MEMORANDUM

DATE:

November 19, 2018

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0045-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 16, 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.'

/dlw

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *

BEFORE THE

(1 William Court)

8th Election District

3rd Council District

Lenore R. Rudick

Petitioner

HEARINGS FOR

OFFICE OF ADMINISTRATIVE

BALTIMORE COUNTY

CASE NO. 2019-0045-A

* * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Lenore R. Rudick ("Petitioner"). The Petitioner is requesting Variance relief pursuant to § 1A01.3.B.3 of the Baltimore County Zoning Regulations ("BCZR") to permit a rear yard addition with a side street setback of 32 ft. in lieu of the minimum required 35 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

It is to be noted that this administrative variance case closed on September 3, 2018 but was not received by OAH until October 16, 2018; the whereabouts of the case file between these dates is unknown.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on August 18, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

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The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

THEREFORE, IT IS ORDERED, this <u>17th</u> day of **October**, **2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A01.3.B.3 of the Baltimore County Zoning Regulations ("BCZR") to permit a rear yard addition with a side street setback of 32 ft. in lieu of the minimum required 35 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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.

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

2

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

ORDER	RECEIVED FOR FILING	
Date	10-17-18	
Ву		



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 WILLI Deed References: 3	6501/0168	SPARK	10 Digit Tax Account # 2 1 00 0 0 8 6 3 8
	Property Owner(s) Prin	nted Name(s)	ENOR	E RUTH PUDICK
(SEL	ECT THE HEARING(S) BY I	MARKING X AT THE A	PPROPRI	ATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The und				altimore County and which is described in the description a part hereof, hereby petition for:
	pecial Hearing under E Zoning Commissione		e Zoning	Regulations of Baltimore County, to determine whether
		4 7 - 5	I - 4'	
		er the Zoning Regul	lations o	f Baltimore County to use the herein described property for
ministati				
3 a V	ariance from Section(s			
77		mit a rear yard add	dition w	ith a side street setback of 32 feet in lieu of the minimum
	required 35 feet.			
(Indicate you need	e below your hardship d additional space, you e AHAM me	or practical difficulties and the second sec	culty <u>or</u> schment	
I, or we, agree and restriction Legal Owner	s of Baltimore County adopte	etition(s), advertising, po ed pursuant to the zoning solemnly declare and af	osting, etc g law for B	and further agree to and are to be bounded by the zoning regulations
Contract P	urchaser/Lessee:			Legal Owners (Petitioners):
				LIENORER RUDICK,
Name- Type o	or Print			Name #1 - Type or Print Name #2 - Type or Print
Signature				Signature #1 Signature #2 WILLIAM COURT SPARKS MD
Mailing Addres	ss City	Stat	e	Mailing Address City State 21152 , 410-375-4557 LENORERUTH GYAHOUL
Zip Code	/ Telephone #	/ Email Address		Zip Code Telephone # Email Address
Attornov fo	or Petitioner: FOR		- Milion	Representative to be contacted:
Attorney it	Tellioner D	8	A STATE OF THE PARTY OF THE PAR	BRIAN RUDILK
Name- Type o	Telephone # or Petitioner:			Name - Type or Print
				Signature
Date	3/			I WILLIAM COURT SPAPLES MD
Mailing Address	City	State	Δ.	Mailing Address City State

Filing Date 8,10, 18 CASE NUMBER 2019 - 0045 -Do Not Schedule Dates:

Affidavit in Support of Administrative Variance

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

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

Address: WILLIAM COURT Print or Type Address of property	SPARKS	MALYLAND State	21152
Print or Type Address of property	City	State	Zip Code
Based upon personal knowledge, the follow Administrative Variance at the above address	ing are the facts ss. (Clearly stat	upon which I/we base e practical difficulty o	the request for an or hardship here)
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			ALMAN AND AND AND AND AND AND AND AND AND A
(If additional space for the petition request or	the above stateme	ent is needed, label and a	ttach it to this Form)
Signature of Owner (Affiant)	S	ignature of Owner (Affiant)	
LENORE R. RUDTCK	_		
Name- Print or Type	N	ame- Print or Type	
The following information is to be o	ompleted by a No	tary Public of the State of	Maryland
STATE OF MARYLAND, COUNTY OF BAI			
I HEREBY CERTIFY, this day of and for the County aforesaid, personally appear	August,	20 8 , before me a N	otary of Maryland, in
Print name(s) here: Legor R, Ruduh		WAN J. RUDIS	11,
the Affiant(s) herein, personally known or satisfa	actorily identified t	o me as such Affiant(s),	· (1)
the Affiant(s) herein, personally known or satisfa AS WITNESS my hand and Notaries Seal Notaries	Mildel	PUBLIC	ZAND
Nota	ry Public	1-10-20Th	81
	commission Expire	16	,4:

HARDSHIP OR PRACTICAL DIFFICULTY STATEMENT FOR LENORE R. RUDICK

My son, daughter-in-law, and two grandchildren moved into our house to help care for my husband and myself. Unfortunately, my husband past away, after a 2 ½ year battle with cancer, and if it was not for my son and daughter-in-law and grandchildren living with me! do not know if I would still be alive today. My children have remained in the house to help care for me. I am getting older and need their assistance. Presently, my grandson has one bedroom, my granddaughter has another one, and I have the third one. My son and daughter-in-law live in the basement. I want to build this addition to add an additional bedroom upstairs, and expand the kitchen for my son and daughter-in-law. From what I understand, my property was originally zoned as RC5 and now has been changed to RC2. My house is now too close to York Road, even though we have lived her for 25 years. The addition would come off the back of the house and stay in line with the present outside wall that is already there. I am asking for a variance to be granted, so that we can put the addition onto the back of the house. We priced putting the addition elsewhere on the house, but this would then entail structural and foundational issues. These issues would cause this project to be a financial hardship. We have already been approved by our HOA to have an addition attached to the back of the house as an extension of the existing outer house wall as indicated in the drawings.

This addition is not just a "nice to do" project. The basement is not appropriate as a fulltime bedroom. It is windowless and has poor air circulation. My son has severe allergies and a sleep condition that makes it unhealthy to sleep there long term. Without this addition, I could lose the support of my son and his family on a daily basis as they would need to a move to a house more appropriate to their needs. Please approve this for me. Thank you.

ZONING PROPERTY DESCRIPTION FOR 1 WILLIAM COURT, SPARKS, MD 21152

Part A:

Beginning at a point on the south side of William Court which is 50 feet wide at a distance of 105 feet west of the centerline of the nearest improved intersecting street York Road which is 70 feet wide.

PART B:

BEING KNOWN AND DESIGNATED as Lot No. 1, as shown on the Plat entitled, "MORGAN MANOR, SECTION 2", which Plat is recorded among the Land Records of Baltimore County in Plat Book S.M. No. 59, folio 88. The improvements thereon being known as No. 1 William Court.

Being the same lot and parcel of ground which by deed dated September 21, 1992, and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. No. 9408, folio 663, from Morgan Manor Joint Venture to Stanley J. Rudick and Lenore R. Rudick, his wife, the Grantor herein. The said Stanley J. Rudick having departed this life on January 3, 2015.

Debra Wiley

From:

John Altmeyer <jaltmeyer@aol.com> Tuesday, August 28, 2018 8:50 PM

Sent: To:

Administrative Hearings

Subject:

2nd Certificate of Posting 1 William Ct 2019-0045-A

Attachments:

Scan.pdf

RECEIVED

AUG 2 8 2018

OFFICE OF ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

Date: 08/18/2018 & 08/28/2018

RE:	Project Name: _	Administrative Variance				
	Case Number /P	Al Number: 2019-0045-A				
		Petitioner/Developer: Lenore R. Rudick				
	Date of Hearing/	Date of Hearing/Closing: 09/03/2018				
		under the penalties of perjury that the necessary sign(s) required by lausly on the property located at 1 William Court				
	The sign(s) were	posted on 08/18/2018 & rechecked 08/28/2018				

ZONING NOTICE

ADMINSTRATUE

VARIAN COURT

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OF THE MINIMUM REQUIRED 35 FEET.

PUBLIC HEARING?

PUBLIC

(Month, Day, Year)

John M. Altmeyer

(Printed Name of Sign Poster)

(Signature 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)

RECEIVED

AUG 2 8 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTING

Date: 08/18/2018 & 08/28/2018

RE: Project Name:Administrative Variance Case Number /PAI Number: 2019-0045-A Petitioner/Developer: Lenore R. Rudick Date of Hearing/Closing: 09/03/2018 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 1 William Court			
	ks, MD. 21152		
	The sign(s) were posted on _08/18/2018	& rechecked 08/28/2018	
	The sign(s) were posted on	(Month, Day, Year)	
		John M. Altmeyer (Printed Name of Sign Poster) 21722 Orwig Rd.	
	Z CASE CASE CASE To Per A SIDE 9 OF THE PUBSUANT	(Street Address of Sign Poster)	
HANDIC	ADI	Freeland, MD. 21053 (City, State, Zip Code of Sign Poster)	
NDICAPPED ACCESSIBLE	ING NOTICE MINISTRATIVE PANCE ILLIAM COURT 2019-0045-A 2019-0045-A REAR YARD ADDITION WITH SETBACK OF 32 FEET IN LIEU M REQUIRED 35 FEET. ILIC HEARING? 36-127 DAYN, MATTHOUSE COUNTY CIMES LL OR GROUP MAY DEPOSE TO MUSICAL THE PROPOSED THE PROPO	410-382-6580	
	OTICE E OTICE E OTICE I OTICE	(Telephone Number of Sign Poster) RECEIVED	
		AUG 2 8 2018 OFFICE OF ADMINISTRATION HEAPINGS	

RE: PETITION FOR VARIANCE

1 William Court; SW corner of the intersection
Of William Court and York Road

8th Election & 3rd Councilmanic Districts
Legal Owner(s): Lenore R. Rudick

Petitioner(s)

** BEF

OF A

** BEF

1 William Court; SW corner of the intersection
OF A

** PETITION FOR VARIANCE

** BEF

1 William Court; SW corner of the intersection
OF A

** PETITION FOR VARIANCE

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1 William Court; SW corner of the intersection
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1 William Court; SW corner of the intersection
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** PETITION FOR VARIANCE

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1 William Court; SW corner of the intersection
OF A

** PETITION FOR VARIANCE

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BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2019-045-A

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.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Cante S Demlie

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

AUG 23 2018

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of August, 2018, a copy of the foregoing Entry of Appearance was mailed to Brian Rudick, 1 William Court, Sparks, Maryland 21152, Representative for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater Administrator

Date: 8/20/18

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. 2019-0045-A

Lenove R. Rudick I Williams Court

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

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:

August 27, 2018

SUBJECT:

DEPS Comment for Zoning Item

2019-0045-A

Address

1 William Court (Rudick Property)

Zoning Advisory Committee Meeting of August 27, 2018.

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

Reviewer:

Steve Ford

Sign 1

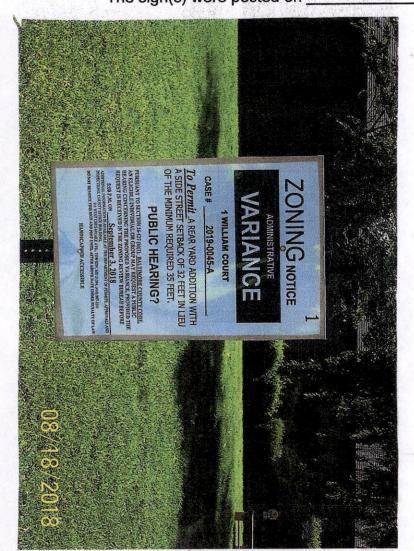
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Date: 08/18/2018

RE:	Project Name:	Administrative Variance
	Case Number /PAI Num	ber: 2019-0045-A
	Petitioner/Developer: Le	
	Date of Hearing/Closing:	

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 1 William Court
Sparks, MD. 21152-9400

The sign(s) were posted on 08/18/2018



(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)

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CERTIFICATE OF POSTING

Date: 08/18/2018

RE: Project Name: Administrative Variance

Case Number /PAI Number: 2019-0045-A

Petitioner/Developer: Lenore R. Rudick

Date of Hearing/Closing: 09/03/2018

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 1 William Court

Sparks, MD. 21152-9400

The sign(s) were posted on 08/18/2018



(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

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ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- OO 45 -A Address WILLIAM COURT, 21152
Contact Person: JASON SEIGELMAN Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 8 10 18 Posting Date: 8 19 18 Closing Date: 9/3/18
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2019- OO45 -A Address 1 WILLIAM COLAT
Petitioner's Name <u>Prock</u> Telephone <u>410 - 375 - 4557</u>
Posting Date: 8 19 18 Closing Date: 9 3 18
Wording for Sign: To Permit A REAR YARD ADDITION WITH A SIDE-STREET SETEACK
OF 32 PEET IN LIEU OF THE MINIMUM REQUIRES 35 FEET.
Revised 6/30/2019

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ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

:				
Case Number 2019- OO 45 -A Address I WILLIAM COURT, 2(152				
Contact Person: JASON SE (DELMAN Planner, Please Print Your Name Phone Number: 410-887-3391				
Filing Date: 8 10 18 Posting Date: 8 19 18 Closing Date: 9/3 18				
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.				
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.				
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(Detach Along Dotted Line)				
Petitioner: This Part of the Form is for the Sign Poster Only				
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT				
Case Number 2019- 0045 -A Address 1 WILLIAM COURT				
Petitioner's Name RVSICK Telephone 410-375-4557				
Posting Date: 8 19 18 Closing Date: 9 3 18				
Wording for Sign: To Permit A REAR YARD ADDITION WITH A SIDE-STREET SETBACK				
OF 32 FEET IN LIEU OF THE MINIMUM REQUIRES 35, FEET.				

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: <u>2019 - 0045 - A</u> Property Address: <u>I WILLIAM COURT</u> SPARKS MD 21152
Property Description:
Legal Owners (Petitioners): LENORE R. RUOTCK
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO: Name: BUTAN RUDICK
Company/Firm (if applicable):
Address: 1 WILLIAM COURT
SPARKS, MD 21152
Telephone Number: 443-956-6327

BALTIMORE COUNTY, MARYLAND	No. 172843	PATO RECEIPTS
MISCELLANEOUS CASH RECEIPT	40.41.404	BUSINESS ACTUAL TIME DRW
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CERTIFICATE OF POSTING

RE: Project Name: Administrative Variance

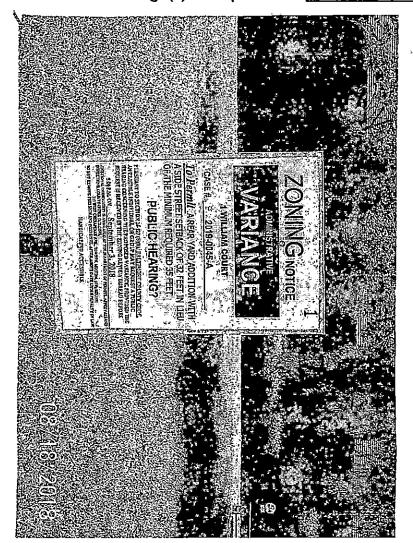
Case Number /PAI Number: 2019-0045-A

Petitioner/Developer: Lenore R. Rudick

Date of Hearing/Closing: 09/03/2018

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 1 William Court Sparks, MD. 21152-9400

The sign(s) were posted on 08/18/2018



(Month, Day, Year)

Date: 08/18/2018

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

Sign 2

CERTIFICATE OF POSTING

RE: Project Name: _______Administrative Variance.

Case Number /PAI Number: 2019-0045-A

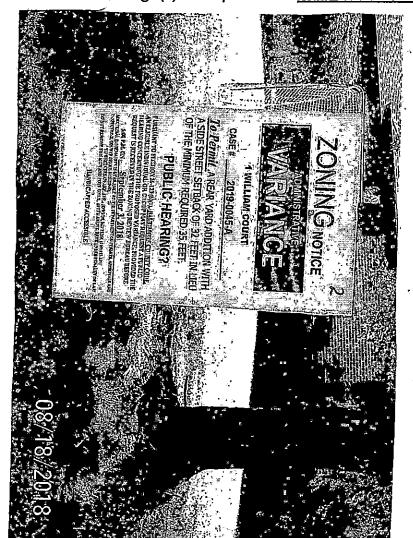
Petitioner/Developer: Lenore R. Rudick

Date of Hearing/Closing: 09/03/2018

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 1 William Court

Sparks, MD. 21152-9400

The sign(s) were posted on 08/18/2018



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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

CERTIFICATE OF POSTING

Date: 08/18/2018 & 08/28/2018

RE:	Project Name:	Administrative Variance
	Case Number /PAI Number: 201)19-0045-A
	Petitioner/Developer: Lenore R.	₹. Rudick
	Date of Hearing/Closing: 09/03/	
were	This is to certify under the penalt	lities of perjury that the necessary sign(s) required by law perty located at 1 William Court
Spa	rks, MD. 21152	
	The sign(s) were posted on 08/1	/18/2018 & rechecked 08/28/2018
		(Month, Day, Year)
		(Signature of Sign Poster)
		John M. Altmeyer (Printed Name of Sign Poster)
		21722 Orwig Rd.

Freeland, MD. 21053

(City, State, Zip Code of Sign Poster)

(Street Address of Sign Poster)

410-382-6580

CERTIFICATE OF POSTING

Date: 08/18/2018 & 08/28/2018

RE:	Project Name:	Admir	nistrative Variance		
KE.	Project Name: Administrative Variance Case Number /PAI Number: 2019-0045-A				
	Case Number /PAI N	umber: 2010 00407			
	Petitioner/Developer: Lenore R. Rudick				
	Date of Hearing/Closi	ng: 09/03/2018			
were	posted conspicuously		ury that the necessary sign(s) requed at 1 William Court	uired by law	
Spa	rks, MD. 21152				
	The sign(s) were post	ted on 08/18/2018 8	rechecked 08/28/2018		
grafia			(Month, Day, Year)		
FIRE					
Tanka			John M. alt	سب	
			(Signature of Sign Pos	ter)	
r Tille			John M. Altmeyer		
			(Printed Name of Sign Pos	ster)	
* ***			21722 Orwig Rd.		
			(Street Address of Sign Po	oster)	

410-382-6580

Freeland, MD. 21053

(Telephone Number of Sign Poster)

(City, State, Zip Code of Sign Poster)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 11, 2018

Department of Permits, Approvals

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 27, 2018

Item No. 2019-0045-A, 0046-A, 0048-A, 0050-A and 0051-A

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

VKD: cen cc: file

ZAC AGENDA

Case Number: 2019-0045-A **Reviewer:** Jason Seidelman **Existng Use:** RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE **Legal Owner:** Lenore R Rudick

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No Flood Plain: No Historic: No Election Dist: 8 Council Dist: 3

Property Address: 1 WILLIAM CT

Location: SW corner of the intersection of William Court and York Road

Existing Zoning: RC 2 **Area:** 1 ACRE

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a rear yard addition with a side street setback of 32 ft. in lieu of the minimum required 35 ft.

Attorney: Not Available Prior Zoning Cases: None Concurrent Cases: None Violation Cases: None Closing Date: 09/03/2018

Miscellaneous Notes:

Further examination of the site plan by Carl Richards and Jeff Perlow indicate that the proposed addition was within the building envelope shown on the Final Development Plan and the addition maintained at least a 75 foot setback from the centerline of York Road. Therefore, this case was closed by Mr. Richards and the petitioner was able to submit a building permit application for the proposed addition.

BALTIMORE COUNTY D

ARTMENT OF PERMITS, APPROLLS AND INSPECTIONS ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- OO 45 -A Address WILLIAM COURT , 21152
Contact Person: JASON SEIDELMAN Phone Number: 410-887-339
Filing Date: 8 10 18 Posting Date: 8 19 18 Closing Date: 9/3/18
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE</u> : The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2019- 0045 -A Address 1 www.am coult
Petitioner's Name Avaick Telephone 400-375-4557
Posting Date: 8 19 18 Closing Date: 9 3 18
Nording for Sign: To Permit A REAK YARD ADDITION WITH A SIDE-STREET SETBACK
OF 32 FEET IN LIEU OF THE MINIMUM REQUIRED 35 FEET.



ADMINISTATIVE PETITION FOR ZONING

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:

Deed References: 36501 0168 Property Owner(s) Printed Name(s) LENG	10 Digit Tax Account # 2 1 0 0 0 0 8 6 3 8
	PRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
The undersigned legal owner(s) of the property situate in	n Baltimore County and which is described in the description ade a part hereof, hereby petition for:
a Special Hearing under Section 500.7 of the Zon or not the Zoning Commissioner should approve	ing Regulations of Baltimore County, to determine whether
2 a Special Exception under the Zoning Regulations	s of Baltimore County to use the herein described property for
Z a opecial exception and a zoning regulation	
Administrative 3. Valvariance from Section(s)	
	with a side street setback of 32 feet in lieu of the minimum
required 35 feet.	
and restrictions of Baltimore County adopted pursuant to the zoning law for	etc. and further agree to and are to be bounded by the zoning regulations
Contract Purchaser/Lessee:	Legal Owners (Petitioners):
Name- Type or Print	Name #1 - Type or Print Name #2 - Type or Print SUNOVEK. RUMUAK
Signature	Signature #1 Signature #2 WILLIAM COURT SPARKS MD
Mailing Address City State	Mailing Address City State 21152 , 410-375-4557 LEWGRERUTH GYAHO,
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
Attorney for Petitioner:	Representative to be contacted: BLIAN PUDICK
Name- Type or Print	Name - Type or Print
Signature	Signature

State Mailing Address City Mailing Address Telephone # Email Address 21152 Telephone # **Email Address** Filing Date 8 , 10 , 18 REV. 10/4/11

Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

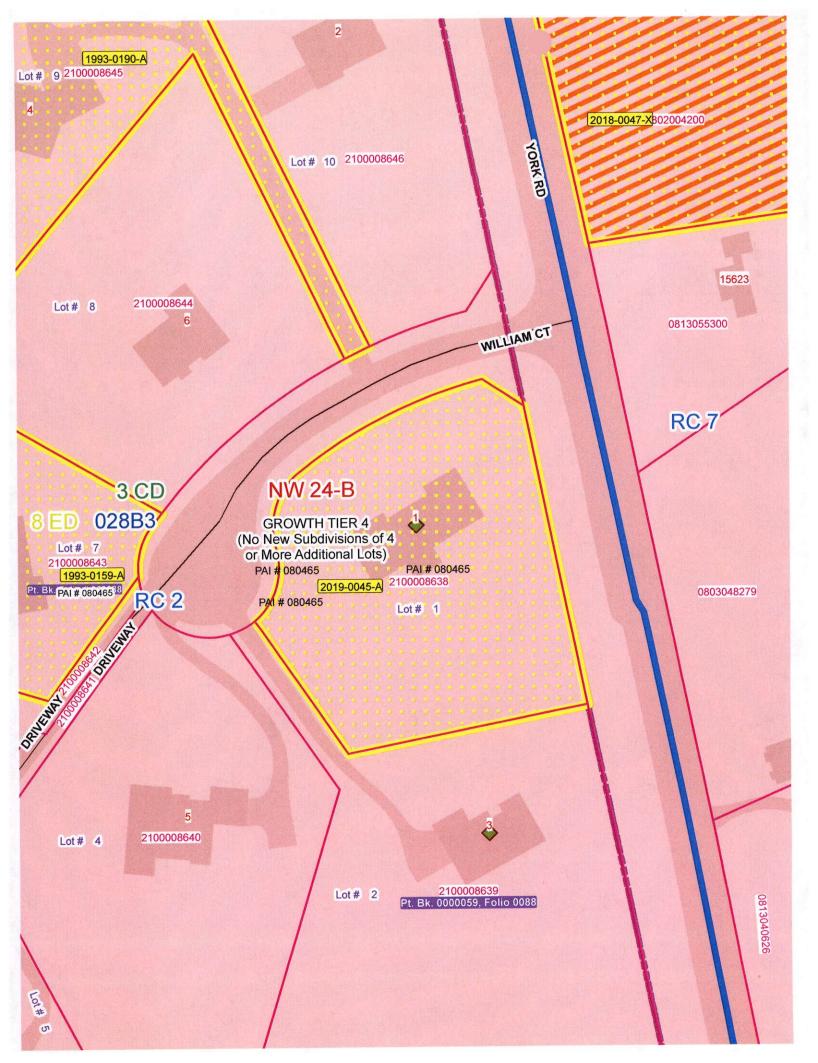
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in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

A	ALLITAM C	Za uc	SPARKS	MARYLAND	2/152				
	WILLIAM () or Type Address of proper		City	State	Zip Code				
Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)									
	10								
	(5	EE	ATTA	CHED)					
	· · ·								
	-								
									
									
(If additiona	I space for the petit	ion request or	the above state	ment is needed, label	and attach it to this Form)				
Signature of Ow	ner (Affiant)		-	Signature of Owner (A	ffiant)				
-	R. RUDICK	·	_		<u> </u>				
Name- Print or	Гуре		ì	Name- Print or Type					
Т	he following inform	ation is to be o	completed by a l	Notary Public of the St	ate of Maryland				
STATE OF M	IARYLAND, COU	INTY OF BA	LTIMORE, to	wit:					
I HEREBY Cl and for the Co	ERTIFY, this unty aforesaid, per	Oh day of sonally appear	<u>August</u> .		ne a Notary of Maryland, in				
		1 1 C							
the Affiant(s) h	erein, personally k	nöwn or satisf	actorily identifie	d to me as soch Affia	nt(s).				
AS WITNESS	my hand and Nota	ries Seal	Mholil	P AUBI	IC NATE OF THE PARTY OF THE PAR				
		Nota !	ary Public	130 p. 1-10	130 MALLE				
	•		Commission Exp		Milling				

HARDSHIP OR PRACTICAL DIFFICULTY STATEMENT FOR LENORE R. RUDICK

My son, daughter-in-law, and two grandchildren moved into our house to help care for my husband and myself. Unfortunately, my husband past away, after a 2 ½ year battle with cancer, and if it was not for my son and daughter-in-law and grandchildren living with me I do not know if I would still be alive today. My children have remained in the house to help care for me. I am getting older and need their assistance. Presently, my grandson has one bedroom, my granddaughter has another one, and I have the third one. My son and daughter-in-law live in the basement. I want to build this addition to add an additional bedroom upstairs, and expand the kitchen for my son and daughter-in-law. From what I understand, my property was originally zoned as RC5 and now has been changed to RC2. My house is now too close to York Road, even though we have lived her for 25 years. The addition would come off the back of the house and stay in line with the present outside wall that is already there. I am asking for a variance to be granted, so that we can put the addition onto the back of the house. We priced putting the addition elsewhere on the house, but this would then entail structural and foundational issues. These issues would cause this project to be a financial hardship. We have already been approved by our HOA to have an addition attached to the back of the house as an extension of the existing outer house wall as indicated in the drawings.

This addition is not just a "nice to do" project. The basement is not appropriate as a fulltime bedroom. It is windowless and has poor air circulation. My son has severe allergies and a sleep condition that makes it unhealthy to sleep there long term. Without this addition, I could lose the support of my son and his family on a daily basis as they would need to a move to a house more appropriate to their needs. Please approve this for me. Thank you.



ZONING PROPERTY DESCRIPTION FOR 1 WILLIAM COURT, SPARKS, MD 21152

Part A:

Beginning at a point on the south side of William Court which is 50 feet wide at a distance of 105 feet west of the centerline of the nearest improved intersecting street York Road which is 70 feet wide.

PART B:

BEING KNOWN AND DESIGNATED as Lot No. 1, as shown on the Plat entitled, "MORGAN MANOR, SECTION 2", which Plat is recorded among the Land Records of Baltimore County in Plat Book S.M. No. 59, folio 88. The improvements thereon being known as No. 1 William Court.

Being the same lot and parcel of ground which by deed dated September 21, 1992, and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. No. 9408, folio 663, from Morgan Manor Joint Venture to Stanley J. Rudick and Lenore R. Rudick, his wife, the Grantor herein. The said Stanley J. Rudick having departed this life on January 3, 2015.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO:

Arnold Jablon

DATE: 9/7/2018

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 19-045

INFORMATION:

Property Address: 1 William Court Petitioner:

Lenore R. Rudick

Zoning:

RC₂

Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit an existing single family dwelling with addition to have a side street setback of 32 feet in lieu of the required 35 feet.

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

Petitioner shall maintain as much of the landscape area to the east of the house that borders York Road as possible.

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

Prepared by:

Moxley

Division Chief:

AVA/JGN/LTM/

c: Wally Lippincott

James Hermann, R.L.A., Department of Permits, Approvals and Inspections

Brian Rudick

Office of the Administrative Hearings

People's Counsel for Baltimore County

Debra Wiley

From:

Debra Wiley

Sent:

Wednesday, October 17, 2018 10:39 AM

To:

'rudyrocky@gmail.com'

Subject:

RE: Administrative Variance Case No. 2019-0045-A - 1 William Court

You're welcome.

From: rudyrocky@gmail.com [mailto:rudyrocky@gmail.com]

Sent: Wednesday, October 17, 2018 10:39 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: lenoreruth@yahoo.com

Subject: Re: Administrative Variance Case No. 2019-0045-A - 1 William Court

Thank you so much.

Chaos isn't a pit, chaos is a ladder. Many who try to climb it fail and never get to try again, the fall breaks them. And some are given a chance to climb, but they refuse: they cling to the Realm, or the Gods, or love. Illusions. Only the ladder is real. The climb is all there is.

A man with no motive is a man no one suspects. If they don't know who you are or what you want, they can't know what you plan to do next.

We don't read and write poetry because it's cute. We read and write poetry because we are members of the human race. And the human race is filled with passion. And medicine, law, business, engineering, these are noble pursuits and necessary to sustain life. But poetry, beauty, romance, love, these are what we stay alive for. To quote from Whitman, "O me! O life!... of the questions of these recurring; of the endless trains of the faithless... of cities filled with the foolish; what good amid these, O me, O life?" Answer. That you are here that life exists, and identity; that the powerful play goes on and you may contribute a verse. That the powerful play goes on and you may contribute a verse. What will your verse be?

On Oct 17, 2018, at 10:36 AM, Debra Wiley dwiley@baltimorecountymd.gov wrote:

Good Morning,

Please find attached a copy of ALJ Beverungen's decision regarding the above matter; the original has been mailed.

Have a great day!

----Original Message----

From: <u>adminhearingscpr@baltimorecountymd.gov</u> [<u>mailto:adminhearingscpr@baltimorecountymd.gov</u>]

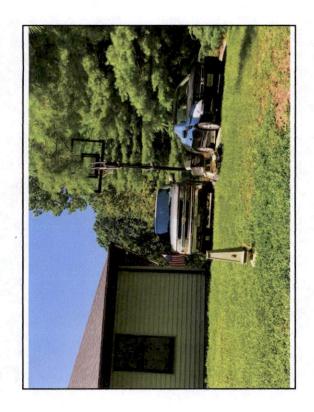


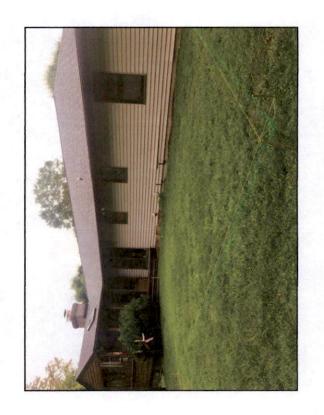


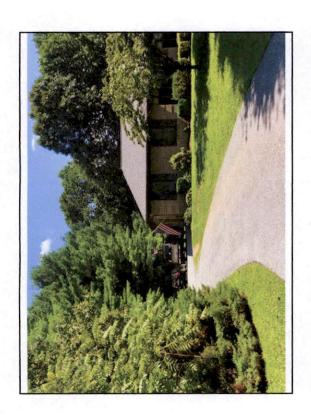


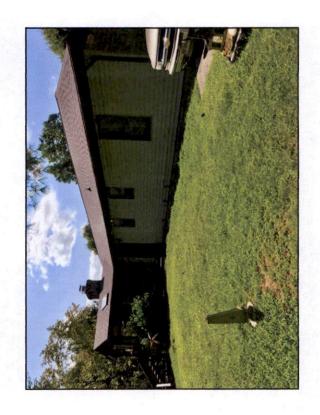


2019-0045-A























CASE NO. 2019- 6045-12

CHECKLIST

Comment Received	<u>Depa</u>	Conditions/ Comments/ No Comment			
	DEVELOPMENT (if not received, d	-			
8-27	DEPS (if not received, d	NO			
<u> </u>	FIRE DEPARTM	ENT			
	PLANNING (if not received, d	ate e-mail sent)	6	
8-20	STATE HIGHWA	No object.			
	TRAFFIC ENGIN	NEERING			
	COMMUNITY A	SSOCIATION	an dia mandra di Amerika di Amerika M		
	ADJACENT PRO	OPERTY OWNER	RS		
ZONING VIOLA	ATION (C.	ase No			
PRIOR ZONING	(C	ase No)	
NEWSPAPER A	DVERTISEMENT	Date:			
SIGN POSTING	(1^{st})	Date:	8-18-18	by althery	
SIGN POSTING	(2 nd)	Date:	8-28-18	by Germanyer	
	NSEL APPEARANCE		□ No □ □ No □		
Comments, if any	7:				





Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map \			View GroundRent Redemption				View GroundRent Registration					
Tax Exempt: Exempt Class:		Special Tax Recapture: NONE										
Accoun	t Identifie	er:	Dis	trict - 08	Accoun	t Number -	21000086	538				
						r Information			-			
Owner Name: Mailing Address:		RUDICK LENORE F			R Use: Principal Residence:				RESIDENTIAL YES			
				21152-		ence:		/36501/ 00168				
				Loca	ation & St	tructure Info	rmation					
Premises Address:		1 WILLIAM CT 0-0000			Legal Descrip		ption:		1.0005 AC			
										MORGAN	MANO	R
Map: 0028	Grid: 0015	Parcel: 0132	Sub District:	Subdiv	ision:	Section:	Block:		Year		Plat No:	
	The same of the sa			0000		2		1	2017		Plat Ref:	0059/ 0088
Specia	il Tax Are	eas:				Town: Ad Valorer Tax Class:				NONE		
Primary Structure Built 1993		Above Grade Living Area		Finished Basement Area		Property Area		Use				
1993			2,440 SF					1.0	000 AC	;	04	
Stories	S Base YES	ement	Type STANDARD	JNIT	Exterior SIDING	Full/Ha 2 full/ 1		Garage 1 Attach		Last Majo	r Reno	vation
					Value	Information						
			Base	Value	,	Value		Phase-ir	Asse	ssments		1
						As of		As of		As		
Land:			166.20	00		01/01/2017		07/01/20	18	07/0	01/2019	
Improvements		166,200 248,900		166,200								
Total:		415,100		254,200 420,400		418,633 420,400						
Preferential Land:		0		420,400		418,633 420		J,400				
					Transfe	r Informatio	n			U		
		STANLEY				3/05/2015			Pi	rice: \$0		
Type: NON-ARMS LENGTH OTHER			Deed1: /36501/ 00168			Deed2:						
Seller: MORGAN MANOR JOINT VENTURE Type: ARMS LENGTH IMPROVED			Date: 10/14/1992 Deed1: /09408/ 00663			Price: \$84,000 Deed2:						
Seller: FOSTER & YEONAS OF MARYLAND INC			Date: 03/23/1989			Price: \$0						
Type: NON-ARMS LENGTH OTHER		Deed1: /08131/ 00596			Deed2:							
Double L. F.					Exemption	n Information						
	kempt As	sessmen		S			1/2018			07/01/2019	9	
County: State:			000			0.00						
State: Municipal:		000		0.00								
			000			0.00				0.00 0.00		
Tax Exe	empt: t Class:			months seement retains	Special NONE	Tax Recap	ture:					
				Homes	stead Ann	olication Info	ren máin m					

Page 2 of 2



Homestead Application Status: Approved 10/30/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

Williams Court, 21,52

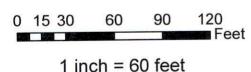


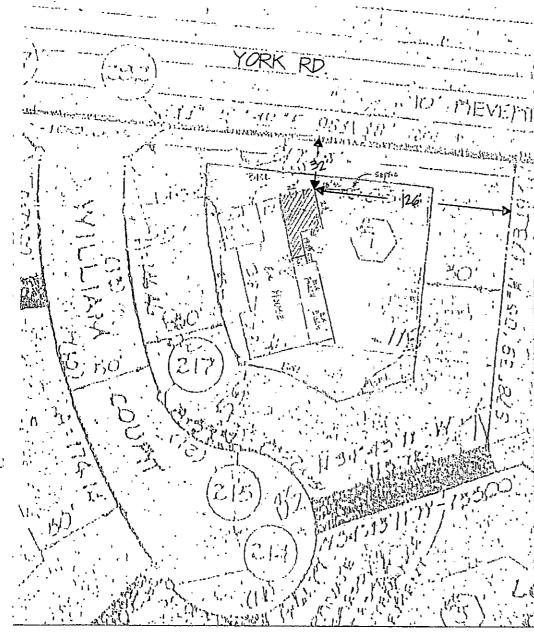
Publication Date: 8/10/2018



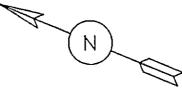
Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot



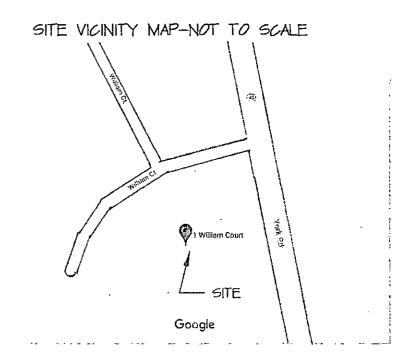




NO PROPERTY SURVEY WAS COMPLETED TO PREPARE THIS DRAWING. DIMENSIONS WERE TAKEN FROM A COUNTY APPROVED, SCALED PLAT PLAN. BROTHERS SERVICES COMPANY GIVES NO GUARANTEE ON THE ACCURACY OF THIS VARIANCE PLOT DESIGN



SCALE: | INCH = 60 FEET



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ___

ADDRESS <u>| WILLIAM CT. SPARKS, MD. 21152</u>

OWNER(S) NAME(S) <u>LENORE RUDICK</u>

SUBDIVISION NAME <u>MORGAN MANOR</u>

LOT # 01 BLOCK # __ SECTION # 02 PLAT BOOK # 59 FOLIO # 88

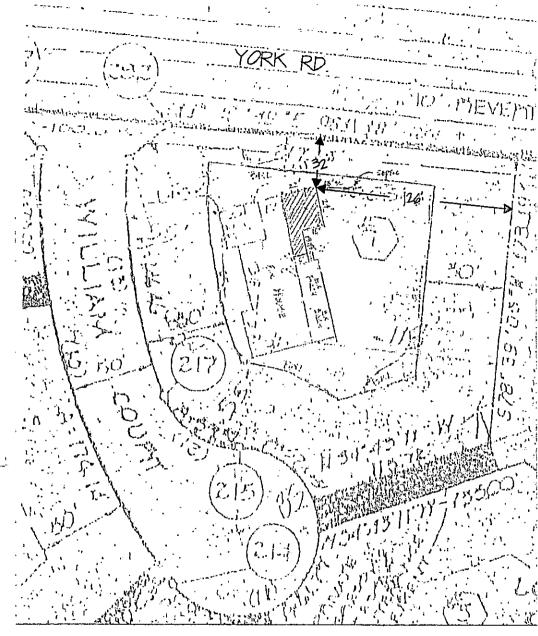
10 DIGIT TAX # 21-00-008638

DEED REF. # 36501/0168

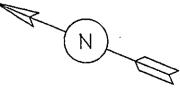
ZONING MAP # 01883 SITE ZONED RUS ELECTION DISTRICT & COUNCIL DISTRICT 3 LOT AREA ACREAGE OR SQUARE FOOTAGE _ HISTORIC? NO IN CBCA NO IN FLOOD PLAIN? NO UTILITIES? (MARK WITH AN X) WATER IS: PUBLIC _ PRIVATE X SEWER IS: PUBLIC PRIVATE X PRIOR HEARING? _

PRIOR HEARING? __ IF SO, GIVE CASE NUMBER AND ORDER RESULT BELOW:

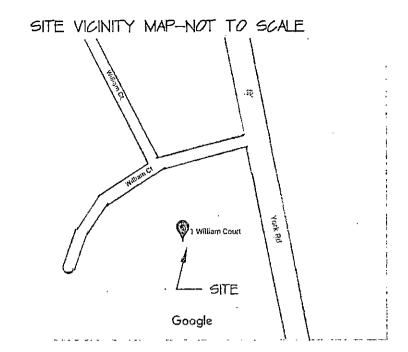
2019-0045-A



NO PROPERTY SURVEY WAS COMPLETED TO PREPARE THIS DRAWING. DIMENSIONS WERE TAKEN FROM A COUNTY APPROVED, SCALED PLAT PLAN. BROTHERS SERVICES COMPANY GIVES NO GUARANTEE ON THE ACCURACY OF THIS VARIANCE PLOT DESIGN



SCALE: | INCH = 60 FEET



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING __

ADDRESS <u>I WILLIAM CT. SPARKS, MD. 21152</u>

OWNER(S) NAME(S) <u>LENORE RUDICK</u>

SUBDIVISION NAME <u>MORGAN MANOR</u>

LOT # 01 BLOCK # __ SECTION # 02 PLAT BOOK # 59 FOLIO # 88

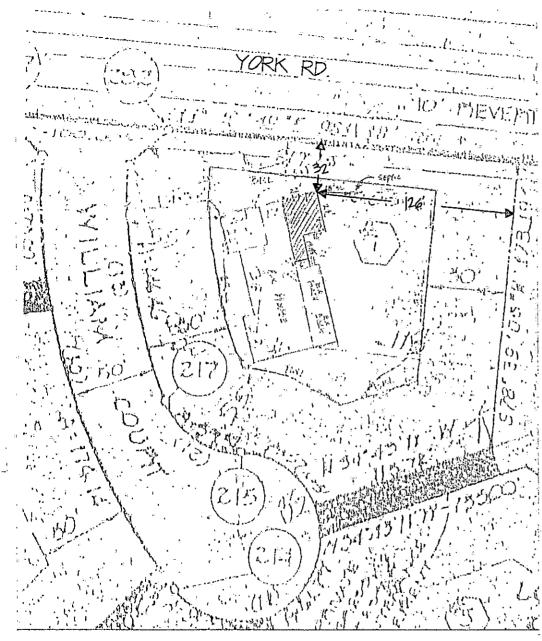
10 DIGIT TAX # 21-00-008638

DEED REF. # 36501/0168

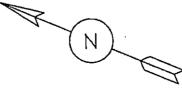
ZONING MAP # 018B3 SITE ZONED ROS ELECTION DISTRICT & COUNCIL DISTRICT 3 LOT AREA ACREAGE OR SQUARE FOOTAGE _ HISTORIC? NO IN CBCA NO IN FLOOD PLAIN? NO UTILITIES? (MARK WITH AN X) WATER IS: PUBLIC _ PRIVATE X SEWER IS: PUBLIC . PRIVATE X PRIOR HEARING? _

IF SO, GIVE CASE NUMBER AND ORDER RESULT BELOW:

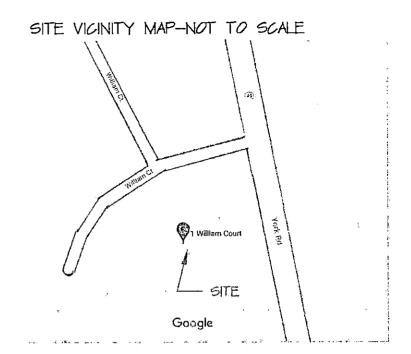
2019-0045-A Pet. Ed. 1



NO PROPERTY SURVEY WAS COMPLETED TO PREPARE THIS DRAWING. DIMENSIONS WERE TAKEN FROM A COUNTY APPROVED, SCALED PLAT PLAN. BROTHERS SERVICES COMPANY GIVES NO GUARANTEE ON THE ACCURACY OF THIS VARIANCE PLOT DESIGN



SCALE: | INCH = 60 FEET



ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING __

ADDRESS <u>| WILLIAM CT. SPARKS, MD. 21152</u>

OWNER(S) NAME(S) <u>LENORE RUDICK</u>

SUBDIVISION NAME <u>MORGAN MANOR</u>

LOT # 01 BLOCK # __ SECTION # 02 PLAT BOOK # 59 FOLIO # 28

10 DIGIT TAX # 21-00-008638

DEED REF. # 36501/0168

ZONING MAP # 02803 SITE ZONED RUS ELECTION DISTRICT & COUNCIL DISTRICT 3 LOT AREA ACREAGE OR SQUARE FOOTAGE HISTORIC? NO IN CBCA NO IN FLOOD PLAIN? NO UTILITIES? (MARK WITH AN X) WATER IS: PUBLIC __ PRIVATE X SEWER IS: PUBLIC . PRIVATE X PRIOR HEARING? _ IF SO, GIVE CASE NUMBER AND ORDER RESULT BELOW:

2019-0045-A