



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 10, 2024

Milton & Esther Corbett – miltoncorbett@icloud.com
6625 Kelly Ann Way
Rosedale, MD 21237

RE: Petition for Administrative Variance
Case No. 2024-0071-A
Property: 6625 Kelly Ann Way

Dear Mr. and Mrs. Corbett:

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 cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

c: Rich Polan – rp@polan.org

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6625 Kelly Ann Way)		
14 th Election District	*	OFFICE OF ADMINISTRATIVE
6 th Council District		
Milton & Esther Corbett	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2024-0071-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, Milton and Esther Corbett (“Petitioners”) for the property located at 6625 Kelly Ann Way, Rosedale (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1B02.3.C.1 and §301.1, to permit a rear yard open projection (porch roof over existing patio) to have a rear setback of 15 ft in lieu of the required 22.5 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). An aerial photograph showing the irregular shape of the Property was provided. (Pet. Ex. 2). Street view photographs of the proposed deck area were provided. (Pet. Ex. 3).

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on March 20, 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 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 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 10th day of **April, 2024**, by the Administrative Law Judge for Baltimore County Zoning Regulations ("BCZR"), §1B02.3.C.1 and §301.1, to permit a rear yard open projection (porch roof over existing patio) to have a rear setback of 15 ft in lieu of the required 22.5 ft, be and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. 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.



MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM: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 6625 KELLY ANN WAY Currently Zoned DR3.5
Deed Reference 0076 / 0023 10 Digit Tax Account # 2400003833
Owner(s) Printed Name(s) MILTON L. CORBETT / ESTHER A. KANE-CORBETT

(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)

BCZR: 1B02.3.C.1; 301.1 → To permit a rear yard open projection (porch roof over existing patio) to have a rear setback of 15 feet in lieu of the required 22.5 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 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):

MILTON L. CORBETT / ESTHER A. KANE-CORBETT
Name #1 – Type or Print Name #2 – Type or Print

X Milton L. Corbett / X Esther A. Kane-Corbett
Signature #1 Signature #2

6625 KELLY ANN WAY ROSEDALE MARYLAND
Mailing Address City State

21237 / 410-340-4361 MILTON.CORBETT@ICLOUD.COM
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:

RICH POLAN

Name - Type or Print

R Polan

Signature

12239 LONG GREEN PIKE GREEN ARMY, MD
Mailing Address City State

21057 / 443.825.9117 / R.POLAN@ONG
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 2024-0071-A Filing Date 3 / 12 / 24 Estimated Posting Date 3 / 24 / 24 Reviewer JS

Revised 8/2022

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: 6625 KELLY ANN WAY ROSEDALE MD 21237
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 WANT TO INSTALL A 16-FOOT BY 20-FOOT "A-FRAME" ROOF ON THE REAR PATIO OF OUR HOME 6625 KELLY ANN WAY. THE PROPOSED "A-FRAME" ROOF WILL COVER PART OF OUR EXISTING CONCRETE PATIO. THIS WILL ALLOW US TO ENJOY THE OUTDOORS IN SHADE. CURRENTLY THE SUN IS ON THE REAR OF OUR HOUSE WHEN WE ARE OUTSIDE ON THE PATIO. WITH THE PROPOSED "A-FRAME" ROOF COVER, WE COULD SPEND QUALITY TIME IN THE REAR OF OUR HOME. THIS WILL EXTEND OUR ENJOYABLE LIVING AREA TO THE OUTSIDE.

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

X Milton L. Corbett
Signature of Owner (Affiant) C. 613-603-497-472

X Esther Kane-Corbett
Signature of Owner (Affiant) MD 10273057786

MILTON L. CORBETT
Name - Print or Type

ESTHER KANE-CORBETT
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:

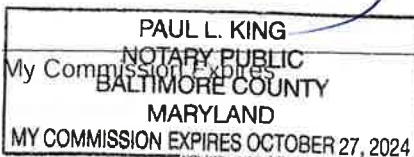
I HEREBY CERTIFY, this 8 day of MARCH, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: MILTON L. CORBETT ESTHER K. CORBETT

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public



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

No. 229899

Date: 3/8/24

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 75.00

Total: \$ 75.00

Rec From: RICH POLAN

For: ZONING VARIANCE

2024-0071-A

CASHIER'S
VALIDATION

DISTRIBUTION

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

1278

RICHARD POLAN ASSOCIATES
12239 LONG GREEN PIKE
GLEN ARM, MD 21057

M&T Bank

7-11/520

PAY TO THE
ORDER OF

BALTIMORE COUNTY

\$ 75.00

75/100 DOLLARS

SEVENTY-FIVE

MEMO



[Signature]

AUTHORIZED SIGNATURE

001278 052000113

9882135974

**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: 2024-0071-A
Property Address: 6625 KELLY ANN WAY
Legal Owners (Petitioners): MILTON CORBET + ESTHER KANE-CORBET
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): RICH POLAN
Address: 12239 LONG GREEN PIKE
GLEN ARM, MD 21057

Telephone Number: 443-825-9117

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0071 -A Address 6625 KELLY ANN WAY

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/12/24 Posting Date: 3/24/24 Closing Date: 4/8/24

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 - 0071 -A Address 6625 KELLY ANN WAY

Petitioner's Name: CORBETT + KANE - CORBETT Telephone (Cell) RICH POLAN 443-825-9117

Posting Date: 3/24/24 Closing Date: 4/8/24

Wording for Sign: To Permit _____

To permit a rear yard open projection (porch roof over existing patio) to have a rear setback of 15 feet in lieu of the required 22.5 feet.

Revised 1/2022

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map

View GroundRent Redemption

View GroundRent Registration

Special Tax Recapture: None

Account Identifier: District - 14 Account Number - 2400003833

Owner Information

Owner Name:

CORBETT MILTON L
KANE-CORBETT ESTHER A

Use:

RESIDENTIAL
Principal Residence: YES

Mailing Address:

6625 KELLY ANN WAY
BALTIMORE MD 21237-4342

Deed Reference:

/21648/ 00447

Location & Structure Information

Premises Address:

6625 KELLY ANN WAY
BALTIMORE 21237-4342

Legal Description:

.2236 AC
6625 KELLY ANN WAY NS
LENNINGS CROSSING

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0090 0001 0289 14010006.04 0000 47 2024 Plat Ref: 0076/ 0023

Town: None

Primary Structure Built

Above Grade Living Area

Finished Basement Area

Property Land Area

County Use

2005

3,217 SF

54 SF

9,740 SF

04

Stories

Basement Type

Exterior Quality

Full/Half Bath

Garage

Last Notice of Major Improvements

2

YES

STANDARD UNITS

SIDING/5

3 full/ 1 half

1 Attached

Value Information

Base Value

Value

Phase-in Assessments

As of

As of

As of

01/01/2024

07/01/2023

07/01/2024

Land:

122,400

131,700

Improvements

291,900

410,400

Total:

414,300

542,100

414,300

456,900

Preferential Land:

0

0

Transfer Information

Seller: LENNINGS CROSSING LLC

Date: 04/01/2005

Price: \$190,000

Type: ARMS LENGTH VACANT

Deed1: /21648/ 00447

Deed2:

Seller:

Date:

Price:

Type:

Deed1:

Deed2:

Seller:

Date:

Price:

Type:

Deed1:

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: Approved 04/22/2011

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2012-0112-A

R 16

1419002220

Pt. Bk. 0000076, Folio 0023 2400003860

Lot # 0

082A3

PAI # 140198

Pt. Bk./Folio # 051120A

1900013751

Pt. Bk. 0000054, Folio 0420

PAI # 140198

2006-0293-A

2400003803

Lot # 1

2400003804
Lot # 17

2400003805
Lot # 18

2400003806
Lot # 19

2400003807
Lot # 20

2400003802
Lot # 16

2400003801
Lot # 15

2400003800
Lot # 14

2400003799
Lot # 13

2400003798
Lot # 12

2400003796
Lot # 11

6 CD 14 ED

NE 5-G

DR 3.5

Lot # 0

2400003859

PAI # 140402

PAI # 140402

Pt. Bk./Folio # 076023

PAI # 140402

2400003833
6625

2007-0159-A

PAI # 140402

2016-0074-A

2006-0603-A

2400003832
Lot # 46

2400003831
Lot # 45

2400003830
Lot # 44

2400003829
Lot # 43

2400003828
Lot # 42

2400003827
Lot # 41

2400003826
Lot # 40

2400003825
Lot # 39

2400003824
Lot # 38

2012-0112-A

1600005016

Pt. Bk. 0000034, Folio 0043

R 16

R 16

PAI # 140147

090A1

Lot # 2 Pt. Bk. 0000044, Folio 0047

R-1950-1645 1800007787

PAI # 140147 Pt. Bk./Folio # 044047A

PAI # 140460

PAI # 140460

Pt. Bk./Folio # 055050

2000010498

2000010498

2021-0238-A

1990-0464-A

2000010499

Pt. Bk. 0000055, Folio 0050

PAI # 140460

PAI # 140317

Pt. Bk./Folio # 067022
Pt. Bk. 0000067, Folio 0022

2200018057

2400003858

Lot # 0

Lot # 0 2400003857

2007-0012-A

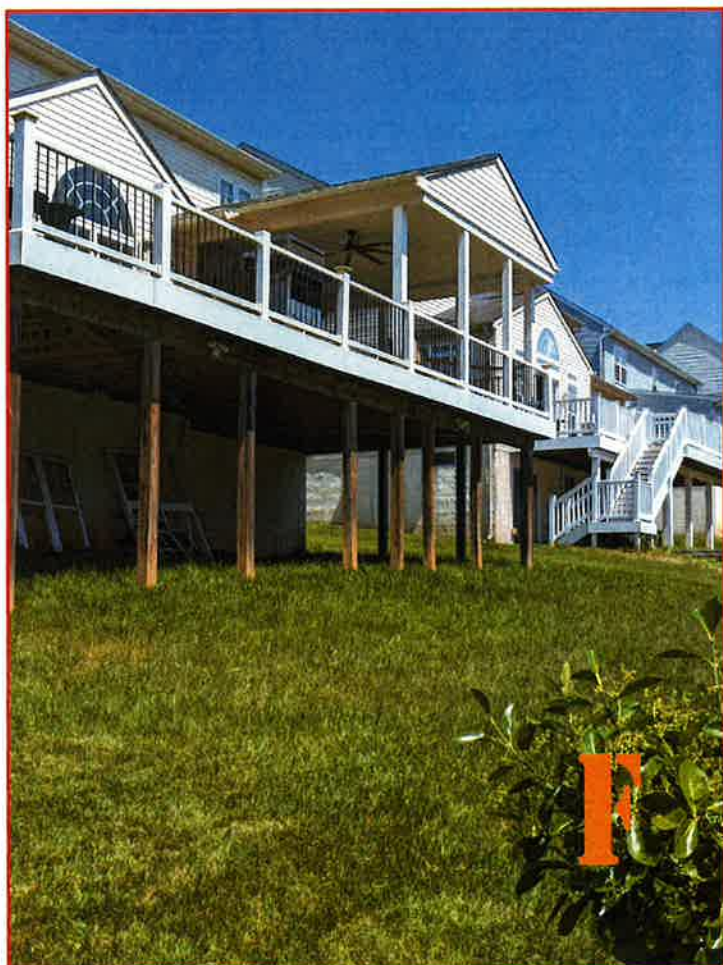
2006-0494-A

2006-0292-A

2006-050

2007-003







410 727-5588
www.polan.org

12239 LONG GREEN PIKE
GLEN ARM, MD 21057

Zoning Petition Property Description

For: 6625 Kelly Ann Way

**Beginning at a point on the north side of Kelly Ann Way
which is fifty feet wide at the distance of eight hundred
ninety-five feet west of the centerline of Lennings Lane
which is thirty feet wide.**

**Being known and designates as Lot # 47, Block 76,
Section #23 in the sub-division of Lennings Crossing As
recorded among the land records of Baltimore County
in Plat Book #21048, Folio #00447, containing 9,740
square feet (0.2236 acres). Located in the 14th Election
District and Councilmanic District 6.**

2024-0071-A

CERTIFICATE OF POSTING

Date: MARCH 20, 2024

RE: Project Name: 6625 KELLY ANN WAY
Case Number /PAI Number: CASE NO. 2024-0071-A
Petitioner/Developer: CORBETT / KANE
Date of Hearing/Closing: APRIL 8, 2024

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 6625 KELLY ANN WAY

The sign(s) were posted on MARCH 20, 2024
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

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

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

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. 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 # 2024-0071-A
Address: 6625 KELLY ANN WAY
Legal Owner: Milton & Esther Corbett

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

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: March 20, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0071-A

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.



EXISTING REAR ELEVATION
1/16" = 1'-0" SCALE

Site Vicinity Map
MAP IS NOT TO SCALE

Zoning Map # 0090 A1 + 082A3
Zoning DR 3.5
Election District 14
Council District 6
Lot Area Acreage 0.2236
Lot Square Footage 9740
Historic (Yes or No) NO
CBCA (Yes or No) NO
Flood Plain (Yes or No) NO
Utilities - Mark with (X)
Water is:
Public ☒ Private ☐
Sanitary is:
Public ☒ Private ☐
Prior Hearing (Yes or No) NO
If (Yes) list Case Number(s) and order result(s) below:

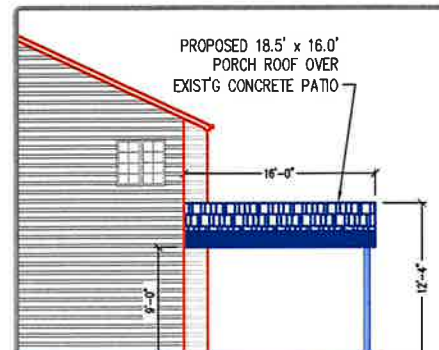
Violation Case Number(s)

2024-0071-A

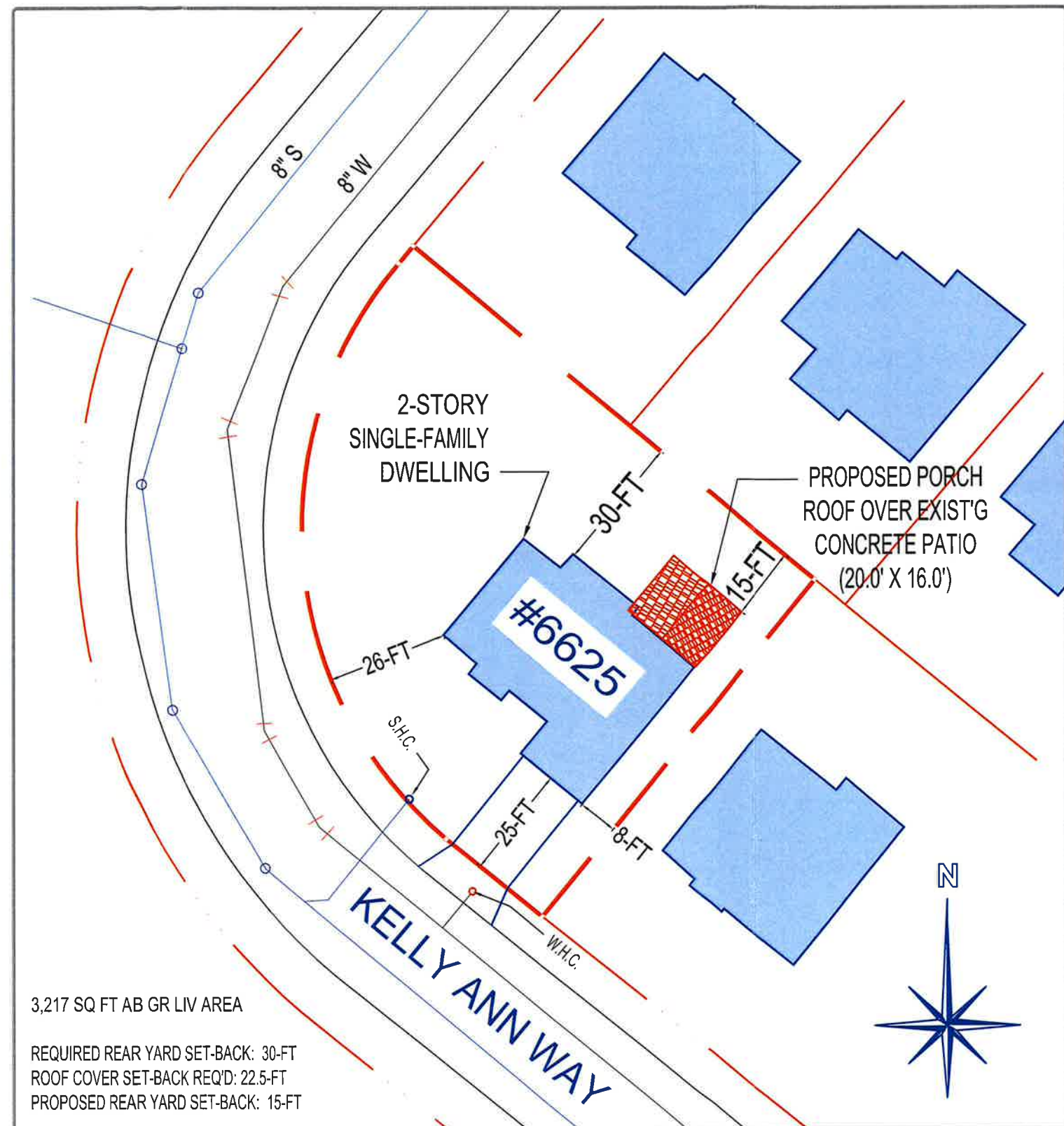
PROPOSED REAR ELEVATION
1/16" = 1'-0" SCALE



PROPOSED 20.0' x 16.0' PORCH ROOF OVER EXIST'G CONCRETE PATIO



PROPOSED SIDE ELEVATION
1/16" = 1'-0" SCALE



3,217 SQ FT AB GR LIV AREA

REQUIRED REAR YARD SET-BACK: 30-FT
ROOF COVER SET-BACK REQ'D: 22.5-FT
PROPOSED REAR YARD SET-BACK: 15-FT

Zoning Hearing Plan for Variance ☒ **for Special Hearing** ☐ **Mark Type Requested with (25)**
Address 6625 KELLY ANN WAY / ROSEDALE, MD 21237 **Owners(s) Name(s)** MILTON L. CORBETT & ESTHER A. KANE-CORBETT
Subdivision Name LENNINGS CROSSING **Lot#** 47 **Block#** 76 **Section#** 23
Plat Book# 21048 **Folio#** 00447 **10 Digit Tax#** 2400003833 **Deed Reference#** 0076 / 0023
Plan Drawn By RICH POLAN **Date** 2/25/2024 **Scale:** 1 inch = 40 Feet

NO.	DATE	DESCRIPTION
1	8/10/23	PORCH DIMENSION ADJUSTED

Proposed Covered Porch

6625 Kelly Ann Way
Rosedale, MD 21237

TITLE	ZONING PLAT	SCALE	1" = 30'-0"	DRAWN BY	rdp	CADFILE	f:\file\dwg
DATE	5/30/2023	DWG NO	sk1				