

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(3020 Virginia Avenue)		
13 th Election District	*	OFFICE OF ADMINISTRATIVE
1 st Council District		
Cesar H. Urgiles Rodriguez	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2018-0288-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Cesar H. Urgiles Rodriguez. The Petitioner is requesting Variance relief from § 301.1 of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed open projection (deck) with a setback of 0 ft. in lieu of the minimum required 7.5 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Public Works (“DPW”), dated May 2, 2018, indicating it does not support granting the proposed deck because it will be located above an existing 71-inch x 47-inch bituminous coated corrugated metal pipe arch or in its easement. In light of the DPW comment (attached hereto), the petition must be denied.

THEREFORE, IT IS ORDERED, this 24th day of **May, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 301.1 of the BCZR, to permit a proposed open projection (deck) with a setback of 0 ft. in lieu of the minimum required 7.5 ft., be and is hereby DENIED.

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