

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

September 11, 2024

Roger & Toni Picker – tonipicker@hotmail.com 15412 Parrish Road Upperco, MD 21155

RE:

Petition for Administrative Variance

Case No. 2024-0195-A

Property: 15412 Parrish 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,

ANDREW M. BELT
Administrative Law Judge

for Baltimore County

AMB:dlw Enclosure

c: Charles Merritt - Merrittdc@verizon.net

IN RE: PETITION FOR ADMIN. VARIANCE BEFORE THE

(15412 Parrish Road)

4th Election District 4th Council District

Roger & Toni Picker

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

Petitioners CASE NO. 2024-0195-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, Roger and Toni Picker ("Petitioners"), for the property located at 15412 Parrish Road, Upperco (the "Property"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations ("BCZR"), Section 1A01.3.B.3, to permit a 13 ft. lot line (side) setback in lieu of the minimum 35 ft. for a proposed addition. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1. Street view photographs of the Property were provided. (Pet. Exs. 2A-2C).

No adverse Zoning Advisory Committee ("ZAC") comments were received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on August 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 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 affidavit submitted provide sufficient facts that comply

with the requirements of BCZR, Section 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 11th day of September, 2024, by the Administrative

Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County

Zoning Regulations ("BCZR"), Section 1A01.3.B.3, to permit a 13 ft. lot line (side) setback in lieu

of the minimum 35 ft. for a proposed addition, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

 Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be

responsible for returning, said property to its original condition.

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

ANDREW M. BELT

Administrative Law Judge

for Baltimore County

AMB:dlw

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ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections

MALYCAN			ive Hearing	s for Baltimore County f	or the property locat		
Address	15412 Parrish R	oad			Currently Zone	ed RC 2	
Deed Refere	ence_33777/360	/		0 Digit Tax Account #_	0415081390		
Owner(s) Pr	inted Name(s) <u>Ro</u> (ger & Toni Picker					
(SI	ELECT THE HEARING	(S) BY MARKING <u>X</u>	AT THE APP	ROPRIATE SELECTION(S) AND ADDING THE	E PETITION REC	LUEST)
For Adminis	trative Variances, the	Affidavit on the rever	se of this Pe	tition form must be comple	eted and notarized.		
hereof, hereb	y petition for an:			e County and which is des			
1X ADMI Prope	injetrative varian (Side) schli isch addr	CE from Section(s) / ack in lieu tion.	A01.3	he minimum	rmit a 13 35 feet-	-foot 1	ot
of the zoning	regulations of Baltimor	e County, to the zoning	g law of Balti	more County.			
2 ADM work in this s	INISTRATIVE SPECIA pace: i.e., to raze, alte	AL HEARING to approver or construct addition	ve a waiver p to building)	oursuant to Section 32-4-1	07(b) of the Baltimore	County Code: (i	indicate type of
					<i>(</i> -		
of the zoning	regulations of Baltimor	e County, to the zoning	g law of Baiti	more County.			
Baltimore Cou	unty adopted pursuant Petitioner(s):	to the zoning law for B	altimore Cou		a bound by the zoning	regulations and t	resinctions of
Roger P			Toni f				
Name #1 - To	/pe or Frint		Name	# 2 – Type or Print	_		
Signature #1	m		1/	Signature # 2			
	arrish Road	upperco		MD			
Mailing Addre	SS		City	State			
21234		311506		tonipicker@hotm	ail.com		
Zip Code	i elepnone i	#s (Cell and Home)		Email Address			
Attorney for	r Owner(s)/Petition	er(s):		Representat	tive to be Contacto	ad:	
Name - Type	or Drint			Charles			
Name - Type	or Finit			Name - Type	or Print		
Signature				Signature	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	***************************************	MD
	the control of the co	7			gledt Road	Baltimore	MD
Mailing Addres	SS	City	State	Mailing Addre		City	State
Zip Code	Telephone #	_/ Email Addres	20	21234 Zip Code	/ 410-925-4061		dc@verizon.ne
	1 elephone #	Email Addies		Zip Code	Telephone #		Address
A PUBLIC HE	ARING having been t	formally demanded a	nd/or found	to be required, it is orde	ered by the Office of A	Administrative He	arings for
Baltimore Cou nearing, adver		day of s required by the zonin	g regulations	that the so of Baltimore County.	subject matter of this p	petition be set for	·a public
		8		Administrative	.aw Judge for Baltimo	ro County	
Case Number	2024-0195	- A Filing Date	8 115	1 134		27, 24	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.

Address:	15412 Parrish Road	Upperco		MD	21155
	Print or Type Address of Proper	ty	City	State	Zip Code
Based up Variance	oon personal knowledge, the follo at the above address. (Clearly	wing are the facts of state practical dif	upon which I/we base ficulty or hardship I	the request for an	Administrative
	Attachel				
			STATE AND STATE OF ST		
					-/

	of Owner (Affiant)	est or the above s	Signature of Own	2	it to this Form)
	Picker		Toni Picker		
Name - P	rint or Type		Name - Print or T	уре	
1	The following information is	to be completed	d by a Notary Publ	ic of the State of	Maryland
	F MARYLAND, COUNTY OF BA				
HEREBY	Y CERTIFY, this day e County aforesaid, personally ap	of Augus	t 2021	, before me a No	otary of Maryland, in
Print nam	e(s) here: Roger & Toni Pick	er			
the Affiant	t(s) herein, personally known or s	atisfactorily identifi	ied to me as such Aff	iant(s).	1)
AS WITN	ESS my hand and Notaries Seal				
Ini.	e t/chmeile			ERIC D SCH	NEIDER
Notary Pu				Notary Public - Sta Carroll C	ate of Maryland
08	/07/2027			My Commission Exp	ires Aug 7, 2027

My Commission Expires

Hardship Letter for 15412 Parrish Raod

Our family has grown and our current living space no longer meets our needs. The existing layout doe not provide adequate space for our family to live comfortably. Adding the extension will provide necessary space for our growing family, and ensure each member as sufficient personal space.

MERRITT DEVELOPMENT CONSULTANTS, INC

----Engineering-----Land Planning-----Surveying----

9831 Magledt Road Baltimore, MD 21234 Phone: 410-925-4061 Fax: 410-661-1297 merrittdc@verizon.net

Zoning Description for 15412 Parrish Raod

Beginning at the point on the west side of Parrish Road which is 50' wide at a distance of 2000' west of the centerline of the nearest improved intersecting street, Emory Road (Rte. 91) which is 50' wide. The following 4 courses.

- 1. N25 39 '00" E 100.00'
- 2. S53 48' 00" E 337.10'
- 3. N68 03' 00" E 150.00'
- 4. S57 39' 00" E 434.50' to the point of Beginning

As recorded in the Baltimore County Land Records Deed 33777/360, containing 43,000 SF or 0.987 AC. Located in the 4th Election District, 4th Councilmanic District.

OFFICE	E OF BUD	GET AND	ARYLANI D FINANC RECEIPT	E	Sub Rev/	No.	2342	215	
Fund	Dept	Unit	Sub Unit	Obj		Dept Obj	BS Acct	Amount	
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•									
		- 1							
						Total:		\$ 75.0	
Rec From:	n	Perriti	4 Den	dopana	nt Co	usulta	m/5 =	Inc	
For:	For: Merritt Deulopment Consultants Inc								
	2024-0195-4								
15412 Patrish Road CASHIER'S									
DISTRIB	UTION								VALIDATION
WHITE -	CASHIER	PINK - AG	ENCY ASE PRES		· CUSTOME !!!!	R	GOLD - AC	CCOUNTING	MIK

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: 7 6 2 4 - 0 1 9 5 - A
Property Address:15412 Parrish Road
Legal Owners (Petitioners): Roger & Toni Picker
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:
Name: Company/Firm (if applicable):Roger Picker
Address:15412 Parrish Road
Upperco MD 21155
Telephone Number: 410-961-1506

^{*}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.



CERTIFICATE OF POSTING

August 21, 2024
amended for second inspection
Re: Zoning Case No. 2024-0195-A Legal Owner: Roger & Toni Picker Closing date: September 09, 2024
Baltimore County Department of Permits, Approvals & Inspections County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD 21204
Attention: Jeff Perlow
Ladies and Gentlemen,
This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 15412 Parrish Road .
The signs were initially posted on August 20, 2024.
The subject property was also inspected on
Sincerely,

See the attached sheets for the photos of the posted signs

Bruce E. Doak

MD Property Line Surveyor #531

Bruce E. Doak Consulting, LLC 3801 Baker Schoolhouse Road Freeland, MD 21053 410-419-4906 cell / 443-900-5535 office bdoak@bruceedoakconsulting.com





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 29, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0195-A

Address: 15412 PARRISH ROAD Legal Owner: Roger & Toni Picker

Zoning Advisory Committee Meeting of September 3, 2024.

- X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:
 - Ground Water Management approval must be obtained prior to approval of the building permit. Requirements for approval will include submission of a site plan that meets GWM site plan requirements.
 - A septic inspection report locating all septic system components may be required.
 - A submission of perc test application and/or conducting additional percolation testing and potentially installing a new septic system or upgrading the existing septic system may be required.

Reviewer: Rochelle V. Underwood

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director DATE: August 27, 2024

Department of Permits, Approvals

FROM: Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

Case 2024-0195-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.

View GroundRent Redemption

View GroundRent Registration

Special Tax Recapture: None

Account Identifier:

District - 04 Account Number - 0415081390

Owner Information

Owner Name:

PICKER ROGER K PICKER TONI M

RESIDENTIAL Principal Residence:YES

Mailing Address:

15412 PARRISH RD

UPPERCO MD 21155-9772

Deed Reference: /33777/ 00360

Location & Structure Information

Premises Address:

15412 PARRISH RD UPPERCO 21155-9772 Legal Description: .933 AC

15412 PARRISH RD NWS LEADING FRINGER R

0025 0021 0154 4020022.04

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:

0000

2025

Plat Ref:

Town: None

Primary Structure BuiltAbove Grade Living AreaFinished Basement AreaProperty Land AreaCounty Use 0.9300 AC

1,316 SF

Stories Basement Type NO SPLIT LEVEL SIDING/4

Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

1 full/ 1 half

Value Information

	Base Value	Value	Phase-in Assessn	nents
		As of 01/01/2022	As of 07/01/2024	As of 07/01/2025
Land:	83,700	83,700		
Improvements	142,600	142,600		
Total:	226,300	226,300	226,300	
Preferential Land:	0			

Transfer Information

Seller: SIROLLI RYAN T Type: ARMS LENGTH IMPROVED	Date: 12/30/2005 Deed1: /33777/ 00360	Price: \$299,900 Deed2:
Seller: LIVESAY RICKY A,JR Type: ARMS LENGTH IMPROVED	Date: 04/12/2005 Deed1: /00000/ 00000	Price: \$272,500 Deed2:
Seller: MERSON STUART Type: NON-ARMS LENGTH OTHER	Date: 09/26/2003 Deed1: /18858/ 00464	Price: \$190,000 Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2024	07/01/2025
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00	0.00

Special Tax Recapture: None

Homestead Application Information

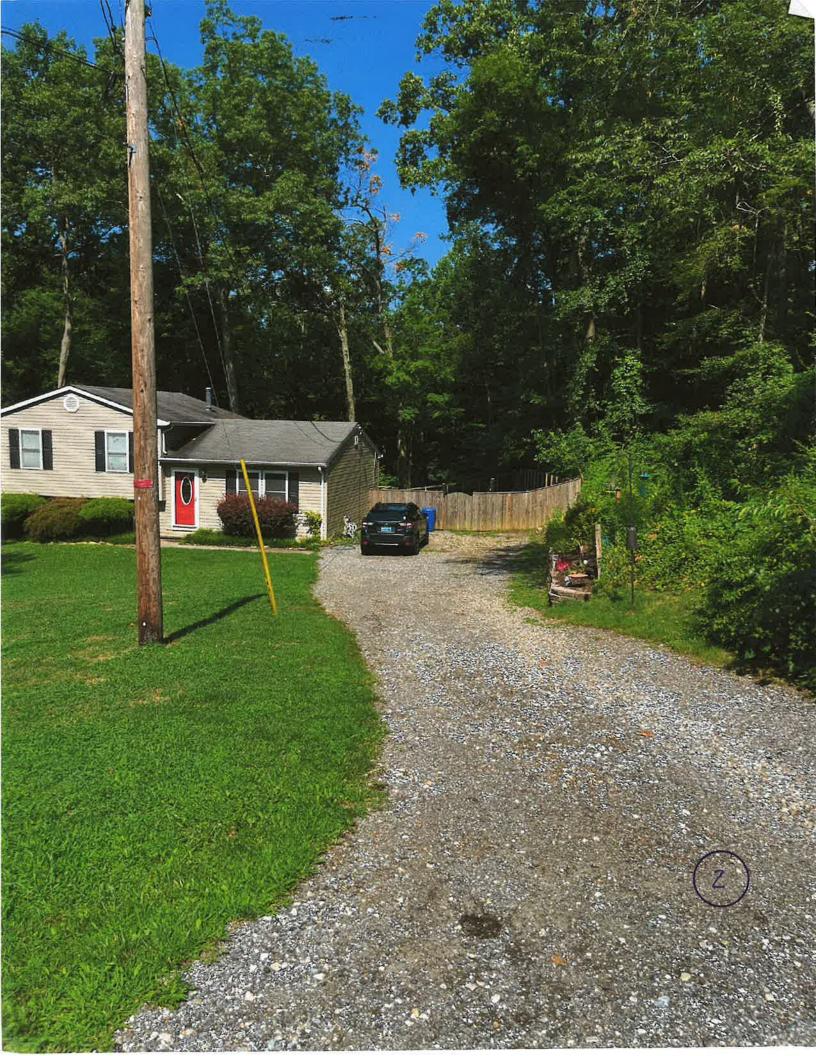
Homestead Application Status: Approved 09/11/2012

Homeowners' Tax Credit Application Information

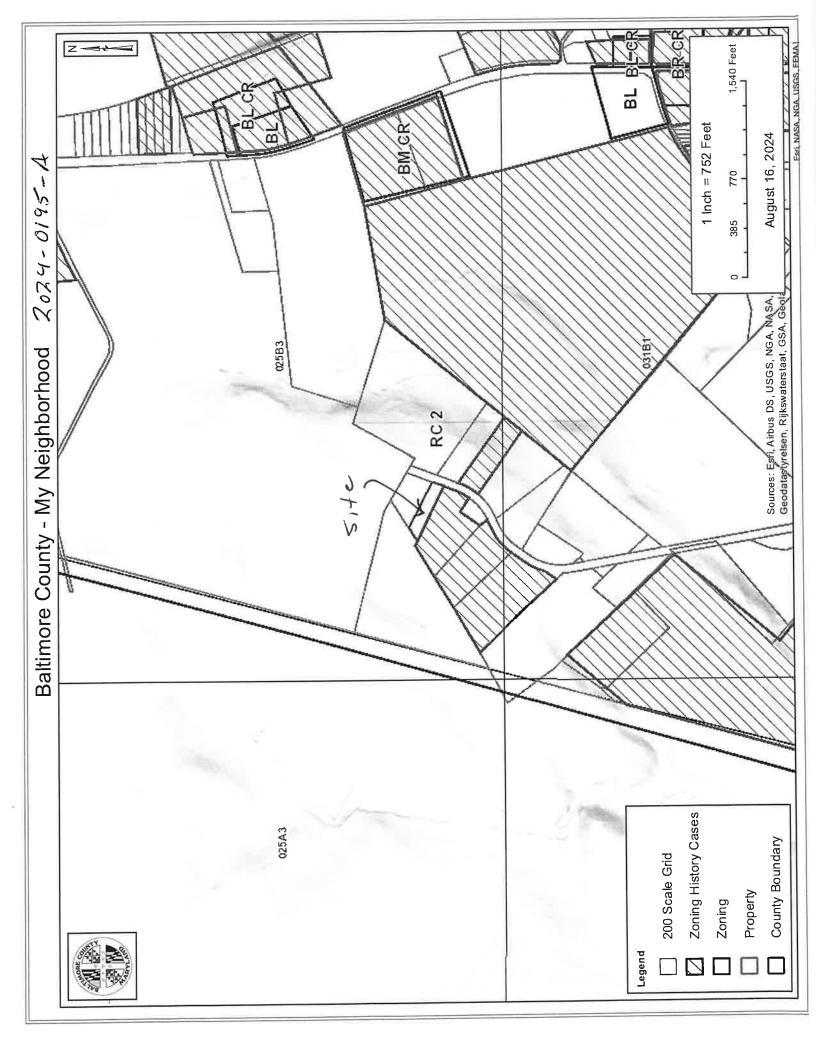
Homeowners' Tax Credit Application Status: No ApplicationDate:

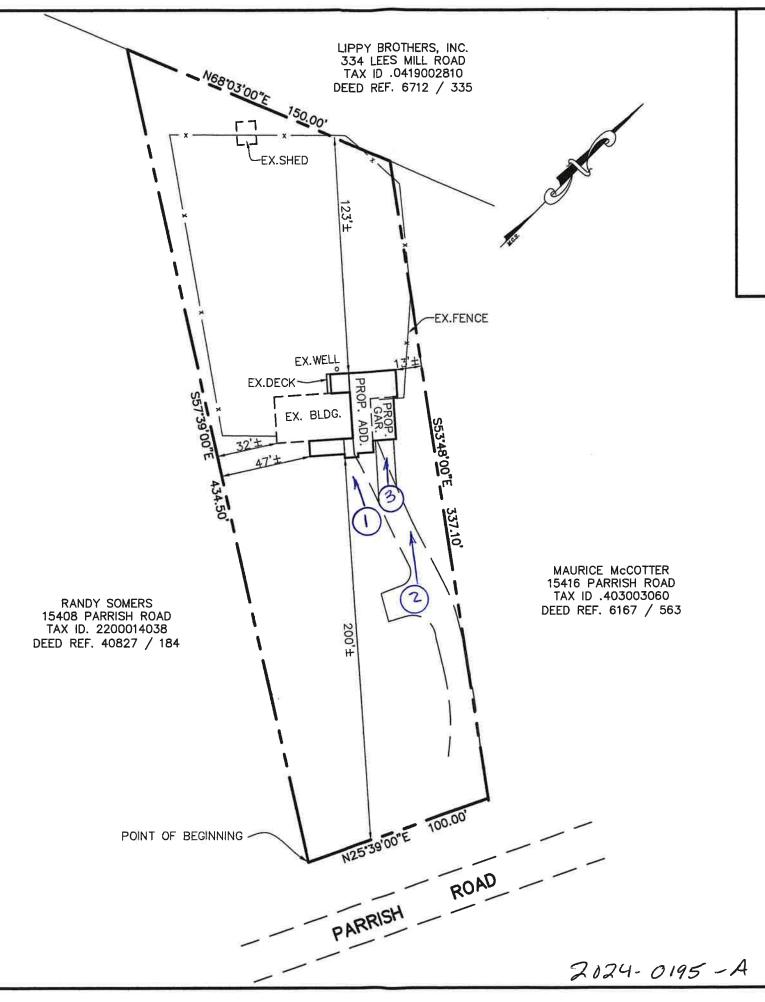












OWNER
TONI & ROGER PICKER 1514 PARRISH ROAD UPPERCO, MD. 21155 TAX ID 0415081390 DEED REF. 33777 / 360

MERRITT DEVELOPMENT

CONSULTANTS, INC. 9831 MAGLEDT ROAD

PHONE: 410-925-4061 FAX: 410-661-1297

BALTIMORE, MARYLAND 21234

-SITE

VICINITY MAP SCALE: 1"=2000'

NOTES:

1. THIS PROPERTY HAS NO PRIOR ZONING CASES.

2. THIS PROPERTY HAS NO CURRENT ZONING VIOLATIONS.

3. THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN.

4. PROPERTY IS ZONED RC2.

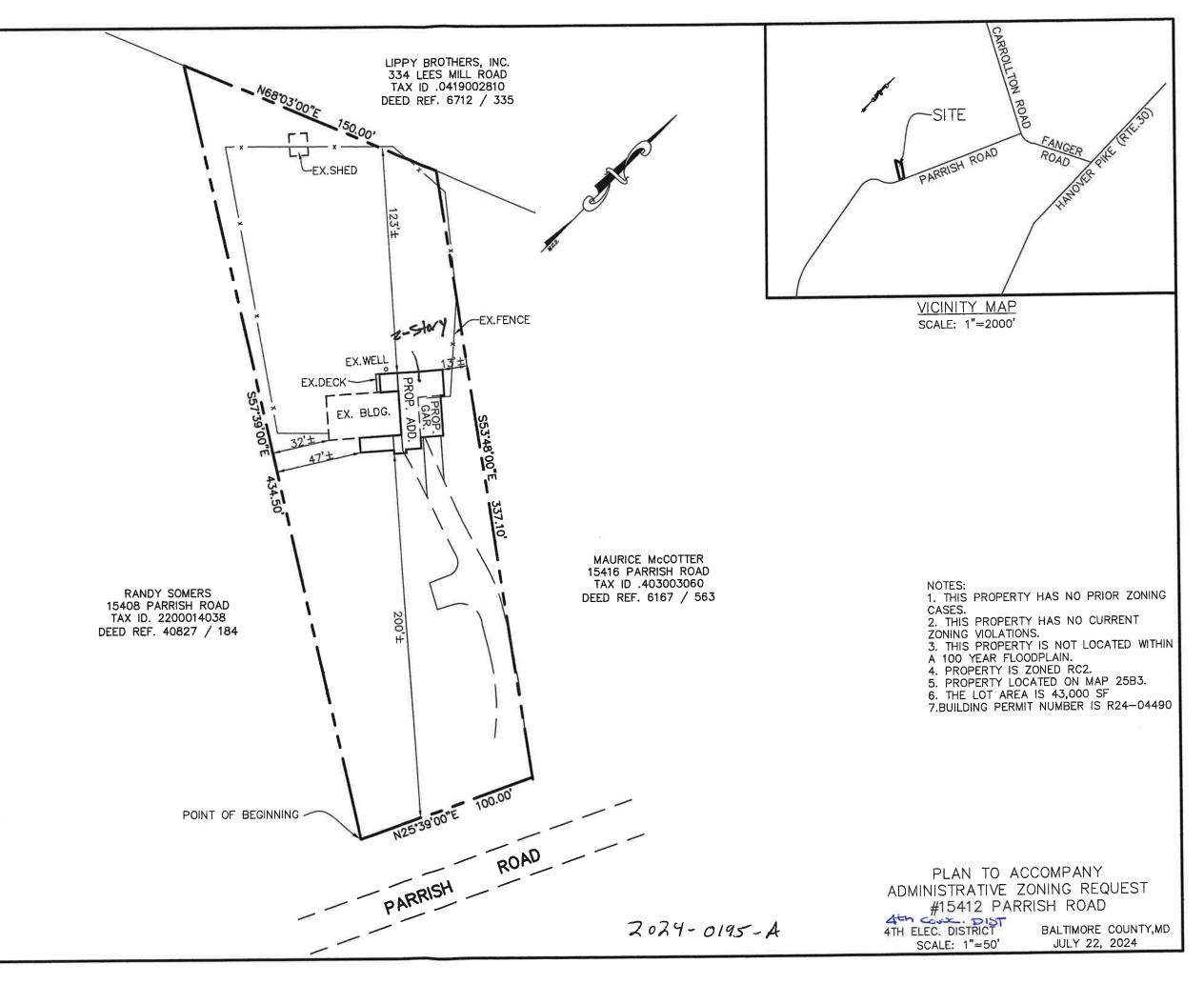
5. PROPERTY LOCATED ON MAP 25B3. 6. THE LOT AREA IS 43,000 SF

7.BUILDING PERMIT NUMBER IS R24-04490

PLAN TO ACCOMPANY ADMINISTRATIVE ZONING REQUEST #15412 PARRISH ROAD

4th Course. DIST 4TH ELEC. DISTRICT SCALE: 1"=50'

BALTIMORE COUNTY, MD JULY 22, 2024



OWNER
TONI & ROGER PICKER
1514 PARRISH ROAD
UPPERCO, MD. 21155
TAX ID 0415081390
DEED REF. 33777 / 360

MERRITT DEVELOPMENT CONSULTANTS, INC. 9831 MAGLEDT ROAD

BALTIMORE , MARYLAND 21234 PHONE: 410-925-4061 FAX: 410-661-1297