

IN RE: PETITION FOR ADMIN. VARIANCE *
(6 Ridgecliff Court)
11th Election District *
3rd Council District *
Bryan A. and Karen L. Adams *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2014-0086-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Bryan A. and Karen L. Adams. The Petitioners are requesting Variance relief pursuant to Section 1A04.3.B.2(b) of the Baltimore County Zoning Regulations ("B.C.Z.R), to permit an addition (In-Law Apartment) on the side of the existing dwelling with a side setback of 27 ft. in lieu of the required 50 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 20, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 11-6-13

By 182

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 6th day of November, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 1A04.3.B.2(b) of the Baltimore County Zoning Regulations ("B.C.Z.R), to permit an addition (In-Law Apartment) on the side of the existing dwelling with a side setback of 27 ft. in lieu of the required 50 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

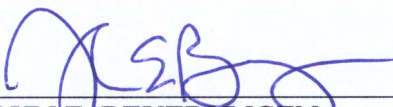
1. Petitioners may apply for any appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The relief granted herein pertains only to the side yard setback requirements of the RC 5 zone. The administrative special hearing procedure can only be utilized for variances of height and area regulations. As such, approval for an in-law apartment will require a use permit and/or special hearing in the OAH, as set forth in Baltimore County Council Bill No. 49-11.

ORDER RECEIVED FOR FILING

Date 11-6-13

By SW

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:dlw

ORDER RECEIVED FOR FILING

Date 11-6-13

By DLW



KEVIN KAMENETZ
County Executive

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

November 6, 2013

Bryan A. Adams
Karen L. Adams
6 Ridgecliff Court
Kingsville, Maryland 21087

RE: Petition for Administrative Variance
Case No. 2014-0086-A
Property: 6 Ridgecliff Court

Dear Mr. and Mrs. Adams:

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,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Ernest G. Eckenrode, 4934 Bucks Schoolhouse Road, Baltimore, MD 21237



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 6 Ridge Cliff Court

which is presently zoned RC 5

Deed Reference 5326/183

10 Digit Tax Account # 180000 5906

Property Owner(s) Printed Name(s) Bryan and Karen Adams

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. **X** **ADMINISTRATIVE VARIANCE** from section(s) 1 A 04.3.B.2(b) of B.C.2.R. TO PERMIT AN IN-LAW APARTMENT ON THE SIDE OF THE EXISTING DWELLING, WITH A SIDE SETBACK OF 27 FEET IN LIEU OF THE REQUIRED 30 FEET

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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:

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this ____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER

2014-0086-A

Filing Date

10/21/13

Estimated Posting Date

10/20/13

Reviewer

AT

-11/04/13

Property Description: 6 Ridgecliff Court, Kingsville, Maryland 21087

Beginning at a point on the north side of Ridgecliff Court which has a 50' +/- wide at a distance of 389 SW of Merrywood Drive which is 50' +/- wide, being Merrywood subdivision part 2, plat book #40, folio 114, 1.265 AC., as recorded in the 11th Election District, 3rd Council District.

2014-0086-A

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

No. **103500**

Date: **10/8/13**

PAID RECEIPT

BUSINESS
10/08/2013 10:08/2013 10:01:46
ED MOOS WALTON ENG LAG
RECEIPT # 447321 10/08/2013
Dept 5 USE ONLINE VERIFICATION
EST NO. 103500
Receipt Tot \$75.00
\$ 00 00 \$75.00
\$75.00 00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$75-
Total:								\$75-

Rec From:

For:

6 RIDGECLIFF CT.

2014-0086-A

CERTIFICATE OF POSTING

2014-0086-A

RE: Case No.: _____

Petitioner/Developer: _____

Bryan Adams

November 4, 2013

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6 Ridge Cliff Ct

October 20, 2013

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,


(Signature of Sign Poster)

October 20, 2013

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

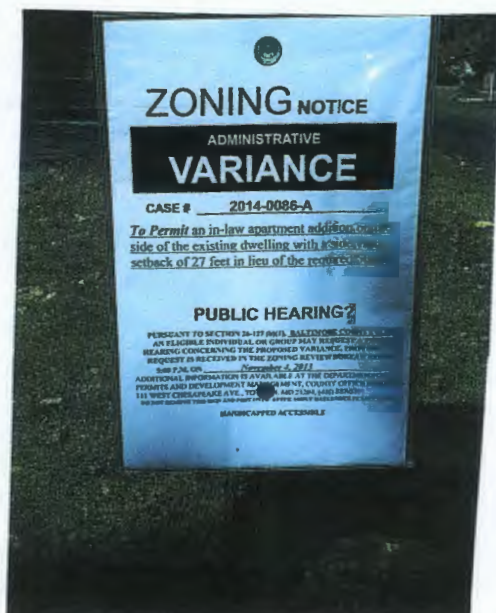
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



MEMORANDUM

DATE: December 9, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0086-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 6, 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

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-22</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>10-17</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>Black</u> by <u>10-20-13</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2014- 0086 -A Address 6 RIDGE CLIFF COURT

Contact Person: AARON TSAI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/8/13 Posting Date: 10/20/13 Closing Date: 11/04/13

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2014- 0086 -A Address 6 RIDGE CLIFF COURT
Petitioner's Name BRYAN ADAMS Telephone 443-506-7450
Posting Date: 10/20/13 Closing Date: 11/04/13
Wording for Sign: To Permit AN IN-LAW APARTMENT ADDITION ON THE
SIDE OF THE EXISTING DWELLING WITH A SIDE YARD
SETBACK OF 27 FEET IN LIEU OF THE REQUIRED
50 FEET

Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

November 5, 2013

Bryan & Karen Adams
6 Ridgecliff Court
Kingsville MD 21087

RE: Case Number: 2014-0086 A, Address: 6 Ridgecliff Court

Dear Mr. & Ms. Rennebu:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 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
Ernest Eckenrode, 4934 Bucks School House Road, Baltimore MD 21237

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



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

Date: 10-17-13

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

RE: Baltimore County
Item No 2014-0086-A
Administrative Variance
Bryen & Karen Adams
6 Ridgecliff 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. 2014-0086-A.

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 blue 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
INTEROFFICE CORRESPONDENCE

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

DATE: October 22, 2013

FROM: ^{DAK}
Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 21, 2013
Item No. 2014-0082, 0085, 0086, 0089 and 0090

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\ZAC10212013 -.doc

Real Property Data Search (w1)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 11 Account Number - 1800005906		
Owner Information		
Owner Name:	ADAMS BRYAN A ADAMS KAREN L	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	6 RIDGECLIFF KINGSVILLE MD 21087-1253	Deed Reference: 1) /06877/ 00583 2)
Location & Structure Information		
Premises Address:	6 RIDGECLIFF CT 0-0000	Legal Description: 1.265 AC 54711 SQ FT MERRYWOOD
Map: 0054	Grid: 0018	Parcel: 0505
Sub District:	Subdivision: 0000	Section:
Block:	Lot: 6	Assessment Year: 2012
Plat No: 2	Plat Ref: 0040/ 0114	
Town:	NONE	
Ad Valorem:		
Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1986	2,632 SF	1.2500 AC
County Use	04	
Stories	Basement	Type
2.000000	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	2 full/ 1 half	1 Attached
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2012	07/01/2013
		As of
		07/01/2014
Land:	164,000	164,000
Improvements	238,500	230,600
Total:	402,500	394,600
Preferential Land:	0	394,600
		0
Transfer Information		
Seller: MCGRADY LEONARD E	Date: 03/04/1985	Price: \$35,900
Type: ARMS LENGTH IMPROVED	Deed1: /06877/ 00583	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	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 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 10/07/2008		

Baltimore County

[New Search](#)District: **11** Account Number: **1800005906**

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.

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.



☒ Loading... Please Wait. Loading... Please Wait.

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Bryan and Karen Adams have made their neighbors John and Lillian Schavione aware of their plan to put an addition on the side of the house closest to them and they voiced no objections to them.

2014-0086-A



Front

2014-0086-A



2014-0086-A



2014-0086-A



2014-0086-A



Side For proposed Addition

2014-0086-A



Side For proposed Addition

2014-0086-A



2014-0086-A

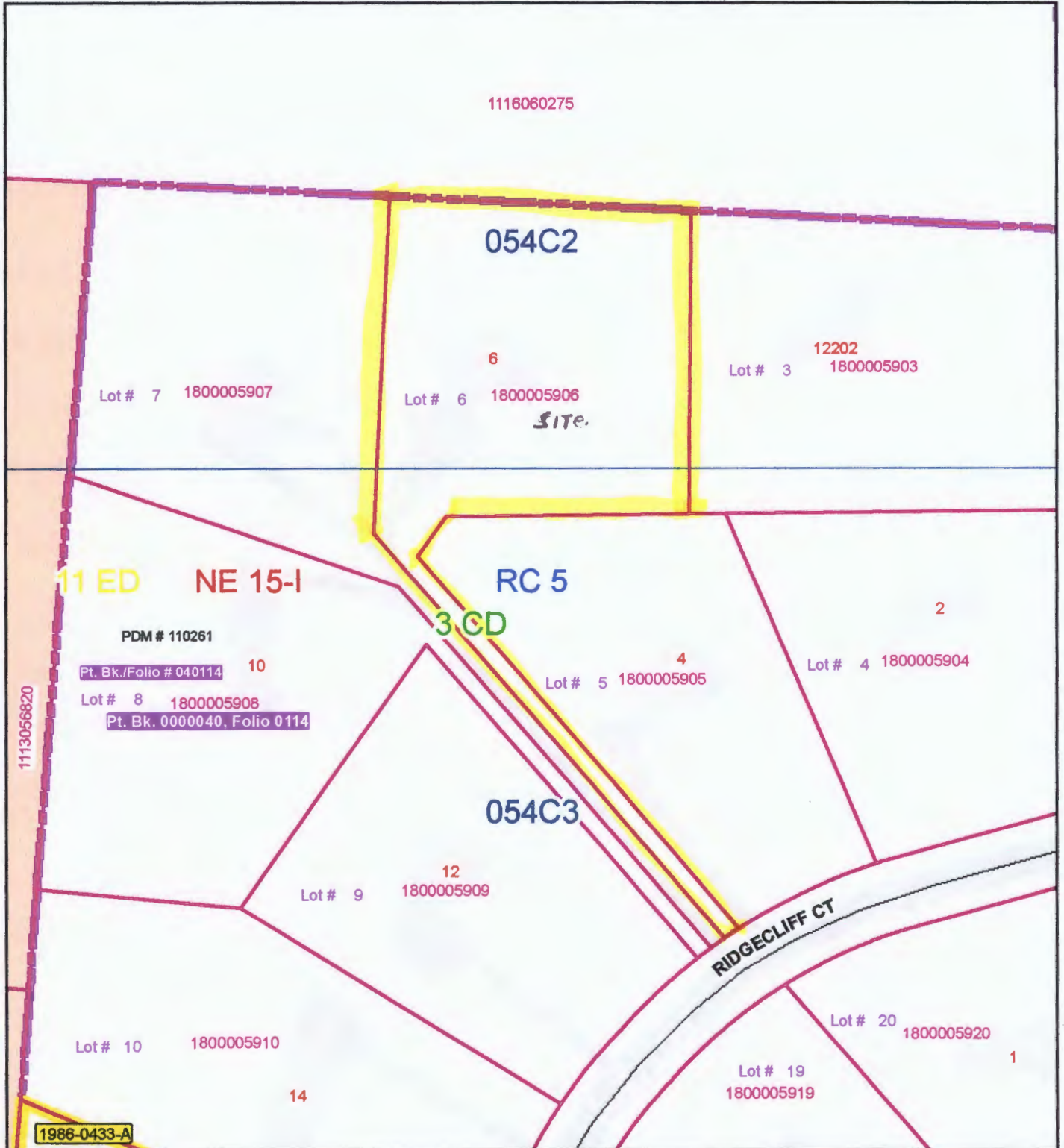


2014-0086-A

5108/476



6 Ridgecliff Ct



Publication Date: 9/10/2013



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

2014-0086-A