

M E M O R A N D U M

DATE: November 15, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0400-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on November 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: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**
(9 Albright Avenue) *

2nd Election District *
4th Council District *

Kevin & Nancy O'Meara, *Legal Owners*
Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0400-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for consideration of Petitions for Special Hearing and Variance filed on behalf of Kevin & Nancy O'Meara, legal owners ("Petitioners"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve an accessory garage of 1,360 sq. ft. which is larger than the primary structure, which is 966 sq. ft. In addition, a Petition for Variance was filed pursuant to BCZR Section 400.3 to permit an accessory garage at 23 ft. high in lieu of the permitted 15 ft. high. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Kevin O'Meara appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP").

SPECIAL HEARING

Upon review of the file it became apparent that the square footage of the principal residence was incorrectly stated on the Special Hearing petition as 966 square feet. This is actually the square footage of the first floor only. The total above grade square footage of both

ORDER RECEIVED FOR FILING

Date

10/15/19

By

sen

the first and second floors is, according to Mr. O'Meara, 1850 square feet. This is confirmed by the SDAT printout which lists it at 1852 square feet. As such, no Special Hearing relief is necessary because the proposed garage structure is only 1360 square feet and therefore does not exceed the square footage of the principal residence, and so it is in conformance with the BCZR.

VARIANCE

As to the variance, it requires a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The property is of an irregular shape and has a "cut-out" in one corner where an old barn stands. This barn is on Mr. O'Meara's parents' property. He testified that he purchased his parcel from his parents back in 1987 so that he could build his residence there. As such, the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a hardship. Mr. O'Meara explained that his parents are now both deceased and the family is therefor in the process of selling the parents' home. He has been using the aforementioned barn for all his storage needs but the barn will convey with the parents' house. He therefore needs to construct this proposed garage for his storage needs. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED this 15th day of **October, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing is dismissed as MOOT.

ORDER RECEIVED FOR FILING

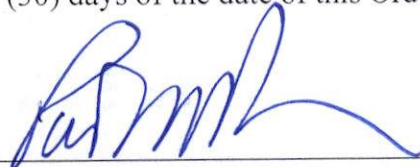
Date 10/15/19
By Sen

IT IS FURTHER ORDERED that the Petition for Variance to permit an accessory garage at 23 ft. high in lieu of the permitted 15 ft. high, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. 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. Petitioners or subsequent owners shall not convert the storage structure into a dwelling unit or apartment. The proposed structure shall not contain any sleeping quarters, living area, or kitchen or bathroom facilities.
3. The proposed structure shall not be used for commercial purposes.
4. There shall be no second utility meter(s).

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:sln

ORDER RECEIVED FOR FILING

Date

10/15/19

By

sln



PETITION FOR ZONING HEARING(S)

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

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

Address 9 ALBRIGHT AVE. GLYNDON, MD which is presently zoned DR-2
Deed References: 7404/00283 10 Digit Tax Account # 2000012868
Property Owner(s) Printed Name(s) KEVIN O'MEARA

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN ACCESSORY GARAGE THAT IS 1,360 S.F. WHICH IS LARGER THAN THE PRIMARY STRUCTURE WHICH IS 966 S.F.

2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s) 400.3 OF BCZR TO PERMIT AN ACCESSORY GARAGE AT 23 FT. HIGH IN LIEU OF THE PERMITTED 15 FT. HIGH

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

KEVIN O'MEARA, NANCY O'MEARA

Name #1 - Type or Print

Name #2 - Type or Print

Kevin O'Meara, Nancy O'Meara

Signature #1

Signature #2

9 ALBRIGHT AVE GLYNDON MD

Mailing Address

City

State

21071 410-833-0743 OMEARAK2@GMAIL

Zip Code

Telephone #

Email Address

.COM

Representative to be contacted:

KEVIN O'MEARA

Name - Type or Print

Kevin O'Meara

Signature

9 ALBRIGHT AVE GLYNDON MD

Mailing Address

City

State

21071 410-833-0743 OMEARAK2@GMAIL

Zip Code

Telephone #

Email Address

.COM

CASE NUMBER 2019-0400-SPA Filing Date 7/19/19 Do Not Schedule Dates: Reviewer

REV. 10/4/11

Zoning Description for 9 Albright Avenue

Beginning at a point on the north side of Albright Avenue which is 40 feet wide at a distance of 185 feet southwest of centerline of the nearest improved intersecting street, Central Avenue, which is 50 feet wide.

Thence the following courses and distances:

1st POC – S53°-02'W 175.00'

2nd POC – S33°-15'E 192.00'

3rd POC – N53°-02'E 55.00'

4th POC – S36°-58'E 40.00'

5th POC – N53°-49'E 138.04'

6th POC – N35°-45'W 122.00'

7th POC – N52°-20'E 2.6'

8th POC – N42°29'W 112.00'

Back to the point of beginning as recorded in Deed Liber 7404, Folio 0283, containing .955 acres of lot. Located in the 04 Election District and 2nd Council District.

2019-0400-SP11A

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE * OF ADMINISTRATIVE
9 Albright Avenue; SW Central Avenue * HEARINGS FOR
on S/S of Albright Avenue * BALTIMORE COUNTY
2nd Election & 4th Councilmanic Districts *
Legal Owner(s): Kevin & Nancy O'Meara *
Petitioner(s) * 2019-400-SPHA

* * * * *

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

JUL 24 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 24th day of July, 2019, a copy of the foregoing Entry of Appearance was mailed to Kevin O'Meara, 9 Albright Avenue, Glyndon, Maryland 21071, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 5, 2019

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: 2019-0400-SPHA

9 Albright Avenue

SW/s of Central Avenue, on S/side of Albright Avenue

2nd Election District – 4th Councilmanic District

Legal Owners: Kevin & Nancy O'meara

Special Hearing for an accessory garage that is 1360 sq. ft., which is larger than the primary structure which is 966 sq. ft. Variance to permit an accessory garage at 23 ft. high in lieu of the permitted 15 ft. high.

Hearing: Friday, October 11, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff", is written over the printed name.

Michael Mallinoff
Director

MM:kl

C: Mr. & Mrs. O'Meara, 9 Albright Avenue, Glyndon 21071

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., SEPTEMBER 21, 2019.**
- (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: THE DAILY RECORD
Friday, September 20, 2019 - Issue

Please forward billing to:
Kevin O'Meara
9 Albright Avenue
Glyndon, MD 21071

410-833-0743

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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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Debra Wiley

From: John Altmeyer <jaltmeyer@aol.com>
Sent: Thursday, October 10, 2019 5:31 PM
To: Debra Wiley
Subject: case 2019-0400SPHA 9 Albright Avenue recheck 10/05/2019
Attachments: Scan0040.pdf

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

Debra & Sherry:
Recheck for 9 Albright Ave

Have a good day!
John Altmeyer



CERTIFICATE OF POSTING

Date: 09/19/2019 & recheck 10/05/2019

RE: Project Name: Public Hearing

Case Number /PAI Number: 2019-0400-SPHA

Petitioner/Developer: Kevin & Nancy O'Meara

Date of Hearing/Closing: 10/11/2019

RECEIVED

OCT 11 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

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 9 Albright Avenue
Glyndon, MD. 21071

The sign(s) were posted on 09/19/2019 & recheck 10/05/2019

(Month, Day, Year)



John M. Altmeyer
(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

(Street Address of Sign Poster)

Freeland, MD. 21053

(City, State, Zip Code of Sign Poster)

410-382-6580

(Telephone Number of Sign Poster)

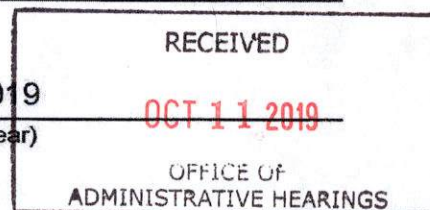
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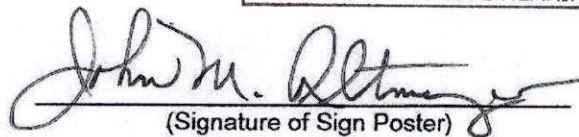
Date: 09/19/2019 & recheck 10/05/2019

RE: Project Name: Public Hearing
Case Number /PAI Number: 2019-0400-SPHA
Petitioner/Developer: Kevin & Nancy O'Meara
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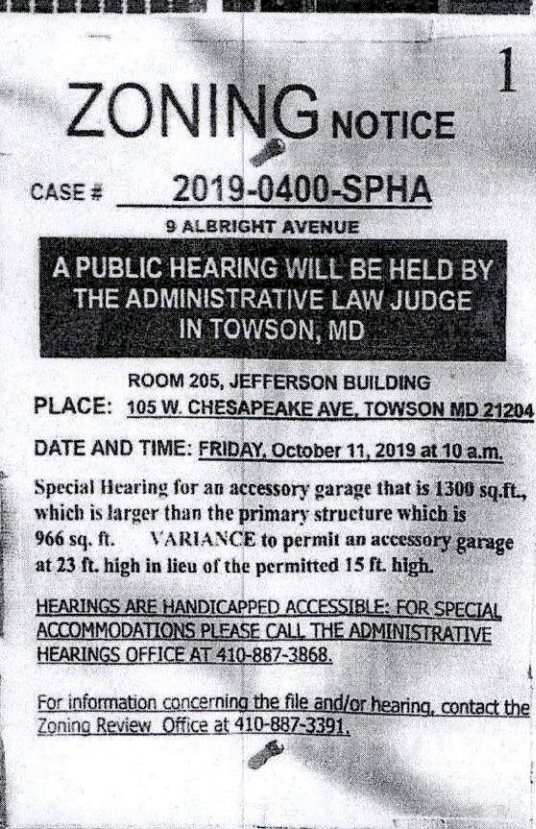

(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
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410-382-6580
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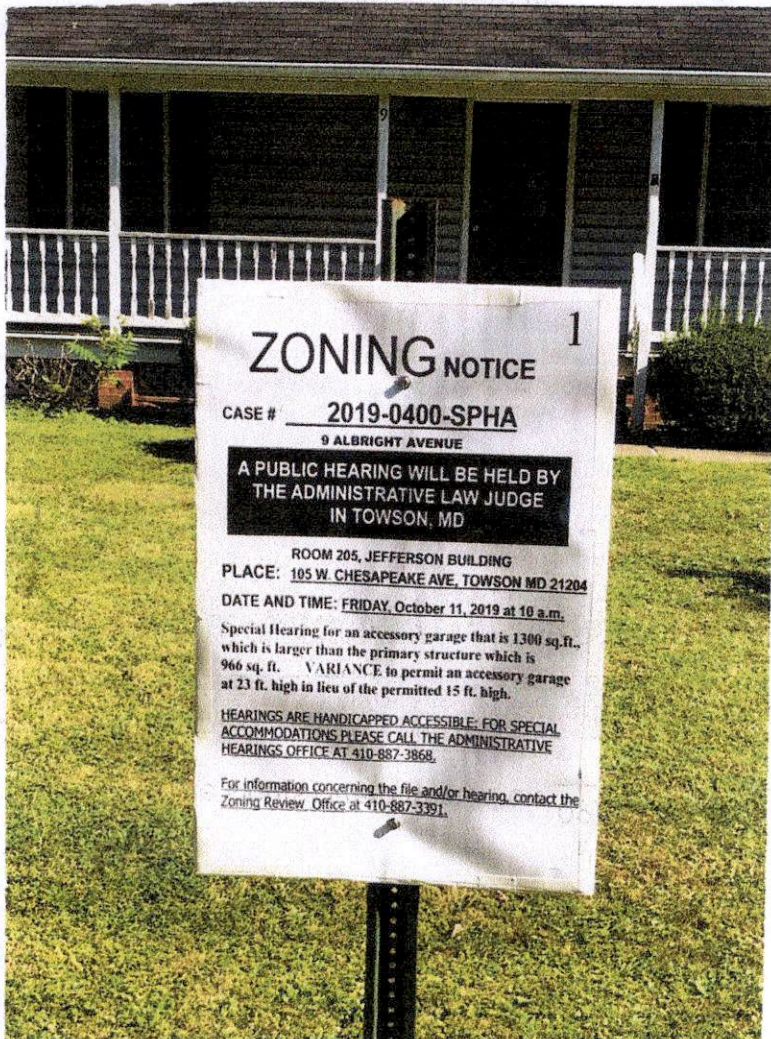
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(Month, Day, Year)



John M. Altmeyer
(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)

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CERTIFICATE OF POSTING

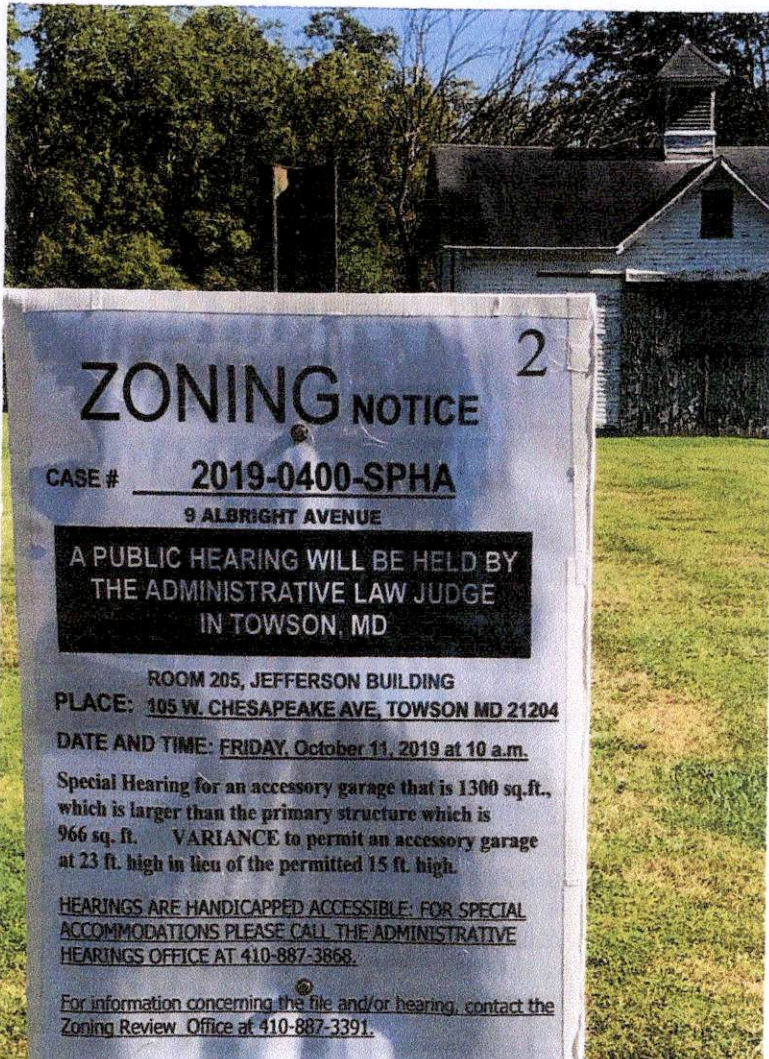
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Case Number /PAI Number: 2019-0400-SPHA
Petitioner/Developer: Kevin & Nancy O'Meara
Date of Hearing/Closing: 10/11/ 2019

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Glyndon, MD. 21071

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(Month, Day, Year)




(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

(Street Address of Sign Poster)

Freeland, MD. 21053

(City, State, Zip Code of Sign Poster)

410-382-6580

(Telephone Number of Sign Poster)

07030130 1310

10/00/01 11/00

10/00/01 11/00

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

9/20/2019

Order #: 11789675
 Case #: 2019-0400-SPHA
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2019-0400-SPHA



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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9 Albright Avenue

SW/s of Central Avenue, on S/side of Albright Avenue

2nd Election District - 4th Councilmanic District

Legal Owners: Kevin & Nancy O'Meara

Special Hearing for an accessory garage that is 1360 sq. ft., which is larger than the primary structure which is 968 sq. ft. Variance to permit an accessory garage at 23 ft. high in lieu of the permitted 15 ft. high.

Hearing: Friday, October 11, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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 410-887-3863.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

s20

**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/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 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: 2019-0400-SPHA
Property Address: 9 ALBRIGHT AVE GLYNDON MD 21071
Property Description: _____

Legal Owners (Petitioners): KEVIN + NANCY O'MEARA
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: KEVIN O'MEARA
Company/Firm (if applicable): _____
Address: 9 ALBRIGHT AVE
PO BOX - 254
GLYNDON MD 21071
Telephone Number: 410-833-0743

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 02, 2019

Kevin O'Meara
9 Albright Ave
Glyndon MD 21071

RE: Case Number: 2019-0400-SPHA, 9 Albright Ave

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 July 19, 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

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 8/13/19

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

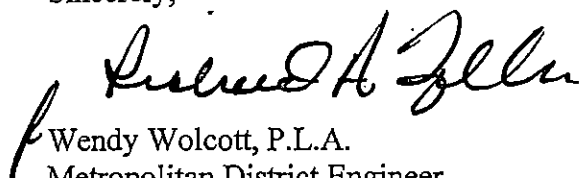
Dear Ms. Lewis:

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. **2019-0400-SPHA**

*Special Hearing Variance
Kevin O'Meara
9 Albright Avenue*

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

10-11-19

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/2/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-400

INFORMATION:

Property Address: 9 Albright Avenue
Petitioner: Kevin, O'Meara, Nancy O'Meara
Zoning: DR 2
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve an accessory garage of 1,360 square feet which is larger than the primary structure of 966 square feet and the petition for variance to permit an accessory garage at 23' in height in lieu of the permitted 15' high.

A site visit was conducted on August 1, 2019.

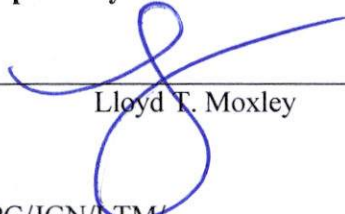
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The accessory structure shall not be used for principal residential or commercial purposes.
- There shall be no second utility meter(s)

The Department recommends the petitioners utilize features and materials that are complimentary to the primary structure.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

CPG/JGN/LTM/

c: Bill Skibinski
Kevin O' Meara
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/2/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
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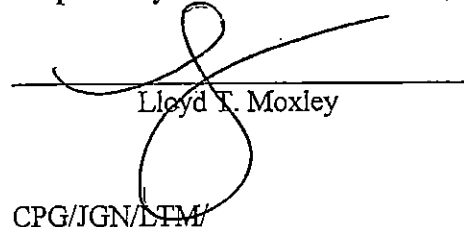
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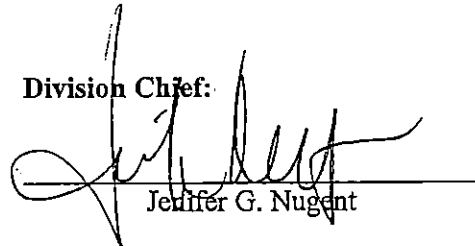
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Prepared by:


Lloyd T. Moxley

Division Chief:


Jennifer G. Nugent

CPG/JGN/LTM/

c: Bill Skibinski
Kevin O' Meara
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: July 25, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0400-SPHA
Address 9 Albright Avenue
(O'Meara Property)

Zoning Advisory Committee Meeting of **July 22, 2019**.

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

Reviewer: Steve Ford

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NO. 2019-

0400-SPHA

PM

PM

CHECKLIST

<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>7/25</u>	DEPS (if not received, date e-mail sent _____)	<u>NO Comment</u>
_____	FIRE DEPARTMENT	_____
<u>8/2</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO Objection w/ Conditions</u>
<u>8/13</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>9/20/19</u>	<u>The Daily Record</u>
SIGN POSTING (1 st)	Date: <u>9/19/19</u>	by <u>Altmeier</u>
SIGN POSTING (2 nd)	Date: <u>10/5/19</u>	by <u>Altmeier</u>
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: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 04 Account Number - 2000012868			
Owner Information					
Owner Name:	OMEARA KEVIN J OMEARA NANCY		Use:	RESIDENTIAL	
Mailing Address:	PO BOX 254 GLYNDON MD 21071		Principal Residence:	YES	
			Deed Reference:	/07404/ 00283	
Location & Structure Information					
Premises Address:	9 ALBRIGHT AVE 0-0000		Legal Description:	.955 AC SES ALBRIGHT AV 185FT SW CENTRAL AV	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0048	0012	1070	4020023.04	0000	2019
Special Tax Areas: None			Town:	None	
			Ad Valorem:	None	
			Tax Class:	None	
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1988	1,852 SF		0.9500 AC	04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
2	YES	STANDARD UNIT	SIDING/	4	2 full/ 1 half
Garage Last Notice of Major Improvements					
Value Information					
	Base Value	Value As of 01/01/2019	Phase-in Assessments As of 07/01/2019 As of 07/01/2020		
Land:	114,000	114,000			
Improvements	157,000	209,600			
Total:	271,000	323,600	288,533	306,067	
Preferential Land:	0			0	
Transfer Information					
Seller: OMEARA JAMES E,J R		Date: 02/05/1987		Price: \$31,500	
Type: ARMS LENGTH IMPROVED		Deed1: /07404/ 00283		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019	07/01/2020		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					

Homestead Application Information

Homestead Application Status: Approved 08/12/2013

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

Sherry Nuffer

From: Paul Mayhew
Sent: Tuesday, October 15, 2019 11:28 AM
To: Kevin O'Meara
Cc: Sherry Nuffer
Subject: RE: Case No. 2019-0400-SPHA

Mr. O'Meara,

Thanks for confirming this. I note that the SDAT printout also shows there is 1852 square feet of above grade living area. I will reflect this fact in my Order and note that the special hearing relief is not necessary and will grant only the variance.

Thank you,

Paul M. Mayhew

Administrative Law Judge

From: Kevin O'Meara <omearak2@gmail.com>
Sent: Tuesday, October 15, 2019 11:24 AM
To: Paul Mayhew <pmayhew@baltimorecountymd.gov>
Subject: Re: Case No. 2019-0400-SPHA

CAUTION: This message from omearak2@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Mr. Mayhew, Yes you are correct, the 1st floor is 966sq ft and the 2nd floor is 884 sq ft.

On Tue, Oct 15, 2019, 10:50 AM Paul Mayhew <pmayhew@baltimorecountymd.gov> wrote:

Mr. O'Meara:

In reviewing this file in preparation for writing my Opinion and Order I discovered what I believe is a miscalculation of the square footage of your principal residence.

The drawing and photos show that it is a 2 story dwelling, however it appears that the 966 square feet shown on your Special Hearing request is the square footage of the first floor alone.

I assume you have close to that (perhaps 884 square feet, which is the 26' x 34' of the main section of the house without the 13.8' x 6' bumpout?).

In short, I think if the actual total square footage is used it will exceed the 1360' square footage of the proposed garage structure so you would not even need the special hearing relief you requested – you would only need the height variance.

Please confirm what the square footage of your second floor is and if I am correct I will just explain this in the Order and grant only the necessary variance.

Thank you,

Paul M. Mayhew

Managing Administrative Law Judge

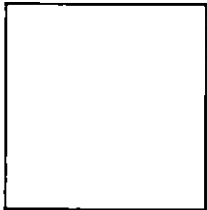
105 West Chesapeake Ave., Suite 103

Towson, Maryland 21204

410-887-3868

pmayhew@baltimorecountymd.gov

CONNECT WITH BALTIMORE COUNTY



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www.baltimorecountymd.gov

Case No.: 2019-0400-SPHA 9 Albright Ave

Exhibit Sheet

Petitioner/Developer

ps
11-15-19

Protestants

Sen
10-15-19

No. 1	SITE PLAN	
No. 2	ARCHITECTURAL DRAWINGS	
No. 3	Photos of Site	
No. 4	Aerial Photo	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

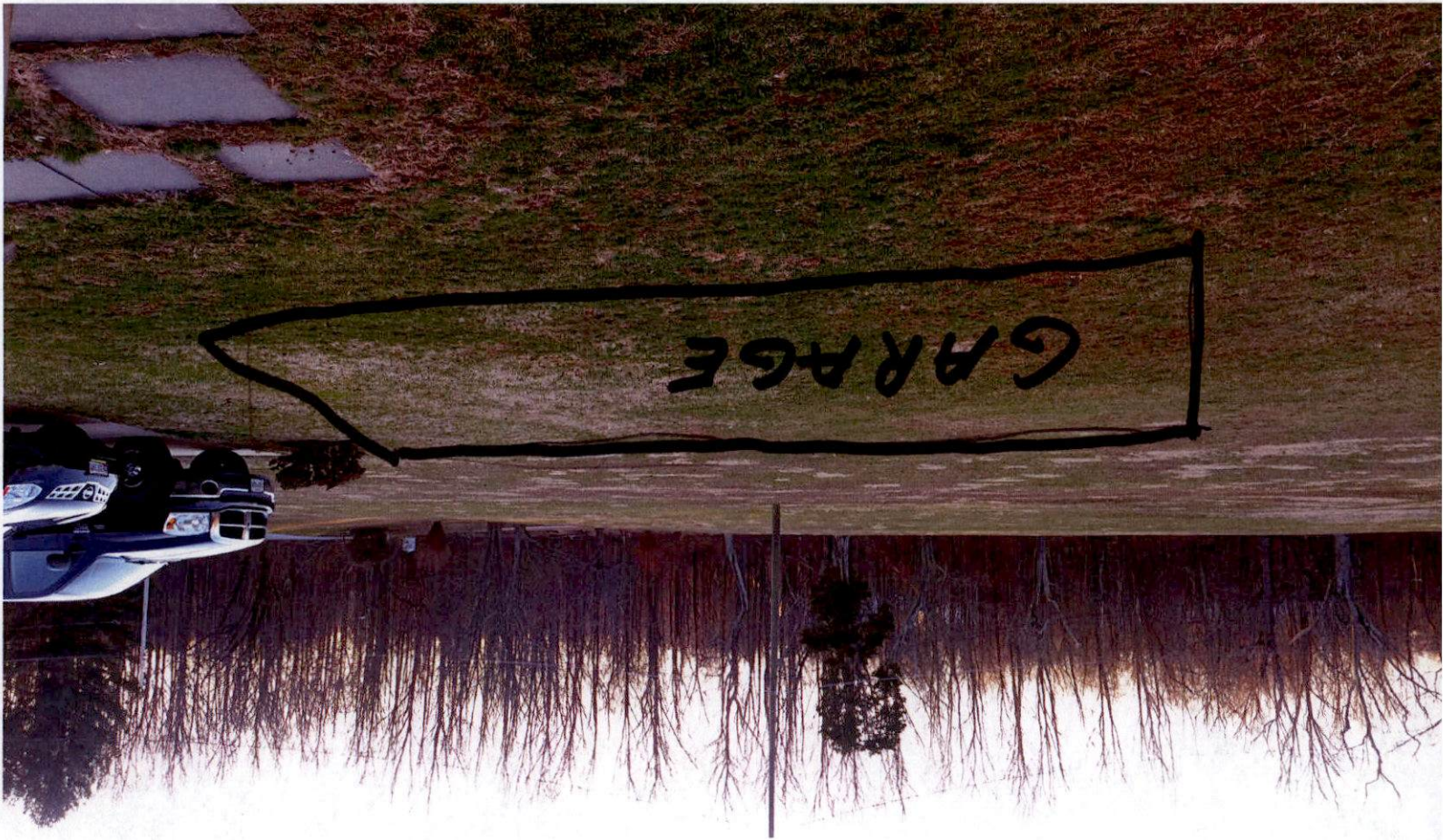
2019-0400-SPTA

EXHIBIT NO.

3

PETITIONER'S

WEST

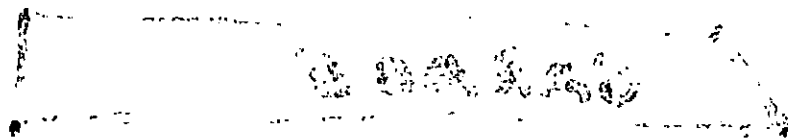


2000



SOUTH

2019-0400-SPHA





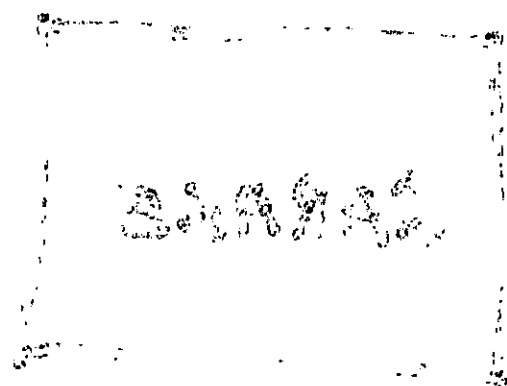
EAST

2019-0400-SPHA



NORTH

2019-0400-SPHA



OIT

410-887-2233

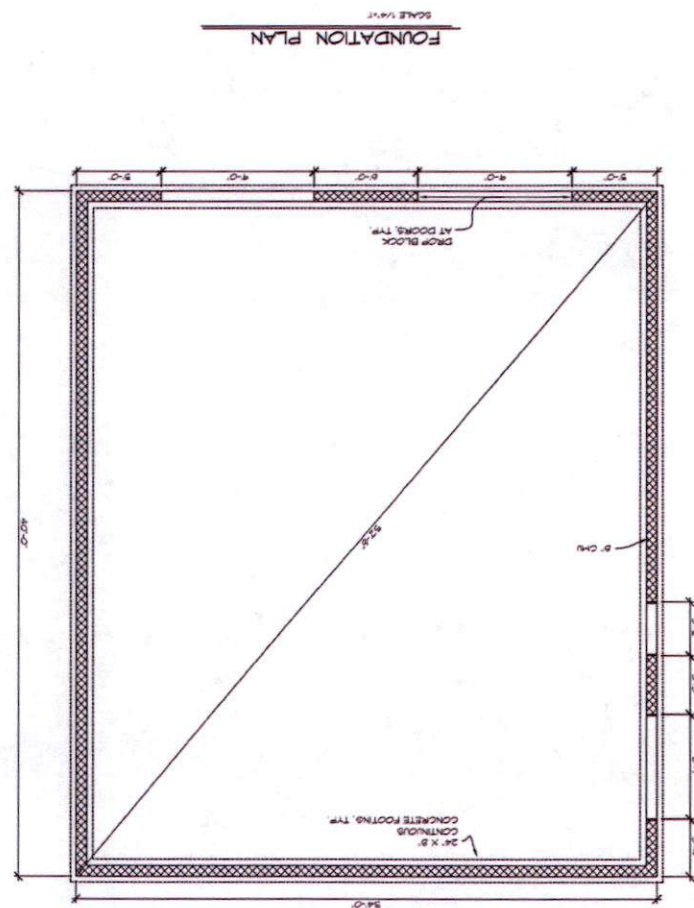
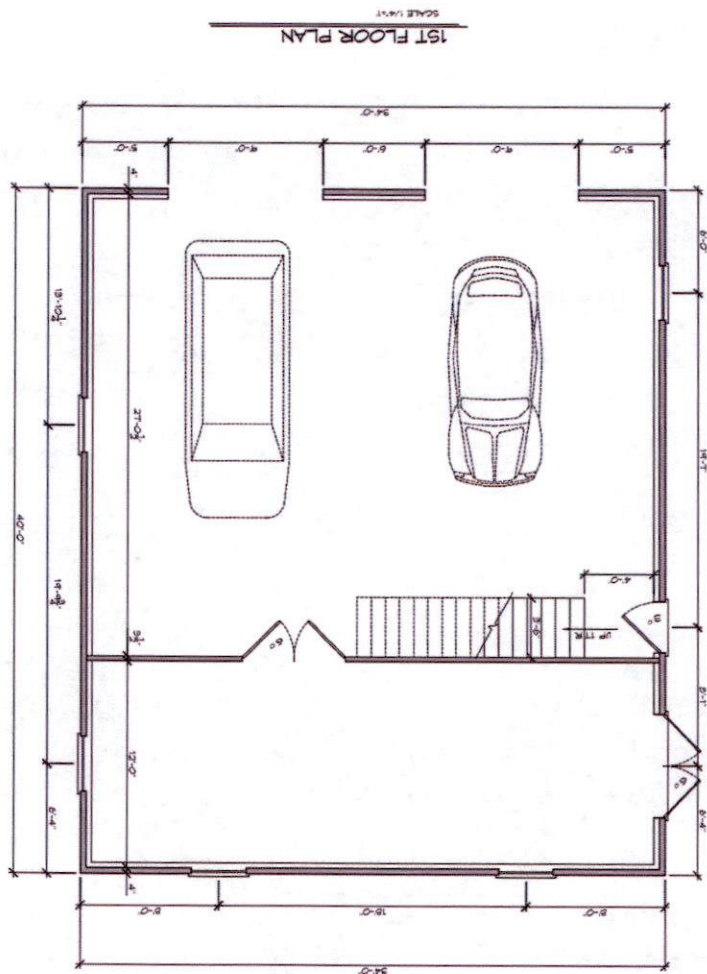


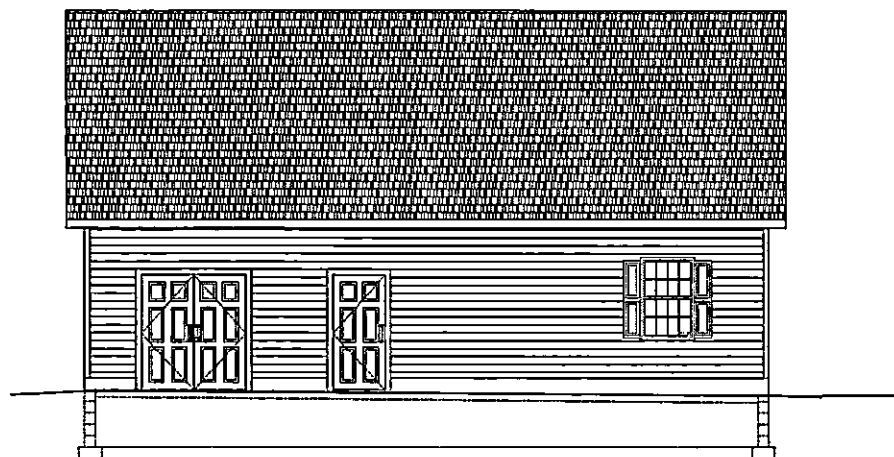
2019-0400-SP44

EXHIBIT NO.

2

PETITIONER'S





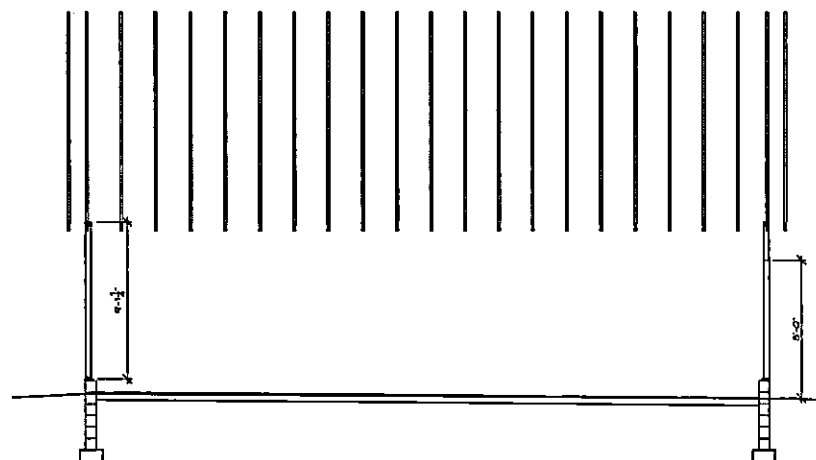
LEFT ELEVATION

SCALE 1/4"=1'



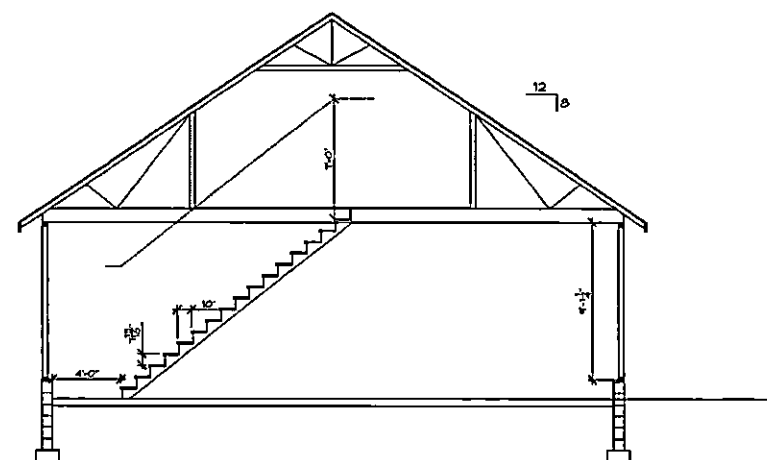
FRONT ELEVATION

SCALE 1/4"=1'



SECTION B-B

SCALE 1/4"=1'



SECTION A-A

SCALE 1/4"=1'

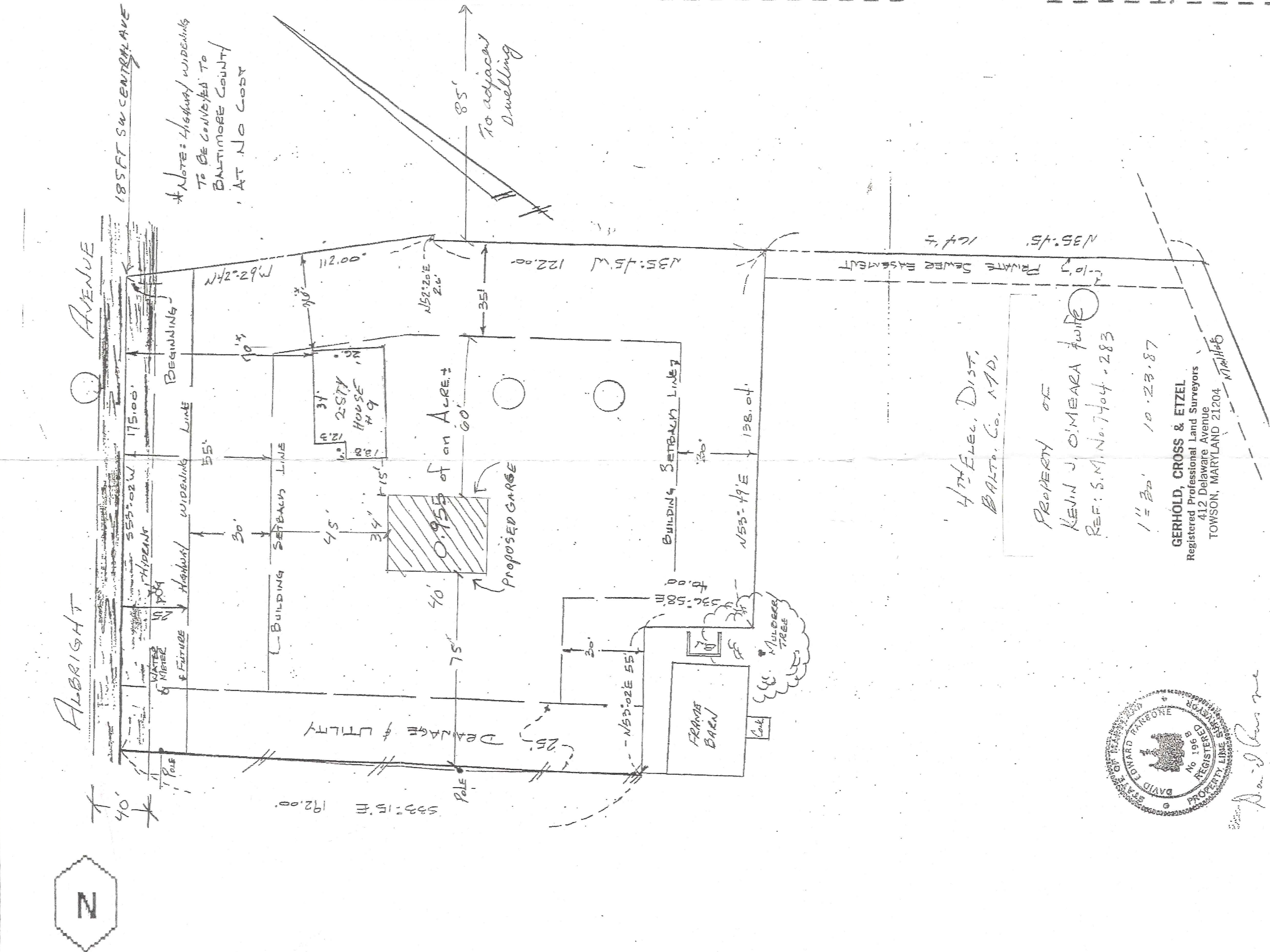
2019-0400-SPHA

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

ADDRESS 9 Albright Ave GlynDon MD 21071 OWNER(S) NAME(S) KEVIN + NANCY O'MEARA

SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 2 0 0 0 0 1 2 8 6 8 DEED REF. # 0 7 4 0 4 / 0 0 2 8 3

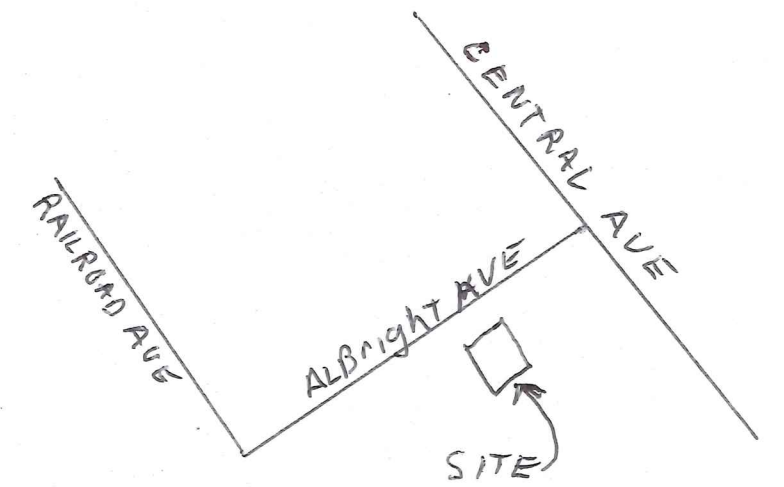


PLAN DRAWN BY KEVIN O'MEARA

DATE 3/18/2019 SCALE: 1 INCH = 30' FEET

2019-0400-SPHA

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 048C1

SITE ZONED DR 2

ELECTION DISTRICT 4th

COUNCIL DISTRICT 2

LOT AREA ACREAGE 0.955

OR SQUARE FEET _____

HISTORIC? X

IN CBCA? X

IN FLOOD PLAIN? X

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

PETITIONER'S

EXHIBIT NO. 1

VIOLATION CASE INFO:
