



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

May 15, 2024

Stephen and Terry Kew
127 Gibbons Boulevard
Cockeysville, MD 21030

RE: Petition for Administrative Variance
Case No. 2024-0102-A
Property: 127 Gibbons Boulevard

Dear Petitioners:

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,

A blue ink signature of Derek J. Baumgardner, consisting of a stylized 'D' and 'B' followed by a horizontal line.

DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB:dlw
Enclosure

c: Erin Spring -- erin@renovogroupllc.com

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(127 Gibbons Boulevard)		
8 th Election District	*	OFFICE OF ADMINISTRATIVE
3 rd Council District		
Stephen & Terry Kew	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0102-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, Stephen and Terry Kew (“Petitioners”), for the property located at 127 Gibbons Boulevard, Cockeysville (the “Property”). The Petitioners are requesting variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.C.1, to approve an addition (attached garage) to an existing dwelling with a rear setback of 27 ft. in lieu of the minimum required 30 ft. setback and a side street setback of 15 ft. in lieu of the required 30 ft. 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. Street view photographs were marked and accepted into evidence as Petitioners’ Exhibits 2A-2D.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 25, 2024 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 Section 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 Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioners.

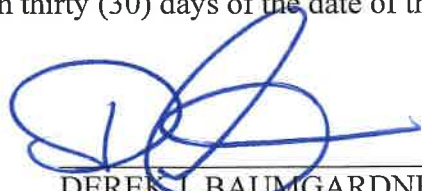
Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 15th day of **May, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (“BCZR”), Section 1B02.3.C.1, to approve an addition (attached garage) to an existing dwelling with a rear setback of 27 ft. in lieu of the minimum required 30 ft. setback and a side street setback of 15 ft. in lieu of the required 30 ft., 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.

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



DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

DJB: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 127 Gibbons Blvd Currently Zoned DR 3.5
Deed Reference 44867 / 00191 10 Digit Tax Account # 2 4 0 0 0 0 9 0 6 7
Owner(s) Printed Name(s) Stephen and Terry Kew

(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. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR 1B02.3.C.1 To approve an addition (attached garage) to an existing dwelling with a rear setback of 27 ft in lieu of the minimum required 30 ft setback and a side street setback of 15 ft in lieu of the required 30 ft

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 zoning regulations of Baltimore County, to the zoning 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):

<u>Stephen James Kew</u>	<u>Terry Lee Kew</u>
Name #1 – Type or Print	Name #2 – Type or Print
Signature #1	Signature #2
<u>127 Gibbons Blvd</u>	<u>Cockeysville MD</u>
Mailing Address	City State
<u>21030</u>	
Zip Code	Telephone #'s (Cell and Home) Email Address

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

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

Representative to be Contacted:

Erin Spring
Name - Type or Print _____
Signature
16900 Dolf Rd Stewartstown PA
Mailing Address _____ City _____ State _____
17363 443-622-7384 Erin.Drenovog@ppk.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 2024-0102-A Filing Date 4/18/2024 Estimated Posting Date 4/28/2024 Reviewer CP

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: 127 Gibbons Blvd Cockeysville MD 21030
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)**

We are requesting a 400sf attached garage with the interior demensions measuring the equivalent of 400sf. Based upon the existing conditions of the property, we are constrained on the side property line by a 15' setback due to a public street right-of-way (Polk street). This right-of-way is unimproved. There is also the constraint of the rear setback of 30'. Being that the existing residence is angled on the property we can only achieve a 20' wide X 18' 6" deep garage (outside dimensions) This would make the interior space available approximately 333sf.

We are requesting an adminstrative variance for the rear property line setback to build a 20' wide X 24' deep garage (outside dimensions) to achieve an interior square footage of approximately 437sf.

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

[Signature]
Signature of Owner (Affiant)

Stephen James Kew
Name - Print or Type

[Signature]
Signature of Owner (Affiant)

Terry Lee Kew
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 29th day of MARCH, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: TERRY LEE AND STEPHEN KEW

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

09-05-2027
My Commission Expires



2024-0102-A

The Zoning Petition Property Description

Zoning Property Description for 127 Gibbons Blvd.

Beginning at a point on the south side of Gibbons Boulevard, which is 40-feet wide, at the distance of 1,430-feet south of the centerline of the nearest improved intersecting street (Jefferson Avenue), which is 30' wide.

Being Lot # (1), Block (-), Section # (QQ) in the subdivision of 0000 as recorded in Baltimore County Plat book # (0007), Folio # (0015), containing (0.695 Acres). Located in the (8) Election district and (3) Council district.

2024-0102-A

Zoning Hearing Plan for Variance X for Special Hearing _____ Mark Type Requested with (X)
Address 127 Gibbons Blvd Owners(s) Name(s) Stephen and Terry Kew
Subdivision Name _____ Lot # 1 Block # _____ Section # QQ
Plat Book # 0007 Folio # 0015 10 Digit Tax # 2 4 0 0 0 0 9 0 6 7 Deed Reference# 4 4 8 6 7 / 0 0 1 9 1



Plan Drawn By Joseph Malandrucolo - Renovo Group LLC

Date March 21, 2024 Scale: 1 inch = 40 Feet

Site Vicinity Map



Zoning Map # 051C3

Zoning DR 3.5

Election District 8

Council District 3

Lot Area Acreage 0.695

Lot Square Footage 30,270

Historic (Yes or No) No

CBCA (Yes or No) No

Flood Plain (Yes or No) No

Utilities - Mark with (X)

Water is:

Public _____ Private X

Sewer is:

Public _____ Private X

Prior Hearing (Yes or No) No

If (Yes) list Case Number(s)
and order result(s) below:

Violation Case Number(s)

2024-0102-A

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 7, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0102-A
Address: 127 GIBBONS BLVD
Legal Owner: Stephen & Terry Kew

Zoning Advisory Committee Meeting of May 7, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. If the zoning variance is granted, Ground Water Management requests that it be conditioned to include the following:
 - a. Ground Water Management approval must be obtained prior to approval of the building permit. Requirements for approval will include submission of a site plan that meets GWM site plan requirements.

Additional Comments:

Reviewer: Mia Lowery, L.E.H.S.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: May 1, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0102-A

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

DPR: No comment.

DPW-T: No exception taken.

Landscaping: No comment.

Recreations & Parks: No Greenways affected.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/25/2024

Case Number: 2024-0102-A

Petitioner / Developer: ERIN SPRING of RENOV0 GROUP, LLC ~
STEPHEN & TERRY KEW

Date of Closing: MAY 13, 2024

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:
127 GIBBONS BLVD.

The sign(s) were posted on: APRIL 25, 2024

ZONING NOTICE

**ADMINISTRATIVE
VARIANCE**

CASE # 2024-0102-A
**TO PERMIT AN ADDITION (ATTACHED GARAGE)
TO AN EXISTING DWELLING WITH A REAR
SETBACK OF 27 FT. IN LIEU OF THE MINIMUM
REQUIRED 30 FT. SETBACK AND A SIDE STREET
SETBACK OF 15 FT. IN LIEU OF THE REQUIRED
30 FT. 127 GIBBONS BLVD.**

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
4:30 P.M. ON MONDAY, MAY 13, 2024
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

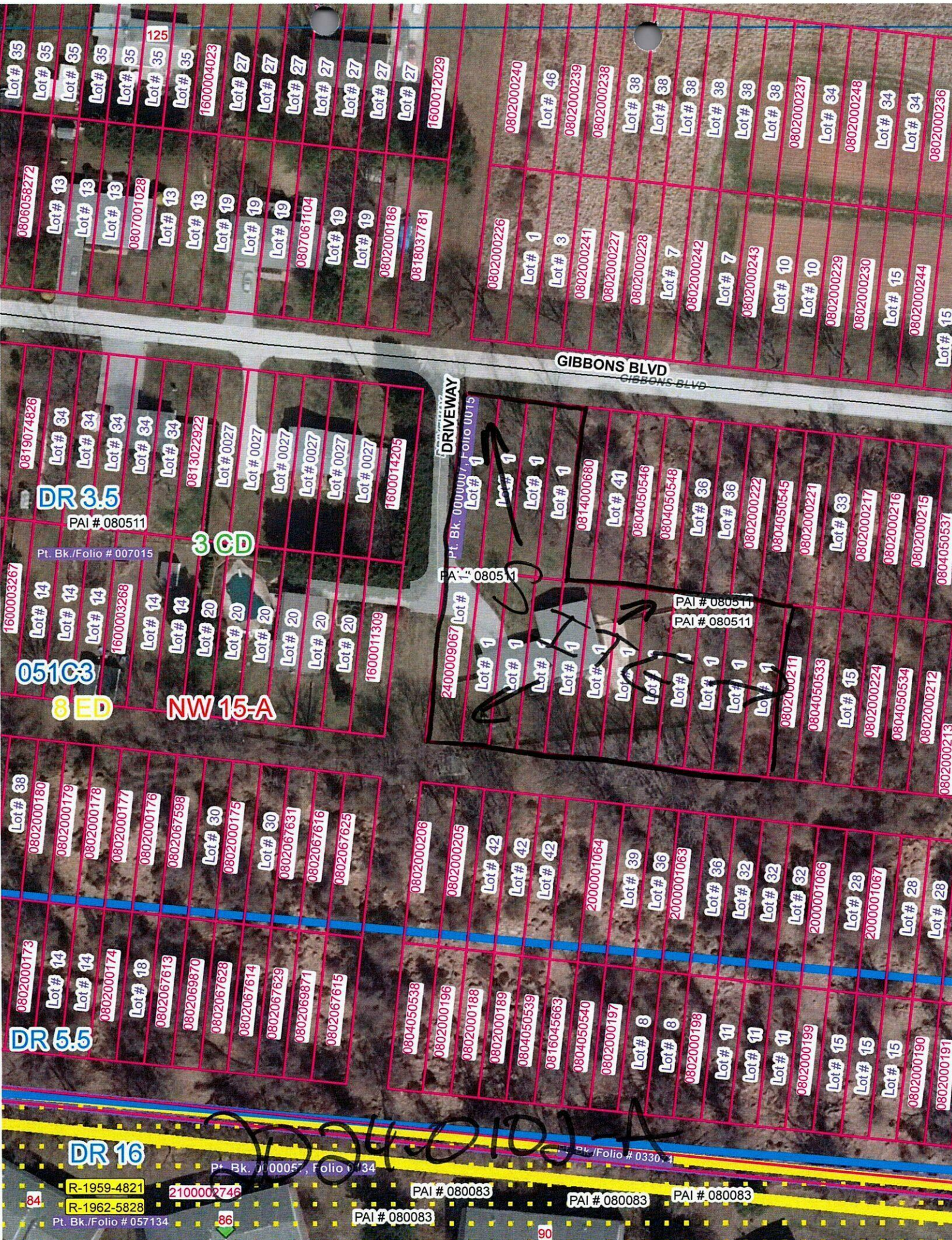
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



DR 3.5

PAI # 080511

Pt. Bk./Folio # 007015

3CD

051C3

8ED

NW 15-A

DR 5.5

DR 16

GIBBONS BLVD

DRIVEWAY

84

R-1959-4821

R-1962-5828

2100002746

PAI # 080083

PAI # 080083

PAI # 080083

PAI # 080083

90

Pt. Bk./Folio # 057134

86

Pt. Bk./Folio # 00057, Folio # 34

Pt. Bk./Folio # 0330.4

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

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 -0102 -A Address 127 Gibbons Blvd

Contact Person: Christina Frink Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4-18-2024 Posting Date: 4-28-2024 Closing Date: 5-13-2024

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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

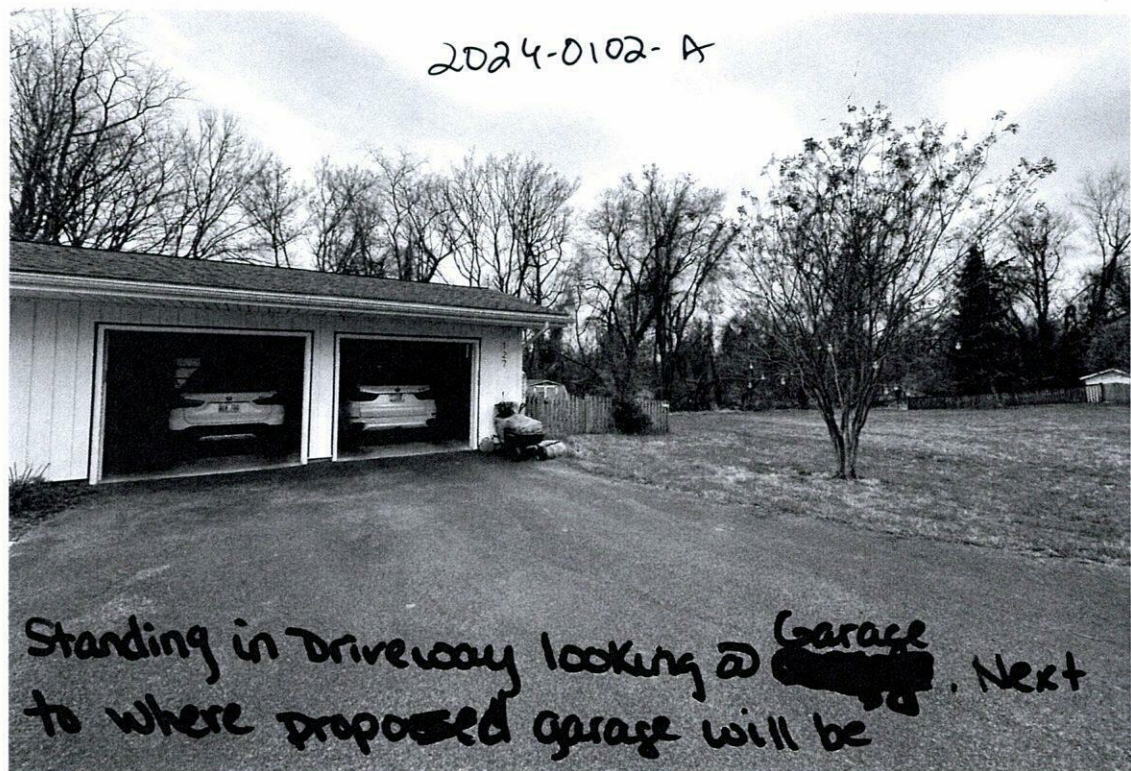
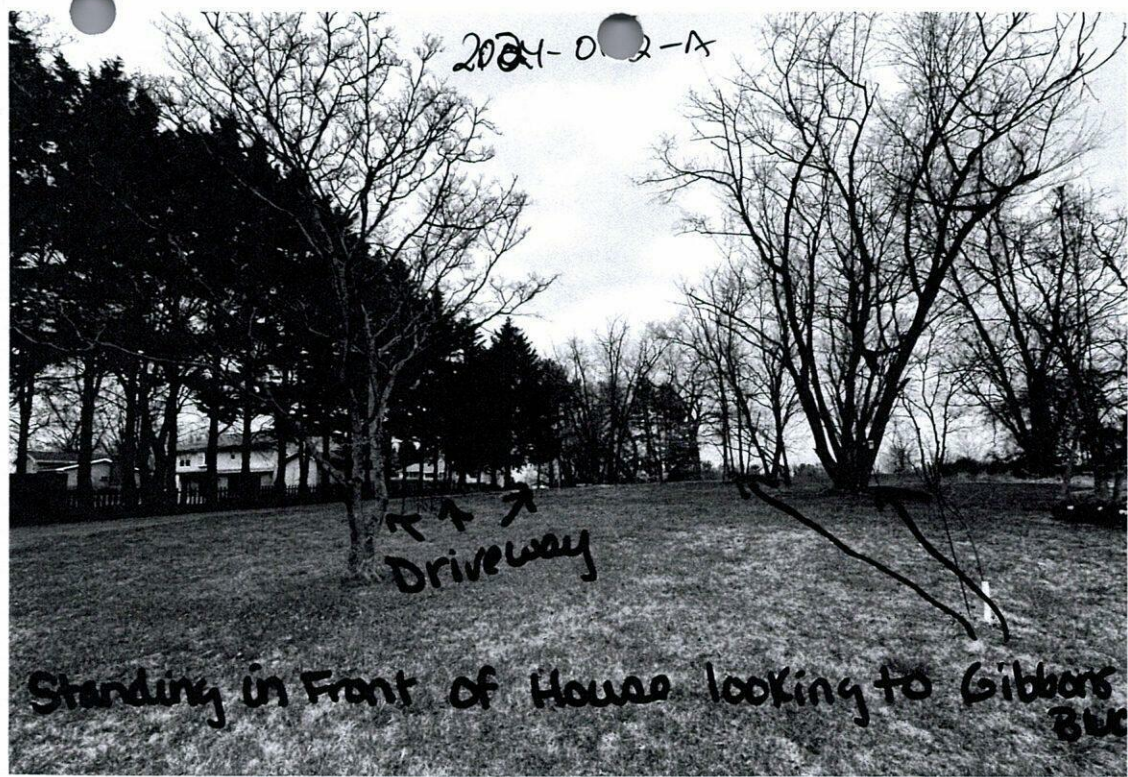
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

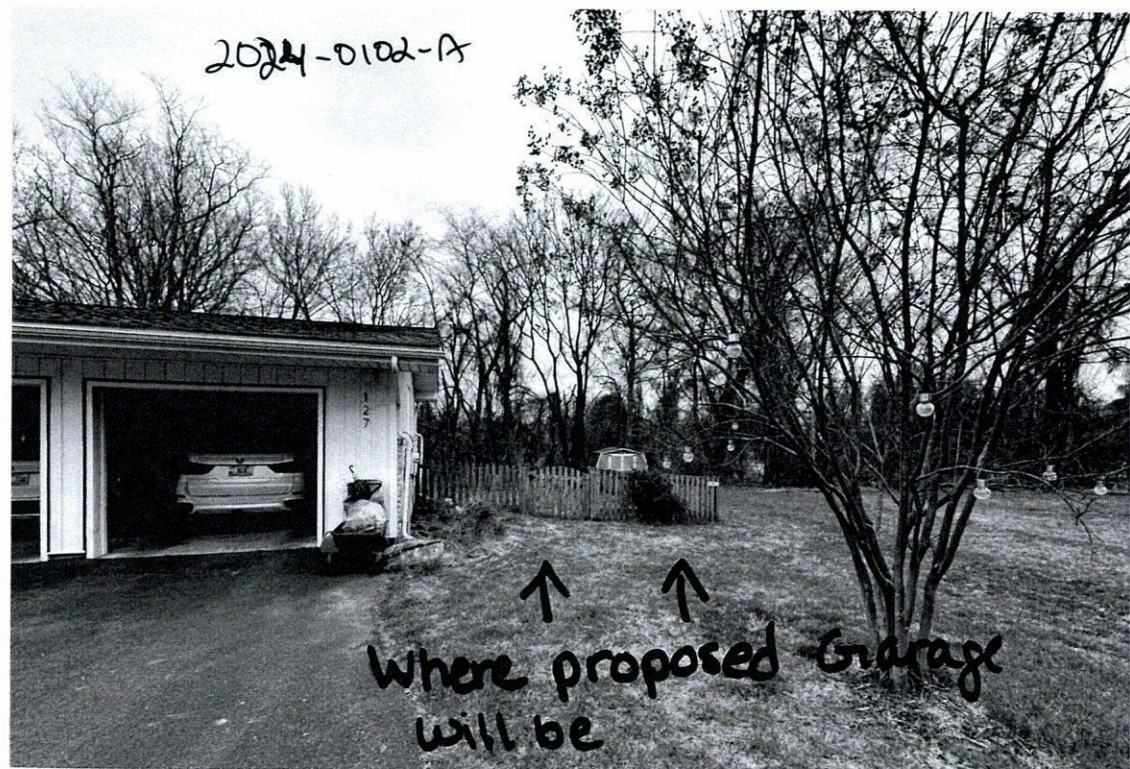
Case Number: 2024 - 0102 -A Address 127 Gibbons Blvd

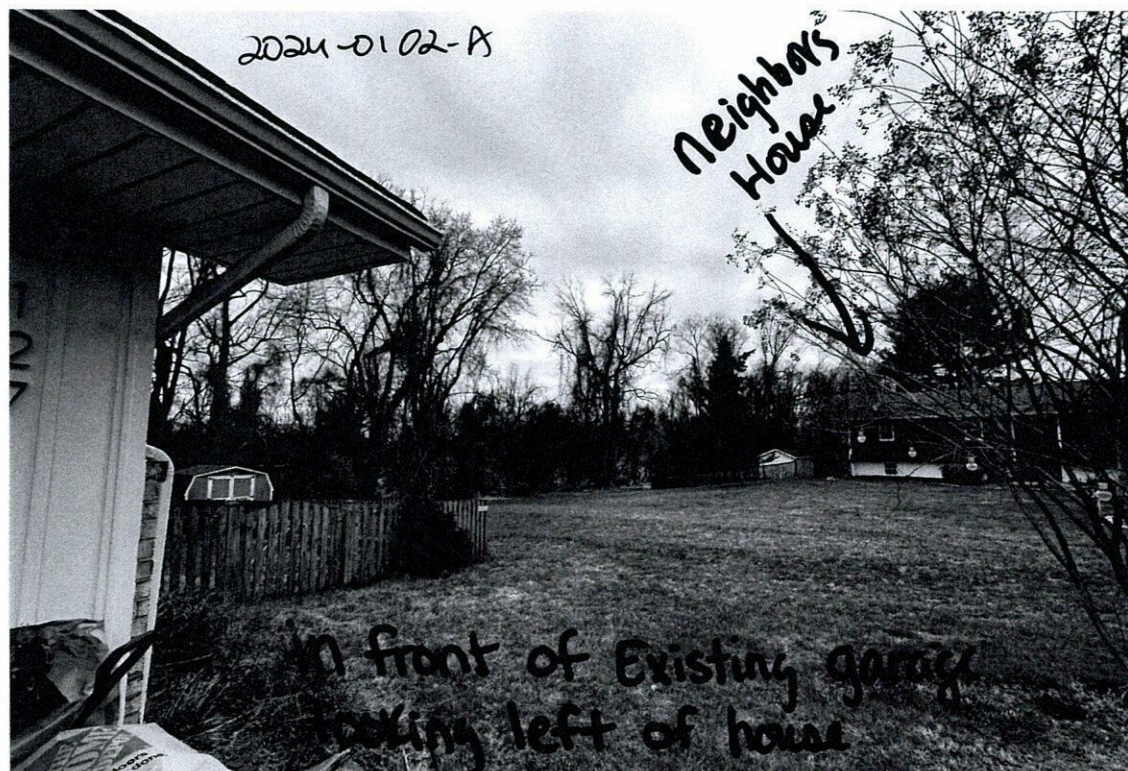
Petitioner's Name: Stephen/Terry Kew Telephone (Cell) 443-622-7384

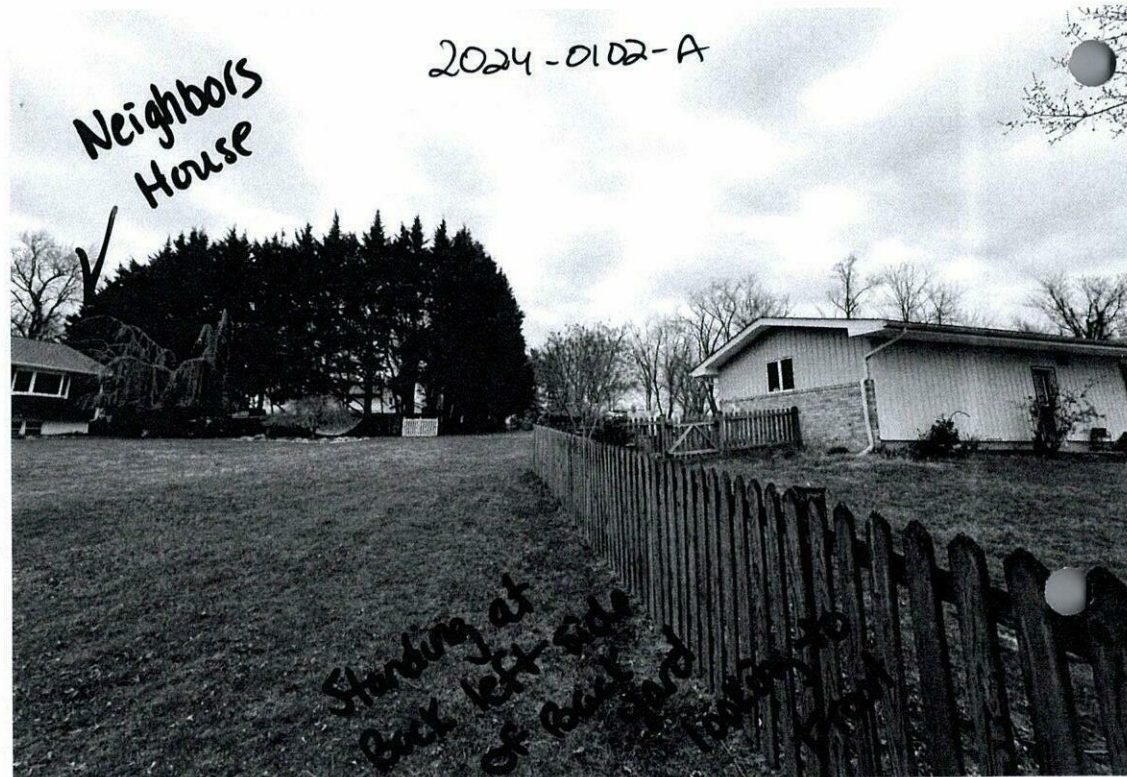
Posting Date: 4-28-2024 Closing Date: 5-13-2024

Wording for Sign: To Permit an addition (attached garage) to an existing dwelling with a rear setback of 27 ft in lieu
of the minimum required 30 ft setback and a side street setback of 15 ft in lieu of the required 30 ft











**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353

WWW.BALTIMORECOUNTYMD.GO
V

Cashier: Jason S.
04-Apr-2024 11:39:20A

Transaction **102234**
1 Petition Before ALJ \$75.00

Total **\$75.00**

DEBIT CARD SALE \$75.00
VISA 2120

Retain this copy for statement
validation

Station: Permit Processing - Mini

04-Apr-2024 11:40:19A
\$75.00 | Method: EMV
US DEBIT XXXXXXXXXXXXX2120
ERIN D SPRING
Reference ID: 409500558800
Auth ID: 002635
MID: *****2995
AID: A0000000980840
AthNtwkNm: INTERLINK
RtInd: DEBIT
PIN VERIFIED

Clover ID: 82M9A6DZGD1W8
Payment 2AWNTTFJWKHBR

Clover Privacy Policy
<https://clover.com/privacy>

2024-0102-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 - 08 Account Number - 2400009067

Owner Information

Owner Name: KEW STEPHEN JAMES
KEW TERRY LEE

Use: RESIDENTIAL
Principal Residence: YES

Mailing Address: 127 GIBBONS BLVD
COCKEYSVILLE MD 21030-5004

Deed Reference: /44867/ 00191

Location & Structure Information

Premises Address: 127 GIBBONS BLVD
COCKEYSVILLE 21030-5004

Legal Description: .695AC LS1,2,5,7,9,12
PT3,4,6,8,10,11
2 TIMONIUM HEIGHTS

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0051 0018 0375 8030047.04 0000 QQ 1 2023 Plat Ref: 0007/ 0015

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1980	1,843 SF	1382 SF	30,270 SF	04

Stories	Basement	Type	Exterior Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	NO	STANDARD UNIT	FRAME/4	2 full	1 Attached	

Value Information

	Base Value	Phase-in Assessments		
		Value	As of	As of
			01/01/2023	07/01/2023
				07/01/2024
Land:	112,800	112,800		
Improvements	194,400	372,200		
Total:	307,200	485,000	366,467	425,733
Preferential Land:	0	0		

Transfer Information

Seller: CIOLEK BRADLEY C	Date: 06/07/2021	Price: \$500,000
Type: ARMS LENGTH MULTIPLE	Deed1: /44867/ 00191	Deed2:
Seller: CIOLEK BRADLEY C	Date: 06/28/2016	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /37683/ 00456	Deed2:
Seller: REISS DAVID A	Date: 10/23/2014	Price: \$362,000
Type: ARMS LENGTH MULTIPLE	Deed1: /35494/ 00481	Deed2:

Exemption Information

Partial Exempt Assessments: Class		07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Application received 05/09/2023

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2024-0102-A