

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(12 Fairwood View Court)		
10th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Jason M. Bonadio	*	HEARINGS FOR
Petitioner		
	*	BALTIMORE COUNTY
	*	CASE NO. 2021-0073-A

* * * * *

OPINION AND ORDER
ON MOTION FOR RECONSIDERATION

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Motion for Reconsideration filed by David W. Billingsley with Central Drafting and Design, on behalf of the Petitioner, Jason M. Bonadio. The Petitioner originally filed an Administrative Variance for property located at 12 Fairwood View Court. The relief was requested from § 400.3 to permit an accessory building (garage) with a height of 31.5 ft. in lieu of the maximum permitted 15 ft.

By Opinion and Order dated April 14, 2021, the undersigned granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file.

On April 20, 2021, Mr. Billingsley filed a timely Motion for Reconsideration of the April 14, 2021 Order. In the Motion, he raised concern about the Petitioner’s justification reflected on the petition requesting that a bathroom be permitted on the second level of the proposed accessory building (garage).

After due consideration of the justification raised, I will strike from the Order the restriction pertaining to bathroom facilities in the garage.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 4th day of **May, 2021**, that the Motion for Reconsideration, be and is hereby GRANTED, such that Condition No. 2 shall be reworded as follows:

- Petitioners or subsequent owners shall not convert the proposed accessory building (garage) into a dwelling unit or apartment. The proposed accessory building (garage) shall not contain any sleeping quarters, living area, and/or kitchen facilities.

IT IS FURTHER ORDERED that all other terms and conditions of the Order dated April 14, 2021 shall remain in full force and effect, subject to the following:

1. Petitioners shall include the following statement on all permit applications:

“Garage shall be for PRIVATE RESIDENTIAL USE ONLY. No commercial, business or professional activity of any kind shall be permitted.”

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw