

IN RE: <b>PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>(2033 Northeast Avenue)</b>		
13 <sup>th</sup> Election District	*	OFFICE OF
1 <sup>st</sup> Council District		
	*	ADMINISTRATIVE HEARINGS
Stephen Monaco & Jenny Kirkbride		
<i>Legal Owners</i>	*	FOR BALTIMORE COUNTY
Petitioners		
	*	<b>Case No. 2016-0079-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 Stephen Monaco & Jenny Kirkbride, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to approve a metalsmith/blacksmith shop for hobby purposes located in a detached garage.

Stephen Monaco appeared in support of the petition. Jeffrey Pritzker, Esq., represented the Petitioners. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request, but provided certain conditions for inclusion in the final Order.

The subject property is 21,321 square feet and zoned DR 2. Petitioners recently purchased the home, and they and their two small children reside at the subject property. Mr. Monaco indicated he is employed full time (approximately 50 hours weekly) in the defense/cybersecurity industry. He also has blacksmith training, and would like to pursue this hobby in the detached garage which is located to the rear of the single family dwelling. When he attempted to obtain a

permit, County staff informed him he needed to seek special hearing relief. Petitioner stressed that metalsmithing is his avocation, not a commercial venture, and that it would not negatively impact his neighbors. As such the request will be granted, subject to the conditions suggested by the DOP.

THEREFORE, IT IS ORDERED this 18<sup>th</sup> day of November, **2015** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve a metalsmith/blacksmith shop for hobby purposes located in a detached garage, 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, 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. Petitioners must comply with the ZAC comment of DOP, a copy of which is attached hereto and incorporated herein.

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

JEB:sln

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Signed  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County