

<b>IN RE: PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
N Side of Chapman, 936' E of		
Jerusalem Road	*	OFFICE OF ADMINISTRATIVE
11 <sup>th</sup> Election District		
3 <sup>rd</sup> Councilmanic District	*	HEARINGS FOR
<b>(7730 Chapman Road)</b>		
	*	BALTIMORE COUNTY
James R. and Amalia A. Hatfield		
<i>Petitioners</i>	*	<b>CASE NO. 2011-0320-SPH</b>

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before this Administrative Law Judge for consideration of a Petition for Special Hearing filed by James R. and Amalia A. Hatfield, the legal owners of the subject property. The Petition for Special Hearing was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) to permit a property line setback of 40 feet in lieu of the required minimum setback of 50 feet for a proposed addition to an existing dwelling as required under Sections 1A04.3.B.1.B and 1A04.3.B.2.B. The subject property and requested relief are more fully described on the site plan, which was marked and accepted into evidence as Petitioners’ Exhibit 1.

Appearing at the public hearing on this Petition were James Hatfield, property owner, and Robert Infussi with Expedite, LLC, who is assisting the Petitioners with the permitting process. There were no Protestants or other persons present.

The Zoning Advisory Committee (ZAC) comments were made a part of the record of this case, none of which had any comments regarding the relief requested.

Testimony and evidence presented demonstrated that the subject site consists of 2.516 acres more or less and is zoned RC 5. The property is located off Chapman Road in the Kingsville area of Baltimore County. It is currently improved with a single family dwelling, inground pool, barn,

metal garage and a shed. The owner proposes an addition to his home and is in need of special hearing approval to proceed with its construction.

Pursuant to the advertisement, posting of the subject property and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing requests should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this   14   day of June, 2011, that the Petitioners' request for Special Hearing relief, filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a property line setback of 40 feet in lieu of the required minimum setback of 50 feet for a proposed addition to an existing dwelling as required under Sections 1A04.3.B.1.B and 1A04.3.B.2.B, be and is hereby GRANTED, subject to the following:

1. Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

\_\_\_\_\_  
Signed  
TIMOTHY M. KOTROCO  
Administrative Law Judge  
for Baltimore County

TMK/pz