IN RE: PETITION FOR VARIANCE S/S of Greenspring Avenue, 520 ft. S of Woodland Drive 3rd Election District 2nd Councilmanic District **(11108 Greenspring Avenue)** Woodside Homes, Inc., By: Cheryl J. Faust, President, *Legal Owners* **and** Cheryl J. & Michael P. Faust, ***Contract Purchasers*** *Petitioners*	*	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 04-045-A

* * * * * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Woodside Homes, Inc., by Cheryl J. Faust, President and the contract purchasers, Cheryl J. and Michael P. Faust. The Petitioners are requesting variance relief for property located at 11108 Greenspring Avenue in the northwestern area of Baltimore County. The variance request is from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 40 ft. in lieu of the required 50 ft. for a proposed dwelling.

The property was posted with Notice of Hearing on September 9, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 11, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances***.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

10/1/03

special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance request were Cheryl and Michael Faust. There were no Protestants or others in attendance. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request contains 2.3 Acres and is zoned RC 5. The property is 150 feet wide and 668 feet long located in a rural area off of Greenspring Avenue. The Petitioners testified that Michael Faust, who appeared at the hearing in a wheel chair, was severely injured in a high school accident in which he was paralyzed from the waist down. He is completely unable to walk and so requires the use of a wheel chair at all times to move about.

The Petitioners ask for variance relief on the side yard setback requirement of 50 feet applicable in the RC 5 zones. They indicated that they wish to build a home for themselves on

10/1/03 E. Grimm

the property but that because of Mr. Faust disability, they need extra wide rooms and hallways. They also need a design on one floor so that he can have access to the whole house. They testified that they had tried several different designs for homes which would not have required a side yard variance but had been unable to find any means of providing the extra wide facilities, one level layout and fit it within the septic reserve areas shown on Petitioner's Exhibit No. 1. They contacted the adjacent property owners who indicated that they were not opposed to the request. They testified that the nearest home was 400 feet distance from the proposed home, buffered by extensive trees, and that a 10 foot variance would have insignificant effect on the enjoyment of their neighbors of their property.

Findings of fact and conclusions of law

I find that there are special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations was requested. Finally, I find that the requested variances can be granted in strict harmony with the spirit and intent of said regulations, and in a manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 1st day of October, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 40 ft. in lieu

10/1/03 R. Jennings

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

October 1, 2003

Mr. & Mrs. Michael P. Faust
24 Sugarvale Way
Lutherville, Maryland 21093

Re: Petition for Variance
Case No. 04-045-A
Property: 11108 Greenspring Avenue

Dear Mr. & Mrs. Faust:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11108 GREENSPRING AVE. LUTHERVILLE, MD. 21093 **which is presently zoned** RC5

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)

1A04.3.B.3 to permit a side yard setback of 40 ft. in lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) I AM REQUESTING THAT MY SIDE SET BACKS BE CHANGED FROM FIFTY FEET TO FORTY FEET. MY HUSBAND IS PHYSICALLY DISABLED AND HE IS CONFINED TO A WHEELCHAIR PERMANENTLY. HE NEEDS A RANCHER (1½) STORY HOME WITH THE MASTER BEDROOM AND MASTER BATHROOM ON THE FIRST FLOOR. HE ALSO NEEDS WIDE HALLS, HIS OFFICE, CLOSETS AND *(CONTINUED ...

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:

MICHAEL P. and CHERYL J. FAUST
Name - Type or Print

Michael P. Faust Cheryl J. Faust
Signature

24 SUGARVALE WAY (4103081784)
Address Telephone No.

LUTHERVILLE, MD. 21093
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

WOODSIDE HOMES, INC.
C. J. FAUST, PRESIDENT
Name - Type or Print

Cheryl J. Faust
Signature

Cheryl J. Faust
Name - Type or Print

Cheryl J. Faust
Signature

24 SUGARVALE WAY (4103081784)
Address Telephone No.

LUTHERVILLE, MD. 21093
City State Zip Code

Representative to be Contacted:

MIKE FAUST
Name

24 SUGARVALE WAY 410-308-1784
Address Telephone No.

LUTHERVILLE, MD. 21093
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BM **Date** 7/28/03

Case No. 04-045-A

REV 9/15/98

* (CONTINUED...

LARGER ROOMS IN GENERAL TO MANEUVER HIS WHEELCHAIR AROUND THE HOME.
I AM ALSO CARING FOR MY 86 YEAR OLD DAD AND 80 YEAR OLD MOTHER, WHO WILL NEED TO LIVE WITH US AND BE ON THE FIRST FLOOR, TO AVOID STEPS. MY DAD HAS HAD BOTH HIPS REPLACED AND HAS SUFFERED A HEART ATTACK WHERE HE HAD TO HAVE QUADRUPLE BYPASS SURGERY.
THE CURRENT BUILDING ENVELOPE ONLY ALLOWS FOR A FIFTY FOOT WIDE HOME AND THIS IS NOT EVEN CONDUSIVE TO THE GREENSPRING VALLEY HOMES WHICH ARE LARGE WIDE HOMES. THIS IS A VERY NARROW LOT. BY INCREASING THE WIDTH OF THE ENVELOPE, THIS WOULD NOT BOTHER THE NEIGHBORING HOMES, AS THEY ARE LOCATED OVER 250' AWAY, BOTH OF THEM INDIVIDUALLY.

AFFIDAVIT

AFFIDAVIT in support of ADMINISTRATIVE VARIANCE

THE UNDERSIGNED HEREBY AFFIRMS UNDER THE PENALTIES OF PERJURY TO THE ZONING COMMISSIONER THE FOLLOWING IS TRUE AND THAT THE AFFIANTS ARE COMPETENT AND WOULD ALSO BE ABLE TO TESTIFY THERETO IN THE EVENT THAT A PUBLIC HEARING IS NEEDED.

THE AFFIANTS WILL RESIDE AT 11108 GREENSPRING AVE. LUTHERVILLE MD. 21093

BASED UPON PERSONAL KNOWLEDGE, THE ABOVE MENTIONED (AS WELL AS WHAT IS MENTIONED ON THE REVERSE SIDE) ARE FACTS THAT ARE CAUSING US HARDSHIP AND A PRACTICAL DIFFICULTY.

THE AFFIANTS ACKNOWLEDGE THAT IF A FORMAL DEMAND IS FILED, AFFIANTS WILL PAY ALL NECCESSARY FEES (I.E. ADVERTISING) AND MAY BE REQUIRED TO PROVIDE ADDITIONAL INFORMATION.

Cheryl J. Faust
CHERYL J. FAUST

Michael P. Faust
MICHAEL P. FAUST

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:
I HEREBY CERTIFY, THIS ____ DAY OF JULY , 2003
THE AFFIANTS MICHAEL P. FAUST AND CHERYL J. FAUST OF BALTIMORE COUNTY, MARYLAND, PERSONALLY APPEARED BEFORE ME IN SUCH COUNTY AND STATE.
MICHAEL P. FAUST AND CHERYL J. FAUST, THE AFFIANTS HEREIN HAVE SATISFACTORILY INDENTIFIED TO ME THAT THEY ARE WHO THEY SAY THEY ARE.
AS WITNESS MY HAND AND NOTORIAL SEAL

NOTARY REPUBLIC

REV/10/25/01

MY COMMISSION EXPIRES_____

* (CONTINUED...

LARGER ROOMS IN GENERAL TO MANEUVER HIS WHEELCHAIR AROUND THE HOME.
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C. J. Faust
CHERYL J. FAUST

Michael P. Faust
MICHAEL P. FAUST

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:
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MICHAEL P. FAUST AND CHERYL J. FAUST, THE AFFIANTS HEREIN HAVE SATISFACTORILY INDENTIFIED TO ME THAT THEY ARE WHO THEY SAY THEY ARE.
AS WITNESS MY HAND AND NOTORIAL SEAL

NOTARY REPUBLIC

REV/10/25/01

MY COMMISSION EXPIRES_____

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11108 GREENSPRING AVE. LUTHERVILLE, MD. 21093 **which is presently zoned** RC5

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) 1A04.3.B.3 to permit a side yard setback of 40 ft. in lieu of the required 50 ft.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) I AM REQUESTING THAT MY SIDE SET BACKS BE CHANGED FROM FIFTY FEET TO FORTY FEET. MY HUSBAND IS PHYSICALLY DISABLED AND HE IS CONFINED TO A WHEELCHAIR PERMANENTLY. HE NEEDS A RANCHER (1½) STORY HOME WITH THE MASTER BEDROOM AND MASTER BATHROOM ON THE FIRST FLOOR. HE ALSO NEEDS WIDE HALLS, HIS OFFICE, CLOSETS AND

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

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:

MICHAEL P. and CHERYL J. FAUST
Name - Type or Print

Michael P Faust
Signature

24 SUGARVALE WAY (4103081784)
Address Telephone No.

LUTHERVILLE, MD. 21093
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

WOODSIDE HOMES, INC.
C. J. FAUST, PRESIDENT
Name - Type or Print

Signature

Cheryl J. Faust
Name - Type or Print

Signature

24 SUGARVALE WAY - 410-308-1784
Address Telephone No.

LUTHERVILLE, MD. 21093
City State Zip Code

Representative to be Contacted:

MIKE FAUST
Name

24 SUGARVALE WAY 410-308-1784
Address Telephone No.

LUTHERVILLE, MD. 21093
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 04-045-A

Reviewed By BR **Date** 7/25/03

REV 9/15/98

ZONING DESCRIPTION FOR 11108 GREENSPRING AVENUE - LUTHERVILLE, MARYLAND 21093.

BEGINING AT A POINT ON THE SOUTH SIDE OF GREENSPRING AVENUE AT A POINT 510 FEET SOUTH EAST OF WOODLAND DRIVE THENCE RUNNING

(METES AND BOUNDS)

S. 46 06' E. 150.00', S. 43 54-00 W. 668.08', N. 52 - 10.00 W. 150.85', N. 43 54-00 E. 684.00' TO THE PLACE OF BEGINING.

3RD ELECTION DISTRICT - 2ND COUNCILMAN DISTRICT.

2.328 ACRES - 101.411.202 SQUARE FEET.

#045

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 27409

DATE 7/25/03 **ACCOUNT** R001-000-6150

AMOUNT $ 65.00

RECEIVED FROM: Lake Forest

FOR: Zoning Verification

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item #045

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
7/29/2003	7/28/2003	11:29:37	5

REG WS05 WALKIN WHEL WHH
>>RECEIPT # 317196 7/28/2003 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 027409
Recpt Tot $65.00
.00 CK 65.00 CA
Baltimore County, Maryland

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-045-A
11108 Greenspring Avenue
S/side of Greenspring Avenue, 520 feet south of Woodland Drive
3rd Election District – 2nd Councilmanic District
Legal Owner(s): Woodside Homes, Inc., C.J. Faust, President
Contract Purchaser: Michael and Cheryl Faust

Variance: to permit a side yard setback of 40 feet in lieu of the required 50 feet.

Hearing: Friday, September 26, 2003 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

9/231 Sep 11 C625545

CERTIFICATE OF PUBLICATION

9/11, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/11, 2003.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

P. Wilkinson

LEGAL ADVERTISING

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 04-045-A
PETITIONER/DEVELOPER:
Michael and Cheryl Faust
DATE OF HEARING:
September 26 , 2003

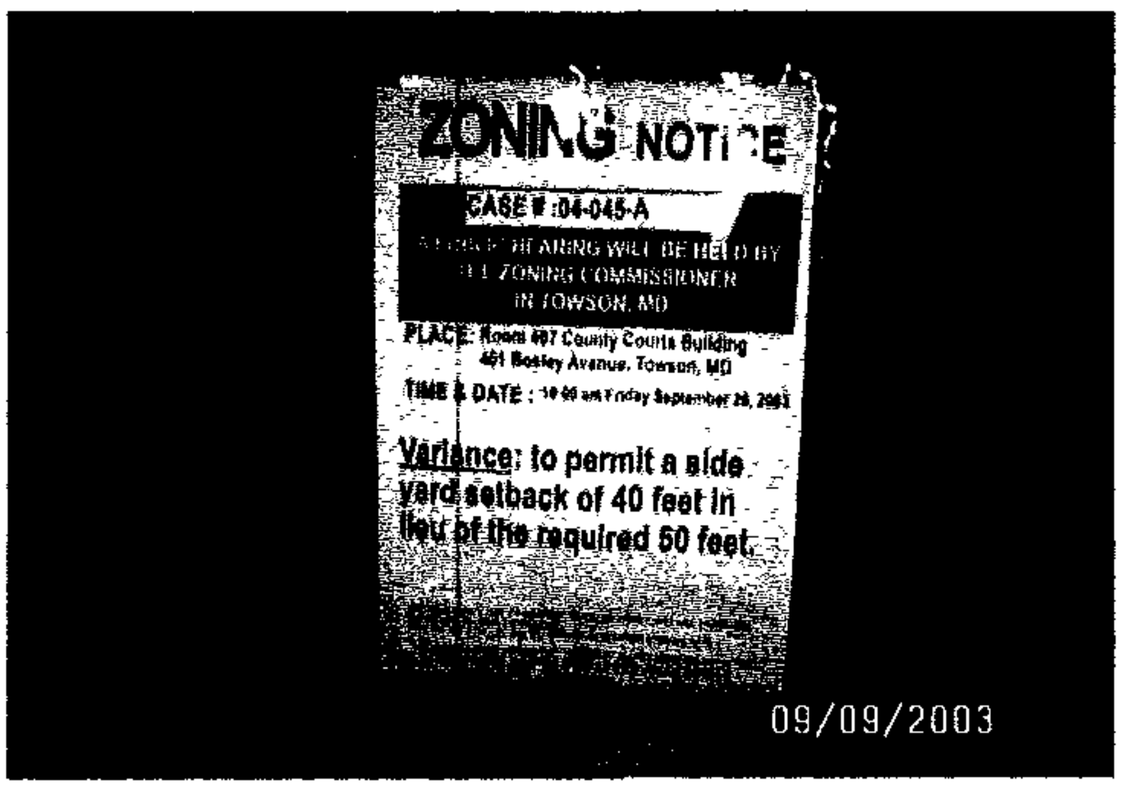
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

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

LOCATION:
11108 Greenspring Avenue
S/side of Greenspring Avenue,
520 feet south of Woodland Drive



POSTED ON : September 9, 2003

DATE:
September 10, 2003

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 11, 2003

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-045-A
11108 Greenspring Avenue
S/side of Greenspring Avenue, 520 feet south of Woodland Drive
3rd Election District – 2nd Councilmanic District
Legal Owners: Woodside Homes, Inc., C. J. Faust, President
Contract Purchaser: Michael and Cheryl Faust

Variance to permit a side yard setback of 40 feet in lieu of the required 50 feet.

Hearings: Friday, September 26, 2003, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: Woodside Homes, Inc., C.J. Faust, 24 Sugarvale Way, Lutherville 21093

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, SEPTEMBER 11, 2003.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 11, 2003 Issue - Jeffersonian

Please forward billing to:
Mike and Cheryl Faust
24 Sugarvale Way
Lutherville, MD 21093

410-308-1784

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-045-A
11108 Greenspring Avenue
S/side of Greenspring Avenue, 520 feet south of Woodland Drive
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LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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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: 04-045-A

Petitioner: Michael & Cheryl Faust

Address or Location: 11108 Greenspring Ave.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mike+Cheryl FAUST

Address: 24 SUGARVALE WAY
Lutherville, MD 21093

Telephone Number: 410-308-1784

Revised 2/20/98 - SCJ

Baltimore County
Department of Permits and
Development Management

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

September 22, 2003

Cheryl Faust, President
Woodside Homes, Inc.
24 Sugarvale Way
Lutherville, MD 21093

Dear Ms. Faust:

RE: Case Number: 04-045-A, 11108 Greenspring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 28, 2003.

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.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel

Printed with Soybean Ink
on Recycled Paper

Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 6, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: August 4, 2003

Item No.: 034, 036-045

Dear Ms. Hart:

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File

Printed with Soybean Ink
on Recycled Paper

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 8.5.03

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

RE: Baltimore County
Item No. 045 BPR

Dear. Ms. Hart:

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,

K. A. McDonald

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August11, 2003

RECEIVED
AUG 11 2003
ZONING COMMISSIONER

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

SUBJECT: Zoning Advisory Petition(s): **Case 04-045**

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 Cunningham

Section Chief: Lynn Lanham

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 25, 2003

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For August 11, 2003
Item Nos. 033, 034, 035, 036, 037,
039, 040, 041, 043, 045, and 046

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

RWB:CEN:jrb

cc: File

ZAC-08-11-2003-ITEM NOS 033 – 046-NCI-09152003

RE:	PETITION FOR VARIANCE 11108 Greenspring Avenue; S/side Greenspring Avenue, 520' S Woodland Drive 3rd Election & 3rd Councilmanic Districts Legal Owner(s): Woodside Homes, Inc, C.J. Faust, President Contract Purchaser(s): Michael P. & Cheryl J Faust Petitioner(s)	* * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 04-045-A

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 2003, a copy of the foregoing Entry of Appearance was mailed to, Michael Faust, 24 Sugarvale Way, Lutherville, MD 21093, Petitioner(s).

RECEIVED
AUG 0 8 2003
Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 11108 Greenspring Ave.
CASE NUMBER 04-045-A
DATE 9/26/03

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
CHERYL FAUST	24 SUGARVALE WAY	LUTHERVILLE MD 21093	SEAJAYFAUST@AOL.COM
MICHAEL FAUST	24 SUGARVALE WAY	LUTHERVILLE MD 21093	WOODSIDEHOMES@AOL.COM

(SHEET N.W.-13-E)

WOODLAND

CT.

N 50,000

R.C. 5

BURWOOD

WOODLAND

HIGHVIEW

CANDLESTICK DRIVE

GREEN

DRIVE

BARSTAD

N 49,000

SPRING

DRIVE

HIGHVIEW

N 48,2,000

1" = 200' Scale
Zoning Map
#NW 13-D

R.C. 5

R.C. 2

AVENUE

W 24,000

N 48,000

W 22,500

S - SW

S - NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Bartenfelder
Chairman, County Council

#045

LOCATION INFORMATION

ELECTION DISTRICT 3

COUNCILMANIC DISTRICT 2nd

1"=200' SCALE MAP # NW 13 D

ZONING RC5

LOT SIZE 2.328 ACREAGE 101,411.202 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
BR	045	04-045-A

VICINITY MAP
SCALE 1" = 1000'

WOODLAND DR. · HIGHVIEW DRIVE · SITE · GREENSPRING AVENUE · GREENSPRING VALLEY DRIVE · ST.

EX. WELL 100' MIN

EXISTING TANK 100' MIN

N/W 001 ACRES 3.00 ACRES Jack ROSE

EXISTING DWELLING #11110 FRONT

86'

565'

60'

GREENSPRING AVENUE

S 46°06' E 150.00'

2.328 Acres

50' · 75'

SETBACK LINES

684.02'

N 43°54' E 150'

100'

Ex. Well

Ex. Perc 1-D

Ex. Perc 1-A

Ex. Well

Ex. Perc 1-B

34'

50'

SEPTIC AREA

Ex. Perc 1-E

Ex. Perc 1-C

EX. PAVING

LOT 8

MIKE & CHERYL FAUST

40'

PROPOSED DWELLING

Ex. Perc 2-A

SEPTIC AREA

Ex. Perc 2-B

Ex. Perc 2-C

50' · 187' · 150.85'

N 52°10' W

KOHLMAN

40' · 530 · 520 · 510 · 540 · 550 · 560

668.08'

S 43°54" W

104' MIN

2.27 ACRES Joan Schuder

EX. SEPTIC TANK

ADDITIONAL PERC TEST(D & E) PERFORMED 10/31/90

63'

EXISTING DWELLING #11110 FRONT

100' MIN

226'

EX. DWELL

MASTER

Pet Ex #1

GENERAL NOTES

- DEED REF. N/F 8217-94
- EXISTING ZONING RC 5
- CONTOURS TAKEN FROM BALTIMORE COUNTY

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 11108 GREENSPRING Ave SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # _____ FOLIO # _____ LOT # 2 SECTION # _____

OWNER Michael & Cheryl Faust

SEPTIC NOTE

SEPTIC AREAS SHOWN HEREON ARE SUBJECT TO THE REVIEW OF THE BALTIMORE COUNTY GROUND WATER MANAGEMENT FOR APPROVAL, PRIOR TO CONSTRUCTION.

SITE PLAN

11108 GREENSPRING AVENUE

3rd Election District Baltimore County, MD

Pet #1

SCALE 1"=50' DATE; JUNE 29,2002

of the required 50 ft. for a proposed dwelling, be and it 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;

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

10/1/03
K. Gannon