

**IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(21 Brett Manor Ct.) *

8th Election District *

3rd Council District *

Gurmeet & Santosh Dhillon, *Legal Owners* *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0060-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Gurmeet & Santosh Dhillon, the legal owners. The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."): to allow a proposed accessory structure (pool house) with the following amenities: kitchen, 2 bathrooms, and a full basement. The Variance petition seeks relief from B.C.Z.R. §400.3 to permit a proposed accessory structure (pool house) with a height of 25 feet in lieu of the maximum of 15 feet. 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.

Appearing at the public hearing in support of the requests was Santosh Dhillon. The file reveals that the Petition was advertised and the site was posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, and the file does not contain letters of protest or opposition. In fact, the Petitioner indicated his neighbors all expressed support for the project.

Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Department of Environmental Protection and Sustainability (DEPS).

ORDER RECEIVED FOR FILING

Date

11/18/13

By

Sen

The subject property is 3.04 +/- acres in size and is zoned RC-7. The Petitioners constructed their house in 2000, and the property is bordered by woods and a creek. The nearest home is over 600 feet away. Mr. Dhillon - -an engineer - -indicated he designed his home and also designed the proposed pool house, shown on the site plan. The Petitioners would like to serve hot food at pool parties and gatherings, and for that reason the pool house is designed with a "kitchenette." The building would have bathrooms/changing rooms for men and women, and a dining area. Mr. Dhillon explained the building will not have living quarters, and will not be used for commercial purposes, and he submitted a revised plan with a conspicuous note to this effect, as requested by the DOP. Exhibit 1. Mr. Dhillon stated that the building will not really have a "basement," since it will have no internal means of access. Instead, it will have only a small exterior entrance, and will be used to store medical records for the Petitioners' son, who is a physician. Mr. Dhillon also explained that several of his neighbors have pool houses with similar kitchen and bathroom amenities.

I reviewed and considered the concerns expressed by the DOP and DEPS; that the accessory building could serve as a second dwelling. Having had the opportunity to review the plans and photos of the site, and hear Mr. Dhillon describe the project, it is clear to me that the structure will not be used in that fashion, and a restriction prohibiting commercial or dwelling use will be on the plan and included in the final Order. The Petitioners' home is almost 9,000 square feet and has an assessed value in excess of one million dollars. The proposed pool house will be in keeping with the estate-like nature of the existing improvements, and its final design will be reviewed by the community's architectural committee. Thus, I will grant the petition for Special Hearing.

Based upon the testimony and evidence presented, I will also grant the petition for variance. To obtain variance relief a petitioner must show:

ORDER RECEIVED FOR FILING

Date

11/18/13

By

Sen

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

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

The Petitioners have met this test. The lot is irregularly shaped and is therefore unique. The Petitioners would experience a practical difficulty if the regulations were strictly interpreted, since they would be unable to construct the proposed improvements. Finally, I do not believe the grant of relief would be detrimental to the health safety and welfare of the community.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioner's Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 18th day of November, 2013, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a proposed accessory structure (pool house) with the following amenities: kitchen, 2 bathrooms, and a full basement, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to B.C.Z.R. §400.3 to permit a proposed accessory structure (pool house) with a height of 25 feet in lieu of the maximum of 15 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. No commercial activities of any kind shall be permitted in the proposed accessory building.

ORDER RECEIVED FOR FILING

Date 11/18/13

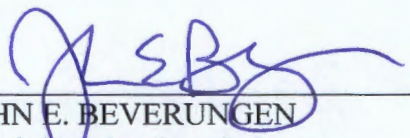
F Den

3. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters or living area.

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

Order.

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

11/18/13
sln

KEVIN KAMENETZ
County Executive



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

November 18, 2013

Gurmeet & Santosh Dhillon
21 Brett Manor Ct.
Hunt Valley, Maryland 21030

RE: Petitions for Special Hearing and Variance
Property: 21 Brett Manor Ct.
Case No.: 2014-0060-SPHA

Dear Gurmeet & Santosh Dhillon:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



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 21 Brett Manor Ct, Hunt Valley, MD which is presently zoned RC7
 Deed References: 13436/00412 10 Digit Tax Account # 2200020800
 Property Owner(s) Printed Name(s) Gurmeets & Santosh Dhillon

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

Attached

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)

Attached

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):

Gurmeets S. Dhillon, Santosh Dhillon

Name #1 - Type or Print

Name #2 - Type or Print

Gurmeets S. Dhillon

Santosh Dhillon

Signature #1

Signature #2

21 Brett Manor Ct Hunt Valley MD

Mailing Address

City

State

21030

Zip Code

Telephone #

gdhillon@deimdc.com

Email Address

Representative to be contacted:

Gurmeets S. Dhillon *(e-mail)*

Name- Type or Print

Gurmeets S. Dhillon *gdhillon@deimdc.com*

Signature

21 Brett Manor Ct. Hunt Valley MD 4675

Mailing Address

City

State

21030

Zip Code

Telephone #

gdhillon@deimdc.com

Email Address

CASE NUMBER 2014-0060-SPHA Filing Date 9/10/13

Do Not Schedule Dates: _____

Reviewer G.H

A variance from section 400.3 BCZR to permit a proposed accessory structure (pool house) with a height of 25 feet in lieu the maximum of 15 feet.

Special hearing to allow a proposed accessory structure (pool house) with the following amenities kitchen, 2 bathrooms, and a full basement.

Case# 2014-0060-SPHA

ZONING PROPERTY DESCRIPTION FOR:
21 Brett Manor Court, Hunt Valley, Maryland 21030

Beginning at a point on the west side of Brett Manor Court which is 50' R/W wide at the distance of 1,000' $\pm$ north of the centerline of the nearest improved intersecting Gardiner Road which is 50' R/W wide.

Being Lot #1, Section #2 in the subdivision of Nicholson's Manor as recorded in Baltimore County Plat Book #66, Folio #137, continuing 3.04 AC, located in the 8th Election District and 3rd Council District.

2014-0060-SPHA

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 2014-0060-SPHA
Petitioner: Gurmeet S. Dhillon
Address or Location: 21 Brett Manor CT Hunt Valley MD 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gurmeet S. Dhillon
Address: 21 Brett Manor CT
Hunt Valley MD 21030
Telephone Number: 410-584-8755

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

No. **102587**

Date: **9/10/13**

PAID RECEIPT

BUSINESS RETURN TIME 0000

9/10/2013 9/10/2013 09:22:54 5

REC MSOS WALKIN 09/10/2013

>>RECEIPT # 092737 9/10/2013 0000

Dept 5 530 ZIMING VERIFICATION

CR NO. 102587

Recpt Tot \$150.00

\$150.00 CR 1.00 CA

Baltimore County, Maryland

Rev Sub
 Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				150.00

Total: **150.00**

Rec From: **Gurmeet Dhillon**

For: **Case hearing # 2014-0060-SPHA**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No. 2014-0060-SPHA

Petitioner: Mr. & Mrs Dhillon

Hearing Date: 11/15/13

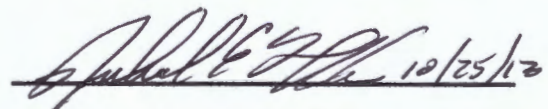
Baltimore County Department of
Permits and Development Management
Room 105, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

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

21 Brett Manor Court

_____ on 10/25/13

Sincerely,

 10/25/13

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443-243-7360)

Certificate of Posting

Case No. 2014-0060-SPHA



21 Brett Manor Court

(posted 10/25/13)

Richard E. Hoffman 10/25/13

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443-243-7360)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

October 24, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on October 24, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2014-0060-SPHA

21 Brett Manor Court

W/S Brett Manor Court, 1000 ft. +/- to centerline of Gardiner Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Gurmeet & Santosh Dhillon

Special Hearing to allow a proposed accessory structure (pool house) with the following amenities: kitchen, 2 bathrooms and full basement. **Variance** to permit a proposed accessory structure (pool house) with a height of 25 feet in lieu of the maximum of 15 feet.

Hearing: Friday, November 15, 2013 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
10/452 October 24 954069



KEVIN KAMENETZ
County Executive

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

September 26, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0060-SPHA

21 Brett Manor Court

W/S Brett Manor Court, 1000 ft. +/- to centerline of Gardiner Road

8th Election District – 3rd Councilmanic District

Legal Owners: Gurmeet & Santosh Dhillon

Special Hearing to allow a proposed accessory structure (pool house) with the following amenities: kitchen, 2 bathrooms and full basement. Variance to permit a proposed accessory structure (pool house) with a height of 25 feet in lieu of the maximum of 15 feet.

Hearing: Friday, November 15, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Dhillon, 21 Brett Manor Court, Hunt Valley 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, OCTOBER 26, 2013.**
- (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: PATUXENT PUBLISHING COMPANY
Thursday, October 24, 2013 Issue - Jeffersonian

Please forward billing to:
Gurmeet Dhillon
21 Brett Manor Court
Hunt Valley, MD 21030

410-584-8755

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: 2014-0060-SPHA

21 Brett Manor Court

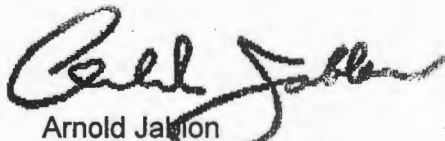
W/S Brett Manor Court, 1000 ft. +/- to centerline of Gardiner Road

8th Election District – 3rd Councilmanic District

Legal Owners: Gurmeet & Santosh Dhillon

Special Hearing to allow a proposed accessory structure (pool house) with the following amenities: kitchen, 2bathrooms and full basement. Variance to permit a proposed accessory structure (pool house) with a height of 25 feet in lieu of the maximum of 15 feet.

Hearing: Friday, November 15, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jalon
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.

MEMORANDUM

DATE: December 19, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0060-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on December 18, 2013. 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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
21 Brett Manor Court; W/S Brett Manor	*	OF ADMINSTRATIVE
Court; 1000' C/line of Gardiner Road		
8 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Gurmeet & Santosh Dhillon		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-060-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

SEP 17 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of September, 2013, a copy of the foregoing Entry of Appearance was mailed to Gurmeet Shillon, 21 Brett Manor, Court, Hunt Valley, MD 21030, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>9/23/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>10/23/13</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
<u>10/3/13</u>	PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>9/16/13</u>	STATE HIGHWAY ADMINISTRATION	<u>no obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 10/24/13

SIGN POSTING Date: 10/25/13 by Hoffman

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

November 6, 2013

Gurmeet S & Samtosh Dhillon
21 Brett Manor Court
Hunt Valley MD 21030

RE: Case Number: 2014-0060 SPHA, Address: 21 Brett Manor Court

Dear Mr. & Ms. Dhillon:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 10, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel

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



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

Date: 9-16-13

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

RE: Baltimore County
Item No 2014-0060-SPHA
Special Hearing Variance
Courmet & Santosh Dillon
21 Brett Manor Court

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2014-0060-SPHA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 3, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 21 Brett Manor Court

OCT 08 2013

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 14-060

Petitioner: Gurmeet and Santosh Dhillon

Zoning: RC 7

Requested Action: Variance and Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The variance request from Section 400.3 of the Baltimore County Zoning Regulations to permit a proposed accessory structure (pool house) with a height of 25 feet in lieu of the maximum permitted 15 feet is not opposed by the Department of Planning.

However, the request for special hearing to permit a kitchen, two bathrooms, and a full basement in the proposed pool house is opposed. The Department of Planning does not support multiple dwellings on single lots. Even though the request is for an accessory structure, with the amenities requested, it could serve as a second dwelling.

The Department of Planning would not be opposed to the proposed pool house having bathrooms. Bathrooms are characteristic of a pool house. The remaining requested amenities as part of the special hearing are not, and are therefore not supported.

Lastly, the proposed accessory structure shall not be used for commercial purposes nor be converted into a living unit (apartment, etc...) at a later date. A note shall be placed on the plan to such effect.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared By:

Division Chief:
AVA/LL:cjm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

OCT 23 2013



OFFICE OF ADMINISTRATIVE HEARINGS

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

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: October 23, 2013

SUBJECT: DEPS Comment for Zoning Item # 2014-0060-SPHA
Address 21 Brett Manor Court
(Dhillon Property)

Zoning Advisory Committee Meeting of September 16, 2013.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. The purpose of the RC 7 zone includes a specific statement about concerning the limiting of residential development in the zone. BCZR Sec 1A08.1A.2 references the Master Plan and includes a statement that among the purposes of this zone "is the reduction of permitted residential densities in these areas." Furthermore, unlike other rural zones the RC 7 does not permit tenant houses. For these reasons it is inconsistent with the zone to permit a second dwelling on the property which has been requested in the form of a pool house. The request indicates the structure will have a kitchen and 2 bathrooms which will allow the structure to be used, for all intents and purposes, as a second dwelling. Once such a structure is permitted it would be impossible for the County to be able to monitor in order to enforce any condition prohibiting the use for residential. The recommendation is to deny the request for a second house on the property.

Reviewer: *W.S. Lippincott – Land Preservation*

2. Groundwater Mgmt. must review the future bldg. permit for a proposed large pool house, since the house is served by well and septic.

Reviewer: *Dan Esser – Groundwater Management*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 23, 2013

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 23, 2013
Item No. 2014-0060, 0062 and 0063

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

DAK:CEN
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC09232013 - NO COMMENTS.doc

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registr
Account Identifier:	District - 08 Account Number - 2200020800	
Owner Information		
Owner Name:	DHILLON GURMEET S DHILLON SANTOSH 21 BRETT MANOR CT HUNT VALLEY MD 21030-1228	Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1) /13436/ 00412 2)
Mailing Address:		
Location & Structure Information		
Premises Address:	21 BRETT MANOR CT 0-0000	Legal Description: 3.040 AC 21 BRETT MAN NICHOLSON S
Map: 0033	Grid: 0023	Parcel: 0124
Sub District:	Subdivision: 0000	Section: 2
Block:	Lot: 1	Assessment Year: 2014
Plat No:	Plat Ref: NONE	
Special Tax Areas:	Town:	Ad Valorem:
	Tax Class:	
Primary Structure Built 2000	Above Grade Enclosed Area 8,677 SF	Finished Basement Area 3.0400 AC
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior BRICK	Full/Half Bath 4 full/ 1 half	Garage 1 Attached
Last Major Re		
Value Information		
	Base Value	Value
		As of 01/01/2011
Land:	361,200	361,200
Improvements	934,600	934,600
Total:	1,295,800	1,295,800
Preferential Land:	0	
		Phase-in Assessments
		As of 07/01/2013
		As of 07/01/
Transfer Information		
Seller: WESTERN RUN LIMITED PARTNERSHIP	Date: 01/08/1999	Price: \$209,000
Type: ARMS LENGTH VACANT	Deed1: /13436/ 00412	Deed2:
Seller: ST LUKES HEALTH CENTER INC	Date: 07/21/1994	Price: \$1,879,774
Type: ARMS LENGTH MULTIPLE	Deed1: /11625/ 00525	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 09/03/2008		

Case No.:

2014-0060-SPHA

Exhibit Sheet

DO
12-19-13

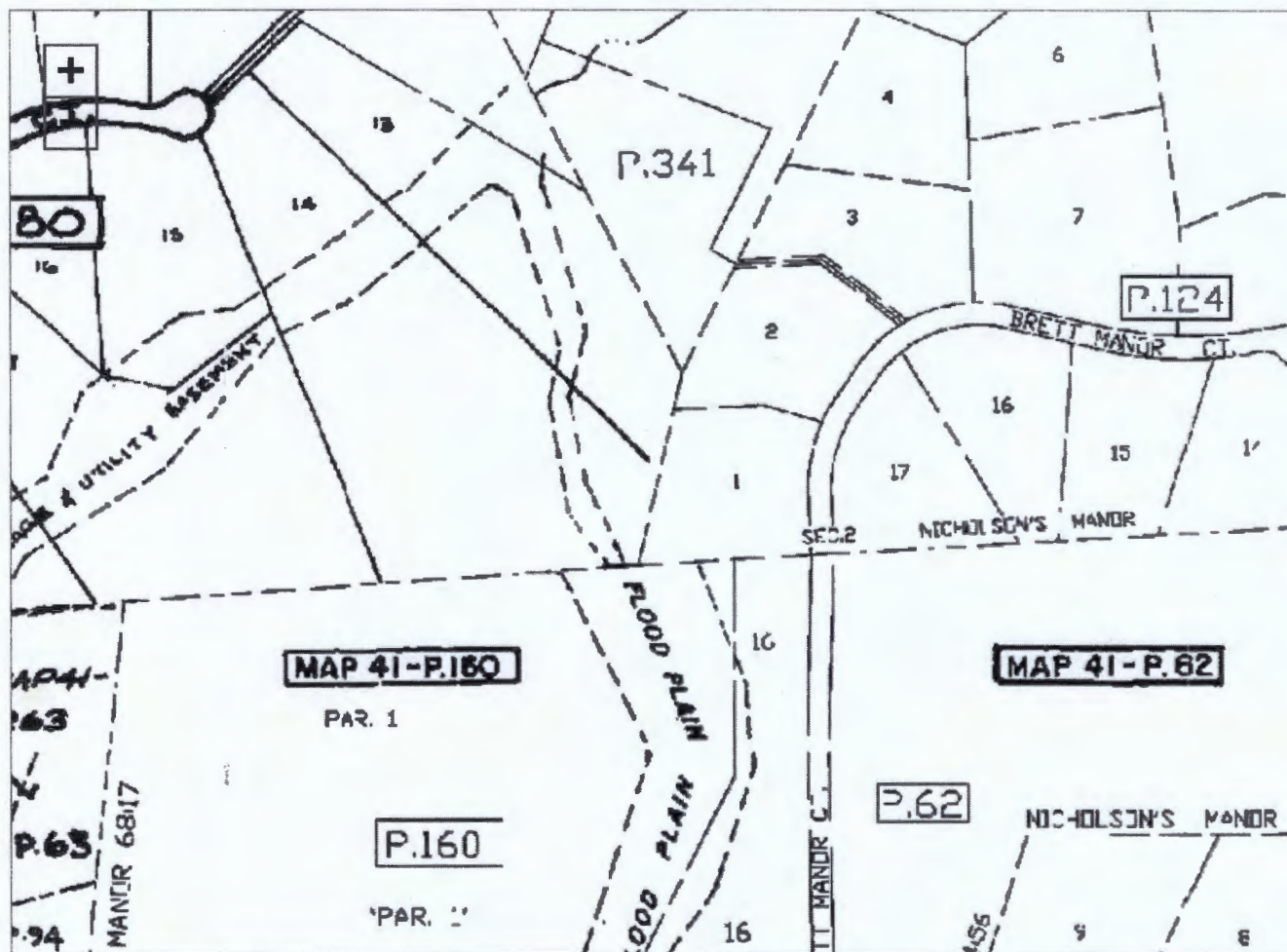
SEN
11-18-13

Petitioner/Developer

Protestants

No. 1	Site plan (w/note)	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **08** Account Number: **2200020800**

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 ©2011.

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



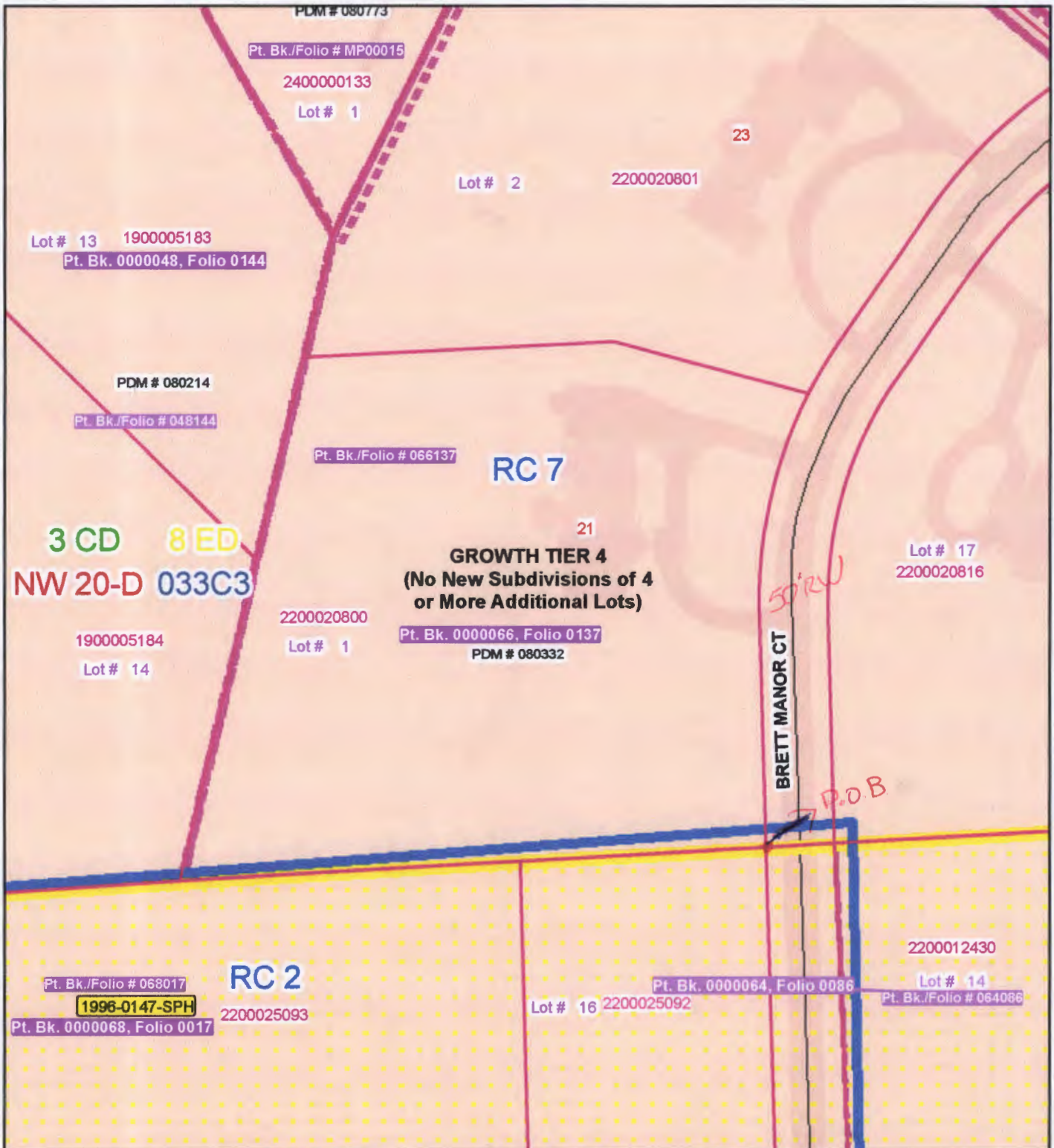
(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please

Loading... Please Wait.

-->

21 Brett Manor Court



Publication Date: 8/27/2013



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



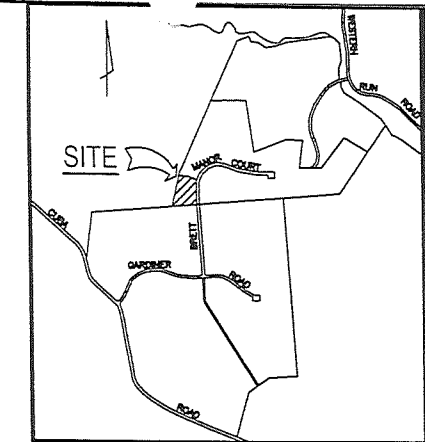
0 25 50 100 150 200 Feet

1 inch = 100 feet

2014-0060-SPHA

190005183
LOT #13

2200020801
LOT #2



VICINITY MAP
NOT TO SCALE

DES: VP
DRN: OH
CHK: GSD/SSD
SCALE: AS SHOWN
NOVEMBER, 2013
PLATE 1 OF 1

SITE PLAN

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X
ADDRESS: 21 BRETT MANOR COURT, HUNT VALLEY, MD 21030
OWNER(S) NAMES: GURMEETS & SANTOSH DHILLON
SUBDIVISION NAME: NICHOLSON'S MANOR LOT: #1 BLOCK: # SECTION: #2
PLAT BOOK: #066 FOLIO: #137 10 DIGIT TAX #2200020800
DEED REF.: # 13436/00412

ZONING MAP # 033C3
SITE ZONED RC-7
ELECTION DISTRICT 8TH
COUNCIL DISTRICT 3RD
LOT AREA ACREAGE 3.04
OR SQUARE FEET _____
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC _____ PRIVATE X
SEWER IS:
PUBLIC _____ PRIVATE X
PRIOR HEARING? _____
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW:
N/A

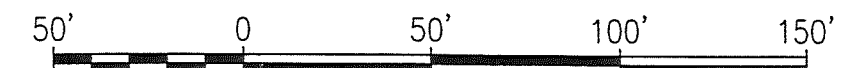
VIOLATION CASE INFO:
N/A

NOTE:

PROPOSED POOL HOUSE WILL NOT BE
USED FOR COMMERCIAL PURPOSES
NOR BE CONVERTED INTO A LIVING
UNIT AT LATER DATE.

PLAN DRAWN BY DEI DATE 8/28/2013 SCALE: 1 INCH = 50 FEET.

SCALE: 1 IN. = 50 FT.



POOL HOUSE
21 BRETT MANOR COURT, HUNT VALLEY, MD

DHILLON
ENGINEERING, INC.
10902 REISTERSTOWN ROAD, # 204
OWINGS MILLS, MD 21117
(P) 410.356.1095 (F) 410.363.4095

C1

Petitioners No. 1