IN RE: PETITION FOR SPECIAL HEARING

•

BEFORE THE

(8 Shipley Avenue)

\*

1<sup>st</sup> Election District
1<sup>st</sup> Council District

OFFICE OF

St. Ambrose Housing Aid Center, Inc.

ADMINISTRATIVE HEARINGS

Legal Owner
Petitioner

FOR BALTIMORE COUNTY

Case No. 2018-0113-SPH

\* \* \* \* \* \*

#### **OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of St. Ambrose Housing Aid Center, legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the amendment of the boundary of an existing undersized lot.

David Sann, Kevin O'Reilly and surveyor Bruce Doak appeared in support of the petition. Gary Brooks, Esq. represented Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). Neither agency opposed the request. A site plan was marked and admitted as Petitioner's Exhibit 2.

This zoning case was combined for hearing with No. 2018-0114-SPHA, which concerns the adjoining property at 10 Shipley Avenue. One set of exhibits pertaining to both cases is included in the file for Case No. 2018-0113-SPH. The properties at 8 & 10 Shipley Avenue (situated on Lot Nos. 59 & 60) are improved with a duplex home constructed in 1908. Lot 58, which is only tangentially involved, is improved with a single-family dwelling, and no improvements or alterations of that structure are proposed, although that lot would be reduced in

Date 15/18

By \_\_\_\_\_\_\_

size to accommodate the enlargement of Lot Nos. 59 & 60. Petitioner proposes to construct a 2-story addition at the rear of the duplex, and doing so requires amendment of Lots 58, 59 & 60 as shown on the 1923 plat of Winters Heights. All three lots are owned by Petitioner and are zoned DR 5.5.

According to the site plan Lot 60 is approximately 4,579 sq. ft.in size, Lot 59 is 3,516 sq. ft., and Lot 58 is 8,325 sq. ft. Petitioner proposes to adjust the lot lines so that each unit of the duplex would be situated on its own lot. Lot 60 (known as 8 Shipley Ave.) would increase in size from 4,579 sq. ft. to 5,791 sq. ft. The duplex dwelling at 8 & 10 Shipley Ave. is nonconforming, and the requested relief will in no way have a detrimental impact upon the community. As discussed at the hearing Petitioner will need to obtain approval from Baltimore County for a lot line adjustment, which would enable new metes and bounds descriptions to be prepared for all three of these lots.

THEREFORE, IT IS ORDERED this 5th day of January, 2018 by this Administrative Law Judge, that the Petition for Special Hearing to approve the amendment of the boundary of an existing undersized lot, shown as Lot 60 on the highlighted site plan admitted as Petitioner's Ex. No. 2, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.
- 2. Prior to issuance of permit(s) Petitioner must obtain approval from Baltimore County for a lot line adjustment concerning Lots 58, 59 and 60 as shown on the plat of Winters Heights.

ORDER I	RECEIVED F	OR FILING
Date	5/18	
By	Mn	·

Any appeal of this decision must be filed 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 1518

Sy american and a second



# PETITION FOR ZONING HEARING(S) To be filed with the Department of Permits, Approvals and Inspections

Address #8 SHIPLEY AVENUE	of Baltimore County for the property located at:
	which is presently zoned & s. 5
Deed References: SM 82/3/677	which is presently zoned ORSS  10 Digit Tax Account # 0 / 1 0 4 5 0 4 7 9
Property Owner(s) Printed Name(s) 57 Am	BROSE HOUSING AID CENTER, LUC.
(SELECT THE HEARING(S) BY MARKING $\underline{\mathbf{X}}$ AT THE APPROPRIATE THE APPROPRIATE CONTRACTOR OF TH	PRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)
	n Baltimore County and which is described in the description ade a part hereof, hereby petition for:
1 v a Special Hearing under Section 500.7 of the Zon	ing Regulations of Baltimore County, to determine whether
or not the Zoning Commissioner should approve	•
THE AMENDMENT OF TH	E BOUNDARY OF ANEXISTING UNDERSIZED LOT
2 a Special Expension under the Zening Regulation	s of Baltimore County to use the herein described property for
z a Special Exception under the Zonning Regulation	s of Baltimore County to use the herein described property for
	-
a Variance from Section(s)	
of the zoning regulations of Baltimore County, to the	zoning law of Baltimore County, for the following reasons:
	or indicate below "TO BE PRESENTED AT HEARING". If
you need additional space, you may add an attachm	ent to this petition)
TO BE PA	RESENTED AT THE HEARING
	EXTENSION OF SERVICE PROPERTY CONTRACTOR
Property is to be posted and advertised as prescribed by the zoning regu	ulations.
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
I, or we, agree to pay expenses of above petition(s), advertising, posting, and restrictions of Baltimore County adopted pursuant to the zoning law Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, u	, etc. and further agree to and are to be bounded by the zoning regulations
I, or we, agree to pay expenses of above petition(s), advertising, posting, and restrictions of Baltimore County adopted pursuant to the zoning law	, etc. and further agree to and are to be bounded by the zoning regulations for Baltimore County.
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I, or we, agree to pay expenses of above petition(s), advertising, posting, and restrictions of Baltimore County adopted pursuant to the zoning law Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, which is the subject of this / these Petition(s).  Contract Purchaser/Lessee:	Legal Owners (Petitioners):  ST. AMBROSE HOUSING Are Certar, Inc.  Name #1 - Type or Print  Name #2 - Type or Print  Signature #1  Signature #2  Signature #2
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CASE NUMBER 2018-0113-5P4 Filing Date 10/23/17 Do Not Schedule Dates:

## Brue : Doak Consulting, LLC

Freeland, MD 21053 o 443-900-5535 m 410-419-4906 bdoak@bruceedoakconsulting.com

#### **Zoning Description**

#8 Shipley Avenue
First Election District First Councilmanic District
Baltimore County, Maryland

Beginning at a point on the north side of Shipley Avenue (30 feet wide), 270 feet, more or less, from the east side of Winters Lane.

Being part of Lot 59 and all of Lot 60 as shown on the plat entitled "Winter's Heights" dated December 1923 and recorded in the land records of Baltimore County in Plat Book 7/ 144.

Containing 5,791 square feet of land, more or less, as proposed to be amended.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.





Land Use Expert and Surveyor



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001 tel: 410/332-6000 800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5290194

#### Sold To:

St. Ambrose Housing Aid Center, Inc. - CU00627313 321 E 25th St Baltimore, MD 21218-5303

#### Bill To:

St. Ambrose Housing Aid Center, Inc. - CU00627313 321 E 25th St Baltimore, MD 21218-5303

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Nov 09, 2017

#### 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: # 2018-0113-SPH
Schiplay Avenue

As Shipley Avenue

N/s Shipley Avenue, east 270 ft. to the centerline of Winters Lane

1st Election District - 1st Councilmanic District Legal Owner(s) St. Ambrose Housing Aid Center, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the amendment of the boundary of an existing undersized lot. Hearing: Friday, December 1, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204 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.

11-072 November 9

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising



501 N. Calvert St., P.O. Box 1377 Baltimore, Maryland 21278-0001 tel: 410/332-6000 800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5338515

#### Sold To:

St Ambrose Housing Aid Center Inc - CU00631128 321 E 25th St Baltimore, MD 21218-5303

#### Bill To:

St Ambrose Housing Aid Center Inc - CU00631128 321 E 25th St Baltimore, MD 21218-5303

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 12, 2017

#### 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: # 2018-0113-SPH

8 Shipley Avenue, east 270 ft. to the centerline of Winters Lane

1st Election District - 1st Councilmanic District
Legal Owner(s) St. Ambrose Housing Aid Center, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the amendment of the boundary of an existing undersized lot.
Hearing: Tuesday, January 2, 2018 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.

JT 12/637 December 12

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising



3801 Baker Schoolhouse Road Freeland, MD 21053 o 443-900-5535 m 410-419-4906 bdoak@bruceedoakconsulting.com

#### CERTIFICATE OF POSTING

December 12, 2017

Re:

Zoning Case No. 2018-0113-SPH

Legal Owner: St Ambrose Housing Aid Center, Inc.

Hearing date: January 2, 2018

Baltimore County Department of Permits, Approvals & Inspections County Office Building 111 West Chesapeake Avenue, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen.

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 8 Shipley Avenue.

The sign was posted on December 12, 2017.

Sincerely.

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor



## **ZONING NOTICE**

CASE NO. 2018-0113-SPH

**8 Shipley Avenue** 

A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING 105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: Tuesday January 02, 2018 1:30 PM

SPECIAL HEARING TO DETERMINE WHETHER OR NOT THE ADMINISTRATIVE LAW JUDGE SHOULD APPROVE THE AMENDMENT OF THE BOUNDARY OF AN EXISTING UNDERSIZED LOT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.

CO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE









KEVIN KAMENETZ County Executive

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

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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: 2018-0113-SPH

8 Shipley Avenue

N/s Shipley Avenue, east 270 ft. to the centerline of Winters Lane

1st Election District – 1st Councilmanic District

Legal Owners: St. Ambrose Housing Aid Center, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the amendment of the boundary of an existing undersized lot.

Hearing: Tuesday, January 2, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director

AJ:kl

C: St. Ambrose Housing Aid Center, Inc., 321 E. 25th Street, Baltimore 21218 Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 12, 2017.

- (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

Tuesday, December 12, 2017 Issue - Jeffersonian

Please forward billing to:

St. Ambrose Housing Aid Center, Inc.

410-366-8550

321 E. 25<sup>th</sup> Street Baltimore, MD 21218

Att. David S. Director of Housing Dev.

#### NOTICE OF ZONING HEARING

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CASE NUMBER: 2018-0113-SPH

8 Shipley Avenue

N/s Shipley Avenue, east 270 ft. to the centerline of Winters Lane

1st Election District - 1st Councilmanic District

Legal Owners: St. Ambrose Housing Aid Center, Inc.

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105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive

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

November 2, 2017

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1<sup>st</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owners: St. Ambrose Housing Aid Center, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the amendment of the boundary of an existing undersized lot.

Hearing: Friday, December 1, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

AJ:kl

C: St. Ambrose Housing Aid Center, Inc., 321 E. 25<sup>th</sup> Street, Baltimore 21218 Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., NOVEMBER 11, 2017.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
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KEVIN KAMENETZ County Executive

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

November 2, 2017

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Hearing: Friday, December 1, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

AJ:kl

C: St. Ambrose Housing Aid Center, Inc., 321 E. 25<sup>th</sup> Street, Baltimore 21218 Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., NOVEMBER 11, 2017.

- (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, November 9, 2017 Issue - Jeffersonian

Please forward billing to:

St. Ambrose Housing Aid Center, Inc. 321 E. 25<sup>th</sup> Street
Baltimore. MD 21218

Att. David S. Director of Housing Dev.

410-366-8550

#### **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: 2018-0113-SPH

8 Shipley Avenue

N/s Shipley Avenue, east 270 ft. to the centerline of Winters Lane

1st Election District – 1st Councilmanic District

Legal Owners: St. Ambrose Housing Aid Center, Inc.

Special Hearing to determine whether or not the Administrative Law Judge should approve the amendment of the boundary of an existing undersized lot.

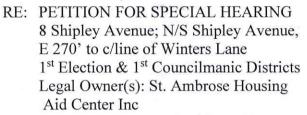
Hearing: Friday, December 1, 2017 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Petitioner(s)

- BEFORE THE OFFICE
- \* OF ADMINSTRATIVE
- \* HEARINGS FOR
- \* BALTIMORE COUNTY
- \* 2018-113-SPH

#### 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.

RECEIVED

NOV 07 2017

Petan Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

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

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 7<sup>th</sup> day of November, 2017, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

# DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Case Number: 2018-0113-SPH Property Address: 8 Shipley Ave
Property Description:
Legal Owners (Petitioners): ST Ambrose Housing Aid Center, Tro
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Address: ST Ambrose Nousing Aid Center, Inc. 321 E 25th Street
Baltiniore, MO 21218 Telephone Number: 410-366-8550
Tolophone Hambon.

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KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

December 28, 2017

St Ambrose Housing Aid Center Inc. 321 E 25<sup>th</sup> Street
Baltimore MD 21218

RE: Case Number: 2018-0113 SPH, Address: #8 Shipley Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 23, 2017. 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
Bruce E Doak Consulting, LLC, 3801 Baker Schoolhouse Road, Freeland MD 21053







STATE HIGHWAY ADMINISTRATION

Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater

Administrator

Date: 11/3/17

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. 2018-0113-SPH

Special Heaving St. Ambrose Housing Aid Center, Inc. 85h.pley 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,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 3, 2017

Department of Permits, Approvals

FROM:

And Inspections

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

**Zoning Advisory Committee Meeting** 

For November 6, 2017 Item No. 2018-0113-SHP

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

A lot line adjustment is needed.

VKD: cen cc: file

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Arnold Jablon

**DATE:** 11/27/2017

Deputy Administrative Officer and

Director of Permits, Approvals and Inspections

FROM:

Andrea Van Arsdale

Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case Number: 18-113

INFORMATION:

Property Address: 8 Shipley Avenue

Petitioner: St. Ambrose Housing Aid Center, Inc.

Zoning: DR 5.5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve the amendment of the boundary of an existing undersized lot.

The Department supports granting the petitioned zoning relief.

The subject properties located within the Winters Lane National Register Historic District. The dwellings at #8 and #10 Shipley Avenue are being renovated and expanded as part of the Winters Lane Housing Rehabilitation Project. The renovations are designed to create quality, larger, more modern homes while maintaining the front facades and overall exterior character of the original buildings. The renovation work will be in compliance with Maryland Historic Trust requirements. Baltimore County is supporting the project with economic development funds. Additional project funding is being provided by the U.S. Department of Housing and Urban Development and the Maryland Department of Housing and Community Development.

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

Prepared by:

Division Chief:

Kathy Schlabach

AVA/KS/LTM/ka

c; Dennis Wertz

Bruce E. Doak, Bruce E. Doak Consulting, LLC

Office of the Administrative Hearings

People's Counsel for Baltimore County

#### **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:

November 1, 2017

SUBJECT:

**DEPS** Comment for Zoning Item

tem # 2018-0113-SPH

Address

8 Shipley Avenue

(St. Ambrose Housing Aid Center,

Inc. Property)

Zoning Advisory Committee Meeting of November 6, 2017.

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

Reviewer:

Steve Ford

Date: 11-1-2017

# 2019-0113-SPH

Case No :	2018	-01	14-	SPHA
Case I to				

Exhibit Sheet

Petitioner/Developer

Protestant

r*************************************		
No. 1	Letter of Support	
No. 2	Site plan	
No. 3	Plat of Winters Heights	
No. 4	DRC Letter ce: lot line adjustment	
No. 5	Plan w/ photos	
No. 6		
No. 7		
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No. 9		
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No. 12		
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1 #8 SHIPLOY ANE
CASE NAME 2015 AMBROSO AVO
CASE NUMBER <u>2018 - 0113 - 5P4</u>
DATE 1/02/18

# PETITIONER'S SIGN-IN SHEET ST. AMBROSE AID

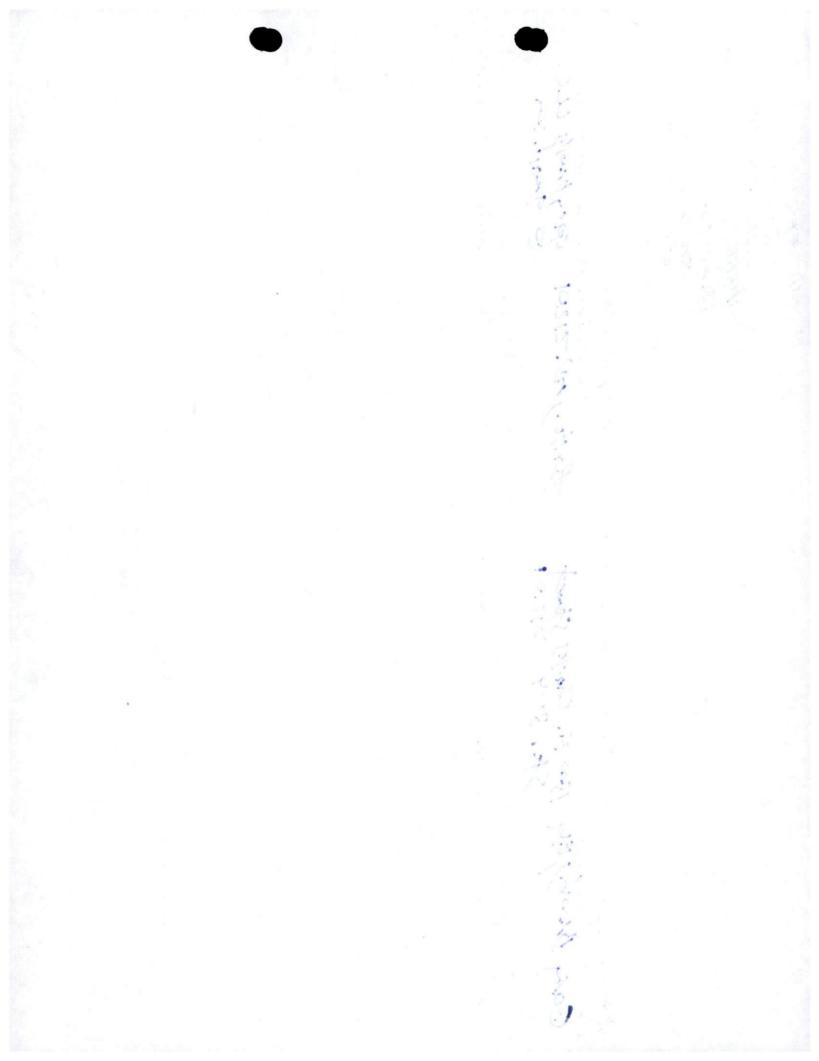
2018-0114- SPHA E-MAIL

NAME

**ADDRESS** 

CITY, STATE, ZIP

BRUCE E. DOAK	3801 BAKER SCHOOLHOUSE ROA	10 FREELAND MO 21053	
NUCE E. DOAK FONSU	4714/4	BROAK @ BRUCE	EDOAKCOUSULTING. COM
Saly Blooks Esq	1800 H. Charles Street	Bato., M. 71201	gary brooks UC
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Serin O'Reily	St. Ambrose HAC 32 EZE	54. Balto Md 21218	Kerin O @ stambas. 0
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RE: PETITION FOR VARIANCE
8 Shipley Avenue; 10 Shipley
Avenue;
1st Election & 1st Councilmanic
Districts. Legal Owner(s):
St. Ambrose Housing Aid
Center, Inc. by David Sann

BEFORE THE OFFICE OF

ADMINISTRATIVE HEARINGS

**FOR** 

**BALTIMORE COUNTY** 

CASE NUMBER(S): 2018-0113-SPH;

\* 2018-0114-SPHA

\* \* \* \* \* \* \*

#### LINE ENTERING APPEARANCE

Dear Ladies and Gentlemen:

Please enter the appearance of GARY M. BROOKS, ESQ. as Counsel for the St. Ambrose Housing Aid Center, Petitioner, for the aforementioned zoning appeals case hearing(s) scheduled for 8 and 10 Shipley Avenue.

LAW OFFICES OF GARY M. BROOKS, LLC

By:

Gary M. Brooks, Esq.

Law Offices of Gary M. Brooks, LLC 1800 N. Charles Street, Suite 304

Baltimore, Maryland 21201

410-385-0206 (office)

410-385-0993 (fax)

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Entry of Appearance was mailed/hand-delivered/faxed/electronically sent, postage prepaid this 210 day of 1474-1, 20 18 to:

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

Gary M. Brooks, Esquire



#### CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
11/3_	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	frommal
11/1	DEPS (if not received, date e-mail sent)	mocomment
	FIRE DEPARTMENT	<u> </u>
<u>11/97</u>	PLANNING (if not received, date e-mail sent)	<u>Comment</u>
11/3	STATE HIGHWAY ADMINISTRATION	no objection
·	TRAFFIC ENGINEERING	<del></del>
<u> </u>	COMMUNITY ASSOCIATION	·
	ADJACENT PROPERTY OWNERS	
ZONING VIOLA	ATION (Case No	
PRIOR ZONING	Case No.	)
NEWSPAPER A	ADVERTISÉMENT Date: 12/12/1	1 by ROOK
	INSEL APPEARANCE Yes No D	·
Comments, if any	y:	
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#### Real Property Data Search

#### Search Result for BALTIMORE COUNTY

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# Concerned Citizens of Catonsville Community Association, Inc. Catonsville, Maryland 21228

To:

Baltimore County Zoning Review

Towson, Maryland

Mr. David Sann

Representative, St. Ambrose Organization\_

From:

Charlotte M. Wood, PhD, MSN, MBA, RN

President, Concerned Citizens of Catonsville Community Association, Inc.

Re:

Case Number: 2018-0019-A: & 2018-0020-A

#### To Whom it May Concern:

In short, St. Ambrose's Winters Lane renovation project consists of 10 houses (5 duplexes) located on Roberts Avenue and Shipley Avenue. All 10 houses will be enlarged and transformed from very small houses to much larger, comfortable 2-bedroom, 1.5 bath homes for affordable rental. The renovation work will likely begin this fall, and last about 9 months in total.

When completed, the project will represent significant investment by the County, State and St. Ambrose in the bright future of our historic, proud community. The residents and citizens of Catonsville surrounding the Winters Lane, Shipley, and Wesley Ave. community would like it to be known that we support and highly recommend that St. Ambrose, owner of the two properties in the cases mentioned above, be provided the requested variance required to renovate, said homes. We are aware that the variance requires an 8-foot set back rather than a 10-foot set back and we are all in agreement that this request be approved.

We have supported St. Ambrose in this initiative and strongly believe that the renovations needed will allow both an improvement in the community and a potential increase in the property value surrounding the properties involved in this zoning case.

 $Your \ thoughtful, kind\ consideration\ is\ greatly\ appreciated\ as\ we\ move\ forward\ to\ improving\ our\ community.$ 

Thereate M. Wood\_ 9/11/17

PETITIONER'S

EXHIBIT NO.



KEVIN KAMENETZ County Executive

August 16, 2017

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

Bruce E. Doak
Bruce B. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053

Re: St. Ambrose Housing Aid, 8, 10, & 12 Shipley Avenue, 21228, Dist. 1c1 DRC Number: `082217-LLA

Dear Sir/Madam:

Pursuant to Section 32-4-106(a)(1) of the <u>Baltimore County Code (BCC)</u>, this letter constitutes an administrative order and decision on the request you filed with this department.

Your request has been submitted for careful review and consideration to the Director and Zoning Office. It has been determined that your proposal:

(cc Pr (a) De	ovisionally meets the requirements of a limited exemption under Section 32-4-106(a)(1)(viii), BCC. onfirm single family uses and #10 & #12 need undersize lot approval – See Section 304, BCZR)
(a)	
□ N	rovisionally meets the requirements of a limited exemption under Section 32-4-106(a)(1)(ii) or 0(1)(v), BCC.
	oes not meet the requirements of a limited exemption under Section 32-4-106(a)(1), BCC.
	eeds additional materials/information for review. Contact Carl Richards or Joseph Merrey 410-887-3391. Zoning density hearing required prior to final Zoning approval. Also contact Jeff vingston at 410-887-5859.
_	pes not reach the scope or extent that would require Baltimore County development oproval,
any Re	l or a portion of the property is located within the Chesapeake Bay Critical Area, therefore prior to y County action you are required to apply for and receive approval of Lot Consolidation and configuration through the Dept. of Environmental Protection and Sustainability (Comar 27.01.02.08) ter receiving approval, resubmit your application for LLA with documentation of DEPS approval.

When recording deeds in the land records, please attach this letter and the survey plat as exhibits. Also, if the property(s) are improved or any Baltimore County permits are applied for or anticipated in the future, an existing record plat may be required to be amended and the following approval agencies should be contacted to resolve any possible development issues: Development Plans Review — 410-887-3751, Planning 410-887-3480, Environmental Protection & Sustainability — 410-887-5859

MO Arnold Jablon Initial

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

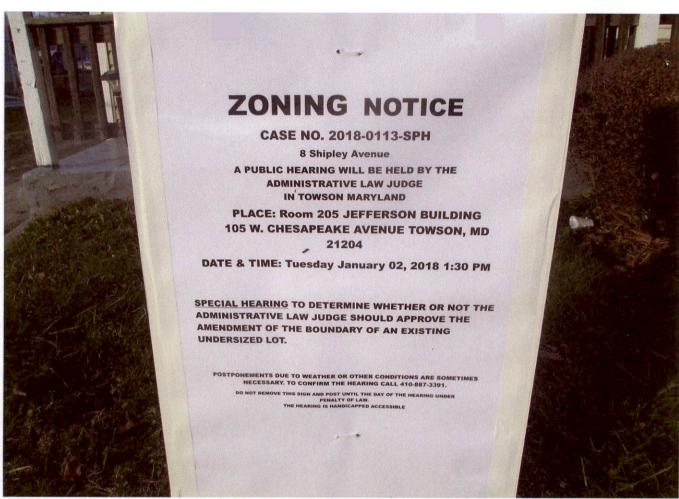
Zoning Review | County Office Building 111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-88 www.baltimorecountymd.gov

PETITIONER'S

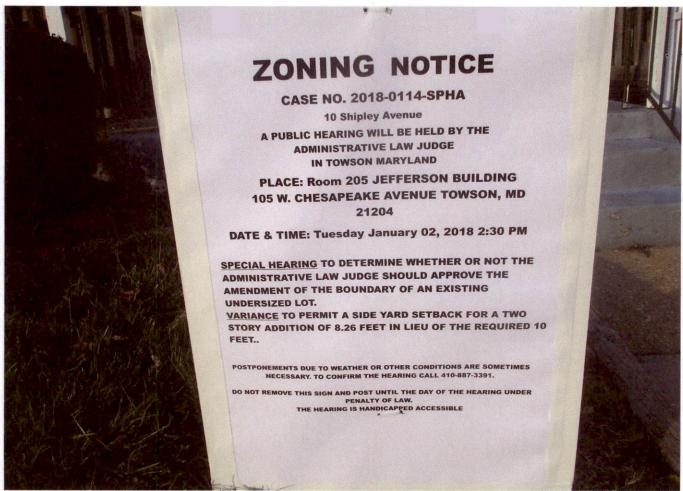
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4









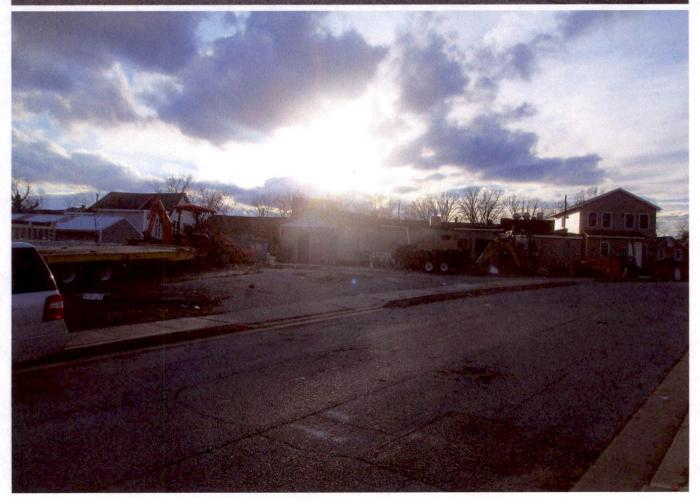




















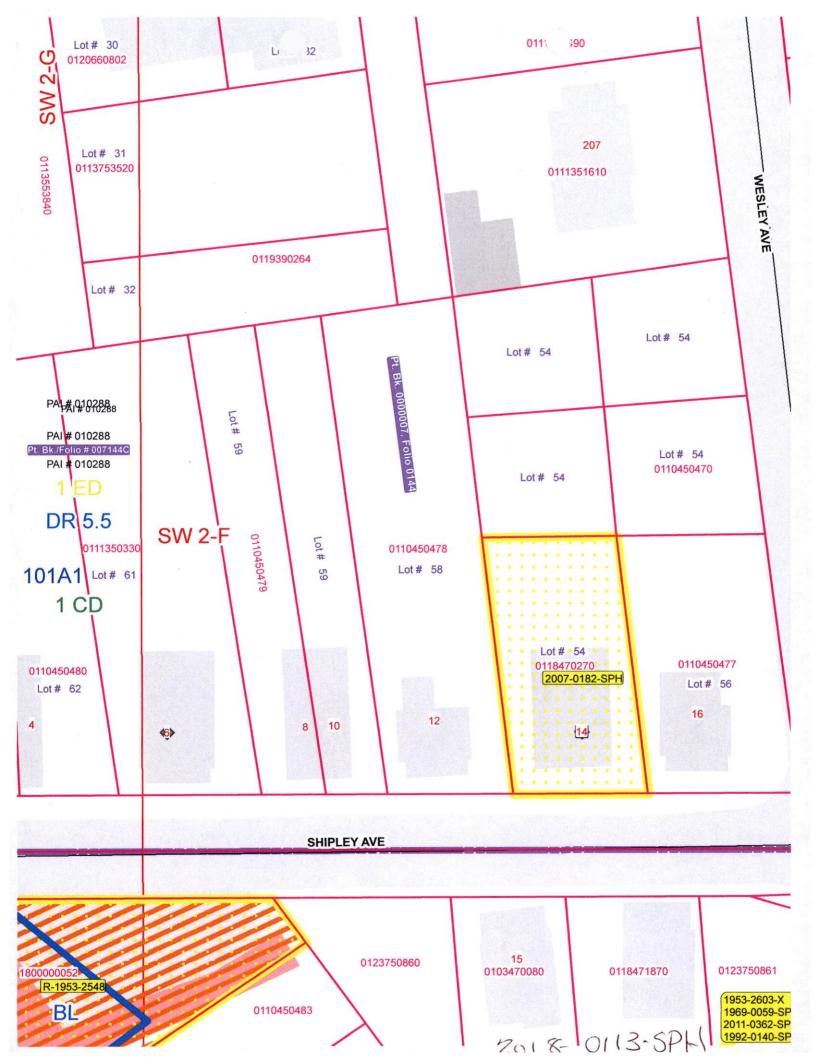












#### SITE INFORMATION

1. OWNERSHIP: ST. AMBROSE HOUSING AID CENTER INC. 321 E. 25TH STREET BALTIMORE, MD 21218

2. ADDRESSES: #8 & #10 SHIPLEY AVENUE.

3.DEED REFERENCES: SM 8213/677, LOTS 58, 59, & 60 WINTER HEIGHTS PB 7/ 144

4.AREAS: #8 4579 SF EXISTING / 5791 SF PROPOSED (PER GCE SURVEY)
10 3516 SF EXISTING / 5646 SF PROPOSED (PER GCE SURVEY)

5.TAX MAP / PARCEL / LOT / TAX ACCOUNT #: 101 / 1214 / 59 / 01-10-450479

8. IMPROVEMENTS: SINGLE FAMILY DWELLINGS & PARKING AREAS. THE EXISTING DWELLINGS AND PARKING AREAS WILL REMAIN.

9. THE PROPOSED LOT LINE ADJUSTMENTS BETWEEN #8, #10 & #12 WAS APPROVED PROVISIONALLY BY THE DRC AS A LIMITED EXEMPTION (DRC #082217-LLA).

#### OFFICE OF ZONING

ZONING: DR 5.5 THERE ARE NO PREVIOUS ZONING CASES ON THE SUBJECT PARCELS.

PARKING CALCULATIONS

REQUIRED PARKING SPACES:.2
PARKING SPACES PROVIDED ON SITE:.2

DR 5.5 RESIDENTIAL SETBACKS

FRONT: 25 FEET FROM THE STREET RIGHT OF WAY/ PROPERTY LINE SIDE: 10 FEET FROM PROPERTY LINE /0 FEET FOR A DUPLEX REAR: 30 FEET FROM PROPERTY LINE

#### ENVIRONMENTAL

WATERSHED: PATAPSCO RIVER URDL LAND TYPE: 0

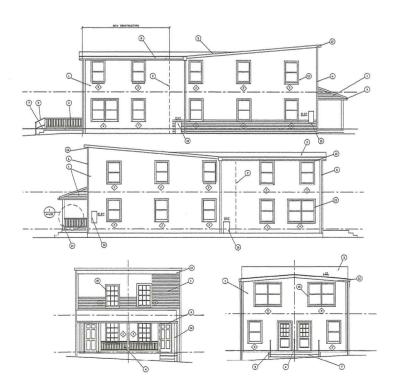
#### OFFICE OF PLANNING

REGIONAL PLANNING DISTRICT: CATONSVILLE DISTRICT CODE: 324

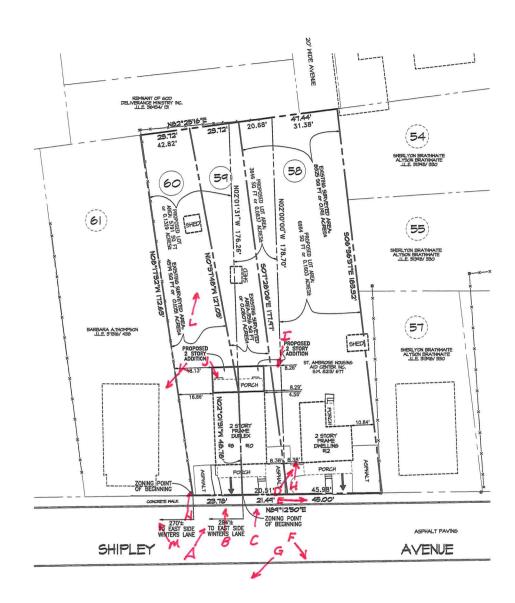
1. THE SUBJECT DWELLINGS ARE NOT HISTORIC. THE SUBJECT PROPERTY IS IN THE WINTERS LANE HISTORIC DISTRICT.

#### PROPOSED DEVELOPMENT

TO CONSTRUCT AN ADDITION TO EACH OF THE EXISTING DWELLINGS.



PROPOSED ELEVATIONS NOT TO SCALE



PLAN TO ACCOMPANY PHOTOGRAPUS

#### GENERAL LEGEND

EXISTING BUILDING PROPOSED LOT LINE

EXAMPLE

REVISION

Bruce E. Doak Consulting, LLC Bruce E. Doak Consulting
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com PLAN TO ACCOMPANY A ZONING PETITION

VICINITY PLAN
SCALE: 1" = 1000"

#8 & #10 SHIPLEY AVENUE

BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT Date: OCTOBER 12, 2017

Scale: 1" = 20'

PETITIONER'S

exhibit no. 5

LEEWOOD AVE N. 6. 10 16 ට, 12. ALLEY · . r 56,5 53,9 50' 50' \$ 56. <u>0</u> 22. 1<u>0</u> 23. 21. .<sub>0</sub>20. <u>°</u> 25. W. -Sold Sold Sold Sold : Sold. #4Rosours ROBERT Ave. #2 ROBERTS AYE AVE. 155 Go. 100 50 50 50' 28. Sold. 30. Sold. Sold. Sold. 34. 33. 35. Sold. Sold. 152. 150. 39. Sold. 32. 125 138.2. 40. 43. 29. 54. 156. G. 125 103+ 41. 55. Sold. PLAT VHERN <u>6</u>63. #34 SHIPLEY 65 Sold. AVE. WINTER'S HEIGHT'S 58. 57. 56 Towson, Md. Dec. 1923. Benj C. Groen. Scale ligh cofeet Surveyor, & # 2 SHIPLEY Catonsville #12 541. Ave #8-SHIALEY AVE SUIFLOT SHIPLOY AUG P651182 AVE SHIPLOY AVE - # 30 SHIPLEY #24-AVE SHIPLOY AVO #28 SHIPLOY PETITIONER'S AUF EXHIBIT NO. 3

### SITE INFORMATION

1. OWNERSHIP: ST. AMBROSE HOUSING AID CENTER INC. 321 E. 25TH STREET BALTIMORE, MD 21218 2. ADDRESSES: #8 & #10 SHIPLEY AVENUE. 3.DEED REFERENCES: SM 8213/677, LOTS 58, 59, & 60 WINTER HEIGHTS PB 7/ 144 4.AREAS: #8 4579 SF EXISTING / 5791 SF PROPOSED (PER GCE SURVEY) #10 3516 SF EXISTING / 5646 SF PROPOSED (PER GCE SURVEY) 5.TAX MAP / PARCEL / LOT / TAX ACCOUNT #: 101 / 1214 / 59 / 01-10-450479 6. ELECTION DISTRICT: 1 COUNCILMANIC DISTRICT: 1
ADC MAP: 4817B6 GIS TILE: 101A1 POSITION SHEET: 6SW25
CENSUS TRACT: 400800 CENSUS BLOCK: 240054008001006
SCHOOLS: HILLCREST ES CATONSVILLE MS CATONSVILLE HS

7. THE BOUNDARY SHOWN HEREON IS FROM A SURVEY PERFORMED BY GERHOLD CROSS & ETZEL LTD IN 2017. ALL OTHER INFORMATION SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 101A1 AND THE INFORMATION PROVIDED BY BALTIMORE COUNTY ON THE INTERNET. 8. IMPROVEMENTS: SINGLE FAMILY DWELLINGS & PARKING AREAS. THE EXISTING DWELLINGS AND PARKING AREAS WILL REMAIN. 9. THE PROPOSED LOT LINE ADJUSTMENTS BETWEEN #8, #10 & #12 WAS APPROVED PROVISIONALLY BY THE DRC AS A LIMITED EXEMPTION (DRC #082217-LLA).

OFFICE OF ZONING ZONING: DR 5.5 THERE ARE NO PREVIOUS ZONING CASES ON THE SUBJECT PARCELS.

PARKING CALCULATIONS

REQUIRED PARKING SPACES:.2 PARKING SPACES PROVIDED ON SITE:.2

DR 5.5 RESIDENTIAL SETBACKS

FRONT: 25 FEET FROM THE STREET RIGHT OF WAY/ PROPERTY LINE SIDE: 10 FEET FROM PROPERTY LINE /0 FEET FOR A DUPLEX REAR: 30 FEET FROM PROPERTY LINE

## **ENVIRONMENTAL**

WATERSHED: PATAPSCO RIVER URDL LAND TYPE: 0

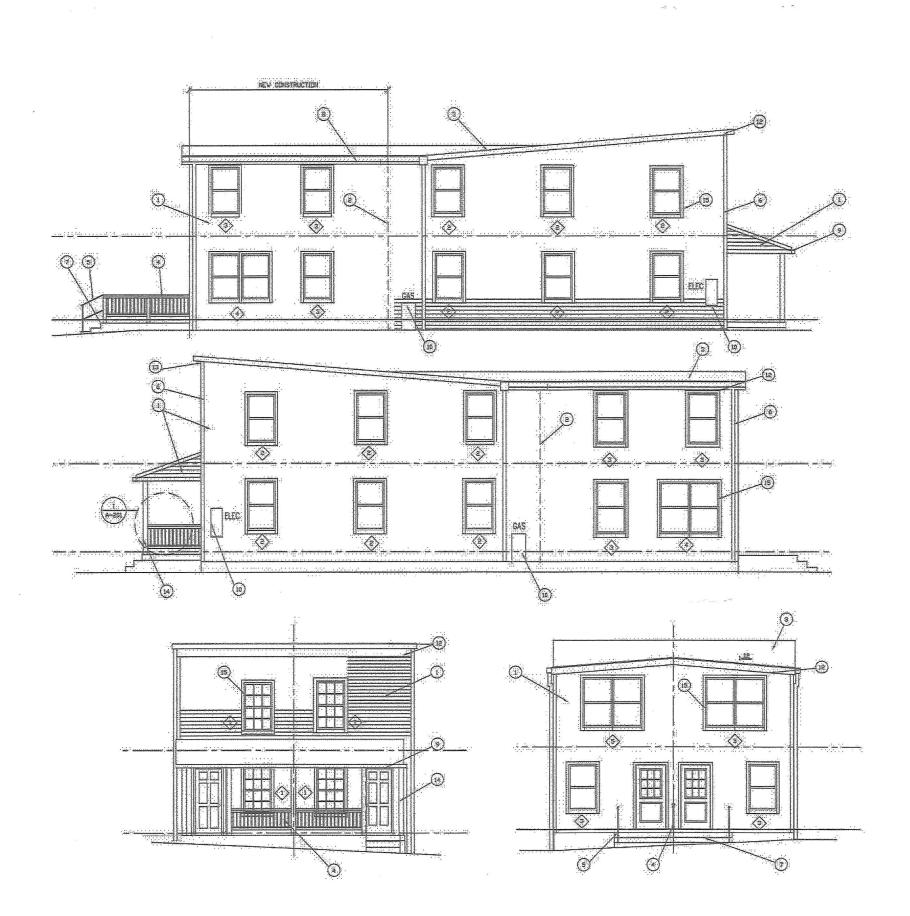
THE EXISTING DWELLINGS ARE SERVED BY PUBLIC WATER AND SEWER.
 THERE ARE NO UNDERGROUND STORAGE TANKS ON THE SUBJECT PROPERTIES.
 THE SUBJECT PROPERTIES ARE NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
 THE SUBJECT PROPERTIES ARE NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN.

## OFFICE OF PLANNING

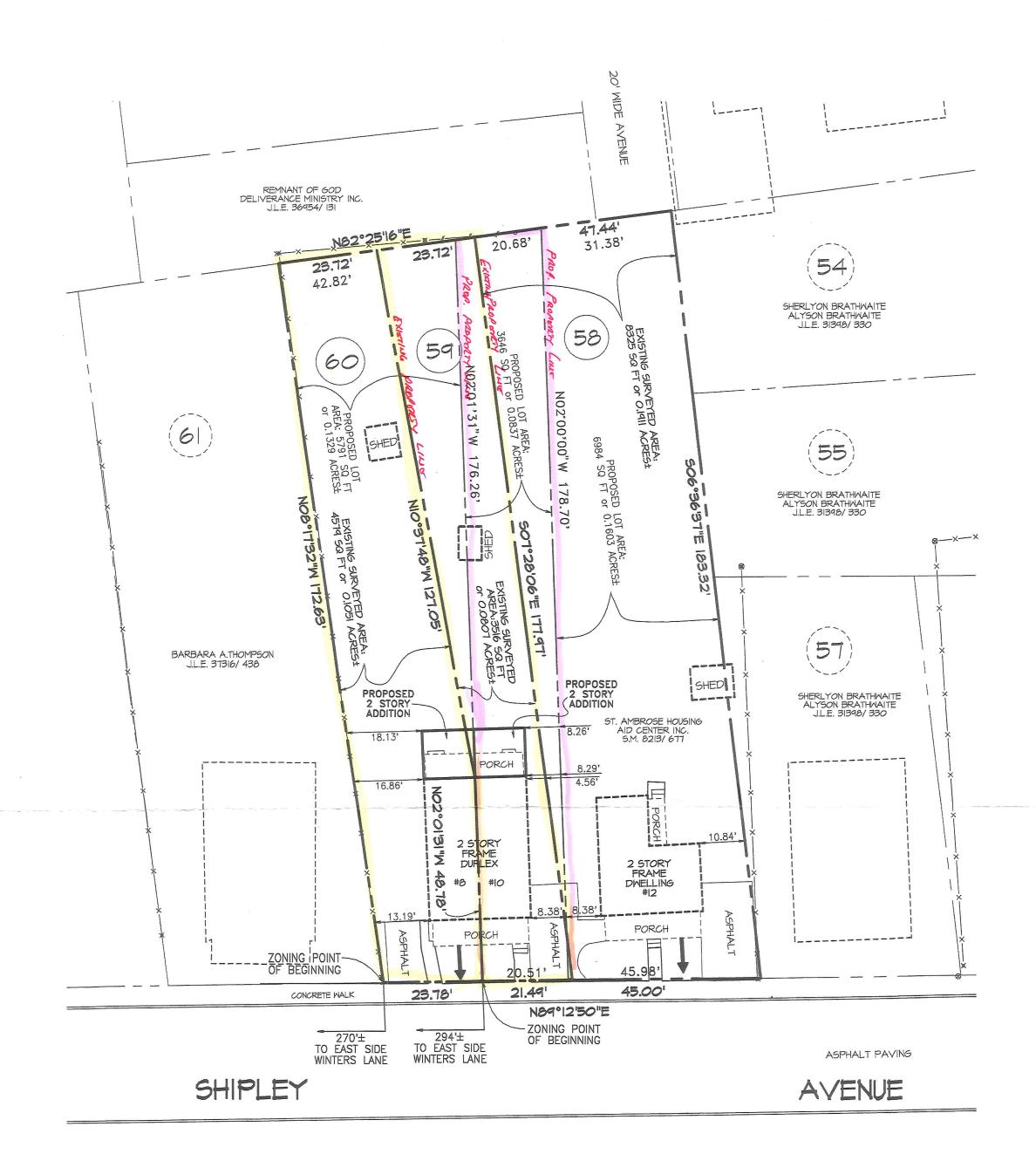
REGIONAL PLANNING DISTRICT: CATONSVILLE DISTRICT CODE: 324 1. THE SUBJECT DWELLINGS ARE NOT HISTORIC. THE SUBJECT PROPERTY IS IN THE WINTERS LANE HISTORIC DISTRICT.

## PROPOSED DEVELOPMENT

TO CONSTRUCT AN ADDITION TO EACH OF THE EXISTING DWELLINGS.



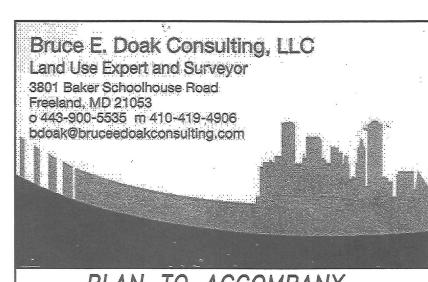
PROPOSED ELEVATIONS NOT TO SCALE



## GENERAL LEGEND

EXISTING BUILDING BOUNDARY LINE PROPOSED LOT LINE WOOD FENCE CHAIN-LINK FENCE ×----x----x---x ROMAN FONT FOR PROPOSED LOT LINE INFORMATION EXAMPLE ARCH FONT FOR EXISTING BOUNDARY INFORMATION EXAMPLE

REVISION

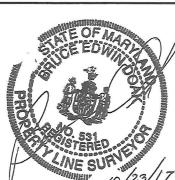


VICINITY PLAN
SCALE: 1" = 1000"
N

PLAN TO ACCOMPANY A ZONING PETITION

#8 & #10 SHIPLEY AVENUE

BALTIMORE COUNTY, MARYLAND
1st ELECTION DISTRICT 1st COUNCILMANIC DISTRICT



Date: OCTOBER 12, 2017 Scale: 1" = 20'