

M E M O R A N D U M

DATE: April 14, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0452-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on April 9, 2020. 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 VARIANCE

(119 W. Cherry Hill Road)

4th Election District

4th Council District

Jaspal Judge

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0452-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Jaspal Judge, legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from Article 1B, § 1B02.3 of the Baltimore County Zoning Regulations (“BCZR”) to permit a total lot area of 55,081.66 square feet or less than 20,000 square feet per lot for a proposed 3-lot minor subdivision in lieu of the required 60,000 total square feet and a minimum of 20,000 per lot.

Jaspal Judge appeared in support of the petition. He was accompanied by Sri Appana, the engineer who prepared the site plan. The plan was admitted as Petitioner’s Exhibit 1. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), which opposed the requested relief; and the Department of Environmental Protection and Sustainability (“DEPS”). Correspondence was also received from People’s Counsel opposing the variance relief.

The gross area of the parcel is 65,514 square feet. It is zoned DR 2. Therefore, three lots are theoretically permitted. However, the Department of Public Works (“DPW”) has apparently requested/demanded a 50 foot right of way (“ROW”) along the frontage of the parcel on both

ORDER RECEIVED FOR FILING

Date 3-10-2020

By Sen

Nicodemus and West Cherry Hill roads. A comment in the file from Zoning Review states in relevant part as follows: “[t]he Petitioner states that comments were received during the minor subdivision application that a required ROW widening easement creates a lower lot area density.” And further, that “[p]etitioner was also advised of the following regarding the submitted site plan: 1. Lot area on site plan should state the proposed condition (1.504 acres and 65,514 is revised to 55,081.66 SF.” Finally, the Zoning Review comments state that “[p]etitioner insisted on filing and seeks further review comments as a result of this application.”

At the hearing, the engineer, Mr. Appana, explained that Mr. Judge had purchased the property in 2012 and was under the impression that he would be able to subdivide it into three lots in this DR 2 zone, given that it is more than 65,000 square feet. However, when he began the minor subdivision application process he was informed of the aforementioned ROW dedications that would be required. At the hearing the undersigned noted that, in addition to this square footage issue, and as noted by the DOP and Zoning Review, the site plan also failed to delineate the required 100 ft. minimum lot widths, among other things. I agreed to hold the case open and allow the Petitioner to resubmit a redlined site plan for county agency review for the purpose of correcting these deficiencies and perhaps resolving the right of way issue.

On March 4, 2020 Petitioner submitted a “revised” site plan (Petitioner’s Exhibit 2) directly to the undersigned, rather than to the proper county agencies as he had been directed. Further, the revised site plan is not a proper redlined plan and is still deficient in various other respects. Finally, the central ROW issue is still unresolved.

While I could simply deny the variance petition at this point based on the record evidence before me, I believe that would be an overly harsh result under the circumstances. As the letter from People’s Counsel correctly notes, BCZR § 307.1 does not authorize the grant of variances

ORDER RECEIVED FOR FILING

Date 3/10/2020

By sen

from residential density regulations – and that is precisely what Petitioner requests in this case. I note, however, that the only reason that Petitioner is in this position is the fact that the county has evidently demanded that he dedicate the 50 ft. ROW, thereby reducing his lot size by over 10,000 square feet. This, however, is somewhat unclear because the Zoning Review comments describe this ROW area as an “easement” rather than a dedication in fee.

In any event, I do not believe it is appropriate for the County to demand that the Petitioner dedicate this ROW area as a condition of approving a three lot minor subdivision. To do so may well amount to an unlawful exaction because the consequences of the required right of way dedication - the loss of one of the three lots - seems to be disproportionate to the reasonably anticipated impacts of the proposed three new residential lots. *See, Dolan v. City of Tigard*, 512 U.S. 374 (1994), *Howard County v. JJM, Inc.*, 301 Md. 256 (1984). In my view, while the County could certainly take this property in fee using its eminent domain powers, it would have to fairly compensate Petitioner. Further, for purposes of calculating zoning density, the gross square footage of the parcel (65,514 sq. ft.) should nonetheless be used. Alternatively, if the County wishes to merely request an easement then the gross square footage should also be used in determining density. In sum, when calculating the permissible number of lots in a minor subdivision the County should use the gross square footage of the property, *prior* to any ROW dedications or easements.

I will therefore dismiss the variance petition without prejudice so that the Petitioner can resubmit a proper redlined site plan for agency review in light of the legal principles expressed herein.

THEREFORE, IT IS ORDERED, this 10th day of **March, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Article 1B §

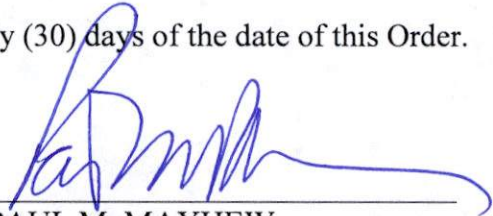
ORDER RECEIVED FOR FILING

Date 3/10/2020

By sen

1B02.3 of the Baltimore County Zoning Regulations ("BCZR") to permit lot area of 55,081.66 total square feet or less than 20,000 square feet per lot for a proposed 3-lot minor subdivision in lieu of the required 60,000 total square feet or 20,000 per lot, be and is hereby DISMISSED, WITHOUT PREJUDICE.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
For Baltimore County

PMM:sln

ORDER RECEIVED FOR FILING

Date 3/10/2020

By sln



PETITION FOR ZONING HEARING(S)

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

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

Address 119 W. CHERRY HILL ROAD, PEISTERTOWN, MD which is presently zoned DR-2
 Deed References: 032944/00395 10 Digit Tax Account # 0401050220
 Property Owner(s) Printed Name(s) JASPAL JUDGE

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

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

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

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

3. X a Variance from Section(s)

Owner is requesting relief from Article 1B Section 1B02.3 to permit a lot area of 55,081.66 total square feet or less than 20,000 square feet per lot for a proposed 3-lot minor subdivision in lieu of the required 60,000 total square feet or 20,000 per lot.

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

→ "MORE INFORMATION TO BE PRESENTED AT HEARING"
 → OWNER IS ALSO REQUESTING ANY AND ALL RELIEF DEEMED NECESSARY

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

JASPAL JUDGE

Name #1 - Type or Print

Name #2 - Type or Print

Jaspal Judge

Signature #1

Signature #2

119 W. CHERRY HILL ROAD, PEISTERTOWN, MD

Mailing Address

City

State

21136

Zip Code

443-824-2833

Telephone #

JASPAL JUDGE@gmail.com

Email Address

Representative to be contacted:

SPI APPANA

Name - Type or Print

Signature

7202 SANFORD COURT, ANNANDALE, VA

Mailing Address

City

State

22003

Zip Code

571-730-7569

Telephone #

SAPPANA@WAVECIVIL.COM

Email Address

CASE NUMBER 2019-0452-A

Filing Date 9/6/19

Do Not Schedule Dates: _____

Reviewer RT



VARIANCE APPLICATION

119 W. Cherry Hill Road
Reisterstown, MD-21136

PROPERTY DESCRIPTION

ZONING PROPERTY DESCRIPTION FOR 119 WEST CHERRY HILL ROAD, REISTERSTOWN, MD-21136

Beginning at a point on the east of West Cherry Hill Road which is 50 ft right-of-way width at a distance of approximately 1100 feet from the intersection with Tarragon Road which is 50 ft right-of-way width.

Thence running and binding on the center of Cherry Hill Road North 28 degrees 37 minutes East 86.2 feet and north 22 degrees 46 minutes East 132.4 feet; thence running south 2 degrees 48 minutes East passing over a pipe now set on the east side of Cherry Hill Road, 300.4 feet to a pipe now set, thence running for a line of diversion now made south 27 degrees 03 minutes West passing over a pipe now set on the north side of Nicodemus Road, 227.70 feet to the center of said road; thence running and binding on the center of Nicodemus Road North 60 degrees 56 minutes West 292.78 feet to the point of beginning, containing 1.504 acres, more or less.

The improvements thereon being known as 119 West Cherry Hill Road, Reisterstown, Maryland 21136

Tax ID# 04-040105220

BEING the same property which by deed dated July 23, 2008 and recorded among the Land Records of Baltimore County, Maryland in Liber No. 27302, folio 375, was granted and conveyed by Joseph J. Askin, Personal Representative of the Estate of Marguerite G. Ames unto Sharon Ames and Terry Ames.

Debra Wiley

Plm 2-10-20
10 Am

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, February 9, 2020 10:33 PM
To: Administrative Hearings
Subject: Certifications
Attachments: W. Cherry Hill Rd. Cert..jpeg; W. Cherry Hill Rd. Photos .docx; S. Tollgate Rd. Cert. .jpeg; S. Tollgate Rd. Photos.docx

CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debbie,

I am attaching the Second Certifications and photos for Case # 2019-0452-A @ 119 W. Cherry Hill Rd. and Case # 2019-0543-SPH @ 13 South Tollgate Rd. for your records.
Have a nice day,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 2/9/2020

Case Number: 2019-0452-A

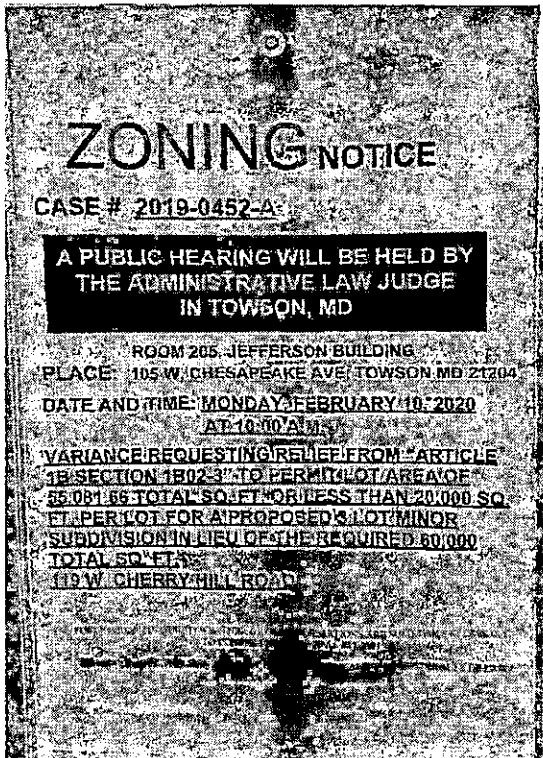
Petitioner / Developer: JASPAL JUDGE ~ SRI APPANA

Date of Hearing: FEBRUARY 10, 2020

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:
119 W. CHERRY HILL ROAD

The sign(s) were posted on: JANUARY 20, 2020

The sign(s) were re-photographed on: FEBRUARY 9, 2020



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



Re-Photographed 1st Sign @ 119 W. Cherry Hill Rd. ~ 2/9/2020



Re-Photographed 2nd Sign @ 119 W. Cherry Hill Rd. ~ 2/9/2020
CASE # 2019-0452-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 1/20/2020

Case Number: 2019-0452-A

Petitioner / Developer: JASPAL JUDGE ~SRI APPANA

Date of Hearing: FEBRUARY 10, 2019

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:
119 W. CHERRY HILL ROAD

The sign(s) were posted on: JANUARY 20, 2020

ZONING NOTICE

CASE # 2019-0452-A

**A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204
DATE AND TIME: MONDAY, FEBRUARY 10, 2020
AT 10:00 A.M.

**VARIANCE REQUESTING RELIEF FROM ARTICLE
1B SECTION 1B02.3 TO PERMIT LOT AREA OF
55,081.66 TOTAL SQ. FT. OR LESS THAN 20,000 SQ.
FT. PER LOT FOR A PROPOSED 3 LOT MINOR
SUBDIVISION IN LIEU OF THE REQUIRED 60,000
TOTAL SQ. FT.
119 W. CHERRY HILL ROAD**

POSTING REQUIRED DUE TO WHETHER OR OTHER CONDITIONS ARE PROMISED AS NECESSARY
TO CONFIRM HEARING (CALC. 665.131)

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

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

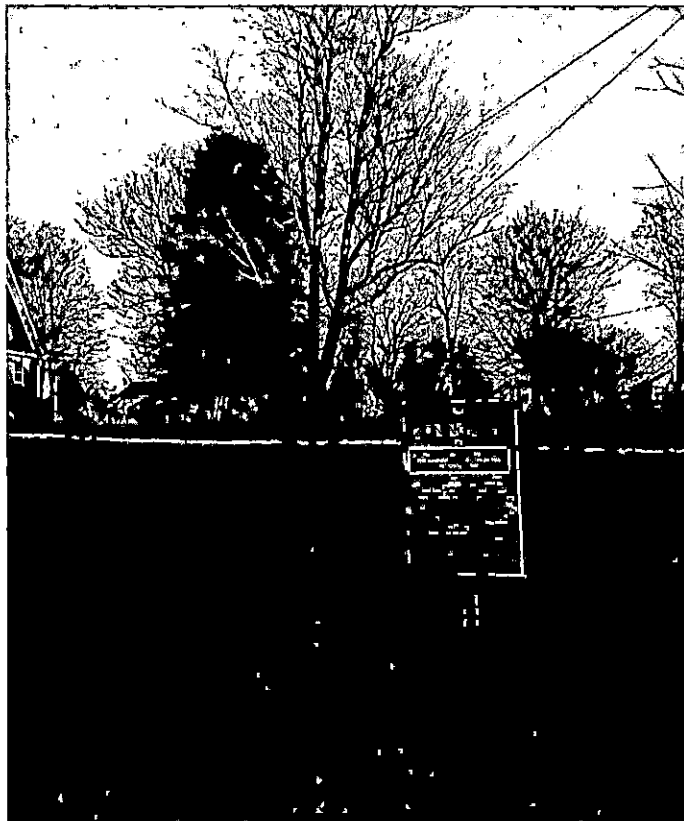
523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ 119 W. Cherry Hill Rd. ~ 1/20/2020



Background Photo 2nd Sign @ 119 W. Cherry Hill Rd. ~ 1/20/2020

CASE # 2019-0452-A

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

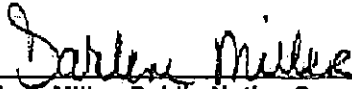
PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

1/21/2020

Order #: 11838118
Case #: 2019-0452-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0452-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0452-A

119 W. Chery Hill Road

North of Nicodemus Road at north east corner of Nicodemus and West Cherry Hill Road 4th Election District - 4th Councilmanic District

Legal Owners: Jaspal Judge

Variance requesting relief from "Article 1B section 1B02-3" to permit Lot area of 55,081.66 total sq. ft. or less than 20,000 sq. ft. per lot for a proposed 3 lot minor subdivision in lieu of the required 60,000 total sq. ft.

Hearing: Monday, February 10, 2020 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

ja21



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

January 13, 2020

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0452-A

119 W. Chery Hill Road

North of Nicodemus Road at north east corner of Nicodemus and West Cherry Hill Road

4th Election District – 4th Councilmanic District

Legal Owners: Jaspal Judge

Variance requesting relief from "Article 1B section 1B02-3" to permit Lot area of 55,081.66 total sq. ft. or less than 20,000 sq. ft. per lot for a proposed 3 lot minor subdivision in lieu of the required 60,000 total sq. ft.

Hearing: Monday, February 10, 2020 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Jaspal Judge, 119 W. Cherry Hill Road, Reisterstown 21136
Sri Appana, 7202 Sanford Court, Annandale VA 22003

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 21, 2019**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: THE DAILY RECORD
Tuesday, January 21, 2020 - Issue

Please forward billing to:
Jaspal Judge
119 W. Cherry Hill Road
Reisterstown, MD 21136

443-824-2833

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0452-A

119 W. Chery Hill Road

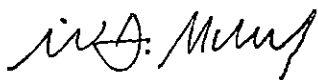
North of Nicodemus Road at north east corner of Nicodemus and West Cherry Hill Road

4th Election District – 4th Councilmanic District

Legal Owners: Jaspal Judge

Variance requesting relief from "Article 1B section 1B02-3" to permit Lot area of 55,081.66 total sq. ft. or less than 20,000 sq. ft. per lot for a proposed 3 lot minor subdivision in lieu of the required 60,000 total sq. ft.

Hearing: Monday, February 10, 2020 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, December 1, 2019 1:21 AM
To: Administrative Hearings
Subject: Certification Case # 2019-0452-A @ 119 W. Cherry Hill Rd.
Attachments: W. Cherry Hill Rd. Cert. .jpeg; W. Cherry Hill Photos.docx

CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Sherry,

I am attaching the Second Certification for Case # 2019-0452-A @ W. Cherry Hill Road for your records.

Thank you ,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 11/30/2019

Case Number: 2019-0452-A

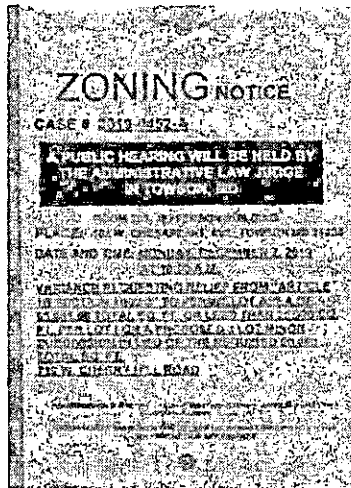
Petitioner / Developer: JASPAL JUDGE ~ SRI APPANA

Date of Hearing: DECEMBER 2, 2019

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:
119 W. CHERRY HILL ROAD

The sign(s) were posted on: NOVEMBER 12, 2019

The sign(s) were re-photographed on: NOVEMBER 30, 2019



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ 119 W. Cherry Hill Rd. ~ 11/30/2019



Background Photo 2nd Sign @ 119 W. Cherry Hill Rd. ~ 11/30/2019
CASE # 2019-0452-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/12/2019

Case Number: 2019-0452-A

Petitioner / Developer: JASPAL JUDGE ~ SRI APPANA

Date of Hearing: DECEMBER 2, 2019

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:
119 W. CHERRY HILL ROAD

The sign(s) were posted on: **NOVEMBER 12, 2019**

ZONING NOTICE

CASE # 2019-0452-A

APPEAL HEARING WILL BE HELD BY:
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. TOWSON MD 21204

DATE AND TIME: MONDAY, DECEMBER 2, 2019
AT 10:00 A.M.

VARIANCE REQUESTING RELIEF FROM "ARTICLE 1B SECTION 1B02-3" TO PERMIT LOT AREA OF 55,000 TOTAL SQ. FT. OR LESS THAN 20,000 SQ. FT. 2.0 FOR A PROPOSED 3 LOT MINOR SUBDIVISION IN LIEU OF THE REQUIRED 60,000 TOTAL SQ. FT.
119 W. CHERRY HILL ROAD

IF YOU HAVE ANY QUESTIONS OR NEED MORE INFORMATION, PLEASE CALL 410-336-7379

IF YOU ARE HANDICAPPED AND NEED ASSISTANCE, PLEASE CALL 410-336-7379

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
119 W. Cherry Hill Road; N of Nicodemus Rd, *
NE corner of Nicodemus and West Cherry Rd * OF ADMINISTRATIVE
4th Election & 4th Councilmanic Districts *
Legal Owner(s): Jaspal Judge * HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2019-452-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.

RECEIVED
SEP 19 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of September, 2019, a copy of the foregoing Entry of Appearance was mailed to Sri Appana, 7202 Sanford Court, Annandale, VA 22003, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

11/12/2019

Order #: 11811256
Case #: 2019-0452-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0452-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0452-A

119 W. Chery Hill Road

North of Nicodemus Road at north east corner of Nicodemus and West Cherry Hill Road

4th Election District - 4th Councilmanic District

Legal Owners: Jaspal Judge

Variance requesting relief from "Article 1B section 1B02-3" to permit Lot area of 55,081.66 total sq. ft. or less than 20,000 sq. ft. per lot for a proposed 3 lot minor subdivision in lieu of the required 60,000 total sq. ft.

Hearing: Monday, December 2, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

n12

1781

V.
3'

ZONING NOTICE

CASE # 2019-0452-A

**A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

**ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204**

**DATE AND TIME: MONDAY, DECEMBER 2, 2019
AT 10:00 A.M.**

**VARIANCE REQUESTING RELIEF FROM "ARTICLE
1B SECTION 1B02-3" TO PERMIT LOT AREA OF
55,081.66 TOTAL SQ. FT. OR LESS THAN 20,000 SQ.
FT. PER LOT FOR A PROPOSED 3 LOT MINOR
SUBDIVISION IN LIEU OF THE REQUIRED 60,000
TOTAL SQ. FT.**
119 W. CHERRY HILL ROAD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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



Background Photo 1st Sign @ 119 W. Cherry Hill Road 11/12/2019



Background Photo 2nd Sign @ 119 W. Cherry Hill Road ~ 11/12/2019
CASE # 2019-0452-A



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

October 30, 2019

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0452-A

119 W. Chery Hill Road

North of Nicodemus Road at north east corner of Nicodemus and West Cherry Hill Road

4th Election District – 4th Councilmanic District

Legal Owners: Jaspal Judge

Variance requesting relief from "Article 1B section 1B02-3" to permit Lot area of 55,081.66 total sq. ft. or less than 20,000 sq. ft. per lot for a proposed 3 lot minor subdivision in lieu of the required 60,000 total sq. ft.

Hearing: Monday, December 2, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Jaspal Judge, 119 W. Cherry Hill Road, Reisterstown 21136
Sri Appana, 7202 Sanford Court, Annandale VA 22003

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 12, 2019**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Tuesday, November 12, 2019 - Issue

Please forward billing to:
Jaspal Judge
119 W. Cherry Hill Road
Reisterstown, MD 21136

443-824-2833

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2019-0452-A

119 W. Chery Hill Road

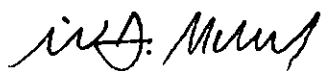
North of Nicodemus Road at north east corner of Nicodemus and West Cherry Hill Road

4th Election District – 4th Councilmanic District

Legal Owners: Jaspal Judge

Variance requesting relief from "Article 1B section 1B02-3" to permit Lot area of 55,081.66 total sq. ft. or less than 20,000 sq. ft. per lot for a proposed 3 lot minor subdivision in lieu of the required 60,000 total sq. ft.

Hearing: Monday, December 2, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

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

**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: 2019-0452-A
Property Address: 119 W. CHERRY HILL ROAD
Property Description: RESIDENCE

Legal Owners (Petitioners): JASPAL JUDGE
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JASPAL JUDGE
Company/Firm (if applicable): —
Address: 119 W. CHERRY HILL ROAD
REISTERSTOWN, MD - 21136

Telephone Number: 443-824-2833



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

November 25, 2019

Jaspal Judge
119 W. Cherry Hill Road
Reisterstown MD 21136

RE: Case Number: 2019-0452-A, 119 W Cherry Hill Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 06, 2019. 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, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
SRI Appana 7202 Sanford Court Ann Andale VA 22003

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 10/11/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-452



INFORMATION:

Property Address: 119 W Cherry Hill Road
Petitioner: Jaspal Judge
Zoning: DR 2
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a lot area of 55,081.66 total square feet or less than 20,000 square feet per lot for a proposed three lot minor subdivision in lieu of the required 60,000 total square feet or 20,000 square feet per lot.

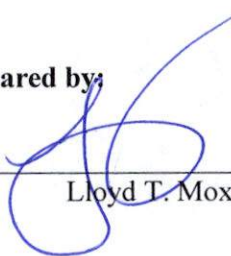
A site visit was conducted on September 20, 2019.

The Department does not support granting the petitioned zoning relief.

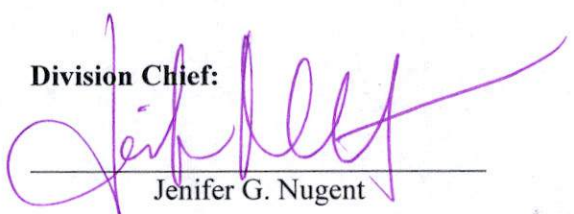
The Department is not aware of any process under the current regulations by which an undersized lot(s) may be created. This D.R-2 zoned proposal also requires 100' lot widths at the front building lines which, per the provided site plan, are not provided. No zoning relief to the required lot widths was petitioned for and any adjustments to achieve same exacerbate deficiencies in setbacks and /or areas elsewhere on the plan. The Department recommends that a by-right development resulting in two lots is more appropriate to the community.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

CPG/JGN/LTM/

c: Bill Skibinski
Sri Appana
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: October 1, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0452-A
Address 119 W. Cherry Hill Road
(Judge Property)

Zoning Advisory Committee Meeting of **September 13, 2019.**

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

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).

Additional Comments:

EIR comments on the subject minor subdivision dated 7/2/18 have not yet been addressed.

Reviewer: Glenn Shaffer

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: October 1, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0452-A
Address 119 W. Cherry Hill Road
(Judge Property)

Zoning Advisory Committee Meeting of **September 13, 2019**.

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

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).

Additional Comments:

EIR comments on the subject minor subdivision dated 7/2/18 have not yet been addressed.

Reviewer: Glenn Shaffer

Date: 9/18/19

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. 2019-0452-A

Variance
Jaspal Judge
118 W. Cherry Hill Road

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

Sincerely,



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

WW/RAZ

CASE NAME JASPAL JUDGE PROPERTY
CASE NUMBER 2019-0452-A
DATE 02/10/2020

[illegible]

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

DEPS

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

FIRE DEPARTMENT

PLANNING

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

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

10/16/19 Peoples Counsel

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

11/21/2020

SIGN POSTING (1st)

Date:

11/20/2020

by O'Keefe

SIGN POSTING (2nd)

Date:

2-9-2020

by "

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any:

Note to File From Zoning Review

Case No.: 2019-0452-A 119 W. Cherry Hill Rd

Exhibit Sheet

Petitioner/Developer

DS
A-14-2020

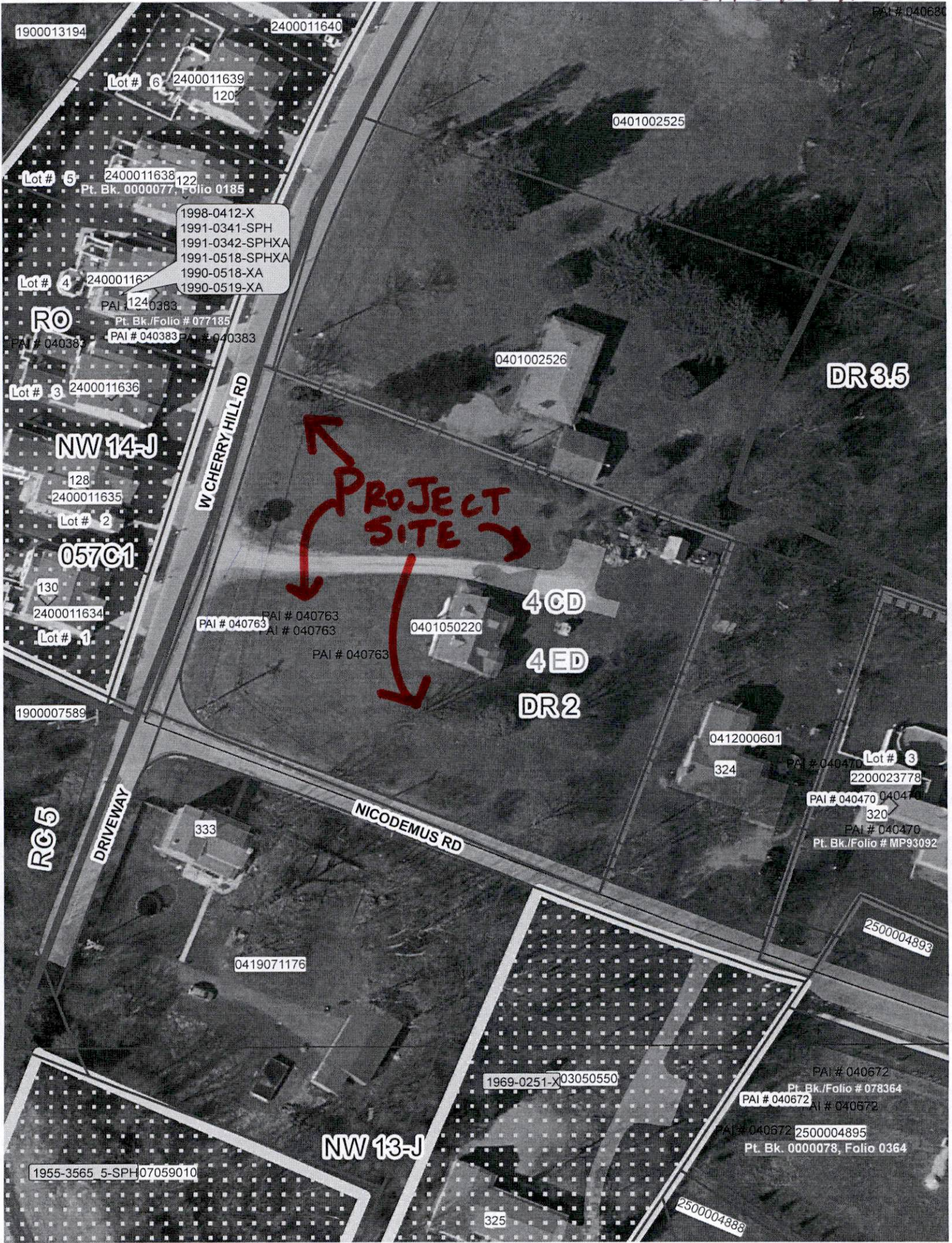
Protestants

Sen
3-10-2020

No. 1	Site Plan	
No. 2	Revised Site Plan	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PAT # 040680

2500004888



1900013194

2400011640

Lot # 6 2400011639
120

0401002525

Lot # 5 2400011638
Pt. Bk. 0000077, Folio 0185

1998-0412-X
1991-0341-SPH
1991-0342-SPHXA
1991-0518-SPHXA
1990-0518-XA
1990-0519-XA

Lot # 4 2400011637
PAI # 040383
Pt. Bk./Folio # 077185
PAI # 040383

RO

Lot # 3 2400011636

NW 14-J

128
2400011635

Lot # 2

057C1

130
2400011634

Lot # 1

1900007589

W CHERRY HILL RD

PROJECT SITE

0401002526

DR 3.5

4 CD

4 ED

DR 2

PAI # 040763
PAI # 040763

0401050220

PAI # 040763

0412000601

324

Lot # 3

2200023778

PAI # 040470

320

PAI # 040470
Pt. Bk./Folio # MP93092

RC5

DRIVEWAY

NICODEMUS RD

333

0419071176

1969-0251-X 03050550

NW 13-J

1955-3565 5-SPH 07059010

PAI # 040672
Pt. Bk./Folio # 078364
PAI # 040672

PAI # 040672 2500004895
Pt. Bk. 0000078, Folio 0364

325

2500004888

FILE
PROJECT

Four hand-drawn red arrows originate from the center of the text. One arrow points upwards and slightly to the left, another points upwards and slightly to the right, a third points downwards and to the left, and the fourth points downwards and to the right. The arrows are simple line drawings with arrowheads.

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 04 Account Number - 0401050220			
Owner Information					
Owner Name:		JUDGE JASPAL		Use: RESIDENTIAL	
Mailing Address:		119 W CHERRY HILL RD REISTERSTOWN MD 21136-		Principal Residence: YES	
				Deed Reference: /32944/ 00395	
Location & Structure Information					
Premises Address:		119 W CHERRY HILL RD 0-0000		Legal Description: 1.504 AC ES 119 W CHERRY HILL RD NE COR NICODEMUS RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0057	0005	0205		0000	
Block:			Lot:		
Assessment Year:			Plat No:		
2019			Plat Ref:		
Special Tax Areas:			Town:		
			NONE		
Ad Valorem:					
Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1917		1,708 SF		Property Land Area	
				1.5000 AC	
County Use		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	WOOD SHINGLE	1 full	Last Major Renovation
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2019		07/01/2019	
Land:	78,700	78,700			
Improvements	92,600	96,000			
Total:	171,300	174,700		172,433	
Preferential Land:	0			173,567	
Transfer Information					
Seller: AMES SHARON		Date: 12/19/2012		Price: \$165,000	
Type: ARMS LENGTH IMPROVED		Deed1: /32944/ 00395		Deed2:	
Seller: AMES MARGUERITE G		Date: 09/04/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /27302/ 00375		Deed2:	
Seller: GUE HAROLD L		Date: 04/11/1961		Price: \$16,000	
Type:		Deed1: /00000/ 00000		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2019	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		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:					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2019-0452-A

And any and all relief deemed necessary.

Debra Wiley

From: Debra Wiley
Sent: Monday, December 2, 2019 1:56 PM
To: Kristen L Lewis
Cc: 'Howard Alderman'; Sherry Nuffer (snuffer@baltimorecountymd.gov)
Subject: FW: Case No. 2019-0452-A - December 2, 2019 @ 10 AM - POSTPONEMENT REQUEST

Hi Kristen,

Please see below.

There was no one in attendance at today's 10 AM hearing. It is our understanding that Mr. Alderman will reach out to your office when ready to proceed.

Therefore, we are returning the case file to your office.

Thank you.

From: Debra Wiley
Sent: Tuesday, November 26, 2019 2:32 PM
To: 'Howard Alderman' <halderman@leavingann.com>
Cc: Peoples Counsel <peoplescounsel@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>; Lawrence Stahl <lstahl@baltimorecountymd.gov>; Paul Mayhew <pmayhew@baltimorecountymd.gov>; Sherry Nuffer <snuffer@baltimorecountymd.gov>
Subject: Case No. 2019-0452-A - December 2, 2019 @ 10 AM - POSTPONEMENT REQUEST

Good Afternoon Mr. Alderman,

On behalf of Judge Mayhew, your postponement request of the above-referenced case has been granted and therefore removed from our hearing docket for Monday, December 2, 2019 @ 10 AM.

We ask the Office of Zoning Review to please reflect a postponement on the County's webpage, and our office will hold onto the case file until after the scheduled time in the event we have any attendance.

Thank you.

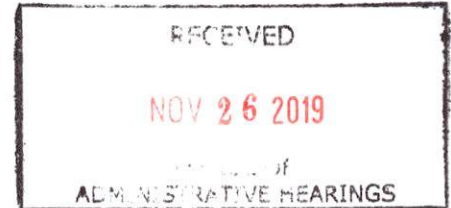
Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



LEVIN & GANN, P.A.
ATTORNEYS AT LAW

Howard L. Alderman, Jr., Esquire | Principal
D: 410.321.4640 | halderman@levingann.com

November 26, 2019



The Honorable Paul M. Mayhew,
Managing Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RE: Petition for Zoning Variance
119 W. Cherry Hill Road
Case No. 2019-0452-A
Hearing Scheduled: December 2, 2019 @ 10:00 a.m.
Request for Postponement

Dear Judge Mayhew:

Enclosed please find a Request for Postponement and Rescheduling of the above-referenced case, together with a proposed Order for your consideration. Having just been retained this morning and given the upcoming Thanksgiving Holiday there will be insufficient time to properly prepare this case. Additionally, after careful review of the plan submitted with the Petition, there may need to be modifications to the Petition as filed to ensure all necessary relief is petitioned.

Thank you for your consideration of this request.

Very truly yours,

Howard L. Alderman, Jr.

HLA/gk
c (w/encl.): Mr. Jaspal Judge
People's Counsel for Baltimore County

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY**

**RE: PETITION FOR VARIANCE
119 W. CHERRY HILL ROAD**

**4th Election District
4th Councilmanic District**

Jaspal Judge, Legal Owner.

Case No.: 2019-0452-A

REQUEST FOR POSTPONEMENT and RESCHEDULING

Jaspal Judge, legal Owner, by his attorney, Howard L. Alderman, Jr., in accordance with Code of County Regulations Title 2, Chapter 1, Part 1, Rule 4G, respectfully moves, less than five (5) days prior to the hearing scheduled at 10:00 a.m. on Monday, December 2, 2019, that the Administrative Law Judge for Baltimore County postpone the hearing in this case until the next available, regularly scheduled date can be obtained, advertised and the property posted and in support thereof states as follows:

1. The undersigned legal counsel was retained on Tuesday, November 26, 2019.
2. The legal Owner is entitled to have counsel present and present the Owner's case at the hearing on this Petition.
3. The undersigned legal counsel has advised the Owner of modifications necessary to the Petition for Zoning Hearing as filed, which may require new public posting and legal advertising.
4. Baltimore County offices are scheduled to be closed on Thursday and Friday, November 28th and 29th.
5. Given that Thursday, November 28, 2019 is Thanksgiving Day and undersigned legal counsel's law office is closed on Friday, November 29, 2019 and said counsel has pre-arranged plans to spend time with family from in-state and out-of-state, there is insufficient time for counsel to meet

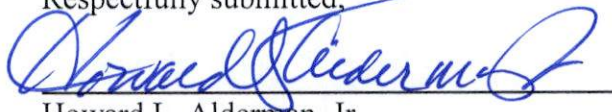
with Owner's witnesses/experts to prepare a proper case for hearing on Monday, December 2, 2019.

6. Unless the hearing is postponed, the legal Owner's rights and interests in his real property may be irreparably jeopardized.

7. The legal Owner is the only party that will be inconvenienced by this requested postponement and has not previously requested any postponement or delay.

WHEREFORE, the legal Owner respectfully requests that the Administrative Law Judge for Baltimore County grant a postponement of the hearing in this case until the next available, regularly scheduled date.

Respectfully submitted,



Howard L. Alderman, Jr.

Levin & Gann, P.A.

8th Floor, Nottingham Centre

502 Washington Avenue

Towson, Maryland 21204

410.321.0600 [voice]

410.456.8501 [cell]

halderman@LevinGann.com [e-mail]

Attorney for legal Owner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of November, 2019, a copy of the foregoing Request for Postponement, together with a proposed Order, **was hand-delivered** to: Peter Max Zimmerman, Esquire and Carole S. DeMilio, Esquire, both of Baltimore County Office of People's Counsel, The Jefferson Building, 105 W. Chesapeake Avenue, Suite 204, Towson, Maryland 21204.



Howard L. Alderman, Jr.

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY**

**RE: PETITION FOR VARIANCE
119 W. CHERRY HILL ROAD**

**4th Election District
4th Councilmanic District**

Jaspal Judge, Legal Owner.

Case No.: 2019-0452-A

ORDER

After consideration of the Request for Postponement filed by the legal Owner in this case, it is by the Administrative Law Judge for Baltimore County this ____ day of _____, 2019,

ORDERED that the Request for Postponement be and it is hereby GRANTED, and that the hearing be rescheduled for the next available, regularly scheduled date.

Administrative Law Judge for Baltimore County

Copies to:

Peter Max Zimmerman, Esquire
Carole S. DeMilio, Esquire
Baltimore County Office of People's Counsel
The Jefferson Building, Suite 204
105 W. Chesapeake Avenue
Towson, Maryland 21204

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

§ 1B02.3. - Special regulations for certain existing or proposed developments or subdivisions and for small lots or tracts in D.R. Zones.

- A. In D.R. Zones, contrary provisions of this article notwithstanding, the provisions of or pursuant to this subsection shall apply to the use, occupancy and development of; alteration or expansion of structures upon; and administrative procedures with respect to:
1. Any lot which is in a recorded residential subdivision approved by the Baltimore County Planning Board or Planning Commission and which has been used, occupied or improved in accordance with the approved subdivision plan;
 2. Any land in a subdivision tract which was laid out in accordance with the regulations of residence zoning classifications now rescinded, for which a subdivision plan tentatively approved by the Planning Board remains in effect and which has not been used, occupied or improved in accordance with such plan;
 3. Any lot or tract of lots in single ownership which is not in an existing development or subdivision, as described in Subsection A.1 or A.2, and which is too small in gross area to accommodate six dwelling or density units in accordance with the maximum permitted density in the D.R. Zone in which such tract is located;
 4. Any lot or tract of lots in single ownership which is not in an existing development or subdivision, as described in Subsection A.1 or A.2, and which is less than one-half acre in area, regardless of the number of dwelling or density units permitted at the maximum permitted density in the zone in which it is located; or
 5. Any lot or tract of lots in single ownership which is in a duly recorded subdivision plat not approved by the Baltimore County Planning Board or Planning Commission.
- B. Standards applicable to existing developments, etc. The minimum standards for net area, lot width, front yard depth, single-side-yard width, sum of widths of both side yards, rear yard depth and height with respect to each use in a development described in Subsection A.1 above, shall be as prescribed by the zoning regulations applicable to such use at the time the plan was approved by the Planning Board or Commission; however, the same or similar standards may be codified under Section 504, and these standards shall thereupon control in such existing developments. Development of any subdivision described in Subsection A.2 shall be in accordance with the tentatively approved subdivision plan therefor. Standards for development of lots or tracts described in Subsection A.3, A.4 or A.5 shall be as set forth in Subsection C below.
- C. Development standards for small lots or tracts.
1. Any dwelling hereafter constructed on a lot or tract described in Subsection A.3 or A.4 shall comply with the requirements of the following table:

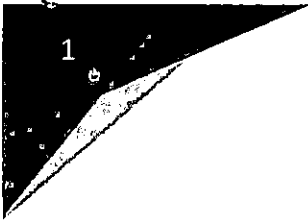
Zoning Classification	Minimum Net Lot Area per Dwelling Unit (square feet)	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Width of Individual Side Yard (feet)	Minimum Sum of Side Yard Widths (feet)	Minimum Rear Yard Depth (feet)
D.R.1	40,000	150	50	20	50	50
D.R.2	20,000	100	40	15	40	40

SPH ✓

D.R.3.5	10,000	70	30	10	25	30
D.R.5.5	6,000	55	25	10	—	30
D.R.10.5	3,000	20	10	10	—	50
D.R.16	2,500	20	10	25	—	30

2. Other standards for development of small lots on tracts as so described shall be as set forth in provisions adopted pursuant to the authority of Section 504.
- D. An amendment to any part of a development plan involving only property subject to the provisions of this subsection shall not be subject to the provisions of Section 1B01.3.A.7.
- E. Notwithstanding any provision of these regulations to the contrary, the bulk regulations and building setback requirements applicable to an approved development plan for a condominium regime shall be the only bulk regulations and building setback requirements applicable to a subsequent conversion of the entire condominium regime, or a portion thereof, to individual lots of record, so long as the approved condominium regime is located on a lot, tract, or parcel zoned D.R.3.5, D.R.5.5, D.R.10.5, and/or D.R.16 that is within the Chesapeake Bay Critical Area.

[Bill Nos. 78-2010; 71-2011]



VARIANCE APPLICATION COVER LETTER

08-27-2019

Zoning Review Office
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue
Room 111
Towson, MD – 21204

Re: Variance Application, 119 W. Cherry Hill Road, Reisterstown, MD – 21136

Respected Sir/Madam,

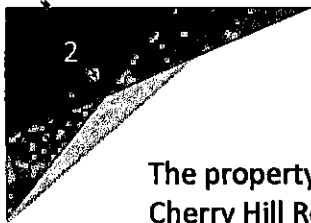
On behalf of our client, Mr. Jaspal Judge (owner of the above indicated property); we are submitting this variance application to request a relief from the minimum lot area requirement for a single residential lot in "Density Residential (DR-2)" zoning district. It is our understanding that a minimum of 20,000 SF shall be provided for one residential lot in this zoning district.

The existing property at 119 W. Cherry Hill Road is currently a single lot approximate 1.504 acres in size. The owner of the property intends to subdivide this property into three (3) equal lots of 0.5 acres each. However, our client recently received a comment from the county as part of a minor subdivision plan review (Minor Subdivision# 18-023M) for this project site that directed our client to dedicate a future right-of-way area along two sides of the site facing W. Cherry Hill Road and Nicodemus Road.

If the owner were to dedicate some site area to the local or state government for future roadway expansion on both W. Cherry Hill Road and Nicodemus Road, then the overall property area reduces to significantly less than 1.504 acres. In such case, the owner will not be able to subdivide the property into three (3) lots of 20,000 SF each. It becomes a hardship on the property owner if a R.O.W dedication was required from this property. This hardship was not a result of the property owner's actions.

When Mr. Judge (Owner of the property) bought the land in year 2012, the deed did not indicate future "**Right-of-Way Dedication**" requirement along the frontage (west side) and along south side of this property. Mr. Judge was unaware of this requirement. In contrast, other adjacent properties which have been developed recently along W. Cherry Hill Road (across from the subject property) as well as recently developed properties to the east of the subject property along Nicodemus Road do not appear to provide a significant R.O.W dedication along their respective property frontages.

2019-0452-A



The property is a corner lot and as such is being subjected to R.O.W dedication along both W. Cherry Hill Road (west side) and Nicodemus Road (south side). This property is somewhat peculiar when compared to other adjacent properties due to its corner location. However, R.O.W dedication along both these roads will severely impact the property owner's ability to subdivide it into three (3) equal buildable lots.

As such, our client (Owner of the property) sincerely requests the County to understand the undue burden and hardship created by the required R.O.W dedication. Our client would like the opportunity to be able to present his case to the county staff and discuss potential solutions to satisfy county requirements as well while he is able to subdivide the property into three (3) lots. Our client recognizes that the roadway expansion of any kind is for the greater good of the local community as well as it improves the safety of local community members.

Our client strongly believes that a viable solution can be achieved to this issue by further discussions and negotiations.

We look forward to hearing from your office at the earliest.

Thank you in advance for your support and cooperation in this matter.

Sincerely

Sri Appana, PE, PMP, MBA
Wave Civil LLC
Contact # 571-730-7569

Enclosures:

- Site Plan (Hearing Plan)
- Variance Application/Zoning Petition
- Affidavit in Support of Administrative Variance
- Property Description
- Advertising Requirements and Procedures for Zoning Hearings Form
- A Review Fee Check
- Property Photos
- GIS Zoning Map

PHOTO#1: Intersection of West Cherry Hill Road & Nicodemus Road (View of the Property)



PHOTO#2: West Cherry Hill Road (Looking North from the Intersection)



Variance Application
Site Photos
119 W. Cherry Hill Road, Reisterstown, MD-21136

2019-0452-A

PHOTO#3: Nicodemus Road (Looking East from the Intersection. Side View of the Property)



PHOTO#4: West Cherry Hill Road (Looking South from the Intersection)



Variance Application
Site Photos
119 W. Cherry Hill Road, Reisterstown, MD-21136

2019-0452-A

PHOTO#5: View of the Property (From the Intersection of West Cherry Hill & Nicodemus Road)



PHOTO#6: View of houses on W. Cherry Hill Road across from property (Looking West from property)



Variance Application
Site Photos
119 W. Cherry Hill Road, Reisterstown, MD-21136

2019-0452-A

PHOTO#7: View of the nearby properties on W. Cherry Hill Road (Looking West from the property)



PHOTO#8: View of the subject property from the entrance on W. Cherry Hill Road



Variance Application

Site Photos

119 W. Cherry Hill Road, Reisterstown, MD-21136

PHOTO#9: View of the adjacent property to the north of the subject property on W. Cherry Hill Road



PHOTO#10: Side view of the subject property from Nicodemus Road looking north

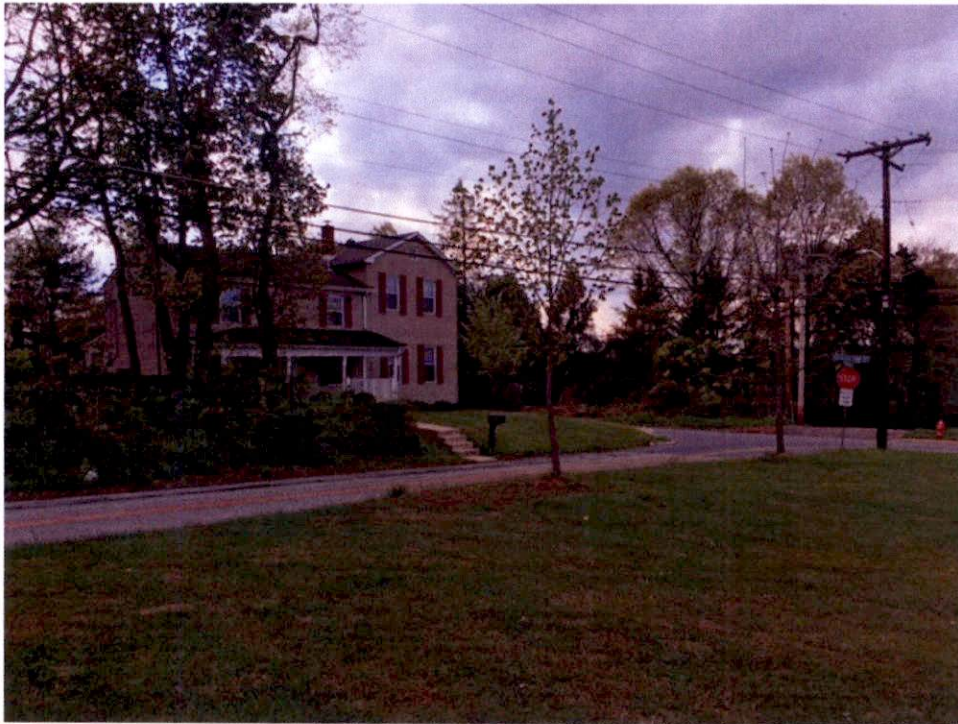


Variance Application

Site Photos

119 W. Cherry Hill Road, Reisterstown, MD-21136

PHOTO#11: View of the adjacent property to the south of the subject property on Nicodemus Road



PHOTO#12: View of another adjacent property to south of the subject property on Nicodemus Road



Variance Application

Site Photos

119 W. Cherry Hill Road, Reisterstown, MD-21136

**Permits, Approvals & Inspections**111 W. Chesapeake Avenue
Towson, MD 21204Report Generated On:
9/6/2019**Permit Processing Residential Permit & Development Report**

Page 1 of 1

Property Information

Tax Account Number: 0401050220

Election District: 4

Owner Name(s): JUDGE JASPAL

PDM # : 04-0763

Address: 119 W CHERRY HILL RD
REISTERSTOWN, MD 21136

Zoning District(s): DR 2

Premise Address: 119 W CHERRY HILL RD

Elevation Range: 686ft - 692ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111.	New Homes Internal Alts. Add / Ext. Alts. Access. Struct. Open Decks Piers/Pilings Grading/SW Tanks Ret Walls/Bulk Razing Elec. & Plumb High Rise Apts.	Agency Acknowledgment Initial & Date
Contact Agency	Potential Overlay Issues Growth Tier 1: Served by public sewer and inside URDL		
Planning Jefferson Building Room 101 Phone: 410-887-3211	Microwave Tower Path Protection Buffer Area - Applies to any proposed buildings and/or structures in the Microwave Path Protection Buffer Area that exceed 60 feet in height as defined in the C.M.D.P.	☐ ☐ ☒ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☒	
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	InFill Lot Review	☒ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	OK To File
OIT Balto. Co. Electronic Services 11112 Gilroy Rd, STE 101 Hunt Valley, MD 21031 Phone: 410-887-1878	Microwave Tower Path Protection Buffer Area - Applies to any proposed buildings and/or structures in the Microwave Path Protection Buffer Area that exceed 60 feet in height as defined in the C.M.D.P.	☐ ☐ ☒ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☒	
Building Plans Review County Office Building Room 120 Phone: 410-887-3987	Microwave Tower Path Protection Buffer Area - Applies to any proposed buildings and/or structures in the Microwave Path Protection Buffer Area that exceed 60 feet in height as defined in the C.M.D.P.	☐ ☐ ☒ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☒	
Dev. Management County Office Building Room 123 Phone: 410-887-3321	Microwave Tower Path Protection Buffer Area - Applies to any proposed buildings and/or structures in the Microwave Path Protection Buffer Area that exceed 60 feet in height as defined in the C.M.D.P.	☐ ☐ ☒ ☐ ☐ ☐ ☐ ☒ ☐ ☐ ☐ ☒	

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent)10/11 DEPS
(if not received, date e-mail sent)Comment FIRE DEPARTMENT10/11 PLANNING
(if not received, date e-mail sent)Comment
Opposed9/18 STATE HIGHWAY ADMINISTRATIONNo Objection TRAFFIC ENGINEERING COMMUNITY ASSOCIATION ADJACENT PROPERTY OWNERS10/16/19 Peoples CounselOpposedZONING VIOLATION (Case No.)PRIOR ZONING (Case No.)

NEWSPAPER ADVERTISEMENT

Date: 11/12/19 The Daily RecordSIGN POSTING (1st)Date: 11/12/19 by SIGN POSTING (2nd)Date: by

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐Comments, if any: NOTE TO FILE FROM ZONING REVIEW

9/6/2019

To A.L.J.

From Zoning Review

Note to file Zoning Case no. 2019-0452-A

This petition is pursuant to minor subdivision #18-023M / PAI # 04-0763. The Petitioner states that comments were received during the minor subdivision application that a required ROW widening easement creates a lower lot area density.

Petitioner was advised that a request for a variance on density may not be appropriate and that only 2 lots may be permitted. Petitioner was advised to hire an attorney.

Petitioner was also advised of the following regarding the submitted site plan:

1. Lot area on site plan should state the proposed condition (1.504 acres and 65,514 is revised to 55,081.66 SF);
2. Minimum front lot width for the lot fronting Nicodemus Road could potentially meet the 100 ft. minimum and could potentially meet the required minimum of 20,000 square feet;
3. Corner lot side setback at the southwest intersection of Nicodemus Rd. and W. Cherry Hill Rd. corner could meet the required 40 ft. minimum set back.
4. More information should be provided on the adjacent parcels.

Petitioner insisted on filing and seeks further review comments as a result of this application.

RVJ/WCR

12-2-19 10 Am



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

October 16, 2019

HAND DELIVERED

Paul Mayhew, Managing Administrative Law Judge
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Jaspal Judge –Legal Owners
119 W. Cherry Hill Road
Case No: 2019-452-A



Dear Judge Mayhew,

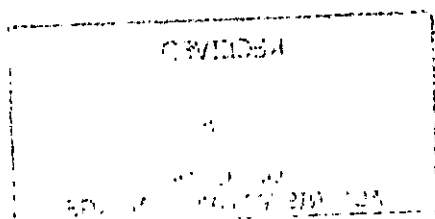
This petition for variance pertains to a property at the corner of West Cherry Hill and Nicodemus Roads in the Reisterstown/Owings Mills area, fairly close to Franklin Boulevard and its access to I-795. The tract area occupies 55,082 square feet.

The site is zoned D.R. 2. Based on the minimum standards for small lots or tracts, the minimum lot area for each lot in the D.R. 2 Zone is 20,000 square feet. The proposal is for 3 lots. Each of said lots is less than 20,000 square feet: Lot 1: 19,895; Lot 2: 16,802; and Lot 3: 18,385. Collectively, these add up to the 55,082 total for the three proposed lots, less than the 60,000 square feet required. In context, the proposal is for variances to residential density.

The relevant legislation for variances is Baltimore County Zoning Regulation Sec. 307.1. While it allows for variances to height, area, signs, and offstreet parking, it prohibits increases in residential density, stating, in pertinent part,

“No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations.”

In practice, this has been interpreted generally and logically to preclude density variances.

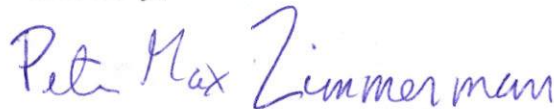


In this context, the petition must be denied, as a matter of law, because it constitutes a request for density variances both individually and collectively. Even were it not disqualified *per se* as a density variance, it does not appear that there is any unique aspect of the property which results in practical difficulty, as required by BCZR Sec. 307.1 for eligible area variances. Rather, petitioner prefers a three-lot subdivision rather than the two-lot subdivision permitted under the D.R. 2 zoning classification. The Court of Appeals reviewed the variance standards in detail in Trinity Assembly of God v. People's Counsel 407 Md. 53, 79-85 (2008), beginning with this observation:

"The general rule is that the authority to grant a variance should be exercised sparingly and only under exceptional circumstances. Cromwell v. Ward 102 Md. App. 691, 702 ... (1995)."

We hope you find this review helpful to your decision process.

Sincerely,



Peter Max Zimmerman
People's Counsel for Baltimore County

cc: Sri Appana, Representative for Petitioner
Jaspal Judge, Petitioner
E. Pete Gutwald, Director of Planning
Carl Richards, Zoning Supervisor

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 04 Account Number - 0401050220			
Owner Information					
Owner Name:	JUDGE JASPAL		Use:	RESIDENTIAL	
			Principal Residence:	YES	
Mailing Address:	119 W CHERRY HILL RD REISTERSTOWN MD 21136-		Deed Reference:	/32944/ 00395	
Location & Structure Information					
Premises Address:	119 W CHERRY HILL RD 0-0000		Legal Description:	1.504 AC ES 119 W CHERRY HILL RD NE COR NICODEMUS RD	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0057	0005	0205	4010015.04	0000	2019
Special Tax Areas: None			Town:	None	
			Ad Valorem:	None	
			Tax Class:	None	
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1917	1,708 SF		1.5000 AC	04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
1 1/2	YES	STANDARD UNIT	WOOD SHINGLE/	4	1 full
Garage Last Notice of Major Improvements					
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2019	As of 07/01/2019	As of 07/01/2020	
Land:	78,700	78,700			
Improvements	92,600	96,000			
Total:	171,300	174,700	172,433	173,567	
Preferential Land:	0			0	
Transfer Information					
Seller: AMES SHARON		Date: 12/19/2012		Price: \$165,000	
Type: ARMS LENGTH IMPROVED		Deed1: /32944/ 00395		Deed2:	
Seller: AMES MARGUERITE G		Date: 09/04/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /27302/ 00375		Deed2:	
Seller: GUE HAROLD L		Date: 04/11/1961		Price: \$16,000	
Type:		Deed1: /00000/ 00000		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019	07/01/2020		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					

Homestead Application Information

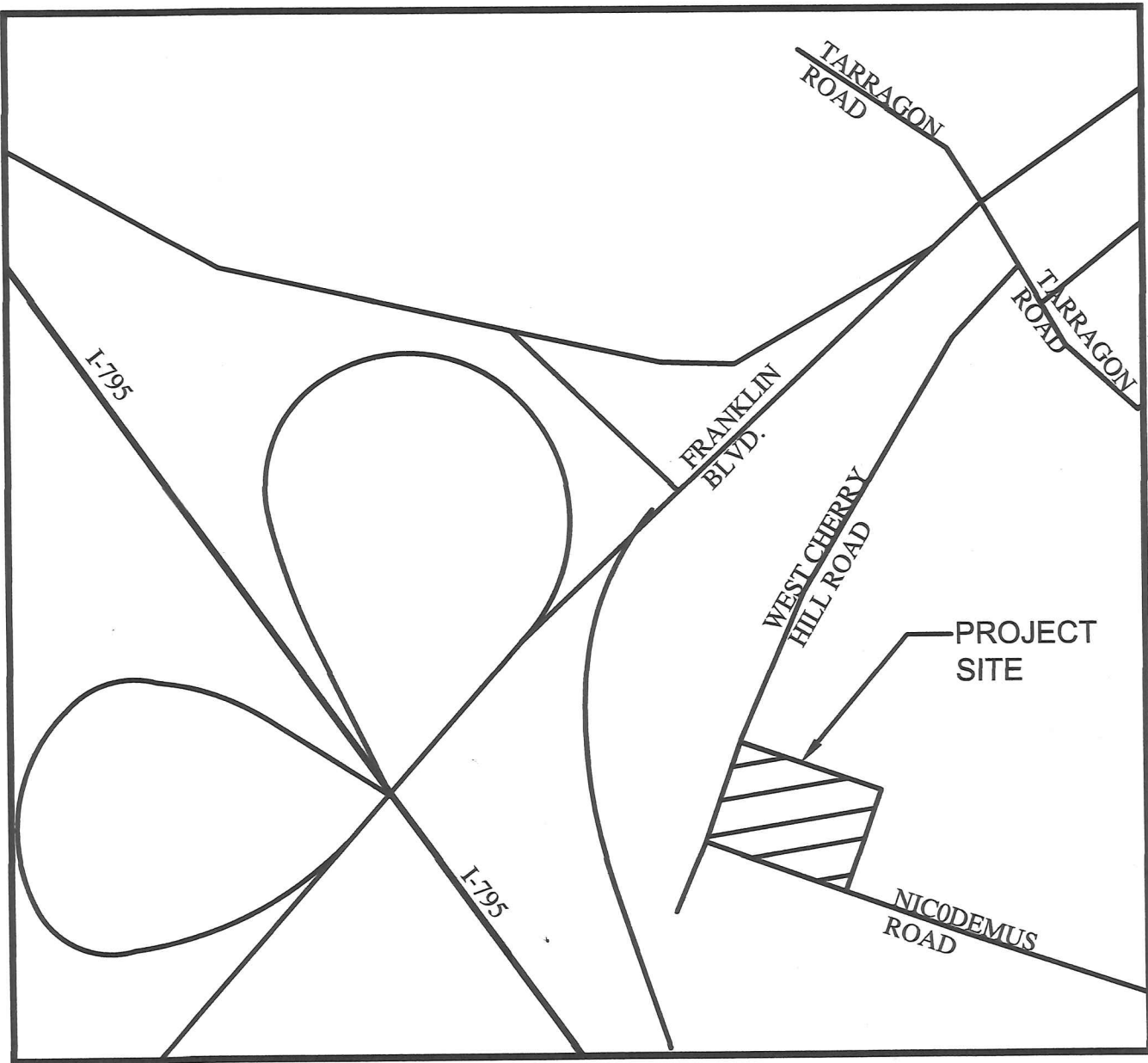
Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

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

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING ____
(MARK TYPE REQUESTED WITH X)
ADDRESS: 119 WEST CHERRY HILL ROAD, REISTERSTOWN, MD 21136
OWNER (S) NAME (S): JASPAL JUDGE
SUBDIVISION# 0000
MAP# 0057; GRID# 0005; PARCEL# 0205
PLAT LIBER # 27302; FOLIO # 375; 10 DIGIT TAX # 0401050220
DEED REF. # 032944/00395

SITE VICINITY MAP



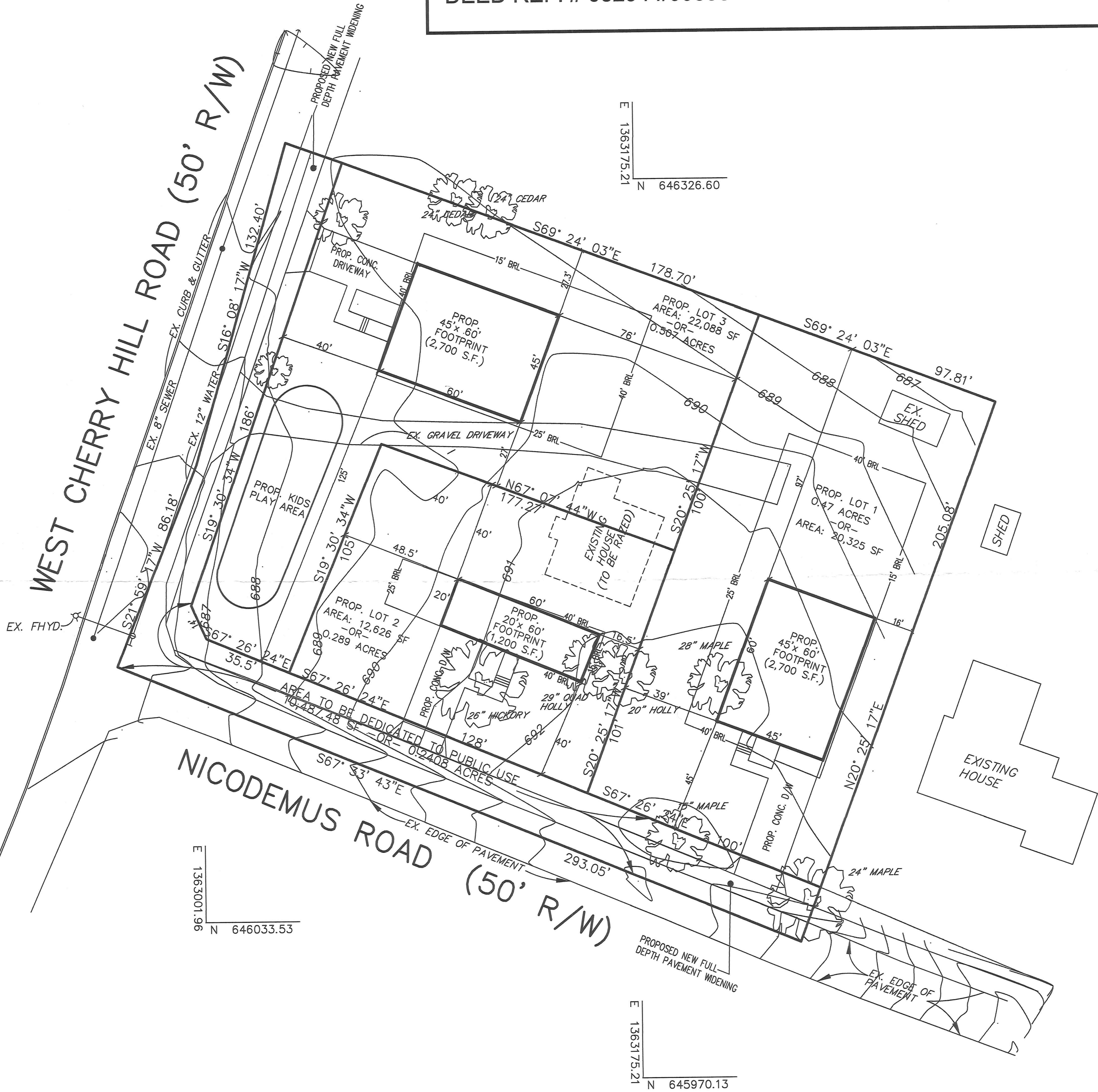
NOT TO SCALE

Revised
RECEIVED
MAR 03 2020
OFFICE OF
ADMINISTRATIVE HEARINGS

NORTH
HOR. DATUM: NAD 83
VERT. DATUM: NAVD 88

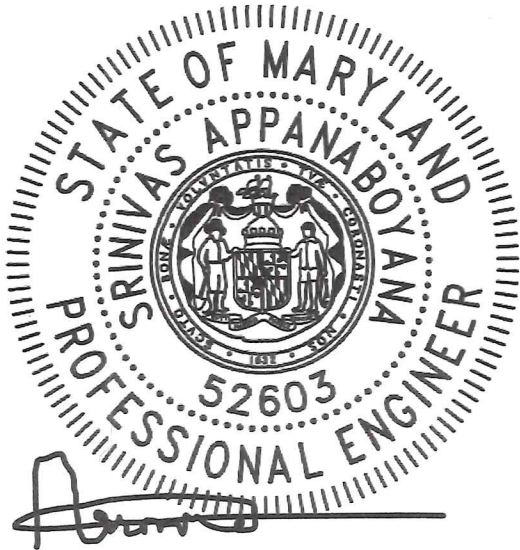
SETBACKS FOR THE PROJECT SITE:
SITE ZONING: DR-2

	REQUIRED	PROVIDED
FRONT YARD (ALONG NICODEMUS ROAD) (ALONG WEST CHERRY)	40'	45' (Lot#1) 40' (Lot#2) 40' (Lot#3)
SIDE YARD	25'	39' (Lot# 1) 48.5' (Lot#2) 27' (Lot#3)
SIDE YARD (BUILDINGS)	15'	16' (Lot#1) 16.5' (Lot#2) 27.3' (Lot#3)
REAR YARD	40'	97' (Lot#1) 40' (Lot# 2) 76' (Lot# 3)



ZONING MAP # 057C1 PETITIONER'S
SITE ZONED; DR-2 EXHIBIT NO. 2
ELECTION DISTRICT: 4
COUNCIL DISTRICT: 4
LOT AREA ACREAGE: 1.504 ACRES
OR SQUARE FEET: 65514
HISTORIC ?: NO
IN CBCA ?: NO
IN FLOOD PLAIN ?: NO
UTILITIES ? MARK WITH X
WATER IS:
PUBLIC X PRIVATE ____
SEWER IS:
PUBLIC X PRIVATE ____
PRIOR HEARING ?: NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW:

VIOLATION CASE INFO: N/A



VARIANCE CASE# 2019-0452-A

VARIANCE NOTES:

THIS PLAN IS BEING SUBMITTED AS PART OF A VARIANCE APPLICATION TO SUBDIVIDE AN EXISTING 65529 SF PARCEL INTO THREE (3) LOTS TO CONSTRUCT THREE (3) RESIDENTIAL BUILDINGS ON EACH LOT. AS SUCH THE OWNER IS REQUESTING A RELIEF FROM "ARTICLE 1B-1B02.3 SECTION" OF THE BALTIMORE COUNTY ZONING CODE FOR "MINIMUM LOT REQUIREMENT OF 20,000 SF".

No.	DATE	DESCRIPTION
1	02-23-2020	REVISED PER COUNTY COMMENTS
REVISION BLOCK		

WAVE CIVIL LLC
CIVIL DESIGN ENGINEERS AND CONSULTANTS

7202 SANFORD COURT
ANNANDALE, VA - 22003
PHONE# 571-730-7569

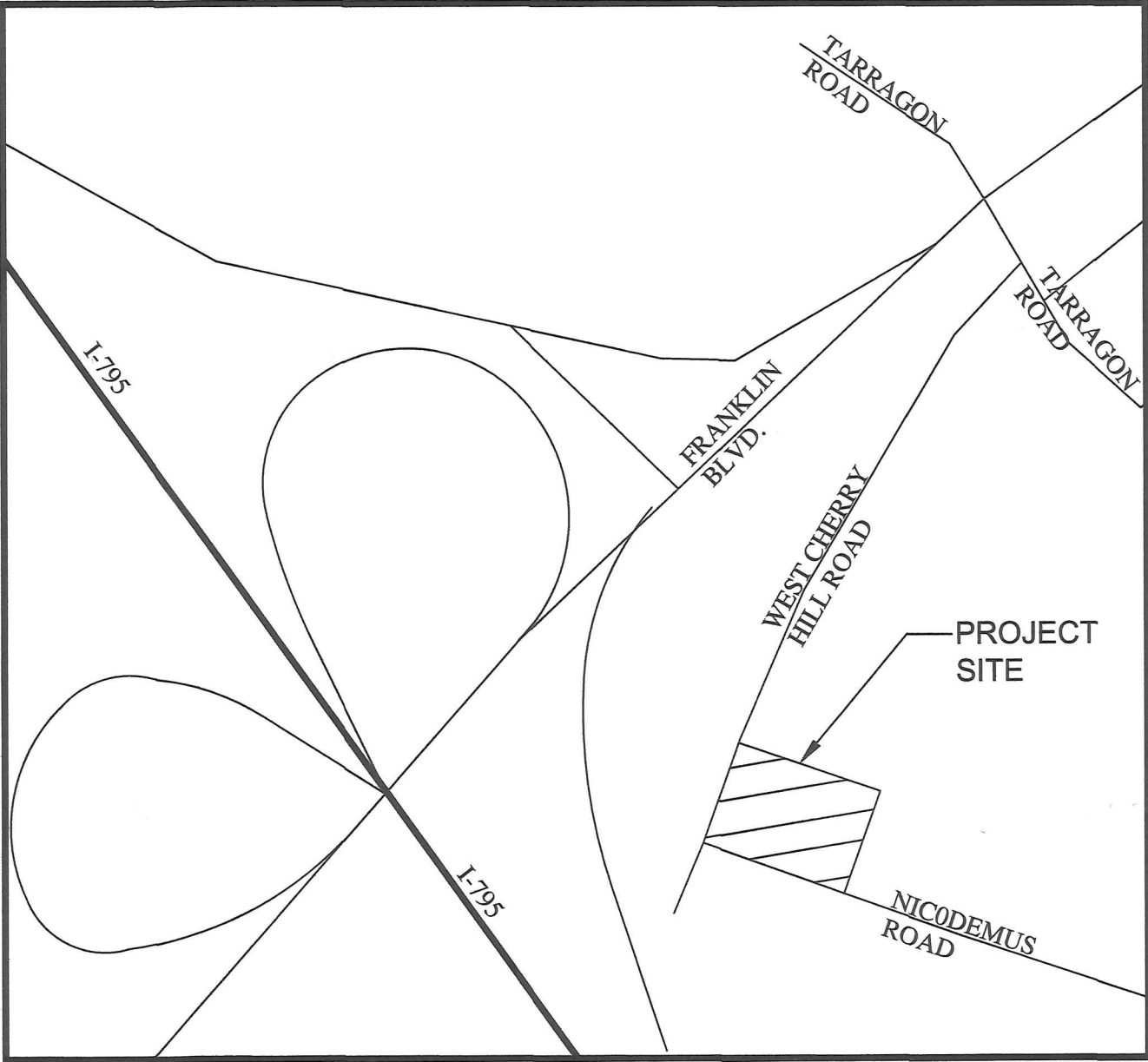
PROJECT NAME: JASPAL JUDGE PROPERTY
119 WEST CHERRY HILL ROAD, REISTERSTOWN, MD

TITLE: HEARING PLAN
FOR VARIANCE APPLICATION

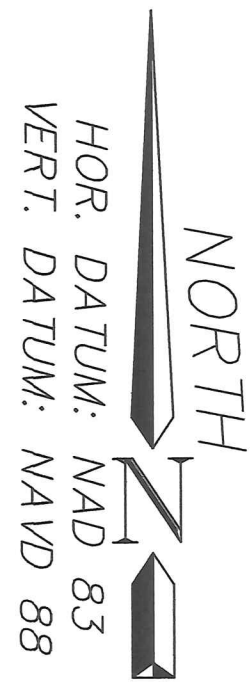
DATE	02-23-2020
DESIGNED BY	SCA
DRAWN BY	SCA
SCALE: 1" = 30'	SHT 1 OF 1
FILE No.	

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____
(MARK TYPE REQUESTED WITH X)
ADDRESS: 119 WEST CHERRY HILL ROAD, REISTERSTOWN, MD 21136
OWNER (S) NAME (S): JASPAL JUDGE
SUBDIVISION# 0000
MAP# 0057; GRID# 0005; PARCEL# 0205
PLAT LIBER # 27302; FOLIO # 375; 10 DIGIT TAX # 0401050220
DEED REF. # 032944/00395

SITE VICINITY MAP

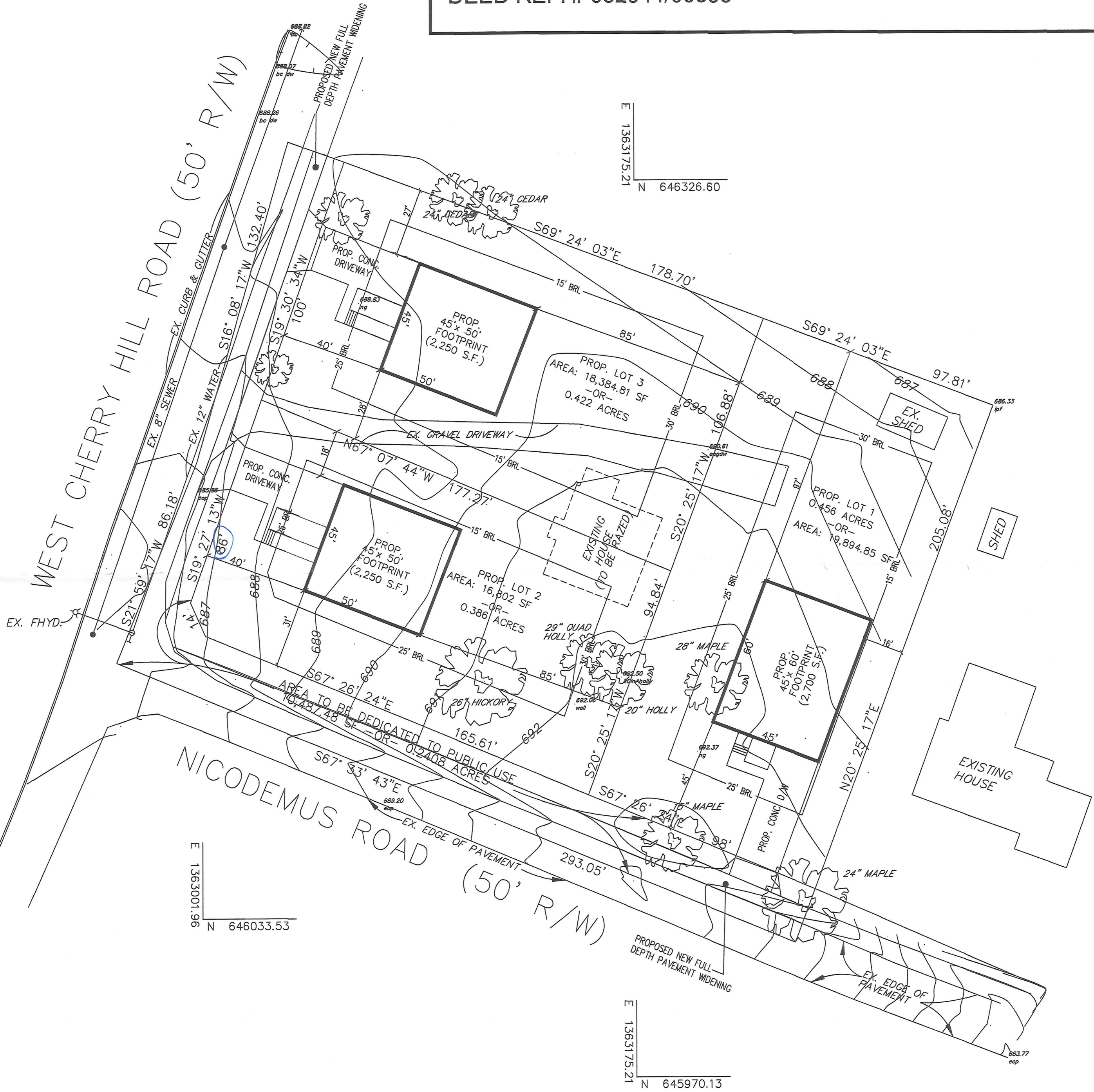


NOT TO SCALE



SETBACKS FOR THE PROJECT SITE:
SITE ZONING: DR-2

	REQUIRED	PROVIDED
FRONT YARD (ALONG RIGHT-OF-WAY)	40'	40' (Lots# 2&3) 45' (Lot 1)
SIDE YARD (ALONG NICODEMUS ROAD)	25'	31' (Lot# 2)
SIDE YARD BUILDINGS)	15'	18' (Lot#2) 28' (Lot#3)
REAR YARD	40'	85' (Lots# 2&3) 97' (Lot# 1)



ZONING MAP # 057C1
SITE ZONED; DR-2
ELECTION DISTRICT: 4
COUNCIL DISTRICT: 4
LOT AREA ACREAGE: ~~1.504~~ ACRES
OR SQUARE FEET: ~~65514~~ 55,081.66 SF
HISTORIC ?: NO
IN CBCA ?: NO
IN FLOOD PLAIN ?: NO
UTILITIES ? MARK WITH X
WATER IS:
PUBLIC X PRIVATE ____
SEWER IS:
PUBLIC X PRIVATE ____
PRIOR HEARING ?: NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW:

VIOLATION CASE INFO: N/A

PETITIONER'S
EXHIBIT NO. 1

CASE # 2019-0452-A

VARIANCE NOTES:

THIS PLAN IS BEING SUBMITTED AS PART OF A VARIANCE APPLICATION TO SUBDIVIDE AN EXISTING 65529 SF PARCEL INTO THREE (3) LOTS TO CONSTRUCT THREE (3) RESIDENTIAL BUILDINGS ON EACH LOT. AS SUCH THE OWNER IS REQUESTING A RELIEF FROM "ARTICLE 1B-1B02.3 SECTION" OF THE BALTIMORE COUNTY ZONING CODE FOR "MINIMUM LOT REQUIREMENT OF 20,000 SF".

No.	DATE	DESCRIPTION
		REVISION BLOCK

WAVE CIVIL LLC
CIVIL DESIGN ENGINEERS AND CONSULTANTS

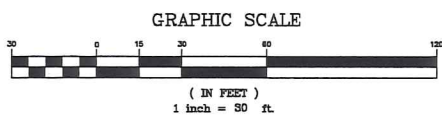
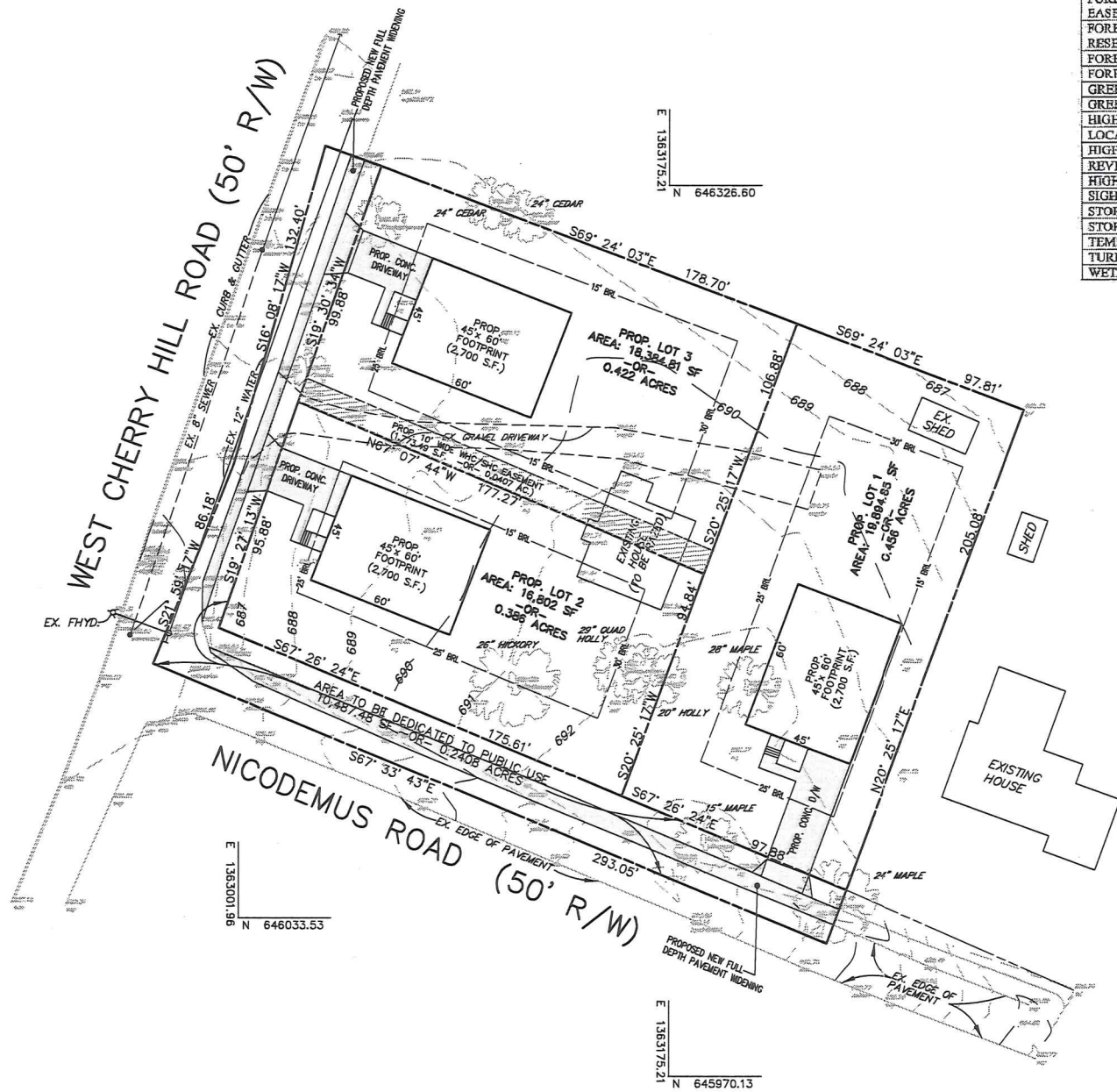
7202 SANFORD COURT
ANNANDALE, VA - 22003
PHONE# 571-730-7569

PROJECT NAME: JASPAL JUDGE PROPERTY
119 WEST CHERRY HILL ROAD, REISTERSTOWN, MD

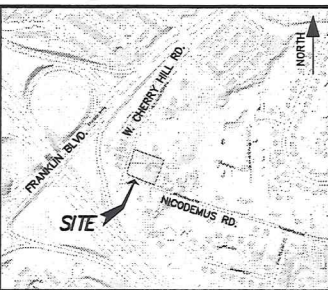
TITLE: HEARING PLAN
FOR VARIANCE APPLICATION

DATE	09-05-2019
DESIGNED BY	SCA
DRAWN BY	SCA
SCALE: 1" = 30'	SHT 1 OF 1
FILE No.	

NORTH
HOR. DATUM: NAD 83
VERT. DATUM: NAVD 88



TYPE OF CONVEYANCE	NO.	TOTAL AREA* (ac.)
ACCESS EASEMENT		
CHESAPEAKE BAY CRITICAL AREA EASEMENT		
CONSERVANCY AREA EASEMENT		
DRAINAGE AND UTILITY EASEMENT		
FIRE SUPPRESSION TANK EASEMENT		
FLOODPLAIN EASEMENT		
FLOODPLAIN RESERVATION		
FOREST BUFFER EASEMENT		
FOREST BUFFER RESERVATION		
FOREST BUFFER & FOREST CONSERVATION EASEMENT		
FOREST BUFFER & FOREST CONSERVATION RESERVATION		
FOREST CONSERVATION EASEMENT		
FOREST CONSERVATION RESERVATION		
GREENWAY EASEMENT		
GREENWAY RESERVATION		
HIGHWAY WIDENING	X	0.2408 ACRES
LOCAL OPEN SPACE		
HIGHWAY EASEMENT		
REVERTIBLE SLOPE EASEMENT		
HIGHWAY RIGHT-OF-WAY		
SIGHT LINE EASEMENT		
STORMWATER MANAGEMENT EASEMENT		
STORMWATER MANAGEMENT RESERVATION		
TEMPORARY EASEMENT - any type		
TURNAROUND EASEMENT		
WETLANDS MITIGATION EASEMENT		



SITE VICINITY MAP
(NOT -TO-SCALE)

STANDARD NOTES

- OWNER/APPLICANT:
MR. JASPAL JUDGE
119 WEST CHERRY HILL ROAD
REISTERSTOWN, MD 21136
PHONE: (443) 824-2833
- ZONING: DR-2
(2 DU/ ACRE)
- PROPERTY STREET ADDRESS:
(SAME AS ABOVE)
TAX ACCOUNT NO.: 0401050220
- MINIMUM BUILDING RESTRICTION LINES
FRONT B.R.L. = 25'
SIDE B.R.L. = 30'
REAR B.R.L. = 30'
- TOTAL LOT AREA = 65,602.18 S.F.
= 1.506 AC.
- DENSITY CALCULATIONS:
LOTS ALLOWED = 2 DU/AC. * 1.506 AC.
= 3.01 LOTS
LOTS PROPOSED = 3.0 LOTS
- UTILITIES - THIS SITE IS CURRENTLY SERVED BY A WELL AND SEPTIC SYSTEM. THE EXISTING WELL AND SEPTIC SYSTEM SHALL BE PROPERLY ABANDONED AND NEW HOMES TO BE CONNECTED TO THE PUBLIC WATER AND SEWER.
- TOPOGRAPHY SHOWN ON THIS PLAN WAS TAKEN BY A FIELD SURVEY PREPARED BY CIVTECH DESIGNS INC.
- NO FOREST CONSERVATION IS REQUIRED ON THIS SITE BECAUSE THE SITE DOES NOT CONTAIN 40,000 S.F. OF CONTIGUOUS WOODLAND.
- CENSUS TRACT: 4044.03
- REGIONAL PLANNING DISTRICT:
REISTERSTOWN/ OWINGS MILLS
- SCHOOL DISTRICT: FRANKLIN MIDDLE/HIGH CEDARMOORE ELEMENTARY
- WATERSHED: GWYNN FALLS
- SUBWATERSHED: REDRUN

CERTIFICATION STAMP	
BALTIMORE COUNTY MINOR SUBDIVISION	
PROJECT NO.: _____	
DEVELOPMENT REGULATIONS	
Exempt from Article 32, Title 4, Subtitle 2, BCC	
Pursuant to Sections 32-4-211 through 32-4-217 AND	
Sections 32-4-226 and 32-4-227, BCC	
REAL ESTATE COMPLIANCE CLEARANCE	
Int: _____	Date: _____
PAT CERTIFICATION	
Approved _____	Disapproved _____
By: _____	Date: _____
APPROVED DEPS	
By: _____	Date: _____

PROFESSIONAL CERTIFICATION	
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional land surveyor under the laws of the State of Maryland, License No. 21412, Expiration Date: 6/06/2018.	
DATE: 5-3-18	
DWN. JAR	DESIGNED JAR
CHECKED JAR	SCALE: 1"=30'
PROJECT NO. 2017-029	
SHEET NO. 1 OF 1	

Civtech Designs Inc.



JASPAL JUDGE PROPERTY
119 W. CHERRY HILL ROAD - REISTERSTOWN, MD 21136
PARCEL 205 - TAX MAP 57 - GRID 05
LIBER 32944 FOLIO 395
ELECTION DISTRICT No. 4
BALTIMORE COUNTY, MARYLAND

MINOR SUBDIVISION OF
PARCEL 205 - TAX MAP 57

REVISIONS

SEE: 18023M
PAT # 04-0763