

KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 13, 2015

Pamela Suarez 3620 Langrehr Road Windsor Mill, Maryland 21244

RE: Petitio

Petition for Special Hearing

Property: 3620 Langrehr Road Case No.: 2015-0161-SPH

Dear Mrs. Suarez:

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 J. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln Enclosure IN RE: PETITION FOR SPECIAL HEARING (3620 Langrehr Road)

2<sup>nd</sup> Election District 4<sup>th</sup> Councilmanic District

Pamela Suarez
Legal Owner
Petitioner

**BEFORE THE** 

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0161-SPH

### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Pamela Suarez, legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to establish a two unit dwelling as a legal non-conforming use.

Appearing at the public hearing in support of the requests was Pamela Suarez. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received. There were no Protestants or interested citizens in attendance.

The subject property is zoned DR 5.5. The property is approximately 0.2416 acres in size, and is improved with a two-story dwelling constructed in 1936. Ms. Suarez purchased the home in 2006, at which time it was used as a two unit dwelling. Ms. Suarez explained that, as shown on the site plan (Exhibit 1), the first floor of the home (approximately 750 sq. ft.) is accessed via a front covered porch. The first floor of the home has a full kitchen, bathroom and 2 bedrooms. The second floor is accessed via a flight of exterior stairs on the side of the dwelling. The second floor can only be accessed in this manner, and there is no way to reach the second floor from inside the home on the first floor.

ORDER RECEIVED FOR FILING

Date 314 15

By Sln

Ms. Suarez explained the second floor likewise has a full kitchen, bathroom and 2 bedrooms. Ms. Helen Townsend (age 86) resides next door at 3614 Langrehr Road, and she indicated the second floor apartment was constructed in approximately 1956. In these circumstances, I believe Petitioner has established a lawful nonconforming use of the property as a two-unit dwelling.

THEREFORE, IT IS ORDERED this <u>16<sup>th</sup></u> day of March, 2015 by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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 filed within thirty (30) days of the date of this Order.

JOHNE. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB/sln →

ORDER RECEIVED FOR FILING

Date.

By.



PETITION FOR ZONING HEARING(S)

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

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

Address 3620 LANGREAR RD WINI	
Deed References:	10 Digit Tax Account # 0 2 1 3 2 0 2 1 1 1
Property Owner(s) Printed Name(s) PAN	NEIA SUAREZ
(SELECT THE HEADING(S) BY MARKING X AT THE APPROP	PRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	Baltimore County and which is described in the description
and plan attached hereto and ma	de a part hereof, hereby petition for:
a Special Hearing under Section 500.7 of the Zoni	ing Regulations of Baltimore County, to determine whether
or not the Zoning Commissioner should approve	pecial hearing to establish legal non-conforming use.
a two unit dwelling as a	legal non-conforming use.
<u> </u>	
a Special Exception under the Zoning Regulations	s of Baltimore County to use the herein described property for
a Variance from Section(s)	
	Jug
of the zoning regulations of Baltimore County, to the	zoning law of Baltimore County, for the following reasons:
	or indicate below "TO BE PRESENTED AT HEARING". If
you need additional space, you may add an attachme	ent to this petition)
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### POINT TO POINT LAND SURVEYORS

305 South Main Street, Lower Level Mount Airy, Maryland 21771 Phone 301-703-8319 Toll Free 866-706-9114 Fax 301-703-8324 www.pointtopointsurvey.com

Zoning Property Description for 3620 Langrehr Road Baltimore, MD 21244

All that tract or parcel of land lying and being located in Baltimore County, Maryland and located on the north side of Langrehr Road and measured 790 feet from the intersection of Liberty Road, Maryland Route 26 with said Langrehr Road.

Beginning for the same at an iron bar set on the northern right of way line of Langrehr Road at the intersection of said Langrehr Road and the centerline of Lagathia Road, now abandoned; said place of beginning being further located, South 47°12'00" West 65.00 feet from the division line between Lots 57 and 58 as shown on a plat entitled "Revised Plat No. 2, Lagathia", dated November 26, 1934 and recorded among the Land Records of Baltimore County, Maryland in Plat Book 10, Page 82; thence leaving said place of beginning and running with the aforesaid centerline of Lagathia Road, as now surveyed with bearings referred to said plat,

- 1. North 43°26'00" West, 161.19 feet to an iron bar set; thence leaving said centerline and running,
- 2. North 45°56'00" East, 65.00 feet to an iron bar set at the end of the division line between said Lot 57 and Lot 58; thence running with said division line, as now surveyed,
- 3. South 43°26'00" East, 162.63 feet to an iron pipe found on the aforesaid northern right of way line of Langrehr Road; thence running with said right of way line,
- 4. South 47°12'00" West, 65.00 feet to the place of beginning.

Said tract contains 10,524 square feet or 0.2416 acres of land, more or less as surveyed by Point to Point Land Surveyors on July 3, 2012.



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### MEMORANDUM

DATE:

April 16, 2015

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2015-0161-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on April 15, 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



### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 legal owner/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 legal owner/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:
Case Number: 2015-0161-8PH
Property Address: 3620 LANIGRETHE ROAD 21244
Property Description: Worth Gido of Langrehr Road 790 Feet to
the centerline of Liberty Rd
Legal Owners (Petitioners): PAMECA SUANEZ
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Name: Pamela Suarez
Company/Firm (if applicable): N/A
Address: 3620 LANGREHR ROAD
WINDSOR MILL, MO 21244
Telephone Number: 443-538-3770



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001 tel: 410/332-6000 800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3057361

### **Sold To:**

Pamela Suarez - CU00423368 3620 Langrehr Rd Windsor Mill,MD 21244

### Bill To:

Pamela Suarez - CU00423368 3620 Langrehr Rd Windsor Mill,MD 21244

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Feb 19, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

# 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: # 2015-0161-SPH 3620 Langrehr Road N/s Långrehr Road, 790 ft. +/- n of the centerline of Liberty Road 2nd Election District - 4th Councilmanic District Legal Owner(s) Pamela Suarez Special Hearing: to establish a two unit dwelling as a legal non-conforming use. Hearing: Friday, March 13, 2015 at 11:00 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) 887-3368. (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

CERTIFICATE OF POSTIN

CASE NO	D: 2015-0161-5PH	
PETITI	ONER/DEVELOPER	
PANE	LA SUALEZ	
DATE O	OF HEARING/CLOSING:	
	MARCH 13, 2015	_
BALTIMORE CITY DEPAR 417 E. FAYETTE STREET & BALTIMORE MD 21202		
ATTENTION:		
LADIES AND GENTLEMEN	vi:	
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	ELMSFORD COURT	
	MORE,MD 21220	
	RESS) E NUMBER:443-629-3411	





KEVIN KAMENETZ County Executive February 12, 2015

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

### 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: 2015-0161-SPH

3620 Langrehr Road
N/s Langrehr Road, 790 ft. +/- n of the centerline of Liberty Road
2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District
Legal Owners: Pamela Suarez

Special Hearing to establish a two unit dwelling as a legal non-conforming use.

Hearing: Friday, March 13, 2015 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jabion Director

AJ:kl

C: Pamela Suarez, 3620 Langrehr Road, Windsor Mill 21244

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., FEBRUARY 21, 2015.

(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, February 19, 2015 Issue - Jeffersonian

Please forward billing to:

Pamela Suarez 3620 Langrehr Road Windsor Mill, MD 21244

443-538-3770

### 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: 2015-0161-SPH

3620 Langrehr Road
N/s Langrehr Road, 790 ft. +/- n of the centerline of Liberty Road
2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District
Legal Owners: Pamela Suarez

Special Hearing to establish a two unit dwelling as a legal non-conforming use.

Hearing: Friday, March 13, 2015 at 11:00 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 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.

RE: PETITION FOR SPECIAL HEARING 3620 Langrehr Road; N/S Langrehr Road, N 790° c/line of Liberty Road 2<sup>nd</sup> Election & 4<sup>th</sup> Councilmanic Districts Legal Owner(s): Pamela Suarez Petitioner(s)

- BEFORE THE OFFICE
- OF ADMINSTRATIVE
- \* HEARINGS FOR
- \* BALTIMORE COUNTY
- \* 2015-161-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

FEE 01)2015

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Peter Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 9<sup>th</sup> day of February, 2015, a copy of the foregoing Entry of Appearance was mailed to Pamela Suarez, 3620 Langrehr Road, Windsor Mill. Maryland 21244, Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case	No .	
1000	1 40	

2015-16/-SPH

Exhibit Sheet

3/16/15 Non

Petitioner/Developer

SAN S

Protestant

		K
No. 1	Site plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12	•	

CASE NO. 2015-016-5PH

# CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	100
3/2/15	PLANNING (if not received, date e-mail sent)	mas hot
2915	STATE HIGHWAY ADMINISTRATION	mo obj
	TRAFFIC ENGINEERING	<u> </u>
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOL	ATION (Case No.	
PRIOR ZONING	G (Case No	
NEWSPAPER A	ADVERTISEMENT Date: 21915	
SIGN POSTING	Date: 2/21/15	by \\
PEOPLE'S COU	NSEL APPEARANCE Yes No	
PEOPLE'S COU	INSEL COMMENT LETTER Yes No D	
Comments, if any	y:	•

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2.	3080						
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Laurel	77 000			07/01/2014	0	7/01/201	5
Land: Improvements	77,600 101,700	58,800 84,600					
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### **Baltimore County**

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

District: 02 Account Number: 0213202111



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/)

x Loading... Please Wait. Loading... Please Wait.



KEVIN KAMENETZ County Executive

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

March 6, 2015

Pamela Suarez 3620Langrehr Road Windsor Mill MD 21244

RE: Case Number: 2015-0161 SPH, Address: 3620 Langrehr Road

Dear Ms. Suarez:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 29, 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,

U. Cal Ribal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel







Pete K. Rahn, Acting Secretary Melinda B. Peters, Administrator

Lawrence J. Hogan, Jr., Governor Boyd K. Rutherford, Lt. Governor

Maryland Department of Transportation

Date: 2/9/15

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 - 0161 - 5PH

Special Heaving Punela Suarez 3620 Langrehr Road.

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. 2015-0161-5PH

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

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon

**DATE:** March 2, 2015

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT:

3620 Langrehr Road

RECEIVED

**INFORMATION:** 

Item Number: 1

15-161

MAR 0 9 2015

**Petitioner:** 

Karen Stewart

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning:

DR 5.5

**Requested Action:** 

Special Hearing

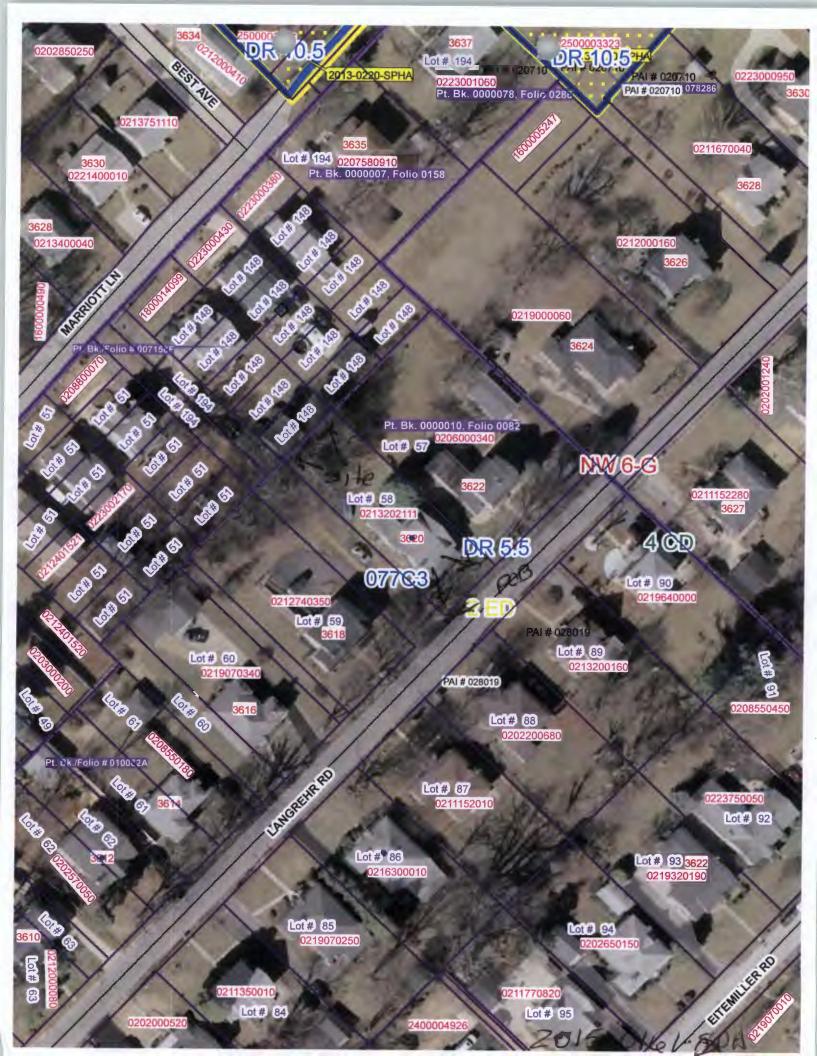
### SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request for a special hearing to establish a two unit dwelling as a legal non-conforming use. Staff has reviewed the accompanying site plan and subsequent to a site visit has observed that there appears to be adequate space for required parking. Therefore, the Department does not object to the requested relief as a non-conforming use should it be demonstrated as such at the hearing.

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

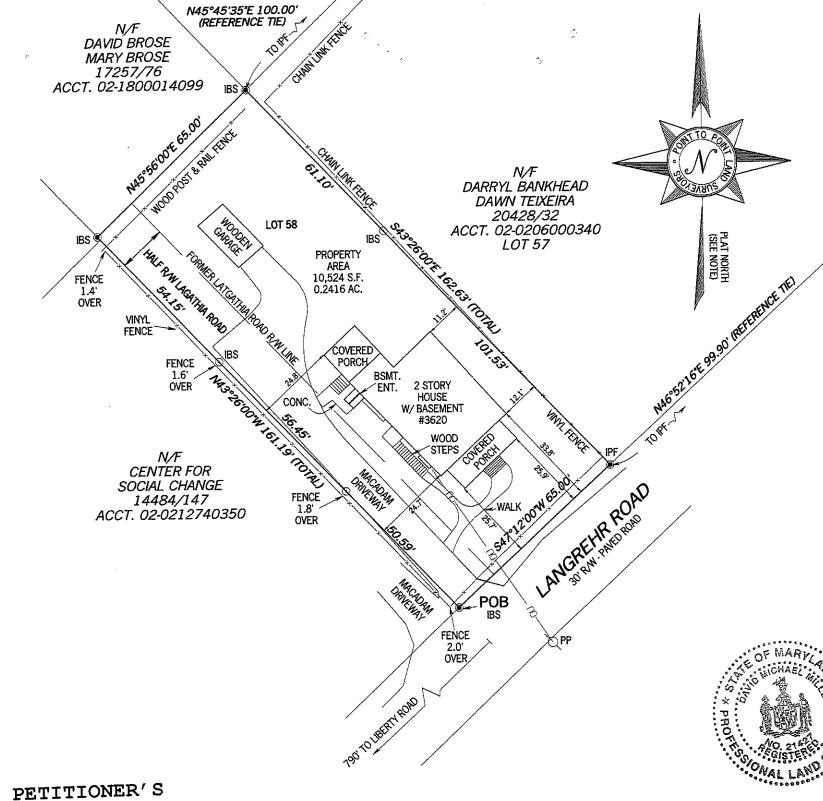
**Division Chief:** 

AVA/LL



## SITE INFORMATION:

ZONING MAP # 077C3 SITE ZONED DR5.5 2ND ELECTION DISTRICT 4TH COUNCIL DISTRICT LOT SIZE; 0.2416 AC. HISTORIC ? NO IN CBCA? NO IN FLOOD PLAIN? NO WATER: PUBLIC SEWER: PUBLIC PRIOR HEARING ? NO



ZONING HEARING PLAN

3620 LANGREHR ROAD BALTIMORE, MD 21244 LOT 58 & 1/2 LAGATHIA ROAD LAGATHIA SUBDIVISION SECOND TAX DISTRICT BALTIMORE COUNTY, MARYLAND

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND IS IN COMPLIANCE WITH THE MINIMUM STANDARDS OF PRACTICE SET FORTH IN COMAR, TITLE 9, SUBTITLE 13, CHAPTER 06.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT WHICH MAY SHOW ADDITIONAL EASEMENTS, RIGHTS-OF-WAY, OR OTHER RESTRICTIONS OR ENCUMBERANCES NOT SHOWN HEREON.

> 1.28-15 DATE

DAVID M. MILLER PROFESSIONAL LAND SURVEYOR #21427 LIC. EXP. 12-28-16

NOTE: BEARINGS REFERRED TO PLAT NORTH (SEE PLAT BOOK 10, PAGE 82)

**LEGEND** NOW OR FORMERLY IRON PIN SET (1/2" ReBar) W/ CAP IBS IRON PIPE FOUND REBAR FOUND RBF OVERHEAD UTILITIES OU **EDGE OF PAVEMENT** 

POWER POLE RFINFORCED CONCRETE PIPE

CHAIN LINK FENCE EDGE OF PAVING

**FOUND** PLACE OF BEGINNING

EXHIBIT NO.

GRAPHIC SCALE IN FEET SCALE: 1" = 80'

# GENERAL NOTES:

1. SITE ADDRESS: 3620 LANGREHR ROAD, BALTIMORE, MD 21244 2. OWNERS NAME: PAMELA SUAREZ

3. PROPERTY INFORMATION: LOT 58, LAGATHIA SUBDIVISION, PLAT BOOK 10, PAGE 82.

4. TAX ACCT. NO. 0213202111 5. DEED BOOK 23317, PAGE 421

CHECKED BY: DIMIN

2015-0161-50H

TO POINT LAND SURVEYORS

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**VICINITY MAP** 

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**POINT** 



SUARE

PAMEL