

M E M O R A N D U M

DATE: December 7, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0131-A- Appeal Period Expired

The appeal period for the above-referenced cases expired on December 2, 2020. 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.'

/dlw

c: / Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(2024 Middleborough Road)

15th Election District

7th Council District

Elizabeth Sligh

Legal Owner

Petitioner

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2020-0131-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by Elizabeth Sligh for property located at 2024 Middleborough Road. The Petitioners are requesting variance relief from § 1B02.3.C. of the Baltimore County Zoning Regulations ("BCZR") to permit a side yard open projection (deck & pool) with a side yard setback of 2 ft. 8 in. in lieu of the required 7.5 ft.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1. The subject property is approximately 8,250 square feet and zoned DR 3.5.

Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Environmental Protection Sustainability ("DEPS") which indicated the property is located within the Chesapeake Bay Critical Area ("CBCA") and is subject to Critical Area requirements. In addition, a ZAC comment was received from the Department of Planning ("DOP") which opposes the variance.

Petitioner, Elizabeth Ann Sligh, appeared in support of the requested relief. Her next door neighbor Harry Horney also attended. A Code Enforcement Complaint was filed and a stop work

ORDER RECEIVED FOR FILING

Date

11/2/20

By

[Signature]

notice was issued on April 16, 2020. The Code Official stayed the case pending resolution of this variance request. Ms. Sligh testified that she placed the pool in the side yard because there is a large mature tree in the middle of her back yard, as depicted in Petitioner's Exhibit 2. Further, as shown in Petitioner's Exhibit 3, there is a central air conditioning unit at the side of her house that prevented her from meeting the 7.5 foot side setback. These and the other photographs submitted also show that there is a six foot privacy fence that shields the entire pool and yard from view. Ms. Sligh's husband testified that he has chronic back problems and that he uses the pool for therapy and pain relief.

Their neighbor, Mr. Horney, testified that he owns the house next door but does not live there. His son and grandson do. He testified that they too have a pool and that they have no objection to the Sligh's pool other than the occasional noise from the pool activities at night, because his grandson's bedroom window is only about 12 feet from the pool.

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.

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

The subject property is unique because the large tree in the back yard necessitates the placement of the pool in the side yard. Petitioner would suffer practical difficulty if the variance were denied because they would be unable to have the pool, which they use for physical therapy and pain relief. Petitioners agreed to plant evergreen shrubs along the fence line next to the pool in order to create a sound buffer. They also agreed to refrain from playing music or making any noise beyond conversation while using the pool after 8 p.m.

ORDER RECEIVED FOR FILING

Date

11/2/20

By

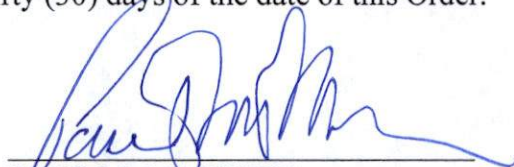
J. M. Magon

Based on the record evidence, and with these conditions, I believe that the variance relief can be granted within the spirit and intent of the BCZR and without harming the public health, safety, or welfare.

THEREFORE, IT IS ORDERED, this **2nd** day of **November, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to ("BCZR") § 1B02.3.C. to permit a side yard open projection (deck & pool) with a side yard setback of 2 ft. 8 in. in lieu of the required 7.5 ft. is hereby **GRANTED**, subject to the following conditions:

1. Petitioner shall plant evergreen shrubs at least 5 feet tall along the fence line adjoining the Horney property, and spaced so that they create a continuous buffer.
2. Petitioner shall not play music or make noise above a conversational level in the pool area after 8 p.m.

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/dlm

ORDER RECEIVED FOR FILING

Date

11/2/20

By

D. Mignola



PETITION FOR ZONING VARIATION(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 2024 Middleborough Rd Essex, MD 21221 which is presently zoned Residential
Deed References: 41126/00122 10 Digit Tax Account # 21 0 0 0 0 1 7 8 2
Property Owner(s) Printed Name(s) Elizabeth Ann Sligh

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a **Variance** from Section(s)

BCZR: 1B02.3.C.1. → To permit a side yard open projection (deck & pool) with a side yard setback of 2 feet 8 inches in lieu of the required 7.5 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)

** Please see attached **

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

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):

Elizabeth A. Sligh

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2024 Middleborough Rd Essex MD

Mailing Address

City

State

Zip Code

410 688 1488

Telephone #

lizsligh2024@gmail.com

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2020-0131-A

Filing Date

6/5/20

Do Not Schedule Dates:

Reviewer JS

Petition for Zoning Hearing (Attachment)

1. (3) A Variance-

Zoning Commissioner should approve:

an above ground pool and a semi-handicapped accessible landing/deck.

The pool measuring 12 (w)x24(l)x54(d) that exists 2ft. 8 inches from the property line marked by a pre-existing privacy fence. This fence encircles the entire property and measures 6 feet in height. This fence has a gate nearest the pool that opens out (away from the pool) has a latch on the inside and a hasp and keyed padlock on the outside. The pool is situated on the left side yard of the property. The proposed semi-handicapped accessible landing/deck would be situated 2 ft. 8 inches from the property line on the left side yard. The proposed size would be 12 ft by 17 ft and would be 4 ft. 6 inches in height. It would be situated to provide semi-handicapped accessibility for the owner's fiancé. He requires a substantial and stable landing structure to enter and exit the pool. He requires a full 12-inch step rather than a ladder to enter and exit safely. Medical documentation available on request.

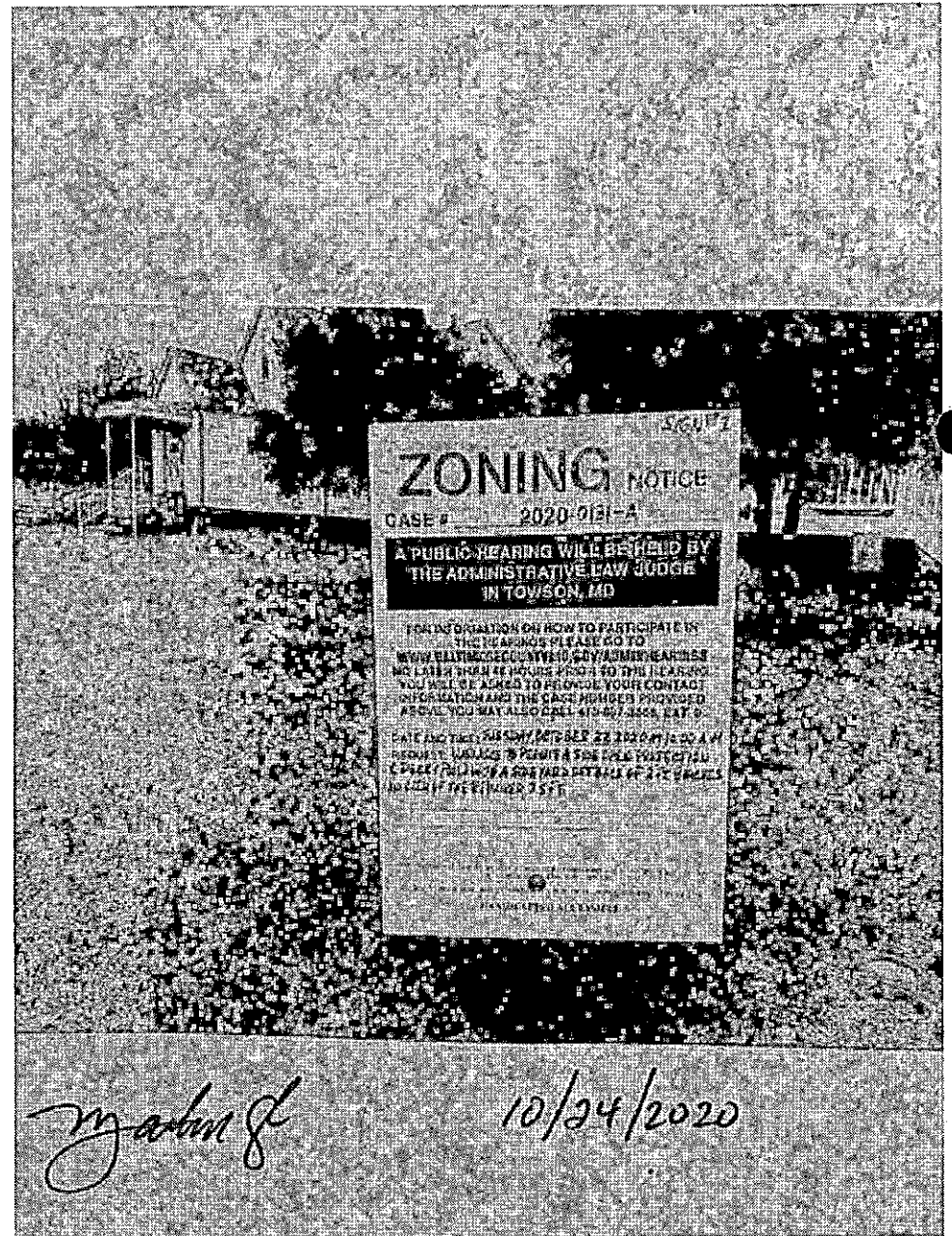
Property description

Zoning property description for 2024 MIDDLEBOROUGH RD ESSEX MD
21221

Beginning at a point on the NORTH side of MIDDLEBOROUGH RD which is 40 feet wide at a distance of 139.75 ft WEST of the centerline of the nearest approved intersecting street ST. GEORGES RD. which is 29.5 feet wide.

Being Lot # **603**, in the subdivision of **MIDDLEBOROUGH** as recorded in Baltimore County Plat Book # **0008**, Folio #**446**, containing **8250 square feet**. Located in the **15** Election District and the **2** Council District.

2020-0131-A



CERTIFICATE OF POSTING

CASE NO. 2020-2131-A

PETITIONER/DEVELOPER

ELIZABETH

SLIGH

DATE OF HEARING/CLOSING

10/27/20

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 123
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

2024 Middlebrook Rd

SHEET 2

THIS SIGN(S) POSTED ON October 4, 2020

October 4, 2020

(MONTH, DAY, YEAR)

SINCERELY,

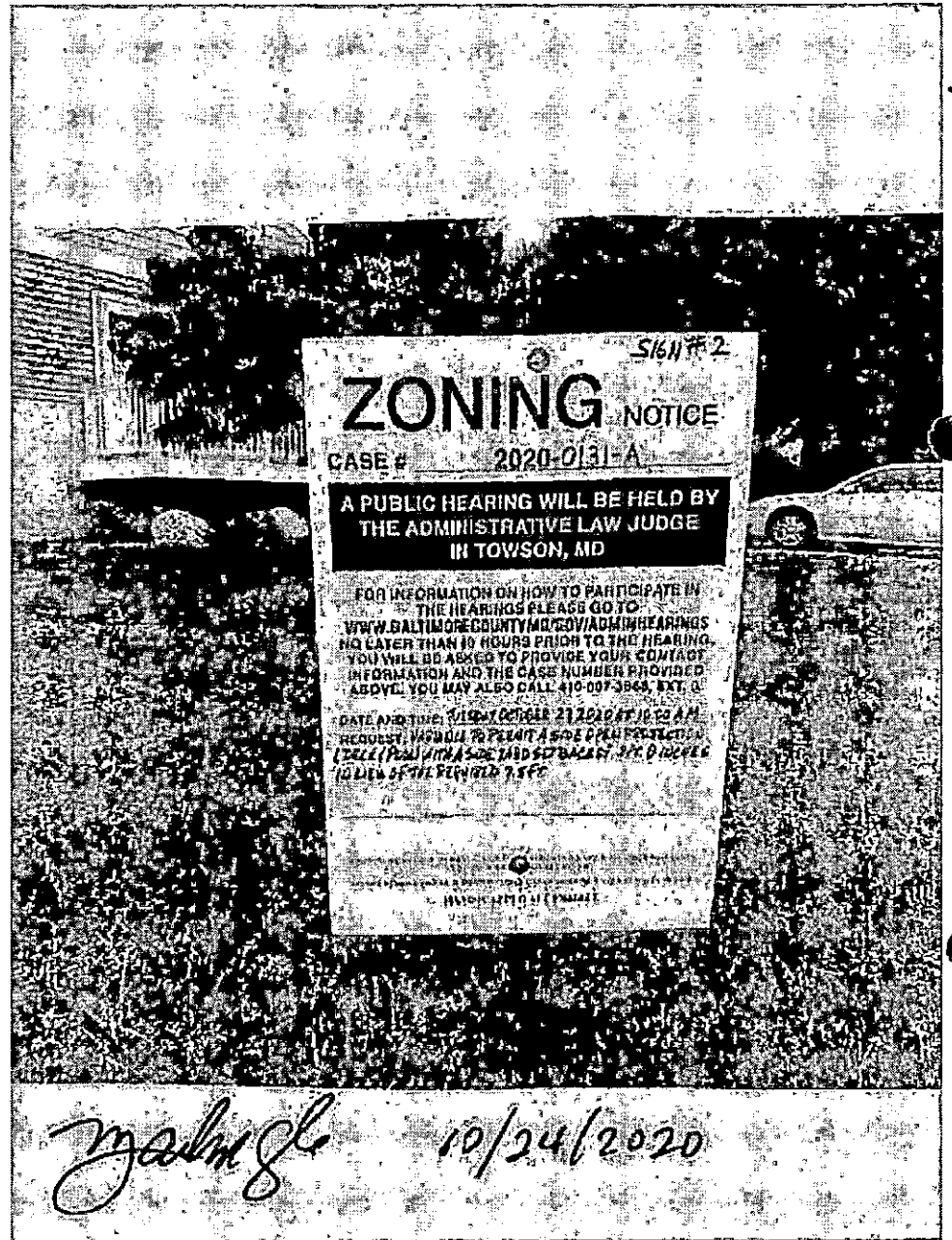
Martin Ogile 10/6/20
SIGNATURE OF SIGN POSTER

MARTIN OGILE

9912 MIDDLEBROOK ROAD

PARKVILLE, MD 21234

410-329-1411



Donna Mignon

From: Administrative Hearings
Sent: Friday, October 23, 2020 9:15 AM
To: mert1114@aol.com
Subject: Case No: 2020-0131-A 2024 Middleborough Road

Dear Mr. Ogle,
Please send the recertification in regard to the above-referenced matter.

Thank you so much.
Have a great day.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 22, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0131-A

2024 Middleborough Road
N/west side of Middleborough Road, west of St. George's Road
15th Election District – 7th Councilmanic District
Legal Owners: Elizabeth Sligh

Variance to permit a side open projection (deck & pool) with a side yard setback of 2 ft. 8 inches in lieu of the required 7.5 ft.

Hearing: Tuesday, October 27, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Elizabeth Sligh, 2024 Middleborough Road, Essex 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., OCTOBER 7, 2020.

TO: THE DAILY RECORD
Wednesday, October 7, 2020 - Issue

Please forward billing to:
Elizabeth Sligh
2024 Middleborough Road
Essex, MD 21221

410-688-1488

NOTICE OF ZONING HEARING

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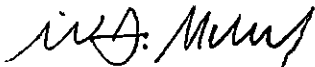
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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 22, 2020

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Michael Mallinoff
Director

MM:kl

C: Elizabeth Sligh, 2024 Middleborough Road, Essex 21221

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CERTIFICATE OF POSTING

CASE NO. 2020-0131-A

PETITIONER/DEVELOPER

Elizabeth Sligh

DATE OF HEARING/CLOSING

October 27, 2020

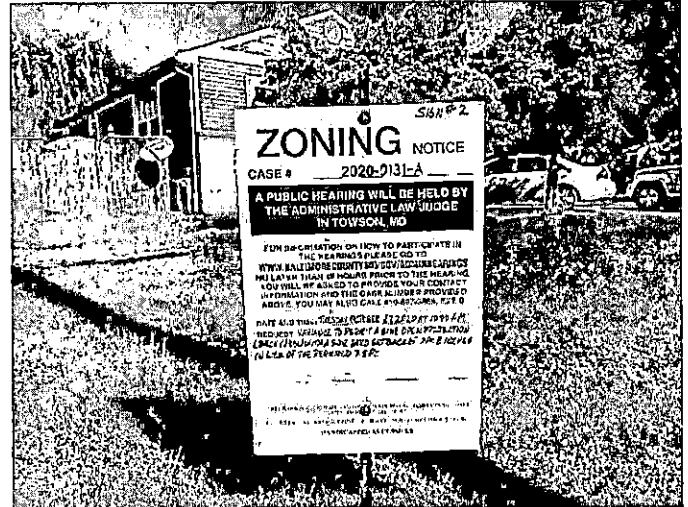
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:

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

2024 Middleborough Road

SIGN 2



THE SIGN(S) POSTED ON October 6, 2020
(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

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

CERTIFICATE OF POSTING

CASE NO. 2020-0131-A

PETITIONER/DEVELOPER

Elizabeth Sligh

DATE OF HEARING/CLOSING

October 27, 2020

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

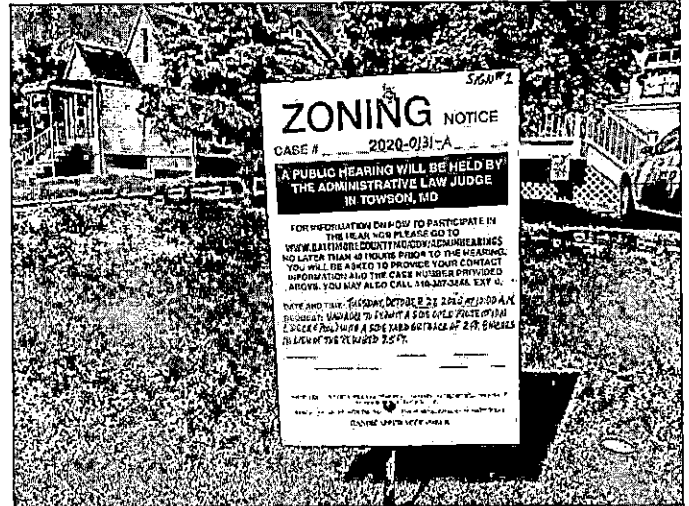
ATTENTION:

LADIES AND GENTLEMEN :

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NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

2024 Middleborough Road

SIGN 1



THE SIGN(S) POSTED ON October 6, 2020

(MONTH, DAY, YEAR)

SINCERLEY ,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE ,MD 21234

443-629-3411

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11921692
 Case #: 2020-0131-A
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0131-A

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:

10/7/2020



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 virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0131-A

2024 Middleborough Road

N/west side of Middleborough Road, west of St. George's Road

15th Election District - 7th Councilmanic District

Legal Owners: Elizabeth Sligh

Variance to permit a side open projection (deck & pool) with a side yard setback of 2 ft. 3 inches in lieu of the required 7.5 ft.

Hearing: Tuesday, October 27, 2020 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

07

**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: 2020-0131-4

Property Address: 2024 MIDDLEBOROUGH RD, 21221

Property Description:

Legal Owners (Petitioners): ELIZABETH SLIGH

Contract Purchaser/Lessee:

PLEASE FORWARD ADVERTISING BILL TO:

Name: ELIZABETH SLIGH

Company/Firm (if applicable):

Address: 2024 MIDDLEBOROUGH ROAD

ESSEX, MD 21221

Telephone Number: 410-688-1488

Revised 7/9/2015



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB2000160

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB2000160	Daniel Williams	04/13/2020	04/13/2020	Inspection Scheduled		

Complaint Description: Description: The owner of this property has installed an above ground swimming pool on their side yard, and a pavilion type structure behind the house without permits. There is also a gazebo i believe is to close to the property line. Thank You

<u>Property</u>	<u>Owner</u>	<u>Complainant</u>
2024 MIDDLEBOROUGH RD ESSEX, MD 21221 Tax Id: 2100001782	BROWN ELIZABETH ANN 2024 MIDDLEBOROUGH RD BALTIMORE, MD 21221-1516	Harry Horney 2008 birch rd baltimore MD, 21221 4432504778 rotarywingnut@comcast.net

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Daniel Williams	05/05/2020	Initial Inspection	Correction Notice Issued	Correction Notice Issued	

Lien Information - No Lien

Comments Detail

5/7/2020: 4/15/20 Homeowner installed a pool, pavilion and are in the process of building a deck. All three require permits. R/C 4/29/20
4/16/20 Correction Notice handed to owner. Owners have applied for permits. ***DW/lk
5/6/20 Spoke with homeowner who stated they are dealing with Earl in PAI for permits. REF# A818775



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 19, 2020

Elizabeth A. Sligh,
2024 Middleborough Road
Essex MD 21221

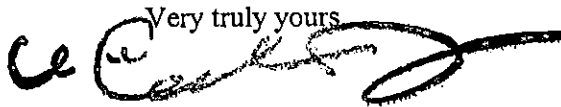
RE: Case Number: 2020-0131-A, 2024 Middleborough Road

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 05, 2020. 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



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

JOHN A. OLSZEWSKI, JR.
County Executive

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

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

DATE: 6/22/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-131

INFORMATION:

Property Address: 2024 Middleborough Road
Petitioner: Elizabeth A. Sligh
Zoning: DR 3.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance from § 1B02.3.C.1 to permit a side yard open projection (deck and pool) with a side yard setback of 2 feet 8 inches in lieu of the required 7.5 feet. A Code Enforcement Complaint was filed with Baltimore County on 4/13/2020, case number CB2000160, for constructing an above ground pool and pavilion without permits.

The property is located on Middleborough Road in a primarily residential neighborhood. The lots are relatively large, consistent with DR 3.5 zoning.

A site visit was conducted on 6/17/2020. An above ground pool has already been constructed and the deck is under construction. Swimming pools are subject to the area regulations set forth in § 400.1 of the BCZR, which state that "accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40 percent thereof." The structure in question, an above ground pool, is located in a side yard and is a temporary structure. There is adequate space in the rear yard for the pool to reside.

Given the code complaint and concerns around an above ground pool located so close to the neighboring property and the fact that the pool can be easily moved, The Department of Planning does not recommend approval of the variance request.

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

Prepared by:

Krystle Patchak

Division Chief:

Jennifer G. Nugent

The seal of Baltimore County, Maryland, is a circular emblem. It features a shield divided into four quadrants by a cross. The top-left quadrant is black with white diagonal stripes. The top-right quadrant is white with black diagonal stripes. The bottom-left quadrant is white with black diagonal stripes. The bottom-right quadrant is black with white diagonal stripes. The shield is surrounded by a circular border containing the text "BALTIMORE COUNTY" at the top and "MARYLAND" at the bottom, separated by small stars.

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

c: Joseph Fraker
Elizabeth A. Sligh
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: June 17, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0131-A
Address 2024 Middleborough Road
(Sligh Property)

Zoning Advisory Committee Meeting of June 22, 2020.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

This property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The proposed development must meet LDA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in the State of Maryland Natural Resources Article §8-1802(a)(17). Based on all property area utilized for this address, the maximum Critical Area defined lot coverage allowance is 3,633 square feet. The applicant has been working with EPS to comply with this maximum allowance when considering the pool and a pavilion. If the applicant can comply with these requirements, and meet all mitigation requirements, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is not waterfront, but must meet all lot coverage, afforestation, and mitigation requirements. If these requirements are met for the proposed development, this will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the proposed development can be designed to meet the Critical Area defined lot coverage requirements, afforestation requirements, and any mitigation requirements, the relief requested can be consistent with established land-use policies.

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 18 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: June 17, 2020

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Address 2024 Middleborough Road
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EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

This property is located within a Limited Development Area (LDA) and is subject to Critical Area requirements. The proposed development must meet LDA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in the State of Maryland Natural Resources Article §8-1802(a)(17). Based on all property area utilized for this address, the maximum Critical Area defined lot coverage allowance is 3,633 square feet. The applicant has been working with EPS to comply with this maximum allowance when considering the pool and a pavilion. If the applicant can comply with these requirements, and meet all mitigation requirements, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

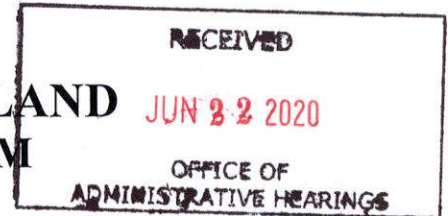
This property is not waterfront, but must meet all lot coverage, afforestation, and mitigation requirements. If these requirements are met for the proposed development, this will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

- RECEIVED
JUN 11 2024
OFFICE OF
ADMINISTRATIVE HEARINGS
3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

If the proposed development can be designed to meet the Critical Area defined lot coverage requirements, afforestation requirements, and any mitigation requirements, the relief requested can be consistent with established land-use policies.

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: 6/22/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-131

INFORMATION:

Property Address: 2024 Middleborough Road
Petitioner: Elizabeth A. Sligh
Zoning: DR 3.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance from § 1B02.3.C.1 to permit a side yard open projection (deck and pool) with a side yard setback of 2 feet 8 inches in lieu of the required 7.5 feet. A Code Enforcement Complaint was filed with Baltimore County on 4/13/2020, case number CB2000160, for constructing an above ground pool and pavilion without permits.

The property is located on Middleborough Road in a primarily residential neighborhood. The lots are relatively large, consistent with DR 3.5 zoning.

A site visit was conducted on 6/17/2020. An above ground pool has already been constructed and the deck is under construction. Swimming pools are subject to the area regulations set forth in § 400.1 of the BCZR, which state that "accessory buildings in residence zones, other than farm buildings (Section 404) shall be located only in the rear yard and shall occupy not more than 40 percent thereof." The structure in question, an above ground pool, is located in a side yard and is a temporary structure. There is adequate space in the rear yard for the pool to reside.

Given the code complaint and concerns around an above ground pool located so close to the neighboring property and the fact that the pool can be easily moved, The Department of Planning does not recommend approval of the variance request.

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

Prepared by:

A handwritten signature in black ink, appearing to read "Krystle Patchak".

Krystle Patchak

Division Chief:

A handwritten signature in black ink, appearing to read "Jenifer G. Nugent".

Jenifer G. Nugent

Date: 6/22/2020
Subject: ZAC #20-131
Page 2

CPG/JGN/kma/

c: Joseph Fraker
Elizabeth A. Sligh
Office of the Administrative Hearings
People's Counsel for Baltimore County



Department of Permits, Approvals & Inspections Complaint Report

Record Id: CB2000160

Earl Ref# A818775

<u>Record ID</u>	<u>Assigned To</u>	<u>Assigned Date</u>	<u>Received Date</u>	<u>Status</u>	<u>Compliance Date</u>	<u>Hearing Date</u>
CB2000160	Daniel Williams	04/13/2020	04/13/2020	Inspection Scheduled		

Complaint Description: Description: The owner of this property has installed an above ground swimming pool on their side yard, and a pavilion type structure behind the house without permits. There is also a gazebo i believe is to close to the property line. Thank You

Property

2024 MIDDLEBOROUGH RD
ESSEX, MD 21221
Tax Id: 2100001782

Owner

BROWN ELIZABETH ANN
2024 MIDDLEBOROUGH RD
BALTIMORE, MD 21221-1516

Complainant

Harry Horney
2008 birch rd
baltimore MD, 21221
4432504778
rotarywingnut@comcast.net

No permits in system

Inspection Details

<u>Inspector</u>	<u>Date</u>	<u>Service</u>	<u>Result</u>	<u>Action</u>	<u>Complied On</u>
Daniel Williams		Initial Inspection	Scheduled		

Lien Information - No Lien

Comments Detail - No Comments

DW 4/15/20 - Homeowners installed a pool, pavilion and are in the process of building a deck.

All 3 require permits R/C 4/29/20 (LP)

DW 4/16/20 - Correction Notice handed to owner, owners have applied for permits (LP)

DW-5/16/20 - Spoke with homeowner who stated they are dealing with Earl in PAI for permits. Ref. # A818775 (No Permits on file for this) (LP)

Baltimore County
Permits, Approvals
And Inspections

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

OFFICE HOURS 7:30 am - 3:30 pm

Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation Case No. 2000160 Property No. 2100001782 Zoning: _____
Name(s): Brown, Elizabeth Ann
Address: 2024 Middleborough Rd Baltimore MD 21221
Violation Location: Same

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

2003 Baltimore County Building Code Article 35
35-2-301 Permits Required
35-2-304 Penalty for action without permit

Owner has built a pool, pavillion, and deck
without required permits

Secure all required permits for these structures

- Any structure constructed in side yards
will require zoning variance -

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

ON OR BEFORE: 4/29/20 DATE ISSUED: 4/16/20

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION
SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1,000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR
90 DAYS IN JAIL, OR BOTH.

INSPECTOR: Dan Williams PRINT NAME: Dan Williams

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS
ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION
OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NO LATER THAN:

ON OR BEFORE: 4/29/20 DATE ISSUED: 4/16/20

INSPECTOR: _____ PRINT NAME: Dan Williams

COPIES: PINK - AGENCY, YELLOW - VIOLATION SITE, GOLD - DEFENDANT, WHITE - INSPECTOR

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Wednesday, October 21, 2020 12:01 PM
To: Donna Mignon; Debra Wiley
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Harry
Last Name	Horney
Email	Mrsh321@comcast.net
Phone	4432504778
Address	2008 Birch Road
City	Essex
State	Maryland
ZIP Code	21221
Case Number	2020-0131-A
Scheduled Hearing Date	10/27/2020



Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Elizabeth Sligh	lizsligh2024@gmail.com	1-	New York Time	English	U.S.
✓ Harry Horney	mrsh321@comcast.net	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

*Invited
10-21-2020*

Donna Mignon

From: Administrative Hearings
Sent: Friday, October 23, 2020 9:10 AM
To: 'lizsligh2024@gmail.com'
Subject: Hearing scheduled 10/27/2020 at 10:00 a.m. - 2024 Middleborough Road

Dear Ms. Sligh:

As you are aware a hearing is scheduled regarding your Petition for Zoning Hearing. You should have received an invitation for your web-ex hearing around September 23, 2020.

If you have not, please contact our office at 410-887-3868.

Please note we must have all exhibits you wish to present for your hearing emailed to our office at least two business days in advance.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



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 2024 Middleborough Rd Essex, MD 21221 which is presently zoned Residential
Deed References: 41126 / 00122 10 Digit Tax Account # 21 0 0 0 0 1 7 8 2
Property Owner(s) Printed Name(s) Elizabeth Ann Sligh

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ a Variance from Section(s)

BCZR: 1B02.3.C.1. → To permit a side yard open projection (deck & pool) with a side yard setback of 2 feet 8 inches in lieu of the required 7.5 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)

** Please see attached **

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):

Elizabeth A. Sligh

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

2024 Middleborough Rd Essex MD
Mailing Address City State

21221 410 688 1488 lizsligh2024@gmail.com
Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2020-0131-A Filing Date 6/5/20

Do Not Schedule Dates: _____ Reviewer JS

Debra Wiley

From: Kristen L Lewis
Sent: Wednesday, September 23, 2020 8:37 AM
To: Debra Wiley; Donna Mignon
Subject: Webex
Attachments: 20200923081939313.pdf

Here is the 2nd one. I hope to be getting a few more done today, a dent in this pile is not happening yet :(

Kristen Lewis
PAI – Zoning Review
410-887-3391

Debra Wiley

From: Debra Wiley
Sent: Wednesday, September 23, 2020 8:48 AM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link- 2020-0131-A - 2024 Middleborough Rd

Event Information

Event: Zoning Hearing - Case No. 2020-0131-A - 2024 Middleborough Road
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eeb68>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e6d5a>
Date and time: Tuesday, October 27, 2020 10:00 am
Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
Case No. 2020-0131-A
2024 Middleborough Road
Elizabeth Sligh
Event number: 172 738 5590
Event password: 1234
Host key: 206943
Alternate Host: Donna Mignon, Henry Ayakwah
Panelist Info:
Panelist password:
Panelist numeric password: 796799
Video Address: 1727385590@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 172 738 5590

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Elizabeth Sligh	lizsligh2024@gmail.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

10/27 10am
2020-0131-A

Debra Wiley

Subject: Web seminar scheduled: Zoning Hearing - Case No. 2020-0131-A - 2024
Middleborough Road

Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e02eebc3f64a81a0b2fdb0c80be80ae1>

Start: Tue 10/27/2020 10:00 AM

End: Tue 10/27/2020 11:00 AM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: webex

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

When it's time, start the Webex event here.

Host: Debra Wiley (dwiley@baltimorecountymd.gov)
Event number (access code): 172 738 5590

Tuesday, October 27, 2020 10:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e02eebc3f64a81a0b2fdb0c80be80ae1>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e9c4622e47a67763361a56d739fc>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1727385590@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 796799

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ebec9e453aab72da735a61f5cf04bbb79>

Need help? Go to <http://help.webex.com>

ZAC AGENDA

Case Number: 2020-0131-A **Reviewer:** Jason Seidelman
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Elizabeth Ann Sligh
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 2024 MIDDLEBOROUGH RD

Location: North west side of Middleborough Road (40'), 140' West of St Georges Road (30').

Existing Zoning: DR 3.5

Area: 8,250 SQ FT

Proposed Zoning:

VARIANCE:

BCZR 1B02.3.C.1. To permit a side yard open projection (deck & pool) with a side yard setback of 2 feet 8 inches in lieu of the required 7.5 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: CB2000160

Closing Date:

Miscellaneous Notes:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 2100001782		
Owner Information		
Owner Name:	BROWN ELIZABETH ANN	Use: RESIDENTIAL
		Principal Residence: YES
Mailing Address:	2024 MIDDLEBOROUGH RD BALTIMORE MD 21221-1516	Deed Reference: /41126/ 00122
Location & Structure Information		
Premises Address:	2024 MIDDLEBOROUGH RD BALTIMORE 21221-1516	Legal Description: LT603 PT602-604 .189 2024 MIDDLEBOROUGH RD MIDDLEBOROUGH
Map:	Grid:	Parcel:
0097	0006	0464
Neighborhood:	Subdivision:	Section:
15070062.04	0000	
Block:	Lot:	Assessment Year:
	603	2021
		Plat No:
		Plat Ref: 0008/ 0046
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1991	1,248 SF	
		Property Land Area
		8,250 SF
		County Use
		04
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	2 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of
		01/01/2018
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Land:	74,000	74,000
Improvements	121,300	121,300
Total:	195,300	195,300
Preferential Land:	0	
Transfer Information		
Seller: MYERS DEBORAH ANN	Date: 02/07/2019	Price: \$240,000
Type: ARMS LENGTH MULTIPLE	Deed1: /41126/ 00122	Deed2:
Seller: MYERS DEBORAH ANN	Date: 09/13/2017	Price: \$0
Type: ARMS LENGTH MULTIPLE	Deed1: /39386/ 00440	Deed2:
Seller: TIMCHULA DEBORAH ANN	Date: 06/25/2014	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /35106/ 00359	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020
State:	000	0.00
Municipal:	000	0.00
		0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 05/29/2019		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

Donna Mignon

From: Marty Ogle <mert1114@aol.com>
Sent: Monday, October 26, 2020 5:34 AM
To: Donna Mignon
Subject: 2nd set

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.

Hope these turned out thank you Marty:

CERTIFICATE OF POSTING

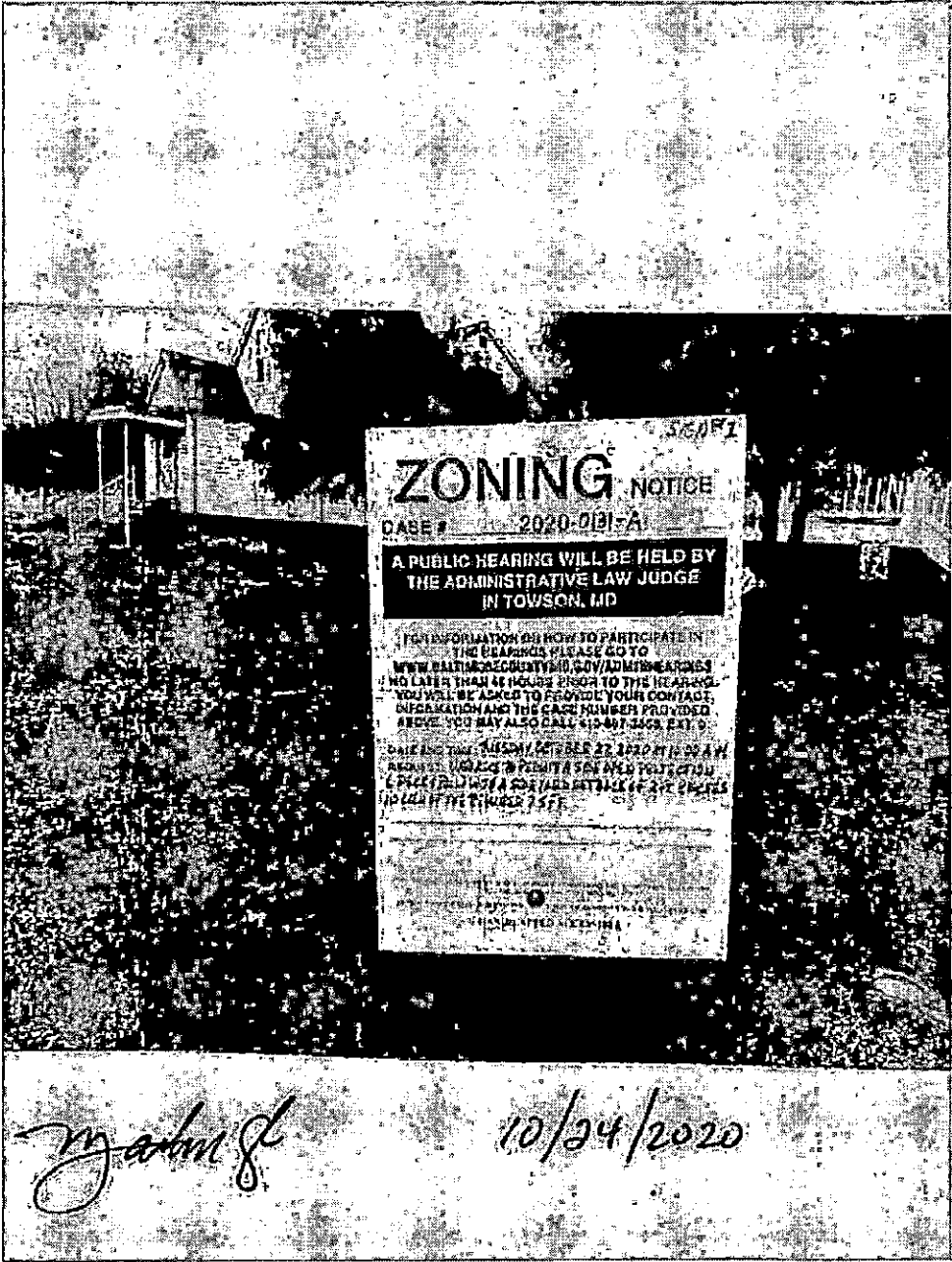
CASE NO. 032-2151-A
PETITIONER/DEVELOPER ECI2 ASLTH
5224
DATE OF HEARING/LOSING 10/27/20

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 123
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 CONSIDERATION
THE PROPERTY LOCATED AT 2024 Middlebrook Rd 5100 #1

THE SIGNS POSTED ON October 6, 2020 October 24, 2020
(MONTH, DAY, YEAR)

SIGNED BY Donna Mignon
SIGNATURE OF SIGNPOSTER

MARTIN OGLE
6012 MIDDLEBROOK ROAD
PARKVILLE, MD 21234
410-219-1811



350 FT

ZONING NOTICE

CASE # 2020-0131-A

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

FOR INFORMATION ON HOW TO PARTICIPATE IN
THE HEARING, PLEASE GO TO
WWW.BALTIMORECOUNTYMD.GOV/ADMINHEARINGS
NO LATER THAN 48 HOURS PRIOR TO THE HEARING.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT
INFORMATION AND THE CASE NUMBER PROVIDED
ABOVE. YOU MAY ALSO CALL 410-807-3000, EXT. 5.

DATE AND TIME: TUESDAY, OCTOBER 27, 2020 AT 10:00 A.M.
REQUEST: UPGRADE TO PERMIT A 360 AND 100% SIGN
A PERMIT IS REQUIRED FOR ALL RETAIL SIGNS. THE SIGNS
SHOULD BE 7 FEET HIGH.

THANK YOU FOR YOUR PARTICIPATION.

M. J. Smith

10/24/2020

CERTIFICATE OF POSTING

CASE NO. 2020-0131-A

PETITIONER/DEVELOPER

ELIZABETH

SLIGH

DATE OF HEARING/CLOSING

10/27/20

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 123

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

2024 Middle Branch Rd.

SLIGH

THIS SIGN(S) POSTED ON October 6, 2020

(MONTH DAY YEAR)

October 6, 2020

SINCERELY,

Marten O'Hell

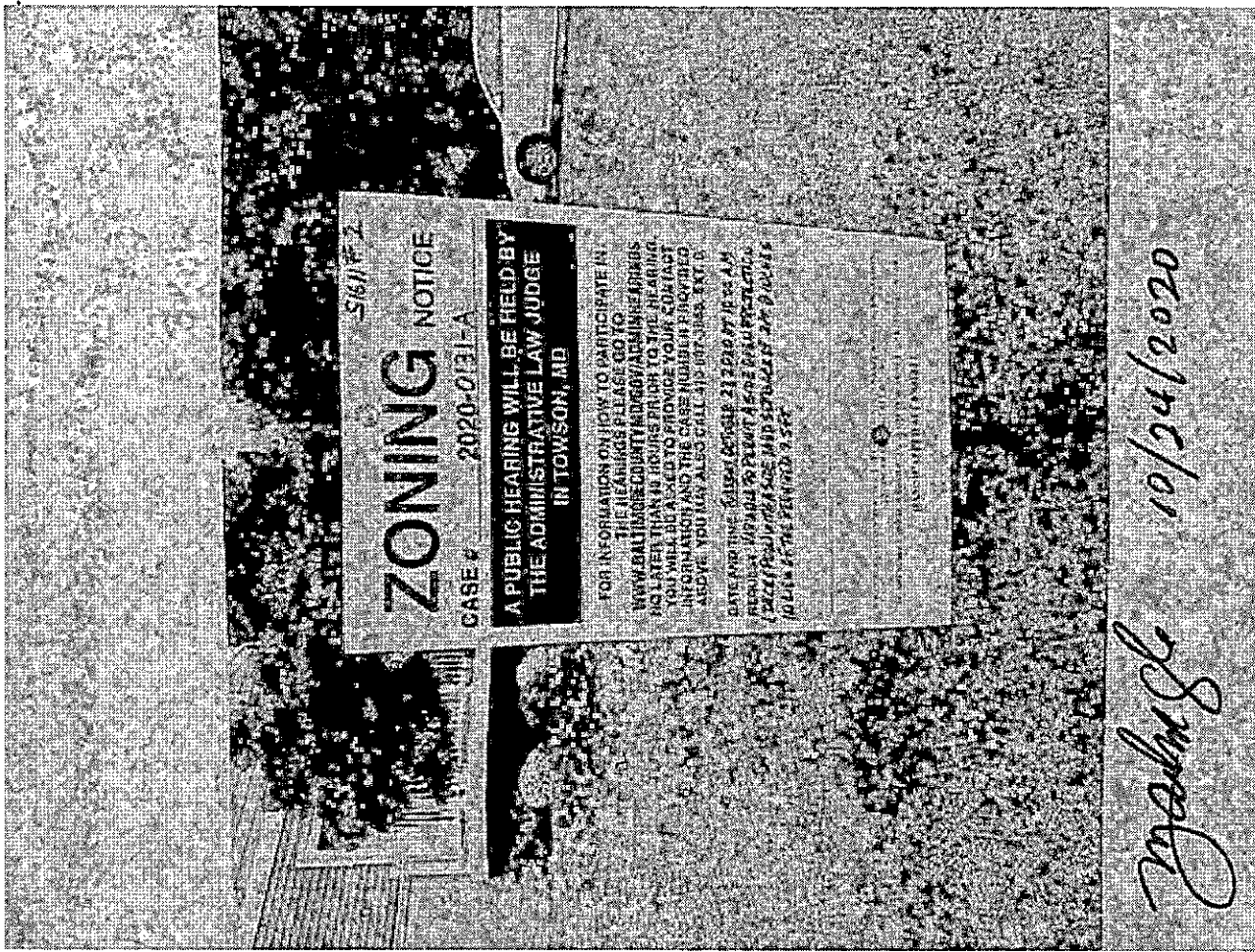
SIGNATURE OF SIGN POSTER

MARTEN O'HELL

9912 MAIDBROOK ROAD

PARKVILLE, MD 21734

410-629-3311



Sent from my iPhone

Donna Mignon

From: Marty Ogle <mert1114@aol.com>
Sent: Monday, October 26, 2020 5:34 AM
To: Donna Mignon
Subject: 2nd set

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.

Hope these turned out thank you Marty.

CERTIFICATE OF POSTING

CASE NO. DD-2131-A
PETITIONER/DEVELOPER
ELIZABETH
SEIGH

DATE OF HEARING/CLOSING
12/27/20

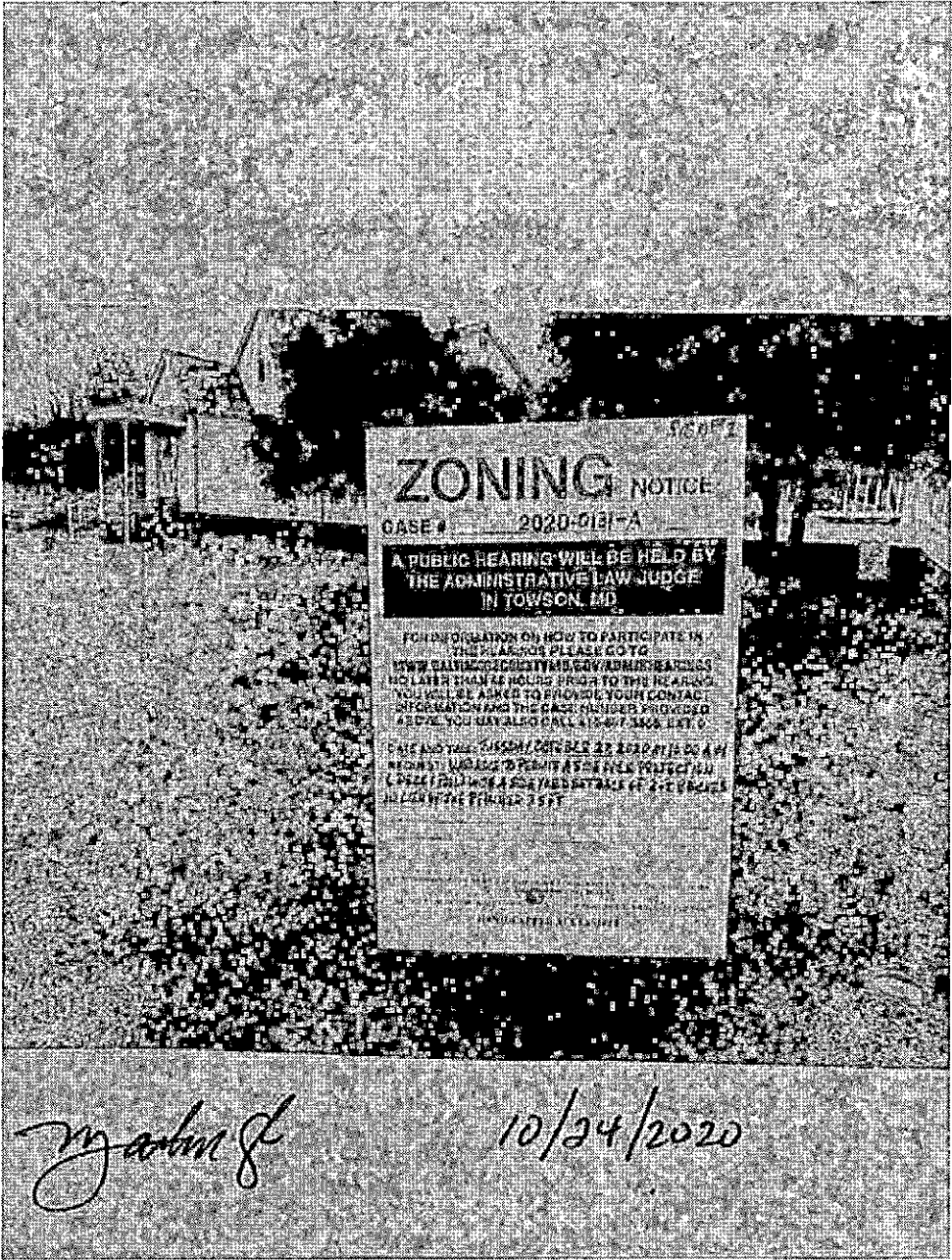
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 123
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMEN:

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
2006 Maple Avenue Co Sheet #1

(THIS SIGN) POSTED ON October 6, 2020 Donna Mignon
(MONTH, DAY, YEAR)

SINCERELY,
Donna Mignon
SIGNATURE OF SIGN POSTER

MARTIN OGLE
6917 MADBROOK ROAD
CATAPACUS MD 21224
410-343-1111



CERTIFICATE OF POSTING

CASE NO. 020-2131-A

PETITIONER/DEVELOPER

EC12 ABETH

SC16H

DATE OF HEARING/CLOSING

10/07/20

BAITMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 123
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

2224 Maplehurst Dr

341072

THIS SIGN(S) POSTED ON October 6, 2020

MONTH DAY YEAR

October 4, 2020

SINCERELY

Madanville info@ec20

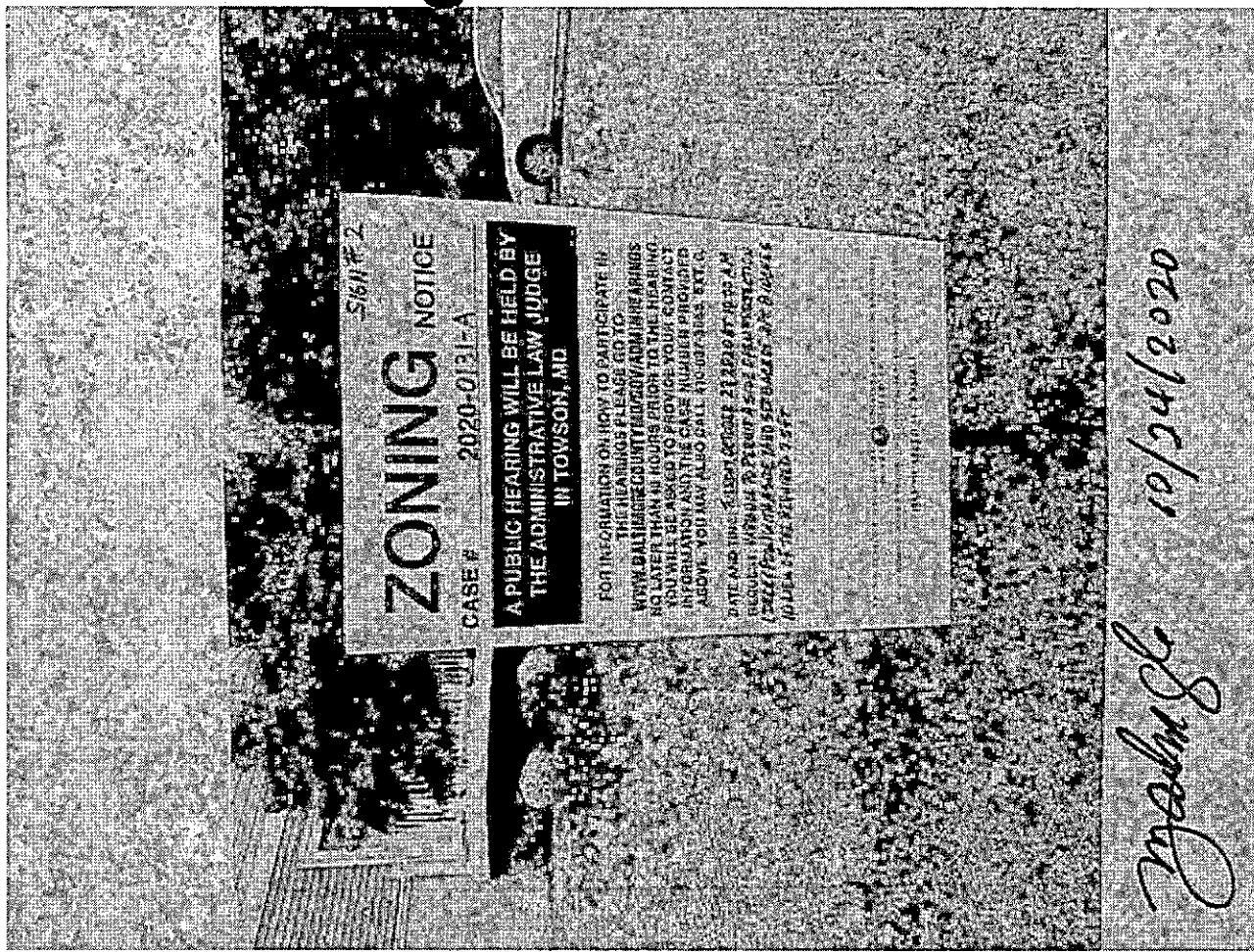
SIGNATURE OF SIGN POSTER

MARTINDALE

3412 MANSBROOK ROAD

PARKVILLE, MD 21244

301-208-5411



Sent from my iPhone

Donna Mignon

From: Marty Ogle <mert1114@aol.com>
Sent: Monday, October 26, 2020 5:34 AM
To: Donna Mignon
Subject: 2nd set

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.

Hope these turned out thank you Marty.

CERTIFICATE OF POSTING

CASE NO. DD-2151-A
PETITIONER/DEVELOPER ECI2 BELTH
DATE OF HEARING/CLOSING 5/21/20

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 121
111 WEST CUESAPEAKE 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 2026 Maple Forest Dr 5200 #1

THIS SIGN WAS POSTED ON October 9, 2020 October 24, 2020
MONTH/DAY YEAR

SINCERELY,
Marty Ogle
SIGNATURE OF SIGNPOSTER

MARTIN OGLE
5912 BALDROCK ROAD
BARKVILLE, MD 21034
(410) 326-1411

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Donna Mignon</u> (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Elizabeth Sligh</u>	lizsligh2024@gmail.com	1-	English	New York Time	U.S.
☐	<u>Harry Horney</u>	mrsh321@comcast.net	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)Email address: (required)Phone number: Country/Region Number (with area/city code)Time Zone: New York (Eastern Daylight Time, GMT-04:00) ▼Language: English ▼Locale: U.S. ▼☐ Add new panelist in my address book☐ Invite as alternate host[Add to Invitation List](#)

Donna Mignon

From: Liz Sligh <lizsligh2024@gmail.com>
Sent: Friday, October 23, 2020 10:13 AM
To: Administrative Hearings; Elizabeth Sligh
Subject: 2024 Middleborough Road Essex Md 21221 Exhibit List. Case number 2020-0131-A

CAUTION: This message from lizsligh2024@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Case Number- 2020-0131-A

Exhibit List

Exhibit 1- The picture shows a lock and outward opening gate at the left side of property.

Exhibit 2- The picture shows the size of the existing tree in the center of the yard that would need to be cut down if the pool was placed there, leaving no alternative place for the pool.

Exhibit 3- The picture shows the distance of the pool from the house and the A/C unit.

Exhibit 4- The picture shows the distance of the pool from the side fence (2 ft 8 inches)

Exhibit 5- The picture shows the distance of the pool from the front fence at a distance of 5 ft.

Exhibit 6- The picture shows the privacy fence around the entire property, and that there is no visibility of the pool from the front or side of the house.

Elizabeth Sligh

PETITIONER'S

EXHIBIT NO. 2

Donna Mignon

From: Liz Sligh <lizsligh2024@gmail.com>
Sent: Friday, October 23, 2020 10:14 AM
To: Administrative Hearings
Subject: Case number 2020-0131-A
Attachments: exhibit 1.JPG

CAUTION: This message from lizsligh2024@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Case Number- 2020-0131-A

Exhibit List

Exhibit 1- The picture shows a lock and outward opening gate at the left side of property.



Donna Mignon

From: Liz Sligh <lizsligh2024@gmail.com>
Sent: Friday, October 23, 2020 10:15 AM
To: Administrative Hearings
Subject: Case number 2020-0131-A
Attachments: exhibit 2.JPG

CAUTION: This message from lizsligh2024@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Exhibit 2- The picture shows the size of the existing tree in the center of the yard that would need to be cut down if the pool was placed there, leaving no alternative place for the pool.

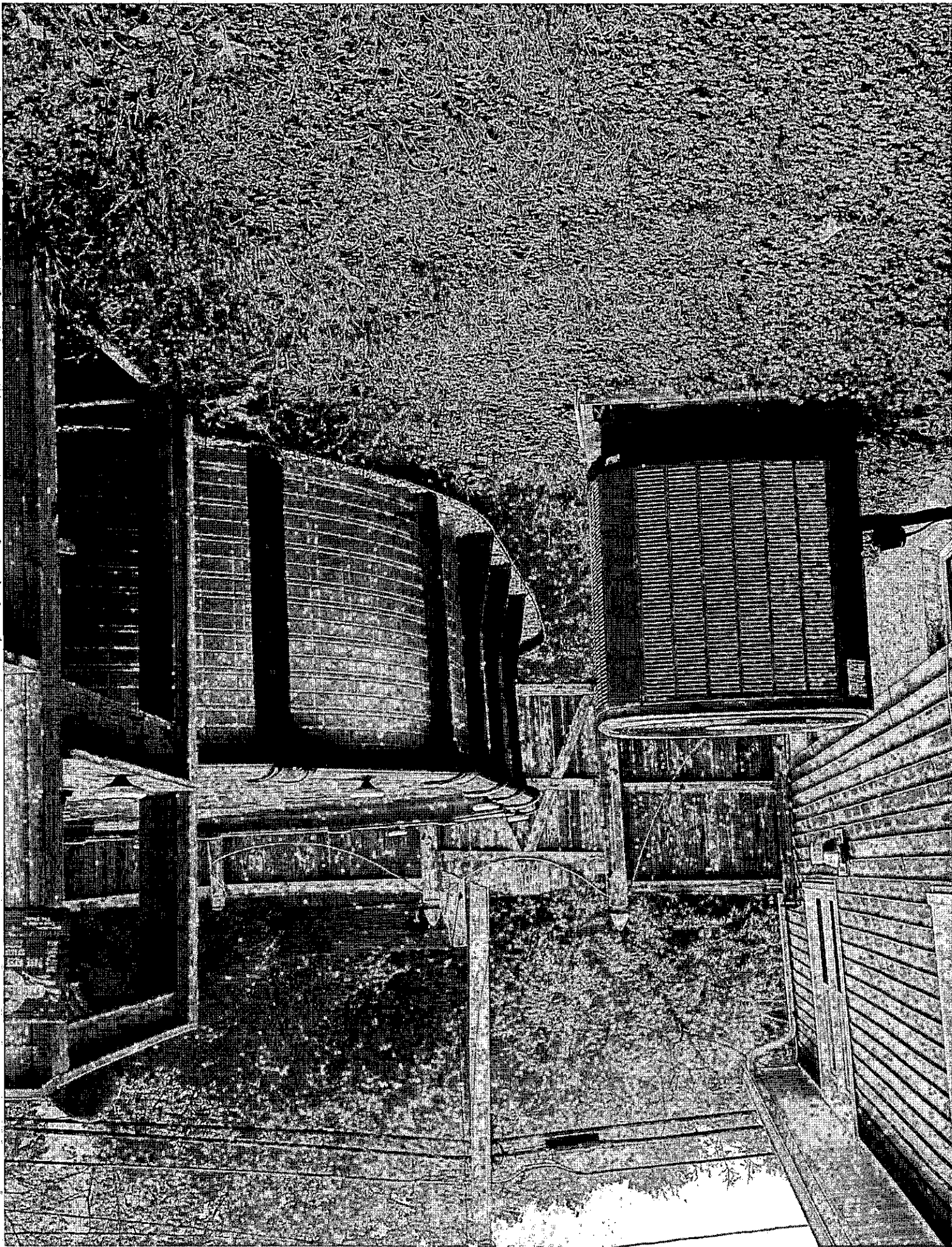


Donna Mignon

From: Liz Sligh <lizsligh2024@gmail.com>
Sent: Friday, October 23, 2020 10:16 AM
To: Administrative Hearings
Subject: Case number 2020-0131-A
Attachments: exhibit 3.JPG

CAUTION: This message from lizsligh2024@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Exhibit 3- The picture shows the distance of the pool from the house and the A/C unit.

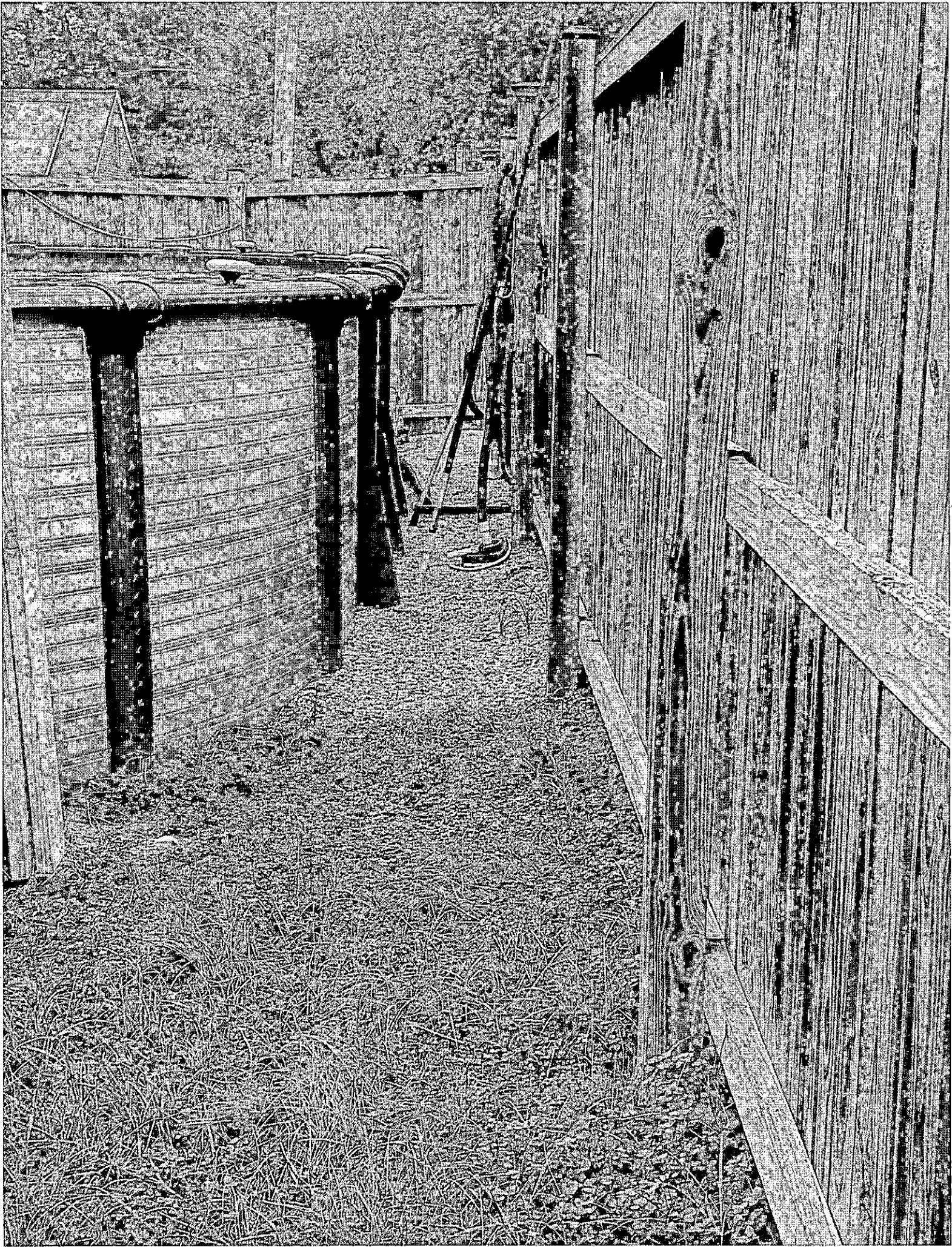


Donna Mignon

From: Liz Sligh <lizsligh2024@gmail.com>
Sent: Friday, October 23, 2020 10:17 AM
To: Administrative Hearings
Subject: Case Number 2020-0131-A
Attachments: exhibit 4.JPG

CAUTION: This message from lizsligh2024@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Exhibit 4- The picture shows the distance of the pool from the side fence (2 ft 8 inches)

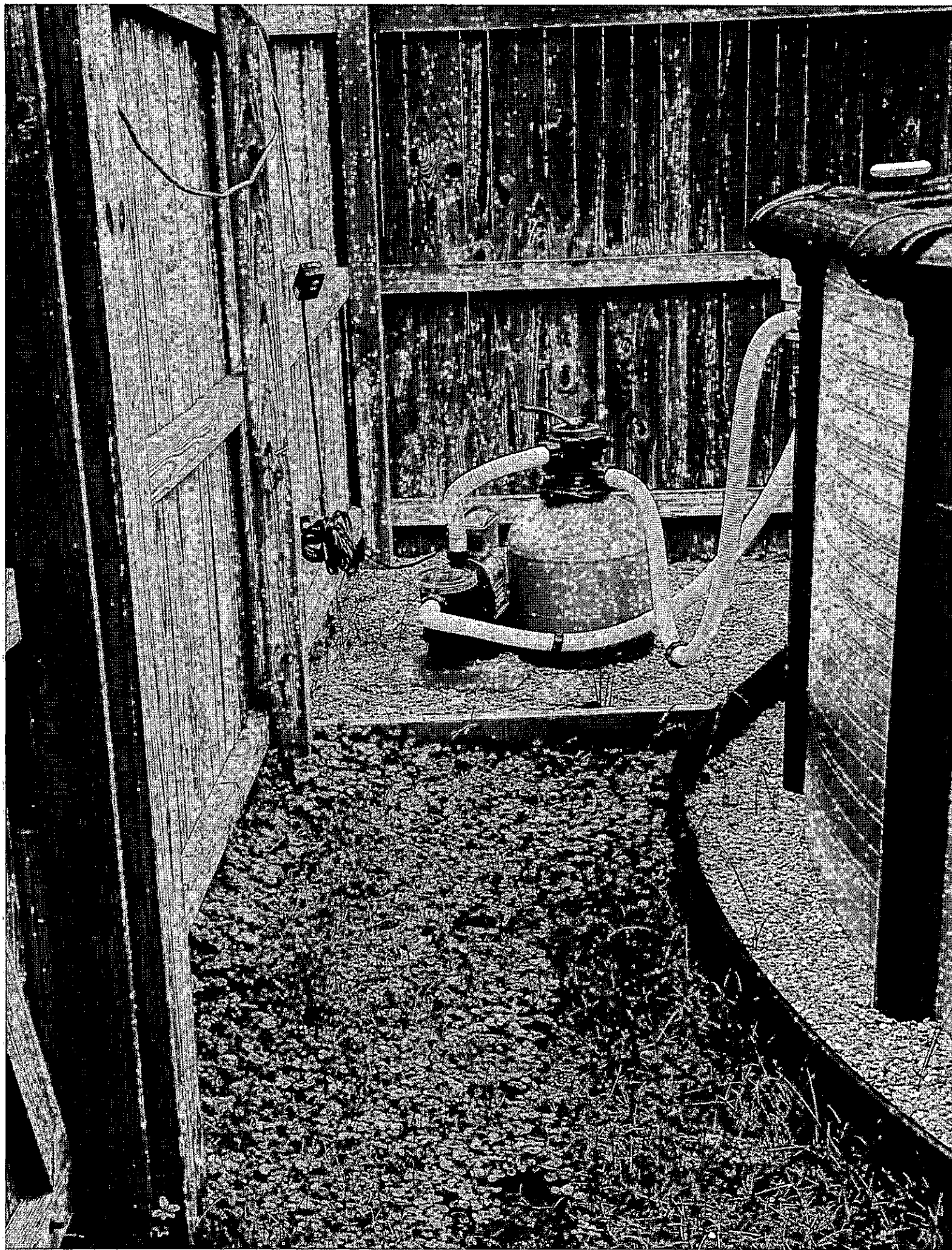


Donna Mignon

From: Liz Sligh <lizsligh2024@gmail.com>
Sent: Friday, October 23, 2020 10:17 AM
To: Administrative Hearings
Subject: Case Number 2020-0131-A
Attachments: exhibit 5.JPG

CAUTION: This message from lizsligh2024@gmail.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Exhibit 5- The picture shows the distance of the pool from the front fence at a distance of 5 ft.

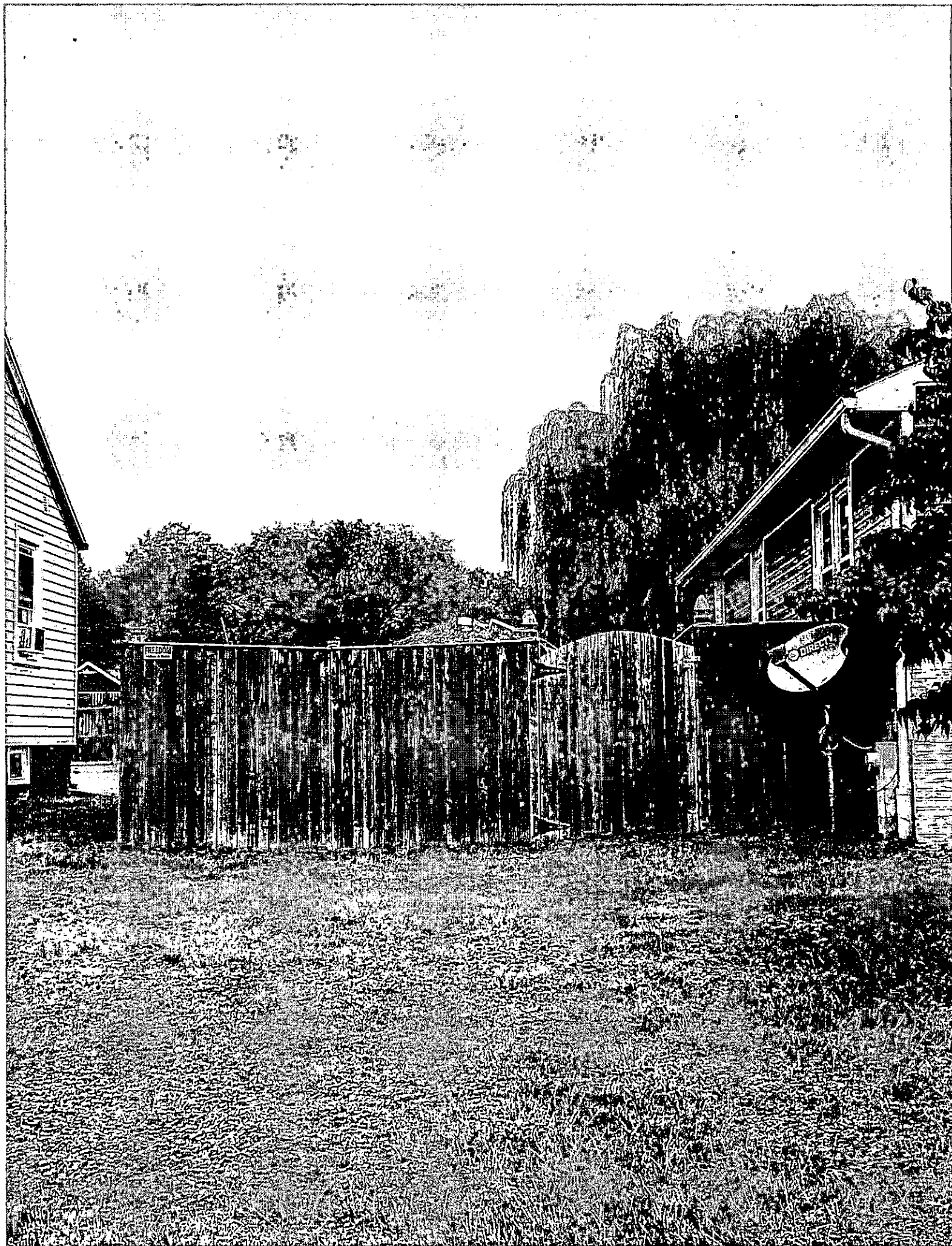


Donna Mignon

From: Liz Sligh <lizsligh2024@gmail.com>
Sent: Friday, October 23, 2020 10:18 AM
To: Administrative Hearings
Subject: Case Number 2020-0131-A
Attachments: exhibit 6.JPG

CAUTION: This message from lizsligh2024@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Exhibit 6- The picture shows the privacy fence around the entire property, and that there is no visibility of the pool from the front or side of the house.



10/27/20
10 Am

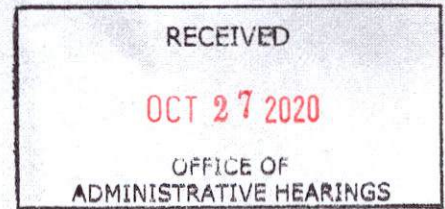
2020-0131-A



MedStar Health

MCCARTNEY JR, ROBERT LEE
2024 MIDDLEBOROUGH RD
ESSEX, MD 21221

October 23, 2020



Dear Sir or Madam:

The above named patient Robert McCartney Jr (dob 9/24/1958) would benefit from a heavy duty ladder to assist him in and out of his swimming pool. This helps him with his back pain.

Please contact our office with any further questions concerning this matter.

Sincerely,

Arnelle McNeal, MD

9512 Harford Rd
Suite 201
Baltimore, MD 21234

9512 Harford Road
Suite 201
Baltimore, MD 21234

Pet.
3

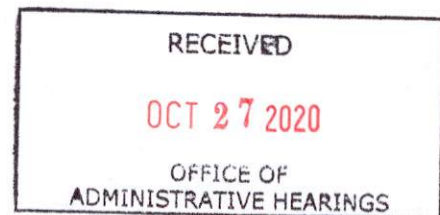
Debra Wiley

From: Elizabeth Sligh <lizsligh2024@gmail.com>
Sent: Monday, October 26, 2020 6:23 PM
To: Administrative Hearings
Subject: Doctor letter for exhibit for 2024 Middleborough Rd
Attachments: MedStar Health.pdf

CAUTION: This message from lizsligh2024@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Case number 2020-3101-A

Please see letter from my Husbands doctor stating the need for the pool and the stairs for entry to the pool.



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

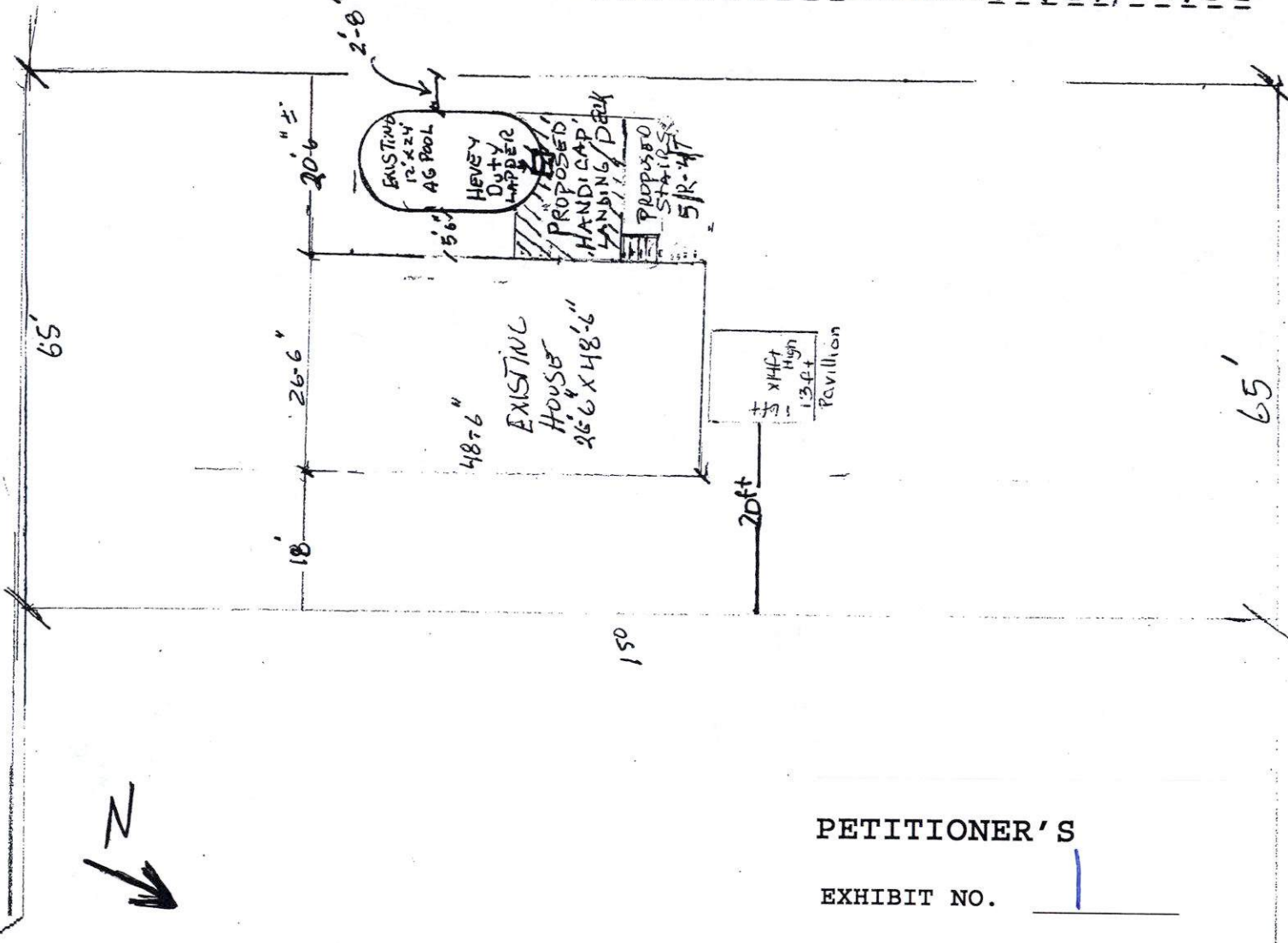
ADDRESS 2024 Middleborough Rd OWNER(S) NAME(S) Elizabeth A. Sligh

SUBDIVISION NAME Middleborough LOT # 603 BLOCK # N/A SECTION # N/A

PLAT BOOK # 8 FOLIO # 46 10 DIGIT TAX # 2100001782 DEED REF. # 41126/00122

2024

MIDDLEBOROUGH RD.

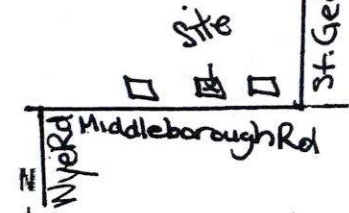


PETITIONER'S

EXHIBIT NO. 1

PLAN DRAWN BY Homeowner DATE 5/19/2020 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 098A1

SITE ZONED DR 3.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 2

LOT AREA ACREAGE _____

OR SQUARE FEET 8250S

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH _____

WATER IS: _____

PUBLIC X PRIVATE _____

SEWER IS: _____

PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER _____

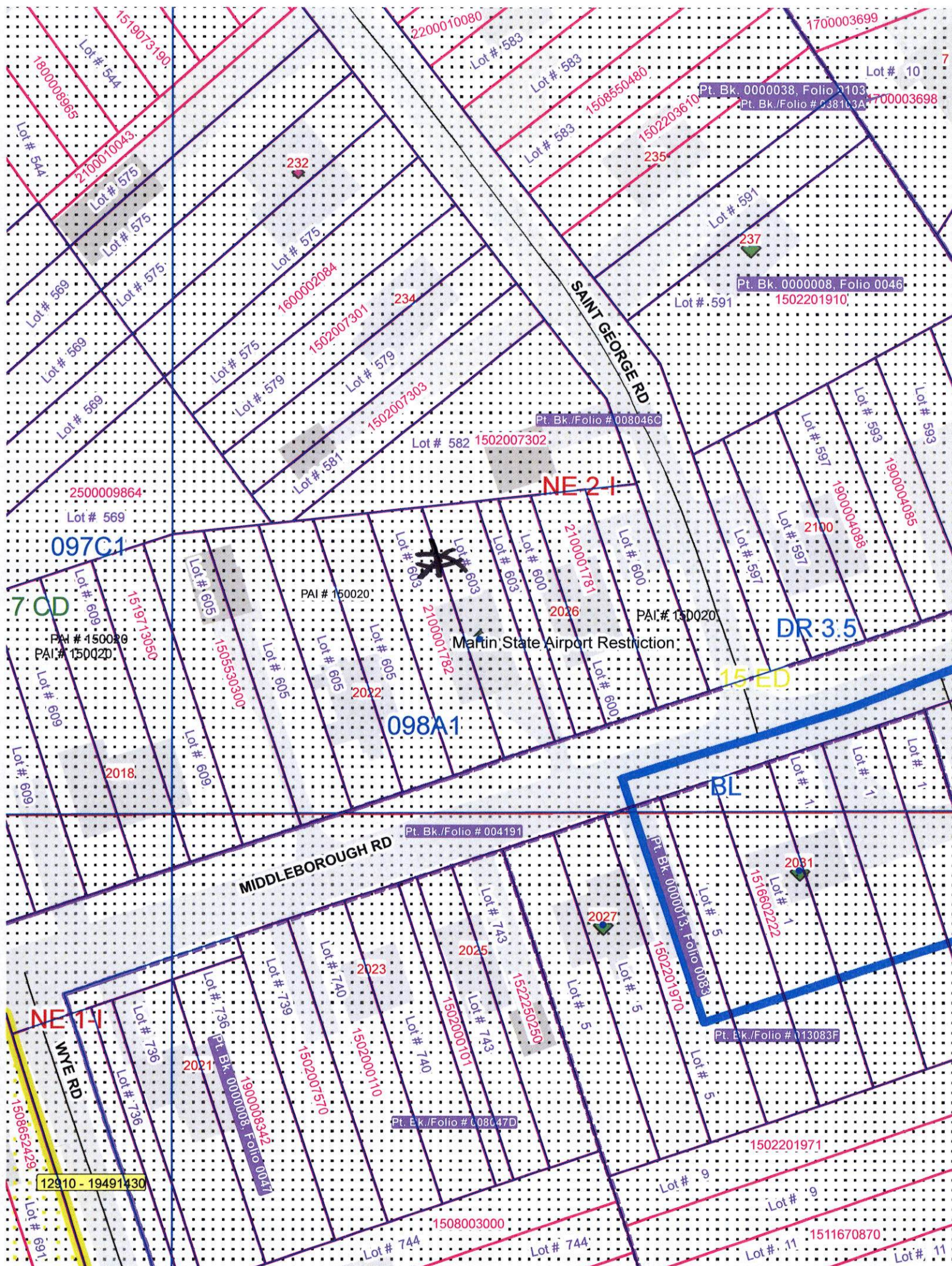
AND ORDER RESULT BELOW _____

VIOLATION CASE INFO:

CB2000160

2020-0131-A



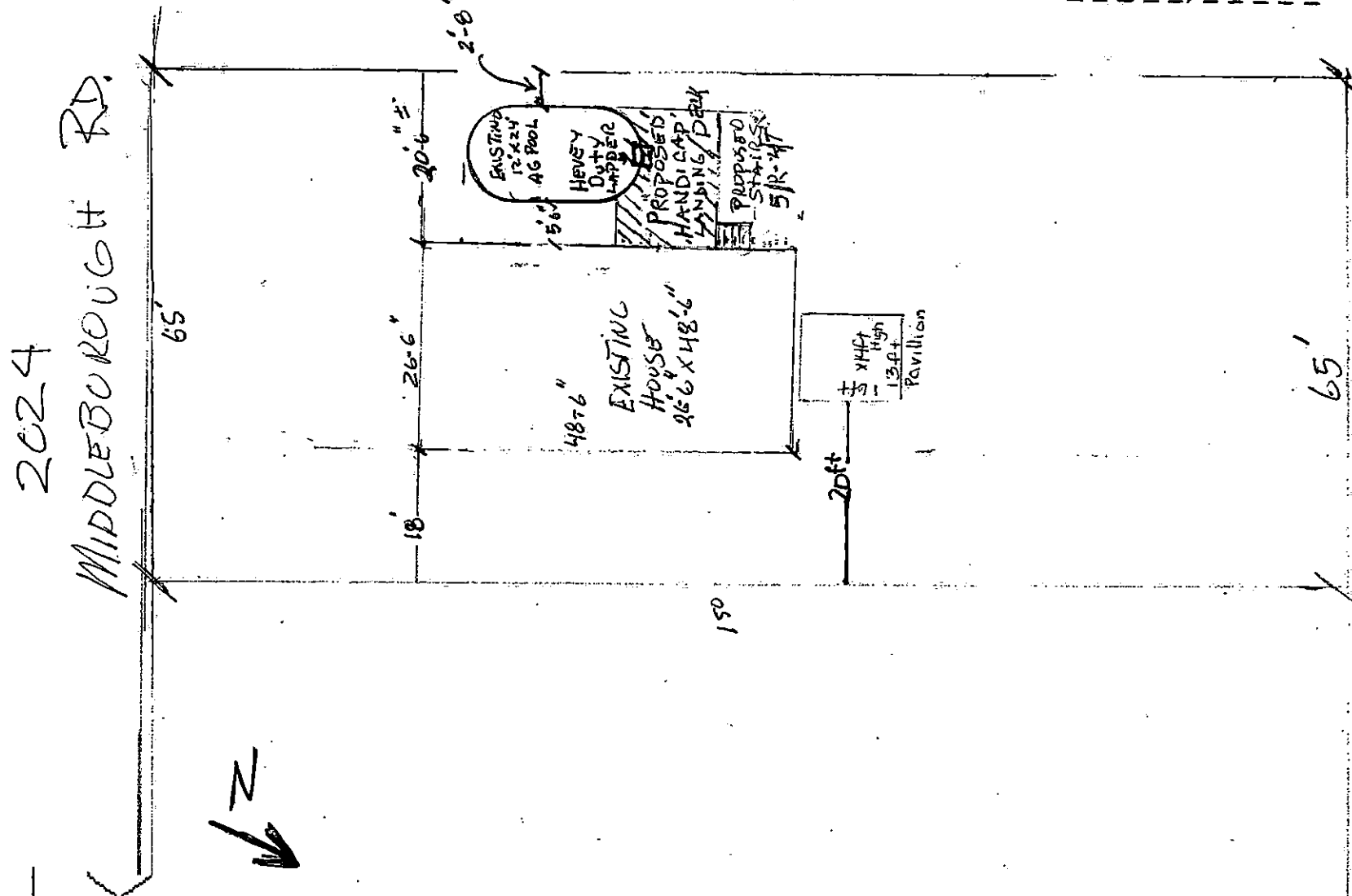


ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 2024 Middleborough Rd OWNER(S) NAME(S) Elizabeth A. Sligh

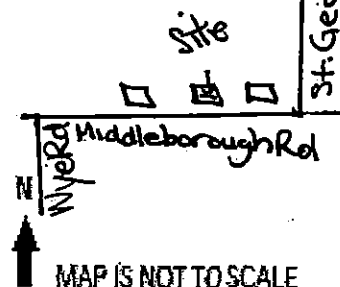
SUBDIVISION NAME Middleborough LOT # 603 BLOCK # N/A SECTION # N/A

PLAT BOOK # 8 FOLIO # 46 10 DIGIT TAX # 2 1 0 0 0 1 7 8 2 DEED REF. # 4 1 1 2 6 / 0 0 1 2 2



PLAN DRAWN BY Homeowner DATE 5/19/2020 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



ZONING MAP# 098A1

SITE ZONED DR 3.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 2

LOT AREA ACREAGE _____

OR SQUARE FEET 8250S

HISTORIC? No

IN CBCA? Yes

IN FLOOD PLAIN? No

UTILITIES? MARK WITH _____

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

CB2000160

2020-0131-A