

IN RE: <b>PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>(17203 Falls Road)</b>		
5 <sup>th</sup> Election District	*	OFFICE OF
5 <sup>th</sup> Council District		
Justin R. Howard & Amanda R. Saffer	*	ADMINISTRATIVE HEARINGS
<i>Legal Owners</i>		
Petitioners	*	FOR BALTIMORE COUNTY
	*	<b>Case No. 2015-0267-SPH</b>

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Justin R. Howard & Amanda R. Saffer, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to approve an accessory structure exceeding the square footage of the dwelling.

Appearing at the public hearing in support of the request was Dennis Howard, the Petitioners’ father. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP), and two of the conditions suggested by that agency are included in the Order below.

The subject property is 17,990 square feet and zoned RC 2. The property is improved with a modest single family dwelling (i.e., 780 sq. ft.) constructed in 1951. Petitioners would like to have additional space for storage of household items, and propose to construct a large garage (40' x 24') for that purpose. Since the “footprint” of the garage is larger than the single family dwelling, zoning officials informed Petitioners that special hearing relief was required. The

property is rural and is surrounded by very large farms. The adjoining neighbor at 17205 Falls Road submitted a letter (Exhibit 2) indicating she does not oppose the request.

THEREFORE, IT IS ORDERED this 16<sup>th</sup> day of July, 2015 by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve an accessory structure exceeding the square footage of the dwelling, be and 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, Petitioner 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. Petitioners must provide bushes, shrubs or other vegetation along the property boundary line adjoining 17205 Falls Road.
3. The accessory structure shall not be used as a dwelling or for any residential purpose.
4. The accessory structure shall not be used for any commercial activity or purpose.

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

JEB:sln

\_\_\_\_\_Signed\_\_\_\_\_  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County