



JOHN A. OLSZEWSKI, JR.
County Executive

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

March 27, 2023

Sara and William Eckard – saratwin2@comcast.net
8105 Murray Point Road
Dundalk, MD 21222

RE: Petition for Administrative Variance
Case No. 2023-0038-A
Property: 8105 Murray Point Road

Dear Mr. and Mrs. Eckard:

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 black ink that reads "Maureen E. Murphy". The signature is written in a cursive style with a large, stylized "M" and "E".

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(8105 Murray Point Road)		
12 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
Sara and William Eckard	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0038-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Sara and William Eckard (“Petitioners”) for the property located at 8105 Murray Point Road, Dundalk, Maryland (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”) §400.1: To permit a proposed accessory building (shed) located in the side yard in lieu of the required rear yard. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1 (the “Site Plan”). Street view photographs were provided showing the proposed area for the accessory structure (shed) in the side yard. (Pet. Exs. 2A-2C).

The only Zoning Advisory Comment (“ZAC”) comment received was from the Department of Environmental Protection and Sustainability (“DEPS”) dated March 3, 2023, indicating that the property is in the Chesapeake Bay Critical Bay Area (“CBCA”). Petitioners having filed a Petition for Administrative Variance and the Property having been posted on March 5, 2023 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented. The Petitioners have filed a supporting affidavit as required by §32-3-303 of the Baltimore County Code (“BCC”).

In this case, the Site Plan shows two (2) existing sheds in the rear yard: (A) the first shed is located in the right rear corner, the measurements of which are shown to be 22.6 ft. by 24 ft., or 542.4 sf ("Shed 1"); and (B) a second shed is located in the left rear corner without any measurements provided ("Shed 2"). My Neighborhood aerials from Baltimore County website does not show Shed 2 on the Property.

With regard to Shed 1, in Case No. 2000-0371-A, Variance relief for additional height of 3 ft was granted where the prior owner replaced a former, dilapidated shed with Shed 1 as shown on the prior site plan (the "Prior Site Plan"). A copy of the Prior Site Plan has been placed in the file. It is noted that the existence of Case No. 2000-0371-A was not listed on Petitioner's Site Plan as required. My Neighborhood aerials, and the aerial in Google Maps, shows that Shed 1 has been added onto, beyond the footprint shown on either the Prior Site Plan or the Petitioners' Site Plan. The street view photographs of Shed 1 show what appears to be a roof overhang or extension which covers area in the rear yard. Yet, the size and shape of Shed 1 on the Site Plan as drawn by Petitioners does not show the roof overhang or extension; it shows a smaller, square shape structure, reflective of the shed approved in Case No. 2000-0371-A.

The Prior Site Plan also shows a 5 ft. easement along the rear boundary line and yet, that easement is also not shown on the Site Plan (although an unidentified 'easement' is listed on the Affidavit). It is not clear whether Shed 1 or Shed 2 are located within that easement. The Prior Site Plan also indicates that the Property is located within Flood Zone A and the Site Plan confirms that it is located within a floodplain. Notwithstanding the floodplain issue, there is no ZAC comment from Development Plans Review ("DPR") in regard to that important fact.

Petitioners are seeking Variance relief here to construct and/or install a third (3rd) shed (“Shed 3”) in the side yard in front of Shed 1. (See street view photographs for location). Shed 3 is proposed to measure 16 ft. x 24 ft. (384 sf). Based on the Petitioner’s Affidavit, shed 3 is to ‘replace’ two (2) other sheds, each measuring 6 ft. x 12 ft. or 72 sf (total 144 sf) (the “replaced sheds”). According to this information, prior to seeking Variance relief here, Petitioners would have had a total of four (4) sheds on the Property which Property is less than ¼ acre in size. The aerial from Google Maps taken in 2023 shows the replaced sheds are both located in the side yard and, despite the Petitioner’s allegation, they do not appear to be of equal size. Neither Shed 2 nor the replaced sheds are shown on the Prior Site Plan. Importantly, prior to the instant case, no Variance relief was requested to locate any accessory structures in the side yard. My Neighborhood aerial shows a structure in the side yard without any zoning approval. (Pet. Ex. 3).

Based evidence provided, the requested Variance relief will be denied. The Petitioner’s reasoning for requesting Variance relief to construct/install a 3rd shed in the side yard is because the rear yard is ‘mush-y’. This is likely due to the floodplain issue which has not been addressed. Yet, despite the ‘mush-y’ rear yard, this does not prevent the existence of either Shed 1 or Shed 2 being located there. Additionally, Petitioners contend that the rear yard ‘easement’ is another reason they are unable to locate the proposed 3rd shed in the rear yard. Yet, this allegation is inconsistent with the Prior Site Plan which shows only a 5 ft. rear boundary line easement which would not prevent a 3rd shed being installed in the middle of the Petitioners’ rear yard. If Petitioners can satisfy the lot area coverage limits imposed by the CBCA, meet all County environmental regulations and floodplain regulations, as well as meet BCZR, §400, Petitioners may be able to construct their desired 3rd shed in the rear yard.

A variance request involves 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).

I find based on the totality of the evidence as set forth herein, that Petitioners have failed to meet the practical difficulty standard necessitating this Variance relief. I find that the alleged reason for needing side yard location for a 3rd shed is only for the convenience of the Petitioners. In *Chesley v. Annapolis*, 933 A.2d 475, 176 Md. App. 413 (Md. App. 2007), the Court of Special Appeals relied on the Court of Appeals holding in *Belvoir Farms Homeowners Ass'n. Inc. v. North*, 355 Md. 259, 276, 734 A.2d 227 (1999), wherein the Court recognized that the purpose of zoning restrictions is "to prevent exceptions as far as possible," so that the specific need for the variance "must be substantial and urgent and not merely for the convenience of the applicant[.]" (citing *Carney v. City of Baltimore*, 201 Md. 130, 137, 93 A.2d 74 (1952)). The *Chelsey* Court emphasized the Court of Appeals' holding in *Belvoir Farms* in stating that: "it generally is not a hardship to be without a desired convenience or amenity on one's property, because zoning restrictions are to be enforced in the absence of a "substantial and urgent" need for a variance." *Id.* At 933 A.2d 488. (See *Belvoir Farms Homeowners Ass'n*, 355 Md. at 261, 734 A.2d 227). The *Chelsey* Court stated: "the fact that a particular improvement would enhance the owner's enjoyment of the property did not establish that it would be a hardship to continue using the property without the variance." *Id.* At 933 A.2d 488-489. See, e.g., *Citrano v. North*, 123 Md. App. 234, 717 A.2d 960 (1998) (fact that proposed deck created a "pleasant amenity" did not create hardship); *North v. St. Mary's County*, 99 Md. App. 502, 519, 638 A.2d 1175 (owner's desire to build gazebo to read and view creek is not evidence of hardship), *cert. denied sub nom. Enoch v. North*, 336 Md. 224, 647 A.2d 444 (1994).

To be clear, the desired relief for a 3rd shed is a self-inflicted hardship which does not support a finding of practical difficulty. The law is clear that self-inflicted hardship cannot form the basis for a claim of practical difficulty. Speaking for the Court in *Cromwell, supra*, Judge Cathell noted:

Were we to hold that self-inflicted hardships in and of themselves justified variances, we would, effectively, not only generate a plethora of such hardships but we would also emasculate zoning ordinances. Zoning would become meaningless. We hold that practical difficulty or unnecessary hardship for zoning variance purposes cannot generally be self-inflicted.

Cromwell, at 722. For the reasons given above, the requested Variance will be denied.

THEREFORE, IT IS ORDERED, this 27th day of **March, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.1 to permit a proposed accessory structure (shed) to be located in the side yard in lieu of the required rear yard, be and is hereby **DENIED**.

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

A handwritten signature in cursive script that reads "Maureen M. Murphy".

MAUREEN M. MURPHY
Administrative Law Judge
for Baltimore County

MEM: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 8105 Murray Pt. Rd Currently Zoned DR5.5
Deed Reference 45 147-00161 10 Digit Tax Account # 1 2 1 3 0 8 7 0 2 0
Owner(s) Printed Name(s) Sara & William Eckard

(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)

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 zoning regulations of Baltimore County, to the zoning 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):

Sara Eckard, William Eckard
Name #1 – Type or Print Name #2 – Type or Print

Sara Eckard, William Eckard
Signature #1 Signature #2

8105 Murray Pt. Rd. Dundalk, MD
Mailing Address City State

21222, 443-216 / 410-288-
Zip Code Telephone #'s (Cell and Home) 8692 / 1624, saratwind@comcast.net
Email Address

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

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

Representative to be Contacted:

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

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for

Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2023-0035-A Filing Date 2/23/23 Estimated Posting Date 3/5/23 Reviewer gh

Revised 8/2022

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: 8105 Murray Point Road Dundalk, MD 21222
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)

This shed is proposed to be 16x24
replacing 2 separate sheds that were 6x12 each
asking for a variance because it is on the
side of the yard. Back yard is very
Mush-y plus there is an easement.

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

Sara Eckard
Signature of Owner (Affiant)

Sara Eckard
Name - Print or Type

William Eckard
Signature of Owner (Affiant)

William Eckard
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 30 day of JANUARY, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

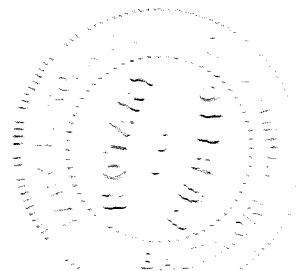
Print name(s) here: MARY E. FOINICK

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

2/23/2024
My Commission Expires



2023-0038-A

2023-0038-A

Administrative Variance; from section 400.1 of the BCZR
To permit a proposed accessory building (shed) located in the side yard in lieu of the
required rear yard.

Zoning Petition Property Description

Part A & B:

ZONING DESCRIPTION FOR 8105 Murray Point Road

Beginning at a point on the south side of Murray Point Road. Which is 50 feet wide at the distance of 220 feet South of the centerline of the nearest improved intersecting street Dundalk avenue which is 75 feet wide.

Being lot #4, Section C in the subdivision of Murray Point as recorded in the Baltimore County Plat Book# 17, Folio# 26, containing 8975.5 square feet. Also known as 8105 Murray Point Road and located in the 12th election district, 7th councilman district.



ADMINISTRATIVE ZONING PETITION
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Owner(s)/Petitioner(s):

Sara Eckard, William Eckard
Name #1 – Type or Print Name #2 – Type or Print

Sara Eckard, William Eckard
Signature #1 Signature #2

8105 Murray Pt. Rd. Dundalk, MD
Mailing Address City State

21222, 443-216 / 410-288-
Zip Code Telephone #'s (Cell and Home) Email Address saratwind@comcast.net

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

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

Representative to be Contacted:

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

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for

Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

Case Number 2023-0035-A Filing Date 2/23/23 Estimated Posting Date 3/5/23 Reviewer gh

Revised 8/2022

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side of the yard. Back yard is very
Mush-y plus there is an easement.

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

Sara Eckard
Signature of Owner (Affiant)

Sara Eckard
Name - Print or Type

William Eckard
Signature of Owner (Affiant)

William Eckard
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 30 day of JANUARY, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

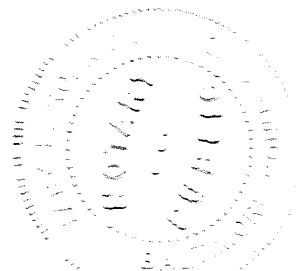
Print name(s) here: MARY E. FOJNICK

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

2/23/2024
My Commission Expires



2023-0038-A

2023-0038-A

Administrative Variance; from section 400.1 of the BCZR
To permit a proposed accessory building (shed) located in the side yard in lieu of the
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Being lot #4, Section C in the subdivision of Murray Point as recorded in the Baltimore County Plat Book# 17, Folio# 26, containing 8975.5 square feet. Also known as 8105 Murray Point Road and located in the 12th election district, 7th councilman district.

CERTIFICATE OF POSTING

2023-0038-A

RE: Case No.: _____

Petitioner/Developer: _____

Sara & William Eckert

March 20, 2023

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

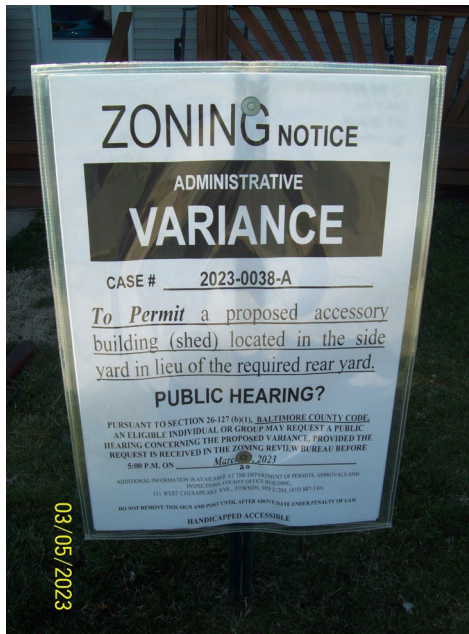
Ladies and Gentlemen:

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

8105 Murray Point Road ***SIGN 1***

March 5, 2023

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 March 5, 2023
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2023-0038-A

RE: Case No.: _____

Petitioner/Developer: _____

Sara & William Eckert

March 20, 2023

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

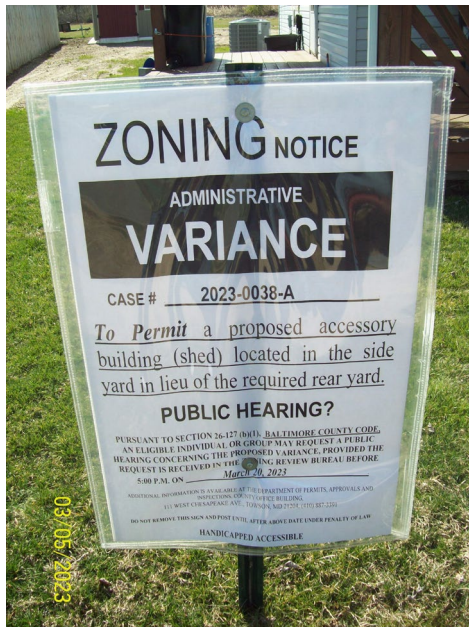
Ladies and Gentlemen:

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

8105 Murray Point Road ***SIGN 2***

March 5, 2023

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 March 5, 2023
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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: March 3, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0038-A
Address: 8105 Murray Point Rd.
Legal Owner: Sara and William Eckard

Zoning Advisory Committee Meeting of March 6, 2023.

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

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area (CBCA) and is subject to Critical Area requirements. The applicant is proposing to construct a 16 ft. x 24 ft. shed in the side yard of an existing dwelling. The lot is not waterfront, but the 100-foot Critical Area buffer encompasses a portion of the area of the property where the shed is to be located. Any proposed development within the CBCA portion of the property must meet IDA requirements for 10% pollution reduction. Any construction within the 100-foot Critical Area buffer requires a Critical Area Administrative Variance. If the applicant complies with any mitigation required to meet 10% pollution reduction requirements and complies with Critical Area buffer regulations, the requested amendment will result in minimal adverse impacts to water quality. EIR cannot guarantee that a Critical Area Administrative Variance will be granted.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront. Any new development within the CBCA must meet IDA requirements for 10% pollution reduction and 100-foot Critical Area Buffer requirements. A Critical Area Administrative Variance may be required in order to comply with 100-foot buffer regulations. If the applicant complies with any mitigation requirement to achieve 10% pollution reduction along with the 100-foot buffer regulations, this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

This is a grandfathered lot. Provided that the applicants meet the IDA requirements for 10% pollution reduction and with 100-foot buffer regulations, which may require a Critical Area Administrative Variance, then the relief requested will be consistent with the established land-use policies.

Additional Comments:

Reviewer: Libby Errickson 3/3/23

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING February 27, 2023
FORMAL OR INFORMAL RESPONSE DUE AT March 6, 2023 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.gov
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovment@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov; Jesse Krout, jkrout@baltimorecountymd.gov
People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
Public Works (Terry Curtis), MS #1315, tcurtis@baltimorecountymd.gov
* IF ELDERLY HOUSING, Community Development, MS #1102M
* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2023-0030-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Nicholas Mayfield and Brittany Pizzano
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 7 **Council Dist:** 3

Property Address: 16951 BIG FALLS RD

Location: Property located on the South East side of the intersection of Big Falls Rd. & Monkton Rd.

Existing Zoning: RC 4 **Area:** 24,567 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 400.3: To permit a proposed accessory building with a height of 25 feet in lieu of the maximum height of 15 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/13/2023

Miscellaneous Notes:

Case Number: 2023-0031-A **Reviewer:** Mitchell Kellman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Jara Custom Desgins, LLC.
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 6

Property Address: 1415 ROSEWICK AVE

Location: Property located on the Southwest side of Rosewick Ave., 820 feet Northwest centerline of Redmore Rd.

Existing Zoning: DR 5.5 **Area:** .543 ACRES

Proposed Zoning:

VARIANCE:

BCZR 400.1: To permit an accessory building (detached garage) in the side yard in lieu of the rear yard, and if necessary, to be located outside of the third of the lot furthest removed from any street.

Attorney: Edward Gillis

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0032-A **Reviewer:** Shaun Crawford
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Matthew and Samantha Bell
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 7 **Council Dist:** 3

Property Address: 11 MIDDLE WOODS CT

Location: Property located beginning at the East side of Middle Woods Ct. at a distance of 1,060 ft. South of Middle Town Rd.

Existing Zoning: RC 4 (VESTED RC 5)

Area: 2.32 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 103.3, 1A00.4, 1B01.3A.1 (1A04.3.B.3 vested BCZR 1994 Zoning regulations RC5): To approve a garage addition on the left side of the existing dwelling with a setback of 14 feet in lieu of the required 50 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/06/2023

Miscellaneous Notes:

Case Number: 2023-0033-A **Reviewer:** Mitchell Kellman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Manuel and Carlos Tenezaca
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 7135 MARTELL AVE

Location: Property located on the corner of South side of Martell Ave., West side of East Ave.

Existing Zoning: DR 5.5

Area: 11,950 SQ FT.

Proposed Zoning:

VARIANCE:

BCZR 400.3: To permit an accessory building (detached garage) with a height of 24 feet in lieu of 15 feet, and if necessary, from section 101 to permit an accessory building larger than the existing principal building (dwelling).

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0034-A **Reviewer:** Christina Frink

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: VARIANCE

Legal Owner: Amy Goldberg

Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 1 OVERLOOK LN

Location: Property located at the intersection of Overlook Place and Overlook Lane.

Existing Zoning: DR 2 AND DR 16

Area: 4.9816 ACRES

Proposed Zoning:

VARIANCE:

1.) BCZR 400.1: To permit a proposed accessory building (pool house) to be located partially in the side yard outside of the one third of the lot farthest removed from any street.

2.) BCZR 400.1: To permit an existing accessory structure (pool) to be located partially in the side yard outside of the one third of the lot farthest removed from any street.

3.) BCZR 400.1: To permit a proposed accessory building(garage/gym) to be located in the side yard and partially in the front yard and outside of the one third of the lot farthest removed from any street.

4.) BCZR 1B02.3.C.1(chart): If necessary, to permit a front yard setback of 30 feet in lieu of the required 40 feet if the proposed accessory structure (garage/gym) is deemed to be attached.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0035-SPHXA **Reviewer:** Mitchell Kellman
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE, SPECIAL EXCEPTION, SPECIAL HEARING
Legal Owner: Fazal Sirhandi, 8485 Honeygo, LLC.
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 8485 HONEYGO BLVD

Location: Property located the corner of North side of Mercantile Rd., East side of Honeygo Blvd.

Existing Zoning: BR-AS **Area:** 1.69 ACRES

Proposed Zoning:

VARIANCE:

- 1.) BCZR 405.4.A.3.c: To permit eight (8) stacking spaces in lieu of the required sixteen (16) stacking spaces at pump islands that contain multiproduct dispensers (MPD); and
- 2.) For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

SPECIAL EXCEPTION:

- 1.) BCZR 236.2 and 405: For the expansion, reconstruction or addition of an existing fuel service station with combined convenience store and carry-out restaurant, with a gross floor area under 6,000 Square Feet, and roll over car wash; and
- 2.) For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

SPECIAL HEARING:

- 1.) BCZR 405: The amendment of the approved fuel service station with combined convenience store and carry-out restaurant, with a gross floor area of 6,000 square feet, and roll over car wash is permitted by right as an ancillary use and use in combination with fuel service stations;
- 2.) For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Attorney: Jason Vettori

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0036-A **Reviewer:** Mitchell Kellman

Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: VARIANCE

Legal Owner: MGK Realty, LLC.

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 8 **Council Dist:** 3

Property Address: YORK RD

Location: Property located on the East side of York Rd., 403 feet South of the centerline of Cockeysville Rd.

Existing Zoning: BL-AS/ BM

Area: .664 ACRES

Proposed Zoning:

VARIANCE:

BCZR 409.6: To permit 37 parking spaces in lieu of the required 51.

BCZR 303.2: To permit a front average setback of 10 feet in lieu of the required 41 feet.

And for such other and further relief as the nature of this case may require.

Attorney: TIM KOTROCO

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0037-SPH **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Chad and Wendi Gauss
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 10 **Council Dist:** 3

Property Address: 13312 BRIGHTON VIEW CT
Location: Property located on the North side of Brighton View Ct.; 460 feet west of Dance Mill Rd.

Existing Zoning: RC 4 **Area:** 1.52 ACRES
Proposed Zoning:
SPECIAL HEARING:
BCZR 500.7: To construct an accessory building (pool house) to be used for personal entertainment purposes only, with a full bath and full kitchen.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date:

Miscellaneous Notes:

Case Number: 2023-0038-A **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Sara and William Eckard
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 8105 MURRAY PT. RD
Location: Property located on the West side of Murray Pt. Rd. North 239 feet to centerline of Dundalk Ave.

Existing Zoning: DR 5.5 **Area:** 5,842 SQ FT.
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
BCZR 400.1: To permit a proposed accessory building (shed) located in the side yard in lieu of the required rear yard.
Attorney: Not Available
Prior Zoning Cases: 2000-0371-A
Concurrent Cases: None
Violation Cases: None
Closing Date: 03/20/2023

Miscellaneous Notes:

ZAC AGENDA

Case Number: 2023-0039-A **Reviewer:** Shaun Crawford

Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Christopher and Jacqueline Lom

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 1501 RIDGE RD

Location: Property located beginning at the South side of Ridge Rd. at a distance of 158 feet West of Oak Forest Park.

Existing Zoning: DR 2

Area: 10,000 SQ FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR 1B02.C.3.C.1: To permit a proposed dwelling addition with a side yard setback of 2 feet and a sum of side yard setback of 21 feet in lieu of the required 15 feet and 40 feet, respectively.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 03/20/2023

Miscellaneous Notes:

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVAL AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023-0038-A Address 8105 Murray Point Road

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

Filing Date: 2/23/23 Posting Date: 3/5/23 Closing Date: 3/20/23

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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2023-0038-A Address 8105 Murray Point Road

Petitioner's Name: Sara & Williams Eckert Telephone (Cell) 410-288-1624

Posting Date: 3/5/23 Closing Date: 3/20/23

Wording for Sign: To Permit To permit a propose accessory
building (shed) located in the side yard
in lieu of the required rear yard.



2023-0038-A



side yard

2023-0038-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVAL AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2023-0038-A Address 8105 Murray Point Road

Petitioner's Name: Sara & Williams Eckert Telephone (Cell) 410-288-1624

Posting Date: 3/5/23 Closing Date: 3/20/23

Wording for Sign: To Permit To permit a propose accessory building (shed) located in the side yard in lieu of the required rear yard.



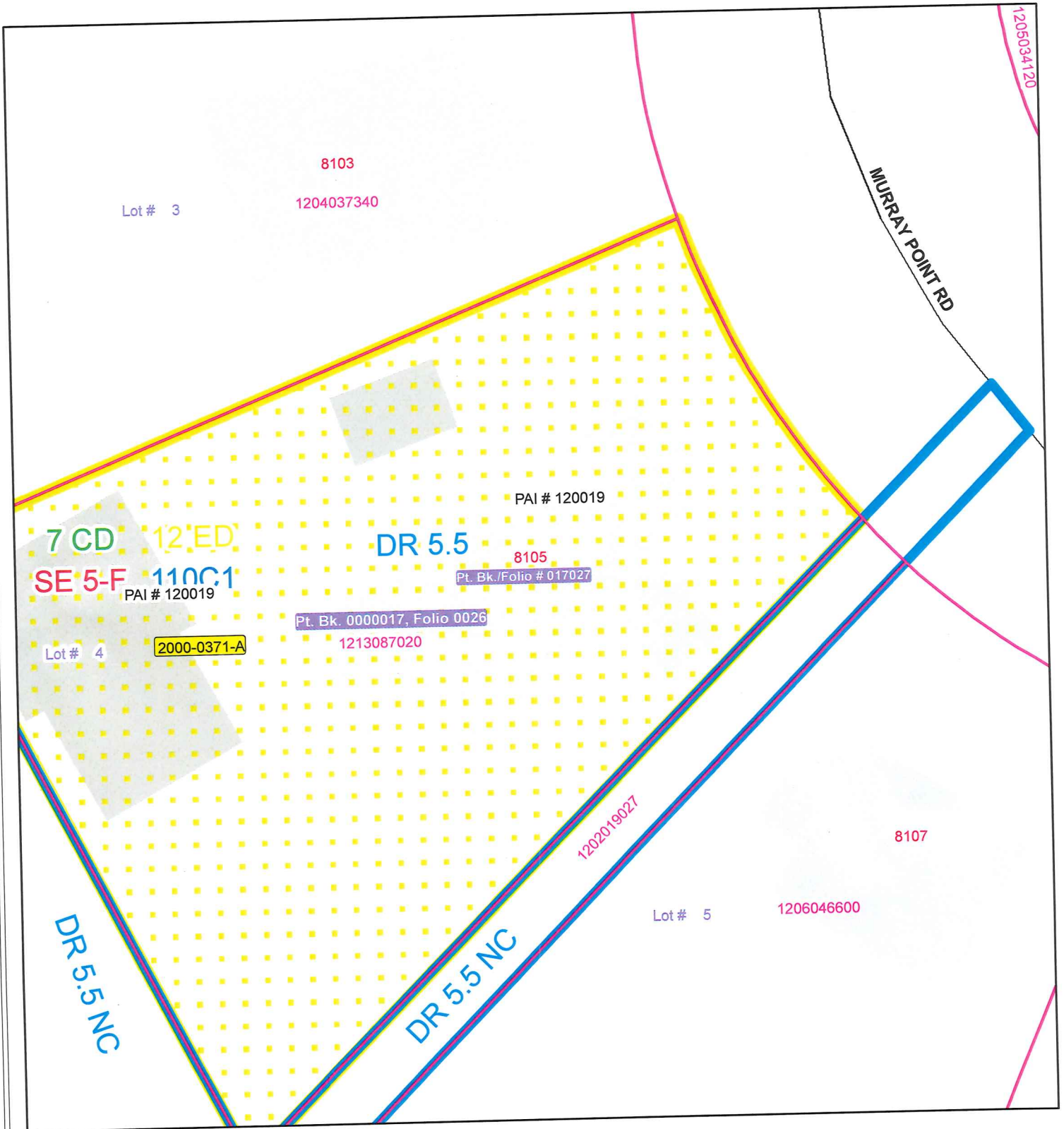
2023-0038-A



side yard

2023-0038-A

Enter Property Address Here



Publication Date: 2/23/2023



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

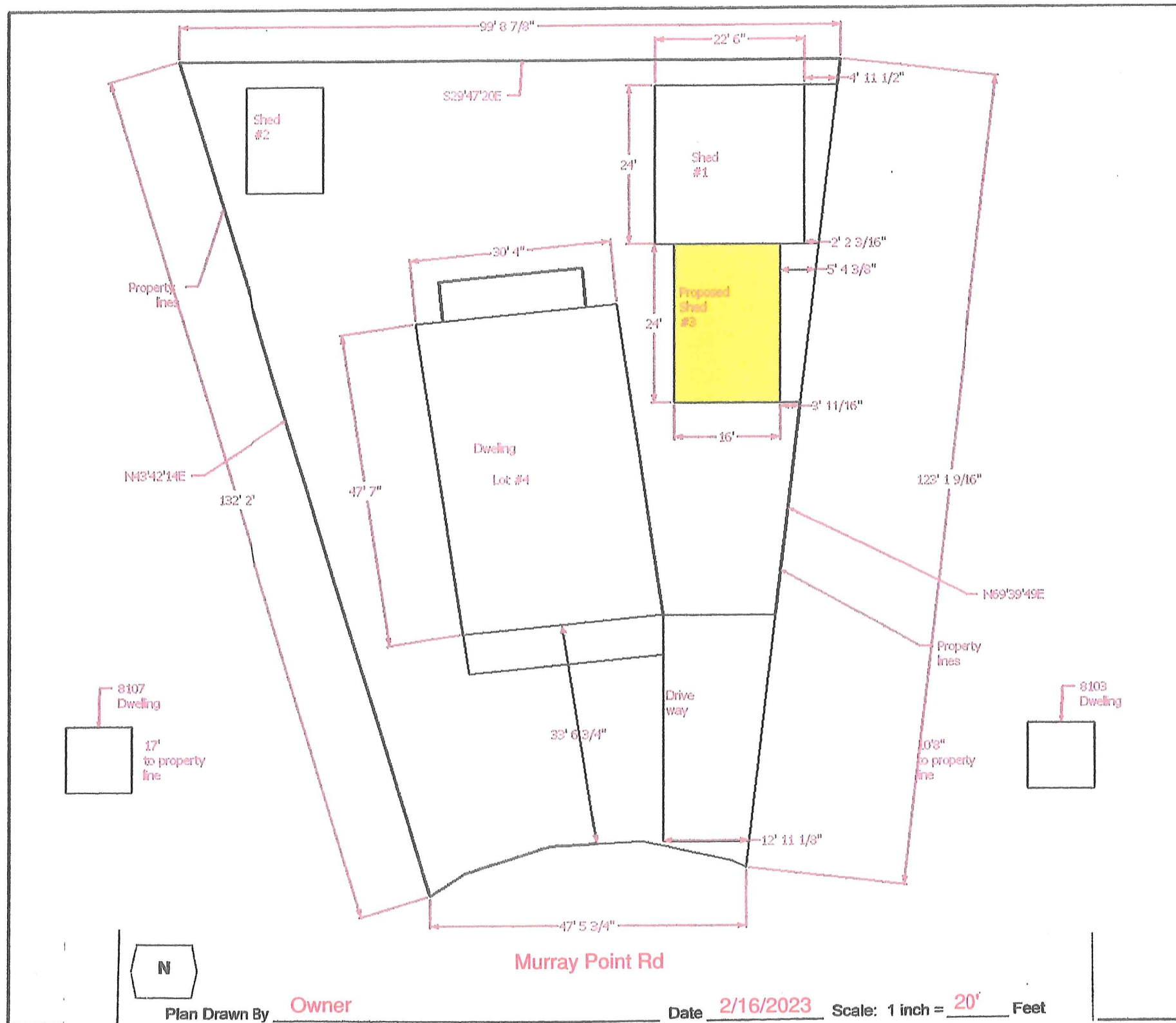


0 5 10 20 30 40 Feet

1 inch = 20 feet

2023-0038-A

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
 Address 8105 Murray Point Rd Dundalk MD 21222 Owners(s) Name(s) Sara & William Eckard
 Subdivision Name Murray Point Sec C Lot # 4 Block # 2 Section # C
 Plat Book # 17 Folio # 26 10 Digit Tax # 1213087020 Deed Reference# 45147 / 00161



Site Vicinity Map

Dundalk Ave

Murray Point Rd

Site

MAP IS NOT TO SCALE

Zoning Map # SE-5F/11 DC1

Zoning DR 5.5

Election District 12

Council District 7

Lot Area Acreage .207

Lot Square Footage 8975.5

Historic (Yes or No) No

CBCA (Yes or No) Yes

Flood Plain (Yes or No) Yes

Utilities – Mark with (X)

Water is:

Public X Private _____

Sewer is:

Public X Private _____

Prior Hearing (Yes or No) No

If (Yes) list Case Number(s)

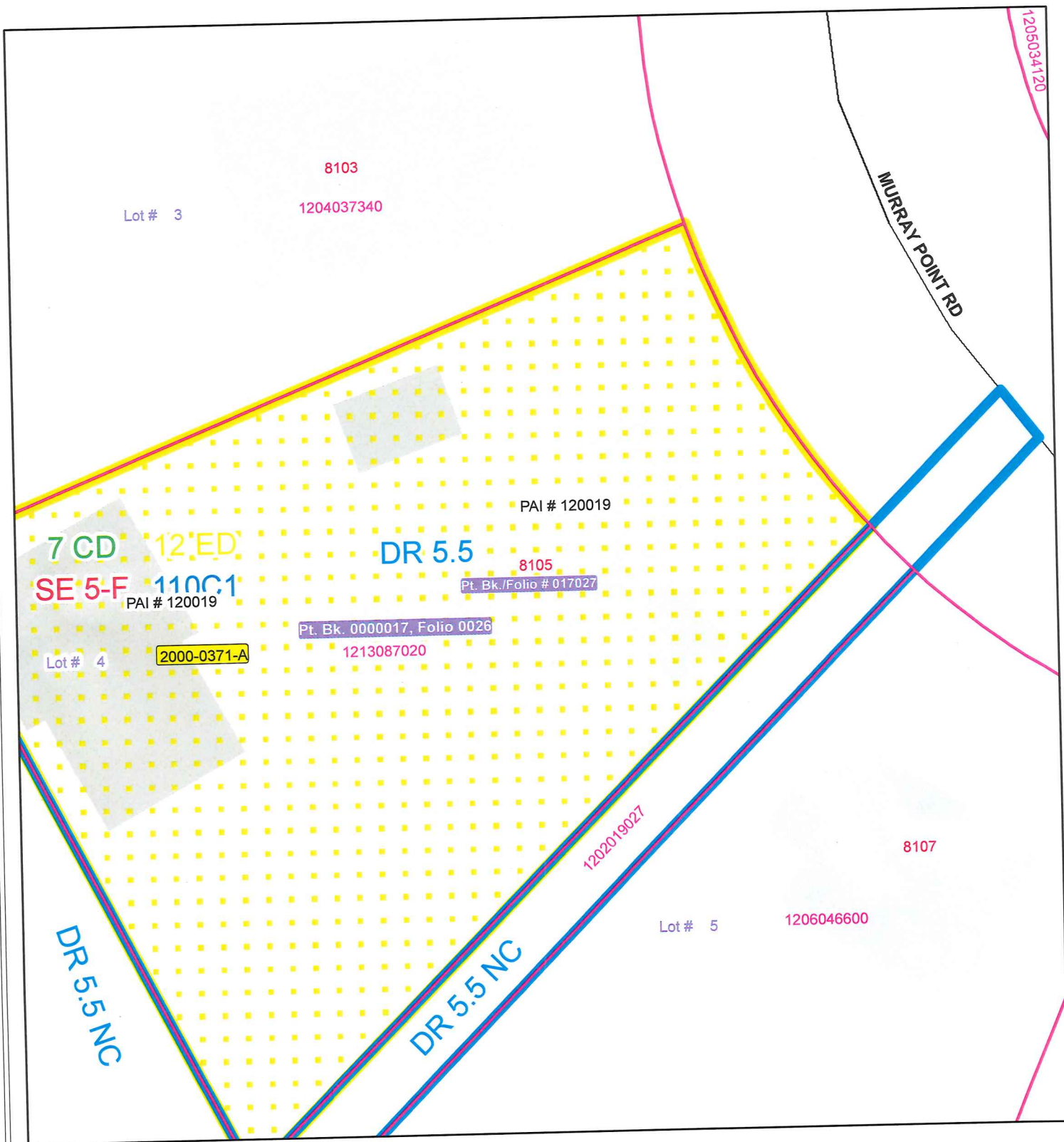
and order result(s) below:

Violation Case Number(s)

Plan Drawn By Owner Date 2/16/2023 Scale: 1 inch = 20' Feet

2023-0630-A

Enter Property Address Here



Publication Date: 2/23/2023



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



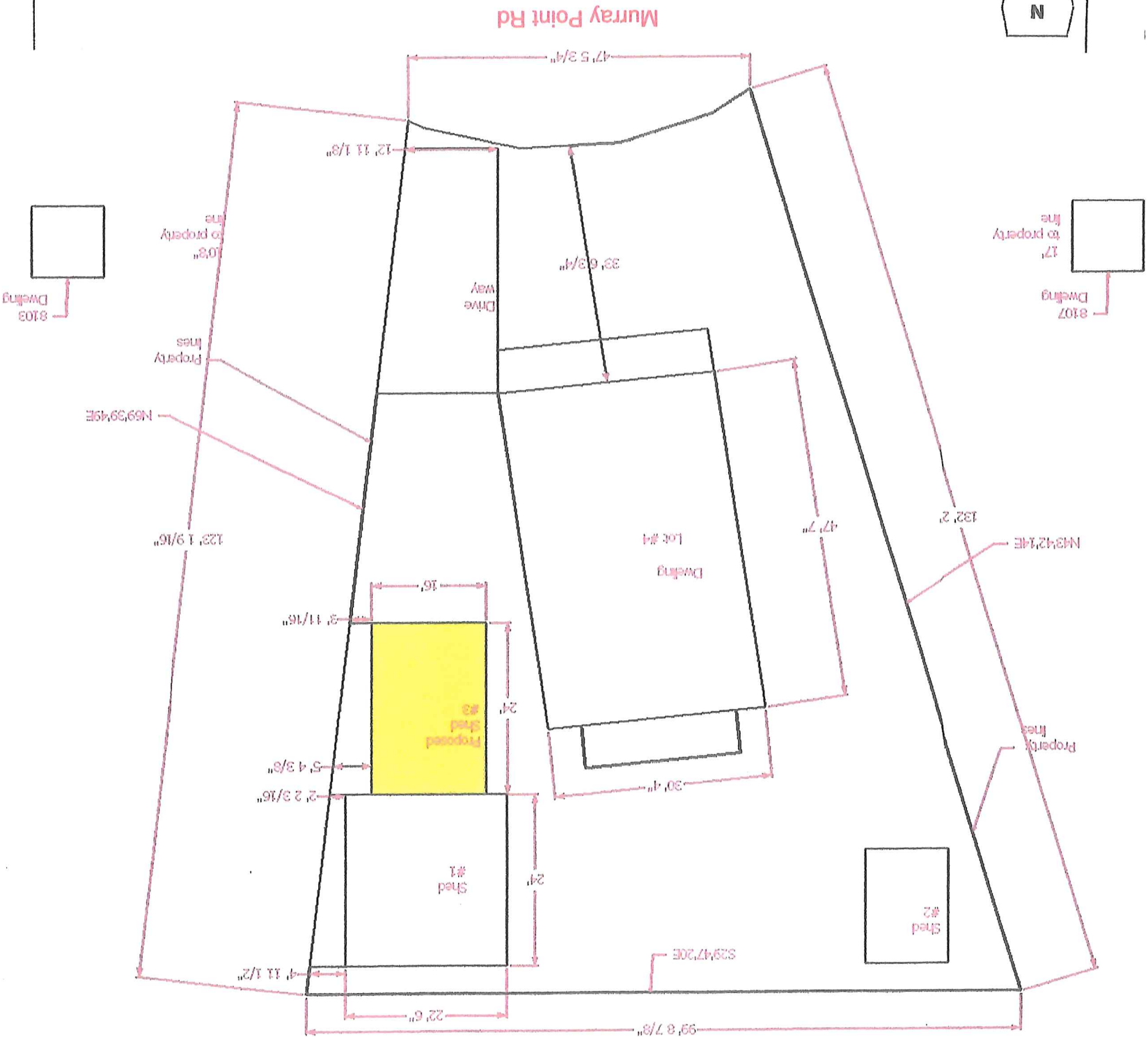
1 inch = 20 feet

2023-0038-A

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
Address 8105 Murray Point Rd Dundalk MD 21222 Owners(s) Name(s) Sara & William Eckard

Subdivision Name Murray Point Sec C Lot # 4 Block # 2 Section # C

Plat Book # 17 Folio # 26 10 Digit Tax # 1213087020 Deed Reference# 45147 / 00161



Site Vicinity Map

Dundalk Ave

Murray Point Rd

Site

MAP IS NOT TO SCALE

Zoning Map # SE-5F/11 DC1 Zoning DR 5.5 Election District 12 Council District 7 Lot Area Acreage .207 Lot Square Footage 8975.5 Historic (Yes or No) No CBCA (Yes or No) Yes Flood Plain (Yes or No) Yes Utilities - Mark with (X) _____ Water is: Public X Private _____ Sewer is: Public X Private _____ Prior Hearing (Yes or No) No If (Yes) list Case Number(s) _____ and order result(s) below:

Violation Case Number(s)