



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 23, 2023

Gavin and Kasee Lehl – gavin@klr-construction.com
610 Overbrook Road
Baltimore, MD 21212

RE: Petition for Administrative Variance
Case No. 2023-0194-A
Property: 610 Overbrook Road

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 cursive script 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
(610 Overbrook Road)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
6 th Council District		
	*	HEARINGS FOR
Gavin & Kasee Lehl		
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0194-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, Gavin and Kasee Lehl (“Petitioners”) for the property located at 610 Overbrook Road, Baltimore. The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”), §§1B02.3.C.1 and 301.1, to permit a proposed addition and deck with side yard setbacks of 3 ft. and 5 ft., 4 in., respectively, in lieu of the required 10 ft. and 7.5 ft., respectively. 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. Street view photographs were marked and accepted into evidence as Petitioners’ Exhibit 2.

The Zoning Advisory Committee (“ZAC”) comments were received from Department of Plans Review (“DPR”) and Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 28, 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 23rd day of **October, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR"), §§1B02.3.C.1 and 301.1, to permit a proposed addition and deck with side yard setbacks of 3 ft. and 5 ft., 4 in., respectively, in lieu of the required 10 ft. and 7.5 ft., respectively, 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.

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, 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: September 28, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0194-A
Address: 610 OVERBROOK RD.
Legal Owner: Gavin & Kasee Lehl

Zoning Advisory Committee Meeting of October 2, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn



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 610 Overbrook Rd, Baltimore, MD 21212 Currently Zoned Residential DR5.5
Deed Reference 34629 / 00352 10 Digit Tax Account # 0923061850
Owner(s) Printed Name(s) GAVIN LEHRL + KASEE LEHRL

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 1B02.3.C.1. → To permit a proposed addition and deck with a side yard setback of 3 feet in lieu of the required 10 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the 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):

GAVIN LEHRL / KASEE LEHRL
Name #1 – Type or Print Name #2 – Type or Print

[Signature] / [Signature]
Signature #1 Signature #2

610 Overbrook Rd, Baltimore, MD 21212
Mailing Address City State

21212 / 443 991 0903 / gavin@klr-construction.com
Zip Code Telephone #'s (Cell and Home) 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 2023-0194-A Filing Date 9 / 21 / 23 Estimated Posting Date 10 / 1 / 23 Reviewer JS

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: GIO OVERBROOK RD BALTIMORE MD 21212
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 is the most cost effective location to add
a proper bedroom and bathroom to our home

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

X *[Signature]*
Signature of Owner (Affiant)

GAVIN LEHRL
Name - Print or Type

X *[Signature]*
Signature of Owner (Affiant)

KASEE LEHRL
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 12th day of September, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

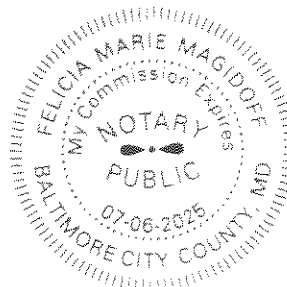
Print name(s) here: Felicia Magidoff, Gavin Lehl, Kasee Lehl

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

My Commission Expires July 6, 2025



The Zoning Petition Property Description

Zoning property description for 610 Overbrook Road, Baltimore, MD 21212

*Beginning at a point on the NORTH side of Overbrook Road which is +/-16ft wide at the distance of +/- 299ft EAST of the centerline of the nearest improved intersecting street, Holly Lane, which is +/-16ft wide.

2023-0194-A

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023-0194 -A Address 610 OVERBROOK ROAD

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/21/23 Posting Date: 10/1/23 Closing Date: 10/16/23

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: 2023-0194 -A Address 610 OVERBROOK ROAD

Petitioner's Name: LEHRL Telephone (Cell): 443-991-0903

Posting Date: 10/1/23 Closing Date: 10/16/23

Wording for Sign: To Permit _____

To permit a proposed addition and deck with a side yard setback of 3 feet in lieu of the required 10 feet.

Revised 1/2022

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2023-0194-A
Property Address: 610 OVERBROOK ROAD
Legal Owners (Petitioners): GAVIN + KASEE LEHRL
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): GAVIN LEHRL
Address: 610 OVERBROOK ROAD
BALTIMORE, MD 21212

Telephone Number: 443-991-0903

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022

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

No. 222578

Date: 9/21/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6100					\$ 75.00

Total: \$ 75.00

Rec From: LEHRL

For: 2023-0194-A

610 OVERBROOK ROAD

JSS

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

DOCUMENT INCLUDES CHEMICAL REACTIVE PROPERTIES AND FEATURES A SECURITY SQUARE MP

GAVIN DOUGLAS LEHRL 07-14
KASEE LEHRL
610 OVERBROOK RD.
BALTIMORE, MD 21212

7-11 6431
520

1456

DATE 9/15/2023

Shield™

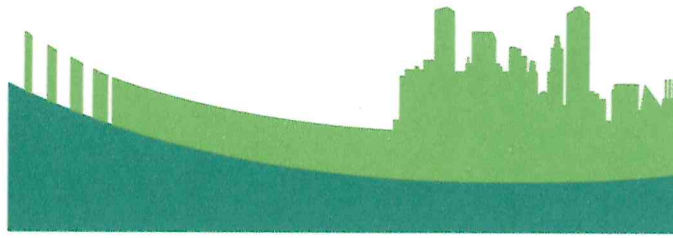
PAY TO THE ORDER OF Baltimore County \$ 75.00

Seventy Five & 100 DOLLARS

M&T Bank

MEMO Variance Fee

9865697396 1456



CERTIFICATE OF POSTING

September 29, 2023

_____ amended for second inspection

Re:

Zoning Case No. 2023-0194-A

Legal Owner: Gavin Lehl

Closing date: October 16, 2023

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

Attention: Jeff Perlow

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **610 Overbrook Road**.

The signs were initially posted on **September 28, 2023**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak". The signature is stylized with a large "B" and "D".

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2023-0194-A

610 Overbook Road

**REQUEST: TO PERMIT A PROPOSED
ADDITION AND DECK WITH SIDE YARD
SETBACKS OF 3 FEET AND 5 FEET, 4
INCHES, RESPECTIVELY, IN LIEU OF THE
REQUIRED 10 FEET AND 7.5 FEET,
RESPECTIVELY.**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE OCTOBER 16, 2023.**

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2023-0194-A

610 Overbook Road

**REQUEST: TO PERMIT A PROPOSED
ADDITION AND DECK WITH SIDE YARD
SETBACKS OF 3 FEET AND 5 FEET, 4
INCHES, RESPECTIVELY, IN LIEU OF THE
REQUIRED 10 FEET AND 7.5 FEET,
RESPECTIVELY.**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE OCTOBER 16, 2023.**

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

Real Property Data Search ()

Search Result for BALTIMORE COUNTY

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

Special Tax Recapture: None

Account Identifier: District - 09 Account Number - 0923001850

Owner Information

Owner Name: LEHRL GAVIN D Use: RESIDENTIAL
 LEHRL KASEE T Principal Residence: YES
 Mailing Address: 610 OVERBROOK RD Dead Reference: /34629/ 00352
 BALTIMORE MD 21212-2103

Location & Structure Information

Premises Address: 610 OVERBROOK RD Legal Description: LT 69,70
 BALTIMORE 21212-2103
 ANNESLIE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
 0080 0002 0107 9090097.04 0000 O 69 2023 Plat Ref: 0007/ 0040

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1943	1,848 SF		6,250 SF	04

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2023	07/01/2024
Land:	94,700	99,700		
Improvements	217,600	273,100		
Total:	312,300	372,800	332,467	352,633
Preferential Land:	0	0		

Transfer Information

Seller: WALKER ALBERT H	Date: 01/22/2014	Price: \$271,000
Type: ARMS LENGTH IMPROVED	Deed1: /34629/ 00352	Deed2:
Seller: BALL WILLIAM H JR	Date: 09/01/1953	Price: \$23,000
Type: ARMS LENGTH IMPROVED	Deed1: /00000/ 00000	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 02/06/2015

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:





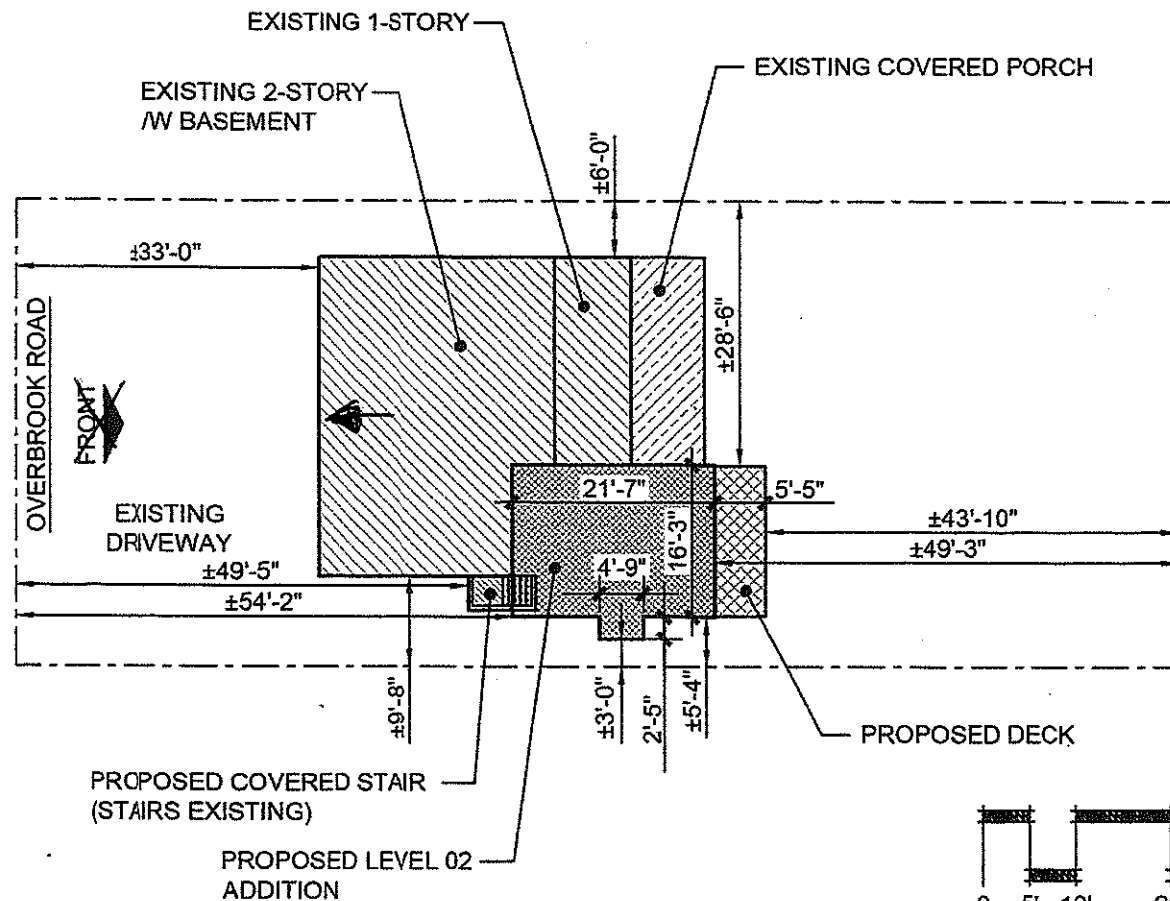


ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH ☒)

ADDRESS 610 OVERBROOK RD OWNER(S) NAME(S) GAVIN LEHR

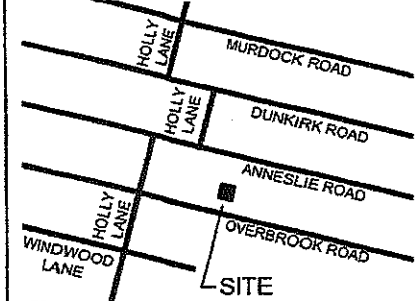
SUBDIVISION NAME ANNESLIE LOT # 69/10 BLOCK # 0 SECTION # _____

PLAT BOOK # 0007 FOLIO # 0040 10 DIGIT TAX # 0923001850 DEED REF. # 34629/00352



PLAN DRAWN BY F. Carl Schwartz DATE 08.24.23 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 0080A1

SITE ZONED DR 5.5

ELECTION DISTRICT 9

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 6250 SF

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH ☒

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

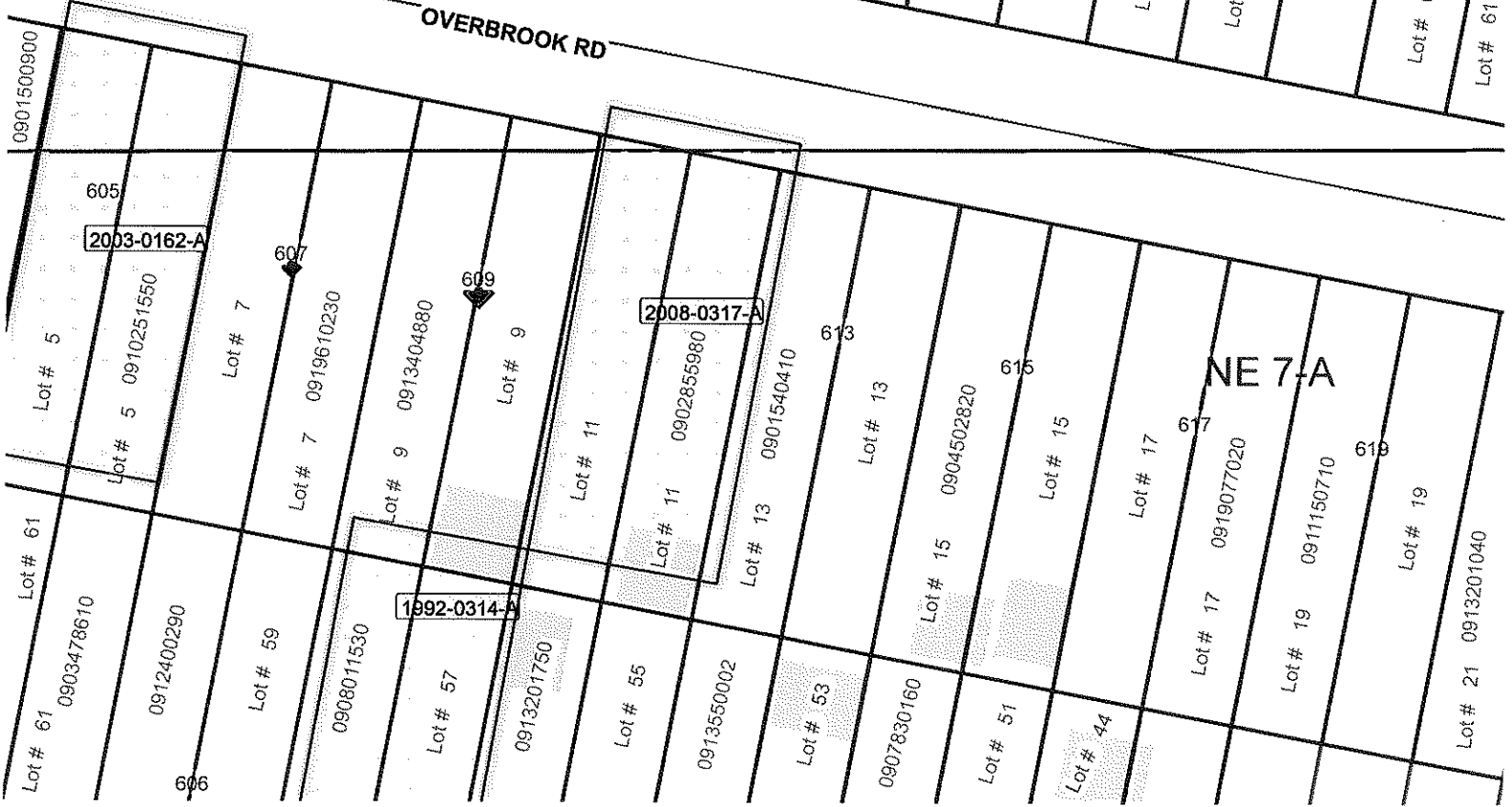
PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

2023-0194-A





ANNESLIE RD

NE 8-A

DR 5.5

080A11

6CD

OVERBROOK RD

NE 7-A

Lot # 1
0920200461

Lot # 3
0913550920

603

Lot # 3
0913550920

Lot # 5

0901850040
Pt. Bk. 0000007, Folio 00-40

605

Lot # 5

Lot # 7
0913007220

607

Lot # 9
0923503050

609

Lot # 11
0906820070

611

Lot # 13
0912740110

613

Lot # 13

Lot # 15
0912590460

615

Lot # 15

0916600400

617

Lot # 17
0903650800

Lot # 77
0919329460

602

Lot # 75
0904204130

604

Lot # 75
0913201290

606

Lot # 73
0904203380

608

Lot # 71
0923001850

610

Lot # 69
0913555420

612

Lot # 67
0913555420

614

Lot # 67

Lot # 65
0916000600

616

Lot # 65

0919327990

618

Lot # 63
0923157550

620

Lot # 61
0913201040

622

Lot # 61
0903478610

605

Lot # 6
0910251550

607

Lot # 7
0919610230

609

Lot # 9
0913404880

611

Lot # 9

Lot # 11
0902855980

613

Lot # 11

0901540410

615

Lot # 13
0904502820

617

Lot # 15
0919077020

619

Lot # 17
0911150710

621

Lot # 19
0913201040

623

Lot # 21

0913201040

Lot # 61
0903478610

605

Lot # 6
0910251550

607

Lot # 7
0919610230

609

Lot # 9
0913404880

611

Lot # 9

Lot # 11
0902855980

613

Lot # 11

0901540410

615

Lot # 13
0904502820

617

Lot # 15
0919077020

619

Lot # 17
0911150710

621

Lot # 19
0913201040

623

Lot # 21

0913201040