

IN RE: PETITION FOR SPECIAL HEARING *

(7611 Cypress Avenue)

12th Election District *

7th Council District

Ellwood C. Payne, deceased *

Bernadette P. Aley, Personal Rep. *

Legal Owner *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0270-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of the Estate of Ellwood C. Payne, by Bernadette P. Aley, Personal Rep. ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve as a nonconforming use the two (2) dwelling units on the property.

Appearing at the public hearing in support of the requests was Bernadette P. Aley, personal representative and daughter of the decedent. Gary R. Maslan, Esquire, represented the Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is 12,000 square feet and zoned DR 5.5. The decedent and his wife purchased the property in 1947, and a copy of that contract of sale was admitted as Exhibit 2. Ms. Aley, who was born at the property in March 1948, lived there until she attended college. She testified that the property was always improved with both a single family dwelling and a smaller dwelling or bungalow, as shown on the site plan marked as Exhibit 1.

ORDER RECEIVED FOR FILING

Date

7/17/15

By

Sen

Ms. Aley testified that through the years the bungalow was rented to third parties or occupied by family members. Recently, a caretaker lived in the bungalow and provided care for the decedent and his wife. Petitioner also presented a property tax assessment worksheet from 1974, assigning values to both a "main dwelling" of 1,048 square feet and a "shack" with dimensions of 23' x 18'. Exhibit 3. The records indicate these structures were constructed in 1930.

In these circumstances, the Petitioner has established that the subject property was improved with a both a single family dwelling and a smaller dwelling (bungalow), and that both have been used and occupied on a continuous basis since 1947. As such, the petition will be granted.

THEREFORE, IT IS ORDERED this 17th day of July, 2015, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve the continued use of two (2) dwelling units on the subject property as a lawful non-conforming use, be and is hereby GRANTED.

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/sln

ORDER RECEIVED FOR FILING

Date 7/17/15
By sln



PETITION FOR ZONING HEARING(S)

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

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

Address 7611 Cypress Avenue which is presently zoned DR S-5
Deed References: 01633/00546 10 Digit Tax Account # 1216002060
Property Owner(s) Printed Name(s) Ellwood C. Payne

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the permitted continued use of two dwelling units. The property was built in 1930. Non-conforming use.
2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ a Variance from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Gary R. Maslan
Name- Type or Print

Signature

7508 Eastern Ave. Balt. MD
Mailing Address City State

21224 1410-282-2700 gmaslan@mmandr.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Ellwood C. Payne by Bernadette P. Aley
Name #1 - Type or Print Name #2 - Type or Print

Bernadette P. Aley
Signature #1 Signature #2
Personal Representative

7611 Cypress Ave. Balt. MD
Mailing Address City State

21224 1410-978-1022 N/A
Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

7508 Eastern Ave. Balt. MD
Mailing Address City State

21224 1410-282-2700 gmaslan@mmandr.com
Zip Code BY Telephone # Email Address

CASE NUMBER 2015-0270-SPH Filing Date 5/26/15 Do Not Schedule Dates: Reviewer JS

ZONING PROPERTY DESCRIPTION FOR 7611 CYPRESS AVENUE

Beginning at a point on the east side of Cypress Avenue which is 20' wide at the distance of 330' south of the centerline of the nearest improved intersection street North Point Road which is 30' wide.

Being Lot Nos. 66, 67, 68 and 78, 79 and 80 in the subdivision of East-View as recorded in Baltimore County Plat Book #9 Folio #117 containing 12,000 sq. ft. (0.2754 acre) located in the 12th Election District and 7th Council District.

2015-0720-SPH

M E M O R A N D U M

DATE: August 18, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0270-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on August 17, 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



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3373759

Sold To:

Gary Maslan - CU00452298
7508 Eastern Ave
Baltimore, MD 21224-1919

Bill To:

Gary Maslan - CU00452298
7508 Eastern Ave
Baltimore, MD 21224-1919

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jun 25, 2015

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

NOTICE OF ZONING HEARING	
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:	
Case: # 2015-0270-SPH	
7611 Cypress Avenue	
E/s Cypress Avenue, 330 ft. S/of centerline of intersection with North Point Road	
12th Election District - 7th Councilmanic District	
Legal Owner(s) Eliwood Payne by Bernadette P. Aley,	
Personal Rep	
Special Hearing to approve the permitted continued use of two dwelling units. The property was built in 1930; non-conforming use.	
Hearing: Thursday, July 16, 2015 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
6/335 June 25	3373759

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/23/2015

Case Number: 2015-0270-SPH

Petitioner / Developer: GARY MASLAN, ESQ.

Date of Hearing (Closing): JULY 16, 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:
7611 CYPRESS AVENUE

The sign(s) were posted on: JUNE 22, 2015



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)

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/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: 2015-0270-SP4

Petitioner: PAYNE

Address or Location: 7611 CYPRESS AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: GARY MOSCOW

Address: 7708 EASTERN AVE

BELTS MD 21204

Telephone Number: 410-282-2700



KEVIN KAMENETZ
County Executive

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

June 9, 2015

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2015-0270-SPH

7611 Cypress Avenue

E/s Cypress Avenue, 330 ft. S/of centerline of intersection with North Point Road

12th Election District – 7th Councilmanic District

Legal Owners: Ellwood Payne by Bernadette P. Aley, Personal Rep

Special Hearing to approve the permitted continued use of two dwelling units. The property was built in 1930; non-conforming use.

Hearing: Thursday, July 16, 2015 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

AJ:kl

C: Gary Maslan, 7508 Eastern Avenue, Baltimore 21224
Bernadette Aley, 7611 Cypress Avenue, Baltimore 21224

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 26, 2015**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 25, 2015 Issue - Jeffersonian

Please forward billing to:
Gary Maslan
7508 Eastern Avenue
Baltimore, MD 21224

410-282-2700

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2015-0270-SPH

7611 Cypress Avenue

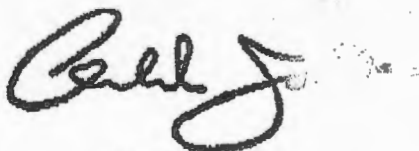
E/s Cypress Avenue, 330 ft. S/of centerline of intersection with North Point Road

12th Election District – 7th Councilmanic District

Legal Owners: Ellwood Payne by Bernadette P. Aley, Personal Rep

Special Hearing to approve the permitted continued use of two dwelling units. The property was built in 1930; non-conforming use.

Hearing: Thursday, July 16, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
7611 Cypress Ave; E/S Cypress Ave, 330' S		
of c/line of intersection with North Point Road	*	OF ADMINSTRATIVE
12 th Election & 7 th Councilmanic Districts		
Legal Owners: Ellwood Payne	*	HEARINGS FOR
by Bernadette P. Aley, Personal Representative		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-270-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

JUN 11 2015

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 11th day of June, 2015, a copy of the foregoing Entry of Appearance was mailed to Gary Maslan, Esquire, 7508 Eastern Avenue, Baltimore, Maryland 21224, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.: 2015-0270-SPH

Exhibit Sheet

Petitioner/Developer

Protestants

8-18-15

Sen
7-17-15

No. 1	site plan	
No. 2	contract of sale	
No. 3	tax assess. worksheet	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

--- Ralph Powell and Jane G. Powell, his wife--- Seller, and
--- Ellwood C. Payne and Anna B. Payne, his wife--- Buyer

Witness that the said Seller does hereby bargain and sell unto the said Buyer, and the latter does hereby purchase from the former the following described property, situate and lying in Baltimore, Maryland, being the property known as --- 7611 Cypress Avenue --- having a frontage of 60 ft., more or less, and a depth of 100 ft., more or less, with improvements thereon and all the rights and appurtenances thereto belonging, or in anywise thereto appertaining, in fee simple—subject to an annual ground rent of \$~~200.00~~

at and for the price of SEVEN THOUSAND AND 00/100 --- Dollars (\$ 7,000.00)
of which --- THREE HUNDRED AND 00/100 --- Dollars (\$ 300.00)

have been paid prior to the signing hereof, and the balance to be paid as follows: Balance of Six Thousand Seven Hundred Dollars (\$6,700.00) to be paid in cash at time of settlement which shall be on or before sixty (60) days from date of contract; possession of owner's apartment to be given at time of settlement. It is agreed that the Sellers will give the tenant in the large house a thirty (30) day quit notice immediately on signing of this contract.

In the event the title shall prove defective or Buyers' are unable to obtain a C. I. loan in the amount of Six Thousand Dollars (\$6,000.00), in fee, this contract shall be considered null and void and all sums paid on account of the purchase price shall be returned to the Buyers.

Included in the purchase price are all permanent fixtures now a part of said property; also included are two (2) gas ranges, one in rear bungalow and one in basement.

Standard Real Estate Board commission to be paid by Seller to E. B. Aler on the purchase price named herein.

AND upon payment as above provided of the unpaid purchase money, a deed for the property shall be executed at the Buyer's expense by the Seller, which shall convey the property by a good and merchantable title to the Buyer, free of liens and encumbrances except as specified herein, but subject, however, to all applicable restrictions, easements, laws, ordinances, regulations, charges, taxes and assessments, if any.

Ground rent, rental, water rent, taxes and other public charges against the premises shall be apportioned as of date of settlement, at which time possession shall be given; and the said parties hereto hereby bind themselves, their heirs, executors and administrators, for the faithful performance of this agreement.

It is also understood and agreed that the Seller shall immediately have all of the insurance policies on the property so endorsed as to protect all parties hereto, as their interests may appear, and continue said insurance in force during the life of this Contract.

This Contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall be bound by any terms, conditions or representations not herein written; time being of the essence of this Agreement. Cost of all documentary stamps required by law shall be divided equally between the parties hereto.

Witness in duplicate the hands and seals of the parties hereto the day and year first above written.

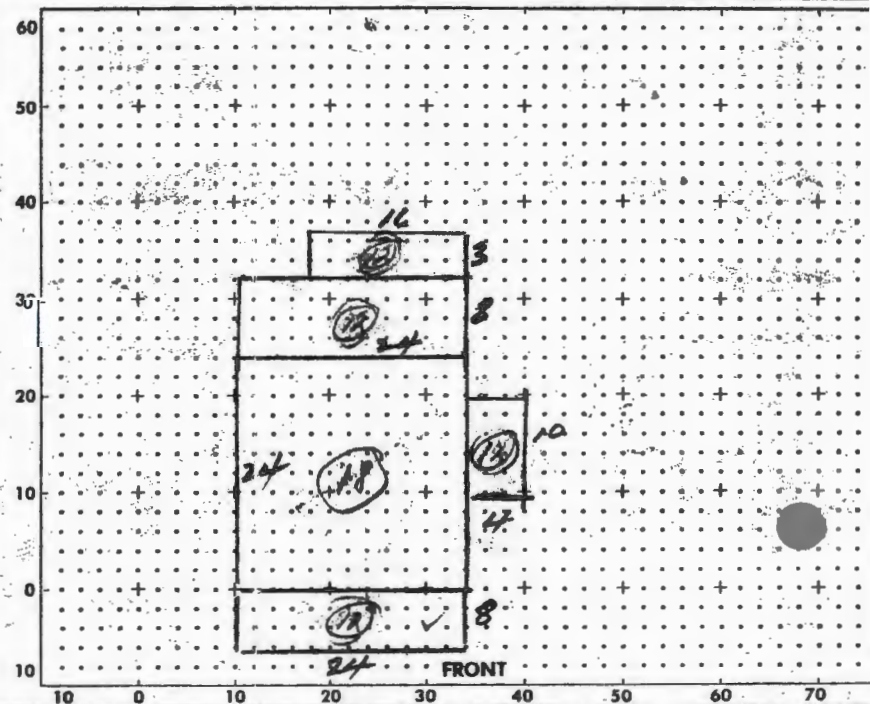
Witness—AS TO SELLER'S SIGNATURE
Witness—AS TO SELLER'S SIGNATURE
Witness—AS TO BUYER'S SIGNATURE
Witness—AS TO BUYER'S SIGNATURE

Ralph Powell (SEAL)
Jane G. Powell (SEAL)
Ellwood C. Payne (SEAL)
Anna B. Payne (SEAL)

EXHIBIT NO. 2
PETITIONER'S

Assessors Work Sheet Building Data Residential Property

Type	1STY W/BASMT					AGE	GRADE	CONST.	STORY	TYPE
Grade						P	A	1	-	100
Year Built	13/1973 1970					Physical Condition FAIR				
Exterior										
Foundation BLK										
Basement CONC										
Walls ALUM SIDG										
Roof ASP SH. GABLE										
Interior	Base	1st.	2nd.	3rd.	Attic	Person Interviewed				
Floors		PINE				OWNER				
Partitions		DW				TENANT				
No. Baths		1 BATH				OTHER				
Fireplaces		1 PR				TELEPHONE				
No. Rooms		6				LEFT CARD				
						Date	3/27/74	By	JS	



Service	
Heating (Type)/Air Cond.	CHA-GAS
Other/Flat Charges Etc.	PR 270

	Dimensions	Perim.	Sq. Ft.	Ht.	Cu
Main Sec.	24 X 8		192	12	2304
	24 X 24		576	12	6912
Addnl. Sec.	24 X 8		192	12	2304
	16 X 3		48	12	576
	4 X 10		40	12	480
		142	1048		116

SUMMARY OF VALUATION

BUILDING	YR.	1976-77 YR.	YR.	Building Data	Page	Rate	Base Value	Other Charges	TOTAL	INDEX	Reprod. Cost	Depr.	VALUE	As
Dwelling	4950	4900		MAIN DWELLING	PR 4	1720	11543	270	11813	151.2	17961	8027	9824	4
Shack	1050	1000		Shack 23 X 18										1
TOTAL	6000	5900												

ADDITIONAL NOTES:

Building Data	INDEX	Reprod. Cost	Depr.	VALUE	Assessment	INDEX	Reprod. Cost	Depr.	VALUE	Assessment	INDEX	Reprod. Cost	Depr.	VALUE	As
MAIN DWELLING															

PETITIONER'S

EXHIBIT NO.

3

CASE NO. 2015-

0270-A
SPHCHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment6/17DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

6/25PLANNING
(if not received, date e-mail sent _____)N/C6/10

STATE HIGHWAY ADMINISTRATION

no Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

6/25

SIGN POSTING

Date:

6/22

by

O'Keefe

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 - 12 Account Number - 1216002060			
Owner Information					
Owner Name:	PAYNE ELLWOOD C PAYNE ANNA B		Use: Principal Residence:	RESIDENTIAL YES	
Mailing Address:	7611 CYPRESS AVE BALTIMORE MD 21224-3213		Deed Reference:	/01633/ 00546	
Location & Structure Information					
Premises Address:		7611 CYPRESS AVE BALTIMORE 21224-3213		Legal Description:	LT 66,67,68 EAST VIEW
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0096	0016	0205		0000	66 2015 0005/0081
Special Tax Areas:			Town: NONE Ad Valorem: NONE Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1930	1,048 SF		6,000 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	SIDING	1 full/ 1 half	
Value Information					
	Base Value	Value As of 01/01/2015	Phase-In Assessments As of 07/01/2014 As of 07/01/2015		
Land:	54,000	54,000			
Improvements	56,100	43,800			
Total:	110,100	97,800	110,100	97,800	
Preferential Land:	0			0	
Transfer Information					
Seller: POWELL RALPH		Date: 01/28/1948		Price: \$7,000	
Type: ARMS LENGTH IMPROVED		Deed1: /01633/ 00546		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: Approved 06/09/2009					

Baltimore County

[New Search \(http://sdat.resiusa.org/RealProperty\)](http://sdat.resiusa.org/RealProperty)District: **12** Account Number: **1216002060**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

 Loading... Please Wait.

Loading... Please Wait.

-->



KEVIN KAMENETZ
County Executive

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

July 9, 2015

Ellwood C Payne
Represented by Bernadette P. Aley
7611 Cypress Avenue
Baltimore MD 21224

RE: Case Number: 2015-0270 A, Address: 7611 Cypress Avenue

Dear Ms. Aley:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 26, 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
Gary R Maslan, Esquire, 7508 Eastern Avenue, Baltimore MD 21224

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 6/10/15

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

RE: Baltimore County
Item No 2015-0270-SPH

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above 2015-0270-SPH 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.

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 cursive script, appearing to read "David W. Peake".

for David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND**INTER-OFFICE CORRESPONDENCE**

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

DATE: June 25, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

JUN 24 2015

SUBJECT: Zoning Advisory Petition(s) for
Item No: 15-263, 15-270, 15-272, and 15-282

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the above referenced zoning item(s) and has no comments.

For further questions or additional information concerning the matters stated herein, please contact Lloyd Moxley at 410-887-3480.

Prepared By: _____

LTM:kma

c: John Beverungen, ALJ
Peter Max Zimmerman

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 17, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For June 15, 2015
Item No. 2015-0269, 0270, 0271, 0275, 0276, 0277, 0278, 0279, 0280,
0281, 0282 and 0283

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\ZAC06152015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 25, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: Zoning Advisory Petition(s) for
Item No: 15-263, 15-270, 15-272, and 15-282

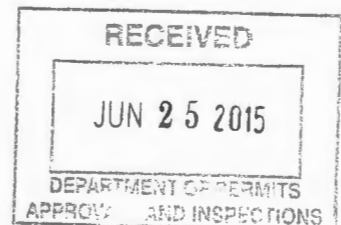
The Department of Planning has reviewed the above referenced zoning item(s) and has no comments.

For further questions or additional information concerning the matters stated herein, please contact Lloyd Moxley at 410-887-3480.

Prepared By: _____

LTM:kma

c: John Beverungen, ALJ
Peter Max Zimmerman





**STATE OF MARYLAND
LETTERS OF ADMINISTRATION**

ESTATE NO. 180774

I certify that administration of the Estate of

ELLWOOD CLIFFORD PAYNE

was granted on the 29th day of OCTOBER, 2014,
to BERNADETTE P. ALEY

as personal representative(s) and the appointment is in effect

this 29th day of OCTOBER 2014,

☒ Will probated October 29, 2014
(date)

☐ Intestate estate

Grace G. Connolly

GRACE G. CONNOLLY

Register of Wills for

BALTIMORE COUNTY

VALID ONLY IF SEALED WITH THE SEAL OF THE COURT OR THE REGISTER



Lot # 11 1219000901

1998-0224-A
R-1953-2596

Lot # 42

1208030120

1212040613

7613

1988-0147-A

Lot # 42

Lot # 14

Lot # 39

1998-0426-SPH

Lot # 39

1219099120

Lot # 39

1212040612

7616

Lot # 17

Lot # 36

1213023490

Lot # 36

Lot # 36

1204036850

7614

Lot # 19

Lot # 35

1212021251

7642

1212020070

Lot # 21

Lot # 33

1212021250

12 FD

SE 1-E

Lot # 31

PDM # 128031

Lot # 31

1223015830

DR 5.5

096B3

Lot # 28

7 CD

Lot # 28

7608

1223015800

Lot # 28

2006-0127-SPHA

Pt. Bk. 0000009, Folio 0117

1223015801

Lot # 409

Lot # 409

1206000080

Lot # 406

Lot # 406

SOUTHERN AVE

Bk. 0000007, Folio 0001

2015-0270-SPH

1988-0335-SPH

Lot # 55
7621

1207083200

1208032000

Lot # 90

Lot # 90

Lot # 56

1203000715

Lot # 90

Lot # 57

2400006083

2100009644

Lot # 57

Lot # 59

1219028120

Lot # 88

1203000716

Lot # 59

Lot # 61

1219028121

Lot # 84

Lot # 84

Lot # 61

Lot # 63

1207001000

Lot # 84

1219028122

Lot # 63

Lot # 65

1207001001

Lot # 81

1207001002

Lot # 66

1216002060

Pt. Bk./Folio # 009117C

Lot # 81

7611

Lot # 66

Lot # 78

1216002061

Lot # 66

Lot # 78

Lot # 69

1208030021

Lot # 78

Lot # 69

Lot # 76

1208030020

Lot # 71

2200004805

Lot # 76

Lot # 71

Lot # 331

1216001262

Lot # 71

Lot # 331

1215064100

Lot # 73

1216001261

Lot # 73

Lot # 333

Lot # 328

1216001260

Lot # 335

Lot # 333

Lot # 326

1215064101

Lot # 335

1207030102

Lot # 107

Lot # 107

1201069270

ADDRESS 7611 CYPRESS AVENUE
SUBDIVISION NAME EAST VIEW
PLAT BOOK# 9 FOLIO# 117_10 DIGIT TAX# 1216002060 AND 1216002061 DEED REF.# 01633/00546 AND 03096/00567

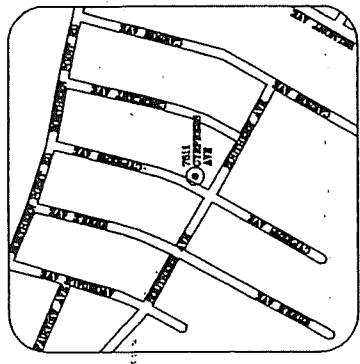
The map shows a section of Cypress Avenue with a width of 36 feet. The alignment is defined by a 'PUBLIC PAVED RECORD MERIDIAN' line. The map includes a north arrow and a scale bar. Key features include the 'CYPRUSS AVENUE' alignment, the '36' R/W' (Right of Way) boundary, and the 'IRON PIN' locations. The map also shows 'SET' (Setback) lines and 'E 60.00'' (East 60.00 feet) measurements. The map is oriented with North at the top, and the 'CONTROL LINE' is marked on the right side.

PLAT CHECKED BY: BCL

36' R/W · CRESCENT AVENUE
PUBLIC PAVED

PLAN DRAWN BY INW DATE 2/10/2015 SCALE:1 INCH= 30 FEET

hds-0270-5106



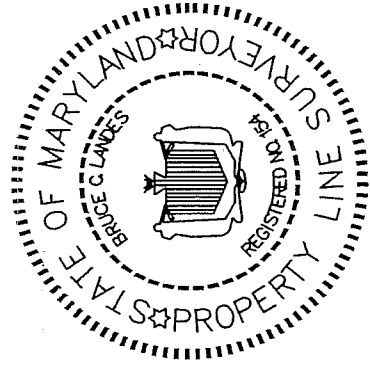
VICINITY MAP
NOT TO SCALE

ZONING MAP# 096193
SITE ZONED DR55
ELECTION DISTRICT 12TH
COUNCIL DISTRICT 7TH
LOT AREA ACREAGE
OR SQUARE FEET 12000 TOTAL
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN?
UTILITIES? MARK WITH X
WATER IS:
PUBLIC PRIVATE
SEWER IS:
PUBLIC PRIVATE
PRIOR HEARING?
IF SO GIVE CASE NUMBER
AND ORDER RESULTS BELOW

VIOLATION CASE INFO:

PETITIONER'S

EXHIBIT NO.



EXP. 4/27/2016

FILE - BALTIMORE COUNTY

LOT 77

LOT 65

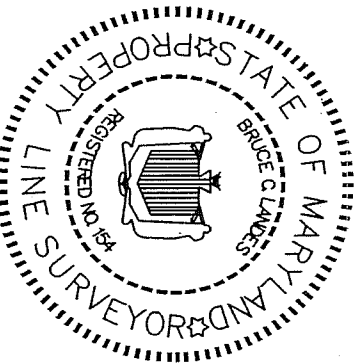
()

LC
V
R

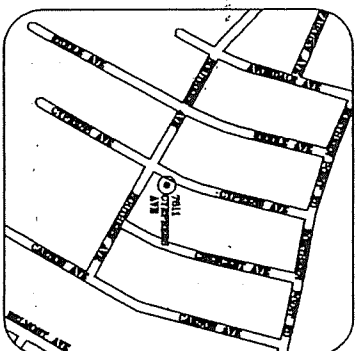
LOT 69

LOT 81

EXP. 4/27/2016



JOB NO. 22891



VICINITY MAP
NOT TO SCALE

ZONING MAP# 096133
SITE ZONED DR55
ELECTION DISTRICT 12TH
COUNCIL DISTRICT 7TH
LOT AREA ACAGE
OR SQUARE FEET 12000 TOTAL
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN?
UTILITIES? MARK WITH X
WATER IS:
PUBLIC PRIVATE
SEWER IS:
PUBLIC PRIVATE
PRIOR HEARING?
IF SD GIVE CASE NUMBER
AND ORDER RESULTS BELOW

VIOLATION CASE INFO:

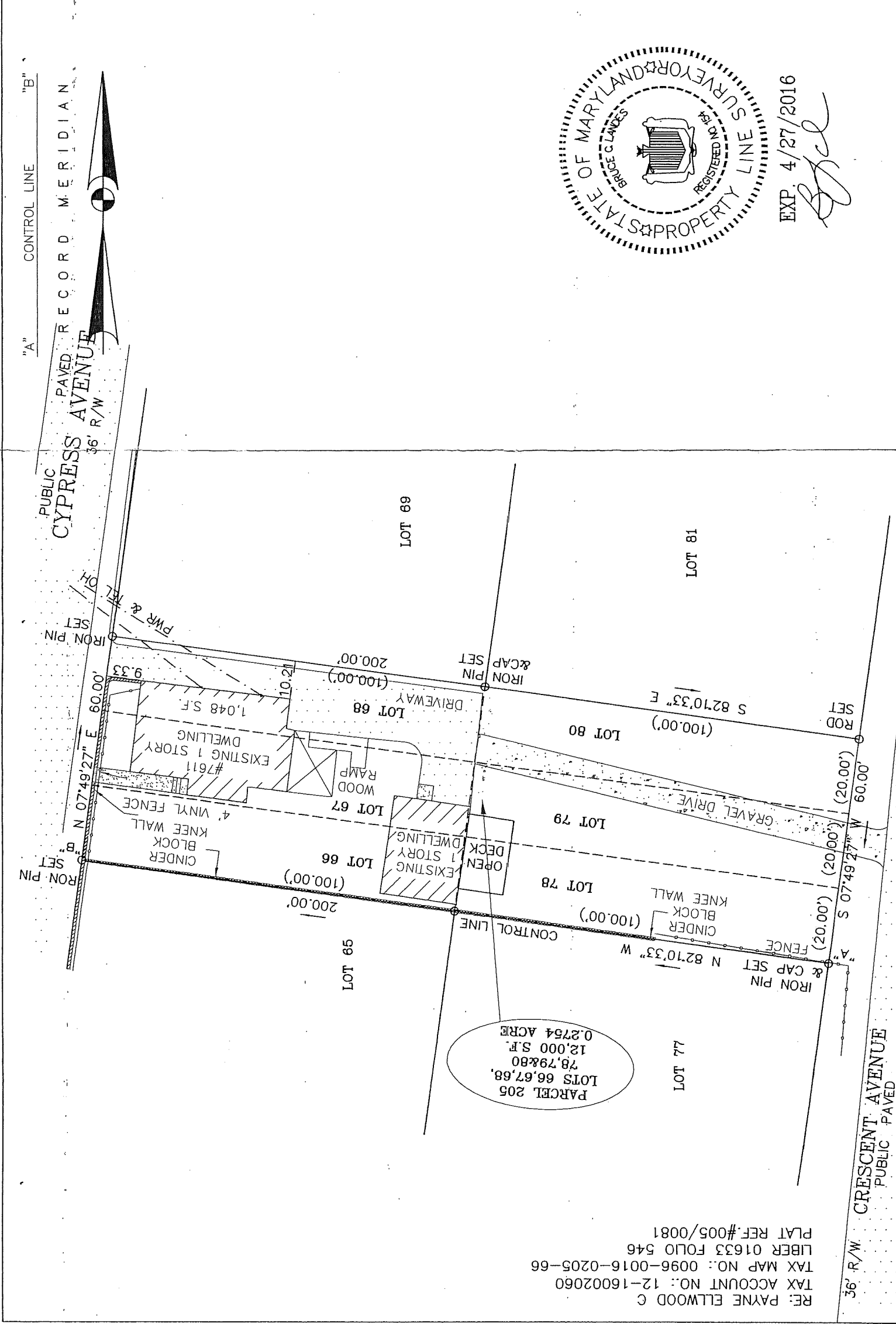
PLAN DRAWN BY INW

DATE 2/10/2015

SCALE: 1 INCH = 30 FEET

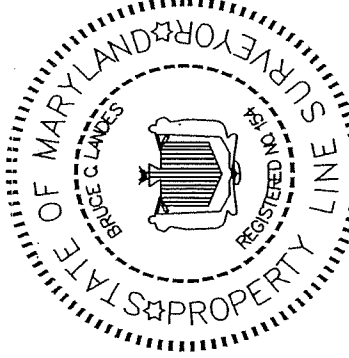
ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
ADDRESS 7611 CYPRESS AVENUE OWNERS(S) NAME(S) ELLWOOD C. PAYNE
SUBDIVISION NAME EAST VIEW LOT(S) 66,67,68 78,79,80 BLOCK# SECTION#
PLAT BOOK# 9 FOLIO# 117 10 DIGIT TAX# 1216002060 AND 1216002061 DEED REF.# 01633/00546 AND 03096/00567

FILE - BALTIMORE COUNTY



RE: PAYNE ELLWOOD C
TAX ACCOUNT NO.: 12-16002060
TAX MAP NO.: 0096-0016-0205-66
LIBER 01633 FOLIO 546
PLAT REF.#005/0081

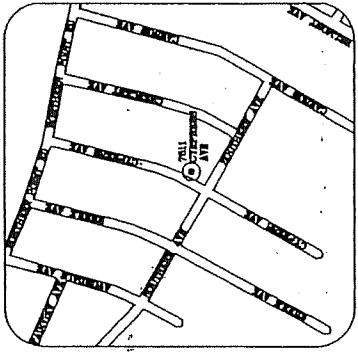
PARCEL 205
LOTS 66,67,68,
78,79&80
12,000 S.F.
0.2754 ACRE



EXP. 4/27/2016

[Signature]

PLAN DRAWN BY INW DATE 2/10/2015 SCALE: 1 INCH = 30 FEET



VICINITY MAP
NOT TO SCALE

ZONING MAP# 09633
SITE ZONED DR55
ELECTION DISTRICT 12TH
COUNCIL DISTRICT 7TH
LOT AREA ACREAGE
OR SQUARE FEET 12000 TOTAL
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN?
UTILITIES? MARK WITH X
WATER IS:
PUBLIC PRIVATE
SEWER IS:
PUBLIC PRIVATE
PRIOR HEARING?
IF SO GIVE CASE NUMBER
AND ORDER RESULTS BELOW

VIOLATION CASE INFO:

2015-0270-SPM