

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(215 Patapsco Avenue)		
15 th Election District	*	OFFICE OF
7 th Council District		
Thomas & Patricia Eltringham	*	ADMINISTRATIVE HEARINGS
<i>Legal Owners</i>		
	*	FOR BALTIMORE COUNTY
Petitioners		
	*	Case No. 2020-0109-SPH

* * * * *

ORDER ON REMAND FROM THE BOARD OF APPEALS

This matter comes before the Office of Administrative Hearings (“OAH”) on Remand from the Board of Appeals for Baltimore County pursuant to its Order dated June 3, 2021. The Remand instructs this Administrative Law Judge to conduct “such proceedings as it shall determine are appropriate and to consider amending its Order in the above-referenced matter in view of the Agreement reached between the Parties.” The Parties are the Petitioners, the Eltringhams, and People’s Counsel. The Parties agree that no further evidentiary hearing is necessary and that the record is complete. The relevant and material terms of the Agreement are as follows, and are hereby made conditions of this Order:

- The Petitioners agree to amend their request to a non-conforming use of four (4) apartment units located on the first and second floors of the dwelling, and to withdraw the request to lease any rooms in the basement of the dwelling. Any tenants of the basement will be asked to vacate the premises within 120 days of the date of the final Order.
- The Petitioners agree to provide a parking area sufficiently large to accommodate four (4) automobiles in the rear of the property that will be accessed from the alley.

- People’s Counsel will not contest the evidence produced by the Petitioners as to the existence of the non-conforming use for the four (4) apartments.

THEREFORE, IT IS ORDERED this **20th** day of **July, 2021** by this Administrative Law Judge, that the Parties’ Joint Motion to Amend the Petition for Special Hearing to seek a non-conforming use for four (4) apartment units on the upper floors, and to withdraw the request for rooms in the basement, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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, Petitioner would be required to return the subject property to its original condition.
- Prior to the issuance of permits the Petitioners shall submit proof that they have registered and are in good standing with the Baltimore County rental registry.
- Prior to the issuance of permits the Petitioner shall submit for approval a site and landscape plan providing a minimum of four (4) parking spaces in the rear of the residence.
- Petitioners shall at all times abide by the terms of the Agreement as stated above.

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

Signed _____
PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw