

M E M O R A N D U M

DATE: August 19, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0368-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 14, 2019. 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.'

/dlw

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(1815 W. Joppa Road)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Rashawn Strong & Sophia Marquez	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0368-A

* * * * *

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 owners of the subject property, Rashawn Strong and Sophia Marquez (“Petitioners”). The Petitioners are requesting Variance relief pursuant to Section 400.3 of the Baltimore County Zoning Regulations (“BCZR”), to permit a detached garage with a height of 20 ft. in lieu of the permitted 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. However, it is to be noted that correspondence was received from the Ruxton-Riderwood-Lake Roland Area Improvement Association, dated June 29, 2019, indicating no objection to the requested relief and proposing a restriction that precludes any part of the garage from being used as living quarters.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 23, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 7-15-19

By 

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code ("BCC"). 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 with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR 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 proposed detached garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 15th day of **July, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations ("BCZR"), to permit a detached garage with a height of 20 ft. in lieu of the permitted 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

ORDER RECEIVED FOR FILING

Date 7-15-19

By SW

- Petitioners or subsequent owners shall not convert the garage into a dwelling unit or apartment. The proposed garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
- The proposed garage shall not be used for commercial purposes.

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 7-15-19

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 1815 W. Lyppa Road Ruxton, MD 21204 Currently zoned _____

Deed Reference 1 10 Digit Tax Account # _____

Owner(s) Printed Name(s) Sophia N. Marquez-Wallace & Rashawn K. Strong

(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:

- X ADMINISTRATIVE VARIANCE from Section(s) 400.3, 5C22, TO PERMIT A DETACHED GARAGE WITH A HEIGHT OF 20ft. IN LIEU OF THE ~~PERMITTED~~ PERMITTED 15ft.

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):

Sophia Marquez-Wallace Rashawn Strong
Name #1 - Type or Print Name #2 - Type or Print
[Signature] [Signature]
Signature #1 Signature #2
1815 W. Lyppa Road Ruxton MD
Mailing Address City State
21204 443.527.9117 Sophiam01@outlook.com
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 _____
Date _____

Representative to be contacted:

Mike Runey
Name - Type or Print
[Signature]
Signature
1319 MALBAY DR. LUTHERVILLE, MD
Mailing Address City State
21093 703-431-3861 *(BELOW)
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 17 day of July 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 2019-0308-A Filing Date 6/14/19 Estimated Posting Date 1/1 Reviewer JCM

Rev 5/5/2016

*Runey CONSTRUCTION @ 9 MAIL.COM

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: 1815 W. Lynna Road Ruxton MD 21204
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)

[Signature]
Signature of Owner (Affiant)

Sophia Marquez-Wallace
Name- Print or Type

[Signature]
Signature of Owner (Affiant)

Rashawn K. Strong
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:

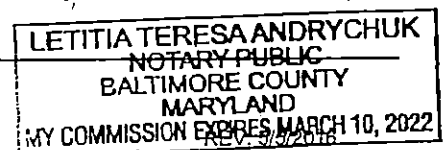
I HEREBY CERTIFY, this 20th day of May, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Sophia N. Marquez-Wallace ; Rashawn K. Strong

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

AS WITNESS my hand and Notaries Seal

Letitia T. Andrychuk
Notary Public
3-10-2022
My Commission Expires



We are requesting a variance for the construction of a garage from the existing height limitation of 15' to a height of 20' to the peak of the roof. The existing house is a farm house built in 1918. The setting is of a county setting with forest at the back of the lot and at the back of the two lots to either side. No homes can be seen looking to the back of the lot where the new garage will be located.

The existing property does not have a garage or any type of storage or yard shed. We want to increase the height of the roof to create storage space. The increased height is not to create any foreseeable apartment space. The new garage attic is not for and will not be used for a living/apartment space. Being able to extend the height of the new garage to 20' in lieu of 15' would provide needed storage space and which would negate the need for a yard shed. We would much prefer not to have any additional structures on the property other than the house and the garage. The lot to the south of us is vacant and we are in the process of trying to purchase that lot to build a home for the grandparents. The new garage will be at the far back of our lot and will back up to two structures that are storage sheds on the lot to the west of us (1819 W Joppa Rd.) Years ago the adjacent storage buildings were used for construction storage purposes and currently still have open lean-to's attached to them. The neighbor to the East has a 4 car carriage garage with full living quarters (apartment) above, well over 20'.P

**ZONING DESCRIPTION FOR
1815 WEST JOPPA ROAD**

That property located on the South side of Joppa Road, 212 Feet +/- East from the centerline of the nearest improved Road, Old Court Road. Containing 0.358 sq. ft. +/- . Located in the 9th Election District; 2nd Council district.

Sherry Nuffer

From: Ruxton-Riderwood-Lake Roland Area Improvement Association <rrlraia@comcast.net>
Sent: Saturday, June 29, 2019 12:06 PM
To: Administrative Hearings
Subject: RE: 2019-0368-A -- 1815 W. Joppa Road

CAUTION: This message from rrlraia@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Administrative Law Judge,

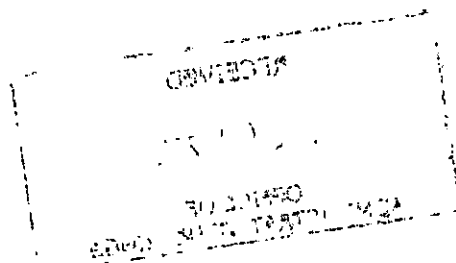
If you grant the height variance requested in the subject case, please include a restriction that precludes any part of the garage from being used as living quarters.

Thank you.

Peggy Squitieri
The Ruxton-Riderwood-Lake Roland Area Improvement Association

410-494-7757





ZONING NOTICE

#2

ADMINISTRATIVE VARIANCE

CASE # 2019-0368-A
TO PERMIT A GARAGE WITH A HEIGHT OF
20 FT. IN LIEU OF THE PERMITTED 15 FT.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
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
5:00 P.M. ON 7/8/19

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
411 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
CIVIL DATE UNDER PENALTY OF LAW

ZONING NOTICE

#1

ADMINISTRATIVE VARIANCE

CASE # 2019-0368-A
TO PERMIT A GARAGE WITH A HEIGHT
OF 20FT. IN LIEU OF THE PERMITTED 15FT.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
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5:00 P.M. ON 7/8/19 ●

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
FOR MORE INFORMATION, UNDER PENALTY OF LAW.

CERTIFICATE OF POSTING

Date: 6-23-19

RE: Case Number: 2019-0363-A

Petitioner/Developer: Wallace

Date of Hearing/Closing: 7/3/19

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 1815 W. Joppa Rd

The signs(s) were posted on 6-23-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0368 -A Address 1815 W. Joppa Rd.

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

Filing Date: 6/14/19 Posting Date: 6/23/19 Closing Date: 7/8/19

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2019- 0368 -A Address 1815 W. Joppa Rd.
Petitioner's Name Sophia WALLACE Telephone 443-527-9777
Posting Date: 6/23/19 Closing Date: 7/8/19
Wording for Sign: To Permit A GARAGE WITH A HEIGHT OF
20ft. IN LIEU OF THE PERMITTED 15ft.

Revised 6/30/2019

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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 twenty (20) 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: 2019-0368-A

Property Address: 1815 WEST JOPPA RD.

Property Description: That property located on the South-
side of W. Joppa Rd, 212 ft± East from E of Old Ct. Rd.

Legal Owners (Petitioners): STRONG, RASHAWN & MARQUEZ, SOPHIA

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: MIKE RUNEY

Company/Firm (if applicable): N/A

Address: 1319 MARY DR.
LUTHERVILLE, MD 21093

Telephone Number: 703-431-3861

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

No. **184873**

PAID RECEIPT

Date: **6/14/19**

BUSINESS 6/17/2019 ACTUAL 6/14/2019 09:49:54 TIME 5 DRW

REG WSD5 WALKIN LRB
 >>RECEIPT # 011586 6/14/2019 OFLN
 5 528 ZONING VERIFICATION

Fund	Dept	Unit	Rev Source/	Sub Rev/	Unit	Obj	Sub Obj	Dept	Obj	BS	Acct	Amount
001	806	00			6150							75.

Total: **75.00**

Recpt Tot \$ 75.00
 75.00 CK .00 CA
 Baltimore County, Maryland

Rec From: **RASHAWN STRONG**

For: **2019-0368-A**

**CASHIER'S
 VALIDATION**

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

NAME



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

July 8, 2019

Mike Runey
1319 Malbay Dr.
Lutherville MD 21093

RE: Case Number: 2019-0368-A, 1815 W. Joppa Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 14, 2019. 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, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Sophia Marquez Wallace Rashawn Strong 1815 W. Joppa Road Ruxton MD 21204

Date: 6/19/19

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

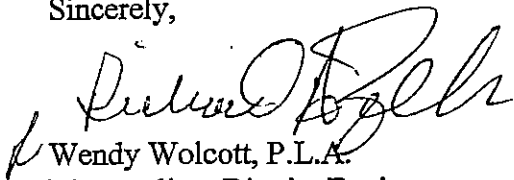
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019-0368-A

*Administrative Variance
Sophia Marquez-Wallace, Rashawn Strong
1815 Foppa Road W.*

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,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

Debra Wiley

From: RRLRAIA <rrlraia@comcast.net>
Sent: Monday, July 15, 2019 11:17 AM
To: Debra Wiley
Subject: Re: Case No. 2019-0368-A - Administrative Variance - 1815 W. Joppa Rd.

CAUTION: This message from rrlraia@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Thanks

Peggy Squitieri via iPhone

> On Jul 15, 2019, at 10:38 AM, Debra Wiley <dwiley@baltimorecountymd.gov> wrote:
>
> Good Morning,
>
> Please find attached ALJ Beverungen's Opinion and Order in reference to the above matter.
>
> Have a great day !
>
> -----Original Message-----
> From: adminhearingscpr@baltimorecountymd.gov
> <adminhearingscpr@baltimorecountymd.gov>
> Sent: Friday, July 12, 2019 12:51 PM
> To: Debra Wiley <dwiley@baltimorecountymd.gov>
> Subject: Message from "RNP002673F6C9D3"
>
> This E-mail was sent from "RNP002673F6C9D3" (MP 3055).
>
> Scan Date: 07.12.2019 12:51:05 (-0400) Queries to:
> adminhearingscpr@baltimorecountymd.gov
>
> [http://www.baltimorecountymd.gov/sebin/n/n/county_seal.jpg]<http://ww
> w.baltimorecountymd.gov>
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> Connect with Baltimore County
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> [http://www.baltimorecountymd.gov/sebin/p/i/socialmedia_fb.jpg]<https://www.facebook.com/baltcogov>
> [http://www.baltimorecountymd.gov/sebin/r/j/socialmedia_twitter.jpg] <https://twitter.com/BaltCoGov>
> [http://www.baltimorecountymd.gov/sebin/b/f/socialmedia_BC_NOW.jpg]
> <http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>
> [http://www.baltimorecountymd.gov/sebin/r/z/socialmedia_youtube.jpg]
> <https://www.youtube.com/user/BaltimoreCounty>
> [http://www.baltimorecountymd.gov/sebin/z/z/socialmedia_camera.jpg]

Debra Wiley

From: Debra Wiley
Sent: Monday, July 15, 2019 10:38 AM
To: 'Ruxton-Riderwood-Lake Roland Area Improvement Association'
Subject: Case No. 2019-0368-A - Administrative Variance - 1815 W. Joppa Rd.
Attachments: 20190712125106010.pdf

Good Morning,

Please find attached ALJ Beverungen's Opinion and Order in reference to the above matter.

Have a great day !

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Friday, July 12, 2019 12:51 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 07.12.2019 12:51:05 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

July 15, 2019

Rashawn Strong
Sophia Marquez
1815 W. Joppa Road
Towson, MD 21204

RE: Petition for Administrative Variance
Case No. 2019-0368-A
Property: 1815 W. Joppa Road

Dear Mr. Strong and Ms. Marquez:

Enclosed please find a copy of the Order 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,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Mike Runey, 1319 Malbay Drive, Lutherville, MD 21093
Ruxton-Riderwood-Lake Roland Area Improvement Association
(via email: rrlraia@comcast.net)

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2 nd Council District		
Rashawn Strong & Sophia Marquez	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0368-A

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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. However, it is to be noted that correspondence was received from the Ruxton-Riderwood-Lake Roland Area Improvement Association, dated June 29, 2019, indicating no objection to the requested relief and proposing a restriction that precludes any part of the garage from being used as living quarters.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 23, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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Although the Department of Planning did not make any recommendations related to the proposed detached garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 15th day of **July, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations ("BCZR"), to permit a detached garage with a height of 20 ft. in lieu of the permitted 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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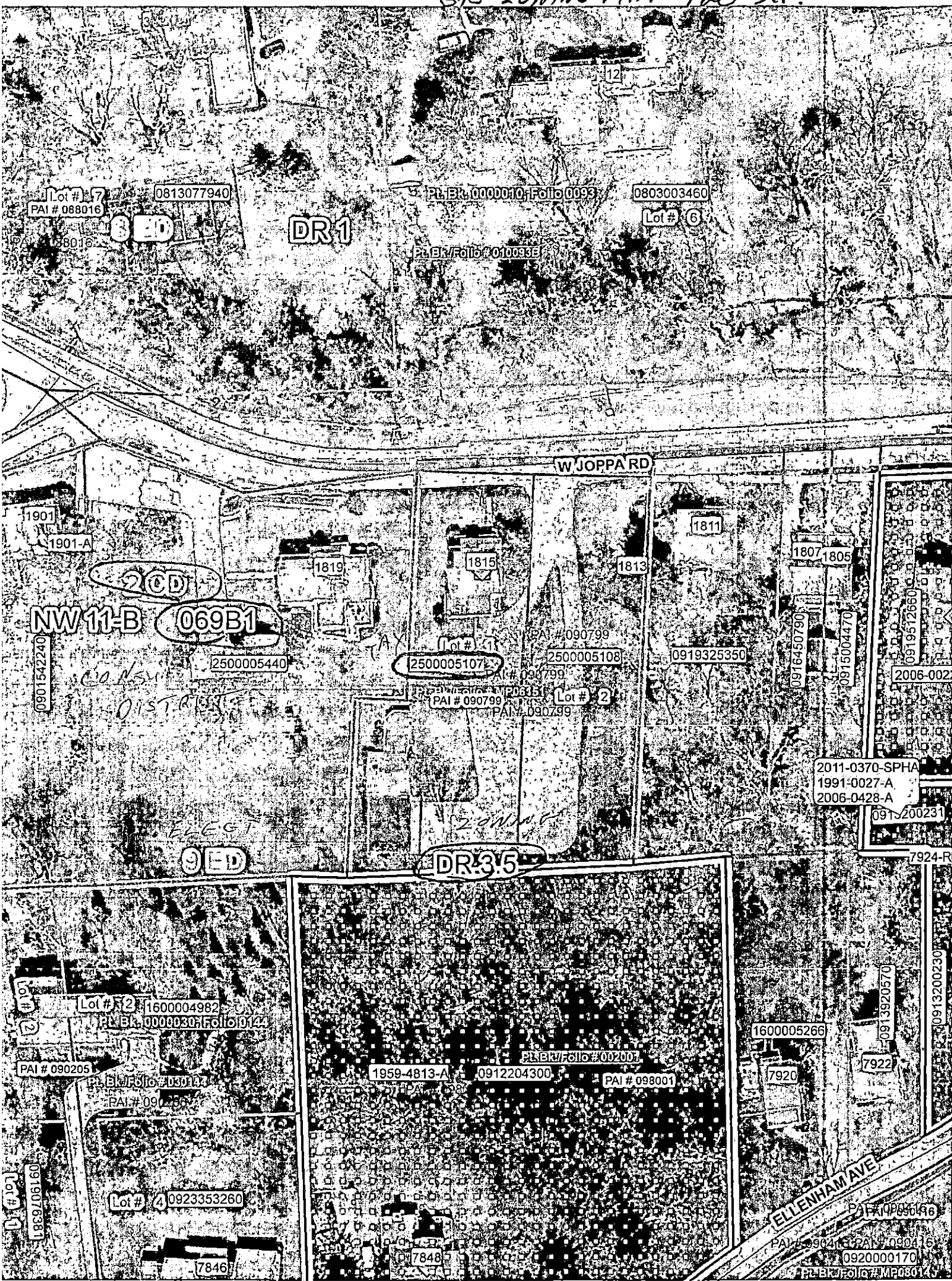
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

G12 ZONING MAP 100 D.C.



Lot # 7
PAI # 088016

0813077940

PLB # 0000010-Folio 0093

0803003460

Lot # 6

DR1

PLB # Folio # 01009351

1901
1901-A

2CD

NW11-B

069B1

1819

1815

1813

1811

1807

1805

0901342240

2500005440

2500005107

2500005108

0919325350

0916450790

0915004470

2006-002

PAI # 090799

PAI # 090799

Lot # 2

2011-0370-SPHA
1991-0027-A
2006-0428-A

0915200231

9ED

DR3.5

7924-R

Lot # 2
PAI # 090205

Lot # 2 1600004982

PLB # 0000030-Folio 0144

PLB # Folio # 030124

PAI # 091286

1959-4813-A

0912204300

PAI # 098001

PLB # Folio # 002001

1600005266

7920

7922

0913920570

0913200230

Lot # 4 0923353260

7846

7848

ELLENHAM AVE

PAI # 090416

PAI # 090416

0920000170

PLB # Folio # 003014

1815 - W. ELV



1810 E. 50V

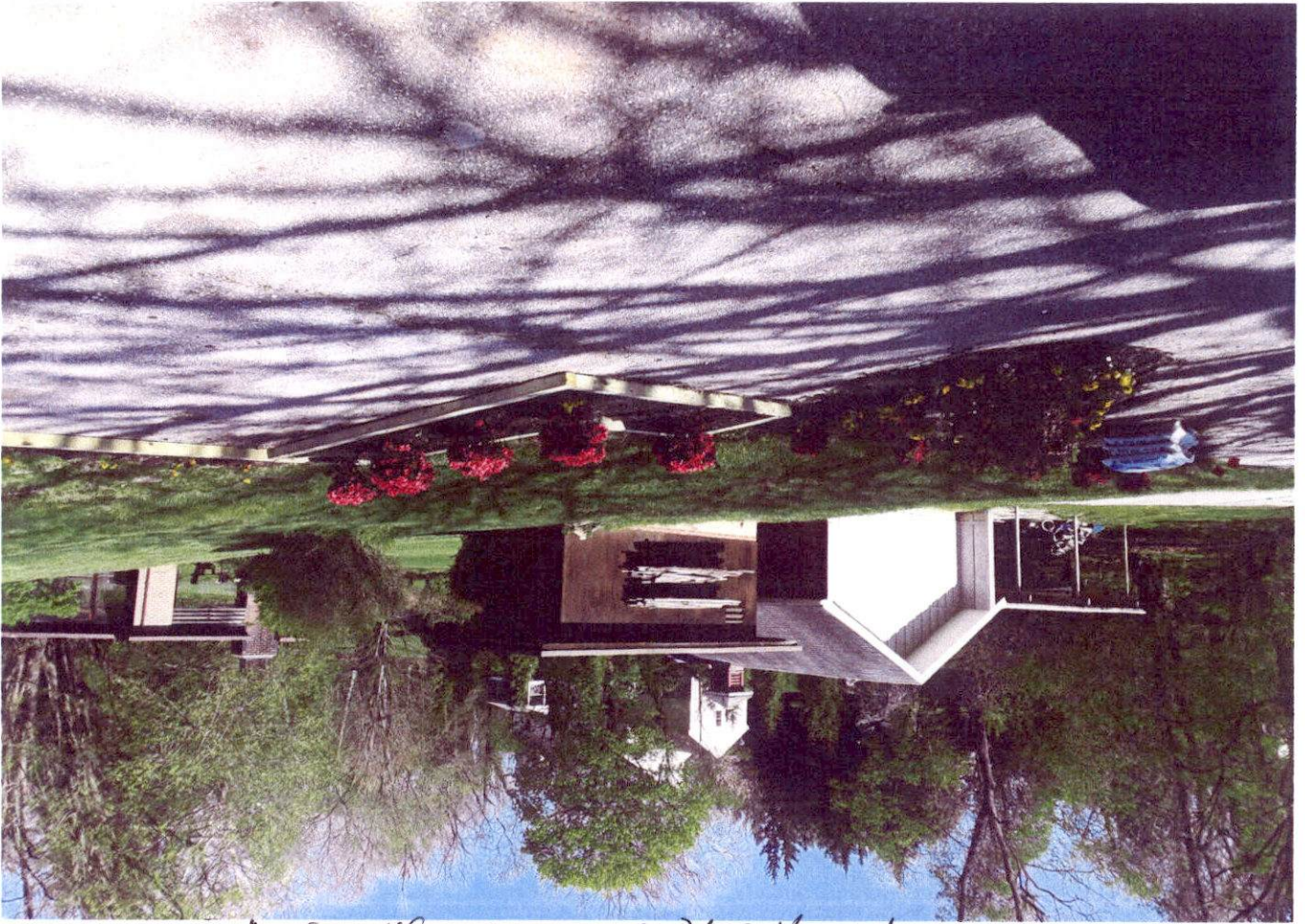




1816
BACK YARD

BACK YARD - 1815





NEIGHBOR'S EXIST SHEED ↓



NEIGHBOR TO THE WEST OF 1815

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>6-29</u>	DEPS (if not received, date e-mail sent _____)	<u>NO</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-19</u>	STATE HIGHWAY ADMINISTRATION	<u>No object</u>
_____	TRAFFIC ENGINEERING	_____

<u>7-1</u>	COMMUNITY ASSOCIATION <u>Peggy Squitieri</u>	<u>RRLRAIA</u>
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 6-23-19 by Pilson

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE	Yes	☐	No	☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes	☐	No	☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 09 Account Number - 2500005107			
Owner Information					
Owner Name:		STRONG RASHAWN MARQUEZ SOPHIA		Use: RESIDENTIAL	
Mailing Address:		1815 W JOPPA RD TOWSON MD 21204-		Principal Residence: YES	
				Deed Reference: /40694/ 00091	
Location & Structure Information					
Premises Address:		1815 W JOPPA RD TOWSON 21204-		Legal Description: .358AC 1815 W JOPPA RD 200FT E OF OLD COURT RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: MS
0069	0003	1267		0000	1 2017 Plat Ref:
Special Tax Areas:		Town: NONE			
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1918		1,728 SF		15,604 SF	
Property Land Area		County Use			
15,604 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2 1/2	YES	STANDARD UNIT	FRAME	2 full	
Value Information					
Base Value		Value		Phase-in Assessments	
		As of 01/01/2017		As of 07/01/2018 As of 07/01/2019	
Land:		123,900		123,900	
Improvements		145,400		126,800	
Total:		269,300		250,700 250,700	
Preferential Land:		0		0	
Transfer Information					
Seller: M&J HOMES LLC		Date: 09/21/2018		Price: \$469,000	
Type: ARMS LENGTH IMPROVED		Deed1: /40694/ 00091		Deed2:	
Seller: ANDREW R HUGH		Date: 06/19/2017		Price: \$245,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /39092/ 00036		Deed2:	
Seller: ANDREW R HUGH		Date: 12/22/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /27518/ 00733		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2018 07/01/2019	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00 0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

ZAC AGENDA

Case Number: 2019-0367-A **Reviewer:** Jeffrey Perlow
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE
Legal Owner: American Legion Dept. of MD Dundalk Post 38, Inc., Glenn Beares, Commander
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 12 **Council Dist:** 7

Property Address: 3300 DUNDALK AVE
Location: Southwest side of Dundalk Avenue, corner of Dunhill Road

Existing Zoning: ML-IM **Area:** 7.59 AC

Proposed Zoning:

VARIANCE:

to erect a freestanding changeable copy sign in an ML-IM zone as part of a permitted enterprise sign accessory to a community building with a maximum area face of 29.63 sq. ft. in lieu of the permitted 25 sq. ft. and a height of 10 ft. in lieu of the permitted 6 ft., and a variance for a changeable sign area of 70% in lieu of the allowed 50%.

Attorney: Edward Covahey, Jr., 614 Bosley Avenue, Towson 21204

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2019-0368-A **Reviewer:** Joseph Merrey
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Sophia Marquez-Wallace, Rashawn Strong
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 1815 JOPPA RD W
Location: South side of Joppa Road, east of Old Court Road

Existing Zoning: DR 3.5 **Area:** 15,604 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

to permit a detached garage with a height of 20 ft. in lieu of the permitted 15 ft.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

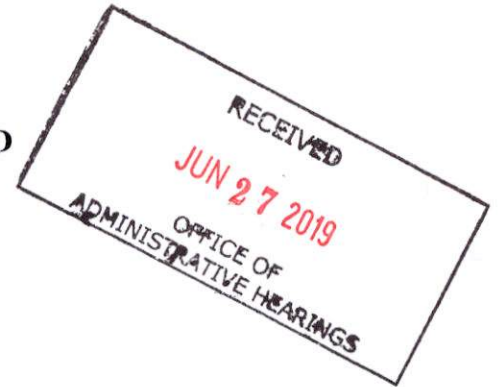
Violation Cases: None

Closing Date: 07/08/2019

Miscellaneous Notes:

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: June 27, 2019

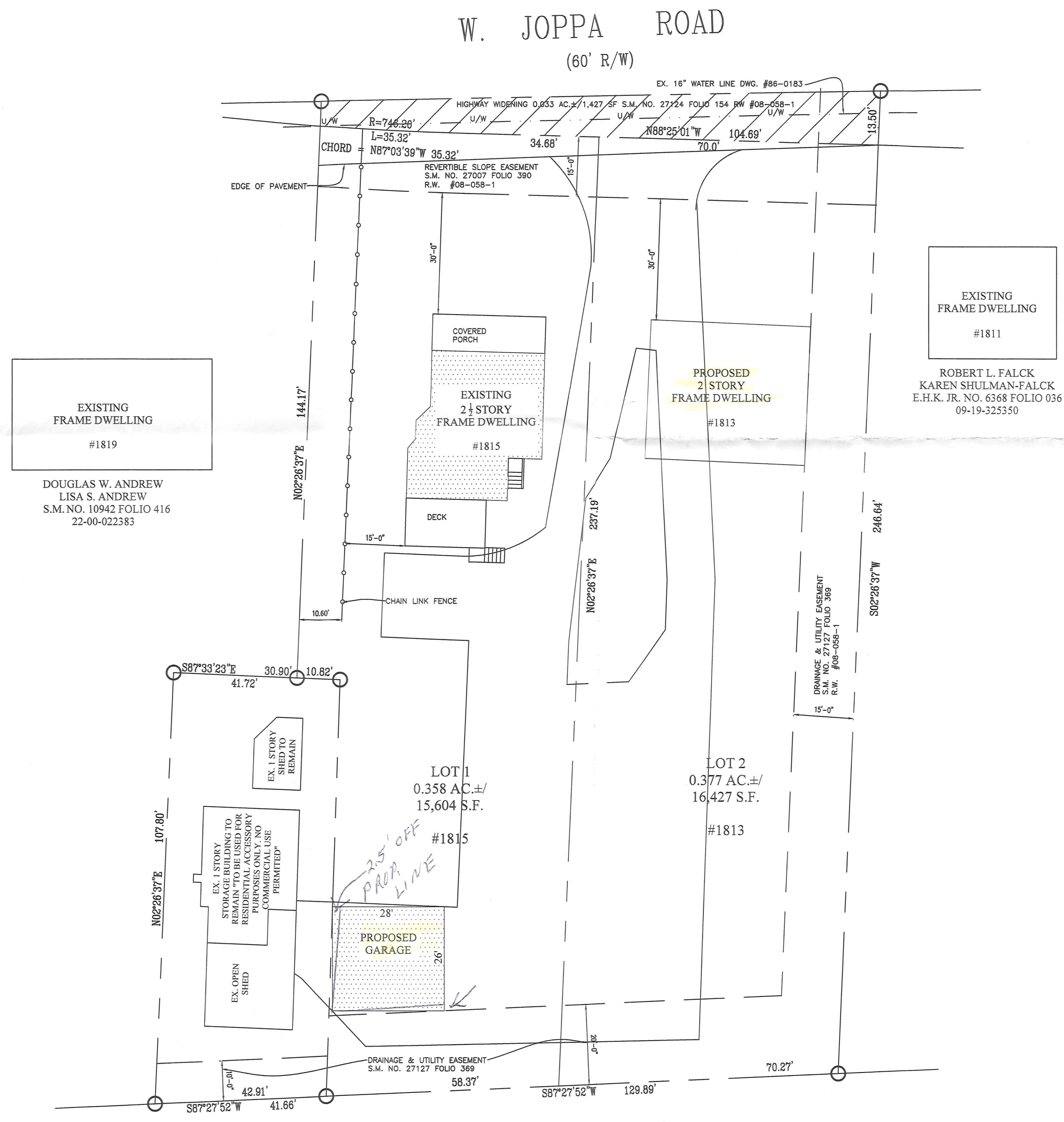
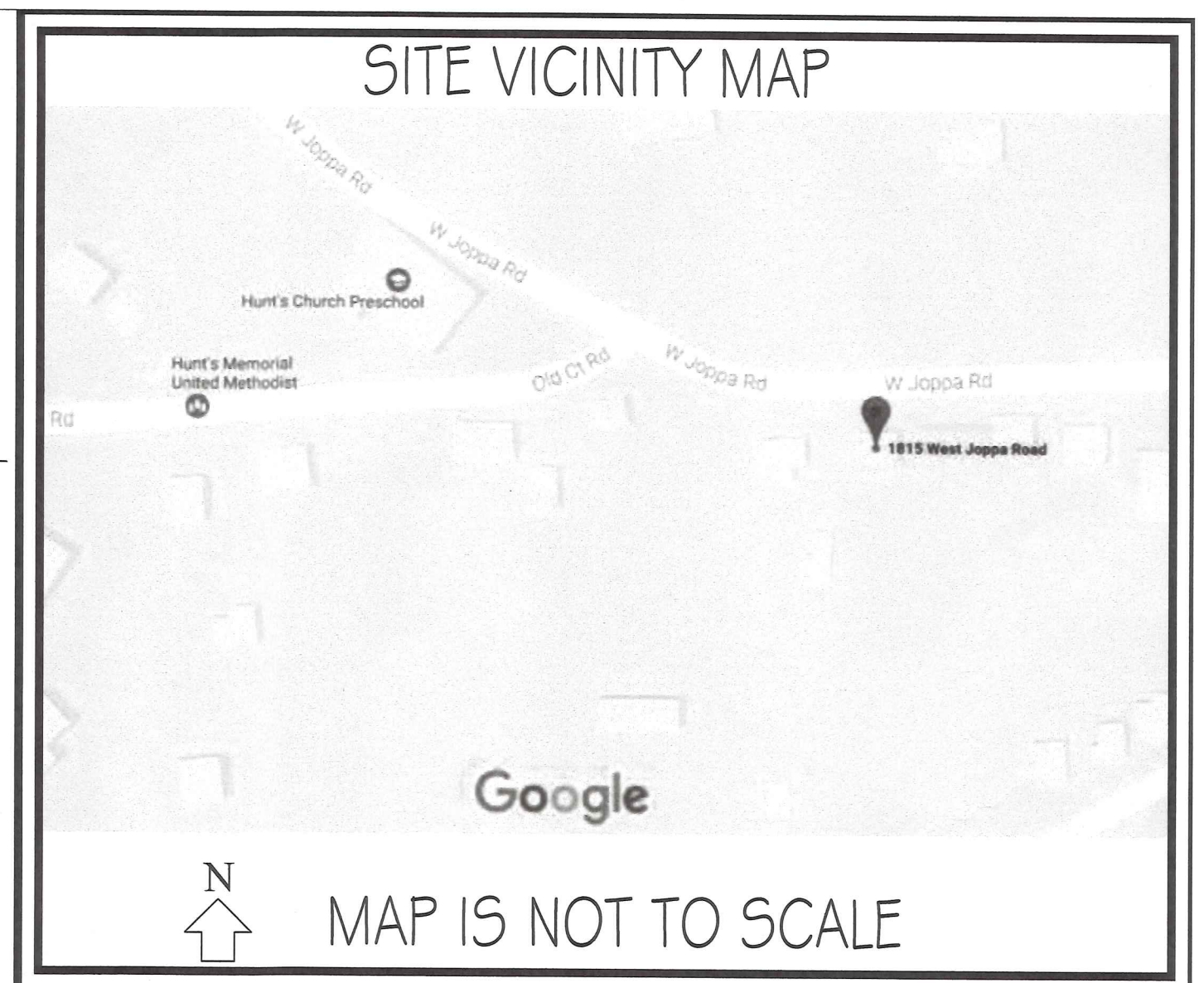
SUBJECT: DEPS Comment for Zoning Item # 2019-0368-A
Address 1815 Joppa Road
(Wallace & Strong Property)

Zoning Advisory Committee Meeting of **June 24, 2019**.

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

Reviewer: Steve Ford

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 1815 W. Joppa Road, Towson MD. 21224 OWNER(S) NAME(S) Rahshawn Strong & Sophia Marquez
SUBDIVISION NAME Minor Subdivision of the Andrews Property LOT# 1 BLOCK# N/A SECTION# N/A
PLAT BOOK N/A FOLIO # N/A IO DIGIT TAX # 2500005107 DEED REF. # LIBER: 40694, FOLIO: 00091



ZONING MAP# 069A1
SITE ZONED DR35
ELECTION DISTRICT 9
COUNCIL DISTRICT 2nd COUNCILMANIC DISTRICT
LOT AREA ACREAGE 0.358 AC.
OR SQUARE FEET 15,604 S.F.
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC X PRIVATE _____
SEWER IS:
PUBLIC X PRIVATE _____
PRIOR HEARING? N/A
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW
N/A
HOW WIDE IS JOPPA ROAD? 60'
HOW TO SHOW THE WATER
AND SEWER LINE? LIKE ON MINOR SUB PLAN
CAN THE MINOR SUBDIVISION DESCRIPTION
BE ATTACHED? YES

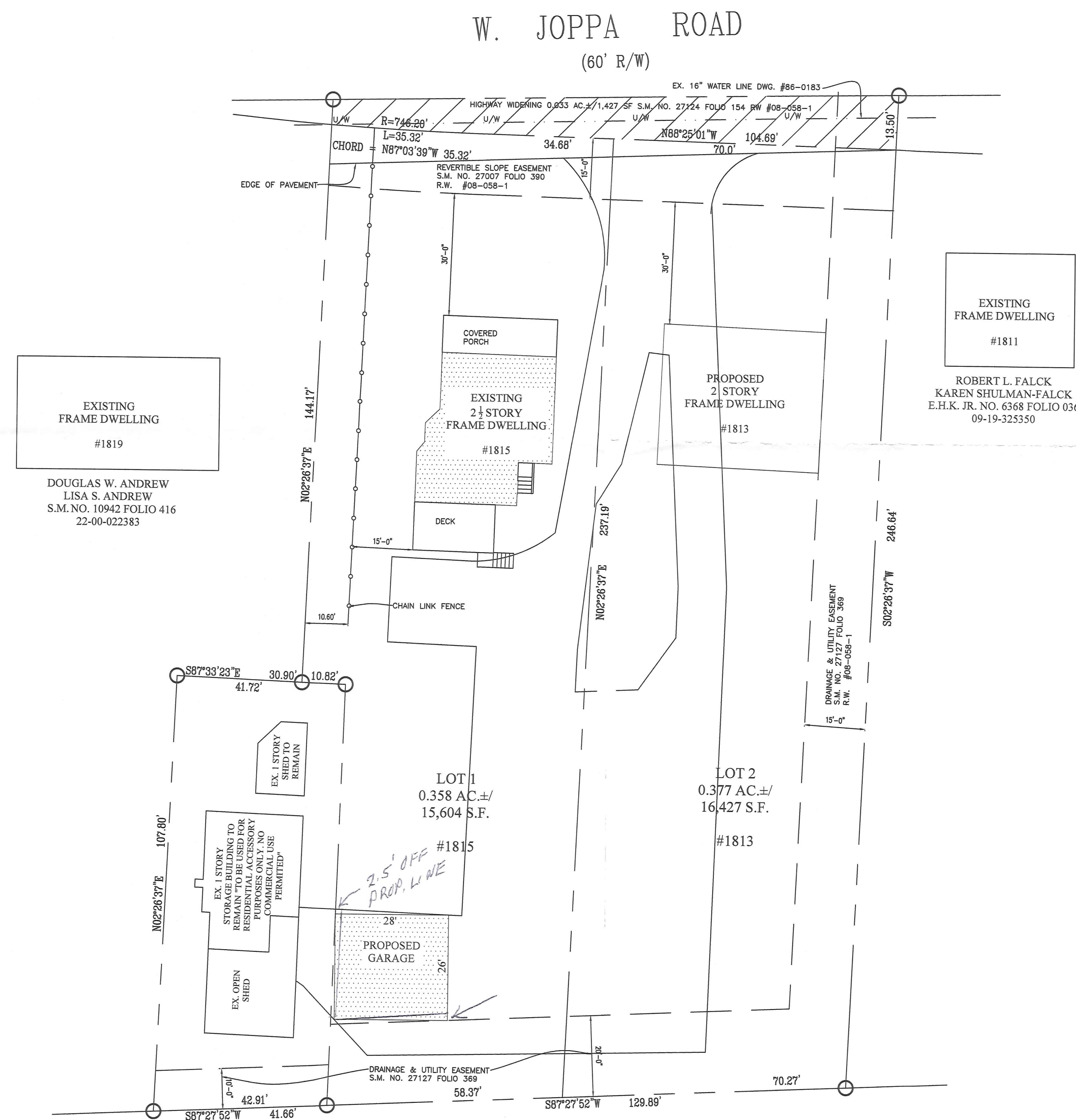
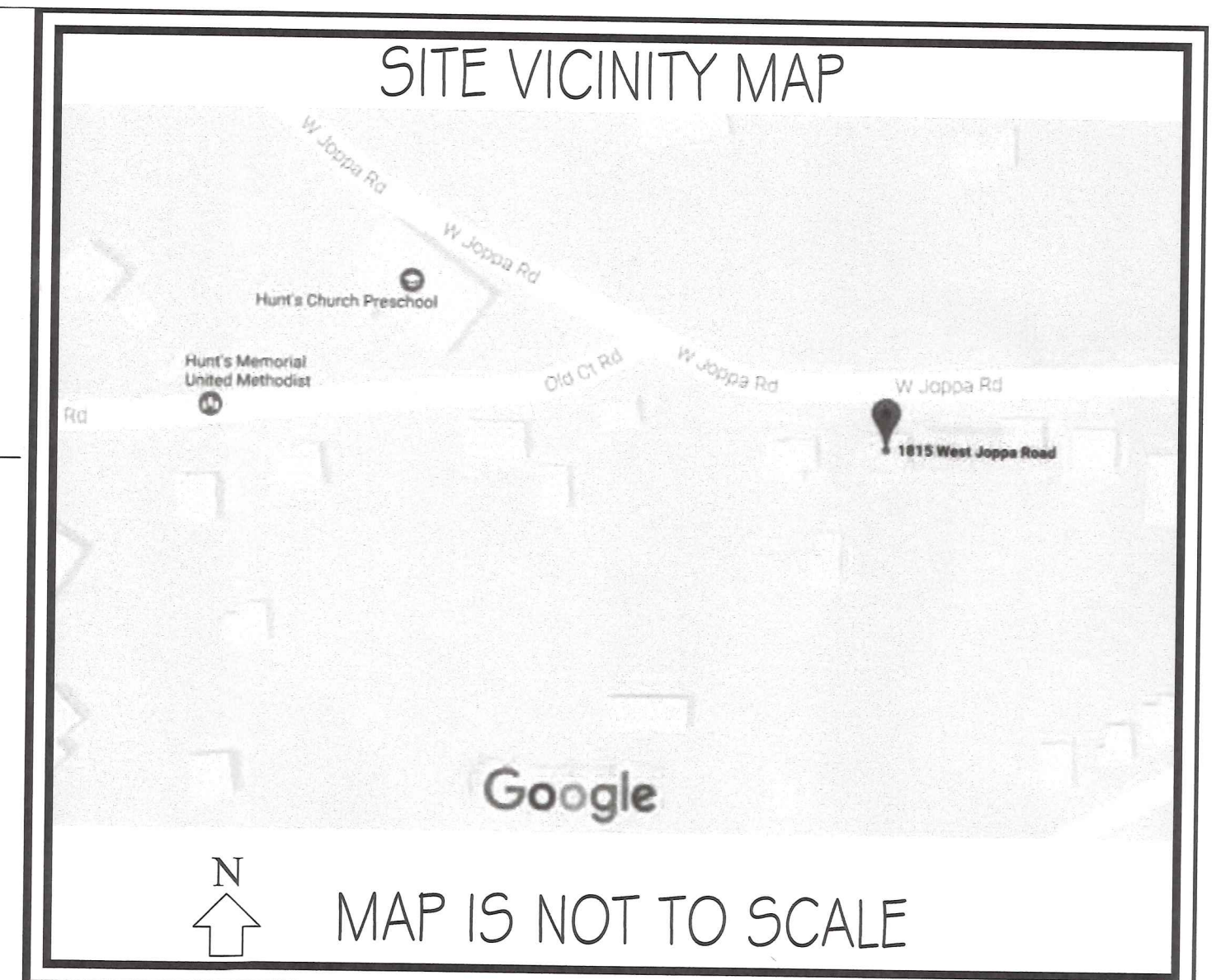
Det. Goh. 1

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

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IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

N/A

HOW WIDE IS JOPPA ROAD? 60'

HOW TO SHOW THE WATER
AND SEWER LINE? LIKE ON MINOR SUB PLAN

CAN THE MINOR SUBDIVISION DESCRIPTION
BE ATTACHED? YES



PLAN DRAWN BY ALLEN HENDRICKSON DATE 05/17/19 SCALE 1 INCH = 20 FEET