



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 7, 2023

Latonya Ford – latonya.ford17@gmail.com
Jamin Ford
7813 Ava Rose Drive
Baltimore, MD 21236

RE: Petition for Administrative Variance
Case No. 2023-0124-A
Property: 7813 Ava Rose Drive

Dear Petitioners:

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.

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

c: Whitney Gischel – whitney.gischel@greatdayimprovements.com

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(7813 Ava Rose Drive)		
14 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
Jamin & Latonya Ford	*	HEARINGS FOR
Petitioners	*	BALTIMORE COUNTY
	*	CASE NO. 2023-0124-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, Jamin and Latonya Ford (“Petitioners”) for the property located at 7813 Ava Road Drive, Baltimore (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1B01.2.C.1.b: to approve an accessory addition (sunroom) with a rear yard setback of 21 ft., in lieu of the required 30 ft. The Property is more fully depicted on the site plan (the “Site Plan”) which was marked and accepted into evidence as Petitioners’ Exhibit 1. Street view photographs were submitted showing the existing house. (Pet. Ex. 2A-2E).

A Zoning Advisory Comment (“ZAC”) was received from the Department of Development Plans Review (“DPR”). The comment indicates that the proposed deck, sunroom, landing and steps are to be constructed within an existing Baltimore City easement for an emergency underground water tunnel. Permission must be obtained from Baltimore City for development within the easement. If Baltimore City approves of the development, the Department of Public Works & Transportation (“DPWT”) has no exception to the approval of the administrative variance. No building permits may be granted until Baltimore City approval. The DPR will be attached to and incorporated into the Order as a condition of approval.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on June 11, 2023, 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 Site Plan, the Property is uniquely shaped. Given the unique shape of the Property, Petitioners are not able to meet the required rear yard setback for a sunroom or deck. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of BCZR, §307.1. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners. I also find that the requested relief is within the spirit and intent of the BCZR, particularly in light of the lack of opposition, subject to approval by Baltimore City as required in the DPR comment.

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 will be granted.

THEREFORE, IT IS ORDERED, this 7th day of **July, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from the Baltimore County Zoning Regulations (“BCZR”), §1B01.2.C.1b: to approve an accessory addition (sunroom) with a rear yard setback of 21 ft., in lieu of the required 30 ft., respectively, be and it is hereby **GRANTED**.

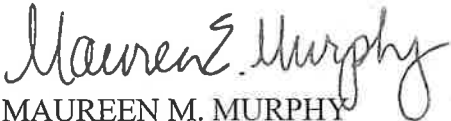
The relief granted herein shall be subject to the following:

1. 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 her 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.

2. Petitioners must comply with the ZAC comment from DPR, a copy is 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.


MAUREEN M. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023-0124 -A Address 7813 Ava Rose Dr

Contact Person: Christina Fink Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6-2-2023 Posting Date: 6-11-2023 Closing Date: 6-26-2023

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: 2023-0124 -A Address 7813 Ava Rose Dr

Petitioner's Name: Latonya Ford & Jamon Ford Telephone (Cell) 443-939-0135

Posting Date: 6-11-2023 Closing Date: 6-26-2026

Wording for Sign: To Permit an accessory addition (sun room) with a rear yard setback of 21 ft in lieu of the
Required 30 ft

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 20, 2023
Item No. 2023-0108-SPHA

DATE: June 21, 2023

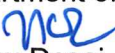
The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

As part of the proposed improvement the County request a 10-foot highway widening along the property frontage (Gorsuch Mill Rd.)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 20, 2023
Item No. 2023-0124-A

DATE: June 21, 2023

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

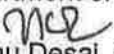
DPW&T Comments:

The proposed deck, sunroom, landing and steps are to be constructed within an existing Baltimore City easement for an emergency underground water tunnel. Permission must be obtained from Baltimore City for development within the easement. If Baltimore City approves of the development, DPWT has no exception to the approval of the administrative variance. No Building permits may be granted until Baltimore City approval.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 20, 2023
Item No. 2023-0124-A

DATE: June 21, 2023

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPW&T Comments:

The proposed deck, sunroom, landing and steps are to be constructed within an existing Baltimore City easement for an emergency underground water tunnel. Permission must be obtained from Baltimore City for development within the easement. If Baltimore City approves of the development, DPWT has no exception to the approval of the administrative variance. No Building permits may be granted until Baltimore City approval.

VKD: JK
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 20, 2023
Item No. 2023-0125-A

DATE: June 21, 2023

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Landscape: If zoning relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: June 21, 2023

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 20, 2023
Item No. 2023-0123-A, 2023-0126-A, 2023-0127-SPHA, 2023-0128-A, 2023-0129-A, 2023-0130-SPHA, and 2023-0131-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comment.

VKD: JK
cc: file

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: June 16, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0124-A
Address: 7818 AVA ROSE DR
Legal Owner: Jamin & Latonya Ford

Zoning Advisory Committee Meeting of June 20, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

ZONING NOTICE

#1

ADMINISTRATIVE VARIANCE

CASE # 2023-0124-A

TO PERMIT AN ACCESSORY ADDITION (SUN ROOM)
WITH A REAR YARD SETBACK OF 21 FT IN LIEU OF
THE REQUIRED 30 FT

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

4:30 P.M. ON 6/26/23

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
COUNTY OFFICE BUILDING,
(410) 887-3391

CERTIFICATE OF POSTING

Date: 6-11-23

RE: Case Number: 2023-0124-A

Petitioner/Developer: FORD

Date of Hearing/Closing: 6-26-23

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 7813 Ava Rose Dr

The signs(s) were posted on 6-11-23
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

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

~~440-343-1443~~ 443-834-3162
(Telephone Number of Sign Poster)

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

No. 220079

Date: 6-2-2023

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	000		6150				75.00
Total:								75.00

Rec

From: 7813 Ava Rose Dr

For: 2023-0124-A

DR 3.5

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CP 23 0484

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM.

GREAT DAY IMPROVEMENTS

700 HIGHLAND RD., E.
MACEDONIA, OH 44056-2160

60828

64-10/610

DATE 5/18/2023

PAY
TO THE
ORDER OF

Baltimore County, Maryland

\$ 75.00

Seventy five

Truist Bank



00
100

DOLLARS

FOR 7813 Ava Rose Dr. Variance

[Signature]

⑈060828⑈ ⑆061000104⑆ 1000216570795⑈

Pt. Bk./Folio # 043106 Pt. Bk. 00000007, Folio 0106 PAI # 140146
Lot # 1 05246 PAI # 140146

Lot # 1
Pt. Bk. 0000007, Folio 0120
Pt. Bk./Folio # 007120A
1410034060
PAI # 148066

7837

Lot # 2 1700007040
Pt. Bk. 0000039, Folio 0072

PAI # 140126

Pt. Bk./Folio # 039072

PAI # 140126

Lot # 3 1700007041

Lot # 1 2500005037

4611

Lot # 2 2500005038

PAI # 140445

PAI # 140445

081C2 DR 3.5
14 ED NE 7-F

Pt. Bk./Folio # 078 26

SITE
5 CD

PAI # 140445 South Perry Hall - White Marsh Area - South of Ridge Road (Not subject to 75' lot width)

Lot # 3

7813

PAI # 140445

1700007044

Lot # 6

4615

1407094040

Pt. Bk. 0000078, Folio 0426

2500005045

AVA ROSE DR
2500007045

Lot # 7

1700007045

Lot # 4 2500007040

7809

4617

2300007215

2023-0124-A









2023-0124-A



2023-0124-A

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration	
Special Tax Recapture: None			
Account Identifier: District - 14 Account Number - 2500005039			
Owner Information			
Owner Name:	FORD LATONYA V FORD JAMIN P	Use: RESIDENTIAL Principal Residence: YES	
Mailing Address:	7813 AVA ROSE DR NOTTINGHAM MD 21236-	Deed Reference: /47532/ 00139	
Location & Structure Information			
Premises Address:	7813 AVA ROSE DR NOTTINGHAM 21236-0000	Legal Description: 0.223 AC 7813 AVA ROSE DR ES GYR PROPERTY	
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:			
0081 0012 0647 14040041.04 0000 3 2021 Plat Ref: 0078/ 0426			
Town: None			
Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use			
2022 2,508 SF 810 SF 9,713 SF 04			
StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements			
2 YES STANDARD UNITFRAME/4 3 full 3 Attached			
Value Information			
	Base Value	Value	Phase-in Assessments
		As of	As of
		01/01/2021	07/01/2022 07/01/2023
Land:	87,600	113,400	
Improvements	302,400	348,500	
Total:	390,000	461,900	437,933 461,900
Preferential Land:	0	0	
Transfer Information			
Seller: RV DEVELOPMENT LLC	Date: 11/15/2022	Price: \$639,000	
Type: ARMS LENGTH IMPROVED	Deed1: /47532/ 00139	Deed2:	
Seller: LYONS PROPERTIES LLC	Date: 07/15/2013	Price: \$225,000	
Type: ARMS LENGTH MULTIPLE	Deed1: /33937/ 00221	Deed2:	
Seller: SIERRA HOMES INC	Date: 08/10/2011	Price: \$200,000	
Type: ARMS LENGTH MULTIPLE	Deed1: /31086/ 00004	Deed2:	
Exemption Information			
Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
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: Application received			
Homeowners' Tax Credit Application Information			
Homeowners' Tax Credit Application Status: No Application Date:			

2023-0124-A