



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

January 16, 2025

Brenda J. Tranchida
Edwin C. Simmons, Jr.
127 Gothard Road
Timonium, MD 21093

RE: Petition for Administrative Variance
Case No. 2024-0271-A
Property: 127 Gothard Road

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A blue ink signature of Andrew M. Belt, consisting of a series of fluid, connected strokes.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw
Enclosure

c: Rick Richardson – rick@richardsonengineering.net

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(127 Gothard Road)		
8 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Brenda J. Tranchida &	*	HEARINGS FOR
Edwin C. Simmons, Jr.		
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0271-A
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Brenda J. Tranchida and Edwin C. Simmons, Jr. (“Petitioners”), for the property located at 127 Gothard Road, Timonium (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.B, to approve an existing dwelling and an addition with a rear setback of 12 ft. in lieu of the required 30 ft. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1. Photographs of the Property were provided. (Pet. Exs. 2A-2E). There were no adverse Zoning Advisory Committee (“ZAC”) comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on December 29, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavit as required by Section 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 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 Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

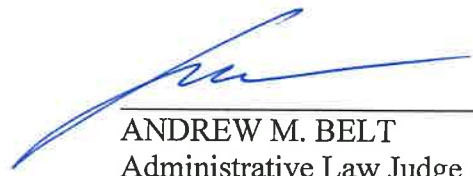
Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 16th day of **January, 2025**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.B, to approve an existing dwelling and an addition with a rear setback of 12 ft. in lieu of the required 30 ft., be and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw



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 Law of Baltimore County for the property located at:

Address 127 Gothard Road Currently Zoned DR-5.5

Deed Reference 39815/6 10 Digit Tax Account # 0808055820

Owner(s) Printed Name(s) BRENDA J. TRANCHIDA, EDWIN C. SIMMONS, JR

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s)
BCZR 1B02.3.B To approve an existing dwelling and an addition with a rear setback of 12 ft in lieu of the required 30 ft
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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:

BRENDA J. TRANCHIDA, / EDWIN C. SIMMONS, JR

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

127 Gothard Road Timonium MD

Mailing Address City State

21093 / /

Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC Rick Richardson

Name - Type or Print

Signature

7 Deneison Street Timonium MD

Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net

Zip Code Telephone # Email Address

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

Administrative Law Judge of Baltimore County

CASE NUMBER 2024-0271-A Filing Date 12/20/2024 Estimated Posting Date 12/29/2024 Reviewer CD

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 to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 127 Gothard Road Timonium MD 21093
Print or Type Address of property City State Zip Code

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

_____ The property is an irregular pie type shape. It is at an intersection with the small end at the _____ intersection. Therefore, it is a unique shape and location in the subdivision. The existing _____ garage is closer than the required setback and thus it would be a practical difficulty and _____ hardship to tear it down. _____

_____ The new sunroom addition will be larger than the existing and be closer to the rear setback _____ but it is still more than the existing garage setback. There is a line of trees and an easement _____ along the rear property line so it will not have a negative impact on the adjoining neighbor. _____

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

Brenda J. Tranchida
Signature of Affiant

BRENDA J. TRANCHIDA
Name- Print or Type

Edwin C. Simmons, Jr.
Signature of Affiant

EDWIN C. SIMMONS, JR
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 19th day of November, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Brenda J. Tranchida & Edwin C. Simmons Jr.
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) **(Print name(s) here)**

AS WITNESS my hand and Notaries Seal



Shannon Lynn Boone
Notary Public
April 24, 2028
My Commission Expires

REV. 10/12/11

2024-0271-A

**ZONING PROPERTY DESCRIPTION FOR
127 GOTHARD ROAD
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Located on the South side of Gothard Road at the intersection of Gothard Road and Margate Road. Being Lot #17 in Block Q as shown on the plat of "Plat No. 3, Section 2 of York Manor", which is recorded among the land records of Baltimore County in Plat Book W.H.M. No. 24, Folio 146.

Containing a net area of 11,994 square feet or 0.28 acres +/-.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2025

2024-0271-A

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 _ 0271 -A Address 127 Gothard Rd

Contact Person: Christina Frink Phone Number: 410-887-3391

Planner, Please Print Your Name

Filing Date: 12-20-2024 Posting Date: 12-29-2024 Closing Date: 1-13-2025

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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2024 _ 0271 -A Address 127 Gothard Rd

Petitioner's Name: Brenda Tranchida & Edwin Simmons Telephone (Cell)

Posting Date: 12-29-2024 Closing Date: 1-13-2025

Wording for Sign: To Permit an existing dwelling and an addition with a ^{rear} ~~left~~ setback of 12 ft in lieu of the required 30 ft

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

No. 235071

Date: 12-20-2024

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

Rec

From:

127 Gothard Rd

For:

2024-0271-A

235.5

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CF 24-1141

EDWIN C SIMMONS, JR. 07-88

BRENDA J TRANCHIDA

PH. 443-991-4952

127 GOTHARD ROAD

LUTHERVILLE TIMONIUM, MD 21093

7-7671/2520

924

DATE

11/18/24

SECURED BY
EZSHIELD

PAY TO THE
ORDER OF

BALTIMORE COUNTY \$ 75.00
SEVENTY FIVE 00/100 DOLLARS

Securityplus
FEDERAL CREDIT UNION

MEMO ZONING

MP

FINE LINE

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: December 30, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0271-A
Address: 127 GOTHARD ROAD
Legal Owner: Tranchida, Edwin Simmons, Jr.

Zoning Advisory Committee Meeting of December 30, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: December 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0271-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No Exception taken.

Landscaping: No comment

Recreations & Parks: No comment LOS & No Greenways affected.

CERTIFICATE OF POSTING

2024-0271-A

RE: Case No.: _____

Petitioner/Developer: _____

Brenda Tranchida & Edwin Simmons

January 13, 2025

Date of Hearing/Closing: _____

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

Attn: Jeff Perlow:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

127 Gothard Road

December 29, 2024

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

December 29, 2024

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 08 Account Number - 0808055820

Owner Information

Owner Name:	TRANCHIDA BRENDA J SIMMONS EDWIN C JR	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	127 GOTHARD ROAD LUTHERVILLE TIMONIUM MD 21093	Deed Reference: /39815/ 00006

Location & Structure Information

Premises Address:	127 GOTHARD RD LUTHERVILLE TIMONIUM 21093	Legal Description: 127 GOTHARD RD YORK MANOR
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Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 3
0061 0013 0284 8020025.04 0000 2 Q 17 2023 Plat Ref: 0024/ 0146

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1960	1,363 SF	1000 SF	12,144 SF	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	BRICK/ 4	2 full/ 1 half	2 Attached		

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2024	07/01/2025
Land:	132,200	132,200		
Improvements	316,000	400,300		
Total:	448,200	532,500	504,400	532,500
Preferential Land:	0	0		

Transfer Information

Seller: BT HOMES I LLC	Date: 01/04/2018	Price: \$550,000
Type: ARMS LENGTH IMPROVED	Deed1: /39815/ 00006	Deed2:
Seller: DEPOITIERS RUTH J	Date: 05/26/2017	Price: \$290,000
Type: ARMS LENGTH IMPROVED	Deed1: /39006/ 00075	Deed2:
Seller: HILLYARD JOSEPH B	Date: 08/21/1998	Price: \$170,000
Type: ARMS LENGTH IMPROVED	Deed1: /30373/ 00008	Deed2:

Exemption Information

Partial Exempt Assessments: Class		07/01/2024	07/01/2025
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

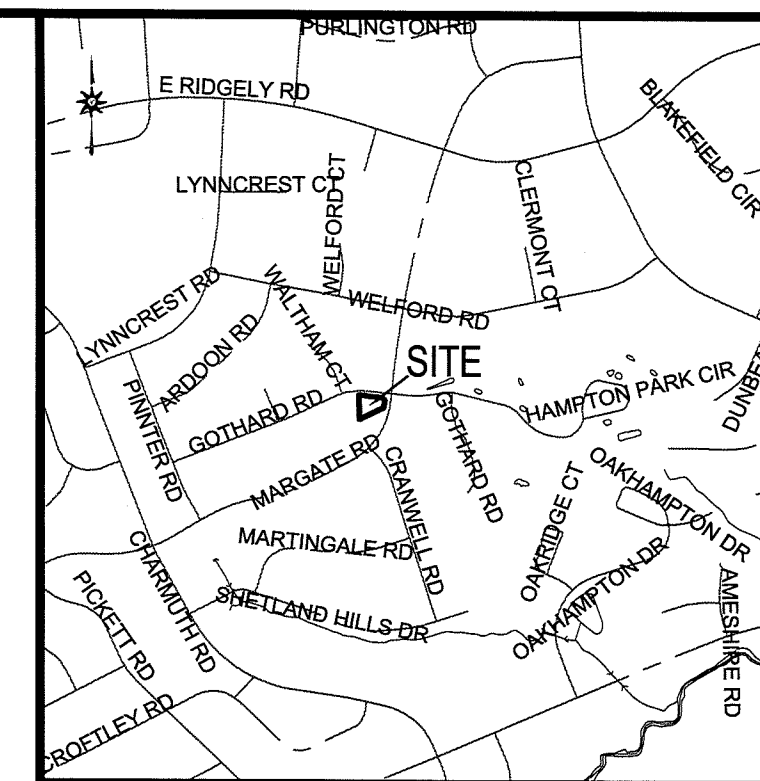
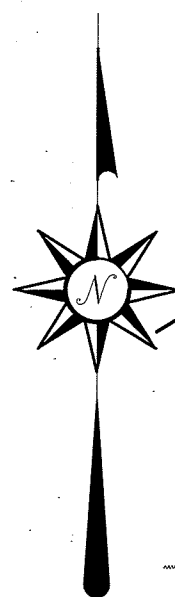
Homestead Application Information

Homestead Application Status: Approved 05/16/2018

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2024-0271-A



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: BRENDA J. TRANCHIDA
EDWIN C. SIMMONS, JR.
127 GOTHARD ROAD
LUTHERVILLE TIMONIUM MD 21093
 - SITE AREA:
NET: 11,994 SF OR 0.28 AC±
GROSS: 17,103 SF OR 0.39 AC±
 - USE:
EXISTING: 1 RESIDENTIAL DWELLING
PROPOSED: 1 RESIDENTIAL DWELLING
 - UTILITIES: PUBLIC WATER AND SEWER
 - DEED REF: 39815/6
 - TAX ACCOUNT: 0808055820
 - ZONING: DR 3.5
(PER 1"=200' ZONING MAP 061A2)
 - TAX MAP:
GRID: 61
PARCEL: 284
 - PLAT REFERENCE: 24/146 YORK MANOR SECTION #2 BLOCK Q LOT #17
 - NO KNOWN FLOODPLAINS EXIST ON SITE PER FLOOD INSURANCE
 - RATE MAP (FIRM) PANEL 2400100285G DATED NOVEMBER 2, 2023.
 - PREVIOUS ZONING CASES: NONE ON FILE
 - PREVIOUS PERMITS: B939234 CONSTRUCT 12'X12'=144 SF OPEN DECK WITH STEPS TO GRADE ATTACHED TO REAR SFD. ISSUED AUGUST 20, 2017.
 - SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
 - THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC
 - SETBACKS FOR DR 3.5
- | | REQUIRED | PROVIDED |
|-------|-------------------|-----------------|
| FRONT | 30' | 30'± |
| SIDE | 10' MIN 25' TOTAL | 16', 30' TOTAL± |
| REAR | 30' | 12'± |



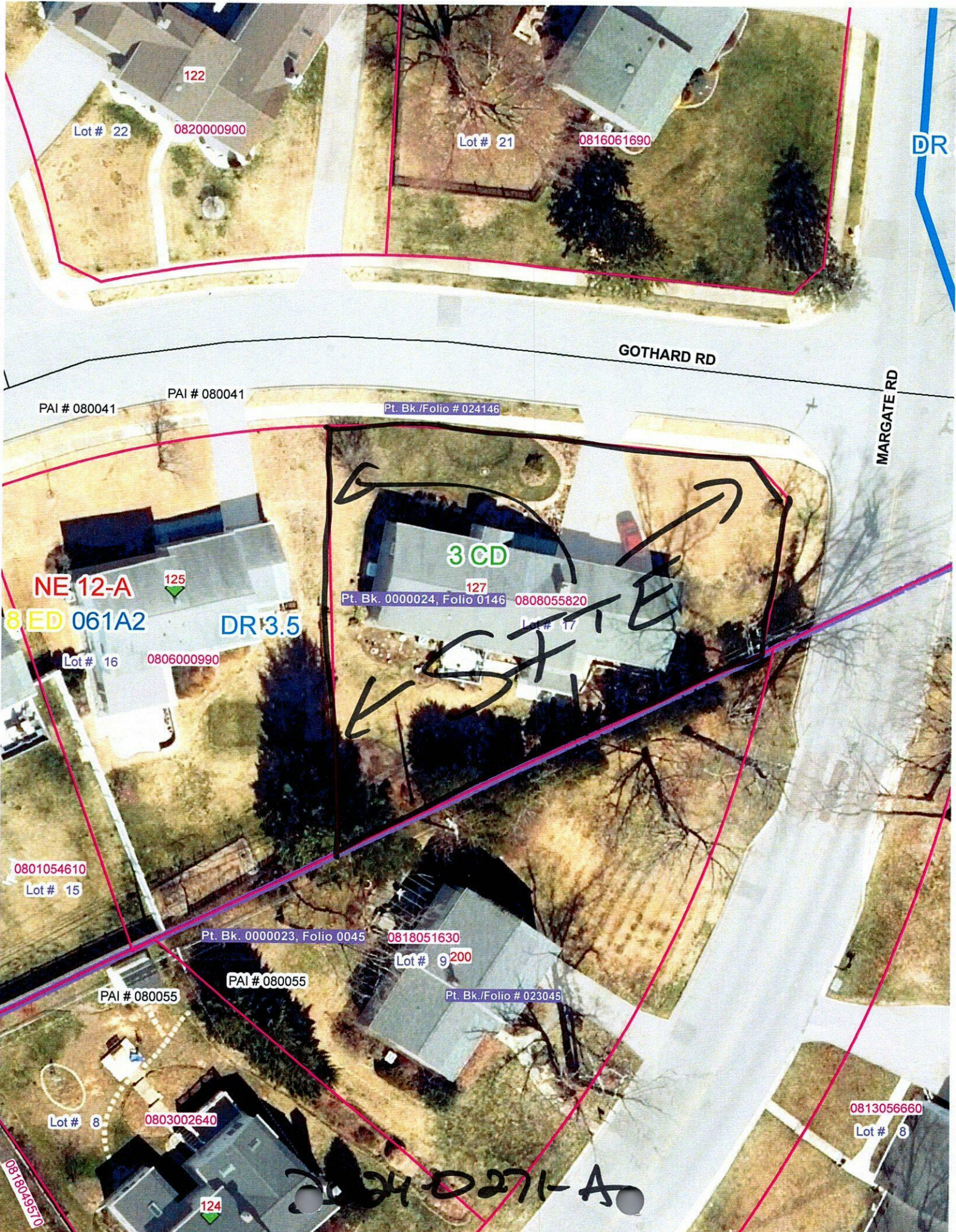
7 Deneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR
TRANCHIDA-SIMMONS
RESIDENCE ADDITION
127 GOTHARD ROAD

BALTIMORE COUNTY MARYLAND
8TH ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT

REVISIONS		DRAWN BY:	CHECKED BY:	SCALE:
		LNR	PCR	1" = 20'
DATE:		JOB NO.:	SHEET NO.:	
11-22-24		24202	1 OF 1	

2024-0271-A



122

Lot # 22

0820000900

Lot # 21

0816061690

DR

GOTHARD RD

MARGATE RD

PAI # 080041

PAI # 080041

Pt. Bk./Folio # 024146

3 CD

127

Pt. Bk. 000024, Folio 0146 0808055820

Lot # 17

NE 12-A

125

8 ED 061A2

DR 3.5

Lot # 16

0806000990

0801054610

Lot # 15

Pt. Bk. 000023, Folio 0045

0818051630

Lot # 9 200

Pt. Bk./Folio # 023045

PAI # 080055

PAI # 080055

Lot # 8

0803002640

124

0813056660

Lot # 8

0816049570

2024 D271-A



Rear where new addition will extend to where plant is on patio

2024-0271-A



View west along property in rear where addition will be in the place of the addition will be

2024-0271-A



View of existing sunroom where the larger sunroom will be located

2024-0271-A



View west from sunroom addition

2024-0271-A



View south from addition

2024.0271-A