



KATHERINE A. KLAUSMEIER  
County Executive

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
ANDREW M. BELT  
Administrative Law Judge  
DEREK J. BAUMGARDNER  
Administrative Law Judge

January 8, 2026

Gil McGougald  
Chesapeake Custom Properties, LLC  
7227 Orth Road  
Baltimore, MD

RE: Petition for Undersized Lot - Formal Demand Filed  
Case No. UA-2025-0006-UL  
Property: 7727 Orth Road

Dear Sir:

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,

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
for Baltimore County

MEM:dlm  
Enclosure

c: David Billingsley – [dwb0209@yahoo.com](mailto:dwb0209@yahoo.com)  
Richetta Dowdy – [richettadowdy@gmail.com](mailto:richettadowdy@gmail.com)  
Patricia Marshall – [gmarshall7229@yahoo.com](mailto:gmarshall7229@yahoo.com)

IN RE: Application for Undersized Lot	*	BEFORE THE
<b>7227 Orth Road</b>		
15 <sup>th</sup> Election District	*	OFFICE OF
7 <sup>th</sup> Council District		
Gil McGougald, legal owner	*	ADMINISTRATIVE HEARINGS
Chesapeake Custom Properties, LLC	*	FOR BALTIMORE COUNTY
Applicant	*	<b>Case No: UA-2025-0006-UL</b>

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) as an Application for Building and/or Use Permit filed by Gil McDougald, legal owner, and Chesapeake Custom Properties, LLC, Applicant, for the property located at 7227 Orth Road, Sparrows Point, (the “Property”) pursuant to Baltimore County Zoning Regulations (“BCZR”), §304.1, to approve an undersized lot width of 50’ in lieu of the required 55’ minimum lot width. On December 9, 2025, a Formal Demand for Hearing was filed by Richetta Dowdy 7230 Orth Rd., and Patricia Marshall, 7229 Orth Rd.

A public Webex hearing was conducted virtually on January 5, 2026, in lieu of an in-person hearing. Charles Wolinski, authorized member of Chesapeake Custom Contracting, LLC appeared in support of the Application, along with David Billingsley of Central Drafting and Design who prepared a site plan (the “Site Plan”). (Pet. Ex. 1). Appearing and testifying in opposition at the hearing were: Richetta Dowdy 7230 Orth Rd.; Patricia Marshall, 7229 Orth Rd.; Deborah Lewis, 7233 Orth Rd.; Keith Covington, 7225 Orth Rd.; Marion Louise Harris, 7210 Orth Rd.; Amber Miller, 7226 Orth Rd.; and Eileen Dingle 7234 Orth Rd. (collectively, the “Protestants”).

The Property was created as Lot 30 on the Plat of Crooms Subdivision, recorded in the Land Records of Baltimore County on October 10, 1947 (Plat Book WB 14, folio 38). (App. Ex. 4). The Property is zoned Density Residential (DR 5.5). (App. Ex. 5). It is rectangularly-shaped like the other 31 lots on the Crooms Subdivision Plat, with each lot measuring 50 ft wide by 104.26 ft long. As shown in the street view photographs, the Property is currently vacant. (App. Ex. 10-1 - 10-5). It is owned by Gil McDougald. (App. Ex. 2, 3).

Applicant proposes to construct a 2-story, 1,200 sf (30 ft wide by 40 ft long) single family dwelling, with an attached garage, on the Property as shown on the Site Plan. (Pet. Ex. 1). The Site Plan confirms that the proposed dwelling will meet all of the required bulk regulations for DR 5.5. zoned property, appropriately set back from the front, rear and side boundary lines as required. (*Id.*). The proposed home will not exceed the 50 ft maximum height. Architectural elevations were provided. (App. Ex. 7, 7A, 7B). The Property is served by public water and sewer.

By Affidavits, Gil McDougald and Charles Wolinski affirmed that neither of them has owned a financial interest in adjacent property for at least the last 6 years. (App. Ex. 11). Upon review of the Application and documents submitted, the Department of Planning approved the Application, as 'appropriate' in relation to the existing structures in the neighborhood. (App. Ex. 6). Mr. Billingsley also pointed out that the same relief for approval of an undersized lot was requested for 7226 Orth Rd. in Case No.: 05-090-SPH, which was ultimately approved by the Board of Appeals. (App. Ex. 8). Amber Miller, one of the Protestants in this Case, is the legal owner of 7226 Orth Rd. While relief was not requested under BCZR, §304 as an undersized lot, Variance relief was granted for the property at 7219 Orth Rd. to construct a single family dwelling on a 50 ft wide lot in Case No.: 92-47-A. Mr. Billingsley also emphasized that 12 of the homes along Orth Rd. are 50 ft wide lots, and 6 are on double sized lots.

Richetta Dowdy, 7230 Orth Rd., narrated a series of photographs of the condition of Orth Rd., as well as the existing BGE electrical equipment, and cable/telephone wires hanging from a pole. (Prot. Dowdy Exs. 1-14). The photos also depicted vehicles parked along Orth Rd. which creates narrowed passageways for vehicles and difficulties for homeowners in parking their own vehicles. Many of the Protestants testified that they have resided in their homes for decades. This long home-ownership provided them with historical knowledge of the neighborhood. While collectively the Protestants indicated that they were not opposed to the construction of the proposed dwelling on the Property, they were clear that Orth Rd. needed to be re-paved or re-surfaced; that the BGE generator/grid box needs to be upgraded as homes continuously lose power for extended periods of time; and the dangling electrical telephone or cable wires from the pole along Orth Rd, need to be removed because they are a safety hazard. With regard to the undersized lot here, Protestants did not dispute that most of the lots on Orth Rd. are 50 ft wide. Likewise, Sycamore St. also has homes constructed on 50 ft wide lots. Protestants confirmed that, as of the hearing date, they had not yet notified the appropriate County agencies about the issues which are negatively impacting their neighborhood.

More specifically, as adjoining property owners, Keith Covington, 7225 Orth Rd. and Patricia Marshall, 7229 Orth Rd. both testified and asked questions about concerns they had with the proposed dwelling at 7227 Orth Rd. Ms. Marshall wanted to make certain that the mature trees on her property would not be adversely affected by the construction on the Property. Mr. Covington expressed concerns about water run-off onto his property, among other privacy issues.

Mr. Wolinski addressed the Protestants' concerns and stated that he was in agreement about Orth Rd. needing repair and about potential upgrades being needed by BGE to the generator.

UNDERSIZED LOTS - BCZR, §304.1

The Application for approval of an undersized lot in this Case was filed pursuant BCZR, §304.1, which read as follows:

BCZR, § 304.1. - Types of dwellings allowed; conditions.

Except as provided in Section 4A03, a one-family detached or semidetached dwelling may be erected on a lot having an area or width at the building line less than that required by the area regulations contained in these regulations if:

- A. Such lot shall have been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955;
- B. All other requirements of the height and area regulations are complied with; and
- C. The owner of the lot does not own sufficient adjoining land to conform to the width and area requirements contained in these regulations.

As testified to by Mr. Billingsley and Mr. Wolinski and as supported by relevant exhibits entered into evidence, I find that each of the 3 factors outlined, *supra*, in BCZR, §304.1 have been met. Specifically, the Property was approved as Lot 30 on the 1947 Plat of Crooms Subdivision; the proposed dwelling will meet all DR zone bulk regulations; and neither Mr. McDougald nor Mr. Wolinski has had a financial interest in adjoining lots which are owned by Ms. Marshall and Mr. Covington.

Moreover, the Protestants are not opposed to the construction of the proposed dwelling on the Property but rightly highlight the ongoing issues that they would like addressed by the County, which issues may be accelerated by the construction of additional homes. I find that, as with the Protestants, Mr. Wolinski is similarly situated, and would prefer that Orth Rd. be resurfaced and not patched; that the BGE electrical equipment be upgraded; and that the telephone/cable wires be

removed from the telephone pole on Orth Rd. Unfortunately, I have no jurisdiction to mandate that the County resurface Orth Rd. Additionally, I have no jurisdiction to order the removal of the telephone/cable wires from the telephone pole, nor the upgrade of the BGE generator/electrical grid. I believe that there are avenues which the Protestants can pursue to address these real concerns which are affecting their everyday living. I do find, based on the evidence presented that the architectural design of the dwelling is in keeping with the surrounding neighborhood. DOP has also approved the proposed dwelling as appropriate. Consequently, I find that the proposed dwelling is “appropriate” as required in BCZR, §304.4, and that the approval of the undersigned lot should be granted.

THEREFORE, IT IS ORDERED this **8th** day of **January, 2026**, by this Administrative Law Judge for Baltimore County, the Application for approval of an undersized lot pursuant to BCZR, §304, to permit a proposed dwelling with a lot width of 50 ft, in lieu of the required 55 ft, be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 1) is attached hereto and incorporated herein.

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

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is written in a cursive style with a large initial 'M' and a distinct 'E'.

MAUREEN E. MURPHY  
Chief Administrative Law Judge  
for Baltimore County

MEM:dln

