

M E M O R A N D U M

DATE: May 29, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0240-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 28, 2019. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(101 Compass Road)

15th Election District

6th Council District

John P. Rea & Betty M. Kruse-Rea

Legal Owners

Petitioners

*

*

*

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*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0240-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by John P. Rea & Betty M. Kruse-Rea, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Section 415A of the Baltimore County Zoning Regulations (“BCZR”) to allow a recreational vehicle to be parked in the side yard in lieu of the required 8 ft. to the rear of the front foundation of the dwelling. A site plan was marked as Petitioners’ Exhibit 1.

John Rea & Betty Kruse-Rea appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). That agency opposed the request.

The site is approximately 6,375 sq. ft. in size and is zoned DR 5.5. The property is improved with a small (approximately 672 sq. ft.) single-family dwelling constructed in 1942. Petitioners have owned the property for 10+ years and recently purchased a travel trailer which is stored in their driveway. After an anonymous complaint was filed with the Bureau of Code Enforcement Petitioners were instructed to seek zoning relief.

As an initial matter, I do not believe Petitioners require a variance to store the trailer in its

ORDER RECEIVED FOR FILING

Date 4/26/19

By Sen

current location. The subject property is a corner lot and the dwelling is situated at a 45° angle relative to the property boundaries. The BCZR states a recreational vehicle must be stored at least 8 ft. behind the “lateral projection of the front foundation line of the dwelling.” BCZR §415A.1.A. Based on a review of the photos submitted at the hearing (Pet. Ex. 2) and the site plan, Petitioners’ trailer would appear to be stored in a manner that complies with the BCZR. Based on Mr. Rea’s testimony (who was home at the time the property was inspected by Baltimore County) I believe the code enforcement inspector mistakenly extended at a right angle the front foundation wall of the dwelling, which caused him to issue a correction notice to Petitioners.

Even though I do not believe a variance is required in this case I will address the issue as sought in the petition. A variance request involves a two-step process, summarized as follows:

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

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

The subject property is a corner lot with irregular dimensions and the dwelling is not situated perpendicular or parallel to the lot lines. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to store their recreational vehicle on the subject property. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. The only neighbor whose view could be potentially impacted by the trailer is Daniel Onheiser, who lives at and owns the property at 103 Compass Road. Mr. Onheiser submitted a letter (Pet. Ex. 3) stating he did not

ORDER RECEIVED FOR FILING

Date

4/26/19

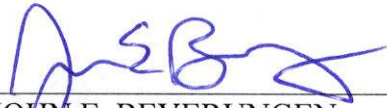
By

sen

object to the trailer being parked in the side yard of the subject property.

THEREFORE, IT IS ORDERED, this 26th day of **April, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 415A of the Baltimore County Zoning Regulations ("BCZR") to allow a recreational vehicle to be parked in the side yard in lieu of the required 8 ft. to the rear of the front foundation of the dwelling, be and is hereby GRANTED.

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:slh

ORDER RECEIVED FOR FILING

Date 4/26/19

By sen



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 101 Compass Rd Baltimore Md 21200 which is presently zoned DBS.5
Deed References: 002210113 10 Digit Tax Account # 1519000660
Property Owner(s) Printed Name(s) John P Rea Sr. Betty M Kruse Rea

(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) 415A BEZ2 TO ALLOW A RECREATIONAL VEHICLE TO BE PARKED IN THE SIDEYARD IN LIEU OF THE REQUIRED 8FT TO THE REAR OF THE FRONT FOUNDATION OF THE DWELLING

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)

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

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

John P Rea Sr. Betty M Kruse-Rea
Name #1 - Type or Print Name #2 - Type or Print

John P Rea Sr. Betty M Kruse Rea
Signature #1 Signature #2

101 Compass Rd Baltimore Md
Mailing Address City State

21220, 443-858-1909, bettyboop0472@
Zip Code Telephone # Email Address Hotmail.com

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0240-A Filing Date 2/21/19 Do Not Schedule Dates: _____ Reviewer CF

ZONING PROPERTY DESCRIPTION FOR:

101 COMPASS RD. 21220

Beginning at a point on the south side of Compass Rd.
which is 29' feet wide at a distance of # of 14'.6 feet south of the
centerline of the nearest improved intersecting Cord St. which is
37' feet wide.

Being Lot #222,Block - , Section #2 in the subdivision of Victory
Villa as recorded in Baltimore County Plat Book #22, Folio113,
containing # of total 6,375 square feet of lot.
Located in the 15 Election District and 6 Coucil District.

2019-0240-A

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

4/5/2019

Order #: 11721708
Case #: 2019-0240-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0240-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0240-A

101 Compass Road

S/of Compass Road intersecting Cord Street

16th Election District - 6th Councilmanic District

Legal Owners: John Rea, Sr. & Betty Kruse-Rea

Variance to allow a recreational vehicle to be parked in the side yard in lieu of the required 8 ft. to the rear of the front foundation of the dwelling.

Hearing: Thursday, April 25, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

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 410-887-3863.

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

ap5

Re-CERTIFICATE OF POSTING

RE: Case No. 2019-0240- A

Petitioner: John Rea, Sr & Betty Kruse-Rea

Hearing Date: 4/25/19

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)

were posted conspicuously on the property located at _____

101 Compass Road (side – posted on Cord St. 1 of 2)

101 Compass Road (front 2 of 2)

on 4/4/19 and re-photographed on 4/23/19

Sincerely,

 4/23/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

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Re-Certificate of Posting

Case No 2019-0240-A



101 Compass Road (side-posted on Cord Street) (1 of 2)

 4/23/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

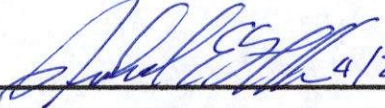
443-243-7360

RE-Certificate of Posting

Case No 2019-0240-A



101 Compass Road (front - 2 of 2)

 4/23/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

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4. 57110101010101

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CERTIFICATE OF POSTING

RE: Case No. 2019-0240- A

Petitioner: John Rea, Sr & Betty Kruse-Rea

Hearing Date: 4/25/19

Baltimore County Department of
Permits, Approvals and Inspections
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

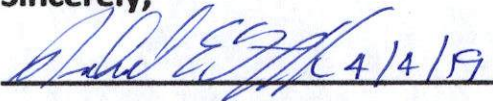
This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

101 Compass Road (side – posted on Cord St. 1 of 2)

101 Compass Road (front 2 of 2)

_____ on 4/4/19

Sincerely,

 4/4/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360

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Certificate of Posting

Case No 2019-0240-A



101 Compass Road (side-posted on Cord Street) (1 of 2)

Richard E. Hoffman 4/4/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

1947-1948 - 1949-1950

1951-1952 - 1953-1954

1955-1956 - 1957-1958

1959-1960 - 1961-1962

1963-1964 - 1965-1966

1967-1968 - 1969-1970

1971-1972 - 1973-1974

1975-1976 - 1977-1978

Certificate of Posting

Case No 2019-0240-A

ZONING NOTICE

CASE # 2019-0240-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

PLACE: Room 205, JEFFERSON BUILDING,
105 WEST CHESAPEAKE AVENUE, TOWSON 21204

DATE AND TIME: _____

REQUEST: APRIL 25, 2019 AT 11:00 AM
VARIANCE TO ALLOW A RECREATIONAL VEHICLE TO BE PARKED
IN THE SIDE YARD IN LIEU OF THE REQUIRED 8 FT. TO THE
REAR OF THE FRONT FOUNDATION OF THE DWELLING.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

4/4/19 12:31 PM

101 Compass Road (front - 2 of 2)

 4/4/19

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

March 25, 2019

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0240-A

101 Compass Road
S/of Compass Road intersecting Cord Street
15th Election District – 6th Councilmanic District
Legal Owners: John Rea, Sr. & Betty Kruse-Rea

Variance to allow a recreational vehicle to be parked in the side yard in lieu of the required 8 ft. to the rear of the front foundation of the dwelling.

Hearing: Thursday, April 25, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Mike Mohler".

Mike Mohler
Director

MM:kl

C: Mr. & Mrs. Rea, 101 Compass Road, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, APRIL 5, 2019.**
- (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: THE DAILY RECORD
Friday, April 5, 2019 - Issue

Please forward billing to:

John Rea
101 Compass Road
Middle River, MD 21220

443-858-1909

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0240-A

101 Compass Road
S/of Compass Road intersecting Cord Street
15th Election District – 6th Councilmanic District
Legal Owners: John Rea, Sr. & Betty Kruse-Rea

Variance to allow a recreational vehicle to be parked in the side yard in lieu of the required 8 ft. to the rear of the front foundation of the dwelling.

Hearing: Thursday, April 25, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
101 Compass Road; S of Compass Road *
intersecting with Cord Street * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): John Rea & Betty Kruse-Rea * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-240-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

MAR 08 2019

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 8th day of March, 2019, a copy of the foregoing Entry of Appearance was mailed to John & Betty Rea, 101 Compass Road, Middle River, Maryland 21220, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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: 2019-0240-1A
Property Address: 101 Compass Rd 21220
Property Description: _____

Legal Owners (Petitioners): Betty M Kruse Reg, John P. Rea SR.
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: John P Rea / Betty Kruse Reg
Company/Firm (if applicable): _____
Address: 101 Compass Rd
Middle River Rd 21220

Telephone Number: 443-858-1909

Revised 7/9/2015

2019-0240-1A

Permits, Approvals, and Inspections
 Code Inspections & Enforcement
 County Office Building, Rm. 213
 111 West Chesapeake Ave
 Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement 410-887-3351
 Electrical Inspection 410-887-3960
 Plumbing Inspection 410-887-3620
 Building Inspection 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

REA JOHN P SR KRUSE-REA BETTY
 101 COMPASS RD
 BALTIMORE, MD 21220-4503

CASE NUMBER CC1900505	PROP.TAX ID 15-19-000660
VIOLATION ADDRESS 101 COMPASS RD MIDDLE RIVER, MD 21220-4503	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 415A: Improperly parked recreation vehicle	Recreational vehicles must be parked at least eight feet behind front threshold line of main structure on property. Current conditions not permitted in DR5.5 zone.

Failure to comply with this correction notice, may result in a \$200.00 fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 02/22/2019	INSPECTOR ID: 106
	ISSUED DATE: 01/22/2019

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

- It is important that you read this document carefully, as it charges you with the commission of a crime.
- If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
- If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
- A lawyer can give important assistance to you:
 - on how to correct the violation(s) in order to avoid trial or
 - at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
- A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
- It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
- Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

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

No. **180710**

PAID RECEIPT

Date: **2-21-19**

BUSINESS 2/22/2019 ACTUAL 2/21/2019 09:09:00 TIME 5 DRW

REG WS05 WALKIN LRB
 >>RECEIPT # 996091 2/20/2019 OFLN

Dept 5 528 ZONING VERIFICATION
 180710

Recpt Tot \$ 75.00
 75.00 CK .00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		650				75.00

Total: **75.00**

Rec From: **2019-0240-A VARIANCE**

For: **Rea 101 COMPASS Rd**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 17, 2019

John P. Rease & Betty M Kruse-Rea
101 Compuss Road
Baltimore MD 21220

RE: Case Number: 2019-0240-A, 101 Compuss Road

To Whom It May Concern: .

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 21, 2019. 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, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

4/25 11Am

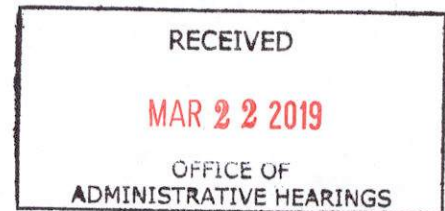
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

DATE: 3/20/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-240



INFORMATION:

Property Address: 101 Compass Road
Petitioner: John P. Rea Sr., Betty M Kruse-Rea
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to allow a recreational vehicle to be parked in the side yard in lieu of the required 8 feet to the rear of the front foundation of the dwelling.

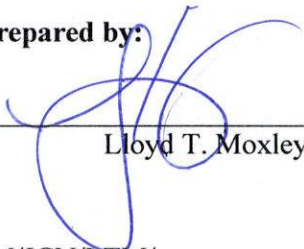
A site visit was conducted on 3/12/2019. Currently the lot is improved with an existing one-story single family dwelling and two accessory structures. On the day of the site visit a recreational vehicle was parked on site. The property is the subject of violation case #CC1900505.

The Department does not support granting the petitioned zoning relief.

The existing dwellings along the street are in close proximity to one another. Locating the recreational vehicle as per plan creates a stockade wall experience and therefore a hardship on the adjacent property at 103 Compass Road.

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

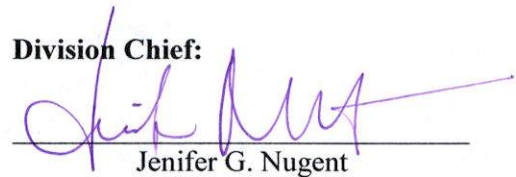
Prepared by:



Lloyd T. Moxley

JM/JGN/LTM/

Division Chief:



Jenifer G. Nugent

c: Taylor Bensley
John P. Rea, Sr.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Permits, Approvals and Inspections

DATE: 3/20/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-240

INFORMATION:

Property Address: 101 Compass Road
Petitioner: John P. Rea Sr., Betty M Kruse-Rea
Zoning: DR 5.5
Requested Action: Variance

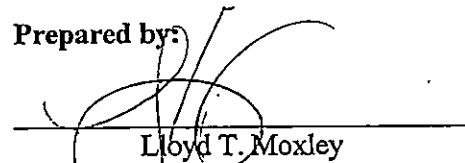
The Department of Planning has reviewed the petition for a variance to allow a recreational vehicle to be parked in the side yard in lieu of the required 8 feet to the rear of the front foundation of the dwelling.

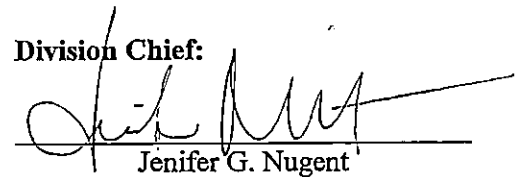
A site visit was conducted on 3/12/2019. Currently the lot is improved with an existing one-story single family dwelling and two accessory structures. On the day of the site visit a recreational vehicle was parked on site. The property is the subject of violation case #CC1900505.

The Department does not support granting the petitioned zoning relief.

The existing dwellings along the street are in close proximity to one another. Locating the recreational vehicle as per plan creates a stockade wall experience and therefore a hardship on the adjacent property at 103 Compass Road.

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

Prepared by: 
Lloyd T. Moxley

Division Chief: 
Jenifer G. Nugent

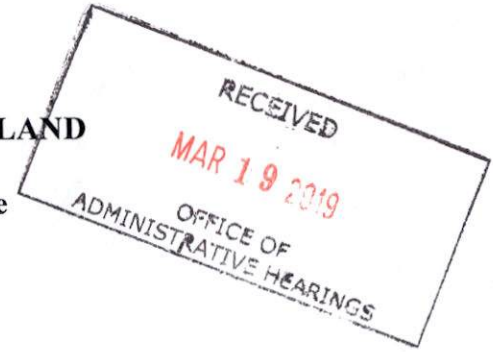
JM/JGN/LTM/

c: Taylor Bensley
John P. Rea, Sr.
Office of the Administrative Hearings
People's Counsel for Baltimore County

4-25

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: March 19, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0240-A
Address 101 Compass Road
(Reusr & Kruse-Rea Property)

Zoning Advisory Committee Meeting of **March 11, 2019.**

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

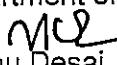
Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

DATE: March 18, 2019

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 11, 2019
Item No. 2019-0238-SPH, 0240-A, 0241-A, 0242-A, 0243-A, 0244-A, 0246-
SPH, 0247-A, 0248-A, 0249-A, 0250-SPH, 0251-A & 0252-A

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

*

*

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*

*

VKD: cen
cc: file

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 3/7/19

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. 2018-0240-A

*Variance
John P. Reuser & Betty M. Kruse-Rea
101 Compass 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

PLEASE PRINT CLEARLY

CASE NAME 2019-240-A
CASE NUMBER _____
DATE 4-25-2019

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

4-25-14

CASE NO. 2019-

0240-A

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

3/18

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

3/19

DEPS
(if not received, date e-mail sent _____)

N/C

FIRE DEPARTMENT

3/20

PLANNING
(if not received, date e-mail sent _____)

Objected/Comment

3/17

STATE HIGHWAY ADMINISTRATION

NO
Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. GC 1900505)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 4/5/19

SIGN POSTING (1st)

Date: 4/4/19

by Hoffman

SIGN POSTING (2nd)

Date: 4/23/19

by Hoffman

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

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 - 15 Account Number - 1519000660									
Owner Information											
Owner Name:		REA JOHN P SR KRUSE-REA BETTY				Use:		RESIDENTIAL			
Mailing Address:		101 COMPASS RD BALTIMORE MD 21220-4503				Principal Residence:		YES			
						Deed Reference:		/25697/ 00472			
Location & Structure Information											
Premises Address:		101 COMPASS RD 0-0000				Legal Description:		101 COMPASS RD VICTORY VILLA			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	E	
0090	0009	0583		0000	2		222	2018	Plat Ref:	0022/ 0113	
Special Tax Areas:		Town:				NONE					
		Ad Valorem:									
		Tax Class:									
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use			
1942		672 SF				6,375 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation					
1	NO	STANDARD UNIT	SIDING	1 full	1 Detached						
Value Information											
		Base Value		Value		Phase-in Assessments					
				As of		As of		As of			
				01/01/2018		07/01/2018		07/01/2019			
Land:		54,000		54,000							
Improvements		60,200		61,400							
Total:		114,200		115,400		114,600		115,000			
Preferential Land:		0						0			
Transfer Information											
Seller: CARDARELLI THOMAS E,JR				Date: 05/29/2007			Price: \$167,900				
Type: ARMS LENGTH IMPROVED				Deed1: /25697/ 00472			Deed2:				
Seller: SALISBURY IRVIN R				Date: 09/26/2003			Price: \$99,900				
Type: ARMS LENGTH IMPROVED				Deed1: /18860/ 00472			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		0.00 0.00					
Tax Exempt:		Special Tax Recapture:									
Exempt Class:		NONE									
Homestead Application Information											

Homestead Application Status: Approved 01/13/2009

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application**Date:**

TO WHOM IT MAY CONCERN,

I'M THE OWNER, RESIDENT OF 103 COMPASS RD (21220).
I HAVE NO PROBLEMS WITH THE RECREATIONAL VEHICLE THAT IS PARKED IN
THE SIDE YARD AT 101 COMPASS RD (21220).

DANIEL A ONHEISER

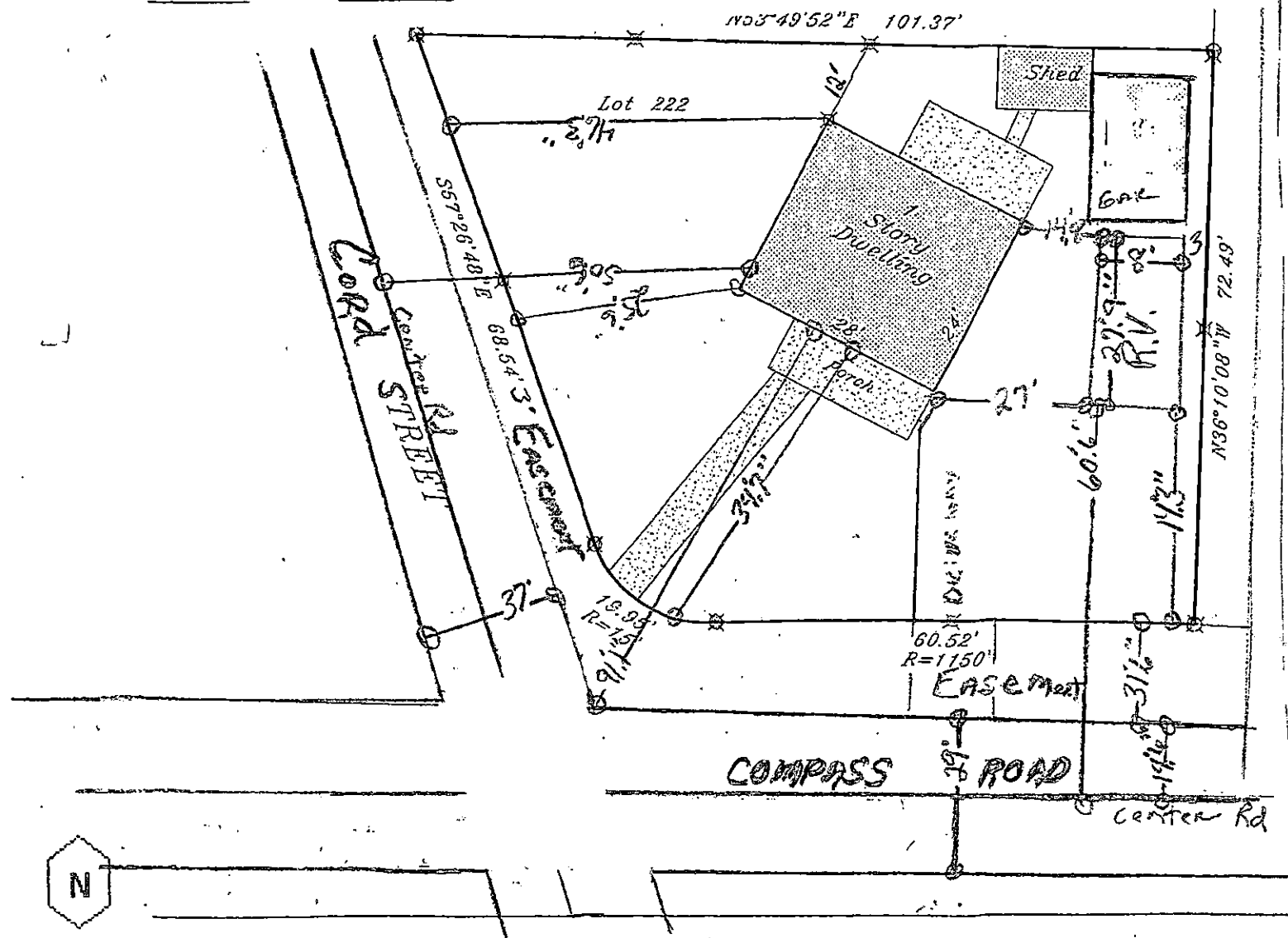
Daniel Onheiser
Dan Onheiser

410-816-4105

4/22/19

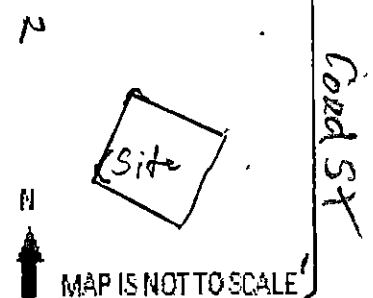
PET. No. 3

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 101 Compass Rd 2000 OWNER(S) NAME(S) John P. Reu Sr. Bethyn Kruse-Reu
 SUBDIVISION NAME Victory Villa LOT # 222 BLOCK # 1 SECTION # 2
 PLAT BOOK # 22 FOLIO # 113 10 DIGIT TAX # 1519000660 DEED REF. # 0022-10113



PLAN DRAWN BY John P. Reu Sr. DATE 2/7/19 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP
Compass Rd



ZONING MAP# 09062
 SITE ZONED DRS.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE 0.0015
 OR SQUARE FEET 6,375
 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:
CC 1900505

2019-0240-A

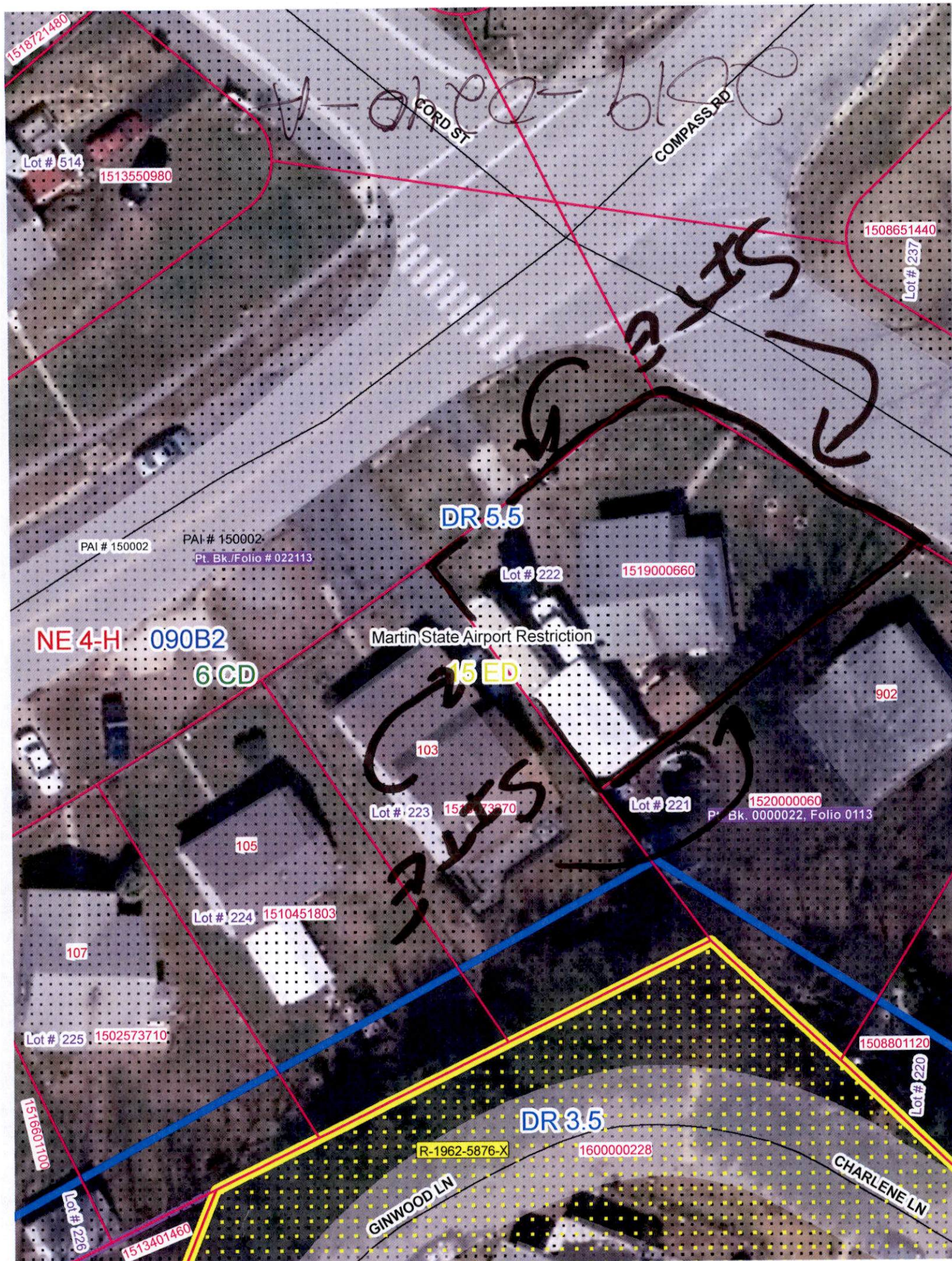
PET No 1



PET. No. 2







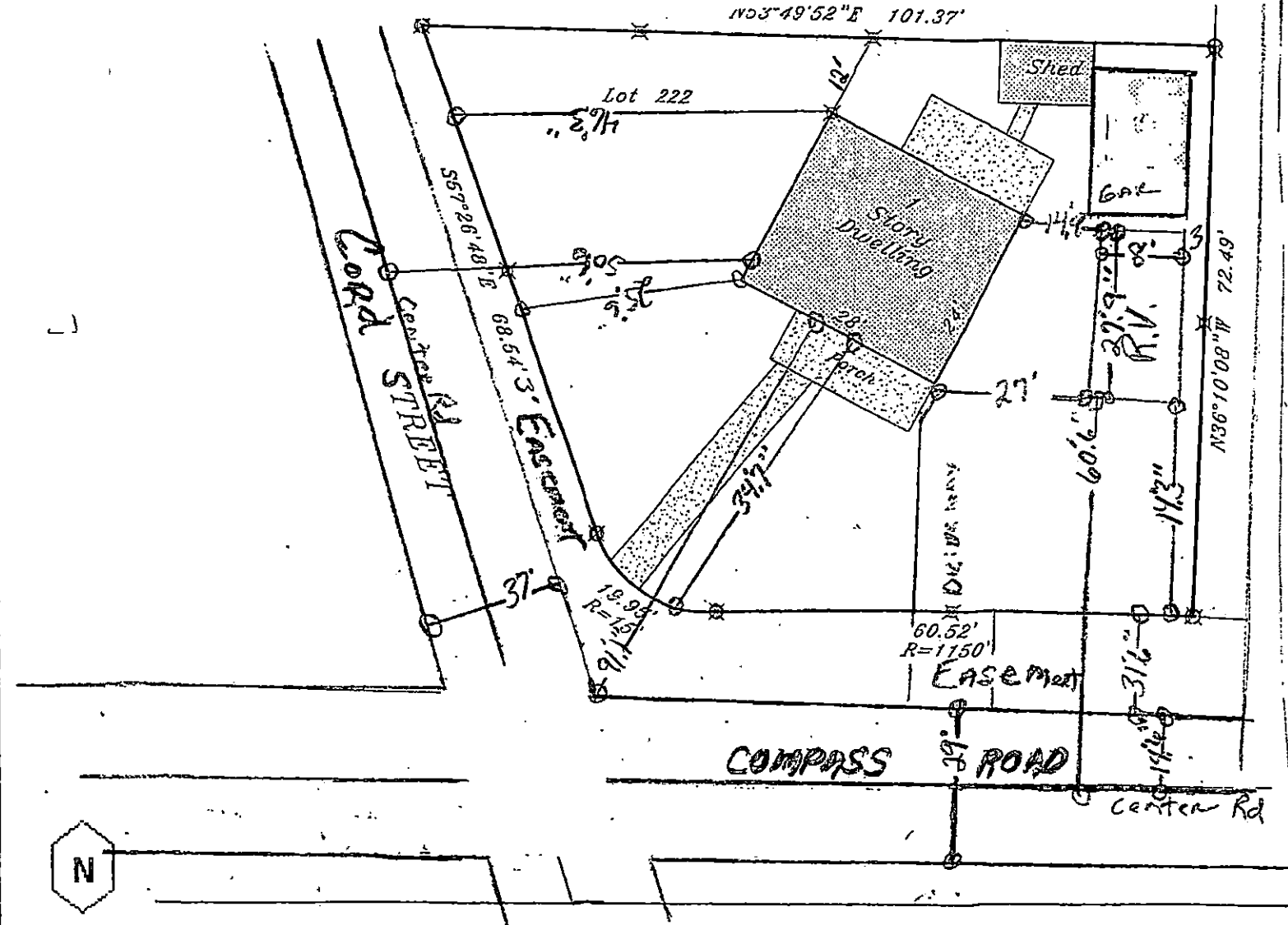
Handwritten text, possibly a signature or name, written in a cursive style. The text is oriented diagonally across the page.

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

ADDRESS 101 Compass Rd 2000 OWNER(S) NAME(S) John P. Rau Sr. Bethm Kruse-Rea

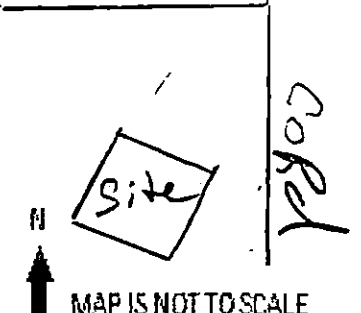
SUBDIVISION NAME Victory Villa LOT # 222 BLOCK # — SECTION # 2

PLAT BOOK # 22 FOLIO # 113 10 DIGIT TAX # 1519000660 DEED REF. # 002210113



PLAN DRAWN BY John P. Rau Sr. DATE 2/7/19 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP
N COMPASS



MAP IS NOT TO SCALE
ZONING MAP# 09062
SITE ZONED DRS.5
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA ACREAGE 6.375 ~~sq~~
OR SQUARE FEET 6,375 ~~sq~~
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:
CC 1900505

2019-0240-A