



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

April 8, 2024

Rivera Marisol – maryrv123@yahoo.com
732 Mansfield Road
Baltimore, MD 21221

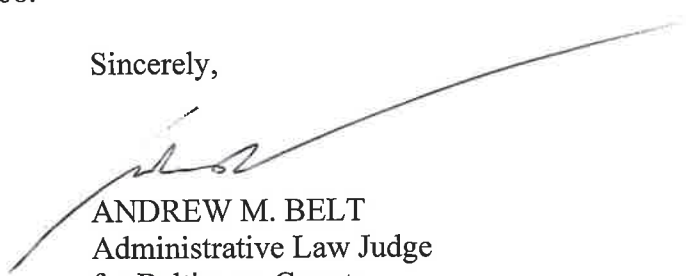
RE: Petition for Variance
Case No. 2024-0007-A
Property: 732 Mansfield Road

Dear Petitioner:

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,


ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlm
Enclosure

c: Juan Garzon – projects@ideatellc.net
Emilie – campos717@yahoo.com
Juan Garzon – juan@ideatellc.net
Max Pfeiler – pfeilerjoseph@gmail.com
Code Enforcement – paienforce@baltimorecountymd.gov

IN RE: PETITION FOR VARIANCE

(732 Mansfield Road)

15th Election District

7th Council District

Marisol Rivera

Legal Owner

Petitioner

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BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS OF

BALTIMORE COUNTY

CASE NO. 2024-0007-A

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OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Marisol Rivera (“Petitioner”) for property located at 732 Mansfield Road, Essex (the “Property”). Petitioner is requesting variance relief from Baltimore County Zoning Regulations (“BCZR”), §§103.1 and 1B02.3.B, (§§ 214.1.b and 301.1 of the 1959 Zoning Regulations), to permit an existing dwelling addition with a side yard setback of 5.3 ft. in lieu of the minimum required 15 ft. and to permit an open projection (carport) with a rear yard setback of 27.8 ft. in lieu of the minimum required 37.5 ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on April 3, 2024. The Petition was properly advertised and posted. The Petitioner attended the hearing in support of the requested relief with the assistance of Spanish Interpreter, Julieta Fellner. Juan Garzon also was present, who prepared the site plan and assisted the Petitioner. There were no Protestants or other interested persons in attendance.

A Code Violation was issued on January 11, 2023, case number CB230006, for a structure being built on the side of the house without a permit.

A Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”) and the Department of Environmental Protection and Sustainability (“DEPS”),

which agencies did not oppose the requested relief.

As shown on a site plan (the "Site Plan"), the Property is 3,795 sf +/- located in the Essex area of Baltimore County. (Pet. Ex. 1) The property is part of a townhome development located along Mansfield Road. Petitioner has constructed without permits, a side-yard, one story addition to their townhome with a side-yard set-back of 5.3 ft. The original dwelling is 15 ft. from the property line, causing any side addition to require variance relief. The subject property is an end-of-group and the neighboring dwelling on the side of the constructed addition is 15 ft. from the property line. The Petitioner has also constructed an open projection ("carport") with a rear yard setback of 27.8 ft. in lieu of the required 37.5 ft. Such carports are not uncommon in the community. Petitioner's site plan reflects that the basement steps run along the rear of the dwelling, necessitating the carport to extend somewhat to accommodate the parking of longer vehicles. Photographs offered as Pet. Exhibit 2 reflects that the carport is the length of a pick-up truck.

Petitioner, Marisol Rivera, testified that she lives at the property with her boyfriend and three children. She explained that the addition was built when she was expecting her third child in order to provide an additional bedroom for their expanding family. She further explained that the addition was built by a friend and that she was unaware that a permit was required. She noted that she has yet to make use of the addition pending zoning approval. No persons attended the hearing in opposition to the Petitioner's proposed relief. The case was originally scheduled for February 26, 2024 and was postponed once the hearing commenced when it was determined that an interpreter was required. It is noteworthy that no protestant appeared during that hearing as well. Finally, the source of the citizen complaint for the Code Enforcement matter was not a direct neighbor or a resident living the Petitioner's Street.

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).

As explained above, it can be inferred that the Property is unique due its end of group location which allows for greater distance between the Petitioners' dwelling and the neighboring dwelling. The Petitioner stated the need for additional space for a growing family is warranted, and the Petitioner would obviously experience a practical difficulty or hardship if relief is denied. Additionally, the Petitioner would experience a practical difficulty if variance relief were not granted to allow the extension of their carport, in that a smaller carport would not cover their vehicles.

The decision in this matter to grant the Petitioner's requested variance relief is somewhat swayed by the lack of community opposition, and is not meant to create precedent involving such construction projects performed without first obtaining proper permitting. While it is not in the public's interest to require the demolition of Petitioner's addition in this instance, this opinion should not be interpreted to infer that the Petitioner should escape sanction for the construction of such an addition. Consequently, while this opinion may preclude Code Enforcement actions in the future as to this zoning issue, the adjudication of the previous Code Violation may proceed, with any sanction imposed as a result being within the discretion of the Administrative Law Judge.

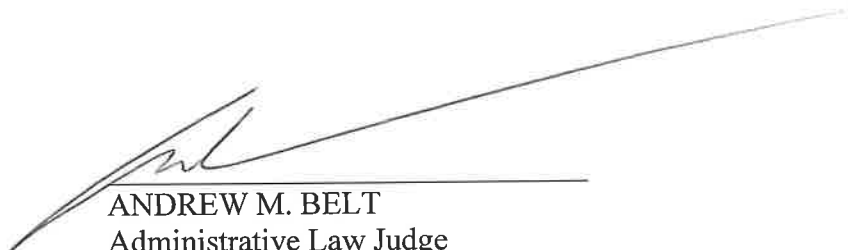
THEREFORE, IT IS ORDERED, this **8th** day of **April, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §§103.1 and 1B02.3.B, (§§ 214.1.b and 301.1 of the 1959 Zoning Regulations), to permit an existing dwelling

addition with a side yard setback of 5.3 ft. in lieu of the minimum required 15 ft. and to permit an open projection (carport) with a rear yard setback of 27.8 ft. in lieu of the minimum required 37.5 ft., and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is 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, Petitioner would be required to return the subject property to its original condition.
- Petitioner must comply with the ZAC comments of DOP and DEPS which are attached hereto and made a part hereof.

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



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB/dlm

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 (DEPS) - Development Coordination

DATE: February 1, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0007-A
Address: 732 MANSFIELD RD
Legal Owner: Marisol Rivera

Zoning Advisory Committee Meeting of January 26, 2024.

Baltimore County Code.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (DEPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

This property is located within an Intensely Developed Area (IDA) in the Chesapeake Bay Critical Area (CBCA) and must comply with the 10% pollutant reduction requirements to minimize adverse impacts on water quality that result from development activities. The zoning relief requested can be supported by DEPS provided that the development complies with residential 10% pollutant reduction requirements for the additional impervious surface areas added to the site. The compliance is required prior to permit approval.

2. Conserve fish, wildlife, and plant habitat; and

The zoning request will not result in any impacts to forest, streams, wetlands, or Critical Area buffers. By meeting the 10% pollutant reduction requirements for the proposed development, watershed impacts can be better managed, and this can aid in the conservation of fish, wildlife, and plant habitat in the area.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The zoning relief requested will be consistent with established land-use policies provided that the applicants meet all Critical Area requirements for the proposed development.

Paul Dennis, Environmental Impact Review January 30, 2024

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/30/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0007

INFORMATION:

Property Address: 732 Mansfield Road
Petitioner: Rivera Marisol
Zoning: DR 10.5
Requested Action: Variance

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

Variance - From Section 103.1 & 1B02.3.B, BCZR (Section 214.1.6 & 301.1. of the 1957 Zoning Regulation) to permit an existing dwelling addition with a side yard setback of 5.3 ft. in lieu of the minimum required 15 ft. and to permit an open projection (carport) with a rear yard setback of 27.8 ft in lieu of the minimum required 37.5 ft.

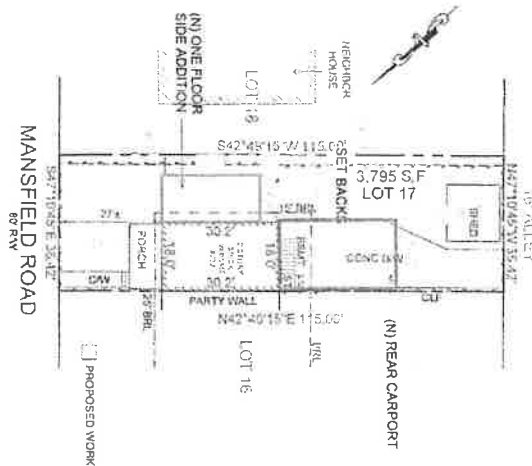
The subject property consists of 3,795-sf. located in the Essex area of Baltimore County. The property is part of a townhome development located along Mansfield Road. Other townhomes, Deep Creek and forests surround the property.

The proposed extension, which is already constructed is located on the west side of the property indicated in green (in the image below). The orange line indicates the location of the proposed carport in the rear. Baltimore County Code Enforcement issued a citation for the violation to build an extension without permit. According to Case CB2300006 an addition was built without permit as indicated in the photo below. According to Code Enforcement, the citation did not include the proposed carport to the rear and it is also unknown if the proposed car port is also built.

The petitioner has indicated that they intend to present a demonstration of unreasonable hardship or practical difficulty as required to grant this variance at the hearing for this request. No such unreasonable hardship or practical difficulty is readily identifiable through provided documents or accessible information. Yet, the information gathered through the review of potentially relevant guidance, such as community plans, does not require that the requested variance be denied. It is worth noting that the proposed addition is consistent with similar additions specifically on 730 and 750 Mansfield Road. Also, other nearby townhomes are using the rear of their property for parking purposes similar to what the applicant is proposing.

The Department of Planning does not object to the requested relief and defer all decision making to the Administrative Law Judge. The Department requests that an approval to the requested relief for side and rear yard setback must include the following conditions:

1. A sufficient demonstration of unreasonable hardship or practical difficulty is presented as determined by the Administrative Law Judge.
2. The Petitioners or subsequent owners shall not convert the subject extension into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
3. The accessory structure shall not be used for commercial or industrial purposes.



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

Prepared by:

Krystle Patchak

Krystle Patchak

Division Chief:

Jenifer G. Nugent

Jenifer G. Nugent

SL/JGN/KP

c: Juan Garzon
Ainsley Pressl, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



PETITION FOR ZONING HEARING(S)

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 732 MANSFIELD ROAD, BALTIMORE MD, 21221 Currently Zoned DR 10.5 (Vest RG)
Deed Reference 37480 / 00146 10 Digit Tax Account # 1600001917
Owner(s) Printed Name(s) RIVERA MARISOL

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

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. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s) 103.1 & 1802.3.B, BC2R (Sections 214.1.6 & 301.1 of the 1959 Zoning Regulations) to permit an existing dwelling addition with a side yard setback of 51.3 feet in lieu of the minimum required 15 feet and to permit an open projection (carport) with a rear yard setback of 27.8 feet in lieu of the minimum required 37.5 feet.
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/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.

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):

RIVERA MARISOL

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

512 MANSFIELD ROAD BALTIMORE MD
Mailing Address City State

21221 / 443-449-3279 / Maryrv123@yahoo.com
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

JUAN GARZON

Name - Type or Print

Signature

3609 URBANA PIKE FREDERICK MD
Mailing Address City State

21704 / 202 - 615 - 9602 / projects@ideatellc.net
Zip Code Telephone # Email Address

Case Number 2024-0007-A Filing Date 1/13/2024 Do Not Schedule Dates Reviewer CF

THE ZONING PETITION PROPERTY DESCRIPTION:

PART A (START DESCRIPTION WITH THE FOLLOWING):

ZONING PROPERTY DESCRIPTION FOR **732 MANSFIELD ROAD, BALTIMORE MD, 21221**

Beginning at a point on the east side of MANSFIELD ROAD which is 80 feet wide (Right of way) at a distance of 300 feet North East of the centerline of the nearest improved intersecting street SEAWALL ROAD which is 60 feet wide.

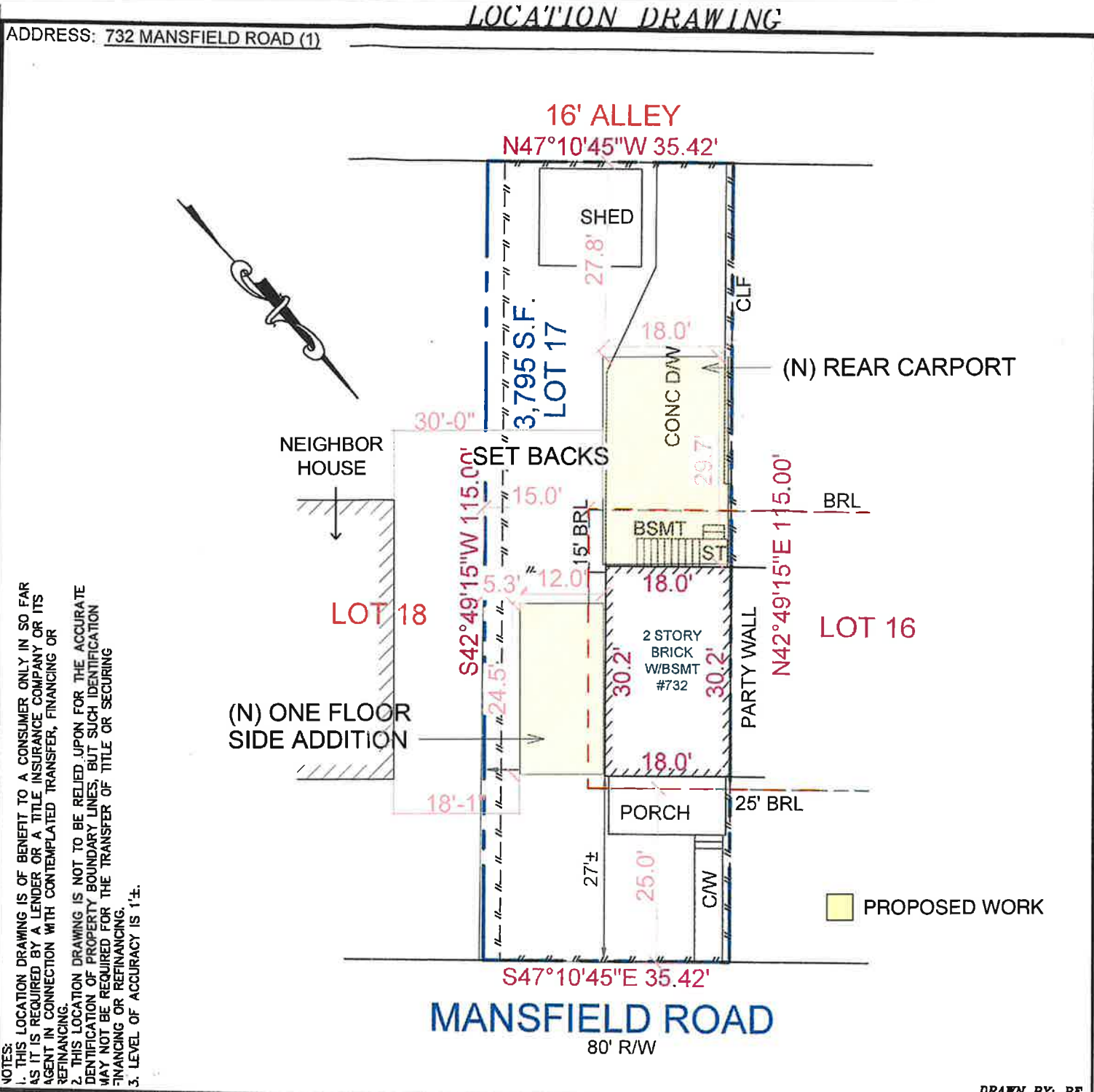
PART B (CONTINUE DESCRIPTION WITH ONE OF THE FOLLOWING 3 OPTIONS):

OPTION 2 (Subdivision Lot – lot is part of record plat):

Being Lot # (17), Block (H), Section # (3) in the subdivision of **COUNTRY RIDGE** as recorded in Baltimore County Plat Book # (26 @ 83), Folio # (~~83~~), containing **3795 SQUARE FEET**. Located in the (15) Election District and (7) Council District.

2024-0007-A

FOR VARIANCE X (MARK TYPE REQUESTED WITH X)
ADDRESS 732 MANSFIELD RD, BALTIMORE MD, 21221
SUBDIVISION NAME COUNTRY RIDGE LOT # 17
PLAT BOOK # 26 @ 83 PLAT 1 FOLIO # -
OWNER(S) NAME(S) RIVERA MARISOL
BLOCK # H SECTION # 3
10 DIGIT TAX # 1600001917 DEED REF # 37480 / 00146



SCALE: 1 INCH = 20' - 0"
DATE DECEMBER 12TH, 2023
PLAN DRAWN BY JUAN P GARZON

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS ONLY, AND THE PROPERTY CORNERS HAVE NOT BEEN ESTABLISHED OR SET, UNLESS OTHERWISE NOTED. WE ASSUME NO RESPONSIBILITY, OR LIABILITY FOR ANY RIGHT-OF-WAYS ON THE RECORD OR EASEMENTS RECORDED OR UNRECORDED NOT APPEARING ON THE RECORDED PLAT OR MENTIONED IN THE DEED REFERRED TO HEREON. NO TITLE REPORT WAS FURNISHED.

LAND PRO ASSOCIATES, LLC.
8843 GREENBELT ROAD SUITE 334
LANHAM, MD 20770
PHONE 301-368-1944
FAX 301-794-8751
LANDPRO@MAIL.COM

LOCATION DRAWING
COUNTRY RIDGE
LOT 17 BLOCK H SECTION 3
BOOK 37480 PAGE 146
PLAT BOOK 26@83 PLAT 1
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20' DATE: 5/4/2023
2024-0007-A
FILE: #732 MANSFIELD ROAD (1) CASE: # 0

PROFESSIONAL SEAL DATE 5/4/2023

SITE VICINITY MAP

MAP IS NOT TO SCALE

ZONING MAP # 097 B1
SITE ZONED DR 10.5 (Vested RG)
ELECTION DISTRICT 15
COUNCIL DISTRICT 7
LOT AREA ACREAGE 0.087
OR SQUARE FEET 3795
HISTORIC ? NO
IN CBCA ? NO
IN FLOOD PLAIN ? NO
UTILITIES ? MARK WITH X
WATER IS:
PUBLIC X PRIVATE
SEWER IS:
PUBLIC X PRIVATE
PRIOR HEARING ? NO
IF SO GIVE CASE NUMBER AND ORDER RESULT BELOW

VIOLATION CASE INFO:
CB 2300006
Scott Kidd, Inspector

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: 2024-0007-A
Property Address: 732 mansfield Rd
Baltimore MD 21221
Legal Owners (Petitioners): MARISOL RIVERA
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Juan GARZON
Address: 3609 URBANA PkE
FREDERICK MD 21704
Telephone Number: 202-615-9602

*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.

Lot # 11
1600001911

Pt. Bk./Folio # 023054

Lot # 12 1600001912

722

724

1600001913

Lot # 13

726

1600001914

Lot # 14

728

1600001915

Lot # 15

730

1600001916

Lot # 16

732

PAI # 150076

PAI # 150076

Pt. Bk./Folio # 026083

PAI # 150076

Lot # 17 1600001917

PAI # 150076

734

Lot # 18 1600001918
Pt. Bk. 0000026, Folio 0083

736

738

Lot # 19
1600001919

1600001920

Lot # 20

Lot # 21

1600001921

1600001922

Lot # 22

1600001923

1600001941

Lot # 53

Pt. Bk. 0000033, Folio 142
00000046
Pt. Bk./Folio # 033142

0024-00007-A

7 CD

15 ED

NE 1-H

R-1953-2611 Martin State Airport Restriction

097B1

DR 10.5

ALLEY

ALLEY

MANSFIELD RD

Lot # 49
1600001939

2012-0202-A

1600001940

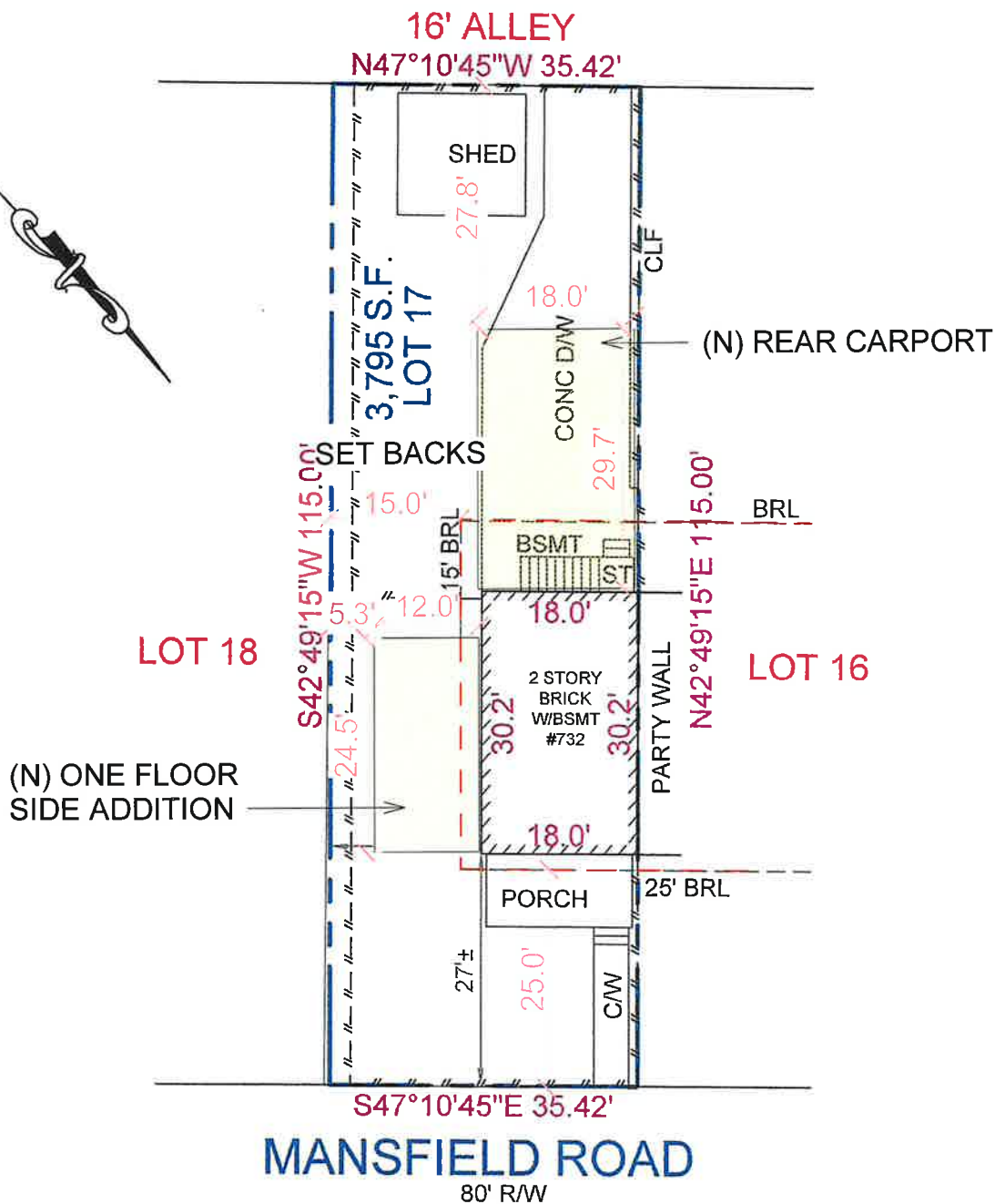
Lot # 50

Lot # 51 1600001941

LOCATION DRAWING

ADDRESS: 732 MANSFIELD ROAD (1)

- NOTES:
1. THIS LOCATION DRAWING IS OF BENEFIT TO A CONSUMER ONLY IN SO FAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING.
 2. THIS LOCATION DRAWING IS NOT TO BE RELIED UPON FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.
 3. LEVEL OF ACCURACY IS 1'±.



DRAWN BY: BF

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS ONLY, AND THE PROPERTY CORNERS HAVE NOT BEEN ESTABLISHED OR SET, UNLESS OTHERWISE NOTED. WE ASSUME NO RESPONSIBILITY, OR LIABILITY FOR ANY RIGHT-OF-WAYS ON THE RECORD OR EASEMENTS RECORDED OR UNRECORDED NOT APPEARING ON THE RECORDED PLAT OR MENTIONED IN THE DEED REFERED TO HEREON. NO TITLE REPORT WAS FURNISHED.



PROFESSIONAL SEAL

DATE

LAND PRO ASSOCIATES, LLC.

8843 GREENBELT ROAD SUITE 334
LANHAM, MD 20770
PHONE 301-388-1844
FAX 301-794-8751
LANDPRO@MAIL.COM

LOCATION DRAWING
COUNTRY RIDGE
LOT 17 BLOCK H SECTION 3
BOOK 37480 PAGE 146
PLAT BOOK 26@83 PLAT 1
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20' DATE: 5/4/2023

FILE: #732 MANSFIELD ROAD (1)

CASE: # 0

2024-0007-A

CB23000006



**Baltimore County
Building Inspection**
~~410-887-4638~~

Part of Building Inspected:

Please call me

Approved () Disapproved ()

Remarks: 410-887-3953

-about addition without
permit and car port

1-27-23

DATE

Scott Kidd

BUILDING INSPECTOR

2024-0007-A

Baltimore County
Department of Permits,
Approvals And Inspections

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE 3900

Citation Case No. CB2300006

Property No. 1604001917

Zoning: ext. 0

Name(s): Rivera, Maria

Address: 932 Mansfield Rd.
Baltimore, Md. 21221

Violation Location: 932 Mansfield Rd.
Baltimore, Md. 21221

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2003 Baltimore County Code
Article 35, Title 2: Buildings
Subtitle 3, Section 35-2-301 Permit Required

Permit required for addition on side of house

Call me please at: 410-887-3953

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: 3-31-23

DATE ISSUED: 2-28-23

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

INSPECTOR: Scott Kidd

PRINT NAME: Scott Kidd

STOP WORK NOTICE
PURSUANT TO INSEPTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:
ON OR BEFORE: _____

INSPECTOR: _____

DATE ISSUED: _____

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR
PAI BI 10

2024-0007-A

baltimorecountymd.gov/permits

REV. 2/13



2024-0007-A



2024-0007 JA

No. 229487

Date: 1-3-2024

[illegible]

Rec
From:

For: 2024-0007-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

CASHIER'S VALIDATION

CF 24-11

JUAN PABLO GARZON

IDEATE LLC

3609 URBANA PIKE

FREDERICK MD 21704

Pay to the
Order of —

Baltimore County Md.

⌘

Seventy Five 00/100

Dollars

**Photo
Safe
Deposit®**
Details on line



Capital One N.A.

For Manifest Variance

255071981136 9671205211
13 992571 001997

from 10/20/2017

NP

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None
Account Identifier: **District - 15 Account Number - 1600001917**

Owner Information

Owner Name:	RIVERA MARISOL	Use:	RESIDENTIAL
Mailing Address:	732 MANSFIELD RD BALTIMORE MD 21221-	Principal Residence:	YES
		Deed Reference:	/37480/ 00146

Location & Structure Information

Premises Address:	732 MANSFIELD RD BALTIMORE 21221-	Legal Description:	732 MANSFIELD RD COUNTRY RIDGE
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Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 1
0097 0004 0252 15070063.04 0000 3 H 17 2024 Plat Ref: 0026/ 0083

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1970	1,116 SF	458 SF	3,795 SF	04

Stories	Basement Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	END UNIT BRICK/	3	1 full/ 1 half	

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2024	07/01/2023	07/01/2024
Land:	42,000	42,000		
Improvements	114,700	157,300		
Total:	156,700	199,300	156,700	170,900
Preferential Land:	0	0		

Transfer Information

Seller: MAGSAMEN SANDRA A	Date: 05/06/2016	Price: \$92,500
Type: NON-ARMS LENGTH OTHER	Deed1: /37480/ 00146	Deed2:
Seller: JOHNSON HARRY V	Date: 01/09/2007	Price: \$174,900
Type: ARMS LENGTH IMPROVED	Deed1: /25043/ 00426	Deed2:
Seller: WALLACE WILLIAM MICHAEL	Date: 11/08/1982	Price: \$49,500
Type: ARMS LENGTH IMPROVED	Deed1: /06452/ 00495	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: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2024-0001-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 (DEPS) - Development Coordination

DATE: February 1, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0007-A
Address: 732 MANSFIELD RD
Legal Owner: Marisol Rivera

Zoning Advisory Committee Meeting of January 26, 2024.

Baltimore County Code.

The subject property is located within the Chesapeake Bay Critical Area. According to BCZR Section 500.14, no decision shall be rendered on any petition for special exception, zoning variance, or zoning special hearing for a property within the Critical Area until the Department of Environmental Protection and Sustainability (DEPS) has provided written recommendations describing how the proposed request would:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

This property is located within an Intensely Developed Area (IDA) in the Chesapeake Bay Critical Area (CBCA) and must comply with the 10% pollutant reduction requirements to minimize adverse impacts on water quality that result from development activities. The zoning relief requested can be supported by DEPS provided that the development complies with residential 10% pollutant reduction requirements for the additional impervious surface areas added to the site. The compliance is required prior to permit approval.

2. Conserve fish, wildlife, and plant habitat; and

The zoning request will not result in any impacts to forest, streams, wetlands, or Critical Area buffers. By meeting the 10% pollutant reduction requirements for the proposed development, watershed impacts can be better managed, and this can aid in the conservation of fish, wildlife, and plant habitat in the area.

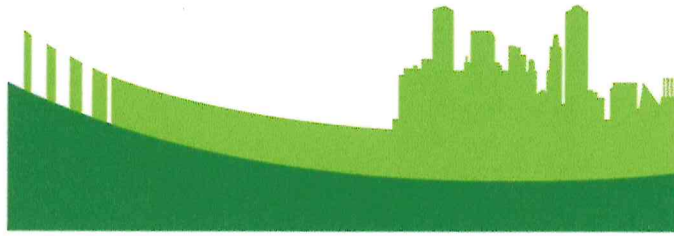
3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts.

The zoning relief requested will be consistent with established land-use policies provided that the applicants meet all Critical Area requirements for the proposed development.

Paul Dennis, Environmental Impact Review January 30, 2024

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:

2024-0007-A, 732 Mansfield Rd.: No Exception taken



CERTIFICATE OF POSTING

January 27, 2024

_____ amended for second inspection

Re:

Zoning Case No. 2024-0007-A

Legal Owner: Marisol Rivera

Hearing date: February 26, 2024

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 **732 Mansfield Road**.

The signs were initially posted on January 27, 2024.

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 large, flowing letters.

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

CASE NO. 2024-0007-A

732 Mansfield Road

THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY, BY
AUTHORITY OF THE ZONING ACT AND REGULATIONS OF
BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING
(VIA WEBEX) ON THE PROPERTY IDENTIFIED HEREIN AS FOLLOWS:

DATE & TIME:

MONDAY FEBRUARY 26, 2024 11:00 AM

FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS,
PLEASE VISIT THE WEB SITE ADDRESS BELOW NO LATER THAN
48 HOURS PRIOR TO THE HEARING:

WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.

YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION
AND THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL
410-887-3868, EXT. 0 OR SEND AN EMAIL TO

ADMINISTRATIVEHEARINGS@BALTIMORECOUNTYMD.GOV

VARIANCE FROM THE BALTIMORE COUNTY ZONING
REGULATIONS (BCZR), SECTIONS 103.1 AND 1B02.3.B,
(SECTIONS 214.1.b AND 301.1 OF THE 1959 ZONING
REGULATIONS), TO PERMIT AN EXISTING DWELLING
ADDITION WITH A SIDE YARD SETBACK OF 5.3 FT. IN LIEU
OF THE MINIMUM REQUIRED 15 FT. AND TO PERMIT AN
OPEN PROJECTION (CARPORT) WITH A REAR YARD SETBACK
OF 27.8 FT. IN LIEU OF THE MINIMUM REQUIRED 37.5 FT.

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OF 27.8 FT. IN LIEU OF THE MINIMUM REQUIRED 37.5 FT.

ZAC AGENDA

Case Number: 2024-0007-A **Reviewer:**
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Marisol Rivera
Contract Purchaser: No Contract Purchaser was set.

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

Property Address: 732 MANSFIELD RD
Location: Eastside of Mansfield Rd., 300 ft. northeast of Seawall Rd.

Existing Zoning: DR 10.5 (VESTED R-G) **Area:** 3795 SQ. FT.

Proposed Zoning:

VARIANCE:

Section 103.1 & 1B02.3.B, BCZR (Sections 214.1.b & 301.1 of the 1959 Zoning Regulations) to permit an existing dwelling addition with a side yard setback of 5.3 ft. in lieu of the minimum required 15 ft. and to permit an open projection (carport) with a rear yard setback of 27.8 ft. in lieu of the minimum required 37.5 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
Rec & Parks - NC : No Greenways Affected*

Case Number: 2024-0008-A **Reviewer:**
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Jay Hammond, Susan Schulze
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 5

Property Address: 726 NOLLMEYER RD
Location: Southwest side of Nollmeyer Rd., 904 ft. southeast of Tidewood Rd.

Existing Zoning: DR 3.5 **Area:** 21, 460 SQ. FT.

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

BCZR, Section 400.3 to permit an accessory building (garage) (streetside) with a height of 19 ft. in lieu of the maximum allowed 15 ft.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 02/05/2024

No Greenways affected.
Landscape: N/C .

Miscellaneous Notes:

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 1/30/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0007

INFORMATION:

Property Address: 732 Mansfield Road

Petitioner: Rivera Marisol

Zoning: DR 10.5

Requested Action: Variance

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

Variance - From Section 103.1 & 1B02.3.B, BCZR (Section 214.1.6 & 301.1. of the 1957 Zoning Regulation) to permit an existing dwelling addition with a side yard setback of 5.3 ft. in lieu of the minimum required 15 ft. and to permit an open projection (carport) with a rear yard setback of 27.8 ft in lieu of the minimum required 37.5 ft.

The subject property consists of 3,795-sf. located in the Essex area of Baltimore County. The property is part of a townhome development located along Mansfield Road. Other townhomes, Deep Creek and forests surround the property.

The proposed extension, which is already constructed is located on the west side of the property indicated in green (in the image below). The orange line indicates the location of the proposed carport in the rear. Baltimore County Code Enforcement issued a citation for the violation to build an extension without permit. According to Case CB2300006 an addition was built without permit as indicated in the photo below. According to Code Enforcement, the citation did not include the proposed carport to the rear and it is also unknown if the proposed car port is also built.

The petitioner has indicated that they intend to present a demonstration of unreasonable hardship or practical difficulty as required to grant this variance at the hearing for this request. No such unreasonable hardship or practical difficulty is readily identifiable through provided documents or accessible information. Yet, the information gathered through the review of potentially relevant guidance, such as community plans, does not require that the requested variance be denied. It is worth noting that the proposed addition is consistent with similar additions specifically on 730 and 750 Mansfield Road. Also, other nearby townhomes are using the rear of their property for parking purposes similar to what the applicant is proposing.

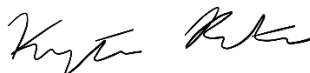
The Department of Planning does not object to the requested relief and defer all decision making to the Administrative Law Judge. The Department requests that an approval to the requested relief for side and rear yard setback must include the following conditions:

1. A sufficient demonstration of unreasonable hardship or practical difficulty is presented as determined by the Administrative Law Judge.
2. The Petitioners or subsequent owners shall not convert the subject extension into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area or kitchen facilities.
3. The accessory structure shall not be used for commercial or industrial purposes.

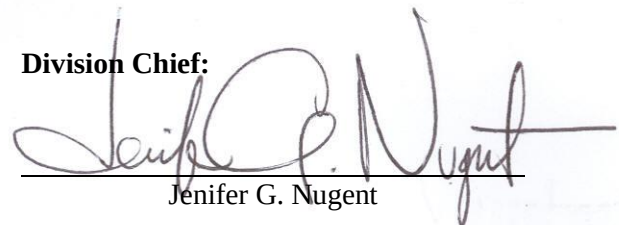


For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:


 Krystle Patchak

Division Chief:


 Jenifer G. Nugent

SL/JGN/KP

c: Juan Garzon
 Ainsley Pressl, Community Planner
 Jeff Perlow, Zoning Review
 Kristen Lewis, Zoning Review
 Office of Administrative Hearings
 People's Counsel for Baltimore County