

IN RE: PETITIONS FOR SPECIAL HEARING and
VARIANCE - W/S Greenspring Avenue,
across from Broadway Road
(11700 Greenspring Avenue)
3rd Election District
2nd Council District

Y. T. Development
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-434-SPHA
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Y. T. Development, by Charles Young, Member. The Petitioners request a special hearing to approve the subject property as an undersized lot and variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 30 feet and 35 feet in lieu of the minimum required 50 feet for a proposed dwelling. 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.

Appearing at the requisite public hearing on behalf of the Petitioners were Charles Young, Member, Y. T. Development, Property Owners, and Vincent Moskunus, the Registered Property Line Surveyor who prepared the site plan for this property. Appearing as interested citizens were John P. Tarbet, adjacent property owner, and Mr. & Mrs. William Grewe, who reside in the neighborhood. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located with frontage on the west side of Greenspring Avenue, across from its intersection with Broadway Road in Reisterstown. The property contains a gross area of 1.373 acres, more or less, approximately .13 acres shy of the 1.5 acres required for development in the R.C.5 zone. Presently, the property is improved with a one-story, single-family dwelling that was built in the 1950s; however, the Petitioner proposes razing the structure and constructing a new,

ORDER RECEIVED FOR FILING

Date

By

enhanced home that has been designed to be marketable for this area. It was indicated that the proposed dwelling will be a two-story structure, 63 feet wide by 43 feet deep, and contain 3200 sq.ft. As shown on the site plan, the new home will be located 150 feet from the centerline of Greenspring Avenue, and provide setbacks of 30 feet to the north and 35 feet to the south. Due to the recent passage of Council Bill No. 55-04, the minimum required acreage for a buildable lot in the R.C.5 zone is 1.5 acres. Moreover, due to the narrow width of the property, the proposed dwelling cannot meet the required side setbacks. Indeed, strict adherence to the required 50-foot side yard setbacks would allow only a 24-foot wide dwelling to be built on the lot, which is smaller than the existing 884 sq.ft.-house that was built in 1953. Thus, the requested special hearing and variance relief is necessary.

In support of the request, Mr. Moskunas testified that the proposed home would be consistent with development in the area. Building elevation drawings of the proposed dwelling were produced at the hearing and reviewed by all parties, none of who expressed any objections to the proposal. In this regard, both Mr. Tarbet and Mr. & Mrs. Grewe believe the proposed dwelling will be an improvement to the area. Mr. & Mrs. Grewe indicated that they believed the proposed front setback for the new dwelling was appropriate, given the property's location immediately across from the intersection of Broadway Road. They believed that the headlights from vehicles traveling at night would be a nuisance if the home were located closer to the road. Mr. Tarbet expressed concern that the disturbance of existing trees be kept at a minimum during construction and when locating the driveway. Mr. Young addressed these concerns to his satisfaction.

Based upon the testimony and evidence presented, I am persuaded to grant the requested relief. Obviously, strict compliance with the regulations would cause a practical difficulty upon the Petitioners in that a reasonable use of the land would not be permitted. Moreover, testimony and evidence presented indicated that many other houses in the vicinity are built on undersized lots, which were created prior to Council Bill No. 55-04, and that without the special hearing relief, the lot could not be developed for a permitted purpose. The proposed dwelling will be compatible with the pattern of development on adjacent properties. In this regard,

ORDER RECEIVED FOR FILING
Date 4/26/15
By [Signature]

the subject property is a single lot of record that was created in 1958 and is not a subdivision. I further find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. and Cromwell v. Ward, 207 Md. App. 691 (1995) for variance relief to be granted. The variances are driven by the size and narrow width of the lot. Moreover, strict compliance with the zoning regulations would result in a practical difficulty upon the Petitioner in that a reasonable use of the land would not be permitted. There were no adverse Zoning Advisory Committee comments submitted by any County reviewing agency and the neighbors support the proposal. Thus, I find that relief can be granted and that there will be no detrimental impact to adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of April 2005 that the Petition for Special Hearing to approve the subject property as a lot of record that does not meet the minimum acreage requirement (1.5 acres) and does not meet the required setbacks (50 feet) set forth in Paragraph 2 of Section 1A04.3.B.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and the same is hereby GRANTED, subject to the following restrictions:

- 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) Prior to the issuance of any permits, the Petitioners shall submit building elevation drawings of the proposed dwelling to the Office of Planning for review and approval to insure that the proposed house is compatible with existing homes in the area. Said drawings shall be consistent with the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning, dated April 15, 2005, a copy of which is attached hereto.
- 3) The proposed dwelling shall be constructed substantially in accordance with the approved building elevation drawings, with no greater side yard setbacks than those shown on Petitioner's Exhibit 1.

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


WILLIAM L. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 5/28/02
By [Signature]

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

April 28, 2005

Mr. Charles Young
227 Oella Avenue
Catonsville, Maryland 21228

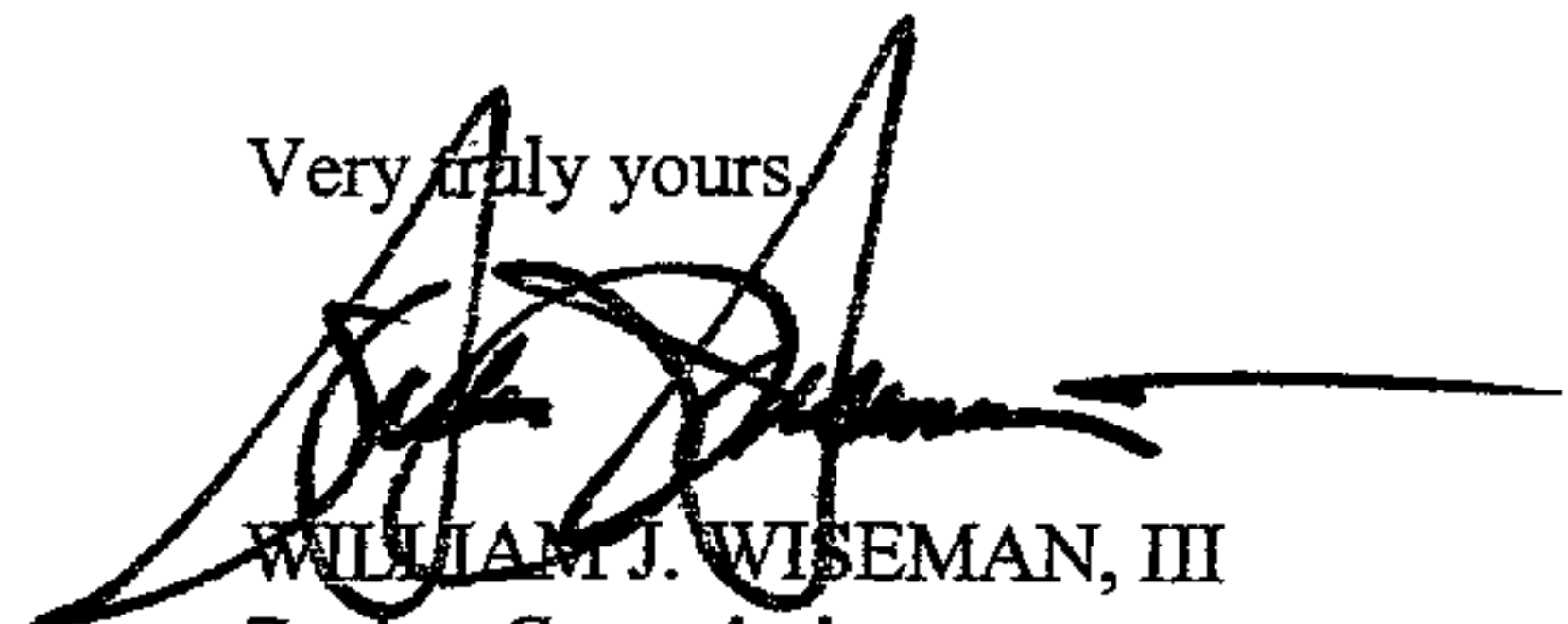
RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
W/S Greenspring Avenue across from Broadway Road
(11700 Greenspring Avenue)
3rd Election District – 2nd Council District
Y. T. Development - Petitioners
Case No. 05-434-SPHA

Dear Mr. Young:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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. Vincent Moskunas, Site Rite Surveying, Inc.
200 E. Joppa Road, Room 101, Towson, Md. 21286
Mr. John P. Tarbet, 11638 Greenspring Avenue, Lutherville, Md. 21093
Mr. & Mrs. William Grewe, 12330 Greenspring Avenue, Owings Mills, Md. 21117
Office of Planning; People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11700 GREENSPRING AVE.

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Building Lot.

UNDERSIZED RESIDENTIAL

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

I, or we, agree to pay expenses of above Special Hearing, 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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.

Name

200 E Joppa Rd, Room 101

(410) 828-9060

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

Case No. 05-434-SPA-7

Date 03/15/98

ORDER RECEIVED FOR FILING



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11700 GREENSPRING AVE
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) 1A04.3B.2b. to Permit

SIDE SETBACKS OF 30 & 35 FT IN LIEU OF 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)

1. Property is an average of 130' wide
2. No adjacent ownership
3. Area too expensive to construct a 24 foot wide house

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

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Site Rite Surveying, Inc.

Name

200 E Joppa Road, Room 101

(410) 828-9060

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date

Case No. 05-434-SP4A

EV 07/25/98

ORDER RECEIVED FOR FILING

Date

By

ZONING DESCRIPTION
#11700 GREENSPRING AVENUE

BEGINNING at a point on the centerline of Greenspring Avenue on the southwest side of Greenspring Avenue which 60 foot wide at the distance of 57 feet, more or less southeasterly from the intersection of the centerline of Greenspring Avenue and the Broadway Road which 50 feet wide. S60°56'00" W, 448 S.F., N25°13'W, 137.10 Feet., N71°28'E, 463.31 Feet, S21°25'E, 124.26 Feet, to the PLACE OF BEGINNING. Containing 1,373 Ac ±. Also known as #11700 Greenspring Avenue and located in the 3rd Election District, 2nd Councilmanic District.



Michael V. Moskunas

Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road, Suite 101
Towson MD 21286
(410) 828-9060

OS-434-SPA A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

05-434 SPED.

No. 442759

DATE 03-03-03 ACCOUNT 70000066150

AMOUNT \$ 130.00

RECEIVED FROM: W. S. T. D.

FOR: RES. SPEC. H. T. D. 5 UNAD

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

3007

PAID RECEIPT

BUSINESS WITH THE

1002/1005 1005/1005 1005/1005 2

RECEIVED FROM: W. S. T. D.

RECEIPT # 30145 2005/2005 05/05

DATE 03-03-03 1005/1005 1005/1005 2

R. NO. 002759

Receipt For 1005/1005

1005/1005 1005/1005 1005/1005 2

Baltimore County, Maryland

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: #05-434-SPHA
11700-Greenspring Avenue
S/west side of Greenspring
Avenue, 57 feet s/east of
Broadway Road
3rd Election District
2nd Councilmanic District
Legal Owner(s): Charles Young
Y-T Development, LLC
Special Hearing: to allow an
undersized residential build-
ing lot. Variance: to permit
side setbacks of 30 and 35
feet in lieu of 50 feet.
Hearing: Friday, April 15,
2005 at 9:00 a.m. in Room
407, County Courts Build-
ing, 401 Bosley Avenue,
Towson 21204.

WILLIAM WISEMAN
Zoning Commissioner for
Baltimore County

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

(2) For information con-
cerning the File and/or
Hearing, Contact the Zon-
ing Review Office at (410)
887-3391.

3/446 Mar. 31 44862

CERTIFICATE OF PUBLICATION

3/31/2005

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 3/31/2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

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: OS-434-SP4A
Petitioner: Y & T Development
Address or Location: #11700 Greenspring Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Y & T Development Attn: Charles Young
Address: 227 Della Avenue
Catonsville, MD 21228
Telephone Number: 443-250-3702

OS-434-SP4A

CERTIFICATE OF POSTING

RE: Case No.: 05-434-SPNA

Petitioner/Developer: Y-T DEVELOPMENT LLC,

Date of Hearing/ Closing: APRIL 15, 2005

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

Attention: Becky 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 #11700 GREENSPRING AVE.

The sign(s) were posted on MARCH 30, 2005
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BAUTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

**Department of Permits and
Development Management**



Baltimore County

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

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Tel: 410-887-3353 • Fax: 410-887-5708

March 11, 2005

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: 05-434-SPHA

11700 Greenspring Avenue

S/west side of Greenspring Avenue, 57 feet s/east of Broadway Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Charles Young, Y - T Development, LLC

Special Hearing to allow an undersized residential building lot. Variance to permit side setbacks of 30 and 35 feet in lieu of 50 feet.

Hearing: Friday, April 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Charles Young, 227 Oella Avenue, Catonsville 21228
Site Rite Surveying, Inc., 200 E. Joppa Rd., Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 31, 2005.**
- (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



TO: PATUXENT PUBLISHING COMPANY
Thursday, April 31, 2005 Issue - Jeffersonian

Please forward billing to:

Charles Young
Y – T Development, LLC
227 Oella Avenue
Catonsville, MD 21228

443-250-3702

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: 05-434-SPHA

11700 Greenspring Avenue

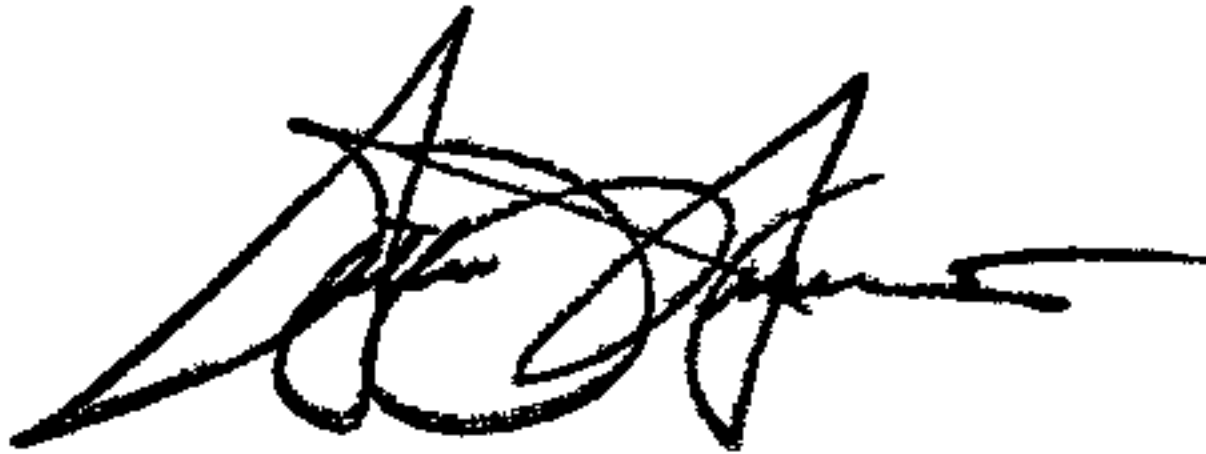
S/west side of Greenspring Avenue, 57 feet s/east of Broadway Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Charles Young, Y - T Development, LLC

Special Hearing to allow an undersized residential building lot. Variance to permit side setbacks of 30 and 35 feet in lieu of 50 feet.

Hearing: Friday, April 15, 2005 at 9:00 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

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: OS- 434- Spd A
Petitioner: Y & T Development
Address or Location: #11700 Greenspring Avenue

PLEASE FORWARD ADVERTISING BILL TO:

Name: Y & T Development Attn: Charles Young
Address: 227 Della Avenue
Catonsville, MD 21228
Telephone Number: 443- 250- 3702

OS- 434- Spd A

**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

April 5, 2005

Y-T Development, LLC.
Charles Young
227 Oella Avenue
Catonsville, Maryland 21228

Dear Mr. Young:

RE: Case Number: 05-434-SPHA, 11700 Greenspring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 3, 2005.

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: clb

Enclosures

c: People's Counsel
Site Rite Surveying, Inc. 200 E. Joppa Road, Rm. 101 Towson 21286

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

March 23, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: March 14, 2005

Item No.: 434, 435, 436, 437, 438, 439, 441, 442, 443.

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.

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

Acting Lieutenant Don W. Muddiman
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

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



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

Maryland Department of Transportation

Date: 3.11.05

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

RE: Baltimore County
Item No. 434 JRA

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 Grédlein 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

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr ^{JDO}
DEPRM

DATE: April 13, 2005

SUBJECT: Zoning Item # 05-434
Address 11700 Grenspring

Zoning Advisory Committee Meeting of March 14, 2005

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- _____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

1.) Prior to approval of any building permits, soil evaluations must be conducted and the septic area delineated. In addition, a well yield test may be required. Contact the Groundwater Management section of this Department for additional information.

Reviewer: Sue Farrinetti Date: April 13, 2005

4/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 15, 2005

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

RECEIVED

APR 15 2005

SUBJECT: 11700 Greenspring Avenue

INFORMATION:

Item Number: 5-434

Petitioner: Y-T Development

Zoning: RC 5

Requested Action: Variance/Special Hearing

PLANNING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

There is existing dwelling on the subject undersized lot, that is to be razed and replaced with a new dwelling. However, the proposed dwelling must comply with the RC 5 regulations with regard to site and building design. A special hearing for an undersized lot has been requested.

This office reviewed the preliminary elevations and does not object to a new dwelling being constructed on the subject undersized lot, or to the requested variances provided that final elevation drawings are submitted to this office for review and approval prior to the issuance of any building permits. The final elevations shall be revised as follows:

1. Building materials must be consistent on all four facades.
2. Stone foundation is acceptable.
3. Side loaded garage is acceptable with a roof return.
4. Eliminate the half-round transoms; use the rectangular transoms consistently.
5. Provide shutters on the front and side elevations.

ORDER RECEIVED FOR FILING

Date

By

For further questions or additional information concerning the matters stated herein, please contact Diana Itter with the Office of Planning at 410-887-3480.

Prepared By: Mae (A) Cunniff

Division Chief: [Signature]

MAC/LL

ORDER RECEIVED FROM PLANNING
Date 1/25/15
By [Signature]

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For March 21, 2005
Item No. 434

The Bureau of Development Plans Review has reviewed the subject-zoning items.

Show an ultimate 70' right of way for Greenspring Avenue. Setbacks variances shall be modified accordingly.

RWB:CEN:cp

cc: File

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

11700 Greenspring Avenue; SW/side
Greenspring Avenue, 57' SE Broadway Road
3rd Election & 2nd Councilmanic Districts

Legal Owner(s): Y&T Development by

Charles Young

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 05-434-SPHA

* * * * *

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 22nd day of March, 2005, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

MAR 27 2005

Per *klm*

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

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 - 0318048225

Owner Information

Owner Name: BRAITHWAITE BENJAMIN L
 BRAITHWAITE ANNIE L
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 1334 STONEWOOD RD
 BALTIMORE MD 21239-3901
Deed Reference: 1) / 5063/ 656
 2)

Location & Structure Information

Premises Address
 11700 GREENSPRING AVE

Legal Description
 1.373 AC
 2500 S OF CAVES RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
59	3	280						81	Plat Ref:

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1953	884 SF	1.37 AC	04
Stories 1	Basement YES	Type STANDARD UNIT	Exterior STUCCO

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	95,810	134,810		
Improvements:	46,080	68,800		
Total:	141,890	203,610	141,890	162,463
Preferential Land:	0	0	0	0

Transfer Information

Seller: ROBINSON ALVIN E	Date: 01/07/1970	Price: \$17,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 5063/ 656	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

CASE NAME 11700 GREENSPRING AVE
CASE NUMBER 5-434-SPAD
DATE 4/15/05

CITIZEN'S SIGN-IN SHEET

[illegible]

CASE NAME 11700 GMEER SPRING AVE
CASE NUMBER 5-434-SPHA
DATE 4/15/05

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.:

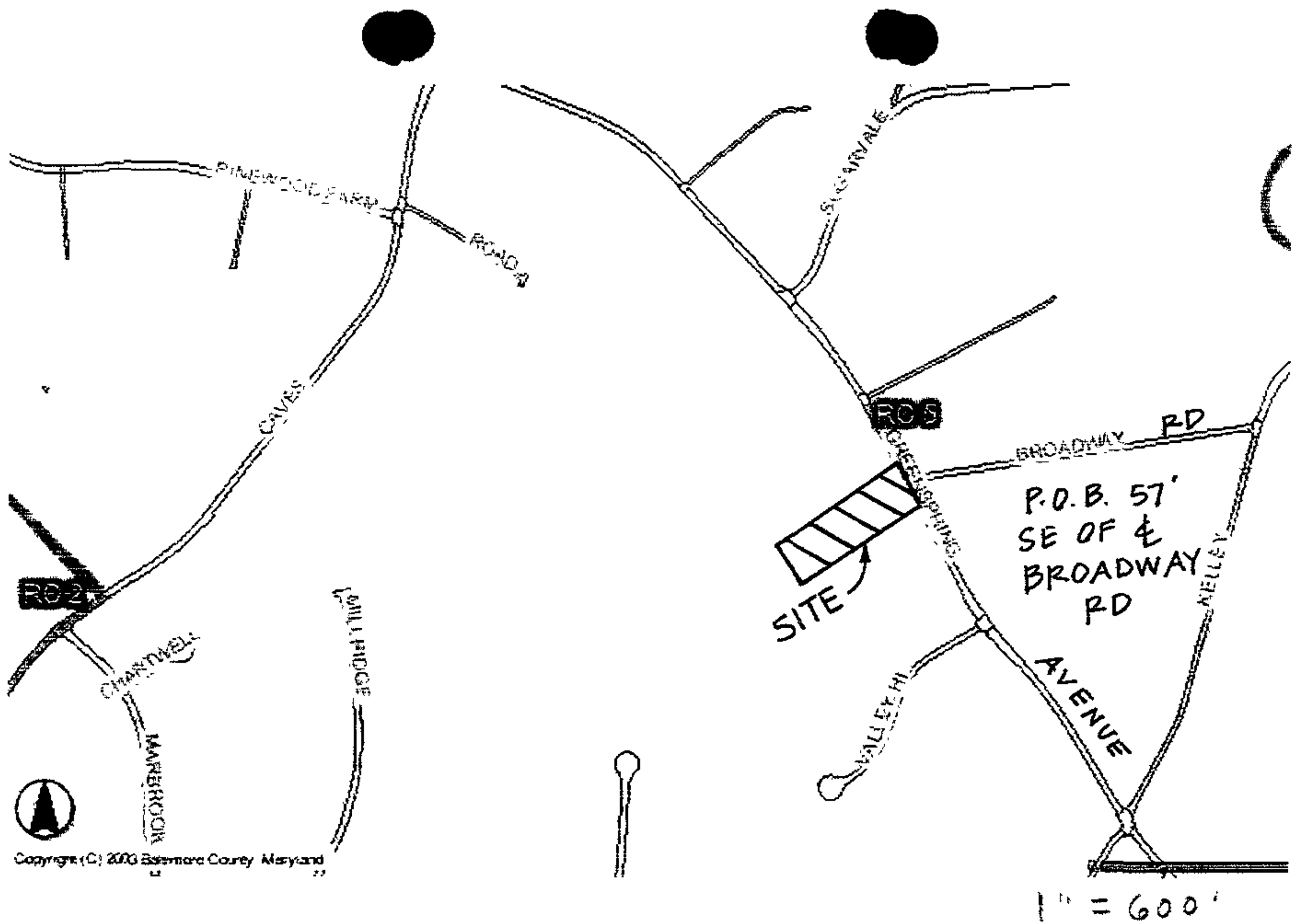
05-434 SPAA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	REVISED RED LINE SITE PLAN	
No. 2	GIS MAP DENOTING SIZE AND LOCATION OF SURROUNDING PARCELS + IMPROVEMENTS	
No. 3	DEED HISTORY - SUBJECT LOT CREATED 1958	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

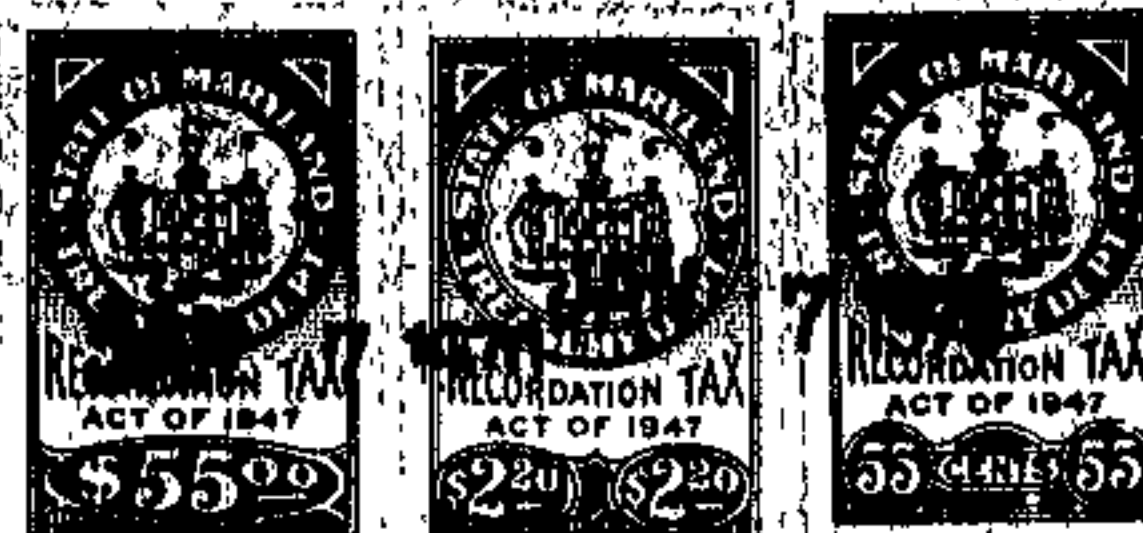


Zoning Map
#11700 Greenspring Avenue

FEE-SIMPLE DEED—Code—County or City

This Deed, Made this 6th day of January
 in the year one thousand nine hundred and seventy by and between DONALD E. ROBINSON
 and JEAN A. ROBINSON, his wife and MARY E. ROBINSON GILL and JOHN CLIFTON GILL,
 her husband

of Baltimore County in the State of Maryland, of the first part, and
BENJAMIN L. BRAITHWAITE and ANNIE L. BRAITHWAITE, his wife, of Baltimore
 County, in the State of Maryland
 of the second part.



WITNESSETH, that in consideration of the sum of five (\$5.00) Dollars and other good
 and valuable considerations the receipt of which is hereby acknowledged

the said parties of the first part

TAX \$ 87.50 REC. # JAN 7 '70 *Amber L. Small*
 STATE PROPERTY TRANSFER CLERK

do grant and convey unto the said parties of the second part, as tenants by the
 entireties their assigns and unto the survivor of them, his or her heirs

and assigns, in fee simple, all that lot of ground

, situate, lying and being

in Baltimore County, State , aforesaid, and described as follows, that is to say:—

BEGINNING for the same in the centre of Dover Road at the distance of 321-
 95/100 feet on the sixth or south 28- $\frac{1}{2}$ degrees east 52 perches line of that
 parcel of land which by deed dated June 8, 1852 and recorded among the Land
 Records of Baltimore County in Liber HMF No. 2 folio 251 &c, was conveyed by
 John Duer to Lewis A. Dehoff running thence and binding on said line and in
 the centre of Dover Road south 21 degrees 25 minutes east 223-88/100 feet
 thence running for lines of division south 69 degrees 56 minutes west 447-
 17/100 feet to a stake thence north 25 degrees 13 minutes west 237-1/10 feet
 to a stake thence north 71 degrees 28 minutes east 463-31/100 feet to the
 place of beginning. Containing 2-40/100 acres more or less.

SAVING AND EXCEPTING therefrom that parcel of ground which by Deed dated
 October 8, 1958 and recorded among the Land Records of Baltimore County in
 Liber GLB 3430 folio 267 was granted and conveyed by Alvin E. Robinson and
 wife unto Clarence William Robinson and wife and more particularly described
 as follows:

BEGINNING for the same in the center of Green Spring Avenue (formerly Dover
 Road) and at the end of the first line in Deed dated June 5, 1934 and re-
 corded among the Land Records of Baltimore County in Liber CWBJr, No. 931
 folio 421 from Clarence W. Robinson and Mary E. Robinson, his wife, to Alvin
 E. Robinson and Nannie Robinson, his wife, and running thence from said
 place of beginning and binding on the second line of the said Deed south 69
 degrees 56 minutes West 447-17/100 feet to a stake, thence running with a
 portion of the third line of said Deed North 25 degrees 13 minutes West

103 6 18 JAN 7
 ACO

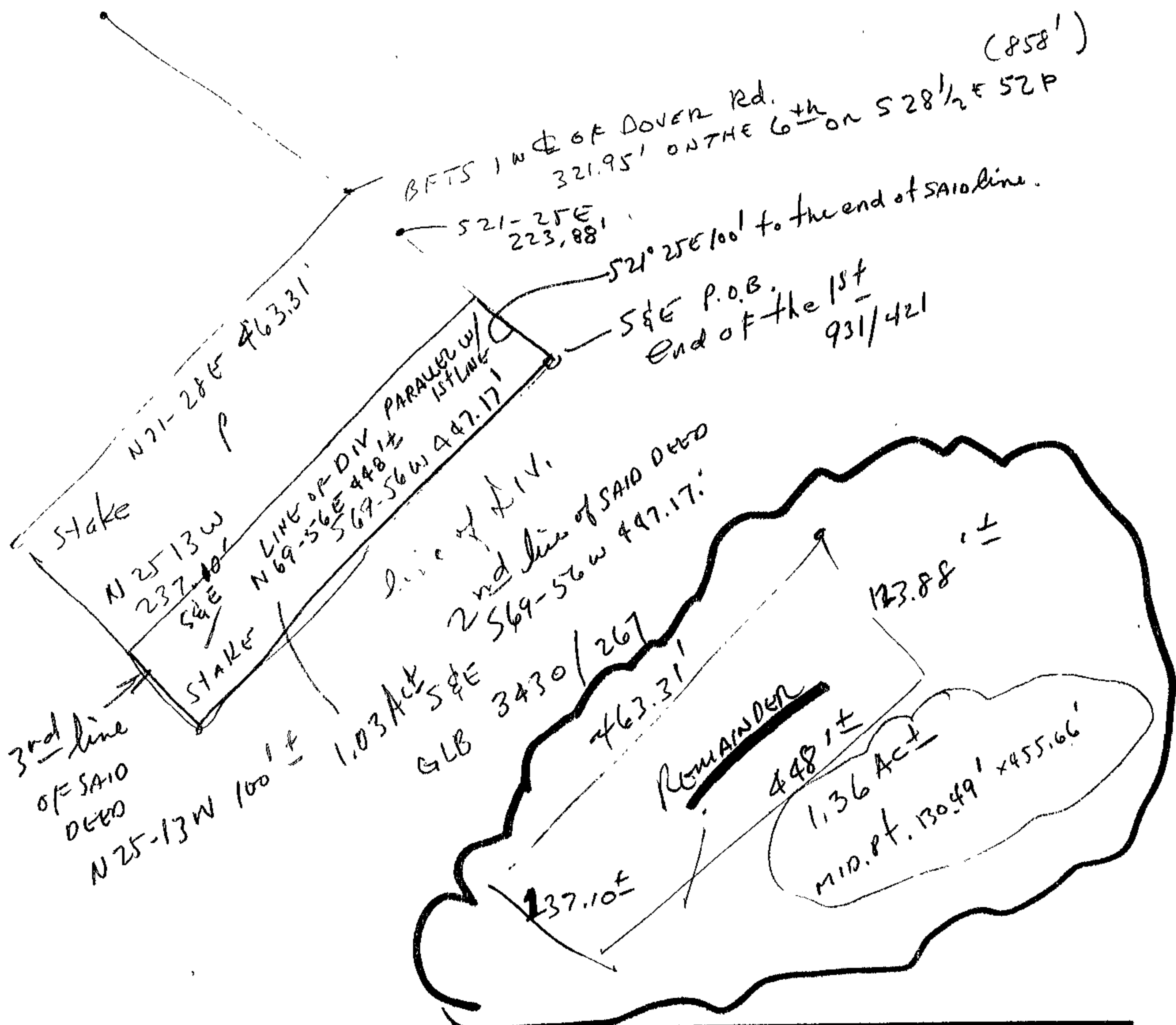
262.50 MSC

PETITIONER'S

EXHIBIT NO.

3

BEING the same parcel of ground Savings and Excepting the above described parcel which by Deed dated June 5, 1934 and recorded among the Land Records of Baltimore County in Liber CWBJr. 931 folio 421 was granted and conveyed by Clarence W. Robinson and wife unto Alvin E. Robinson and Nannie Robinson his wife as tenants by the entireties. The said Nannie Robinson departed this life on or about December 4, 1966 thereby vesting all title in the surviving tenant by the entirety Alvin E. Robinson. The said Alvin E. Robinson departed this life on or about February 26, 1968, in testate leaving as his only heir at law, Donald E. Robinson and Mary E. Robinson Gill two of the Grantors herein. See Orphans' Court proceedings in Baltimore County Case No. 26416 and Estate Docket 26 folio 471.



THIS DEED, Made this *15th* day of *October*, 1934, the
year One Thousand Nine Hundred and *thirty four*, by and between
ALVIN E. ROBINSON and NANNIE ROBINSON, his wife, of Baltimore
County, State of Maryland, parties of the first part, and CLARENCE
WILBUR ROBINSON and LAURA CATHERINE SHERLEY ROBINSON, his wife,
parties of the second part.

WITNESSETH, That for and in consideration of the sum of
Five Dollars and other good and valuable considerations, this day
paid, receipt whereof is hereby acknowledged, the said ALVIN E.
ROBINSON and NANNIE ROBINSON, his wife, do hereby grant and convey
unto the said CLARENCE WILBUR ROBINSON and LAURA CATHERINE SHERLEY
ROBINSON, his wife, as tenants by the entireties, their assigns,
the survivor of them, the heirs and assigns of the survivor, in
fee simple, all that lot or parcel of ground situate, lying and
being in the Third Election District of Baltimore County, State of
Maryland, and described as follows, to wit:

BEGINNING FOR THE SAME to the center of Green Spring
Avenue (formerly Dover Road) and at the end of the first line in
Deed dated June 5, 1934, and recorded among the Land Records of
Baltimore County in Liber C.W.B., Jr. No. 931 folio 421 from
Clarence W. Robinson and Mary E. Robinson, his wife, to Alvin E.
Robinson and Nannie Robinson, his wife, and running thence from
said place of beginning and binding on the second line of the said
Deed South 69 degrees 56 minutes East 417-17/100 feet to a stake,
thence running with a portion of the third line of said Deed North
25 degrees 13 minutes West 100 feet, more or less, and thence
leaving the outlines of said Deed and running for a line of division
now made and intended to be parallel with the first line of this
description North 69 degrees 56 minutes East 418 feet, more or
less, to the center of Green Spring Avenue and to intersect in the
said first or South 21 degrees 25 minutes East 223-23/100 feet line
in the said Deed from Robinson to Robinson, which point is 100 feet

-2-

from the end thereof and thence running with and binding on the said line and in the center of Green Spring Avenue South 21 degrees 25 minutes East 100 feet to the end of the said line and to the place of beginning.

BEING a part of all that lot or parcel of ground which by Deed dated June 5, 1934, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 931 folio 421 was granted and conveyed by Clarence W. Robinson and Mary E. Robinson, his wife, unto Alvin E. Robinson and Nannie Robinson, his wife, the within Grantors.

TOGETHER WITH the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or anyway appertaining.

TO HAVE AND TO HOLD said lot of ground premise above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said CLARENCE WILBUR ROBINSON and LAURA CATHERINE SHEELEY ROBINSON, his wife, as tenants by the entirety, their assigns, the survivor of them, the heirs and assigns of the survivor, in fee simple; subject, however, to the restrictions set forth in said deed dated June 5, 1934, and recorded among the Land Records of Baltimore County in Liber C.W.B., Jr. No. 931 folio 421 from Clarence W. Robins and Mary E. Robinson, his wife, to Alvin E. Robinson and Nannie Robinson, his wife, the within Grantors.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that they will warrant specially the property granted; and that they will execute such further assurances of the same as may be requisite.

TOPO MAP FOR 11700 GREENSPRING AVENUE

PETITIONER'S



Coordinate System:
Maryland State Plane: NAD83/91 Horizontal Datum
Elevations in Feet: NAVD88 Vertical Datum

Date of Data Capture: March 1996
Scale of Data Capture: 1" = 100'

Date of Aerial Photography: March 2002

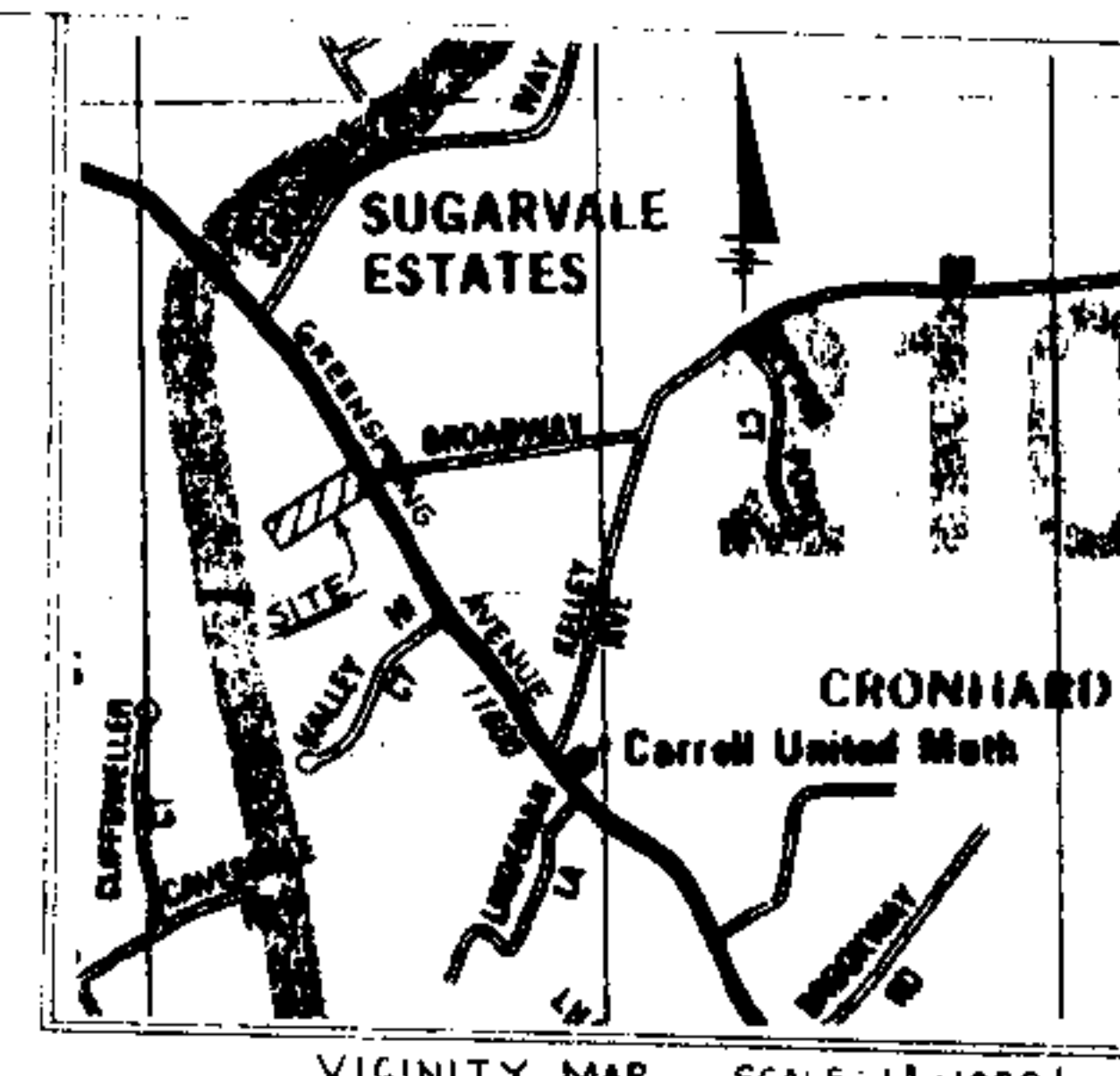
Baltimore County, MD
Department of Public Works
GIS Services



For internal use only.
The cadastral information on this plot was compiled
from existing deed information.
This information is not to be considered authoritative.
This survey information was not field checked
and certified by a licensed land surveyor.



Prepared By:
Robin Hurley, EAI
DPW Directors Office
Feb. 8, 2005



GENERAL NOTES:

1. LOT AREA: 1.373 Ac ± or 59,807 S.F. ±
2. EXISTING ZONING: R.C.5
3. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
4. NOT LOCATED IN HISTORIC AREA
5. NOT LOCATED IN 100 YEAR FLOOD PLAIN AREA
COMMUNITY PANEL NO. 240010 02308 ZONE: "C"
6. PROPERTY IS SERVICED BY PRIVATE WELL AND SEPTIC SYSTEM
7. THERE IS AN EXISTING DWELLING LOCATED ON THE PROPERTY TO BE RAZED.
8. PROPERTY HAS BEEN HELD INTACT SINCE 1988.
9. PRIOR ZONING HISTORY: NONE
10. A NEW WELL AND SEPTIC LOCATION ARE BEING PROPOSED TO ACCOMMODATE THE PROPOSED DWELLING

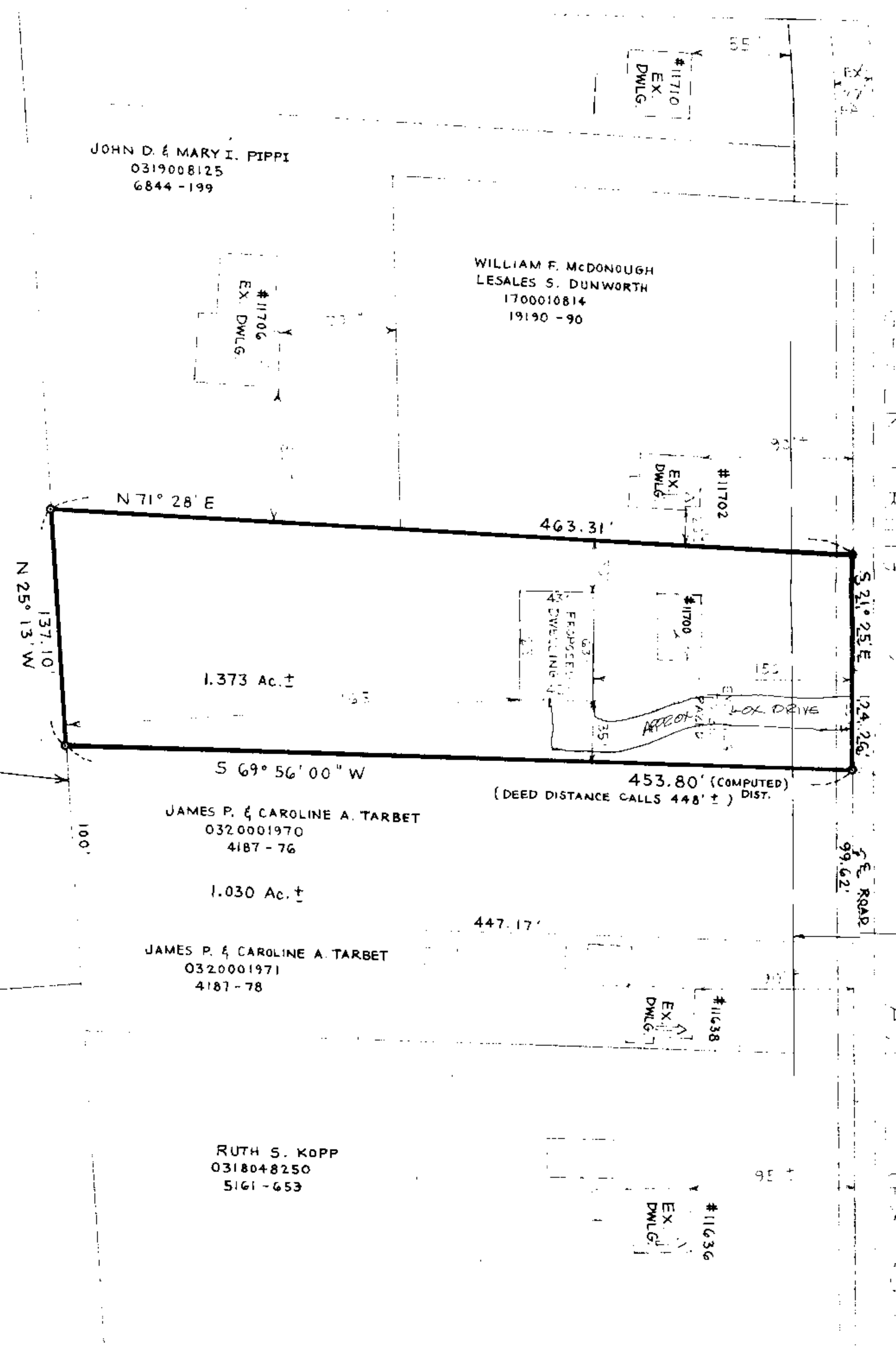
ULTIMATE
70' R/W

**PLAN TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING AND VARIANCE
#11700 GREENSPRING AVENUE
TAX MAP: 50 GRID: 3 PARCEL: 280
TAX ACCT. NO. 0318048225
DEED REF.: 5063-G56
ELECTION DISTRICT NO. 3
COUNCILMANIC DISTRICT NO. 2
BALTIMORE COUNTY, MD
SCALE: 1" = 50'
MARCH 3, 2005
9044**

REVISED: 4-14-05

PETITIONER'S

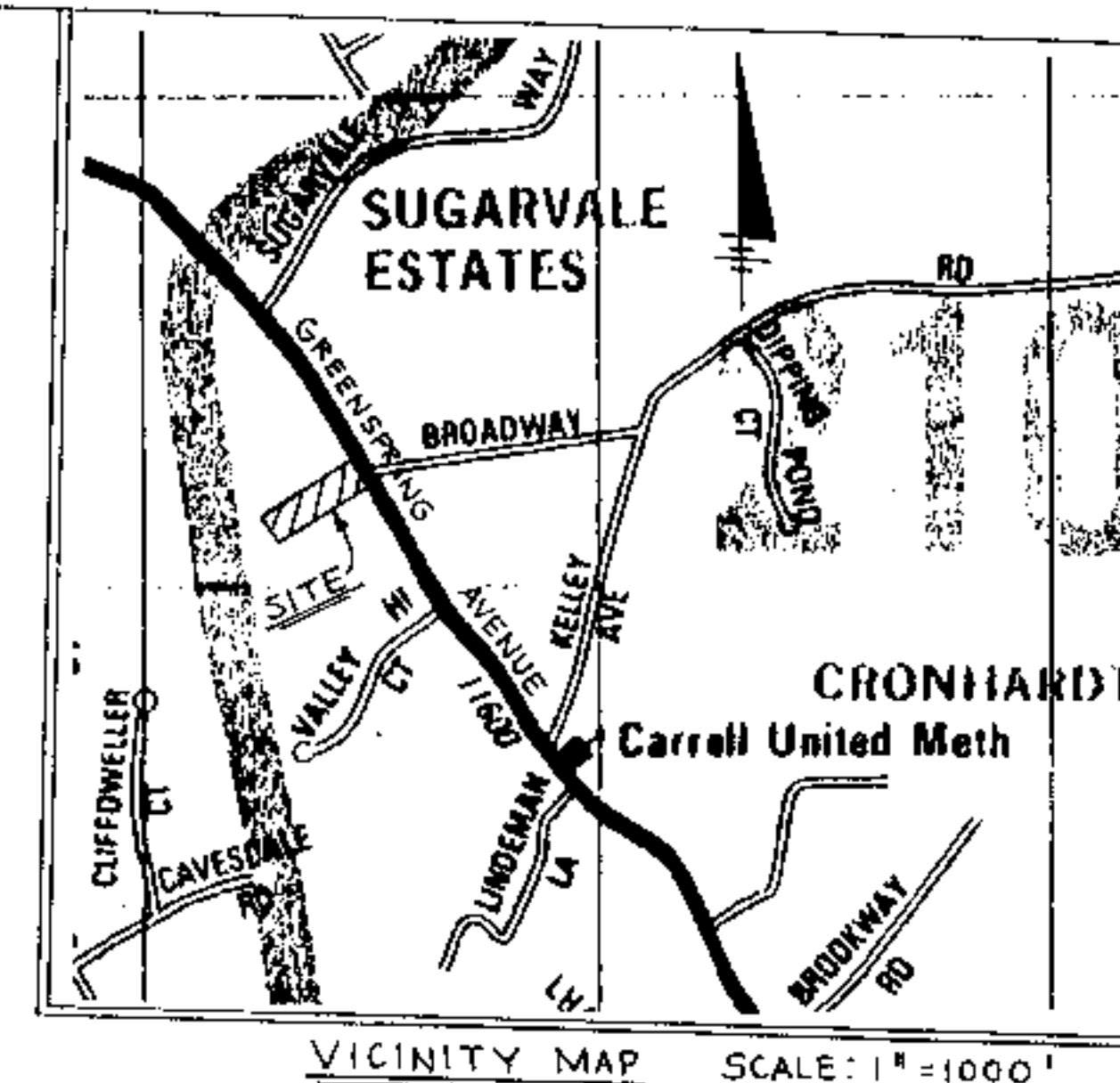
EXHIBIT NO. 1



OWNER/DEVELOPER: THRASHER CONSTRUCTION
STEVE THRASHER
1034 NABBS CREEK ROAD
GLEN BURNIE MD 21000
(443) 250-3701

Site Risk Surveying, Inc.
200 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410) 225-9060





GENERAL NOTES:

1. LOT AREA: 1.373 Ac ± or 59,807 S.F. ±
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3. NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
4. NOT LOCATED IN HISTORIC AREA
5. NOT LOCATED IN 100 YEAR FLOOD PLAIN AREA
6. COMMUNITY PANEL NO. 240010 0230B ZONE: "C"
7. PROPERTY IS SERVICED BY PRIVATE WELL AND SEPTIC SYSTEM
8. THERE IS AN EXISTING DWELLING LOCATED ON THE PROPERTY TO BE RAZED.
9. PROPERTY HAS BEEN HELD INTACT SINCE 1958.
10. PRIOR ZONING HISTORY: NONE
11. A NEW WELL AND SEPTIC LOCATION ARE BEING PROPOSED TO ACCOMMODATE THE PROPOSED DWELLING

JOHN D. & MARY I. PIPPI
0319008125
6844-199

WILLIAM F. McDONOUGH
LESALES S. DUNWORTH
1700010814
19190-90

#11714
KIRK D. & PAMELA J. NICHOLS
0320066942
11623-416

UNIMPROVED LOT

N 25° 13' W

N 71° 28' E

1.373 Ac. ±

S 69° 56' 00" W

JAMES P. & CAROLINE A. TARBET
0320001970
4187-76

1.030 Ac. ±

JAMES P. & CAROLINE A. TARBET
0320001971
4187-78

RUTH S. KOPP
0318048250
5161-653

453.80' (COMPUTED)
(DEED DISTANCE CALLS 448' ±) DIST.

447.17'

90' ±

95' ±

90' ±

20' ±

20' ±

20' ±

20' ±

20' ±

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20' ±

20' ±

20' ±

20' ±

GREENSPRING AVENUE (FORMERLY DOVEY ROAD)

BROADWAY ROAD

PLAN TO ACCOMPANY PETITIONS FOR
SPECIAL HEARING AND VARIANCE
#11700 GREENSPRING AVENUE
TAX MAP: 59 GRID: 3 PARCEL: 280
TAX ACCT. NO. 0318048225
DEED REF.: 5063-656
ELECTION DISTRICT NO. 3
COUNCILMANIC DISTRICT NO. 2
BALTIMORE COUNTY, MD
SCALE: 1" = 50'
MARCH 3, 2005
9044

Site Rite Surveying, Inc.
100 E. Joppa Road
Shell Building, Room 101
Towson, MD 21286
(410) 929-0060

OWNER/DEVELOPER: THRASHER CONSTRUCTION
STEVE THRASHER
1034 NABBS CREEK ROAD
GLEN BURNIE MD 21060
(443) 250-3701

