

M E M O R A N D U M

DATE: September 14, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0013-A – Appeal Period Expired

The appeal period for the above-referenced case expired on September 13, 2018. 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 *
(3111 Rheims Road)
2nd Election District *
4th Council District *
Delores B. & Adam B. Cassell *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2019-0013-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Delores B. & Adam B. Cassell (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed side yard addition (enclosed garage) with a side setback of 4 ft. and a front setback of 22 ft. in lieu of the required 10 ft. and 25 ft., respectively. 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.

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 July 22, 2018, 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 § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 8-14-18

By DW

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 requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR 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 BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 14th day of **August, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed side yard addition (enclosed garage) with a side setback of 4 ft. and a front setback of 22 ft. in lieu of the required 10 ft. and 25 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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, Petitioners would be required to return the subject property to its original condition.

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

JEB:dlw



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 8-14-18

By [Signature]



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 Hearings for Baltimore County for the property located at:

Address 3111 RHEIMS RD BALTIMORE MD 21244 Currently zoned DR S.5 (Vested R-6, 1956)
 Deed Reference 37936/00485 10 Digit Tax Account # 0223001500
 Owner(s) Printed Name(s) CASSELL DELORES B & CASSELL ADAM B

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

1B01.2.C.1.b. → To permit a proposed side yard addition (enclosed garage) with a side setback of 4 feet and a front setback of 22 feet in lieu of the required 10 feet and 25 feet, respectively.

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

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

Owner(s)/Petitioner(s):

X Delores B. Cassell X Adam B. Cassell
 Name #1 – Type or Print Name #2 – Type or Print

X Delores B. Cassell X Adam B. Cassell
 Signature #1 Signature #2

X 3115 Rheims Rd. Baltimore MD
 Mailing Address City State

X 21244 | 410-298-3420 | c21cass@aol.com
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

IKE OKOYE
 Name – Type or Print

Ike L'Okoye
 Signature

5080 ILCHESTER RD ELLICOTT CITY MARYLAND
 Mailing Address City State

21043 | 3017043776 | mikadadesigngroup@yahoo.com
 Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0013-A Filing Date 7/16/18 Estimated Posting Date 7/22/18 Reviewer JS

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 3111 RHEIMS ROAD BALTIMORE MARYLAND 21244
Print or Type Address of property City State Zip Code

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

- ① EXISTING 3' DROP IN GRADE ELEV. REQUIRING EXTENSIVE DIRT FILL AND GRADING & TREE REMOVAL
- ② COST OF EXTENDING DRIVEWAY TO REAR OF PROPERTY.
- ③ THE NEED TO PROTECT PROPERTY FROM ENVIRONMENTAL ELEMENT
- ④ EXTRA STORAGE SPACE
- ⑤ FAMILY GROWTH
- ⑥ UNIQUE TOPOGRAPHY (SEE ATTACHMENT)

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

Delores B. Cassell
Signature of Owner (Affiant)

Delores B. Cassell
Name- Print or Type

Adam B. Cassell
Signature of Owner (Affiant)

Adam B. Cassell
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 2nd day of July, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Delores B. Cassell Adam B. Cassell

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Ram M. Parham
Notary Public
1/27/2019
My Commission Expires

ZONING VARIANCE PETITION

The purpose of a variance is to provide relief to a property owner with reference to the strict enforcement of the zoning regulations pertaining to lot setback requirements, as they impose an undue hardship on the Owner by denying them reasonable use of his land. Variance request is not to make money or profit from the property, diminish or impair property values within the neighborhood, but to increase security requirement for Owner.

Granting of the variance will not impose any of the following:

1. Detriment to the public welfare or injurious to other property
2. Impair an adequate supply of light and air to adjacent property
3. Increase the hazard from fire or other dangers to said property or adjacent property
4. Impair the public health, safety, comfort, morals or general welfare of the inhabitants of the community
5. Diminish property values within the neighborhood
6. Unduly increase traffic congestion in the public streets and highways
7. Create a nuisance.

The variance requested is the minimum variance that will make possible the reasonable use of the land to construct an attached 12'X25' single car garage structure.

Applicant Name: Ike Okoye

Applicants Signature: Ike Okoye Date: 6/29/18

Email Address: mikadadesigngroup@yahoo.com

Phone: (301) 704-3776

3111 Rheims Road, 21244

2019-0013-A

Property Description

Southeast side of Rheims Road (50' wide) at a distance of 302' southwest of the intersection with Cambridge Drive (50' wide). Containing 7,605 sq. ft. located in the 2nd Election District and 4th Councilmatic District.

CERTIFICATE OF POSTING

Date: 6-16-19

RE: Case Number: AA-2019-0013-FW

Petitioner/Developer: Zajdel

Date of Hearing/Closing: 7-1-19

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 3407 Manor Hill Rd

The signs(s) were posted on 6-16-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

(AV) 8-2

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Sunday, August 05, 2018 6:27 PM
To: Administrative Hearings
Subject: 3111 Rheims rd
Attachments: IMG_0701.jpg; ATT00001.txt; IMG_0700.jpg; ATT00002.txt

2nd set of certificates



CERTIFICATE OF POSTING

CASE NO. 2018-023-A

PETITIONER/DEVELOPER

CASSELL

DATE OF HEARING/CLOSING

August 6, 2018

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:

LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

3111 Rhinels

Sheet 1

THIS SIGN(S) POSTED ON

July 22, 2018 August 3, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDENBROOK ROAD
PARKVILLE, MD 21234
443-629-3411



RECEIVED

AUG 06 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

CASE NO. 2019-223-A

PETITIONER/DEVELOPER

CASSELL

DATE OF HEARING/CLOSING

August 6, 2018

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

3111 RHEIMS

Sheet 2

THIS SIGN(S) POSTED ON

July 22, 2018 August 5, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle
SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD 21234

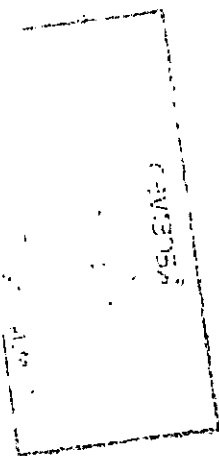
443-679-3411



RECEIVED

AUG 06 2018

OFFICE OF
ADMINISTRATIVE HEARINGS



CERTIFICATE OF POSTING

CASE NO. 2019-0013-A

PETITIONER/DEVELOPER

CASSELL

DATE OF HEARING/CLOSING

AUGUST 6, 2018

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON

THE PR

THIS SI

ZONING NOTICE ADMINISTRATIVE VARIANCE

CASE # 2019-0013-A
TO PERMIT A PROPOSED SIDE YARD ADDITION (ENCLOSED
GARAGE) WITH A SIDE SETBACK OF 4 FEET AND A FRONT
SETBACK OF 22 FEET IN LIEU OF THE REQUIRED 10 FEET
AND 2.5 FEET, RESPECTIVELY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(D) (1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON Monday, August 6, 2018
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204 TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER HEARING DATE UNDER PENALTY OF LAW
MEETING IS HANDICAP ACCESSIBLE

W. J. [Signature] 7/22/18 SIGN # 1

CERTIFICATE OF POSTING

CASE NO. 2019-0013-A

PETITIONER/DEVELOPER

CASSELL

DATE OF HEARING/CLOSING

AUGUST 6, 2018

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED

THE PRO

THIS SIG



myattm8le 7/22/18 SIGN #2

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0013 -A Address 3111 RHEIMS

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

Filing Date: 7/16/18 Posting Date: 7/22/18 Closing Date: 8/6/18

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2019- 0013 -A Address 3111 RHEIMS RD, 21244

Petitioner's Name CASSELL Telephone 410-298-3420

Posting Date: 7/22/18 Closing Date: 8/6/18

Wording for Sign: TO PERMIT A PROPOSED SIDE YARD ADDITION (ENCLOSED GARAGE)
WITH A SIDE SETBACK OF 4 FEET AND A FRONT SETBACK OF 20 FEET
IN LIEU OF THE REQUIREDS 10 FEET AND 25 FEET, RESPECTIVELY.

Revised 6/28/2018

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2019-0013-A

Property Address: 3111 RHODES ROAD, 21244

Property Description: _____

Legal Owners (Petitioners): _____

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: IKG OKOYE

Company/Firm (if applicable): _____

Address: 5080 LICHETER ROAD
ELICOTT CITY, MD. 21043

Telephone Number: 301-704-3776

PAID RECEIPT

Date: 7/16/18

BUSINESS ACTUAL TIME DR
7/17/2018 7/16/2018 09:23:39

REG #501 WALKIN LOR

RECEIPT # 75725 7/16/2018 OF

Dept 5-528 ZONING VERIFICATION

NO. 171782

Rept Tot 75.00

\$75.00 CK 100 \$1.00 100

Baltimore County, Maryland

Total: \$ 75.00

Rec From: CASSELL

For: 2019-0013-A

**CASHIER'S
VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK-AGENCY.

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



DONALD I. MOHLER III
County Executive

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

August 7, 2018

Delores B & Adam B Cassell
3115 Rheims Road
Baltimore MD 21244

RE: Case Number: 2019-0013 A, Address: 3111 Rheims Road

Dear Mr. & Ms. Cassell:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 16, 2018. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Ike Okoye, 5080 Ilchester Road, Ellicott City, MD 21043

Date: 7/23/18

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

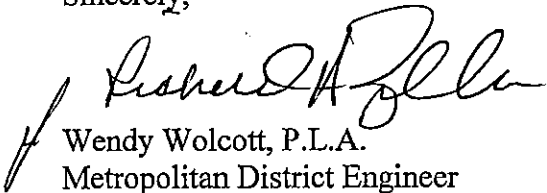
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0013-A.

*Administrative Variance
Delores B. & Adam B. Cassaell
3111 Rheims Road.*

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

Sincerely,



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

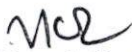
WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: August 10, 2018

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 30, 2018
Item No. 2019-0012-SPHA, 0013-A, 0014-A, 0015-A, 0016-A, 0017-A,
0018-A, 0019-A and 0020-A

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

*

*

*

*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: July 25, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0013-A
Address 3111 Rheims Road
(Cassaell Property)

Zoning Advisory Committee Meeting of **July 30, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: July 25, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0013-A
Address 3111 Rheims Road
(Cassaell Property)

Zoning Advisory Committee Meeting of **July 30, 2018**.

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

Reviewer: Steve Ford

Debra Wiley

From: Administrative Hearings
Sent: Tuesday, August 14, 2018 2:49 PM
To: ike_okoye@hotmail.com
Subject: Case No. 2019-0013-A - 3111 Rheims Road
Attachments: 20180814144614757.pdf

Per your telephone conversation with our office today, please find attached a copy of the Opinion and Order.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Tuesday, August 14, 2018 2:46 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 08.14.2018 14:46:14 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

John,

How do you want to handle?

Petitioners own 2 lots that have structures, and a separate lot (Lot 13) separates them :

- Lot 14 - 3111 Rheims Rd. (Tax #0223001500)
- Lot 12 - 3115 Rheims Rd. (Tax #0207290540)

Relief is being requested for Lot 14 and is NOT principal residence.

OK ✓
to do as
AV

Real Property Data Search

Search Result for BALTIMORE COUNTY

* Relief Reg'd

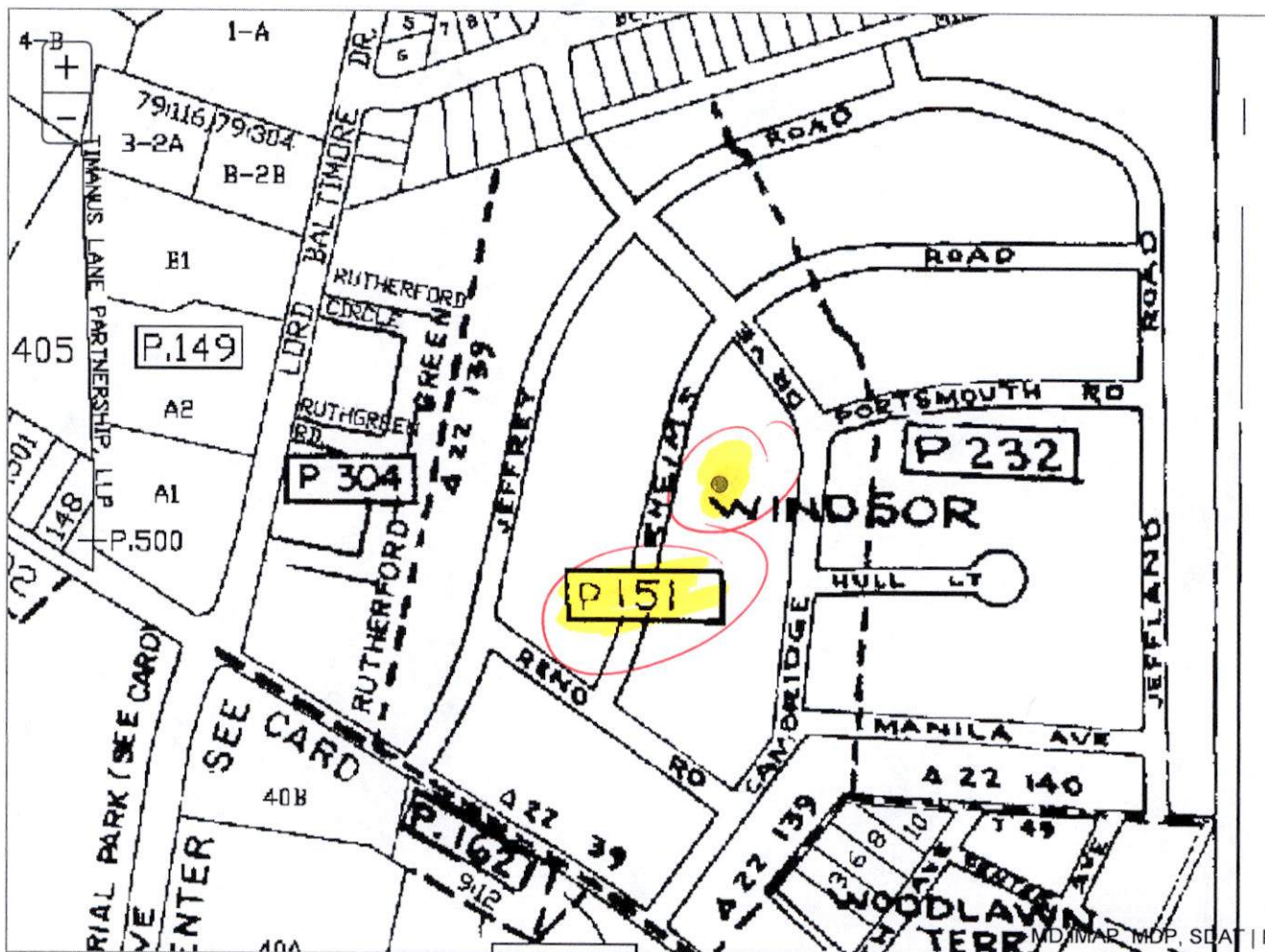
Lot 14

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 02 Account Number - 0223001500			
Owner Information					
Owner Name:	CASSELL DELORES B CASSELL ADAM B		Use:	RESIDENTIAL	
Mailing Address:	3115 RHEIMS RD BALTIMORE MD 21244-3437		Principal Residence:	NO	
			Deed Reference:	/37936/ 00485	
Location & Structure Information					
Premises Address:		3111 RHEIMS RD BALTIMORE 21244-		Legal Description: 3111 RHEIMS RD WINDSOR	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0087	0012	0151		0000	
					Block:
					D
					Lot:
					14
					Assessment Year:
					2016
					Plat No:
					1
					Plat Ref:
					0022/ 0139
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1962	925 SF	231 SF	7,605 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	SIDING	1 full	Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2016	07/01/2017	07/01/2018	
Land:	51,400	51,400			
Improvements	66,500	86,700			
Total:	117,900	138,100	131,367	138,100	
Preferential Land:	0			0	
Transfer Information					
Seller: CASSELL DELORES B		Date: 08/29/2016		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /37936/ 00485		Deed2:	
Seller: AAMES CAPITAL CORPORATION		Date: 02/29/2000		Price: \$55,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /14330/ 00307		Deed2:	
Seller: WALLACE ROBERT G		Date: 12/20/1999		Price: \$42,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /14214/ 00070		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017	07/01/2018		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **02** Account Number: **0223001500**

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>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 02 Account Number - 0207290540			
Owner Information					
Owner Name:		CASSELL DELORES B BULLOCK CASSELL ADAM BERNARD		Use: Principal Residence: RESIDENTIAL YES	
Mailing Address:		3115 RHEIMS RD BALTIMORE MD 21244-3437		Deed Reference: /06495/ 00044	
Location & Structure Information					
Premises Address:		3115 RHEIMS RD 0-0000		Legal Description: 131 S CAMBRIDGE DR WINDSOR	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0087	0012	0151		0000	
					Block: D
					Lot: 12
					Assessment Year: 2019
					Plat No: 1 Plat Ref: 0022/ 0139
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1962		1,443 SF		231 SF	
Property Land Area		County Use			
6,935 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	SIDING	2 full/ 1 half	1 Carport
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2016		07/01/2018	
				As of	
				07/01/2019	
Land:		50,700		50,700	
Improvements		119,100		119,100	
Total:		169,800		169,800	
Preferential Land:		0		169,800	
Transfer Information					
Seller: BULLOCK DELORES		Date: 03/04/1983		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /06495/ 00044		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2018	
				07/01/2019	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

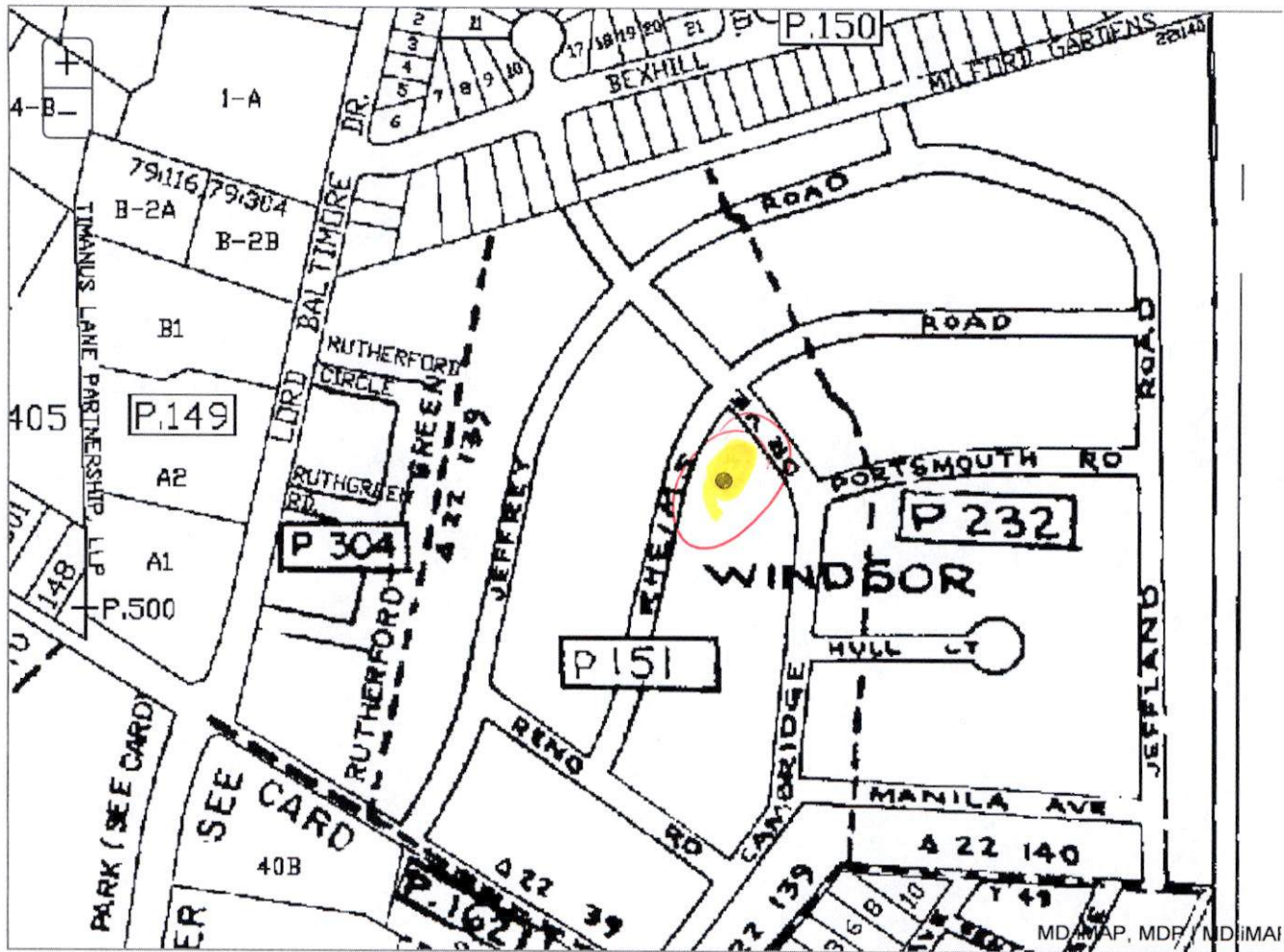
Homestead Application Status: Approved 11/13/2012

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **02** Account Number: **0207290540**

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.

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Property maps provided courtesy of the Maryland Department of Planning.

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C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>7-25</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>7-23</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 (1st) Date: 7-22-18 by Ogle

SIGN POSTING (2nd) Date: 8-5-18 by Ogle

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

ZAC AGENDA

Case Number: 2019-0013-A **Reviewer:** Jason Seidelman

Existing Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Delores B & Adam B Cassaell

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 3111 RHEIMS RD

Location: SE/S of Rheims Road, 302 ft. SW of the centerline of the intersection with Cambridge Drive

Existing Zoning: DR 5.5

Area: 7,605 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a proposed side yard addition (enclosed garage) with a side setback of 4 ft. and a front setback of 22 ft. in lieu of the required 10 ft. and 25 ft., respectively.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2019-0014-A **Reviewer:** Jun Fernando

Existing Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Sylvester & Isata George

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 6

Property Address: 26 EAST ELM AVE

Location: NS of E Elm Avenue, 104 ft. W from the centerline of Linden avenue

Existing Zoning: DR 5.5

Area: 0.15 ACRE

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit an accessory structure (shed) to be located in the side yard in lieu of the required rear yard and to permit a setback of 10 ft. in lieu of the required 15 ft. from the centerline of the alley.

Attorney: Not Available

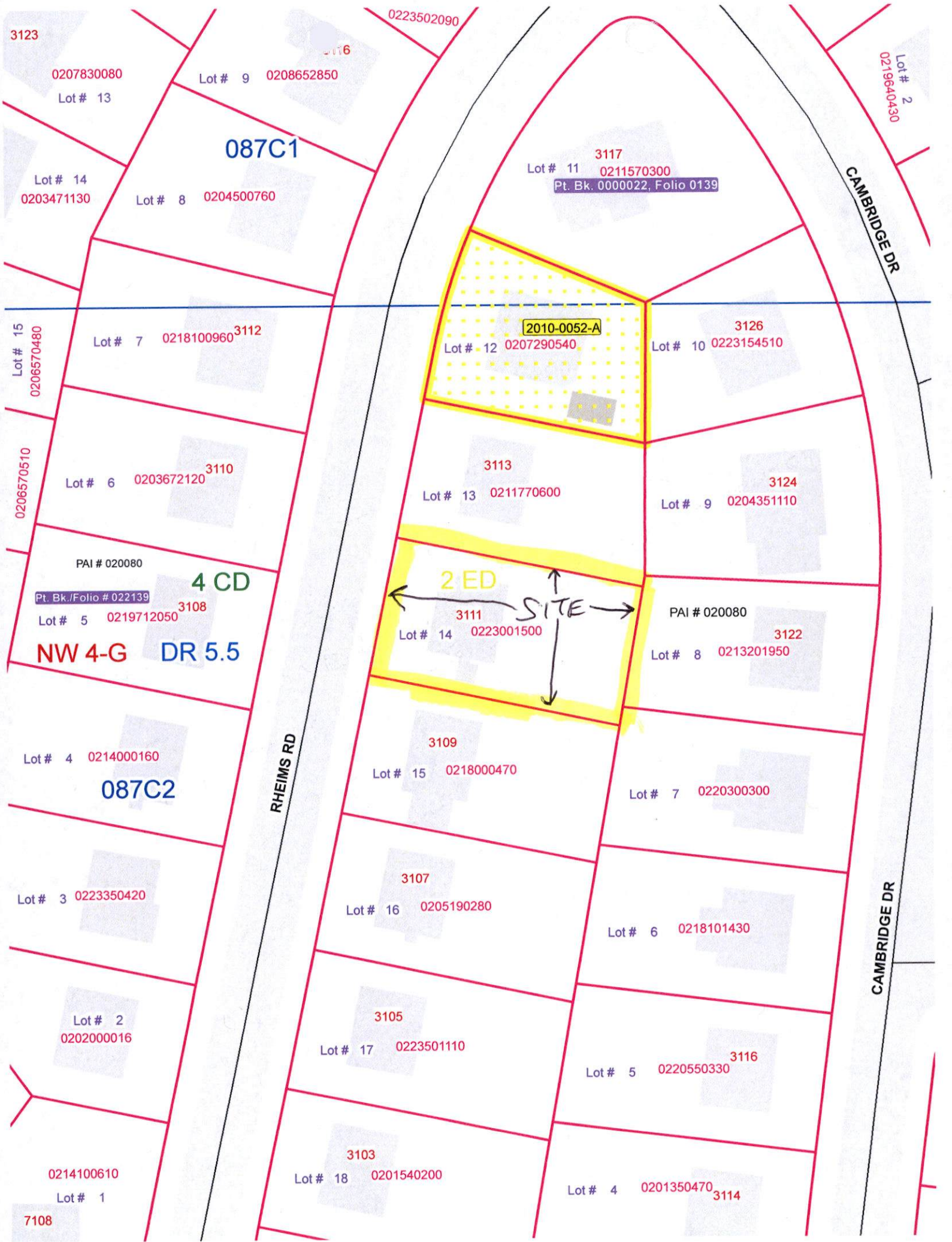
Prior Zoning Cases: None

Concurrent Cases: None

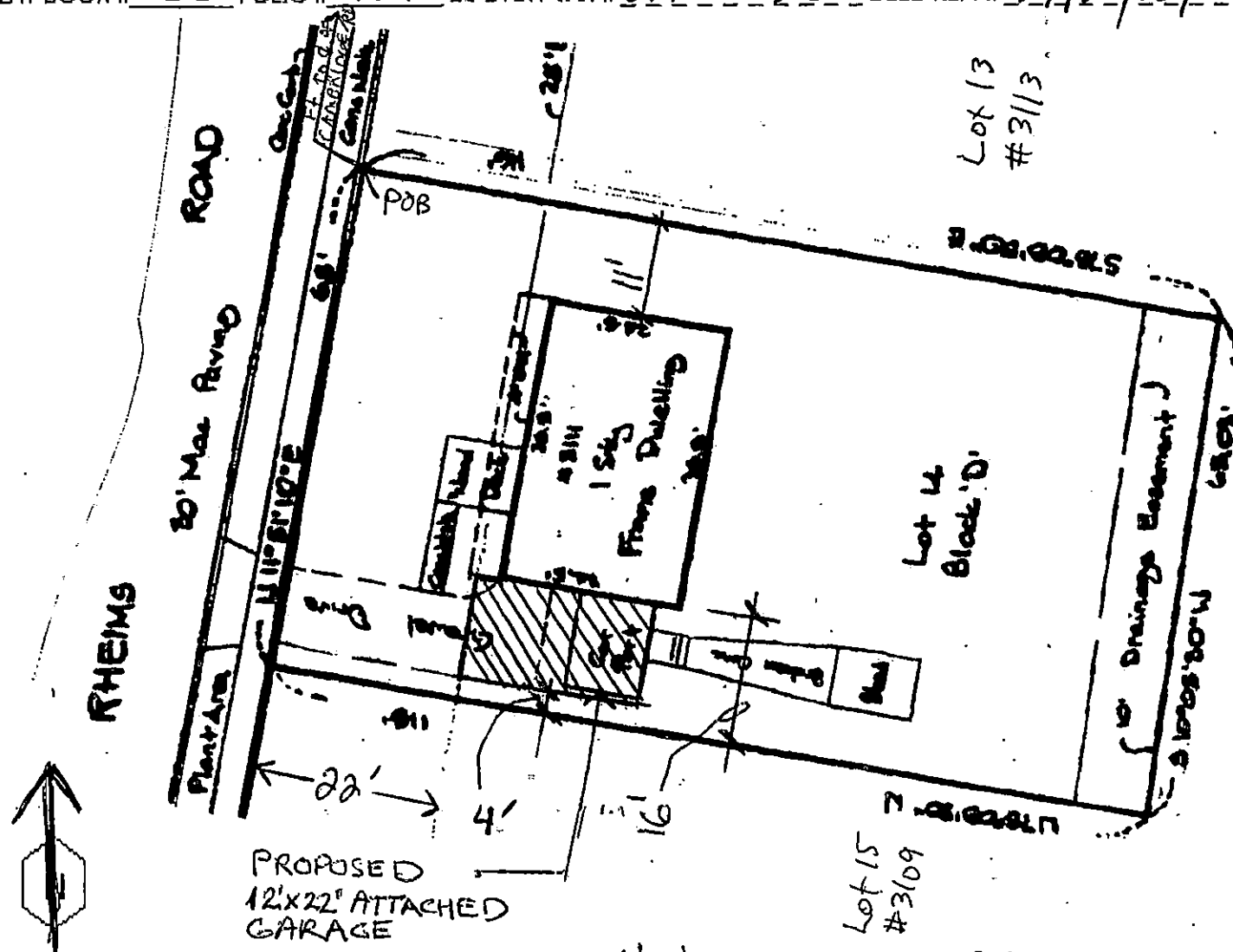
Violation Cases: None

Closing Date: 08/13/2018

Miscellaneous Notes:



PLAT BOOK # 22 FOLIO # 139 10 DIGIT TAX # 0223001500 DEED REF. # 37936/00485



PLAN DRAWN BY IKE OKOYE DATE 6/13/2018 SCALE: 1 INCH = 20 FEET

2019-0013-A

MAP IS NOT TO SCALE

ZONING MAP# 087C2
SITE ZONED DR 5.5 (Vested R-195)
ELECTION DISTRICT 02
COUNCIL DISTRICT 4
LOT AREA ACREAGE 0.175
OR SQUARE FEET 7,605
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:

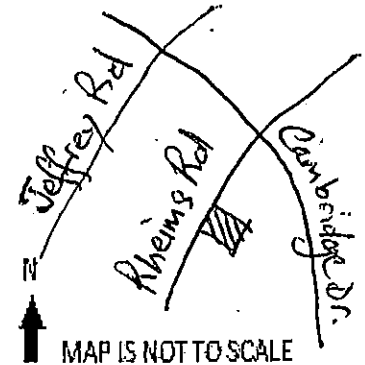
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3111 RHEIMS RD BALTO MD 21244 OWNER(S) NAME(S) CASSELL DELORES B, CASSELL ADAM B

SUBDIVISION NAME WINDSOR, Plat 1 LOT # 14 BLOCK # D SECTION # _____

PLAT BOOK # 22 FOLIO # 139 10 DIGIT TAX # 0223001500 DEED REF. # 37936/00485

SITE VICINITY MAP



ZONING MAP# 087C2
SITE ZONED DR 5.5 (Vested R-195)

ELECTION DISTRICT 02

COUNCIL DISTRICT 4

LOT AREA ACREAGE 0.175

OR SQUARE FEET 7,605

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

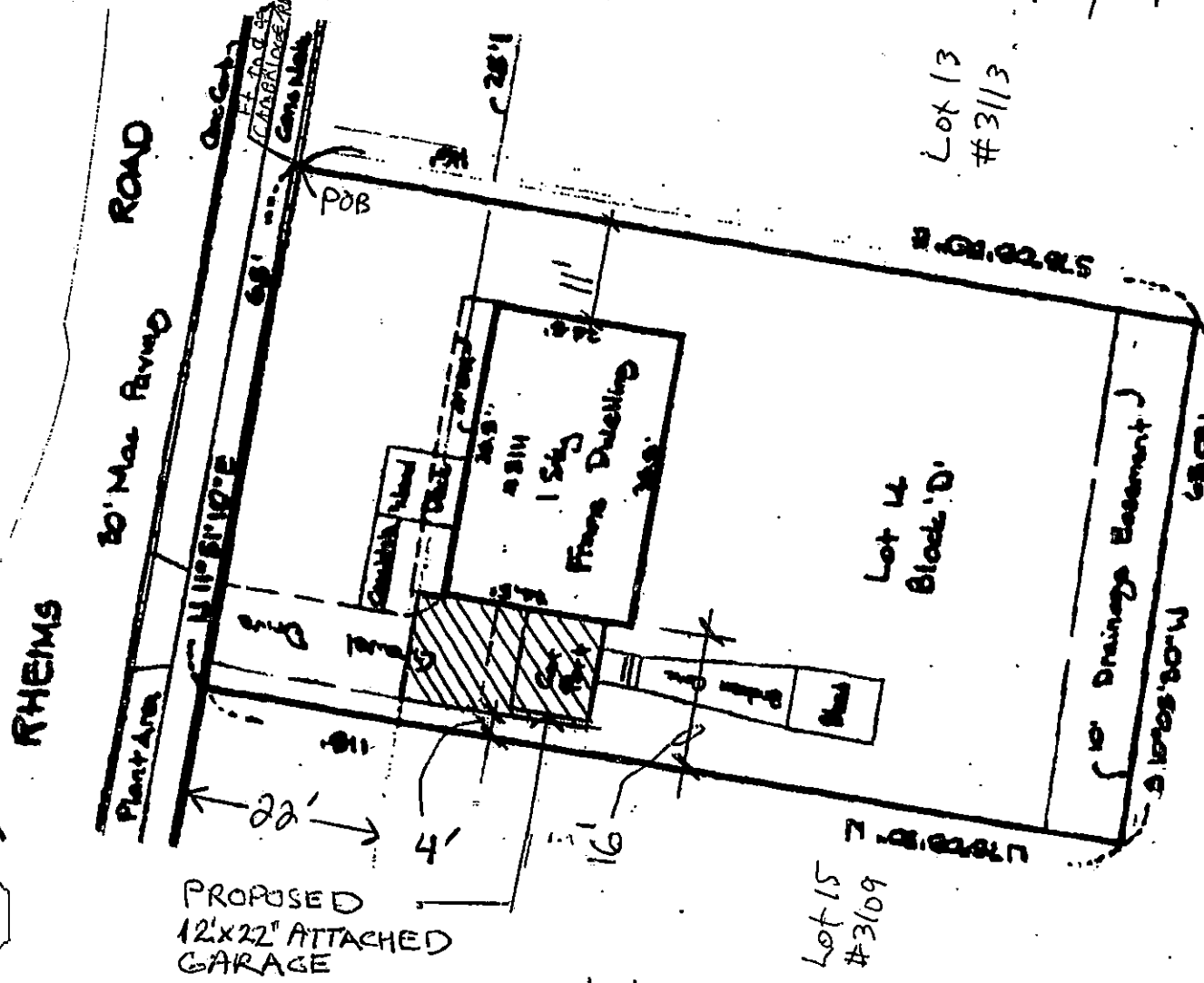
PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:



PLAN DRAWN BY KE KOYE DATE 6/13/2018 SCALE: 1 INCH = 20 FEET

2019-0013-A

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 02 Account Number - 0223001500			
Owner Information					
Owner Name:	CASSELL DELORES B CASSELL ADAM B		Use:	RESIDENTIAL	
Mailing Address:	3115 RHEIMS RD BALTIMORE MD 21244-3437		Principal Residence:	NO	
			Deed Reference:	/37936/ 00485	
Location & Structure Information					
Premises Address:		3111 RHEIMS RD BALTIMORE 21244-		Legal Description:	3111 RHEIMS RD WINDSOR
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0087	0012	0151		0000	
					Block:
					D
					Lot:
					14
					Assessment Year:
					2016
					Plat No:
					0022/
					Plat Ref:
					0139
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1962	925 SF	231 SF	7,605 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	SIDING	1 full	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2016	07/01/2017	07/01/2018	
Land:	51,400	51,400			
Improvements	66,500	86,700			
Total:	117,900	138,100	131,367	138,100	
Preferential Land:	0			0	
Transfer Information					
Seller: CASSELL DELORES B		Date: 08/29/2016		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /37936/ 00485		Deed2:	
Seller: AAMES CAPITAL CORPORATION		Date: 02/29/2000		Price: \$55,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /14330/ 00307		Deed2:	
Seller: WALLACE ROBERT G		Date: 12/20/1999		Price: \$42,500	
Type: NON-ARMS LENGTH OTHER		Deed1: /14214/ 00070		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2017		07/01/2018	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

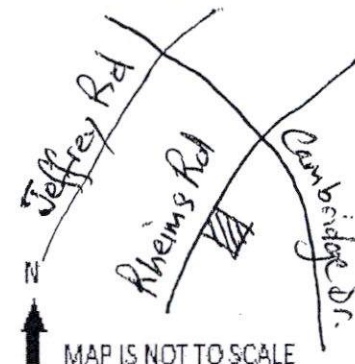
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3111 RHEIMS RD BALTO MD 21244 OWNER(S) NAME(S) CASSELL DELORES B, CASSELL HOAM B

SUBDIVISION NAME WINDSOR, Plat 1 LOT # 14 BLOCK # D SECTION # _____

PLAT BOOK # 22 FOLIO # 139 10 DIGIT TAX # 0223001500 DEED REF. # 37936/00485

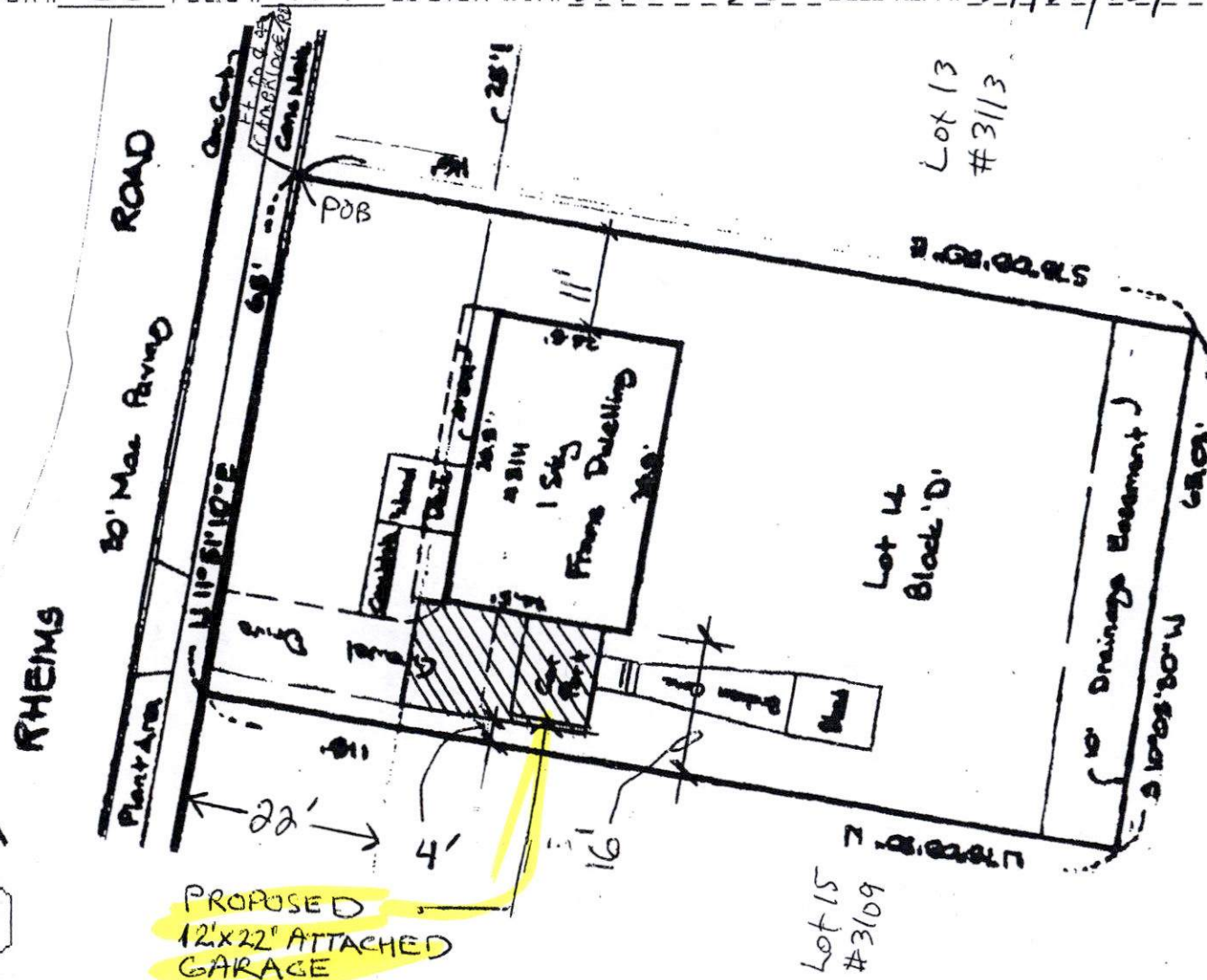
SITE VICINITY MAP



ZONING MAP# 087C2
SITE ZONED DR 5.5 (Vested R-195)
ELECTION DISTRICT 02
COUNCIL DISTRICT 4
LOT AREA ACREAGE 0.175
OR SQUARE FEET 7,605
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

Pet. Exh. 1

VIOLATION CASE INFO:



PLAN DRAWN BY KE O'KOYE DATE 6/13/2018 SCALE: 1 INCH = 20 FEET

2019-0013-A