ð

IN RE: PETITION FOR ADMIN. VARIANCE
180 ft. W Greenspring Avenue, 1,500 ft.
N centerline of Ridgeway Avenue
3rd Election District
2nd Councilmanic District
(11508 Greenspring Avenue)

Wieslawa & Zbigniew Rembiszewski Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 05-289-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Wieslawa and Zbigniew Rembiszewski. The variance request is for property located at 11508 Greenspring Avenue in the Lutherville area of Baltimore County. The variance request is from Section 1A04.3B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with an 18 ft. side setback in lieu of the required 50 ft. 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 on December 19, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

SADER RECEIVED FOR FILING

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.

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;

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

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

January 6, 2005

Mr. & Mrs. Zbigniew Rembiszewski 11508 Greenspring Avenue Lutherville, Maryland 21093

> Re: Petition for Administrative Variance Case No. 05-289-A Property: 11508 Greenspring Avenue

Dear Mr. & Mrs. Rembiszewski:

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,

John V. Murphy

Deputy Zoning Commissioner

John V. Menfley

JVM: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 11508 Greenspring	Ave
which is presently zoned RC5	

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

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) 1404.36.2.6.(CCE)

TO PERMIT AN ADDITION (GARAGE) WITH AN 18-FOOT SIDE SETBACK IN LIEU OF THE REQUIRED SO-FEET.

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.

	is the subject of the	ils Petition.	
Contract Purchaser/Lessee:	Legal Owner(<u>s):</u>	
Name - Type or Print	WIESLAWA Name - Type or Prin	t ()	<u><!--</u--></u>
Signature	Signature	Lembiszer 84i	
Address Telepho		t	KI
City State Zip	Code Signature	Rembinershi	W-410-7964
Attorney For Petitioner:	11508 GR Address	EENSPRING AVE.	
Name - Type or Print	LUTHERYILL City	E MD State	21093 Zip Code
Signature	•	e to be Contacted:	Lip Codo
Company	Tina a	· -	
	Name	······································	
LAddress Telephon	e No. Address		Telephone No.
~ 1000	Code City	State	Zip Code
A Public Hearing having been formally demanded and/or fulls day of that the subject that the subject that the property be reposted.	it matter at this netition he set for a ni	by the Zoning Commissioner of B blic hearing, advertised, as requir	altimore County, ed by the zoning
		mmissioner of Baltimore County	
CASE NO. 05-589-A	Reviewed By D.T.	Date 12 4 04	•
REW 10/25/01	Estimated Posting Date	12/19/04	· · · · · · · · · · · · · · · · · · ·

Affidavit in Support of Administrative Variance

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 4/508 GREENSPRING AUE Address
LUTHERVILLE MD 21093 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):
I REQUEST THE VARIANCE TO CONSTRUCT THE GARAGE DUE
) PHYSICAL HANDICAP / DISABILITY IN PAMILY (ME).
2) INABILITY TO FANCTIONALLY LOCATE GARAGE ELSEWERE
ON LOT DUE TO WORKINGS OF EXISTING HOUSE.
3) RESTRICTIVE EXISTING BUILDING LOT NOT
PERMITTING ALTERNATIVE LOCATION.
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.
Wies/ANG Rembiozenski. Signature 2 biognier Rembiozenski. Signature
WIESLAWA REMBISZEWSKI 2BIGNIEW REMBISZEWSKI Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this day of,, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal

Notary Public My Commission Expires _

REV 10/25/01

CYNTHIA ROSE SMITH NOTARY PUBLIC STATE OF MARYLAND My Commission Expires May 17, 2008

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.

competent to today thoroto in the event that a p				
That the Affiant(s) does/do presently reside at	Address	KEENSP!	RING, AVE	
	LUT+IER City	ULE	MD State	2/093 Zlø Code
That based upon personal knowledge, the followariance at the above address (indicate hardship	wing are the factor or practical diff	ts upon which I/v iculty):	ve base the request	for an Administrative
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3. RESTRICTIVE EXISTI		LDING I		PERMITTIN
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a				pay a reposting and
Dies/awa dembisseuli Signature	<u>, </u>	Zbignie J Signature	Rembine	Shi
WIESLAWA REMBISZEWSK Name - Type or Print		2931 @NIE Name - Type or Pri	W REMBIST	ZEWSKI
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:			
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe	rsonally appeare	d	_, before me, a Nota	ry Public of the State
the Affiant(s) herein, personally known or satisfa	actorily identified	to me as such A	fiant(s).	·
AS WITNESS my hand and Notarial Seal		 	•	-
		ſ	,	· -

Notary Public

My Commission Expires

REV 10/25/01

(17)

CYNTHIA ROSE SMITH
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires May 17, 2008



REV 10/25/01

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

		s presently		1 RCB	<u> </u>
for t	the property located at	11.508	Green	SAFIND	Avr.

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) 1404.38.2.6. (BCZR)

TO PERMIT AN ADDITION (GARAGE) WITH AN 18-FOOT SIDE SETBACK IN LIEU OF THE REQUIRED 50-FEET.

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 dec perjury, that I/we are t is the subject of this F	clare and affirm, under the the legal owner(s) of the p Petition.	e penalties of property which
Contract Purchaser/Lessee:		<u>Legal Owner(s):</u>		
Name - Type or Print		WIESLAWF Name - Type or Print	REMBISZ	E'NISKI
		Dies ANA La	woistenski.	
Signature		Signature		
Address	Telephone No.	Name - Type or Print	REMBISZEW	<u>5K1</u>
City	Zip Code	Signature	Le mbinershi	W-410-796.
Attorney For Petitioner:		11508 GREE! Address	Y.SPRING AVE	
Name - Type or Print	······································	City	State	Zip Code
Signature		Representative t	o be Contacted:	
Company		Name		
Address	Telephone No.	Address		Telephone No.
City	Zip Code	City	State	Zip Code
A Public Hearing having been formally demand this day oftregulations of Baltimore County and that the prop	nded and/or found to be that the subject matter of the erty be reposted.	required, it is ordered by the nis petition be set for a public	e Zoning Commissioner of hearing, advertised, as requ	Baltimore County, ired by the zoning
		Zoning Commi	issioner of Baltimore County	
CASE NO. <u>05-289-A</u>	Rev	iewed By D.T.	Date0	<u>L</u>

Estimated Posting Date 2/9/04

ZONING DECRIPTION FOR 11508 GREENSPRING AVE.

Begining at a point on the west side of Greenspring Ave, which is 180' feet to SE corner of property, S 36° 40' E AND 353° 20' w.

1500' N OF RIDGEWAY AVE.

property on MIGHT OF WAY
NOT GREENSPING AVE

SUBDIV - NA

FOLCO # NA

LOT # NA

25264 SQ' LOT

JRD ELECTION DISTRICT

2 COUNCILMANIC PISTRICT

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CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS Date Delember 22, 2004

RE: Case Number 05-289-A

Petitioner/Developer WIESLAWA_RENBISZESKI

Date of Hearing (Closing) JANUARY 3, 2005

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 11508 GREENSPRING AVE.

The sign(s) were posted on

December 19, 2004



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)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case N	Number	05-	289	-A		Address	1150	28	SREEN	SPR14	16 A	Æ.
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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 Newspaper Advertising:	
Item Number or Case Number 05-289-A	
Petitioner <u>Wieslawa Rombiszewski</u>	
Address or Location: 11508 Green spring Ave. Lutherwille 1	4D,21
PLEASE FORWARD ADVERTISING BILL TO REMBISZEWSKI	
Name. VICKY 11508 GREENSPRINGAVE	5
Address LUTHENULCE MD. 21093-140	75
4-410-453-0022	
W-410-796-0020.	
Telephone Number	

Department of Permits and Development Management

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





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

January 3, 2005

Wieslawa Rembiszewski Zbugbuew Rembiszewski 11508 Greenspring Avenue Lutherville, Maryland 21093

Dear Mr. and Mrs. Rembiszewski:

RE: Case Number: 05-289-A, 11508 Greenspring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 6, 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,

U. Carl Biobards Ir

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel



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



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

December 9, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of December 13, 2004

Item No.:

267. 277=290

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. 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

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: December 29, 2004

Department of Permits & Development Management

FROM: ()

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 20, 2004

Item Nos. 267, 278, 279, 280, 281,

284, 285, 288, and 289)

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

PDM

FROM:

John D. Oltman, Jr 🎜 🗸

DEPRM

DATE:

January 24, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of December 20, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-278 05-279 05-281 05-287 05-289

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 5-279 and 5-289

Administrative Variances

DATE: December 20, 2004

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 Bill Hughey in the Office of Planning at 410-887-3480.

MAC/LL

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



Robert L. Flanagan, Secretary Nell J. Pedersen, Administrator

Maryland Department of Transportation

Date: 12.10.04

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

RE:

Baltimore County

Item No. 289

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief

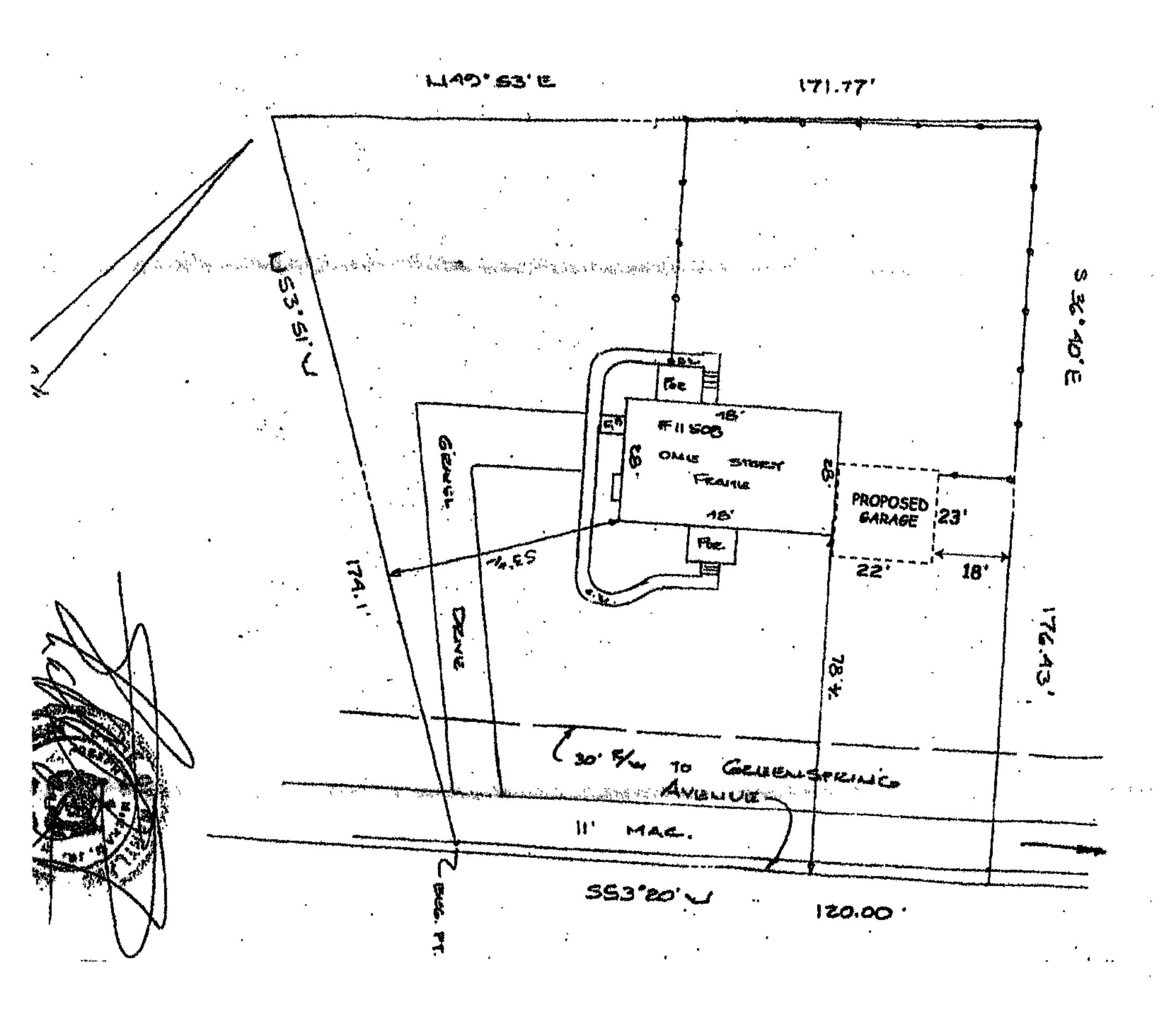
Engineering Access Permits Division

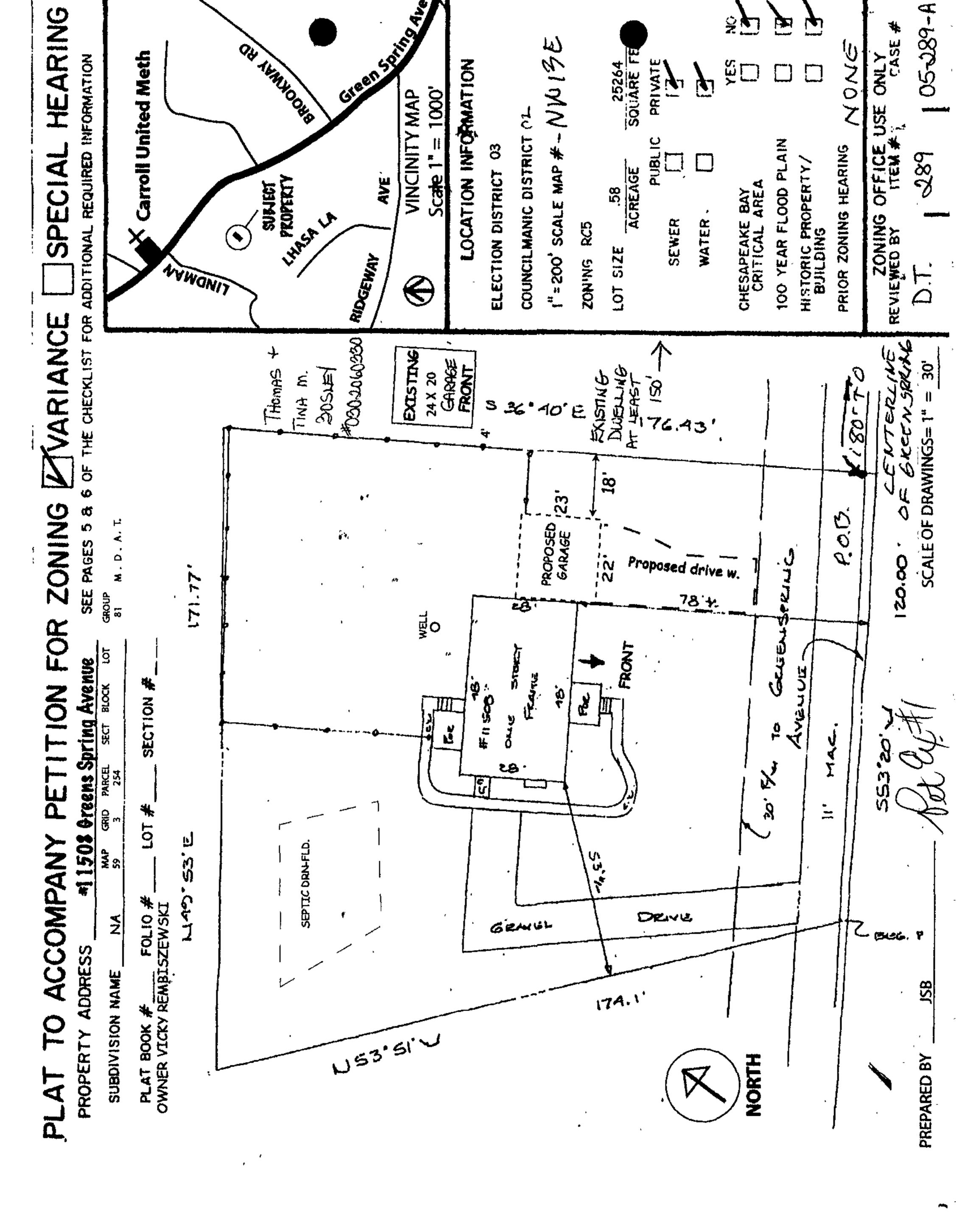
Details: Owners of Property X plan to construct an attached garage (on right side of home as one faces the front of the house). Such garage would necessarily be 18 feet from the property line of Property Y (see illustration, Attachment A) another home in the cul-de-sac, and therefore requires permission of Property Y owners.
Property X Mr. and Mrs. Rembiszewski (410) 453-0822 11508 Greenspring Avenue Lutherville, MD 21093
Property Y Thomas (Tin a Bosley (names of owners) (10) 202 Buil (phone #) 11520 Greenspring Avenue Lutherville, MD 21093
OWNERS of Property Y: Language Pall name) Thomas Wayne Bosley (Print / Pull name)
(Signature / Full name) Date 10-20-04 (Print / Full name)
We do not have any complaint with regard to the above indicated construction, and give permission. Also, we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal, and only, owner(s) of the property identified as Y above.
Witnessed by:SignatureSignature
Print Name Date
NOTE: 3 Originals required: one for each set of owners, and one for county. Attachment (1)

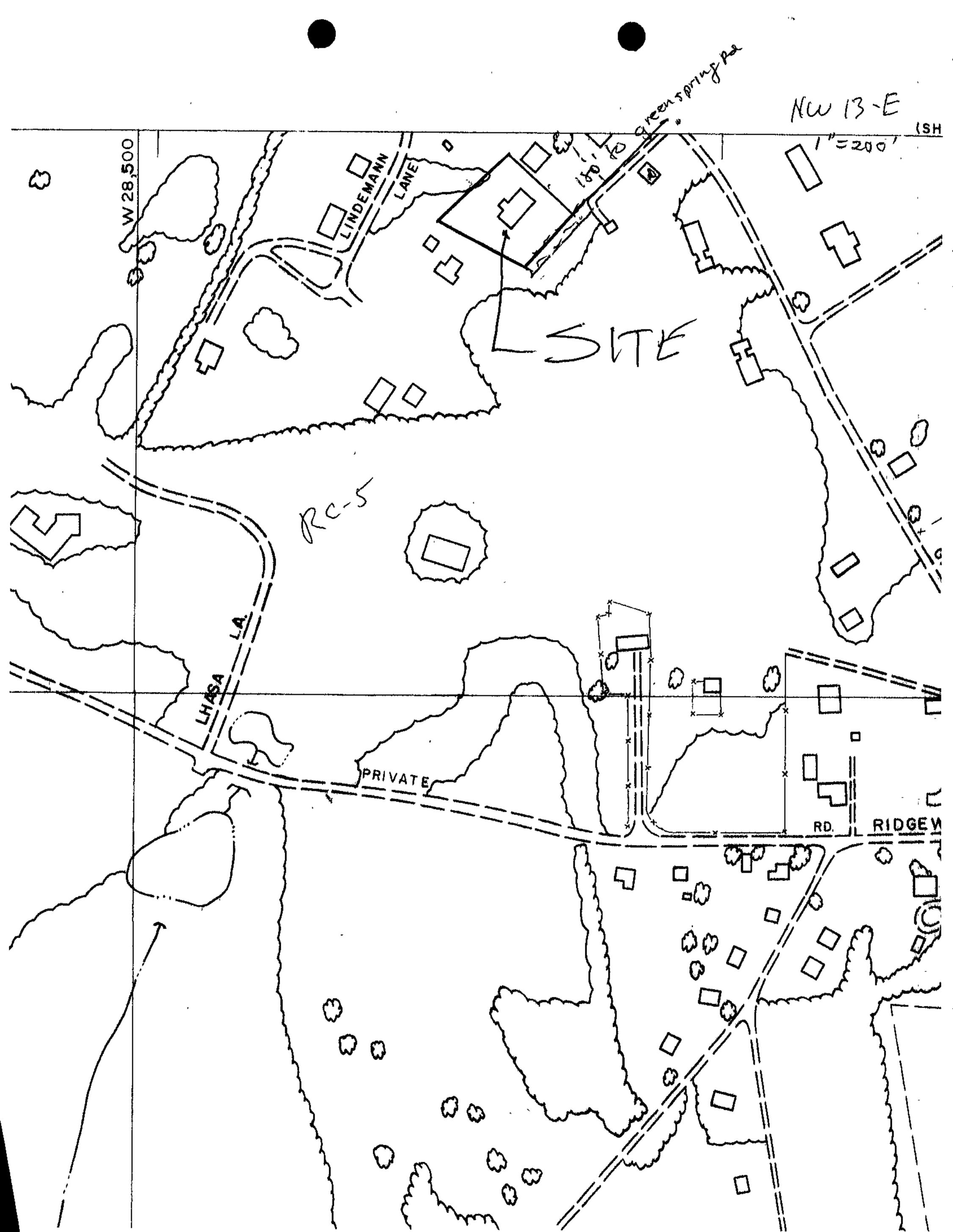
Date: 10/16/04

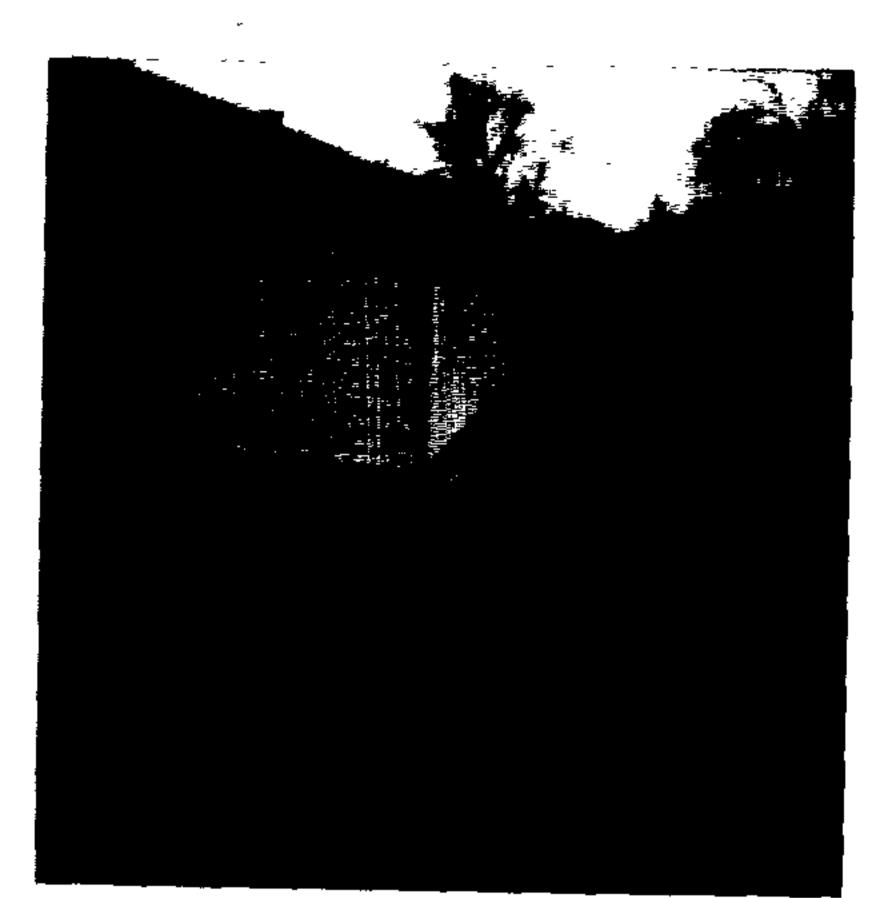
. Subject: Proposed Construction of Garage

Excerpt from
PLAT SHOWING PROPERTY AS #11508 Greenspring Avenue,
Bailtimore county, Maryland.









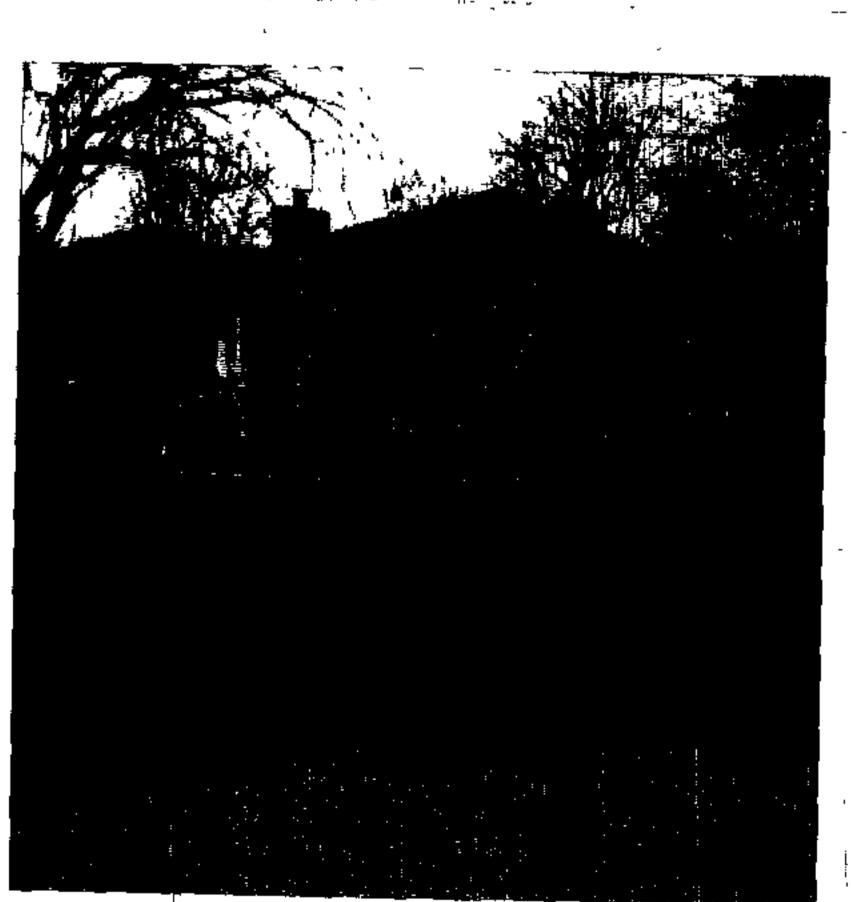
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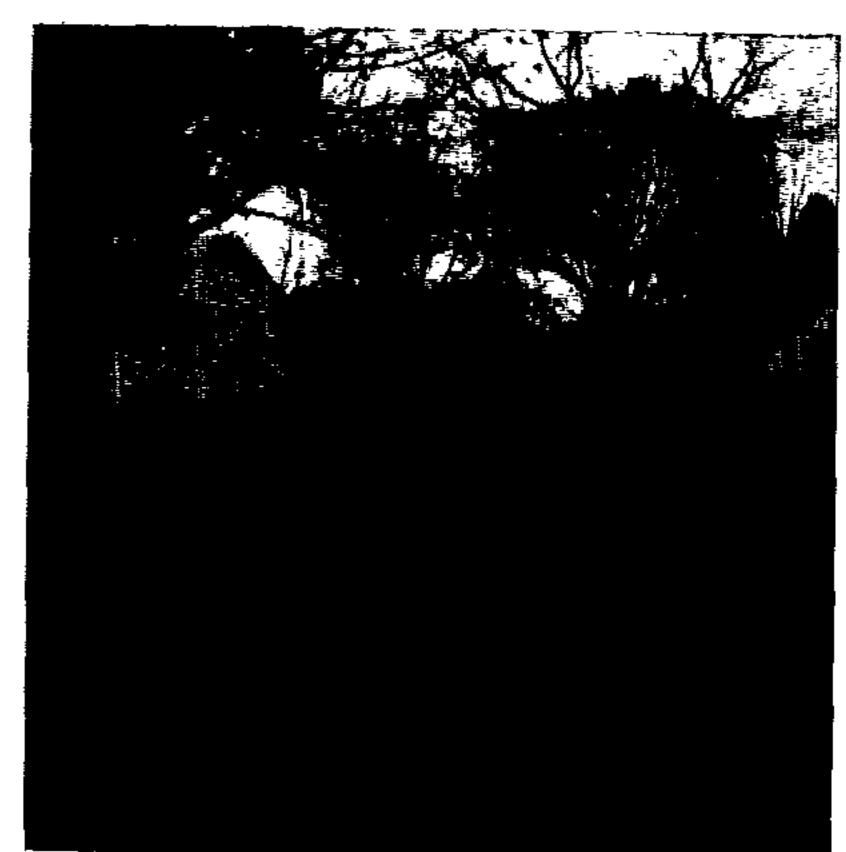
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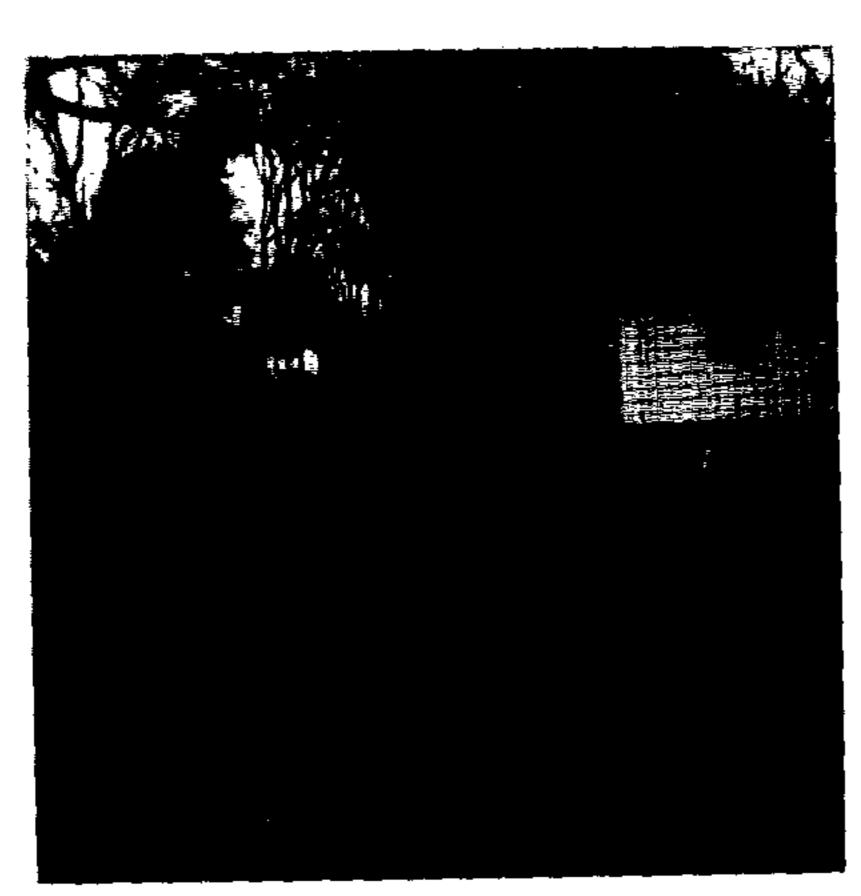




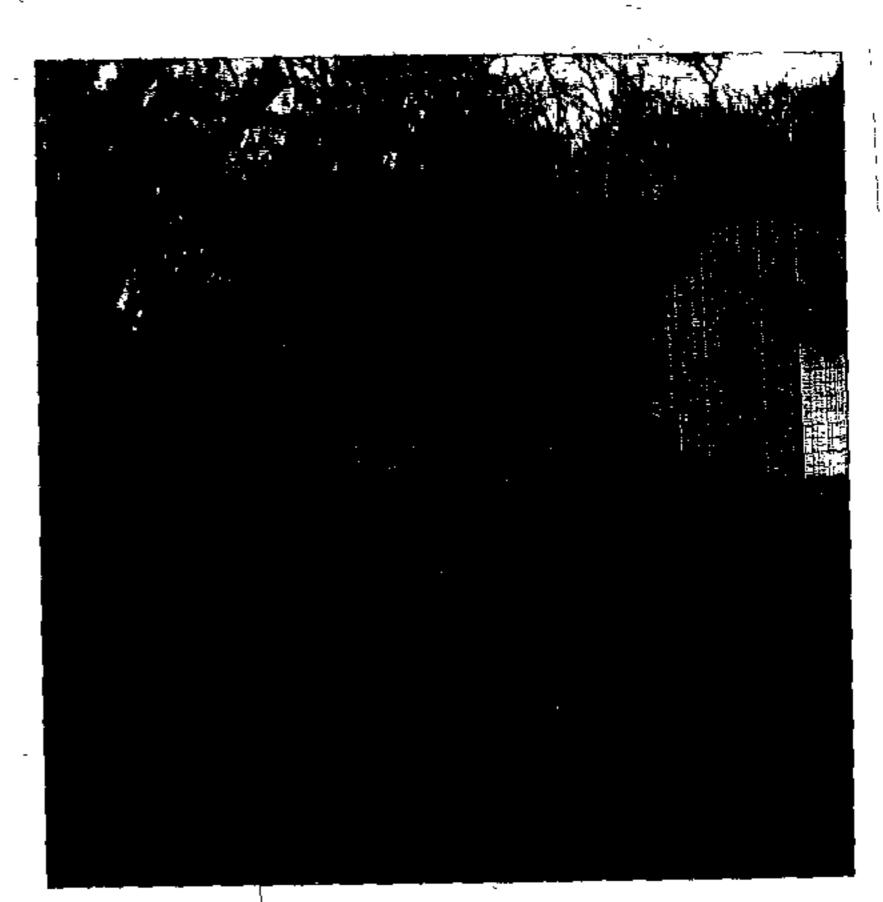
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11/29/04.



11/29/04



11/29/04

