

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W/S Spring House Circle, 80' S		
centerline of Reston Lane	*	DEPUTY ZONING COMMISSIONER
14th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(5014 Spring House Circle)		
	*	CASE NO. 01-394-A
Toni A. & Robert C. Newcity		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Toni A. and Robert C. Newcity, legal owners of that property known as 5014 Spring House Circle in the Fullerton area of Baltimore County. The Petitioners herein seek relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 22 ft. in lieu of the required 30 ft. for a deck. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

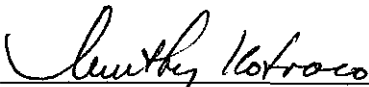
4/26/01
 By *[Signature]*
 Date

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of April, 2001, that a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 22 ft. in lieu of the required 30 ft. for a deck, be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORIGINAL FILED FOR FILING
4/26/01
By: [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 26, 2001

Mr. & Mrs. Robert C. Newcity
5014 Spring House Circle
Baltimore, Maryland 21237

Re: Petition for Administrative Variance
Case No. 01-394-A
Property: 5014 Spring House Circle

Dear Mr. & Mrs. Newcity:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Frank Letschin
c/o Home Team Home Imp. Co.
1020 N. Linwood Avenue
Baltimore, Maryland 21205



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5014 SPRINGHOUSE Circle
which is presently zoned D.R.5-5

This Petition shall be filed with the Department of Permits and 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)

1 B.O. 2.C.1.6 to permit a rear yard setback of 22 ft. in lieu of the required 30 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Robert C. Newcity

Name - Type or Print

Signature

Toni A. Newcity

Name - Type or Print

Toni A. Newcity

Signature

5014 SPRINGHOUSE Cir 410-682-6352

Address

Telephone No.

Baltimore, MD

City

State

21237

Zip Code

Representative to be Contacted:

None from Home Imp. Co.
Frank Letochin

Name

day & eve.

120 N. Leonard Ave 410 952-1576

Address

Telephone No.

Bella, MD

City

State

21205

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Reviewed By BR Date 3/30/01

Estimated Posting Date 4/8/01

ORDER RECEIVED FOR FILING

CASE NO. 01-394-A

REV 9/15/98

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 5014 SPRINGHOUSE Circle
Address
Baltimore MD 21237
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):

My wife's parents currently live with us and by adding this enclosure it gives us additional living space for at least 7 months of the year at an affordable cost.

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

Robert C. Newcity
Signature
ROBERT C. NEWCITY
Name - Type or Print

Toni A. Newcity
Signature
TONI A. NEWCITY
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of January, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Toni Newcity & Robert Newcity
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

1-22-01
Date

Nicholas D. Lelli
Notary Public
My Commission Expires 6-1-04

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 5014 SPRINGHOUSE Circle
Address
Baltimore MD 21237
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):

My cousin's parents currently live with us and by adding this enclosure it gives us additional living space for at least 7 months of the year at an affordable cost.

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

Robert C. Newcity
Signature
ROBERT C. NEWCITY
Name - Type or Print

Toni A. Newcity
Signature
Toni A. Newcity
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of January, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

TONI NEWCITY + ROBERT NEWCITY

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

1-22-01
Date

Nicholas D. Lell
Notary Public
My Commission Expires 6-1-04



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5014 SPRINGHOUSE Circle
which is presently zoned P.R.-S.S

This Petition shall be filed with the Department of Permits and 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)

1 B.O. 2.C.1.6 to permit a
rear yard setback of 22 ft. in lieu of the required 30ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Robert C. Newcity

Name - Type or Print

Robert C. Newcity

Signature

Toni A. Newcity

Name - Type or Print

Toni A. Newcity

Signature

5014 SPRINGHOUSE Cir.

Address

Telephone No.

Baltimore, MD

City

State

21237

Zip Code

Representative to be Contacted:

Home Team Home Imp. Co.

Name

1000 N. Linwood Ave

Address

Telephone No.

Bethesda, MD 21205

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 01-394-A

Reviewed By BH Date 3/30/01

Estimated Posting Date 4/8/01

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 5014 Springhouse Circle 21237

Beginning at a point on the Northwest side of Springhouse Circle, which is 50 feet wide at the distance of 80 feet Southwest of the centerline of the nearest improved intersecting street, Reston Lane, which is 50 feet wide. Being Lot # 35 in the subdivision of Springhouse Station (Plat 1 of 2) as recorded in Baltimore County Plat Book # 68, Folio # 62, containing 5,827 square feet. Also known as 5014 Springhouse Circle 21237 and located in the 14Th Election District. 6Th Councilmanic District.

394

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92934

DATE 3/30/01 ACCOUNT R001-006 6150

AMOUNT \$ 50.00

RECEIVED FROM: Home Team Home Imp.

FOR: zoning variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 394

PAID RECEIPT

PAYMENT ACTUAL TIME
1/02/2001 3/30/2001 14:40:27
FEL MS06 CASHIER DROL DMD DROWER 2
* RECEIPT # 136947 OFLN
DET 5 524 ZONING VERIFICATION
CR NO. 002934

Recpt Tot 50.00
50.00 OK .00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 01-394-A

Petitioner/Developer: _____

ROBERT & TONI NEWCITY

Date of Hearing/Closing: 4/23/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

5014 SPRINGHOUSE CIRCLE

The sign(s) were posted on 4/08/01
(Month, Day, Year)

Sincerely,

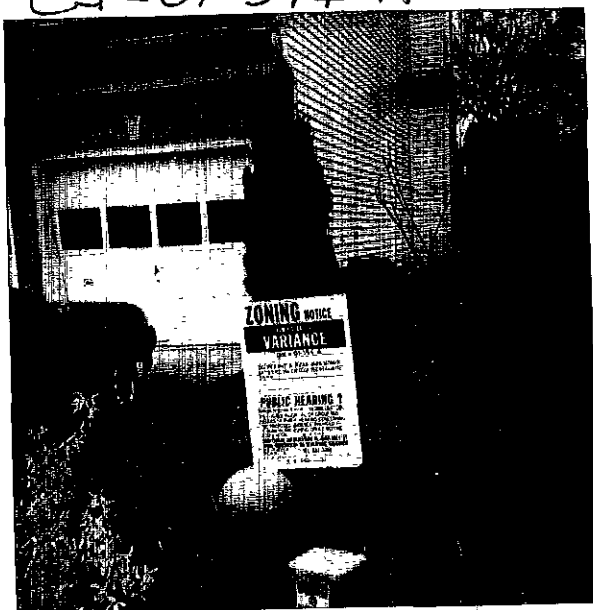
Richard E. Hoffman 4/8/01
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)



5014 SPRINGHOUSE CIR.

POSTED 4/8/01

Richard E. Hoffman 4/8/01

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-394-A
Petitioner: Frank Letschin (Home Team Home Imp. & Ornamental Iron Inc)
Address or Location: 5014 Springhouse Circle Belts, Md 21237

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert C Newcity
Address: 5014 Springhouse Circle
Belts, Md 21237
Telephone Number: 410-682-6352

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 394 -A Address 5014 Springhouse Circle
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/30/01 Posting Date: 4/8/01 Closing Date: 4/23/01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 01- 394 -A Address 5014 Springhouse Circle
Petitioner's Name Robert & Toni Newcity Telephone 410-682-6352
Posting Date: 4/8/01 Closing Date: 4/23/01
Wording for Sign: To Permit a rear yard setback of 22 ft. in lieu
of the required 30 ft.



Baltimore County
Department of Permits and
Development Management

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

April 23, 2001

Toni A & Robert C Newcity
5014 Springhouse Circle
Baltimore MD 21237

Dear Mr. & Mrs. Newcity:

RE: Case Number: 01-394-A, 5014 Springhouse Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 30, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

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

WCR: gdz

Enclosures

c: Frank Letschin, 1020 N Linwood Avenue, Baltimore 21205
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 12, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-387, 01-392, & 01-394**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.9.01

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

RE: Baltimore County
Item No. 394 32

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

April 12, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 9, 2001

Item No.: See Below

Dear Ms. Stephens:

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS IN REGARD TO THE FOLLOWING ITEM #'S.

380, 381, 382, 384, 386, 387, 389, 390, 391, 392, 393, 394,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

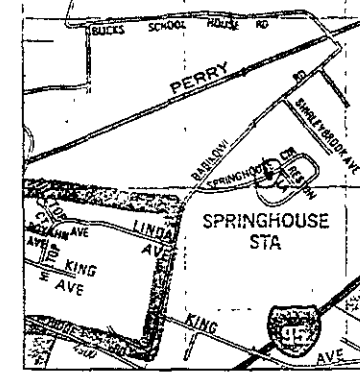
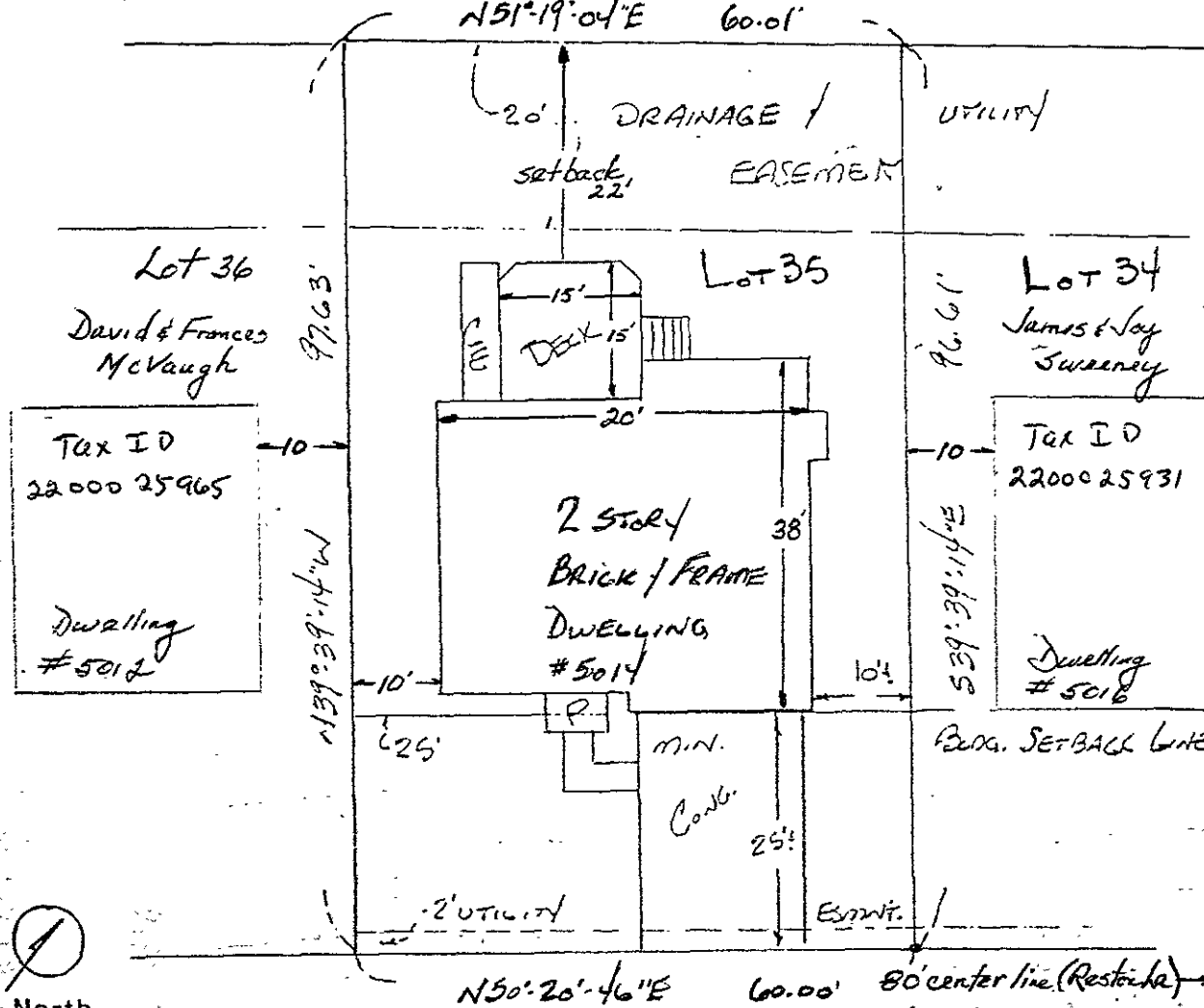
PROPERTY ADDRESS: 5014 Springhouse Cir. 21237

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

Subdivision name: Springhouse Station (Plat 1 of 2)

plat book# 68, folio# 62, lot# 35, section# 82

OWNER: Robert C. & Toni A. Newcity



North
scale: 1"=1000'

LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

1"=200' scale map#: NE 76

Zoning: D.R. 5.5

Lot size: .134 AC 5827 SF
acreage square feet

	public	private
SEWER:	☒	☐
WATER:	☒	☐
Chesapeake Bay Critical Area:	☐	☒
Prior Zoning Hearings:	<u>NONE</u>	

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

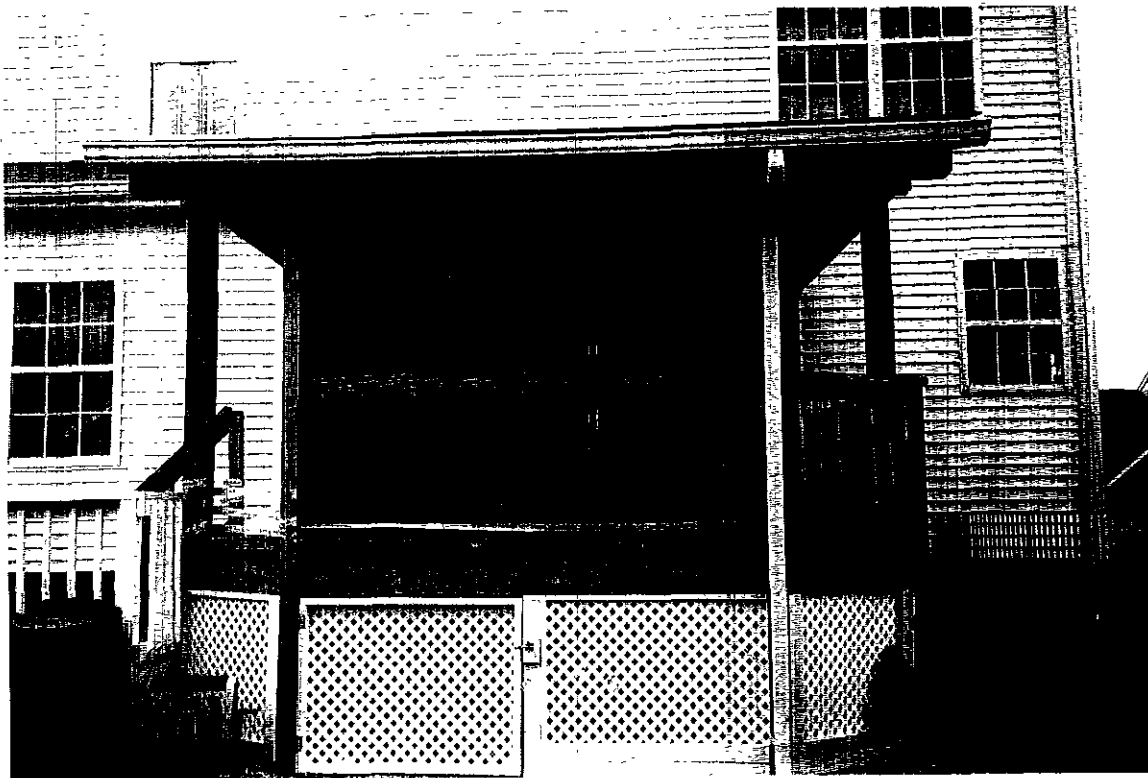
BR 394 01-394-A

North

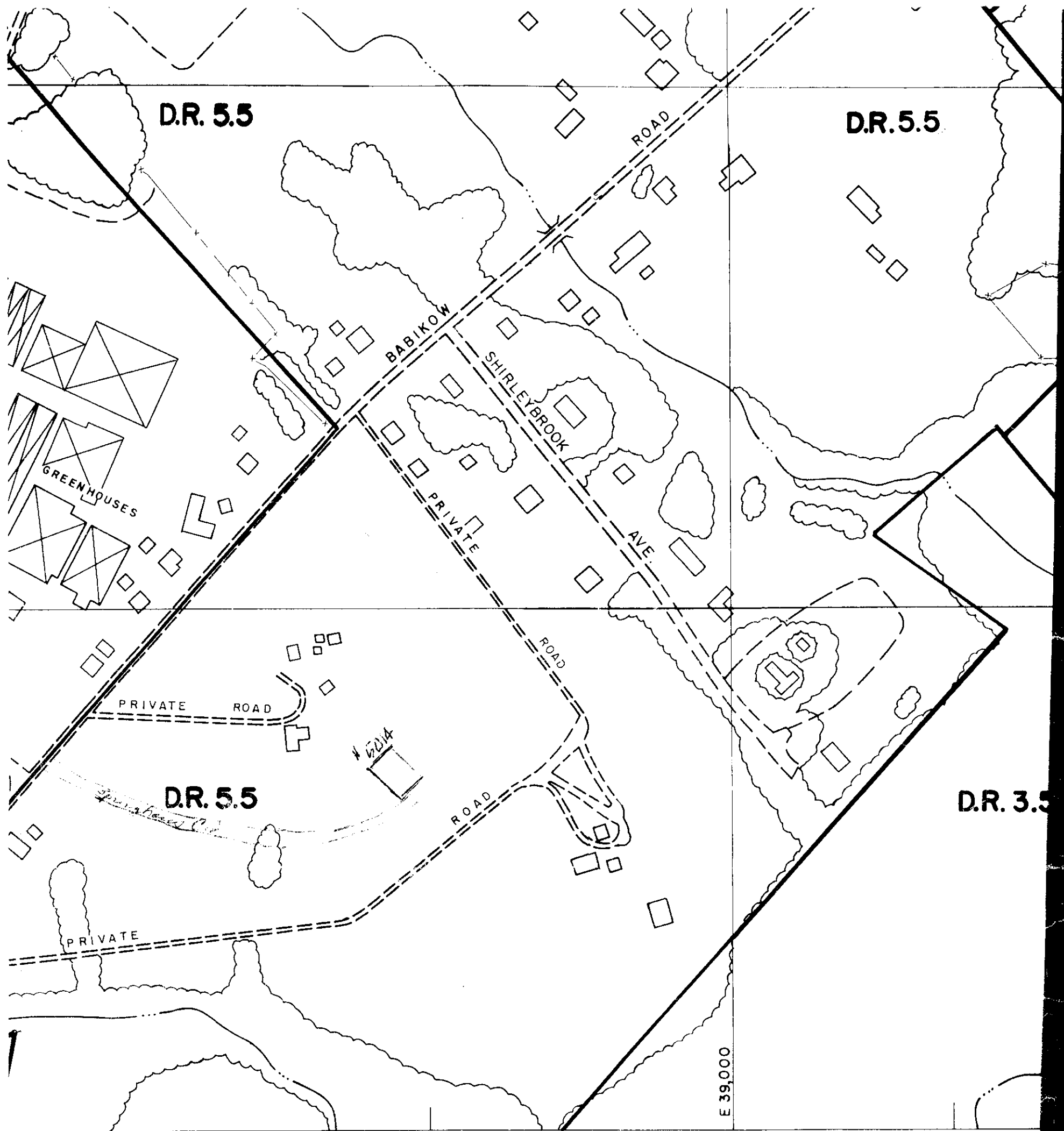
date: 9/1/98

prepared by: Gerhold, Cross & Etzel LTD Scale of Drawing: 1"= 20'

PET. EX. #1







ZONING MAP

COUNCIL

1-00, 92-00, 93-00,

[Signature]
ncil

BALTIMORE COUNTY OFFICE OF PLANNING AND OFFICIAL ZONING MAP

NE 76 1"-200'

6-39-4



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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
394
PHOTOGRAPHIC MAP

SCALE		LOCATION	SHEET
1" = 200' ±	DATE	FULLERTON VICINITY	NE 7-6
	OF PHOTOGRAPHY JANUARY 1986		

