

IN RE: PETITION FOR VARIANCE
(1206 Boyce Avenue)
9th Election District
2nd Councilman District
Mark F. & Christie A. Williams
Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2013-0144-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Mark F. & Christie A. Williams, the legal owners of the subject property. The Petitioners are requesting Variance relief from Section 100.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the accessory pasturing of chickens (hens) on a tract of land which is 0.56 acre in size in lieu of the required 1.0 acre. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Mark Williams and his immediate neighbor, Kathleen Palencar, who is also the past president of the Ruxton-Riderwood-Lake Roland Area Improvement Associations (RRLRAIA). The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the record of this case. There were no substantive comments from any of the County reviewing agencies.

ORDER RECEIVED FOR FILING

Date 3-13-13

By Aln

Testimony and evidence revealed that the subject property is 24,394 square feet and is zoned DR 2. The property, located in Ruxton, is improved with a single family dwelling, mature trees and landscaping. The Petitioners would like to keep 6-8 hens (no roosters) in a mobile chicken coop. Mr. Williams and his wife are health conscious and grow most of their own produce, some of which has won awards at the State Fair. They would like to have chickens to provide healthy, antibiotic free eggs for their family. Ms. Palencar indicated she supported the petition, and noted that RRLRAIA has not taken any position on the case.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test. The relief requested here is properly characterized as a "use variance," since it permits a "use (keeping chickens) other than that permitted in the particular district." Anderson v. Board of Appeals, 22 Md. App. 28, 38 (1974). In Cromwell, the court noted that it was "not even clear that (B.C.Z.R.) §307 'Variances,' would even permit any use variances except perhaps as to signs or parking." Just a year later, the Court of Special Appeals held that section 307 only allows height and area variances. Umerley v. People's Counsel, 108 Md. App. 497, 504-05 (1996).

But in a more recent case, the Court of Special Appeals implied otherwise, and noted that section 307 contains language requiring a showing of either "undue hardship" or "practical difficulty." Mueller v. People's Counsel, 177 Md. App. 43, 73-74 (2007). This terminology, stated in the disjunctive, correlates to the legal standard for a "use variance" and "area variance,"

ORDER RECEIVED FOR FILING

Date

3-13-13

By

Den

respectively. In the end, it does not appear as if Maryland's highest court has ever resolved this issue and, according to a familiar principle of statutory construction, no words or phrases in an ordinance should be rendered surplusage when interpreting a statute. In that regard, if B.C.Z.R. § 307 does not permit the granting of "use variances," why then would the County Council have employed the "undue hardship" language, which applies only in the case of "use variances." Loyola Federal v. Buschman, 227 Md. 243, 249 (1961).

Turning to the requirements for variance relief, the Petitioners' home is situated on a sloping lot and is positioned on the lot in a non-rectilinear manner. Thus, it is unique for zoning purposes. If the B.C.Z.R. were strictly enforced, the Petitioners would indeed suffer undue hardship, given that they would be unable to keep chickens and enjoy natural, wholesome eggs, which in this case seems to be a reasonable accessory use on a fairly large (and expensive) property.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the support of Petitioners' adjacent neighbors and the lack of comments from County reviewing agencies.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 13th day of March, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 100.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the accessory pasturing of chickens (hens) on a tract of land which is 0.56 acre in size in lieu of the required 1.0 acre, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

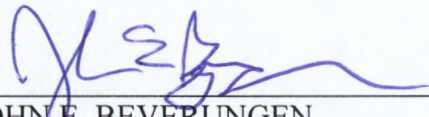
Date 3-13-13

By Den

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



JOHNE. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 3-13-13

By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 13, 2013

Mark F. & Christie A. Williams
1206 Boyce Avenue
Baltimore, Maryland 21204

RE: Petition for Variance
Case No.: 2013-0144-A
Property: 1026 Boyce Avenue

Dear Mr. and Mrs. Williams:

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

In the event any party finds the decision rendered is unfavorable, any party 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,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Kathleen Palencar, 1208 Boyce Avenue, Baltimore, Maryland 21204



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 1206 Boyce Ave. Towson, MD 21204 which is presently zoned DR-2

Deed Reference 30651/0347 10 Digit Tax Account # 0907151661

Property Owner(s) Printed Name(s) Mark and Christie Williams

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

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. X ADMINISTRATIVE VARIANCE from section(s) 100.6 to permit the accessory stabling and pasturing of chickens (hens) on a tract of land which is 0.56 acres in size in lieu of the required 1.0 acre.

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

2. _____ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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

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:

Mark F. Williams

Christie A. Williams

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

1206 Boyce Ave.

Towson

MD

Mailing Address

City

State

21204

Zip Code

410 769-9669

Telephone #

markfwilliamsmd@yahoo.com

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2

Filing Date 12/18/12

Estimated Posting Date 12/30/12

Reviewer Bh

Rev 10/12/11

#0194

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 1206 Boyce Ave. Towson MD 21204
Print or Type Address of property City State Zip Code

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

See Attached

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

Signature of Affiant

Mark F. Williams

Name- Print or Type

Signature of Affiant

Christie A. Williams

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of December, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Mark F. Williams + Christie A. Williams
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Theodore C. Burke
Notary Public

10/7/13
My Commission Expires



12/12/2012

VARIANCE REQUEST- BACKYARD CHICKENS:

Baltimore County requires one acre of land to raise chickens on a property. Our Lot is ½ acre, but is uniquely situated. A variance to be able to raise a limited amount of chickens (6-8 hens, No roosters) would certainly be of no adverse impact to our neighborhood. It should be apparent from the photos (even with all the leaves off the trees) and drawings submitted that no dwelling is in proximity to our backyard. Our family members are avid gardeners, maintain attractive gardens, and have won numerous ribbons at the Maryland State Fair for our home grown produce.

The chicken coop would be compact, mobile on wheels, and kept exclusively in our back yard. We would have no roosters, so noise would not be an issue. Due to foxes which freely roam our neighborhood, we would keep the chickens in the coop to avoid predation. These chickens would be raised for egg production for our family. My wife, Christie, is a dietitian and we consider the health benefits of fresh eggs from well tended antibiotic-free chickens to be desirable for our family. Thank you for your consideration in this matter.

ZONING DESCRIPTION

Zoning Description For 1206 Boyce Avenue

Beginning at a point on the North side of Boyce Avenue, which is 60 feet wide at the distance of 400' west of the centerline of the nearest improved intersecting street *GREENWOOD RD* which is 30 ft. wide. Being Lot # 5 in the subdivision of Boyce as recorded in Baltimore County Plat Book #0029, Folio# 0118, containing 24,394 square feet. Located in the 9th Election District, 2nd Councilmanic District.

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

No. **92799**

Date: **12/18/12**

PAID RECEIPT

BUSINESS ACTION TIME
12/18/2012 12:18/2012 14:02:50

REG NS05 WALKIN DICK 180
RECEIPT # 645543 12/18/2012 (67)

Dep: 5 328 TOWING VERIFICATION
CR: 10, 092799

Recpt Tot \$75.00
\$75.00 CR 1.00 CR
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
101	006	0000		10150						\$ 75.00

Total: **\$ 75.00**

Rec

From:

Mark Williams

For:

**Administrative Services
1240 Boyer Ave.**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

Case # 203-0144-A

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 01/13/2013

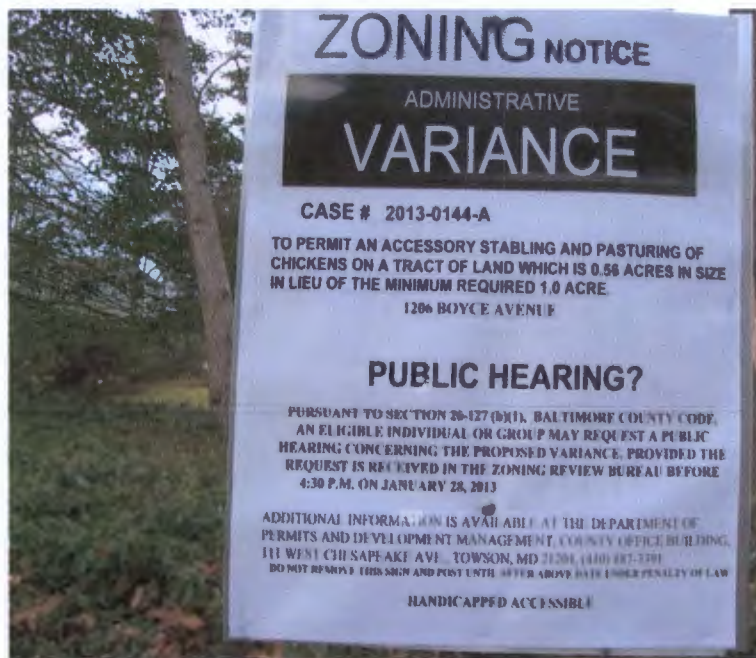
Case Number: 2013-0144-A

Petitioner / Developer: MARK & CHRISTIE WILLIAMS

Date of Hearing (Closing): JANUARY 28, 2013

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:
1206 BOYCE AVENUE

The sign(s) were posted on: JANUARY 10, 2013



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)

NOTICE OF ZONING HEARING

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

Case: #2013-0144-A

1206 Boyce Avenue

N/s Boyce Avenue, 400 ft. w/of the centerline of Greenwood Avenue

9th Election District - 2nd Councilmanic District
Legal Owner(s): Mark & Christie Williams

Variance: to permit the accessory stabling and pasturing of chickens (hens) on a tract of land which is 0.56 acres in size in lieu of the required 1.0 acre.

Hearing: Monday, March 11, 2013 at 11 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 02/672 February 19

905157



501 N. Calvert Street, Baltimore, MD 21278

February 21, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on February 19, 2013.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 02/17/2013

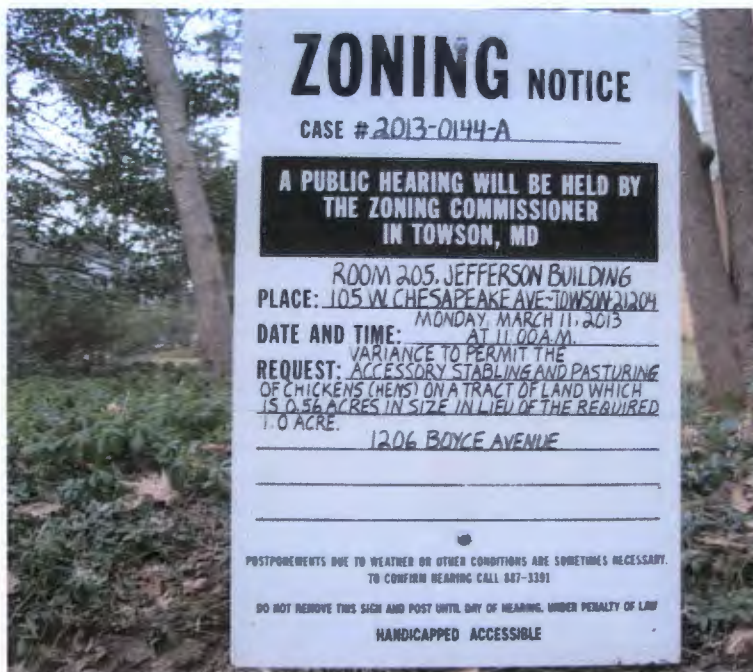
Case Number: 2013-0144-A

Petitioner / Developer: MR. & MRS. WILLIAMS

Date of Hearing (Closing): MARCH 11, 2013

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:
1206 BOYCE AVENUE

The sign(s) were posted on: **FEBRUARY 17, 2013**



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)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 19, 2013 Issue - Jeffersonian

Please forward billing to:
Mark Williams
1206 Boyce Avenue
Towson, MD 21204

410-769-9669

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2013-0144-A

1206 Boyce Avenue
N/s Boyce Avenue, 400 ft. w/of the centerline of Greenwood Avenue
9th Election District – 2nd Councilmanic District
Legal Owners: Mark & Christie Williams

Variance to permit the accessory stabling and pasturing of chickens (hens) on a tract of land which is 0.56 acres in size in lieu of the required 1.0 acre.

Hearing: Monday, March 11, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

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

February 11, 2013

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2013-0144-A

1206 Boyce Avenue

N/s Boyce Avenue, 400 ft. w/of the centerline of Greenwood Avenue

9th Election District – 2nd Councilmanic District

Legal Owners: Mark & Christie Williams

Variance to permit the accessory stabling and pasturing of chickens (hens) on a tract of land which is 0.56 acres in size in lieu of the required 1.0 acre.

Hearing: Monday, March 11, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Williams, 1206 Boyce Avenue, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 19, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0144 -A Address 1206 Boyce Ave.Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 12/18/12 Posting Date: 12/30/12 Closing Date: 01/14/13

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

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2013- 0144 -A Address 1206 Boyce AvenuePetitioner's Name Mark & Christie Williams Telephone 410-769-9669Posting Date: 12/30/12 1/13/13 Closing Date: 01/14/13 1/28/13Wording for Sign: To Permit the accessory stabling and pasturing of chickens on
a tract of land which is 0.56 acres in size in lieu of the minimum
required 1.0 acre.

Revised 7/06/11

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:

Item Number or Case Number: 2013-0144-A

Petitioner: ☒ Mark Williams

Address or Location: ☒ 1206 Bayce Ave Towson MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

Name: ☒ Mark Williams

Address: ☒ 1206 Bayce Ave.

Towson MD 21204

Telephone Number: ☒ 410 769-9669



KEVIN KAMENETZ
County Executive

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

January 29, 2013

Mark F. & Christie A. Williams
1206 Boyce Avenue
Towson MD 21204

RE: Case Number: 2013-0144 A, Address: 1206 Boyce Avenue, 21204

Dear Mr. & Ms. Williams:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 18, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-7-13

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

RE: Baltimore County

Item No. 2013-0144-A
Variance

Mark F. & Christie A. Williams
1206 Boyce Avenue

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. 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 Item No. 2013-0144-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: January 02, 2013

FROM: ^{DAK}Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 07, 2012
Item Nos. 2013-0121, 0139, 0140, 0141, 0142, 0143, 0144 and 0145.

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

DAK:CEN
Cc: file

M E M O R A N D U M

DATE: April 15, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0144-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 12, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: January 31, 2013

TO: Kristen Lewis, Office of Zoning Review
Department of Permits, Approvals & Inspections (PAI)

FROM: John E. Beverungen, Administrative Law Judge 
Office of Administrative Hearings

RE: Petition for Administrative Variance – 01/28/13 Closing Date
Case No. 2013-0144-A – 1206 Boyce Avenue

After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing.

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

RE: PETITION FOR ADMINSTRATIVE * BEFORE THE OFFICE
VARIANCE *
1206 Boyce Avenue; N/S Boyce Avenue, * OF ADMINSTRATIVE
400' W of c/line Greenwood Avenue *
9th Election & 2nd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Mark & Christie Williams *
Petitioner(s) * BALTIMORE COUNTY
* 2013-144-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

JAN 07 2013

sl

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2013, a copy of the foregoing Entry of Appearance was mailed to Mark & Christie Williams, 1206 Boyce Avenue, Towson, Maryland 21204, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
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[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 09 Account Number - 0907151661

Owner Information

Owner Name: WILLIAMS MARK FREDERIC
WILLIAMS CHRISTIE ANN
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1206 BOYCE AVE
TOWSON MD 21204-3606
Deed Reference: 1) /30651/ 00347
2)

Location & Structure Information

Premises Address
1206 BOYCE AVE
TOWSON 21204-3606
Legal Description
RER 300FT
1206 BOYCE AVE NS
BOYCE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0069	0011	0870		0000			5	2	
									Plat Ref: 0029/ 0118

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1964	2,835 SF	24,394 SF	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT 1/2 BRICK FRAME	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
Land	205,090	205,000		
Improvements:	591,370	522,900		
Total:	796,460	727,900	727,900	727,900
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
WILLIAMS MARK FREDERICK	03/25/2011	\$0
Type:	Deed1: /30651/ 00347	Deed2:
HEFFERN JOHN A	08/07/1998	\$445,000
Type: NON-ARMS LENGTH OTHER	Deed1: /13062/ 00573	Deed2:
JOHNSON TIMOTHY R B,JR	10/12/1993	\$282,500
Type: ARMS LENGTH IMPROVED	Deed1: /10063/ 00342	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

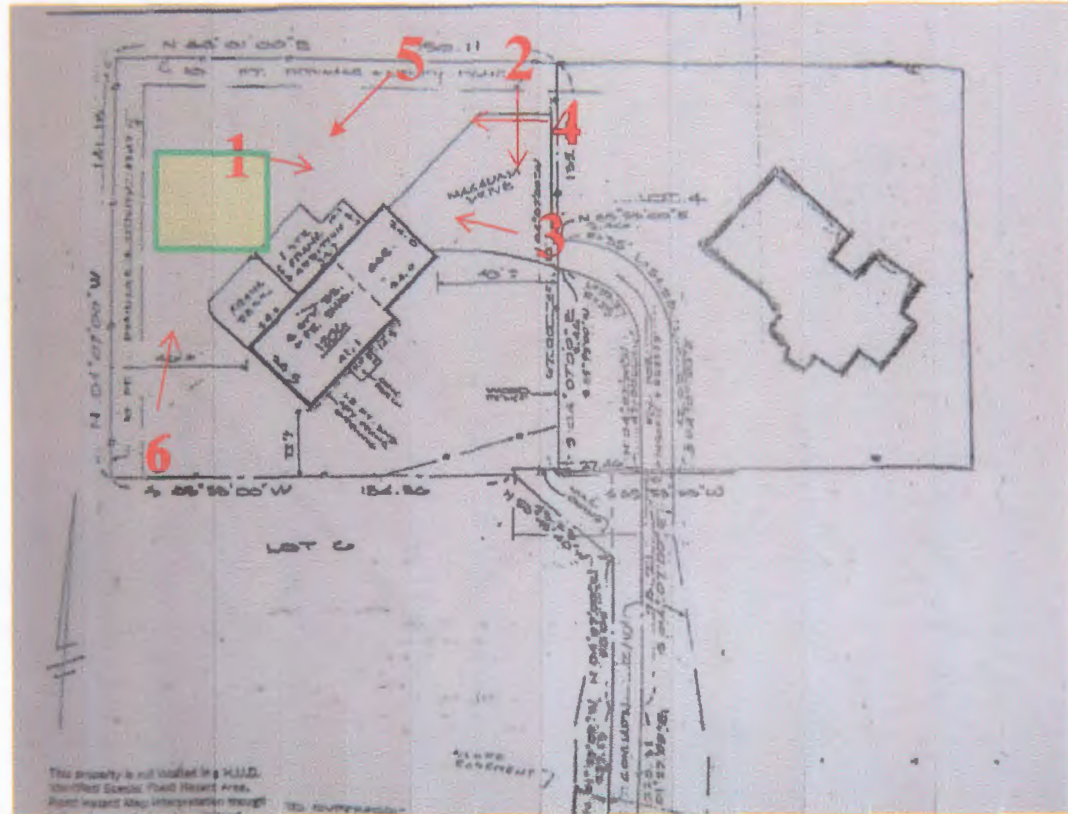
Homestead Application Information

Homestead Application Status: Approved 08/01/2012

**1206 Boyce Ave.
Towson MD 21204**

Photo Views (Red arrows)

1. Backyard toward 1204 (*side neighbors*)
2. Parking Pad to 1208 (*front neighbors*)
3. Driveway gate to backyard
4. Parking Pad across backyard
5. Across middle of backyard
6. From Side of back deck



Mobile Chicken coop will be moved
around in this flat area

1206 Boyce Ave.

Backyard toward 1204 (side neighbors)

1



Parking Pad to 1208 (front neighbors)

2



1206 Boyce Ave.

Driveway gate to backyard

3



Parking Pad across backyard

4



1206 Boyce Ave.

Across middle of backyard

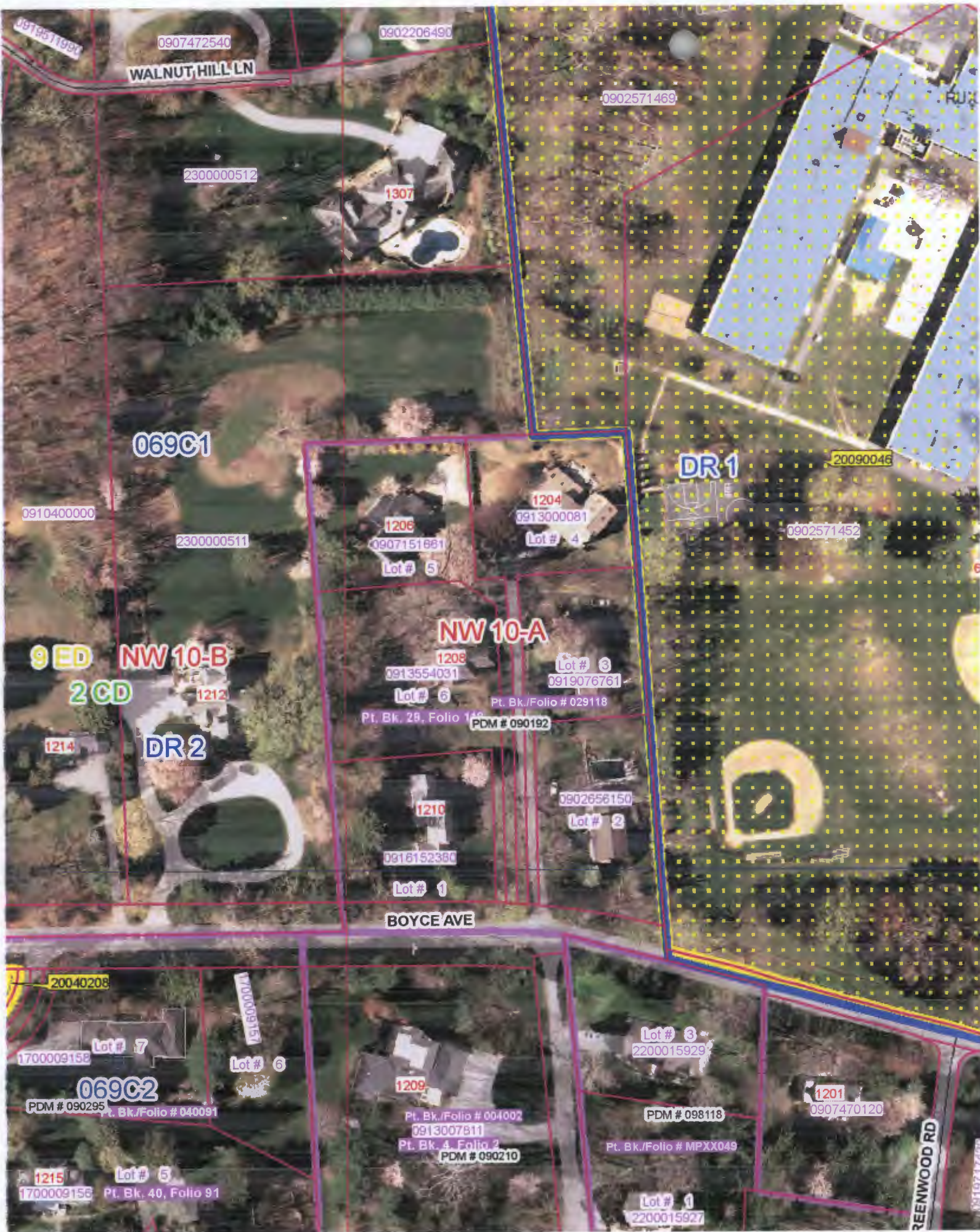
5



From Side of back deck

6





#0144

CASE NAME 1206 Boyce Ave.
CASE NUMBER 2013-144A
DATE 3-11-13

Petitioner's
~~CITIZEN'S~~ SIGN - IN SHEET

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

