IN RE: PETITION FOR ADMIN. VARIANCE N side Greenspring Avenue, 600 feet SE c/l Lindeman Lane **Election District** 2nd Councilmanic District (11509 Greenspring Avenue)

Nancy M. Haigley, 2004 Grant or Trust Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

BALTIMORE COUNTY *

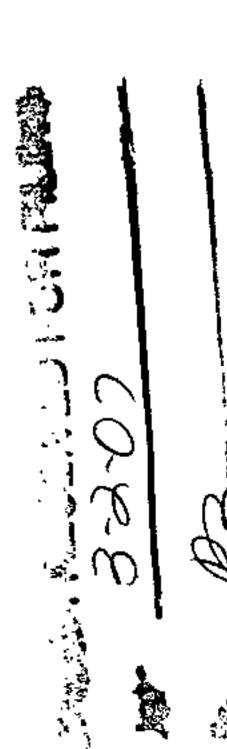
CASE NO. 07-342-A

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 owner of the subject property, Nancy M. Haigley, 2004 Grant or Trust. The variance request is for property located at 11509 Greenspring Avenue. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 10 feet in lieu of the required 50 feet (existing garage to side property line to be attached to the principal dwelling with a proposed addition). The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. The Petitioner wishes to construct an 805 square foot addition. Five years ago they built a garage in the rear yard and now want to construct the addition in the rear of the house. The addition will connect the garage to the main house. This will give them additional living space and let them use the garage without going outside. When the garage is connected to the house it will be too close to the side property line, thus the need for the variance.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from Office of Planning dated February 7, 2007. The addition is considered minor and the Office does not



oppose the Petitioner's request. A copy of the comment is incorporated herein and made a part hereof the file.

Applicable Law

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

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

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 11, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits and photographs as required by Section 32-3-303 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 compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

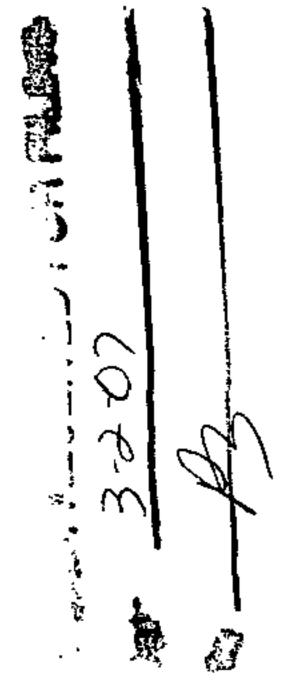
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at whic	11509	GreensF	26 m 3c	Ave	2109
which	i is present	ly zoned	RC-19	<u> </u>	 .

RYLAN	tor the broberty	which is presently zoned RC-5
This Petition shall be filed with the Downer(s) of the property situate in Baltim made a part hereof, hereby petition for a side yand settlonck required 50 feet to the attached to the	epartment of Permit hore County and which Variance from Section - of 10 fe t (existing) e principal	as and Development Management. The undersigned, legal his described in the description and plat attached hereto and on(s) IAOH. 3. B. 2 to permit et in lieu of the garage for side property live dwelling with a proposed addition.)
		w of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised and agree to pay expenses of above Variegulations and restrictions of Baltimore Cou	ariance, advertising, pos	sting, etc. and further agree to and are to be bounded by the zoning
	-	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:		Legal Owner(s):
Name - Type or Print Signature		Nancy M. Haigley 2004 Frust Name-Type of Print Signature Signature
Address	Telephone No.	Name - Type or Print
Attorney For Petitioner: Name - Type or Print	Zip Code	Signature 1/509 Greenspring Auc. 410-252-884 Address Telephone No. Lutherville md. 21093 City State Zip Code
	·	Representative to be Contacted:
Signature		Nancy M. Haig/ey
Company		Name 11509 Green Spring ANC 252-8847
Address	Telephone No.	Address Z1093

regulations of Baltimore County and that the property be reposted.

		•	Zoning Commissioner of Baltimore County					
CASE NO.	<u> </u>	7-342- A.	Reviewed By	Bh	Date	1/30/07		
REV 10/25/01		7-2-01	Estimated Pos	sting Date	2/11	107		
	***		1					

AffidaVit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	11509 Greenspring Hu	<u>e.</u>
	Address	2110
	City State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardship	ip or practical difficulty):	
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la Costinecció de la la la la	is athat without were not beable to use	the man
me practice appoint	not beable to use	the guing
· as part of the	house.	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant(s) will be requir	ed to pay a reposting and
Mr Milling		
Signature Signature	Signature	<u> </u>
-Noncy M. Haigley	·	
Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIA	VIORE. to wit:	
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe		a Notary Public of the State
the Affiant(s) herein, personally known or satisfa	\mathcal{G}	
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	Notary Public ·	uear.
	g/./-	
	My Commission Expires0/(10	

REV 10/25/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	11509 Greenspring Hue.	· · · · · · · · · · · · · · · · · · ·
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	City State	Zip Code
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11000000 WE WILL	not beable to use the	
· as part of the	house	
That the Affiant(s) acknowledge(s) that if a fo	rmal demand is filed, Affiant(s) will be required to	pay a reposting and
advertising fee and may be required to provide a	. 1	
Mr. Hark		
Signature	Signature	
Nana M. Marslan	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·
Name - Type of Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	IORE, to wit:	
I HEREBY CERTIFY, this 2 day of 1	Member , 2014, before me, a Not	ary Public of the State
of Maryland, in and for the County aforesaid, per Maryland, in and for the County aforesaid, per		
the Affiant(s) herein, personally known or satisfa	ctorily identified to me as such Affiant(s).	
- · · · · · · · · · · · · · · · · · · ·		
AS WITNESS my hand and Notarial Seal		4
	Zilea K. Zinila	l-
• • •	Notary Public	
•	My Commission Expires	010

REV 10/25/01



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at _	11509	(Freews	pring	Ave	21093
which	is present	ly zoned	"RC-19	••••••••••••••••••••••••••••••••••••••	

MARYLAND	for the property	located at 150 left which is presently z	oned RC-5
This Petition shall be filed with the Depowner(s) of the property situate in Baltimo made a part hereof, hereby petition for a V		ts and Development Manage	ment. The undersigned, legal
owner(s) of the property situate in Baltimo made a part hereof, hereby petition for a variable yand settlement required 50 feet to be attached to the	· ot 10 to · (existing) · e principal	eet in lieu of gasange to sid dwelling with a pt	e property live epised addition).
of the zoning regulations of Baltimore Cou of this petition form.	anty, to the zoning	aw of Baltimore County, for the	reasons indicated on the back
Property is to be posted and advertised as I, or we, agree to pay expenses of above Vari regulations and restrictions of Baltimore Coun	iance advertising 00	isting, etc. and further agree to an	d are to be bounded by the zoning unty.
		I/We do solemnly declare an perjury, that I/we are the legal is the subject of this Petition	nd affirm, under the penalties of all owner(s) of the property which
Contract Purchaser/Lessee:		Legal Owner(s):	· · · · · · · · · · · · · · · · · · ·
Name - Type or Print Signature		Signature	Jaley 2004 Frust
Address	Telephone No.	Name - Type or Print	
City Attorney For Petitioner:	Zip Code	Signature 1/509 Greenspr Address Liutherville	nd. 21093
Name - Type or Print		City Representative to be	
Signature	<u> </u>	/	1919/es
Company		Nama	nspring Auc 252-884
Address	Telephone No.	Address	21093
City	Zip Code	City	State Zip Code
A Public Hearing having been formally deman this day of the regulations of Baltimore County and that the property	iacine simieci manei o	oe required, it is ordered by the Zon f this petition be set for a public hearing	ing Commissioner of Baltimore County, and advertised, as required by the zoning
		Zoning Commission	er of Baltimore County
CASE NO. 07-342-A	R	eviewed By BK	Date 1/30/67
REV 10/25/01	asilis E	stimated Posting Date	2/11/07
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From the Offices of GEORGE WILLIAM STEPHENS, JR. and ASSOCIATES, INC. 215 Shilling Circle, Suite 114 Hunt Valley, Md. 21231 Phone (410) 785-6647

Description of 2.0 Acre Parcel of Land For Special Hearing October 25, 2006

Beginning for the description of a 2.0 Acre area identified as Parcel 6 on Baltimore County Tax Map 59 also known as 11509 Greenspring Ave., at the point on or near the center line of Greenspring Ave. having a Maryland State (NAD83/91) Coordinate Value of North 645,983 and East 1,393,420, being measured South 26 degrees 51 minutes East 302.29 feet from the centerline intersection of said Greenspring Ave. and Brookway Road, running thence leaving said point of beginning the following six courses;

- 1. N19°15'W 13.50', thence
- 2, N27°47'W 115.50', thence
- 3. N50°10'W 6.84', thence
- 4. N42°40'E 495.71', thence
- 5. S47°20'E 206.06', thence
- 6. S50°56'W 545.98', to the point of beginning

Containing 87.120 square feet or 2.0 Acres of Land more or less.

NOTE: THE ABOVE DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR CONTRACTS, CONVEYANCES OR AGREEMENTS.

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CERTIFICATE OF POSTING

Baltimore County Department of

County Office Building, Room 111

111 W. Chesapeake Avenue

Towson, MD 21204

Ladies and Gentlemen:

Attention:

Permits and Development Management

RE: Case No.: 07-342-A Petitioner/Developer:____ NAWCY HAIGLEY

Date of Hearing/Closing: 2/26/07 This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property at .

PROMINET TO SECTION 24-127(3)(1)(BALTING GOVERN) (C)

Sincerely,

(Printed Name)

SHANNON-BAUM SIGNS INC. 105 COMPETITIVE GOALS DR.

FES 21 2000

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: 07-342-A
Petitioner: NANCY HAIGLEY
Address or Location: 11509 GREENSPRING 400
LUTHORVIULE, MD 21093.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Nancy Haibley
Address: 11509 GKEENSPRING AUE
LUTHERWILLE, MD 21093
Telephone Number: 410 Z5Z- 8847

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	e Number	07-	342	_A	Add	ress	11509	Greens	pring A.	ے ہے۔
Cont	tact Person	: <u></u>		, Please Print	udai †	````	<u> </u>	Phone Nu	ımber: 41(0-887-3391
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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 26, 2007

Nancy M. Haigley 11509 Greenspring Avenue Lutherville, MD 21093

Dear Ms. Haigley:

RE: Case Number: 07-342-A, 11509 Greenspring Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 30, 2007.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

u. Callabal)

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 7, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

11509 Greenspring Avenue

INFORMATION:

Item Number:

7-342

Petitioner:

Nancy M. Haigley

Zoning:

RC 5

Requested Action:

Administrative Variance

The proposal is to add a rear addition, which will connect an existing freestanding garage to the dwelling and requires a 10-foot side yard variance in lieu of the required 50 feet.

The addition is 805 square feet, a minor addition, which does not require a finding of compliance with the RC5 zone.

SUMMARY OF RECOMMENDATIONS:

This office does not oppose the requested variance.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Reviewed by:

Division Chief:/

AFK/LL: CM

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

February 6, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of: February 5, 2007

Item No.: 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344 and 345

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 Fire Marshal's Office (0)410-887-4880 MS-1102F

cc: File



Martin O'Malley, Governor Anthony Brown, Lt. Governor

Maryland Department of Transportation

.

Date: FEBRUARY 2, 2007

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

RE: Baltimore County
Item No. 7-342-A
11509 GREENSPRING AVENUE

HAIGLEY 2004 GRANT OR TRUST. PROPERTY

John D. Porcari, Secretary Designate

Neil J. Pedersen, Administrator

ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No.7-342-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

March 2, 2007

NANCY M. HAIGLEY 11509 GREENSPRING AVENUE LUTHERVILLE MD 21093

Re: Petition for Administrative Variance

Case No. 07-342-A

Property: 11509 Greenspring Avenue

Dear Ms. Haigley:

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

JVM:pz

Enclosure

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





MAR - 9 2007

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JWL

DATE:

March 7, 2007

SUBJECT:

Zoning Item

07-342-A

Address

11509 Greenspring Avenue

(Haigley Property)

Zoning Advisory Committee Meeting of February 5, 2007

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

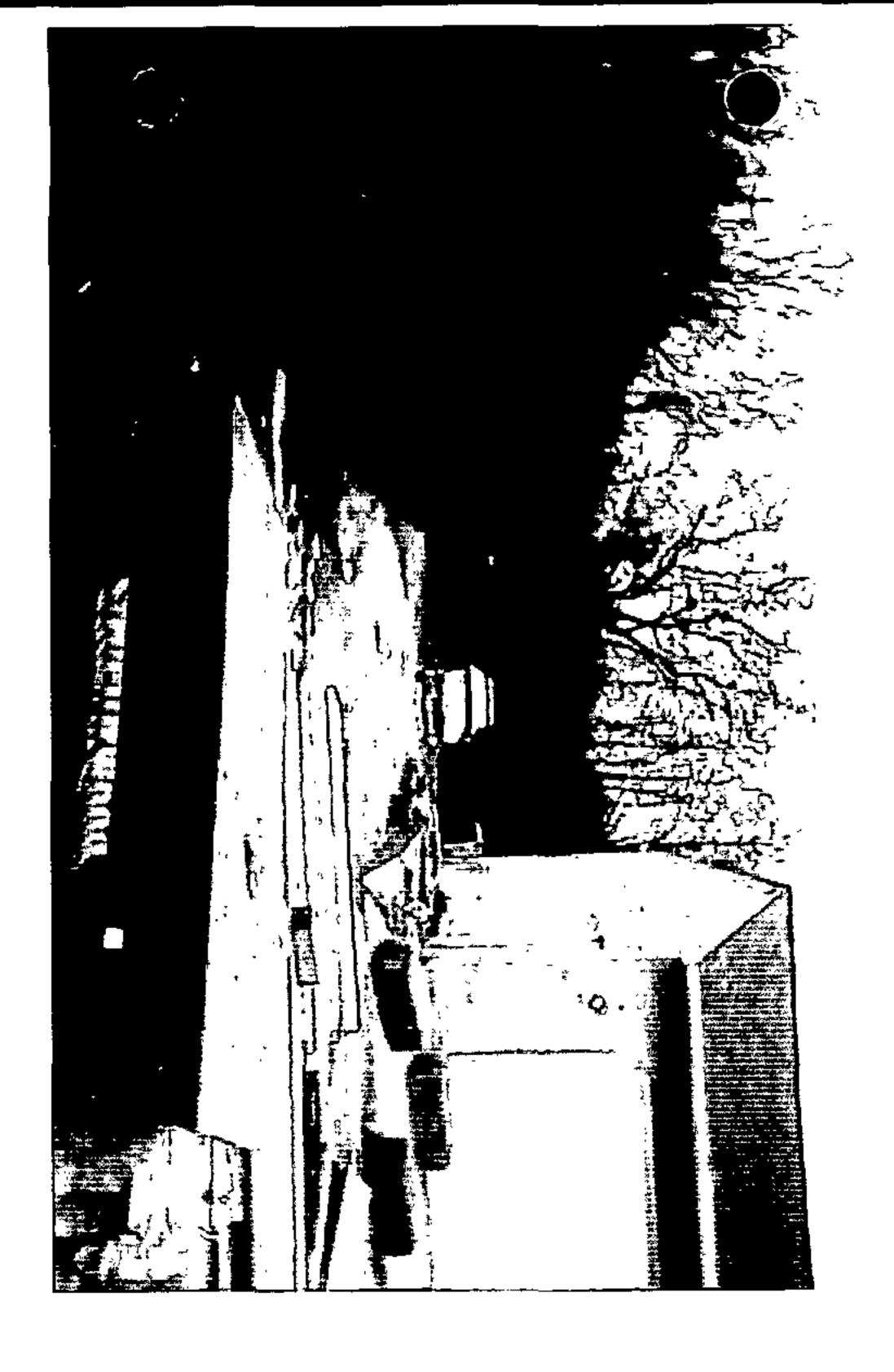
X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The well and septic system must be shown on the plan prior to approval.

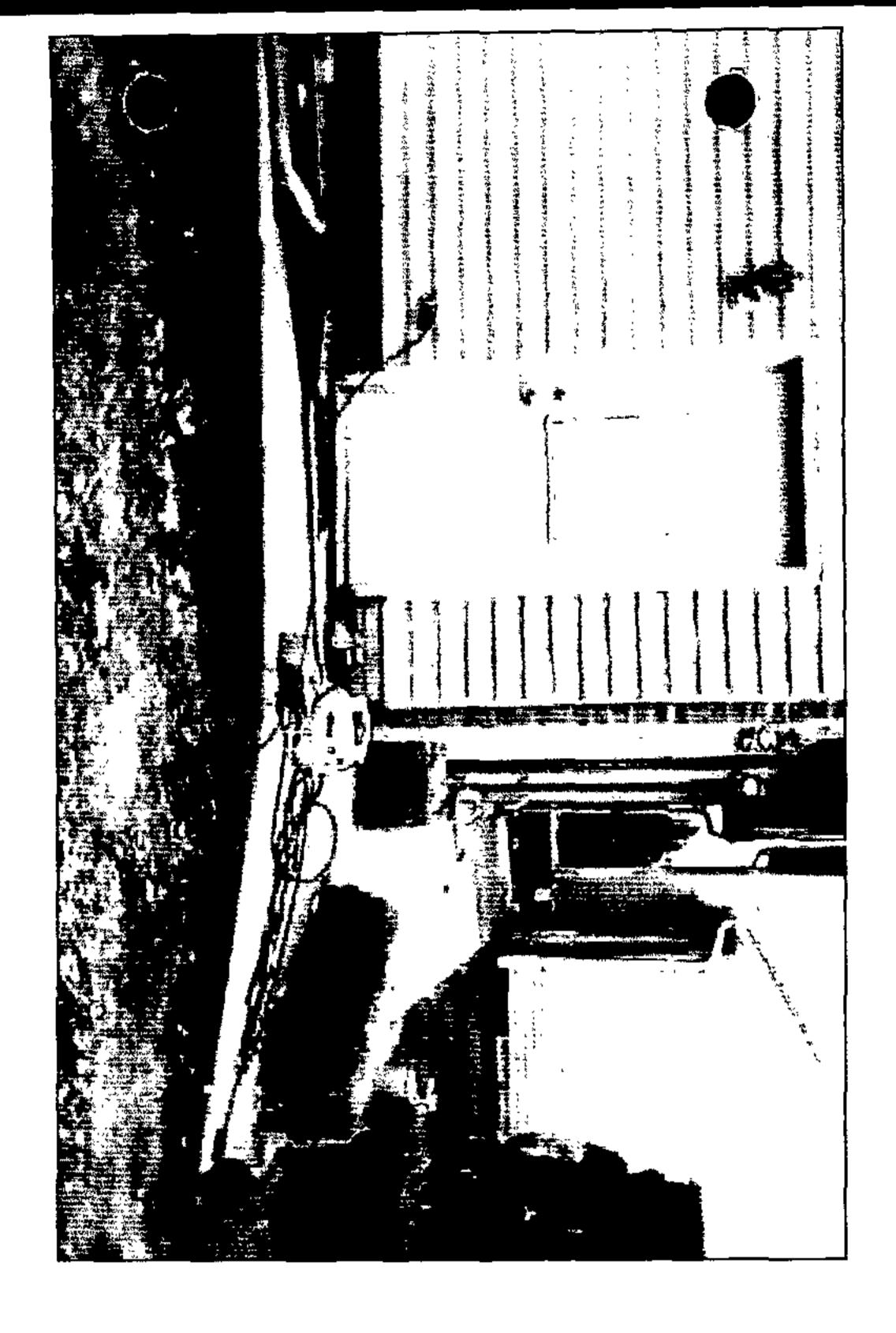
Reviewer:

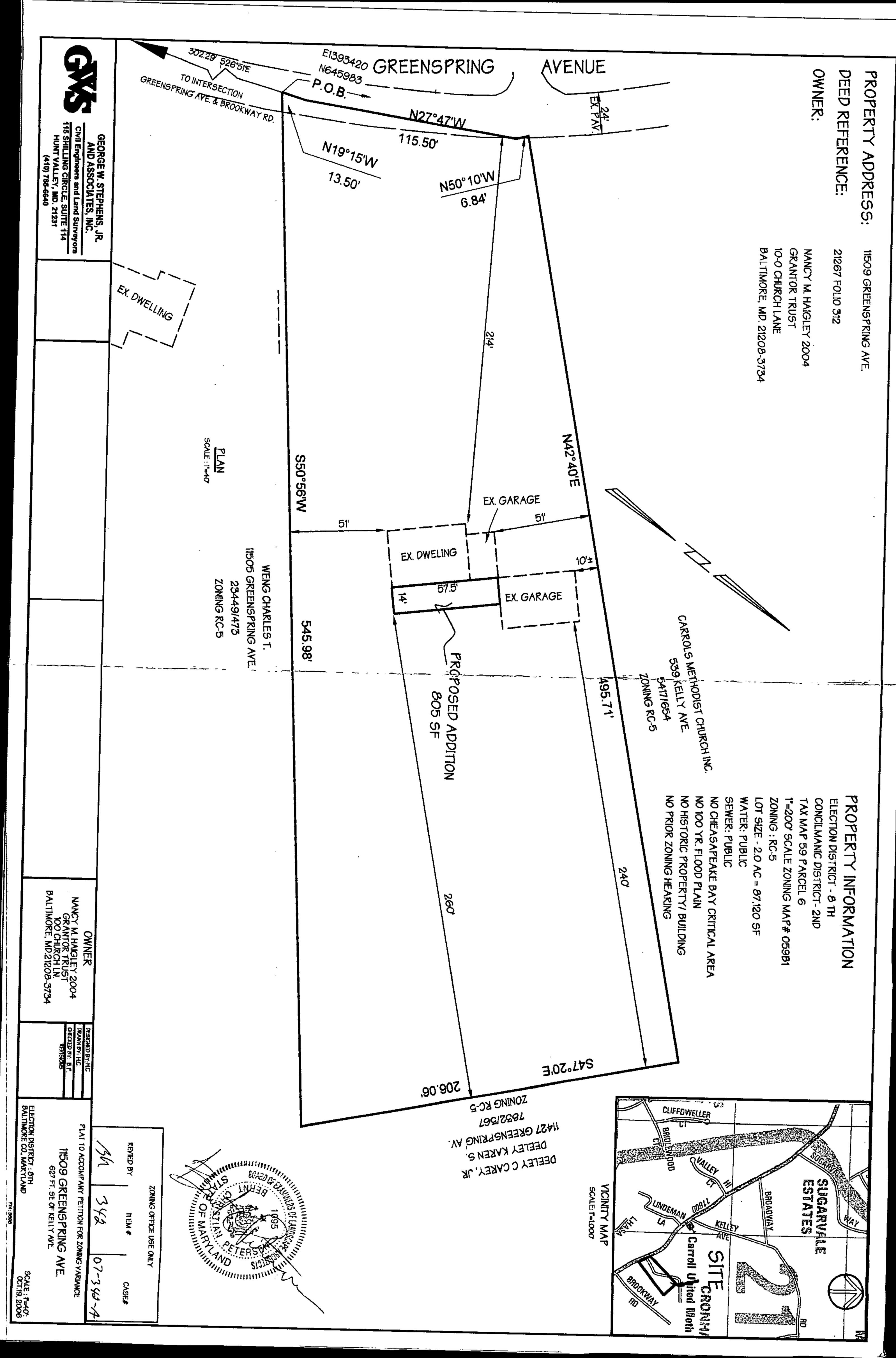
S. Farinetti


Date: March 6, 2007



7.75 #







#324