



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

February 1, 2024

Angelo S. Perrera, IV – angeloperrera@aol.com
Lauren Perrera – lraut2@aol.com
2923 Ross Avenue
Baltimore, MD 21219

RE: Petition for Special Hearing & Variance
Case No: 2023-0253-SPHA
Property: 2923 Ross Avenue

Dear Mr. and Mrs. Perrera:

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, appearing to read "Derek J. Baumgardner", is written over a circular blue stamp or seal.

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlm

Enclosure

C: David Billingsley – dwb0209@yahoo.com
Gloria Raut – gloria.raut@sekologists.com

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(2923 Ross Avenue)	*	OFFICE OF
15th Election District		
7 th Council District	*	ADMINISTRATIVE HEARINGS
Angelo Perrera IV, and Lauren Perrera		
<i>Legal Owners</i>	*	FOR BALTIMORE COUNTY
 Petitioners	 *	 Case No. 2023-0253-SPHA
 * * * * *		 * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Special Hearing and for Variance relief filed by the legal owners, Angelo S. Perrera, IV and Lauren Perrera (“Petitioners”) for the property located at 2923 Ross Avenue (the “Property”), Baltimore County, Maryland. Petitioners request a Special Hearing pursuant to Baltimore County Zoning Regulations (“BCZR”) § 400.4.B.3 and §500.7 to allow an accessory apartment within an existing accessory building situated on the same lot as the principal single-family dwelling. Variance relief is requested pursuant to BCZR § 400.4.B.2.B, to permit an accessory apartment with an area of 1,024 sq. ft., in lieu of the maximum permitted 800 sq. ft., on a lot less than 1 acre.

A public hearing was conducted on January 29, 2024, using the virtual platform WebEx in lieu of an in-person hearing. The Petition was properly advertised and posted. David Billingsley of Central Drafting & Design, Inc. appeared on behalf of Petitioners. Petitioners as well as the general contractor and the occupant of the proposed accessory apartment, Ms. Gloria Raut, also attended the hearing. No protestants or other interested persons attended and the file does not contain any written testimony from community members.

The following exhibits were introduced and admitted into the record: (1) Petitioner’s Site Plan; (2) Petitioner’s Building Plan with elevations; (3) SDAT sheet; (4) Deed of Record; (5) Plat

of Battle Park; (6) GIS Aerial Photograph; (7) Photos (a)-(e); (8) Zoning Description; (9) Declaration of Understanding; (10) Zoning Advisory Committee (“ZAC”) comment; (11) Development Plans Review (“DPR”) comment; (12) Department of Environmental Protection and Sustainability (DEPS) comment.

Findings of Fact

The Property is approximately 10,500 sq. ft. in lot area and is improved with a one and one-half story single-family dwelling of approximately 1,591 sq. ft. The Property is also improved with an accessory building (garage) of approximately 1,024 sq. ft. The Property is zoned DR 5.5. Mr. Billingsley proffered the evidence for Petitioners. Mr. Billingsley stated that the existing accessory building (garage) will be converted into an accessory apartment to be occupied by a family member of Petitioners. The existing footprint will be maintained with exterior and interior renovations to complete the construction of the accessory apartment. *See* Petitioner’s Exhibit 2. As the building footprint and foundation will remain, Mr. Billingsley stated that it would be impractical and a hardship if Petitioners were required to strictly comply with the 800 sq. ft. accessory apartment requirement as this would require substantial demolition and/or partial razing of the garage to reduce the footprint of the building.

Conclusions of Law

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to

determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

Under BCZR § 400.4, an accessory apartment is permitted as a temporary use within a principal single-family detached dwelling or within an accessory building situated on the same owner-occupied lot as the principal dwelling in any zone that permits single-family dwellings, subject to certain requirements. If located within an accessory building on the same owner-occupied property as the principal single-family detached dwelling, a special hearing, use permit, and declaration of understanding are required. BCZR § 400.4.B.1. Following a public hearing, the Office of Administrative Hearings may grant a request upon a finding that the size, location, and purpose of the accessory apartment conform with Section 502.1 and may impose such conditions, restrictions or regulations consistent with Section 502.2 as may be deemed necessary or advisable for the protection of surrounding and neighboring properties. BCZR § 400.4.B.3.

Upon consideration of the materials and exhibits contained in the file and testimony adduced at the hearing, I find that the size (see below for a variance analysis), location, and purpose of the accessory apartment conform with BCZR § 502.1 and satisfy the §502.1 factors. Moreover, I find that the proposed accessory apartment is compatible with the community and generally consistent with the spirit and intent of the regulations.

VARIANCE

Pursuant to BCZR § 400.4.B, the size of an accessory apartment may not exceed 1,200 square feet if located on a lot one acre or greater or 800 square feet if located on a lot less than one acre. The proposed accessory apartment is 1024 sq. ft. and the Property is less than one acre in size, requiring variance relief. Pursuant to BCZR § 307.1, "...the [Administrative Law Judge] shall have ...the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship...Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to public health, safety and general welfare..." 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).

The existing one-story accessory building (garage) is approximately 1,024 sq. ft. As the Property already supports an existing accessory building, the garage's foundation and footprint will be repurposed for the proposed accessory apartment. I find that this special circumstance is peculiar to the land and the condition of the existing building is unique to the existing structure and strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty as compliance with the 800 sq. ft. maximum size would require Petitioner to substantially

alter or partially raze the existing structure resulting in waste. I further find that the proposed variance is in strict harmony with the spirit and intent of the maximum area regulations for accessory apartments as the resulting accessory apartment will remain smaller than the principal dwelling and will not injure the public health, safety and general welfare.

THEREFORE, IT IS ORDERED, this 1st day of **February, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to BCZR §§ 400.4 500.7, to allow an accessory apartment within an existing accessory building situation on the same lot as the principal single-family dwelling, is hereby **GRANTED**; and

IT IS FURTHER ORDERED that the Petition for Variance of BCZR § 400.4.B.2.B to permit an accessory apartment within an accessory building with an area of 1024 sq. ft., in lieu of the maximum permitted 800 sq. ft., on a lot less than an acre be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition;
2. The accessory apartment shall not be used for commercial purposes;
3. The accessory apartment shall not be converted into a second dwelling beyond the scope of BCZR, §400.4. The accessory apartment shall only be utilized by the persons named in the use permit who are immediate family members as defined in BCZR, §101.1, and may not be used by any persons not named in the use permit for any other reason (including family members not otherwise named). When the accessory apartment is no longer occupied by the persons named in the use permit, or if the Property is sold, the use permit shall terminate. Upon termination, the renovations constructed for the accessory apartment will be removed and the accessory building will be restored to its original condition.

4. The accessory apartment shall not have separate utility, gas and electric and/or water/sewerage connections or services. All services shall connect to the house.
5. Prior to the issuance of the use permit, Petitioners shall file and record at their expense, an executed and notarized Declaration of Understanding, along with a property description and a site plan showing the proposed improvements, along with a copy of this Order, in the Land Records of Baltimore County, and file a copy of the same with the Department of Permits, Approvals and Inspections.
6. Petitioners shall renew the use permit with Department of Permits, Approvals and Inspections every two (2) years by filing a renewal on a form approved by Department of Permits, Approvals and Inspections, to be dated from the month of the Order herein, and shall list the name of any person(s) occupying the accessory apartment.

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



DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB/dlm



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:
Address 2923 ROSS AVENUE which is presently zoned DR5.5
Deed References: L. 33408 F. 36 10 Digit Tax Account # 1519510840
Property Owner(s) Printed Name(s) ANGELO S. 4TH & LAUREN PERRERA

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
- AN ACCESSORY APARTMENT WITHIN AN EXISTING ACCESSORY BUILDING SITUATED ON THE SAME LOT AS THE PRINCIPAL SINGLE FAMILY DWELLING**
2. ☐ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s)
- SECTION 400.4.B.2.B TO PERMIT AN ACCESSORY APARTMENT WITHIN AN EXISTING ACCESSORY BUILDING WITH AN AREA OF 1024 SQUARE FEET IN LEIU OF THE MAXIMUM PERMITTED 800 SQUARE FEET ON A LOT LESS THAN ONE ACRE**
- of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

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

Attorney for Petitioner:

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

Legal Owners (Petitioners):

ANGELO S. PERRERA 4TH LAUREN PERRERA
Name #1 - Type or Print Name #2 - Type or Print
Angelo Perrera IV Lauren Perrera
Signature #1 Signature #2
2923 ROSS AVENUE BALTIMORE MD.
Mailing Address City State
21219
Zip Code Telephone # Email Address

Representative to be contacted:

DAVID BILLINGSLEY
Name- Type or Print
David Billingsley
Signature
601 CHERRYWOOD CT EDGEWOOD MD.
Mailing Address City State
21040 (410) 679-8719 dwb0209@yahoo.com
Zip Code Telephone # Email Address

CASE NUMBER 2023-0253-SPA Filing Date 12/8/2023 Do Not Schedule Dates: _____ Reviewer CP

EXHIBIT A

ZONING DESCRIPTION 2923 ROSS AVENUE

Beginning for the same at a point on the south side of Ross Avenue (40 feet wide) distant 120 feet westerly from its intersection with the center of McComas Road, thence being all of Lot 155 as shown on the plat entitled Battle Park recorded among the Baltimore County plat records in Plat Book 7 Folio 58. Containing 10,500 square feet or 0.241 acre of land, more or less.

Being known as 2923 Ross Avenue. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Maryland.

2023-0253 SAHA

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 17th day of November, 2023 by and between ANGELO S. PERRERA, 4TH AND LAUREN PERRERA (hereinafter referred to as the "Declarants") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

RECITALS

A. The Declarants are the owners of the Property, described in Exhibit A, known as 2923 ROSS AVENUE, described in a deed dated January 7, 2013 recorded among the Baltimore County Land Records in Liber 33408 Folio 36

The Property is located in the Fifteenth Election District and is improved with a single family dwelling and detached garage. The Property is zoned DR 5.5.

B. The Declarants have filed an application for a use permit for an accessory apartment within the existing garage. The accessory apartment, containing 1024 square feet, complete with dedicated bathing and cooking facilities, will be housing for GLORIA RAUT, the mother of Lauren Perrera. The Declarants will continue to occupy the existing dwelling.

C. The Property and proposed Accessory Apartment are shown on Exhibit B which is attached hereto and made a part hereof.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarants and PAI hereby declare as follows:

1. Any improvements now existing or to be constructed on the property shall be used only as a single family residence. No such improvements or additions shall ever be used as a separate living quarter or second residential unit. The kitchen for the accessory apartment will be constructed as part of the Property and shall be accessory to the principal use of the Property as a single family residence. The Accessory Apartment shall house only the immediate family members listed in this Declaration and is not to be used as an independent residential unit, nor is it to be used for compensation, and it shall not be used by any other person for any other reason.
2. The Declaration, including exhibits and use permit shall be recorded among the Land Records of Baltimore County to provide notice to future owners, subsequent bona fide purchasers of the property that no part of any addition or improvements on the Property may be used for separate living quarters and that all such improvements shall only be used as a single family residence, unless otherwise approved by and at the discretion of PAI. A copy of the recorded document shall be filed with PAI.
3. The Accessory Apartment may not have separate utility meters, such as gas and electric service.
4. The use permit shall be renewed with PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval and shall list the name of any person occupying the Accessory Apartment.

2023-0253-SHAA

5. Once the Accessory Apartment is no longer occupied by the persons named in this Declaration, or if the Property is sold, or the use permit has not been renewed within the 2 year temporary use permit time limit, the use permit shall terminate and any proposed changes in occupancy to the Accessory Apartment by the property owner or subsequent purchaser shall require a new request for a use permit.

6. Upon use permit termination:

- a. The kitchen within the accessory apartment must be removed and the former Accessory Apartment space may only be used as an accessory structure as permitted by the Baltimore County Zoning Regulations.
- b. The Declarant will provide written notification to PAI for the closing of the Department file.

7. The covenants, conditions and restrictions stated above shall run with and bind the property and shall be enforceable by Baltimore County, MD. and by the owners of all or any portion of the Property.

8. Enforcement of the Covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of the covenants, either to restrain the violation or to recover damages.

IN WITNESS WHEREOF, the parties have duly executed this Declaration under seal on the date first above written.

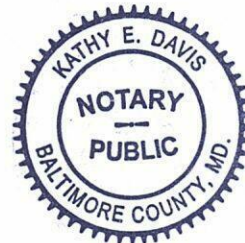
WITNESS: Angelo S. Perrera IV 11.7.2023 Lauren Perrera 11.7.2023
ANGELO S. PERRERA, 4TH, DECLARANT DATE LAUREN PERRERA, DECLARANT DATE

State of Maryland, County of BALTO. to wit:

I HEREBY CERTIFY that on this 7th day of November, 2023 before the Subscriber, a Notary Public of the State of Maryland personally appeared Angelo S. Perrera 4th AND LAUREN Perrera the Declarants herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and who acknowledge that the executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires: April 2, 2024



Kathy E Davis
Notary Public

2023-0253-SHA

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

No. 228993

Date: 12-8-2023

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				150.00

Total: 150.00

Rec From: 2923 Ross Ave

For: 20230253-SPHA

025.5

DISTRIBUTION

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

CASHIER'S
VALIDATION

23-1061

CP

10637

CENTRAL DRAFTING & DESIGN

601 CHARWOOD COURT
EDGEWOOD, MD 21040-2714
(410) 679-8719

PNC BANK, N.A.

15-3/540



11/21/23

PAY TO THE ORDER OF BALTIMORE COUNTY, MD

\$ 150.00

ONE HUNDRED FIFTY AND

00/100 DOLLARS

MEMO



David Billingsley
AUTHORIZED SIGNATURE

⑈010637⑈ ⑆054000030⑆ 5501309789⑈

CERTIFICATE OF POSTING

Date: JANUARY 6, 2024

RE: Project Name: 2923 ROSS AVENUE #1
Case Number /PAI Number: 2023-0253-SPHA
Petitioner/Developer: PERRERA
Date of Hearing/Closing: JANUARY 29, 2024

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 2923 ROSS AVENUE

The sign(s) were posted on JANUARY 5, 2024
(Month, Day, Year)

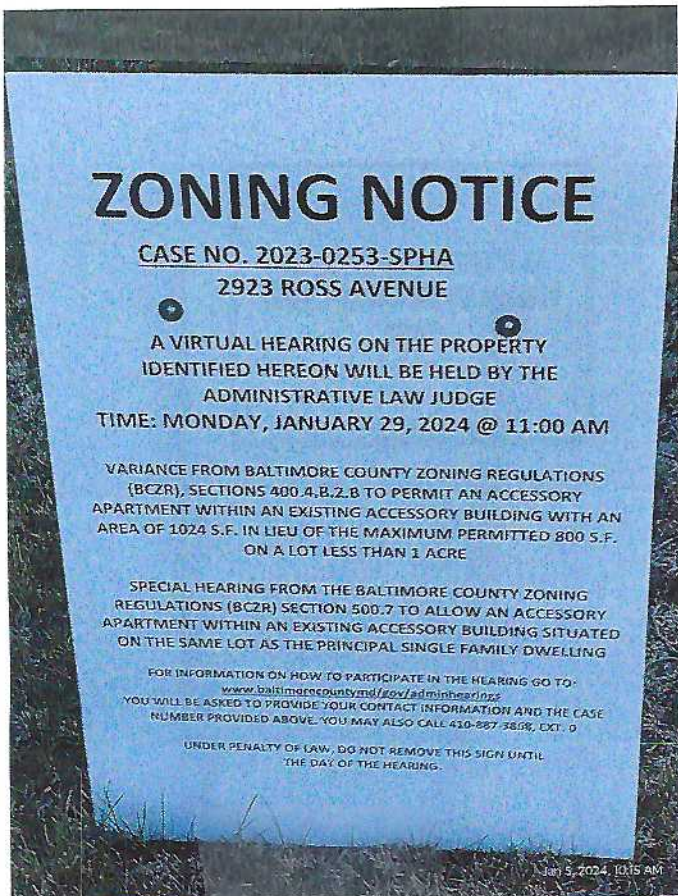

(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

Date: JANUARY 6, 2024

RE: Project Name: 2923 ROSS AVENUE #2
Case Number /PAI Number: 2023-0253-SPHA
Petitioner/Developer: PERRERA
Date of Hearing/Closing: JANUARY 29, 2024

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 2923 ROSS AVENUE

The sign(s) were posted on JANUARY 5, 2024
(Month, Day, Year)

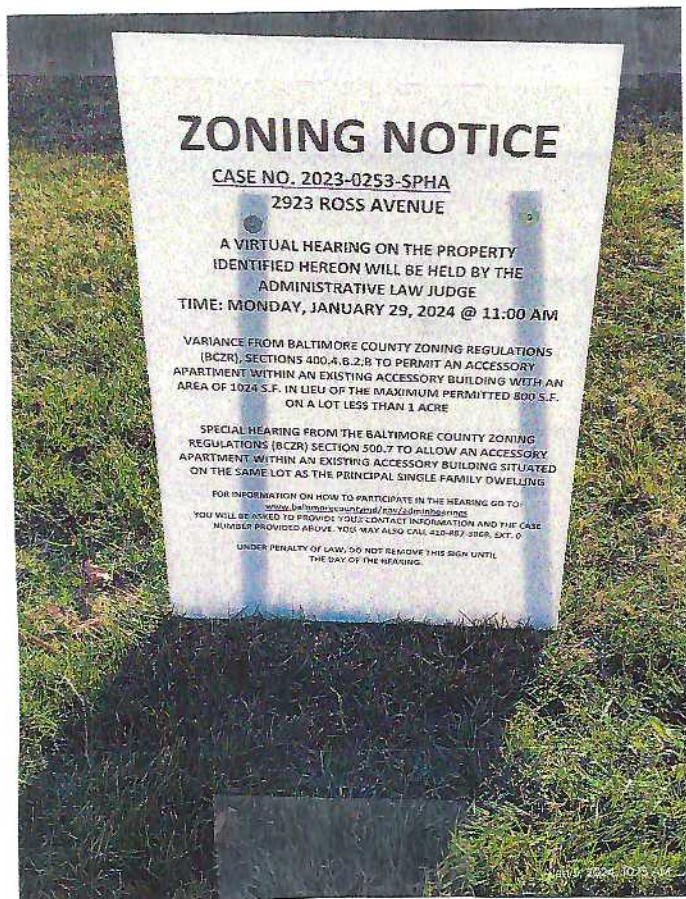
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



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: December 12, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0253-SPHA
Address: 2923 Ross Ave
Legal Owner: Angelo & Lauren Perrera

Zoning Advisory Committee Meeting of December 19, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

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 December 19, 2023
Item No. 2023-0253-SPHA

DATE: December 19, 2023

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

DPW-T: N/C

DPR: N/C

Landscape: N/C

Rec & Parks: N/C & No Greenways affected

VKD: JK
cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/14/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0253-SPHA

INFORMATION:

Property Address: 2923 Ross Avenue
Petitioner: Angelo S. and Lauren Perrera
Zoning: DR 5.5
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing -

1. Under Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to determine whether or not the Zoning Commissioner should approve an accessory apartment within an existing accessory building situated on the same lot as the principal single family dwelling; and

Variance -

2. From Section 400.4.B.2.B to permit an accessory apartment within an existing accessory building with an area of 1,024 square feet in lieu of the maximum permitted 800 square feet on a lot less than one acre.

The subject site is an approximately 10,500 square foot parcel in the Sparrows Point area. It is improved with a one and a half story dwelling and a one story, 15' tall detached garage. The garage is located behind the dwelling and is accessed via an alleyway between Ross Avenue and Wells Avenue. Street parking is available in front of the dwelling, as well as in the alleyway behind the dwelling. Based on Google Streetview, the garage is a two-car garage and has existed since prior to 2008.

Based on the Petition and a Declaration of Understanding letter submitted with it, the property owners wish to convert the detached garage into an accessory apartment for Petitioner/property owner Lauren Perrera's mother. The accessory apartment will be 1,024 square feet and will include a kitchen and bathroom. Per the Declaration of Understanding, the accessory apartment is only to be occupied by the named party, will not have a separate utility meter, and will require a use permit to be renewed with Permits, Approvals and Inspections every two years. Following termination of the use permit – which could be because the named party no longer occupies the apartment, the property is sold, or the permit is not renewed within the two-year time – the kitchen is to be removed.

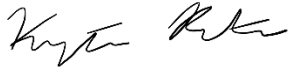
The subject site is within the boundary of the Greater Dundalk-Edgemere Community Conservation Plan, adopted March 20th, 2000. The plan outlines strengths and weaknesses in the Greater Dundalk/Edgemere area, as well as recommendations on how to improve the area. Related to housing, the plan sets recommendations of encouraging home ownership and residential stability within the plan area and promoting healthy neighborhoods (page 36).

The structure is existing and will allow the Petitioners/property owners to remain in their home while housing their family member. As such, the Department of Planning has no objections to the requested Special Hearing or Variance relief, subject to the following condition:

1. The accessory apartment must remain properly permitted during its use duration, and all requirements on the Declaration of Understanding must be met.

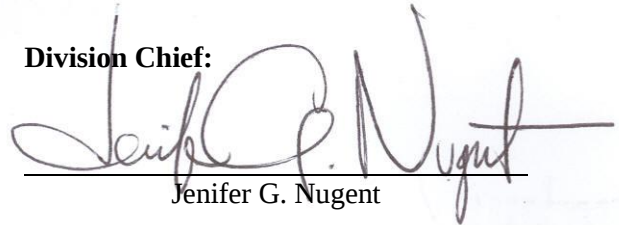
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: David Billingsley
Maria Mougridis, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
2923 Ross Avenue, S/S of Ross Avenue,	*	OF ADMINISTRATIVE
120' W of McComas Road		
15 th Election & 7 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Angelo & Lauren Perrera		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2023-253-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman/rmw
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio/rmw
 CAROLE S. DEMILIO
 Deputy People's Counsel
 Jefferson Building, Suite 204
 105 West Chesapeake Avenue
 Towson, MD 21204
 (410) 887-2188
peoplescounsel@baltimorecountymd.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of December, 2023, a copy of the foregoing Entry of Appearance was emailed to David Billingsley, 601 Charwood Court, Edgewood, Maryland 21040, dwb0209@yahoo.com, Representative for Petitioner(s).

Peter Max Zimmerman/rmw
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

**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: 2023-0253-SPHA
Property Address: 2923 ROSS AVENUE
Legal Owners (Petitioners): ANGELO S & LAUREN PERREKA
Contract Purchaser/Lessee: NA

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): DAVID BILLINGSLEY
Address: CENTRAL DRAFTING
AND DESIGN
601 CHARWOOD COURT
EDGEWOOD, MD 21040
Telephone Number: (410) 679-8719

*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

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

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

Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1519510840

Owner Information

Owner Name: PERRERA ANGELO S 4TH
PERRERA LAUREN
Mailing Address: 2923 ROSS AVE
BALTIMORE MD 21219-1228

Use: RESIDENTIAL
Principal Residence: YES
Deed Reference: /33408/ 00036

Location & Structure Information

Premises Address: 2923 ROSS AVE
BALTIMORE 21219-1228

Legal Description: 2923 ROSS AVE ES
BATTLE PARK

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0111 0010 0125 15130118.04 0000 155 2024 Plat Ref: 0007/ 0058

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1942 1,591 SF 10,500 SF 04

StoriesBasementType ExteriorQualityFull/Half BathGarage Last Notice of Major Improvements
1 1/2 YES STANDARD UNITSIDING/3 1 full 1 Detached

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2023	07/01/2024
Land:	74,600	74,600		
Improvements	160,500	160,500		
Total:	235,100	235,100	235,100	
Preferential Land:	0			

Transfer Information

Seller: PERRERA ANGELO S	Date: 04/04/2013	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /33408/ 00036	Deed2:
Seller: JARRARD MICHAEL C	Date: 03/05/2007	Price: \$258,000
Type: ARMS LENGTH IMPROVED	Deed1: /25298/ 00491	Deed2:
Seller: BOHAGER CONSTANCE J	Date: 02/06/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12651/ 00080	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

Special Tax Recapture: None

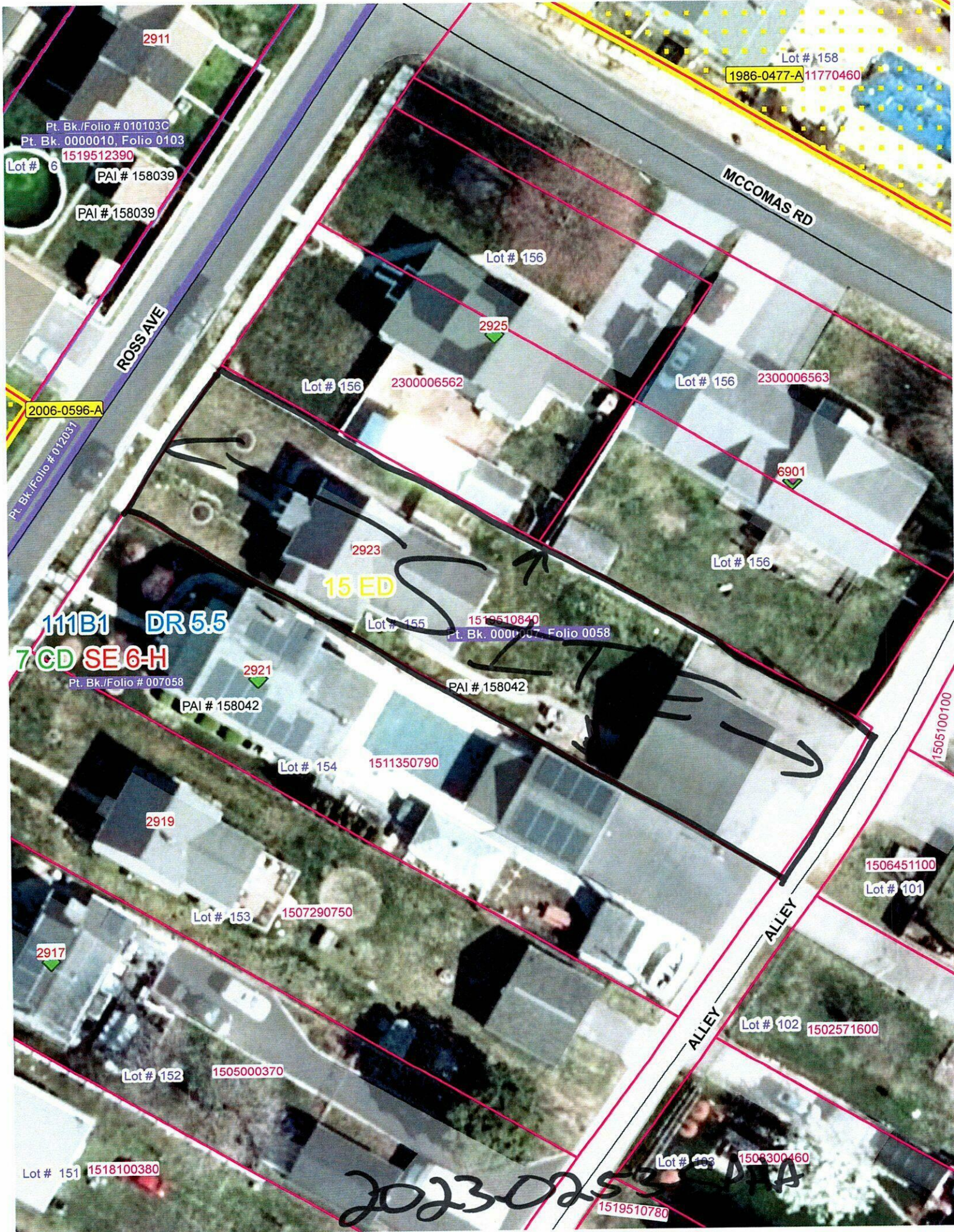
Homestead Application Information

Homestead Application Status: Approved 06/02/2009

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023-0253-SPHA



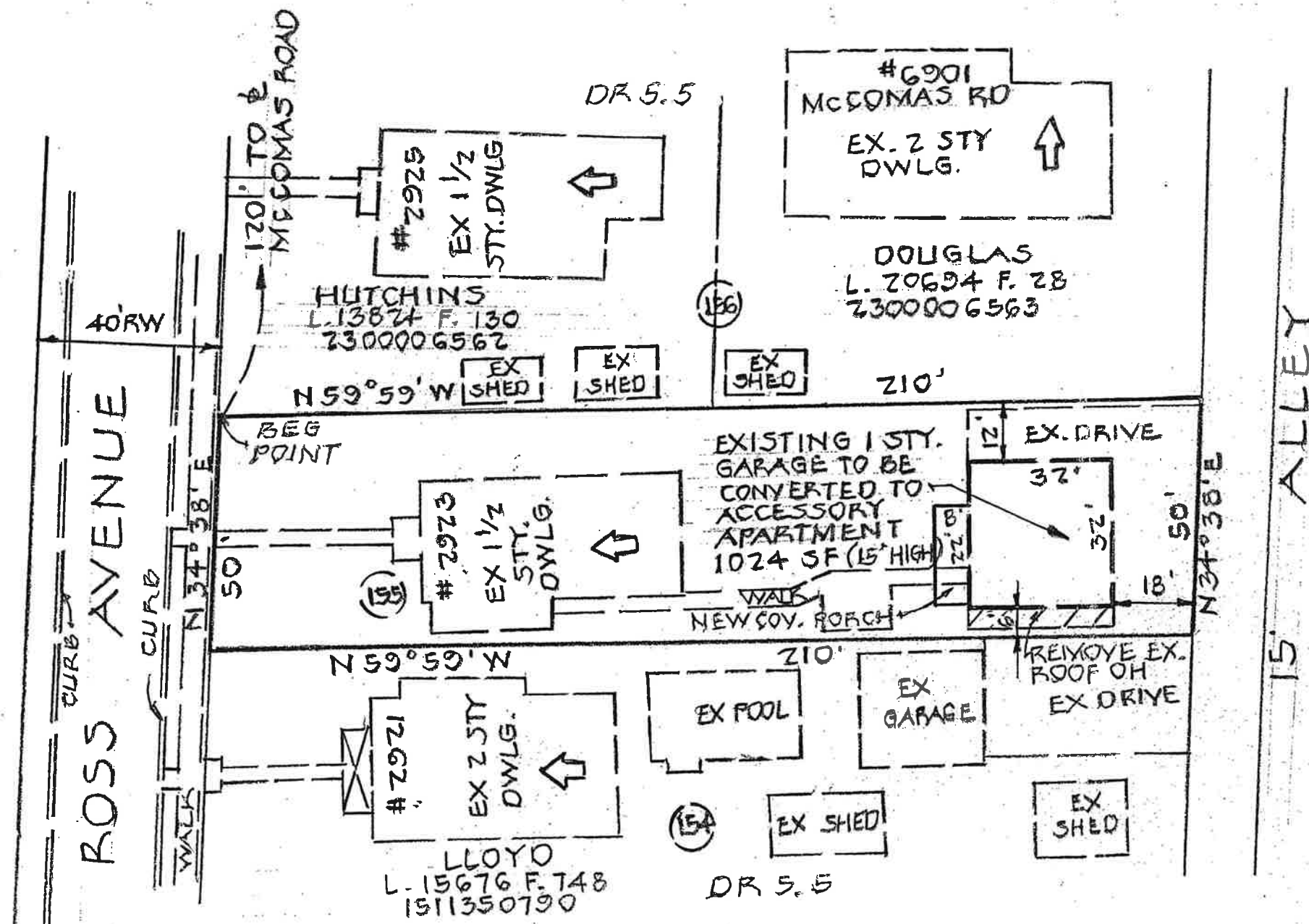
PLAT BOOK # 7 FOLIO # 58 10 DIGIT TAX # 1519510840 DEED REF. # 33408 / 36

"Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the state of Maryland, License No. 15453, Expiration Date: July 2, 2025

N/A

1 OF 2

2023-0253-SPHA



CENTRAL DRAFTING & DESIGN
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

PLAN DRAWN BY: DWB

DATE 11/3/23 SCALE: 1 INCH = 30' FEET