



JOHN A. OLSZEWSKI, JR.
County Executive

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

August 28, 2023

Kelsey Shamer & Andrew Steinhart – amsteinhart@yahoo.com
4907 Horsehill Road
Baldwin, MD 21013

RE: Petition for Administrative Variance
Case No. 2023-0157-A
Property: 4907 Horsehill Road

Dear Ms. Shamer and Mr. Steinhart:

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".

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(4907 Horsehill Road)		
10 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Kelsey Shamer & Andrew Steinhart	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0157-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, Kelsey Shamer and Andrew Steinhart (“Petitioners”) for the property located at 4907 Horsehill Road, Baldwin (the “Property”). Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §400.3 to approve an accessory building (garage) in the right rear yard at a height of 20 ft., 5 inches in lieu of the maximum height of 15 ft.

The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1. Street view photographs of the Property were provided. (Pet. Exs. 2A-E). Architectural elevations were also provided and reviewed. (Pet. Ex. 3). There were no adverse Zoning Advisory Committee (“ZAC”) comments contained in the case file from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on August 6, 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 that comply with the requirements of §307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner. I find that 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.

Although the Department of Planning did not make any recommendations related to the detached garage, I will impose conditions that the detached garage shall not be converted into a dwelling unit or apartment, shall not contain any sleeping quarters, living area, kitchen or bathroom facilities, and will not have separate electric or utility connections, 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.

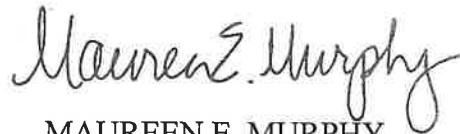
THEREFORE, IT IS ORDERED, this 28th day of **August, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.3 to approve an accessory building (garage) in the right rear yard at a height of 20 ft., 5 inches in lieu of the maximum height of 15 ft. be, and 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 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.

2. Petitioners and 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, bathroom facilities or kitchen facilities.
3. The detached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The detached garage shall not be used for commercial or industrial purposes.

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



MAUREEN E. 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 - 0157 -A Address 4907 Horse Hill Rd

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

Filing Date: 7-26-2023 Posting Date: 8-6-2023 Closing Date: 8-21-2023

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 - 0157 -A Address 4907 Horse Hill Rd

Petitioner's Name: Helsey Shamer & Andrew Steinhart Telephone (Cell) 443-904-1664

Posting Date: 8-6-2023 Closing Date: 8-21-2023

Wording for Sign: To Permit an accessory building (garage) in the right rear yard at a height of 20 ft 5 inches
in lieu of the maximum height of 15 ft

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: August 22, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0157-A
Address: 4907 HORSE HILL RD
Legal Owner: Kelsey Shamer, Andrew Steinhart

Zoning Advisory Committee Meeting of August 14, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/6/2023

Case Number: 2023-0157-A

Petitioner / Developer: KELSEY SHAMER & ANDREW STEINHART

Date of Closing: AUGUST 21, 2023

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:
4907 HORSEHILL ROAD

The sign(s) were posted on: AUGUST 6, 2023

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2023-0157-A

TO PERMIT AN ACCESSORY BUILDING (GARAGE) IN THE RIGHT REAR YARD AT A HEIGHT OF 20 FT 5 INCHES IN LIEU OF THE MAXIMUM HEIGHT OF 15 FT. 4907 HORSEHILL ROAD

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 MONDAY, AUGUST 21, 2023.

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

Linda O'Keefe

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, MD 21030

(City, State, Zip of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



1st Sign

2nd Sign

Posted @ 4907 Horsehill Road ~ 8/6/2023

CASE # 2023-0157-A



↑ GARAGE
PLACEMENT

SHED DRIVEWAY

20230157-A





GARAGE

OTHER
DRIVEWAYS

SPACED
DRIVE

2023-0157-A



GARAGE
PLACEMENT

2023-0157-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 - 10 Account Number - 1600013749

Owner Information

Owner Name:

STEINHART ANDREW
SHAMER KELSEY

Use:

RESIDENTIAL

Mailing Address:

4907 HORSEHILL RD
BALDWIN MD 21013-9651

Principal Residence: YES

Deed Reference: /47073/ 00028

Location & Structure Information

Premises Address:

4907 HORSE HILL RD
BALDWIN 21013-9651

Legal Description:

4907 HORSE HILL RD
GREEN-GREEN

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:

0036 0023 0206 10030035.04 0000 1 6 2023 Plat Ref: 0037/ 0041

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use

1980 2,896 SF 3.0700 AC 04

StoriesBasementType

2 YES STANDARD UNIT

ExteriorQualityFull/Half BathGarage

BRICK/ 5 2 full/ 1 half 1 Attached
SIDING

Last Notice of Major Improvements

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2022	07/01/2023
Land:	162,900	235,300		
Improvements	387,100	443,200		
Total:	550,000	678,500	550,000	592,833
Preferential Land:	0	0		

Transfer Information

Seller: PREISSLER FRANCIS E JR

Date: 06/23/2022

Price: \$715,000

Type: ARMS LENGTH IMPROVED

Deed1: /47073/ 00028

Deed2:

Seller: PREISSLER FRANCIS E

Date: 04/25/2000

Price: \$0

Type: NON-ARMS LENGTH OTHER

Deed1: /14429/ 00506

Deed2:

Seller: COMMERCIAL DEVEL OPMENT
COMPANY

Date: 04/28/1975

Price: \$17,000

Type: ARMS LENGTH IMPROVED

Deed1: /05524/ 00171

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

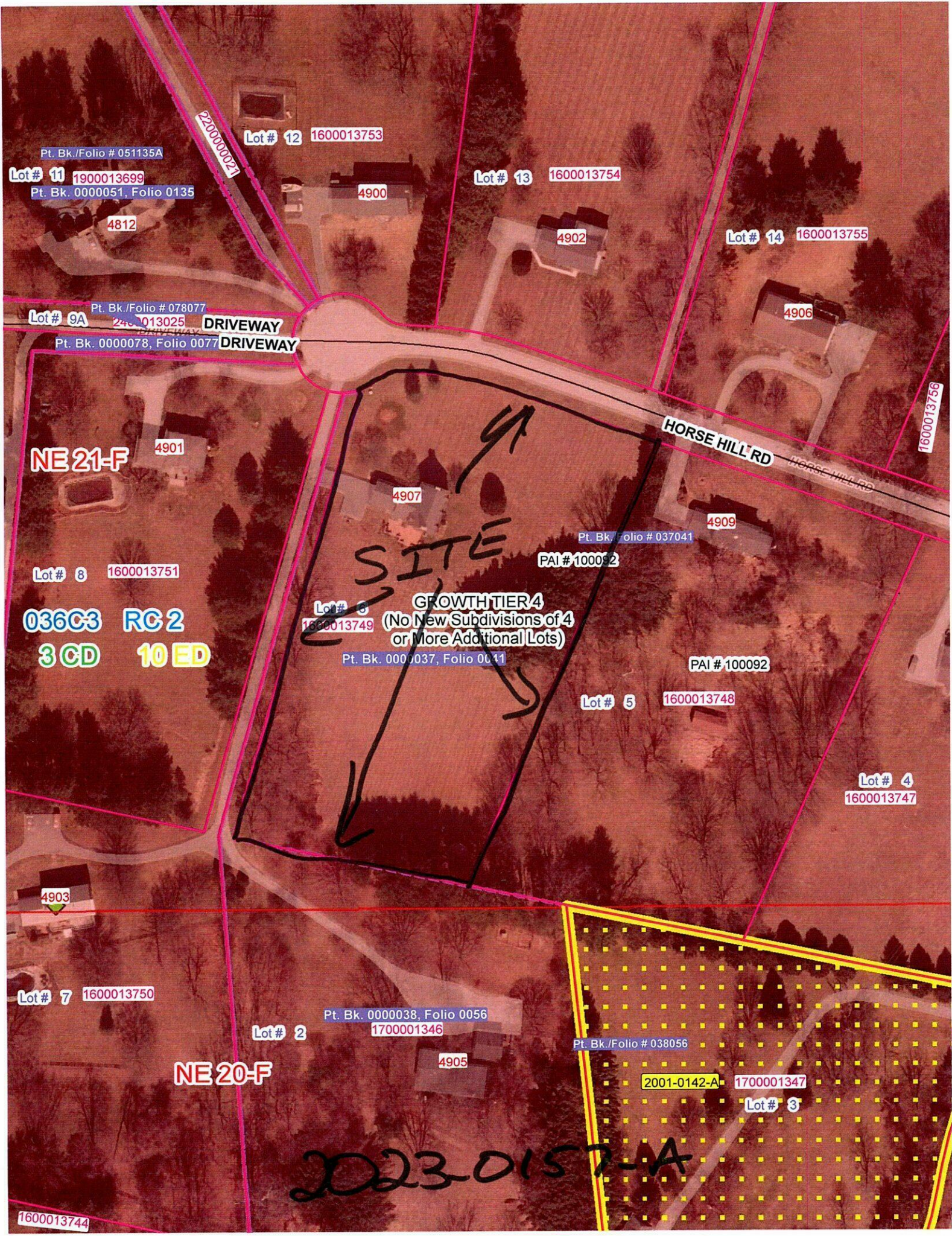
Homestead Application Information

Homestead Application Status: Application received

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023-0157-A



Pt. Bk./Folio # 051135A
Lot # 11 1900013699
Pt. Bk. 0000051, Folio 0135

Lot # 12 1600013753

Lot # 13 1600013754

Lot # 14 1600013755

Lot # 9A Pt. Bk./Folio # 078077
240-013025 **DRIVEWAY**
Pt. Bk. 0000078, Folio 0077 **DRIVEWAY**

NE 21-F

Lot # 8 1600013751

036C3 RC 2
3 CD 10 ED

Lot # 6 1600013749
GROWTH TIER 4
(No New Subdivisions of 4 or More Additional Lots)

Pt. Bk. 0000037, Folio 0011

Pt. Bk./Folio # 037041
PAI # 100092

Lot # 5 1600013748

PAI # 100092

Lot # 4 1600013747

Lot # 7 1600013750

Lot # 2 Pt. Bk. 0000038, Folio 0056
1700001346

NE 20-F

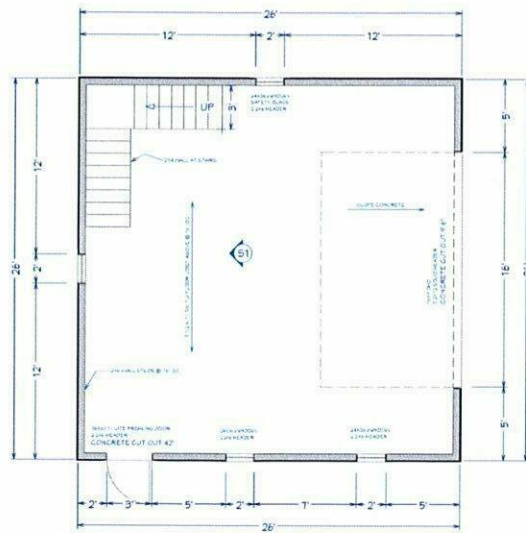
Pt. Bk./Folio # 038056

2001-0142-A 1700001347

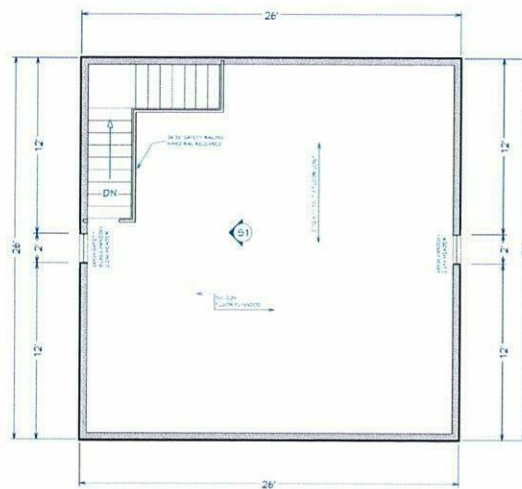
Lot # 3

1600013744

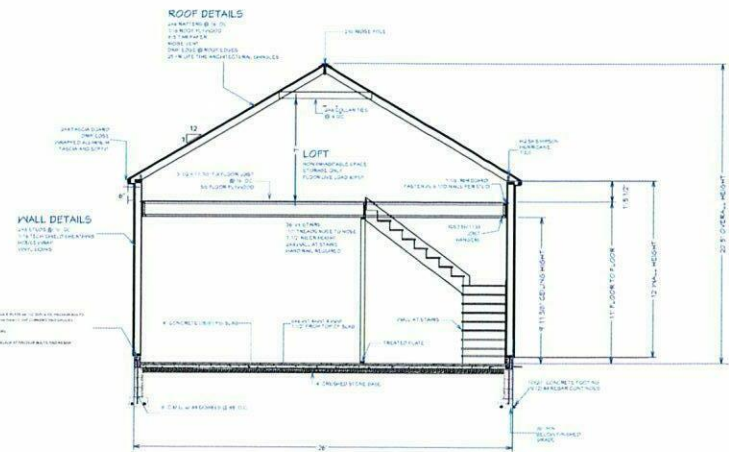
2023-0157-A



1ST Floor Plan View Dimensioned



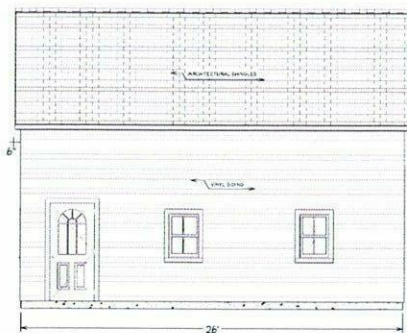
2ND Floor Plan View Dimensioned



CONSTRUCTION NOTES
ALL WOOD TO BE PRESERVE TREATED SP 42 OR SP 43 OR AS NOTED
ALL WEATHERING TO USE EXTERIOR GRADE
ALL EXTERIOR DIMENSIONS ARE TO THE OUTSIDE FACE OF STUD
ALL WEATHERING TO BE NAILED TO SUPPORTS AT 8" OC AT ALL PANEL EDGES
EAVE ZONES, EYE ZONES AND ROOF ZONES ALL REMAINING @ 12" OC
ALL NAILS TO BE 6D

BUILDING CODES
ANY CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF ANY AND ALL
APPLICABLE STATE, LOCAL AND LOCAL BUILDING CODES OR REGULATIONS
INCLUDING BUT NOT LIMITED TO THE FOLLOWING
2018 INTERNATIONAL RESIDENTIAL CODE AND
AS AMENDED OR ADOPTED BY LOCAL MUNICIPAL AUTHORITY

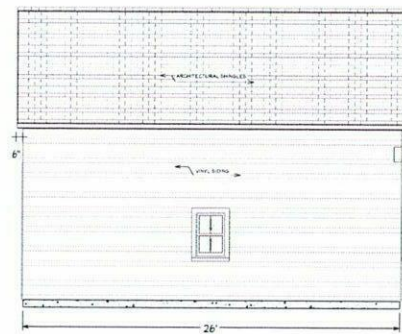
ENGINEERING NOTES
THESE DRAWINGS ARE TO BE USED ONLY AS AN ARCHITECTURAL GUIDE
FOR THE CONSTRUCTION OF THIS PROJECT THERE HAS NOT BEEN ANY
STRUCTURAL, MECHANICAL, ELECTRICAL OR SITE ENGINEERING PERFORMED
FOR THIS PROJECT IT SHALL BE THE RESPONSIBILITY OF OTHERS TO OBTAIN
DESIGN DATA FROM A LICENSED ENGINEER FOR THESE SYSTEMS
ENGINEERING SHALL CONFORM WITH ALL APPLICABLE LOCAL AND OR STATE BUILDING CODES
AND REGULATIONS. STRUCTURE SHALL BE NOT NAILED OR PROPERLY TYPED SUBGRADE
STANDS SHALL COMPLY WITH SEC. R311.1 OF 2018 IRC
MAXIMUM 1.5M
MIN TREAD 17" PLUS 1" RISING
GREATEST RISE HEIGHT SHALL NOT EXCEED THE LEAST OF: 10% OR 30"



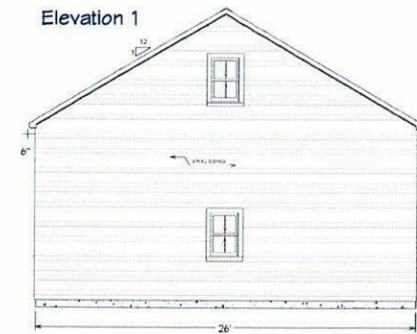
Exterior Elevation Front



Exterior Elevation Right



Exterior Elevation Back



Exterior Elevation Left

REVISION TABLE	REVISION	DESCRIPTION
NUMBER	DATE	DESCRIPTION

SITE LOCATION
4907 HORSEHILL RD
BALDWIN MD 21013

ANDREW STEINHART
26X26 DETACHED
GARAGE

DRAWINGS PROVIDED BY:
AMISH BACKYARD STRUCTURES

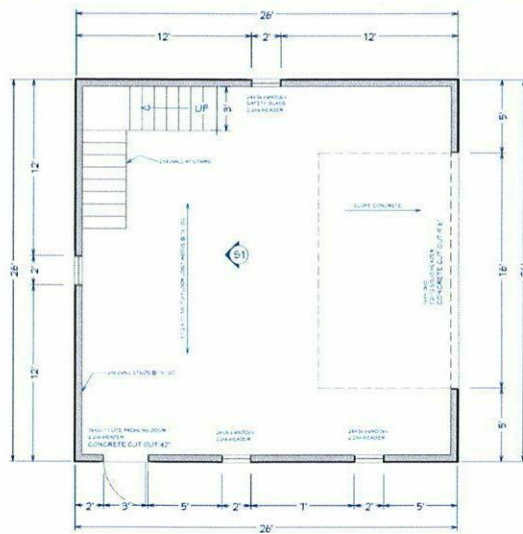
DATE:
3/14/2023

SCALE:

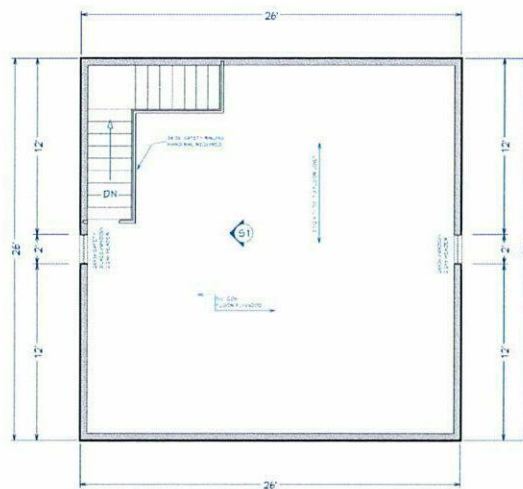
SHEET:

P-1

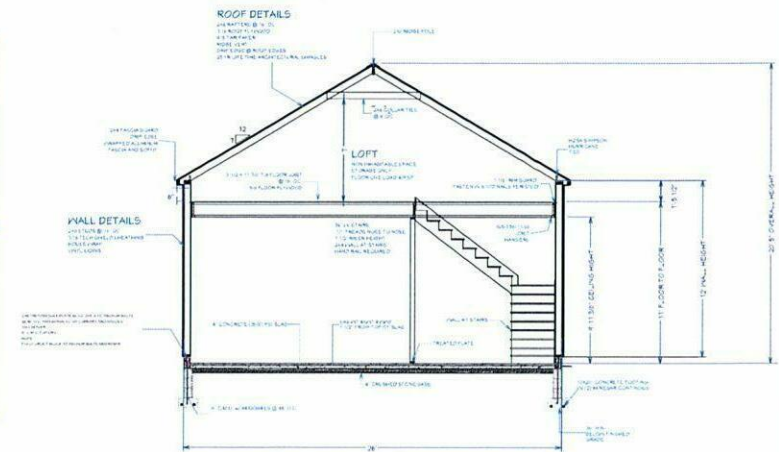
2023-0157-A



1ST Floor Plan View Dimensioned



2ND Floor Plan View Dimensioned



CONSTRUCTION NOTES:
ALL JOISTS TO BE PRESSURE TREATED TO RESIST ROT AND INSECT.
ALL SHEATHING TO BE EXTERIOR GRADE.
BATTERS SHALL BE NAILED TO TOP PLATE OVER 4 TO 8 WALL STUDS.
ALL EXTERIOR DIMENSIONS ARE TO THE OUTSIDE FACE OF STUD.
ALL SHEATHING TO BE NAILED TO SUPPORTS AT 8" OC. AT ALL PANEL EDGES.
END ZONES FOR ZONES AND RIDGE ZONES. ALL REMAINING SHALL BE 12" OC.
ALL NAILED TO BE 40.

BUILDING CODES:
ANY CONSTRUCTION SHALL COMPLY WITH THE REQUIREMENTS OF ANY AND ALL APPLICABLE STATE, COUNTY AND LOCAL BUILDING CODES OR REGULATIONS. THIS IS LIMITED TO THE FOLLOWING:
2018 INTERNATIONAL RESIDENTIAL CODE (IRC)
AS AMENDED OR ADOPTED BY LOCAL MUNICIPAL AUTHORITY.

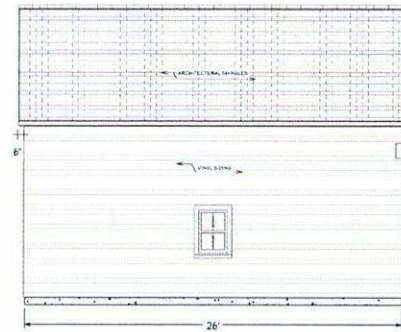
ENGINEERING NOTES:
THESE DRAWINGS ARE TO BE USED ONLY AS AN ARCHITECTURAL GUIDE FOR THE CONSTRUCTION OF THIS PROJECT THERE ARE NOT BEEN ANY STRUCTURAL, MECHANICAL, ELECTRICAL OR SITE ENGINEERING PERFORMED FOR THIS PROJECT IT SHALL BE THE RESPONSIBILITY OF OTHERS TO OBTAIN DESIGN DATA FROM A LICENSED ENGINEER FOR THESE SYSTEMS.
ENGINEERING SHALL GOVERN OVER ALL APPLICABLE LOCAL AND STATE BUILDING CODES AND REGULATIONS. STRUCTURES SHALL BE INSTALLED ON A PROPERLY PREPARED SUBGRADE.
STAIRS SHALL COMPLY WITH DEC. 803.11 TOP STAIRS.
MAX RISE 7.5"
MAX RUN 11" TO 1" RISE.
GREATEST RISE HEIGHT SHALL NOT EXCEED THE LEAST BY MORE THAN 3/4".



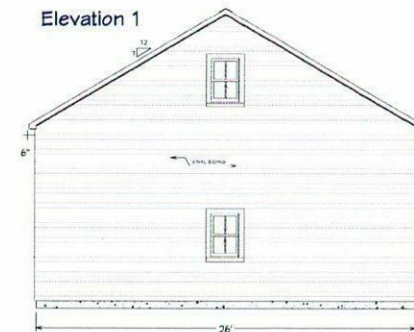
Exterior Elevation Front



Exterior Elevation Right



Exterior Elevation Back



Exterior Elevation Left

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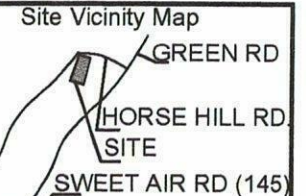
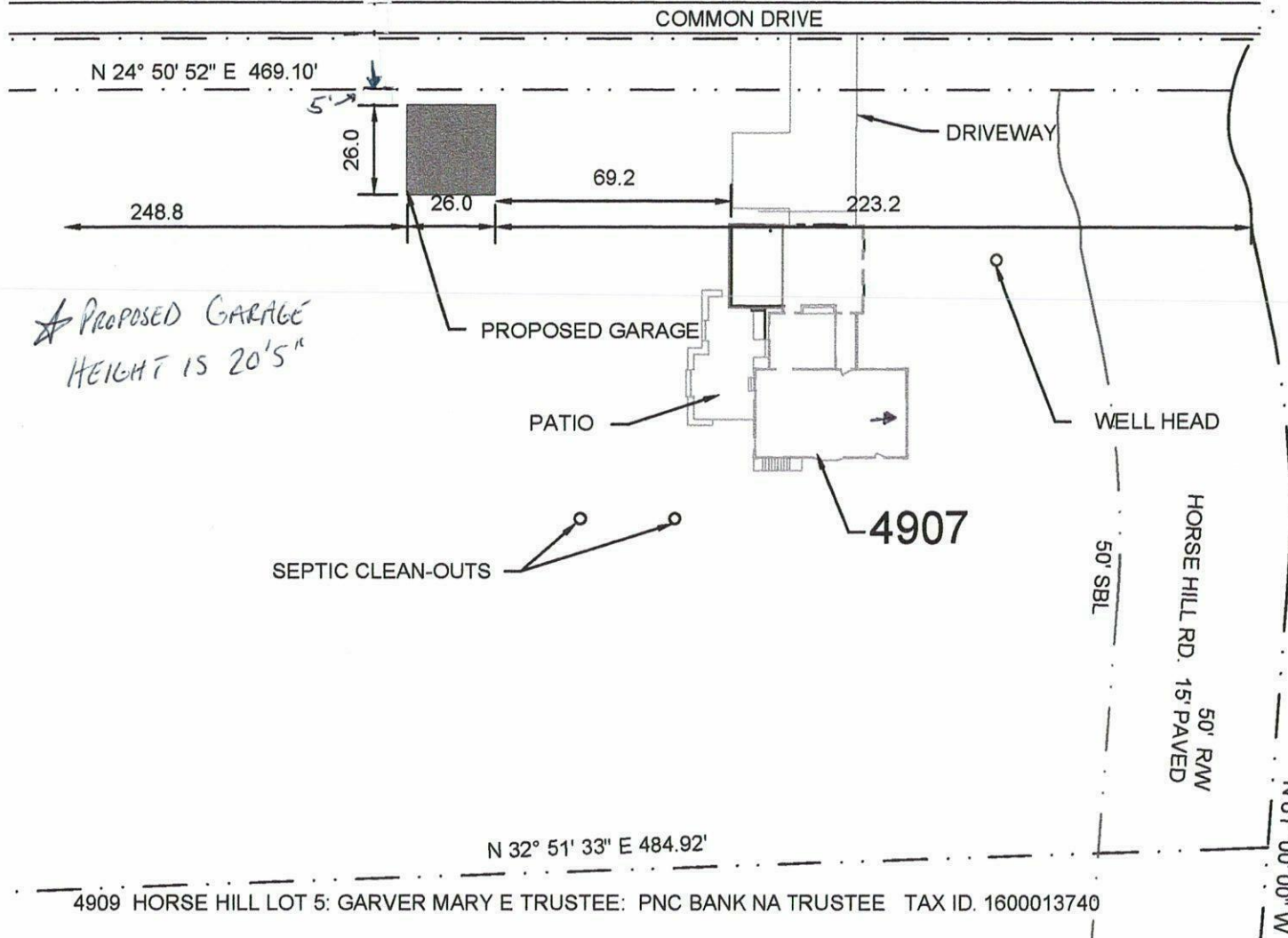
DATE:
3/14/2023

SCALE:

SHEET:
P-1

2023 0157-A

Zoning Hearing Plan for Variance _____ for Special Hearing _____ Mark Type Requested with (X)
 Address 4907 HORSE HILL ROAD Owner(s) Name (s) ANDREW STEINHART
 Subdivision Name GREEN-GREEN Lot # 6 Block # _____ Section # 1
 Plat Book # 0037 Folio # 0041 10 Digit Tax # 1600013749 Deed Reference # /47073/ 00028
4901 HORSE HILL LOT 8; ROBERT G. BARTENFELDER: TAX ID. 1600013751



MAP IS NOT TO SCALE

Zoning Map # 036C3
 Zoning RC2
 Election District 10
 Council District 3
 Lot Area Acreage 3.07
 Lot Square Footage 133,729.2
 Historic (Yes or No) NO
 CBCA (Yes OR No) NO
 Flood Plain (Yes or No) NO
 Utilities - Mark with (X)
 Water is:
 Public _____ Private X
 Sewer is:
 Public _____ Private X
 Prior Hearing (Yes or No) NO
 If (Yes) list case Number(s)
 and order result(s) below

Violation Case Number(s)

SITE PLAN

SCALE: 1:50



2023-0157-A

23-0633
CF



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353

<https://www.baltimorecountymd.gov>

Cashier: Jason S.

10-Jul-2023 10:45:24A

Transaction 101840

1 Petition Before ALJ \$75.00

Total \$75.00

CREDIT CARD SALE \$75.00
VISA 4336

Retain this copy for statement
validation

Station: Permit Processing - Mini

10-Jul-2023 10:45:33A

\$75.00 | Method: EMV

VISA CREDIT

XXXXXXXXXXXX4336

ANDREW STEINHART

Reference ID: 319100544945

Auth ID: 06012C

MID: *****2995

AID: A0000000031010

AthNtwkNm: VISA

SIGNATURE

Clover ID: 2MATDNH95969P
Payment R91EY7V9K1KT8

Clover Privacy Policy
<https://clover.com/privacy>

20230157-A