

IN RE: PETITION FOR SPECIAL HEARING
(2116 Merritt Blvd.)
12th Election District
7th Councilmanic District
Bradley Mudd
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* Case No. 2014-0169-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Bruce E. Doak, from Bruce E. Doak Consulting, LLC on behalf of Bradley Mudd, ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an in-law apartment in an existing detached accessory building (formerly a garage).

Appearing at the public hearing in support of the requests was Bradley Mudd, James Mudd and Bruce E. Doak, from Bruce E. Doak Consulting, LLC, the firm that prepared the plan. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance at the hearing. The only substantive Zoning Advisory Committee (ZAC) comment was submitted by the Department of Planning (DOP) dated March 25, 2014, indicating that agency did not oppose the request.

The subject property is 6,864 square feet and is zoned DR 5.5. The Petitioner's father lives in a detached garage in the rear of the property, which has been converted into an "in law apartment." Since it is in a detached structure, Special Hearing relief is required under the B.C.Z.R. The DOP comment indicated that the adjoining neighbors support the Petition, and two neighbors attended the hearing and indicated they were supportive of the request.

ORDER RECEIVED FOR FILING

Date 4/10/14

By Sen

The County Council enacted legislation several years ago allowing in law apartments under certain circumstances. The requirements are set forth in B.C.Z.R. §400.4, and the Petitioner has complied with this regulation, provided he obtains the needed license and permit, and files among the land records the declaration required by law. The detached apartment shall not be considered a second dwelling on the lot however, contrary to note 8 on the Plan. If and when it is no longer occupied by Petitioner's family member(s), all amenities must be removed and it shall revert to being only a garage without living quarters. To reflect this requirement and Petitioner's understanding of same, the site plan was amended by Mr. Doak at the hearing to confirm that the site is improved with one single family dwelling and one detached accessory in law apartment. See Exhibit 1, note 8.

The final issue concerns whether the Petitioner is exempt from the use permit requirement, given that this garage structure has been used as an in law apartment for nearly 10 years, before the adoption of Bill No. 49-2011, which allowed such apartments. Section 2 of that Bill provides that the owner of an accessory apartment lawfully in existence before 2011 shall obtain a use permit on or before October 12, 2012. As such, the Petitioner will need to obtain a use permit from the Department of Permits, Approvals & Inspections (PAI), and renew such permit every two years as provided in B.C.Z.R. §400.4.C.2.

Pursuant to the advertisement, posting of the property, and the public hearing, I find that Petitioner's Special Hearing request should be granted.

THEREFORE, IT IS ORDERED this 10th day of April 2014, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve an in-law apartment in an existing detached accessory building (formerly a garage), be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 4/10/14

By Sen

The relief granted herein shall be subject to the following:

- Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner must comply with all requirements of BCZR § 400.4

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/sln

ORDER RECEIVED FOR FILING

Date 4/10/14

By slh

KEVIN KAMENETZ
County Executive



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

April 10, 2014

Bradley Mudd
2116 Merritt Blvd.
Dundalk, Maryland 21222

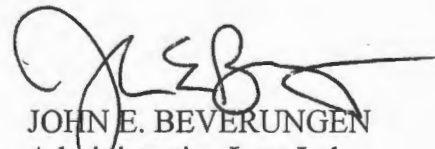
RE: Petition for Special Hearing
Property: 2116 Merritt Blvd.
Case No.: 2014-0169-SPH

Dear Mr. Mudd:

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

c: Bruce E. Doak, 3801 Baker Schoolhouse Road, Freeland, MD. 21053
Dennis and Vicki White, 2118 Merritt Blvd., Dundalk, MD 21222



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 2116 MERRITT BOULEVARD BALTIMORE MD which is presently zoned O.R. 5.5

Deed References: SM 21743/683 21222 10 Digit Tax Account # 1 2 0 2 0 2 1 5 4 0

Property Owner(s) Printed Name(s) BRADLEY MUDD

(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

AN IN-LAW APARTMENT IN AN EXISTING DETACHED ACCESSORY BUILDING

(FORMERLY A GARAGE) PER SECTION 400.4 BCZR

2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. _____ a Variance from Section(s)

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)

TO BE PRESENTED AT THE HEARING

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):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2116 MERRITT BLVD. BALTIMORE MD

Mailing Address

City

State

21222 / 443-854-7041

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

Mailing Address

City

State

21053

410-919-4906

Email Address

BD@BRUCEDOAKCONSULTING.COM

CASE NUMBER 2014-0169 SP4

Filing Date 2/10/2014

Do Not Schedule Dates: _____

Reviewer AT

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

2116 Merritt Boulevard
Twelfth Election District Seventh Councilmanic District
Baltimore County, Maryland

Beginning at a point on the northwest side of Merritt Boulevard, said point of beginning being
1) Northeasterly 140'+- from the center line of Sollers Point Road and then at right angle
2) Northwesterly 25'+- from the center line of Merritt Boulevard

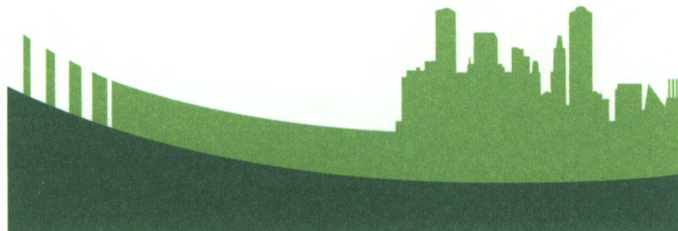
The subject property being Lot 8 of "Dundalk" as recorded in the land records of Baltimore County in Plat Book 19, page 135.

Containing 6864 square feet or 0.157 of an acre of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



LICENSE RENEWS 2/22/15



Land Use Expert and Surveyor

CASE # 2014-0169-SA

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
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 - 0169 - SP4

Petitioner: BRADLEY MUDD

Address or Location: 2116 MERRITT BOULEVARD BALTIMORE MD 21222

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRAD MUDD

Address: 2116 MERRITT BOULEVARD

BALTIMORE MD 21222

Telephone Number: 443-854-7041

Revised 2/20/98 - SCJ

CASE # 2014- 0169- SP4

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

No. **108200**

Date: **2/18/14**

PAID RECEIPT

BUSINESS ACTUAL TIME IN
 2/19/2014 2/18/2014 09:35:18
 RECEIPT # 725214 2/18/2014 OPEN
 5 520 JIMING VERIFICATION
 108200
 Recpt Tot \$75.00
 \$75.00 CX \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
601	806	0002		6150				\$75

Total: **\$75**

Rec From:

For:

2116 MERRITT BLVD

2014 - 0169 - SPH

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

March 16, 2014

Re:

Case Number: 2014- 0169-SPH

Petitioner / Developer: Bradley Mudd

Date of Hearing: April 8, 2014

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

Attention: 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 **2116 Merritt Boulevard**.

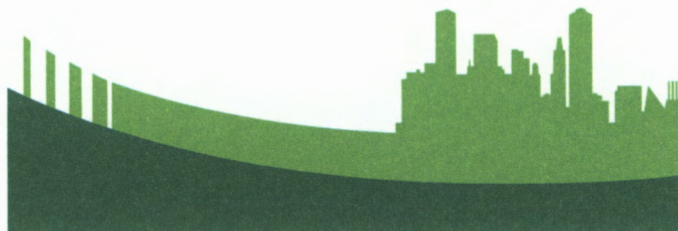
The sign(s) were posted on ~~April 8, 2014~~.

MARCH 14, 2014 B. DOAK
4/8/14

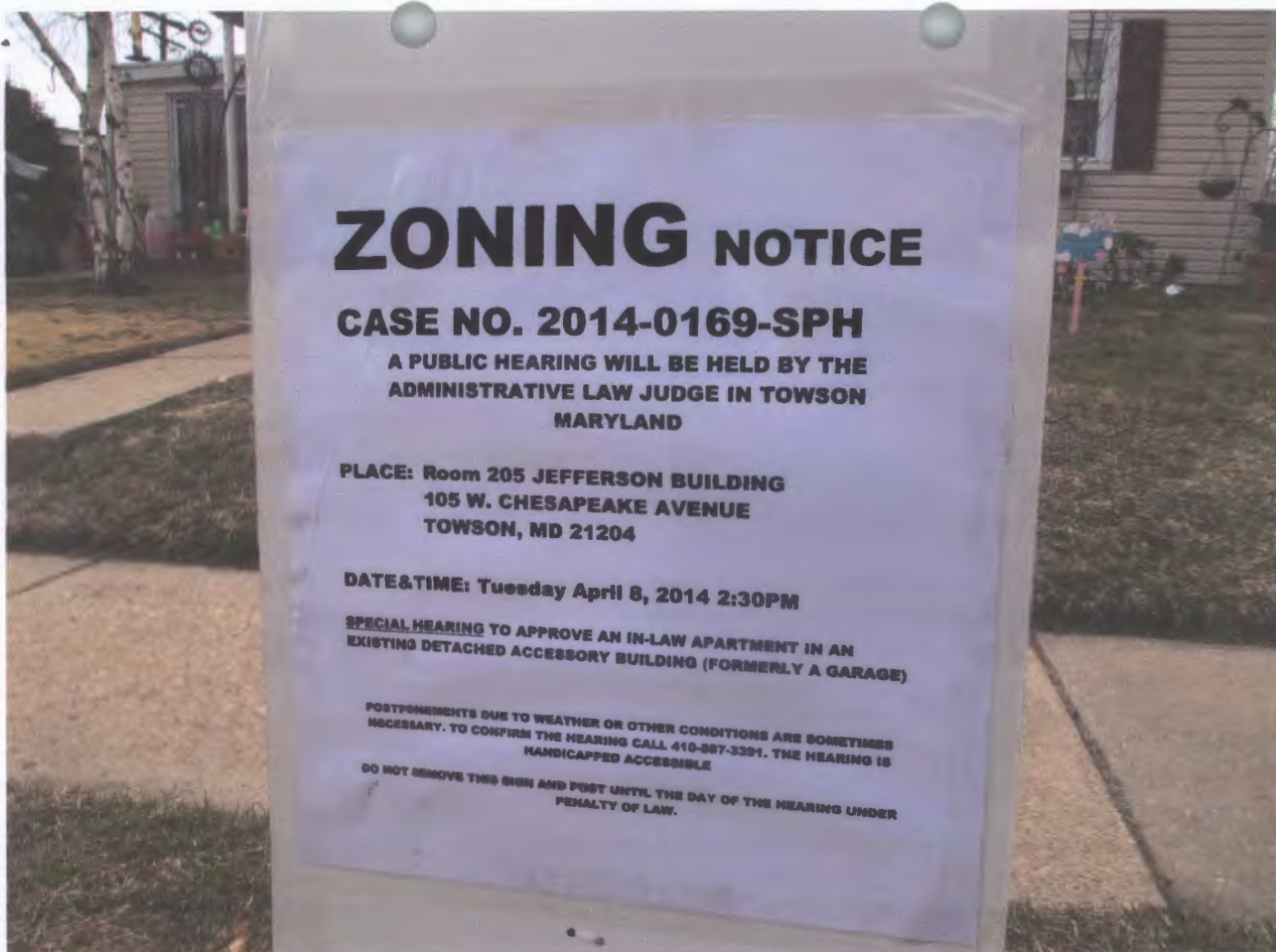
Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

March 18, 2014

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 March 18, 2014

☐ 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: #2014-0169-SPH

2116 Merritt Boulevard

NW/s Merritt Blvd., NE 140 ft. from centerline of Sollers Point Road

12th Election District - 7th Councilmanic District

Legal Owner(s): Bradley Mudd

Special Hearing to approve an in-law apartment in an existing detached accessory building (formerly a garage).

Hearing: Tuesday, April 8, 2014 at 2:30 p.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.

JT 3/786 March 18

973008



KEVIN KAMENETZ
County Executive

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

March 11, 2014

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: 2014-0169-SPH

2116 Merritt Boulevard
NW/s Merritt Blvd., NE 140 ft. from centerline of Sollers Point Road
12th Election District – 7th Councilmanic District
Legal Owners: Bradley Mudd

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Hearing: Tuesday, April 8, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over a faint, larger signature.

Arnold Jablon
Director

AJ:kl

C: Bradley Mudd, 2116 Merritt Blvd., Baltimore 21222
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 19, 2014.**
- (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
Tuesday, March 18, 2014 Issue - Jeffersonian

Please forward billing to:
Bradley Mudd
2116 Merritt Blvd.
Baltimore, MD 21222

443-854-7041

NOTICE OF ZONING HEARING

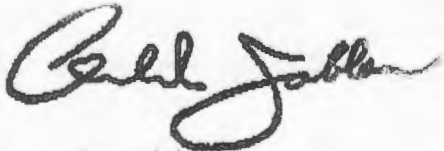
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- 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: May 13, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0169-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on May 12, 2014. 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
2116 Merritt Boulevard; NW/S Merritt Blvd,
NE 140' from c/line Sollers Point Road
12th Election & 7th Councilmanic Districts
Legal Owner(s): Bradley Mudd
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2014-169-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

2014

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of March, 2014, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-

0169-SPH

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment3/20

DEVELOPMENT PLANS REVIEW

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

N/C

DEPS

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

FIRE DEPARTMENT

3/25

PLANNING

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

C3/17

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. CC 9900 014746)Code enforcement
Citation

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

3/18/14

SIGN POSTING

Date:

3/16/14

by

DOCK

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on the 18th day of February 2014, by and between Bradley Mudd (hereinafter referred to as the "Declarant") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

RECITALS

- A. The Declarant who is also the owner of this property has filed an application for a use permit and special hearing to allow the use of an existing detached accessory building located behind the existing dwelling in the rear yard of the subject property. The existing detached accessory building was built for the purpose of housing a family member and has been used as such since that time.
The property being located at 2116 Merritt Boulevard Baltimore, MD 21222 and is more particularly described by metes and bounds in Exhibit A (The Property) and Exhibit B (The use permit or hearing plans) attached hereto and made a part hereof. The property is zoned D.R. 5.5 which is the particular zone in which the property is located.
- B. PAI or The Administration Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner-occupied property. The accessory apartment will be housing for James Mudd, who is the father of the property owner. The other residents of the property are Lisa Mills, Emily Ledlow, and Aiden Mudd, who are also related to the property owner. The use permit must be renewed with PIA every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.
- C. As a condition of approval of the Declarant request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers or users of the Property that no part of any improvements or addition on the Property may be used for separate living quarters and that all such improvements shall only be used as a single- family residence, unless otherwise approved by and at the discretion of PIA.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Declarant and PIA hereby declare as follows:

1. Any and all improvements now existing or to be constructed on the Property shall be used only as a single-family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the Accessory Apartment will be constructed as part of the Property and shall be accessory to the principal use of the Property as a single-family residence. The Accessory Apartment shall house only immediate family members listed in this Declaration and it is not to be used as an independent residential unit, nor is it to be used for compensation, and it shall not be used by any other person or for any other reason. The use permit and this Declaration are subject to the order, conditions or restrictions of any required zoning hearing. The hearing order is to be made part of this Declaration when it is recorded in the Land Records.

2. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration or if the property is sold, or the use permit has not been renewed within the 2 year temporary use permit time limit, the use permit shall terminate, and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a new request for a use permit.

3. Upon use permit termination, the Accessory Apartment in the accessory building requires removal of the kitchen and possibly other residential elements, at the discretion of PAI.

4. The covenants, conditions and restrictions stated above shall run with and bind the Property and shall be enforced by Baltimore County, MD and by the owners the owners of all or any portion of the Property.

5. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

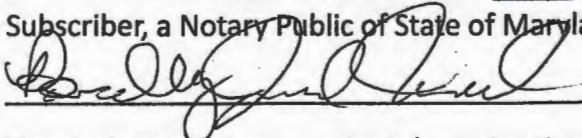
IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS:



State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 20 day of February, 2014, before the
Subscriber, a Notary Public of State of Maryland, personally appeared

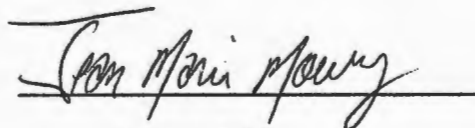


The declarant(s) herein, who is/ are also the owner(s) of this property, know to me (or
satisfactorily proven) to be the person(s) whose name(s) is/ are subscribed to the within
instrument, and who acknowledged that he/ she/ they executed for the foregoing instrument
for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires:

Oct 8 2017



Notary Public

JEAN MARIE MOWERY
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires Oct. 8, 2017



KEVIN KAMENETZ
County Executive

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

April 2, 2014

Bradley Mudd
2116 Merritt Boulevard
Baltimore MD 21222

RE: Case Number: 2014-0169 SPH, Address: 2116 Merritt Boulevard

Dear Mr. Mudd:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 18, 2014. 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
Bruce E. Doak, Bruce E. Doak Consultants, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



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

Date: 3/17/14

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

RE: Baltimore County
Item No 2014-0169-SHA
Special Hearing
Bradley Mudd
2116 Merritt Boulevard

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. 2014-0169-SHA

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,

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 17, 2014
Item No. 2014-0169, 0174 and 0176

DATE: March 20, 2014

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\ZAC03172014 -.doc

JB 4-8
2:30 PM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: March 25, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 2116 Merritt Boulevard

RECEIVED

INFORMATION:

MAR 27 2014

Item Number: 14-169

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Bradley Mudd

Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The request is for a special hearing to allow an in-law apartment in an existing detached accessory building (garage).

The property is subject to a code violation. The in-law apartment is for the elderly father of one of the individuals living in the primary structure. The in-law apartment is well maintained and the neighbors to the east and west are in support of the in-law apartment. The elderly gentleman is the only person who occupies the in-law apartment.

The proposal does not appear to be detrimental to the health safety or welfare of the surrounding communities. The Department of Planning does not oppose the request provided it is subject to the conditions of the Baltimore County Zoning Regulations Section 400.4.c.1.

Prepared by: _____

Section Chief: _____
AVA:JM:LL

Search Help

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

Owner Information

Location & Structure Information

Town: **NONE**

Ad Valorem:

<u>Stories</u>	<u>Basement</u>	<u>Type</u>	<u>Exterior</u>	<u>Full/Half Bath</u>	<u>Garage</u>	<u>Last Major Renovation</u>
1000000	NO	STANDARD UNIT	SIDING	1 full	1Det/1Carport	

Value Information

	<u>Base Value</u>	<u>Value</u> As of 01/01/2012	<u>Phase-in Assessments</u> As of 07/01/2013	As of 07/01/2014
<u>Land:</u>	50,200	50,200		
<u>Improvements</u>	118,000	108,300		
<u>Total:</u>	168,200	158,500	158,500	158,500
<u>Preferential Land:</u>	0			0

Transfer Information

Seller: CAMPOS JUAN	Date: 04/20/2005	Price: \$134,600
Type: ARMS LENGTH IMPROVED	Deed1: /21743/ 00683	Deed2:
Seller: SHIFFLETT RAYMOND	Date: 01/12/2005	Price: \$51,000
Type: ARMS LENGTH IMPROVED	Deed1: /21266/ 00482	Deed2:
Seller: BEARRY MARY B	Date: 06/29/2001	Price: \$93,000
Type: ARMS LENGTH IMPROVED	Deed1: /15364/ 00155	Deed2:

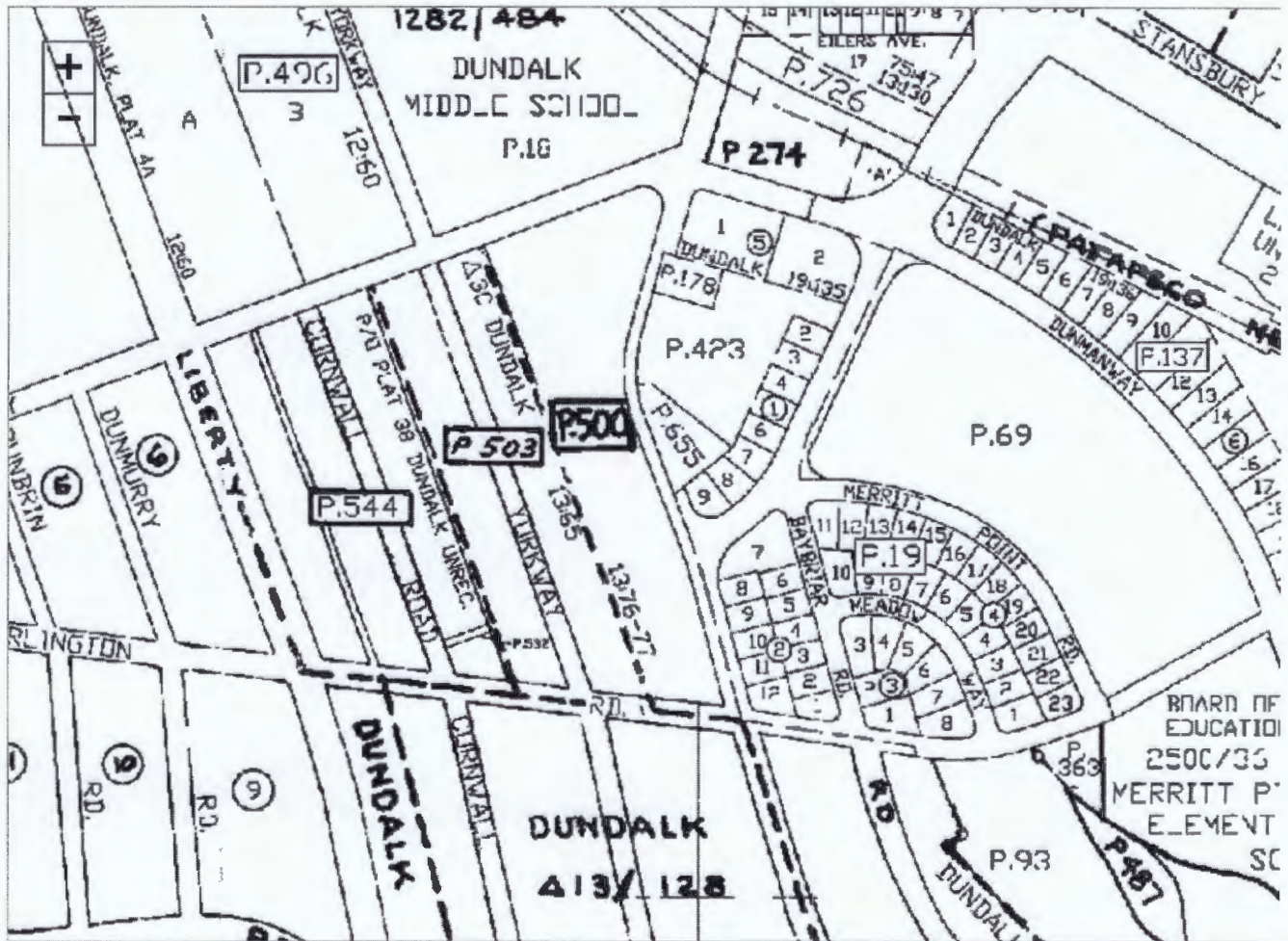
Exemption Information

Partial Exempt Assessments:	Class	07/01/2013	07/01/2014
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00
Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information

Homestead Application Status: No Application

Baltimore County

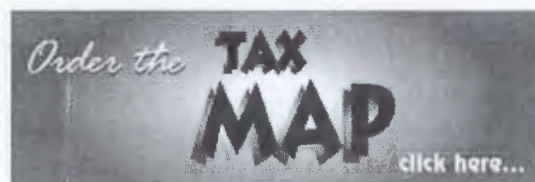
New Search (<http://sdat.resiusa.org/RealProperty/>)District: **12** Account Number: **1202021540**

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.

CASE NAME MUDD
CASE NUMBER 2014-0169-SR1
DATE 4/08/14

CASE NAME MUDD
CASE NUMBER 2014-0169-SR1
DATE 4/08/14

[illegible]

4-8-14

Case No.: 2014-0169-SPH

Exhibit Sheet

Petitioner/Developer

DW
5-13-14

Protestants

SLW
4/10/14

No. 1	Plan (redlined)	
No. 2	2A - plan to accompany photographs 2B - color photos	
No. 3	Aerial Photo	
No. 4	Zoning map	
No. 5	5A-5C Letters of support from neighbors	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map

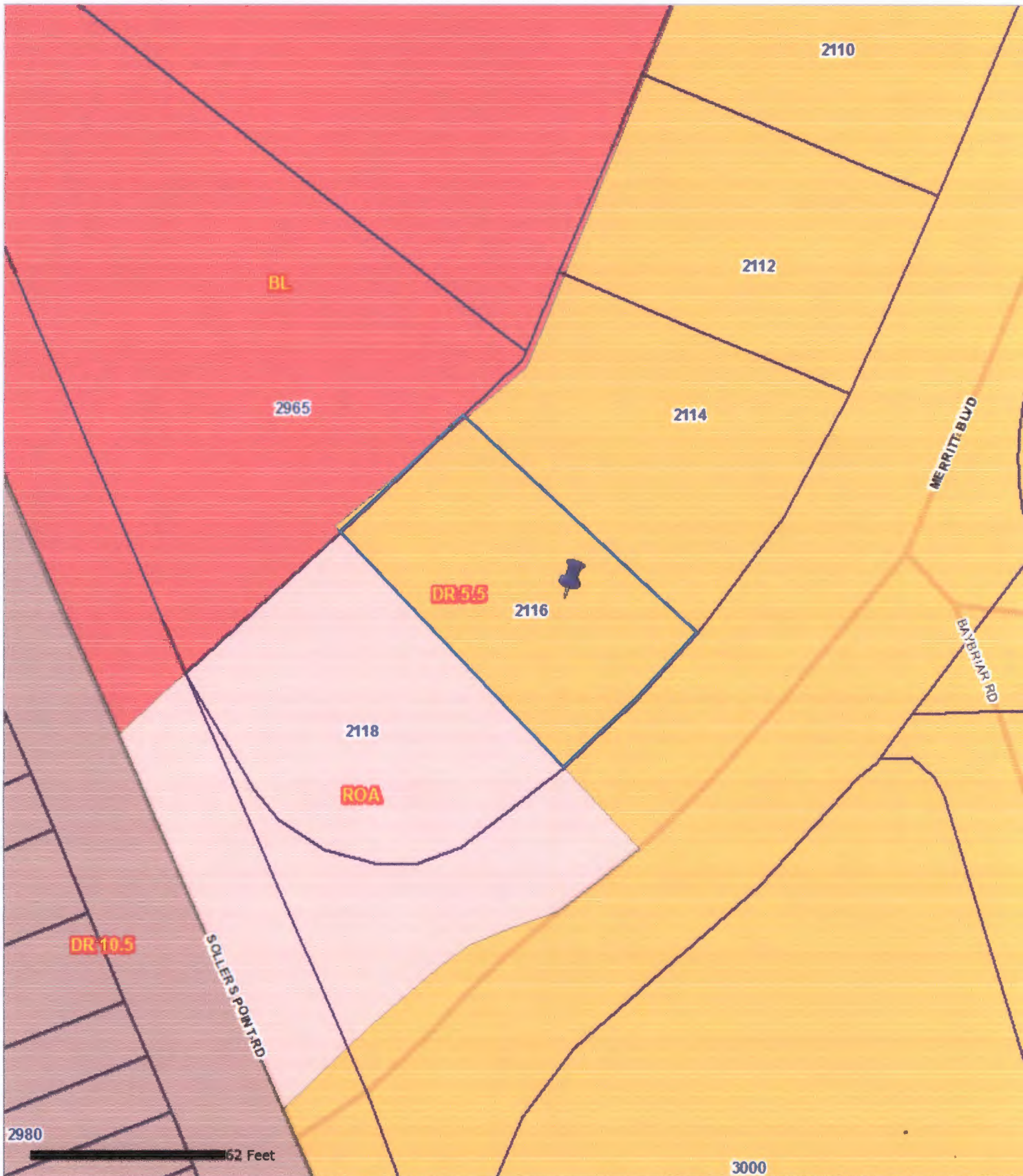
Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate, incomplete, and may not reflect the most current information. It does not constitute a warranty of any kind, and it is not to be used for legal purposes. It is not to be used for legal purposes.

PETITIONER'S
EXHIBIT NO. 3

Printed 2/7/2014



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general informational purposes only. This data may be inaccurate and does not warrant any representation with respect to the accuracy or completeness of the information, including any errors, omissions, or delays, arising from or resulting in any action taken in reliance on the information.

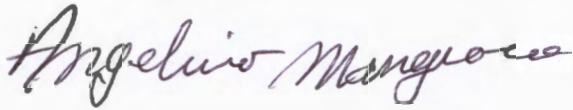
PETITIONER'S
EXHIBIT NO. 4

To whom it may concern,

My name is Angelina Mangione. I live at 2114 Merritt blvd, in Dundalk, MD. My neighbors, the Mudd's, live at 2116 Merritt blvd and have been wonderful neighbors since they have moved in. I have no problem whatsoever with the additional buildings on their property. If you should have any additional questions regarding this matter, you may contact me at 410-288-6944.

Thank you,

Angelina Mangione



PETITIONER'S

EXHIBIT NO. 54

4-1-14

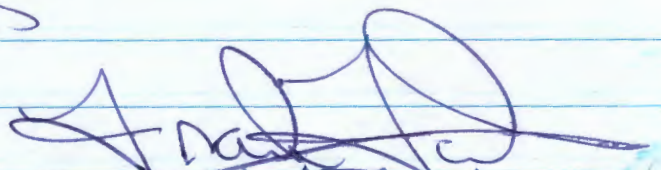
To whom it may concern:

I Frank Farber have lived on Sollers pt Rd for five years and Bradley Mudd has been my neighbor. I have had no problems with him. Or have had no problems from the Inlaw suite in the back. there are no concerns from 2116 Merritt blvd as far as I'm concerned. I have nothing but good things to say about the family

any questions
or concerns please
Call

443-226-4775

2914 Sollers pt. Rd


FRANK Farber

PETITIONER'S

EXHIBIT NO. 5B



*Christmas Child Care Inc.
2965 Sollers Point Road
Baltimore, Maryland 21222*



April 2, 2014

To whom this may concern,

The Mudd Family has lived behind us for years. There have been some family members living in the house and some family members living in the 'garage' since it was built. They are good neighbors and I have no cause for concern. I assume since the structure is less than five foot from the property line that it has a fire wall. That would be my only cause for concern.

Sincerely,

Darlene Brinkmeier

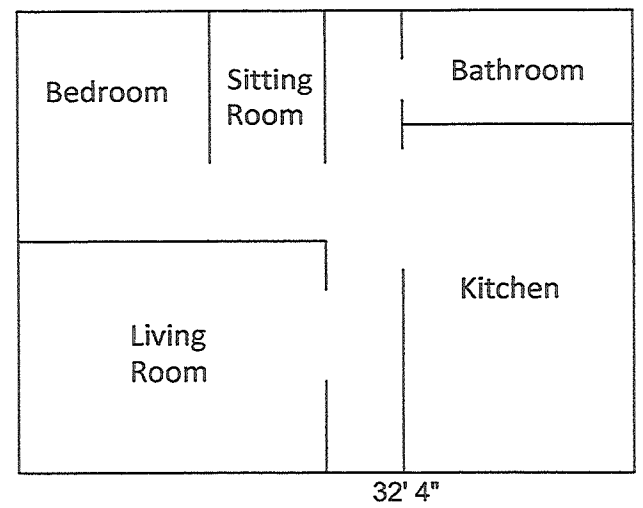
director

PETITIONER'S

EXHIBIT NO. 5C



REAR DWELLING FLOOR PLAN



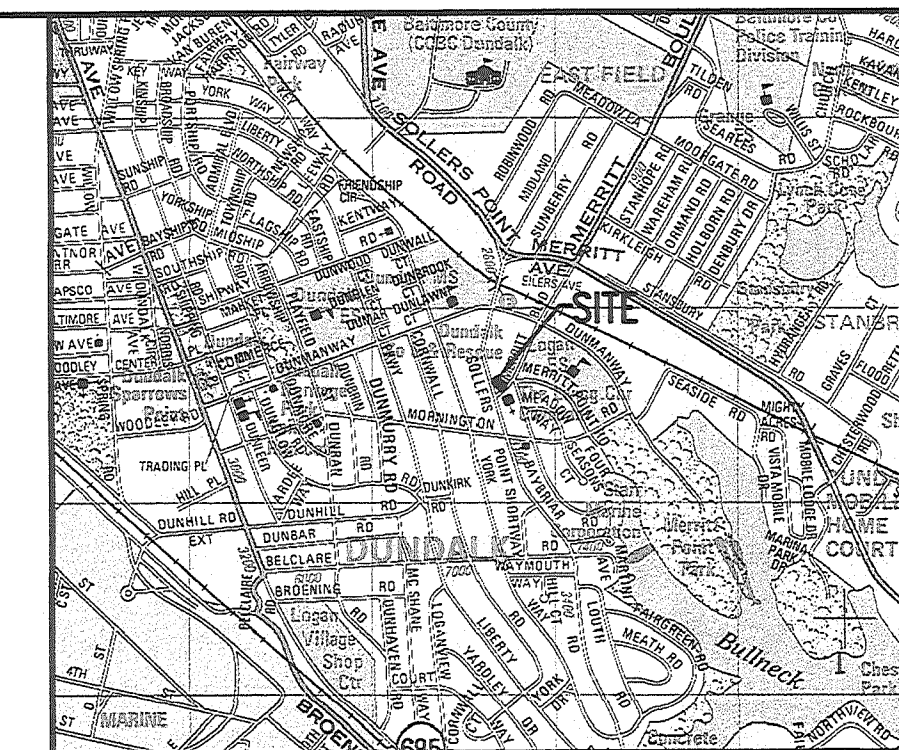
Note: The additional one story dwelling is utilized as an accessory apartment by a family member of the owner's family.

#2965 SOLLERS POINT ROAD
DARLENE MARIE BRINKMEIER
DIANE LYNN CASTER
SM 20994 / 278
TAX. ACC. 12-04-035550

⑦
"PLAT No. 8 OF DUNDALK"
PB 19 / 135

#2114 MERRITT BLVD.
NICHOLAS J. MANGIONE
ANGELINA MANGIONE
RRG 4378 / 3
TAX. ACC. 12-13-027050

⑨
"PLAT No. 8 OF DUNDALK"
PB 19 / 135
#2118 MERRITT BLVD.
MERRITT BOULEVARD TRUST
SM 20501 / 650
TAX. ACC. 12-22-000050



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

GENERAL NOTES

1. Ownership: Rita L. Emala-Mudd
2. Address: 2116 Merritt Boulevard Baltimore, MD 21222
3. Deed & Plat References: SM 21743 / 683 Lot 8 "Plat No. 8 of Dundalk" PB 19 / 135
4. Tax Map / Parcel / Tax account #: 103 / 019 / 12-02-021540
5. Area: 6,864 square feet (per SDAT)
6. Zoning: DR 5.5. There are no previous zoning cases on the subject property
7. The boundary shown hereon is from deeds recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 103B3 & 103C3 and the information provided by Baltimore County on the internet.
8. Improvements: ~~(1) Single family dwellings~~ (1) IN-LAW APARTMENT
9. The existing dwellings will remain.
10. The existing dwelling is not historic. The subject property is not historic or in a historic district.
11. The existing dwelling is currently serviced by public water and sewer.
12. The subject property is not in the Chesapeake Bay Critical Area.
13. The subject property is not located within a 100 year flood plain.

4/08/14
B. DOAK

SPECIAL HEARING REQUESTED / USE PERMIT:

To allow an in-law apartment in an existing detached accessory building (formerly a garage) per section 400.4 BCZR.

DENSITY CALCULATIONS FOR D.R. 5.5

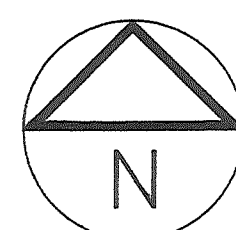
Gross area: 6,864 square feet (SDAT records)
Highway widening: 0 acres
Net area: 6,864 square feet (SDAT records)
Lots permitted: 1
Lots proposed: 1

D.R. 5.5 SETBACKS FOR RESIDENTIAL SINGLE FAMILY DWELLINGS

Front: 25' to a public street right of way
Side: 16' bldg. face to bldg. face if less than 20' high
20' bldg. face to bldg. face if more than 20' high
Rear: 30' from rear bldg. face to property line
Height: 50'

PROPOSED USE:

To allow a family member to reside in an existing apartment which was once a garage on the subject property.



PLAN
SCALE: 1"=10'



CASE # 2014-0169-SPH

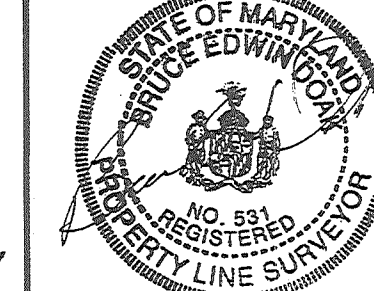
Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAT TO ACCOMPANY A PETITION

FOR THE
MUDD PROPERTY
2116 MERRITT BOULEVARD
BALTIMORE COUNTY, MARYLAND
12th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

License Renewal 2/12/15 Date: 2/10/2014

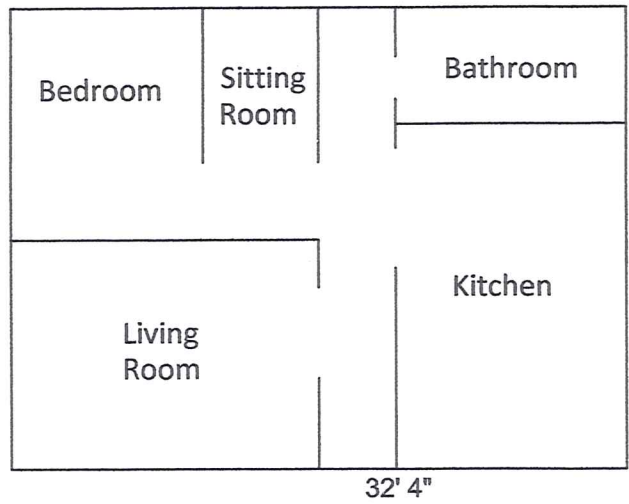
Scale: AS SHOWN



PETITIONER'S

EXHIBIT NO. 1

REAR DWELLING FLOOR PLAN



Note: The additional one story dwelling is utilized as an accessory apartment by a family member of the owner's family.



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

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2. Address: 2116 Merritt Boulevard Baltimore, MD 21222
3. Deed & Plat References: SM 21743 / 683 Lot 8 "Plat No. 8 of Dundalk" PB 19 / 135
4. Tax Map / Parcel / Tax account #: 103 / 019 / 12-02-021540
5. Area: 6,864 square feet (per SDAT)
6. Zoning: DR 5.5. There are no previous zoning cases on the subject property
7. The boundary shown hereon is from deeds recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tiles 103B3 & 103C3 and the information provided by Baltimore County on the internet.
8. Improvements: 2 Single family dwellings.
9. The existing dwellings will remain.
10. The existing dwelling is not historic. The subject property is not historic or in a historic district.
11. The existing dwelling is currently serviced by public water and sewer.
12. The subject property is not in the Chesapeake Bay Critical Area.
13. The subject property is not located within a 100 year flood plain.

SPECIAL HEARING REQUESTED / USE PERMIT:

To allow an in-law apartment in an existing detached accessory building (formerly a garage) per section 400.4 BCZR.

PLAN TO ACCOMPANY PHOTOGRAPHS

DENSITY CALCULATIONS FOR D.R. 5.5

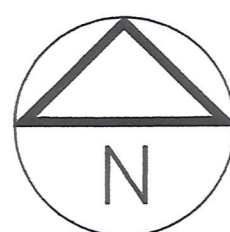
Gross area: 6,864 square feet (SDAT records)
Highway widening: 0 acres
Net area: 6,864 square feet (SDAT records)
Lots permitted: 1
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PLAN
SCALE: 1"=10'



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o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAT TO ACCOMPANY A PETITION

FOR THE
MUDD PROPERTY
2116 MERRITT BOULEVARD
BALTIMORE COUNTY, MARYLAND
12th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

License Renewal 2/22/15 Date: 2/10/2014

Scale: AS SHOWN



PETITIONER'S

EXHIBIT NO. 2A

CASE # 2014-0169-SP4