

IN RE: PETITION FOR VARIANCE

(222 Sacred Heart Lane)

4th Election District

2nd Council District

John F. Jimenez

Legal Owner

Petitioner

*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0232-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by the owner of the subject property ("Petitioner"). The Petitioner is requesting variance relief from the Baltimore County Zoning Regulations (B.C.Z.R) to permit an attached carport within 2 ft. of the side property line in lieu of the required 7.5 ft. A site plan was marked as Petitioner's Exhibit 1.

John Jimenez appeared in support of the petition. Several members of the community attended the hearing and opposed the request. The Petition was advertised and posted as required by the B.C.Z.R. There were no substantive Zoning Advisory Committee (ZAC) comments received from any of the reviewing agencies.

The property is approximately 10,802 square feet in size and is zoned DR 3.5. The property is improved with a two-story single-family dwelling which was constructed in 1969. Petitioner purchased the home last year and proposes to construct a carport to shield his vehicles from the elements.

Protestants submitted a letter from the Chartley Homeowners Association, Inc. (Prot. Ex. 1) indicating they had two major concerns regarding the request. First, they feared the reduced setback would interfere with the use and enjoyment of the neighboring property at 224 Sacred

ORDER RECEIVED FOR FILING

Date

5/3/17

By

Den

Heart Lane. They noted these “two properties have an unusual configuration in that their respective driveways are immediately adjacent to one another.” While that may be the case, Petitioner submitted a letter (Pet. Ex. 2) from the owners of the adjoining home (Charles & Mary Janney) who indicated they “do not object to this project.” In addition, if the proposed carport was not connected to Petitioner’s home, the Regulations would permit the structure to be situated 2 ½ ft. from the property line (B.C.Z.R. §400.1), which is essentially the setback requested here.

Protestants also believe the carport will not increase the value of the subject property and “is likely to reduce the value of the property at 224 Sacred Heart Lane.” This is a frequently expressed concern in zoning hearings, although without additional evidence on the point I do not believe the request can be denied on this basis.

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).

Petitioner has met this test. The subject property, unlike nearly all of the homes in close proximity, has a driveway which is separated from the neighbor’s driveway by just a few feet. As such it is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because he would be unable to construct the proposed carport. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. Certain restrictions will be included in the order below to help ensure the project does not have a detrimental impact upon the community.

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Date 5/3/17

By sen

THEREFORE, IT IS ORDERED, this 3rd day of **May, 2017**, by the Administrative Law Judge for Baltimore County that the Petition for Variance to permit an attached carport within 2 ft. of the side property line in lieu of the required 7.5 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. The carport shall remain open on three sides at all times, and shall not be enclosed.
3. The carport must be designed and constructed of materials which will complement the appearance of the dwelling, as determined in the sole discretion of the Department of Planning (DOP).

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 5/3/17

By slh



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

May 3, 2017

John Jimenez
222 Sacred Heart Lane
Reisterstown, Maryland 21136

RE: Petition for Variance
Case No. 2017-0232-A
Property: 222 Sacred Heart Lane

Dear Mr. Jimenez:

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

In the event any party finds the decision rendered is unfavorable, any party 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 handwritten signature in black ink, appearing to read "JEB", followed by a long horizontal flourish.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Ernie Schmidhauser, 311 Highmeadow Road, Reisterstown, MD 21136
David Powers, 523 Glen Granite Road, Reisterstown, MD 21136
Timothy Krispin, 431 Deacon Brook Circle, Reisterstown, MD 21135



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 222 Sacred Heart Ln, Reisterstown, MD 21136 Currently zoned DR3.5
Deed Reference 36516/100397 10 Digit Tax Account # 0403025806
Owner(s) Printed Name(s) John F. Jimenez

(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) 1802.2.C.1 & 303.1; BCZR, TO PERMIT AN ATTACHED CARPORT WITHIN 2ft. OF THE SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 7.5ft.

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.

ORDER RECEIVED FOR FILING
Date 5/3/17
By SEN

Owner(s)/Petitioner(s):

John F. Jimenez
Name #1 – Type or Print Name #2 – Type or Print
John F. Jimenez
Signature #1 Signature #2
222 Sacred Heart Ln, Reisterstown, MD
Mailing Address
21136, (443) 622 6468, JFJM76@gmail.com
Zip Code Telephone #

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

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

Representative to be contacted:

Name – Type or Print Same
Signature
Mailing Address City State
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 2017-0232-A Filing Date 3/1/17 Estimated Posting Date _____ Reviewer JCM

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: 222 Sacred Heart Ln, Reisterstown, MD, 21136
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)

Over my driveway I desire to build a carport.
There is not space in the back of the house
and there is not any other convenient location.
I would like to do this inside property line
in addition inside fence line.

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

[Signature]
Signature of Owner (Affiant)
John F. Jimenez
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 1 day of March, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: John F. Jimenez

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

AS WITNESS my hand and Notaries Seal

Joseph W. Mandara
Notary Public
My Commission Expires 4/12/20



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: 222 Sacred Heart Ln, Pikesville, MD 21136
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)

Over my driveway I desire to build a carport.
There is not space in the back of the
house and there is not any other convenient
location. I would like to do this inside
property line in addition inside fence line.

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

[Signature]
Signature of Owner (Affiant)
John F. Jimenez
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

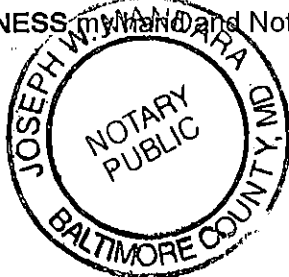
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1 day of March, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: John F. Jimenez

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

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public
4/12/20
My Commission Expires



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 222 Sacred Heart Ln, Reisterstown, MD 21136 Currently zoned DR 3.5
Deed Reference 36516 / 00397 10 Digit Tax Account # 0403025806
Owner(s) Printed Name(s) JOHN F. Jimenez

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

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

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

1. ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 1B02.2.C.1 & 303.1; BC2R,
to permit an attached carport within 2' ft of
the side property line in lieu of the required
7.5 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 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.

ORDER RECEIVED FOR FILING
Date 5/3/17
By Sen

Owner(s)/Petitioner(s):

Name #1 – Type or Print JOHN F. Jimenez Name #2 – Type or Print _____
Signature #1 [Signature] Signature #2 _____
Mailing Address 222 Sacred Heart Ln, Reisterstown, MD City _____ State _____
Zip Code 21136 Telephone # (443) 622-6468 Email Address JFJM76@gmail.com

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

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

Representative to be contacted:

Name – Type or Print Same
Signature _____
Mailing Address _____ City _____ State _____
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 2017-0232-A Filing Date 3/1/17 Estimated Posting Date _____/_____/_____ Reviewer _____

**ZONING DESCRIPTION FOR
222 SACRED HEART LANE**

That property located on the SW side of Sacred Heart Lane, 55 feet SE of the centerline of Townleigh Road, containing 10,802 SQ. FT, Lot No. 11, Plat Book 32/42, in the 4th Election District/ 2nd Councilmanic District.

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

Nº 150316

Date: 3/3/17

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS	Acct	Amount
				Source/	Rev/					
001	806	0000		6/50						100.00 75.00

Total: ~~100.00~~
75.00

Rec From: JOHN JIMENEZ

For: 2017-0232-A

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 3/06/2017 3/03/2017 10:23:51 1
 REG WSD1 WALKIN LTR
 >>RECEIPT # 709940 3/03/2017 OFLN
 Dept 5 528 ZONING VERIFICATION
 CR NO. 150316
 Recpt Tot \$75.00
 \$75.00 CR \$1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2017-0232-A

Address: 222 Sacred Heart Ln, 21136

Petitioner(s): Charley Homeowners Assoc

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We Timothy Krupin
Name - Type or Print

() Legal Owner OR ☒ Resident of

434 Deacon Brook Cir
Address

Reisterstown Md 21136
City State Zip Code

410-504-2204
Telephone Number

which is located approximately 100 feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**
ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

Timothy A Krupin 23 Mar-2017
Signature Date

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/13/2017

Case Number: 2017-0232-A

Petitioner / Developer: JOHN JIMENEZ

Date of Hearing (Closing): MARCH 27, 2017

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:
222 SACRED HEART LANE

The sign(s) were posted on: MARCH 11, 2017



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/11/2017

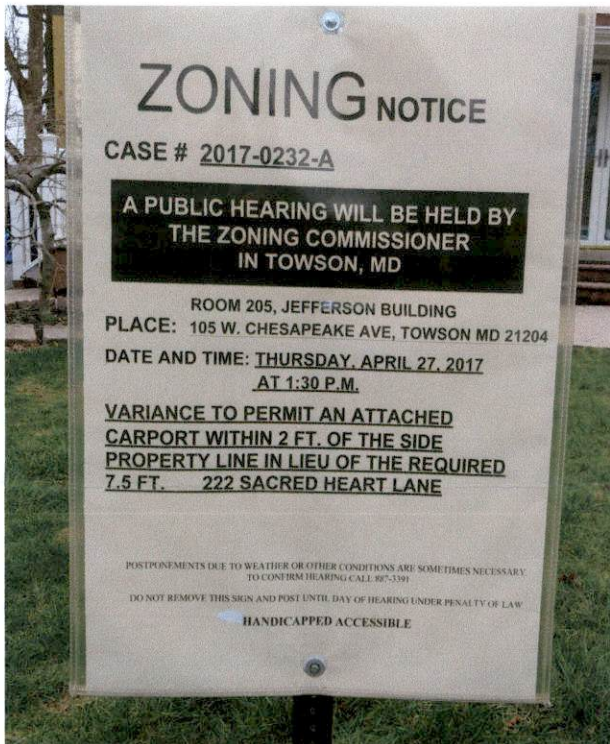
Case Number: 2017-0232-A

Petitioner / Developer: JOHN JIMENEZ

Date of Hearing (Closing): APRIL 27, 2017

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:
222 SACRED HEART LANE

The sign(s) were posted on: APRIL 7, 2017



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4879573

Sold To:

John Jimenez - CU00592833
222 Sacred Heart Ln
Reisterstown, MD 21136-1414

Bill To:

John Jimenez - CU00592833
222 Sacred Heart Ln
Reisterstown, MD 21136-1414

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Apr 06, 2017

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

NOTICE OF ZONING HEARING

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

Case: # 2017-0232-A
222 Sacred Heart Lane
SW/S Sacred Heart Lane, 55 ft. SE of centerline of
Townleigh Road
4th Election District - 2nd Councilmanic District
Legal Owner(s) John Jimenez

Variance: to permit an attached carport within 2 ft. of the side property line in lieu of the required 7.5 ft.

Hearing: Thursday, April 27, 2017 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

4/016 April 6 4879573

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 6, 2017 Issue - Jeffersonian

Please forward billing to:
John Jimenez
222 Sacred Heart Lane
Reisterstown, MD 21136

443-622-6468

NOTICE OF ZONING HEARING

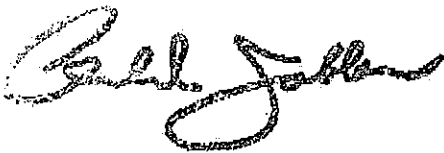
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0232-A

222 Sacred Heart Lane
SW/s Sacred Heart Lane, 55 ft. SE of centerline of Townleigh Road
4th Election District – 2nd Councilmanic District
Legal Owner: John Jimenez

Variance to permit an attached carport within 2 ft. of the side property line in lieu of the required 7.5 ft.

Hearing: Thursday, April 27, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 27, 2017

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2017-0232-A

222 Sacred Heart Lane

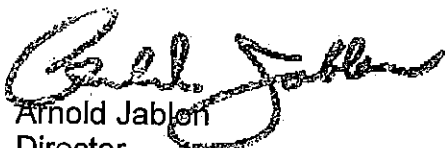
SW/s Sacred Heart Lane, 55 ft. SE of centerline of Townleigh Road

4th Election District – 2nd Councilmanic District

Legal Owner: John Jimenez

Variance to permit an attached carport within 2 ft. of the side property line in lieu of the required 7.5 ft.

Hearing: Thursday, April 27, 2017 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director

AJ:kl

C: John Jimenez, 222 Sacred Heart Lane, Reisterstown 21136
Timothy Krispin, 431 Deacon Brook Circle, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, APRIL 7, 2017.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2017- 0232 -A Address 222 SACRED HEART LN.

Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/3/17 Posting Date: 3/12 Closing Date: 3/27

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 (on the reverse side of this form) 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 an 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 zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The 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 zoning or deputy zoning commissioner), 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 2017- 0232 -A Address 222 SACRED HEART LN.

Petitioner's Name JOHN JIMENEZ Telephone 443-622-6468

Posting Date: 3/12 Closing Date: 3/27

Wording for Sign: To Permit AN ATTACHED CARPORT WITH A
SIDEYARD SETBACK OF 2ft. IN lieu OF THE
REQUIRED 7.5ft.

Revised 7/6/16

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2017-0232-A
Property Address: 222 SACRED HEART LN.
Property Description: SW SIDE OF SACRED HEART LN.,
55ft. SE OF TOWNLEIGH RD.
Legal Owners (Petitioners): JOHN JIMENEZ
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____
Company/Firm (if applicable): SAR
Address: _____

Telephone Number: 443-622-6462

Revised 7/9/2015



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 18, 2017

John F Jimenez
222 Sacred Heart Lane
Reisterstown MD 21136

RE: Case Number: 2017-0232 A, Address: 222 Sacred Heart Lane

Dear Mr. Jimenez:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 1, 2017. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 8/20/17

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2017-0232-A

*Administrative Variance
John F. Jimenez
222 Sacred Heart Lane.*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, PLA
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

Maryland Department of Transportation
State Highway Administration

320 West Warren Road, Hunt Valley, MD 21030

410.229.2300 | TTY 800.735.2258 | roads.maryland.gov

My telephone number/toll-free number is 866.998.0367

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: March 17, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0232
Address 222 Sacred Heart Lane
(Jimenez Property)

Zoning Advisory Committee Meeting of **March 20, 2017**.

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

Reviewer: Steve Ford

Date: 3-17-17

RECEIVED

MAR 28 2017

20BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: March 21, 2017

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 20, 2017
Item No. 2017- 0202, 0223, 0232, 0233, 0235, 0236, 0237, 0238, 0239
and 0240

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comment.

DAK:CEN

cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC03202017.doc

M E M O R A N D U M

DATE: June 5, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0232-A- Appeal Period Expired

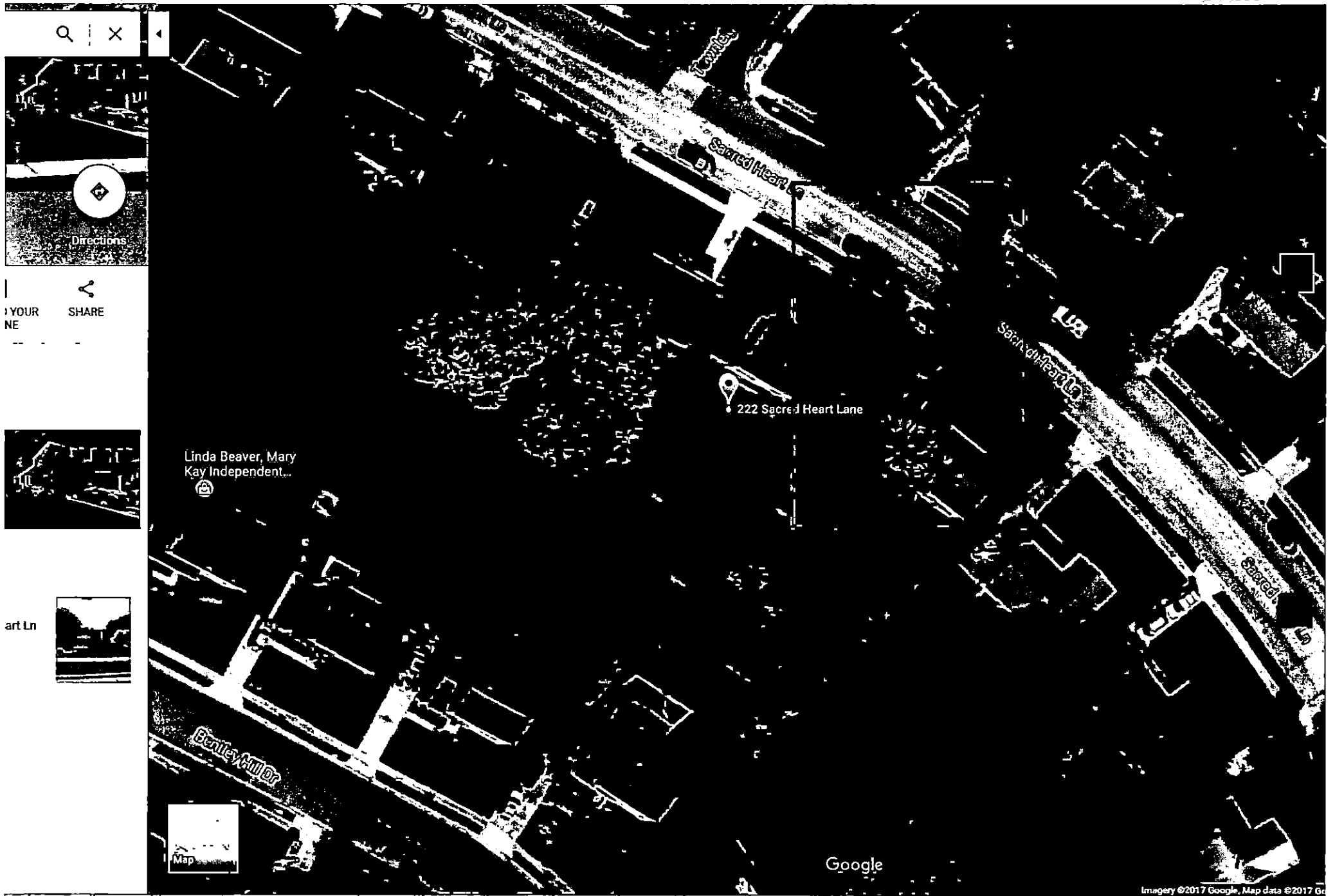
The appeal period for the above-referenced case expired on June 2, 2017. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 04 Account Number - 0403025806			
Owner Information					
Owner Name:		JIMENEZ JOHN F		Use:	RESIDENTIAL
Mailing Address:		222 SACRED HEART LN REISTERSTOWN MD 21136-1414		Principal Residence:	YES
				Deed Reference:	/36516/ 00397
Location & Structure Information					
Premises Address:		222 SACRED HEART LN 0-0000		Legal Description: 222 SACRED HEART LN CHARTLEY NORTH	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0048	0012	0612		0000	3
					E
					11
					2016
					Assessment Year:
					Plat No:
					Plat Ref:
					0032/0042
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1969	1,924 SF	500 SF	10,802 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	SIDING	3 full	
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2016	07/01/2017
Land:		52,200	52,200		
Improvements		167,000	191,800		
Total:		219,200	244,000	227,467	235,733
Preferential Land:		0			0
Transfer Information					
Seller: TOWNSHEND ELEANOR		Date: 08/10/2015		Price: \$308,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /36516/ 00397		Deed2:	
Seller: TOWNSHEND ELEANOR		Date: 08/17/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /20556/ 00411		Deed2:	
Seller: TOWNSHEND THOMAS H,JR		Date: 02/27/2002		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /16149/ 00344		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class			07/01/2016	07/01/2017
County:	000			0.00	
State:	000			0.00	
Municipal:	000			0.00 0.00	0.00 0.00
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Application received					



My Neighborhood

[Share](#) [Help](#) [Get Data](#)

BALTIMORE COUNTY, MARYLAND

Address ▾ 222 sacred heart lane Search
Example: 400 Washington Ave

[My Neighborhood](#) [Civic/Government](#) [Economic](#) [Historic](#) [Environmental](#) [Find Tile](#) [Land Development](#) [Bicycle Facilities](#) [Permit Review](#)





13213011

13213011

Enter Property Address Here

222 Sacred Heart Ln, Pikesville, MD, 21136.

(11)



Publication Date: 3/1/2017



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



0 5 10 20 30 40 Feet

1 inch = 30 feet

36516/00397



222 Sacred Heart Lane
Reisterstown, MARYLAND 21136

PRINTING INSTRUCTIONS:

- 1) With the drawing open in Adobe Reader, select "Print..." in the "File" menu
- 2) Select the desired printer
- 3) Choose the "All" option under "Pages to Print"
- 4) Choose the "Actual size" option under "Page Sizing & Handling"
- 5) To print in COLOR click "Print", for BLACK & WHITE continue to step 6
- 6) Click the "Properties" button
- 7) Choose the "Imaging" tab
- 8) Check the "Print text as black" & "Print graphics as black" boxes
(this will remain the default until unchecked)
- 9) Click "OK"
- 10) Click "Print"

SURVEYOR LEGEND:

Property Lines:	_____	Fence Line (Metal, Wire):	_____x_____
Buildings:	_____	Fence Line (Wood, Plastic):	_____//_____
Improvements:	_____	Right of Way:	_____
Building Restriction Line:	_____	100 Year Flood Plain:	_____
Easement Lines:	_____	Forest Conservation:	_____
Easement Lines:	_____	Septic Reserve Areas:	_____
Old Lot Lines:		Overhangs:	_____

NTT Associates, Inc.

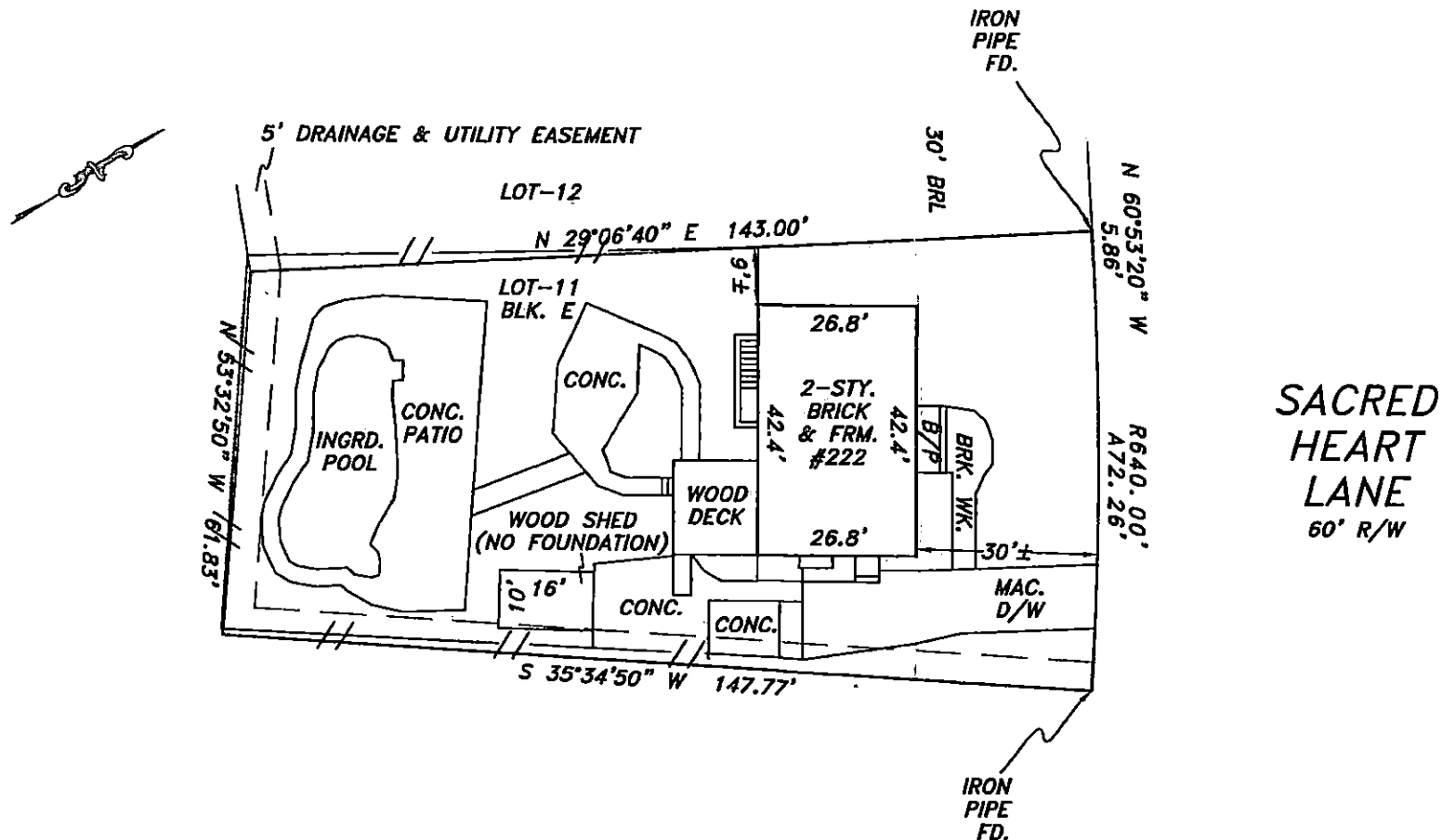
16205 Old Frederick Rd.
Mt. Airy, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315
www.nttsurveyors.com



Subject property is shown in Zone X
on the FIRM Map of Baltimore County,
Maryland on Community Panel Number
240010 0205 F, effective 9/26/2008

Drawing # LMD20786

Page No.: 2 of 2

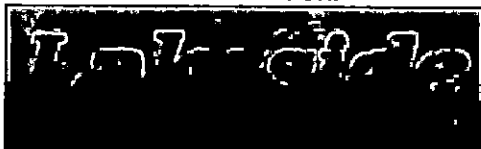


The purpose of this drawing is to locate, describe, and represent the positions of buildings and substantial improvements affecting the property shown hereon, being known as:

Lot-11, Blk. E, as shown on the plat of:
Section 3, "Charley North"

recorded among the land records of Baltimore County, Maryland in
Plat Book 32, folio 42

PREPARED FOR:



This is page one of a two page document. The advice found on the affixed page is an integral part of this drawing, and is not valid without all pages.



James Carl Hudgins
Property Line Surveyor #96
Expiration Date: 3/11/16

LOCATION DRAWING
222 Sacred Heart Lane
4th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

NTT Associates, Inc.

16205 Old Frederick Rd.
Mt. Airy, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315
www.nttsurveyors.com

Scale: 1" = 30'

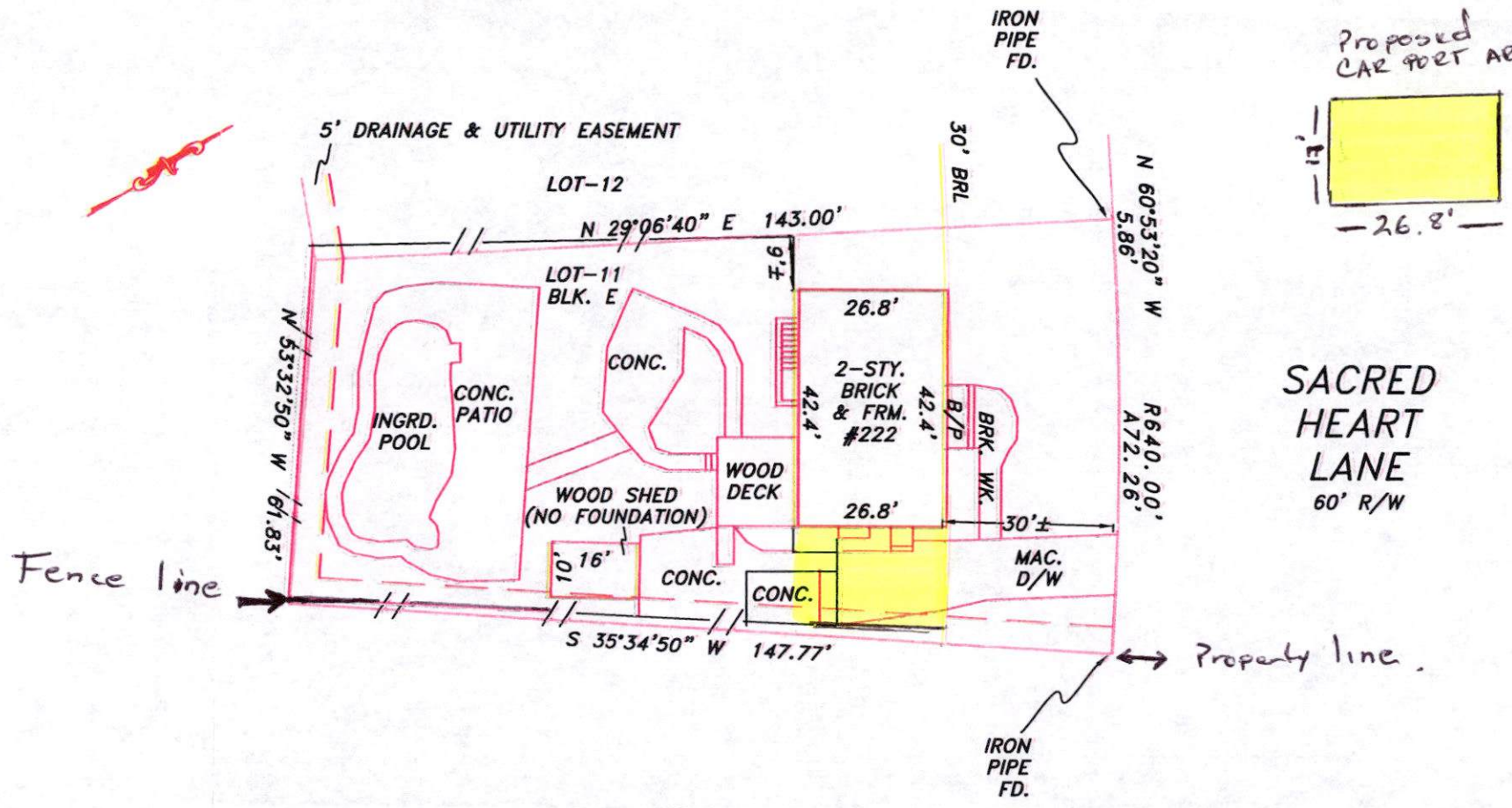
Date: 7-19-15

Field By: M.R.H.

Drawn By: M.R.H.

File No.: LMD20786

Page No.: 1 of 2



**SACRED
HEART
LANE**
60' R/W

The purpose of this drawing is to locate, describe, and represent the positions of buildings and substantial improvements affecting the property shown hereon, being known as:

Lot-11, Blk. E, as shown on the plat of:
Section 3, "Chartley North"

recorded among the land records of Baltimore County, Maryland in
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PREPARED FOR:



This is page one of a two page document. The advice found on the affixed page is an integral part of this drawing, and is not valid without all pages.



James Carl Hudgins
Property Line Surveyor #96
Expiration Date: 3/11/16

LOCATION DRAWING
222 Sacred Heart Lane
4th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

NTT Associates, Inc.

16205 Old Frederick Rd.
Mt. Airy, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315
www.nttsurveyors.com

Scale: 1" = 30'
Date: 7-19-15
Field By: M.R.H.
Drawn By: M.R.H.
File No.: LMD20786
Page No.: 1 of 2





CASE NAME _____
CASE NUMBER 2017-0232-A
DATE 5-2-2017

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

12w
6-5-17

5/3/17
Sln

Case No.: 2017-0232-A

Exhibit Sheet

Petitioner/Developer

Protestant

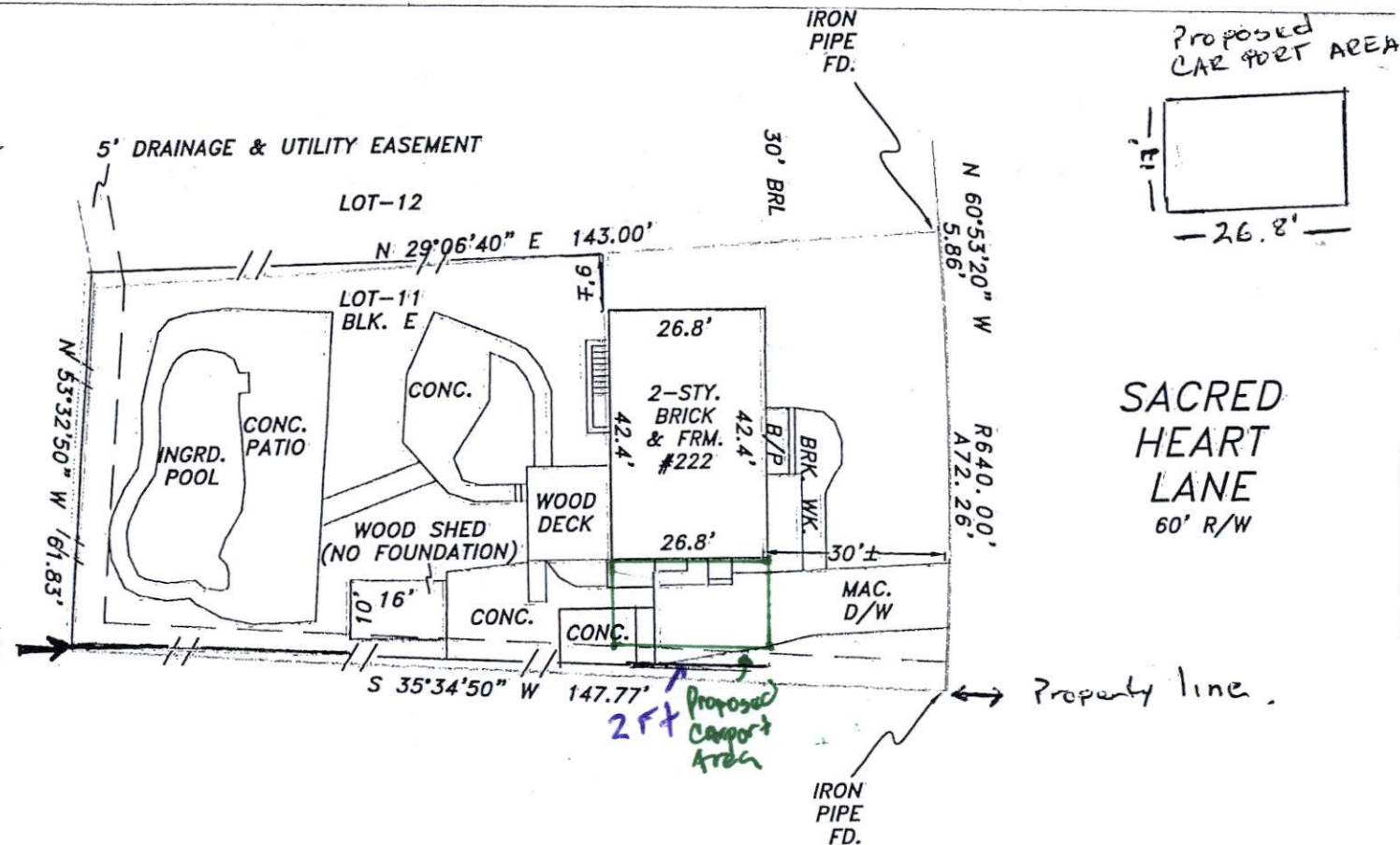
No. 1	Plan	Letter - Chartley Homeowners Assoc.
No. 2	Letter: Charles & Mary Janney	
No. 3	photos of site	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

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

ADDRESS 222 Sacred Heart Ln OWNER(S) NAME(S) JOHN F. JIMENEZ

SUBDIVISION NAME Chartley North LOT # 11 BLOCK # E SECTION # 3

PLAT BOOK # 0032 FOLIO # 0042 10 DIGIT TAX # 0403025806 DEED REF. # 36516/00397



SACRED
HEART
LANE
60' R/W

Proposed
CAR PORT AREA

SITE VICINITY MAP

N



MAP IS NOT TO SCALE

ZONING MAP# 04802

SITE ZONED DR 3.5

ELECTION DISTRICT 04

COUNCIL DISTRICT 02

LOT AREA ACREAGE _____

OR SQUARE FEET 10,802 SF

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? No4

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PLAN DRAWN BY J.F.S DATE 3/4/17 SCALE: 1 INCH = 30 FEET

Ret. #1

1000

Charles & Mary Janney
224 Sacred Heart Lane
Reisterstown, MD 21136
410-526-7693

Feb 28, 2017

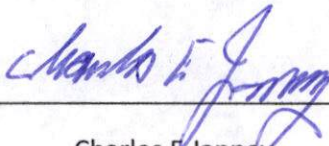
To whom it may concern:

Our next door neighbor, John Jimenez at 222 Sacred Heart Lane, desires to build an open-sided carport over part of his driveway, approx. 17.5 ft x 26.5 ft.

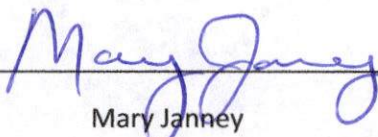
We initially raised concerns, but after seeing the permit application, and speaking further with John, we agree that we do not object to this project.

We did suggest John include a low view block (lattice or similar) along our property line as part of this project.

Note that this letter in no way grants any permission that would otherwise be disallowed by Baltimore County or other building codes, or disallowed by covenants/deed of the Chartley community.

 2/28/17

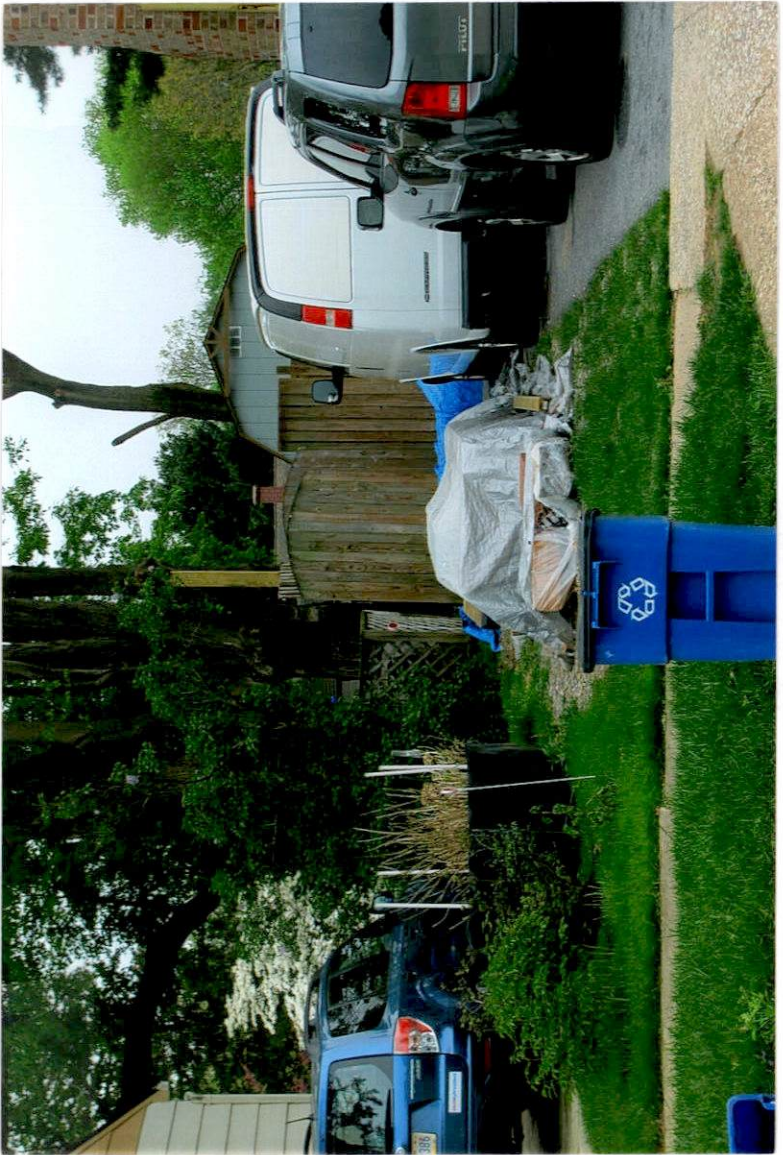
Charles E Janney

 2/28/17

Mary Janney

Pet. #2





6-5-17

5/3/17
Aln

Case No.: 2017-0232-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Plan	Letter - Chartley Homeowners Assoc.
No. 2	Letter: Charles & Mary Janney	
No. 3	Photos of site	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Chartley Homeowners Association, Inc.

P.O. Box 408
Reisterstown, MD 21136-0408

Baltimore County Department of Planning
Re: Zoning Variance Request for 222 Sacred Heart Lane (Case # 2017-0232)
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

27-April-2017

To Whom It May Concern,

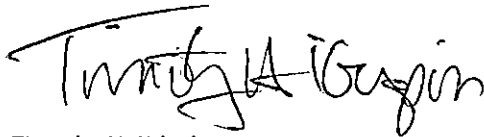
As the President of the Chartley Homeowners Association (CHA), I am writing to express our opposition to the zoning variance request at 222 Sacred Heart Lane. We have two major reasons for opposing the request.

First, the proposed structure will encroach upon the access and use of the driveway and back yard of the adjacent property at 224 Sacred Heart Lane. These two properties have an unusual configuration in that their respective driveways are immediately adjacent to one another, separated by a strip of grass that is less than 10 feet wide at its narrowest point. If the structure is approved and the need would ever arise, heavy equipment access to the driveway and backyard of 224 would be very difficult, if not impossible.

In addition, because of the unusual configuration of these two properties, this structure is unlikely to improve the value of the property at 222 Sacred Heart Lane, and is likely to reduce the value of the property at 224 Sacred Heart Lane.

For these reasons, CHA opposes this zoning variance request.

With sincere gratitude for your consideration,



Timothy H. Krispin

President

Chartley Homeowners Association, Inc

Prot. #1