

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(1930 Robinwood Road)		
15 th Election District	*	OFFICE OF
7 th Council District		
Robert Staab & Benetta Staab	*	ADMINISTRATIVE HEARINGS
<i>Legal Owners</i>		
	*	FOR BALTIMORE COUNTY
Petitioners		
	*	Case No. 2021-0141-SPH

* * * * *

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 Robert Staab and Benetta Staab legal owners (“Petitioners”). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to permit an accessory in-law apartment in an accessory building (garage). A site plan was marked and admitted as Petitioner’s Exhibit 1.

Due to the COVID-19 pandemic, a WebEx hearing was conducted remotely by computer and/or phone participation. The Petition was advertised and posted as required by the BCZR. Robert Staab and Benetta Staab, Petitioners, appeared in support of the petition. Patrick “Rick” Richardson of Richardson Engineering also appeared and assisted the Petitioners. A Substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”), they do not oppose the requested relief.

Mr. Richardson explained that the subject property is approximately 0.62 acres in size and is zoned DR 3.5. The proposed accessory apartment will be in an existing 400 sq. ft. structure in the rear of the primary dwelling. It will be occupied by family members.

Based on the testimony and exhibits, I find that the Petition should be granted. I specifically find that the accessory structure, as depicted in the site plan and architectural drawings, will

comply in all respects with BCZR § 400.4, and that it is within the spirit and intent of the BCZR and will not cause harm to the public health, safety or welfare.

THEREFORE, IT IS ORDERED this 7th day of **July, 2021** by this Administrative Law Judge, that the Petition for Special Hearing to permit an accessory in-law apartment in an accessory building (garage), 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 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.
- The proposed structure shall not be used for commercial purposes and shall not have a separate utility meter.
- A copy of this Order shall be filed in the Land Records of Baltimore County along with a Declaration of Understanding which conforms with BCZR § 400.4.

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:dlm