IN RE: PETITION FOR ADMIN. VARIANCE
E/S Meadow Road, 469.7' N of the c/l
German Hill Road
(2419 Meadow Road)
12th Election District
7th Council District

Henry V. Mitchem, Jr., et ux Petitioners

- BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- Case No. 02-022-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Henry V. Mitchem, Jr., and his wife, Frances C. Mitchem. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R. to permit a side yard setback of 6 feet in lieu of the required 10 feet for a proposed addition, and from Section 400.3 of the B.C.Z.R. to permit a height of 18 feet in lieu of the required 15 feet for an existing accessory structure (garage). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, 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 Petitioners.

ORDER RECEIVED FOR FILING
Date
Sy

ORDER RESEATED FOR FILING Date

By

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of August, 2001 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R. to permit a side yard setback of 6 feet in lieu of the required 10 feet for a proposed addition, and from Section 400.3 of the B.C.Z.R. to permit a height of 18 feet in lieu of the required 15 feet for an existing accessory structure (garage), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

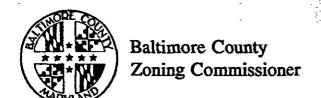
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bis



August 27, 2001

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

Mr. & Mrs. Henry V. Mitchem, Jr. 2419 Meadow Road Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Meadow Road, 469.7' N of the c/l German Hill Road
(2419 Meadow Road)
12th Election District — 7th Council District
Henry V. Mitchem, Jr., et ux - Petitioners
Case No. 02-022-A

Dear Mr. & Mrs. Mitchem:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2419 MEADOW RD.

which is presently zoned DR-5.5

- OWDER'S) Of THE DIODERN SITUATE IN HAltimore County on	Permits and Development Management. The undersigned, legal d which is described in the description and plat attached hereto and Section(s)
setback of 6 ft. in lieu of	Section(s) 1802.3.6.1 to permit a side y. the required 10 ft., and Section
	of 18 ft. in lieu of the required 15 ft.
for an accessory structur	e (garage).
of the zoning regulations of Baltimore County, to the zo of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
regulations and restrictions of Baltimore County adopted pure	ng, posting, etc. and further agree to and are to be bounded by the zoning
$\mathcal{E} \cdot \epsilon + \epsilon$	188/a da antempoly de dans and affirm conde the annual of
;	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:	Legal Owner(s):
	HENRY V. Mitchem JR. Name-Type of Print
Name - Type or Print	Name - Type of Print
Signature	Signature FRANCES C. Mitchem
Address Telephone No.	FRANCES C. Mitchem Name - Type or Print Wances C. Mitchen Signature
City State Zip Cod	e Signature
Attorney For Petitioner:	2419 MEADOW RD. 410-285- Address Telephone No.
Name - Type or Print	BALTO: MD. 21222 City State Zip Code
	Representative to be Contacted:
Signature	Nepresentative to be contacted.
Gompany	Name
Address Telephone No	Address Telephone No.
ity State Zip Code	
A blic Hearing having been formally demanded and/or found that the subject matter	to be required, it is ordered by the Zoning Commissioner of Baltimore County, ter of this petition be set for a public hearing, advertised, as required by the zoning
requiations of Baltimore County and that the property be reposted.	,
	Zoning Commissioner of Baltimore County
CASE NO. 02-022-A	Reviewed By 3h Date 7/13/61
रही गाडा १८	Estimated Posting Date 7/22/61

fidavit 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.

2419 MEADAW RD.

That the Affiant(s) does/do presently reside at	2419	MEADOW	KD.	
	Address BALTO.		MD.	21222
	City	St	ate	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the fac ip or practical dil	ts upon which I/we ficulty):	base the reque	est for an Administrative
This Variance will add value to storage space. This need is du and our children are getting of conveniences are a necessity to convenience of our hospital (Jotransplant patient who has had through cancer, so you can see attend great schools and are do increase the property value of neighborhood.	te to the fact the der. We truly on us. My moth ohns Hopkins I cancer recentle my concern for oing well. We	at our elderly moth enjoying living in the er and myself have Hospital) is a blessing y and my mother is or staying in this are feel our unique arc	ner is moving it is area and its health issues a ng. I'm a kidr presently going our childra hitectural desi	n with us and the ney ng ren gn will
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature HENRY V. Mitchem TR.	additional inform	s filed, Affiant(s) will ation. Marcus Signature		to pay a reposting and Ichem Ichem
HENRY V. Mitchem TR Name - Type for Print	?	FRANCES Name - Type or Print	C. M	itchem
STATE OF MARYLAND, COUNTY OF BALTIN	WORE to wit		_ 	
i HEREBY CERTIFY, this 2 th day of of Maryland, in and for the County aforesaid, pe	y sonally appear	, <u>,</u> l	pefore me, a N	otary Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set f	and factorily identified forth are true and	RANCES Code to me as such Afdicorrect to the best	fiant(s), and mof his/her/their	ade oath in due form of knowledge and belief.
AS WITNESS my hand and Notarial Sealing TEM	HILINIA BONG		-	
Date / 12, 200 / NOTA	W B	madette	mB	rango
Date // PUBL	ic Eloui,	Public mmission Expires _	9/1/2	204
REU 09/15/98	THE PARTY OF THE P		1 - 1	

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.

11222

That the Affiant(s) does/do presently reside at

REU 09/15/98

	DITFIO.	710	21000
That based upon personal knowledge, the follow	City ving are the facts		Zip Code or an Administrative
Variance at the above address (indicate hardshi			or all ransmatters
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		and full fill a much-needed living an	
- -		at our elderly mother is moving in varioying living in this area and its	vith us
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_ ``	_	lospital) is a blessing. I'm a kidney and my mother is presently going	
	•	r staying in this area. Our children	
-	_	eel our unique architectural design	
neighborhood.	tne neignborno	od and will improve the look of our	
Č			
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal demand is	filed, Affiant(s) will be required to p	ay a reposting and
advertising fee and may be required to provide e			
Henry V. Mitchem on.		Signature FRANCES C. Mitch Name - Type or Print	rem
Signature HENRY V. Mitchem J. Name - Type or Print	n	Signature	ı
Name - Type of Print	<u>e. </u>	FRANCES C. M. TO Name - Type or Print	hem
•		-	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE. to wit:	. 	
of Maryland, in and for the County aforesaid, per	ula	, <u>2δδ /</u> , before me, a Notar	y Public of the State
HENRY I Mitchem TR. the Affiant(s) herein, personally known of satisf	actorily identified	to me as such Affiant(s), and made	oath in due form of
law that the matters and facts hereinahove set for	orth are true and o	correct to the best of his/her/their kno	wledge and belief.
AS WITNESS my hand and Notarial Seal	Milliffe.		
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AS WITNESS my hand and Notarial Seal Date 12	TARY TELETY	Public / 1.	man
U PL	BLIC A Eom	Public 9/1/200	4



CASE NO. 02 - 022 - A

REV 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at $\frac{24/9}{MEADow} \frac{RD}{RD}$. which is presently zoned $\frac{DR}{DR} = \frac{5.5}{5}$.

This Petition shall be filed with the Department of Permits and	d Developn	nent Mai	nagem	ent. The u	ındersia	ned. I	ega!
owner(s) of the property situate in Baltimore County and which is d	lescribed in	the desc	ription	and plat att	ached h	ereto	and
made a part hereof, hereby petition for a Variance from Section(s)			,				
	1B02.3	3.C.1	≠ 2 7	permit	0 510	1.	

setback of 6 ft. in lieu of the required 10 ft., and Soction 400.3 to permit a height of 18 ft. in lieu of the required 15 ft. for an accessory structure (garage).

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.

				clare and affirm, under the legal owner(s) of the Petition.	
Contract Purchaser/L	.essee:		Legal Owner(s):		
			HENRY 1	1. Mitchem	IR.
Name - Type or Print	•		Name - Type of Print		
Signature		· · · · · · · · · · · · · · · · · · ·	Signature FRANCES	C. Mitchem	
Address		Telephone No.	PRANCES Name - Type or Print Trancle	C. Mitch	eran
City	State	Zip Code	Signature	2 4	110-285-6680
Attorney For Petition	e <u>r:</u>		2419 MEI	900W RD.	,
			Address BALTO.	MD.	Telephone No.
Name - Type or Print		· · · · · · · · · · · · · · · · · · ·	City	State	Zip Code
			Representative :	to be Contacted:	
Signature					
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been this day of	n formally deman	ided and/or found to be	required, it is ordered by t	he Zoning Commissioner	of Baltimore County,
regulations of Baltimore County	and that the prope	erty be reposted.	his petition be set for a public	: nearing, advertised, as re	quited by the zoning
		· ·	Zoning Comm	nissioner of Baltimore Cour	nty

Estimated Posting Date

Zoning Description

Zoning description for <u>2419 Mea</u>	dow Road	_
Beginning at a point on the	East	_ side of
Meadow Rd which is	50 feet	wide
at the distance of 469.7 feet	North of the	e centerline
of the nearest improved intersecting	street <u>Germ</u>	an Hill Rd
which is 60 feet wide	e.	
Being Lot # 16 , Block, Sec	ction # _ 2	_, in the subdivision
of <u>Plainfield</u> as recorded in B	altimore Coun	ty Plat Book # 13,
Folio # 132 containing 7900) square feet	Also known as
2419 Meadow Road and	located in the	12 th Election District
7 th Councilmanic District		

	UDGET & FINANC NEOUS RECEIF		No.	179	i	PAID RE	EIPT ETHL	7131	į
DATE 7 /	13/01	ACCOUNT S	•	150	77. REI UN SAFERI Desit	15/2001 7/ 904 CASHIN EIPT # 14731 5 528 71 . 001799	(15/2001 1 Pr Dixur Dad) Vo	DRAW R	ŒL
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	RE: Case No.: <u>02-022-A</u>
	Petitioner/Developer: mitchem,
	HENRY + FRANCES
	Date of Hearing/Closing: August 6,200
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:	
The sign(s) were posted on	Jaly 22,07
	(Month, Day, Year)
	Sincerely,
	1/2/01
	(Signature of Sign Poster and Date)
THE REPORT OF THE PARTY OF THE	SSG ROBERT BLACK (Printed Name)
	1508 Leslie Rd
	(Address)
TOTAL	Dundalk, Maryland 21222
Table 1	(City, State, Zip Code)
The second secon	(410) 282–7940
	(Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

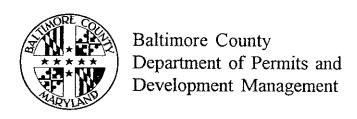
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 02-022-A
Petitioner: Henry V. Mutchem, Tr
Address or Location: 2419 Mradew Rd Baltimore MD 1022
PLEASE FORWARD ADVERTISING BILL TO: Name: HENRY V. Mitchem JR.
Address: 2419 MEADOW Rd.
BALTO. MD. 21222
Telephone Number: 410 - 285 - 6682

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

			7				
Case	Number 01-	022]-A A	Address	2419	Meadow	Rd.
Conta	ct Person: _	Bru4s Planner	Rudait Please Print Your Name	15		Phone Numbe	er: 410-887-3391
Filing	Date:	13/01	_ Posting	g Date:	7/22/01	Closing E	Date: 8/06/01
Any o	ontact made h the contact	with this of person (plar	fice regarding the conner) using the c	he status ase numb	of the adm er.	ninistrative var	iance should be
1.	reposting muis again response	or this form; ust be done op onsible for a or before th	and the petition only by one of the all associated co	ner is resp e sign pos osts. The	oonsible for iters on the zoning noti	all printing/po approved list a ice sign must l	roved list (on the sting costs. Any and the petitioner be visible on the nere through the
2.	a formal rec	juest for a p	date is the dead ublic hearing. ng, the process i	Please ur	oderstand fl	hat even if the	1,000 feet to file ere is no formal
3.	order that the control order that the control of th	er. He may: ne matter be nin 7 to 10 da	(a) grant the re	equested i ublic hear ig date) as	relief; (b) de ing. You v to whether	eny the reques will receive wr the petition by	or deputy zoning sted relief; or (c) ritten notification as been granted, lass mail.
	changed givi	ng notice of t	he hearing date	time and	location A	sign on the pi	a public hearing r deputy zoning roperty must be gn was originally be forwarded to
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Case N	lumber 0 1 -	022 -A	Address	25	H9 Me	adow Rd	<i>.</i>
Petitior	ner's Name _	Henry + 1	Frances Mita	chem	Tei	lephone <u>4/0</u>	- 285 - 6682 dayn
Postin	g Date:	7/22/0	>1	Clos	ing Date: _	8/6/01	
Wordin	g for Sign: _	To Permit	a side yar	a seti	back of	6- ft. it	a lieu of
the	reguir	ed 10	ft, and t	c pern	nit u 1	height of	18 ft. in
<u> 10 e</u>	in of th	ie requi	red 15 f7	t. for	94 910	essory str	18 ft. in acture (garage)



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

August 8, 2001

Frances C & Henry V Mitchem Jr 2419 Meadow Road Baltimore MD 21222

Dear Mr. & Mrs. Mitchem:

RE: Case Number: 02-022-A, 2419 Meadow Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 13, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection	
and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake	
Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. 602 Supervisor, Zoning Review

WCR:

Enclosures

C: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits & Development Mgmt.

DATE: September 6, 2001

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting For August 13, 2001

Item Nos. 018, 019, 021, 022, 023, 025, 026, 028, 029, 030, 031, 032, 033,

035, and 057

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

August 14, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF August 6, 2001

Item No.:

Dear Ms. Stephens:

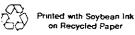
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments regarding the item numbers:

018, 022, 023, 025, 026, 028, 029, 030, 033, 034, and 035

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

2 1





BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 22, 2001

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2419 Meadow Road

INFORMATION:

Item Number:

02-022

Petitioner:

Henry V. Mitchem, Jr.

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request providing the proposed garage is not used for dwelling purposes at any time.

Prepared by:

Section Chief:

AFK:MAC:



Maryland Department of Transportation State Highway Administration



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 8-10-01

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

RE:

Baltimore County

Item No. 022

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,

1. J. Drell

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

My telephone number is ___

prepared by: H.V.N. Scale of Drawing: 1'= 50'	North	Meadow Rd 50' RW	LOT 15 LOT 16 LOT 17 Intersection of German Hill Rd	Overhang from existing dwelling Existing Dwel. Dwel. #2417 Elbut #2417 Elbut #2418 Elbut #2418 Elbut #2418 Elbut #2418 Elbut Elbut #2418 Elbut E	Proposed Height Variance from 15' to 18' on Existing Proposed Addition Second floor Froposed	NFIELD NFIELD Trances Mitchem	Plat to accompany Petition for Zoning X Variance
M 022 02.022.A	Zoning Office USE ONLY!	Chesapeake Bay Critical Area: (X) Prior Zoning Hearings: NONE	70	LOCATION INFORMATION Election District. /2 Councilmanic District. 7 Councilmanic District. 7 Soning: DR - 5.5 Zoning: DR - 5.5 Lot size: 1814 7900 Lot size: 1814 Square feet	VICINITY Map Scale: 1'=1000 W. Woodwell Rd.	eki Rei,	ance Special Hearing

Det. G. #

