

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
 NE/Corner Log Trail Way and * ZONING COMMISSIONER
 Timber View Way * OF BALTIMORE COUNTY
 (3820 Log Trail Way) * Case No. 96-294-A
 4th Election District *
 3rd Councilmanic District *
 Joseph T. Spencer, et ux *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 3820 Log Trail Way, located in the vicinity of Timber Grove Road in the Worthington Hillside II subdivision in Reisterstown. The Petition was filed by the owners of the property, Joseph T. and Janice C. Spencer. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 36 feet in lieu of the required 50 feet for a proposed 18' x 15' addition and to amend the final development plan of Worthington Hillside II, Section 2, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

ORDER RECEIVED FOR FILING
 Date 3/6/96
 By [Signature]

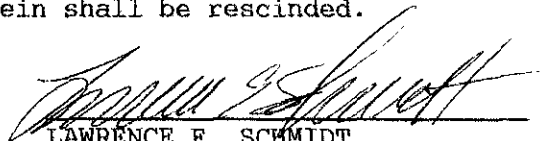
3/6/96 10:58 AM

al welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. 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 Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of March, 1996 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 36 feet in lieu of the required 50 feet for a proposed 18' x 15' addition and to amend the final development plan of Worthington Hillside II, Section 2, , in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit 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, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 3/6/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 6, 1996

Mr. & Mrs. Joseph T. Spencer
3820 Log Trail Way
Reisterstown, Maryland 21136

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/Corner Log Trail Way and Timber View Way
(3820 Log Trail Way)
4th Election District - 3rd Councilmanic District
Joseph T. Spencer, et ux - Petitioners
Case No. 96-294-A

Dear Mr. & Mrs. Spencer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Tony Vitti
1717 York Road, Lutherville, Md. 21093

People's Counsel

File





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3820 Log TRAIL WAY
which is presently zoned RC5

96-294-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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

1A04.3(B)(3) to permit a 36' lot line setback in lieu of 50' and to amend the FDP of Worthington Hillside II, Section 2.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED LETTER

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

JOSEPH T. SPENCER
(Type or Print Name)

Signature

Joseph T. Spencer
Signature

Address

Joseph T. Spencer
(Type or Print Name)

City

State

Zipcode

Signature
Bruce C. Spencer

Attorney for Petitioner

3820 Log TRAIL WAY 833-8357
Address Phone No

(Type or Print Name)

Reisterstown, MD 21136
City State Zipcode

Signature

Name, Address and phone number of representative to be contacted

Address

Phone No

Tony Vitti
Name

City

State

Zipcode

1717 York Rd. 21093 252-5212
Address Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____ 19___ that the subject matter of this petition be set for a public hearing advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

UNRECEIVED FOR FILING

Date 3/6/96

By [Signature]

REVIEWED BY: [Signature]

DATE: 2/6/95

ESTIMATED POSTING DATE: 2/18/96



Printed with Soybean Ink on Recycled Paper

ITEM #: 294

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3820 Log Trail Way
address
Reisterstown, MD 21136
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

SEE ATTACHED LETTER

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Joseph T. Spencer
(signature)
JOSEPH T. SPENCER
(type or print name)



Janice C. Spencer
(signature)
Janice C. Spencer
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17th day of January, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Joseph T. Spencer ; Janice C. Spencer

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1/17/96
date

Judy Hopson
NOTARY PUBLIC

My Commission Expires: 9/1/99

December 13, 1995

96-294-A

Mr. Arnold Jablon, Director
Baltimore County
Dept. Of Permits & Development Management
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204

Re: Property Address: 3820 Log Trail Way, Reisterstown
Subdivision: Worthington Hillside II
Plat Ref: EHK Jr. 52:84 Lot 28 Section 2
Owner: Joseph T. & Janice C. Spencer

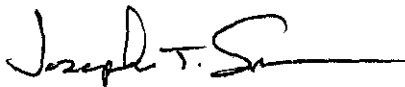
Dear Mr. Jablon:

Please review our request for a variance from section 1AO4.3(B)(3) to allow a 36 foot side yard, for a proposed addition to the referenced property, in leu of the required 50 foot side yard. Because strict compliance with the Baltimore County Zoning regulations would result in a hardship, under the practical difficulty guidelines. The reasons being; due to the position and location of the existing house and improvements. This is the practical solution to our needs for an addition.

The reason for the addition is the need for additional space. My fathers passing away several months ago, has left my mother in need of a place to live some time within the next 18 months. The additional space will be needed to accommodate this need.

Thank you in advance for your consideration of this matter.

Sincerely:



Joseph T. Spencer

RECEIVED

#294

Vitti & Associates, Inc.

Engineering & Surveying

1717 York Road, Suite 102 • Lutherville, Maryland 21093

(410) 252-5212

96-294-A

ZONING DESCRIPTION for #3820 Log Trail Way

Beginning at a point on the East side of Log Trail Way which is 50 feet wide at the intersection of the North side of Timber View Way which is 50 feet wide. Being Lot #28, Section 2, in the subdivision of "Worthington Hillside II", as recorded in Baltimore County Plat Book #52, Folio #84, containing 1.0006 Acres, more or less. Also known as 3820 Log Trail Way and located in the 4th Election District, 3rd Councilmanic District.

#294

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-294-A

District: 4 _____ Date of Posting: _____

Posted for: Variance _____

Petitioner: Spencer _____

Location of property: 3820 Jog Trail Way _____

Location of Signs: _____

Remarks: _____

Posted by: M. Saul _____ Date of return: _____
Signature

Number of Signs: _____



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

013464

DROP-OFF - NO REVIEW
ITEM #297

DATE 2/6/97 ACCOUNT 001-6150

96-294-A

AMOUNT \$ 545.00 (WCR)

RECEIVED FROM: Levin & Gann

FOR: #040 - SPECIAL HEARING
#050 - SPECIAL EXCEPTION
#080 - SIGN POSTING

MICROFILMED

MINUS \$40 DRC FEE PER DON KASCOE

8900 Iron Horse Lane / 15 Iron Horse Lane
MD 21086-0000

DISTRIBUTION: WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE CO. TY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

013792

96-294-A

DATE 2/5/96 ACCOUNT 01-615

By: *WJK*
Item: *294*

AMOUNT \$ 135.00

RECEIVED FROM: Joseph Spencer - Tony with - 3820 Log Trail Way

010 - Res. Lic. - \$50.00
030 - Spec. Hearg - \$50.00
080 - 1 sign - \$35.00

FOR: \$135.00

DISTRIBUTION: WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



ADMINISTRATIVE VARIANCES

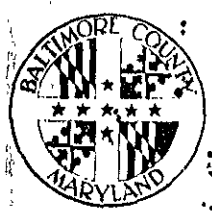
CLOSING DATE.....MARCH 1, 1996

Post by: 2/18/96

CASE NUMBER: 96-294-A (Item 294)
3820 Log Trail Way
corner E/S Log Trail Way and W/S Timber View Way
4th Election District - 3rd Councilmanic
Legal Owner: Joseph T. Spencer and Janice C. Spencer

[Handwritten signature]

Administrative Variance to permit a 36 foot lot line setback in lieu of
50 feet and to amend the FDP of Worthington Hillside II, Section 2.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor 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.

PAYMENT 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 STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 294 Petitioner: Joseph T. Spencer

Location: 3820 Log Trail Way

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JOSEPH T. SPENCER

ADDRESS: 3820 Log Trail Way
Reisterstown, MD 21136

PHONE NUMBER: (410) 833-8357

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 15, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-294-A (Item 294)
3820 Log Trail Way
corner E/S Log Trail Way and W/S Timber View Way
4th Election District - 3rd Councilmanic
Legal Owner: Joseph T. Spencer and Janice C. Spencer

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before February 18, 1996. The closing date (March 4, 1996) 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 or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting 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.

Arnold Jablon
Director

cc: Joseph and Janice Spencer
Tony Vitti

1002-1002





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 27, 1996

Mr. and Mrs. Joseph T. Spencer
3820 Log Trail Way
Reisterstown, MD 21136

RE: Item No.: 294
Case No.: 96-294-A
Petitioner: J. T. Spencer

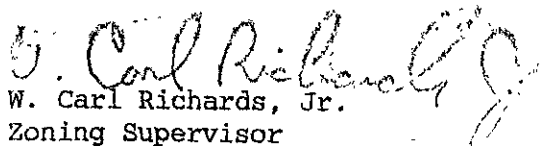
Dear Mr. and Mrs. Spencer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: February 21, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO

SUBJECT: 3820 Log Trail Way

INFORMATION:

Item Number: 294

Petitioner: Spencer Property

Property Size: _____

Zoning: RC-5

Requested Action: Administrative Variance and FDP Amendment

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Pursuant to Section 1B01.3A.7.b(1) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDP. Staff offers no comment on the Variance request.

Prepared by: Jeffrey W. Lang

Division Chief: Carol L. Kerns

PK/JL

APPROVED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

2-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 294 (MJK)

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

MARYLAND RELAY SERVICE
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 26, 1996
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 26, 1996
Items 294, 295, 296, 298, 299, 300, 301, 302, &
and 303

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

RWB:sw

[Handwritten signature]

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STDP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEB. 20, 1996

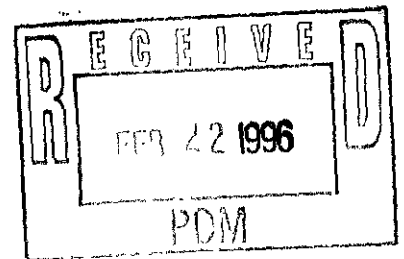
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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.

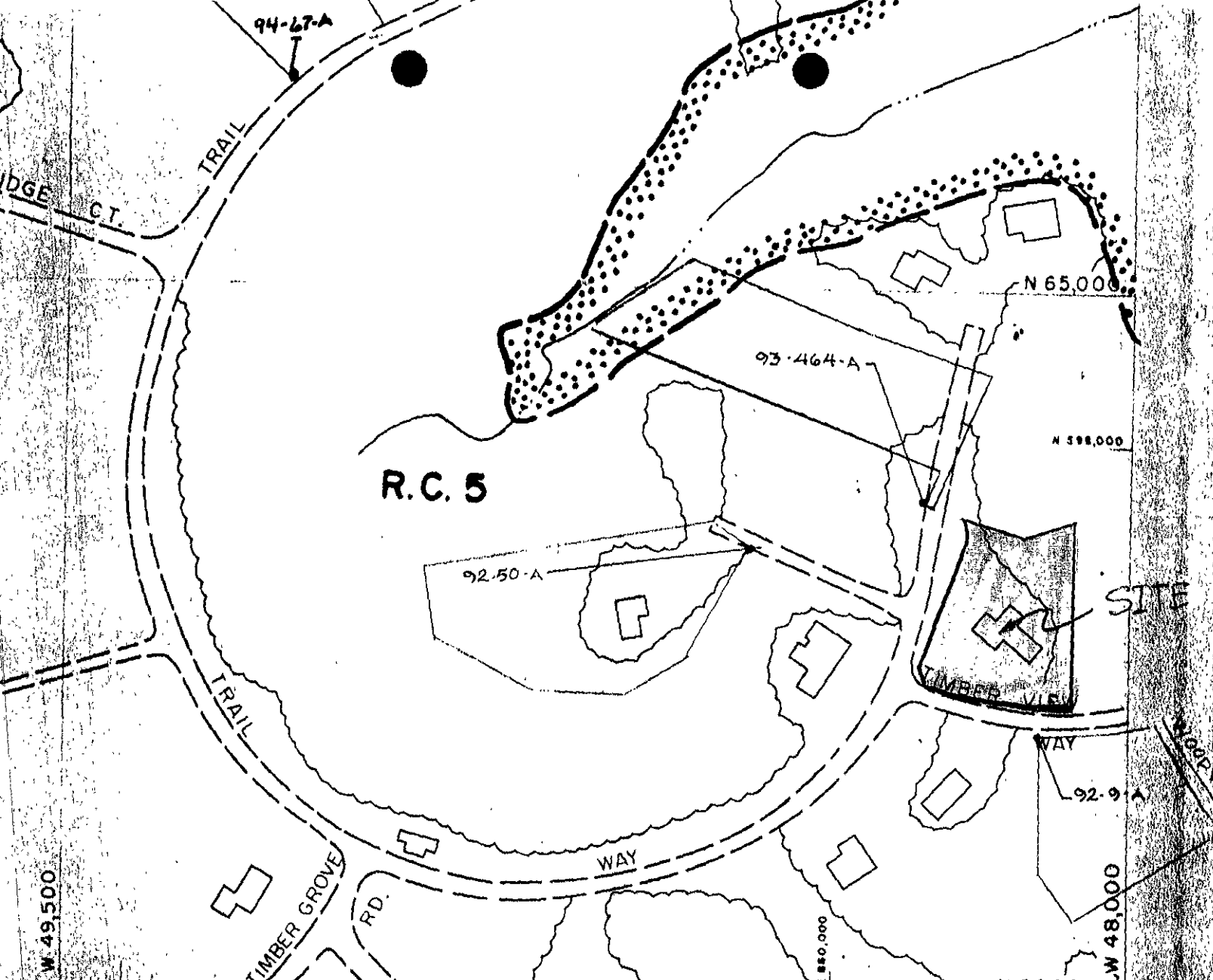
8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294, 295, 296, 298, 299, 300,
301, 302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





VE ZONING MAP
 ore County Council
 992
 86-92,187-92,188-92,189-92

Howard IV
 ty Council

| | | |
|--|---|--|
| <p>SCALE 1" = 200' ±</p> | <p>LOCATION WORTHINGTON #3820 Log Trail Way</p> | <p>SHEET N.W. 17-I</p> |
| <p>DATE OF PHOTOGRAPHY JANUARY 1986</p> | | |

96-294-A
 #294

MICROFILMED



SITE

| SCALE | LOCATION | SHEET |
|--|--|----------------------|
| 1" = 200' ± DATE OF PHOTOGRAPHY JANUARY 1986 | WORTHINGTON #3820 Log Trail Way 96-294-A | N.W. 17-I #294 |



96-294-A



MICROFILMED

96-284-A

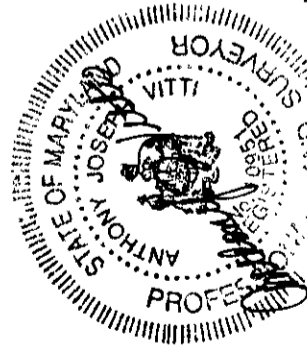
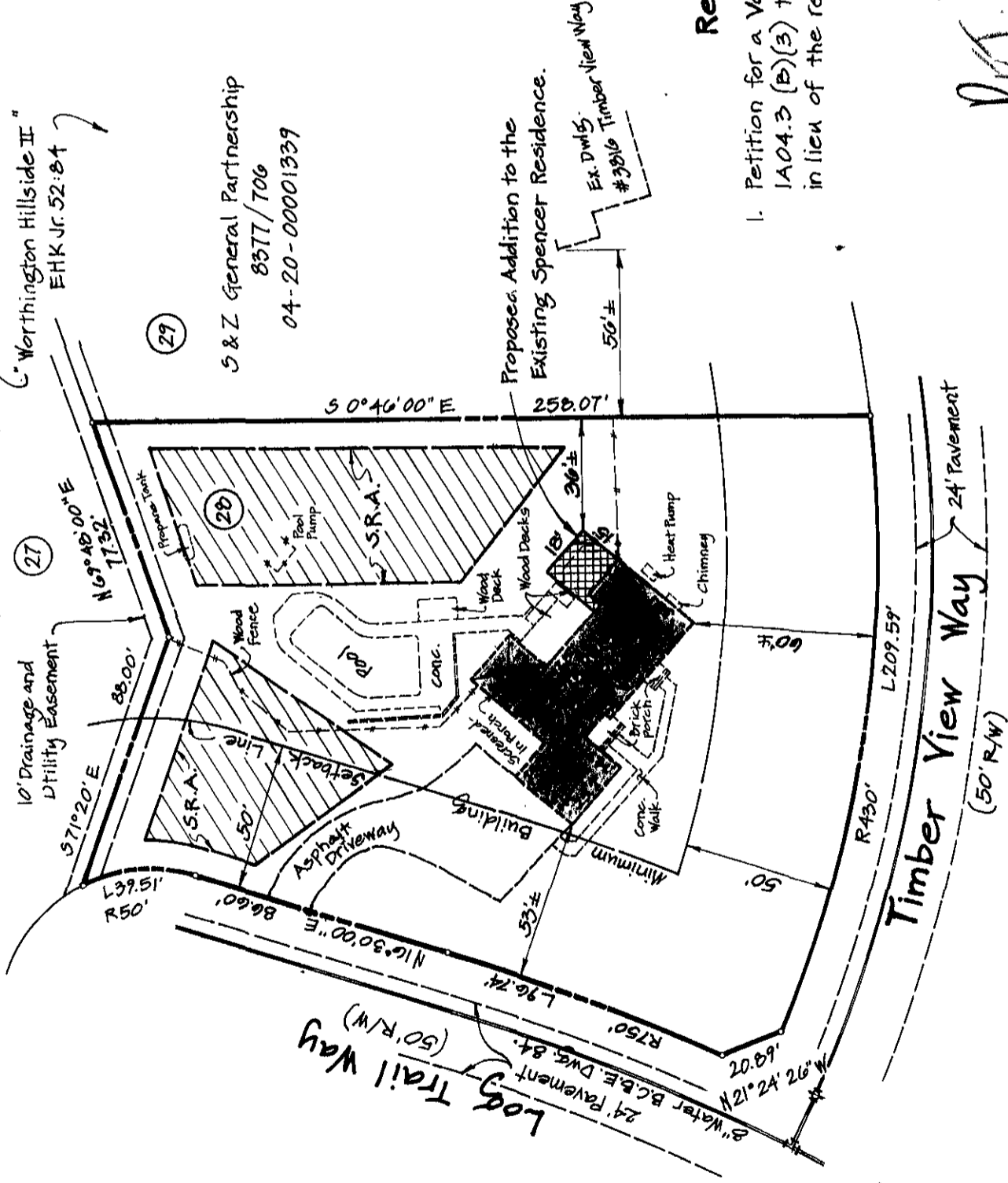


Plat to accompany Petition for Zoning Variance

Property Address: # 3820 Log Trail Way
 Subdivision: Worthington Hillside II
 Plat Ref: EHK Jr. 52:84 Lot 28 Section 2
 Owner: Joseph T. & Janice C. Spencer
 D.R.: 6926/829 T.A.: 04-20-00001338

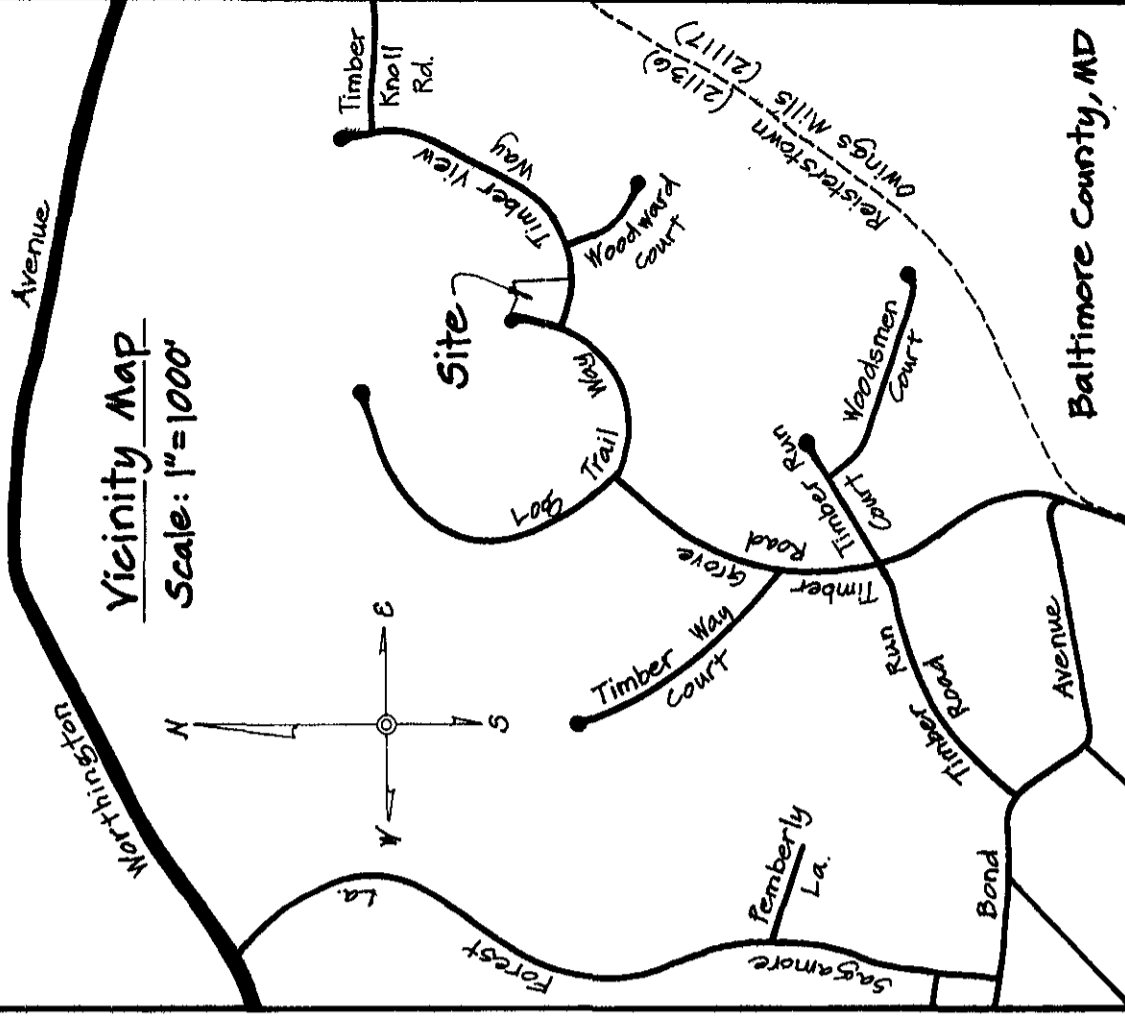
96-294-A

Bruce & Debra Berlanstein
 828/617
 04-20-00001337



January 25, 1996 Scale: 1"=50'
 Prepared by:
Vitti & Associates, Inc.
 1717 York Rd. Ste. 102
 Lutherville, MD 21093
 (410) 252-5212

Req. # 10931



Vicinity Map
 Scale: 1"=1000'

Baltimore County, MD

Requested Relief

1. Petition for a Variance from B.C.Z.R. Section 1A04.3 (B)(3) to allow a sideyard setback of 36' in lieu of the required 50'

Plat 67-1

LOCATION INFORMATION

Election District: 4th
 Councilmanic District: 3rd
 1" = 200' scale map NW 17-I
 Zoning RC-5
 Lot Size: 1.0006 Ac ± 43,586 s.f.

Sewer PUB. PRV.
 Water NO
 Chesapeake Bay Critical Area YES
 Prior Zoning Hearings: none

Zoning Office USE ONLY!
 Reviewed By: ITEM # CASE #
 JMS 294

IN RE: PETITION FOR ADMIN. VARIANCE BEFORE THE
 NE/Corner Log Trail Way and ZONING COMMISSIONER
 Timber View Way (3820 Log Trail Way) OF BALTIMORE COUNTY
 4th Election District Case No. 96-294-A
 3rd Councilmanic District
 Joseph T. Spencer, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 3820 Log Trail Way, located in the vicinity of Timber Grove Road in the Worthington Hillside II subdivision in Reisterstown. The Petition was filed by the owners of the property, Joseph T. and Janice C. Spencer. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 36 feet in lieu of the required 50 feet for a proposed 18' x 15' addition and to amend the final development plan of Worthington Hillside II, Section 2, accordingly. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

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Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of March, 1996 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a lot line setback of 36 feet in lieu of the required 50 feet for a proposed 18' x 15' addition and to amend the final development plan of Worthington Hillside II, Section 2, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit 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, the relief granted herein shall be rescinded.

Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT
 Zoning Commissioner
 for Baltimore County

ORDER RECEIVED FOR FILING
 Date 3/16/96
 By [Signature]

LES:bjjs

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning
 Suite 112 Courthouse
 400 Washington Avenue
 Towson, MD 21204 (410) 887-4386
 March 6, 1996

Mr. & Mrs. Joseph T. Spencer
 3820 Log Trail Way
 Reisterstown, Maryland 21136

RE: PETITION FOR ADMINISTRATIVE VARIANCE
 NE/Corner Log Trail Way and Timber View Way
 (3820 Log Trail Way)
 4th Election District - 3rd Councilmanic District
 Joseph T. Spencer, et ux - Petitioners
 Case No. 96-294-A

Dear Mr. & Mrs. Spencer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Permits and Development Management office at 887-3391.

Very truly yours,
Lawrence E. Schmidt
 LAWRENCE E. SCHMIDT
 Zoning Commissioner
 for Baltimore County

LES:bjjs

cc: Mr. Tony Vittl
 1717 York Road, Lutherville, Md. 21093

People's Counsel

File

Printed with Superior Ink on Recycled Paper

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3820 Log Trail Way which is presently zoned RCS
 96-294-A
 1A04.3(B)(2) to permit a 36' lot line setback in lieu of 50' and to amend the FDP of Worthington Hillside II, Section 2.

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED LETTER

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

UNLESS RECEIVED FOR FILING
 Date 3/16/96
 By [Signature]

Legal Owner(s)
 Joseph T. Spencer
 Signature
 Joseph T. Spencer
 Date of Signature
 3/16/96
 Attorney for Petitioner
 Name
 Tony Vittl
 Address
 1717 York Rd., Lutherville, MD 21093
 Phone No.
 410-273-2512

REVIEWED BY [Signature] DATE 2/16/96
 ESTIMATED POSTING DATE 2/16/96

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
 That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) advise competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3820 Log Trail Way, Reisterstown, MD 21136.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (please restate or phrase orally)
 See Attached Letter

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Joseph T. Spencer
 Joseph T. Spencer
 Signature
 Date of Signature
 3/16/96

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:
 I HEREBY CERTIFY, the 17th day of January, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
 Joseph T. Spencer & Janice C. Spencer

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal
 1/17/96
 My Commission Expires 9/1/99

December 13, 1995 96-294-A

Mr. Arnold Jablon, Director
 Baltimore County
 Dept. Of Permits & Development Management
 County Office Building
 111 West Chesapeake Ave.
 Towson, Maryland 21204

Re: Property Address: 3820 Log Trail Way, Reisterstown
 Subdivision: Worthington Hillside II
 Plat Ref: EHK Jr. 52:84 Lot 28 Section 2
 Owner: Joseph T. & Janice C. Spencer

Dear Mr. Jablon:

Please review our request for a variance from section 1A04.3(B)(3) to allow a 36 foot side yard, for a proposed addition to the referenced property, in lieu of the required 50 foot side yard. Because strict compliance with the Baltimore County Zoning regulations would result in a hardship, under the practical difficulty guidelines. The reasons being: due to the position and location of the existing house and improvements. This is the practical solution to our needs for an addition.

The reason for the addition is the need for additional space. My fathers passing away several months ago, has left my mother in need of a place to live some time within the next 18 months. The additional space will be needed to accommodate this need.

Thank you in advance for your consideration of this matter.

Sincerely:

Joseph T. Spencer
 Joseph T. Spencer

#294

Vittl & Associates, Inc.

Engineering & Surveying
 1717 York Road, Suite 102 - Lutherville, Maryland 21093
 (410) 252-5212

ZONING DESCRIPTION for #3820 Log Trail Way

Beginning at a point on the East side of Log Trail Way which is 50 feet wide at the intersection of the North side of Timber View Way which is 50 feet wide. Being Lot #28, Section 2, in the subdivision of "Worthington Hillside II", as recorded in Baltimore County Plat Book #52, Folio #54, containing 1.0006 Acres, more or less. Also known as 3820 Log Trail Way and located in the 4th Election District, 3rd Councilmanic District.

96-294-A

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 013464
 DATE 2/16/97 ACCOUNT 001-6150
 DROP-OFF - NO REVIEW
 ITEM #297
 AMOUNT \$ 545.00 (MCR)
 RECEIVED FROM Levin & Gann
 3010 - SPECIAL HEARING
 3050 - SPECIAL EXCEPTION
 3020 - SIGN POSTING
 FOR: MINUS \$40.00 FEE PER 1000 RAS/02
 3000 Iron Bridge LANS/95 Iron Bridge Lane
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE-REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 013792
 DATE 2/16/97 ACCOUNT 01-66
 AMOUNT \$ 135.00
 RECEIVED FROM [Signature]
 3820 Log Trail Way
 3010 - SPECIAL HEARING
 3050 - SPECIAL EXCEPTION
 3020 - SIGN POSTING
 FOR: [Signature]
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 4
 Posted for Variance
 Petitioner: Spencer
 Location of property: 3820 Log Trail Way
 Location of Sign: [Signature]
 Remarks: [Signature]
 Posted by: [Signature]
 Number of Signs: [Signature]

ADMINISTRATIVE VARIANCES
 CLOSING DATE: MARCH 1, 1996
 Post by: 2/18/96
 CASE NUMBER: 96-294-A (Item 294)
 3820 Log Trail Way
 corner E/S Log Trail Way and W/S Timber View Way
 4th Election District - 3rd Councilmanic
 Legal Owner: Joseph T. Spencer and Janice C. Spencer
 Administrative Variance to permit a 36 foot lot line setback in lieu of 50 feet and to amend the FDP of Worthington Hillside II, Section 2.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood 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.

PAYMENT 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 STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 294 Petitioner: Joseph T. Spencer
Location: 3820 Log Trail Way
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Joseph T. Spencer
ADDRESS: 3820 Log Trail Way
Reisterstown, MD 21136
PHONE NUMBER: (410) 833-8357

Printed with Soybean Ink on Recycled Paper

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 15, 1996

NOTICE OF CASE WORKER ASSIGNMENT

Re: CASE NUMBER: 96-294-A (Item 294)
3820 Log Trail Way
corner 4/5 Log Trail Way and 4/5 Timber View Way
4th Election District - 1st Concomitant
Legal Owner: Joseph T. Spencer and Janice C. Spencer

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before February 18, 1996. The closing date (March 4, 1996) 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 or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), 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 \$50.00 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.

Carl Jablon

Arnold Jablon
Director

cc: Joseph and Janice Spencer
Tony Vitell

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 27, 1996

Mr. and Mrs. Joseph T. Spencer
3820 Log Trail Way
Reisterstown, MD 21136

RE: Item No.: 294
Case No.: 96-294-A
Petitioner: J. T. Spencer

Dear Mr. and Mrs. Spencer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: February 21, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PD

SUBJECT: 3820 Log Trail Way

INFORMATION:

Item Number: 294
Petitioner: Spencer Property
Property Size: _____
Zoning: RC-5
Requested Action: Administrative Variance and FDP Amendment
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Pursuant to Section 1801.3A.7.b(1) of the BCZR, the Director of the Office of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article 18) and other provisions of the CNDP. Staff offers no comment on the Variance request.

Prepared by: *John H. King*

Division Chief: *Carol L. Reed*

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 294 (MSK) *2-16-96*

Dear Ms. Watson:

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 affected by any State Highway Administration projects.

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
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 Statewide Toll Free

Mailing Address: P.O. Box 717

Baltimore County Government
Fire Department

700 Eastlogga Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/20/96

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 26, 1996
Zoning Administration and Development Management

FROM: Robert M. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 26, 1996
Items 294, 295, 296, 298, 299, 300, 301, 302, 303
and 304

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

RMB:64

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

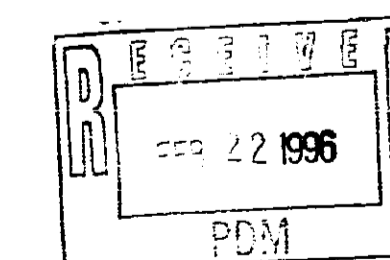
Location: DISTRIBUTION MEETING OF FEB. 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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.

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS (294, 295, 296, 298, 299, 300, 301, 302 & 304).



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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