

M E M O R A N D U M

DATE: June 28, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0266-A – Appeal Period Expired

The appeal period for the above-referenced case expired on June 27, 2016. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE *
(106 Maryland Avenue)
9th Election District *
5th Council District *
Thomas Schaffer and Paul Gregory *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2016-0266-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Thomas Schaffer and Paul Gregory. The Petitioners are requesting Variance relief from § 104.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed rear addition, which is more than 25% of the ground floor area of an existing nonconforming dwelling with side yard setbacks of 8 ft. and 4.5 ft. in lieu of the required 10 ft. and 7.5 ft. respectively. 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. However, a letter was received from the Towson Manor Village Community Association dated May 20, 2016. The Association indicated it was aware of the zoning request and it identified certain concerns with the proposal. The Order below will include conditions to address the Association's concerns.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 6, 2016, and there being no request for a public hearing, a decision

shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 5-27-16

By DW

Though not entirely clear from the file, the existing single family dwelling (which was constructed in 1942, before the adoption of the B.C.Z.R.) is identified as "nonconforming" due to the fact the side yard setbacks are not in compliance with current requirements. The proposed rear addition would according to the plan have the same or slightly larger side yard setbacks. Zoning relief is required because Petitioners seek to enlarge the dwelling by more than 25% of the ground floor area of an existing nonconforming structure, a limitation set forth at B.C.Z.R. § 104.3.

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 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 27th day of **May, 2016**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 104.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed rear addition which is more than 25% of the ground floor area of an existing nonconforming dwelling with side yard setbacks of 8 ft. and 4.5 ft. in lieu of the required 10 ft. and 7.5 ft. respectively, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 5-27-16

By DW

The relief granted herein shall be subject to the following:

1. 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.
2. The property must be used as a single family dwelling and may not be converted into multi-family unit housing, pursuant to B.C.Z.R. § 402.1.
3. Prior to issuance of permits, Petitioners must submit for approval by the DOP elevation drawings of the proposed dwelling to ensure the design and materials used are consistent with the existing structure and those in the community.

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

JEB:dlw


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 5-27-16

By DLW



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 106 MARYLAND AVE Currently zoned DR 5.5
 Deed Reference 37188 100301 10 Digit Tax Account # 0901850030
 Owner(s) Printed Name(s) THOMAS SHAFFER, PAUL GREGORY

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ADMINISTRATIVE VARIANCE from Section(s) Pursuant to Section 104.3 of BCZR, to permit a proposed rear addition, which is more than 25 % of the ground floor area of an existing nonconforming dwelling, with a side yard setbacks of 8 and 4.5 feet in lieu of the required 10 and 7.5 feet respectively.

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

2. ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

THOMAS SHAFFER / PAUL GREGORY
 Name #1 – Type or Print Name #2 – Type or Print
Thomas J. Shaffer / Paul Gregory
 Signature #1 Signature #2
106 MARYLAND AVE, TOWSON MD
 Mailing Address City State
21286 / 443-564-9160 / HEY.YOU.OVER.THERE@VERIZON.NET
 Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

Representative to be contacted:

THOMAS SHAFFER
 Name – Type or Print
Thomas J. Shaffer
 Signature
106 MARYLAND AVE, TOWSON MD
 Mailing Address City State
21286 / 443-564-9160 / HEY.YOU.OVER.THERE@VERIZON.NET
 Zip Code Telephone # Email Address

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

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0266-A Filing Date 4/29/16 Estimated Posting Date 5/8/16 Reviewer AT

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: 106 Maryland Ave Towson MD 21286
Print or Type Address of property City State Zip Code

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

Mr. Gregory who is 90 now finds it increasingly harder to manage going up the stairs to reach his bedroom and bathroom which are located on the 2nd story of the house. Once downstairs, he effectively remains there until bedtime to avoid using the stairs to the extent possible. The proposed addition allows him a bedroom and a bathroom (wheel chair friendly if it comes to that) which allows him to continue to live in his house without the danger of falling down the stairs. Already dependent on a walker, using the stairs presents a large daily risk that is effectively removed by making an addition that allows 1-story living. The kitchen is also being enlarged to allow access by walker and add much needed counterspace which is currently not there. Two people and a walker cannot be in the very small kitchen given the current dimensions which present other dangers due to the confined space and often hot items.

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

Thomas J. Shaffer
Signature of Owner (Affiant)

THOMAS J. SHAFFER
Name- Print or Type

Paul E. Gregory
Signature of Owner (Affiant)

PAUL E. GREGORY
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16 day of APRIL, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Thomas J. Shaffer & Paul E. Gregory

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public
11/14/19
My Commission Expires

Angel Marie Reichhelm
Notary Public, City of Baltimore, MD
My Commission Expires 11/14/19

REV. 5/8/2014

Affidavit in Support of Administrative Variance

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

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

Thomas J. Shaffer
Signature of Owner (Affiant)

THOMAS J. SHAFFER
Name- Print or Type

Paul E. Gregory
Signature of Owner (Affiant)

PAUL E. GREGORY
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16 day of APRIL, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Thomas J. Shaffer & Paul E. Gregory

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

My Commission Expires 11/14/19

Angel Marie Reichhelm
Notary Public, City of Baltimore, MD
My Commission Expires 11/14/19

REV. 5/8/2014



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 106 MARYLAND AVE

Currently zoned DRS-5

Deed Reference 37188# 100301

10 Digit Tax Account # 0901850030

Owner(s) Printed Name(s) THOMAS SHAFFER, PAUL GREGORY

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ADMINISTRATIVE VARIANCE from Section(s) Pursuant to Section 104.3 of BCZR, to permit a proposed rear addition, which is more than 25 % of the ground floor area of an existing nonconforming dwelling, with a side yard setbacks of 8 and 4.5 feet in lieu of the required 10 and 7.5 feet respectively.

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

2. ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

THOMAS SHAFFER, PAUL GREGORY
Name #1 – Type or Print Name #2 – Type or Print

Thomas J. Shaffer, Paul E. Gregory
Signature #1 Signature #2

106 MARYLAND AVE, TOWSON MD
Mailing Address City State

21286, 443-564-9160, hey-you-over.there@verizon.net
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

Date

Zip Code

Telephone #

Email Address

Representative to be contacted:

THOMAS SHAFFER
Name – Type or Print

Thomas J. Shaffer
Signature

106 MARYLAND AVE, TOWSON MD
Mailing Address City State

21286, 443-564-9160, hey-you-over.there@verizon.net
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 5 day of May, 2016, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2016-0266-A

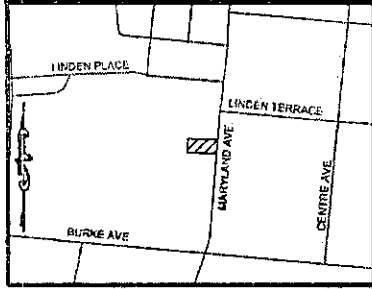
Filing Date 4/29/16

Estimated Posting Date 5/8/16

Reviewer AT

~ 5/23/16

Rev 5/8/2014



Zoning property description for 106 Maryland Ave 106 MARYLAND AVENUE, TOWSON, MARYLAND 21286

Beginning at a point on the northwest side of Maryland Avenue, which is 50 feet wide at the distance of 170 feet from the centerline of Linden Place which is 50 feet wide.

Thence the following courses and distances: (1st Point of Call – "POC") S 85° 06' 51" E (140.00 feet), (2nd POC) N 05° 19' 09" E (46.00 feet), (3rd POC) N 85° 06' 51" W (140.00 feet), (4th PC) S 05° 19' 09" W (46.00 feet), back to the point of beginning as recorded in Deed Liber (37188), Folio (00301), containing 6,440 SF. Located in the 9th Election District and 5th Council District.

2016-0266-A

CERTIFICATE OF POSTING

CERTIFICATE OF POSTING

CASE NO: 2016-0266-A

PETITIONER/DEVELOPER

THOMAS SHAFER

DATE OF HEARING/CLOSING:

5/23/16

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 _____

106 MARYLAND AVENUE

THIS SIGN(S) WERE POSTED ON _____
(MONTH, DAY, YEAR)

5/4/16

SINCERELY,

 5/4/16
SIGNATURE OF SIGN POSTER AND DATE:

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

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2016-0266-A

PURSUANT TO SECTION 104.3 OF BALTIMORE COUNTY ZONING REGULATIONS, TO PERMIT A PROPOSED REAR ADDITION, WHICH IS MORE THAN 25% OF THE GROUND FLOOR AREA OF AN EXISTING NONCONFORMING DWELLING, WITH A SIDE YARD SETBACKS OF 8 AND 4.5 FEET IN LIEU OF THE REQUIRED 10 AND 7.5 FEET RESPECTIVELY.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON MONDAY, MAY 23, 2016. ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE. UNDER PENALTY OF LAW.
MEETING IS HANDICAP ACCESSIBLE

made 5/6/16

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0266 -A Address 106 Maryland Avenue

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 04/29/2016 Posting Date: 5/8/16 Closing Date: 05/23/16

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

1. **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. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **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- 0266 -A Address 106 Maryland Avenue

Petitioner's Name Thomas Shaffer Telephone 443-564-9160

Posting Date: 5/08/16 Closing Date: 05/23/16

Wording for Sign: Pursuant to Section 104.3 of Baltimore County Zoning Regulations, to permit a proposed rear addition, which is more than 25% of the ground floor area of an existing nonconforming dwelling, with a side yard setbacks of 8 and 4.5 feet in lieu of the required 10 and 7.5 feet respectively.

Revised 3/01/16

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

No. 139236

Date: 4/29/16

PAID RECEIPT

BUSINESS ACTUAL TIME DRD
4/29/2016 4/29/2016 12:01:42 1

REC WSL WALKIN LEAS LJO
X RECEIPT # 850036 4/29/2016 OFLN
Dept 5 520 BOND VERIFICATION
NO. 139236

Receipt Tot \$75.00
\$75.00 CK 1.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$75-

Total: \$75-

Rec From:

THOMAS SHAFFER

For:

106 MARYLAND AVE

2016-0266-A

DISTRIBUTION

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

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

May 24, 2016

Thomas Shaffer
Paul Gregory
106 Maryland Avenue
Towson MD 21286

RE: Case Number: 2016-0266 A, Address: 106 Maryland Avenue

Dear Messrs. Shaffer and Gregory:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 29, 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

TO wcn

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 19, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For May 9, 2016
Item No. 2016-0259, 0260, 0263, 0264, 0265, 0266 and 0268

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

RECEIVED

MAY 26 2016

OFFICE OF ADMINISTRATIVE HEARINGS

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC05092016.doc

5-23
Closing

BALTIMORE COUNTY, MARYLAND

RECEIVED

MAY 10 2016

Inter-Office Correspondence

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: May 9, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0266-A
Address 106 Maryland Avenue
(Schaffer & Gregory Property)

Zoning Advisory Committee Meeting of May 9, 2016.

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

Reviewer: Steve Ford

Date: 05-09-2016

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



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

Date: 5/5/16

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. 2016-0266-A

Administrative Variances
Thomas Schaffer & Paul Gregory
106 Maryland 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,

A handwritten signature in blue ink, appearing to read 'Wendy Wolcott'.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: May 9, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0266-A
Address 106 Maryland Avenue
(Schaffer & Gregory Property)

Zoning Advisory Committee Meeting of May 9, 2016.

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

Reviewer: Steve Ford

Date: 05-09-2016

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0901850030			
Owner Information					
Owner Name:		SHAFFER THOMAS J GREGORY PAUL E		Use:	RESIDENTIAL
Mailing Address:		106 MARYLAND AVE BALTIMORE MD 21286-5204		Principal Residence:	YES
				Deed Reference:	/37188/ 00301
Location & Structure Information					
Premises Address:		106 MARYLAND AVE 0-0000		Legal Description:	LT WS MARYLAND AV AND IMPROVEMENTS 263 N BURKE AV
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0070	0014	0726		0000	
				Assessment Year:	Plat No: Plat Ref:
				2014	
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area		Property Land Area
1942	1,098 SF				6,440 SF
County Use					
04					
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	BRICK	1 full	1 Detached
Last Major Renovation					
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		108,400	92,200		
Improvements		127,000	115,900		
Total:		235,400	208,100	208,100	208,100
Preferential Land:		0			0
Transfer Information					
Seller: GREGORY PAUL E		Date: 02/18/2016		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /37188/ 00301		Deed2:	
Seller: ASKEW CHARLES R		Date: 03/27/1997		Price: \$125,750	
Type: ARMS LENGTH IMPROVED		Deed1: /12101/ 00131		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 04/30/2008					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

2016-0266-A

A-6650-6105

Towson Manor Village Community Association

Joe La Bella, President

Jack Weller, Treasurer

Francis Sanzaro, Secretary

Shelley Brockway, VP Membership

Tim Anderson, VP Zoning

20 Linden Terrace, Towson, MD 21286 * towsonmanorvillage@gmail.com

RE: Case No. 2016-0266-A

20 May 2016

Dear Honorable Judge Beverungen:

This letter is on behalf of the Towson Manor Village Community Association.

The Towson Manor Village Community Association is aware of the zoning variance request to permit a proposed rear addition, which is more than 25% of the ground floor area of an existing non-conforming dwelling, with a side yard setbacks of 8 and 4.5 feet in lieu of the required 10 and 7.5 feet respectively. Our position is as follows:

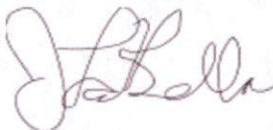
- We currently have no opposition to the zoning variance as long as the use of the dwelling will continue to be used as a single unit and not subdivided into multiple separate dwelling units. At this time, our understanding is that this addition will provide additional living quarters for the owner of the property.
- Plans for the planned addition have not been shared with the Towson Manor Village Community Association by the owner of the property, so we do not have a position on the actual implementation of the addition.
- Residents have expressed concern about the amount of the property that will be occupied by the addition in relation to surrounding residences, as well as how this addition will fit within the general aesthetic of the community. We want to ensure that this addition will allow the owner of the property to achieve his goal of increasing dwelling space without dramatically altering the quality and character of this portion of Towson Manor Village.

Towson Manor Village is a residential community, and the unit at 106 Linden Avenue is part of a group of single family homes that is reflective of much of the central region of the Towson Manor Village community. The vast majority of units within Towson Manor Village - single family, duplex, and rowhomes - are single occupancy dwellings, and this quality is vital in preserving the character of this community.

We ask you to strongly consider our position and issue a ruling that ensures continuity with the character of the Towson Manor Village community.

Thank you for your consideration and service to Baltimore County. Please feel free to contact me for any additional information on our position.

Sincerely,



Joe La Bella

Towson Manor Village Community Association, President
Baltimore County 5th District Citizen of the Year, 2015

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment5-26

DEVELOPMENT PLANS REVIEW

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

NC5-9

DEPS

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

NC

FIRE DEPARTMENT

PLANNING

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

5-5

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

5-20~~5-20~~

COMMUNITY ASSOCIATION

No opposition...
if Comments

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 5-6-16by Ogle

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

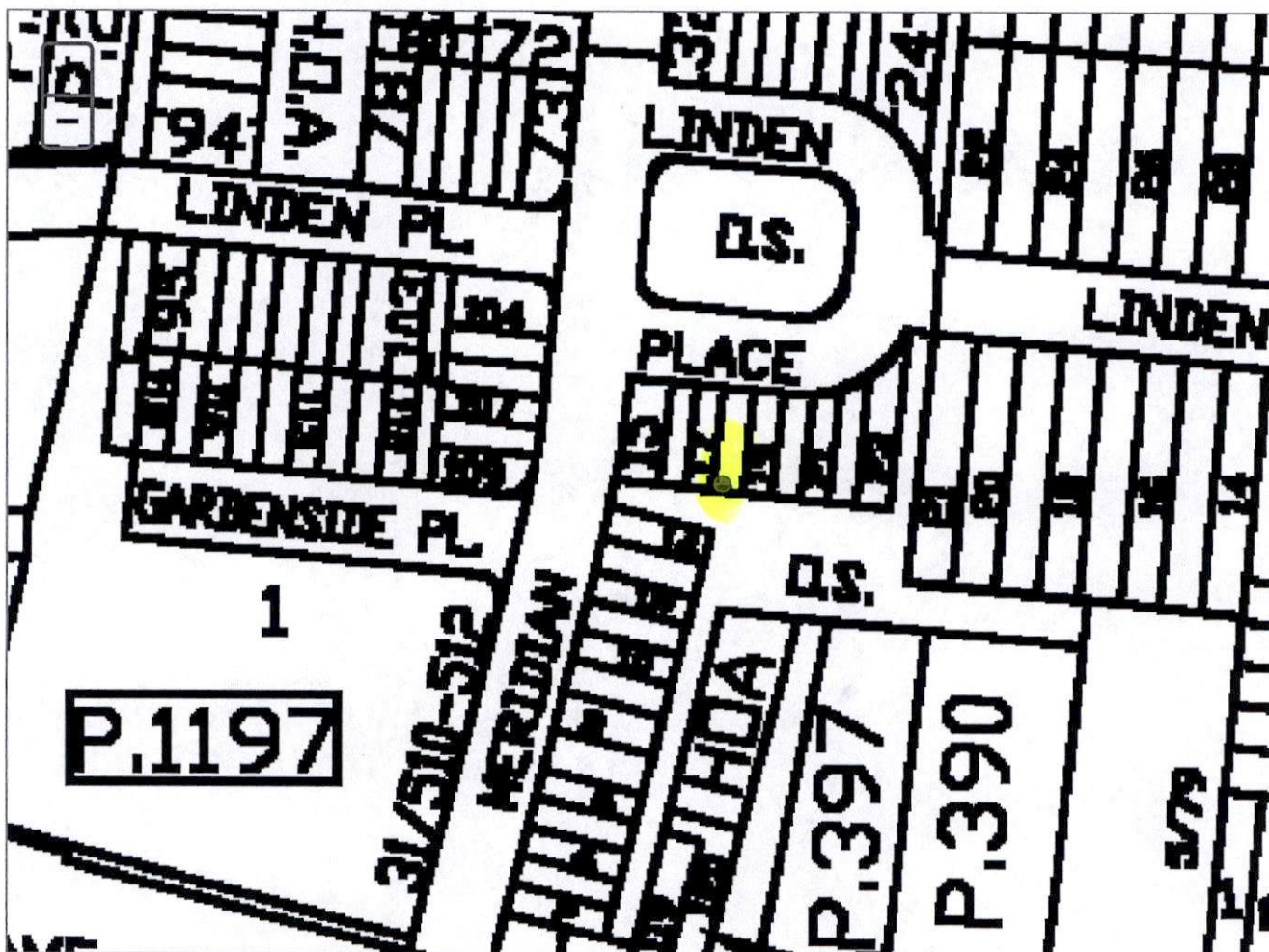
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0901850030			
Owner Information					
Owner Name:	SHAFFER THOMAS J GREGORY PAUL E		Use:	RESIDENTIAL	
Mailing Address:	106 MARYLAND AVE BALTIMORE MD 21286-5204		Principal Residence:	YES	
			Deed Reference:	/37188/ 00301	
Location & Structure Information					
Premises Address:		106 MARYLAND AVE 0-0000		Legal Description:	LT WS MARYLAND AV AND IMPROVEMENTS 263 N BURKE AV
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0070	0014	0726		0000	
				Assessment Year:	Plat No: Plat Ref:
				2014	
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area		Finished Basement Area	Property Land Area	County Use
1942	1,098 SF			6,440 SF	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	BRICK	1 full	1 Detached
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		108,400	92,200		
Improvements		127,000	115,900		
Total:		235,400	208,100	208,100	208,100
Preferential Land:		0			0
Transfer Information					
Seller: GREGORY PAUL E		Date: 02/18/2016		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /37188/ 00301		Deed2:	
Seller: ASKEW CHARLES R		Date: 03/27/1997		Price: \$125,750	
Type: ARMS LENGTH IMPROVED		Deed1: /12101/ 00131		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 04/30/2008					

Baltimore County

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

District: 09 Account Number: 0901850030

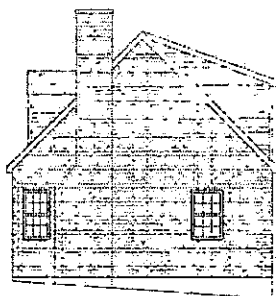


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

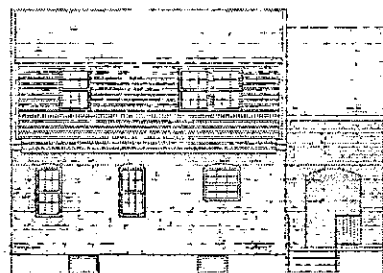
If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

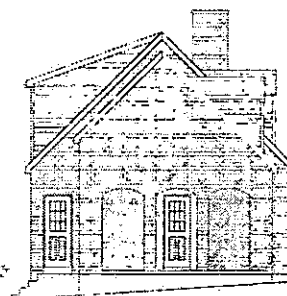
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



1. EXISTING RIGHT ELEVATION
1/8" = 1'-0"



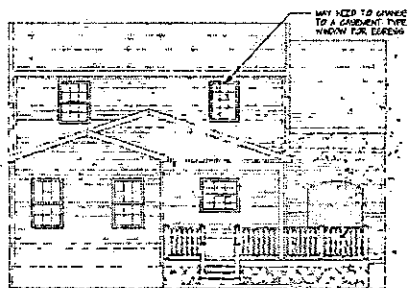
2. EXISTING REAR ELEVATION
1/8" = 1'-0"



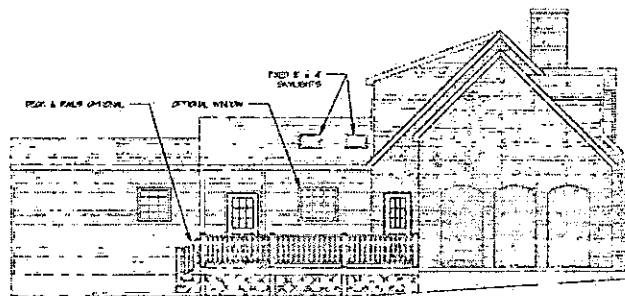
3. EXISTING LEFT ELEVATION
1/8" = 1'-0"



4. EXISTING FRONT ELEVATION
1/8" = 1'-0"



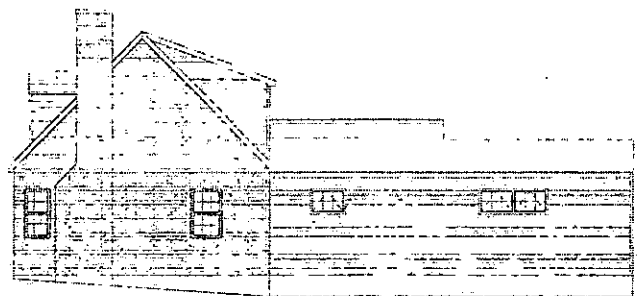
5. PROPOSED REAR ELEVATION
1/8" = 1'-0"



6. PROPOSED LEFT ELEVATION
1/8" = 1'-0"



7. PROPOSED FRONT ELEVATION
1/8" = 1'-0"



8. PROPOSED RIGHT ELEVATION
1/8" = 1'-0"

BROTHERS SERVICES COMPANY
Maryland's Trusted Name In Roofing and Remodeling

REVISIONS

BROTHERS SERVICES COMPANY
106 MARYLAND AVE
TOWSON, MD 21286

111 HANOVER PIKE
HANFSTEAD, MD 21074

DATE: 09-24-16
DRAWN BY: DRC
PROJECT: 12005

☒ REVIEW
☐ NO
☐ PERMIT

SHEET TITLE
ELEVATIONS

SHEET: BA

Brothers Services Company reserves its common law copyright, infringement and other property rights in these plans and designs. These plans and designs are not to be changed or duplicated in any manner whatsoever, nor are they to be assigned to a third party without the express written permission of Brothers Services Company. No other persons but Brothers Services Company may use these plans and designs for any purpose other than in connection with or to show the intent of this specific project. Permitted uses, e to be obtained only by expressed written permission from Brothers Services Company.

2016-0266-A

WILDEN DR

0911156320

0913209

Lot # 17

Lot # 18
0913209560

NE 10-A

LINDEN TER

22
Lot # 22

23
Lot # 22

24
Lot # 22

0915004040

102
Lot # 22

Lot # 22

LINDEN TER

PAI # 098121

Pt. Bk./Folio # 005079

PAI # 098121

101

103

21
Lot # 20

20
Lot # 20

19
Lot # 18

18
Lot # 18

0913008520
Pt. Bk. 0000005, Folio 0079

0902200390

Lot # 20

Lot # 20

Lot # 18

Lot # 18

DR 5.5

9 ED
5 CD

Issue # 5-099
(No Development Allowed)

0906202563

070A2

0901850030

NE 9-A

106

104

1976-0165-X
1955-3483-X
1959-4804-A

0904204320

0913754420

Pt. Bk. 0000005, Folio 0077

102

100

Lot # X

0907291950

0906350420

0906202562

0906202560

0901740190

44

46

48

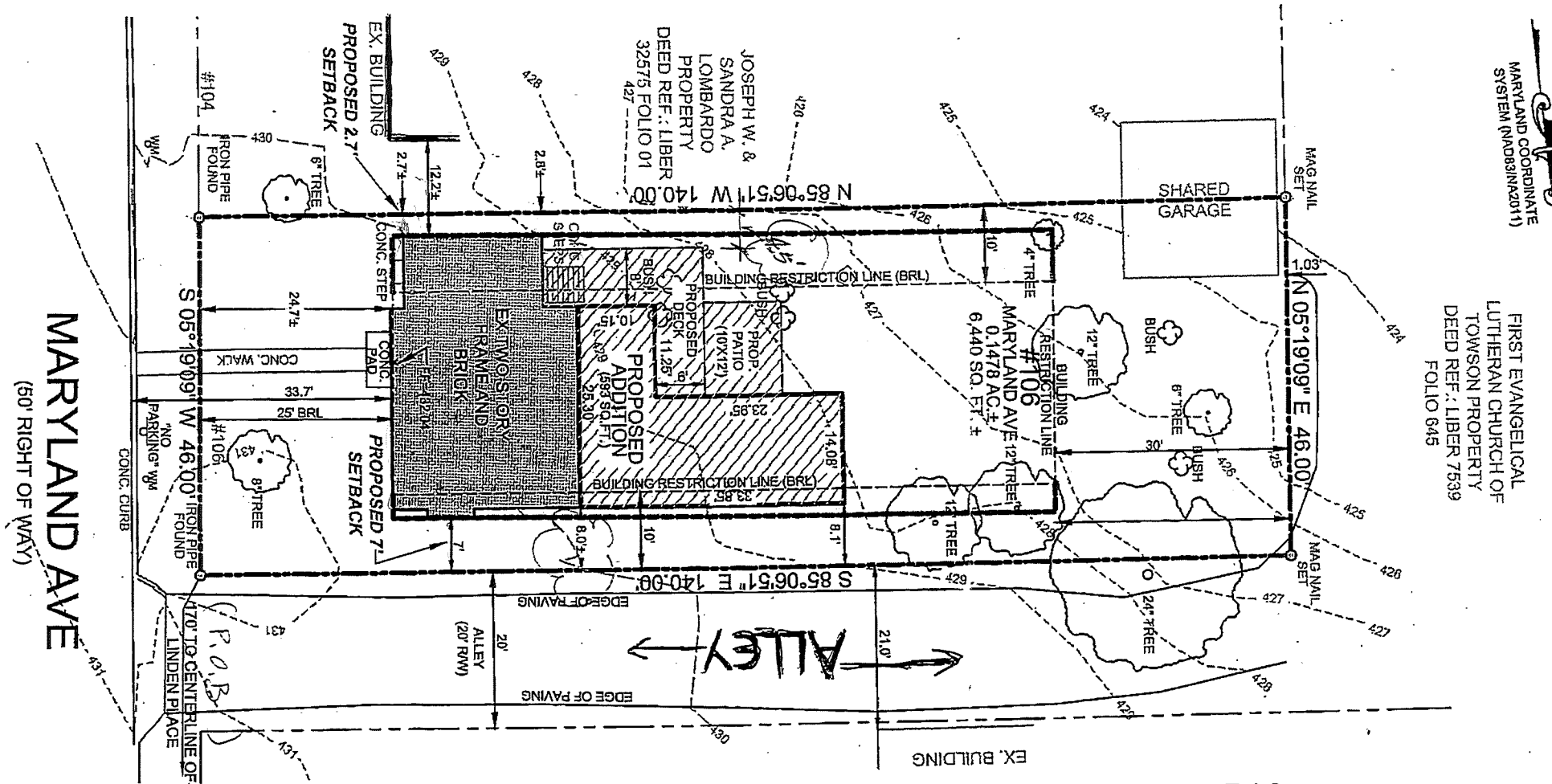
MARYLAND AVE

Lot # 91
1988-0260-A 0903471361

100

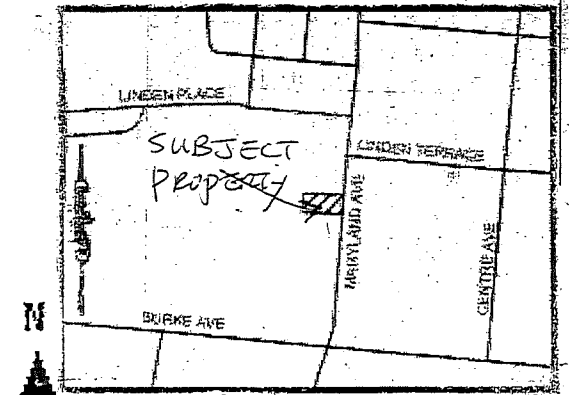
2016-0266-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 106 MARYLAND AVE OWNER(S) NAME(S) THOMAS SHAFFER, PAUL GREGORY
SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____
PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 0901850030 DEED REF. # 37188/00301



PLAN DRAWN BY THOMAS SHAFFER DATE 4/29/2016 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 070A2

SITE ZONED DR 5.5

ELECTION DISTRICT 9

COUNCIL DISTRICT 5

LOT AREA ACREAGE 0.1478

OR SQUARE FEET 6440

HISTORIC? NO

IN CEGA? NO

IN FLOOD PLAIN ? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ~~X~~ PRIVATE

SEWER IS:

PUBLIC ~~X~~ PRIVATE

PRIOR HEARING ?

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

NO

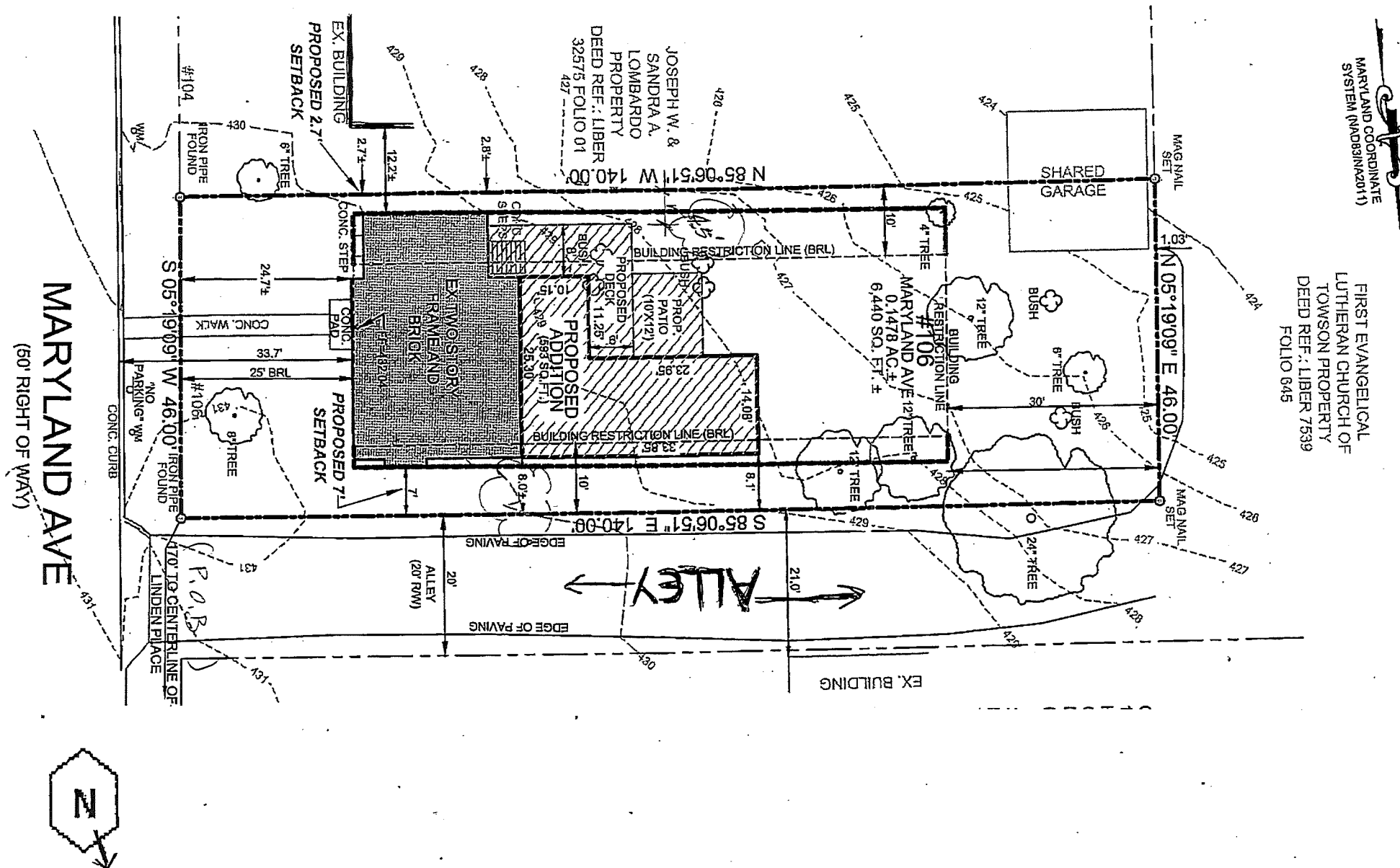
VIOLATION CASE INFO:

N^o

2016-0266-A

Pet.
Exch.
1

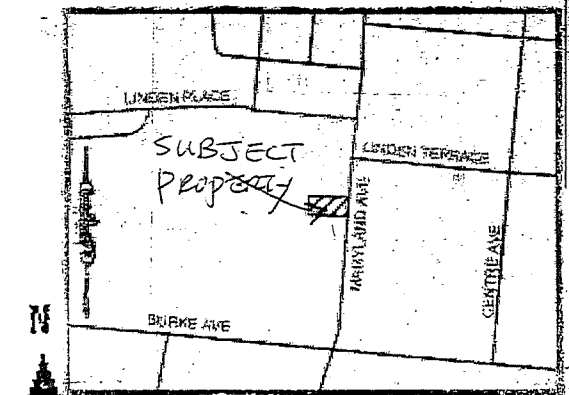
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 ADDRESS 106 MARYLAND AVE OWNER(S) NAME(S) THOMAS SHAFFER, PAUL GREGORY
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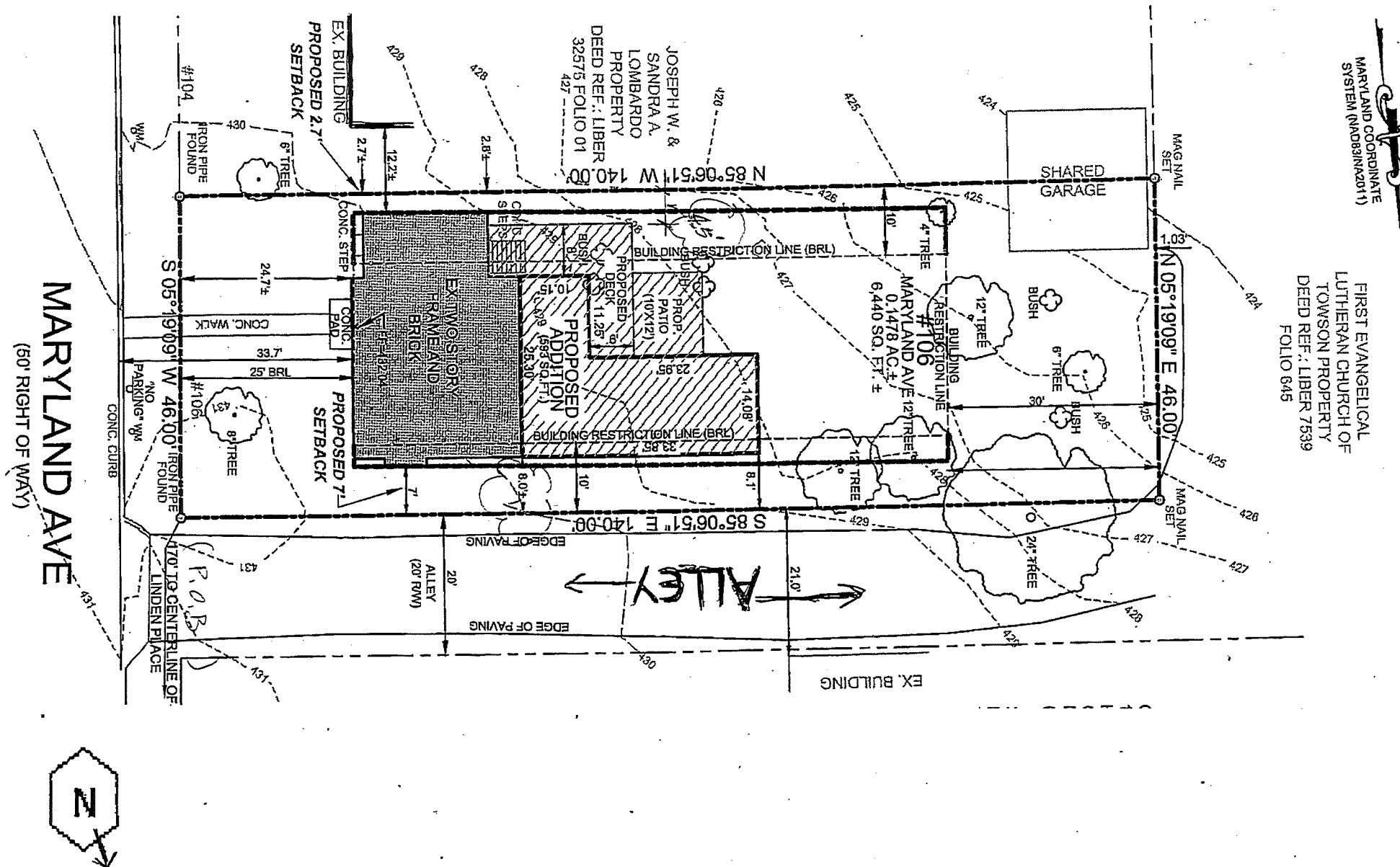
NO

VIOLATION CASE INFO:

NO

2016-0266-A

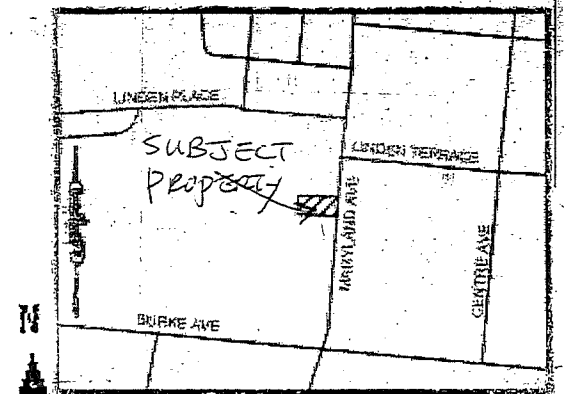
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