



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

August 8, 2024

Yudelka Beltre – ybeltre@yahoo.com
13220 Hanover Pike
Reisterstown, MD 21136

RE: Administrative Variance
Case No. 2024-0173-A
Property: 13220 Hanover Pike

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,
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: Rick Richardson – rick@richardsonengineering.net

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(13220 Hanover Pike)		
4 th Election District	*	OFFICE OF ADMINISTRATIVE
4 th Council District		
Yudelka Beltre	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0173-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, Yudelka Beltre (“Petitioner”) for the property located at 13220 Hanover Pike, Reisterstown (the “Property”). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1A01.3.B.3, to permit a street centerline setback of 59 ft in lieu of the required 75 ft for a garage addition. The Property is more fully depicted on the site plan (the “Site Plan”). (Pet. Ex. 1). Street view photographs of the Property were submitted showing the proposed garage addition’s location. (Pet. Exs. 2A-2D).

There were no Zoning Advisory Committee (“ZAC”) comments received from any County agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on July 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 Affidavit as required by Baltimore County Code (“BCC”), §32-3-303. 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 §307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Although the Department of Planning did not make any recommendations related to the garage addition, I will impose conditions that the existing detached garage shall not be converted into a dwelling unit or apartment, shall not contain any sleeping quarters, living area, kitchen or bathroom facilities, and will not have separate electric or utility connections, or used for commercial purposes. If the Petitioner and/or subsequent owner should wish to convert the garage addition into living space, all required permitting and zoning

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 will be granted.

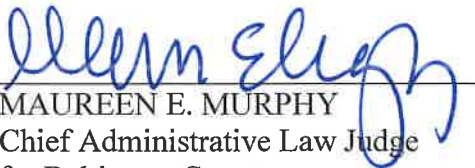
THEREFORE, IT IS ORDERED, this 8th day of **August, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §1A01.3.B.3, to permit a street centerline setback of 59 ft in lieu of the required 75 ft for a garage addition, be, and is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioner is 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.
2. Petitioners and subsequent owners shall not convert the attached garage into a dwelling unit or apartment. The attached garage shall not contain any sleeping quarters, living area, bathroom facilities or kitchen facilities.

3. The attached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The attached garage shall not be used for commercial or industrial purposes.
5. In the event that the Petitioner and/or subsequent owners wish to convert the attached garage addition into living space, all permits and/or necessary zoning relief shall be obtained prior to the commencement of any work.

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 Law of Baltimore County for the property located at:

Address 13220 Hanover Pike Currently Zoned RC-2

Deed Reference 40931/ 231 10 Digit Tax Account # 0411047220

Owner(s) Printed Name(s) Yudelka A. Beltre

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. **X** **ADMINISTRATIVE VARIANCE** from section(s) 1A01.3.B.3 to permit a side yard setback of 59' in lieu of the required 75' for a garage addition,

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space 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, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded 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:

Yudelka A. Beltre /

Name #1 – Type or Print

Name #2 – Type or Print

Yudelka A. Beltre

Signature #1

Signature #2

13220 Hanover Pike Reisterstown MD

Mailing Address City State

21136 / 443-605-2545 / Ybeltre@yahoo.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Richardson Engineering, LLC Rick Richardson

Name – Type or Print

Richardson Engineering, LLC

Signature

7 Deneison Street Timonium MD

Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2024-073-A Filing Date 7/11/2024 Estimated Posting Date 7/21/24 Reviewer RL

Closing 8/5/24

Rev 10/12/11

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 to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 13220 Hanover Pike Reisterstown MD 21136
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

The garage addition location is set by the location of the existing house and the topography of the property. The lot is unique in that it is not deep but is very wide along the road. The house actually faces north, parallel with the street because of the grade of the land and the driveway access location because of the grades along the road. Because the grade of the land where the house is located and the driveway location to the north the garage needs to be on the side of the existing house. In addition, with the well to the rear and the septic on the front of the house, and the location of the existing house the garage has to be on the street side of the house. The current house is over the setback on the side opposite from the road due to the narrow lot depth from the road. The location of the house and the addition of the garage makes it a practical difficulty to meet the setbacks.

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

Yudelka A. Beltre
Signature of Affiant

Signature of Affiant

Yudelka A. Beltre
Name- Print or Type

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 25th day of April, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Yudelka A. Beltre
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Christian T. Shipe
Notary Public

My Commission Expires

12/21/2027

CHRISTIAN T. SHIPE
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXPIRES 12/21/2027

2024-0173-A



Richardson
ENGINEERING

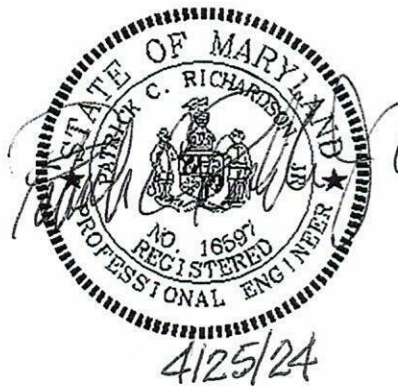
CIVIL | COMMERCIAL
RESIDENTIAL
INDUSTRIAL

RICHARDSON ENGINEERING, LLC.
7 DENEISON ST. | TIMONIUM, MD 21093
410-560-1502 | RICHARDSONENGINEERING.NET

**ZONING PROPERTY DESCRIPTION FOR
13220 HANOVER PIKE
4th ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Located at a point on the West side of Hanover Pike approximately 1,684+/- feet South of the intersection of Hanover Pike and Old Hanover Pike. Then running Southeast along Hanover Pike the following bearings and distances 1) South 00 degrees 01 minutes 40 seconds East 538.80 feet 2) North 88 degrees 30 minutes West 161.70 feet 3) North 00 degrees 01 minutes 40 seconds West 538.80 feet 4) South 88 degrees 30 minutes East 161.70 feet to the place of beginning.

Containing a net area of 87,093 square feet or 2.00 acres +/-.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2025

2024-0173-A

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 two signs 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: 2024-0173-A

Property Address: 13220 Hanover Pk

Legal Owners (Petitioners): Yodelsa Altamercia

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Yodelsa Altamercia

Address: _____

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.

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For Newspaper Advertising:

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Property Address: 13220 Hanover Pkce

Legal Owners (Petitioners): Yodelsa Altamercia

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Yodelsa Altamercia

Address: _____

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.

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

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

Eric Hadaway
Work: 410-296-3333
ehadaway@dmw.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
10pie@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.

Rev 9/22/2022

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 7/20/2024

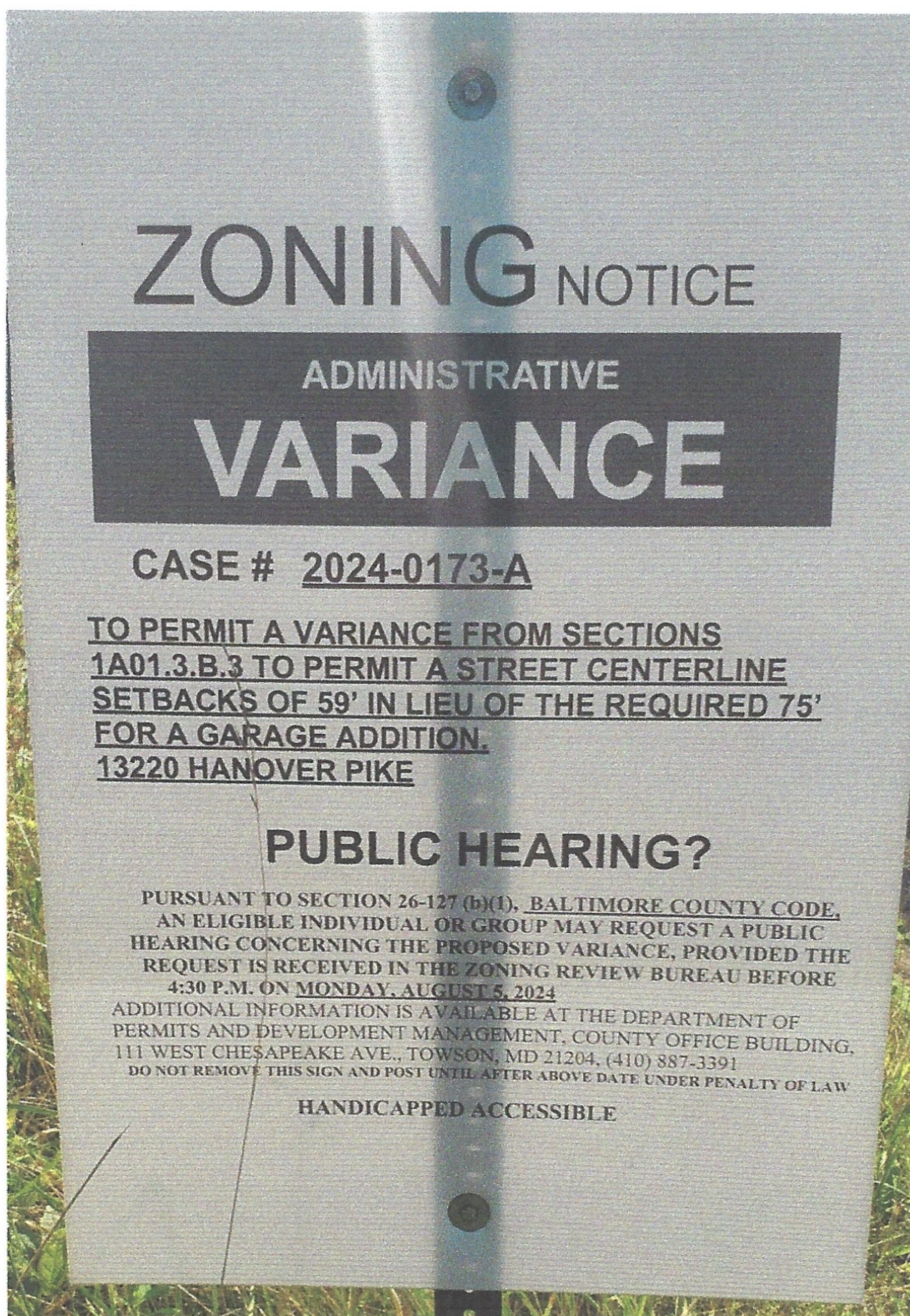
Case Number: 2024-0173-A

Petitioner / Developer: YUDELKA BELTRE

Date of Closing: AUGUST 5, 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:
13220 HANOVER PIKE

The sign(s) were posted on: JULY 20, 2024



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(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: August 5, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0173-A
Address: 13220 HANOVER PIKE
Legal Owner: Yudelka Beltre

Zoning Advisory Committee Meeting of August 5, 2024.

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

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: July 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0175-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.



VIEW SOUTH FROM GARAGE LOCATION

2024-0173-A



VIEW SOUTH FROM DRIVEWAY TO
WHERE GARAGE WILL BE CONSTRUCTED
AT UPPER LEVEL

2024-0173-A



VIEW FROM GARAGE LOCATION
LOOKING NORTH

2024-0173-A



EXISTING END OF HOUSE WHERE
GARAGE WILL BE CONSTRUCTED

2024-0173-A

13202

OLD HANOVER RD

2024-6173-A

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

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

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

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

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

David Billingsley
Work: 410-679-8719
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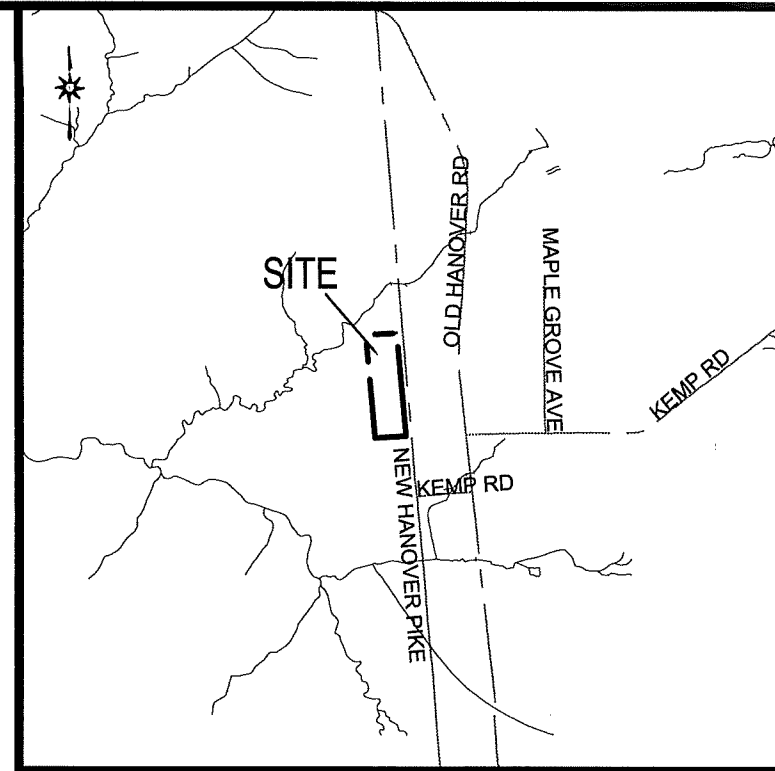
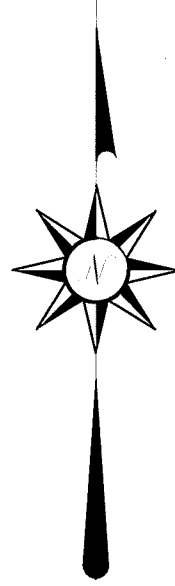
Martin Ogle
Cell: 443-629-3411
mert1114@aol.com

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

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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.

Rev 9/22/2022



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: YUDEKA A BELTRE
13220 HANOVER PIKE
REISTERSTOWN 21136-4705
- SITE AREA:
NET: 87,093 SF or 2.00 Ac.±
GROSS: 103,257 SF or 2.37 Ac.±
- USES:
EXISTING: 1 RESIDENTIAL DWELLING
PROPOSED: 1 RESIDENTIAL DWELLING
- UTILITIES:
PUBLIC WATER & SEWER
- DEED REFERENCE: 40831/231
TAX ACCOUNT #0411047220
- COUNCILMANIC DISTRICT: 4TH
- ELECTION DISTRICT: 4TH
- GENUS TRACT: 404600
- ZONING: RC 2 (PER 200 SCALE GIS TILE 039B3)
- TAX MAP #39, GRID #22, PARCEL #136
- WATERSHED: LIBERTY RESERVOIR
- PRIOR PERMITS ON FILE: B974719 TO FINISH BASEMENT WITH STAIRS TO BASEMENT ALSO ENCLOSING EXISTING SCREENED IN PORCH FOR FAMILY ROOM, 22'6" X 22'-48'SF EGRESS, INSTALL ALL ENCLOSURE REQUIRES FOOTERS, ISSUED JULY 23, 2021.
- PRIOR ZONING CASES ON FILE: NONE
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE DOES NOT LIE WITHIN A FLOOD ZONE ACCORDING TO FEMA MAP #2400100205G NOVEMBER 2, 2023.
- THE SITE DOES NOT LIE WITHIN A TRAFFIC DEFICIENT AREA.
- BASIC SERVICE MAPS:
TYPE DEFICIENT (Y/N) NOTE
SEWER N
WATER N
TRANSPORTATION N
SETBACKS FOR RC 2:
TYPE REQUIRED PROVIDED
FRONT 35' 112'
SIDE 75' FROM CL OF RD 59'±
SIDE 35' 30'±
REAR 35' 389'±



7 Deneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net

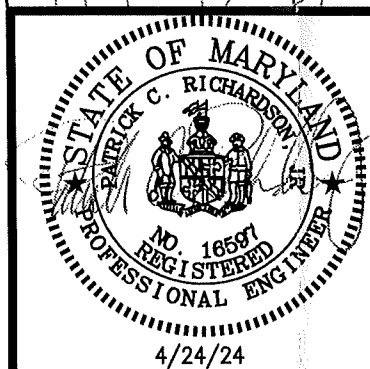
rick@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION FOR BELTRE RESIDENCE GARAGE ADDITION 13220 HANOVER PIKE

BALTIMORE COUNTY MARYLAND
4TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNR	PCR	1" = 40'
	DATE:	JOB NO.:	SHEET NO.:
	04-19-24	24017	1 OF 1

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16597, EXPIRATION DATE: 08-15-2025



2024-0173-A