

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 24, 2024

James Bates & Shannon Vinzent – <u>Shannon.vinzent@yahoo.com</u> 7609 Maple Road Dundalk, MD 21222

RE:

Petition for Administrative Variance

Case No. 2024-0065-A Property: 7609 Maple 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,

DEREK J. BAUMGARDNER Administrative Law Judge for Baltimore County

DJB:dlw Enclosure IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE (7609 Maple Road)

12th Election District * OFFICE OF ADMINISTRATIVE

7th Council District

James Bates & Shannon Vinzent * HEARINGS FOR

* BALTIMORE COUNTY

Petitioners * CASE NO. 2024-0065-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, James Bates and Shannon Vinzent ("Petitioners") for the property located at 7609 Maple Road, Dundalk (the "Property"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations ("BCZR"), Sections 1B02.3.C.1 and 301.1, to permit a front yard open projection (open porch) with a front setback of 11 ft. in lieu of the required 18.75 ft.

The Property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence (the "Site Plan"). (Pet. Ex. 1). Photographs were submitted showing the location of the Property in a residential neighborhood. (Pet. Ex. 2A-2D). There were no adverse Zoning Advisory Committee ("ZAC") comments received by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on April 7, 2024, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavit 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 that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this <u>24th</u> day of **April**, **2024**, by the Administrative Law Judge for Baltimore County Zoning Regulations ("BCZR"), Sections 1B02.3.C.1 and 301.1, to permit a front yard open projection (open porch) with a front setback of 11 ft. in lieu of the required 18.75 ft., 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:

To the Office of Administrative Hearings for Baltin	10+6
Address +609 Maple Ko	Currently Zorled 5
Deed Reference 44(76 / 0407 10 Digit Tax	Account # 1 2 2 3 0 5 0 4 7 0
Owner(s) Printed Name(s) Junes Outco	Shonnon Vinzent
(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE APPROPRIATE	SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on the reverse of this Petition form r	nust be completed and notarized.
The undersigned, who own and occupy the property situate in Baltimore County as hereof, hereby petition for an:	nd which is described in the plan/plat attached hereto and made a part
1 ADMINISTRATIVE VARIANCE from Section(s)	
BCZR: 1B02.3.C.1. & 301.1 → To permit a front yard o	pen projection (open porch) with a front sotback
of 11 feet in lieu of the required 18.75 feet.	with a none setback
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County	
of the zoning regulations of Baltimore County, to the zoning law of Baltimore Coun	ty.
2 ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to work in this space: i.e., to raze, alter or construct addition to building)	Section 32-4-107(b) of the Baltimore County Code: (indicate type of
5,	
of the zoning regulations of Baltimore County, to the zoning law of Baltimore Coun	ty.
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 furt Baltimore County adopted pursuant to the zoning law for Baltimore County.	her agree to be bound by the zoning regulations and restrictions of
Owner(s)/Petitioner(s):	· V 1
Name #1 Type or Print, Name #2 – Type	or Print
Orace Data	
Signature #1 Signature #	2
Floog Maple Rd Dondalk	MD
Mailing Address City	State
Zip Code Telephone #'s (Cell and Home) Email	man-Vinzent@ Yuhoo.com
	I Address .
Attorney for Owner(s)/Petitioner(s):	Representative to be Contacted:
Name - Type or Print	Name - Type or Print
Signature	Signature
Mailing Address City State	Mailing Address City State
I I I	Mailing Address City State
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
A PUBLIC HEARING having been formally demanded and/or found to be requ	uired, it is ordered by the Office of Administrative Hearings for
Baltimore County, this,,	that the subject matter of this petition be set for a public
hearing, advertised, and re-posted as required by the zoning regulations of Baltimo	ore County.
	Administration Law Labor C. D. W
200, 401 = 1	Administrative Law Judge for Baltimore County
Case Number 2024 - 0065 - A Filing Date 3/36/ 3	Estimated Posting Date 4 (7 (34 Reviewer))

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.

7/ CC March 21		MO	71777
Address: 7609 Huple Rd Print or Type Address of Property	City	State	Zip Code
Based upon personal knowledge, the following are the factorizations at the above address. (Clearly state practical	l difficulty or hardship t	nere)	
Space on the back sile of	TX house.	,	
Space on the hace good or	20. 100,00		
(If additional space for the petition request or the about the signature of Owner (Affiant) Tomes Butto Name - Print or Type	Signature of Ow	ner (Affiant)	
The following information is to be compl		olic of the State	of Maryland
STATE OF MARYLAND, COUNTY OF BALTIMORE, to			
and for the County aforesaid, personally appeared:	<u>, </u>	, before me a	Notary of Maryland, ir
Print name(s) here: Shannon VinzanT	& JAMES	Bates	
the Affiant(s) herein, personally known or satisfactorily id	lentified to me as such A	ffiant(s).	DL. DO
Notary Public Embossed Hereon Is My Anne Anundel County, Maryland Notary Public Seal My Commission Expires September 21, 2024 My Commission Expires RONALD L. DOUGLAS		ANNE RAD	OTAA,

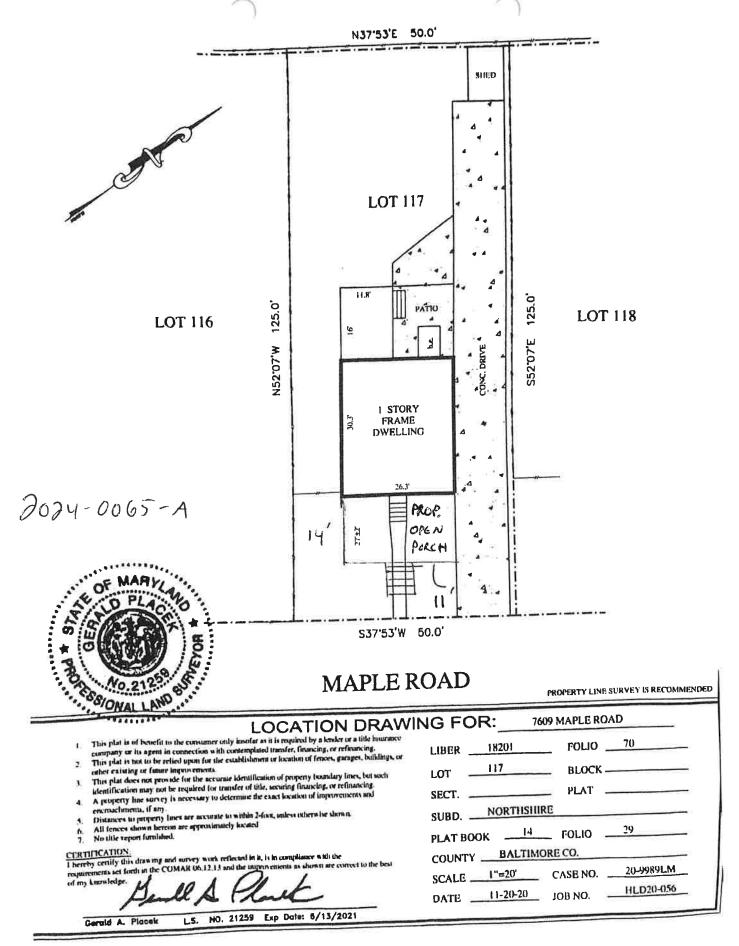
Property Descriptions

A)

Beginning at a point on the (West) side of (Maple Road) which is (20') wide at the distance of (274') (North) of the centerline of the nearest improved intersecting street (Willow Road) which is (24') wide.

B)

Being Lot # (117), Block (x), Section # (x) in the subdivision of (Northshire) as recorded in Baltimore County Plat Book # (0014), Folio # (0029), containing (6,250 Sq Ft). Located in the (12th) Election District and (7th) councilman district.



https://clover.com, F



Permits, Approvals and Inspections

111 W CHESAPEAKE AVE TOWSON, MD 21204 4108873353 WWW.BALTIMORECOUNTYMD.GO

Cashier: Tyler C. Transaction **102181**

Total

\$75.00

DEBIT CARD SALE VISA 4134 \$75.00

Retain this copy for statement validation

Station: Permit Processing - Mini

04-Mar-2024 9:51:27A

\$75.00 | Method: CONTACTLESS US DEBIT XXXXXXXXXXXXXXX4134

VISA CARDHOLDER

Reference ID: 406400557253

Auth ID: 265512 MID: ******2995 AID: A0000000980840 AthNtwkNm: VISA RtInd:CREDIT

*** REPRINT ***

Payment SK6RKKD41Q2M8

德

Clover Privacy Policy

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Ni	umber: 2024 - 0065 -A	Address760	9 MAPLE ROA	0
	Person: JASON Sen			Phone Number: 410-887-3391
COTTEME	Planne	, Please Print Your Na	ime	¥
Filing [ate: 3 36 24	Posting Date:	4/7/24	Closing Date: $\frac{4}{\partial \partial \partial y}$
Any co	ntact made with this office person (planner) using the c	regarding the stat case number.	us of the administ	rative variance should be through the
	petitioner is responsible for sign posters on the approve zoning notice sign must be vermain there through the cla	all printing/posured list and the per- visible on the proposing date.	titioner is again re erty on or before t	osters on the approved list and the sting must be done only by one of the sponsible for all associated costs. The he posting date noted above. It should
2.	a formal request for a public hearing, the process is	ic nearing. Please is not complete on	the closing date.	pant or owner) within 1,000 feet to file even if there is no formal request for a
3.	may: (a) grant the request- for a public hearing. If all notification as to whether This decision is usually mad by First Class mail.	ed relief; (b) beny County/State ag the petition has b e within 10 days o	encies' comments een granted, deni f the closing date.	e Administrative Law Judge. The judge of; or (c) order that the matter be set in are received, you will receive written ed, or will proceed to a public hearing. The written order will be mailed to you
4.	to a neighbor's formal re-	quest or by orde n on the property sign was originall	must be changed y posted, certificat	ust go to a public hearing (whether due rative Law Judge), notification will be giving notice of the hearing date, time tion of this change and a photograph of
Petitic	ner: This Part of the Form i	s for the Sign Post	ter Only (Detach Alon	g Dotted Line)
			IVE VARIANCE SIG	
Case I	Number: 3024 - 0065 -A	Address 760	9 MAPLE ROA	Δ
Petitic	oner's Name: JAMES BAT	ES + SHANNON	VINTANT Teleph	one (Cell) <u>410-903 -6483</u>
Postir	ng Date: 4/7/24	Closing Da	te: 4/12/24	
	ing for Sign: To Permit			
To				setback of 11 feet in lieu of the
	B'ALTIMORE	COUNTY DEPARTMENT	OF PERMITS, APPROVA	Revised 1/202

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.

3.
For Newspaper Advertising:
Case Number: 2024-0065-A Property Address: 7609 MAPLE RUAD
Property Address:7609 MAPLE ROAD
Legal Owners (Petitioners): JAMES BATES + SHANNON VINTANT
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO: Name: Company/Firm (if applicable):
DUNGACK MA 21222
Telephone Number:

^{*}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.

Real Property Data Search () Search Result for BALTIMORE COUNTY

Owner Informatives SAMES RIZANT SHANNON JOHANNER RD		RESIDENTIAL YES /44126/ 00407
Owner Informat TES JAMES R IZANT SHANNON J D9 MAPLE RD	tion Use: Principal Residence:	YES
TES JAMES R IZANT SHANNON J D9 MAPLE RD	Use: Principal Residence:	YES
IZANT SHANNON J 09 MAPLE RD	Principal Residence:	YES
===	Deed Reference:	/44126/ 00407
ation & Structure I	nformation	
09 MAPLE RD LTIMORE 21222-1408	Legal Description:	7609 MAPLE RD NORTHSHIRE
ubdivision: Section: Block	k: Lot: Assessment Year	: Plat No:
000	117 2024	Plat Ref: 0014/ 0029
le Living Area Finished Ba	sement Area Property L	and Area County Use
	6,250 SF	04
	athGarageLast Notice of	f Major Improvements
ExteriorQualityFull/Half Ba		
	ExteriorQualityFull/Half Ba	

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2024	As of 07/01/2023	As of 07/01/2024
Land:	48,200	60,600		
Improvements	112,600	196,000		
Total:	160,800	256,600	160,800	192,733
Preferential Land:	0	0		

Transfer Information

Seller: MARIANETTI ADRIAN D	Date: 02/17/2021	Price: \$213,000
Type: ARMS LENGTH IMPROVED	Deed1: /44126/ 00407	Deed2:
Seller: WISNIEWSKI VICTOR V	Date: 06/16/2003	Price: \$80,000
Type: NON-ARMS LENGTH OTHER	Deed1: /18201/ 00706	Deed2:
Seller: WISNIEWSKI VICTOR V	Date: 02/15/1991	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /01721/ 00579	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024	
County:	000	0.00	368	
State:	000	0.00		
Municipal:	000	0.00 0.00	0.00 0.00	

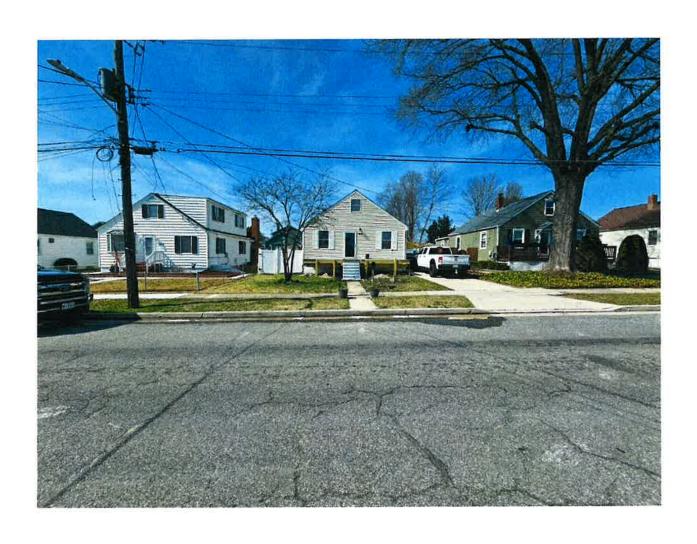
Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

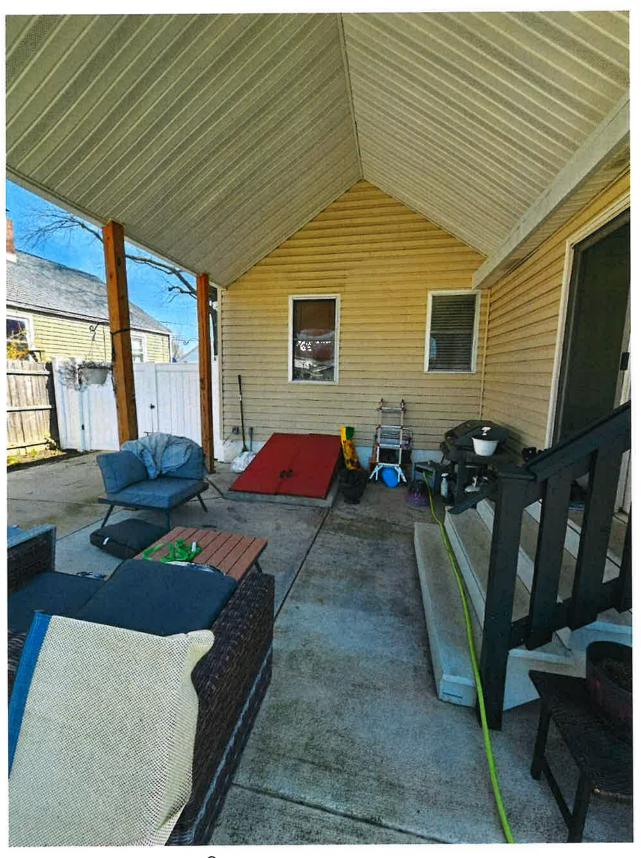
Homeowners' Tax Credit Application Status: No Application Date:



2024-0065 1084



2024-0065-A

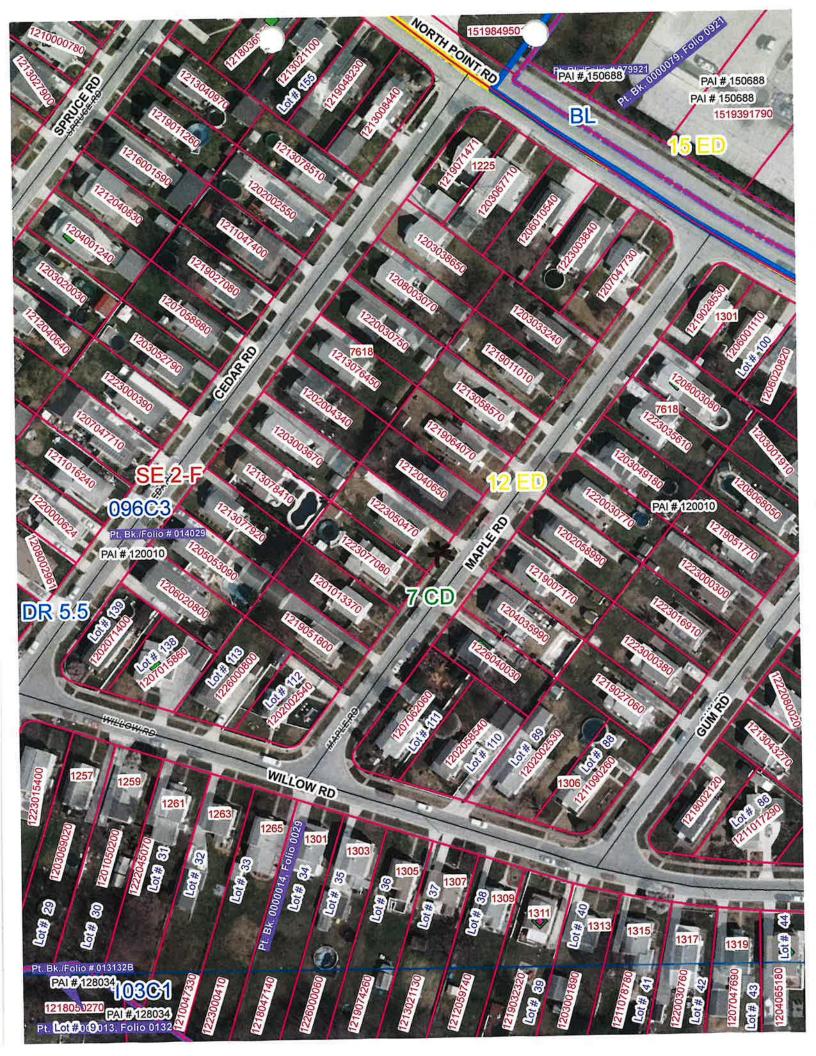


2024-0065-A 30f4



2024-0065-A 4 08 4





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 7609 Monte Rd Currently Zoned DR 5.5
Deed Reference 44(26 / 0407 10 Digit Tax Account # 1 2 2 3 0 5 0 4 7 0
Owner(s) Printed Name(s) James Bates Shannon Vinzant
(SELECT THE HEARING(S) BY MARKING \underline{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:
1ADMINISTRATIVE VARIANCE from Section(s)
BCZR: 1B02.3.C.1. & 301.1 → To permit a front yard open projection (open porch) with a front setback
of 11 feet in lieu of the required 18.75 feet.
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.
2 ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)
of the period control is an of Deltiness Country to the period to a final transfer
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. If 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):
Turnes Butes , Shannon Vinzand
Name #1 Type or Print Name #2 – Type or Brint
Signature #1 Signature # 2
Fleog Muple Rd Dondalk MD
Mailing Address City State
21222, 410-903-6483 / Shanon-Vinzenta Yuhoo, com Zip Code Telephone #'s (Cell and Home) Email Address
Attorney for Owner(s)/Petitioner(s): Representative to be Contacted:
Name - Type or Print Name - Type or Print
Signature
Signature Signature
Mailing Address City State Mailing Address City State
Zip Code Telephone # Email Address Zip Code Telephone # Email Address
Zip Code Telephone # Email Address 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 - 0065 - A Filing Date 3 / 26 / 34 Estimated Posting Date 4 (7 (34 Reviewer) 5
Case Number $\frac{3024 - 0065 - A}{1000000000000000000000000000000000000$

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.

Tesidential property described below is owned and occur	ipica by the undersigned.	.40	7,777
Address: 7609 Huple Rd Print or Type Address of Property	City	State	Zip Code
			•
Based upon personal knowledge, the following are	facts upon which I/we base al difficulty or hardship h	the request for a ere)	n Administrative
We request the variance	e due to no	+ harry	enough
Space on the back side of	our house.	J ,	
:			
:			
-			
:			
-			
(If additional space for the petition request or the al	bove statement is needed	, label and attac	ch it to this Form)
Signature of Owner (Affiant)	Signature of Own		
James Buts	Shann	ion Vinza	ent
Name - Print or Type	Name - Print or 1	уре	
The following information is to be com	pleted by a Notary Pub	ic of the State	of Maryland
STATE OF MARYLAND, COUNTY OF BALTIMORE,	to wit:		
I HEREBY CERTIFY, this day of F and for the County aforesaid, personally appeared:	e6	, before me a	Notary of Maryland, in
Print name(s) here: Shannon Vinzan	T & JAmes	Bates	
the Affiant(s) herein, personally known or satisfactorily	identified to me as such Af	fiant(s).	
AS WITNESS my hand and Notaries Seal		, erein	DL DOUGA
Rando y Davida		Ø	OTAA
Notary Public		ANNE	2
Embossed Hereon Is My Anne Arundel County, Maryland Notary Public Seal My Commission Expires September 21, 2024		市.	PUBLIC
My Commission Expires RONALD L. DOUGLAS		*****	VDEL COUNTY

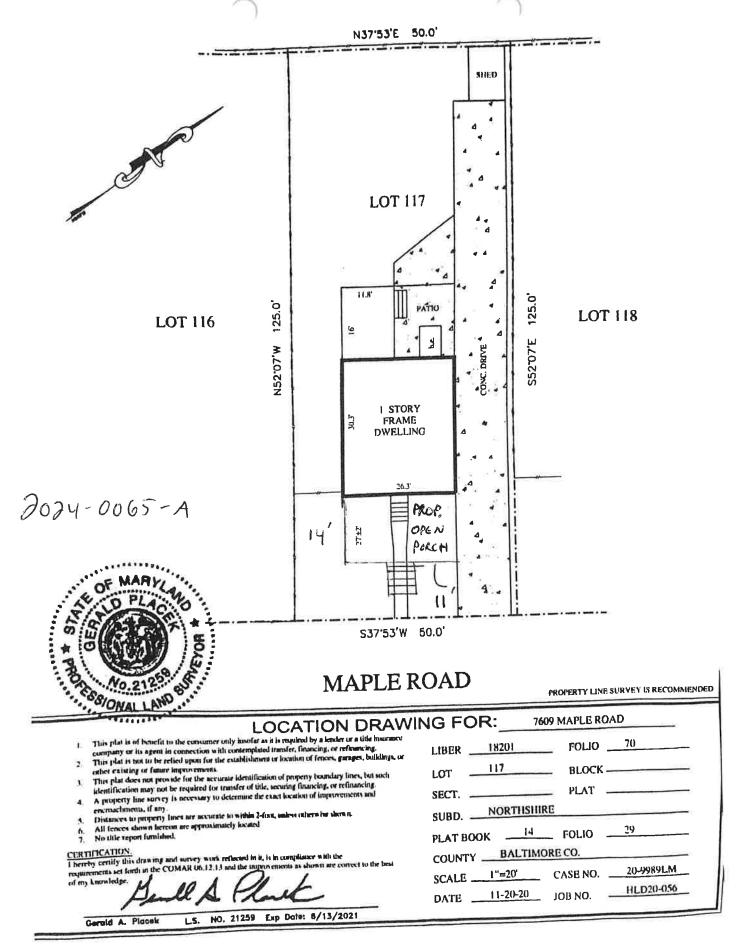
Property Descriptions

A)

Beginning at a point on the (West) side of (Maple Road) which is (20') wide at the distance of (274') (North) of the centerline of the nearest improved intersecting street (Willow Road) which is (24') wide.

B)

Being Lot # (117), Block (x), Section # (x) in the subdivision of (Northshire) as recorded in Baltimore County Plat Book # (0014), Folio # (0029), containing (6,250 Sq Ft). Located in the (12th) Election District and (7th) councilman district.



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 26, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0065-A

Address: 7609 MAPLE RD

Legal Owner: James Bates, Shannon Vinzent

Zoning Advisory Committee Meeting of March 26, 2024.

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

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: April 2, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0065-A

Address: 7609 MAPLE RD.

Legal Owner: James Bates, Shannon Vinzent

Zoning Advisory Committee Meeting of April 2, 2024.

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 DATE: March 20, 2024

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

Case 2024-0065-SPHA

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

DPR: No comment.

DPW-T: No Exception taken.

Landscaping: No comment.

Recreations & Parks: No Greenways affected.