



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 2, 2024

Krishna Lamichlane & Kasi Chinta – lamikrishna@gmail.com
26 Ridge Road
Catonsville, MD 21228

RE: Petition for Administrative Variance
Case No. 2024-0056-A
Property: 26 Ridge 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 black ink, appearing to read "Andrew M. Belt", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(26 Ridge Road)		
1 st Election District	*	OFFICE OF ADMINISTRATIVE
1 st Council District		
Krishna Lamichhane & Kasi Chinta	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0056-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, Krishna Lamichhane and Kasi Chinta (“Petitioners”) for the property located at 26 Ridge Road, Catonsville (the “Property”)¹. The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.C.1, to approve an existing dwelling and a proposed dwelling addition (rear) with a left side setback of 7.5 ft. in lieu of the required 10 ft. setback. 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’ Ex. 2A-2E).

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 9, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

¹ An additional Affidavit was signed, notarized and submitted attesting that the Petitioners reside year-round and occupy the property known as 26 Ridge Road and consider it to be their principal residence.

The Petitioners have filed the supporting affidavits as required by Section 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 Section 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 2nd day of **April, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (“BCZR”) Section 1B02.3.C.1, to approve an existing dwelling and a proposed dwelling addition (rear) with a left side setback of 7.5 ft. in lieu of the required 10 ft. setback, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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.



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0056 -A Address 26 RIDGE ROAD

Contact Person: TYLER COX Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/29/24 Posting Date: 3/10/24 Closing Date: 3/25/24

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: 2024 - 0056 -A Address _____

Petitioner's Name: _____ Telephone (Cell) _____

Posting Date: 3/10/24 Closing Date: 3/25/24

Wording for Sign: To Permit _____

1B02.3.C.1, BCZR to approve an existing dwelling and a proposed dwelling addition (rear) with a left side setback of 7.5' in lieu of the required 10.0' setback.

Revised 1/2022

BALTIMORE COUNTY DEPARTMENTS OF PERMITS APPROVALS & INSPECTIONS

APPROVED SIGN POSTERS

John Altmeyer
Cell: 410-382-6580
jaltmeyer@aol.com

J. Lawrence Pilson, R.S.
Cell: 443-834-8162
lpilson@hotmail.com

Richard Hoffman
Cell: 443-243-7360
dick_e@comcast.net

Linda O'Keefe
Work: 410-666-5366
Cell: 443-604-6431
lucky linda1954@yahoo.com

Eric Hadaway
Work: 410-296-3333
ehadaway@dmw.com

Bruce E. Doak
Work: 443-900-5535
Cell: 410-419-4906
bdoak@bruceedoakconsulting.com

David Billingsley
Work: 410-679-8719
dwb0209@yahoo.com

Martin Ogle
Cell: 443-629-3411
mert1114@aol.com

Sgt. Robert A. Black
Cell: 410-499-7940
1opie@comcast.net

The petitioner must use one of the sign posters on this approval list. Any reposting must also be done by one of these approved posters. If you wish to select a poster not listed on the list above, prior approval by the Department of Permits, Approvals and Inspections/Zoning is required.

This department is not associated with any of the above posters, nor do we recommend any specific one. We do suggest that you contact a number of them to compare prices, since their charges may vary.



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 26 ridge rd. Catonsville MD 21228 Currently Zoned DR55
Deed Reference 400-42 / 22149 10 Digit Tax Account # 0110452090
Owner(s) Printed Name(s) _____

(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)

1B02.3.C.1, BCZR to approve an existing dwelling and a proposed dwelling addition (rear) with a left side setback of 7.5' in lieu of the required 10.0; setback.

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):

<u>KRISHNA P LAMICHHANE / KASI V-CHINTA</u>	
Name #1 – Type or Print	Name #2 – Type or Print
<u>[Signature]</u>	<u>/ ch. kari vedwansadham</u>
Signature #1	Signature #2
<u>26 Ridge Rd</u>	<u>Catonsville MD</u>
Mailing Address	City State
<u>21228 / 443-636-0929</u>	<u>/ lamikrishna60@gmail.com</u>
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 2024-0056-A Filing Date 2 / 29 / 24 Estimated Posting Date 3 / 10 / 24 Reviewer IR

Closing 3/25/24

Property Descriptions

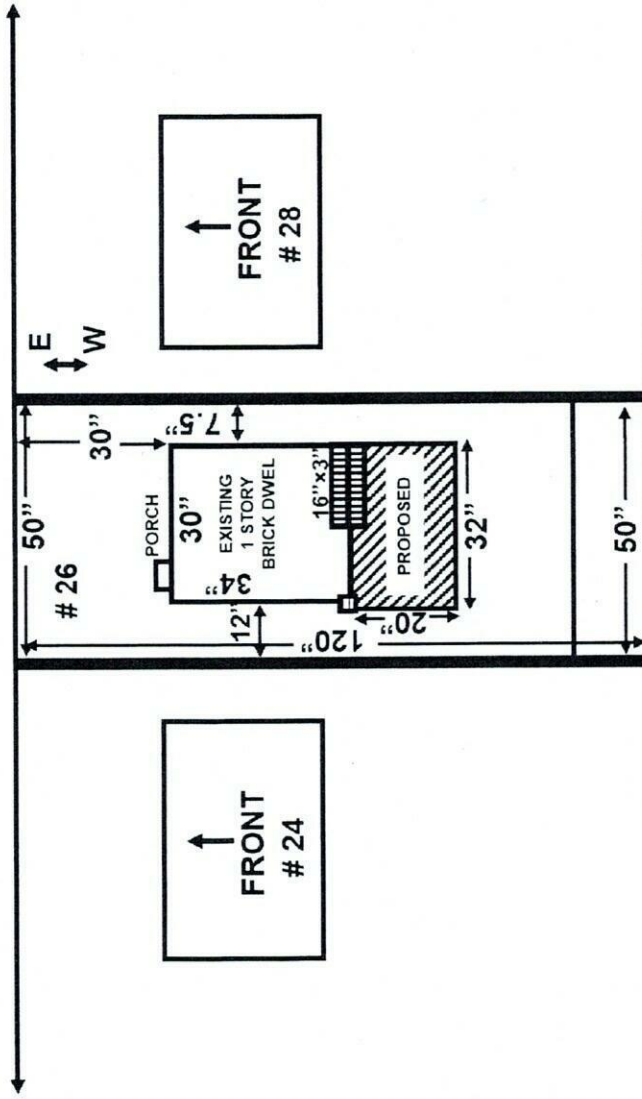
*Beginning at a point on the (West) side of (Ridge Road) which is (+/- 19') wide at the distance of (+/-444') (North) of the centerline of the nearest improved intersecting street (Edmondson Ave) which is (+/- 28') wide.

Being Lot # (26), Block (), Section # () in the subdivision of (North Paradise) as recorded in Baltimore County Plat Book # (), Folio # (), containing (6,000 SF). Located in the (1st) Election District and (1st) Councilman district.

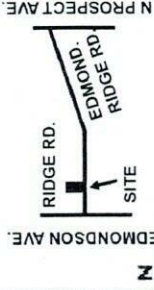
2024-0056-A

Zoning Hearing Plan for Variance _____ for Special Hearing _____ Mark Type Requested with (X)
Address **26 RIDGE ROAD CATONSVILLE 21228** Owners(s) Name(s) **KRISHNA PRASAD LAMICHHANE**
Subdivision Name **RIDGE RD.** Lot # **26** Block # **---** Section # **N/A**
Plat Book # **N/A** Folio # **N/A** 10 Digit Tax # **0110452090** Deed Reference# **400-42-22149**

RIDGE RD.



Site Vicinity Map



MAP IS NOT TO SCALE

Zoning Map # **1089**
Zoning **DR5.5**
Election District **01**
Council District **01**
Lot Area Acreage **0.138**
Lot Square Footage **6000**
Historic (Yes or No) **NO**
CBCA (Yes or No) **12580**
Flood Plain (Yes or No) **YES**
Utilities - Mark with (X)
Water is: Public ☒ Private _____
Sewer is: Public ☒ Private _____
Prior Hearing (Yes or No) **NO**
If (Yes) list Case Number(s) and order result(s) below:

Violation Case Number(s)

Plan Drawn By **KRISHNA PRASAD LAMICHHANE** Date **1/31/2024** Scale: 1 inch = **30** Feet

2024-0556-A

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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Posting Date: 3/10/24 Closing Date: 3/25/24

Wording for Sign: To Permit _____

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Revised 1/2022

BALTIMORE COUNTY DEPARTMENTS OF PERMITS APPROVALS & INSPECTIONS

APPROVED SIGN POSTERS

John Altmeyer
Cell: 410-382-6580
jaltmeyer@aol.com

J. Lawrence Pilson, R.S.
Cell: 443-834-8162
lpilson@hotmail.com

Richard Hoffman
Cell: 443-243-7360
dick_e@comcast.net

Linda O'Keefe
Work: 410-666-5366
Cell: 443-604-6431
lucky linda1954@yahoo.com

Eric Hadaway
Work: 410-296-3333
ehadaway@dmw.com

Bruce E. Doak
Work: 443-900-5535
Cell: 410-419-4906
bdoak@bruceedoakconsulting.com

David Billingsley
Work: 410-679-8719
dwb0209@yahoo.com

Martin Ogle
Cell: 443-629-3411
mert1114@aol.com

Sgt. Robert A. Black
Cell: 410-499-7940
1opie@comcast.net

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ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2024-0056 - A

TO PERMIT: 1302.3.C.1, BCZR TO APPROVE AN EXISTING
DWELLING AND A PROPOSED DWELLING ADDITION (REAR)
WITH A LEFT SIDE SETBACK OF 75' IN LIEU OF THE REQUIRED
10.0' SETBACK

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

4:30 P.M. ON 3/25/24

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

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

CERTIFICATE OF POSTING

Date: 3-9-24

RE: Case Number: 2024-0056 A

Petitioner/Developer: LAMICHHANE

Date of Hearing/Closing: 3-25-24

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 26 RIDGE ROAD

The sign(s) were posted on 3-9-24

(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON

(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road

(Street Address of Sign Poster)

Parkton, MD 21120

(City, State, Zip Code of Sign Poster)

410-343-1443

(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: March 7, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0056-A

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

DPR: Riverine Floodplain

DPW-T: The property is located within a Zone A, Non-tidal (riverine), Special Flood Hazard Area as mapped on the FEMA Flood Insurance Rate Map Panel 2400100388G dated November 2, 2023. Current Baltimore County Code 32-4-414 and 32-8 prohibits development within a non-tidal special flood hazard area. The 2015 Baltimore County Building Code Part 125.1 states "No new Buildings or Additions shall be constructed in any riverine floodplain." The petition must be denied by the Administrative Law Judge.

Landscaping: No comment.

Recreations & Parks: No Greenways affected.

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: March 6, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0056-A
Address: 26 RIDGE RD
Legal Owner: Krishna Lamichhane, Kasi Chinta

Zoning Advisory Committee Meeting of March 11, 2024.

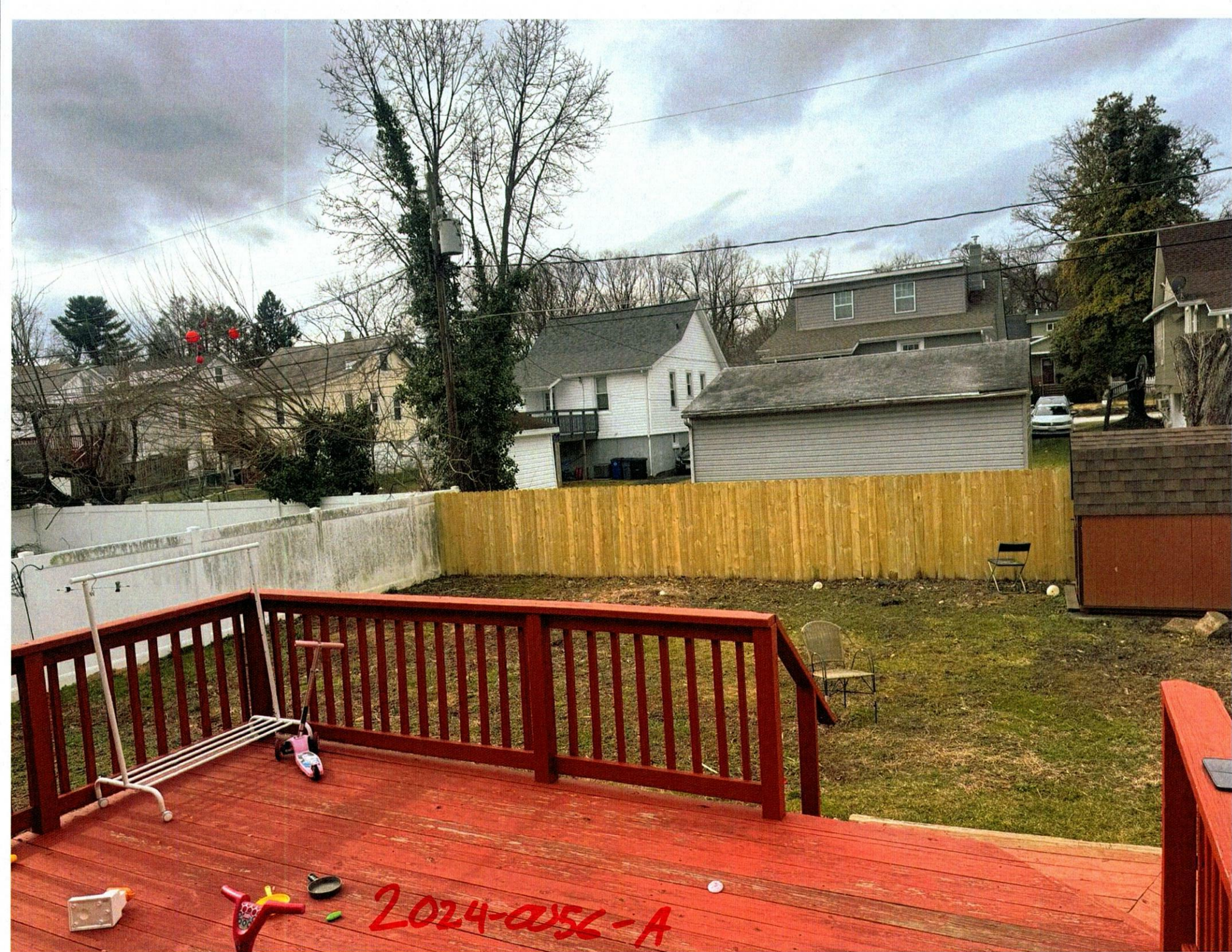
X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D Wrenn



2024-0056-A







2024-0056-A



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 - 01 Account Number - 0110452090

Owner Information

Owner Name:	LAMICHHANE KRISHNA P CHINTA KASI V	Use:	RESIDENTIAL
Mailing Address:	26 RIDGE RD CATONSVILLE MD 21228-1908	Principal Residence:	NO
		Deed Reference:	/40725/ 00305

Location & Structure Information

Premises Address:	26 RIDGE RD CATONSVILLE 21228-1908	Legal Description:	.1377 AC 26 RIDGE RD WS EDMONDSON RIDGE
--------------------------	---------------------------------------	---------------------------	---

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0101	0003	1089	1060104.04	0000			26	2022	
									Plat Ref:

Town: None

Primary Structure	Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1964		884 SF	400 SF	6,000 SF	04

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	07/01/2024
Land:	116,000	116,000		
Improvements	114,000	125,300		
Total:	230,000	241,300	237,533	241,300
Preferential Land:	0	0		

Transfer Information

Seller: BAYVIEW LOAN SERVICING LLC	Date: 09/28/2018	Price: \$165,000
Type: NON-ARMS LENGTH OTHER	Deed1: /40725/ 00305	Deed2:
Seller: KUBILUS MARIANNE M	Date: 10/18/2017	Price: \$257,000
Type: NON-ARMS LENGTH OTHER	Deed1: /39526/ 00007	Deed2:
Seller: ROE DONALD L,JR	Date: 08/24/2005	Price: \$222,000
Type: ARMS LENGTH IMPROVED	Deed1: /22425/ 00227	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:**

2024-0056-A



20240056