

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
S/W corner Middletown & Flintstone Rds. *
6th Election District * DEPUTY ZONING COMMISSIONER
3rd Councilmanic District *
(20458 Middletown Road) * OF BALTIMORE COUNTY

Renee L. McGinnis * CASE NO. 01-457-A
Petitioner *

*
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Renee L. McGinnis, legal owner of that property known as 20458 Middletown Road in the Freeland area of Baltimore County. The Petitioner herein seeks relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (to replace a recently existing open front porch) with a 27 ft. property line and 40 ft. street centerline setback in lieu of the required 35 ft. and 75 ft. respectively. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative 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 Petitioner has 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of 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 Petitioner.

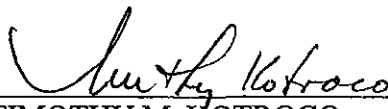
RECEIVED FOR FILE

DATE 5/28/01
BY: R. J. J. J.

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 Deputy Zoning Commissioner for Baltimore County this 29th day of May, 2001, that a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (to replace a recently existing open front porch) with a 27 ft. property line and 40 ft. street centerline setback in lieu of the required 35 ft. and 75 ft. respectively, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED FOR FILE
DEC 5/22/01
BY R. Gorman



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May ²⁹~~28~~, 2001

Ms. Renee L. McGinnis
20458 Middletown Road
Freeland, Maryland 21053

Re: Petition for Administrative Variance
Case No. 01-457-A
Property: 20458 Middletown Road

Dear Ms. McGinnis:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 20458 MIDDLETOWN ROAD
which is presently zoned BC2

This Petition shall be filed with the Department of Permits and 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) 1 A01.3.B.3

TO PERMIT A BUILDING ADDITION (TO REPLACE A RECENTLY EXISTING
OPEN FRONT PORCH) WITH A 27 FT. PROPERTY LINE AND 40 FT.
STREET CENTERLINE SETBACK IN LIEU OF THE REQUIRED
35 AND 75 FT. RESPECTIVELY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 5/26/01 day of May, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

RENÉE LORRAINE MCGINNIS

Name - Type or Print

Signature

Name - Type or Print

Signature

20458 MIDDLETOWN ROAD 410-628-8769 (W)
Address Telephone No.

FRYDLAND MD 21053
City State Zip Code

Representative to be Contacted:

OWNER

Name

Address

City

Telephone No.

State

Zip Code

Zoning Commissioner of Baltimore County

Reviewed By NL

Date 4/26/01

Estimated Posting Date 5/06/01

CASE NO. 01 457-A

R20 9/15/98

ORDER RECEIVED FOR FILING

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 20458 MIDDLETOWN ROAD
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 75' SETBACK REQUIREMENT FROM THE CENTER OF
MIDDLETOWN ROAD CAN NOT BE MET. THE EXISTING HOUSE
IS 52' FROM THE ROAD CENTERLINE, AND THE EXISTING
FRONT PORCH IS 44' FROM THE CENTER OF MIDDLETOWN ROAD.

THE ORIGINAL FRONT PORCH WAS DAMAGED TO THE POINT OF
NEEDING REPLACEMENT DUE TO WATER DAMAGE AND WAS
FALLING DOWN SO IT WAS TORN DOWN ON 4/13/01.
WE WOULD LIKE TO REPLACE THE PORCH USING THE EXISTING
SLAB AND AT THE SAME TIME ENCLOSE IT.

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

Signature
RENEE LORRAINE MCGINNIS
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19 day of APRIL, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RENEE MCGINNIS

the Affiant(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

Date

CAROL Z.A. SALISBURY
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires September 7, 2003

Notary Public

My Commission Expires

9/7/03



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 20458 MIDDLETOWN ROAD
which is presently zoned RC2

This Petition shall be filed with the Department of Permits and 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) 1 A.O. 3.B.3,

TO PERMIT A BUILDING ADDITION (TO REPLACE A RECENTLY EXISTING
OPEN FRONT PORCH) WITH A 27 FT. PROPERTY LINE AND 40 FT.
STREET CENTERLINE SETBACK IN LIEU OF THE REQUIRED
35 AND 75 FT. RESPECTUVELY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 01 day of April, 2001, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 01 457 A

Reviewed By JL

Date 4/26/01

Estimated Posting Date

5/06/01

R20 9/15/98

A57

ZONING DESCRIPTION
20458 MIDDLETOWN RD,

~~as recorded in deeds Liber~~ , Folio

BEGINNING for the same at a point marking the intersection of the south side of Flintstone Road with the west side of Middletown road and running thence along the said Middletown Road south 29 degrees East 124 feet 5 inches, thence leaving Middletown Road and running two (2) new lines of division; 1. South 44 degrees 28 minutes West 347 feet 0 inches; and 2. North 45 degrees 32 minutes West 119 feet 0 inches thence binding on Flintstone Road North 44 degrees 30 minutes East 380 feet 0 inches to the place of beginning. Containg 1.0 acres of land, more or less. 6TH ELECTION DISTRICT, 3RD, COUNCIL DIST,

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JL 457 No. 85245

DATE 4/26/01

ACCOUNT 001 006 6150

AMOUNT \$ 50.00

RECEIVED FROM: PERLOSKI

FOR: RV FILING

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
4/27/2001	4/26/2001	14:57:57
REF 0001	CASHIER JRTC JAR	DRYMER 1
REF 0001	REF 042947	REF 042947
Doc 5	520 ZONING VERIFICATION	Doc 5
OR NO. 005245		

Prapt Tot 50.00
50.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: **01-457-A**

Petitioner/Developer: **RENEE McGINNIS**

Date of Closing: **5/21/01**

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:

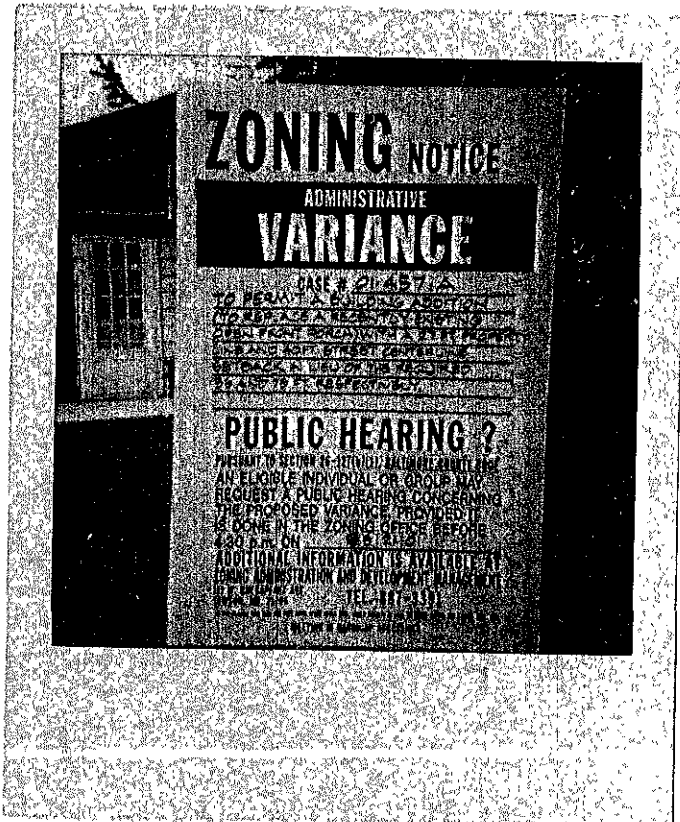
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **20458 MIDDLETOWN RD.**

The sign(s) were posted on **5/5/01**.

Sincerely,



Thomas J. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 457

Petitioner: RENEE MCGINNIS

Address or Location: 20458 MIDDLETOWN ROAD FREELAND MD 21053

PLEASE FORWARD ADVERTISING BILL TO:

Name: RENÉE MCGINNIS

Address: 20458 MIDDLETOWN ROAD

FREELAND MD 21053

Telephone Number: (H) 410-357-4681 (W) 410-628-8769

Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 457 -A

Address 20458 MIDDLETOWN RD

Contact Person: J L LEWIS
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4/26/01

Posting Date: 5/06/01

Closing Date: 5/21/01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 01- 457 -A

Address 20458 MIDDLETOWN RD

Petitioner's Name RENEE MCGINNIS

Telephone 410 357 4681

Posting Date: 5/06/01

Closing Date: 5/21/01

Wording for Sign: TO PERMIT A BUILDING ADDITION (TO REPLACE A RECENTLY EXISTING OPEN FRONT PORCH) WITH A 27 FT PROPERTY LINE AND 40 FT STREET CENTER - LINE SETBACK IN LIEU OF THE REQUIRED 35 AND 75 FT, RESPECTIVELY



Baltimore County
Department of Permits and
Development Management

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

May 21, 2001

Renee L McGinnis
20458 Middletown Road
Freeland MD 21053

Dear Ms. McGinnis:

RE: Case Number: 01-457-A, 20458 Middletown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 26, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. 6DZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

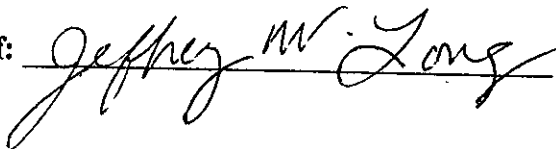
DATE: May 24, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-430, 01-443, 01-444, 01-445, 01-446,
01-451, 01-457 and 01-459

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Section Chief:

A handwritten signature in cursive script, reading "Jeffrey W. Long", written over a horizontal line.

AFK/JL



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 5.16.01

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

RE: Baltimore County
Item No. 457 JL

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

NW 36-F

1" = 200'

457

000

R.C. 2

STA W-2

MIDDLETOWN P.O.B.

20458
MIDDLETOWN ROAD
FREELAND MD 21053

R.C. 2

R.C. 2

42,000

R.C. 2

R.C. 5

R.C. 2

R.C. 4

R.C. 2

N 141,000

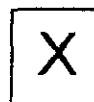
R.C. 4

N 674,000

R.C. 4

Pet. Ex. #1

Plat to accompany Petition for Zoning



Variance



Special Hearing

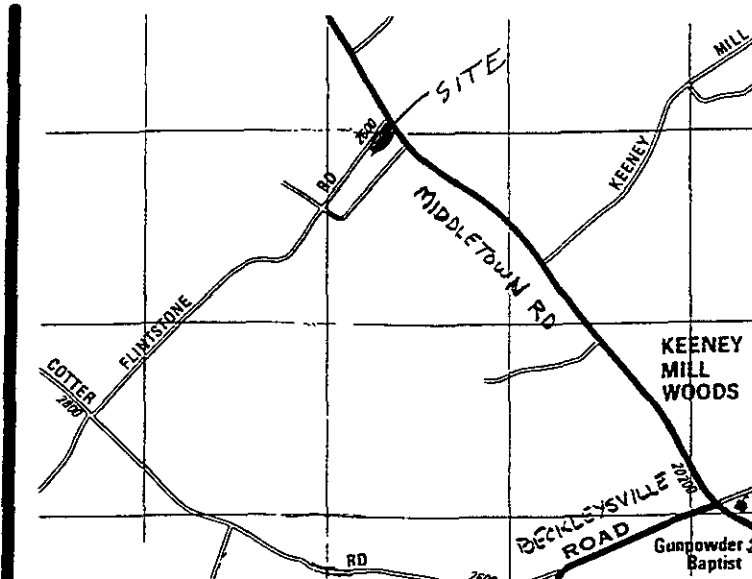
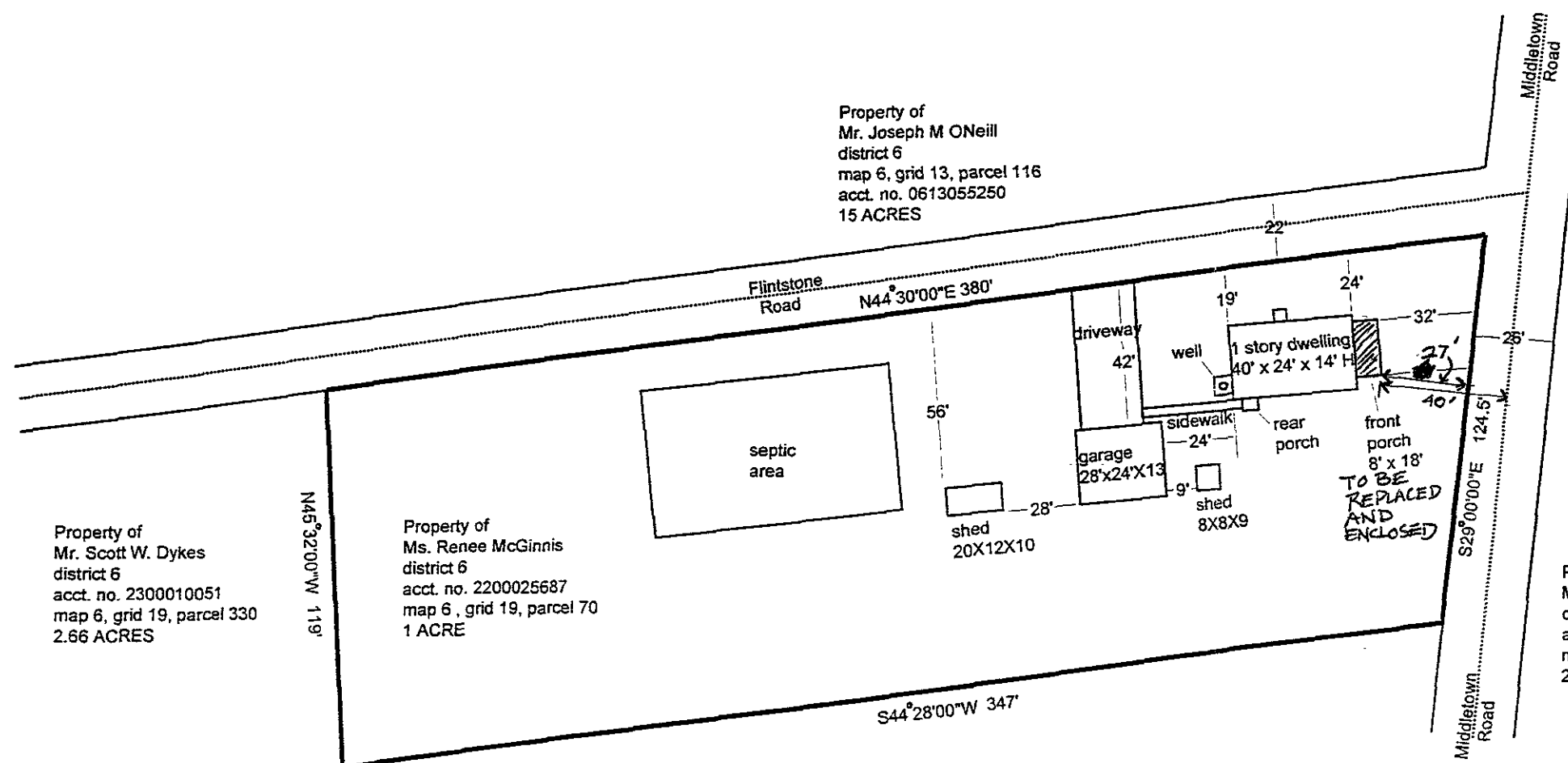
PROPERTY ADDRESS: 20458 Middletown Road Freeland, Md 21053

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

Subdivision name: n/a

plat book # n/a , folio # n/a , section # n/a

OWNER: Renee L McGinnis



Vicinity Map
scale: 1" = 2000'

LOCATION INFORMATION

Election District: 6

Councilmanic District: 3

1' = 200' scale map: NW36-F

Zoning: RC-2

Lot size: 1.0 acreage 43,602 square feet

	public	private
SEWER:	☐	☒
WATER:	☐	☒
	yes	no

Cheasapeake Bay Critical Area: ☐

Prior Zoning Hearings: none

NOT F.P.

Zoning Office USE ONLY!

reviewed by:

ITEM#:

CASE#:

JL

457

date: 4/21/01

prepared by: JJP

Scale of Drawing: 1" = 50'

A51

RESIDENTIAL APPRAISAL REPORT



Property Location:

**20458 Middletown Road
Freeland, MD 21053**

EXISTING FRONT
PORCH, AS HOUSE

WAS PURCHASED IN 1990

HomeOwner/Borrower Name:

Renee McGinnis

Prepared For:

**Sparks State Bank
14804 York Road, Sparks, Md. 21152**

Prepared By:

**ALEXANDER REALTY, INC.
13785 BOTTOM ROAD
HYDES, MARYLAND 21082**

(410) 592-2300

Date:

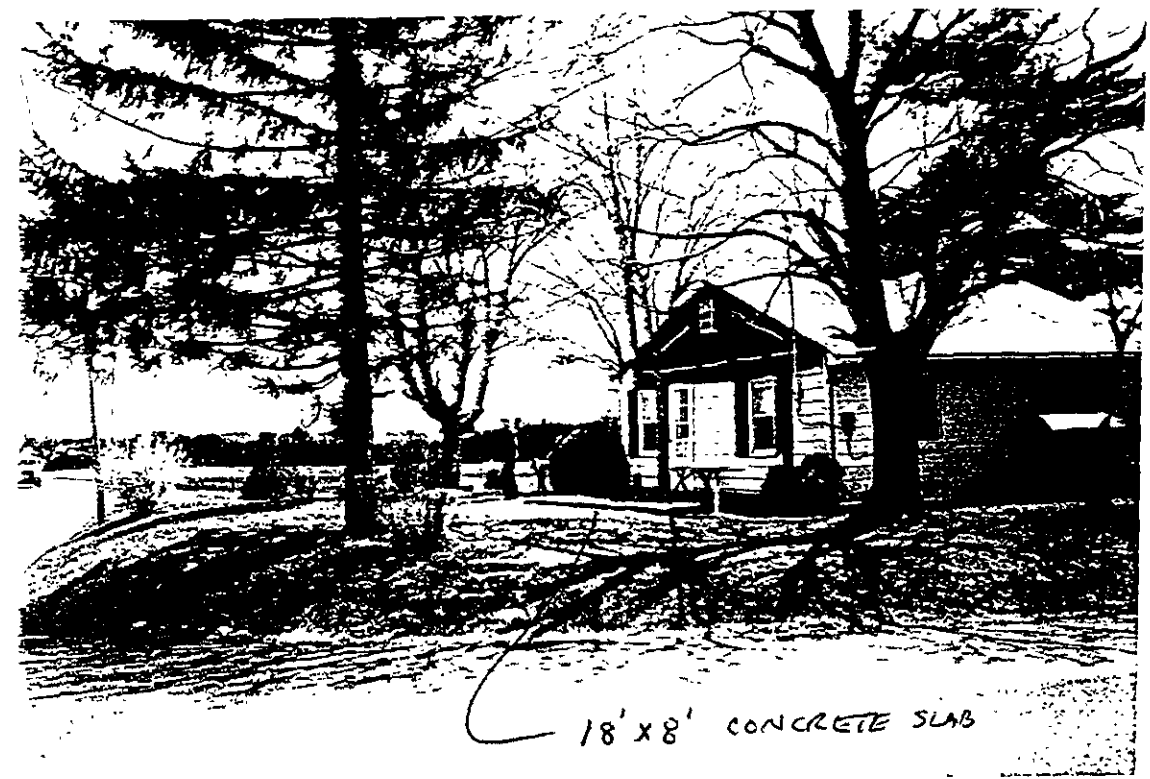
October 28, 1995

File Number:

20458MID



MIDDLETOWN ROAD VIEW
OF PORCH REMOVED



EXISTING STATE OF FRONT PORCH
WITH OLD PORCH REMOVED
~~REMOVED~~ 4/22/01

457

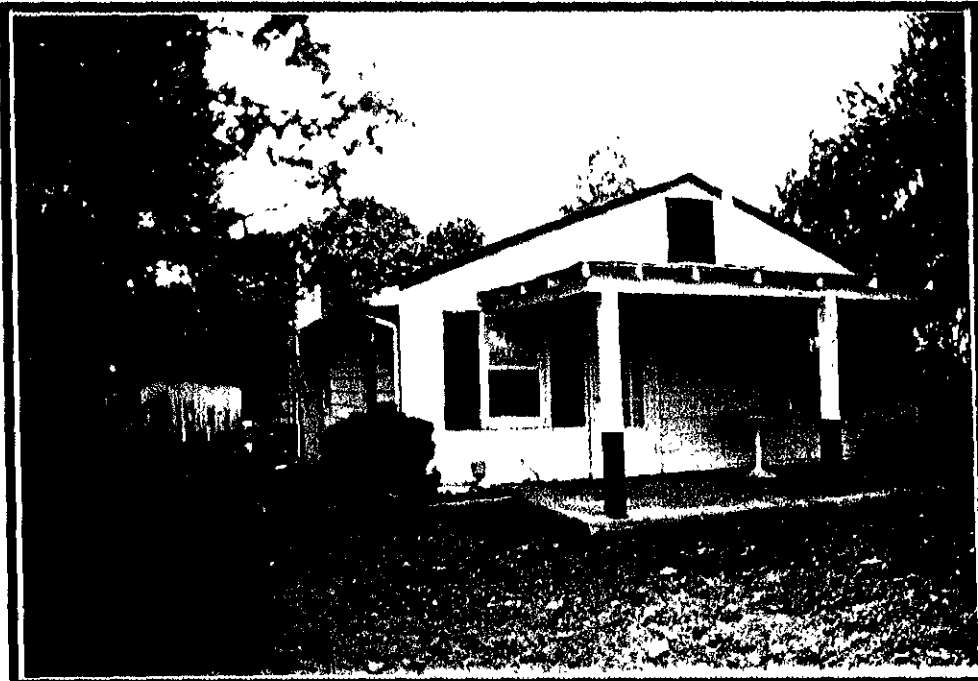
ALEXANDER REALTY, INC.
PHOTOGRAPH ADDENDUM

File# 20458MID

A57

Owner/Borrower Renee McGinnis
Lender/Client Sparks State Bank

Property Address 20458 Middletown Road
Freeland, MD 21053



LEFT FRONT VIEW OF
SUBJECT PROPERTY
FROM MIDDLETOWN ROAD
WITH PORCH AS
PURCHASED

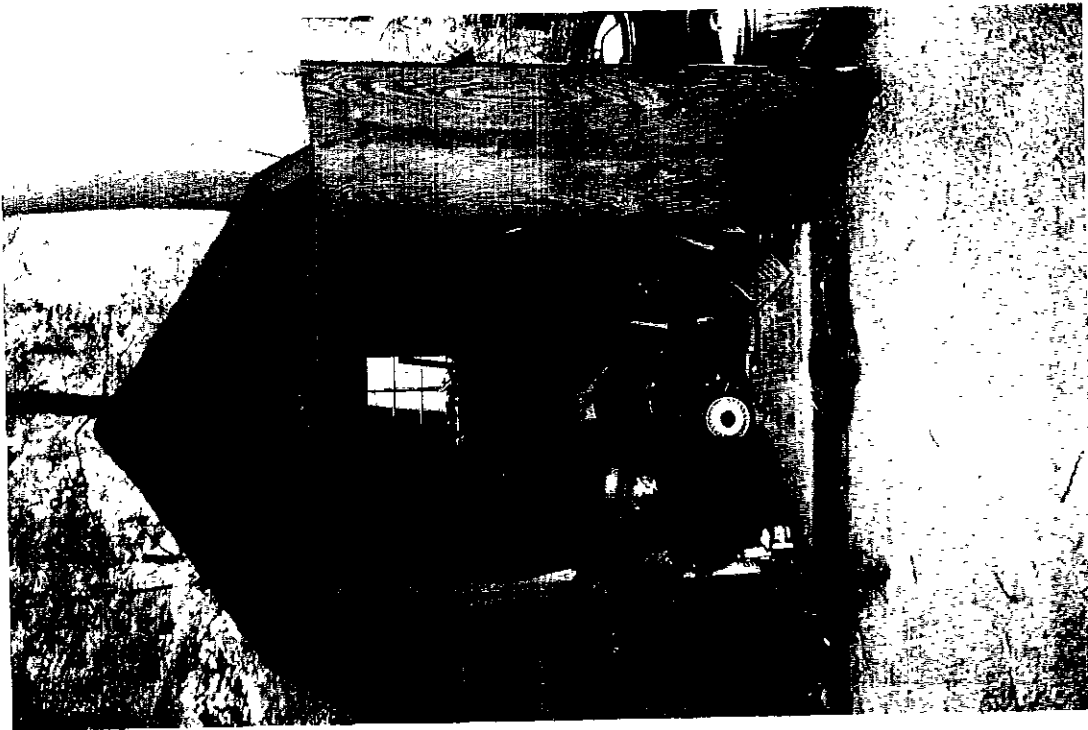
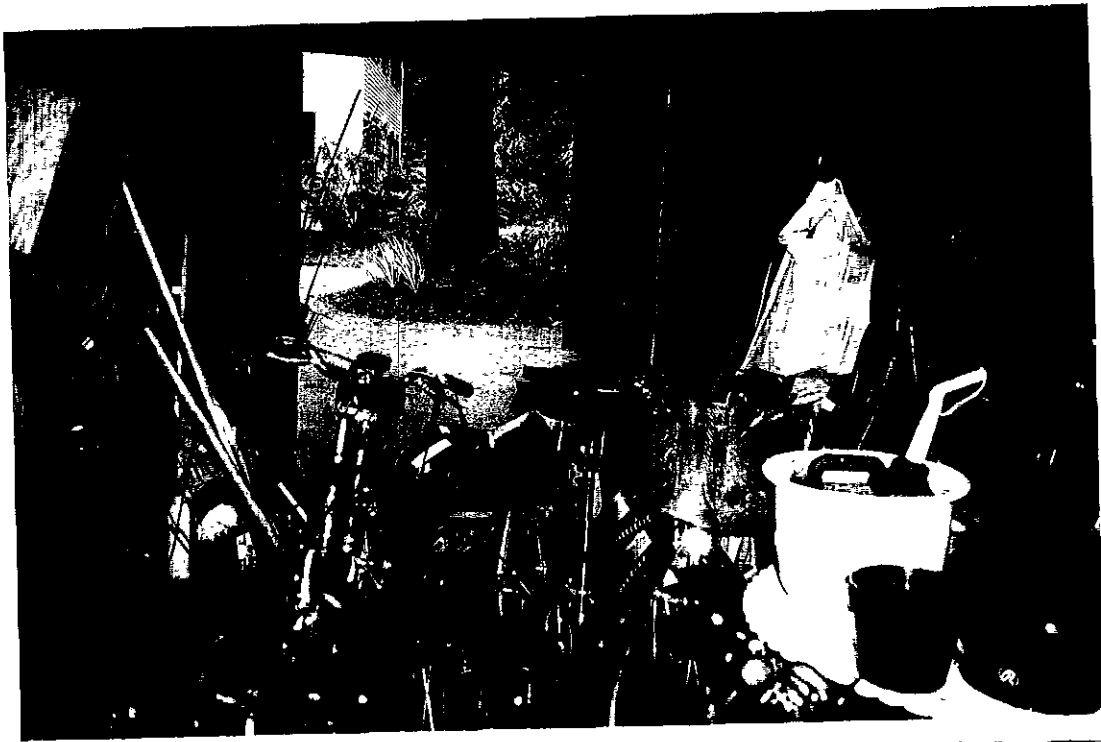


RIGHT FRONT VIEW OF
SUBJECT PROPERTY
FROM FLINTSTONE ROAD
WITH PORCH AS PURCHASED



LEFT SIDE/REAR VIEW
OF SUBJECT PROPERTY













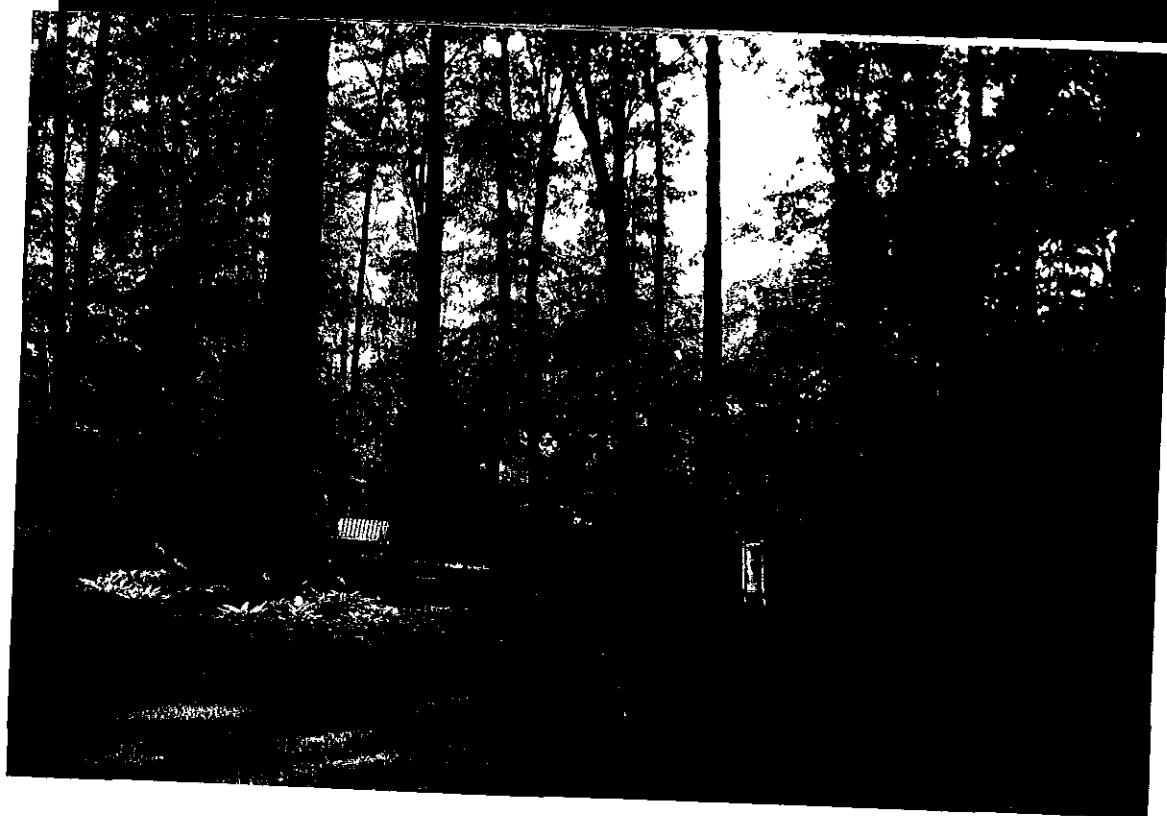
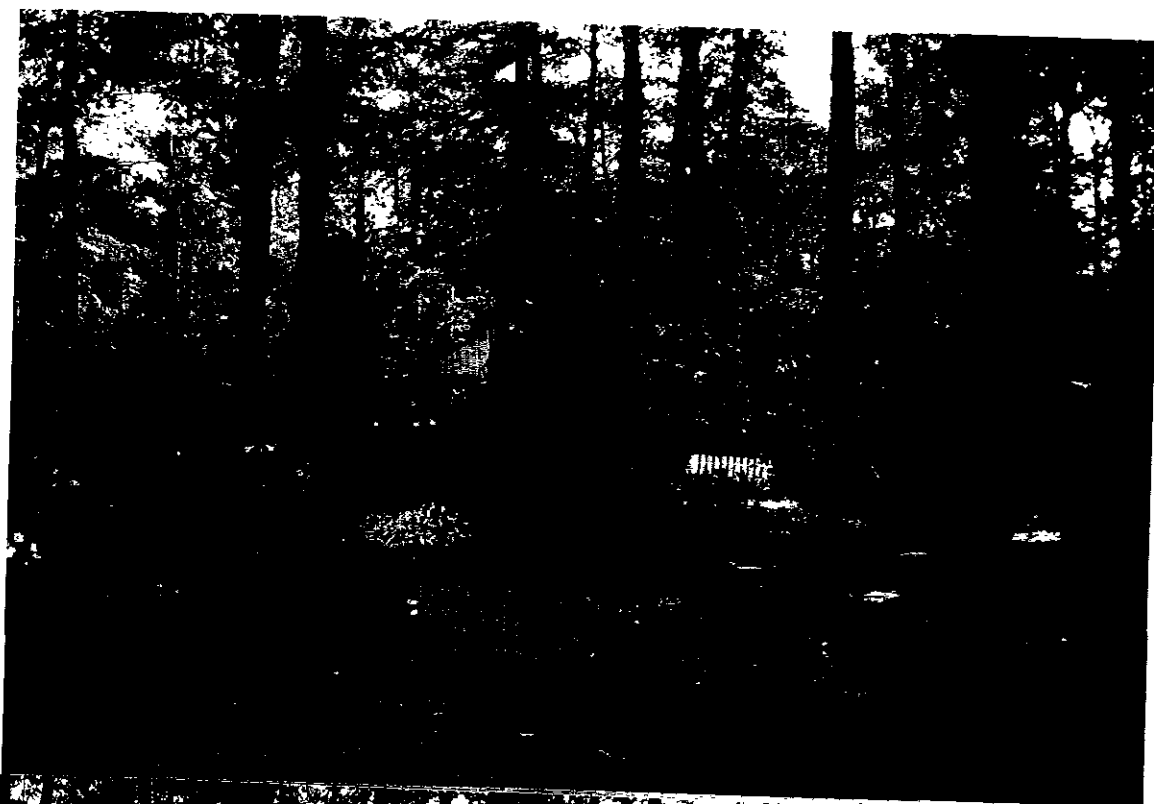


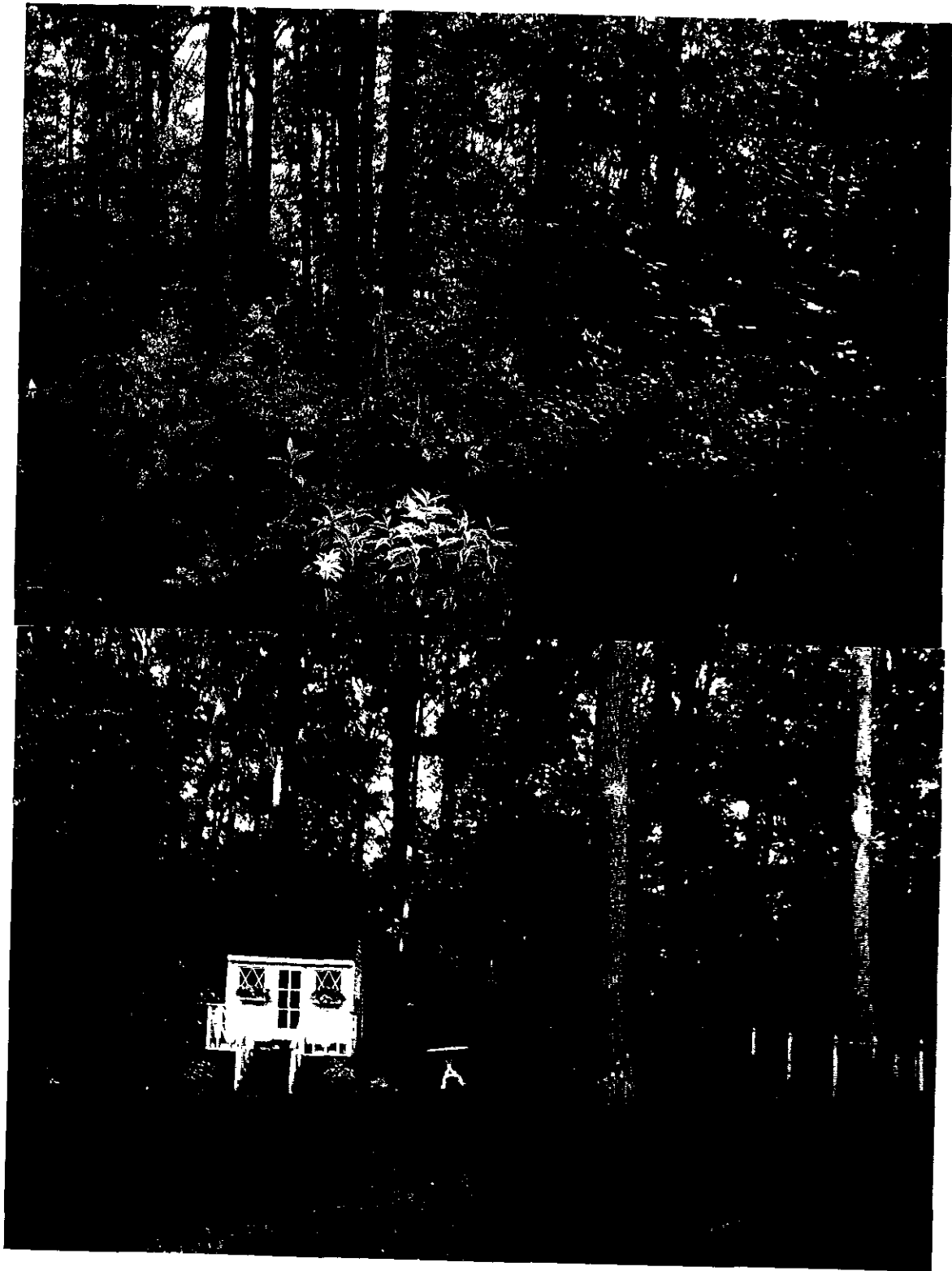


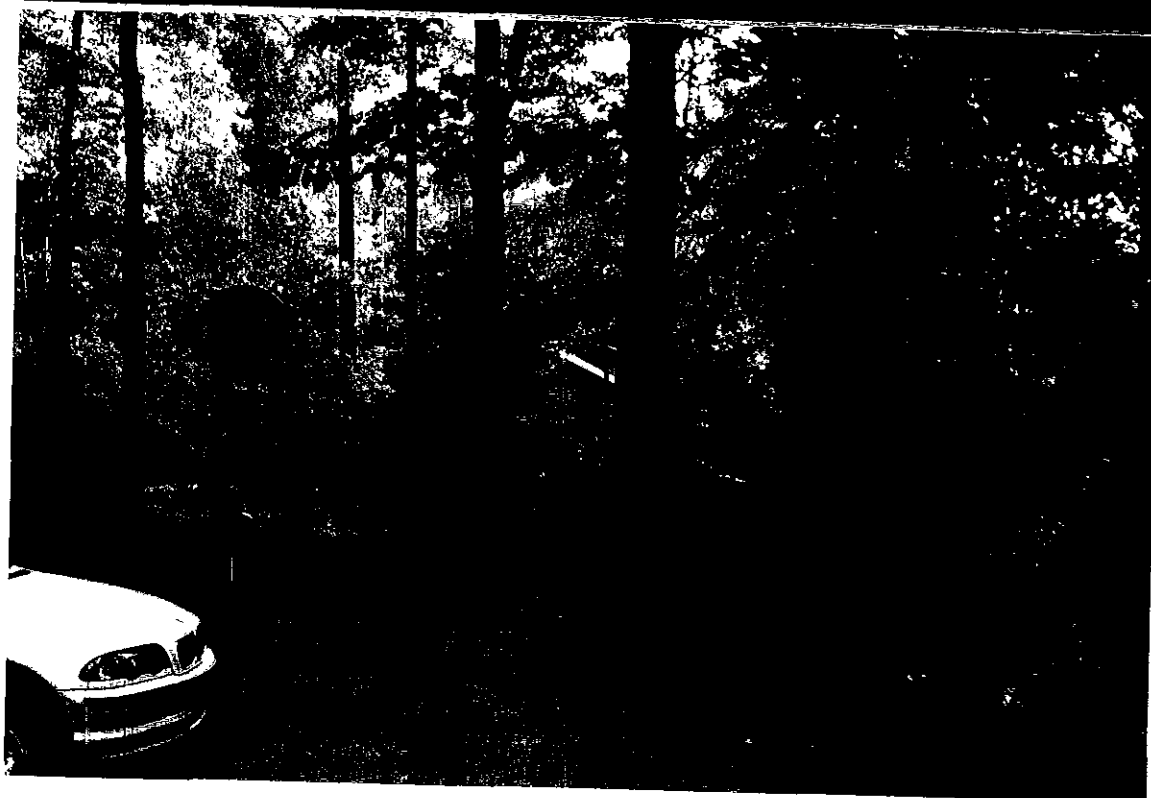
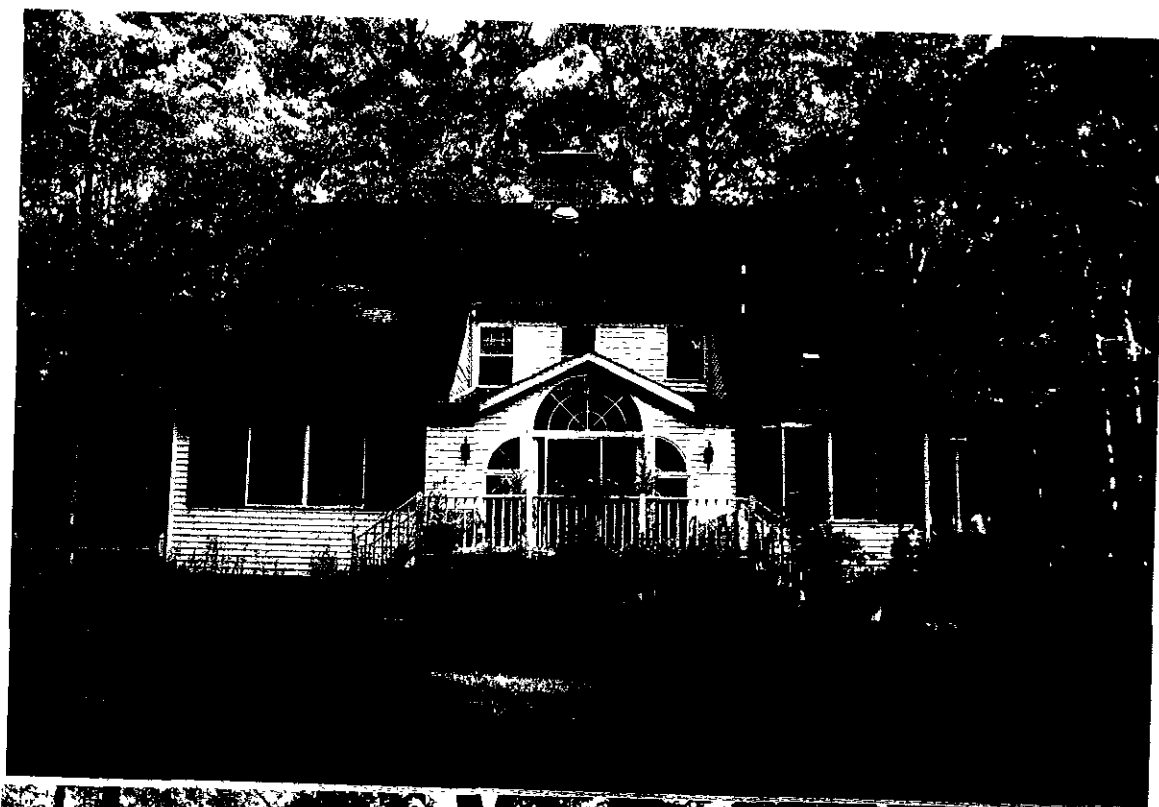




01-450-A



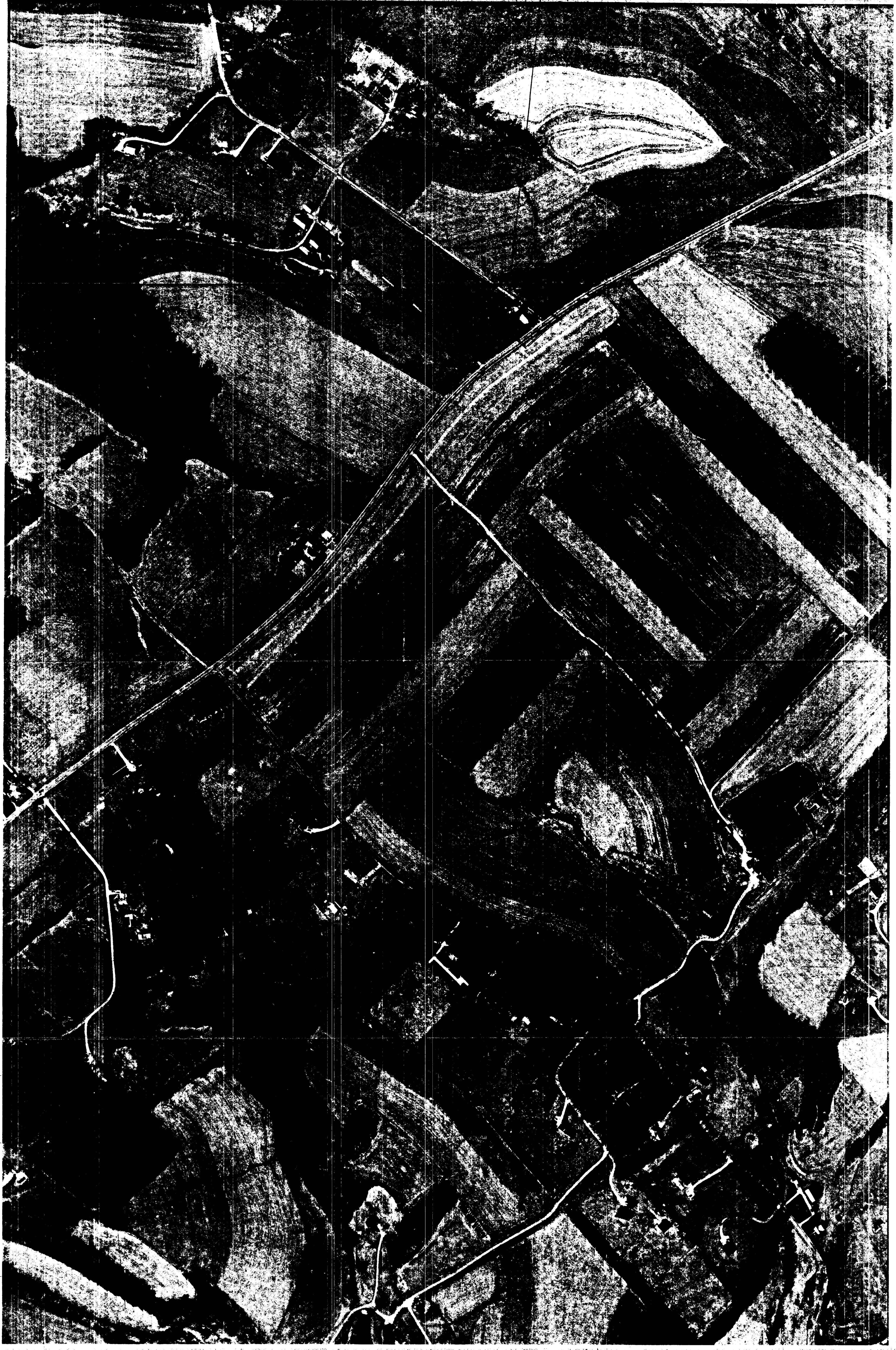






20458 MIDDLETOWN ROAD
FREELAND MD 21053

NW 36 F.



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY JANUARY 1986	NORTH OF EKLO	N. W. 36-F