

BALTIMORE COUNTY, MARYLAND

NOTE TO ZONING CASE FILE

DATE: May 22, 2024

TO: Zoning Case File

FROM: Jeffrey Perlow, Zoning Supervisor
Zoning Review Office, PAI

SUBJECT: Petition for Variance
Case No. 2020-0256-A
3200 Grace Road, Sparrows Point, MD 21219

On March 29, 2024, Jeffrey Perlow, Zoning Supervisor had a telephone conversation with Katie Kessel, Legal Owner and Petitioner for the above referenced property. Mr. Perlow explained to Ms. Kessel that Kristen Lewis of the Zoning Review Office left a voice mail message for the Kessel's on January 20, 2021. However, Mrs. Kessel explained that this zoning petition filing occurred during the Covid 19 pandemic and due to a possible oversight, scheduling of a zoning hearing date never took place. Since the zoning laws governing chickens has changed since October 20, 2020, Mr. Perlow explained to Mrs. Kessel that a variance petition filing is no longer permitted and that her only option would be to refile a new special hearing petition with a new zoning case number. Mrs. Kessel indicated that she might consult with an attorney about how to proceed. In the meantime, Mr. Perlow told her that this particular zoning petition would be discontinued and that this zoning case file would be closed. In addition, Mr. Perlow advised her to update the Code Enforcement Division of PAI regarding any future actions that she takes regarding the referenced property.

cc: file

Katie Kessel 443-390-6819
443-392-6819

Kristen L Lewis

From: Debra Wiley
Sent: Friday, March 29, 2024 10:01 AM
To: Kristen L Lewis
Subject: FW: 20-256

From: Debra Wiley
Sent: Friday, March 29, 2024 9:46 AM
To: Henry Ayakwah <hayakwah@baltimorecountymd.gov>; Katie Kolarek <k80girl@msn.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: 20-256

Good Morning,

Our office believes you need to contact the Office of Zoning Review, which is the office where you filed your petition. However, we're trying to obtain a contact name and will let you know as soon as someone gets back to us.

Thank you.

From: Henry Ayakwah <hayakwah@baltimorecountymd.gov>
Sent: Friday, March 29, 2024 9:34 AM
To: Katie Kolarek <k80girl@msn.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: FW: 20-256

Good morning Katie,
In regard to the hearing date, I have copied Donna and Debra from the ALJ office to provide clarification.

Thank you
Good luck

From: Katie Kessel <k80girl@msn.com>
Sent: Friday, March 29, 2024 8:18 AM
To: Henry Ayakwah <hayakwah@baltimorecountymd.gov>; jfraker@baltimorecountymd.gov; michael <uhhuh6@msn.com>
Subject: Re: 20-256

CAUTION: This message from k80girl@msn.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good Morning Henry and Joseph,

I hope this email finds you well.

I realize it has been a few years since I last contacted you so hopefully you can still help us or point us in the right direction.

We applied for a variance in the heart of Covid and I think this is where our trouble started. We got as far as this attached letter of recommendation for our variance, however we never received or filed for a hearing date. Im not sure if that was our oversight or not. However recently this month we were cited again for our hens. Everything has been fine for almost 4 years so I assumed we were in the clear until the Code Enforcement showed up again and I realized we missed this step.

I was wondering if we just need to finalize the last part of this by attending a hearing or what we need to do to actually finalize this process. I have tried to call the Office of Admin Hearings but have not been able to get through. I was hoping you could help me figure this out at your convenience.

Katie Kessel

From: Henry Ayakwah <hayakwah@baltimorecountymd.gov>
Sent: Tuesday, December 1, 2020 1:15 PM
To: Katie Kolarek <k80girl@msn.com>
Subject: RE: 20-256

Sorry
Please see attached

From: Katie Kolarek <k80girl@msn.com>
Sent: Monday, November 30, 2020 4:13 PM
To: Henry Ayakwah <hayakwah@baltimorecountymd.gov>
Subject: Re: 20-256

CAUTION: This message from k80girl@msn.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.
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Hi Henry,

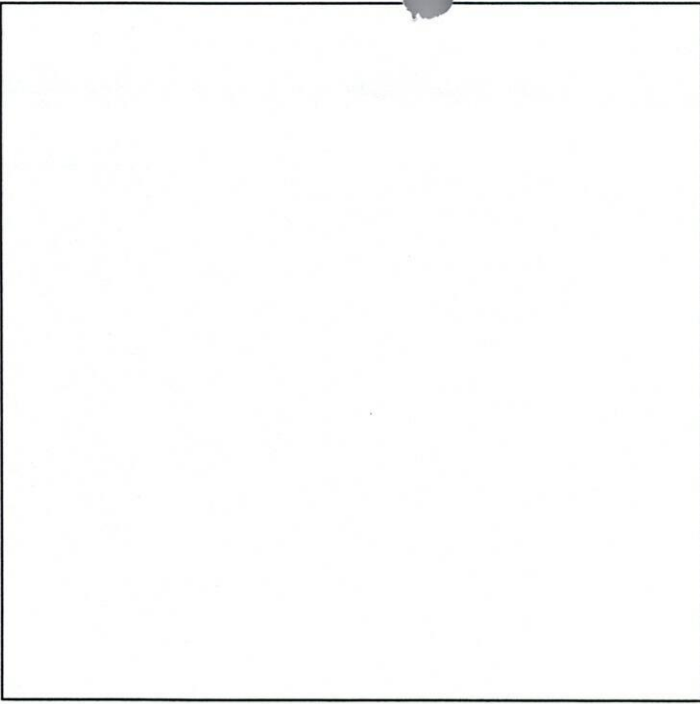
I apologize but I did not receive an attachment to this email to review.

From: Henry Ayakwah <hayakwah@baltimorecountymd.gov>
Sent: Monday, November 30, 2020 6:04 PM
To: k80girl@msn.com <k80girl@msn.com>
Subject: 20-256

Good afternoon,

Please be advised that the attached zoning comments for case(s) 20-256 are the recommendation of the Department of Planning and are also being sent to the Administrative Law Judge for consideration. If further information is needed, please contact the planner listed at the bottom of the recommendation.

Sincerely,
Henry Ayakwah



CONNECT WITH BALTIMORE COUNTY

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www.baltimorecountymd.gov



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 3200 Grace Road Sparrows Pt 21219 which is presently zoned DR 5.5
Deed References: 40406/00322 10 Digit Tax Account # 1504751001
Property Owner(s) Printed Name(s) Katie + Michael Kessel

(SELECT THE HEARING(S) BY MARKING **X** 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. X a **Variance** from Section(s)

BCZR: 100.6 → To permit chickens to be kept on a property with 7,452 sq. ft. of area in lieu of the minimum required 1 acre.

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 bound 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):

Katie Kessel		MIKE KESSEL
Name #1 - Type or Print	Name #2 - Type or Print	
Katie Kessel		M. Kessel
Signature #1	Signature #2	
3200 Grace Road Sparrows Pt MD		
Mailing Address	City	State
21219	443 392 6819	K88girl@msn.com
Zip Code	Telephone #	Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2020-0756-1 Filing Date 10/20/20 Do Not Schedule Dates: _____ Reviewer JS

ZONING PROPERTY DESCRIPTION FOR 3200 Grace Road Sparrows Point MD 21219

Beginning at a point on the southwesterly side of Grace Road which is 31 feet wide at a distance of 10 feet west of the centerline of the nearest improved intersecting Martha Avenue which is 20 feet wide. Our property is a corner lot located at the intersection of Grace Road and Martha Avenue.

Latitude: 39.242894 Longitude: -76.445549

Being Lot #1 & #2, Block N, Section 0141 in the subdivision of Lynch Point as recorded in Baltimore County Plat Book #8, Folio #38, containing 7452 square feet. Located in the 15th Election District and 7th Council District.

2020-0256-A



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 3200 Grace Road Sparrows Pt 21219 which is presently zoned DR5.5
Deed References: 40406/00322 10 Digit Tax Account # 1504751001
Property Owner(s) Printed Name(s) Katie + Michael Kessel

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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):

Katie Kessel , MIKE KESSEL
Name #1 - Type or Print Name #2 - Type or Print

Katie Kessel , M. Kessel
Signature #1 Signature #2

3200 Grace Rd Sparrows Pt MD
Mailing Address City State

21219 , 443 392 6819 , K80girl@msn.com
Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2020-0256-A Filing Date 10/20/20 Do Not Schedule Dates: _____ Reviewer JS

ZONING PROPERTY DESCRIPTION FOR 3200 Grace Road Sparrows Point MD 21219

Beginning at a point on the southwesterly side of Grace Road which is 31 feet wide at a distance of 10 feet west of the centerline of the nearest improved intersecting Martha Avenue which is 20 feet wide. Our property is a corner lot located at the intersection of Grace Road and Martha Avenue.

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2020-0256-A

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/neighbor 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: 2020-0256-A

Property Address: 3200 GRACE ROAD, 21219

Property Description:

Legal Owners (Petitioners): KATIE + MICHAEL KESSEL

Contract Purchaser/Lessee:

PLEASE FORWARD ADVERTISING BILL TO:

Name: KESSEL

Company/Firm (if applicable):

Address: 3200 GRACE ROAD

SPARROWS POINT, MD. 21219

Telephone Number: 443-392-6819

Revised 7/9/2015

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

No. 200987

Date: 10/20/20

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

Rec
From: KESSEL

For: 2020-0256-A

DISTRIBUTION

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

CASHIER'S
VALIDATION

KATIE KOLAREK 3200 GRACE RD. SPARROWS POINT, MD 21219		7-11 520-3071	179
DATE 10/14/20		Shield SM	
PAY TO THE ORDER OF Baltimore County		\$ 75.00	
Seventy Five		DOLLARS	
M&T Bank		Security Features Included. Details on Back.	
MEMO Petition for livestock		MP	
10520001131		9874985246110179	

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
11 West Chesapeake Ave
Baltimore, 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

KOLAREK KATIE MARIE
3200 GRACE RD
SPARROWS POINT, MD 21219

CASE NUMBER	PROP.TAX ID
CC2012787	15-04-751001
VIOLATION ADDRESS	
3200 GRACE RD SPARROWS POINT, MD 21219	

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

County Codes/Regulations	Inspector's Comments
B.C.C. 13-7-112: Nuisance Code B.C.C. 13-7-310(a): Remove all trash & debris from property B.C.C. 35-2-301: Obtain building/ fence/ sign permit B.C.Z.R 100.6: Non permitted livestock / fowl / poultry	Rear Failure to obtain Fence permit Failure to obtain deck permit Chickens are not permitted on property

Failure to comply with this correction notice, may result in a \$ 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:	INSPECTOR ID: 44
	ISSUED DATE:

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. It is important that you read this document carefully, as it charges you with the commission of a crime.
2. 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.
3. 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.
4. A lawyer can give important assistance to you:
 - (a) on how to correct the violation(s) in order to avoid trial or
 - (b) 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).
5. 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.
6. 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.
7. Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

2020-0256-A



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CC2012787

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CC2012787	Latoshia Rumsey-Scott	09/29/2020	09/29/2020	Correction Notice Mailed		

Complaint Description: Chickens, built privacy fence and deck w/o permit , TJD in rear

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
3200 GRACE RD SPARROWS POINT, MD 21219 Tax Id: 1504751001	KOLAREK KATIE MARIE 3200 GRACE RD SPARROWS POINT, MD 21219	Baltimore County

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Latoshia Rumsey-Scott	09/30/2020	Initial Inspection	Correction Notice Issued	Correction Notice Issued	
Latoshia Rumsey-Scott		Re-Inspection	Scheduled		

Lien Information - No Lien

Comments Detail

9/30/2020: Chickens are not permitted on property

9/30/2020: Rear

9/30/2020: Failure to obtain Fence permit

Failure to obtain deck permit

Katie and Michael Kessel
3200 Grace Road
Sparrows PT, MD 21219
443-362-6819
K80girl@msn.com
Case Number CC2012787
TAX ACCT 15-04-751001

October 12, 2020

Dear Zoning Commissioner,

My husband and I are in the process of applying for a variance at our home located at 3200 Grace Road, Sparrows Point, MD 21219. On October 5, 2020, we received a code enforcement violation regarding having fowl on less than 1 acre of land. Our property is an expansive, well-maintained, open backyard.

During the Covid crisis and shortage of eggs in our area, we thought it would benefit us to raise a small flock of chickens. There are a few houses in our sub-division who also have chickens, so we decided to purchase a few chicks. We contacted our adjoining neighbors asking if they had any concerns with us keeping a small flock of egg laying hens on our property. No one objected, and they have all signed the attached petition along with other neighbors in the sub-division.

We have invested over \$1500 in a custom coop and fencing for the run. We hand raised them from hatchlings and they have quickly become part of our family. The possibility of losing them over sufficient acreage is unimaginable. We live on a corner lot and often families and neighbors walking by will call the chickens over to the fence to see them. We keep their wings clipped to hinder them from jumping and flying too high. We share the eggs with our neighbors and also with our family. Their manure is composted for our garden. Depending on the weather we allow them to free-range in our yard so that they are not confined to the coop and run. Our "girls" are very docile and friendly. They are always interacting with us as soon as we come outside.

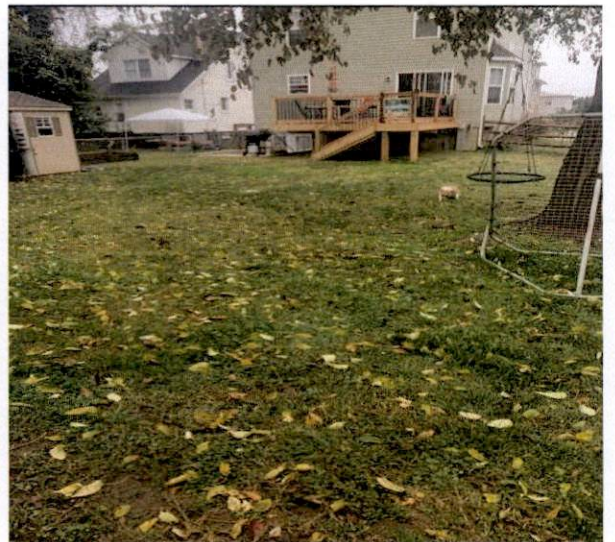
We truly do believe our flock not only brings positivity to our families lives, but also the random families on an evening stroll that travel pass our home on their daily trip around the neighborhood. We would be devastated to loose our hens, our egg supply, and our self-sustaining investment. Please review the attached, photographs, documents, signatures and grant our variance to continue to raise our hens. Thank you in advance for your time and consideration regarding this matter.

Sincerely,

The block contains two handwritten signatures in dark ink. The first signature is cursive and appears to read 'Katie Kessel'. The second signature is also cursive and appears to read 'M. Kessel'.

Katie and Michael Kessel

2020-0256-A



2020-0256-A



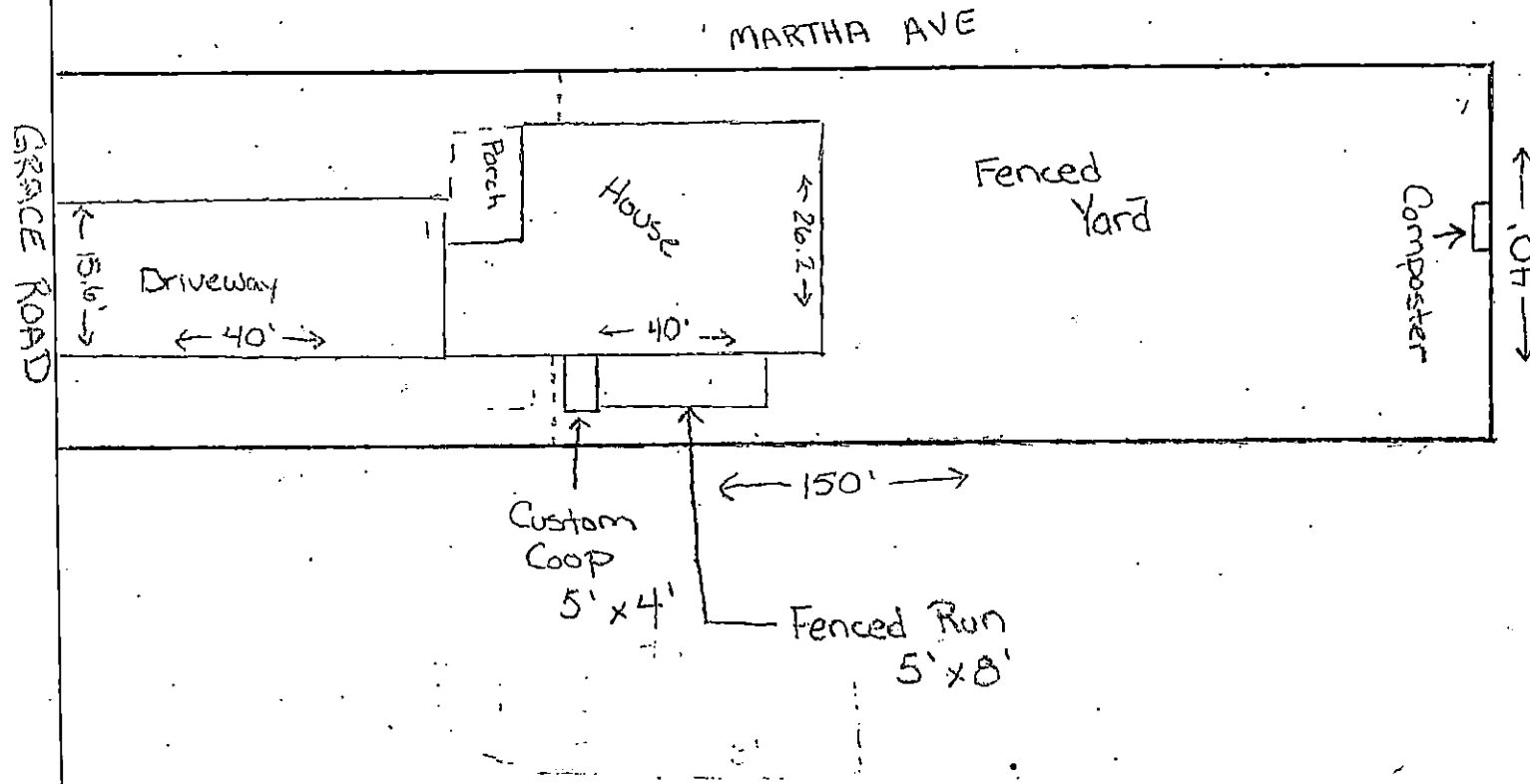
2020-0256-A

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

ADDRESS 3200 GRACE ROAD Sparrows Pt OWNER(S) NAME(S) Katie + Michael Kessel

SUBDIVISION NAME LYNCH POINT LOT # 1+2 BLOCK # N SECTION # 0141

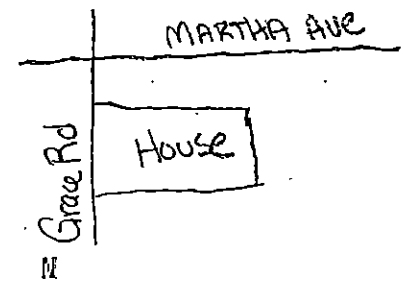
PLAT BOOK # 8 FOLIO # 38 10 DIGIT TAX # 1504751001 DEED REF. # 40406/00322



PLAN DRAWN BY Katie Kessel

DATE 10/13/20 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0111

SITE ZONED 0141

ELECTION DISTRICT 15

COUNCIL DISTRICT 7

LOT AREA ACREAGE _____

OR SQUARE FEET 7452

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 2012 787

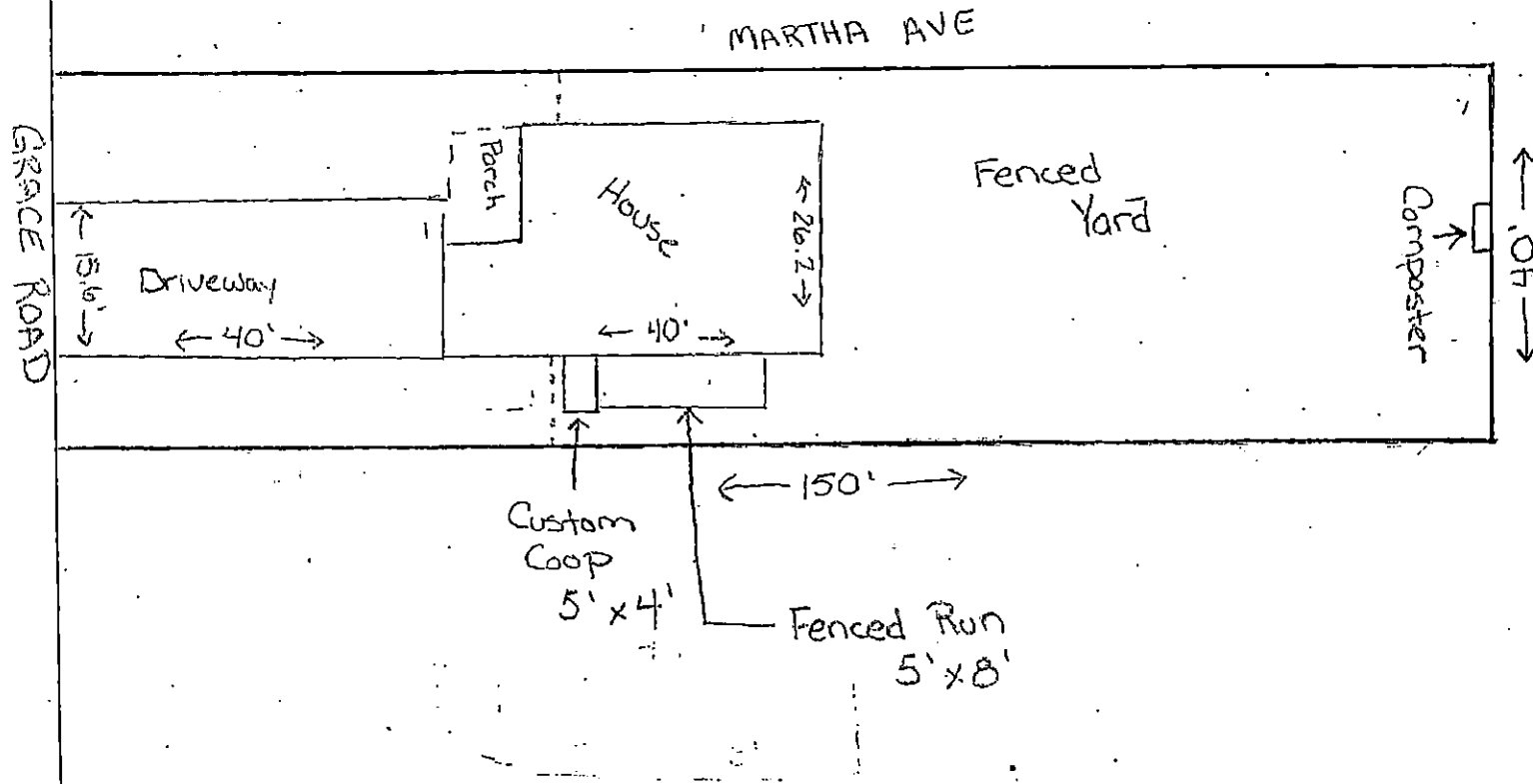
2020-0756-A

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

ADDRESS 3200 GRACE ROAD Sparrows Pt OWNER(S) NAME(S) Katie + Michael Kessel

SUBDIVISION NAME LYNCH POINT LOT # 1+2 BLOCK # N SECTION # 0141

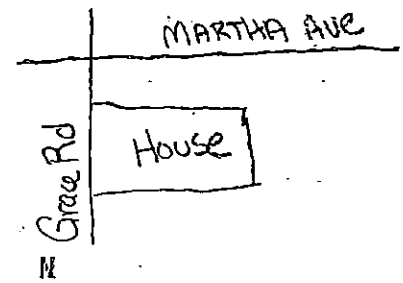
PLAT BOOK # 8 FOLIO # 38 10 DIGIT TAX # 1504751.001 DEED REF. # 40406/00322



PLAN DRAWN BY Katie Kessel

DATE 10/13/20 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0111

SITE ZONED 0141

ELECTION DISTRICT 15

COUNCIL DISTRICT 7

LOT AREA ACREAGE _____

OR SQUARE FEET 7452

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 2012 787

2020-0756-A