MEMORANDUM

DATE:

January 15, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0066-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on January 14, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

/dlw

IN RE: PETITION FOR SPECIAL HEARING

(7436 Bradshaw Road)

11th Election District

5th Council District

Richard A. Robinson &

Dennis Robinson, Sr.

Legal Owners

BEFORE THE

OFFICE OF

FOR BALTIMORE COUNTY

ADMINISTRATIVE HEARINGS

Case No. 2019-0066-SPH

Petitioners

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Richard A. Robinson & Dennis Robinson, Sr., legal owners ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve a non-conforming use for a 2 or 3 unit dwelling instead of a permitted single-family dwelling. A site plan was marked and admitted as Petitioners' Exhibit 1.

Richard A. Robinson appeared in support of the petition. John B. Gontrum, Esq. represented Petitioners. Doug Behr attended the hearing on behalf of the Greater Kingsville Civic Assn., Inc. to obtain additional information regarding the request. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning ("DOP") and the Department of Environmental Protection and Sustainability ("DEPS"). Neither agency opposed the request.

The subject property is 27,991 square feet in size and zoned RC-5. The property is improved with a dwelling constructed in 1949. At the time the dwelling was constructed records from the Office of Zoning Review establish the property was in the "A" zone (Cottage) established in the 1945 zoning regulations. According to photographs (Petitioners' Exhibit 3) and affidavits

ORDER RECEIVED FOR FILING

By.

(Pets. Exhibit 4) submitted at the hearing, the house was constructed as a "two-family dwelling," which under the 1945 zoning regulations (which were applicable at the time this structure was built), is defined as a "dwelling...used for occupancy by not more than two families....Such a dwelling shall have one housekeeping unit over the other." BCZR (1945) §I, ¶12. The subject property is constructed in this fashion, and thus it was a lawful use and structure when built in 1949, since the applicable regulations permitted such use in the "A" (cottage) zone. BCZR (1945) §III.A.3.

The two family use continued from 1949 until 1988, at which time the owner added two additional units in the basement for a total of four dwelling units. Following discussions with the community association, Petitioners do not seek a determination approving a 3 or 4 unit nonconforming use. Instead, Petitioners and the community have reached an agreement whereby the existing tenant(s) in the basement shall be permitted to stay, subject to certain conditions. When the basement tenant(s) have moved, the property will be permitted to continue as a two family dwelling pursuant to BCZR Section 104. Conditions will be included below to incorporate into this order the terms set forth in that agreement.

THEREFORE, IT IS ORDERED this <u>13th</u> day of **December**, **2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve a non-conforming use for a two (2) unit dwelling instead of a permitted single-family dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 1. Petitioners' current use of the dwelling for three (3) separate families may continue for so long as Patty Tabeling, Lorraine Vittilo and Richard Robinson are living in the dwelling.
- 2. When either Patty Tabeling or Lorraine Vittilo leave and no longer reside in the dwelling, it shall permanently revert to a two-family dwelling, and the apartments (including any kitchen and/or bathroom facilities) shall be removed.
- 3. The terms and conditions set forth herein may be enforced by the Baltimore County Bureau of Code Enforcement.

ORDER REC			
Date	2113	18	NAME AND ADDRESS OF THE OWNER, THE
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Any appeal of this decision must be filed within thirty (30) days of the date of this Order.

JOHN B. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

3

ON FOR ZONING HEAR 3(S)

To be filed with the Department of Permits, Approvals and Inspections To the Office of Administrative Law of Baltimore County for the property located at:

Address 7436 Bradshaw Road which is presently zoned RC 5 Deed References: 38154/170 10 Digit Tax Account # __1126000540

Property Owner(s) Printed Name(s) Richard A. Robinson; Dennis Michael Robinson, Sr.

(SELECT THE HEARING(S) BY N	IARKING X AT THE APPROPE	RIATE SELECTION AND	PRINT OR TYPE THE	PETITION REQUEST)
The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:				
X a Special Hearing under or not the Zoning Commissioner permitted single family dwelling	should approve a non-co			
2 a Special Exception unde	r the Zoning Regulations	of Baltimore County	to use the herein de	escribed property for
a Variance from Section(of the zoning regulations of Ba		coning law of Baltir	nore County, for the	e following reasons:
Property is to be posted and advertised as I, or we, agree to pay expenses of above and restrictions of Baltimore County adop Legal Owner(s) Affirmation: I / we do so which is the subject of this / these Petition Contract Purchaser/Lessee:	petition(s), advertising, posting, ted pursuant to the zoning law for solemnly declare and affirm, un	etc. and further agree to or Baltimore County. nder the penalties of per	ury, that I / We are the le	
ontract Purchaser/Lessee:			(Petitioners): pinson/Dennis Micha	el Robinson, Sr
ame - Type or Print		Name #1 – Type o	r Print Nan	ne #2 – Type or Print
ignature		Signature #1 7436 Bradshav		ature # 2
lailing Address City	State	Mailing Address 21087-1651	City 410-299-4947	State
ip Code Telephone #	Email Address	Zip Code	Telephone #	Email Address
ttorney for Petitioner:		Representativ	e to be contacted:	
ohn B. Gontrum, Esquire		John B. Gontru	ım, Esquire	
ame- Type or Print		Name — Type or	Print	
ignature Whiteford, Taylor & Pr	reston	Signature	Whiteford, Taylor & Pre	eston
W. Pennsylvania Ave., Ste. 300,	Towson MD	1 W. Pennsylvai	nia Ave., Suite 300, To	wson, MD
lailing Address City 1204 410-832-2055 jg	State ontrum@wtplaw.com	Mailing Address 21204	City 410-832-2055	State jgontrum@wtplaw.com
ip Code Telephone #	Email Address	Zip Code	Telephone #	Email Address
ASE NUMBER 2019 - 0066 - 50	H Filling Date 8 128 1 18	Do Not Schedule	Dates:	Reviewer_==
		OR	DER RECEIVED	FOR FILING

Brian R. Dietz

Professional Land Surveyor #21080

7867 Oakdale Avenue, Baltimore, MD 21237 Phone 410-686-1198 Fax 410-682-6021

> Zoning Description For 7436 Bradshaw Road August 20, 2018

Beginning for the same in the center of Bradshaw Road, distant 640 feet +/- from the center of Jerusalem Road, thence leaving Bradshaw Road,

- 1. North 57 degrees 40 minutes 15 seconds East 15.00 feet,
- 2. North 57 degrees 40 minutes 15 seconds East 195.49 feet,
- 3. South 42 degrees 37 minutes 35 seconds East 25.11 feet,
- 4. South 43 degrees 55 minutes 58 seconds East 10.20 feet,
- 5. South 71 degrees 18 minutes 06 seconds East 31.41 feet,
- 6. South 34 degrees 05 minutes 00 seconds East 62.63 feet.
- 7. South 59 degrees 24 minutes 45 seconds West 58.11 feet,
- 8. South 59 degrees 24 minutes 45 seconds West 200.10 feet, to the center of said Bradshaw Road, thence running with an binding in the center of said Road
- 9. North 24 degrees 20 minutes 15 seconds West 100.00 feet, and
- 10. North 24 degrees 20 minutes 15 seconds West 15.47 feet to the place of beginning.

Containing 0.643 of an Ac. or 27,991 sq.ft. of land more or less. Being known as 7436 Bradshaw Road and located in the 11th Election District, 5th Councilmanic District.





Debra Wiley

From:

Marty Ogle <mert1114@aol.com>

Sent:

Wednesday, October 24, 2018 8:16 AM

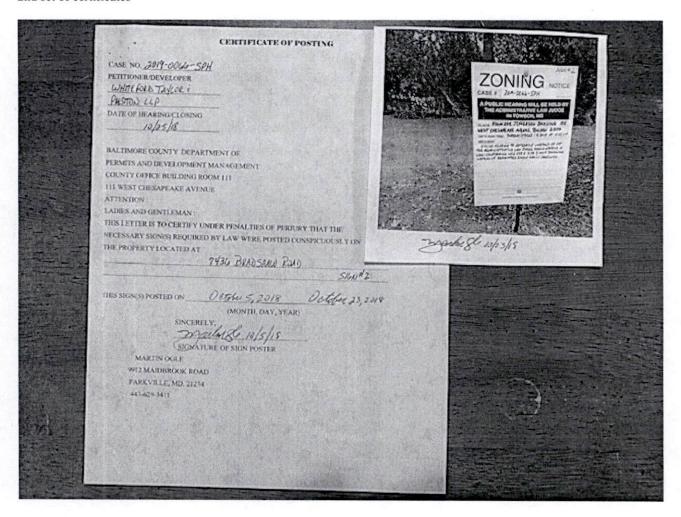
To:

Administrative Hearings

Subject:

7436 Bradshaw Rd.

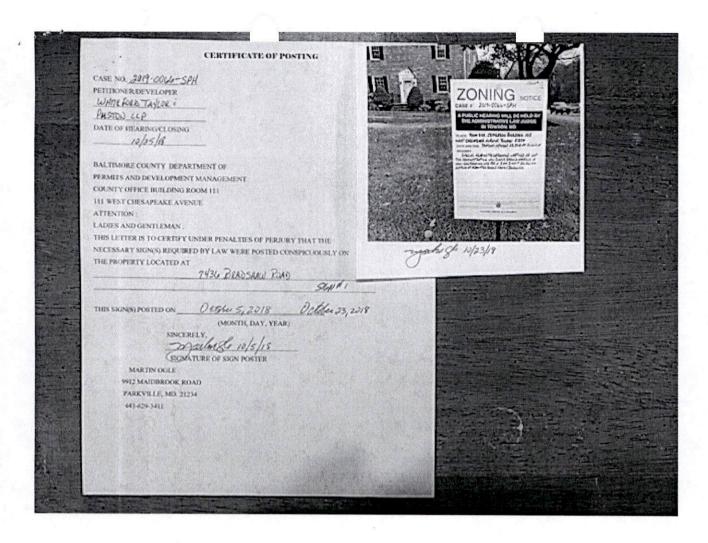
2nd set of certificates



RECEIVED

OCT 2 4 2018

OFFICE OF ADMINISTRATIVE HEARINGS



Sent from my iPhone

RECEIVED

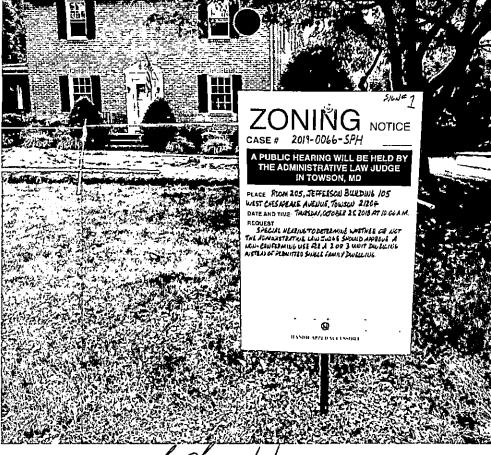
OCT 2 4 2018

OFFICE OF ADMINISTRATIVE HEARINGS

ERTIFICATE OF POSTIN

CASE NO. 2019-0066-SPH
PETITIONER/DEVELOPER
WHITE FORD TAYLOR :
PRESTON LLP
DATE OF HEARING/CLOSING
10/25/18
·
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMAN:
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
7436 BRADSHAW ROAD
S16N#1
THIS SIGN(S) POSTED ON October 5, 2018 (MONTH, DAY, YEAR)
SINCERELY, 2
Mailur 20/5/18
SIGNATURE OF SIGN POSTER
MARTIN OGLE

9912 MAIDBROOK ROAD PARKVILLE, MD. 21234 443-629-3411



Jagadu 8 10/5/18

ERTIFICATE OF POSTIN

CASE NO. 2019-0066-SPH
PETITIONER/DEVELOPER
WHITE FORD TAYLOR :
PRESTON LLP
DATE OF HEARING/CLOSING
10/25/18
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMAN:
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
7436 BRADSHAW ROAD
S16N#2
THIS SIGN(S) POSTED ON October 5, 2018
(MONTH, DAY, YEAR)
SINCERELY, DIS/18
SIGNATURE OF SIGN POSTER
MARTIN OGLE
9912 MAIDBROOK ROAD

MARTIN OGLE 9912 MAIDBROOK ROAD PARKVILLE, MD. 21234 443-629-3411



Mathe 10/5/18



DONALD I. MOHLER III County Executive

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

September 12, 2018

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0066-SPH

7436 Bradshaw Road N/s Bradshaw Road, 640 ft. w/of Jerusalem Road 11th Election District – 5th Councilmanic District Legal Owners: Richard Robinson, Dennis Robinson Sr.

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for a 2 or 3 unit dwelling instead of permitted single family dwelling.

Hearing: Thursday, October 25, 2018 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jabion Director

AJ:kl

C: John Gontrum, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204 Richard Robinson, Dennis Robinson, Sr., 7436 Bradshaw Road, Kingsville 21087

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 5, 2018.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO:

THE DAILY RECORD

Friday, October 5, 2018 Issue

Please forward billing to:

Richard Robinson 7436 Bradshaw Road Kingsville, MD 21087 410-299-4945

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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7436 Bradshaw Road N/s Bradshaw Road, 640 ft. w/of Jerusalem Road 11th Election District – 5th Councilmanic District Legal Owners: Richard Robinson, Dennis Robinson Sr.

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Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING
7436 Bradshaw Road; N/S Bradshaw Road,
640' W from c/line of Jerusalem Road
11th Election & 5th Councilmanic Districts
Legal Owner(s): Richard & Dennis Robinson
Petitioner(s)

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

* 2019-066-SPH

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED
SEP 0 6 2018

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO

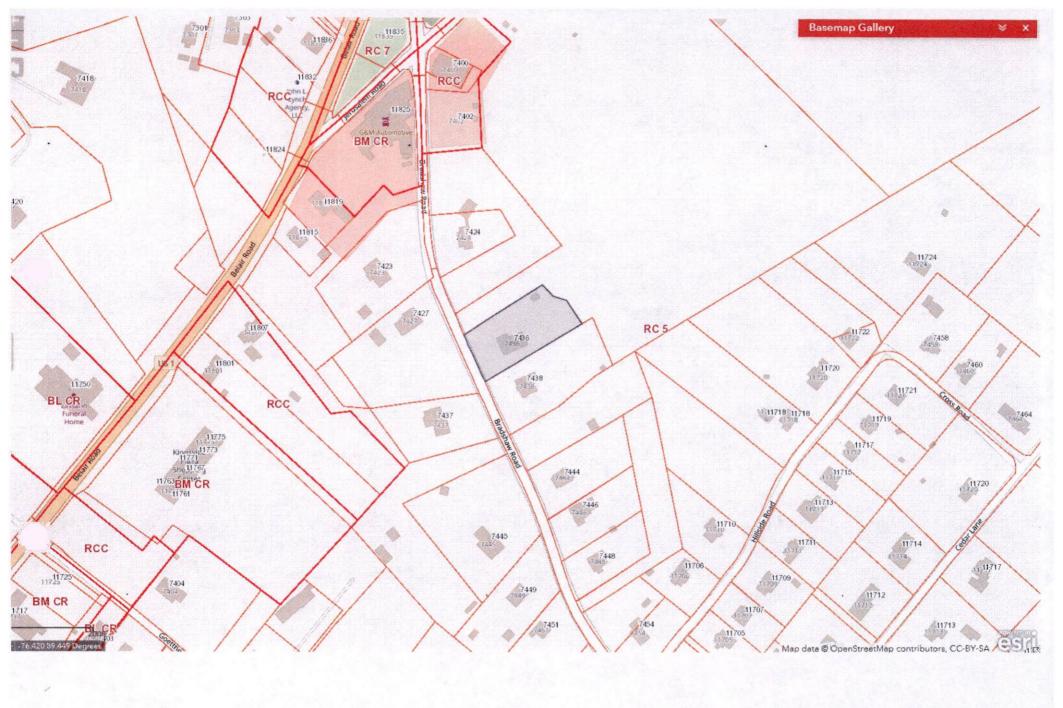
Deputy People's Counsel Jefferson Building, Room 204 105 West Chesapeake Avenue Towson, MD 21204 (410) 887-2188

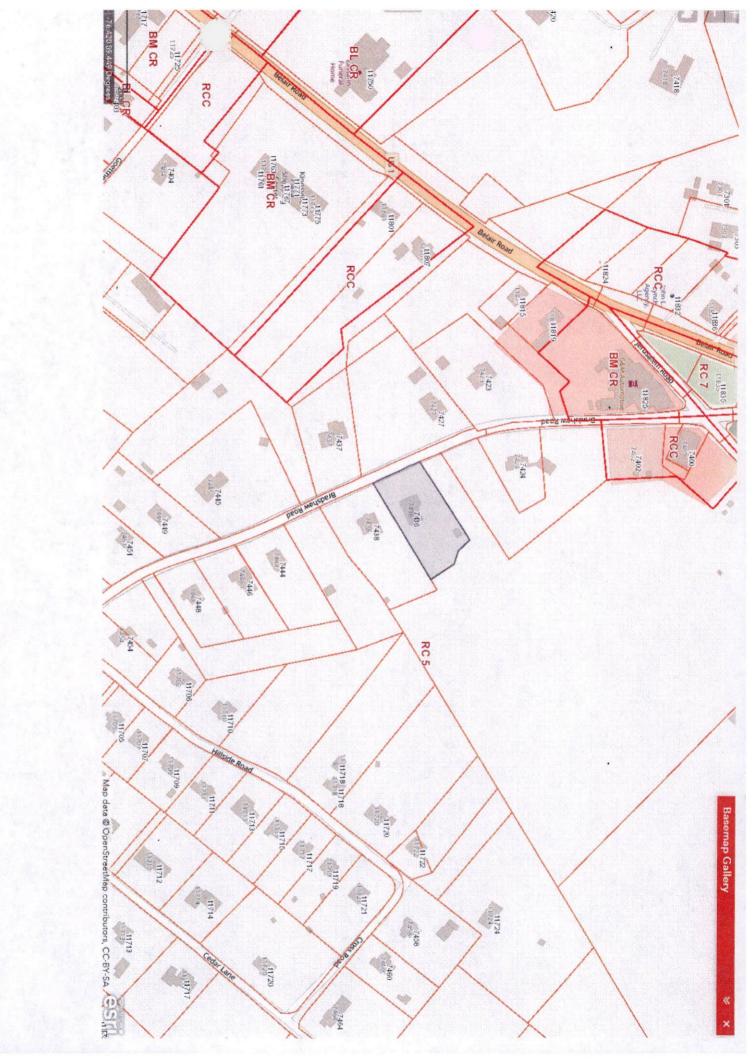
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of September, 2018, a copy of the foregoing Entry of Appearance was mailed to John Gontrum, Esquire, Whiteford, Taylor & Preston, 1 West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County





Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204
www.baltimorecountymd.gov/Agencles/permits/



 Code Enforcement
 410-887-3351

 Electrical Inspection
 410-887-3960

 Plumbing Inspection
 410-887-3620

 Building Inspection
 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

Richard A Robinson Dennis Michael Robinson SR 7436 Bradshaw Rd Kingsville, MD 21087
 CASE NUMBER
 PROP.TAX ID

 CC1806450
 11-26-000540

 VIOLATION ADDRESS

KINGSVILLE, MD 21087-1651

7436 BRADSHAW RD

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	inspector's Comments
B.C.Z.R 402: Illegal conversion of dwelling	Illegal conversion of single family house to multiple units in a RC5 Zone - convert house back into a single family dwelling
Other Violation(s)	Zoning RC5
	BCZR 1A04, 1A04.2 House contains 2 or more apartments - Zone allows for single family dwellings only, convert house back into a single family dwelling

Failure to comply with this correction notice, may result in a \$200.00 fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 07/05/2018 INSPECTOR ID: 47
ISSUED DATE: 06/05/2018

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

- 1. It is important that you read this document carefully, as it charges you with the commission of a crime.
- If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine imprisonment, or both.
- 3. If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
- A lawyer can give important assistance to you;
 - (a) on how to correct the violation(s) in order to avoid trial or
 - (b) at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
- A conviction for each violation will subject you to potential fines of \$200. \$500. \$1000 per day per violation, depending on the violation, or \$0 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-802.
- 6. It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
- 7. Upon correction of these violation(s), contact the inspector for re-inspection, if you have any questions contact the inspector promptly.

The Daily Record

11 East Saratoga Street Baltimore, MD 21202-2199 (443) 524-8100

http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

10/5/2018

Order#:

11621347

Case #: 2019-0066-SPH

Description:

CASE NUMBER: 2019-0066-SPH NOTICE OF ZONING

HEARING

(Representative Signature)

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2019-0066-SPH

7 436 Bradshaw Road

Ws Bradshaw Road, 640 ft. w/of Jerusalem Road 11th Election District- 5th Councilmanic District

Legal Owners: Richard Robinson, Dennis Robinson Sr.

Special Hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for a 2 or 3 unit dwelling instead of

permitted single family dwelling Hearing: Thursday, October 25, 2018 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Director of Permits, Approvals and Inspections for Baltimore County NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE FOR SPECIAL ACCOMIDATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

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

For Newspaper Advertising:
Case Number: 2019 - 0066 - SPH
Property Address: 7436 Bradshow Rd., Kingsille, md. 2/18)
Property Description:
Legal Owners (Petitioners): Richard Robinson; Devils Robinson 512.
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Name: Richard Robinson
Company/Firm (if applicable):
Address: 7436 Bradshur Pd.
1cingsylle, and. 2108)
Telephone Number: 410 - 249 - 4945

BALTIMORE COUNTY, MARYLAND	
OFFICE OF BUDGET AND FINANCE No. 170314	
	AUSTNESS COTURE TIME TRU
Date 8/28/18	7.28/2018 8/28/2018 10:27:49 2
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DONALD I. MOHLER III
County Executive

Richard Robinson & Michael Robinson Sr.
7436 Bradshaw Rd.
Kingsville, MD 21087

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

Dear Mr Richard Robinson & Mr Michael Robinson Sr.:

RE: Case Number: 2019-0066SPH, Address: 7436 Bradshaw Rd.

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 28, 2018. This letter is not an approval, but only a NOTIFICATION.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel

John B Gontrum, Esquire 1 W Pennsylvania Ave. Ste 300 Towson, MD 21204

STRATIVE MEARINGS

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

DATE: 10/2/2018

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 19-066

INFORMATION:

Property Address:

7436 Bradshaw Road

Petitioner:

Richard A. Robinson, Michael Robinson, Sr.

Zoning:

RC 5

Requested Action:

Special Hearing

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve a non-conforming use for a 2 or 3 unit dwelling instead of permitted single family dwelling.

- The Department does not oppose the non-conforming use of the property as a 2 unit dwelling provided it is established that the non-conforming multiple units existed since at least 1955. Data available through SDAT indicate the structure was built in 1951. The Department does not support a 3 unit dwelling on the property as it is out of character in the rural area and would not integrate.
- It is the understanding of the Department that a 3 unit dwelling constructed in 1955 could only be as a permitted apartment house as defined in the 1945-1955 BCZR.

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

Prepared by:

loyd T. Moxley

Division Chief:

AVA/JGN/LTM/

c: Joseph Wiley John B. Gontrum, Esquire Office of the Administrative Hearings People's Counsel for Baltimore County



Inter-Office Correspondence



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

September 10, 2018

SUBJECT:

DEPS Comment for Zoning Item

2019-0066-SPH

Address

7436 Bradshaw Road

(Robinson Property)

Zoning Advisory Committee Meeting of September 10, 2018.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. Ground Water Management will need to review any future building permits to change the use to multiple units – since that could affect the septic system capacity there.

Reviewer:

Dan Esser

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 19-066

INFORMATION:

Property Address: 7436 Bradshaw Road

Petitioner:

Richard A. Robinson, Michael Robinson, Sr.

Zoning:

RC 5

Requested Action:

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

Prepared by:

Lloyd T. Moxley

Division Chief:

Jenifer C. Nugent

DEPARTMENT OF PERMITS DEPARTMENT OF PERMITS INSPECTIONS APPROVALS AND INSPECTIONS

AVA/JGN/LTM/

c: Joseph Wiley

John B. Gontrum, Esquire

Office of the Administrative Hearings

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: September 24, 2018

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For September 10, 2018

Item No. 2019-0062-A, 0063-A, 0065-A, 0066-SPH, 0067-SPHX, 0068-A

and 0071-A

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

VKD: cen



Larry Hogan Governor Boyd K. Rutherford

Lt. Governor

Pete K. Rahn Secretary Gregory Slater

Administrator

Date: 9/7/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0066-SPH

Special Heiring Richard A. Robinson, Dennis Michael Robinson, Sr. 7436 Bradshaw Rord.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

Case No.:	20	19-	0061	6-SPH	92 W
Case Ivo			U U		

Exhibit Sheet

Petitioner/Developer

on sheet

12-13-18 Sen

Protestant

No. 1		
= 1	Site plan	
No. 2	2A-2F Deeds, Title history to prop.	
	. Title history to prop.	
No. 3	Photograph Addendum	
	t hotograph tradition.	
No. 4	4A Affidavits	
No. 5	E-mail from People's Coursel	
No. 6		
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No. 7		
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TICKET APR

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Test: Thomas L. Hofferbert Thomas L. Hofferbert

Michael Merutowics

(Seal)

Michael Marutowicz

Frances Marutowics

(Seal)

Frances Marutowicz

State of Maryland, City of Baltimore, to wit:

I HEREBY CERTIFY, That on this 8th day of June in the year one thousand nine hundred and forty-nine, before me, the subscriber, a Motary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared Michael Marutowicz and Frances Narutowicz. his wife, known to me (or satisfactorily proven) to be the above named grantors, and severally atknowledged the foregoing Deed to be their respective act, and in my presence signed and sealed the same.

As Witness my hand and Notarial seal.

Thomas L. Hofferbert

Thomas L. Hofferbert Notary Public (Notarial seal) My commission expires May 7, 1951 Recorded Jun 10, 1949 at 10:50 A M & Exd per T Braden Silcott - Clerk (Rec MP) (Exd W & D)

97633- Edward C. Green et al Deed to - Wm W. Bell et al Sts \$1.10 Fed \$1.10

et al., Trustees, recorded as aforesaid.

This Deed, made this 28th day of May, in the year 1949. by Edward C. Green and Marie C. Green, his wife, Ethel E. Green, Widow, and Anna M. Green, widow, all of Baltimore-County, State of Maryland.

Witnesseth, That for and in consideration of the sum of Ten Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Edward C. Green and Parie C. Green, his wife, Ethel E. Green, Widow, and Anna M. Green, widow, do hereby grant and convey unto William W. Bell and Bertha S. Bell, his wife, as tenants by the entireties, an undivided one-half interest, and unto Wilda B. Campbell, Widow, an undivided onehalf interest, (the holders of each one-half interest to hold as joint tenants, and not as tenants in common, with the holders of the other interest), in and to all that lot or parcel of land situate, lying and being in the Eleventh Election District of Baltimore County, on the Easterly side of Sunshine Avenue, in or near the Village of Kingsville, and more particularly described by metes and bounds, courses and distances, as follows:

Beginning for the same at a point in the center line of Sunshine Avenue at the distance of 210.30 feet measured Southerly along the center line of Sunshine Avenue from the end of the South 16º East 331 foot line of the land which, by deed dated May 22, 1935, and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 954, folio 293, was conveyed by T. Bayard Williams, et al., Trustees, unto William H. Green, et al., and running thence and binding on the center line of Sunshine Avenue and also on a part of said line as now surveyed, South 140 47' East 100.00 feet; thence for lines of division North 680 58' East 200.10 feet; thence north 14° 47' West 100.00 feet; and thence south 68°58' West 200.10 feet, to the place of beginning, containing one-half (1) an acre of land, more or less, as surveyed by Albert E. Pohmer, Surveyor, in May, 1949; Being a part of the land described in and conveyed by the aforesaid deed from T. Bayard Williams,

Together with all the improvements thereon and all the rights, roads, ways, waters, easements, privileges and appurtenances thereunto belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said William W. Bell and Bertha S. Bell, his wife, as tements by the entireties, in fee simple, and undivided one-half interest in said lands as memises; and unto the said Wilda B. Campbell, Widow, her heirs and assigns, in fee simple an undivided one-half interest in said lands and premises; the holders of each one-half in

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terest to hold as joint tenants, and not as tenants, inscommon, with the holders of the behar interest.

And the said Edward C. Breen and Marie C. Green, his wife, Ethel E. Green, widow, and Anna M. Green, widow, to hereby covenant to warrant specially the lands and premises above described and hereby intended to be conveyed, and to execute such other and further assurances of the same as may be requisite and necessary.

As Witness our hands and seals, the day and year first above written.

Witness:

Edward C. Green

(Seal)

Edward C. Green

Marie C. Green

(Seal)

Marie C. Green

Ethel E. Green

(Seal)

Ethel E. Green

Anna M. Green

(Seal)

Anna M. Green

State of Maryland, Baltimore County, Sct:

I HEREBY CERTIFY that on this 28th day of May, in the year 1949, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, duly commissioned and qualified, personally appeared Edward C. Green and Marie C. Green, his wife, Ethel E. Green, widow, and Anna M. Green, Widow, and each acknowledged the foregoing deed to be their act.

Witness my hand and Notarial seal.

(Notarial seal)

Anna L. Schutz

Anna L. Schutz Notary Public

Recorded Jun 10., 1949 at 10:50 A M & Exd per T Braden Silcott - Clerk (nec MP)(Exd W & D)

97634 - Frankie Wilson

Deed to - Frankie Wilson & Sons Inc.

This Deed, made this 8th day of February, in the year one thousand nine hundred and forty-nine, by Frankie Wilson, widow, of Anne Arundel County,

in the State of Maryland, of thefirst part, Grantor, and Frankie Wilson & Sons, Inc., a body corporate of the State of Maryland, of the second part, Grantee.

Witnesseth, that in consideration of the sum of five dollars and other good and valuable considerations, receipt whereof is hereby acknowledged, the said Frankie Wilson does grant and convey in fee simple unto the said Frankie Wilson & Sons, Inc., its successors and assigns, all those tracts and parcels of ground particularly described in a deed, dated July 12th, 1946, and recorded among the land Records of Howard County in Liber B.M., Jr. No. 191, folio 232, and among the Land Records of Baltimore County in Liber J.L.I.No. 1536, folio 394, from C. Ferdinand Subert and Charles E. Hogg, Trustees, to said Frankie Wilson.

Together with the buildings and improvements thereupon erected, made or being and all and avery the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise appertaining.

TO HAVE AND TO HOLD the said tracts and parcels of ground and premises above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Frankie Wilson & Sons, Inc., its successors and assigns, in fee simple.

And the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that she will warrant specially the property granted; and that she will execute such further

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LIBER4839 PAGE249



THIS DEED, Made this eighth day of January, in the year one thousand nine hundred and sixty-eight, between JARRETT STANDIFORD BELL, Executor of the Last Will and Testament of Wilda B. Campbell, late of Baltimore County, deceased, party of the first part, and ROBERT G. ZASTAWSKI, JR., BOB ZASTAWSKI and WANDA M. ZASTAWSKI, his wife, parties of the second part.



WHEREAS, Wilda B. Campbell, late of Baltimore County, deceased, by her Last Will and Testament, dated April 2, 1965, and of record in the office of the Register of Wills of Baltimore County in Wills Liber M.T.H. 90, folio 46, appointed the said Jarrett Standiford Bell Executor and conferred upon him power of sale as is more fully set forth in said Will, and



WHEREAS the said party of the first part, Executor as aforesaid, in exercise of the power and authority vested in him under the terms of the aforesaid Will, has sold unto the parties of the second part the property hereinafter described, at and for the sum of Twenty-Eight Thousand Five Hundred Dollars (\$28,500.00), and

WHEREAS said sale has been duly reported to the Orphans'
Court of Baltimore County and has been finally ratified and confirmed on December 27, 1967, and

WHEREAS, the full amount of the purchase price has been fully paid and satisfied, therefore these presents are executed.

NOW, THEREFORE, THIS DEED WITNESSETH, That in consideration of the sum of Twenty-eight Thousand Five Hundred Dollars (\$28,500.), the receipt whereof is hereby acknowledged, the said Jarrett Standiford Bell, Executor as aforesaid, acting in exercise of, by virtue of, and in pursuance of the power and authority conferred

GERALD KERR
RICHARD N. KERR
BALTIMORE, MD.

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upon him by the hereinbefore recited Last Will and Testament, does hereby grant and convey unto the said parties of the second part, as joint tenants and not as tenants in common, their assigns, the survivors or survivor of them, and the heirs and assigns of such survivor, in fee simple, all that certain lot of ground, situate, lying and being in Baltimore County, aforesaid, and described as follows, that is to say.

BEGINNING for the same at a point in the center line of Sunshine Avenue at the distance of 210.30 feet measured southerly along the center line of Sunshine Avenue from the end of the south 16 degrees east 331 foot line of the land which by Deed, dated May 22, 1935, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 954, folio 293, was conveyed by T. Bayerd Williams, et al., Trustees, unto William H. Green, et al., and running thence and binding on the center line of Sunshine Avenue and also on a part of said line as now surveyed south 14 degrees 47 minutes east 100.00 feet, thence for lines of division north 68 degrees 58 minutes west 200.10 feet to the place of beginning containing one-half acre of land, more or less, as surveyed by Albert E. Pohmer, Surveyor, in May 1949.

BEING the same lot of ground which by Deed, dated May 28, 1949, and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1749, folio 492, was granted and conveyed by Edward C. Green, et al, to William A. Bell, Bertha S. Bell and Wilda B. Campbell. The said Bertha S. Bell departed this life on or about December 5, 1957 and the said William W. Bell departed this life on or about November 18, 1964, thereby vesting absolute title in the said Wilda B. Campbell, now deceased.

TOGETHER with the buildings and improvements thereon erected, made or being, and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in any wise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises unto the said parties of the second part, as joint tenants and not as tenants in common, their assigns, the survivors or

LAW OFFICES
GERALD KERR
RICHARD N. KERR
BALTIMORE, MD.

or survivor of them, and the heirs and assigns of such survivor, in fee simple.

WITNESS the hand and seal of said Grantor.

Test:

Richard N. Kerr

Jarrett Standiford Bell, Executor of the Last Will and Testament of Wilda B. Campbell, deceased

STATE OF MARYLAND, HOWARD COUNTY to wit:

I HEREBY CERTIFY, That on this eighth day of January, one thousand nine hundred and sixty-eight, before me, the subscriber, a Notary Public of the State of Maryland, in and for Howard County aforesaid, personally appeared JARRETT STANDIFORD BELL, Executor as aforesaid, and he acknowledged the aforegoing Deed to be his Act.

AS WITNESS my hand and Notarial Seal.

Richard N. Kerr, Notary Public

NERR HOWAIG

Rec'd for record JAN 9 1968 at/2 M

Per Orville T. Gosnell, Clerk

Mail to Recold Kerr

Receipt No. 16 1839

LAW OFFICES
GERALD KERR
RICHARD N. KERR
BALTIMORE, ND.

* 4 * 6.₇ , , -t-. * w y , . ;

This Deed, Made this

third

day of December

in the year one thousand nine hundred and eighty-six , by and between ROBERT G. ZASTAWSKI, JR. and BOB ZASTAWSKI

of Baltimore County

in the State of Maryland, of the first part, and

RENDA K. RESPESS

of the second part.

Witnesseth, That in consideration of the sum of One Hundred Twenty-Five Thousand Dollars (\$125,000.00), receipt of which is hereby acknowledged,

the said parties of the first part

grant and convey unto the said Renda K. Respess

D RC/F 13.00 D F 1X 625.00 D DOCS 625.00 DEED 0 W SH CLERK 1263.00

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her

heirs and assigns, in fee simple, all

that lot

of ground, situate, lying and being in

Baltimore County, State of Maryland, aforesaid, and described as follows, that is to say:-

Beginning for the same at a point in the center line of Sunshine Avenue at the distance of 210.30 feet measured southerly along the center line of Sunshine Avenue from the beginning of the south 16 degrees east 331 foot line of the land which by Deed, dated May 22, 1935, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 954, folio 293, was conveyed by T. Bayard Williams, et al., Trustees, unto William H. Green, et al, and running thence and binding on the center line of Sunshine Avenue and also on a part of said line as now surveyed south 14 degrees 47 minutes east 100.00 feet, thence for lines of division north 68 degrees 58 minutes east 200.10 feet, thence north 14 degrees 47 minutes west 100.0 feet and thence south 68 degrees 58 minutes west 200.10 feet to the place of beginning, containing one-half acre of land, more or less, as surveyed by Albert E. Pohmer, Surveyor, in May 1949.

BEING the same lot of ground which by Deed dated January 8, 1968 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4839 Folio 249 was granted and conveyed by Jarrett Standiford Bell, Executor of the Last Will and Testament of Wilda B. Campbell, deceased, unto Robert G. Zastawski, Jr., Bob Zastawski and Wanda M. Zastawski, his wife. The said Wanda M. Zastawski departed this life on or about January 30, 1980.

MOT 122LICATE TRANSPER

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EXHIBIT 2-C

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said

Renda K. Respess

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heirs and assigns, in fee simple.

And the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and the they will execute such further assurances of the same as may be requisite.

Witness the hand and real of said grantors

Alwith Vaine

STATE OF MARYLAND, Baltimore County

to wit:

Robert G. Zastawski, Jr.

Bob Zastawski (SEAL)

Bob Zastawski

I HEREBY CERTIFY, That on this

third

day of December

in the year one thousand nine hundred and

eighty-six

,before me, the subscriber,

their

a Notary Public of the State of Maryland, in and for

the County

eforesaid,

personally appeared Robert G. Zastawski, Jr. and Bob Zastawski

the above named grantorS ,and they acknowledged the foregoing Deed to be

act.

As Witness my hand and Notarial Seal.

Robert Dilicco

2120g

My commission expires:

DEED

THIS DEED made this

day of July, 2002, by and between Renda K.

Respess, party of the first part and Grantor herein, and Richard A. Robinson, party of the second part, and Grantee herein

WITNESSETH

THAT in consideration of the sum of Two Hundred and Sixty-Thousand Dollars (\$260,000.00) cash in hand paid, receipt of which is hereby acknowledged, the said Grantor, Renda K. Respess, does hereby grant and convey unto the said Grantee, Richard A. Robinson, his personal representatives, heirs and assigns forever in fee simple all those lots or parcels of ground situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

PARCEL ONE:

"BEGINNING for the same at a point in the center line of Sunshine Avenue at the distance of 210.30 feet measured southerly along the center line of Sunshine Avenue from the beginning of the South 16 degrees east 331 foot line of the land which by Deed dated May 22, 1935, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr., No. 954, folio 293, was conveyed by T. Bayard Williams, et al., Trustees, unto William H. Green, et al, and running thence and binding on the center line of Sunshine Avenue and also on a part of said line as now surveyed south 14 degrees 47 minutes east 100.00 feet, thence for lines of division north 68 degrees 58 minutes east 200.10 feet, thence north 14 degrees 47 minutes west 100.0 feet and thence south 68 degrees 58 minutes west 200.10 feet to the place of beginning, containing one-half acre of land, more or less, as surveyed by Albert E. Pohmer, Surveyor, in May, 1949."

BEING the identical parcel of land which by Deed dated the 3rd day of December, 1986, and recorded among the Land Records of Baltimore County, Maryland, in Liber 7427, folio 755, et seq., was granted and conveyed from Robert G. Zastawski, Jr. and Bob Zastawski unto Renda K. Respess, Grantor herein.

PARCEL TWO:

"BEGINNING for the same at an iron bar heretofore set at a common corner between the land of Respess and Corbin at the end of the second or North 68 degrees 58 minutes East 200.10 foot line of that parcel of land conveyed by and described in a Deed from Robert G. Zastawski, Jr. and Bob Zastawski to Renda K. Respess, dated 03 December, 1986, and recorded among the Land Records of Baltimore County in Liber No. 7427, folio 755, running thence and binding on the third and fourth lines respectively of said Deed, (with the bearings herein being based upon the bearing of the seventh or North 05 degrees West 1477 foot line of that tract of land conveyed by and described in a Deed from Eleanor Green Huson, Personal Representative of the Estate of Ethel E. Green, deceased, to Eleanor Green Huson, and recorded among the aforesaid Land Records in Liber No. 6012, folio 81) the three following courses and distances, viz: (1) North 12 degrees 42 minutes 30 seconds West, 100.00 feet to an iron bar heretofore set, (2) South 69 degrees 32 minutes 37 seconds West, 184.79 feet to an iron bar now set, and continuing the same direction, (3) South 69 degrees 32 minutes 37 seconds West 14.95 feet to a point in Bradshaw Road to intersect the fourth or South 16 degrees East 331 foot line of the aforesaid Deed recorded in Liber No. 6012, folio 81, thence leaving the land presently owned by said Respess and binding reversely on part of said fourth line, (4) North 12 degrees 42 minutes 30 seconds West 15.48 feet to a point in said road, thence leaving said road and running for new lines of division through and across the land of said

EXHIBIT 2-D

Green the two (2) following courses and distances, viz: (5) North 67 degrees 48 minutes 07 seconds East 15.00 feet to an iron bar now set and continuing the same direction, (6) North 67 degrees 48 minutes 07 seconds East, binding in part on or near a picket fence, 195.49 feet to an iron bar now set on or near a post and wire fence, thence continuing for new lines of division and binding on or near said post and wire fence the four (4) following courses and distances, viz; (7) South 32 degrees 29 minutes 43 seconds East 25.11 feet to a fence post, (8) South 33 degrees 48 minutes 06 seconds East 10.20 feet to a fence post, (9) South 61 degrees 08 minutes 14 seconds East 31.41 feet to a fence post, and (10) South 23 degrees 57 minutes 08 seconds East 62.63 feet to an iron bar now set, thence leaving said fence and still running for a new line of division, (11) South 69 degrees 32 minutes 37 seconds West 58.11 feet to the beginning hereof, containing 0.19 acres of land, more or less, as surveyed by T.R. Stark & Associates, Inc., in November, 1997, as shown on a plat dated November 6, 1997."

BEING the identical parcel of land which by Deed dated the 20th day of November, 1997, and recorded among the Land Records of Baltimore County, Maryland, in Liber 12597, folio 648, et seq., was granted and conveyed from Eleanor Green Huson, Mildred Green Nolan, Erma Ruth Green, Kathryn Barnsley Green, Personal Representative of the Estate of Edward Earl Green and Eleanor Green Huson, Personal Representative of the Estate of Irene A. Green unto Renda K. Respess, Grantor herein.

THE IMPROVEMENTS THEREON being known as 7436 Bradshaw Road.

SUBJECT to all covenants, restrictions, easements, limitations, et cetera affecting the same as may be found recorded among the Land Records of Baltimore County, Maryland. Reference is hereby made to the aforegoing for further derivation of title thereto.

TOGETHER with the buildings thereupon, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lot of ground and premises unto the said Grantee, Richard A. Robinson, his personal representatives, heirs and assigns forever in fee simple.

AND that the said Grantor, Renda K. Respess, hereby covenants that she has not done, nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, and that she will warrant specially the property hereby granted and will execute such further assurances of the same as may be requisite.

WITNESS THE HANDS AND SEALS OF THE SAID GRANTOR.

WITNESS RENDAK. RESPESS (SEAL)

STATE OF MARYLAND **BALTIMORE COUNTY**

day of July, 2002, before me, the I HEREBY CERTIFY that on this subscriber, a Notary Public, in and for the jurisdiction aforesaid, personally appeared Renda K. Respess, Grantor herein, known to me (or satisfactorily proven to be) to be the person whose name is subscribed to the within instrument and she acknowledged that she executed the same for the purposes therein contained, and further acknowledged that the actual consideration paid to be paid is Two Hundred and Sixty Thousand Dollars (\$260,000.00).

WITNESS MY HAND AND SEAL.



My Commission Expires: 9-1.05

I HEREBY CERTIFY that the aforegoing Deed was prepared by me an attorney licensed to practice law by the Court of Appeals of the State of Maryland.

PTT: 6383

RETURN DOCUMENT TO: THOMAS J. LOCKHART, ESQUIRE PT TITLE COMPANY 108 EAST MAIN STREET **WESTMINSTER, MARYLAND 21157**

AFFIDAVIT OF OWNER/OCCUPIED RESIDENCE

THE UNDERSIGNED, Richard A. Robinson, Grantees, as evidenced by their signatures below, hereby certify under the penalties of perjury pursuant to Section 13-408 Tax Property Article, Annotated Code of Maryland, that the land conveyed herein is residentially improved, owner-occupied, real property and the residence will be occupied by him, as his primary residence.

WITNESS THE HANDS AND SEALS OF THE SAID GRANTEES.

Lublant:

STATE OF MARYLAND

to wit

CARROLL COUNTY

I HEREBY CERTIFY that on this 19th day of July, 2002, before me, the subscriber, a Notary Public, in and for the jurisdiction aforesaid, personally appeared Richard A. Robinson, Grantee herein, known to me (or satisfactorily proven to be) to be the person whose name is subscribed to the within instrument and he acknowledged that he executed the same for the purposes therein contained.

WITNESS MY HAND AND SEAL.

NOTARY PUBLIC

My Commission Expires: 9-1.0



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		y A Str	ate of Marvia	nd !	Land	Instru	ment	: Intake S	Sheet			Recording			
State of Maryland Land Instrument Intake Sheet Baltimore City County: BALTIMORE Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office only.										Clerk					
	Assessments and Taxation, and County Finance Office only. (Type or Print in Black Ink Only—All Copies Must Be Legible)														
	1	Type(s) of instruments	(Check Box if Addendum Intake Form is Attached.) XXDeed Mortgage Other												
	2	Conveyance Type	X Deed of Trust				— IR TAX STAT				TAX STATE	-	1,302.80		
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	3	Tax Exemptions (if Applicable)	Recordation SE BC Blk # 2299 State Transfer N/A App 16, 2222 12:07 Pa												
	Cite 4	teor Explain Authority Consideration and Tax Calculations	County Transfer Consideration Amount							Finance Office Use Only					
			Purchase Price/Consideration \$ 260,000.00 Any New Mortgage \$ 172,000,00						Transfer and Recordation Tax Consideration Transfer Tax Consideration \$						
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e 03	,		Location/Address of Property Being Conveyed (2)												
ailab	арр	dicable information.	7436 BRADSHAW ROAD, KINGSVIILE, MD. 21087 Other Property Identifiers (if applicable) Water Meter Account No.												
e av	c	characters will be exed in accordance	11-26-00 0540												
Da	with	the priority cited in all Property Article	Residential												
6571		ction 3-104(g)(3)(i).	If Partial Conveyance, List Improvements Conveyed:												
62_1	7	Transferred	Doc. 1 - Grantor(s) Name(s) RENDA K. RESPESS						Doc. 2 - Grantor(s) Name(s) RICHARD A. ROBINSON						
			Doc. 1 - Owner(s) of Record, if Different from Grantor(s)						Doc. 2 - Owner(s) of Record, if Different from Grantor(s)						
MSA	_	Transferred To													
552,	8		Doc. 1 - Grantee(s) Name(s) RICHARD A. ROBINSON						Doc. 2 - Grantee(s) Name(s) STEVEN K. OLSON, TRUSTEE						
р. О			New Owner's (Gran						tee) Mailing Address						
3716,	9		7436 BRADSHAW ROAD, KINGSVILLE, MD. 2 Doc. 1 - Additional Names to be Indexed (Optional)						21087 Doc. 2 - Additional Names to be Indexed (Optional)					Optional)	
ĭ.	_ 	Other Names to Be Indexed													
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T (Le		briston volucies e e e	11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER Assessment XX Yes No Will the property being conveyed be the grantee's principal residence?												
S.			Assessment Information Yes XX No Does transfer include personal property? If yes, identify:												
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Mid-Atlantic Title, LLC 100 West Road

- Deed (w Taxes) DEED FROM BROTHER TO BROTHERS only ST20.0

Suite 215 Towson, MD 21204 File No. 16-MT-24675JOC

Tax ID # Parcel One: 11-26-000540 & Parcel Two: 23-00-001490

robinson |Reference/Control #: Surcharge 40 0 LR - Deed State Transfer Tax 331 5 LR - Non-Resident Tax - linked 0.0

This Deed, made this It day of October, 2016, by and between Richard A. 391 Robinson, party of the first part, Grantor; and Richard A. Robinson and Dennis-Michael 451 Robinson, Sr., parties of the second part, Grantees. 10/20/2016 12:30 CCØ3-J

- Witnesseth -

#7144959 CC0301 County/CC03.01.02 -

That for and in consideration of the sum of no actual monetary consideration, but other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said Grantor does grant and convey to the said Richard A. Robinson and Dennis M. Robinson, Sr., as joint tenants and not as tenants in common, the survivor of them and the personal representative, heirs and assigns of the survivor. in fee simple, all that property situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

PARCEL ONE:

BEGINNING for the same at a point in the center line of Sunshine Avenue at the distance of 210.30 feet measured southerly along the center line of Sunshine Avenue from the beginning of the South 16 degrees east 331 foot line of the land which by Deed dated May 22, 1935, and recorded among the Land Records of Baltimore County in Liber CWB, Jr. No. 954, folio 293, was conveyed by T. Bayard Williams, et al., Trustees, unto William H. Green, et al, and running thence and binding on the center line of Sunshine Avenue and also on a part of said line as now surveyed south 14 degrees 47 minutes east 100.00 feet, thence for lines of division north 68 degrees 58 minutes east 200.10 feet, thence north 14 degrees 47 minutes west 100.0 feet and thence south 68 degrees 58 minutes west 200.10 feet to the place of beginning, containing one-half acre of land, more or less, as surveyed by Albert E. Pohmer, Surveyor, in May, 1949.

PARCEL TWO:

BEGINNING for the same at an iron bar heretofore set at a common corner between the land of Respess and Corbin at the end of the secondor North 68 degrees 58 minutes East 200.10 foot line of that parcel of land conveyed by and described in a Deed from Robert G. Zastawski, Jr. and Bob Zastawski to Renda K. Respess, dated 03 December, 1986, and recorded among the Land Records of Baltimore County in Liber No. 7427, folio 755, running thence and binding on the third and fourth lines respectively of said Deed (with the bearings herein being based upon the bearing of the seventh or North 05 degrees West 1477 foot line of that tract of land conveyed by and described in a Deed from Eleanor Green Huson, Personal Representative of the Estate of Ethel E. Green, deceased, to Eleanor Green Huson, and recorded among the aforesaid Land Records in Liber No. 6012, folio 81) the three following courses and distances, viz: (1) North 12 degrees 42 minutes 30 seconds West, 100.00 feet to an iron bar heretofore set, (2) South 69 degrees 32 minutes 37 seconds West, 184.79 feet to an iron bar now set, and continuing the same direction, (3) South 69 degrees 32 minutes 37 seconds West 14.95 feet to a point in Bradshaw Road to intersect the fourth or South 16 degrees East 331 foot line of the aforesaid Deed recorded in Liber No. 6012, folio 81, thence leaving the land presently owned by said Respess and binding reversely on part of said fourth line, (4) North 12 degrees 42 minutes 30 seconds West 15.48 feet to a point in said road, thence leaving said road, and running for new lines of division through and across

the land of said Green the two (2) following courses and distances, viz: (5) North 67 degrees 48 minutes 07 seconds East 15.00 feet to an iron bar now set and continuing the same direction, (6) North 67 degrees 48 minutes 07 seconds East binding in part on or near a picket fence, 195.49 feet to an iron bar now set on or near a post and wire fence, thence continuing for new lines of division and binding on or near said post and wire fence the four (4) following courses and distances, viz; (7) South 32 degrees 29 minutes 43 seconds East 25.11 feet to a fence post, (8) South 33 degrees 48 minutes 06 seconds East 10.20 feet to a fence post, (9) South 61 degrees 08 minutes 14 seconds East 31.41 feet to a fence post, and (10) South 23 degrees 57 minutes 08 seconds East 62.63 feet to an iron bar now set, thence leaving said fence and still running for a new line of division, (11) South 69 degrees 32 minutes 37 seconds West 58.11 feet to the beginning hereof, containing 0.19 acres of land, more or less, as surveyed by T.R. Stark & Associates, Inc., in November, 1997, as shown on a plat dated November 6, 1997."

THE IMPROVEMENTS THEREON being known as Bradshaw Road.

BEING the same property which by Deed dated July 19, 2002, and recorded among the Land Records of Baltimore County in Liber SM No. 16716, page 548, etc, was granted and conveyed by Renda K. Respess unto Richard A. Robinson, in fee simple.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Richard A. Robinson and Dennis M. Robinson, Sr., as joint tenants and not as tenants in common, the survivor of them and the personal representative, heirs and assigns of the survivor, in fee simple.

And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

Grantor hereby declares and affirms under the penalties of perjury that Grantor is a Maryland resident and, therefore, exempt from the income tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland.

As Witness the hand and seal of said Grantor, the day and year first above written.

VITNESS:

Richard A. Robinson

{Seal}

STATE OF MARYLAND, COUNTY OF Smitzery of wit:

I hereby certify that on this // day of October, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Richard A. Robinson, the Grantor herein, known to me (or satisfactorily proven) to be

the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

M. McMANUS NOTA':Y PUBLIC BALTIMORE COUNTY MARYLAND

Notary Public

My commission expires:

3128178

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

James D. O'Connor, Attorney

AFTER RECORDING, PLEASE RETURN TO: Mid-Atlantic Title, LLC 100 West Road, Suite 215 Towson, MD 21204

THICHTE PAID RECEIPT

Mid-Atlantic Title, LLC 100 West Road

100 West Road Suite 215 Towson, MD 21204

File No. 16-MT-24675JOC

Tax ID # Parcel One: 11-26-000540 & Parcel Two: 23-00-001490

This Deed, made this Italian day of October, 2016, by and between Richard A. Robinson, party of the first part, Grantor; and Richard A. Robinson and Densis-Michael Robinson, Sr., parties of the second part, Grantees.

- Witnesseth -

#7144959 CC0301 -Baltimore County/CC03.01.02 -Repister 02

That for and in consideration of the sum of no actual monetary consideration, but other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the said Grantor does grant and convey to the said Richard A. Robinson and Dennis M. Robinson, Sr., as joint tenants and not as tenants in common, the survivor of them and the personal representative, heirs and assigns of the survivor, in fee simple, all that property situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

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the land of said Green the two (2) following courses and distances, viz: (5) North 67 degrees 48 minutes 07 seconds East 15.00 feet to an iron bar now set and continuing the same direction, (6) North 67 degrees 48 minutes 07 seconds East binding in part on or near a picket fence, 195.49 feet to an iron bar now set on or near a post and wire fence, thence continuing for new lines of division and binding on or near said post and wire fence the four (4) following courses and distances, viz; (7) South 32 degrees 29 minutes 43 seconds East 25.11 feet to a fence post, (8) South 33 degrees 48 minutes 06 seconds East 10.20 feet to a fence post, (9) South 61 degrees 08 minutes 14 seconds East 31.41 feet to a fence post, and (10) South 23 degrees 57 minutes 08 seconds East 62.63 feet to an iron bar now set, thence leaving said fence and still running for a new line of division, (11) South 69 degrees 32 minutes 37 seconds West 58.11 feet to the beginning hereof, containing 0.19 acres of land, more or less, as surveyed by T.R. Stark & Associates, Inc., in November, 1997, as shown on a plat dated November 6, 1997."

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Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Richard A. Robinson and Dennis M. Robinson, Sr., as joint tenants and not as tenants in common, the survivor of them and the personal representative, heirs and assigns of the survivor, in fee simple.

And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

Grantor hereby declares and affirms under the penalties of perjury that Grantor is a Maryland resident and, therefore, exempt from the income tax withholding requirements of §10-912 of the <u>Tax-General Article</u>, <u>Annotated Code of Maryland</u>.

As Witness the hand and seal of said Grantor, the day and year first above written.

~WITNESS:

Richard A. Robinson

(Seal)

STATE OF MARYLAND, COUNTY OF Son for se jo wit:

I hereby certify that on this <u>lateral</u> day of October, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Richard A. Robinson, the Grantor herein, known to me (or satisfactorily proven) to be

the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

M. McMANUS NOTA'Y PUBLIC BALTIMORE COUNTY MARYLAND

Notary Public

My commission expires:

3/28/18

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

lages D. O'Connor, Attorney

AFTER RECORDING, PLEASE RETURN TO: Mid-Atlantic Title, LLC 100 West Road, Suite 215 Towson, MD 21204

DUPLICATE PAID RECEIPT

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundF	tome readings	1011	•	ICW OIGE	ındRent Regis	tration		
Account Identifier	:	District	- 11 Account	Number - 230000	01490					
			O	wner Information				Walter Tooley Telepine		
Owner Name:			SON RICHARD SON DENNIS I		Use: Principal Re	sidence:	RESIDENTIAL NO /38154/ 00170			
Mailing Address:			RADSHAW RD		Deed Refere	ence:				
		- declaration	Location	& Structure Inforr	nation					
Premises Address	S:	BRADSI 0-0000	HAW RD		Legal Descr	iption:	.19 AC ESR BRADSHAW RD 600 FT S JERUSALEM I			
Map: Grid:	Parcel:	Sub District:	Subdivisi	on: Section:	Block:	Lot:	Assessment Year:	Plat No:		
0055 0019	0134		0000				2018	Plat Ref:		
Special Tax Are	as:			Town:			NONE	- F9. F9.		
				Ad Valorem: Tax Class:						
Primary Structure Built		Above Grade Area	Living	Finished Base Area	ement Prope Area		rty Land	County Use		
						8,273	SF	04		
Stories Ba	sement	Туре	Exterior	Full/Half Bath	Gara	ge	Last Major Re	novation		
			V	alue Information						
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Seller: ROBINSO	ON RICHA	RD A	Date	: 10/20/2016	14.1		Price: \$0			
Type: NON-ARM	S LENGT	H OTHER		d1: /38154/ 0017	0		Deed2:			
Seller: RESPES	S RENDA	K	Date	: 08/16/2002			Price: \$260,00	10		
Type: ARMS LEI				d1: /16716/ 0054	3		Deed2:	,0		
Seller: HUSON I				: 01/09/1998			Price: \$3,000			
Type: ARMS LENGTH VACANT			d1: /12597/ 00648	3		Deed2:				
.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				nption Information		-	Decuz.			
Partial Exempt As	sessment	s: Class	Exel		07/01/2017		07/01/2018			
County:		000			0.00		0.70172010			
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Municipal:		000			0.00 0.00		0.00 0.00			
Tax Exempt: Exempt Class:			Spe NOI	cial Tax Recaptu NE	ıre:					
				Application Infor	mation	The same of				

Date:

Homeowners' Tax Credit Application Status: No Application

Photograph Addendum

Borrower/Client				
Property Address	7436 BRADSHAW		and the same of th	
City	KINGSVILLE	County	State MD	Zip Code 21087
Lender/Client	RICK ROBINSON			EF COST



FRONT VIEW..GROUND IS DUG UP DUE TO NEW DRAIN FIELD CURRENTLY BEING INSTALLED (CHRIS MILAN) SUBURBAN CONTRACTOR

SIDE VIEW





2 METERS

REAR VIEW





"OTHER" SIDE VIEW

ADDITIONAL VIEW OF SIDE VIEW

AFFIDAVIT OF JANET BELL HANNA

I solemnly declare and affirm that the following information is true to the best of my knowledge, information and belief.

My name is Janet Hanna, and I am over the age of 21 years. I was born and raised in Kingsville, Maryland and now reside in Pennsylvania.

My father was Jarrett Bell and along with my mother Frances Bell we lived on Goettner Road in Kingsville. My grandparents and aunt lived at 7436 Bradshaw Road. My grandmother died in the 1950's and my grandfather and aunt lived there afterward until they both passed in the 1960's. My aunt's name was Wilda B. Campbell.

The house as long as I can remember was divided into two separate apartments. My grandparents lived on the lower level, and my aunt lived in an upper apartment. At the time it had an outside entrance.

Janet Bell Hanna

AFFIDAVIT OF RENDA K. RESPESS

I solemnly declare and affirm that the following information is true to the best of my knowledge, information and belief.

My name is Renda Respess, now Curran, and I am over the age of 21 years. For 20+ years, I lived in Kingsville, Maryland and now reside in Florida.

In 1986 I purchased the dwelling known as 7436 Bradshaw Road. At the time there were two living units in the dwelling, one on top of the other. I lived on the first floor and rented the second floor unit. In 1988 I converted the basement into 2 additional living units for 4 total units. Although each unit had its own separate kitchen, there were only 2 electric meters serving the house.

One time in the 1990's the county inspectors came out at the request of a neighbor and made me enlarge a window in the basement's front apartment to allow for a person to escape in the event of fire.

My tenants were friends and/or members of my church who needed housing, and I recall no other complaints with respect to their use of the property or the 4 units in the 16 years I owned the house.

The dwelling was used consistently and without interruption for the 4 units up to its sale to the Robinsons in 2002.

Renda K. Curran

Renda K. Curran (previously Respess)

Gontrum, John

From:

Peoples Counsel <peoplescounsel@baltimorecountymd.gov>

Sent:

Monday, October 22, 2018 12:14 PM

To:

Gontrum, John

Cc:

dbehr@jhu.edu; robinwb1@comcast.net

Subject:

RE: Richard & Dennis Robinson - 7436 Bradshaw Road - Case No.: 2019-066-SPH

John,

Thank you for your reply.

Trusting that the 1945 "A" Residence provides for "Dwelling, two-family," as you have stated, I overlooked that in my letter

I believe this would forward the nonconforming use date to 1971, as the R.D. P. Zone I think allowed one dwelling per lot under then BCZR Sec. 1A00.3.B.1.

The SDAT data search indicates that the primary structure was built in 1949. So, if you have evidence that it was originally constructed as a two-family dwelling, that should satisfy the nonconforming use for two dwellings, if it was so used without a one-year abandonment or discontinuance. BCZR Sec. 104.1.

I will leave to you and the citizens to present the evidence and work it out at the hearing. I anticipate respecting the ALJ decision, including the equitable allowance of the third occupant to remain until she leaves.

You may include this e-mail in your presentation if you find it helpful.

Sincerely,

Peter Max Zimmerman, People's Counsel, 410 887-2188

From: Gontrum, John [mailto:JGontrum@wtplaw.com]

Sent: Monday, October 22, 2018 11:44 AM

To: Peoples Counsel <peoplescounsel@baltimorecountymd.gov>

Subject: RE: Richard & Dennis Robinson - 7436 Bradshaw Road - Case No.: 2019-066-SPH

Peter,

You are correct on the zoning history. However, my copy of the 1945 Zoning Regulations permits in the A zone "Dwelling, two-family". That is further defined to be the following: "A detached dwelling arranged or used for occupancy by not more two families as separate house-keeping units, with not more than one entrance on any side. Such a dwelling shall have one housekeeping unit over the other."

That is how this dwelling was originally constructed according to the granddaughter of one of the original occupants.

It was not until 1986 that the 3^{rd} and 4^{th} units were added by the then owner, and it has continued as at least 3 units to present.

I have met with the GKCA board on this matter, and they are familiar with the property and its history. I believe that they are satisfied with the 2 units and allowing the 3rd occupant to remain (she is elderly and has been there for many years) until she leaves when it would revert to 2 units.



John

From: Peoples Counsel peoplescounsel@baltimorecountymd.gov>

Sent: Monday, October 22, 2018 11:32 AM

To: Gontrum, John < JGontrum@wtplaw.com >; Doug Behr < dbehr@jhu.edu >; Robinwb < robinwb1@comcast.net > Cc: Carl Richards Jr < CRichards@baltimorecountymd.gov>; Robert David Duvall < rduvall@baltimorecountymd.gov>;

John E. Beverungen < jbeverungen@baltimorecountymd.gov>

Subject: Richard & Dennis Robinson - 7436 Bradshaw Road - Case No.: 2019-066-SPH

Good Morning,

Attached you will find the letter along with attachments our office filed with the Administrative Law Judge's office relating to the above-mentioned case. A hardcopy will follow by U.S. mail.

If you have any problems, viewing the document, please call our office.

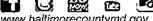
Thank you for your consideration.

Rebecca M. Wheatley, Legal Secretary People's Counsel for Baltimore County 105 West Chesapeake Avenue, Suite 204 Towson, Maryland 21204 (410) 887-2189 Direct Dial (410) 887-2188 Office (410) 823-4236 Fax



CONNECT WITH BALTIMORE COUNTY





This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

Brian R. Dietz

Professional Land Surveyor #21080

7867 Oakdale Avenue, Baltimore, MD 21237 Phone 410-686-1198 Fax 410-682-6021

> Zoning Description For 7436 Bradshaw Road August 20, 2018

Beginning for the same in the center of Bradshaw Road, distant 640 feet +/- from the center of Jerusalem Road, thence leaving Bradshaw Road,

- 1. North 57 degrees 40 minutes 15 seconds East 15.00 feet,
- 2. North 57 degrees 40 minutes 15 seconds East 195.49 feet,
- 3. South 42 degrees 37 minutes 35 seconds East 25.11 feet,
- 4. South 43 degrees 55 minutes 58 seconds East 10.20 feet,
- 5. South 71 degrees 18 minutes 06 seconds East 31.41 feet,
- 6. South 34 degrees 05 minutes 00 seconds East 62.63 feet,
- 7. South 59 degrees 24 minutes 45 seconds West 58.11 feet,
- 8. South 59 degrees 24 minutes 45 seconds West 200.10 feet, to the center of said Bradshaw Road, thence running with an binding in the center of said Road
- 9. North 24 degrees 20 minutes 15 seconds West 100.00 feet, and
- 10. North 24 degrees 20 minutes 15 seconds West 15.47 feet to the place of beginning.

Containing 0.643 of an Ac. or 27,991 sq.ft. of land more or less. Being known as 7436 Bradshaw Road and located in the 11th Election District, 5th Councilmanic District.



Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Jefferson Building 105 West Chesapeake Avenue, Room 204 Towson, Maryland 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel CAROLE S. DEMILIO
Deputy People's Counsel

October 22, 2018

HAND DELIVERED
John Beverungen, Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re:

Richard & Dennis Robinson – Legal Owner(s)

7436 Bradshaw Road Case No: 2019-066-SPH

Hearing scheduled: October 25, 2018

Dear Judge Beverungen,

This petition for special hearing asks for nonconforming use status for a 2 or 3 unit dwelling on property zoned R.C. 5. Upon review, and having learned of citizen interest, we asked David Duval of the Zoning Office staff to provide information about the zoning history. We enclose the results of that inquiry, including relevant maps.

The history appears to show the following sequence:

1945 --- "A" Residence Zone

1971 --- R.D.P. (Rural Deferred Planning) Zone

1976 --- R.C. 5 (Rural-Residential) Zone

1980 forward --- R.C. 5.

Upon further inquiry with Zoning Supervisor Carl Richards and with David Duvall, we were informed the major 1955 revision of the zoning regulations was not accompanied by a new map in this rural area.

In sum, it appears all of the historic zones limited the .64 acre property here to a single dwelling. Therefore, based on BCZR Sec. 104.1, the burden of proof is on the

property owner to show a continuous nonconforming use back to before January 1, 1945. By continuous, this means without any 1-year discontinuance or interruption).

We can provide copies of the 1945 Regulations, including the "A" Residence Zone and the Bill 100, 1970, R.D.P. Zone regulations if necessary. We leave it to the parties to present such facts as may be available to describe the historic use of the property.

For the sake of completeness, we checked the BCZR Sec. 402.1 "Conversion of One-Family Dwellings" schedule. But its scope is limited to D.R. Zones, and does not extend to the R.C. 5 Zone.

We trust you may find this information helpful.

Sincerely,

Peter Max Zimmerman

People's Counsel for Baltimore County

Pet Mux Cimmerum

cc: By first class mail and e-mail, with enclosure
John B. Gontrum, Esquire, attorney for Petitioners
Douglas Behr
Robin Beers
Carl Richards, Zoning Supervisor
David Duvall, Zoning Staff

Robert David Duvall

From:

Peoples Counsel

Sent:

Friday, September 21, 2018 2:31 PM

To:

Robert David Duvall

Subject:

Zoning History Request for 7436 Bradshaw Road - Case No.: 2019-066-SPH

Mr. Duvall,

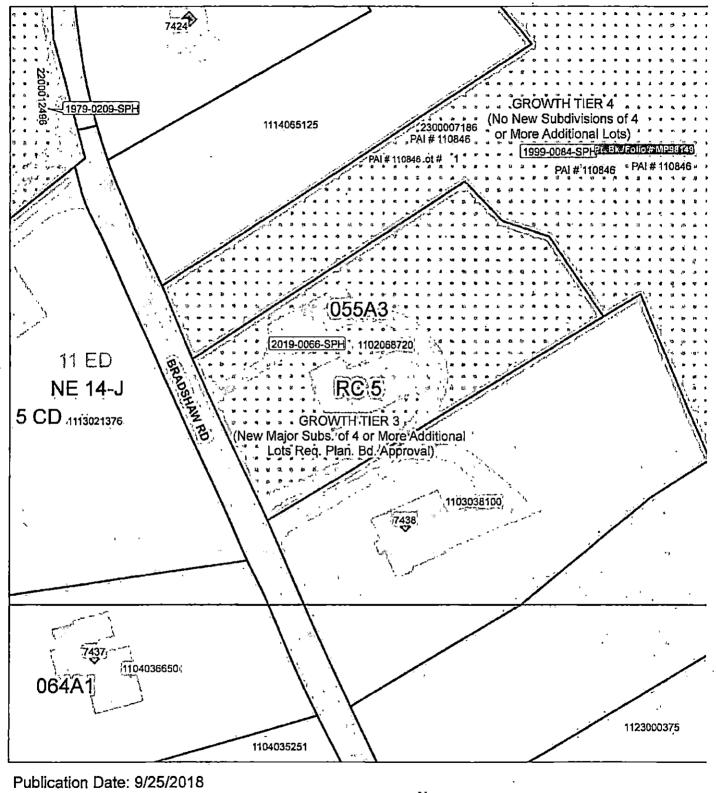
Our office kindly requests the complete zoning history for 7436 Bradshaw Road. Please include copies of each four year map for the property.

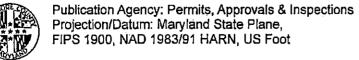
The tax account for the property is 1126000540. The property is owned by Richard A Robinson & Dennis Michael Robinson, Sr. Please let me know if you need further information. The hearing is currently scheduled for October 25, 2018, therefore, we kindly ask to have the history by October 19th.

Thank you in advance for your consideration.

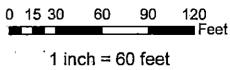
Rebecca M. Wheatley, Legal Secretary People's Counsel for Baltimore County 105 West Chesapeake Avenue, Suite 204 Towson, Maryland 21204 (410) 887-2189 Direct Dial (410) 887-2188 Office (410) 823-4236 Fax

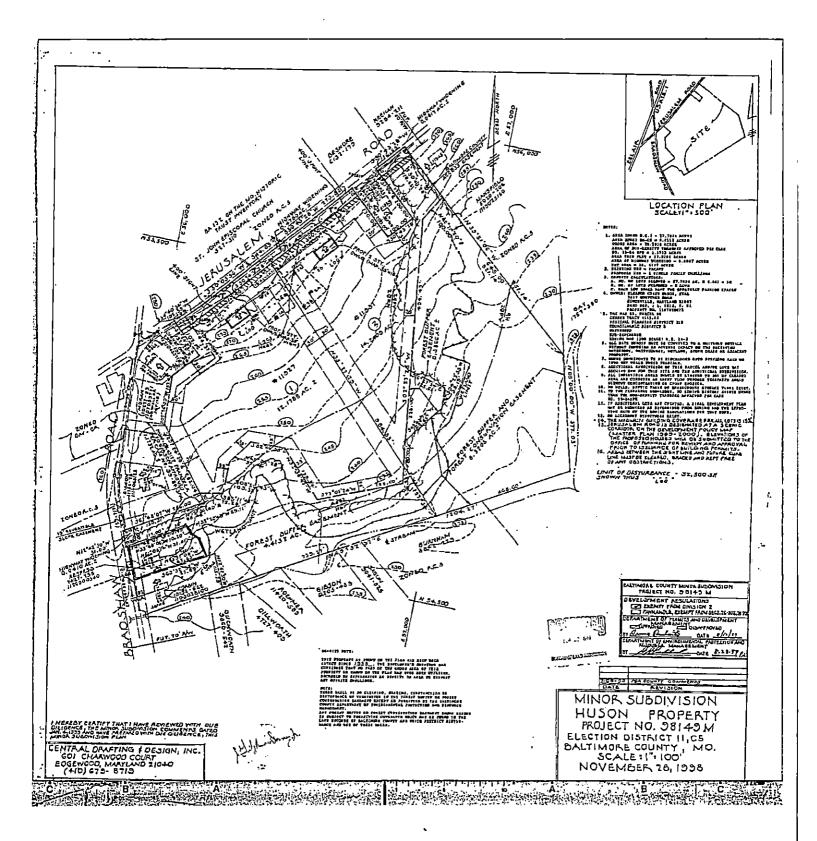
7436 Bradshaw Road, Tax #11-26-000-540

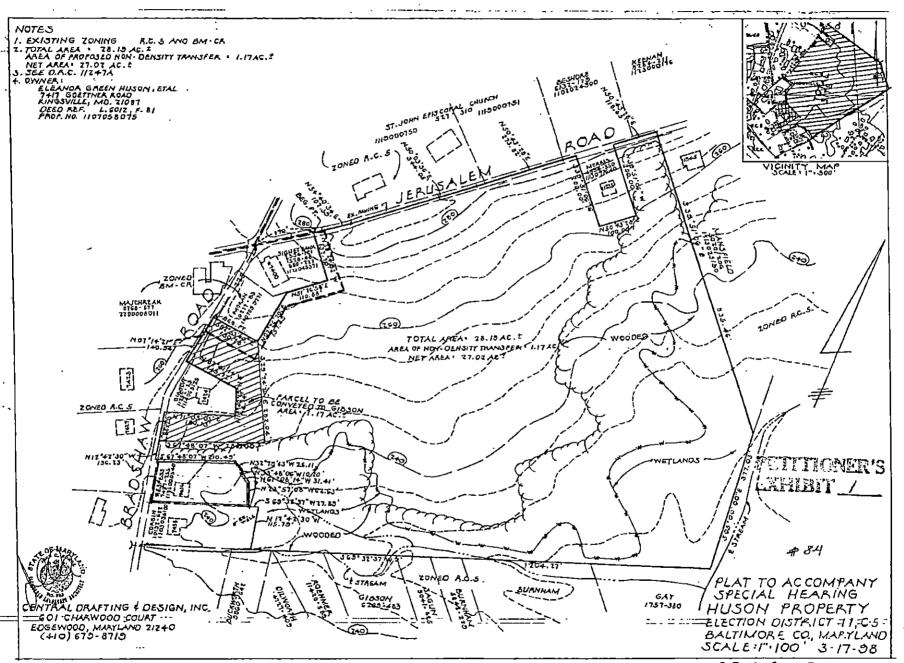












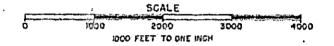
99-84-5PH

PART OF ZONING DISTRICT NO.11

ZONING DEPARTMENT + BALTIMORE COUNTY

USE DISTRICT MAP

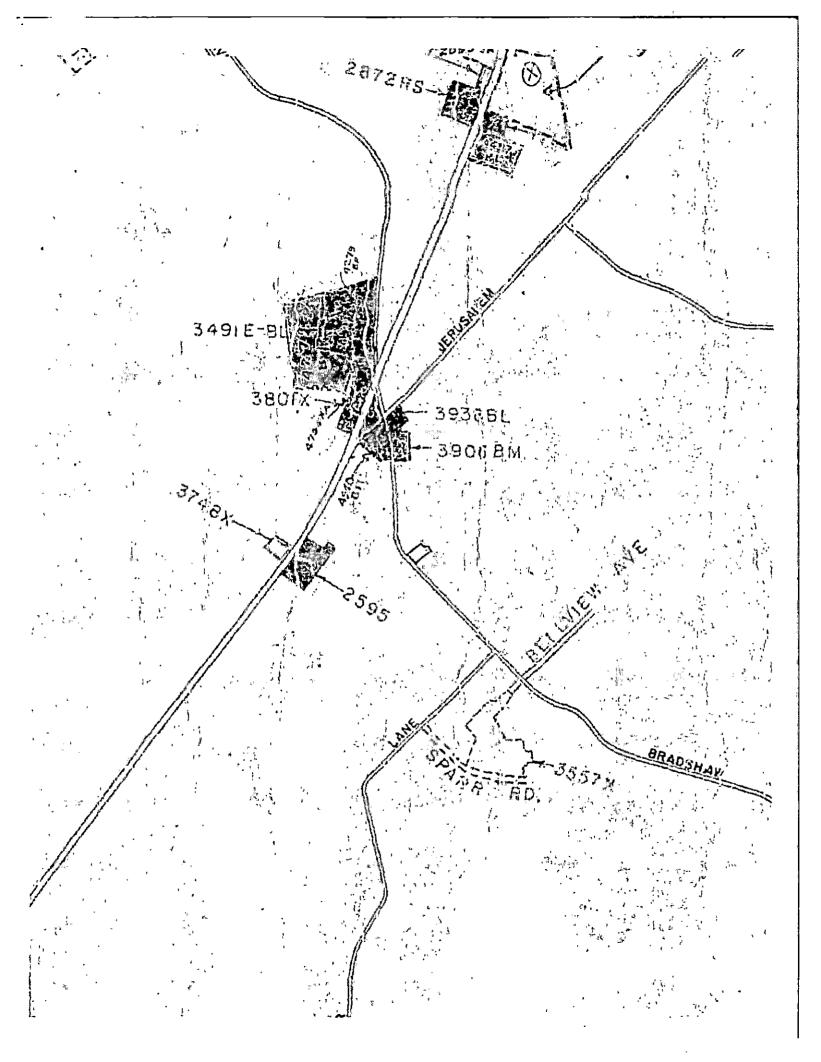
ELEVENTH ELECTION DISTRICT OF BALTIMORE COUNTY SECTION "C"

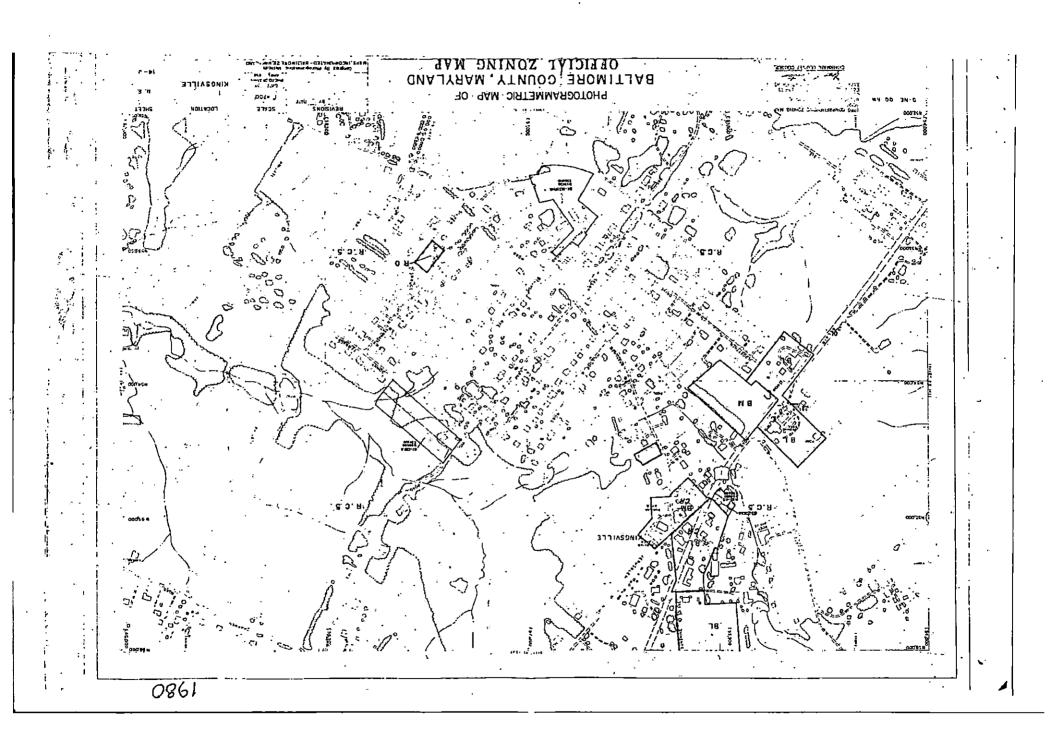


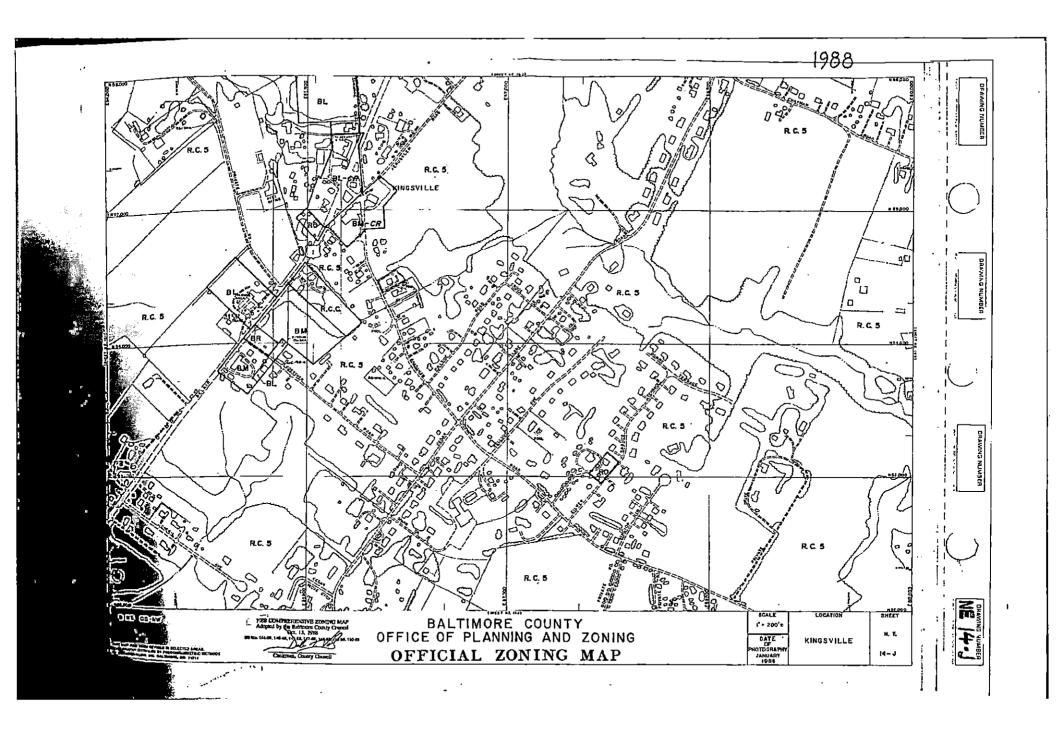
LEGEND

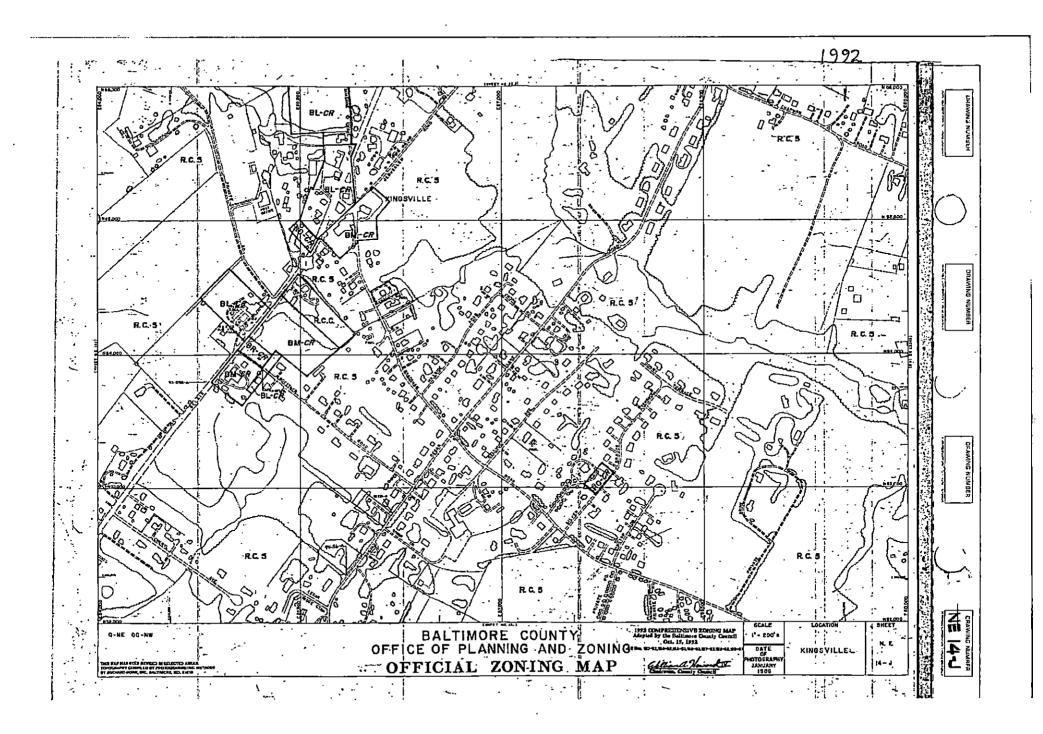
- # RESIDENCE ZONE - 116
- "B" RESIDENCE ZONE - II G
- "C" RESIDENCE ZONE - H A
-"D" RESIDENCE ZONE - R G
-"E" COMMERCIAL ZONE - BL
- F" INDUSTRIAL ZONE - ML
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STATES - "S" SPECIAL X

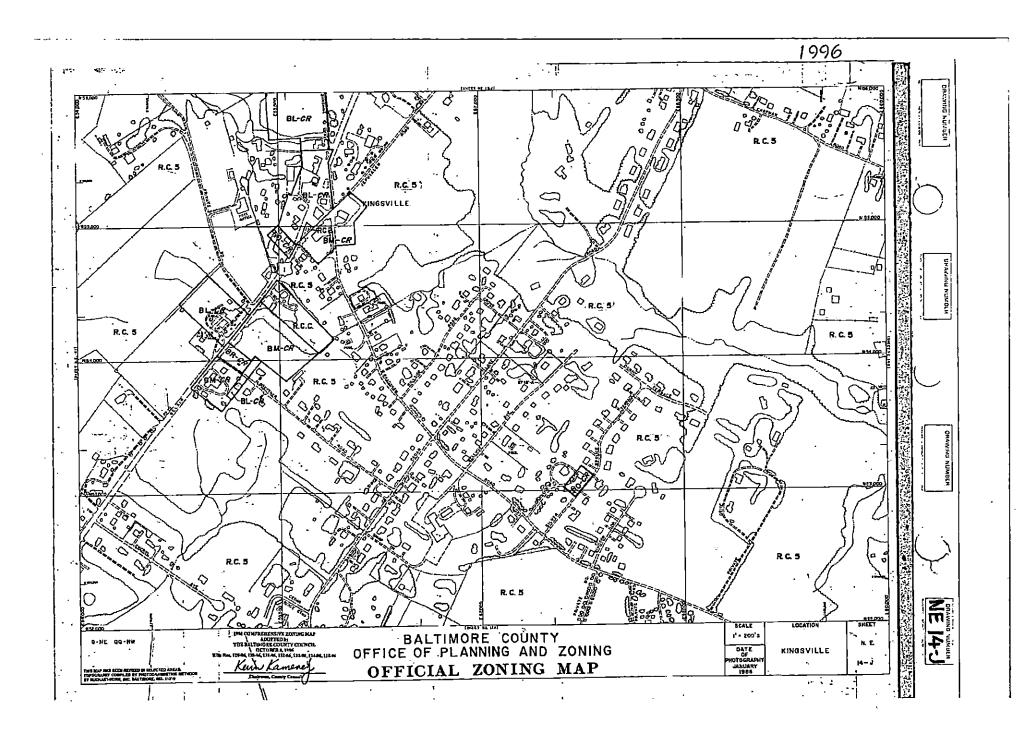
MAP PREPARED & F BY STANLEY J. KROI SEN





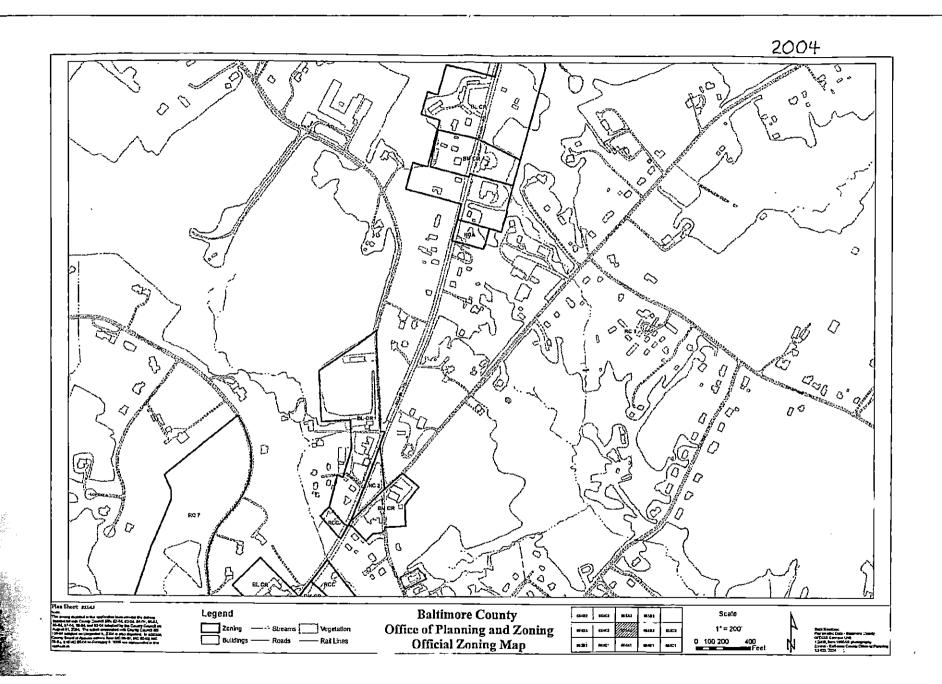


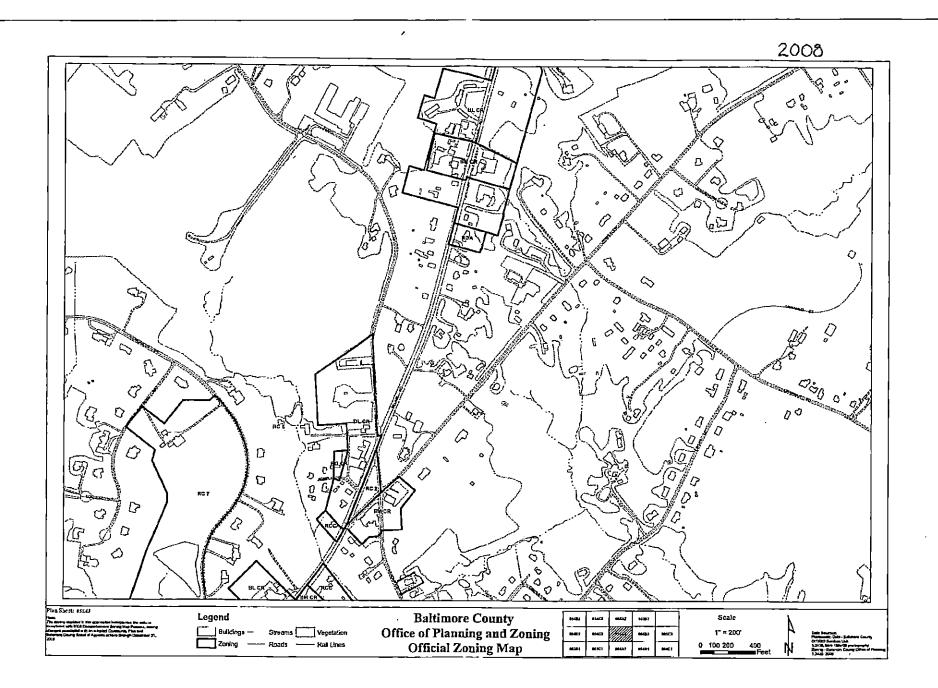


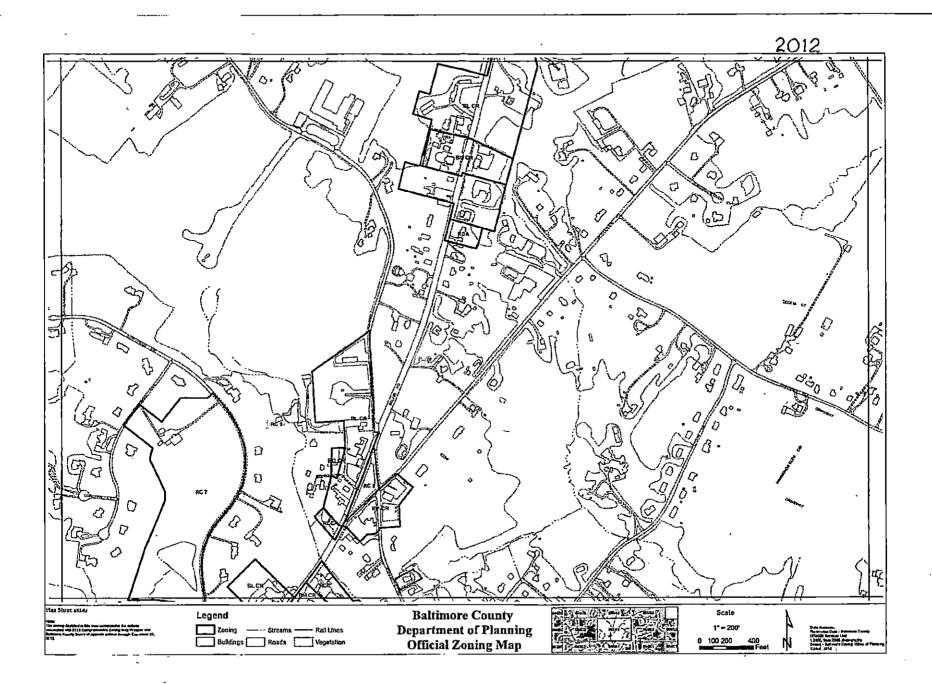


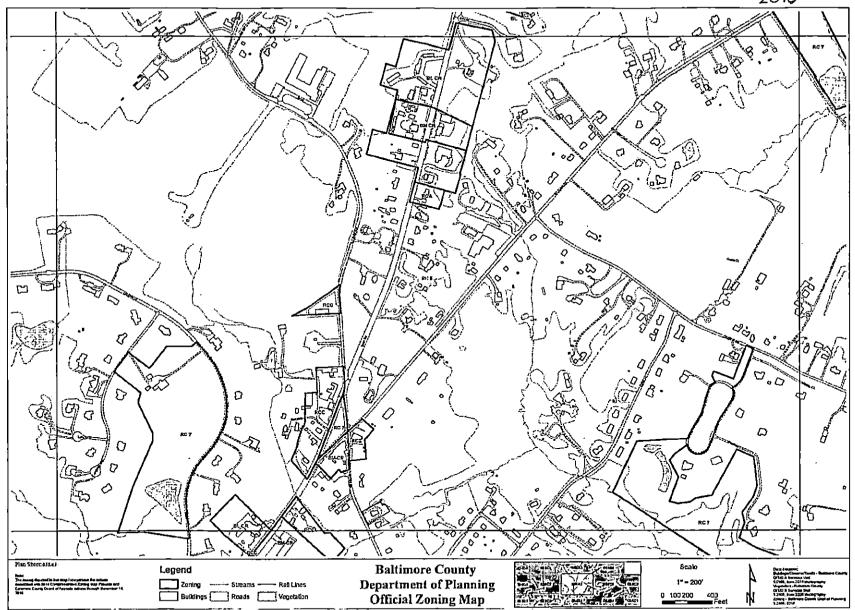
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PETER MAX ZIMMERMAN

People's Counsel

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building 105 West Chesapeake Avenue, Room 204 Towson, Maryland 21204

> 410-887-2188 Fax: 410-823-4236

October 22, 2018

CAROLE S. DEMILIO Deputy People's Counsel

HAND DELIVERED

John Beverungen, Administrative Law Judge The Jefferson Building 105 W. Chesapeake Avenue, Suite 103 Towson, Maryland 21204

Re:

Richard & Dennis Robinson – Legal Owner(s)

7436 Bradshaw Road Case No: 2019-066-SPH

Hearing scheduled: October 25, 2018

Dear Judge Beverungen,

This petition for special hearing asks for nonconforming use status for a 2 or 3 unit dwelling on property zoned R.C. 5. Upon review, and having learned of citizen interest, we asked David Duval of the Zoning Office staff to provide information about the zoning history. We enclose the results of that inquiry, including relevant maps.

The history appears to show the following sequence:

1945 --- "A" Residence Zone

1971 --- R.D.P. (Rural Deferred Planning) Zone

1976 --- R.C. 5 (Rural-Residential) Zone

1980 forward --- R.C. 5.

Upon further inquiry with Zoning Supervisor Carl Richards and with David Duvall, we were informed the major 1955 revision of the zoning regulations was not accompanied by a new map in this rural area.

In sum, it appears all of the historic zones limited the .64 acre property here to a single dwelling. Therefore, based on BCZR Sec. 104.1, the burden of proof is on the

property owner to show a continuous nonconforming use back to before January 1, 1945. By continuous, this means without any 1-year discontinuance or interruption).

We can provide copies of the 1945 Regulations, including the "A" Residence Zone and the Bill 100, 1970, R.D.P. Zone regulations if necessary. We leave it to the parties to present such facts as may be available to describe the historic use of the property.

For the sake of completeness, we checked the BCZR Sec. 402.1 "Conversion of One-Family Dwellings" schedule. But its scope is limited to D.R. Zones, and does not extend to the R.C. 5 Zone.

We trust you may find this information helpful.

Sincerely,

Peter Max Zimmerman

People's Counsel for Baltimore County

Petr Mux Zimmerum

cc: By first class mail and e-mail, with enclosure
John B. Gontrum, Esquire, attorney for Petitioners
Douglas Behr
Robin Beers
Carl Richards, Zoning Supervisor
David Duvall, Zoning Staff

Robert David Duvall

From:

Peoples Counsel

Sent:

Friday, September 21, 2018 2:31 PM

To:

Robert David Duvall

Subject:

Zoning History Request for 7436 Bradshaw Road - Case No.: 2019-066-SPH

Mr. Duvall,

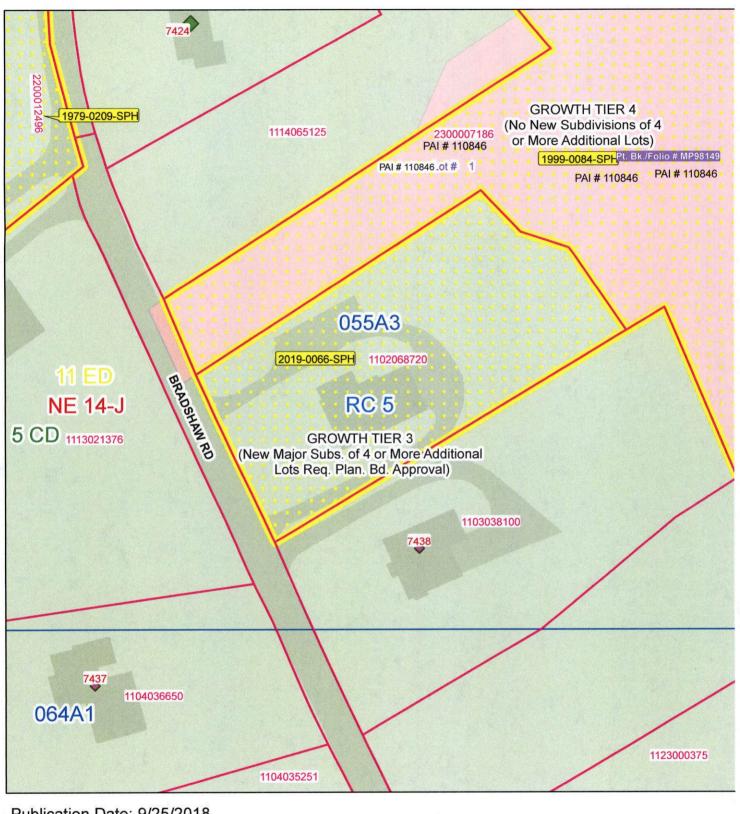
Our office kindly requests the complete zoning history for 7436 Bradshaw Road. Please include copies of each four year map for the property.

The tax account for the property is 1126000540. The property is owned by Richard A Robinson & Dennis Michael Robinson, Sr. Please let me know if you need further information. The hearing is currently scheduled for October 25, 2018, therefore, we kindly ask to have the history by October 19th.

Thank you in advance for your consideration.

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7436 Bradshaw Road, Tax #11-26-000-540

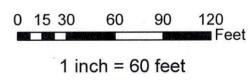


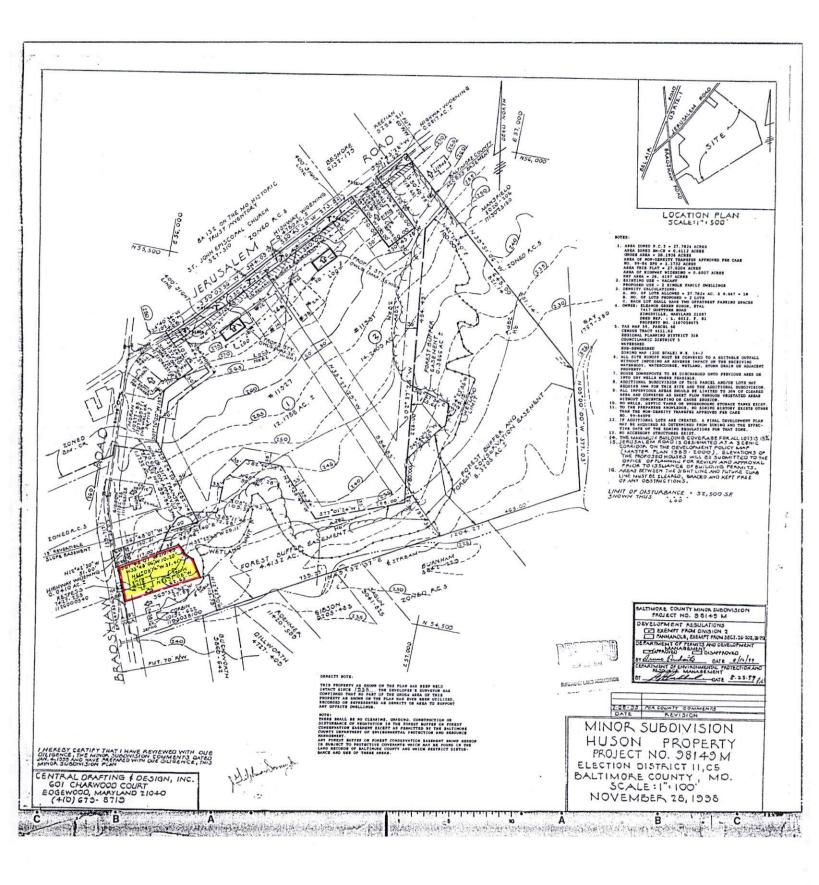
Publication Date: 9/25/2018

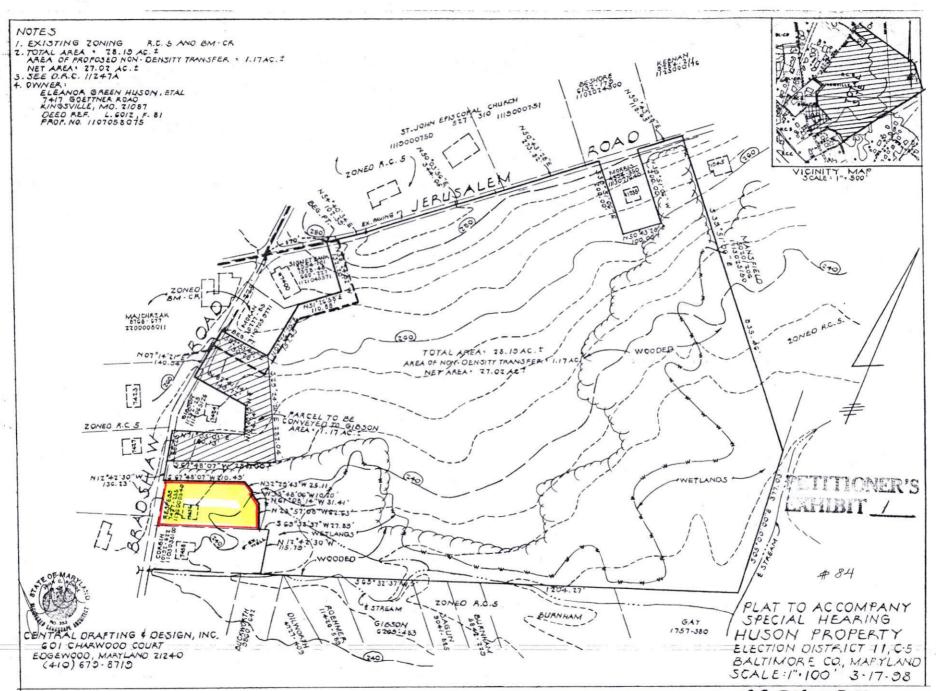


Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot









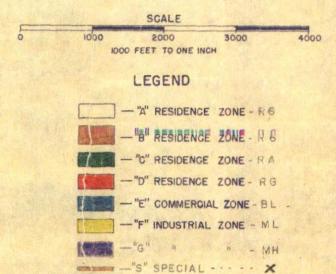
99-84-5PH

PART OF ZONING DISTRICT NO. 11

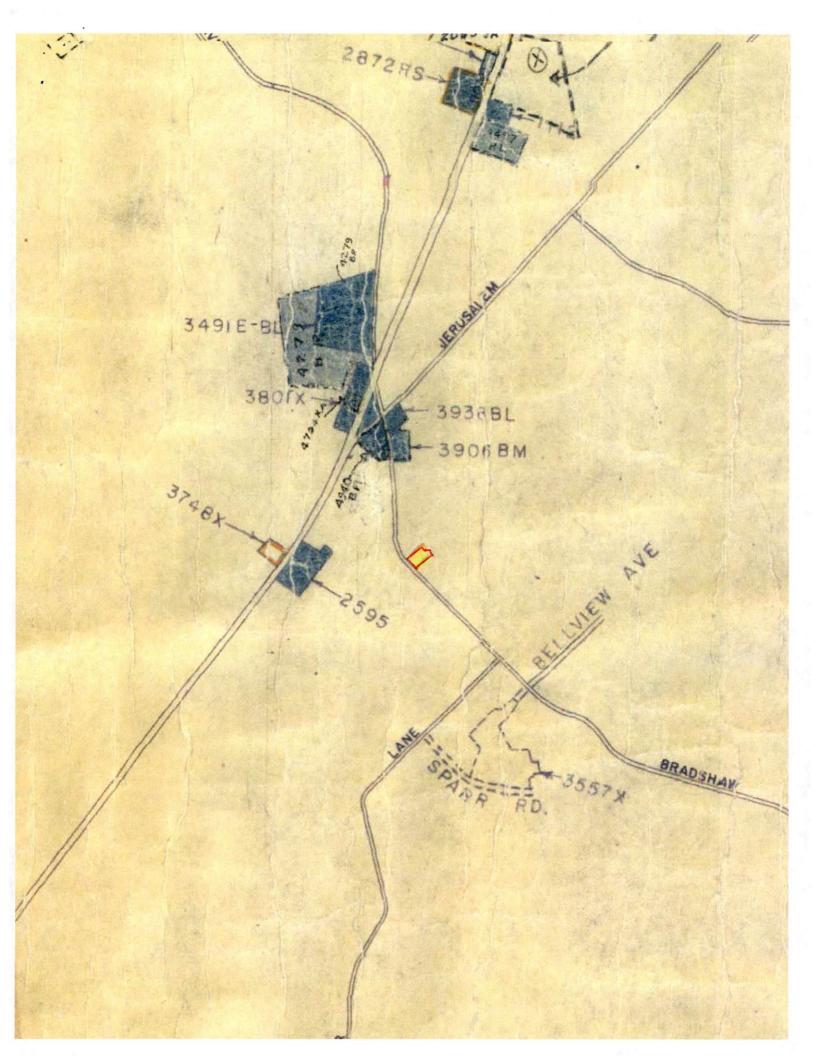
ZONING DEPARTMENT + BALTIMORE COUNTY

USE DISTRICT MAP

ELEVENTH ELECTION DISTRICT OF BALTIMORE COUNTY SECTION "C"



MAP PREPARED & F. BY STANLEY J. KROI SEN



•	-	Lancon Marian		
DIEA	CE	PRINT	CIE	ADIV
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CASE NAME	2019-0066			
CASE NUMBER				
DATE				
TDDD	10-22-2018			

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL		
Rich Robinson	7430 Bradshaw RD	KINGSU/448, Mg 21087	ECKROBINSON OF DAGAST		

•	-	200	•				
PLE	Α	SE	PRI	NT	CL	EARLY	•

CASE NAME	2019-	0066	-51+
CASE NUMBER			
DATE		 -	_

CITIZEN'S SIGN - IN SHEET

E - MAIL **ADDRESS** CITY, STATE, ZIP NAME 7461 BRAD SMAW ND dehve ihvelo VIUGSZKIE ME DOUG BEMA

John E. Beverungen

From:

Gontrum, John <JGontrum@wtplaw.com>

Sent:

Tuesday, December 11, 2018 2:47 PM

To: Cc: John E. Beverungen dbehr@jhu.edu

Subject:

Fwd: Robinson/GKCA Agreement

Attachments:

Document1.docx; ATT00001.htm

Mr. Beverungen,

Attached is the Agreement I sent to Doug Behr. I have since followed up with the President of the Association. It is my understanding that the Greater Kingsville Civic Association is in agreement but I have nothing in writing.

John

Begin forwarded message:

From: "Gontrum, John" < JGontrum@wtplaw.com>

Date: October 30, 2018 at 4:30:07 PM EDT

To: Richard Robinson < rickrobinson@comcast.net >, "dbehr@jhu.edu" < dbehr@jhu.edu >

Subject: Robinson/GKCA Agreement

Attached is a very simple agreement setting forth what was discussed at the hearing and making enforcement of the Agreement part of the zoning order.

I can do something more formal, but I think this covers it. Let me know if there are any corrections or if you want me to revise it to put in the "Wherefores" etc.

John

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient, If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

The Greater Kingsville Civic Association, Inc. (the "Association") and Richard Robinson and Dennis Robinson, Sr. (the "Robinsons") agree to the following conditions with respect to the use of the dwelling located at 7436 Bradshaw Road, Kingsville, Maryland (the "Dwelling"):

- 1. The "Dwelling, Two-Family" use of the Dwelling is a legal non-conforming use under the Baltimore County Zoning Regulations.
- 2. The Robinsons' current use of the Dwelling for three (3) separate families, however, may continue for so long as Patty Tabeling, Lorraine Vittilo and Richard Robinson are living in the Dwelling.
- 3. When either Patty Tabeling or Lorraine Vittilo leave the Dwelling, it shall permanently revert to the Two Family Dwelling, and the apartments for more than two families shall be removed.
- 4. This Agreement may be enforced as part of the Zoning Order in Zoning Case No. 2019-0066-SPH.

N.	•	
Richard Robinson	Dennis Robinson, Sr.	
Greater Kingsville Civic Association, Inc.		
Ву:		

CHECKLIST

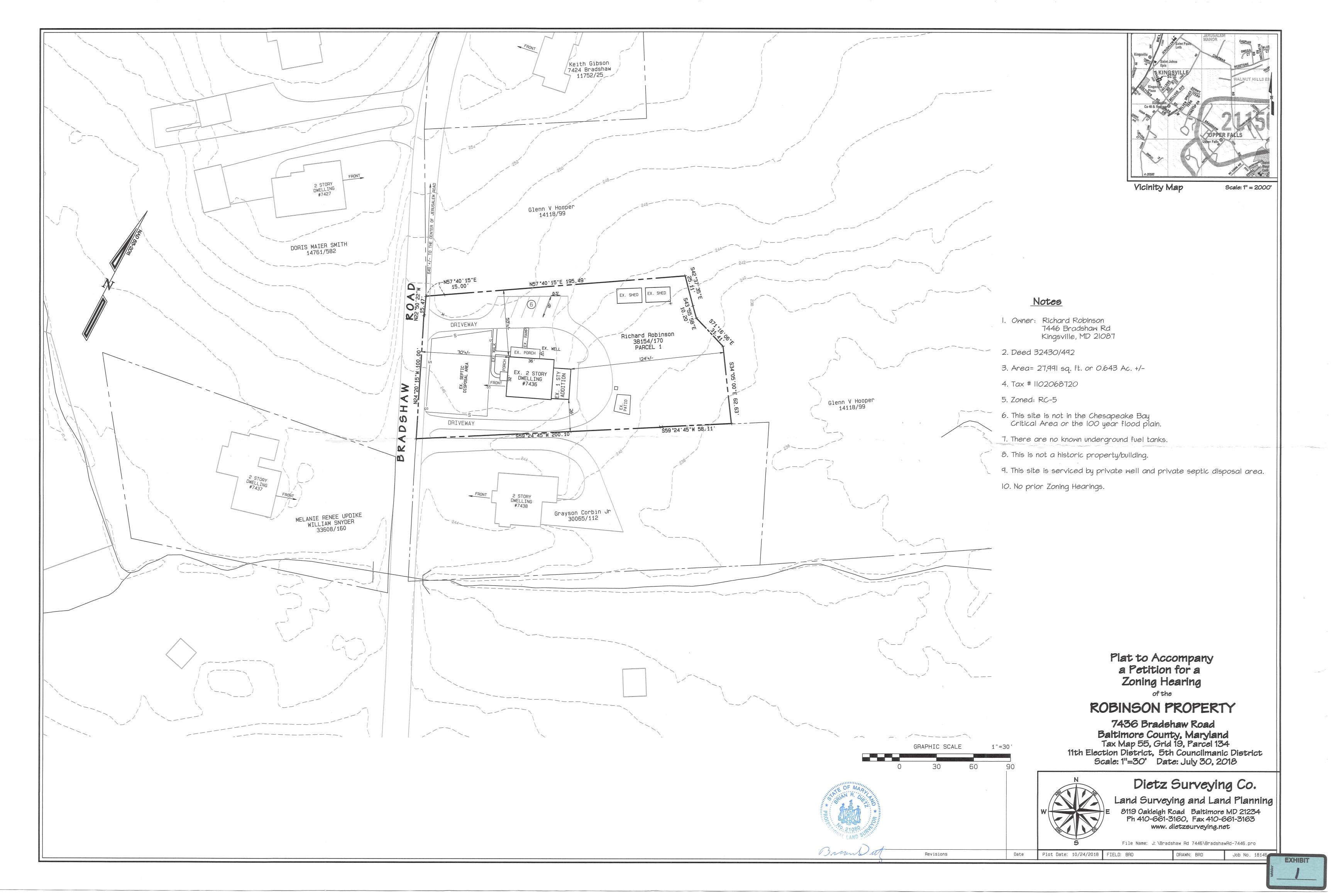
Comment <u>Received</u>	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
4/24	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	No Comments
9/10	DEPS (if not received, date e-mail sent)	Comment
	FIRE DEPARTMENT	NO CILI
10/2	PLANNING (if not received, date e-mail sent)	NO ODI
9/7	STATE HIGHWAY ADMINISTRATION	NO objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	ON (Case No. CC) 80 (DH 50)	
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	TERTISEMENT Date: 10/5/18	-
SIGN POSTING (1	Date: 10/5/18	_ by <u>UGU</u>
SIGN POSTING (2)	nd) Date:	
PEOPLE'S COUNS	<u> </u>]
PEOPLE'S COUNS	EL COMMENT LETTER Yes L No L	I
Comments, if any: _		,

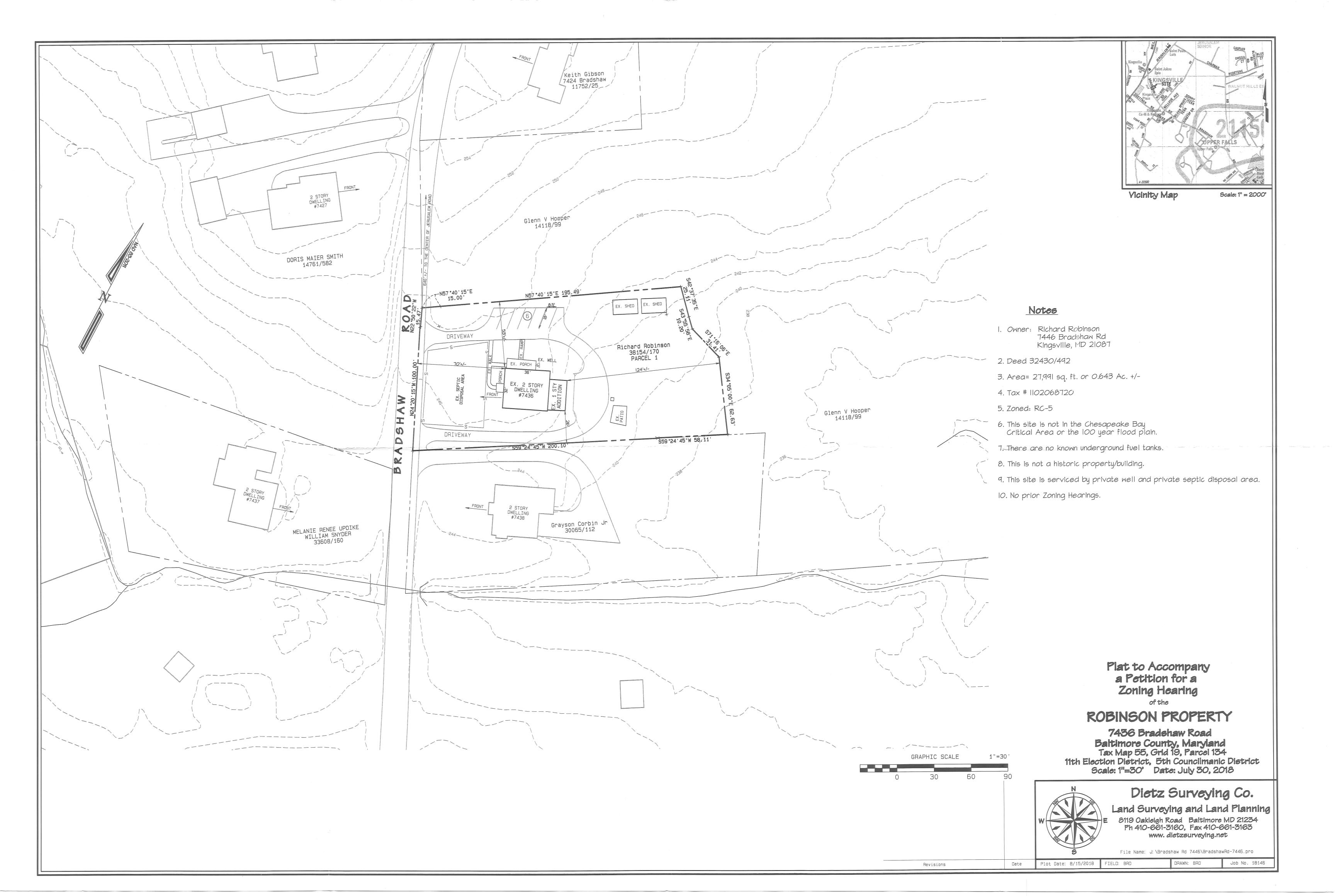
Real Property Data Search

Search Result for BALTIMORE COUNTY

View M	ар		View GroundRent Redemption View GroundRent Registration						ıtion	
Tax Ex Exemp	-	•		Special Tax Recapture: NONE						
Account	lde	ntifier	:	District -	11 Account Nu	ımber - 11260	000540			
	_				Owner	Information				
Owner N	amo	e:			N RICHARD A N DENNIS . SR	Use: Princ	ipal Res	sidence:	RESIDENTIA YES	L
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Primar Built	y S	tructu	re	Above Grade Area		nished Baser ea	ment	Proper Area		County Use
1949				2,704 SF	30	00 SF		20,000	SF	04
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_					Value	Information				
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						As of 01/01/2018		As of 07/01/2018	As of 07/01	2019
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Improv	vem	ents		243,300		251,400				
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				JR ETAL	Date: 1	2/09/1986			Price: \$125,000)
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Municip	al.			000		0.00	U.UU		0.00 0.00	

Exempt Class:	NONE	
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Homestead Application Status: No Application	ation	
Homeo	vnèrs' Tax Credit Application Information	
Homeowners' Tax Credit Application Sta Application	tus: No Date:	





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