



JOHN A. OLSZEWSKI, JR.
County Executive

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

July 11, 2023

Randall & Kimberly Hauserman – kim.hauserman@gmail.com
8 Malvern Court
Baltimore, MD 21204

RE: Petition for Administrative Variance
Case No. 2023-0129-A
Property: 8 Malvern Court

Dear Mr. and Mrs. Hauserman:

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, reading "Paul M. Mayhew", is written over the word "Sincerely,".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

c: Maureen Kelly – maureen@ratcliffearchitects.com

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(8 Malvern Court)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
	*	HEARINGS FOR
Randall & Kimberly Hauserman		
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0129-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, Randall and Kimberly Hauserman (“Petitioners”) for the property located at 8 Malvern Court, Baltimore. The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”) § 1B02.1.A.1 (1955 Regulations R40), to permit a proposed addition (garage addition) with a side yard setback of 3 feet in lieu of the required 20 feet. The subject property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments received by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 18, 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 information available, there is no evidence in

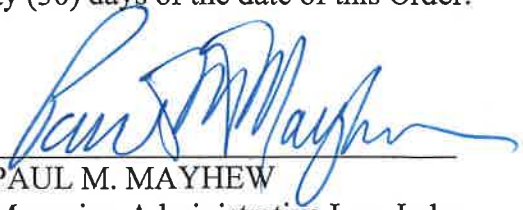
the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

THEREFORE, IT IS ORDERED, this 11th day of **July, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR") § 1B02.1A.1 (1955 Regulations R40), to permit a proposed addition (garage addition) with a side yard setback of 3 feet in lieu of the required 20 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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



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 8 Malvern Court Currently zoned DR 1
Deed Reference 45527 1 00478 10 Digit Tax Account # 0919714700
Owner(s) Printed Name(s) Randall + Kimberly Hauserman

(SELECT THE HEARING(S) BY MARKING ☒ 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)

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):

Randall Hauserman Kimberly Hauserman
Name #1 – Type or Print Name #2 – Type or Print
[Signature] Kimberly Hauserman
Signature #1 Signature #2
8 Malvern Court Baltimore MD
Mailing Address City State
21204 410920-8040 Kim.hauserman@gmail.com
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Maureen Kelly
Name – Type or Print
[Signature]
Signature
10404 Stevenson Rd. Stevenson, MD
Mailing Address City State
21153 410.404.7010 Maureen@ratchichitects.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 2023-0129-A Filing Date 6/8/23 Estimated Posting Date 6/18/23 Reviewer gh

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: 8 Malvern Court 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 seeking a variance for a side yard setback to expand our existing (attached) garage from a one car to a two car garage with a 12 foot addition for needed additional storage. This would be a simple extension of the existing garage massing and would be consistent with the style of the house. Due to the off-center position of the house on the lot, and the side yard location of the existing driveway and garage, this is the most beneficial way to expand the garage car parking capacity. The neighboring lot to the side yard property is much larger and provides a large buffer from the house and the side yard. We are requesting a proposed side yard setback of 3 feet in lieu of the existing side yard setback of 15.6 feet.

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

Signature of Owner (Affiant)

Randall Hauserman

Name- Print or Type

Signature of Owner (Affiant)

Kimberly Hauserman

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

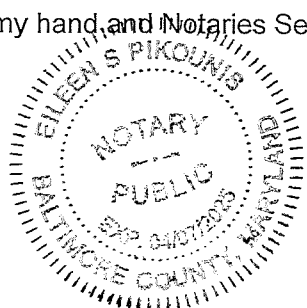
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of May, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Randall Hauserman and Kimberly Hauserman

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

AS WITNESS my hand and Notaries Seal



Eileen S. Pikoanis

Notary Public

April 7, 2025

My Commission Expires

2023-0129-A

Administrative Variance; from sections: 1B02.1A.1, (1955 Regulations R40) of the BCZR:

To permit a proposed addition (garage addition) with a side yard setback of 3 feet in lieu of the required 20 feet.

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

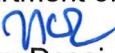
The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

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. 2023-0125-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 # 2023-0129-A
Address: 8 MALVERN CT
Legal Owner: Randall & Kimberly Hauseman

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 Description to Accompany Petition for Zoning Variance

Zoning Description for **8 MALVERN COURT**
Election District **9** Councilmanic District **2**

Beginning at a point on the **SOUTH** side of **MALVERN AVE** which is **60** feet wide at a distance of **426 FEET SOUTHWEST** of the centerline of the nearest improved intersecting street **MALVERN COURT** which is **50** feet wide.

Being Lot #5, on the Plat of Malvern Court, as recorded in Baltimore County Plat Book G.L.B. #24, Folio #78, containing 36,890 of total square feet of lot). Located in the 9 Election District and 2 Council District, and the part of lot #6 on said plat described as follows:

BEGINNING at a point on the southwestern most line of Malvern Court at the division line between Lot 5 and 6 as shown on the Plat of Malvern Court, recorded among the Plat Records of Baltimore County, Maryland in Plat Book G.L.B. No. 24, folios 78, and running thence binding along the said Southwestern most line of Malvern Court south 41 degrees 51 minutes 40 seconds east 21.50 feet to a point of curvature, thence continuing along the southwestern most line of Malvern Court 18.50 feet in a southeasterly direction along the arc of a curve to the left having a radius of 150 feet to a point thereon, thence for a line of division as now drawn south 56 degrees 03 minutes 10 seconds west 290.11 feet to the southernmost corner of said Lot 5 as shown on the aforesaid Plat of Malvern Court, thence binding along the dividing line between said Lot 5 and the said Lot 6 north 48 degrees 08 minutes 20 seconds east 286.20 feet to the point of beginning; containing 0.13 acres of land, more or less.

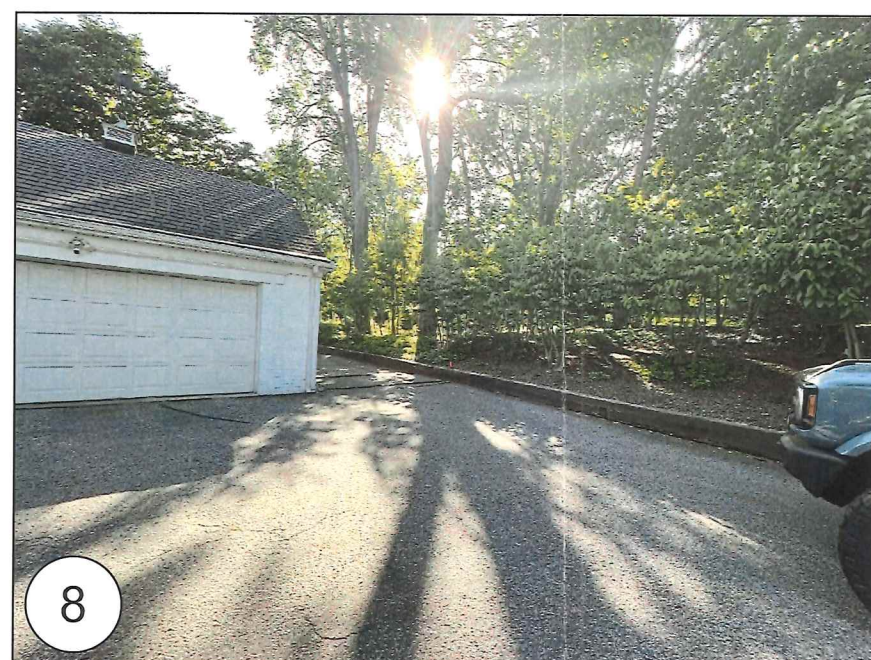
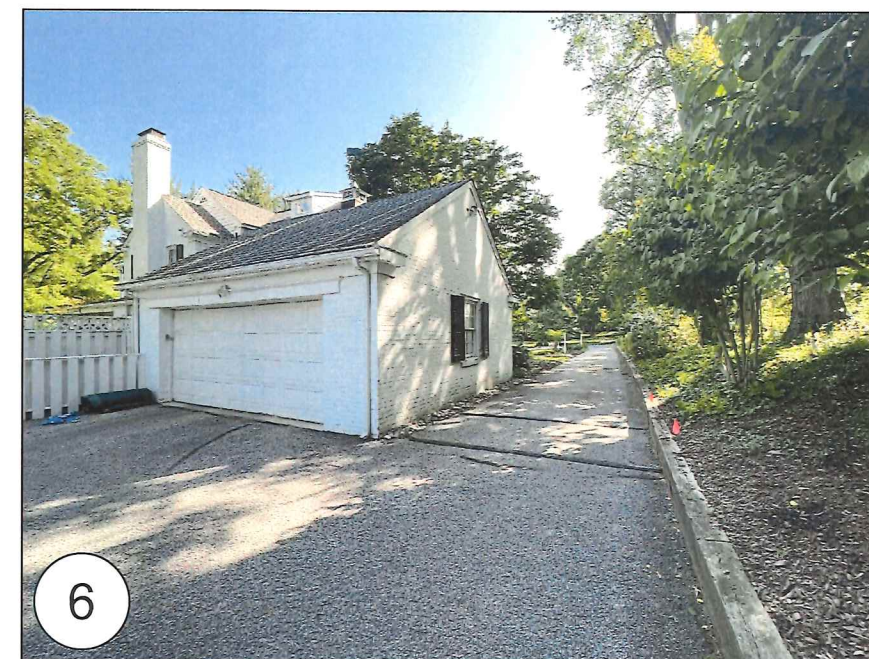
BEGINNING FOR THE SECOND at the northwestern corner of the property of the grantees known, as Lot No. 5 as shown on a Plat of Malvern Court recorded October 16, 1957, among the Land Records of Baltimore County in Liber G.L.B. No. 24, folio 78, and running thence north 86 degrees 46 minutes 15 seconds west 25 feet, more or less, to a point on the south 0 degrees 49 minutes 20 seconds west line of said Malvern Court as shown on said plat, and running thence south 0 degrees 49 minutes 20 seconds west, 275 feet, more or less, to another point on said last mentioned line, and running thence north 56 degrees 03 minutes 10 seconds east, 19 feet, more or less, to the southwestern corner of said Lot No.5, and running thence on the western boundary of said Lot No. 5 the three following courses and distances: (a) north 0 degrees 49 minutes 20 seconds east, 231 feet, more or less, (b) south 89 degrees 10 minutes 40 seconds east" 10 feet, more or less, and (c) north 0 degrees 49 minutes 20 seconds east, 30 feet, more or less, to the place of beginning.

BEING a strip of land 15 feet wide (25 feet wide for a distance of 30 feet) adjoining on the west the said Lot No.5, and comprising 4313 square feet, more or less.

The improvements thereon being known as No. 8 Malvern Court.

Being the same property which by deed dated December 10, 2004, and recorded among the Land Records of Baltimore County, Maryland on January 27, 2005, in Liber 21333, in Folio 232, was granted and conveyed by Charles L. Stout unto Jon M. Katz and Andrea T. Katz, as tenants by the entireties.

2023-0129-A



I CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND I AM
A DULY LICENSED ARCHITECT UNDER THE
LAWS OF THE STATE OF MARYLAND.
LICENSE No. 10916, EXPIRATION DATE
2022.11.10

OWNERSHIP OF
DOCUMENTS NOTICE

DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF RATCLIFFE ARCHITECTS. THESE DOCUMENTS ARE NOT TO BE REPRODUCED IN ANY FORM AND THEY SHALL NOT BE USED BY ANY ENTITY EXCEPT BY WRITTEN AUTHORIZATION AND PERMISSION FROM AND AGREEMENT WITH THE DESIGNER.

COPYRIGHT ACT 1976

PROJECT:
NEW ADDITION &
RENOVATION
PLANS FOR THE:

HAUSERMAN
RESIDENCE

8 MALVERN COURT
BALTIMORE, MD 21204
BALTIMORE COUNTY

RELEASE SCHEDULE

DATE	SUMMARY
2022.06.06	VARIANCE

SCALE:	AS SHOWN
--------	----------

DWG TITLE:

PHOTOS

SHEET No.

G1.2

SITE INFORMATION

ADDRESS	8 MALVERN CT	OWNER NAME	HAUSERMAN RANDALL T	HAUSERMAN KIMBERLY R
LOT # 5	MAP# 0069	GRID # 0017	PARCEL# 0851	
PLAT BOOK # 0024	FOLIO # 0078	10 DIGIT TAX #	0919714700	

UTILITIES MARK WITH "X" _____

ZONING MAP _____ 0069C2

SITE ZONED _____ DR 1

ELECTION DISTRICT _____ 9

COUNCIL DISTRICT _____ 2

LOT AREA SQUARE _____

FOOT _____ 36,890 SF

PRIOR HEARING _____ YES

SEWER IS: _____

WATER IS: _____

PUBLIC _____ X PRIVATE _____

PUBLIC _____ X PRIVATE _____

IF SO GIVE CASE NUMBER _____

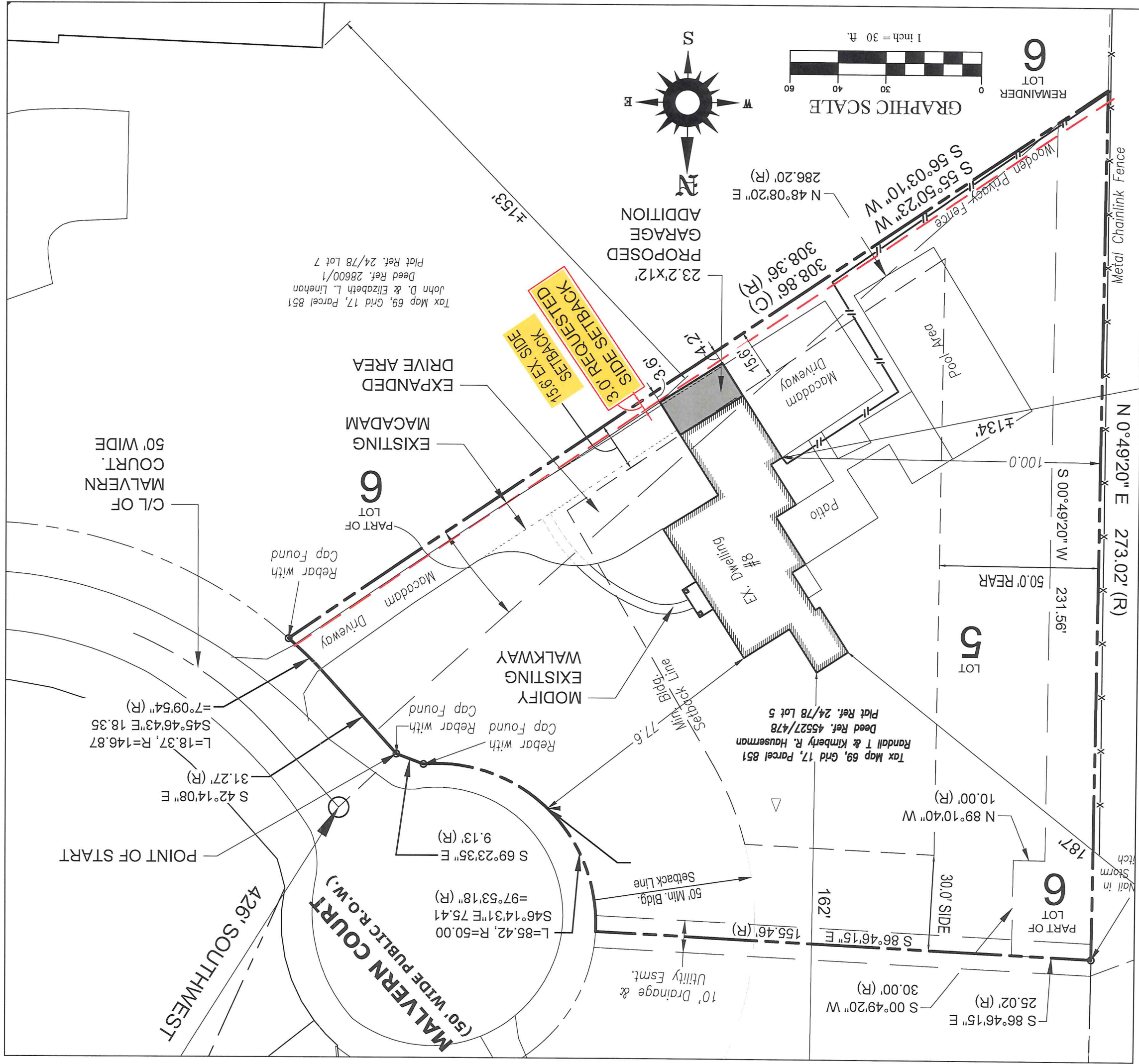
AND SHOW RESULT BELOW _____

HISTORIC _____ NO

1960-4841-A IN CBCA NO

R-1957-4127 IN FLOOD PLAIN NO

VICINITY MAP







1 EXISTING FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 EXISTING LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND I AM A FULLY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE No. 10964, EXPIRATION DATE 2022.11.10

OWNERSHIP OF DOCUMENTS NOTICE
DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF RATCLIFFE ARCHITECTS. THESE DOCUMENTS ARE NOT TO BE REPRODUCED IN ANY FORM AND THEY SHALL NOT BE USED BY ANY ENTITY EXCEPT BY WRITTEN AUTHORIZATION AND PERMISSION FROM AND AGREEMENT WITH THE DESIGNER.
COPYRIGHT ACT 1976

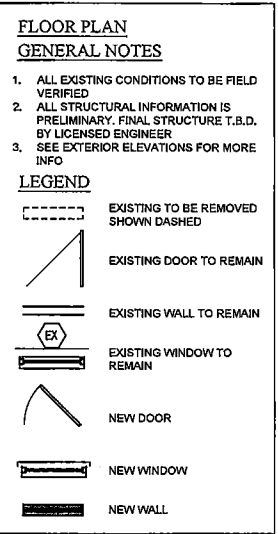
PROJECT:
NEW ADDITION & RENOVATION PLANS FOR THE:
HAUSERMAN RESIDENCE
8 MALVERN COURT
BALTIMORE, MD 21204
BALTIMORE COUNTY

RELEASE SCHEDULE	
DATE	SUMMARY
2022.06.06	VARIANCE

SCALE: AS SHOWN
DWG TITLE:

EXISTING FRONT & LEFT SIDE ELEVATIONS

SHEET No.
AB2.1



1 MAIN FLOOR PLAN

**OWNERSHIP OF
DOCUMENTS NOTICE**

DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF RATCLIFFE ARCHITECTS. THESE DOCUMENTS ARE NOT TO BE REPRODUCED IN ANY FORM AND THEY SHALL NOT BE USED BY ANY ENTITY EXCEPT BY WRITTEN AUTHORIZATION AND PERMISSION FROM RATCLIFFE ARCHITECTS. IN AGREEMENT WITH THE DESIGNER

COPYRIGHT ACT 1976

NEW ADDITION &
RENOVATION
PLANS FOR THE:

8 MALVERN COURT
BALTIMORE, MD 21204
BALTIMORE COUNTY

DWG TITLE:

