

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(3647 Campfield Road)		
3 rd Election District	*	OFFICE OF ADMINISTRATIVE
4 th Council District		
Charlotte S. Keniston & Arnold D. Joo	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2021-0259-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Charlotte S. Keniston and Arnold D. Joo (“Petitioners”) for the property located at 3647 Campfield Rd., Gwynn Oak (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), §§1B02.3.C.1 and 301.1 to approve an open projection (screened porch) on the left side of the house with a setback of zero (0) ft. in lieu of the minimum required 7.5ft. The Property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1 and as submitted in detail of the proposed porch and deck showing the measurements on Petitioners’ Exhibit 2.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments contained in the case file from any of the County reviewing agencies. However, it is to be noted that a support letter from an adjacent neighbor (Deniece Murray – 3649 Campfield Rd.) whose property the proposed deck and porch would face, indicated no objections to the Petitioners’ request.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on September 19, 2021, and there being no request for a public hearing, a decision

shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavit as required by Baltimore County Code (“BCC”), §32-3-303. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of BCZR, §307.1. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 12th day of **October, 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the BCZR §§1B02.3.C.1 and 301.1 to approve an open projection (screened porch) on the left side of the house with a setback of zero (0) ft. in lieu of the minimum required 7.5ft., be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Site Plan (Pet. Ex. 1) and detailed measurements of porch and deck (Pet. Ex. 2) are attached hereto and made a part of this Opinion and Order.

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

Signed _____
MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlw