

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
N side of Hillside Avenue, 195 feet E		
of York Road	*	OFFICE OF
9 th Election District		
5 th Councilmanic District	*	ADMINISTRATIVE HEARINGS
(1 Hillside Avenue)		
	*	FOR BALTIMORE COUNTY
Mary Josephine Sexton		
<i>Petitioner</i>	*	CASE NO. 2011-0176-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of a Petition for Special Hearing filed by the owner of the subject property, Mary Josephine Sexton. Petitioner requests Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the non-conforming use of two "apartment" units in a single dwelling. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requested special hearing relief was Petitioner Mary Josephine Sexton, Adam D. Baker, Esquire, attorney for the Petitioner, and architect L.J. Link, Jr.

Testimony and evidence presented revealed that the subject property is approximately 5,500 square feet and is served by public water and sewer. The property was constructed in approximately 1919, and the Petitioner acquired the property in 1986.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments were received from the Office of Planning dated December 13, 2010 which indicate that it is unclear how long the subject property has been used as an apartment and that Office advised the Petitioner should demonstrate to the Zoning Commissioner that the two

ORDER RECEIVED FOR FILING

Date 3-21-11

By 

apartment dwelling was lawfully established prior to the applicable law prohibiting such use. The Office also advised that if the relief was granted, there should be no parking or driveway access in the front yard. A revised comment was received from the Bureau of Development Plans Review, dated February 25, 2011, which states that the Bureau has no objection to the Petitioner's request.

At the outset of the hearing, Petitioner's counsel indicated that the special hearing relief was being sought to obtain a declaration that the Petitioner enjoyed a lawful non-conforming use for two units in a single dwelling in the subject property at 1 Hillside Avenue. Petitioner conceded that she did not meet the lot size and other bulk regulations set forth in B.C.Z.R. Section 402 governing conversion of single family dwellings, and indicated that regulation was adopted in 1955, and to the extent any alteration of the subject premises occurred, it was done prior to that date such that the Petitioner enjoys non-conforming use status. In the alternative, Petitioner contended that the house as originally constructed in 1919 qualified as a "duplex". The 1955 B.C.Z.R. defined a "duplex" as "two-family detached building with one housekeeping unit over the other." This definition was deleted from Section 101 of the B.C.Z.R. by Bill No. 100-1970. Thus, to the extent the Petitioner's dwelling constituted a "duplex", the Petitioner would enjoy vested legal rights with respect to that status, since a duplex dwelling was allowed as a matter of right in a residential zone in Baltimore County until the enactment of Bill No. 100-1970.

The first witness to testify was Mary Josephine Sexton, the Petitioner. The Petitioner testified she owns 1 Hillside Avenue, having purchased the dwelling in 1986. At the time she purchased the property, she indicated that tenants occupied the first and second floors, and that the property was advertised as a two unit dwelling. Petitioner indicated that she had letters from adjoining neighbors indicating that the unit had been a two family dwelling prior to 1955, but the Petitioner advised that she lost these letters when she moved to Atlanta.

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Date 3-21-11

2

By [signature]

Petitioner submitted as Exhibit 3 an affidavit of Rebecca Wilson, wherein the affiant testified that the home located at 1 Hillside Avenue has been occupied as a two apartment dwelling since at least June 1, 1968. The Petitioner admitted as Exhibit 4 floor plan sketches, which indicate that the first and second floors of the dwelling are essentially mirror images of one another. Each contains three bedrooms, a bathroom, a living room, a dining room, and kitchen. Finally, the Petitioner submitted as Exhibit 6 documentation from the Baltimore Gas and Electric Company verifying that at least since November 1, 1980 there have been separate electric and gas meters serving the property at 1 Hillside Avenue.

The next witness called by the Petitioner was architect L.J. Link, Jr., and his resume was submitted as Petitioner's Exhibit 7. Mr. Link testified that he has been an architect since 1976, and has testified as an expert witness numerous times before Baltimore County administrative agencies. Mr. Link testified that he visited the property, and described it as a Dutch Colonial which was popular in the 19th century. Mr. Link further testified that the house was constructed in approximately 1919, and stated in his opinion, based on an inspection of the exterior and interior features of the home, that no structural changes were made since it was built. Significantly, Mr. Link testified that there is no evidence of an interior stairwell ever existing between the first and second floor, which supported his opinion that the residence was built as a two unit dwelling. In further support of his opinion, Mr. Link submitted a floor plan marked as Exhibit 9, which shows that the floor plans of the first and second floors are essentially mirror images of one another. Finally, admitted as Petitioner's Exhibit 8 was an extract from a treatise known as "Classic Houses of the Twenties," by Loizeaux. Therein, at page 174, Mr. Link identified a design No. 14186-B, and advised that the two apartment dwelling identified in the Loizeaux treatise was nearly identical to the subject property, and the narrative provided with the design indicated that it was

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Date 3-21-11

By pr

common at this time to construct a two apartment house unit for a "thrifty family who, in building its own home, provides for a tenant to pay taxes and upkeep and, besides, a comfortable profit." The final exhibit submitted in Petitioner's case, marked and accepted as Exhibit 10, is a February 28, 2011 letter from Lynn Fuller, Records Supervisor at the State of Maryland Department of Assessments and Taxation, verifying for the assessment year 1965-1966, the premises at 1 Hillside Avenue was valued based on the land value, garage, and "house and apartment" value.

No Protestants appeared at the public hearing in this matter, and no letters of opposition were received by the Office of Administrative Hearings.

Based on the evidence and testimony presented at the hearing, I am persuaded to grant the relief sought by Petitioner, and determine that Petitioner enjoys lawful non-conforming use status with respect to the detached "two apartment dwelling" at 1 Hillside Avenue. As noted above, the record contains unrefuted evidence that the subject property has been used as a two unit dwelling since at least 1955. Although the Petitioner lost the letters she had from neighboring owners attesting to this fact, I found the Petitioner to be a credible witness and I find her testimony in this regard to be worthy of belief. Of course, the testimony is buttressed by documentary evidence including SDAT records indicating that the property valuation, since at least 1965, contained a component for a dwelling and apartment. There was simply no evidence or argument offered to suggest that this property has ever been used in a fashion other than a two unit dwelling, and I therefore find that Petitioner has satisfied her burden in establishing a lawful non-conforming use for the two apartment or "duplex" use of the premises at 1 Hillside Avenue.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the parties, I find that Petitioner's request for special hearing should be granted.

ORDER RECEIVED FOR FILING

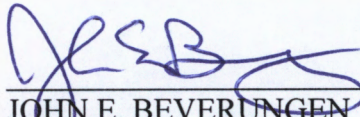
Date 3-21-11

By [signature]

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 21 day of March, 2011 that Petitioner's request for Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the non-conforming use of two units in a single dwelling be and is hereby GRANTED subject to the following condition:

1. There shall be no vehicular parking or driveway access in the front yard of the subject property.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 3-21-11

By js



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 21, 2011

ADAM D. BAKER, ESQUIRE
WHITEFORD, TAYLOR & PRESTON, L.L.P.
TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MD 21204-5025

Re: Petition for Special Hearing
Case No. 2011-0176-SPH
Property: 1 Hillside Avenue

Dear Mr. Baker:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

Enclosure

c: Mary Josephine Sexton, 5225 Pooks Hill Road, Bethesda MD 20814
L.J. Link, PO Box 727, Brooklandville MD 21022



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1 Hillside Avenue 21286
which is presently zoned DR 5.5

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

*a non-conforming use of
two units in a single dwelling*

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Mary Josephine Sexton
Name - Type or Print _____
Mary Josephine Sexton
Signature _____
Mary Josephine Sexton
Name - Type or Print _____
Signature _____

5225 Pooks Hill Rd 240-421-8460
Address Telephone No.
Bethesda MD 20814
City State Zip Code

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2011-0176-SPH

REV 9/15/98 ORDER RECEIVED FOR FILING

Date 3-21-11

By [Signature]

Reviewed By [Signature] Date 11/10/10

DESCRIPTION OF
MARY JOSEPHINE SEXTION PROPERTY
TAX MAP 70, PARCEL 198
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the north side of Hillside Avenue, said point being 195 +/- feet east of the centerline of York Road; thence;

- 1) northeasterly, approximately 150 feet; thence,
- 2) southeasterly, approximately 44 feet; thence,
- 3) southwesterly, approximately 150 feet; thence,
- 4) northwesterly, approximately 50 feet to the point of beginning

Containing 5502 square feet, known as 1 Hillside Avenue and located in the 9th Election District, 5th Councilmanic District

Item # 0176

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

No. **61047**

Date: **10/10/10**

PAID RECEIPT

BUSINESS	ACTUAL	TIME	GRN
1/10/2010	11/10/2010	11:53:29	2

REG #502 MAIL JEVA JEE
 >>RECEIPT # 711296 11/10/2010 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
0001	306	0000		6150				665

Total: **\$665.00**

Rec From: _____
 For: zoning hearing - case # 2011-0176-SPH

DISTRIBUTION

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

Recpt Tot \$65.00
 \$65.00 CK \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 1/14/2011

Case Number: 2011-0176-SPH

Petitioner / Developer: MARY SEXTON

Date of Hearing (Closing): JANUARY 28, 2011

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
1 HILLSIDE AVENUE

The sign(s) were posted on: JANUARY 12, 2011

NOTICE OF ZONING HEARING

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

Case: # 2011-0176-SPH
1 Hillside Avenue
N/s of Hillside Avenue, 195
E/of York Road

9th Election District
5th Councilmanic District
Legal Owner(s): Mary
Josephine Sexton

Special Hearing: to approve a non-conforming use of two units in a single dwelling.

Hearing: Friday, January 28, 2011 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

1/069 Jan. 13 264660

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/13, 2011.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 2/15/2011

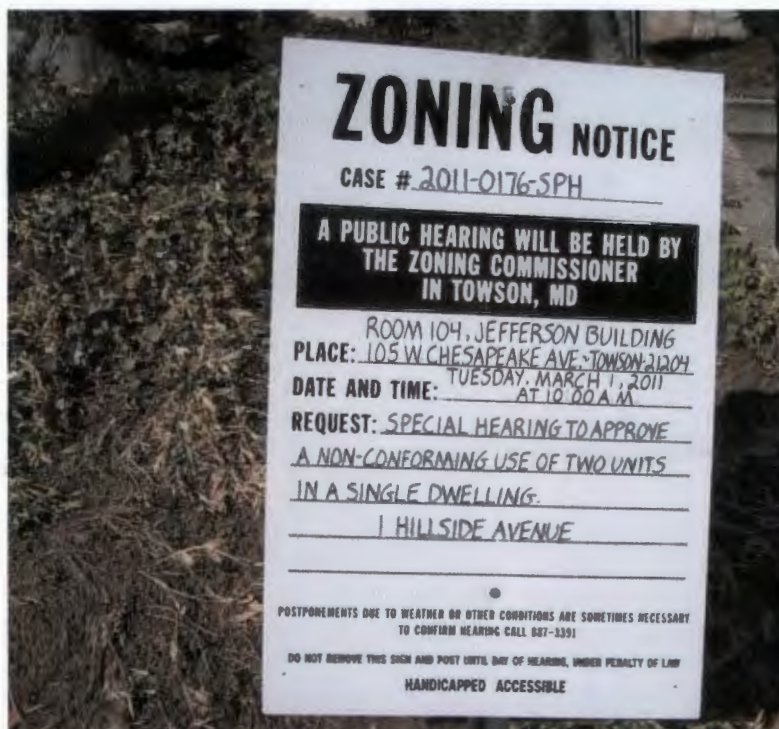
Case Number: 2011-0176-SPH

Petitioner / Developer: MARY SEXTON

Date of Hearing (Closing): MARCH 1, 2011

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
1 HILLSIDE AVENUE

The sign(s) were posted on: FEBRUARY 10, 2011



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 15, 2011 Issue - Jeffersonian

Please forward billing to:

Mary Sexton
5225 Pooks Hill Road
Bethesda, MD 20814

240-421-8460

NOTICE OF ZONING HEARING

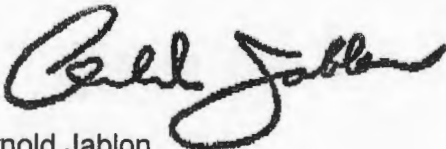
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0176-SPH

1 Hillside Avenue
N/s of Hillside Avenue, 195 feet E/of York Road
9th Election District – 5th Councilmanic District
Legal Owner: Mary Josephine Sexton

Special Hearing to approve a non-conforming use of two units in a single dwelling.

Hearing: Tuesday, March 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director, PAI

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE HEARINGS AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

February 2, 2011

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2011-0176-SPH

1 Hillside Avenue
N/s of Hillside Avenue, 195 feet E/of York Road
9th Election District – 5th Councilmanic District
Legal Owner: Mary Josephine Sexton

Special Hearing to approve a non-conforming use of two units in a single dwelling.

Hearing: Tuesday, March 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director, PAI

AJ:kl

C: Mary Sexton, 5225 Pooks Hill Road, Bethesda 20814

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, FEBRUARY 14, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE OFFICE OF ADMINISTRATIVE HEARINGS AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 13, 2011 Issue - Jeffersonian

Please forward billing to:
Mary Sexton
5225 Pooks Hill Road
Bethesda, MD 20814

240-421-8460

NOTICE OF ZONING HEARING

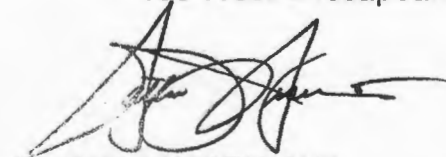
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0176-SPH

1 Hillside Avenue
N/s of Hillside Avenue, 195 feet E/of York Road
9th Election District – 5th Councilmanic District
Legal Owner: Mary Josephine Sexton

Special Hearing to approve a non-conforming use of two units in a single dwelling.

Hearing: Friday, January 28, 2011 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
January 3, 2011

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2011-0176-SPH

1 Hillside Avenue

N/s of Hillside Avenue, 195 feet E/of York Road

9th Election District – 5th Councilmanic District

Legal Owner: Mary Josephine Sexton

Special Hearing to approve a non-conforming use of two units in a single dwelling.

Hearing: Friday, January 28, 2011 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

George Klunk
Acting Director

GK:kl

C: Mary Sexton, 5225 Pooks Hill Road, Bethesda 20814

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 13, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 2011-0176-A

Petitioner: Mary Sexton

Address or Location: 1 Hillside Ave, Belts MD 21286

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mary Sexton

Address: 5225 Pooks Hill Rd

Bethesda MD

20814

Telephone Number: 240 - 421 - 8460



KEVIN KAMENETZ
County Executive

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

January 19, 2011

Mary Josephine Sexton
5225 Park Hill Road
Bethesda, Maryland 20814

Dear Ms. Sexton:

RE: Case Number 2011-0176 Address 1 Hillside Ave

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 10, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: November 29, 2010

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 29, 2010
Item No. 2011-176

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The plan should be revised to show the required off-street parking spaces.

DAK:CEN:cab
cc: File
ZAC-ITEM NO 11-176-11292010.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Beverly K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: Nov. 24, 2010

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

RE: Baltimore County
Item No 2011-0176-SPH
1 HILLSIDE AVE.
SEXTON PROPERTY
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. 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 Item No. 2011-0176-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Access Management Division

SDF/mb

JB 1/28 9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, Interim Director
Department of Permits and
Development Management

DATE: December 13, 2010

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 1 Hillside Avenue

RECEIVED

INFORMATION:

DEC 21 2010

Item Number: 11-176

Petitioner: Leroy Y. Haile

ZONING COMMISSIONER

Zoning: DR 5.5

Requested Action: Special Hearing

The petitioner seeks a non-conforming use of two living units in a single-family dwelling.

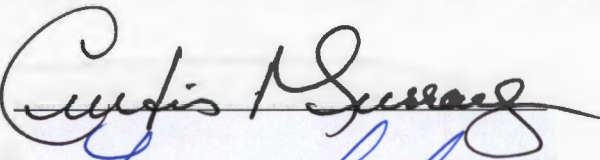
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. It is unclear how long the subject property has been used as an apartment. The petitioner should demonstrate to the Zoning Commissioner that the two-apartment dwelling was lawfully established prior to the applicable law prohibiting such use.

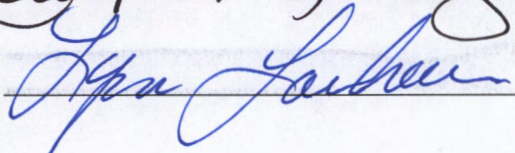
Should the Zoning Commissioner grant the petitioner's request, there shall be no parking or driveway access in the front yard.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by:



Division Chief:
MJM/LL: CM



JB 1/28 9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 23 2010

ZONING COMMISSIONER

TO: Zoning Commissioner's Office
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 22, 2010
SUBJECT: Zoning Item # 11-176-SPH
Address 1 Hillside Avenue
(Sexton Property)

Zoning Advisory Committee Meeting of November 15, 2010.

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 12/22/10

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

November 24, 2010

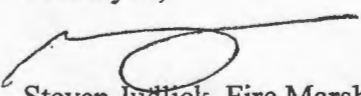
Dept of PDM
Room 111, County Office Building
111 West Chesapeake Ave.
Towson, MD 21204
MS #1105

Attention Kristen Matthews

The Fire Marshal's office has no comment on the following zoning cases:

2011-0159-A, 2011-0160-A, 2011-0161-A, 2011-0162-A, 2011-0163-A, 2011-0163-A,
2011-0165-A, 2011-0166-A, 2011-0167-A, 2011-0168-SPH, 2011-0169-A, 2011-0170-A
2011-0171-XA, 2011-0172-A, 2011-0173-SPH, 2011-0174-A, 2011-0175-A,
2011-0176-SPH, 2011-0177-A, 2011-0178-A, 2011-0179-A.

Thank you,



Steven Judlick, Fire Marshal
Baltimore County Fire Department
Office of the Fire Marshal
410-887-4880

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

JB
3-1-11

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: February 25, 2011

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SIGNED: Dennis A. Kennedy

SUBJECT: Zoning Advisory Committee Meeting
For November 29, 2010
Item No. 2011-176 (REVISED)

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Adam Baker, Attorney, has shown that adequate parking exists within the property.

RECEIVED

MAR 02 2011

ZONING COMMISSIONER

DAK:CEN:cab

cc: File

ZAC-ITEM NO 11-176 REVISED-11292010.doc

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
1 Hillside Avenue; N/S Hillside *
Avenue, 195' E of York Road * ZONING COMMISSIONER
9th Election & 5th Councilmanic Districts *
Legal Owner(s): Mary Josephine Sexton * FOR
Petitioner(s) * BALTIMORE COUNTY
* 2011-176-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

DEC 08 2010



Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to Mary Sexton, 5225 Pooks Hill Road, Bethesda, MD 20814, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

January 31, 2011

ADAM D. BAKER, ESQUIRE
WHITEFORD, TAYLOR & PRESTON, L.L.P.
TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MD 21204-5025

Re: Case No. 2011-0176-SPH
Property: 1 Hillside Avenue

Dear Mr. Baker:

As you know, the hearing on the Petition for Special Hearing filed in the above-captioned matter was scheduled for Friday, January 28, 2011 at 9:00 AM. I convened the hearing at that time, and you entered your appearance on behalf of the Petitioner, Mary Josephine Sexton, and requested a postponement given that you had only recently been retained by Ms. Sexton.

As I indicated at the hearing, I will grant the postponement, and it will be incumbent upon you to secure a new hearing date from the Department of Permits, Inspections and Approvals, and please remember that you must also repost the property in accordance with the Zoning Regulations. As I also noted at the hearing, the Circuit Court was scheduled to open at 10:00 AM due to inclement weather, and the postponement is property granted for that reason as well, so that if there is opposition to you client's request, interested citizens may have a new hearing date when inclement weather does not wreak havoc on the schedule.

Sincerely,

A handwritten signature in dark ink that reads "John E. Beverungen / pz".

JOHN E. BEVERUNGEN
Deputy Zoning Commissioner
for Baltimore County

JEB/pz

c: Kevin Davenport, 7907 York Road, Towson MD 21204
Peter Max Zimmerman, People's Counsel for Baltimore County

Debra Wiley - FW: Postponement Request; Case No. 2011-176-SPH

From: "Baker, Adam D" <ABaker@wtplaw.com>
To: 'Debra Wiley' <dwiley@baltimorecountymd.gov>
Date: 1/26/2011 9:41 AM
Subject: FW: Postponement Request; Case No. 2011-176-SPH
Attachments: 20110126095033_20110126_093534.PDF

Debbie,

Following up on our conversation this morning, attached please find a copy of our letter requesting a postponement for the above-referenced matter. We faxed a copy of the letter to Kristin Lewis yesterday afternoon.

Should the Office of Administrative Hearings need a pleading requesting the postponement, please let me know and I will submit one. Thank you.

Adam D. Baker
LEED AP BD+C



Towson Commons, Suite 300 | One West Pennsylvania Avenue | Towson, MD 21204
t: 410-832-2052 | f: 410 339-4028
abaker@wtplaw.com | [Bio](#) | [vCard](#) | [www.wtplaw.com](#)

From: Arlo [mailto:arlo]
Sent: Wednesday, January 26, 2011 9:36 AM
To: Baker, Adam D
Subject: MyAccuRoute Delivery

The attached file was processed by the AccuRoute server as requested.

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.

Circular 230 Disclosure:

To ensure compliance with requirements imposed by Treasury and the IRS, we inform you that any federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used for the purpose of (i) avoiding tax penalties that may be imposed under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another person any transaction or matter addressed herein.

→ recently retained
by Ms. Sexton
→

WHITEFORD, TAYLOR & PRESTON L.L.P.

ADAM D. BAKER
DIRECT LINE (410) 832-2052
DIRECT FAX (410) 339-4028
ABaker@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

BALTIMORE, MD
COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

January 25, 2011

VIA FACSIMILE 410-887-3048

Mrs. Kristin Lewis
Zoning Review
County Office Building
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204

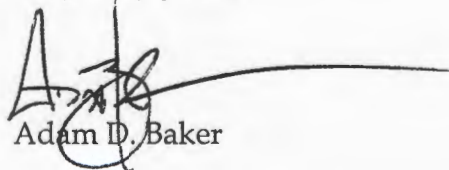
Re: Case Number: 2011-0176-SPH
1 Hillside Avenue
N/s of Hillside Avenue, 195 feet E/of York Road
9th Election District - 5th Councilmanic District
Legal Owner: Mary Josephine Sexton

Dear Mrs. Lewis:

Please accept this letter as a follow up to our conversation this afternoon. Whiteford, Taylor & Preston, LLP was recently retained by Mary Josephine Sexton, the Petitioner in the above-referenced matter, following the filing of the Petition for Special Hearing. On account of our recent involvement, I am writing to respectfully request a postponement of the Zoning Hearing that is scheduled for Friday, January 28, 2011 at 9:00 a.m. For your records, I have enclosed a copy of the Petition for Special Hearing and Notice of Zoning Hearing. I will be in touch in the next few days with several proposed dates for rescheduling.

Thank you for your kind consideration in this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,


Adam D. Baker

ADB:lsp

January 26, 2011
Page 2

Enclosures

cc: Mary Josephine Sexton
Office of Administrative Hearings
Jennifer R. Busse

420056

Account Identifier: District - 09 Account Number - 0902206280

Owner Information

Owner Name: SEXTON MARY JOSEPHINE **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 2809 EAGLES MERE CT
ELLICOTT CITY MD 21042-7616 **Deed Reference:** 1) / 7201/ 736
2)

Location & Structure Information

Premises Address 1 HILLSIDE AVE
BALTIMORE 21204 **Legal Description** LT NES HILLSIDE AV
135 E OF YORK RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
70	14	198						2	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1919	2,776 SF	5,502.00 SF	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2010	07/01/2011
Land	107,500	107,500		
Improvements:	192,100	192,100		
Total:	299,600	299,600	299,600	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller:	Date:	Price:
BATEMAN CHARLES G	06/18/1986	\$120,000
Type:	Deed1:	Deed2:
IMPROVED ARMS-LENGTH	/ 7201/ 736	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

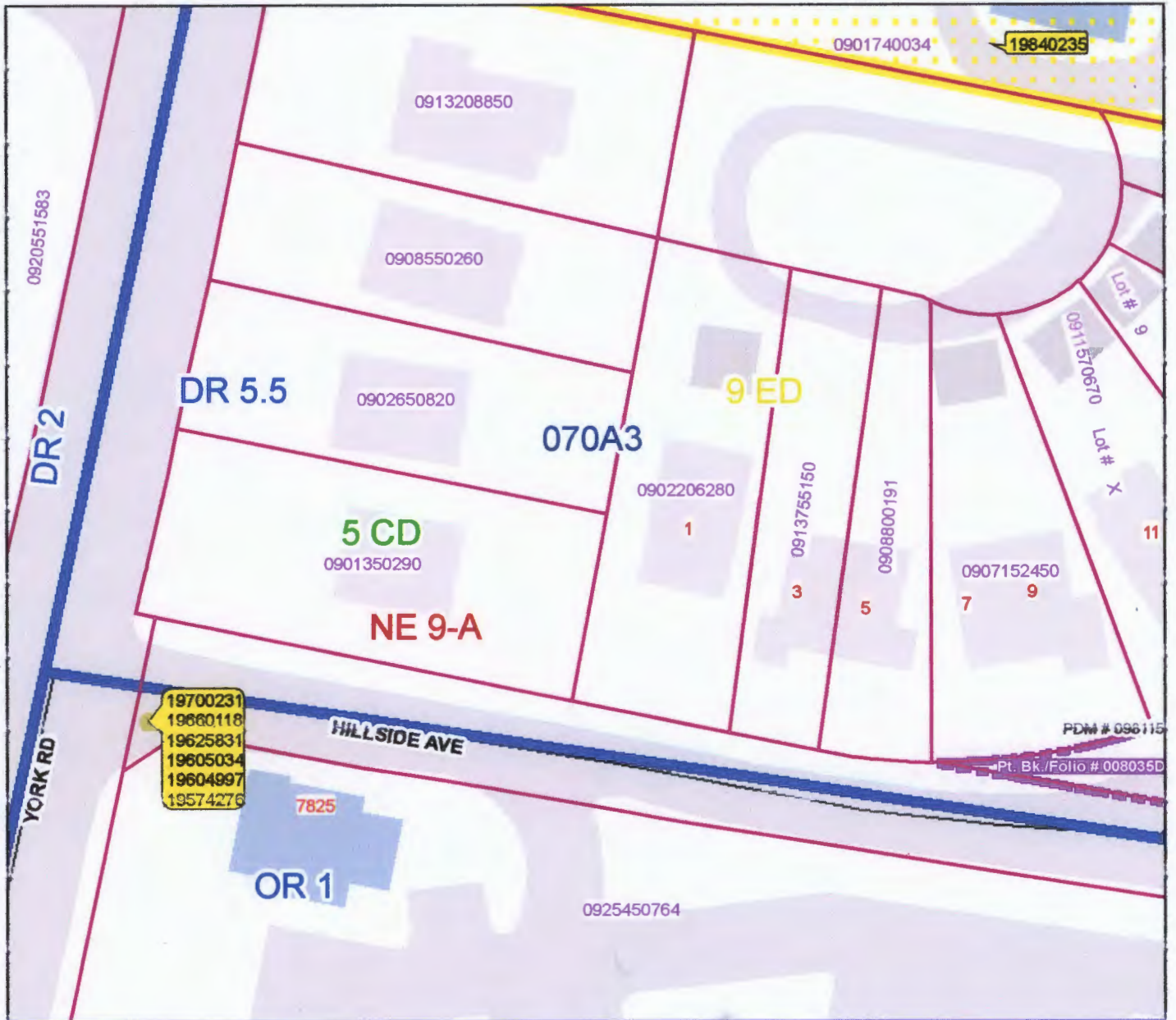
Tax Exempt: NO **Special Tax Recapture:**
Exempt Class: * NONE *

Item #0176

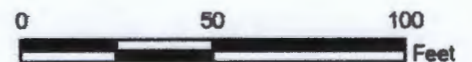
CASE NAME 21 HINSDALE AVE
CASE NUMBER 2011-176-SP1
DATE JANUARY 28, 2011

[illegible]

1 Hillside Avenue



Publication Date: November 09, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 50 feet

Item #0176

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

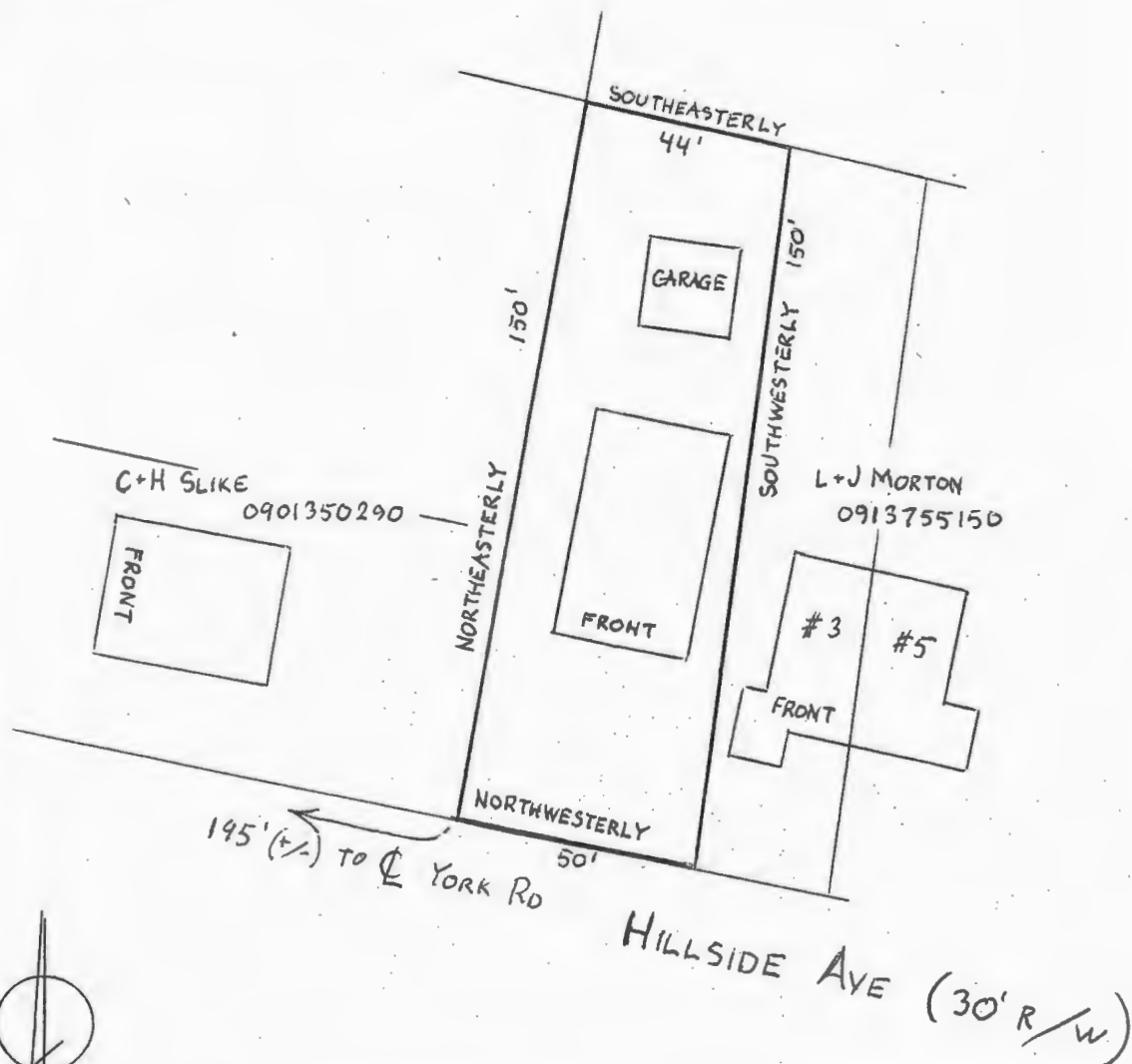
PROPERTY ADDRESS 1 HILLSIDE AVE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME N/A

PLAT BOOK # _____ FOLIO # _____ LOT # _____ SECTION # _____

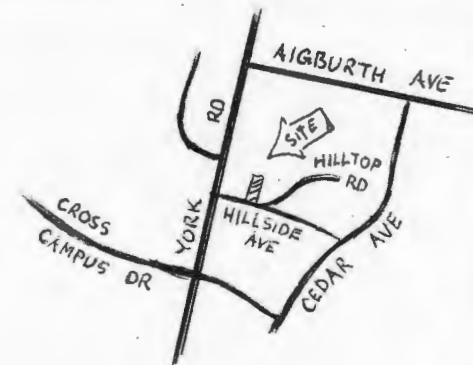
OWNER MARY JOSEPHINE SEXTON



NORTH

PREPARED BY _____

SCALE OF DRAWING: 1" = 40



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9TH

COUNCILMANIC DISTRICT 5TH

1" = 200' SCALE MAP # 070A3

ZONING DR 5.5

LOT SIZE 5502
ACREAGE _____ SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY

REVIEWED BY _____ ITEM # _____ CASE # _____

2011-
0176-SPH

Case No.: 2011-0176-SPH

Exhibit Sheet

Petitioner/Developer

Protestants

No. 1	site plan re: SPH	
No. 2	letter from realtor M. Gruber	
No. 3	Affidavit of Rebecca Wilson	
No. 4 A* B	floorplan sketches	
No. 5	PHOTOS A-D	
No. 6	BGE BGE documentation A-D	
No. 7	Link CV	
No. 8	Extract from Loizeaux treatise	
No. 9	Link drawn floorplan	
No. 10	Lynn Fuller letter from	
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 1 Hillside Ave.

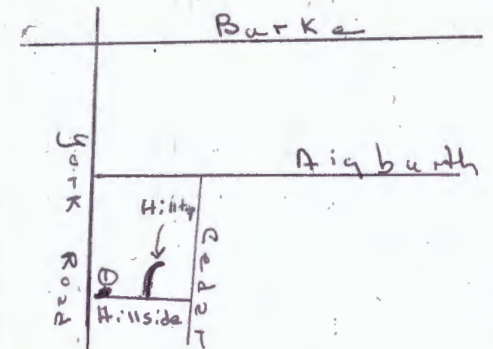
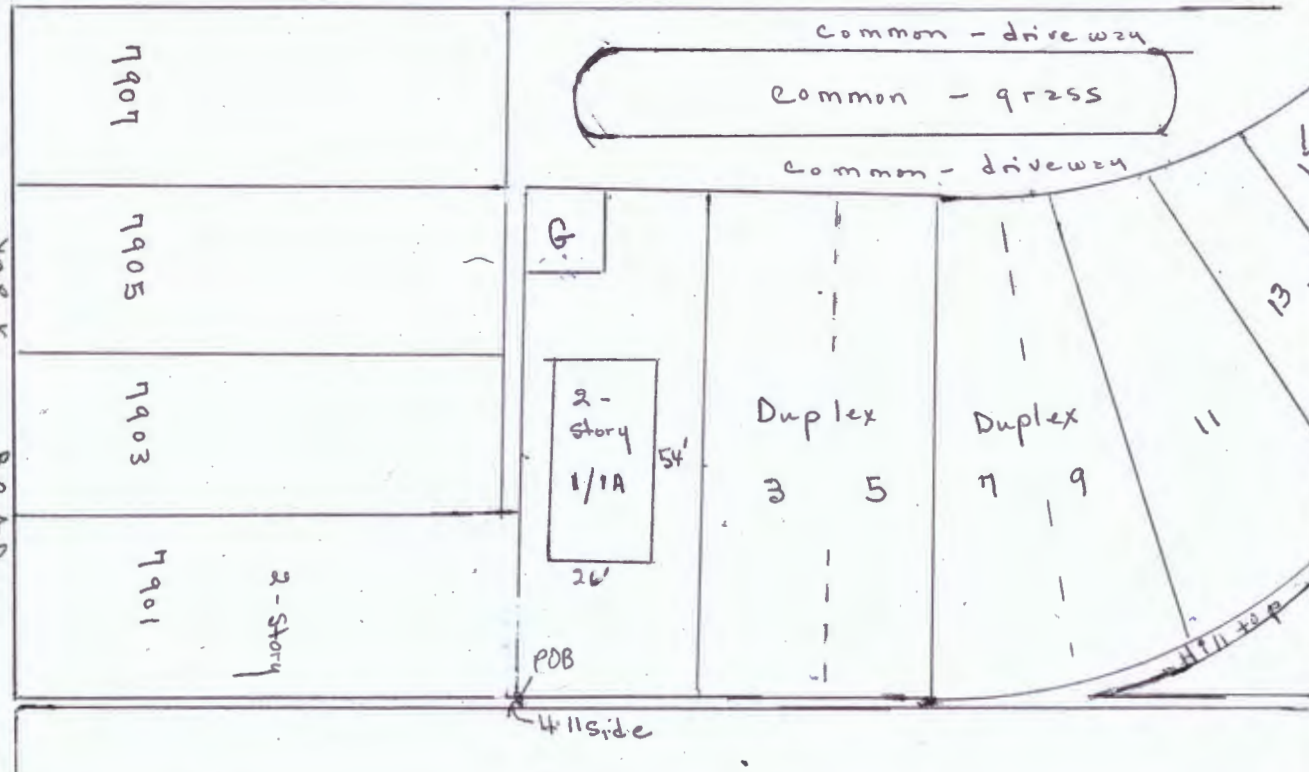
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Aigburth

PLAT BOOK # 720 FOLIO # 136 LOT # SECTION #

OWNER Mary Josephine Sexton

Catholic campus ministry



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9
COUNCILMANIC DISTRICT 5
1"=200' SCALE MAP # 070A3
ZONING DR 5.5
LOT SIZE 5502
ACREAGE SQUARE FEET
SEWER ☒ PUBLIC ☐ PRIVATE ☐
WATER ☒ PUBLIC ☐ PRIVATE ☐
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING ☐ YES ☒ NO

ZONING OFFICE USE ONLY

REVIEWED BY ITEM #



NORTH

PREPARED BY Mary Sexton

SCALE OF DRAWING: 1" = 50'

EXHIBIT

tabbies

Case # 2011-0176-SPH

**COLDWELL
BANKER**

RESIDENTIAL BROKERAGE

THE ROLAND PARK OFFICE
VILLAGE OF CROSS KEYS
38 VILLAGE SQUARE
BALTIMORE, MD 21210
OFFICE (410) 235-4100
FAX (410) 243-2230

October 22, 2010

To Whom It May Concern:

In the Spring of 1986, I helped Mary Sexton find and purchase 1 Hillside Avenue in Towson, Maryland. We settled on the property on June 18, 1986.

AT THAT TIME, THE property was set up as 2 units, each with its own separate entrance. We were told by the listing agent that to the best of her knowledge, the property has always been used as a 2 unit building, and that the zoning had been "grandfathered" in.

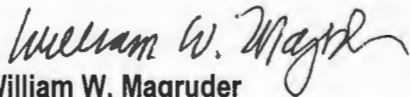
She provided us with documentation verifying this information. Ms. Sexton's bank was satisfied with this documentation. Mrs. Sexton moved into the first floor unit, and during her 20+ years in this residence, has always rented the second floor. The units are separately metered.

Unfortunately, because of a flood in 2002 in our real estate office, I no longer have the documentation provided to us by the co-operating realtor, Maggie Ayd. Ms. Ayd has since retired and is out of state. We have not been able to locate her.

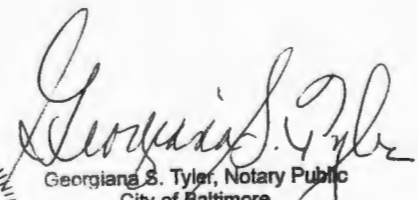
Mrs. Sexton has continually rented the property and has periodically called me over the years to advice on tenant/landlord situations. To the best of my knowledge, this property has always been 2 units.

I have been a licensed realtor for 27 years. Please do not hesitate to call me if you have any further questions.

Sincerely,



William W. Magruder
Realtor
Coldwell Banker Residential Brokerage
410-235-4100/410-456-2490



Georgiana S. Tyler, Notary Public
City of Baltimore
State of Maryland
My Commission Expires Mar. 1, 2011

EXHIBIT

tabbles®

2

**CONDITIONAL USE PERMIT
FOR
TWO APARTMENTS**

This use permit for two apartments at 1 Hillside Ave. Towson
(address)

is issued entirely upon the basis of the herein affidavit, including the dates of original use and continuous use sworn to therein. The responsibility for the accuracy of said dates and uses is entirely that of the legal owner and/or agent thereof. In the event that the accuracy is challenged, our approval is automatically withdrawn; the use permit will be reinstated only after public hearing and submission of testimony that alleviates the allegations contained in the challenge and otherwise provides the proofs necessary to establish a legal non-conforming use for the number of apartments claimed. Knowingly falsifying the affidavit information on the reverse side of this permit is subject to the penalties of perjury.

DATE: _____

APPROVED BY: _____

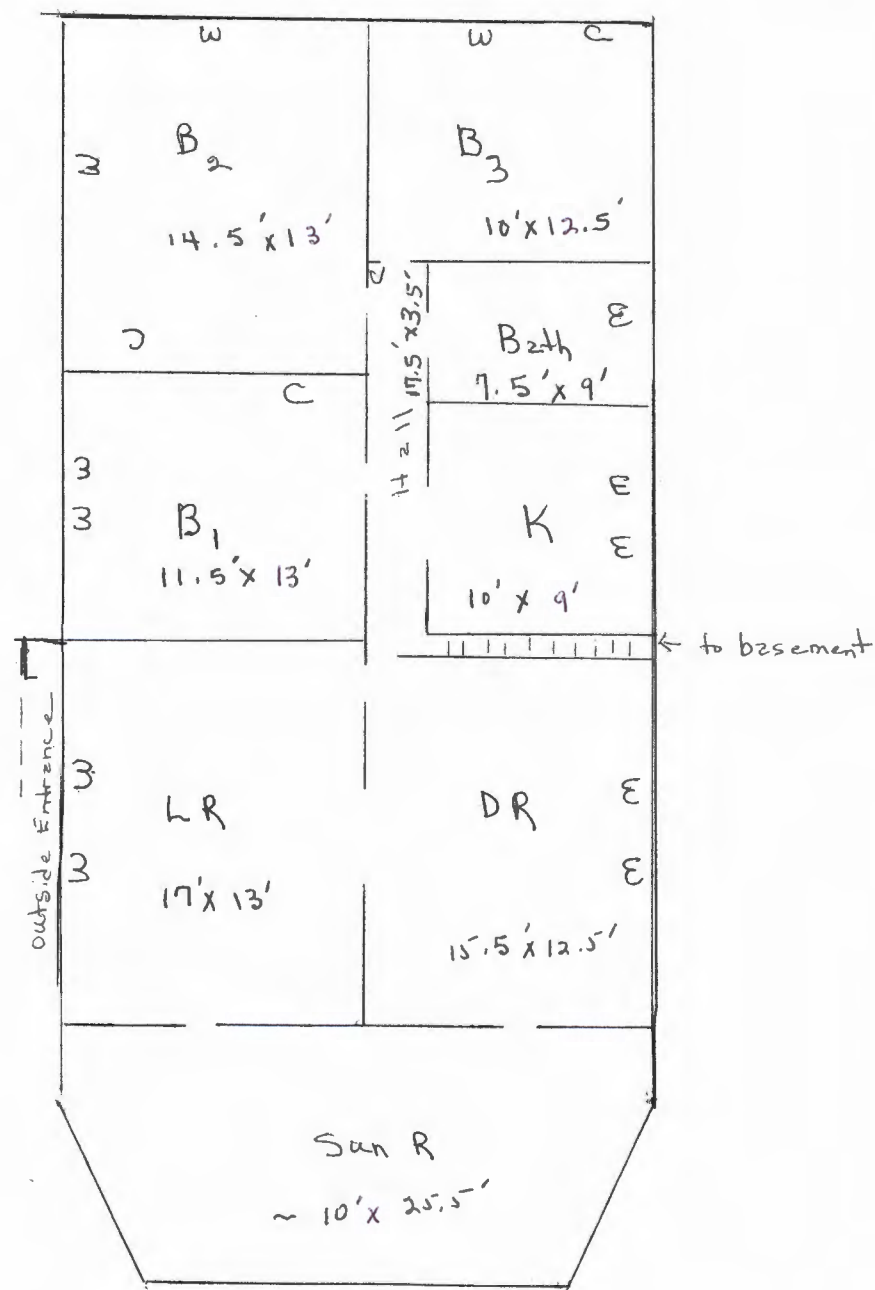
DIRECTOR, DEPARTMENT OF PERMITS
AND DEVELOPMENT MANAGEMENT

Revised 9/5/95



$$\frac{1}{4}'' = 2'$$

W = window
C = closet

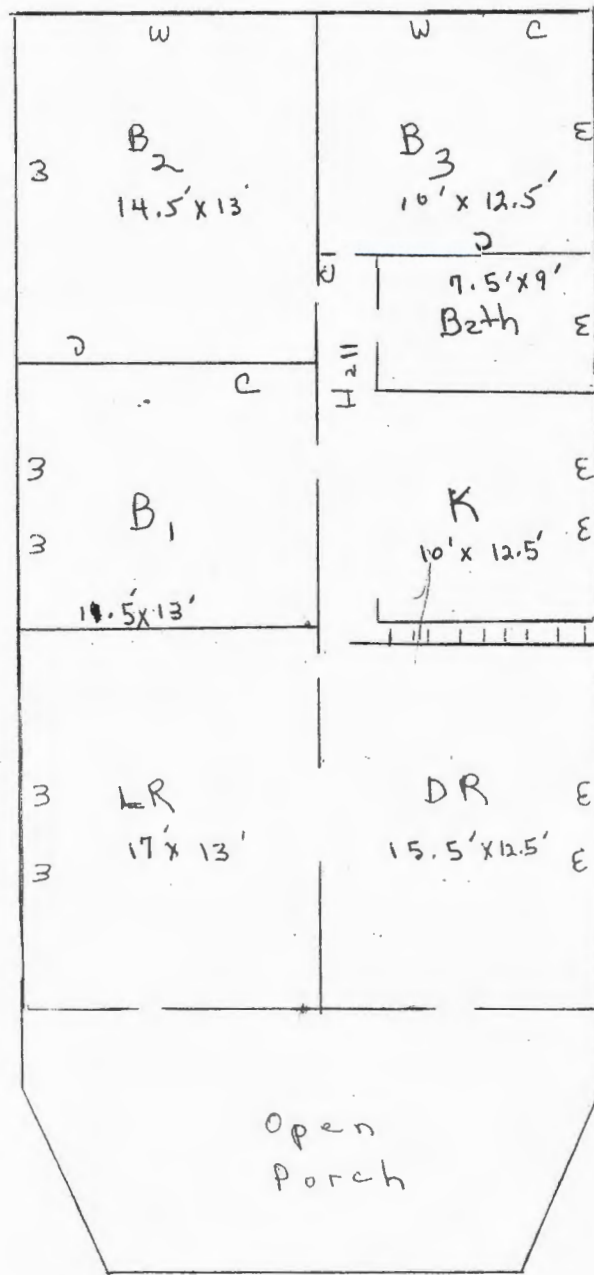


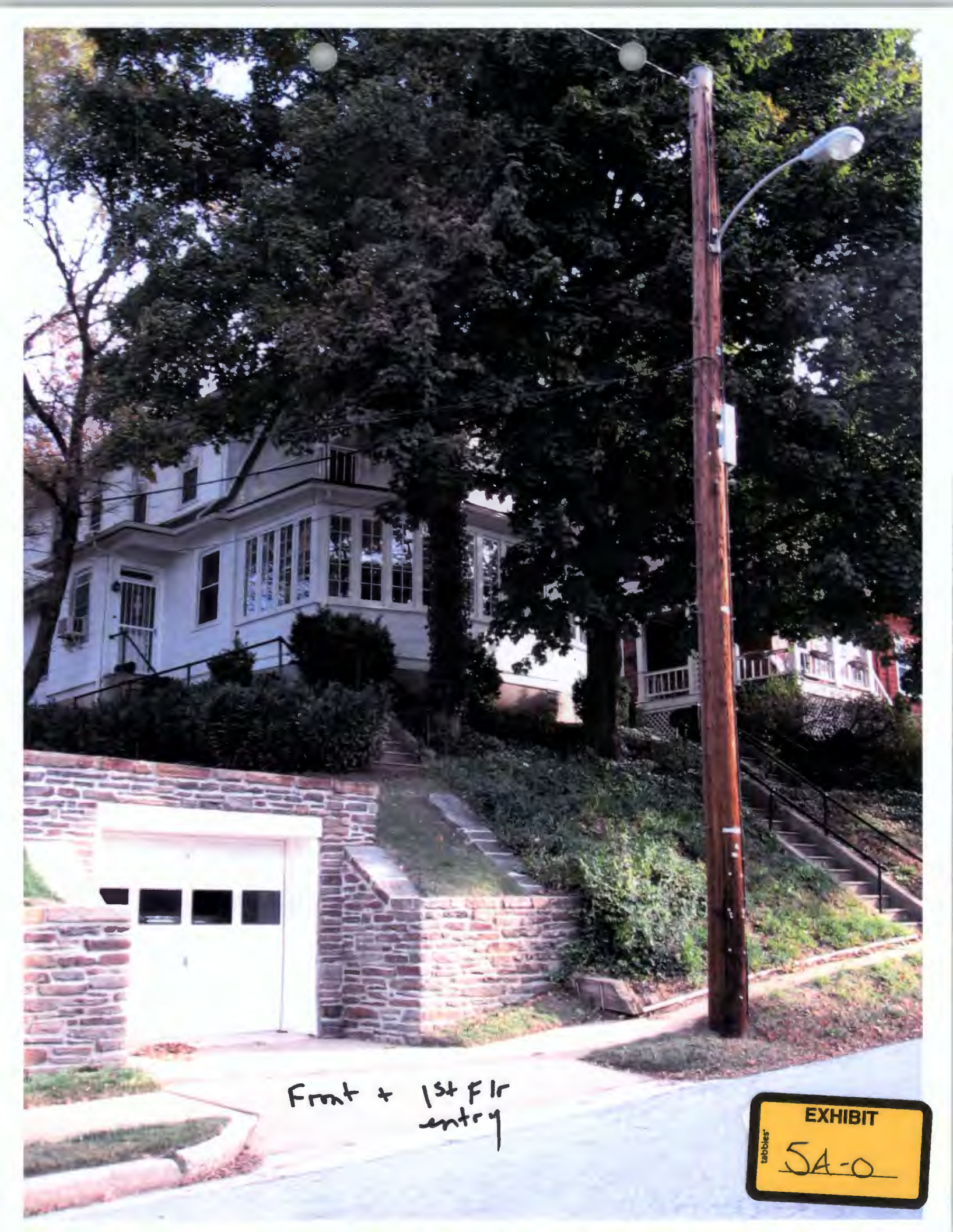
1st Floor

w = window
c = closet

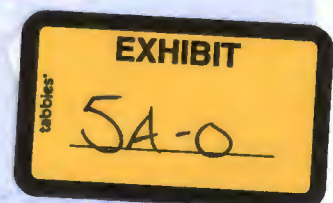
2nd Floor

1/4" = 2'





Front + 1st Flr
entry





2nd Flr
entry





2-car garage

Back fence harbor + basement + 1st fl entrance



1st Flr Kitchen



2nd Flr Kitchen





2nd Flr
b2th



1st Flr
bedroom



1st Flr bedroom

1st Flr Living Room





1st Flr Sun room



2nd Flr Living Room



2 F1r , 1 F1r , Public
meters



Liaison and Investigations

P.O. Box 1475
Baltimore, Maryland 21203-1475

November 23, 2010

Mary Sexton
435 Water Ridge Court
Atlanta, GA 30350

RE: Address: 1 Hillside Avenue
Baltimore, MD 21286

Dear Ms. Sexton:

Thank you for your recent inquiry. I have listed the available information below.

ADDRESS	ELECTRIC METER NUMBER	GAS METER NUMBER	DATE OF SERVICE
1 Hillside Ave 1FL	G23446046	1374757	October 12, 1989
1 Hillside Ave 2FL	G23446047	1366323	October 1, 1981
1 Hillside Ave *PS	N/A	829630	November 1, 1980

If you have further questions, please contact me at 410-209-1545 or 1-800-952-6412, extension 1545. I can be reached Monday through Friday from 8:00 A.M. to 4:00 P.M.

Sincerely,

Carla Michael
Customer Accounts Specialist





Name Mary J Sexton
Service Address 1 Hillside Av *1FL
Baltimore MD 21286
Account Number 11700-02544

Summary

Billing Date: July 18, 2010

Payments Received

July 9, 2010 \$2.07

BGE Outstanding Balance \$0.00

Charges this Period

BGE Electric 7.28

BGE Gas Delivery Service 13.00

Total Charges This Period \$20.28

Total Amount Due by Aug. 11, 2010 \$20.28

Late charge after Aug. 11, 2010, add \$0.31 \$20.59

A late payment charge is applied to the unpaid balance of your BGE charges. The charge is 1.5% for the first month; additional charges will be assessed on unpaid balances past the first month, not to exceed 5%.

Important Information About Your Bill

Effective June 1, 2010, your Price to Compare for the twelve month period ending May 31, 2011 is 10.75 cents (\$.1075) per kWh. When shopping for electric suppliers, compare this price to those proposed by other companies. This price reflects the average amount, for this twelve month period, a customer on this schedule pays per kilowatt-hour for BGE Electric Supply.

Moving? To stop or transfer service, contact BGE at least 3 business days prior to your move date. You are responsible for all service at your present address until you notify us.

Next Scheduled Reading

August 17, 2010

Electric Usage Profile

Month/Year	Type of Reading	Days	kWh	Avg. Daily Use	Avg. Temp.
Jul 10	Actual	30	0	0.0	81
Jun 10	Actual	30	0	0.0	79

Profile data not available this month.

Hot weather can significantly impact your bill. During the current bill period, the temperature at BWI Airport was at or above 85 degrees a total of 260 hours. Find out more at www.bge.com.

Please detach here and return this portion with your payment.

Adj Annual Usage Elec 924 kWh Gas 0 therms

Account Number 11700-02544

1043749 01 MB 0.379 **AUTO T1 0 2144 30350-374035 MAI



Mary J Sexton
435 Water-Ridge CT
Atlanta GA 30350-3740

Pd online

Please Pay by August 11, 2010

Amount Due

\$20.28

Amount Paid

If paid after August 11, 2010, amount due is \$20.59

Please make check payable to BGE and include account number.
Thank you!

BGE
P.O. Box 13070
Philadelphia, PA 19101-3070



21117000254400000020287223300000205900

1043749/000001/0044408



Name Mary J Sexton
Service Address 1 Hillside Av *2FL
Baltimore MD 21286
Account Number 85180-49206

Summary

Billing Date May 19, 2010

BGE Outstanding Balance \$0.00

Credit 6.20 cr

Charges this Period

BGE Electric 17.39

BGE Gas Delivery Service 13.00

Total Charges This Period \$30.39

Total Amount Due by Jun. 11, 2010 \$24.19

Late charge after Jun. 11, 2010, add \$0.36 \$24.55

A late payment charge is applied to the unpaid balance of your BGE charges. The charge is 1.5% for the first month; additional charges will be assessed on unpaid balances past the first month, not to exceed 5%.

Important Information About Your Bill

Effective June 1, 2010, your Price to Compare for the twelve month period ending May 31, 2011 is 10.62 cents (\$.1062) per kWh. When shopping for electric suppliers, compare this price to those proposed by other companies. This price reflects the average amount, for this twelve month period, a customer on this schedule pays per kilowatt-hour for BGE Electric Supply.

Moving? To stop or transfer service, contact BGE at least 3 business days prior to your move date. You are responsible for all service at your present address until you notify us.

Next Scheduled Reading

June 16, 2010

Electric Usage Profile

Month/ Year	Type of Reading	Days	kWh	Avg. Daily Use	Avg Temp
May 10	Actual	32	68	2.1	60
Apr 10	Actual	31	68	2.2	56
May 09	Averaged	29	283	9.8	61

Pd



Name: Mary J Sexton
Service Address: 1 Hillside Av *PS
Baltimore MD 21286
Account Number: 04877-82365

Summary

Billing Date: January 18, 2011

Payments Received

January 7, 2011 \$7.85

BGE Outstanding Balance \$0.00

Charges this Period

BGE Gas Delivery Service 29.13

BGE Gas Commodity 31.69

Total Charges This Period \$60.82

Total Amount Due by Feb. 10, 2011 \$60.82

Late charge after Feb. 10, 2011, add \$0.50 \$61.32

A late payment charge is applied to the unpaid balance of your BGE charges. The charge is 5% for the first month; additional charges will be assessed on unpaid balances past the first month, not to exceed 5%.

Important Information About Your Bill

This bill for gas and/or electric service covers an extended period of time. Our normal billing period is 29 to 33 days.

Moving? To stop or transfer service, contact BGE at least 3 business days prior to your move date. You are responsible for all service at your present address until you notify us.

Next Scheduled Reading

February 15, 2011

Gas Usage Profile

Month/Year	Type of Reading	Days	Therms	avg. Daily Use	avg. Temp
Jan 11	Actual	34	55	1.6	39
Dec 10	Actual	31	5	0.1	41
Jan 10	Actual	31	444	14.3	39

Cold weather can significantly impact your bill. During the current bill period, the temperature at BWI Airport was at or below freezing a total of 576 hours. Find out more at www.bge.com.

Please detach here and return this portion with your payment.

Account Number 04877-82365

1036088 01 MB 0.379 **AUTO T7 0 2013 30350-374035 MAI



Mary J Sexton
435 Water-Ridge CT
Atlanta GA 30350-3740

Adj Annual Usage Ele 0 kWh Gas 743 therms

Please Pay by February 10, 2011

Amount Due

\$60.82

Amount Paid

If paid after February 10, 2011, amount due is \$61.32

Please make check payable to BGE and include account number.
Thank you!

BGE
P.O. Box 13070
Philadelphia, PA 19101-3070

21048778236580000060821041600000617300

L.J.Link Jr.

The educational background for Mr. Link includes includes:

RISD.....Bach. of Fine Arts/Architecture

RISD.....Bach. of Architecture

Cranbrook..... post graduate studies

The office of L.J.Link Jr., Inc. has been in continuous professional practice since 1976. The practice has completed work & is registered in: Maryland, Pennsylvania, Virginia, Massachusetts, Florida, Delaware, New York & South Carolina.

Mr. Link has testified & been qualified as expert witness before Baltimore County Zoning Commissioners & Baltimore County Commission for Historical Preservation. His office is currently engaged in numerous projects around Maryland involving structures of historic and landmarks status. These currently include:

Gas Light Square, Baltimore City

The Rockland Grist Mill, Brooklandville

Dielman Tavern, New Windsor

residences in Homeland & Roland Park

residences in Reisterstown

Thank you for your attention with regards this matter.

l.j.link jr. inc.

Architect

box 727

brooklandville md. 21022

410.337.9528

LJLINKJR@AOL.COM

2.22.2011

EXHIBIT

7



CLASSIC HOUSES OF THE TWENTIES

Loizeaux

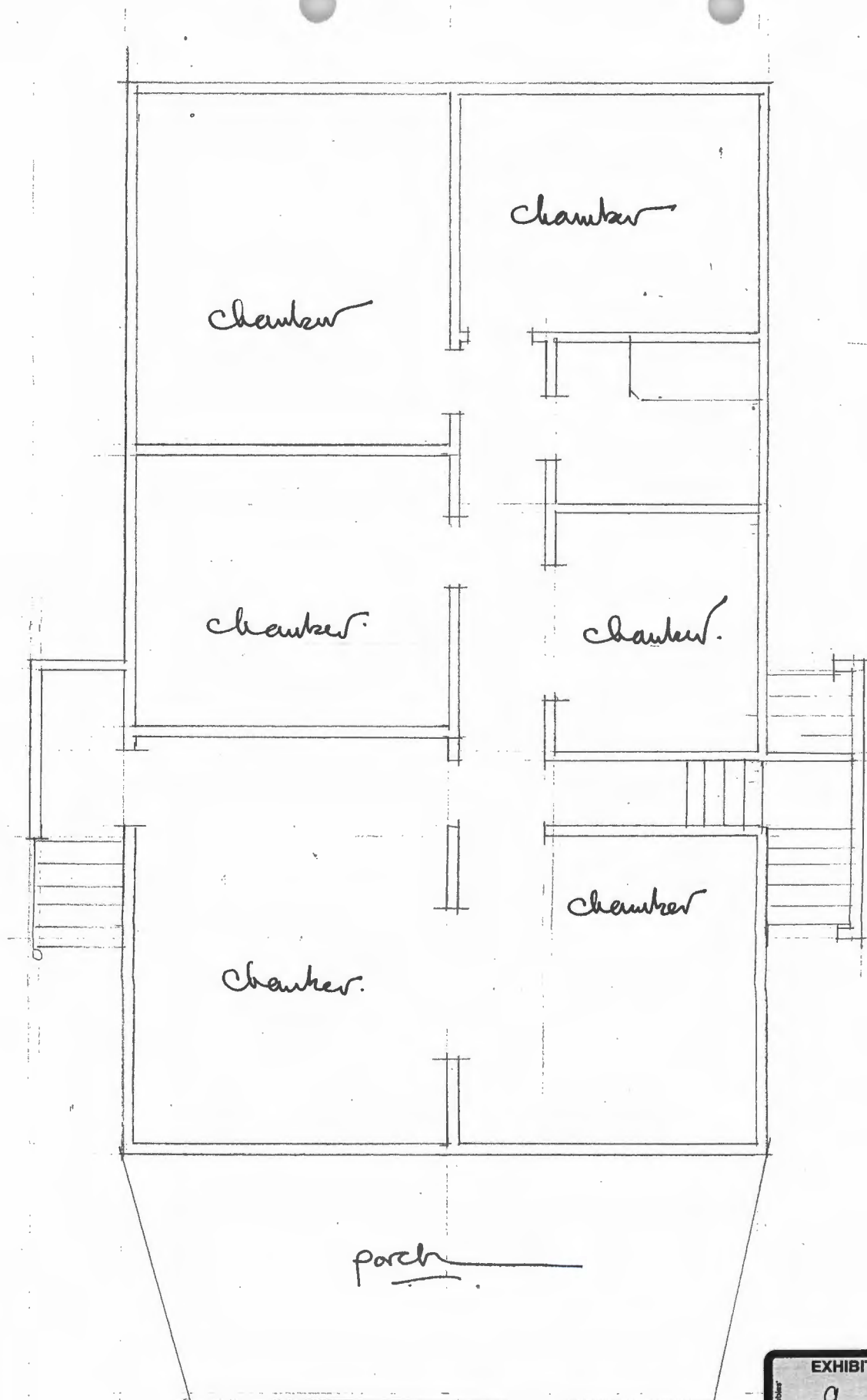


EXHIBIT

tabbles

g

With 134 House Designs



State of Maryland
DEPARTMENT OF
ASSESSMENTS AND TAXATION

Baltimore County



MARTIN O' MALLEY
Governor
C. JOHN SULLIVAN, JR.
Director
J. ROGER LEE
Supervisor

FEBRUARY 28 2011

FROM: LYNN FULLER
BALTIMORE COUNTY ASSESSMENT OFFICE

RE: ACCOUNT # 09-02-206280
1 HILLSIDE AVENUE
BALTIMORE MD 21228

AT THE ASSESSMENT OFFICE WE HAVE A ROLL OF REEL TO REEL
MICROFILM ON WHICH SHOWS THE ASSESSED VALUE OF THE PROPERTY
ADDRESS SHOWN ABOVE AS FOLLOWS.

LAND VALUE	1,175.
HOUSE & APT.	9,600.
<u>GARAGE</u>	<u>325.</u>
TOTAL VALUE	11,100. FOR THE ASSESSMENT <u>YEAR 1965-66</u>

I HAVE TYPED UP THIS INFORMATION BECAUSE OUR MICROFILM READER
DOES NOT HAVE A PRINT OPTION.

IF YOU HAVE ANY QUESTIONS CALL ME AT (410) 512-4915.

SINCERELY,

A handwritten signature in blue ink that reads "Lynn Fuller".

LYNN FULLER
RECORDS SUPERVISOR

Hampton Plaza - Suite 602
300 E. Joppa Road
Towson, Maryland 21286

TELEPHONE 410-512-4905 - FAX 410-321-4148 TTY Users Call Maryland Relay 1-800-
735-2258

