



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

January 16, 2025

Boruch & Leeba Braun – B22165OK@EARTHLINK.NET
6504 Baythorne Road
Baltimore, MD 21209

RE: Petition for Administrative Variance
Case No. 2024-0270-A
Property: 6504 Baythorne Road

Dear Mr. & Mrs. Braun:

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 blue ink, appearing to read "Andrew M. Belt", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw
Enclosure

c: Donny Ankri – da@donnyankri.com
Noam Shiman, 6506 Baythorne Road, Baltimore, MD 21209

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6504 Baythorne Road)		
3 rd Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Boruch & Leeba Braun	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0270-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, Boruch and Leeba Braun (“Petitioners”), for the property located at 6504 Baythorne Road, Baltimore (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.C.1, to approve an addition to an existing dwelling with a 2 ft., 6-inch right side yard setback in lieu of the required 7 ft. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1. A street view photograph of the Property was provided. (Pet. Ex. 2). There were no adverse Zoning Advisory Committee (“ZAC”) comments received from any of the County reviewing agencies. However, it is to be noted that a letter of support was contained in the case file from an adjacent neighbor, Noam Shiman (6506 Baythorne Road), who supports the proposed project and variance request.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on December 27, 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 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.

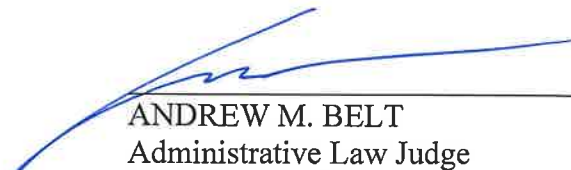
Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 16th day of **January, 2025**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations ("BCZR"), 1B02.3.C.1, to approve an addition to an existing dwelling with a 2 ft., 6-inch right side yard setback in lieu of the required 7 ft., be and it 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



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 6504 BAYTHORNE RD BALTIMORE MD 21209 **Currently zoned** DR 3.5
Deed Reference 43048 / 00045 **10 Digit Tax Account #** 0305029100
Owner(s) Printed Name(s) BORUCH & LEEBA BRAUN

(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. X **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR 1B02.3.C.1 To approve an addition to an existing dwelling with a 2'6" ft right side yard setback in lieu of the required 7 ft

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 Baltimore County Code, to the development 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.

Adam D Sheely
Notary Public

ADAM D SHEELY
NOTARY PUBLIC
CARROLL COUNTY
MARYLAND

My Commission Expires Jan. 09, 2028

Owner(s)/Petitioner(s):

<u>BORUCH BRAUN</u>		<u>LEEBA BRAUN</u>
Name #1 – Type or Print		Name #2 – Type or Print
<i>Boruch Braun</i>		<i>Leeba Braun</i>
Signature #1		Signature #2
<u>6504 BAYTHORNE RD BALTIMORE MD 21209</u>		
Mailing Address		City State
<u>443-838-7966</u>		<u>B22165OK@EARTHLINK.NET</u>
Zip Code	Telephone #	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:

DONNY ANKRI
Name – Type or Print _____
Signature *Donny Ankri* _____
6803 CHEROKEE DRIVE BALTIMORE MD 21209
Mailing Address _____ City _____ State _____
443-929-2377 DA@DONNYANKRI.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 2024-0270-A **Filing Date** 12/9/2024 **Estimated Posting Date** 12/29/2024 **Reviewer** CD

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: 6504 BAYTHORNE RD BALTIMORE MD 21209

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)**

A VARIANCE IS BEING REQUESTED BECAUSE THE SIZE OF THE EXISTING HOUSE AND LOT PROVIDES A PRACTICAL DIFFICULTY FOR THE FAMILY. AN ADDITION IS BEING PROPOSED TO ADD BEDROOMS AND ADDITIONAL LIVING SPACE

PLEASE NOTE THAT A BUILDING PERMIT HAS ALREADY BEEN ISSUED FOR THIS ADDITION (PERMIT # R24-05970). PRIOR TO CONSTRUCTION, WE FOUND OUT THAT THE SURVEY WAS INCORRECT AND WE HAVE LESS SIDE YARD SPACE THAN ANTICIPATED RESULTING IN THE VARIANCE REQUEST.

THANK YOU FOR YOUR CONSIDERATION.

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

Signature of Owner (Affiant)

BORUCH BRAUN

Name- Print or Type

Signature of Owner (Affiant)

LEEBA BRAUN

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 2nd day of December, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Boruch Braun

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

AS WITNESS my hand and Notaries Seal

ADAM D SHEELY
NOTARY PUBLIC
CARROLL COUNTY
MARYLAND

My Commission Expires Jan. 09, 2028

Notary Public

My Commission Expires

THE ZONING HEARING PROPERTY DESCRIPTION

Part A

Zoning Property Description For: 6504 BAYTHORNE RD BALTIMORE MD 21209

Beginning at a point on the WEST side of BAYTHORNE RD which is 50 feet wide at the distance of 265 feet SOUTH of the centerline of the nearest improved intersecting street HANWAY RD which is 50 feet wide.

Part B

Option 2 (subdivision lot – lot is part of record plat):

Being Lot # 15, Block # N/A in the subdivision of RANCHLEIGH as recorded in Baltimore County Plat Book # 19, Folio # 11 containing 10,683 square feet, located in the 3rd Election District and the 2nd Council District.



ADAM D SHEELY
NOTARY PUBLIC
CARROLL COUNTY
MARYLAND

My Commission Expires Jan. 09, 2028

x Adam D. Sheely
Notary Public

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0270 -A Address 6504 Baythorne Rd

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

Filing Date: 12-19-2024 Posting Date: 12-29-2024 Closing Date: 1-13-2025

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 - 0270 -A Address 6504 Baythorne Rd

Petitioner's Name: Boruch and Leeba Braun Telephone (Cell) 404-312-7807

Posting Date: 12-29-2024 Closing Date: 1-13-2025

Wording for Sign: To Permit an addition to an existing dwelling with a 2 ft 6 in. right side setback in lieu of the required 7 ft

NEIGHBOR SUPPORT FOR VARIANCE

To Baltimore County Zoning Office,

I, Noam Shiman, homeowner at 6506 Baythorne rd supports the proposed project and variance request for the Braun Residence located at 6504 Baythorne Road 21209.

Thank you.



(homeowner signature)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: December 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0270-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
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 235070

Date: 12-19-2024

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

Rec

From: 6504 BayThorneRd

For:

2024-0270-A

DR 35

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CF 24-1127

DONNY ANKRI ARCHITECTS

6803 CHEROKEE DRIVE
BALTIMORE, MD 21209

1173

EZShield™ Check Fraud
Protection for Business

65-270/550

Pay to the
order of Baltimore County

Date 12/3/2024

\$75.00

— seventy five only —

00
100 Dollars

SUNTRUST
ACH RT 061000104

For Braun Variance - 6504 Baythorne

[Signature]

MP

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 - 0305029100

Owner Information

Owner Name:

BRAUN R BORUCH
BRAUN LEEBA

Use:

RESIDENTIAL

Mailing Address:

6504 BAYTHORNE RD
BALTIMORE MD 21209-3308

Principal Residence:

YES

Deed Reference:

/43048/00045

Location & Structure Information

Premises Address:

6504 BAYTHORNE RD
BALTIMORE 21209-3308

Legal Description:

.245 AC PT LT 15
PART IN CITY
RANCHLEIGH

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 1
0079 0001 0179 3060089.04 0000 G 15 2023 Plat Ref: 0019/0011

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1955	2,346 SF		10,683 SF	04

Stories	Basement Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	NO	SPLIT LEVEL 1/2 BRICK FRAME/4 BRICK	2 full/ 1 half	1 Attached		

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2024	07/01/2025
Land:	32,100	32,100		
Improvements	80,200	83,300		
Total:	112,300	115,400	114,367	115,400
Preferential Land:	0	0		

Transfer Information

Seller: SOVA DANIEL	Date: 06/25/2020	Price: \$540,000
Type: NON-ARMS LENGTH OTHER	Deed1: /43048/ 00045	Deed2:
Seller: FRIEDMAN AARON M	Date: 03/09/2015	Price: \$390,000
Type: NON-ARMS LENGTH OTHER	Deed1: /35910/ 00208	Deed2:
Seller: TANNENBAUM MINDY	Date: 11/21/2006	Price: \$375,000
Type: NON-ARMS LENGTH OTHER	Deed1: /24800/ 00337	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	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:

2024-0270-A

Certification of Posting

Case No 2024-0270-A



6504 Baythorne Road-close up of sign (2 of 2)

Richard E. Hoffman (signed) 12/27/24

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

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: December 30, 2024

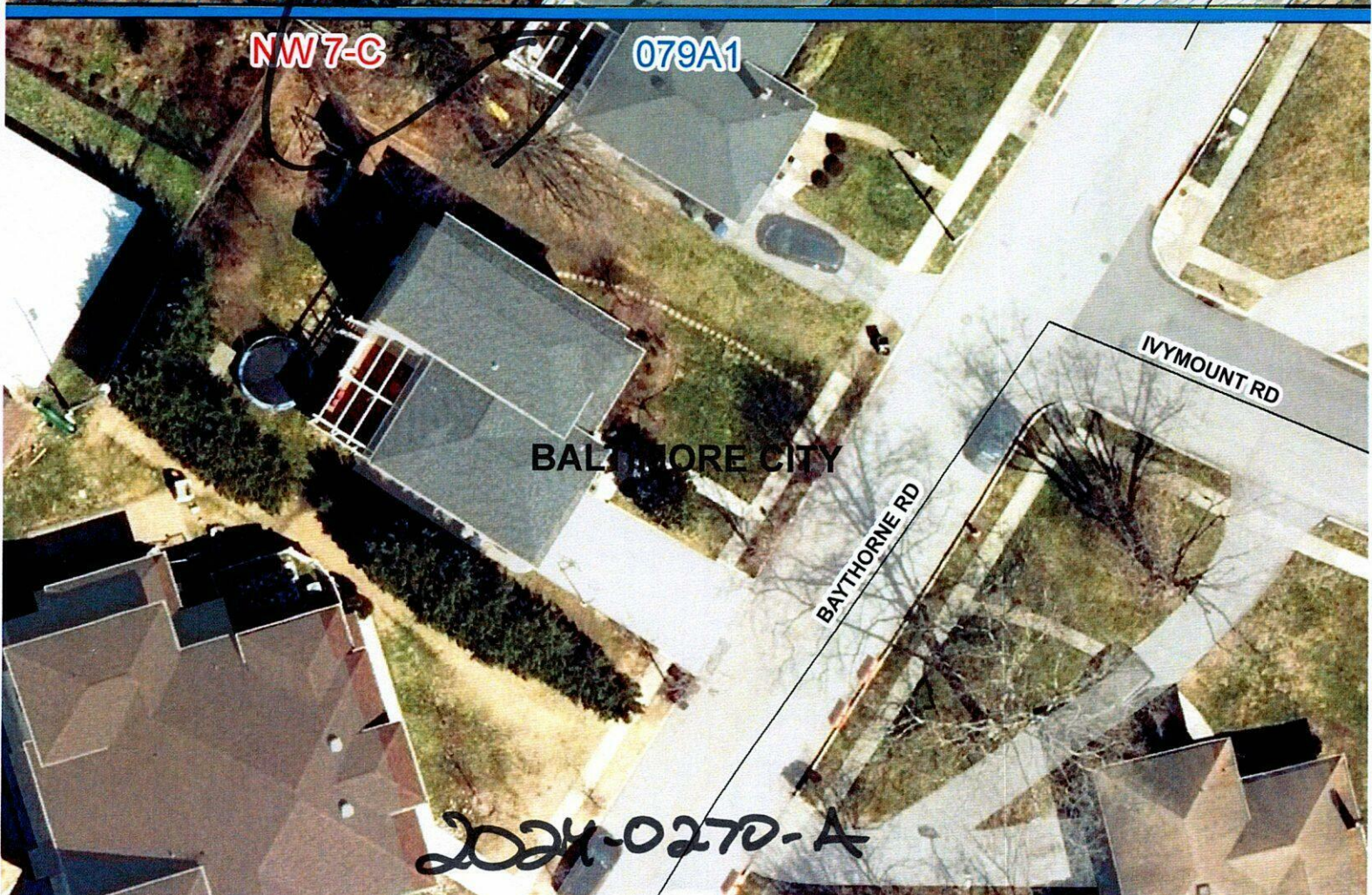
SUBJECT: DEPS Comment for Zoning Item # 2024-0270-A
Address: 6504 BAYTHORNE ROAD
Legal Owner: Boruch & Leeba Braun

Zoning Advisory Committee Meeting of December 30, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn



SUBJECT PROPERTY
LOT 15
6504 BAYTHORNE

NEIGHBOR
LOT 16
6506 BAYTHORNE



VIEW 1

OWNER'S NAME:
BORUCH & LEEBA BRAUN

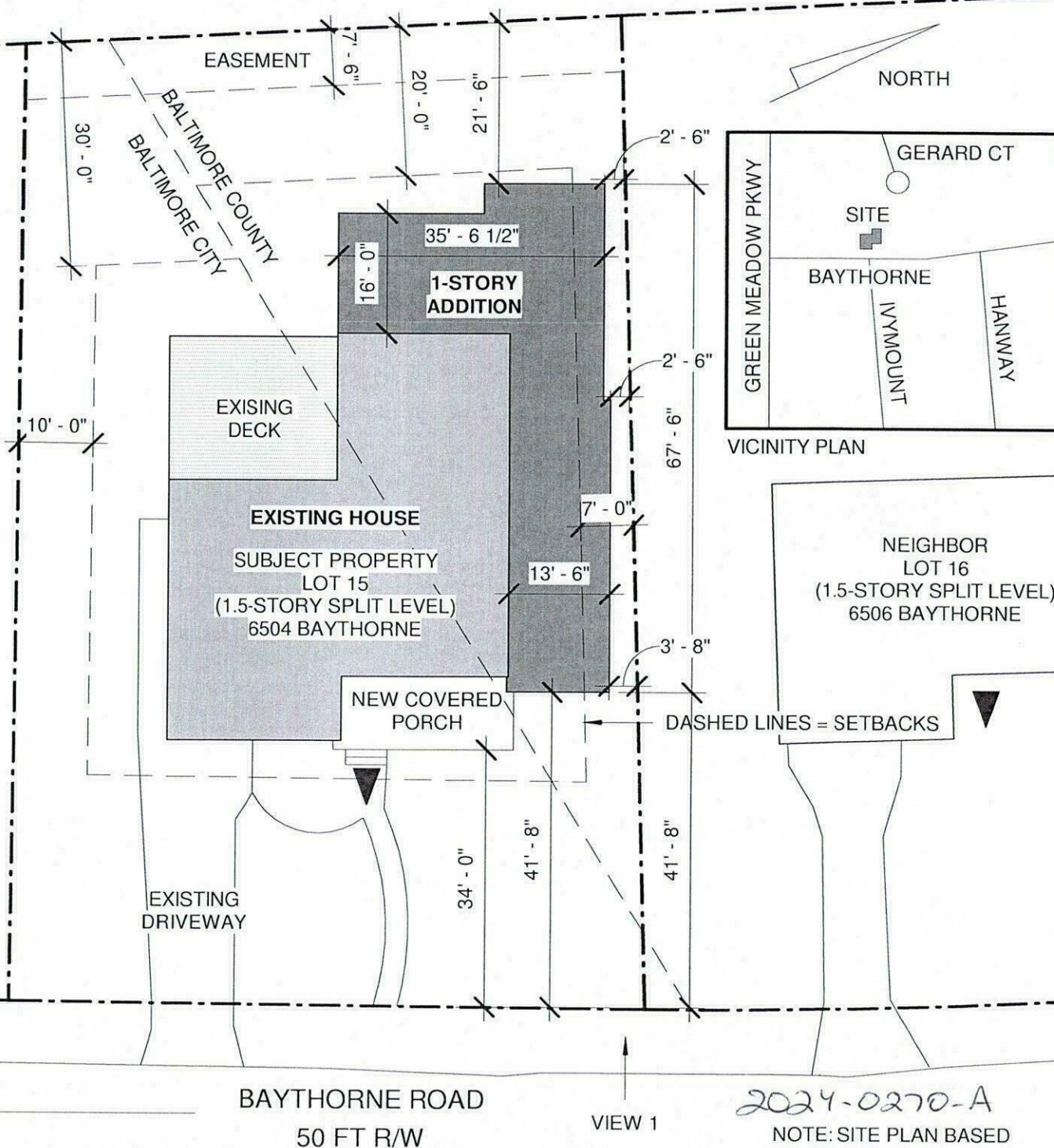
SUBDIVISION NAME: RANCHLEIGH (PART IN CITY)
LOT#: 15
BLOCK#: N/A
SECTION#: G
PLAT BOOK#: 0019
FOLIO#: 0011
10 DIGIT TAX#: 0305029100
DEED REF#: 43048/ 00045

ZONING MAP#-079
SITE ZONED DR 3.5
ELECTION DISTRICT: 3
COUNCIL DISTRICT: 2
LOT AREA: 10,683 SQ. FT.
HISTORIC? NO
IN BCBA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK X
WATER IS:
PUBLIC x PRIVATE _____
SEWER IS:
PUBLIC x PRIVATE _____
PRIOR HEARNG? NO

NEIGHBOR
LOT 12
(1.5-STORY SPLIT LEVEL)
6502 BAYTHORNE

ZONING SETBACKS:

FRONT = 25 FT
REAR = 20 FT
SIDE = 7 FT MIN (SUM 17 FT)



(A1) SITE PLAN
1" = 20'-0"

BAYTHORNE ROAD
50 FT R/W

2024-0270-A

NOTE: SITE PLAN BASED
ON SURVEY PROVIDED
BY JRO ASSOCIATES