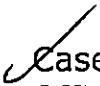


M E M O R A N D U M

DATE: March 7, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0155-A- Appeal Period Expired

The appeal period for the above-referenced case expired on March 4, 2016. 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 *
(130 Cedarmere Road)
4th Election District *
4th Council District *
Ronald L. Decker *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0155-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, Ronald L. Decker. The Petitioner is requesting variance relief from § 1B02.3.A.2 (1953 Tentative Approved Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed garage addition to the side of the dwelling with side setbacks of 2 ft. and 10 ft. in lieu of the required 7 ft. and 10 ft., respectively. 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 submitted by any of the County reviewing agencies. However, it is to be noted that a letter of support was received from Ronald Demory, an adjacent neighbor residing at 128 Cedarmere Road, who has no objection to Petitioner's request.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on January 16, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 2-3-16

By [Signature]

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 and photographs 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 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 3rd day of **February, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.A.2 (1953 Tentative Approved Regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed garage addition to the side of the dwelling with side setbacks of 2 ft. and 10 ft. in lieu of the required 7 ft. and 10 ft., respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for his 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.
2. The Petitioner or subsequent owners shall not convert the garage addition into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage addition shall not be used for commercial purposes.

ORDER RECEIVED FOR FILING

Date 2-3-16

By [Signature]

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 2-3-16

By dlw



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 130 CEDARMERE RD OWINGS MILLS, MD 21117 Currently zoned DR 3.5

Deed Reference 34959 / 448 10 Digit Tax Account # 0404020740

Owner(s) Printed Name(s) RONALD L. DECKER

(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) _____

BCZR: 1B02.3.A.2 (1953 Tentative Approved Regulations) → to permit a proposed garage addition to the side of the dwelling with side set back of 2 feet and 10' in lieu of the required 7 feet and 10 feet respectively.

of the zoning regulations 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):

RONALD L. DECKER

Name #1 – Type or Print Name #2 – Type or Print

Ronald L. Decker

Signature #1 Signature #2

130 CEDARMERE RD OWINGS MILLS, MD

Mailing Address City State

21117 1443-506-4874 / ronaldldecker@

Zip Code Telephone # Email Address

hotmail.com

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

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

Name – Type or Print

Signature

Mailing Address City State

Zip Code Telephone # 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 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 2016-0155-A Filing Date 1/5/16 Estimated Posting Date 1/17/16 Reviewer JS

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: 130 CEDARMERE RD OWINGS MILLS MD 21117
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)

SEE ATTACHED

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

Ronald L. Decker

Signature of Owner (Affiant)

RONALD L. DECKER

Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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

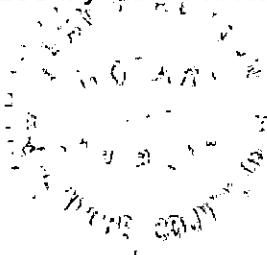
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17 day of December 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: John Hutson

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

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public

12/18/16
My Commission Expires

Affidavit in Support of Administrative Variance

Address: 130 Cedarmere Rd Owings Mills, MD 21117

I'd like to build a garage attached to the side of my house. I have an existing 9'-6" +/- wide concrete driveway that begins 4' from the house (due primarily to the two basement window wells that extend out 18") and ends 22" from the property line. The house is setback from the side property line 14'-10". Without a setback variance the outside wall of the proposed garage would end up in the middle of the driveway. Thus, the inside clearance would be 9'-6" minus the 18" for the window wells and would not be practical.

I'd like to build the outside wall of the proposed garage 2' inside the property line. This will give adequate space to be able to perform any needed maintenance on the side of the garage without intruding on the neighbors property.

Therefore I ask for a zoning variance in order to build the attached garage with a 2' setback for the following reasons:

- 1) Several other properties in the Cedarmere development have a carport or a garage that encroach on the set back requirements.
- 2) Lots on my (west) side of Cedarmere Rd are only 60' wide while the properties on the other side of the street range from 65' to 85' wide.
- 3) Additionally, houses on my side of the street have a hill in their backyards. My hill begins 32' from my back door and is 8' high.
- 4) If I was to build the garage behind my house to conform to the side setback, it would create a hardship by taking up about 1/2 of the usable space of the lower back yard.
- 5) It would also increase the impervious area of my property.


Signature of Owner

RONALD L. DECKER
Printed Name

Zoning Property Description for 130 Cedarmere Rd Owings Mills, MD 21117

Beginning at a point on the west side of Cedarmere Rd which has a 50' right of way width at the distance of 210' north of the centerline of the nearest improved intersecting street known as Oakmere Rd which is 50' wide.

Being Lot # 23, Block F, Section C, Cedarmere subdivision as recorded in Baltimore County Plat Book G.L.B. No 20, Folio 78, containing 10,200 sq ft. Located in the 4th Election District and 4th Council District.

2016-0155-4

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 1/18/2016

Case Number: 2016-0155-A

Petitioner / Developer: RON DECKER

Date of Hearing (Closing): FEBRUARY 1, 2016

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

The sign(s) were posted on: JANUARY 16, 2016



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0155 -A Address 130 CEDARMERE RD

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/5/16 Posting Date: 1/17/16 Closing Date: 2/1/16

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

- 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.
- 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.
- 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.
- 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 2016- 0155 -A Address 130 CEDARMERE RD

Petitioner's Name DECKER Telephone 443-506-4874

Posting Date: 1/17/16 Closing Date: 2/1/16

Wording for Sign: TO PERMIT A PROPOSED GARAGE ADDITION TO THE SIDE OF THE DWELLING
WITH SIDE SET BACKS OF 2 FEET AND 10 FEET IN LIEU OF THE REQUIRED
7 FEET AND 10 FEET RESPECTIVELY.

Revised 7/21/15

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: 2016-0155-4

Petitioner: DECKER

Address or Location: 130 CEDARMERE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: RONALD DECKER

Address: 130 CEDARMERE RD

OWINGS MILLS, MD 21117

Telephone Number: 443-506-4874

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

No. **134192**

Date: **1/5/16**

PAID RECEIPT

BUSINESS ACTUAL TIME 560
 1/05/2016 1/05/2016 10:59:45 4

RC #501 WALKIN YENI 565
 RECEIPT # 693477 1/05/2016 0911

Dept: 5 305 ZONING REGISTRATION
 OR NO. 134192

Receipt Tot 375.00
 375.00 CR 1.00 CA
 Baltimore County, Maryland

Rev Sub
 Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		640				775.00

Total: **875.00**

Rec From: **DECCA**

For: **2016-1135-A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

February 2, 2016

Ronald L. Decker
130 Cedarmere Road
Owings Mills MD 21117

RE: Case Number 2016-0155 A, Address: 1309 Cedarmere Road

Dear Mr. Decker:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 5, 2016. 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 that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

CLOSING
2/1

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JAN 19 2016



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: January 19, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0155-A
Address 130 Cedarmere Road
(Decker Property)

Zoning Advisory Committee Meeting of January 19, 2016.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 01-19-2016

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 1/13/16

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

RE: Baltimore County
Item No. 2016-0155-A -
Administrative Variance
Ronald Decker
130 Cedarmere 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. 2016-0155A

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 21, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For January 18, 2015
Item No. 2016- 0152, 0153, 0154, 0155, 0156, 0157 and 0158

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\ZAC01182016.doc

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>1-21</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>1-19</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>1-13</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>9-16</u>	ADJACENT PROPERTY OWNERS	<u>Supports</u>

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2016-0072-A (Denied 10-26-15))

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 1-16-16 by O'KeefePEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 04 Account Number - 0404020740			
Owner Information					
Owner Name:	DECKER RONALD LEE		Use:	RESIDENTIAL	
Mailing Address:	130 CEDARMERE RD OWINGS MILLS MD 21117-2406		Principal Residence:	YES	
			Deed Reference:	/34959/ 00448	
Location & Structure Information					
Premises Address:		130 CEDARMERE RD 0-0000		Legal Description:	
CEDARMERE					
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0058	0007	0084		0000	C
					F
					23
					2016
					Assessment Year:
					Plat No:
					Plat Ref:
					0020/0078
Special Tax Areas:			Town:		
			NONE		
Ad Valorem:					
Tax Class:					
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1955	1,075 SF	287 SF	10,200 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1	YES	STANDARD UNIT	SIDING	1 full	
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2016	As of 07/01/2015	As of 07/01/2016
Land:		65,300	65,300		
Improvements		74,300	94,000		
Total:		139,600	159,300	139,600	146,167
Preferential Land:		0			0
Transfer Information					
Seller: DECKER CHARLES C		Date: 05/13/2014		Price: \$0	
Type:		Deed1: /34959/ 00448		Deed2:	
Seller: NATIONWIDE HOLDING CO		Date: 10/01/1955		Price: \$10,500	
Type:		Deed1: /29634/ 00112		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class			07/01/2015	07/01/2016
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 02/14/2012					

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

[illegible]

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>).

IN RE: PETITION FOR ADMIN. VARIANCE *
(130 Cedarmere Road)
4th Election District *
4th Council District *
Ronald L. Decker *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0072-A

PREVIOUS
ORDER

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Ronald L. Decker ("Petitioner"). The Petitioner is requesting Variance relief pursuant to § 1B02.3.A.2 of the Baltimore County Zoning Regulations ("B.C.Z.R), (1953 Tentative approved regulations) to permit a proposed garage addition to the side of the dwelling with a side setback of one (1) ft. and a sum side setback of 11 ft. in lieu of the required 7 and 17 ft. respectively. 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. A ZAC comment was received from the Bureau of Development Plans Review (DPR) dated October 2, 2015 indicating that a one-foot setback does not leave sufficient room for access and maintenance without trespass on the neighbor's land. Even so, a letter was received from the adjacent neighbor who resides at 128 Cedarmere Road (Ronald Demory) indicating his support for the Petitioner's request.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 1, 2015, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 10-26-15

By [Signature]



05/07/2005

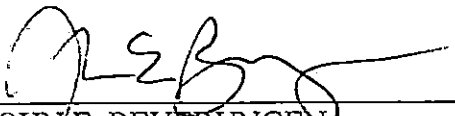
While I understand the neighbor has no objection, I believe that a one (1) ft. setback for the garage addition would be inappropriate. As noted in the DPR's comment (attached), such a minimal setback would not allow the owner to maintain the structure without intruding upon his neighbor's property. Although the current neighbor does not oppose the request, the situation could be problematic in the future if/when different owners live in the homes.

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 denied.

THEREFORE, IT IS ORDERED, this 26th day of **October, 2015** by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.A.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.), (1953 Tentative approved regulations) to permit a proposed garage addition to the side of the dwelling with a side setback of one (1) ft. and a sum side setback of 11 ft. in lieu of the required 7 and 17 ft. respectively, be and is hereby DENIED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JEB:dlw


JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 10-26-15

By [Signature]

Date: 9-16-15

Zoning Review
Department of Permits, Approvals and Inspections
Baltimore County Office Building
Towson, MD 21204

Dear Zoning Review:

Please be advised that my neighbor, Ronald Decker, has made a formal application to Baltimore County for a variance from the requirements of the zoning regulations as they apply to the following described property:

130 Cedarmere Road, Owings Mills, Maryland 21117

It is my/our understanding that Mr. Decker intends to construct a GARAGE
that would be 2' feet from his side property line/our common
property line.

We have reviewed this request and write this letter in support of our neighbor's, Mr. Decker's, request for a variance.

If you have any questions, please feel free to contact me/us.

Sincerely,

Name: Ronald Demory / Gerald Demory
Address: 128 Cedarmere Rd
Phone number: 410 363 4051

2016-0155-A



2016-0155-A

LOOKING WEST AT 130 CEDARMEDE RD



2016-0155-A

LOOKING WEST AT 130 CEDARMERE RD DRIVEWAY

2016-0155-A



LOOKING EAST FROM BACK YARD OF 130 CEDARMERE RD



LOOKING NORTH AT CEDARMERE RD



LOOKING SOUTH AT CEDARMEIRE RD

LOOKING WEST AT 122 CEDARMEERE RD

2016-0155-A





NW 13-J
057C2

DR 3.5

4 ED

4 CD

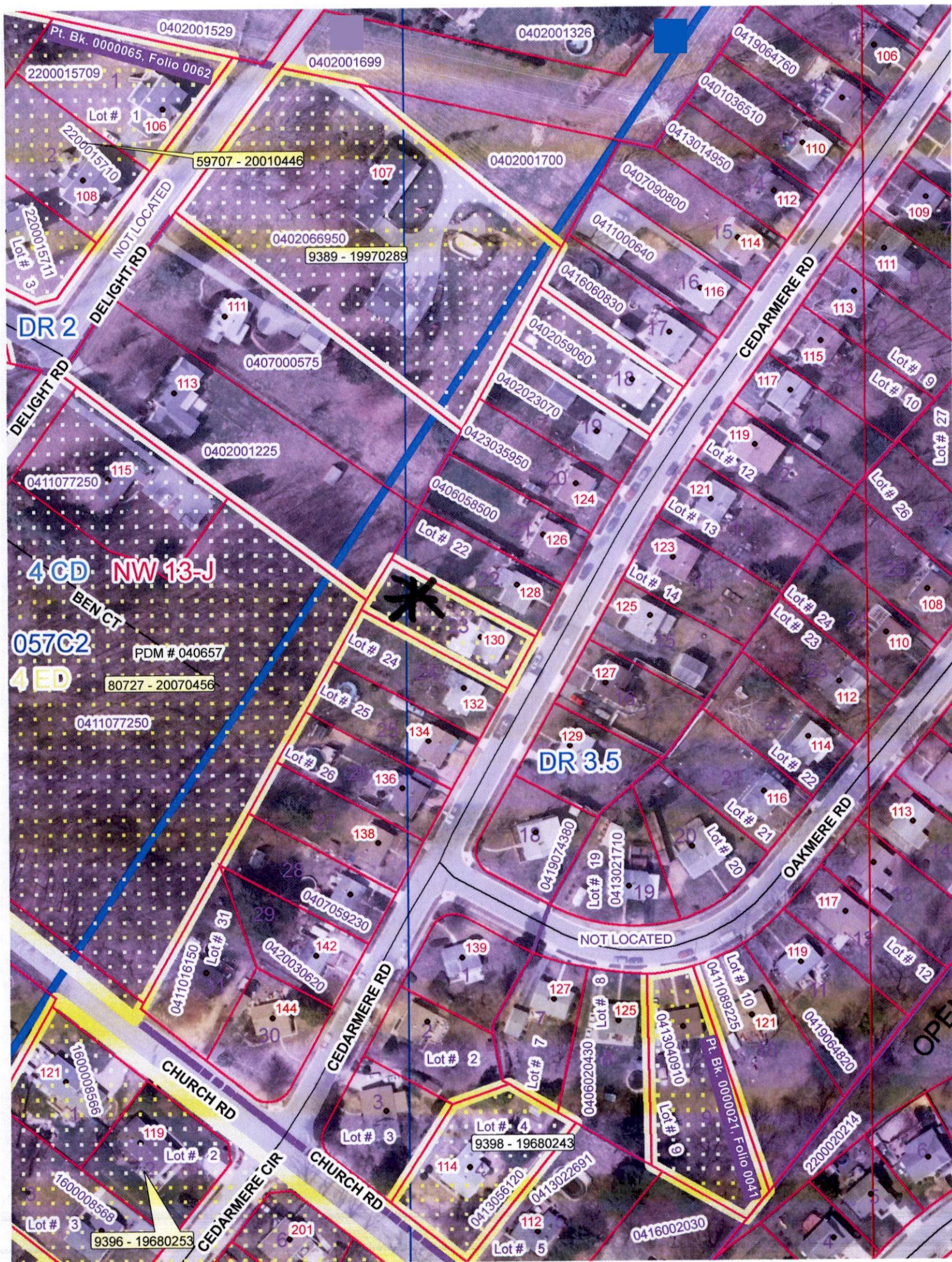
CEDARMERE RD

058A2

NOT LOCATED

OAKMERE RD

OAKMERE RD



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

ADDRESS 130 CEDARMERE RD OWNER(S) NAME(S) RONALD L. DECKER

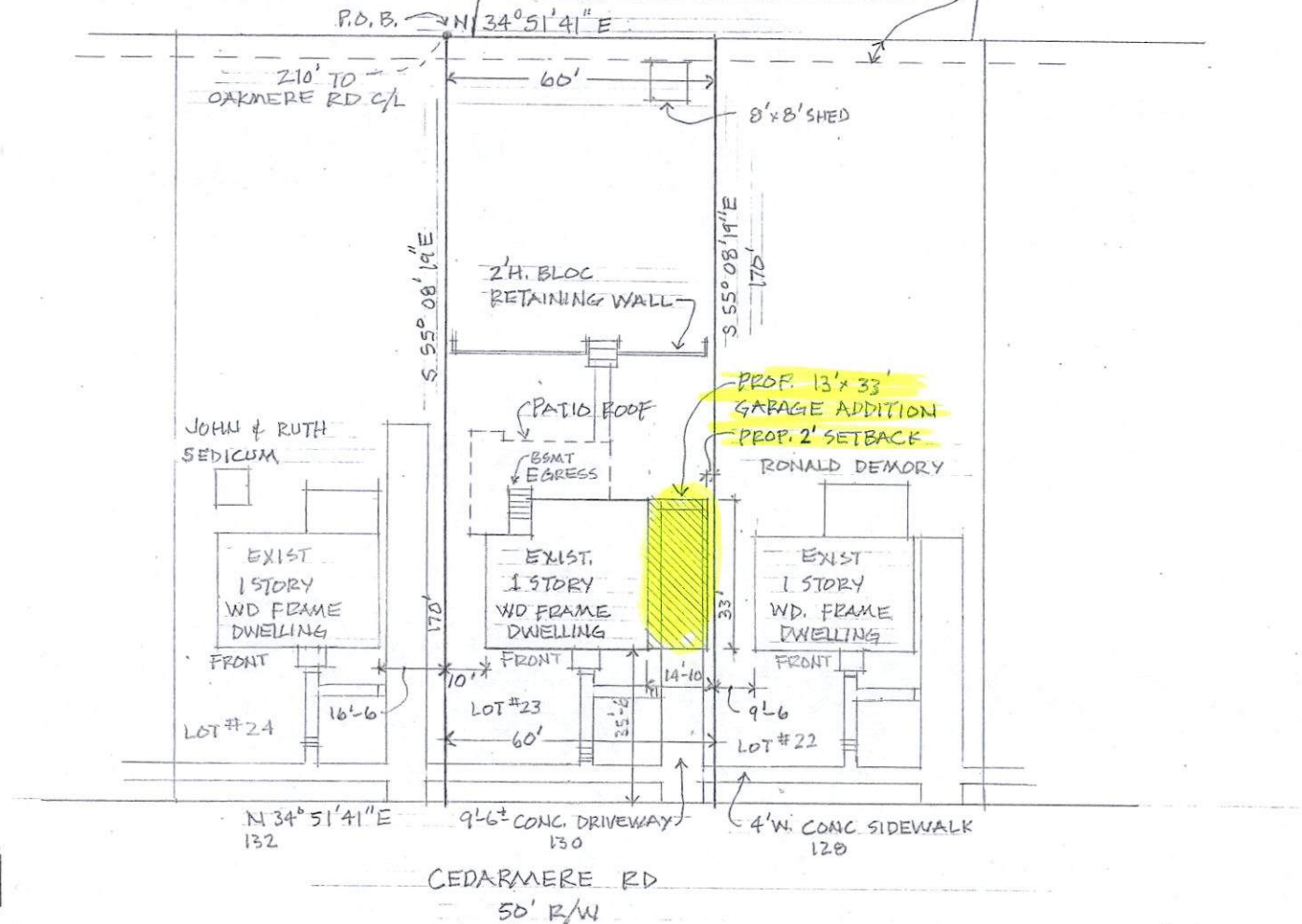
SUBDIVISION NAME CEDARMERE LOT # 23 BLOCK # F SECTION # C

PLAT BOOK # 20 FOLIO # 78 10 DIGIT TAX # 04 04 02 07 40 DEED REF. # 3 4 9 5 9 / 4 4 8

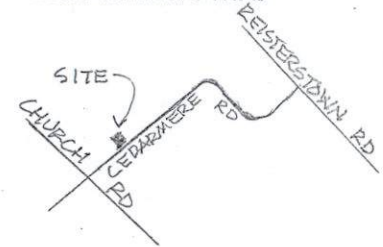
PETER & SUSANNE BERGER
115 DELIGHT RD

DAVID & PATSY GROUPP
113 DELIGHT RD

5' UTILITY EASEMENT



SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# _____

SITE ZONED DR 3.5

ELECTION DISTRICT 4th

COUNCIL DISTRICT 4th

LOT AREA ACREAGE .23

OR SQUARE FEET 10,200

HISTORIC? NO

IN CBCA? _____

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? YES

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

2016-0072-A

DENIED

VIOLATION CASE INFO:

PLAN DRAWN BY RON DECKER

DATE 12-21-15 SCALE: 1 INCH = 40 FEET

2016-0155-A

Pat. Encl. 1

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SUBDIVISION NAME CEDARMERE LOT # 23 BLOCK # F SECTION # C

PLAT BOOK # 20 FOLIO # 78 10 DIGIT TAX # 0404020740 DEED REF. # 34959/448

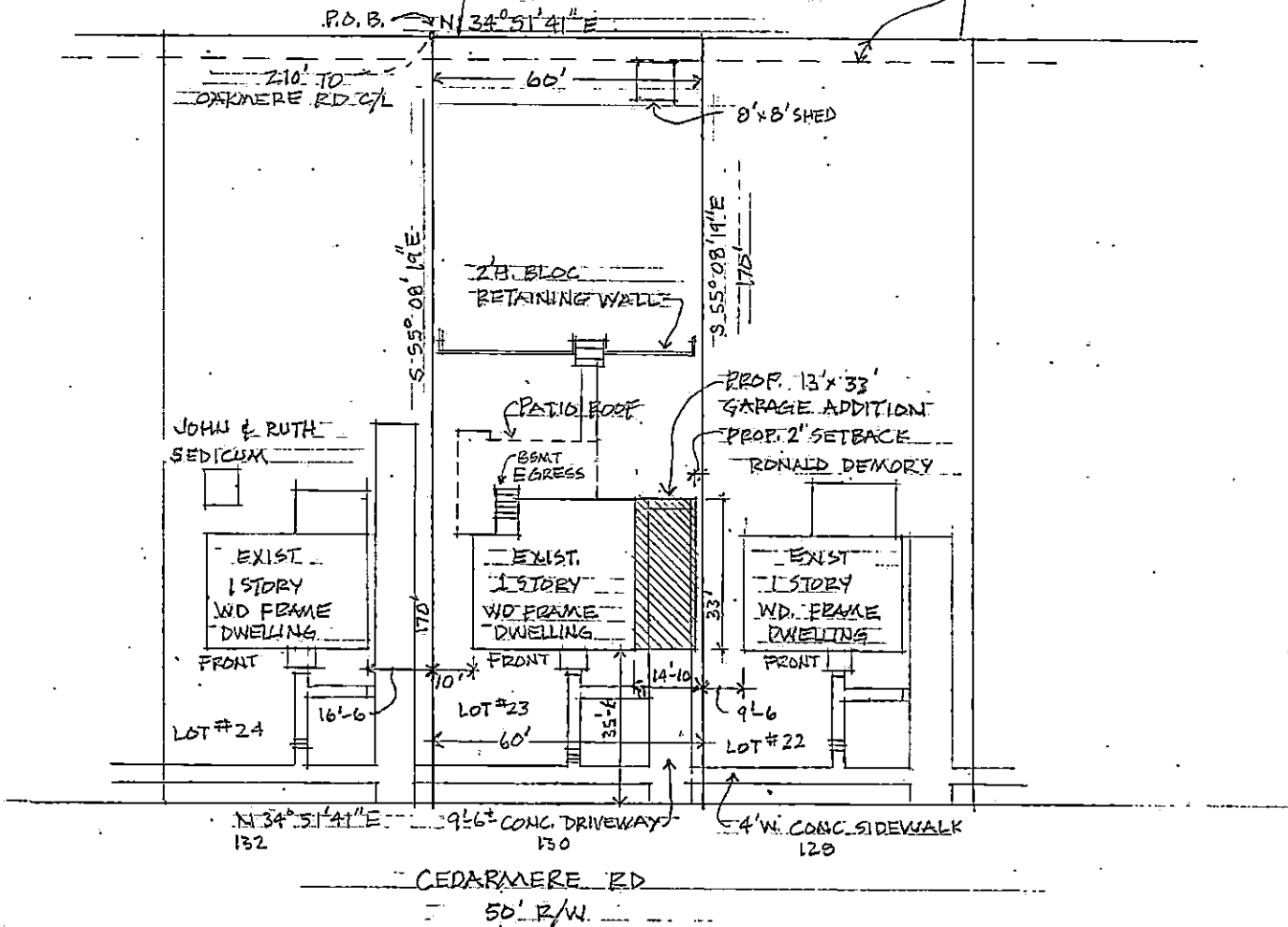
PETER & SUSANNE BERGER

DAVID & PATSY GROUPP

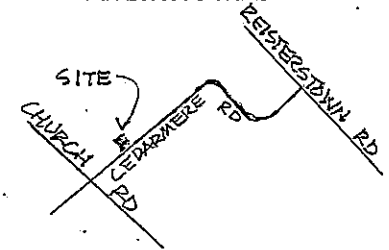
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