

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
E/S Middletown Rd., 0 ft. N
of Baker Schoolhouse Road * ZONING COMMISSIONER
21603 Middletown Road
6th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Timothy D. Meadowcroft, et ux * Case No. 98-207-A
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for a Zoning Variance for the property located at 21603 Middletown Road in northern Baltimore County. The Petition was filed by Timothy D. Meadowcroft and Deborah A. Meadowcroft, his wife, property owners. Variance relief is requested as follows;

1. From Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit an existing dwelling to property line setback of 30 ft. in lieu of the required 35 ft.; and
2. From Section 232.1 of the BCZR to permit a 30 ft. front building setback to street centerline in lieu of the required 40 ft. for an existing tavern building; and,
3. From Section 409.6.A.2 to permit 62 parking spaces in lieu of the required 108 spaces. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exh. No. 1.

Appearing at the public hearing held for this case was Timothy D. Meadowcroft, property owner. Also appearing was Patrick O'Keefe, the zoning consultant engaged by the Petitioners. Appearing in support of the request were Bryan Weipert and Ervan Price, neighbors. The Petitioners were represented by Newton A. Williams, Esquire. There were no Protes-tants or other interested persons present.

ORDER PREPARED BY

Date

By

3/2/98
M. Howard

Testimony and evidence presented by the Petitioners was that the subject property is approximately 3.6 acres in area, split zoned B.L., R.C.C. and R.C.2. The property is located adjacent to the corner of the intersection of Middletown Road, and a private drive which serves as an extension of Baker Schoolhouse Road. As noted above, the property is split zoned, with one acre zoned B.L., 2.2 acres zoned R.C.C. and .4 acres zoned R.C.2. The property is located in the extreme northern Baltimore County, just south of the Mason Dixon line.

The property is improved with several structures. The most prominent structure is a one story tavern building which is connected to a two story addition. The tavern buildings front Middletown Road. To the rear of the tavern building is a walkway which leads to another free standing building which serves as an accessory outbuilding to the tavern. Also on the property, fronting the private road, is a small dwelling. At present, this is leased by the Petitioners and used for residential purposes. Near this small dwelling is a shed used for storage purposes. The balance of the property is unimproved but for a macadam parking area with access from Middletown Road. As shown on the site plan, a significant portion of the property is unimproved.

Obviously, it is somewhat unusual for a property to feature the B.L. zone in this rural locale. However, such zoning reflects the long term use of the property. The site, for many years, has used as a tavern/restaurant known as Cherry's Inn. Previously, the Inn was operated by members of the Bouchillon family. However, the business and property were sold to the Petitioners several years ago and is now operated by Mr. and Mrs. Meadowcroft. Additionally, the Meadowcrofts reside in an apartment on the second floor of the tavern building. Testimony and evidence was offered regarding the Petitioners' plans to improve and enlarge the tavern

ORDER FILED FOR FILING
Date 2/4/88
By M. Howard

building. An addition is proposed for the back of the tavern to provide a larger kitchen area. Additionally, seating capacity will be increased. Mr. Meadowcroft offered lengthy testimony about the business operation. He indicated that the Inn has a regular clientele and is most busy on Friday evenings. He also indicated that his operation frequently peaks during the Summer and warm weather months, when crabs are in season. He stated that the present building was too small to accommodate the business and that his proposed plans allow for a reasonable expansion of the operation and for better service to patrons. Messrs. Weipert and Price appeared in support of the request. Mr. Weipert lives nearby and testified that the tavern has been a good neighbor and that the business has never caused any adverse impact in the community. Additionally, a letter was received from Mrs. Margaret A. Bouchillon, the former owner of the property. Her letter indicates that she has never witnessed any parking problem on the property and supports the Petitioners' plans for expansion.

Variance relief is necessary to legitimize existing conditions and allow the proposed construction.

The first variance is to permit a setback of 30 ft. for the dwelling in lieu of the required 35 ft. In this regard, it is to be noted that the dwelling is not proposed for expansion and that this variance is necessary solely to legitimize the location of the dwelling. Apparently, the dwelling has been there for many years and the road on which it fronts is a private drive.

The second variance is to permit a 30 ft. front building setback to street centerline in lieu of the required 40 ft. for the tavern. It is to be noted that the proposed improvements to the tavern do not generate this variance, in that these improvements are to the rear of the structure.

CONFIDENTIAL

Date

By

Rather, the variance is necessary for the existing building, which has been at its present location for many years.

The third variance is the only request for relief which is generated by the proposed expansion. As indicated in the Petition, relief is requested to permit 62 parking spaces in lieu of the required 108. At the hearing, Mr. O'Keefe indicated that 65 spaces would be provided and the Petition was thereby amended.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. There are no adverse Zoning Plans Advisory Committee comments and the existing use and proposed expansion are supported by the community. Additionally, an enlargement of the parking area to provide more spaces would be inappropriate. The site contains a number of existing and mature trees which would be removed if the parking lot were expanded. Also, any expansion of the lot would interfere with the existing septic field and be disruptive to agricultural operations which take place to the rear of the site.

For all of these reasons, I believe that the Petitioners have complied with Section 307 of the BCZR. I find that the property is unique by virtue of its size, configuration and historic use. Also, I find that the Petitioners would suffer a practical difficulty if strict adherence to the regulations were required and that relief can be granted without any detriment to the surrounding locale. Thus the Petition for Variance shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of February, 1998 that a variance from Section

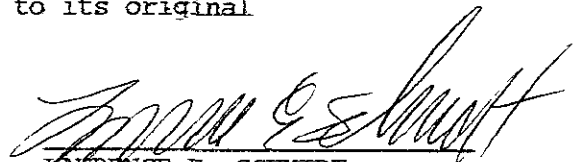
ORIGINAL FILED
Date 2/4/98
By M. Broad

1A01.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to permit an existing dwelling to property line setback of 30 ft. in lieu of the required 35 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 232.1 of the BCZR to permit a 30 ft. front building setback to street centerline in lieu of the required 40 ft. for an existing tavern building, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 to permit 65 parking spaces in lieu of the required 108 spaces, be and is hereby GRANTED, subject, however, to the following restriction:

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.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

Order of the Board of Zoning Appeals
Date 2/1/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

February 3, 1998

Newton A. Williams, Esquire
Nolan, Plunhoff and Williams, Suite 700, Nottingham Center
502 Washington Avenue
Towson, Maryland 21204

RE: Case No. 98-207-A
Petition for Zoning Variance
Location: 21603 Middletown Road
Timothy D. Meadowcroft, et ux, Petitioners

Dear Mr. Williams:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restriction, 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
att.

c: Mr. and Mrs. Timothy D. Meadowcroft, 21603 Middletown Rd., Freeland,
Md. 21053
c: Mr. Patrick O'Keefe, 523 Penny Lane, Hunt Valley, Md. 21030





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 21603 MIDDLETOWN ROAD.

which is presently zoned B.L., RCC

This Petition shall be filed with the Department of Permits & Development Management AND RC-2

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) 1.A01.3B, 3-B.C.Z.R. TO PERMIT AN EXISTING DWELLING TO PROPERTY LINE SETBACK OF 30 FEET IN LIEU OF THE REQUIRED 35 FEET AND SECTION 232.1-B.C.Z.R. TO PERMIT A 30 FOOT FRONT BUILDING SETBACK TO STREET CENTERLINE IN LIEU OF THE REQUIRED 40 FEET FOR THE EXISTING TAVERN AND FROM SECTION 409.6.A.2 TO PERMIT 62 PARKING SPACES IN LIEU OF THE REQUIRED 108 SPACES. AND ANY OTHER VARIANCES THAT MAY BE DEEMED NECESSARY BY THE ZONING COMMISSIONER.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) OUR BUSINESS IS LOCATED IN A RURAL/FARMLAND SETTING, WE WISH TO REMAIN WITHIN THE CHARACTER OF THE NEIGHBORHOOD AND LIMIT THE ENVIRONMENTAL IMPACT TO OUR SITE. THIS RELIEF WILL WILL HELP TO ACCOMPLISH THE INTENT SO THAT WE CAN SERVE OUR PATRONS. WE RESIDE ON THE PREMISES AND HAVE LOCAL SUPPORT.

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.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City

Zipcode

**TIM MEADOWCROFT
WILL BE REPRESENTED
BY HIS ATTORNEY AT
THE HEARING;
HIS CHOICE IS
SUBJECT TO DATE &
AVAILABILITY OF
COUNSEL**

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.

Legal Owner(s):

TIMOTHY D. MEADOWCROFT

(Type or Print Name)

Signature

DEBORAH A. MEADOWCROFT

(Type or Print Name)

Signature

21603 MIDDLETOWN RD. - 410-329-8125

Address

Phone No

FREELAND, MD. 21053

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

PATRICK O'KEEFE

Name

523 PENNY LA.

410.666-5366

Address HUNT VALLEY, MD. 21030 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: R.T.

DATE 11-26-97

ITEM # 207



Printed with Soybean Ink
Recycled Paper

Revised 9/5/95

98-207-A

RE: PETITION FOR VARIANCE
21603 Middletown Road, E/S Middletown Rd,
zero' N of Baker School Road
6th Election District, 3rd Councilmanic

Timothy D. & Deborah A. Meadowcroft
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-207-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to Patrick O'Keefe, 523 Penny Lane, Hunt Valley, MD 21030, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

ZONING DESCRIPTION FOR #21603 MIDDLETOWN ROAD
(address)

Beginning at a point on the EAST side of
(north, south, east or west)
MIDDLETOWN ROAD which is THIRTY FEET
name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of ZERO (0) FEET NORTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street BAKER SCHOOL HOUSE ROAD
(name of street)

which is THIRTY FEET wide.

THENCE RUNNING THE FOUR FOLLOWING COURSES
AND DISTANCES:

- AND DISTANCES.
- 1) NORTH - $43^{\circ}22'55''$ EAST - 456.27 FEET
 - 2) NORTH - $26^{\circ}56'00''$ WEST - 304.03 FEET
 - 3) SOUTH - $63^{\circ}34'00''$ WEST - 398.67 FEET
 - 4) SOUTH - $24^{\circ}24'29''$ EAST - 461.47 FEET ALONG MIDDLETOWN ROAD TO THE PLACE OF BEGINNING AS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN DEED REFERENCE: BOOK 9670, PAGE 490 ETC. AND CONTAINING 3.62 ACRES OF LAND MORE OR LESS. ALSO KNOWN AS #21603 MIDDLETOWN ROAD (CHERRY'S INN) AND LOCATED IN THE SIXTH ELECTION DISTRICT, THIRD COUNCILMANIC DISTRICT.
- AND WITHIN THE AFOREMENTIONED DESCRIPTION THERE EXISTS

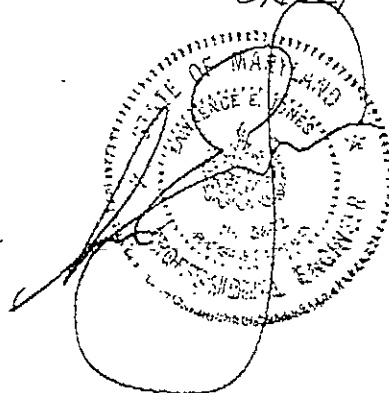
THE SIXTH ELECTION DISTRICT, ALSO INCLUDED WITHIN THE AFOREMENTIONED DESCRIPTION THERE EXISTS A RESIDENTIAL USE AREA (FOR ZONING PURPOSES ONLY) WHICH IS SHOWN ON THE ZONING PLAT TO WHICH THIS DESCRIPTION IS MADE PART OF, AND THAT AREA IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE FIRST (1) LINE OF THE ABOVE DESCRIPTION AT A DISTANCE OF 127 FEET NORTH OF THE ORIGINAL POINT OF BEGINNING, THENCE RUNNING THE FOUR FOLLOWING LINES OF DIVISION:

1. 127 FEET NORTH
2. 127 FEET WEST
3. 127 FEET SOUTH
4. 127 FEET EAST

- 1) NORTH - $24^{\circ}24'29''$ WEST - 120.0 FEET
- 2) NORTH - $65^{\circ}35'31''$ EAST - 38.0 FEET
- 3) NORTH - 35° — EAST - 182.0 FEET
- 4) NORTH - $26^{\circ}56'$ WEST - 202.0 FEET - TO INTERSECT THE THIRD LINE OF THE TRACT BOUNDARY AND SAID RESIDENTIAL USE AREA CONTAINS 1.3 ACRES OF AREA MORE OR LESS.

FOR ZONING PURPOSES
ONLY



ITEM# 207

98-207-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046759
ITEM # 207

DATE 11-26-77 ACCOUNT R-001-6150

AMOUNT \$ 250.00

RECEIVED FROM: Timothy MEADOWCROFT

FOR: 21603 MIDDLETOWN RD

C20 - CCM: VARIADGE

Reg. T.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
DATE 11-26-77 AMOUNT 250.00
BY TIMOTHY MEADOWCROFT
C MISCELLANEOUS RECEIPT
CHECK # 15924
250.00 CHECK
BALTIMORE COUNTY, MARYLAND

A-1108-87

CERTIFICATE OF POSTING

RE. Case No. 98-207-A

Petitioner/Developer: T. MEADOWCROFT, ETAL
%O NEWTON WILLIAMS, ESQ

Date of Hearing/Closing. 1/12/98 @ 2:00 P.M.
NEW DATE RM. 407
REVISED SIGN

Baltimore County Department of
 Permits and Development Management
 County Office Building, Room 111
 111 West Chesapeake Avenue
 Towson, MD 21204

Attention: Ms Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
 were posted conspicuously on the property located at #21603 MIDDLETOWN RD.

The sign(s) were posted on 12/26/97
 (Month, Day, Year) REVISION DATE

Sincerely,

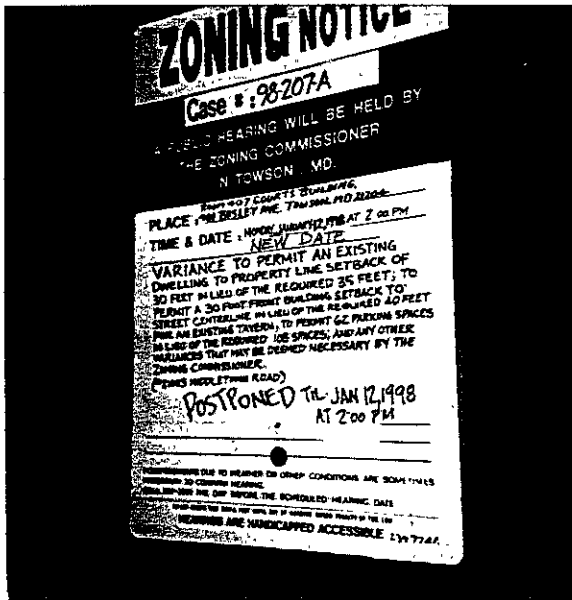
Patrick M. O'Keefe 2/2/98
 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
 (Printed Name)

523 PENNY LANE
 (Address)

HUNT VALLEY, MD. 21030
 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
 (Telephone Number)



CASE #98-207-A
RE-ASSIGNED NEW HEARING DATE
1/12/98 @ 2:00 P.M.
#21603 MIDDLETOWN ROAD



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 5, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-207-A
21603 Middletown Road
E/S Middletown Road, zero feet N of Baker School Road
6th Election District - 3rd Councilmanic District
Legal Owner: Timothy D. Meadowcroft & Deborah A. Meadowcroft

Variance to permit an existing dwelling to property line setback of 30 feet in lieu of the required 35 feet; to permit a 30-foot front building setback to street centerline in lieu of the required 40 feet for the existing tavern; to permit 62 parking spaces in lieu of the required 108 spaces; and any other variances that may be deemed necessary by the zoning commissioner.

HEARING: Monday, January 5, 1998 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Timothy & Deborah Meadowcroft
Patrick O'Keefe

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 19, 1997.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.**



TO: PATUXENT PUBLISHING COMPANY
December 18, 1997 Issue - Jeffersonian

Please forward billing to:

Timothy Meadowcroft
21603 Middletown Road
Freeland, MD 21053

410-329-8125

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-207-A

21603 Middletown Road

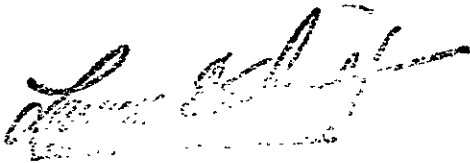
E/S Middletown Road, zero feet N of Baker School Road

6th Election District - 3rd Councilmanic District

Legal Owner: Timothy D. Meadowcroft & Deborah A. Meadowcroft

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HEARING: Monday, January 5, 1998 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ITEM # 207A

ZONING NOTICE

Case No.: 98-207A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE TO PERMIT AN EXISTING DWELLING SIDE
YARD SETBACK OF 30 FT. IN LIEU OF THE REQUIRED 35 FT.,
TO PERMIT A 30 FT. FRONT SETBACK TO STREET CENTERLINE IN
LIEU OF THE REQUIRED 40 FT. FOR THE EXISTING TAVERN,
TO PERMIT 62 PARKING SPACES IN LIEU OF THE REQUIRED

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM HEARING CALL 887-3391.

108 PARKING SPACES AND ANY OTHER VARIANCES THAT
MAY BE DEEMED NECESSARY BY THE ZONING COMMISSIONER
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 207

Petitioner: TIMOTHY MEADOWCROFT

Location: #21603 MIDDLETOWN RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: TIMOTHY MEADOWCROFT

ADDRESS: #21603 MIDDLETOWN RD.

FREELAND, MD. 21053

PHONE NUMBER: 410-329-8125

AJ:ggs

(Revised 09/24/96)

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

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

Subdivision name: _____

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

OWNER: _____



North

date: _____ prepared by: _____ Scale of Drawing: 1" = _____

 Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____ acreage _____ square feet

public private
SEWER: ☐ ☐

WATER: ☐ ☐

yes no
Chesapeake Bay Critical Area: ☐ ☐

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12-18, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-18, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-207-A
21603 Middletown Road
E/S Middletown Road, zero
feet N of Baker School Road
6th Election District
3rd Councilmanic District
Legal Owner(s):

Timothy D. Meadowcroft &
Deborah A. Meadowcroft

Variance: to permit an existing dwelling to property line setback of 30 feet in lieu of the required 35 feet; to permit a 30-foot front building setback on street centerline in lieu of the required 40 feet for the existing tavern; to permit 62 parking spaces in lieu of the required 108 spaces; and any other variances that may be deemed necessary by the zoning commissioner.

Hearing: Monday, January 5, 1998 at 2:00 p.m. in Room 487, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

12/137 Dec. 18 C196324



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 6, 1998

Mr. and Mrs. Timothy Meadowcroft
21603 Middletown Road
Freeland, MD 21053

RE: Item No.: 207
Case No.: 98-207-A
Petitioner: T. Meadowcroft, et ux

Dear Mr. and Mrs. Meadowcroft:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 26, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

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

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A L T I M O R E C O U N T Y , M A R Y L A N D

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
 Department of Permits & Development
 Management

Date: December 11, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

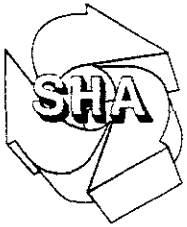
SUBJECT: Zoning Advisory Committee Meeting
 for December 15, 1997
 Item No. 207

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Middletown Road is an existing road which shall ultimately be improved as a 50-foot street cross section on a 70-foot right-of-way.

RWB:HJO:jrb

cc: File

ZONE1215.207



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 12/5/97
Item No. 201 RT

Dear Ms. Eubanks:

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 affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

FOR Ronald Burns, Chief
Engineering Access Permits
Division

LG

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, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: December 9, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 190, 201, 202, 204, 205, 206 and 207

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Daryl L. Kerns

AFK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

December 10, 1997

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 December 8, 1997

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.

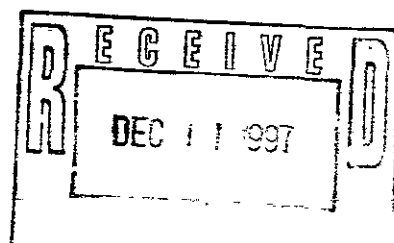
8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

201, 205 and 207

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office. PHONE 887-4881, MS-1102F

cc: File



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

TO: POM

DATE: 12/22/97

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Dec 8, 97

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

Item #'s:

207

RBS:sp

BRUCE2/DEPRM/TXTSBP



Mrs. Margaret A. Bouchillon
21609 Middletown Rd.
Freeland, MD 21053

9 January 1998

To whom It May Concern:

I live next door to Cherry's Inn at
21609 Middletown Road, Freeland, Md,
21053.

I can see no need to increase
the parking spaces at Cherry's Inn.
They have more than adequate parking
spaces for the volume of business they
have. I've been living here over 12 years
and I've never seen the parking lot
completely filled - so why mess up the
neighborhood with a larger parking
lot that is not needed.

Sincerely,
Margaret A. Bouchillon

Ref No 4

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bryan Weipert

ERUAN PRICK

Lin Meadows

Patrick OKeefe

Newton A Williams

Nolan, Plunkhoff + Williams

21616 Middletown Rd. Free/and

913 Monkton MD. 21117

21603 Middletown Rd. Free/and

523 PENNY LA. 21030



Plat to accompany Petition for Zoning Variance

PA. MD.

PROPERTY ADDRESS: 21603 MIDDLETOWN ROAD

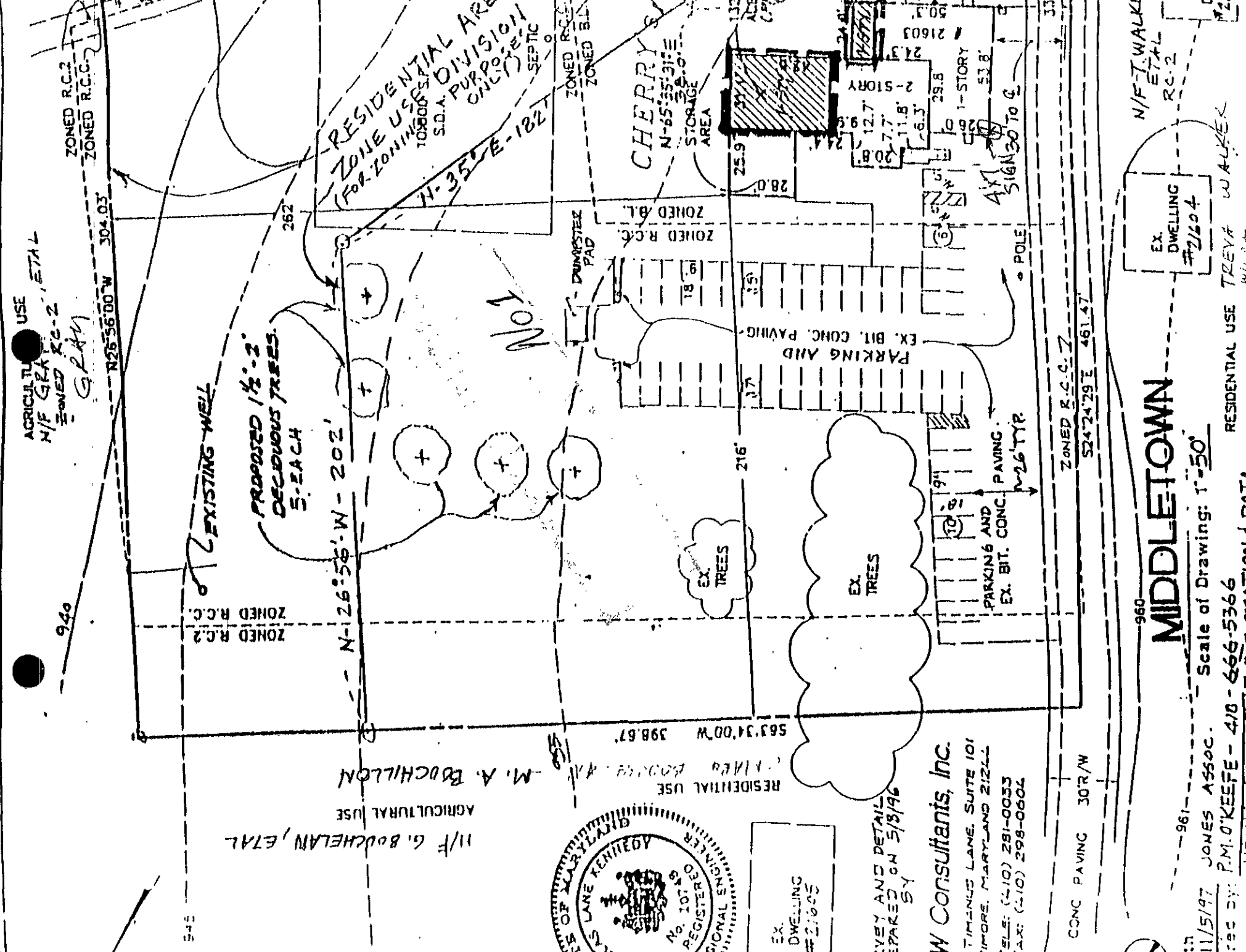
OWNER: Timothy D. and Deborah A. Meadowcroft - 410 322-9125

21603 Middletown Road, FreeLand, Maryland 21053

DEED REFERENCE: S.M. 9670, FOLIO 490 ETC.

TAX ACCT. # 1700002381; MAP. 1, PARCEL 6

VARIANCES FROM SECTIONS: 1-A01.36.3-B.0.2-R, 2321-B-C-R, 409.6.3.2 REQUESTED ALONG WITH ANY OTHER ZONING VARIANCES THAT MAY BE DEEMED NECESSARY BY THE ZONING COMMISSIONER.



GENERAL NOTES

ZONING: BL (1.0 ac) and R.C.C. (2.2 ac) and R.C.2 (0.4 ac)

EXISTING LAND USE: Site is improved with existing buildings used for tavern, package goods and restaurant (1.3 AC) ZONING: 1.3 AC ZONING: 1.3 AC ZONING: 1.3 AC

PROPOSED LAND USE: Tavern, package goods and restaurant (1.3 AC) ZONING: 1.3 AC ZONING: 1.3 AC ZONING: 1.3 AC

EXISTING BUILDING AREA: First Floor Tavern: 3665 SF

First Floor Addition: 1546 SF

Total Tavern Area: 5211 SF

Storage Area: 725 SF

Residential: 1690 SF

PARKING REQUIRED: Tavern: 5211 sf x (20 per 1000 sf) = 104 parking spaces

Package Goods: 400 sf x (5 per 1000 sf) = 2 parking spaces

Residential: 1690 sf x (2 per 1000 sf) = 3 parking spaces

Total Required Parking Spaces: 109

PARKING PROVIDED: Existing Parking Spaces: 109

TOTAL PARKING SPACES: 109

PARKING AREAS: parking spaces will be permanently striped.

BUILDING SETBACKS: Minimum Required: 10 ft from property line or 40 ft from centerline road

Front: 120 ft

Side: 25 ft per R.C.C. zone

Rear: 20 ft adjacent residential

FLOOR AREA RATIO: (7628 sf) / (43560 sf) = 0.05 F.A.R.

NUMBER OF EMPLOYEES: 5

HOURS OF OPERATION: Monday - Sunday 9 a.m. - 2:00 a.m.

TYPE OF COMMERCIAL VEHICLES: 3 small vendor trucks per day for delivery of beverages and food.

UTILITIES: Existing private well and septic system.

LOCATION INFORMATION:

Election District: 6TH

Councilmanic District: 3RD

1"-200' scale map: NW-39 G

BL (1.0 AC): R.C.2 (0.4 AC)

Zoning: R.C.C. (2.2 AC)

Lot size: 3.62 157,687

acreage square feet

SEWER: ☐ WATER: ☐

Chesapeake Bay Critical Area: ☐

Prior Zoning Hearings: N/A

EXHIBIT 'A'

CASE-98-207-A

BAKER SCHOOLHOUSE ROAD

MIDDLETOWN ROAD

CHERRY TOWN

RESIDENTIAL AREA

AGRICULTURAL USE

EXISTING TREES

PROPOSED 1 1/2\"/>

DOUGLAS LANE KENNEDY

REGISTERED PROFESSIONAL ENGINEER

NO. 10748

DATE: 11/15/97

SCALE OF DRAWING: 1\"/>

DATE: 11/15/97

SCALE OF DRAWING: 1\"/>

DATE: 11/15/97

SCALE OF DRAWING: 1\"/>

NW-39 G

1"=200'

ITEM #207

R. C. 2

R. C. 2

N 153,000

STA P-12

N 686,000

RCC
SITE #21603
MIDDLETOWN ROAD

BL

R. C. 2

R. C. 2

98-207-A

W 42,000

N 152,000

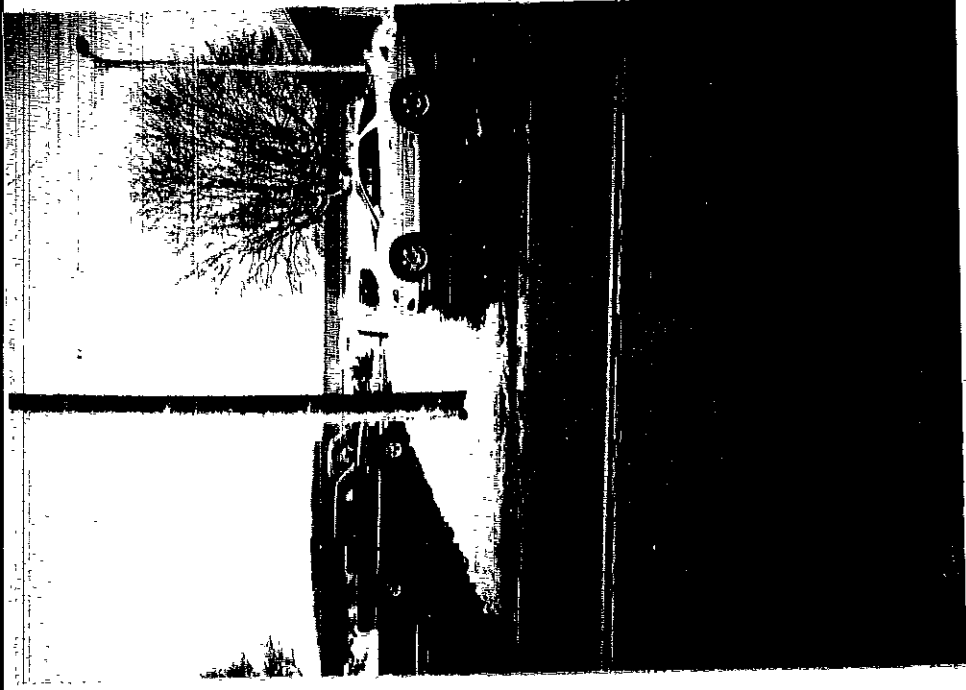
BAKER

E 867,000

W 40,500



Parking lot and frontage



C, NW of town.



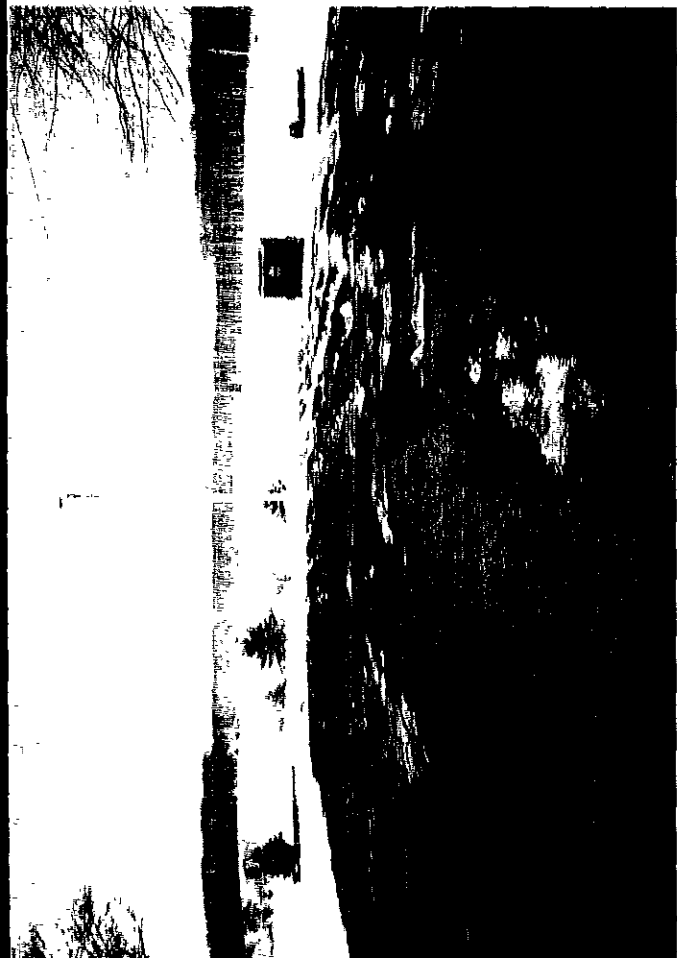
D, Middletown Rd.



Rear of present lot - looking NE



F. Looking East toward Baker Schoolhouse Road.



6. More of lot.



H. Area under snow partially
cultivated



II
Looking NW from lot - note
portage trail



V
Looking north - note side trail



K, Looking N on lot toward pond
across cultivated ground.



L, Looking across
middle toward P.D. -
into lot.



A, Cherry's Inn. - Meadowcroft - NE/5 Middletown RD.

Case No. 98-207-A,

