

IN RE: PETITION FOR ADMIN. VARIANCE
SE/S of Springhouse Circle, 172 ft. SW
centerline of Reston Lane
14th Election District
6th Councilmanic District
(5013 Springhouse Circle)

Carol H. & Dennis T. Stewart
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-205-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Carol H. and Dennis T. Stewart. The variance request is for property located at 5013 Springhouse Circle, in the Rosedale area of Baltimore County. The variance request is from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (proposed deck) with a rear yard setback of 13 ft. in lieu of the minimum required 22 ½ ft., and to amend the latest Final Development Plan for "Springhouse Station", Lot #39 only. 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 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

11/20/03
R. J. [Signature]

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 Zoning Commissioner for Baltimore County, this 20th day of November, 2003, that a variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open projection (proposed deck) with a rear yard setback of 13 ft. in lieu of the minimum required 22 ½ ft., and to amend the latest Final Development Plan for "Springhouse Station", Lot #39 only, 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.



LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

11/20/03
R. J. J. J.

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

November 20, 2003

Mr. & Mrs. Dennis T. Stewart
5013 Springhouse Circle
Rosedale, Maryland 21237

Re: Petition for Administrative Variance
Case No. 04-205-A
Property: 5013 Springhouse Circle

Dear Mr. & Mrs. Stewart:

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 dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

Visit the County's Website at www.baltimorecountyonline.info





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5013 Springhouse Circle
which is presently zoned DR S.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) 301.1, BCZR, to permit an open projection

(proposed deck) with a rear yard setback of 13 feet in lieu of the minimum required 22½ feet, and to amend the latest Final Development for Springhouse Station, Lot 39 only.

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):

DENNIS T. STEWART

Name - Type or Print

Dennis T. Stewart

Signature

CAROL H. STEWART

Name - Type or Print

Carol H. Stewart

Signature

5013 Springhouse Circle 410-780-0810

Address

Telephone No.

Rosedale

City

MD

State

21237

Zip Code

Representative to be Contacted:

Name

Address Telephone No.

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 10/24/03 day of October, 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. 04-205-A

REV 10/25/01

Reviewed By JNP Date 10/24/03

Estimated Posting Date 11/2/03

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 5013 Springhouse Circle
Address
Rosedale 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):

- ① Base upon my personal knowledge there is a deck within my back property that is build alongside the easement line.
- ② My deck will be 20'x20' which is 13' feet from the easement line of the common area. The extra deck space is needed to accomodate large family gathering.
- ③ Deck will be in compliance with other Home Owners Deck within the Association to enhance property value and appearance.

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.

Dennis T. Stewart
Signature
Dennis T. STEWART
Name - Type or Print

Carol Stewart
Signature
CAROL STEWART
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10 day of October, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

* MD THAT DENNIS T. & CAROL H. STEWART
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Barbara R. Chonkemberger
Notary Public
My Commission Expires 08/05

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Address
Rosedale MD 21237
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- ③ Deck will be in compliance with other Home Owners deck within the Association to enhance property value and appearance.

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.

Dennis T. Stewart
Signature

Dennis T. STEWART
Name - Type or Print

Carol Stewart
Signature

CAROL STEWART
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10 day of October, 2003, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

AND that Dennis T. & Carol H. Stewart
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Barbara Chamberberg
Notary Public

My Commission Expires 08/05



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 5013 Springhouse Circle
which is presently zoned DR S.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)

301.1, BC2R, to permit an open projection (proposed deck) with a rear yard setback of 13 feet in lieu of the minimum required 22½ feet, and to amend the latest Final Development Plan for Springhouse Station, Lot 39 only.

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.

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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):

DENNIS T. STEWART
Name - Type or Print

Signature

x CAROL H. STEWART
Name - Type or Print

x CAROL H. STEWART
Signature

5013 Springhouse Circle 410-780-0810
Address Telephone No.

Rosedale MD 21237
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

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.

04-205-A

Reviewed By

JNP

Date

11/24/03

Estimated Posting Date

11/2/03

ZONING DESCRIPTION

ZONING DESCRIPTION 5013 Springhouse Circle

Beginning at a point on the southeast side of

Springhouse Circle which is 50 feet

wide at the distance of 172 feet southwest of the

centerline of the nearest improved intersecting street of Reston Lane

which is 50 feet wide *Being Lot # 39

in the subdivision of Springhouse Station

as recorded in Baltimore County Plat Book # 68 Folio # 63

containing 6000sqft/0.137741 acreage Also known as 5013 Springhouse Circle

and located in the 14 Election District. 6 Councilmanic District.

04-205-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 29996

DATE

10/24/03

ACCOUNT

K 001-006-6150

AMOUNT

\$ 130.00

RECEIVED
FROM

Stewart

FOR

Alm. M. - 5013 Springhouse Circle

04-205-A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED

DATE

TIME

BY

RECEIVED

DATE

TIME

BY

RECEIVED

DATE

TIME

BY

RECEIVED

DATE

TIME

BY

RECEIVED

DATE

TIME

BY

RECEIVED

DATE

TIME

BY

RECEIVED

DATE

TIME

BY

CASHIER'S VALIDATION

Certificate Of Posting

RE: Case NO.: 04-205-A

Petitioner/Developer: DENNIS STEWART

Date of Hearing/Closing: 11/17/03

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

Attention:

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
at 5013 SPRINGHOUSE CIRCLE

This sign(s) were posted on 11 / 2 / 03
(Month, Day, Year)

Sincerely,

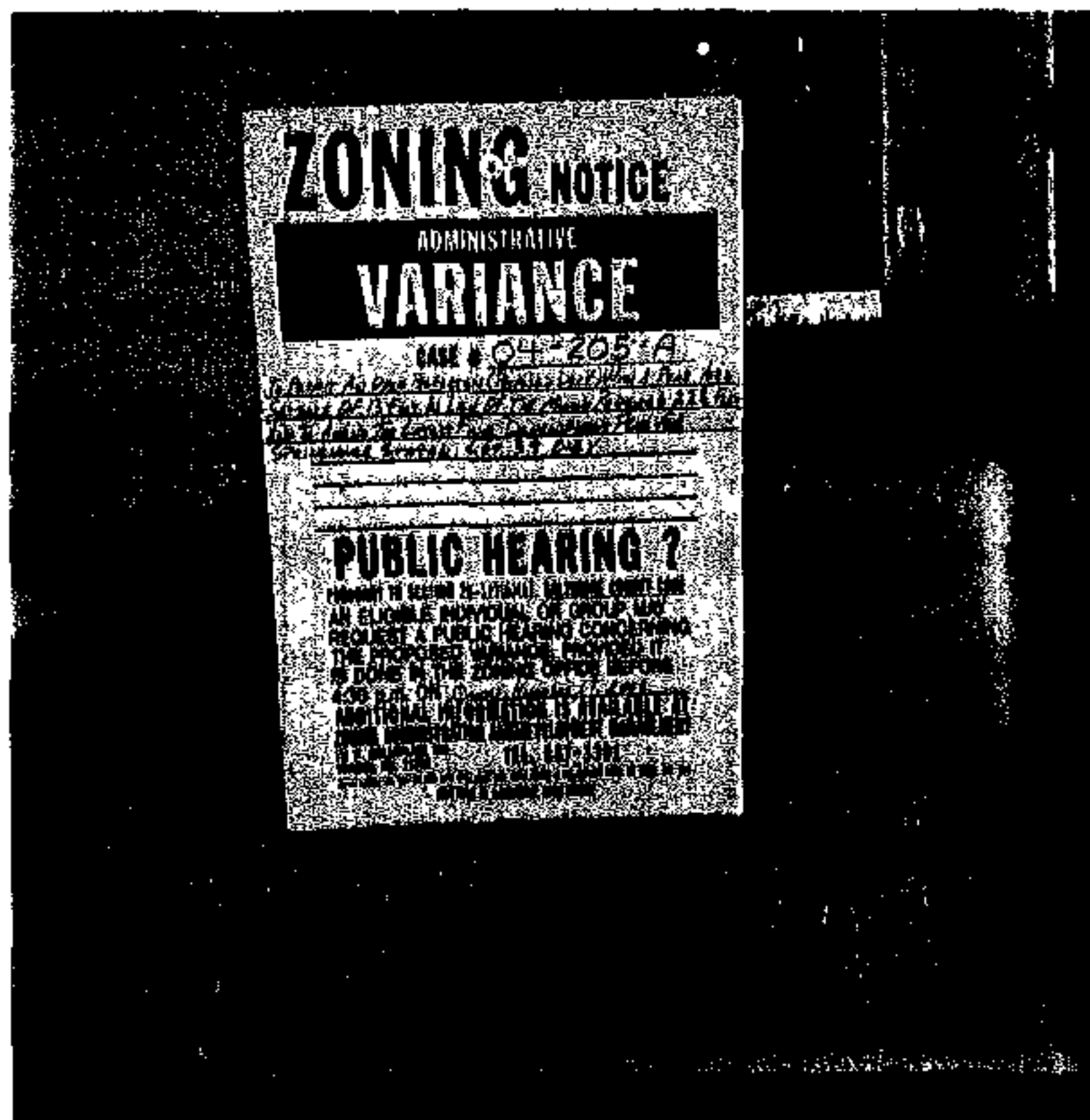
Martin Ogle
(Signature of Sign Poster and Date)

MARTIN OGLE
(Printed Name)

5010 CASTLESTONE DR.
(Address)

BALTO. MD 21237
(City, State, Zip Code)

410-933-9470
(Telephone Number)



Martin Ogle
November 2, 2003

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04-205 -A Address 5013 Springhouse Circle
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/24/03 Posting Date: 11/2/03 Closing Date: 11/17/03

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 04-205 -A Address 5013 Springhouse Circle
Petitioner's Name Stewart Telephone _____
Posting Date: 11/2/03 Closing Date: 11/17/03
Wording for Sign: To Permit an open projection (proposed deck) with a rear yard setback of 13 feet in lieu of the minimum required 22½ feet, and to amend the latest Final Development Plan for Springhouse Station, Lot 39 only.



Baltimore County
Department of Permits and
Development Management

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

November 17, 2003

Dennis Stewart
Carol Stewart
5013 Springhouse Circle
Rosedale, MD 21237

Dear Mr. and Mrs. Stewart:

RE: Case Number: 04-205-A, 5013 Springhouse Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 24, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel



Printed with Soybean Ink
on Recycled Paper

Visit the County's Website at www.baltimorecountyonline.info



**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

November 5, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of: November 3, 2003

Item No.: 195, 197-211²⁰⁵

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 6, 2003

RECEIVED

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

NOV - 7 2003

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case 04-205 and 04-200**
Administrative Variance

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:

John L. Lantry

AFK/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 13, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For November 10, 2003
Item Nos. 195, 196, 197, 198, 199,
200, 202, 203, 204, ~~205~~, 206, and 211

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

RWB:CEN:jrb

cc: File

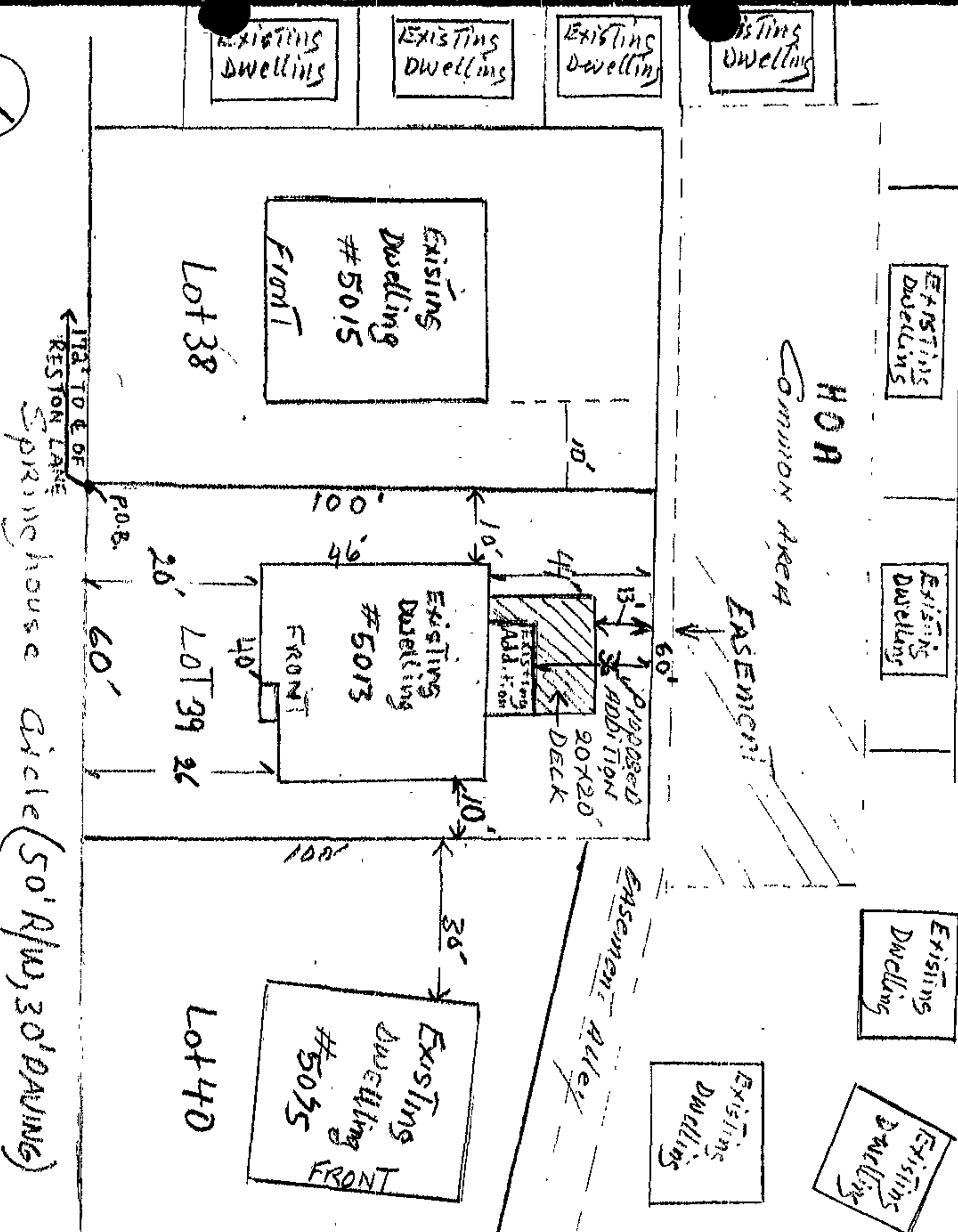
PROPERTY ADDRESS 5013 Springhouse Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME **SPAINHOUSE STATION**

PLAT BOOK # 68 FOLIO # 63 LOT # 39 SECTION #

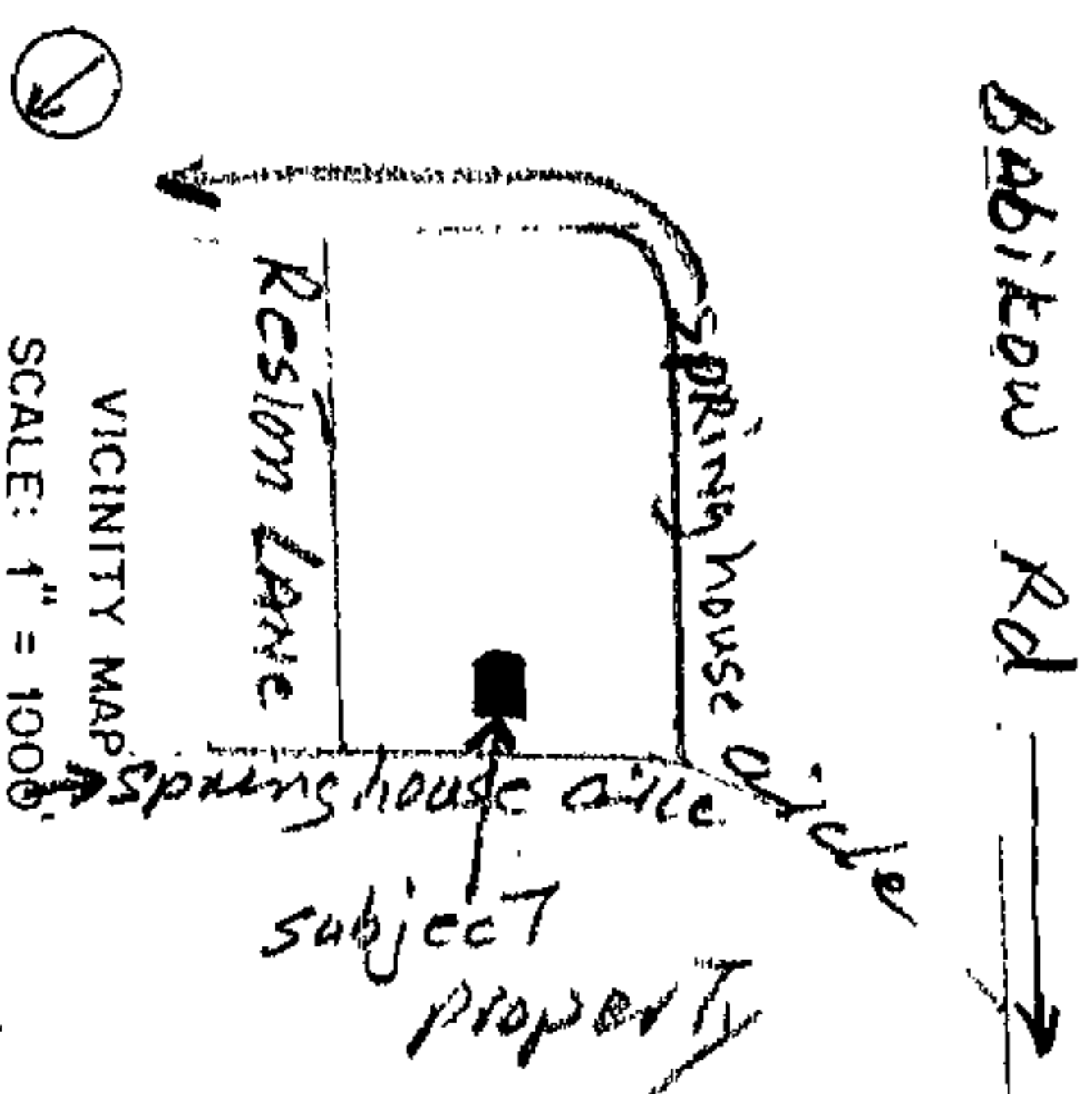
OWNER Dennis Leonard 2764



NORTH

PREPARED BY DENNIS STEWART

SCALE OF DRAWING: 1" = 30'



LOCATION INFORMATION

ELECTION DISTRICT **14**

COUNCILMANIC DISTRICT 6

1"=200' SCALE MAP # NE-76

ZONING DR 5-5

LOT SIZE 6.137741 6000

ACREAGE

SQUARE FEET

PUBLIC PRIVATE

SEWER

PRIVATE

SEWER

WATER

☒

4

CHESAPEAKE BAY
CRITICAL AREA

YES ☐

NO ☒

100 YEAR FLOOD PLAIN

☐ ☒

HISTORIC PROPERTY/

□

1 DINING

☐ ☒

PRIOR ZONING HEARING **Alotue**

207

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JNP 205 104-205A

Ret. Ex. #1

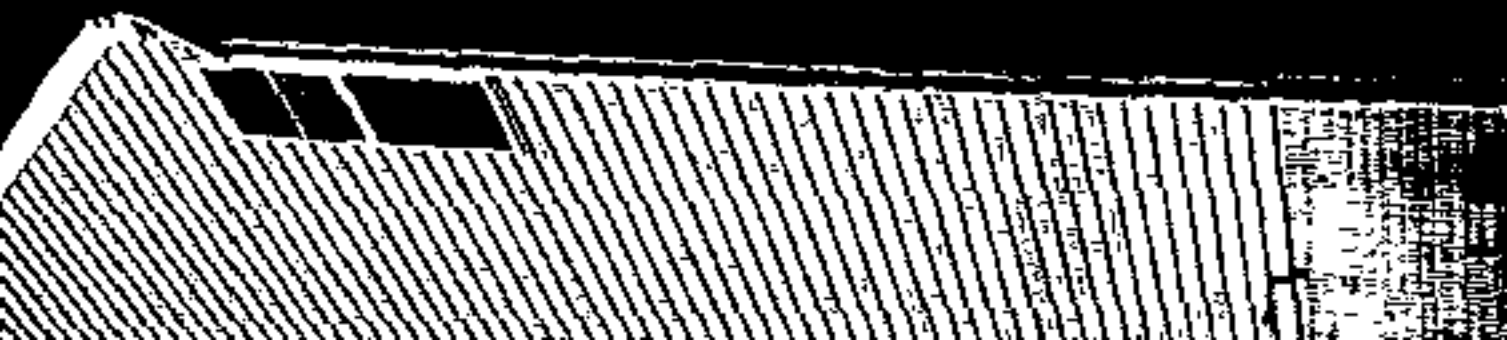
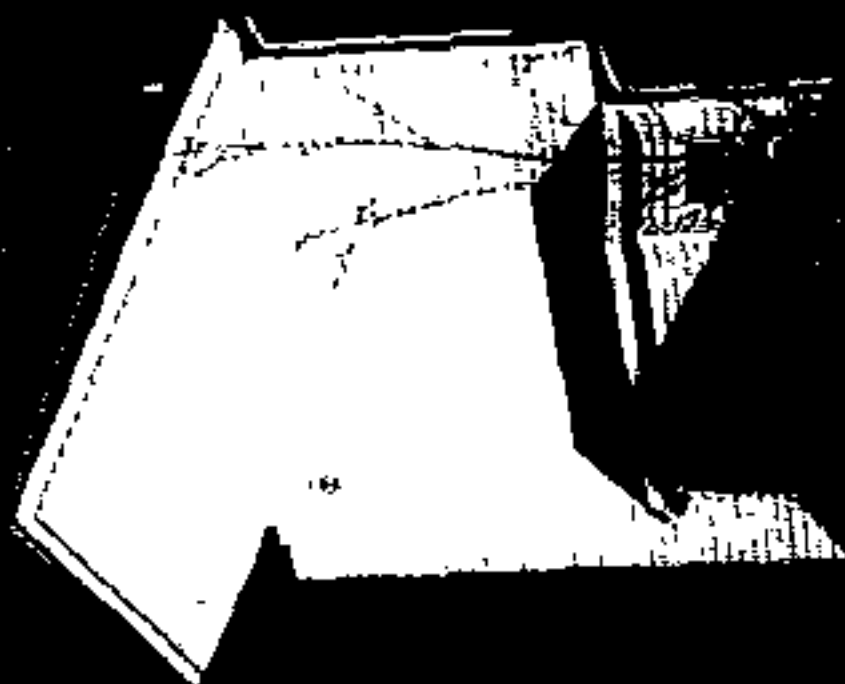


① BACK VIEW OF HOUSE STANDING FROM
THE LEFT SIDE OF HOUSE

cc3355, cc3355_17

Walmart, W2045, 09/28/03

2011年12月



③ BACK view of House standing from
the left side of Common Area

Walmart, 09/28/03 09/28/03

003555, 003555-06



⑤ BACK side of House standing from
the Right side of House

cc3355, cc3355_15

Walmart, W2045, 09/28/03



② BACK view of House standing from
the BACK OF Common Area

09/28/03 09:45, 09/28/03

09:45, 09:45.10



④ BACK VIEW OF HOUSE STANDING FROM
the Right side of Common Area

cc3355, cc3355_12

Walmart, W2045, 09/26/03

NE-7-G

ML

D.R. 5.5

D.R. 3.5

D.R. 5.5

D.R. 5.5

D.R. 3.5

E 391000

04-205-A

E 37500

(SHEET NE 6-G)

