

IN RE: PETITION FOR SPECIAL HEARING

W side of Cherrydell Road, 271 feet
S of the c/l of Frederick Road
1st Election District
1st Council District
(112 Cherrydell Road)

Janet L. Feuerstein and
Paul Anthony Richards, Sr.
Petitioners

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY

CASE NO. 2012-0095-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as Petition for Special Hearing filed by the legal owners of the property, Janet L. Feuerstein and Paul Anthony Richards, Sr. The Petitioners are requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a non-conforming use to allow a two family dwelling. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing held for this case were Petitioners Janet L. Feuerstein and Paul Anthony Richards, Sr. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. Appearing in opposition to the Petitioners' request were a number of residents of the surrounding community. These individuals are too numerous to specifically identify herein. However, all have signed in on the Citizen and Protestant Sign-In Sheets. The case file contains numerous letters of protest from the community.

ORDER RECEIVED FOR FILING

Date 1-20-12

By aw

It should be noted that this matter came before me as a result of a complaint registered with the Code Enforcement Division of the Department of Permits, Approvals and Inspections¹. A Code Inspections and Enforcement Correction Notice was issued to the Petitioners on July 26, 2011, for the illegal conversion of the structure into apartments.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Petitioner Feuerstein testified that when the subject property was purchased from a corporate owner in Virginia, it was already physically set up as two apartments. She described the property as having a basement, and a first and second floor. There are what she describes as three bedrooms, three bathrooms, and two kitchen areas. There is an entrance on the first floor as well as separate entrances to the basement and second floor. She presented a copy of the property listing indicating three apartments in the building, but is only requesting permission to have two functioning apartments on the property. She intends, for the time being, to use the property as a residence for an adult daughter, another in college, and a 16-year old who still resides with her. She stated that she is familiar with the area. She noted that the subject house was in need of much repair, including the eradication of rats on the premises. She acknowledges an ongoing parking and traffic problem in the community. She testified that she and the co-Petitioner have cleaned up the property to the rear of the subject building, in order to permit the parking of two cars there.

On cross-examination, the witness acknowledged that although all the proposed present tenants will be her children, she has not given thought to what will happen to the property when

¹ Case No: CO-0098026

ORDER RECEIVED FOR FILING

Date 1-20-12

2

By [Signature]

they leave. She confirmed that the Petitioners are asking for two apartments in the structure, although she noted that there were connections for three electric meters. She didn't know when the property had been converted to three units, or for that matter, if such a conversion was done legally or not. She admitted that she and the co-Petitioner had originally requested three apartments, but after being told by County officials that three units were impossible, reduced their request to two. If these two units are granted as a non-conforming use, they would do the appropriate internal repairs and alterations to accomplish that end result.

Petitioner Paul Richards testified that he already owned another property on Cherrydell Road, saw the subject property and, after consulting with Petitioner Feuerstein (who was an old friend), decided to buy it. He stated that the property was built in 1938 with what he believed were arrangements for multiple meters. He was unable to find any other evidence about the history of the subject structure or its use over the years. He also was not able to testify as to how long the property had been vacant before their purchase.

As far as he is concerned, Petitioner Feuerstein and her family can use the property for an indeterminate period in the future. When and if she ultimately no longer needs to stay on the site, he intends that they will then rent it out to others. He believes that based upon the number of entrances, the apparent connections from multiple electric meters and the lack of any interconnection between the first and second floors, that the property was intended to be two, if not three apartments. He stated that he went to the County requesting permission for three apartments. He was told he could not have permission for three, he is only requesting two apartments, which he believes will yield sufficient income when and if the co-Petitioner ultimately moves out. He testified that he is prepared to connect the first and second floor internally if permission for two apartments is granted.

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Date 1-20-12

By [Signature]

In response to cross-examination by several of the Protestants, he acknowledged that he hasn't done any internal work to date to connect the two floors, pending the outcome of this case. Moreover, if his request for two apartments is not granted, he will pull out of the project, as it would not generate sufficient income to justify his rehabilitation efforts. Finally, he noted that he needs to know now whether or not he will be able to convert the property into at least two apartments; if he is, he intends to borrow sufficient funds to do the necessary internal adjustments. He will not do so if their request is denied.

The Protestants testified that they became aware of the situation at the subject property when they observed re-framing work being done on the inside of the subject house. These witnesses raised issues as to how many apartments were in fact in the building over the years, when such use originally began, and how long the property had been vacant. They have significant concerns as to traffic and parking in the neighborhood if the petition is granted, as well as questions as to increased density and garbage emanating from the site.

Petitioners request is based upon a belief that the requested use is permitted as a "non-conforming use". In Baltimore County, non-conforming uses defined in Section 101 of the B.C.Z.R. as a "legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use." The B.C.Z.R. provides that these uses may continue "provided that upon any change from such non-conforming use to any other use whatsoever, **or any abandonment or discontinuance of such non-conforming use for a period of one year or more** (emphasis added), the right to continue or resume such non-conforming use shall terminate." B.C.Z.R. Section 104.1. Moreover, the Court of Appeals has repeatedly stressed that non-conforming uses are disfavored and "local ordinances must be strictly construed in order to effectuate the purpose of eliminating non-conforming uses." *Trip*

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Date 1-20-12

By [Signature]

Associates, Inc. v. Mayor and City Council of Baltimore, 392 Md. 563, 573 (2006), citing *County Council v. Gardner, Inc.*, 293 Md. 259, 268 (1982). Indeed, the Court has held that the "earnest aim and ultimate purpose of zoning was and is to reduce non-conformance to conformance as speedily as possible with due regard to legitimate interests of all concerned." *Grant v. Mayor and City Council of Baltimore*, 212 Md. 301, 307 (1957).

As with all non-conforming use cases, the burden is on the Petitioner to produce evidence that a legal non-conforming use existed on the subject property prior to the year in which a change in the zoning regulations rendered it an unpermitted use. Petitioners must also establish that the requested non-conforming use actually existed, was used openly and continuously, and suffered no abandonment or cessation of use as set forth in the zoning regulations.

Applying the above to the instant matter, Petitioners have not established if the property has ever actually been used for a non-conforming use; nor have they been able to show that such use has continued openly. Finally, and most importantly, the Petitioners have acknowledged that the property was vacant and owned by a Virginia corporation when they purchased it. They have failed to establish in any way that the use was not discontinued or abandoned for a period of a year or more at the time of their purchase. Therefore, pursuant to the case law and the zoning regulations, the Petitioners have failed completely to establish any of the pre-requisites or requirements for the subject property to be considered non-conforming.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth above, the relief requested is DENIED.

THEREFORE, IT IS ORDERED, this 20th day of January, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing to permit the non-conforming use of a two family dwelling, be and is hereby DENIED.

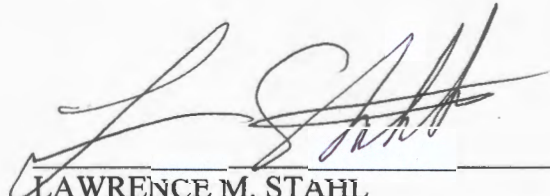
ORDER RECEIVED FOR FILING

Date 1-20-12

By [Signature]

IT IS FURTHER ORDERED that the Code Inspection and Enforcement Division of the Department of Permits, Approvals and Inspections shall, upon inspection of the property, take those steps necessary to ensure compliance with the Baltimore County Code and regulations.

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



LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 1-20-12

By DW



KEVIN KAMENETZ
County Executive

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

January 20, 2012

Janet L. Feuerstein
Paul Anthony Richards, Sr.
112 Cherrydell Road
Catonsville, Maryland 21228

RE: Petition for Special Hearing
Case No. 2012-0095-SPH
(112 Cherrydell Road)

Dear Ms. Feuerstein and Mr. Richards:

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 Department of Permits and Development Management office at 887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name "LAWRENCE M. STAHL".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

c: Stuart and Matthew Merenbloom, 243 Altamont Avenue, Baltimore, MD 21228
Susan C. Carsen, 129 Cherrydell Road, Catonsville, MD 21228
Christina L. Weishaar, 122 Cherrydell Road, Catonsville, MD 21228
Clinton L. Moores, 6123 Mount Ridge Road, Catonsville, MD 21228
Brian Conlin, 501 North Calvert Street, Baltimore, MD 21202
Cathy Engers, 754 Frederick Road, Catonsville, MD 21228
Raymond Harmon, Code Enforcement Officer, Division of Code
Inspections & Enforcement, PAI



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

117 Cherry dell Rd 21228

which is presently zoned

DR 10.5

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

NON-CONFORMING USE OF A TWO-FAMILY DWELLING.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 2012-0095-SPH

Reviewed By D.T.

Date 9/29/11

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

1-20-12

By

[Signature]



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 112 Cherrypell Rd 21228
which is presently zoned DR 10.5

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

NON-CONFORMING USE OF A TWO-FAMILY DWELLING.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2012-0095-SPH

Reviewed By D.T. Date 9/29/11

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 1-20-12

By lws



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 112 Chesapeake Rd 21228
which is presently zoned DR 10.5

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

NON-CONFORMING USE OF A TWO-FAMILY DWELLING.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Jane L. Feuerstein
Name - Type or Print

Jane L. Feuerstein
Signature

Paul Anthony Richards Sr.
Name - Type or Print

Paul Anthony Richards Sr.
Signature

5813 Mendale Rd 410-302-0966
Address Telephone No.

Catonsville Md 21228
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 9/29/11

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 1-20-12

By DW

Zoning Description for 112 CHERRYDELL ROAD

Beginning at a point on the west side of Cherrydell Road
which is 30-feet wide at a distance of 271-feet south of the
centerline of Frederick Road which is approximately 74-feet wide.
Being Lot #14 in the Subdivision known as (Unknown)
as recorded in Baltimore County Plat Book #10, Folio #110
containing 2783 square feet. Also known as 112 Cherrydell Road
and located in the 1st Election District and 1st Councilmanic
District.

2012-0095-SPH

Zoning Description for **112 CHERRYDELL ROAD**

Beginning at a point on the west side of Cherrydell Road
which is 30-feet wide at a distance of 271-feet south of the
centerline of Frederick Road which is approximately 74-feet wide.
Being Lot #14 in the Subdivision known as (Unknown)
as recorded in Baltimore County Plat Book #10, Folio #110
containing 2783 square feet. Also known as 112 Cherrydell Road
and located in the 1st Election District and 1st Councilmanic
District.

2012-0095-SPH

Lawrence Stahl - Rezoning Case 2012-0095-SPH

From: Catherine Engers
To: Stahl, Lawrence
Date: 12/20/2011 4:01 PM
Subject: Rezoning Case 2012-0095-SPH

Judge Stahl,

Just wanted to pass along that our office has received many phones calls and emails from constituents that have concerns about 112 Cherrydell being rezoned.

Thanks So Much,

Cathy

Sincerely,

*Cathy Engers
Senior Council Aide
Baltimore County Council
District 1
410-887-0896, 0897
fax: 410-887-1012
email: cengers@baltimorecountymd.gov*

RECEIVED

DEC 21 2011

OFFICE OF ADMINISTRATIVE HEARINGS

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

No. **74472**

Date: **9/29/11**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					75.00

Total: **75.00**

Rec From: **FEUERSTEIN / RICHARDS**

For: **2012-0095-SPH**
112, CHERRYDELL RD.

D. THOMPSON

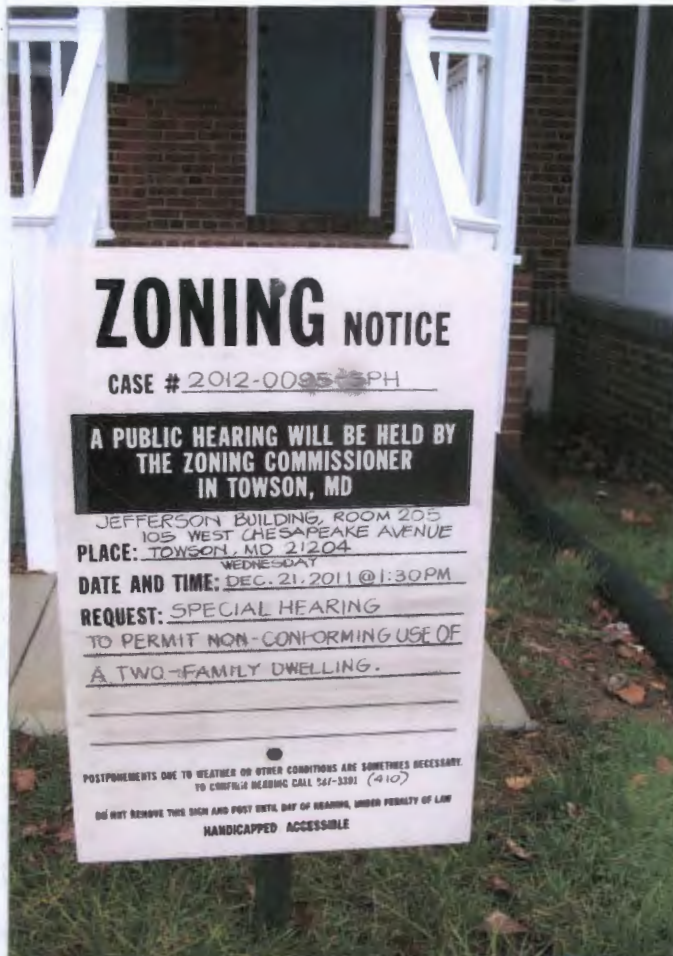
DISTRIBUTION

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

PAID RECEIPT

RECEIVED BY: **DEPT 7**
 DATE: **9/29/11**
 AMOUNT: **75.00**
 RECEIPT # **74472**
 DEPT: **7**
 Recpt to: **112, CHERRYDELL RD.**
 BALTIMORE COUNTY, MARYLAND

**CASHIER'S
 VALIDATION**



Letter of Transmittal

William D. Gulick, Jr.

Consultant to Land Development and Industry

Commercial and Residential

2944 Edgewood Avenue

Baltimore, MD 21234

Phone - 410-530-6293

E-mail - wdgjr@comcast.net

To: BALTO. CO. PAI

ZONING OFFICE : ATTN. MS. KRISTEN LEWIS

We Are Sending You: ☒ Attached ☐ Under separate cover the following items:

☐ Copy of Letter ☒ Prints ☒ Documents ☐ Other

No. of Copies

Date

Description

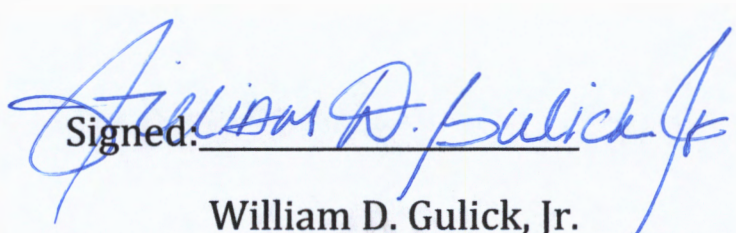
1	12-6-2011	CERTIFICATE OF POSTING
2	12-6-2011	SITE PHOTOS

Transmittals are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review & content

Remarks: CASE NO.: 2012-0095-SPH

ADDRESS : 112 Cherrydell Road

Signed: 

William D. Gulick, Jr.

Chief Office Engineer

cc. Janet Feuerstein & Paul Richards, Sr.

Certificate of Posting

Department of Permits, Approval, and Inspections
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

Date: Dec. 06, 2011

Attention: Zoning Office, Ms, Kristen Lewis

Re: Case Number: 2012-0095-SPH

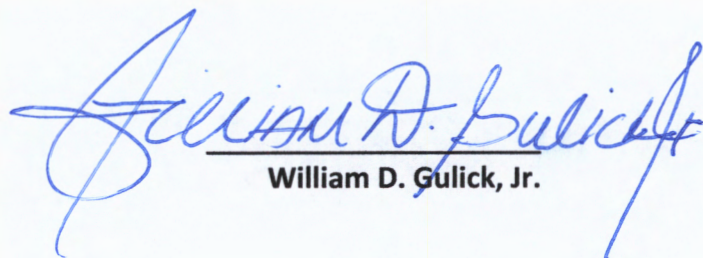
Petitioner/Developer: Janet Feuerstein & Paul Richards, Sr.

Date of Hearing/Closing: Dec. 21, 2011

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 112 Cherrydell Road

The sign(s) were posted on:

Dec. 06, 2011



William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

**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: # 2012-0095-SPH
112 Cherrydell Road
W/side of Cherrydell Road,
271 feet south of the centerline of Frederick Road
1st Election District
1st Councilmanic District
Legal Owner(s):
Janet Feuerstein &
Paul Richards, Sr.

Special Hearing: to permit non-conforming use of a two-family dwelling.
Hearing: Wednesday, December 21, 2011 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 accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT/12/605 De 6 292347

CERTIFICATE OF PUBLICATION

12/8, 2011

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/6, 2011.

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

J. Wilkinson

LEGAL ADVERTISING

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2012-0095-SPH

Petitioner: FEUERSTEIN / RICHARDS

Address or Location: 112 CHERRYDELL RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. PAUL A. RICHARDS SR

Address: 112 CHERRYDELL RD.

CATONSVILLE, MD 21228

Telephone Number: 410-302-0966



KEVIN KAMENETZ
County Executive

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

November 23, 2011

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0095-SPH

112 Cherrydell Road

W/side of Cherrydell Road, 271 feet south of the centerline of Frederick Road

1st Election District – 1st Councilmanic District

Legal Owners: Janet Feuerstein & Paul Richards, Sr.

Special Hearing to permit non-conforming use of a two-family dwelling.

Hearing: Wednesday, December 21, 2011 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a circular stamp. The stamp contains the text "Arnold Jablon" and "Director".

Arnold Jablon
Director

AJ:kl

C: Feuerstein/Richards, 5813 Meridale Rd., Catonsville 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 6, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 6, 2011 Issue - Jeffersonian

Please forward billing to:
Paul Richards, Sr.
112 Cherrydell Road
Catonsville, MD 21228

410-302-0966

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: 2012-0095-SPH

112 Cherrydell Road

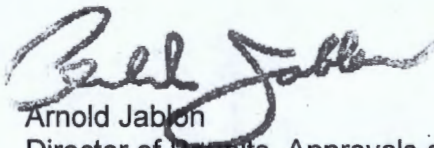
W/side of Cherrydell Road, 271 feet south of the centerline of Frederick Road

1st Election District – 1st Councilmanic District

Legal Owners: Janet Feuerstein & Paul Richards, Sr.

Special Hearing to permit non-conforming use of a two-family dwelling.

Hearing: Wednesday, December 21, 2011 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.

MINOR SUBDIVISION REVIEW

BALTIMORE COUNTY INTEROFFICE CORRESPONDENCE TRANSMITTAL

TO:

REVIEW SET # 3

DATE 10/26/11

OP - Dev. Review.

PAI - Zoning

PAI - House #s

PAI - DPR

PAI - Real Estate

REC&PARKS

DEPS - DC

DEPS - GWM

DEPS - SWM

DEPS - EIR

FIRE DEPT. - Special Projects Officer

PW - Metro District Finance

SHA - Mr. Zeller

SOLID WASTE

VERIZON - Mr. Seiss

OTHER -

ALL REVIEWERS:

PLEASE RESPOND USING THIS FORM.

ADD ANY OTHER COMMENTS ETC. USING THIS

AS A COVER SHEET. PROVIDE TWO (2) COPIES
OF FORMS/COMMENTS TO THE REVIEW MANAGER(S)

-- ALSO --

AS PLANS ARE DISTRIBUTED IN SETS

PLEASE DO NOT ACCEPT PLANS WITHOUT A
TRANSMITTAL FROM THE REVIEW MANAGER(S)

RECEIVED

OCT 27 2011

DEPT. OF PERMITS AND

FROM: JOHN LEWIS

/ ZONING REVIEW MANAGER / RML # 11-006-M / MS # 1105

SUBJECT: MINOR SUBDIVISION REVIEW OF 400 SOUTH WASHINGTON LLC. PROP.

MINOR SUBDIVISION # 11-006-M ELECTION DISTRICT 12

ENGINEER JOHN MELLEMA Phone # 247-7488

ACTION: For review and comment. Please return comments (2 sets) to Zoning Review by 11/15/11
If you have no comments PRINT your initials in this space DAP and date 10/27/11

PUT YOUR PRINTED INITIAL IN THE BLOCK TO REQUEST A TAKING BY THE OFFICE OF LAW OR REAL ESTATE:
____ HIGHWAY WIDENING, ____ FOREST BUFFER, ____ GREENWAY, ____ FLOODPLAIN, DAP DRAINAGE/UTILITY EASEMENT,
____ FOREST CONSERVATION, ((*** PUBLIC WORKS AGREEMENT, OR ____ RIGHT OF WAY AGREEMENT*** THESE AGREEMENTS
MUST EXECUTED PRIOR TO PLAN APPROVAL.))

COMMENTS:

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
112 Cherrydell Road; W/S Cherrydell Road, * OF ADMINISTRATIVE
271' S of c/line Frederick Road * HEARINGS FOR
1st Election & 1st Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Janet Feuerstein & Paul Richards*
Petitioner(s) * 2012-095-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

OCT 14 2011

ll

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 14th day of October, 2011, a copy of the foregoing Entry of Appearance was mailed to Janet Feuerstein & Paul Richards, 5813 Meridale Road, Catonsville, Maryland 21228, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

December 13, 2011

Janet L. Feuerstein & Paul Richards, Sr.
112 Cherrydell Road
Catonsville, MD 21228

RE: Case Number 2012-0095-SPH, 112 Cherrydell Road

Dear Ms. Feuerstein & Mr. Richards, Sr.,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 28, 2011. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 12, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For October 24, 2011
Item Nos. 2012-091, 092, 093, 094, 095
And 096.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-10242011 -NO COMMENTS.doc

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



Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 10-12-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0095 SPH
Special Hearing
Janet Feuerstein
Paul Richards, Sr.
112 Cherrydell Road

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2012-0095-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

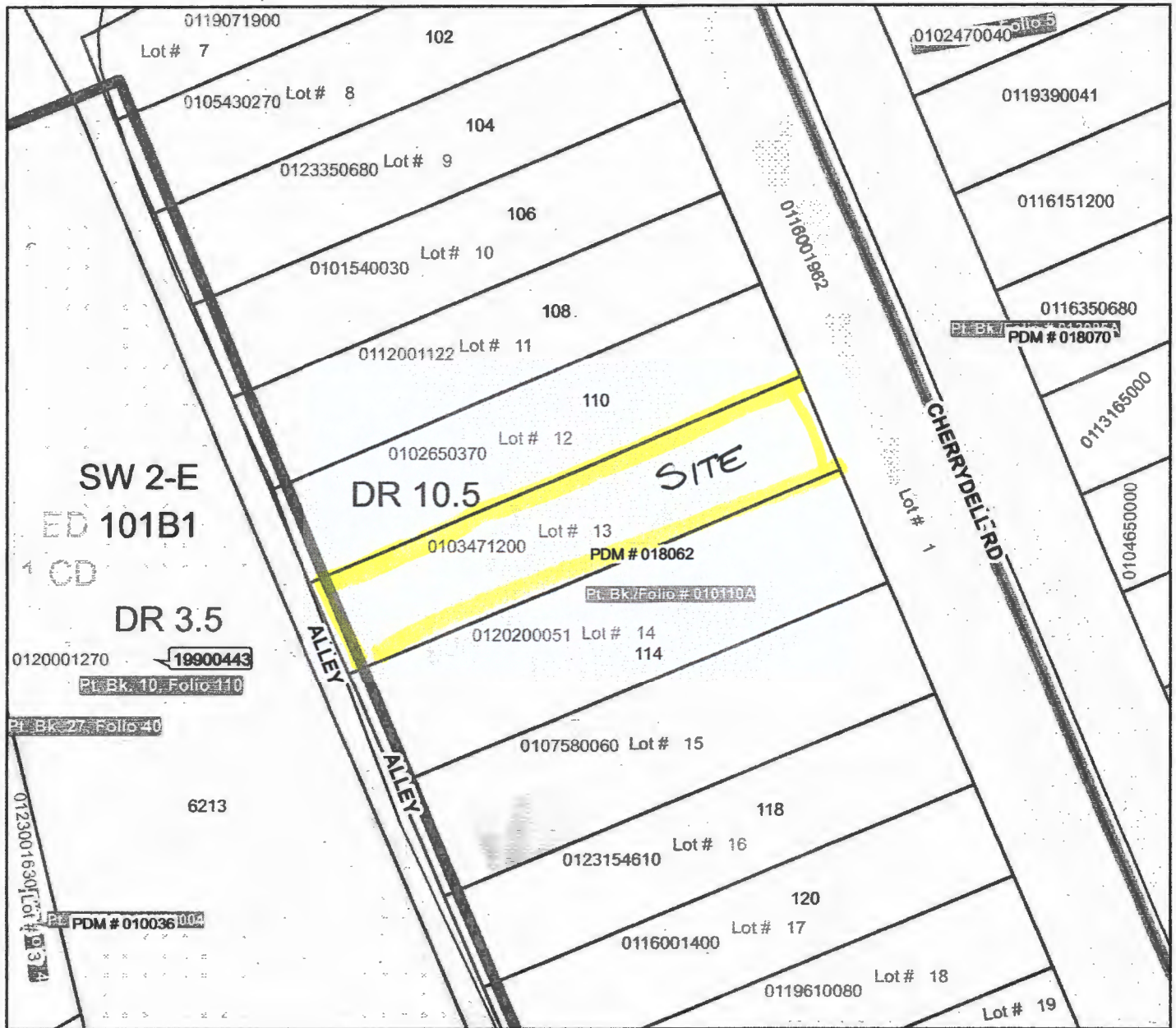
Steven D. Foster, Chief
Access Management Division

SDF/rz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

112 Cherrydell Road



Publication Date: September 28, 2011
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 30 60 Feet

1 inch = 30 feet

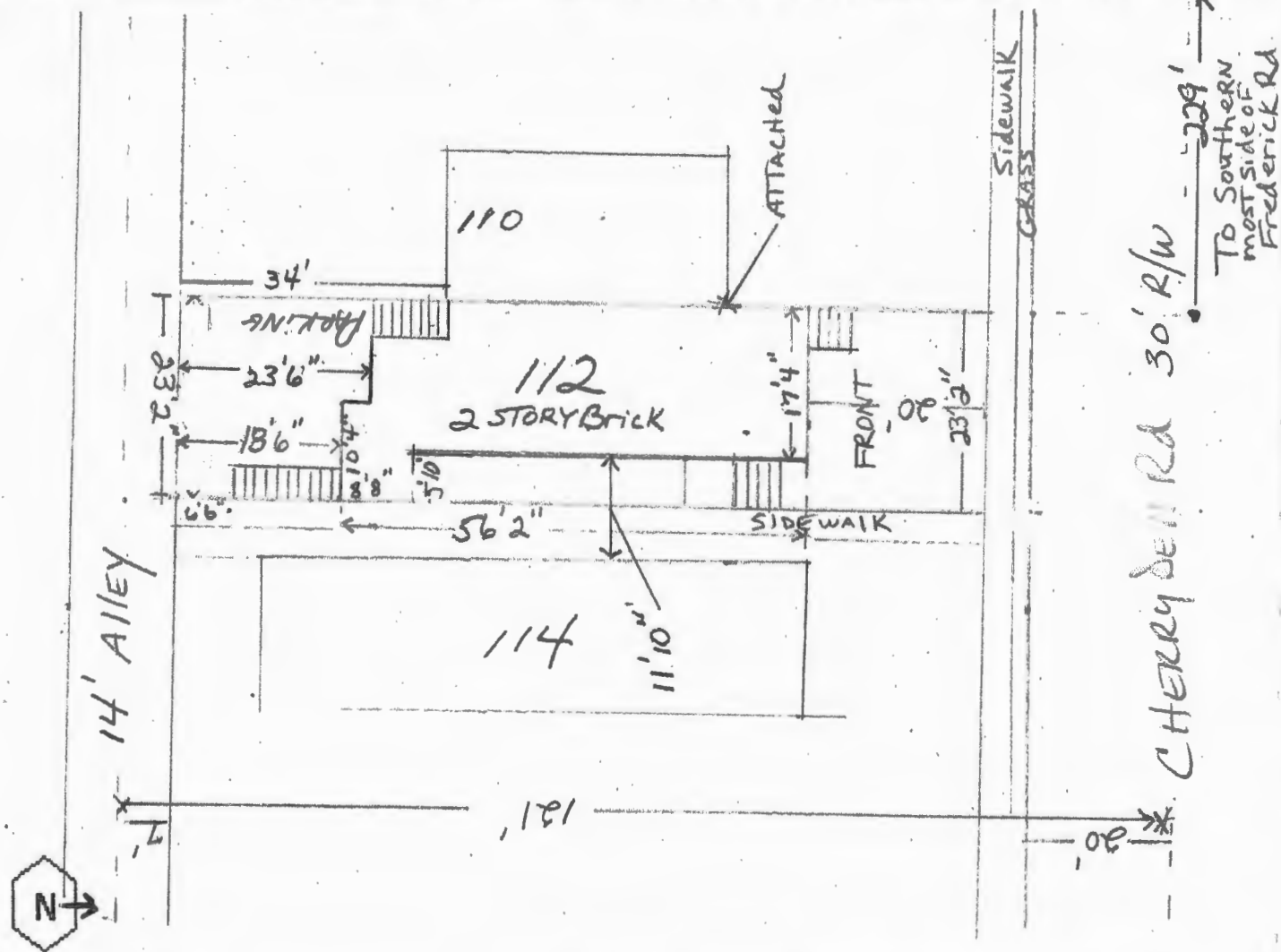
2012-0095-SPH

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

ADDRESS 112 CHERRYDEN Rd OWNER(S) NAME(S) JANET L Feuerstein / Paul A Richards Sr.

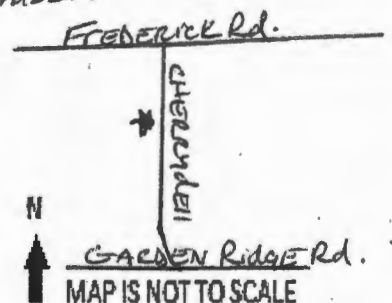
SUBDIVISION NAME UNNAMED LOT# 13 BLOCK# _____ SECTION# _____

PLAT BOOK # 10 FOLIO # 010110A 10 DIGIT TAX # 0103471200 DEED REF. # 30609100975



PLAN DRAWN BY T. RICHARDS DATE 9-28-11 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



ZONING MAP# 0101

SITE ZONED DR 10.5

ELECTION DISTRICT 1

COUNCIL DISTRICT 1

LOT AREA ACREAGE 2

OR SQUARE FEET 2783 SFT.

HISTORIC? NA

IN CBCA? NA

IN FLOOD PLAIN? NA

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

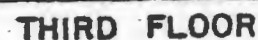
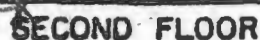
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

98026
illegal conversion into
apartments.

2012-0095-SPH

50



LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET,
LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



**-INCLUDE DWELLING DISTANCE
TO PROPERTY LINES. FRONT,
SIDES, AND REAR.**

229' To Frederick Rd
NAME AND
DISTANCE TO NEAREST
INTERSECTING ROAD

ADDRESS: 112 Chandler Rd
NAME OF STREET FRONTING PROPERTY

(IF A CORNER LOT NAME SIDE STREET) OWNERS [↑]
SIGNATURE

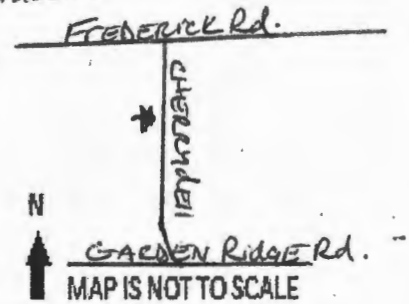
ZONING HEARING PLAN FOR VARIANCE _____ FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

ADDRESS 112 CHERRY DELL Rd OWNER(S) NAME(S) Janet L Feuerstein / Paula A Richards Sr.

SUBDIVISION NAME UNNAMED LOT # 13 BLOCK # _____ SECTION # _____

PLAT BOOK # 10 FOLIO # 010110A 10 DIGIT TAX # 0103471200 DEED REF. # 30609 / 00975

SITE VICINITY MAP

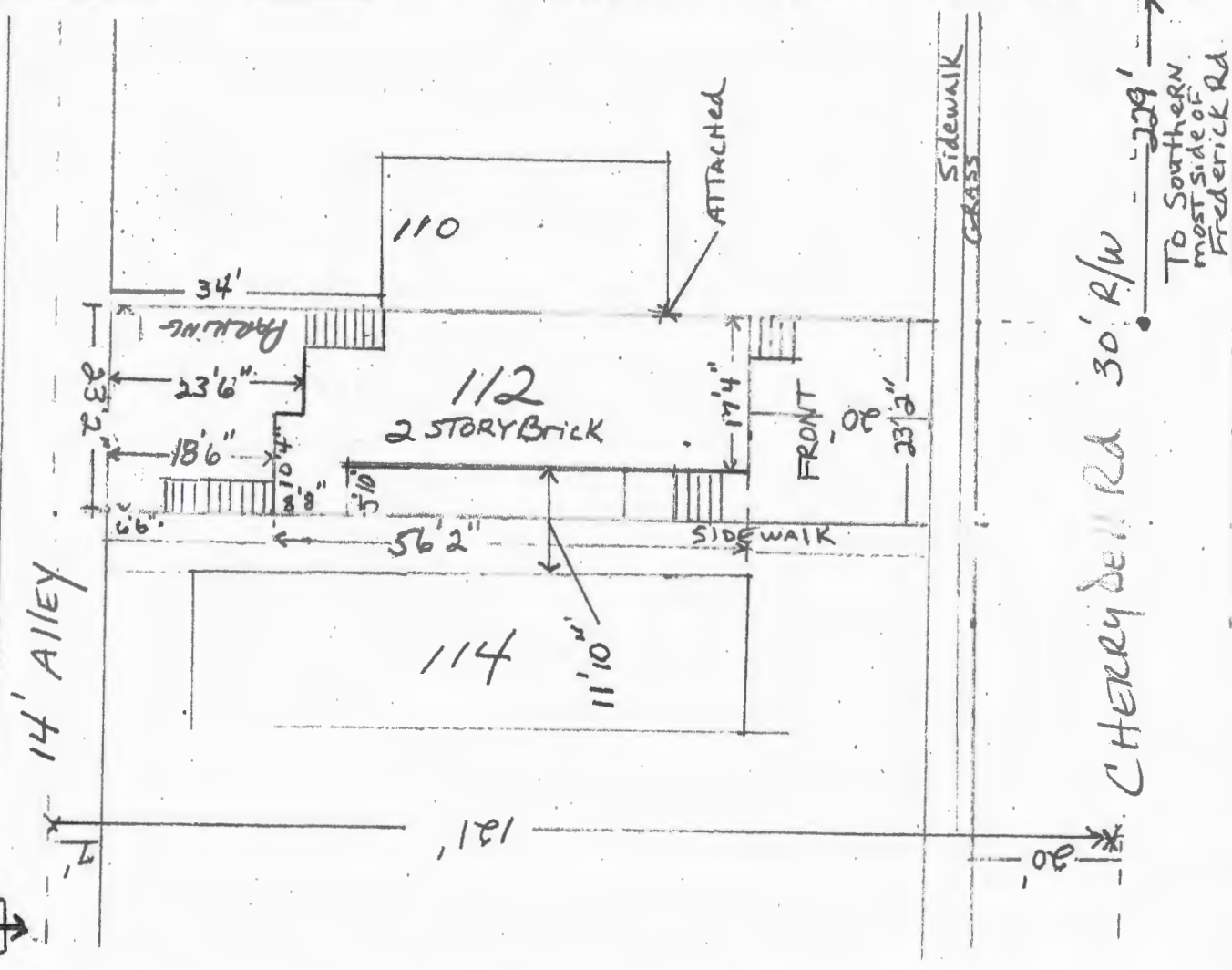


ZONING MAP # 0101
SITE ZONED DR 10.5
ELECTION DISTRICT 1
COUNCIL DISTRICT 1
LOT AREA ACREAGE 2
OR SQUARE FEET 2783 SFT.
HISTORIC? NA
IN CBCA? NA
IN FLOOD PLAIN? NA
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? No.
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

98026

illegal conversion into
apartments.



PLAN DRAWN BY T. Richards DATE 9-28-11 SCALE: 1 INCH = 20 FEET

2012-0095-SPH

CASE NAME 112 Cherrydell Road -
CASE NUMBER 2012-0095-SPH
DATE 12/21/11

[illegible]

CASE NAME 112 Cherrydale Rd.
CASE NUMBER 2012-0095-SPH
DATE 12-21-11

[illegible]

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

Timothy M. Kotroco

TIMOTHY M. KOTROCO, Director



Donald E. Brand

DONALD E. BRAND, Buildings Engineer

ELECTRICAL PERMIT

PERMIT #: E759042

XREF #:

DIST: 01 PREC: 00

JOB LOCATION: 112
MAP COORDINATES 41 H2

CHERRYDELL RD

DATE ISSUED: 04/04/2011

PROPERTY OWNERS:

NAME: RICHARDS, PAUL
ADDR: 112 CHERRYDELL RD
TENNANT INFORMATION

NAME:

ADDR:

PHONE #:

Service Trip 4/8/11
Call # 2650796

LICENSE HOLDER INFORMATION

HORNFECK, CARL, D
CLIPPER ELECTRIC COMPANY
00424 BATHURST ROAD
CATONSVILLE MD 21228-4009

PHONE #: 410-747-1528

LICENSE #: MG9623

BGE WMS#: 2024641

EXISTING METER #:

STRUCTURE USE: RESIDENTIAL

BUILDING: OLD WORK DESCRIPTION:

DATE POWER CO. NOTIFIED:

DESCRIPTION OF WORK

200AMP SERVICE

3 EXISTING METERS, BASEMENT, 1ST FLOOR & 2ND FLOOR
BASEMENT LIGHTING CIRCUIT

FEE 65.00

SERVICE BY AMP(A), VOLTS(V), PHASE(P)

(200 A) (120V) (1P)

TOTAL SERVICE AMPS 1PH: (200)

TOTAL SERVICE AMPS 3PH: ()

FIXTURES(4) SWITCHES(3) RECEPTS(1)

RECEIPT #:A636996

FEE: \$65.00

PAGE 1 OF 1

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

100 West Chesapeake Avenue, Towson, Maryland 21204
410-887-3900

2012-0095-SPH

To Whom It May Concern:

I Lorrie Mitchell as the Buyers agent of 112 Cherrydell Road Catonsville, MD 21228 can attest to the fact that the house although vacant, appeared to be set up into 3 apartments at the time of sale and ownership transfer In January 2011. I am willing and able to testify if need be at a hearing on this matter.

Lorrie Mitchell

Signature

Date 9/6/2011

Gina Y. Hicks

Signature (witness)

Date 9/6/2011

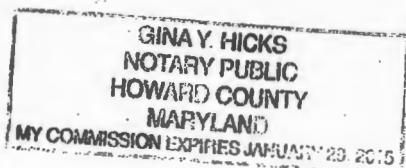
State of Maryland
County of Howard

Subscribed and sworn to before me this
day of September 2011

Gina Y. Hicks

Notary Public

My Commission Expires 1/29/2015



2012-0095-SPH

To Whom It May Concern:

As an active real estate agent in the Catonsville community, I Liz Kavanagh attest to the fact that most of the homes on the west side of Cherrydell Road from Frederick Road to 138 Cherrydell Road have been 2-4 units since 1957. Generally the end of groups are 3 units and the middle of groups were two units. I cannot attest to the fact that 112 Cherrydell has not been rented without a vacancy continuously til the present time. I will not realize any gain from the sale of this property.

Liz Kavanagh
Liz Kavanagh

Sept. 5, 2011
Date

Noreen F. Boettinger
Witness

Sept. 5, 2011
Date

State of Maryland
Baltimore County

I, NOREEN F. BOETTINGER DID WITNESS the
SIGNING OF THIS DOCUMENT by LIZ KAVANAGH
on Sept. 5, 2011 whom is personally known to
me.

Noreen F. Boettinger
my commission expires 8/25/2012

2012-0095-SPH

To Whom It May Concern:

I Kathleen Lang attest to the fact that my husband and I purchased 108 Cherrydell Road in 1957. The home at that time had two apartments in it and it was sold with two apartments on 6/30/2003. I also attest to the fact that most if not all on the west side of Cherrydell Road from Frederick Road to 138 Cherrydell Road were also two and three apartment houses. Generally, the middle of groups were two and the end groups were three. I cannot attest to the fact that 112 Cherrydell has been rented continuously without interruption til the present time. I will not realize any gain from the sale of this property.

Kathleen A. Stillwell POA
Kathleen Lang
for Kathleen Lang

9/5/11
Date

Noreen F. Boettinger
Witness

Sept. 5, 2011
Date

State of Maryland
Baltimore County

I, NOREEN F. BOETTINGER DID WITNESS THE SIGNING
of this Document by Kathleen A. Stillwell on
Sept. 5, 2011 whom is personally know to me.

Noreen F. Boettinger
my commission expires 8/25/2011

September 29, 2011

I Roger Eichelberger as a current resident of Cherrydell Road can attest to the fact that most if not all of the homes on the west side of Cherrydell Road in the 100 block have been apartments during my residency since 1955.

Roger Eichelberger

Roger Eichelberger
137 Cherrydell Road
Catonsville, MD 21228

9-29-11

Date

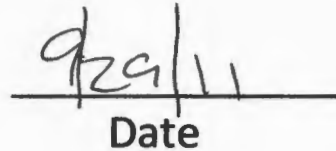
2012-0095-SPH

September 29, 2011

I Diana Gowan attest to the fact that when I bought my home at 106 Cherrydell Road in 1997, it was set up as two apartments, like most of the homes on the west side of Cherrydell and had to convert it to a single family.

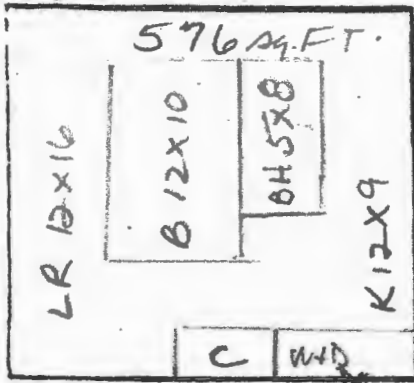
A handwritten signature in blue ink that reads "Diana Gowan". The signature is written over a horizontal line.

Diana Gowan
106 Cherrydell Road
Catonsville, MD 21228

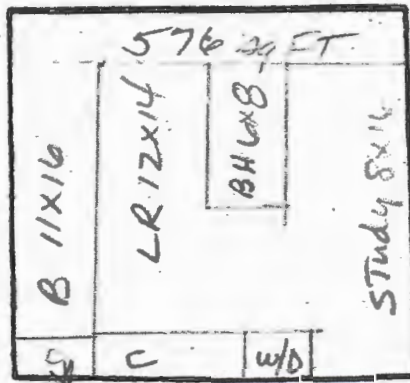
A handwritten date "9/29/11" in blue ink, written over a horizontal line.

Date

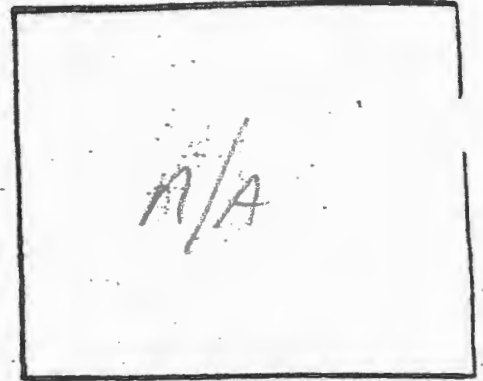
THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$50⁰⁰ MADE PAYABLE TO BALTIMORE COUNTY, MARYLAND



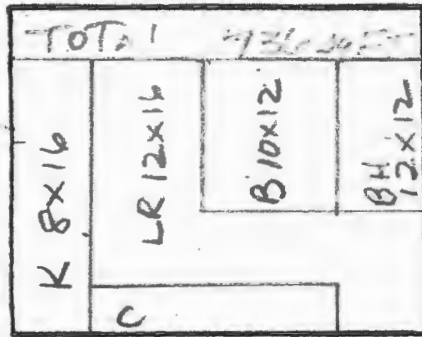
FIRST FLOOR



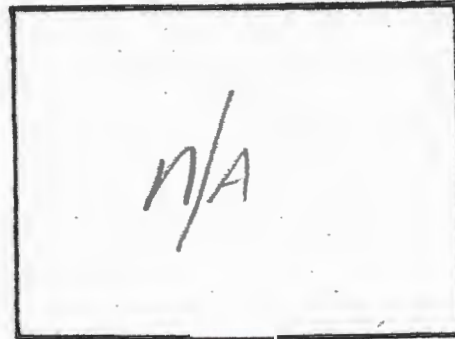
SECOND FLOOR



THIRD FLOOR



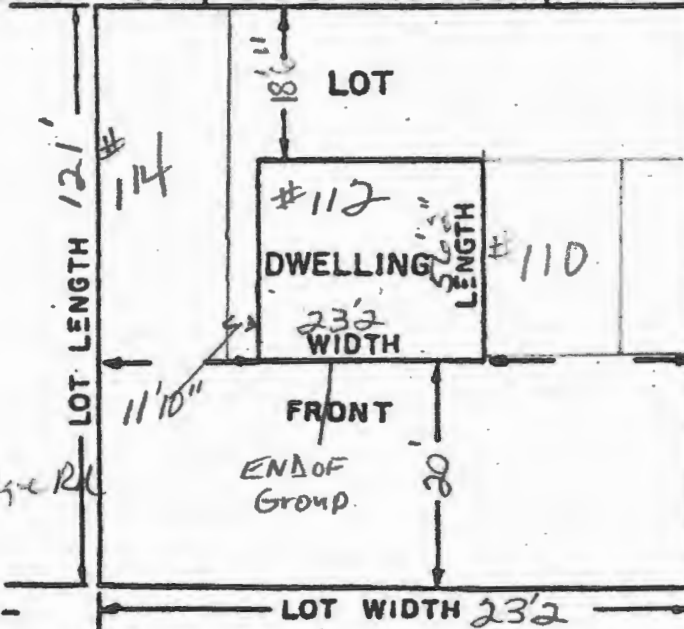
BASEMENT



ATTIC

DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



SHOW NORTH ARROW IN CIRCLE.



INCLUDE DWELLING DISTANCE TO PROPERTY LINES. FRONT, SIDES, AND REAR.

#229' To Frederick Rd
NAME AND DISTANCE TO NEAREST INTERSECTING ROAD

NAME AND

DISTANCE TO NEAREST INTERSECTING ROAD

ADDRESS: 112 Chancell Rd
NAME OF STREET FRONTING PROPERTY

(IF A CORNER LOT NAME SIDE STREET) OWNERS SIGNATURE

2012-0095-SPH

To: 410 887-3468

FROM: 410 788 3067

To whom it may concern

Case # 2012-0095-8P14

112 Chesapeake Rd
Columbia, MD 21048

Appt for 3 appts

Meeting: Wed 12/11/11
at 1:30
Jefferson Bldg #205
105 Chesapeake Ave
Columbia, MD 21048

The parking in the area is bumper to bumper
The street is very narrow. Parking is a problem.
The three appts covered living in my move case.
Please DO NOT allow this to be

Good-

Thank you, BETHERT

Kathleen Robnett
110 Hardin Ridge Rd
Columbia, MD 21048

410 788 6590

OFFICE OF ADMINISTRATIVE HEARINGS

DEC 20 2011

RECEIVED

12/20/11

A. T. N. GRAHAM ADAMS

To whom it may concern;
 I am writing to the office of administrative
 hearing on the matter of Public Hearing
 112 Chicago Road Tommy Case # 2012-0095-SP4
 Wednesday Dec 21 2011
 1:30 at the Appellate Building Rm 205
 105 W. Chicago Ave
 Turner MP 21204

There however we built for 1 family dwelling
 no apartment; they are family dwelling not
 investment dwelling. We are against getting
 in our neighborhood for any apartment.
 The parking we had around here. On Chicago
 the case on the map to the map on that street.

Thank you.
 Carl & Mary Williams
 114 Eastern Ridge Rd
 Baltimore, MD 21208
 410-747-7074

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

CO0098026
112 Cherrydell Road

2612-0095SPH
11/29/11 *Heavig*

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: October 18, 2011

TO: W. Carl Richards, Jr.

FROM: Lionel van Dommelen, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No: 2012-0095-A
Legal Owner/Petitioner: Janet Feuerstein & Paul Richards, Sr.
Property Address: 112 Cherrydell Rd
Location Description: W/S Cherrydell Road, 271 feet South of centerline
of Frederick Road

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date: Ray Harmon

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Case No: CO0098026
Correction Notices
Citation
Photographs

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Kaitlyn Heinbach in Room 213 in order that the appropriate action may be taken relative to the violation case.

LvD/kh
C: Ray Harmon, Code Enforcement Officer



CODE ENFORCEMENT

CORRECTION NOTICE

CASE NUMBER	FA NUMBER	PROP. TAX ID	ZONE
98026	0179604	0103471200	DR105

☐ Owner ☐ Occupant ☐ Other

NAME(S): RICHARD PAUL ANTHONY, SR FEUERSTEIN JANET L			
MAILING ADDRESS: 112 Cherrydell Rd			
CITY BALT	STATE MD	ZIP CODE 21228	
VIOLATION ADDRESS: 112 Cherrydell Rd			
CITY BALT	STATE MARYLAND	ZIP CODE 21228	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

- | | |
|---|--|
| ☐ 431: Improper parked/ illegal commercial vehicle(s) | ☐ 415A: License/ remove untagged recreation vehicle |
| ☐ 450: Non permitted sign(s) | ☐ 415A: Improperly parked recreation vehicle |
| ☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s) | ☐ 415A: One recreational vehicle per property |
| ☐ 1B01.1D: Remove open dump/ junk yard | ☐ 100.6: Non permitted livestock / fowl / poultry |
| ☐ 102.5: Residential site line violation /obstruction | ☐ 408B: Non permitted rooming/ boarding house |
| ☐ 101; 102.1: Remove contractors equip. storage yard | ☐ 1B01: Non permitted private kennel. Limit 3 dogs |
| ☐ 1B01.1, ZCPM: Cease service garage activities | ☐ 101; 102.1; ZCPM: Illegal home occupation |
| ☒ 402: Illegal conversion of dwelling | ☐ BCC: 32-3-102; 500.9 BCZR; ZCPM:
Violation of commercial site plan and/or zoning order |

BALTIMORE COUNTY CODE (B.C.C.)

- | | |
|---|--|
| ☐ 13-4-201(b)(d): Store garbage in containers w/tight lids | ☒ 35-2-301: Obtain building/ repair sign permit Permit |
| ☐ 13-7-309; 13-7-310: Remove animal feces daily | ☐ 35-2-105: Obtain rental housing license |
| ☐ 13-7-310(a): Remove all trash & debris from property | ☐ 18-2-608: Exceeding time limit, Temp. Storage Unit |
| ☐ 13-7-312: Remove accumulations of debris, materials, etc | ☐ 35-2-206: Install address numbers to property or home |
| ☐ 13-7-310(c): Cease all outside feeding of animals/birds | ☐ IBC 115; BCBC 121: Remove/ Repair unsafe structure board and secure all openings to premise |
| ☐ 13-7-305: Cease rat harborage on premise | ☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height |
| ☐ 13-7-306: Eradicate all rat infestation on premise | |
| ☐ 13-7-112: Remove graffiti | |

LIVABILITY CODE (B.C.C.)

- | | |
|--|---|
| ☐ 35-5-203: Condemnation of structure / equipment | ☐ 35-5-212: Repair heating / cooking equipment |
| ☐ 35-5-208(a): Repair exterior structure | ☐ 35-5-213: Provide fire and safety protection |
| ☐ 35-5-209(a): Repair interior structure | ☐ 35-5-231.1: Provide Carbon Monoxide detectors |
| ☐ 35-5-210 (a)(c): Provide proper lighting in structure | ☐ 35-5-214: Remove all accumulations & storage blocking egress, stairwells, passageways, doors, windows, etc |
| ☐ 35-5-211(c): Repair plumbing defects to structure | |

INVESTMENT PROPERTY (B.C.C.)

- | | |
|---|--|
| ☐ 35-2-404(a)(i): Remove hazardous / unsafe condition | ☐ 35-2-404(a)(ii): Repair ext. walls / vertical members |
| ☐ 35-2-404(a)(iii): Repair roof / horizontal members | ☐ 35-2-404(a)(iv): Repair exterior chimney |
| ☐ 35-2-404(a)(v): Repair ext. plaster / masonry | ☐ 35-2-404(a)(vi): Waterproof walls/ roof / foundations |
| ☐ 35-2-404(a)(vii): Repair ext. construction (see below) | ☐ 35-2-404(a)(2): Remove trash, rubbish, & debris |
| ☐ 35-2-404(a)(3): Repair / remove defective ext. sign(s) | ☐ 35-2-404(a)(ii): Board & secure openings |

OTHER VIOLATIONS OR REMARKS:

**ILLEGAL CONVERSION
INTO APTS, NO Permit for WORK ON
R/STAIRS,**

Pursuant to BCC:1-2-217; 32-3-602, a potential per day, per violation civil penalty has been assessed & may be placed as a lien upon your tax bill:

\$ 200.00 Per day

COMPLIANCE DATE: **8 / 25 / 11**

INSPECTOR NAME: **RAY**
(PRINT NAME)

7 / 26 / 11
ISSUED DATE

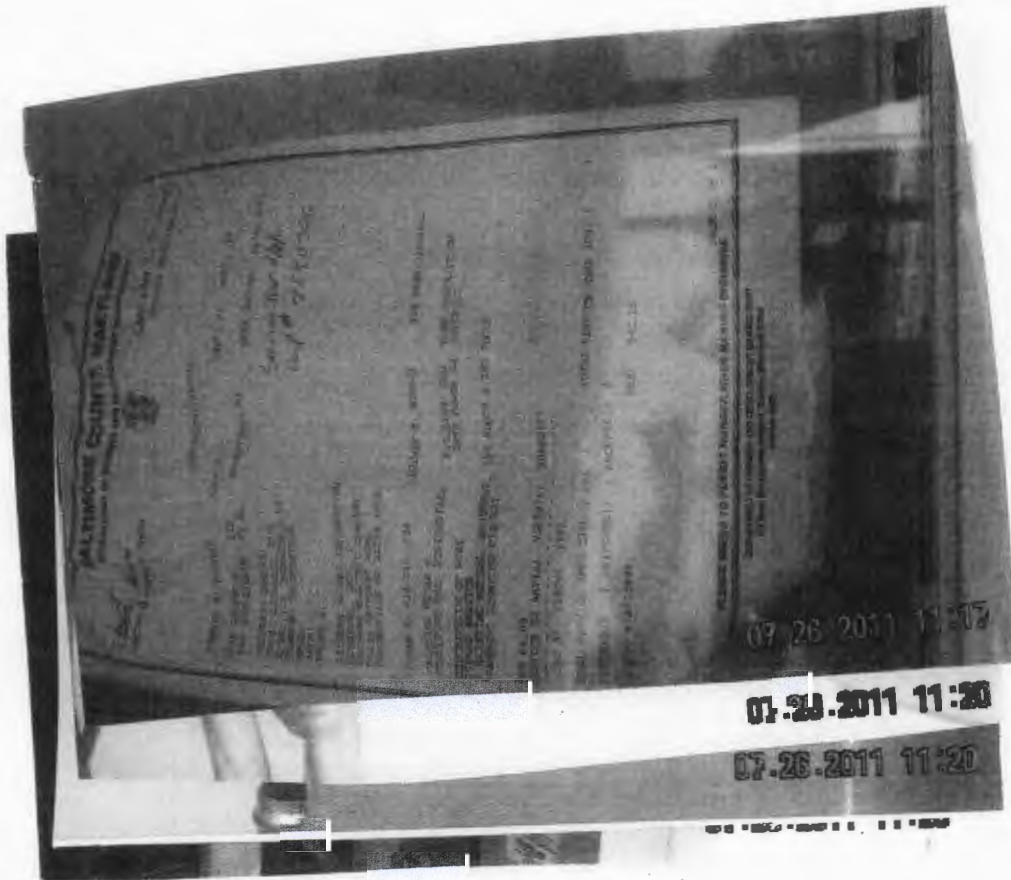
PHOTOGRAPHIC RECORD

Complaint Number: CO 98026 Facility Number: FA 0179604
Property Address: 112 Cherrydell Rd
Date of Photographs: 7/28/11

ILLEGAL CONVERSION

ISSUED CORRECTION NOTICE

P/O 8-25-11



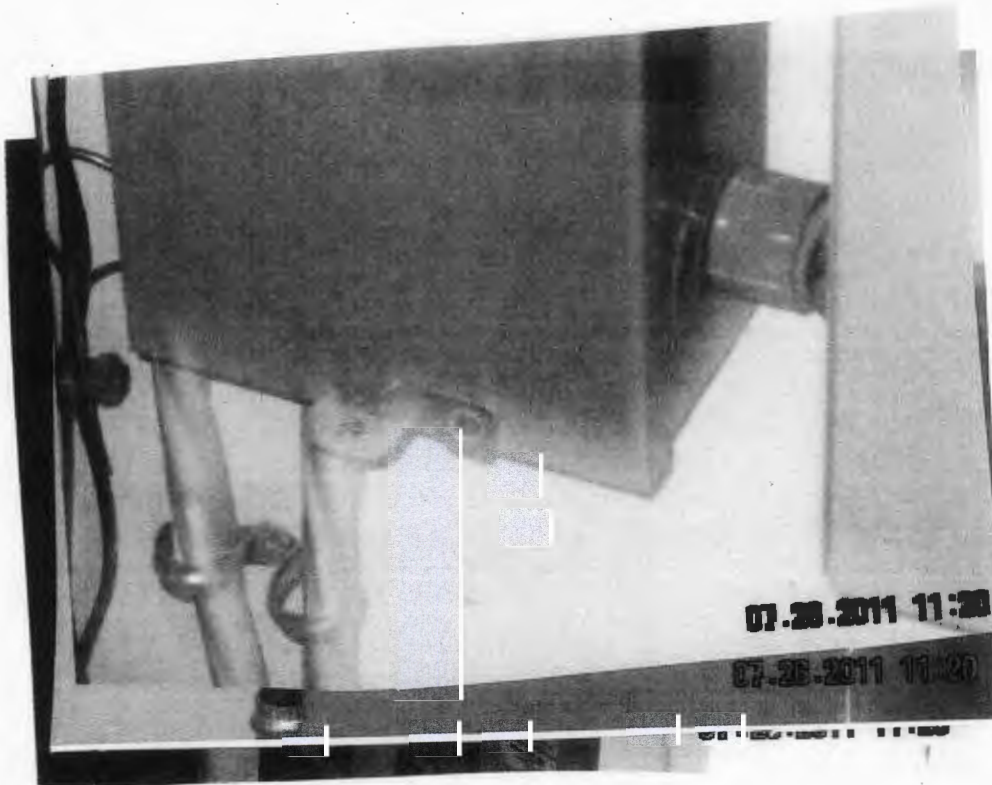
I HEREBY CERTIFY that I took the 4 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced complaint number on the date set out above.

RAY

Code Enforcement Officer

Complaint Nu
Property Addr
Date of Photog

79604

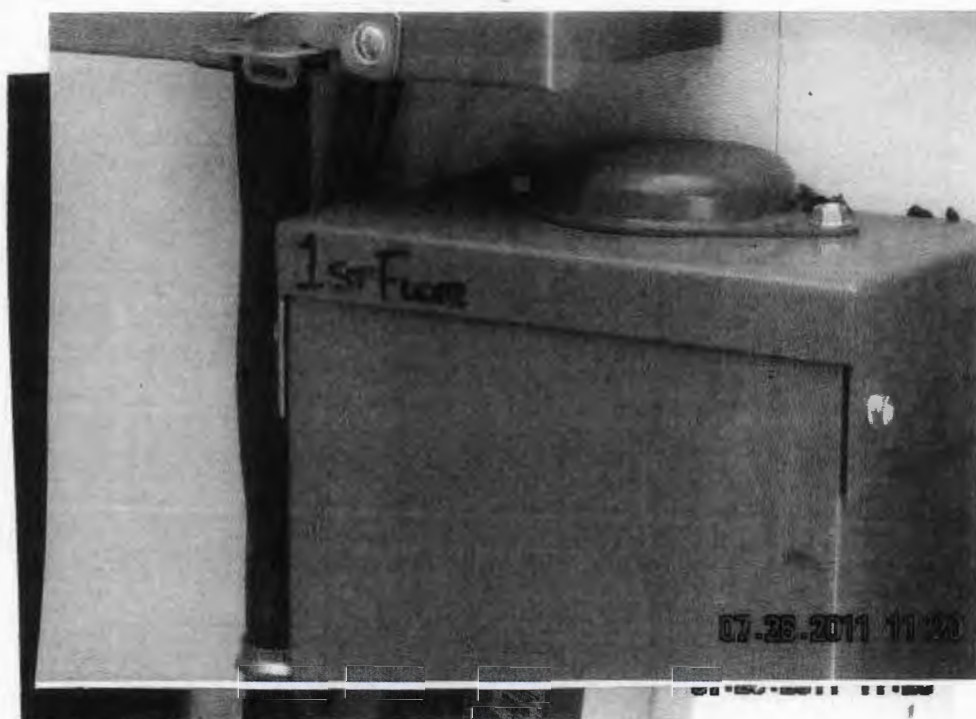


I HEREBY CERTIFY that I took the 4 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced complaint number on the date set out above.

RAY
Code Enforcement Officer

Complaint Nu
Property Addr
Date of Photog

79604



I HEREBY CERTIFY that I took the 4 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced complaint number on the date set out above.

RAY

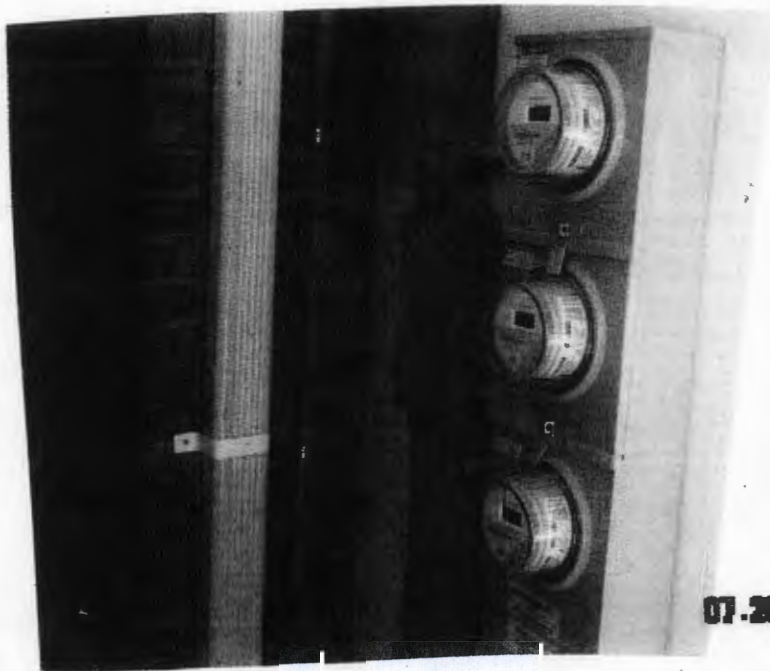
Code Enforcement Officer

Complaint Nu

Property Addr

Date of Photog

79604



07-28-2011 11:20

I HEREBY CERTIFY that I took the 4 photographs set out above, and that these photographs
(number of photos)
fairly and accurately depict the condition of the property that is the subject of the above-referenced complaint
number on the date set out above.

RAY

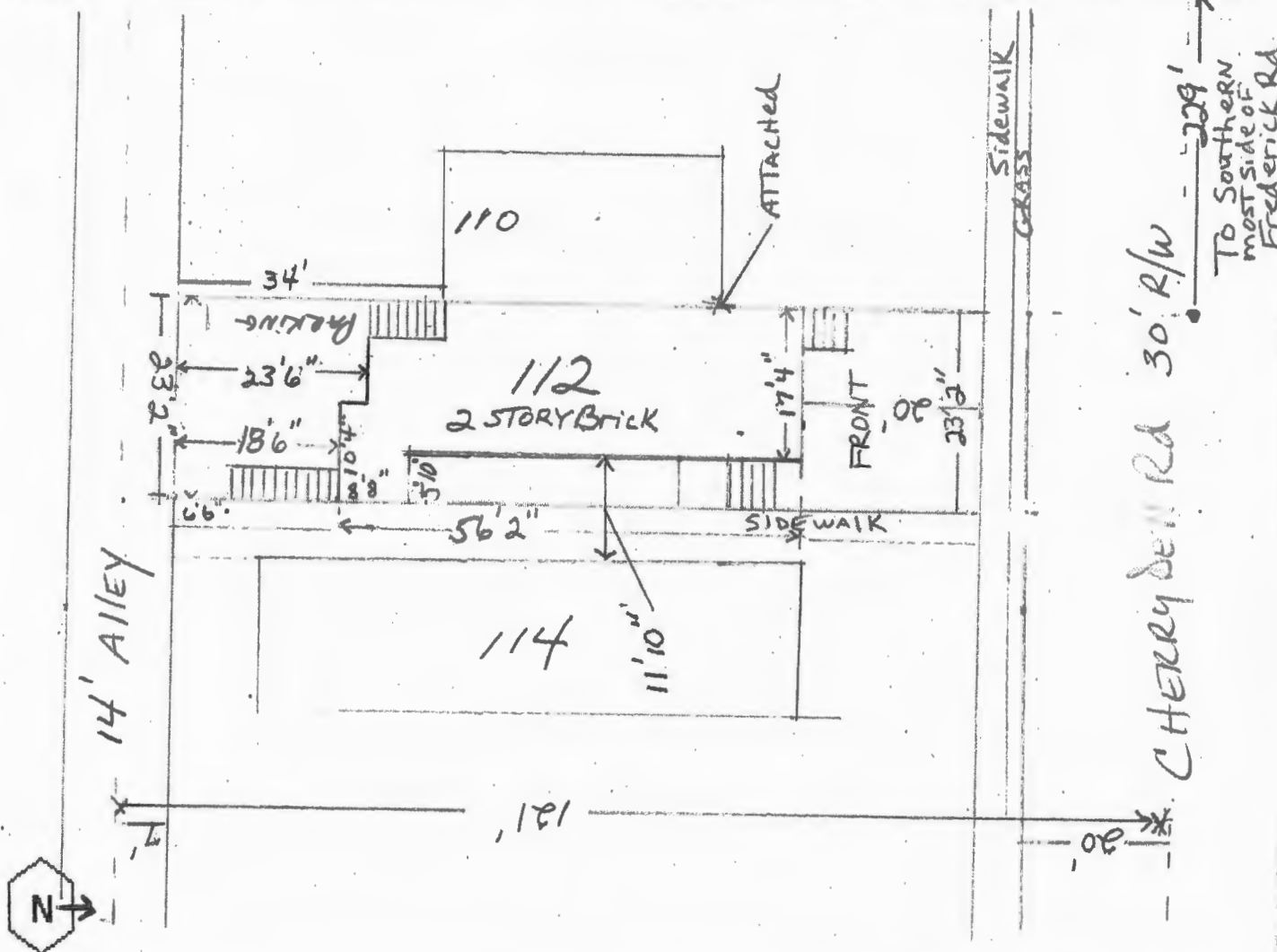
Code Enforcement Officer

SITE VICINITY MAP

ADDRESS 112 CHERRY dell Rd OWNER(S) NAME(S) JANET L Feuerstein / Paula A. Richards Sr.

SUBDIVISION NAME UNNAMED LOT # 13 BLOCK # SECTION #

PLAT BOOK # 10 FOLIO # 010110A 10 DIGIT TAX # 0103471200 DEED REF. # 30609/00075



PLAN DRAWN BY T. Richards DATE 9-28-11 SCALE: 1 INCH = 20 FEET

N
↑
GARDEN RIDGE Rd.
MAP IS NOT TO SCALE

ZONING MAP# 0101
SITE ZONED DR 10.5
ELECTION DISTRICT 1
COUNCIL DISTRICT 1
LOT AREA ACREAGE 2
OR SQUARE FEET 2783 SFT.
HISTORIC? NA
IN CBCA? NA
IN FLOOD PLAIN? NA
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? No.
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

98026

Illegal Conversion into
APARTMENTS.

2012-0095-SPH

Petitioner's Exh. 1