

IN RE: PETITION FOR ADMIN. VARIANCE
(2123 Rockhaven Avenue)
1st Election District
1st Council District
Fairlyn Grace Bailey
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2015-0252-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Fairlyn Grace Bailey ("Petitioner"). The Petitioner is requesting Variance relief from § 100.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the housing of 6 chickens on .456 acres in lieu of the minimum required 1 acre. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Planning on June 12, 2015, indicating they had no comment on the granting of the petitioned relief. However, they advised that on June 6, 2015 the Department presented its staff report regarding Non-Commercial Small Livestock, Fowl and Poultry and requested that a public hearing before the Planning Board be set for June 18, 2015. In addition, a support petition was received from the community indicating they do not have any objections for the Petitioner's proposal and fully support her endeavor.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on May 23, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 6-16-15

By DJ

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

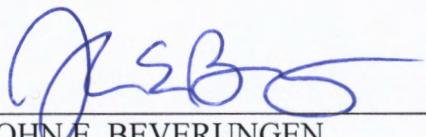
Pursuant to the posting of the property and the provisions of both the B.C.C. and the B.C.Z.R., and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 16th day of **June, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 100.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the housing of 6 chickens on .456 acres in lieu of the minimum required 1 acre, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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

JEB:dlw

ORDER RECEIVED FOR FILING

Date 6-16-15

2

By 



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 2123 Rockhaven Ave. Catonsville, MD 21228 Currently zoned _____
Deed Reference _____ / _____ 10 Digit Tax Account # 1800001401
Owner(s) Printed Name(s) Fairlyn G. Bailey / Michael E. Winstead / Carolyn A. Winstead

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s)

A request to allow ^{up to} 6 chickens to be raised on property for eggs. Chickens will have a coop + run. (SEE ATTACHED)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Fairlyn Grace Bailey

Name #1 – Type or Print

Name #2 – Type or Print

F G Bailey

Signature #1

Signature #2

2123 Rockhaven Ave. Catonsville MD

Mailing Address

City

State

21228 / 410-830-0402 gwinste@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0252A Filing Date 5/13/14 Estimated Posting Date 5/24/15 Reviewer G.H.

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 2123 Rockhaven Ave. Catonsville MD 21228
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

F. D. Bailey
Signature of Owner (Affiant)
Fairlyn Grace Bailey
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of MAY, 15, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: JAGDISH K PATEL

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

J. Patel
Notary Public

My Commission Expires

Jagdish K. Patel
Notary Public
State of Maryland
Baltimore County
My Commission Expires:
February 9th, 2017 5/8/2014

I, Fairlyn Grace Bailey, owner of 2123 Rockhaven Avenue, am proposing a petition to allow up to 6 chickens to be raised and kept on my property for their eggs. I am in need of this petition as I do not have a full acre of property as required by current Baltimore County standards. I have built a chicken coop and enclosed run available for the hens to use, meaning that no chicken would be able to roam or invade surrounding properties as they would be in this enclosure. I do have over a half acre of property for which I would like to move my hens around in their enclosure, so that they may eat grasses and insects. I would not house any roosters, as they tend to be quite noisy nuisances. Hens, however, are very quiet by nature and make no more noise than a housecat.

May 13, 2015

Case # 2015-0252-A

Section 100.6 BCZR: To permit the housing of 6 chickens on .456 acres in lieu of the minimum required 1 acre.

Zoning Property Description for 2123 Rock Haven Avenue, Catonsville, MD 21228

Beginning at a point on the East side of Rock Haven Avenue at the intersection of Linden Avenue and continuing for 85' North on Rock Haven Avenue and continuing East 250' from Rock Haven Avenue which is 20' right-of-way wide.

Thence the following is located at North $39^{\circ} 16' 46.859''$ at West $76^{\circ} 46' 43.089''$ containing 21, 250 ft^2 in all.

Being Lots 22 & 23 as shown on the Plat of Hamson, recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 47 Situated on the Eastside of Rock Haven (Rockhaven) Avenue.* Located in the 1st Election District, the 11th Election Precinct and the 1st Council District.

*Lots 20 & 21 were originally part of this deed, however were sold to Samuel Ronald Geppi Jr. in September 1984, they bargained these "two (2) contiguous unimproved lots with a combined frontage of 75 feet on Rockhaven Avenue and extending back a uniform depth of 250 feet, lying adjacent to the present residence of Sellers known as 2123 Rockhaven Avenue, in Baltimore County, State of Maryland, which said lots are known and designated as Lots No. 20 and 21 on a plat of "Hampson" of record among the Land Records of Baltimore County in Plat Book No. 7, Folio 47." This Agreement of Sale was made "13th day of August 1984 between Lyman E. Winstead and Lena K. Winstead, his wife, of 2123 Rockhaven Avenue, Baltimore, Maryland 21228, herin called "Seller", and Ron Geppi, of 4 Rand Court, Baltimore, Maryland 21207, herin called "Buyer".

2015 0252-A

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

No. **125424**
 Date: **5/13/15**

PAID RECEIPT
 BUSINESS ACTUAL TIME DRW
 5/14/2015 5/13/2015 13:54:50 1
 REC MOD1 WALKIN LRS LVR
 RECEIPT # 501733 5/13/2015 OFLN
 5 520 TOWING VERIFICATION
 125424
 Recpt Tot \$75.00
 \$75.00 CX 0.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
101	000	0000		6120				75.00

Total: **75.00**

Rec From: **Fairlyn G. Bailey**
 For: **2123 Rock Haven Ave**
ADMINISTRATIVE VERIFICATION
2015 0050 A

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

Date: MAY 23, 2015

RE: Project Name: 2123 ROCKHAVEN AVENUE
Case Number /PAI Number: 2015-0252-A
Petitioner/Developer: FAIRLYN G. BAILEY
Date of Hearing/Closing: JUNE 8, 2015

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 2123 ROCKHAVEN AVENUE

The sign(s) were posted on MAY 23, 2015

(Month, Day, Year)

David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0252 -A Address 2123 Rock Haven Ave

Contact Person: Gary Huik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/13/15 Posting Date: 5/24/15 Closing Date: 6/8/15

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2015- 0252 -A Address 2123 Rock Haven Ave
Petitioner's Name Fairlyn G. Bailey Telephone _____
Posting Date: 5/24/15 Closing Date: 6/8/15
Wording for Sign: To Permit the housing of 6 chickens on .459 Acres
in lieu of the minimum required 1 Acre.

Revised 7/18/14

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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 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: 2015-0252-A
Petitioner: F. G. Bailey
Address or Location: 2123 Rockhaven Ave. Catonsville, MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: F. G. Bailey
Address: 2123 Rockhaven Ave.
Catonsville, MD 21228
Telephone Number: 410-830-0402

MEMORANDUM

DATE: July 17, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0252-A – Appeal Period Expired

The appeal period for the above-referenced case expired on July 16, 2015. 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~~

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment5-29DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NCDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

6-12PLANNING
(if not received, date e-mail sent _____)C5-30

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

Petition from
CommunityNo objection

ZONING VIOLATION (Case No. _____)

PRICR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 5-23-15 by Breeningday

PEOPLE'S COUNSEL APPEARANCE

Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 01 Account Number - 1800001401			
Owner Information					
Owner Name:		WINSTEAD MICHAEL		Use:	RESIDENTIAL
Mailing Address:		2116 ROCKHAVEN AVE BALTIMORE MD 21228-4746		Principal Residence:	NO
				Deed Reference:	/19202/ 00491
Location & Structure Information					
Premises Address:		2123 ROCKHAVEN AVE BALTIMORE 21228-		Legal Description:	LT 22-23 .459 AC 2123 ROCK HAVEN AVE HAMPSON
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0100	0003	0626		0000	22 2013 0007/0047
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1978	1,040 SF		20,000 SF	04	
Stories	Basement	Type	Exterior SIDING	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT		1 full	
Value Information					
	Base Value	Value As of 01/01/2013	Phase-in Assessments As of 07/01/2014 As of 07/01/2015		
Land:	124,000	94,000			
Improvements	84,800	87,600			
Total:	208,800	181,600	181,600	181,600	
Preferential Land:	0			0	
Transfer Information					
Seller: WINSTEAD LENA K		Date: 11/21/2003		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /19202/ 00491		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014	07/01/2015		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Denied					

Closing
6-8-15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 10, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2123 Rockhaven Ave.

RECEIVED

INFORMATION:

JUN 12 2015

Item Number: 15-252

Petitioner: Fairlyn Grace Bailey

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: DR 3.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Administrative Variance to permit the housing of 6 chickens on .456 acres in lieu of the minimum required 1 acre.

The Department has no comment on the granting of the petitioned relief. Be advised that on June 6, 2015 the Department presented its staff report regarding Non-Commercial Small Livestock, Fowl and Poultry and requested that a public hearing before the Planning Board be set for June 18, 2015.

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

Division Chief: Kathy S. DeLeon

AVA/KS

C: Jessie Bialek

I, Fairlyn Grace Bailey, residential owner of 2123 Rockhaven Avenue, am petitioning to raise and keep up to 6 chickens on my property for the use of fresh eggs. The individuals below do not have any objections for this proposal and fully support my endeavor.

Name	Address	Email address	Phone #
Vivian Wess	2113 Rockhaven Ave. Balto., MD 21228	—	443-860-9265
Edwin Thomas	2201 Alvin Ave Catonsville, MD 21228		410-461-2252
Sharon Thomas	2201 Alvin Ave Catonsville, MD 21228		443-695-5099
Kelly Thomas	2203 Alvin Ave Catonsville MD 21228		443-904-4774
Tony Hoos	605 Alvin Ave		443-560751
Edward J. Beach	606 Alvin Ave		410 465 9389
Mike Winstead MIKE WINSTEAD	2116 Rockhaven Ave Catonsville, MD 21228	Winstead family msn.com	410-465-5709
Jane Cornelius	2123 Alvin Ave		410-750-2734
Steve Razmus	2121 Alvin Ave 21228		410-480-2048
Michelle Jones	605 Alvin Ave 21228		410-461-2285
Katherine Norn	607 Alvin Ave Catonsville, MD		410 750-2460

2015-0252-A

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Sharon Thomas	2201 Alvin Ave Catonsville MD 21228		443-695-5099
Kelly Thomas	2203 Alvin Ave Catonsville MD 21228		413-904-4774
Tony Hoos	605 Alvin Ave		443-756-0751
Edward Beach	606 Alvin Ave		410-465-9389
Mike Winstead MIKE WINSTEAD	2116 Rockhaven Ave Catonsville, MD 21228	Winsteadfamily@msn.com	410-465-5709
Jane Cornelius	2123 Alvin Ave		410-750-2734
Steve Razmus	2121 Alvin Ave 21228		410-480-2048
Michelle Jones	605 Alvin Ave 21228		410-461-2285
Katherine Norn	607 Alvin Ave Catonsville, MD		410-750-2660

2015-0252-A

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Sharon Thomas	2201 Alvin Ave Catonsville MD 21228		443-695-5099
Kelly Thomas	2203 ALVIN Ave. Catonsville MD 21228		443-904-4774
Tony Hoos	605 Alvin Ave		443-750-0751
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Michelle Jones	605 Alvin Ave 21228		410-461-2285
Katherine Norn	607 Alvin Ave Catonsville, MD		410 750-2460

2015.0252-1A

DL Class **C** Driver's License **Maryland**

LIC #: B-400-244-288-042

FAIRLYN GRACE-ANNE BAILEY
7123 ROCKHAVEN AVE
CATONSVILLE BA MD 21228

♥ *Fairlyn G. Bailey*

BIRTH DATE: 01-15-1990
EXPIRES: 01-15-2022
Sex: F HT: 5-04 WT: 120
Restr: Type: CG
Issue Date: 02-03-2014

01-15-1990

2015 0252-A

DEED — FEE SIMPLE — INDIVIDUAL GRANTOR — LONG FORM

This Deed, MADE THIS 28th day of February
 in the year one thousand nine hundred and seventy eight by and between
 ISABELLA D. CORWIN and ARTHUR L. RHOADS, JR. SUCCESSOR TRUSTEE,

of BALTIMORE COUNTY, STATE OF MARYLAND of the first part, and
 LYMAN E. WINSTEAD AND LENA K. WINSTEAD, his wife

of the second part.

WITNESSETH, That in consideration of the sum of Five (\$5.00) Dollars and other
 good and valuable consideration, the receipt of which is hereby acknow-
 ledged,

the said parties of the first part,

do grant and convey to the said LYMAN E. WINSTEAD AND LENA K. WINSTEAD, his wife
 as tenants by the entireties, their heirs and assigns, and unto the
 survivor of them, his or her

personal representatives/successors and assigns, in fee simple, all those

----- lots of ground situate in Baltimore County

and described as follows, that is to say:

BEING known and designated as Lots Nos. 20, 21, 22 and 23, as shown
 on the Plat of Hampson, recorded among the Land Records of Baltimore
 County in Plat Book W.P.C. No. 7, folio 47. Situate on the Eastside
 of Rockhaven Avenue.

BEING Lots 20, 21, 22, three of the lots of ground which by Deed dated
 September 28, 1922 and recorded among the Land Records of Baltimore County
 in Liber W.P.C. No. 559, folio 525 was granted and conveyed by EDWARD
 S. HAMPSON and MARY M. HAMPSON, his wife, to ISABELLA D. CORWIN.

BEING Lot 23, the same lot of ground which by Deed dated November 12,
 1973 and recorded among the Land Records of Baltimore County in Liber
 E.H.K. Jr., No. 5422, folio 806 was granted and conveyed by ARTHUR L.
 RHOADS, JR., Personal Representative, et al., to ARTHUR L. RHOADS,
 JR., Successor Trustee.

2015-0252-A

LYMAN E. WINSTEAD AND LENA K. WINSTEAD, his wife

of the second part.

WITNESSETH, That in consideration of the sum of Five (\$5.00) Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged,

the said parties of the first part,

do grant and convey to the said LYMAN E. WINSTEAD AND LENA K. WINSTEAD, his wife as tenants by the entireties, their heirs and assigns, and unto the survivor of them, his or her

personal representatives/successors and assigns

, in fee simple, all those

----- lots of ground situate in Baltimore County

and described as follows, that is to say:

BEING known, and designated as Lots Nos. 20, 21, 22 and 23, as shown on the Plat of Hampson, recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 47. Situate on the Eastside of Rockhaven Avenue.

BEING Lots 20, 21, 22, three of the lots of ground which by Deed dated September 28, 1922 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 559, folio 525 was granted and conveyed by EDWARD S. HAMPSON and MARY M. HAMPSON, his wife, to ISABELLA D. CORWIN.

BEING Lot 23, the same lot of ground which by Deed dated November 12, 1973 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr., No. 5422, folio 806 was granted and conveyed by ARTHUR L. RHOADS, JR., Personal Representative, et al., to ARTHUR L. RHOADS, JR., Successor Trustee.

MAR 10-78 132178E 86.00
MAR 10-78 132178E 34.00
MAR 10-78 132177A 42.00
MAR 10-78 132176A 10.00

342 MAR 10

126.00 MSC

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

TO HAVE AND TO HOLD the said described lot of ground and premises to the said LYMAN E. WINSTEAD and LENA K. WINSTEAD, his wife, as tenants by the entireties, their heirs and assigns, and unto the survivor of them, his or her,

their personal representatives/successors and assigns, in fee simple.

AND the said part 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 hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seal of said grantor

Test:

Isabella D. Corwin (SEAL)
ISABELLA D. CORWIN

Isabella D. Corwin

Arthur L. Rhoads, Jr. (SEAL)
ARTHUR L. RHOADS, JR.
Successor Trustee

STATE OF MARYLAND, to wit:

I HEREBY CERTIFY, That on this 27 day of February, in the year one thousand nine hundred and seventy eight, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared ISABELLA D. CORWIN

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained, and in my presence signed and sealed the same.

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



Jane Sell
Notary Public

their personal representatives/successors

and assigns

, in fee simple.

AND the said part 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 hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seal S of said grantor

Test:

Isabella D. Corwin (SEAL)
ISABELLA D. CORWIN

Isabella D. Dantonio

Arthur L. Rhoads, Jr. (SEAL)
ARTHUR L. RHOADS, JR.
Successor Trustee

STATE OF MARYLAND,

, to wit:

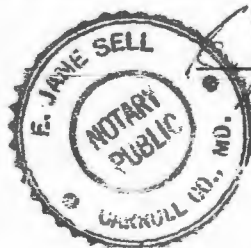
I HEREBY CERTIFY, That on this 27 day of February,
in the year one thousand nine hundred and seventy eight, before me,
the subscriber, a Notary Public of the State aforesaid, personally appeared ISABELLA D. CORWIN

known to me (or satisfactorily proven) to be the person whose name is/~~are~~ subscribed to
the within instrument, and acknowledged that she executed the same for the purposes
therein contained, and in my presence signed and sealed the same.

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

My Commission expires:

July 1, 1978



E. Jane Sell
Notary Public

Over for Affidavit of Rhoads

STATE OF MARYLAND, *County of Baltimore,* to wit:

ER 5862 PAGE 929

I HEREBY CERTIFY, That on this *28th* day of *February*, 1978, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared ARTHUR L. RHOADS, JR., SUCCESSOR TRUSTEE, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

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

Lillian F. Duncan
Notary Public


My Commission expires:
7/1/78

927

DEED

FROM

Isabella D. Corwin and Arthur

L. Rhoads, Jr. Suc. Trustees

TO

Lyman K. Winstead and Lena

Winstead, his wife

Block No. _____

Received for Record, _____, 19____,

at _____ o'clock _____ M. Same day recorded

in Liber _____ No. _____ Folio _____ &c.,

one of the Land Records of _____

_____ and examined per _____

Clerk. _____

Cost of Record, \$ _____

Richard T. Moxley, Esquire
1011 Fidelity Building
Baltimore, Maryland 21201
837-1828

61-08-000891
470470

RECEIVED & RECORDED
IN Land RECORDS
CIRCUIT COURT FOR
BALTIMORE

MAR 10 PM 1:24

INDEX 5862
CLIO 927
ELMER H. KAY, JR.
CLERK

as grant and convey to the said LYMAN E. WINSTEAD AND LENA K. WINSTEAD, his wife as tenants by the entirety, their heirs and assigns. and unto the

NO CONSIDERATION-
NO TITLE SEARCH REQUESTED

2123 Rock Haven Avenue
Catonsville, MD 21228

THIS DEED, made this 10 day of February, 2014, by and between **MICHAEL WINSTEAD AND CAROLYN A. WINSTEAD, his wife**, of Baltimore County, in the State of Maryland, parties of the first part, and **FAIRLYN G. BAILEY**, party of the second part.

WITNESSETH that for no actual consideration, the said parties of the first part do hereby grant and convey, subject to the limitations herein set forth, unto the said party of the second part, all that lot of ground and premises situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

BEING known and designated as Lots Nos. 20, 21, 22 and 23, was shown on the Plat of Hampson, recorded among the Land Records of Baltimore County in Plat Book, W.P.C. No. 7, folio 57. Situate on the East side of Rockhaven Avenue.

SAVING AND EXCEPTING all that lot of ground, known as Lots 20 and 21, which by Deed dated April 9, 1985 and recorded among the Land Records of Baltimore County, Maryland in Liber 6828, folio 578, was granted and conveyed by Lyman Winstead and Lena Winstead, his wife unto Samuel Ronald Geppi.

BEING the same lot of ground which by Deed of even date herewith and recorded or intended to be recorded immediately prior hereto, was granted and conveyed by Michael Winstead, solely unto Michael Winstead and Carolyn A. Winstead, his wife.

THIS IS A LIFE ESTATE DEED FROM PARENTS UNTO CHILD.

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 anyway appertaining.

TO HAVE AND TO HOLD the above granted property unto the said parties of the second part, Remainderman, solely, her personal representatives and assigns, in fee simple, reserving, however, unto the said parties of the first part, Life Tenants, for and during the term of their natural lives, or the life of the survivor, and no longer, a bare life estate without power of

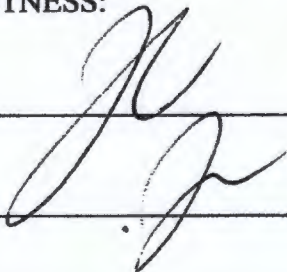
disposition, and immediately after the death of the said **LIFE TENANTS**, then unto the said **REMAINDERMAN**, solely, her personal representatives and assigns, in fee simple, forever.

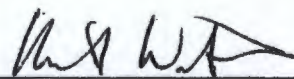
AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, and that they will warrant specially the property being conveyed.

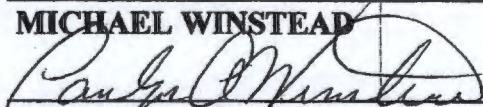
AND the said parties of the first part hereby certify under the penalties of perjury that they are residents of the State of Maryland.

AS WITNESS the hands and seals of the grantors herein.

WITNESS:





MICHAEL WINSTEAD (SEAL)


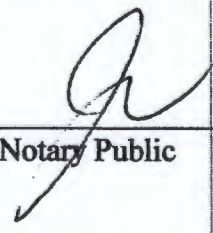
CAROLYN A. WINSTEAD (SEAL)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

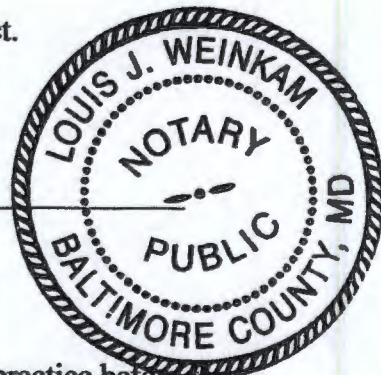
I HEREBY CERTIFY that on this 10 day of February, 2014, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **MICHAEL WINSTEAD AND CAROLYN A. WINSTEAD**, the grantors named in the foregoing Deed, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

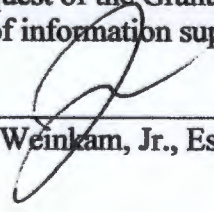
My Commission expires: 9/4/17



Notary Public



I CERTIFY that this Deed was prepared by an attorney admitted to practice before the Court of Appeals or under his supervision. At the request of the Grantor no title search was made and the Deed was prepared solely on the basis of information supplied by the Grantor.



Louis J. Weinkam, Jr., Esquire

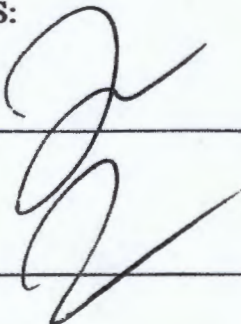
AFFIDAVIT AS TO TOTAL PAYMENT

THE undersigned certify under the penalties of perjury, that the following is true to the best of my/our knowledge, information and belief, in accordance with Section 10-912(b)(2) of the Tax-General Article of the Annotated Code of Maryland, (The "Withholding Law")

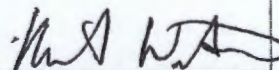
- ☒ 1. That I am/we are the transferor(s), (or agent of the transferor(s) if so indicated), of that real property described in the accompanying deed.
- ☐ 2. The amount of total payment for the purpose of the Withholding Law is \$0.00.
- ☒ 3. That I am/we are a resident(s) of the State of Maryland.
- ☐ 4. That Transferor is a resident entity under Section 10-912(A)(4) of the Tax-General Article of the Annotated Code of Maryland, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

DATED this 10 day of February, 2014.

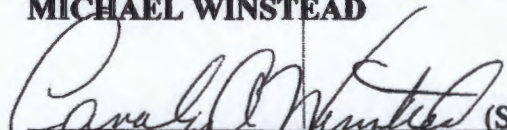
WITNESS:



TRANSFERORS



MICHAEL WINSTEAD (SEAL)



CAROLYN A. WINSTEAD (SEAL)

Please return to:

Weinkam & Weinkam, P.A.
1002 Frederick Rd.
Catonsville, MD 21228

NO CONSIDERATION-
NO TITLE SEARCH REQUESTED

2123 Rock Haven Avenue
Catonsville, MD 21228

THIS DEED, made this 10 day of February, 2014, by and between **MICHAEL WINSTEAD AND CAROLYN A. WINSTEAD, his wife**, of Baltimore County, in the State of Maryland, parties of the first part, and **FAIRLYN G. BAILEY**, party of the second part.

WITNESSETH that for no actual consideration, the said parties of the first part do hereby grant and convey, subject to the limitations herein set forth, unto the said party of the second part, all that lot of ground and premises situate, lying and being in Baltimore County, State of Maryland, and described as follows, that is to say:

BEING known and designated as Lots Nos. 20, 21, 22 and 23, was shown on the Plat of Hampson, recorded among the Land Records of Baltimore County in Plat Book, W.P.C. No. 7, folio 57. Situate on the East side of Rockhaven Avenue.

SAVING AND EXCEPTING all that lot of ground, known as Lots 20 and 21, which by Deed dated April 9, 1985 and recorded among the Land Records of Baltimore County, Maryland in Liber 6828, folio 578, was granted and conveyed by Lyman Winstead and Lena Winstead, his wife unto Samuel Ronald Geppi.

BEING the same lot of ground which by Deed of even date herewith and recorded or intended to be recorded immediately prior hereto, was granted and conveyed by Michael Winstead, solely unto Michael Winstead and Carolyn A. Winstead, his wife.

THIS IS A LIFE ESTATE DEED FROM PARENTS UNTO CHILD.

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 above granted property unto the said parties of the second part, Remainderman, solely, her personal representatives and assigns, in fee simple, reserving, however, unto the said parties of the first part, Life Tenants, for and during the term of their natural lives, or the life of the survivor, and no longer, a bare life estate without power of

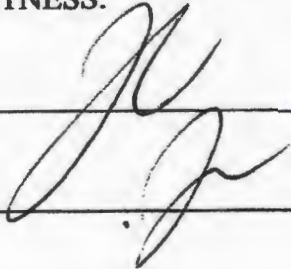
disposition, and immediately after the death of the said **LIFE TENANTS**, then unto the said **REMAINDERMAN**, solely, her personal representatives and assigns, in fee simple, forever.

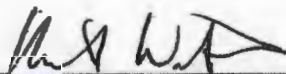
AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, and that they will warrant specially the property being conveyed.

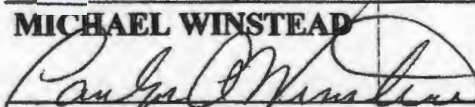
AND the said parties of the first part hereby certify under the penalties of perjury that they are residents of the State of Maryland.

AS WITNESS the hands and seals of the grantors herein.

WITNESS:





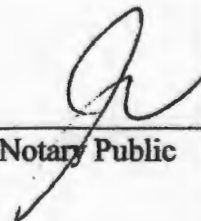
MICHAEL WINSTEAD (SEAL)


CAROLYN A. WINSTEAD (SEAL)

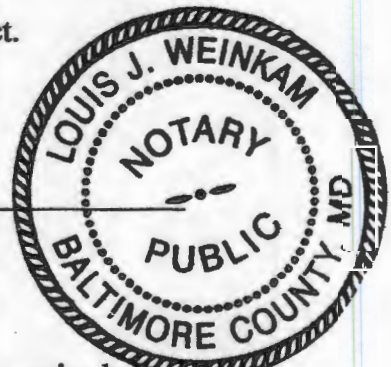
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I **HEREBY CERTIFY** that on this 10 day of February, 2014, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **MICHAEL WINSTEAD AND CAROLYN A. WINSTEAD**, the grantors named in the foregoing Deed, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and Notarial Seal.

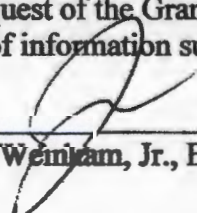


Notary Public



My Commission expires: 9/4/17

I **CERTIFY** that this Deed was prepared by an attorney admitted to practice before the Court of Appeals or under his supervision. At the request of the Grantor no title search was made and the Deed was prepared solely on the basis of information supplied by the Grantor.



Louis J. Weinkam, Jr., Esquire

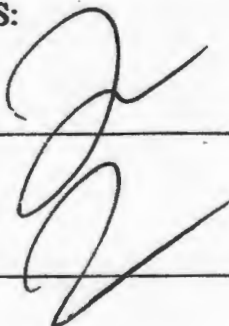
AFFIDAVIT AS TO TOTAL PAYMENT

THE undersigned certify under the penalties of perjury, that the following is true to the best of my/our knowledge, information and belief, in accordance with Section 10-912(b)(2) of the Tax-General Article of the Annotated Code of Maryland, (The "Withholding Law")

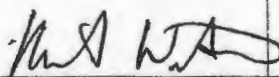
- ☒ 1. That I am/we are the transferor(s), (or agent of the transferor(s) if so indicated), of that real property described in the accompanying deed.
- ☒ 2. The amount of total payment for the purpose of the Withholding Law is \$0.00.
- ☒ 3. That I am/we are a resident(s) of the State of Maryland.
- ☐ 4. That Transferor is a resident entity under Section 10-912(A)(4) of the Tax-General Article of the Annotated Code of Maryland, I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

DATED this 14 day of February, 2014.

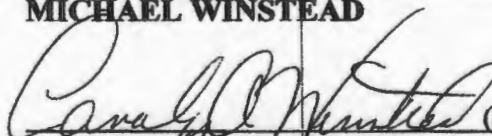
WITNESS:



TRANSFERORS



MICHAEL WINSTEAD (SEAL)



CAROLYN A. WINSTEAD (SEAL)

Please return to:

Weinkam & Weinkam, P.A.
11002 Frederick Rd.
Catonsville, MD 21228



KEVIN KAMENETZ
County Executive

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

June 9, 2015

Fairlyn Grace Bailey
2123 Rockhaven Avenue
Catonsville MD 21228

RE: Case Number: 2015-0252 A, Address: 2123 Rockhaven Avenue

Dear Ms. Bailey:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 13, 2015. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 5/20/15

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

RE: Baltimore County
Item No. 2015-0252-A
Administrative Variance
Fairlyn Grace Bailey
2123 Rockhaven Avenue

Dear Ms. Lewis:

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. 2015-0252-A

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Romanowski".
Brian Romanowski, Chief
Access Management Division

BR/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

DATE: May 29, 2015

SUBJECT: Zoning Advisory Committee Meeting
For May 25, 2015
Item No. 2015-0248, 0249, 0252, 0253, 0254 and 0255

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC05252015.doc

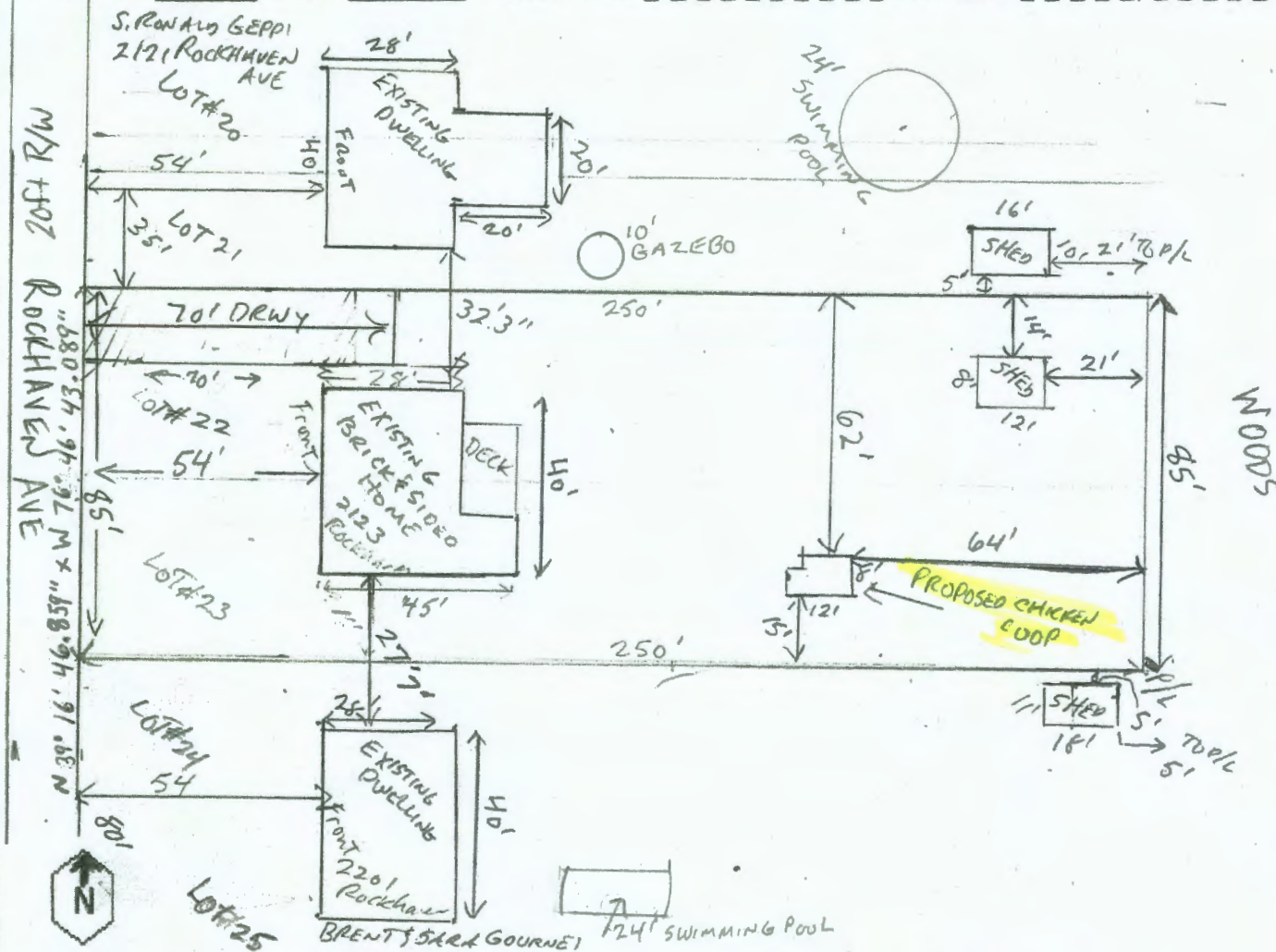






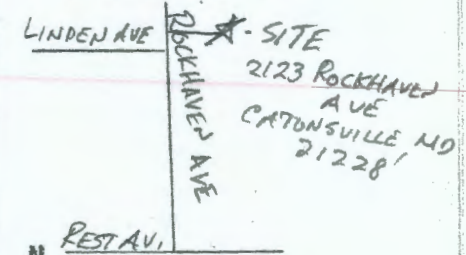


ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 2123 ROCKHAVEN AVE OWNER(S) NAME(S) MICHAEL & CAROLYN WINSTEAD
 SUBDIVISION NAME _____ LOT # 22 & 23 BLOCK # _____ SECTION # N/A
 PLAT BOOK # WPC 7-47 FOLIO # _____ 10 DIGIT TAX # 1800001401 DEED REF. # _____



PLAN DRAWN BY MICHAEL E. WINSTEAD DATE 5-2-2015 SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP

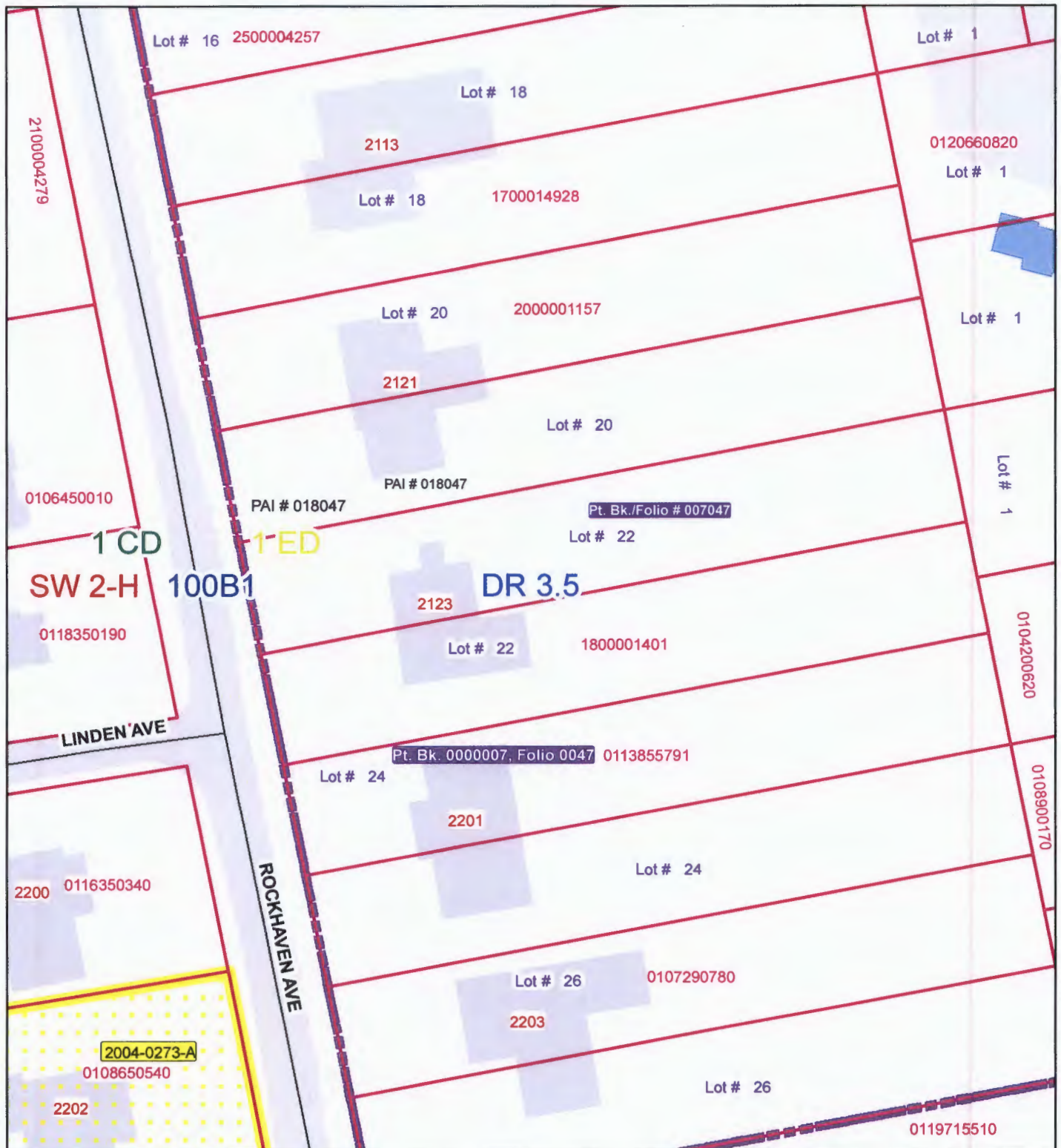


MAP IS NOT TO SCALE
 ZONING MAP# 100 B1
 SITE ZONED DR 3.5
 ELECTION DISTRICT 1st
 COUNCIL DISTRICT 1st
 LOT AREA ACREAGE 0.54
 OR SQUARE FEET 21250 SQ FT
 HISTORIC? NO
 IN CBCA? _____
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS: PUBLIC X PRIVATE _____
 SEWER IS: PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2015-0252-A

2123 Rock Haven Avenue



Publication Date: 5/13/2015



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

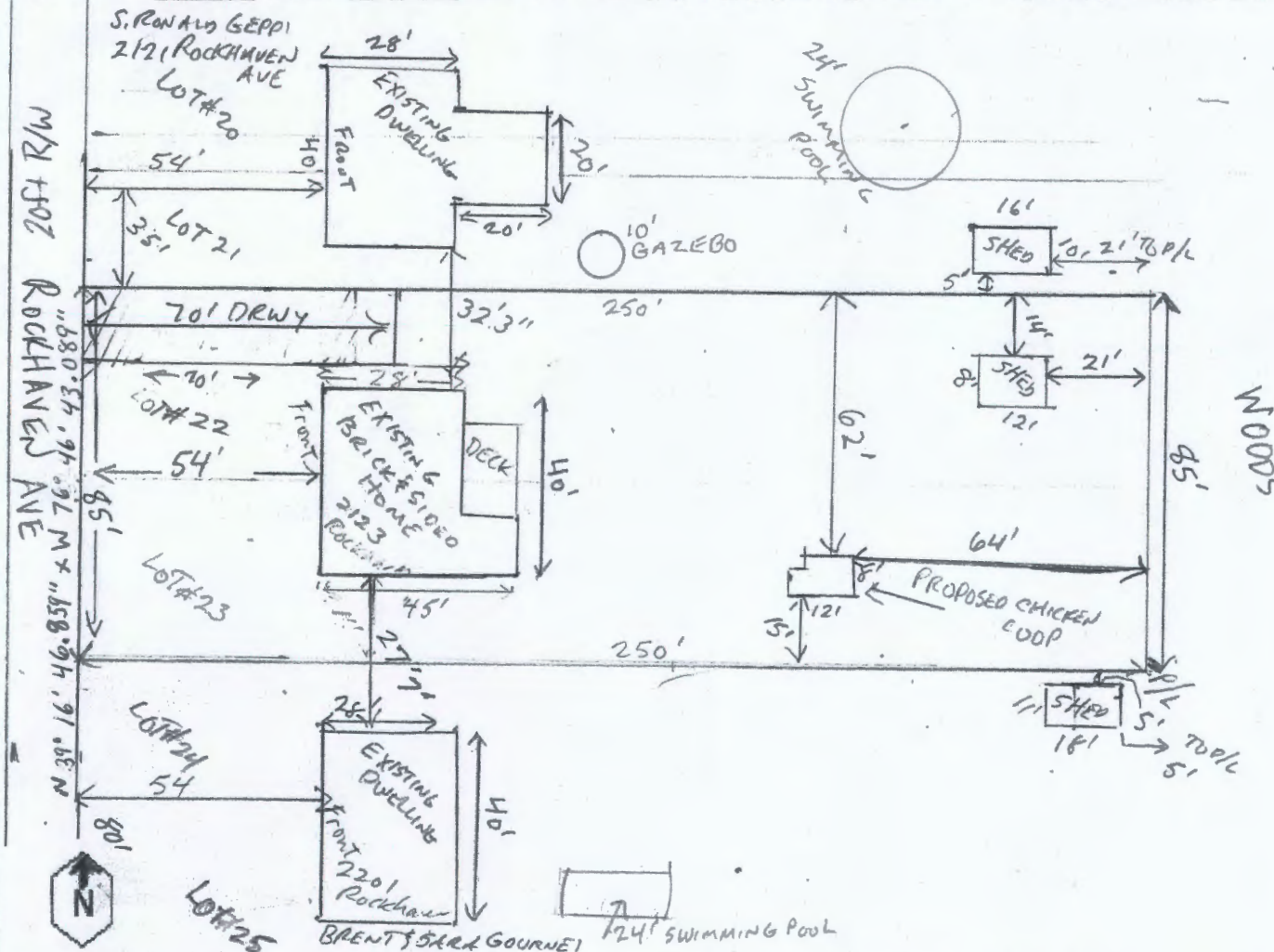


0 12.5 25 50 75 100 Feet

1 inch = 50 feet

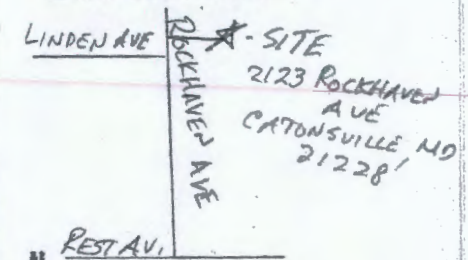
2015-0252-A

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 2123 ROCKHAVEN AVE OWNER(S) NAME(S) MICHAEL & CAROLYN WINSTEAD
 SUBDIVISION NAME _____ LOT # 22 & 23 BLOCK # _____ SECTION # N/A
 PLAT BOOK # WPC 7-47 FOLIO # _____ 10 DIGIT TAX # 1800001401 DEED REF. # _____



PLAN DRAWN BY MICHAEL E. WINSTEAD DATE 5-2-2015 SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 100B1
 SITE ZONED DR 3.5
 ELECTION DISTRICT 1st
 COUNCIL DISTRICT 1st
 LOT AREA ACREAGE 0.47
 OR SQUARE FEET 21250 SQ FT
 HISTORIC? NO
 IN CBCA? _____
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE _____
 SEWER IS:
 PUBLIC X PRIVATE _____
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

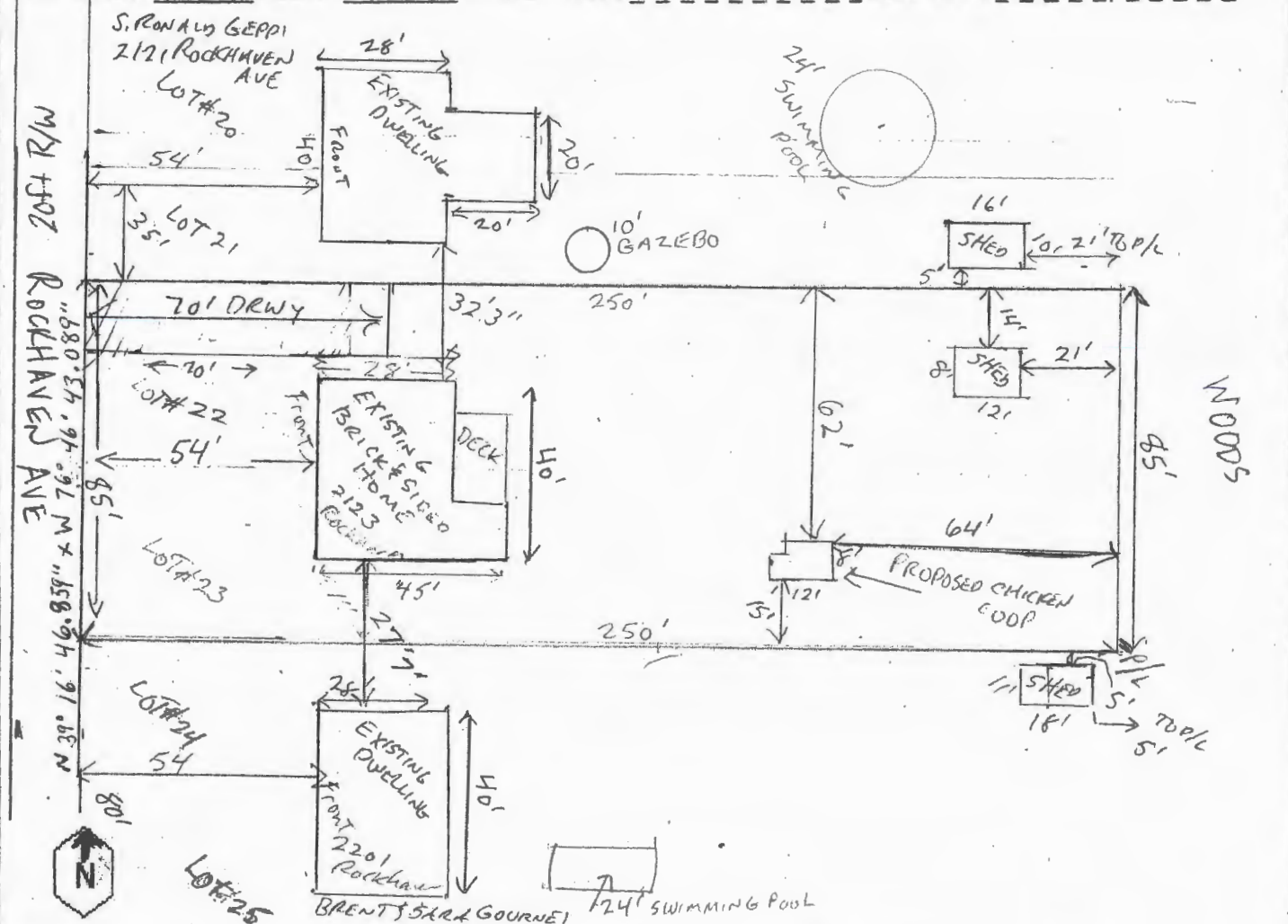
2015-0252-A

ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 2123 ROCKHAVEN AVE OWNER(S) NAME(S) MICHAEL & CAROLYN WINSTEAD

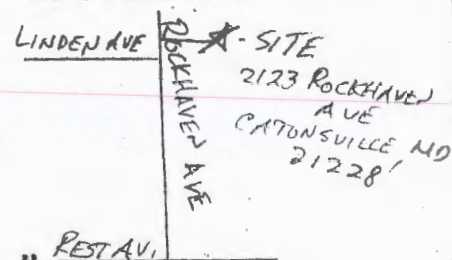
SUBDIVISION NAME _____ LOT # 22 BLOCK # _____ SECTION # N/A

PLAT BOOK # WPL 7-47 FOLIO # _____ 10 DIGIT TAX # 1800001401 DEED REF. # _____



PLAN DRAWN BY MICHAEL E. WINSTEAD DATE 5-2-2015 SCALE: 1 INCH = 40 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 100 B1

SITE ZONED DR 3.5

ELECTION DISTRICT 1st

COUNCIL DISTRICT 1st

LOT AREA ACREAGE 0.254

OR SQUARE FEET 21250 sq ft

HISTORIC? NO

IN CBCA? _____

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2015-0252-A