

M E M O R A N D U M

DATE: November 14, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0067-A – Appeal Period Expired

The appeal period for the above-referenced case expired on November 10, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(122 Midhurst Road)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
John F. Tewey & Laura F. Mullally	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2017-0067-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, John F. Tewey & Laura F. Mullally ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1B01.2.3.C.1 of the Baltimore County Zoning Regulations, to permit an existing enclosed porch on a corner lot with a side yard setback of 13 ft. in lieu of the required 30 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. No adverse ZAC comments were received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 15, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). 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

ORDER RECEIVED FOR FILING

Date 10-11-16

By [Signature]

welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 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.

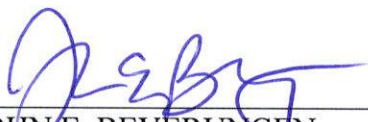
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 11th day of **October, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B01.2.3.C.1 of the Baltimore County Zoning Regulations, to permit an existing enclosed porch on a corner lot with a side yard setback of 13 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw
ORDER RECEIVED FOR FILING

Date 10-11-16

By low



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 122 MIDWATER RD BALT. MD 21212 Currently zoned DR 3.5
 Deed Reference 11078 / 00268 10 Digit Tax Account # 0918720160
 Owner(s) Printed Name(s) JOHN F. TEWEY and LAURA F. MULLALLY

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

Sections: 1B01.2.3.C.1

To permit an existing enclosed porch on a corner lot with a side yard setback of 13feet in lieu of the required 30 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

JOHN F. TEWEY / LAURA F. MULLALLY
 Name #1 – Type or Print / Name #2 – Type or Print
John Tewey / Laura Mullally
 Signature #1 / Signature #2
12330 ROSSLARE RIDGE RD #102
 Mailing Address LUTHERVILLE, MD State
21093 / 443-465-4494 / JOHN5613@comcast.net
 Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
 Date 10-11-16
OW

Attorney for Owner(s)/Petitioner(s):

EDWARD J. GILLISS
 Name- Type or Print
[Signature]
 Signature
102 W. PENNSYLVANIA AVE #600
 Mailing Address TOWSON City MD State
21204 / 410-823-1800 / egilliss@rmmf.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Name – Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this day of , that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0067-A Filing Date 9/7/2016 Estimated Posting Date 9/18/16 Reviewer [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 122 MIDHURST ROAD BALTIMORE MD 21212
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

THE SIDE PORCH WAS PART OF THE ORIGINAL APPROX. 1935 CONSTRUCTION OF 122 MIDHURST ROAD. IN APPROX. 1995 THE PORCH WAS ENCLOSED. THE ENCLOSED SIDE PORCH IS LESS THAN CURRENT SIDE YARD SETBACK REQUIREMENTS (BCZC §1B02.3C1). THE RESIDENCE AND SIDE PORCH WERE CONSTRUCTED PRIOR TO BALTIMORE COUNTY ZONING REGULATIONS. PETITIONERS REQUEST A SIDE YARD SETBACK (FROM ENCLOSED PORCH TO BELLOVA AVE.) OF 13' IN LIEU OF CURRENT REQUIREMENT OF 30'.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

John F. Tewey
Signature of Owner (Affiant)
JOHN F. TEWEY
Name- Print or Type

Laura F. Mully
Signature of Owner (Affiant)
LAURA F. MULLY
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

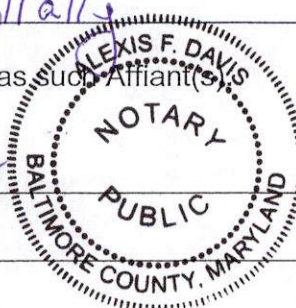
I HEREBY CERTIFY, this 7th day of September, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: John F. Tewey and Laura F. Mully

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

AS WITNESS my hand and Notaries Seal

Alexis F. Davis
Notary Public
11-4-19
My Commission Expires



ZONING PROPERTY DESCRIPTION FOR
122 MIDHURST ROAD, BALTIMORE MARYLAND 21212

The property owned by John F. Tewey and Laura F. Mullally is known as Lot No. 17 on Plat No. 2 of Pinehurst revised as of April 20, 1933 and which Plat is recorded among the Land Records of Baltimore County, Maryland in Liber No. 10, Folio 72.

The property begins at a point on the north side of Midhurst Road for 48.43 feet and then on an arc for 53.05 feet before proceeding north on Bellona Avenue for a distance of 116.38 feet. The property then travels 55 feet west and 150 feet south to the starting point.

The property is known as Lot No. 17 in the subdivision of Pinehurst as recorded in Baltimore County Plat Book 10, Folio 72 and contains 9,600 square feet. It is located in the ninth election district and fifth Counsel District.

2017-0067-A

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

September 19, 2016

Re:

Zoning Case No. 2017-0067-A

Petitioner: John F. Tewey & Laura Mullally

Closing date: October 3, 2016

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

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 **122 Midhurst Road**.

The sign was posted on **September 15, 2016**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2017-0067-A

122 Midhurst Road

**REQUEST: TO PERMIT AN EXISTING
ENCLOSED PORCH ON A CORNER LOT WITH
A SIDE YARD SETBACK OF 13 FEET IN LIEU
OF THE REQUIRED 30 FEET.**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE OCTOBER 03, 2016.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2017-0067-A

122 Midhurst Road

REQUEST: TO PERMIT AN EXISTING
ENCLOSED PORCH ON A CORNER LOT WITH
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MAY REQUEST A PUBLIC HEARING CONCERNING
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THE ZONING OFFICE BEFORE OCTOBER 03, 2016.

ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204-6700 410-687-3361

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0067 -A Address 122 Midhurst Road

Contact Person: LEONARD Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/2/16 Posting Date: 9/18/16 Closing Date: 10/3/16

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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2017- 0067 -A Address 122 Midhurst Rd

Petitioner's Name John F. Tewey & Laura Mullally Telephone 443-465-4494

Posting Date: 9/18/16 Closing Date: 10/3/16

Wording for Sign:

To permit an existing enclosed porch on a corner lot with a side yard setback of 13 feet in lieu of the required 30 feet.

Revised 7/6/16

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0067 -A Address 122 Midhurst Road
Contact Person: LEONARD Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 9/2/16 Posting Date: 9/18/16 Closing Date: 10/3/16

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Posting Date: 9/18/16 Closing Date: 10/3/16
Wording for Sign:

To permit an existing enclosed porch on a corner lot with a side yard setback of 13 feet in lieu of the required 30 feet.

Revised 7/6/16

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0067-A

Property Address: 122 MIDWEST ROAD, BALTIMORE, MD 21212

Property Description: _____

Legal Owners (Petitioners): JOHN F. TEWEY AND LAURA F. MULLALLY

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD J. GILLISS

Company/Firm (if applicable): BOYSTON, MULLER

Address: 102 W. PENNSYLVANIA AVE #600
TOWSON, MD 21204

Telephone Number: 410.823-1800

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 141418

Date: 9/7/16

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
9/07/2016 9/07/2016 14:42:16 5

EG WSD5 WALKIN LRB
RECEIPT # 868214 9/07/2016 OFLN

Dept 5 528 ZONING VERIFICATION
OR NO. 141418

Recpt Tot \$75.00
\$75.00 CK \$1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub-Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	AAA		6150				75.00

Total: 75.00

Rec From:

For:

122 Midhurst Rd
21212

2017-0067-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

October 4, 2016

John F Tewey
Laura F Mullally
12330 Rosslare Ridge Road # 102
Lutherville, MD 21093

RE: Case Number: 2017-0067 A, Address: 122 Midhurst Road

Dear Ms. Toscheff:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 1, 2016. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures.

c: People's Counsel
Edward J Gillis, Esquire, 102 W Pennsylvania Avenue, Ste. 600, Towson MD 21204

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



10-5
RECEIVED

SEP 14 2016

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0067-A
Address 122 Midhurst Road
(Tewey & Mullally Property)

Zoning Advisory Committee Meeting of **September 19, 2016**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 09-14-2016

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: September 19, 2016

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 19, 2016
Item No. 2017-0063, 0064, 0065, 0067 and 0069

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC09192016.doc

Larry Hogan, *Governor*
Boyd K. Rutherford, *Lt. Governor*



Pete K. Rahn, *Secretary*
Gregory C. Johnson, P.E., *Administrator*

Date: 9/12/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2017-0067-A

*Administrative Variance
John F. Tewey & Laura F. Mullaney
122 Midhurst Road.*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Wendy Wolcott".

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0067-A
Address 122 Midhurst Road
(Tewey & Mullally Property)

Zoning Advisory Committee Meeting of **September 19, 2016.**

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 09-14-2016

Debra Wiley

From: Edward J. Gilliss <egilliss@rmmr.com>
Sent: Tuesday, October 11, 2016 12:35 PM
To: Debra Wiley
Subject: RE: Case No. 2017-0067-A - 122 Midhurst Rd.

Thanks!

Edward J. Gilliss
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204
(office) 410-823-1800
(fax) 410-583-5330
(email) egilliss@rmmr.com

-----Original Message-----

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Tuesday, October 11, 2016 11:39 AM
To: Edward J. Gilliss <egilliss@rmmr.com>
Subject: Case No. 2017-0067-A - 122 Midhurst Rd.

Mr. Gilliss,

As promised, please find attached the Opinion and Order for the above matter.

Have a great day !

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov [mailto:adminhearingscpr@baltimorecountymd.gov]
Sent: Tuesday, October 11, 2016 11:47 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Admin Hearings Copier

This E-mail was sent from "RNP002673903BB1" (MP 3054).

Scan Date: 10.11.2016 11:47:24 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov

[http://www.baltimorecountymd.gov/sebin/n/n/county_seal.jpg] <<http://www.baltimorecountymd.gov>>

Connect with Baltimore County

[http://www.baltimorecountymd.gov/sebin/p/i/socialmedia_fb.jpg] <<https://www.facebook.com/baltcogov>>
[http://www.baltimorecountymd.gov/sebin/r/j/socialmedia_twitter.jpg] <<https://twitter.com/BaltCoGov>>

[http://www.baltimorecountymd.gov/sebin/b/f/socialmedia_BC_NOW.jpg]

<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>>

[http://www.baltimorecountymd.gov/sebin/r/z/socialmedia_youtube.jpg]

<<https://www.youtube.com/user/BaltimoreCounty>>

[http://www.baltimorecountymd.gov/sebin/z/z/socialmedia_camera.jpg]

<<https://www.flickr.com/photos/baltimorecounty>>

[http://www.baltimorecountymd.gov/sebin/d/o/socialmedia_linkedin.jpg]

<<https://www.linkedin.com/company/baltimore-county-government>>

www.baltimorecountymd.gov<<http://www.baltimorecountymd.gov>>

Debra Wiley

From: Edward J. Gilliss <egilliss@rmmr.com>
Sent: Wednesday, October 05, 2016 12:06 PM
To: Debra Wiley
Subject: Re: Case No. 2017-0067-A

Thanks!

Edward J. Gilliss
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Ave., Suite 600
Towson, Maryland 21204
(office) 410-823-1800
(fax) 410-583-5330
(email) egilliss@rmmr.com

On Oct 5, 2016, at 11:51 AM, Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Mr. Gilliss,

Judge Beverungen will review and issue his Order on this case next week and it is safe to assume that will be done on Tuesday, Oct. 11th or Wednesday, Oct. 12th. I will place a reminder in the file to email you his decision immediately upon its completion.

Hope this helps.

From: Edward J. Gilliss [<mailto:egilliss@rmmr.com>]
Sent: Wednesday, October 05, 2016 11:11 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Case No. 2017-0067-A

Debbie,

Attached is a photo of the sign posted on the property concerning 122 Midhurst Road, and its need for an administrative variance concerning the existing porch and its setback.

The time for requesting a public hearing expired on 10/3/16.

The owners are waiting to obtain the administrative variance in order to conclude the property's sale (which has been delayed because of the title company's demand for this variance).

I know that you told me you expect to receive files such as this about a week after the close of posting.

Is there any way that you know of that I can ensure that the variance is issued by the end of next week? The re-set closing date is now 10/14/16 as the buyers' loan commitment will soon expire. Do I need to contact the Permits Office?

Debra Wiley

From: Edward J. Gilliss <egilliss@rmmr.com>
Sent: Wednesday, October 05, 2016 11:11 AM
To: Debra Wiley
Subject: Case No. 2017-0067-A
Attachments: 20161005111049468.pdf

Debbie,

Attached is a photo of the sign posted on the property concerning 122 Midhurst Road, and its need for an administrative variance concerning the existing porch and its setback.

The time for requesting a public hearing expired on 10/3/16.

The owners are waiting to obtain the administrative variance in order to conclude the property's sale (which has been delayed because of the title company's demand for this variance).

I know that you told me you expect to receive files such as this about a week after the close of posting.

Is there any way that you know of that I can ensure that the variance is issued by the end of next week? The re-set closing date is now 10/14/16 as the buyers' loan commitment will soon expire. Do I need to contact the Permits Office?

Thanks.

Ed Gilliss

Edward J. Gilliss
Royston, Mueller, McLean & Reid, LLP
102 W. Pennsylvania Avenue, Suite 600
Towson, Maryland 21204
(office) 410-823-1800
(fax) 410-583-5330
(email) egilliss@rmmr.com

-----Original Message-----

From: scanner@rmmr.com [mailto:scanner@rmmr.com]
Sent: Wednesday, October 05, 2016 11:11 AM
To: Edward J. Gilliss <egilliss@rmmr.com>
Subject: Message from "SavinC5503"

This E-mail was sent from "SavinC5503" (MP C5503).

Scan Date: 10.05.2016 11:10:49 (-0400)
Queries to: scanner@rmmr.com

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2017-0067-A

122 Midhurst Road

**REQUEST: TO PERMIT AN EXISTING
ENCLOSED PORCH ON A CORNER LOT WITH
A SIDE YARD SETBACK OF 13 FEET IN LIEU
OF THE REQUIRED 30 FEET.**

PUBLIC HEARING?

**PURSUANT TO SECTION 26-127(b)(1) BALTIMORE
COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP
MAY REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN
THE ZONING OFFICE BEFORE OCTOBER 03, 2016.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**

IN RE: JOHN F. TEWEY AND

*

PETITION FOR

LAURA F. MULLALLY

*

ADMINISTRATIVE

122 MIDHURST ROAD
BALTIMORE, MD 21212

*

VARIANCE

* * * * *

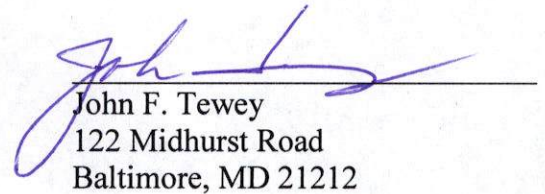
AFFIDAVIT

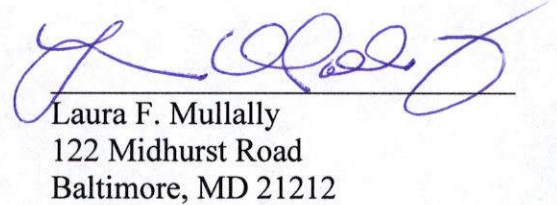
We, John Tewey and Laura Mullally certify that we are at least 18 years of age and competent to testify in courts of law to the matters stated herein which are based upon our personal knowledge.

We are the owners of the property known as 122 Midhurst Road, Baltimore Maryland 21212.

We do further attest that there are no active Code Enforcement violation cases concerning our property, 122 Midhurst Road.

We do hereby certify under the penalties of perjury that the matters in fact set forth in this Affidavit are true and correct.


John F. Tewey
122 Midhurst Road
Baltimore, MD 21212


Laura F. Mullally
122 Midhurst Road
Baltimore, MD 21212

NOTARY CERTIFICATIONS NEXT PAGE

2017-0067-A

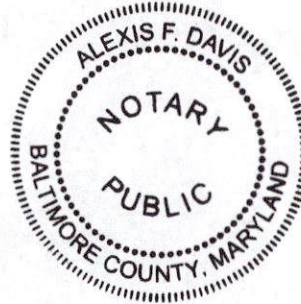
STATE OF MARYLAND
COUNTY OF BALTIMORE

Personally appeared before me, a Notary Public, in and for said county and state, on this 7th day of September, 20 16, the within named **John F. Tewey**, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and who acknowledges that he executed the same for the purposes therein contained.

Alexis F. Davis
NOTARY PUBLIC

Print Name: Alexis F. Davis

My Commission Expires:
11.4.19



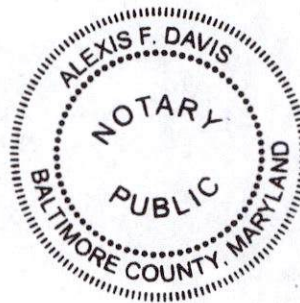
STATE OF MARYLAND
COUNTY OF BALTIMORE

Personally appeared before me, a Notary Public, in and for said county and state, on this 7th day of September, 20 16, the within named **Laura F. Mullally**, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and who acknowledges that she executed the same for the purposes therein contained.

Alexis F. Davis
NOTARY PUBLIC

Print Name: Alexis F. Davis

My Commission Expires:
11.4.19



2017-0067-A



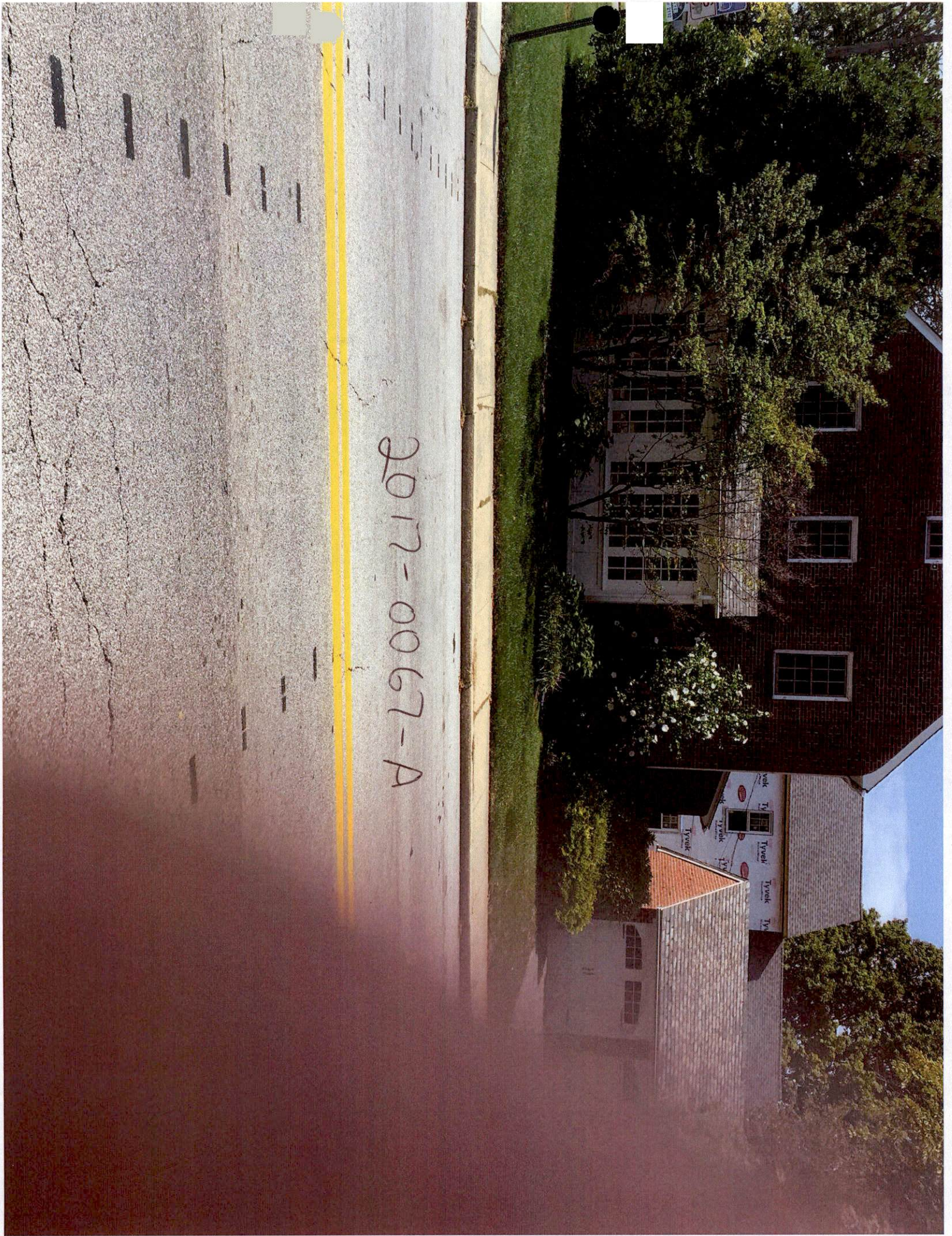
2017-0067-A



2017-0067-A



2017-0067-A





C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>9-14</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>9-19</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>9-15-16</u> by <u>Dock</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0918720160			
Owner Information					
Owner Name:	TEWEY JOHN F MULLALLY LAURA F		Use:	RESIDENTIAL	
Mailing Address:	122 MIDHURST RD BALTIMORE MD 21212		Principal Residence:	YES	
			Deed Reference:	/11078/ 00268	
Location & Structure Information					
Premises Address:		122 MIDHURST RD 0-0000		Legal Description: 122 MIDHURST RD PINEHURST	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0079	0012	0178		0000	17 2017 2
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
1937	2,910 SF			9,600 SF	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2 1/2	YES	STANDARD UNIT	BRICK	2 full/ 1 half	1 Detached
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2016 As of 07/01/2017	
Land:		212,000	212,000		
Improvements		251,700	251,700		
Total:		463,700	463,700	463,700	
Preferential Land:		0			
Transfer Information					
Seller: RUSSELL LOUISE M		Date: 06/09/1995		Price: \$205,000	
Type: ARMS LENGTH IMPROVED		Deed1: /11078/ 00268		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016		07/01/2017	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 07/30/2008					

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 09 Account Number - 0918720160		
Owner Information		
Owner Name:	TEWEY JOHN F MULLALLY LAURA F	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	122 MIDHURST RD BALTIMORE MD 21212	Deed Reference: /11078/ 00268
Location & Structure Information		
Premises Address:	122 MIDHURST RD 0-0000	Legal Description: 122 MIDHURST RD PINEHURST
Map:	Grid:	Parcel:
0079	0012	0178
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	17	2017
Plat No:	Plat Ref:	2
Special Tax Areas:	Town:	NONE
	Ad Valorem:	
	Tax Class:	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1937	2,910 SF	
Property Land Area	County Use	
9,600 SF	04	
Stories	Basement	Type
2 1/2	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
BRICK	2 full/ 1 half	1 Detached
Last Major Renovation		
Value Information		
Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2016
Land: 212,000	212,000	
Improvements: 251,700	251,700	
Total: 463,700	463,700	463,700
Preferential Land: 0		
Transfer Information		
Seller: RUSSELL LOUISE M	Date: 06/09/1995	Price: \$205,000
Type: ARMS LENGTH IMPROVED	Deed1: /11078/ 00268	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2016
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 07/30/2008		

0067-A

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

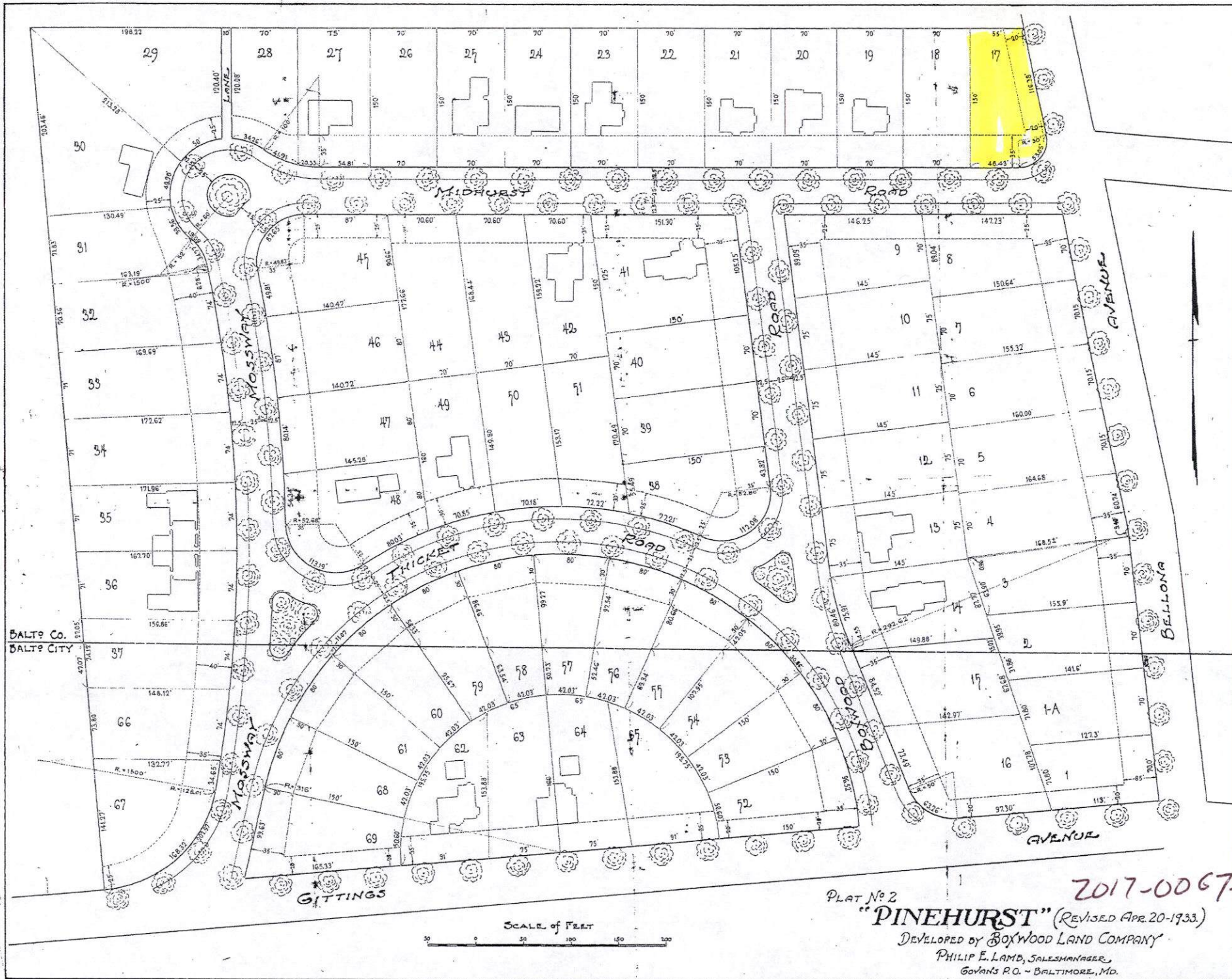
View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0918720160			
Owner Information					
Owner Name:		TEWEY JOHN F MULLALLY LAURA F		Use:	RESIDENTIAL YES
Mailing Address:		122 MIDHURST RD BALTIMORE MD 21212		Principal Residence:	
				Deed Reference:	/11078/ 00268
Location & Structure Information					
Premises Address:		122 MIDHURST RD 0-0000		Legal Description: 122 MIDHURST RD PINEHURST	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0079	0012	0178		0000	17 2017 2
Special Tax Areas:				Town: NONE	
				Ad Valorem:	
				Tax Class:	
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	
1937		2,910 SF		9,600 SF	
				Property Land Area	
				04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2 1/2	YES	STANDARD UNIT	BRICK	2 full/ 1 half	1 Detached
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2014	As of 07/01/2016 As of 07/01/2017	
Land:		212,000	212,000		
Improvements		251,700	251,700		
Total:		463,700	463,700	463,700	
Preferential Land:		0			
Transfer Information					
Seller: RUSSELL LOUISE M		Date: 06/09/1995		Price: \$205,000	
Type: ARMS LENGTH IMPROVED		Deed1: /11078/ 00268		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2016	07/01/2017	
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00	0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 07/30/2008					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.



T. F. FORD & SONS, INC.

BAL. RECORD COUNTY COURT MAPS FOR BAL. CO. 1872-1933. BAL. CO. 1872-1933. BAL. CO. 1872-1933.



PLAT No 2

"PINEHURST" (REVISED APR. 20-1933.)

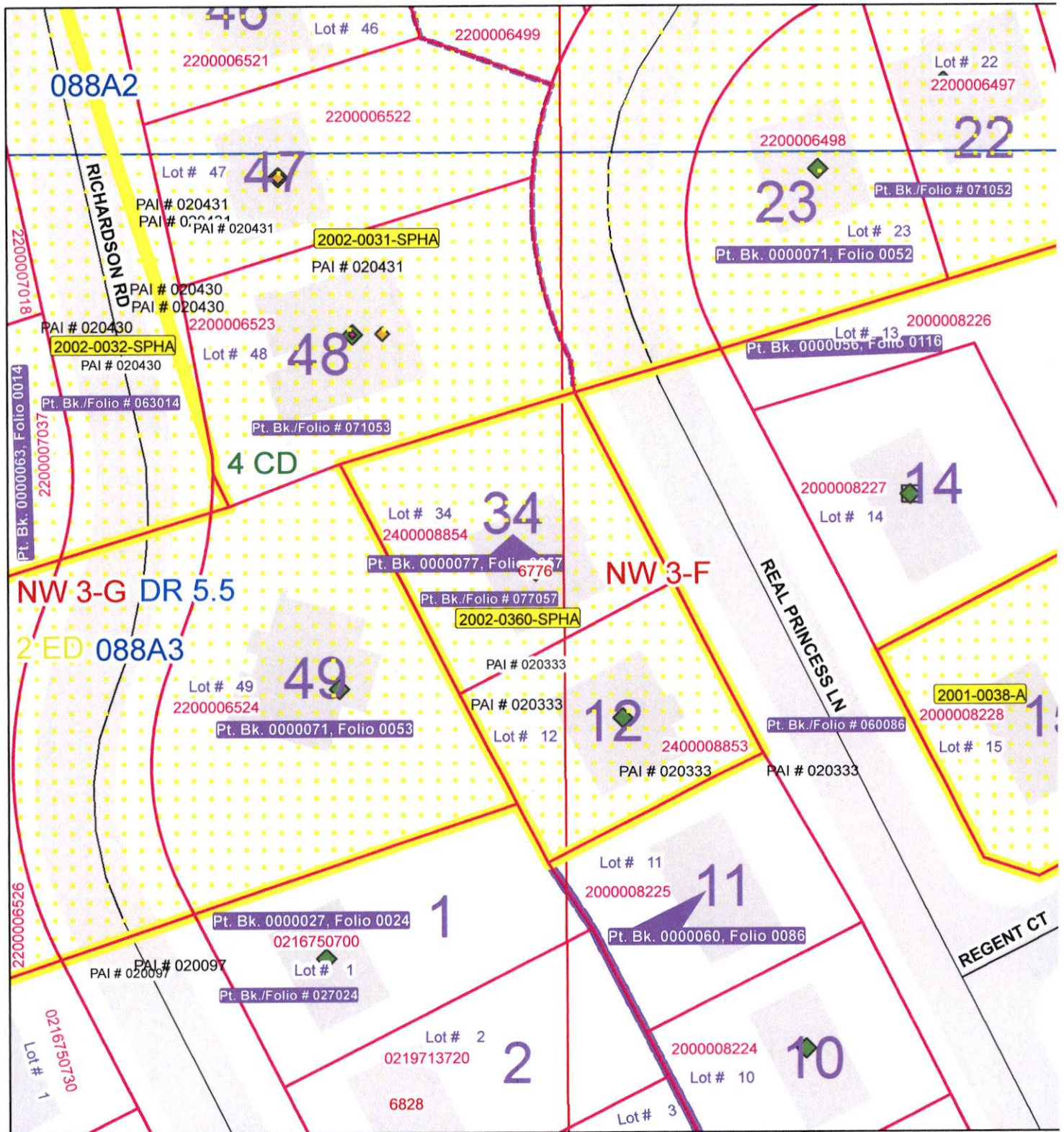
DEVELOPED BY BOXWOOD LAND COMPANY

PHILIP E. LAMB, SALESMANAGER,
GOVANS P.O. - BALTIMORE, MD.

2017-0067-A

PLAT BOOK 10/77

6 / 76 Real Princess Lane



Publication Date: 9/8/2016



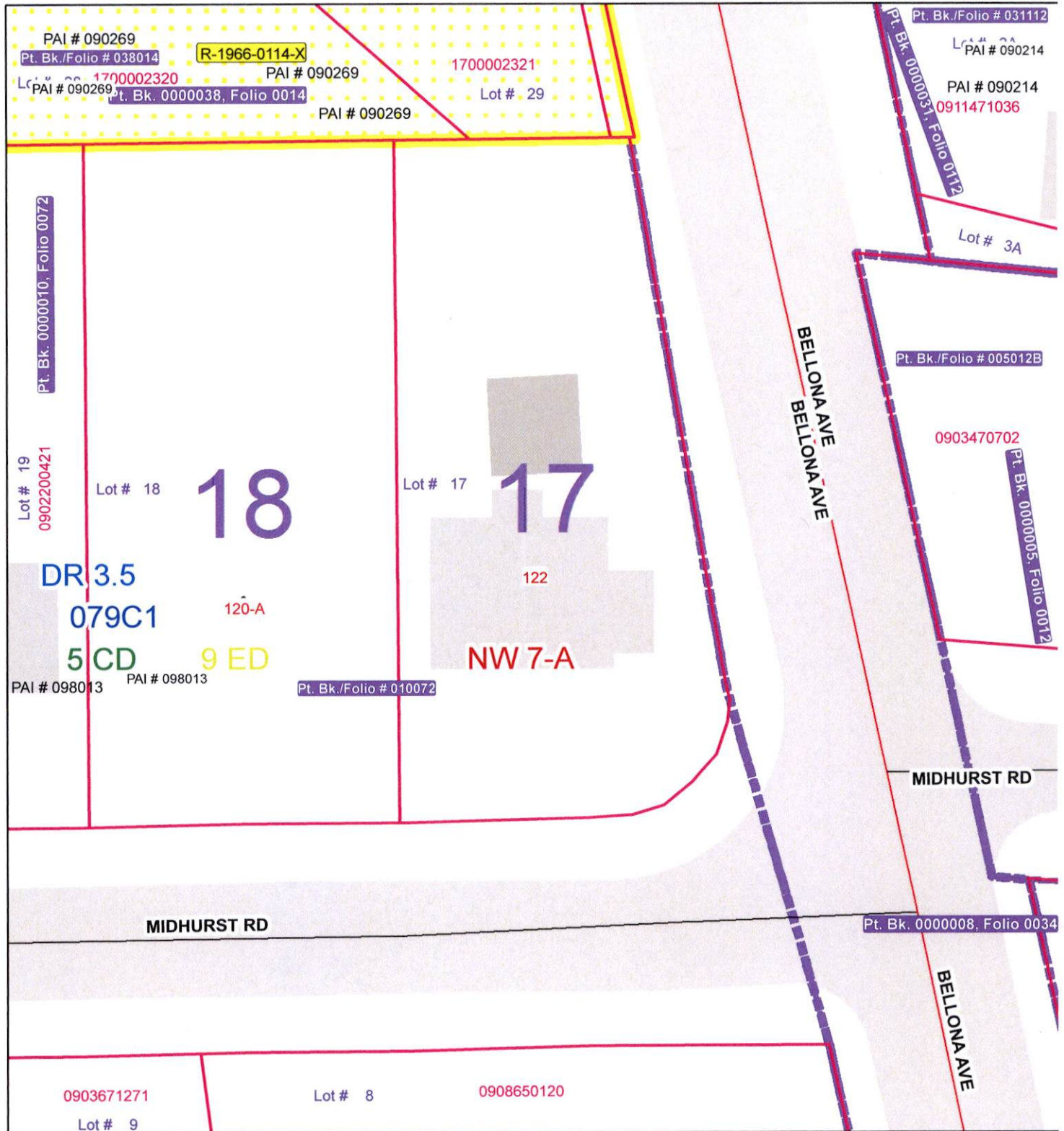
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

122 Mudhurst Road 2017-0067-A



Publication Date: 9/7/2016



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 5 10 20 30 40
Feet

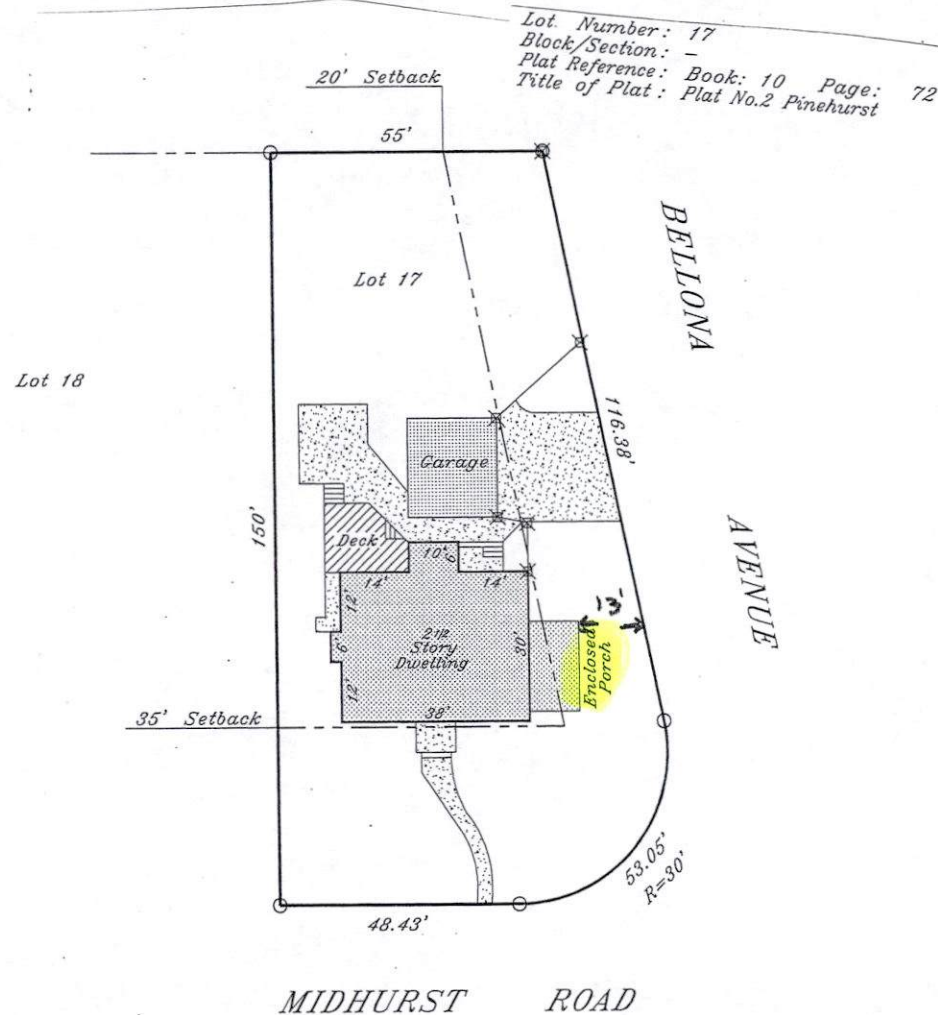
1 inch = 30 feet

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING ☐ (MARK TYPE REQUESTED WITH X)

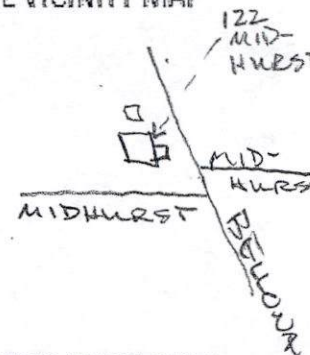
ADDRESS 122 MIDHURST ROAD 2122 OWNER(S) NAME(S) JOHN F TENNEY / LAUREN F MULLANEY

SUBDIVISION NAME PINEHURST LOT# 17 BLOCK# - SECTION# -

PLAT BOOK# 10 FOLIO# 72 10 DIGIT TAX# 0918720160 DEED REF.# 11678120268



SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 0079

SITE ZONED DR 3.1

ELECTION DISTRICT 9

COUNCIL DISTRICT 5

LOT AREA ACREAGE -

OR SQUARE FEET 9,600

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE ☐

SEWER IS:

PUBLIC ☒ PRIVATE ☐

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

N/A

PLAN DRAWN BY E. J. GILLISS

DATE 09.06.16 SCALE: 1 INCH = 40 FEET

2017-0067-A

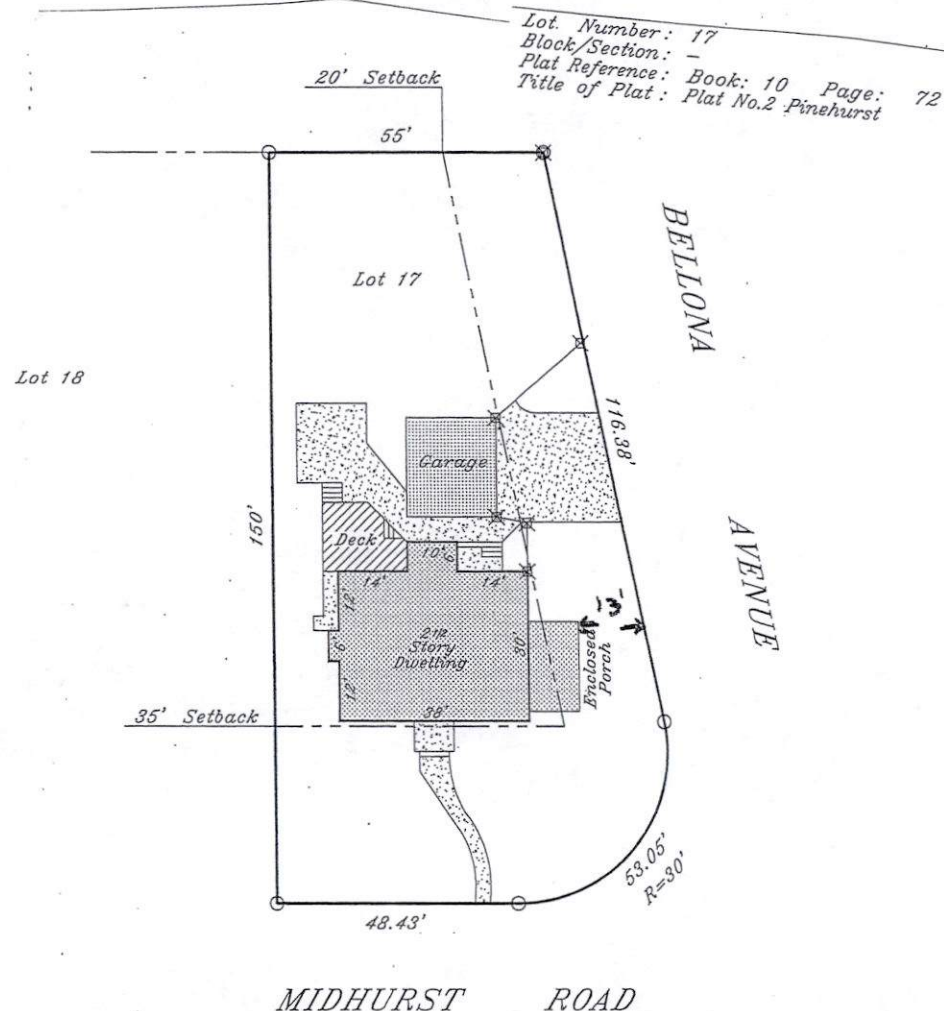
Pat. Ech. 1

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING ☐ (MARK TYPE REQUESTED WITH X)

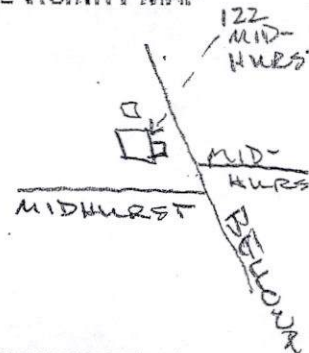
ADDRESS 122 MIDHURST ROAD 21212 OWNER(S) NAME(S) JOHN F TOWEY / LAMAR F MULLIN

SUBDIVISION NAME PINEHURST LOT # 17 BLOCK # - SECTION # -

PLAT BOOK # 10 FOLIO # 72 10 DIGIT TAX # 0918720160 DEED REF. # 11028100268



SITE VICINITY MAP



N

MAP IS NOT TO SCALE

ZONING MAP# 0079

SITE ZONED DR 3.1

ELECTION DISTRICT 9

COUNCIL DISTRICT 5

LOT AREA ACREAGE -

OR SQUARE FEET 9,600

HISTORIC? No

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UTILITIES? MARK WITH X

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VIOLATION CASE INFO:

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PLAN DRAWN BY E.J. GILLESS DATE 09.06.16 SCALE: 1 INCH = 40 FEET

2017-0067-A