

MEMORANDUM

DATE: November 18, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0030-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 15, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *
(446 Neepier Road)

1st Election District *

1st Councilmanic District

Danielle N. Dupuis and Dina J. Fehr *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0030-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owners of the subject property, Danielle N. Dupuis and Dina J. Fehr. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a rear yard deck with a rear setback of 10 ft. in lieu of the maximum 22.5 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 1, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

ORDER RECEIVED FOR FILING

Date 10-16-13

By DW

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

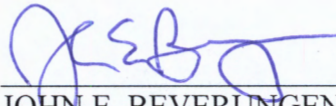
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 16th day of October, 2013, that a Variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a rear yard deck with a rear setback of 10 ft. in lieu of the maximum 22.5 ft., be and is hereby GRANTED, subject to the following:

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 10-16-13

By (signature)



KEVIN KAMENETZ
County Executive

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

October 16, 2013

Danielle N. Dupuis
Dina J. Fehr
446 Neeper Road
Catonsville, Maryland 21228

RE: Petition for Administrative Variance
Case No. 2014-0030-A
Property: 446 Neeper Road

Dear Applicants:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

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

Address 446 NEEPIER RD, CATONSVILLE, MD 21228 which is presently zoned DRS-5

Deed Reference NA 10 Digit Tax Account # 2500000388

Property Owner(s) Printed Name(s) DANIELLE N. DUPUIS + DINA J. FEHR

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. X **ADMINISTRATIVE VARIANCE** from section(s)

1B01.2.C.1.b → To permit a rear yard deck with a rear setback of 10 feet in lieu of the minimum 22.5 feet.

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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:

204-0030-A
46-599-7248
Dupuis

Legal Owners:

DANIELLE N. DUPUIS / DINA J. FEHR

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

446 NEEPIER RD. CATONSVILLE MD

Mailing Address

City

State

21228 / 410-599-7248 / PDU1979@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

MICHAEL ORLANDO

Name - Type or Print

Signature

APT. I ELLICOTT

8573 FALLS RUN RD CITY MD

Mailing Address

City

State

21043 / 443-812-5944 / MIKEORLANDO@SR@

Zip Code

Telephone #

Email Address yanoo.com

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2014-0030-A

Filing Date 8/6/13

Estimated Posting Date 9/1/13

Reviewer JS

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 446 NEEPIER RD. CATONSVILLE MD 21228
Print or Type Address of property City State Zip Code

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

We seek this variance so we may build a
practically proportioned deck for common use.

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

Michael Orlando
Signature of Affiant

Signature of Affiant

Michael Orlando
Name- Print or Type

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5 day of August, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Michael Orlando
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

STATE OF MARYLAND
COUNTY OF HOWARD
DIANA VIZGIRDAITE
NOTARY PUBLIC
MY COMMISSION EXP. 10/23/16

Diana Vizgirdaite
Notary Public
10/23/16
My Commission Expires

Property Description

446 Neepier Road

Southwest corner of the intersection of Neepier Road (30' wide) and West Geipe Road (30' wide).

Being Lot #5, Block #78 in the subdivision of Westchester Oak as recorded in Baltimore County Plat Book # 00078, Folio #32, containing 6,102 sq ft. Located in the 1st Election District and the 1st Councilmatic District.

2014-0030-A

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING
RECLASSIFICATION 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 reclassification hearing. This is accomplished by Baltimore County posting a sign on the property at least fifteen (15) days before the hearing and advertising in local newspapers. The advertising consists of a list and map of all reclassification petitions (cost evenly distributed between all petitioners), as well as individual advertising in local newspapers. The list and map must be published in two newspapers for three different weeks and the individual advertisements must be published in two newspapers fifteen (15) days prior to 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: 2014-0030-A
Petitioner: MICHAEL A. ORLANDO
Address or Location: 446 NEEPIER RD., CATONSVILLE, MD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL ORLANDO
Address: 8573 FALLS RUN ROAD APT I
ELLCOTT CITY, MD 21043
Telephone Number: 443-812-5944

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

No. **101530**

Date: **8/6/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
8/07/2013 8/06/2013 11:20:24 8

REC WSDM WALKIN SHIL GAN
>RECEIPT # 582606 8/06/2013 OFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 101530

Recpt Tot \$75.00
\$68 OK \$75.00 CA
Baltimore County, Maryland

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: **DUNNIST FEHR**

For: **2014-0030-1**

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

2014-0030-A

RE: Case No.: _____

Petitioner/Developer: _____

Dupuis & Fehr

September 16, 2013

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:

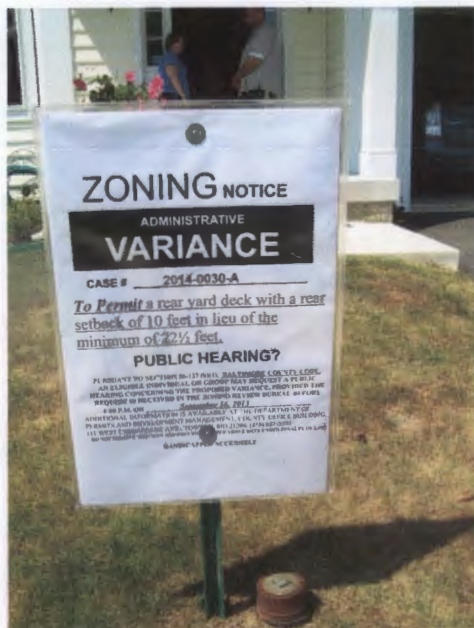
Ladies and Gentlemen:

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: _____

446 Neepier Rd

September 1, 2013

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



Sincerely,

(Signature of Sign Poster)

September 1, 2013

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive

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

October 1, 2013

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: 2014-0030-A

446 Neepier Road

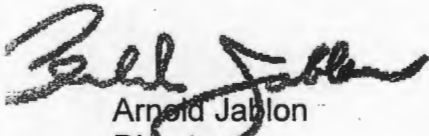
SW corner of Neepier Road and West Geipe Road

1st Election District – 1st Councilmanic District

Legal Owners: Danielle Dupuis & Dina Fehr

Variance to permit a rear yard deck with a rear setback of 10 feet in lieu of the minimum 22.5 feet.

Hearing: Thursday, November 21, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Dupuis/Fehr, 446 Neepier Road, Catonsville 21228
Michael Orlando, 8573 Falls Run Rd., Apt. I, Ellicott City 21043

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 1, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 31, 2013 Issue - Jeffersonian

Please forward billing to:
Danielle Dupuis
Dina Fehr
446 Neepier Road
Catonsville, MD 21228

410-599-7248

NOTICE OF ZONING HEARING

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CASE NUMBER: 2014-0030-A

446 Neepier Road
SW corner of Neepier Road and West Geipe Road
1st Election District – 1st Councilmanic District
Legal Owners: Danielle Dupuis & Dina Fehr

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

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

BALTIMORE COUNTY, MARYLAND

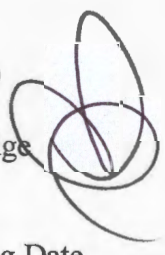
Inter-Office Memorandum

DATE: September 24, 2013

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: Lawrence M. Stahl, Managing Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance – 09/16/13 Closing Date
Case No. 2014-0030-A – 446 Neepler Road



After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing. Baltimore County Code (B.C.C.) § 32-3-303(a)(1), states in pertinent part:

“ ... the Zoning Commissioner may grant variances from area and height regulations **without a public hearing if the variance petition involves an owner-occupied lot** zoned residential” (Emphasis Added)

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

RE: PETITION FOR ADMINISTRATIVE * BEFORE THE OFFICE
VARIANCE
446 Neepier Road; SW corner Neepier Road,* OF ADMINISTRATIVE
And West Geipe Road
1st Election & 1st Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Danielle Dupuis & Dina Fehr * BALTIMORE COUNTY
Petitioner(s) *
* 2014-030-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 07 2013

.....

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 7th day of October, 2013, a copy of the foregoing Entry of Appearance was mailed to Michael Orlando, 8573 Falls Run Road, Apt. I, Elliott City, Maryland 21043, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>8-20</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>8-21</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>8-14</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>9-1-13</u> by <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0030 -A Address 446 NEEPIER RD

Contact Person: JASON SEIGERMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/6/13 Posting Date: 9/1/13 Closing Date: 9/16/13

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2014- 0030 -A Address 446 NEEPIER RD

Petitioner's Name DUPUIS + FEHR Telephone 410-599-7248

Posting Date: 9-1-13 Closing Date: 9-16-13

Wording for Sign: To Permit A REAR YARD DECK WITH A REAR SETBACK OF
10 FEET IN LIEU OF THE MINIMUM OF 22 1/2 FEET.

Revised 7/25/13



KEVIN KAMENETZ
County Executive

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

September 18, 2013

Danielle A Dupuis & Dina Fehr
446 Neepier Road
Catonsville MD 21228

RE: Case Number: 2014-0030 A, Address: 446 Neepier Road 21228

Dear Ms. Dupuis & Ms. Fehr:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 6, 2013. 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." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Michael Orlando, 8573 Falls Road, Apt. 1, Ellicott City MD 21043

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



Maryland Department of Transportation

James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 8-14-13

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

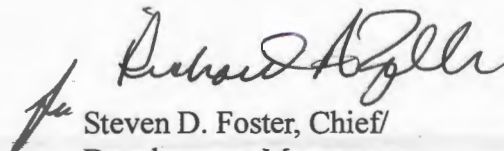
RE: Baltimore County
Item No 2014-0030-A
Administrative Variance
Danielle N. Dupuis ;
Dina J. Fehr
446 Neepier Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2014-0030-A.

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).

Sincerely,


Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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

Administrative Hearings - Re: Internet Inquiry Case 2014-0030-A (Admin. Var. - Closing: 9/16)

From: Administrative Hearings
To: Fehr, Dina
Date: 9/25/2013 8:17 AM
Subject: Re: Internet Inquiry Case 2014-0030-A (Admin. Var. - Closing: 9/16)

Good Morning,

This is in response to your internet inquiry.

After a review of the file, Judge Stahl has requested that this case be set in for a public hearing. The file is currently located in our office and is awaiting pickup by the Zoning Review Office. Once they receive, you will be contacted by their scheduler to place this on the hearing docket. I would suggest giving the Zoning Review Office a few days before contacting them (410-887-3391).

Thanks for contacting the Office of Administrative Hearings.

>>> Dina Fehr <dinajane@hotmail.com> 9/24/2013 11:48 AM >>>
To Whom It May Concern:

My contractor may be in the process of being replaced and am in need of assistance.
I received documentation that my Variance was accepted. How long before I receive official notice? Will this be mailed to me?
Once the official notice is received, can I submit with the deck diagram for final approval?

Is there anything else I should be aware of?

Sincerely,

Dina J Fehr
446 Neepier Rd
Catonsville MD 21228

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 20, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For August 19, 2013
Item Nos. 2014- 0025, 0026,0027, 0030 and 0013.

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

DAK:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: August 21, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0030-A
Address 446 Neeper Road
(Dupuis/ Fehr Property)

Zoning Advisory Committee Meeting of August 12, 2013.

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

Reviewer: *Jeff Livingston – Development Coordination*

RECEIVED

AUG 21 2013

OFFICE OF ADMINISTRATIVE HEARINGS

Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 01 Account Number - 2500000388		
Owner Information		
Owner Name:	DUPUIS DANIELLE N FEHR DINA J	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	446 NEEPIER RD BALTIMORE MD 21228-	Deed Reference: 1) /33266/ 00358 2)
Location & Structure Information		
Premises Address:	446 NEEPIER RD BALTIMORE MD 21228-	Legal Description: .1401 AC 446 NEEPIER RD SS WESTCHESTER OAKS
Map: 0094	Grid: 0022	Parcel: 0155
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 5	Assessment Year: 2013
Plat No:		Plat Ref: 0078/ 0132
Special Tax Areas:		Town: NONE
		Ad Valorem:
		Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
2013	2,280 SF	800 SF
Property Land Area	County Use	
6,102 SF	04	
Stories	Basement	Type
2.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	3 full/ 1 half	2 Attached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2013
Land:	150,100	112,600
Improvements	331,700	341,900
Total:	481,800	454,500
Preferential Land:	0	454,500
		As of
		07/01/2013
		As of
		07/01/2014
		454,500
		454,500
		0
Transfer Information		
Seller: MUELLER HOMES	Date: 03/07/2013	Price: \$453,500
Type: ARMS LENGTH IMPROVED	Deed1: /33266/ 00358	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

[New Search](#)

District: 01 Account Number: 2500000388



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

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

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

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



☒ Loading... Please Wait. Loading... Please Wait.

→

[Search Help](#)

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 01 Account Number - 2500000388		
Owner Information		
Owner Name:	DUPUIS DANIELLE N FEHR DINA J	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	446 NEEPIER RD BALTIMORE MD 21228-	Deed Reference: 1) /33266/ 00358 2)
Location & Structure Information		
Premises Address:	446 NEEPIER RD BALTIMORE MD 21228-	Legal Description: .1401 AC 446 NEEPIER RD SS WESTCHESTER OAKS
Map: 0094	Grid: 0022	Parcel: 0155
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 5	Assessment Year: 2013
Plat No:	Plat Ref: 0078/ 0132	
Special Tax Areas:	Town: NONE	Ad Valorem:
Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
2013	2,280 SF	800 SF
Property Land Area	County Use	
6,102 SF	04	
Stories	Basement	Type
2.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	3 full/ 1 half	2 Attached
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
Land:	150,100	112,600
Improvements	331,700	341,900
Total:	481,800	454,500
Preferential Land:	0	454,500
		0
Transfer Information		
Seller: MUELLER HOMES	Date: 03/07/2013	Price: \$453,500
Type: ARMS LENGTH IMPROVED	Deed1: /33266/ 00358	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Real Property Data Search (w1)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:		District - 01 Account Number - 2500000388
Owner Information		
Owner Name:	DUPUIS DANIELLE N FEHR DINA J	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	446 NEEPIER RD BALTIMORE MD 21228-	Deed Reference: 1) /33266/ 00358 2)
Location & Structure Information		
Premises Address:	446 NEEPIER RD BALTIMORE MD 21228-	Legal Description: .1401 AC 446 NEEPIER RD SS WESTCHESTER OAKS
Map:	Grid:	Parcel:
0094	0022	0155
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	5	2013
Plat No:	Plat Ref:	
	0078/ 0132	
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
2013	2,280 SF	800 SF
Property Land Area	County Use	
6,102 SF	04	
Stories	Basement	Type
2.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	3 full/ 1 half	2 Attached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2013
Land:	150,100	112,600
Improvements	331,700	341,900
Total:	481,800	454,500
Phase-in Assessments		As of
		07/01/2013
As of		07/01/2014
Land:		
Improvements		
Total:		
Preferential Land:	0	0
Transfer Information		
Seller: MUELLER HOMES	Date: 03/07/2013	Price: \$453,500
Type: ARMS LENGTH IMPROVED	Deed1: /33266/ 00358	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 01 Account Number - 2500000388		
Owner Information		
Owner Name:	DUPUIS DANIELLE N FEHR DINA J 446 NEEPIER RD BALTIMORE MD 21228-	Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1)/33266/ 00358 2)
Mailing Address:		
Location & Structure Information		
Premises Address:	446 NEEPIER RD BALTIMORE MD 21228-	Legal Description: .1401 AC 446 NEEPIER RD SS WESTCHESTER OAKS
Map: 0094	Grid: 0022	Parcel: 0155
Sub District:	Subdivision: 0000	Section:
Block: 5	Lot: 2013	Assessment Year:
Flat No:	Flat Ref: 0078/ 0132	Town: NONE
Special Tax Areas:		
Primary Structure Built 2013	Above Grade Enclosed Area 2,280 SF	Finished Basement Area 800 SF
Property Land Area 6,102 SF	County Use 04	
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior SIDING	Full/Half Bath 3 full/ 1 half	Garage 2 Attached
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
Land: 150,100	112,600	As of 07/01/2014
Improvements: 331,700	341,900	
Total: 481,800	454,500	454,500
Preferential Land: 0		0
Transfer Information		
Seller: MUELLER HOMES	Date: 03/07/2013	Price: \$453,500
Type: ARMS LENGTH IMPROVED	Deed1: /33266/ 00358	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County: 000		0.00
State: 000		0.00
Municipal: 000		0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		



2014-0030-A



2014-0030-A



2014-0030-A



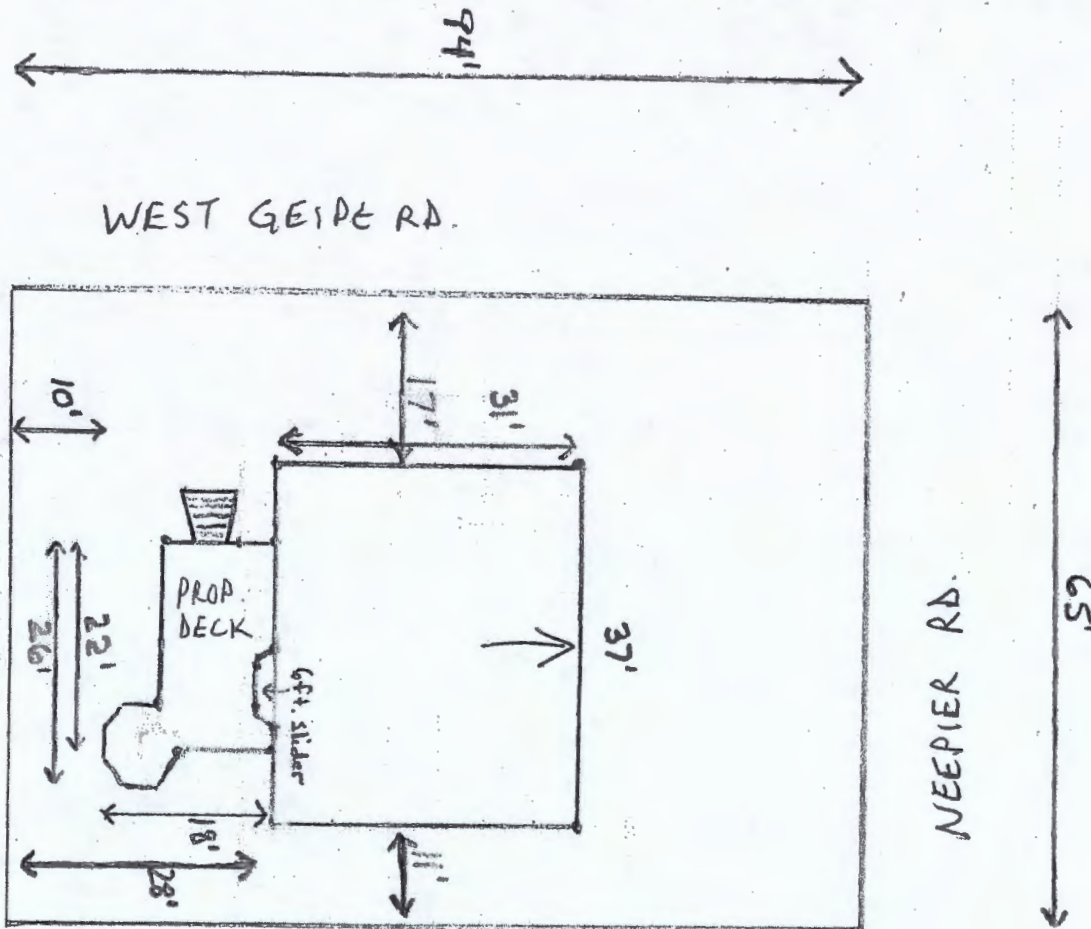
2014-0030-4

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

ADDRESS 446 NEEPIER RD, CATONSVILLE, MD. 21228 OWNER(S) NAME(S) DANIELLE N. DUPUIS + DINA J. FEHR

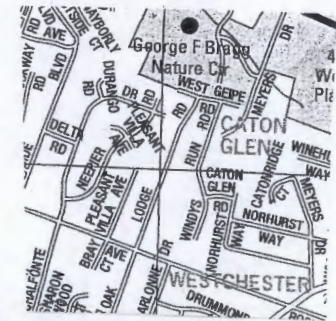
SUBDIVISION NAME WESTCHESTER OAKS LOT# 5 BLOCK# 78 SECTION# N/A

PLAT BOOK# 78 FOLIO# 132 10 DIGIT TAX# 2500000388 DEED REF.# NA 1 NA



PLAN DRAWN BY MIKE ORLANDO DATE 8-5-13 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 094B3

SITE ZONED DR 5.5

ELECTION DISTRICT 1

COUNCIL DISTRICT 1

LOT AREA ACREAGE .1401A

OR SQUARE FEET 6102

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2014-0030-A

Per En A



GEORGE F. BRAGG
NATURE CENTER

2014-0030-A

033266 361

State of Maryland Land Instrument Intake Sheet

[] Baltimore City [X] County: Baltimore

Information provided is for the use of the Clerk's Office and State Department of Assessments and Taxation, and the County Finance Office only.

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

1	Type(s) of Instruments	(([] Check Box if Addendum Intake Form is Attached.)			
2	Conveyance Check Box	☒ Deed	☐ Mortgage	☐ Other	☐ Other
3	Tax Exemptions (If Applicable) Cite or Explain Authority	☒ Deed of Trust	☐ Lease	☐ Unimproved Sale	☐ Multiple Arms Length [3]
4	Consideration and Tax Calculations	Finance Office Use Only			
5	Fees	Agent:			
6	Description of Property	Tax Bill:			
7	Transferred From	C.B. Credit:			
8	Transferred To	Ag. Tax/Other:			
9	Other Names to Be Indexed	Doc. 1 - Grantor(s) Name(s)			
10	Contact/Mail Information	Doc. 2 - Grantor(s) Name(s)			
11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	Doc. 1 - Owner(s) of Record, if Different from Grantor(s)			
		Doc. 2 - Owner(s) of Record, if Different from Grantor(s)			
		Doc. 1 - Grantee(s) Name(s)			
		Doc. 2 - Grantee(s) Name(s)			
		New Owner's (Grantee) Mailing Address			
		Doc. 1 - Additional Names to be Indexed (Optional)			
		Doc. 2 - Additional Names to be Indexed (Optional)			
		Presidential Bank, FSB			
		Instrument Submitted By or Contact Person			
		Name: Thomas M. Pelagatti			
		Firm: Thomas M. Pelagatti, Attorney at Law			
		Address: 306 Merrimac Court Prince Frederick, MD 20678			
		Phone: Telephone: 410-535-0060 Fax: 410-535-9422			
		Return to Contact Person			
		Hold for Pickup			
		Return Address Provided			
		Assessment Information			
		Will the property being conveyed be the grantee's principal residence?			
		Does transfer include personal property? If yes, identify:			
		Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)			
		Assessment Use Only - Do Not Write Below This Line			
		[] Terminal Verification [] Agricultural Verification [] Whole [] Part [] Tran. Process Verification			
		Transfer Number: Date Received: Deed Reference: Assigned Reason: No			
		Director of Budget and Finance			
		BALTIMORE COUNTY, MARYLAND			
		T.P. # 82-108			
		Ex. Cd. 6			
		Date 3/7/13			

IMP FD SURE 40.00
RECORDING FEE 28.00
TR TAX STATE 2,267.50
TOTAL 2,327.50
Rep # B004 Rcr # 18924
JLE CR Blk # 988
V.L. 07 2513 11-54-24Transfer and Recordation Tax Consideration
Transfer Tax Consideration \$
x () % = \$
Less Exemption Amount
Total Transfer Tax = \$
Recordation Tax Consideration \$
x () per \$500 = \$
TOTAL DUE \$ 2267.50Agent:
Tax Bill:
C.B. Credit:
Ag. Tax/Other:

District Property Tax ID No.(1) Grantor Liber/Folio Map Parcel No. Var. LOG

01-2500000388 24225/173 78/132

Subdivision Name Lot (3a) Block(3b) Sect/AR(3c) Plat Ref. SqFt/Acreage(4)

Westchester Oaks 5 78/132

Location/Address of Property Being Conveyed (2)

446 Neeper Road, Catonsville, MD 21228

Other Property Identifiers (if applicable) Water Meter Account No.

Residential [X] or Non-Residential [] Fee Simple [X] or Ground Rent [] Amount: \$N/A

Partial Conveyance? [] Yes [X] No Description/Amt. of SqFt/Acreage Transferred: N/A

If Partial Conveyance, List Improvements Conveyed: N/A

Doc. 1 - Grantor(s) Name(s) Doc. 2 - Grantor(s) Name(s)

Mueller Homes, Inc. Danielle N. Dupuis

Dina J. Fehr

Doc. 1 - Owner(s) of Record, if Different from Grantor(s) Doc. 2 - Owner(s) of Record, if Different from Grantor(s)

Doc. 1 - Grantee(s) Name(s) Doc. 2 - Grantee(s) Name(s)

Danielle N. Dupuis A. Bruce Cleveland

Dina J. Fehr John Schoemer

New Owner's (Grantee) Mailing Address

446 Neeper Road, Catonsville, MD 21228

Doc. 1 - Additional Names to be Indexed (Optional) Doc. 2 - Additional Names to be Indexed (Optional)

Presidential Bank, FSB

Instrument Submitted By or Contact Person

Name: Thomas M. Pelagatti

Firm: Thomas M. Pelagatti, Attorney at Law

Address: 306 Merrimac Court Prince Frederick, MD 20678

Phone: Telephone: 410-535-0060 Fax: 410-535-9422

Return to Contact Person

Hold for Pickup

Return Address Provided

Assessment Information

Will the property being conveyed be the grantee's principal residence?

Does transfer include personal property? If yes, identify:

Was property surveyed? If yes, attach copy of survey (if recorded, no copy required)

Assessment Use Only - Do Not Write Below This Line

[] Terminal Verification [] Agricultural Verification [] Whole [] Part [] Tran. Process Verification

Transfer Number: Date Received: Deed Reference: Assigned Reason: No

Director of Budget and Finance

BALTIMORE COUNTY, MARYLAND

T.P. # 82-108

Ex. Cd. 6

Date 3/7/13