



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

June 13, 2024

Zlata and Yevgeny Gekht – egekht@gmail.com
6 Calypso Court
Baltimore, MD 21209

RE: Petition for Administrative Variance
Case No. 2024-0128-A
Property: 6 Calypso Court

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 that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

c: Hayley Dryden – info@carballoarch.com

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6 Calypso Court)		
3 rd Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Zlata & Yevgeny Gekht	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2024-0128-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, Zlata and Yevgeny Gekht (“Petitioners”) for the property located at 6 Calypso Court, Baltimore (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1B02.3.B and §400.1, to approve an existing open projection (covered deck) on the right side with a setback of 3 ft. in lieu of the required 25 ft.; an existing pool in the right side yard in lieu of the required rear yard; and for an existing shed in the left side yard in lieu of the required rear yard. 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). Street view photographs of the property was provided. (Pet. Ex. 2A & 2B).

A Zoning Advisory Committee (“ZAC”) comment was received from the Department of Permits, Approvals and Inspections (“PAI”), Bureau of Building Plans Review (“BPR”), dated May 29, 2024, indicating the following:

“BPR: Please apply for a building permit to comply with requirements of the International Residential Code for properties closer than 5’ from property line.”

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on May 26, 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

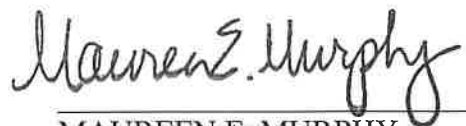
affidavit as required by Baltimore County Code (“BCC”), Section 32-3-303.

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. While BPR submitted a ZAC comment indicating that a building permit must be applied for, Petitioners are not proposing any improvements at this time; Petitioners are seeking Administrative Variance relief to approve the existing conditions on the Property. In the opinion of the Administrative Law Judge, the Site Plan, photographs, and affidavit submitted provide sufficient facts that comply with the requirements of BCZR, §307.1. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the 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 **13th** day of **June, 2024**, by the Administrative Law Judge for Baltimore County Zoning Regulations (“BCZR”), §1B02.3.B and §400.1, to approve: (1) an existing open projection (covered deck) on the right side with a setback of 3 ft. in lieu of the required 25 ft.; (2) an existing pool in the right side yard in lieu of the required rear yard; and (3) an existing shed in the left side yard in lieu of the required rear yard, be and they are each hereby **GRANTED**.

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

A handwritten signature in black ink, reading "Maureen E. Murphy". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

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 6 Calypso Ct, Baltimore, MD 21209 Currently Zoned DR1
Deed Reference 41798/ 00230 10 Digit Tax Account # 1 6 0 0 0 0 7 8 6 7
Owner(s) Printed Name(s) Zlata Gekht and Yevgeny Gekht

(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.B, 301.1 and 400.1 To approve an existing open projection (covered deck) on the right side with a setback of 3 ft in lieu of the required 11.25 ft; an existing accessory structure (pool) in the right side yard in lieu of the required rear yard; an existing accessory building (shed) in the left side yard in lieu of the required rear yard
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):

Zlata Gekht		Yevgeny Gekht	
Name #1 – Type or Print		Name #2 – Type or Print	
<u>Zlata Gekht</u>		<u>[Signature]</u>	
Signature #1		Signature #2	
<u>6 Calypso Ct</u>		<u>Baltimore</u>	<u>MD</u>
Mailing Address		City	State
<u>21209</u>	<u>443-801-0552</u>	<u>egekht@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:

Hayley Dryden
Name - Type or Print _____
Signature [Signature]
1816 Aliceanna St Baltimore MD
Mailing Address City State
21231 443-963-1077 info@carballoarch.com
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 2024-0128-A Filing Date 5/16/2024 Estimated Posting Date 5/26/2024 Reviewer CP

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: <u>6 Calypso Ct</u>	<u>Baltimore</u>	<u>MD</u>	<u>21209</u>
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)**

The subject property is a 2-story detached single-family home which has undergone several renovations and additions since its original construction. There are existing additions on both the side and rear of the house, which we believe were added within the last twenty years. One of these additions is a carport originally built on the side of the original structure, which was later enclosed on two sides to serve as a covered patio. The rear addition is 52.1ft by 14.6ft and is also believed to have been built within the last twenty years. This doesn't violate the rear setback requirements.

The minimum required distance between building sides is 30ft, but the existing distances between the subject building and neighboring buildings at 8 calypso Ct and 4 Calypso Ct are 25ft and 20ft respectively.

Since realizing that the existing structure doesn't meet current codes, we've been concerned about potential legal issues, both during our residency and if we decide to sell the property in the future. These additions were already in place when we purchased the house in 2019 and we want to ensure they're accurately recorded with the county for future documentation.

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

Zlata gekht
Signature of Owner (Affiant)

Zlata Gekht
Name - Print or Type


Signature of Owner (Affiant)

Yevgeny Gekht
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 9th day of May, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

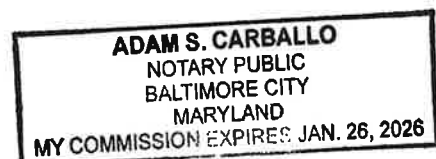
Print name(s) here: Zlata + Yevgeny Gekht and May by Dryden

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

AS WITNESS my hand and Notaries Seal

 Adam Carballo
Notary Public

Jan. 26, 2026
My Commission Expires



2024-0128-A

Zoning Petition Property Description for

"6 Calypso Ct, Baltimore, MD 21209"

Part A) Beginning at a point on the west side of Calypso Ct, which is 20 feet wide at the distance of 205 feet west side of the nearest intersecting street, which is Denberg Rd, which is 20 ft wide.

Part B) Being Lot #(3), Block (D), Section #(3) in the subdivision of (0000) as recorded in Baltimore county Plat Book #(41798), Folio #(230), containing (#16,665 of total square feet of lot). Located in the (3) Election District and (2) Council District.

2024-0128-A

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0128 -A Address 6 Calypso CT

Contact Person: Christina Frink Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5-16-2024 Posting Date: 5-26-2024 Closing Date: 6-10-2024

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- 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.
- 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.
- 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 - 0128 -A Address 6 Calypso CT

Petitioner's Name: Zlata & Yevgeny Gekht Telephone (Cell) 443-801-0552

Posting Date: 5-26-2024 Closing Date: 6-10-2024

Wording for Sign: To Permit an existing open projection (covered deck) on the right side with a setback of 3 ft in lieu of the required 11.25 ft; an existing accessory structure (pool) in the right side yard in lieu of the required rear yard; an existing accessory building (shed) in the left side yard in lieu of the required rear yard

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: June 4, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0128-A
Address: 6 CALYPSO CT
Legal Owner: Zlata & Yevgeny Gekht

Zoning Advisory Committee Meeting of June 4, 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: May 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0128-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 comment LOS & No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director **DATE:** May 29, 2024
Department of Permits, Approval, and Inspections

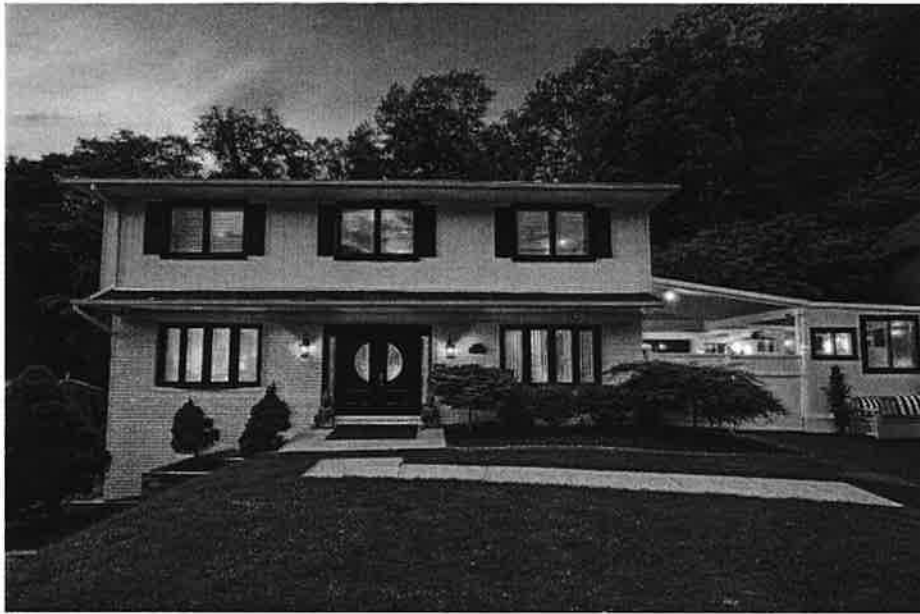
FROM: Derek M. Chastain
Bureau of Building Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0128-A

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

BPR: Please apply for a building permit to comply with requirements of the International Residential Code for properties closer than 5' from property line.

View from Calypso Ct (Front)



View from Calypso Ct (Front & side)

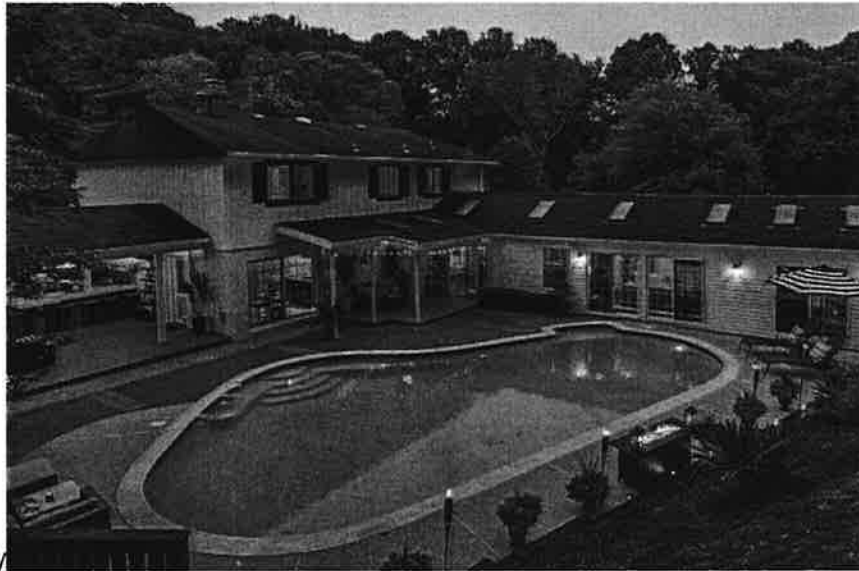


2024-0128-A

View from rear of the property



View from rear of the property



2024-0128-A

Christina Y Frink

From: Info <Info@carballoarch.com>
Sent: Tuesday, May 14, 2024 8:49 AM
To: Christina Y Frink
Subject: FW: Baltimore County Payment

CAUTION: This message from Info@carballoarch.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Christina,

Please see below for the receipt.

Thank you,



Hayley Dryden

Project Coordinator

Carballo Architecture

1816 Aliceanna Street, Baltimore, MD 21231

443.963.1077 x 100

Office hours: M-Th 8:30A-6:00P, F 8:30A-3:00P

From: noreply@baltimorecountymd.gov <noreply@baltimorecountymd.gov>

Date: Monday, May 13, 2024 at 2:41 PM

To: Info <Info@carballoarch.com>

Subject: Baltimore County Payment

Thank you for submitting your Permit/License payment online. Your Transaction Number is PMT-24-00923.

Type: Zoning Review Fee

Reference: 229890

Payment Amt: 75.00

Please save this email for your reference. This is a system generated email. DO NOT REPLY
CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

1
2024-0128-A

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 03 Account Number - 1600007867

Owner Information

Owner Name:

GEKHT ZLATA
GEKHT YEVGENY

Use:

RESIDENTIAL

Principal Residence:

YES

Mailing Address:

6 CALYPSO CT
BALTIMORE MD 21209-1004

Deed Reference:

/41798/ 00230

Location & Structure Information

Premises Address:

6 CALYPSO CT
BALTIMORE 21209-1004

Legal Description:

6 CALYPSO CT
GREEN GATE

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 2
0069 0019 1079 3060076.04 0000 3 D 3 2023 Plat Ref: 0035/ 0117

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1974	2,200 SF	540 SF	16,665 SF	04

Stories	Basement Type	Exterior	Quality Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNIT 1/2 BRICK SIDING/4	2 full/ 2 half		

Value Information

	Base Value	Value		
		As of 01/01/2023	As of 07/01/2023	As of 07/01/2024
Land:	131,100	131,100		
Improvements	281,000	387,400		
Total:	412,100	518,500	447,567	483,033
Preferential Land:	0	0		

Transfer Information

Seller:	Date:	Price:
GEKHT YEVGENY	08/26/2019	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /41798/ 00230	Deed2:
Seller: ULICK GLENN E	03/01/2012	\$250,000
Type: NON-ARMS LENGTH OTHER	Deed1: /31767/ 00131	Deed2:
Seller: LEVIN HOWARD H	06/09/1999	\$220,000
Type: ARMS LENGTH IMPROVED	Deed1: /13806/ 00632	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:

2024-0128-A

THIS DOCUMENT IS CERTIFIED TO:

FORWARD
TITLE SERVICES, LLC

CASE #: 2024-1283



Shevy Ashman
122 Slade Avenue
Baltimore, MD 21208
443-682-0618



LEGEND:

BE - BASEMENT ENTRANCE
BW - BAY WINDOW
BR - BRICK
BRL - BLDG. RESTRICTION LINE
BSMT - BASEMENT
CS - CONCRETE STOOD
CONC - CONCRETE
DW - DRIVEWAY
UP - UTILITY POLE
FR - FRAME
MAC - MACADAM
OH - OVERHANG

COLOR KEY:

(RED) - RECORD INFORMATION
(BLUE) - IMPROVEMENTS
(GREEN) - EASEMENTS & RESTRICTION LINES

LOCATION DRAWING OF:
#6 CALYPSO COURT
LOT 3 BLOCK D
PLAT 2 - SECTION 3

GREEN GATE

PLAT BOOK 35, PLAT 117
BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30' DATE: 04-15-2024

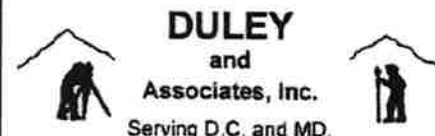
DRAWN BY: B.G. FILE #: 242955-783



SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 06, 13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE 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. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

A Land Surveying Company

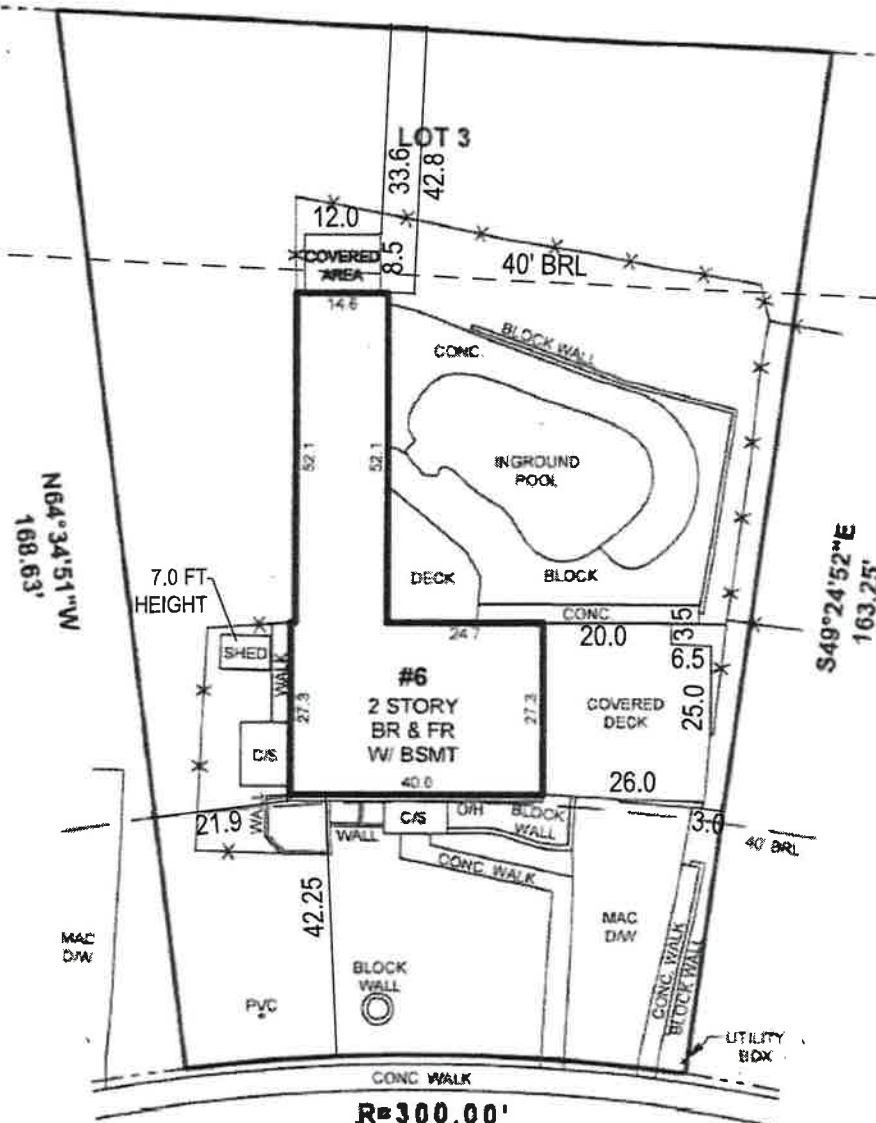


14604 Elm Street, Upper Marlboro, MD 20772
Phone: 301-888-1111 Fax: 301-888-1114
Email: orders@duley.biz On the web: www.duley.biz

ALL STRUCTURES ARE EXISTING

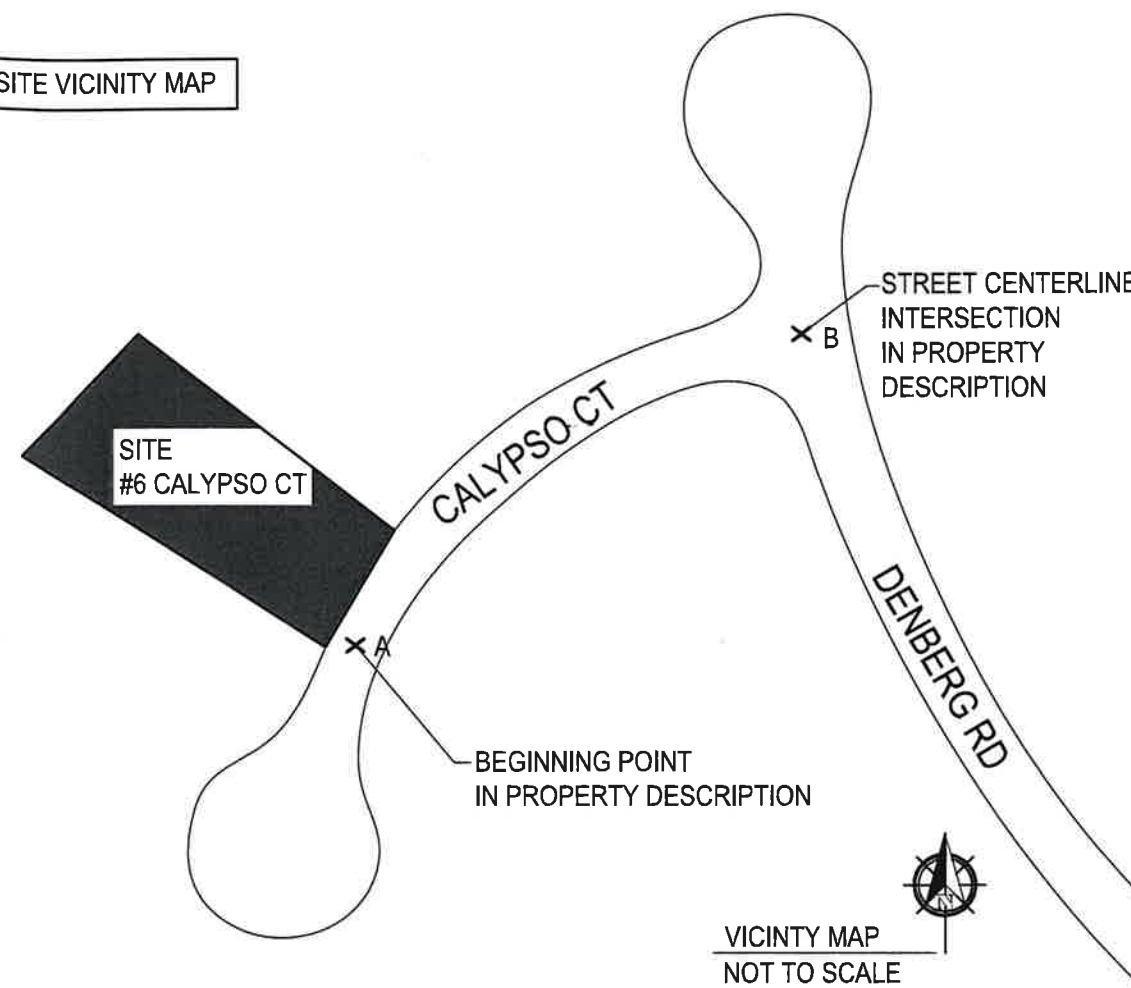
N35°29'04"E
123.10'

P.B. 35 @ 117



CALYPSO COURT

SITE VICINITY MAP



- Election District 3
- Tax Account Number 1600007867
- Tax Map 069A3
- Grid 0019
- Neighborhood 3060076.04
- Subdivision 0000
- Parcel 1079
- Section 3
- Lot 3
- Plat Ref 0035/ 0117
- Deed Ref /41798/00230
- Councilmanic District 2

- Historic? No
- In CBCA? No
- In flood plain? No
- Utilities? No change
- Water is public
- Sewer is public
- Prior hearing? No

6 CALYPSO CT

EXISTING 2-STORY
SINGLE FAMILY - DETACHED
Owner-Occupied

Administrative Variance

Lot Area = 16,665 SF

Zoning = DR 1

Legal Description: 6 Calypso Ct
Green Gate

ALL STRUCTURES ARE EXISTING

IBC USE GROUP:
R-3 Residential (Single Family Dwelling)

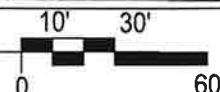
6 CALYPSO CT
MAP - 0069 GRID - 0019 DISTRICT - 03 Lot - 3

SCALE: 1" = 30'-0"

OWNERSHIP:
ZLATA GEKHT & YEVGENY GEKHT

OWNERSHIP ADDRESS:
6 CALYPSO CT
BALTIMORE, MD 21209-1004

EXISTING SITE PLAN
SCALE: 1" = 30'-0"



2024-0128-A

1996-0202-A
2001-0502-A
1995-0176-SPH
1994-0111-A
1999-0345-A
PAI # 030392

0316002390

PAI # 030392

PAI # 030392

PAI # 030392

Lot # 1

1600007865

DR 1

1600007876

Pt. Bk. 0000035, Folio 0117

Lot # 2

1600007866

3 ED 069A3

Lot # 3

1600007867

2 CD NW 9-C

PAI # 030138

Pt. Bk. Folio # 035117

R-1968-0073

PAI # 030138

Lot # 9

1600007873

Lot # 4

1600007868

DR 2

Lot # 8

1600007872

Lot # 5

1600007869

CALYPSO CT

2004-0128-A

1600007871

Lot # 7

1600007870