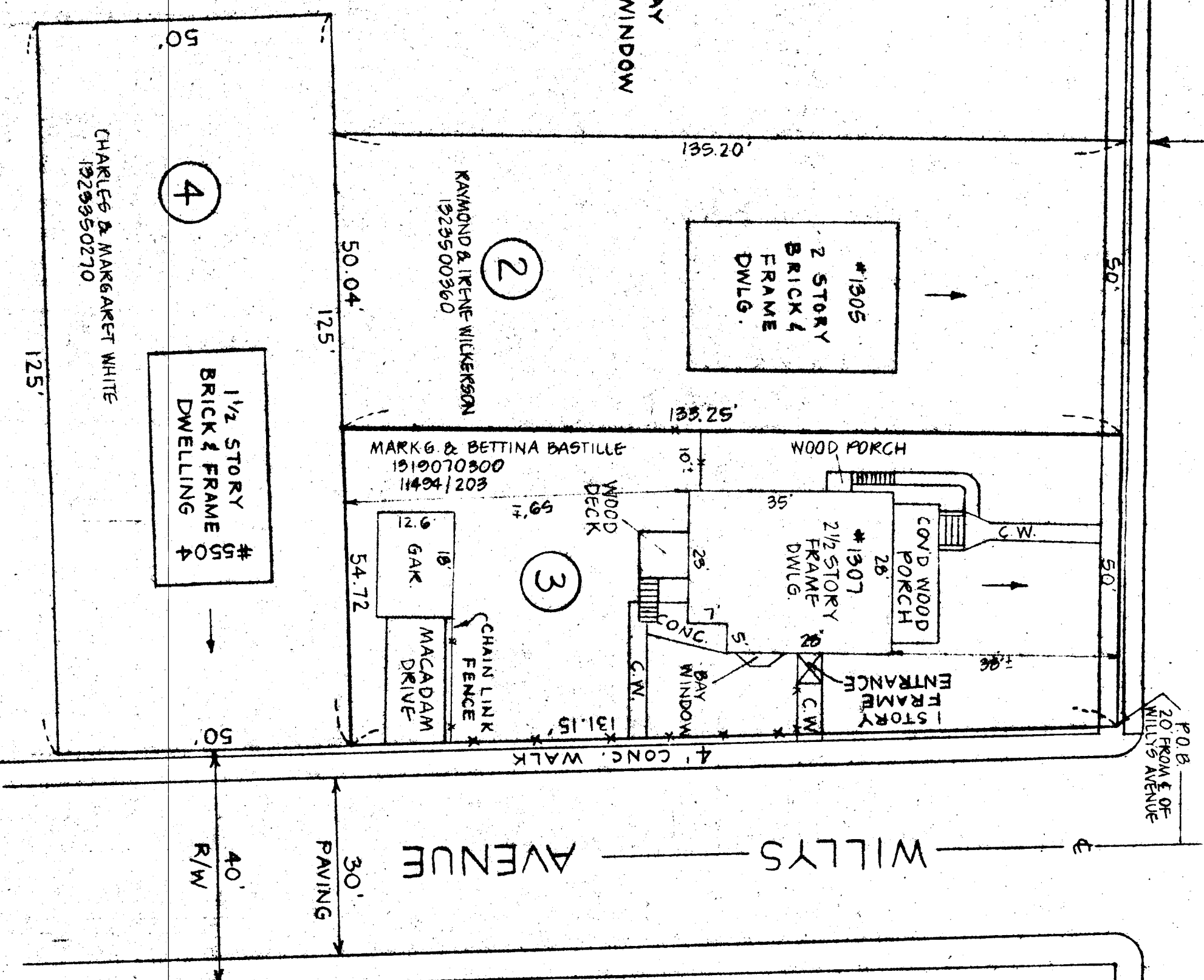
PUB.
PARK
NEW HALETHORPE ELEM SCH.
PUBLIC
SITE

REVISIONS
DATE
SCALE
1" = 200'
LOCATION
SHEET

FLOOR PLANS SCALE: 1"=10'



SULPHUR SPRING ROAD
(50' R/W)



- LOCATION INFORMATION
1. COUNCILMANIC DISTRICT: 1
 2. ZONING MAP: SW 5-D
 3. ZONING MAP: SW 5-D
 4. LOT SIZE: 0.125
 5. ACRES: 0.9219
 6. SEWER & WATER: PUBLIC
 7. CHESEBROUGH BAY CRITICAL AREA: NO
 8. PRIOR ZONING HEARINGS: NONE
 9. NOT IN A FLOOD PLAIN

PLAT TO ACCOMPANY PETITION
FOR SPECIAL HEARING
#1807 SULPHUR SPRING ROAD

SULPHUR SPRING TERRACE

LOT 3
(7-99)
ELECTION DISTRICT NO 15
BALTIMORE CO MD
SCALE: 1"=20'
NOVEMBER 10, 1997

OWNER: MARK G. & BETTINA BASTILLE
1602 SPRING LANE
BRANDON, FLORIDA 33510
TAX ID: 18070300
DEED REF: 11494/203
INWMP: 102, GRID 5, PARCEL 618

DEVELOPMENT
FINANCERS, INC.

200 E. JOEPA ROAD
ROOM 101, SUITE 100
TOWSON, MD 21206
(410) 628-9060

71-7976
ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #
5893 737 98-337-SPH

98-337-SPH

13-R6-14

13-R6-17

13-R6-10

13-M1-9

9

G-SW
C-NW

BALTIMORE COUNTY METROPOLITAN AREA

PHOTOGRAMMETRIC MAP OF

REVISIONS

SCALE

LOCATION

SHEET

S.W.

DATE OF
PHOTOGRAPHY

HALETHORPE

5-D

13TH DIST.

13TH DIST.

Compiled By Photogrammetric Methods

APRIL 1953

13TH DIST.

13TH DIST.

[illegible]

Ellen Alers
Archivist III