ONDER RECEIVED FOR FILLING

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IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE

SW/S Greenspring Avenue, 60' NW of the c/l

Highview Drive * ZONING COMMISSIONER

(11110 Greenspring Avenue)

3rd Election District * OF BALTIMORE COUNTY

2nd Council District

* Case No. 05-164-A

Jack Rose, et ux Petitioners

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Jack Rose, and his wife, Jane Rose. The Petitioners seek relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition within 50 feet of a street centerline in lieu of the required 150 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate. In the instant case, Janice Gage, a neighboring property owner, requested a public hearing on the matter to determine the appropriateness of the request. The hearing was initially scheduled for November 16, 2004; however, at the request of Ms. Gage, was postponed and rescheduled for Wednesday, December 29, 2004. However, at the request of the Petitioners' representative, Jay Brown, the matter was postponed again and rescheduled to January 24, 2005.

MER RESERVED FOR FILES

Appearing at that hearing in support of the request were Jack and Jane Rose, property owners; Jay Brown, of Levin/Brown, Inc., Architects; Jared Goldberg and Mark Levy; and their attorney, Robert A. Hoffman, Esquire. Ms. Gage did not attend the hearing, nor were there any other interested persons present.

At the onset of the hearing, the Petitioners requested an amendment to the Petition. As filed, the Petitioners sought relief from Section 1A04.3.B.2 of the B.C.Z.R., which requires a minimum setback of 75 feet from the centerline of any road. The Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning, dated October 25, 2005, noted that County Council Bill No. 55-04 had amended the R.C.5 zoning regulations and that the variance request should have been from Section 1A04.3.B.2(B) of the B.C.Z.R. That Section requires a minimum 150-foot setback from the centerline of any **collector road**, since the subject property is a single lot of record, not within a recorded and approved subdivision. Thus, the Petition was amended accordingly and the hearing proceeded on the merits of the requested relief.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the south side of Greenspring Avenue, just west of Woodland Drive in Lutherville. The property contains a gross area of 3.00 acres, more or less, zoned R.C.5, and is improved with a single-family dwelling, detached garage, and storage shed. The Petitioners have owned and resided on the property since February 2001 and propose certain renovations to the dwelling to create additional living space, in part, to accommodate the Petitioners' aging parents. In this regard, the Petitioners propose an addition to the front of the dwelling to provide a garage and separate living quarters for the elder Mr. & Mrs. Rose. In addition, a new main entrance to the dwelling is proposed. Due to the location of the existing dwelling, the proposed addition will be located within the required 150-foot setback to the centerline of Greenspring Avenue. Testimony indicated that the location of the addition was the most practical, given the layout of the existing dwelling. Moreover, due to the location of the septic reserve area and steep grade of the property in the rear yard, the addition could not be located to the rear of the dwelling. Thus, the requested variance is necessary.

There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. In this regard, building elevation drawings of the proposed addition (marked as Petitioner's Exhibit 2) have been submitted for review and approval by the Office of Planning who supports the proposal, provided the performance standards of the R.C.5 zone as set forth in Section 1A04.4 of the B.C.Z.R. are met. The testimony proffered by Mr. Hoffman indicated that the proposed garage is not the dominant feature of the addition and that building materials used will be compatible with those of the existing dwelling. Moreover, The Department of Environmental Protection and Resource Management (DEPRM) has no objections to the proposal; however, an evaluation of the septic system may be required prior to building permit approval.

After due consideration of all of the testimony and evidence presented, I am persuaded that the Petitioners have met the requirements of Section 307.1 of the B.C.Z.R. for relief to be granted. The property is unique by virtue of its topography and the location of the existing septic reserve area. It is clear that strict compliance with the B.C.Z.R. would result in a practical difficulty and/or unreasonable hardship upon the Petitioners. Moreover, there is no evidence that the grant of the relief would be detrimental to adjacent properties or adversely impact the surrounding locale. Thus, the relief requested shall be granted subject to the restrictions set forth below.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28 day of February 2005 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition within 50 feet of a street centerline in lieu of the required 150 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

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- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed addition shall be constructed substantially in accordance with the final building elevation drawings reviewed and approved by the Office of Planning.
- 3) No additional fencing, other than deer screen fencing, may be installed closer than 50 feet from the centerline of Greenspring Avenue. In addition, the Petitioners shall replant any portion of the existing vegetative buffer along Greenspring Avenue to the extent that trees are removed during construction of the addition.
- 4) Compliance with any recommendations made by DEPRM to comply with groundwater management regulations as set forth in their comments dated October 26, 2004, a copy of which is attached hereto and made a part hereof.

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

ISEMAN, II

Zoning Commissioner for Baltimore County

WJW:bjs



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 William J. Wiseman III, Zoning Commissioner

February 28, 2005

Robert A. Hoffman, Esquire David Karceski, Esquire Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE SW/S Greenspring Avenue, 60' NW of the c/l Highview Drive (11110 Greenspring Avenue) 3rd Election District – 2nd Council District Jack Rose, et ux - Petitioners Case No. 05-164-A

Dear Mr. & Mrs. Rose:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner

for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Jack Rose

11110 Greenspring Avenue, Lutherville, Md. 21093

Mr. Jay Brown, Levin/Brown Inc. Architects

15 Greenspring Valley Road, Owings Mills, Md. 211/17

Ms. Janice Gage, 11111 Greenspring Avenue, Lutherville, Md. 21093

Office of Planning; DEPRM; People's Counsel; Case File



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



Petiton for Administrative Variance

to the Zoning Commissioner of Baltimore County

Zoning Commissioner of Baltimore County

Reviewed By Com Date 9-28.09

Estimated Posting Date 10.10.09

CARYLARIA	•				, COULT
	for the prop	erty located at	11110	Greens	sprina Ave
	_	which	is present	ly zoned	DCZ
This Petition shall be filed with owner(s) of the property situate in made a part hereof, hereby petition DERMIT AN ADD	n for a Variance from Se	rmits and Develo	pment Man in the descr	agement. The	ne undersigned, le t attached hereto a
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Contract Purchaser/Lessee:		io tito adalicat	or uns reddo	n.	me broberty willed
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Attorney For Petitioner:			reensp	rina Av	1e
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Assess	Telephone No.	Address	OV JYKIN	4 VMVety 1	RUAD 410 581 0K. Telephone No.
State	Zip Code	City City	MILLS	m.	21117
Hearing having been formally demanded the Baltimore County and that the Base	anded and/or found to be re			State	Zip Code
day of Baltimore County and that the pro	that the subject matter of this perty be reposted.	petition be set for a p	ov the Zoning.	advertised, as re	of Baltimore County, quired by the zoning

REN 9115198

Chauld be you. Bette

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Affida Vot in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, a follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/ar 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	Address	Greenspring	Avenue
---	---------	-------------	--------

Address Lutherville MD 21093

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

Jack Rose's mother is moving into the home, the additional space is needed to accommodate heir requirements. The addition will be a fourth bedroom and an extra garage.

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.

Name - Type or Print

Signa -

Name - Type o

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

of Maryland, in and for the County aforeseld, personally appeared

2004, before me, a Notary Public of the State

the Affiant(s) herein, personally known or satisfactorily identified to one 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

9/24/04/ Date

Notary Public

My Commission Expires ////

REV 09/15/98

ZONING DESCRIPTION FOR: 1110 Greenspring Avenue
Election District: 3rd Councilmanic District: 2ND
Beginning at a point on the (north, south, east of west)
side of <u>Greenspring</u> Anenue which is (street on which property fronts) 40ft.
(number of feet of right-of-way width)
wide at a distance of $6004t$
(number of feet)
NW
(north, south, east or west) of the centerline of the
nearest improved intersecting street HIGHVIEW DR (name of street)
which is wide. (number of feet of right-of-way width)
Being Lot #, Section #
in the subdivision of
(name of subdivision)
recorded in Baltimore County Plat Book #
Folio #, containing S.00 A-RES + (square feet and acres)

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BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

No. 42107

DATE 10/22/04

ACCOUNT 001 006-6150

AMOUNT \$ 50.00

RECEIVED

FOR:

DISTRIBUTION WHITE - DASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

缺均IMESS 46.154.74 THE aray. 10/22/2004 10/22/2004 10:24:49 HALKIN DOOL 1840 REG MSO4 PREDCIFT # 086729 INVOVVOOR पुन्ति । 5 588 WINTHS PERTFICATION Dept CR NO. 042137 भक्ष्यकृषे किया #50.00 \$50.00 CY \$.80 94

Baltimore County, Haryland

CASHIER'S VALIDATION

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: #05-164-A
11110 Greenspring Avenue
Southwest side of Greenspring Avenue, 600 feet +/northwest of centerline of Highview Drive
3rd Election District 2nd Councilmanto District
Legal Owner(s): Jack and Jane Rose
Administrative Variance:
to permit an addition within 50 feet of the centerline of the road in lieu of the required 75 feet.
Hearing: Tuesday, November 16, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401-Bosley Avenue.

WILLIAM WISEMAN

Ávenue.

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.

11/025 Nov. 4

CERTIFICATE OF PUBLICATION

114,2004
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 114,2004.
The Jeffersonian Arbutus Times Catonsville Times
☐ Towson Times ☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

i. Wilkinger

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: #05-164-A11110 Greenspring Avenue
S/west side of Greenspring
Avenue, 600feet +/- n/west of
centerline of Highview Drive.
3rd Election District
2nd Councilmanic District
Legal Owner(s): Jack and
Jane Rose
Verlance: to permit an ad-Variance: to permit an addition within 50 feet of the centerine of the road in lieu of the required 75 feet. Hearing: Wednesday, December 29, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

WILLIAM WISEMAN
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.
JT/12/651 Dec14 32944

CERTIFICATE OF PUBLICATION

CORRECTED 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: #05-164-A

Case: #05-164-A
1110 Greenspring Avenue
S/west side of Greenspring Avenue, 600 feet +/- n/west
of centerline of Highview Drive
3rd Election District — 2nd Councilmanic District
Legal Owner(s): Jack and Jane Rose
Variance: to permit an addition within 50 feet to the
centerline of the road in lieu of the required 150 feet.
Hearing: Monday, January 24, 2005-at 16:00 a.m. in
Room 407, County Courts Building, 401 Bosley
Avenue, Towson 21204.

WILLIAM WISEMAN

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.

1/004 January 6

CERTIFICATE OF PUBLICATION

16,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing on6,2005
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date Octuber 11, 2004

RE: Case Number 05-164-A

Petitioner/Developer JANE ROSE

Date of Hearing (Closing) October 25, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1110 GREENSPRING-AVE

The sign(s) were posted on

October 9, 2004



(Signature of Sign Poster)

Linda O'Keefe (Printed Name of Sign Poster)

523 Penny Lane (Street Address of Sign Poster)

Hunt Valley Maryland 21030 (City, State, Zip Code of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)

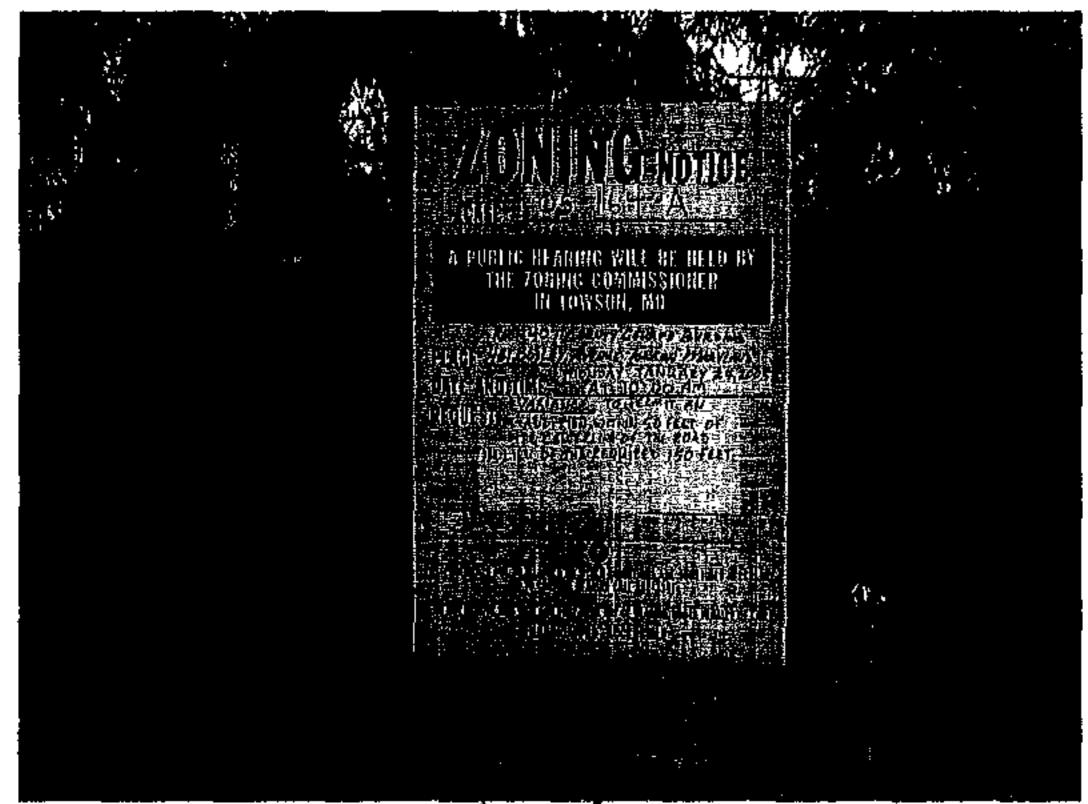
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CERTIFICATE OF POSTING

	RE: Case No. : 05-144-A
	Petitioner/Developer: TACK &
	JANE ROSE
	Date of Hearing/Closing: 1/24/05
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue	JAN 2 6 2005
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the penaltic sign(s) required by law were posted con at // // BREENSPLIN	spicuously on the property
This sign(s) were posted on(Mon	7, 2005 th, Day Year)
	Signature of Sign Poster and Date) Martin Ogle Sign Poster 5016 Castlestone Drive Address Balto. Md 21237 (443-629-3411)
	

im000169 (1152x864x256 jpeg)



Machel Ogle 1/2/05

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 4, 2004 Issue - Jeffersonian

Please forward billing to:

Jack Rose

410-337-0109

11110 Greenspring Avenue Lutherville, Maryland 21093

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: 05-164-A

11110 Greenspring Avenue

Southwest side of Greenspring Avenue, 600 feet +/- northwest of centerline of Highview Drive. 3rd Election District—2nd Councilmanic District

Legal Owners: Jack and Jane Rose

Administrative Variance to permit an addition within 50 feet of the centerline of the road in lieu of the required 75 feet.

Hearing: Tuesday, November 16, 2004 at 11:00 am, in Room 407, County Courts Building 401 Bosley Avenue.

WILLIAM-WISEMAN

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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.

TO: PATUXENT PUBLISHING COMPANY

Thursday, January 6, 2005 Issue - Jeffersonian

Please forward billing to:

Jack Rose 11110 Greenspring Avenue Lutherville, MD 21093

410-337-0109

CORRECTED 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: 05-164-A

11110 Greenspring Avenue

S/west side of Greenspring Avenue, 600 feet +/- n/west of centerline of Highview Drive 3rd Election District – 2nd Councilmanic District

Legal Owners: Jack and Jane Rose

Variance to permit an addition within 50 feet of the centerline of the road in lieu of the required 75 feet.

Hearing: Monday, January 24, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, 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.

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 25, 2004

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: 05-164-A

11110 Greenspring Avenue

Southwest side of Greenspring Avenue, 600 feet +/- northwest of centerline of Highview Drive.

3rd Election District—2nd Councilmanic District

Legal Owners: Jack and Jane Rose

Administrative Variance to permit an addition within 50 feet of the centerline of the road in lieu of the required 75 feet.

Hearing: Tuesday, November 16, 2004 at 11:00 am, in Room 407, County Courts Building 401 Bosley Avenue.

Timothy Kotroco

Director

TK: clb

C: Jack and Jane Rose 11110 Greenspring Avenue Lutherville 21093 Levin/Brown, Inc. 15 Greenspring Valley Road Owings Mills 21117

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 1, 2004.

- (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.



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

Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

November 19, 2004

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: 05-164-A

11110 Greenspring Avenue

S/west side of Greenspring Avenue, 600 feet +/- n/west of centerline of Highview Drive.

3rd Election District—2nd Councilmanic District

Legal Owners: Jack and Jane Rose

buth Kotroco

Variance to permit an addition within 50 feet of the centerline of the road in lieu of the required 75 feet.

Hearing: Wednesday, December 29, 2004 at 9:00 a.m. in Room 407, County Courts Building 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK: klm

C: Jack and Jane Rose, 11110 Greenspring Avenue, Lutherville 21093 Levin/Brown, Inc., 15 Greenspring Valley Road, Owings Mills 21117 Janice Gage, 11111 Greenspring Avenue, Lutherville 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BYAN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 14, 2004.

- (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.



Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

December 7, 2004

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: 05-164-A

11110 Greenspring Avenue

S/west side of Greenspring Avenue, 600 feet +/- n/west of centerline of Highview Drive 3rd Election District – 2nd Councilmanic District

Legal Owners: Jack and Jane Rose

Variance to permit an addition within 50 feet of the centerline of the road in lieu of the required 75 feet.

Hearing: Monday, January 24, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Jack & Jane Rose, 11110 Greenspring Avenue, Lutherville 21093 Levin/Brown, 15 Greenspring Valley Rd., Owings Mills 21117 Janice Gage, 11111 Greenspring Avenue, Lutherville 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 8, 20 05.

(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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 Newspan	per Advertising:	
Item Number	or Case Number 164	
Petitioner	JACK ROSE	,
Address or Lo	ocation 11110 Greenspring Ave.	· · · · · · · · · · · · · · · · · · ·
PLEASE FOR	RWARD ADVERTISING BILL TO	
Name	JACK ROSE	
Address	1110 GREENSPRING AVE	
	LUTHERVILLE MD 21093	
Telephone Ni	umber: 410 337 0109	
TEIGHTONE 140	UNIDEL TIC 23/0107	,

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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Department of Permits and Development Management

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

November 10, 2004

Jack Rose Jane Rose 11110 Greenspring Avenue Lutherville, Maryland 21093

Dear Mr. and Mrs. Rose:

RE: Case Number: 05-164-A, 11110 Greenspring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 10, 2004.

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, Call Richalls

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Levin/Brown, Inc. 15 Greenspring Valley Road Owings Mills 21117



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

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

December 21, 2004

Jack Rose Jane Rose 11110 Greenspring Avenue Lutherville, Maryland 21093

Dear Mr. and Mrs. Rose:

RE: Case Number: 05-164-A, 11110 Greenspring Avenue

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Very truly yours,

u. Callibal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Levin/Brown, Inc. 15 Greenspring Valley Road Owings Mills 21117



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 3, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 18, 2004

Item Nos. 156, 158, 159, 161, 164, 165, 166, 168, and 169

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr J

DATE:

October 26, 2004

SUBJECT:

Zoning Item # 05-164

Address

1110 Greenspring Ave.

Zoning Advisory Committee Meeting of October 11, 2004.

The Department of Environmental Protection and Resource Management has the following comments on the above-referenced zoning item:

An evaluation of the septic system may be required prior to building permit approval.

Reviewer:

Martha Mickey, Sue Farinetti

Date: October 26, 2004

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 25, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

1110 Greenspring Avenue

INFORMATION:

Item Number:

5-164

Petitioner:

Jane and Jack Rose

Zoning:

RC 5

Requested Action:

Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning reviewed the petitioner's request and accompanying architectural elevation drawings and supports the setback variance contingent upon the following:

- 1. Since County Council Bill 55-04 amended the RC 5 zoning regulations, it appears that the variance request should have been from Section 1A04.3.B.2.(B) of the BCZR, which requires 150 feet from the centerline of a collector road. This is due to the fact that the lot in question is a single lot of record not within a recorded and approved subdivision.
- 2. Section 1A04.4 Performance standards, requires the Office of Planning to evaluate the petitioner's request for compliance with performance standards of the RC 5 zone which includes retention of significant trees, building materials and design that is compatible with the existing dwelling. The garage should not be a dominant feature of the addition. The preliminary architectural elevation drawings meet these requirements.
- 3. The Office of Planning will review final architectural elevation drawings prior to issuance of any building permits.

4. No new fencing permitted within 50 feet of a public right of way.

Prepared by: Mae In Inne

Division Chief:

AFK/LL:MAC:

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 25, 2004

Mr. Jack Rose Mrs. Jane Rose 11110 Greenspring Avenue Lutherville, Maryland 21093

Dear Mr. and Mrs. Rose:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 05-164-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by a timely public hearing demand or the zoning commissioner is requiring a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact <u>Joseph Merrey</u> at 410-887-3391.

Very truly yours.

Calliball

Cal

W. Carl Richards, Jr.

Supervisor Zoning Review

WCR: clb

C: Levin/Brown Inc. 15 Greenspring Valley Road Owings Mills 21117



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

Department of Permits and Development Management

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

December 8, 2004

Jack Rose Jane Rose 11110 Greenspring Avenue Lutherville, MD 21093

Dear Mr. & Mrs. Rose:

RE: Case Number: 05-164-A, 11110 Greenspring Avenue

The above matter, previously scheduled for December 29, 2004, has been postponed at the request of Jay Brown of Levin/Brown. The hearing has been rescheduled.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours

Timothy Kotroco

Director

TK:klm

C: Jay Brown, 15 Greenspring Valley Rd., Owings Mills 21117 Janice Gage, 11111 Greenspring Avenue, Lutherville 21093



Levin/Brown & Associates, Inc.

November 23, 2004

Department of Permits and Development Management 111 W. Chesapeake Ave.
Towson, MD 21204

Re: Case Number 05-164-A

Dear Mr. Kotroco,

I am in receipt of the notice, enclosed herewith, which reschedules the above noted case. Unfortunately many of the involved parties will not be available on that date. I am requesting that the hearing be rescheduled. I will await your response.

Sincerel

Jay I. Brown, AIA Levin/Brown & Associates, Inc.

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RECEIVED

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Per XIII-

10-20-04 to Commessioner of Balts. County for Zonerie I have many questions about this property due to their rese of Commerced vehicules (large truck) in & seit holders up trappe on Greenspring ave. Property is used for Commend vehicle ænloaders a flew times weekly I have Concerno about then building due to their unetheral behavior in the past - I am requesting a hearing to have questions answered and so they will be on record legally - Shark You Movemen 12, ~009

to: Borning lommanions office

Jeom: Jase

Case # 05/64/A

Fax 410-887-3468

I am requestions a postponement for a 11-16-04. I never received hearing dated

a little about the hearing date. I was

told I would receive a letter in the

mail regarding the date for the

hearing. I am not available on

Duch Short notten. I Saw the

sign yesterday (posted) work the date

Jan Hose

Marian House

949 Gorsuch Avenue Baltimore, Maryland 21218

Phone: 410-467-4121 Fax: 410-467-6709 Www.marianhouse.org

Fax Transmittai Form

To: Boneros Commessiones Office

Organization/Agency:

Phone numbers

Fax number: 410-887-3468

From: Jane Stage

Organization/Agency:

Phone numbers

Pax number:

□Urgent □For Review □Please Comment □Please Reply

Date sent: Time sent: Number of pages including cover page:

Message:

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation BALTIMORE COUNTY **Real Property Data Search**

Go Back View Map **New Search Ground Rent**

Account Identifier:

District - 03 Account Number - 0313056500

Owner Information

Owner Name:

ROSE JACK, TRUST

Use: Principal Residence: RESIDENTIAL

YES

Mailing Address:

11110 GREENSPRING AV

LUTH-TIMONIUM MD 21093-3507

Deed Reference:

1) /15001/ 157

2)

Location & Structure Information

Premises Address

Legal Description

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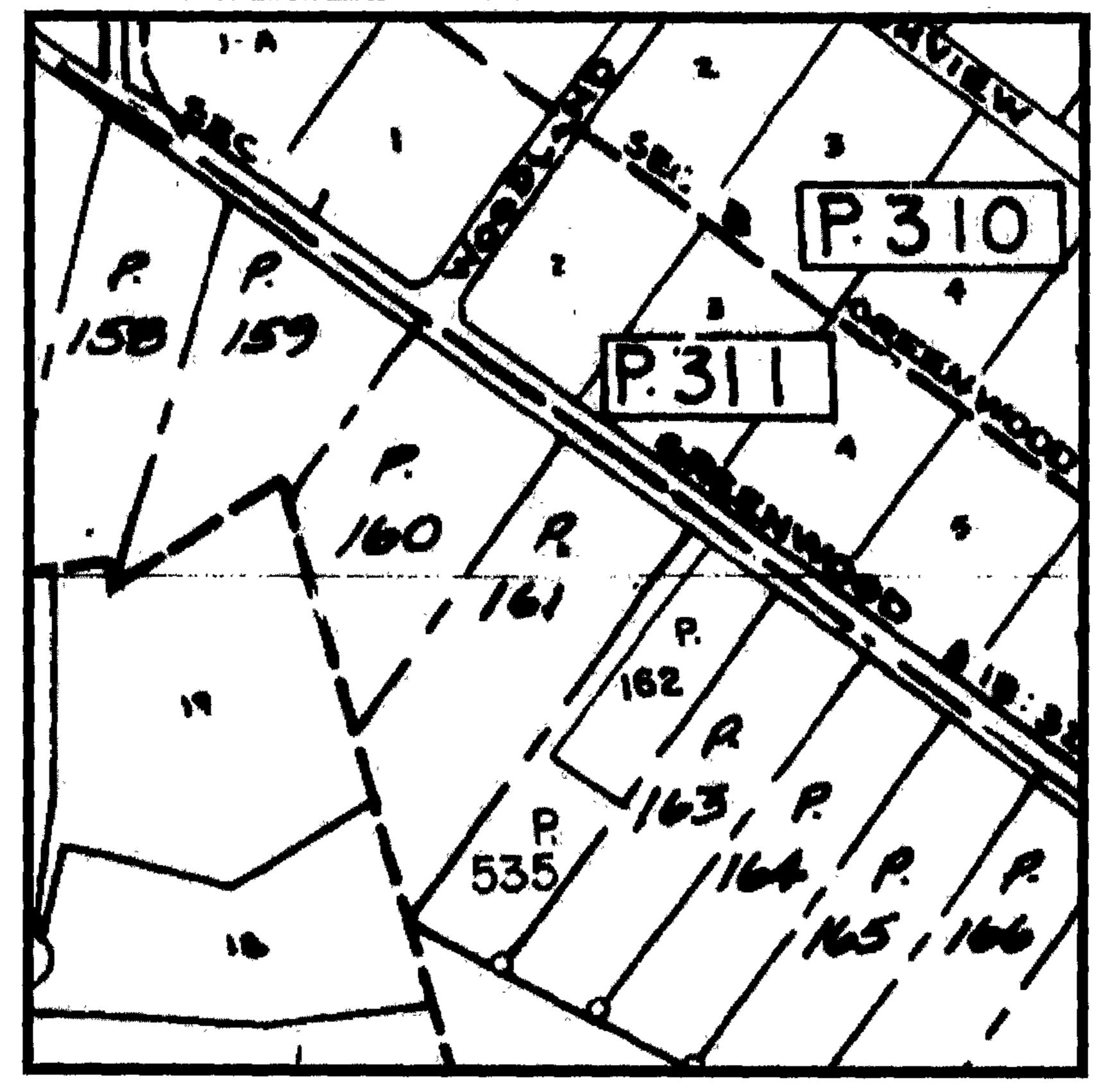
Special Tax Recapture:

* NONE *

Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search

Go Back View Map New Search

District - 03Account Number - 0313056500



Property maps provided courtesy of the Maryland Department of Planning ©2004. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/webcom/index.html

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

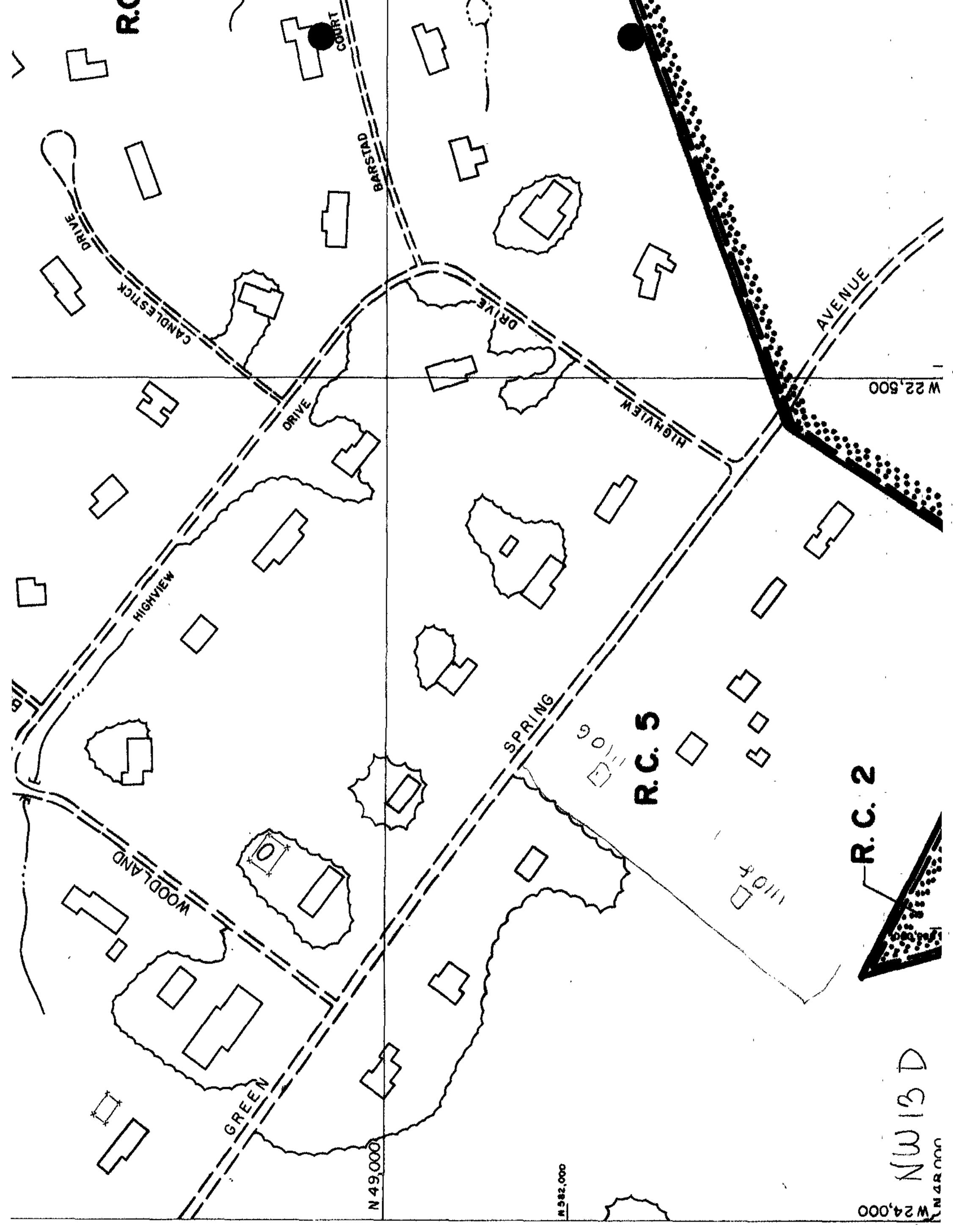
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ADDRESS	11110 Greenspans and 25 Miles GRENSPRING AND 31111	1 2 1 1		
NAME	Low Hotelman Saleberg	TAX ALOWN		

PLEASE PRINT CLEARLY

CASE NAME ///OGYGONS CASE NUMBER 05-164 DATE //// 104

ETITIONER'S SIGN-IN SHEET

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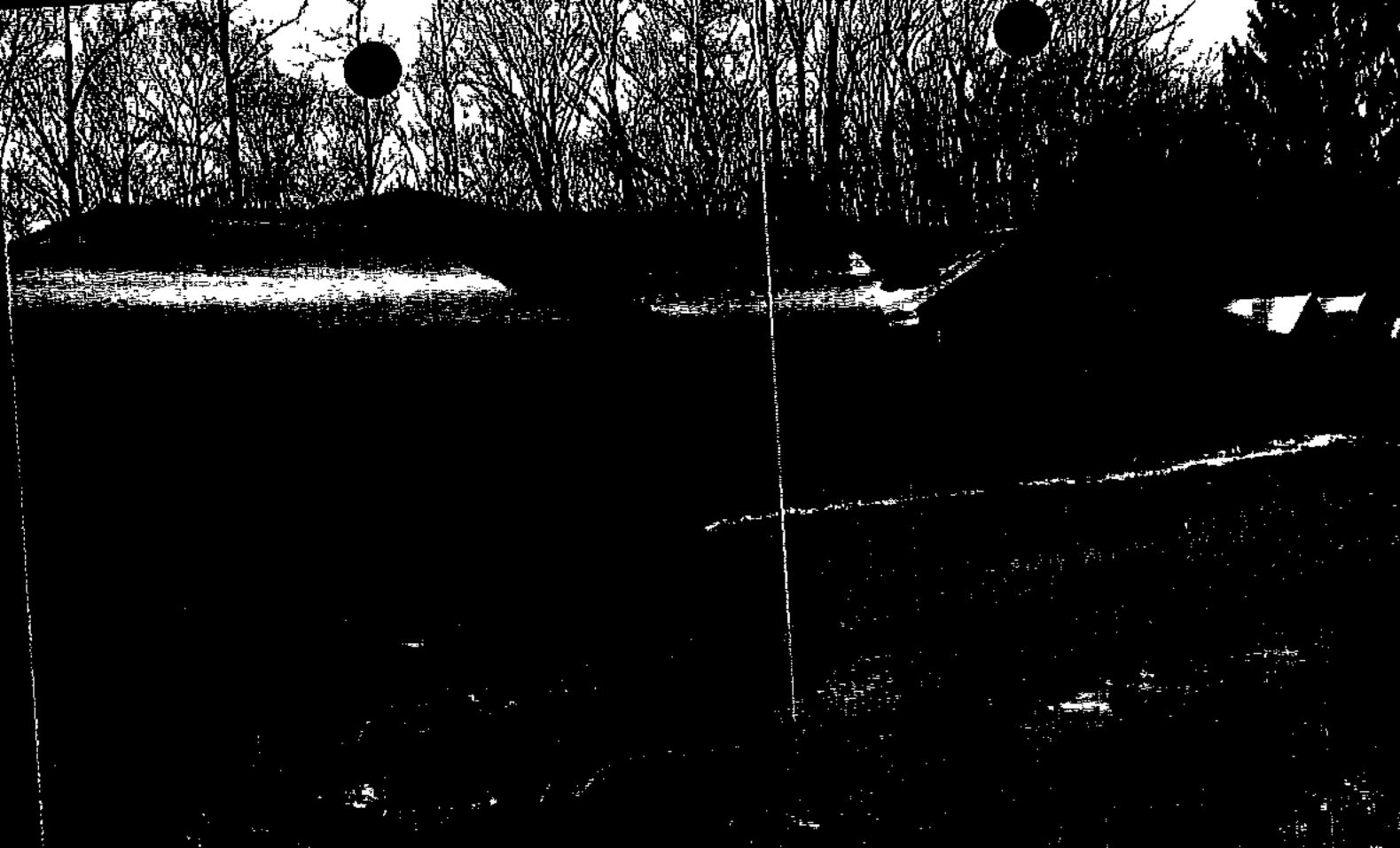




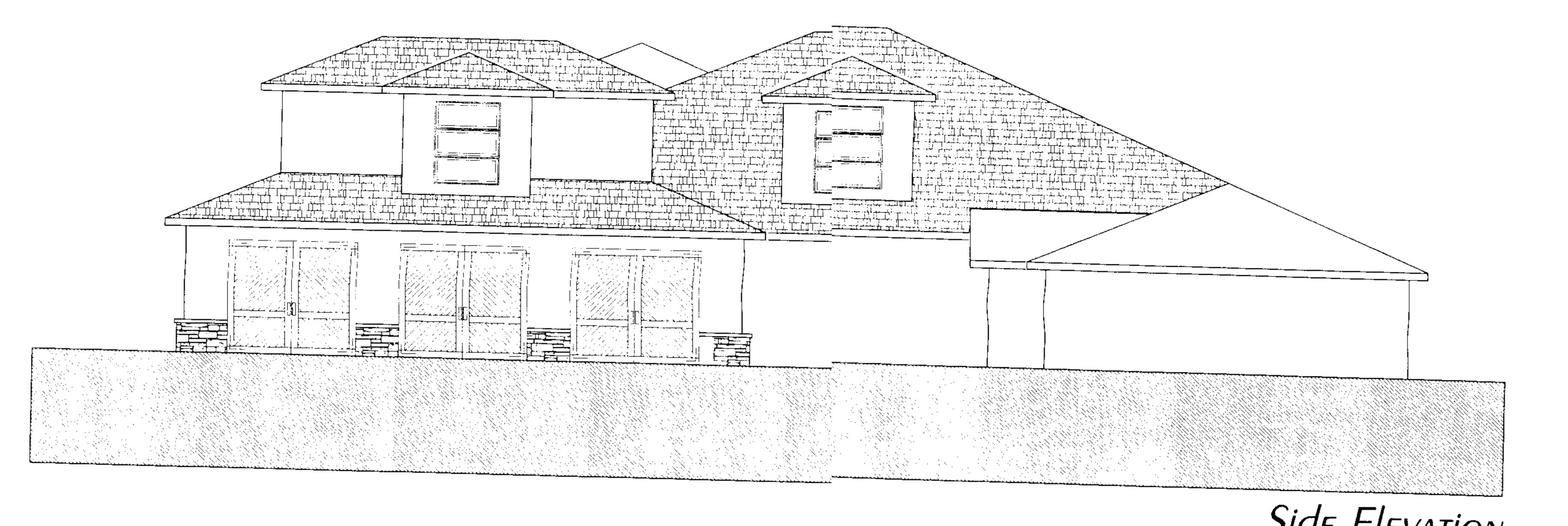






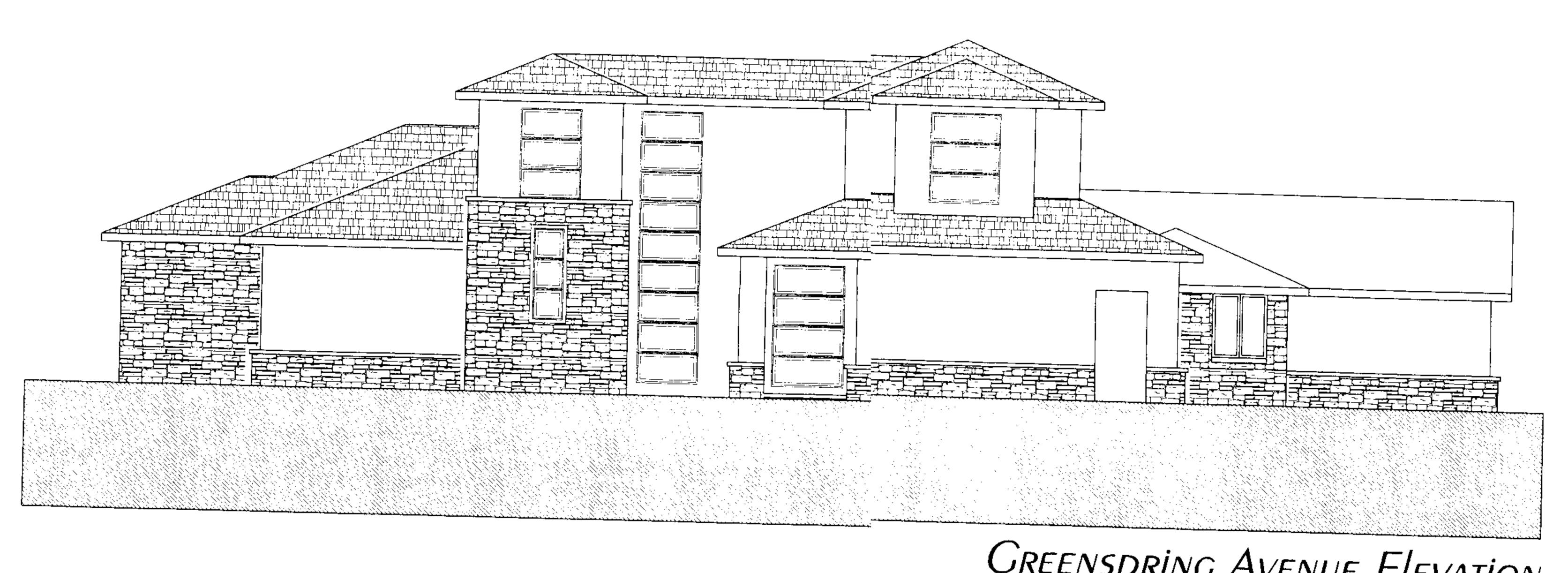




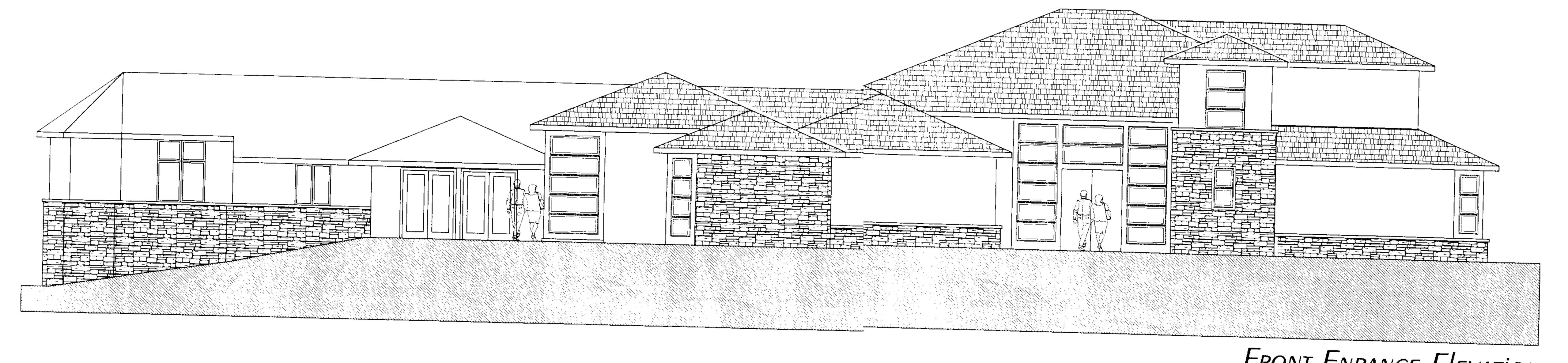


Side Elevation

1/8"=1'-0"



REENSPRING AVENUE ELEVATION



FRONT ENRANCE ELEVATION
1/8"=1'-0"

