

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(4029 Holly Knoll Drive)		
10 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Brian M. Rogers	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0055-A

* * * * *

AMENDED OPINION AND ORDER

By Order dated September 23, 2016 Petitioner was granted a variance in connection with the construction of a pool house at the subject property. This amended Order is issued to strike a portion of condition #2 contained in the September 23, 2016 Order.

THEREFORE, IT IS ORDERED, this 3rd day of **October, 2016** by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (“B.C.Z.R) as follows: (1) to allow an accessory building (pool house) to be located outside of the third of the lot farthest from both streets, and (2) to allow an accessory building (pool house) to have a height of 24 ft. +/- in lieu of the maximum permitted 15 ft., 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 his 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.
2. Petitioner or subsequent owners shall not convert the pool house into a dwelling unit or apartment. The accessory structure/pool house shall not contain any sleeping quarters or living area.
3. The accessory structure/pool house shall not be used for commercial purposes.

4. Petitioner must comply with the ZAC comment from the Department of Environmental Protection and Sustainability (DEPS) dated September 20, 2016; a copy of which was attached to the original Order dated September 23, 2016.
5. All other terms and conditions of the Order dated September 23, 2016 shall remain in full force and effect.

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

Signed
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln