

M E M O R A N D U M

DATE: September 24, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0177-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on September 23, 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 ADMIN. VARIANCE * BEFORE THE
(14506 Misty Valley Road) *
10th Election District * OFFICE OF ADMINISTRATIVE
3rd Council District * HEARINGS FOR
Kelly M. Zink * BALTIMORE COUNTY
Petitioner *
* CASE NO. 2020-0177-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owner of the property, Kelly M. Zink (“Petitioner”). The Petitioner is requesting Variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed addition with a side yard setback of 35 ft. in lieu of the required 50 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. The property is subject to certain environmental regulations as noted in the ZAC comment, dated July 31, 2020, submitted by the Department of Environmental Protection and Sustainability (“DEPS”).

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 2, 2020, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of

ORDER RECEIVED FOR FILING

Date

8/24/20

By

D. Mignone

the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

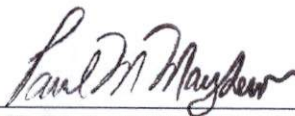
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 24st day of **August, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed addition with a side yard setback of 35 ft. in lieu of the required 50 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for her appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner must comply with the DEPS ZAC comment, dated July 31, 2020; a copy of which is attached hereto and made a part hereof.

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 8/24/20
By DMugnon

Zoning Petition Property Description

Zoning property description for 14506 Misty Valley Road, Phoenix, MD 21131:

Beginning at a point on the west side of Misty Valley Road which is 16 feet wide at 850 feet southwest of the centerline of the nearest improved intersecting street, Stansbury Mill Road, which is 24 feet wide.

Thence the following courses and distances:

1st POC: N. 81 02'00" E 273'

2nd POC: S. 15 58'0" E 150'

3rd POC: S. 76 11'00" W 656.2'

4th POC: N. 15 48'00" W 150'0"

5th POC: N. 71 02'00" E 382.8'

Back to the point of beginning as recorded in Deed Liber J.B. No. 92, Folio 372, containing 107158 square feet. Located in the 10th Election District and 3rd Council District.

2020-0177-A

/



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 14506 Misty Valley Rd., Phoenix, MD 21131 Currently zoned RC5

Deed Reference 38325 / 71 10 Digit Tax Account # 1015080000

Owner(s) Printed Name(s) Kelly McIntyre Zink

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

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

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

- X **ADMINISTRATIVE VARIANCE** from Section(s) 1404.3.B.2.6 (BCZR). To permit a proposed addition with a side setback of 35 feet in lieu of the required 50 feet.

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

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

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

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

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

Owner(s)/Petitioner(s):

Kelly M. Zink

Name #1 – Type or Print

Name #2 – Type or Print

Kelly M. Zink

Signature #1

Signature #2

14506 Misty Valley Rd, Phoenix MD

Mailing Address

City

State

21131

Zip Code

410-404-3987

Telephone #

kmaczink@gmail.com

Email Address

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

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Kelly M. Zink

Name – Type or Print

Signature

14506 Misty Valley Rd, Phoenix, MD

Mailing Address

City

State

21131

Zip Code

410-404-3987

Telephone #

kmaczink@gmail.com

Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0177+A

Filing Date 7/21/2020

Estimated Posting Date 8/2/2020

Reviewer gh

Rev 5/5/2016

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

2. The second part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

3. The third part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

4. The fourth part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

5. The fifth part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

Affidavit in Support of Administrative Variance

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

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

Address: 14506 Misty Valley Road Phoenix MD 21131
Print or Type Address of property City State Zip Code

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

We purchased this home, which is the original farmhouse for the property. It has been vacant for seven years and is in severe disrepair. The kitchen is too tiny and there is only one bath. We need more space to accommodate our family. Since we are both seniors, we need single story living. Putting the single story addition on the rear of the house is the less obtrusive choice, since our lot is over 600' deep and the addition location is screened from both side neighbors by evergreens. The addition is the same width as the existing house, so there is no additional side yard encroachment. Both side neighbors support the addition.

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

Kelly M. Zink
Signature of Owner (Affiant)
Kelly M. Zink
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of July, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Kelly Zink

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

AS WITNESS my hand and Notaries Seal

Becca Lanahan
Notary Public

My Commission Expires

5-13-2023

BECCA LANAHAN
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires 05-13-2023

REV. 5/5/2016

Zoning Petition Property Description

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Beginning at a point on the west side of Misty Valley Road which is 16 feet wide at 850 feet southwest of the centerline of the nearest improved intersecting street, Stansbury Mill Road, which is 24 feet wide.

Thence the following courses and distances:

1st POC: N. 81 02'00" E 273'

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Back to the point of beginning as recorded in Deed Liber J.B. No. 92, Folio 372, containing 107158 square feet. Located in the 10th Election District and 3rd Council District.

2020-0177-A

KELLY M ZINK 11-09
2060 GEIST RD
GLYNDON MD 21136-4815

879
7-163/520 MD
5178

7-21-2020 Date

Pay to the Order of Baltimore County \$75.00

Seventy Five 00/100 Dollars

Bank of America

ACH R/T 052001633
ADMINISTRATIVE VARIANCE
For 14506 Misty Valley Rd Kelly Zink

1052001633 44601669854910874

Horsing Around

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

No. 198985

Date: 7/21/2020

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

Total: 75.00

Rec From: Kelly M Zink

For: Case # 2020-0177-A
14506 Misty Valley Road

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

Date: 8-2-20

RE: Case Number: 2020-0177-A

Petitioner/Developer: Gemini Mgmt LLC / Kelly Link

Date of Hearing/Closing: 8-17-20

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 14506 Hasty Valley Road

The signs(s) were posted on 8-2-20
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

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

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2020-0177-A

TO PERMIT A PROPOSED ADDITION WITH A SIDE
SETBACK OF 35 FEET IN LIEU OF THE REQUIRED
50 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 8/17/20

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS, APPROVALS AND INSPECTION, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

ZONING NOTICE

#2

ADMINISTRATIVE VARIANCE

CASE # 2020-0177-A

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HANDICAPPED ACCESSIBLE

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0177 -A Address 14506 Misty Valley Rd

Contact Person: GARY Huik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/21/2020 Posting Date: 8/2/2020 Closing Date: 8/17/2020

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2020- 0177 -A Address 14506 Misty Valley Road

Petitioner's Name Kelly M Zink Telephone _____

Posting Date: 8/2/2020 Closing Date: 8/17/2020

Wording for Sign: To Permit a proposed addition with a side setback of 35 feet in lieu of the required 50 feet.

Revised 2/20/2020



JOHN A. OLSZEWSKI, JR.
County Executive

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

August 10, 2020

Kelly M. Zink,
14506 Misty Valley Road
Phoenix MD 21131

RE: Case Number: 2020-0177-A, 14506 Misty Valley 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 July 21, 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,

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

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: July 31, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0177-A
Address 14506 Misty Valley Road
(Zink Property)

Zoning Advisory Committee Meeting of **August 3, 2020**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. Ground Water Management must also review any proposed addition(s), since the site is served by well and septic.

Reviewer: Dan Esser

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JUL 31 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: July 31, 2020

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Address 14506 Misty Valley Road
(Zink Property)

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Reviewer: Dan Esser

BALTIMORE COUNTY, MARYLAND

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Reviewer: Dan Esser

ORDER RECEIVED FOR FILING

Date

8/24/20

By

D. Dignon

Real Property Data Search

Search Result for BALTIMORE COUNTY

Pat. just bought house
See deed dated 7-17-20

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 10 Account Number - 1015080000

Owner Information

Owner Name: GEMINI MANAGEMENT LLC Use: RESIDENTIAL
 Principal Residence: NO
 Mailing Address: 3711 CHESTERFIELD CT Deed Reference: /38325/ 00071
 MONKTON MD 21111-

Location & Structure Information

Premises Address: 14506 MISTY VALLEY RD Legal Description: 2.46 AC WS
 PHOENIX 21131- MISTY VALLEY RD
 850 SW STANSBURY MILL R

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0036	0013	0158	10020020.04	0000				2020	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1961	1,120 SF		2.4600 AC	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	SIDING/	4	1 full		

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2019	As of 07/01/2020
Land:	114,600	114,600		
Improvements	99,600	143,500		
Total:	214,200	258,100	214,200	228,833
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
OVER GEORGE F JR	11/29/2016	\$200,000
Type: ARMS LENGTH IMPROVED	Deed1: /38325/ 00071	Deed2:
Seller: LINS PHILIP D	Date: 02/04/1965	Price: \$18,000
Type: ARMS LENGTH IMPROVED	Deed1: /04420/ 00094	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2019	07/01/2020
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

ZAC AGENDA

Case Number: 2020-0176-A **Reviewer:** Christina Frink
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: Thomas M. Phillips & Shirley M. Phillips
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: SENECA RD
Location: North side of Seneca Road 290 from Chestnut Road.

Existing Zoning: RC 5 **Area:** 1.353 AC

Proposed Zoning:

VARIANCE:

To allow a 2 story dwelling with a lot size of 1.35 ac in lieu of the required 1.50 ac per section 1A04.3B.1.a (B.C.Z.R)

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2020-0177-A **Reviewer:** Gary Hucik
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Kelly M. Zink
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 10 **Council Dist:** 3

Property Address: 14506 MISTY VALLEY RD

Location: West side of Misty Valley Road South West 850 feet to the center line of Stansburg Mill Road.

Existing Zoning: RC 5 **Area:** 2.46 AC

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

From section 1A04.3.B.2.b BCZR To permit a proposed addition with a side setback of 35 feet in lieu of the required 50 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 08/17/2020

Miscellaneous Notes:

(AV) 8-17-20

2020-0177-A

Donna Mignon

From: Tom Zink <tomzinkjr@gmail.com>
Sent: Tuesday, July 21, 2020 2:19 PM
To: Administrative Hearings
Subject: Deed for Administrative Variance 14506 Misty Valley Road
Attachments: Deed 14506 Misty Valley Road.pdf

CAUTION: This message from tomzinkjr@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.

Confirming our conversation with your office today, we have attached the Deed for 14506 Misty Valley Road which you said verifies ownership and proof of primary residence. A copy was sent to Gary Hucik (410-887-3391) as well.

Kindly call with any questions. Your prompt attention in processing this administrative variance is much appreciated.

Regards,
Kelly Zink

--

Tom Zink, Jr.
2060 Geist Road
Reisterstown, MD 21136

C: 410-935-7437

tomzinkjr@gmail.com

AFTER RECORDING, PLEASE RETURN TO:

Kelly M. Zink

14506 Misty Valley Road

Phoenix, MD 21131

File No. HSS-44287

Property Address: 14506 Misty Valley Road, Phoenix, MD 21131

Tax ID No. 10 - 1015080000

This Deed, made this 17th day of July, 2022, by and between Gemini Management, LLC, GRANTOR, Kelly M. Zink, GRANTEE.

- Witnesseth -

That in consideration of the sum of **Two Hundred Seventy Two Thousand Dollars and No Cents (\$272,000.00)**, which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, Kelly M. Zink, as sole owner, his/her personal representatives, heirs and assigns, in FEE SIMPLE, all that lot of ground situate in Baltimore County in the State of Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME at a stone at the end of the first or South 66 1/4 degree West 23.2 perch line of the second parcel of land which, by deed dated December 9, 1960 and recorded among the Land Records of Baltimore County, Maryland, in Liber W.J.R. No. 3790 folio 297, was granted and conveyed by Suzanne Kreusinger, unmarried, to Philip D. Lins and Catherine R. Lins, his wife, running thence and binding reversely on the first and part of the eighth or last lines in the aforesaid parcel, as now surveyed, North 71 degrees 02 minutes 00 seconds East 382.80 feet, and North 81 degrees 02 minutes 00 seconds East 272.50 feet, thence leaving the outline of the aforesaid second parcel of land and running for a line of division and binding on the center of a 50-foot right of way, to be used in common with others entitled thereto, South 16 degrees 58 minutes 00 seconds East 150.00 feet, running thence by a line of division, South 75 degrees 11 minutes 00 seconds West 656.15 feet to intersect the second line of the second parcel in the aforesaid deed, at the distance of 150.00 feet from the beginning of said second line, running thence and binding reversely on part of the aforesaid second line, as now surveyed, North 15 degrees 43 minutes 00 seconds West 150.00 feet to the place of beginning. CONTAINING 2.461 acres of land, more or less.

TOGETHER WITH a right of way 16 feet wide with use thereof in common with others entitled thereto, said right of way being more particularly described in a deed dated February 5, 1875, and recorded among the Land Records of Baltimore County, Maryland, in Liber J.B. No. 92 folio 372, as will more fully appear by referring thereto.

For informational purposes only:

The improvements thereon being known as 14506 Misty Valley Road

Tax ID No.: 10-1015080000

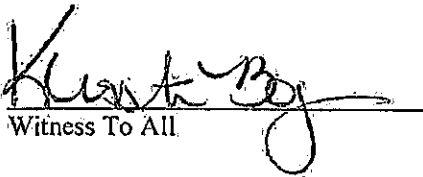
BEING the same property conveyed to Gemini Management, LLC by virtue of Deed from Nancy Lee Over Webster, Personal Representative of the Estate of Bessie M. Over, dated November 8,

2016, recorded November 29, 2016, among the Land Records of Baltimore County, Maryland in Liber JLE No. 38325, folio 71.

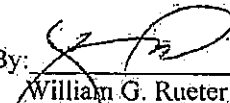
To Have and To Hold the said parcel of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Kelly M. Zink, as sole owner, his/her personal representatives, heirs and assigns in FEE SIMPLE. .

And the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.


Witness To All

Gemini Management, LLC

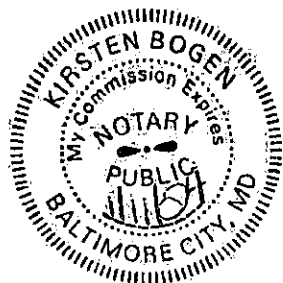
By:  (SEAL)
William G. Rueter III, Managing Member

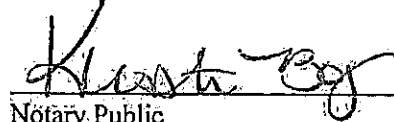
By:  (SEAL)
Beatrice M. Rueter, Managing Member

STATE OF MD
CITY/COUNTY OF Baltimore to wit:

I hereby certify that on this 17th day of JULY, 2020, before me, the subscriber, a Notary Public of the State of MD City/County of Baltimore, personally appeared William G. Rueter III and Beatrice M. Rueter, the Managing Members of Gemini Management, LLC, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the limited liability company, by himself/herself as such officer, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.




Notary Public

My Commission Expires: Jan 11, 2024

AFTER RECORDING, PLEASE RETURN TO:

Kelly M. Zink

14506 Misty Valley Road

Phoenix, MD 21131

File No. HSS-44287

Property Address: 14506 Misty Valley Road, Phoenix, MD 21131

Tax ID No. 10 - 1015080000

This Deed, made this 17th day of JULY, 2022, by and between **Gemini Management, LLC, GRANTOR, Kelly M. Zink, GRANTEE.**

- Witnesseth -

That in consideration of the sum of **Two Hundred Seventy Two Thousand Dollars and No Cents (\$272,000.00)**, which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantee, Kelly M. Zink, as sole owner, his/her personal representatives, heirs and assigns, in FEE SIMPLE, all that lot of ground situate in Baltimore County in the State of Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME at a stone at the end of the first or South 66 1/4 degree West 23.2 perch line of the second parcel of land which, by deed dated December 9, 1960 and recorded among the Land Records of Baltimore County, Maryland, in Liber W.J.R. No. 3790 folio 297, was granted and conveyed by Suzanne Kreusinger, unmarried, to Philip D. Lins and Catherine R. Lins, his wife, running thence and binding reversely on the first and part of the eighth or last lines in the aforesaid parcel, as now surveyed, North 71 degrees 02 minutes 00 seconds East 382.80 feet, and North 81 degrees 02 minutes 00 seconds East 272.50 feet, thence leaving the outline of the aforesaid second parcel of land and running for a line of division and binding on the center of a 50-foot right of way, to be used in common with others entitled thereto, South 16 degrees 58 minutes 00 seconds East 150.00 feet, running thence by a line of division, South 75 degrees 11 minutes 00 seconds West 656.15 feet to intersect the second line of the second parcel in the aforesaid deed, at the distance of 150.00 feet from the beginning of said second line, running thence and binding reversely on part of the aforesaid second line, as now surveyed, North 15 degrees 43 minutes 00 seconds West 150.00 feet to the place of beginning. CONTAINING 2.461 acres of land, more or less.

TOGETHER WITH a right of way 16 feet wide with use thereof in common with others entitled thereto, said right of way being more particularly described in a deed dated February 5, 1875, and recorded among the Land Records of Baltimore County, Maryland, in Liber J.B. No. 92 folio 372, as will more fully appear by referring thereto.

For informational purposes only:

The improvements thereon being known as 14506 Misty Valley Road
Tax ID No.: 10-1015080000

BEING the same property conveyed to Gemini Management, LLC by virtue of Deed from Nancy Lee Over Webster, Personal Representative of the Estate of Bessie M. Over, dated November 8,

2020-0177-A

2016, recorded November 29, 2016, among the Land Records of Baltimore County, Maryland in Liber JLE No. 38325, folio 71.

To Have and To Hold the said parcel of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Kelly M. Zink, , as sole owner, his/her personal representatives, heirs and assigns in FEE SIMPLE.

And the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

Kirsten Bogen
Witness To All

Gemini Management, LLC

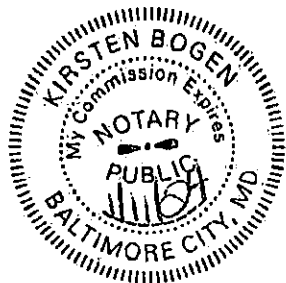
By: [Signature] (SEAL)
William G. Rueter III, Managing Member

By: [Signature] (SEAL)
Beatrice M. Rueter, Managing Member

STATE OF MD
CITY/COUNTY OF Baltimore to wit:

I hereby certify that on this 17th day of JULY, 2020, before me, the subscriber, a Notary Public of the State of MD City/County of Baltimore, personally appeared William G. Rueter III and Beatrice M. Rueter, the Managing Members of Gemini Management, LLC, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the limited liability company, by himself/herself as such officer, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



[Signature]
Notary Public

My Commission Expires: Jan 11, 2024

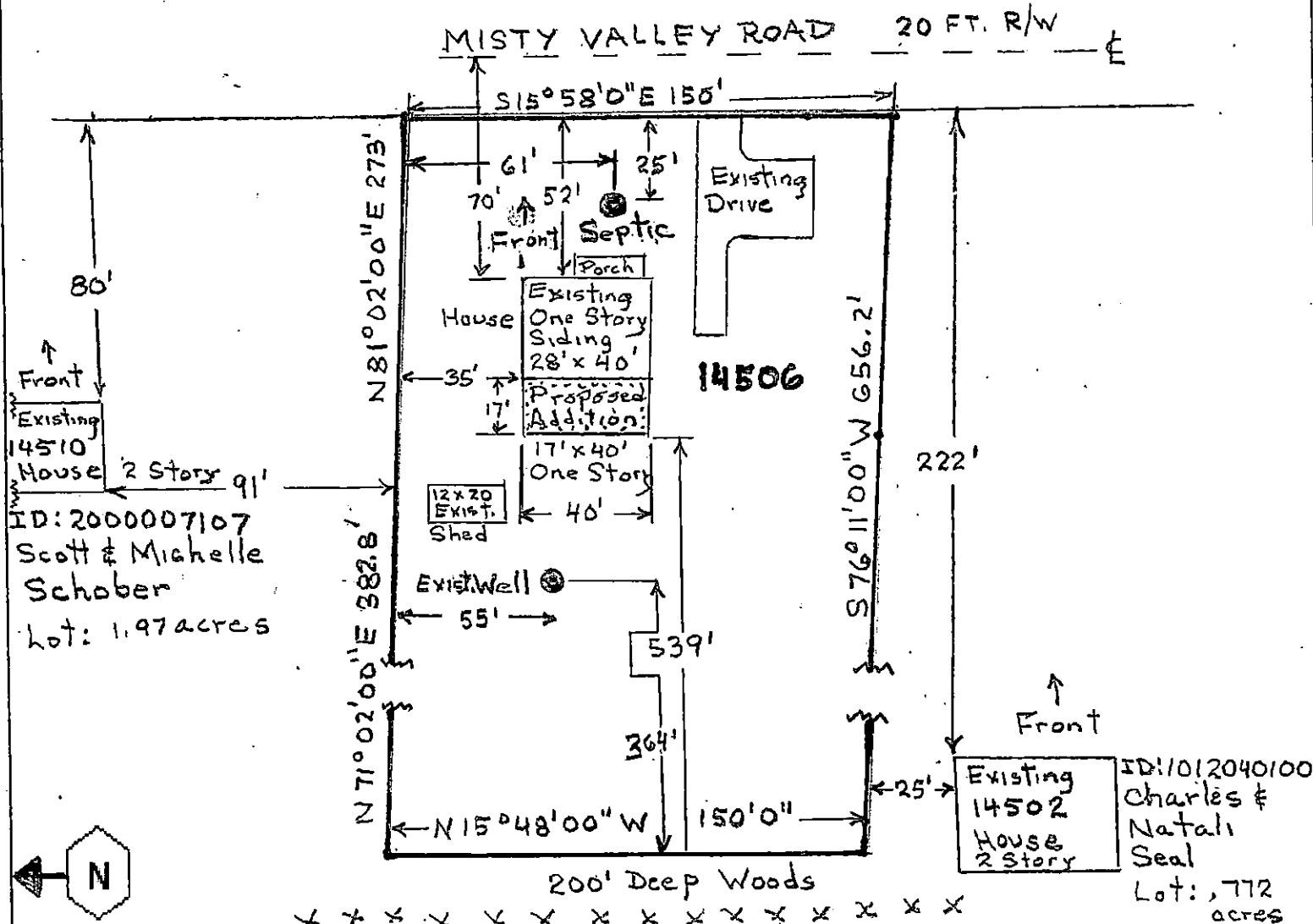
2020-0177-A

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

ADDRESS 14506 Misty Valley Rd. OWNER(S) NAME(S) Kelly M. Zink

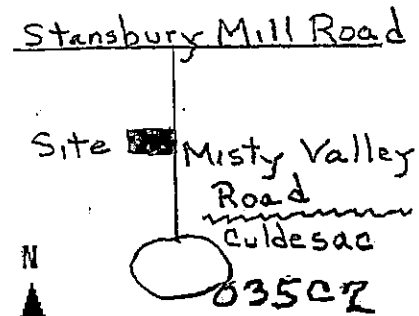
SUBDIVISION NAME None LOT# N/A BLOCK# N/A SECTION# N/A

PLAT BOOK# N/A FOLIO# N/A 10 DIGIT TAX# 1015080000 DEED REF.# 38325/00071



PLAN DRAWN BY Thomas Zink DATE 06/29/2020 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 03682

SITE ZONED RC5

ELECTION DISTRICT 10

COUNCIL DISTRICT 3

LOT AREA ACREAGE 2.46

OR SQUARE FEET 107158

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

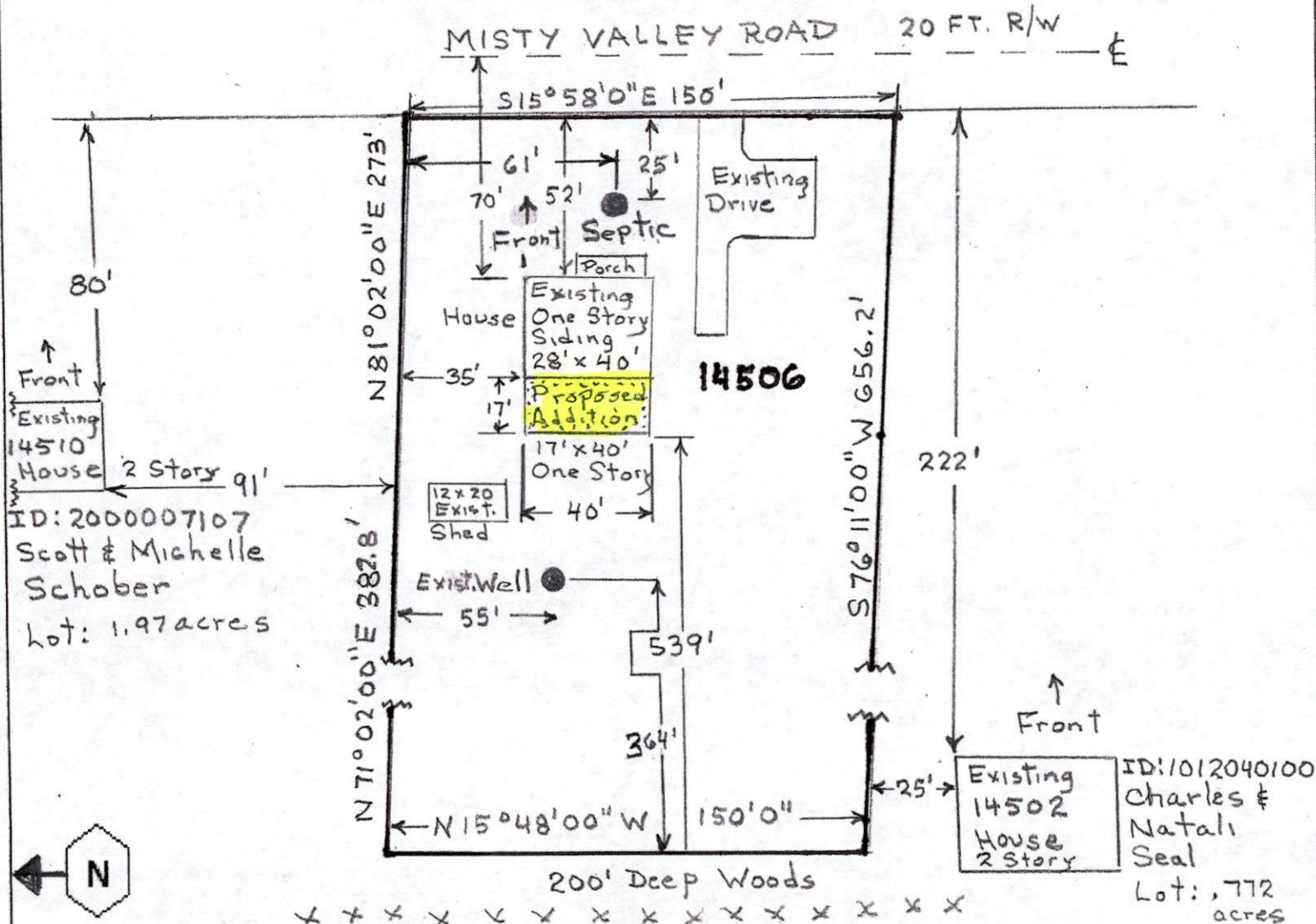
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

None

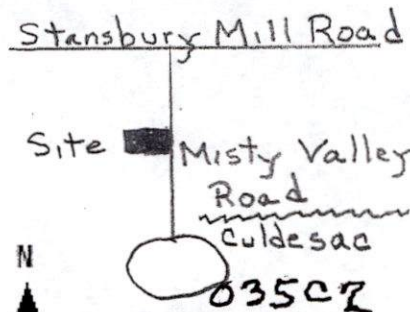
2020-0117-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 14506 Misty Valley Rd. OWNER(S) NAME(S) Kelly M. Zink
 SUBDIVISION NAME None LOT # N/A BLOCK # N/A SECTION # N/A
 PLAT BOOK # N/A FOLIO # N/A 10 DIGIT TAX # 1015080000 DEED REF. # 38325/00071



PLAN DRAWN BY Thomas Zink DATE 06/29/2020 SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 036B2

SITE ZONED RC5

ELECTION DISTRICT 10

COUNCIL DISTRICT 3

LOT AREA ACREAGE 2.46

OR SQUARE FEET 107158

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

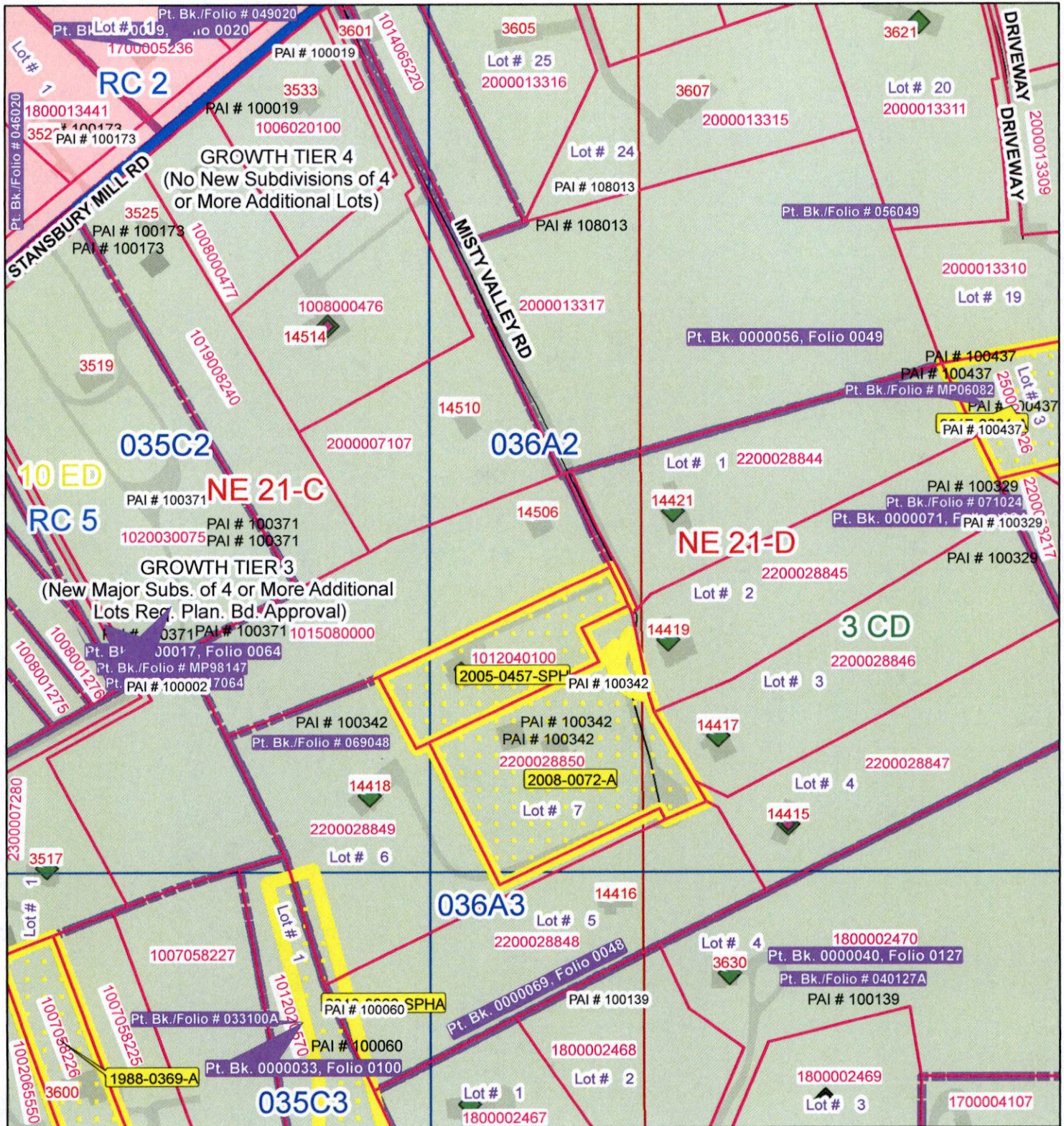
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

None

2020-0077-A Pet. ECR. 1

14506 Misty Valley Road



Publication Date: 7/22/2020



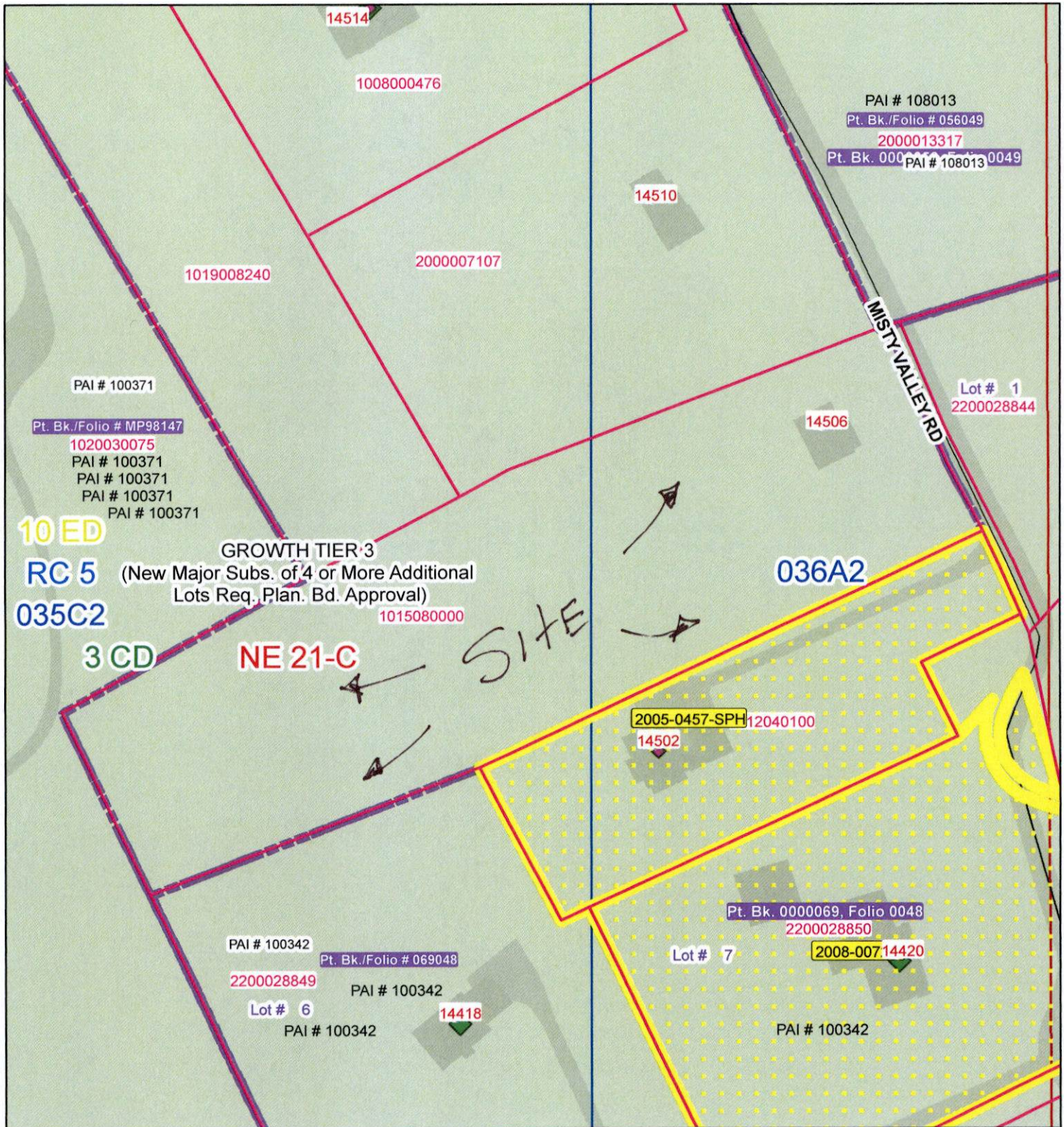
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 60 120 240 360 480 Feet

1 inch = 216.293368 feet

14506 Misty Valley Road



Publication Date: 7/22/2020



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



0 25 50 100 150 200 Feet

1 inch = 100 feet

2020-0177-A

Handwritten text, possibly a signature or initials, located in the lower center of the page.



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 14506 Misty Valley Rd., Phoenix, MD 21131 Currently zoned RC5

Deed Reference 38325 / 71 10 Digit Tax Account # 1015080000

Owner(s) Printed Name(s) Kelly McIntyre Zink

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

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

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

1. X **ADMINISTRATIVE VARIANCE** from Section(s) 1A04.3.B.2.b BCZL To permit a proposed addition with a side setback of 35 feet in lieu of the required 50 feet.

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

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

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

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

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

Owner(s)/Petitioner(s):

Kelly M. Zink
Name #1 – Type or Print Name #2 – Type or Print

Kelly M. Zink
Signature #1 Signature #2

14506 Misty Valley Rd., Phoenix MD
Mailing Address City State

21131 410-404-3987 kmaczink@gmail.com
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Kelly M. Zink
Name – Type or Print

Kelly M. Zink
Signature

14506 Misty Valley Rd, Phoenix, MD
Mailing Address City State

21131 410-404-3987 kmaczink@gmail.com
Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0177-A Filing Date 7/2/20 Estimated Posting Date 8/2/2020 Reviewer gh

Rev 5/5/2016

Affidavit in Support of Administrative Variance

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

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

Address: 14506 Misty Valley Road Phoenix MD 21131
Print or Type Address of property City State Zip Code

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

We purchased this home, which is the original farmhouse for the property. It has been vacant for seven years and is in severe disrepair. The kitchen is too tiny and there is only one bath. We need more space to accommodate our family. Since we are both seniors, we need single story living. Putting the single story addition on the rear of the house is the less obtrusive choice, since our lot is over 600' deep and the addition location is screened from both side neighbors by evergreens. The addition is the same width as the existing house, so there is no additional side yard encroachment. Both side neighbors support the addition.

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

Kelly M Zink
Signature of Owner (Affiant)
Kelly M. Zink
Name- Print or Type

Signature of Owner (Affiant)

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21st day of July, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Kelly Zink

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

AS WITNESS my hand and Notaries Seal

Becca Lanahan
Notary Public
5-13-2023
My Commission Expires

BECCA LANAHAN
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND

My Commission Expires 05-13-2023

REV. 5/5/2016



2020-0177-A

Addition Here

E

Rear

14506



14502

Street View

Left of 14506

W

2020-0177-A



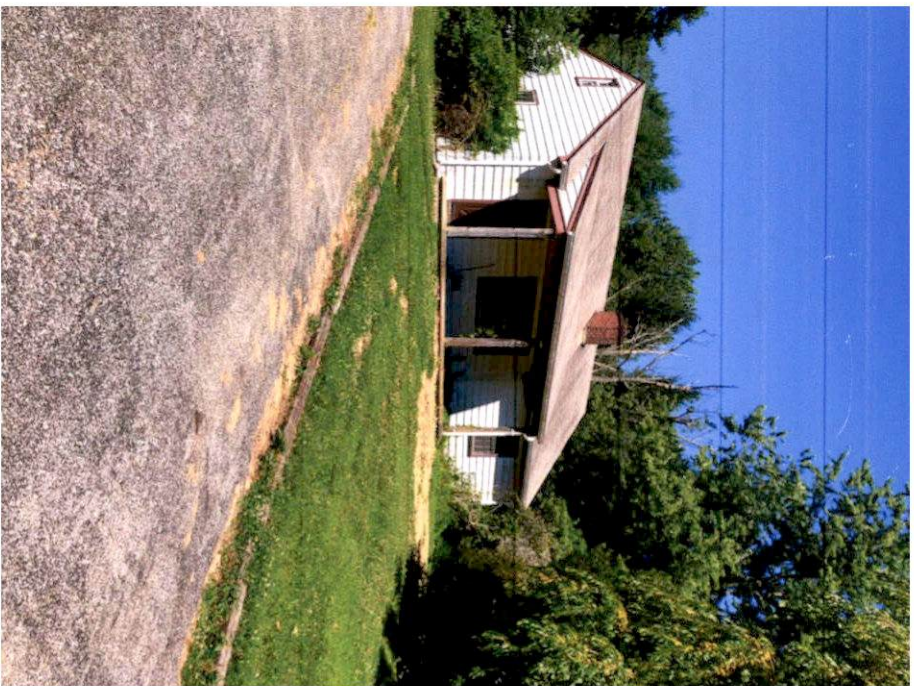
14510

Right of 14506

Street View

W

2020-0177-A



2020-077-A

W

street

from

14506

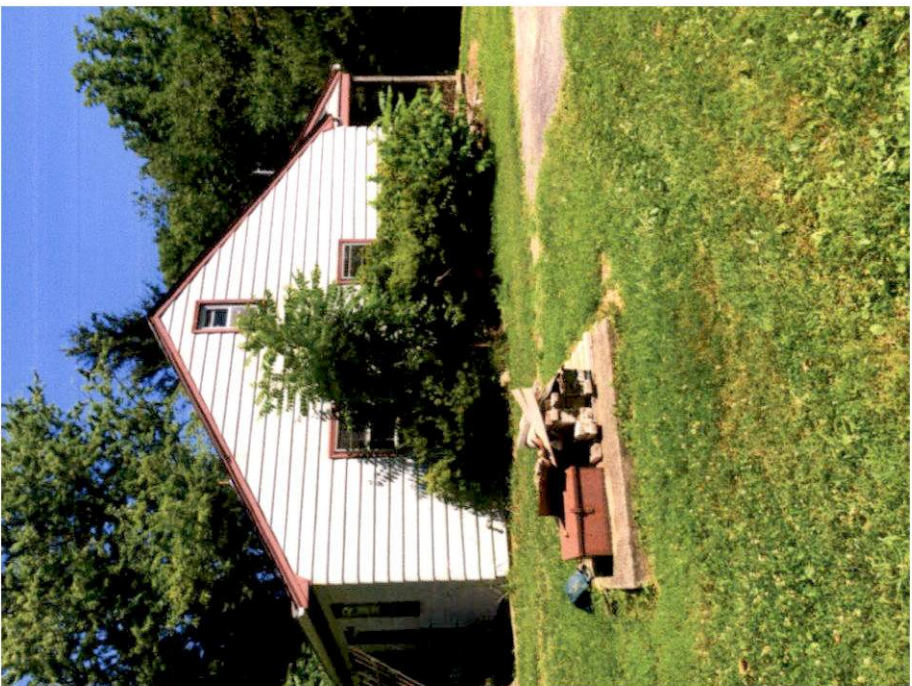


14506

Right Side

S

2020-0177-A



2020-0177-A

N

14506

Left Side



House directly
across street
from 14506
E

2020-0177-A