

M E M O R A N D U M

DATE: May 10, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0229-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 9, 2019. 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 VARIANCE

(21510 Orwig Road)

7th Election District

2nd Council District

Stephen & Wendy Mooney

Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0229-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Stephen and Wendy Mooney, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Section 400.3 of the Baltimore County Zoning Regulations (“BCZR”) to permit an accessory structure (detached garage) with a height of 25' in lieu of the permitted 15'. A site plan was marked as Petitioners' Exhibit 1.

Stephen and Wendy Mooney appeared in support of the petition. Ronald Danielson and Sarah Sullivan who live at 21600 Orwig Road opposed the request. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the county reviewing agencies.

The site is approximately 4.89 acres in size and is zoned RC-2. The property is improved with a single-family dwelling constructed by Petitioners in 1997. Petitioners recently purchased a large motor home and would like to construct a detached garage to store the vehicle.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty

ORDER RECEIVED FOR FILING

Date

4/9/19

By

Sen

or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

While I am sympathetic to the Petitioners' plight, I do not believe they can satisfy the requirements for variance relief. There was no evidence presented to establish the property as unique or unlike neighboring parcels. In addition, Petitioners have an existing 3-car garage; as such, denial of the variance request would not in my opinion cause a hardship. Under Maryland law, a variance must be granted "sparingly" since it is "an authorization for [that] ...which is prohibited by a zoning ordinance." *Cromwell*, 102 Md. App. at 699. As such, I believe the petition must be denied.

THEREFORE, IT IS ORDERED, this 9th day of **April, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to Section 400.3 of the Baltimore County Zoning Regulations ("BCZR") to permit an accessory structure (detached garage) with a height of 25' in lieu of the permitted 15', be and is hereby DENIED.

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:slm

ORDER RECEIVED FOR FILING

Date 4/9/19

By slm



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 21510 Orwig Road, Freeland, MD 21053 Currently zoned RC2
Deed Reference 1061 / 00255 10 Digit Tax Account # 170 000 1468
Owner(s) Printed Name(s) Stephen Douglas Mooney, Wendy Kay Mooney

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.3 BC2R
To permit an accessory structure (detached garage) with a height of 25' in lieu of the required 15'.

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):

Stephen Mooney, Wendy Mooney
Name #1 – Type or Print Name #2 – Type or Print
St Mooney Wendy Mooney
Signature #1 Signature #2
21510 Orwig Rd. Freeland, MD 21053
Mailing Address City State
21053, 410-329-8023, mckebuilds@gmail.com
Zip Code Telephone # Email Address

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

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

Representative to be contacted:

Name – Type or Print
Signature
Mailing Address City State
Date 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 2019-0229-A Filing Date 2/5/19 Estimated Posting Date 2/17/19 Reviewer JF

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: 21510 Orwig Rd Freeland MD 21053
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)

Build detached garage, 25' tall, to accommodate RV
motor coach. To keep out of weather and protect. Only place
to build property is sloped

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

Stephen Mooney
Signature of Owner (Affiant)

Stephen Mooney
Name- Print or Type

Wendy K. Mooney
Signature of Owner (Affiant)

Wendy K. Mooney
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 4th day of February, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Stephen & Wendy Mooney

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

AS WITNESS my hand and Notaries Seal

KAREN MINOGUE
Notary Public
Baltimore County
Maryland
My Commission Expires Jan. 11, 2020

Karen Minogue
Notary Public
1/11/2020
My Commission Expires

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: 21510 Orwig Rd. Freeland MD 21053
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)

Build detached garage, 25' tall, to accommodate
RV motor coach. To keep out of weather and protect. Only
place to build property is sloped

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

Stephen Mooney
Signature of Owner (Affiant)

Stephen Mooney
Name- Print or Type

Wendy K. Mooney
Signature of Owner (Affiant)

Wendy K. Mooney
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 4th day of February 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Stephen + Wendy Mooney

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

AS WITNESS my hand and Notaries Seal

Karen Minogue
Notary Public

1/11/2020
My Commission Expires





ADMINISTRATIVE ZONING PETITION I

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 21510 Orwig Rd Freeland Md 21053 Currently zoned RC 2
Deed Reference 1061 100255 10 Digit Tax Account # 1700201468
Owner(s) Printed Name(s) Stephen Douglas Mooney, Wendy Kay Mooney

(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. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.3 BCZR
To permit an accessory structure (detached garage) with a height of 25' in lieu of the required 15'.

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):

Stephen Mooney / Wendy Mooney
Name #1 – Type or Print Name #2 – Type or Print
Step Mooney / Wendy Mooney
Signature #1 Signature #2
21510 Orwig Rd Freeland Md
Mailing Address City State
21053 / 410 329-8023 / mcrbu1ds@gmail.com
Zip Code Telephone # Email Address

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

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

Representative to be contacted:

Name – Type or Print
Signature
Mailing Address City State
Date 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 2019-0229-A Filing Date 2/5/19 Estimated Posting Date 2/17/19 Reviewer JF

ZONING PROPERTY DESCRIPTION FOR 21510 Orwig Rd, Freeland MD:

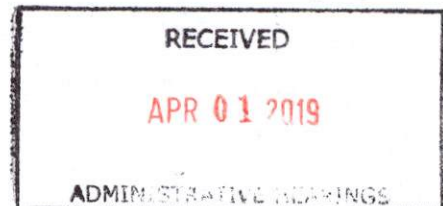
Beginning at a point on the southwest side of Orwig Road which is a 50 foot wide right-of-way at a distance of 75 feet northeast of the centerline of the nearest improved intersecting street Heathcote Road which is a 50 foot wide right-of-way.

Being Lot #1 in the subdivision of Green Meadows as recorded in Baltimore County Plat Book #38, Folio #60, containing 4.89 acres. Located in the 7th Election District and 2nd Council District.

Debra Wiley

JB 4-4-19
1:30 PM

From: Larry Pilson <lpilson@hotmail.com>
Sent: Sunday, March 31, 2019 9:21 AM
To: Administrative Hearings; Kristen L Lewis; Steve Mooney
Subject: 2019-0229-A RECERTIFICATION 21510 Orwig Road
Attachments: Orwig Recert.pdf; DSC_0797.JPG; DSC_0798.JPG



CERTIFICATE OF POSTING

Date: 3-31-19

RE: Case Number: 2019-0229-A RECERT

Petitioner/Developer: Mooney

Date of Hearing/Closing: 4-4-19 1:30 PM

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 21510 Orwig Rd

The signs(s) were posted on RECERT 3-31-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

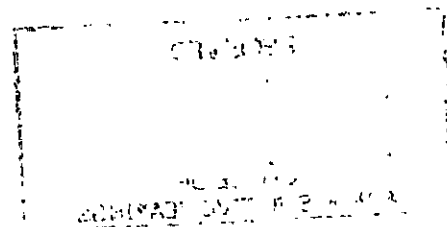
ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)





#1

ZONING NOTICE

CASE # 2019-0229-A

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 W CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS APRIL 4, 2019 1:30 PM

REQUEST: VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (DETACHED GARAGE) WITH A HEIGHT
OF 25 FT IN LIEU OF THE REQUIRED 15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-2391
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING. INQUIRY...

RECEIVED

APR 01 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

ZONING NOTICE

#2

CASE # 2019-0229-A

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE. TOWSON, 21204

DATE AND TIME: THURS. APRIL 4, 2019 1:30 PM

REQUEST: VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (DETACHED GARAGE) WITH A HEIGHT OF
25 FT. IN LIEU OF THE REQUIRED 15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING DATE, CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



RECEIVED

APR 01 2019

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

Date: 3-14-19

RE: Case Number: 2019-0229-A

Petitioner/Developer: Mooney

Date of Hearing/Closing: 4-4-19 1:30 PM

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 21510 Orwig Rd

The signs(s) were posted on 3-14-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2019-0229-A

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205

105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: THURS APRIL 4, 2019 1:30 PM

REQUEST: VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (DETACHED GARAGE) WITH A HEIGHT
OF 25 FT. IN LIEU OF THE REQUIRED 15 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

ZONING NOTICE

#2

CASE # 2019-0229-A

**A PUBLIC HEARING WILL BE HELD BY
ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: JEFFERSON BUILDING ROOM 205
105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: THURS APRIL 4 2019 1:30 PM

REQUEST: VARIANCE TO PERMIT AN ACCESSORY
STRUCTURE (DETACHED GARAGE) WITH A HEIGHT OF
25 FT. IN LIEU OF THE REQUIRED 15 FT.

NOTICE IS GIVEN TO ALL PERSONS WHOSE PROPERTY IS AFFECTED BY THE PROPOSED VARIANCE THAT THEY MAY BE HEARD AT THE HEARING.
TO CONFIRM THAT THE VARIANCE IS NECESSARY
AND THAT THE VARIANCE IS IN THE PUBLIC INTEREST.
HANDICAPPED ACCESSIBLE



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

March 6, 2019

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0229-A

21510 Orwig Road

S/west side of Orwig Road at a distance of 75 ft. n/east of intersecting street Heathcote Road

7th Election District – 2nd Councilmanic District

Legal Owners: Stephen & Wendy Mooney

Variance to permit an accessory structure (detached garage) with a height of 25 ft. in lieu of the required 15 ft.

Hearing: Thursday, April 4, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Mike Mohler".

Mike Mohler
Director

MM:kl

C: Stephen & Wendy Mooney, 21510 Orwig Road, Freeland 21053
Ronald Danielson, 21600 Orwig Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 15, 2019.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: THE DAILY RECORD
Friday, March 15, 2019 - Issue

Please forward billing to:
Stephen Mooney
21510 Orwig Road
Freeland, MD 21053

410-984-6820

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0229-A

21510 Orwig Road

S/west side of Orwig Road at a distance of 75 ft. n/east of intersecting street Heathcote Road

7th Election District – 2nd Councilmanic District

Legal Owners: Stephen & Wendy Mooney

Variance to permit an accessory structure (detached garage) with a height of 25 ft. in lieu of the required 15 ft.

Hearing: Thursday, April 4, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

CERTIFICATE OF POSTING

Date: 2-17-19

RE: Case Number: 2019-0229-A

Petitioner/Developer: Mooney

Date of Hearing/Closing: 3-4-19

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 21510 Orwig Rd

The sign(s) were posted on 2-17-19
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

#1

ADMINISTRATIVE VARIANCE

CASE # 2019-0229-A

TO PERMIT AN ACCESSORY STRUCTURE
(DETACHED GARAGE) WITH A HEIGHT OF 25'
IN LIEU OF THE REQUIRED 15'

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 THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 3/4/19

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
100 PEACOCK AVE. TOWSON, MD 21204, (410) 887-3391



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2019-0229-A

Address: 21510 ORWIG RD

Petitioner(s): Stephen D. Mowrey Wendy K. Mooney

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Ronald Danielson
Name - Type or Print

(☒) Legal Owner OR (☐) Resident of
21600 ORWIG RD
Address

FREELAND MD 21053
City State Zip Code

410-343-2032
Telephone Number

which is located approximately 0 feet from the
property, which is the subject of the above petition, **do hereby**
formally demand that a public hearing be set in this matter.

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

Ronald Danielson 3/4/19
Signature Date

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

No. **181937**

Date: **3-4-19**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 3/03/2019 3/04/2019 11:07:28 5
 REG W505 WALKIN LRB
 >>RECEIPT # 997866 3/04/2019 OFLN
 Dept 5 528 ZONING VERIFICATION
 181937

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6050				60.00

Recpt Tot \$ 60.00
 60.00 CK .00 CA
 Baltimore County, Maryland

Total: **60.00**

Rec From: **Formal Demand Hearing**

For: **21510 DRW: g R&
 2019-0329-A**

2710

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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/neighbor 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: 2019-0229-A
Property Address: 21510 Orwig Rd Freeland Md 21053
Property Description: _____
Legal Owners (Petitioners): Stephen Mooney & Wendy Mooney
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Stephen Mooney
Company/Firm (if applicable): _____
Address: 21510 Orwig Rd Freeland Md 21053

Telephone Number: 410-984-6820

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0229 -A Address 21510 ORWIG RD

Contact Person: JUN R. FERNANDO Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/15/19 Posting Date: 2/17/19 Closing Date: 3/4/19

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2019- 0229 -A Address 21510 ORWIG RD.

Petitioner's Name Stephen & Wendy Mooney Telephone 410-329-8023

Posting Date: 2/17/19 Closing Date: 3/4/19

Wording for Sign: To Permit an accessory structure (detached garage)
with a height of 25' in lieu of the required 15'.

Revised 6/30/2019

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

No. **178969**

PAID RECEIPT

Date:

2/5/17

BUSINESS 'ACTUAL TIME DRW
 2/06/2019 2/05/2019 11:34:31 5

REG WS05 WALKIN LRB
 >>RECEIPT # 994202 2/05/2019 OFLN

Dept 5 528 ZONING VERIFICATION
 178969

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Recpt Tot \$ 75.00
 .00 CK 75.00 CA
 Baltimore County, Maryland

Total:

75.00

Rec

From:

Stephen Mooney

For:

21510 ORWICK RD.

Case # 2019-0229-A

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

March 7, 2019

Stephen & Wendy Mooney
21510 Orwig Road
Freeland MD 21053

RE: Case Number: 2019-0229-A, 21510 Orwig Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 2, 2019. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

3/4

Formal Demand

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: March 11, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0229-A
Address 21510 Orwig Road
(Mooney Property)

Zoning Advisory Committee Meeting of **February 25, 2019**.

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

Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 2/25/19

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

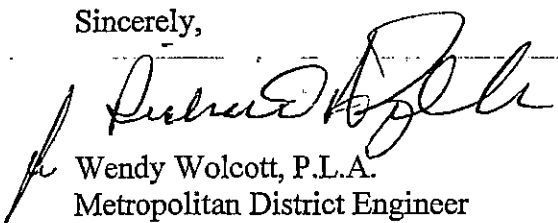
Dear Ms. Lewis:

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. 2019-0229-A.

*Administrative Variance
Stephen & Wendy Mooney
21510 Orwig 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,


Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

3/15/2019

Order #: 11713283
Case #: 2019-0229-A
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0229-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0229-A

21510 Orwig Road

S/west side of Orwig Road at a distance of 75 ft. n/east of intersecting street
Heathcote Road

7th Election District - 2nd Councilmanic District

Legal Owners: Stephen & Wendy Mooney

Variance to permit an accessory structure (detached garage) with a height of 25 ft. in lieu of the required 15 ft.

Hearing: Thursday, April 4, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Mike Mohler

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

mh15

THE 1901-02

THE 1901-02

THE 1901-02

THE 1901-02

THE 1901-02

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>3/11</u>	DEPS (if not received, date e-mail sent _____)	<u>NO Comment</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2/25</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS <u>formal Demand</u>	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	

NEWSPAPER ADVERTISEMENT	Date:	<u>3/15/19</u>	
SIGN POSTING (1 st)	Date:	<u>3/14/19</u>	by <u>Pulson</u>
SIGN POSTING (2 nd)	Date:	<u>3/31/19</u>	by <u>Pulson</u>

PEOPLE'S COUNSEL APPEARANCE	Yes	☐	No	☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes	☐	No	☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 07 Account Number - 1700001468			
Owner Information					
Owner Name:	MOONEY STEPHEN D MOONEY WENDY K		Use:	RESIDENTIAL	
Mailing Address:	21510 ORWIG RD FREELAND MD 21053		Principal Residence:	YES	
			Deed Reference:	/10671/ 00255	
Location & Structure Information					
Premises Address:		21510 ORWIG RD 0-0000		Legal Description:	4.895 AC WS ORWIG RD GREEN MEADOWS REVISED
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0003	0019	0072		0000	
					Block:
					1
					Lot:
					2017
					Assessment Year:
					Plat No:
					Plat Ref:
					0038/ 0060
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1997	2,470 SF		4.8900 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	SIDING	4 full/ 1 half	1 Attached
					Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2018	07/01/2019	
Land:	112,500	112,500			
Improvements	287,100	313,500			
Total:	399,600	426,000	417,200	426,000	
Preferential Land:	0			0	
Transfer Information					
Seller: HANAS OREST P		Date: 07/27/1994		Price: \$65,000	
Type: ARMS LENGTH VACANT		Deed1: /10671/ 00255		Deed2:	
Seller: MARTIN MARK E		Date: 05/05/1987		Price: \$35,000	
Type: ARMS LENGTH IMPROVED		Deed1: /07512/ 00428		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

Homestead Application Status: App I 07/31/2009

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 07 Account Number - 1700001468			
Owner Information					
Owner Name:		MOONEY STEPHEN D MOONEY WENDY K		Use: RESIDENTIAL Principal Residence: YES	
Mailing Address:		21510 ORWIG RD FREELAND MD 21053		Deed Reference: /10671/ 00255	
Location & Structure Information					
Premises Address:		21510 ORWIG RD 0-0000		Legal Description: 4.895 AC WS ORWIG RD GREEN MEADOWS REVISED	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0003	0019	0072		0000	
					Block:
					1
					Assessment Year:
					2017
					Plat No:
					0038/ 0060
Special Tax Areas:		Town: NONE			
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1997		2,470 SF		4.8900 AC	
Property Land Area		County Use			
4.8900 AC		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	SIDING	4 full/ 1 half	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2017		07/01/2018	
		112,500		As of	
		112,500		07/01/2019	
Land:		112,500			
Improvements		313,500			
Total:		426,000		417,200	
Preferential Land:		0		426,000	
				0	
Transfer Information					
Seller: HANAS OREST P		Date: 07/27/1994		Price: \$65,000	
Type: ARMS LENGTH VACANT		Deed1: /10671/ 00255		Deed2:	
Seller: MARTIN MARK E		Date: 05/05/1987		Price: \$35,000	
Type: ARMS LENGTH IMPROVED		Deed1: /07512/ 00428		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2018	
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 07/31/2009					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

ZAC AGENDA

Case Number: 2019-0229-A **Reviewer:** Jun Fernando
Existing Use: **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Stephen & Wendy Mooney
Contract Purchaser: No Contract Purchaser was set.

3/4

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 7 **Council Dist:** 2

Property Address: 21510 ORWIG RD

Location: Southwest side of Orwing Road @ a distance of 75' northeast of the centerline of the nearest intersecting street heathcote road.

Existing Zoning: RC 2

Area: 4.89 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit an accessory structure a detached garage with height of 25' in lieu of the required 15'

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2019-0230-A **Reviewer:** Christina Frink
Existing Use: **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: David & Kimberly Nacrelli
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 5

Property Address: 6507 SHERWOOD RD

Location: N/S Sherwood Road, 300 FT N of Register Ave

Existing Zoning: DR 5.5

Area: .4476

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit an attached garage addition with a side yard set back of 3.5 FT in lieu of the required 10 Ft set back.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Debra Wiley

2019-0229-AV

Formal Demand
in file when
rec'd - 3/8

From: Debra Wiley
Sent: Friday, March 8, 2019 11:10 AM
To: Jenae Johnson
Subject: RE: Administrative Variances - Closing Date: 3/4/19

Thanks again Jenae !

From: Jenae Johnson <jnjohnson@baltimorecountymd.gov>
Sent: Friday, March 8, 2019 10:36 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Administrative Variances - Closing Date: 3/4/19

It's okay,☺ I will have this file over to you in about 30 mins is that okay? I have to type up the comment letter soon as I finish up with this petition.

From: Debra Wiley
Sent: Friday, March 08, 2019 10:29 AM
To: Jenae Johnson <jnjohnson@baltimorecountymd.gov>
Subject: RE: Administrative Variances - Closing Date: 3/4/19

Good Morning,

Sorry I didn't get a chance to talk with you this morning.

It's no problem and thank you.

From: Jenae Johnson <jnjohnson@baltimorecountymd.gov>
Sent: Friday, March 8, 2019 10:06 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Administrative Variances - Closing Date: 3/4/19

Good morning,

Sorry for the late response I will check.

From: Debra Wiley
Sent: Thursday, March 07, 2019 7:33 AM
To: Jenae Johnson <jnjohnson@baltimorecountymd.gov>
Subject: Administrative Variances - Closing Date: 3/4/19

Good Morning Jenae,

Thanks for bringing over the admins.

Do you know what happened to the case file for 2019-0229-A (as it is appearing for this closing date) ?

Thanks; it is appreciated.

21612

Lot # 4 1700001471

21606

HEATHCOTE RD

ORWIG RD

Lot # 3 1700001470

0713055700

PAI # 078007

PAI # 078007
Pt. Bk./Folio # 038060

NW 39-C

POB

21600

Lot # 2 1700001469
Pt. Bk. 0000038, Folio 0060

SITE

1700001468
Lot # 1

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

003A3 RC 2
3 CD 7 ED

Pt. Bk. 0000041, Folio 0076

Pt. Bk./Folio # 041076

PAI # 070087 07011330

Lot # 1

2017-0104-X 0701089060

PAI PERMIT HOLD: See Dev. Mgt. - Rm. 123
Solar Facility - Needs Security & DRC Letter

1600004883

606

606

0708066040

PAI # 070285

612

612

NW 38-C

FREELAND RD

HEATHCOTE RD
FREELAND RD

601

1700007630
PAI # 070285
PAI # 070285
PAI # 070285

Pt. Bk./Folio # MP93123

0712020600

0701035580

2018-0308-X

21421



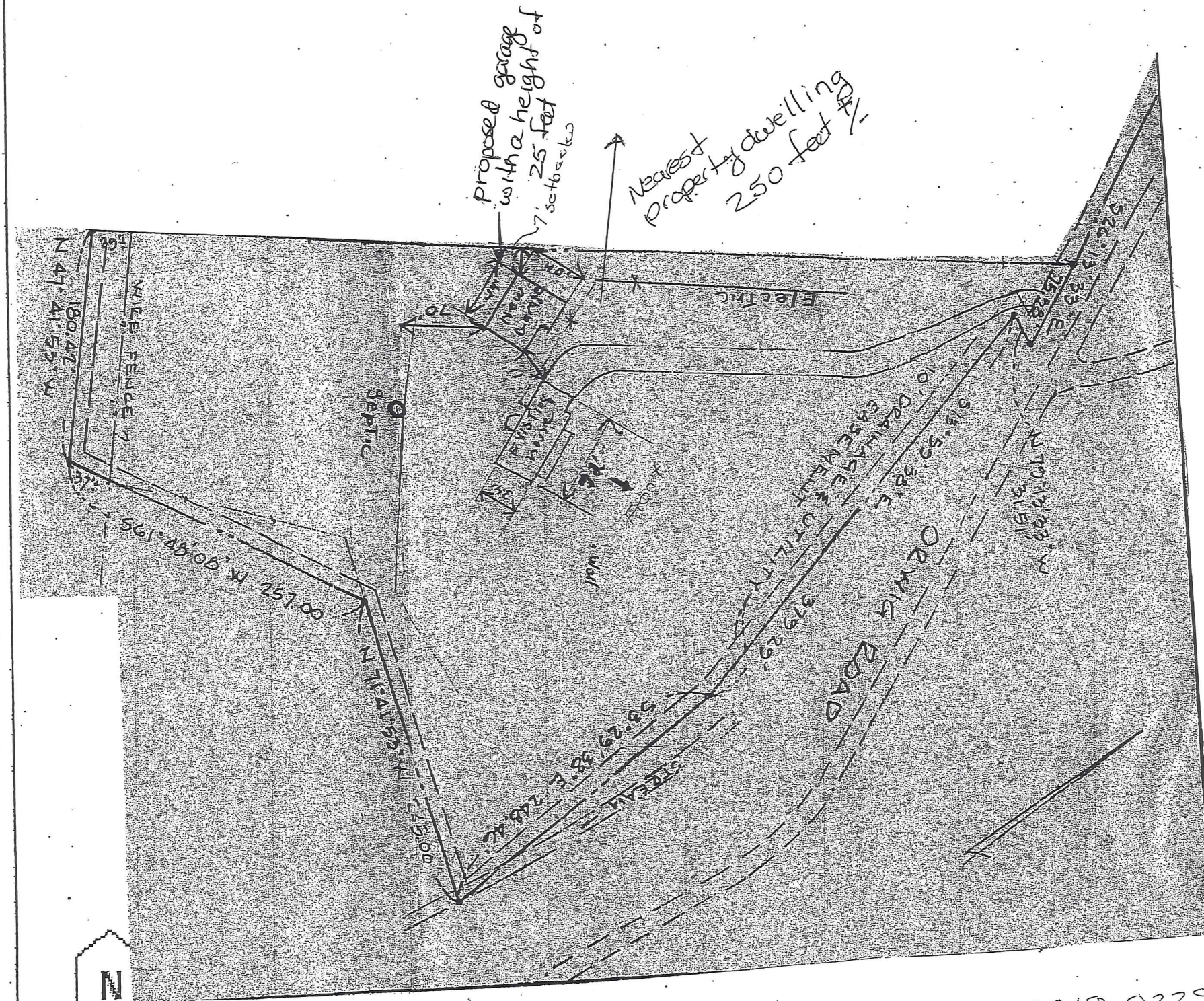
Proposed Location of Garage Rear of House

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

ADDRESS 21510 Orwig Rd. Freeland Md 21053 OWNER(S) NAME(S) Stephen & Wendy Mooney

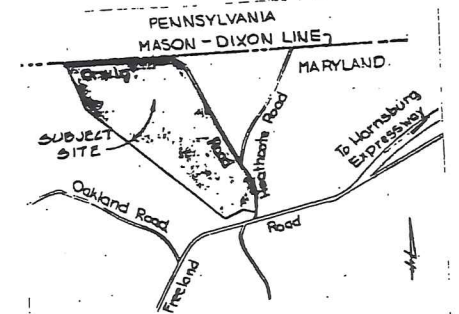
SUBDIVISION NAME Green meadows LOT # 1 BLOCK # _____ SECTION # _____

PLAT BOOK # 38 FOLIO # 60 10 DIGIT TAX # 1700001468 DEED REF. # 1067100255



PLAN DRAWN BY Steve Mooney DATE 2-4-19 SCALE: 1 INCH = 100 FEET

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP # 003A3

SITE ZONED RC2

ELECTION DISTRICT 7

COUNCIL DISTRICT 3

LOT AREA ACREAGE 4.895 Acres

OR SQUARE FEET _____

HISTORIC? NO

IN CBQA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

PUBLIC _____ PRIVATE X

PRIOR HEARING? _____

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

NONE

PET-EX-1

VARIATION CASE INFO: NONE