

MEMORANDUM

DATE: October 16, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0046-A – Appeal Period Expired

The appeal period for the above-referenced case expired on October 15, 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

/dlw

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(5902 Church Lane)		
11 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
John W. Sanders, 3rd & Judith B. Sanders	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0046-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 owners of the property, John W. Sanders, 3rd and Judith B. Sanders (“Petitioners”). The Petitioners are requesting Variance relief pursuant to §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (“BCZR”), to permit a proposed accessory structure (shed) located in the front yard in lieu of the required rear yard and to allow a second accessory structure (shed) located in the rear yard with a height of 20 ft. in lieu of the maximum height of 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. A ZAC comment was submitted by Department of Environmental Protection and Sustainability (“DEPS”), dated August 27, 2018, indicating that development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains and the Forest Conservation Regulations.

ORDER RECEIVED FOR FILING

Date 9-14-18
 By [Signature]

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 25, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting 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 Petitioners.

Although the Department of Planning did not make any recommendations related to the accessory structures (two sheds) height and usage, I will impose conditions that the accessory structures (two sheds) shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

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 14th day of **September, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("BCZR"), to permit a proposed accessory structure (shed) located in the front yard in lieu of the required rear yard and to allow a second accessory structure (shed) located in the rear yard with a height of 20 ft. in lieu of the maximum height of 15 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 9-14-18

By law

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their 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, Petitioners would be required to return the subject property to its original condition.
2. Petitioners or subsequent owners shall not convert the accessory structures (two sheds) into a dwelling unit or apartment. The accessory structures (two sheds) shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
3. The accessory structures (two sheds) shall not be used for commercial purposes.
4. Petitioners must comply with the DEPS ZAC comment, dated August 27, 2018; a copy of which is attached hereto and made a part thereof.

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:dlw

ORDER RECEIVED FOR FILING

Date 9-14-18

By dlw

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 # 2019-0046-A
Address 5902 Church Lane
(Sanders Property)

Zoning Advisory Committee Meeting of **August 27, 2018**.

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). It appears that the proposed structures have been located to avoid any forest buffer impacts. Please contact Environmental Impact Review to discuss.
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Based on the proposed development shown on the plan, it appears that the owner may be able to invoke the single lot forest conservation exemption.

Reviewer: Paul Dennis, Environmental Impact Review

ORDER RECEIVED FOR FILING

Date 9-14-18

By LD



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address #5902 CHURCH LANE HYDES, MARYLAND 21082 Currently zoned RC-2
Deed Reference 6593 / 748 10 Digit Tax Account # 17-00004193
Owner(s) Printed Name(s) JOHN W. SANDERS 3RD & JUDITH B. SANDERS

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

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

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

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

SEE Attached

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

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

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

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

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

Owner(s)/Petitioner(s):

JOHN W. SANDERS 3RD, JUDITH B. SANDERS

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

#5902 CHURCH LANE HYDES, MARYLAND

Mailing Address

City

State

21082

443-831-4801

Zip Code

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

WILLIAM N. BAFTIS, P.E.

Name - Type or Print

Signature

1249 ENGLEBERTH ROAD BALTO. MARYLAND

Mailing Address

City

State

21221

410-391-2336

Zip Code

Telephone #

bafitisassoc@comcast.net

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 9-14-18 day of September, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0046-A Filing Date 8/13/18 Estimated Posting Date 8/26/18 Reviewer gh

Rev 5/8/2014

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

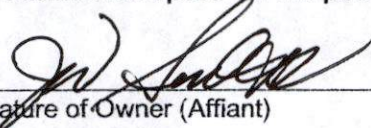
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in 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: #5902 CHURCH LANE HYDES MARYLAND 21082
Print or Type Address of property City State Zip Code

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

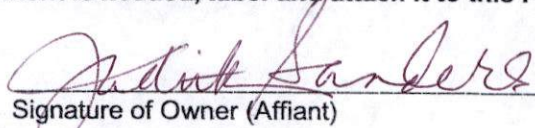
THE REASON FOR NEEDING THE GARDEN SHED IS TO STORE THE GARDEN SUPPLIES AND
GARDEN EQUIPMENT (RAKES, SHOVELS, ETC.). THE DISTANCE FORM THE HOUSE IS OVER
300 FEET TO THE GARDEN WHICH MAKES IT VERY HARD AND TIME CONSUMING TO
TRANSPORT AND UTILIZE THIS EQUIPMENT AND SUPPLIES TO WORK AND MAINTAIN OUR
VEGETABLE GARDEN.

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


Signature of Owner (Affiant)

JOHN W. SANDERS 3RD

Name- Print or Type


Signature of Owner (Affiant)

JUDITH B. SANDERS

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

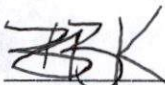
I HEREBY CERTIFY, this 3 day of Aug, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

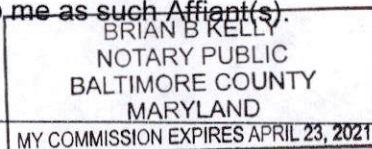
Print name(s) here:

John & Judith Sanders

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

AS WITNESS my hand and Notaries Seal


Notary Public

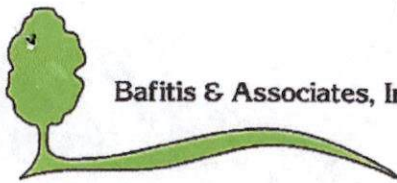


My Commission Expires

2019-0046-A

Administrative Variance from sections; 400.1 & 400.3 of the BCZR

To permit a proposed accessory structure (shed) located in the front yard in lieu of the required rear yard and to allow a second accessory structure (shed) located in the rear yard with a height of 20 feet in lieu of the maximum height 15 feet.



Bafitis & Associates, Inc.

ZONING DESCRIPTION FOR

#5902 CHURCH LANE
HYDES, MARYLAND 21082

11th ELECTION DISTRICT

BEGINNING AT A POINT ON THE NORTH SIDE OF CHURCH LANE 60' WIDE;
AND 1,082'± SOUTHEASTERLY FROM THE CENTERLINE INTERSECTION OF LONG GREEN PIKE.
60' WIDTH;

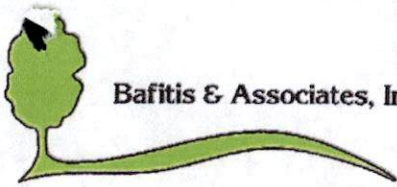
THENCE LEAVING CHURCH LANE THE FOLLOWING SIX COURSES AND DISTANCES;

- 1) NORTH 57°-58'-06" EAST 30.00' TO A POINT;
- 2) NORTH 57°-58'-06" EAST 413.17' TO A POINT;
- 3) SOUTH 51°-31'-48" EAST 389.84' TO A POINT;
- 4) NORTH 64°-03'-42" EAST 163.48' TO A POINT;
- 5) SOUTH 21°-29'-17" EAST 621.11' TO A POINT;
- 6) SOUTH 44°-57'-22" WEST 30.00' TO A POINT NEAR THE CENTER OF CHURCH LANE;

THENCE RUNNING NEAR THE CENTER OF SAID LANE THE FOLLOWING ELEVEN COURSES
AND DISTANCES:

- 7) THENCE RUNNING A CURVE TO THE LEFT WITH A RADIUS OF 330.00' AND ARC LENGTH
OF 243.50'; AND CHORD BEARING OF NORTH 66°-10'-56" WEST AND CHORD DISTANCE
OF 238.01' TO A POINT;
- 8) NORTH 87°-19'-17" WEST 155.48' TO THE POINT OF BEGINNING OF A CURVE;
- 9) THENCE RUNNING A CURVE TO THE RIGHT WITH A RADIUS OF 750.00' AND ARC LENGTH
OF 477.74'; AND CHORD BEARING OF NORTH 69°-04'-31" WEST AND CHORD DISTANCE
OF 469.70' TO A POINT;
- 10) SOUTH 39°-10'-15" WEST 8.90' TO THE POINT;
- 11) NORTH 61°-12'-15" WEST 44.00' TO THE POINT;
- 12) NORTH 37°-30'-41" WEST 93.21' TO THE POINT;
- 13) NORTH 35°-20'-27" WEST 40.00' TO THE POINT;
- 14) NORTH 52°-23'-14" EAST 4.65' TO THE POINT;
- 15) THENCE RUNNING A CURVE TO THE RIGHT WITH A RADIUS OF 750.00' AND ARC LENGTH
OF 32.17'; AND CHORD BEARING OF NORTH 36°-23'-02" WEST AND CHORD DISTANCE
OF 32.17' TO A POINT;
- 16) NORTH 35°-09'-18" WEST 104.54' TO THE POINT;
- 17) THENCE RUNNING A CURVE TO THE LEFT WITH A RADIUS OF 270.00' AND ARC LENGTH
OF 36.87'; AND CHORD BEARING OF NORTH 39°-02'-24" WEST AND CHORD DISTANCE
OF 36.84' TO THE POINT OF BEGINNING;

2019-0046-A



Bafitis & Associates, Inc.

CONTAINING: 411,380 S.F. OR 9.44 AC. MORE OR LESS

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



SEAL

Sherry Nuffer

From: John Altmeyer <jaltmeyer@aol.com>
Sent: Tuesday, September 04, 2018 4:18 PM
To: Administrative Hearings
Subject: 2nd Certification 5209 Church Lane 2019-0046-A
Attachments: Scan0001.pdf



OFFICE OF
ADMINISTRATIVE HEARINGS

Date: 08/25/2018

Date of Hearing/Closing: 09/10/2018

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 5209 Church Lane
Hydes, MD. 21082

The sign(s) were posted on 08/25/2018 & (rechecked on 09/04/2018

(Month, Day, Year)

John M. Eltmeyer
(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)

2

PURSUANT TO SECTION 24-127 (b)(4), BALTIMORE COUNTY COM-
 MENDABLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC
 HEARING FOR THE PROPOSED VARIANCE, PROVIDED THE
 REQUEST IS FILED WITH THE ZONING REVIEW BUREAU BEFORE
 5:00 P.M. ON **MONDAY, JANUARY 10, 2011**.
 A FEE OF \$100.00 MUST BE PAID WITH THE REQUEST.
 ADDRESS: 10000 WOODBURN AVE., SUITE 100, ROCKVILLE, MD 20850-5005
 TEL: 301-586-1300 FAX: 301-586-1301 TDD: 301-586-1370
 WWW.BALTIMORECOUNTY.MD/PLANNING
 FOR MORE INFORMATION, VISIT WWW.BALTIMORECOUNTY.MD/PLANNING

09/04/2018



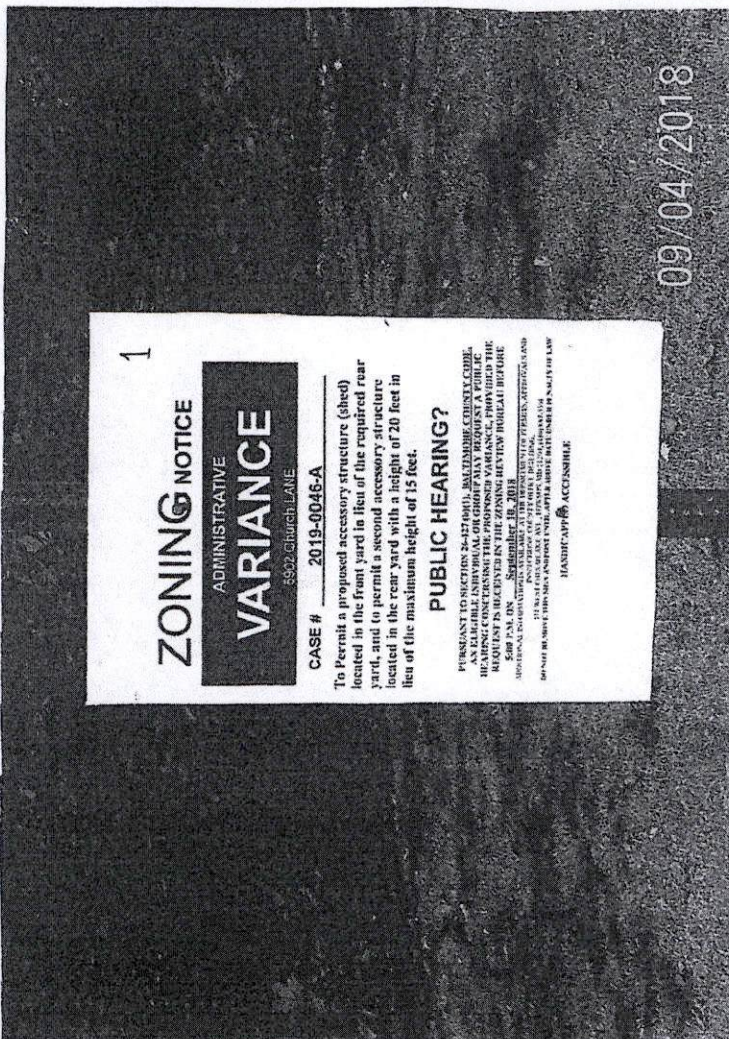
CERTIFICATE OF POSTING

Date: 08/25/2018

RE: Project Name: Administrative Hearing
Case Number /PAI Number: 2019-0046-A
Petitioner/Developer: John W. Sanders 3rd.
Date of Hearing/Closing: 09/10/2018

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 5209 Church Lane
Hydes, MD. 21082

The sign(s) were posted on 08/25/2018 & rechecked on 09/04/2018
(Month, Day, Year)



John M. Altmeyer
(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)

ST. LOUIS, MO.
JUL 10 1909
OFFICE OF
THE COMMISSIONER
OF REVENUE

CERTIFICATE OF POSTING

Date: 08/25/2018

RE: Project Name: Administrative Hearing

Case Number /PAI Number: 2019-0046-A

Petitioner/Developer: John W. Sanders 3rd.

Date of Hearing/Closing: 09/10/2018

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Hydes, MD. 21082

The sign(s) were posted on 08/25/2018

(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)

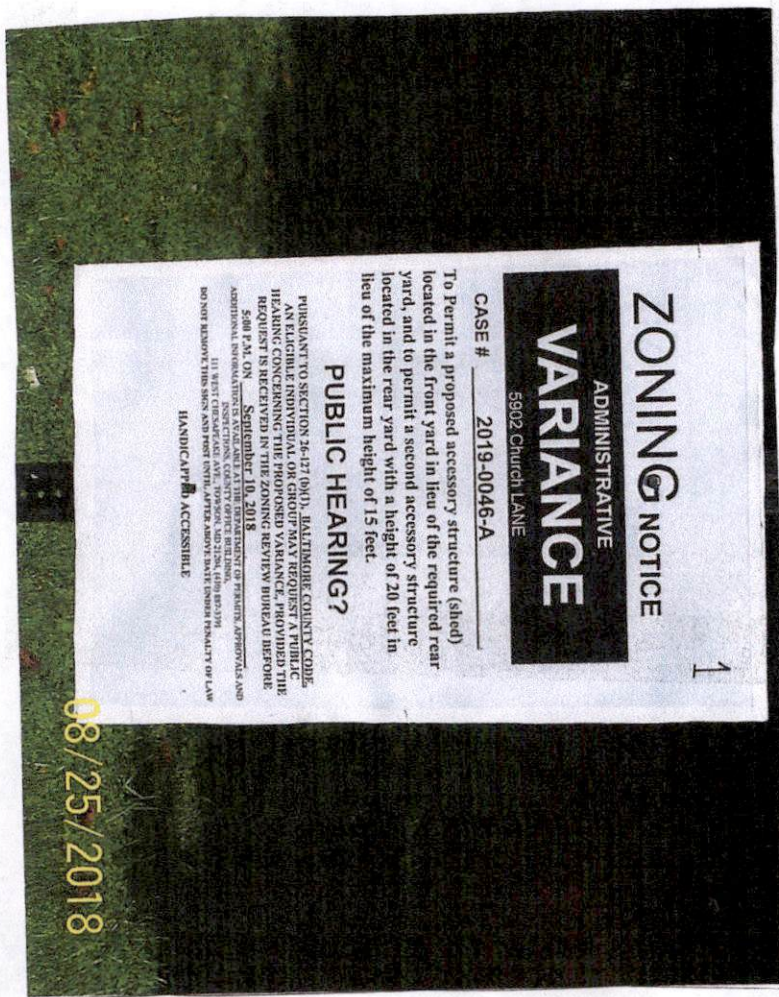
410-382-6580

(Telephone Number of Sign Poster)

*THIS IS A HEAVILY WOODED LOT.
THE SIGN IS IN A SMALL GRASS
PLOT 70' FROM DRIVEWAY
ENTRANCE.*

11/11

JMA.



1. Introduction

The purpose of this study is to investigate the effects of the proposed system on the performance of the participants. The study was conducted in a controlled environment, and the results were analyzed using statistical methods. The findings suggest that the proposed system has a positive impact on the performance of the participants, particularly in terms of accuracy and speed. The study also identified some limitations and areas for future research.

The results of the study indicate that the proposed system significantly improved the performance of the participants. The improvement was most pronounced in the accuracy of the responses, which increased by approximately 15% compared to the control group. Additionally, the speed of the responses was also improved, with a reduction in response time of about 10%. These findings are consistent with the hypothesis that the proposed system enhances cognitive performance. However, the study also found that the proposed system had a negative effect on the participants' self-reported stress levels, which increased by about 5%.

The study was limited by several factors, including the small sample size and the lack of a long-term follow-up. Future research should aim to address these limitations by conducting a larger-scale study with a more diverse sample and including a long-term follow-up to assess the sustainability of the effects. Additionally, the study should explore the underlying mechanisms of the proposed system's effects on cognitive performance, as well as the potential for individual differences in response to the system.

CERTIFICATE OF POSTING

Date: 08/25/2018

RE: Project Name: Administrative Hearing
Case Number /PAI Number: 2019-0046-A
Petitioner/Developer: John W. Sanders 3rd.
Date of Hearing/Closing: 09/10/2018

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 5209 Church Lane
Hydes, MD. 21082

The sign(s) were posted on 08/25/2018

(Month, Day, Year)



John M. Altmeyer
(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)

THIS IS A HEAVILY WOODED LOT. THIS SIGN IS ON THE RIGHT SIDE OF DRIVEWAY

LSM

11/11

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0046 -A Address 5902 Church Lane
Contact Person: Gary Hucik Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8/13/18 Posting Date: 8/26/18 Closing Date: 9/10/18

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

- 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.
- DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- 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- 0046 -A Address 5902 Church Lane
Petitioner's Name John W Sanders 3rd Telephone 443-831-4801
Posting Date: 8/26/18 Closing Date: 9/10/18

Wording for Sign: To Permit a proposed accessory structure (shed) located in the front yard in lieu of the required rear yard, and to permit a second accessory structure located in the rear yard with a height of 20 feet in lieu of the maximum height of 15 feet.

Revised 6/30/2019

**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: 209-0046-A

Property Address: #5902 CHURCH LANE HYDES, MARYLAND 21082

Property Description: EXISTING 2-STORY DWELLING W/PROPOSED SHEDS

Legal Owners (Petitioners): JOHN W. SANDERS 3RD & JUDITH B. SANDERS

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JOHN W. SANDERS 3RD & JUDITH B. SANDERS

Company/Firm (if applicable): _____

Address: #5902 CHURCH LANE HYDES, MARYLAND 21082

Telephone Number: 443-831-4801

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

No. **172844**
 Date: **8/13/18**

PAID RECEIPT

BUSINESS ACTUAL TIME DWH
 8/14/2018 8/13/2018 04:17:09 2
 OS02 WALKTH JEP
 RECEIPT # 049032 8/13/2018 OFLM
 5 528-70NUG VERIFICATION
 ID: 172844
 RECEIPT FOR \$75.00
 \$75.00 PAID \$75.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		0150				75.00
Total								75.00

Rec From: **John Sanchez III**

For: **2019-0046 A**
5902 Church Lane

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



DONALD I. MOHLER III
County Executive

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

September 11, 2018

John W & Judith B Sanders 3rd
5902 Church Lane
Hydes MD 21082

RE: Case Number: 2019-0046 A, Address: 5902 Church Lane

Dear Mr. & Ms. Sanders:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 9, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
William N Bafitis P. E., 1249 Engleberth Road, Baltimore MD 21221

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 # 2019-0046-A
Address 5902 Church Lane
(Sanders Property)

Zoning Advisory Committee Meeting of **August 27, 2018**.

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). It appears that the proposed structures have been located to avoid any forest buffer impacts. Please contact Environmental Impact Review to discuss.
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Based on the proposed development shown on the plan, it appears that the owner may be able to invoke the single lot forest conservation exemption.

Reviewer: Paul Dennis, Environmental Impact Review

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

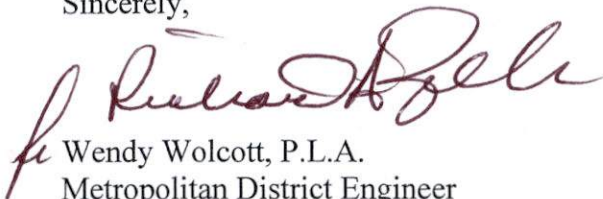
Dear Ms. Lewis:

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. *2019-0046-A*

*Administrative Variance
John W. & Judith B. Sanders.
5902 Church Lane.*

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

Sincerely,



Wendy Wolcott, 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 # 2019-0046-A
Address 5902 Church Lane
(Sanders Property)

Zoning Advisory Committee Meeting of **August 27, 2018**.

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). It appears that the proposed structures have been located to avoid any forest buffer impacts. Please contact Environmental Impact Review to discuss.
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Based on the proposed development shown on the plan, it appears that the owner may be able to invoke the single lot forest conservation exemption.

Reviewer: Paul Dennis, Environmental Impact Review

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: September 11, 2018

FROM: *mcl*
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

9/10

CASE NO. 2019- 0046 AV**C H E C K L I S T****Comment
Received****Department****Support/Oppose/
Conditions/
Comments/
No Comment**

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

8-27

DEPS

(if not received, date e-mail sent _____)

C

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

8-20

STATE HIGHWAY ADMINISTRATION

No object.

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING (1st)Date: 8-25-18by Dee MagerSIGN POSTING (2nd)Date: 9-4-18by "

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 11 Account Number - 1700004193 ✓			
Owner Information					
Owner Name:	SANDERS JOHN W 3RD SANDERS JUDITH B		Use:	RESIDENTIAL	
			Principal Residence:	YES	
Mailing Address:	5902 CHURCH LN HYDES MD 21082- 9724		Deed Reference:	/06593/ 00748	
Location & Structure Information					
Premises Address:	5902 CHURCH LN 0-0000		Legal Description:	9.446 AC NES CHURCH 1100 SE LONG GREEN RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0045	0020	0018		0000	
					Assessment Year: 2018
					Plat No: Plat Ref:
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1988	3,960 SF		9.4400 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
2	YES	STANDARD UNIT	STUCCO	2 full/ 1 half	1 Attached
					Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2018	As of 07/01/2018	As of 07/01/2019	
Land:	194,600	194,600			
Improvements	420,900	437,500			
Total:	615,500	632,100	621,033	626,567	
Preferential Land:	0			0	
Transfer Information					
Seller: HOMESITE DEVELOP ERS CORPORATION		Date: 09/21/1983	Price: \$40,000		
Type: ARMS LENGTH IMPROVED		Deed1: /06593/ 00748	Deed2:		
Seller:		Date:	Price:		
Type:		Deed1:	Deed2:		
Seller:		Date:	Price:		
Type:		Deed1:	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018	07/01/2019		
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:** No Application

Homeowners' Tax Credit Application Information**Homeowners' Tax Credit Application Status:** No Application**Date:**

ZAC AGENDA

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

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:

Miscellaneous Notes:

Case Number: 2019-0046-A **Reviewer:** Gary Hucik
Existing Use: RESIDENTIAL **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: John W & Judith B Sanders
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 3

Property Address: 5902 CHURCH LN

Location: N/S of Church Lane, SE 1,082 ft. to the centerline of Long Green Pike

Existing Zoning: RC 2

Area: 9.44 ACRES +/-

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a proposed accessory structure (shed) located in the front yard in lieu of the required rear yard and to allow a second accessory structure (shed) located in the rear yard with a height of 20 ft. in lieu of the maximum height of 15 ft.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 09/10/2018

Miscellaneous Notes:

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 11 Account Number - 1700004193			
Owner Information					
Owner Name:		SANDERS JOHN W 3RD SANDERS JUDITH B	Use: Principal Residence:		RESIDENTIAL YES
Mailing Address:		5902 CHURCH LN HYDES MD 21082-9724	Deed Reference:		/06593/ 00748
Location & Structure Information					
Premises Address:		5902 CHURCH LN 0-0000	Legal Description:		9.446 AC NES CHURCH 1100 SE LONG GREEN RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0045	0020	0018		0000	2018
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1988	3,960 SF		9.4400 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	STUCCO	2 full/ 1 half	1 Attached
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2018	07/01/2018	07/01/2019	
Land:	194,600	194,600			
Improvements	420,900	437,500			
Total:	615,500	632,100	621,033	626,567	
Preferential Land:	0			0	
Transfer Information					
Seller: HOMESITE DEVELOP ERS CORPORATION		Date: 09/21/1983		Price: \$40,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06593/ 00748		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018	07/01/2019		
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			

2019-0046-A



Bafitis & Associates, Inc.

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

410-391-2336

LETTER OF TRANSMITTAL

TO: BALTIMORE COUNTY
ZONING DEPARTMENT

DATE: #5902 CHURCH LANE
REF: ZONING SUBMISSION

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		ZONING PETITION
	3 COPIES		ZONING DESCRIPTION
	1 COPY		ZONING ADVERTISING FORM
	2 COPIES		AERIAL PHOTO PLAN
	12 COPIES		SITE PLAN
	1 COPY		CHECK (FEE) \$75.00
	2 COPIES		CONSTRUCTION PLANS

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:

WILLIAM N. BAFITIS, P.E.

2019-0046-A

1600013076

Lot # 5

5818

Lot # 4

1600013075

5820

1600009463

PAI # 110238

PAI # 110238

Pt. Bk./Folio # 037063

1600013074

Lot # 3

Pt. Bk. 0000037, Folio 0063

Lot # 1

1600013072

Lot # 2

1600013073

3 CD

11 ED

NE 18-G

RC 2

1700004193

045A3

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

5902

045B3

PAI # 111034

PAI # 111034

PAI # 111034

Pt. Bk./Folio # MP06051

PAI # 111034

5901

1103052671

1102086507

5906

2400013252

PAI # 110250
PAI # 110250

PAI # 110250

PAI # 110250

Pt. Bk./Folio # 040085A

Lot # 41

Pt. Bk. 0000040, Folio 0085

1700009409

5905

5905

Pt. Bk. 0000048, Folio 0043

1900005070

Pt. Bk./Folio # 048043

CHURCH LN

2019-0046-A

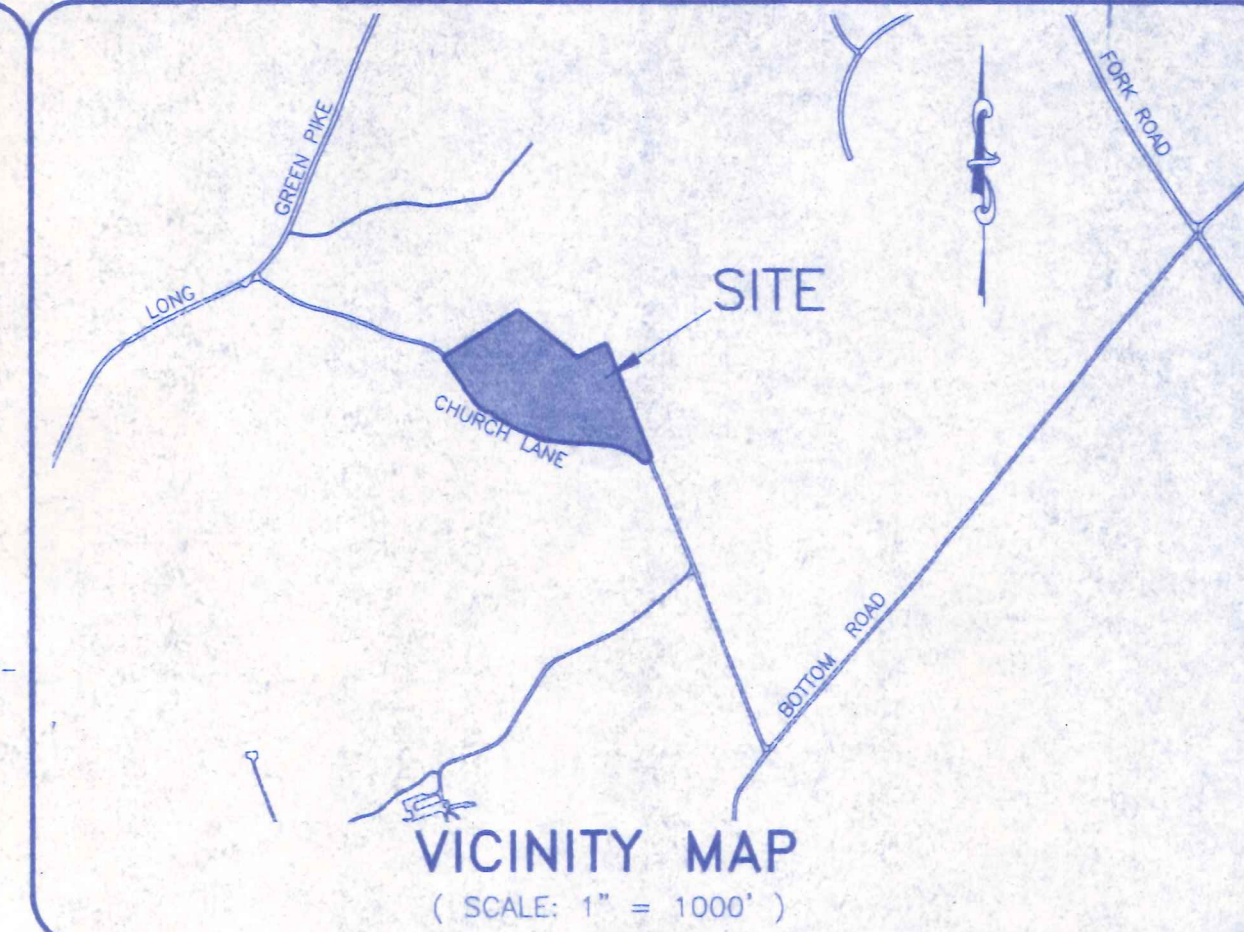


NOTES

- Topography shown hereon was taken from Baltimore County GIS Topography.
- Property lines shown hereon were established by public information.
- This site is not situated within the Chesapeake Bay Critical Areas (Map 45).
- 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 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 slopes greater than 15% on this site.
- There are known wells on this site.
- There are 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.
- No Public Water and sewer serve this site.
- Caution underground utilities may exist in Church Lane & onsite, contact Miss Utility (800-257-7777) prior to any construction.
- Proposed dwelling height.

ZONING HISTORY

THERE NO CASES FOR THIS SITE.

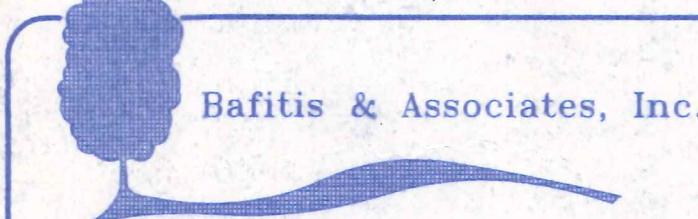


VICINITY MAP
(SCALE: 1" = 1000')

SITE DATA

- OWNER: JOHN W. SANDERS 3RD & JUDITH B. SANDERS
#5902 CHURCH LANE
HYDES, MARYLAND 21082
TELEPHONE NO. 443-831-4801
- DEED REF: 6593/748
- TAX ACC. NO.: 17-00004193
- TAX MAP: 45 PARCEL: 18 LOT: NONE
- PLAT REF: NONE
- ELECTION DISTRICT: 11TH
- COUNCILMANIC DISTRICT: 3RD
- REGIONAL PLANNING DISTRICT: 310
- CENSUS TRACT: 4112.02
- ZONING: RC 2
- ZONING MAP: 045A3
- USE: EXISTING: RESIDENTIAL, TWO STORY DWELLING
PROPOSED: TWO SHEDS
- SITE AREA: 411,380 S.F. OR 9.44 AC.

DISTURBED AREA:



1249 Engleberth Rd. Baltimore, MD 21221

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

(410) 391-2336

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR HYDES CREEK RANCH #5902 CHURCH LANE

11TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



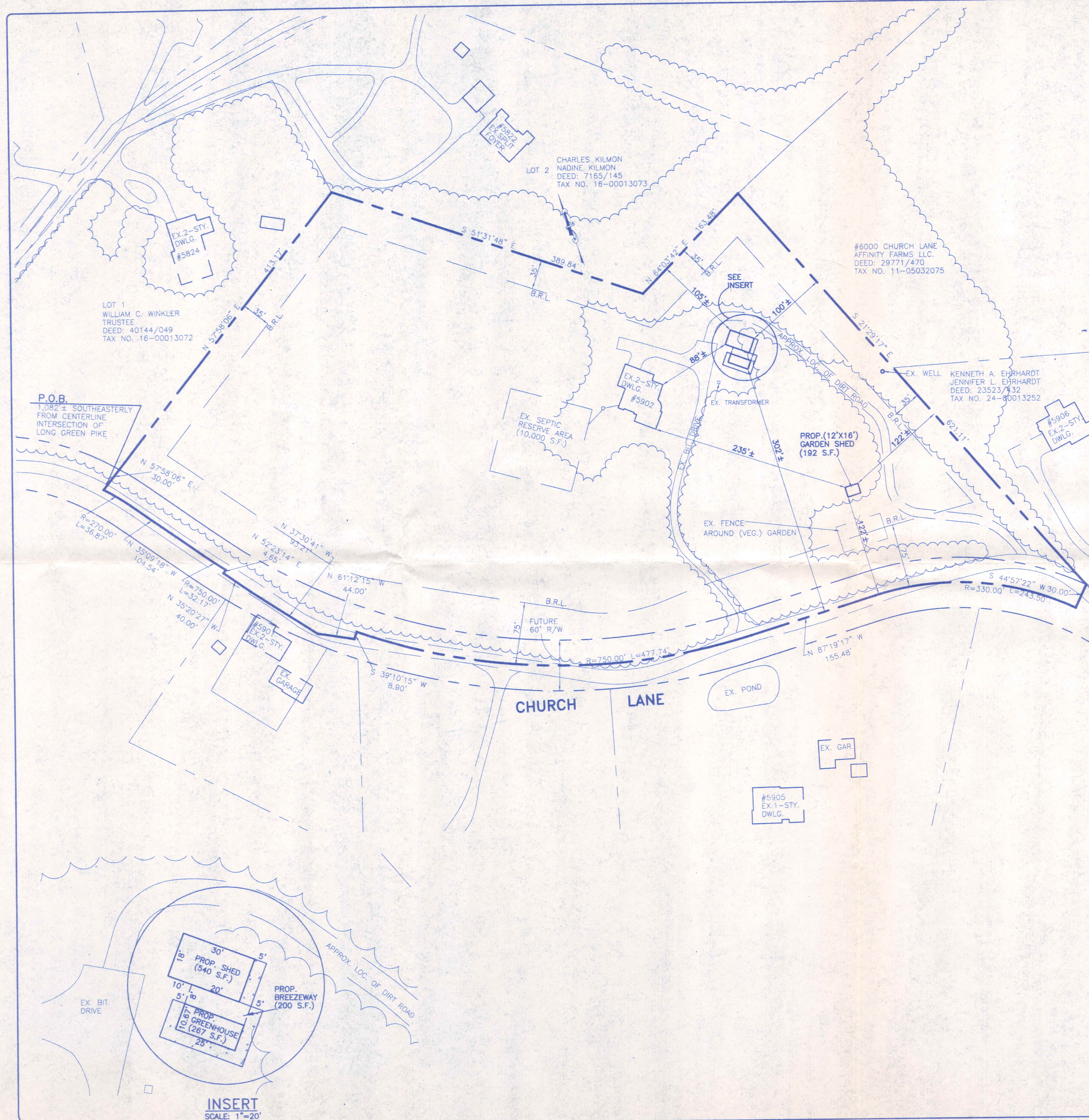
WILLIAM N. BAFITIS, P.E.
Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 11641, Expiration Date: 09/09/2019.

1

SHEET 1 OF 1

NO.	REVISIONS	DATE

2019-0046-A

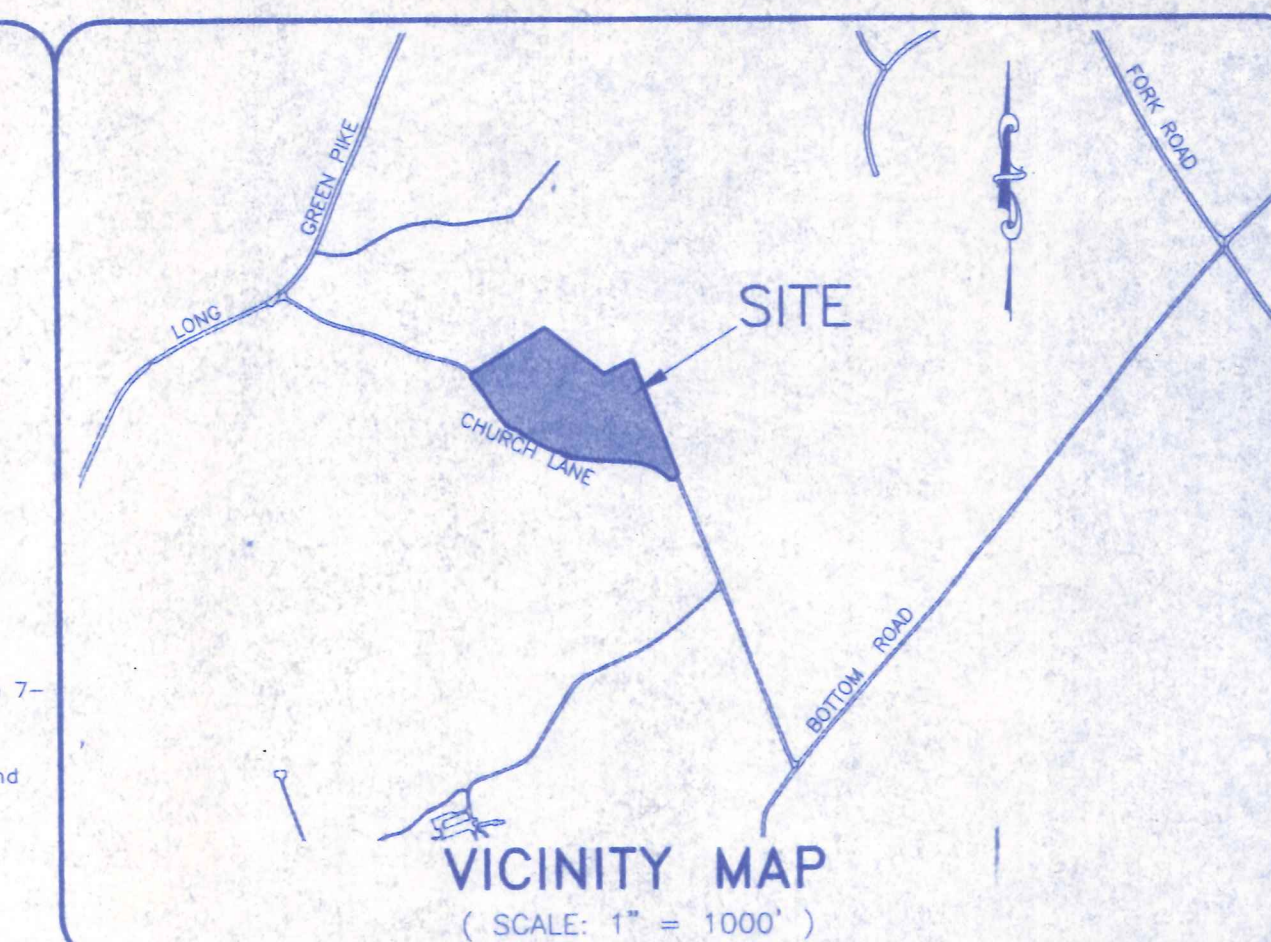


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- Proposed dwelling height.

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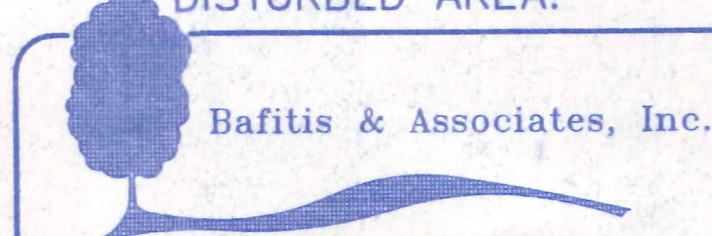
THERE NO CASES FOR THIS SITE.



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HYDES, MARYLAND 21082
TELEPHONE NO. 443-831-4801
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DISTURBED AREA:



William N. Bafitis, P.E.
PRESIDENT

Civil Engineers/Land Planners
SURVEYORS

1249 Engleberth Rd. Baltimore, MD 21221

(410) 391-2336

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE FOR HYDES CREEK RANCH #5902 CHURCH LANE

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

SHEET 1 OF 1

NO.	REVISIONS	DATE

2019-06-11
2019-06-11



EXISTING PHOTO PLAN
FOR
#5902 CHURCH LANE

ELECTION DISTRICT 11TH BALTIMORE COUNTY
SCALE: 1" = 100' DATE: 08/01/18



Bafitis & Associates, Inc.

1249 Engleberth Rd. Baltimore, MD 21221

William N. Bafitis, P.E.
PRESIDENT

Civil Engineers/Land Planners
SURVEYORS
ph. (410) 391-2336
fax (410) 391-2448

2019-0046-A



EXISTING PHOTO PLAN
FOR
#5902 CHURCH LANE

ELECTION DISTRICT 11TH BALTIMORE COUNTY
SCALE: 1" = 100' DATE: 08/01/18



Bafitis & Associates, Inc.

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2019-0046-A