



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

October 16, 2024

William H. Dickerson – hobert7@verizon.net
237 N. Marlyn Avenue
Essex, MD 21221

RE: Petition for Administrative Variance
Case No. 2024-0211-A
Property: 237 N. Marlyn Avenue

Dear Mr. Dickerson:

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". The signature is written in a cursive style with a large, flowing "M" and "E".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(237 N. Marlyn Avenue)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
7 th Council District		
William H. Dickerson	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioner	*	CASE NO. 2024-0211-A
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owner of the property, William H. Dickerson (“Petitioner”), for the property located at 237 N. Marlyn Avenue, Essex (the “Property”). The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §400.3, to approve an accessory building (garage) at total height of 16 ft 3 inches in lieu of the required maximum height of 15 ft. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioner’s Exhibits 1, 1A. Street view photographs of the Property were provided. (Pet. Exs. 2A-2F).

There were no adverse Zoning Advisory Committee (“ZAC”) comments received from any of the county reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the Property having been posted on September 28, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented. The Petitioner has filed the supporting Affidavit as required by Baltimore County Code (“BCC”), §32-3-303.

In the opinion of the Administrative Law Judge, the information, photographs, and affidavit submitted provide sufficient facts that comply with the requirements of the BCZR, §307.1

Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner. I find that there is evidence in the file to indicate that the requested height Variance would not adversely affect the health, safety or general welfare of the public and should therefore be granted.

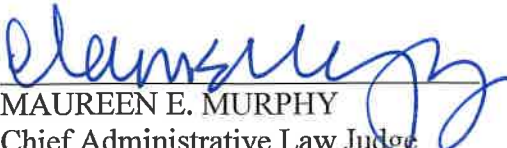
Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested height Variance will be granted.

THEREFORE, IT IS ORDERED, this 16th day of **October, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §400.3, to approve an accessory building (garage) at total height of 16 ft, 3 inches in lieu of the required maximum height of 15 ft, be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner and subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, bathroom facilities or kitchen facilities.
3. The detached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The detached garage shall not be used for commercial or industrial purposes.

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

24-6729 TC



**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 237 N Marlyn Ave. Baltimore, MD 21221 Currently Zoned DR 5.5
Deed Reference 24605 / 00726 10 Digit Tax Account # 1 5 1 9 5 1 2 8 4 0
Owner(s) Printed Name(s) William H Dickerson

(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 400.3 to approve an accessory building (garage) at total height of 18 feet 3 inches in lieu of the required maximum height of 15 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):

William H Dickerson
Name #1 – Type or Print William H Dickerson Name # 2 – Type or Print
Signature #1 [Signature] Signature # 2
237 N Marlyn Ave. Baltimore MD
Mailing Address City State
21221 / 443-465-0559 / hobert7@verizon.net
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:

William H Dickerson
Name - Type or Print William H Dickerson
Signature [Signature]
237 N Marlyn Ave Baltimore MD
Mailing Address City State
21221 / 443-465-0559 / hobert7@verizon.net
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 24-0211-A Filing Date 9 / 16 / 24 Estimated Posting Date 9 / 29 / 24 Reviewer TC
Clavin S 10/14/24 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: 237 N Marlyn Ave. Baltimore MD 21221
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 proposed accessory structure exceeds the maximum zoning height of 15'. I am requesting a height variance for proposed structure of 16' 3". The intended use of the structure is for personal vehicle storage and retirement hobbies.

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

William H Dickerson
Signature of Owner (Affiant)

07/22/24
Signature of Owner (Affiant)

William H Dickerson
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 22 day of July, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: William Dickerson

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

AS WITNESS my hand and Notaries Seal

Notary Public

05-01-2027
My Commission Expires

KRYSTAL K JOLLIFFE
Notary Public-Maryland
Baltimore County
My Commission Expires
May 01, 2027

2024-0211-A

CERTIFICATE OF POSTING

CASE NO. 2024-0211-A

PETITIONER/DEVELOPER

William Dickerson

DATE OF HEARING/CLOSING

October 14, 2024

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
237 N. Marlyn Avenue



THE SIGN(S) POSTED ON September 28, 2024

(MONTH, DAY, YEAR)

SINCERLEY,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE, MD 21234

443-629-3411

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: October 1, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0211-A
Address: 237 N. MARLYN AVENUE
Legal Owner: William Dickerson

Zoning Advisory Committee Meeting of October 1, 2024.

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

Reviewer: Earl D. Wrenn

Zoning Petition Property Description

Zoning Property Description for: 237 North Marlyn Ave. Essex, Md 21221

Said property boundary is located 30' East of North Marlyn Ave centerline and 368.5' South of Essex Ave intersection centerline. With 85' frontage along North Marlyn Ave and a depth of 240'. Property shape is rectangular. Both front and back property lines are 85' between corner survey markers. Both Side property lines are 240' between corner survey markers. Property land area of 20,400 SF (.4683 AC).

Being Lot# , Block# , Section# , as recorded in Baltimore
County Plat Book# 33902 Page/Folio: 329 , containing 20,400 sq.
ft.(.4683 acres). Located in the 15th Election District and the 7th Council District.

2024-0211-A

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0211 -A Address 237 N. MARYN AVE

Contact Person: TYLER COX Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/16/24 Posting Date: 9/29/24 Closing Date: 10/14/24

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 - 0211 -A Address 237 N. MARYN AVE

Petitioner's Name: William H Dickerson Telephone (Cell) _____

Posting Date: 9/29/24 Closing Date: 10/14/24

Wording for Sign: To Permit _____

CCR 400.3 to approve an accessory building (garage) at total height of 18 feet 3 inches in lieu of the
required maximum height of 15 feet.

Baltimore COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: September 24, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0211-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.

Search Result for BALTIMORE COUNTY

View GroundRent Registration

Account Identifier: District - 15 Account Number - 1519512840

Owner Name:	DICKERSON WILLIAM H	Use:	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	237 N MARLYN AVE BALTIMORE MD 21221-3434	Deed Reference:	/24605/ 00726

Premises Address:	237 N MARLYN AVE BALTIMORE 21221-3434	Legal Description:	.4683 AC 237 N MARLYN AVE 341FT S ESSEX AV
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Town: None

Stories	BasementType	ExteriorQuality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	NO	STANDARD	UNITSIDING/3	1 full	

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2024	As of 07/01/2024	As of 07/01/2025
Land:	70,400	77,000		
Improvements	65,900	83,300		
Total:	136,300	160,300	144,300	152,300
Preferential Land:	0	0		

Seller: DICKERSON WILLIAM H	Date: 10/12/2006	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /24605/ 00726	Deed2:
Seller: DICKERSON WILLIAM H	Date: 05/30/1996	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /11610/ 00509	Deed2:
Seller: MONEY STORE/MARY LAND INC	Date: 06/28/1991	Price: \$89,000
Type: ARMS LENGTH IMPROVED	Deed1: /08841/ 00689	Deed2:

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

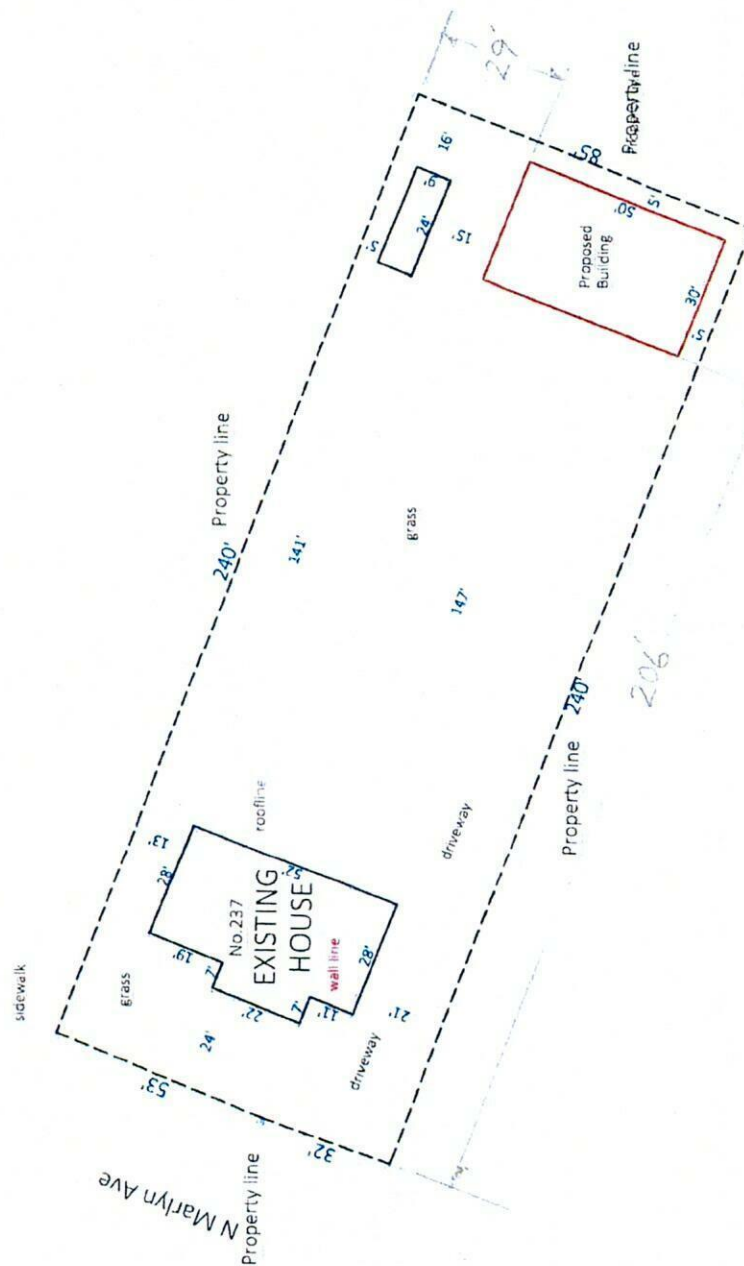
Homestead Application Status: Approved 09/03/2013

Homeowners' Tax Credit Application Status: No Application Date:

2024-0211-A

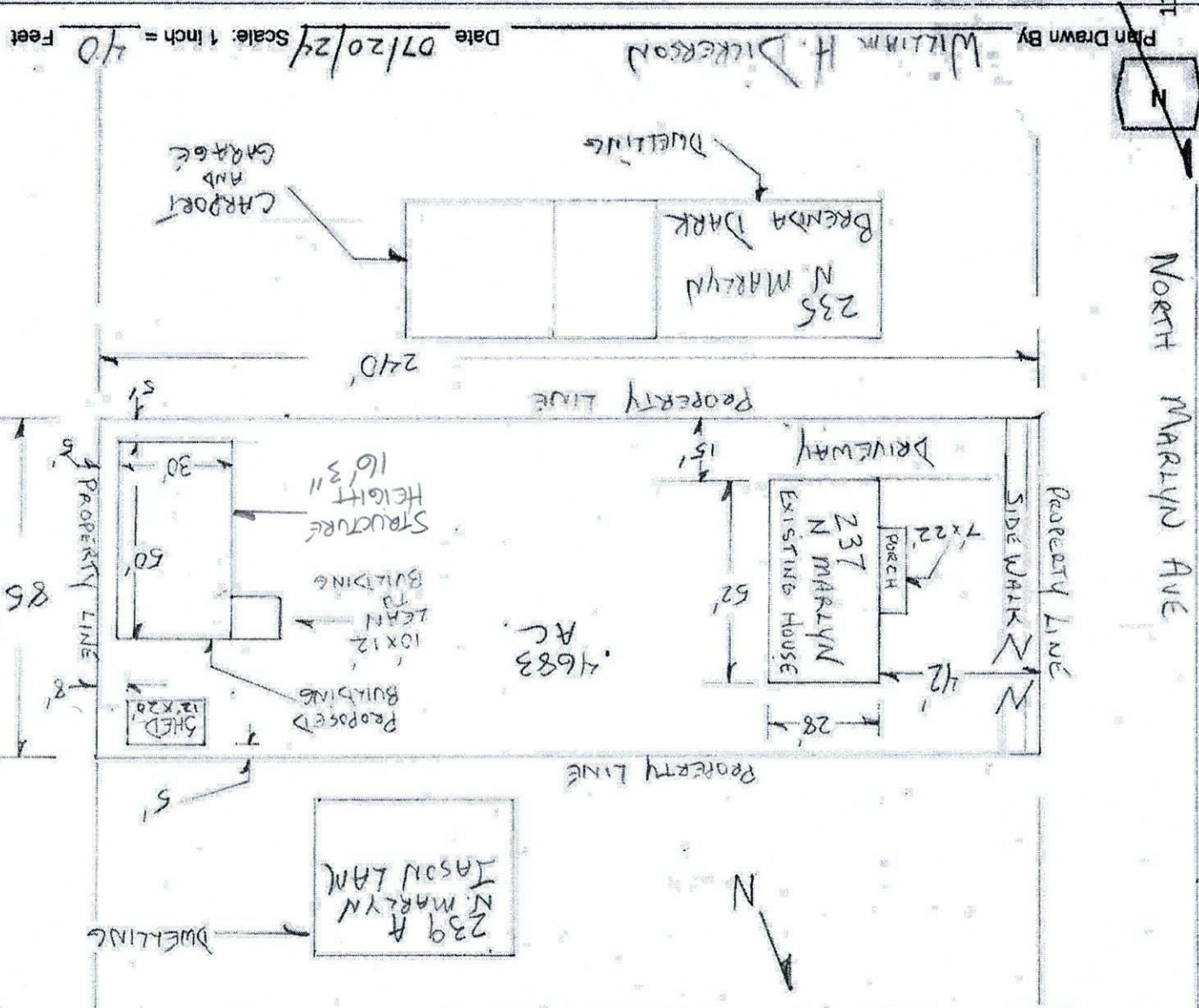


Paper Size: 8.5"x11"



2024-0211-A

Zoning Hearing Plan for Variance ☒ for Special Hearing _____
 Address 237 N. Maryland Ave
 Subdivision Name _____
 Plat Book # _____ Folio # _____
 10 Digit Tax # 1519512840 Deed Reference # 24605100726
 Lot # 90 Block # _____ Section # _____



Plan Drawn By William H. Dickerson Date 07/20/24 Scale: 1 inch = 40 Feet

Site Vicinity Map 237 N. Maryland Ave

MAP IS NOT TO SCALE

Zoning Map # 0090 Zoning DR 5.5 Election District 15 Council District 7TH

Lot Area Acreage .4683 Lot Square Footage 20,400 Historic (Yes or No) NO CBCA (Yes or No) NO Flood Plain (Yes or No) NO

Utilities - Mark with (X)
 Water is: Public ☒ Private _____
 Sewer is: Public ☒ Private _____

Prior Hearing (Yes or No) NO If (Yes) list Case Number(s) _____ and order result(s) below.

Violation Case Number(s) _____

2024-0211-A



2024-0211-A



2024-0211-A



2024-0211-A



2024-0211-A



2024-0211-A



2024-0211-1