



KEVIN KAMENETZ
County Executive

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

February 5, 2015

Inez Houston
6627 Brighton Avenue
Baltimore, Maryland 21215

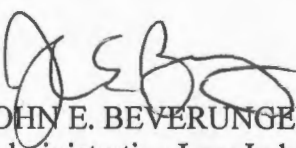
RE: Petition for Administrative Variance
Case No. 2015-0144-A
Property: 6627 Brighton Avenue

Dear Petitioners:

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:dlw
Enclosure

c: Bev True, 3920 London Bridge Road, Sykesville, MD 21784

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6627 Brighton Avenue)		
3 rd Election District	*	OFFICE OF ADMINISTRATIVE
4 th Council District		
Inez Houston	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2015-0144-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Inez Houston. The Petitioner is requesting Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21 ft. in lieu of the required 30 ft. for a sunroom. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's 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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on January 18, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has 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 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

ORDER RECEIVED FOR FILING

Date 2-5-15

By [Signature]

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 Petitioner.

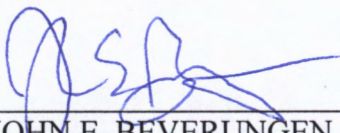
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 5th day of February, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21 ft. in lieu of the required 30 ft. for a sunroom, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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 2-5-15
By [Signature]



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 Hearings for Baltimore County for the property located at:

Address 4627 Brighton Ave Currently zoned DR5.5
Deed Reference 13999 100710 10 Digit Tax Account # 0303077100
Owner(s) Printed Name(s) INEZ HOUSTON

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

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1802.3.C.1; BCZR, TO PERMIT A REAR YARD ~~(ADD)~~ SETBACK OF 21ft. IN LIEU OF THE ~~(REQUIRED)~~ REQUIRED 30ft. FOR A SUNROOM.

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

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Name #1 – Type or Print Inez Houston Name #2 – Type or Print _____
Signature #1 [Signature] Signature #2 _____
Mailing Address 4627 Brighton Ave. Fall. MD 2125 City _____ State _____
Zip Code _____ Telephone # 443 992-1933 Email Address houstonin@kaskadon.com

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Name – Type or Print BOB TRUE
Signature [Signature]
Mailing Address 3920 London Bridge Rd. Sparksville, MD City _____ State _____
Zip Code 21784 Telephone # 443 398 0198 Email Address BOBTRUE213@gmail.com

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0144-A Filing Date 7/15 Estimated Posting Date 1/18/15 Reviewer JCM

Rev 5/8/2014

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 4627 Brighton Ave Baltimore MD 21215-1901
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

I would like to add a 13' x 15' Three Season Room to the rear my existing home. This small addition would help accommodate our family needs and the extra space would relieve an existing hardship for our house is really small and we need more space to meet the family needs. The addition would add value and beauty to the existing neighborhood.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Signature of Owner (Affiant)

Inez Houston
Signature of Owner (Affiant)

Name- Print or Type

Inez Houston
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of December, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: INEZ HOUSTON

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Dawn J. Meriken
Notary Public

February 3, 2016
My Commission Expires

ZONING DESCRIPTION FOR 6627 BRIGHTON AVENUE

Beginning at a point on the North East side of Brighton Avenue which is 60' wide at the distance of 104' South East of the centerline of the nearest improved intersecting street Spring Ave which is 60' wide. Being Lot# 27, Section G, in the Subdivision of Brighton as recorded in the Baltimore County Plat Book 1, Folio 46 containing 8250 SF. Located in the 3rd Election District 4th Council District.

M E M O R A N D U M

DATE: March 10, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0144-A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 9, 2015. 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

6437 Brighton Ave



"Looking at Retiree's Property"

4427 Brighton Ave. // Front View!!



4421 Brighton Ave



CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>1-14</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>1-14</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>1-18-15</u> by: <u>Pison</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 03 Account Number - 0303077100							
Owner Information									
Owner Name:		HOUSTON INEZ				Use:		RESIDENTIAL	
Mailing Address:		6627 BRIGHTON AVE BALTIMORE MD 21215-1901				Principal Residence:		YES	
						Deed Reference:		/12999/ 00710	
Location & Structure Information									
Premises Address:		6627 BRIGHTON AVE 0-0000				Legal Description:		LT 27,29,31 6627 BRIGHTON AVE BRIGHTON	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0078	0022	0492		0000	G		27	2014	0001/0046
Special Tax Areas:						Town:		NONE	
						Ad Valorem:			
						Tax Class:			
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
1951		1,418 SF				8,250 SF		04	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
1 1/2	YES	STANDARD UNIT		STUCCO	1 full				
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2014		07/01/2014		07/01/2015	
Land:		59,900		54,000					
Improvements		90,400		98,000					
Total:		150,300		152,000		150,867		151,433	
Preferential Land:		0						0	
Transfer Information									
Seller: CULLEN DENNIS JOHN				Date: 07/10/1998			Price: \$83,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /12999/ 00710			Deed2:		
Seller: CULLEN ANASTASIA				Date: 10/21/1977			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /05816/ 00633			Deed2:		
Seller:				Date:			Price:		
Type:				Deed1:			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2014			07/01/2015		
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: Approved 12/31/2012									

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty/>)

District: **03** Account Number: **0303077100**



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.

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KEVIN KAMENETZ
County Executive

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

February 3, 2015

Inez Houston
6627 Brighton Avenue
Baltimore MD 21215

RE: Case Number: 2015-0144 A, Address: 6627 Brighton Avenue

Dear Ms. Houston:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 7, 2015. 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: jaw

Enclosures

c: People's Counsel
Bev True, 3920 London Bridge Road, Sykesville MD 21784

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



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

Date: 1/14/15

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

RE: Baltimore County
Item No 2015-0144-A
Administrative Variance
Inez Houston
6627 Brighton Avenue

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. 2015-0144-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Development Manager
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 14, 2015

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

SUBJECT: Zoning Advisory Committee Meeting
For January 19, 2015
Item No. 2015-0140, 0141, 0143, 0144, 0146 and 0147

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\ZAC01192015 -.doc

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0144 -A Address 6627 BRIGHTON Ave.

Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/7/15 Posting Date: 1/18/15 Closing Date: 2/2/15

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 2015- 0144 -A Address 6627 BRIGHTON Ave.
Petitioner's Name JANE HOUSTON Telephone 443-992-1933
Posting Date: 1/18/15 Closing Date: 2/2/15
Wording for Sign: TO PERMIT A SUNROOM WITH A
REAR SETBACK OF 21ft. IN LIEU OF THE
REQUIRED 30ft.

Revised 7/18/14

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.

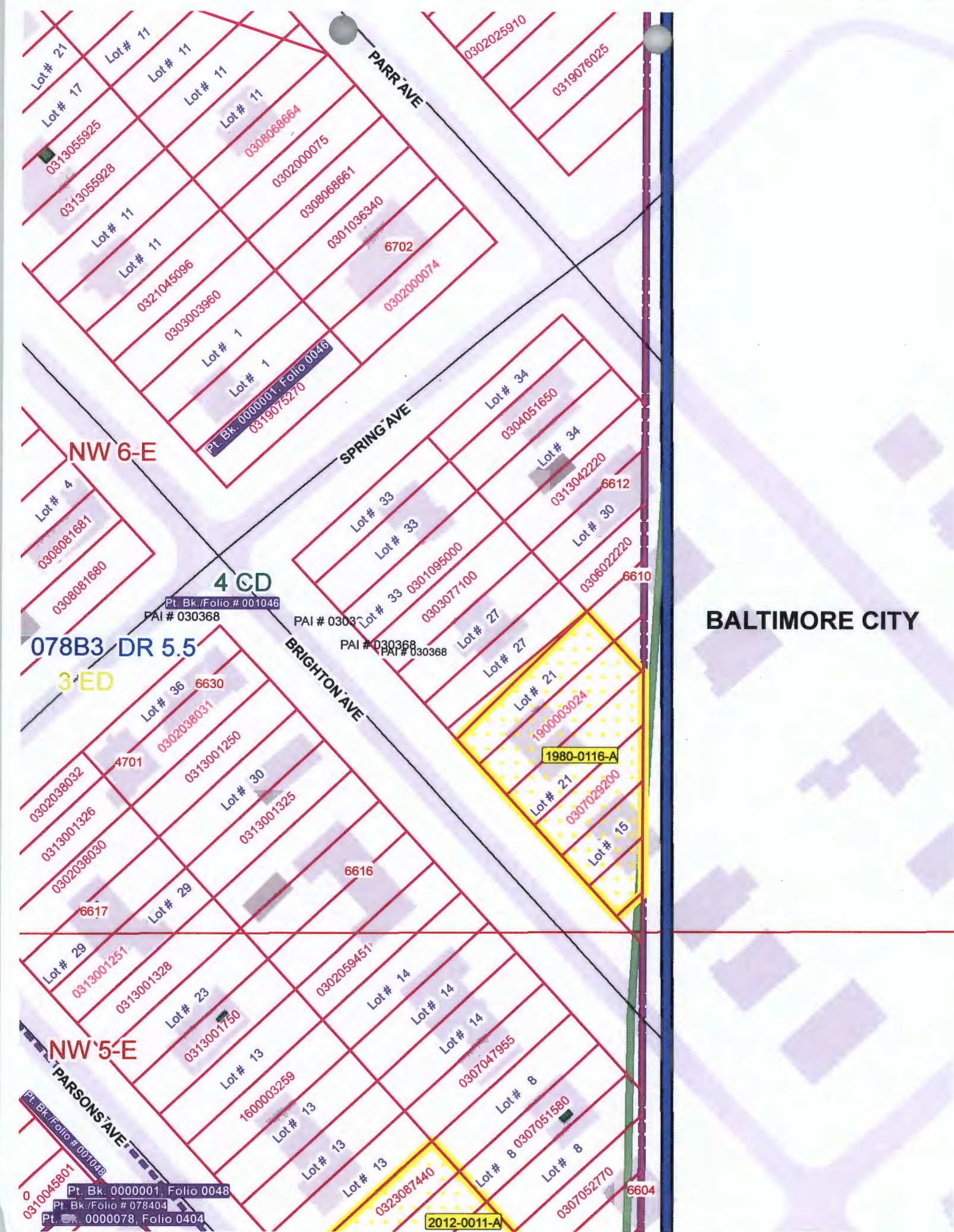
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

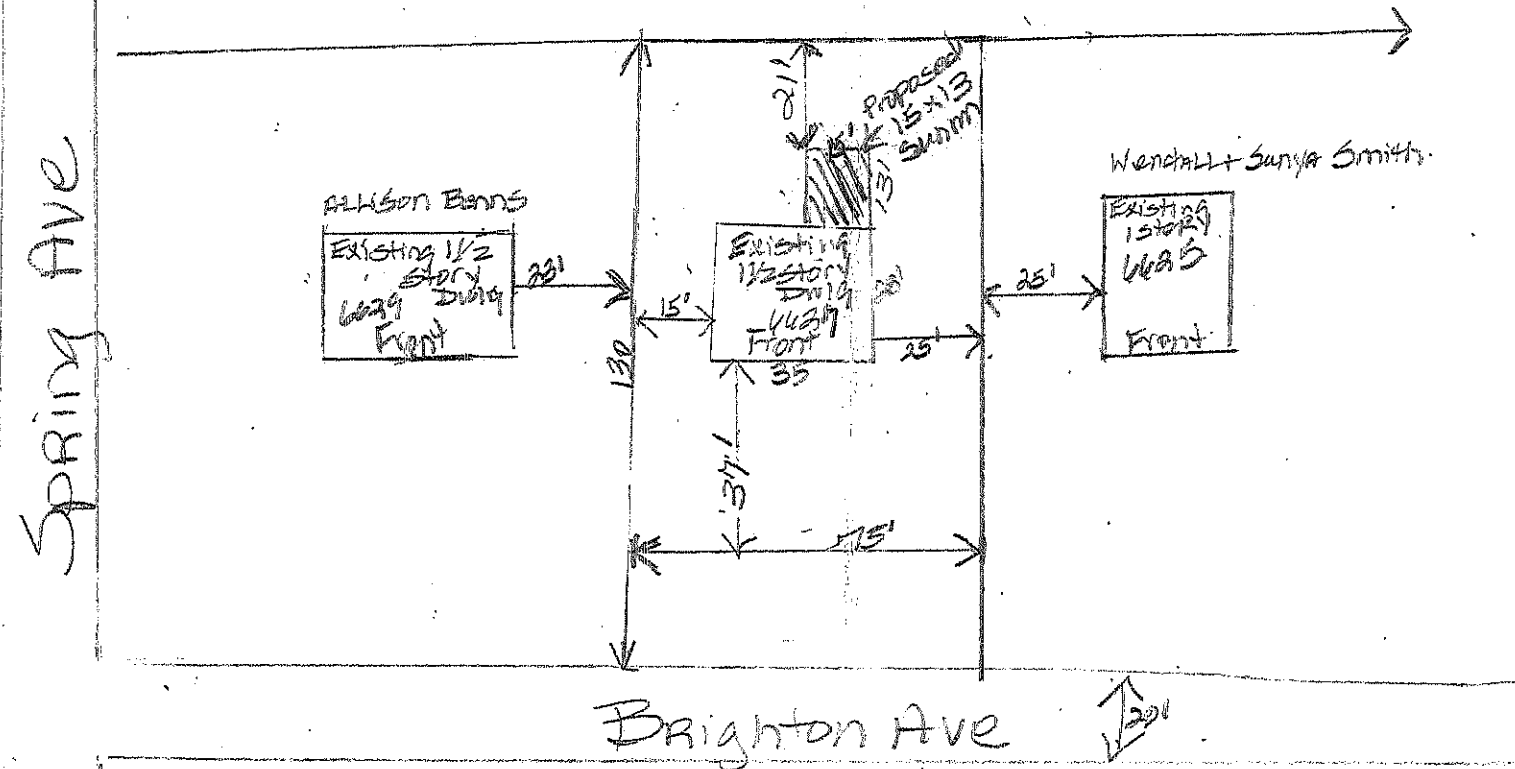
Item Number or Case Number: 3015-0144-A
Petitioner: Inez Houston
Address or Location: 6627 Brighton Ave. Baltimore, MD 21215.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Inez Houston
Address: 6627 Brighton Ave
Baltimore, MD 21215
Telephone Number: 443-993-1933



PLAT BOOK # 0001 FOLIO # 0046 10 DIGIT TAX # 0303077100 DEED REF. # 12999100710



PLAN DRAWN BY Ben True DATE 12/27/14 SCALE: 1 INCH = 40' FEET



MAP IS NOT TO SCALE

ZONING MAP# 075B3

SITE ZONED DR 5.5

ELECTION DISTRICT 3

COUNCIL DISTRICT 4

LOT AREA ACREAGE

OR SQUARE FEET 8250 SF

HISTORIC? *no*

IN CBCA? *ND*

IN FLOOD PLAIN ? *no*

UTILITIES ? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE

SEWER IS:

PUBLIC ☒ PRIVATE

PRIOR HEARING ? *AD*

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

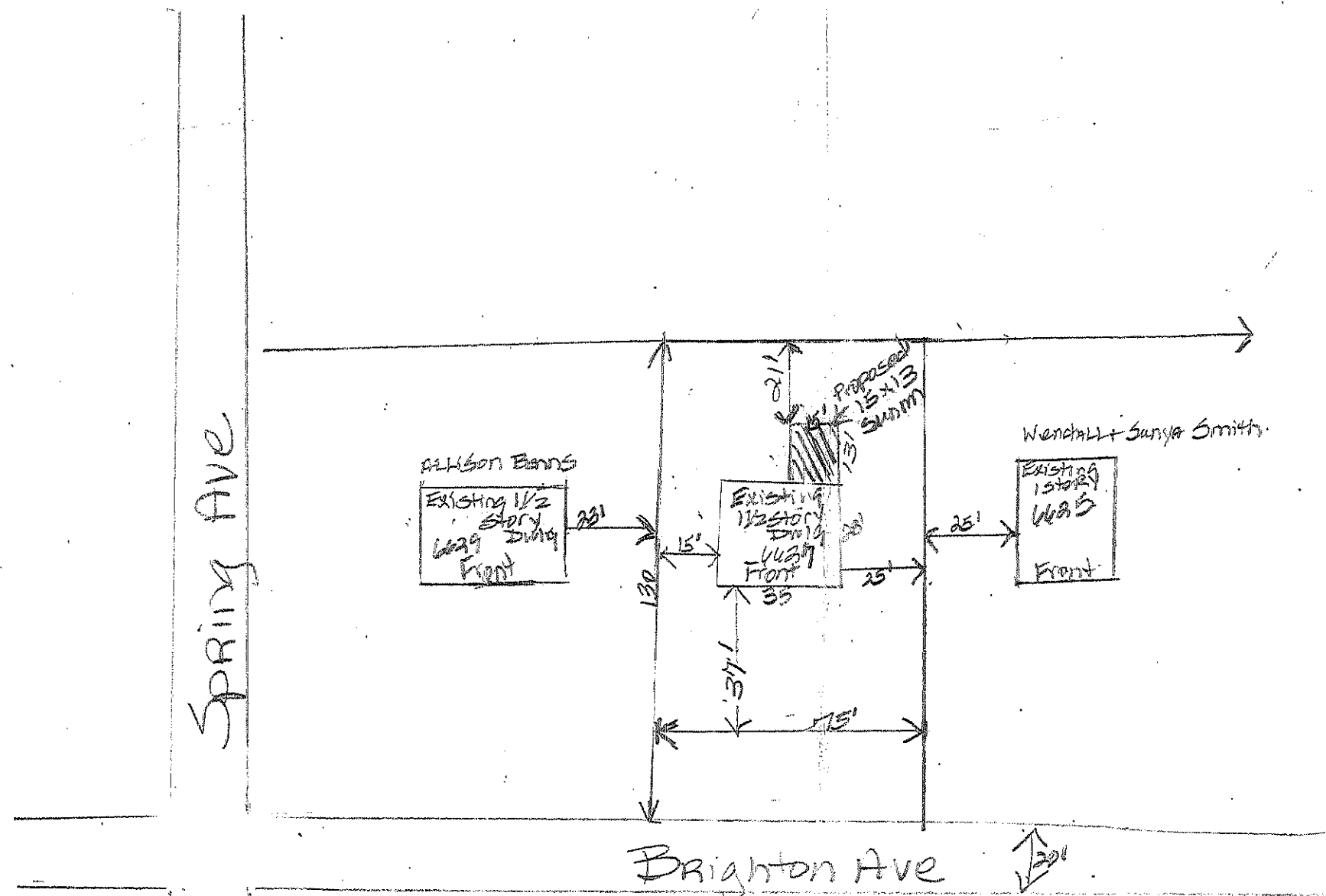
Pet. Exh. 1

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

ADDRESS 6627 Brighton Ave OWNER(S) NAME(S) Inez Houston

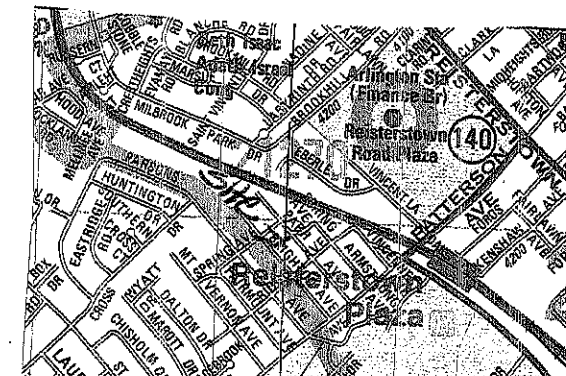
SUBDIVISION NAME Brighton LOT # 27 BLOCK # _____ SECTION # 6

PLAT BOOK # 0001 FOLIO # 0046 10 DIGIT TAX # 0303077100 DEED REF. # 12999100710



PLAN DRAWN BY BEN TRUE DATE 12/27/14 SCALE: 1 INCH = 40' FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 075B3

SITE ZONED DRS.5

ELECTION DISTRICT 3

COUNCIL DISTRICT 4

LOT AREA ACREAGE _____

OR SQUARE FEET 8250 SF

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

