

<b>IN RE: PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
SE side of Markel Avenue, 150' S of c/line		
of intersection with 48 <sup>th</sup> Street	*	OFFICE OF ADMINISTRATIVE
12 <sup>th</sup> Election District		
7 <sup>th</sup> Council District	*	HEARINGS FOR
<b>(6915 Markel Avenue)</b>		
	*	BALTIMORE COUNTY
Thomas J. Beres		
Petitioner	*	<b>CASE NO. 2012-0313-SPH</b>

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**ORDER AND OPINION**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed by the legal owner of the subject property, Thomas J. Beres. The Petitioner is requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow Baltimore Gas & Electric and the owner to install an electric meter to an existing garage on a lot without a principal dwelling. The electric is currently wired to the home of the previous owner, which is located next door. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

Appearing at the public hearing held for this case was Petitioner Thomas J. Beres. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. There were no ZAC comments received from any of the County reviewing agencies.

Testimony and evidence revealed that the subject property is 0.24 acres and is zoned DR 5.5. The Petitioner explained that he has an antique car he stores in the garage. The Petitioner has been renting the garage from his neighbor for the past 6 or 7 years, and in May 2012 he purchased

this small parcel of land and the garage from his neighbor.

At present, the electric service for the garage is connected and billed to the adjoining dwelling at 1246 48<sup>th</sup> Street. Now that Petitioner has purchased the property, he obviously needs to establish the electric service account in his name. To do so, Baltimore County required special hearing relief, because the property in question is not improved with a dwelling.

As noted earlier, Petitioner has been using the garage for several years, and the only change under consideration is the new electrical connection. There is no reason to believe that the grant of relief would be injurious to the neighborhood, and the Petitioner indicated that the garage has no water or sewer service, or living accommodations.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 1<sup>st</sup> day of August, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow Baltimore Gas & Electric and the owner to install an electric meter to an existing garage on a lot without a principal dwelling, be and is hereby GRANTED.

The relief granted herein shall be conditioned upon and subject to the following:

1. The Petitioner may apply for any required permits and may be granted same upon receipt of this Order; however the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.
2. The Petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.

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

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Signed  
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:dlw