

M E M O R A N D U M

DATE: March 26, 2021
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0269-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on March 24, 2021. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(110 W. Sudbrook Lane)

3rd Election District

2nd Council District

St. Charles Borromeo's Roman Catholic
Congregation, Incorporated

Legal Owners

John MacSherry

Contract Purchasers

Petitioners

* * * * *

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BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS OF

BALTIMORE COUNTY

CASE NO. 2020-0269-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by St. Charles Borromeo's Roman Catholic Congregation, Incorporated, Legal Owner and John MacSherry, Contract Purchasers, Petitioners for property located at 110 W. Sudbrook Lane. The Petitioners are requesting variance relief from Baltimore County Zoning Regulations ("BCZR") § 1B01.2.C.1.a and Division II Section A (Table V) of the Comprehensive Manual of Development Policies ("CMDP") to permit a 20 ft. side yard setback for non-residential principal building setback in a DR zone in lieu of the required 25 ft.

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. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP"). They did not oppose the requested relief.

John MacSherry appeared at the hearing on behalf of the Petitioner. Matthew Oakey, Esquire represented the Contract Purchaser. Bob Rosenfelt, P.E, of Colbert Matz Rosenfelt also appeared. The site plan he prepared and sealed was marked and accepted into evidence as Petitioners' Exhibit 3. Two interested citizens also attended.

The subject property is approximately 4.918 acres and is zoned DR 16. Mr. Oakey and

ORDER RECEIVED FOR FILING

Date

By

2/22/21

J. M. Mignone

Mr. Rosenfelt explained that the property owner, St. Borromeo's Roman Catholic Church, has owned the subject property since 1848. The property consists of a church, a rectory, a school and field, and a cemetery. The school was built in 1957 and was operated by St. Borromeo's parish until 1989. Since then the school building has been leased to other private schools. The current private school has entered into a contract with St. Borromeo's to purchase the school building and parking lot. That contract is contingent on the variance relief requested, which is necessitated by a lot line adjustment so that the school and parking lot can be conveyed as one parcel.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The site is unique for a variety of reasons. It is irregularly shaped and contains a number of different uses, some of which date back to the middle of the 19th century. Petitioner would experience practical difficulty if the variance were denied because they would be unable to convey the school and parking lot as a single parcel. I find that the 5' setback variance can be granted within the spirit and intent of the BCZR and without causing harm to the public health, safety, or welfare.

THEREFORE, IT IS ORDERED, this 22nd day of **February 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR § 1B01.2.C.1.a and Division II Section A (Table V) of the Comprehensive Manual of Development Policies ("CMDP") to permit a 20 ft. side yard setback for non-residential principal building setback in a DR zone in lieu of the required 25 ft. is hereby GRANTED.

ORDER RECEIVED FOR FILING

2

Date

By

2/22/21
J. Mignone

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlm

ORDER RECEIVED FOR FILING

Date

2/22/21

By

D. Mignone



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 110 W. Sudbrook Lane & 101 Church Lane which is presently zoned DR 3.5, 16. RO & RAE

Deed References: L 28322 F 274 10 Digit Tax Account # 0311017427 & 0319000600

Property Owner(s) Printed Name(s) St. Charles Borromeo's Roman Catholic Congregation, Incorporated

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

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

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

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

3. X a **Variance** from Section(s)

1B01.2.C.1..a. of the BCZR and Division II - Section A (Table V) of the CMDP to permit a 20' side yard setback for a non-residential principal building setback in a DR Zone in lieu of the required 25'.

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)

Practical difficulty is based on the proposed lot line adjustment resulting in a 20' side yard setback for the existing building due to the proximity to an existing cemetery (see DRC Number: 090120-LLA1).

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:

John Macsherry
Name- Type or Print

[Signature]
Signature

320 Cathedral St.-2nd Flr. Baltimore MD
Mailing Address City State

21201 / 410-547-5367 / john.macsherry@archbalt.org
Zip Code Telephone # Email Address

Attorney for Petitioner:

Matthew Oakey
Name- Type or Print

[Signature]
Signature

218 N. Charles St.-Ste. 400 Baltimore MD
Mailing Address City State

21201 / 410-347-1359 / moakey@gejlaw.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

John Macsherry /
Name #1 - Type or Print Name #2 - Type or Print

[Signature]
Signature #1 Signature #2

320 Cathedral St.-2nd Flr. Baltimore MD
Mailing Address City State

21201 / 410-547-5367 / john.macsherry@archbalt.org
Zip Code Telephone # Email Address

Representative to be contacted:

Robert S Rosenfelt
Name - Type or Print

[Signature]
Signature

2835 Smith Ave.-Ste. G Baltimore MD
Mailing Address City State

21209 / 410-653-3838 / brosefelt@cmrengineers.com
Zip Code Telephone # Email Address

CASE NUMBER 2020-0269-A Filing Date 10/30/20 Do Not Schedule Dates: Reviewer JS

ZONING DESCRIPTION
110 West Sudbrook lane & 101 Church Lane
Baltimore County, Maryland 21208

Beginning at a point on the south side of Church Lane (variable width) at a distance of 439' +/- southeasterly from the center of Glenback Avenue (variable width), and running with said Church Lane.

1. North 68 degrees 09 minutes 41 seconds East 181.50 feet,
2. North 67 degrees 35 minutes 40 seconds East 110.38 feet, thence leaving the south side of Church Lane,
3. South 33 degrees 17 minutes 51 seconds East 505.00 feet, to the north side of Sudbrook Lane and running with said Sudbrook Lane,
4. South 55 degrees 19 minutes 34 seconds West 408.87 feet, thence leaving the north side of Sudbrook Lane,
5. North 33 degrees 18 minutes 41 seconds West 85.70 feet,
6. North Westerly by a curve to the left having a radius of 45 feet, for an arc length of 52.41 feet, the chord of said arc bearing North 66 degrees 40 minutes 49.42 seconds West 49.50 feet,
7. North Westerly by a curve to the right having a radius of 60 feet, for an arc length of 69.70 feet, the chord of said arc bearing North 66 degrees 45 minutes 51 seconds West 65.85 feet,
8. North 33 degrees 29 minutes 00 seconds West 46.32 feet,
9. North 55 degrees 19 minutes 44 seconds East 5.72 feet,
10. North 32 degrees 52 minutes 17 seconds West 167.31 feet,
11. North 68 degrees 19 minutes 35 seconds East 181.26 feet,
12. North 32 degrees 50 minutes 25 seconds West 212.53 feet to the point of beginning.

Containing 4.918 Acres or 214,251 Sq. Ft. more or less.

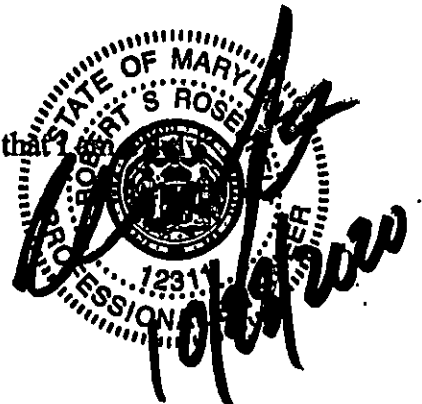
Located in the 3rd Election District and 2nd Councilmanic District. Known as 110 Sudbrook Lane & 101 Church Lane.

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a licensed professional engineer under the laws of the State of Maryland.

License No. 12311

Expiration Date: 02/09/2021



2020-0269-1

SECOND CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON

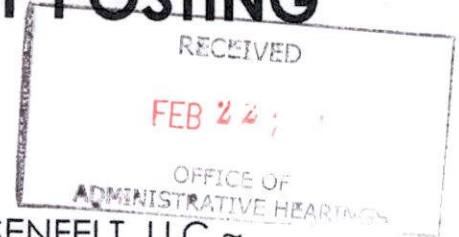
DATE: 1/21/2021

Case Number: 2020-0269-A

Petitioner / Developer: COLBERT, MATZ & ROSENFELT, LLC ~

MATTHEW OAKY ~ JOHN MacSHERRY

Date of Hearing: FEBRUARY 22, 2021



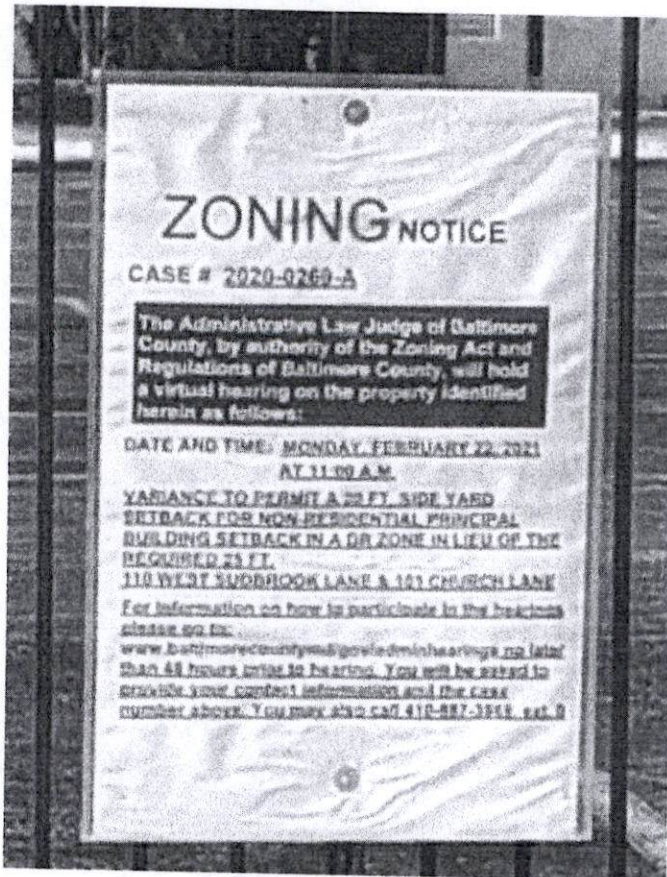
This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

(1) SIGN @ 110 WEST SUDBROOK LANE

(1) SIGN @ 101 CHURCH LANE

The sign(s) were posted on: JANUARY 31, 2021

The sign(s) were re-photographed on: FEBRUARY 21, 2021



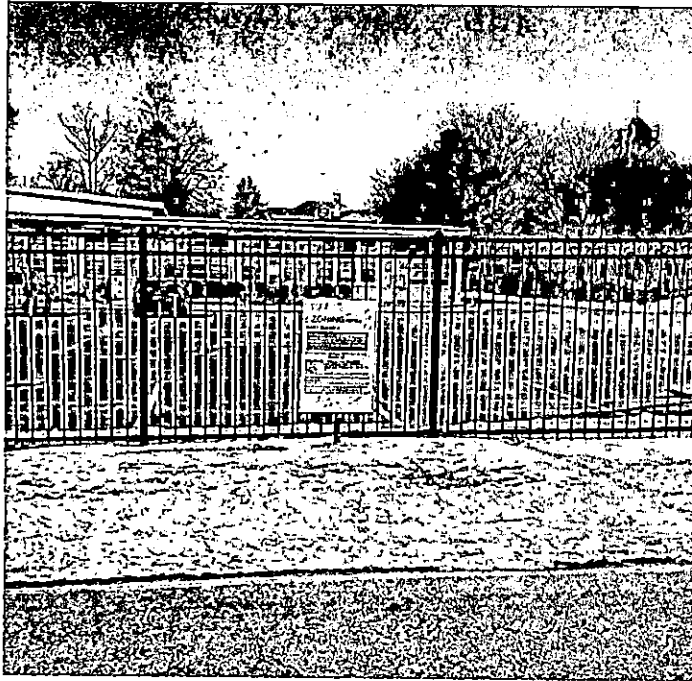
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ 110 West Sudbrook Lane ~ 2/21/2021



Background Photo 2nd Sign @ 101 Church Lane ~ 2/21/2021
CASE # 2020-0269-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 1/31/2021

Case Number: 2020-0269-A

Petitioner / Developer: COLBERT, MATZ & ROSENFELT, LLC ~
MATTHEW OAKLEY ~ JOHN MacSHERRY

Date of Hearing: FEBRUARY 22, 2021

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

(1) SIGN @ 110 WEST SADBROOK LANE

(1) SIGN @ 101 CHURCH LANE

The sign(s) were posted on: JANUARY 31, 2021

ZONING NOTICE

CASE # 2020-0269-A

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:

**DATE AND TIME: MONDAY, FEBRUARY 22, 2021
AT 11:00 A.M.**

**VARIANCE TO PERMIT A 20 FT. SIDE YARD
SETBACK FOR NON-RESIDENTIAL PRINCIPAL
BUILDING SETBACK IN A DR ZONE IN LIEU OF THE
REQUIRED 25 FT.
110 WEST SADBROOK LANE & 101 CHURCH LANE**

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

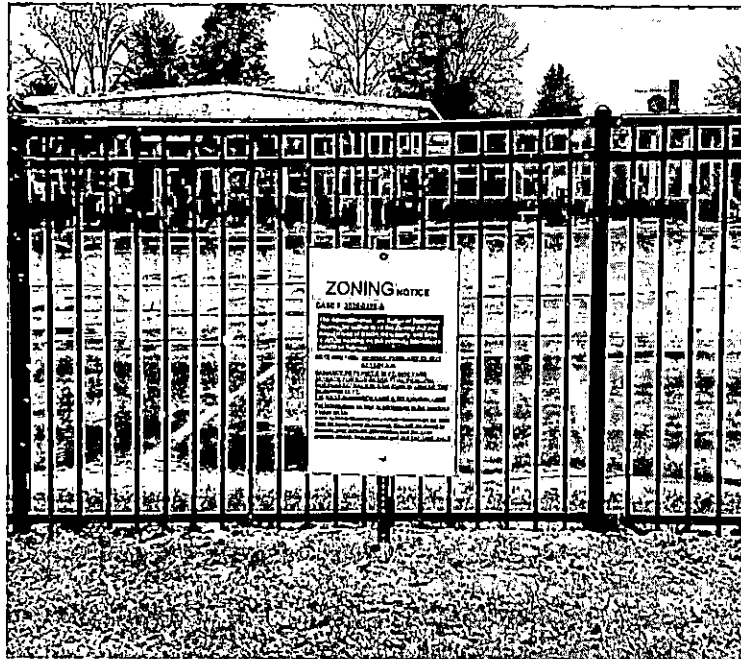
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

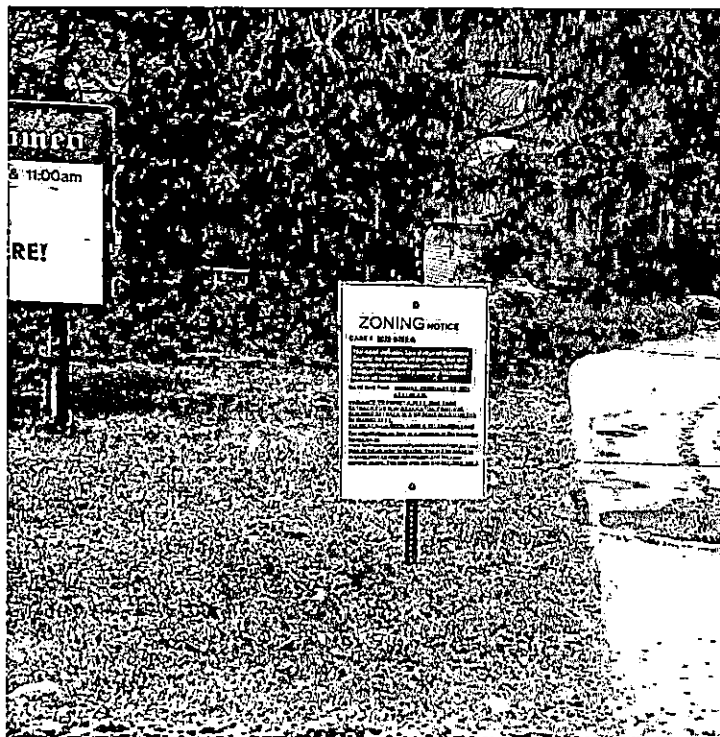
523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign @ 110 West Sudbrook Lane ~ 1/31/2021



Background Photo 2nd Sign @ 101 Church Lane ~ 1/31/2021
CASE # 2020-0269-A

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Order #: 11957570
 Case #: 2020-0269-A
 Description:

PUBLISHER'S AFFIDAVIT

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

2/2/2021

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0269-A



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2020-0269-A

110 West Sudbrook Lane & 101 Church Lane

N/west side of Sudbrook Lane from Reisterstown Road and S/east side of Church Lane

3rd Election District- 2nd Councilmanic District

Legal Owners: John Macsherry

Hearing: Monday, February 22, 2021 at 11:00 a.m.

Variance to permit a 20 ft. side yard setback for non-residential principal building setback in a DR Zone in lieu of the required 25 ft.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/admin/hearings 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 410-837-3608, ext. 0.

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2020-0269-A

Property Address: 110 W. SUDBROOK LANE + 101 CHURCH LANE

Property Description:

Legal Owners (Petitioners): JOHN MACSHERRY

Contract Purchaser/Lessee:

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT ROSENFELT

Company/Firm (if applicable): CONBERT MATE ROSENFELT

Address: 2835 SMITH AVE

SUITE G

BALTIMORE, MD 21209

Telephone Number: 410-653-3838

Revised 7/9/2015

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

No. 200997

Date: 10/30/20

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 500.00
Total:									\$ 500.00

Rec
From: COLBERT MATZ ROSENFELT, LLC

For: 2020-0269-1

DISTRIBUTION

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

CASHIER'S
VALIDATION

COLBERT MATZ ROSENFELT LLC
813 RIDGE LAKE BLVD.
MEMPHIS, TN 38120

FIFTH THIRD BANK

32135

87-383/641

CHECK ARMOR
FRAUD PROTECTION

PAY TO THE
ORDER OF

BALTIMORE COUNTY

\$ 500.00

FIVE HUNDRED

500/100

DOLLARS

MEMO ZONING VARIANCE ST. CHARLES BARROMBO
110 SUDBRICK LN

Stuart L. Darby
AUTHORIZED SIGNATURE

Photo Safe Deposit

Details on Back

2-22-21
11 pm

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, February 21, 2021 9:38 PM
To: Administrative Hearings
Subject: Certification Sudbrook Lane
Attachments: Sudbrook Lane Cert. .jpeg; Sudbrook Lane Photos.docx

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

Hi Donna,

I am attaching the Second Certification for Case # 2020-0269-A @ 110 West Sudbrook Lane & 101 Church Lane along with background photos for your records.
Thank you,

Linda

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

SECOND CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON

DATE: 1/21/2021

Case Number: 2020-0269-A

Petitioner / Developer: COLBERT, MATZ & ROSENFELT, LLC ~
MATTHEW OAKY ~ JOHN MacSHERRY

Date of Hearing: FEBRUARY 22, 2021

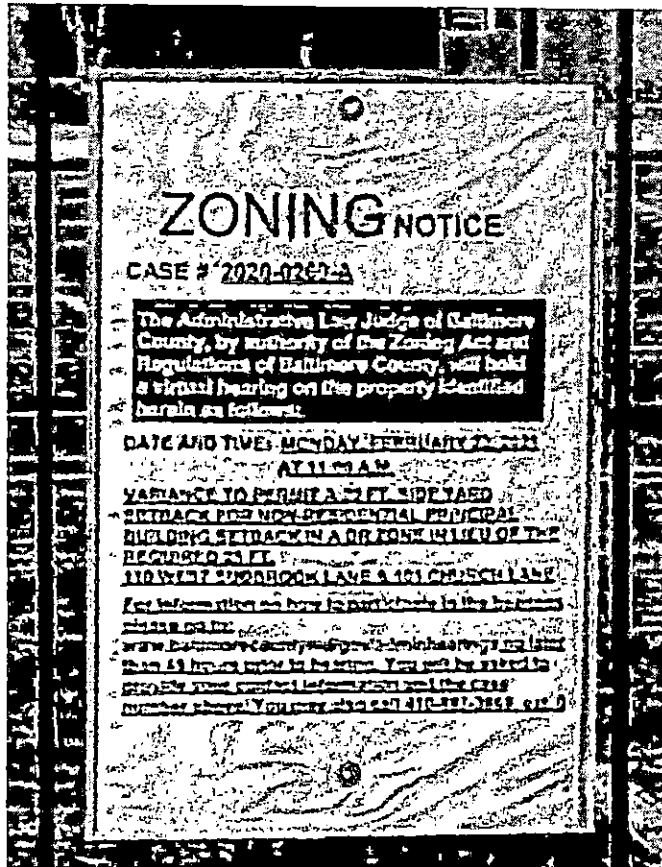
This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:

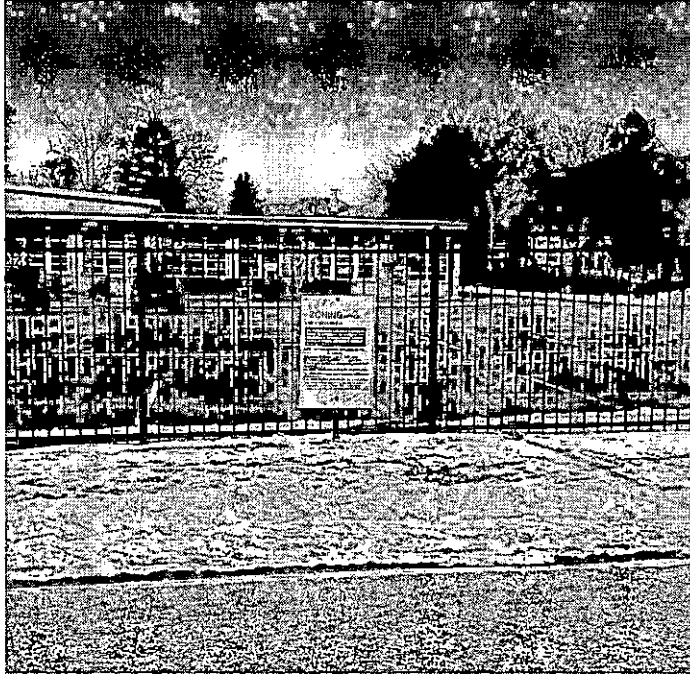
(1) SIGN @ 110 WEST SUDBROOK LANE

(1) SIGN @ 101 CHURCH LANE

The sign(s) were posted on: JANUARY 31, 2021

The sign(s) were re-photographed on: FEBRUARY 21, 2021





Background Photo 1st Sign @ 110 West Sudbrook Lane ~ 2/21/2021



Background Photo 2nd Sign @ 101 Church Lane ~ 2/21/2021

CASE # 2020-0269-A



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

February 16, 2021

Matthew Oakey,
218 N Charles St-Ste 400
Baltimore MD 21201

RE: Case Number: 2020-0269-A, 110 W. Sudbrook Lane & 101 Church Lane

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning
Review, Department of Permits, Approvals, and Inspection (PAI) on October 30, 2020. This letter is not
an approval, but only a NOTIFICATION.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval
agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far
from the members of the ZAC are attached. These comments are not intended to indicate the
appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner,
attorney petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements
that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the
commenting agency.

Very truly yours,
Jeffrey Perlow

Jeff Perlow
Acting Supervisor
Department of Zoning

PCG

Enclosures

CC: People's Counsel
John Macsherry 320 Cathedral St-2Flr Baltimore MD 21201

Zoning Review Office
111 West Chesapeake Avenue, Room 124 | Towson, Maryland 21204 | Phone 410-887-3353 | Fax 410-887-3048
Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 124 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

Printed on recycled paper containing 30 percent post-consumer material

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: November 5, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0269-A
Address 110 West Sudbrook Lane
(St. Charles Borromeo's Roman
Catholic Congregation, Inc.
Property)

Zoning Advisory Committee Meeting of **November 9, 2020.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: 1/4/2021

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-269

INFORMATION:

Property Address: 110 W. Sudbrook Lane & 101 Church Lane
Petitioner: John Macsherry
Zoning: DR 3.5, DR 16, RO, RAE
Requested Action: Variance

The Department of Planning has reviewed the petition for Variance to determine whether or not the Administrative Law Judge should permit a 20' side yard setback for a non-residential principle building setback in a DR Zone in lieu of the required 25'.

A site visit was conducted on December 11, 2020. All conditions depicted on the site plan appear to be existing. The area adjacent to the 20' variance is a cemetery.

The Department of Planning has no objections to granting the variance requested.

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

Prepared by:

Handwritten signature of Krystle Patchak in black ink.

Krystle Patchak

Division Chief:

Handwritten signature of Jenifer G. Nugent in black ink.

Jenifer G. Nugent

CPG/JGN/KP/

c: Bill Skibinski, Western Sector Planner
Robert S. Rosenfelt
Matthew Oakey, Attorney
Office of the Administrative Hearings
People's Counsel for Baltimore County

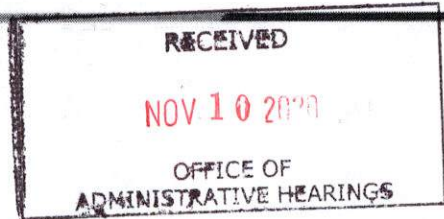
MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Secretary
Tim Smith, P.E.
Administrator

November 10, 2020

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



Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2020-0269-A

St. Charles Borromeo's Roman Catholic Congregation, Incorporated
110 W. Sudbrook Ln.

Should you have any questions regarding this matter, please contact Mr. Steven Autry at 410-229-23352 or toll free (in Maryland only) 1-800-735-2258 extension (x2335), or by email at (sautry@mdot.maryland.gov).

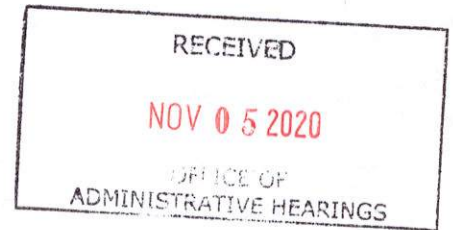
Sincerely,

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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

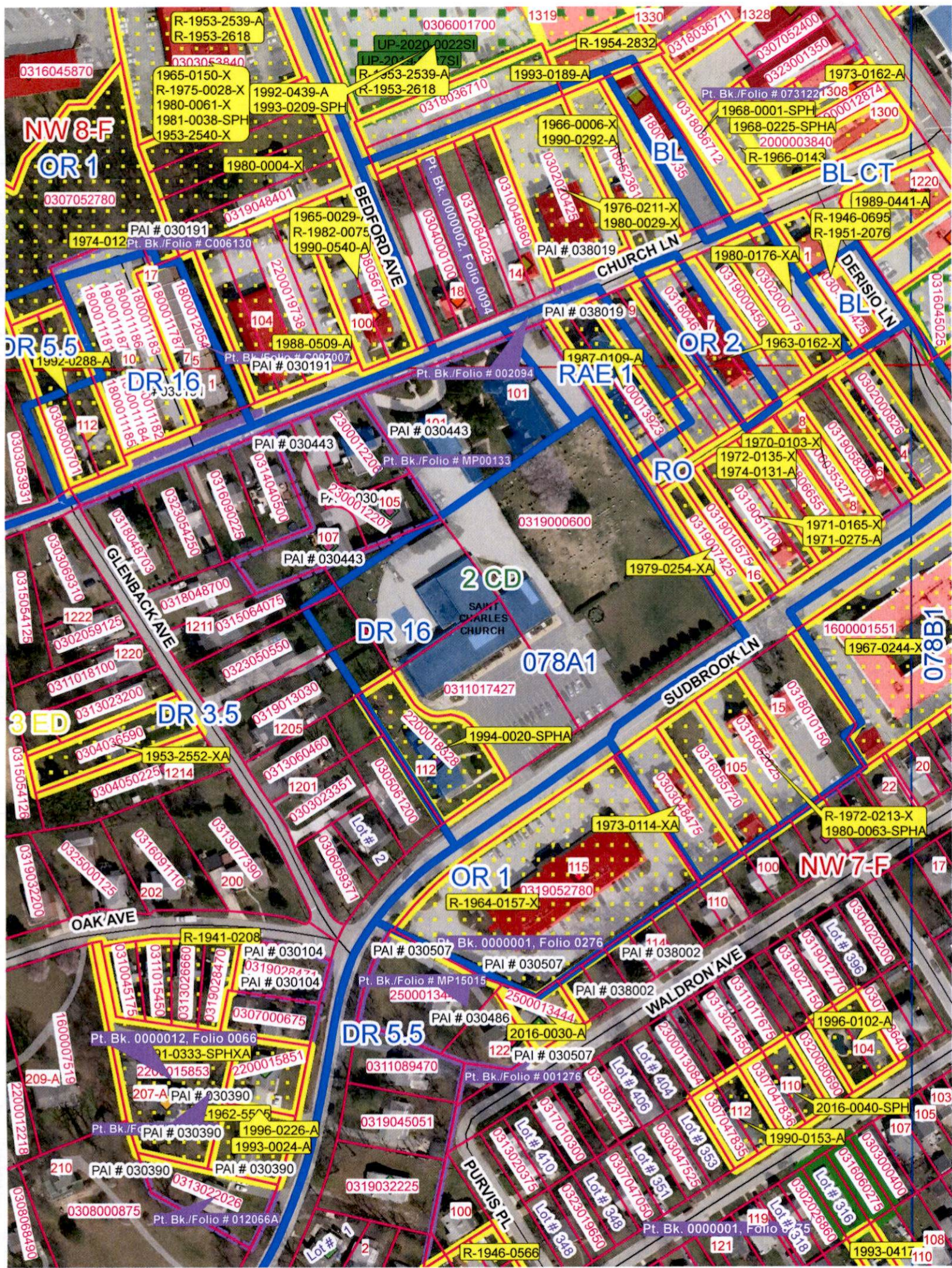
DATE: November 5, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0269-A
Address 110 West Sudbrook Lane
(St. Charles Borromeo's Roman
Catholic Congregation, Inc.
Property)

Zoning Advisory Committee Meeting of **November 9, 2020.**

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

Reviewer: Steve Ford



2/22/21
11:00
0269ACHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

<u>11/5</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
	DEPS (if not received, date e-mail sent _____)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent _____)	
<u>11/10</u>	STATE HIGHWAY ADMINISTRATION	<u>N/C</u>
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 2-2-21

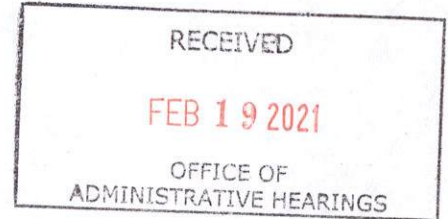
SIGN POSTING (1st) Date: 1-31-21 by O'Keefe

SIGN POSTING (2nd) Date: 2/21/21 by "

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

February 19, 2021



VIA HAND-DELIVERY

Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
ATTENTION: Donna Mignon

Re: 110 West Sudbrook Lane and 101 Church Lane
Case No. 2020-0269-A

Dear Ms. Mignon:

Our firm represents the Petitioner, St. Charles Borromeo's Roman Catholic Congregation, Inc. (the "Petitioner") in the above-referenced matter.

Please find enclosed with this letter (1) Petitioner's list of hearing exhibits and (2) a copy of each exhibit on the list of Hearing Exhibits.

If you have any questions regarding the attached exhibit list or exhibits, please feel free to contact me.

Sincerely,

Matthew W. Oakey

Matthew W. Oakey

Enclosures

#732228
000100-0316

Donna Mignon

From: Donna Mignon
Sent: Tuesday, February 16, 2021 2:44 PM
To: 'moakey@gejlaw.com'
Subject: Case No: 2020-0269-A 110 W. Sudbrook Lane & 1010 Church Lane - Hearing date: 2/22/21 at 11:00 a.m.

Good Afternoon,

As you are aware, a virtual Webex hearing has been scheduled for February 22, 2021 at 11:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at least **two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov

Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date. Thank you.**

If you have any questions or concerns, please feel free to contact our office.
Thank you so much

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

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 Ayakwah (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.
Bob Rosenfelt	brosenfelt@cmreengineers.com	1-	New York Time	English	U.S.
Carla Ryon	cryon@cmreengineers.com	1-	New York Time	English	U.S.
John MacSherry	john.macsherry@archbalt.org	1-	New York Time	English	U.S.
Matthew Oakey	moakey@gejlaw.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Stuart Darley	sdarley@cmreengineers.com	1-	New York Time	English	U.S.

2/22/20
11:00

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - Case No: 2020-0269-A - 110 W. Sudbrook Lane & 101 Church Lane - John MacSherry

Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed98bb5eaa4a3c04b1368b04229a6e0e8>

Start: Mon 2/22/2021 11:00 AM

End: Mon 2/22/2021 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 the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 180 863 4128

Monday, February 22, 2021 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ed98bb5eaa4a3c04b1368b04229>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e6d967d664986f65c5c75ceca4d6>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1808634128@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

▲ Panelist numeric password: 315423

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

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e4c70f653e21d0430ef66a48c31194cff>

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

Donna Mignon

From: Donna Mignon
Sent: Thursday, January 28, 2021 9:15 AM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: LINK - RE: Case No 2020-269-A

Top of Form

Event Information

Event: Zoning Hearing - Case No: 2020-0269-A - 110 W. Sudbrook Lane & 101 Church Lane
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC=2020-0269-A>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTIC=2020-0269-A>
Date and time: Monday, February 22, 2021 11:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
Case No: 2020-0269-A
Address: 110 W. Sudbrook Lane & 101 Church Lane
Legal Owners: John MacSherry
Event number: 180 863 4128
Event password: 1234
Host key: 207427
Alternate Host: Deb Wiley, Henry Ayakwah, Maureen Murphy
Panelist Info:
Panelist password:
Panelist numeric password: 315423
Video Address: 1808634128@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: 180 863 4128
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

Registration Information

Registration ID required: No
Password required: No
Password:

Approval required: No

Custom registration form: No

After registration, go to URL:

Bottom of Form

Top of Form

Bottom of Form

© 2021 Ci

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Sent: Thursday, January 28, 2021 9:07 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Case No 2020-269-A

Good morning,

We have a new webex that needs to be created.

Case Number: 2020-0269-A

110 W. Sudbrook Lane & 101 Church Lane

Legal Owners: John MacSherry

2/22/21 at 11:00 a.m.

Below are the list of participants,

Bob Rosenfelt - brosenfelt@cmreengineers.com

Carla Ryon - cryon@cmreengineers.com

Stuart Darley - sdarley@cmreengineers.com

Matthew Oakey - moakey@gejlaw.com

John Macsherry - John.MacSherry@archbalt.org

Thank you!

Kristen Lewis-Coles

PAI – Zoning Review

410-887-3391

Donna Mignon

From: Kristen L Lewis
Sent: Thursday, January 28, 2021 9:07 AM
To: Debra Wiley; Donna Mignon
Subject: Case No 2020-269-A

2/22/21
a
11:00

Good morning,

We have a new webex that needs to be created.

Case Number: 2020-0269-A
110 W. Sudbrook Lane & 101 Church Lane
Legal Owners: John MacSherry
2/22/21 at 11:00 a.m.

Below are the list of participants,

Bob Rosenfelt - brosenfelt@cmrengineers.com
Carla Ryon - cryon@cmrengineers.com
Stuart Darley - sdarley@cmrengineers.com
Matthew Oakey - moakey@gejlaw.com
John Macsherry - John.MacSherry@archbalt.org

Thank you!

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

ZAC AGENDA

Case Number: 2020-0269-A

Reviewer: Jason Seidelman

Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: VARIANCE

Legal Owner: St Charles Borromeo's Roman Catholic Congregation, Incorporated

Contract Purchaser: John Macsherry

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 3 **Council Dist:** 2

Property Address: 110 W. SUDBROOK LN

Location: North West side of Sudbrook Lane (60'). 607' from Reisterstown Road (VAR) and South East side of Church Lane (30'), 598' from Reisterstown Road (VAR).

Existing Zoning: DR 16

Area: 4.918 AC

Proposed Zoning:

VARIANCE:

1B01.2.C.1.a of the BCZR and Division II Section A (Table V) of the CMDP to permit a 20' side yard setback for non-residential principal building setback in a DR Zone in lieu of the required 25'.

Attorney: Matthew Oakey

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

1. SITE DATA:
 A. AS ACCOUNT # C21191742
 PARCELS 92, TAX MAP 79, GRID 08
 PARCELS 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901,

SETBACK TYPE - DR 3.5	SETBACK
FRONT YARD	50'
SIDE YARD INTERIOR	20'
CORNER STREET SIDE	35'
REAR YARD	30'

SETBACK TYPE - DR 16	SETBACK
FRONT YARD	30'
SIDE YARD INTERIOR	25'
CORNER STREET SIDE	25'
REAR YARD	30'

1. PARKING
RELIGIOUS ASSEMBLY & SCHOOL
REQUIRED 1 PER 4 SEATS = 75 SPACES INCLUDING 4 A.D.A. COMPLIANT SPACES
PROVIDED: 120 PARKING SPACES INCLUDING 8 A.D.A. COMPLIANT SPACES

ST. CHARLES BORROMEEO
110 SUDBROOK LANE & 101 CHURCH LANE
BALTIMORE COUNTY MARYLAND, 21208

	Ministry of Health and Family Welfare Government of India
---	--



					DRAWN: ATA
					CHECKED: CMR
					FILE: ZP-0016164.dwg
					DRAWING NUMBER: ZP-01
NO.	DATE	REVISIONS	BY	SHEET	1 OF 1

1 18012.C.1.a. OF THE BCZR AND DIVISION II - SECTION A (TABLE V) OF THE
CMOP TO PERMIT A 20' SIDE YARD SETBACK FOR A NON-RESIDENTIAL
PRINCIPAL BUILDING SETBACK IN A DR ZONE IN LIEU OF THE REQUIRED 25'

1 inch = 40 feet

