MEMORANDUM

DATE:

August 25, 2015

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2015-0303-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 21, 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

IN RE: PETITION FOR ADMIN. VARIANCE (613 Cameron Ridge Court)

7th Election District 3rd Council District Brett I. and Denise J. Moritz Petitioners **BEFORE THE**

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2015-0303-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Brett I. and Denise J. Moritz. The Petitioners are requesting Variance relief from § 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed two-story accessory building (detached garage with storage) in the rear yard of the dwelling with a height of 23 ft. 6 in. in lieu of the maximum allowed 15 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 July 5, 2015, 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 welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING

Date____

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.

Although the Department of Planning did not make any recommendations related to the two-story accessory building (detached garage with storage) height and usage, I will impose conditions that the garage not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

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 <u>22nd</u> day of **July**, **2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed two-story accessory building (detached garage with storage) in the rear yard of the dwelling with a height of 23 ft. 6 in. in lieu of the maximum allowed 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order.
 However, Petitioners are hereby made aware that proceeding at this time is at their
 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, Petitioners would be
 required to return the subject property to its original condition.
- 2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 3. The garage shall not be used for commercial purposes.

ONDER		
Date	7-22-15	2
Dv		

ORDER RECEIVED FOR FILING

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 ______

Ву_____

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTED VARIANCE - OR - ADMINISTRATES **ECIAL 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: 613 CAMERON RIDGE CT. PARKTON MD 21120 Currently zoned RC8 10 Digit Tax Account # 2 2 0 0 0 2 4 5 3 6 Deed Reference 15670 100666 Owner(s) Printed Name(s) MORITZ (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) 400.3 of BCZR to permit a proposed 2-story accessory building (detached garage with storage) in the rear yard of the dwelling with a height of 23'6" in lieu of the maximum allowed 15 feet. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. 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): Denese 9 Signature # 2 Mailing Address 21120 410 357 5751 moritz bi Acomcast Zip Code Telephone # Email Address Attorney for Owner(s)/Petitioner(s): Representative to be contacted: VER RECEIVED FOR FILING Name - Type or Print Name-Type or Print Signature Signature Mailing Address Mailing A State City State Telephone # Zip Code Email Address Zip Code Email Address A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore that the subject matter of this petition be set for a public hearing, advertised, and re-posted as County, this day of required by the zoning regulations of Baltimore County. Administrative Law Judge for Baltimore County 2015-0303-Estimated Posting Date

Rev 5/8/2014

Afridavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRE FOR AN HISTORIC ADMINISTRATIVE CONTRACTOR 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: 613 Cameron Ridge (+ Parliton MD) 21120 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 <u>practical difficulty or hardship</u> here)	ו
SIMPLY WE REQUIRE ADDITIONAL VEHICLE PARKING. THERE ARE S DRIVED IN THE HOME AND WE HAVE A SMALL (18'x 22') 2-CAR GARAGE. THE DIFFICULTY IS THAT THE RUILDER PLACED THE HOME AFL THE WAY FORM IN THE BUILDING ENVELOP. THEREFORE WE CANNOT EXPAND THE CURRENT CARAGE. ADDITIONALLY, THE HOA RESTRICTS CARS PARKED ON THE RESTRICTS.	E NOM
DOES NOT ALLOW CAR PORTS AND D'ISCOURAGES CARS PARKED ALONG DRIVEWAY, WHICH IS WHAT WE HAVE TO DO NOW. THE SOLUTION IS TO BUILD A GARAGE AT THE END OF THE DRIVE BEHIND THE BEAR FOUNDATION OF THE HOUSE, FOR WHICH I'VE ALREADY BEC'D HOA APPROVAL, PROVIDED THAT THE ELEVATION AND APPEARANCE IN THAT OF THE EXISTING GARAGE; BRICK FRONT W/WINDOWS, GARLED RETC. WHICH PUTS THE BUILDING AROVE THE IS! HEIGHT RESTRICT.	ma
(If additional space for the petition request or the above statement is needed, label and attach it to this Form) Signature of Owner (Afflant) Brett I Moritz Denise J. Moritz	C
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 23rd, day of June, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:	n
Print name(s) here: Brett I. Morits and, Deniso J. Moritz	-
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).	
SHERIE A. HARRISON Notary Public Baltimore County Mandand Motaries Seal Notary Public My Commission Expires	

2015-0303-A

My Commission Expires Dec. 15, 2015

SO THE QUANDRY EXISTS THAT WE CANNOT EXPAND THE CURRENT GARAGE WITHOUT VIOLATING THE SETBACKS, AND WE CANNOT RULL A SEPARATE GARAGE AS AN ARCESSORY STRUCTURE AND BE COMPLIANT WITH THE HOA WITHOUT GOING OVER IS! IN HOIGHT.

IRONICALLY, WE COULD BUILD A SMALLER GARAGE (LONER)
WITHOUT THE REQUESTED VARIANCE, BUT IT WOULDN'T BE NEARLY
AS VISUALLY APPEALING AS THE PROPOSED. (AND IT RICHLON'T GET
HOA APPROVAL).

THEREFORE, WE RESPECTALLY REQUEST RELET FROM THE RESTRICTIONS SO THAT WE CAN BUILD THE BEST SOLUTION, THE SOLUTION THAT WILL ADD THE MOST APPEAL AND VALUE, THE ONE WE, THE HOA AND THUS, THE NEIGHBORS WANT. PLEASE GRANT THIS JAZIANCE AND APPROVE THE PROPOSED AS DETAILED IN THIS DEQUEST.

Boundard



PART A: ZONING PROPERTY DESCRIPTION FOR 613 CAMERON RIDGE COURT

Beginning at a point on the south side of Cameron Ridge Court which is 40' of right-of-way width at the distance of 425' east of the centerline of the nearest improved intersecting street, Bently Ridge Court, which is 30' wide.

PART B: Option 2 - Subdivision Lot

Being Lot # 43 in the Subdivision of Cameron Mill as recorded in the Baltimore County Plat Book # 67, Folio # 143, and containing 3.059 acres. Located in the 7th Election District and 3rd Council District.

2015-0303-A

BALTIMORE COUNTY, MARYLAND 127156 OFFICE OF BUDGET AND FINANCE No. MISCELLANEOUS CASH RECEIPT Date: 6/26/2015 09:47:51 WALKIN REOS LEE Rev Sub REG MSD5 RELEIPT # 201339 6/26/2015 -CFLN Source/ Rev/ 5 529 ZUNING VERIFICATION Prot Obj Sub Obj Dept Obj BS Acct Fund Dept Unit Sub Unit Amount NO. 127156 206 0150 001 0000 Recot Tat 175.00 \$80.60 EA \$.00 CX 45.00- C8 Baltimore County, Maryland Total: Rec BRETT MORITZ From: 613 CANTERON RIDGE CT For: CASHIER'S DISTRIBUTION **VALIDATION** WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING PLEASE PRESS HARD!!!!

5

CERTIFICATE OF POSTING

	Date: 7-5-15				
RE: Case Number: 2015-030 3-	A				
Petitioner/Developer: Brett	Horitz				
Date of Hearing/Closing: 7-2	20-15				
This is to certify under the penaltic by law were posted conspicuously on the	es of perjury that the necessary sign(s) required the property located at 6/3 Common Rudge				
The signs(s) were posted on	7-5-15 (Month, Day, Year)				
	Lawrence Poleon (Signature of Sign Poster)				
	J. LAWRENCE PILSON (Printed Name of Sign Poster)				
ATTACH PHOTGRAPH	1015 Old Barn Road (Street Address of Sign Poster)				
	Parkton, MD 21120 (City, State, Zip Code of Sign Poster)				
	(Telephone Number of Sign Poster)				

TOWN BY NOTE

VARIATIVE VARIANCE

CASE # JOID - 0303 - 4

TO FERMIT A CRORNED 2-STORY
DETACHED DARAGE ON THE REHRYGRED
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CART

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY COPE.

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS

RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

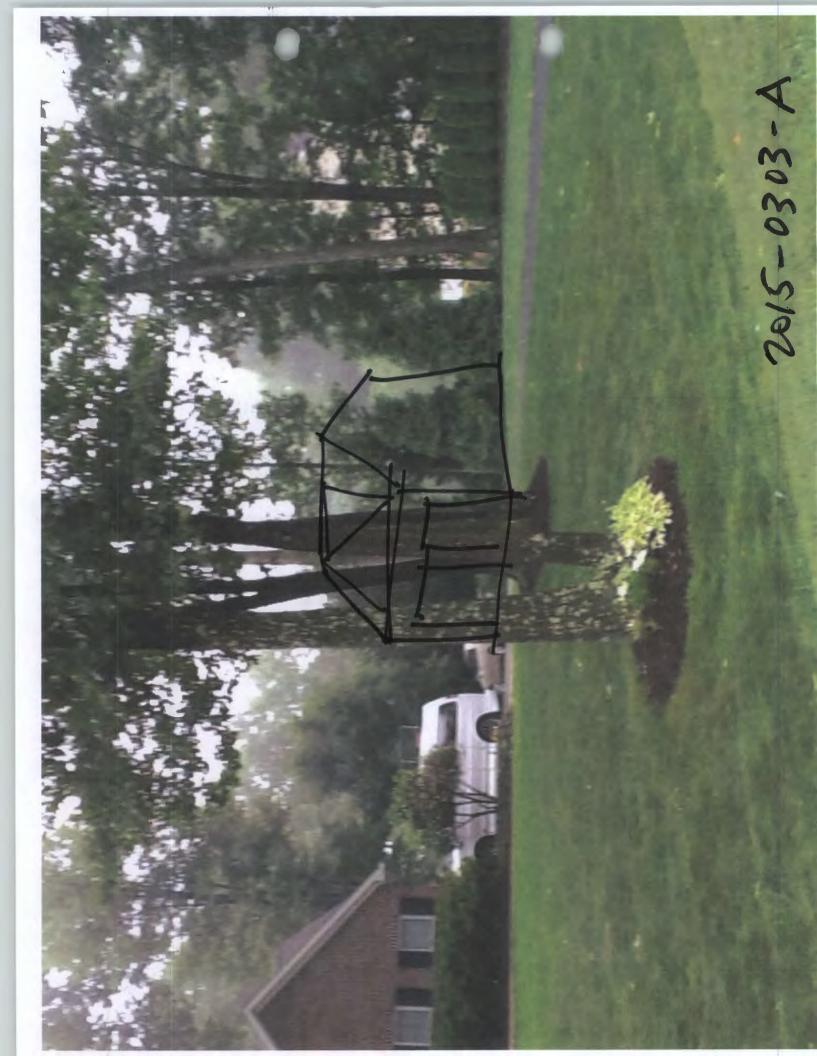
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ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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Filing	Date:6	6/26/15	Post	ing Date: 7/	5/15	Closing Da	ate: 7/20/15
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2.	a formal requ	est for a pub	lic hearing	g. Please ui	nderstand	nt or owner within of d that even if the the closing date.	1,000 feet to file re is no forma
3.	commissioner order that the within 10 day	. He may: (a matter be set is of the clos etition has bee	a) grant th in for a pu ing date i en granted	e requested blic hearing. f all County	relief; (b) You will agencies	by the zoning or deny the reques receive written not comments are public hearing. T	ted relief; or (c) ification, usually received, as to
4.	(whether due commissioner changed giving	to a neighbo), notification g notice of the	or's formal will be fo hearing o hange and	request or rwarded to y late, time and	by order you. The d location oh of the	es that must go to a of the zoning or ne sign on the pro n. As when the sign altered sign must	· deputy zoning operty must be in was originally
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		USE THE AD	MINISTRA	ATIVE VARIA	NCE SIG	ON FORMAT	
Case	Number 2015-	0303	-A Addr	ess 613	Cameror	n Ridge Court	
	ner's Name					Telephone 410-	357-5751
Posti	ng Date:	7/5/15		Closing Da	ate:	7/20/15	
Wordi	ing for Sign:	To Permit a p	roposed 2	story detach	ed garaç	ge on the rear yard	of the dwelling
	with a height of	of 23'6" in lieu	of the max	imum allowed	d 15 feet.		
	1 W						









19702 Cameron Mill Road

- · Same sub division, same HOA
- · Same Zoning variance previously granted for similar garage plan.

2015-0303-A

CASE NO. 2015- 0303-A

Support/Oppose/

CHECKLIST

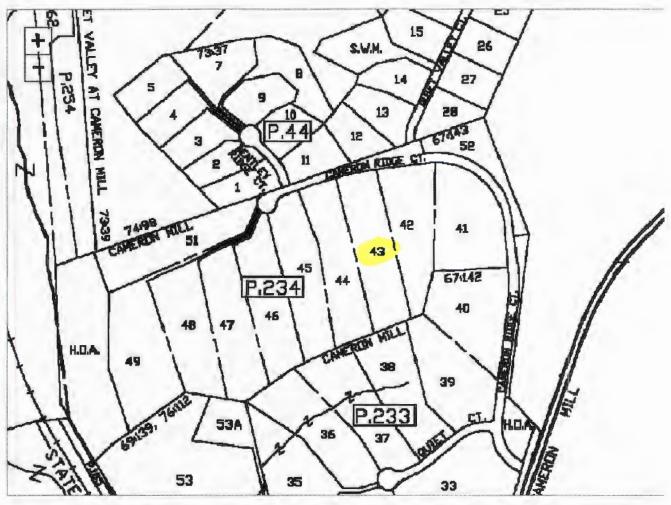
Comment Received	Department	Conditions/ Comments/ No Comment
1-10	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC_
	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
7-7	STATE HIGHWAY ADMINISTRATION	No objection
-	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
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PRIOR ZONING	(Case No.	
NEWSPAPER ADV	ERTISEMENT Date:	
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Comments, if any: _		
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Baltimore County

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

Account Number: 2200024536 District: 07



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/)

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KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 21, 2015

Brett I & Denise J Moritz 613 Cameron Ridge Court Parkton MD 21120

RE: Case Number: 2015-0303 A, Address: 613 Cameron Ridge Court

Dear Mr. & Ms. Moritz:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 26, 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. Carl Richal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Larry Hogan, Governor Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary Douglas H. Simmons, Acting Administrator

Date: 7/7/15

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

RE: Baltimore County Item No 2015-0303-A Administive Variance. Brett I = Denise F. Moritz 613 Cameron Ridge 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. 2015-0303-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2398 or 1-866-998-0367 (in Maryland only) extension 2398, or by email at (rzeller@sha.state.md.us).

Sincerely.

David W. Peake

Metropolitan District Engineer

Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 10, 2015

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 13, 2015

Item No. 2015-0302, 0303, 0307, 0308 and 0309

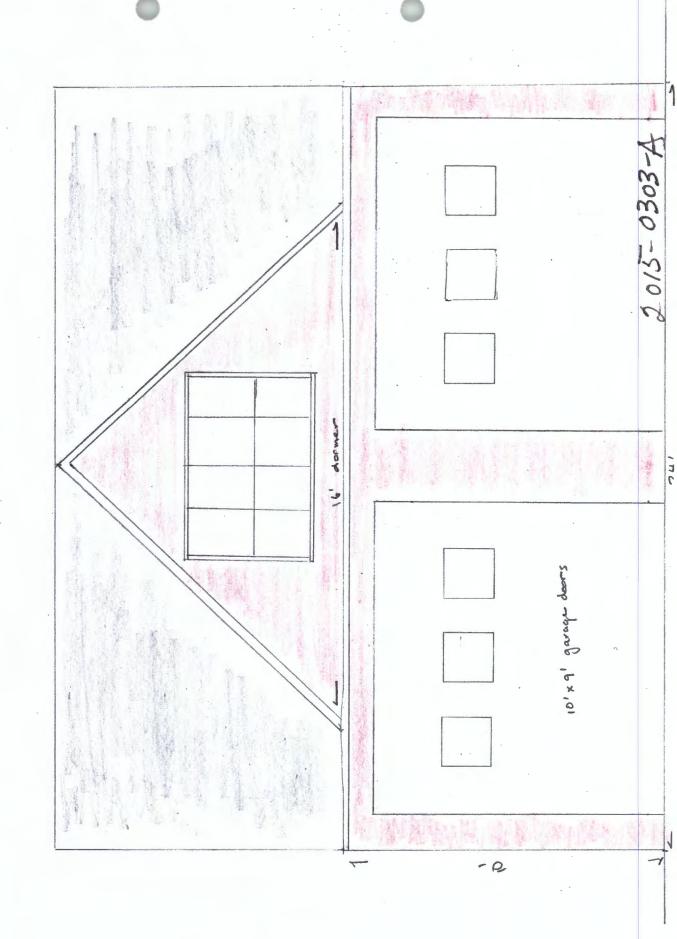
The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN cc:file

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Seller: JGS CAMERON LLC Type: ARMS LENGTH VACANT		Date: 03/27/1998 Deed1: /12752/ 00290			Price: \$96,750 Deed2:			
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2015-0303-A



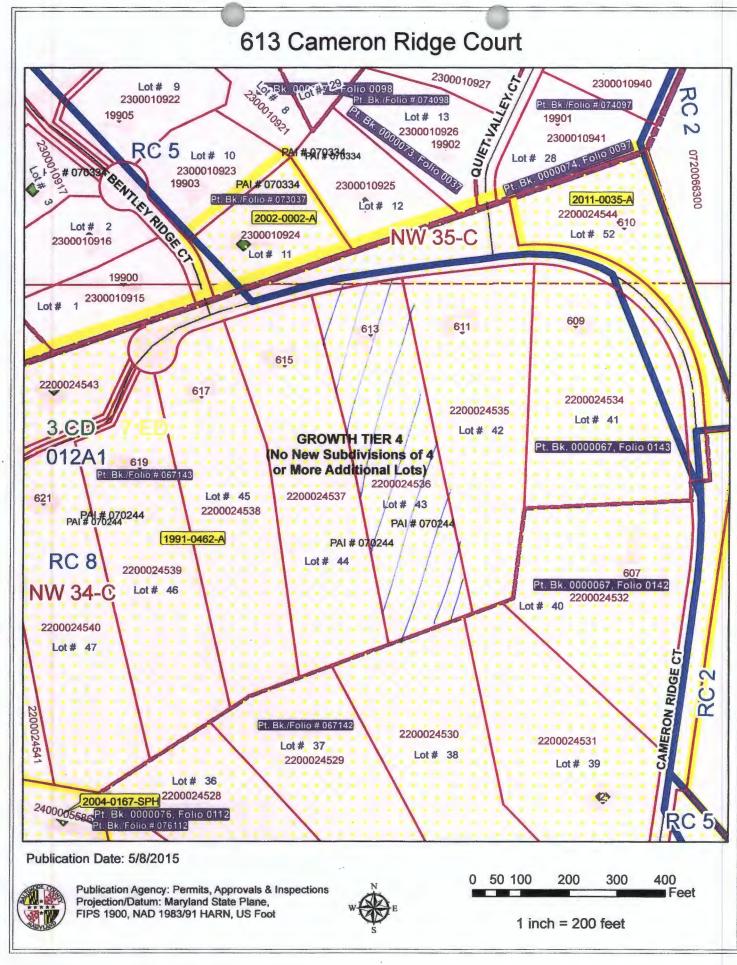
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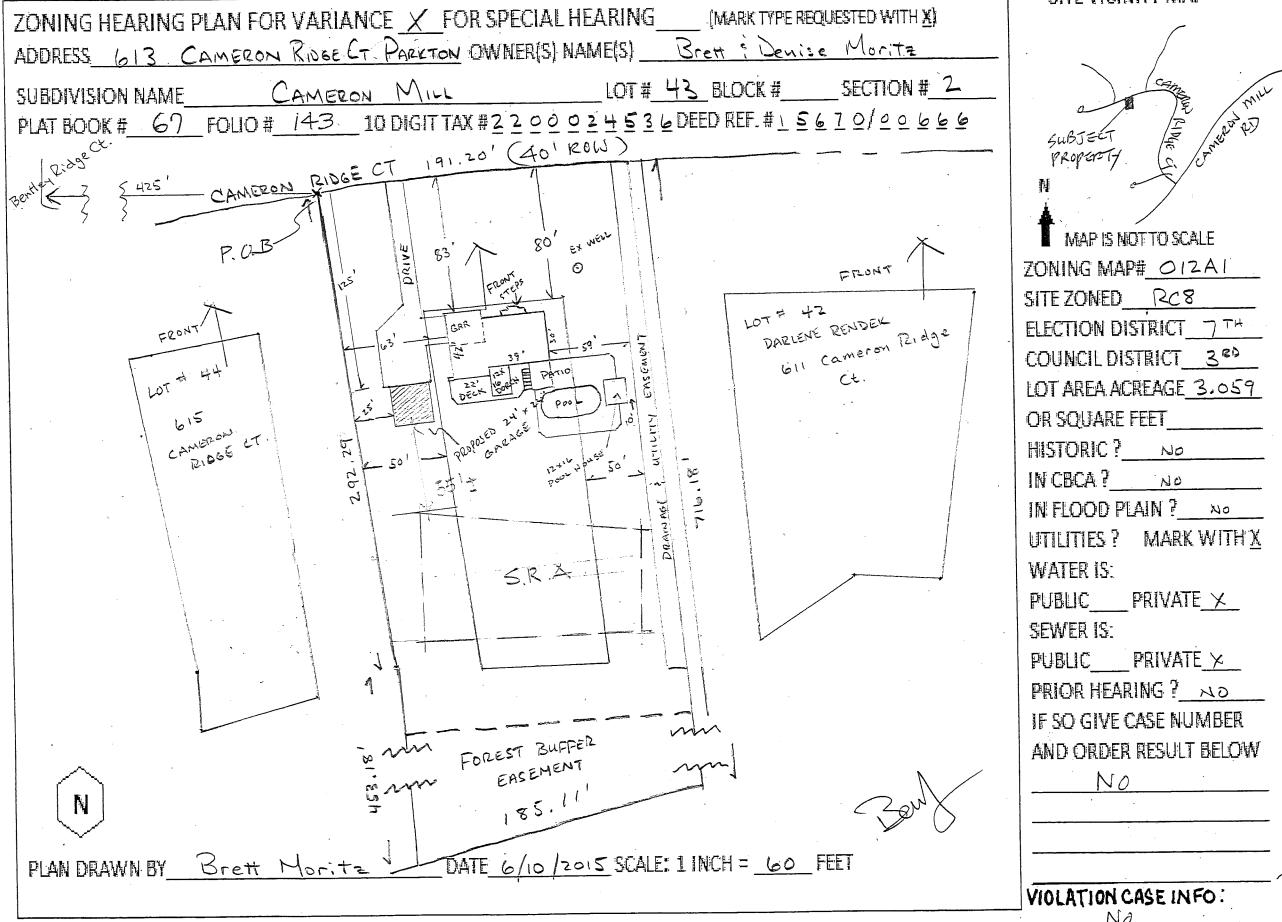
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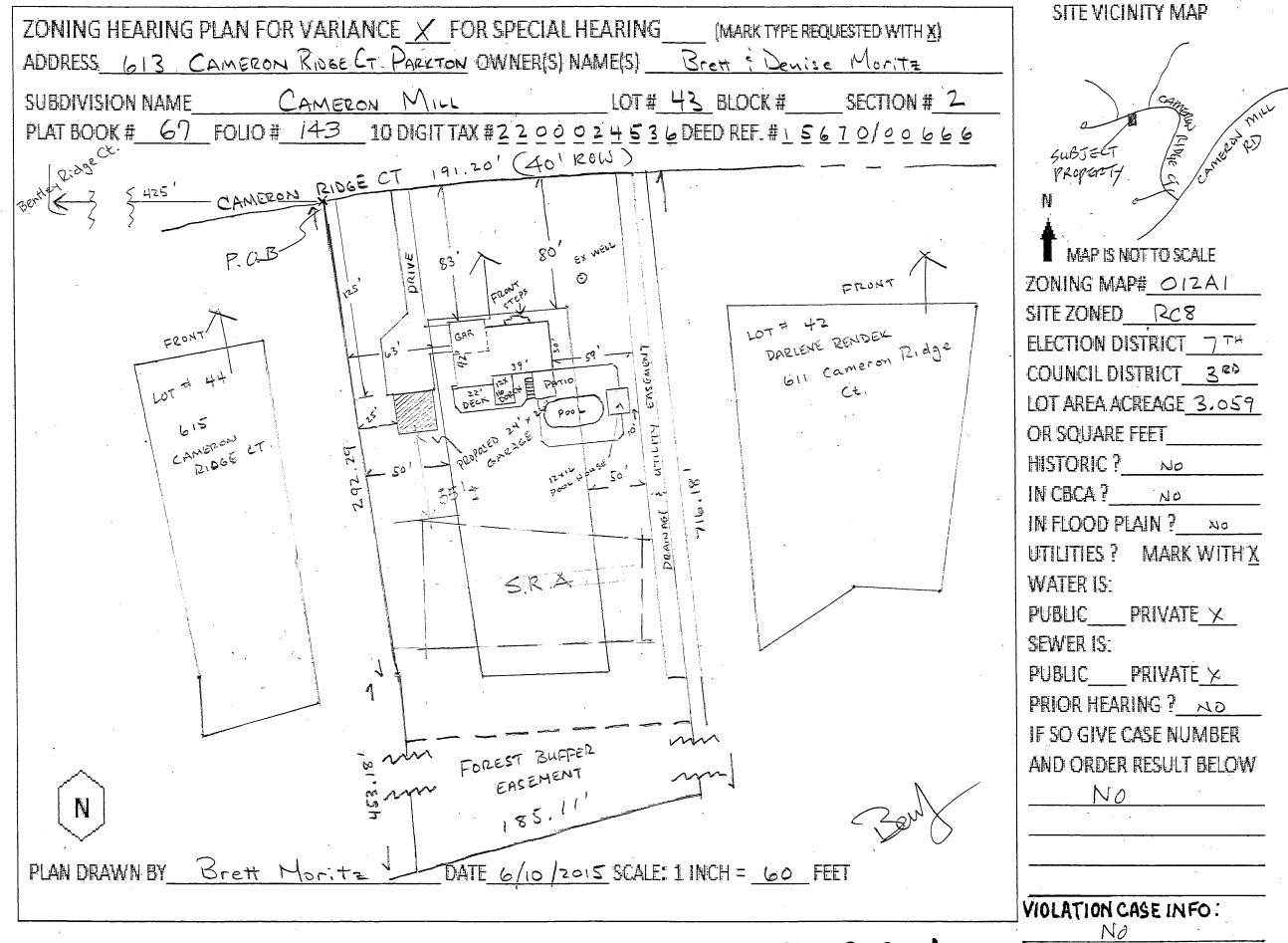
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2015-0303-A

SITE VICINITY MAP



2015-0303-A