

**IN RE: PETITION FOR ADMIN. VARIANCE *
(11106 Greenspring Avenue)**

3rd Election District *
2nd Council District *
Charles A. & Giovanna E. Gilman *
Petitioners *

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0267-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Charles A. & Giovanna E. Gilman ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §§ 1A04.3.A, 1A04.3.B.2.b, and 301.1.A of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit an existing principal building with a height of 37 ft. in lieu of the maximum 35 ft., to permit a lot line yard setback of 3 ft. in lieu of the required 50 ft. (principal building), and to permit an existing deck to have a lot line setback of 3 ft. in lieu of 37.5 ft. (open projection deck). 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.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted by any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 9, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 5-1-17

By kw

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 1st day of **May, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to §§ 1A04.3.A, 1A04.3.B.2.b, and 301.1.A of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an existing principal building with a height of 37 ft. in lieu of the maximum 35 ft., to permit a lot line yard setback of 3 ft. in lieu of the required 50 ft. (principal building), and to permit an existing deck to have a lot line setback of 3 ft. in lieu of 37.5 ft. (open projection deck), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

ORDER RECEIVED FOR FILING

Date 5-1-17

By kw

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 5-1-17

By DLW



KEVIN KAMENETZ
County Executive

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

May 1, 2017

Robert A. Hoffman, Esq.
Venable, LLP
210 West Pennsylvania Avenue
Suite 500
Towson, MD 21204

RE: Petition for Administrative Variance
Case No. 2017-0267-A
Property: 11106 Greenspring Avenue (Gilman)

Dear Mr. Hoffman:

Enclosed please find a copy of the Order 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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 11106 Greenspring Avenue Currently zoned RC5
 Deed Reference 21890 7442 10 Digit Tax Account # 2400005688
 Owner(s) Printed Name(s) Charles A. & Giovanna E. Gilman

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

- X **ADMINISTRATIVE VARIANCE** from Section(s) 1A04.3.A, 1A04.3.B.2.b, 301.1.A, BCZR to permit a building height of 37 feet in lieu of 35 feet, a lot line setback as close as 3 feet in lieu of 50 feet (principal building), and a lot line setback of 3 feet in lieu of 37.5 feet (open projection-deck).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- 2 **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Charles A. Gilman / Giovanna E. Gilman
 Name #1 – Type or Print Name #2 – Type or Print
X / X
[Signature] / [Signature]
 Signature #1 Signature #2
11106 Greenspring Ave Lutherville MD
 Mailing Address City State
21093 / 410-560-4999 / cgilman@gblegalteam.com
 Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
 Date 5-1-17
[Signature]

Attorney for Owner(s)/Petitioner(s):

Robert A. Hoffman, Esq.
 Name- Type or Print
[Signature]
 Signature Vencble, LLP
210 W. Pennsylvania Ave, Suite 500 MD
 Mailing Address City Towson State
21204 / 410-494-6206 / rahoffman@vencble.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Mitchell J. Kellman
 Name – Type or Print
[Signature]
 Signature
DMW, 501 Fairmount Ave, Ste 300 MD
 Mailing Address City Towson State
21286 / 410-296-3333 / mjkellman@dmw.com
 Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2017-0267-A Filing Date 3/31/17 Estimated Posting Date 4/9/17 Reviewer JS

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 11106 Greenspring Avenue Lutherville MD 21093
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

Without the requested variances, the owners, through no fault of their own, would not be able to use the property and existing home as constructed. If the variance is not granted, the only potential solution for the undersigned would be to demolish their primary residence in which they have resided for 11 years.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Signature of Owner (Affiant)

Charles A. Gilman

Name- Print or Type

Signature of Owner (Affiant)

Giovanna E. Gilman

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

× STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of March, 2017, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Charles A. Gilman Giovanna E. Gilman

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Sara M. Delman
Notary Public

My Commission Expires





10 GERARD AVENUE
SUITE 101
TIMONIUM, MD 21093
(410) 252-4444 (o)
(410) 252-4493 (f)
www.polarisl.com

**ZONING PROPERTY DESCRIPTION FOR
11106 GREENSPRING AVENUE
BALTIMORE COUNTY, MARYLAND**

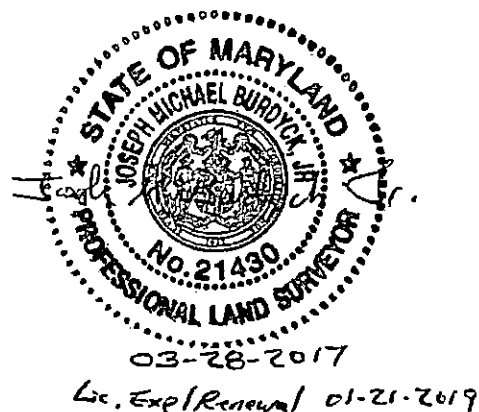
Beginning at a point in the center of Greenspring Avenue at the distance of 490 feet, more or less, northwest of the centerline of Highview Drive. Thence running

- 1) South 43 degrees 54 minutes 00 seconds West, 190.00 feet,
- 2) North 46 degrees 06 minutes 00 seconds West, 45.91 feet,
- 3) South 43 degrees 54 minutes 00 seconds West, 175.99 feet,
- 4) North 46 degrees 06 minutes 00 seconds West, 110.09 feet,
- 5) North 43 degrees 54 minutes 00 seconds East, 365.99 feet, and
- 6) South 46 degrees 06 minutes 00 seconds East, 156.00 feet, to the point of beginning.

Containing 49,015 square feet or 1.125 acres, more or less.

Deed: Liber S.M. 21890, folio 442.

Located in the 3rd Election District and 2nd Councilmanic District.



2017-0267-A

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

NO 151413

Date: 3/31/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		650				\$ 75.00

Total: \$ 75.00

Rec From: GILMAN

For: 2017-0267-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME ISN
3/31/2017 3/31/2017 11:03:02 2
REG WS02 WALKIN JEE
>>RECEIPT # 005053 3/31/2017 CFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 151413
Recpt Tot \$75.00
\$75.00 CK \$.00 CA
Baltimore County, Maryland

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

Date: 4-9-17

RE: Case Number: 2017-0267-A

Petitioner/Developer: Gilman

Date of Hearing/Closing: 4-24-17

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 11106 Greenspring Ave

The signs(s) were posted on 4-9-17
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

VARIANCE

ADMINISTRATIVE

CASE # 2017-0267-A

TO PERMIT AN EXISTING PRINCIPAL BUILDING WITH
A HEIGHT OF 37 FEET IN LIEU OF THE MAXIMUM PERMITTED
35 FEET, TO PERMIT A LOT LINE YARD SETBACK OF 3 FEET
IN LIEU OF THE REQUIRED 50 FEET AND TO PERMIT AN EX-
ISTING DECK TO HAVE A LOT LINE SETBACK OF 3 FEET
IN LIEU OF THE REQUIRED 37 1/2 FEET.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,

AN ELIGIBLE INDIVIDUAL OR GROUP MAY

REQUEST A PUBLIC HEARING CONCERNING

THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS

RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

5:00 P.M. ON 4/24/17

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF

PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING

111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND ONLY THE SIGN

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0767 -A Address 11106 GREENSPRING AVE.

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/31/17 Posting Date: 4/9/17 Closing Date: 4/24/17

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2016- 0767 -A Address 11106 GREENSPRING AVE

Petitioner's Name GILMAN Telephone 410-560-4999

Posting Date: 4/9/17 Closing Date: 4/24/17

Wording for Sign: TO PERMIT AN EXISTING PRINCIPAL BUILDING WITH A HEIGHT OF 37 FEET
IN LIEU OF THE MAXIMUM PERMITTED 35 FEET, TO PERMIT A LOT LINE SETBACK OF 3 FEET IN LIEU OF
THE REQUIRED 50 FEET AND TO PERMIT AN EXISTING DECK TO HAVE A LOT LINE SETBACK OF 3 FEET
IN LIEU OF THE REQUIRED 37 1/2 FEET.

Revised 7/9/15

**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 twenty (20) 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: 2017-0267-A
Property Address: 11106 Greenspring Avenue
Property Description: _____

Legal Owners (Petitioners): GILMAN
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mitch Kellman
Company/Firm (if applicable): DMW, Inc.
Address: 501 Fairmount Ave, Ste 300
Towson, MD 21286

Telephone Number: 410-296-3333



KEVIN KAMENETZ
County Executive

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

April 25, 2017

Charles A. & Giovanna E. Gilman
11106 Greenspring Avenue
Lutherville MD 21093

RE: Case Number: 2017-0267 A, Address: 11106 Greenspring Avenue

Dear Mr. & Ms. Gilman:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 31, 2017. 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: jaw

Enclosures

c: People's Counsel
Robert A Hoffman, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204
Mitchell Kellman, 501 Fairmount Avenue, Suite 300, Towson MD 21286

Date: 4/5/17

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0267-A

*Administrative Variance
Charles A. & Giovanna E. Gilman
1106 Greenspring Avenue*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, PLA
Metropolitan District Engineer - District 4
Baltimore & Harford Counties

WW/RAZ

20BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 10, 2017

FROM: ^{DAK}
Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 3, 2017
Item No. 2017-0257, 0258, 0259, 0260, 0262, 0263, 0264, 0265, 0267
and 0268

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC04102017.doc

M E M O R A N D U M

DATE: June 2, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0267-A – Appeal Period Expired

The appeal period for the above-referenced case expired on May 31, 2017. 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

History

9/26

IN RE: PETITION FOR VARIANCE
S/S of Greenspring Avenue,
520 ft. S of Woodland Drive
3rd Election District
2nd Councilmanic District
(11108 Greenspring Avenue)

Woodside Homes, Inc.,
By: Cheryl J. Faust, President,
Legal Owners and
Cheryl J. & Michael P. Faust,
Contract Purchasers
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 04-045-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Woodside Homes, Inc., by Cheryl J. Faust, President and the contract purchasers, Cheryl J. and Michael P. Faust. The Petitioners are requesting variance relief for property located at 11108 Greenspring Avenue in the northwestern area of Baltimore County. The variance request is from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 40 ft. in lieu of the required 50 ft. for a proposed dwelling.

The property was posted with Notice of Hearing on September 9, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 11, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

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

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

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

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

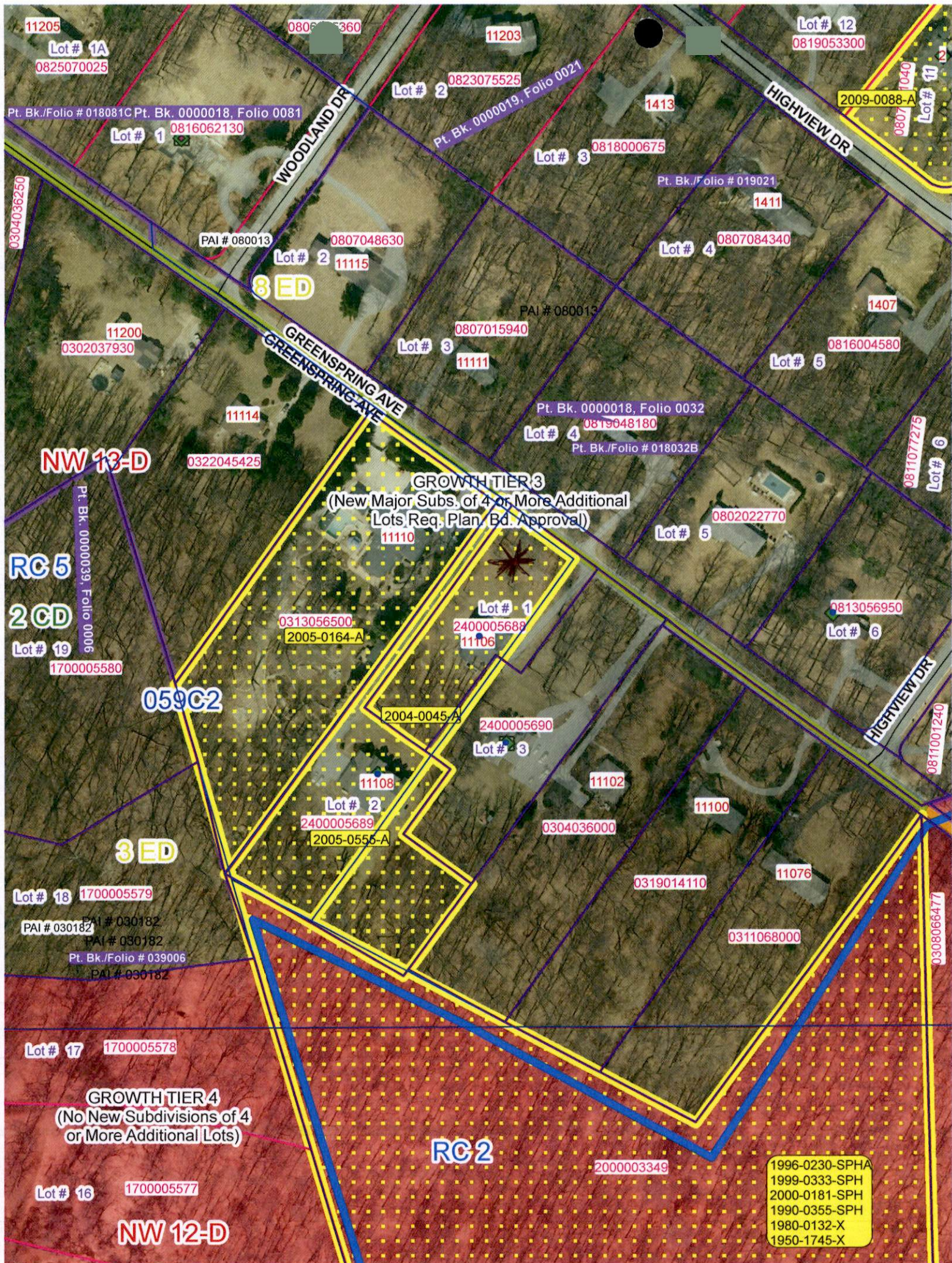
Interested Persons

Appearing at the hearing on behalf of the variance request were Cheryl and Michael Faust. There were no Protestants or others in attendance. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence indicated that the property, which is the subject of this variance request contains 2.3 Acres and is zoned RC 5. The property is 150 feet wide and 668 feet long located in a rural area off of Greenspring Avenue. The Petitioners testified that Michael Faust, who appeared at the hearing in a wheel chair, was severely injured in a high school accident in which he was paralyzed from the waist down. He is completely unable to walk and so requires the use of a wheel chair at all times to move about.

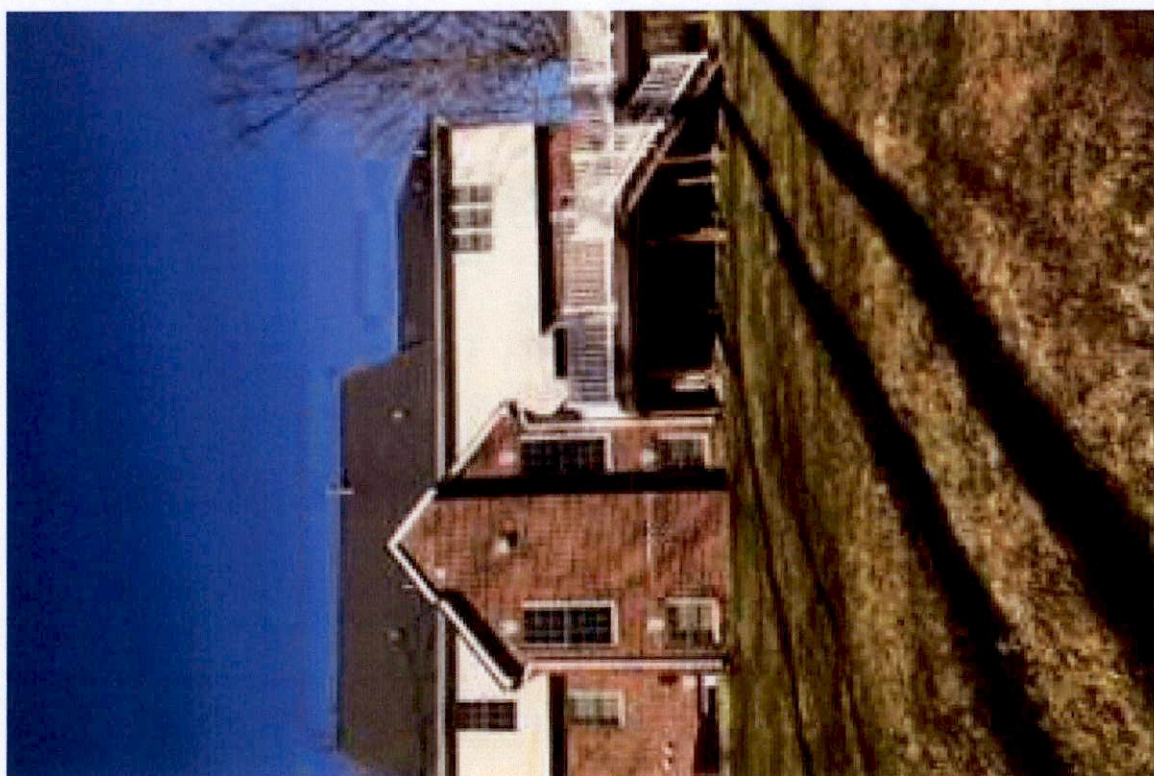
The Petitioners ask for variance relief on the side yard setback requirement of 50 feet applicable in the RC 5 zones. They indicated that they wish to build a home for themselves on



GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

- 1996-0230-SPHA
- 1999-0333-SPH
- 2000-0181-SPH
- 1990-0355-SPH
- 1980-0132-X
- 1950-1745-X



Rear of Dwelling

Rear d Side of Dudding
Showing Side Yard



Rear of Dwelling
Showing Side Yard



Rear of Dwelling
Showing Side Yard



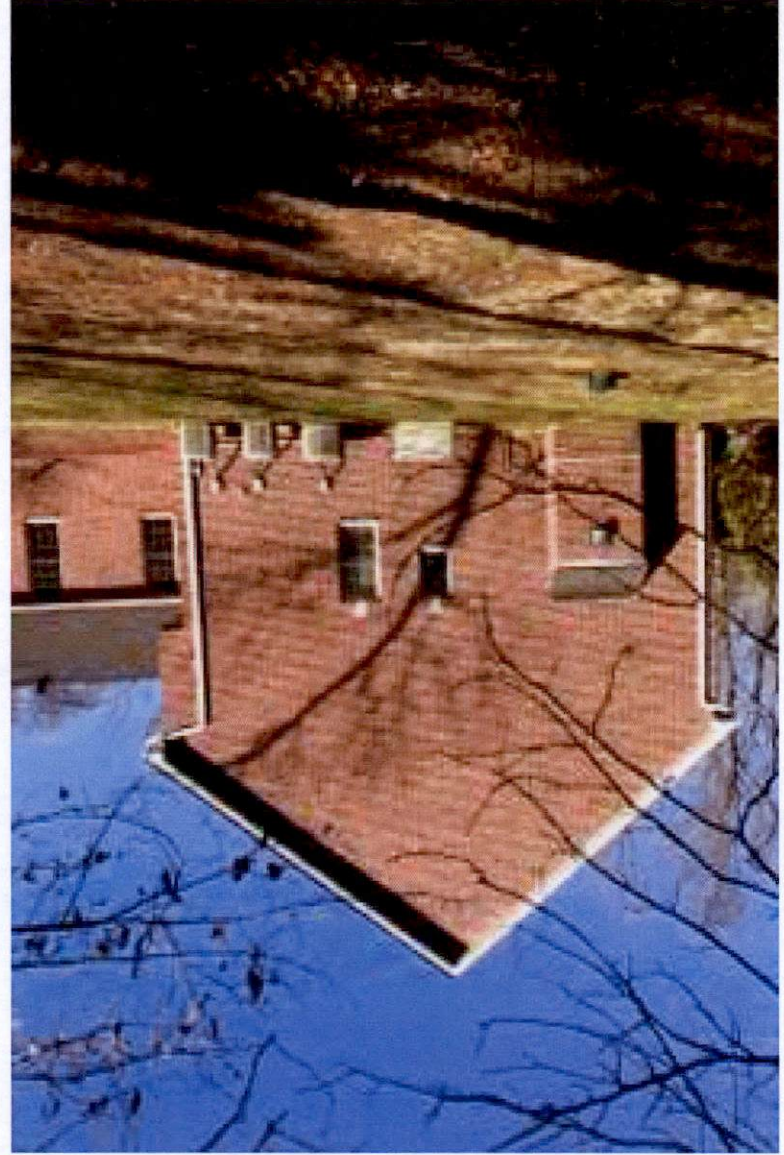
Rear of Dwelling Showing
Side Yard & Adjoining Dwelling





Rear of Dwelling Showing
Adjoining Dwelling & Distance
Between Dwellings

Side of Dwelling (northwest side)



Fall Side Elevation of Dwelling
(southeast side)



Front of Dwelling



Distance Between Dwellings
(Showing Side of Dwelling of variance
(Rightest))

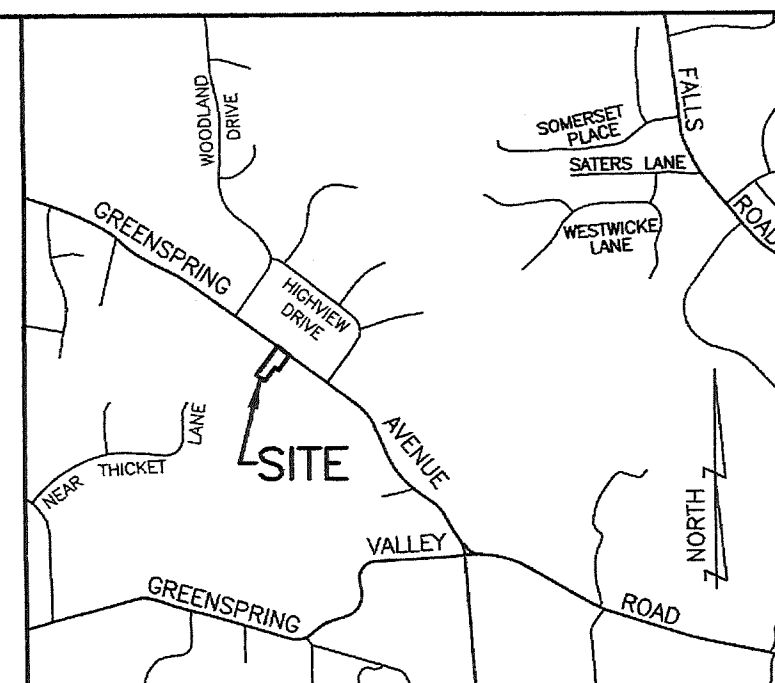




Distance Between Dwellings
(Showing Side of Dwellings of Variance
Request)

Distance Between Dwellings
(Showing Side of Dwelling of Variance
(Request))





SCALE: 1" = 2000'

EXISTING RIGHT-OF-WAY
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
G.L.B. 2522/309

RC-5

GREENSPRING AVENUE

POINT OF BEGINNING

490' +/- TO CENTER OF HIGHVIEW DRIVE

S 46°06'00" E 156.00'

EX. DWLG.
#11110

RC-5
#111110 GREENSPRING AVENUE
T.M. 59, P. 161
TAX ACCT. NO.: 03-13-056500
THE JACK ROSE IRREVOCABLE TRUST
DEED: S.M. 15001/157

RC-5

EX. $10^{+/-}$
SHED

LOT 1
#11106 GREENSPRING AVENUE
T.M. 59, P. 162
TAX ACCT. NO.: 24-00-005688
CHARLES A. GILMAN
GIOVANNA E. GILMAN
DEED: S.M. 21890/442

RC-5

LOT 2
#11108 GREENSPRING AVENUE
T.M. 59, P. 535
TAX ACCT. NO.: 24-00-005689
CHERYL J. FAUST &
MICHAEL P. FAUST
DEED: S.M. 19818/43

ABBREVIATIONS:

OH	DENOTES OVERHEAD UTILITY LINES
TEL	DENOTES TELEPHONE PEDESTAL
TR	DENOTES ELECTRICAL TRANSFORMER
UP	DENOTES UTILITY POLE

SCALE: 1" = 40'

NOTES:

1. EXISTING ZONING: RC-5
2. OWNER: CHARLES A. GILMAN
GIOVANNA E. GILMAN
#11106 GREENSPRING AVENUE
TIMONIUM, MD 21093
3. DEED REFERENCE: S.M. 21890/442
4. TAX MAP 0059, GRID 0017, PARCEL 0162
5. TAX ACCOUNT NO.: 24-00-005688
6. SITE AREA: 49,015 S.F.+/- OR 1.125 AC.+/-
7. 200 SCALE ZONING MAP NO. 059C2
8. THIS SITE IS NOT IN THE CBCA.
9. THIS SITE IS NOT IN A 100 YEAR FLOOD PLAIN.
10. THIS SITE IS NOT HISTORIC.
11. EXISTING SITE USE IS RESIDENTIAL.
12. THIS SITE IS SERVED BY A PRIVATE WELL AND PRIVATE SEPTIC SYSTEM.
13. BUILDING HEIGHT = 37'
(AS MEASURED FROM THE PEAK OF THE ROOF TO
THE HIGHEST ADJACENT GRADE BEING AT THE
FRONT ENTRANCE TO THE DWELLING)
14. PRIOR ZONING CASE NO. 04-045-A
DATE OF ORDER: OCTOBER 1, 2003
ORDER: TO PERMIT A SIDE YARD SETBACK OF
40 FT. IN LIEU OF THE REQUIRED 50 FT.
FOR A PROPOSED DWELLING.
15. BOUNDARY INFORMATION SHOWN HEREON IS BASED
ON A BOUNDARY SURVEY PERFORMED BY POLARIS
LAND CONSULTANTS, LLC IN MARCH & APRIL 2016.
16. IMPROVEMENTS ON THE SUBJECT PROPERTY,
INCLUDING THE EXISTING DWELLING, DRIVEWAY, WELL
AND SEPTIC, WERE FIELD LOCATED IN MARCH 2016.
17. IMPROVEMENTS ON THE ADJOINING PROPERTIES ARE
FROM BALTIMORE COUNTY GIS DATA.
18. THE SUBJECT PROPERTY (LOT 1, #11106
GREENSPRING AVENUE) AND TWO OF THE ADJOINING
PROPERTIES (LOT 2, #11108 GREENSPRING AVENUE AND
LOT 3, #11104 GREENSPRING AVENUE) ARE SHOWN ON
A PLAN TITLED "SDP AND DRC AMENDED PLAN,
11104-11106-11108 GREENSPRING AVENUE", DATED
01-1-2004.
19. BUILDING SETBACK LINES (B.S.L.) AND THE FUTURE
HIGHWAY WIDENING LINE OF GREENSPRING AVENUE ARE
AS SHOWN ON THE PLAN TITLED "SDP AND DRC
AMENDED PLAN, 11104-11106-11108 GREENSPRING
AVENUE", DATED 01-1-2004 AND ATTACHED TO THE
DEED RECORDED IN S.M. 19818/34.
20. THERE ARE NO EXISTING OR IMPENDING FAILURES
OF THE BASIC SERVICES MAPS FOR THIS SITE.
21. THIS PLAN HAS BEEN PREPARED WITHOUT THE
BENEFIT OF A TITLE REPORT.



PLAN TO ACCOMPANY
PETITION FOR ZONING VARIANCE
#11106 GREENSPRING AVENUE

TAX MAP 59, PARCEL 162

DEED REFERENCE: S.M. 21890/442

BEING LOT 1

SDP AND DRC AMENDED PLAN
11104-11106-11108 GREENSPRING AVENUE

3RD ELECTION DISTRICT

STRICT 2ND COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 40'

DATE: MARCH 28, 2017

JOB No.: 16-019



10 GERARD AVENUE, SUITE 101
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Part. Exh. 1