

IN RE: PETITION FOR ADMINISTRATIVE \* BEFORE THE  
ZONING VARIANCE  
E/S Greenspring Ave., 1550 ft. \* ZONING COMMISSIONER  
NW of c/l Woodland Drive \* OF BALTIMORE COUNTY  
11231 Greenspring Avenue \* Case No. 96-333-A  
8th Election District  
3rd Councilmanic District  
David E. Booth, et ux  
Petitioners

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by David E. Booth and Alverda Booth, his wife, for that property known 11231 Greenspring Avenue in the northwestern section of Baltimore County. The Petitioners herein seek a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (detached garage) to be located in the front yard with a height of 22 ft. in lieu of the required rear yard and maximum 15 ft. height, in an R.C.5 zone. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, 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 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 variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR

ORDER RECEIVED FOR FILING

Date

By

3/29/96  
D. M. Hark

11231 Greenspring Avenue

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 Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29<sup>th</sup> day of March, 1996 that the Petition for a Zoning Variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow an accessory structure (detached garage) to be located in the front yard with a height of 22 ft., in lieu of the required rear yard and maximum 15 ft. height, in an R.C.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

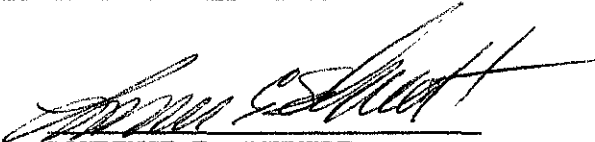
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

ORDER RECEIVED FOR FILING

Date

By

LES:mmn

  
LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

March 27, 1996

Mr. and Mrs. David E. Booth  
11231 Greenspring Avenue  
Lutherville, Maryland 21093

RE: Petition for Administrative Variance  
Case No. 96-333-A  
Property: 11231 Greenspring Avenue

Dear Mr. and Mrs. Booth:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, with restriction, 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 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.



# Petition for Administrative Variance

96-333-A

## to the Zoning Commissioner of Baltimore County

for the property located at 11231 GREENSPRING AVE.  
which is presently zoned RC5

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) 400.1, 400.3

To allow an accessory structure (detached garage) to be located in the front yard with a height of 22 ft. in lieu of the required rear yard and maximum 15 ft. height.

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

GARAGE CANNOT BE LOCATED BEHIND HOUSE BECAUSE THERE ARE TWO LARGE TREES, IT WOULD BE TOO CLOSE TO NEIGHBOR'S PROPERTY AND WOULD NOT BE ACCESSABLE FROM DRIVEWAY.

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.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

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

Legal Owner(s).

DAVID E. BOOTH  
(Type or Print Name)

David E. Booth  
Signature

D. ALVARO BOOTH  
(Type or Print Name)

D. Alvaro Booth  
Signature

11231 GREENSPRING 823-3538  
Address Phone No.

LUTHERVILLE MD 21093  
City State Zipcode

Name, Address and phone number of representative to be contacted

Name

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

REVIEWED BY: DA DATE: 3-1-96

ESTIMATED POSTING DATE: 3-11-96



Printed with Soybean Ink  
on Recycled Paper

ITEM #: 333

# 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 11231 GREENSPRING AVE-  
address  
LUTHERVILLE MD 21093  
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)

GARAGE CANNOT BE LOCATED BEHIND HOUSE BECAUSE:  
1- THERE ARE TWO LARGE TREES THERE  
2- IT WOULD BE TOO CLOSE TO  
NEIGHBOR'S PROPERTY  
3- IT WOULD NOT BE ACCESSABLE  
FROM DRIVEWAY.

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.

David E. Booth  
(signature)  
DAVID E. BOOTH  
(type or print name)



D. Alverda Booth  
(signature)  
D. ALVERDA BOOTH  
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1 day of March, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

David E. Booth & D. Alverda Booth

the Affiants(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.

3/1/96  
date

[Signature]  
NOTARY PUBLIC

My Commission Expires:  
CHARLOTTE T. PATRONE  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires April 16, 1997

# 333

96-333-A

ZONING DESCRIPTION FOR 11231 Greenspring Ave., Lutherville,  
MD 21093

Beginning at a point on the east side of  
Greenspring Ave. which is 30 feet  
wide at the distance of 1550 feet northwest of the  
center line of the nearest improved intersecting street  
Woodland Drive  
which is 30 feet wide.

As recorded in Deed Liber T.B.S. No. 1764 Folio 147,  
N.78 W.416.52 ft., S.9 37' W.369.25 ft., (centerline of  
Greenspring Ave.) S.54 19' E.126 ft., S.113 ft., S.42  
45' E. 55.5 ft., N.41 E.517.18 ft., to the place of beginning  
containing 2.746 acres. Also known as 11231 Greenspring  
Ave.

and located in the eighth Election District, third Councilmanic  
District.

RECORDED



Baltimore County  
Department of Permits and  
Development Management

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

March 7, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-333-A (Item 333)  
11231 Greenspring Avenue  
E/S Greenspring Avenue, 1550' NW of c/l Woodland Drive  
8th Election District - 3rd Councilmanic  
Legal Owner: David E. Booth and D. Alverda Booth

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 March 10, 1996. The closing date (March 25, 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: David E. and E. Alverda Booth

APR 11 1996



96-333-A

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

District: 84/E/3C \_\_\_\_\_ Date of Posting: 3/8/96

Posted for: Adam Variance

Petitioner: David Booth, et al

Location of property: 11231 Green Springs Ave

Location of Signer: \_\_\_\_\_

Remarks: \_\_\_\_\_

Posted by: [Signature] \_\_\_\_\_ Date of return: \_\_\_\_\_

Number of Signs: \_\_\_\_\_

Signature



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

Item 333  
No.

96-333-A

DATE 1 96 ACCOUNT R-001-6000

AMOUNT \$ 85.00

RECEIVED FROM: MRS A Booth 11231 Green Spring Ave  
4010 - Residential Variance (Admin) Filing Fee - \$50.00  
11080 - Signage Posting - 35.00  
FOR: Signage Posting

4507180099MICRC Total \$85.00  
COLL 38AM03-01-96

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



Baltimore County  
Department of Permits and  
Development Management

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

March 18, 1996

Mr. and Mrs. Davie E. Booth  
11231 Greenspring Avenue  
Lutherville, Maryland 21093

RE: Item No.: 333  
Case No.: 96-333-A  
Petitioner: D. E. Booth, et ux

Dear Mr. and Mrs. Booth:

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 March 1, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a printed name.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: March 18, 1996

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division  
Department of Permits & Development  
Management

SUBJECT: Zoning Advisory Committee Meeting  
for March 18, 1996  
Item Nos. 327, 328, 329, 330 & 333

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

RWB:jrb

cc: File

ZONE2

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 03/12/96

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 MAR. 12, 1996

Item No.: SEE BELOW

Zoning Agenda:

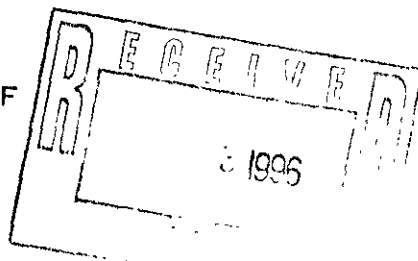
Gentlemen:

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: 325, 327, 328, 329,  
330 AND 333. 5

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

cc: File



B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:     Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   March 7, 1996

FROM:   Pat Keller, Director  
         Office of Planning

SUBJECT:   Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 316, 317, 319, 321, 322, 325, 327, 329, 330, and 333 6

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

3-8-96

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

RE: Baltimore County  
Item No. 333 (JJS)

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  
1-800-735-2258 Statewide Toll Free

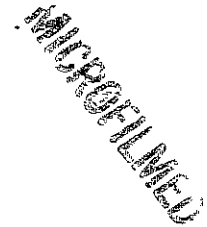
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

# II

see pages 5 & 6 of the CHECKLIST for additional required information

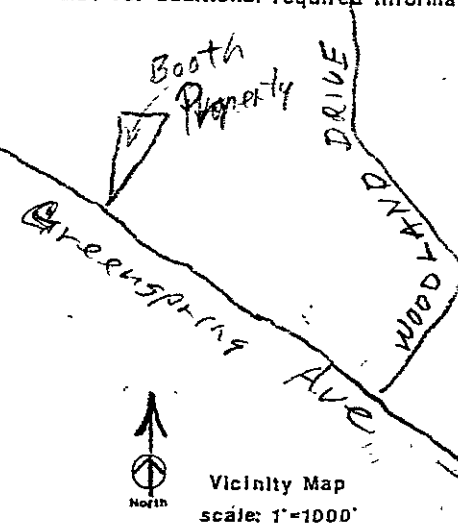
plat book# \_\_\_\_\_, folio# \_\_\_\_\_, lot# \_\_\_\_\_, section# \_\_\_\_\_

96-333-A



date: 3-1-96

prepared by: DAVID BOOTH Scale of Drawing: 1" = 100'



Councilmanic District: 3

1"=200' scale map#: NW 13-E

Zoning: *RC5*

Lot size: 2.746 119,615.76  
acres square feet

public private  
SEWER: ☐ ☒  
WATER: ☐ ☒

**Chesapeake Bay Critical Area:**

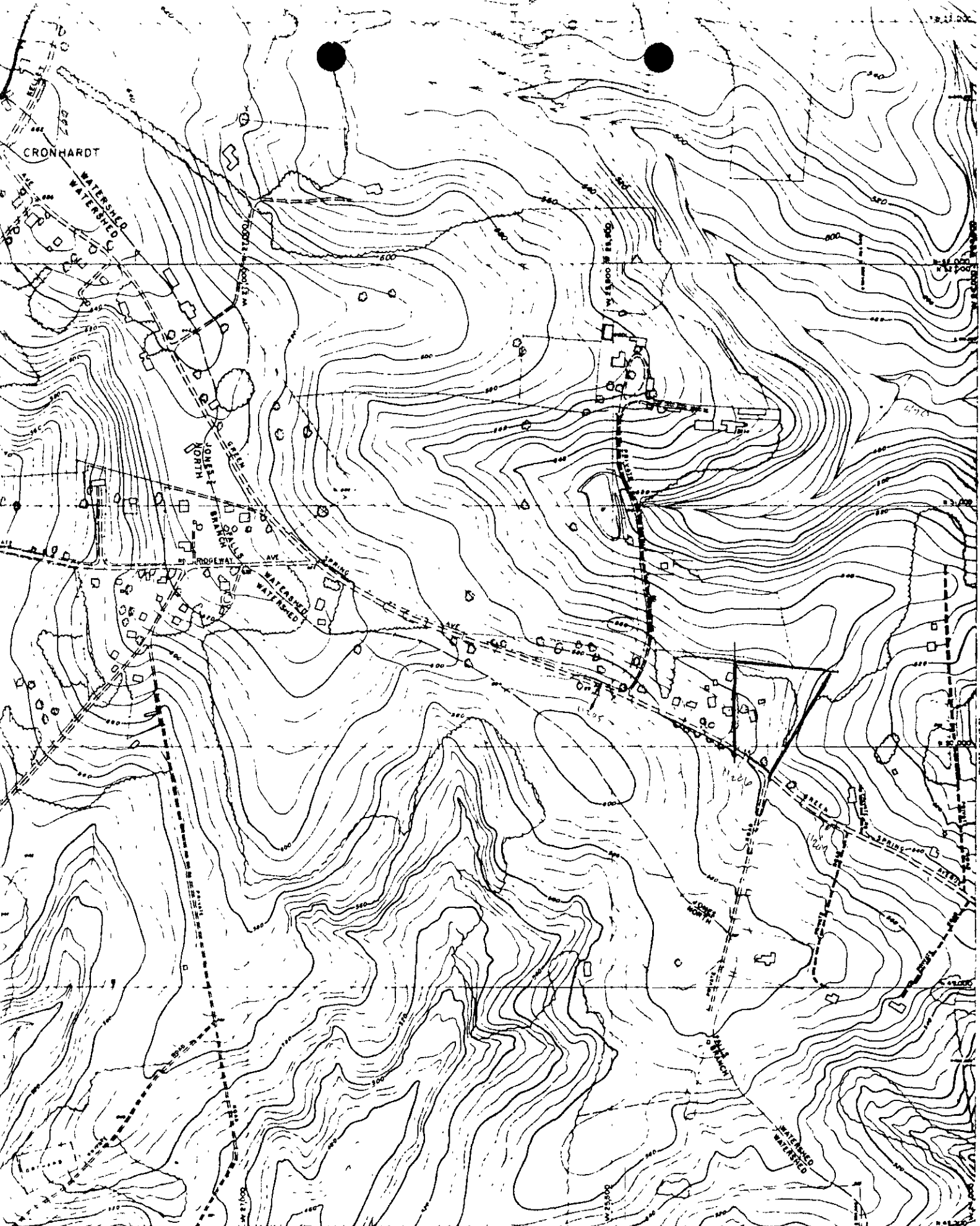
Prior Zoning Hearings: *NONE*

**Zoning Office USE ONLY!**

reviewed by:      ITEM #:      CASE#:



335



PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS

SCALE

LOCATION

SHEET

1:200

DATE OF

REVISION

96-333-A

STEVENS

NE

# 333



Prof. G. K. M.



R.C. 5

NW 13-E

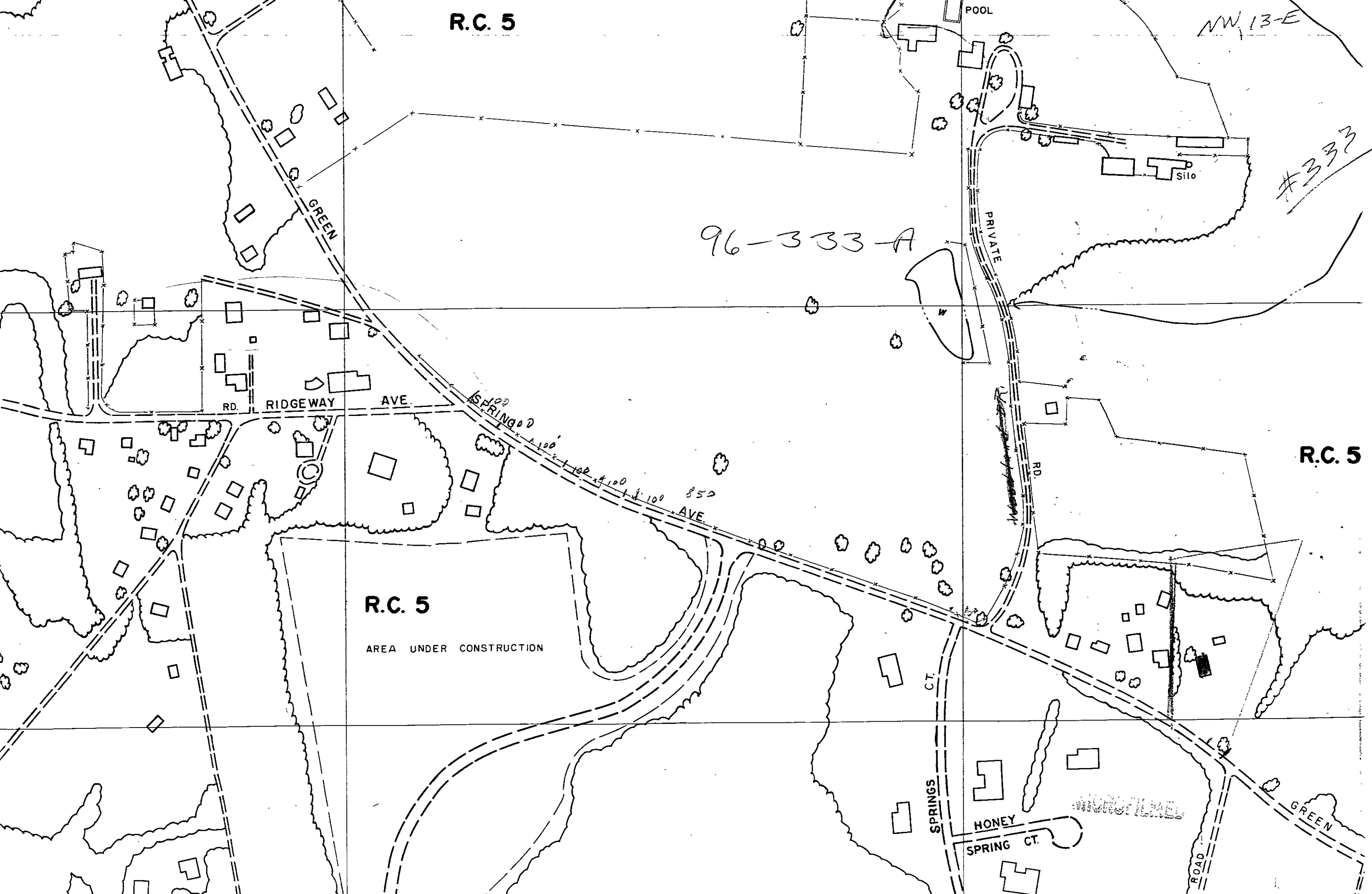
#333

96-333-A

R.C. 5

R.C. 5

AREA UNDER CONSTRUCTION







Baltimore County  
Department of Permits and  
Development Management

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

March 18, 1996

Mr. and Mrs. Davie E. Booth  
11231 Greenspring Avenue  
Lutherville, Maryland 21093

RE: Item No.: 333  
Case No.: 96-333-A  
Petitioner: D. E. Booth, et ux

Dear Mr. and Mrs. Booth:

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 March 1, 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)

Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: March 18, 1996

FROM: Robert M. Rowling, Chief  
Development Plans Review Division  
Department of Permits & Development  
Management

SUBJECT: Zoning Advisory Committee Meeting  
for March 18, 1996  
Item Nos. 327, 328, 329, 330 & 333

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

RMB:jrb  
cc: File

ZONE2

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 03/12/96

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 MAR. 12, 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.

B. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 325, 327, 328, 329,  
330 AND 333.

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

cc: File

Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: March 7, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 316, 317, 319, 321, 322, 325, 327, 329, 330, and 333

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Pat Keller*

PK/JL

ITEM316/PZONE/ZAC1



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. 333 (JOS)

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.

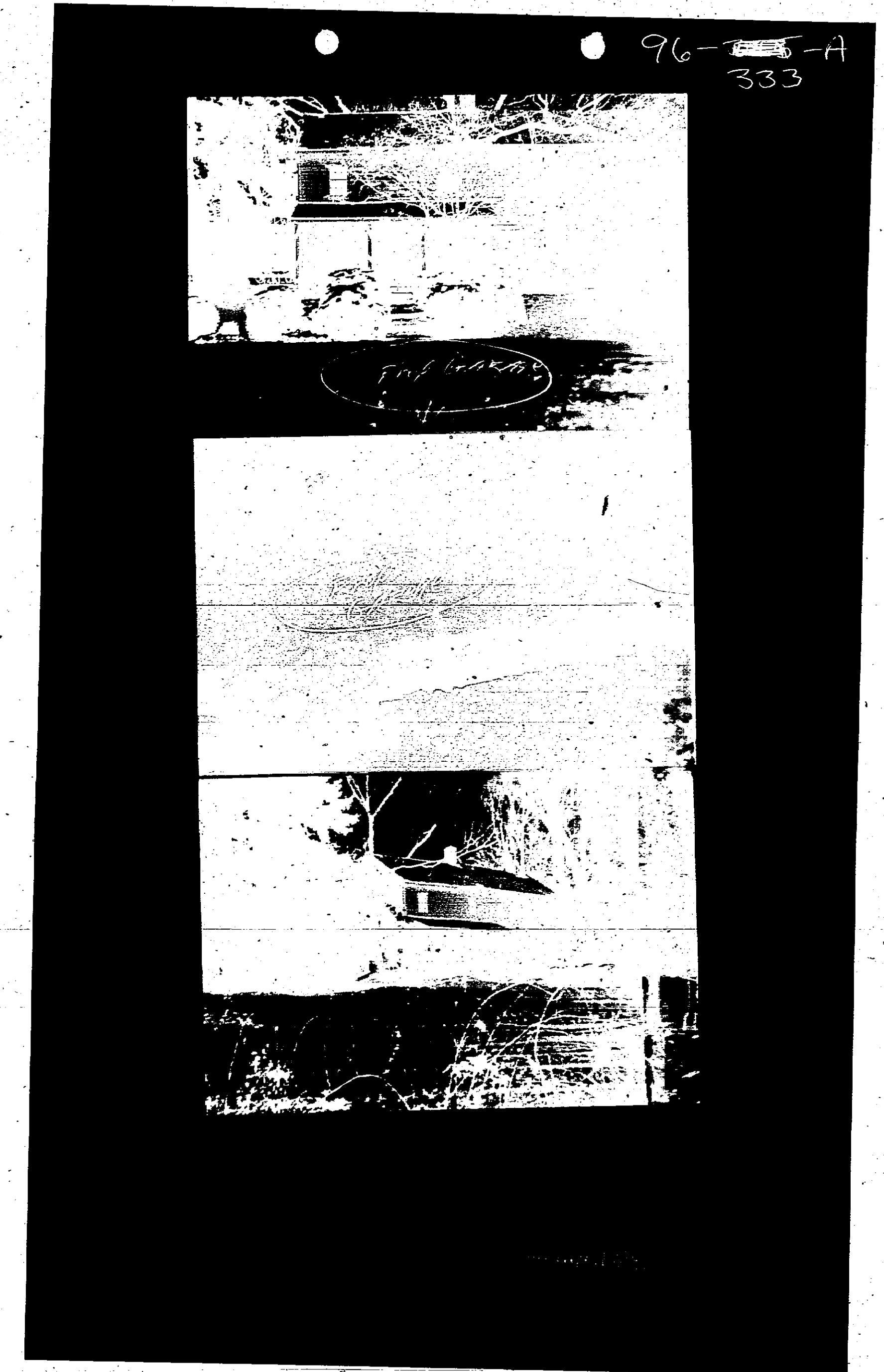
Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2289 (Toll Free)  
Mailing Address: P.O. Box 717, Baltimore, MD 21201-0717



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 11931 GREENWING AVE. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: 96-333-A

OWNER: DAVID E. D. ALGERA BOON

North

date: 3-1-96

prepared by: DAVID BOON

Scale of Drawing: 1" = 100'

LOCATION INFORMATION

Election District: 8

Councilmanic District: 3

1" = 250' scale map: NW 13-E

Zoning: R.C. 5

Lot size: 2.746 acreage 119,615.76 square feet

SEWER: ☐ WATER: ☐

Chesapeake Bay Critical Area: ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

revised: 333

ITEM #1 CASE #1