MEMORANDUM

DATE:

February 6, 2018

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2018-0114-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on February 5, 2018. 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: PETITIONS FOR SPECIAL HEARING * BEFORE THE AND VARIANCE

(10 Shipley Avenue) * OFFICE OF

1st Election District

1st Council District * ADMINISTRATIVE HEARINGS

St. Ambrose Housing Aid Center, Inc. * FOR BALTIMORE COUNTY

Legal Owner

Petitioner * Case No. 2018-0114-SPHA

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of St. Ambrose Housing Aid Center, Inc., legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to amend the boundaries of an existing undersized lot. A petition for variance seeks to permit a side yard setback for a two story addition of 8.26 ft. in lieu of the required 10 ft. A site plan was marked and accepted into evidence as Petitioner's Exhibit 2.

David Sann, Kevin O'Reilly and surveyor Bruce Doak appeared in support of the requests. Gary Brooks, Esq. represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency supports the requests.

SPECIAL HEARING

This case was combined for hearing with No. 2018-0113-SPH, and the Order in that case contains a more thorough discussion of the factual background for these matters. For present purposes it will suffice to state that the above case concerns 10 Shipley Avenue (Lot 59 on the

• · · · · · · · · · · · · · · · · · · ·	RECEIVED FOR FILING	
Date	15/18	
Ву	Sen	

plat of Winters Heights), on which is located one-half of a duplex dwelling constructed in 1908. The special hearing relief would simply adjust the lot lines which bisect this dwelling such that each unit would be located on its own lot. This is a reasonable request which will not have any discernable impact upon the community. As a result of the adjustment, Lot 59 will be increased in size from 3,516 sq. ft. to 3,646 sq. ft. Lot 58 (also owned by Petitioner and improved with a single-family dwelling known as 12 Shipley Ave.) would decrease in size, from 8,325 sq. ft. to 6,984 sq. ft.

<u>VARIANCE</u>

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

These lots were created by a plat recorded in 1923, and Petitioner must contend with site improvements which have existed for over 100 years. As such the property is unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be required to raze or relocate the existing dwelling. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the support of the community and Baltimore County.

THEREFORE, IT IS ORDERED this 5th day of January, 2018, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve an amendment of the boundary of Lot Nos. 58 & 59

ORDER RE	ECEIVED FOR FILING	
Date	5 18	
Ву	sen	

2

as shown on the highlighted site plan admitted herein as Petitioner's Ex. No. 2, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to permit a side yard setback for a two story addition of 8.26 ft. in lieu of the required 10 ft., 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 his 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.

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 15/18

3

By Aln



PETITION FOR ZONING HEARING(S)

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

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

TO the Office of Auth	mistrative Law Or	baltillore county for the property loca	iteu at.
Address # 10 SHIPLE	Y AVENUE	which is presently zoned	5.5
Deed References: SM	82/3 / 677	10 Digit Tax Account # 0 / / 0 4 5 C	479
Property Owner(s) Printed N	Name(s) ST AMBRO	SE HOUSING AND CENTER INC.	

(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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

a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether
or not the Zoning Commissioner should approve

THE AMENDMENT OF THE BOUNDARY OF AH EXISTING UNDERSIZED LOT

2.____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. x a Variance from Section(s) 1802,3. C. / (CHART)

TO PERMIT A SIDEYARD SETBACK FOR A TWO STORY ADDITION OF 8.26 FEBT IN LIEU OF THE REQUIRED 10.0 FEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

CASE NUMBER 2018-0114-5P44 Filling Date 10/23/17 Do Not Schedule Dates:

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lesse	e:	Legal Owners (Petitioners):
		ST AMBROSE HOUSING ALD CENTER INC.
Name- Type or Print		Name #1 – Type or Print Name #2 – Type or Print
	/	DIR. OF HOUSING DOVELORM
Signature	/	Signature #1 David Sam Signature #2 77726
		321 E. 25 TH STREET BALTIMORE MA
Mailing Address	City State	Mailing Address City State
,	1	2/2/8 / 4/0.366-8550
Zip Code Telephone #	Email Address	Zip Code Telephone # Email Address
		DAVIDS @ STAMBROS. ORG
Attorney for Petitioner:	216	Representative to be contacted:
	- SEILING	BRUCE E. DOAK
	PORT	BANCO E. DOAK CONSULTING MICC
Name- Type or Print	INED.	Name – Type or Print
TR RECI	SHED FOR FILING	12-601
Signature ORDE	7110	Signature
0.	MINON	
10		BOI BAKER SCHOOLHOUSE ROAD FREELAND MO
Mailing Addres 200	City State	Mailing Address City State
1	1	21053 410-419-4906
Zip Code By etephone #	Email Address	Zip Code Telephone # Email Address
		BOOAK BBRUE 500AKCONSULTING. COM

REV. 10/4/11

Bruc .. Doak Consulting, LLC

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

Zoning Description

#10 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), 294 feet, more or less, from the east side of Winters Lane.

Being part of Lot 58 and part of Lot 59 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 3,646 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 5338505

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: # 2018-0114-SPHA
10 Shipley Avenue
N/s Shipley Avenue
N/s Shipley Avenue, east 294 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. Variance to permit a side yard setback for a two story addition of 8.26 ft. in lieu of the required 10 ft.
Hearing: Tuesday, January 2, 2018 at 2:30 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.

11 12/638 December 12 5338505.

JT 12/638 December 12

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 5290170

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: # 2018-0114-SPHA

10 Shipley Avenue
N/S Shipley Avenue, east 294 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 11:00 a.m. in Room 205, Jefferson Bullding, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AN INSPECTIONS FOR BALTIMORE COUNTY
NOTES: (1) Hearings are Handicapped Accessibly special accommodations Please Contact the Admin'

Hearings Office at (410) 887-3868.
(2) For information concerning the File and Contact the Zoning Review Office at (410) 887-33 11-071 November 9

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. 2018-0114-SPHA

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 10 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. 2018-0114-SPHA

10 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 2:30 PM

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

VARIANCE TO PERMIT A SIDE YARD SETBACK FOR A TWO STORY ADDITION OF 8.26 FEET IN LIEU OF THE REQUIRED 10 FEET..

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

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

THE HEARING IS HANDICAPPED ACCESSIBLE



TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 12, 2017 Issue - Jeffersonian

Please forward billing to:

St. Ambrose Housing Aid Center, Inc. 321 E. 25th Street
Baltimore, MD 21218
Attn. David S., Director of Housing Dev.

410-366-8550

CORRECTED 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: 2018-0114-SPHA

10 Shipley Avenue
N/s Shipley Avenue, east 294 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. Variance to permit a side yard setback for a two story addition of 8.26 ft. in lieu of the required 10 ft.

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

Gelfa-

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

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



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

December 5, 2017

CORRECTED 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: 2018-0114-SPHA

10 Shipley Avenue
N/s Shipley Avenue, east 294 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. Variance to permit a side yard setback for a two story addition of 8.26 ft. in lieu of the required 10 ft.

Hearing: Tuesday, January 2, 2018 at 2:30 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. 321 E. 25th Street

Baltimore, MD 21218

Attn. 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: 2018-0114-SPHA

10 Shipley Avenue

N/s Shipley Avenue, east 294 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 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jabíon

Director of Permits, Approvals and Inspections for Baltimore County

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

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



KEVIN KAMENETZ County Executive

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

November 21, 2017

NEW 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: 2018-0114-SPHA

10 Shipley Avenue

N/s Shipley Avenue, east 294 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 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

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

Thursday, November 9, 2017 Issue - Jeffersonian

Please forward billing to:

St. Ambrose Housing Aid Center, Inc.

321 E. 25th Street Baltimore, MD 21218

Attn. 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: 2018-0114-SPHA

10 Shipley Avenue

N/s Shipley Avenue, east 294 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 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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

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



KEVIN KAMENETZ.
County Executive

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

November 3, 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 NUMBER: 2018-0114-SPHA

10 Shipley Avenue

N/s Shipley Avenue, east 294 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 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue. Towson 21204

AJ:kl

C: St. Ambrose Housing Aid Center, Inc., 321 E. 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 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.



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

November 3, 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 NUMBER: 2018-0114-SPHA

10 Shipley Avenue

N/s Shipley Avenue, east 294 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 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

AJ:kl

C: St. Ambrose Housing Aid Center, Inc., 321 E. 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 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

RE: PETITION FOR SPECIAL HEARING 10 Shipley Avenue; N/S Shipley Avenue, E 294' to c/line of Winters Lane 1st Election & 1st Councilmanic Districts Legal Owner(s): St. Ambrose Housing Aid Center Inc

Petitioner(s)

- BEFORE THE OFFICE
- * OF ADMINSTRATIVE
- * HEARINGS FOR
- * BALTIMORE COUNTY
- * 2018-114-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

Peter Max Zimmerman

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 7th 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 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: <u>2018 - 0114 SDH</u> A
Property Address: 10 Shipley Ave
Property Description:
Legal Owners (Petitioners): St Ambrose Nousing Acd Center, Inc
Contract Purchaser/Lessee:
· · · · · · · · · · · · · · · · · · ·
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Company/Firm (if applicable):
Address: ST Ambrose Housing Aid Center, Inc
321 E 25th Street
Baltimore, MD 21218
Telephone Number: 410-366-8556

	OFFICI	E OF BUL	GET ANI	IARYLAN D FINANC RECEIPT	Æ Rev	Sub	Date:	11. 10 10/2	3/17	PAID RECEIP! EVENIESS" VICTURE TONE 1 10/24/2017 (0/23/280/7 (0):52:25 RECEIPT N 15757.3 10/23/2017 (0):42 (0):
	Fund	Dept	Unit	Sub Unit	Source/ Obj		Dept Obj	BS Acct	Amount	CR NO. 160999
	<u> </u>	800	har		6150				ري روي (250 عن	\$150.04 CK
									,	Dalhisore County, Haryland
			<u> </u>			·	<u> </u>			4
ŀ	•		 	 	-			·		-
		·	<u>l</u>	<u> </u>			L Total:		50.00	┥
	Rec From:	Bri	LCS	Doa	k	•				╡ - -
1	For:		7/	1)(e)	- A-	<i>D</i>	· ·			4 .
		-70	<u> </u>	1)000	1 De	<u> </u>			<u> </u>	-
	. 3	20	18-	0/13	/- Si	}///	}			† ·
	Ĭ,		, ,		 .				• •	CASHIER'S
	DISTRIBL								* * * * * * * * * * * * * * * * * * * *	VALIDATION
	WHITE - 0	CASHIER	PINK - AGI PLEA	ENCY SE PRES	YELLOW - S.HARD!!		R	GOLD - AC	COUNTING	



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 25th Street
Baltimore MD 21218

RE: Case Number: 2018-0114 SPHA, Address: #10 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



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. 2018-0114-5PHA

Special Heaving Varionce
St. Ambrose Housing Aid Centa Inc.
10 Shipley Armer.

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

1-2-18

NOV 80 1917

UFFILE OF

ADMINISTRATIVE ! F

RECEIVED

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

ND NOV 3 0 2017
OFFICE OF
ADMINISTRATIVE HEARINGS

TO:

Arnold Jablon

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: 18-114

INFORMATION:

Property Address:

10 Shipley Avenue

Petitioner:

St. Ambrose Housing Aid Center, Inc.

Zoning:

DR 5.5

Requested Action:

Special Hearing, Variance

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 and also the petition for variance to permit a side yard setback for a two-story addition of 8.26 feet in lieu of the required 10 feet.

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.

Division Chief:

Kathy Schlabach

Prepared by:

Lloyd T. Moxley

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

s:\planning\dev rev\zac\zacs 2018\18-114.docx

RECEIVED

NOV 0

OFFICE UF ADMINISTRATIVE HEARINGS

RECEIVED

NOV 01 2017

OFFICE OF ADMINISTRATIVE HEARINGS

Inter-Office Correspondence

BALTIMORE COUNTY, MARYLAND



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

Address

2018-0114-SPHA

10 Shipley Avenue

(St. Ambrose Housing Aid Center,

Inc. Property)

Zoning Advisory Committee Meeting of November 6, 2017.

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

Reviewer:

Steve Ford

Date: 11-1-2017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 3, 2017

Department of Permits, Approvals

And Inspections

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 6, 2017

Item No. 2018-0114 SPHA, 0115-A and 0116-A

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

VKD: cen

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: 18-114

INFORMATION:

Property Address:

10 Shipley Avenue

Petitioner:

St. Ambrose Housing Aid Center, Inc.

Zoning:

DR 5.5

Requested Action:

Special Hearing, Variance

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 and also the petition for variance to permit a side yard setback for a two-story addition of 8.26 feet in lieu of the required 10 feet.

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:

loyd T. Moxley

Kuthy Gorenbach

Kuthy Schlahach

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

2018-0114-SPHA

Address

10 Shipley Avenue

(St. Ambrose Housing Aid Center,

Inc. Property)

Zoning Advisory Committee Meeting of November 6, 2017.

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

Reviewer:

Steve Ford

Date: 11-1-2017

2018-0113-SPH Case No.: 2018-0114-SPHA

ORIGINIAL

Exhibit Sheet

EXHIBITS IN CASE FILE 2018-0113-SPH Petitioner/Developer

Protestant

15	18
	ln

		,
No. 1	Letter of Support	
No. 2	Site plan:	
No. 3	Plat of Winters Heights	
No. 4	DRC Letter CZ: lot line adjustment	
No. 5	Plan w/ phiotos	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
	1	·



CHECKLIST

Comment Received	<u>Depar</u>	<u>tment</u>			Support/Oppose/ Conditions/ Comments/ No Comment
11/3	DEVELOPMENT (if not received, da				10 Comment
1111	DEPS (if not received, da	te e-mail sent)	m Comment
	FIRE DEPARTME	ENT			
11/30	PLANNING (if not received, da	te e-mail sent)	Comment
11/3	STATE HIGHWA				no Objection
	TRAFFIC ENGIN	EERING			<u> </u>
·	COMMUNITY AS	SOCIATION			
	ADJACENT PRO	PERTY OWNI	ERS	,	
ZONING VIOLA	TION (Ca	se No			
PRIOR ZONING	(Ca	se No			
NEWSPAPER AL	OVERTISĖMENT	Date:	13/	12/17	Don't
SIGN POSTING		Date:	<u> 19</u>	11911	by U
PEOPLE'S COUN	ISEL APPEARANCE	Yes	s 🗶	No 🔲	
PEOPLE'S COUN	ISEL COMMENT LE	TTER Yes	s \square	No \square	
Comments, if any:					
<u> </u>		4			

Real Property Data Search

Search Result for BALTIMORE COUNTY

View M	ap		/iew GroundR	ent Redempt	tion		View Gr	roundR	ent Regi	stration	·
Account			_		Number - 011	0450479				u <u>o</u> 11	-
					vner Informatio				_		
Owner N	ame:			ROSE HOUS		Use:		_	EXEMP	T	
		CENTER		Principal	Residen	ce:	NO	-			
Mailing A	ddress:		321 E 25		40	Deed Re	Deed Reference:			00677	
			BALTIM	ORE MD 212	8 Structure Info	rmetice					
Premises	Addres		8 SHIPL		x Structure mic		scription		PT LT 5	0.60	
Premises Address:			0-0000	LIAVL		Legal De	acription.	•		SHERW	
Map:	Grid:	Parcel:	Sub District:	Subdivision	: Section;	Block:	Lot:	Asses Year:	sment	Plat No:	
0101	0001	1214		0000			59	2016		Plat Ref:	0007/ 0144
Special	Tax Are	as:		-	Town:	-			NON	 E	-
					Ad Valore	m:					
					Tax Class	<u> </u>	·				
Primary	/ Structu	re	Above Grade	Living	Finished Ba	sement	Pro	perty L	and .	Cou	
Built 1908			Area 1,632 SF		Area		Are			Use	
			1,032 3F				გ _, U:	50 SF		01	
Stories		ement	Туре	Exterior		Bath	Garage	Las	st Major	Renova	tion
2	NO		END UNIT	SIDING	2 full						
_ <u>_</u> .					lue Information)					
			Base \	/alue	Value		Phase-in	1 Asses			
				•	As of 01/01/2016		As of 07/01/20	17	As	of /01/2018	1
Land:			61,200	1	61,200		01/01/20	11	071	0 1/20 10	,
Improv	ements		65,300		90,700						
Total:			126,50		151,900	143,43		43,433 151.9		1,900	
Prefere	ntial Lan	ıd:	0				·		0		
		-		Trai	nsfer Informatio	on		-		-	
	WINTERS ERSHIP	S LANE L	IM ITED	Date	: 06/29/1989				Price	: \$0	
Type: N	ION-ARN	IS LENGT	TH OTHER	Dee	d1: /08213/ 006	677			Deed	2:	
Seller:				Date):		•		Price	:	
Type:				Dee	d1:				Deed	2:	
Seller:		····		Date);				Price	:	
Type:				Dee	d1:				Deed	2:	
-				Exen	nption Informati	ion					
Partial Ex Assessm	empt ents:		Class			07/01/201	17		07/01/2	018	
County:			790			143,433.0			151,900		
State:			790 143,4				•				
Municipa			790			0.00 0.00	<u></u>		0.00 0.0	0	
Tax Exe	-				cial Tax Reca	oture:					
	. GI488:			NOI	<u> </u>			 -			
Exempt											
	ad Annii	ngtion S4	atus: No Applio		Application Inf	ormation				-	

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

ADD. MAP: 481786 CIS THE: 101A1 POSITION SHEET: 65W25

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

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

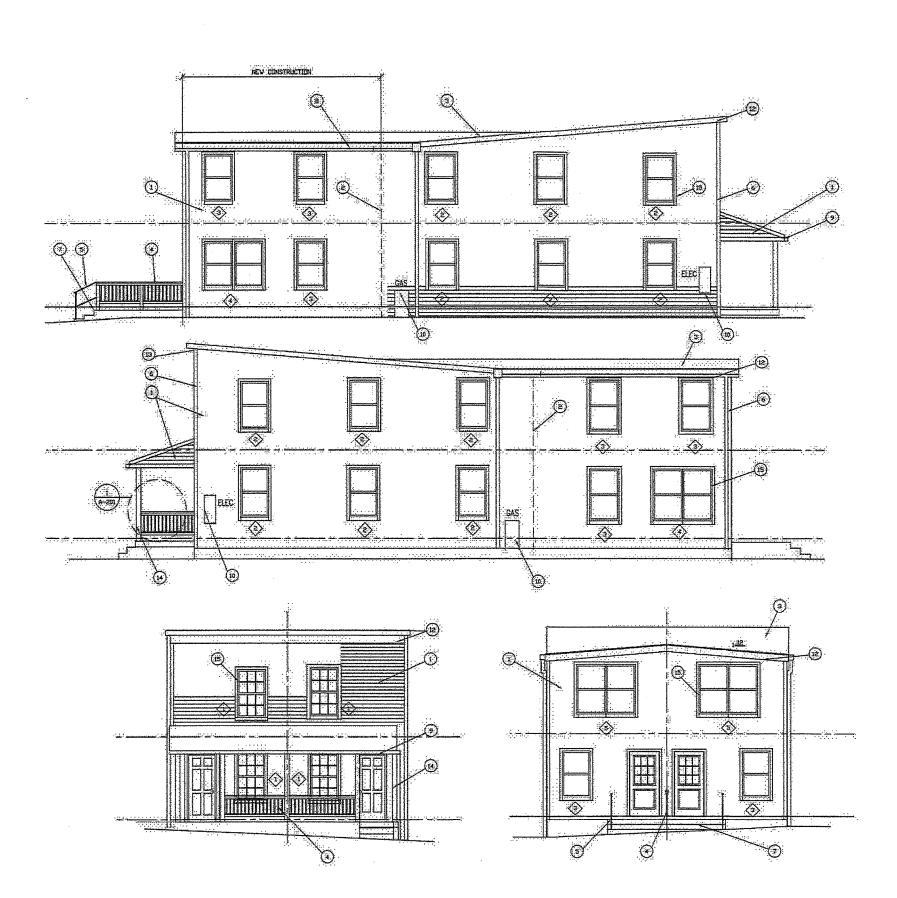
OFFICE OF PLANNING

REGIONAL PLANNING DISTRICT: CATONSVILLE DISTRICT CODE: 324

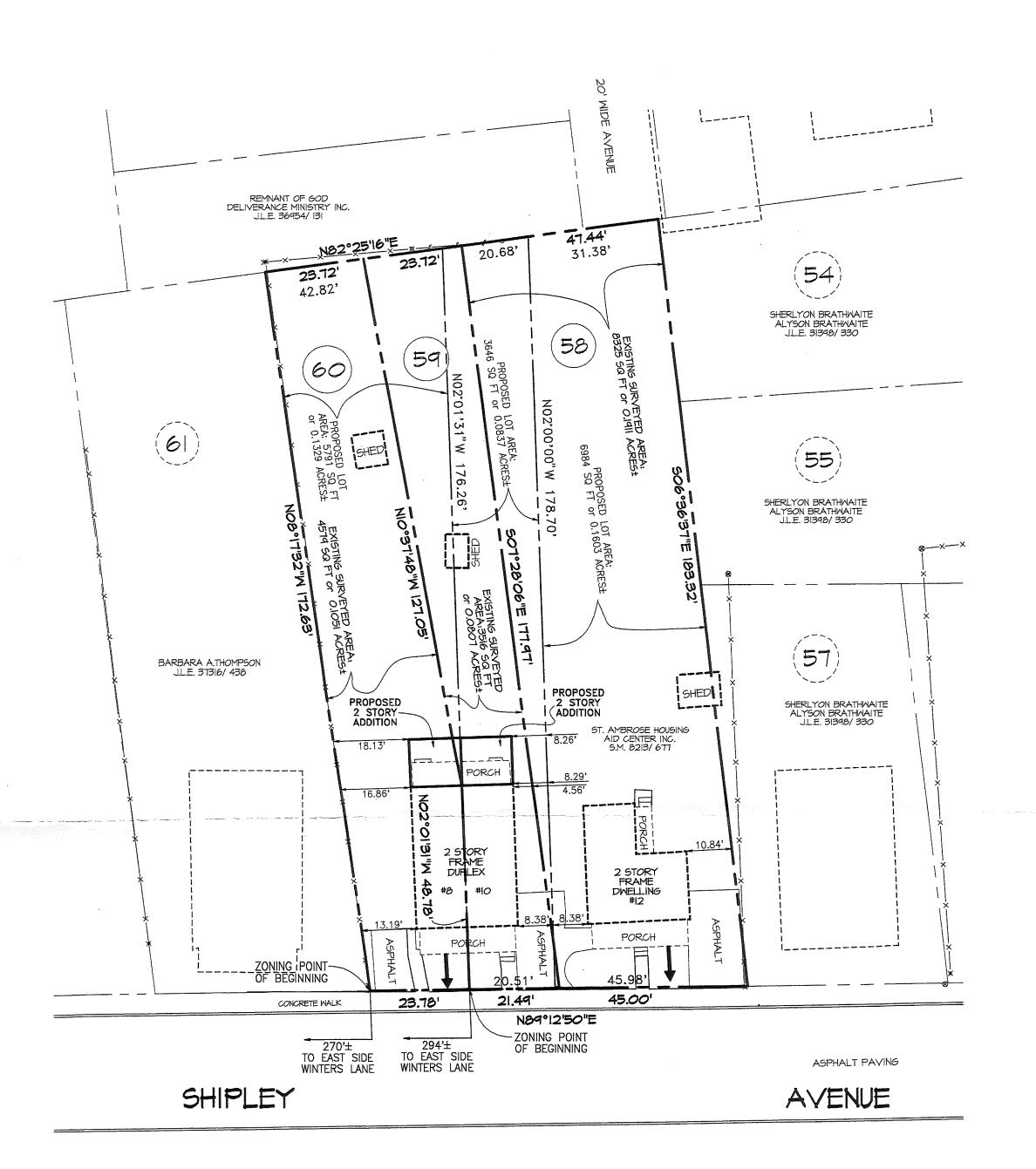
1. THE SUBJECT DWELLINGS ARE NOT HISTORIC. THE SUBJECT PROPERTY IS IN THE WINTERS LANE HISTORIC DISTRICT.

PROPOSED DEVELOPMENT

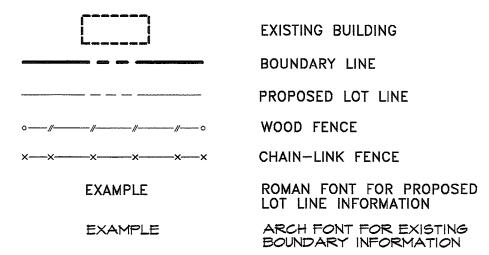
TO CONSTRUCT AN ADDITION TO EACH OF THE EXISTING DWELLINGS.

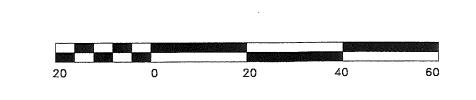


PROPOSED ELEVATIONS
NOT TO SCALE



GENERAL LEGEND





REVISION

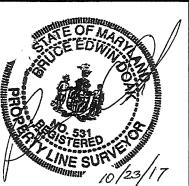


SCALE: 1" = 1000'

PLAN TO ACCOMPANY A ZONING PETITION FOR

#8 & #10 SHIPLEY AVENUE

BALTIMORE COUNTY, MARYLAND
1st Election district 1st councilmanic district



Date: OCTOBER 12, 2017

Scale: 1" = 20'