

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
ZONING VARIANCE *
S/S Freeland Road, 910 ft. (+/-) * ZONING COMMISSIONER
SW of Morris Road *
1533 Freeland Road * OF BALTIMORE COUNTY
6th Election District *
3rd Councilmanic District * Case No. 95-125-A
Leonard A. Reithlingshoefer, Jr. *
et ux, Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Leonard A. Reithlingshoefer, Jr., and Lois A. Reithlinshoefer, his wife, for that property known as 1533 Freeland Road in the Freeland section of Baltimore County. The Petitioner/property owners herein seek a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6 ft. (for expansion of an existing garage) in lieu of the minimum required 35 ft., as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, 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 affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By

MACROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. 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 Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of November, 1994 that the Petition for a Zoning Variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 6 ft. (for expansion of an existing garage) in lieu of the minimum required 35 ft., in accordance with Petitioners' Exhibit No. 1., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The 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, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 1, 1994

Mr. and Mrs. Leonard A. Reithlingshoefer, Jr.
1533 Freeland Road
Freeland, Maryland 21053

RE: Petition for Administrative Variance
Case No. 95-125-A
Property: 1533 Freeland Road

Dear Mr. and Mrs. Reithlingshoefer:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1533 Freeland Rd.
which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A01.3.B.3

To allow a side yard setback of 6 feet (for expansion of an existing garage)
in lieu of the minimum required 35 feet. 95-125-A

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The dwelling, garage, and storage building have existed since the 1900's. It would be impractical to build another garage in the rear yard (to attach to) as well as a greater financial hardship.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

Leonard A. Reithlingshoefer Jr
(Type or Print Name)

Leonard A. Reithlingshoefer Jr
Signature

Lois A. Reithlingshoefer
(Type or Print Name)

Lois A. Reithlingshoefer
Signature

1533 Freeland Road 343-1319
Address Phone No

Freeland Md. 21053
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: [Signature]

DATE: 10/3/94

ESTIMATED POSTING DATE: 10/16



Printed with Soybean Ink
on Recycled Paper

ITEM #: 125
MICROFILMED

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1533 Freeland Rd.
address
Freeland, Md. 21053
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The dwelling, garage, and storage building have existed since the 1900's. It would be impractical to build another garage in the rear yard (to attach to) as well as a greater financial hardship.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Leonard A. Reithlingshoefer
(signature)
Leonard A. Reithlingshoefer Jr.
(type or print name)



Lois A. Reithlingshoefer
(signature)
Lois A. Reithlingshoefer
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3rd day of October, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Leonard A. + Lois A. Reithlingshoefer

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

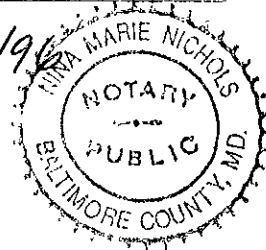
AS WITNESS my hand and Notarial Seal.

10/03/96
date

Vina Marie Nichols
NOTARY PUBLIC

My Commission Expires:

10/01/96



ZONING Description

1533 Freeland Rd.

~~#123~~

Beginning at a point on the south side of
Freeland Rd. at the distance 910 ft. southwest
of Morris Rd. Thence running $S 12^{\circ} 15' 00'' E$ 216 ft.
thence $S 51^{\circ} 95' 00'' W$ 232.27 ft. thence $N 14^{\circ} 49' 18'' W$
319.12 ft. thence $N 78^{\circ} 41' 38'' E$ 136.12 ft.
thence $N 84^{\circ} 37' 00'' E$ 88 ft. to the point of beginning.
Containing 1.26 acres $\pm$ and located in the
6th Election District

~~[Signature]~~

#05-100 A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-175-A

District: 6th Date of Posting: 10/14/94

Posted for: Variance

Petitioner: Leonard & Lois Reithlinghofer

Location of property: 1583 Freeland Rd, s/s

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by: M. Theby Date of return: 10/21/94
Signature

Number of Signs: 1

NOV 15 1994





Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

Account: R-001-6150

Date 10-3-94

Item Number 125

Taken in by: [Signature]

Owners: Reithlinghoefer
 Site: 1533 Freeland Rd.

95-125-A

# 010	Residential Variance (ADMIN) filing fee	\$ 50.00
# 080	sign & posting	35.00

\$ 85.00

UNRECEIVED

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

95-125-A
(410) 887-3353

OCTOBER 14, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Leonard and Lois Reithlingshoefer, Jr.
1533 Freeland Road
Freeland, Maryland 21053

Re: CASE NUMBER: 95-125-A (Item Number: 125)
1533 Freeland Road)
S/S Freeland Road, 910' +/- SW of Morris Road
6th Election District - 3rd Councilmanic District

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before October 16, 1994. The closing date (October 31, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCT. 24 1994

Leonard A. Reithlingshoefer, Jr.
1533 Freeland Road
Freeland, Maryland 21053

Re: Item, #125 , Case #95-125
Petitioner:

Dear Petitioner:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on October 3, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR:jaw



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: October 24, 1994
Zoning Administration and Development Management

RWB FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for October 24, 1994
Items 125, 126, 127, 130, 132, 134 and 135

The Developers Engineering Section has reviewed
the subject zoning items and we have no comments.

RWB:sw

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 10/21/94

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: Oct. 17, 1994

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

125
126
Rev. # 124
133

LS:sp

LETTY2/DEPRM/TXTSBP

10/21/94 10:30 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 18, 1994

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has (no) comments on the following petition(s):

Item Nos. (125), 126, 128, 130 and 135.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Lewis

PK/JL:lw



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

10-14-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: *X125 (JJS)*

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/19/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
Mail STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF 10/17/94.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 125, 126, 127, 128, 129
130, 131, 133 AND 135.

RECEIVED
OCT 20 1994

ZADM

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



95-125*

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1533 Freeland Rd

Subdivision name:

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: Lemmy + Lois Reithlingshoefer

124' off County Rd
70' off our Prop. line



LAND OF

MR. + MRS.

Reithlingshoefer

5772/396

LAND OF

VINCENT LANA

5470/696

LAND OF Edward SWAN

2558/426

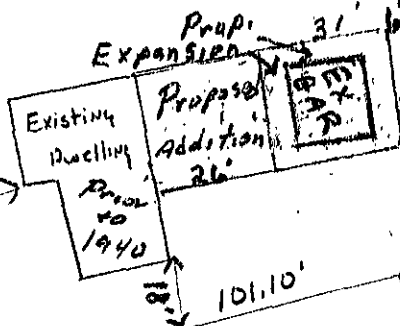
50' off County Rd

PR. County Rd

97.70' ± County Road

88.00'

136'12" FREELAND Rd



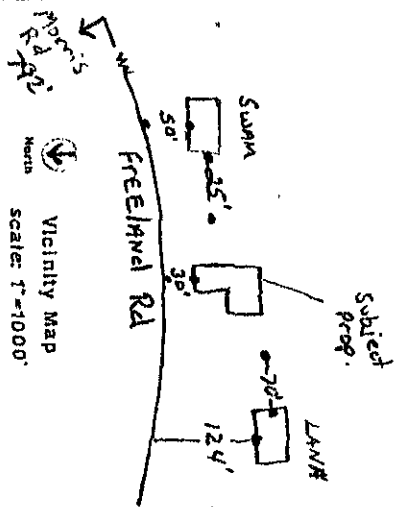
* Dwelling, garage & storage shed have existed since the 1900's

date: 9/26/94

prepared by: LAR

Scale of Drawing: 1" = 50'

see pages 5 & 6 of the CHECKLIST for additional required information



LOCATION INFORMATION

Election District: 6 ±

Councilmanic District: 3rd

Zoning: RC-2 NW, 37-D

Lot size: 1.260 54,889 acreage square feet

SEWER: ☐ public ☒ private
WATER: ☐ yes ☒ no
Chesapeake Bay Critical Area: ☐
Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

125

95-125-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1533 Freeland Rd

Subdivision name: _____ plat book # _____, folio # _____, lot # _____, section # _____

OWNER: KENNY + LOIS REITHLINGSHOEFER

LANA HOUSE sets 124' OFF County Rd 70' OFF our Prop. line

Existing Storage Shed Ex Pool

LAND OF MR. + MRS. REITHLINGSHOEFER 5772/396

LAND OF VINCENT LANA 5470/690

LAND OF EDWARD SWAN 2558/426

Prop. Expansion Existing Dwelling 1940 Proposed Addition 26'

50' OFF County Rd

97.70' 88.00' 136.12' 101.10' 24.77' 31' 33' 31' 18' 7' 168' 4

North
date: 9/26/94
prepared by: LHR
Scale of Drawing: 1" = 50'

→ Dwelling, garage & storage shed have existed since the 1900's

see pages 5 & 6 of the CHECKLIST for additional required information

LOCATION INFORMATION

Election District: 6 ±
Councilmanic District: 3rd

1" = 200' scale map# NW 37-D

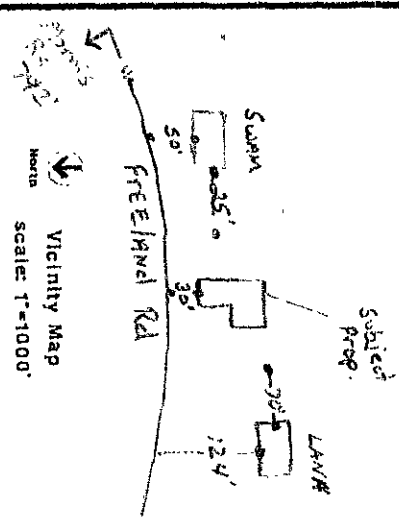
Zoning: R2-2
Lot size: 1.160 acreage 54,889 square feet

Prior Zoning Hearings: NONE
Chesapeake Bay Critical Area: ☐ yes ☒ no
SEWER: ☐ public ☒ private
WATER: ☐ public ☒ private

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

125



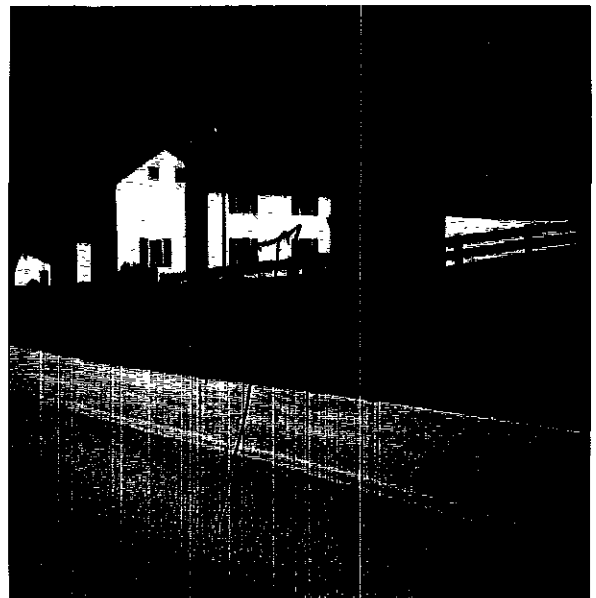
95-125-A



From

Proposed
Address

125



Prop.
Address

125

2/1/50

