

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

* * * * *

AMENDED ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of an Amended Order by Mike Shipley, contractor, on behalf of Robert Staab and Benetta Staab, legal owners (“Petitioners”). The Petitioners originally filed a Special Hearing request 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 Petitioners’ Exhibit 1.

By Opinion and Order dated July 7, 2021, the undersigned granted the Special Hearing request, with conditions, in accordance with the site plan and documentation within the case file. Subsequently Mr. Shipley filed a request for an Amendment of the July 7, 2021 Order. This request will be treated as a Motion to Reconsider. In their Motion the Petitioners explain that the accessory building has had a separate meter since it was County Delegate Robert Staab’s office many years ago. They further explain that they were not aware that they needed to specifically ask to retain this separate meter in their zoning petition and that they were therefore surprised to find this limiting condition in the Order. Petitioners also explain that they will incur significant and unnecessary expense if they are required to remove the existing electrical service and connect the accessory apartment to the service of the principal home, and that the separate service will

enable their parents to maintain more of their independence by paying for their own utilities. Finally, Petitioners explain that they contacted the Office of Zoning Review (“OZR”) and that OZR does not object to the separate service but informed Petitioners that they must request this amendment to the Order by filing the instant Motion.

BCZR § 400.4.B.4 provides that separate meters are permitted on accessory apartments provided that the Administrative Law Judge makes “specific findings of necessity.” After due consideration of the arguments raised by the Petitioners, I find that there are such valid reasons here, as stated above.

THEREFORE, IT IS ORDERED this 3rd day of **September, 2021** by this Administrative Law Judge, that the Amendment, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that Condition Nos. 2 and 3 of my July 7, 2021 Order, be and are hereby STRICKEN.

IT IS FURTHER ORDERED that all other terms and conditions of the Order granted on July 7, 2021 shall remain in full force and effect.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw