



KEVIN KAMENETZ  
*County Executive*

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

March 3, 2015

Stephen DeAngelis  
7305 Cheryl Avenue  
Kingsville, Maryland 21087

RE: Petition for Variance  
Property: 7305 Cheryl Avenue  
Case No. 2015-0154-A

Dear Mr. DeAngelis:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County 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:sln  
Enclosure

c: Robert Wilhelm, 12112 Glen Bauer Road, Kingsville, Maryland 21087

**IN RE: PETITION FOR VARIANCE  
(7305 Cheryl Avenue)**

11<sup>th</sup> Election District

3<sup>rd</sup> Council District

Robert P. Wilhelm, Jr.

*Legal Owner*

Stephen DeAngelis

*Contract Purchaser*

Petitioners

\*

\*

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\*

\*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2015-0154-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Robert P. Wilhelm, Jr., legal owner and Stephen DeAngelis, contract purchaser ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1A04.3.B.2.b to permit a proposed addition with a side yard setback of 7 ft., 11 in., and a centerline of street setback of 54 ft., 3 in. in lieu of the required 50 ft. and 75 ft., respectively. A site plan was marked and admitted as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the request was Steven DeAngelis. No Protestants or interested citizens were in attendance. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency recommended that the relief be granted, and did not believe the modest enlargement of the home would be detrimental to the health, safety or general welfare of the community.

The subject property is approximately 17,728 square feet and is zoned RC 5. The property is improved with a single family dwelling (1,677 sq. ft.) constructed in 1952. Mr. DeAngelis plans to purchase the home from his grandmother, who is in poor health and lives in a convalescent

ORDER RECEIVED FOR FILING

Date 3/3/15

By sen

home. To accommodate the needs of his family and add an additional bathroom, he proposes to construct an addition to the side of the dwelling. To do so, Petitioners require variance relief.

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

*Trinity Assembly of God v. People's Counsel*, 407 Md. 53, 80 (2008).

Petitioner has met this test. The existing dwelling is situated to the northeast side of the lot. As such, the property is unique. Petitioners would experience a practical difficulty if the regulations were strictly interpreted, since they would be unable to construct the proposed addition. I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of community opposition and the support of the DOP.

THEREFORE, IT IS ORDERED, this 3rd day of March, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R") §1A04.3.B.2.b to permit a proposed addition with a side yard setback of 7 ft., 11 in., and a centerline of street setback of 54 ft., 3 in. in lieu of the required 50 ft. and 75 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date

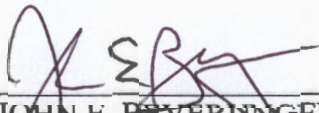
3/3/15

By

sen

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

JEB:slh

  
\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

ORDER RECEIVED FOR FILING

Date 3/3/15 \_\_\_\_\_  
By slh \_\_\_\_\_



# PETITION FOR ZONING HEARING(S)

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

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

Address 7305 Cheryl Ave Kingsville, MD 21087 which is presently zoned RC5  
 Deed References: 25787/00628 10 Digit Tax Account # 1123052606  
 Property Owner(s) Printed Name(s) MARGARET Wilhelm; Robert Wilhelm JR Trustees

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

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

1.        a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2.        a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

Section 1A04.3.B.2.b – to permit a proposed addition with a side yard setback of 7 feet, 11 inches and a centerline of street setback of 54 feet, 3 inches in lieu of the required 50 feet and 75 feet, respectively.

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

to be presented at hearing

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

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

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

## Contract Purchaser/Lessee:

Name - Type or Print Steven DeAngelis  
 Signature [Signature]  
 Mailing Address 7305 Cheryl Ave Kingsville MD  
 City State  
 Zip Code 21087 Telephone # 443-546-0656 Email Address sldeang2@gmail.com

## Attorney for Petitioner:

Name - Type or Print ORDER RECEIVED FOR FILING  
 Signature [Signature] Date 3/3/15  
 Mailing Address [Signature] City State  
 Zip Code Telephone # Email Address

CASE NUMBER 2015-0154-A Filing Date 1/14/15

## Legal Owners (Petitioners):

Name #1 - Type or Print Robert P. Wilhelm, Jr. Name #2 - Type or Print  
 Signature #1 [Signature] Signature #2  
 Mailing Address 12112 GLENBAUER RD Kingsville MD City State  
 Zip Code 21087 Telephone # 410 905-8225 Email Address RRRWIL@YAHOO.COM

## Representative to be contacted:

Name - Type or Print Robert P. Wilhelm, Jr.  
 Signature [Signature]  
 Mailing Address 12112 GLENBAUER RD Kingsville MD City State  
 Zip Code 21087 Telephone # 410 905-8225 Email Address RRRWIL@YAHOO.COM

Do Not Schedule Dates: Reviewer [Signature]

## ZONING PROPERTY DESCRIPTION FOR 7305 CHERYL AVENUE

Beginning at a point on the southwest side of Cheryl Avenue, which has an 18-foot right of way, at the distance of 264 feet southeast of the centerline of the nearest improved intersecting street Belair Road, which has a 45-foot right of way.

Thence the following courses and distances: (1<sup>st</sup> Point of Calling) Southeasterly 139' 11", (2<sup>nd</sup> POC) Southwesterly 167' 1", (3<sup>rd</sup> POC) Northwesterly 139' 11", (4<sup>th</sup> POC) Northeasterly 167' 1", back to the point of beginning as recorded in Deed Liber #25787, Folio #628, containing 17,728 square feet. Located in the 11<sup>th</sup> Election District and 3<sup>rd</sup> Councilmanic District.

Item #0154

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

No.

**119670**

Date:

**1/14/15**

**PAID RECEIPT**

BUSINESS ACTUAL TIME BRW  
 1/14/2015 1/14/2015 10:34:34 8

REG WSD4 WALKIN SHIL SAN  
 RECEIPT # 655510 1/14/2015 OFLN

Det 3 526 ZONING VERIFICATION  
 CR NO. 119670

Recpt Tot \$75.00  
 \$75.00 CK \$4.00 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            |                  |          |         | 575.00 |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |

Total: **575.00**

Rec

From:

For:

**Zoning Hearing - case # 2015-0154-A**

**DISTRIBUTION**

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

**CASHIER'S  
 VALIDATION**

# 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.**

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#### For Newspaper Advertising:

Item Number or Case Number: 2015-0154-A  
Petitioner: Steven DeAngelis  
Address or Location: 7305 Cheryl Ave Kingsville, MD 21087

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: Steven DeAngelis  
Address: 7305 Cheryl Ave  
Kingsville, MD 21087  
Telephone Number: 443-546-0650

Case No.: 2015-0154-A

Exhibit Sheet

Petitioner/Developer

*PD  
A-3-15*

Protestants

*3/3/15  
Sen*

|        |           |  |
|--------|-----------|--|
| No. 1  | site plan |  |
| No. 2  | photos    |  |
| No. 3  |           |  |
| No. 4  |           |  |
| No. 5  |           |  |
| No. 6  |           |  |
| No. 7  |           |  |
| No. 8  |           |  |
| No. 9  |           |  |
| No. 10 |           |  |
| No. 11 |           |  |
| No. 12 |           |  |

PETITIONER'S

EXHIBIT NO. 2













Find Tile Map

Created By  
Baltimore County  
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 2/27/2015

## MEMORANDUM

DATE: April 3, 2015  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2015-0154-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on April 2, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File  
Office of Administrative Hearings

CHECKLISTSupport/Oppose/  
Conditions/  
Comments/  
No CommentComment  
ReceivedDepartment

1/23/15

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent \_\_\_\_\_)

N/C

DEPS

(if not received, date e-mail sent \_\_\_\_\_)

FIRE DEPARTMENT

2/3/15

PLANNING

(if not received, date e-mail sent \_\_\_\_\_)

approve  
w/c

1/22

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. \_\_\_\_\_)

PRIOR ZONING

(Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT

Date:

2/5/15

SIGN POSTING

Date:

2/6/15

by

Altomeyer

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

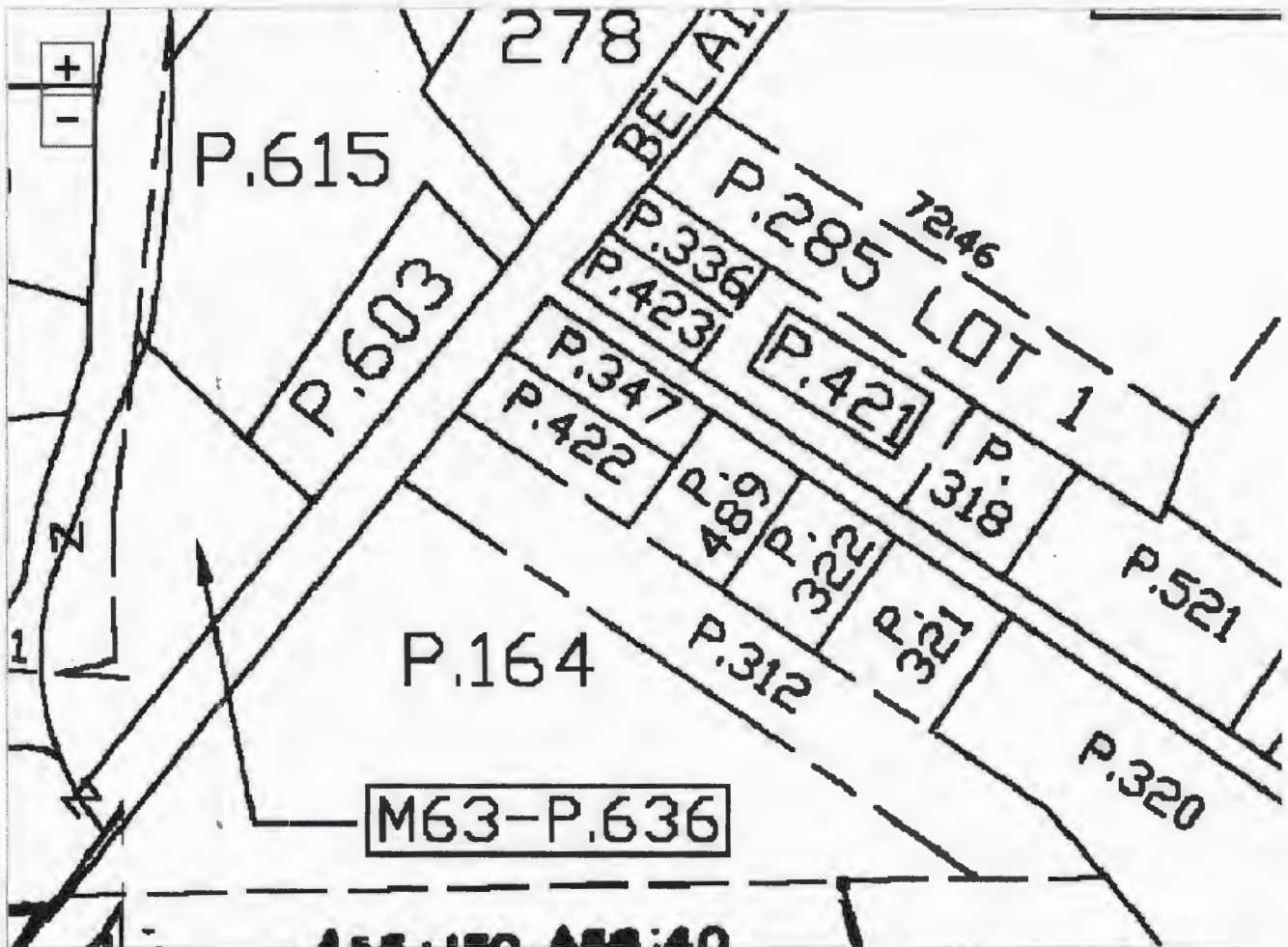
☐

Comments, if any: \_\_\_\_\_

## Guide to searching the database

| View Map                                            |                 | View GroundRent Redemption                                     |                      |                               |                                             | View GroundRent Registration         |                              |                                                                 |                               |
|-----------------------------------------------------|-----------------|----------------------------------------------------------------|----------------------|-------------------------------|---------------------------------------------|--------------------------------------|------------------------------|-----------------------------------------------------------------|-------------------------------|
| <b>Account Identifier:</b>                          |                 | <b>District - 11 Account Number - 1123052606</b>               |                      |                               |                                             |                                      |                              |                                                                 |                               |
| <b>Owner Information</b>                            |                 |                                                                |                      |                               |                                             |                                      |                              |                                                                 |                               |
| <b>Owner Name:</b>                                  |                 | <b>WILHELM MARGARET M<br/>WILHELM ROBERT P JR<br/>TRUSTEES</b> |                      |                               |                                             | <b>Use:<br/>Principal Residence:</b> |                              | <b>RESIDENTIAL<br/>YES</b>                                      |                               |
| <b>Mailing Address:</b>                             |                 | <b>7306 CHERYL AVE<br/>KINGSVILLE MD 21087-1629</b>            |                      |                               |                                             | <b>Deed Reference:</b>               |                              | <b>/25787/ 00628</b>                                            |                               |
| <b>Location &amp; Structure Information</b>         |                 |                                                                |                      |                               |                                             |                                      |                              |                                                                 |                               |
| <b>Premises Address:</b>                            |                 | <b>7306 CHERYL AVE<br/>0-0000</b>                              |                      |                               |                                             | <b>Legal Description:</b>            |                              | <b>LT SWS CHERYL AV<br/>7306 CHERYL AVE<br/>260 E BELAIR RD</b> |                               |
| <b>Map:</b>                                         | <b>Grid:</b>    | <b>Parcel:</b>                                                 | <b>Sub District:</b> | <b>Subdivision:</b>           | <b>Section:</b>                             | <b>Block:</b>                        | <b>Lot:</b>                  | <b>Assessment Year:</b>                                         | <b>Plat No:<br/>Plat Ref:</b> |
| 0064                                                | 0001            | 0489                                                           |                      | 0000                          |                                             |                                      |                              | 2015                                                            |                               |
| <b>Special Tax Areas:</b>                           |                 |                                                                |                      |                               | <b>Town:<br/>Ad Valorem:<br/>Tax Class:</b> |                                      | <b>NONE</b>                  |                                                                 |                               |
| <b>Primary Structure Built</b>                      |                 | <b>Above Grade Enclosed Area</b>                               |                      | <b>Finished Basement Area</b> |                                             | <b>Property Land Area</b>            |                              | <b>County Use</b>                                               |                               |
| 1952                                                |                 | 1,677 SF                                                       |                      | 546 SF                        |                                             | 17,728 SF                            |                              | 04                                                              |                               |
| <b>Stories</b>                                      | <b>Basement</b> | <b>Type</b>                                                    |                      | <b>Exterior</b>               | <b>Full/Half Bath</b>                       | <b>Garage</b>                        | <b>Last Major Renovation</b> |                                                                 |                               |
|                                                     |                 | STANDARD UNIT                                                  |                      | FRAME                         | 1 full                                      | 1 Attached                           |                              |                                                                 |                               |
| <b>Value Information</b>                            |                 |                                                                |                      |                               |                                             |                                      |                              |                                                                 |                               |
|                                                     |                 | <b>Base Value</b>                                              |                      | <b>Value</b>                  |                                             | <b>Phase-in Assessments</b>          |                              |                                                                 |                               |
|                                                     |                 |                                                                |                      | <b>As of</b>                  |                                             | <b>As of</b>                         |                              | <b>As of</b>                                                    |                               |
|                                                     |                 |                                                                |                      | 01/01/2015                    |                                             | 07/01/2014                           |                              | 07/01/2015                                                      |                               |
| <b>Land:</b>                                        |                 | 83,400                                                         |                      | 83,400                        |                                             |                                      |                              |                                                                 |                               |
| <b>Improvements</b>                                 |                 | 85,500                                                         |                      | 139,700                       |                                             |                                      |                              |                                                                 |                               |
| <b>Total:</b>                                       |                 | 168,900                                                        |                      | 223,100                       |                                             | 168,900                              |                              | 186,967                                                         |                               |
| <b>Preferential Land:</b>                           |                 | 0                                                              |                      |                               |                                             |                                      |                              | 0                                                               |                               |
| <b>Transfer Information</b>                         |                 |                                                                |                      |                               |                                             |                                      |                              |                                                                 |                               |
| <b>Seller: WILHELM ROBERT P</b>                     |                 |                                                                |                      | <b>Date: 06/14/2007</b>       |                                             |                                      |                              | <b>Price: \$0</b>                                               |                               |
| <b>Type: NON-ARMS LENGTH OTHER</b>                  |                 |                                                                |                      | <b>Deed1: /25787/ 00628</b>   |                                             |                                      |                              | <b>Deed2:</b>                                                   |                               |
| <b>Seller:</b>                                      |                 |                                                                |                      | <b>Date:</b>                  |                                             |                                      |                              | <b>Price:</b>                                                   |                               |
| <b>Type:</b>                                        |                 |                                                                |                      | <b>Deed1:</b>                 |                                             |                                      |                              | <b>Deed2:</b>                                                   |                               |
| <b>Seller:</b>                                      |                 |                                                                |                      | <b>Date:</b>                  |                                             |                                      |                              | <b>Price:</b>                                                   |                               |
| <b>Type:</b>                                        |                 |                                                                |                      | <b>Deed1:</b>                 |                                             |                                      |                              | <b>Deed2:</b>                                                   |                               |
| <b>Exemption Information</b>                        |                 |                                                                |                      |                               |                                             |                                      |                              |                                                                 |                               |
| <b>Partial Exempt Assessments:</b>                  |                 | <b>Class</b>                                                   |                      | <b>07/01/2014</b>             |                                             | <b>07/01/2015</b>                    |                              |                                                                 |                               |
| <b>County:</b>                                      |                 | 000                                                            |                      | 0.00                          |                                             |                                      |                              |                                                                 |                               |
| <b>State:</b>                                       |                 | 000                                                            |                      | 0.00                          |                                             |                                      |                              |                                                                 |                               |
| <b>Municipal:</b>                                   |                 | 000                                                            |                      | 0.00 0.00                     |                                             | 0.00 0.00                            |                              |                                                                 |                               |
| <b>Tax Exempt:</b>                                  |                 |                                                                |                      | <b>Special Tax Recapture:</b> |                                             |                                      |                              |                                                                 |                               |
| <b>Exempt Class:</b>                                |                 |                                                                |                      | <b>NONE</b>                   |                                             |                                      |                              |                                                                 |                               |
| <b>Homestead Application Information</b>            |                 |                                                                |                      |                               |                                             |                                      |                              |                                                                 |                               |
| <b>Homestead Application Status: No Application</b> |                 |                                                                |                      |                               |                                             |                                      |                              |                                                                 |                               |

## Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **11** Account Number: **1123052606**

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

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

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

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



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

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

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KEVIN KAMENETZ  
County Executive

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

February 19, 2015

Robert P Wilhelm Jr.  
12112 Glenbauer Road  
Kingsville MD 21087

RE: Case Number: 2015-0154 A, Address: 7305 Cheryl Avenue

Dear Mr. Wilhelm:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 14, 2015. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel  
Steyen DeAngelis, 7305 Cheryl Avenue, Kingsville MD 21087

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: 1/22/15

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

RE: Baltimore County  
Item No 2015-0154-A.  
*Variance*  
*Robert P. Wilhelm Jr.*  
*7305 Cherry Avenue*

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. 2015-0154-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

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

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

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

**DATE:** February 3, 2015

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT:** 7305 Cheryl Road

RECEIVED

**INFORMATION:**

FEB 05 2015

**Item Number:** 15-154

**Petitioner:** Robert Wilhelm, Jr.

OFFICE OF ADMINISTRATIVE HEARINGS

**Zoning:** RC 5

**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

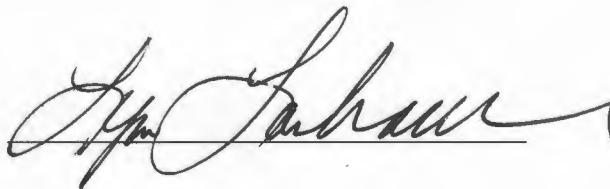
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The subject request is for a variance for front and side yard setbacks for an addition on a residential property located in Kingsville.

The addition requested by the petitioner is approximately 10' by 28' that will provide for an enlargement of the living room and bedroom. According to the property owner there are also plans to enlarge the second floor. Even with this enlargement the house would still be of similar size to the other dwellings in the neighborhood. The variance request for front yard setback is not of concern as the addition does not extend out from the existing dwelling and is of similar distance as the neighboring dwelling. The variance for side yard setback is of most concern given it reduces an already nonconforming setback from approximately 15' to 8' and the lot is undersized by today's standards. However, because the proposed enlargement is modest in size and the property owner has indicated he owns the adjacent property this reduces that concern.

It is the recommendation of this department that the requested relief should be granted as it is not anticipated that the granting of this request will be detrimental to the health, safety, or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Wallace S. Lippincott, Jr. at 410-887-3480.

**Division Chief:**  
AVA/LL



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** January 23, 2015

**FROM:** <sup>DAK</sup>  
Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For January 29, 2015  
Item No. 2015-0149, 0150, 0151, 0152, 0154 and 0155

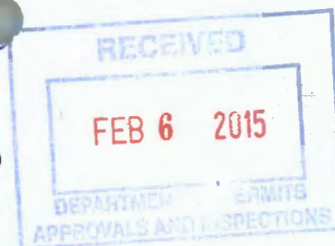
The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK:CEN  
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC01232015 -.doc

2/6/15  
wcd

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



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

**DATE:** February 3, 2015

**FROM:** Andrea Van Arsdale  
Director, Department of Planning

**SUBJECT:** 7305 Cheryl Road

**INFORMATION:**

**Item Number:** 15-154

**Petitioner:** Robert Wilhelm, Jr.

**Zoning:** RC 5

**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The subject request is for a variance for front and side yard setbacks for an addition on a residential property located in Kingsville.

The addition requested by the petitioner is approximately 10' by 28' that will provide for an enlargement of the living room and bedroom. According to the property owner there are also plans to enlarge the second floor. Even with this enlargement the house would still be of similar size to the other dwellings in the neighborhood. The variance request for front yard setback is not of concern as the addition does not extend out from the existing dwelling and is of similar distance as the neighboring dwelling. The variance for side yard setback is of most concern given it reduces an already nonconforming setback from approximately 15' to 8' and the lot is undersized by today's standards. However, because the proposed enlargement is modest in size and the property owner has indicated he owns the adjacent property this reduces that concern.

It is the recommendation of this department that the requested relief should be granted as it is not anticipated that the granting of this request will be detrimental to the health, safety, or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Wallace S. Lippincott, Jr. at 410-887-3480.

**Division Chief:**  
AVA/LL



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

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3019245

**Sold To:**

Steven DeAngelis - CU00418358  
7305 Cheryl Ave  
Kingsville, MD 21087

**Bill To:**

Steven DeAngelis - CU00418358  
7305 Cheryl Ave  
Kingsville, MD 21087

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

Feb 05, 2015

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

**NOTICE OF ZONING HEARING**

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

**Case: # 2015-0154-A**  
7305 Cheryl Avenue  
SW/s Cheryl Avenue, 264 ft. S/e of Belair Road  
11th Election District - 3rd Councilmanic District  
Legal Owner(s) Robert Wilhelm, Jr.  
Contract Purchaser(s)/Lessee: Steven DeAngelis

**Variance:** to permit a proposed addition with a side yard setback of 7 ft., 11 inches and a centerline of street setback of 54 ft., 3 inches in lieu of the required 50 ft. and 75 ft., respectively.

**Hearing:** Friday, February 27, 2015 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.

2/014 February 5 3019245

# CERTIFICATE OF POSTING

Date: 02/06/2015

RE: Project Name: Public Hearing  
Case Number /PAI Number: 2015-0154-A  
Petitioner/Developer: Robert Wilhelm Jr./Steven DeAngelis  
Date of Hearing/Closing: 02/27/2015

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at \_\_\_\_\_  
7305 Cheryl Avenue Kingsville, MD. 21087

The sign(s) were posted on 02/06/2015

(Month, Day, Year)

(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

**(Street Address of Sign Poster)**

**Freeland, Md. 21053**

(City, State, Zip Code of Sign Poster)

**410-382-6580**

(Telephone Number of Sign Poster)





KEVIN KAMENETZ  
County Executive  
January 27, 2015

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

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

Arnold Jablon  
Director

AJ:kl

C: Steven DeAngelis, 7305 Cheryl Avenue, Kingsville 21087  
Robert Wilhelm, Jr., 12112 Glenbauer Road, Kingsville 21087

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 7, 2015.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ  
County Executive  
January 27, 2015

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

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TO: PATUXENT PUBLISHING COMPANY  
Thursday, February 5, 2015 Issue - Jeffersonian

Please forward billing to:  
Steven DeAngelis  
7305 Cheryl Avenue  
Kingsville, MD 21087

443-546-0656

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## NOTICE OF ZONING HEARING

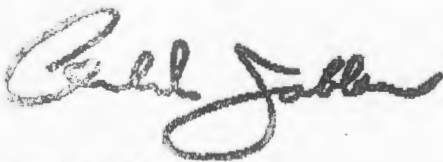
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Arnold Jablon  
Director of Permits, Approvals and Inspections for Baltimore County

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RE: PETITION FOR VARIANCE \* BEFORE THE OFFICE  
7305 Cheryl Avenue; SW/S Cheryl Avenue, \*  
264' SE of Belair Road \* OF ADMINISTRATIVE  
11<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts \*  
Legal Owner(s): Robert P. Wilhelm, Jr. \* HEARINGS FOR  
Contract Purchaser(s): Steven DeAngelis \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2015-154-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.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED

JAN 29 2015

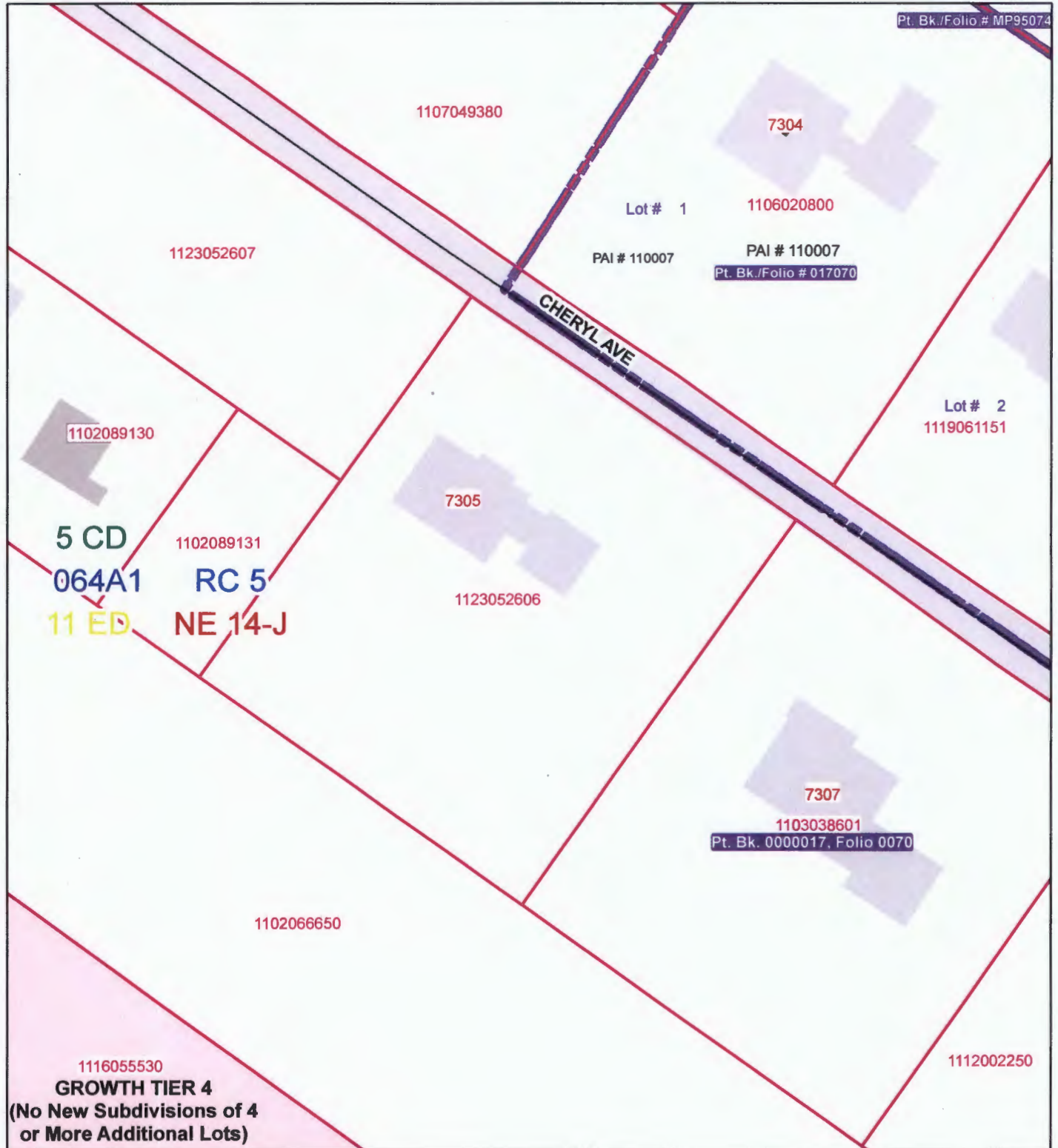
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29th day of January, 2015, a copy of the foregoing Entry of Appearance was mailed to Robert Wilhelm, Jr, 12112 Glenbauer Road, Kingsville, Maryland 21087, Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

# 7305 Cheryl Avenue



Publication Date: 12/30/2014



Publication Agency: Permits, Approvals & Inspections  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

Item #0154