

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(8241 Eastern Avenue)**

15th Election District

7th Council District

Vialy J. Baez-Pena

Legal Owner

Petitioner

*

BEFORE THE

*

OFFICE OF

*

ADMINISTRATIVE HEARINGS

*

FOR BALTIMORE COUNTY

*

Case No: 2020-0130-XA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as Petitions for Special Exception and Variance filed for property located at 8241 Eastern Avenue. The Petitions were filed on behalf of legal owner, Vialy J. Baez-Pena (“Petitioner”). The Special Exception petition seeks relief from the Baltimore County Zoning Regulations (“BCZR”) § 236.2 to approve a used motor vehicle outdoor sales area. The Variance relief requested is as follows: from BCZR § 238.2 to approve a zero (0) ft. side yard setback in lieu of the required 30 ft. setback; and from BCZR § 238.2 to approve a 3 ft. side yard setback and 3 ft. rear yard setback for a proposed car repair shop in lieu of the required 30 ft. setbacks.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1. Vialy J. Baez Pena appeared in support of the petitions. Timothy Manuelides, Esquire represented the Petitioner. Patrick “Rick” Richardson of Richardson Engineering also appeared and testified. There were no protestants in attendance.

A Substantive Zoning Advisory Committee (“ZAC”) comment was received by the Department of Planning (“DOP”) dated June 25, 2020. They did not oppose the requested relief, subject to proposed conditions, which will be incorporated into the Order. The property is located

ORDER RECEIVED FOR FILING

Date

5/7/21

By

Mignone

subject to proposed conditions, which will be incorporated into the Order. The property is located within the Chesapeake Bay Critical Area ("CBCA") and is subject to Critical Area requirements per the report from DOP.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The subject property is approximately .88 acres and is zoned BR IM. Mr. Richardson explained the site plan and requested relief. He testified that the site is currently occupied by a service garage which will be converted into a used car business. In the future a service garage is proposed to be built at the rear of the lot. The parking will conform to the BCZR. He explained that the dimensions of the lot make the proposed uses impossible without the variance relief. He and counsel also explained that the proposed used car business will be very compatible with the surrounding uses, which include gas stations, and a variety of automotive based small businesses.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Based on the record evidence in this case I find that the special exception request to use this property as a used motor vehicle outdoor sales area should be granted. Specifically, I find that the proposed uses will not have any greater impacts at this location than those inherently associated

ORDER RECEIVED FOR FILING

Date

By

with the special exception use, and that the relief requested satisfies the requirements of BCZR § 502.1.

VARIANCE

Under BCZR §. 307, and Maryland common law, in order to be entitled to variance relief the Petitioners must satisfy a two-step legal analysis, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity is what necessitates the requested variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The property in this case is unique in that it is irregularly shaped and bordered by two public roads. If the variances are not granted the petitioner will experience hardship and practical difficulty because they will not be able to construct their project as designed. I find that the relief can be granted within the spirit and intent of the BCZR and without causing harm to the public health, safety, and welfare.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 7th day of **May, 2021** that the Petition for Special Exception pursuant to BCZR § 236.2 to approve a used motor vehicle outdoor sales area is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Variance from the BCZR §§ 238.2 to approve a zero (0) ft. side yard setback in lieu of the required 30 ft. setback. From BCZR § 238.2 to approve 3 ft. side yard setback and 3 ft. rear yard setback for proposed car repair shop in lieu of the required 30 ft. setbacks are hereby **GRANTED**.

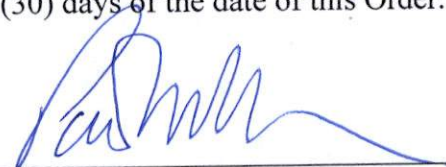
The relief granted herein shall be subject to the following:

- 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

their 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.

- Prior to issuance of permits, Petitioner must comply with the ZAC comments made by DOP, a copy of which is attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlm

ORDER RECEIVED FOR FILING

Date 5/7/21

By Dmignon

REVISED



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 8241 EASTERN AVENUE, BALTIMORE, MD 21224 which is presently zoned BR/IM
Deed References: 41782/356 37127/453 10 Digit Tax Account # 1 9 0 0 0 0 2 9 1 0
Property Owner(s) Printed Name(s) VIALY J. BAEZ-PENA 1 5 2 0 6 6 0 0 3 4

(SELECT THE HEARING(S) BY MARKING **X** 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

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for BCZR 236.2 TO APPROVE A USED MOTOR VEHICLE OUTDOOR SALES AREA

3. X a **Variance** from Section(s)
BCZR 238.2 TO APPROVE A ZERO-FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED THIRTY-FOOT SETBACK
BCZR 238.2 TO APPROVE A THREE-FOOT SIDE YARD SETBACK AND THREE FOOT READ YARD SETBACK FOR PROPOSED CAR REPAIR SHOP IN LIEU OF THE REQUIRED THIRTY-FOOT SETBACKS
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)

TO BE PRESENTED AT HEARING

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:

Vialy J. Baez Pena (purchaser of 37127/453)

Name - Type or Print

Vialy Baez Pena

Signature

8241 Eastern Avenue, Baltimore, MD

Mailing Address

21224

443-527-0758

vialybaez9@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Timothy Manuelides, Esq.

Name - Type or Print

Timothy Manuelides

Signature

401 Washington Avenue, Suite 803, Towson, MD

Mailing Address

21204

443-538-5725

tmanuelides@tmlaw-llc.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Vialy J. Baez- Pena

Name #1 - Type or Print

Name #2 - Type or Print

Vialy Baez Pena

Signature #1

Signature #2

8241 Eastern Avenue, Baltimore, MD

Mailing Address

21224

443-527-0758

vialybaez9@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Timothy Manuelides, Esq.

Name - Type or Print

Timothy Manuelides

Signature

401 Washington Avenue, Suite 803, Towson, MD

Mailing Address

21204

443-538-5725

tmanuelides@tmlaw-llc.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0130-X4

Filing Date 10/9/20

Do Not Schedule Dates: _____

Reviewer JS

REV. 10/4/11

Rick Richardson

rick@richardsonengineering.net

**SPECIAL EXCEPTION DESCRIPTION FOR
8241 EASTERN AVENUE
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point 62 feet +/- east of the intersection of Old Eastern Avenue and Island Point Road thence the following bearings and distances: (1) North 79 degrees 19 minutes 50 seconds East 33.07 feet, (2) North 66 degrees 59 minutes 07 seconds East 75.00 feet, (3) South 35 degrees 30 minutes 53 seconds East 102.19 feet, (4) South 54 degrees 29 minutes 07 seconds West 166.88 feet (5) North 35 degrees 30 minutes 53 seconds West 161.79 feet (6) North 79 degrees 19 minutes 52 seconds East 70.15 feet to the point of beginning.

Containing a net area of 21,200 square feet or 0.49 acres +/-.

PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2021



REVISED

2020-0130-XA

11/11/11

REVISED

**ZONING PROPERTY DESCRIPTION FOR
8241 EASTERN AVENUE
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point 62 feet +/- east of the intersection of Old Eastern Avenue and Island Point Road thence the following bearings and distances: (1) North 79 degrees 19 minutes 50 seconds East 33.07 feet, (2) North 66 degrees 59 minutes 07 seconds East 75.00 feet, (3) South 35 degrees 30 minutes 53 seconds East 204.12 feet, (4) South 57 degrees 37 minutes 07 seconds West 167.13 feet (5) North 35 degrees 30 minutes 53 seconds West 254.58 feet (6) North 79 degrees 19 minutes 52 seconds East 70.15 feet to the point of beginning.

Containing a net area of 37,447 square feet or 0.86 acres +/-.

PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2021



REVISED

2020-0130-XA

REVISED

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
AND VARIANCE		
8241 Eastern Avenue; S/S of Old Eastern	*	OF ADMINISTRATIVE
Avenue, 62' E of Island Point Road		
15 th Election & 7 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Vialy J. Baez-Pena		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2020-130-XA

* * * * *

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of June, 2020, a copy of the foregoing Entry of Appearance was emailed to Timothy Manuelides, Esquire, 401 Washington Avenue, Suite 803, Towson, Maryland 21204, tmanuelides@tmlaw-llc.com, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

The Daily Record

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

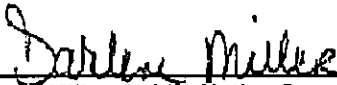
PUBLISHER'S AFFIDAVIT

Order #: 11990275
Case #: 2020-0130-XA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0130-XA

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:

4/16/2021



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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0130-XA

8241 Eastern Avenue

South side of Old Eastern Avenue, east of intersection with Island Point Road
15th Election District - 7th Councilmanic District

Legal Owners: Vialy Baez-Pena

Special Exception to approve a used motor vehicle outdoor sales area. Variance to approve a zero-foot side yard setback in lieu of the required thirty-foot setback. To approve three-foot side yard setback and three-foot rear yard setback for proposed car repair shop in lieu of the required thirty-foot setbacks.

Hearing: Thursday, May 6, 2021 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

ap16

CERTIFICATE OF POSTING

2020-0130-XA

RE: Case No.: _____

Petitioner/Developer: _____

Vialy Baez-Pena

May 6, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

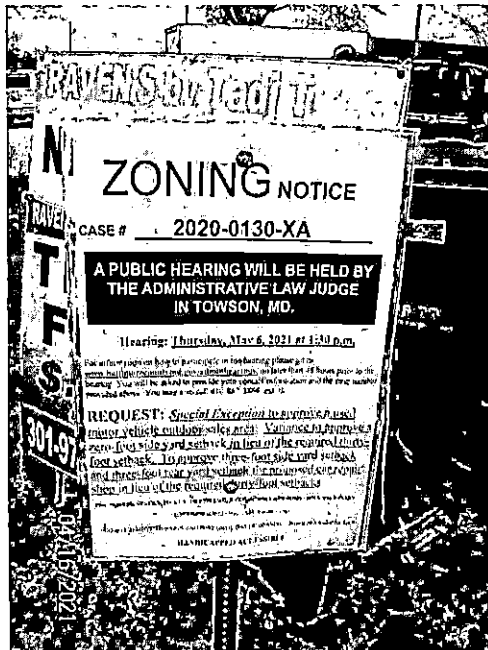
Ladies and Gentlemen:

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

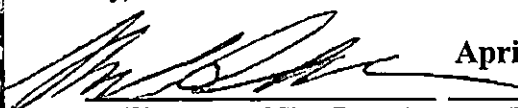
8241 Eastern Avenue **SIGN 1**

April 16, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,



April 16, 2021

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0130-XA

RE: Case No.: _____

Petitioner/Developer: _____

Vialy Baez-Pena

May 6, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

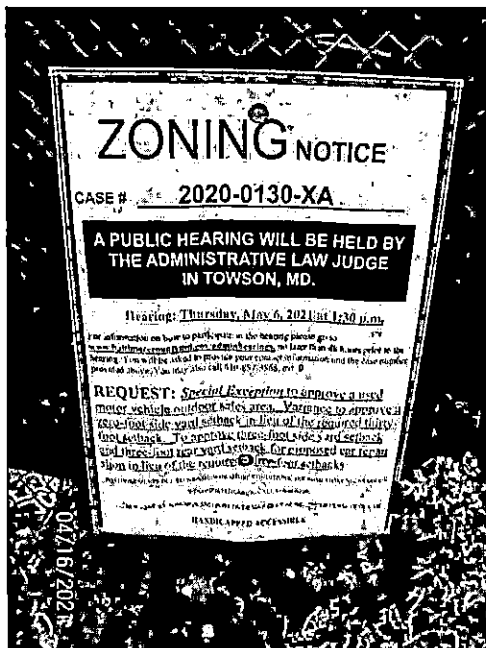
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8241 Eastern Avenue

SIGN 2

April 16, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

April 16, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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

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

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

For Newspaper Advertising:

Case Number: 2020-0130-X4

Property Address: 8241 EASTERN AVENUE, BALTIMORE, MD 21224

Property Description: _____

Legal Owners (Petitioners): VIALY J. BAEZ-PENA

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: VIALY J. BAEZ-PENA

Company/Firm (if applicable): V.J. AUTO SALES & SERVICE

Address: 8241 EASTERN AVENUE, BALTIMORE, MD 21224

Telephone Number: 443-527-0758

Revised 7/9/2015

LAW OFFICES
TIMOTHY MANUELIDES, LLC

401 WASHINGTON AVENUE
SUITE 803
TOWSON, MARYLAND 21204

TIMOTHY MANUELIDES, ESQ.
TELEPHONE: 443-538-5725
FACSIMILE: 443-275-9020

E-MAIL
TMANUELIDES@TMLAW-LLC.COM

October 7, 2020

Christina Fink
Department of Permits, Approvals and Inspections
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: AMENDED PETITION FOR ZONING HEARING
8241 Eastern Avenue, Baltimore, MD 21224
Case No.: 20-130

Dear Ms. Fink:

I represent the Petitioner Mr. Vialy J. Baez-Pena in connection with the above referenced Petition. Please find enclosed Mr. Baez-Pena's Amended Petition. The Amended Petition includes, in addition to the relief requested in the original Petition, a request for approval of a used motor vehicle outdoor sales area on adjacent property under contract for sale to Mr. Baez, and requests for variance from required side yard and rear yard setbacks to accommodate a proposed car repair shop. Revised plats and property descriptions in support of the Amended Petition are enclosed.

Also enclosed is a check in the amount of \$250.00 to cover the filing fee for the Amended Petition.

Thank you for your attention to this matter.

Sincerely,


Timothy Manuelides

Enclosures.

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

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

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

For Newspaper Advertising:

Case Number: 2020-0130-XA

Property Address: 8241 EASTERN AVENUE, BALTIMORE, MD 21224

Property Description: _____

Legal Owners (Petitioners): VIALY J. BAEZ-PENA

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: VIALY J. BAEZ-PENA

Company/Firm (if applicable): V.J. AUTO SALES & SERVICE

Address: 8241 EASTERN AVENUE, BALTIMORE, MD 21224

Telephone Number: 443-527-0758

Revised 7/9/2015

CERTIFICATE OF POSTING

2020-0130-XA

RE: Case No.: _____

Petitioner/Developer: _____

Vialy Baez-Pena

May 6, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

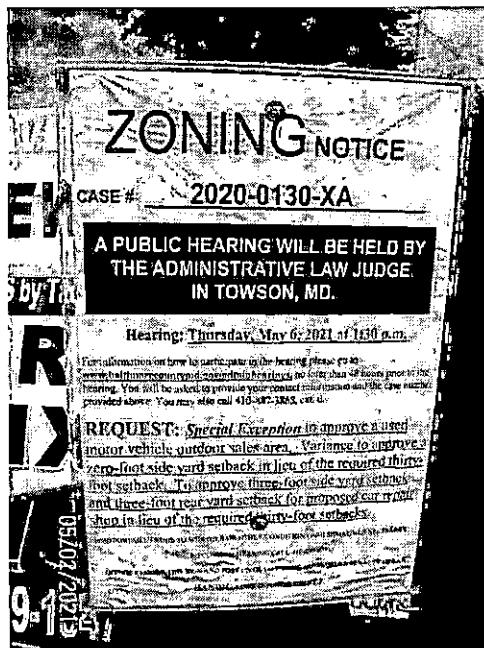
Ladies and Gentlemen:

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

8241 Eastern Avenue *SIGN 1 Recertification*

April 16, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 May 2, 2021
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0130-XA

RE: Case No.: _____

Petitioner/Developer: _____

Vialy Baez-Pena

May 6, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

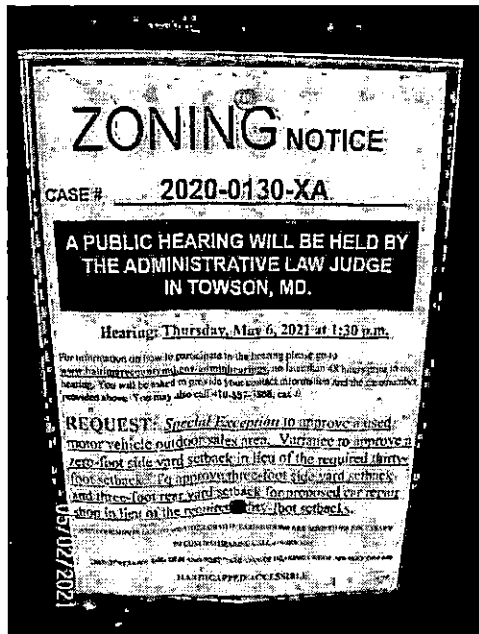
Ladies and Gentlemen:

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

8241 Eastern Avenue *SIGN 2 Recertification*

April 16, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster)

May 2, 2021

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

Donna Mignon

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Wednesday, May 5, 2021 12:10 AM
To: Rick Richardson; Administrative Hearings
Subject: Recertification's For 2020-0130-XA
Attachments: Re-Cert 1 2020-0130-XA.doc; Re-Cert 2 2020-0130-XA.doc

CAUTION: This message from 1opie@comcast.net originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 8241 eastern Avenue. Thanks.

CERTIFICATE OF POSTING

2020-0130-XA

RE: Case No.: _____

Petitioner/Developer: _____

Vialy Bacz-Pena

May 6, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

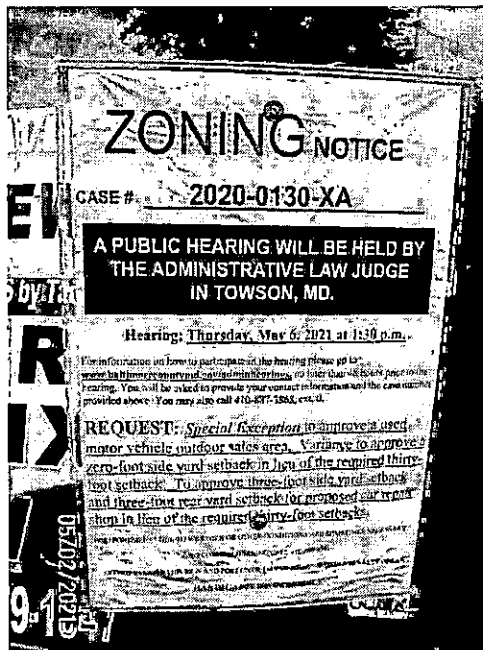
Ladies and Gentlemen:

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

8241 Eastern Avenue *SIGN 1 Recertification*

April 16, 2021

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 May 2, 2021
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0130-XA

RE: Case No.: _____

Petitioner/Developer: _____

Vialy Baez-Pena

May 6, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

8241 Eastern Avenue *SIGN 2 Recertification*

April 16, 2021

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,


(Signature of Sign Poster)

May 2, 2021

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

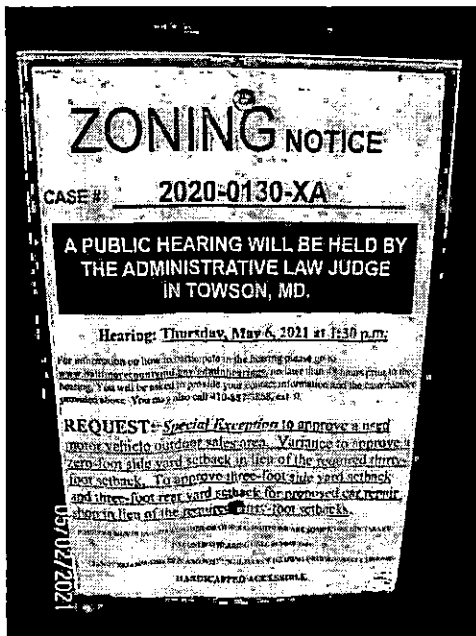
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



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

No. 198843

Date: 10/9/20

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6150					\$ 250.00

Total:

Rec
From:

PENA

For:

2020-0130-XA REVISION

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

V. J. AUTO SALES & SERVICE LLC

8241 EASTERN AVE
BALTIMORE, MD 21224-4213
443-503-5414 / 443-527-0758

1011

65-320/550 7391

DATE 10-7-2020

PAY
TO THE
ORDER OF

Baltimore County, Maryland

\$ 250.00

Two hundred fifty

DOLLARS



Wells Fargo Bank, N.A.
Maryland
wellsfargo.com

FOR



Vicky Bay pena

00000010110550032015842733957

Details on Back.

Security Features Included



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

April 26, 2021

Timothy Manuelides
401 Washington Ave Suite 803
Towson MD 21204

RE: Case Number: 2020-0130-XA, 8241 Eastern Ave

Dear: Geoffrey Schulte

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspections (PAI) on October 09, 2020.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,
Jeffrey Perlow

Jeff Perlow
Supervisor,
Department of Zoning Review

C: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 6/25/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-130

INFORMATION:

Property Address: 8241 Eastern Avenue
Petitioner: Vialy J. Baez-Pena
Zoning: BR IM
Requested Action: Variance, Special Exception

The Department of Planning has reviewed the petition for a variance from § 238.2 of the Baltimore County Zoning Regulations (BCZR) to approve a 0-foot side yard setback for one side (east side) of the property in lieu of the required 30-foot setback. The applicant is also requesting a special exception under § 236.2 of the BCZR to have a used motor vehicle outdoor sales area. The application states that the owner does not intend to construct additional buildings or expand existing buildings on the property for used motor vehicle sales.

The property is located near the corner of Old Eastern Boulevard and Island Point Road. The southeast corner of the property boundary is about 200 feet from Back River. The property is zoned BR IM and is bordered by BR IM on all sides. The property is located within the intensely developed designation of the Chesapeake Bay Critical Area but outside of the 100-year floodplain.

A Grading Complaint (CG2000012) was filed on this property on 2/6/2020 and was marked as in compliance on 2/24/2020. A Building Complaint (CB2000056) was filed on the same date and an inspection is scheduled. The building complaint references a failure of the property owner to abide by setback and use requirements.

A site visit was conducted on 6/12/2020. The property is improved with a single-story vehicle service garage that is shared with a used tire sales business. An existing fence in front separates the two lots from one another. There are a number of used vehicles currently stored in the front, side and rear of the building, giving an overall poor appearance to the property. It appears that some of these vehicles are currently for-sale at the time of this write-up.

The site plan shows that the vehicle display area will be in the rear of the existing building. After consulting with Richardson Engineering, it was learned that there would likely also be some display vehicles on the side and in front of the building.

Given the overall poor appearance and maintenance of the property, the Department of Planning would like to see the following conditions met:

ORDER RECEIVED FOR FILING

Date

By

5/7/21
Dr. Hannon

1. The site plan should be amended to delineate exactly where the for-sale vehicles will be located on the property.
2. The applicant should replace or remove the fence between the side and rear of the property. It is unsightly and will divide the vehicle sales display area into two components.
3. The applicant should replace the side fence with the adjacent property to the west at 8239 Eastern Avenue and the rear fence with the property at 515 Island Point Road with a higher quality ornamental or chain link fence.
4. The property boundary should be clearly delineated on the western side with the previously mentioned fencing, as well as a small landscaped buffer to prevent cars from being stored right up to the property line.
5. The existing pavement is of poor quality and should be repaved and appropriately striped to designate customer parking from the vehicle sales area.

The Department of Planning would have no objection to the requests for variance and special exception assuming all of the above conditions are met.

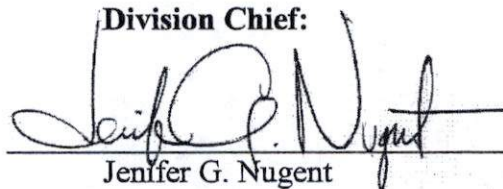
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Timothy Manuelides, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 5/7/21
By JMignone

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11990275
 Case #: 2020-0130-XA
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2020-0130-XA

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:

4/16/2021



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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0130-XA

8241 Eastern Avenue

South side of Old Eastern Avenue, east of intersection with Island Point Road
 15th Election District - 7th Councilmanic District

Legal Owners: Vialy Baez-Pena

Special Exception to approve a used motor vehicle outdoor sales area.
 Variance to approve a zero-foot side yard setback in lieu of the required thirty-foot setback. To approve three-foot side yard setback and three-foot rear yard setback for proposed car repair shop in lieu of the required thirty-foot setbacks.

Hearing: Thursday, May 6, 2021 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

ap16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 6/25/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-130

INFORMATION:

Property Address: 8241 Eastern Avenue
Petitioner: Vialy J. Baez-Pena
Zoning: BR IM
Requested Action: Variance, Special Exception

The Department of Planning has reviewed the petition for a variance from § 238.2 of the Baltimore County Zoning Regulations (BCZR) to approve a 0-foot side yard setback for one side (east side) of the property in lieu of the required 30-foot setback. The applicant is also requesting a special exception under § 236.2 of the BCZR to have a used motor vehicle outdoor sales area. The application states that the owner does not intend to construct additional buildings or expand existing buildings on the property for used motor vehicle sales.

The property is located near the corner of Old Eastern Boulevard and Island Point Road. The southeast corner of the property boundary is about 200 feet from Back River. The property is zoned BR IM and is bordered by BR IM on all sides. The property is located within the intensely developed designation of the Chesapeake Bay Critical Area but outside of the 100-year floodplain.

A Grading Complaint (CG2000012) was filed on this property on 2/6/2020 and was marked as in compliance on 2/24/2020. A Building Complaint (CB2000056) was filed on the same date and an inspection is scheduled. The building complaint references a failure of the property owner to abide by setback and use requirements.

A site visit was conducted on 6/12/2020. The property is improved with a single-story vehicle service garage that is shared with a used tire sales business. An existing fence in front separates the two lots from one another. There are a number of used vehicles currently stored in the front, side and rear of the building, giving an overall poor appearance to the property. It appears that some of these vehicles are currently for-sale at the time of this write-up.

The site plan shows that the vehicle display area will be in the rear of the existing building. After consulting with Richardson Engineering, it was learned that there would likely also be some display vehicles on the side and in front of the building.

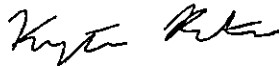
Given the overall poor appearance and maintenance of the property, the Department of Planning would like to see the following conditions met:

1. The site plan should be amended to delineate exactly where the for-sale vehicles will be located on the property.
2. The applicant should replace or remove the fence between the side and rear of the property. It is unsightly and will divide the vehicle sales display area into two components.
3. The applicant should replace the side fence with the adjacent property to the west at 8239 Eastern Avenue and the rear fence with the property at 515 Island Point Road with a higher quality ornamental or chain link fence.
4. The property boundary should be clearly delineated on the western side with the previously mentioned fencing, as well as a small landscaped buffer to prevent cars from being stored right up to the property line.
5. The existing pavement is of poor quality and should be repaved and appropriately striped to designate customer parking from the vehicle sales area.

The Department of Planning would have no objection to the requests for variance and special exception assuming all of the above conditions are met.

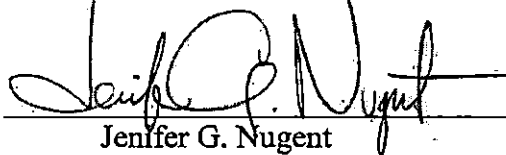
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:


Jennifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Timothy Manuelides, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Rick Richardson	rick@richardsonengineering.net	1-	New York Time	English	U.S.
Timothy Manuelides	tmanuelides@tmlw-llc.com	1-	New York Time	English	U.S.
Timothy Manuelides	tmanuelides@tmlw-llc.com	1-	New York Time	English	U.S.
Vialy Baez-Pana	vialybaez9@gmail.com	1-	New York Time	English	U.S.

Donna Mignon

From: Donna Mignon
Sent: Thursday, May 6, 2021 10:22 AM
To: 'Timothy Manuelides'
Cc: Debra Wiley
Subject: RE: Hearing for today at 1:30 2020-0130-XA

Good Morning,
We received the hard copy of your exhibits. Thank you. Have a great day.

From: Donna Mignon
Sent: Thursday, May 6, 2021 8:10 AM
To: 'Timothy Manuelides' <tmanuelides@tmlaw-llc.com>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Hearing for today at 1:30 2020-0130-XA
Importance: High

Dear Mr. Manuelides:

Please be advised that we have not received the hard copies of your exhibits to the hearing for today at 1:30 p.m. Please advise. Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Wednesday, May 5, 2021 12:10 AM
To: Rick Richardson; Administrative Hearings
Subject: Recertification's For 2020-0130-XA
Attachments: Re-Cert 1 2020-0130-XA.doc; Re-Cert 2 2020-0130-XA.doc

CAUTION: This message from 1opie@comcast.net originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 8241 eastern Avenue. Thanks.

Donna Mignon

From: Donna Mignon
Sent: Friday, April 30, 2021 2:32 PM
To: 'Timothy Manuelides'
Subject: RE: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

Good Afternoon,
Everyone was invited when the event was created. I just resent invitations. Thank you.
Have a great weekend.

From: Timothy Manuelides <tmanuelides@tmlaw-llc.com>
Sent: Friday, April 30, 2021 2:30 PM
To: Richardson, Patrick <rick@richardsonengineering.net>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

CAUTION: This message from tmanuelides@tmlaw-llc.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please also invite the Petitioner Mr. Vialy Baez. Ms. Baez's email is vialybaez9@gmail.com.

Thank you.

Timothy Manuelides, Esq.
Timothy Manuelides, LLC
A Business, Environmental, and Litigation Law Firm
600 Washington Avenue, Suite 202
Towson, MD 21204
Tel: 443-538-5725
Fax: 443-275-9020
Email: tmanuelides@tmlaw-llc.com

The information contained in this email and any attachments may be confidential and legally privileged. It is intended only for the use of the recipient named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this email, or any of its contents or attachments is strictly prohibited. If you have received this email in error, please resend it to the sender and delete the original message and any copy of it from your computer system. Thank you. Timothy Manuelides, LLC, Attorneys at Law.

From: "Richardson, Patrick" <rick@richardsonengineering.net>
Date: Friday, April 30, 2021 at 2:12 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>, Timothy Manuelides <tmanuelides@tmlaw-llc.com>
Subject: RE: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

Donna, please send the invite to Tim again so he can join as a participant.

Rick Richardson
Richardson Engineering, LLC
7 Deneison Street
Timonium, MD 21093

From: Donna Mignon [<mailto:dmignon@baltimorecountymd.gov>]
Sent: Tuesday, April 27, 2021 9:36 AM
To: tmanuelides@tmlaw-llc.com
Cc: Richardson, Patrick <rick@richardsonengineering.net>
Subject: 2020-0130-XA.8241 Eastern Avenue, Baltimore, MD

Good Morning:

As you are aware, a virtual Webex hearing has been scheduled for May 6, 2021. You should have received an invitation in an email which invited you to this hearing.

Please note that all electronic hearing exhibits, documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date. Thank you.**

If you have any questions or concerns, please feel free to contact our office.
Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Register for your COVID-19 vaccine today.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Friday, April 30, 2021 6:03 PM
To: 'Timothy Manuelides'
Subject: RE: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

Hi Mr. Manuelides,

Let me know if you received it. I just sent a new one. I think we did not have the correct email. Thank you. Have a great weekend.

From: Timothy Manuelides <tmanuelides@tmlaw-llc.com>
Sent: Friday, April 30, 2021 4:01 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

CAUTION: This message from tmanuelides@tmlaw-llc.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Ms. Mignon:

I still did not receive the resent invitation. Sorry about this inconvenience.

Timothy Manuelides, Esq.
Timothy Manuelides, LLC
A Business, Environmental, and Litigation Law Firm
600 Washington Avenue, Suite 202
Towson, MD 21204
Tel: 443-538-5725
Fax: 443-275-9020
Email: [Tmanuelides@tmlaw-llc.com](mailto:tmanuelides@tmlaw-llc.com)

The information contained in this email and any attachments may be confidential and legally privileged. It is intended only for the use of the recipient named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this email, or any of its contents or attachments is strictly prohibited. If you have received this email in error, please resend it to the sender and delete the original message and any copy of it from your computer system. Thank you. Timothy Manuelides, LLC, Attorneys at Law.

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Date: Friday, April 30, 2021 at 2:31 PM
To: Timothy Manuelides <tmanuelides@tmlaw-llc.com>
Subject: RE: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

Good Afternoon,
Everyone was invited when the event was created. I just resent invitations. Thank you.
Have a great weekend.

From: Timothy Manuelides <tmanuelides@tmlaw-llc.com>
Sent: Friday, April 30, 2021 2:30 PM

To: Richardson, Patrick <rick@richardsonengineering.net>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

CAUTION: This message from tmanuelides@tmlaw-llc.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please also invite the Petitioner Mr. Vialy Baez. Ms. Baez's email is vialybaez9@gmail.com.

Thank you.

Timothy Manuelides, Esq.
Timothy Manuelides, LLC
A Business, Environmental, and Litigation Law Firm
600 Washington Avenue, Suite 202
Towson, MD 21204
Tel: 443-538-5725
Fax: 443-275-9020
Email: Tmanuelides@tmlaw-llc.com

The information contained in this email and any attachments may be confidential and legally privileged. It is intended only for the use of the recipient named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this email, or any of its contents or attachments is strictly prohibited. If you have received this email in error, please resend it to the sender and delete the original message and any copy of it from your computer system. Thank you. Timothy Manuelides, LLC, Attorneys at Law.

From: "Richardson, Patrick" <rick@richardsonengineering.net>
Date: Friday, April 30, 2021 at 2:12 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>, Timothy Manuelides <tmanuelides@tmlaw-llc.com>
Subject: RE: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

Donna, please send the invite to Tim again so he can join as a participant.

Rick Richardson
Richardson Engineering, LLC
7 Deneison Street
Timonium, MD 21093
410-560-1502-x1

From: Donna Mignon [<mailto:dmignon@baltimorecountymd.gov>]
Sent: Tuesday, April 27, 2021 9:36 AM
To: tmanuelides@tmlaw-llc.com
Cc: Richardson, Patrick <rick@richardsonengineering.net>
Subject: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

Good Morning:

As you are aware, a virtual Webex hearing has been scheduled for May 6, 2021. You should have received an invitation in an email which invited you to this hearing.

Please note that all electronic hearing exhibits, documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at least two business days in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date. Thank you.**

If you have any questions or concerns, please feel free to contact our office.
Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Register for your COVID-19 vaccine today.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CG2000012

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CG2000012	Brandon Rowe	02/06/2020	02/06/2020	In Compliance		

Complaint Description: Description: constructed building in rear of property without permits or following setback,
storage of junk automobiles
operating a junk yard without zoning or license
operating as a used car lot without a license of zoning for type business
illegal signs / no permits
electrical work without permits
plumbing without permits
grading in watershed area without permits
vehicles stored in public roadway / not abiding to setbacks

Property

8241 EASTERN AVE
HIGHLANDTOWN, MD 21224
Tax Id: 1700000559

Owner

BAEZ PENA VIALY J
2234 CORAL THORN RD
MIDDLE RIVER, MD 21220

Complainant

concerned citizens
eastern blvd
essex MD, 21221
4105551212
essex_cleanup@gmail.com

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Brandon Rowe	02/12/2020	Initial Inspection	Stop Work Order Issued	Stop Work Order Issued	
Brandon Rowe	02/24/2020	Re-Inspection	In Compliance	In Compliance	02/24/2020

Lien Information - No Lien

Comments Detail

2/12/2020: 2/7/20 Inspection found grading and disturbance without a grading permit or silt fence. A Stop Work Order was issued to install silt fence. R/C 2/18/20 ***BR/lk
2/24/2020: 2/20/20 On site inspection. Found that silt fence is installed properly. Close case. ***BR/lk

2020-01-30-KA
5-6-21
1:30



Baltimore County P.A.I.
EROSION AND SEDIMENT CONTROL
INSPECTION REPORT

PROJECT: 8241 Eastern Ave Dist: 13
DATE: 2-7-24 TIME: _____ PERMIT #: CE 2009 17
☐ Correction Notice ☒ Stop Work order use
Phone: (410)887-3226

An erosion and sediment control inspection was performed at the above referenced project, and the following deficiencies were found in violation of Baltimore County code, Article 33, Title 5, Section 103.

- | | | |
|--|--|--|
| ☐ Construction Entrance | ☐ Dewatering | ☐ Ult. Stream Crossing |
| ☐ Silt Fence | ☐ Outlet Protection | ☐ Temporary Seeding |
| ☐ Storm Drain Inlet Protection | ☐ Riprap | ☐ Permanent Seeding |
| ☐ SSF/SFD | ☐ Stone Check Dams | ☐ Dust Control |
| ☐ Diversion Dike | ☐ Level Spreader | ☐ Mud Tracking |
| ☐ Sediment Trap | ☐ Stream Bank Stabilization | ☐ Sequence of Construction |
| ☐ Sediment Basin | ☐ Temporary Stabilization | ☐ Swale(Temp) |
| ☐ Temporary Vehicular Stream Crossing | ☐ Soil Stabilization Blankets and Matting | ☐ Land Disturbance Outside of Approved Limits |
| ☐ Other: _____ | | |

Comments:

Silt Fence installed wrong - Backwards, stakes wrong
Not trenched in
Install silt fence to spec. Spec sheet given to homeowner
Install not complete Follow Diagram

The violations checked above must be corrected no later than: 2-14-20. Failure to comply and complete the required work, may result in penalization by way of monetary fine, imprisonment, or both, pursuant to Article 1, Section 217, and Article 33, Section 5 of the Baltimore County Code.

☐ An erosion and sediment control inspection was conducted at the above referenced project and no deficiencies were found.

A Copy of this inspection report shall be maintained on site and available for review by County Inspectors.

Inspected by: (Print) Brandon Rowe (Signature) _____

Received by: (Print) [Signature] (Signature) _____



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB2000056

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB2000056	Rodney Larrick	02/06/2020	02/06/2020	No Violation		

Complaint Description: Description: constructed building in rear of property without permits or following setback,
storage of junk automobiles
operating a junk yard without zoning or license
operating as a used car lot without a license of zoning for type business
illegal signs / no permits
electrical work without permits
plumbing without permits
grading in watershed area without permits
vehicles stored in public roadway / not abiding to setbacks

Property

8241 EASTERN AVE
HIGHLANDTOWN, MD 21224
Tax Id: 1700000559

Owner

BAEZ PENA VIALY J
2234 CORAL THORN RD
MIDDLE RIVER, MD 21220

Complainant

concerned citizens
eastern blvd
essex MD, 21221
4105551212
essex_cleanup@gmail.com

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Rodney Larrick	02/20/2020	Initial Inspection	No Violation	No Violation	

Lien Information - No Lien

Comments Detail

4/29/2021: Existing car lot has been upgraded, paint, siding, general clean up. No violation at time of inspection. Close case. RL/MG

Donna Mignon

From: Donna Mignon
Sent: Tuesday, April 27, 2021 9:36 AM
To: 'tmanuelides@tmlaw-llc.com'
Cc: 'Richardson, Patrick'
Subject: 2020-0130-XA 8241 Eastern Avenue, Baltimore, MD

Good Morning:

As you are aware, a virtual Webex hearing has been scheduled for May 6, 2021. You should have received an invitation in an email which invited you to this hearing.

Please note that all electronic hearing exhibits, documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date. Thank you.**

If you have any questions or concerns, please feel free to contact our office.
Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon

From: Donna Mignon
Sent: Tuesday, April 27, 2021 9:29 AM
To: Jenifer G. Nugent
Subject: 2020-0130-XA 8241 Eastern Avenue

Good Morning Jen,

We have a hearing scheduled on this case for 5/6/21. I do not see any comment from DOP in the file. Can you please check to see if one was done. Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1520660034		
Owner Information		
Owner Name:	VJ AUTO SALES & SERVICES LLC	Use: COMMERCIAL/RESIDENTIAL NO
Mailing Address:	8241 EASTERN AVE BALTIMORE MD 21224-	Deed Reference: /43943/ 00441
Location & Structure Information		
Premises Address:	8239 EASTERN AVE BALTIMORE 21224-	Legal Description: LT SS EASTERN AV 45 SE COR ISLAND PT RD
Map:	Grid:	Parcel:
0096	0012	0430
Neighborhood:	Subdivision:	Section:
31504.04	0000	
Block:	Lot:	Assessment Year:
		2021
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
		Property Land Area
		0.3940 AC
County Use	06	
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
Last Notice of Major Improvements		
Value Information		
	Base Value	Value
		As of
		01/01/2021
Land:	257,400	257,400
Improvements	2,000	2,000
Total:	259,400	259,400
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
		259,400
		259,400
Transfer Information		
Seller: HARKINS GERALD	Date: 01/15/2021	Price: \$60,000
Type: NON-ARMS LENGTH OTHER	Deed1: /43943/ 00441	Deed2:
Seller: HARKINS GERALD	Date: 02/01/2016	Price: \$50,000
Type: NON-ARMS LENGTH OTHER	Deed1: /37127/ 00453	Deed2:
Seller: TREADWAY ARNOLD C JR	Date: 05/18/2012	Price: \$50,000
Type: NON-ARMS LENGTH OTHER	Deed1: /32086/ 00086	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

Donna Mignon

From: Kristen L Lewis
Sent: Monday, April 12, 2021 12:57 PM
To: Debra Wiley; Donna Mignon
Subject: Webex 2020-0130-XA

Good afternoon,

Below is a case that needs a webex event created for it.

Case 2020-0130-XA
8241 Eastern Avenue
Vialy Baez-Pana – Owners – vialybaez9@gmail.com
Timothy Manuelides – tmanuelides@tmlw-llc.com
Rick Richardson – rick@richardsonengineering.net
5/6/21 at 1:30 p.m.

Kristen Lewis-Coles
PAI – Zoning Review



Donna Mignon

From: Donna Mignon
Sent: Monday, April 12, 2021 1:07 PM
To: Kristen L Lewis; Debra Wiley
Subject: Link - RE: Webex 2020-0130-XA

Top of Form

Event Information

Event: Zoning Hearing - 2020-0130-XA - 8241 Eastern Avenue -
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC>
Date and time: Thursday, May 6, 2021 1:30 pm
Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
Case No: 2020-0130-XA
Address: 8241 Eastern Avenue
Owners: Vialy Baez-Pana
Event number: 160 883 8610
Event password: 1234
Host key: 516790
Alternate Host: Deb Wiley, Maureen Murphy, Paul Mayhew
Panelist Info:
Panelist password:
Panelist numeric password: 145177
Video Address: 1608838610@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 160 883 8610
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No

Custom registration form: No

After registration, go to URL:

Bottom of Form

Top of Form

Bottom of Form

© 2021 Cisco and/or its affiliates. All rights reserved. [Privacy Statement](#) | [Terms of Service](#)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Sent: Monday, April 12, 2021 12:57 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Webex 2020-0130-XA

Good afternoon,

Below is a case that needs a webex event created for it.

Case 2020-0130-XA

8241 Eastern Avenue

Vialy Baez-Pana – Owners – vialybaez9@gmail.com

Timothy Manuelides – tmanuelides@tmlw-llc.com

Rick Richardson – rick@richardsonengineering.net

5/6/21 at 1:30 p.m.

Thank you,

Kristen Lewis-Coles

PAI – Zoning Review

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 2020-0130-XA - 8241 Eastern Avenue -
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed2ba5e3ec7210ec27b32189a51f5bb34>
Start: Thu 5/6/2021 1:30 PM
End: Thu 5/6/2021 2:30 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

CAUTION: This message from messenger@webex.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 160 883 8610

Thursday, May 6, 2021 1:30 pm, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed2ba5e3ec7210ec27b32189a51f5bb34>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e5b2b2bd8530443a3bf45447f252>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1608838610@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 145177

• If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ee6bdf3f09218d927c11ed517ebc192fd>

Need help? Go to <https://help.webex.com>

Donna Mignon

From: Donna Mignon
Sent: Monday, April 12, 2021 1:07 PM
To: Kristen L Lewis; Debra Wiley
Subject: Link - RE: Webex 2020-0130-XA

Top of Form

Event Information

Event: Zoning Hearing - 2020-0130-XA - 8241 Eastern Avenue -
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC>
Date and time: Thursday, May 6, 2021 1:30 pm
Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
Case No: 2020-0130-XA
Address: 8241 Eastern Avenue
Owners: Vialy Baez-Pana
Event number: 160 883 8610
Event password: 1234
Host key: 516790
Alternate Host: Deb Wiley, Maureen Murphy, Paul Mayhew
Panelist Info:
Panelist password:
Panelist numeric password: 145177
Video Address: 1608838610@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 160 883 8610
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No

Custom registration form: No
After registration, go to URL:

Bottom of Form
Top of Form

Bottom of Form
© 2021 Cisco and/or its affiliates. All rights reserved. [Privacy Statement](#) | [Terms of Service](#)

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Monday, April 12, 2021 12:57 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Webex 2020-0130-XA

Good afternoon,

Below is a case that needs a webex event created for it.

Case 2020-0130-XA
8241 Eastern Avenue
Vialy Baez-Pana – Owners – vialybaez9@gmail.com
Timothy Manuelides – tmanuelides@tmlw-llc.com
Rick Richardson – rick@richardsonengineering.net
5/6/21 at 1:30 p.m.

Thank you,

Kristen Lewis-Coles
PAI – Zoning Review

PETITION FOR ZONING HEARING

**CASE NO.: 2020-0130 – XA
8241 EASTERN AVENUE, BALTIMORE, MD**

EXHIBIT LIST

Exhibit No.	Description
1.	Site Plan (2) (marked and unmarked PDF)
2.	Photographs of Site
3.	Deed for 8241 Eastern Avenue, Baltimore, MD
4.	HUD-1 Settlement Statement for 8239 Eastern Avenue, Baltimore, MD

D.m.
5/17/21
D.m.
6/9/21

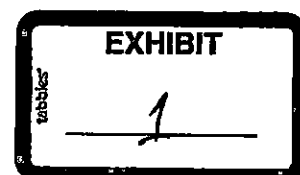
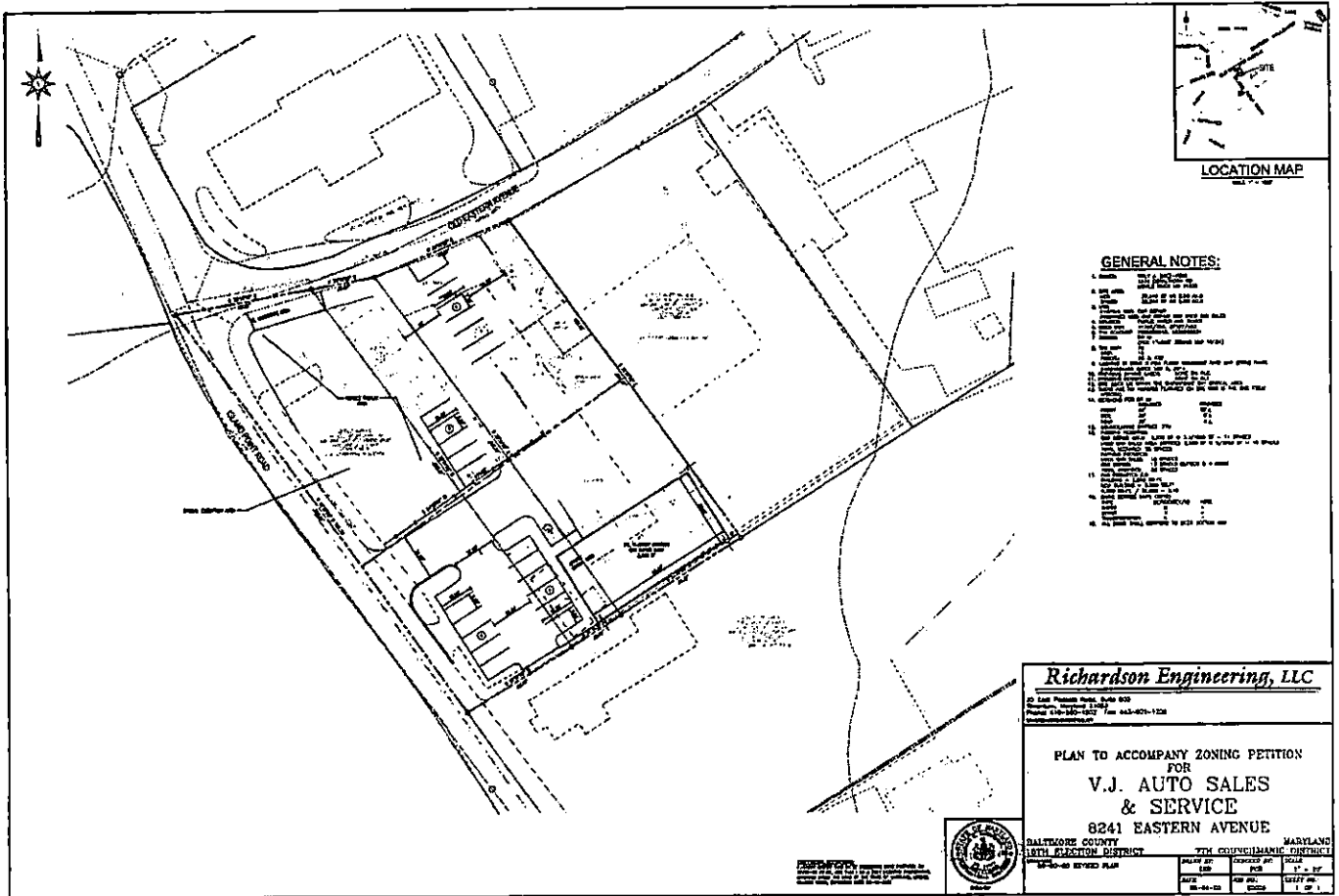
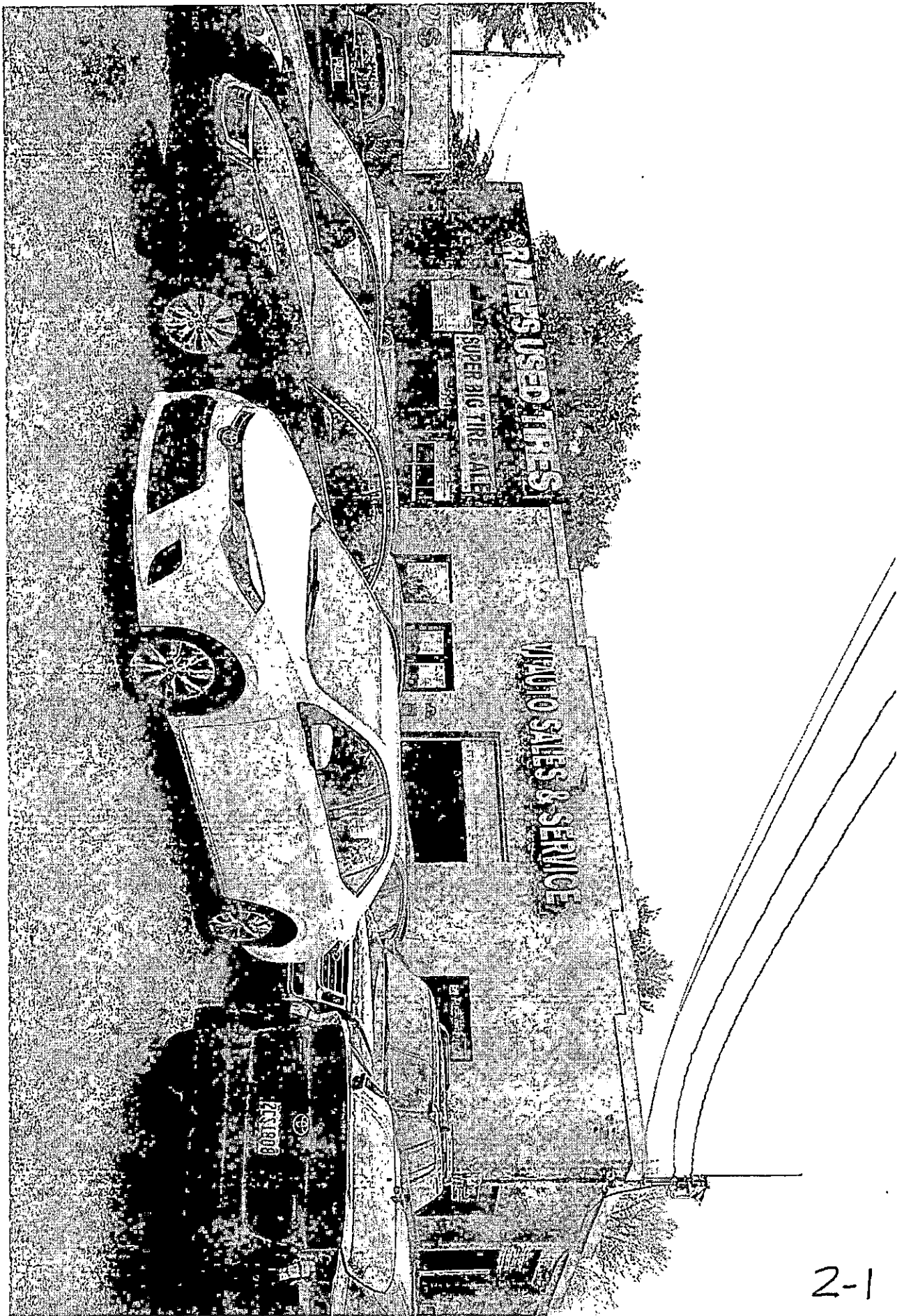
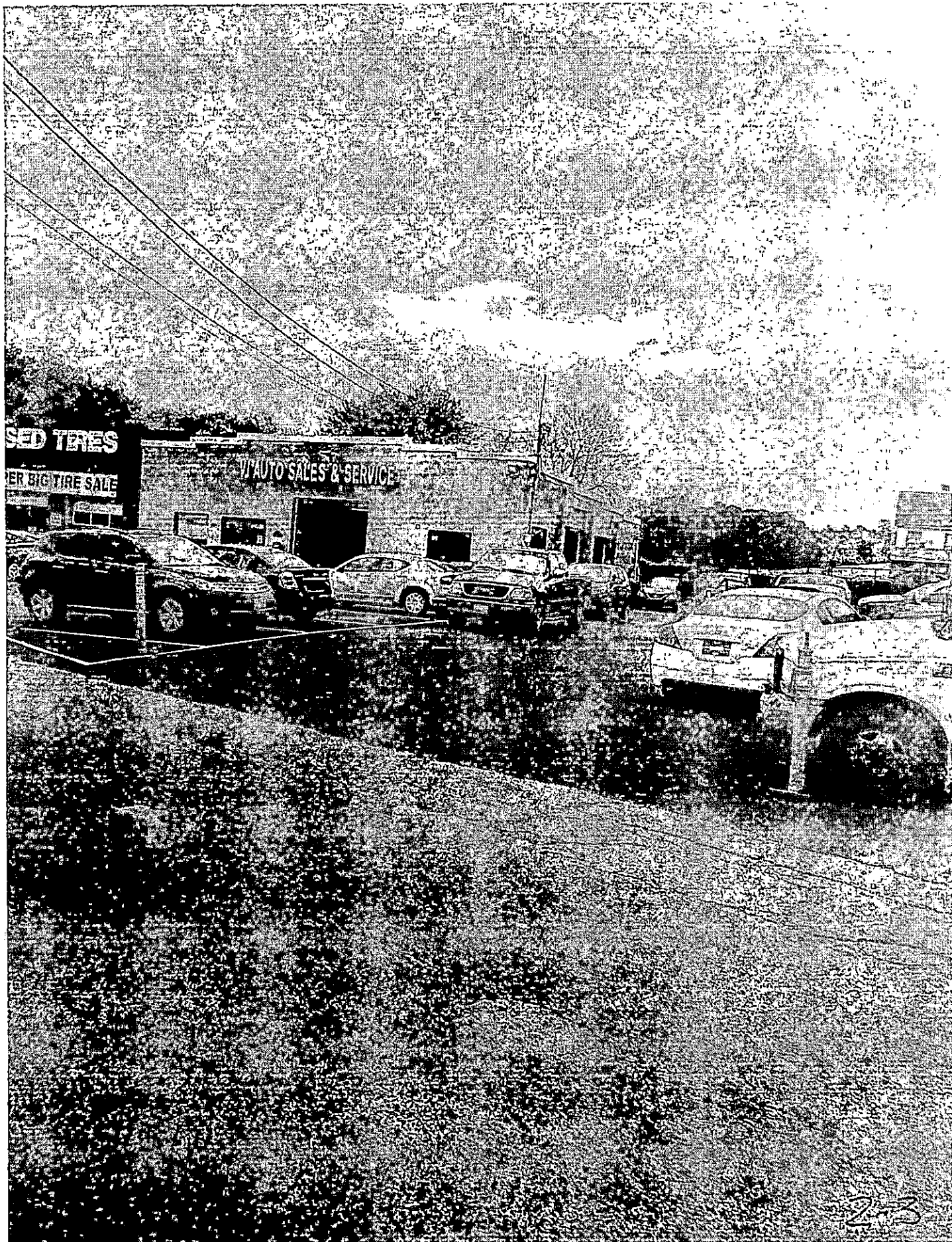


EXHIBIT
2
tabbles®





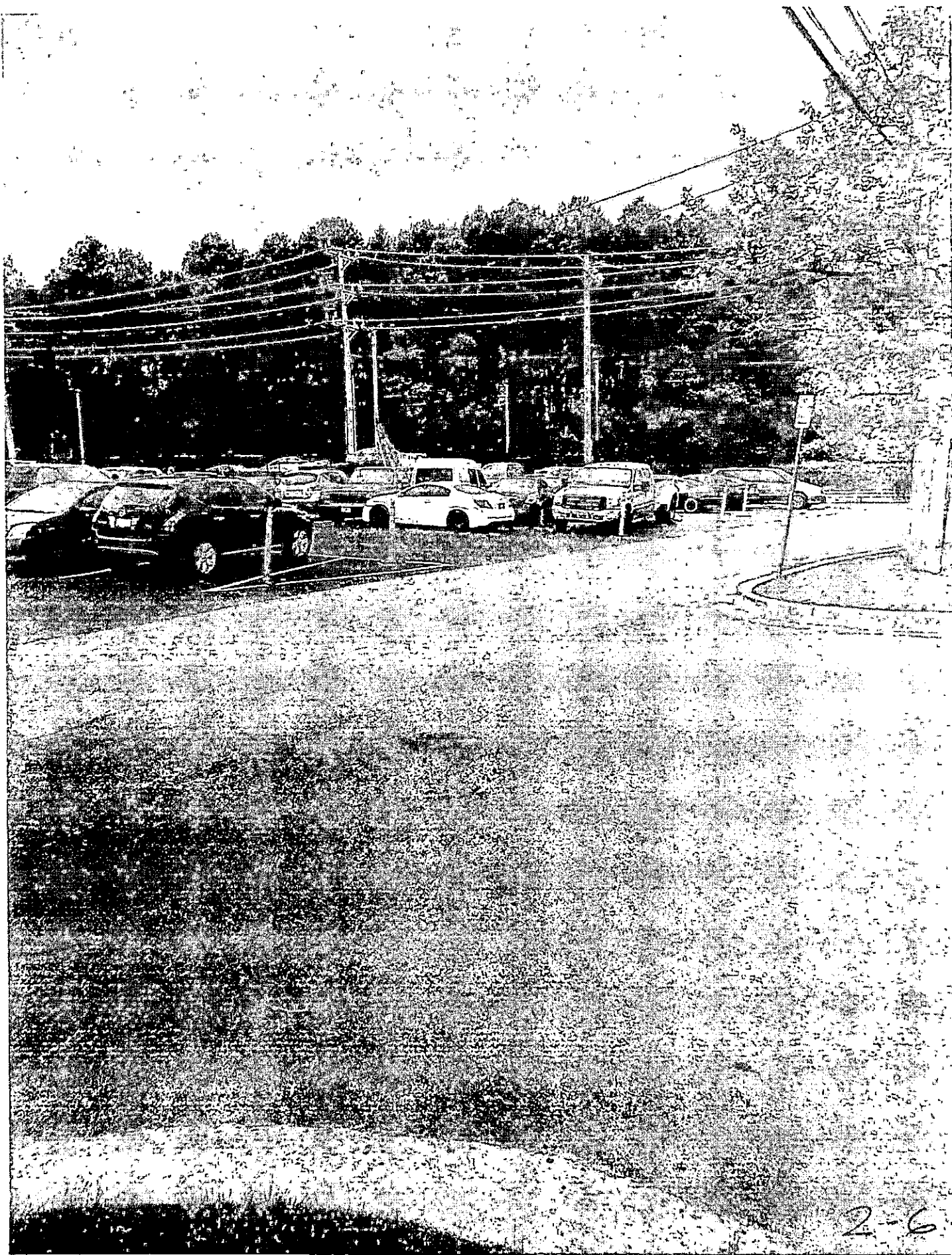








2-5



2-6

AFTER RECORDING, PLEASE RETURN TO:
 Real Estate Settlements & Escrow, LLC
 6 Reservoir Circle, Suite 203
 Baltimore, MD 21208
 File No. MD23253

LR - Deed (w Taxes)
 Recording only \$128.00
 Name: treadway
 Ref:
 LR - Deed (with Taxes)
 Surcharge 40.00
 LR - Deed State
 Transfer Tax 1,150.00
 LR - LR Tax - 1kd 0.00
 SubTotal: 1,218.00
 Total: 1,385.00
 08/21/2019 11:05 CC03-08
 #12598394 CC0301 -
 Baltimore
 County/CC03 01.35 -
 Register 04

Tax ID# 15-19-00-002910

This Deed, made this 14 day of August, 2019, by and between Albert Leroy Treadway, Jr., Personal Representative of Estate of Albert Leroy Treadway, also known of record as Albert L. Treadway, GRANTOR; and Vialy J. Baez-Pena, party of the second part, GRANTEE.

Whereas, on May 7, 2019, the Orphan's Court for Baltimore County, Maryland (the "Court") granted administration of the Estate of the Decedent to Albert Leroy Treadway, Jr., Personal Representative as Personal Representative of the Estate of the Decedent in Estate No. 203574.

Whereas, Grantor in the capacity as Personal Representative in the Estate of the Decedent has complete and full power and authority by law, to grant and convey the entire fee simple interest in the hereinafter described property; and

Whereas, as part of the administration of the Estate of the Decedent, Grantor desires to convey the entire fee simple estate in the hereinafter described property to the Grantee.

- Witnesseth -

That in consideration of the sum of TWO HUNDRED THIRTY THOUSAND AND 00/100 DOLLARS (\$230,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said GRANTOR as Personal Representative as the Estate of the Decedent, does hereby grant and convey to the said GRANTEE, his personal representatives, heirs and/or assigns, in fee simple, all that lot of ground situate in the Maryland and described as follows, that is to say:

All that lot of ground situate in the 15th Election District of Baltimore County, Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME in the center of Eastern Avenue extended at the end of the fifth line of the land leased by Virginia M. Willis to Henry Zieget dated July 11, 1895 and thence running with and binding on said land reversely the two following courses viz south thirty-one and one-half degrees east thirty-five feet, still south thirty-one and one-half degrees east one hundred fifty feet to a stake, thence south seventy-two and one-half degrees west seventy-five feet to a stake, thence north thirty-one degrees west one hundred fifty feet to a stake, thence north thirty-one degrees west thirty-five feet to the center of Eastern Avenue, thence along the center of said Avenue north seventy-two and one-half degrees east seventy-five feet to the place of beginning.

SUBJECT, however, to the right-of-way of the Baltimore, Middle River and Sparrows Point Railroad over said lot.

The improvements thereon being known as 8241 Old Eastern Avenue.

Being part of the same property which by Deed dated February 14, 2001, and recorded among the Land Records of Baltimore County, Maryland on March 1, 2001, in Liber 15008, in Folio 555, was granted and conveyed by Albert L. Threadway and Judy C. Threadway, his wife unto Albert L. Threadway. The said Albert L. Threadway departed this life on or about February 14, 2019, thereby vesting title in Albert Leroy Treadway, Jr., Personal Representative of the Estate of Albert Leroy Treadway, the within Grantor.

Deed - Personal Representative

File No MD23253

Page 1 of 2

EXHIBIT

3

tabbies

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

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said GRANTEE, his personal representatives, heirs and/or assigns, in fee simple.

And Grantor does hereby covenant to execute such further assurances of the same as may be requisite.

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


 Albert Leroy Treadway, Jr., Personal
 Representative of the Estate of Albert Leroy
 Treadway, also known of record as Albert L.
 Treadway

STATE OF MARYLAND

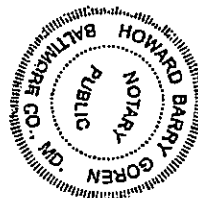
CITY/COUNTY OF BALTIMORE, to wit:

I hereby certify that on the 14th day of August, 2019, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Albert Leroy Treadway, Jr., Personal Representative of Estate of Albert Leroy Treadway, also known of record as Albert L. Treadway, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and made oath in due form of law that the matters and facts set forth herein are true.

As witness, my hand and notarial seal.


 Signature of Notary Public

My Commission Expires: 11/17/20



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


 Howard Goren, Esquire (SEAL)

AFTER RECORDING, PLEASE RETURN TO:
 Real Estate Settlements & Escrow, LLC
 6 Reservoir Circle, Suite 203
 Baltimore, MD 21208

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 41782, p. 0357, MSA_CE62_41639, Date available 08/27/2019, Printed 05/03/2021.

Maryland
FORM
WH-AR

BOOK: 41782 PAGE: 358
Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence

2019

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Estate of Albert L. Treadway

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

8241 Old Eastern Avenue, Baltimore, MD 21224

3. Reasons for Exemption

Resident Status

☐

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☒

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Name

**Date

Signature

3b. Entity Transferors

Witness/Attest

Estate of Albert L. Treadway

Name of Entity

By

Albert Leroy Treadway, Jr., Personal

Representative

Name

**Date

Personal Representative

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

Source: Recensed for Oms 21 Nov 94 CIA Bureau on Vols 1-10

4,600.00
00
county, Maryland

Addendum

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: Baltimore

The addendum form should be used when one transaction involves more than two instruments.
Each instrument should be itemized in accordance with Section No. 1 of the Intake Sheet.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

5	(Continued) Fees	Amount of Fees	Doc. 3	Doc. 4	Doc. 5	Doc. 6	
		Recording Charge	\$ 60.00	\$	\$	\$	\$
		Surcharge	\$	\$	\$	\$	\$
		State Recording Tax	\$	\$	\$	\$	\$
		State Transfer Tax	\$	\$	\$	\$	\$
		County Transfer Tax	\$	\$	\$	\$	\$
		Other	\$	\$	\$	\$	\$
7	(Continued) Transferred From	Doc. 3 – Grantor(s) Name(s)		Doc. 4 – Grantor(s) Name(s)			
		Valley 3.000-Pers					
		Doc. 5 – Grantor(s) Name(s)		Doc. 6 – Grantor(s) Name(s)			
		Doc. 3 – Owners(s) of Record, if Different from Grantor(s)		Doc. 4 – Owners(s) of Record, if Different from Grantor(s)			
		Doc. 5 – Owners(s) of Record, if Different from Grantor(s)		Doc. 6 – Owners(s) of Record, if Different from Grantor(s)			
8	(Continued) Transferred To	Doc. 3 – Grantee(s) Name(s)		Doc. 4 – Grantee(s) Name(s)			
		30 E. 75th Street, LLC					
		Doc. 5 – Grantee(s) Name(s)		Doc. 6 – Grantee(s) Name(s)			
		Doc. 3 – Additional Names to be Indexed (Optional)		Doc. 4 – Additional Names to be Indexed (Optional)			
		Doc. 5 – Additional Names to be Indexed (Optional)		Doc. 6 – Additional Names to be Indexed (Optional)			
9	(Continued) Other Names to be Indexed	Doc. 3 – Additional Names to be Indexed (Optional)		Doc. 4 – Additional Names to be Indexed (Optional)			
		Doc. 5 – Additional Names to be Indexed (Optional)		Doc. 6 – Additional Names to be Indexed (Optional)			
Special Instructions		Special Recording Instructions (if any)					

RECORDATION TAX NOT REQUIRED
Director of Budget and Finance
BALTIMORE COUNTY, MARYLAND
T.P. ART 12-108

DOC# 2 3 4 5 6
Initial AN
Date 8-21-19

BALTIMORE COUNTY CIRCUIT COURT (Land Records) JLE 41782, p. 0360, MSA_CE62_41639, Date available 09/27/2019, Printed 05/03/2021.

Distribution: White – Clerk's Office
Pink – Office of Finance
ADC-CG 301 (3/2007)

Gray – SDAT
Goldrod – Preserv



A. Settlement Statement (HUD-1)

OMB Approval No. 2602-0265

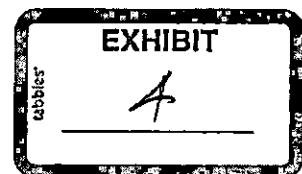
1. ☐ FHA 2. ☐ RHS 3. ☐ Conv. Unins.		6. File Number: 20-27906853	7. Loan Number:	8. Mortgage Insurance Case Number:
4. ☐ VA 5. ☐ Conv. Ins.				
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agents are shown. Items marked "(a.p.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.				
D. Name & Address of Borrower: VJ Auto Sales & Service, LLC by Vicky J Banz, Sole Member 6241 Eastern Ave, Baltimore, MD 21224		E. Name & Address of Seller: Gerald Harkins 515 Island Point Rd, Baltimore, MD 21224		F. Name & Address of Lender:
G. Property Location: 8239 Eastern Ave Baltimore, MD 21224		H. Settlement Agent: Key Title, Inc. 35 Fulford Avenue, Suite #100, BEL AIR, MD 21014		I. Settlement Date: 12/04/2020 Disbursement Date: 12/04/2020
		Place of Settlement: 35 Fulford Avenue, Suite #100, BEL AIR, MD 21014		TitleExpress Printed 12/04/2020 at 11:41 am by MKN

II. Summary of Borrower's Transaction 100. Gross Amount Due from Borrower 101. Contract sales price 60,000.00 102. Personal property 103. Settlement charges to borrower (line 1400) 2,169.00 104. 105. Adjustments for items paid by seller in advance 106. City/town taxes to 107. County taxes 12/04/2020 to 12/31/2020 240.52 108. Assessments to 109. 110. 111. 112. 120. Gross Amount Due from Borrower 62,409.52 200. Amounts Paid by or in Behalf of Borrower 201. Deposit or earnest money 202. Principal amount of new loan(s) 203. Existing loan(s) taken subject to 204. 205. 206. 207. Seller CONTRIBUTION 1,084.50 208. 209. Adjustments for items unpaid by seller 210. City/town taxes to 211. County taxes to 212. Assessments to 213. 214. 215. 216. 217. 218. 219. 220. Total Paid by/for Borrower 1,084.50 300. Cash at Settlement from/to Borrower 301. Gross amount due from borrower (line 120) 62,409.52 302. Less amounts paid by/for borrower (line 220) 1,084.50 303. Cash ☒ From ☐ To Borrower 61,325.02		III. Summary of Seller's Transaction 400. Gross Amount Due to Seller 401. Contract sales price 60,000.00 402. Personal property 403. 404. 405. Adjustments for items paid by seller in advance 406. City/town taxes to 407. County taxes 12/04/2020 to 12/31/2020 240.52 408. Assessments to 409. 410. 411. 412. 420. Gross Amount Due to Seller 60,240.52 500. Reductions in Amount Due to Seller 501. Excess deposit (see instructions) 502. Settlement charges to seller (line 1400) 3,591.09 503. Existing loan(s) taken subject to 504. Payoff of first mortgage loan 505. Payoff of second mortgage loan 506. 507. Seller CONTRIBUTION 1,084.50 508. 509. 510. Adjustments for items unpaid by seller 510. City/town taxes to 511. County taxes to 512. Assessments to 513. 514. 515. 516. 517. 518. 519. 520. Total Reduction Amount Due Seller 5,075.59 600. Cash at Settlement to/from Seller 601. Gross amount due to seller (line 420) 60,240.52 602. Less reductions in amount due seller (line 520) 5,075.59 603. Cash ☒ To ☐ From Seller 55,164.93	
---	--	--	--

This form is required by HUD for the disclosure of costs paid or to be paid at settlement for residential real estate transactions. It is to be completed by the settlement agent for the borrower and the seller. It is to be provided to the borrower and the seller at the time of settlement. It is to be provided to the lender at the time of settlement. It is to be provided to the title insurance company at the time of settlement. It is to be provided to the recording office at the time of settlement. It is to be provided to the county clerk at the time of settlement. It is to be provided to the state department of housing at the time of settlement. It is to be provided to the state department of revenue at the time of settlement. It is to be provided to the state department of education at the time of settlement. It is to be provided to the state department of health at the time of settlement. It is to be provided to the state department of labor at the time of settlement. It is to be provided to the state department of natural resources at the time of settlement. It is to be provided to the state department of public safety at the time of settlement. It is to be provided to the state department of transportation at the time of settlement. It is to be provided to the state department of treasury at the time of settlement. It is to be provided to the state department of veterans affairs at the time of settlement. It is to be provided to the state department of justice at the time of settlement. It is to be provided to the state department of social services at the time of settlement. It is to be provided to the state department of mental health at the time of settlement. It is to be provided to the state department of corrections at the time of settlement. It is to be provided to the state department of public works at the time of settlement. It is to be provided to the state department of general services at the time of settlement. It is to be provided to the state department of information technology at the time of settlement. It is to be provided to the state department of emergency management at the time of settlement. It is to be provided to the state department of fire and police at the time of settlement. It is to be provided to the state department of public health at the time of settlement. It is to be provided to the state department of human resources at the time of settlement. It is to be provided to the state department of labor and industry at the time of settlement. It is to be provided to the state department of commerce at the time of settlement. It is to be provided to the state department of economic development at the time of settlement. It is to be provided to the state department of housing and community development at the time of settlement. It is to be provided to the state department of public safety at the time of settlement. It is to be provided to the state department of transportation at the time of settlement. It is to be provided to the state department of treasury at the time of settlement. It is to be provided to the state department of veterans affairs at the time of settlement. It is to be provided to the state department of justice at the time of settlement. It is to be provided to the state department of social services at the time of settlement. It is to be provided to the state department of mental health at the time of settlement. It is to be provided to the state department of corrections at the time of settlement. It is to be provided to the state department of public works at the time of settlement. It is to be provided to the state department of general services at the time of settlement. It is to be provided to the state department of information technology at the time of settlement. It is to be provided to the state department of emergency management at the time of settlement. It is to be provided to the state department of fire and police at the time of settlement. It is to be provided to the state department of public health at the time of settlement. It is to be provided to the state department of human resources at the time of settlement. It is to be provided to the state department of labor and industry at the time of settlement. It is to be provided to the state department of commerce at the time of settlement. It is to be provided to the state department of economic development at the time of settlement. It is to be provided to the state department of housing and community development at the time of settlement.

Previous editions are obsolete

HUD-1



1. Settlement Charges

				Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
700. Total Real Estate Broker Fees					
Division of commission (line 700) as follows:					
701.	\$0.00	to			
702.	\$0.00	to			
703. Commission paid at settlement					
800. Items Payable in Connection with Loan					
801.	Our origination charge (includes Origination Point 0.000% or \$0.00)	\$	(from GFE #1)		
802.	Your credit or charge (points) for the specific interest rate chosen	\$	(from GFE #2)		
803.	Your adjusted origination charges		(from GFE #3)		
804.	Appraisal fee	to	(from GFE #3)		
805.	Credit report	to	(from GFE #3)		
806.	Tax service	to	(from GFE #3)		
807.	Flood certification	to	(from GFE #3)		
808.		to			
900. Items Required by Lender to be Paid in Advance					
901.	Daily interest charges from 12/04/2020 to 01/01/2021 @ \$0.00/day		(from GFE #10)		
902.	Mortgage insurance premium	months to	(from GFE #3)		
903.	Homeowner's Insurance	months to	(from GFE #11)		
904.		months to	(from GFE #11)		
1000. Revenues Disbursed with Lender					
1001.	Initial deposit for your escrow account		(from GFE #8)		
1002.	Homeowner's Insurance	months @ \$ /month			
1003.	Mortgage Insurance	months @ \$ /month			
1004.	Property taxes	months @ \$ /month			
1005.	County taxes	months @ \$ 281.89/month	\$		
1006.	Assessments	months @ \$ 0.00/month	\$		
1007.	Aggregate Adjustment		\$		
1100. Title Charges					
1101.	Title services and lender's title insurance	\$	(from GFE #4)	700.00	
1102.	Settlement or closing fee to Key Title, Inc.	\$700.00			
1103.	Owner's title insurance - First American Title Insurance Company	\$	(from GFE #5)	303.00	
1104.	Lender's title insurance - First American Title Insurance Company	\$			
1105.	Lender's title policy limit \$0.00 Lender's Policy				
1106.	Owner's title policy limit \$50,000.00 Owner's Policy				
1107.	Agent's portion of the total title insurance premium to Key Title, Inc.	\$282.65			
1108.	Underwriter's portion of the total title insurance premium to First American Title Insurance Company	\$48.35			
1109.	UEN CERT to Key Title, Inc.			55.00	
1110.	ABSTRACT FEE to THE LAW OFFICE OF STEPHEN L. HARKER			235.00	
1111.	Closing Prot Ut to First American Title Insurance Company	\$			
1200. Government Recording and Transfer Charges					
1201.	Government recording charges	\$	(from GFE #7)	95.00	
1202.	Deed \$60.00 Mortgage \$ Release \$				
1203.	Transfer taxes	\$	(from GFE #8)	750.00	
1204.	State Recordation Tax Deed \$500.00 Mortgage \$				150.00
1205.	State Transfer Tax Deed \$300.00 Mortgage \$				150.00
1206.	County Transfer Tax Deed \$900.00 Mortgage \$				450.00
1300. Additional Settlement Charges					
1301.	Required services that you can skip for		(from GFE #6)		
1302.	to				
1303.	to				
1304.	2020/21 TAXES DUE to BALTIMORE CO., MD				3,191.09
1305.	WIRE FEE to Key Title, Inc.				53.00

1400. Total Settlement Charges (Mortgage Lender's Section 1099 and Homeowner's Section 1098) 2,160.00 3,891.09

*Paid outside of closing by (Borrower, (Seller, (Lender, (Investor, Broker, **Credit by lender shown on page 1, ***Credit by seller shown on page 1.
 SUBSTITUTE FORM 1099 SELLER STATEMENT: The information contained herein is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported. The Contract Sales Price described on the 401 above constitutes the Gross Proceeds of this transaction.

SELLER'S INSTRUCTIONS: If the real estate was your principal residence, file Form 2119, Sale or Exchange of Principal Residence, for any gain, with your income tax return; for other transactions, complete the applicable parts of Form 4797, Form 6252 and/or Schedule D (Form 1040).

You are required by law to provide the (Fed. Tax ID No. _____) with your correct taxpayer identification number. If you do not provide your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law. Under penalties of perjury, I certify that the number shown on this statement is my correct taxpayer identification number.

TIN: _____ SELLER(S) SIGNATURE(S): _____

SELLER(S) NEW MAILING ADDRESS: _____

SELLER(S) PHONE NUMBERS: _____ (H) _____ (W) _____

Previous editions are obsolete HUD-1

Signature Page

HUD CERTIFICATION OF BUYER AND SELLER

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

Buyer:

VJ AUTO SALES & SERVICE, LLC BY VIALY J BAEZ, SOLE MEMBER

Vialy Baez

Seller:

Gerald Watkins
Gerald Watkins

Settlement Agent:

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement.

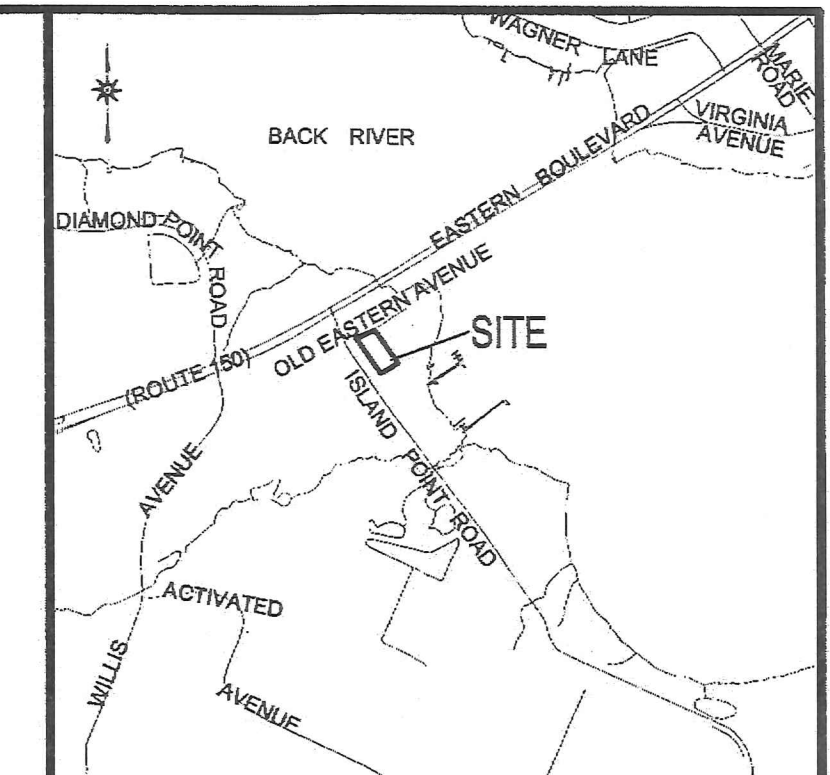
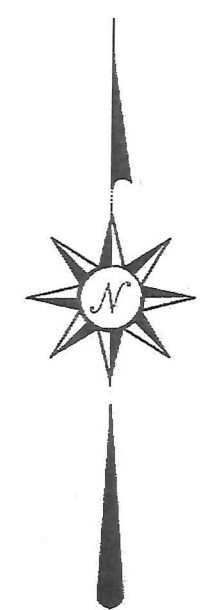
Brianne Bass Gentry
SETTLEMENT AGENT

12/4/20
DATE

WARNING: IT IS A CRIME TO KNOWINGLY MAKE FALSE STATEMENTS TO THE UNITED STATES ON THIS OR ANY SIMILAR FORM. PENALTIES UPON CONVICTION CAN INCLUDE A FINE AND IMPRISONMENT. FOR DETAILS SEE TITLE 18: U.S. CODE SECTION 1001 AND SECTION 1010.

Previous editions are obsolete

HUD-1



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: VIALY J. BAEZ-PENA
2234 CORALTHORN RD
MIDDLE RIVER MD 21220
- SITE AREA:
NET: 22,068 SF OR 0.51 AC.±
GROSS: 22,981 SF OR 0.53 AC.±
- USE:
EXISTING USE: CAR REPAIR
PROPOSED USE: CAR REPAIR AND USED CAR SALES
- UTILITIES: PUBLIC WATER AND SEWER
- DEED REF: 41782/355
- TAX ACCOUNT: 1900002910
- ZONING: BR IM
(PER 1"=200' ZONING MAP 101B1)
- TAX MAP: 96
GRID: 12
PARCEL: 26
- LOCATED IN ZONE X PER FLOOD INSURANCE RATE MAP (FIRM) PANEL 24001004400 DATED MAY 5, 2014.
- PREVIOUS ZONING CASES: NONE ON FILE.
- PREVIOUS PERMITS: NONE ON FILE.
- SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- SETBACKS FOR BR IM

REQUIRED	PROVIDED
FRONT 42'	60'±
SIDE 30'	0'±
REAR 30'	100'±
- COUNCILMANIC DISTRICT: 7TH
- PARKING REQUIRED:
CAR REPAIR AREA: 2085 SF @ 3.3/1000 SF = 7 SPACES
USED CAR SALES AREA (OFFICE): 415 SF @ 5/1000 SF = 3 SPACES
TOTAL REQUIRED: 10 SPACES
PARKING PROVIDED: 15 SPACES OUTSIDE & 3 INSIDE
FAR PERMITTED 2.0 ACTUAL IS 0.14
BUILDING = 2,500 SQ.FT.
SHED = 580 SQ.FT.
3,080 SQ.FT. / 22,068 = 0.14
- BASIC SERVICE MAPS (2019)

TYPE	DEFICIENT(Y/N)	NOTE
WATER	N	-
SEWER	N	-
TRANSPORTATION	N	-
- ALL SIGNS SHALL CONFORM TO BCZR SECTION 450

2070-0130-XA

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208
RICK@RICHARDSONENGINEERING.NET

PLAN TO ACCOMPANY ZONING PETITION
FOR
V.J. AUTO SALES
& SERVICE
8241 EASTERN AVENUE

BALTIMORE COUNTY MARYLAND
15TH ELECTION DISTRICT 7TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNR	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	05-04-20	20028	1 OF 1

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 06-15-2021

