

IN THE MATTER OF
STEVEN AND MARIA HAMILTON
PETITIONERS AND LEGAL OWNERS
OF THE PROPERTY LOCATED AT
STANSBURY MILL ROAD

10TH ELECTION DISTRICT
3RD COUNCIL DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 20-198-SPH

* * * * *

OPINION

This case comes before the Board of Appeals of Baltimore County ("Board") as an appeal of the request of Petitioners, Steven G. Hamilton and Maria N. Hamilton, for a Special Hearing that was granted on December 8, 2020 by Administrative Law Judge Maureen E. Murphy. This Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to confirm the validity of an existing non-conforming lot, which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of one acre.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing on April 27, 2021 to determine whether or not the lot is a valid non-conforming lot. Petitioners, Steven G. Hamilton and Maria N. Hamilton, were represented by Neil Lanzi, Esquire. Bruce Doak, a licensed surveyor also appeared on behalf of the Hamilton's and was accepted as an expert in surveying, land use and zoning in Baltimore County. Appellant Rebecca Byers appeared *pro se*.

Facts and Evidence

Petitioners' counsel presented a devolution of title, a site plan, and plat all of which establish that at the time the lot was created, it was a valid lot pursuant to the regulations at the

time. There has been no change to the lot since its creation in 1966. The neighbors expressed concern that building on the lot will have a negative impact on their wells.

This Board noted the issue before them is limited to the validity of the lot, and, as stated during the hearing, the building permit process would address any well, septic, environmental or architectural matters prior to a permit being issued.

Petitioner's surveyor, Mr. Doak testified that the Property is approximately 0.92 acres and is zoned resource conservation (RC 2). It is on the north side of Stansbury Mill Rd., is vacant and has been owned by the Petitioners since 1988. The Petitioners also own and live at the adjacent property at 4008 Stansbury Mill Rd.

Mr. Lanzi then asked Mr. Doak to explain the history of the creation of the lot, the history of ownership and the applicable zoning over time.

On September 30, 1966, a lot was created by the Bennett family by recording a deed in the Land Records of Baltimore County at Liber 4681, folio 130 (the "Lot"). The Bennett family originally owned 7 acres in total and deeded lots to family members. At the time this Lot was created in 1966, the zoning was "A-Residential" in which the minimum lot size was 5,000 square feet. It was not until 1967 that the zoning was changed to RDP and the minimum lot size was changed to 1 acre. In 1975, the RDP classification was superseded with the creation of the RC zone, which also retained the 1 acre minimum lot size.

Mr. Doak presented a devolution of title from the time the Lot was created. He testified that the Hamiltons purchased the lot in January, 1988 by deed recorded among the Land Records of Baltimore County, Maryland in Liber 7765, Folio 57. Mr. Doak prepared a Plan to Accompany Zoning Petition, which illustrated that the Lot meets all of the setbacks for a house, with no need for variance relief, and as such, it is a buildable lot. He further testified that

there was a successful percolation test in in 1986 and, as shown on the Plan, an approved septic reserve area.

Mr. Doak described the area in which the Lot is located. Stansbury Mill Rd. is small in width and is not heavily travelled. The style of homes surrounding the Property consist of farmhouses, ranchers and Cape Cod homes. While the Lot is less than the one acre required under BCZR, § 1A0 1.3 .B.2, an aerial photo revealed that the lot is consistent with other lots on the road, where neighboring homes exist on lots of less than one acre. The plat for Manor Heights, a subdivision on Stansbury Mill Road opposite the Lot, dated April 21, 1953 and recorded in Plat Book 18 folio 61 shows that the majority of the lots in the subdivision are one-half (½) acre lots.

Mr. Hamilton also testified, confirming much of the information presented by Mr. Doak, and that it is his preference to build on the lot rather than sell it.

Rebecca Byers, 3942 Stansbury Mill Road, has lived next to the lot since July, 2020. She expressed her concerns about the negative impact to her will from a well drilled for the proposed home, water run-off from a new home caused by grading or otherwise, traffic, and a lack of assurances to protect her property.

In closing, Mr. Lanzi argued that the Lot is valid and should be recognized as such under Baltimore County Zoning Regulations Section 104.1, and that the requested relief from Section 1A01.3.B.2 be granted.

The Law

Nature of Petitions for Special Hearings

A Special Hearing Petition is effectively a request for declaratory judgment. BCZR §500.7, *Antwerpen v. Baltimore County*, 163 Md. App. 194, 209 (2005). The main question

to be determined by the Board is whether the current configuration of lot is permitted as a valid non-conforming use per BCZR §104.1.

The issue before the Board is whether a lot created in 1966 with an acreage of 0.92 in lieu of the current 1.0 acres required under BCZR, §1A01.3.B.2 should be approved. The Petitioners satisfied their burden of proof by the devolution of title and zoning history which reveal that the Lot was legally created under the A-Residential zoning classification on September 30, 1966 by recording a deed in the Land Records of Baltimore County, and that no change has occurred to the use or configuration in the interim. Accordingly, the Petitioners are not creating a new lot in contravention of BCZR, §1A01.3.B.2; the Lot already existed.

Conclusion

After thorough review of the facts, testimony, and law in the matter, and for the reasons stated above, the Board of Appeal for Baltimore County grants the Petition for Special Hearing as recited in the attached Order.

ORDER

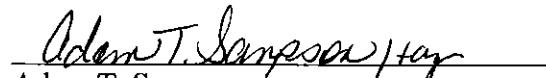
THEREFORE, IT IS THIS 13th day of December, 2021, by the Board of Appeals of Baltimore County, hereby

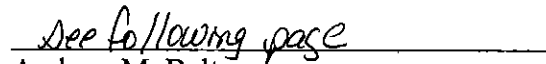
ORDERED that Petition for Special Hearing pursuant to BCZR § 500.7 to approve a non-conforming lot was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of one acre be and is hereby **GRANTED**, subject to the conditions imposed by the Administrative Law Judge in her written Opinion and Order dated November 8, 2020.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Deborah C. Dopkin, Chair


Adam T. Sampson


Andrew M. Belt

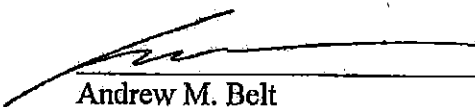
In the matter of: Steven and Maria Hamilton
Case No: 20-198-SPH

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**

See previous page
Deborah C. Dopkin, Chair

See previous page
Adam T. Sampson


Andrew M. Belt



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

December 13, 2021

J. Neil Lanzi, Esquire
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204

RE: In the Matter of: *Steven and Maria Hamilton*
Case No.: 20-198-SPH

Dear Mr. Lanzi:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Sunny Cannington", is written over the typed name.

Krysundra "Sunny" Cannington
Administrator

KLC/taz
Enclosure

c: Steven and Maria Hamilton
Rebecca Byers
Leigh Nodar
Joel and Mary Roppelt
Office of People's Counsel
Paul M. Mayhew, Managing Administrative Law Judge
Stephen Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
Nancy C. West, Assistant County Attorney/Office of Law
James R. Benjamin, Jr., County Attorney/Office of Law

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Steven G. Hamilton and Maria N. Hamilton 20-198-SPH

DATE: June 2, 2021

BOARD/PANEL: Deborah C. Dopkin, Chairman
Andrew M. Belt
Adam T. Sampson

RECORDED BY: Tammy A. Zahner, Legal Secretary

PURPOSE: To deliberate the following:

Petition for Special Hearing pursuant to § 500.7 of the BCZR to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

DISCUSSION

- The Board held a *de novo* hearing via WebEx. The Board is to determine whether or not the lot is a valid non-conforming lot.
- Petitioners' counsel presented a devolution of title, a site plan, and plat all of which establish that at the time the lot was created, it was a valid lot pursuant to the regulations at the time. There has been no change to the lot since its creation in 1966.
- The neighbors expressed concern that building on the lot will have a negative impact on their wells.
- The Board noted the issue before them is limited, and found that the Petitioners met their burden.

CONCLUSION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to GRANT the Petition for Special Hearing.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,

_____/s_____
Tammy A. Zahner



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

May 11, 2021

NOTICE OF DELIBERATION

IN THE MATTER OF: Steven and Maria Hamilton – Legal Owners
Stansbury Mill Road
20-198-SPH 10th Election District; 3rd Councilmanic District

Re: Petition for Special Hearing pursuant to § 500.7 of the BCZR to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre.

12/8/2020 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Hearing was GRANTED, with conditions.

This matter having been heard and concluded on April 27, 2021, a public deliberation has been

ASSIGNED FOR: JUNE 2, 2021, AT 9:00 A.M.

The above scheduled public deliberation will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the public deliberation will be posted on our web calendar the night before at www.baltimorecountymd.gov/Agencies/appeals/index.html.**

NOTE: PUBLIC DELIBERATIONS ARE OPEN WORK SESSIONS WHICH ALLOW THE PUBLIC TO WITNESS THE DECISION-MAKING PROCESS. A WRITTEN OPINION AND ORDER WILL BE ISSUED BY THE BOARD WITHIN A REASONABLE TIMEFRAME AFTER DELIBERATION AND A COPY SENT TO ALL PARTIES.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled deliberation.

Krysundra Cannington, Administrator

c. Counsel for Legal Owner/Petitioners
Legal Owners/Petitioners

: J. Neil Lanzi, Esquire
: Steven and Maria Hamilton

Protestant/Appellant

: Rebecca Byers

Bruce E. Doak/Bruce E. Doak Consulting, LLC
Leigh Nodar
Joel and Mary Roppelt

Office of People's Counsel
Steve Lafferty, Director/Department of Planning
James R. Benjamin, Jr., County Attorney

Paul M. Mayhew, Managing Administrative Law Judge
C. Pete Gutwald, Director/PAI
Nancy C. West, Assistant County Attorney

**BOARD OF APPEALS
CASE NO. 2020-0198-SPH
PETITIONERS' EXHIBITS**

Exhibit No. 1	Hamilton Zoning Plan 7/4/2020
Exhibit No. 2	SDAT/Real Property Search
Exhibit No. 3	Devolution of Title
Exhibit No. 4	GIS
Exhibit No. 5	GIS Photo
Exhibit No. 6(A-H)	Key Sheet & Photos
Exhibit No. 7	Perc Testing Plat 1986
Exhibit No. 8	Area of Surrounding Properties
Exhibit No. 9	PB 18/61
Exhibit No. 10	5/15/2018 County Letter Package
Exhibit No. 11(1-10)	4/21/2021 Sketch and Photographs
Exhibit No. 12	Planning Comment

J. Neil Lanzi, Esq.
Attorney for Petitioners
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue
Suite 406
Towson, MD 21204
410-659-1390
nlanzi@wcslaw.com

**BOARD OF APPEALS
CASE NO. 2020-0198-SPH**

PETITIONERS' SUPPLEMENTAL EXHIBITS

Exhibit No. 13	DEPS Comment
Exhibit No. 14	County Traffic Level of Service
Exhibit No. 15	Deed 4681/130
Exhibit No. 16	SDAT Sheet for 4008 Stansbury Mill Road

J. Neil Lanzi, Esq.
Attorney for Petitioners
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue
Suite 406
Towson, MD 21204
410-659-1390
nlanzi@wclaw.com

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

AUG 20 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: August 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0198-SPH
Address Stansbury Mill Road
(Hamilton Property)

Zoning Advisory Committee Meeting of August 17, 2020.

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

Reviewer: Steve Ford

EXHIBIT

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Level of Service Intersections

1st Rd Name	2nd Rd Name	3rd Rd Name	4th Road Name	Curr Date	Curr LOS	Prev Date	Prev LOS
Liberty Rd	Rolling Rd			5/24/2017	C	2/27/2014	C
Liberty Rd	Old Court Rd			5/22/2017	C	10/7/2014	C
Liberty Rd	Marriottsville Rd			8/22/2016	A	2/20/2013	B
Liberty Rd	Pikeswood Dr			1/2/2018	A	11/20/2014	A
Liberty Rd	Milford Mill Rd			5/24/2017	B	5/29/2014	B
Liberty Rd	Wards Chapel Rd			8/16/2016	B	12/30/2013	A
Liberty Rd	Owings Mill Blvd	Live Oak Rd		8/29/2016	A		
Lillian Holt Dr	Perry Hall Blvd	Rossville Blvd		7/20/2016	A	7/30/2013	A
Loch Hill Rd	Loch Raven Blvd			1/30/2017	A	8/14/2013	A
Loch Raven Blvd	Taylor Ave			1/22/2018	C	9/22/2015	C
Loch Raven Blvd	Putty Hill Ave			9/6/2016	C	12/5/2013	C
Loch Raven Blvd	Hillendale SC	Loch Raven Plaza		9/6/2018	A	6/15/2015	A
Long Meadow Rd	Park Heights Ave			8/23/2016	A	8/1/2013	A
Lord Baltimore Dr	Windsor Blvd			9/12/2016	C	8/27/2015	C
Lord Baltimore Dr	Windsor Mill Rd			3/28/2016	B	7/22/2013	B
Lord Baltimore Dr	Security Blvd	Security Square Mall		6/19/2018	A	1/5/2015	A
Loveton Cir	Loveton Farms Rd	York Rd		10/4/2017	A	7/1/2014	A
Loveton Farms Rd	Sparks Valley Rd	York Rd		6/19/2017	C	6/16/2014	C
Lynch Rd	Wise Ave			8/7/2017	B	5/29/2014	B
Lynch Rd	Trappe Rd	Woodwell Rd W		2/23/2016	A	7/16/2013	A
Lyons Mill Rd	Painters Mill Rd			6/11/2018	B	7/27/2015	B
Lyons Mill Rd	Wilson Shannon	Lyons Gate Dr		8/29/2016	C		
Lyons Mill Rd	Marriottsville Rd			11/2/2016	A	3/5/2013	B
Lyons Mill Rd	Owings Mills Blvd			8/30/2016	C	10/17/2012	C
Maiden Choice Ln	Winslow Park Dr	Charlestown Ret Comm		7/9/2018	A	2/4/2015	A
Maiden Choice Ln	Wilkens Ave			9/22/2016	B	5/9/2013	C
Manor Rd	Sweet Air Rd			11/3/2016	B	6/20/2013	B
Mansfield Rd	Southeast Blvd			1/30/2014	A	2/10/2011	A
Marlove Oaks Ln	McDonogh Rd	Painters Mill Rd		12/13/2016	A	8/19/2013	A
Marlyn Ave N	Stemmers Run Rd			12/21/2016	A	4/10/2013	A
Marlyn Ave S	Sandalwood Rd			7/18/2018	A	2/18/2015	A
Martin Blvd	Windlass Dr			2/18/2016	A	3/4/2013	A
Martin Blvd	Middle River Rd			8/21/2018	A	3/18/2015	A
Martin Blvd	Riverton Rd			1/28/2016	A	9/23/2013	A
McCormick Rd	Wight Ave			9/13/2017	A	7/30/2014	A
McCormick Rd	Schilling Cir	Schilling Rd		9/19/2018	A	12/11/2017	A
McCormick Rd	Schilling Cir	St Paul's Co Ent		6/26/2017	C	4/15/2014	C
McCormick Rd	Shawan Rd			10/22/2018	C	5/16/2016	C

EXHIBIT

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FREE-SIMPLE DEED—CODE—City or County—Form 040

NO STAMPS - NO CONSIDERATION

This Deed, Made this 30th day of September,

in the year one thousand nine hundred and sixty-six, by and between

JESSE L. BENNETT and ANNA E. BENNETT, his wife,

of Baltimore County,

in the State of Maryland, of the first part, and

their grandson ELGIN M. BENNETT and WILMA M. BENNETT, his wife,

of the second part.

Witnesseth, that in consideration of the sum of Five Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged,
the said first parties

do grant and convey unto the said second parties, as tenants by the entireties, their heirs and assigns, in fee simple, all that lot of the ground, situate, lying and being in the 10th Election District of Baltimore County, aforesaid, and described as follows, that is to say:—

Beginning for the same at a point in or near the center of the Stansbury Mill Road and at the end of the first line of the parcel of land secondly described in a deed dated June 8, 1962 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 4001, folio 299, which was conveyed by Rowill Title Holding Corporation to Richard C. Hebrank and wife, said place of beginning also being in the second line of a parcel of land which by a deed dated May 2, 1919 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 510, folio 196, was conveyed by Clinton E. Matthews, et al., to Jesse L. Bennett, et al., and running thence and binding reversely on a part of said second line and binding in or near the center of the Stansbury Mill Road North 81 degrees 30 minutes East 222 feet; thence leaving said road and outlines and running for lines of division the two following courses and distances, viz: North 5 degrees 25 minutes East 216.60 feet and South 88 degrees 58 minutes 30 seconds West 138 feet to the end of the second line of the aforesaid secondly described parcel of land in the deed from Rowill Title Holding Corporation to Richard C. Hebrank and wife, and thence binding reversely on said second line South 22 degrees 31 minutes 40 seconds West 266.29 feet to the place of beginning. Containing 0.92 of an acre of land, more or less.

BEING a part of the property which by deed dated May 2, 1919 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 510, folio 196, was conveyed by Clinton E. Matthews, et al., to the within grantors.

TRANSFER TAX NOT REQUIRED

Norman W. Wood
Director of Finance

Per: *Sharon S. Cuffman*
Authorized Signature

EXHIBIT

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

To Have and To Hold the said lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said second parties, as tenants by the entireties, their heirs and assigns, in fee simple.

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

Witness the hands and seals of said grantors.

TEST:

Dorothy W. Shenton
Dorothy W. Shenton

Jesse L. Bennett (SEAL)
Jesse L. Bennett
Anna E. Bennett (SEAL)
Anna E. Bennett

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this _____ day of _____, in the year one thousand nine hundred and sixty-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County _____ aforesaid, personally appeared JESSE L. BENNETT and ANNA E. BENNETT, his wife,

the above named grantors, and they acknowledged the foregoing Deed to be their act.

As Witness my hand and Notarial Seal.



Dorothy W. Shenton
Dorothy W. Shenton Notary Public.

Filed for record OCT 7 1966 at _____
Per Orville T. Coonell, Clerk
Mail to *Walter R. Fule*
Receipt No 81170

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 10 Account Number - 1002020401			
Owner Information					
Owner Name:	HAMILTON STEVEN G HAMILTON MARIA N		Use:	RESIDENTIAL YES	
Mailing Address:	4008 STANSBURY MILL RD MONKTON MD 21111-2514		Principal Residence:	YES	
			Deed Reference:	/07765/ 00057	
Location & Structure Information					
Premises Address:		4008 STANSBURY MILL RD MONKTON 21111-2514		Legal Description:	3.60 AC NS STANSBURY MILL RD 5 MILES E MANOR R
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0036	0008	0014	10030035.04	0000	
			Block:	Lot:	Assessment Year:
					2020
				Plat No:	Plat Ref:
Town: None					
Primary Structure Built		Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1877		1,279 SF		3.6000 AC	04
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
2	YES	STANDARD UNIT	SIDING/	4	1 full
					Garage
					1 Detached
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of 01/01/2020	As of 07/01/2020	As of 07/01/2021
Land:		170,100	170,100		
Improvements		93,000	96,500		
Total:		263,100	266,600	264,267	265,433
Preferential Land:		0	0		
Transfer Information					
Seller: BENNETT ELGIN M		Date: 01/07/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07765/ 00057		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2020		07/01/2021
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00		0.00 0.00
Special Tax Recapture: None					
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application			Date:		

EXHIBIT

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GENERAL SITE INFORMATION

1. Ownership: Steven G. Hamilton & Maria N. Hamilton
4008 Stansbury Mill Road
2. Address: Stansbury Mill Road
3. Deed references: EHK Jr 7765/ 57
4. Area: 0.92 acre
5. Tax Map / Parcel / Tax account #: 36 / 170 / 10-02-026890
6. Election District: 10 Councilmanic District: 3
ADC Map: 4348D5 GIS tile: 036A2 Position sheet: 86NE15
Census tract: 410200 Census block: 240054102001
Schools: Jacksonville ES Cockeysville MS Dulaney HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 036A2 and the information provided by Baltimore County on the internet.
8. Improvements: Vacant

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject lot.

R.C. 2 Setbacks for Residential Buildings

Front: 75 feet from the centerline of the road
Side / Rear: 35 feet from the property line

ENVIRONMENTAL IMPACT

Watershed: Little Gunpowder Falls URDL land type: 1

1. The existing lot will be served by a private well and septic system.
2. There are no underground storage tanks on the subject lot.
3. The subject lot is not in the Chesapeake Bay Critical Area.
4. The subject lot is not located within a 100 year flood plain.

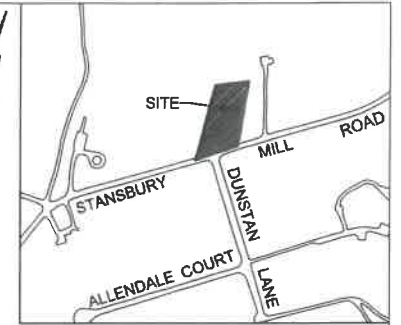
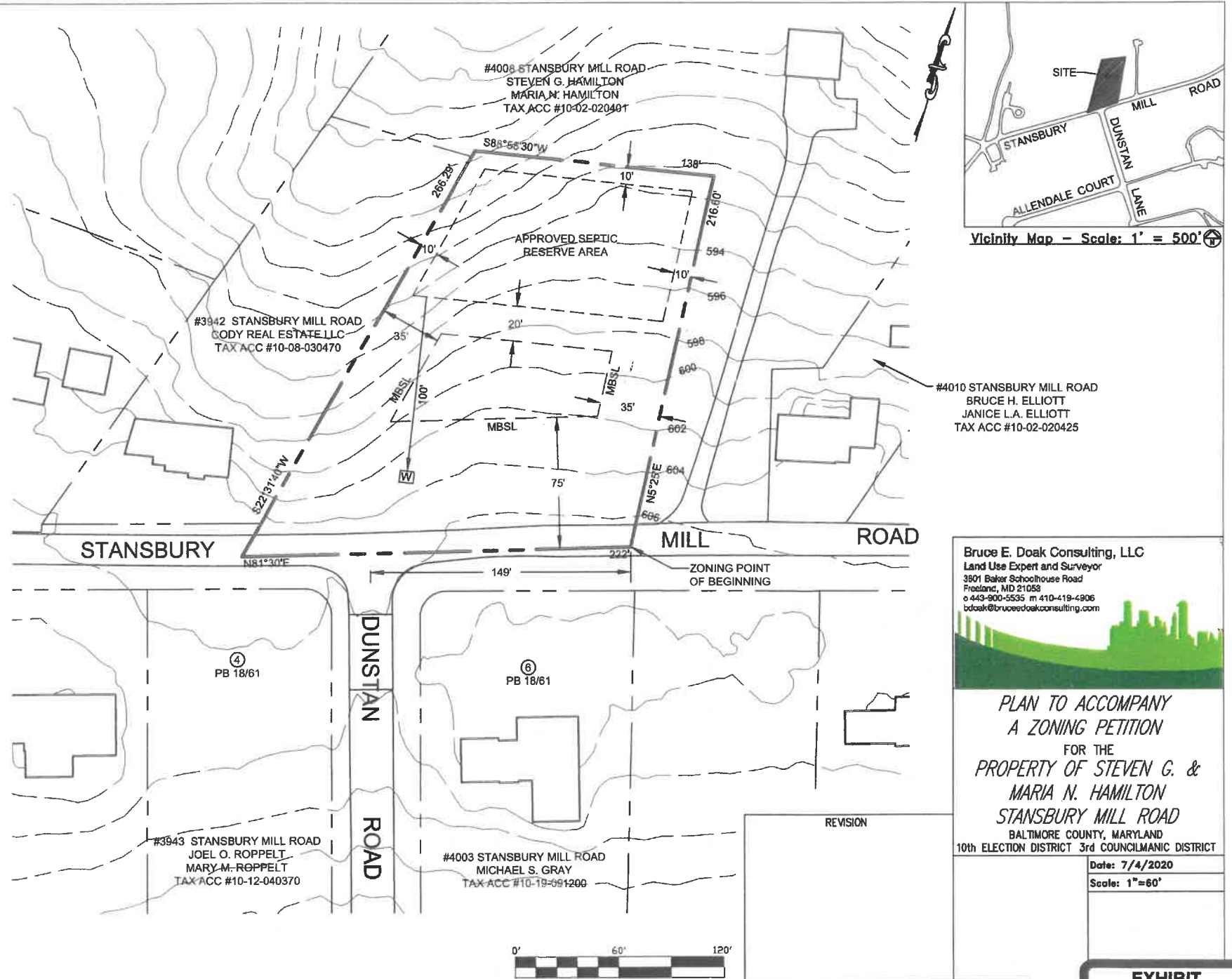
OFFICE OF PLANNING

Regional Planning District: Jacksonville District Code: 305

1. The subject lot is not in a historic district.

PROPOSED DEVELOPMENT

To utilize the existing lot for a single family dwelling



Vicinity Map - Scale: 1" = 500'

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3501 Baker Schoolhouse Road
Friedland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR THE
PROPERTY OF STEVEN G. &
MARIA N. HAMILTON
STANSBURY MILL ROAD
BALTIMORE COUNTY, MARYLAND
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 7/4/2020

Scale: 1"=60'

EXHIBIT

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Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 10 Account Number - 1002026890			
Owner Information					
Owner Name:		HAMILTON STEVEN G HAMILTON MARIA N		Use:	RESIDENTIAL
Mailing Address:		4008 STANSBURY MILL RD MONKTON MD 21111-2514		Principal Residence:	NO
				Deed Reference:	/07765/ 00057
Location & Structure Information					
Premises Address:		STANSBURY MILL RD 0-0000		Legal Description:	NS STANSBURY MILL RD .92 AC 2600 E MANOR RD
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0036	0008	0170	10030035.04	0000	
			Block:	Lot:	Assessment Year:
					2020
			Plat No:		
			Plat Ref:		
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area	
				0.9200 AC	
				County Use	
				04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
			/		
Last Notice of Major Improvements					
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	
			01/01/2020	07/01/2019	
Land:		115,100	115,100		
Improvements		0	0		
Total:		115,100	115,100	115,100	115,100
Preferential Land:		0			0
Transfer Information					
Seller: BENNETT ELGIN M		Date: 01/07/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07765/ 00057		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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	
Special Tax Recapture: 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.



HAMILTON LOT - DEVOLUTION OF TITLE

STEVEN G. HAMILTON & MARIA N. HAMILTON

0.92 AC ↑ 7765/57
 1/6/1988

ELGIN BENNETT

0.92 AC ↑ 6993/222
 8/18/1985

ELGIN BENNETT & WILMA BENNETT

0.92 AC ↑ 4681/130
 9/30/1966

FIRST CREATED
9/30/1966

JESSE L. BENNETT &
ANNA E. BENNETT

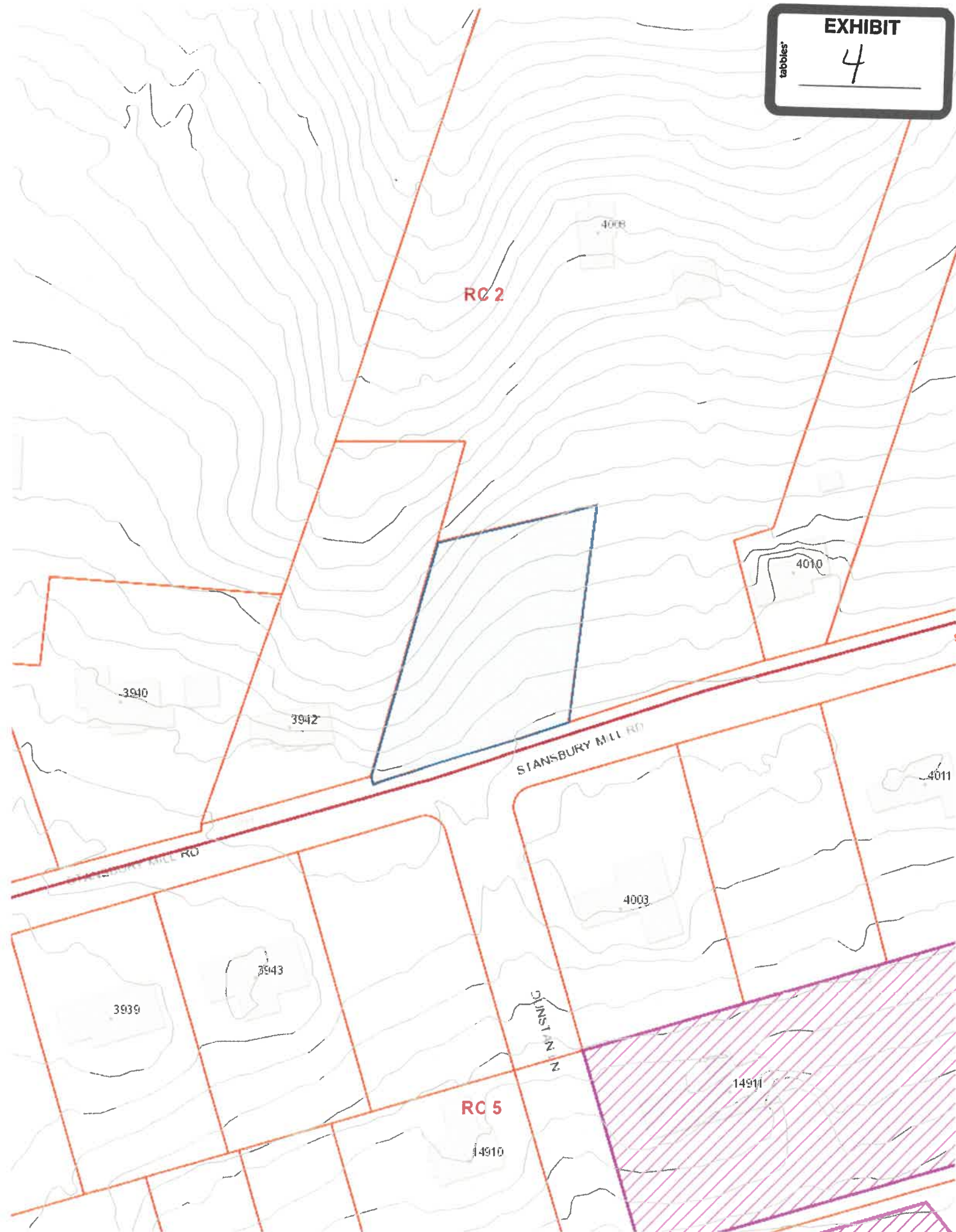
7 AC ↑ 570/196
3 ROADS 5/2/1919
13 SB. PVR.

CLINTON E. MATTHEWS et al

EXHIBIT

tabbles

3

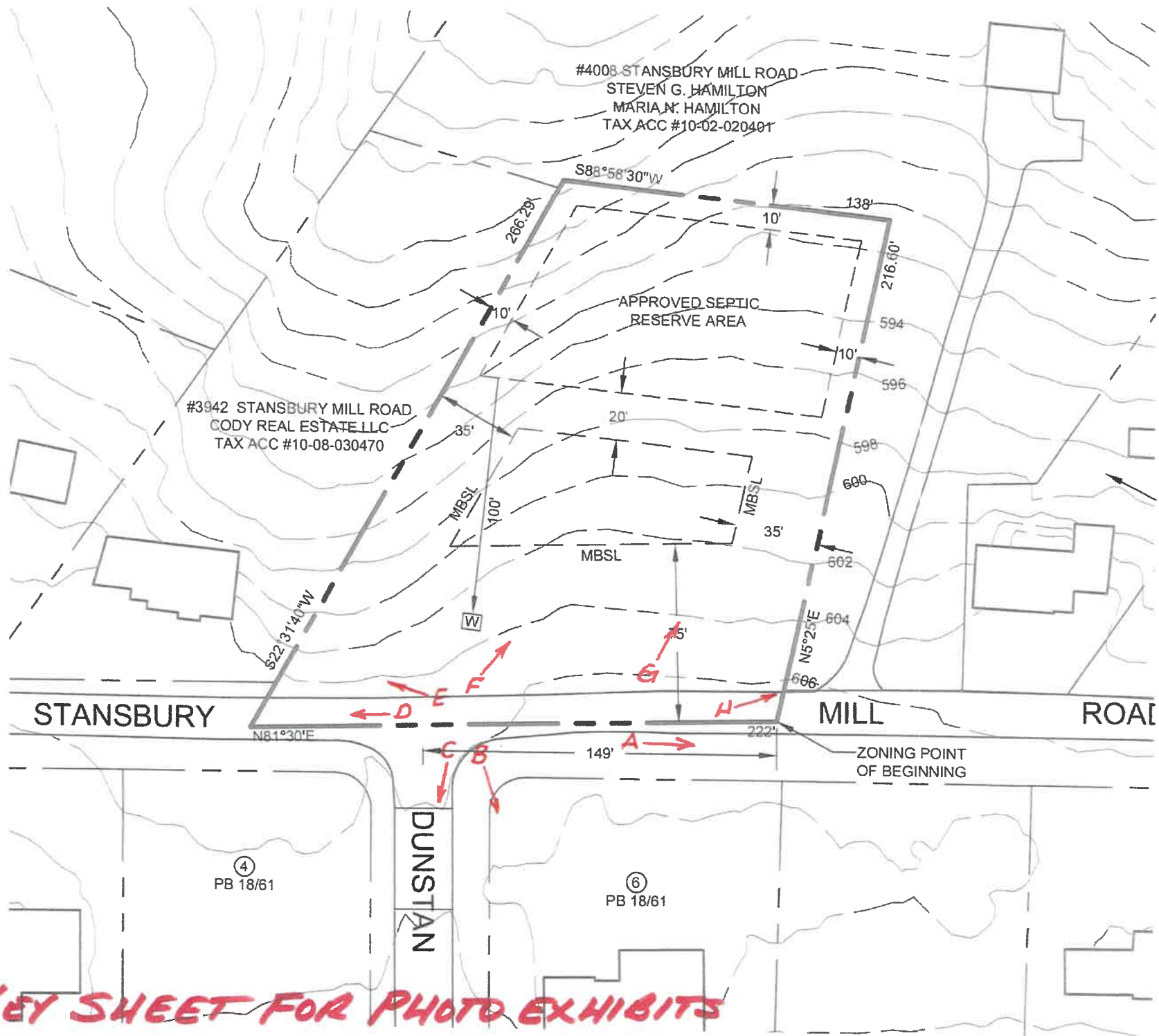




tabbles

EXHIBIT

5



tabbles®
6 A-H
EXHIBIT

KEY SHEET FOR PHOTO EXHIBITS



6-A



6-B



6-C



6-D



6-E



6-F

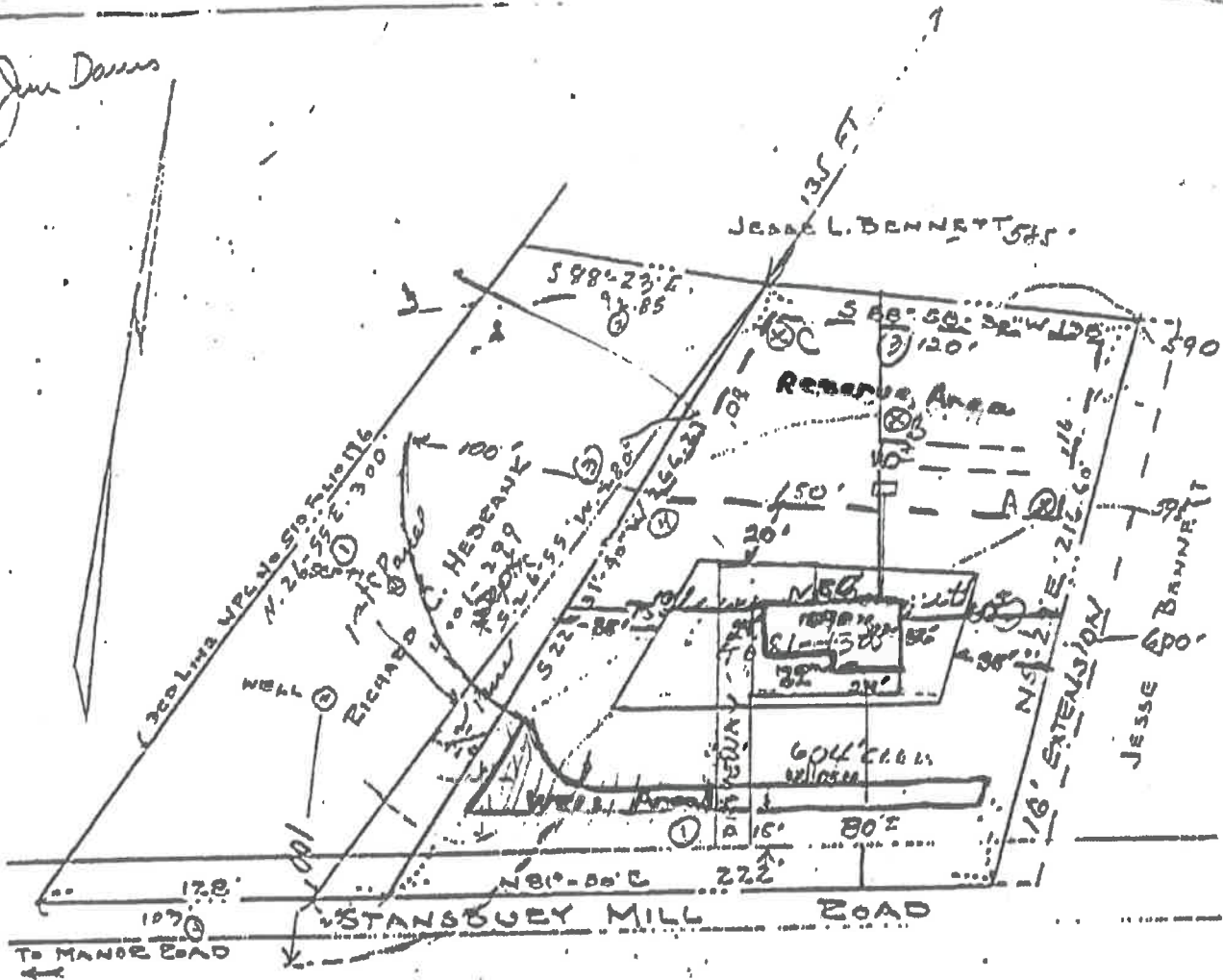


6-6



6-H

Jim Davis



HC
KRL

O.K. TO FILE
Stannett 6/9/86
 BALTO. CO. HEALTH DEPT.
 FINAL APPROVED PLAN

PROPERTY TO BE ACQUIRED
 BY

ELGIN BENNETT
 LOCATED IN

10TH DISTRICT BALTO. CO. MD.
 0.92 ACRES ±

ZONING: RC 2

SETBACKS: 35' ALL SIDES
 FROM BUILDING TO PROPERTY LINE

- 75' FROM CENTER OF STREET TO
 BUILDING

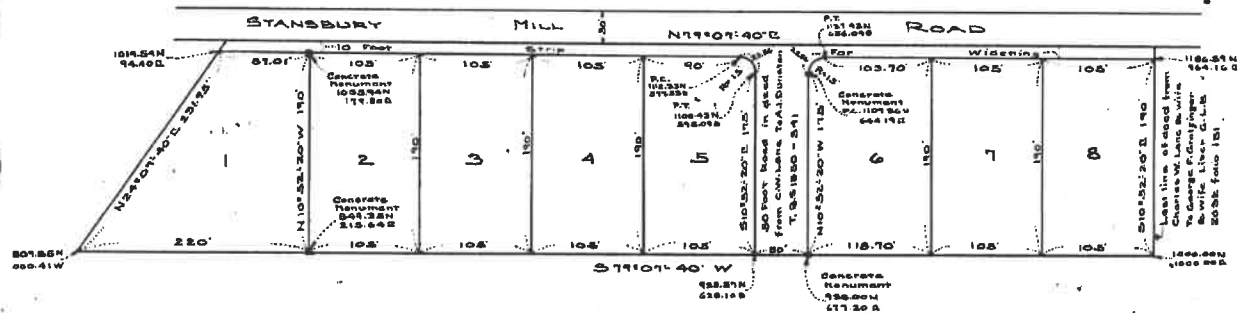
SCALE: 1" = 60' JULY 29, 1966

DOLLENBERG BROTHERS
 SURVEYORS & CIVIL ENGINEERS
 709 WASHINGTON AVE. TOWSON MD

EXHIBIT
 7



AREA OF SURROUNDING PROPERTIES
(PER SDAT RECORDS)



LOCATED IN
10TH DIST. - BALTIMORE CO. - MD.

G.L.B. No. 18 Folia 61

FILED FOR RECORD WITH _____

FROM _____

TO _____

APR 21 1953

Test

Clerk

Note: The streets and or roads as shown herein and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title thereof is expressly reserved in the grantors of the deed to which this plat is attached; their heirs and assigns.

The coordinates shown hereon are based on an assumed system.

I hereby certify that the requirements as set forth in Sections 72A, 72B, 72C and 72D of Article 17 of the annotated code of Maryland (1939 Edition) Title "Clerk of Courts" as far as it concerns the making of this plat have been complied with.

Signed: _____

APPROVED

APPROVED FOR ROAD

BALTO. CO. PLANNING COMMISSION ALIGNMENT & LOCATION

Signed: Malcolm H. Deaf

Signed: Robert G. Haggerty

Date: Apr. 13, 1953

Date: April 17, 1953

Signed: _____
Reg. Engr. & Land Surveyor 91371

SCALE 1"=100' MARCH 26, 1953
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS.
709 WASHINGTON AVE. TOWSON,
MD.

MSA 534 1236 - 733

15-61

EXHIBIT

—b6; b7C

9

KEVIN KAMENETZ
County Executive



FILE COPY

VINCENT J. GARDINA, Director
Department of Environmental Protection
and Sustainability

May 15, 2018

Steven and Maria Hamilton
4008 STANSBURY MILL RD
MONKTON MD 21111

RE: 4000 Stansbury Mill Road, Tax Acct ID# 10-02-026890, Election District-10

Dear Mr. Hamilton,

At your request, this office reviewed the information on file for the above-referenced property to determine if the prior approval to install an onsite sewage disposal system (OSDS) can be revalidated.

Based on our review, approval to install an OSDS on the lot(s) referenced above will be granted and no additional soil evaluations will be required provided there is no alteration to the Master Plan dated 03/17/1986 and Building Permit Application(s) are submitted within 5 years from the date of this letter. This approval will become void without notice at the expiration of this time period, after which revalidation must be obtained in writing from this office. If a Building Permit is submitted, the following information should be considered:

- It should be noted, that septic reserve area(s) are depicted on the Master Plan for the installation of an initial OSDS and future repairs. Under no circumstance shall any easements, rights-of-way, buildings, any other permanent or physical structures above or below ground, be permitted within this area and it may not be disturbed by earth moving, compaction, tree removal or grading. Also, no underground electric lines, water pipes, gas lines, etc., shall be permitted in the septic reserve area.

Soil Evaluation Results:

- A 3 min @ 6' Clay 0-5' LRS 5-17'
- B Clay 0-4' LRS 4-16'
- C Clay 0-3' LRS 3-17'

If you have any questions regarding this matter, please contact this office at 410-887-2762.

Sincerely,

A handwritten signature in black ink, appearing to read "Mir P. Clifford".

Miranda P. Clifford, L.E.H.S.
Soil Evaluation Program
Ground Water Management-EPS

S:\EPS\GWM\GWM TEMPLATES\Revalidation Letters-without BAT\Stansbury Mill Rd.,4000,5-15-18.doc

EXHIBIT

tabbles

10

APPLICATION FOR SOIL PERCOLATION TESTS
BALTIMORE COUNTY, MARYLAND

Please Print

DISTRICT 10

Location of Property

1005 STANSBURY MILL RD. 1 1/4 MILE EAST OF JARRETTSVILLE PIKE
10050 FORM DUSTY LANE, 2600' E Manor Rd.
 (road name, direction & distance to nearest intersection)

Subdivision Name _____ Section _____ Block _____ Lot/s _____

Owner's Name ELGIN BENNETT Phone 625-6355Proposed Use: New ☒ Existing ☐ Residential ☒ Commercial ☐ Industrial ☐Water Supply: Individual Well ☒ Existing ☐ Proposed ☐ (Or) Metropolitan ☐Direct Correspondence to: Name ELGIN BENNETT Address 1005 STANSBURY MILL RDCity WINDHAM State MD Zip 21111 Phone 625-6355Special Notes:

This application is hereby made for a standard percolation test to determine suitability of the above referenced site for installation of an individual sewage disposal system in accordance with Baltimore County Council Bill #54 effective July 1, 1964. This is not a permit to install the system.

CHECK APPROVALS - OK SAsend approval letter

Elgin Bennett
 Signature Elgin Bennett

(1) One plot plan must accompany this application. The plot plan must be drawn to a minimum scale of 1" = 100'. The existing and/or proposed property boundaries shall be shown, as well as locations of proposed water supplies, buildings and sewage disposal areas. Any existing wells, septic systems and/or streams within 100' of property must be shown.

(2) A fee of \$40.00 is required for each lot. Make check payable to "BALTIMORE COUNTY, MARYLAND".

Note: Application expires one year from date of issue.

DO NOT WRITE BELOW THIS LINE

PLANNING OFFICE: Preliminary to Sub. approval ☐ Existing lot record ☒ By Butler 3/17/86

315 DEPT. OF PUBLIC WORKS: Master S&W Plan S-7W-7 F.P. ☒ By Hand 3/17/86

DEPT. OF PERMITS & LICENSES: Tax Account # 10-08-021890 Date 3-17-86

Cash Slip # 098723 Amount \$40.00 By Truman

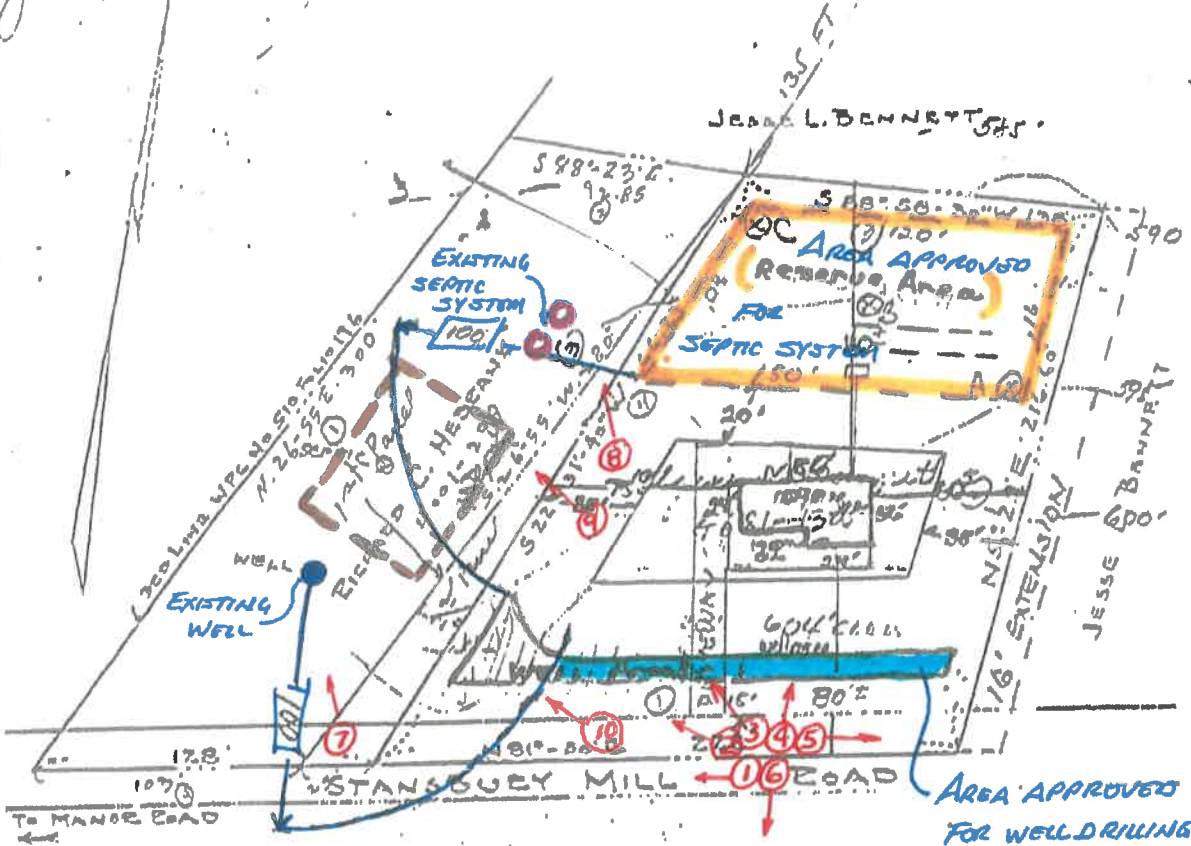
HEALTH DEPT.: Review 3/17/86 on Fairfax House 3/17/86

Appointment Time 2 PM Date May 16, 86 SA/Amali

Contractor: Ken Waters Fully Applied Sanitarian Phone 1-(717)-862-3241

COMMENTS: (A) (3 7/16") clay 0-5 LRS 5-17'
(B) ——— clay 0-4 LRS 4-16'
(C) ——— clay 0-3 LRS 3-17'

John Downes



HC
KLC

O.K. TO FILE
J. Bennett 6/9/86
BALTO. CO. HEALTH DEPT.
FINAL APPROVED PLAN

PROPERTY TO BE ACQUIRED
BY
ELGIN BENNETT
LOCATED IN
10TH DISTRICT BALTO. CO. MD.
0.92 ACRES ±
ZONING: RC 2
SETBACKS: 35' ALL SIDES
FROM BUILDING TO PROPERTY LINE
- 75' FROM CENTER OF STREET TO
BUILDING SCALE: 1"=60' JULY 20, 1966
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE. TOWSON MD

SKETCH TO ACCOMPANY PHOTOS 4/21/21

EXHIBIT
11 (1-10)



11-1



11-2





// - 4



11- 5



11-6



11-7



11-8



11-9



11-10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/27/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-198

INFORMATION:

Property Address: Stansbury Mill Road
Petitioner: Steven G. Hamilton & Maria N. Hamilton
Zoning: RC 2
Requested Action: Special Hearing

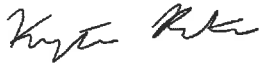
The Department of Planning has reviewed the petition for a Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 acres in lieu of required area of 1.0 acre.

A site visit was conducted on August 21, 2020. The lot was created on September 30, 1966 and recorded in county land records (4681/130).

The Department of Planning has no objection to granting the requested relief.

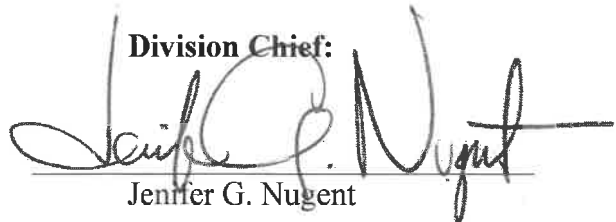
For further information concerning the matters stated herein, please contact Megan Benjamin at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Megan Benjamin
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County



Date: [Click here to enter a date.](#)

Subject: ZAC # 20-198

Page 2

IN THE MATTER OF:
STEVEN AND MARIA HAMILTON
LEGAL OWNERS AND PETITIONERS
FOR SPECIAL HEARING ON
STANSBURY MILL ROAD

10th Election District
3rd Council District

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 20-198-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of Wright, Constable & Skeen, LLP and J. Neil Lanzi,
Esquire on behalf of Steven and Maria Hamilton in the above captioned matter.



J. Neil Lanzi
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
(410) 659-1390
nlanzi@wcsllaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 12th day of April, 2021, a copy of the foregoing
Entry of Appearance was mailed, postage prepaid, to the following:

Rebecca Byers
3942 Stansbury Mill Road
Monkton, MD 21111

Leigh Nodar
3942 Stansbury Mill Road
Monkton, MD 21111

Joel and Mary Roppelt
3943 Stansbury Mill Road
Monkton, MD 21111

Bruce Doak
3801 Baker Schoolhouse Road
Freeland, MD 21053



J. Neil Lanzi

IN THE MATTER OF:
STEVEN AND MARIA HAMILTON
LEGAL OWNERS AND PETITIONERS
FOR SPECIAL HEARING ON
STANSBURY MILL ROAD

10th Election District
3rd Council District

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 20-198-SPH

* * * * *

AMENDED ENTRY OF APPEARANCE

Please enter the appearance of Wright, Constable & Skeen, LLP and J. Neil Lanzi,
Esquire on behalf of Steven and Maria Hamilton in the above captioned matter.



J. Neil Lanzi
Wright, Constable & Skeen, LLP
102 W. Pennsylvania Avenue, Suite 406
Towson, Maryland 21204
(410) 659-1390
nlanzi@wcslaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 13th day of April, 2021, a copy of the foregoing Entry of Appearance was mailed, postage prepaid, to the following:

Rebecca Byers
3942 Stansbury Mill Road
Monkton, MD 21111





Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 3, 2021

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Steven and Maria Hamilton – Legal Owners
Stansbury Mill Road
20-198-SPH 10th Election District; 3rd Councilmanic District

Re: Petition for Special Hearing pursuant to § 500.7 of the BCZR to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre.

12/8/2020 Opinion and Order of the Administrative Law Judge wherein the Petition for Special Hearing was GRANTED, with conditions.

ASSIGNED FOR: APRIL 27, 2021, AT 10:00 A.M.

The above scheduled hearing will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the hearing will be posted on our web calendar at www.baltimorecountymd.gov/Agencies/appeals/index.html the night before.**

A complete set of **exhibits must be emailed at least 48 hours before the hearing to appealsboard@baltimorecountymd.gov** in a format that complies with MDEC (Maryland Electronic Court) standards.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled hearing.

Krysundra Cannington, Administrator

Notice of Assignment

In the matter of: Steven and Maria Hamilton

Case number: 20-198-SPH

March 3, 2021

Page 2

c. Legal Owners/Petitioners : Steven and Maria Hamilton

Protestant/Appellant : Rebecca Byers

Bruce E. Doak/Bruce E. Doak Consulting, LLC

Leigh Nodar

Joel and Mary Roppelt

Office of People's Counsel

Paul M. Mayhew, Managing Administrative Law Judge

Steve Lafferty, Director/Department of Planning

C. Pete Gutwald, Director/PAI

James R. Benjamin, Jr., County Attorney

Nancy C. West, Assistant County Attorney

Rebecca Byers
3942 Stansbury Mill Rd
Monkton, MD 21111
360-280-2162
wardandbecca@gmail.com

January 5, 2021

Maureen E. Murphy
Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Ave, Ste 103
Towson, MD 21204



RE: Petition for Special Hearing
Case No: 2020-0198 SPH
Property: Stansbury Mill Road

Dear Ms. Murphy,

I am the next door neighbor of Steven and Maria Hamilton. I would like to appeal this decision and ask that this zoning not be approved until a perk test and a Traffic Calming Study has been completed to ensure that this potential for new building would not negatively impact our water table, our well, and our safety.

In the spirit of responsibility and neighborliness, I do not think that this is an unreasonable request, given the expressed concerns of all three immediate neighbors attending the hearing. The latest perk test was completed in 1986. I do not agree that this is sufficiently up-to-date, given the ever changing nature of aquifers and under ground water tables. There is also a significant amount of water and salt run off from the road, which affects the quality of drainage on our property as well as the quality of our well water. I am worried that new grading from the property next door could make this much worse, and I would like this to be taken into consideration with how the property is developed.

I also strongly disagree with Mr. Doak's assessment that Stansbury Mill Road is "not heavily traveled." This is a busy road with a bulk of the traffic coming from the commercial horse farm, Tranquility Manor Farm. There is a concerning lack of respect for the speed limit that immediate neighbors recognize. This stretch of Stansbury Mill is also narrow which complicates any potential construction. The immediate neighbors included in this hearing, and a few more neighbors have actually recently filed a for a Traffic Calming Study with Baltimore County because most traffic traveling down this road moves at excessive speed.

I respectfully ask for your consideration and I thank you for your time,

Rebecca Byers

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
(Stansbury Mill Road) *
10th Election District * OFFICE OF
3rd Council District *
Steven G. Hamilton & Maria N. Hamilton * ADMINISTRATIVE HEARINGS
Legal Owners *
Petitioners * FOR BALTIMORE COUNTY
* Case No. 2020-0198-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed by Steven G. Hamilton and Maria N. Hamilton (the "Petitioners") for a vacant lot located on Stansbury Mill Road (the "Property"). The Special Hearing was filed pursuant to the Baltimore County Zoning Regulations ("BCZR") § 500.7 to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioners appeared at the hearing along with Bruce E. Doak, surveyor, of Bruce E. Doak Consulting, LLC who prepared a site plan (the "Site Plan"). (Pet. Ex. 1). Neighbors, Rebecca Byers, Mary Roppelt and Libby Nodar testified in opposition at the hearing.

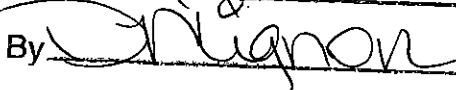
A Zoning Advisory Committee ("ZAC") comment was received from Department of Environmental Protection and Sustainability ("DEPS") who did not oppose the requested relief. Another ZAC comment was received from the Department of Planning ("DOP") who also did not oppose the requested relief.

ORDER RECEIVED FOR FILING

Date

12/8/20

By



FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Doak testified that the Property is approximately 0.92 acres and is zoned resource-conservation (RC 2). (Pet. Ex. 2, 4). It is on the north side of Stansbury Mill Rd., is vacant and has been owned by the Petitioners since 1988. The Petitioners also own and live at the adjacent property at 4008 Stansbury Mill Rd. (Pet. Ex. 5).

On September 30, 1966, a lot was created by the Bennett family by recording a deed in the Land Records of Baltimore County at liber 4681, folio 130 (the "Lot"). (Pet. Ex. 3). The Bennett family originally owned 7 acres in total and deeded lots to family members. The Petitioners presently own 3.6 of those 7 acres. The Petitioners intend to either move into the home to be built on the Lot or to sell it.

Through a series of photographs, Mr. Doak described the neighborhood. Stansbury Mill Rd. is small in width and is not heavily travelled. The style of homes surrounding the Property consist of farm houses, ranchers and Cape Cod homes. While the Lot is less than the one acre required under BCZR, §1A01.3.B.2, an aerial photo revealed that neighboring homes exist on lots with less than one acre and most are one-half (½) acre. (Pet. Ex. 8). A plat was recorded in the Land Records of Baltimore County on April 21, 1953 in which each of the lots depicted are one-half (½) acre lots. (Pet. Ex. 9).

With regard to this Lot, in 1986, it passed a perc test. (Pet. 7). Mr. Doak testified that it is a buildable lot which meets all of the setbacks for a house. (Pet. Ex. 1). At the time this Lot was created in 1966, the zoning was "A-Residential" in which the minimum lot size was 5,000 sf or smaller. It was not until 1967 that the zoning was changed to RDP and the minimum lot size was changed to 1 acre. In 1975, with the creation of the RC zone, the 1 acre minimum was adopted.

ORDER RECEIVED FOR FILING

Date 12/8/20

By D. M. Hagan

Rebecca Byers, 3942 Stansbury Mill Rd. testified that she just moved into her home in July of 2020. Since 1986 when the Lot was perked, a new well was dug on her property. She is concerned that a well drilled for the proposed home will negatively impact her well. Ms. Byers testified that the Petitioners should be required to obtain a new perc test. She is also concerned about water run-off from a new home caused by grading or otherwise.

Mary Roppelt, 3943 Stansbury Mill Rd. has lived across from the Property for 20 years. Ms. Roppelt is equally concerned that an additional well for the proposed home will negatively affect her older well which, in turn, will require her to incur expense in digging a deeper well. Libby Nodar, 3940 Stansbury Mill Rd. was concerned about the impact of the new well on her septic drain fields and reiterated that the Petitioners should be required to obtain a new perc test.

The issue before me is whether a lot created in 1966 with an acreage of 0.92 in lieu of the current 1 acre required under BCZR, §1A01.3.B.2 should be approved. The Petitioners satisfied their burden of proof by the devolution of title (Pet. Ex. 3) which reveals that the Lot was legally created under the A-Residential zoning classification on September 30, 1966 by recording a deed in the Land Records of Baltimore County (4681, 130). Accordingly, the Petitioners are not creating a new lot in contravention of BCZR, §1A01.3.B.2; the Lot already existed.

THEREFORE, IT IS ORDERED this 8th day of **December, 2020** by this Administrative Law Judge, that the Petition for Special Hearing seeking relief from the BCZR § 500.7 to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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

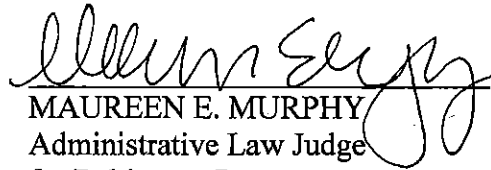
ORDER RECEIVED FOR FILING

Date 12/8/20

By D. Morgan

be required to return the subject property to its original condition.

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


MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

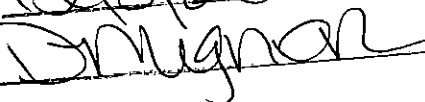
MEM/dlm

ORDER RECEIVED FOR FILING

Date

12/8/20

By





JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

December 8, 2020

Steven Hamilton
Maria Hamilton
4008 Stansbury Mill Road
Monkton, MD 21111

RE: Petition for Special Hearing
Case No. 2020-0198 SPH
Property: Stansbury Mill Road

Dear Mr. and Mrs. Hamilton:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

c: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, MD 21053
Rebecca Byers, 3942 Stansbury Mill Road, Monkton, MD 21111
Leigh Nodar, 3942 Stansbury Mill Road, Monkton, MD 21111
Joel and Mary Roppelt, 3943 Stansbury Mill Road, Monkton, MD 21111



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

January 7, 2021

Rebecca Byers
3942 Stansbury Mill Road
Monkton, MD 21111

RE: APPEAL TO BOARD OF APPEALS
Case No. 2020-0198-SPH
Location: Stansbury Mill Road



Dear Ms. Byers:

Please be advised that an appeal of the above-referenced case was filed in this Office on January 6, 2021. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

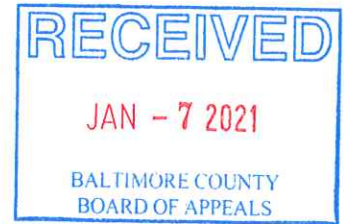
PMM/dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, MD 21053
Leigh Nodar, 3942 Stansbury Mill Road, Monkton, MD 21111
Joel and Mary Roppelt, 3943 Stansbury Mill Road, Monkton, MD 21111

APPEAL

Petition for Special Hearing Case No.: 2020-0198-SPH

10th Election District, 3rd Council District



Petition for Special Hearing – August 4, 2020

Zoning Description of Property (1 page)

Notice of Zoning Hearing - November 5, 2020

Certification of Publication – *The Daily Record* newspaper - published on November 13, 2020

Certification of Posting by Bruce E. Doak – November 13, 2020 and November 30, 2020

Entry of Appearance by People's Counsel – Not in file

Attendance Report (3 sheets)

Zoning Advisory Committee Comments: DOP dated 8/27/20 and DEPS dated 8/20/20

Petitioner's Exhibits:

- (1) Hamilton Zoning Plan 7 4 20
- (2) SDAT Real Property Search
- (3) Devolution of Title
- (4) GIS
- (5) GIS Photo
- (6) Key Sheet & Photos
- (7) Per Testing Plat 1986
- (8) Area of Surrounding Properties
- (9) PB 18/61

Miscellaneous

Cover Letter and Administrative Law Judge's Order Decision – Special Hearing GRANTED – December 8, 2020 (cover letter and Order – 5 pages)

Notice of Appeal & Check #829 for \$300 - Received on January 7, 2021 –filed by Rebecca Byers

Cashier's Receipt – \$300 fee for Variance

Date: 11/7/21

Total: \$ 300.00

Rebecca Byers

Office of Administrative Hearings
Appeal - Case No: 2020-0198-SPH
Stansbury Mill Road
Hearing Date: 12/4/20
Check # 829

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

Rebecca Byers
3942 Stansbury Mill Rd
Monkton, MD 21111
360-280-2162
wardandbecca@gmail.com

January 5, 2021

Maureen E. Murphy
Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Ave, Ste 103
Towson, MD 21204



RE: Petition for Special Hearing
Case No: 2020-0198 SPH
Property: Stansbury Mill Road

Dear Ms. Murphy,

I am the next door neighbor of Steven and Maria Hamilton. I would like to appeal this decision and ask that this zoning not be approved until a perk test and a Traffic Calming Study has been completed to ensure that this potential for new building would not negatively impact our water table, our well, and our safety.

In the spirit of responsibility and neighborliness, I do not think that this is an unreasonable request, given the expressed concerns of all three immediate neighbors attending the hearing. The latest perk test was completed in 1986. I do not agree that this is sufficiently up-to-date, given the ever changing nature of aquifers and under ground water tables. There is also a significant amount of water and salt run off from the road, which affects the quality of drainage on our property as well as the quality of our well water. I am worried that new grading from the property next door could make this much worse, and I would like this to be taken into consideration with how the property is developed.

I also strongly disagree with Mr. Doak's assessment that Stansbury Mill Road is "not heavily traveled." This is a busy road with a bulk of the traffic coming from the commercial horse farm, Tranquility Manor Farm. There is a concerning lack of respect for the speed limit that immediate neighbors recognize. This stretch of Stansbury Mill is also narrow which complicates any potential construction. The immediate neighbors included in this hearing, and a few more neighbors have actually recently filed a for a Traffic Calming Study with Baltimore County because most traffic traveling down this road moves at excessive speed.

I respectfully ask for your consideration and I thank you for your time,

Rebecca Byers



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

December 8, 2020

Steven Hamilton
Maria Hamilton
4008 Stansbury Mill Road
Monkton, MD 21111

RE: Petition for Special Hearing
Case No. 2020-0198 SPH
Property: Stansbury Mill Road

Dear Mr. and Mrs. Hamilton:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dlm

Enclosure

c: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, MD 21053
Rebecca Byers, 3942 Stansbury Mill Road, Monkton, MD 21111
Leigh Nodar, 3942 Stansbury Mill Road, Monkton, MD 21111
Joel and Mary Roppelt, 3943 Stansbury Mill Road, Monkton, MD 21111

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Doak testified that the Property is approximately 0.92 acres and is zoned resource-conservation (RC 2). (Pet. Ex. 2, 4). It is on the north side of Stansbury Mill Rd., is vacant and has been owned by the Petitioners since 1988. The Petitioners also own and live at the adjacent property at 4008 Stansbury Mill Rd. (Pet. Ex. 5).

On September 30, 1966, a lot was created by the Bennett family by recording a deed in the Land Records of Baltimore County at liber 4681, folio 130 (the "Lot"). (Pet. Ex. 3). The Bennett family originally owned 7 acres in total and deeded lots to family members. The Petitioners presently own 3.6 of those 7 acres. The Petitioners intend to either move into the home to be built on the Lot or to sell it.

Through a series of photographs, Mr. Doak described the neighborhood. Stansbury Mill Rd. is small in width and is not heavily travelled. The style of homes surrounding the Property consist of farm houses, ranchers and Cape Cod homes. While the Lot is less than the one acre required under BCZR, §1A01.3.B.2, an aerial photo revealed that neighboring homes exist on lots with less than one acre and most are one-half ($\frac{1}{2}$) acre. (Pet. Ex. 8). A plat was recorded in the Land Records of Baltimore County on April 21, 1953 in which each of the lots depicted are one-half ($\frac{1}{2}$) acre lots. (Pet. Ex. 9).

With regard to this Lot, in 1986, it passed a perc test. (Pet. 7). Mr. Doak testified that it is a buildable lot which meets all of the setbacks for a house. (Pet. Ex. 1). At the time this Lot was created in 1966, the zoning was "A-Residential" in which the minimum lot size was 5,000 sf or smaller. It was not until 1967 that the zoning was changed to RDP and the minimum lot size was changed to 1 acre. In 1975, with the creation of the RC zone, the 1 acre minimum was adopted.

ORDER RECEIVED FOR FILING

Date 12/8/20

By [Signature]

Rebecca Byers, 3942 Stansbury Mill Rd. testified that she just moved into her home in July of 2020. Since 1986 when the Lot was perked, a new well was dug on her property. She is concerned that a well drilled for the proposed home will negatively impact her well. Ms. Byers testified that the Petitioners should be required to obtain a new perc test. She is also concerned about water run-off from a new home caused by grading or otherwise.

Mary Roppelt, 3943 Stansbury Mill Rd. has lived across from the Property for 20 years. Ms. Roppelt is equally concerned that an additional well for the proposed home will negatively affect her older well which, in turn, will require her to incur expense in digging a deeper well. Libby Nodar, 3940 Stansbury Mill Rd. was concerned about the impact of the new well on her septic drain fields and reiterated that the Petitioners should be required to obtain a new perc test.

The issue before me is whether a lot created in 1966 with an acreage of 0.92 in lieu of the current 1 acre required under BCZR, §1A01.3.B.2 should be approved. The Petitioners satisfied their burden of proof by the devolution of title (Pet. Ex. 3) which reveals that the Lot was legally created under the A-Residential zoning classification on September 30, 1966 by recording a deed in the Land Records of Baltimore County (4681, 130). Accordingly, the Petitioners are not creating a new lot in contravention of BCZR, §1A01.3.B.2; the Lot already existed.

THEREFORE, IT IS ORDERED this 8th day of **December, 2020** by this Administrative Law Judge, that the Petition for Special Hearing seeking relief from the BCZR § 500.7 to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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

ORDER RECEIVED FOR FILING

Date 12/8/20

By D. Morgan

be required to return the subject property to its original condition.

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


MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

ORDER RECEIVED FOR FILING

Date

12/8/20

By

Drignar

Attendance Count

	Event Name	Event Start Date	Event Start Time
1	Zoning Hearing - 2020-0198-SPH - St	December 4, 2020	New York Ti 11:00 am New York Time
2	Zoning Hearing - 2020-0198-SPH - St	December 4, 2020	New York Ti 11:00 am New York Time
3	Zoning Hearing - 2020-0198-SPH - St	December 4, 2020	New York Ti 11:00 am New York Time
4	Zoning Hearing - 2020-0198-SPH - St	December 4, 2020	New York Ti 11:00 am New York Time
5	Zoning Hearing - 2020-0198-SPH - St	December 4, 2020	New York Ti 11:00 am New York Time

FirstName	LastName	Email	Join Time	Leave Time
Maureen	Murphy	mmurphy@baltimorecountymd.gov	11:00 am New York Time	11:55 am New York Time
Bruce	Doak	bdoak@bruceedoakconsulting.com	10:53 am New York Time	11:55 am New York Time
Henry	Ayakwah	hayakwah@baltimorecountymd.gov	10:52 am New York Time	11:55 am New York Time
Rebecca	Byers	wardandbecca@gmail.com	10:58 am New York Time	11:55 am New York Time
Maria	hamilton	talla519@aol.com	10:59 am New York Time	11:55 am New York Time

Attendance Duration

55.0 mins

61.0 mins

62.0 mins

56.0 mins

55.0 mins

CASE NO. 2020-

0198-SPH

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

DEVELOPMENT PLANS REVIEW

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

8/20

DEPS

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

No Comment

FIRE DEPARTMENT

8/27

PLANNING

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

No objection

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

11/13/20

SIGN POSTING (1st)

Date:

11/13/20

by

BR Deak

SIGN POSTING (2nd)

Date:

11/30/20

by

"

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

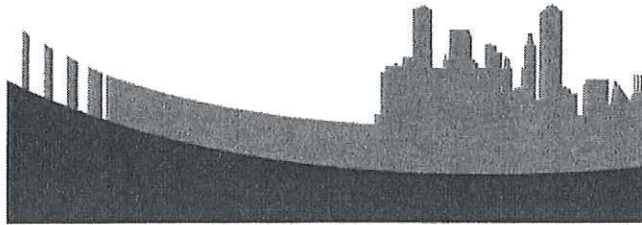
Yes

☐

No

☐

Comments, if any: _____



CERTIFICATE OF POSTING

November 13, 2020

November 30, 2020 amended for second inspection

Re:
Zoning Case No. 2020- 0198-SPH
Legal Owner: Steven & Maria Hamilton
Hearing date: December 4, 2020



Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **Stansbury Mill Road**.

The signs were initially posted on **November 13 2020**.

The subject property was also inspected on **November 30, 2020**.

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Doak".

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2020-0198-SPH

Stansbury Mill Road

**THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY, BY
AUTHORITY OF THE ZONING ACT AND REGULATIONS OF
BALTIMORE COUNTY, WILL HOLD A VIRTUAL HEARING ON THE
PROPERTY IDENTIFIED.**

DATE & TIME: FRIDAY DECEMBER 4, 2020 11:00 AM

**FOR INFORMATION ON HOW TO PARTICIPATE IN THE HEARINGS
PLEASE GO TO WWW.BALTIMORECOUNTYMD/GOV/ADMINHEARINGS.
YOU WILL BE ASKED TO PROVIDE YOUR CONTACT INFORMATION AND
THE CASE NUMBER PROVIDED ABOVE. YOU MAY ALSO CALL
410-887-3868, EXT. 0.**

**REQUESTS: SPECIAL HEARING TO APPROVE A NON-CONFORMING
LOT WHICH WAS CREATED ON SEPTEMBER 30, 1966 WITH AN AREA
OF 0.92 OF AN ACRE IN LIEU OF THE REQUIRED 1.0 ACRE.**

ZONING NOTICE

CASE NO. 2020-0198-SPH

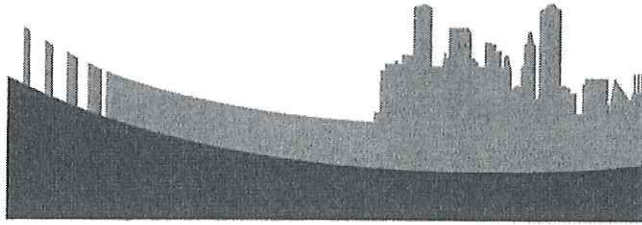
Stansbury Mill Road

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410-887-3868, EXT. 0.

REQUESTS: SPECIAL HEARING TO APPROVE A NON-CONFORMING
LOT WHICH WAS CREATED ON SEPTEMBER 30, 1961 WITH AN AREA
OF 0.92 OF AN ACRE IN LIEU OF THE REQUIRED 1.0 ACRE.

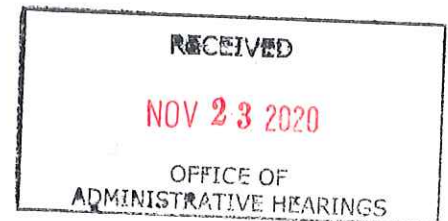


CERTIFICATE OF POSTING

November 13, 2020

_____ amended for second inspection

Re:
Zoning Case No. 2020- 0198-SPH
Legal Owner: Steven & Maria Hamilton
Hearing date: December 4, 2020



Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Jenae Johnson

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The subject property was also inspected on _____.

Sincerely,

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Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

ZONING NOTICE

CASE NO. 2020-0198-SPH

Stansbury Mill Road

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410-887-3868, EXT. 0.**

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ZONING NOTICE

CASE NO. 2020-0198-SPH

Stansbury Mill Road

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OF 0.92 OF AN ACRE IN LIEU OF THE REQUIRED 1.0 ACRE.**

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11934211

Case #:

Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0198-SPH

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:

11/13/2020



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 virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0198-SPH

Stansbury Mill Road

Northwest side of Stansbury Mill Road at Dunstan Lane

10th Election District - 3rd Councilmanic District

Legal Owners: Steven & Maria Hamilton

Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required 1.0 acre.

Hearing: Friday, December 4, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

n13

RECEIVED

NOV 24 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: THE DAILY RECORD
Friday, November 13, 2020 - Issue

Please forward billing to:

Bruce Doak
3801 Baker Schoolhouse Road
Freeland, MD 21053

410-419-4906

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 virtual hearing on the property identified herein as follows:

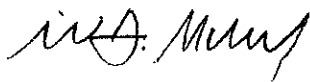
CASE NUMBER: 2020-0198-SPH

Stansbury Mill Road
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10th Election District – 3rd Councilmanic District
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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 2020

NOTICE OF ZONING HEARING

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Stansbury Mill Road

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A handwritten signature in cursive script, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Steven & Maria Hamilton, 4008 Stansbury Mill Road, Monkton 21111

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., NOVEMBER 14, 2020.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2020-0198-SPM

Property Address: STANSBURY MILL RD, 3900 BLOCK

Property Description: 1 NW SIDE OF STANSBURY MILL RD AT
DUNSTAN LANE

Legal Owners (Petitioners): STEVEN + MARIA HAMILTON

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: ~~BRUCE DOAK~~ BRUCE DOAK

Company/Firm (if applicable): BRUCE E. DOAK CONSULTING

Address: 3801 BAKER SCHOOLHOUSE RD.
FREELANDS, MD 21053

Telephone Number: 410-419-4906

Revised 7/9/2015



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 STANSBURY Mill ROAD which is presently zoned RC2
Deed References: 7765/57 10 Digit Tax Account # 1002026890
Property Owner(s) Printed Name(s) STEVEN G. HAMILTON & MARIA N. HAMILTON

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

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

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

SEE ATTACHED SHEET

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

3. ☐ a **Variance** from Section(s)

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

TO BE PRESENTED AT THE HEARING

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):

STEVEN G. HAMILTON MARIA N. HAMILTON
Name #1 - Type or Print Name #2 - Type or Print

[Signature] [Signature]
Signature #1 Signature #2

4008 STANSBURY Mill ROAD MONKTON MD
Mailing Address City State

Cell # 443-841-4101
21111 410-666-0891 x-tailas19@aol.com
Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
Name - Type or Print

[Signature]
Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
Mailing Address City State

21053 410-919-9906
Zip Code Telephone # Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2020-0198-SP4 Filing Date 8/4/20 Do Not Schedule Dates: Reviewer JS



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 STANSBURY Mill Road which is presently zoned RC2
 Deed References: 7765/57 10 Digit Tax Account # 1002026890
 Property Owner(s) Printed Name(s) STEVEN G. HAMILTON & MARIA N. HAMILTON

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3. ☐ a Variance from Section(s)

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

TO BE PRESENTED AT THE HEARING

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

Legal Owners (Petitioners):

STEVEN G. HAMILTON MARIA N. HAMILTON
 Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

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

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
 Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0198-SPH Filing Date 8/4/20

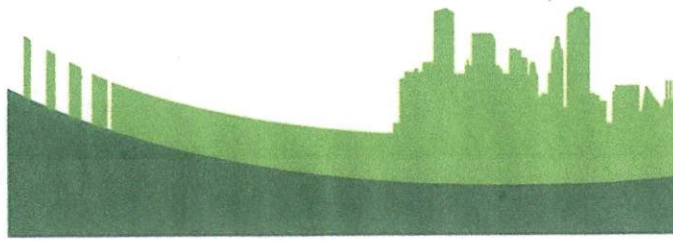
Do Not Schedule Dates:

Reviewer JS

Zoning Hearing Petitions Being Requested

Stansbury Mill Road
Case # 2020-0198-SPH

Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of required area of 1.0 acre.



Zoning Description

Stansbury Mill Road- 0.92 Acre Parcel
Tenth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in the bed of Stansbury Mill Road, approximately 149 feet easterly of the centerline of Dunstan Road, thence leaving the bed of Stansbury Mill Road and running with and binding on the outlines of the subject property, the three following courses and distances, viz. 1) North 5 degrees 25 minutes East 216.60 feet, 2) South 88 degrees 58 minutes 30 seconds West 138 feet and 3) South 22 degrees 31 minutes 40 seconds West 266.29 feet to a point in Stansbury Mill Road, thence running in the bed of Stansbury Mill Road and continuing to run and bind on the outlines of the subject property, 4) North 81 degrees 30 seconds East 222 feet to the point of beginning.

Containing 0.92 of an acre of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

2020-0198-SPH

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

No. 198815

Date: 8/4/20

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 75.00

Total: \$ 75.00

Rec From: HAMILTON

For: 2020-0198-SPH

DISTRIBUTION

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

CASHIER'S
VALIDATION

BRUCE E DOAK DBA 12-12 BRUCE E DOAK CONSULTING 3801 BAKER SCHOOLHOUSE RD FREELAND, MD 21053-9738		2459 15-3/540 429
Date: 7/30/20		
Pay to the Order of: BALTIMORE COUNTY MARYLAND		\$ 75.00
SEVENTY FIVE AND 00/1000		Dollars
 PNCBANK PNC Bank, N.A. 040		
For: HAMILTON ZONCHER FBO		MP
⑆054000030⑆ 5336741067⑈ 2459		

Create Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

[Select Contacts...](#)[Import Contacts...](#)

Panelists to Invite

Name	Email address	Phone number	Language	Time Zone	Locale
☒ <u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒ <u>Henry Akwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒ <u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒ <u>Bruce E. Doak</u>	bdoak@bruceedoakconsulting.com	1-	English	New York Time	U.S.
☒ <u>Steven and Maria Hamilton</u>	talla519@aol.com	1-	English	New York Time	U.S.

[Invite](#)[Select All](#)[Clear All](#)[Delete](#)[Cancel](#)

New Panelist

Full name: (required)

Email address: (required)

Phone number:

Country/Region: Number (with area/city code):

Time Zone: New York (Eastern Standard Time, GMT-05:00) ▼

Language: English ▼

Locale: U.S. ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

[Add to Invitation List](#)

Event Information

Event: Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e62dbd776d656f5509a84e1492da35ff3>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e930e6327de3e934a857375a62ca37473>
Date and time: Friday, December 4, 2020 11:00 am
 Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
 Case No: 2020-0198-SPH
 Address: Stanbury Mill Road
 Legal Owners: Steven & Maria Hamilton
Event number: 172 657 3987
Event password: 1234
Host key: 220245
Alternate Host: Deb Wiley ,Henry Akwah
Panelist Info:
Panelist password:
Panelist numeric password: 942777
Video Address: 1726573987@baltimorecountymd.webex.com
 You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
 +1-415-655-0001
[Show all global call-in numbers](#)
 Access code: 172 657 3987
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

St

Send E
 You can
 emails b
 Send Er

Sen

Registration Information

Registration ID required: No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Manage Registrations

Delete Event

Edit Event

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e8f24461deb80fd258bc64651e54924da>
Start: Fri 12/4/2020 11:00 AM
End: Fri 12/4/2020 12:00 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 172 657 3987

Friday, December 4, 2020 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e8f24461deb80fd258bc64651e54>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e05839ba654c6341e86df8dbba41>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1726573987@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 942777

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=eb05fd4b8e52bd6e3a09d69c5ef0cb307>

Need help? Go to <http://help.webex.com>

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e8f24461deb80fd258bc64651e54924da>
Start: Fri 12/4/2020 11:00 AM
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Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 172 657 3987

Friday, December 4, 2020 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e8f24461deb80fd258bc64651e54>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e05839ba654c6341e86df8dbba41>

Start event

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Panelist numeric password: 942777

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=eb05fd4b8e52bd6e3a09d69c5ef0cb307>

Need help? Go to <http://help.webex.com>

Donna Mignon

From: messenger@webex.com
Sent: Friday, November 6, 2020 10:40 AM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road

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



Webex sent the email message
"Invitation for Alternate Host" for
your event.

Number of email addresses the message was sent to successfully: 2

Number of email addresses the message could not be sent to: 0

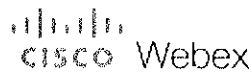
Need help? Go to <http://help.webex.com>

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Donna Mignon

From: messenger@webex.com
Sent: Friday, November 6, 2020 10:40 AM
To: Donna Mignon
Subject: Email delivery status for Web seminar: Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road

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



Webex sent the email message "Panelist Invitation" for your event.

Number of email addresses the message was sent to successfully: 3

Number of email addresses the message could not be sent to: 0

Need help? Go to <http://help.webex.com>

Donna Mignon

Subject: Web seminar updated: Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e8f24461deb80fd258bc64651e54924da>
Start: Fri 12/4/2020 11:00 AM
End: Fri 12/4/2020 12:00 PM
Recurrence: (none)
Meeting Status: Accepted
Organizer: webex

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

When it's time, start your Webex event here.

Event number: 172 657 3987

Event password: 1234

Panelist password: The Event has no Panelist Password

Friday, December 4, 2020 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e8f24461deb80fd258bc64651e54>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e05839ba654c6341e86df8dbba41>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

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You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 942777

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=eb05fd4b8e52bd6e3a09d69c5ef0cb307>

Need help? Go to <http://help.webex.com>



JOHN A. OLSZEWSKI, JR.
County Executive

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

November 5, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0198-SPH

Stansbury Mill Road
Northwest side of Stansbury Mill Road at Dunstan Lane
10th Election District – 3rd Councilmanic District
Legal Owners: Steven & Maria Hamilton

Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required 1.0 acre.

Hearing: Friday, December 4, 2020 at 11:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

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

Michael Mallinoff
Director

MM:kl

C: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Steven & Maria Hamilton, 4008 Stansbury Mill Road, Monkton 21111

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., NOVEMBER 14, 2020.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/27/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-198

INFORMATION:

Property Address: Stansbury Mill Road
Petitioner: Steven G. Hamilton & Maria N. Hamilton
Zoning: RC 2
Requested Action: Special Hearing

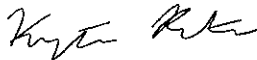
The Department of Planning has reviewed the petition for a Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 acres in lieu of required area of 1.0 acre.

A site visit was conducted on August 21, 2020. The lot was created on September 30, 1966 and recorded in county land records (4681/130).

The Department of Planning has no objection to granting the requested relief.

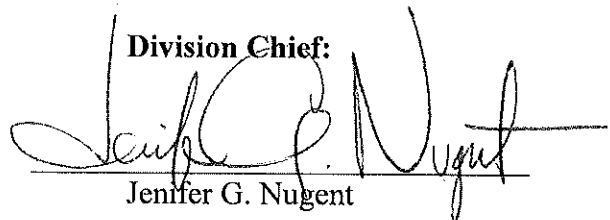
For further information concerning the matters stated herein, please contact Megan Benjamin at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Megan Benjamin
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

AUG 20 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: August 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0198-SPH
Address Stansbury Mill Road
(Hamilton Property)

Zoning Advisory Committee Meeting of **August 17, 2020.**

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

Reviewer: Steve Ford

ZAC AGENDA

Case Number: 2020-0198-SPH **Reviewer:** Jason Seidelman

Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: SPECIAL HEARING

Legal Owner: Steven G. Hamilton & Maria N. Hamilton

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 10 **Council Dist:** 3

Property Address: STANSBURY MILL RD

Location: North West side of Stansbury Mill Road (30') at Dunstan Lane (50').

Existing Zoning: RC 2

Area: 0.92 AC

Proposed Zoning:

SPECIAL HEARING:

To approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:



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 STANSBURY Mill ROAD which is presently zoned RC2
Deed References: 7765/57 10 Digit Tax Account # 1002026890
Property Owner(s) Printed Name(s) STEVEN G. HAMILTON & MARIA N. HAMILTON

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

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

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

SEE ATTACHED SHEET

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

3. ☐ a Variance from Section(s)

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

TO BE PRESENTED AT THE HEARING

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):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING LLC

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

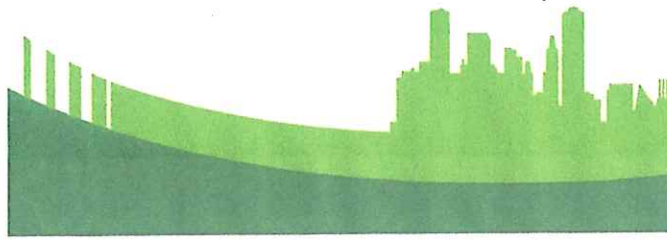
CASE NUMBER 2020-0198-SP4 Filing Date 8/4/20

Do Not Schedule Dates: _____ Reviewer JS

Zoning Hearing Petitions Being Requested

Stansbury Mill Road
Case # 2020-0198-SPH

Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of required area of 1.0 acre.



Zoning Description

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Tenth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in the bed of Stansbury Mill Road, approximately 149 feet easterly of the centerline of Dunstan Road, thence leaving the bed of Stansbury Mill Road and running with and binding on the outlines of the subject property, the three following courses and distances, viz. 1) North 5 degrees 25 minutes East 216.60 feet, 2) South 88 degrees 58 minutes 30 seconds West 138 feet and 3) South 22 degrees 31 minutes 40 seconds West 266.29 feet to a point in Stansbury Mill Road, thence running in the bed of Stansbury Mill Road and continuing to run and bind on the outlines of the subject property, 4) North 81 degrees 30 seconds East 222 feet to the point of beginning.

Containing 0.92 of an acre of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

2020-0198-SP4

Donna Mignon

From: Rebecca Byers <wardandbecca@gmail.com>
Sent: Friday, December 4, 2020 12:52 PM
To: Donna Mignon
Subject: Re: Case No: 2020-0198-SPH

CAUTION: This message from wardandbecca@gmail.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 Ms. Mignon,

My neighbors and I just attended this webex meeting, and we would like to know if there is a way that we can officially appeal or challenge the potential approval of this non-conforming lot. The most recent perc test used as evidence dates back to '986. We request a current perc recent perc test be done.

Thank you,

Rebecca Byers

On Tue, Dec 1, 2020 at 4:05 PM Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Sorry about that. Please see the attached and email below. Thanks.

Have a great evening.

-----Original Message-----

From: Donna Mignon
Sent: Tuesday, December 1, 2020 1:39 PM
To: 'wardbecca@gmail.com' <wardbecca@gmail.com>
Subject: Case No: 2020-0198-SPH

Good Afternoon,

Please find attached the Petition for Zoning.

If you have any questions regarding the zoning petition, you can contact Bruce E. Doak.

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

[<http://www.baltimorecountymd.gov/sebin/g/i/signature-covid-mask.gif>] <<https://www.baltimorecountymd.gov/news/coronavirus.html>>

<<http://www.baltimorecountymd.gov>>

Connect with Baltimore County

[<http://www.baltimorecountymd.gov/sebin/x/g/social-icon-facebook.png>] <<https://www.facebook.com/baltcogov>> [<http://www.baltimorecountymd.gov/sebin/p/o/social-icon-twitter.png>] <<https://twitter.com/BaltCoGov>> [<http://www.baltimorecountymd.gov/sebin/z/n/social-icon-news.png>]
<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>> [<http://www.baltimorecountymd.gov/sebin/b/d/social-icon-youtube.png>]
<<https://www.youtube.com/user/BaltimoreCounty>> [<http://www.baltimorecountymd.gov/sebin/l/y/social-icon-flickr.png>]
<<https://www.flickr.com/photos/baltimorecounty>> [<http://www.baltimorecountymd.gov/sebin/t/q/social-icon-linkedin.png>] <<https://www.linkedin.com/company/baltimore-county-government>>
www.baltimorecountymd.gov <<http://www.baltimorecountymd.gov>>

Donna Mignon

From: Donna Mignon
Sent: Friday, December 4, 2020 12:55 PM
To: 'Rebecca Byers'
Cc: Debra Wiley
Subject: RE: Case No: 2020-0198-SPH

Dear Ms. Byers,

Once the Order is issued you have thirty (30) days to appeal the decision of the Order.
Can you please give me your address and I can send you a copy of the Order once it is issued.

Thank you.

From: Rebecca Byers <wardandbecca@gmail.com>
Sent: Friday, December 4, 2020 12:52 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: Case No: 2020-0198-SPH

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

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Thank you.
Donna Mignon, Legal Assistant

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

[<http://www.baltimorecountymd.gov/sebin/g/i/signature-covid-mask.gif>] <<https://www.baltimorecountymd.gov/news/coronavirus.html>>

<<http://www.baltimorecountymd.gov>>

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<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>> [<http://www.baltimorecountymd.gov/sebin/b/d/social-icon-youtube.png>]
<<https://www.youtube.com/user/BaltimoreCounty>> [<http://www.baltimorecountymd.gov/sebin/l/y/social-icon-flickr.png>]
<<https://www.flickr.com/photos/baltimorecounty>> [<http://www.baltimorecountymd.gov/sebin/t/q/social-icon-linkedin.png>] <<https://www.linkedin.com/company/baltimore-county-government>>

www.baltimorecountymd.gov <<http://www.baltimorecountymd.gov>>

Donna Mignon

From: Rebecca Byers <wardandbecca@gmail.com>
Sent: Friday, December 4, 2020 12:57 PM
To: Donna Mignon
Cc: Debra Wiley
Subject: Re: Case No: 2020-0198-SPH

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

Thank you very much for the prompt reply.

Rebecca Byers
3942 Stansbury Mill Rd
Monkton, MD 21111

On Fri, Dec 4, 2020 at 12:55 PM Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Dear Ms. Byers,

Once the Order is issued you have thirty (30) days to appeal the decision of the Order.

Can you please give me your address and I can send you a copy of the Order once it is issued.

Thank you.

From: Rebecca Byers <wardandbecca@gmail.com>
Sent: Friday, December 4, 2020 12:52 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: Case No: 2020-0198-SPH

CAUTION: This message from wardandbecca@gmail.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 Ms. Mignon,

My neighbors and I just attended this webex meeting, and we would like to know if there is a way that we can officially appeal or challenge the potential approval of this non-conforming lot. The most recent perc test used as evidence dates back to '986. We request a current perc recent perc test be done.

Thank you,

Rebecca Byers

On Tue, Dec 1, 2020 at 4:05 PM Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Sorry about that. Please see the attached and email below. Thanks.
Have a great evening.

-----Original Message-----

From: Donna Mignon
Sent: Tuesday, December 1, 2020 1:39 PM
To: 'wardbecca@gmail.com' <wardbecca@gmail.com>
Subject: Case No: 2020-0198-SPH

Good Afternoon,
Please find attached the Petition for Zoning.
If you have any questions regarding the zoning petition, you can contact Bruce E. Doak.

Thank you.
Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

[<http://www.baltimorecountymd.gov/sebin/g/i/signature-covid-mask.gif>] <<https://www.baltimorecountymd.gov/news/coronavirus.html>>

<<http://www.baltimorecountymd.gov>>

Connect with Baltimore County

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<<https://twitter.com/BaltCoGov>> [<http://www.baltimorecountymd.gov/sebin/z/n/social-icon-news.png>]
<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>> [<http://www.baltimorecountymd.gov/se>

bin/b/d/social-icon-youtube.png]

<https://www.youtube.com/user/BaltimoreCounty> [http://www.baltimorecountymd.gov/sebin/l/y/social-
icon-flickr.png]

<https://www.flickr.com/photos/baltimorecounty> [http://www.baltimorecountymd.gov/sebin/t/q/social-
icon-linkedin.png] <https://www.linkedin.com/company/baltimore-county-government>

www.baltimorecountymd.gov <http://www.baltimorecountymd.gov>

Donna Mignon

From: Leigh Nodar <Lnodar@comcast.net>
Sent: Friday, December 4, 2020 1:04 PM
To: Donna Mignon
Cc: Leigh Nodar
Subject: Re:

CAUTION: This message from lnodar7@gmail.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

3942 Stansbury Mill

Leighbarrywatercolors.com
LeighBarryWatercolor.etsy.com
LeighBarryIrish.etsy.com
WhollyInspirations.etsy.com

On Fri, Dec 4, 2020, 12:49 PM Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Good Afternoon,

What case are you talking about?

From: Leigh Nodar <Lnodar@comcast.net>
Sent: Friday, December 4, 2020 12:48 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject:

CAUTION: This message from lnodar7@gmail.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 Donna

We just wanted to ask if they could do a more recent perk test. That seems perfectly reasonable.

Also, I don't think we can assume that a developer won't build a "McMansion." Only the future developer will know that.

Thanks so much!

Leigh Nodar



Practice social distancing and
wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Donna Mignon

From: MARY ROPPELT <maryr426@comcast.net>
Sent: Friday, December 4, 2020 1:56 PM
To: Donna Mignon
Subject: 2020-0198-SPH

CAUTION: This message from maryr426@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Ms. Mignon,

If you are getting this for a 2nd time I apologize. It did not appear to send the 1st time, I sat in and own a property on Stansbury Mill Road which almost directly across from the lot being subdivided. I would like a copy of the County's decision so I may find out my options.

Thank You,
Mary Roppelt

Donna Mignon

From: Donna Mignon
Sent: Friday, December 4, 2020 2:02 PM
To: 'MARY ROPPELT'
Subject: RE: 2020-0198-SPH

Good Afternoon

Once the Judge issues the Order, I will send you a copy. Please email me your address.

Once the Judge issues an Order, you have thirty (30) days to appeal the decision with the Board of Appeals. Thank you.

From: MARY ROPPELT <maryr426@comcast.net>
Sent: Friday, December 4, 2020 1:56 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: 2020-0198-SPH

CAUTION: This message from maryr426@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Ms. Mignon,

If you are getting this for a 2nd time I apologize. It did not appear to send the 1st time, I sat in and own a property on Stansbury Mill Road which almost directly across from the lot being subdivided. I would like a copy of the County's decision so I may find out my options.

Thank You,
Mary Roppelt

Donna Mignon

From: MARY ROPPELT <maryr426@comcast.net>
Sent: Friday, December 4, 2020 2:04 PM
To: Donna Mignon
Subject: RE: 2020-0198-SPH

CAUTION: This message from maryr426@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

My info

Joel and Mary Roppelt
3943 Stansbury Mill Road
Monkton MD 21111

Thank you so much!!

On 12/04/2020 2:01 PM Donna Mignon <dmignon@baltimorecountymd.gov> wrote:

Good Afternoon

Once the Judge issues the Order, I will send you a copy. Please email me your address.

Once the Judge issues an Order, you have thirty (30) days to appeal the decision with the Board of Appeals. Thank you.

From: MARY ROPPELT <maryr426@comcast.net>
Sent: Friday, December 4, 2020 1:56 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: 2020-0198-SPH

CAUTION: This message from maryr426@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Ms. Mignon,

If you are getting this for a 2nd time I apologize. It did not appear to send the 1st time, I sat in and own a property on Stansbury Mill Road which almost directly across from the lot being subdivided. I would like a copy of the County's decision so I may find out my options.

Thank You,

Mary Roppelt



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Donna Mignon

From: MARY ROPPELT <maryr426@comcast.net>
Sent: Friday, December 4, 2020 1:56 PM
To: Donna Mignon
Subject: 2020-0198-SPH

CAUTION: This message from maryr426@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Ms. Mignon,

If you are getting this for a 2nd time I apologize. It did not appear to send the 1st time, I sat in and own a property on Stansbury Mill Road which almost directly across from the lot being subdivided. I would like a copy of the County's decision so I may find out my options.

Thank You,
Mary Roppelt

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Wednesday, December 2, 2020 11:31 AM
To: Donna Mignon; Debra Wiley
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Stephen
Last Name	Nodar
Email	Nodars2@comcast.net
Phone	410-667-1233
Address	3940 Stansbury Mill Rd.
City	Monkton
State	Maryland
ZIP Code	21111
Case Number	220-0198-SPH
Scheduled Hearing Date	12/4/20

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Wednesday, December 2, 2020 10:46 AM
To: Donna Mignon; Debra Wiley
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Mary
Last Name	Roppelt
Email	maryr426@comcast.net
Phone	4108120675
Address	3943 Stansbury Mill Road
City	Monkton
State	Maryland
ZIP Code	21111
Case Number	2020-0198-SPH
Scheduled Hearing Date	12/04/2020

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Akwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Bruce E. Doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
Maria Hamilton	talla519@aol.com	1-	New York Time	English	U.S.
Mary Roppelt	maryr426@comcast.net	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Ward and Rebecca Byers	wardandbecca@gmail.com	1-	New York Time	English	U.S.

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Akwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Bruce E. Doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
Maria Hamilton	talla519@aol.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Ward and Rebecca Byers	wardandbecca@gmail.com	1-	New York Time	English	U.S.

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Tuesday, December 1, 2020 5:00 PM
To: Donna Mignon; Debra Wiley
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Maria
Last Name	hamilton
Email	talla519@aol.com
Phone	4106660841
Address	4008 stansbury mill rd, Monkton
City	Md
State	Maryland
ZIP Code	21111
Case Number	2020-0198-sph
Scheduled Hearing Date	12/04/2020

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Tuesday, December 1, 2020 5:01 PM
To: Donna Mignon; Debra Wiley
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Maria
Last Name	hamilton
Email	talla519@aol.com
Phone	4106660841
Address	4008 stansbury mill rd, Monkton
City	Md
State	Maryland
ZIP Code	21111
Case Number	2020-0198-sph
Scheduled Hearing Date	12/04/2020

Donna Mignon

From: Donna Mignon
Sent: Tuesday, December 1, 2020 1:39 PM
To: 'wardbecca@gmail.com'
Subject: Case No: 2020-0198-SPH
Attachments: 20201201134126200.pdf

Good Afternoon,
Please find attached the Petition for Zoning.
If you have any questions regarding the zoning petition, you can contact Bruce E. Doak.

Thank you.
Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon

From: Donna Mignon
Sent: Monday, November 30, 2020 11:19 AM
To: 'Bruce Doak'
Subject: 2020-0198-SPH

Hi Bruce,
Please send me the recertification of the sign posting. Thanks so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Donna Mignon

From: Bruce Doak <bdoak@bruceedoakconsulting.com>
Sent: Thursday, November 26, 2020 9:03 AM
To: Donna Mignon
Subject: Case #2020-0198-SPH Participant list and exhibits
Attachments: Zoning hearing exhibits list.pdf; Hamilton zoning plan 7 4 20 exhibit 1.pdf; SDAT Real Property Search exhibit 2.pdf; Devolution of title exhibit 3.pdf; GIS exhibit 4.pdf; GIS Photo exhibit 5.pdf; Exhibit photos exhibit 6.pdf; Perc Testing Plat 1986 exhibit 7.pdf; Area of Surrounding Properties exhibit 8.pdf; PB 18 61 exhibit 9.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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

Good morning Donna,

The following people would like to be participants in the hearing:

Bruce Doak bdoak@bruceedoakconsulting.com or doakfarm@gmail.com

Steven Hamilton talla519@aol.com

Please send both of us invites.

Enclosed are the exhibits for the hearing.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

Panelists to Invite

Name	Email address	Phone number	Language	Time Zone	Locale
☐ <u>Deb Wiley</u> (Alternate Host)	dwiley@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Henry Akwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Bruce E. Doak</u>	bdoak@bruceedoakconsulting.com	1-	English	New York Time	U.S.
☐ <u>Maureen Murphy</u>	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ <u>Steven and Maria Hamilton</u>	talla519@aol.com	1-	English	New York Time	U.S.
☐ <u>Ward and Rebecca Byers</u>	wardandbecca@gmail.com	1-	English	New York Time	U.S.

New Panelist

Full name: (required)

Email address: (required)

Phone number: Country/Region Number (with area/city code)

Time Zone: ▼

Language: ▼

Locale: ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

Donna Mignon

From: Bruce Doak <bdoak@bruceedoakconsulting.com>
Sent: Thursday, November 26, 2020 9:03 AM
To: Donna Mignon
Subject: Case #2020-0198-SPH Participant list and exhibits
Attachments: Zoning hearing exhibits list.pdf; Hamilton zoning plan 7 4 20 exhibit 1.pdf; SDAT Real Property Search exhibit 2.pdf; Devolution of title exhibit 3.pdf; GIS exhibit 4.pdf; GIS Photo exhibit 5.pdf; Exhibit photos exhibit 6.pdf; Perc Testing Plat 1986 exhibit 7.pdf; Area of Surrounding Properties exhibit 8.pdf; PB 18 61 exhibit 9.pdf

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

Good morning Donna,

The following people would like to be participants in the hearing:

Bruce Doak bdoak@bruceedoakconsulting.com or doakfarm@gmail.com

Steven Hamilton
talla519@aol.com

Please send both of us invites.

Enclosed are the exhibits for the hearing.

Bruce
Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906
bdoak@bruceedoakconsulting.com

Donna Mignon

From: webmaster@baltimorecountymd.gov
Sent: Friday, November 13, 2020 10:07 AM
To: Donna Mignon; Debra Wiley
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	Ward and Rebecca
Last Name	Byers
Email	wardandbecca@gmail.com
Phone	360-280-2162
Address	3942 Stansbury Mill Rd
City	Monkton
State	Maryland
ZIP Code	21111
Case Number	2020-0198-SPH
Scheduled Hearing Date	12/04/2020

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Akwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Bruce E. Doak	bdoak@bruceedoakconsulting.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Steven and Maria Hamilton	talla519@aol.com	1-	New York Time	English	U.S.
Ward and Rebecca Byers	wardandbecca@gmail.com	1-	New York Time	English	U.S.

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 10 Account Number - 1002026890		
Owner Information		
Owner Name:	HAMILTON STEVEN G HAMILTON MARIA N	Use: Principal Residence: RESIDENTIAL NO
Mailing Address:	4008 STANSBURY MILL RD MONKTON MD 21111-2514	Deed Reference: /07765/ 00057
Location & Structure Information		
Premises Address:	STANSBURY MILL RD 0-0000	Legal Description: NS STANSBURY MILL RD .92 AC 2600 E MANOR RD
Map:	Grid:	Parcel:
0036	0008	0170
Neighborhood:	Subdivision:	Section:
10030035.04	0000	
Block:	Lot:	Assessment Year:
		2020
Town:	Plat No:	
None	Plat Ref:	
Primary Structure Built	Above Grade Living Area	Finished Basement Area
		Property Land Area
		0.9200 AC
County Use	04	
Stories	Basement	Type
		Exterior
		Quality
		Full/Half Bath
		Garage
		Last Notice of Major Improvements
Value Information		
	Base Value	Value
		As of
		01/01/2020
Land:	115,100	115,100
Improvements	0	0
Total:	115,100	115,100
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
		115,100
		115,100
Transfer Information		
Seller: BENNETT ELGIN M	Date: 01/07/1988	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07765/ 00057	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		



CASE #2020- 0198 - SPH EXHIBITS
(In the order of submittal)

- 1) Hamilton Zoning Plan 7 4 20
- 2) SDAT / Real Property Search
- 3) Devolution of Title
- 4) GIS
- 5) GIS photo
- 6) Key sheet & photos
- 7) Perc Testing Plat 1986
- 8) Area of Surrounding Properties
- 9) PB 18/ 61

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

GENERAL SITE INFORMATION

- 1. Ownership: Steven G. Hamilton & Maria N. Hamilton
4008 Stansbury Mill Road
- 2. Address: Stansbury Mill Road
- 3. Deed references: EHK Jr 7765/ 57
- 4. Area: 0.92 acre
- 5. Tax Map / Parcel / Tax account #: 36 / 170 / 10-02-026890
- 6. Election District: 10 Councilmanic District: 3
ADC Map: 4348D5 GIS tile: 036A2 Position sheet: 86NE15
Census tract: 410200 Census block: 240054102001
Schools: Jacksonville ES Cockeysville MS Dulaney HS
- 7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 036A2 and the information provided by Baltimore County on the internet.
- 8. Improvements: Vacant

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject lot.

R.C. 2 Setbacks for Residential Buildings

Front: 75 feet from the centerline of the road
Side / Rear: 35 feet from the property line

ENVIRONMENTAL IMPACT

Watershed: Little Gunpowder Falls URDL land type: 1

- 1. The existing lot will be served by a private well and septic system.
- 2. There are no underground storage tanks on the subject lot.
- 3. The subject lot is not in the Chesapeake Bay Critical Area.
- 4. The subject lot is not located within a 100 year flood plain.

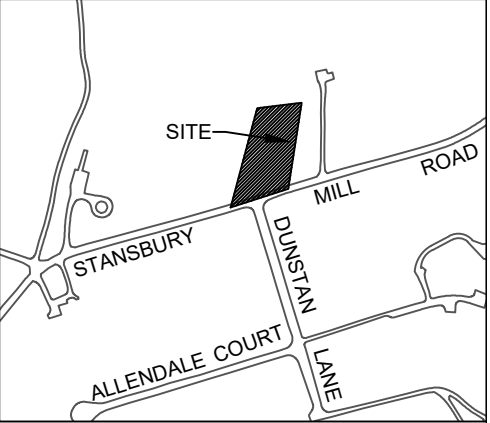
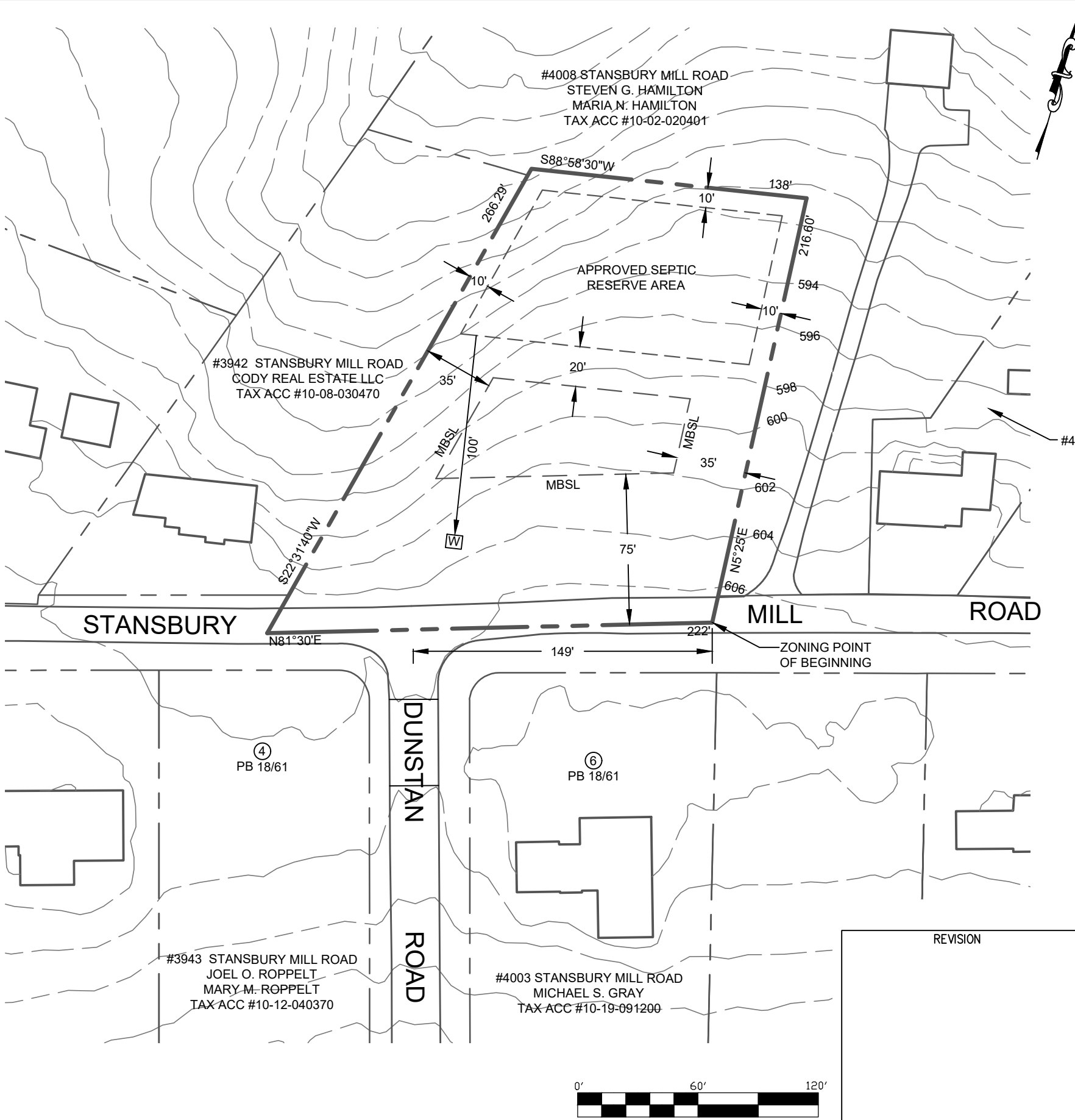
OFFICE OF PLANNING

Regional Planning District: Jacksonville District Code: 305

- 1. The subject lot is not in a historic district.

PROPOSED DEVELOPMENT

To utilize the existing lot for a single family dwelling



Vicinity Map - Scale: 1' = 500'

#4010 STANSBURY MILL ROAD
BRUCE H. ELLIOTT
JANICE L.A. ELLIOTT
TAX ACC #10-02-020425

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR THE
PROPERTY OF STEVEN G. &
MARIA N. HAMILTON
STANSBURY MILL ROAD
BALTIMORE COUNTY, MARYLAND
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 7/4/2020

Scale: 1"=60'

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 10 Account Number - 1002026890			
Owner Information					
Owner Name:		HAMILTON STEVEN G HAMILTON MARIA N		Use:	RESIDENTIAL NO
Mailing Address:		4008 STANSBURY MILL RD MONKTON MD 21111-2514		Principal Residence:	
				Deed Reference:	/07765/ 00057
Location & Structure Information					
Premises Address:		STANSBURY MILL RD 0-0000		Legal Description:	NS STANSBURY MILL RD .92 AC 2600 E MANOR RD
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0036	0008	0170	10030035.04	0000	
Block:					
Lot:					
Assessment Year:					
Plat No:					
Plat Ref:					
Town: None					
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area	
				0.9200 AC	
				County Use	
				04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
			/		
Garage					
Last Notice of Major Improvements					
Value Information					
		Base Value		Value	
				As of	
				01/01/2020	
				Phase-in Assessments	
				As of	
				07/01/2019	
				As of	
				07/01/2020	
Land:		115,100		115,100	
Improvements		0		0	
Total:		115,100		115,100	
Preferential Land:		0			
				115,100	115,100
					0
Transfer Information					
Seller: BENNETT ELGIN M		Date: 01/07/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07765/ 00057		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2019	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	
				0.00 0.00	
Special Tax Recapture: 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.

HAMILTON LOT - DEVOLUTION OF TITLE

STEVEN G. HAMILTON & MARIA N. HAMILTON

0.92 AC

7765/57
1/6/1988

ELGIN BENNETT

0.92 AC

6993/223
8/13/1985

ELGIN BENNETT & WILMA BENNETT

0.92 AC

4681/130
9/30/1966

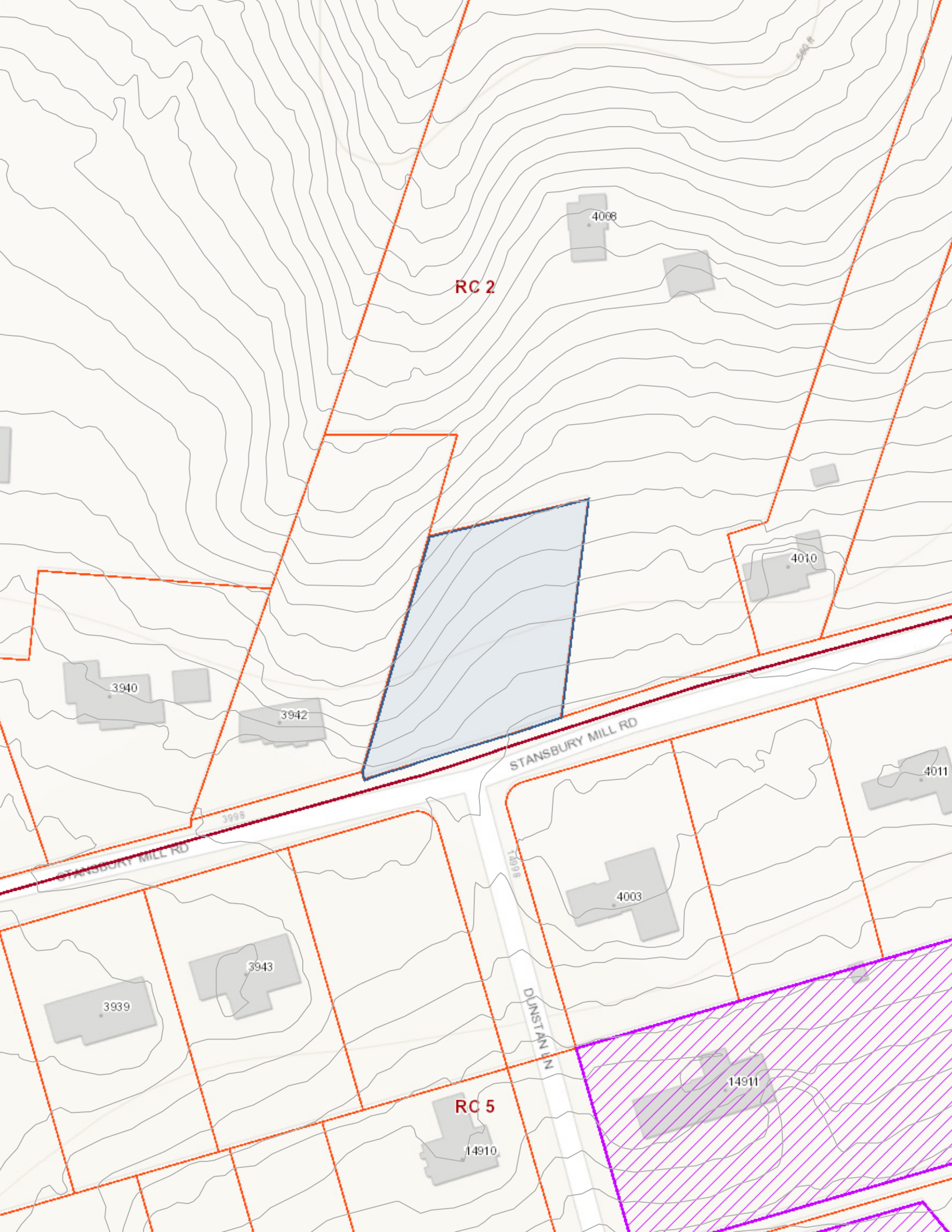
FIRST CREATED
9/30/1966

JESSE L. BENNETT &
ANNA E. BENNETT

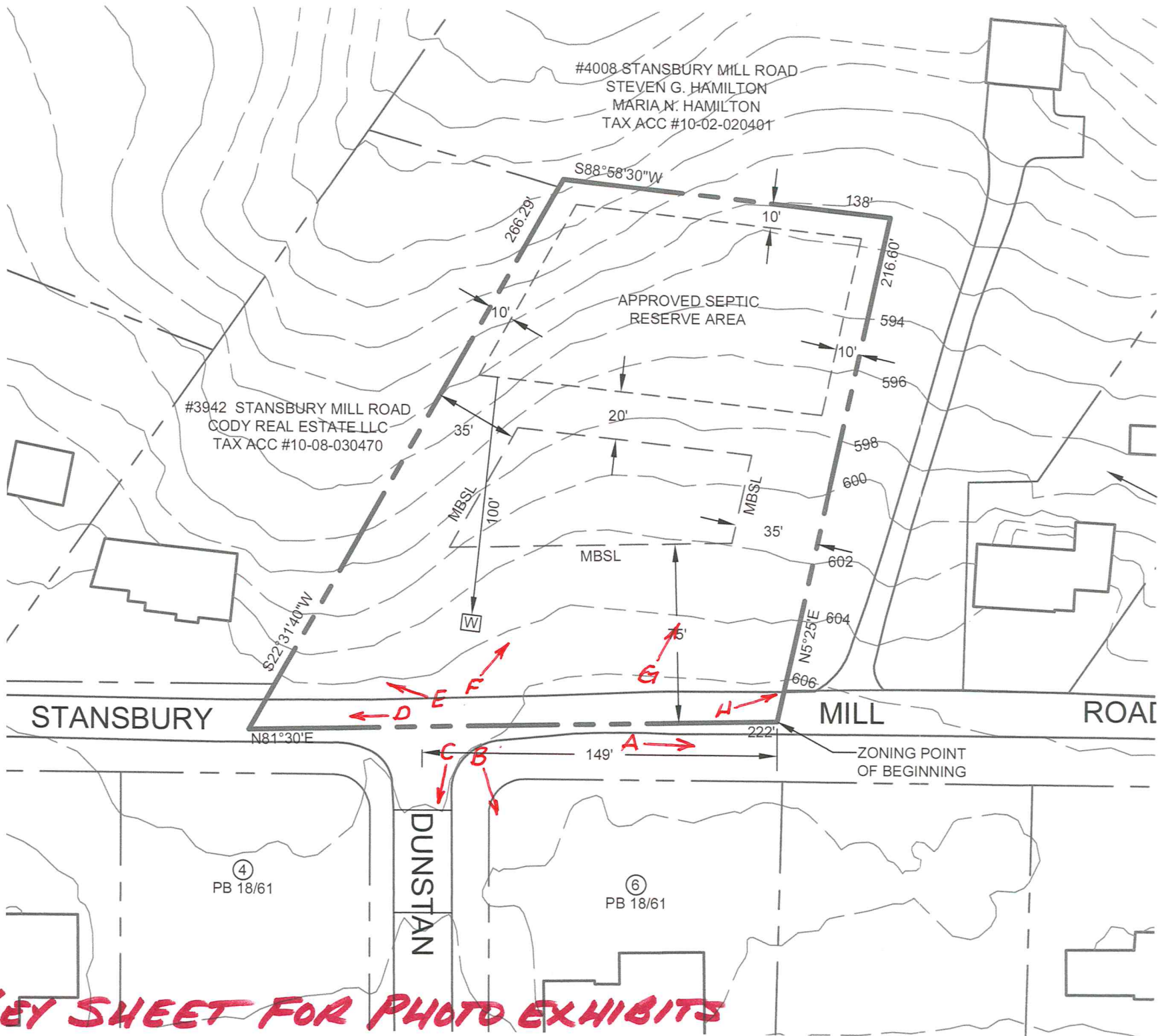
7 AC
3 R0005
13 SB. P&R.

510/196
5/2/1919

CLINTON E. MATTHEWS et al















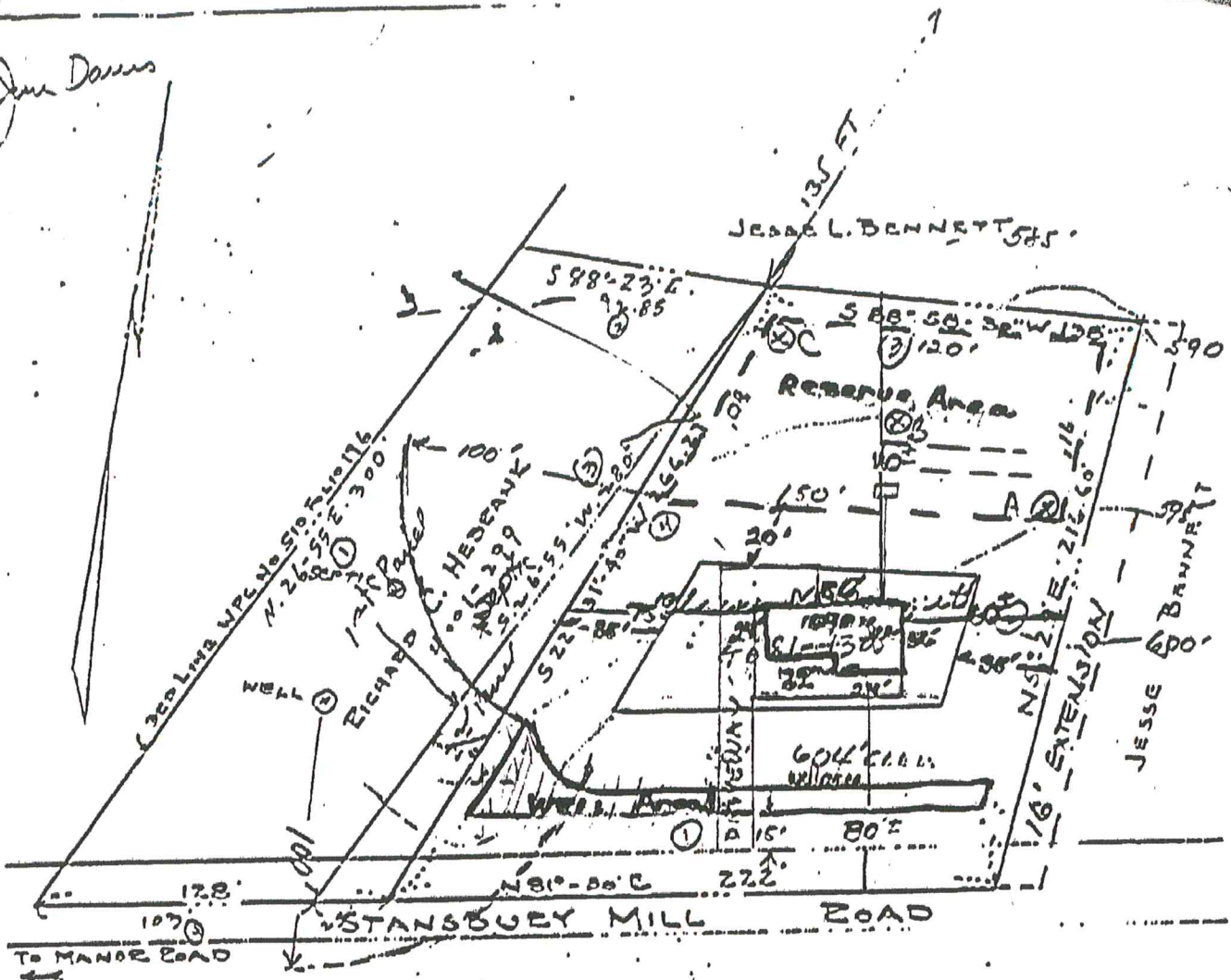








June Davis



HC
h2c

O.K. TO FILE
Bennett 6/9/86
 BALTO. CO. HEALTH DEPT.
 FINAL APPROVED PLAN

PROPERTY TO BE ACQUIRED
 BY

ELGIN BENNETT
 LOCATED IN

10TH DISTRICT BALTO. CO. MD.
 0.92 ACRES ±

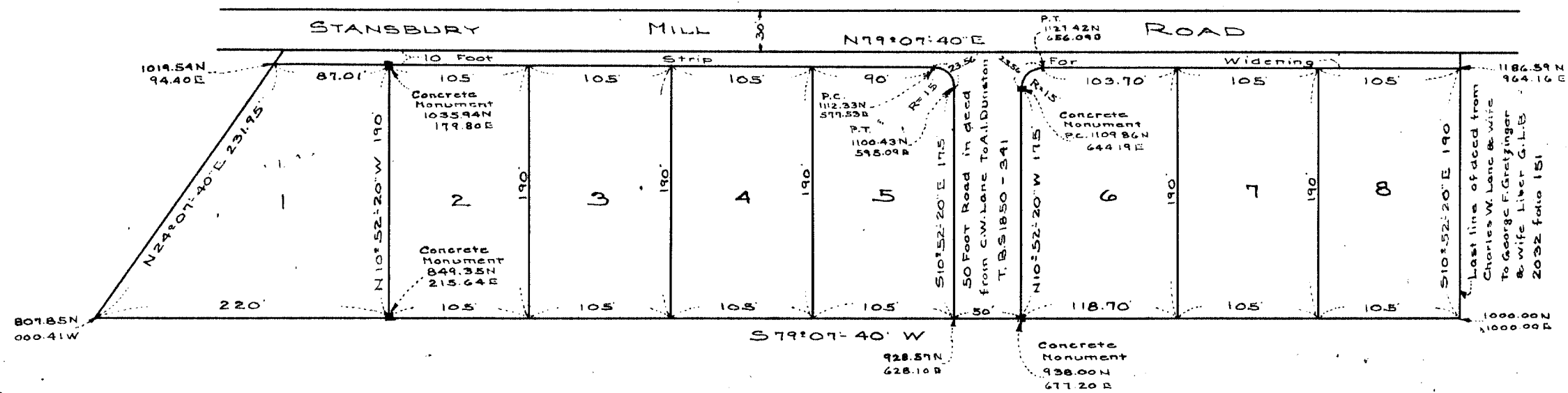
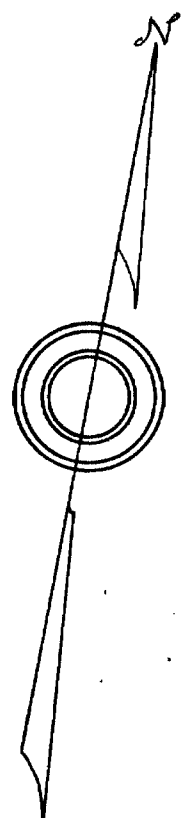
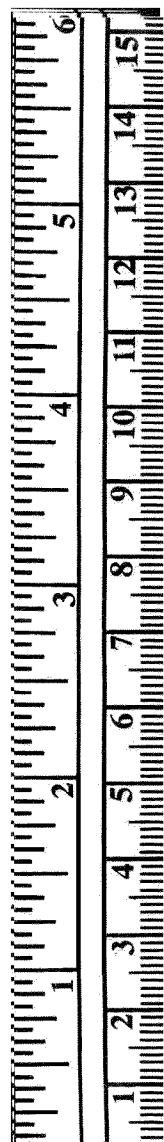
ZONING: RC 2

SETBACKS: 35' ALL SIDES
 FROM BUILDING TO PROPERTY LINE
 - 75' FROM CENTER OF STREET TO
 BUILDING

SCALE: 1"=60' JULY 20, 1966
 DOLLENBERG BROTHERS
 SURVEYORS & CIVIL ENGINEERS
 709 WASHINGTON AVE. TOWSON MD



**AREA OF SURROUNDING PROPERTIES
(PER SDAT RECORDS)**



PLAT OF
MANOR HEIGHTS
LOCATED IN
10th DIST. - BALTIMORE CO. - MD.

G.L.B. No. 18 Folio 61
FILED FOR RECORD WITH _____
FROM _____
TO _____

APR 21 1953
TEST *George E. Ayerly*
Clerk.

Note: The streets and or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title thereof is expressly reserved in the grantors of the deed to which this plat is attached; their heirs and assigns.

The coordinates shown hereon are based on an assumed system.

I hereby certify that the requirements as set forth in Sections 72A, 72B, 72C and 72D of Article 17 of the annotated code of Maryland (1939 Edition) Title "Clerk of Courts" as far as it concerns the making of this plat have been complied with.

Signed: _____ owner

APPROVED
BALTO. CO. PLANNING COMMISSION
Signed: *Malcolm H. Dill*
Date: *Apr. 13, 1953*
APPROVED FOR ROAD
ALIGNMENT & LOCATION
Signed: *Robert G. Haggerty*
Date: *April 17, 1953*
Res. Engr. for Balto. Co.

Signed: _____
Reg. Engr. & Land Surveyor #1271

SCALE 1"=100' MARCH 26, 1953
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGRS.
109 WASHINGTON AVE. TOWSON, MD.

18-61

MSASSU 1236-733

p 60535

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/27/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-198

INFORMATION:

Property Address: Stansbury Mill Road
Petitioner: Steven G. Hamilton & Maria N. Hamilton
Zoning: RC 2
Requested Action: Special Hearing

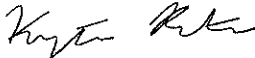
The Department of Planning has reviewed the petition for a Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 acres in lieu of required area of 1.0 acre.

A site visit was conducted on August 21, 2020. The lot was created on September 30, 1966 and recorded in county land records (4681/130).

The Department of Planning has no objection to granting the requested relief.

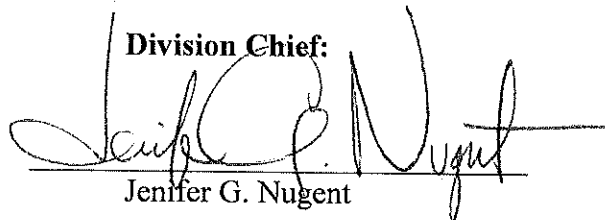
For further information concerning the matters stated herein, please contact Megan Benjamin at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Megan Benjamin
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

AUG 20 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: August 20, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0198-SPH
Address Stansbury Mill Road
(Hamilton Property)

Zoning Advisory Committee Meeting of **August 17, 2020.**

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

Reviewer: Steve Ford



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 STANSBURY Mill Road which is presently zoned RC2
 Deed References: 7765/57 10 Digit Tax Account # 1002026890
 Property Owner(s) Printed Name(s) STEVEN G. HAMILTON & MARIA N. HAMILTON

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

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

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

SEE ATTACHED SHEET

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

3. ☐ a Variance from Section(s)

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

TO BE PRESENTED AT THE HEARING

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):

STEVEN G. HAMILTON MARIA N. HAMILTON
 Name #1 - Type or Print Name #2 - Type or Print

[Signature] [Signature]
 Signature #1 Signature #2

4008 STANSBURY Mill Road Monkton Md
 Mailing Address City State

21111 410-443-841-4101 taila519@aol.com
 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
 Name - Type or Print

[Signature]
 Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND Md
 Mailing Address City State

21053 410-419-9906
 Zip Code Telephone # Email Address

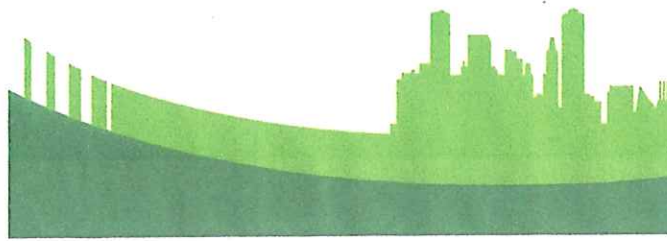
BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2020-0198-SPH Filing Date 8/4/20 Do Not Schedule Dates: Reviewer JS

Zoning Hearing Petitions Being Requested

Stansbury Mill Road
Case # 2020-0198-SPH

Special Hearing to approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of required area of 1.0 acre.



Zoning Description

Stansbury Mill Road- 0.92 Acre Parcel
Tenth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point in the bed of Stansbury Mill Road, approximately 149 feet easterly of the centerline of Dunstan Road, thence leaving the bed of Stansbury Mill Road and running with and binding on the outlines of the subject property, the three following courses and distances, viz. 1) North 5 degrees 25 minutes East 216.60 feet, 2) South 88 degrees 58 minutes 30 seconds West 138 feet and 3) South 22 degrees 31 minutes 40 seconds West 266.29 feet to a point in Stansbury Mill Road, thence running in the bed of Stansbury Mill Road and continuing to run and bind on the outlines of the subject property, 4) North 81 degrees 30 seconds East 222 feet to the point of beginning.

Containing 0.92 of an acre of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

2020-0198-SPH



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

BALTIMORE COUNTY OFFICE OF ADMINISTRATIVE HEARINGS

YOU ARE IN THE VIRTUAL HEARING ROOM FOR:

Case Number: 2020-0198-SPH

Property Address: STANSBURY MILL RD.

Location: North West side of Stansbury Mill Road (30 ft.) at Dunstan Lane (50 ft.)

Election District: 10 Council District: 3

Legal Owner: Steven G. Hamilton & Maria N. Hamilton

Contract Purchaser: No Contract Purchaser was set.

SPECIAL HEARING: To approve a non-conforming lot which was created on September 30, 1966 with an area of 0.92 of an acre in lieu of the required area of 1.0 acre.

WebEx Hearing: Friday - 12/04/2020 @ 11:00 AM

THE HEARING IS SCHEDULED TO START AT 11:00 AM

Attendance Count	Event Name	Event Start Date	Event Start Time	FirstName	LastName	Email
1	Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road	"December 4, 2020	New York Time"	Maureen	Murphy	mmurphy@baltimorecountymd.gov
11:00 am	New York Time	11:55 am	New York Time	55.0	mins	
2	Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road	"December 4, 2020	New York Time"	BruceDoak	bdoak@bruceedoakconsulting.com	10:53 am
11:00 am	New York Time	11:55 am	New York Time	61.0	mins	
3	Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road	"December 4, 2020	New York Time"	Henry	Ayakwah	hayakwah@baltimorecountymd.gov
11:00 am	New York Time	11:55 am	New York Time	62.0	mins	
4	Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road	"December 4, 2020	New York Time"	Rebecca	Byerswardandbecca@gmail.com	10:58 am
11:00 am	New York Time	11:55 am	New York Time	56.0	mins	
5	Zoning Hearing - 2020-0198-SPH - Stansbury Mill Road	"December 4, 2020	New York Time"	Maria	hamilton	talla519@aol.com
11:00 am	New York Time	11:55 am	New York Time	55.0	mins	

GENERAL SITE INFORMATION

1. Ownership: Steven G. Hamilton & Maria N. Hamilton
4008 Stansbury Mill Road
2. Address: Stansbury Mill Road
3. Deed references: EHK Jr 7765/ 57
4. Area: 0.92 acre
5. Tax Map / Parcel / Tax account #: 36 / 170 / 10-02-026890
6. Election District: 10 Councilmanic District: 3
ADC Map: 4348D5 GIS tile: 036A2 Position sheet: 86NE15
Census tract: 410200 Census block: 240054102001
Schools: Jacksonville ES Cockeysville MS Dulaney HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 036A2 and the information provided by Baltimore County on the internet.
8. Improvements: Vacant

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject lot.

R.C. 2 Setbacks for Residential Buildings

Front: 75 feet from the centerline of the road
Side / Rear: 35 feet from the property line

ENVIRONMENTAL IMPACT

Watershed: Little Gunpowder Falls URDL land type: 1

1. The existing lot will be served by a private well and septic system.
2. There are no underground storage tanks on the subject lot.
3. The subject lot is not in the Chesapeake Bay Critical Area.
4. The subject lot is not located within a 100 year flood plain.

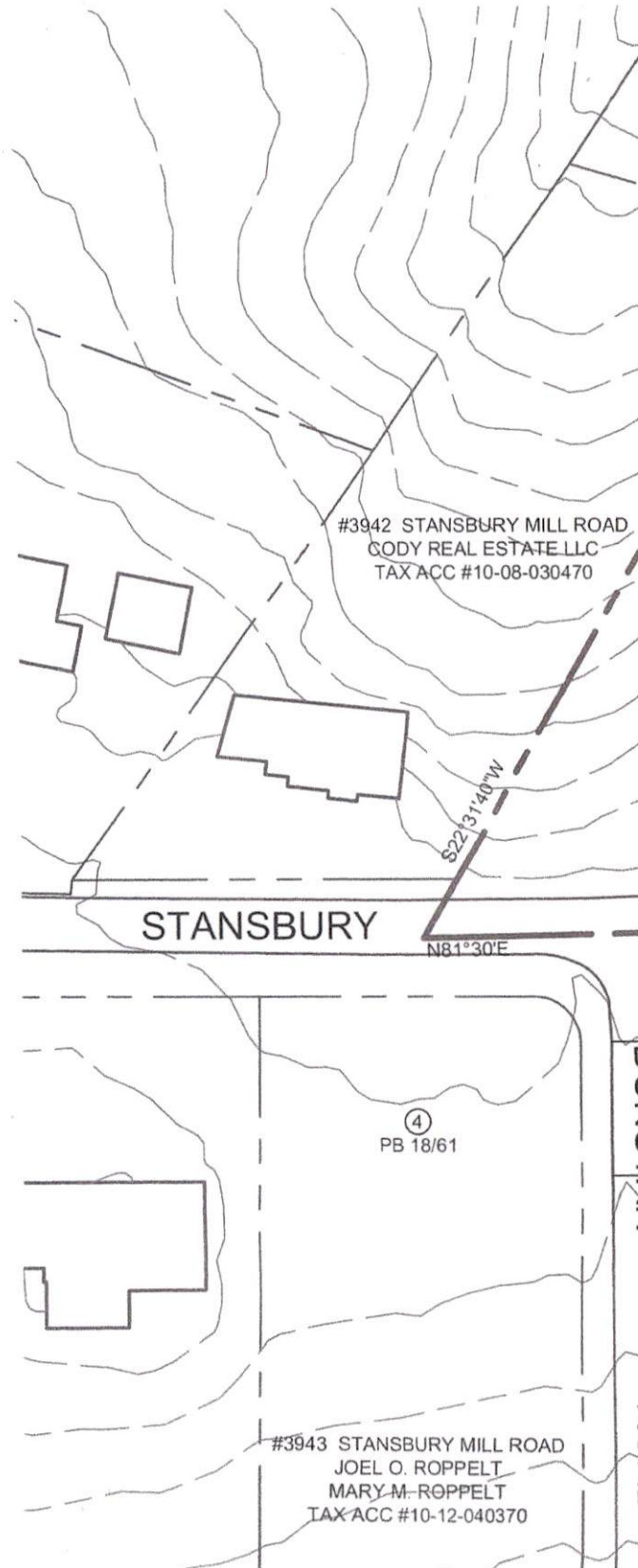
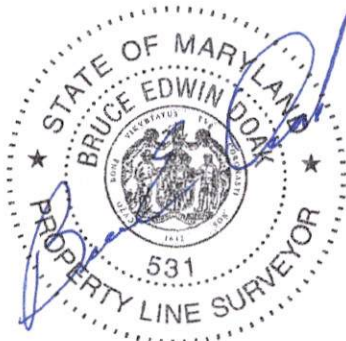
OFFICE OF PLANNING

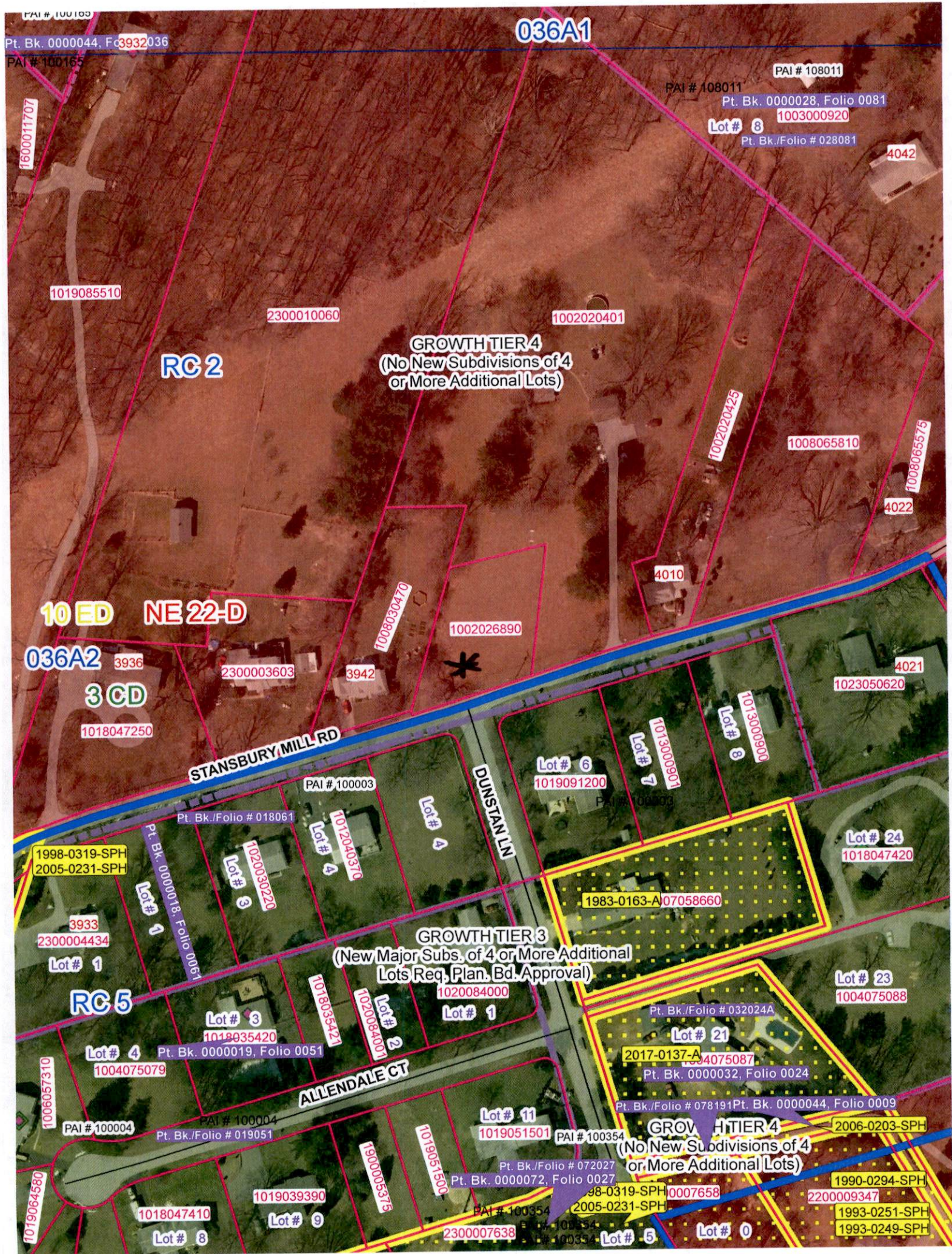
Regional Planning District: Jacksonville District Code: 305

1. The subject lot is not in a historic district.

PROPOSED DEVELOPMENT

To utilize the existing lot for a single family dwelling





036A1

RC 2

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

10 ED NE 22-D

036A2

3 CD

STANSBURY MILL RD

DUNSTAN LN

ALLENDALE CT

GROWTH TIER 3
(New Major Subs. of 4 or More Additional Lots Req. Plan, Bd. Approval)

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

PAI # 108011

PAI # 108011
Pt. Bk. 0000028, Folio 0081
Lot # 8
1003000920
Pt. Bk./Folio # 028081

1019085510

2300010060

1002020401

1008065810

4022

1008065575

1002026890

3942

2300003603

1018047250

1023050620

4021

PAI # 100003

Pt. Bk./Folio # 018061

1998-0319-SPH
2005-0231-SPH

3933
2300004434

Lot # 1

RC 5

Lot # 3
1018935420

Lot # 4
Pt. Bk. 0000019, Folio 0051
1004075079

1018035421

1020084001

Lot # 1
1020084000

Lot # 11
1019051501

PAI # 100354

Pt. Bk./Folio # 072027
Pt. Bk. 0000072, Folio 0027

198-0319-SPH
2005-0231-SPH

0007658

Lot # 23
1004075088

Pt. Bk./Folio # 032024A

Lot # 21

2017-0137-A
1004075087
Pt. Bk. 0000032, Folio 0024

Pt. Bk./Folio # 078191Pt. Bk. 0000044, Folio 0009

2006-0203-SPH

1990-0294-SPH

2200009347

1993-0251-SPH
1993-0249-SPH

1006057310

PAI # 100004

PAI # 100004
Pt. Bk./Folio # 019051

1018047410

1019039390

Lot # 9

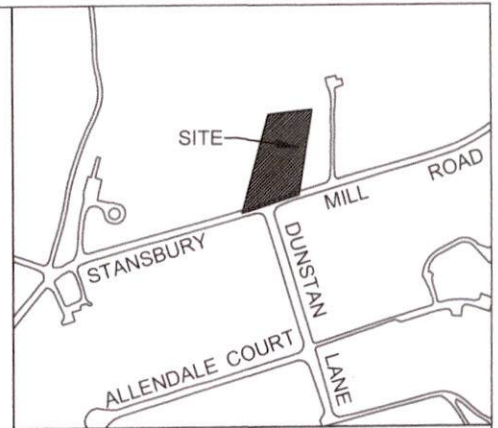
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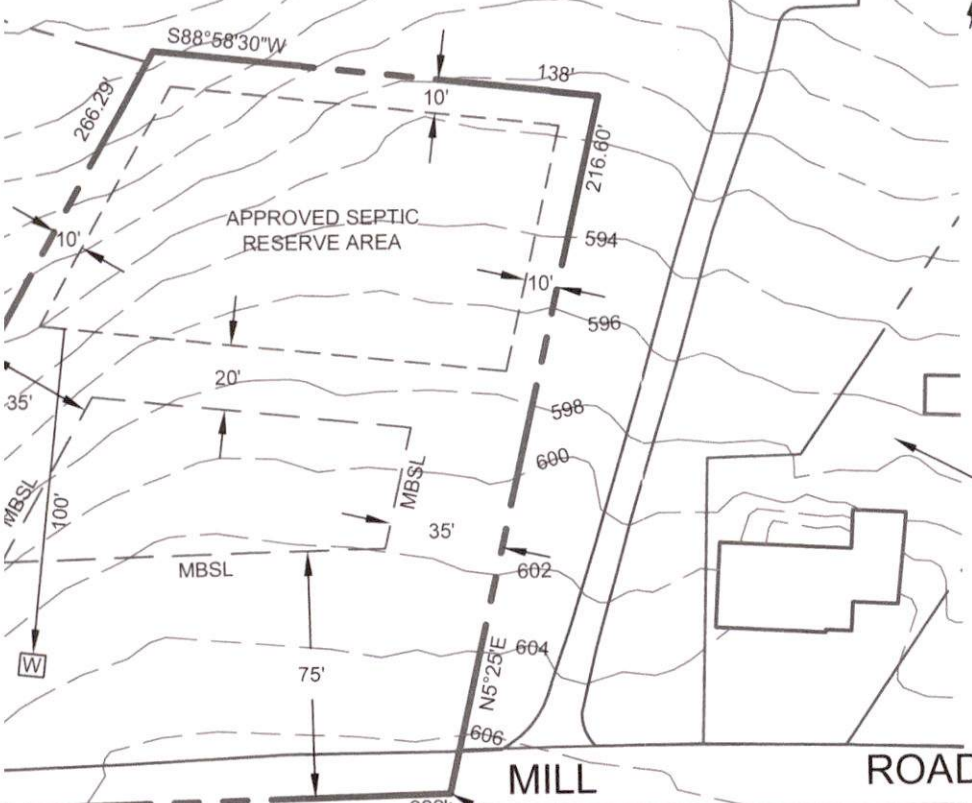
Lot # 5

Lot # 0

#4008 STANSBURY MILL ROAD
STEVEN G. HAMILTON
MARIA N. HAMILTON
TAX ACC #10-02-020401



Vicinity Map - Scale: 1" = 500'



#4010 STANSBURY MILL ROAD
BRUCE H. ELLIOTT
JANICE L.A. ELLIOTT
TAX ACC #10-02-020425

MILL ROAD

⑥
PB 18/61

#4003 STANSBURY MILL ROAD
MICHAEL S. GRAY
TAX ACC #10-19-091200

REVISION



Bruce E. Doak Consulting, LLC

Land Use Expert and Surveyor

3801 Baker Schoolhouse Road

Froeland, MD 21063

o 443-900-5535 m 410-419-4906

bdoak@bruceedoakconsulting.com



PLAN TO ACCOMPANY
A ZONING PETITION
FOR THE
PROPERTY OF STEVEN G. &
MARIA N. HAMILTON
STANSBURY MILL ROAD

BALTIMORE COUNTY, MARYLAND
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 7/4/2020

Scale: 1"=60'

2020-0198-SP4

GENERAL SITE INFORMATION

1. Ownership: Steven G. Hamilton & Maria N. Hamilton
4008 Stansbury Mill Road
2. Address: Stansbury Mill Road
3. Deed references: EHK Jr 7765/ 57
4. Area: 0.92 acre
5. Tax Map / Parcel / Tax account #: 36 / 170 / 10-02-026890
6. Election District: 10 Councilmanic District: 3
ADC Map: 4348D5 GIS tile: 036A2 Position sheet: 86NE15
Census tract: 410200 Census block: 240054102001
Schools: Jacksonville ES Cockeysville MS Dulaney HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 036A2 and the information provided by Baltimore County on the internet.
8. Improvements: Vacant

OFFICE OF ZONING

Zoning: R.C. 2 There are no previous zoning cases on the subject lot.

R.C. 2 Setbacks for Residential Buildings

Front: 75 feet from the centerline of the road
Side / Rear: 35 feet from the property line

ENVIRONMENTAL IMPACT

Watershed: Little Gunpowder Falls URDL land type: 1

1. The existing lot will be served by a private well and septic system.
2. There are no underground storage tanks on the subject lot.
3. The subject lot is not in the Chesapeake Bay Critical Area.
4. The subject lot is not located within a 100 year flood plain.

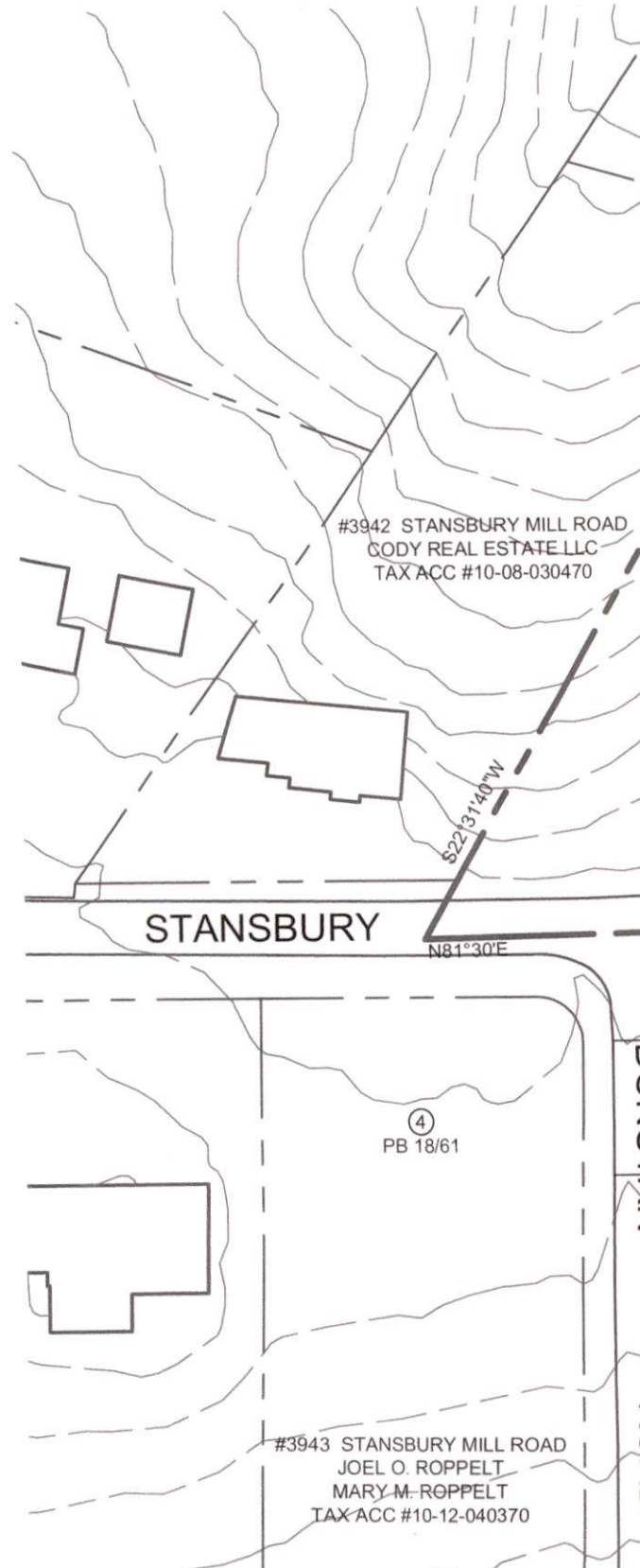
OFFICE OF PLANNING

Regional Planning District: Jacksonville District Code: 305

1. The subject lot is not in a historic district.

PROPOSED DEVELOPMENT

To utilize the existing lot for a single family dwelling



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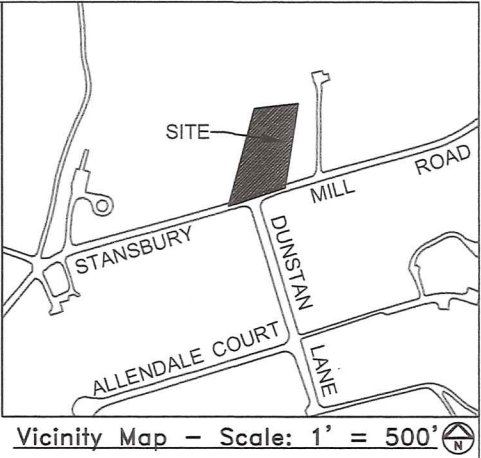
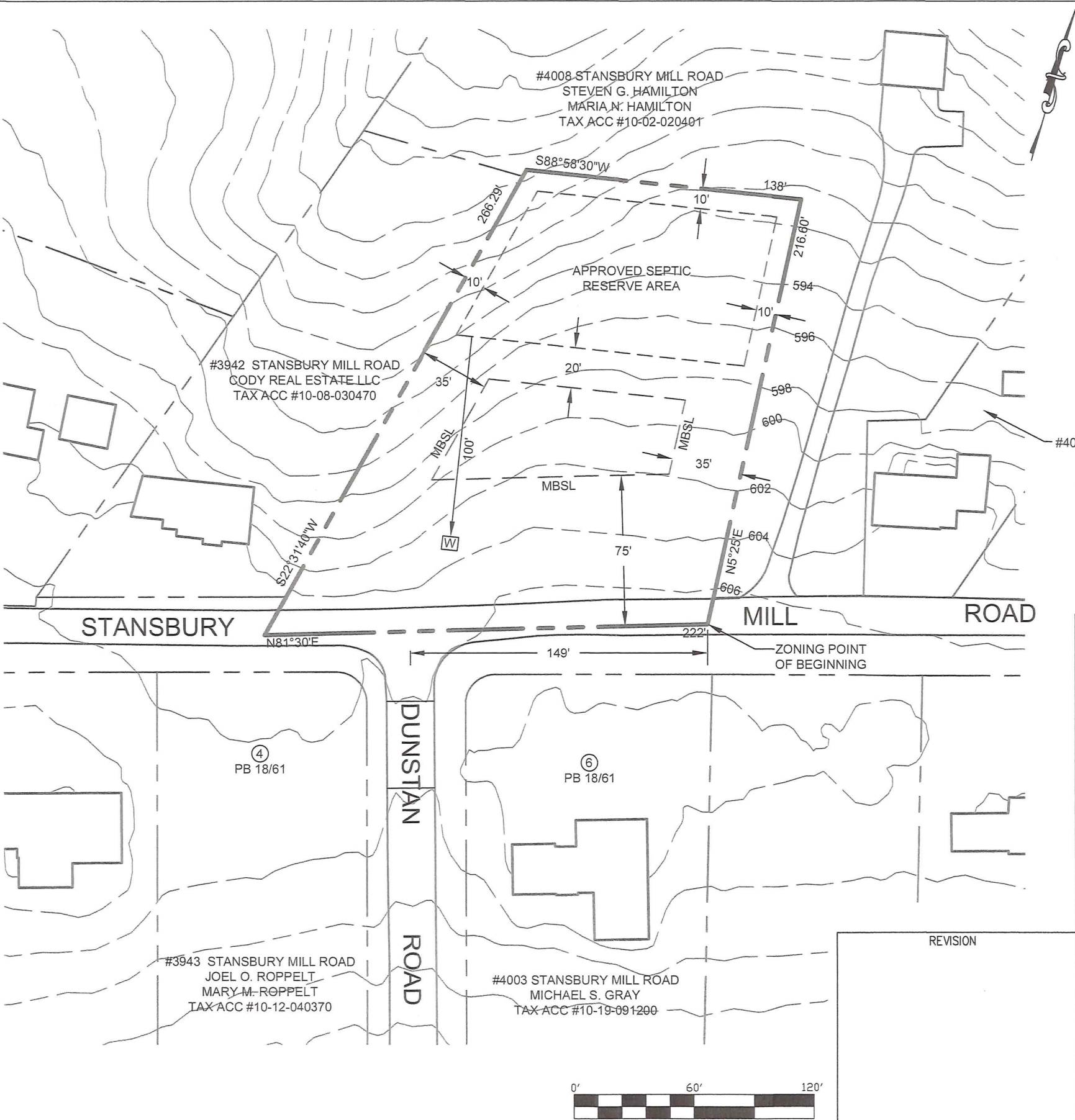
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PROPOSED DEVELOPMENT

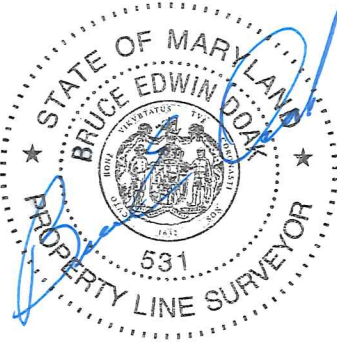
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Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
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P 443-900-5535 M 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY
A ZONING PETITION
FOR THE
PROPERTY OF STEVEN G. &
MARIA N. HAMILTON
STANSBURY MILL ROAD
BALTIMORE COUNTY, MARYLAND
10th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 7/4/2020
Scale: 1"=60'



2020-0198-SP4