

MEMORANDUM

DATE: April 23, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0201-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on April 20, 2018. 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

IN RE: **PETITION FOR SPECIAL HEARING** *
(5219 Forge Road)
11th Election District *
5th Council District *
Sharon K. Hall *
Legal Owner *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2018-0201-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Sharon K. Hall, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the construction of a single-family dwelling on an undersized lot (14,467 sq. ft. in lieu of the required 20,000 sq. ft.) pursuant to Section 304 of the B.C.Z.R.

Sharon Hall and professional engineer William Bafitis appeared in support of the petition. Timothy M. Kotroco, Esq., represented the Petitioner. Several neighbors attended the hearing and opposed the request. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency indicated it had "no objection to granting the petitioned zoning relief." A site plan was marked and admitted as Petitioner's Exhibit 1.

It is important to note at the outset this is not a variance case; the only request is for a special hearing. This is more than a matter of semantics. Unlike a variance request under B.C.Z.R. §307, a special hearing request to approve an undersized lot under B.C.Z.R. §304 does not require Petitioner to show her property is unique in any way or that she would experience a practical difficulty or hardship if this request was denied. A neighbor referred to a previous zoning order

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Date 3/21/18
By 3/21/18

issued by the undersigned (Case No. 2017-0313-A) concerning another property in this community wherein the request was denied. That was a variance case, and the petition was denied because the property was determined not be unique. In this case, Petitioner does not need to show her property is unique.

Instead, and as discussed at the hearing, B.C.Z.R. §304 (entitled "Use of Undersized Single-Family Lots") was designed to address the scenario in this case; i.e., where a lot of record, by virtue of a subsequent down-zoning, becomes undersized or deficient, preventing the owner from erecting a house thereon. In *Mueller v. People's Counsel*, 177 Md. App. 43 (2007), the court of special appeals described the two methods by which an owner in Baltimore County may receive permission to construct a dwelling on an undersized lot: B.C.Z.R. §307 (Variances), which requires a showing of uniqueness and practical difficulty, and B.C.Z.R. §304, which does not. *Id.* at 87.

Based on the testimony and exhibits presented at the hearing I believe Petitioner satisfies each of the three requirements enumerated in B.C.Z.R. §304, although I believe the last element merits further discussion. First, the two lots owned by Petitioner were created by a subdivision plat recorded before 1955. Pet. Ex. 3. Second, all other height and area requirements (i.e., other than lot size) are satisfied, and Petitioner is not requesting any variances for yard setbacks or height of any proposed dwelling. Finally, I do not believe Petitioner owns sufficient adjoining land to comply with the lot area requirement.

Jack Amhrein, on behalf of the Perry Hall Improvement Association, noted Petitioner could relocate the property boundary in such a fashion that the building lot would be larger than 14,467 sq. ft. as proposed. I agree, and while I am cognizant of Petitioner's desire to continue using the pool in the rear of her home, I believe (as noted by several of the neighbors) that the pool may

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Date 3/21/18

By Aln

have to be removed or relocated to allow for a larger lot size. Petitioner submitted an exhibit (Pet. Ex. 9) showing at least 25 homes in the community are constructed on lots less than 20,000 sq. ft. in size, although as the neighbors point out only two of those homes were constructed within the last twenty-five years when the current zoning regulations were in place. Even so, only five of the lots shown on Exhibit 9 are larger than 16,000 sq. ft., and a restriction will be included below to require the building lot in this case to be no smaller than that.

There are also significant factual distinctions between this case and the 2017 zoning case referenced above where the variance petition was denied. The petitioner in that case, Wadkins Construction, Inc., purchased the property at 5301 Bush Street on October 28, 2016, and filed the variance petition immediately thereafter. Ms. Hall, the petitioner in this case, has owned and lived at this property for over 40 years, and testified she will continue to live in her home.

THEREFORE, IT IS ORDERED this 21st day of **March, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to approve the construction of a single-family dwelling on an undersized lot (16,000 sq. ft. in lieu of the required 20,000 sq. ft.) pursuant to Section 304 of the B.C.Z.R., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon 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 her 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. Petitioner shall within 30 days of the date hereof submit to the Office of Administrative Hearings a redlined site plan showing a reconfiguration of the proposed "new lot line" which will result in an undersized lot of not less than 16,000 sq. ft.

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Date 3/21/18
By sln

3. Petitioner must obtain approval from the Baltimore County Development Review Committee (DRC) of a lot line adjustment as proposed on the site plan, pursuant to BCC §32-4-106(a)(1)(viii).
4. Prior to issuance of permits Petitioner must submit for approval to the DOP building elevations of the proposed dwelling.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln

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Date 3/21/18

By sln



PETITION FOR ZONING HEARING(S)

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

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

Address **5219 FORGE ROAD**

which is presently zoned **DR-1 & DR-2**

Deed References: **10480/632**

10 Digit Tax Account # **11-23076340**

Property Owner(s) Printed Name(s) **SHARON K. HALL**

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

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

1. ☒ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED SHEET

2. ☐ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ **a Variance** from Section(s)

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

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

TIMOTHY KOTROCO

Name- Type or Print

Signature

305 WASHINGTON AVE. STE. 502 TOWSON, MD.

Mailing Address

City

State

21204

/ 410-299-2943

/ tkotroco@gmail.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SHARON K. HALL

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

#5219 FORGE ROAD PERRY HALL, MARYLAND

Mailing Address

City

State

21128

/ 410-256-1644

Zip Code

Telephone #

Email Address

Representative to be contacted:

WILLIAM N. BAFTIS, P.E.

Name - Type or Print

Signature

1249 ENGLEBERTH ROAD BALTIMORE, MARYLAND

Mailing Address

City

State

21221

/ 410-391-2336

Zip Code

Telephone #

Email Address

CASE NUMBER

2018-0201-SPH

Filing Date

2/6/18

Do Not Schedule Dates:

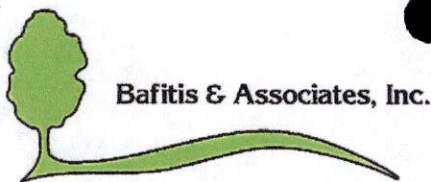
Reviewer

JF

ATTACHMENT TO SPECIAL HEARING PETITION

To approve the construction of a single-family dwelling on an undersized lot (14,467 sq. ft. in lieu of 20,000 sq. ft.) pursuant to section 304 of the BCZR and that density will not be affected;

And, for such other and further relief as the nature of this cause may require



Bafitis & Associates, Inc.

ZONING DESCRIPTION

FOR

NEW LOT 1

#5219 FORGE ROAD

PERRY HALL, MARYLAND 21128

11th ELECTION DISTRICT

BEGINNING AT A POINT NEAR THE CENTER OF FORGE ROAD; 230' +/- SOUTHWESTERLY FROM THE CENTERLINE INTERSECTION OF WINKLER STREET 50' WIDE;

THENCE LEAVING FORGE ROAD;

1) SOUTH 16°-59'-00" EAST 25.00' TO A POINT;

THENCE RUNNING ALONG SAID ROAD THE TWO FOLLOWING COURSES AND DISTANCES:

2) NORTH 60°-16'-00" EAST 22.62' TO A POINT;

3) NORTH 73°-01'-00" EAST 77.38' TO A POINT;

THENCE LEAVING SAID ROAD THE FOLLOWING (SIX) COURSES AND DISTANCES:

4) SOUTH 16°-59'-00" EAST 104.24' TO A POINT;

5) NORTH 73°-33'-49" EAST 10.40' TO A POINT;

6) SOUTH 16°-59'-00" EAST 45.74' TO A POINT;

7) SOUTH 73°-01'-00" WEST 86.08' TO A POINT;

8) SOUTH 60°-16'-00" WEST 72.62' TO A POINT;

9) NORTH 16°-59'-00" WEST 175.00' TO A POINT NEAR THE CENTER OF FORGE ROAD;

10) NORTH 61°-26'-30" EAST 50.00' TO THE POINT OF BEGINNING

CONTAINING: 23,826 S.F. OR 0.546 AC. MORE/LESS

WILLIAM N. BAFITIS, P.E. MD. REG. #11641



SEAL



Bafitis & Associates, Inc.

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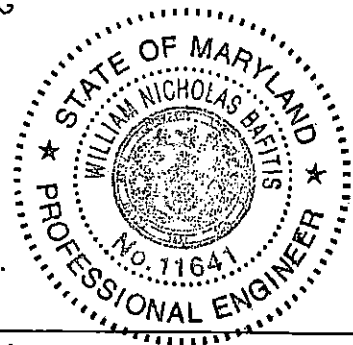
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WILLIAM N. BAFITIS, P.E. MD. REG. #11641



SEAL



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 5464942

Sold To:

Sharon Hall - CU00640238
5219 Forge Rd
Perry Hall, MD 21128-9573

Bill To:

Sharon Hall - CU00640238
5219 Forge Rd
Perry Hall, MD 21128-9573

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

Feb 22, 2018

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: # 2018-0201-SPH
5219 Forge Road
SW corner of Forge Road and Winkler Street
11th Election District - 5th Councilmanic District
Legal Owner(s) Sharon Hall

Special Hearing to 1. To approve the construction of a single family dwelling on an undersized lot (14,467 sq. ft. in lieu of 20,000 sq. ft.) pursuant to section 304 of the BCZR and that density will not be affected; 2. For such other and further relief as the nature of this cause may require.

Hearing: Friday, March 16, 2018 at 11:00 a.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.

2-151 February 22 5464942

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

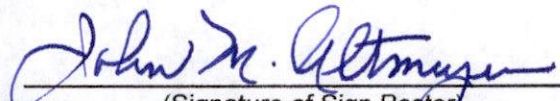
Date: 02/22/2018

RE: Project Name: Public Hearing
Case Number /PAI Number: 2018-0201-SPH
Petitioner/Developer: Sharon Hall
Date of Hearing/Closing: 03/16/2018

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 5219 Forge Rd.
Perry Hall, MD. 21128

The sign(s) were posted on 02/22/2018

(Month, Day, Year)


(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

(Street Address of Sign Poster)

Freeland, MD. 21053

(City, State, Zip Code of Sign Poster)

410-382-6580

(Telephone Number of Sign Poster)





KEVIN KAMENETZ
County Executive

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

February 14, 2018

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Arnold Jablon
Director

AJ:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Sharon Hall, 5219 Forge Road, Perry Hall 21128
William Bafitis, 1249 Engleberth Road, Baltimore 21221

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., FEBRUARY 24, 2018.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 22, 2018 Issue - Jeffersonian

Please forward billing to:
Sharon Hall
5219 Forge Road
Perry Hall, MD 21128

410-256-1644

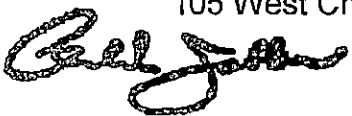
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
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Arnold Jablon
Director

AJ:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Sharon Hall, 5219 Forge Road, Perry Hall 21128
William Bafitis, 1249 Engleberth Road, Baltimore 21221

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RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
5219 Forge Road; SW corner of Forge Road, * OF ADMINISTRATIVE
And Winkler Street * HEARINGS FOR
11th Election & 5th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Sharon K. Hall *
Petitioner(s) *
2018-201-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
FEB 15 2018

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February, 2018, a copy of the foregoing Entry of Appearance was mailed to William Bafitis, P.E., 1249 Engleberth Road, Baltimore, Maryland 21221 and Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2018-0201-SPH

Property Address: #5219 FORGE ROAD PERRY HALL, MD. 21128

Property Description: EXISTING 1-1/2 STORY DWELLING

Legal Owners (Petitioners): SHARON K. HALL

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: SHARON K. HALL

Company/Firm (if applicable): _____

Address: #5219 FORGE ROAD PERRY HALL, MARYLAND 21128

Telephone Number: 410-256-1644

Revised 7/9/2015

161199

Date: 2/6/18

[illegible]

Total: 75.00

Rec
From: SHARON K. HALL

For: Petition for Special Hearing
5219 FORGE RD ✓
CASE# 2018-0201-SPH

DISTRIBUTION

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

PAID RECEIPT

NEEDS ACTUAL

2/03/2018 2/03/2018 12:53:03

REF ID: A61411

DATE/TIME: 4/14/2016 10:01:01 AM

DATE OF ZEPHYRUS YEAR (1940)

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

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Baltimore County, Maryland

**CASHIER'S
VALIDATION**



KEVIN KAMENETZ
County Executive

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

March 7, 2018

Sharon K Hall
5219 Forge Road
Perry Hall MD 211128

RE: Case Number: 2018-0201 SPH, Address: 5219 Forge Road

Dear Ms. Hall:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 6, 2018. 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.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Timothy M Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson MD 21204
William N Bafitis, P. E., 1249 Engleberth Road, Baltimore MD 21221



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 2/14/18

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

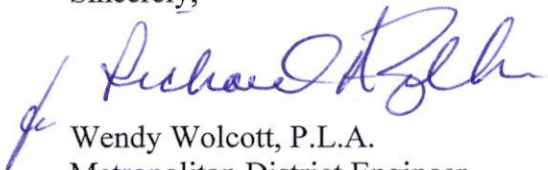
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2018-0201-SPH.

Special Hearing
Sharon K. Hall
5219 Forge Road.

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

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 3/1/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-201



INFORMATION:

Property Address: 5219 Forge Road
Petitioner: Sharon K. Hall
Zoning: DR1, DR 2
Requested Action: Special Hearing

The Department has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the construction of a single family dwelling on an undersized lot of 14,467 square feet in lieu of the required minimum 20,000 square feet and that density will not be affected.

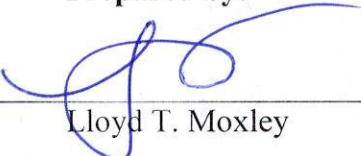
The site is located in the Perry Hall area, in the Honeygo community plan. The site is split zoned DR 1 and DR 2. The proposed single family dwelling is on the DR 2 portion of the site. The site is the subject of DRC item # 010218-LLA1 which was provisionally approved by Zoning Review on December 22, 2017 conditioned upon gaining undersized lot approval and density/area clarification.

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

- The applicant shall submit architectural elevations to the contact person listed below prior to permit application. Any façade facing a public right-of-way shall not remain as a blank wall.

For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

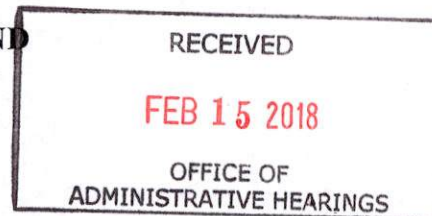
AVA/KS/LTM/

c: Ngone Seye Diop
William N. Bafities, P.E.
Office of the Administrative Hearings
People's Counsel for Baltimore County

3-16

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: February 15, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0201-SPH
Address 5219 Forge Road
(Hall Property)

Zoning Advisory Committee Meeting of **February 16, 2018.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 1, 2018

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 12, 2018
Item No. 2018-0201-SPH and 0203-A

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

*

*

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*

*

VKD: cen
cc: file

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: February 15, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0201-SPH
Address 5219 Forge Road
(Hall Property)

Zoning Advisory Committee Meeting of **February 16, 2018.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 3/1/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-201

INFORMATION:

Property Address: 5219 Forge Road
Petitioner: Sharon K. Hall
Zoning: DR1, DR 2
Requested Action: Special Hearing

The Department has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the construction of a single family dwelling on an undersized lot of 14,467 square feet in lieu of the required minimum 20,000 square feet and that density will not be affected.

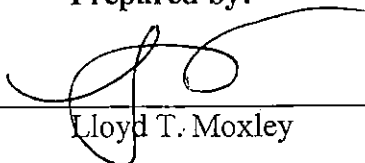
The site is located in the Perry Hall area, in the Honeygo community plan. The site is split zoned DR 1 and DR 2. The proposed single family dwelling is on the DR 2 portion of the site. The site is the subject of DRC item # 010218-LLA1 which was provisionally approved by Zoning Review on December 22, 2017 conditioned upon gaining undersized lot approval and density/area clarification.

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

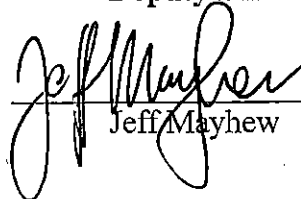
- The applicant shall submit architectural elevations to the contact person listed below prior to permit application. Any façade facing a public right-of-way shall not remain as a blank wall.

For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:


Lloyd T. Moxley

Deputy Director:


Jeff Mayhew

AVA/KS/LTM/

c: Ngone Seye Diop
William N. Bafities, P.E.
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 3/22/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-200

INFORMATION:

Property Address: 2125 Benson Mill Road
Petitioner: Taylor Shoffner, Susan Kennan
Zoning: RC 2
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to allow an in-law apartment in a detached accessory structure and the petition for a variance to permit an in-law apartment in an accessory structure with a total square footage of 1872 square feet in lieu of the permitted 1200 square feet.

A site visit was conducted on 2/27/2018. The property is the subject of prior zoning case 2016-0321 SPHA (0321). The Department has a copy of a Declaration of Understanding for 2125 Benson Mill Road in its file.

Between zoning cases 2016-0248-A and 2016-0321-SPHA the petitioner received permission to construct an accessory structure 34' x 88' with total height on 18' on half of the structure and 23' on the other half of the structure. A bathroom facility was permitted in the accessory structure. At the time, the proposed accessory structure was larger than the principal residence. This zoning requests an additional 1,872 square foot accessory structure including a garage and storage area without any modification to the previously approved accessory structure. The accessory structures are beginning to overwhelm the principal use. The property is located next to an active agricultural operation within the Agricultural Priority Preservation Area. The Master Plan 2020 counsels that incremental residential development adversely impacts agricultural activities within the County.

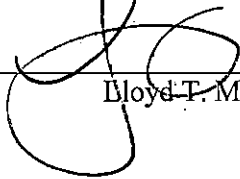
The Department has no objection to granting the special hearing relief providing the following conditions.

- A second utility meter will not be installed.
- The accessory structure for the in-law apartment not exceed 1200 square feet.

Date: 3/22/2018
Subject: ZAC # 18-200
Page 2

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

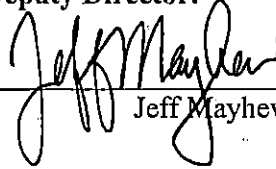
Prepared by:



Lloyd T. Moxley

AVA/KS/LTM/

Deputy Director:



Jeff Mayhew

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

3/16
11am

Case No.: 2018-0201-SPH 5219 Forge Rd.

Exhibit Sheet

GW
R-23-18

Petitioner/Developer

SLN
3-21-18

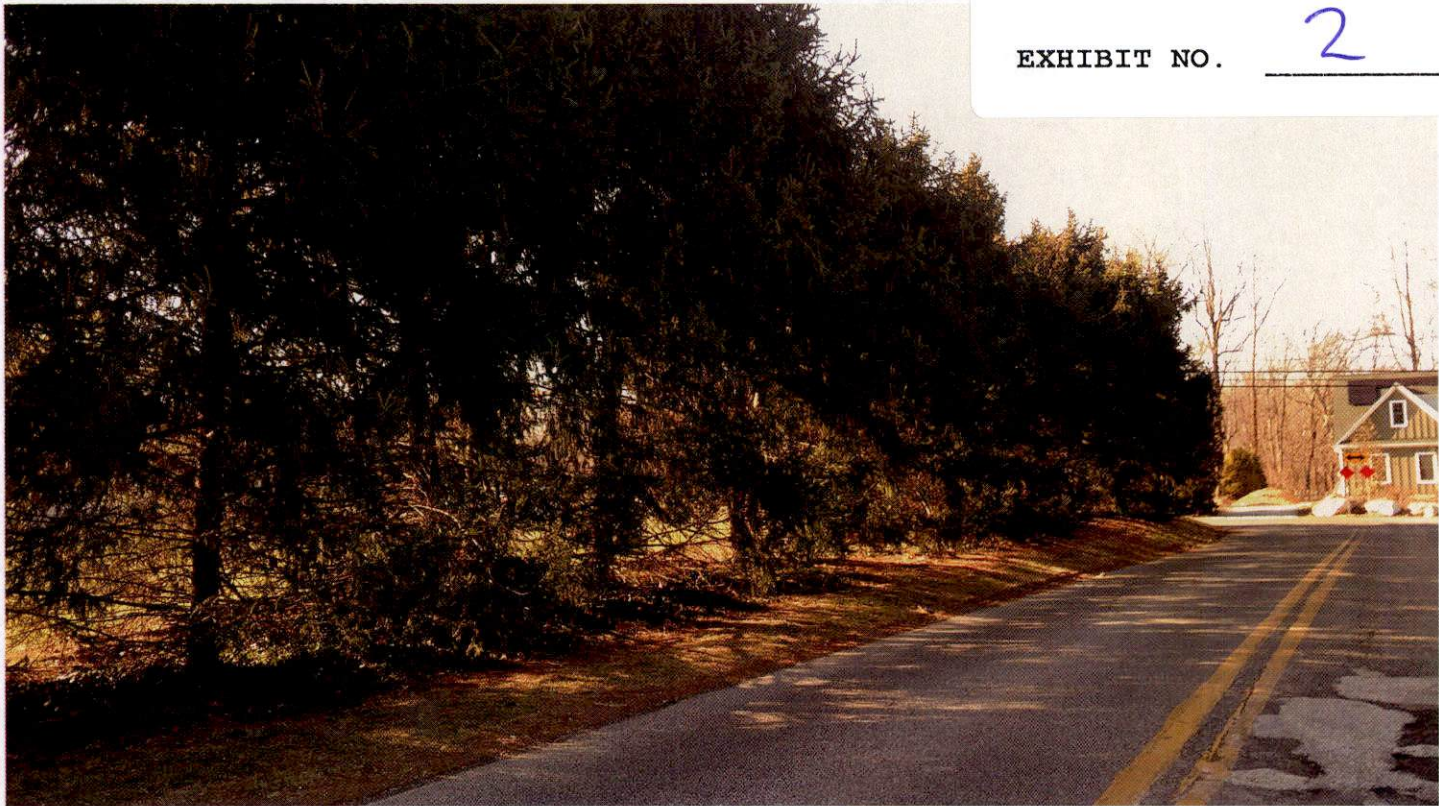
Protestants

No. 1	Plan	BCPS Boundary Map
No. 2	Photos of vicinity	Photos of homes in neighborhood
No. 3	Plat - Forge Acres	Order # 2017-313-A
No. 4	Aerial exhibit	Petition w/ signatures opposing request
No. 5	illustrative plan showing proposed lots	Zoning map
No. 6	Highlighted plat	
No. 7	House Number Exhibit	
No. 8	Deeds to subject property	
No. 9	Exhibit w/ lots less than 20,000 SF	
No. 10	Photograph Plan w/ numerous photos	
No. 11		
No. 12		

PETITIONER'S

EXHIBIT NO.

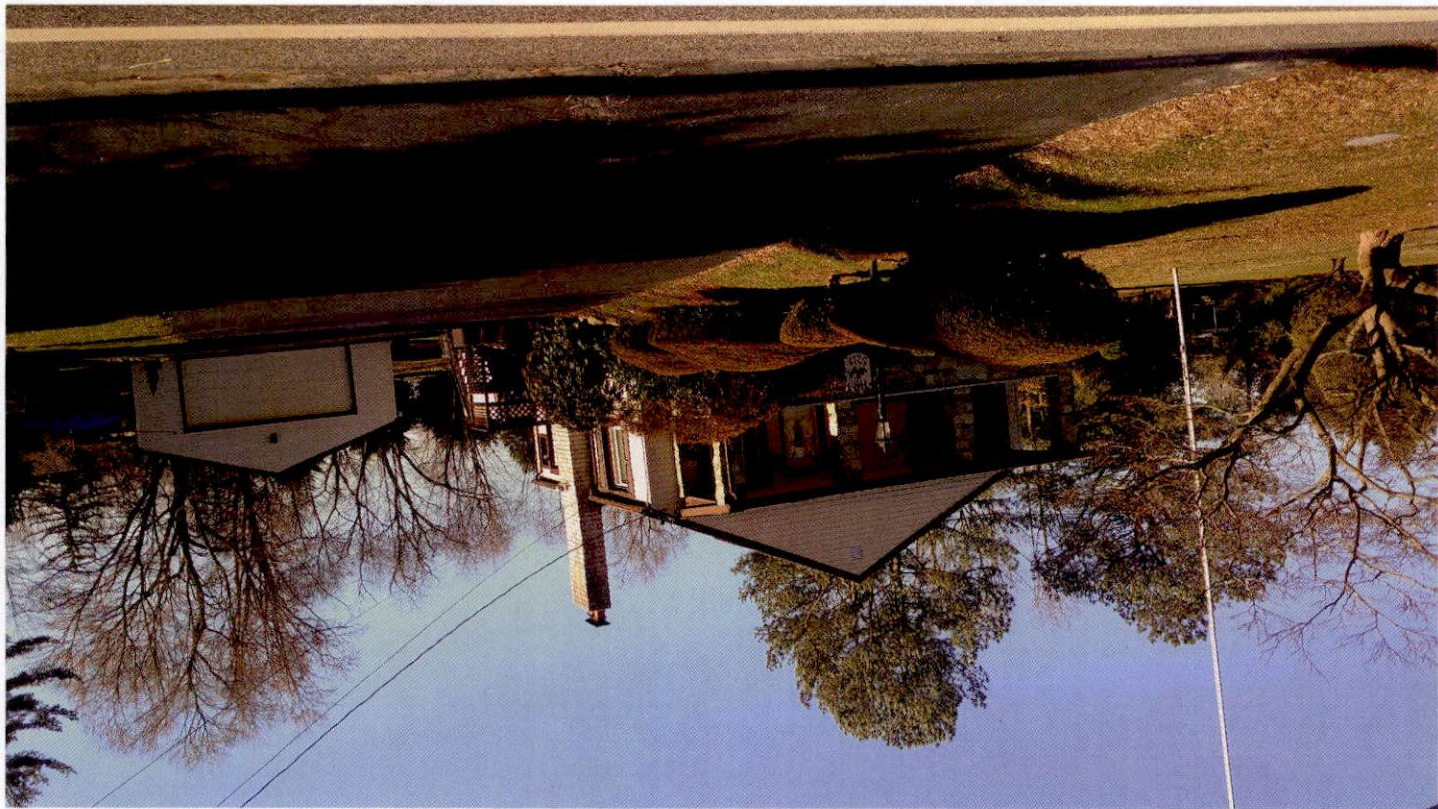
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Baltimore County - My Neighborhood

+

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Layer List





Bafitis & Associates, Inc.

Civil Engineers / Land Planners / Surveyors
1249 Engleberth Rd. Baltimore, Md. 21221

410-391-2336

LETTER OF TRANSMITTAL

TO: 105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
LAW JUDGE OFFICE
ROOM 103

DATE: APRIL 9, 2017

REF: #5219 FORGE ROAD
CASE NO. 2018-0201-SPH

WE ARE SENDING:

- ☐ ORIGINAL TRACING(S)
☐ SEPIA TRANSPARENCIES
☐ PHOTOSTAT(S)
☐ SKETCHES

☐ HEREWITH

- ☒ BLACK LINE PRINT(S)
☐ BLUE LINE PRINT(S)
☐ SHOP DRAWING(S)
☐ SPECIFICATIONS

☐ UNDER SEPARATE COVER

- ☐ PHOTOGRAPH(S)
☐ LETTER(S)
☐ SAMPLE(S)
☐ ESTIMATE(S)

- ☐ REPORT(S)
☐ MAP(S)
☐ AGREEMENT(S)
☐ AS NOTED BELOW

PREPARED BY: _____

APPROVED: _____

THESE ARE FORWARDED:

- ☒ AS REQUESTED
☐ FOR APPROVAL
☐ FOR COMMENT
☐ FOR PAYMENT

- ☐ FOR CORRECTIONS
☐ FOR CONSTRUCTION
☐ YOUR INFORMATION
☐ AS NOTED BELOW

- ☐ REVIEWED AND ACCEPTED
☐ REVIEWED AND ACCEPTED AS NOTED
☐ REVIEWED AND RETURNED FOR REVISION

DRAWINGS NO.	NO. OF COPIES	LATEST DATE	DESCRIPTION
	2 COPIES		RED LINE SITE PLAN

SENT VIA:

- ☐ SPECIAL DELIVERY
☐ CERTIFIED MAIL
☐ FIRST CLASS MAIL

- ☐ AIR MAIL
☐ PARCEL POST
☐ BUS

- ☐ YOUR MESSENGER
☒ OUR MESSENGER
☐ UNITED PARCEL

- ☐ EXPRESS
☐ INSURED
☐ AS NOTED BELOW

NOTES: _____

RECEIVED

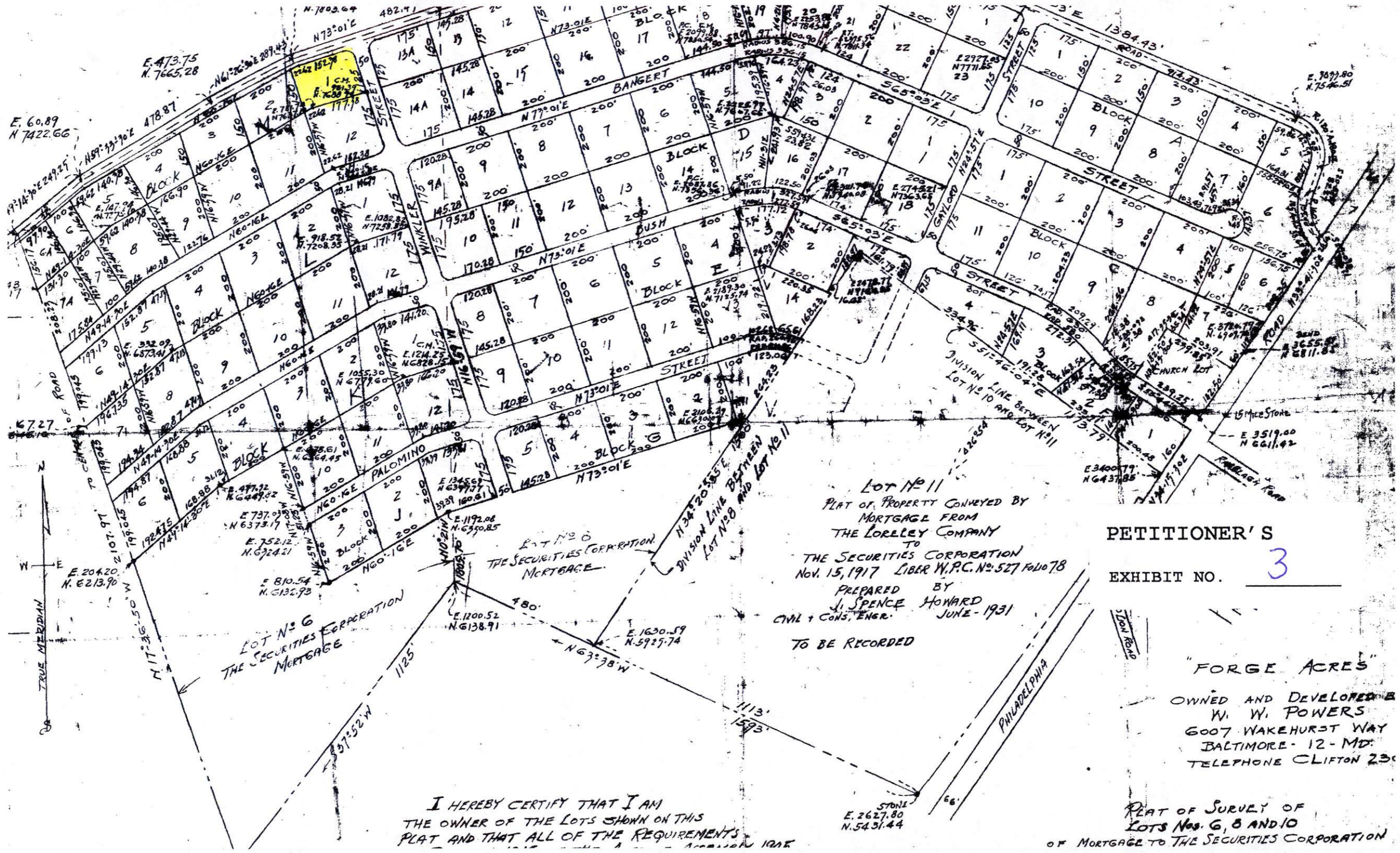
APR 09 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

Very truly yours,

Copy To:

WILLIAM N. BAFITIS, P.E.



LOT No 11
PLAT OF PROPERTY CONVEYED BY
MORTGAGE FROM
THE LORELEY COMPANY
TO
THE SECURITIES CORPORATION
Nov. 15, 1917 LIBER W.P.C. No 527 folio 78
PREPARED BY
J. SPENCE HOWARD
CIVIL & CONS. ENGR. JUNE - 1931
TO BE RECORDED

PETITIONER'S
EXHIBIT NO. 3

"FORGE ACRES"
OWNED AND DEVELOPED BY
W. W. POWERS
6007 WAKEHURST WAY
BALTIMORE - 12 - MD.
TELEPHONE CLIFTON 230

I HEREBY CERTIFY THAT I AM
THE OWNER OF THE LOTS SHOWN ON THIS
PLAT AND THAT ALL OF THE REQUIREMENTS
OF MORTGAGE TO THE SECURITIES CORPORATION

PLAT OF SURVEY OF
LOTS Nos. 6, 8 AND 10
OF MORTGAGE TO THE SECURITIES CORPORATION



Baltimore County - My Neighborhood







BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 10480, p. 0632, MSA_CE62_10335. Date available 03/03/2005. Printed 01/25/2018.

93-1890

Return to:
ALL COUNTY TITLE COMPANY
10751 FALLS ROAD
GREENSPRING STATION #401
LUTHERVILLE, MD 21093
(410) 321-5912

DEED

NO TITLE SEARCH

THIS DEED, made this 12th day of June 1993, by and between JAMES S. HALL, JR. AND SHARON K. HALL, his wife, Parties of the First Part, and SHARON K. HALL, Party of the Second Part.

WITNESSETH, that in consideration of the sum of seventeen thousand five hundred dollars (\$17,500.00) and in consideration of a marital property settlement, the said Parties of the First Part do grant and convey to the Party of the Second Part, his personal representatives, heirs and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING for the first and known and designated as Lot No. One (1) in Block "M", as shown on a Plat entitled, "Forge Acres", which said Plat is recorded among the Land Records of Baltimore County in Plat Book 14, folio 88.

BEGINNING for the second thereof at a point in the center line of Forge Road distant the following two courses and distances from the intersection of the center line of Forge Road with the line of division between Farm Lot No. 8 and Farm Lot No. 6, in Loreley Farms as shown on Plat of Forge Acres, which said plat is recorded among the Land Records of Baltimore County in Plat Book J.W.B. No. 14 folio 88, viz. South 73 degrees 01 minute West 482-45/100 feet and South 61 degrees 26 minutes 30 seconds West 22-62/100 feet; thence leaving said Forge Acres, South 16 degrees 59 minutes East 175 feet; thence binding for a part on the division line between Lots No. 2 and 11, Block M, on the aforesaid plat, South 60 degrees 16 minutes West 50 feet; thence for line of division North 16 degrees 59 minutes West 175 feet to the center of Forge Road; thence binding on the center line of Forge Road South 73 degrees 26 minutes 30 seconds East 50 feet to the beginning. Being a part of Lot No. 2, Block M, as 1

PETITIONER'S

EXHIBIT NO. 8

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE JWH DATE 4/24/94

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County
By JWH Date 4/24/94

310480-433

thereon being known as No. 5219 Forge Road.

Subject to pole and gas line agreement in Liber T.B.S. No. 1686, folio 135. Subject to restrictions in Liber T.B.S, No. 1734, folio 521 and in Liber G.L.B. No. 1934, folio 7.

BEING the same lots of ground which by Deed dated May 27, 1976 and recorded among the Land Records of Baltimore County in Liber B.H.K. Jr. No. 5637, folio 778 was granted and conveyed by Elmer Wolfe and wife unto the within named Grantors.

BEING that same lot of ground which, by Deed dated October 4, 1989 and recorded among the Land Records for Baltimore County in Liber 5811, folio 582, was granted and conveyed by JIMMIE M. RAULERSON and MELBA J. RAULERSON, his wife, unto JAMES S. HALL, JR. and SHARON K. HALL, his wife, the Grantors herein.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said Grantee, her personal representatives/successors and assigns, in fee simple.

AND THE SAID PARTIES OF THE FIRST PART hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of said Grantors.

TEST:

James S. Hall Jr. James S. Hall Jr.
JAMES S. HALL, JR.

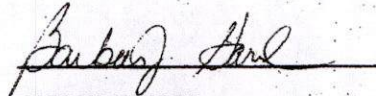
Sharon K. Hall Sharon K. Hall
SHARON K. HALL

STATE OF MARYLAND, BALTIMORE

COUNTY, to wit:

I HEREBY CERTIFY, that on this 12th day of June, 1993, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared ^{James S. Hall, Jr. and} ~~SHARON K. HALL~~, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

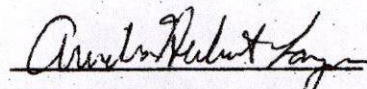
IN WITNESS WHEREOF, I hereunto set my hand and official seal.


NOTARY PUBLIC

My Commission Expires:

OCTOBER 1, 1996

I, AMELIA HERBERT LAZARUS, hereby certify that on this 22nd day of June, 1993, that I personally prepared the foregoing Deed.



AMELIA HERBERT LAZARUS

8019 BELAIR ROAD

BALTIMORE, MARYLAND 21236

(410) 882-8021

SEE SIMPLE DEED--TENANCY BY THE ENTIRETY.

This Deed, Made this 4th day of October

in the year one thousand nine hundred and Seventy-seven

by - - - - -

JEDDIE M. RAULERSON and MELBA J. RAULERSON, his wife - - - - -

of Baltimore County, in the State of Maryland, parties of the first part, and

JAMES S. HALL, JR. and SHARON K. HALL, his wife - - - - -

of Baltimore County, in the State of Maryland, parties of the second part.

ST-7-77 2302013 ***422.50
ST-7-77 2302030 ***182.00
ST-7-77 2302020 ***227.50
ST-7-77 2302010 ***133.00

Witnesseth, That in consideration of the sum of five dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, his or her heirs and assigns in fee-simple, all those lots of ground situate, lying and being in Baltimore County and described as follows, that is to say:

BEGINNING FOR THE FIRST and known and designated as Lot No. One (1) in Block "M", as shown on a Plat entitled, "Forge Acres", which said Plat is recorded among the Land Records of Baltimore County in Plat Book 14, folio 88.

BEGINNING FOR THE SECOND thereof at a point in the center line of Forge Road distant the following two courses and distances from the intersection of the center line of Forge Road with the line of division between Farm Lot No. 8 and Farm Lot No. 6, in Loreley Farms, as shown on Plat of Forge Acres, which said plat is recorded among the Land Records of Baltimore County in Plat Book J.W.B. No. 14 folio 88, viz. South 73 degrees 01 minute West 482-45/100 feet and South 61 degrees 26 minutes 30 seconds West 22-62/100 feet; thence leaving said Forge Road and binding on the west line of Lot No. 1, Block M on said Plat of Forge Acres, South 16 degrees 59 minutes East 175 feet; thence binding for a part on the division line between Lots No. 2 and 11, Block M, on the aforesaid plat, South 60 degrees 16 minutes West 50 feet; thence for line of division North 16 degrees 59 minutes West 175 feet to the center of Forge Road; thence binding on the center line of Forge Road North 61 degrees 26 minutes 30 seconds East 50 feet to the

2077 7-77 7 682.50 MSC

place of beginning. Being a part of Lot No. 2, Block M, as laid down on the aforesaid Plat of Forge Acres. The improvements thereon being known as No. 5219 Forge Road.

Subject to pole and gas line agreement in Liber T.B.S. No. 1686, folio 135.

Subject to restrictions in Liber T.B.S. No. 1734, folio 521 and in Liber G.L.B. No. 1934, folio 7.

BRING the same lot of ground which by Deed dated May 27, 1976 and recorded among the Land Records of Baltimore County in Liber E.H.K.Jr. No. 5637, folio 778 was granted and conveyed by Elmer Wolfe and wife unto the within named Grantors.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in any wise appertaining.

To Have and To Hold said lots 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 parties of the second part, as tenants by the entireties, their assigns, the survivor of them, his or her heirs and assigns, in fee-simple.

And the said Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said Grantors .

Test:

Sealed } *Jimmie M. Raulerson* (Seal)
JIMMIE M. RAULERSON
Melba J. Raulerson (Seal)
MELBA J. RAULERSON
____ (Seal)
____ (Seal)

State of Maryland, Baltimore County, to wit:

I HEREBY CERTIFY, That on this 4th day of October in the year one thousand nine hundred and Seventy-seven before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, aforesaid personally appeared JIMMIE M. RAULERSON and MELBA J. RAULERSON, his wife - - -

known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

As witness my hand and Notarial Seal.

Sealed } *Seal*
Notary Public
Baltimore County

Rec'd for record OCT 7 1977 at 2:22 P
Per Elmer E. Kahline, Jr., Clerk
Mail to *Yvonne Bostick Hall*
Receipt No. *1300*

DEED

LAW OFFICES OF
J. ELMER WEISHEIT, JR.
App. No. BA 35391

THIS DEED, Made this 17 day of May, in the year one thousand nine hundred and seventy six, by and between

ELMER WOLFE and IRENE J. WOLFE, his wife, of the first part, Grantors, and RAULERSON and MELBA J. RAULERSON, his wife, of the second part, Grantees.

22-75	23466102	***132.00
23-76	23466105	***199.50
20-76	23467502	****9.00

WITNESSETH: That in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey and assign unto the within Grantees, as tenants by the entireties, their assigns, the survivor of them, his or her heirs, personal representatives and assigns, in fee simple, all that

lot(s) of ground situate in Baltimore County, in the State of Maryland, and described as follows: that is to say:

BEING KNOWN AND DESIGNATED as Lot No. One (1) in Block "M", as shown on a Plat entitled, "Forge Acres", which said Plat is recorded among the Land Records of Baltimore County in Plat Book 14, folio 88.

BEGINNING for the second thereof at a point in the center line of Forge Road distant the following two courses and distances from the intersection of the center line of Forge Road with the line of division between Farm Lot No. 8 and Farm Lot No. 6, in Loreley Farms, as shown on Plat of Forge Acres, which said plat is recorded among the Land Records of Baltimore County in Plat Book J.W.B. No. 14, folio 88, viz. South 73 degrees 01 minute West 482-45/100 feet and South 61 degrees 26 minutes 30 seconds West 22-62/100 feet; thence leaving said Forge Road and binding on the west line of Lot No. 11, Block M on said Plat of Forge Acres, South 16 degrees 59 minutes East 175 feet; thence binding for a part on the division line between Lots No. 2 and 11, Block M, on the aforesaid plat, South 60 degrees 16 minutes West 50 feet; thence for line of division North 16 degrees 59 minutes West 175 feet to the center of Forge Road; thence binding on the center line of Forge Road North 61 degrees 26 minutes 30 seconds East 50 feet to the place of beginning. Being a part of Lot No. 2, Block M, as laid down on the aforesaid plat of Forge Acres.

THE IMPROVEMENTS thereon being now or formerly known as No. 5219 Forge Road.

BEING the same property which by Deed dated November 8, 1968 and recorded among the Land Records of Baltimore County in Liber 4941, folio 532, was granted and conveyed by John Blanchfield and Glenva Blanchfield, his wife, unto Elmer Wolfe and Irene J. Wolfe, his wife, the within Grantors, in fee simple.

Together with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said described lot(s) of ground and premises, unto and to the use of the said Grantees, as tenants by the entireties, their assigns, the survivor of them, his or her heirs, personal representatives and assigns, in fee simple.

And the said Grantor covenants to warrant specially the property hereby granted and conveyed, and to execute such further assurances of said land as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand(s) and seal(s) of the said Grantor(s):

WITNESS:

Joanna J. Ames Elmer Wolfe (SEAL)
ELMER WOLFE
Irene J. Wolfe (SEAL)
IRENE J. WOLFE

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 1976, before me, a Notary Public of the State aforesaid, personally appeared ELMER WOLFE and IRENE J. WOLFE, his wife, the within Grantors, known to me (or satisfactorily proven) to be the person(s) whose name is/are subscribed to the within instrument, who signed the same in my presence, and acknowledged that they executed the same for the purposes therein contained.

WITNESS my hand and Notarial Seal.

My commission expires: July 1, 1978

Janet R. Lages
JANET R. LAGES


Rec'd for record MAY 28 1976 at 12:00 PM
Per Elmer H. Kahline, Jr. Clerk
Mail to J. Elmer Kahline, Jr.
Receipt No. 9100

This Deed, Made this 8th. day of November

in the year one thousand nine hundred and sixty-eight, by and between John
✓ Blanchfield and Glenva Blanchfield, his wife, of Baltimore County,
✓ State of Maryland, of the first part, and
✓ Elmer Wolfe and Irene J. Wolfe, his wife, of the County and State aforesaid,
of the second part.

Witnesseth, that in consideration of the sum of Five Dollars and other good
and valuable considerations, receipt whereof is hereby acknowledged,
the said John Blanchfield and Glenva Blanchfield, his wife,

do hereby grant and convey unto the said Elmer Wolfe and Irene J. Wolfe,
his wife, as tenants by the entireties, their assigns, the survivor
of them, the heirs and assigns of the survivor,

~~heirs and assigns~~

in fee simple, all ~~THAT~~ THOSE two lot(s) of ground, situate, lying and being in
the Eleventh Election District of Baltimore County.

, State of Maryland, and described as follows, that is to say:—

Beginning for the first: Lot One (1) in Block "M" in Forge Acres,
according to the Plat thereof, recorded in Book 14 of Plats
of Page 88, Baltimore County Record.

BEING, the same lot of ground which by Deed dated January
20, 1951 and recorded among the Land Records of Baltimore County,
in Liber G.L.B. No. 1934, Folio 7, was granted and conveyed
by Walter W. Powers and Susie Grey Powers, his wife, to John
Blanchfield and Glenva Blanchfield, his wife, the herein Grantors.

Beginning for the second thereof at a point in the center line
of Forge Road distant the following two courses and distances
from the intersection of the center line of Forge Road with
the line of division between Farm Lot No. 8 and Farm Lot No.
6 in Loreley Farms, as shown on Plat of Forge Acres, which
said plat is recorded among the Land Records of Baltimore
County in Plat Book J.W.B. No. 14 folio 88, viz. South 73
degrees 01 minute West 482-45/100 feet and South 61 degrees
26 minutes 30 seconds West 22-62/100 feet; thence leaving said
Forge Road and binding on the west line of Lot No. 1, Block M
on said Plat of Forge Acres, South 16 degrees 59 minutes East
175 feet; thence binding for a part on the division line between

PAID 7 30 MAY 22

92.50 MS

Lots No. 2 and 11, Block M, on the aforesaid plat, South 60 degrees 16 minutes West 50 feet; thence for line of division North 16 degrees 59 minutes West 175 feet to the center of Forge Road; thence binding on the center line of Forge Road North 61 degrees 26 minutes 30 seconds East 50 feet to the place of beginning. Being a part of Lot No. 2, Block M, as laid down on the aforesaid plat of Forge Acres.

BEING, the same lot of ground which by deed dated April 27, 1955, and recorded among the Land Records of Baltimore County, in Liber G.L.B. No. 2692, Folio 133 was granted and conveyed by Randolph C. Vollmer and Mabel R. Vollmer, his wife, to John Blanchfield and Glenva Blanchfield, his wife, the within Grantors.

every the rights, alleys, w waters, privileges, appurtenances and adva s, to the same belonging, or anywise appertaining.

To Have and To Hold the said lots 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 Elmer Wolfe and Irene J. Wolfe, his wife, as tenants by the entirities, their assigns, the survivor of them, the heirs and assigns of the survivor in fee simple; subject however to the legal

operation and effect of the restrictions in the three following deeds:
(1) Deed dated April 27, 1948 from Ethel C. Haxall, to Isabel C. Woodward, et al and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1651, folio 192. (2) Deed dated December 20, 1948 from Walter W. Powers, et al to Randolph C. Vollmer, et al, and recorded among the Land Records of Baltimore County in Liber T.B.S No. 1714 Folio 541.
(3) Deed dated January 20, 1951 from Walter W. Powers, et al to John Blanchfield and Glenva Blanchfield, his wife, the Grantor herein and recorded among the Land Records of Baltimore County in Liber G.L.B.No. 1934,
And the said parties of the first part hereby covenant that the y have (folio 7

not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that t he y will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seal s of said grantors

TEST:

Kathleen C. Thalheimer
Kathleen C. Thalheimer

John Blanchfield [SEAL]
John Blanchfield
Glenva Blanchfield [SEAL]
Glenva Blanchfield

State of Maryland, City of Baltimore , to wit:

I HEREBY CERTIFY, That on this 8th. day of November , 1968 , before me, the subscriber, a Notary Public of the State of Maryland, in and for Anne Arundel County , personally appeared John Blanchfield and Glenva Blanchfield, his wife, the within Grantors, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that t h e y executed the same for the purposes therein contained, and in my presence signed and sealed the same.

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

My Commission expires:
July, 1969

Kathleen C. Thalheimer
Kathleen C. Thalheimer Notary Public

Rec'd for record NOV 22 1968 at 2 58 PM
Per Orville T. Gosnell, Clerk
Mail to Frank J. Blair

THIS DEED. Made this 27th day of April

in the year one thousand nine hundred and fifty-five, by and between RANDOLPH C. VOLLMER and MABEL R. VOLLMER, his wife, of Baltimore County, State of Maryland, parties of the first part, and JOHN BLANCHFIELD and GLENVA BLANCHFIELD, his wife, parties of the second part.

WITNESSETH. that for and in consideration of the sum of Five Dollars and other good and valuable considerations, this day paid, receipt whereof is hereby acknowledged, the said RANDOLPH C. VOLLMER and MABEL R. VOLLMER, his wife, do grant and convey unto the said JOHN BLANCHFIELD and GLENVA BLANCHFIELD, his wife, as tenants by the entireties, their assigns, the survivor of them, the heirs and assigns of the survivor, in fee simple, all that lot or parcel of ground situate, lying and being in the Eleventh Election District of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at a point in the center line of Forge Road distant the following two courses and distances from the intersection of the center line of Forge Road with the line of division between Farm Lot No. 8 and Farm Lot No. 6 in Loreley Farms, as shown on Plat of Forge Acres, which said plat is recorded among the Land Records of Baltimore County in Plat Book J.W.B. No. 14 folio 88, viz: South 73 degrees 01 minute West 482-45/100 feet and South 61 degrees 26 minutes 30 seconds West 22-62/100 feet; thence leaving said Forge Road and binding on the west line of Lot No. 1, Block M, on said Plat of Forge Acres, South 16 degrees 59 minutes East 175 feet; thence binding for a part on the division line between Lots No. 2 and 11, Block M, on the aforesaid plat, South 60 degrees 16 minutes West 50 feet;



thence for line of division North 16 degrees 59 minutes West 175 feet to the center of Forge Road; thence binding on the center line of Forge Road North 61 degrees 26 minutes 30 seconds East 50 feet to the place of beginning. Being a part of Lot No. 2, Block M, as laid down on the aforesaid Plat of Forge Acres.

BEING a part of all that lot or parcel of land which by deed dated December 20, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1714 folio 541 was granted and conveyed by Walter W. Powers and wife to Randolph C. Vollmer and Mabel R. Vollmer, his wife, the within Grantors.

TOGETHER with the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anywise appertaining.

TO HAVE AND TO HOLD said lot 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 JOHN BLANCHFIELD and GLENVA BLANCHFIELD, his wife, as tenants by the entireties, their assigns, the survivor of them, the heirs and assigns of the survivor, in fee simple; subject, however, to the restrictive covenants set forth in deed dated December 20, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1714 folio 541 from Walter W. Powers and wife to Randolph C. Vollmer and Mabel R. Vollmer, his wife.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property

hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of the said grantors.

WITNESS:

Saunders M. Almond, Jr.
Saunders M. Almond, Jr.

Randolph C. Vollmer (SEAL)
Randolph C. Vollmer

Mabel R. Vollmer (SEAL)
Mabel R. Vollmer

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 27th day of April, 1955, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared RANDOLPH C. VOLLMER and MABEL R. VOLLMER, his wife, the within Grantors, and they acknowledged the foregoing Deed to be their act.

AS WITNESS my hand and notarial seal.

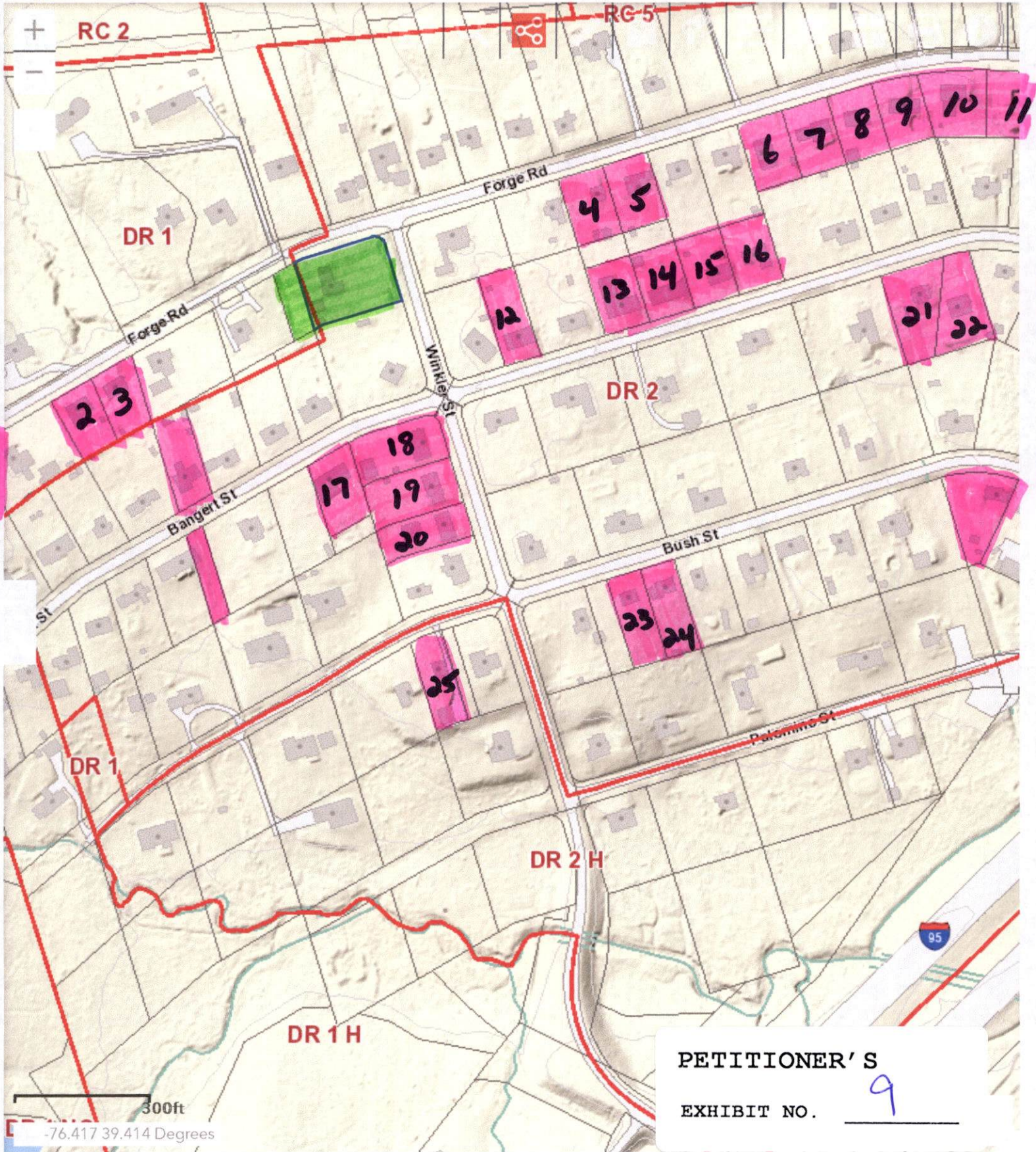
Saunders M. Almond, Jr.
NOTARY PUBLIC

Rec'd for record May 9 - 19 55, at 10²³ a.m.
Per George L. Byerly, Clerk.

lots less than 20,000 sq ft



Baltimore County - My Neighborhood



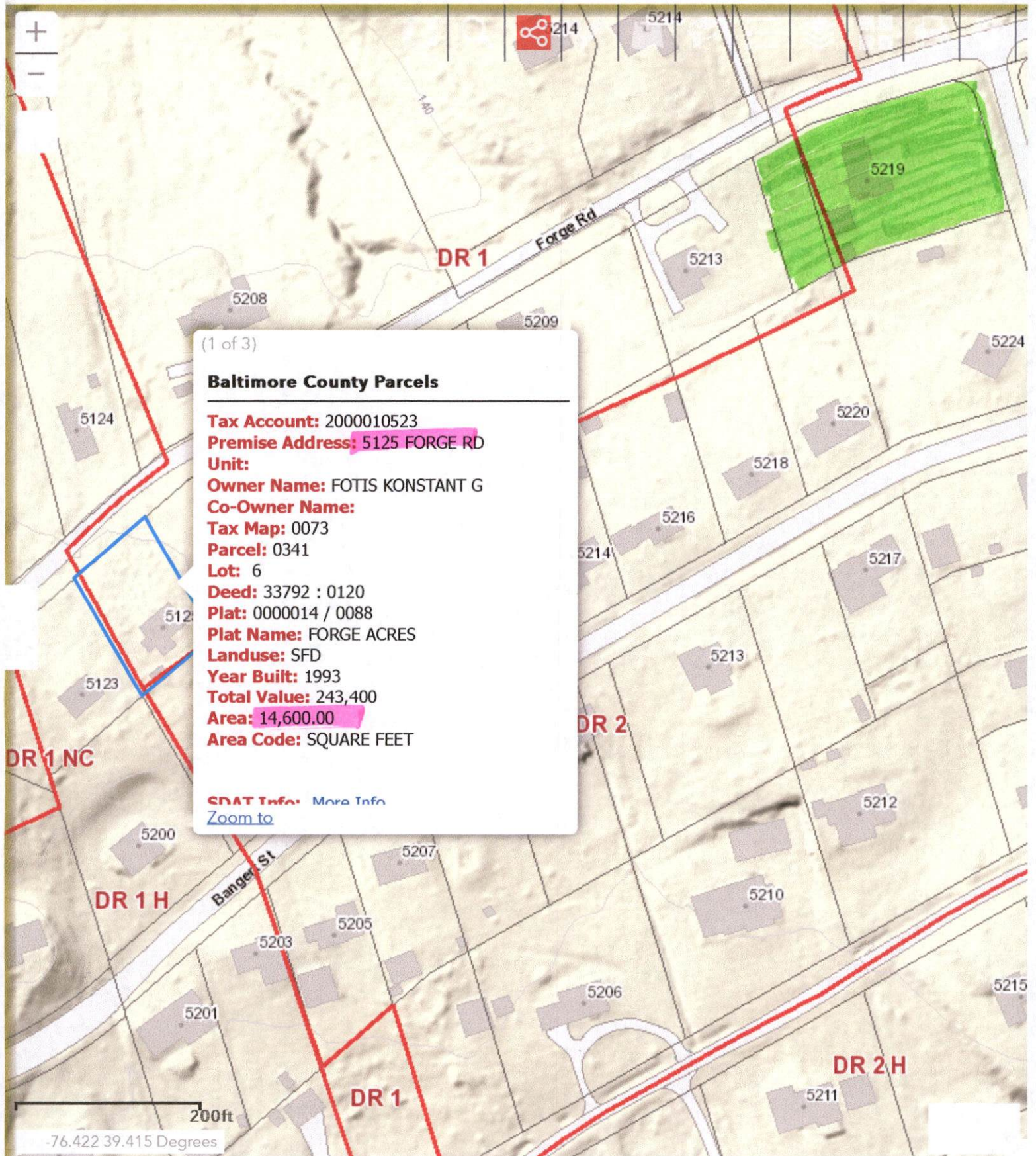
PETITIONER'S

EXHIBIT NO.

9

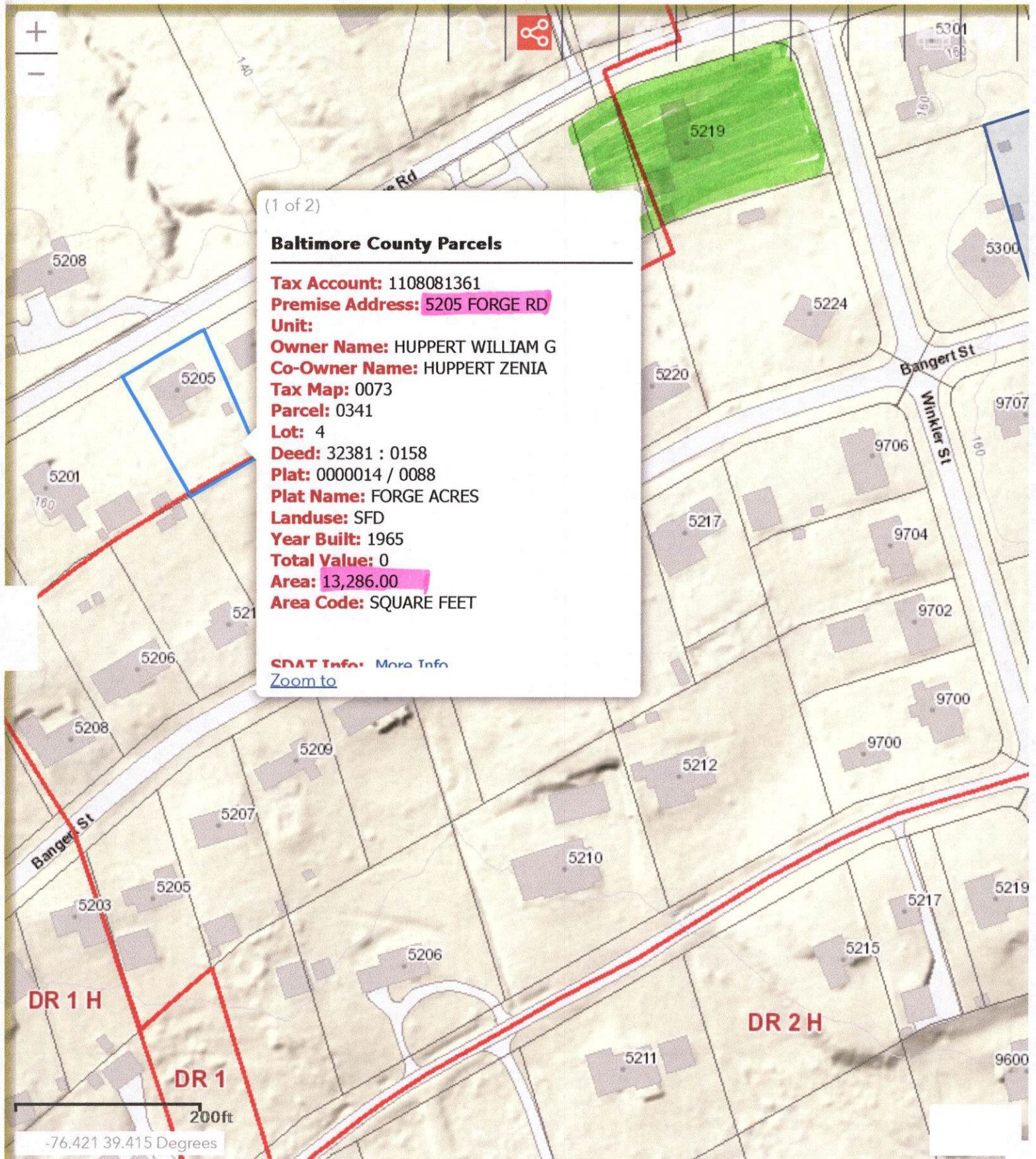


Baltimore County - My Neighborhood



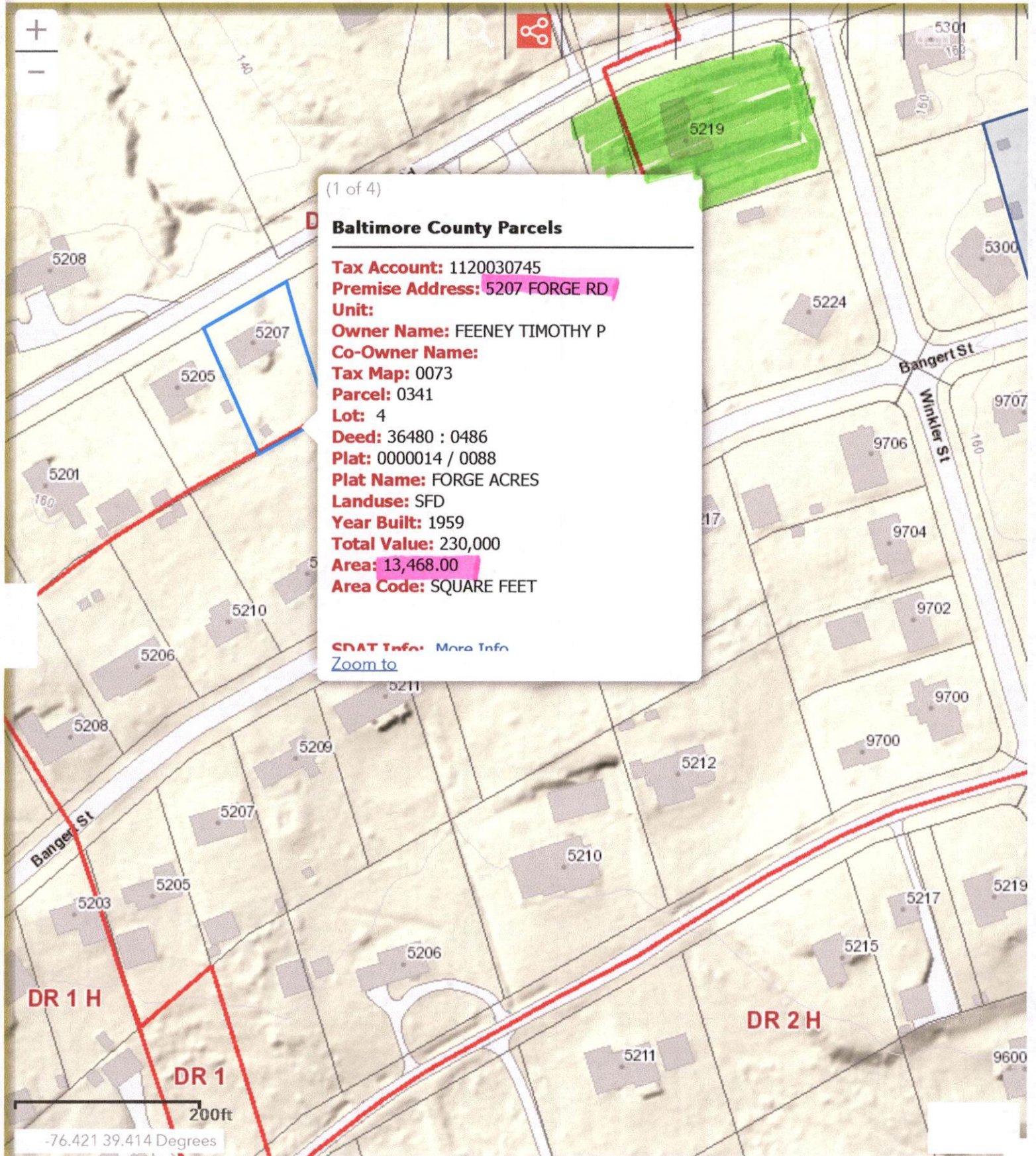


Baltimore County - My Neighborhood



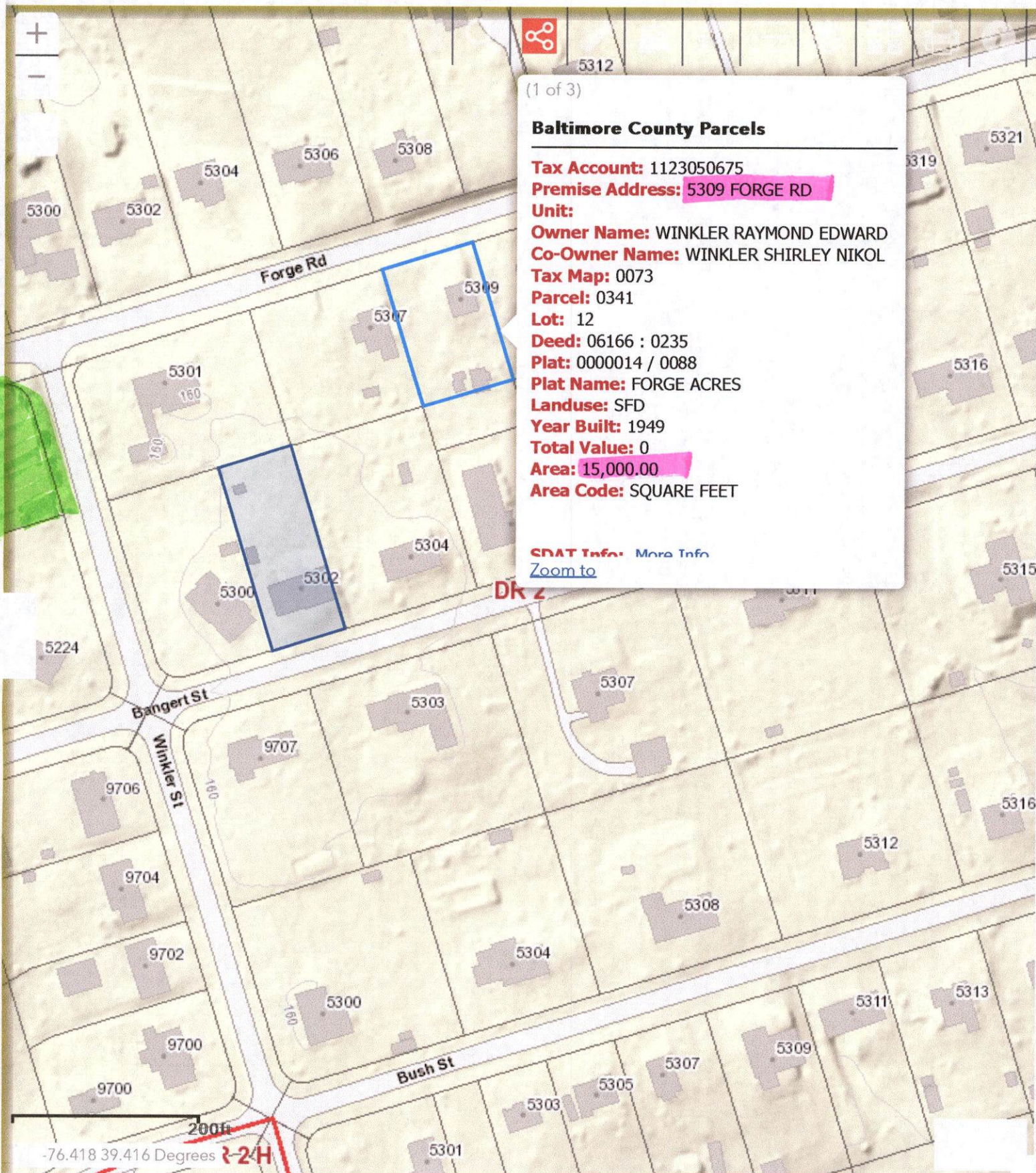


Baltimore County - My Neighborhood





Baltimore County - My Neighborhood

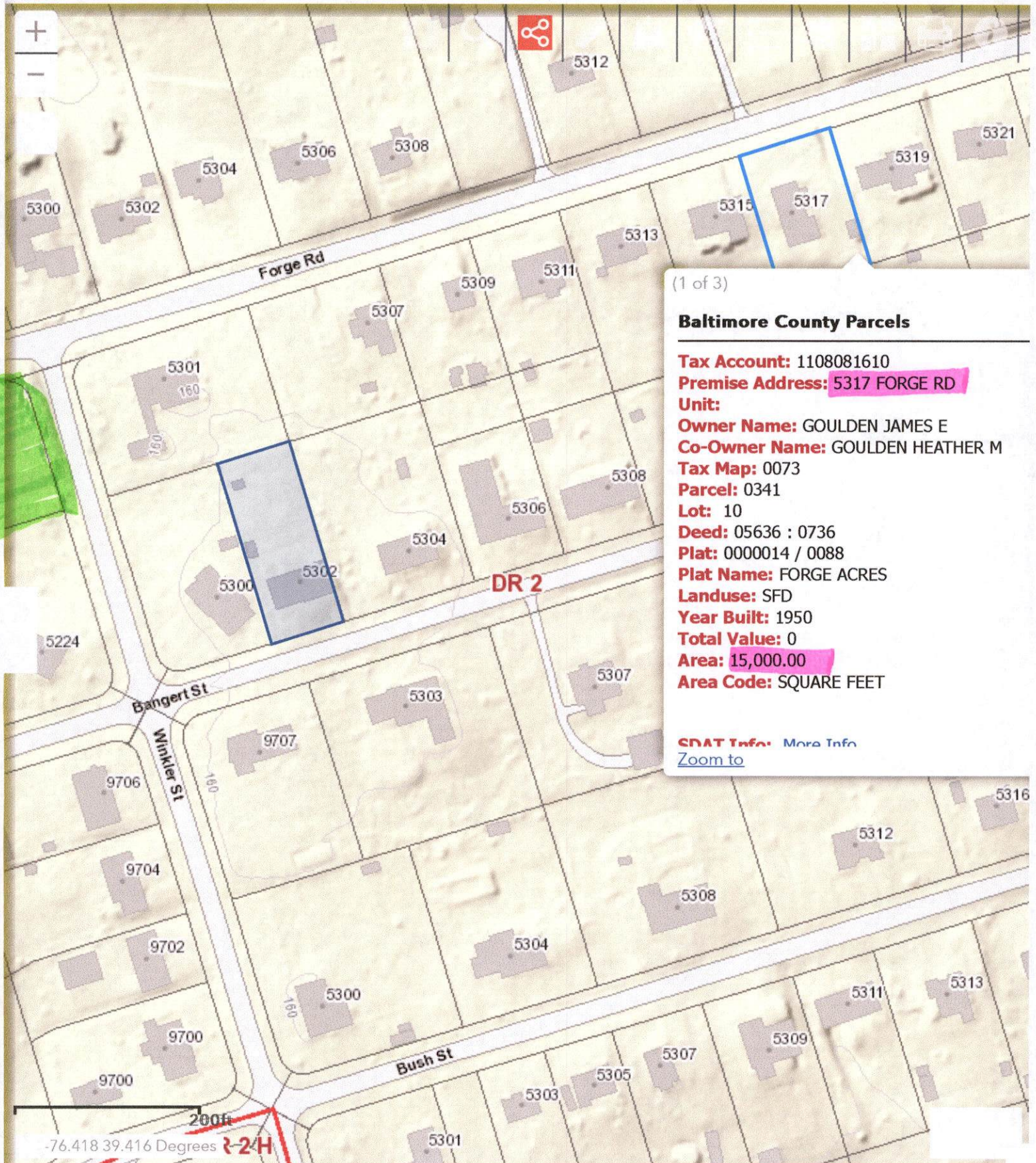


(1 of 3)

Baltimore County Parcels**Tax Account:** 1123050675**Premise Address:** 5309 FORGE RD**Unit:****Owner Name:** WINKLER RAYMOND EDWARD**Co-Owner Name:** WINKLER SHIRLEY NIKOL**Tax Map:** 0073**Parcel:** 0341**Lot:** 12**Deed:** 06166 : 0235**Plat:** 0000014 / 0088**Plat Name:** FORGE ACRES**Landuse:** SFD**Year Built:** 1949**Total Value:** 0**Area:** 15,000.00**Area Code:** SQUARE FEET**SDAT Info:** [More Info](#)[Zoom to](#)



Baltimore County - My Neighborhood

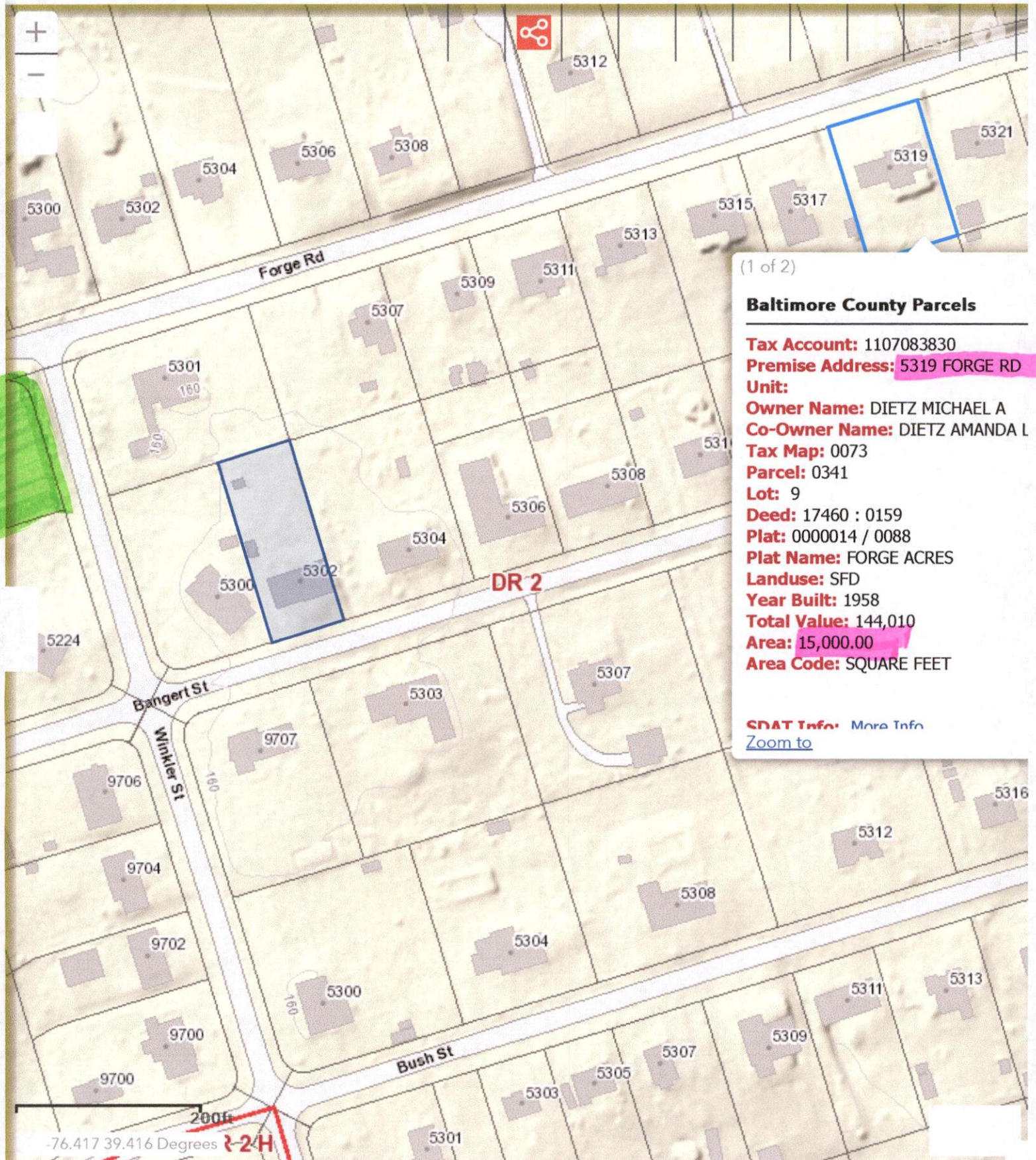


(1 of 3)

Baltimore County Parcels**Tax Account:** 1108081610**Premise Address:** 5317 FORGE RD**Unit:****Owner Name:** GOULDEN JAMES E**Co-Owner Name:** GOULDEN HEATHER M**Tax Map:** 0073**Parcel:** 0341**Lot:** 10**Deed:** 05636 : 0736**Plat:** 0000014 / 0088**Plat Name:** FORGE ACRES**Landuse:** SFD**Year Built:** 1950**Total Value:** 0**Area:** 15,000.00**Area Code:** SQUARE FEET**SNAT Info:** [More Info](#)[Zoom to](#)



Baltimore County - My Neighborhood

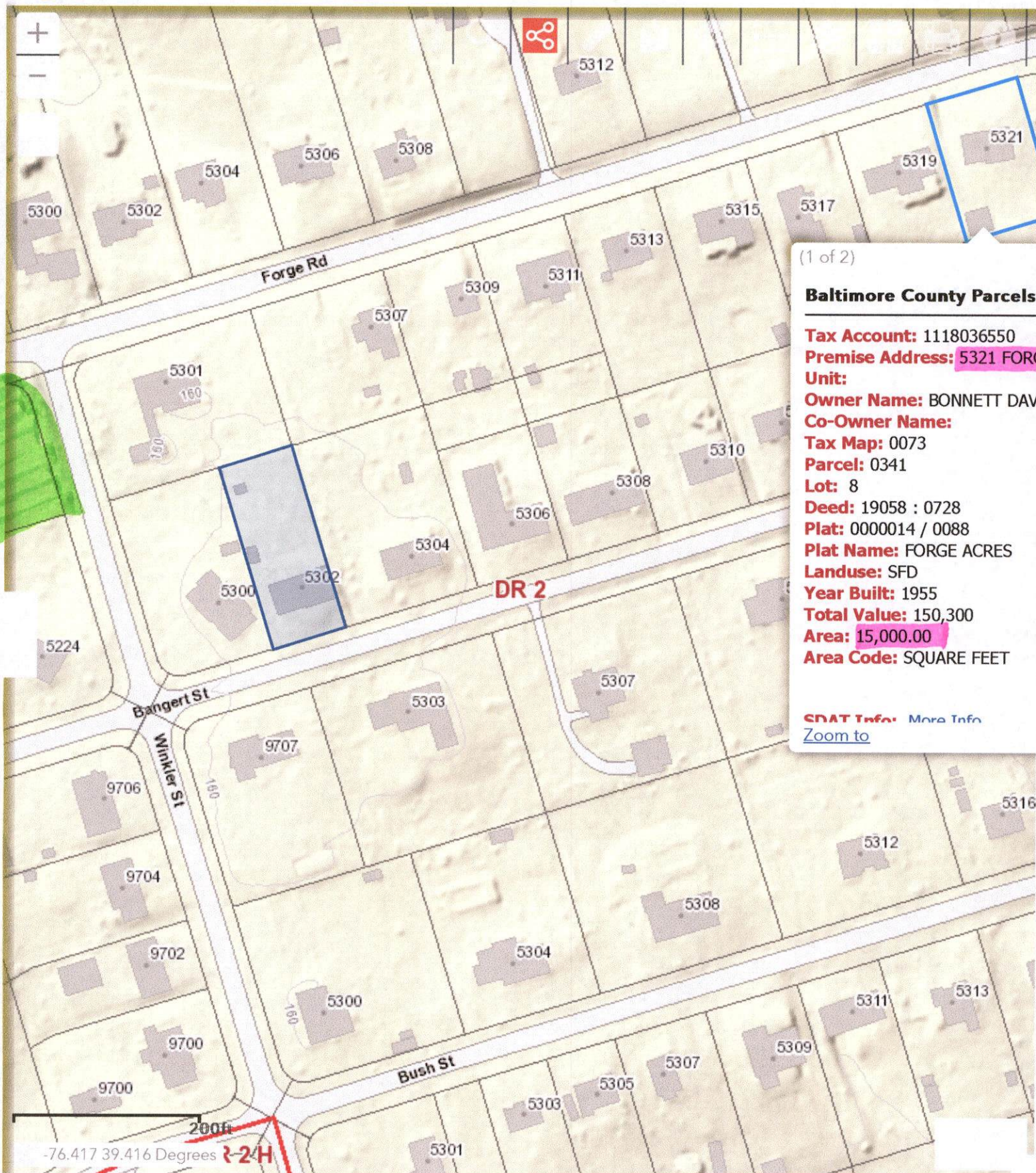


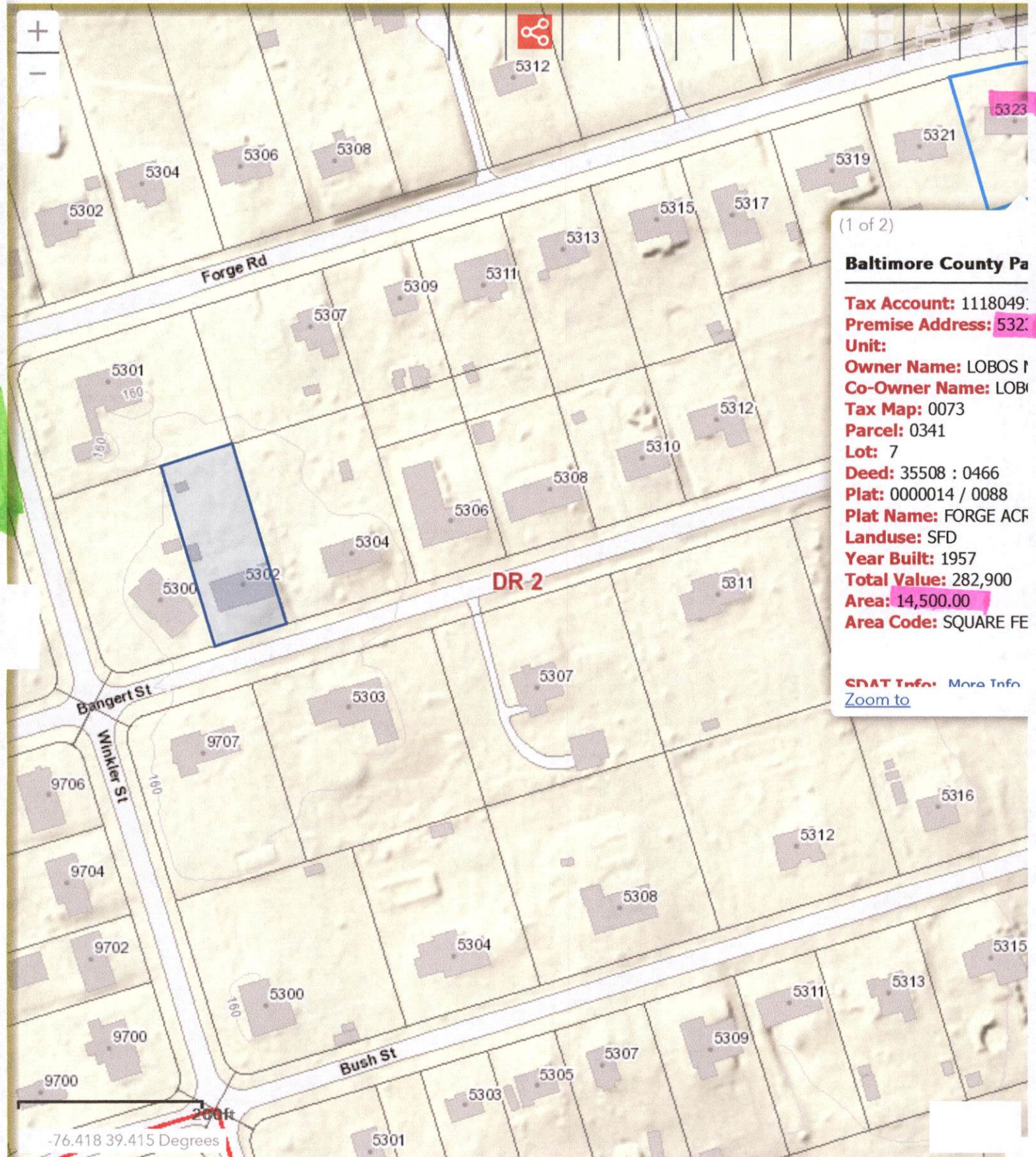
(1 of 2)

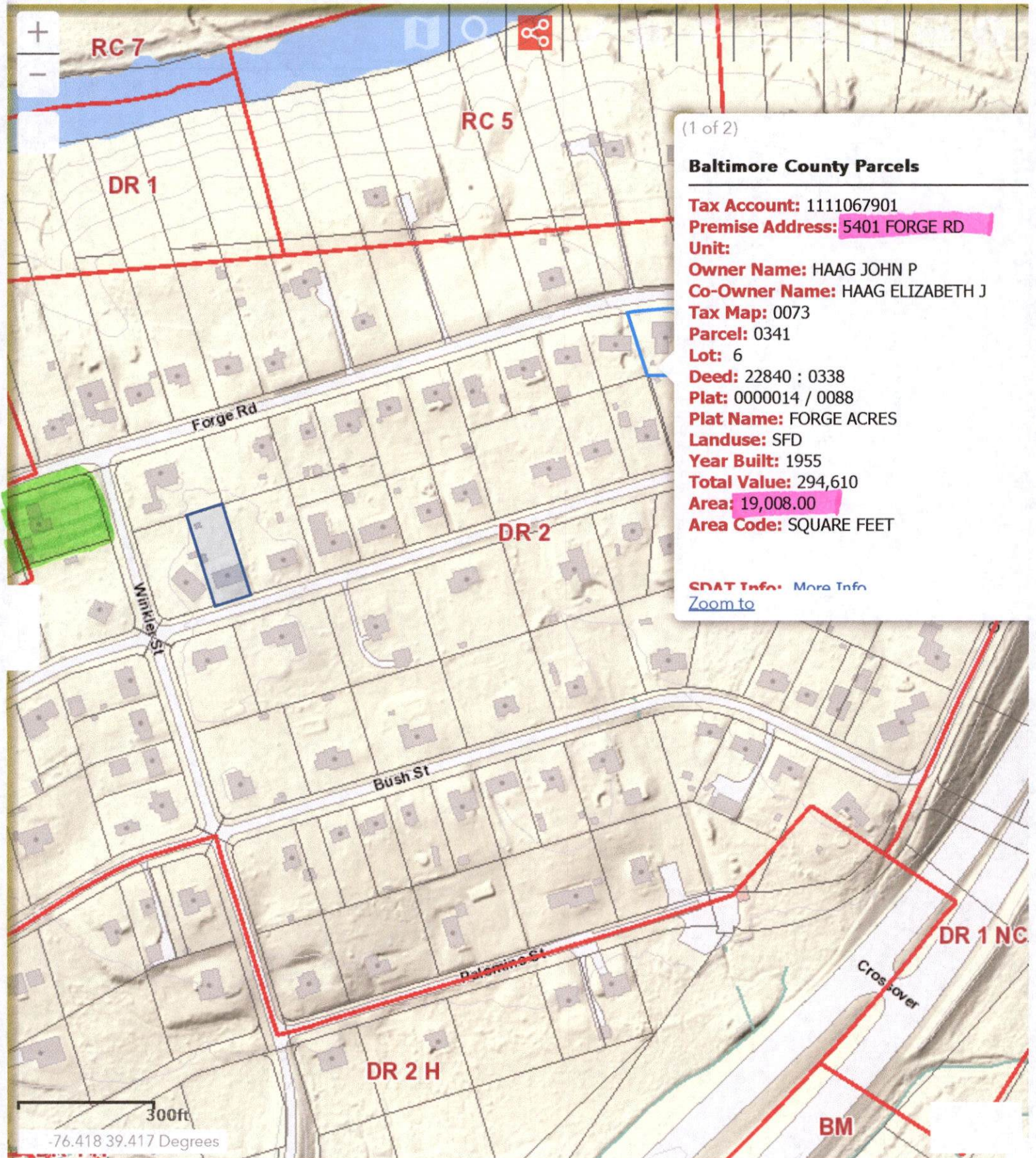
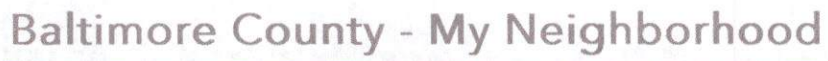
Baltimore County Parcels**Tax Account:** 1107083830**Premise Address:** 5319 FORGE RD**Unit:****Owner Name:** DIETZ MICHAEL A**Co-Owner Name:** DIETZ AMANDA L**Tax Map:** 0073**Parcel:** 0341**Lot:** 9**Deed:** 17460 : 0159**Plat:** 0000014 / 0088**Plat Name:** FORGE ACRES**Landuse:** SFD**Year Built:** 1958**Total Value:** 144,010**Area:** 15,000.00**Area Code:** SQUARE FEET**SDAT Info:** [More Info](#)[Zoom to](#)



Baltimore County - My Neighborhood

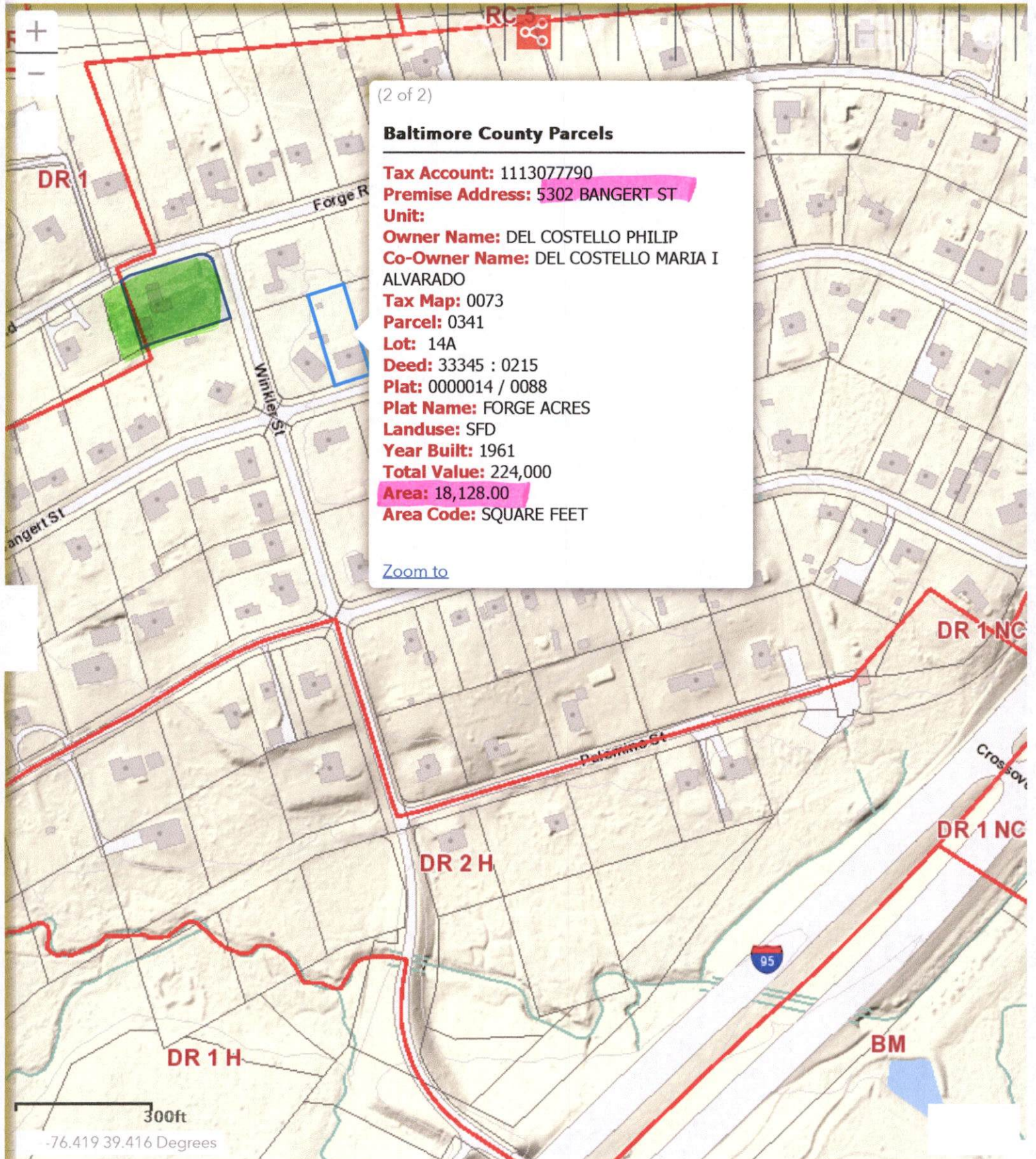








Baltimore County - My Neighborhood



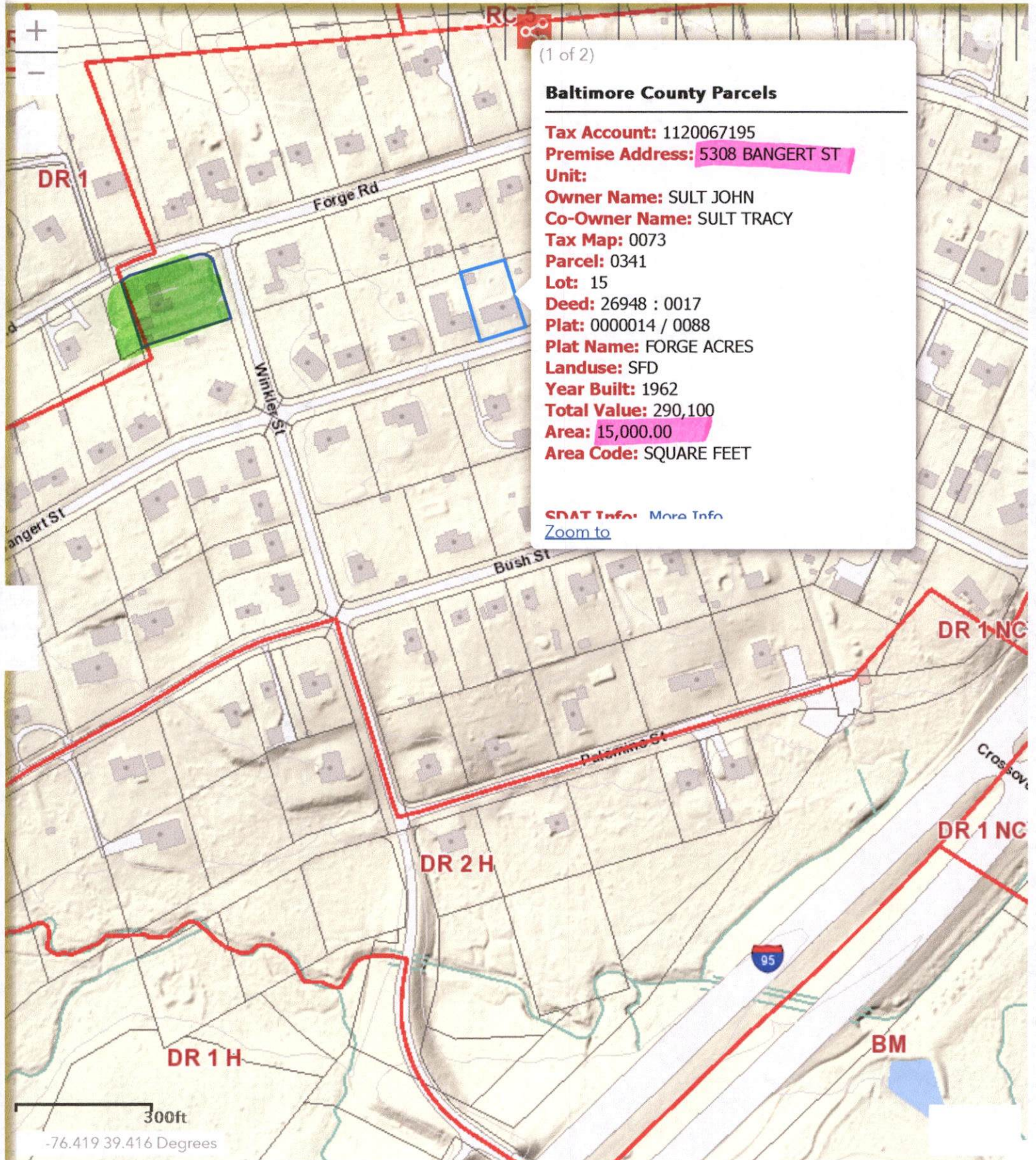


Baltimore County - My Neighborhood



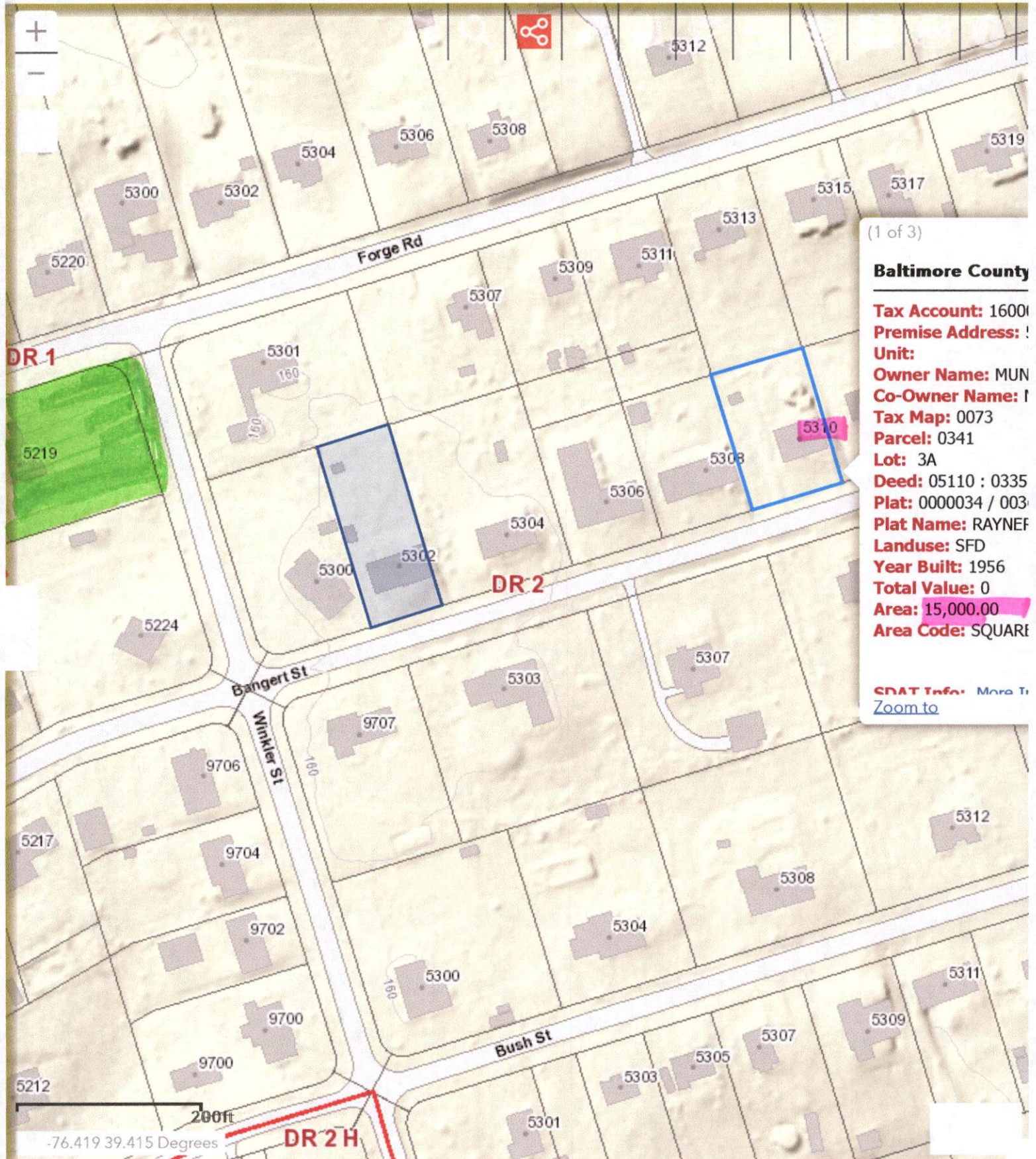


Baltimore County - My Neighborhood





Baltimore County - My Neighborhood

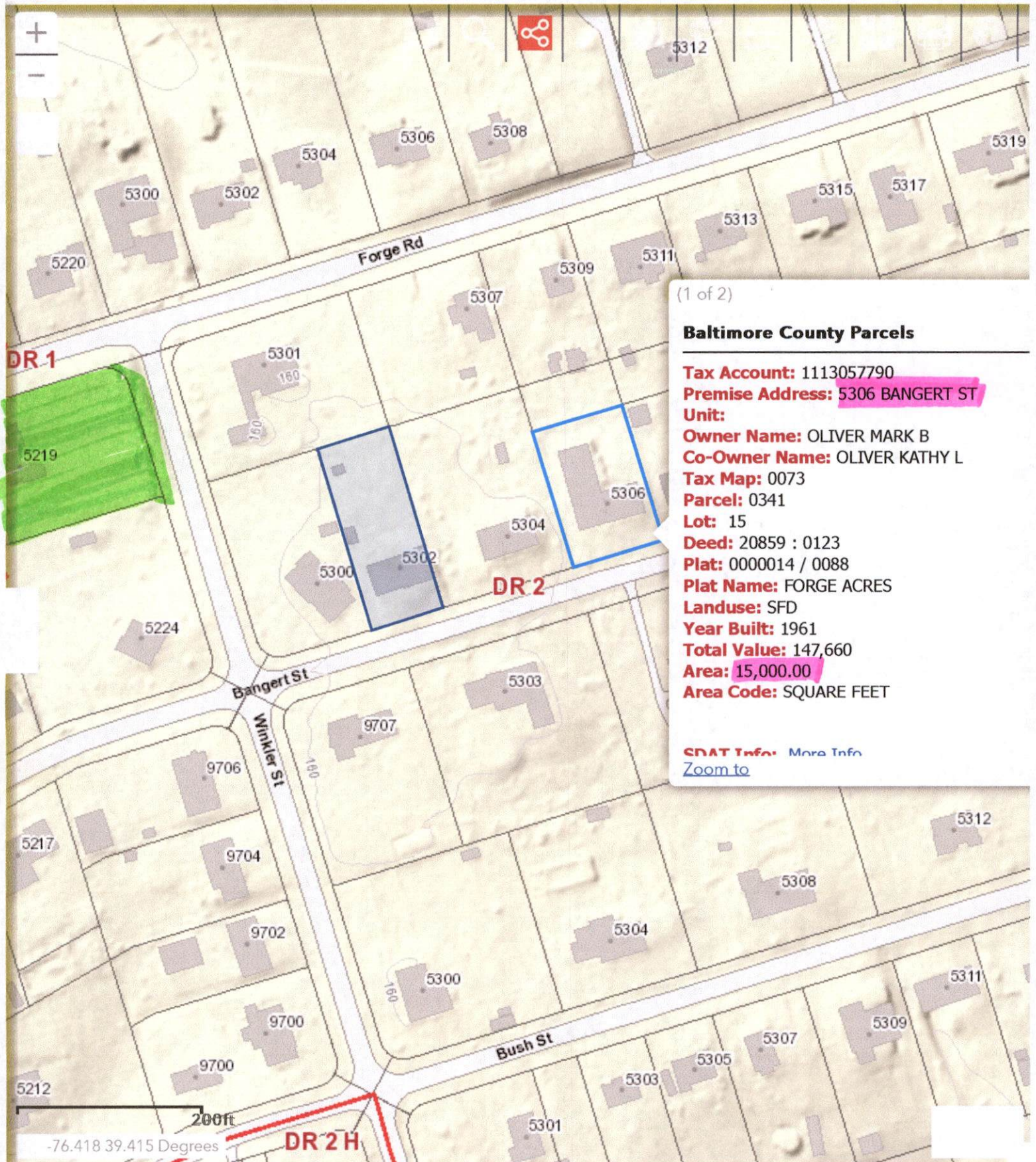


(1 of 3)

Baltimore County**Tax Account:** 16001**Premise Address:** !**Unit:****Owner Name:** MUN**Co-Owner Name:** !**Tax Map:** 0073**Parcel:** 0341**Lot:** 3A**Deed:** 05110 : 0335**Plat:** 0000034 / 003**Plat Name:** RAYNEF**Landuse:** SFD**Year Built:** 1956**Total Value:** 0**Area:** 15,000.00**Area Code:** SQUARE**SDAT Info:** [More To](#)
[Zoom to](#)



Baltimore County - My Neighborhood



(1 of 2)

Baltimore County Parcels**Tax Account:** 1113057790**Premise Address:** 5306 BANGERT ST**Unit:****Owner Name:** OLIVER MARK B**Co-Owner Name:** OLIVER KATHY L**Tax Map:** 0073**Parcel:** 0341**Lot:** 15**Deed:** 20859 : 0123**Plat:** 0000014 / 0088**Plat Name:** FORGE ACRES**Landuse:** SFD**Year Built:** 1961**Total Value:** 147,660**Area:** 15,000.00**Area Code:** SQUARE FEET**SDAT Info:** [More Info](#)[Zoom to](#)



(1 of 3)

Baltimore County Parcels

Tax Account: 1113077790
Premise Address: 5302 BANGERT ST
Unit:
Owner Name: DEL COSTELLO PHILIP
Co-Owner Name: DEL COSTELLO MARIA I ALVARADO
Tax Map: 0073
Parcel: 0341
Lot: 14A
Deed: 33345 : 0215
Plat: 0000014 / 0088
Plat Name: FORGE ACRES
Landuse: SFD
Year Built: 1961
Total Value: 224,000
Area: 18,128.00
Area Code: SQUARE FEET

[Zoom to](#)



(1 of 2)

Baltimore County P

Tax Account: 160000
Premise Address: 5312
Unit:
Owner Name: ALTHO
Co-Owner Name:
Tax Map: 0073
Parcel: 0341
Lot: 3B
Deed: 29634 : 0253
Plat: 0000034 / 0036
Plat Name: RAYNER H
Landuse: SFD
Year Built: 1971
Total Value: 269,650
Area: 15,000.00
Area Code: SQUARE F

SNAT Info: More Info
[Zoom to](#)

200ft
 -76.418 39.415 Degrees **R-2H**

(1 of 2)

Tax Account: 1600001

Premise Address: 531

Unit:

Owner Name: ALTHOF

Co-Owner Name:

Tax Map: 0073

Parcel: 0341

Lot: 3B

Deed: 29634 : 0253

Plat: 0000034 / 0036

Plat Name: RAYNER H
Landuse: CED

Landuse: SFD
Year Built: 1971

Year Built: 1971
Total Value: 260,650

Area: 15 000 00

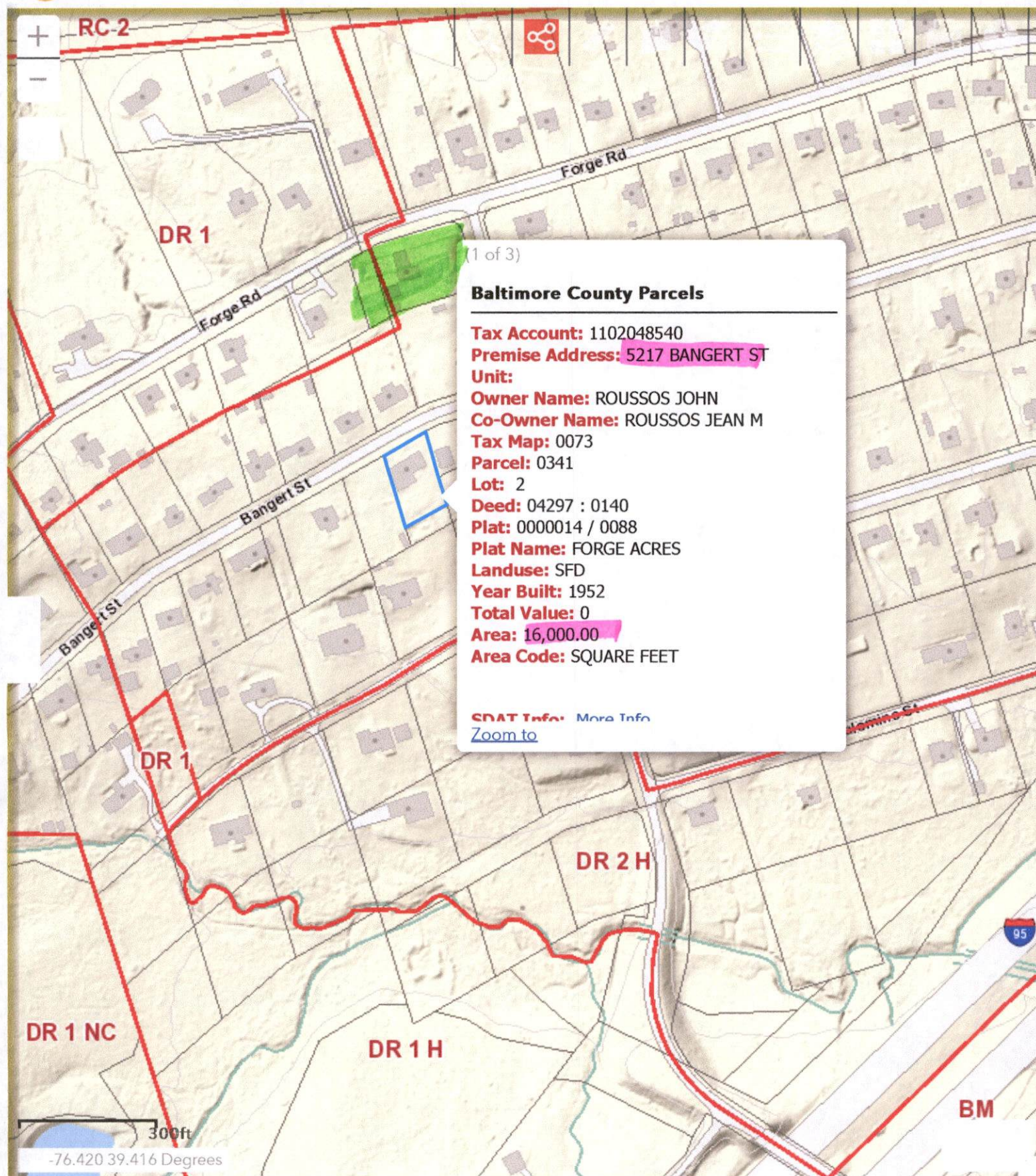
Area Code: SQUARE FEET

Area Code: SQUARE 11

SNAT Info: More Info
[Zoom to](#)

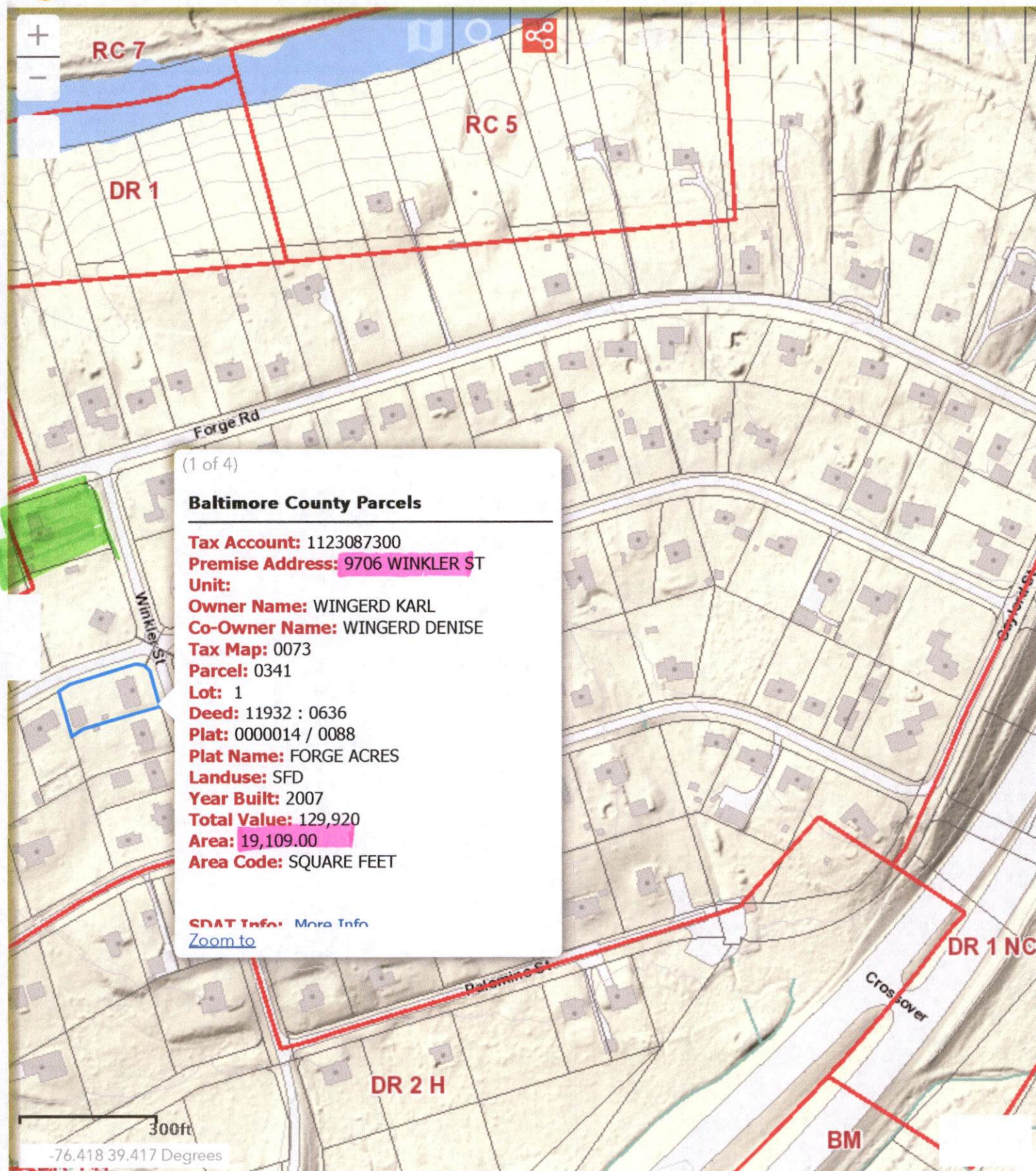


Baltimore County - My Neighborhood



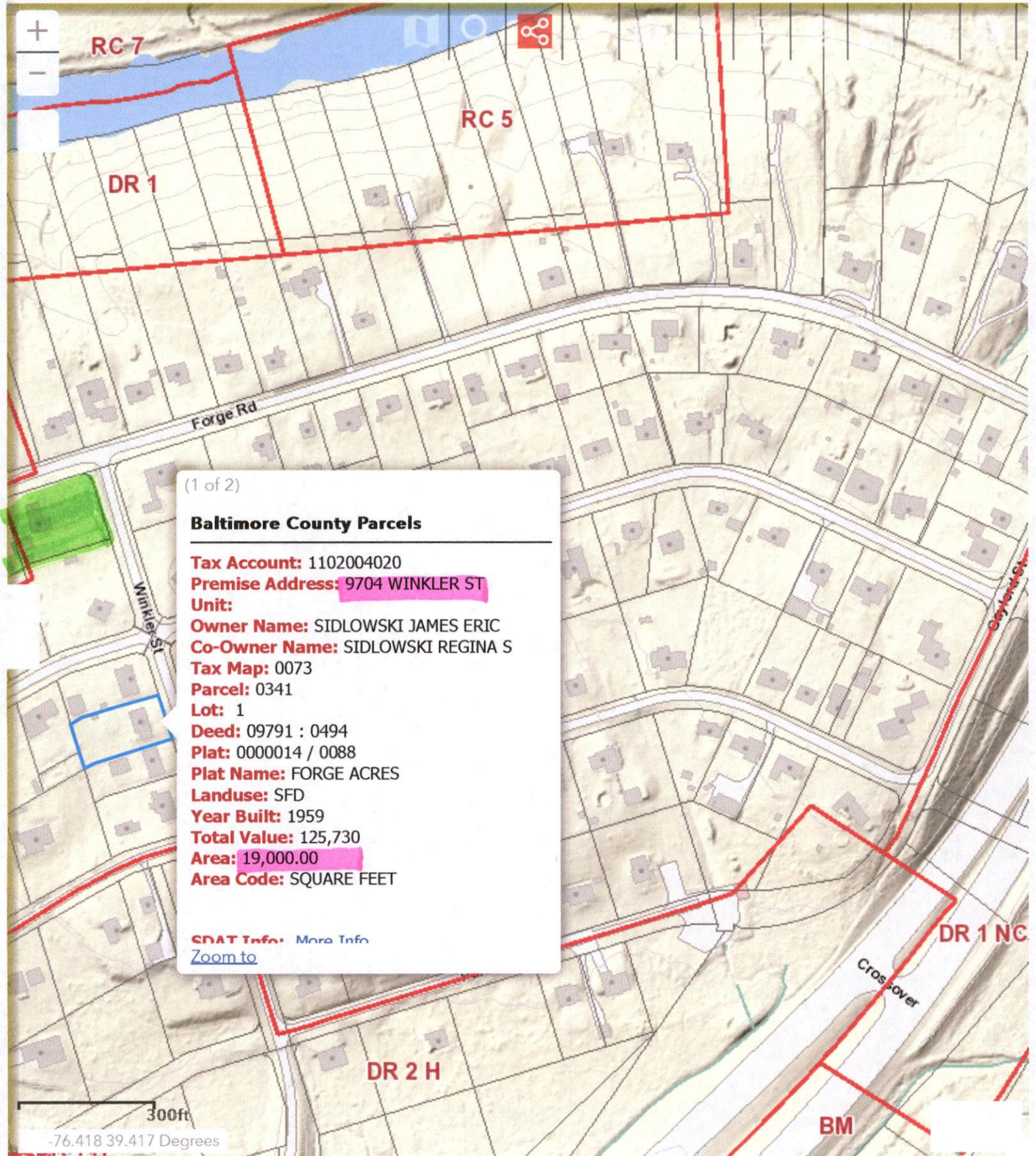


Baltimore County - My Neighborhood



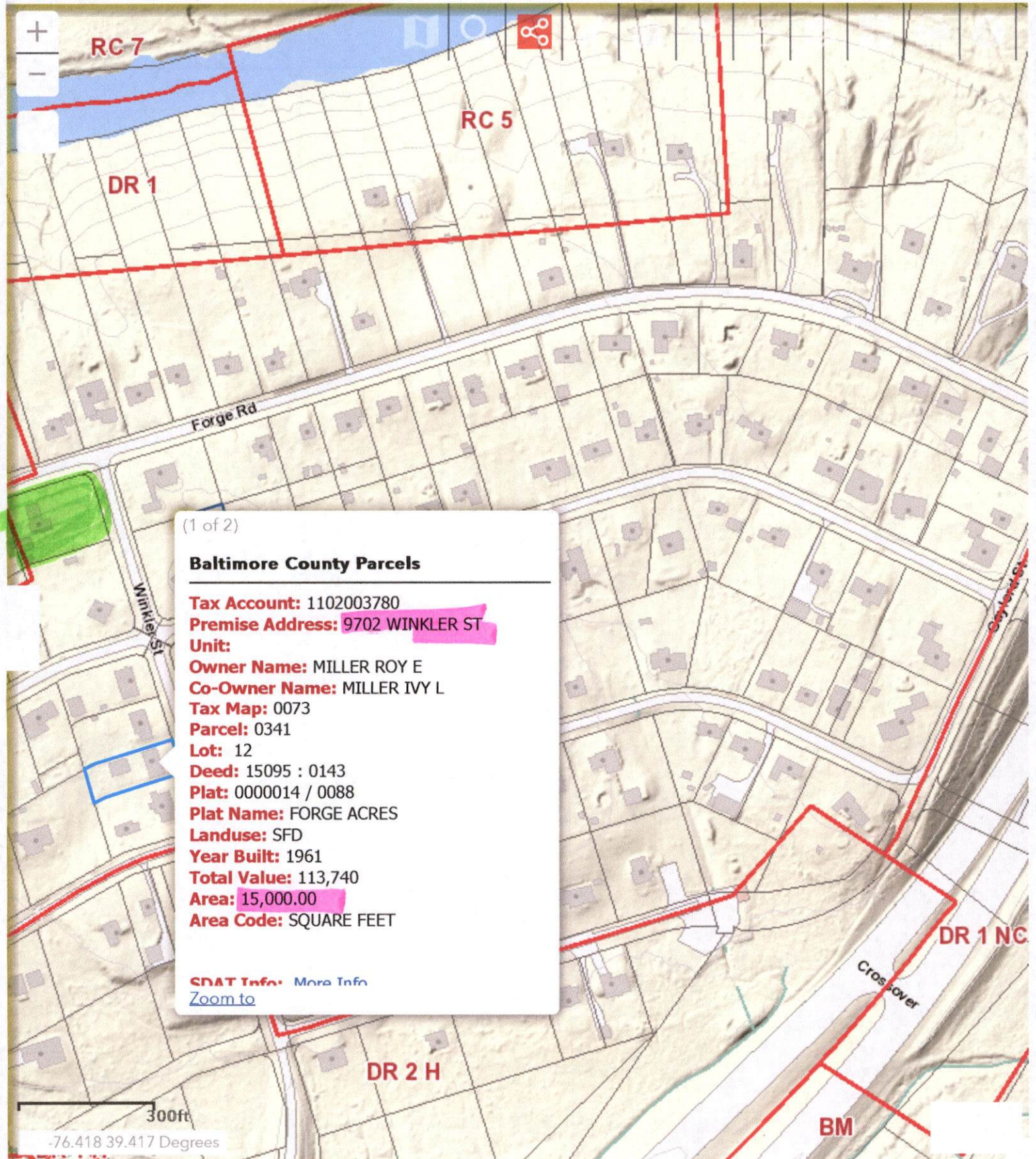


Baltimore County - My Neighborhood



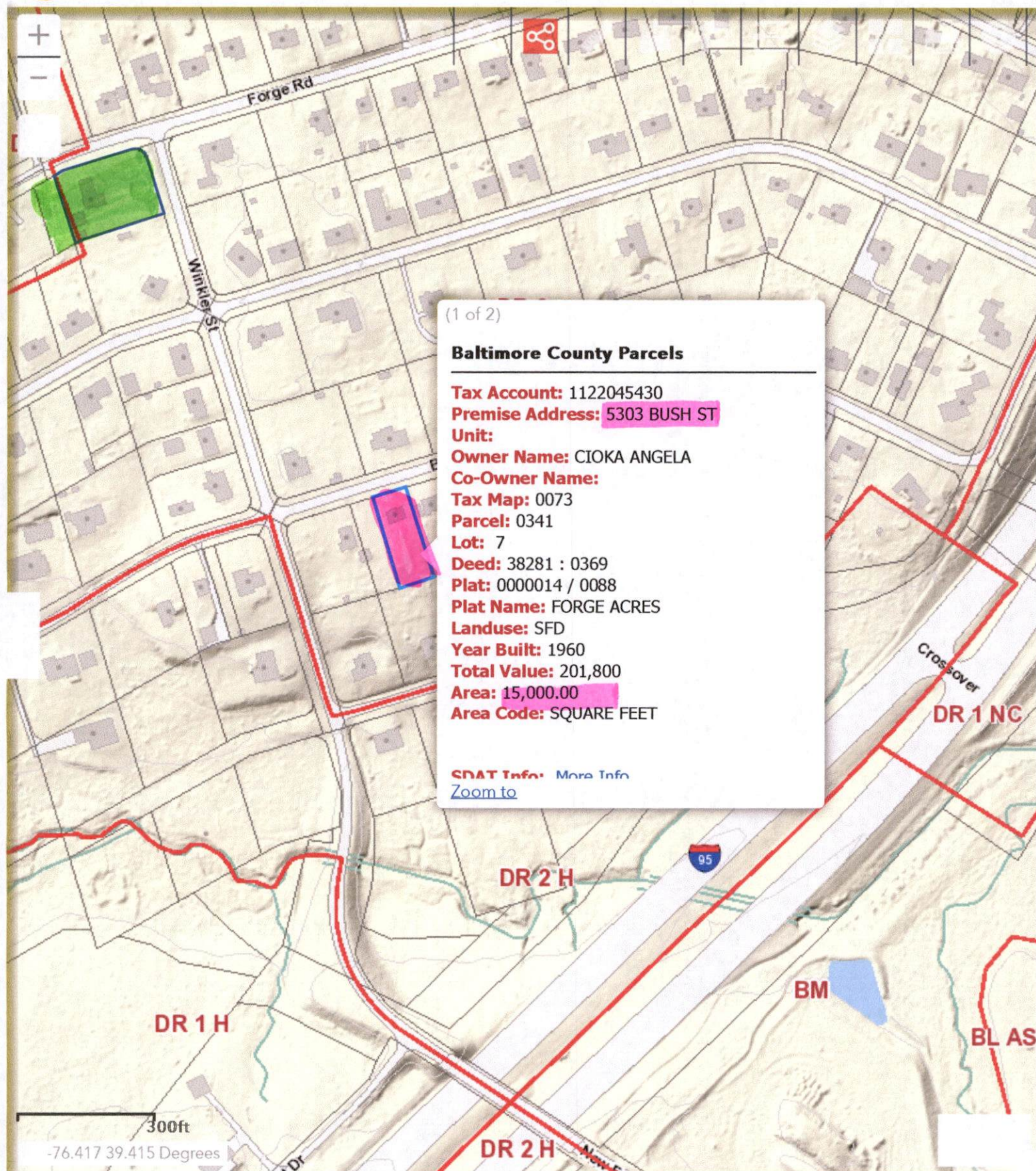


Baltimore County - My Neighborhood



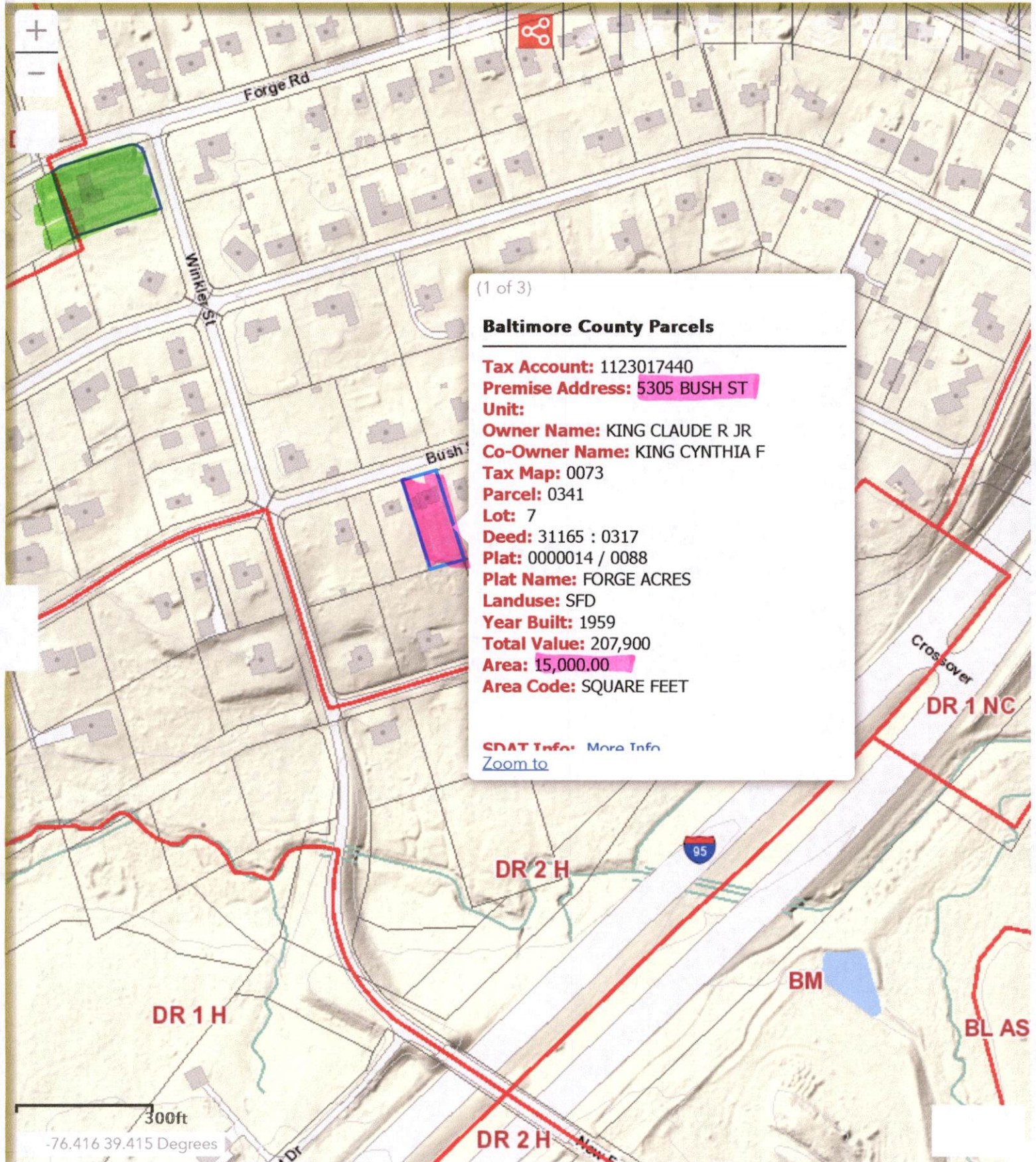


Baltimore County - My Neighborhood





Baltimore County - My Neighborhood

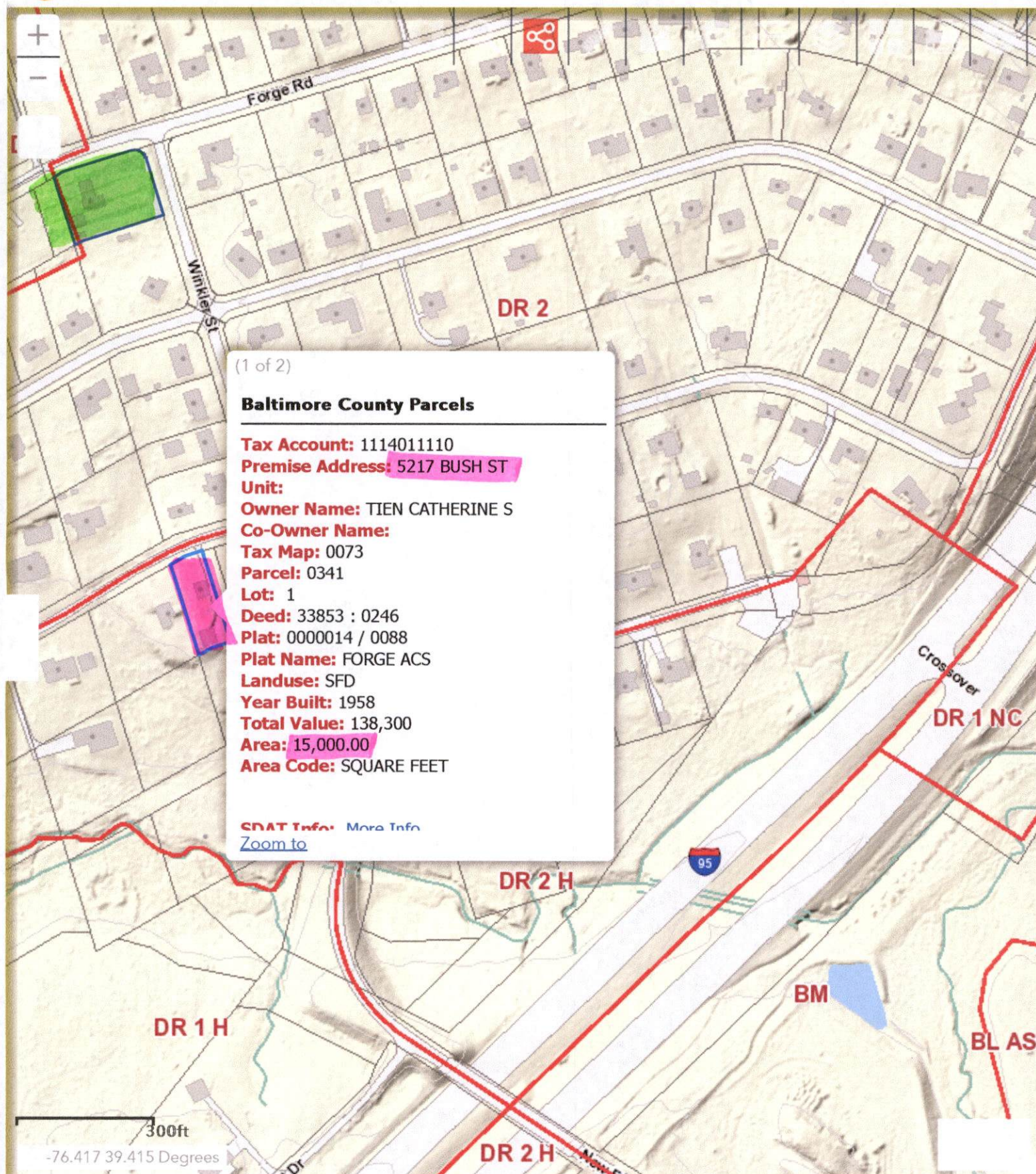


(1 of 3)

Baltimore County Parcels**Tax Account:** 1123017440**Premise Address:** 5305 BUSH ST**Unit:****Owner Name:** KING CLAUDE R JR**Co-Owner Name:** KING CYNTHIA F**Tax Map:** 0073**Parcel:** 0341**Lot:** 7**Deed:** 31165 : 0317**Plat:** 0000014 / 0088**Plat Name:** FORGE ACRES**Landuse:** SFD**Year Built:** 1959**Total Value:** 207,900**Area:** 15,000.00**Area Code:** SQUARE FEET**SDAT Info:** [More Info](#)[Zoom to](#)



Baltimore County - My Neighborhood





Baltimore County - My Neighborhood





① VACANT



② #5219 FORGE ROAD



③ #5213 FORGE ROAD



④ #5214 FORGE ROAD



⑤ #5218 FORGE ROAD



⑥ #5220 FORGE ROAD



⑦ #5300 FORGE ROAD



⑧ #5302 FORGE ROAD



⑨ #5304 FORGE ROAD



⑩ #5306 FORGE ROAD



①① #5307 FORGE ROAD



①② #5301 FORGE ROAD



⑬ #5301 FORGE ROAD



①4 #5300 BANGERT STREET



⑮ #5224 BANGERT STREET



①6 #9706 WINKLER STREET



①⑦

#5220 BANGERT STREET



①⑧ #5217 BANGERT STREET



①⑨ #5218 BANGERT STREET



20

#9707 WINKLER STREET



(21) #5302 BANGERT STREET



② #5303 BANGERT STREET



23

#5304 BANGERT STREET



②④ #9708 WINKLER STREET



Map 4b: Baltimore County Public Schools, MD
Northeast Area Elementary Community Boundary Change Study
Option B

PROTESTANT'S

EXHIBIT NO. _____

Legend

Schools

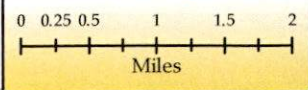
- Elementary
- Middle
- High

2017-18 ES Boundaries

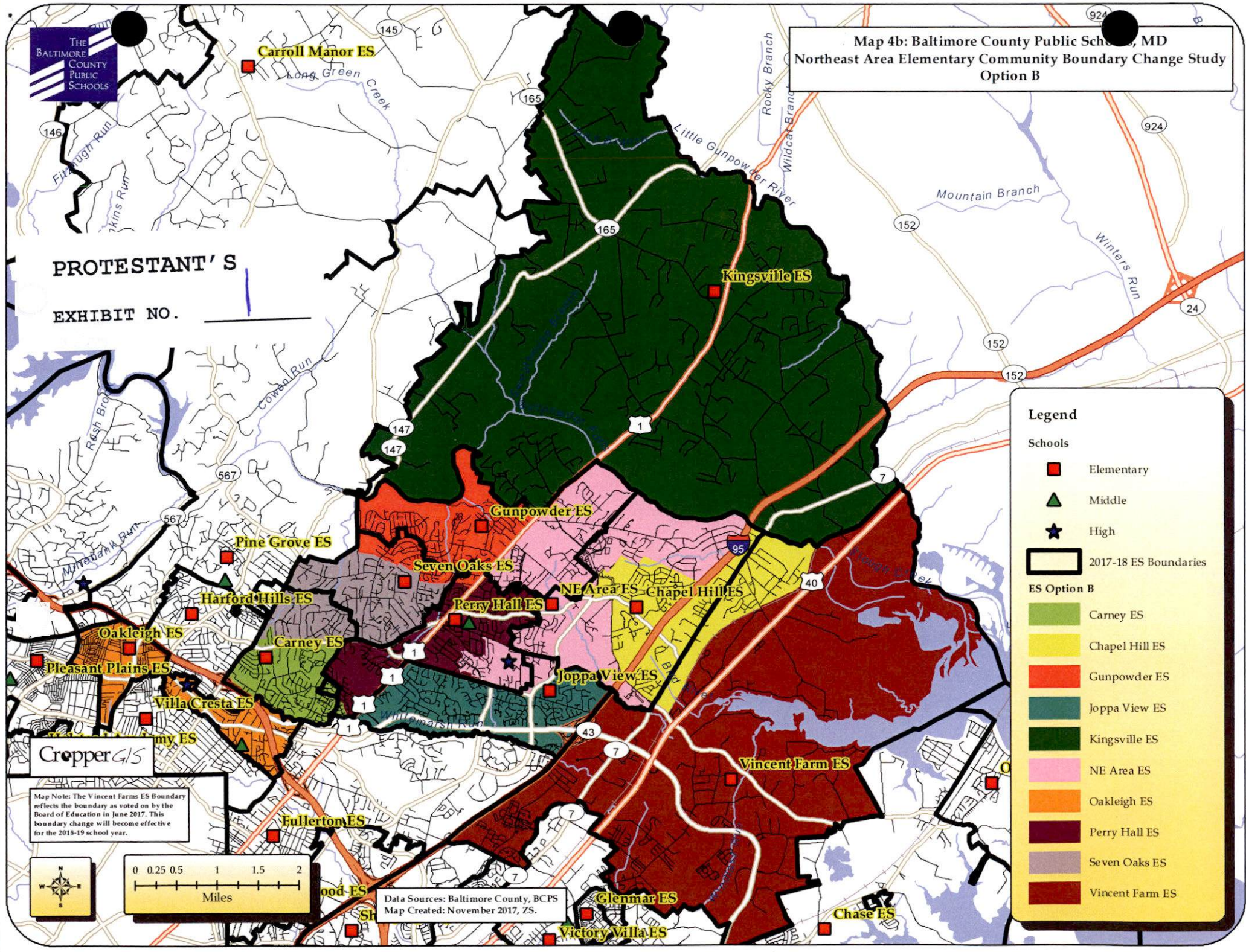
ES Option B

- Carney ES
- Chapel Hill ES
- Gunpowder ES
- Joppa View ES
- Kingsville ES
- NE Area ES
- Oakleigh ES
- Perry Hall ES
- Seven Oaks ES
- Vincent Farm ES

Map Note: The Vincent Farms ES Boundary reflects the boundary as voted on by the Board of Education in June 2017. This boundary change will become effective for the 2018-19 school year.

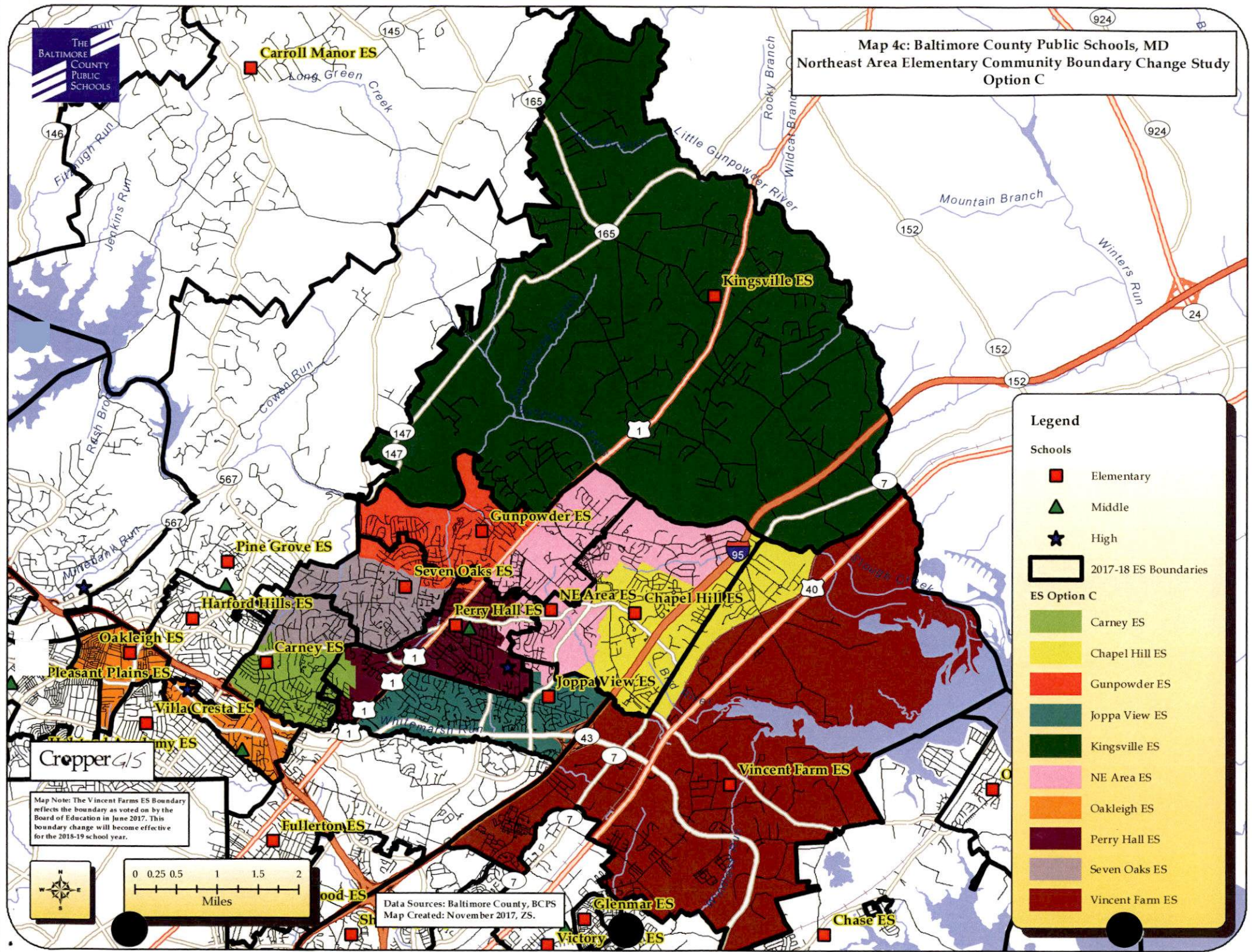


Data Sources: Baltimore County, BCPS
Map Created: November 2017, ZS.





Map 4c: Baltimore County Public Schools, MD
Northeast Area Elementary Community Boundary Change Study
Option C



Options A-E: Utilization Estimates

The following tables reflect the DRAFT options building utilization and over/under estimates. The utilizations are based on PS/PK-5 grade estimated enrollment counts. The over/under counts reflect how many available seats each school has for that option. Negative numbers reflect available seats, and positive numbers are the total over capacity.

ES name	Grade Config	2016 State Rated Capacity (SRC) ⁴	2017-18 (Sept 30th) FTE PS/PK-5 Enrollment Utilization		Option A Estimated Utilization		Option B Estimated Utilization		Option C Estimated Utilization		Option D Estimated Utilization		Option E Estimated Utilization	
			+/-	%	+/-	%	+/-	%	+/-	%	+/-	%	+/-	%
Carney ES	Pre K-5	574	-18	97%	22	104%	2	100%	64	111%	48	108%	22	104%
Chapel Hill ES	K-5	636	179	128%	59	109%	18	103%	23	104%	24	104%	-5	99%
Gunpowder ES	K-5	499	123	125%	41	108%	-1	100%	-1	100%	15	103%	15	103%
Joppa View ES	PS-5	635	178	128%	47	107%	153	124%	153	124%	153	124%	153	124%
Kingsville ES	K-5	349	-8	98%	-8	98%	-8	98%	-8	98%	-8	98%	-8	98%
NE Area ES	Pre K-5	725 (705)			53	108%	25	104%	-60	91%	-103	85%	-103	85%
Oakleigh ES	PS-5	496	155	131%	65	113%	65	113%	65	113%	65	113%	65	113%
Perry Hall ES	Pre K-5	528	219	141%	60	111%	71	113%	89	117%	105	120%	131	125%
Seven Oaks ES	PS-5	428	50	112%	50	112%	28	107%	28	107%	12	103%	12	103%
Vincent Farm ES	Pre K-5	699	107	115%	-110	84%	-74	89%	-74	89%	-32	95%	-3	100%
Total		5,549	984	120%	279	105%	279	105%	279	105%	279	105%	279	105%

Counts based on Preliminary September 30, 2017 Enrollment

¹ Full Time Equivalent (FTE) enrollment factors 100% of students in Grades kindergarten through 5, and 50% of students in prekindergarten and preschool because they are half-day programs and two sessions can use one classroom, one in the AM and the other in the PM.

² The estimated enrollment is calculated by adding the 2017-18 FTE PS/PK students to their 2017-18 school, plus the K-5th students that "Live Out and Attend In" a 2017-18 school, plus the total number of live in K-5th grade students within each new DRAFT option zone that "Live and Attend In" during the 2017-18 school year. The estimated enrollment for each option includes the impacts of the Victory Villa ES boundary change process as voted on by the Board of Education in June 2017.

⁴ The new elementary school in the northeast area will have a state rated capacity of 725, however a capacity of 705 will be used for the utilization calculation, which accounts for planned special education and early childhood programs at the school.

DRAFT Options A-E

The following tables present DRAFT options for the committee's review. Keep in mind that these options are only starting points for discussion. Any of the following options can be changed based on feedback from the committee, public, and BCPS administration.

Options A-E Enrollment Estimates

The following tables reflect the DRAFT options enrollment estimates. The estimated enrollment is calculated by adding the 2017-18 FTE PS/PK students to their 2017-18 school, plus the K-5th students that "Live Out and Attend In" a 2017-18 school, plus the total number of live in K-5th grade students within each new DRAFT option zone that "Live and Attend In" during the 2017-18 school year.

ES name	Grade Config	2016 State Rated Capacity (SRC) ⁴	2017-18 (Sept 30th) FTE PS/PK-5 Grade Enrollment ¹	Option A Estimated Enrollment ²	Option B Estimated Enrollment ²	Option C Estimated Enrollment ²	Option D Estimated Enrollment ²	Option E Estimated Enrollment ²
Carney ES	Pre K-5	574	556	596	576	638	622	596
Chapel Hill ES	K-5	636	815	695	654	659	660	631
Gunpowder ES	K-5	499	622	540	498	498	514	514
Joppa View ES	PS-5	635	813	682	788	788	788	788
Kingsville ES	K-5	349	341	341	341	341	341	341
NE Area ES	Pre K-5	725 (705)		758	730	645	602	602
Oakleigh ES	PS-5	496	651	561	561	561	561	561
Trinity Hall ES	Pre K-5	528	747	588	599	617	633	659
Wendover ES	PS-5	428	478	478	456	456	440	440
Vincent Farm ES	Pre K-5	699	806	590	626	626	668	697
Total		5,549	5,828	5,828	5,828	5,828	5,828	5,828

Counts based on Preliminary September 30, 2017 Enrollment

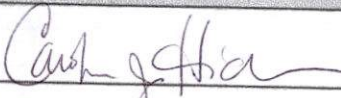
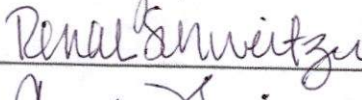
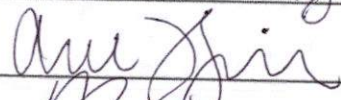
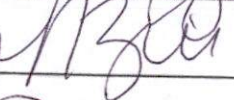
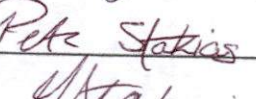
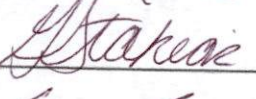
¹ Full Time Equivalent (FTE) enrollment factors 100% of students in Grades kindergarten through 5, and 50% of students in prekindergarten and preschool because they are half-day programs and two sessions can use one classroom, one in the AM and the other in the PM.

² The estimated enrollment is calculated by adding the 2017-18 FTE PS/PK students to their 2017-18 school, plus the K-5th students that "Live Out and Attend In" a 2017-18 school, plus the total number of live in K-5th grade students within each new DRAFT option zone that "Live and Attend In" during the 2017-18 school year. The estimated enrollment for each option includes the impacts of the Victory Villa ES boundary change process as voted on by the Board of Education in June 2017.

⁴ The new elementary school in the northeast area will have a state rated capacity of 725, however a capacity of 705 will be used for the utilization calculation, which accounts for planned special education and early childhood programs at the school.

Petition to oppose the approval for construction of a single-family dwelling on an undersized lot 5219 Forge Rd. Perry Hall, MD 21128

Petition summary and background	Case # 2018-0201- SPH - to approve the construction of a single-family dwelling on an undersized lot (14,467 sq. ft. in lieu of 20,000 sq. ft.) pursuant to section 304 of the BCZR and that density will not be affected.
Action petitioned for	not granting the construction of a dwelling on the undersized lot known as 5219 Forge Rd Perry Hall, MD 21128.

Printed Name	Signature	Address	Comment	Date
Carolee Hickman		5201 Barget St.		3/9/18
Rena Schweitzer		4907 Forge Haven Dr.		3/10/18
Arie Zdziera		5210 Bush St.		3/10/18
NITSA Zdziera		5210 Bush St.		3/13/18
Pete Stakias		9707 Winkler St.		3/14/18
GENNY STAKIAS		9707 WINKLER ST.		3/14/18
Steve Zdziera		5210 Bush ST		3/14/18

Petition to oppose the approval for construction of a single-family dwelling on an undersized lot 5219 Forge Rd. Perry Hall, MD 21128

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[illegible]

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Action petitioned for	not granting the construction of a dwelling on the undersized lot known as 5219 Forge Rd Perry Hall, MD 21128.

[illegible]

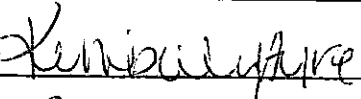
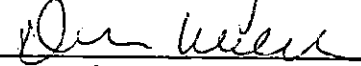
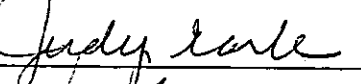
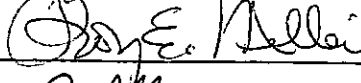
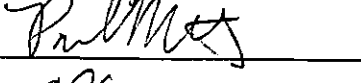
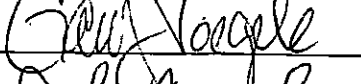
Petition to oppose the approval for construction of a single-family dwelling on an undersized lot 5219 Forge Rd. Perry Hall, MD 21128

Petition summary and background	Case # 2018-0201- SPH - to approve the construction of a single-family dwelling on an undersized lot (14,467 sq. ft. in lieu of 20,000 sq. ft.) pursuant to section 304 of the BCZR and that density will not be affected.
Action petitioned for	not granting the construction of a dwelling on the undersized lot known as 5219 Forge Rd Perry Hall, MD 21128.

Printed Name	Signature	Address	Comment	Date
Sarah Windes	<i>Sarah Windes</i>	5211 Bush Street		3-13-18
JAMES SIDHONSH	<i>James Sidhons</i>	9704 WINKLER ST		3/13/18
Diane Brazil	<i>Diane Brazil</i>	5205 Bush St	lot is too small	3/13/18
Jo Anne Pelle	<i>Joanne Pelle</i>	5206 Bush St		3-13-18
John A. Davis	<i>John A. Davis</i>	5206 Bush St.	To SMALL of Area	3-13-18
Anthony Brazil	<i>Anthony Brazil</i>	5205 Bush St.	way too small. unsafe. Eye sore. Not uniform	3-13-18
Steve Smith	<i>Steve Smith</i>	5304 Bush St	undersized Lot	3-14/18
Robin Smith	<i>Robin Smith</i>	5304 Bush St	undersized lot	3-14-18
Deborah Brazil	<i>Deborah Brazil</i>	5209 Bush St.		3/14/18
Michael Brazil	<i>Michael Brazil</i>	5209 Bush St		3/14/18

Petition to oppose the approval for construction of a single-family dwelling on an undersized lot 5219 Forge Rd. Perry Hall, MD 21128

Petition summary and background	Case # 2018-0201- SPH - to approve the construction of a single-family dwelling on an undersized lot (14,467 sq. ft. in lieu of 20,000 sq. ft.) pursuant to section 304 of the BCZR and that density will not be affected.
Action petitioned for	not granting the construction of a dwelling on the undersized lot known as 5219 Forge Rd Perry Hall, MD 21128.

Printed Name	Signature	Address	Comment	Date
Kimberly Ann		5300 Bush St 21162		03-10-18
Donna Welch		5300 Bush St 21162		3-10-18
ROSS EARLE		9700 WINKLER ST 21162		3-10-18
JUDY EARLE		9700 WINKLER ST 21162		3-10-18
Ivy Miller		9702 Winkler St 21162		3-10-18
Roy Miller		9702 Winkler St. 21162		3-10-18
Paul Martinell		5214A Forge Rd 21128		3-10-18
Connie Smith-Hicks		5300 Forge Rd 21162	Concerned about driveway proximity to corner.	3-10-18
GARY VOGGELE		5304 Forge Rd 21162		3-10-18
JOHN BRUCKLEY		5215 BUSH ST.		3-10-18

IN RE: PETITION FOR VARIANCE

(5301 Bush Street)
11th Election District
5th Council District
Wadkins Construction, Inc.
Legal Owner

Petitioner

*
*
*
*
*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2017-0313-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Christopher Corey, Esq., on behalf of Wadkins Construction, Inc., the legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from § 1B02.3.C.1. of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) For Lot 2 as shown on the site plan, to permit a minimum lot width of 94.61 ft. in lieu of the required 100 ft.; (2) For Lot 2 as shown on the site plan, to permit a minimum net lot area of 18,922 sq. ft. in lieu of the required 20,000 sq. ft.; (3) If necessary, for Lot 1 as shown on the site plan, to permit a side yard setback of 35 ft. along the Winkler Street right-of-way line, in lieu of the 40 ft. front yard setback requirement; and (4) For such other and further relief as may be required by the Administrative Law Judge (ALJ) for Baltimore County. A site plan was marked as Petitioner's Exhibit 11.

Professional land surveyor Kenneth J. Wells appeared in support of the petition. Christopher Corey, Esq. represented the Petitioner. Several members of the community opposed the requests. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the requests but suggested certain façade treatments would

be required for the proposed dwellings.

The site is approximately 0.89 acres in size and zoned DR 2. A single-family dwelling was constructed on the property in 1951, although Petitioner has since razed that structure, which was apparently in very poor condition. The subject property is comprised of all of Lot 8 and a portion of Lot 7 as shown on the Plat of Forge Acres (recorded in 1948). Petitioner's Exhibit 4. The properties were the subject of Development Review Committee (DRC) Item DRC #042214-LLA wherein a lot line adjustment was granted in 2014. Petitioner's Exhibit 2. This lot line adjustment (as shown on the DRC Plan admitted as Exhibit 10) created Lot 1 and Lot 2 as shown on the redlined site plan. Petitioner proposes to construct a single-family dwelling and garage on each lot but requires variances to do so.

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).

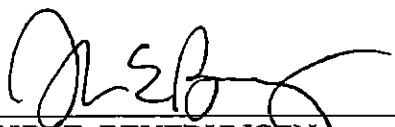
Based on a review of the site plan and the testimony of Mr. Wells, I do not believe the property is "unique" as that term is used in Maryland case law. In the zoning context "unique" has a "customized meaning" to include shape, topography, subsurface conditions, environmental factors, historical significance, etc. *North v. St. Mary's County*, 99 Md. App. 502, 512 (1994). The lots are rectangular in shape and are very similar to other lots in the vicinity. There simply are no unique or defining attributes of the property that would support a finding of uniqueness.

In a contested variance case the petitioner faces an uphill battle. Indeed, I was unable to locate a Maryland appellate court opinion from the last twenty years which upheld the grant of a

variance. Under Maryland law, a variance should be granted "sparingly" since it is "an authorization for [that] ... which is prohibited by a zoning ordinance." *Cromwell*, 102 Md. App. at 699. As such, I believe the petition must be denied.

THEREFORE, IT IS ORDERED, this 11th day of **July, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") as follows: (1) For Lot 2 as shown on the site plan, to permit a minimum lot width of 94.61 ft. in lieu of the required 100 ft.; (2) For Lot 2 as shown on the site plan, to permit a minimum net lot area of 18,922 sq. ft. in lieu of the required 20,000 sq. ft.; and (3) If necessary, for Lot 1 as shown on the site plan, to permit a side yard setback of 35 ft. along the Winkler Street right-of-way line, in lieu of the 40 ft. front yard setback requirement, be and is hereby DENIED.

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

2018-0201-84

CASE NUMBER

3/16/2018

E-MAIL

Tkotroco@gmail.com

BAFITS Assoc @ Concord
Nex

HK4 Shar 4201

BALEMS 31224

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Brett Williams
Development Review Section
Department of Planning

DATE: November 15, 2017

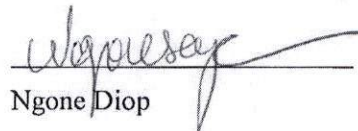
FROM: Ngone Diop
Central Sector Planning,
Department of Planning

PROJECT NAME: 5221 Forge Road, Undersize Lot

The site is located in the Perry Hall area at 5221 Forge Rd. The site consists of lot 1 and part of lot 2, zoned DR 1 and DR 2 and covers an area of 38,293 square feet.

The applicant proposes a lot line adjustment that will result in the creation of "Part of Lot 1", an undersized lot with an area of 14,467 square feet. The lot line adjustment has not been approved by the department of Permits, Approval and Inspections. Therefore, the potential undersized lot cannot be evaluated at this time.

The Department of Planning cannot comment on the undersized lot until the lot line adjustment has been legally established and approved.


Ngone Diop

AVA/BW:NSD

Engineer that as for the undersize lot approval
Wm Bafie P.E.

391-2336

1249 Engberth Rd 21221

owner of 5221 Forge Rd
Sharon Hall

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – S/S Bush Street,
625' E of the c/l Winkler Street
(5209 Bush Street)
11th Election District
5th Council District

Michael A. Brazil, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-166-SPHA
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Michael A. and Deborah J. Brazil. The Petitioners request a special hearing to confirm that the construction of a dwelling on a lot in a recorded subdivision is exempt from the provisions of Sections 259.4 through 259.9 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Honeygo Regulations), or, in the alternative, a variance from the applicable Honeygo Overlay District Standards to permit this lot to be developed with a single family dwelling, pursuant to Section 259.8 of the B.C.Z.R. In addition, the Petitioners request a variance from Section 1B02.3.C.1 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 15 feet, and a rear yard setback of 30 feet in lieu of the required 40 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing in support of the request were Mr. & Mrs. Brazil, property owners, Mickey Cornelius, traffic engineer, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a v-shaped parcel, containing a gross area of approximately 2 acres, more or less, zoned D.R.2H, and is located on the south side of Bush Street in Perry Hall. The property is actually comprised of three lots; namely, Lots 4, 9 and 10 of Forge Acres, which is an older subdivision that was recorded in the Land

ORDER RECEIVED FOR FILING

Date

By

Records of Baltimore County in 1948. The recording and approval of subdivision plats at that time did not require the various County approvals that are mandated by law today. A copy of the subdivision plan was submitted into evidence as Petitioner's Exhibit 2.

In any event, the property has been in Mr. Brazil's family for nearly 30 years and was acquired by the Petitioners about 4 years ago. The Petitioners are desirous of developing the property with a single family dwelling. Due to the site constraints associated with this property, and it's location in the Honeygo District, the Petitioners request special hearing and variance relief, as noted above. As to the variance request, it is to be noted that the property has areas of forests, wetlands, and a significant number of environmental constraints, including being partially located in a floodplain. The Petitioners have had extensive negotiations with the Department of Environmental Protection and Resource Management (DEPRM) and as a result, the proposed area of disturbance has been limited. Specifically, the Petitioners cannot build in the forest buffer, floodplain, or wetlands areas. Thus, the building envelope is limited to only a portion of Lot 10, which is located to the rear of the parcel, a significant distance from Bush Street. As shown on the plan, the house will be sited with a 30-foot rear setback and a 10-foot side yard setback in lieu of the required 40 feet and 15 feet, respectively. It was indicated that these setbacks were a direct result of the environmental constraints associated with this property and DEPRM's requirement that any building be located in the area shown on the Environmental Constraints Map No. 4.

Based upon the testimony and evidence presented, I am persuaded to grant the variance from setback requirements. The Petitioners have shown that the relief requested complies with the requirements of Section 307 of the B.C.Z.R. Moreover, it is clear that there will be no detriment to the health, safety or general welfare of the surrounding locale.

The Petition for Special Hearing presents an interesting question. As noted above, the property is located in Perry Hall within the Honeygo District of Baltimore County and as such, would normally be subject to the requirements contained in Sections 259.4 through 259.9 of the B.C.Z.R. It is to be noted that Section 259.7 of the B.C.Z.R. does list certain exemptions from those regulations; however, the situation presented here is not directly identified therein. A Zoning

ORDER RECEIVED FOR FILING

Date

By

Advisory Committee (ZAC) comment was received from the Department of Permits and Development Management (DPDM) in which they noted that "The plat which recorded Lot 10 was filed for approval in 1948. This plat does not have a Planning Commission or Board approval. Without this approval, we are at a loss to qualify 'the applicant' as exempt, although due to the fact that this is a lot in a build-out subdivision with public sewer and water, we feel an exemption is appropriate." I agree. Surely, it was the intent of the Honeygo regulations to provide guidance and regulation for the proposed subdivision of vacant land. To the contrary, this is an in-fill lot in a previously recorded subdivision. The natural features of the site and environmental constraints associated therewith prohibited any development on the subject lot for many years. In my judgment, the property should be exempt from the Honeygo regulations. Thus, the Petition for Special Hearing shall be granted, and that portion of the variance request seeking relief from the Honeygo regulations set forth in Section 259.8 of the B.C.Z.R. shall be dismissed as moot. It should also be noted that a letter from the Perry Hall Improvement Association indicated that they have no objections to the requested relief, and "urges" its approval.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted, as set forth below.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of December, 2000 that the Petition for Special Hearing to confirm that the construction of a dwelling on a lot in a recorded subdivision is exempt from the provisions of Section 259.4 through 295.9 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Honeygo Regulations), be and is hereby GRANTED, and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 15 feet, and a rear yard setback of 30 feet in lieu of the required 40 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

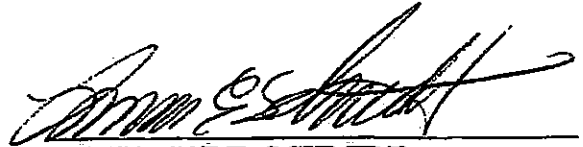
ORDER RECEIVED FOR FILING

Date

By

- 1) The Petitioners may apply for their building permit 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

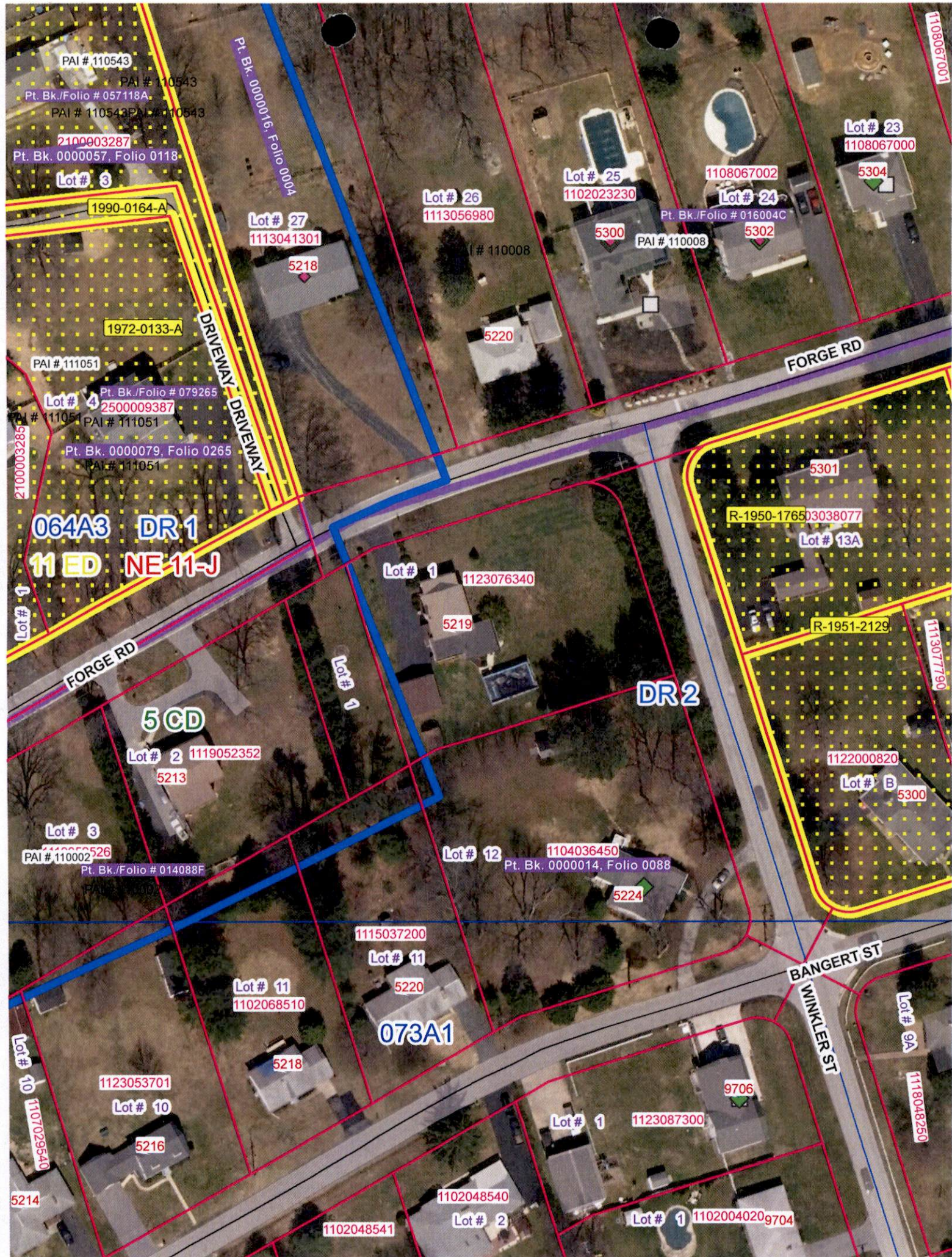
IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the applicable Honeygo Overlay District Standards to permit this lot to be developed with a single family dwelling, pursuant to Section 259.8 of the B.C.Z.R., be and is hereby DISMISSED AS MOOT.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/12/08
By [Signature]



PAI # 110543

PAI # 110543

Pt. Bk./Folio # 057118A

PAI # 110543 PAI # 110543

2100003287

Pt. Bk. 0000057, Folio 0118

Lot # 3

1990-0164-A

1972-0133-A

PAI # 111051

Lot # 4

Pt. Bk./Folio # 079265

25000009387

PAI # 111051 PAI # 111051

Pt. Bk. 0000079, Folio 0265

PAI # 111051

064A3 DR 1
11 ED NE 11-J

Lot # 1

FORGE RD

5 CD

Lot # 2 1119052352

5213

Lot # 3

PAI # 110002

Pt. Bk./Folio # 014088F

Lot # 1

Lot # 1

1123076340

5219

DR 2

Lot # 12

1104036450

Pt. Bk. 0000014, Folio 0088

5224

1115037200

Lot # 11

Lot # 11

1102068510

073A1

5218

1123053701

Lot # 10

5216

Lot # 10

5214

1102048540

Lot # 2

1102048541

Lot # 1

1123087300

9706

Lot # 1

1102004020 9704

BANGERT ST

WINKLER ST

Lot # 9A

1118048250

Lot # 23

1108067000

5304

Lot # 25

1102023230

5300

1108067002

Lot # 24

Pt. Bk./Folio # 016004C

5302

PAI # 110008

Lot # 26

1113056980

I # 110008

5220

Lot # 27

1113041301

5218

Pt. Bk. 0000016, Folio 0004

1108067001

R-1950-1765 03038077

Lot # 13A

R-1951-2129

1122000820

Lot # B

5300

111307790



Baftis & Associates, Inc.

Civil Engineers / Land Planners / Surveyors
1249 Engleberth Rd. Baltimore, Md. 21221

410-391-2336

LETTER OF TRANSMITTAL
TO: ZONING SUBMISSION
(VARIANCE REQUEST)

DATE: FEBRUARY 6, 2018

REF: #5219 FORGE ROAD

WE ARE SENDING:

- ☐ ORIGINAL TRACING(S)
☐ SEPIA TRANSPARENCIES
☐ PHOTOSTAT(S)
☐ SKETCH(ES)

☐ HEREWITH

- ☐ BLACK LINE PRINT(S)
☒ BLUE LINE PRINT(S)
☐ SHOP DRAWING(S)
☐ SPECIFICATIONS

☐ UNDER SEPARATE COVER

- ☐ PHOTOGRAPH(S)
☒ LETTER(S)
☐ SAMPLE(S)
☐ ESTIMATE(S)
☐ REPORT(S)
☐ MAP(S)
☐ AGREEMENT(S)
☐ AS NOTED BELOW

PREPARED BY: _____

APPROVED: _____

THESE ARE FORWARDED:

- ☒ AS REQUESTED
☐ FOR APPROVAL
☐ FOR COMMENT
☐ FOR PAYMENT

- ☐ FOR CORRECTIONS
☐ FOR CONSTRUCTION
☐ YOUR INFORMATION
☐ AS NOTED BELOW

- ☐ REVIEWED AND ACCEPTED
☐ REVIEWED AND ACCEPTED AS NOTED
☐ REVIEWED AND RETURNED FOR REVISION

DRAWINGS NO.	NO. OF COPIES	LATEST DATE	DESCRIPTION
	3 COPIES		PETITION FOR ZONING VARIANCE
	3 COPIES		ZONING DESCRIPTION FOR PART OF LOT 1
	3 COPIES		ZONING DESCRIPTION FOR NEW LOT
	1 COPY		ADVERTISING FORM
	12 COPIES		SITE PLAN
	1 CHECK		SUBMISSION FEE

SENT VIA:

- ☐ SPECIAL DELIVERY
☐ CERTIFIED MAIL
☐ FIRST CLASS MAIL

- ☐ AIR MAIL
☐ PARCEL POST
☐ BUS

- ☐ YOUR MESSENGER
☒ OUR MESSENGER
☐ UNITED PARCEL

- ☐ EXPRESS
☐ INSURED
☐ AS NOTED BELOW

NOTES: _____

Very truly yours,

Copy To: Tin Kotroch

WILLIAM N. BAFTIS, P.E.

Sherry Nuffer

From: John E. Beverungen
Sent: Wednesday, March 14, 2018 9:03 PM
To: Tim Kotroco
Cc: Sherry Nuffer; Debra Wiley
Subject: Fw: Forge Road Hearing

Mr. Kotroco,

I am forwarding to your attention a copy of an e-mail that was sent to me concerning a zoning hearing scheduled for this Friday, in which you represent the Petitioner.

A copy of this e-mail will also be included in the case file.

John Beverungen
ALJ

From: Pluemer, Greg <gpluemer@cbmove.com>
Sent: Tuesday, March 13, 2018 4:44 PM
To: John E. Beverungen
Cc: brazilfam@comcast.net
Subject: Forge Road Hearing

I was going to be coming to the Forge Road hearing this Friday except an appointment with my job is preventing me from doing so. I am a 30 year real estate agent who has lived in this community most of my life. The same restrictions of 20,000 sq. ft. per house has been upheld since my family moved here in 1961. The entire neighborhood would undergo a vast change should the ruling here allow lesser sq. ft. per dwelling. I also, believe it would lower the value of the area if such a dynamic were permitted.

Gregg Pluemer
Coldwell Banker Residential Brokerage
Cell- 410-967-4567
Office- 410-515-2000
gpluemer@cbmove.com
www.RealEstateByGregg.com

***Wire Fraud is Real*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.**

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3/1</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO Comment</u>
<u>2/15</u>	DEPS (if not received, date e-mail sent _____)	<u>NO Comment</u>
_____	FIRE DEPARTMENT	_____
<u>3/5/18</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO objection w/ conds.</u>
<u>2/14/18</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>3/10/18</u>	ADJACENT PROPERTY OWNERS <u>Kimberly Hewitt - Ayre</u>	<u>Opposed</u> <u>5300 Bush St.</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>2/22/18</u>	
SIGN POSTING	Date: <u>2/22/18</u> by <u>Altmeier</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Mc Ginnis

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Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 11 Account Number - 1123076340							
Owner Information									
Owner Name:		HALL SHARON K		Use:		RESIDENTIAL			
Mailing Address:		5219 FORGE RD PERRY HALL MD 21128-		Principal Residence:		YES			
				Deed Reference:		/10480/ 00632			
Location & Structure Information									
Premises Address:		5219 FORGE RD PERRY HALL 21128-		Legal Description:		LT 1 PT 2 5219 FORGE RD SS FORGE ACRES			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0073	0001	0341		0000		M	1	2018	Plat Ref: 0014/0088
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1953		896 SF				36,309 SF		04	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
1	YES	STANDARD UNIT		SIDING	1 full	1 Detached			
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2018		07/01/2017		07/01/2018	
Land:		92,800		92,800					
Improvements		98,700		106,400					
Total:		191,500		199,200		191,500		194,067	
Preferential Land:		0						0	
Transfer Information									
Seller: HALL JAMES S,JR				Date: 04/21/1994		Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /10480/ 00632		Deed2:			
Seller: RAULERSON JIMMIE M				Date: 10/07/1977		Price: \$45,500			
Type: ARMS LENGTH IMPROVED				Deed1: /05811/ 00582		Deed2:			
Seller:				Date:		Price:			
Type:				Deed1:		Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2017		07/01/2018			
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: Approved 07/28/2014									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application Date:									

Sherry Nuffer

From: John E. Beverungen
Sent: Thursday, March 08, 2018 10:18 AM
To: Sherry Nuffer; Debra Wiley
Subject: FW: 5219 Forge Rd

Looks like this hearing is next week. Please put this email in the file. Thanks.

From: kimberlyahewitt@aol.com [mailto:kimberlyahewitt@aol.com]
Sent: Wednesday, March 07, 2018 5:44 PM
To: John E. Beverungen <jbeverungen@baltimorecountymd.gov>
Subject: 5219 Forge Rd

The Honorable John E. Beverungen
Administrative Law Judge
Jefferson Building
Towson MD 21204

March 6, 2018

RE: Case 2018-0201-SPH

5219 Forge Rd
Perry Hall, MD 21128

Dear Judge Beverungen,

I am writing on behalf of the above mentioned special hearing request. I have owed my home in this community for a little over 7 years. I moved here because of the aesthetics of the neighborhood, the fact that it wasn't like all of the cookie cutter neighborhoods popping up in this area.

I am strongly against granting approval for developing this undersized lot. Allowing this will pave the way for future development of the existing undersized lots, which we, the community, do not want.

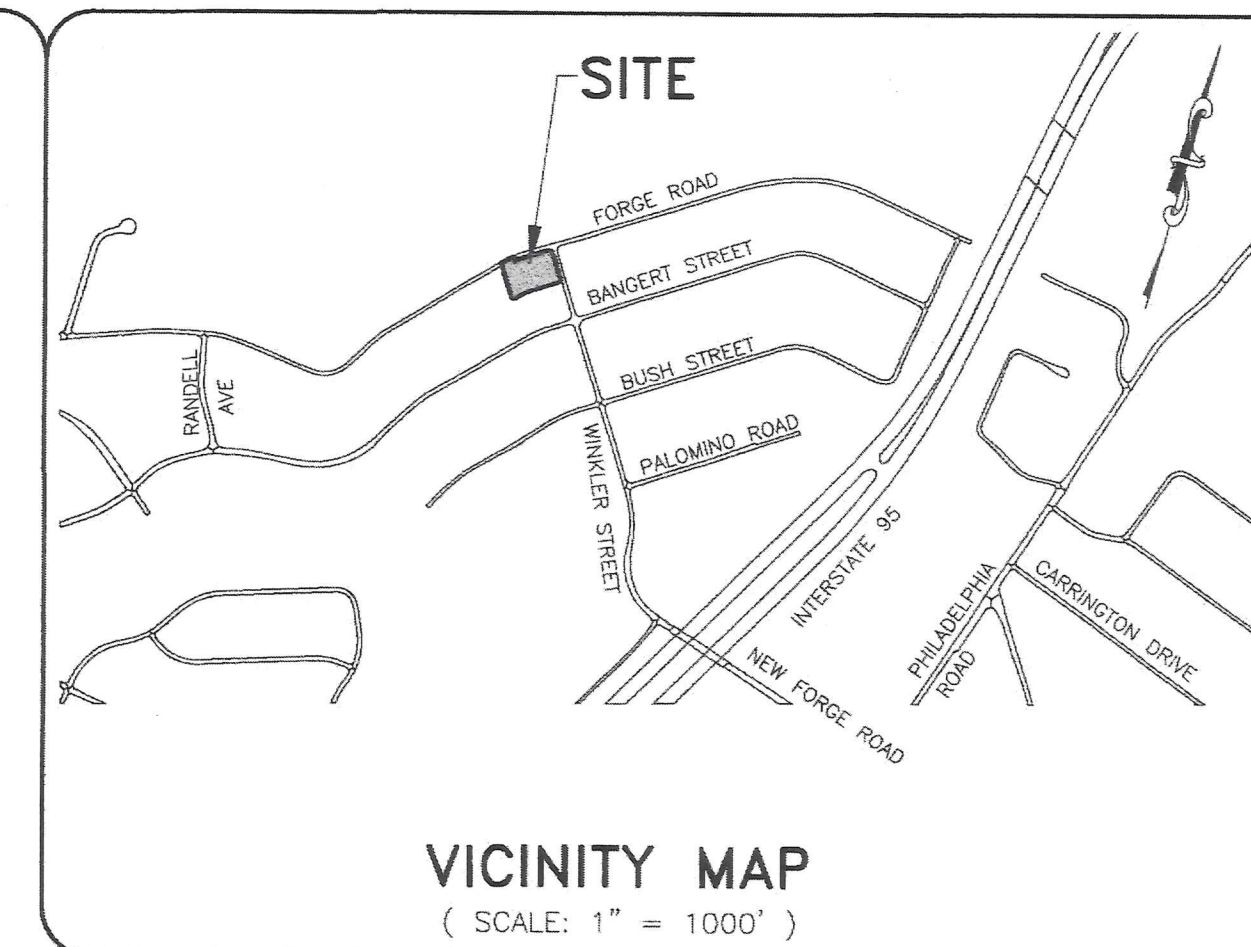
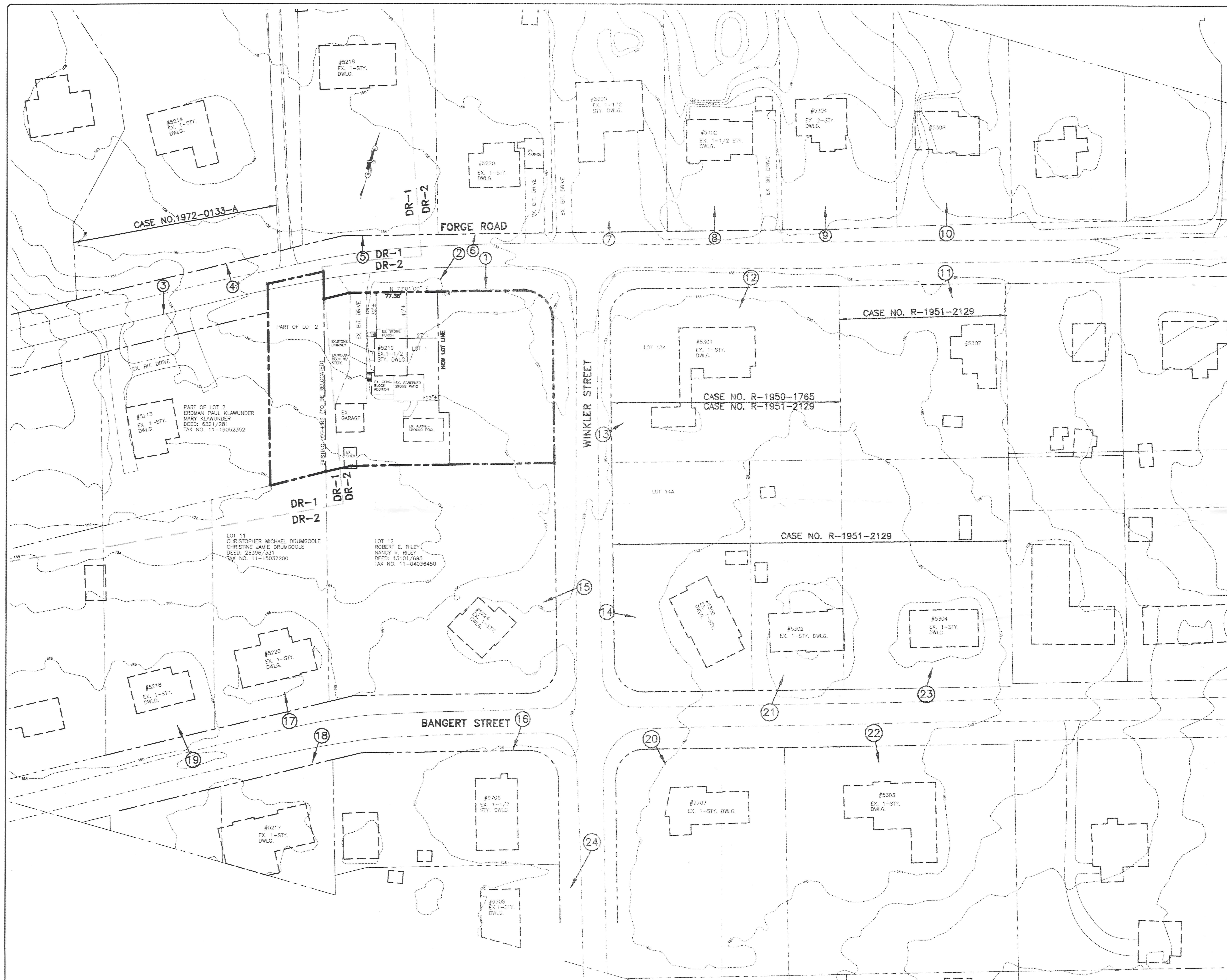
The lot across the street from me, 5301 Bush St., came through your court room and was denied variances to develop two houses on an undersized lot July of last year. It is my understanding that there will be an appeal on this property as well.

Please consider our community's input and our love for our neighborhood to not allow undersized lots to be developed.

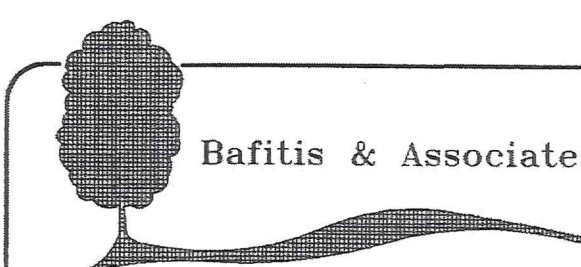
Thank you for your time and consideration



Kimberly Hewitt-Ayre
200 Bush St
White Marsh MD 21162
410-245-4255



PETITIONER'S
EXHIBIT NO. 10

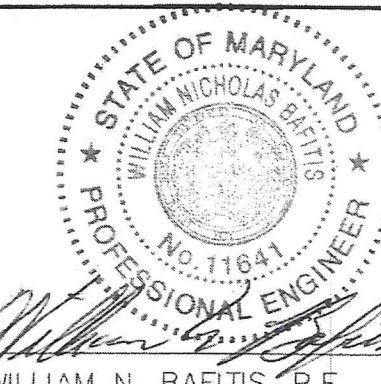


Bafitis & Associates, Inc.
1249 Engleberth Rd. Baltimore, MD 21221
(410) 391-2336

William N. Bafitis, P.E.
PRESIDENT
Civil Engineers/Land Planners
SURVEYORS

**PHOTOGRAPH PLAN
FOR
#5219 FORGE ROAD**

11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



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 No. 11641 Expiration Date: 09/09/2019

NO.	REVISIONS	DATE
	ADDED ZONING CASES FOR NEIGHBORHOOD	03/14/18

SCALE:
1" = 40'
JOB ORDER NO:
21718
DATE:
10/30/17
CHECKED:
W.N.B.
DRAWN:
N.W.B.

1

SHEET 1 OF 1

BUILDING AND/OR USE PERMIT APPLICATION

ADDRESS: 5221 FORGE ROAD
PROPOSAL: SECTION 304.2 – UNDERSIZED LOT
APPROVAL. TO BUILD A SINGLE FAMILY
DWELLING ON A LOT OF 14,467 SQ. FT.

PUBLIC HEARING?

PURSUANT TO THE BALTIMORE COUNTY ZONING REGULATIONS,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
HEARING CONCERNING THE PROPOSAL, PROVIDED THE REQUEST
FOR HEARING IS RECEIVED IN THE ZONING REVIEW OFFICE BEFORE

4:30 P.M. ON DECEMBER 1, 2017

THE REQUEST FOR HEARING MUST ALSO REFERENCE THE ADDRESS
ON THIS SIGN. ADDITIONAL INFORMATION IS AVAILABLE AT THE
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS, ZONING
REVIEW OFFICE, COUNTY OFFICE BUILDING, LOCATED AT
111 W. CHESAPEAKE AVE., TOWSON, MD. 21204
PHONE: (410) 887- 3391.

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

HANDICAPPED ACCESSIBLE



corner of Bust St + Winkley

24,034 sq ft

Built 2017



5300 Forge Rd

1.59 acres

Built 2014



S214 Forge Rd.

1.67 acres

Built 1971



5302 Forge Rd

34,413 Sq ft.

Built 2003



5304 Fargo Rd

1.49 acres

Built 2008



5311 Yerge Rd.

20,000 sq ft

Built 2003



S214A Forge Rd

40,075 acres

Built 2013

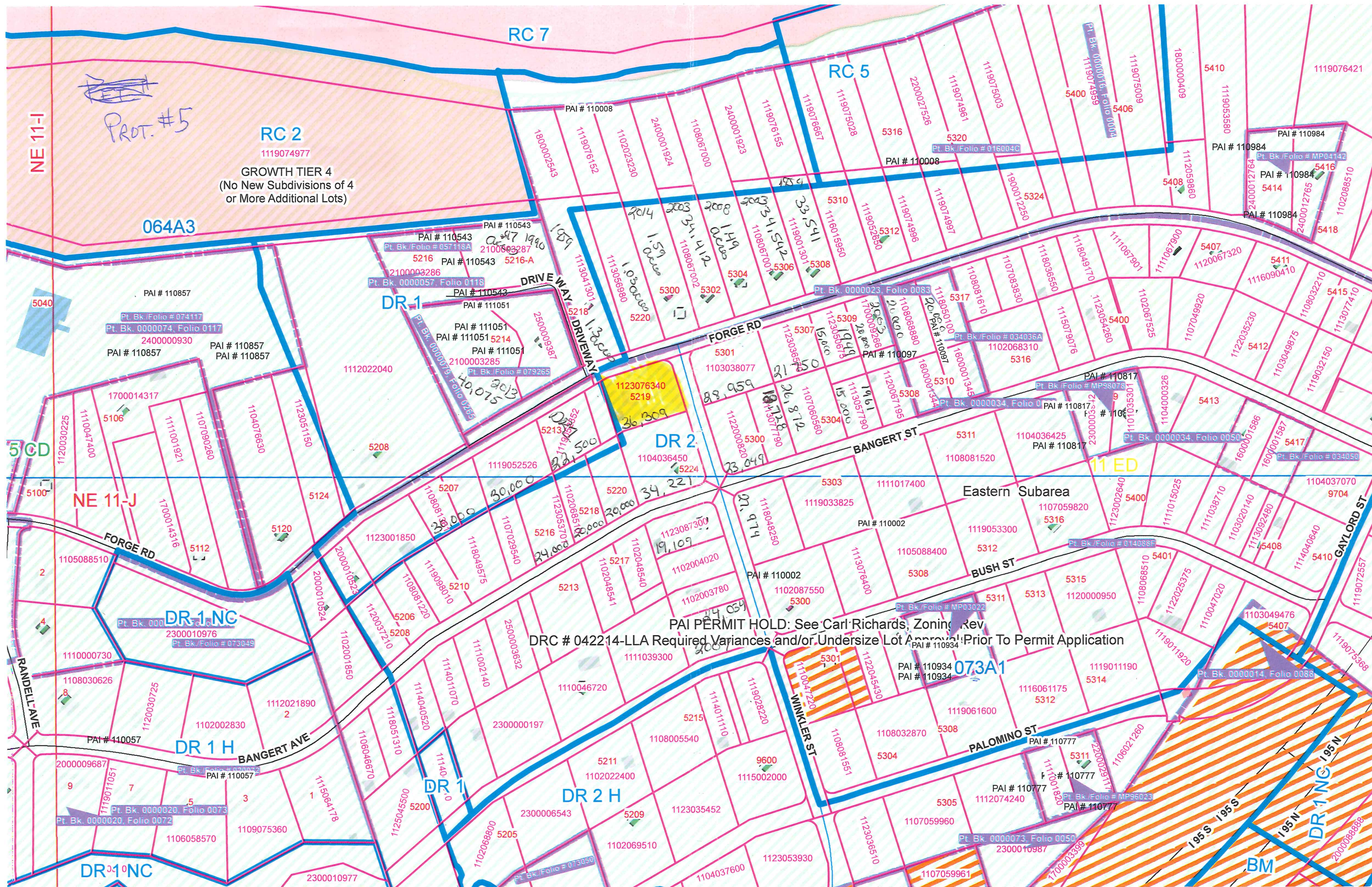


Prot. #2

5306 Forge Rd

33,541 sq ft

Built 2003





NOTES

- Topography shown hereon was taken from Baltimore County GIS Topography & Updated by field survey. (SEPTEMBER 2017)
- The Firm Insurance Rate Map, 240010-0295 G indicates this is situated within flood Zone X.
- Property lines shown hereon were established by public information.
- This site is not situated within the Chesapeake Bay Critical Areas.
- There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
- There are no forest or developed woodlands on this site.
- There are No Tidal & Non-Tidal Wetlands shown on this site.
- There is no significant plant or animal habitat on this site.
- There are no slopes greater than 15% on this site.
- There are no known wells on this site.
- There are no known underground storage tanks or septic systems on this site.
- There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
- There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
- Public Water and sewer serve this site.
- Caution underground utilities may exist in Forge Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
- Proposed dwelling height < 35'.

ZONING HISTORY

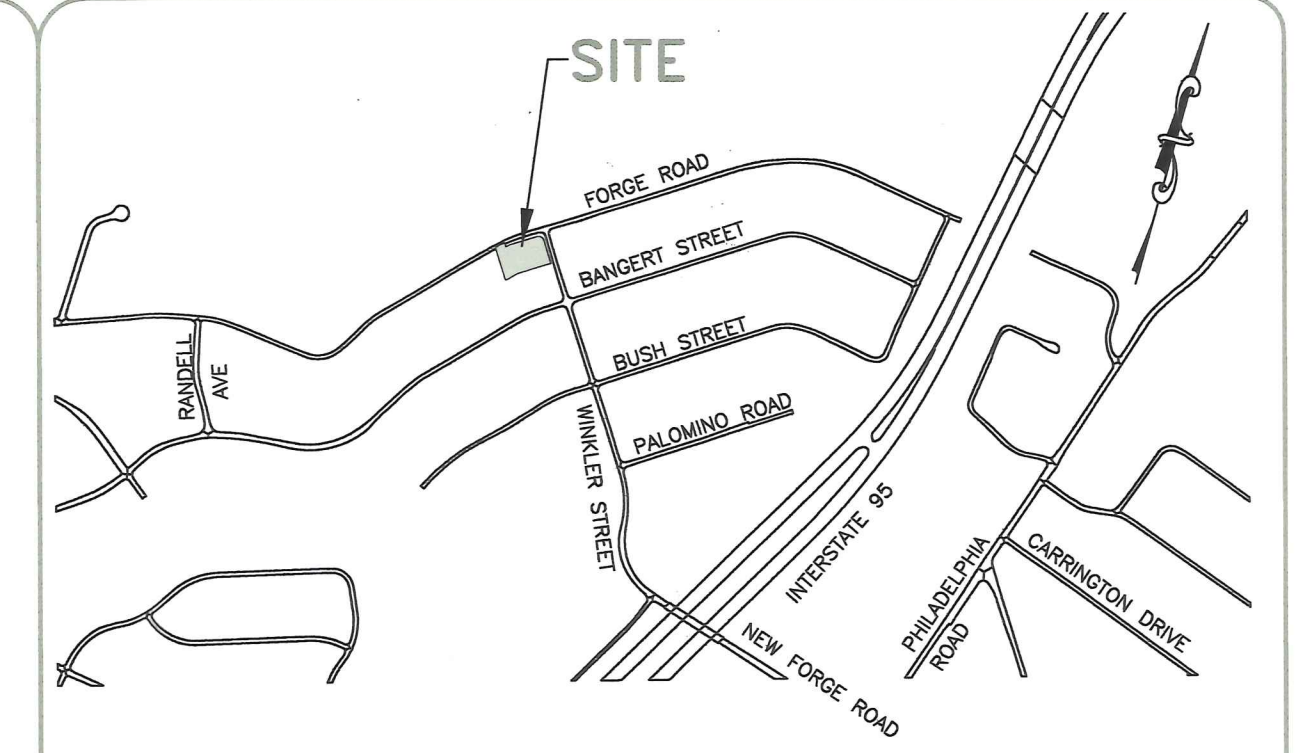
THERE ARE NO CASES FOR THIS SITE.

ZONING REQUEST

ZONING HEARING REQUEST

TO APPROVE THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING ON AN UNDERSIZED LOT (16,000 S.F. IN LIEU OF 20,000 S.F.) PURSUANT TO SECTION 304 AND DENSITY WILL NOT BE AFFECTED.

AND, FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CAUSE MAY REQUIRE



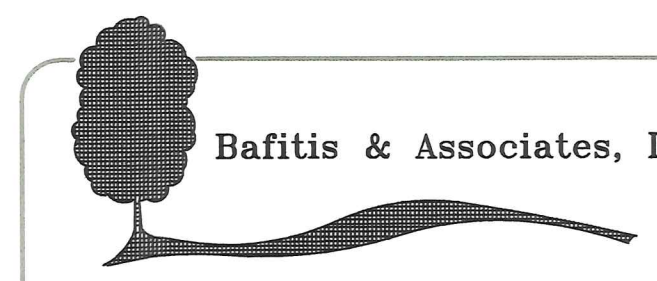
VICINITY MAP
(SCALE: 1" = 1000')

SITE DATA

- OWNER: SHARON K. HALL
#5219 FORGE ROAD
PERRY HALL, MARYLAND 21128
- DEED REF: 10480/632
- TAX ACC. NO.: 11-23076340
- TAX MAP: 73 PARCEL: 341 BLOCK: M LOT: 1 & PART OF LOT 2
- PLAT REF: PLAT OF FORGE ACRES BOOK 14 BOOK 88
- ELECTION DISTRICT: 11TH
- COUNCILMANIC DISTRICT: 5TH
- REGIONAL PLANNING DISTRICT: 317B
- CENSUS TRACT: 4113.02
- ZONING: DR-1 & DR-2
- ZONING MAP: 064A3
- USE: EXISTING: RESIDENTIAL, 1-1/2 STORY DWELLING
PROPOSED: RESIDENTIAL LOT LINE ADJUSTMENT
- SITE AREAS:

GROSS AREAS	
NEW LOT 1	24,048 S.F. OR 0.552 AC.
NEW PART OF LOT 1	24,393 S.F. OR 0.560 AC.
TOTAL	48,441 S.F. OR 1.112 AC.

NET AREAS	
NEW LOT 1	22,293 S.F. OR 0.512 AC.
NEW PART OF LOT 1	16,000 S.F. OR 0.367 AC.
TOTAL	38,293 S.F. OR 0.879 AC.



Bafitis & Associates, Inc.

William N. Bafitis, P.E.
PRESIDENT

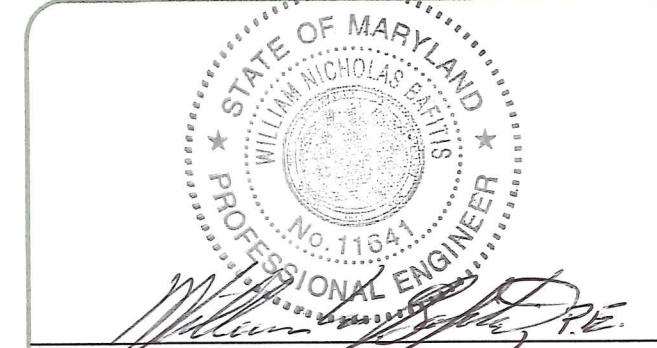
Civil Engineers/Land Planners
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

(410) 391-2336

SITE PLAN FOR LOT LINE ADJUSTMENT FOR UNDERSIZED LOT @ #5219 FORGE ROAD

11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



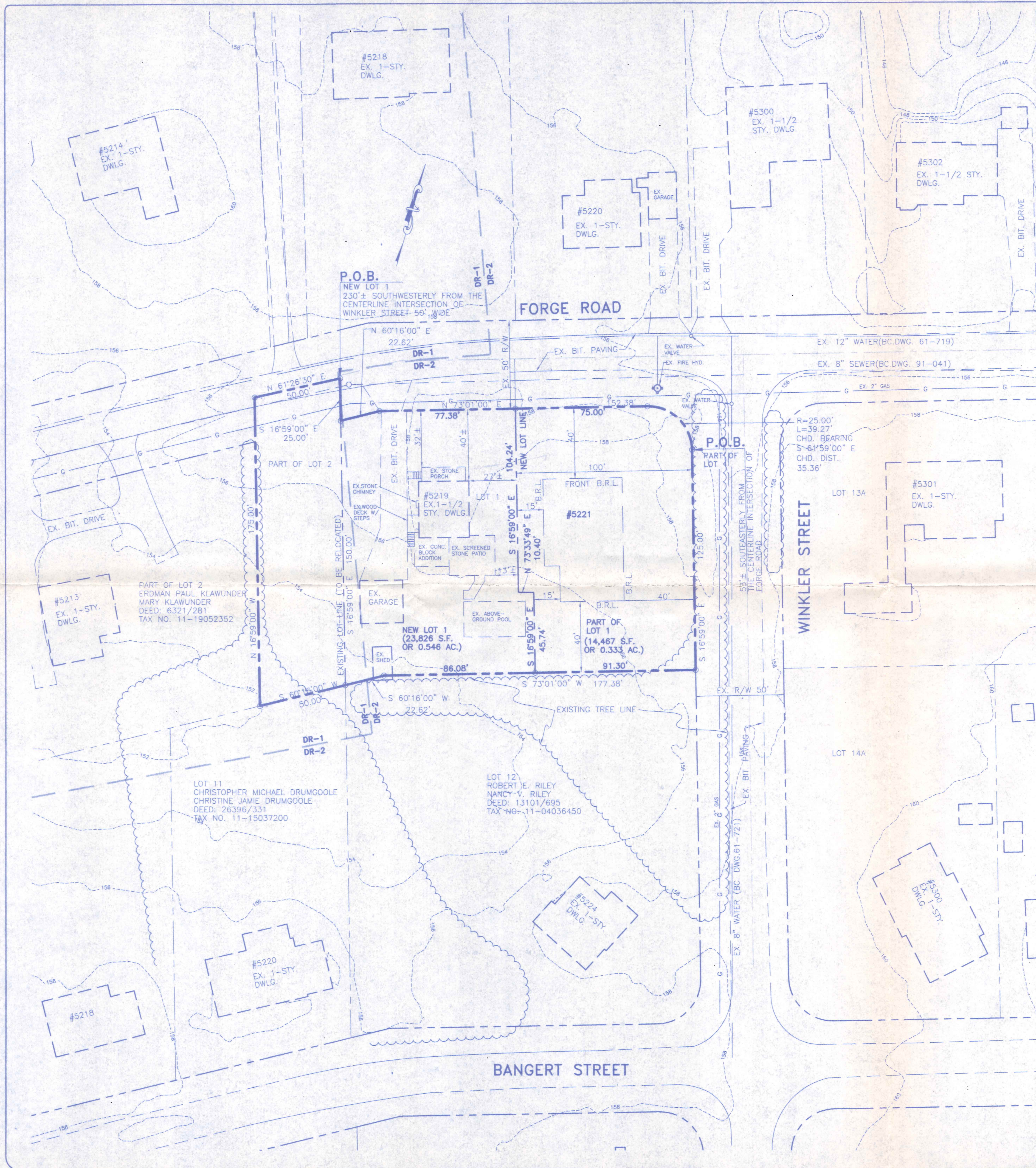
WILLIAM N. BAFITIS, P.E.
Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 11641 Expiration Date: 09/09/2019

1

SHEET 1 OF 1

NO.	REVISIONS	DATE
	REVISED PER LAW JUDGES COMMENTS	04/09/18

RECEIVED
APR 09 2018
OFFICE OF
ADMINISTRATIVE HEARINGS



NOTES

1. Topography shown hereon was taken from Baltimore County GIS Topography & Updated by field survey (SEPTEMBER 2017).
2. The Firm Insurance Rate Map, 240010-0295 G indicates this is situated within flood Zone X.
3. Property lines shown hereon were established by public information.
4. This site is not situated within the Chesapeake Bay Critical Areas.
5. There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
6. There are no forest or developed woodlands on this site.
7. There are No Tidal & Non-Tidal Wetlands shown on this site.
8. There is no significant plant or animal habitat on this site.
9. There are no slopes greater than 15% on this site.
10. There are no known wells on this site.
11. There are no known underground storage tanks or septic systems on this site.
12. There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
13. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
14. Public Water and sewer serve this site.
15. Caution underground utilities may exist in Forge Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
16. Proposed dwelling height < 35'.

ZONING HISTORY

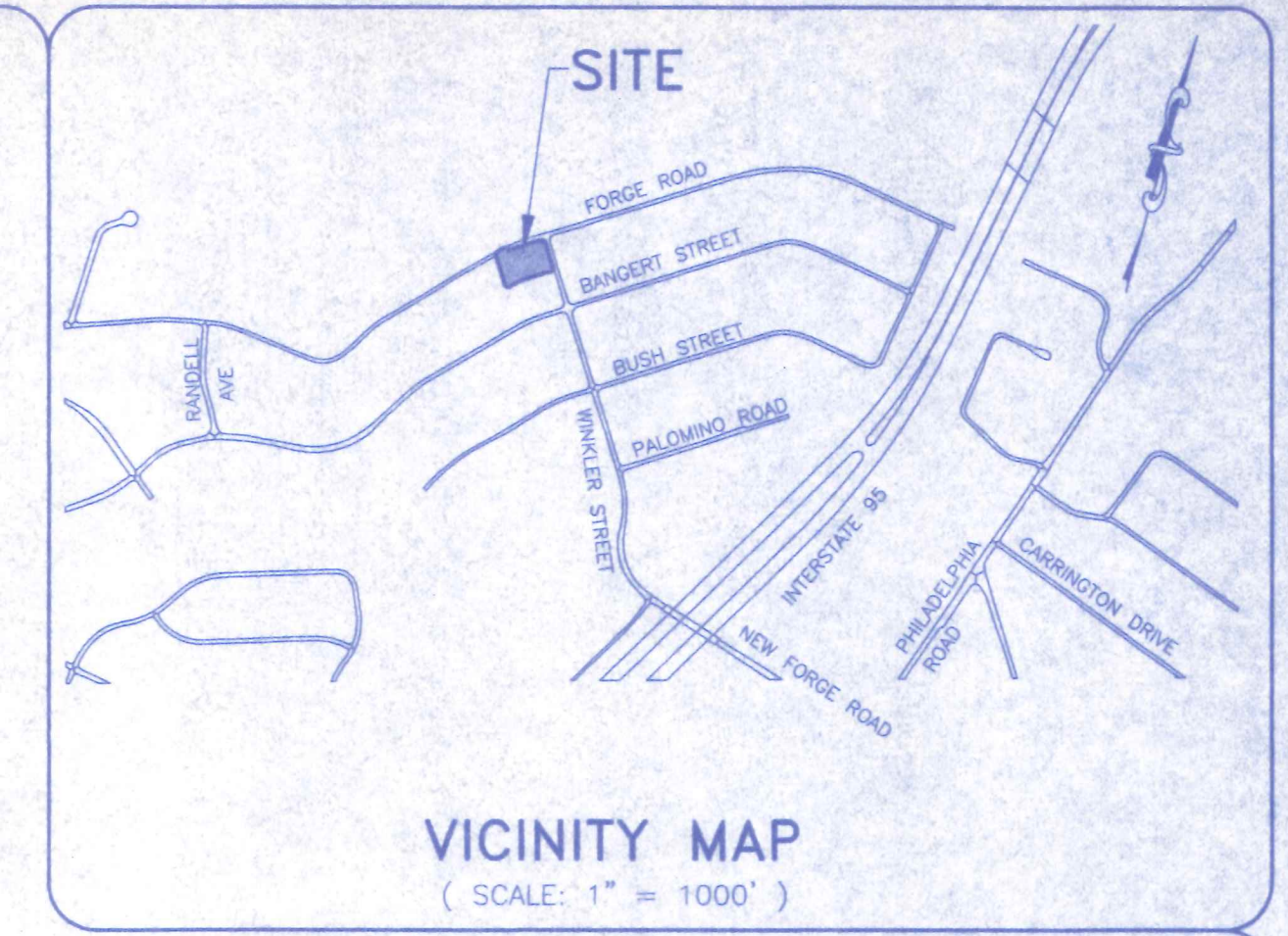
THERE ARE NO CASES FOR THIS SITE.

ZONING REQUEST

ZONING HEARING REQUEST

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AND, FOR SUCH OTHER AND FURTHER RELIEF AS THE NATURE OF THIS CAUSE MAY REQUIRE



VICINITY MAP
(SCALE: 1" = 1000')

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- 1) OWNER: SHARON K. HALL
#5219 FORGE ROAD
PERRY HALL, MARYLAND 21128
- 2) DEED REF: 10480/632
- 3) TAX ACC. NO.: 11-23076340
- 4) TAX MAP: 73 PARCEL: 341 BLOCK: M LOT: 1 & PART OF LOT 2
- 5) PLAT REF: PLAT OF FORGE ACRES BOOK 14 BOOK 88
- 6) ELECTION DISTRICT: 11TH
- 7) COUNCILMANIC DISTRICT: 5TH
- 8) REGIONAL PLANNING DISTRICT: 317B
- 9) CENSUS TRACT: 4113.02
- 10) ZONING: DR-1 & DR-2
- 11) ZONING MAP: 064A3
- 12) USE: EXISTING: RESIDENTIAL, 1-1/2 STORY DWELLING
PROPOSED: RESIDENTIAL LOT LINE ADJUSTMENT
- 13) SITE AREAS:

GROSS AREAS	
NEW LOT 1	26,561 S.F. OR 0.610 AC.
NEW PART OF LOT 1	21,880 S.F. OR 0.502 AC.
TOTAL	48,441 S.F. OR 1.112 AC.
NET AREAS	
NEW LOT 1	23,826 S.F. OR 0.546 AC.
NEW PART OF LOT 1	14,467 S.F. OR 0.333 AC.
TOTAL	38,293 S.F. OR 0.879 AC.
- 14) DENSITY: DR-1 & DR-2 = 2.0 LOTS



Bafitis & Associates, Inc.

William N. Bafitis, P.E.
PRESIDENT

Civil Engineers/Land Planners
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

(410) 391-2336

SITE PLAN FOR LOT LINE ADJUSTMENT FOR UNDERSIZED LOT @ #5219 FORGE ROAD

11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



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 No. 11641 Expiration Date: 09/09/2019

SHEET 1 OF 1

SCALE:
1" = 30'
JOB ORDER NO:
21718
DATE:
01/29/18
CHECKED:
W.N.B.
DRAWN:
N.W.B.

NO.	REVISIONS	DATE

PET. EX. 1