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| IN RE: PETITION FOR SPECIAL HEARING | * | BEFORE THE |
| (7605 Mount Vista Road) | | |
| 11 th Election District | * | OFFICE OF |
| 5 th Council District | | |
| Julie Van Campen & John Hobaugh | * | ADMINISTRATIVE HEARINGS |
| <i>Legal Owners</i> | | |
| | * | FOR BALTIMORE COUNTY |
| Petitioners | | |
| | * | Case No. 2019-0223-SPH |

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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 Julie Van Campen & John Hobaugh, legal owners (“Petitioners”). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) for an accessory apartment in an accessory structure to be used for the owner’s father-in-law. A site plan was marked and admitted as Petitioners’ Exhibit 1.

Julie Van Campen and John Hobaugh appeared in support of the petition. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Sustainability (“DEPS”), indicating the Ground Water Management bureau must review and approve any building permit since the property is served by a septic system.

The subject property is 1.220 acres in size and zoned RC-5. The property is located in the Kingsville area of Baltimore County and is improved with a single-family dwelling, in-ground pool and detached garage in the rear yard. Petitioners propose to create an “in law” apartment in the 1 ½ story garage for use by a family member. Since the accessory apartment would be located in a detached structure a public hearing is required under the BCZR.

The subject property is fairly large and is in a rural portion of the County. As such I do not believe granting the request would have any discernable impact upon the community. Petitioners indicated they spoke with their neighbors, all of whom supported the request.

THEREFORE, IT IS ORDERED this 11th day of **April, 2019** by this Administrative Law Judge, that the Petition for Special Hearing for an accessory apartment in an accessory structure to be used for the owner's father-in-law, 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 submitted by DEPS, a copy of which is attached hereto.
3. Petitioners must obtain from the Department of Permits, Approvals & Inspections a use permit for the accessory apartment and must also record in the land records office the declaration of understanding as required by BCZR §400.4.

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