MEMORANDUM

DATE:

May 5, 2016

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2016-0202-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 2, 2016. There being no appeal filed, the subject file is ready for return to the Zonjng Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE

(3502 Southvale Avenue)

3rd Election District

2nd Council District

Jonathan Ehrenfeld & Shoshamah Szanzer

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2016-0202-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Jonathan Ehrenfeld and Shoshamah Szanzer ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a garage addition to a single family dwelling with side yard setbacks of 5 ft. and 9 ft. in lieu of the required 15 ft. and 25 ft. and a sum of side yards of 14 in. in lieu of the required 40 ft. 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.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on March 12, 2016, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in ORDER RECEIVED FOR FILING

Date	3-31-16	
Ву	(صد)	

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this <u>31st</u> day of **March**, **2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit a garage addition to a single family dwelling with side yard setbacks of 5 ft. and 9 ft. in lieu of the required 15 ft. and 25 ft. and a sum of side yards of 14 in. in lieu of the required 40 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

 Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw ORDER RECEIVED FOR FILING

Date 3-31-16

2



CASE NUMBER 2016-0202-A

ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections

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eed Reference	35691 / 00064 ne(s) Jonathan Ehrenfeld & Shosham	nah Szanzer	0 3 1 9 0	4 4 5 5 5
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		the reverse of this Petition form mus		
he undersigned, who ttached hereto and r	o own and occupy the property situ nade a part hereof, hereby petition	uate in Baltimore County and which for an:	is described in t	the plan/plat
X ADMINISTRA	ATIVE VARIANCE from Section(s)			
Section: 1	B02.3.C.1			
To	permit a garage addition to a	a single family dwelling with a	side yard setl	backs
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ADMINISTR	ATIVE SPECIAL HEARING to a	pprove a waiver pursuant to Sect	ion 32-4-107(b)	of the Baltimo
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f the Baltimore Cour	nty Code, to the development law o	of Baltimore County		
roperty is to be posted an	d advertised as prescribed by the zoning re	egulations.		
we agree to pay expense	es of above petition(s), advertising, posting, pursuant to the zoning law for Baltimore Co	, etc. and further agree to be bound by the zo	oning regulations ar	nd restrictions of
altimore County adopted	pursuant to the zoning law for baltimore of	ounty.		
		•		
		Owner(s)/Petitioner(s):	Shashamah Szan	70r / -
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Filing Date 3 1 4 1 2016 Estimated Posting Date 3 1/3 1 2016 Reviewer 4

Rev 5/8/2014

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 and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 3502 Southvale Road	Baltimore	Maryland	21208
Print or Type Address of property	City	State	Zip Code
ased upon personal knowledge, the fo dministrative Variance at the above ad	llowing are the facts u dress. (Clearly state	pon which I/we base t practical difficulty or	he request for an r hardship here)
SEE ATTACHED		ar W	
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	1-25		
(If additional space for the petition reques	st or the above statemen	t is peeded label and att	deh it to this Form
(ii additional space for the petition reques	st or the above statemen	t is needed, label and at	ach it to this Ponn)
Signature of Owner (Afflant)	Sigr	nature of Owner (Affiant)	
Ionathan Ehrenfeld	Sho	shamah Szanzer	
lame- Print or Type	Nan	ne- Print or Type	
The following information is to	be completed by a Notal	y Public of the State of I	Maryland
STATE OF MARYLAND, COUNTY OF	BALTIMORE, to wit:		
HEREBY CERTIFY, this 3rd da	y of,	olk, before me a No	tary of Maryland, ir
rint name(s) here: Inathan Ehrenfel	d + Shoshama	h Szanzer	
ne Affiant(s) herein, personally known or sa	atisfactorily identified to	me as such Affiant(s).	
AS WITNESS my hand and Notaries Seal	melody L	. wells	
j	Notary Public 5-14-	16	
Ī	My Commission Expires		
		L. Wells	REV 5/8/2014

Howard County Maryland My Commission Expires 05-14-2016

Requested Zoning Relief Attachment 3502 Southvale Road Baltimore County, Maryland

Variances Requested: Section (1B02)

- 1. To permit the sum of side yard setback to be 14 feet, in lieu of the minimum required 40 feet.
- 2. To permit a northwest side yard setback of 5 feet, in lieu of the minimum required 15 feet.
- 3. To permit a northeast side yard setback of 9 feet, in lieu of the minimum required 15 feet.

Affidavit in Support of Administrative Variance

Based upon personal knowledge, the following are the facts upon which we base the request for an Administrative Variance at the above address:

This site is located in the Pikesville area of Baltimore County. The petitioner's property is located on Southvale Road, and is currently improved with an existing two story single family dwelling which was constructed approximately 80 years ago. The surrounding neighborhood is residential in nature and comprised of similarly sized dwellings. The petitioners purchased the property at #3502 Southvale Road approximately 2 year ago.

The petitioners are requesting variance relief from the Baltimore County Zoning Regulations (BCZR) for a two story addition attached to the northwest side of the existing dwelling. The home owners would like to add a two story addition/garage to their existing house to meet their growing family demands. The proposed addition will be constructed to match the existing character of the house and the surrounding neighborhood.

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



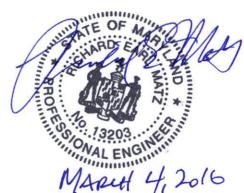
ZONING DESCRIPTION 3502 Southvale Road Baltimore County, Maryland

Beginning at a point on the Northeast side of Southvale Road, which is 50 feet wide, located 345 feet, more or less, Southwest of the centerline of Seven Mile Lane, which is 33 feet wide

- 1. North 29 degrees 27 minutes 05 seconds West 257.34 feet,
- 2. South 60 degrees 52 minutes 11 seconds West 160.00 feet,
- 3. South 29 degrees 27 minutes 05 seconds East 257.09 feet,
- 4. Northeasterly by a curve to the left having a radius of 914.24 feet, for an arc length of 115.38 feet, the chord of said arc bearing North 61 degrees 53 minutes 52 seconds East 115.31 feet, and
- 5. Northeasterly by a curve to the right having a radius of 4965.89 feet, for an arc length of 44.75 feet, the chord of said arc bearing North 58 degrees 32 minutes 25 seconds East 44.75 feet, thence leaving the said North side of Southvale Road, to the place of beginning.

Containing 0.951 of an Acre more or less.

Located in the 3rd Election District and 2nd Councilmanic District. Known as 3502 Southvale Road.



Professional Certification

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

License No. 13203 Expiration Date: 11/02/2016

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION 3502 Southvale Road Baltimore County, Maryland

Beginning at a point on the Northeast side of Southvale Road, which is 50 feet wide, located 345 feet, more or less, Southwest of the centerline of Seven Mile Lane, which is 33 feet wide

- 1. North 29 degrees 27 minutes 05 seconds West 257.34 feet,
- 2. South 60 degrees 52 minutes 11 seconds West 160.00 feet,
- 3. South 29 degrees 27 minutes 05 seconds East 257.09 feet,
- 4. Northeasterly by a curve to the left having a radius of 914.24 feet, for an arc length of 115.38 feet, the chord of said arc bearing North 61 degrees 53 minutes 52 seconds East 115.31 feet, and
- 5. Northeasterly by a curve to the right having a radius of 4965.89 feet, for an arc length of 44.75 feet, the chord of said arc bearing North 58 degrees 32 minutes 25 seconds East 44.75 feet, thence leaving the said North side of Southvale Road, to the place of beginning.

Containing 0.951 of an Acre more or less.

Located in the 3rd Election District and 2nd Councilmanic District. Known as 3502 Southvale Road.



Professional Certification

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

License No. 13203 Expiration Date: 11/02/2016

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/14/2016

Case Number: 2015-153-A

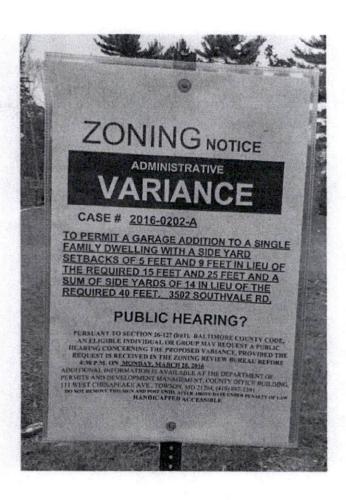
Petitioner / Developer: COLBERT, MATZ & ROSENFELT, INC. ~

JONATHAN ELRONFIELD ~ SHOSHAMAH SZONZER

Date of Hearing (Closing): MARCH 28, 2016

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: 3502 SOUTHVALE ROAD

The sign(s) were posted on: MARCH 12, 2016



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)

RECEIVED

MAR 3 0 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Debra Wiley

From:

Linda Okeefe < iuckylinda1954@yahoo.com>

Sent:

Tuesday, March 29, 2016 4:02 PM

To: Cc: Debra Wiley

Cubinete

Dick Matz

Subject:

SOUTH VALE ROAD CERT.

Attachments:

Southvale Cert..jpeg

Hi Debbie,

I am attaching the Certification for Southvale Rd. Sorry for any inconvenience. Thank you,

Linda

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

TMENT OF PERMITS, APPROVATION ZONING REVIEW

AND INSPECTIONS

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINIOTICATIVE VARIANCE IN CITATIVE CITED FIXED
Case Number 2016- 0202 -A Address 3502 Southvale Road.
Contact Person: LEONARI WASI (WSK) Phone Number: 410-887-3391
Case Number 2016- 0202 -A Address 3502 Southvale Road Contact Person: Leonari Wasi (205k) Phone Number: 410-887-3391 Filing Date: 3/5/16 Posting Date: 3/13/16 Closing Date: 3/28/16 Any contact made with this office regarding the status of the administrative variance should be
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.
2. <u>DEADLINE:</u> 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.
4. 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 2016- 0202 -A Address 3502 Southwale Road
Petitioner's Name Shockanah Szowzez Telephone 443 220 4419
Posting Date: 3/13/16 Closing Date: 3/28/16
Wording for Sign: To permit a garage addition to a single family dwelling with a side yard setbacks of 5 feet and 9 feet in lieu of the required 15 feet and 25 feet and a sum of side yards of 14 in lieu of the required 40 feet.
Devised 7104ME

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: March 15, 2016

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 21, 2016

Item No. 2016-0181, 0201, 0202, 0204, 0205, 0206, 0207, 0208, 0210,

0211, 0212 and 0213

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

DAK:CEN cc:file



KEVIN KAMENETZ County Executive

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

March 29, 2016

Jonathan Ehrenfeld Shoshamah Szanzer 3502 Southvale Road Baltimore MD 21208

RE: Case Number: 2016-0202 A, Address: 3502 Southvale Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 4, 2016. 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.

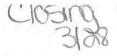
Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Richard E Matz, 2835 Smith Avenue, Suite G, Baltimore MD 21209



BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

MAR 1 7 2015



OFFICE OF ADMINISTRATIVE HEARINGS

TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

March 17, 2016

SUBJECT:

DEPS Comment for Zoning Item

2016-0202-A

Address

3502 Southvale Avenue

(Ehrenfeld & Szanzer Property)

Zoning Advisory Committee Meeting of March 21, 2016.

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

Reviewer:

Steve Ford

Date: 03-17-2016



Larry Hogan, Governor Boyd K. Rutherford, Lt. Governor

Pete K. Rahn, Secretary Gregory C. Johnson, P.E., Administrator

Date: 3/21/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2016-8202-A

Administratione Variance Forathon Ehrenfeld & Shoshamah Szanzer 3502 Southvale Avenue.

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

Sincerely,

Proloco A feller David W. Peake

Metropolitan District Engineer - District 4

Baltimore & Harford Counties

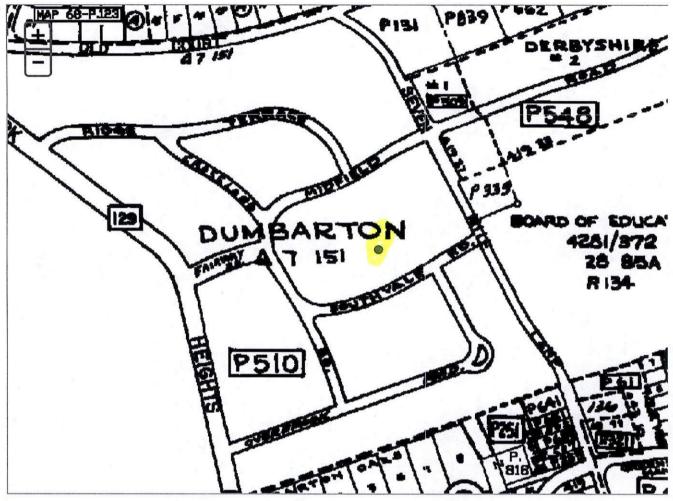
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Land			0.17			01/01/201	4	07/01/	2015	0	7/01/201	6	
Land:	monte		247,4			223,400							
Total:	ments		390,3			306,200		E20 60	20		200 000		
Prefere	ntial La	ınd:	0	637,700 0			529,600		529,600		529,600 0		
		7/			Transfe	er Informat	ion						
Seller: I	UTTON	S STEPH	EN J		Date: 1	2/24/2014			Pr	ice: \$55	0.000		
			IPROVED			1: /35691/ 00064			Deed2:				
Seller: I	иотти	S STEPH	EN J		Date: 1	1/01/2010				ice: \$0			
			TH OTHER			/30071/ 00	253			ed2:			
					ate: 03/06/2003			Price: \$0					
Type: N	ON-AR	MS LENG	TH OTHER			/17631/ 00	335			ed2:			
					Exempti	on Informa	ition						
Partial Ex Assessm	empt		Class		T T T T T T T T T T T T T T T T T T T		7/01/2015			07/01/2	016		
County:			000				.00						
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			000		C'		.00 0.00			0.00 0.0	U		
Tax Exe Exempt					NONE	I Tax Reca							
				Homo	otood An	plication I							

Baltimore County

New Search (http://sdat.dat.maryland.gov/RealProperty)

District: 03 Account Number: 0319044500

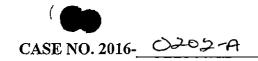


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (http://www.plats.net).

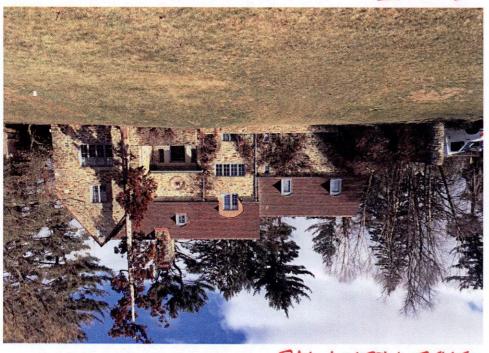
Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).



CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
3-15	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	50
3-17	DEPS (if not received, date e-mail sent)	NC
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
3-21	STATE HIGHWAY ADMINISTRATION	No objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLA	ATION (Case No	
PRIOR ZONING	G (Case No.	
SIGN POSTING		by o'kage
V.m.	ex for likeurs 3rm 3/29	
•	JNSEL APPEARANCE Yes I No I	
Comments, if an	y: Sp. to June Wis nom- Sign po	3/29 2:55

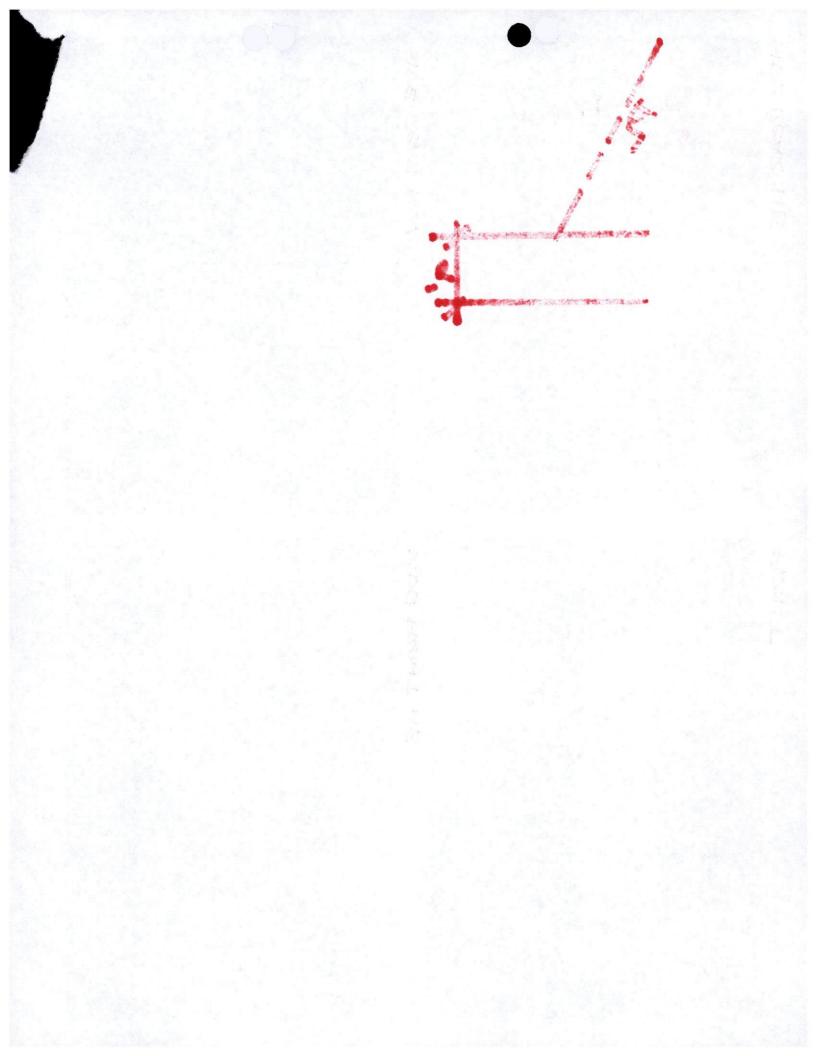


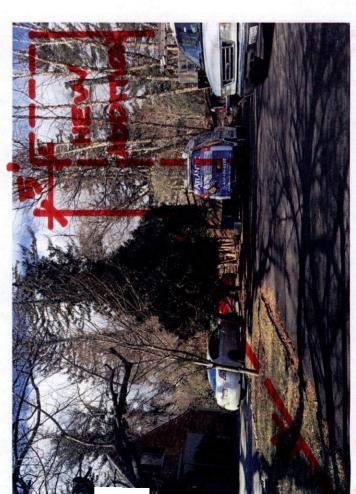
SIDE FRONT HE



SIDE DEAR HAY

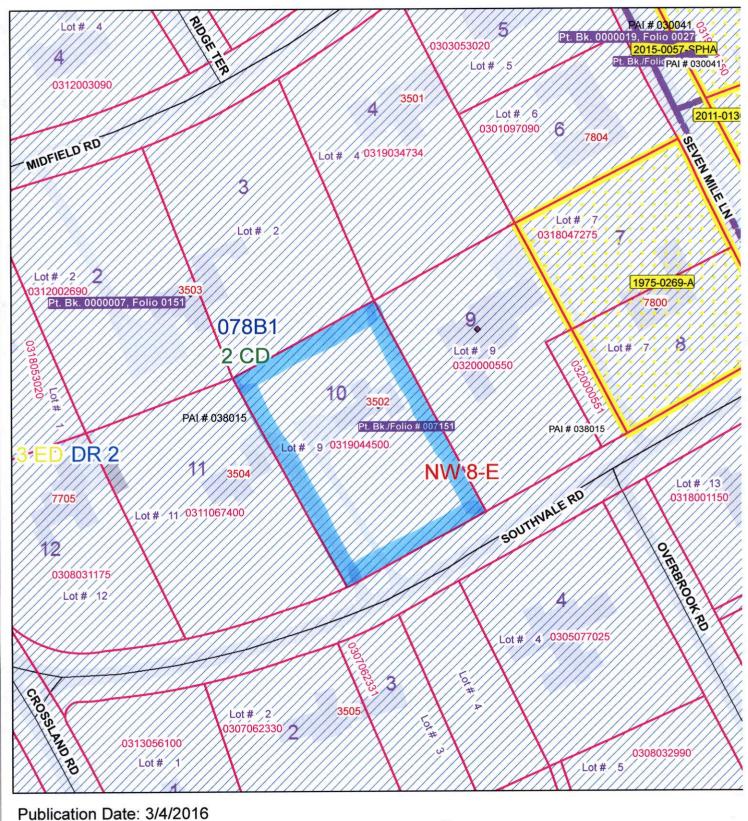






SIDE FRONT HW

3502 Southvale Road 201o-0202-A





Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot



