

Amy Ravera

From: Maureen E Murphy
Sent: Thursday, May 1, 2025 9:27 AM
To: Amy Ravera
Cc: Jeffrey N Perlow; John Krach
Subject: Removal of Case No: 2021-0049-A from OAH Web page
Attachments: [REDACTED]
Importance: High

Good Morning Amy –

I am emailing you to see if you can remove two (2) Orders signed by Paul Mayhew in Case No.: 2021-0049-A from OAH Webpage (attached). The original Order dated May, 2021 and the Order on Motion for Reconsideration dated June, 2021 were requested to be shielded from public view in 2021 by [REDACTED].

[REDACTED] This is common for most Federal Judges and Magistrates. My Neighborhood already has the zoning file as "shielded" as does SDAT. [REDACTED] is very concerned that these documents are easily found with a Google search and would like them removed immediately.

Would you let me know if you can remove these? If the Orders can not be removed, if the Order can read 'shielded' on OAH Webpage (as with My Neighborhood file) that would be fine as well. If you can not remove these, any idea who can? Thanks for your help.

Maureen E. Murphy, Esquire
Chief Administrative Law Judge
105 West Chesapeake Ave., Suite 103
Towson, Maryland 21204
410-887-3868
mmurphy@baltimorecountymd.gov



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

June 30, 2021

Via Email – [REDACTED]

[REDACTED]
7900 Ruxwood Road
Baltimore, MD 21204

RE: **ORDER ON MOTION FOR RECONSIDERATION**
Petition for Administrative Variance
Case No. 2021-0049-A
Property: [REDACTED]

Dear Mr. and Mrs. [REDACTED]

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in cursive script, reading "Paul M. Mayhew".
PAUL M. MAYHEW

Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

c: Andy Niaz – andy@andyniazyarchitecture.com

IN RE: PETITION FOR ADMIN. VARIANCE *
(7900 Ruxwood Road)
9th Election District *
2nd Council District *
[REDACTED] *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2021-0049-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Motion for Reconsideration filed by Andy Niazy on behalf of the Petitioners, [REDACTED]

[REDACTED] The Petitioners originally filed an Administrative Variance for property located at [REDACTED]. The relief was requested from §§ 400.1 and 400.3 to permit a proposed garage (accessory structure) to be located in the front and side yard in lieu of the required rear yard and to allow a height of 27 ft. in lieu of the maximum height of 15 ft.

By Opinion and Order dated May 25, 2021, the undersigned granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file. One of these conditions prohibited bathroom facilities in this garage structure.

On June 1, 2021, Mr. Niazy filed a timely Motion for Reconsideration of the May 25, 2021 Order. In the Motion, he requested permission to allow a bathroom to serve a home gym that will occupy part of the garage structure.

I believe that this modification of the Order is within the spirit and intent of the BCZR and will not harm the public health, safety or welfare. I do however note that this property is located within the Ruxton Residential Design Review Panel Area, and is therefore subject to review by the Department of Planning ("DOP"). In reviewing the initial Petition DOP proposed that the structure should not house any "living quarters." The use of this structure as separate living

ORDER RECEIVED FOR FILING

Date 6-30-21

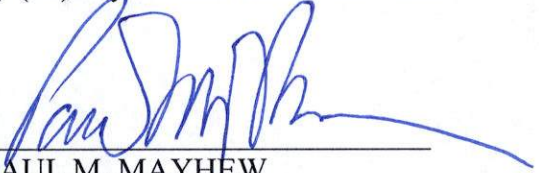
By [Signature]

quarters would *not* be within the spirit and intent of the BCZR.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 30th day of **June, 2021**, that the Motion for Reconsideration, be and is hereby GRANTED, such that Condition No. 2 shall be reworded as follows:

- Petitioners or subsequent owners shall not convert the proposed detached garage into a dwelling unit or apartment. The proposed detached garage shall not contain any sleeping quarters, living area, or kitchen facilities. One bathroom is permitted.
- At no time may the proposed detached garage be used as a separate residence of any kind.

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:dlw

ORDER RECEIVED FOR FILING

Date 6-30-21

By 107



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

May 25, 2021

Via Email – [REDACTED]

[REDACTED]
Baltimore, MD 21204

RE: Petition for Administrative Variance
Case No. 2021-0049-A
Property: [REDACTED]

Dear Mr. and Mrs. [REDACTED]:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul M. Mayhew", is written over the word "Sincerely,".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

c: Andy Niazy – andy@andyniazyarchitecture.com

IN RE: PETITION FOR ADMIN. VARIANCE *
(7900 Ruxwood Road)
9th Election District *
2nd Council District *
[REDACTED] *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2021-0049-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, [REDACTED] (“Petitioners”). The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”) §§ 400.1 and 400.3 to permit a proposed garage (accessory structure) to be located in the front and side yard in lieu of the required rear yard and to allow a height of 27 ft. in lieu of the maximum height of 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. ZAC comments were received from the Department of Environmental Protection and Sustainability (“DEPS”) dated May 6, 2021, indicating development of the property must comply with the Forest Conservation Regulations (§§ 33-6-101 through 33-6-122 of the Baltimore County Code). In its comment, DEPS noted that Forest Conservation Law may be addressed for the proposed garage by filing a Single Lot Declaration of Intent with EIR and the Declaration does not need to be recorded in Land Records. In addition, a ZAC comment was received from the Department of Planning (“DOP”) dated May 3, 2021, indicating that the property is located within the Ruxton Residential Design Review Panel Area, and that their office had no

ORDER RECEIVED FOR FILING

Date 5-25-21

By [Signature]

objections to the requested relief provided certain conditions contained within their ZAC comment are met.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 30, 2021, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 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 to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

Although the Department of Planning did not make any recommendations related to the detached garage height and usage, I will impose conditions that the detached 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 25th day of **May, 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR") §§ 400.1 and 400.3 to permit a proposed garage (accessory structure) to be located in the front and side yard in lieu of the required rear yard and to allow a height of 27 ft. in lieu of the maximum height of 15 ft., and is hereby GRANTED.

ORDER RECEIVED FOR FILING

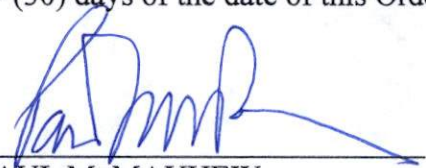
Date 5-25-21

By [Signature]

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.
- Petitioners or subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
- The detached garage shall not be used for commercial purposes.
- Petitioners must comply with the ZAC comments from DEPS and DOP; copies of which are attached hereto and made a part hereof.

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:dlw

ORDER RECEIVED FOR FILING

Date 5-25-21

By lw

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>5-6</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
<u>5-3</u>	PLANNING (if not received, date e-mail sent _____)	<u>No obj. w/Cond.</u>
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____

_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: 4-30-21 by Doak

SIGN POSTING (2nd) Date: _____ by _____

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

Comments, if any: _____



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 [REDACTED] Currently zoned DR-1
Deed Reference [REDACTED] 10 Digit Tax Account # [REDACTED]
Owner(s) Printed Name(s) [REDACTED]

(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. X **ADMINISTRATIVE VARIANCE** from Section(s) 400.3 of the BCZC; To permit a proposed garage (accessory structure) to be located in front and side yard in lieu of the required rear yard, and to allow a height of 27 feet in lieu of the maximum height of 15 feet of the zoning regulations of Baltimore County, to the zoning law 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):

Name #1 - Type or Print [REDACTED] / Name #2 - Type or Print [REDACTED]
Signature #1 [REDACTED] / Signature #2 [REDACTED]
Mailing Address [REDACTED] City Baltimore State MD
Zip Code 21204 / Telephone # [REDACTED] / Email Address [REDACTED]

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

Name- Type or Print [REDACTED]
Signature [REDACTED]
Mailing Address [REDACTED] City [REDACTED] State [REDACTED]
Zip Code [REDACTED] Telephone # [REDACTED] Email Address [REDACTED]

Representative to be contacted:

Andy Niazy
Name - Type or Print [REDACTED]
Signature [REDACTED]
3816 Beech Ave Baltimore MD
Mailing Address [REDACTED] City [REDACTED] State [REDACTED]
21211 / 410-803-3396 / andy@andyniazyarchitecture.com
Zip Code [REDACTED] Telephone # [REDACTED] Email Address [REDACTED]

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 5-25-21 day of May, 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 2021-0049-A Filing Date 4/29/21 Estimated Posting Date 5/2/21 Reviewer gh

Rev 5/5/2016

Revised

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: [Redacted] Baltimore 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)

We are requesting an Administrative Variance for an accessory garage structure due to a proposed location in the side yard and a proposed height of 27'. The existing house is located at the very back of the lot with a small rear yard. It would be difficult to fit any structure in the rear of the house, so we are proposing to locate it in the side yard, creating a small courtyard between the garage and existing house.

Further, we are seeking a height variance to allow a second story above the garage. We would also like to match the existing house's steep roof lines to compliment it's architecture. The proposed design calls for an overall height of 27'

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

Signature of Owner (Affiant)

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 30th day of March, 2021, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

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

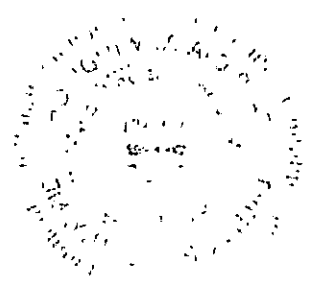
AS WITNESS my hand and Notaries Seal



Notary Public

My Commission Expires 6-10-23

11





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 [REDACTED] Currently zoned DR-1
Deed Reference [REDACTED] 10 Digit Tax Account # [REDACTED]
Owner(s) Printed Name(s) [REDACTED]

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 of the BCZE; To permit a proposed garage (accessory structure) to be located in the front and side yard in lieu of the required rear yard.

of the zoning regulations of Baltimore County, to the zoning law 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):

Name #1 - Type or Print [REDACTED] Name #2 - Type or Print [REDACTED]
Signature #1 [REDACTED] Signature #2 [REDACTED]
[REDACTED] Baltimore MD
Mailing Address [REDACTED] City [REDACTED] State [REDACTED]
21204 / [REDACTED] / [REDACTED]
Zip Code Telephone # Email Address

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

Name- Type or Print [REDACTED]
Signature [REDACTED]
Mailing Address [REDACTED] City [REDACTED] State [REDACTED]
Zip Code [REDACTED] Telephone # [REDACTED] Email Address [REDACTED]

Representative to be contacted:

Andy Niazy
Name - Type or Print
Signature
3816 Beech Ave Baltimore MD
Mailing Address City State
21211 / 410-803-3396 / andy@andyniazyarchitecture.com
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 2021-0049-A Filing Date 5/2/21 Estimated Posting Date 5/2/21 Reviewer gh

4/20/21

Rev 5/5/2016

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: [REDACTED] Baltimore 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)

We are requesting an Administrative Variance for an accessory garage structure due to a proposed location in the side yard and a proposed height of 27'. The existing house is located at the very back of the lot with a small rear yard. It would be difficult to fit any structure in the rear of the house, so we are proposing to locate it in the side yard, creating a small courtyard between the garage and existing house.

Further, we are seeking a height variance to allow a second story above the garage. We would also like to match the existing house's steep roof lines to compliment it's architecture. The proposed design calls for an overall height of 27'.

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

Signature of Owner (Affiant)

Signature of Owner (Affiant)

Name

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 30th day of March, 2021, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

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

AS WITNESS my hand and Notaries Seal



Notary Public

My Commission Expires



3816 Beech Av.
Baltimore MD 21211

410 803 3396
andyniazarchitecture.com

Zoning Property Description for

Part A:

Beginning at a point at the west side of [REDACTED] which is street 15 feet wide at a distance of 750' to the centerline of the nearest improved intersecting street, [REDACTED] which is 20' wide.

Part B:

Thence the following courses and distances: 1st Point of Call (POC), running thence binding on said side of [REDACTED] and reversely on a part of said first line, (1) North 5° 12'17" W for 369.55', (2) South 84° 47'43" W 206.71, (3) South 87° 05'21" W 180.00' (4) South 2° 54'39" E 372.29, (5) N 85° 28'30" E 401.49' to the place of the beginning, as recorded in Deed dated May 28, 2004, and recorded September 16, 2004 in the Land Records of the County of Baltimore, MD, in Liber [REDACTED], Folio [REDACTED], and containing 3.33 acres. Located in the 2nd election district, and 2nd Councilmanic District.

2021-0049-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2021- 0049 -A Address [REDACTED] 21204

Contact Person: Gary Huik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/20/21 Posting Date: 5/2/21 Closing Date: 5/17/21

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 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 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.
- 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.
- 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 2021- 0049 -A Address [REDACTED] 21204

Petitioner's Name [REDACTED] Telephone [REDACTED]

Posting Date: 5/2/21 Closing Date: 5/17/21

Wording for Sign: To Permit a proposed garage (accessory structure)
to be located in the side and front yard in lieu
of the required rear yard, and a height of 27 feet
in lieu of the maximum height of 15 feet

Revised 6/30/2018

Date _____

4/2/21 PM

Pay to the
order of _____

Baltimore County

\$ 75.00
Dollars ←

← Heat
Reactive
Ink



SUNTRUST

ACH RT 061000104

Memo

N

LS ON BACK

No. 204954

Date: 4/19/21

Rev	Sub
Source/	Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
------	------	------	----------	-----	---------	----------	---------	--------

001	800	0000	6150				75

Total: 75

Rec
From:

For:

2021-0049-A

**CASHIER'S
VALIDATION**

DISTRIBUTION

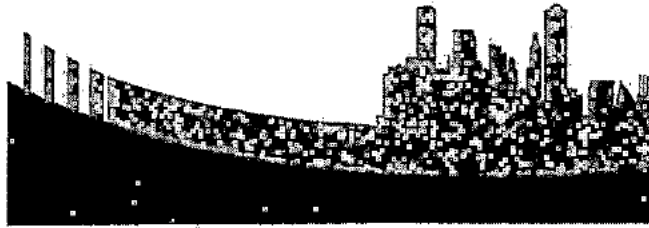
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



CERTIFICATE OF POSTING

May 5, 2021

_____ amended for second inspection

Re:

Zoning Case No. 2021-0049-A

Legal Owner: _____

Closing date: May 17, 2021

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at _____

The signs were initially posted on April 30, 2021.

The subject property was also inspected on _____.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs.

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2021-0049-A

**REQUEST: TO PERMIT A PROPOSED
GARAGE (ACCESSORY STRUCTURE) TO
BE LOCATED IN THE SIDE AND FRONT
YARD IN LIEU OF THE REQUIRED REAR
YARD, AND A HEIGHT OF 27 FEET IN LIEU
OF THE MAXIMUM HEIGHT OF 15 FEET.**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(D)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE MAY 17, 2021.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-397-3397**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2021-0049-A

REQUEST: TO PERMIT A PROPOSED GARAGE (ACCESSORY STRUCTURE) TO BE LOCATED IN THE SIDE AND FRONT YARD IN LIEU OF THE REQUIRED REAR YARD, AND A HEIGHT OF 27 FEET IN LIEU OF THE MAXIMUM HEIGHT OF 15 FEET.

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 IT IS DONE IN THE ZONING OFFICE BEFORE MAY 17, 2021.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W. CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391

5-17

Donna Mignon

From: Bruce Doak <bdoak@bruceedoakconsulting.com>
Sent: Wednesday, May 5, 2021 2:57 PM
To: Jenae Johnson
Cc: Administrative Hearings; Donna Mignon; Gary M Hucik
Subject: Case #2021-0049-A Posting Cert
Attachments: Case #2021-0049-A posting cert 5 05 21.pdf

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

Posting cert enclosed

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

(AV) 5-17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: May 6, 2021

SUBJECT: DEPS Comment for Zoning Item # 2021-0049-A
Address [REDACTED]

Zoning Advisory Committee Meeting of **May 3, 2021**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Forest Conservation Law may be addressed for the proposed garage by filing a Single Lot Declaration of Intent with EIR. This declaration does not need to be recorded in Land Records.

Reviewer: Glenn Shaffer

5-17

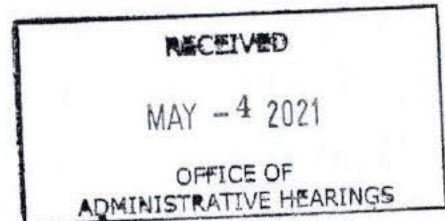
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 5/3/2021

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 21-049-A



INFORMATION:

Property Address: [REDACTED]

Petitioner: [REDACTED]

Zoning: DR 1

Requested Action: Administrative Variance

The Department of Planning has reviewed the petition for Administrative Variance to determine whether or not the Administrative Law Judge should permit a proposed garage (accessory structure) to be located in the front and side yard in lieu of the required rear yard. A height of 27' in lieu of the required 15' (§ 400.3) is also requested for the garage.

The property is located within the Ruxton Residential Design Review Panel (DRP) area. Although detached accessory structures do not require full DRP review, any materials depicting the garage's exterior should be provided to the Department of Planning.

The department has no objections to the requested relief conditioned upon the following:

1. Prior to the issuance of any permits, building elevations should be provided to the Department of Planning for review.
2. The accessory structure shall not contain any living quarters, commercial uses, nor be connected to separate utility meters.

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

Prepared by:

A handwritten signature in black ink, appearing to read "Krystle Patchak".

Krystle Patchak

Division Chief:

A handwritten signature in black ink, appearing to read "Jenifer G. Nugent".

Jenifer G. Nugent

SL/JGN/KP/

c: Bill Skibinski
Andy Niaz
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date 5-25-21

By [Signature]

517

BALTIMORE COUNTY, MARYLAND

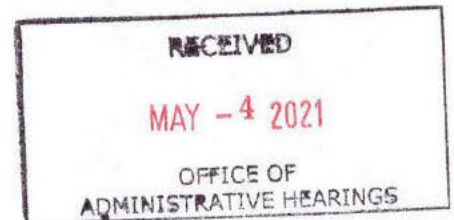
INTER-OFFICE MEMORANDUM

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A handwritten signature in black ink, appearing to read "Jenifer G. Nugent".

Jenifer G. Nugent

SL/JGN/KP/

c: Bill Skibinski
Andy Niazy
Office of the Administrative Hearings
People's Counsel for Baltimore County

ZAC AGENDA

Case Number: 2021-0049-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: [REDACTED]
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: [REDACTED]
Location: West side of [REDACTED] East 305 to the center line of [REDACTED]

Existing Zoning: DR 1 **Area:** 4.97 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

Section 400.1 of the BCZR To permit a proposed garage (accessory structure) to be located in the front and side yard in lieu of the required rear yard.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

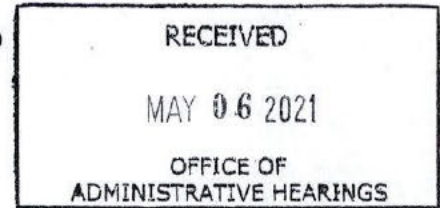
Closing Date: 05/17/2021

Miscellaneous Notes:

(AV) 5-17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: May 6, 2021

SUBJECT: DEPS Comment for Zoning Item # 2021-0049-A
Address [REDACTED]

Zoning Advisory Committee Meeting of **May 3, 2021.**

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Additional Comments:

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Reviewer: Glenn Shaffer

ORDER RECEIVED FOR FILING

Date 5-25-21

By [Signature]

Real Property Data Search

Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - [REDACTED] Account Number - [REDACTED]

Owner Name: [REDACTED]

Mailing Address: [REDACTED]

Use: RESIDENTIAL
 Principal Residence: YES
 Deed Reference: [REDACTED]

Location & Structure Information

Premises Address: [REDACTED]

Legal Description: [REDACTED]

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 [REDACTED] 1 1 2020 [REDACTED]
 Plat Ref: [REDACTED]

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1931	5,679 SF		3.3300 AC	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNIT	STUCCO/	8	4 full/ 1 half	2 Attached	

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2020 As of 07/01/2021	
Land:	1,265,400	1,265,400		
Improvements	1,205,000	1,219,900		
Total:	2,470,400	2,485,300	2,475,367	2,480,333
Preferential Land:	0	0		

Transfer Information



Exemption Information

Partial Exempt Assessments:	Class	07/01/2020	07/01/2021
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 02/09/2017

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

Debra Wiley

From: Debra Wiley
Sent: Wednesday, June 30, 2021 11:53 AM
To: [REDACTED]; 'Andy Niazy'
Cc: Jenifer G. Nugent; Donna Mignon; County Council; Henry Ayakwah; Jeffery Livingston; Peoples Counsel; Vishnubhai K Desai
Subject: Motion for Reconsideration - Case No. 2021-0049-A [REDACTED]
Attachments: 20210630115324634.pdf

Good Morning,

Please find attached a copy of ALJ Mayhew's Order on Motion for Reconsideration.

Have a great and safe day !

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

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Wednesday, June 30, 2021 11:53 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

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

Scan Date: 06.30.2021 11:53:24 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Andy Niazy <andy@andyniazyarchitecture.com>
Sent: Wednesday, June 30, 2021 11:53 AM
To: prvs=808063163=dwiley@baltimorecountymd.gov
Subject: Out of the office Re: Motion for Reconsideration - Case No. 2021-0049-A - [REDACTED]
[REDACTED]

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

Hi There

The office will be closed until Monday, July 12th. We will be checking emails periodically and will get back to you as soon as possible.

Thanks,
Andy Niazy

--

Andy Niazy, AIA

Principal, ANDY NIAZY|architecture

3816 Beech Avenue Baltimore MD 21211

Office 410.803.3396

Cell 617.407.9545

andyniazyarchitecture.com

Debra Wiley

From: Mail Delivery System <postmaster@baltimorecountymd.gov>
To: [REDACTED]
Sent: Wednesday, June 30, 2021 11:53 AM
Subject: Undeliverable: Motion for Reconsideration - Case No. 2021-0049-A - [REDACTED]
[REDACTED]

Delivery has failed to these recipients or groups:

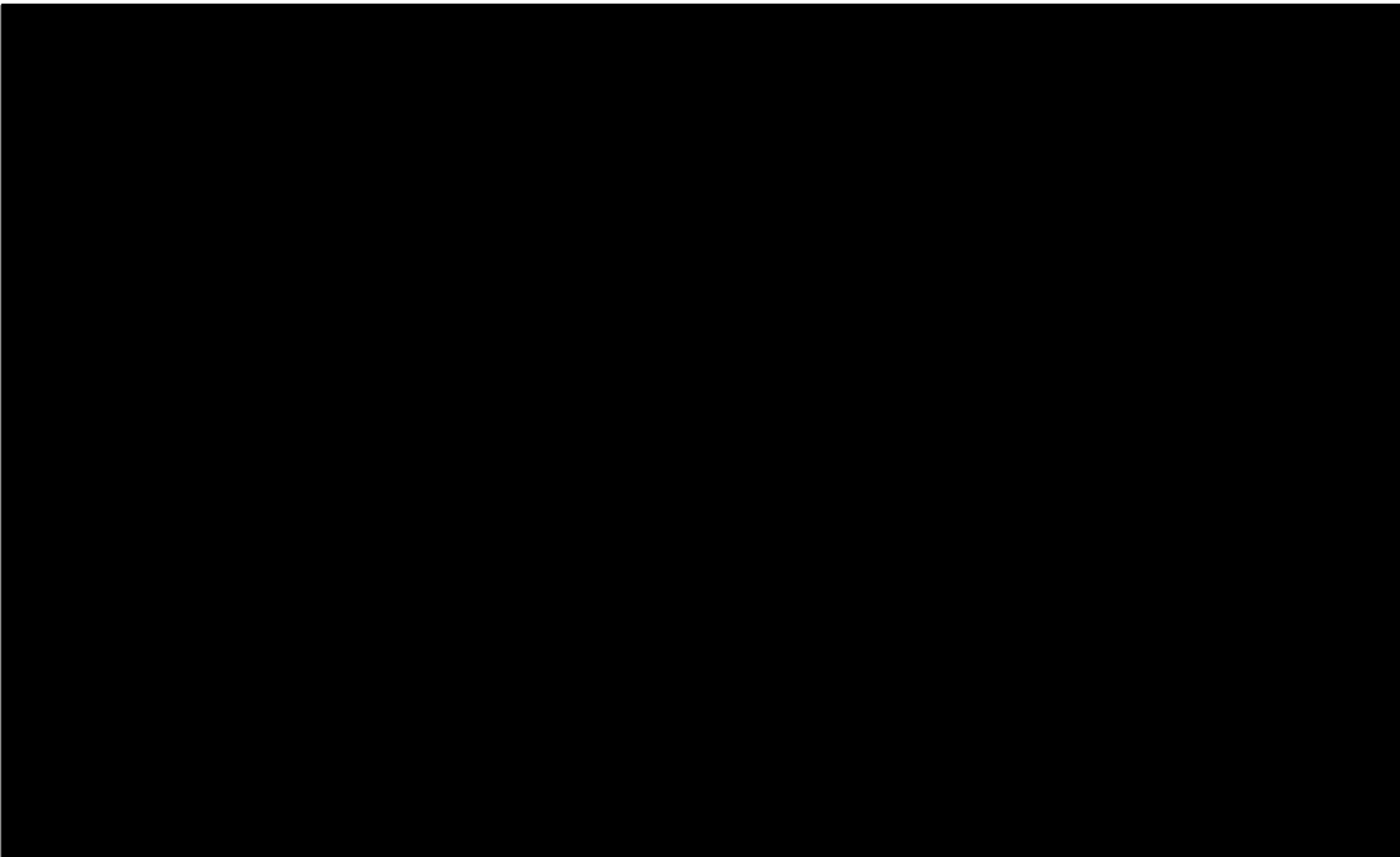
[REDACTED]

A problem occurred while delivering your message to this email address. Try sending your message again. If the problem continues, please contact your email admin.

The following organization rejected your message: [172.217.197.27].

Diagnostic information for administrators:

Generating server: mail3.baltimorecountymd.gov



<andy@andyniazyarchitecture.com>
CC: "Jenifer G. Nugent" <jnugent@baltimorecountymd.gov>, Donna Mignon
<dmignon@baltimorecountymd.gov>, County Council
<countycouncil@baltimorecountymd.gov>, Henry Ayakwah
<hayakwah@baltimorecountymd.gov>, Jeffery Livingston
<jlivingston@baltimorecountymd.gov>, Peoples Counsel
<peoplescounsel@baltimorecountymd.gov>, Vishnubhai K Desai
<vdesai@baltimorecountymd.gov>

Subject: Motion for Reconsideration - Case No. 2021-0049-A - [REDACTED]

Thread-Topic: Motion for Reconsideration - Case No. 2021-0049-A - [REDACTED]
Road

Thread-Index: Addtx7gaDGq5DiPiTlagObIhQ6hfzQ==

Date: Wed, 30 Jun 2021 15:52:34 +0000

Message-ID: <2a7c6b8c556e4a3aa258537491962737@baltimorecountymd.gov>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

x-originating-ip: [172.30.50.253]

Content-Type: text/plain

MIME-Version: 1.0

Debra Wiley

From: Debra Wiley
Sent: Thursday, June 24, 2021 7:50 AM
To: 'Andy Niazy'
Subject: RE: Decision - Administrative Variance - Case No. 2021-0049-A - [REDACTED]
[REDACTED]

Good Morning Mr. Niazy,

Let me look into this and I will get back to you as soon as I'm able to speak to the judge.

Thank you.

From: Andy Niazy <andy@andyniazyarchitecture.com>
Sent: Wednesday, June 23, 2021 10:25 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: dm gallgher jr@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>; County Council <countycouncil@baltimorecountymd.gov>; Henry Ayakwah <hayakwah@baltimorecountymd.gov>; Jeffery Livingston <jlivingston@baltimorecountymd.gov>; Jenifer G. Nugent <jnugent@baltimorecountymd.gov>; Peoples Counsel <peoplescounsel@baltimorecountymd.gov>; Vishnubhai K Desai <vdesai@baltimorecountymd.gov>
Subject: Re: Decision - Administrative Variance - Case No. 2021-0049-A - [REDACTED]

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

Hi Debra,

Just following up on my request back on June 1 to revise Judge Mayhews opinion to allow a bathroom in the detached garage. Please let me know if there is anything further I need to submit on this.

Many thanks in advance, Andy Niazy

On Tue, Jun 1, 2021 at 4:22 PM Andy Niazy <andy@andyniazyarchitecture.com> wrote:

Good afternoon Debra,

I am embarrassed to be asking this for a second project, but is there any way we can ask Judge Mayhew to amend his opinion on [REDACTED] to allow a bathroom but exclude a kitchen? The project is a large hobby garage to house vintage cars and a wine cellar/tasting room on the first floor, and a gym and office on the second floor. We were planning on having a bathroom as part of the gym. I have included plans and elevations to better explain the project.

Going forward, should I be including these details with our application? We only submitted what was on the county's checklist for both this and the project at 123 St. Thomas.

Thank you,
Andy Niazy

On Tue, May 25, 2021 at 8:19 AM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Debra Wiley

From: Debra Wiley
Sent: Tuesday, May 25, 2021 8:20 AM
To: [REDACTED]
Cc: 'Andy Niazy'; Donna Mignon; County Council; Henry Ayakwah; Jeffery Livingston; Jenifer G. Nugent; Peoples Counsel; Vishnubhai K Desai
Subject: Decision - Administrative Variance - Case No. 2021-0049-A - [REDACTED]
Attachments: 20210525074618868.pdf

Good Morning,

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

Have a great and safe day !

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

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Tuesday, May 25, 2021 7:46 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

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

Scan Date: 05.25.2021 07:46:18 (-0400)
Queries to: adminhearingscpr@baltimorecountymd.gov

Debra Wiley

From: Mail Delivery System <postmaster@baltimorecountymd.gov>
To: [REDACTED]
Sent: Tuesday, May 25, 2021 8:19 AM
Subject: Undeliverable: Decision - Administrative Variance - Case No. 2021-0049-A - [REDACTED]
[REDACTED]

Delivery has failed to these recipients or groups:

[REDACTED]
A problem occurred while delivering your message to this email address. Try sending your message again. If the problem continues, please contact your email admin.

The following organization rejected your message: [172.217.197.27].

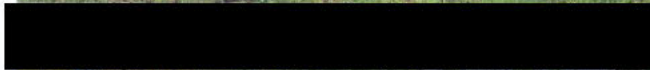
Diagnostic information for administrators:

Generating server: mail3.baltimorecountymd.gov

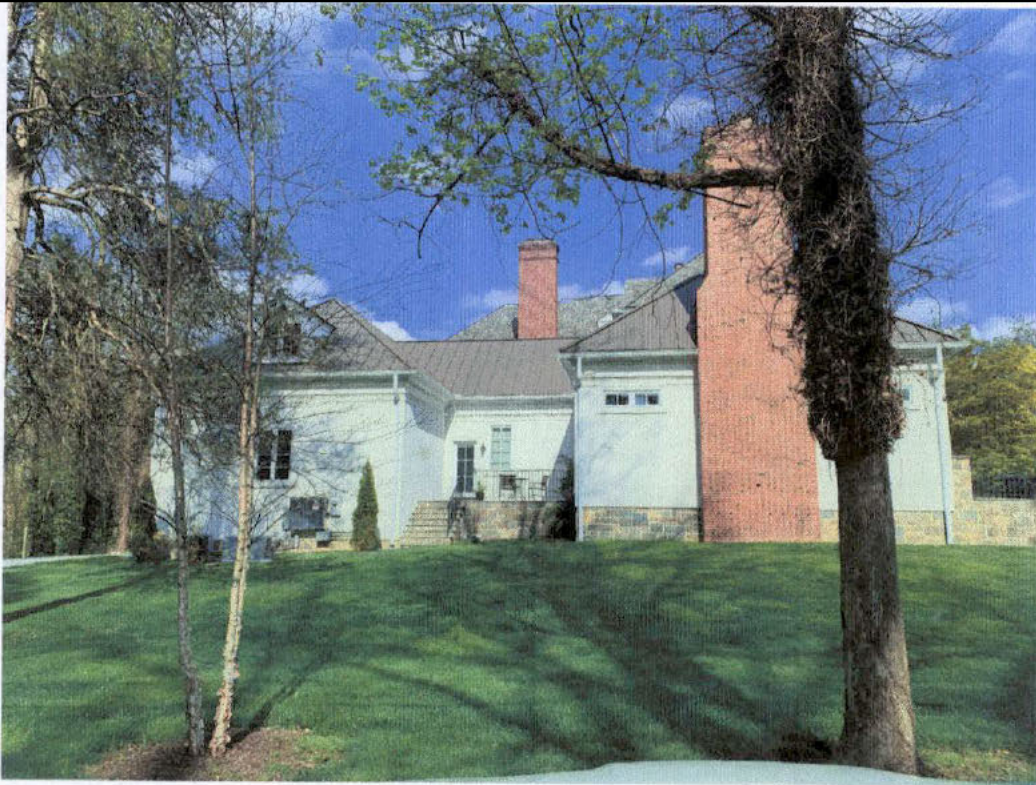
2021-0049-A



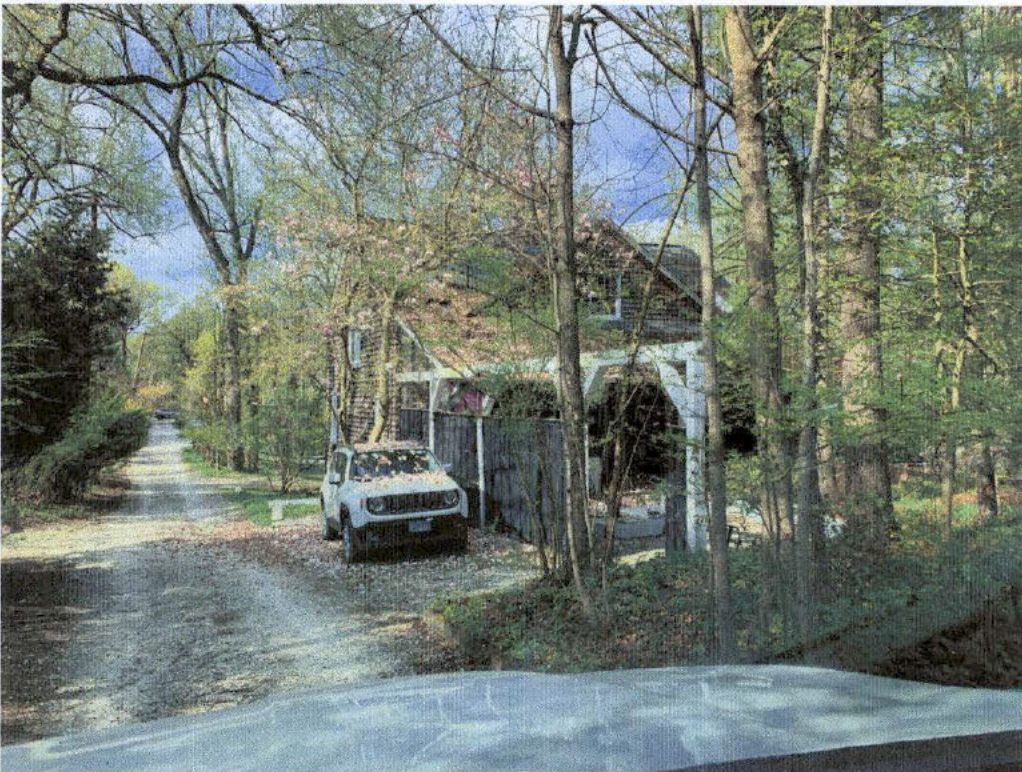
2021-0049-A

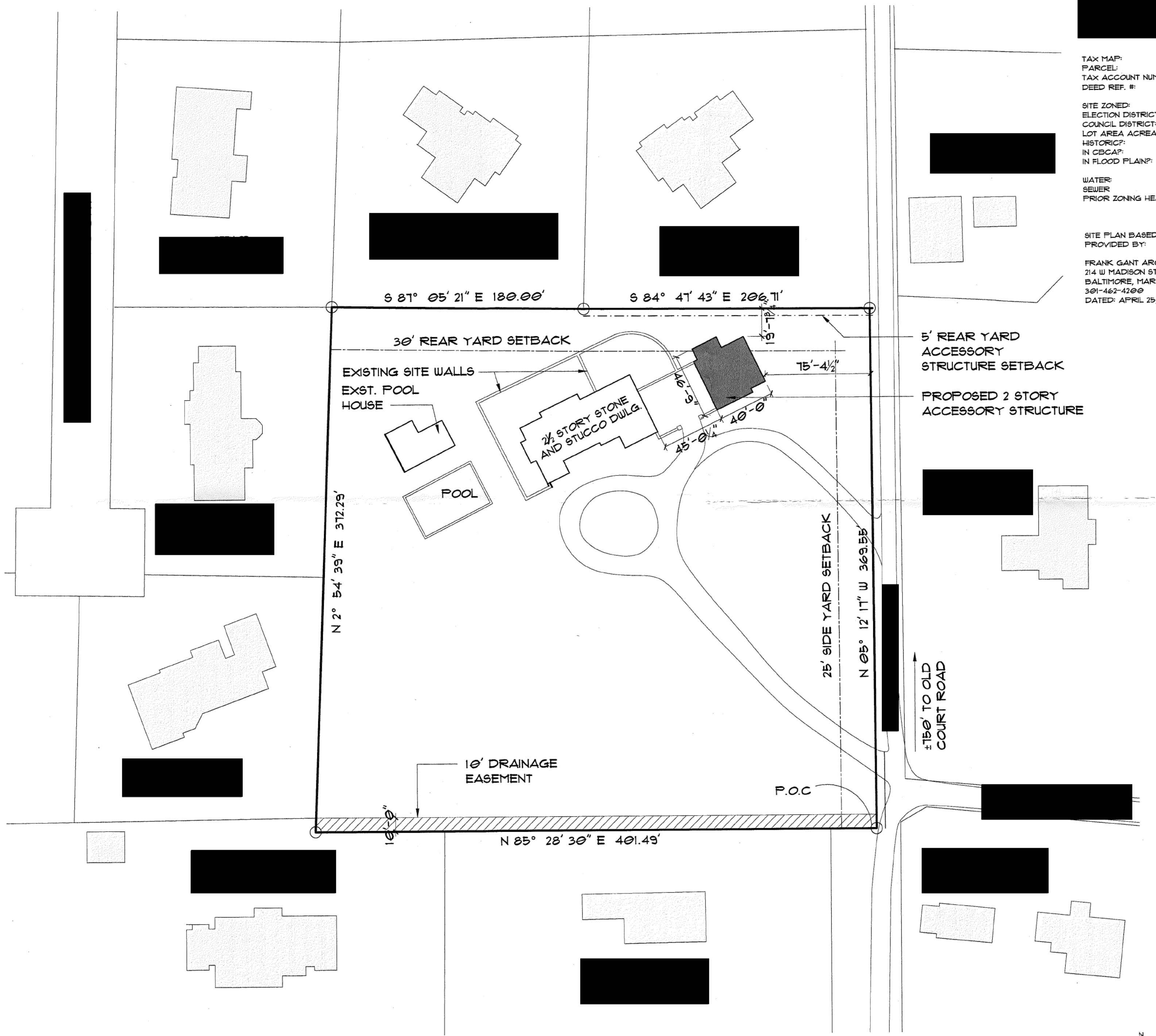


2021-0049-A



2021-0049-A





OWNER:



TAX MAP:
PARCEL:
TAX ACCOUNT NUMBER:
DEED REF. #:

SITE ZONED:
ELECTION DISTRICT:
COUNCIL DISTRICT:
LOT AREA ACREAGE:
HISTORIC?:
IN CBCA?:
IN FLOOD PLAIN?:

WATER:
SEWER:
PRIOR ZONING HEARING:

WELL:
SEPTIC:
NO

SITE PLAN BASED ON INFORMATION
PROVIDED BY:

FRANK GANT ARCHITECTS
214 W MADISON STREET
BALTIMORE, MARYLAND 21201
301-462-4200
DATED: APRIL 25, 1994

ANA
ANDY NIAZY
ARCHITECTURE

ISSUED FOR: DATE:

ARCHITECT
ANDY NIAZY ARCHITECTURE
3816 BEECH AVENUE
BALTIMORE MARYLAND 21211
andyniazyarchitecture.com
410.803.3396
STRUCTURAL ENGINEER

PROJECT NUMBER

2102

SEAL

ISSUE
PERMIT DRAWINGS

SHEET TITLE
HEARING PLAN

SCALE
1" = 50'-0"

DATE
3/14/2021

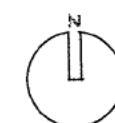
SHEET NUMBER

C1

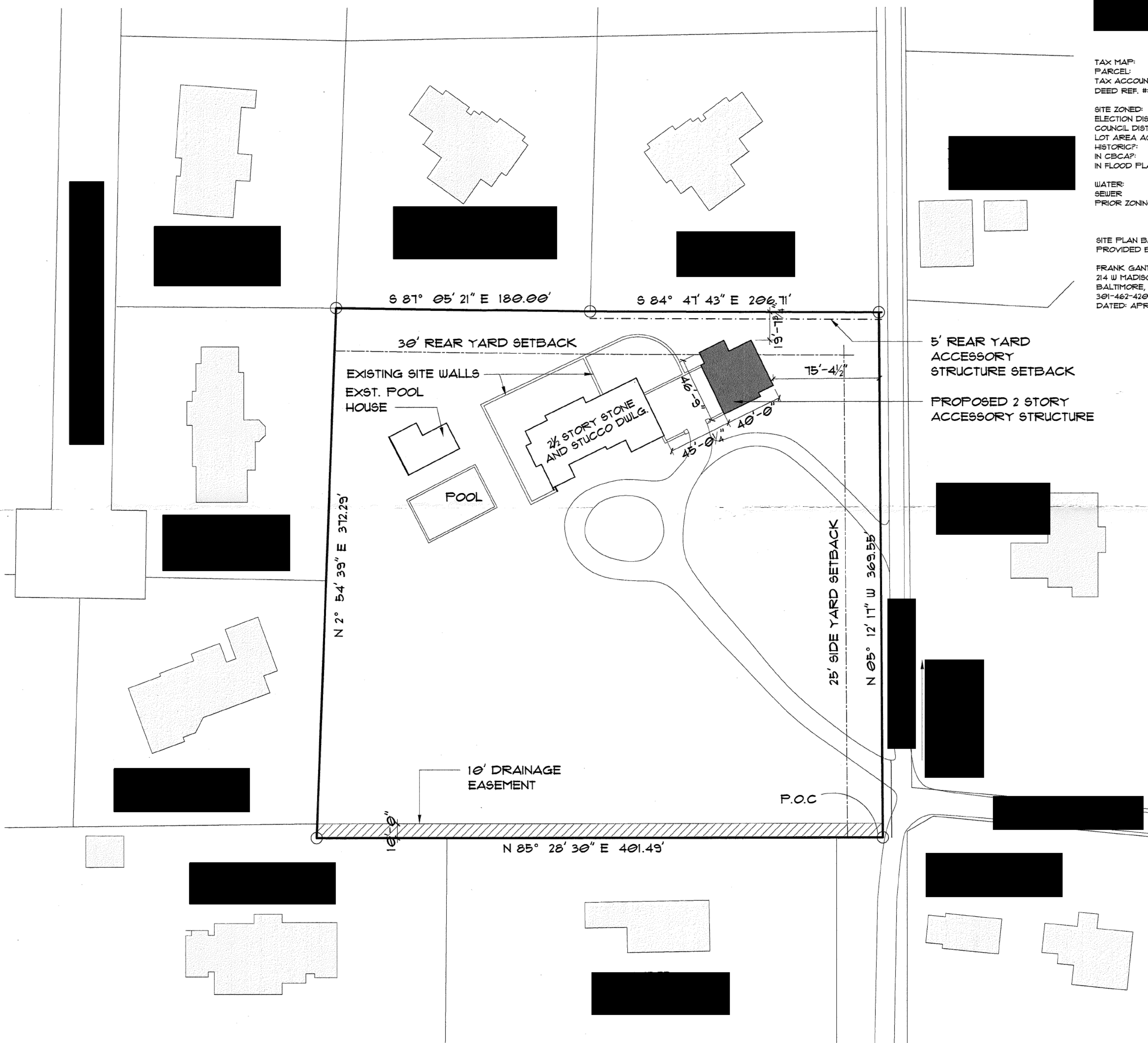
© 2021 ANDY NIAZY ARCHITECTURE, LLC

1 HEARING PLAN

1" = 50'-0"
0 5 10 20 50 100



Pet. Exp. 1



OWNER: [REDACTED]

TAX MAP:
PARCEL:
TAX ACCOUNT NUMBER:
DEED REF. #:

SITE ZONED:
ELECTION DISTRICT:
COUNCIL DISTRICT:
LOT AREA ACREAGE:
HISTORIC?
IN CBCAP?
IN FLOOD PLAIN:

WATER:
SEWER:
PRIOR ZONING HEARING:

WELL:
SEPTIC:
NO

SITE PLAN BASED ON INFORMATION
PROVIDED BY:

FRANK GANT ARCHITECTS
214 W MADISON STREET
BALTIMORE, MARYLAND 21201
301-462-4200
DATED: APRIL 25, 1994

ANA
ANDY NIAZY
ARCHITECTURE

ISSUED FOR	DATE

ARCHITECT
ANDY NIAZY ARCHITECTURE
3816 BEECH AVENUE
BALTIMORE, MARYLAND 21211
andyniazyarchitecture.com
410.803.3396
STRUCTURAL ENGINEER

2102

SEAL

ISSUE
PERMIT DRAWINGS
SHEET TITLE
HEARING PLAN

SCALE
1" = 50'-0"
DATE
3/14/2021

SHEET NUMBER

C1

© 2021 ANDY NIAZY ARCHITECTURE, LLC

1 HEARING PLAN

1" = 50'-0"

0 5 10 20 50 100

N
Pet. Ech. 1

OWNER: [REDACTED]

TAX MAP:
PARCEL:
TAX ACCOUNT NUMBER:
DEED REF. #:

ZONING MAP#:
SITE ZONED:
ELECTION DISTRICT:
COUNCIL DISTRICT:
LOT AREA ACREAGE:
HISTORIC?:
IN CBCAP:
IN FLOOD PLAIN?:

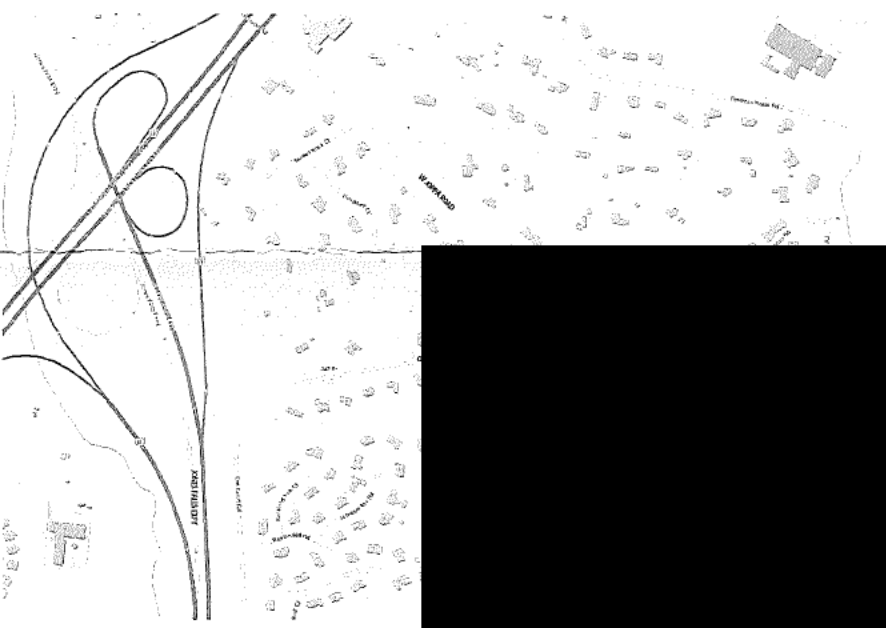
WATER:
SEWER:
PRIOR ZONING HEARING:

WELL:
SEPTIC:
NO

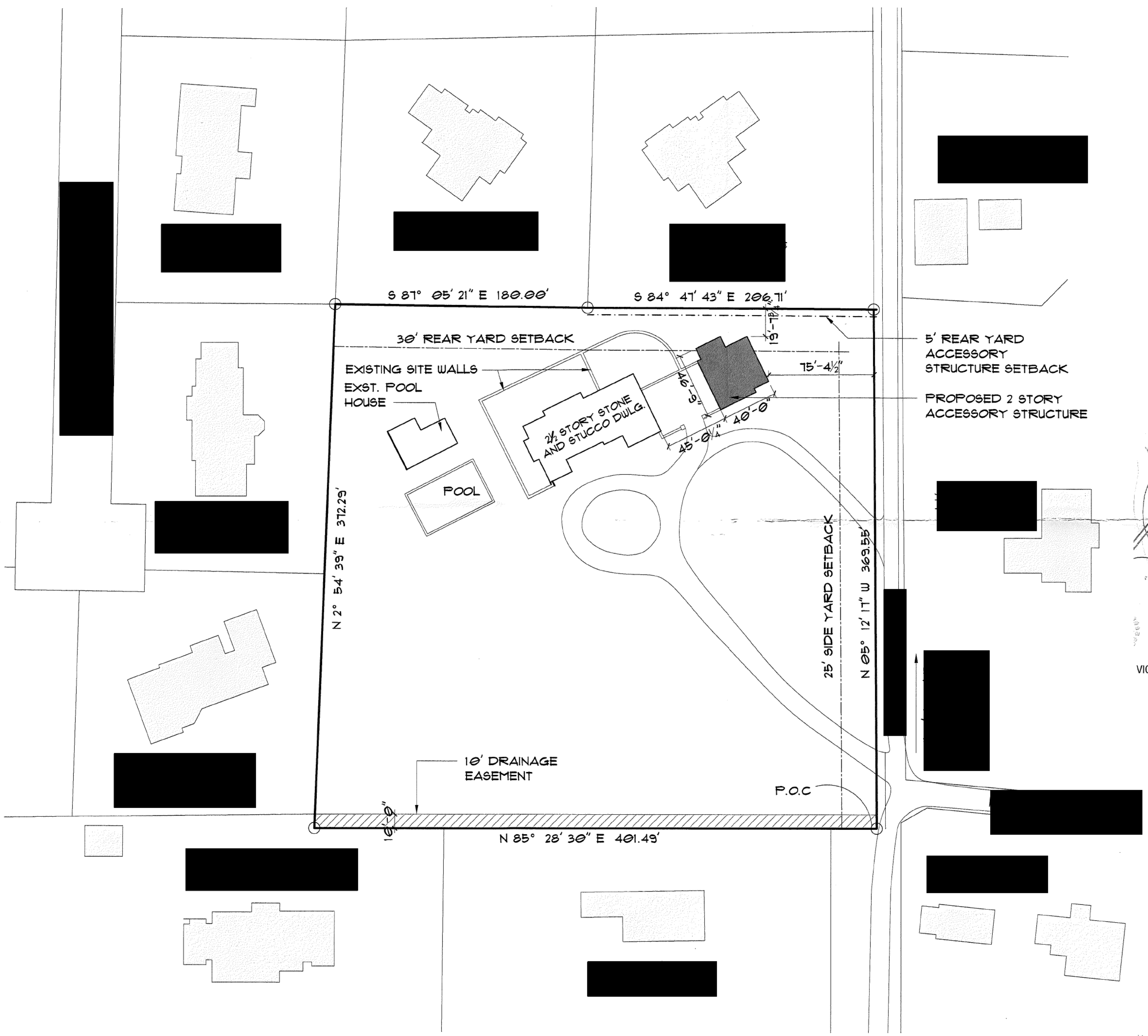
SITE PLAN BASED ON INFORMATION
PROVIDED BY:

COLBERT MATZ ROSENFELT, INC
2835 SMITH AVE, SUITE 6
BALTIMORE, MARYLAND 21209
410-693-3838

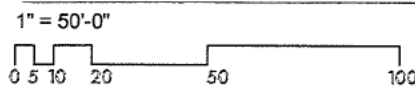
DATED: JANUARY 12, 1998



VICINITY PLAN (NOT TO SCALE)



1 HEARING PLAN



ANA
ANDY NIAZY
ARCHITECTURE

PROJECT NAME

SHEET TITLE
HEARING PLAN

SCALE
1" = 50'-0"

DATE
4.7.2021

SHEET NUMBER

2021-0049-A

C1