

IN RE: <b>PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>(8432 Oakleigh Road)</b>		
3 <sup>rd</sup> Election District	*	OFFICE OF
2 <sup>nd</sup> Council District		
John Copsey	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
Petitioner	*	FOR BALTIMORE COUNTY
	*	<b>Case No. 2018-0152-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 John Copsey, legal owner (“Petitioner”). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to approve an accessory structure larger than the primary dwelling.

John Copsey and surveyor Brian Dietz appeared in support of the petition. Frank V. Boozer, Jr., Esq. represented Petitioner. 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). A site plan was marked and admitted as Petitioner’s Exhibit 1.

Mr. Copsey explained he cares for his mother who lives with him at the subject property. He would like to construct a one-story garage in the rear yard to accommodate a vehicle to transport his elderly mother and store other household items. The footprint of the proposed garage is only slightly larger than the existing dwelling (a duplex), and both of Petitioner’s neighbors “fully support” the request. *See* Petitioner’s Ex. 2.

THEREFORE, IT IS ORDERED this 23<sup>rd</sup> day of **January, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve an accessory structure larger than the primary dwelling, 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 must comply with the DOP ZAC comment dated December 28, 2017, a copy of which is attached hereto and made a part hereof.

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