

IN RE: PETITION FOR VARIANCE
(9 Spring Green Lane)
8th Election District
3rd Councilman District
David C. & Elizabeth J. White
Petitioners

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2015-0007-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owners of the subject property. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 35 ft. side yard setback in lieu of the required 50 ft. setback per §1A00.3.B.3, the R.D.P. Regulations of 1974. 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 public hearing in support of the request was David and Elizabeth White. Bruce E. Doak from Bruce E. Doak Consulting, LLC appeared on behalf of the Petitioners. The Petition was advertised and posted as required by the B.C.Z.R. Several neighbors from the community attended the hearing. There were no substantive Zoning Advisory Committee (ZAC) comments received from any of the county agencies.

The subject property is approximately 2.08 acres and is zoned RC 7. The property is unimproved, and is apparently the last such lot in the Greencroft Community, which has 80 single family dwellings. The subdivision was approved in 1974, at which time the property was zoned RDP. The RDP zone imposes a 50' side yard setback, and the Petitioners seek variance

ORDER RECEIVED FOR FILING

Date 8/25/14
By Den

relief to allow a 35' side yard setback. The Petition as originally filed sought a 20' side yard setback, although following discussions with the neighbors at 10 Spring Green Lane (the Butlers), the Petition was amended at the hearing to reflect a 35' side yard setback.

As noted earlier, several community members attended the hearing. John Rietz, who lives at 1 Spring Green Lane, expressed concern that the proposed home, given the topography, would "dominate" or loom large over the neighboring property owned by the Butlers (at 10 Spring Green Lane). John Griffith, who resides at 14012 Greencroft Lane, expressed concern that granting the variance would open "Pandora's Box," and that other owners would file requests to expand and enlarge their homes. Robert Coelho, who resides at 14004 Greencroft Lane, stated he was supportive of the request and thought it would be good to "complete the neighborhood." In addition, there were two letters of support in the case file from the Shaffers (at 8 Spring Green Lane) and the McGuigans (14009 Greencroft Lane), and the Greencroft Community Association submitted a letter (Ex. No. 9) indicating it had approved the plans for the construction of the proposed dwelling.

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test. The topography of the site is such that a majority (approximately 60%) of the subject property contains steep slopes (i.e., greater than 25%). This factor greatly constrains the available building envelope, and likely explains why this lot was the last one to be developed. Mr. Doak testified that other lots in the community do not have such a concentration of steep slopes. In addition, the property will be subject to environmental regulations that were

ORDER RECEIVED FOR FILING

2

Date

8/25/14

By

sen

not in existence when the other 80 homes in the community were constructed. As such, it is unique.

If the B.C.Z.R. were strictly interpreted, the Petitioners would suffer a practical difficulty, given they would be unable to construct the proposed single family dwelling within the available envelope. Based on my review of the Greencroft Plat (Ex. No. 2), the Petitioners' lot is similarly sized to the others in the community, which range between 1.2 and 3.5 acres. And the dwelling proposed, as detailed in the Community Association's letter (Ex. No. 9), would be in keeping with the other homes in the community. In light of these facts, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED, this 25th day of August, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a 35 ft. side yard setback in lieu of the required 50 ft. setback per §1A00.3.B.3, the R.D.P. Regulations of 1974, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING

Date

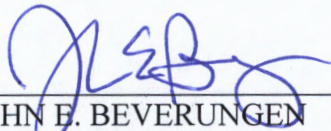
8/25/14

By

den

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

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 8/25/14
By sln

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

August 25, 2014

Bruce E. Doak
3801 Baker Schoolhouse Road
Freeland, Maryland 21053

RE: Petition for Variance
Property: 9 Spring Green Lane
Case No. 2015-0007-A

Dear Mr. Doak:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

C: Francis X. Borgerding, Jr., Esquire, 409 Washington Avenue, Suite 600, Towson, Maryland 21204
John and Judith Rietz, 1 Spring Green Lane, Hunt Valley, Maryland 21030
Robert Coelho, 14004 Greencroft Lane, Hunt Valley, Maryland 21030
Mike Bowers, 12420 Happy Hollow Road, Hunt Valley, Maryland 21030
John Griffith, 14012 Greencroft Lane, Cockeysville, Maryland 21030



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address #9 SPRING GREEN LANE which is presently zoned RC7
 Deed References: JLE 34658/362 10 Digit Tax Account # 1600013687
 Property Owner(s) Printed Name(s) DAVID C. WHITE & ELIZABETH J. WHITE

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s)

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Date

Signature

By

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

DAVID C. WHITE / ELIZABETH J. WHITE
 Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

119 HOPKINS ROAD BALTIMORE MD
 Mailing Address City State

21212 / 410-377-0860 / DAVID WHITE 25C
 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING, LLC
 Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREEBAND MO
 Mailing Address City State

21053 / 410-919-4906 / BD@BRUCEEDOAK
 Zip Code Telephone # Email Address

CASE NUMBER 2015-0007-A Filing Date 7/9/14 Do Not Schedule Dates: 7/28/14 - 8/1/14 Review: G. H

8/18/14 - 8/22/14 REV. 10/4/11

PETITION REQUEST:

VARIANCE TO ALLOW A 20 FOOT SIDE YARD SETBACK IN LIEU
OF THE REQUIRED 50 FOOT SETBACK PER SECTION 1A00.3.B.3
THE R.D.P. REGULATIONS OF 1974.

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

Zoning Description

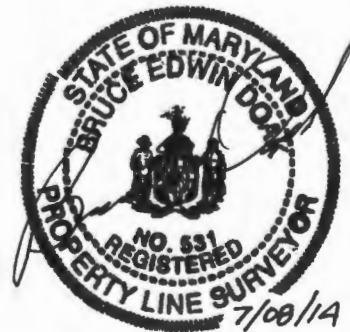
#9 Spring Green Lane
Eighth Election District Third Councilmanic District
Baltimore County, Maryland

Beginning at a point on the north side of the northern end of Spring Green Lane

The subject property being Lot 28 of the plat entitled "Plat Two Section One Greencroft", dated 1973 and recorded in the land records of Baltimore County in Plat Book EHK Jr 37, folio 66.

Containing 2.08 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

2015-0007-A

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

No. **113837**

Date: **7/9/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 7/9/2014 7/9/2014 12:59:53
 BY: WALKIN LARS LJR
 RECEIPT # 520648 - 7/9/2014
 520 ZONING VERIFICATION
 NO. 113837
 Receipt Tot \$75.00
 \$75.00 OK \$0.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **Bruce E Doak DBA**

For: **9 Spring Green Lane**

2015-0007-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

July 30, 2014

Re:

Case Number: 2015- 0007-A

Petitioner / Developer: David & Elizabeth White

Date of Hearing: August 15, 2014

Baltimore County Department of Permits, Approvals & Inspections
County Office Building, Room 111
111 West Chesapeake Avenue Towson, MD 21204

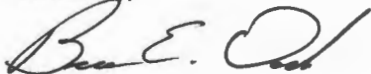
Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **9 Spring Green Lane**.

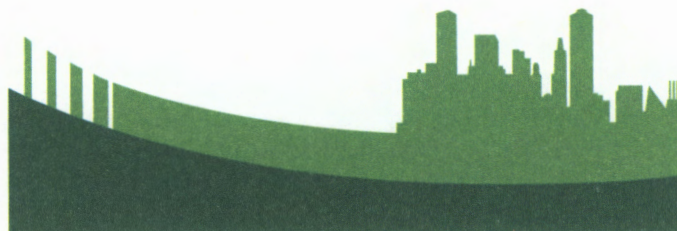
The sign(s) were posted on **July 25, 2014**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2015-0007-A

9 Spring Green Lane

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE IN TOWSON
MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204**

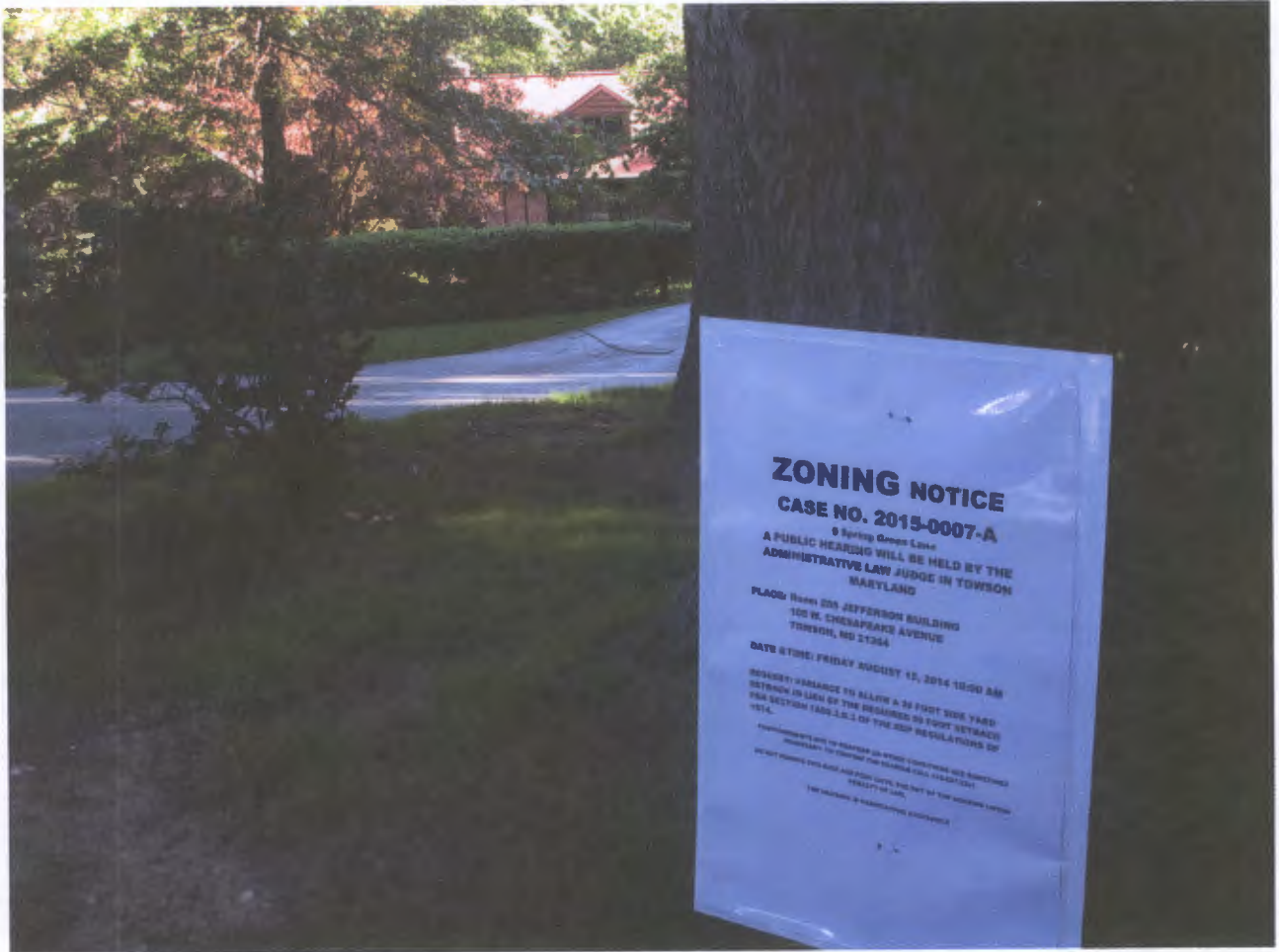
DATE & TIME: FRIDAY AUGUST 15, 2014 10:00 AM

**REQUEST: VARIANCE TO ALLOW A 20 FOOT SIDE YARD
SETBACK IN LIEU OF THE REQUIRED 30 FOOT SETBACK
PER SECTION 1400.2.B.3 OF THE RDP REGULATIONS OF
1974.**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO ADVISE THE HEARING CALL 410.321.2201.

DO NOT REMOVE THIS SIGNAGE UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS NONADJUDICATORY AND CONSENSUAL.





KEVIN KAMENETZ
County Executive
July 15, 2014

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

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: 2015-0007-A

9 Spring Green Lane

N/s Spring Green lane, NE 1221 ft. of centerline of Green Croft Lane

8th Election District – 3rd Councilmanic District

Legal Owners: David & Elizabeth White

Variance to allow a 20 foot side yard setback in lieu of the required 50 foot setback per section 1A00.3.B.3 the R.D.P. regulations of 1974.

Hearing: Friday, August 15, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. White, 114 Hopkins Road, Baltimore 21212
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 26, 2014.**
- (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.

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

Order #: 10586125

Case #:

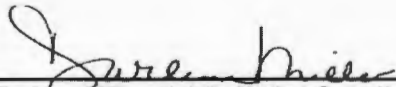
Description:

CASE NUMBER: 2015-00007-A - Notice of Zoning Hearing

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

8/1/2014



Darlene Miller, Public Notice Coordinator
(Representative Signature)

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2015-0007-A

9 Spring Green Lane

N/s Spring Green Lane, NE 1221 ft. of centerline of Green Croft Lane

8th Election District - 3rd Councilmanic District

Legal Owners: David & Elizabeth White

Variance to allow a 20 foot side yard setback in lieu of the required 50 foot setback per section 1A00.3.B.3 the R.D.P. regulations of 1974.

Hearing: Friday, August 15, 2014 at 10:00 a.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 ACCOMMODATIONS 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.

aul

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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 legal owner/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 legal owner/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:

Case Number: 2015-0007-A

Property Address: #9 SPRING GREEN LANE

Property Description: LOT 2B "PLAT TWO SECTION ONE GREENCROFT"

Legal Owners (Petitioners): DAVID C. & ELIZABETH J. WHITE

Contract Purchaser/Lessee: NA

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID C. WHITE

Company/Firm (if applicable): NA

Address: 114 HOPKINS ROAD BALTIMORE MD 21212

Telephone Number: 410-377-0860



KEVIN KAMENETZ
County Executive

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

August 4, 2014

David C. & Elizabeth J. White
114 Hopkins Road
Baltimore MD 21212

RE: Case Number: 2015-0007 A, Address: #9 Spring Green Lane

Dear Mr. & Ms. White:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 9, 2014. 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: jaf

Enclosures

c: People's Counsel
Bruce E. Doak, Bruce E. Doak Consulting LLC, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 7/14/14

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

RE: Baltimore County
Item No 2015-0007-A
Variance
David C. & Elizabeth J. White
9 Spring Green Lane

Dear Ms. Lewis:

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. 2015-0007-A.

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).

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven D. Foster'.

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 28, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For July 14, 2014
Item No. 2014-0288, 0289, 0293, 0294 and
Item No. 2015-0004, 0006, 0007 and 0008

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\ZAC07282014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 29, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

JUL 30 2014

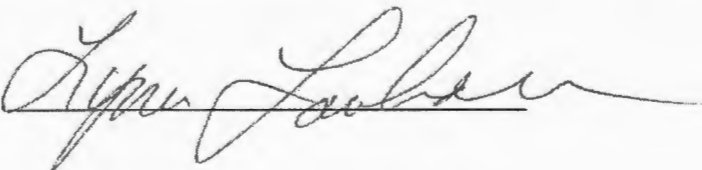
SUBJECT: Zoning Advisory Petition(s) for
Item No: 2014-288, 2014-290, 2014-294 and 2015-007.

OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the above referenced zoning items and has no comments.

For further questions or additional information concerning the matters stated herein, please contact Lynn Lanham at 410-887-3480.

Prepared By:



LL/ka

c: John Beverungen, ALJ
Peter Max Zimmerman

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
9 Spring Green Lane; N/S Spring Green Lane, *
NE 1221' c/line of Green Croft Lane * OF ADMINISTRATIVE
8th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): David & Elizabeth White *
Petitioner(s) * BALTIMORE COUNTY
* 2015-007-A

* * * * *

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.

RECEIVED

JUL 17 2014

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of July, 2014, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - Fwd: In Support of Case 2015-0007-A

From: John Beverungen
To: Debra Wiley
Date: 8/13/2014 10:28 AM
Subject: Fwd: In Support of Case 2015-0007-A

Deb, can you put this in the file. Thanks, John.

RECEIVED

AUG 13 2014

OFFICE OF ADMINISTRATIVE HEARINGS

>>> Kathleen Shaffer <shaffer.kathleen@yahoo.com> 8/11/2014 3:54 PM >>>
8786246608 class=yiv8786246608>
1407786159857_7498 class=yiv8786246608>
1407786159857_7497 class=yiv8786246608>
8786246608 class=yiv8786246608>
1407786159857_5651 class=yiv8786246608>
1407786159857_5650 class=yiv8786246608>
1407786159857_3583 class=yiv8786246608>
1407786159857_3583 class=yiv8786246608>
1407786159857_6252 class=yiv8786246608>1407786159857_6254
class=yiv8786246608>The Hon. John E. Beverungen
1407786159857_6258 class=yiv8786246608>1407786159857_6257
class=yiv8786246608>Administrative Law Judge
1407786159857_6260 class=yiv8786246608>1407786159857_6259
class=yiv8786246608>105 West Chesapeake Avenue, Suite 103
1407786159857_6261 class=yiv8786246608>1407786159857_6265
class=yiv8786246608>Towson, MD 21204
1407786159857_6262 class=yiv8786246608>1407786159857_7506 class=yiv8786246608>
1407786159857_3641 class=yiv8786246608>
1407786159857_3631 class=yiv8786246608>1407786159857_3630
class=yiv8786246608>Dear Judge Beverungen,

1407786159857_3634 class=yiv8786246608>1407786159857_3633
class=yiv8786246608>This letter pertains to case #2015-0007-A.

1407786159857_3636 class=yiv8786246608>1407786159857_3635
class=yiv8786246608>As future neighbors of David and Elizabeth White on Spring Green
Lane in the Greencroft community of Hunt Valley, we are writing to express our full support for
the building of their new home. The White's graciously took time to meet with us to share the
site plans, they have been wonderful communicators regarding the progress of their project,
and we fully support the zoning variance request. We are looking forward to having them as
neighbors and hope they are able to start building as soon as possible.
1407786159857_3638 class=yiv8786246608>1407786159857_3637
class=yiv8786246608>If you have any questions, please don't hesitate to contact us.
1407786159857_3639 class=yiv8786246608>1407786159857_3640 class=yiv8786246608>
1407786159857_3640 class=yiv8786246608>Best,

Kathleen & Peter Shaffer

8 Spring Green Lane

Cockeysville, MD 21030

6246608>410-925-7421

1407786159857_3595 class=yiv8786246608>Shaffer.kathleen@yahoo.com

1407786159857_3583 class=yiv8786246608>

MEMORANDUM

DATE: September 26, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0007-A - Appeal Period Expired

The appeal period for the above-referenced case expired on September 24, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE BUILDING - SUITE 600
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 296-6820
FAX (410) 296-6884

August 19, 2014

John E. Beverungen
Administrative Law Judge
Baltimore County Zoning Office
105 West Chesapeake Avenue
Suite 103
Towson, Maryland 21204

RECEIVED

AUG 20 2014

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Case No.: 2015-0007-A
9 Spring Green Lane, Hunt Valley, MD 21030

Dear Judge Beverungen:

This is to advise that I have been retained by John and Charlotte Butler with regard to the above-captioned matter. When you issue your Decision, please copy me on same. Thank you.

Very truly yours,


FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Mr. and Mrs. John Butler

The Honorable John E. Beverungen
Administrative Law Judge
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

RECEIVED

AUG 15 2014

OFFICE OF ADMINISTRATIVE HEARINGS

August 11, 2014

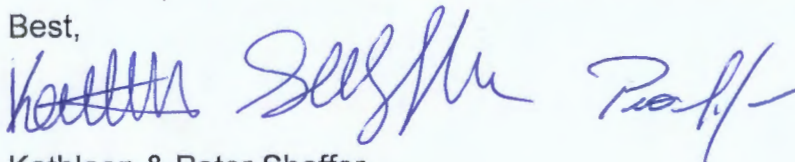
Dear Judge Beverungen,

This letter pertains to case #2015-0007-A.

As future neighbors of David and Elizabeth White on Spring Green Lane in the Greencroft community of Hunt Valley, we are writing to express our full support for the building of their new home. The White's graciously took time to meet with us to share the site plans, they have been wonderful communicators regarding the progress of their project, and we fully support the zoning variance request. We are looking forward to having them as neighbors and hope they are able to start building as soon as possible.

If you have any questions, please don't hesitate to contact us.

Best,



Kathleen & Peter Shaffer

8 Spring Green Lane
Cockeysville, MD 21030
410-925-7421
Shaffer.kathleen@yahoo.com

JB 8-15-14
10 am

John and Kathleen McGuigan
14009 Greencroft Lane
Hunt Valley, MD 21030

August 12, 2014

The Honorable John E. Beverungen
Administrative Law Judge
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

RECEIVED

Re: Case No. 2015-0007-A, 9 Spring Green Lane

AUG 13 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Judge Beverungen:

This letter is submitted in support of David and Elizabeth White's request for a variance, Case No. 2015-007-A. We understand the request is to allow a 20 foot side yard setback in lieu of the required 50 foot setback per section 1A00.3B.3 of the RDP regulations of 1974. As residents of the Greencroft community, we don't believe the approval of this request will be in any way detrimental to the community. We are hoping for a positive resolution in this case and believe the White's will be an excellent addition to the Greencroft community.

Sincerely,

John T. McGuigan
Kathleen B. McGuigan, Esq.

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment7/28/14DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/CDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

7/29/14PLANNING
(if not received, date e-mail sent _____)N/C7/14/14

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

8-13-14ADJACENT PROPERTY OWNERS ① Shaffer 8 Spring Green Lane
② McDugan, 14009 Greencroft Lane
(Both Support request)

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8/1/2014

SIGN POSTING

Date:

7/25/14

by

DOAK

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map				View GroundRent Redemption		View GroundRent Registration				
Account Identifier:		District - 08 Account Number - 1600013687								
Owner Information										
Owner Name:		WHITE DAVID C WHITE ELIZABETH J		Use: Principal Residence:		RESIDENTIAL NO				
Mailing Address:		114 HOPKINS RD BALTIMORE MD 21212-		Deed Reference:		/34658/ 00362				
Location & Structure Information										
Premises Address:		SPRING GREEN LN 0-0000		Legal Description:		2.08 AC 1200 SE BEECHMERE LA GREENCROFT				
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	2
0041	0006	0131		0000	1		28	2014	Plat Ref:	0037/0066
Special Tax Areas:				Town: Ad Valorem: Tax Class:		NONE				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area 2.0800 AC		County Use 04		
Stories	Basement	Type	Exterior	Full/Half Bath		Garage	Last Major Renovation			
Value Information										
		Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2013		As of 07/01/2014		
Land:		148,900		148,900						
Improvements		0		0						
Total:		148,900		148,900		148,900		148,900		
Preferential Land:		0						0		
Transfer Information										
Seller: MILEY JOHN Type: ARMS LENGTH VACANT				Date: 01/31/2014 Deed1: /34658/ 00362		Price: \$309,000 Deed2:				
Seller: MOORE MICHAEL E Type: ARMS LENGTH IMPROVED				Date: 03/14/2007 Deed1: /25349/ 00186		Price: \$325,000 Deed2:				
Seller: MERCANTILE-SAFE DEPOSIT & TR CO Type: NON-ARMS LENGTH OTHER				Date: 09/29/2003 Deed1: /18861/ 00572		Price: \$0 Deed2:				
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2013		07/01/2014				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:				Special Tax Recapture:						
Exempt Class:				NONE						
Homestead Application Information										
Homestead Application Status: No Application										

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty/>)District: **08** Account Number: **1600013687**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please Wait. Loading... Please Wait.

-->

CASE NAME WHITE
CASE NUMBER 2015-007-A
DATE 8/15/14

[illegible]

PLEASE PRINT CLEARLY

CASE NAME

W4170

CASE NUMBER

2015-007-A

DATE _____

8/15/14

CITIZEN'S SIGN - IN SHEET

NAME _____

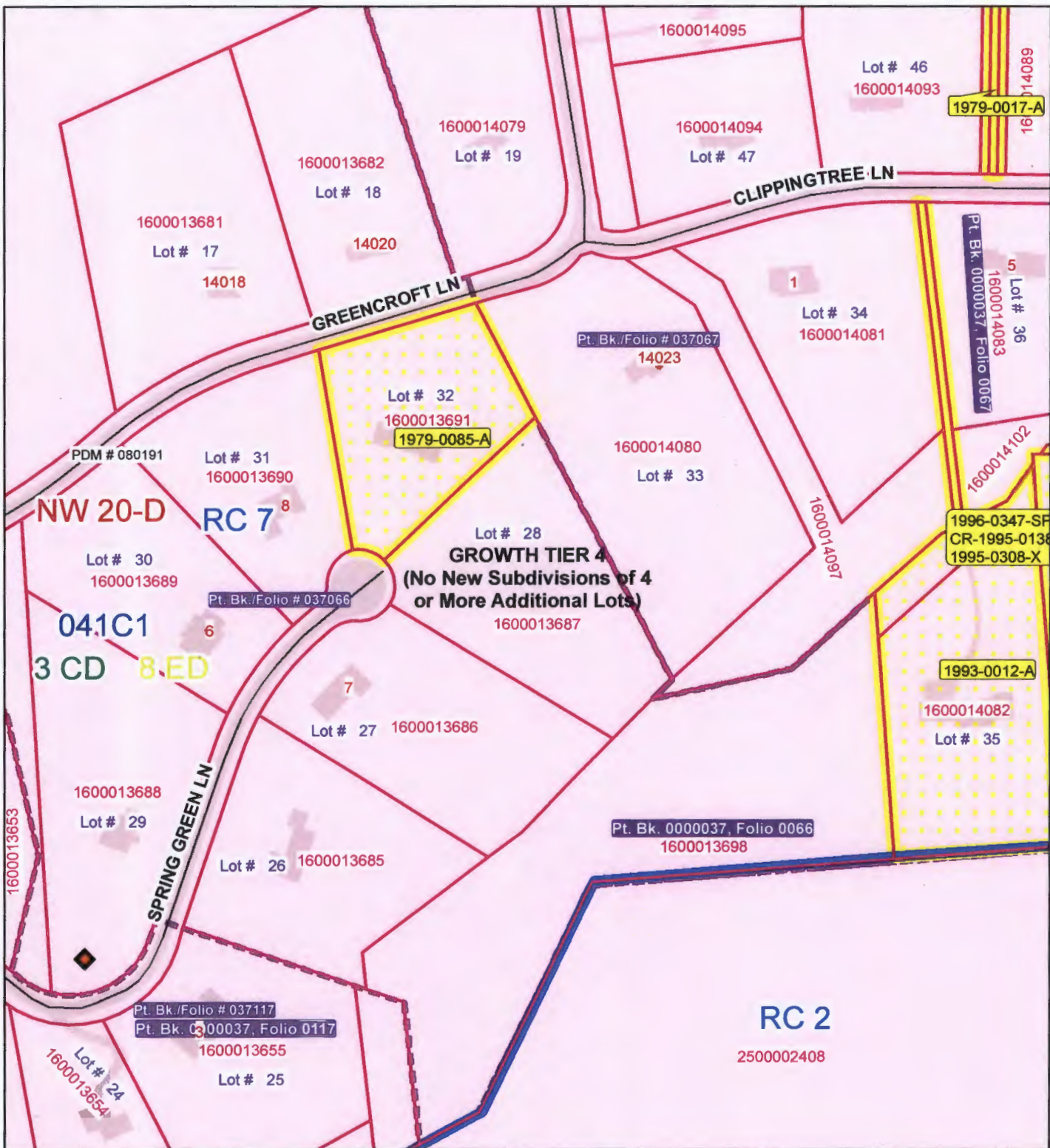
ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

9 Spring Green Lane



Publication Date: 7/9/2014



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



A horizontal scale bar with markings at 0, 50, 100, 200, 300, and 400 feet. The bar is divided into segments corresponding to these distances.

1 inch = 200 feet

2015-0007-A

Case No.: 2015-0007-A

Exhibit Sheet

Petitioner/Developer

DW
9-26-14

Protestants

SLW
8/25/14

No. 1	Plan - Zoning Case	
No. 2	Plat - Greencraft	
No. 3	Deed - dated 1-13-14	
No. 4	My Neighborhood - Aerial	
No. 5	Zoning Map	
No. 6	Plan - Bldg. Permit	
No. 7	Letter dated 8-14-14	
No. 8	Emails - 8/15/14	
No. 9	Letter - Greencraft Comm. ASGN, 7-14-14	
No. 10		
No. 11		
No. 12		

0034658362

Property Address: 9 Spring Green Lane
Tax ID #08-1600013687

FEE SIMPLE DEED

THIS DEED, Made this 13th day of January, 2014, by and between **John Miley and Kathy Miley**, Grantors and parties of the first part; and **David C. White and Elizabeth J. White**, husband and wife, Grantees and parties of the second part.

WITNESSETH, That in consideration of the sum of Three Hundred Nine Thousand dollars and Zero cents (\$309,000.00), and other and good and valuable considerations the receipt whereof is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives and assigns, all that property situate in Baltimore County, State of Maryland, that is to say:

Being known and designated as Lot 28 as shown on a Plat entitled "Plat Two Section One Greencroft" of the 8th Election District as recorded in Plat Book 37, Page 66 among the Land Records of Baltimore County. The improvements thereon being known as 9 Spring Green Lane.

Being also the same property which by Deed dated March 7, 2007 and recorded among the Land Records of Baltimore County in Liber 25349, Folio 186 was granted and conveyed by Michael E. Moore to John Miley and Kathy Miley, the grantors herein.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

PETITIONER'S

EXHIBIT NO. 3

TO HAVE AND TO HOLD the said described lot(s) of ground and premises to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives and assigns, forever, in fee simple.

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

WITNESS the hand(s) and seal(s) of the said grantor(s).

WITNESS:

John Miley

John Miley

(Seal)

as to both

Kathy Miley

(Seal)

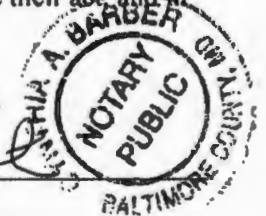
STATE OF MARYLAND, COUNTY OF BALTO { To Wit:

I HEREBY CERTIFY, that on this 13 day of January, 2014, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared John Miley and Kathy Miley, known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged the foregoing Deed to be their act and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: 9/13/15

Notary Public



This is to certify that the within instrument has been prepared by, or under the supervision, of the undersigned Maryland Attorney, or by a party to this instrument.

Connie Strauss Danne

Esquire

Connie Strauss Danne
Esquire

Return to:
Residential Title & Escrow Co
100 Painters Mill Road # 200
Owings Mills, MD 21117
File #68755 - st
Deeds/- Spring Green Lane

2014MARYLAND
FORM

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor

John Miley and Kathy Miley

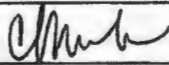
2. Reasons for Exemption

**Resident
Status**☒ I, Transferor, am a resident of the State of Maryland.☐ Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR) 03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.**Principal
Residence**☐ Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 and is recorded as such with the State Department of Assessments and Taxation.**Foreclosure**☐ This is a transfer of REO property acquired by the grantor in a foreclosure action and conveyed herein to a third party.☐ This is a transfer of the foreclosed property from the Substitute Trustees to the secured party or a third party bona fide purchaser

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

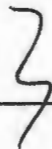
John Miley
Name

Signature

Kathy Miley
Name

Signature

Witness



3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

Title

File No.: 68755

MD Affidavit of Principal Residence

09-49



My Neighborhood Map

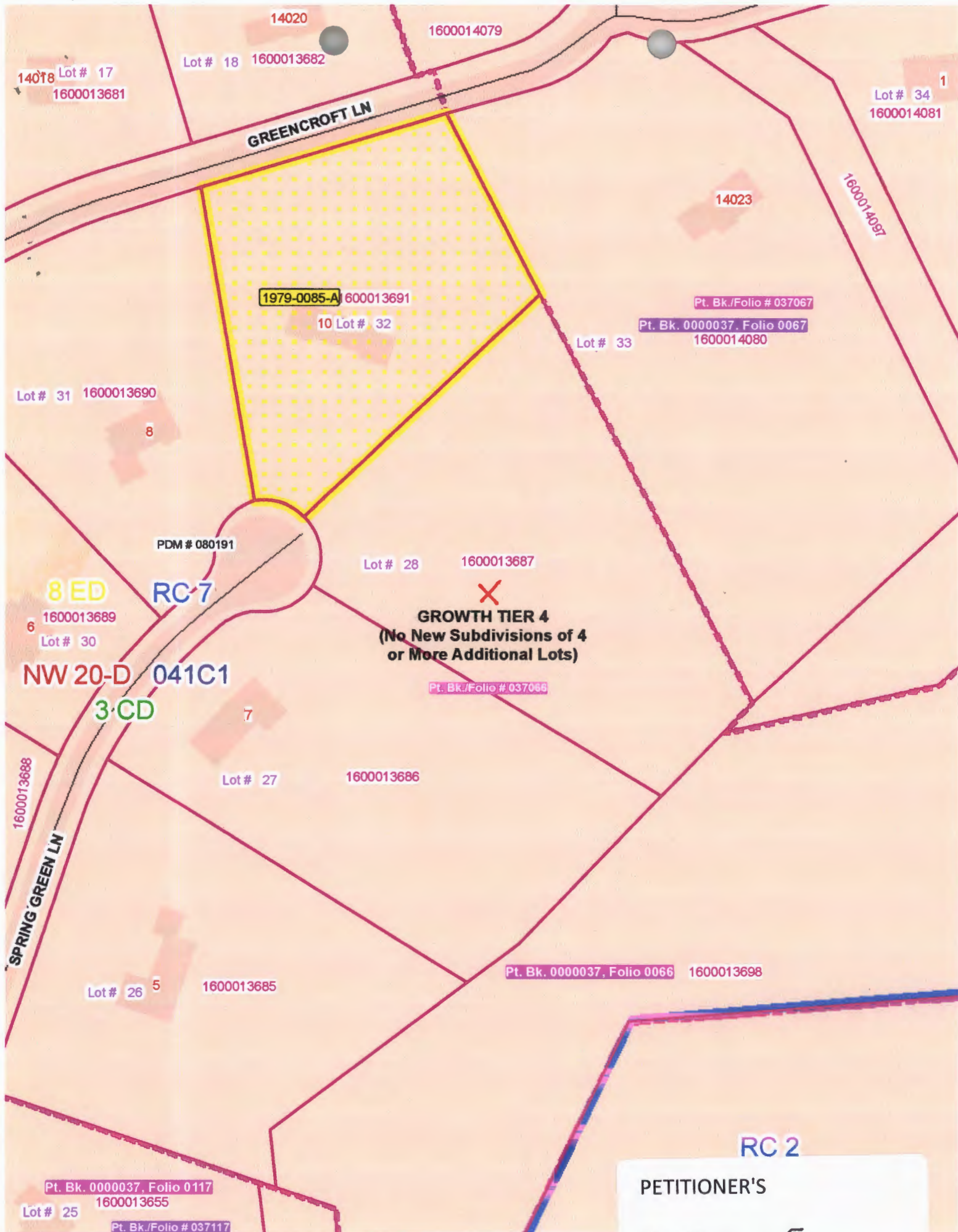
Created By
Baltimore County
My Neighborhood



This data is r
inaccurate o
warrant the
regard to th
implied, of n
County, Mar
but not limit
attorneys' ai
from or in connection with the use of or reliance upon this data.

PETITIONER'S

EXHIBIT NO. 4



Greencroft Community Association

*12 Clipping Tree Lane
Cockeysville, MD 21030*

David & Elizabeth White
114 Hopkins Road
Baltimore, MD 21212

July 14, 2014

Re: Approval of Construction plans for 9 Spring Green Lane

Dear David and Elizabeth White:

The board has approved your plans for construction of a new home with attached garage and rear deck, on Lot 28, 9 Spring Green Lane as dated May 30, 2014, as attached to this approval letter, with exterior materials specifications and location drawing, subject to applicable building codes and local government permit approval. Your approved plans are summarized as follows:

Building size:

- 1st floor – 1273 sq. ft.
- 2nd floor – 1092 sq. ft.
- Garage - 849 sq. ft.

Exterior Materials:

- 3/4" HardiePanel® Siding
- Tamlyn Xtreme Trim Horizontal Z and Vertical Reveal Flashing
- 3/4" Western Red Cedar Wood Siding
- Lincoln Aluminum Clad Windows/Doors
- Coronado Thin Veneer Stone
- Clopay Garage Doors (9' x 8')
- CertainTeed Landmark Pro - Garage Roof Shingles
- EPDM (Elastomeric Roof Sheetting) - Main House Roof
- Azek XLM Synthetic Deck Material/Black Railings

Location and Orientation

– per Site Plan dated 5/16/2014, Forest Conservation Plan dated 6/12/2014 (attached)

PETITIONER'S

EXHIBIT NO. 9

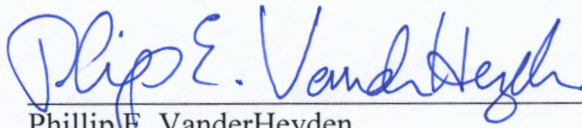
Greencroft Community Association

*12 Clipping Tree Lane
Cockeysville, MD 21030*

- Please note any changes to the design, location, materials, landscaping, plantings, etc. must be approved by the board prior to construction.

Thank you for your cooperation with our Architectural process and welcome to the neighborhood.

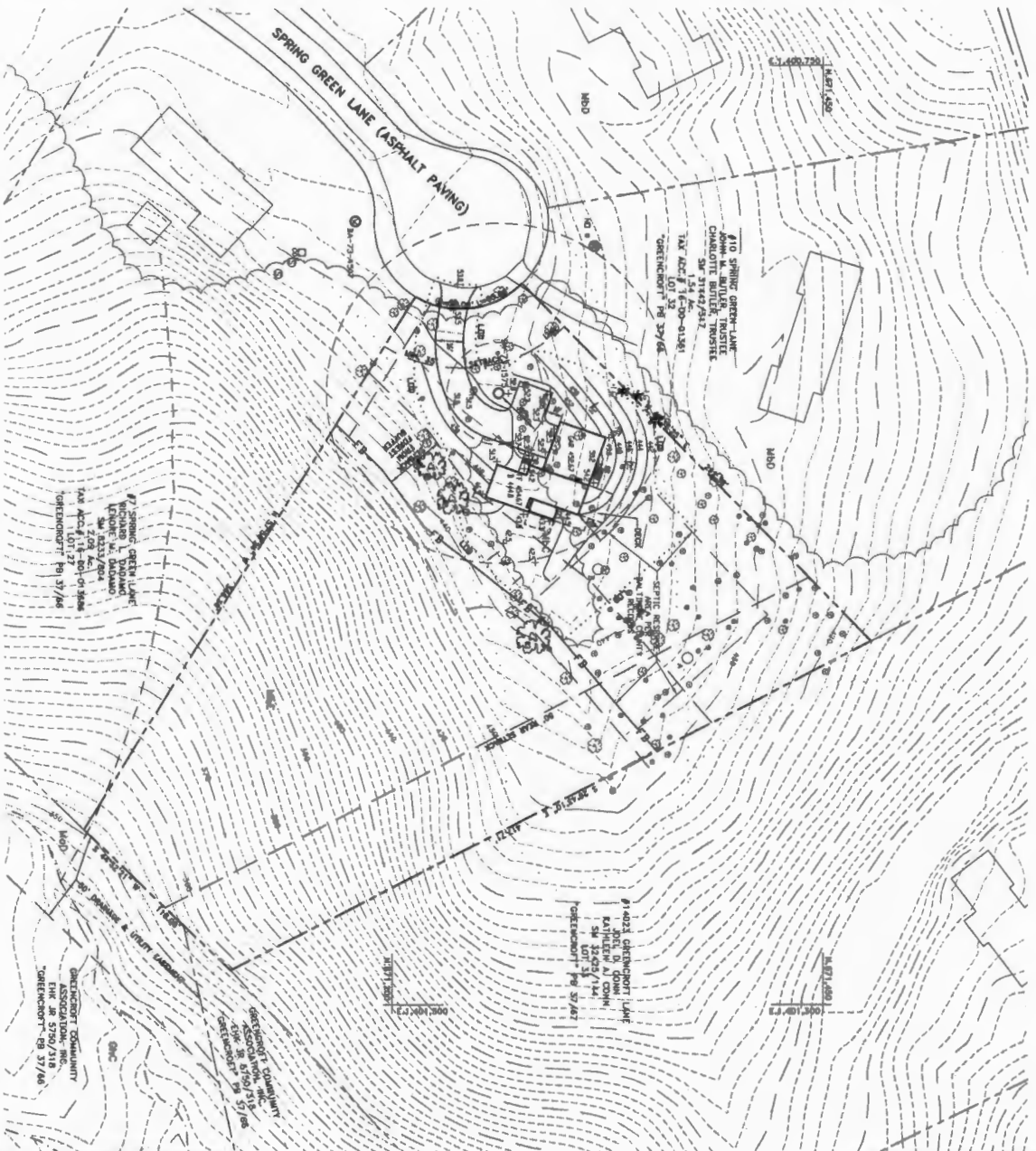
Sincerely,



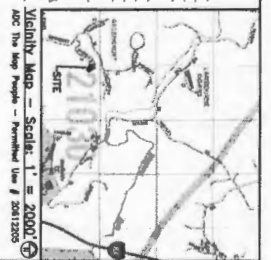
Phillip E. VanderHeyden
President

GENERAL NOTES

1. Owner: David C. and Elizabeth J. White, 2.08 Acres Lot 28
2. Address: 9 Spring Green Lane, Cockeysville, MD 21030 A/C Map Date: 04/04/08
3. Deed Reference: 34608 / 00062
4. Tax Map / Parcel / Tax account #: 41 / 131 Lot 28 / 16-00-01287
5. Zoning: R.C. 7 There are no previous zoning cases on the subject lot.
6. Election District: 3 Candidates District: 3 Census tract: 402020 Precinct: Planning District: 300 Waterfront: Loch Haven Reservoir School District: Fox Spring E3 / Cockeysville MS / Parkway HS
7. The boundary shown between lots from the plat of "9th Two Section One Greenacres" recorded in the Land Records of Baltimore County in Real Book File # 77, page 66, is other information shown between lots from Baltimore County GIS file 041212 and the information provided by Baltimore County as its records.
8. Improvement: Vacant (The subject property is mostly wooded)
9. The subject property is in the Western Han Historical Register Historic District
10. The proposed development of Lot 28 will be for a single family dwelling.
11. The proposed dwelling will be serviced by a private well and septic system. The private well is located on the subject property.
12. The septic system was shown on Lot 28 was approved by Baltimore County in 1974 and shown as installed in 2013.
13. There are no underground storage tanks on the subject property.
14. The requirements for the Forest Conservation Act will be met with the installation of a Forest Conservation Declaration of Private Ownership, Conditions and Restrictions Agreement at the time of the building permit application.
15. Maximum Height: 35'
16. The subject property is not in the Chesapeake Bay Critical Area.
17. The subject property is not located within a 100' year flood plain.
18. The septic system area and the private well shown between were taken from the records of Baltimore County.
19. Well No. 75-1575 shown between was taken from the records of Baltimore County.



PLAN
SCALE: 1"=30'



PLAN TO RECONSTRUCT A BUILDING: 7500'

PLAT TWO SECTION ONE GREENACRES

9TH SPRING GREEN LANE

BALTIMORE COUNTY LAND AND ENVIRONMENTAL DISTRICT

DATE: 5/18/2014

Drawn AS SHOWN

BRUCE E. DODGE CONSULTING, LLC

Land Use Expert and Surveyor

2000 South Greenacres Road

PO BOX 200-2030 in 41-1-19 2000

COCKEYSVILLE, MD 21030

www.bruceedodgeconsulting.com

GENERAL NOTES

- Owner: David C. and Elizabeth L. White, 208 Room Lot 28
- Address: 9 Spring Green Lane Cockeysville, MD 21030 ACP Map 646-43468
- Deed reference: 34508 / 00362
- Tax Map / Parcel / Tax record: 41 / 131 Lot 28 / 16-00-013687
- Zoning: R.C. 7. There are no previous zoning cases on the subject lot
- Election District: 8 Councilmanic District: 1 Census tract: 408200 Reg. Planning Dist.: 308
- Reg. Planning District: 308 Watershed: Loch Raven Reserve School District: Pot Spring (S) / Cockeysville MS / Dulany HS
- The boundary shown hereon is from the plat of "Flat Two Section One Greencroft" recorded in the Land Records of Baltimore County in Plat Book ENK, Jr. 37, page 66. All other information shown hereon was taken from Baltimore County GIS the DMS1 and the information provided by Baltimore County on the internet.
- Improvements: Vacant (the subject property is mostly wooded)
- The subject property is in the Western Run National Register Watershed District
- The proposed development of Lot 28 will be for a single family dwelling.
- The proposed dwelling will be serviced by a private well and septic system. The private well is existing on the subject property.
- The septic reserve area shown on Lot 28 was approved by Baltimore County in 1974 and then re-validated in 2013.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.
- The septic reserve area and the part lots shown hereon were taken from the records of Baltimore County.
- Well B-75-1575 shown hereon was taken from the records of Baltimore County.

SPECIMEN TREE SUMMARY

#1	BOTANICAL NAME	DIV. (DBH)	COND.	TO BE REMOVED
#1	LIRIODENDRON TUPIPERA	30.5"	GOOD	NO
#2	LIRIODENDRON TUPIPERA	39"	POOR	YES
#3	LIRIODENDRON TUPIPERA	32.5"	GOOD	NO
#4	ACEP SACCHARINUM	32"	GOOD	NO

*SPEC. #2 IS A HAZARD AND WILL BE REMOVED FOR SAFETY

PRELIMINARY BALTIMORE COUNTY FOREST CONSERVATION WORKSHEET

I. BASIC SITE DATA

GROSS SITE AREA
AREA WITHIN 100 YEAR FLOODPLAIN
AREA WITHIN AGRICULTURAL USE OR PRESERVATION PARCEL
AREA IN OVERHEAD TRANSMISSION LINE EASEMENTS
NET TRACT AREA
LAND USE CATEGORY

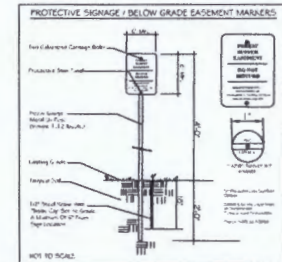
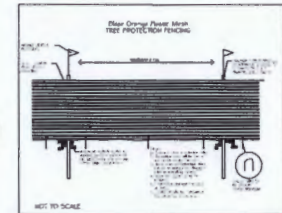
II. INFORMATION FOR CALCULATIONS

- NET TRACT AREA
- FOREST CONSERVATION THRESHOLD (LOW/MID/HIGH)
- REFORESTATION THRESHOLD (LOW/MID/HIGH)
- EXISTING FOREST ON NET TRACT AREA
- EXISTING FOREST ABOVE FOREST CONSERVATION THRESHOLD
- BREAKEVEN POINT: (E = 0.25-18)
(THE AMOUNT OF FOREST TO BE RETAINED FOR 10 MITIGATION)
- FOREST TO BE CLEARED
- FOREST TO BE RETAINED

III. APPLICATION OF AFFORESTATION AND REFORESTATION TO SITE

2. REFORESTATION ONLY

- IF EXISTING FOREST AREAS ARE RETAINED AT OR ABOVE THE BREAK-EVEN POINT, "STOP" NO FURTHER CALCULATIONS ARE NEEDED AND NO MITIGATION IS REQUIRED. A FOREST RETENTION AREA EQUAL TO THE BREAKEVEN POINT MUST BE PLACED INTO A FOREST CONSERVATION EASEMENT WITH A LONG-TERM PROTECTIVE AGREEMENT.



CONSTRUCTION SEQUENCE:

- CONTRACTOR IS TO STAKE AND FLAG THE SEDIMENT CONTROL MEASURES, LIMIT OF DISTURBANCE, LIMIT OF CLEARING, AND PROTECTIVE SIGNAGE/MONUMENT/FENCING LOCATIONS. ORANGE HIGH VISIBILITY FENCE SHALL BE VISIBLE, WELL ANCHORED, AND MANUALLY INSTALLED ALONG THE LINE, WHERE THE LIMIT IS WITHIN 50 FEET OF THE FOREST BUFFER/FOREST CONSERVATION EASEMENT. THIS SHALL BE COMPLETED BY, AND INSPECTED AT, THE PRE-CONSTRUCTION MEETING. IF ANY PROBLEMS ARISE REGARDING THE FENCE LOCATION, UNNECESSARY EQUIPMENT CLEARING, ETC., NO PERMIT WILL BE ISSUED UNTIL THE CORRECTIONS ARE SATISFACTORILY ADDRESSED. FOREST PROTECTIVE DEVICES WILL BE IN PLACE AND MAINTAINED AS NEEDED UNTIL CONSTRUCTION COMPLETION, FINAL INSPECTION, AND AN OCCUPANCY PERMIT IS ISSUED. ATTACHMENT OF SIGNS OR ANY OTHER OBJECT TO TREES IS PROHIBITED.
- NOTIFY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY DEPT. 48 HOURS IN ADVANCE, AT (410) 667-3980 FOR THE PRE-CONSTRUCTION MEETING, TO INCLUDE INSPECTION OF LINE AND PROTECTIVE DEVICES LOCATIONS. NO EQUIPMENT, VEHICLES, MACHINERY, DUMPING, STORAGE, OTHER CONSTRUCTION ACTIVITIES, BURIAL, FIRE, OR OTHER DISPOSAL OF CONSTRUCTION MATERIALS SHALL BE LOCATED INSIDE FOREST BUFFER AND FOREST CONSERVATION AREAS.
- MONITOR THE CONDITION OF ANY TREES TO BE RETAINED DURING CONSTRUCTION AND MAKE CORRECTIVE MEASURES WHEN APPROPRIATE. DECISIONS ARE TO BE MADE WITH THE APPROVAL OF BALTIMORE CO. DEPT. 48 AND HUMAN & RHODE, INC.
- AFTER CONSTRUCTION IS COMPLETED THE SIGNAGE FOR RETENTION AND FOREST BUFFER AREAS IS TO REMAIN IN PLACE PERMANENTLY.
- FOLLOWING COMPLETION OF CONSTRUCTION, PRIOR TO USE, A QUALIFIED PROFESSIONAL (QP) SHALL INSPECT THE SITE TO ASCERTAIN CONDITION OF TREES IN RETENTION AREAS. IF NECESSARY, SUPPLEMENT CORRECTIVE MEASURES FOR STRESS REDUCTION, REPAIR OF RETAINED TREE DAMAGE, AND REMOVAL OF DEAD OR DYING TREES THAT POSE A SAFETY HAZARD.

BALTIMORE COUNTY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND SUSTAINABILITY
FOREST CONSERVATION PLAN APPROVAL

Approved by: _____ Date: _____
Environmental Impact Review, EPR approved qualified professional

Forest Conservation Plan # _____



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20812305

LEGEND

- PROPERTY BOUNDARY
- EX. CONTOUR
- SPECIMEN TREE
- EX. TREE LINE
- EX. USE B/LP STREAM
- PROPOSED LIMITS OF DISTURBANCE
- FOREST BUFFER AND FOREST CONSERVATION EASEMENT
- 35' SETBACK FROM FCE
- PROTECTIVE SIGNAGE / MONUMENT LOCATION
- TREE PROTECTION FENCE
- 10' BALTIMORE COUNTY ACCESS EASEMENT

NOTE

"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER AND FOREST CONSERVATION EASEMENT, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY."

"ANY FOREST BUFFER AND FOREST CONSERVATION EASEMENT, SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THIS AREA."



FOREST CONSERVATION PLAN
LOT 28
PLAT TWO SECTION ONE
GREENCROFT
#9 SPRING GREEN LANE
BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 6/12/2014
Scale: 1" = 30'

PLAN PREPARED BY:
HUMAN & RHODE, INC.
Landscaping Architect
813 Virginia Ave.
Timonium, Maryland 21088
(410) 835-3885 Phone
(410) 888-0887 Fax

August 14, 2014

Mr. and Mrs. John and Charlotte Butler
10 Spring Green Lane
Cockeysville, MD 21030

Dear John and Charlotte:

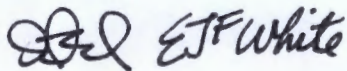
I wanted to take the opportunity to let you know how much Elizabeth and I appreciate your support of our variance request along our shared property line for our future home at 9 Spring Green Lane.

As discussed, as a condition of your support, Elizabeth and I in good faith will go to the Baltimore County Department of the Environment and request an additional variance of 15 feet from the Forest Buffer so that the distance from our shared property line will be a total of at least 35 feet.

As an additional consideration of your support, Elizabeth and I will work with our site planners to create a berm or other means to prevent storm water run off from our property to yours.

We are looking forward to becoming your neighbors and members of the Greencroft Community. Thank you again for your support.

Sincerely,

A handwritten signature in black ink, appearing to read "DJ White". The signature is stylized and cursive.

David and Elizabeth White

PETITIONER'S

EXHIBIT NO. 7

From: **David White** dwhite@exit10.com
Subject: Fwd: zoning waiver at #9 Spring Green Lane
Date: August 15, 2014 at 6:58 AM
To: **David White** davecwhite25@me.com



Begin forwarded message:

From: Greencroft <president@greencroftcommunity.com>
Date: August 13, 2014 at 9:31:56 AM EDT
To: dwhite@exit10.com
Subject: zoning waiver at #9 Spring Green Lane
Reply-To: president@greencroftcommunity.com

Hello Greencroft Residents,

There is a new home in our community planned for the vacant lot on Spring Green Lane, #9. The plans have gone through our architectural process and have been approved. In order to comply with Baltimore County Zoning, our new residents, David and Elizabeth White have applied for a waiver to the 50ft set back between their lot and the adjacent lot. A notice of the zoning hearing is posted at the site and there have been some questions regarding the waiver request with Baltimore Co. I have asked Mr. and Mrs. White to provide a brief summary of their application for the community's information.

Please note that the board has conducted a review of the plans and the location and found them to be satisfactory. In addition, the White's have contacted the adjacent property owners and to our knowledge there are no concerns voiced through our architectural review process that have not been addressed.

-phil vanderheyden

PETITIONER'S

EXHIBIT NO. 8

9 Spring Green Line - White Residence

Dear Neighbors,

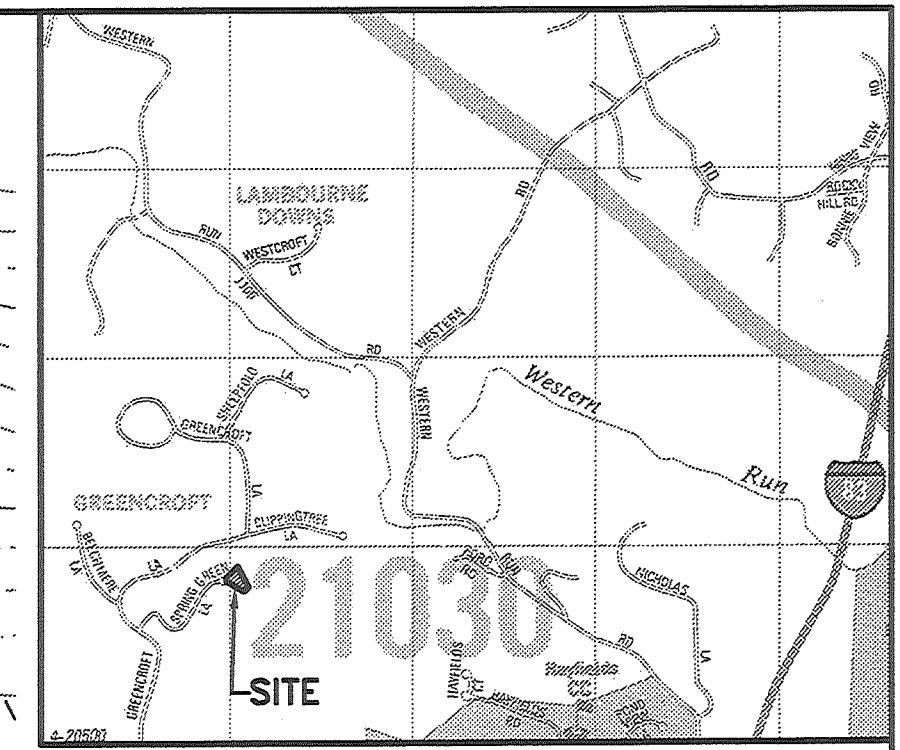
The HOA Board thought it would be a good idea to send a quick note regarding the zoning sign and upcoming hearing for our new home project at 9 Spring Green Lane. The process is a dynamic one and new to us. The purpose of the hearing on Friday is to review our request for a variance on section 1A00.3B.3 of the R.D.P. regulations of 1974 which requires a 50 foot property line setback from the side yard. We are requesting a 20 foot setback along the property line that we share with 10 Spring Green Lane so that our new home can be built. The conflict arose due to the need for a Forest Conservation Easement Area and a 35 foot Forest Buffer to protect the forest and the stream at the base of the hill.

We have not changed anything that we presented and that was approved by the Board. The need for the variance only came up after we entered the permitting process with Baltimore County.

David and Elizabeth White

GENERAL NOTES

- Ownership: David C. and Elizabeth J. White 2.08 acres Lot 28
- Address: 9 Spring Green Lane Cockeysville, MD 21030 ADC Map Grid: 4346A9
- Deed reference: 34658 / 00362
- Tax Map / Parcel / Tax account #: 41 / 131 Lot 28 / 16-00-013687
- Zoning: R.C. 7. There are no previous zoning cases on the subject lot.
- Election District: 8 Councilmanic District: 3 Census tract: 408200 Reg. Planning Dist.: Sparks
Reg. Planning District: 308 Watershed: Loch Raven Reservoir School Districts: Pot Spring ES / Cockeysville MS / Dulaney HS
- The boundary shown hereon is from the plat of "Plat Two Section One Greencroft" recorded in the Land Records of Baltimore County in Plat Book EHK, Jr. 37, page 66. All other information shown hereon was taken from Baltimore County GIS tile 041C1 and the information provided by Baltimore County on the internet.
- Improvements: Vacant (the subject property is mostly wooded)
- The subject property is in the Western Run National Register Historic District
- The proposed development of Lot 28 will be for a single family dwelling.
- The proposed dwelling will be serviced by a private well and septic system. The private well is existing on the subject property.
- The septic reserve area shown on Lot 28 was approved by Baltimore County in 1974 and then re-validated in 2013.
- There are no underground storage tanks on the subject property.
- The requirements for the Forest Conservation Act will be met with the recordation of a Forest Conservation Declaration of Protective Covenants, Conditions and Restrictions agreement at the time of the building permit application.
- Maximum height: 35.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.
- The septic reserve area and the perc tests shown hereon were taken from the records of Baltimore County.
- Well Ba-73-1575 shown hereon was taken from the records of Baltimore County.



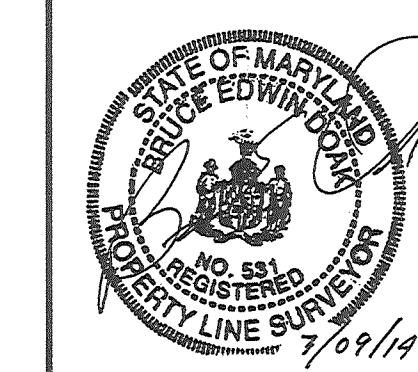
Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

PETITION REQUEST:
VARIANCE TO ALLOW A 20 FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED 50 FOOT SETBACK PER SECTION 1A00.3.B.3 THE R.D.P. REGULATIONS OF 1974.

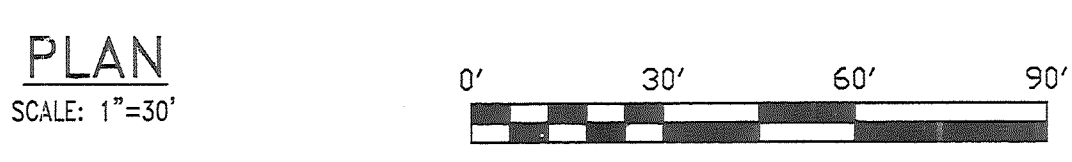
Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freedland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A ZONING PETITION
LOT 28
PLAT TWO SECTION ONE
GREENCROFT
#9 SPRING GREEN LANE
BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 7/8/2014
Scale: AS SHOWN
PETITIONER'S
EXHIBIT NO. 1



REVISIONS
8/15/14 AMENDMENTS
REQUESTED @
HEARING



E.H.K. JR. 37/66

2015-0007-A



COORDINATES

LOCATION PLAN

SCALE: 1"=2000'

CURVE DATA						
NO.	RADIUS	DELTA	LENGTH	TAN.	CHORD	
279 - 279	50.00	45°15'22"	59.54	22.87	53.24	50.52
280 - 280	50.00	45°34'22"	59.77	21.09	N 71°24'47"E	50.75
280 - 284	50.00	45°34'22"	59.77	21.09	N 71°24'47"E	50.75
281 - 282	50.00	45°52'00"	40.04	21.10	N 21°03'00"E	50.25
282 - 285	115.00	27°31'51"	162.51	162.51	S 74°27'18"W	54.71
285 - 446	154.22	107°15'54"	153.72	153.72	S 08°27'18"W	149.61
284 - 276	150.00	59°20'53"	123.02	64.34	N 57°55'51"W	121.20
285 - 217	355.00	54°08'00"	355.41	161.40	S 52°10'25"W	222.07
281 - 282	50.00	45°52'00"	40.04	21.10	N 21°03'00"E	50.25
282 - 284	50.00	45°34'22"	59.77	21.09	N 71°24'47"E	50.75
285 - 282	450.00	27°25'30"	212.71	110.25	S 53°34'47"W	212.53
219 - 221	575.10	23°00'10"	252.29	125.17	N 61°14'50"E	252.29
219 - 222	216.10	23°00'10"	217.75	107.58	N 61°14'50"W	217.51
219 - 223	216.10	23°00'10"	217.75	107.58	N 61°14'50"E	217.51
219 - 216	920.00	50°55'40"	471.25	231.65	S 64°02'35"W	445.47
242 - 279	920.00	50°26'24"	564.59	302.55	S 20°02'51"E	574.01
279 - 212	900.00	27°00'40"	512.64	242.57	N 64°02'35"E	506.97
279 - 279	50.00	45°15'22"	59.54	22.87	N 71°24'47"E	50.75
282 - 280	50.00	27°10'48"	239.62	111	N 41°22'24"E	70.00

P. W. A. Completed **None** **DHL**
Final Plat Check **OK**
Planning **OK**
Engineering **Ed M. E.**
Street Names:
House Nos. **CRB 11-30-73**

NOTE: ALL ROADS SHOWN HEREON ARE PRIVATE ROADS. MAINTENANCE & SNOW REMOVAL ON THESE ROADS IS THE RESPONSIBILITY OF THE GREENCROFT HOME OWNERS ASSOCIATION AS SET FORTH IN THE RECORDED COVENANTS

PLAT TWO SECTION ONE
GREENCROFT

Election District 8th Baltimore, County Md.
Scale: 1"=100' 1973

DEVELOPER:
Western Run Joint Venture
608 Baltimore Avenue
Towson, Maryland 21204

DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS

PETITIONER'S

EXHIBIT NO. 2

P 52630

ENK., JR. 37 FOLIO 66

Filed for record
Date JAN 17 1974
FBI

1950:

Ernest J. ... Clerk

DEVELOPER:
Western Run Joint Venture
608 Baltimore Avenue
Towson, Maryland 21204

SURVEYORS CERTIFICATE:

I, Wilson F. Outen, a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out, and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill #459, Chapter 1016 of the Acts of 1945 and subsequent amendatory acts.

Wilson F. Outen 11/20/73
REGISTERED LAND SURVEYOR: No. 2422 DTS

OWNERS CERTIFICATE:

The requirements of Section 72-B, Article 17 of the Annotated Code of Maryland, (Flick 1947 Supplement) as far as they relate to the preparation of this plan have been complied with.

Chad A. Smith DRS. 10/29/17
OWNER DATE

NOTE:

COORDINATES and BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations:

#4993	#4994	#4995
N72,840.33	N72,881.36	N72,978.63
W20,001.07	W19,521.70	W18,863.77

NOTE:
STREETS and/or ROADS shown hereon and mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

APPROVED: 
DATE: 1/2/74  DEPUTY STATE & COUNTY HEALTH OFFICER

1/14/74
DATE: Shanta M. Harris
COUNTY ROADS ENGINEER

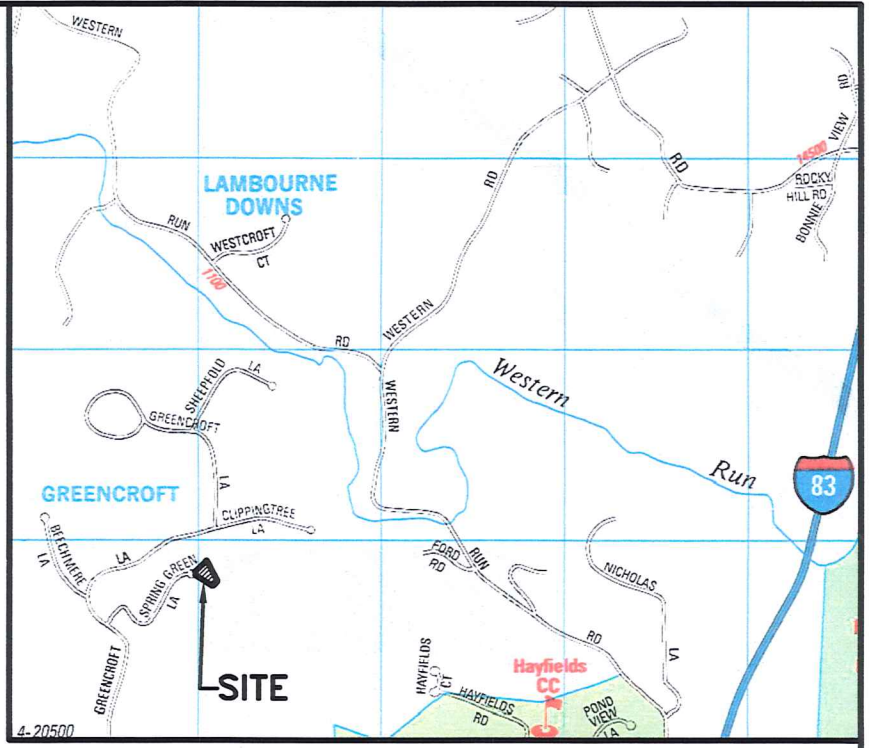
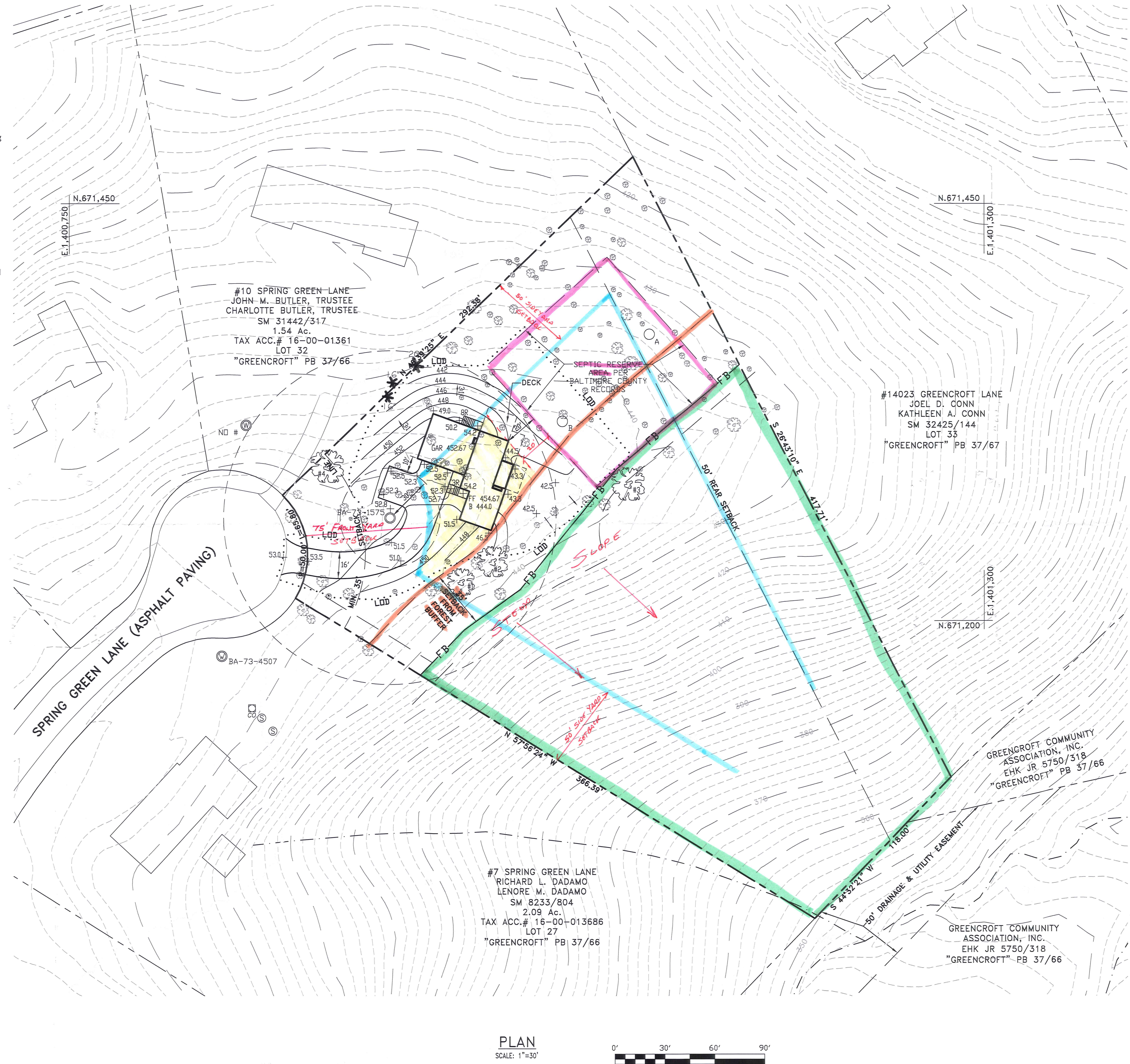
APPROVED, BALTIMORE COUNTY PLANNING BOARD

1/11/74 *William Brown*

DATE: DIRECTOR

GENERAL NOTES

1. Ownership: David C. and Elizabeth J. White 2.08 acres Lot 28
2. Address: 9 Spring Green Lane Cockeysville, MD 21030 ADC Map Grid: 4346A9
3. Deed reference: 34658 / 00362
4. Tax Map / Parcel / Tax account #: 41 / 131 Lot 28 / 16-00-013687
5. Zoning: R.C. 7. There are no previous zoning cases on the subject lot.
6. Election District: 8 Councilmanic District: 3 Census tract: 408200 Reg. Planning Dist.: Sparks
Reg. Planning District: 308 Watershed: Loch Raven Reservoir School Districts: Pot Spring ES / Cockeysville MS / Dulaney HS
7. The boundary shown hereon is from the plat of "Plat Two Section One Greencroft" recorded in the Land Records of Baltimore County in Plat Book EHK, Jr. 37, page 66. All other information shown hereon was taken from Baltimore County GIS tile 041C1 and the information provided by Baltimore County on the internet.
8. Improvements: Vacant (the subject property is mostly wooded)
9. The subject property is in the Western Run National Register Historic District
10. The proposed development of Lot 28 will be for a single family dwelling.
11. The proposed dwelling will be serviced by a private well and septic system. The private well is existing on the subject property.
12. The septic reserve area shown on Lot 28 was approved by Baltimore County in 1974 and then re-validated in 2013.
13. There are no underground storage tanks on the subject property.
14. The requirements for the Forest Conservation Act will be met with the recordation of a Forest Conservation Declaration of Protective Covenants, Conditions and Restrictions agreement at the time of the building permit application.
15. Maximum height: 35.
16. The subject property is not in the Chesapeake Bay Critical Area.
17. The subject property is not located within a 100 year flood plain.
18. The septic reserve area and the perc tests shown hereon were taken from the records of Baltimore County.
19. Well Ba-73-1575 shown hereon was taken from the records of Baltimore County.



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

LIMIT OF DISTURBANCE: 18,072 SF. = 0.42 Ac.

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@brucedoakconsulting.com

PLAN TO ACCOMPANY A BUILDING PERMIT
LOT 28
PLAT TWO SECTION ONE
GREENCROFT
#9 SPRING GREEN LANE
BALTIMORE COUNTY, MARYLAND
8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT

Date: 5/16/2014
Scale: AS SHOWN

PETITIONER'S
EXHIBIT NO. 6