

KEVIN KAMENETZ
County Executive



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

November 19, 2013

RECEIVED
NOV 19 2013

BALTIMORE COUNTY
BOARD OF APPEALS

Cynthia Shipley
9114 Bengal Road
Randallstown, Maryland 21133

RE: APPEAL TO BOARD OF APPEALS

Case No. 2013-0306-A

Location: 5938 Prince George Street

Dear Shipley:

Please be advised that an appeal of the above-referenced case was filed in this Office on November 15, 2013. 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 "L. Stahl", is written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:slh

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Maxine Shortridge, 9525 Branchleigh Road, Randallstown, Maryland 21133
Juanita Sykes, 5940 Prince George Street, Baltimore, Maryland 21207
Gina Butler, 5933 Prince George Street, Baltimore, Maryland 21207
Johna R. Bentley, 5942 Prince George Street, Baltimore, Maryland 21207
Yvonne Holland, 5940 Prince George Street, Baltimore, Maryland 21207
Office of Administrative Hearings

RE: PETITION FOR VARIANCE	*	BEFORE THE COUNTY
FOR THE PROPERTY LOCATED AT	*	
5939 Prince George Street	*	BOARD OF APPEALS
1 st Election District	*	
1 st Councilman District	*	FOR
Kamilah Shortridge, Legal Owner	*	
Cynthia Shipley, Petitioner	*	BALTIMORE COUNTY
	*	
	*	CASE NO: 13-306-A

* * * * *

OPINION

This matter comes before the Board of Appeals for Baltimore County as a Petition for Variance filed by Cynthia Shipley, Petitioner, on behalf of Kamilah Shortridge, the Legal Owner of the subject property. The Petitioner is requesting Variance relief from Sections 432A.1.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Cynthia Shipley. Several neighbors attended the hearing and opposed the petition. Peter Max Zimmerman, Esquire appeared on behalf of People's Counsel for Baltimore County. There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 8,400 square feet and is zoned DR 5.5. The Petitioner proposes to operate an assisted living facility (with three patients) on the site, although all that is sought in the current case is a variance with respect to the parking requirements. A use permit and a compatibility finding by the Department of

Planning (DOP) are required before and assisted living facility can be operated in a residential zone. BCZR section 432A.

DECISION

Baltimore County Zoning Regulations, Section 307.1, in pertinent part, states as follows:

"...(T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations...only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare...."

In *McLean v. Soley*, 270 Md. 216 (1973) the court established the following criteria for determining practical difficulty or unreasonable hardship:

"1) Whether compliance with the strict letter of the restrictions governing various variances would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

"2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

"3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured."

Further, in *North v. St. Mary's County*, 99 Md. App. 502 (1994) the Court held that

"...the 'unique' aspect of a variance requirement does not refer to the extent of improvements on the property, or upon neighboring property. 'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects and bearing or party walls." Id at 514

In short in being presented no evidence in terms of uniqueness or undue hardship the Petitioner's variance relief requested shall be denied.

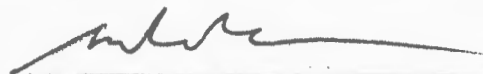
ORDER

THEREFORE, IT IS, this 11th day of June, 2014, by the Board of Appeals for Baltimore County,

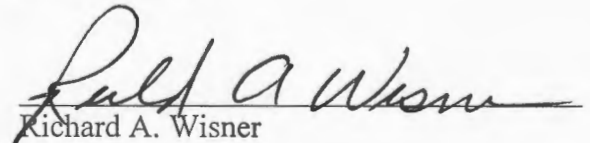
ORDERED, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R.") to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively, be and is hereby **DENIED**.

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**



Andrew M. Belt



Richard A. Wisner

Wendy A. Zerwitz was Panel Chairman on January 15, 2014. She resigned from the Board on May 9, 2014.



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

June 11, 2014

Kamilah Shortridge
9525 Branchleigh Road
Randallstown, Maryland 21133

Peter Max Zimmerman
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: *In the Matter of: Kamilah Shortridge – Legal Owner/Petitioner*
Case No.: 13-306-A

Dear Ms. Shortridge and Mr. Zimmerman:

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,

Krysundra "Sunny" Cannington
Administrator

KC/tam
Enclosure
Duplicate Original Cover Letter

c: Cynthia Shipley
Maxine Shortridge
Juanita Sykes
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

Gina Butler
Johna R. Bentley
Yvonne Holland

IN RE: PETITION FOR VARIANCE

(5939 Prince George St.)

1st Election District

1st Councilman District

Kamilah Shortridge

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2013-0306-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Cynthia Shipley on behalf of Kamilah Shortridge, the legal owner of the subject property. The Petitioner is requesting Variance relief from Sections 432A.1.C.1 and 432A.1.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Maxine Shortridge and Cynthia Shipley. Several neighbors attended the hearing and opposed the petition. The file reveals that the Petition was properly advertised and posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 8,400 square feet and is zoned DR 5.5. The Petitioner proposes to operate an assisted living facility (with three patients) on the site, although all that is sought in the current case is a variance with respect to the

ORDER RECEIVED FOR FILING

Date 11/4/13

By Den

parking requirements. A use permit and a compatibility finding by the Department of Planning (DOP) are required before an assisted living facility can be operated in a residential zone. BCZR § 432A.

Based upon the testimony and evidence presented, I will deny the petition for variance. 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).

In this case, no testimony or evidence was presented to show that the property is "unique" for zoning purposes. But more importantly, I believe based on the testimony provided by the adjacent neighbors that the zoning relief could be detrimental to the health, safety and welfare of the community.

The three neighbors (Juanita Sykes, Johna Bentley and Gina Butler) testified that the Petitioner's property is not well-maintained and has tall grass. They each indicated that parking is very tight in the community, and that there have been tenants and "transients" staying at the subject property who frequently park their cars in front of their homes. In addition, the neighbors were concerned that these "transients" may be involved in criminal activity, and they simply did not feel there was a level of trust with the Petitioner. They each worried that the parking and traffic issues would be exacerbated if an assisted living facility was opened.

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 denied.

THEREFORE, IT IS ORDERED, this 4th day of November, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to

ORDER RECEIVED FOR FILING

Date

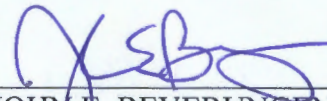
11/4/13

By

Sen

Baltimore County Zoning Regulations ("B.C.Z.R") to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively, be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 11/4/13

By sen

KEVIN KAMENETZ
County Executive



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

November 4, 2013

Cynthia Shipley
9114 Bengal Road
Randallstown, Maryland 21133

RE: Petition for Variance
Property: 5939 Prince George St.
Case No.: 2013-0306-A

Dear Mrs. Shipley :

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", followed by a large, stylized flourish.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Maxine Shortridge, 9525 Branchleigh Road, Randallstown, Maryland 21133
Juanita Sykes, 5940 Prince George St., Baltimore, Maryland 21207
Gina Butler, 5933 Prince George St., Baltimore, Maryland 21207
Johna R. Bentley, 5942 Prince George St., Baltimore, Maryland 21207
Yvonne Holland, 5940 Prince George St., Baltimore, Maryland 21207



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 59 Prince George St which is presently zoned DR 5.5
Deed References: 309061/100399 10 Digit Tax Account # 18 000 13386
Property Owner(s) Printed Name(s) Kamilah Shortridge

(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)

Sections 432A.1.C.1 and 432A.1.C.2 – to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

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)

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
Date 11/4/13
Mailing Address Sen City State
Zip Code / BY 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 <u>Kamilah</u> Signature #1 <u>Kamilah</u> Mailing Address <u>9525 Branchlip Rd</u> City <u>21133</u> Zip Code	Name #2 – Type or Print <u>Shortridge</u> Signature #2 <u>Shortridge</u> Mailing Address <u>Randallstown md</u> City <u>410-521-1196</u> Telephone # <u>LELAN DAVIS @ yahoo.com</u> Email Address
--	---

Representative to be contacted:

Name – Type or Print <u>Cynthia Shipley</u> Signature <u>Cynthia Shipley</u> Mailing Address <u>9114 Bengal Rd</u> City <u>21133</u> Zip Code	<u>Randallstown md</u> City <u>410-655-0784</u> Telephone # <u>LELAN DAVIS @ yahoo.com</u> Email Address
---	---

CASE NUMBER 2013-0306-A Filing Date 06/14/13 Do Not Schedule Dates: Reviewer RD1

Zoning property description

for 5938 Prince George Street ... Beginning at a point on the northeast side of Prince George Street property fronts which is 40 feet of right-of-way wide at the distance of 360 feet northwest of the centerline of the nearest improved intersecting street Dorchester Street which is 40 feet of right-of-way wide

Being ^{lots} ~~Lot # 5~~ ^{block} ~~block~~ 48, 49 & 50 ~~section~~ # 21 in the subdivision of Catonsville Manor in Baltimore County Plat Book # 6, Folio # 116, containing 8400 square feet ~~area in lot~~. Located in the 1st Election District and 1st Council District

Item #0306

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

No. **099641**

Date: **JUNE 14 2013**

PAID RECEIPT

BUSINESS ACTUAL TIME INW
6/17/2013 6/14/2013 11:33:58 8

REC W501 WALKIN SHIL SAN
>>RECEIPT N 570070 6/14/2013 OFLA

Dept 5 520 ZONING VERIFICATION
CR NO. 099641

Recpt Tot \$75.00
\$.00 OK \$80.00 CA
\$5.00 CB
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				575.00

Total: **575.00**

Rec From: **Kamilah Shortridge**
For: **Zoning hearing - case # 2013-0306-A**

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

RE: CASE NO: 2013-0306-A

PETITIONER/DEVELOPER _____

KAMILAH SHORTRIDGE

DATE OF HEARING/CLOSING: _____

10/30/13

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

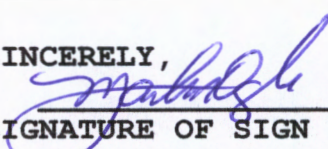
THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

5938 PRINCE GEORGE STREET

THIS SIGN(S) WERE POSTED ON _____

10/8/13
(MONTH, DAY, YEAR)

SINCERELY,

 10/8/13
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE

(SIGN POSTER)

60 CHELMSFORD COURT

BALTIMORE, MD 21220

(ADDRESS)

PHONE NUMBER: 443-629-3411

ZONING

NOTICE

CASE # 2013-0306-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: ROOM 205, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON 21204

DATE AND TIME: WEDNESDAY, OCTOBER 30
2013 AT 1:30 P.M.

REQUEST:

VARIANCE TO PERMIT TWO OFF STREET PARKING
SPACES FOR A PROPOSED ASSISTED LIVING FACILITY,
ONE TO BE LOCATED IN THE SIDE YARD AS CLOSE AS
0 FEET FROM THE PROPERTY LINE AND A SECOND IN
THE FRONT YARD, IN LIEU OF THE REQUIRED 10 FEET
AND REAR OR SIDE YARD, RESPECTIVELY

POSTERMENTS DUE TO WEATHER AND OTHER CONDITIONS ARE NOT FORWARDED
TO THE OFFICE OF THE ZONING COMMISSIONER

(DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING DATE UNDER PENALTY OF LAW)

MEETING IS HANDICAP ACCESSIBLE

made 10/8/13

15th POSTING

ZONING NOTICE

CASE # 2013-0306-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESAPEAKE AVENUE TOWSON 21204

DATE AND TIME: WEDNESDAY OCTOBER 30, 2013
AT 1:30 P.M.

REQUEST: VARIANCE TO PERMIT TWO OFF-STREET
PARKING SPACES FOR A PROPOSED
ASSISTED LIVING FACILITY, ONE TO BE LOCATED IN
THE SIDE YARD AS CLOSE AS 0 FEET FROM THE
PROPERTY LINE AND A SECOND IN THE FRONT YARD,
IN LIEU OF THE REQUIRED 10 FEET AND REAR OR
SIDE YARD, RESPECTIVELY.

ADJUSTMENTS DUE TO WEATHER OR OTHER CIRCUMSTANCES MAY BE NECESSARY
TO CANCEL HEARING CALL 410-686-3377

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

HANDICAPPED ACCESSIBLE

Received 10/14/13

*2ND
POSTING FOR
STOLEN SIGN*



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

October 10, 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 October 10, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0306-A

5938 Prince George Street

NE/S Prince George Street, 260 ft. NW of centerline of
Dorchester Street

1st Election District - 1st Councilmanic District

Legal Owner(s): Kamilah Shortridge

Variance: to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, October 30, 2013 at 1:30 p.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.

10/150 October 10

952514



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 8, 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 August 8, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0306-A

5938 Prince George Street

NE/s Prince George Street, 360 ft. NW of centerline of Dorchester Street

1st Election District - 1st Councilmanic District

Legal Owner(s): Kamilah Shortridge

Variance: to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, August 28, 2013 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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08/123 August 8

938706

KEVIN KAMENETZ
County Executive



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

November 19, 2013

RECEIVED
NOV 19 2013

BALTIMORE COUNTY
BOARD OF APPEALS

Cynthia Shipley
9114 Bengal Road
Randallstown, Maryland 21133

RE: APPEAL TO BOARD OF APPEALS

Case No. 2013-0306-A

Location: 5938 Prince George Street

Dear Shipley:

Please be advised that an appeal of the above-referenced case was filed in this Office on November 15, 2013. 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,

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LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:slm

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Maxine Shortridge, 9525 Branchleigh Road, Randallstown, Maryland 21133
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Yvonne Holland, 5940 Prince George Street, Baltimore, Maryland 21207

RE: PETITION FOR VARIANCE	*	BEFORE THE COUNTY
FOR THE PROPERTY LOCATED AT	*	BOARD OF APPEALS
5939 Prince George Street	*	
1 st Election District	*	FOR
1 st Councilman District	*	
Kamilah Shortridge, Legal Owner	*	BALTIMORE COUNTY
Cynthia Shipley, Petitioner	*	
	*	CASE NO: 13-306-A

* * * * *

OPINION

This matter comes before the Board of Appeals for Baltimore County as a Petition for Variance filed by Cynthia Shipley, Petitioner, on behalf of Kamilah Shortridge, the Legal Owner of the subject property. The Petitioner is requesting Variance relief from Sections 432A.1.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Cynthia Shipley. Several neighbors attended the hearing and opposed the petition. Peter Max Zimmerman, Esquire appeared on behalf of People's Counsel for Baltimore County. There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 8, 400 square feet and is zoned DR 5.5. The Petitioner proposes to operate an assisted living facility (with three patients) on the site, although all that is sought in the current case is a variance with respect to the parking requirements. A use permit and a compatibility finding by the Department of

Planning (DOP) are required before and assisted living facility can be operated in a residential zone. BCZR section 432A.

DECISION

Baltimore County Zoning Regulations, Section 307.1, in pertinent part, states as follows:

"...(T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations...only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare...."

In *McLean v. Soley*, 270 Md. 216 (1973) the court established the following criteria for determining practical difficulty or unreasonable hardship:

"1) Whether compliance with the strict letter of the restrictions governing various variances would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

"2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

"3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured."

Further, in *North v. St. Mary's County*, 99 Md. App. 502 (1994) the Court held that

"...the 'unique' aspect of a variance requirement does not refer to the extent of improvements on the property, or upon neighboring property. 'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects and bearing or party walls." Id at 514

In the Court of Special Appeals in *Cromwell v. Ward*, 102 Md.App. 691 (1995), wherein the Court writes:

...The Baltimore County ordinance requires "conditions ...peculiar to the land...and...practical difficulty...." Both must exist. ...However, as is clear from the language of the Baltimore County ordinance, the initial factor that must be established before the practical difficulties, if any, are addressed, is the abnormal impact the ordinance has on a specific piece of property because of the peculiarity and uniqueness of that piece of property, not the uniqueness or peculiarity of the practical difficulties alleged to exist. **It is only when the uniqueness is first established that we then concern ourselves with the practical difficulties....**" *Id.* at 698.

In requiring a pre-requisite finding of "uniqueness", the Court defined the term and stated:

In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.... *Id.* at 710.

Based upon the testimony and evidence presented, the Board will deny the petition for variance.

In this case, no testimony or evidence was presented to show that the property is "unique" for zoning purposes. Testimony from the Petitioners consisted of their assertion that the current driveway in front of the subject property was more than sufficient for the needs of the proposed assisted living facility and failed to provide any argument as to why the parking requirements pursuant to law would create any undue hardship. Additionally testimony was heard from neighbors of the proposed site that described individuals visiting the property at issue and causing problems with street parking in front of other residence's driveways.

In short in being presented no evidence in terms of uniqueness or undue hardship the Petitioner's variance relief requested shall be denied.

ORDER

THEREFORE, IT IS, this 11th day of June, 2014, by the Board of Appeals for Baltimore County,

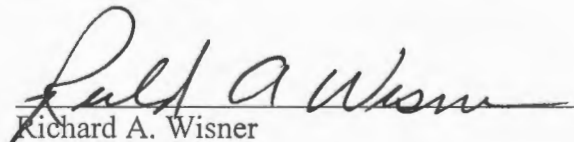
ORDERED, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R.") to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively, be and is hereby **DENIED**.

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**



Andrew M. Belt



Richard A. Wisner

Wendy A. Zerwitz was Panel Chairman on January 15, 2014. She resigned from the Board on May 9, 2014.



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

June 11, 2014

Kamilah Shortridge
9525 Branchleigh Road
Randallstown, Maryland 21133

Peter Max Zimmerman
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: *In the Matter of: Kamilah Shortridge – Legal Owner/Petitioner*
Case No.: 13-306-A

Dear Ms. Shortridge and Mr. Zimmerman:

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,

Krysundra "Sunny" Cannington
Administrator

KC/tam
Enclosure
Duplicate Original Cover Letter

c: Cynthia Shipley
Maxine Shortridge
Juanita Sykes
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

Gina Butler
Johna R. Bentley
Yvonne Holland

IN RE: PETITION FOR VARIANCE

(5939 Prince George St.)

1st Election District

1st Councilman District

Kamilah Shortridge

Legal Owner

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2013-0306-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Cynthia Shipley on behalf of Kamilah Shortridge, the legal owner of the subject property. The Petitioner is requesting Variance relief from Sections 432A.1.C.1 and 432A.1.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Maxine Shortridge and Cynthia Shipley. Several neighbors attended the hearing and opposed the petition. The file reveals that the Petition was properly advertised and posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 8,400 square feet and is zoned DR 5.5. The Petitioner proposes to operate an assisted living facility (with three patients) on the site, although all that is sought in the current case is a variance with respect to the

ORDER RECEIVED FOR FILING

Date 11/4/13

By Sen

parking requirements. A use permit and a compatibility finding by the Department of Planning (DOP) are required before an assisted living facility can be operated in a residential zone. BCZR § 432A.

Based upon the testimony and evidence presented, I will deny the petition for variance. 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).

In this case, no testimony or evidence was presented to show that the property is "unique" for zoning purposes. But more importantly, I believe based on the testimony provided by the adjacent neighbors that the zoning relief could be detrimental to the health, safety and welfare of the community.

The three neighbors (Juanita Sykes, Johna Bentley and Gina Butler) testified that the Petitioner's property is not well-maintained and has tall grass. They each indicated that parking is very tight in the community, and that there have been tenants and "transients" staying at the subject property who frequently park their cars in front of their homes. In addition, the neighbors were concerned that these "transients" may be involved in criminal activity, and they simply did not feel there was a level of trust with the Petitioner. They each worried that the parking and traffic issues would be exacerbated if an assisted living facility was opened.

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 denied.

THEREFORE, IT IS ORDERED, this 4th day of November, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to

ORDER RECEIVED FOR FILING

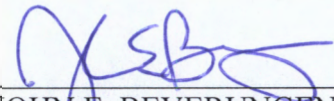
Date

By

11/4/13
Sen

Baltimore County Zoning Regulations ("B.C.Z.R") to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 ft. from the property line and a second in the front yard, in lieu of the required 10 ft. and rear or side yard, respectively, be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 11/4/13

By sen



KEVIN KAMENETZ
County Executive

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

November 4, 2013

Cynthia Shipley
9114 Bengal Road
Randallstown, Maryland 21133

RE: Petition for Variance
Property: 5939 Prince George St.
Case No.: 2013-0306-A

Dear Mrs. Shipley :

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", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Maxine Shortridge, 9525 Branchleigh Road, Randallstown, Maryland 21133
Juanita Sykes, 5940 Prince George St., Baltimore, Maryland 21207
Gina Butler, 5933 Prince George St., Baltimore, Maryland 21207
Johna R. Bentley, 5942 Prince George St., Baltimore, Maryland 21207
Yvonne Holland, 5940 Prince George St., Baltimore, Maryland 21207



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 59 Prince George St which is presently zoned DR 5.5
 Deed References: 309061/00399 10 Digit Tax Account # 1800013386
 Property Owner(s) Printed Name(s) Kamilah Shortridge

(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)

Sections 432A.1.C.1 and 432A.1.C.2 – to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

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)

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

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 – Type or Print

Signature #1

Mailing Address

Zip Code

Name #2 – Type or Print

Signature #2

Mailing Address

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

CASE NUMBER

2013-0306-A

Filing Date

06/14/13

Do Not Schedule Dates:

Reviewer

RDI

Zoning property description

for 5938 Prince George Street ... Beginning at a point on the northeast side of Prince George Street property fronts which is 40 feet of right-of-way wide at the distance of 360 feet northwest of the centerline of the nearest improved intersecting street Dorchester Street which is 40 feet of right-of-way wide

Being ^{lots} ~~Lot # 5~~ ^{block} ~~block~~ 48, 49 & 50 ~~section # 21~~ in the subdivision of Catonsville Manor in Baltimore County Plat Book # 6, Folio # 116, containing 8400 square feet ~~acres in lot~~. Located in the 1st Election District and 1st Council District

Item #0306

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

No. **099641**

Date: **JUNE 14 2013**

PAID RECEIPT

BUSINESS ACTUAL TIME DWM
6/17/2013 6/14/2013 11:33:58 0

REC NSOM WALKIN SHIL SHH
> RECEIPT # 570070 6/14/2013 OFLN

Dept 5 528 ZONING VERIFICATION
CR NO. 099641

Recpt Tot \$75.00
\$0.00 OK \$80.00 CA
\$5.00 CB
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150						575.00

Total: **575.00**

Rec From: **Kamilah Shontridge**
For: **Zoning hearing - case # 2013-0306-A**

DISTRIBUTION

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

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

RE: CASE NO: 2013-0306-A

PETITIONER/DEVELOPER _____

KAMILAH SHORTRIDGE

DATE OF HEARING/CLOSING: _____

10/30/13

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT _____

5938 PRINCE GEORGE STREET

THIS SIGN(S) WERE POSTED ON 10/8/13
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/8/13
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ZONING NOTICE

CASE # 2013-0306-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: ROOM 205, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON 21204

DATE AND TIME: WEDNESDAY, OCTOBER 30
2013 AT 1:30 P.M.

REQUEST:
VARIANCE TO PERMIT TWO OFF STREET PARKING
SPACES FOR A PROPOSED ASSISTED LIVING FACILITY,
ONE TO BE LOCATED IN THE SIDE YARD AS CLOSE AS
10 FEET FROM THE PROPERTY LINE AND A SECOND IN
THE FRONT YARD, IN LIEU OF THE REQUIRED 10 FEET
AND REAR OR SIDE YARD, RESPECTIVELY

POSTERMENTS ARE TO WEATHER AND OTHER CONDITIONS ARE SOMETIMES NECESSARY
BY COUNCIL HEARING CASE 03-07-002

DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

made 10/8/13
15th POSTING



replaced 10/14/13

*2ND
POSTING FOR
STOLEN SIGN*



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

October 10, 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 October 10, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0306-A

5938 Prince George Street

NE/s Prince George Street, 260 ft. NW of centerline of
Dorchester Street

1st Election District - 1st Councilmanic District

Legal Owner(s): Kamilah Shortridge

Variance: to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, October 30, 2013 at 1:30 p.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.

10/150 October 10

952514



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 8, 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 August 8, 2013

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0306-A

5938 Prince George Street

NE/s Prince George Street, 360 ft. NW of centerline of Dorchester Street

1st Election District - 1st Councilmanic District

Legal Owner(s): Kamilah Shortridge

Variance: to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, August 28, 2013 at 1:30 p.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.
08/123 August 8 938706

RECEIVED

NOV 15 2013

11/14/2013

OFFICE OF ADMINISTRATIVE HEARINGS

To Whom It May Concern,

I Cynthia

Shipley, would like to file an appeal in the Below Case. Case No. 2013-0306-A on property 5938 Ridge George St., because there is enough parking room for these vehicle on the side of residence.

Thank You
Mrs. C. Shipley

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

No.

94625

Date:

11-15-13

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				265.00

Total:

265.00

Rec
From:

Cynthia Shipley

For:

Appeal - Case No. 2013-0306-A

5938 Prince George St.

Hearing - 10-30-13

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME NEW

11/15/2013 11/15/2013 13:50:31 8

RECEIPT # 003041 11/15/2013 0014

5 SUB ZONTAG VERIFICATION

094625

Receipt Tot \$265.00

\$265.00 CASH \$1.00 CASH

Baltimore County, Maryland

**CASHIER'S
VALIDATION**

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: 2013-0306-A

Petitioner: Kamillah Shortridge

Address or Location: 9525 Branchliegh Rd Randallstown, Md 21133

PLEASE FORWARD ADVERTISING BILL TO:

Name: Cynthia Shiple

Address: 9114 Bengal Rd
Randallstown, md 21133

Telephone Number: 410-655-0784 or 410-258-9578

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 8, 2013 Issue - Jeffersonian

Please forward billing to:
Cynthia Shipley
9114 Bengal Road
Randallstown, MD 21133

410-655-0784

NOTICE OF ZONING HEARING

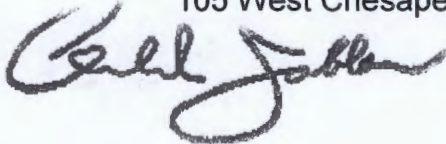
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0306-A

5938 Prince George Street
NE/s Prince George Street, 360 ft. NW of centerline of Dorchester Street
1st Election District – 1st Councilmanic District
Legal Owners: Kamilah Shortridge

Variance to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, August 28, 2013 at 1:30 p.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

July 16, 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: 2013-0306-A

5938 Prince George Street

NE/s Prince George Street, 360 ft. NW of centerline of Dorchester Street

1st Election District – 1st Councilmanic District

Legal Owners: Kamilah Shortridge

Variance to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, August 28, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Kamilah Shortridge, 9525 Branchleigh Road, Randallstown 21133
Cynthia Shipley, 9114 Bengal Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 8, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, October 10, 2013 Issue - Jeffersonian

Please forward billing to:
Cynthia Shipley
9114 Bengal Road
Randallstown, MD 21133

410-655-0784

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: 2013-0306-A

5938 Prince George Street

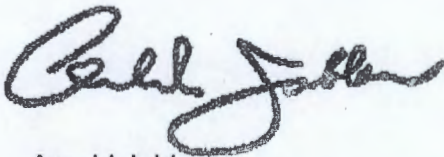
NE/s Prince George Street, 360 ft. NW of centerline of Dorchester Street

1st Election District – 1st Councilmanic District

Legal Owners: Kamilah Shortridge

Variance to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, October 30, 2013 at 1:30 p.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

September 9, 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: 2013-0306-A

5938 Prince George Street

NE/s Prince George Street, 360 ft. NW of centerline of Dorchester Street

1st Election District – 1st Councilmanic District

Legal Owners: Kamilah Shortridge

Variance to permit two off street parking spaces for a proposed assisted living facility, one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

Hearing: Wednesday, October 30, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Kamilah Shortridge, 9525 Branchleigh Road, Randallstown 21133
Cynthia Shipley, 9114 Bengal Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 10, 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.



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 24, 2013

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Kamilah Shortridge – Legal Owner/Petitioner
Cynthia Shipley – Representative
13-306-A 5938 Prince George Street
1st Election District; 1st Councilmanic District

Re: Petition for Variance to permit two off street parking spaces for a proposed assisted living facility; one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

11/4/13 Opinion and Order issued by the Administrative Law Judge wherein the requested relief was DENIED.

ASSIGNED FOR: **WEDNESDAY, FEBRUARY 26, 2014, AT 10:00 A.M.**

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, *Baltimore County Code*.

IMPORTANT: 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 have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Krysundra "Sunny" Cannington
Administrator

c: Petitioner/Legal Owner

: Kamilah Shortridge, Cynthia Shipley

Maxine Shortridge
Johna R. Bentley

Juanita Sykes
Yvonne Holland

Gina Butler

Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Office of People's Counsel
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



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

February 27, 2014

NOTICE OF DELIBERATION

IN THE MATTER OF: Kamilah Shortridge – Legal Owner/Petitioner
Cynthia Shipley – Representative
13-306-A 5938 Prince George Street
1st Election District; 1st Councilmanic District

Re: Petition for Variance to permit two off street parking spaces for a proposed assisted living facility; one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively.

11/4/13 Opinion and Order issued by the Administrative Law Judge wherein the requested relief was DENIED.

This matter having been heard and concluded on February 26, 2014, a public deliberation has been scheduled for the following:

DATE AND TIME: WEDNESDAY, MARCH 19, 2014 at 9:15 a.m.

LOCATION: Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Petitioner/Legal Owner

: Kamilah Shortridge, Cynthia Shipley

Maxine Shortridge
Johna R. Bentley

Juanita Sykes
Yvonne Holland

Gina Butler

Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Office of People's Counsel
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

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

August 22, 2013

Kamilah Shortridge
9525 Branchleigh Road
Randallstown MD 21133

RE: Case Number: 2013-0306 A, Address: 59 Prince George Street

Dear Mr. Shortridge:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 14, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Cynthia Shipley, 9114 Bengal Road, Randallstown MD 21133

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 7-16-13

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

RE: Baltimore County
Item No 2013-0306-A
Variance
Ramilah Shortridge
5938 Prince George Street

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. 2013-0306-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,

Steven D. Foster, Chief
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 18, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For July 22, 2013
Item Nos. 2013- 0306, 0320, 2014-0001,0002,
0003,0005,0006,0007,0008 and 0009.

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

DAK:CEN
Cc: file

MS 8-28 @ 1:30

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

AUG 06 2013



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: August 6, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0306-A
Address 5938 Prince George Street
(Shortside Property)

Zoning Advisory Committee Meeting of July 15, 2013.

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

Reviewer: *Jeff Livingston – Development Coordination*

BALTIMORE COUNTY, MARYLAND

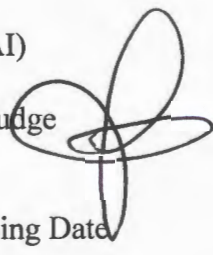
Inter-Office Memorandum

DATE: July 9, 2013

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

FROM: Lawrence M. Stahl, Managing Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance – 07/08/13 Closing Date
Case No. 2013-0306-A – 5938 Prince George Street



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 VARIANCE	*	BEFORE THE OFFICE
5938 Prince George Street; NE/S Prince George	*	
Street, 360' NW of c/line Dorchester Street	*	OF ADMINISTRATIVE
1 st Election & 1 st Councilmanic Districts	*	
Legal Owner(s): Kamilah Shortside	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-306-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

JUL 18 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of July, 2013, a copy of the foregoing Entry of Appearance was mailed to Cynthia Shipley, 9114 Bengal Road, Randallstown, MD 21133, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

TO: Kristen Lewis
Office of Zoning Review

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

DATE: August 29, 2013

SUBJECT: Case No. 2013-0306-A (Scheduled for August 28, 2013)

The above-referenced case was scheduled before the undersigned on August 28, 2013 at 1:30 PM in Room 205 of the Jefferson Building. Unfortunately, the sign posting requirement was not fulfilled. Sherry Nuffer contacted Ms. Cynthia Shipley, representative for Petitioner, and indicated to Ms. Shipley that the hearing can not move forward without the sign posting.

This matter is now being returned to you for the appropriate action. Thanks.

JEB:sln

c: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: July 9, 2013

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

FROM: Lawrence M. Stahl, Managing Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance – 07/08/13 Closing Date
Case No. 2013-0306-A – 5938 Prince George Street

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

*Not principal
+ ast-liv-fac.
concerns*

KEVIN KAMENETZ
County Executive



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

November 19, 2013

Cynthia Shipley
9114 Bengal Road
Randallstown, Maryland 21133

RECEIVED
NOV 19 2013

BALTIMORE COUNTY
BOARD OF APPEALS

RE: APPEAL TO BOARD OF APPEALS

Case No. 2013-0306-A

Location: 5938 Prince George Street

Dear Shipley:

Please be advised that an appeal of the above-referenced case was filed in this Office on November 15, 2013. 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 "L. Stahl", is written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:sln

- c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Maxine Shortridge, 9525 Branchleigh Road, Randallstown, Maryland 21133
Juanita Sykes, 5940 Prince George Street, Baltimore, Maryland 21207
Gina Butler, 5933 Prince George Street, Baltimore, Maryland 21207
Johna R. Bentley, 5942 Prince George Street, Baltimore, Maryland 21207
Yvonne Holland, 5940 Prince George Street, Baltimore, Maryland 21207

APPEAL

**Petition for Variance
(5939 Prince George Street)
1st Election District – 1st Councilmanic District
Legal Owner: Kamilah Shortridge
Case No. 2013-0306-A**

Petition for Variance (June 14, 2013)

Zoning Description of Property

Notice of Zoning Hearing (September 9, 2013)

Certificate of Publication (The Jeffersonian – October 10, 2013)

Certificate of Posting (October 8, 2013) by Martin Ogle

Entry of Appearance by People's Counsel (July 18, 2013)

Petitioner(s) Sign-in Sheet – 1 Sheet

Citizen(s) Sign-in Sheet – 1 Sheet

Zoning Advisory Committee Comments

Petitioner(s) Exhibits

1. Site Plan
2. Photos of Site

Miscellaneous (Not Marked as Exhibits) – Inter-Office Memorandum and SDAT

Administrative Law Judge Order (DENIED – November 4, 2013)

Notice of Appeal – November 15, 2013 by Mrs. Cynthia Shipley

- ✓ Miscellaneous (Not Marked as Exhibits) – Inter-Office Memoranda and SDAT
- ✓ Administrative Law Judge Order (DENIED – November 4, 2013)
- ✓ Notice of Appeal – November 15, 2013 by Mrs. Cynthia Shipley

Address List

Petitioner:

Kamilah Shortridge
9525 Branchleigh Rd
Randallstown, MD 21133

Cynthia Shipley
9114 Bengal Road
Randallstown, MD 21133

Maxine Shortridge
9525 Branchleigh Rd
Randallstown, MD 21133

Interested Persons:

Juanita Sykes
5940 Prince George St
Baltimore, MD 21207

Gina Butler
5933 Prince George St
Baltimore, MD 21207

Johna R. Bentley
5942 Prince George St
Baltimore, MD 21207

Yvonne Holland
5940 Prince George St
Baltimore, MD 21207

Interoffice:

Office of People's Counsel
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Kamilah Shortridge – LO/Petitioner 13-306-A
Cynthia Shipley - Representative

DATE: March 19, 2014

BOARD/PANEL: Wendy A. Zerwitz, Chairwoman
Andrew M. Belt
Richard A. Wisner

RECORDED BY: Sunny Cannington/Administrator

PURPOSE: To deliberate the following:

1. Petition for Variance to permit two off street parking spaces for a proposed assisted living facility; one to be located in the side yard as close as 0 feet from the property line and a second in the front yard, in lieu of the required 10 feet and rear or side yard, respectively;
2. Is the property unique pursuant to the conditions set forth in Cromwell vs. Ward?

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- The Board reviewed the history of this matter. The subject property is located in a residential community. Ms. Shortridge owns the property and Ms. Shipley currently lives there. The property currently contains a driveway which will easily fit 6 cars.
- The Board discussed that the evidence and testimony provided at the hearing before the Board indicated that the subject property was comparable to all other properties in the surrounding neighborhood.
- The Board reviewed the standards of Cromwell v. Ward and determined that the property is not unique.

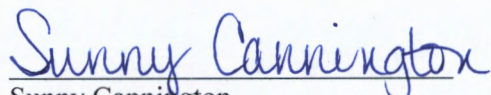
DECISION BY BOARD MEMBERS:

The Board determined that the subject property is not unique pursuant to the standards of Cromwell v. Ward.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to DENY the requested relief.

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,


Sunny Cannington

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 01 Account Number - 1800013386

Owner Information

Owner Name: SHORTRIDGE KAMILAH **Use:** RESIDENTIAL
Mailing Address: 9525 BRANCHLEIGH RD **Principal Residence:** NO
RANDALLSTOWN MD 21133- **Deed Reference:** 1) /30906/ 00399
2)

Location & Structure Information

Premises Address **Legal Description**
5938 PRINCE GEORGE ST LTS 48-49-50
0-0000 5938 PRINCE GEORGE ST
CATONSVILLE MANOR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0095	0008	0189		0000		21	48	1	2	
									Plat Ref:	0006/ 0116

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1979	1,028 SF	8,400 SF	04

Stories	Basement	Type	Exterior
1.000000	YES	SPLIT FOYER SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	90,600	68,600		
Improvements:	125,700	110,600		
Total:	216,300	179,200	216,300	179,200
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
SHORTRIDGE INEZ E	06/14/2011	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /30906/ 00399	Deed2:
Seller: CHOUDHRY SIPRA BASU	Date: 05/25/1999	Price: \$112,000
Type: ARMS LENGTH IMPROVED	Deed1: /13772/ 00532	Deed2:
Seller: BASU MINU, TRUSTEE	Date: 08/24/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13098/ 00439	Deed2:

Exemption Information

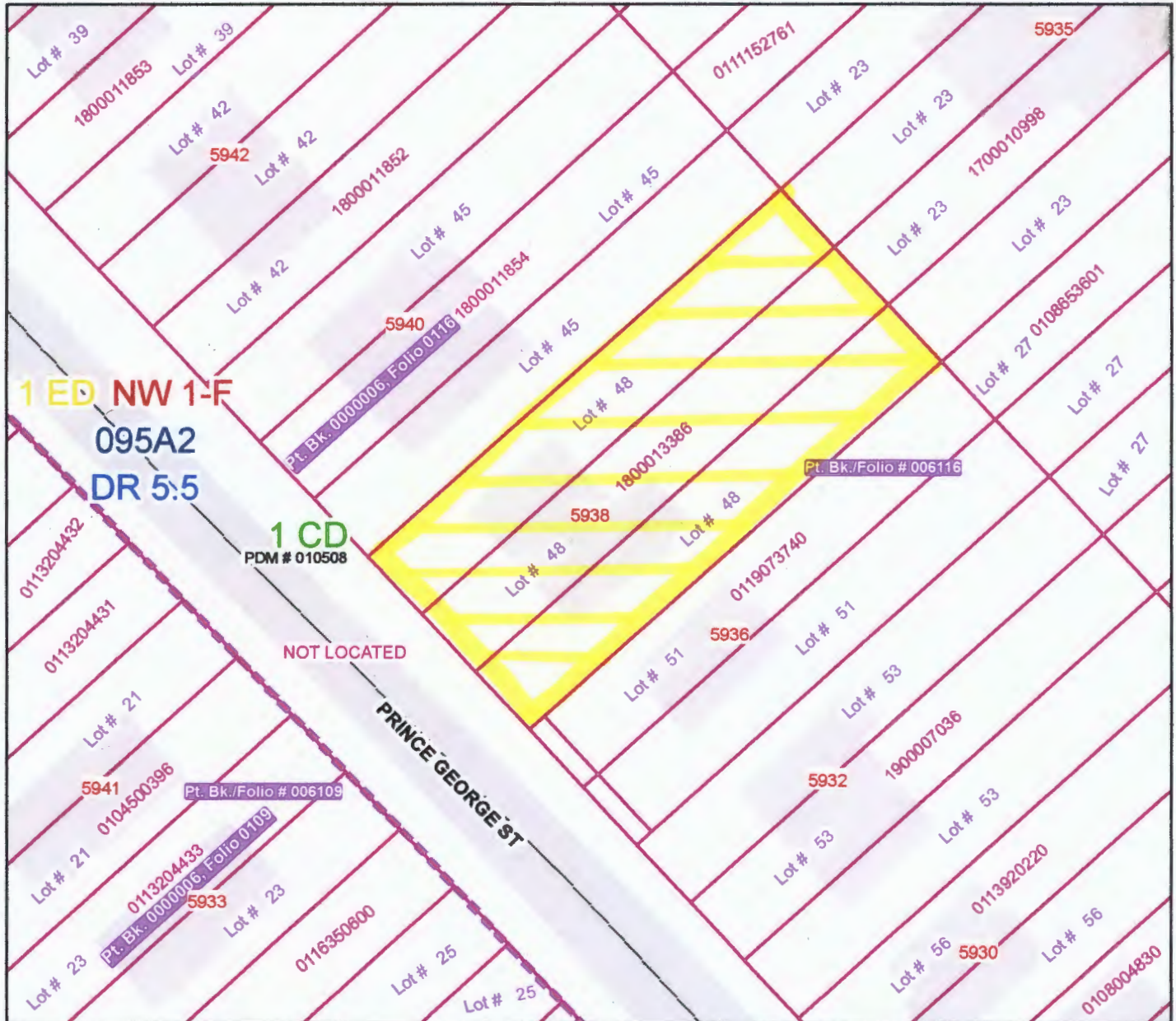
Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

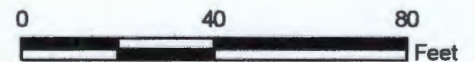
Homestead Application Information

Homestead Application Status: No Application

5938 Prince George Street



Publication Date: January 23, 2013
Publication Agency: Permits, Approvals and Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 40 feet

Item # 0306

CASE NAME _____
CASE NUMBER 2013-0306-A
DATE 10-30-13

CASE NAME _____
CASE NUMBER 2013-0306-A
DATE 10-30-13

[illegible]

CASE NAME _____
CASE NUMBER 2013-0306A
DATE 10-30-13

CASE NAME _____
CASE NUMBER 2013-0306A
DATE 10-30-13

[illegible]

Case No.: 2013-0306-A

Exhibit Sheet

Petitioner/Developer

Protestants

SLR
11/4/13

✓ No. 1	Site plan	
No. 2	Photos of Site	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

5938 Prince George Street



Item #0306
Petitioner
No. 2



Case No: 13-306(A) Case Name: Shortridge / Shipley

Shortridge/Shiplay

Exhibit List

Party: Petitioner

Date: 2/26/14

[illegible]

Case No: 13-306(A) Case Name: Shortridge / Shipley

Shorridge / Shipley

Exhibit List

Party: People's Council

Date: 2/26/14

[illegible]

Shortridge / Shuply 13-306(A) People Counsel Exh 4 2/26/14

People's Counsel Sign-In Sheet

Case Name: Kamilah Shortridge
Case No.: 2013-306-A
Date: 2-26-14

The Office of People's Counsel was created by the County Charter to participate in zoning matters on behalf of the public interest. While it does not actually represent community groups or protestants, it will assist in the presentation of their concerns, whether they have their own attorney or not. If you wish to be assisted by People's Counsel, please sign below.

[illegible]

Shawhide/Shipler 13-306(A) People's Counsel Extn 1 2/26/14

Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 01 Account Number - 1800013386		
Owner Information		
Owner Name:	SHORTRIDGE KAMILAH	Use: RESIDENTIAL
Mailing Address:	9525 BRANCHLEIGH RD RANDALLSTOWN MD 21133-	Principal Residence: NO
		Deed Reference: 1) /30906/ 00399 2)
Location & Structure Information		
Premises Address:	5938 PRINCE GEORGE ST 0-0000	Legal Description: LTS 48-49-50 5938 PRINCE GEORGE ST CATONSVILLE MANOR
Map: 0095	Grid: 0008	Parcel: 0189
Sub District:	Subdivision: 0000	Section: 21
Block: 48	Lot: 2013	Assessment Year: 2
Plat No:	Plat Ref: 0006/ 0116	
Special Tax Areas:	Town: NONE	
Ad Valorem:	Tax Class:	
Primary Structure Built 1979	Above Grade Enclosed Area 1,028 SF	Finished Basement Area 504 SF
Property Land Area 8,400 SF	County Use 04	
Stories 1.000000	Basement YES	Type SPLIT FOYER
Exterior SIDING	Full/Half Bath 3 full	Garage
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of 01/01/2013	As of 07/01/2013
		As of 07/01/2014
Land: 90,600	68,600	
Improvements: 125,700	110,600	
Total: 216,300	179,200	179,200
Preferential Land: 0		0
Transfer Information		
Seller: SHORTRIDGE INEZ E	Date: 06/14/2011	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /30906/ 00399	Deed2:
Seller: CHOUDHRY SIPRA BASU	Date: 05/25/1999	Price: \$112,000
Type: ARMS LENGTH IMPROVED	Deed1: /13772/ 00532	Deed2:
Seller: BASU MINU, TRUSTEE	Date: 08/24/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13098/ 00439	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County: 000		0.00
State: 000		0.00
Municipal: 000		0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Shortridge/Shirley 13-306(4) People Counsel Exh 3 2/26/14



Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 2/24/2014

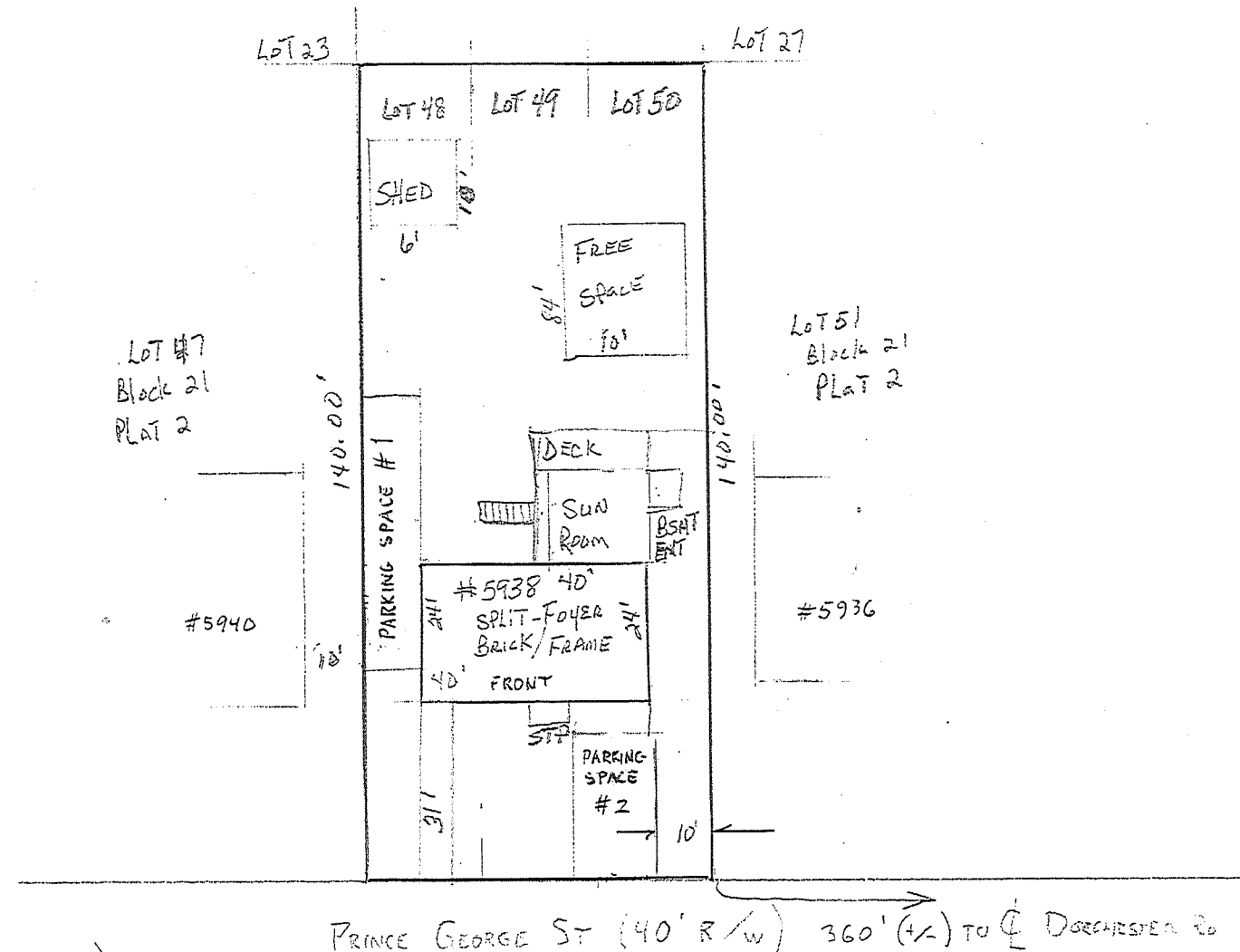
Shortridge / Slip, 13-306(4) Purple Card
Printed 2/24/2014

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 5938 PRINCE GEORGE ST OWNER(S) NAME(S) KAMILAH SHORTRIDGE

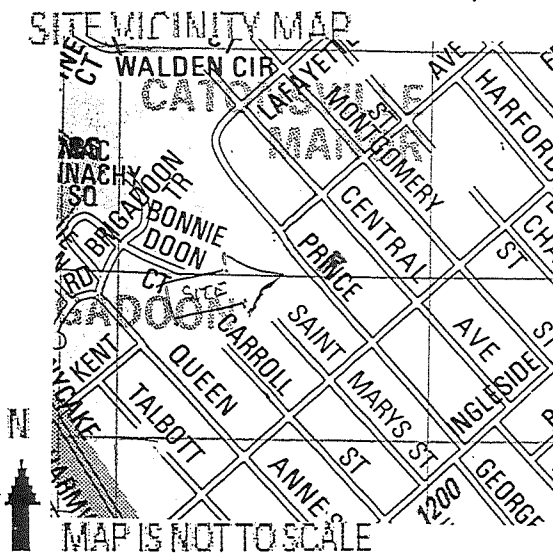
SUBDIVISION NAME CATONSVILLE MANOR LOT # 48 ^{49.50} BLOCK # 21 SECTION # _____

PLAT BOOK # 6 FOLIO # 116 10 DIGIT TAX # 1802213386 DEED REF. # 30906100399



NORTH

PLAN DRAWN BY Zachary Shipley DATE 5/4/13 SCALE: 1 INCH = 30 FEET



ZONING MAP# 095A2

SITE ZONED De. S. 5

ELECTION DISTRICT 1st

COUNCIL DISTRICT 1st

LOT AREA ACREAGE _____

OR SQUARE FEET 8400

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE _____

SEWER IS:

PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Petitioner No. 2

#2013-0306-A RJD

