



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

January 31, 2024

Michael and Tena Mannion – mmannio2@jhmi.edu
800 Castlebridge Ct.
Monkton, MD 21111

RE: Petition for Administrative Variance
Case No. 2024-0003-A
Property: 800 Castlebridge Ct.

Dear Mr. and Mrs. Mannion:

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 be "DJB", is written over a circular blue stamp.

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(800 Castlebridge Ct.)		
7 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Michael & Tena Mannion	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0003-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, Michael and Tena Mannion (“Petitioners”) for the property located at 4800 Castlebridge Court, Monkton (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §400.1, to permit an in-ground swimming pool to be located in the side yard in lieu of the required rear yard placement.

The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1 (the “Site Plan”). Street view photographs of the Property were provided. (Pet. Exs. 2A-2C). No adverse Zoning Advisory Committee (“ZAC”) comments were submitted by any of the County reviewing agencies.

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 Site Plan, photographs, and affidavit submitted provide sufficient facts that comply with the requirements of BCZR, §307.1. Furthermore, strict compliance with the BCZR would result

in practical difficulty and/or unreasonable hardship upon the Petitioner.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on January 14, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

THEREFORE, IT IS ORDERED, this 31st day of **January, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.1, to permit an in-ground swimming pool to be located in the side yard in lieu of the required rear yard placement, be and it is hereby, **GRANTED**.

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: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 800 Castlebridge Ct. Monkton, MD 21111 Currently Zoned RC-4
Deed Reference 43820 / 49 10 Digit Tax Account # 240000172
Owner(s) Printed Name(s) Michael R Mannion ; Tena M Mannion

(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. XX **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 400.1 → To permit an in-ground swimming pool to be located in the side yard in lieu of the required rear yard placement.

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):

Michael R Mannion		Tena M Mannion	
Name #1 – Type or Print		Name #2 – Type or Print	
Signature #1		Signature #2	
800 Castlebridge Ct		Monkton	MD
Mailing Address		City	State
21111	410 963 5780	mmannio2@jhmi.edu	
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 2024-0003-1 Filing Date 1 / 3 / 24 Estimated Posting Date 1 / 14 / 24 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: 800 Castlebridge Ct Monkton MD 21111
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 would like to install an in-ground swimming pool. The septic reserve area for our lot takes up the entire back yard. After 3
pool vendors reviewing our site, the side yard placement is the only viable option. The pool will be screened by both existing
and new landscape and will not be visible from outside of our property. Strict conformance with existing zoning regulations
would make installation of the pool impossible which would be unreasonanble. Neither adjoining property owners nor the genera
public will be burdened by the granting of the administrative variance. The spirit of the ordinance will still be observed and
public safety and welfare will be secured by the granting of the administrative variance. Granting the variance will allow
safe and easy access to the in ground pool without requiring the homeowner to go to the great expense of moving the septic
field.

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

Signature of Owner (Affiant)

Michael R Mannion

Name - Print or Type

Signature of Owner (Affiant)

Tena M Mannion

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 December, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

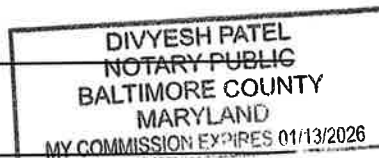
Print name(s) here: Michael Ryan Mannion and Tena M Mannion

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

AS WITNESS my hand and Notaries Seal

Notary Public

My Commission Expires



800 CASTLEBRIDGE COURT

THE ZONING PETITION PROPERTY DESCRIPTION

Three (3) typed copies (separate pages) of the zoning description of the property is required. Standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, are too wordy but some of the information must be used. (Note: Old deed information such as perches or a stone, etc. cannot be used as is.) Read your deed, your location survey and your State Assessment record to determine which of the three options you should use. DO NOT PHOTOCOPY THE DESCRIPTION IN THE DEED. The zoning property description must comply with Part A and Part B:

PART A (START DESCRIPTION WITH THE FOLLOWING):

ZONING PROPERTY DESCRIPTION FOR 800 Castlebridge Court, Monkton MD 21111
(address or location)

Beginning at a point on the north side of Castlebridge Court which is 20 feet wide at the distance of 23 feet south of the centerline of the nearest improved intersecting street Big Falls Road which is 18 feet wide.

*Be aware that the Beginning Point and the distance in feet to the street centerline intersection, as stated in the zoning property description, must be shown and labeled on the hearing plan. The lot area (total square feet or acres) on the hearing plan and the zoning description must agree.

PART B (CONTINUE DESCRIPTION WITH ONE OF THE FOLLOWING 3 OPTIONS):

BEING known and designated as Lot No. 1, as shown on the plat entitled, "Final Subdivision Plat, Low Property", which Plat is recorded among the Land Records of Baltimore County, Maryland in Liber S.M. No. 75 folio 18.

2024-0003-A

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 1, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0003-A
Address: 800 CASTLEBRIDGE CT
Legal Owner: Michael & Tena Mannion

Zoning Advisory Committee Meeting of January 26, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. The proposed structure must meet the minimum required setbacks.

Additional Comments:

Reviewer: Rochelle V. Underwood

The Department of Public Works and Transportation (DPWT) Bureau of Engineering and Construction offers the following comments following the review of the ZAC Agenda for the distribution meeting of January 19, 2024 and comments due January 26, 2024:

2024-0003-A, 800 Castlebridge Ct.: No Exception taken

ZAC AGENDA

Case Number: 2024-0003-A **Reviewer:**
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Michael & Tena Mannion
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 7 **Council Dist:** 3

Property Address: 800 CASTLEBRIDGE CT
Location: Northeast corner of intersection of Castlebridge Court and Big Falls Road

Existing Zoning: RC 4 **Area:** 1.004 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR, Section 400.1 to permit an in-ground swimming pool to be located in the side yard in lieu of the required rear yard placement.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 01/29/2024

Miscellaneous Notes:

*Landscape - NC
Per & Parks - NC : No Greenways Affected*

Case Number: 2024-0004-A **Reviewer:**
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: TW Robbins, Lloyd Robbins, Jr.
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 4602 TODD POINT LN
Location: East side of Todd Point Ln., east of intersection of Morse Rd. and Todd Point Rd.

Existing Zoning: DR 3.5 **Area:** 6,936 SQ. FT.

Proposed Zoning:

VARIANCE:

BCSZR, Section 1B02.3.C.1 to permit a side yard setback of 10 ft. and a total of 22 ft. in lieu of the minimum required 10 ft. and 25 ft. total. Section 1B052.3.C.1, BCZR to permit a street rear yard setback of 27 ft. in lieu of the required average setback of 34 ft.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

No Greenways affected.

Landscape: N/C.

Miscellaneous Notes:

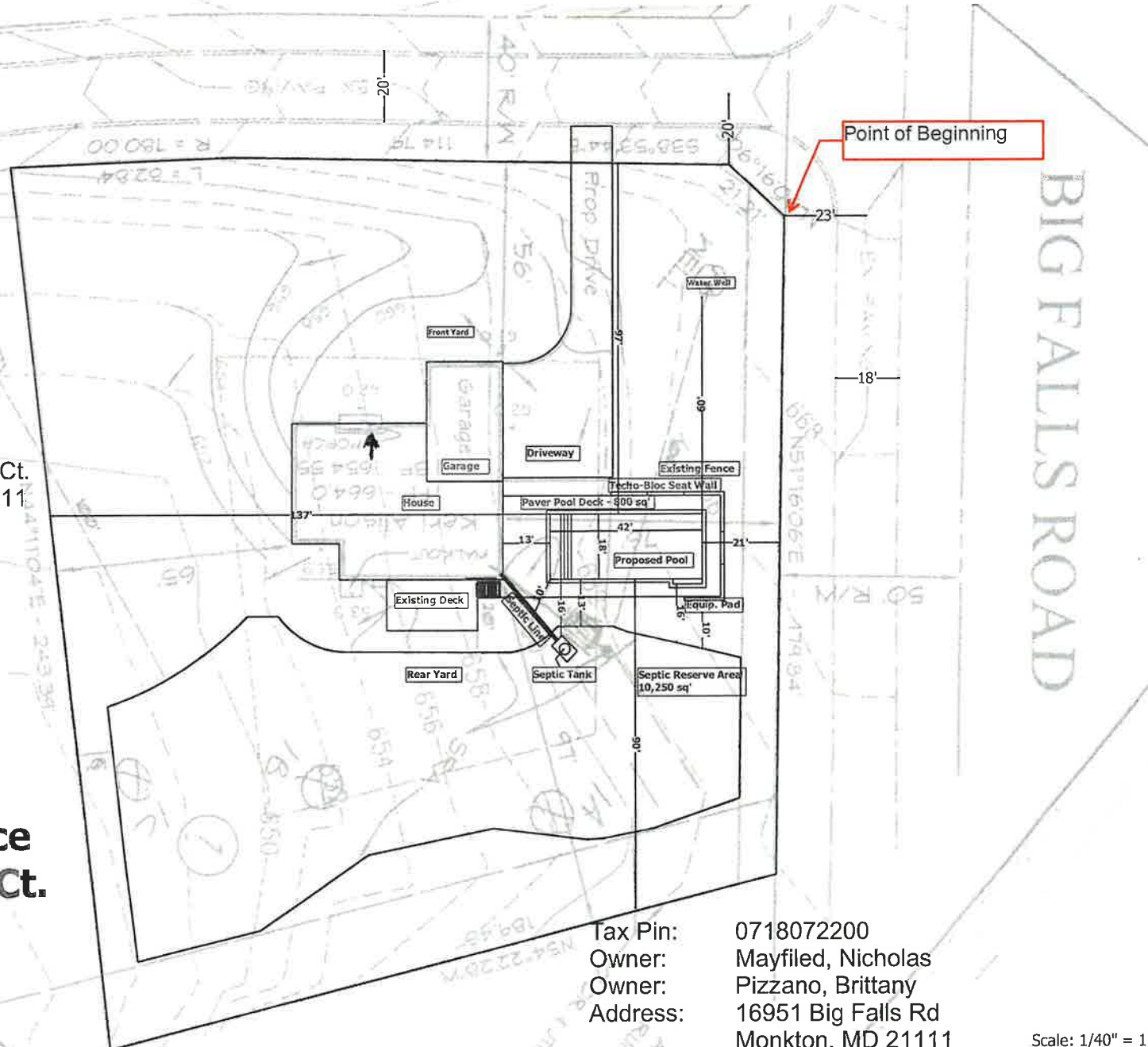
*Landscape - NC
Per & Parks - NC : No Greenways Affected*

Zoning Hearing Plan for Variance X for Special Hearing Mark Type Requested with (X)
 Address 800 Castlebridge Ct Monkton MD 21111 Owners(s) Name(s) Michael R Mannion; Tena M Mannion
 Subdivision Name low property Lot # 1 Block # Section #
 Plat Book # 0075 Folio # 0018 10 Digit Tax # 2400001724 Deed Reference# 43820 00049

Tax Pin: 2400001725
 Owner: Sprio, Jessie
 Owner: Spiro, Danielle
 Address: 802 Castlebridge Ct.
 Monkton, MD 21111

2024-0003-A

Mannion Residence
800 Castlebridge Ct.
1 Acre Lot
Scale - 1" = 40'



Tax Pin: 0718072200
 Owner: Mayfield, Nicholas
 Owner: Pizzano, Brittany
 Address: 16951 Big Falls Rd
 Monkton, MD 21111

Scale: 1/40" = 1 ft

Site Vicinity Map

castlebridge ct

Big Falls Road

Subject Property

MAP IS NOT TO SCALE

Zoning Map # 022B3

Zoning RC-4

Section District 1

Council District 3

Lot Area Acreage 1

Lot Square Footage 43560

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) y

If (Yes) list Case Number(s) and order result(s) below

2002-0110-SPH approved

Violation Case Number(s) none