MEMORANDUM

DATE: June 26, 2018

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2018-0294-A – Appeal Period Expired

The appeal period for the above-referenced case expired on June 25, 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: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(1208 Boyce Avenue)		
9th Election District	*	OFFICE OF ADMINISTRATIVE
2nd Council District		
Ian A. & Courtenay G. Shure	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2018-0294-A**

* * * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Ian A. and Courtenay G. Shure ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1B02.3.B (R. 20, 3/5/1964, Section 205.4) of the Baltimore County Zoning Regulations ("BCZR"), to permit an existing rear yard setback of 15 ft. (existing attached garage) and a proposed rear yard setback of 34 ft. (proposed addition) in lieu of 40 ft. for both, 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 submitted by any of the County reviewing agencies. However, it is to be noted that five (5) letters of support were received from adjacent property owners residing on Boyce Avenue.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 16, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). 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 BCZR. Furthermore, strict compliance with the BCZR 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 BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this **24th** day of **May, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B02.3.B (R. 20, 3/5/1964, Section 205.4) of the Baltimore County Zoning Regulations ("BCZR"), to permit an existing rear yard setback of 15 ft. (existing attached garage) and a proposed rear yard setback of 34 ft. (proposed addition) in lieu of 40 ft. for both, respectively, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 5-24-18

By DW

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 1208 Boyce Ave Towson MD 21204 **Currently zoned** DR 2 (Vested R-20)
Deed Reference 36593 / 0251 10 Digit Tax Account # 0913554031
Owner(s) Printed Name(s) Ian A. Shure Courtenay G. Shure

(SELECT THE HEARING(S) BY MARKING X 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. X **ADMINISTRATIVE VARIANCE** from Section(s) 1B02.3.B (R.20, 3/5/1964, Section 205.4) to permit an existing rear yard setback of 15 feet (existing attached garage) and a proposed rear yard setback of 34 feet (proposed addition) in lieu of 40 feet for both, 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):

Ian A. Shure / Courtenay G. Shure
Name #1 – Type or Print / Name # 2 – Type or Print
Signature #1 / Signature # 2
1208 Boyce Ave Towson MD
Mailing Address City State
21204 / 410 585 4407 / ishure@mac.com
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

ORDER RECEIVED FOR FILING
Date 5-24-18
By

Representative to be contacted:

Mitch Kellman
Name – Type or Print
Signature
501 Fairmount Ave, Ste 300 Towson MD
Mailing Address City State
21204 / 410-296-3333 / mkellman@dmw.com
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 2018-0294-A **Filing Date** 4/27/2018 **Estimated Posting Date** 5/6/2018 **Reviewer** JNP

Rev 5/5/2016

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: 1208 Boyce Ave — Towson — MD — 21204

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)**

The existing house at 1208 Boyce Ave was built in 1913. It became part of a six lot sub-division with a shared easment for the surrounding houses in 1964. This sub-division created a change to the rear setback from 30 feet to 40 feet. During development of the five surrounding properties, homes were positioned that all front doors face the share access, however ours doesn't. This unfairly decreases our setback and ability to expand to provide the space we need. The way the house is designed This is the most cost effective way for us to make the house suitable for our needs. We love the location of our home, and rather than move, we feel we can add to provide adequate for our growing family of four. Our house currently has a galley kitchen and a small den on the 1st floor that we would like to improve. We would like to create a larger kitchen and family room space. The proposed variance for setback of 34 feet from a rear property line in lieu of the required 40 feet would allow us to do so. We respectfully submit this variance request to improve our property consistant with our neighbors. **(If additional space for the petition request or the above statement is needed, label and attach it to this Form)**

Signature of Owner (Affiant) — Signature of Owner (Affiant)

IAN A. SHURE — COURTENAY SHURE

Name- Print or Type — 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 26 day of April, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Ian A. SHURE and Courtenay SHURE

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

AS WITNESS my hand and Notaries Seal

Sandra Howell

Notary Public

7/8/2019

My Commission Expires

SANDRA M HOWELL
Notary Public-Maryland
Talbot County
My Commission Expires
7/8/2019

REV. 5/5/2016

ZONING DESCRIPTION
For
1208 Boyce Avenue

Beginning at a point on the north side of Boyce Avenue, with a variable right-of-way width, at the distance of 442 feet northwest of the centerline of Greenwood Road, with a variable right-of way width, containing .56 acres or 24,394 square feet, known as Lot Number 6 of the "Boyce" Subdivision, as recorded in Plat Book 29/118.

Also known as 1208 Boyce Avenue located within the 2nd Councilmanic District and the 9th Election District, Towson, Maryland 21204

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

No. **168031**

Date: 4/27/2018

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00CR

Total: 75.00

Rec From: Ian Shure

For: Adm. Var. - 1208 Boyce Avenue
2018-0294-A (SHURE)

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

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
4/27/2018	4/27/2018	10:35:54	2

W602 WALKIN JEE
RECEIPT # 051494 4/27/2018 OFLN
5 529 ZONING VERIFICATION
NO: 168031
Recpt Tot $75.00 CR
CHECK CK $.00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION


#2
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 2018-0294-A
TO PERMIT AN EXISTING REAR YARD SET-
BACK OF 15 FEET (EXISTING ATTACHED GARAGE)
AND A PROPOSED REAR YARD SETBACK OF 34 FEET
(PROPOSED ADDITION) IN LIEU OF 40 FEET FOR
BOTH, 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 THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 5/21/18
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

Date: 5-16-18

RE: Case Number: 2018-0294-A RECERT

Petitioner/Developer: Shure

Date of Hearing/Closing: 5-21-18

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1208 Boyce Ave

The signs(s) were posted on Recert 5-16-18
(Month, Day, Year)

J Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)


#1
ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # 2018-0294-A
TO PERMIT AN EXISTING REAR YARD SETBACK OF 15 FEET (EXISTING ATTACHED GARAGE) AND A PROPOSED REAR YARD SETBACK OF 34 FEET (PROPOSED ADDITION) IN LIEU OF 40 FEET FOR BOTH, 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 THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 5/21/18
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391
UNDER PENALTY OF LAW

#2

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2018-0294-A

TO PERMIT AN EXISTING REAR YARD SET-BACK OF 15 FEET (EXISTING ATTACHED GARAGE) AND A PROPOSED REAR YARD SETBACK OF 34 FEET (PROPOSED ADDITION) IN LIEU OF 40 FEET FOR BOTH, 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 THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 5/21/18

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING
111 WEST

BALTIMORE COUNTY [redacted]RTMENT OF PERMITS, APPR[redacted]AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0294 -A Address 1208 Boyce Avenue

Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/27/2018 **Posting Date:** 5/6/18 **Closing Date:** 5/21/18

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2018- 0294 -A Address 1208 Boyce Avenue

Petitioner's Name Jan & Courtenay Shore Telephone 410-585-4407

Posting Date: 5/6/2018 **Closing Date:** 5/21/2018

Wording for Sign: To Permit an existing rear yard setback of 15 feet (existing attached garage) and a proposed rear yard setback of 34 feet (proposed addition) in lieu of 40 feet for both, respectively.

Revised 6/30/2018

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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: 2018-0294-A

Property Address: 1208 Boyce Avenue

Property Description: N/S of Boyce Avenue, 442' NW of Greenwood Road

Legal Owners (Petitioners): Ian Shure & Courtenay Shure

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ian Shure

Company/Firm (if applicable): –

Address: 1208 Boyce Avenue
Towson, MD 21204

Telephone Number: 410-585-4407

Revised 7/9/2015

CERTIFICATE OF POSTING

Date: 5-6-18

RE: Case Number: 2018-0294-A

Petitioner/Developer: Ian + Courtney Shure

Date of Hearing/Closing: 5-21-18

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1208 Boyce Ave

The signs(s) were posted on 5-6-18
(Month, Day, Year)

J Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

#1

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2018-0294-A

TO PERMIT AN EXISTING REAR YARD SETBACK OF 15 FEET (EXISTING ATTACHED GARAGE) AND A PROPOSED REAR YARD SETBACK OF 34 FEET (PROPOSED ADDITION) IN LIEU OF 40 FEET FOR BOTH, 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 THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON 5/21/18

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

NOT UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 5, 2018

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 17, 2018
Item No. 2018-0294-A, 0295-A, 0297-A, 0298-SPH, 0299-A, and 0300-A

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

* * * * *

VKD: cen
cc: file

ZAC AGENDA

Case Number: 2018-0294-A **Reviewer:** Jeffrey Perlow
Existng Use: RESIDENTIAL **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Ian A & Courtney G Shure
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 1208 BOYCE AVE
Location: N/S of Boyce Avenue, 442 ft. NW of greenwood Road

Existing Zoning: DR 2 (VESTED R-20) **Area:** 24,394 SQ. FT.
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
To permit an existing rear yard setback of 15 ft. (existing attached garage) and a proposed rear yard setback of 34 ft. (proposed addition) in lieu of 40 ft. for both, respectively.
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 05/21/2018

Miscellaneous Notes:

Case Number: 2018-0295-A **Reviewer:** Jason Seidelman
Existng Use: RESIDENTIAL **Proposed Use:**
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Timothy Hines & Diane Elizabeth Molina
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 5

Property Address: 10 CEDAR GROVE CT
Location: N/S Cedar Grove Court, 280 ft. NE of the centerline of the intersection with Cedar Farm Drive.

Existing Zoning: DR 3.5 **Area:** 8,058 SQ. FT.
Proposed Zoning:
ADMINISTRATIVE VARIANCE:
To permit a proposed deck with a rear setback of 18.25 ft. in lieu of the required 30 ft. rear setback minimum
Attorney: Not Available
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date: 05/21/2018

Miscellaneous Notes:

KEVIN KAMENETZ
County Executive

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

May 22, 2018

Ian A & Courtney G Shure
1208 Boyce Avenue
Towson MD 21204

RE: Case Number: 2018-0294 A, Address: 1208 Boyce Avenue

Dear Mr. & Ms. Shure:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 27, 2018. 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
Mitch Kellman, 501 Faimount Avenue, Suite 300, Towson MD 21286

5-21

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, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0294-A
Address 1208 Boyce Avenue
(Shure Property)

Zoning Advisory Committee Meeting of **May 17, 2018**

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

Reviewer: Steve Ford

C:\Users\snuffer\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\WPHS9SSK\ZAC 18-0294-A 1208 Boyce Avenue.doc

MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 5/7/18

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
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. 2018-0294-A
Administrative Variance
Ian A. & Courtney G. Shave
1208 Boyce 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,

for 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

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, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0294-A
Address 1208 Boyce Avenue
(Shure Property)

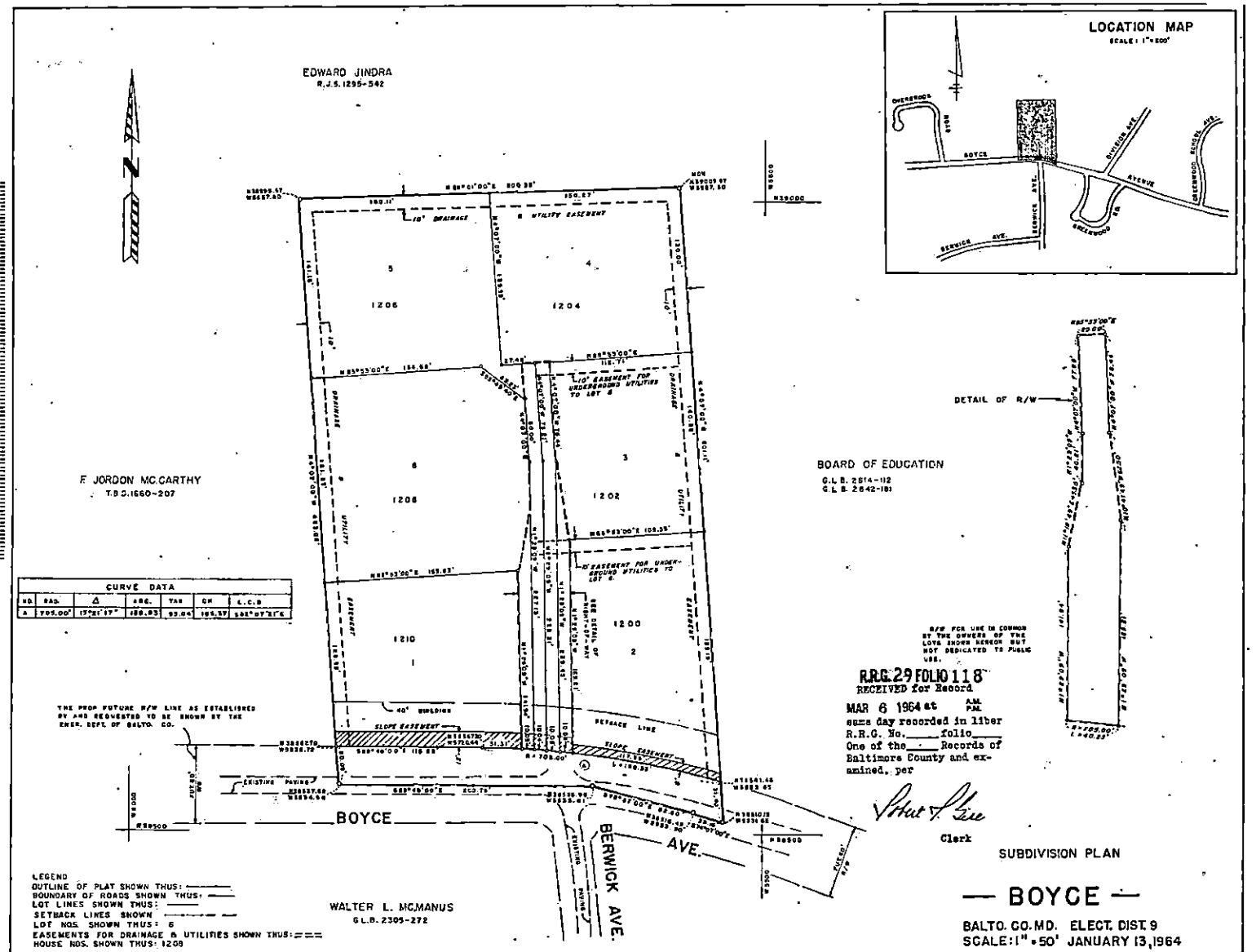
Zoning Advisory Committee Meeting of **May 17, 2018**

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

Reviewer: Steve Ford

C:\Users\jwisnom\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\XEGA1Q0V\ZAC 18-0294-A 1208 Boyce Avenue.doc

Baltimore County - My Neighborhood



MSA S36-1236-2751 P109300

AV 5/21

CASE NO. 2018- 0294-A

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	
5-9	DEPS (if not received, date e-mail sent)	NC
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
5-7	STATE HIGHWAY ADMINISTRATION	No objection
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
Various 5 ltrs.	ADJACENT PROPERTY OWNERS	Supports

ZONING VIOLATION (Case No.)

PRIOR ZONING (Case No.)

NEWSPAPER ADVERTISEMENT Date: Recent

SIGN POSTING (1st) Date: 5-16-18 by Prison

SIGN POSTING (2nd) Date: by

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Account Identifier: **District** - 09 **Account Number** - 0913554031

Owner Information

Owner Name:	SHURE IAN SHURE COURTENAY	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	1208 BOYCE AVE TOWSON MD 21204-3606	**Deed Reference:**	/36593/ 00251

Location & Structure Information

Premises Address:	1208 BOYCE AVE TOWSON 21204-3606	**Legal Description:**	RER 300 FT 1208 BOYCE AVE BOYCE

Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0069	0011	0870		0000			6	2017	Plat Ref:	0029/ 0118

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

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1913	2,786 SF	231 SF	24,394 SF	04

Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation
2	YES	STANDARD UNIT	FRAME	2 full/ 1 half	1 Attached	2001

Value Information

	Base Value	Value As of 01/01/2017	Phase-in Assessments As of 07/01/2017	As of 07/01/2018
Land:	205,000	205,000		
Improvements	232,600	530,900		
Total:	437,600	735,900	537,033	636,467
Preferential Land:	0			0

Transfer Information

Seller: PALENCAR KATHLEEN **Type:** ARMS LENGTH IMPROVED	**Date:** 08/28/2015 **Deed1:** /36593/ 00251	**Price:** $775,000 **Deed2:**
Seller: PALENCAR JOSEPH **Type:** NON-ARMS LENGTH OTHER	**Date:** 03/17/2004 **Deed1:** /19748/ 00254	**Price:** $0 **Deed2:**
Seller: MICHEL FRANCIS A,JR **Type:** ARMS LENGTH IMPROVED	**Date:** 11/13/2000 **Deed1:** /14805/ 00069	**Price:** $390,000 **Deed2:**

Exemption Information

Partial Exempt Assessments:	**Class**	07/01/2017	07/01/2018
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: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

SIDE & BACK

SIDE ~~BACK~~ YARD

SIDE & FRONT YARD

FRONT YARD

SIDE YARD

April 11, 2018

Dear Neighbor(s),

It has been such a pleasure living next to you all on this wonderful lane for the past 2 ½ years! We've loved getting to know your families, as well as enjoying all that the beautiful neighborhood has to offer us and our 2 young children. Part of what drew us to our house was the history and charm it has maintained over the 105 years that it has been standing. However, with that age sadly comes aches and pains, and we are faced with many expensive repairs such as a cracked sewer line, plumbing leaks in the ceiling, mold behind the walls, a roof that needs to be replaced, hardwood floors that are splitting and sagging, and the list goes on. Rather than throwing in the towel on this special house, we have decided to do a construction job that will fix the known problems, explore and assess any unknown ones, and reconfigure the layout to provide us with a home in which we will be comfortable indefinitely!

Since the letter we placed in your mailboxes on Sunday, it appears that we have run into a little glitch, and we would greatly appreciate your cooperation in this matter. The months that we have spent designing the addition, which will face our backyard and the Williams' front yard, was based on the standard distance a structure must be from a property line, which is 30-feet. We were able to accommodate what we had hoped with the additional space, and with 4-feet to spare, making our structure 34-feet from the property line. In the process of obtaining the permit for the addition, we have discovered that decades ago, when this land was subdivided, the clause set in place was that '40-feet of space is required between the structure and the property line.' This now means that we are 6-feet too close to the line, and will need to apply for a zoning variance in order to obtain the building permit. If we are unable to obtain the permit, the redesign of the interior space will set our project back by several months.

Many of you have been fortunate enough to update your own homes over the years, and we feel that what our addition and renovation will provide to the value of our home will be in line with the characteristics of the neighborhood as well as increase value for our surrounding neighbors.

While the infringement towards a property line will only be directly visible to the Williams, we still wanted to make you all aware of the situation and ask for your support during the zoning variance process. Again, we are happy to address any questions or concerns you may have.

Thank you in advance for your consideration.

Most sincerely,

Ian & Courtenay Shure
1208 Boyce Avenue
Towson Maryland 21204

I/We are in support of the addition to the SHURE residence at 1208 Boyce Avenue:

CASEY 1200 Boyce Avenue	4/12/18 Date	SCHEPF 1202 Boyce Avenue	Date
VAIL 1204 Boyce Avenue	Date	WILLIAMS 1206 Boyce Avenue	Date
PUCIATO 1210 Boyce Avenue	Date		

April 11, 2018

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Ian & Courtenay Shure
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Towson Maryland 21204

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		J. Ann Schepf	4-13-2018
CASEY 1200 Boyce Avenue	Date	SCHEPF 1202 Boyce Avenue	Date
VAIL 1204 Boyce Avenue	Date	WILLIAMS 1206 Boyce Avenue	Date
PUCIATO 1210 Boyce Avenue	Date		

April 11, 2018

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1208 Boyce Avenue
Towson Maryland 21204

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CASEY 1200 Boyce Avenue	Date	SCHEPF 1202 Boyce Avenue	Date
VAIL 1204 Boyce Avenue	Date	WILLIAMS 1206 Boyce Avenue	Date
PUCIATO 1210 Boyce Avenue	4/16/18 Date		

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Ian & Courtenay Shure 410-585-4407
1208 Boyce Avenue
Towson Maryland 21204

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CASEY 1200 Boyce Avenue	Date	SCHEPF 1202 Boyce Avenue	Date
VAIL 1204 Boyce Avenue	Date	WILLIAMS 1206 Boyce Avenue	4/18/18 Date
PUCIATO 1210 Boyce Avenue	Date		

April 11, 2018

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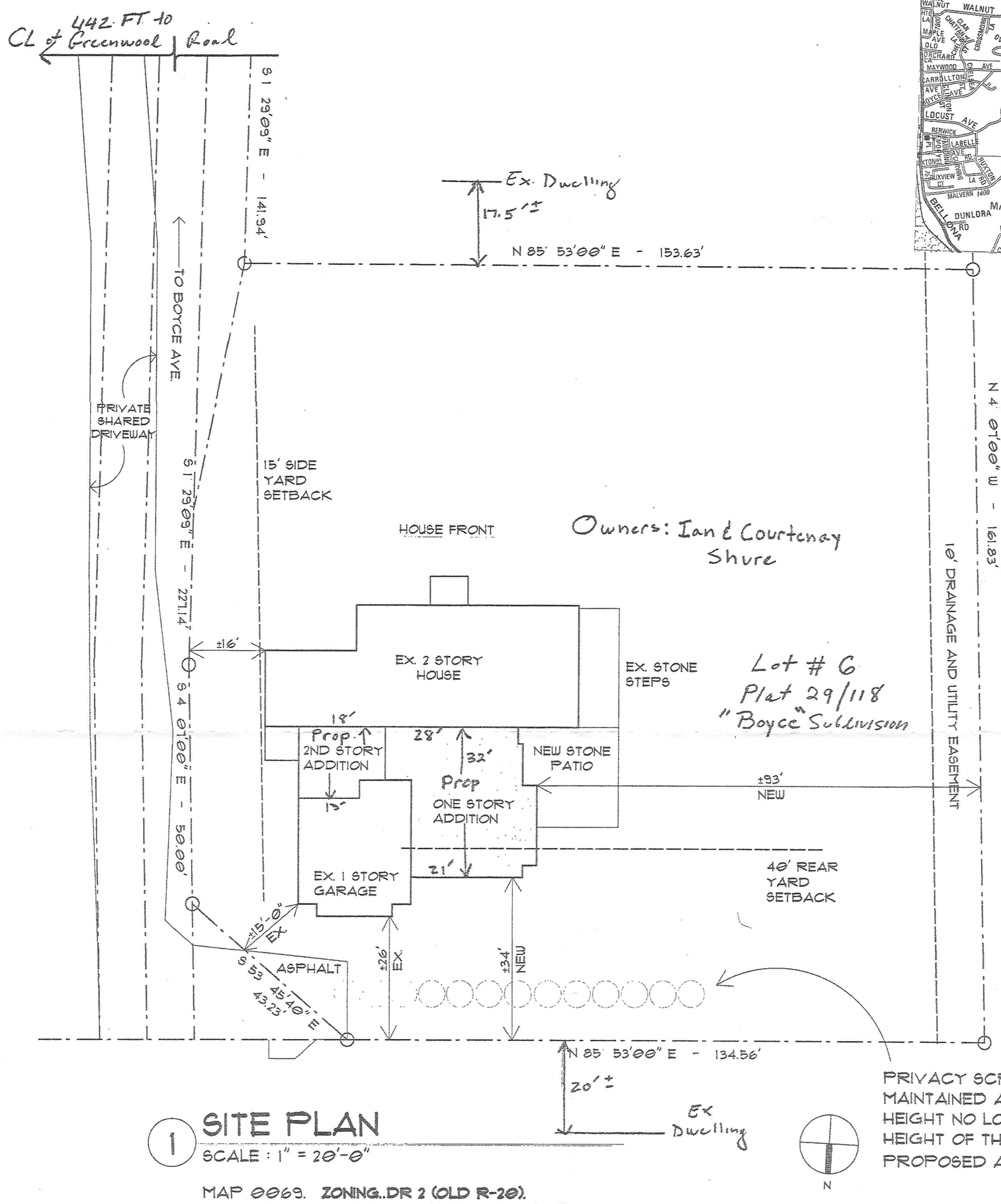
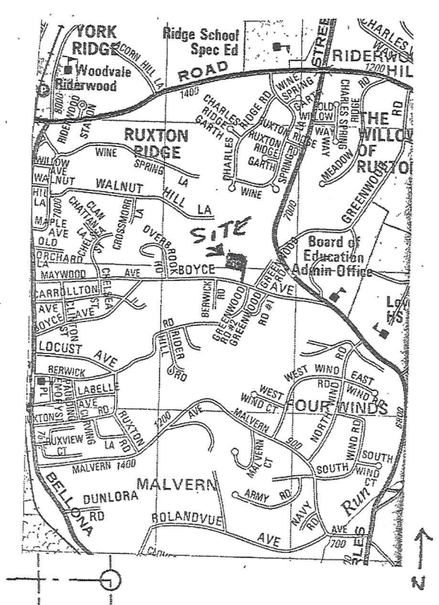




Vicinity Map
1" = 2,000'

PRIVACY SCREENING TO BE MAINTAINED AND KEPT AT A HEIGHT NO LOWER THAN THE HEIGHT OF THE NEW PROPOSED ADDITION - 20'-6"

1 SITE PLAN
SCALE : 1" = 20'-0"

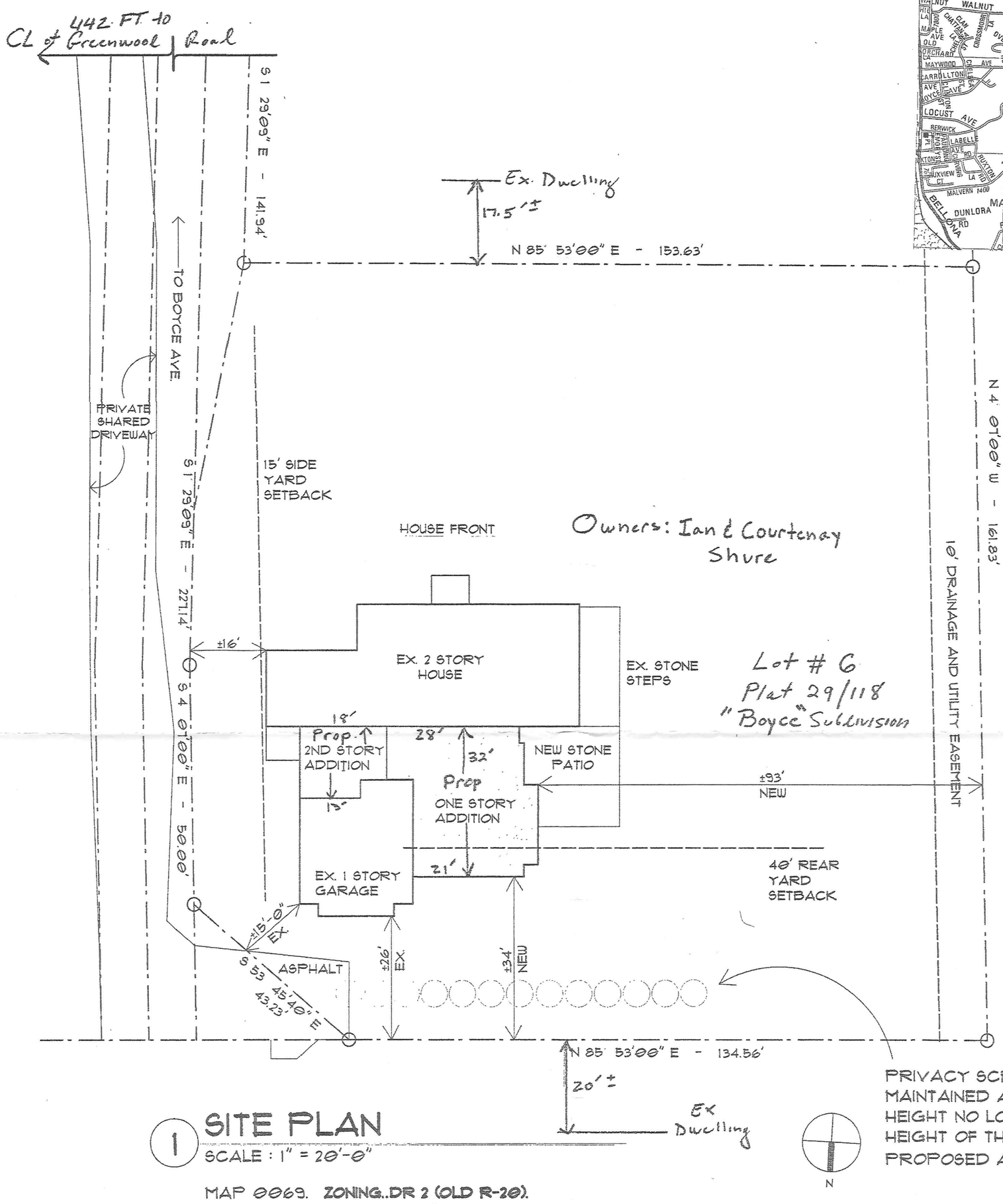
MAP 0069. **ZONING..DR 2 (OLD R-20).**
DEED REFERENCE: 36593/0251, Tax Account Number 0913554031
LAND AREA: 24,394 SF.
LOT SIZE: 153' X 161' APPROX.
STRUCTURE AREA: 3502 SF.
YEAR BUILT: 1913

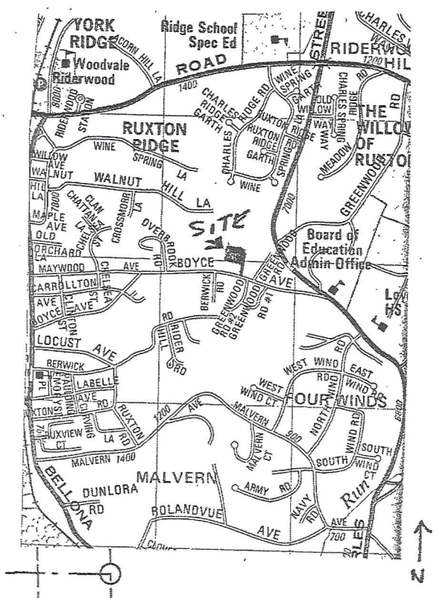
NEW 2ND FLOOR - 254 SF
NEW 1ST FLOOR - 850 SF
The Site/Building are not Historic
The Site is not within the CBCA
The Site is served by Public Utilities
200 Scale Grid: 069C1
The Site is not within a 100-year Floodplain (Per FEMA Maps).
There are no Prior Zoning Cases on the Property.

Site Plan Data Source:
- Mark Mobley Architecture Shure Residence Plan 4/18/2018
- Baltimore County GIS
- SDAT

Plan To Accompany
Administrative Variance
1208 Boyce Avenue
Election District 9
Councilmanic District 2

Pet. Exh. 1
2018-0294-A





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