

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(3620 Langrehr Road)		
2 nd Election District	*	OFFICE OF
4 th Councilmanic District		
Pamela Suarez	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
Petitioner	*	FOR BALTIMORE COUNTY
	*	Case No. 2015-0161-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Pamela Suarez, legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to establish a two unit dwelling as a legal non-conforming use.

Appearing at the public hearing in support of the requests was Pamela Suarez. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received. There were no Protestants or interested citizens in attendance.

The subject property is zoned DR 5.5. The property is approximately 0.2416 acres in size, and is improved with a two-story dwelling constructed in 1936. Ms. Suarez purchased the home in 2006, at which time it was used as a two unit dwelling. Ms. Suarez explained that, as shown on the site plan (Exhibit 1), the first floor of the home (approximately 750 sq. ft.) is accessed via a front concrete porch. The first floor of the home has a full kitchen, bathroom and 2 bedrooms. The second floor is accessed via a flight of exterior stairs on the side of the dwelling. The second floor can only be accessed in this manner, and there is no way to reach the second floor from inside the home on the first floor.

Ms. Suarez explained the second floor likewise has a full kitchen, bathroom and 2 bedrooms. Ms. Helen Townsend (age 86) resides next door at 3614 Langrehr Road, and she indicated the second floor apartment was constructed in approximately 1956. In these circumstances, I believe Petitioner has established a lawful nonconforming use of the property as a two-unit dwelling.

THEREFORE, IT IS ORDERED this 16th day of March, 2015 by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her 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, Petitioner would be required to return the subject property to its original condition.

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

Signed _____
JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln