

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/2 GreenSpring Drive, 102 FT. * ZONING COMMISSIONER
W of Moore Drive Avenue * OF BALTIMORE COUNTY
1703 GreenSpring Drive *
9th Election District * Case No. 94-352-A
4th Councilmanic District *
Marilou Denisch *
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for a Zoning Variance for the property located at 1703 GreenSpring Drive in the Lutherville section of Baltimore County. Relief is requested from Sections 211.2 and 211.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 17 ft. in lieu of the required 25 ft., a street centerline to dwelling setback of 37 ft. in lieu of the required 50 ft. and a rear yard setback of 14 ft. in lieu of the required 30 ft. All of the relief requested is more particularly shown on the site plan, submitted as Petitioner's Exhibit No. 1.

This matter was originally filed as a Petition for Administrative Variance pursuant to Section 2A-127 of the Baltimore County Code. Administrative Variances may be considered and granted without a public hearing for owner/occupied residential properties. However, upon review of the subject Petition by this Zoning Commissioner, it was determined to be in the public interest for a public hearing to be held.

Appearing at that public hearing was the Petitioner/property owner, Marilou Denisch. Also appearing in support of the Petition was her son, Philip Denisch, and Michael Rossi. Several neighbors from the vicinity also appeared in opposition to the request. They included Eric Rockel and the Lutherville Community Association, Richard and Arlene Winchurch, who reside at 1625 Trebor Court, and the immediate next door neighbors, Cooper W. and Charlotte L. DeLoach.

Testimony and evidence presented was that the subject property is approximately .16 acres in area and is zoned D.R.5.5. This is a small lot located adjacent to GreenSpring Drive in Lutherville. The property is improved with an existing two story single family dwelling. Mrs. Denisch testified that she suffers from rheumatoid arthritis and her mobility is limited. In view of this medical condition, she has proposed constructing a sizeable addition to the subject dwelling. It is anticipated that her son, Philip Denisch, will purchase the house and he and his family will occupy the existing dwelling. Mr. Denisch is married and presently has two children with a third on the way. Mr. Denisch and his family will occupy the existing dwelling, which contains four bedrooms, a kitchen and other rooms.

As to the addition, it will be sizeable. It will be connected to the right side of the existing house when faced from GreenSpring Avenue. Moreover, because the rear property line tapers towards the front, and the lot is narrower in the existing side yard, the building envelope for the addition will be closer to GreenSpring Avenue than the existing house. The site plan shows that the addition will be 28 x 30 ft. in area. Also, a floor plan was submitted showing the rooms within the addition. A family room, bathroom, bedroom and dining room are all envisioned. Most importantly, a separate kitchen will also be included within the addition. Access between the existing house and the addition will be provided by way of an internal doorway as shown on the floor plan.

As to the Protestants, they are concerned about the perceived change in character to this existing house. With a second kitchen added, they believe that the improvements on this property will be similar to a multi family dwelling. They are also concerned about the future use of the property and whether the addition could be rented as an apartment upon

ORDER RECEIVED FOR FILING
Date 3/11/94
By [Signature]

Mrs. Denisch's passing or sale of the property. Although the Petitioner agreed to remove the kitchen when she no longer resides in the addition, the Protestants are concerned that such a restriction would be difficult to enforce. In addition to the change in character of the structure, the Protestants are also concerned because the lot is and of itself is rather small (.16 acres) and the total building may well overburden the land.

As noted above, this matter comes before the Zoning Commissioner for consideration of several front and rear yard variances. Moreover, since an in-law apartment use is requested, a Petition for Special Hearing should have been filed to request approval of such a use. However, in that a public hearing was held to consider the variance request, and full disclosure of the Petitioner's plans was made at that time, it is most appropriate to consider all issues within this case.

Section 307 of the B.C.Z.R. sets forth those standards which must be addressed in considering all variances. In essence, the Petitioner must adduce testimony to satisfy three requirements. First, it must be shown that a practical difficulty would exist if the variance relief were not granted. The term practical difficulty has been defined by the courts of this state as follows:

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Solry*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unreasonably burdensome;
- 2) whether the grant would do substantial injustice to applicants as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

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By [Signature]

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

Secondly, the Petitioner must show that the relief can be afforded in a manner that is consistent with the spirit and intent of the regulations. Lastly, variance relief can only be granted if there will be no detriment to the surrounding locale.

In applying these tests to the testimony and evidence offered, I am not persuaded that the Petitioner has met her burden. I, likewise, share the concerns offered by the Protestants about the potential use of this property. The proposed addition is indeed large when compared to the existing house and size of the lot. Although restrictions could be added to approval requiring ultimate removal of the kitchen, such a restriction may not remedy the changed character of the dwelling. That is, a significantly sized addition will alter the character of the existing house and make same appear to be a two dwelling unit. Such an appearance and potential use would be dramatically inconsistent with the proposed uses in the area. This is an older community of established single family residences. Although other additions are in the area, none are of this nature and proposed use.

For these reasons, the Petition for Variance should and must be denied. Although I am sympathetic to the limitations on the Petitioner caused by her arthritic condition, and her desire to remain in her home, the interest of the public and the observance of the zoning regulations must take precedence.

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Date 3/11/94
By [Signature]

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of May, 1994 that a variance from Section 211.2 and 211.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 17 ft. in lieu of the required 25 ft., a street centerline to dwelling setback of 37 ft. in lieu of the required 50 ft. and a rear yard setback of 14 ft. in lieu of the required 30 ft., be and is hereby DENIED.

[Signature]
Lawrence E. Schmidt
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21286 (410) 887-4366

May 11, 1994

Mrs. Marilou Denisch
1703 GreenSpring Drive
Lutherville, Maryland 21093

RE: Case No. 94-352-A
Petition for Variance
Property: 1703 GreenSpring Avenue

Dear Mrs. Denisch:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-1391.

Very truly yours,
[Signature]
Lawrence E. Schmidt
Zoning Commissioner

cc: Mr. Eric Rockel
Mr. and Mrs. Richard Winchurch
Mr. and Mrs. Cooper W. DeLoach

ORDER RECEIVED FOR FILING
Date 3/11/94
By [Signature]

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

94-352-A
for the property located at 1703 GreenSpring Dr., Lutherville, MD

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property above in Baltimore County and which is described in the description and lot number herein and make a legal based, binding petition for a Variance from Sections 211.2 and 211.4 (B.C.Z.R.) TO PERMIT A FRONT YARD SETBACK OF 17 FT. AND STREET CENTERLINE SETBACK OF 37 FT. AND A REAR YARD SETBACK OF 14 FT. IN LIEU OF THE REQUIRED SETBACKS OF 25 FT., 50 FT. AND 30 FT. RESPECTIVELY FOR A PROPOSED ADDITION of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)

The owner, Marilou Denisch, is elderly and has long operations on her feet. She possibly needs a big operation which would possibly leave her wheelchair bound. Her son and daughter-in-law plan to move into her house in lieu of selling home nursing services. The addition will be made as a single story addition. Marilou will enable her son, without their son, to have the ability to be able to move into the main house. The main house is to be sold to the son and daughter-in-law. The son and daughter-in-law will be able to move into the main house and provide the home nursing care that Marilou needs.

Current Petitioner Name: Marilou Denisch
Petitioner Address: 1703 GreenSpring Dr., Lutherville, MD 21093
City: Lutherville, MD 21093
County: Baltimore, MD
State: Maryland, MD
City: Lutherville, MD
County: Baltimore, MD
State: Maryland, MD

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury in the Zoning Commissioner of Baltimore County, as follows: The information herein given was true to the best of my knowledge and belief and that I am a resident of Baltimore County, Maryland.

The Affiant(s) is/are presently located at 1703 GreenSpring Dr., Lutherville, MD 21093

I have based upon personal knowledge, the following are the facts upon which I base the request for an Administrative Variance and the other information herein contained:

The addition is being constructed as a single story addition to the present house. Marilou can live without stairs. She has physical problems and also needs nursing care with the addition. Her son and daughter-in-law will be able to move into the main house and provide the home nursing care that Marilou needs.

The Affiant(s) acknowledge(s) that if a person is fined, the Affiant(s) will be required to pay a reporting and advertising fee and that he/she is required to provide additional information.

[Signature]
Marilou Denisch

STATE OF MARYLAND, COUNTY OF BALTIMORE, to be SEVERED CERTIFY, on 3/11/94, that I, the undersigned, am a Notary Public of the State of Maryland, and in the County aforesaid, personally appeared Marilou Denisch.

He/She/It being, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of the Statute in that behalf and before me, and that he/she/it is/are the true and correct owner of the above described property and belief.

AS WITNESS my hand and Notarial Seal, this 11th day of March, 1994.

[Signature]
Notary Public

EXAMPLE 3 - Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1703 Greenspring Dr.
Election District B **Councilmanic District** 4

Beginning at a point on the _____ side of _____ (north, south, east or west) (street on which property fronts) which is _____ (number of feet of right-of-way width) wide at a distance of _____ (number of feet) (north, south, east or west) of the centerline of the nearest improved intersecting street _____ (name of street) which is _____ wide. *Being lot # 1 (number of feet of right-of-way width)

Block # _____ Section # _____ in the subdivision of _____ (name of subdivision) as recorded in Baltimore County Plat Book # _____ Folio # _____ containing _____ (square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then do NOT attempt to use the lot, block and subdivision description as shown, instead state: "As recorded in Deed Liber # _____ Folio # _____" and include the measurements and directions (notes and bounds only) here and on the plat in the correct location.

Example of notes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 21' 13" E. 87.2 ft., S.62° 19' 00" W. 319 ft., and S.68° 13' 22" W. 80 ft. to the place of beginning.

7

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 94-352-A Date of Posting: 4/12/94

Posted to: 1703 Greenspring Dr.

Postman: Marion Demich

Location of property: 1703 Greenspring Dr.

Location of sign: Fronting, facing way, on street, being posted

Remarks: _____

Posted by: [Signature] Date of return: 4/14/94

Number of Signs: 1

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 94-352-A Date of Posting: 3/11/94

Posted to: 1703 Greenspring Dr.

Postman: Marion Demich

Location of property: 1703 Greenspring Dr.

Location of sign: Fronting, facing way, on street, being posted

Remarks: _____

Posted by: [Signature] Date of return: 3/14/94

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 15, 1994

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 4, 1994

THE JEFFERSONIAN,
A. Harrison
 LEGAL AD. - TOWSON

receipt
 94-352-A

Account # 0014180
 342
 by JLL

3/10/94

RES. VAR FILING CODE 010 \$ 50.00
 (1) SIGN POSTING CODE 080 35.00
 TOTAL \$ 85.00

OWNER: M. DENICH
 LOC.: 1703 GREENSPRING DR.

0306080178K598C \$85.00
 11/13/94 133003-10-94

Please Make Checks Payable To: Baltimore

Cashier Validation

Item Number: 342
 Planner: JLL
 Date Filed: 4-10-94

PETITION PROCESSING FLOW

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "log" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney _____
 The following information is missing:
 _____ Descriptions, including accurate beginning point
 _____ Actual address of property
 _____ Zoning
 _____ Acreage
 _____ Plat (need 12, only _____ submitted)
 _____ 200 scale zoning map with property outlined
 _____ Election district
 _____ Councilmanic district
 _____ BC28 section information and/or wording
 _____ Hardship/practical difficulty information
 _____ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 _____ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 _____ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
 _____ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 _____ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 _____ Notary Public's section is incomplete and/or incorrect and/or incorrect has not been reviewed
 _____ DEPT. OF ZONING & PLANNING
WET MATCH

PET. FILING (STATION)
 11/17/93

Baltimore County Government
 Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
 Towson, MD 21286 (410) 887-3333

ZONING HEARING, ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/interested 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAINTING WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL RESULT IN DENIAL OF ZONING ORDERS.

Carl Jara
 ARNOLD JARLAN, DIRECTOR

PLEASE FORWARD ADVERTISING BILLS TO:
 NAME: A. MARION DEMICH
 ADDRESS: 1703 Greenspring Dr.
Wet Match
 *PHONE NUMBER: 266-7444

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21286

on 11th, 04th Courtroom, 400 Washington Avenue, Towson, Maryland 21286 as follows:

Case Number: 94-352-A (Item 342)
 1703 Greenspring Drive
 1703 Greenspring Drive, 107' 9" of Side Setback
 8th Election District - 4th Councilmanic
 Petitioner(s): Marion Demich
 HEARING: WEDNESDAY, MAY 11, 1994 at 2:00 p.m., Rm. 118, Old Courtroom.
 Petitioner(s): John A. Hanner and Ballo B. Hanner
 HEARING: WEDNESDAY, MAY 11, 1994 at 2:00 p.m., Rm. 118, Old Courtroom.

Purpose: To permit a front porch setback of 37 feet and street setback of 37 feet and a rear yard setback of 14 feet in lieu of the required 25 feet, 50 feet, and 30 feet respectively for a proposed addition.

ARNOLD JARLAN, DIRECTOR

FOR SPECIAL ACCOMMODATION PLEASE CALL 887-3333.

NOTES: (1) HEARING IS UNRECORDED ACCIDENTALLY; FOR SPECIAL ACCOMMODATION PLEASE CALL 887-3333.
 (2) FOR INFORMATION CONCERNING THE FILING SIGN/HEARING, CONTACT THE OFFICE OF 887-3333.

Baltimore County Government
 Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3333

APRIL 8, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21286

on 11th, 04th Courtroom, 400 Washington Avenue, Towson, Maryland 21286 as follows:

Case Number: 94-352-A (Item 342)
 1703 Greenspring Drive
 1703 Greenspring Drive, 107' 9" of Side Setback
 8th Election District - 4th Councilmanic
 Petitioner(s): Marion Demich
 HEARING: WEDNESDAY, MAY 11, 1994 at 10:00 a.m., Rm. 118, Old Courtroom.

Purpose: To permit a front porch setback of 37 feet and street setback of 37 feet and a rear yard setback of 14 feet in lieu of the required 25 feet, 50 feet, and 30 feet respectively for a proposed addition.

ARNOLD JARLAN, DIRECTOR

FOR SPECIAL ACCOMMODATION PLEASE CALL 887-3333.

NOTES: (1) HEARING IS UNRECORDED ACCIDENTALLY; FOR SPECIAL ACCOMMODATION PLEASE CALL 887-3333.
 (2) FOR INFORMATION CONCERNING THE FILING SIGN/HEARING, CONTACT THE OFFICE OF 887-3333.

Baltimore County Government
 Office of Zoning Administration and Development Management

111 West Chesapeake Avenue
 Towson, MD 21204 (410) 887-3333

March 23, 1994

Re: Case No. 94-352-A, Item No. 342
 Petitioner: A. Marion Demich
 Petition for Administrative Variance

Dear Mr. Demich:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on March 10, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby assessed zoning petitions who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitioners filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

MUST BE SUPPLIED

O. James Lightbizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21284

Re: Baltimore County
Item No. 94-352-A

Dear Ms. Minton:
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.
Please contact Bob Small at 410-333-1350 if you have any questions.
Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
John Conestabile, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for impaired hearing or speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 777, Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street, Baltimore, Maryland 21202

Baltimore County Government
Office of Zoning Administration &
Development Management

111 West Chesapeake Avenue
Towson, MD 21201 (410) 887-3353

March 24, 1994

Re: A. Mariou Denisch
1703 Greenspring Drive
Luthersville, Maryland 21093

RE: Case No. 94-352-A, Item No. 342
1703 Greenspring Drive
Petition for Administrative Variance

Dear Ms. Denisch:

Enclosed are copies of comments received from Office of Planning and Zoning on March 24, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 637-3391.

Sincerely,
Charlotte Minton
Charlotte Minton

Enclosure

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: March 22, 1994

SUBJECT: 1703 Greenspring Drive

INFORMATION:

Item Number: 342

Petitioner: Ariou Denisch

Property Size: _____

Zoning: D.R. 5.5

Requested Action: _____

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided, staff offers the following comment:

Should the subject request be granted, the applicant shall provide elevation drawings for approval by the Office of Planning prior to the issuance of a building permit. Due to the size of the proposed addition, further review is necessary to ensure architectural compatibility.

Prepared by: *Jeffrey M. Lynn*
Division Chief *Gayle Lewis*

PK/JL:lw

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-9509 (410) 887-4500

DATE: 03/22/94

94-352-A

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21284
PH: 310-1400

RE: Property Owner: SEE BELOW
LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agency:

REVISIONS:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Prevention Bureau has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345.

REVIEWER: LT. ROBERT P. BAUERWALD
Fire Prevention, PHONE: 887-4081, HS-1102F

cc: File

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21201 (410) 887-3353

MARCH 19, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Mariou Denisch
1703 Greenspring Drive
Luthersville, Maryland 21093

RE: Case NUMBER: 94-352-A (Item 342)
1703 Greenspring Drive
R/S Greenspring Drive, 100' W of Water Down Avenue
R/S Electric Station - 4th Cornerstone

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Copies made with this office reaction. The status of this case should continue the same unless and be directed to RECALL. This notice also serves as a reference regarding the administrative process.

1) Your property will be posted on or before March 20, 1994. The closing date (April 4, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning and Deputy Zoning Commissioners. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to a public hearing.

2) In cases requiring public hearing (other than due to a neighbor's formal request or by Order of the Commissioners), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Bob Jablon
Arnold Jablon
Director

Set up for hearing for several reasons

- 1) I agree w/ John Lewis comment. If this is on in-laws apt, there should be a special hearing or at least a public hearing.*
- 2) Size of addition is large. Will this be a separate unit removable from existing house. No future apt use!*
- 3) Photos are misleading. 1st pic shows brick dwelling, looks like brick dwelling, looks like address of subject property with blue siding.*
- 4) Is there house on side of property near collection? not shown on site plan.*

4/5/94

*Given:
Set up for hearing!
Re: attached sheet*

Item 342

H.O.

Applicant is filing for variance for ~~lot~~ setbacks. There was reference to law apartment for an agency on the lot with her children. I advised applicant that there had to be a zoning approval of this use in order to support her that a special hearing with a full variance hearing (not admin) would probably be in their best interest, however it is possible that Arnold Jablon could approve administratively, if letter request sent in. He decided to file this w/ zoning (ADMIN). I was concerned over possible misunderstanding on what is actually happening and suggested an explanatory letter be filed with this hearing file.

John Dennis 3/10/94

applicant signed responsibility for BCU applicant info. w/owner and description for. See description forms.

94-352-A

March 16, 1994

Dear Mr. Jablon,

This is regarding administrative zone variance item number 342 in process and looking for approval.

Due to Rheumatoid Arthritis with multiple joint involvement, I can no longer live in my house, as there are stairs into the house from the street and stairs inside to make a three level home. My son and daughter-in-law want me to live with them as I need physical assistance. I have had one ankle fusion, face another as soon as this has fully healed (approx. 1 year), and have the possibility of at least one hip replacement.

Not wanting to leave the neighborhood, my son and daughter-in-law wish to purchase my house and build a connecting apartment on the side for me. The apartment will have a ground level entrance with all facilities on one level and will be wheel chair accessible.

Thank you for your time.

Sincerely,
A. Mariou Denisch
A. Mariou Denisch

Virginia Sprinkler Company, Inc.
Washington, D.C. (703) 752-3322
Baltimore, MD (410) 766-3322

Return Check w/

MAILED

MAR 18 1994

ZADM

Zoning Commission
Baltimore County

1621 Techer Court
Lutherville, MD 21093
May 10, 1994

To Whom It May Concern:

RE: 1703 GreenSpring Drive

My wife and I are concerned about the request for a change in zoning for the above mentioned property owned by Mrs. Denisch. It is our understanding that Mrs. Denisch would like to add an addition to her home, which would include a bedroom, bath, and a kitchen. If this zoning change is granted, her home would then be considered a two-family dwelling.

We feel this change in zoning could adversely affect the complexion of the neighborhood in the future. Although Mrs. Denisch plans to have her son move into the residence, our concern goes farther. In the future if the home is sold, with the zoning of the residence as a two-family dwelling, the new owner would probably rent one of the dwellings or could possibly rent both.

Since our neighborhood is single-family residences with a predominantly owners living in the homes, we feel that once a residence is rented, this could adversely change the atmosphere of the area. It has been our experience in that past that most rental properties are not as well kept up as privately owned residences. Once the zoning is changed other area residence could also make their dwellings into two-family homes—renting one of the residences. This could have a "snow-ball" effect which could have a very negative affect on everyone in our neighborhood.

We feel an addition to Mrs. Denisch's home is very feasible but would not want the zoning changed to a two family dwelling. We urge you to look at the stability of neighborhood in the future which is our primary concern. In these times, we must not only consider the affect the change will have in the near future, but must also consider the long-term changes which might occur with a change in this zoning. We enjoy the Lutherville community and our area of residence and would not want to see any change that could have a negative affect in the community.

Sincerely,
Barry E. Hunter
Barry E. Hunter
Carol A. Hunter
Carol A. Hunter

Baltimore County Office of Zoning Administration
and Development Management
Room 100
111 West Chesapeake Ave
Towson, MD 21284

March 13, 1994

Re: Administrative Variance
Item #342

To whom it may concern,

This letter serves as additional information for Administrative Variance #342. The proposed addition to the house at 1703 GreenSpring Dr. consists of the following: a bedroom, a dining room, a kitchen, a family room, and a bathroom. The owner, A. Marilou Denisch, is an elderly woman who presently has feet, ankle, and hip problems which in the very near future is expected to cause her to become wheelchair bound and require nursing assistance. This is the reason she is requesting a zoning variance for the proposed addition.

Her home, as it exists, is four(4) steps above the outside finished grade and consists of three(3) finished levels of living area. With Marilou's physical disabilities she will not be able to live in a three(3) level home, or even get inside the house based on its elevation.

Therefore, her plan to construct the proposed addition will help to solve two(2) health problems. First, the addition will be at ground level for wheelchair access, and all living space will be on one(1) floor. Second, her son and daughter will move into the main house and serve as Marilou's nursing care.

Marilou has spoken with neighbors as well as the local community group about her proposed plans. They have given Marilou their approval, and plan to send a letter into the zoning board in hopes that the letter will also help her request for a zoning variance. Marilou is also writing a letter to Arnold Jablon as suggested by the zoning office to explain her hardship.

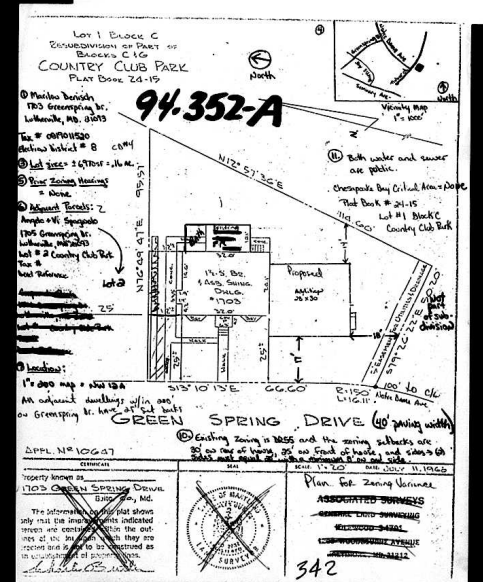
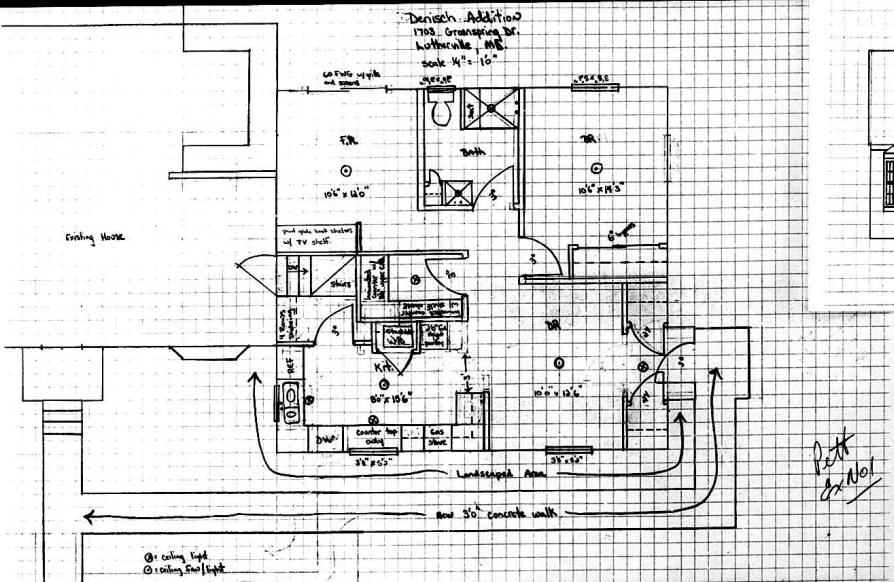
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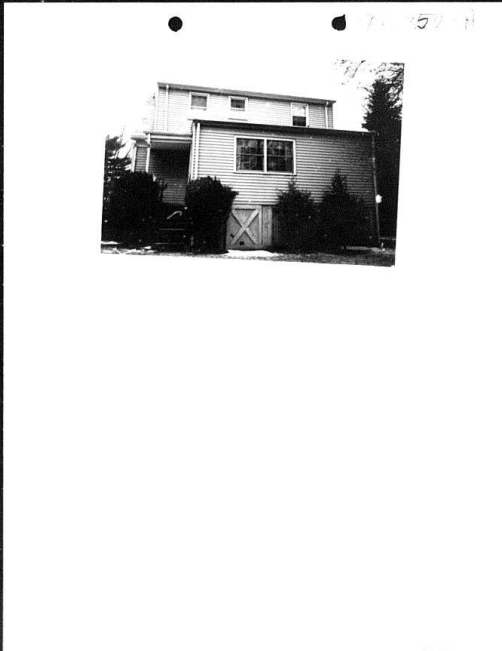
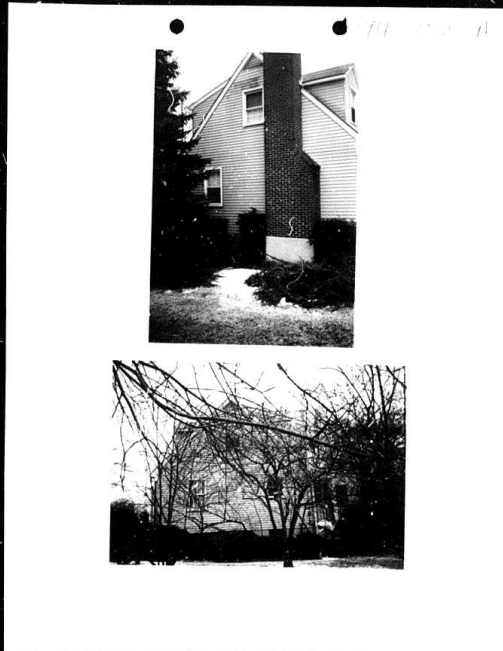
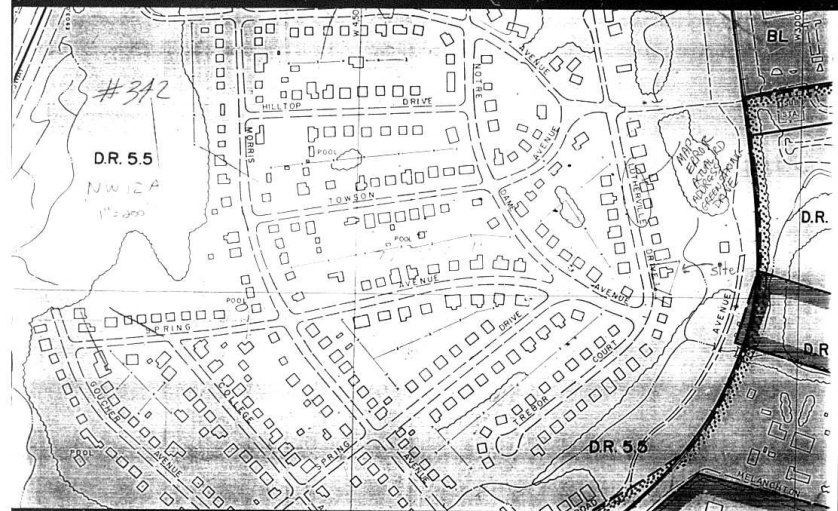
3/17/94
P/S

May 11, 1994
I would like to express my vehement opposition to allowing the home owner of 1703 GreenSpring Drive Lutherville, Maryland 21093 to make any additions to the house that would result in a multi family dwelling. We are a family oriented neighborhood of home owners. A multi family residence not only sets an undesirable precedent for others, but opens the way to possible renters later on, who may well be short term occupants & not appreciative of our neighborhood values. Unfortunately, many of us who oppose the planned addition are unable to attend

PLEASE PRINT CLEARLY
NAME: Philip Denisch, P. Marilou Denisch, Michael Boas
ADDRESS: 525 MORRIS AVE 21093, 1029 GREENSPRING DR 21093, 395 HOLLOW LN 21028

PLEASE PRINT CLEARLY
NAME: Eric Runkel
ADDRESS: 442 RIVERSIDE DR 21093, 1627 SPRING ST 21093, 223 HOLLY CT 21093, 1717 GREENSPRING DR 21093







94-352-A BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION LUTHERVILLE	SHEET NW 12-A
DATE OF PHOTOGRAPHY JANUARY 1986		