

**Subject:**

Case history 904 Nora Drive and April 1, 2024 Statement

**Case #:** 184026 **Address:** 904 NORA DR, SILVER SPRING

Case notes and documents as attached.

Exhibit 18  
OZAH Case No: ADO 25-01

## Notes

(Case# 184026 Address: 904 NORA DR, SILVER SPRING)

Note	Created By	Date
Mailed a physical copy of the document: Citation Letter - Single to the Contact: ARILTON JOSE DOS SANTOS	100	9/12/2024 10:45 AM
Supervisor Thomas Howley has approved the document: Citation Letter - Single on 9/12/2024 8:07 AM	63	9/12/2024 8:07 AM
VIOLATION - Illegal ADU 688011 Accessory Dwelling Unit -Detached General Condition Remove Medium Entire Unit 9/11/2024 Eliminate the Illegal Accessory Dwelling Unit. This is the 5th documented violation of this nature by the property owner at 907 & now 904 Nora Dr. (repeat offender). Remove all cooking equipment from the unit immediately. -In response to an ADU Application for 907 Nora Dr., on 5/1/2024, the above-referenced (904 Nora Dr.) property was inspected. The inspection revealed one violation of the Montgomery County Code, an Illegal ADU. The Notice ordered that violation must be corrected within 7 days of the date of this Notice. A reinspection was scheduled on 5/8/2024 to ensure the violation no longer existed. The Property Owner was instructed that no cooking/cooking equipment is permitted in the unit. -On 9/10/2024 an unannounced voluntary reinspection was conducted, and evidence of cooking/cooking equipment was found in the unit. -As a kitchen is installed in the Illegal ADU it will need to be removed. At a minimum all cooking equipment must be removed (stove, hotplates, microwave, etc.) along with the associated electrical wiring [or natural gas service] for stove/range/oven.	57	9/11/2024 1:42 PM
REINSPECTION - preparation for OZAH Hearing Arrived at property and called the Applicant SANTOS at 1:08 PM. SANTOS answered the phone, and I asked if we could schedule an inspection of the space above the detached garage. He agreed, I advised I was available to inspect today (9/10). SANTOS advised he was not available today; however, he was available this Friday. I informed SANTOS that I was at the property and was available to inspect immediately. There was not response on the phone from SANTOS, however I heard what sounded like: a series of rapid footsteps; door opening/closing; footsteps upstairs; door opening closing; clanging (consistent with moving equipment) for approximately 2-3 minutes; opening and closing door, footsteps on stairs, door open/close; and a crying infant/child. SANTOS did not answer the extension while the line was open. I disconnected the call after 6 minutes. I returned the call, no answer. I again returned the call, no answer. SANTOS then appeared at the front door with an infant/child in his arms. I approached the front entrance door to the primary dwelling for 904 Nora Drive. SANTOS agreed to the inspection. SANTOS accompanied me to the detached garage. The second floor of the detached garage (previously documented as an illegal ADU). Upon entering the unit with SANTOS I observed a bed with unmade bedding, a crib, full bathroom, and a kitchen with dining table. No cooking equipment was observed in the kitchen area; however, the following was observed: pots and pans, dirty dishes in sink, olive oil, spices, a set of knives, plastic food storage containers, paper towels, cutting board, refrigerator, and an open countertop with a 220v stove outlet. SANTOS advised: -his daughter and granddaughter stay in the unlicensed ADU -food is prepared in the primary dwelling and brought to the unlicensed ADU for consumption Based on the inspection it appears the unit above the garage has again been converted to an unlicensed ADU. NEW VIOLATIONS: -illegal ADU	57	9/10/2024 2:26 PM
REQUEST CASE CLOSED - violation corrected	57	5/8/2024 5:32 PM
RI- -cooking equipment removed	57	5/8/2024 5:32 PM

Note	Created By	Date
Mailed a physical copy of the document: NOV1 With Reinspection Date to the Contact: ARILTON JOSE DOS SANTOS	100	5/2/2024 10:53 AM
NOV 7-days for Illegal ADU - remove cooking equipment	57	5/1/2024 2:56 PM
INSEPCION - Illegal ADU The Property Owner (SANTOS) is an ADU License Applicant for 907 Nora Drive. During a previous meeting with the PO he stated: -that he has a bedroom over the detached garage with a kitchen (cooktop). -he lives in the primary dwelling and his daughter lives over the garage -no indication of a rental/tenant at the property -the PO understands he is required to remove the cooking equipment from the detached structure -the PO understands he may only have one ADU, and it must be licensed I met with the PO in the driveway of 904 Nora Drive. He accompanied me during the inspection. ILLEGAL ADU The second floor above the detached garage had a bedroom, bathroom and kitchen. It was apparent that a cooktop was removed from the kitchen counter. Cooking equipment (microwave, air fryers) was located in the kitchen.	57	5/1/2024 2:36 PM
RELATED CASE Case #: 184027 Address: 907 NORA DR, SILVER SPRING Inspector: David Johnson see above case for progress notes	57	3/11/2024 11:39 AM
Case reassigned to Dave Johnson. TH	63	3/8/2024 8:39 AM

**SECTION 101 - GENERAL NOTES**

1.01 GENERAL NOTES

1.02 PERMITS

1.03 UTILITIES

1.04 EROSION CONTROL

1.05 TRAFFIC CONTROL

1.06 MATERIALS

1.07 CONSTRUCTION METHODS

1.08 PROTECTION OF EXISTING UTILITIES

1.09 PROTECTION OF EXISTING STRUCTURES

1.10 PROTECTION OF EXISTING LANDSCAPE

1.11 PROTECTION OF EXISTING TREES

1.12 PROTECTION OF EXISTING WATERWAYS

1.13 PROTECTION OF EXISTING AIRWAYS

1.14 PROTECTION OF EXISTING POWER LINES

1.15 PROTECTION OF EXISTING TELEPHONE LINES

1.16 PROTECTION OF EXISTING CABLE LINES

1.17 PROTECTION OF EXISTING FENCES

1.18 PROTECTION OF EXISTING DRIVEWAYS

1.19 PROTECTION OF EXISTING SIDEWALKS

1.20 PROTECTION OF EXISTING CURBS

1.21 PROTECTION OF EXISTING STAIRS

1.22 PROTECTION OF EXISTING RAMPWAYS

1.23 PROTECTION OF EXISTING ELEVATORS

1.24 PROTECTION OF EXISTING ESCALATORS

1.25 PROTECTION OF EXISTING MECHANICAL EQUIPMENT

1.26 PROTECTION OF EXISTING ELECTRICAL EQUIPMENT

1.27 PROTECTION OF EXISTING PLUMBING EQUIPMENT

1.28 PROTECTION OF EXISTING HEATING EQUIPMENT

1.29 PROTECTION OF EXISTING COOLING EQUIPMENT

1.30 PROTECTION OF EXISTING VENTILATION EQUIPMENT

1.31 PROTECTION OF EXISTING EXHAUST EQUIPMENT

1.32 PROTECTION OF EXISTING FUEL SYSTEMS

1.33 PROTECTION OF EXISTING GAS SYSTEMS

1.34 PROTECTION OF EXISTING OIL SYSTEMS

1.35 PROTECTION OF EXISTING WATER SYSTEMS

1.36 PROTECTION OF EXISTING SEWER SYSTEMS

1.37 PROTECTION OF EXISTING SANITATION SYSTEMS

1.38 PROTECTION OF EXISTING FIRE PROTECTION SYSTEMS

1.39 PROTECTION OF EXISTING SECURITY SYSTEMS

1.40 PROTECTION OF EXISTING COMMUNICATIONS SYSTEMS

1.41 PROTECTION OF EXISTING DATA SYSTEMS

1.42 PROTECTION OF EXISTING VIDEO SYSTEMS

1.43 PROTECTION OF EXISTING AUDIO SYSTEMS

1.44 PROTECTION OF EXISTING LIGHTING SYSTEMS

1.45 PROTECTION OF EXISTING SIGNAGE SYSTEMS

1.46 PROTECTION OF EXISTING ACCESSIBILITY SYSTEMS

1.47 PROTECTION OF EXISTING SAFETY SYSTEMS

1.48 PROTECTION OF EXISTING HEALTH SYSTEMS

1.49 PROTECTION OF EXISTING ENVIRONMENTAL SYSTEMS

1.50 PROTECTION OF EXISTING HISTORICAL SYSTEMS



# DPS | Montgomery County Department of Permitting Services

## YOUR PROJECT PARTNER

**SECTION 102 - PERMITS**

2.01 PERMITS

2.02 PERMITTING PROCESS

2.03 PERMITTING FEES

2.04 PERMITTING SCHEDULE

2.05 PERMITTING CONTACTS

2.06 PERMITTING REQUIREMENTS

2.07 PERMITTING CONDITIONS

2.08 PERMITTING EXCEPTIONS

2.09 PERMITTING APPEALS

2.10 PERMITTING REVOCATIONS

2.11 PERMITTING SUSPENSIONS

2.12 PERMITTING TRANSFERS

2.13 PERMITTING ASSIGNMENTS

2.14 PERMITTING SUBSTITUTIONS

2.15 PERMITTING AMENDMENTS

2.16 PERMITTING CLOSURES

2.17 PERMITTING RENEWALS

2.18 PERMITTING EXPIRES

2.19 PERMITTING CANCELLATIONS

2.20 PERMITTING REINSTATEMENTS





DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich  
County Executive

May 1, 2024

Scott Bruton  
Director

ARILTON JOSE DOS SANTOS  
904 NORA DR  
SILVER SPRING, MD 20904

PROPERTY: 904 NORA DR  
CASE NUMBER:184026

DEAR ARILTON JOSE DOS SANTOS :

On 5/1/2024, the above-referenced property was inspected. The inspection revealed 1 violation(s) of the Montgomery County Code, which you can find listed on the enclosed Addendum. The violation(s) must be corrected within 7 days of the date of this letter (unless otherwise noted in the enclosed Addendum). **A reinspection will be conducted on 5/8/2024 at 2:00 PM to ensure the violation(s) no longer exist(s).**

Failure to properly correct these violations may result in the issuance of a civil citation for each offense. The offense(s) will be prosecuted in the District Court of Maryland for Montgomery County. **The penalty provisions may include the imposition of a civil fine of up to \$1,000 for each violation.**

If you have any questions, please feel free to contact me. Your cooperation in complying with this notice is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "David Johnson".

David Johnson  
Housing Code Inspector III  
(240) 777-3695  
David.Johnson@montgomerycountymd.gov

Enclosure(s)

Division of Community Development

Code Enforcement Common Ownership Communities Landlord-Tenant Affairs

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca



**ADDENDUM**

Case Number: 184026

Property: 904 NORA DR

Location	Item	Condition	Action	ID
Entire Unit	Accessory Dwelling Unit - Detached	General Condition	Remove	664195
59-3.3.3B   Severity: Medium   Comments: REMOVE ALL COOKING EQUIPMENT. Cooking equipment if not permitted in the detached structure.				

**Important notice:**

The Montgomery County Code establishes minimum requirements for building and maintenance standards that contain clear and specific provisions. All repairs, maintenance work, alterations or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. In addition, it is the responsibility of the property owner (or agent) to obtain any required permits through the Montgomery County Department of Permitting Services and/or the Montgomery County Historic Preservation Commission where applicable.

Visit <https://www.montgomerycountymd.gov/DPS/divisions/residential/index.html> for more details regarding required permits. For more information about the Housing Code Enforcement process, visit <https://www.montgomerycountymd.gov/DHCA/community/code/index.html>.

Real Property Data Search ( )  
 Search Result for MONTGOMERY COUNTY

[View Map](#)      [View GroundRent Redemption](#)      [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 05 Account Number - 00347897

**Owner Information**

Owner Name: DOS SANTOS ARILTON JOSE      Use: RESIDENTIAL  
 Principal Residence: YES  
 Mailing Address: 904 NORA DR      Deed Reference: /41776/ 00006  
 SILVER SPRING MD 20904-2132

**Location & Structure Information**

Premises Address: 904 NORA DR      Legal Description: SPRINGBROOK KNOLLS  
 SILVER SPRING 20904-0000

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 5816  
 JQ62 0000 0000 5060039.16 0039 2 4 2024 Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1960	2,404 SF	600 SF	11,439 SF	111

Stories	Basement	Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	BRICK/ 4	2 full	1 Attached	FRAME

**Value Information**

	Base Value	Value		
		As of 01/01/2024	As of 07/01/2024	As of 07/01/2025
Land:	211,400	211,400		
Improvements	201,500	337,600		
Total:	412,900	549,000	458,267	503,633
Preferential Land:	0	0		

**Transfer Information**

Seller: SANTOS ARILTON J D & H H	Date: 06/22/2011	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /41776/ 00006	Deed2:
Seller: HEATWOLE, ROY E & D L	Date: 06/28/1999	Price: \$197,000
Type: ARMS LENGTH IMPROVED	Deed1: /17528/ 00741	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

**Exemption Information**

Partial Exempt Assessments: Class	07/01/2024	07/01/2025
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00      0.00 0.00

Special Tax Recapture: None

**Homestead Application Information**

Homestead Application Status: Approved 04/22/2024

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application      Date:



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich  
County Executive

September 11, 2024

Scott Bruton  
Director

ARILTON JOSE DOS SANTOS  
904 NORA DR  
SILVER SPRING, MD 20904

PROPERTY: 904 NORA DR  
CASE NUMBER: 184026

DEAR Mr. ARILTON JOSE DOS SANTOS :

This letter is to advise you that your case has been forwarded to the Office of the County Attorney for legal action. Enclosed is a copy of the citation issued to you. Follow the instructions on the citation. If you wish to contact the Office of the County Attorney, you may do so in writing. The address is 101 Monroe Street, Third Floor, Rockville, Maryland 20850.

A notice of trial date will be mailed to you by the District Court of Maryland for Montgomery County. The trial will be held at the District Court located at 191 East Jefferson Street, Rockville, MD 20850.

Sincerely,

David Johnson  
Housing Code Inspector III  
(240) 777-3695  
David.Johnson@montgomerycountymd.gov

**VIA REGULAR & CERTIFIED/RESTRICTED MAIL**

Enclosure(s)

**Division of Community Development**

Code Enforcement    Common Ownership Communities    Landlord-Tenant Affairs

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • [www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)



[montgomerycountymd.gov/311](http://montgomerycountymd.gov/311)

240-777-3556 TTY





UNIFORM CIVIL CITATION

2Z36238953

WITNESS

RELATED CASE # / CITATION(S)

District Court of Maryland for \_\_\_\_\_

Montgomery County		Address		DHCA	
County/Municipality/State of Maryland				Agency	
VS DOS SANTOS, ARILTON JOSE					
Defendant's (Last) Name		First		Middle	
904 NORA DR					
Current Street Address		City		Apt. No.	
SILVER SPRING		MD		20904	
County		State		Zip	
DOB	Height	Weight	Sex	Race	Hair
Telephone No.	Day/Night:	E-mail:			

Notes

Eliminate the Illegal Accessory Dwelling Unit. This is the 5th documented violation of this nature by the property owner at 907 & now 904 Nora Dr. (repeat offender). Remove all cooking equipment from the unit immediately.

-In response to an ADU Application for 907 Nora Dr., on 5/1/2024, the above-referenced (904 Nora Dr.) property was inspected. The inspection revealed one violation of the Montgomery County Code, an Illegal ADU.

Based on  personal knowledge of the undersigned officer,  the attached affidavit, the Defendant is charged with Failure to reduce single family dwellings to one, on a residential lot...  
 Location: Entire Unit. Item: Accessory Dwelling Unit -Detached. Condition: General Condition (Ref: DHCA # 184026-688011)  
 at 01:57  AM  PM on 9 / 10 / 2024  
 at 904 NORA DR SILVER SPRING Montgomery  
 Location of Offense

County, MD in violation of:  Md. Ann. Code  Municipal Infraction/County Ordinance/Public Local Law/Local Code  COMAR  
 Document/Article MCC 59 Section 3.3.3 B Sub Section Paragraph

Each day a violation continues is a separate infraction subject to an additional citation.

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation.  
 Defendant's Signature Mailed Certified Restricted and Regular

INSTRUCTIONS

YOU MUST APPEAR IN COURT. A notice of trial date will be mailed to you.  
 YOU MAY PAY A FINE of \$ 500 (entire amount required) by 10-01-2024 to the:  
 District Court. Payment of the fine will not close the case if abatement action is pending.  
 Agency/Municipality Office of the County Attorney  
 at 101 Monroe Street, 3rd Floor, Rockville, MD 20850  
 Payment Location

and AVOID TRIAL. This will be deemed an admission of guilt and a trial date will not be set.  
 YOU MAY ELECT TO STAND TRIAL by sending your request in writing to the:  
 District Court  Agency/Municipality Office of the County Attorney  
 in writing by 10-01-2024 at 101 Monroe Street, 3rd Floor, Rockville, MD 20850  
 Date Address


DO NOT SEND PAYMENT OF FINE. The District Court will mail you a notice of your trial date, time, and location. AT TRIAL the Court may impose a fine up to the maximum allowed by statute plus court costs.  
 IN ADDITION, Montgomery County Agency/Municipality is seeking abatement of this infraction.

You may be ordered to abate this infraction or be assessed the costs for the abatement, as well as a fine of up to \$1,000, plus court costs. Payment of the preset fine will not satisfy the abatement action and an order of abatement may still be entered against you.

<input type="checkbox"/> FAILING TO APPEAR OR PAY THE FINE MAY RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.
<input checked="" type="checkbox"/> FAILING TO PAY THE FINE OR REQUEST A TRIAL DATE: <input type="checkbox"/> will deem you liable for the fine assessed; the fine may be doubled and/or a judgment on affidavit may be entered against you including an order of abatement; <input checked="" type="checkbox"/> you may be found guilty of a Code violation and the maximum fines, court costs, and administrative expenses can be imposed.
<input checked="" type="checkbox"/> FAILURE TO APPEAR FOR A REQUESTED TRIAL DATE: <input type="checkbox"/> the fine may be doubled and a judgment on affidavit entered against you; <input checked="" type="checkbox"/> you may be found guilty of a Code violation and the maximum fines and costs can be imposed.

I solemnly affirm under the penalties of perjury, and based upon personal knowledge or the attached affidavit, that the contents of this citation are true and that I am competent to testify on these matters.

The Defendant is not now in the military service, as defined in the Servicemembers Civil Relief Act.

  
 Issuing Officer's Signature      David Johnson      09-10-2024  
 Officer's Printed Name      Date  
 DHCA      Code      3695      (240) 777-3695  
 Agency      Sub-Agency      I.D. No.      Telephone

COURT COPY

**Note to Law Enforcement: Remove this first copy of Citation before entering witness information.**

**TO THE DISTRICT COURT:**

**PLEASE SUMMONS THE FOLLOWING WITNESSES:**

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_  
NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_  
If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_  
NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_  
If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_  
NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_  
If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_  
NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_  
If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_  
NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_  
If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

Reverse of Part #1  
Municipality/Court Copy

# Violation Images



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**Clifton Bouma, Program Specialist II**

Licensing & Registration, DHCA

1401 Rockville Pike, 4<sup>th</sup> Floor • Rockville, MD 20852

April 1st, 2024

To whom this may concern,

My name is Arilton Santos currently residing at 904 Nora Drive Silver Spring, MD 20904. Also the owner of 907 Nora Drive Silver Spring, MD 20904. I am applying for a Dwelling permit for the 907 Nora Drive Nora Drive Silver Spring, MD 20904. After the approval of the following ADU and it being built, my intent is to move into the dwelling.

Respectfully,

*Arilton J Santos*

Arilton J Santos