

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(13410 Jarrettsville Pike)		
10 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Jay M. King	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2018-0003-A

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Administrative Variance relief was granted in the above case by Order dated August 4, 2017. Petitioner submitted on August 7, 2017 a request to amend that order, which will be considered a motion for reconsideration.

Petitioner indicates he would like to have a bathroom in the detached garage, although a condition in the August 4, 2017 order prohibits “bathroom facilities.” While I am amenable to modifying Condition No. 2, Petitioner’s property is served by a well and septic system which means the Department of Environmental Protection and Sustainability (“DEPS”) would need to review the request. Since it was not referenced in the petition, the DEPS Zoning Advisory Committee (ZAC) comment only identified a concern with the location of the proposed garage, which would be adjacent to the septic system. I suspect DEPS would require additional approvals and inspections before it permitted a bathroom in the proposed garage. As such, I will grant the motion with the caveat that Petitioner must obtain all necessary permits and approvals from DEPS.

WHEREFORE, IT IS ORDERED this 17th day of **August, 2017**, by the Administrative Law Judge for Baltimore County, that the Motion for Reconsideration, be and is hereby GRANTED, and Condition No. 2 of the original order shall be modified as follows:

- Petitioner or subsequent owners shall not convert the accessory structure (detached garage) into a dwelling unit or apartment. The accessory structure (detached garage) shall not contain any sleeping quarters, living area, and kitchen.

The relief granted herein shall be expressly conditioned upon the approval by DEPS of all permits or inspections required for the construction of a bathroom in the proposed accessory building.

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:dlw