

2/6/13
RE: JOHN C. M. ANGELOS
IRENE N. ANGELOS
LEGAL OWNERS/PETITIONERS
PETITION FOR VARIANCE
11905 Greenspring Avenue

8th Election District
2nd Councilmanic District

* BEFORE THE
* BOARD OF APPEALS
* FOR
* BALTIMORE COUNTY
* Case No. 2012-0050-SPH

* * * * *

OPINION

This case comes before the Board of Appeals as a result of Petitioners, John C. M. Angelos and his wife Irene N. Angelos seeking zoning approval in the form of a Variance to permit additions to an existing dwelling to allow a 35 foot (rear) setback and a 24 foot (front) setback in lieu of the required 50 foot for each for the property at 11905 Greenspring Avenue, Owings Mills, Maryland 21117. The Zoning request is from Section 1A04.3B.1.b(1) of the Baltimore County Zoning Regulations (B.C.Z.R.).

A hearing was held before the Baltimore County Board of Appeals on November 21, 2012. Mr. John C. M. Angelos appeared at the hearing *pro se*. Petitioner's request was opposed by Mr. Stuart Caplan, Protestant, who also appeared *pro se*. A Public Deliberation was held on January 24, 2013.

BACKGROUND

The Petitioner requested a Special Hearing Petition on August 23, 2012. On October 19, 2012, Administrative Law Judge Kotroco granted relief from Section 1A04.3B.1.b(1) of the Baltimore County Zoning Regulations (B.C.Z.R.). On August 2, 2012, Mr. Stuart Caplan, who did not appear at the Special Hearing but did submit evidence in the form of photographs,

properly appealed the decision by Administrative Law Judge Kotroco. The appeal was heard by the Board of Appeals for Baltimore County on November 21, 2012.

At the November 21, 2012, hearing, Mr. Angelos appeared *pro se* and testified that the proposed addition which was described as a stand- alone, diamond-shaped bedroom connected to the house by a glass walkway measuring approximately 10-12 ft., will improve an existing porch . He further testified that the addition would not create a burden on any neighboring property. Mr. Angelos testified that the house is unique because its shape "is long and narrow". He further testified that he will landscape to maintain the privacy between his home and that of Mr. Caplan and any intrusion would be minimal.

Mr. Stuart Caplan also appeared *pro se* to oppose the variance. Mr. Caplan testified that there are discrepancies between the two (2) plans which Mr. Angelos submitted. He also testified that he is concerned about additional run-off, loss of value of his property and losing the privacy and urban feel he desired when he purchased the property in 1988. Mr. Caplan submitted various exhibits demonstrating his concern about potential run-off issues and loss of privacy.

LAW Maryland jurisprudence is well established regarding the factors to be considered when contemplating variance relief.

Baltimore County Zoning Regulations, Section 307.1, in pertinent part, states as follows:

"...(T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area 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.... Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area...regulations, and only in such manner as to grant relief without injury to public health, safety, and general welfare...."

In *McLean v. Soley*, 270 Md. 216 (1973) the court established the following criteria for determining practical difficulty or unreasonable hardship:

"1) Whether compliance with the strict letter of the restrictions governing various variances would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

"2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

"3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured."

Further, in *North v. St. Mary's County*, 99 Md.App. 502 (1994) the Court held that

"...the 'unique' aspect of a variance requirement does not refer to the extent of improvements on the property, or upon neighboring property. 'Uniqueness' of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects and bearing or party walls." *Id* at 514

In the Court of Special Appeals in *Cromwell v. Ward*, 102 Md.App. 691 (1995), wherein the Court writes:

...The Baltimore County ordinance requires "conditions ...peculiar to the land...and...practical difficulty...." Both must exist. ...However, as is clear from the language of the Baltimore County ordinance, the initial factor that must be established before the practical difficulties, if any, are addressed, is the abnormal impact the ordinance has on a specific piece of property because of the peculiarity and uniqueness of that piece of property, not the

uniqueness or peculiarity of the practical difficulties alleged to exist. **It is only when the uniqueness is first established that we then concern ourselves with the practical difficulties...." Id. at 698.**

In requiring a pre-requisite finding of "uniqueness", the Court defined the term and stated:

In the zoning context the "unique" aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. "Uniqueness" of a property for zoning purposes requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.... Id. at 710.

DECISION

The Petitioners argue that their property is unique because of the physical structure of the improvements and their need for a certain internal design which would maximize sun exposure and provide for their family. Petitioner further argues that he will plant additional tree vegetation to address Protestant's concerns.

While the Board still concedes that the Petitioners' family situation may be "unique", we are not satisfied that the subject property has unique physical characteristics that would satisfy the requirements found in *Cromwell*.

So that the record may be clear, we further find that, even assuming *arguendo* that the subject property was somehow determined to be unique, no showing of practical difficulty has been established. Moreover, the law is clear that self-inflicted hardship cannot form the basis for a claim of practical difficulty. Speaking for the Court in *Cromwell, supra*, Judge Cathell noted:

Were we to hold that self-inflicted hardships in and of themselves justified variances, we would, effectively, not only generate a plethora of such hardships but we would also emasculate zoning ordinances. Zoning would become meaningless. We hold that

practical difficulty or unnecessary hardship for zoning variance purposes cannot generally be self-inflicted. *Cromwell*, at 722

As applied here, the Petitioners selected the location of the addition into the rear setback area for personal reasons (desire to located children's' bedroom near parents and desire for sun exposure) and as such, this hardship is self-imposed. Moreover, the denial of this variance does not render this Property useless. To the contrary, the Petitioners have alternatives available which would not violate the front or rear setbacks including building upward (this is 1 level rancher) or extending the house toward the east end of their yard.

Moreover, while the evidence produced in this case centered on the request for a variance from the rear setback lines, our findings apply equally to the request for a 24' front yard setback in lieu of the required 50 feet. The lack of opposition at the hearing to the front yard setback does not persuade us that the requirements of *Cromwell* have been met for that request.

Finally, while the Petitioners requested Special Hearing relief under BCZR, §1A04.3B.1.b(1), the heart of the request, as argued by the Petitioners, was for variance relief and therefore, we are bound by the holding of *Cromwell*.

CONCLUSION

This Board is not persuaded that the Petitioners have illustrated uniqueness of its parcel to deviate from standard zoning requirements for their property. Consequently, Petitioners' requested Variance relief is DENIED.

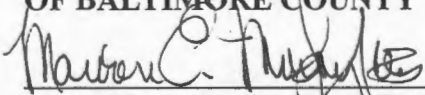
ORDER

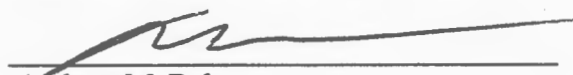
THEREFORE, IT IS THIS 6th day of February, 2013 by the Board of Appeals of Baltimore County

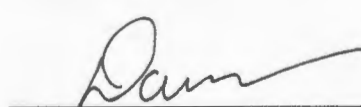
ORDERED that the Petitioner's request for a variance from Section 1A04.3B.1.b(1) of the Baltimore County Zoning Regulations (B.C.Z.R.). to permit additions to an existing dwelling to allow a 35 foot (rear) setback and a 24 foot (front) setback in lieu of the required 50 foot for each for the property at 11905 Greenspring Avenue, Owings Mills, Maryland 21117, be and is hereby **DENIED**.

Any Petition for Judicial Review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Panel Chair


Andrew M. Belt


David L. Thurston



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

February 6, 2013

John and Irene Angelos
11905 Greenspring Avenue
Owings Mills, MD 21117

Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, MD 21117

RE: *In the Matter of: John and Irene Angelos – Legal Owners/Petitioners*
Case No.: 12-050-SPH

Dear Mr. and Mrs. Angelos and Mr. Caplan:

Enclosed please find a copy of the final Opinion and Order issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc
Enclosure
Duplicate Original Cover Letter

c: Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

August 2, 2012

Office of Administrative Hearings
105 West Chesapeake Avenue
Suite 103
Jefferson Building
Towson, Maryland 21204

RECEIVED

AUG 02 2012

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Request To Appeal Following Orders:

Denial Order to Motion To Reconsider
Admin. Judge Beverungen Letter, Dated July 6, 2012

Zoning Variance Order And Opinion Motion
Special Hearing Case No. 2012-0050-SPH, Dated Oct 19, 2011
11905 Greenspring Avenue (John C.M. Angelos)

To Whom It May Concern,

I am respectfully submitting this request to the Baltimore County Board of Appeals to enter an Appeal of the Denial Order to My Motion for Reconsideration (Dated July 6, 2012) and the Original Zoning Variance Order (Oct 19, 2011), both associated with Special Hearing Case No. 2012-0050-SPH. Copies of both documents are attached for reference purposes.

Because of the close proximity of both residence, which is unique to the area, our backyards are literally on top of one another. As my house is quite small, I utilize my backyard to entertain whenever I can, and although the rear of both residence are close, it still maintains some semblance of the rural nature of this area of the County that attracted me to purchase the property in 1988. If my neighbor is allowed to build the proposed stand alone structure within the 50' setback, as has been ruled, it will adversely impact the quality of my backyard, my quality of life, and the value of my property.

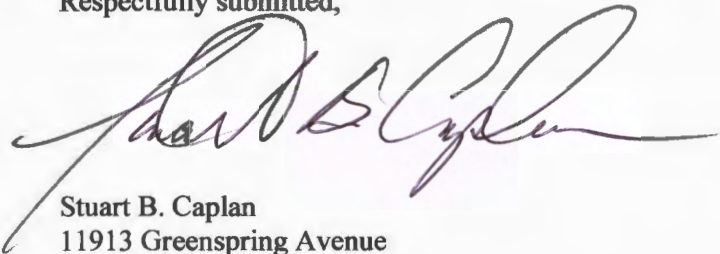
Not as paramount, but just as important, is my concern that if the addition is built, coupled with the reduced setback area, will increase the flow of storm water runoff onto my property. My backyard area already floods during periods of heavy rain. As the planed addition would not fall under Baltimore County Storm Water Management Review, as a requisite for permit approval, who will be responsible for rectifying the additional flooding if/when flooding occurs?

OFFICE OF ADMINISTRATIVE HEARINGS
APPEAL OF RULINGS RELATED TO:
DENIAL OF MOTION TO RECONSIDER &
ORIGINAL ZONING VARIANCE ,
SPECIAL HEARING NO. 2012-0050-SPH
AUGUST 2, 2012
PAGE TWO

As such, in keeping with Baltimore County's Appeals Procedure, I am submitting this request to enter an Appeal, of the aforementioned Orders, within the 30 day time limit allotted for such zoning appeals (Special Hearing), and enclosing the required check in the amount of \$265.00.

Please keep me informed of all correspondence and meetings regarding these matters. Thank you in advance for your consideration of this request.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Stuart B. Caplan", written in a cursive style.

Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, Maryland 21117
(410) 560-0403

Attachments: Denial Order To Motion To Reconsideration (Dated July 6, 2012); Original Zoning Variance Order Special Hearing Case No. 2012-0050-SPH (Dated Oct 19, 2011); My Neighborhood Maps and Real Property Data for both properties.

Cc: Board of Appeals, Peoples Counsel, John C.M. Angelos, File



KEVIN KAMENETZ
County Executive

July 6, 2012

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

John C.M. Angelos
11905 Greenspring Avenue
Owings Mills, Maryland 21117

Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, Maryland 21117

RE: Petition for Special Hearing
(11905 Greenspring Avenue)
Case No. 2012-0050-SPH

Dear Messrs. Angelos and Caplan:

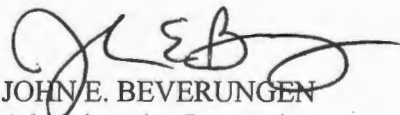
I have received and reviewed the letters each of you submitted concerning the Motion for Reconsideration filed by Mr. Caplan. While the Zoning Commissioner's Rules do not expressly state that a copy of such motion must be served on each interested party in the case, that of course is a fundamental requirement in quasi-judicial proceedings. I don't believe Mr. Caplan is an attorney, and it is therefore understandable he would not be aware of such a requirement. In any event, we now have a scenario where zoning relief was granted nearly nine months ago, and the Motion for Reconsideration has been pending for almost that long, even though the Rules require the zoning commissioner to "rule on the motion within 30 days from the date which the motion is accepted for filing."

In these circumstances, I will dispense with the necessity of a hearing on the motion, as I am permitted to do under the Rules. The points raised in Mr. Caplan's Motion for Reconsideration are – in large part – the same ones he set forth in his letter of opposition that Judge Kotroco entered into the case file. As such, I will deny the Motion for Reconsideration filed by Mr. Caplan.

In Mr. Caplan's June 27, 2012 correspondence, he cites Cromwell v. Ward and correctly notes the stringent standards for variance relief. In this case, Judge Kotroco did not grant variance relief; rather, Mr. Angelos was granted special hearing relief pursuant to the regulations for R.C.5 zones. As such, Cromwell is not applicable in these circumstances.

This ruling shall be considered the final decision in the above case. Any party wishing to appeal this decision may do so by filing, within 30 days, an appeal to the Baltimore County Board of Appeals. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

c: Kristen Lewis, Department of Permits, Approvals and Inspections

June 27, 2012

Zoning Review, County Office Building
Mr. John E. Beverungen, Esq.
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD. 21204

RECEIVED
JUN 28 2012
OFFICE OF ADMINISTRATIVE HEARINGS

RE: Case No. 2012-0050-SPH

Dear Judge Beverungen:

I am in receipt of your letter dated June 20, 2012, and Mr. Angelos' response letter dated June 25, 2012, which I will address later. Pursuant to the receipt of your letter, I contacted Ms. Kristen Lewis in the Department of Permits to let her know that I was available to meeting any time to resolve the above matters. She agreed to contact Mr. Angelos to get his input. I would have attempted to contact Mr. Angelos myself, but communications between us has been non-existent since I made him aware that I would oppose his request for zoning relief.

With regard to providing Mr. Angelos with a copy of my Motion To Reconsider request, I was not aware that it was mandatory for me to do so, trusting that he would receive official notification from the Office of Administration Hearings. I would have forward him a courtesy copy, via certified mail, but a previous attempt at sending him a certified letter was returned to me as "unclaimed".

In respond to Mr. Angelos' assertion that "the parties" consented to the hearing date, and eluding that my absence is indicative of my sincerity in the case, I would like to point out that since June 1, 2011 I have been helping out my cousin who started chemotherapy treatment for breast cancer. This treatment continued to late October. In addition to driving her to and from the hospital for treatment and blood work and to pick up her prescriptions, I remained "on-call" in case of emergencies (therapy would make her sick). As I was "on call" at a moments notice, and not knowing if I could make the hearing for certain, I inquired through the Office of Administration Hearings and was informed that I could send in my Letter of Opposition in lieu of attending the hearing, which I did to guarantee that my opposition to Mr. Angelos' request was presented.

I assure you that my absence at the original hearing in no way diminishes the importance of this matter to me. If Mr. Angelos is allowed to build his proposed addition, it will profoundly impact the value and desirability of my property, and as my backyard is prone to flooding during heavy rains the diminished set-back area, coupled with the additional drainage off the roof of this addition, could potentially exacerbate my flooding problem.

MR. JOHN E. BEVERUNGEN, ESQ.
ADMINISTRATIVE LAW JUDGE
BALTIMORE COUNTY OFFICE OF ADMIN HEARING
CASE NO. 2012-0050-SPH
PAGE TWO

My Motion for Reconsideration included documents and correspondence supporting my claims that my property would be adversely impacted should Mr. Angelos proceed with his proposed plans to build within the County's original 50' set-back.

In addition, I referenced two set-back relief cases that cite specific guidelines that Baltimore County follows in determining the granting of such relief, which I claim were not followed in the granting of the relief in this case; (1) Case No. 2011-0302-A, with decision rendered on June 30, 2011; and (2) *Cromwell v. Ward* 102 Md. App. 691 (1995), which states the prevailing rule that "variances are to be granted sparingly, only in rare instances and under peculiar and exceptional circumstances....a variance should be strictly construed. *Cromwell* Id at 700. Section 307.1 of the zoning regulations permits variances to be granted "...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. It further states, that in determining the granting of such relief that the injustice placed on other property owners in the district should be taken into consideration.

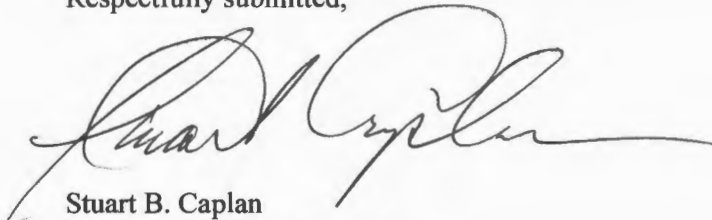
Mr. Angelos property encompasses 2 clear and mostly level acres. His residence is a rancher constructed in 1984. There are no peculiar and/or exceptional circumstances that would result in practical difficulty or unreasonable hardship in preventing Mr. Angelos from expanding onto his house if he complies with the 50' set-back regulation... other than preventing him from his architectural desires to build a stand alone structure.

On the other hand, due to the close proximity of the backs of our residence, which face each other, and are respectively within 80'+/- of our shared property line, the granting of the relief places Mr. Angelos house that much closer to our shared property line, thus diminishing the privacy value of my backyard, and hence the value and desirability of my property. In addition, through discussions with Mr. Robert Wirth, Head of Baltimore County Storm Water Management, the topography of our properties both slope slightly from West to East. He agreed with me that the diminished setback area, which would normally absorb run-off from Mr. Angelos' property, coupled with the additional run-off from his stand alone addition, could exacerbate the flooding that I experience. Furthermore, I learned from Mr. Wirth, that Baltimore County Dept of Permits only requires projects of a certain size (square footage) to undergo engineering examination and meet SWM requirements. Mr. Angelos stand alone addition, because of size, would not be exempt from any such examination, and thus would not be required to install any storm water management abatement to address my concerns.

MR. JOHN E. BEVERUNGEN, ESQ.
ADMINISTRATIVE LAW JUDGE
BALTIMORE COUNTY OFFICE OF ADMIN HEARING
CASE NO. 2012-0050-SPH
PAGE THREE

In closing, I am asking for Judge Kotrocco's ruling to be overturned on the basis that the granting of the relief will unjustifiably impact my property, whereas if Mr. Angelos had to comply with Baltimore County's existing 50' setback regulation it would not prevent him from expanding onto his existing house for his intended purposes, it would only prevent him from pursuing his architectural desires to construct a stand alone addition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stuart B. Caplan", with a long horizontal flourish extending to the right.

Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, Maryland 21117
(410) 560-0403

Cc: Mr. John C.M. Angelos

10/19/11

IN RE: PETITION FOR SPECIAL HEARING *

E/side of Greenspring Ave., 550' S of
Hidden Glen Drive
(11905 Greenspring Avenue)
8th Election District
2nd Council District

John C.M. and Irene N. Angelos
Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0050-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as Petition for Special Hearing filed by the legal owners of the property, John C.M. and Irene N. Angelos. The Petitioners are requesting Special Hearing relief pursuant to Section 1A04.3.B.1.b(1) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit additions to an existing dwelling to allow a 35 foot (rear) setback and a 24 foot (front) setback in lieu of the required 50 foot for each. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing held for this case was Petitioner John C.M. Angelos. There were no Protestants or other interested persons present. Prior to the hearing, it should be noted that letters and photographs were received from Stuart B. Caplan of 11913 Greenspring Avenue who opposes the variance request. Mr. Caplan did not appear in person at the hearing; however, his letter and photographs were discussed with the Petitioner.

The ZAC comments were received and made a part of the file. Comments were received from the Department of Environmental Protection and Sustainability (DEPS), dated September 13, 2011, which indicate any future building permits (for additions) at the site will require review by Groundwater Management.

ORDER RECEIVED FOR FILING

Date 9-29-11
By 103

Testimony and evidence offered at the hearing revealed that the subject property is 2.0 acres, zoned R.C.5. and located in the Owings Mills area of the County.

The property is improved with a one story stone rancher-type dwelling, wherein the Petitioner resides with his family. The proposal before me is to allow for additional living space to be added to the existing dwelling. The Petitioners intend to add some additional bedroom space for their children, a new family room and to relocate the existing garage. The design of these additions is shown on Petitioners' Exhibit 1, a schematic plan prepared by Architect Larry Link.

As stated earlier, adjacent property owner Stuart Caplan submitted a letter of opposition with various photos of his and surrounding properties. Mr. Caplan is concerned that his property value may go down if this Special Hearing is granted and is also concerned about additional stormwater run-off generated by the new additions.

Mr. Caplan's property is adjacent to the Petitioners' property. His rear yard backs up to and shares a common property line with the rear yard of the Petitioners' property. The requested setback relief in that area is for a 35' setback in lieu of the required 50' setback. The addition to be built on that side of the house sits at an angle to the property line so that only the corner of the one story addition sits 35' from the property line. The rest of the addition tapers away from the common property line. A review of the site plan submitted illustrates this point.

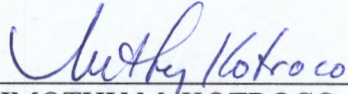
Given the testimony offered at the hearing, I believe it is appropriate to grant the relief requested in the Special Hearing Petition.

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

THEREFORE, IT IS ORDERED, this 19th day of October, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief from Section 1A04.3.B.1.b(1) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit additions to an existing dwelling to allow a 35 foot (rear) setback and a 24 foot (front) setback in lieu of the required 50 foot for each, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for their building permit and may 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 such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.
2. Petitioners shall comply with the ZAC comments received from the Department of Environmental Protection and Sustainability (DEPS), dated September 13, 2011; a copy of which is attached hereto and made a part hereof.


TIMOTHY M. KOTROCO
Administrative Law Judge for
Baltimore County

TMK:dlw

ORDER RECEIVED FOR FILING

Date 9-29-11
By 102

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: September 13, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-050-SPH
Address 11905 Greenspring Avenue
(Angelos Property)

Zoning Advisory Committee Meeting of August 29, 2011.

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

1. Any future building permits (for additions) at this site will require review by Groundwater Mgmt.

Reviewer: *Dan Esser; Groundwater Management*

RECEIVED

SEP 14 2011

OFFICE OF ADMINISTRATIVE HEARINGS

ORDER RECEIVED FOR FILING

Date

By

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KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

October 19, 2011

John C.M. Angelos
Irene N. Angelos
11905 Greenspring Avenue
Owings Mills, Maryland 21117

RE: PETITION FOR SPECIAL HEARING
E/side of Greenspring Ave., 550' S of Hidden Glen Drive
(11905 Greenspring Avenue)
8th Election District – 2nd Council District
John and Irene Angelos - Petitioners
CASE NO. 2012-0050-SPH

Dear Mr. and Mrs. Angelos:

Enclosed please find a copy of the decision rendered in the above-captioned matter

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, Approvals and Inspections (PAI) at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over a light-colored background.

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:dlw
Enclosure

c: Stuart B. Caplan, 11913 Greenspring Avenue, Owings Mills, MD 21117



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11905 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 ADDITIONS TO AN EXIST

DWELLING TO ALLOW A 35 FT. (REAR) SETBACK AND A 24' (FRONT)
SETBACK IN LIEU OF THE REQUIRED 50 FT. FOREACH PURSUANT TO SECTION
1A04.3.B.1. (1) (RCZR)

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:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING THURS 9/22 + 23

Reviewed By JL Date 8/23/11

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 9-29-11

By OW

Note: John Angelos,
Property Owner^{ner} ~~is~~ is an
attorney and represents
himself & his wife.

SC

Zoning Description

Zoning description for 11905 Greenspring Avenue, Owings Mills, 21117

Beginning at a point at the eastern end of a 12ft. access easement that is 280 ft. east of Greenspring Ave. (30ft. r/w) & the westernmost end of the easement intersection with the east side of Greenspring Ave. This intersection being 550ft. south of Hidden Glen Drive (30ft. r/w). then the following courses & distances.....

Said property is starting at N 68.01 E 480.23', N 30.30 W 189.31', 68.01 W 451.19' , S 21.59 E 187.07' to the point of beginning.

Election district 0048

Councilmatic district 02

Comprising 2.0 acres (87,120 sq.ft. +/-)

0050

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **29686**

Date: **8-2-12**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	800	000		6150					265.00

Total: **265.00**

Rec From: Stuart Caplan

For: 2012-0050-SM
11913 Greenspring Ave
Appt to R.A.

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ADDRESS: 1000
 03/2012 03/2012 1000
 REG 605 1000 000 000
 RECEIPT # 29686 08/02/2012
 5 525 0000 00000000
 0000 029686
 Receipt for \$265.00
 \$265.00 of \$265.00
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **73654**

Date: **8/23/11**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	006	000		6150					75.00

Total: **75.00**

Rec From: **Frederick Co.**

For: **SPH FUND 2012-0050-SPH**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0050-SPH
11905 Greenspring Avenue
E/side of Greenspring Ave.,
550' S/of Hidden Glen Dr.,
280' east along a 12' ease-
ment to site

8th Election District
2nd Councilmanic District
Legal Owner(s): John &
Irene Angelos

Special Hearing: to permit
additions to an existing
dwelling to allow a 35 foot
(rear) setback and a 24 foot
(front) setback in lieu of the
required 50 foot for each
pursuant to BC2R.

Hearing: Thursday, Sep-
tember 29, 2011 at 1:30
p.m. in Room 205, Jeffer-
son Building, 105 West
Chesapeake Avenue,
Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Administrative Hearings Of-
fice at (410) 887-3868.

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

JT/9/628 Sept. 13 285901

CERTIFICATE OF PUBLICATION

9/15, 2011

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 9/13, 2011.

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

S. Wilkinson

LEGAL ADVERTISING

Certificate of Posting

RE: Case NO. 2012-0050-SPH

Petitioner/Developer _____

John & Irene Angelos

Date of Hearing/Closing 9/29/11

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

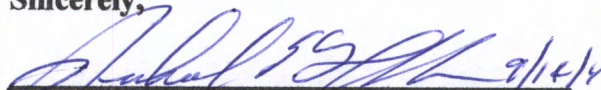
Attention:

This letter is to certify, under penalties of perjury, that the necessary sign as required by law, was posted conspicuously on the property located at _____

11905 Greenspring Ave.

The sign(s) were posted on 9/14/11
(Month, Day, Year)

Sincerely,


(Signature of sign Poster and date)

Richard E. Hoffman
(Printed Name)

See Attached
Photograph

904 Dellwood Drive
(Address)

Fallston, Md. 21047
(City, State, Zip Code)

410-879-3122
(Telephone Number)

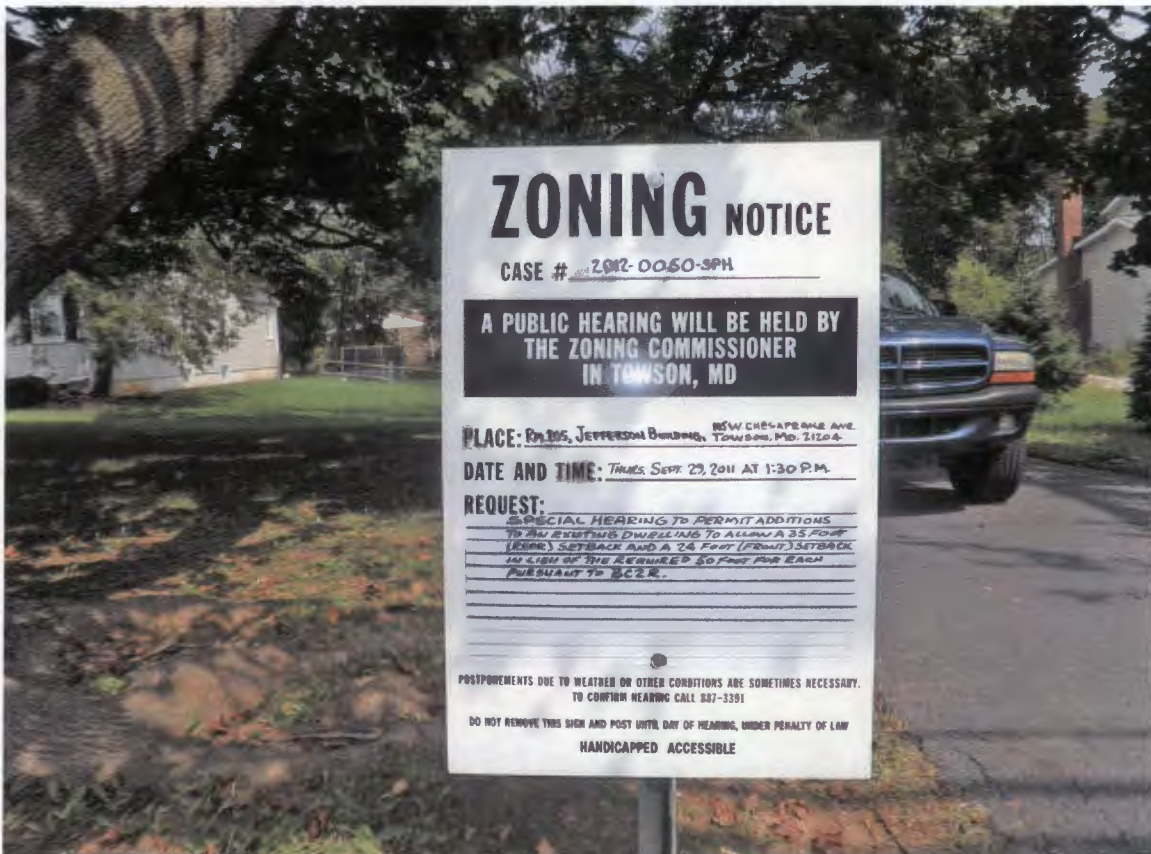
Certificate of Posting
Photograph Attachment

Re: 2012-0050-SPH

Petitioner/Developer: _____

John & Irene Angelos

Date of Hearing/Closing: 9/29/11



11905 Greenspring Ave.

Posting Date: 9/14/11

John & Irene Angelos 9/14/11
(Signature and date of sign poster)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 13, 2011 Issue - Jeffersonian

Please forward billing to:

John Angelos
11905 Greenspring Avenue
Owings Mills, MD 21117

410-252-7155

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0050-SPH

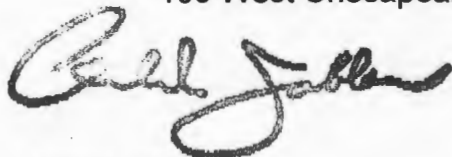
11905 Greenspring Avenue

E/side of Greenspring Ave., 550' S/of Hidden Glen Dr., 280' east along a 12' easement to site
8th Election District – 2nd Councilmanic District

Legal Owners: John & Irene Angelos

Special Hearing to permit additions to an existing dwelling to allow a 35 foot (rear) setback and a 24 foot (front) setback in lieu of the required 50 foot for each pursuant to BCZR.

Hearing: Thursday, September 29, 2011 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

September 6, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0050-SPH

11905 Greenspring Avenue

E/side of Greenspring Ave., 550' S/of Hidden Glen Dr., 280' east along a 12' easement to site
8th Election District – 2nd Councilmanic District

Legal Owners: John & Irene Angelos

Special Hearing to permit additions to an existing dwelling to allow a 35 foot (rear) setback and a 24 foot (front) setback in lieu of the required 50 foot for each pursuant to BCZR.

Hearing: Thursday, September 29, 2011 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. John Angelos, 3001 St. Paul St., Baltimore 21218
Mr. & Mrs. Angelos, 11905 Greenspring Avenue, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., SEPTEMBER 14, 2011.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2012 0050 SPH

Petitioner: Irene N. Angeles

Address or Location: 11905 Greenspring Ave. Owings Mills, MD 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: John C.M. Angeles

Address: 11905 Greenspring Ave.
Owings Mills, MD 21117

Telephone Number: 410 252 7155



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

August 13, 2012

NOTICE OF ASSIGNMENT

CASE #: 12-050-SPH

**IN THE MATTER OF: John C.M. and Irene N. Angelos
Legal Owners/Petitioners**

11905 Greenspring Avenue/8th Election Dist; 2nd Councilmanic District

Re: Petition for Special Hearing to allow additions to an existing dwelling and to allow a 35 ft rear setback and a 24 ft front setback in lieu of the required 50 ft each.

10/19/11 Opinion and Order issued by Administrative Law Judge Kotroco granting requested relief.
11/8/11 Motion for Reconsideration filed by Stuart B. Caplan, Protestant
7/6/12 Letter of John Beverungen, Administrative Law Judge denying Motion for Reconsideration.

ASSIGNED FOR: WEDNESDAY, NOVEMBER 21, 2012, AT 10:00 A.M.

LOCATION: Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

c: Legal Owner/Petitioner : John C.M. and Irene N. Angelos

Appellant/Protestant : Stuart B. Caplan

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

to Amended
1/24

November 29, 2012

NOTICE OF DELIBERATION

CASE #: 12-050-SPH

IN THE MATTER OF: John C.M. and Irene N. Angelos
Legal Owners/Petitioners

11905 Greenspring Avenue/8th Election Dist; 2nd Councilmanic District

Re: Petition for Special Hearing to allow additions to an existing dwelling and to allow a 35 ft rear setback and a 24 ft front setback in lieu of the required 50 ft each.

10/19/11 Opinion and Order issued by Administrative Law Judge Kotroco granting requested relief.
11/8/11 Motion for Reconsideration filed by Stuart B. Caplan, Protestant
7/6/12 Letter of John Beverungen, Administrative Law Judge denying Motion for Reconsideration.

Having concluded this matter on 11/21/12, a public deliberation has been scheduled for the following:

DATE AND TIME: **WEDNESDAY, JANUARY 23, 2013 at 9:15 a.m.**

LOCATION : Jefferson Building - Second Floor - Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Theresa R. Shelton
Administrator

c: Legal Owner/Petitioner : John C.M. and Irene N. Angelos
Appellant/Protestant : Stuart B. Caplan

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

December 6, 2012

AMENDED NOTICE OF DELIBERATION **(AS TO DATE ONLY FROM 1/23/13 TO 1/24/13)**

CASE #: 12-050-SPH

IN THE MATTER OF: John C.M. and Irene N. Angelos
Legal Owners/Petitioners

11905 Greenspring Avenue/8th Election Dist; 2nd Councilmanic District

Re: Petition for Special Hearing to allow additions to an existing dwelling and to allow a 35 ft rear setback and a 24 ft front setback in lieu of the required 50 ft each.

10/19/11 Opinion and Order issued by Administrative Law Judge Kotroco granting requested relief.
11/8/11 Motion for Reconsideration filed by Stuart B. Caplan, Protestant
7/6/12 Letter of John Beverungen, Administrative Law Judge denying Motion for Reconsideration.

Having concluded this matter on 11/21/12, a public deliberation has been scheduled for the following:

DATE AND TIME: THURSDAY, JANUARY 24, 2013 at 9:15 a.m.

LOCATION : Jefferson Building - Second Floor - Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Theresa R. Shelton
Administrator

c: Legal Owner/Petitioner : John C.M. and Irene N. Angelos

Appellant/Protestant : Stuart B. Caplan

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

September 21, 2011

Mr. & Mrs. Angelos
11905 Greenspring Avenue
Owings Mills, MD 21117

RE: Case Number: 2012-0050-SPH, 11905 Greenspring Avenue

Dear Mr. & Mrs. Angelos,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 23, 2011. This letter is not an approval, but only a **NOTIFICATION**.

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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
John C. M. Angelos, 3001 St. Paul Street, Baltimore, MD 21218

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: September 13, 2011

SUBJECT: DEPS Comment for Zoning Item # 12-050-SPH
Address 11905 Greenspring Avenue
(Angelos Property)

Zoning Advisory Committee Meeting of August 29, 2011.

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

1. Any future building permits (for additions) at this site will require review by Groundwater Mgmt.

Reviewer: *Dan Esser; Groundwater Management*

RECEIVED

SEP 14 2011

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: September 2, 2011

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For September 06, 2011
Item Nos. 2012-046, 047, 048, 049, 050
And 051.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-09122011 -NO COMMENTS.doc



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 25, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **August 29, 2011**

Item No.:

Administrative Variance: 2012-0045A, 2012-0047A – 0048A

Variance: 2012-0046A, 2012-0049-SPHA

Special Hearing: 2012-0049-SPHA – 005-SPHA

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



State Highway
Administration

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

Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 8-24-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0050-SPH
Special Highway
John & Irene Angelos
11905 Greenspring Avenue

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. 2012-0050-SPH

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your cooperation.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
11905 Greenspring Avenue; E/S Greenspring *
Avenue, 550' S of Hidden Glen Drive, 280' * ADMINISTRATIVE LAW
E along a 12' easement *
8th Election & 2nd Councilmanic Districts * JUDGE FOR
Legal Owner(s): John & Irene Angelos *
Petitioner(s) * BALTIMORE COUNTY
* 2012-050-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all 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
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

AUG 29 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of August, 2011, a copy of the foregoing Entry of Appearance was mailed to John Angelos, 3001 St. Paul Street, Baltimore, Maryland 21117, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

August 6, 2012

John C.M. and Irene Angelos
11905 Greenspring Avenue
Owings Mills, Maryland 21117



RE: APPEAL TO BOARD OF APPEALS
Case No. 2012-0050-SPH
Location: 11905 Greenspring Avenue

Dear Mr. and Mrs. Angelos:

Please be advised that an appeal of the above-referenced case was filed in this Office on August 2, 2012. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to be "L. Stahl", written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

c: **Baltimore County Board of Appeals**
People's Counsel for Baltimore County
Arnold Jablon, Director, Department of Permits, Approvals, and Inspections
Stuart B. Caplan, 11913 Greenspring Avenue, Owings Mills, MD 21117

APPEAL

Petition for Special Hearing
E/side of Greenspring Avenue, 550' S of Hidden Glen Drive
(11905 Greenspring Avenue)
8th Election District - 2nd Councilmanic District
Legal Owners: John C.M. and Irene N. Angelos
Case No. 2012-0050-SPH

Undated	Zoning Description of Property
July, 2011	Photos (3)
August 23	Petition for Special Hearing filed by John C.M. and Irene N. Angelos
Undated	Advertising Requirements and Procedures for Zoning Hearings
August 29	Entry of Appearance filed by People's Counsel for Baltimore County
September 6	Notice of Zoning Hearing for Petitioners
September 13	Notice of Zoning Hearing for Patuxent Publishing Co.
September 14	Certificate of Posting
September 15	Certificate of Publication
September 21	Correspondence from W. Carl Richards, Jr. and ZAC Comments
September 21	Md. Dept. of Assessments & Taxation (SDAT) Property Info./Map
September 21	Package & photos (12) from Stuart Caplan in opposition
September 29	Petitioner's Sign-In Sheets
October 19	Order and Opinion/Cover Letter from Timothy M. Kotroco
October 19	Petitioner's Exhibits: 1 - Site Plan of property 2 - Large photo of property 3 - Large photo of property 4 - Large photo of property 5 - Letter of Support from neighbor
November 9	Email correspondence from Zook to Lewis
June 15, 2012	Email correspondence from Zook to Lewis
June 20	Email correspondence from Zook to Lewis
June 20	Note to File from Zook
June 20	Letter to Angelos & Caplan from Beverungen
June 25	Letter from Angelos to Beverungen
June 27	Letter from Caplan to Beverungen
July 6	Letter to Angelos & Caplan from Beverungen AND Email correspondence from Wiley to Lewis (Motion for Reconsideration filed by Caplan - DENIED)
August 2	Notice of Appeal, Miscellaneous Cash Receipt and materials filed by Stuart Caplan, 11913 Greenspring Avenue, Owings Mills, MD 21117

c: Baltimore County Board of Appeals
Peter Max Zimmerman, People's Counsel for Baltimore County
Lawrence M. Stahl, Managing Administrative Law Judge
Arnold Jablon, Director, Department of Permits, Approvals and Inspections
John C.M. and Irene Angelos, 11905 Greenspring Avenue, Owings Mills, MD 21117
Stuart B. Caplan, 11913 Greenspring Avenue, Owings Mills, MD 21117

Date Sent: August 6, 2012

Debra Wiley - ZAC Comments - Distribution Meeting of August 29, 2011

From: Debra Wiley
To: Lykens, David; Kennedy, Dennis; Livingston, Jeffrey; Murray, Curtis; Mud...
Date: 9/4/2011 1:52 PM
Subject: ZAC Comments - Distribution Meeting of August 29, 2011

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you have any questions or concerns.

2012-0045-A - 3316 Grace Road
(Administrative Variance - Closing Date: 9/12/11)

2012-0046-A - 25 Greenapple Court

2012-0047-A - 2819 Virginia Avenue
(Administrative Variance - Closing Date: 9/12/11)

2012-0048-A - 2207 Abell Lane
(Administrative Variance - Closing Date: 9/12/11)

2012-0049-SPHA
424 Osage Road

2012-0050-SPH
11905 Greenspring Avenue

No hearing set per data base 9-6

2012-0051-SPHX
9900 Reisterstown Road

2012-0037-A - 1112 Belfast Road
(AV - Closing Date: 9/5/11)
~~2012-0038-A - 1520 Old Eastern Avenue
(No hearing date assigned as of today)~~

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Tim 9/29

Debra Wiley - Case 2012-0050-SPH - another hearing is needed per Tim Kotroco

From: Patricia Zook
To: Lewis, Kristen
Date: 11/9/2011 2:00 PM
Subject: Case 2012-0050-SPH - another hearing is needed per Tim Kotroco
CC: Wiley, Debra

Kristen -

Tim conducted the hearing on this matter and issued an Order dated October 19, 2011. Mr. Caplan did not attend the hearing. On November 8, Tim received a packet of materials from the adjacent property owner, Stuart B. Caplan.

Tim is now requesting that this matter be set in again for a hearing. Please contact Mr. Angelos (Petitioner) and Mr. Caplan so that they can pick a date and time for the hearing. Tim wants both of them to attend the hearing. This will enable both parties to present their cases *in person*. No need to repost or readvertise.

I will place the materials in the 'pick up' box with this e-mail and ask the Zoning Review Office rep to deliver to you.

Thank you for your assistance.

Patti Zook
 Baltimore County
 Office of Administrative Hearings
 105 West Chesapeake Avenue, Suite 103
 Towson MD 21204
 410-887-3868
pzook@baltimorecountymd.gov

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Patricia Zook - Case 2012-0050-SPH Caplan materials

From: Patricia Zook
To: Lewis, Kristen
Date: 6/15/2012 4:28 PM
Subject: Case 2012-0050-SPH Caplan materials

Kristen-

In my quick review of the file, the materials submitted by Caplan on November 8 are missing from the file. This was a packet of materials separately transmitted to the Zoning Review Office after November 9.

There is a packet of materials in the file, but they are dated September 23, prior to the public hearing.

Please advise.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



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Patricia Zook - Fwd: 2012-0050-SPH - Letter to Angelos & Caplan - re: Schedule Another Hearing

From: Patricia Zook
To: Lewis, Kristen
Date: 6/20/2012 4:02 PM
Subject: Fwd: 2012-0050-SPH - Letter to Angelos & Caplan - re: Schedule Another Hearing
CC: Wiley, Debra
Attachments: 2012-0050-SPH ANGELOS _ LETTER RE ANOTHER HEARING

Kristen -

Please find attached Judge Beverungen's letter dated June 20, 2012 to John Angelos and Stuart Caplan related to them contacting you to schedule another hearing.

The file is being placed in the 'pick up' box.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov



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KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

June 20, 2012

JOHN C.M. ANGELOS
11905 GREENSPRING AVENUE
OWINGS MILLS, MD 21117

STUART B. CAPLAN
11913 GREENSPRING AVENUE
OWINGS MILLS, MD 21117

RE: Petition For Special Hearing
(11905 Greenspring Avenue)
Case No. 2012-0050-SPH

Dear Messrs. Angelos and Caplan:

The file in the above case was sent back to this Office recently, and I understand Mr. Caplan phoned the Department of Permits, Approvals and Inspections to inquire about a hearing date in this case.

In my review of the file, it appears that Administrative Law Judge Kotroco issued an Order dated October 19, 2011, granting Petitioner's zoning relief. Thereafter, and within the 30 day time limit, Mr. Caplan sought reconsideration of that Order. Administrative Law Judge Kotroco noted in the file that Messrs. Angelos and Caplan were to contact each other to select a date for a hearing on that motion. Evidently, for whatever reason, that never occurred.

Therefore, upon receipt of this correspondence, the Petitioner and his neighbor Mr. Caplan should select a date for the hearing, and contact Ms. Lewis in the Department of Permits, Approvals and Inspections (410-887-3391), who will handle the scheduling of this matter. The property does not need to be reposted nor does Petitioner need to submit another newspaper advertisement.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

c: Kristen Lewis, Department of Permits, Approvals and Inspections

Debra Wiley - Ltr.2012-0050-A Motion for Reconsideration - 11905 Greenspring Ave. - Angelos/Caplan

From: Debra Wiley
To: Lewis, Kristen
Date: 7/6/2012 2:33 PM
Subject: Ltr.2012-0050-A Motion for Reconsideration - 11905 Greenspring Ave. - Angelos/Caplan
CC: Adams, Sarah; Fisher, June; Zook, Patricia
Attachments: Ltr.2012-0050-A Motion for Reconsideration.doc

Hi Kristen,

As a result of John Beverungen's letter, dated June 20, 2012, wherein he indicated that Petitioner and his neighbor, Mr. Caplan, should select a date for the hearing and contact Kristen Lewis, our office has received letters responding to John from both Angelos & Caplan concerning the Motion for Reconsideration filed by Mr. Caplan. In order for John to properly respond, June Fisher was kind enough to retrieve the file from your office in order to respond.

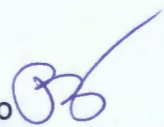
Please find attached John's response, dated July 6, 2012. John is denying that Motion and this ruling shall be considered the final decision in this case. Mr. Caplan has the right to appeal this to the BOA, and our office will hold onto the file for that 30-day appeal period as we normally do. If no appeal is filed, we will return it to the Zoning Review Office.

Hope this clarifies this outstanding issue. Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

M E M O R A N D U M

TO: To the File

FROM: Patricia Zook, Legal Secretary to 
John E. Beverungen, Administrative Law Judge
Office of Administrative Hearings

DATE: June 20, 2012

SUBJECT: Petition For Special Hearing
Case No. 2012-0050-SPH
(11905 Greenspring Avenue)

The case file does not contain the reconsideration paperwork submitted by Stuart B. Caplan on November 8, 2011. The paperwork was placed in the 'pick up' box on November 8, 2011 with a note to place them in the case file. The paperwork was picked up by Rose Campbell on November 29, 2011.

For whatever reason, the paperwork was not placed in the case file as was requested.

Law Office
John C.M. Angelos, Esquire

June 25, 2012

Zoning Review, County Office Building
Mr. John E. Beverungen, Esq.
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD. 21204

RECEIVED
JUN 26 2012
OFFICE OF ADMINISTRATIVE HEARINGS

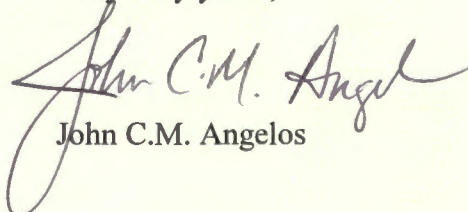
RE: Case No. 2012-0050-SPH

Dear Judge Beverungen:

I am responding to your letter dated June 20, 2012. There was a hearing scheduled on this matter on September 29, 2011 at 1:30 PM. The parties consented to this date. I appeared and presented my case, complete with exhibits and architectural drawings. Mr. Caplan did not appear, but sent a letter in opposition. It was entered into the record. After a complete review of all the evidence, Judge Kotroco issued his written decision approving the variance on October 19, 2011. His written decision was delivered to both parties. Since then, I have never been provided any information in the past eight (8) months that Judge Kotroco's order was anything but valid and enforceable and have relied affirmatively on his ruling.

I object to the re-opening of this matter because Mr. Caplan failed to provide proper notice or service on me concerning any reconsideration of the Judge's decision. However, in respect for the process, if there is a time-stamped letter from Mr. Caplan that he filed within the appeal time which outlines his reasons for disagreeing with Judge Kotroco, please forward it to my office immediately so I may provide a written response to his allegations. If we are able to ascertain all the facts, this may be a matter that Judge Kotroco can resolve amicably without the need to schedule a hearing. Thank you.

Very truly yours,



John C.M. Angelos

Cc: Mr. Stuart Caplan

Licensed to practice in MD, DC and NY

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: John and Irene Angelos – LO/Petitioners

12-050-SPH

DATE: January 24, 2013

BOARD/PANEL: Maureen Murphy, Panel Chair
Andrew Belt
David Thurston

RECORDED BY: Sunny Cannington/Legal Secretary

PURPOSE: To deliberate the following:

1. Petition for Special Hearing to allow additions to an existing dwelling and to allow a 35 ft rear setback and a 24 ft front setback in lieu of the required 50 ft each.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

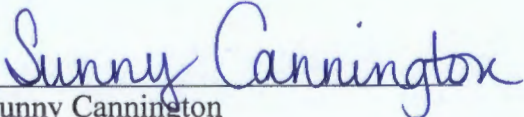
STANDING

- The Board reviewed the history of this matter as well as the evidence and testimony presented at the hearing.
- The Board determined that while a Petition for Special Hearing was filed, the relief requested would require a Variance. The parties argued the variance and Cromwell v. Ward.
- The Board determined that the property does not meet the standards of Cromwell for uniqueness.
- The Board also determined that the hardship is self imposed.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to DENY the Petition for Special Hearing.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,


Sunny Cannington

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: April 12, 2013

TO: David Duvall
Zoning Review Office
Permits, Approvals & Inspections

FROM: Sunny Cannington, Legal Secretary
Board of Appeals

SUBJECT: CLOSED APPEAL CASE FILES/CASES DISMISSED

The following cases have been closed as of the above date and are being returned to your office for storage.

Case No: Case Name:

12-050-SPH	John and Irene Angelos (Large Exhibits attached)
12-228-A	Hermann and Anne Schmid
12-259-A	Wayne A. Sody

c: Arnold Jablon, Director/PAI
Michael Field, County Attorney
Nancy West, Assistant County Attorney

PLEASE PRINT CLEARLY

CASE NAME Angelos
CASE NUMBER 2012-0050-SPH
DATE 9-29-11

PETITIONER'S SIGN-IN SHEET

[illegible]





My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

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[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 0819035650

Owner Information

Owner Name: CAPLAN STUART BYRON **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 11913 GREENSPRING AV
OWINGS MILLS MD 21117-1605 **Deed Reference:** 1) /07855/ 00583
2)

Location & Structure Information

Premises Address 11913 GREENSPRING AVE
0-0000 **Legal Description** 1.77 AC
NES GREENSPRING AVE
1100 FT N CAVES RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0050	0020	0273		0000				2	Plat Ref:

Town NONE

Special Tax Areas

Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1960	1,099 SF	1.7700 AC	04

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	242,320	169,600		
Improvements:	80,260	69,200		
Total:	322,580	238,800	238,800	238,800
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
SHOUMAN ROBERT G	05/09/1988	\$124,900
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/07855/ 00583	

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status: Approved 04/30/2008

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
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[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 08 Account Number - 0807061330

Owner Information

Owner Name: ANGELOS IRENE NICOLAIDIS **Use:** RESIDENTIAL
ANGELOS JOHN C M **Principal Residence:** YES
Mailing Address: 11905 GREENSPRING AVE **Deed Reference:** 1)/16069/ 00410
OWINGS MILLS MD 21117-1605 2)

Location & Structure Information

Premises Address **Legal Description**
11905 GREENSPRING AVE 2 AC
0-0000 NES GREENSPRING AVE
900FT N OF CAVES RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0050	0020	0243		0000				2	Plat Ref:

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1984	2,730 SF	2.0000 AC	04

Stories	Basement	Type	Exterior
1.000000	YES	SPLIT FOYER STONE	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	275,000	192,500		
Improvements:	265,380	176,700		
Total:	540,380	369,200	369,200	369,200
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
NICOLAIDIS IRENE	02/05/2002	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /16069/ 00410	Deed2:
Seller: NICOLADIS KONSTANTINOS	Date: 06/24/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12966/ 00458	Deed2:
Seller: SMITH HARRY MILTON,SR	Date: 01/14/1976	Price: \$24,000
Type: ARMS LENGTH IMPROVED	Deed1: /05600/ 00244	Deed2:

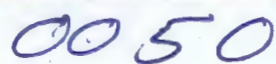
Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: Approved 08/23/2008



September 21, 2011

Baltimore County Zoning Review
County Office Building
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

RECEIVED

SEP 23 2011

OFFICE OF ADMINISTRATIVE HEARINGS

RE: BCZR Case No.: 2012-0050-SPH
Request for Setback Variance
11905 Greenspring Avenue (Owings Mills, 21117)

To Whom It May Concern,

Please accept this submission as backup to my opposition to the above variance request.

I am a neighbor of the above applicants, Mr. & Mrs. John Angelos. Our properties are adjacent, and our houses are parallel and directly across from one another (back of my house faces the back of their house). My property address is 11913 Greenspring Avenue (Owings Mills, 21117). [Reference: Photo #1]

It is my understanding, from my conversation with Mr. Angelos, that the referenced variance request was filed to accommodate two building additions. One addition would extend out from the east (garage) side of their house, and the other addition, which would impact me, would be a stand alone structure extending off the rear of their house. Pursuant to this meeting, Mr. Angelos sent me correspondence dated September 8, 2011, which I responded to on September 19, 2011. [Copies attached]

Reasons for my opposition to the granting of said variance are as follows:

1. Runoff created by the addition. My backyard becomes a huge lake during any strong storm event. Given the decrease in setback between the proposed stand alone structure and the property line, I am concerned that the additional runoff, created by the roof area of the addition, will not have sufficient surface area to be absorbed into the ground before crossing over to my property. [Reference: Photo #5]
2. Devaluation of property value. The backs of our houses are already closer than any other properties in the area. [Reference: Photos #2, 9, 10, 11] I estimate the distance from the rear of my house to the property line at being approximately 50', maybe less. My house was constructed in 1960, and the Angelos' house was constructed in 1984. I purchased my house in May 1988 because of the privacy and openness of the location.

BALTIMORE COUNTY ZONING REVIEW
BCZR Case No.: 2012-0050-SPH
SEPTEMBER 21, 2011
PAGE TWO

2. Continued...

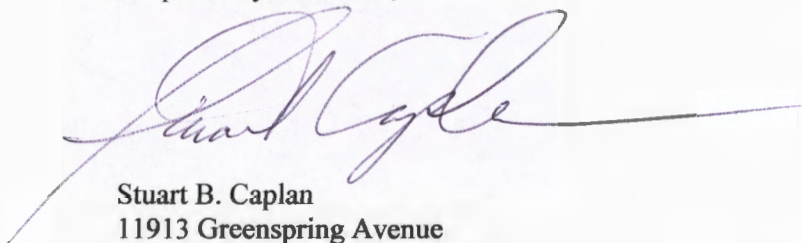
Because of the degree to which the proposed stand alone structure would encroach upon the standard setback, I asked a professional realtor to pay a site visit to my property and give me her input. She advised me that if the addition was build that close to the property line that it would impact not only the value of my property, but also the desirability. She noted that families value a backyard setting to gather. She also noted the awkwardness, of having the backs of both houses so close together when each had such a wide open field to the east. [Reference: Photos #3 through 8]

In conclusion, Mr. Angelos had informed me that the stand alone addition was to be used for his young children's bedroom, so there bedroom would not be that far away from his and his wife's. This is understandable, but the children will grow up and the stand alone structure will still be that close to the property line. In my correspondence to Mr. Angelos, I asked him to consider, in lieu of a stand alone structure, which takes up a great deal of space, an extension onto the back of the house which would not encroach so much into the setback, or to add the space to the addition planned for the east side of the house.

I like the Angelos, but the bottom line is that they have options where I have none. To build a stand alone structure in a limited amount of space, is one thing. But couple it with the close proximity of the backs of our houses and the impact to me is significant. As such, I respectfully request that the setback variance for this stand alone addition be denied.

If you have any questions concerning the matters discussed above, please do not hesitate to contact me.

Respectfully submitted,



Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, Maryland 21117
(410) 560-0403

September 19, 2011

John & Irene Angelos
11905 Greenspring Avenue
Owings Mills, Maryland 21117

Mr. John C.M. Angelos, Esq
3001 Saint Paul Street, Suite 1
Baltimore, Maryland 21218

RE: Request for Setback Variance at 11905 Greenspring Avenue
BCZR Case No.: 2012-0050-SPH

Dear John,

I am in receipt of your September 8, 2011 letter regarding our discussion concerning your plans to build onto your current residence. I am also in receipt of the accompanying copy of Baltimore County's "Notice of Zoning Hearing" that you included.

As you stated in the letter, among other things, we discussed the reasons for, and the basic layout of the two additions to your house: the one large addition coming off, and replacing, the garage portion of the house, and the other being a "stand alone" extension coming off the rear of your house for the kids bedrooms, the latter of which requires the variance in the setback code. But, I do not recall you ever mentioning the specifics regarding the changes to the setback distances you were requesting, at the time of our discussion.

As you know, the backs of our houses are facing one another and are pretty much parallel. Although I would have to measure it to be accurate, I believe I only have 50' between the rear of my house and our joining property line. Where I would not be opposed to a small reduction in the setback requirement, I have major reservations when it comes to reducing the 50' setback requirement to 35 feet (30% reduction) and 24 feet (52% reduction).

Whenever it rains, not just during the last event, the area of my yard in back of my house, around the large maple tree, becomes a huge pool of water. During the last event, my basement flooded. I am concerned that the increase runoff from the roof of your new addition will not have enough ground surface area, between the footprint of the new addition and our property line, to absorb the runoff before it crosses over to my property.

In addition to the above concern, I discussed the situation with a realtor friend of mine who enlightened me to the fact that the desirability (value) of my property would be diminished because of the privacy issue with having another dwelling so closed to the back of my house. As she explained, in any other neighborhood, it might not be as much an issue, but given where we live and the fact that the rears of our houses would be closer than any other houses in the area, it would be a turn-off to a potential buyer. As the rear of a house is the typical gathering place for families, I can see her point.

JOHN & IRENE ANGELOS
SETBACK VARIANCE REQUEST:
BCZR CASE NO: 2012-0050-SPH
SEPTEMBER 19, 2011
PAGE TWO

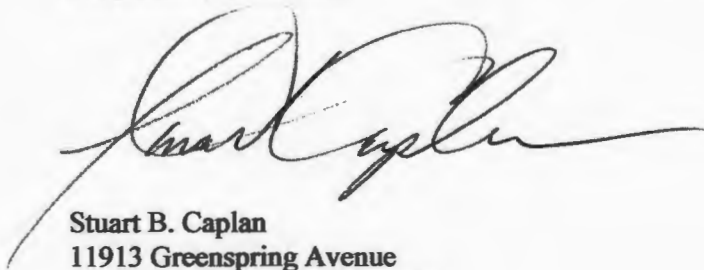
John, I have always looked out for you and Irene, whether we were in contact or not. I would go to bat for you guys if you needed me to, but in this case, I am opposed to your variance request.

I could live with cutting into the 50' setback 10 feet, to accommodate your new addition, but reducing the setback by 26 feet, to add a "stand alone" structure, is just too much, particularly considering it's close proximity to the rear of my house, and potential impact on my property.

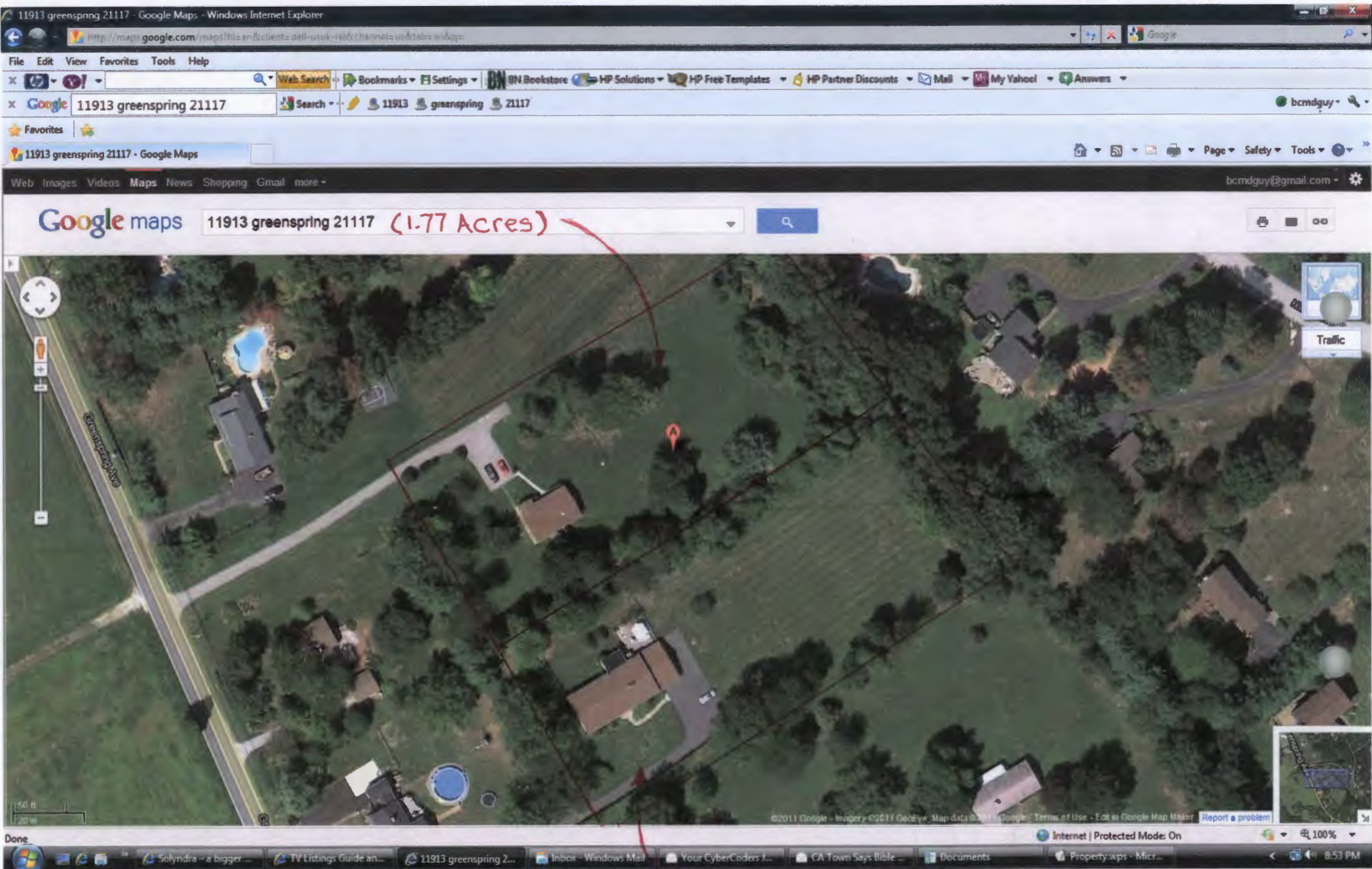
It pains me to take this position, because I want us to be and remain good neighbors. But whereas you have an option to either build onto the back of your house to minimize the reduction to the setback requirement, or include this addition in with the addition on the other side of the house, in which case no variance would be needed, I have no option.

I trust you understand and will respect my position with regard to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stuart B. Caplan", with a long, sweeping horizontal line extending to the right.

Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, Maryland 21117



11905 Greenspring Avenue (2.0 Acres)

PHOTO #1



10/16/16 10:16 AM 10/16/16

10/16/16 10:16 AM 10/16/16

10/16/16 10:16 AM 10/16/16 10/16/16 10:16 AM 10/16/16

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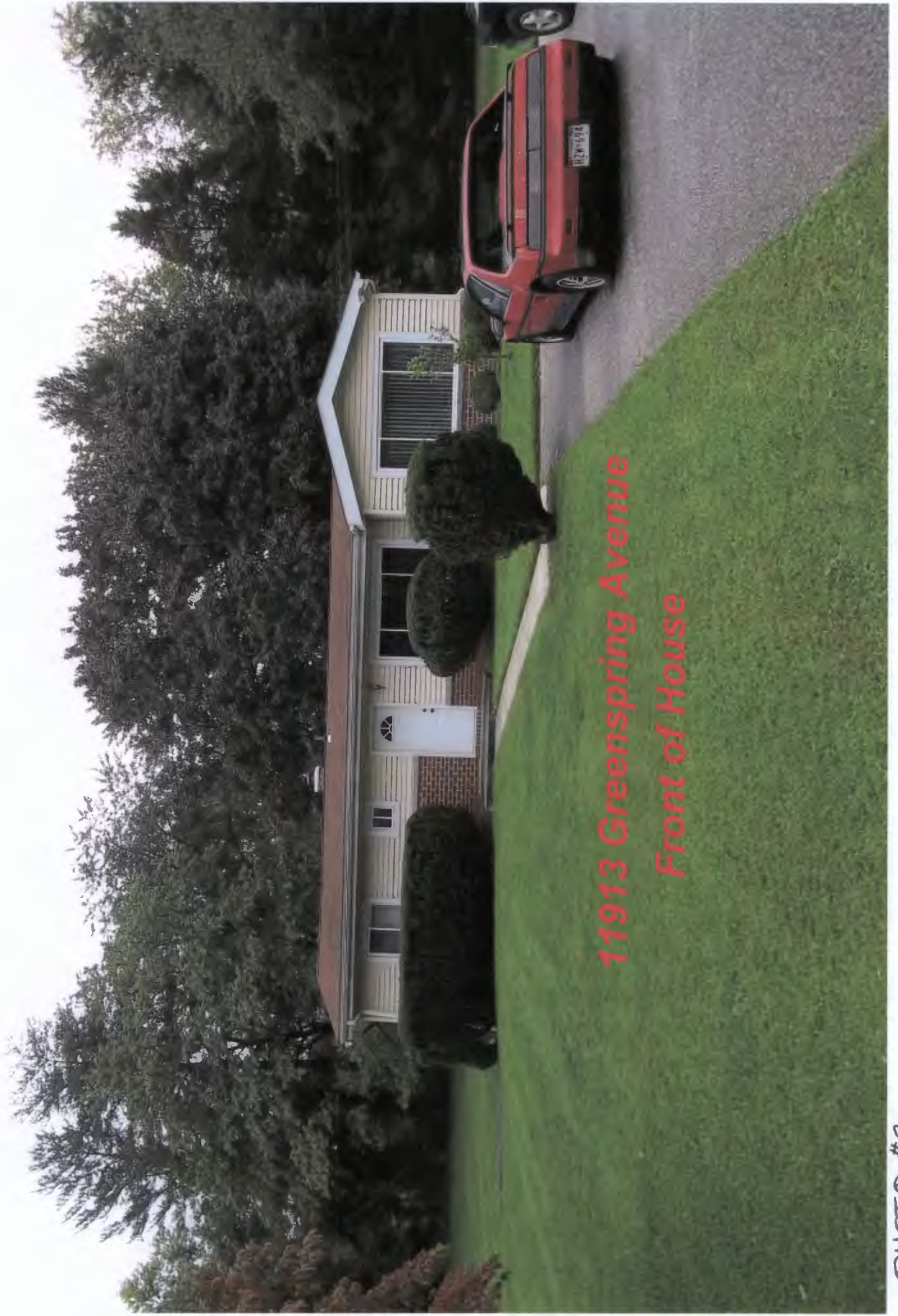


PHOTO #3



11913 Greenspring Avenue
Shows Relationship to Back of
11905 Greenspring Avenue

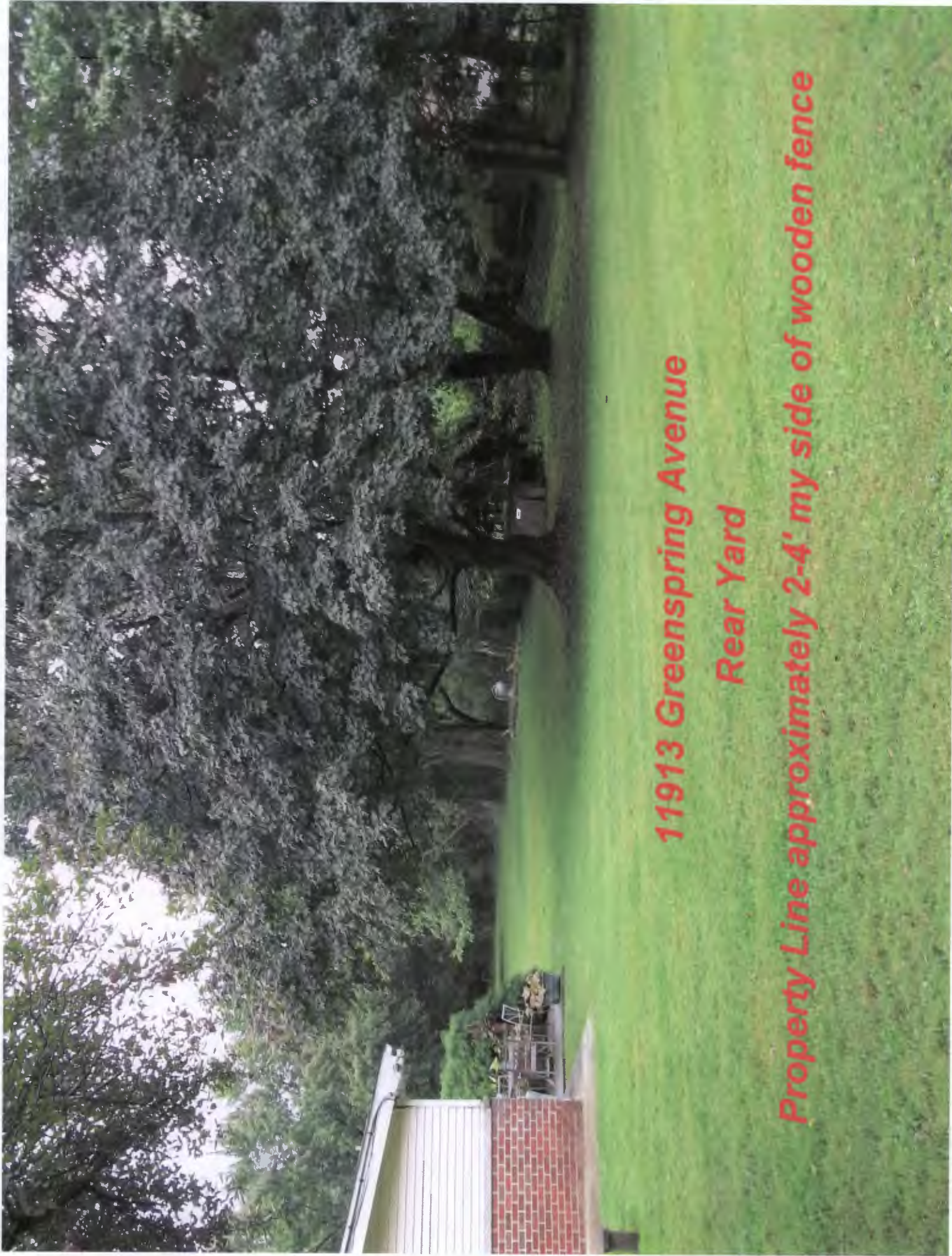


11905 Greenspring Avenue
Proposed Stand Alone Addition

Rain Water Ponds around base of tree

Well Cap

11913 Greenspring Avenue



11913 Greenspring Avenue

Rear Yard

Property Line approximately 2-4' my side of wooden fence



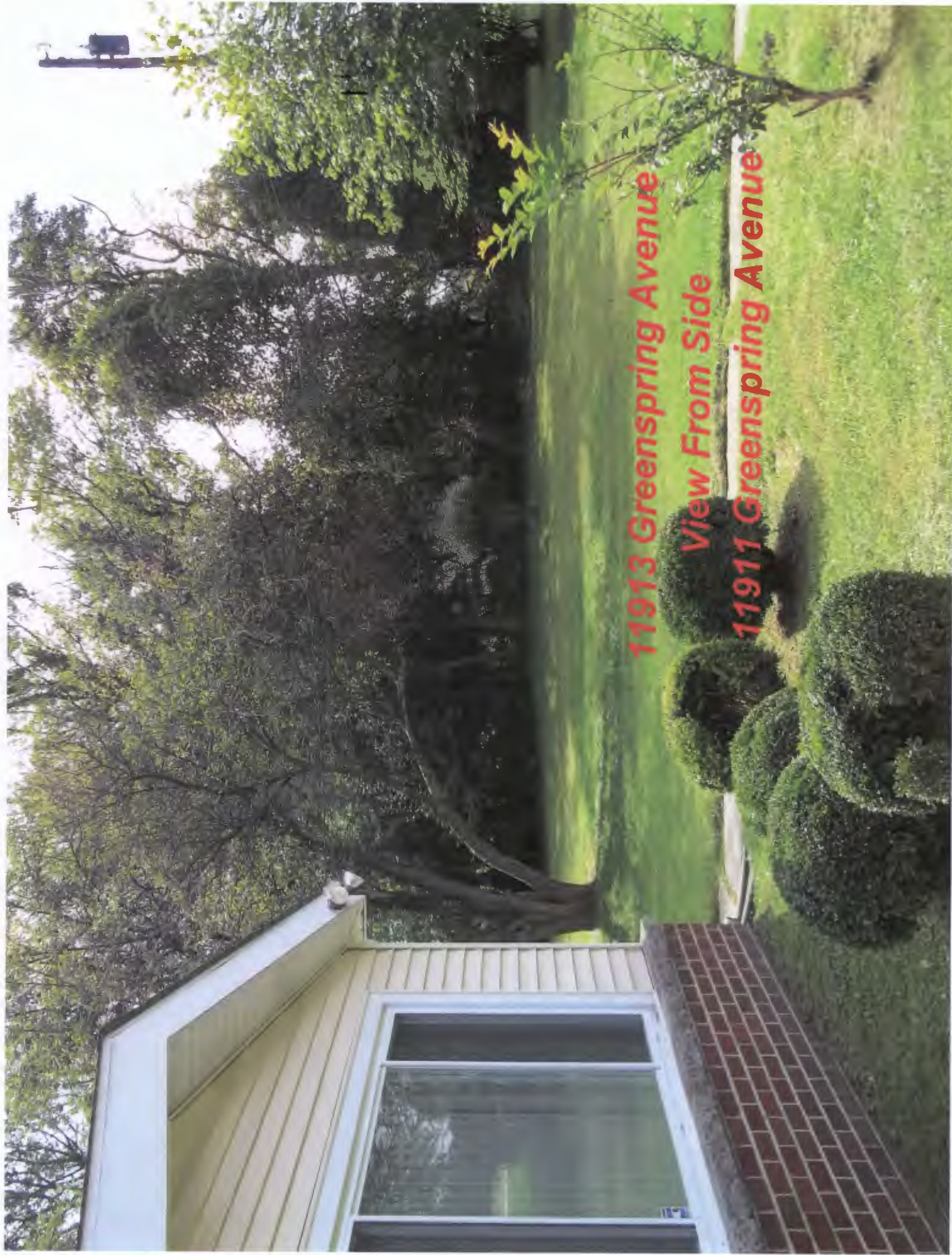
11905 Greenspring Avenue
Proposed Stand Alone Addition

11913 Greenspring Avenue
View From Rear Patio



11905 Greenspring Avenue
Location Proposed
Stand Alone Structure

11913 Greenspring Avenue
View of Rear Yard



11913 Greenspring Avenue

View From Side

11911 Greenspring Avenue





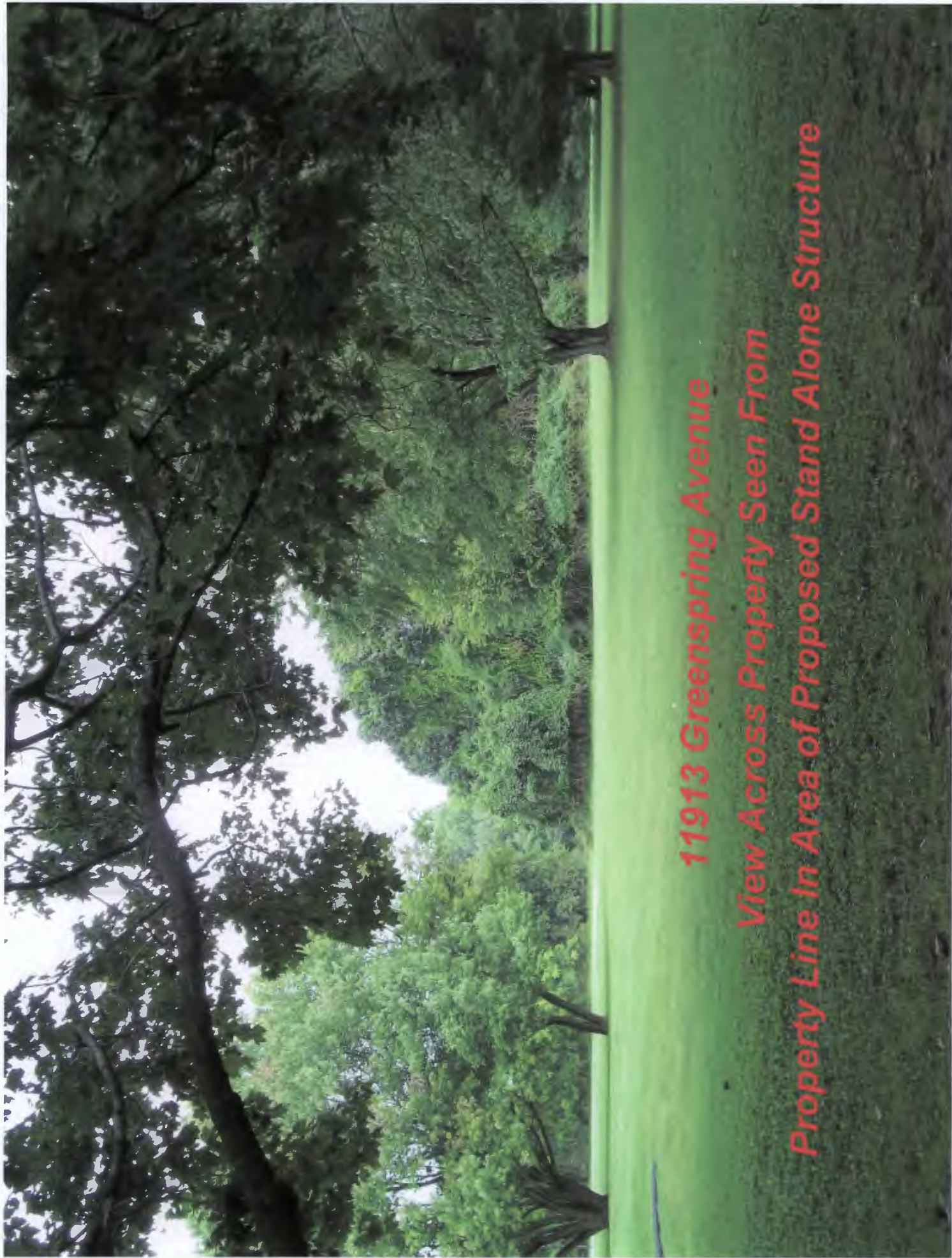
11913 Greenspring Avenue
View From Front
2311 Hidden Glen Drive



11913 Greenspring Avenue

View From Side

Looking East



11913 Greenspring Avenue

*View Across Property Seen From
Property Line In Area of Proposed Stand Alone Structure*

PHOTO # 12 A

Case No: 12-050 SPHCase Name: Angelo's

Exhibit List

Party: ProtestantDate: 11/21/12

Exhibit No:	Description:
✓ 1-	Protestant Notebook - 1 through 15 1b. My Neighborhood Map.
✓ 2	Window View / Photo
✓ 3	Photo / Property Line
✓ 4	Photo / Tree View
✓ 5	Photo / other neighbor - car
✓ 6	Photo / - Front Angelo Property
✓ 7	Photo / Tree Line
✓ 8	Photo / Lawn
✓ 9	- Flat / Plan
✓ 10	Plan
✓ 11	Topo Map
✓ 12	Topo Map
✓ 13	Flood picture 8/20
✓ 14	Flood picture 8/20
VERIFIED BY <u>KXC</u> DATE: <u>11/21/12</u>	

✓ 15- Letter from Realtor / ("Rejected")

Baltimore County, MD
Wednesday, November 21, 2012

SECTION 1A04. R.C.5 (Rural-Residential) Zone

§ 1A04.1. General provisions.

A. Legislative statement of findings.

1. Declaration of findings. It is found that:

- a. The rural-residential development that has occurred in Baltimore County heretofore has been of a scattered and generally disorderly nature;
- b. This form of development constitutes a wasteful use of land and is fiscally expensive to serve with respect to the provision of basic services;
- c. In some cases lot sizes are inadequate to assure long-term adequacy of on-lot sewer and water systems;
- d. That unless measures are implemented to assure more rational growth patterns, including adequate lot size, undue financial hardships will be placed on Baltimore County and the life, safety and general welfare of the citizens of the county will be adversely affected;
- e. That specific areas which are highly suitable for rural-residential development do exist; and
- f. That these areas are adequate to accommodate anticipated future growth in the rural area and that future growth should be directed to these areas.

B. Purpose. The R.C.5 zoning classification is established, pursuant to the legislative findings above, in order to:

1. Provide for rural-residential development in suitable areas in which basic services are not anticipated.
2. Eliminate scattered and generally disorderly patterns of future rural-residential development.
3. Assure that encroachments onto productive or critical natural resource areas will be minimized.

Prot Ex 1



LONG & FOSTER® REAL ESTATE, INC.
PROSPERITY MORTGAGE® COMPANY
LONG & FOSTER SETTLEMENT SERVICES
LONG & FOSTER INSURANCE AGENCY, INC.

(Not Ex IS REJECTED)

LONG & FOSTER REAL ESTATE, INC.
GREENSPRING VALLEY/LUTHERVILLE OFFICE

10801 Tony Drive
Lutherville, Maryland 21093
Office: 410-583-5700
Fax: 410-583-1303
www.GreenspringMD.com

Executive Offices
14501 George Carter Way
Chantilly, VA 20151
703-653-8500
www.longandfoster.com

Oct. 24, 2011

Dear Stuart,

As per our discussion this morning, this is to confirm that many Buyers will be "turned off" if a home in your backyard is very close to you property line. Buyers prefer to have privacy in their yard...especially in the rear yard. If your neighbor extends his home closer to yours (and into the 50 ft. setback line), it may very well affect your ability to sell your home and would most definitely diminish the value.

Sincerely,

A handwritten signature in black ink that reads 'Linda Seidel'.

Linda Seidel

APPEAL OF SPECIAL HEARING
CASE NO. 2012-0050-SPH

INDEX OF EXHIBITS (S. Caplan)

1. R.C.5. Rural Residential- Height and Area Regulations Diagram (1A04.3.).
2. Aerial View of Surrounding Neighborhood.
3. Plan & Large Scale Views of Angelos' Additions.
4. Contour Map. Supplied by Al Wirt, Baltimore County Dept Of Storm Water management.
5. Contour Map with proposed expansion superimposed on it.
6. Photos of Backyard Flooding. Water flowing off neighbor's property across back of property toward SE corner of house.
7. Baltimore County Zoning Regulation- Section 307.1: Authority to grant variances; procedures and restrictions.
8. Long & Foster Letter, Linda Seidel, dated 10-24, 2011. Impact on property value and desirability.
9. Beverungen Letter, dated July 6, 2012. Denial of Motion To Reconsider.
10. Beverungen Letter, dated June 20, 2012. Where he explains former Judge Kotrocco's intent to have another meeting as a result of Request for Consideration.
11. Original Ruling by Judge Kotrocco, dated 10-19-2011.
12. Case Cited Case No. 2011-0302-A. Submitted with opposition letter.
13. Real Property Data, Stuart Caplan, 11913 Greenspring Avenue.
14. Real Property Data, John & Irene Angelos, 11905 Greenspring.
15. Caplan Resume.



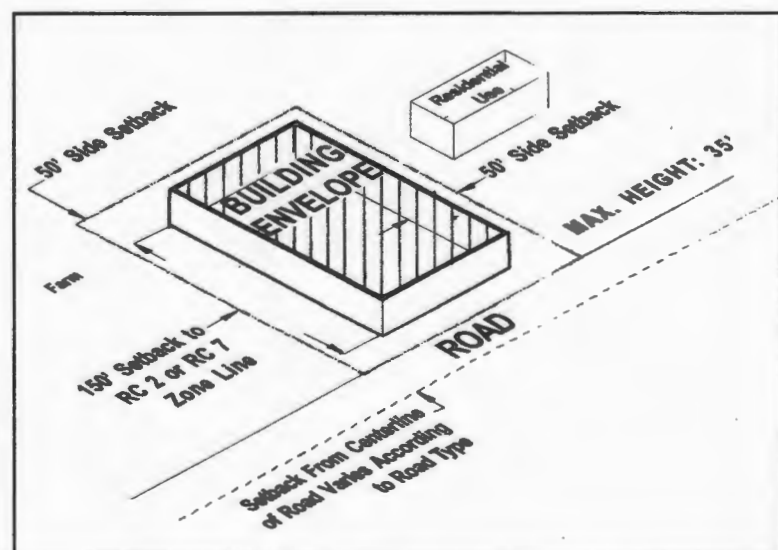
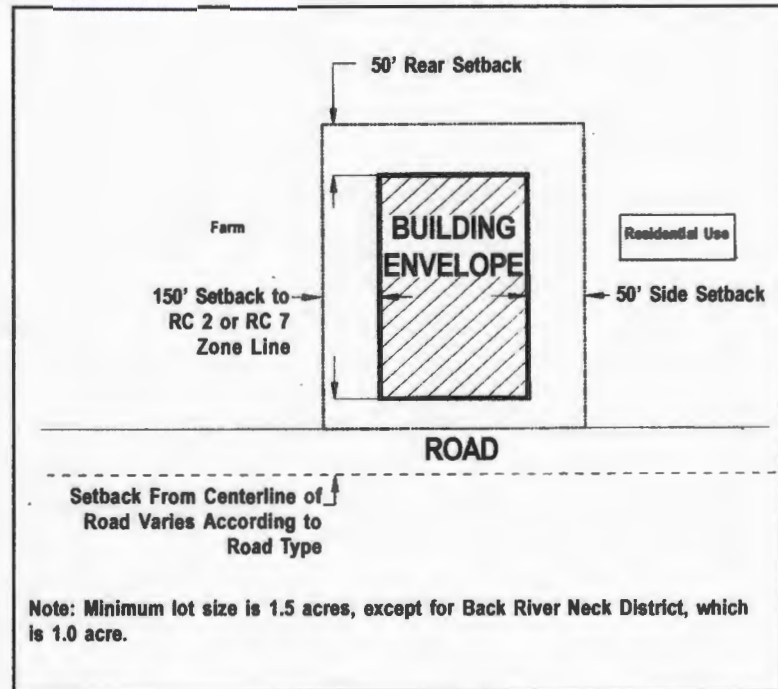
RC-5 Rural Residential

Intent: To provide for rural residential development in areas of Baltimore County where public water and sewer are not anticipated. It is intended that the placement of the zone will help eliminate encroachment onto productive agricultural and watershed areas.

Typical Uses Permitted by Right: Single-family dwelling, farm, school, assisted living 'Class A.'

Typical Uses Permitted by Special Exception: Antique shop, golf course/country club.

Note: Subject to performance standards that include architectural review.



Height and Area Requirements

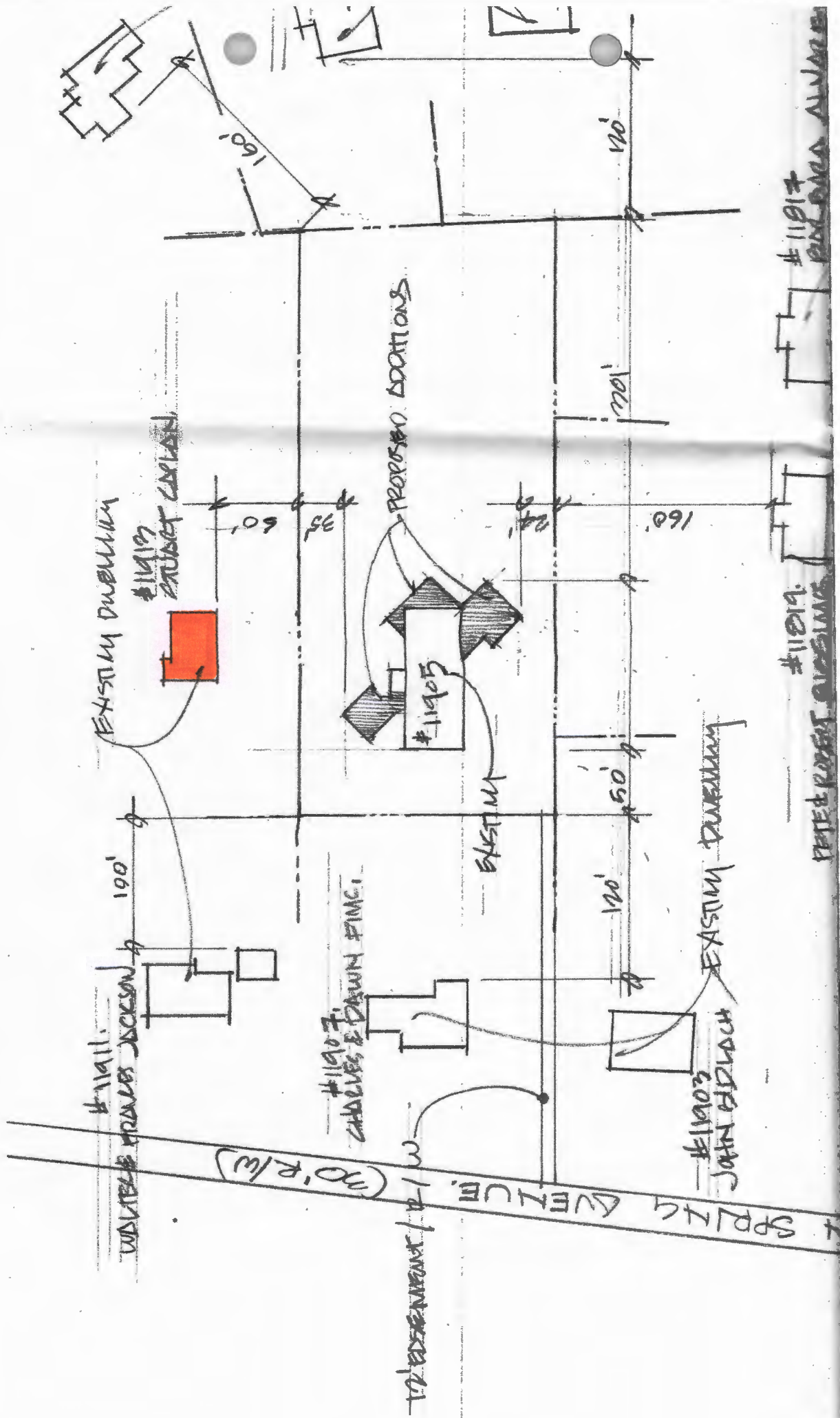


My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.







October 29, 2012. Photo #1. Begining of flooding from Hurricane Sandy. Note neighbor planted white pine trees on 10-9-2012. Rain intensified later that night.

SECTION 307. VARIANCES

§ 307.1. Authority to grant variances; procedures and restrictions.

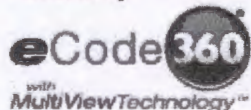
[BCZR 1955; Bill Nos. 107-1963; 32-1988; 2-1992; 9-1996]

§ 307.1. Authority to grant variances; procedures and restrictions.

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 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. *Editor's Note: Apparently conflicts with certain provisions found in the Baltimore County Code, 2003, as revised, which prescribe requirements with respect to notice and hearing regarding conventional reclassification petitions that differ from those which it prescribes regarding variance petitions. See the Appendices of this volume for excerpts from the Baltimore County Code, 2003. See Section 32-3-301 for authority of the Zoning Commissioner to grant variances, and Section 32-3-103 for provision regarding conflicts between Article 32, Title 3 of the Baltimore County Code, 2003 and the Zoning Regulations.* **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.**

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703-653-8500
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Oct. 24, 2011

Dear Stuart,

As per our discussion this morning, this is to confirm that many Buyers will be "turned off" if a home in your backyard is very close to you property line. Buyers prefer to have privacy in their yard...especially in the rear yard. If your neighbor extends his home closer to yours (and into the 50 ft. setback line), it may very well affect your ability to sell your home and would most definitely diminish the value.

Sincerely,

A handwritten signature in black ink that reads "Linda Seidel". The signature is fluid and cursive.

Linda Seidel



KEVIN KAMENETZ
County Executive

July 6, 2012

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

John C.M. Angelos
11905 Greenspring Avenue
Owings Mills, Maryland 21117

Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, Maryland 21117

RE: Petition for Special Hearing
(11905 Greenspring Avenue)
Case No. 2012-0050-SPH

Dear Messrs. Angelos and Caplan:

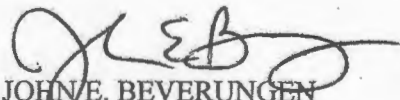
I have received and reviewed the letters each of you submitted concerning the Motion for Reconsideration filed by Mr. Caplan. While the Zoning Commissioner's Rules do not expressly state that a copy of such motion must be served on each interested party in the case, that of course is a fundamental requirement in quasi-judicial proceedings. I don't believe Mr. Caplan is an attorney, and it is therefore understandable he would not be aware of such a requirement. In any event, we now have a scenario where zoning relief was granted nearly nine months ago, and the Motion for Reconsideration has been pending for almost that long, even though the Rules require the zoning commissioner to "rule on the motion within 30 days from the date which the motion is accepted for filing."

In these circumstances, I will dispense with the necessity of a hearing on the motion, as I am permitted to do under the Rules. The points raised in Mr. Caplan's Motion for Reconsideration are -- in large part -- the same ones he set forth in his letter of opposition that Judge Kotroco entered into the case file. As such, I will deny the Motion for Reconsideration filed by Mr. Caplan.

In Mr. Caplan's June 27, 2012 correspondence, he cites Cromwell v. Ward and correctly notes the stringent standards for variance relief. In this case, Judge Kotroco did not grant variance relief; rather, Mr. Angelos was granted special hearing relief pursuant to the regulations for R.C.5 zones. As such, Cromwell is not applicable in these circumstances.

This ruling shall be considered the final decision in the above case. Any party wishing to appeal this decision may do so by filing, within 30 days, an appeal to the Baltimore County Board of Appeals. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

c: Kristen Lewis, Department of Permits, Approvals and Inspections



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

June 20, 2012

JOHN C.M. ANGELOS
11905 GREENSPRING AVENUE
OWINGS MILLS, MD 21117

✓STUART B. CAPLAN
11913 GREENSPRING AVENUE
OWINGS MILLS, MD 21117

RE: Petition For Special Hearing
(11905 Greenspring Avenue)
Case No. 2012-0050-SPH

Dear Messrs. Angelos and Caplan:

The file in the above case was sent back to this Office recently, and I understand Mr. Caplan phoned the Department of Permits, Approvals and Inspections to inquire about a hearing date in this case.

In my review of the file, it appears that Administrative Law Judge Kotroco issued an Order dated October 19, 2011, granting Petitioner's zoning relief. Thereafter, and within the 30 day time limit, Mr. Caplan sought reconsideration of that Order. Administrative Law Judge Kotroco noted in the file that Messrs. Angelos and Caplan were to contact each other to select a date for a hearing on that motion. Evidently, for whatever reason, that never occurred.

Therefore, upon receipt of this correspondence, the Petitioner and his neighbor Mr. Caplan should select a date for the hearing, and contact Ms. Lewis in the Department of Permits, Approvals and Inspections (410-887-3391), who will handle the scheduling of this matter. The property does not need to be reposted nor does Petitioner need to submit another newspaper advertisement.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

c: Kristen Lewis, Department of Permits, Approvals and Inspections

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E/side of Greenspring Ave., 550' S of		
Hidden Glen Drive	*	OFFICE OF ADMINISTRATIVE
(11905 Greenspring Avenue)		
8 th Election District	*	HEARINGS FOR
2 nd Council District		
	*	BALTIMORE COUNTY
John C.M. and Irene N. Angelos		
Petitioners	*	CASE NO. 2012-0050-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as Petition for Special Hearing filed by the legal owners of the property, John C.M. and Irene N. Angelos. The Petitioners are requesting Special Hearing relief pursuant to Section 1A04.3.B.1.b(1) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit additions to an existing dwelling to allow a 35 foot (rear) setback and a 24 foot (front) setback in lieu of the required 50 foot for each. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing held for this case was Petitioner John C.M. Angelos. There were no Protestants or other interested persons present. Prior to the hearing, it should be noted that letters and photographs were received from Stuart B. Caplan of 11913 Greenspring Avenue who opposes the variance request. Mr. Caplan did not appear in person at the hearing; however, his letter and photographs were discussed with the Petitioner.

The ZAC comments were received and made a part of the file. Comments were received from the Department of Environmental Protection and Sustainability (DEPS), dated September 13, 2011, which indicate any future building permits (for additions) at the site will require review by Groundwater Management.

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N Side of Hopkins Road @ Corner of		
E Side of Dorking Road	*	OFFICE OF ADMINISTRATIVE
9 th Election District		
5 th Councilmanic District	*	HEARINGS FOR
(300 Hopkins Road)		
	*	BALTIMORE COUNTY
Christiane M. Rothbaum		
<i>Legal Owner</i>	*	CASE NO: 2011-0302-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by Christiane M. Rothbaum, the legal owner of the subject property. Petitioner is requesting Variance relief under Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing dwelling and proposed addition with a side street setback of 6 feet in lieu of minimum required 10 feet, and a rear yard setback of 35 feet in lieu of minimum required 50 feet. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of May 2, 2011. On April 27, 2011, a Formal Demand for Hearing was filed by Jennifer Helfrich, President, on behalf of Rodgers Forge Community, Inc. The hearing was subsequently scheduled for Friday, June 17, 2011 at 10:00 AM in Room 104 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland. In addition, a sign was posted at the property on May 29, 2011 and an advertisement was timely published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 0819035650

Owner Information

Owner Name: CAPLAN STUART BYRON **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 11913 GREENSPRING AV
OWINGS MILLS MD 21117-1605 **Deed Reference:** 1) /07855/ 00583
2)

Location & Structure Information

Premises Address 11913 GREENSPRING AVE
0-0000
Legal Description 1.77 AC
NES GREENSPRING AVE
1100 FT N CAVES RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0050	0020	0273		0000				2	Plat Ref:

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1960	1,099 SF	1.7700 AC	04

Stories	Basement	Type	Exterior
1.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2011	As Of 07/01/2012
Land	242,320	169,600		
Improvements:	80,260	69,200		
Total:	322,580	238,800	238,800	238,800
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
SHOUMAN ROBERT G	05/09/1988	\$124,900
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/07855/ 00583	

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status: Approved 04/30/2008

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 0807061330

Owner Information

Owner Name: ANGELOS IRENE NICOLAIDIS
ANGELOS JOHN C M
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 11905 GREENSPRING AVE
OWINGS MILLS MD 21117-1605
Deed Reference: 1)/16069/ 00410
2)

Location & Structure Information

Premises Address
11905 GREENSPRING AVE
0-0000
Legal Description
2 AC
NES GREENSPRING AVE
900FT N OF CAVES RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0050	0020	0243		0000				2	Plat Ref:

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1984	2,730 SF	2.0000 AC	04

Stories	Basement	Type	Exterior
1.000000	YES	SPLIT FOYER STONE	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	275,000	192,500		
Improvements:	265,380	176,700		
Total:	540,380	369,200	369,200	369,200
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
NICOLAIDIS IRENE	02/05/2002	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /16069/ 00410	Deed2:
Seller: NICOLADIS KONSTANTINOS	Date: 06/24/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12966/ 00458	Deed2:
Seller: SMITH HARRY MILTON,SR	Date: 01/14/1976	Price: \$24,000
Type: ARMS LENGTH IMPROVED	Deed1: /05600/ 00244	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

Homestead Application Information

Homestead Application Status: Approved 08/23/2008

STUART B. CAPLAN
11913 GREENSPRING AVENUE
OWINGS MILLS, MARYLAND 21117
Phone: (410) 560-0403 Email: stucap@comcast.net

PROFILE: Extensive work experience in construction management, real estate development, and in business operations as an owner, consultant, and owner's representative.

Comprehensive construction management experience (25+ years) with a consistent track record of completing projects on time and within budget; a proactive approach to management that is goal oriented and results driven; an innovative thinker and effective problem solver with excellent business acuity; highly experienced in the administration of contracts, project documentation, quality and cost controls; excellent documentation and organizational skills; an effective leader, motivator, mentor, and communicator, who is dedicated to achieving the highest standards of professionalism at every level of corporate and field management.

PROFESSIONAL EXPERIENCE:

- **SENIOR CONSTRUCTION MANAGER - *Facility Site Contractors, Inc.*** 2008-2009

Senior Construction Manager for a small construction management company awarded two 5 year multiple task order construction contracts (MTOCC) with the U.S. Army Corps of Engineers. Initially hired to right four projects, at Fort Meade, Md. and Fort Belvoir, Va., that had become 120-180 days behind schedule. Responsibilities included managing the design-build aspects of the MTOCC renovation projects; troubleshooting previous cost, quality, time management control issues; Client relations; project meetings; directing subcontractors; overseeing superintendents; invoice and change order processing; RFIs; monitoring and updating schedules; policing quality and cost controls, housekeeping and safety.

- **CONSULTANT/OWNER'S REPRESENTATIVE- *Sole Proprietor*** 2007-2008

- **DIRECTOR OF LAND DEVELOPMENT- *Quillen Development, Inc.*** 2005-2007

Responsible for managing the subdivision approval process for a Maryland based Land Development Company, whose business objective was to sell fully entitled subdivision properties to national and regional homebuilders. Duties included, but were not necessarily limited to: Client relations; preparing budgets and schedules; maintaining current inventory of regulatory controls; hiring engineers, architects, land use consul and other consultants;

Case No: 12-0505 Pkt

Case Name: Angelo S

Exhibit List

Party: Refugees

Date: 11/21/12

Exhibit No:	Description:
1	Site Plan
2a	Photos of Site
b	" "
c	" "
3.	9/19/11 Letter from Caplan to Angelos
4	9/8/11 Letter from Angelos to Zissimos (neighbors)
VERIFIED BY <i>KXC</i> DATE: <i>11/21/12</i>	



JOHN & IRENE ANGELOS
SETBACK VARIANCE REQUEST:
BCZR CASE NO: 2012-0050-SPH
SEPTEMBER 19, 2011
PAGE TWO

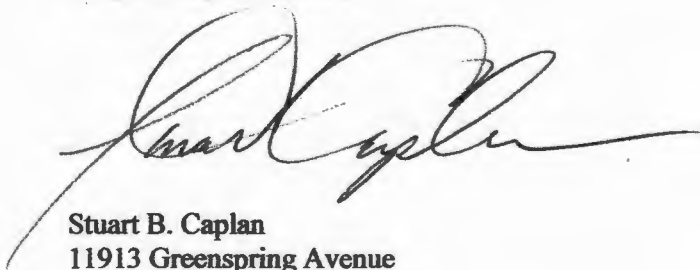
John, I have always looked out for you and Irene, whether we were in contact or not. I would go to bat for you guys if you needed me to, but in this case, I am opposed to your variance request.

I could live with cutting into the 50' setback 10 feet, to accommodate your new addition, but reducing the setback by 26 feet, to add a "stand alone" structure, is just too much, particularly considering it's close proximity to the rear of my house, and potential impact on my property.

It pains me to take this position, because I want us to be and remain good neighbors. But whereas you have an option to either build onto the back of your house to minimize the reduction to the setback requirement, or include this addition in with the addition on the other side of the house, in which case no variance would be needed, I have no option.

I trust you understand and will respect my position with regard to this matter.

Respectfully submitted,



Stuart B. Caplan
11913 Greenspring Avenue
Owings Mills, Maryland 21117

Pet Ex 3 - 12-050SPH Angelu

11/21/12

Law Office
John C.M. Angelos, Esquire

September 8, 2011

Mr. Robert T. Zissimos
Mr. Peter T. Zissimos
11819 Greenspring Avenue
Owings Mills, MD. 21117

RE: Request for Variance at 11905 Greenspring Avenue

Dear Rob & Pete:

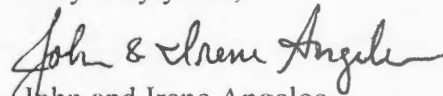
Thank you for talking with me to discuss our family's application to construct an addition to our home. I am enclosing a copy of the 'Notice of Zoning Hearing' that I received from the County today. The date of the hearing is September 29 at 1:30 P.M. and will be held in Towson.

As I told you, we plan to add a family room where the garage now presently sits and then construct the garage diagonally from the house towards our driveway. The drive way will stay in the same place, but it will be extended to reach the new construction.

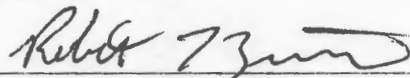
You indicated that you had no objection to our request for this variance. If that remains the case, I would like you to please consider signing this letter in the 'AGREED' space below and returning it to me in the enclosed stamped envelope so that I may present it to the hearing officers.

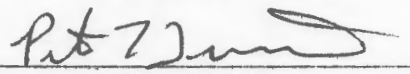
I thank you in advance for your cooperation and if you have questions or concerns whatsoever, please do not hesitate to call me.

Very truly yours,


John and Irene Angelos

AGREED TO:


ROBERT T. ZISSIMOS
11819 Greenspring Avenue, 21117


PETE T. ZISSIMOS
11819 Greenspring Avenue, 21117

Licensed to practice in MD, DC and NY

3001 Saint Paul Street, Suite 1, Baltimore, Maryland 21218
Telephone 410-235-1945 • Fax 410-235-4364 • Email: jangeloslaw@verizon.net
www.johnangeloslaw.com • www.marylandbikelaw.com

D.I. Ex 4 - 12-050 SM

Angelos

W/21/12

Case No.: 2012-0050-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan of Property	
No. 2	large photo of property	
No. 3	large photo of property	
No. 4	large photo of property	
No. 5	Letter of Support from Neighbor	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Law Office
John C.M. Angelos, Esquire

September 8, 2011

Mr. Robert T. Zissimos
Mr. Peter T. Zissimos
11819 Greenspring Avenue
Owings Mills, MD. 21117

RE: Request for Variance at 11905 Greenspring Avenue

Dear Rob & Pete:

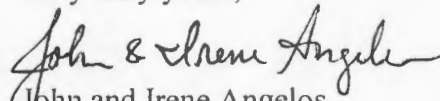
Thank you for talking with me to discuss our family's application to construct an addition to our home. I am enclosing a copy of the 'Notice of Zoning Hearing' that I received from the County today. The date of the hearing is September 29 at 1:30 P.M. and will be held in Towson.

As I told you, we plan to add a family room where the garage now presently sits and then construct the garage diagonally from the house towards our driveway. The drive way will stay in the same place, but it will be extended to reach the new construction.

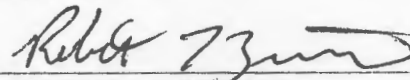
You indicated that you had no objection to our request for this variance. If that remains the case, I would like you to please consider signing this letter in the 'AGREED' space below and returning it to me in the enclosed stamped envelope so that I may present it to the hearing officers.

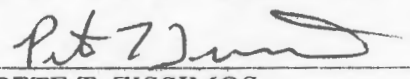
I thank you in advance for your cooperation and if you have questions or concerns whatsoever, please do not hesitate to call me.

Very truly yours,


John and Irene Angelos

AGREED TO:


ROBERT T. ZISSIMOS
11819 Greenspring Avenue, 21117


PETE T. ZISSIMOS
11819 Greenspring Avenue, 21117

PETITIONER'S
EXHIBIT NO. 5

Licensed to practice in MD, DC and NY



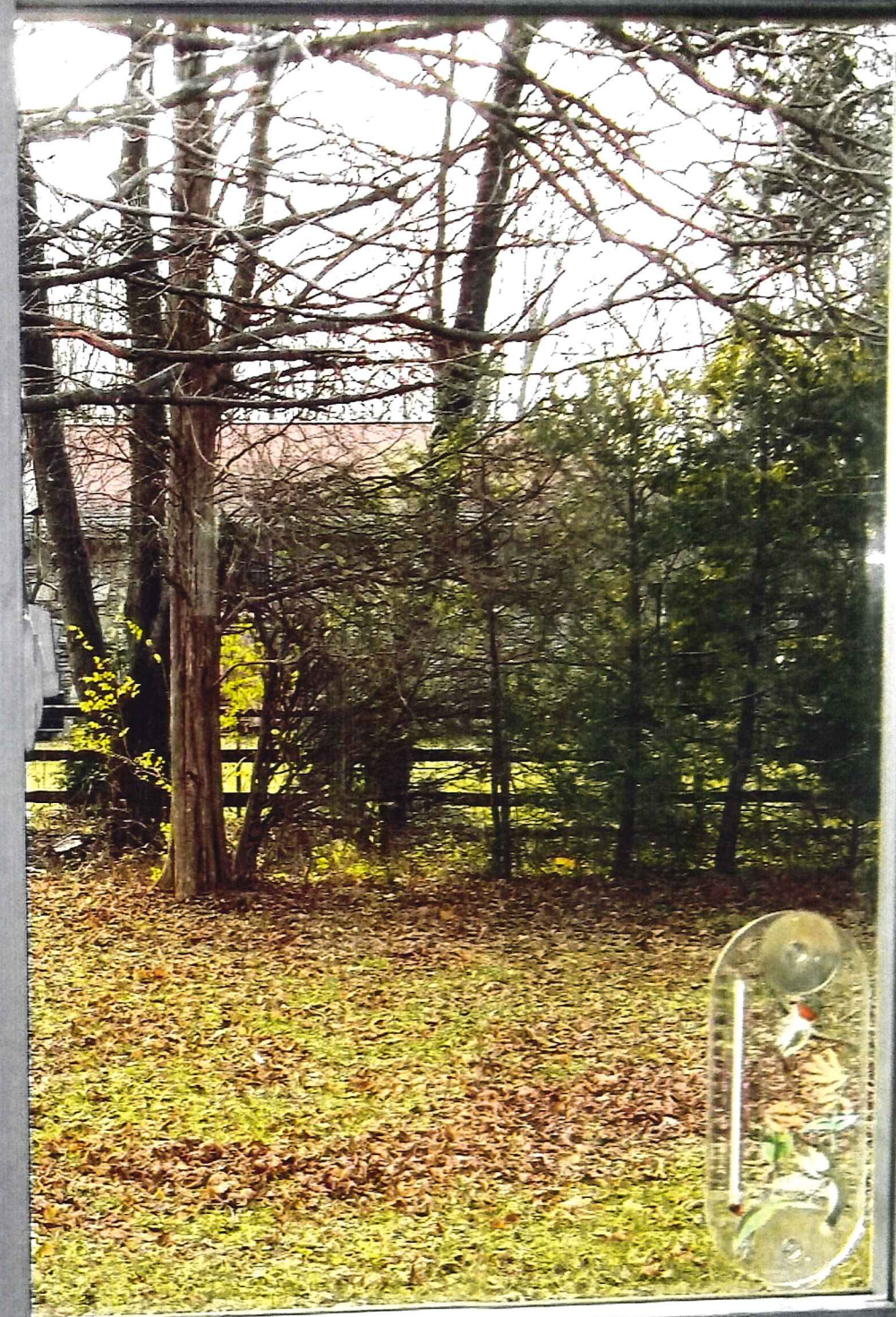
My Neighborhood Map

Created By
Baltimore County
My Neighborhood



Printed 8/1/2012

This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.



Prot Ex 2



Prot Ex 3



Prot Ex 4



Plot Ex 5



Prot Ex 6

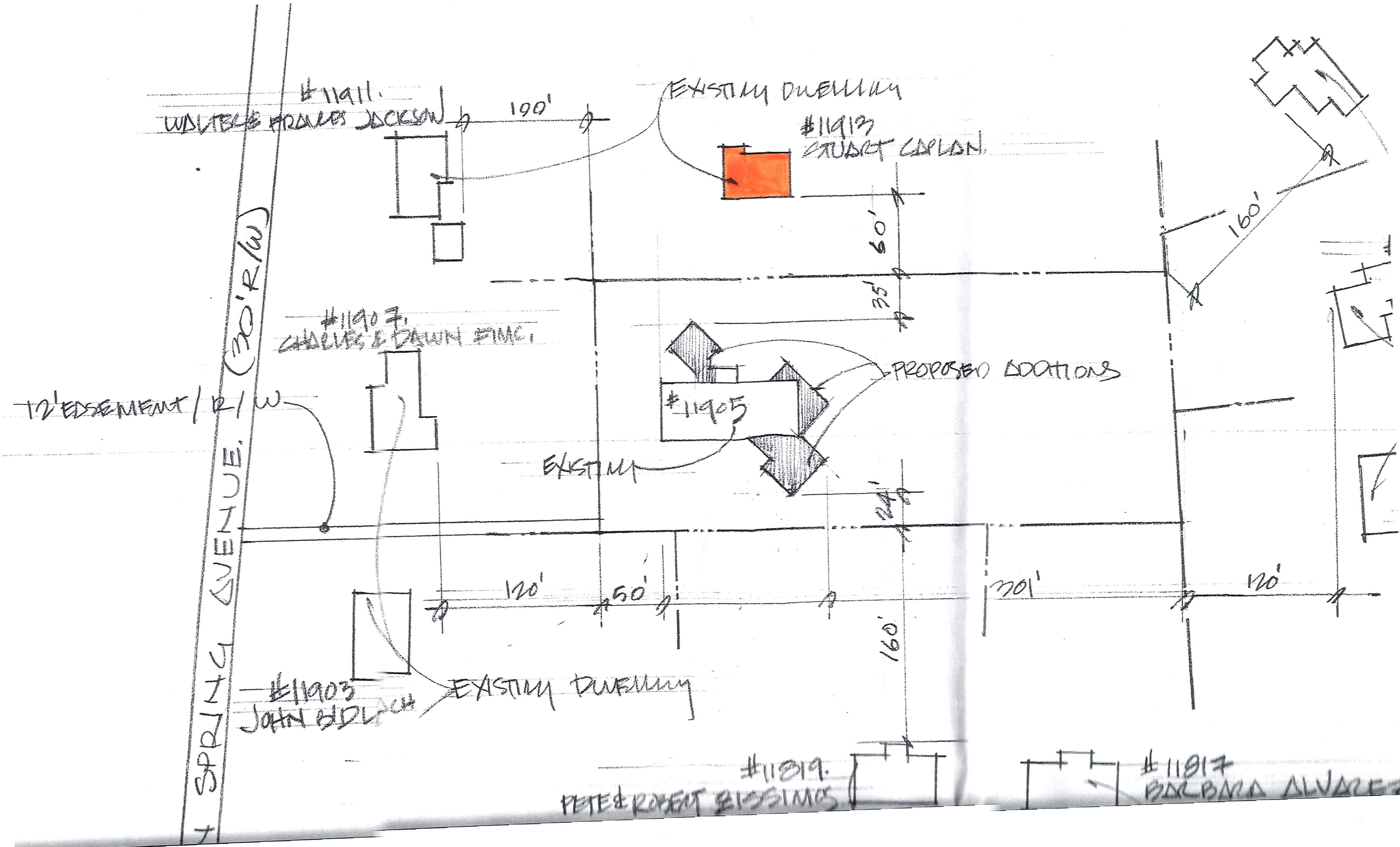


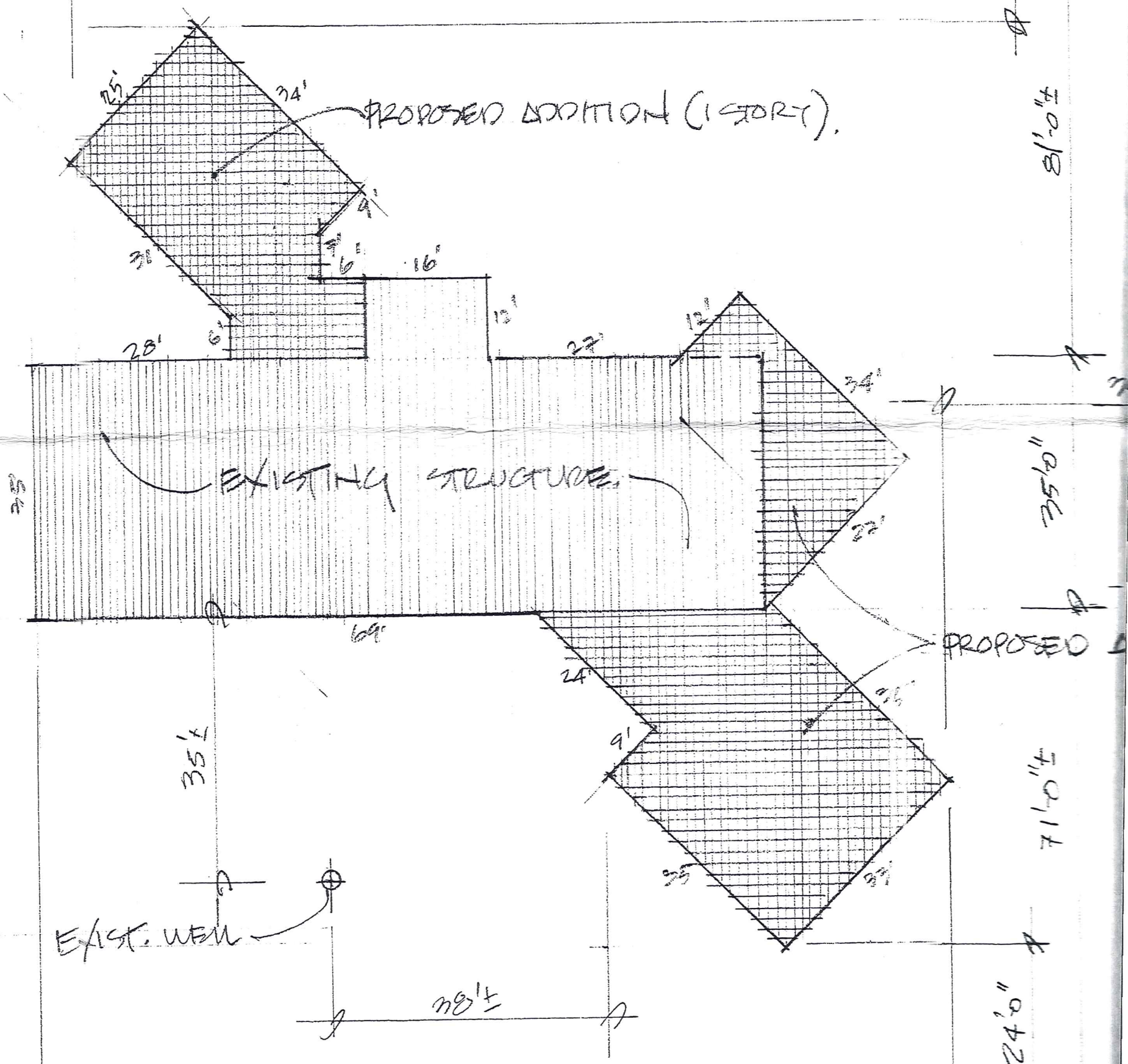
Rot Ex 7



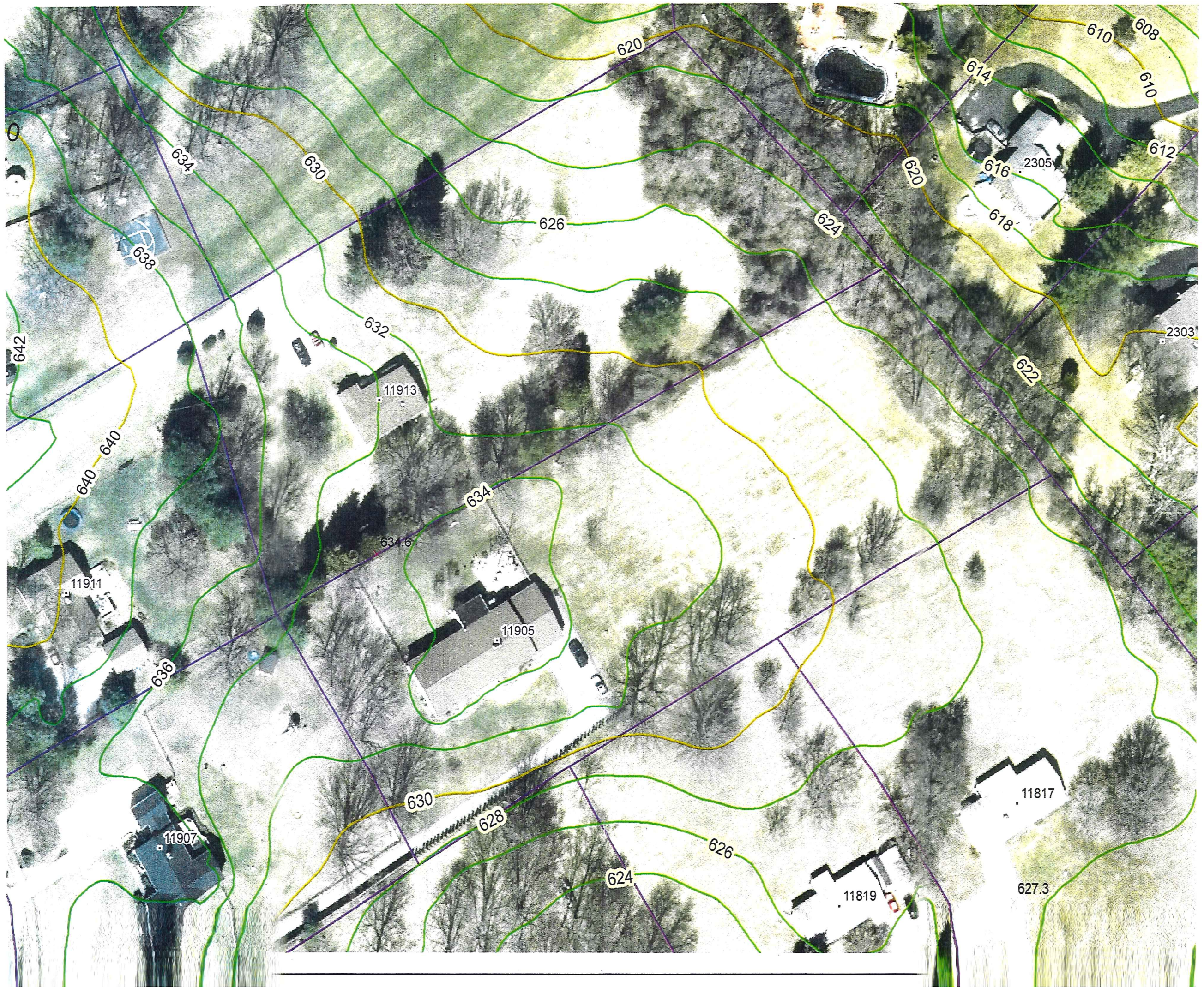
Prot Ex 8

Plot Ex 9

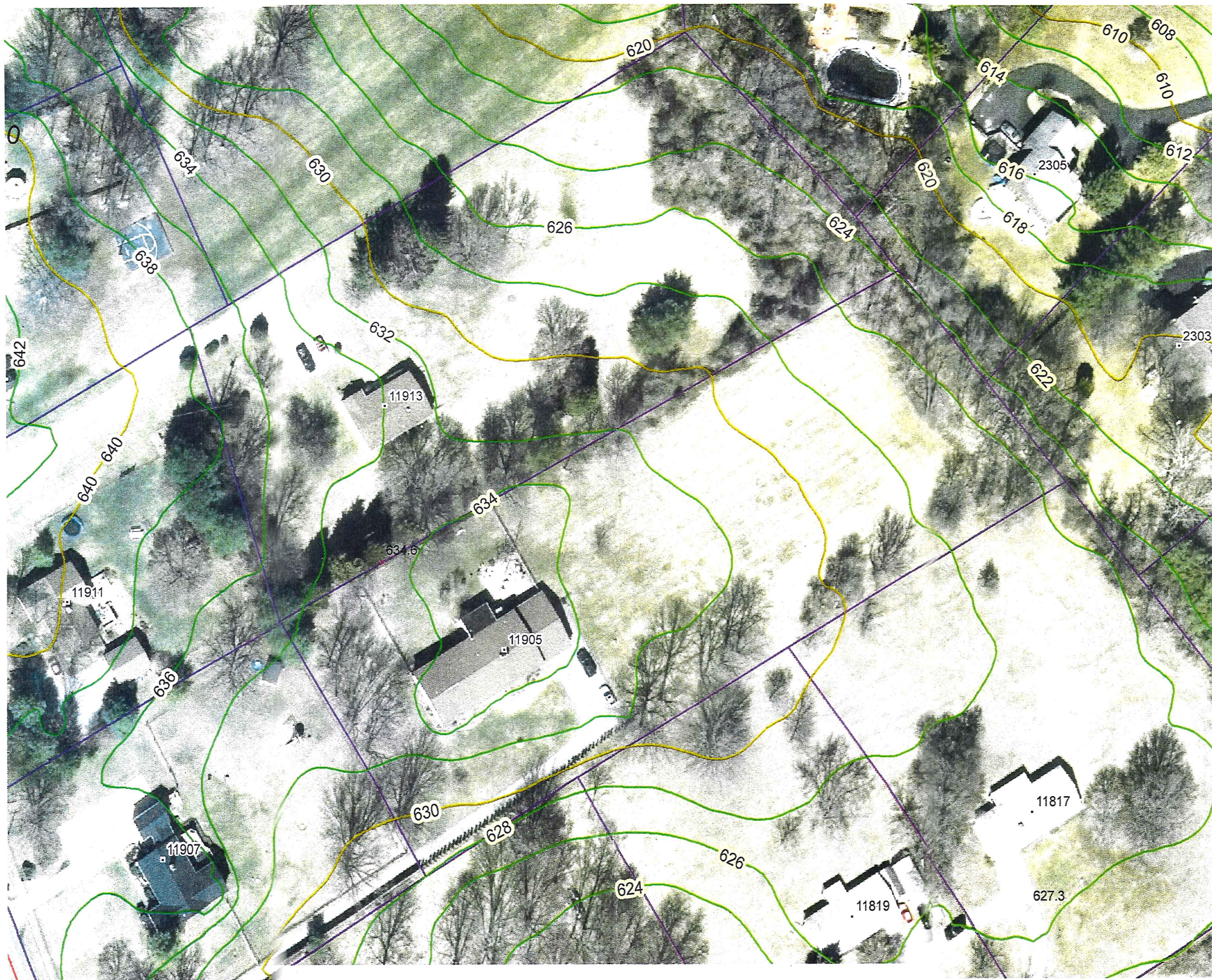




PROJ EX 10

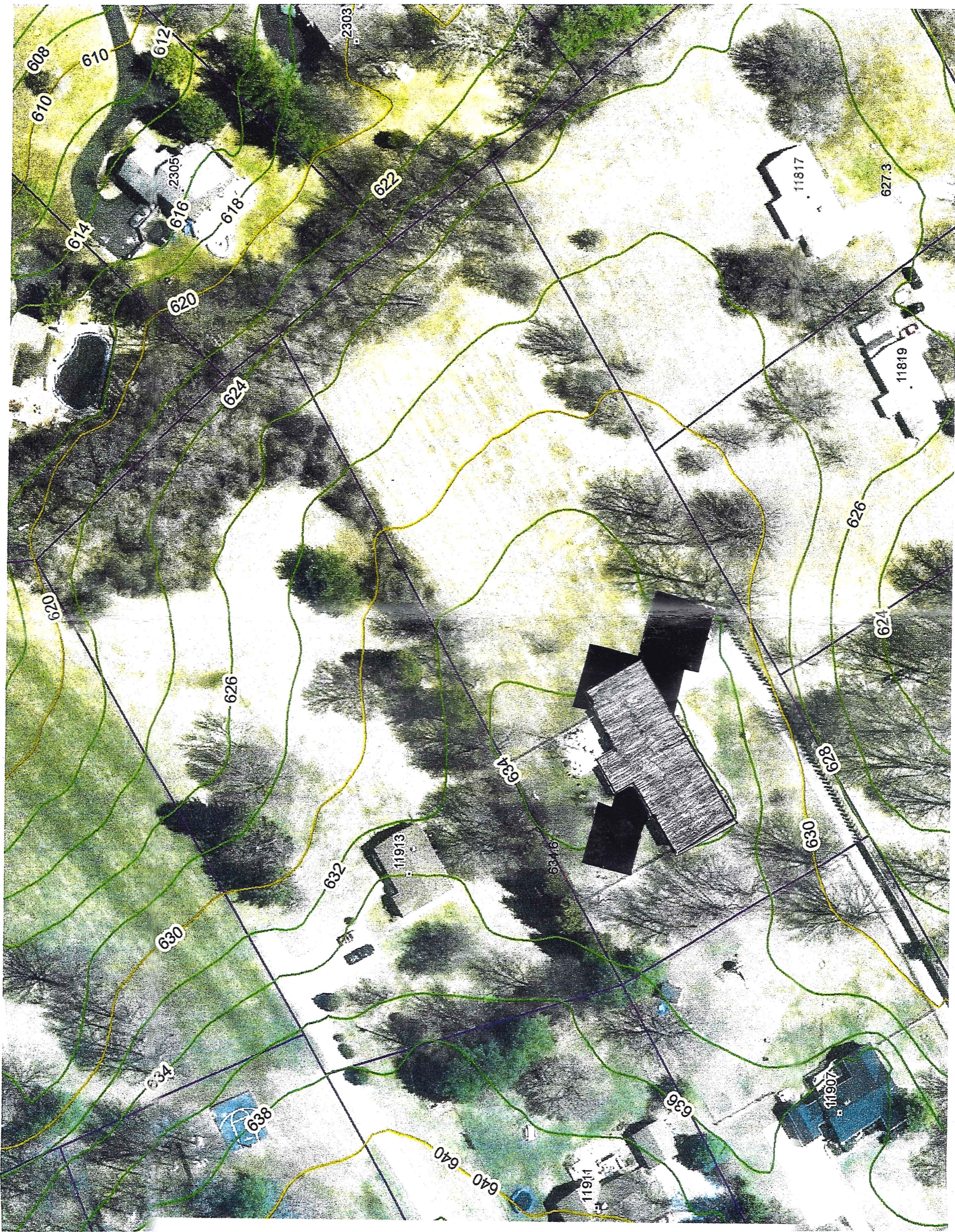


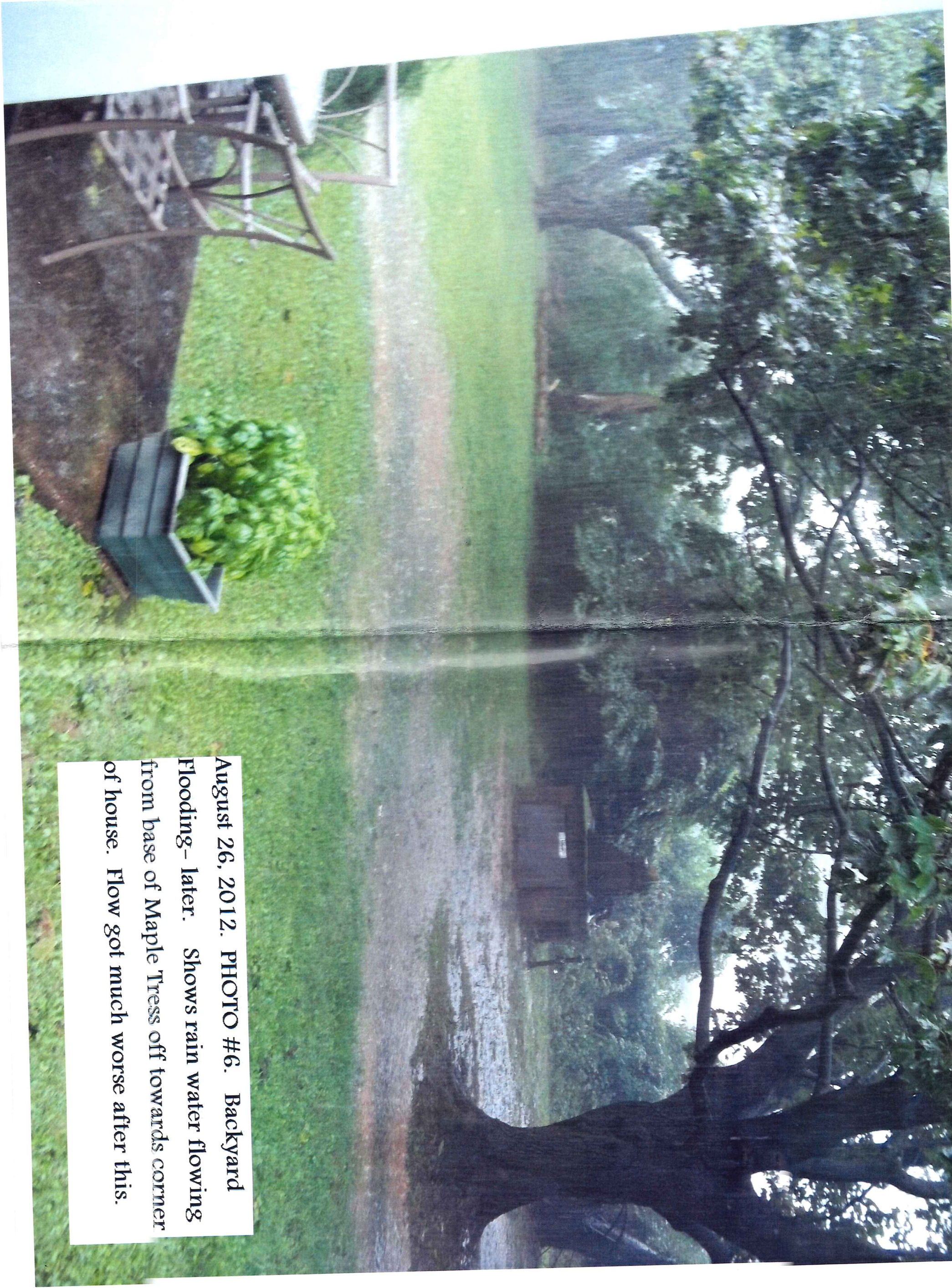
Pror Ex 11



Pror Ex 11

Plot Ex 12





August 26, 2012. PHOTO #6. Backyard
Flooding- later. Shows rain water flowing
from base of Maple Tress off towards corner
of house. Flow got much worse after this.

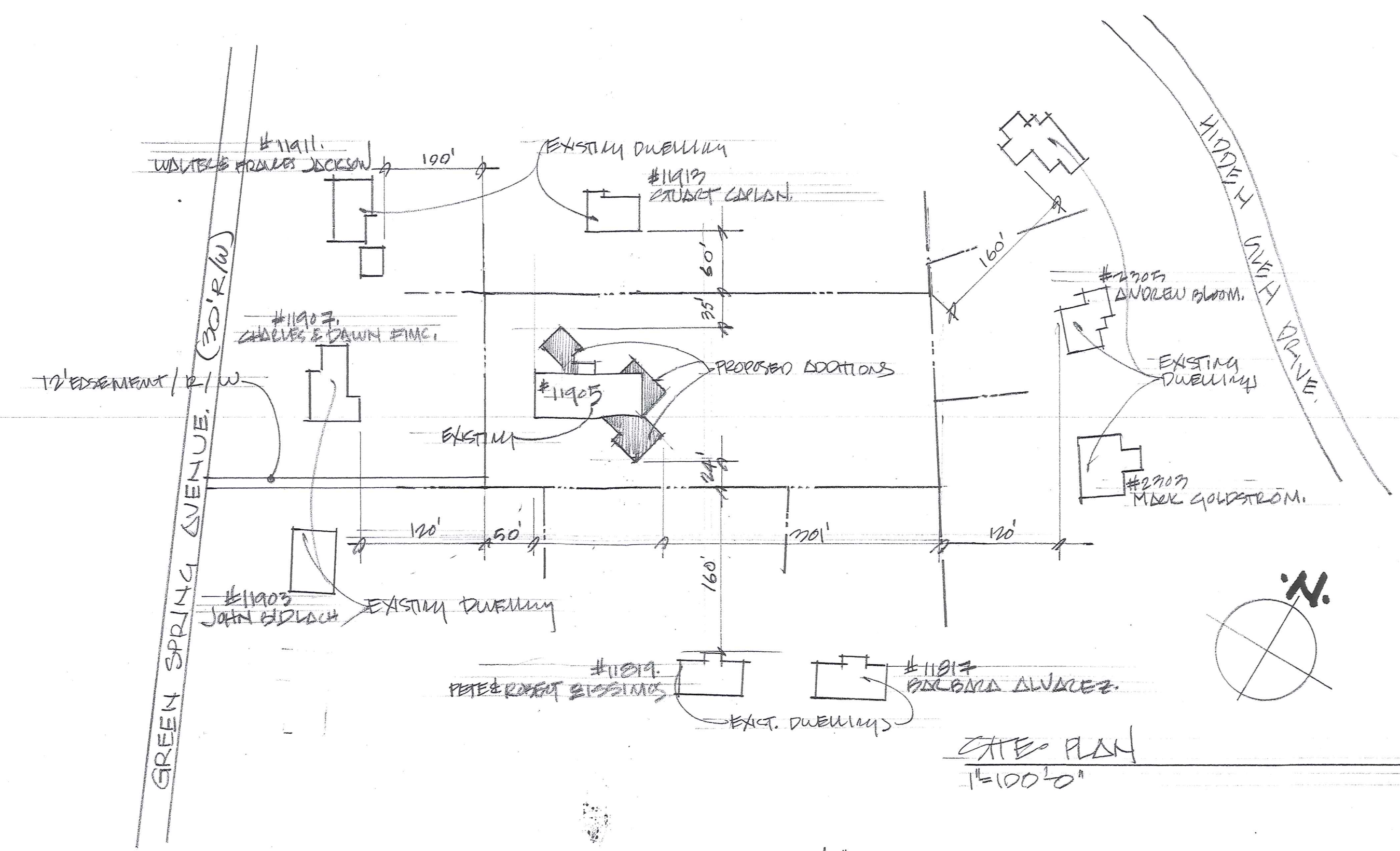
Prot Ex 14



PROT Ex 13

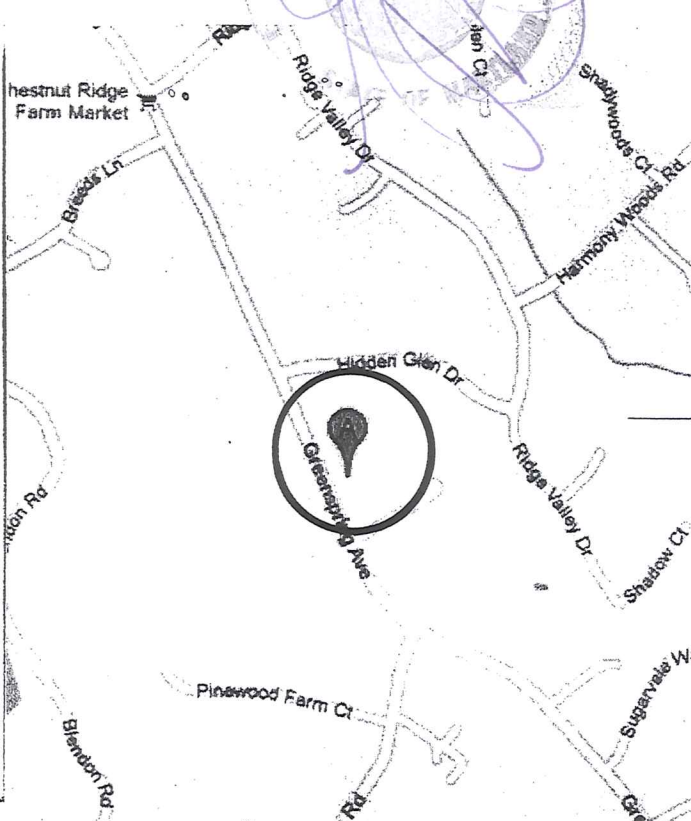
August 26, 2012. PHOTO #4. Backyard Flooding.
Another photo showing rain water flowing from upper
right hand corner of photo (off neighbor's property) to
bottom left hand corner. Note water around tree is now
flowing off toward house.

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING

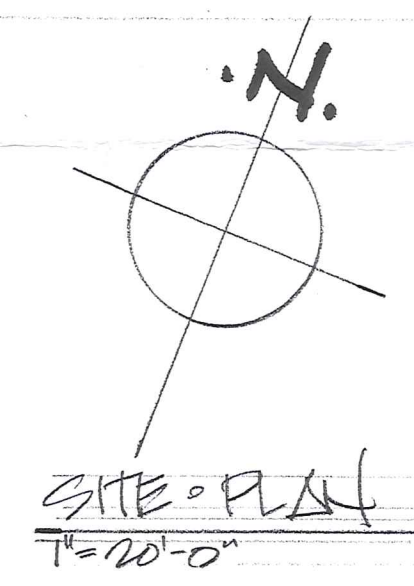
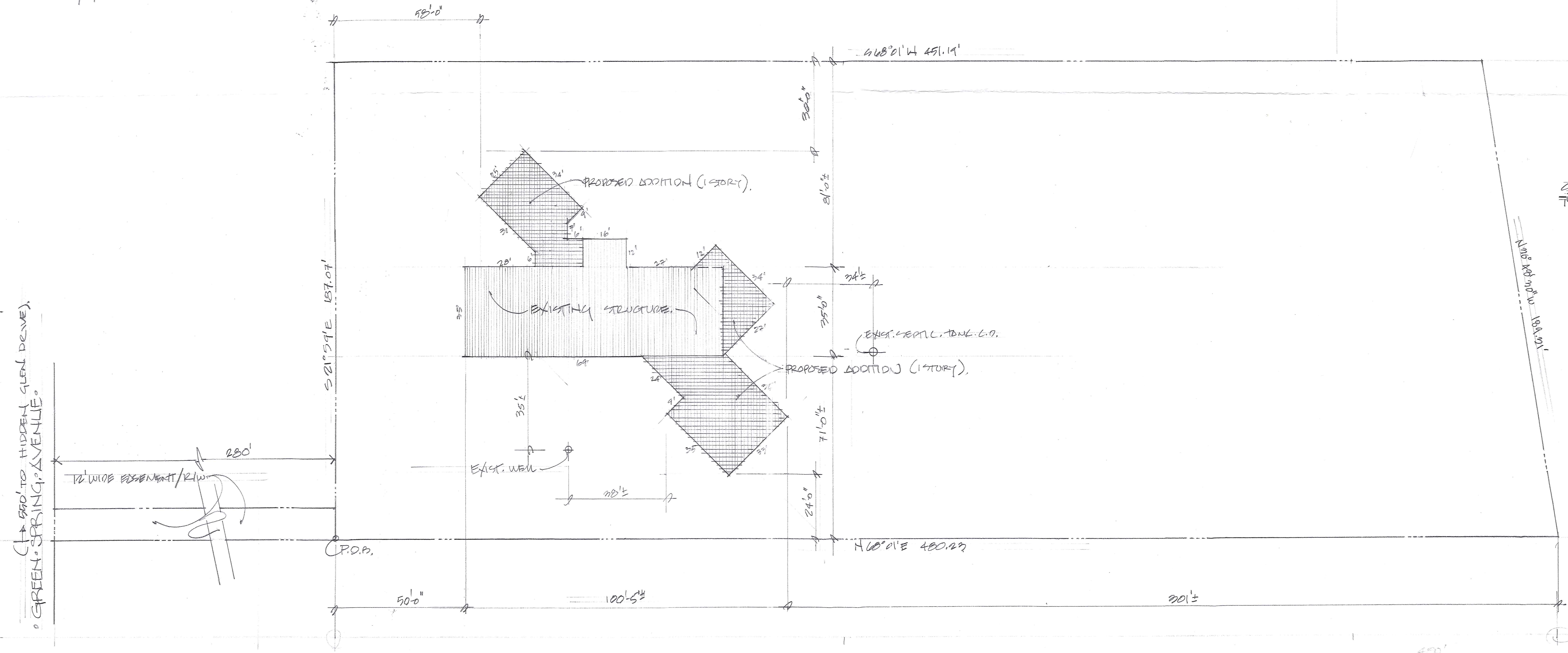


Plat to Accompany Petition for Zoning ☐ Variance ☒ Special hearing
Property address 11905 Greenspring Avenue Owings Mills 21117-1605
Subdivision name : 0000
Mapbook 0050 Grid: 0020 Parcel: 0243
Deed reference: 16069/00410
Owner: Irene Nicolaidis & John C.M. Angelos
Tax a/c no: 0807061330

Location Information
Election district 08
Councilmatic district 02
1"=200' scale map no. 050001
zoning R-1.5 050001
lot size: 2.0 ac (+/-) 87,120 sq.ft.
septic: private ✓
water: private ✓
Chesapeake bay critical area no.
100 year flood plain no.
historic property/building no.
prior zoning hearing no.



zoning office use only
reviewed by item no. case no.
2012 0050 SPH
Plat documents prepared by
l.j.link jr, inc. architect
box 727 brooklandville 21022
l.j.linkjr@aol.com 410 337 9528



PETITIONER'S
EXHIBIT NO. 1



PET EX 2



Pet Ey 2a



Ref Ex 2

Pet Ex 2b



PET EX 2C



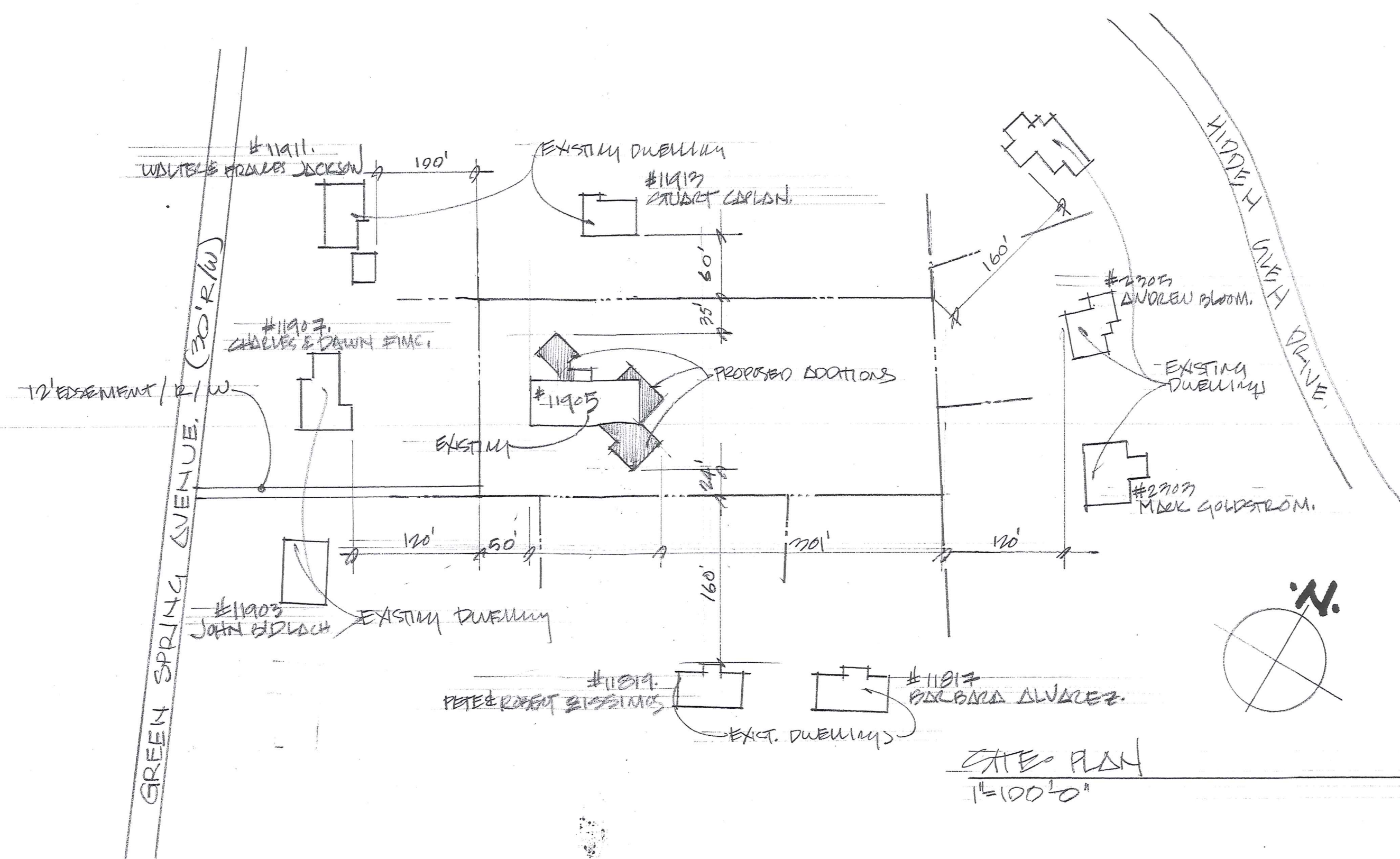
Ex 3





PET EX 4

PLAT. TO. ACCOMPANY PETITION FOR JOINING ☐ VARIANCE ☐ SPECIAL HEARING



Plat to Accompany Petition for Zoning ☐ Variance ☒ Special hearing
 Property address 11905 greenspring avenue owings mills 21117-1605
 Subdivision name : 0000
 Platbook: 0050 Grid: 0020 Parcel: 0243
 Deed reference: 16069/00410
 Owner: Irene Nicolaidis & John C.M. Angelos
 Tax a/c no: 0807061350

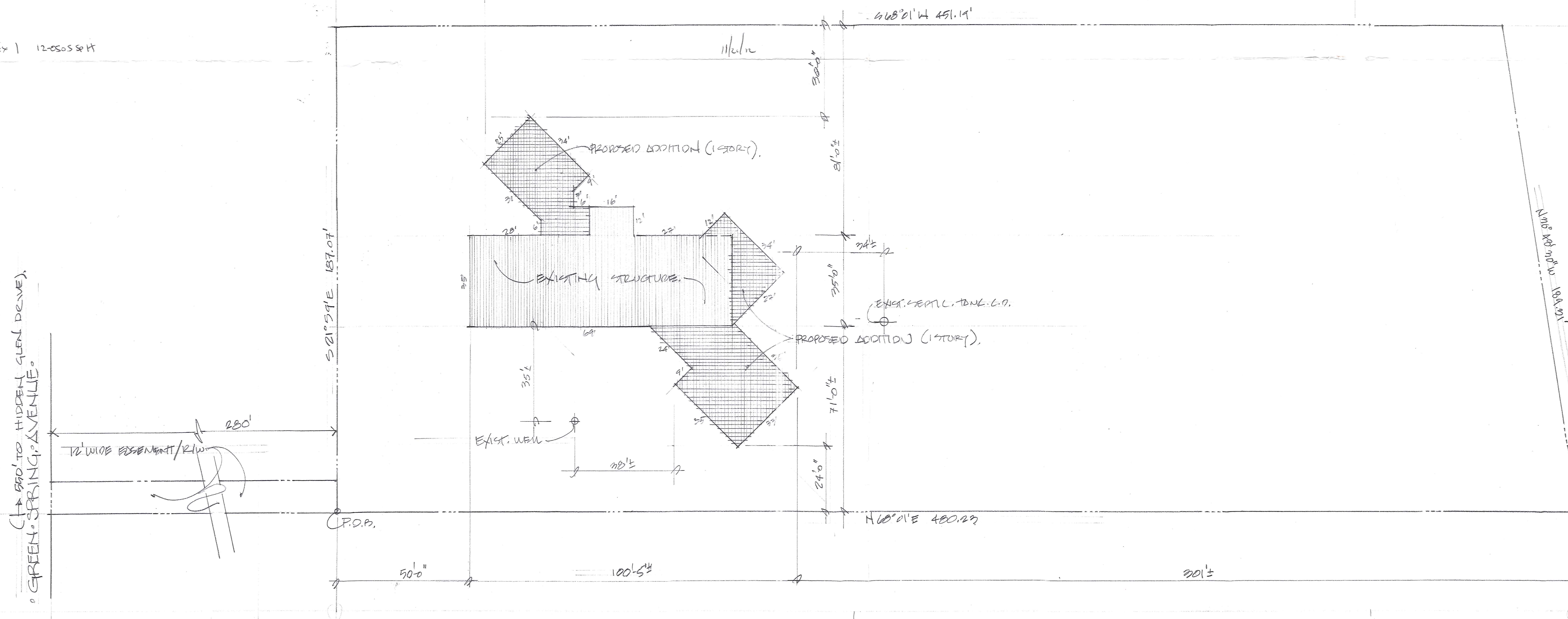
Location Information
Election district 08
Councilmatic district 02
1"=200' scale map no. 057470
zoning R-LT 09000
lot size: 2.0 ac (+/-) 87,120 sq.ft.
septic: private ✓
water: private ✓
Chesapeake bay critical area n
100 year flood plain n
historic property/building n
prior zoning hearing nc

zoning office use only
reviewed by item no. case no.

Plat documents prepared by
l.j.link jr, inc. architect
box 727 brooklandville 21022
ljlinkjr@aol.com 410 337 9528



Ret. Ex 1 12-0505 SPH



SITE PLAN