

## MEMORANDUM

DATE: October 25, 2019  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2019-0346-A – Appeal Period Expired

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The appeal period for the above-referenced case expired on October 24, 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

/dlw

**IN RE: PETITION FOR VARIANCE**

(20905 Mt. Zion Road)  
6<sup>th</sup> Election District  
3<sup>rd</sup> Council District  
Robert Utz  
*Legal Owner*  
Petitioner

\*

BEFORE THE OFFICE

\*

OF ADMINISTRATIVE

\*

HEARINGS FOR

\*

BALTIMORE COUNTY

\*

**CASE NO. 2019-0346-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County as a Petition for Variance filed by Robert Utz, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from Section 400.3 of the Baltimore County Zoning Regulations ("BCZR") to permit a proposed accessory structure (shed) with a height of 22 ft. in lieu of the required 15 ft. A site plan was marked as Petitioner's Exhibit 1, and an aerial photograph of the property was marked as Exhibit 2.

Robert Utz appeared in support of the petition. There was one interested citizen in attendance, the neighbor to the north, Howard A. McHenry, Jr. whose property is at 20907 Mt. Zion Road. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). That agency did not oppose the request.

The site is approximately 3.64 acres in size and is zoned RC-2.

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 or hardship.

ORDER RECEIVED FOR FILING

Date

9/24/19

By

Sen

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

Because of the lot dimensions the property is unique. The Petitioner testified that the dimensions of the proposed structure will be 30' x 50' for a total square footage of 1,500 feet. He further testified that his residence is 3,460 square feet. Therefore, the proposed structure conforms to the BCZR. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because he would be unable to park his recreational vehicle in the accessory structure, which is the primary purpose of the pole barn he intends to construct. Mr. McHenry acknowledged that Mr. Utz had explained his plans to him and that his only objection or concern is that the structure will partially block his view as he exits his driveway. However, Mr. McHenry testified that this would be the case whether the structure is 15 ft. or 22 ft. tall. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 24<sup>th</sup> day of **September, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations to permit a proposed accessory structure (shed) with a height of 22 ft. in lieu of the required 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date

9/24/19

By

sen

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



PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM/sln

ORDER RECEIVED FOR FILING

Date 9/24/19

By sen



# PETITION FOR ZONING HEARING(S)

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

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

Address 20905 Mt. Zion Rd which is presently zoned RC-2  
 Deed References: 40204/00152 10 Digit Tax Account # 2300008567  
 Property Owner(s) Printed Name(s) ROBERT UTZ

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1.      a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2.      a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. **X** a **Variance** from Section(s) 4003 BCZR; To permit a proposed accessory structure with the height of 22 feet in lieu of the required 15 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:  
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

## Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

## Legal Owners (Petitioners):

ROBERT UTZ

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

112 Broad Leaf Ct Rising Sun MD

Mailing Address City State

21911 / 443-828-5002

Zip Code Telephone # Email Address

## Representative to be contacted:

Michelle Clancy

Name - Type or Print

Signature

Po Box 310 Perry Hall MD

Mailing Address City State

21128 / 443-610-7514

Zip Code Telephone # Email Address

Michelle Clancy  
Applied and approved

CASE NUMBER 2019-0346-A Filing Date 6/3/19 Do Not Schedule Dates: Reviewer gh

**ZONING PROPERTY DESCRIPTION FOR 20905 MT ZION ROAD, FREELAND MD 21053**

Beginning at a point on the East side of Mt. Zion Road which is 50' wide at a distance of 1000' South of the centerline of the nearest improved intersecting street, Freeland Road which is 40' wide.

Beginning for Lot B2 of the Minor Subdivision No. 98095M at pin and cap set on the 13<sup>th</sup> or South 67 degrees 35 minutes 05 seconds East 781.61 foot line of that Parcel of Land described in a Deed dated September 7, 1983 between Harry J. Martin, et ux and R. James Kiernan, et ux, recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K., Jr. 6666, folio 500, said point of beginning being located, as now surveyed, North 74 degrees 43 minutes 16 second West 205.80 feet reversely from the end of said 13<sup>th</sup> line of said Deed, running thence leaving said 13<sup>th</sup> line of said Deed and binding on the new lines of division between said Lot B2 and Lot B1 shown on said Minor Subdivision No. 98095M, the two following courses, as now surveyed; (1) North 06 degrees 15 minutes 14 seconds East 489.02 feet to a pin and cap set and (2) North 89 degrees 54 minutes 12 seconds East 287.10 feet to a pin and cap set and to intersect the 1<sup>st</sup> or North 07 degrees 52 minutes 16 seconds East 1460.06 foot line of said Deed and the Eastern outline of said Minor Subdivision No. 98095M, running thence binding reversely on part of said 1<sup>st</sup> line and binding reversely on all of the 15<sup>th</sup> and 14<sup>th</sup> and part of said 13<sup>th</sup> line of said Deed and binding on part of the outline of said Minor Subdivision No. 98095M, the four following courses, as now surveyed; (3) South 00 degrees 42 minutes 36 seconds West 518.84 feet to a concrete monument found, (4) North 74 degrees 24 minutes 02 seconds West 127.29 feet to a pipe found, (5) South 12 degrees 50 minutes 11 seconds West 57.69 feet to a pipe found and (6) North 74 degrees 43 minutes 16 seconds West 205.80 feet to the point of beginning, as recorded in Deed Liber 40204, Folio 152, containing 3.6430 acres. Located in the 6<sup>th</sup> Election District and 3<sup>rd</sup> Council District. Also known as Lot B2 in the minor subdivision of Parcel B, Kiernan Property, minor subdivision #98095M, as maintained by the Development Management Division of the Department of Permits, Approvals and Inspections.

2019-0346-A

PM 9-23-19  
11 Am

Debra Wiley

From: Marty Ogle <mert1114@aol.com>  
Sent: Thursday, September 19, 2019 5:33 PM  
To: Administrative Hearings  
Subject: 2019-0346-A

CAUTION: This message from mert1114@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

2nd set of certificates

**CERTIFICATE OF POSTING**

CASE NO. 2019-0346-A  
PETITIONER/DEVELOPER  
Michael Curvey  
DATE OF HEARING/CLOSING  
9/25/19

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING ROOM 111  
111 WEST CHESAPEAKE AVENUE  
ATTENTION:  
LADIES AND GENTLEMEN:  
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE  
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON  
THE PROPERTY LOCATED AT  
2030 E. Mt. Zion Rd

THIS SIGN(S) POSTED ON September 1, 2019 September 19, 2019  
(MONTH, DAY, YEAR)

SINCERELY,  
Marty Ogle  
SIGNATURE OF SIGN POSTER

MARTIN OGLE  
9912 MAIDENBROOK ROAD  
PARKVILLE, MD 21234  
443-679-2411

**ZONING**

CERTIFICATE OF POSTING

CASE NO. 2015-0341-A

PETITIONER/DEVELOPER

Mediacare

DATE OF HEARING CLOSING

9/23/15

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING ROOM 111  
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE  
NECESSARY SIGNS REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON  
THE PROPERTY LOCATED AT

20105 Mt. Zion Rd

Sheet 1

THIS SIGN WAS POSTED ON

September 2, 2015

September 19, 2015

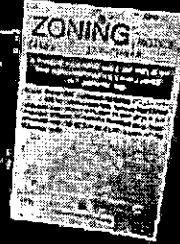
(MONTH, DAY, YEAR)

SINCERELY,

[Signature]

SIGNATURE OF SIGN POSTER

MARTIN COLLIS  
5912 MAIDBROOK ROAD  
PARKVILLE, MD. 21234  
(410) 223-3411



[Signature]

Sent from my iPhone

**CERTIFICATE OF POSTI**

CASE NO. 2019-0346-A

PETITIONER/DEVELOPER

MICHELE CLAWCY

DATE OF HEARING/CLOSING

9/23/19

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING ROOM 111  
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE  
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON  
THE PROPERTY LOCATED AT

20905 MT. ZION RD  
SIGN #2

THIS SIGN(S) POSTED ON September 1, 2019  
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 9/1/19  
SIGNATURE OF SIGN POSTER

MARTIN OGLE  
9912 MAIDBROOK ROAD  
PARKVILLE, MD. 21234  
443-629-3411

SIGN 2

# ZONING NOTICE

CASE # 2019-0346-A

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

PLACE: Room 205, Jefferson Building  
105 W. Chesapeake Ave., Towson MD 21204

DATE AND TIME: MONDAY, SEPTEMBER 23, 2019 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED ACCESSORY  
STRUCTURE WITH THE HEIGHT OF 22 FT. IN LIA. OF THE  
REQUIRED 15 FT.

PROVISIONS OUT TO WEATHER OR OTHER CONDITIONS ARE NEARBY'S NECESSARY  
TO CONSIDER A HEARING CASE 865-2301

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

HANDICAPPED ACCESSIBLE

*mycalm 86 9/1/19*

**CERTIFICATE OF POST**

CASE NO. 2019-0346-A

PETITIONER/DEVELOPER

MICHELE CLADY

DATE OF HEARING/CLOSING

9/23/19

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING ROOM 111  
111 WEST CHESAPEAKE AVENUE  
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE  
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON  
THE PROPERTY LOCATED AT

20905 MT. ZION RD

SIGN #1

THIS SIGN(S) POSTED ON

September 1, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 9/1/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

SIGN 1

# ZONING NOTICE

CASE # 2019-0346-A

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

PLACE: Room 205, Jefferson Building.

105 W. Chesapeake Ave, Towson MD 21204

DATE AND TIME: MONDAY, SEPTEMBER 23, 2019 AT 11:00 A.M.

REQUEST: VARIANCES TO PERMIT A PROPOSED ACCESSORY  
STRUCTURE WITH THE HEIGHT OF 22 FT. INSTEAD OF  
THE REQUIRED 15 FT.

PLACEMENT IS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY  
TO REARRANGE THE SIGN CASE SETTING.

DO NOT BLOCK THE VIEW AND PASTORALITY OF THE HEARING UNIT & FOR ALL PLANS CAN

HANDICAPPED ACCESSIBLE

*meeting 9/1/19*

# The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

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:

9/3/2019

Order #: 11783978  
Case #: 2019-0346-A  
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0346-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: 2019-0346-A**

20905 Mt. Zion Road

East side of Mt. Zion Road, south of Freeland Road

6th Election District - 3rd Councilmanic District

Legal Owners: Robert Utz

Variance to permit a proposed accessory structure with the height of 22 ft. in lieu of the required 15 ft.

Hearing: Monday, September 23, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS, 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.

s3



JOHN A. OLSZEWSKI, JR.  
County Executive

MICHAEL D. MALLINOFF, Director  
Department of Permits,  
Approvals & Inspections

August 22, 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: 2019-0346-A**

20905 Mt. Zion Road  
East side of Mt. Zion Road, south of Freeland Road  
6<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
Legal Owners: Robert Utz

Variance to permit a proposed accessory structure with the height of 22 ft. in lieu of the required 15 ft.

Hearing: Monday, September 23, 2019 at 11:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Michael Mallinoff".

Michael Mallinoff  
Director

MM:kl

C: Robert Utz, 112 Broad Leaf Court, Rising Sun 21911  
Michelle Clancy, P.O. Box 310, Perry Hall 21128

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 3, 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  
Tuesday, September 3, 2019 - Issue

Please forward billing to:  
Michelle Clancy  
P.O. Box 310  
Perry Hall, MD 21128

443-610-7514

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## NOTICE OF ZONING HEARING

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**CASE NUMBER: 2019-0346-A**  
20905 Mt. Zion Road  
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Variance to permit a proposed accessory structure with the height of 22 ft. in lieu of the required 15 ft.

Hearing: Monday, September 23, 2019 at 11:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff  
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.

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE MEMORANDUM

**TO:** Michael D. Mallinoff  
Director, Department of Permits, Approvals and Inspections

**DATE:** 7/24/2019

**FROM:** C. Pete Gutwald  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
Case Number: 19-346

**INFORMATION:**

**Property Address:** 20905 Mt. Zion Road  
**Petitioner:** Robert Utz  
**Zoning:** RC 2  
**Requested Action:** Variance

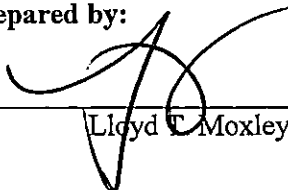
The Department of Planning has reviewed the petition for a variance to permit a proposed accessory structure (shed) with a height of 22 feet in lieu of the required 15 feet.

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

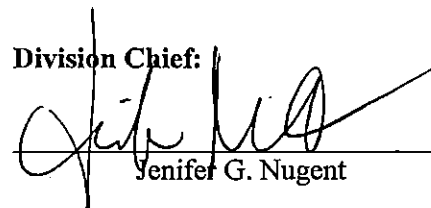
- Petitioners shall confirm through the hearing process that the accessory structure will be subordinate to the principal structure in terms of square footage.
- The accessory structure shall not be used for principal residential or commercial purposes.

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

**Prepared by:**

  
Lloyd T. Moxley

**Division Chief:**

  
Jennifer G. Nugent

CPG/JGN/LTM/

c: Joseph Wiley  
Michelle Clancy  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

**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.**

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**For Newspaper Advertising:**

Case Number: 2019-0346-A  
Property Address: 20905 Mt. Zion Rd  
Property Description: \_\_\_\_\_

Legal Owners (Petitioners): Robert Utz  
Contract Purchaser/Lessee: \_\_\_\_\_

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Michelle Clancy  
Company/Firm (if applicable): Applied + Approved  
Address: PO Box 310  
Perry Hall MD 21128  
Telephone Number: 443.610.7514

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

No. 183800

PAID RECEIPT

Date: 6/3/19

BUSINESS ACTUAL TIME DRD  
6/04/2019 6/03/2019 09:20:52

REC-WS01 WALKIN LJR  
>>RECEIPT # 010389 6/03/2019 OFCN

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|
| 001  | 800  | 0000 |          | 6150            |                  |          |         | 75.00  |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |

Dept 5 528 ZONING VERIFICATION  
143800

Receipt Tot \$ 75.00

5.00 CK 00.00 CA

Baltimore County, Maryland

Total: 75.00

Rec From: Robert UTZ

For: Variance - 2019-0346-A  
20905 Mt. Zion Rd

DISTRIBUTION

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

CASHIER'S  
VALIDATION



JOHN A. OLSZEWSKI, JR.  
County Executive

MICHAEL D. MALLINOFF, *Director*  
*Department of Permits,*  
*Approvals & Inspections*

September 17, 2019

Michelle Clancy  
Po Box 310  
Perry Hall MD 21128

RE: Case Number: 2019-0346-A, 20905 Mt Zion 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 June 3, 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,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel  
Robert OTZ 112 Broad Leaf Court Rising Sun MD 21911

4-23-19

# BALTIMORE COUNTY, MARYLAND

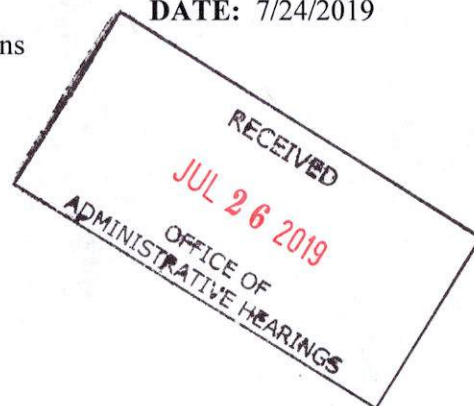
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Director, Department of Permits, Approvals and Inspections

**DATE:** 7/24/2019

**FROM:** C. Pete Gutwald  
Director, Department of Planning

**SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS**  
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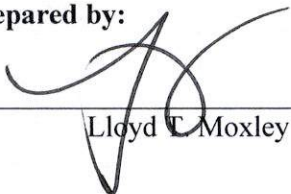
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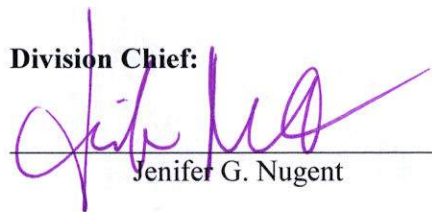
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For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

**Prepared by:**

  
\_\_\_\_\_  
Lloyd T. Moxley

**Division Chief:**

  
\_\_\_\_\_  
Jenifer G. Nugent

CPG/JGN/LTM/

c: Joseph Wiley  
Michelle Clancy  
Office of the Administrative Hearings  
People's Counsel for Baltimore County

**MDOT**  
MARYLAND DEPARTMENT  
OF TRANSPORTATION  
STATE HIGHWAY  
ADMINISTRATION

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

Date: 6/12/19

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

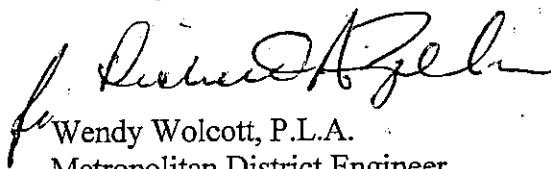
Dear Ms. Lewis:

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. 2019-0346-A

*Variance  
Robert O'tz  
20905 Mt Zion 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

RE: PETITION FOR VARIANCE  
20905 Mt Zion Road; E/S of Mt Zion Road,  
S 1,000' to c/line of Freeland Road  
6<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts  
Legal Owner(s): Robert Otz  
Petitioner(s)

\* BEFORE THE OFFICE  
\* OF ADMINSTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* 2019-346-A

\* \* \* \* \*

### ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

JUN 14 2019

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14<sup>th</sup> day of June, 2019, a copy of the foregoing Entry of Appearance was mailed to Michelle Clancy, P.O. Box 310, Perry Hall, Maryland 21128, Representative for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



Homeowners' Tax Credit Application Status: No Application      Date:



Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, USDA Farm Service Agency, Map data ©2019 100 ft

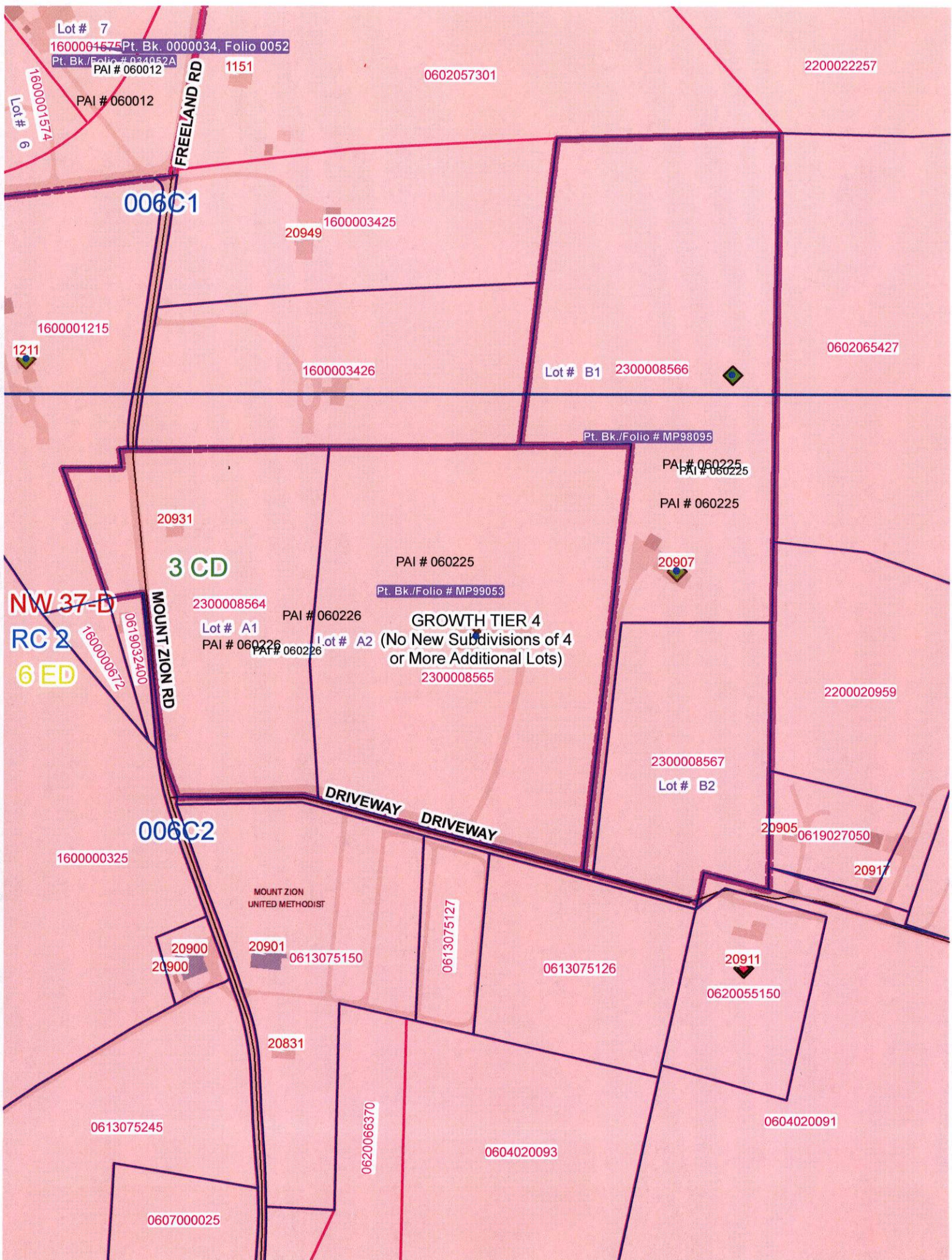
CASE NAME 20905 Mt. Zion Rd  
CASE NUMBER 2019-0346-A  
DATE 9/23/19

## NAME \_\_\_\_\_

CITY, STATE, ZIP

E - MAIL

[illegible]



Lot # 7

1600001575 Pt. Bk. 0000034, Folio 0052

Pt. Bk./Folio # 034052A

PAI # 060012

1151

0602057301

2200022257

PAI # 060012

006C1

20949 1600003425

1600001215

1211

1600003426

Lot # B1 2300008566

0602065427

Pt. Bk./Folio # MP98095

PAI # 060225

PAI # 060225

20931

3 CD

PAI # 060225

Pt. Bk./Folio # MP99053

NW 37-D

RC 2

6 ED

MOUNT ZION RD

2300008564

PAI # 060226

Lot # A1

PAI # 060226

Lot # A2

PAI # 060226

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

2300008565

20907

2200020959

2300008567

Lot # B2

006C2

1600000325

DRIVEWAY DRIVEWAY

20905 0619027050

20917

MOUNT ZION  
UNITED METHODIST

20900  
20900

20901 0613075150

0613075127

0613075126

20911  
0620055150

0604020091

0604020093

0613075245

20831

0620066370

0607000025



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

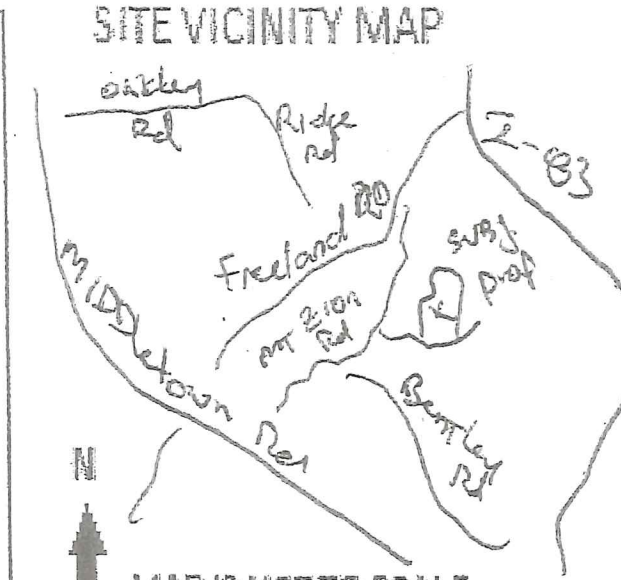
ADDRESS 20905 MT Zion Rd. OWNER(S) NAME(S) ROBERT UTZ

SUBDIVISION NAME KIERNAN PROPERTY LOT # B2 BLOCK # N/A SECTION # N/A

PLAT BOOK # \_\_\_\_\_ FOLIO # \_\_\_\_\_ 10 DIGIT TAX # 2300008567 DEED REF. # 40204100152



Lawrence Gentler  
20917 MT Zion Rd  
06-0619027050



MAP IS NOT TO SCALE  
ZONING MAP# 006C2  
SITE ZONED RC 2  
ELECTION DISTRICT 6  
COUNCIL DISTRICT 3  
LOT AREA ACREAGE 3.643  
OR SQUARE FEET 125,902.08  
HISTORIC? NO  
IN CBCA? NO  
IN FLOOD PLAIN? NO  
UTILITIES? MARK WITH X  
WATER IS:  
PUBLIC \_\_\_\_\_ PRIVATE X  
SEWER IS:  
PUBLIC \_\_\_\_\_ PRIVATE X  
PRIOR HEARING? NO  
IF SO GIVE CASE NUMBER  
AND ORDER RESULT BELOW

PLAN DRAWN BY JSC DATE 6/2/19 SCALE: 1 INCH = 80 FEET

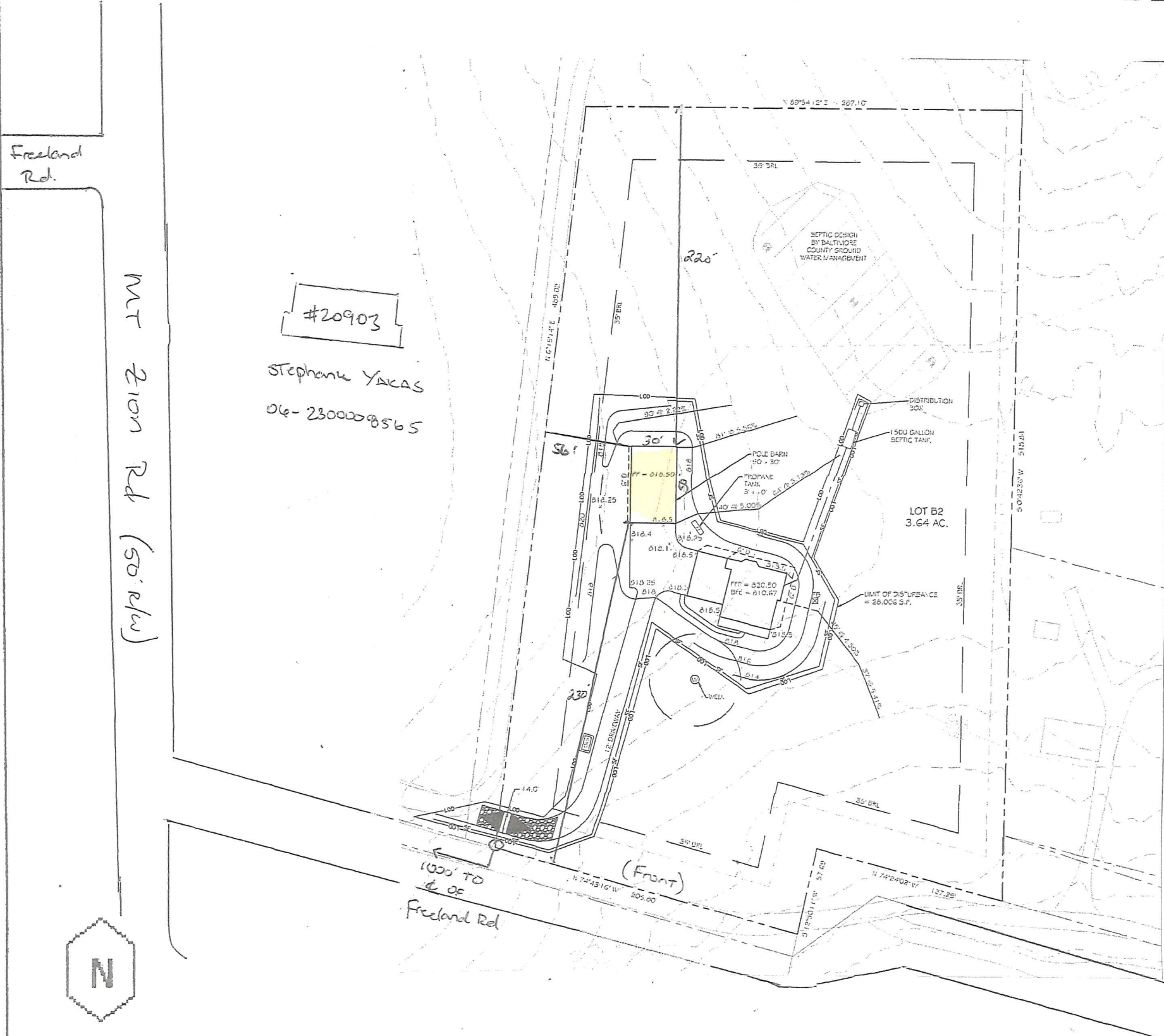
2019-0346-A

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

ADDRESS 20905 Mt Zion Rd. OWNER(S) NAME(S) Robert Utz

SUBDIVISION NAME Kiernan Property LOT # B2 BLOCK # N/A SECTION # N/A

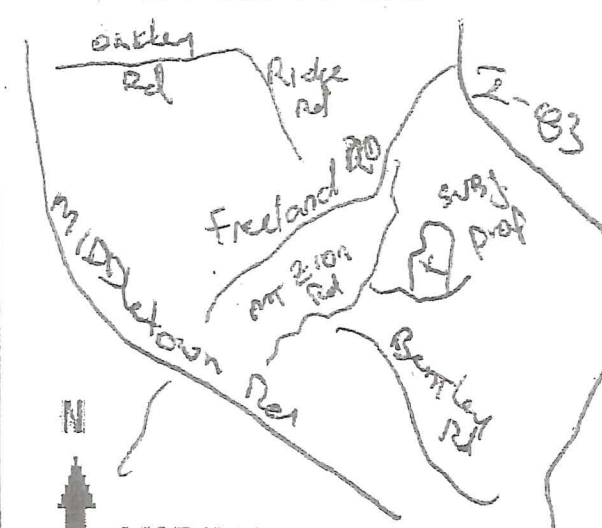
PLAT BOOK #          FOLIO #          10 DIGIT TAX # 2300008567 DEED REF. # 40204100152



Lawrence Gritter

20917 Mt Zion Rd  
06-0619027050

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 006C2

SITE ZONED RC 2

ELECTION DISTRICT 6

COUNCIL DISTRICT 3

LOT AREA ACREAGE 3.643

OR SQUARE FEET 125,902.08

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC          PRIVATE X

SEWER IS:

PUBLIC          PRIVATE X

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

PETITIONER'S         

EXHIBIT NO. 1

2019-0346-A

PLAN DRAWN BY SSC

DATE 6/2/19

SCALE: 1 INCH = 80 FEET