IN RE: PETITION FOR ADMIN. VARIANCE North Side of Middletown Road, 2580' SE of c/l of Baker School House Road 6th Election District 3rd Councilmanic District **(21441 Middletown Road)** Beth L. Reis *Petitioner*	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 06-406-A

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Beth L. Reis. The variance request is for property located at 21441 Middletown Road in the Freeland area of Baltimore County. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit accessory structures (pool, pool house and tennis court) in the front and side yard in lieu of the required rear yard with a height of 20 feet for the pool house in lieu of the permitted 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

Zoning Advisory Committee

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated March 14, 2006, a copy of which is attached hereto and made a part hereof.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 5, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING
Date 3-27-06
By

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 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 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 Deputy Zoning Commissioner for Baltimore County, this 27 day of March, 2006, that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit accessory structures (pool, pool house and tennis court) in the front and side yard in lieu of the required rear yard with a height of 20 feet for the pool house in lieu of the permitted 15 feet, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner is 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner must be in compliance with the Office of Planning comments dated March 14, 2006, a copy of which is attached hereto and made a part hereof.

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.

ORDER RECEIVED FOR FILING
Date 3-27-06
By

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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:dlw

ORDER RECEIVED FOR FILING
Date 3-27-09
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 27, 2006

Beth L. Reis
21441 Middletown Road
Freeland, Maryland 21053

Re: Petition for Administrative Variance
Case No. 06-406-A
Property: 21441 Middletown Road

Dear Ms. Reis:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted with restrictions 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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:dlw
Enclosure

c: Kristen Coffen, ASLA, Garden Architecture, LLC, 6425 Catalpa Road, Fork, MD 21051
People's Counsel; Case File

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 21441 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):

We request an administrative variance to place the following accessory structures in the front and side yards or our property: in ground swimming pool (approx. 25' x 75'); pool house of approximately 1000 SF and 20 ft. ht., shade pergola and a 60' x 120' tennis court with a fence enclosure. The reason for placing these structures in a location other than the back yard is due to extremely steep slopes, existing mature trees, drainage run off problems, and a forest buffer easement. The above stated structures require a relatively level site, and can easily be accommodated in the side yard/ front yard area as indicated on the attached proposed site plan.

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

Beth L Reis
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of February, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Beth L. Reis

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal.

LINDA S. INGLEY NOTARY PUBLIC MY COMMISSION EXPIRES 05/01/09 HARFORD COUNTY, MD

Notary Public

My Commission Expires 05/01/09

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21441 Middletown Road
which is presently zoned RC 2

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) 400.1, 400.3 (BCZR)

TO PERMIT ACCESSORY STRUCTURES (POOL, POOL HOUSE AND TENNIS COURT) IN THE FRONT AND SIDE YARD IN LIEU OF THE REQUIRED REAR YARD WITH A HEIGHT OF 20-FEET FOR THE POOL HOUSE IN LIEU OF THE PERMITTED 15-FEET.

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

Legal Owner(s):

Beth L Reis
Name - Type or Print

Signature

Name - Type or Print

Signature

21441 Middletown Road (410)357-9107
Address Telephone No.

Freeland MD 21053
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Kirsten Coffen, ASLA
Name

6425 Catalpa Road (410)593-9989
Address Telephone No.

Fork MD 21051
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 ____ day of _____, _____ 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

ORDER RECEIVED FOR FILING
Date 3-27-06
By B

CASE NO. 06-406-A

Reviewed By D.T. **Date** 2/21/06

Estimated Posting Date 3/5/06

REV 10/25/01

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 21441 MIDDLETOWN ROAD
FREELAND, MD 21053

Beginning at a point on the north side of Middletown Road which is 70 feet wide at the distance of 2580 feet southeast of the centerline of the nearest improved intersecting street, Baker School House Road, which is 60 ft. wide. Being Lot #1 in the subdivision James R. Frederick & Wife Property containing 24.414 acres. Also known as 21441 Middletown Road and located in the 6th Election District, 3rd Councilmanic District.

06-406-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 0483

DATE 1/31/06 ACCOUNT 001000 WR150

AMOUNT $ 65.00

RECEIVED FROM: GARDEN ARCHITECTURE INC

FOR: ITEM # 40W CB-90-A

WEST STEVENSTOWN RD. DT

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAID RECEIPT

BUSINESS	ACTUAL	TIME	REF
2/22/2006	2/21/2006	10:19:00	1

FED ABOI BALEIN INTC BNK
RECEIPT # 273891 2/21/2006 OPOR
Dept 5 599-7000 VERIFICATION
CR NO. 000483
Recpt Tot 65.00
65.00 CK 0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ATTENTION: Kristen Mathhews **DATE:** 3/8/06

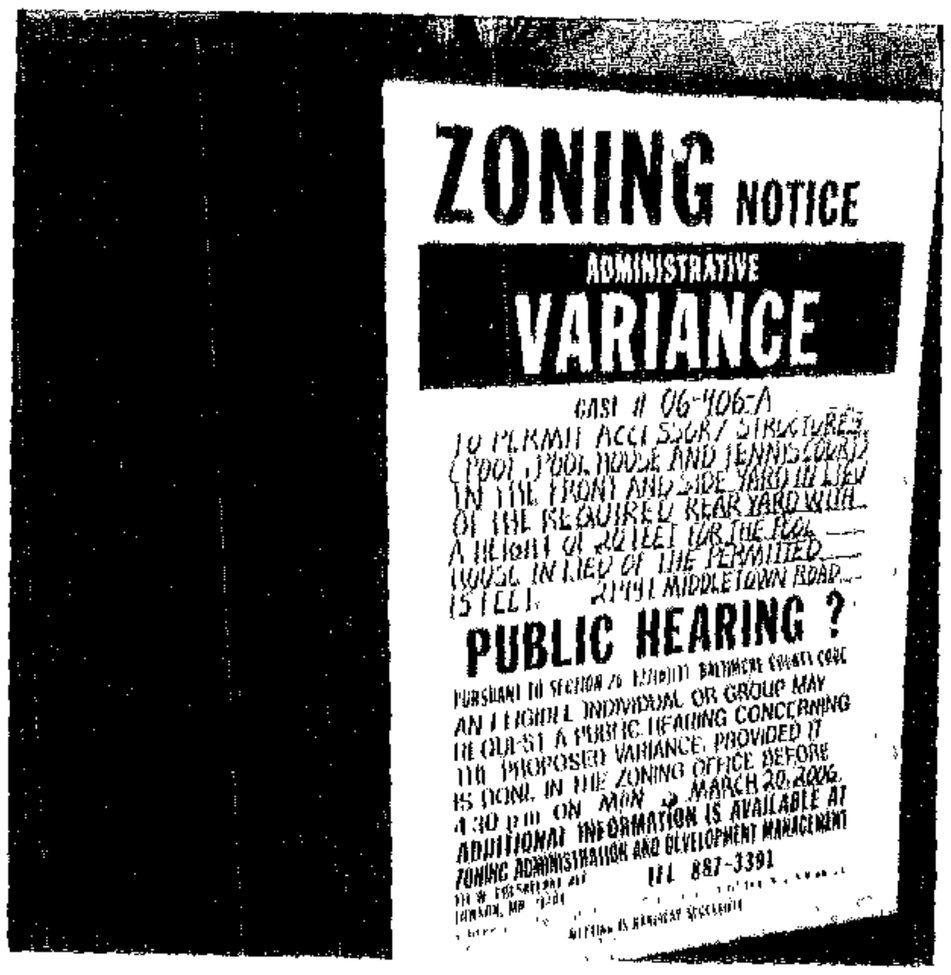
Case Number: 06-406-A

Petitioner/Developer: REIS--KRISTEN COFFEN, ARCHITECT

Date of Hearing (Closing): 03/20/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 21441 MIDDLETOWN ROAD

The sign(s) were posted on: 3/5/06



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06-406 -A Address 21441 MIDDLETOWN RD.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/21/06 **Posting Date:** 3/5/06 **Closing Date:** 3/20/06

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 06-406 -A Address 21441 MIDDLETOWN RD.

Petitioner's Name REIS Telephone 410-357-9107

Posting Date: 3/5/06 **Closing Date:** 3/20/06

Wording for Sign: To Permit ACCESSORY STRUCTURES (POOL, POOL HOUSE AND TENNIS COURT) IN THE FRONT AND SIDE YARD IN LIEU OF THE REQUIRED REAR YARD WITH A HEIGHT OF 20 FEET FOR THE POOL HOUSE IN LIEU OF THE PERMITTED 15-FEET.

WCR - Revised 6/25/04

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

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: 06-406-A

Petitioner: REIS

Address or Location: 21441 MIDDLETOWN RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: KIRSTEN COFFEN, ASLA

Address: 6425 CATALPA RD.
FORK, MD 21051

Telephone Number: 410-593-9989

Revised 2/20/98 - SCJ

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21441 Middletown Road
which is presently zoned RC 2

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) 400.1, 400.3 (BCZR)

TO PERMIT ACCESSORY STRUCTURES (POOL, POOL HOUSE AND TENNIS COURT) IN THE FRONT AND SIDE YARD IN LIEU OF THE REQUIRED REAR YARD WITH A HEIGHT OF 20-FEET FOR THE POOL HOUSE IN LIEU OF THE PERMITTED 15-FEET.

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

Legal Owner(s):

Beth L Reis
Name - Type or Print

Signature

Name - Type or Print

Signature

21441 Middletown Road (410)357-9107
Address Telephone No.

Freeland MD 21053
City State Zip Code

Representative to be Contacted:

Kirsten Coffen, ASLA
Name

6425 Catalpa Road (410)593-9989
Address Telephone No.

Fork MD 21051
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 ____ day of _____, _____ 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. 06-406-A

Reviewed By D.T. **Date** 2/21/06

Estimated Posting Date 3/5/06

REV 10/25/01

RECEIVED FOR FILING
Date 3-27
By

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 21441 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):

We request an administrative variance to place the following accessory structures in the front and side yards or our property: in ground swimming pool (approx. 25' x 75'); pool house of approximately 1000 SF and 20 ft. ht., shade pergola and a 60' x 120' tennis court with a fence enclosure. The reason for placing these structures in a location other than the back yard is due to extremely steep slopes, existing mature trees, drainage run off problems, and a forest buffer easement. The above stated structures require a relatively level site, and can easily be accommodated in the side yard/ front yard area as indicated on the attached proposed site plan.

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

Beth L Reis
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of February, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Beth L. Reis

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal.

LINDA S. INGLEY NOTARY PUBLIC MY COMMISSION EXPIRES 05/01/09 HARFORD COUNTY, MD

Notary Public

My Commission Expires 05/01/09

REV 10/25/01

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

March 13, 2006

Beth L. Reis
21441 Middletown Road
Freeland, Maryland 21053

Dear Ms. Reis:

RE: Case Number: 06-406-A, 21441 Middletown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 21, 2006.

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.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Kirsten Coffen, ASLA 6425 Catalpa Road Fork 21051

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: March 14, 2006

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

SUBJECT: 6-406 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (pool house, pool, and tennis courts) in the front/side yard and the pool house having a height of 20 feet in lieu of the required rear yard and maximum permitted 15 feet respectively provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters or kitchen facility.
2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Bill Hughey at 410-887-3480.

Prepared by: Cordis V Guzzay

Section Chief: Lynn Lanham

AFK/LL: CM

Date 3-27-06
By Dawn 3-27-06

W:\DEVREV\ZAC\6-406.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: March 7, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 6, 2006
Item Nos. 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 398, 399, 401, 402, 403 404, 405, and 406

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-03072006

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

February 28,2006

ATTENTION: Zoning Review planners

Distribution Meeting of: February 27,2006

Item No.: 387, 388, 389, 390, 391, 392, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405 and 406

Pursuant to your request, the referenced plan(s) have been reviewed 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 at this time.

Acting Lieutenant Don W. Muddiman
Fire Marshal's Office
Phone(O)410-887-4881
Mail Stop - 1102F

cc: File

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 2.28.06

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

RE: Baltimore County
Item No. 406 DT

Dear. Ms. Matthews:

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

Garden Architecture, LLC
Landscape Architects

February 27, 2006

Ms. Donna Thompson, Planner
Baltimore County Dept. of Permits and
Zoning Review
111 W. Chesapeake Ave.
Towson, MD 21204

RE: Administrative Variance Application
06-406-A

Dear Ms. Thompson,

On behalf of my clients, Ronald Reis and Beth Reis, I have prepared and submitted the above referenced Administrative Variance Application on February 21, 2006. This application includes a request to permit accessory structures (pool, pool house and tennis court) in the front and side yard in lieu of the required rear yard. The owners also request a 20 ft. ht. pool house in lieu of the permitted 15 ft. ht. The pool house will be used for associated pool recreation uses only. The structure will contain an "outdoor grilling" style cooking and food preparation area for the purpose of entertaining friends and family. The pool house will not be designed for use as an apartment or any type of permanent dwelling.

Please feel free to contact me with any questions about this application.

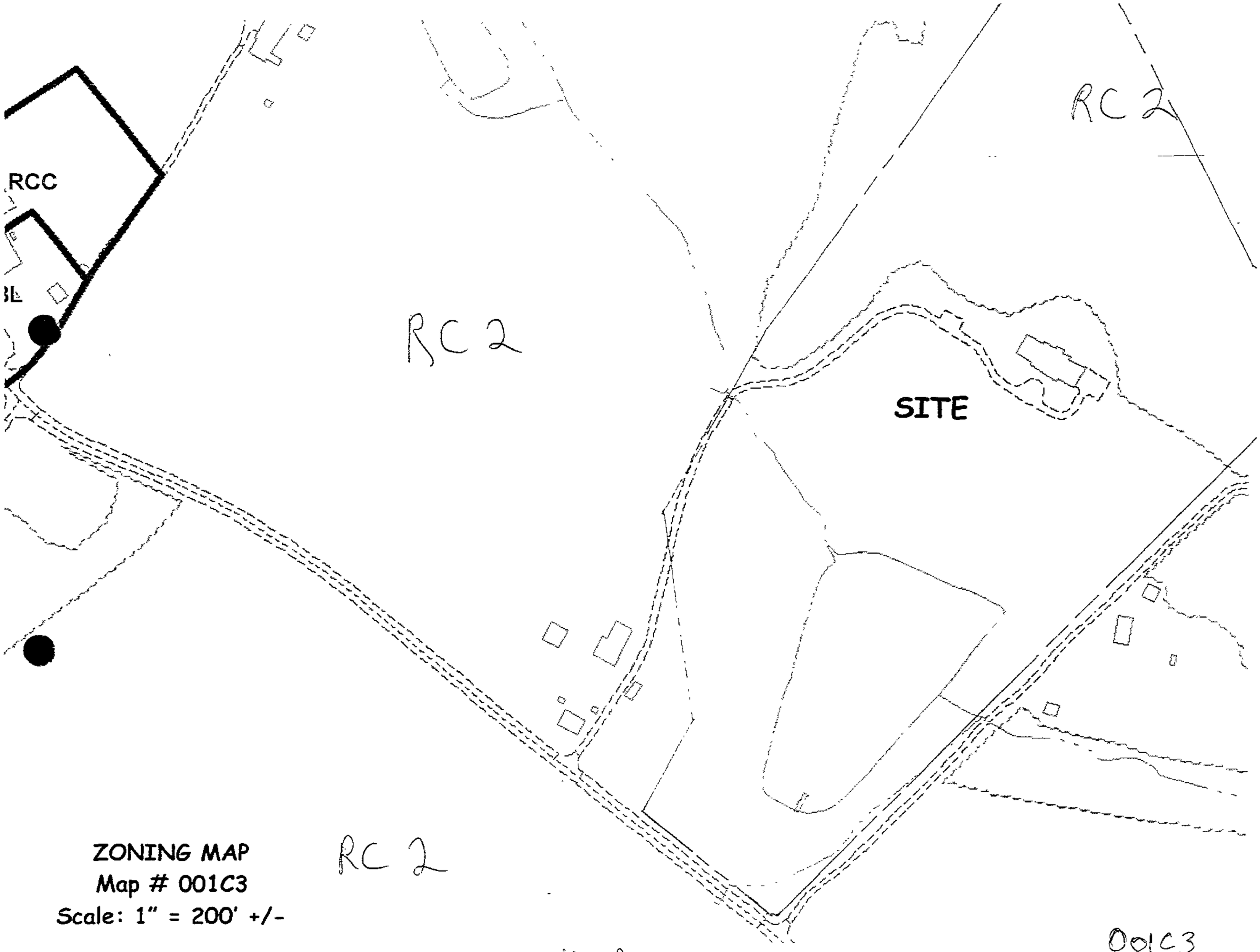
Sincerely,

Kirsten Coffen, ASLA

Cc: Ronald and Beth Reis

FEB 28 2006
06-394

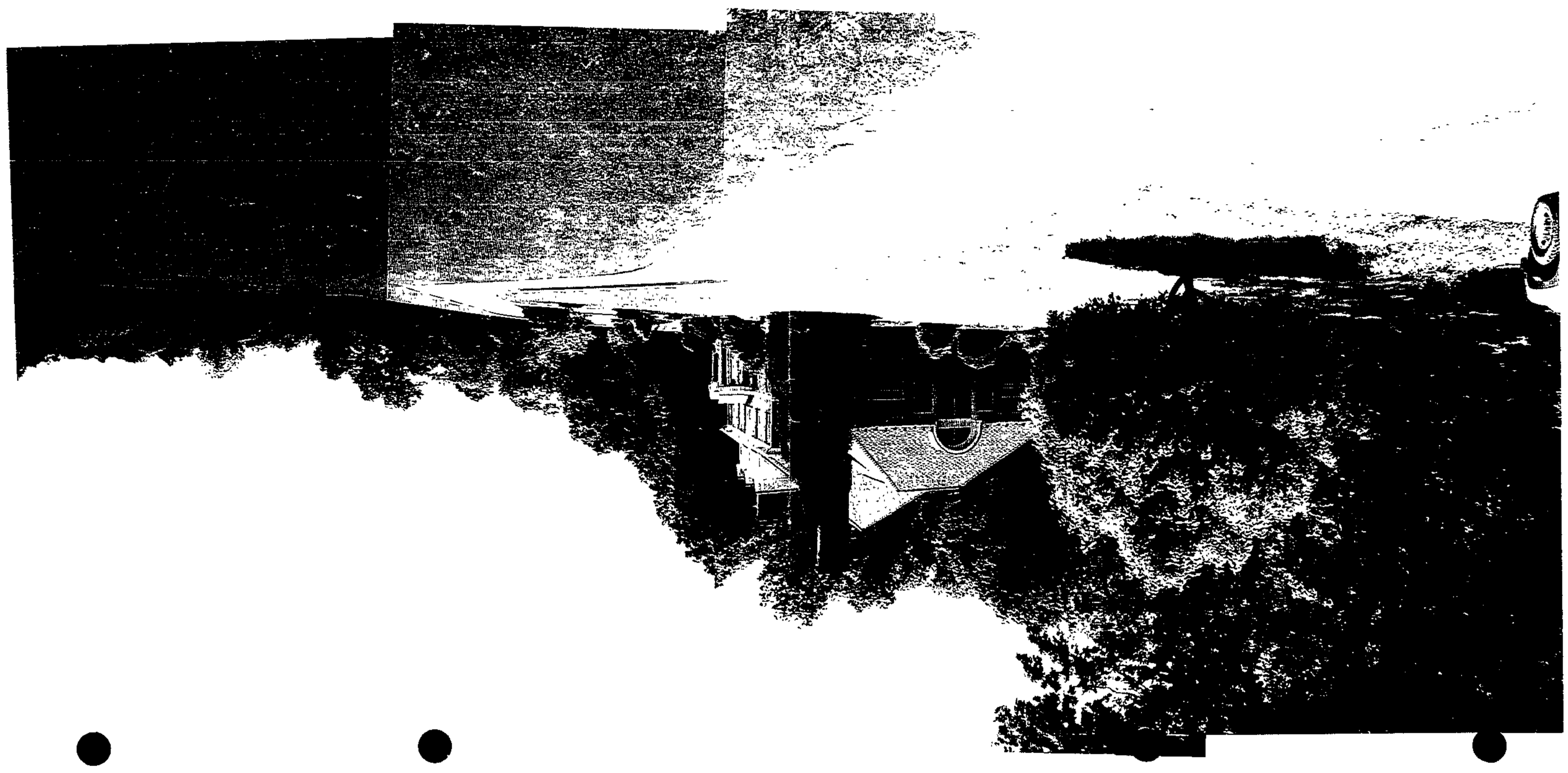
6425 Catalpa Road • Fork, MD 21051 • PH (410) 593-9989 • FX (410) 593-9854
kc@gardenarchitecturellc.com



ZONING MAP
Map # 001C3
Scale: 1" = 200' +/-

001C3

06-406-A



SIDE YARD AND FRONT YARD LOCATIONS FOR PROPOSED
ACCESSORY STRUCTURES

06-406-A

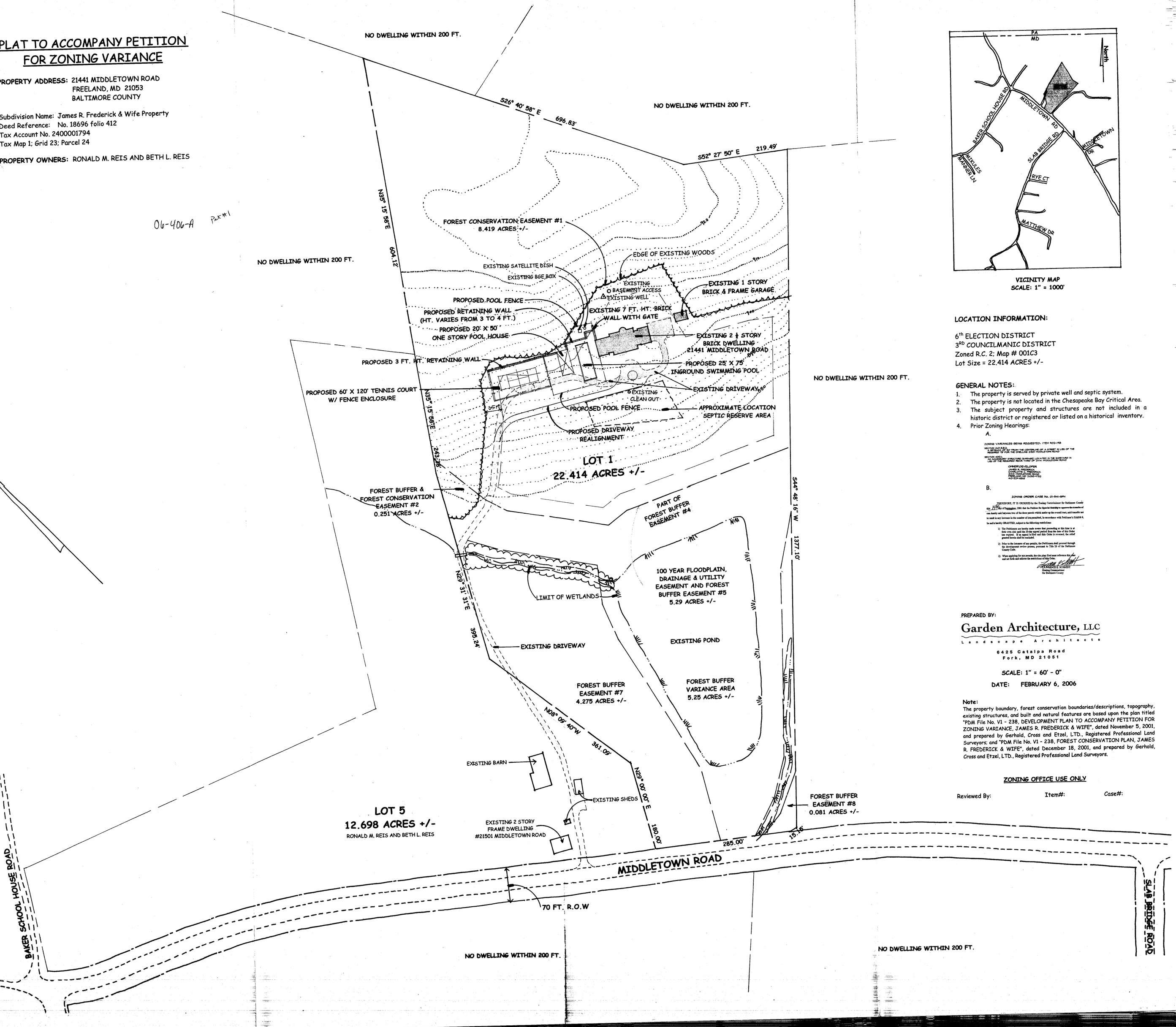
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

PROPERTY ADDRESS: 21441 MIDDLETOWN ROAD
FREELAND, MD 21053
BALTIMORE COUNTY

Subdivision Name: James R. Frederick & Wife Property
Deed Reference: No. 18696 folio 412
Tax Account No. 2400001794
Tax Map 1; Grid 23; Parcel 24

PROPERTY OWNERS: RONALD M. REIS AND BETH L. REIS

06-406-A Pet#1



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION:

6th ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
Zoned R.C. 2; Map # 001C3
Lot Size = 22.414 ACRES +/-

GENERAL NOTES:

1. The property is served by private well and septic system.
2. The property is not located in the Chesapeake Bay Critical Area.
3. The subject property and structures are not included in a historic district or registered or listed on a historical inventory.
4. Prior Zoning Hearings:

A.

ZONING VARIANCES BEING REQUESTED: ITEM #02-148

SECTION 1A02.3.B.3
TO ALLOW 25' INSTEAD OF 50' FROM THE CENTERLINE OF A STREET IN LIEU OF THE REQUIRED 50' FOR THE DWELLING 2150 MIDDLETOWN ROAD

SECTION 400.1
AN ACCESSORY STRUCTURE (GARAGE) LOCATED IN THE SIDEYARD IN LIEU OF THE REQUIRED REAR YARD OF 2141 MIDDLETOWN ROAD

OWNER/DEVELOPER
JAMES R. FREDERICK
CHARLOTTE C. FREDERICK
2141 MIDDLETOWN ROAD
FREELAND, MD 21053
410-329-6600

B.

ZONING ORDER CASE No. 01-541-SPH

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of September, 2001 that the Petition for Special Hearing to approve the transfer of one density unit between two of the three parcels which make up the overall tract, said transfer not to result in any increase in the number of lots permitted, in accordance with Petitioner's Exhibit 6, be and is hereby GRANTED, subject to the following restrictions:

1) The 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) Prior to the issuance of any permits, the Petitioners shall proceed through the development review process, pursuant to Title 26 of the Baltimore County Code.

3) When applying for any permits, the site plan filed must reference this order and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

PREPARED BY:

Garden Architecture, LLC
Landscape Architects
6425 Catalpa Road
Fork, MD 21051

SCALE: 1" = 60' - 0"

DATE: FEBRUARY 6, 2006

Note:
The property boundary, forest conservation boundaries/descriptions, topography, existing structures, and built and natural features are based upon the plan titled "PDM File No. V1 - 238, DEVELOPMENT PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE, JAMES R. FREDERICK & WIFE", dated November 5, 2001, and prepared by Gerhold, Cross and Etzel, LTD., Registered Professional Land Surveyors; and "PDM File No. V1 - 238, FOREST CONSERVATION PLAN, JAMES R. FREDERICK & WIFE", dated December 18, 2001, and prepared by Gerhold, Cross and Etzel, LTD., Registered Professional Land Surveyors.

ZONING OFFICE USE ONLY

Reviewed By: Item#: Case#: