

JOHN A. OLSZEWSKI, JR. County Executive

PAUL M. MAYHEW

Managing Administrative Law Judge

MAUREEN E. MURPHY

Administrative Law Judge

September 22, 2023

Joseph and Alicia Corson – apcorson@gmail.com 400 Woodbine Avenue Towson, MD 21204

RE:

Petition for Administrative Variance

Case No. 2023-0171-A

Property: 400 Woodbine Avenue

Dear Mr. and Mrs. Corson:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

PAUL M. MAYHEW

Managing Administrative Law Judge

for Baltimore County

PMM:dlw Enclosure

c: Gina Campbell – gina@nw2engineeers.com

IN RE: PETITION FOR ADMIN. VARIANCE (400 Woodbine Avenue)	*	BEFORE THE
9 <sup>th</sup> Election District 6 <sup>th</sup> Council District	*	OFFICE OF ADMINISTRATIVE
Joseph & Alicia Corson	*	HEARINGS FOR
•	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2023-0171-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 subject property, Joseph and Alicia Corson ("Petitioners") for the property located at 400 Woodbine Avenue, Towson. The Petitioners are requesting Variance relief pursuant to the Baltimore County Zoning Regulations ("BCZR") §§ 1B02.3.B and 400.1 to approve a right side yard sunroom and a 2nd story house addition with a setback of 6 ft. in lieu of the minimum required 10 ft. for a combined setback of 17 ft. in lieu of the required combined setback of 25 ft., and to approve an existing detached garage with a setback of 1 ft. in lieu of required 2 1/2 ft. and a location in the side yard in lieu of the required rear yard. The subject property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 25, 2023 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 to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

Although the Department of Planning did not make any recommendations related to the existing detached garage height and usage, I will impose conditions that the existing detached garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

THEREFORE, IT IS ORDERED, this <u>22<sup>nd</sup></u> day of September, 2023, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("BCZR") §§ 1B02.3.B and 400.1 to approve a right side yard sunroom and a 2nd story house addition with a setback of 6 ft. in lieu of the minimum required 10 ft. for a combined setback of 17 ft. in lieu of the required combined setback of 25 ft., and to approve an existing detached garage with a setback of 1 ft. in lieu of required 2 1/2 ft. and a location in the side yard in lieu of the required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

• Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- Petitioners or subsequent owners shall not convert the existing detached garage into a dwelling unit or apartment. The proposed existing detached garage shall not contain any sleeping quarters, living area, or kitchen or bathroom facilities.
- The existing detached garage shall not be used for commercial purposes.

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

PAUL M. MAYHEW

Managing Administrative Law Judge

for Baltimore County

PMM:dlw



### ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 400 Woodbine Ave Towson	MO 21204 Currently Zoned DR 3.5
10.000	git Tax Account # 0919 718 680
Owner(s) Printed Name(s) Joseph and Alic	•
(SELECT THE HEARING(S) BY MARKING X AT THE APPROPR	DIATE SELECTION(S) AND ADDING THE DETITION DEGLIEST)
**Damadasuninin attauun kiruwataan kanadun kau kirun sa sanadasa kanada kanada kanada kanada kanada kanada kan	
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 Couhereof, hereby petition for an:	unty and which is described in the plan/plat attached hereto and made a part
1ADMINISTRATIVE VARIANCE from Section(s)	
	room and a 2 <sup>nd</sup> story house addition with setback of 6 ft in lieu
	17 ft in lieu of the required combined setback of 25 ft and to
approve an existing garage with a setback of 1 ft in lieu of	
of the zoning regulations of Baltimore County, to the zoning law of Baltimore	County.
2ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursua work in this space: i.e., to raze, alter or construct addition to building)	ant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of
of the zoning regulations of Baltimore County, to the zoning law of Baltimore	County.
Property is to be posted and advertised as prescribed by the zoning regulation. If we agree to pay expenses of above petition(s), advertising, posting, etc. an Baltimore County adopted pursuant to the zoning law for Baltimore County.	
Owner(s)/Petitioner(s):	
Toseph Corsus 1 Alice	602200
Name #1 - Type or Print Name #2 -	Type or Print
1 Nece	a Plas
	ture # 2
Mailing Address City	State
21204 1410-615-7074 410-294-91231	apcorsure grail-con
Zip Code Telephone #'s (Cell and Home)	Email Address
Attorney for Owner(s)/Petitioner(s):	Representative to be Contacted:
	Ging Campbell
Name - Type or Print	Name Type or Print
Circolina	one Coupbell
Signature	Signature Signature St. Ro. H. MO
Mailing Address City State	Mailing Address UCI City State
T I	71730 (410) 3246 19 ina@nw2 .
Zip Code Telephone # Email Address	Zip Code Telephone # J Email Address & CIP
	365
A PUBLIC HEARING having been formally demanded and/or found to be	e required, it is ordered by the Office of Administrative Hearings for
Baltimore County, this day of hearing, advertised, and re-posted as required by the zoning regulations of the second sec	that the subject matter of this petition be set for a public Baltimore County.
	Administrative Law Judge for Baltimore County
Case Number 2023-0171-A Filing Date 8 / 18/	2023 Estimated Posting Date 8 127 12023 Reviewer CF

# 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: 400 Woodbine Ave	Towson	MD	21204
Print or Type Address of Property	City	State	Zip Code
non-compliant with addition on This side the existing non a constant pathroom a practical difficulty in There is no additional s	tical difficulty or hardship ST Floor Sion I'M SICHE SLT WOULD CLC COMENTY OF JITHIN THE C	here) le Addition back). A Dure a v The 2n My 1 Bath whent ho we new-	
(If additional space for the petition request or the Signature of Owner (Affiant)  Name - Print or Type	Signature of O	Plano	
The following information is to be con	mpleted by a Notary Pu	blic of the State of	of Maryland
STATE OF MARYLAND, COUNTY OF BALTIMORE	E, to wit:		
and for the County aforesaid, personally appeared:			Notary of Maryland, in
Print name(s) here: 30seph A Con	son and A	licia TC	-012011
the Affiant(s) herein, personally known or satisfactori	ly identified to me as such A	Affiant(s).	
Notary Public  BRIDGETT D HOLDER  Notary Public  My Commission Expires  My Commission Expires  My Commission Expires June 27 200	26		

#### ZONING PROPERTY DESCRIPTION FOR: 400 Woodbine Ave. Towson, Maryland

Beginning on the east side of Woodbine Avenue which is 20 feet wide at a distance of 35 feet south of the centerline of the nearest improved intersecting street Barranco Court which is 20 feet wide.

Thence the following courses and distances: N30° 20′00″E 58.00′, S60° 02′ 00″ E 213.00′, S 30°20′00″ W58.00′, N60° 02′ 00″ W213.00′ back to the point of the beginning, as recorded in Deed liber 12725, folio 00324, containing 1,2354 square feet. Located in the 9 Election District and 7 Council District.

# BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

# **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

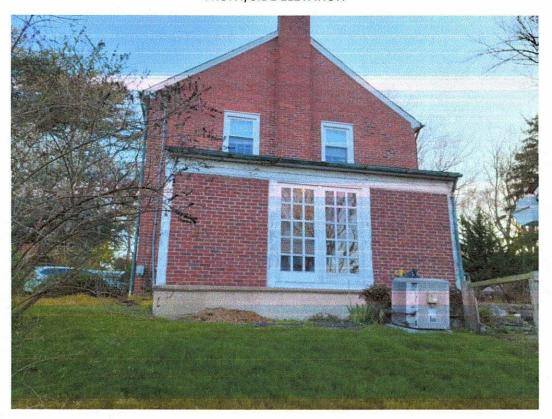
Case N	lumber: 2023 - 017 1 -A Address	400 woodbine A	rve				
Contac	et Person: Christing Frink Planner, Please Prin	t Your Name	Phone Number: 410-887-3391				
Filing [	Date: 8-16-2023 Posting D		Closing Date: 9-11-2023				
	ontact made with this office regarding to t person (planner) using the case numb		ative variance should be through the				
1.	<u>POSTING/COST</u> : 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.	<b>DEADLINE:</b> The closing date is the defile a formal request for a public hearing a public hearing, the process is not contained.	ng. Please understand that					
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.	<u>POSSIBLE PUBLIC HEARING AND REPOSTING:</u> 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.						
Petitio	oner: This Part of the Form is for the Si	gn Poster Only (Detach Along D	otted Line)				
	USE THE ADMINI	STRATIVE VARIANCE SIGN	FORMAT				
Case N	Number: 2023 -0171 -A Address	400 woodbine Av	e				
	oner's Name: Toseph & Alicia Con						
	g Date: 8-27 -2023 Clos						
	ng for Sign: To Permit a right side yard so						
minimu	um required 10 ft for a combined setback o	f 17 ft in lieu of the required o	combined setback of 25 ft and to approve				
an exis	sting garage with a setback of 1 ft in lieu of	the required 2 ½ ft					
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# **400 WOODBINE AVE.**

# TOWSON, MD



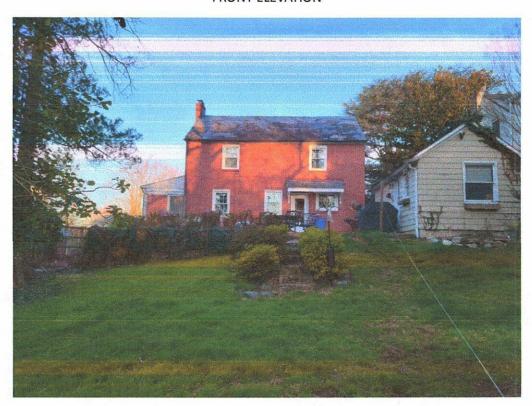
FRONT/SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



REAR ELEVATION

2023.011-A

# Real Property Data Search ( ) Search Result for BALTIMORE COUNTY

View Map View GroundRent Redemption View GroundRent Registration Special Tax Recapture: None Account Identifier: District - 09 Account Number - 0919718660 **Owner Information** CORSON JOSEPH A Owner Name: RESIDENTIAL CORSON ALICIA P Principal Residence: 400 WOODBINE AVE Mailing Address: Deed Reference: /12725/ 00324 **BALTIMORE MD 21204-4230** Location & Structure Information Premises Address: 400 WOODBINE AVE Legal Description: BALTIMORE 21204-4230 400 WOODBINE AVE WOODBINE Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 0069 0012 0885 9040056.04 3 2023 Plat Ref: 0012/0065 Town: None Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use 12 354 SE 1942 1,488 SF 330 SF Last Notice of Major Improvements StoriesBasementType ExteriorQualityFull/Half BathGarage 2 YES STANDARD UNITBRICK/ 5 1 full/ 1 half 1 Detached Value Information Base Value Value Phase-in Assessments As of As of As of 01/01/2023 07/01/2023 07/01/2024 123,000 Land: 134,300 220,200 276,500 Improvements Total: 343,200 410,800 365,733 388,267 Preferential Land: Transfer Information Seller: KINGSTON JAMES G Date: 03/16/1998 Price: \$175,000 Type: ARMS LENGTH IMPROVED Deed1: /12725/ 00324 Deed2: Seller: STEWART RONALD F Date: 11/19/1973 Price: \$51,400 Type: ARMS LENGTH IMPROVED Deed1: /05409/ 00561 Deed2: Seller: Date: Price: Deed1: Deed2: Type: **Exemption Information** 07/01/2023 07/01/2024 Partial Exempt Assessments: Class 000 0.00 County: State: 000 0.00 Municipal: 0.00|0.00 0.00|0.00 Special Tax Recapture: None **Homestead Application Information** Homestead Application Status: Approved 04/30/2008 Homeowners' Tax Credit Application Information

Date:

Homeowners' Tax Credit Application Status: No Application

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### **BALTIMORE COUNTY, MARYLAND**

## **Inter-Office Correspondence**



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge

Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE: September 18, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0171-A

Address: 400 WOODBINE AVE

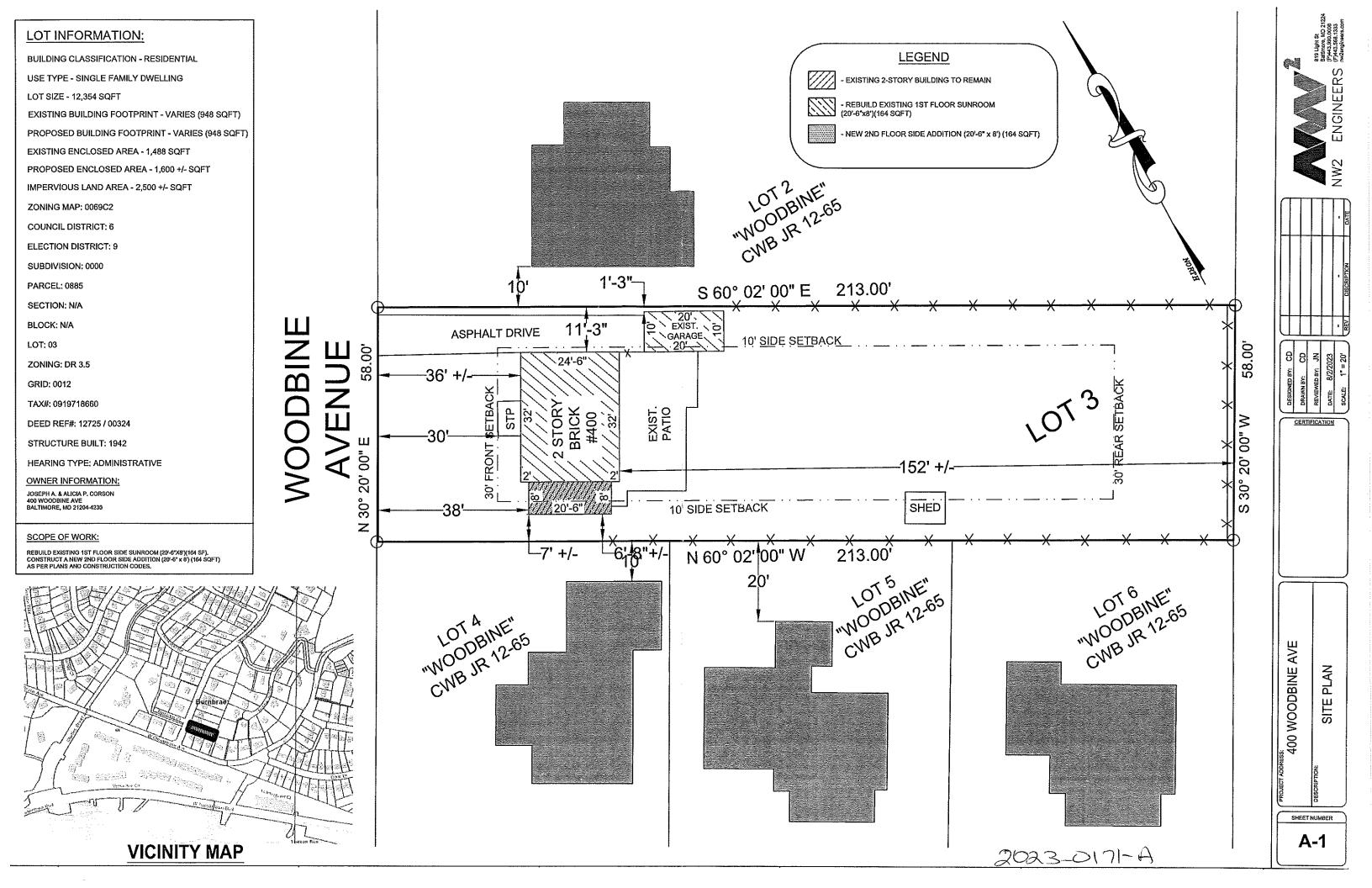
Legal Owner: Joseph and Alicia Corson

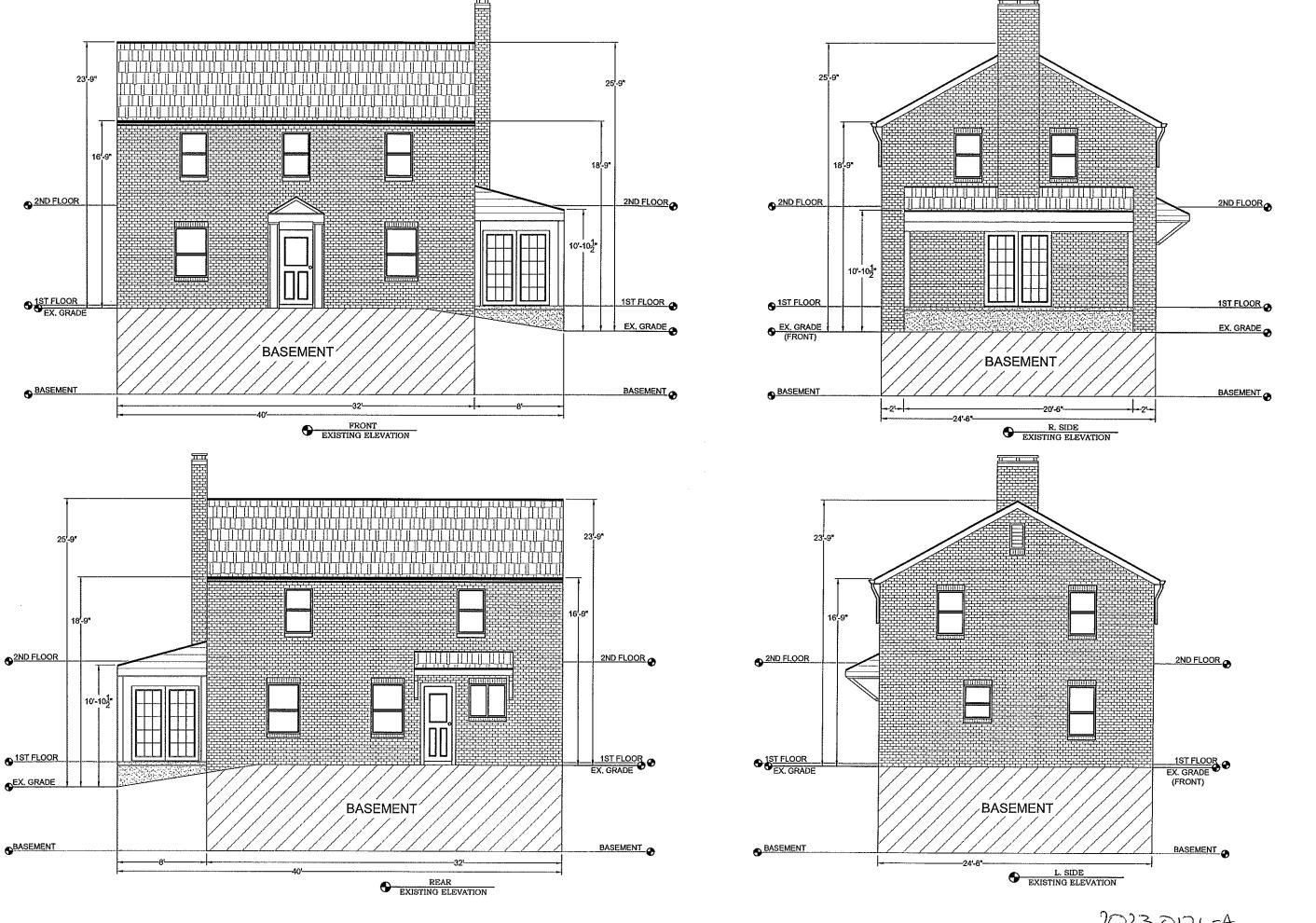
Zoning Advisory Committee Meeting of September 18, 2023.

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

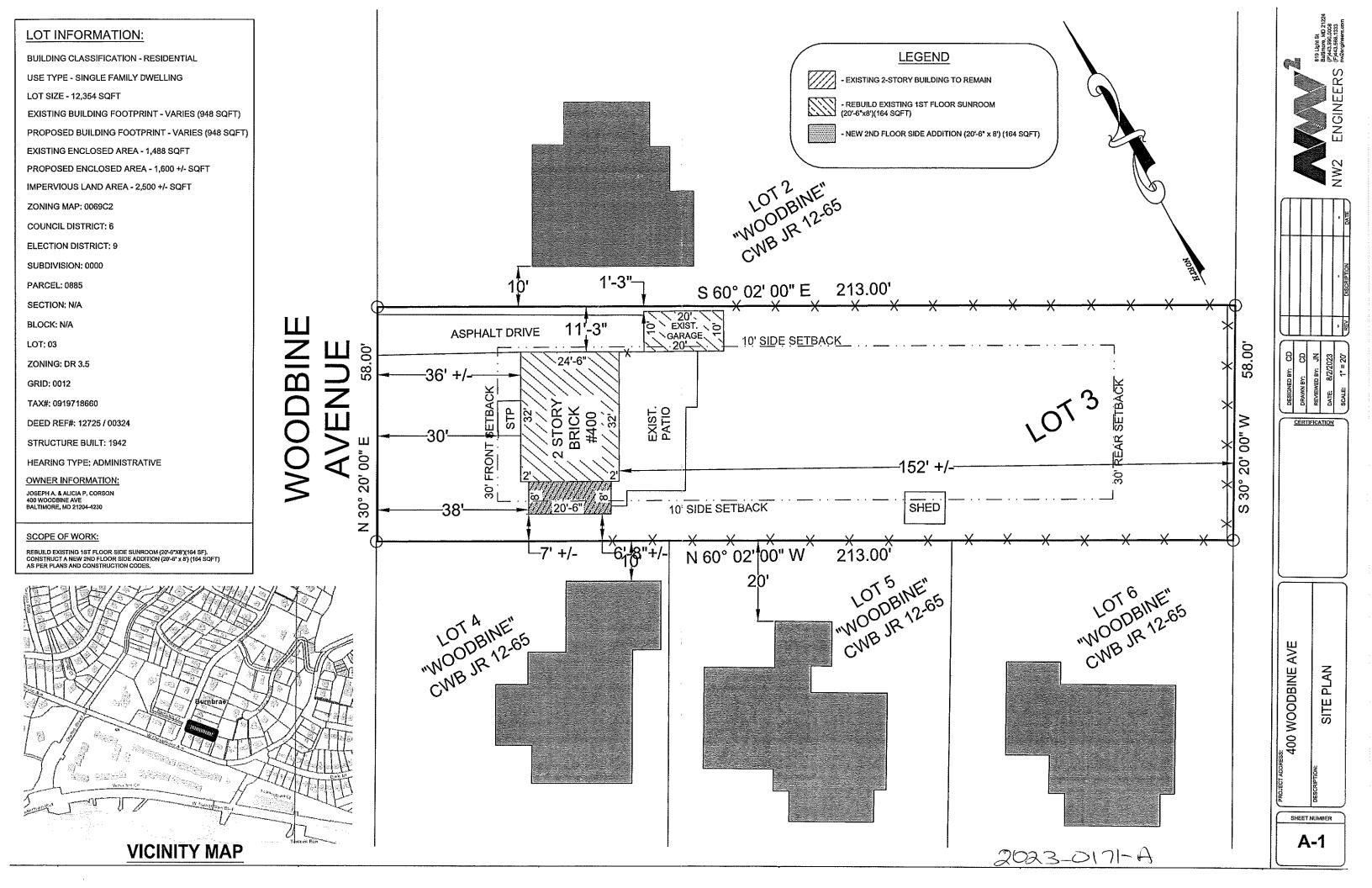
### Additional Comments:

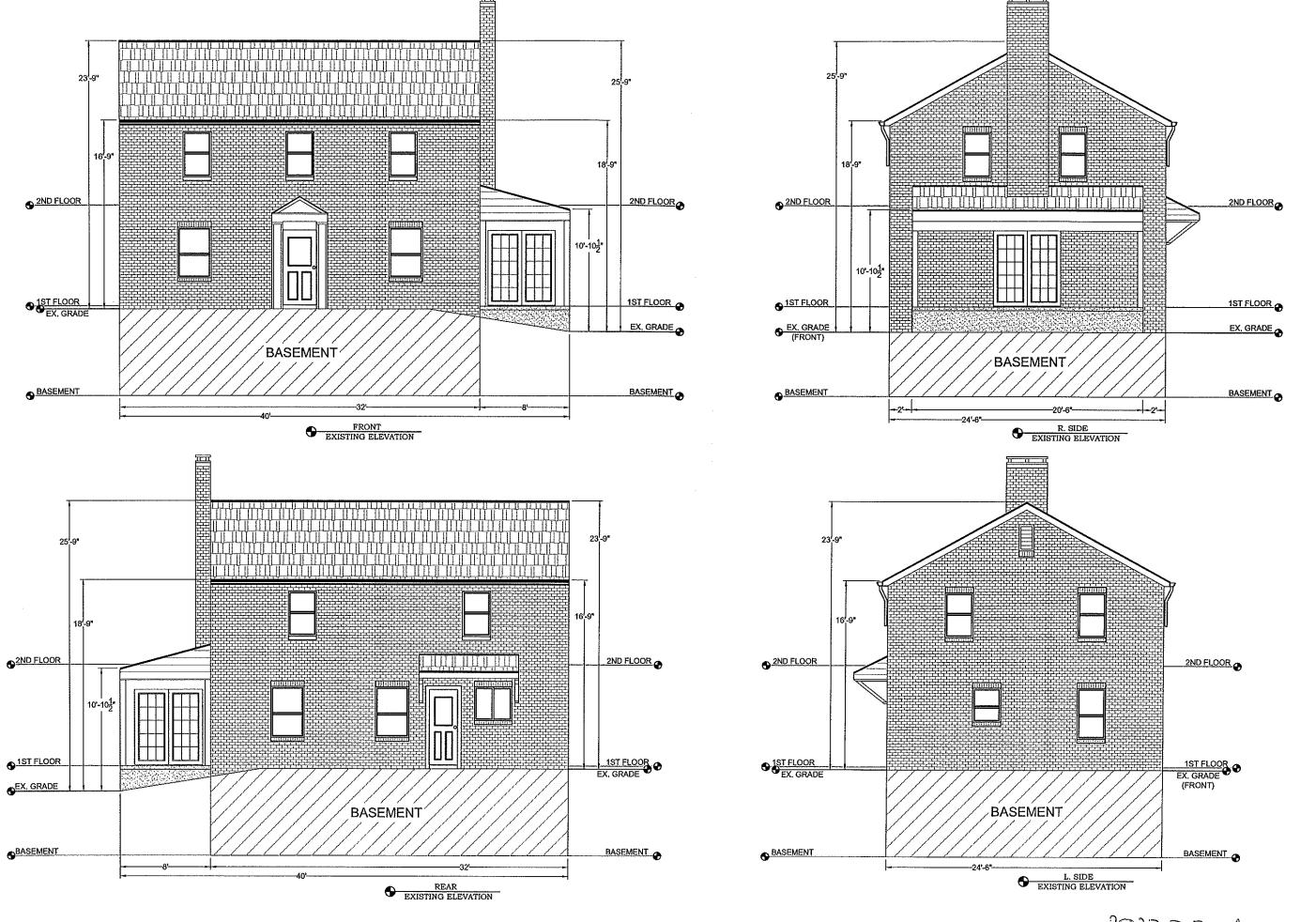
Reviewer: Earl D. Wrenn



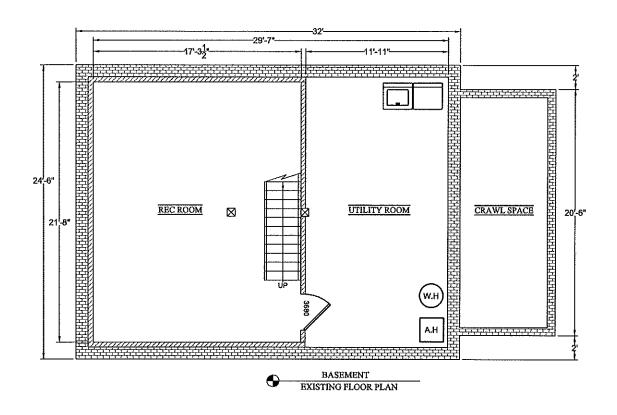


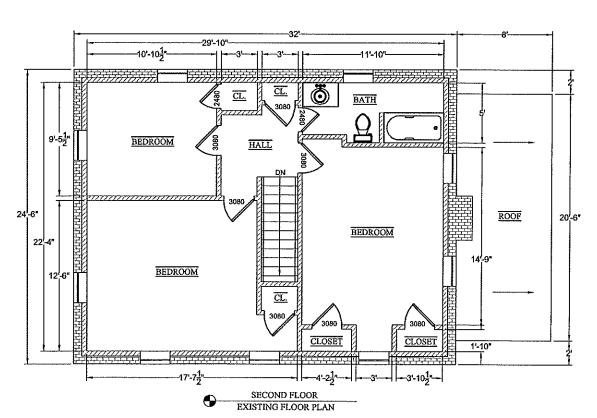
ENGINEERS CERTIFICATION **EXISTING ELEVATIONS** 400 WOODBINE AVE SHEET NUMBER **A-2** 

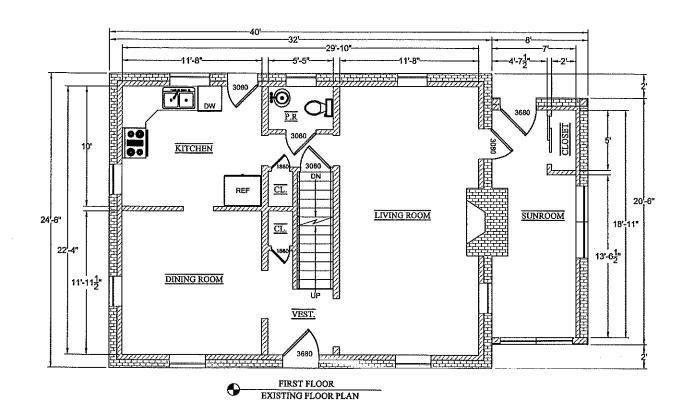


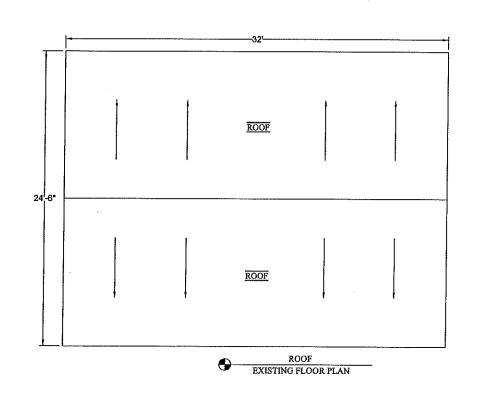


ENGINEERS CERTIFICATION EXISTING ELEVATIONS 400 WOODBINE AVE SHEET NUMBER **A-2** 





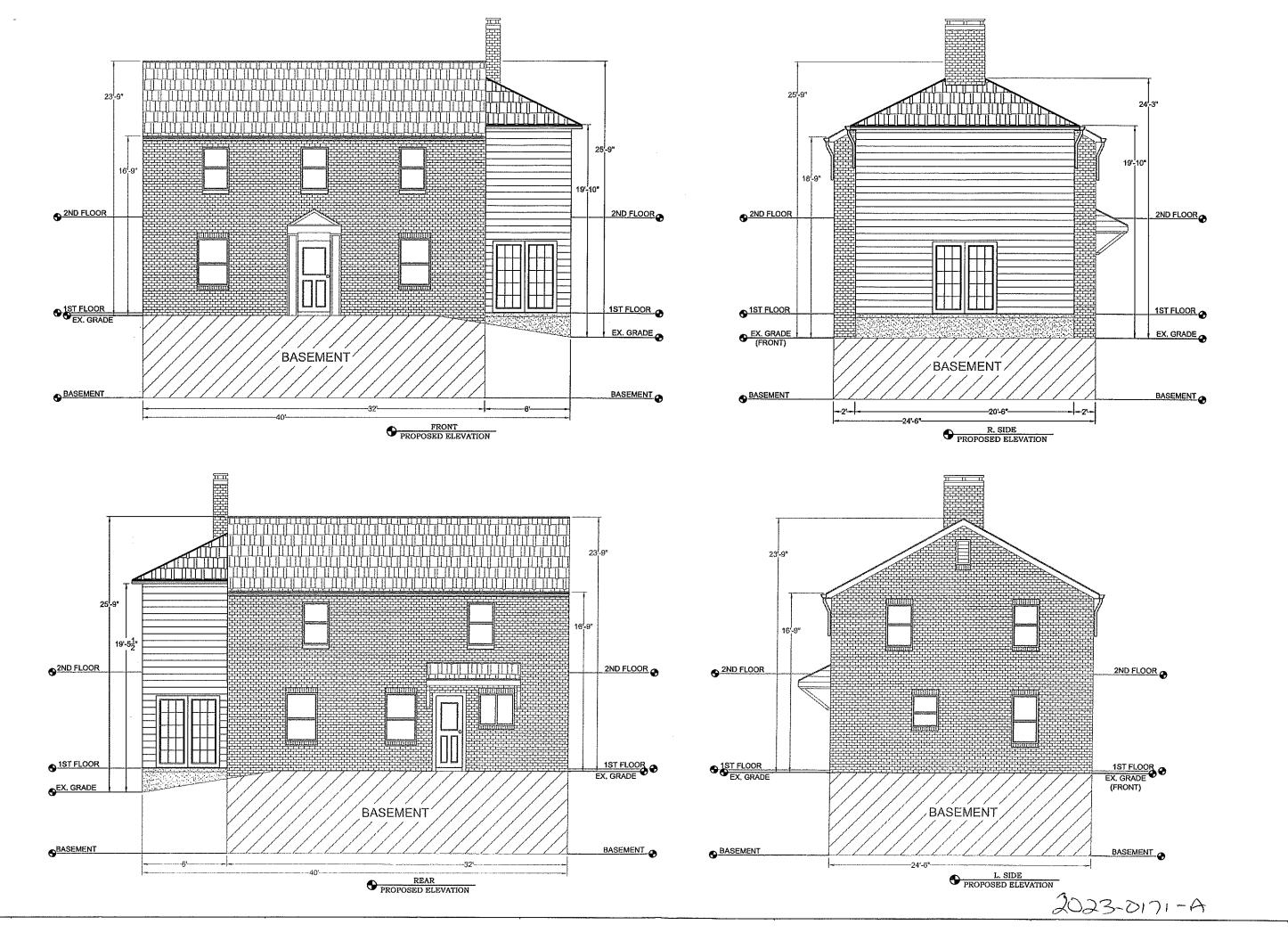




CERTIFICATION EXISTING FLOOR PLAN 400 WOODBINE AVE

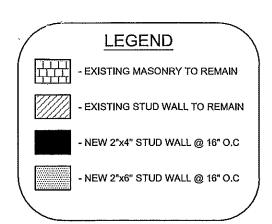
SHEET NUMBER

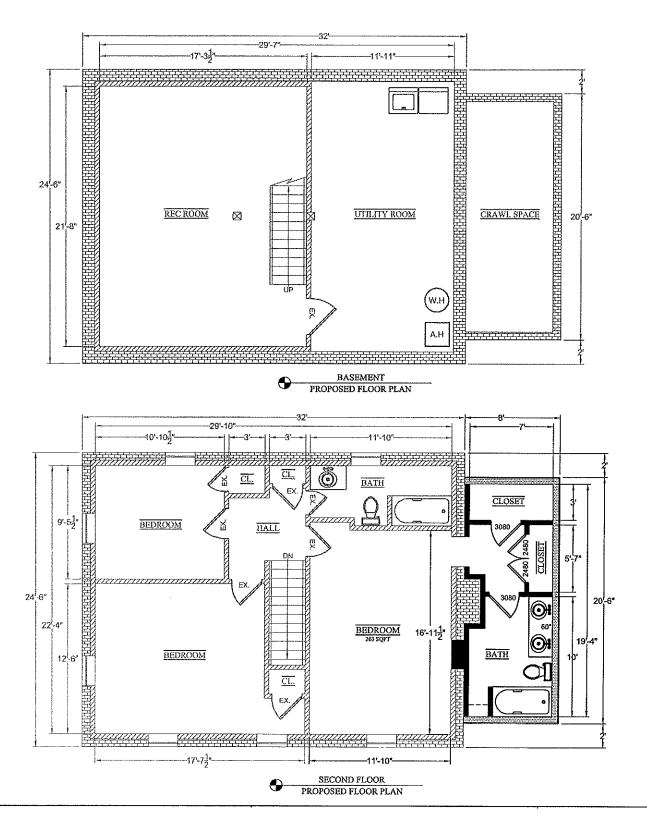
**A-3** 

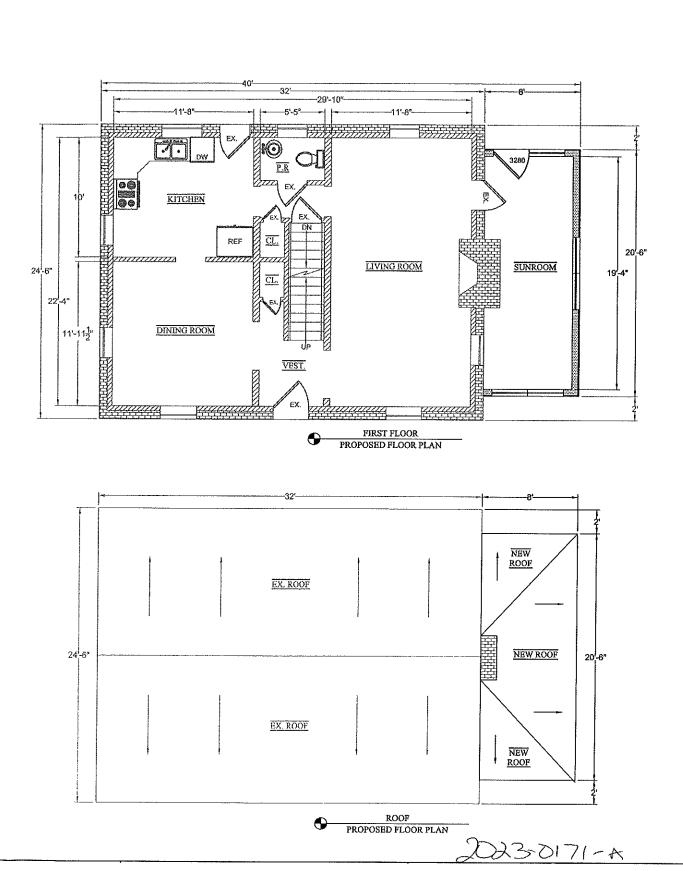


ENGINEERS CERTIFICATION PROPOSED ELEVATIONS 400 WOODBINE AVE SHEET NUMBER

**A-4** 







CERTIFICATION

PROPOSED FLOOR PLAN

SHEET NUMBER

A-5

400 WOODBINE AVE

