

IN THE MATTER OF
ESTATE OF ROBERT L. MARTIN
CHRISTINE MARTIN, PR – LEGAL OWNER
ALPHA HOMES, LLC – CONTRACT PURCHASER
AND PETITIONERS FOR SPECIAL HEARING ON
THE PROPERTIES LOCATED AT 7002, 7004, AND
7006 RAILWAY AVENUE

12TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 19-022-SPH
and 19-023-SPH

* * * * *

ORDER OF DISMISSAL

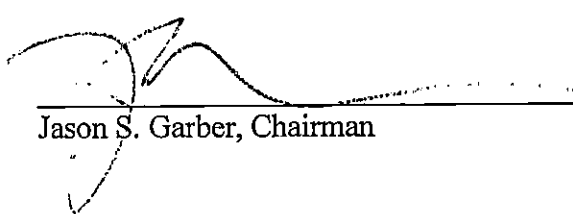
This matter comes to the Board of Appeals by way of an appeal filed by W. Timothy Sutton, Esquire on behalf of the Estate of Robert Martin, Christine Martin, Personal Representative, Legal Owner and Alpha Homes, LLC, Contract Purchaser, Petitioners and Appellants, from a final decision of the Administrative Law Judge dated October 1, 2018, in which the requested zoning relief was granted.

WHEREAS, the Board is in receipt of a letter of voluntary withdrawal of appeal filed on January 22, 2019, by W. Timothy Sutton, Esquire, on behalf of Petitioners/Appellants requesting that the hearing scheduled for February 7, 2019 be cancelled (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Petitioner /Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of January 22, 2019,

IT IS ORDERED this 31st day of January, 2019 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 19-022-SPH and 19-023-SPH be and the same is hereby **DISMISSED**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Jason S. Garber, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 31, 2019

W. Timothy Sutton, Esquire
Maslan, Maslan & Rothwell, P.A.
7508 Eastern Avenue
Baltimore, Maryland 21224

Re: *In the Matter of: Estate of Robert L. Martin*
Christine Martin, PR – Legal Owners
Alpha Homes, LLC – Contract Purchaser
Case Nos.: 19-022-SPH and 19-023-SPH

Dear Mr. Sutton:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review** filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure

c: Christine Martin, PR/Estate of Robert L. Martin
Henry Valasquez
Dalila Sandoval/Alpha Homes, LLC
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Jeff Mayhew, Acting Director/Department of Planning
Michael Mohler, Acting Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law

John and Kim Hock
Joanne Salvino
Marie Salvino
Ruth Peitsch

GARY R. MASLAN
gmaslan@mmandrlaw.com

Of Counsel:
Amanda Zorn**
azorn@mmandrlaw.com

W. Timothy Sutton
tsutton@mmandrlaw.com

Law Offices of
MASLAN, MASLAN & ROTHWELL, P.A.

7508 EASTERN AVENUE
BALTIMORE, MD 21224
410-282-2700 (OFFICE)
410-282-3336 (FAX)
Website: maslanmaslanrothwell.com

M. MICHAEL MASLAN
(1911-1996)

RALPH K. ROTHWELL, Jr.
(1949-2008)

**DC

January 22, 2019

County Board of Appeals
The Jefferson Building, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case: 2019-0023-SPH
7004 & 7006 Railway Avenue

Case: 2019-0022-SPH
7002 Railway Avenue

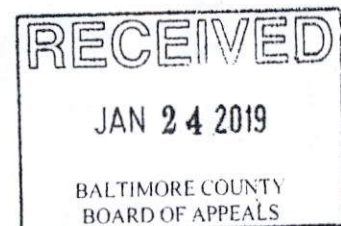
Dear Sir or Madam:

Please dismiss the appeals pending in the above referenced matters and cancel the hearing set for February 7, 2019 at 10 am. Thank you for your anticipated cooperation.

Very truly yours,



W. Timothy Sutton





Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

November 15, 2018

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Estate of Robert L. Martin
Christine Martin, PR – Legal Owner
19-022-SPH Alpha Homes, LLC – Contract Purchaser
7002 Railway Avenue
12th Election District; 7th Councilmanic District

Re: Petition for Special Hearing pursuant to BCZR Section 500.7 to approve the continuance of the non-conforming use of the subject property as a commercial business (pub) in a residential zone.

10/1/18 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Hearing was DENIED.

-----SET WITH-----

IN THE MATTER OF: Estate of Robert L. Martin
Christine Martin, PR – Legal Owner
19-023-SPH Alpha Homes, LLC – Contract Purchaser
7004 & 7006 Railway Avenue
12th Election District; 7th Councilmanic District

Re: Petition for Special Hearing pursuant to BCZR Section 500.7 to approve the continuance of the non-conforming use of the subject property as a 2 dwelling unit building and to continue the non-conforming use of the accessory structure in the rear of 7004 Railway Avenue as a 2 dwelling unit building.

10/1/18 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Hearing was DENIED.

ASSIGNED FOR: **FEBRUARY 7, 2019, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

Notice of Assignment

In the matter of: The Estate of Robert L. Martin

Case number: 19-022-SPH and 19-023-SPH

November 15, 2018

Page 2

- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.
- Parties must file one (1) original and three (3) copies of all Motions, Memoranda, and exhibits (including video and PowerPoint) with the Board unless otherwise requested.
- Projection equipment for digital exhibits is available by request. A minimum of forty-eight (48) hours-notice is required. Supply is limited and not guaranteed.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Counsel for Petitioners
Petitioner/Legal Owner
Contract Purchaser

: W. Timothy Sutton, Esquire
: Estate of Robert L. Martin c/o Christine Martin
: Alpha Homes, LLC

Protestants

: John and Kim Hock, Joanne Salvino,
Marie Salvino, Ruth Peitsch

Henry Valasquez

Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/PAI
Lawrence M. Stahl, Managing Administrative Law Judge
Michael Field, County Attorney, Office of Law
Nancy West, Assistant County Attorney
Office of People's Counsel



DONALD I. MOHLER III
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

October 31, 2018

W. Timothy Sutton, Esq.
7508 Eastern Avenue
Baltimore, Maryland 21224



RE: **APPEAL TO BOARD OF APPEALS**
Petition for Special Hearing
Case No. 2018-0023-SPH
Property: 7004 & 7006 Railway Avenue

Dear Mr. Sutton:

Please be advised that an appeal of the above-referenced case was filed in this Office on October 30, 2018. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "JOHN E. BEVERUNGEN".

JOHN E. BEVERUNGEN
Managing Administrative Law Judge
for Baltimore County

JEB/sln

c: John & Kim Hock, 6905 Railway Avenue, Baltimore, MD 21222
Joanne & Marie Salvino, 7005 Railway Avenue, Baltimore, MD 21222
Ruth Peitsch, 6998 Railway Avenue, Baltimore, MD 21222
Baltimore County Board of Appeals
People's Counsel

APPEAL

**Petition for Special Hearing
(7004 & 7006 Railway Avenue)
12th Election District – 7th Councilmanic District
Legal Owner: Estate of Robert L. Martin & Christine Martin, PR
Contract Purchaser: Alpha Homes, LLC
Case No. 2019-0023-SPH**



Petition for Variance Hearing (August 2, 2018)

Zoning Description of Property

Certificate of Posting –

1st Posting- September 6, 2018- David Billingsley

2nd Posting- Re-Certification- September 21, 2018-David Billingsley

Newspaper Advertisement – September 7, 2018- The Daily Record

Notice of Zoning Hearing – August 27, 2018

People's Counsel Entry of Appearance –August 14, 2018

Zoning Advisory Committee Comments

Petitioner's Sign-in Sheets – one sheet

Citizen's Sign-in Sheets- one sheet

Petitioner(s) Exhibits –

1. Plan

Protestants' Exhibits – None

Miscellaneous (Not Marked as Exhibits)- N/A

Administrative Law Judge Order and Letter (DENIED October 1, 2018)

Notice of Appeal & Receipt – W. Timothy Sutton, Esq. October 30, 2018

GARY R. MASLAN
gmaslan@mmandrlaw.com

Of Counsel:
Amanda Zorn**
azorn@mmandrlaw.com

W. Timothy Sutton
tsutton@mmandrlaw.com

Law Offices of
MASLAN, MASLAN & ROTHWELL, P.A.

7508 EASTERN AVENUE
BALTIMORE, MD 21224
410-282-2700 (OFFICE)
410-282-3336 (FAX)
Website: maslanmaslanrothwell.com

M. MICHAEL MASLAN
(1911-1996)

RALPH K. ROTHWELL, Jr.
(1949-2008)

**DC

October 30, 2018

County Board of Appeals
The Jefferson Building, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case: 2019-0023-SPH
7004 & 7006 Railway Avenue

Case: 2019-0022-SPH
7002 Railway Avenue



Dear Sir or Madam:

Please note an appeal of the denial of the approval of the continuing use for both properties above. The Petitioner testified as to the existing uses of the property and no other evidence was presented to contradict that testimony. No county agency disputed the testimony or opposed the approval. I am enclosing two checks in the amount of \$265 for the filing of the appeal. Thank you for your anticipated cooperation.

Very truly yours,

W. Timothy Sutton

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

№ 143396

Date:

10/30/18

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				265.00

Total:

265.00

Rec

From:

W. Timothy Sutton CK# 10239

For:

Office of Administrative Hearings (CD OR (APPEAL))

Case No. 2019-0023

Address OR Project: 7004 E 7000, Reisterstown Ave

Hearing Date(s): 9-27-18

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS

ACTUAL

TIME

ORW

10/31/2018 10/30/2018 10:42:11

3

REG W503 WALKIN CAM

>>RECEIPT # 795577 10/30/2018

OFLN

Dept: 5 528 ZONING VERIFICATION

CR NO. 143396

Recpt Tot \$265.00

\$530.00 CK \$1.00 CA

Baltimore County, Maryland

CASHIER'S
VALIDATION

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(7004 & 7006 Railway Avenue)		
12 th Election District	*	OFFICE OF
7 th Council District		
Estate of Robert L. Martin &	*	ADMINISTRATIVE HEARINGS
Christine Martin, PR, <i>Legal Owners</i>		
Alpha Homes, LLC.	*	FOR BALTIMORE COUNTY
<i>Contract Purchaser</i>		
Petitioners	*	Case No. 2019-0023-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 Robert L. Martin, legal owner and Alpha Homes, LLC, contract purchaser ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve the continuance of the non-conforming use of the subject property as a 2 dwelling unit building and to continue the non-conforming use of the accessory structure in the rear of 7004 Railway Avenue as a 2 dwelling unit building. A site plan was marked and admitted as Petitioners' Exhibit 1.

Christine Martin and Henry Valasquez appeared in support of the petition. W. Timothy Sutton, Esq. represented Petitioners. Several neighbors attended the hearing to express concerns with the operation of a bar at an adjoining property, which was the subject of Case No. 2019-0022-SPH, a companion case heard at the same time as the present matter. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning ("DOP"). That agency did not object to the request.

The subject property is 6,250 square feet in size and zoned DR-5.5. The property is improved with a 2-story dwelling known as 7004/7006 Railway Avenue, and a 2-story masonry structure in the rear of the lot identified as 7004A & 7004B Railway Avenue. Christine Martin,

ORDER RECEIVED FOR FILING

Date 10/1/18

By sen

personal representative of the estate of Robert L. Martin, testified that each of these structures contains two separate living units or apartments, for a total of four (4) units. The Petitioners seek a declaration that this is a lawful nonconforming use, as that term is defined in Sections 101.1 & 104 of the BCZR.

Ms. Martin testified three of the units (i.e., 7004, 7006 and 7004A Railway Avenue) are registered with Baltimore County's rental registration program, although she did not present copies of any licenses or registration documents. She testified the fourth unit is vacant and is therefore not registered with the County. She also indicated she had at her home copies of leases, utility records, etc. pertaining to the alleged status of these properties as a lawful nonconforming use.

As indicated in the companion case involving the bar (Case No. 2019-0022-SPH), the burden of proving the existence of a lawful nonconforming use falls upon the party asserting that claim. *County Comm'rs of Carroll County v. Uhler*, 78 Md. App. 140 (1989). Nonconforming uses are disfavored and the goal of zoning is to eliminate nonconforming uses through "economic attrition and physical obsolescence." *Prince George's County v. E.L. Gardner, Inc.*, 293 Md. 259, 268 (1982). I do not believe Petitioners have presented sufficient evidence and/or testimony to establish that the subject property and the structures thereon have since 1955 (which is when Baltimore County first adopted zoning regulations) been continuously used as a 4-unit apartment complex. Ms. Martin in fact testified only three of the units are occupied at this time, which I believe requires the denial of the petition as a matter of law.

THEREFORE, IT IS ORDERED this 1st day of **October, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve the continuance of the non-conforming use of the subject property as a 2-dwelling unit building and to continue the non-conforming use of the accessory structure in the rear of 7004 Railway Avenue as a 2-dwelling unit building, be and

ORDER RECEIVED FOR FILING

Date 10/1/18

By Sen

is hereby DENIED.

Any appeal of this decision must be filed 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 10/1/18

By sln



DONALD I. MOHLER III
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

October 1, 2018

W. Timothy Sutton, Esq.
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: Petitions for Special Hearing
Case No. 2019-0023-SPH
Property: 7004 & 7006 Railway Avenue

Dear Mr. Sutton:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: John & Kim Hock, 6905 Railway Avenue, Baltimore, MD 21222
Joanne & Marie Salvino, 7005 Railway Avenue, Baltimore, MD 21222
Ruth Peitsch, 6998 Railway Avenue, Baltimore, MD 21222

PLEASE PRINT CLEARLY

CASE NAME 2019-0023
CASE NUMBER 2019-0022
DATE 9-27-2018

PETITIONER

~~CITIZEN'S SIGN~~ - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____

CASE NUMBER _____

DATE _____

CITIZEN'S SIGN - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]



CERTIFICATE OF POSTING

SEPTEMBER 21, 2018
Date: SEPTEMBER 6, 2018

RE: Project Name: 7004 & 7006 RAILWAY AVENUE #1
Case Number /PAI Number: 2019-0023-SPH
Petitioner/Developer: DALILA SANDOVAL
Date of Hearing/Closing: SEPTEMBER 27, 2018

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 7004 - 7006 RAILWAY AVENUE

RECERTIFY SEPTEMBER 21, 2018
SEPTEMBER 6, 2018

The sign(s) were posted on

(Month, Day, Year)

Sep 21, 2018 10:00:35 AM

ZONING NOTICE

CASE NO. 2019-0023-SPH
7004 AND 7006 RAILWAY AVENUE

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: THURSDAY, SEPTEMBER 27, 2018
AT 1:30 PM

SPECIAL HEARING TO DETERMINE WHETHER OR
NOT THE ADMINISTRATIVE LAW JUDGE SHOULD
APPROVE THE CONTINUANCE OF THE NON-
CONFORMING USE OF (1) 7004 / 7006 AS A TWO
DWELLING UNIT BUILDING AND (2) THE ACCESSORY
STRUCTURE IN THE REAR OF 7004 AS A 2 DWELLING
UNIT BUILDING

Postponements due to weather or other conditions a reasonable time
necessary. To confirm hearing or postponement contact the Planning
Department of Permits, Approvals and Inspections, 112 West Chesapeake
Avenue, Towson, Md. 21204. (410) 679-8719

UNDER PENALTY OF LAW, DO NOT REMOVE OR DESTROY THIS SIGN UNTIL THE
HEARING IS COMPLETED AND THE PROPERTY IS MADE ACCESSIBLE

David Billingsley
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)



CERTIFICATE OF POSTING

SEPTEMBER 21, 2018
Date: SEPTEMBER 6, 2018

RE: Project Name: 7004 & 7006 RAILWAY AVENUE #2
Case Number /PAI Number: 2019-0023-SPH
Petitioner/Developer: DALILA SANDOVAL
Date of Hearing/Closing: SEPTEMBER 27, 2018

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 7004 - 7006 RAILWAY AVENUE

RECERTIFY SEPTEMBER 21, 2018

The sign(s) were posted on SEPTEMBER 6, 2018

(Month, Day, Year)

Sep 21, 2018 10:00:53 AM

ZONING NOTICE

CASE NO. 2019-0023-SPH
7004 AND 7006 RAILWAY AVENUE

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: THURSDAY, SEPTEMBER 27, 2018
AT 1:30 PM

SPECIAL HEARING TO DETERMINE WHETHER OR
NOT THE ADMINISTRATIVE LAW JUDGE SHOULD
APPROVE THE CONTINUANCE OF THE NON-
CONFORMING USE OF (1) 7004 / 7006 AS A TWO
DWELLING UNIT BUILDING AND (2) THE ACCESSORY
STRUCTURE IN THE REAR OF 7004 AS A 2 DWELLING
UNIT BUILDING

David Billingsley
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)



DONALD I. MOHLER III
County Executive

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

September 19, 2018

Christine Martin
7002 Railway Avenue
Dundalk MD 21222

RE: Case Number: 2019-0023 SPH, Address: 7004 & 7006 Railway Avenue

Dear Ms. Martin:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 2, 2018. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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
W Timothy Sutton, Esquire, 7508 Eastern Avenue, Baltimore MD 21224
Alpha Homes LLC, Dalila Sandoval, 89 Mule Deer Court, Elkton MD 21921

Date: 8/13/18

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

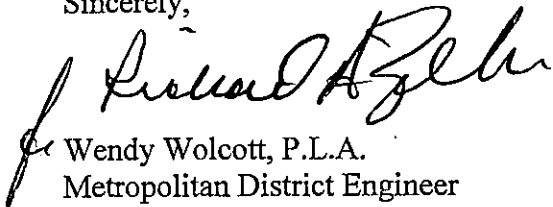
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0023-SPH

*Special Hearing
Estate of Robert L. & Christine Martin PR
7004 & 7005 Railway Avenue*

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

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

9-27

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 8/29/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-023



INFORMATION:

Property Address: 7004 & 7006 Railway Avenue
Petitioner: Estate of Robert L. Martin, Christine Martin PR
Zoning: DR 5.5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing under to determine whether or not the Administrative Law Judge should approve the continuance of the non-conforming use 7004/7006 as a two dwelling unit building and continue the non-conforming use of the accessory structure in the rear of 7004 as a two dwelling unit building.

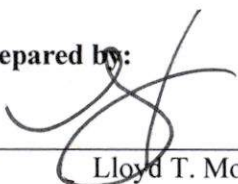
A site visit was conducted on August 22, 2018.

The Department has no objection to granting the petitioned zoning relief.

The Department recommends that unless petitioners have already done so, all rental units should be registered with the Baltimore County Rental Housing Registration program.

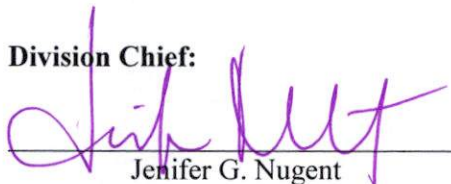
For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

AVA/JGN/LTM/

c: Krystle Patchak
W. Timothy Sutton
Office of the Administrative Hearings
People's Counsel for Baltimore County

9-19-27 1:30 PM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

AUG 15 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 15, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0023-SPH
Address 7004 & 7006 Railway Avenue
(Estate of Martin Property)

Zoning Advisory Committee Meeting of **August 20, 2018.**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

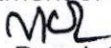
Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: September 5, 2018

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 20, 2018
Item No. 2019-0016-A, 0022, 0023-SPH, 0029-A, 0038-A, 0039-A, 0040-A
and 0042-SPHA

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

*

*

*

*

*

VKD: cen
cc: file

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

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

9/7/2018

Order #: 11612646
Case #: 2019-0023-SPH
Description:

CASE NUMBER: 2019-0023-SPH NOTICE OF ZONING HEARING



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0023-SPH

7004 & 7006 Railway Avenue

NW/s Railway Avenue, 42 ft. N/of centerline of intersection with Crofton Avenue

12th Election District - 7th Councilmanic District

Legal Owners: Estate of Robert L. Martin, Christine Martin, PR

Contract Purchaser/Lessee: Alpha Homes, LLC Dalila Sandoval

Special Hearing to determine whether or not the Administrative Law Judge should approve the continuance of the non-conforming use of 7004/7006 as a 2 dwelling unit building. To continue the non-conforming use of the accessory structure in the rear of 7004 as a 2 dwelling unit building.

Hearing: Thursday, September 27, 2018 at 1:30 p.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.

s7

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CERTIFICATE OF POSTING

Date: SEPTEMBER 6, 2018

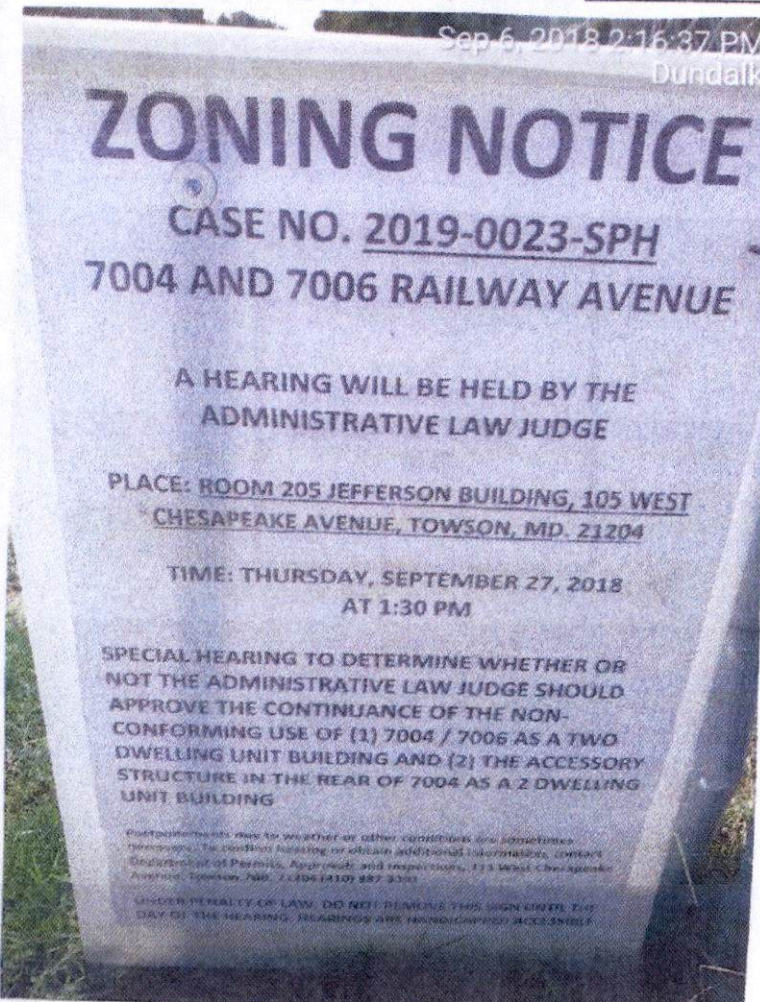
RE: Project Name: 7004 & 7006 RAILWAY AVENUE #1
Case Number /PAI Number: 2019-0023-SPH
Petitioner/Developer: DALILA SANDOVAL
Date of Hearing/Closing: SEPTEMBER 27, 2018

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 7004 - 7006 RAILWAY AVENUE

The sign(s) were posted on

SEPTEMBER 6, 2018

(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)

CERTIFICATE OF POSTING

Date: SEPTEMBER 6, 2018

RE: Project Name: 7004 & 7006 RAILWAY AVENUE #2
Case Number /PAI Number: 2019-0023-SPH
Petitioner/Developer: DALILA SANDOVAL
Date of Hearing/Closing: SEPTEMBER 27, 2018

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 7004 - 7006 RAILWAY AVENUE

The sign(s) were posted on

SEPTEMBER 6, 2018

(Month, Day, Year)

Sep 6, 2018 2:16:54 PM
Dundalk

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)

ZONING NOTICE

CASE NO. 2019-0023-SPH
7004 AND 7006 RAILWAY AVENUE

A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE

PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204

TIME: THURSDAY, SEPTEMBER 27, 2018
AT 1:30 PM

SPECIAL HEARING TO DETERMINE WHETHER OR
NOT THE ADMINISTRATIVE LAW JUDGE SHOULD
APPROVE THE CONTINUANCE OF THE NON-
CONFORMING USE OF (1) 7004 / 7006 AS A TWO
DWELLING UNIT BUILDING AND (2) THE ACCESSORY
STRUCTURE IN THE REAR OF 7004 AS A 2 DWELLING
UNIT BUILDING

Propane permits due to weather or other conditions are sometimes
necessary. To confirm hearing or obtain additional information, contact
Department of Publics, Approvals and Inspections, 111 West Chesapeake
Avenue, Towson, MD. 21204 (410) 887-4391

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE
DAY OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE



DONALD I. MOHLER III
County Executive

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

August 27, 2018

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0023-SPH

7004 & 7006 Railway Avenue

NW/s Railway Avenue, 42 ft. N/of centerline of intersection with Crofton Avenue

12th Election District – 7th Councilmanic District

Legal Owners: Estate of Robert L. Martin, Christine Martin, PR

Contract Purchaser/Lessee: Alpha Homes, LLC Dalila Sandoval

Special Hearing to determine whether or not the Administrative Law Judge should approve the continuance of the non-conforming use of 7004/7006 as a 2 dwelling unit building. To continue the non-conforming use of the accessory structure in the rear of 7004 as a 2 dwelling unit building.

Hearing: Thursday, September 27, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: W. Timothy Sutton, 7505 Eastern Avenue, Baltimore 21224
Dalila Sandoval, 89 Mule Deer Court, Elkton 21921

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 7, 2018.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
7004 & 7005 Railway Avenue; NW/S of Railway
Avenue, 42' N of c/line with Crofton Avenue* OF ADMINISTRATIVE
12th Election & 7th Councilmanic Districts
Legal Owner(s): Estate of Robert Martin * HEARINGS FOR
By Christine Marin, P.R.
Contract Purchaser(s): Alpha Homes, LLC/ * BALTIMORE COUNTY
Dalila Sandoval
Petitioner(s) * 2019-023-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.

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

RECEIVED

AUG 14 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of August, 2018, a copy of the foregoing Entry of Appearance was mailed to W. Timothy Sutton, Esquire, 7508 Eastern Avenue, Baltimore, Maryland 21224, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 7004 & 7006 Railway Avenue

which is presently zoned DR 5.5

Deed References: 23851/518

10 Digit Tax Account # 1 2 2 1 0 4 0 0 9 1

Property Owner(s) Printed Name(s) Robert Lee Martin

(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

To continue the non-conforming use of 7004/7006 as a 2 dwelling unit building. To continue the non-conforming use of the accessory structure in the rear of 7004 as a 2 dwelling unit building.

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:

Alpha Homes LLC/Dalila Sandoval

Name- Type or Print

Signature

89 Mule Deer Court Elkton MD

Mailing Address City State

21921 / 3024160260 / frontdesk@teamalphahome.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

W. Timothy Sutton

Name- Type or Print

Signature

7508 Eastern Ave Baltimore MD

Mailing Address City State

21224 / 4102822700 / tsutton@mmmandrlaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Estate of Robert L. Martin, Christine Martin PR

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7002 Railway Ave Dundalk MD

Mailing Address City State

21222 / 443-722-7268 / hopsinn@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Attorney

Name - Type or Print

Signature

7002 Railway Ave Dundalk MD

Mailing Address City State

21222 / 443-722-7268 / hopsinn@gmail.com

Zip Code Telephone # Email Address

CASE NUMBER 2019-0023-SPH Filing Date 8/2/18

Do Not Schedule Dates: SCHEDULE WITH Reviewer JS

2019-0022-SPH REV. 10/4/11

ZONING PROPERTY DESCRIPTION FOR 7002, 7004, 7006 Railway Avenue

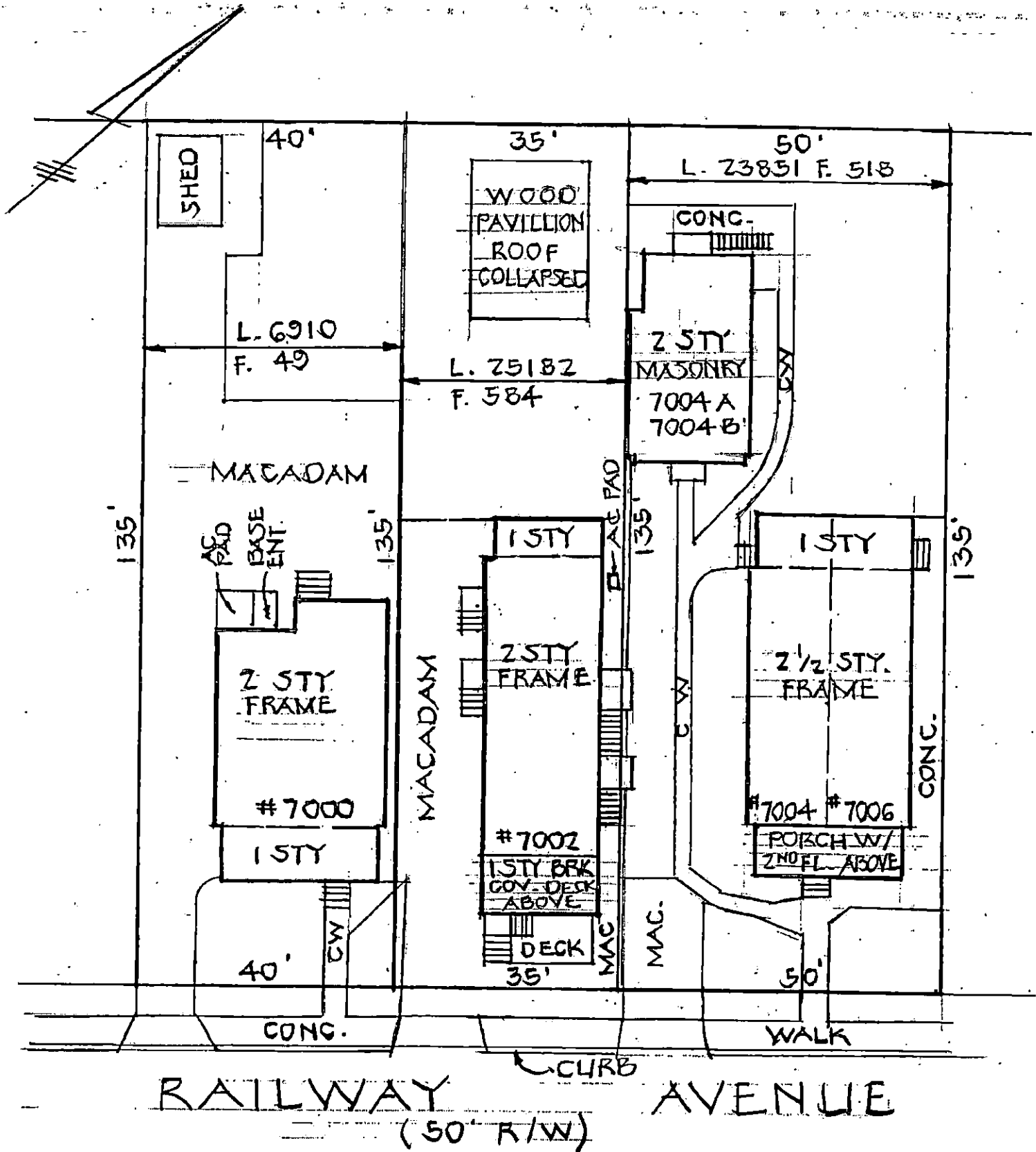
PART A

Beginning for the same on the northwest side of Railway Avenue at the dividing line between lots no. 56 and 58 Block P as shown on the Plat of Fairlawn which Plat is recorded among the land records of Baltimore County in Plat Book 6 folio 100. Thence running northwesterly binding on the dividing line between lot 56 and 58 135 feet and running thence southwesterly parallel to Railway Avenue 85 feet to a point in the dividing line between lots 53 and 55 then running southeasterly 135 feet along the dividing line of lots 53 and 55 to the northwest side of railway avenue; and then running northeasterly 85 feet to the point of beginning.

PART B

Being Lot no. 55, 56, & 57 and 10 feet to the easternmost portion of Lot no. 54 in Block P of Fairlawn which Plat is recorded among the Land Records of Baltimore County in Plat Book 6 folio 100 containing 11,475 square feet. Located in Election district 12 and council district 7

2019-0023-SPH



PLAT SHOWING EXISTING IMPROVEMENTS

7000 THRU 7006 RAILWAY AVENUE

ELECTION DISTRICT 12C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 20 FEET JUNE 30, 2018

CENTRAL DRAFTING & DESIGN,
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

Pet. Ex 1



DONALD I. MOHLER III
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

October 31, 2018

W. Timothy Sutton, Esq.
7508 Eastern Avenue
Baltimore, Maryland 21224

RE: **APPEAL TO BOARD OF APPEALS**
Petition for Special Hearing
Case No. 2018-0023-SPH
Property: 7004 & 7006 Railway Avenue



Dear Mr. Sutton:

Please be advised that an appeal of the above-referenced case was filed in this Office on October 30, 2018. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Managing Administrative Law Judge
for Baltimore County

JEB/sln

c: John & Kim Hock, 6905 Railway Avenue, Baltimore, MD 21222
Joanne & Marie Salvino, 7005 Railway Avenue, Baltimore, MD 21222
Ruth Peitsch, 6998 Railway Avenue, Baltimore, MD 21222
Baltimore County Board of Appeals
People's Counsel

APPEAL

**Petition for Special Hearing
(7004 & 7006 Railway Avenue)
12th Election District – 7th Councilmanic District
Legal Owner: Estate of Robert L. Martin & Christine Martin, PR
Contract Purchaser: Alpha Homes, LLC
Case No. 2019-0023-SPH**

Petition for Variance Hearing (August 2, 2018)

Zoning Description of Property

Certificate of Posting –

1st Posting- September 6, 2018- David Billingsley

2nd Posting- Re-Certification- September 21, 2018-David Billingsley

Newspaper Advertisement – September 7, 2018- The Daily Record

Notice of Zoning Hearing – August 27, 2018

People's Counsel Entry of Appearance –August 14, 2018

Zoning Advisory Committee Comments

Petitioner's Sign-in Sheets – one sheet

Citizen's Sign-in Sheets- one sheet

Petitioner(s) Exhibits –

1. Plan

Protestants' Exhibits – None

Miscellaneous (Not Marked as Exhibits)- N/A

Administrative Law Judge Order and Letter (DENIED October 1, 2018)

Notice of Appeal & Receipt – W. Timothy Sutton, Esq. October 30, 2018



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 7004 & 7006 Railway Avenue

which is presently zoned DR 5.5

Deed References: 23851/518

10 Digit Tax Account # 1 2 2 1 0 4 0 0 9 1

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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:

Alpha Homes LLC/Dalila Sandoval

Name- Type or Print

Signature

89 Mule Deer Court Elkton MD

Mailing Address City State

21921 / 3024160260 / frontdesk@teamalphahome.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

W. Timothy Sutton

Name- Type or Print

Signature

7508 Eastern Ave Baltimore MD

Mailing Address City State

21224 / 4102822700 / tsutton@mmandrlaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Estate of Robert L. Martin, Christine Martin PR

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7002 Railway Ave Dundalk MD

Mailing Address City State

21222 / 443-722-7268 / hopsinn@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Attorney

Name - Type or Print

Signature

Date

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0023-SPH Filing Date 8/2/18

Do Not Schedule Dates: SCHEDULE WITH Reviewer JS

2019-0023-SPH REV. 10/4/11



PETITION FOR ZONING HEARING(S)

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Alpha Homes LLC/Dalila Sandoval

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21921 / 3024160260 / frontdesk@teamalphahome.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

W. Timothy Sutton

Name- Type or Print

Signature

7508 Eastern Ave Baltimore MD

Mailing Address City State

21224 / 4102822700 / tsutton@mmandrlaw.com

Zip Code Telephone # Email Address

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Estate of Robert L. Martin, Christine Martin PR

Name #1 - Type or Print

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Signature #1

Signature #2

7002 Railway Ave Dundalk MD

Mailing Address City State

21222 / 443-722-7268 / christineinn@gmail.com

Zip Code Telephone # Email Address

Representative to be contacted:

Attorney

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0023-SPH

Filing Date 8/2/18

Do Not Schedule Dates: SCHEDULE WITH

Reviewer JS

2019-0023-SPH REV. 10/4/11

ZONING PROPERTY DESCRIPTION FOR 7002, 7004, 7006 Railway Avenue

PART A

Beginning for the same on the northwest side of Railway Avenue at the dividing line between lots no. 56 and 58 Block P as shown on the Plat of Fairlawn which Plat is recorded among the land records of Baltimore County in Plat Book 6 folio 100. Thence running northwesterly binding on the dividing line between lot 56 and 58 135 feet and running thence southwesterly parallel to Railway Avenue 85 feet to a point in the dividing line between lots 53 and 55 then running southeasterly 135 feet along the dividing line of lots 53 and 55 to the northwest side of railway avenue; and then running northeasterly 85 feet to the point of beginning.

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2019-0023-SPH

Date: 7/20/18

DECLARATION

1/22/2015 3:15 PM

505, 1941-1945
1941-1945 1945 1945

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 05-11-2010 BY 60322 UCBAW

REC'D 7/1/81

551 00 13 550 04

Enrollment, Resident

Total: 31 320.00

For: 0019-0023-SPH

PLEASE PRESS HARD!!!!

CERTIFICATE OF POSTING

SEPTEMBER 21, 2018

Date: SEPTEMBER 6, 2018

RE: Project Name: 7004 & 7006 RAILWAY AVENUE #1
Case Number /PAI Number: 2019-0023-SPH
Petitioner/Developer: DALILA SANDOVAL
Date of Hearing/Closing: SEPTEMBER 27, 2018

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 7004 - 7006 RAILWAY AVENUE

RECERTIFY SEPTEMBER 21, 2018

The sign(s) were posted on

SEPTEMBER 6, 2018

(Month, Day, Year)

Sep 21, 2018 10:00:35 AM

David Billingsley

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)



CERTIFICATE OF POSTING

SEPTEMBER 21, 2018
Date: SEPTEMBER 6, 2018

RE: Project Name: 7004 & 7006 RAILWAY AVENUE #2
Case Number /PAI Number: 2019-0023-SPH
Petitioner/Developer: DALILA SANDOVAL
Date of Hearing/Closing: SEPTEMBER 27, 2018

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 7004 - 7006 RAILWAY AVENUE

RECERTIFY SEPTEMBER 21, 2018
The sign(s) were posted on SEPTEMBER 6, 2018
(Month, Day, Year)



David Billingsley
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)

C H E C K L I S T**Comment
Received****Department****Support/Oppose/
Conditions/
Comments/
No Comment**9/5DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)No Comment8/15DEPS
(if not received, date e-mail sent _____)No Comment

FIRE DEPARTMENT

8/29PLANNING
(if not received, date e-mail sent _____)No Objection8/13

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

9/7/18SIGN POSTING (1st)

Date:

9/6/18

by

BeelingsleySIGN POSTING (2nd)

Date:

9/21/18

by

Beelingsley

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 12 Account Number - 1221040091			
Owner Information					
Owner Name:	MARTIN ROBERT LEE	Use:	RESIDENTIAL		
Mailing Address:	7004 RAILWAY AVE BALTIMORE MD 21222-1134	Principal Residence:	YES		
		Deed Reference:	/23851/ 00518		
Location & Structure Information					
Premises Address:	7004 RAILWAY AVE 0-0000	Legal Description:	LTS 56,57 7004 7006 RAILWAY AVE FAIRLAWN		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0103	0003	0513		0000	
					Block:
					P
					Lot:
					56
					Assessment Year:
					2018
					Plat No:
					Plat Ref:
					0006/ 0100
Special Tax Areas:		Town:			
		Ad Valorem:			
		Tax Class:			
		NONE			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1924	3,732 SF		6,250 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	4 full	Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2018	07/01/2018	07/01/2019	
Land:	66,600	66,600			
Improvements	119,200	138,700			
Total:	185,800	205,300	192,300	198,800	
Preferential Land:	0			0	
Transfer Information					
Seller: MARTIN ROBERT LEROY/ROBERT LEE		Date: 05/16/2006		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /23851/ 00518		Deed2:	
Seller: UMSTOT JENNIE R		Date: 11/17/1994		Price: \$80,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /10835/ 00543		Deed2:	
Seller: UMSTOT VERNON K		Date: 02/02/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07783/ 00495		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018	07/01/2019		
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: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/29/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-023

INFORMATION:

Property Address: 7004 & 7006 Railway Avenue
Petitioner: Estate of Robert L. Martin, Christine Martin PR
Zoning: DR 5.5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing under to determine whether or not the Administrative Law Judge should approve the continuance of the non-conforming use 7004/7006 as a two dwelling unit building and continue the non-conforming use of the accessory structure in the rear of 7004 as a two dwelling unit building.

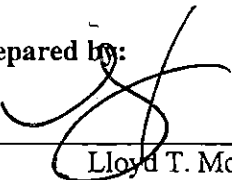
A site visit was conducted on August 22, 2018.

The Department has no objection to granting the petitioned zoning relief.

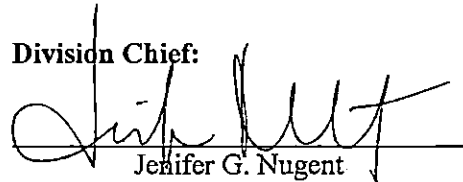
The Department recommends that unless petitioners have already done so, all rental units should be registered with the Baltimore County Rental Housing Registration program.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

AVA/JGN/LTM/

c: Krystle Patchak
W. Timothy Sutton
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 15, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0023-SPH
Address 7004 & 7006 Railway Avenue
(Estate of Martin Property)

Zoning Advisory Committee Meeting of **August 20, 2018**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: _____

Property Address: 7002, 7004, 7004a, 7004b, 7006

Property Description: lots 55, 56, and 57 and east 10 feet of 54
of in Block 1 of Fairlane, Plat Book 6 Folio 100

Legal Owners (Petitioners): Estate of Robert L. Math

Contract Purchaser/Lessee: Alpha Homes LLC

PLEASE FORWARD ADVERTISING BILL TO:

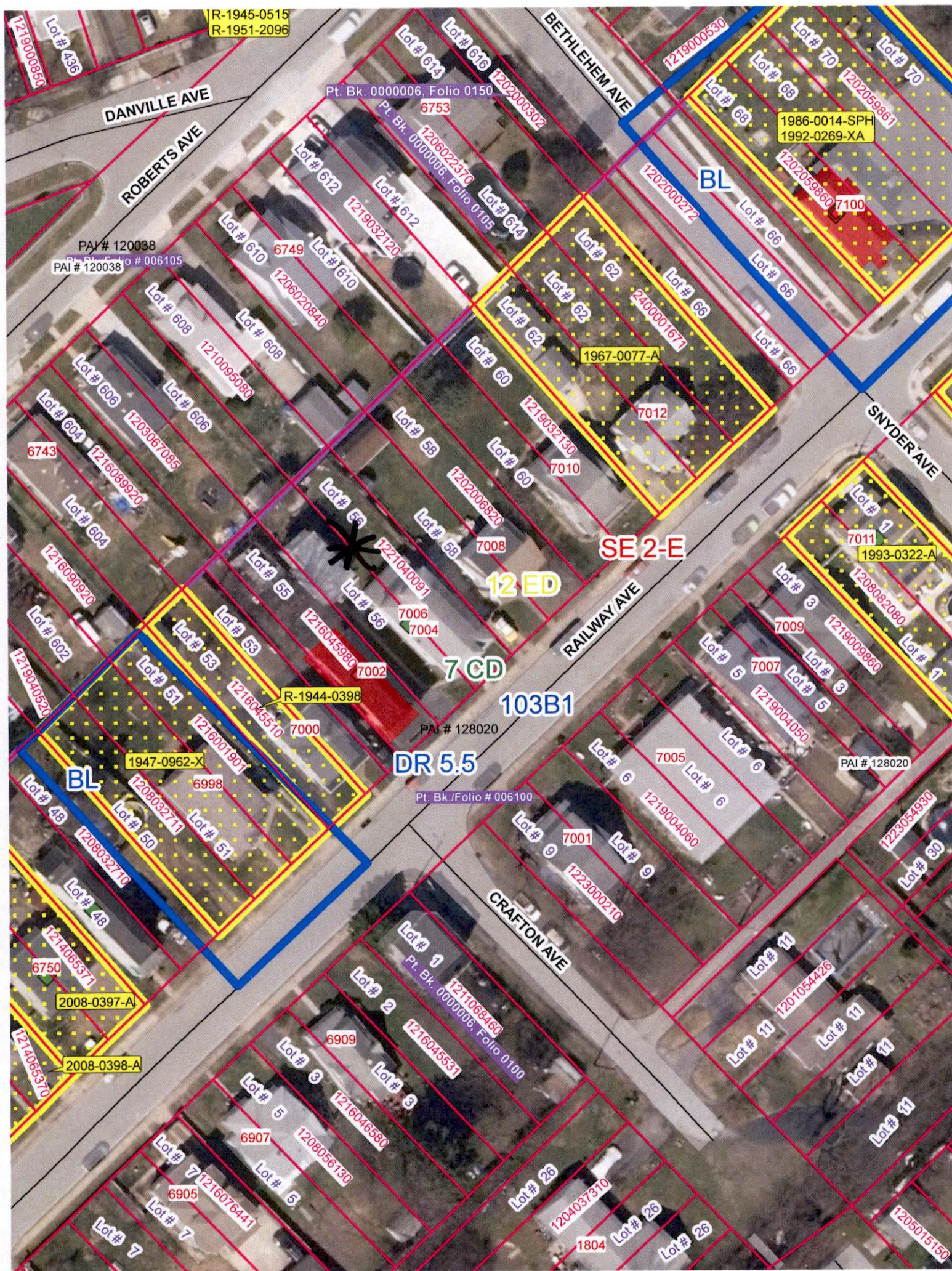
Name: Timothy Sutton

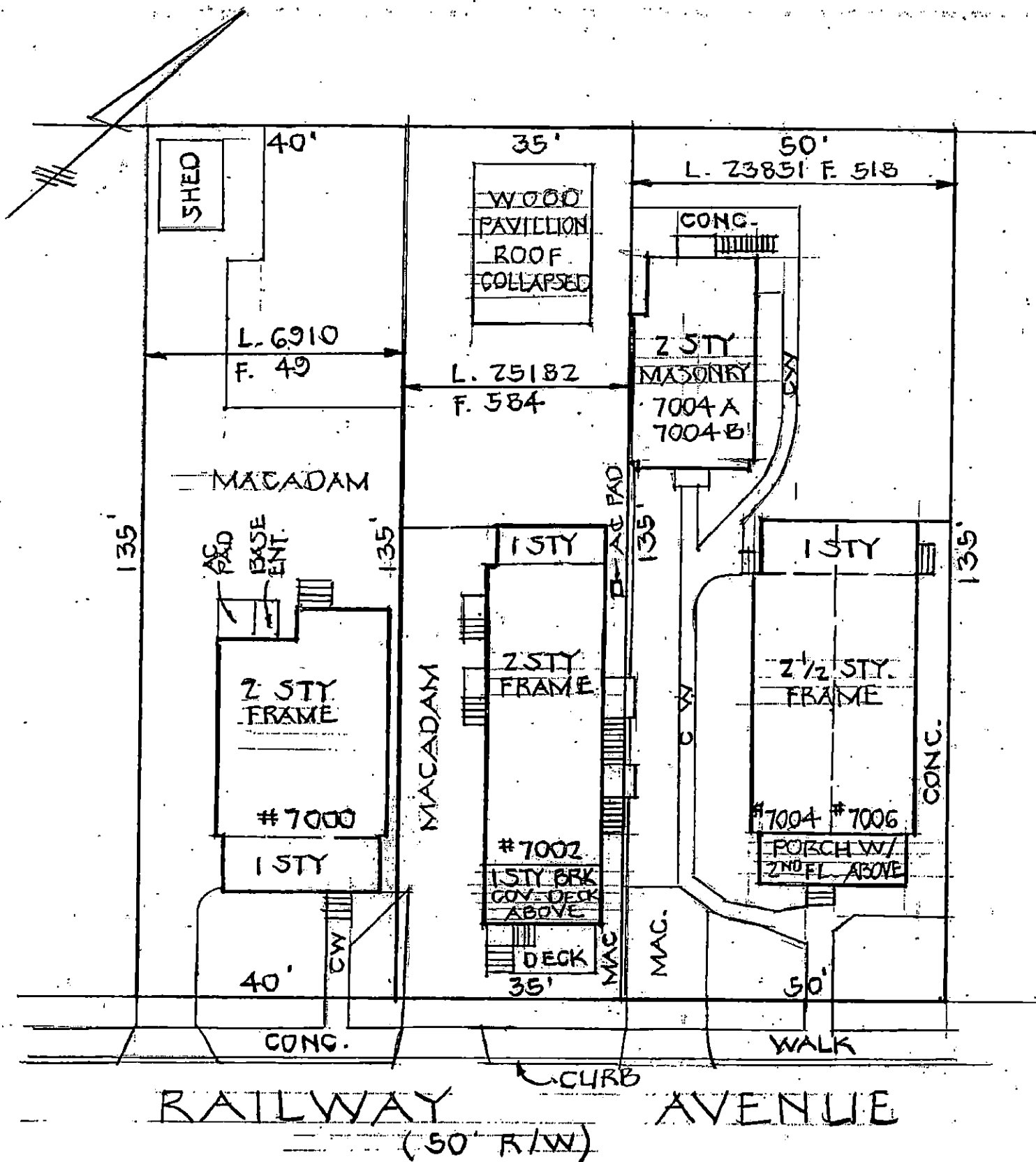
Company/Firm (if applicable): Maslan, Maslan, + Rothwell

Address: 7508 Eastern Ave
Baltimore Md

Telephone Number: 410-282-2700

Revised 7/9/2015





PLAT SHOWING EXISTING IMPROVEMENTS

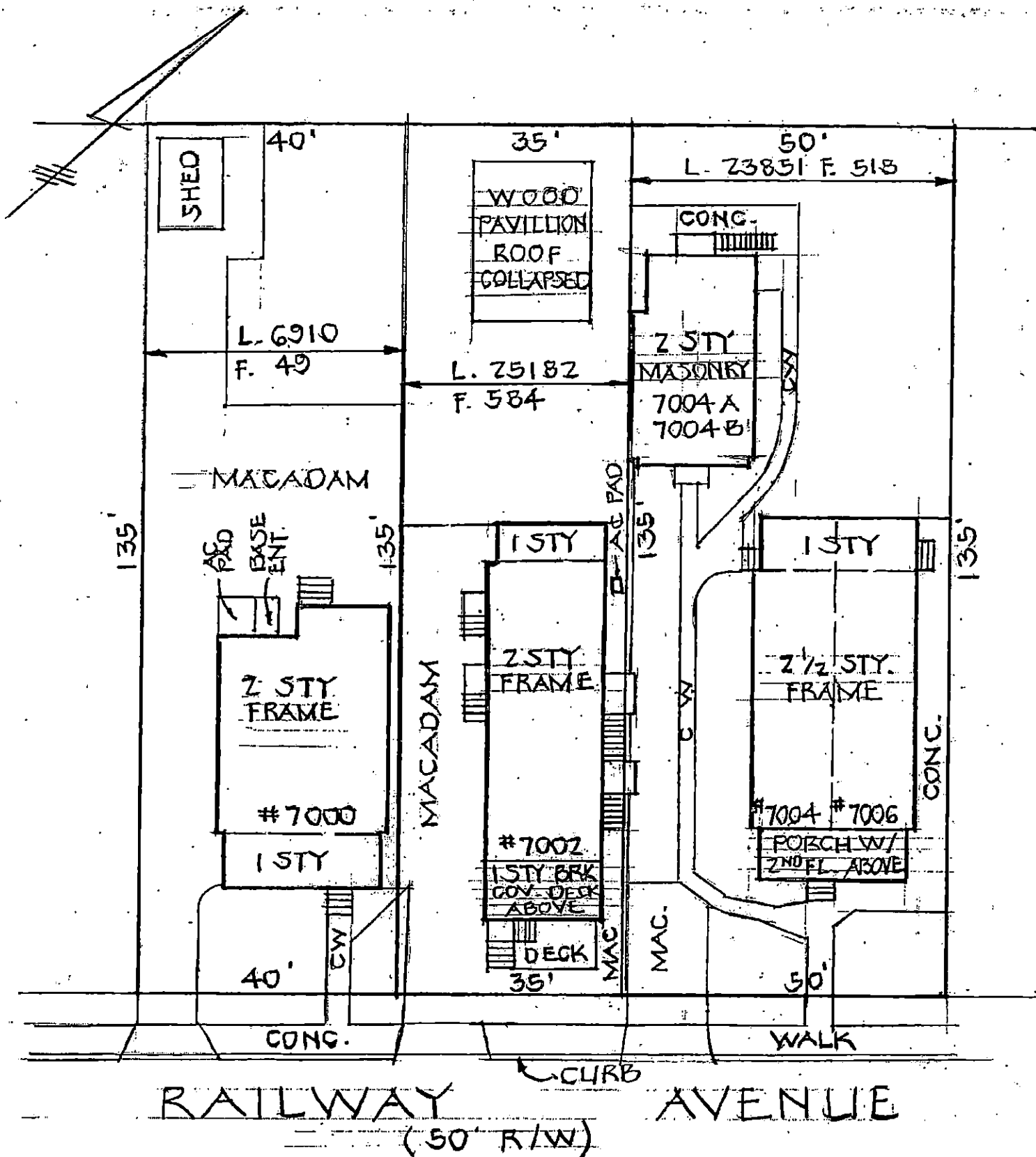
7000 THRU 7006 RAILWAY AVENUE

ELECTION DISTRICT 12C7 BALTIMORE COUNTY, MD.

SCALE: 1 INCH = 20 FEET JUNE 30, 2018

CENTRAL DRAFTING & DESIGN,
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

2019-0022-SPH - AND - 2019-0023-SPH



PLAT SHOWING EXISTING IMPROVEMENTS

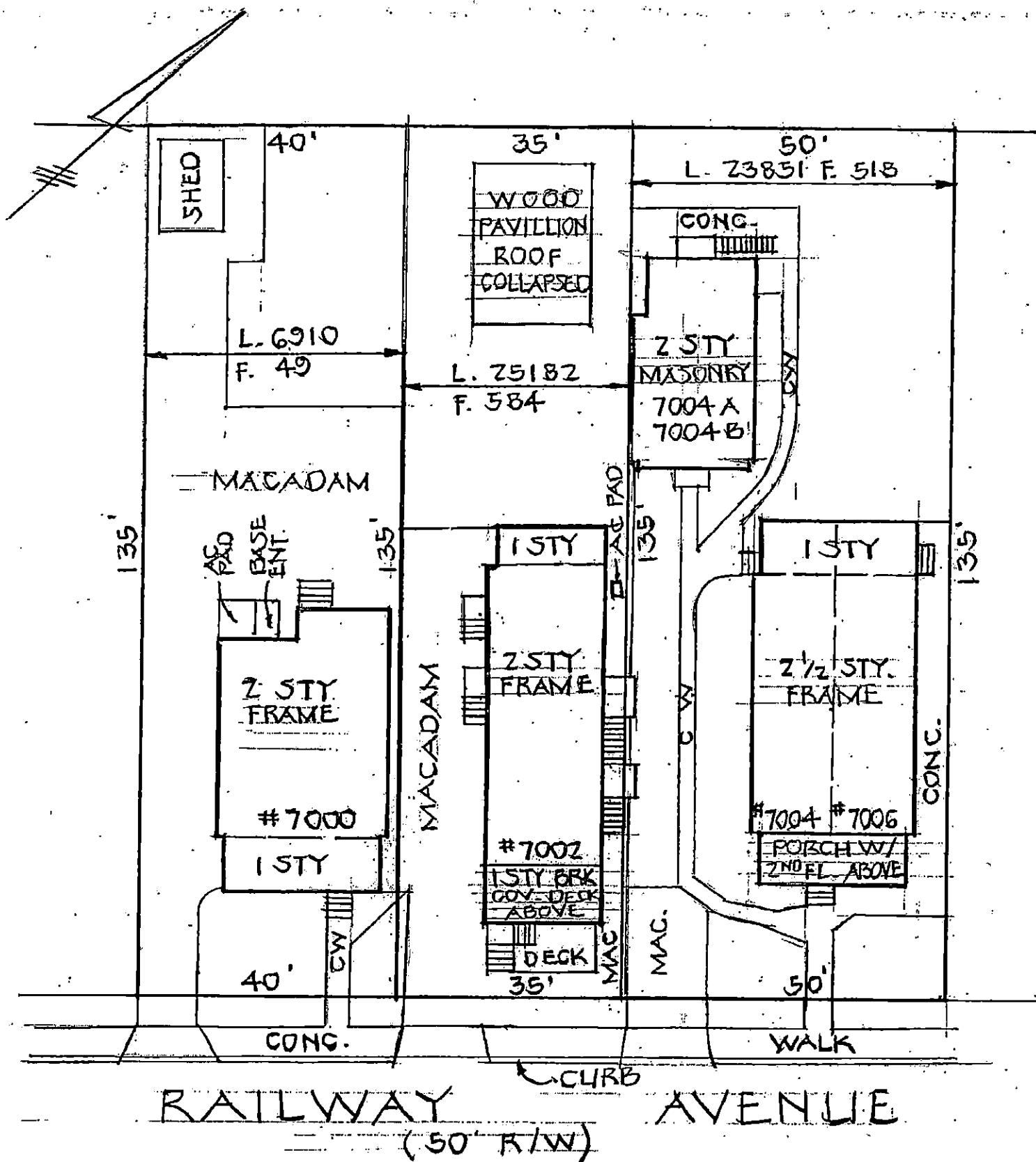
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