



PETITION FOR ZONING HEARING(S)

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 11210 Greenspring Avenue Currently Zoned RC-5
Deed Reference 12396 328 10 Digit Tax Account # 0307015625
Owner(s) Printed Name(s) John Ross Germano, Jenna Lynn Germano

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

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

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)

BCZR: 400.1 & 400.3 → To permit an accessory building (garage/shed) to located in the front yard and have a height of 16 feet in lieu of the required rear yard placement and maximum height of 15 feet.

See Attachment "A" dated November 29, 2023

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.

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
Signature
Mailing Address City State
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

John Ross Germano , Jenna Lynn Germano
Name #1 - Type or Print Name #2 - Type or Print
Signature #1 Signature #2
2020 Ridge Road Reistertown MD
Mailing Address City State
21136 , 410-925-0436 , 2020home52@gmail.com
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Henry Warfield, Warfield Architects
Name - Type or Print
Signature
P.O. Box 76 Butler MD
Mailing Address City State
21023 , 410-472-4048 , henry@warfieldarch.com
Zip Code Telephone # Email Address

Case Number 2024-0051-A Filing Date 2/26/24 Do Not Schedule Dates Reviewer JS

Attachment "A" to accompany Petition for Zoning Hearing 11210 Greenspring Avenue

November 29, 2023

We request permission to locate a detached accessory building in the front yard along the side of the existing driveway. This building will be a single-story structure with a 24'x 24' footprint and is intended to serve as storage for garden equipment and a utility vehicle.

The existing single-family dwelling on the property was demolished in May 2023 (permit R23-00299) in preparation for construction of a new single-family dwelling by the same owner. In preparing plans for the new dwelling and in consultation with the contractor, locating an accessory structure in the rear yard is prohibitive due to grading and impact on existing mature trees. Significant retaining walls, additional paved driveway area and a substantial increase in disturbed area would be required.

The property is 6 acres with the proposed new dwelling located essentially on the demolished dwelling footprint. The detached accessory building will be in the front side yard approximately 396' from the nearest public road to the north, 196' from the west side property line and 78.5' from the east side property line which bisects a heavily wooded area. It will be accessed from a short extension of the existing driveway.

We also request permission for the detached accessory building to be 16' high in lieu of the required 15' maximum. This increase allows the accessory building to better coordinate with the proposed new dwelling by having the roof pitch and details match the dwelling. The exterior walls will be 9' high to allow 8' high overhead doors. The roof structure will be standard wood trusses with no occupiable area under the roof.

2024-0051-A

Zoning Property Description for 11210 Greenspring Avenue

November 29, 2023

Beginning at a point on the south side of Greenspring Avenue which is forty feet wide at the distance of four hundred and ninety-four feet northwest of the centerline of the nearest improved intersecting street Woodland Drive which is fifty feet wide.

Thence the following courses and distances:

S. 13° 33' 13" W 266.43'
S. 20° 54' 00" W 115.78'
S. 21° 27' 59" W 58.63'
S. 08° 24' 58" W 31.11'
S. 07° 21' 52" W 84.96'
S. 73° 20' 45" E 10.95'
S. 13° 33' 13" W 139.39'

S. 80° 54' 13" W 347.56'
N. 13° 33' 13" E 453.60'
N. 13° 33' 13" E 478.00'

S. 63° 29' 47" E 75.27'
S. 57° 44' 47" E 219.67'
S. 54° 41' 47" E 42.35'

Back to the point of beginning as recorded in Deed Liber 12396 Folio 328, containing 258,227 S.F. or 5.928 acres. Located in the 3rd Election District and 2ND Councilmanic District.

2024-0051-A



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353
WWW.BALTIMORECOUNTYMD.GO
V

Cashier: Jason S.
20-Feb-2024 3:51:04P
Transaction **102160**
1 Petition Before ALJ \$75.00

Total \$75.00
CREDIT CARD SALE \$75.00
VISA 01163

Retain this copy for statement
validation

Station: Permit Processing - Mini
20-Feb-2024 3:51:13P
\$75.00 | Method: EMV
VISA CREDIT
XXXXXXXXXXXX0163
HENRY WARFIELD
Reference ID: 405100556726
Auth ID: 03420G
MID: *****2995
AID: A0000000031010
AthNtwkNm: VISA
SIGNATURE

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:	District - 03 Account Number - 0307015625	
Owner Information		
Owner Name:	GERMANO GLORIA MAE TRUSTEE	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	11210 GREENSPRING AVE LUTHERVILLE TIMONIUM MD 21093-3509	Deed Reference: /12396/ 00328
Location & Structure Information		
Premises Address:	11210 GREENSPRING AVE LUTHERVILLE TIMONIUM 21093-3509	Legal Description: 6 AC WS GREENSPRING AVE 1980FT N OF VALLEY RD
Map:	Grid:	Parcel:
0059	0011	0157
Neighborhood:	Subdivision:	Section:
3010001.04	0000	
Block:	Lot:	Assessment Year:
		2023
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1952	2,469 SF	
Property Land Area	County Use	
6.0000 AC	04	
Stories	Basement	Type
1	NO	STANDARD UNIT
Exterior Quality	Full/Half Bath	Garage
FRAME/ 5	1 full/ 1 half	
Last Notice of Major Improvements		
Value Information		
	Base Value	Value
		As of
		01/01/2023
		As of
		07/01/2023
		As of
		07/01/2024
Land:	210,700	215,300
Improvements	100	100
Total:	210,800	215,400
Preferential Land:	0	0
		212,333
		213,867
Transfer Information		
Seller: GERMANO JOHN J	Date: 09/22/1997	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12396/ 00328	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2023
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture:	None	
Homestead Application Information		
Homestead Application Status: Approved 05/19/2008		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

**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/ neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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.

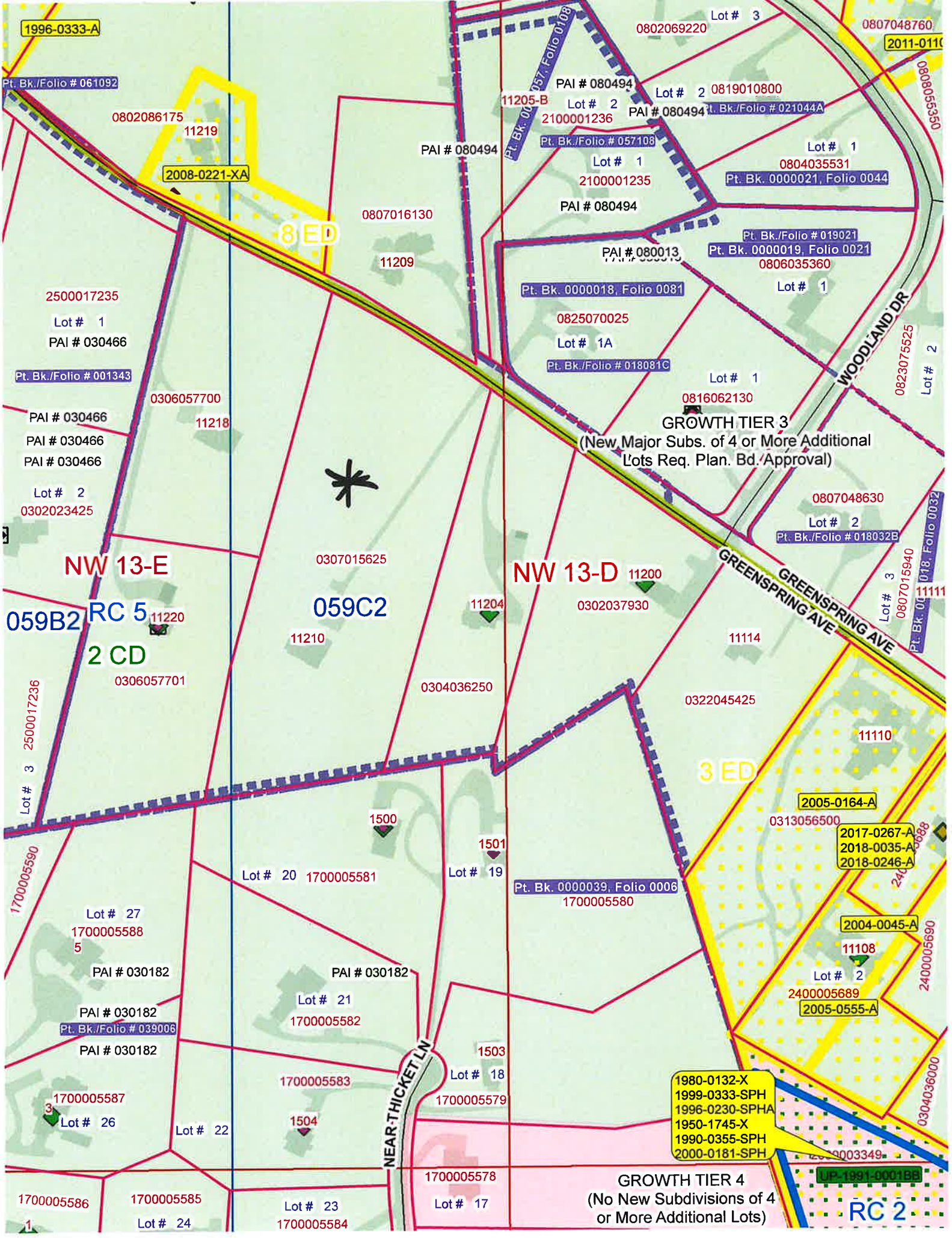
For Newspaper Advertising:

Case Number: 2024-0051-A
Property Address: 11210 GREENSPRING AVENUE
Legal Owners (Petitioners): JOHN ROSS GERMANO, JENNA LYNN GERMANO
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): HENRY WARFIELD
Address: WARFIELD ARCHITECTS
P.O. BOX 76
BUTLER, MD 21023
Telephone Number: 410-472-4048

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.



1996-0333-A

Pt. Bk./Folio # 061092

0802086175
11219

2008-0221-XA

8 ED

2500017235
Lot # 1
PAI # 030466

Pt. Bk./Folio # 001343

PAI # 030466
PAI # 030466
PAI # 030466

Lot # 2
0302023425

NW 13-E

059B2 RC 5

2 CD

0306057701

059C2

0307015625

11210

0304036250

NW 13-D

11200

0302037930

WOODLAND DR
GREENSPRING AVE
GREENSPRING AVE

3 ED

2005-0164-A

0313056500

2017-0267-A
2018-0035-A
2018-0246-A

2004-0045-A

11108

2400005689
2005-0555-A

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

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

RC 2

1700005586

1700005585

Lot # 23
1700005584

Lot # 17

1700005578

1700005579

1503

Lot # 18

1700005583

1504

1700005582

Lot # 21

PAI # 030182

Lot # 20 1700005581

Lot # 19

1501

1500

Lot # 27
1700005588

PAI # 030182

PAI # 030182

Pt. Bk./Folio # 039006

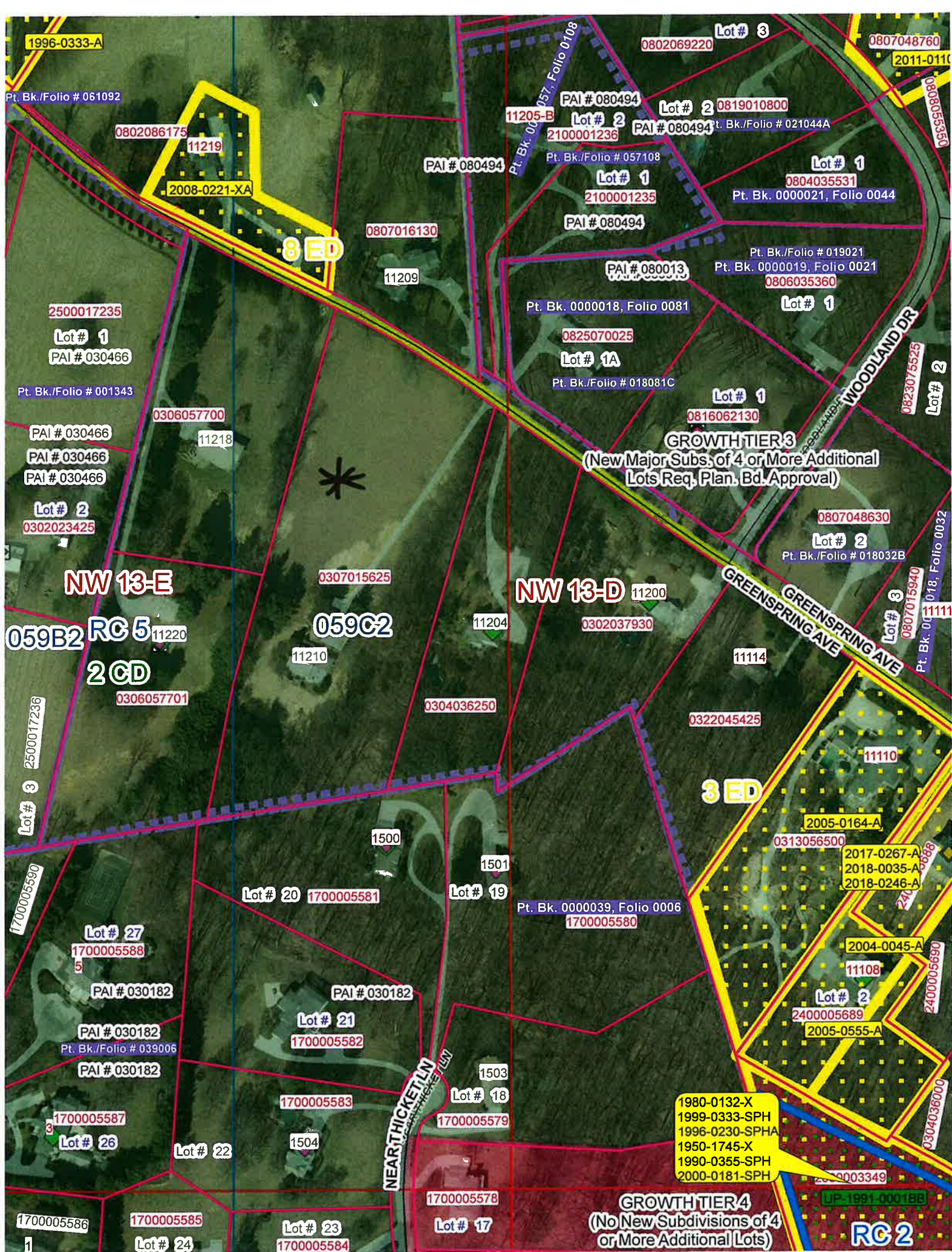
PAI # 030182

1700005587

Lot # 26

Lot # 22

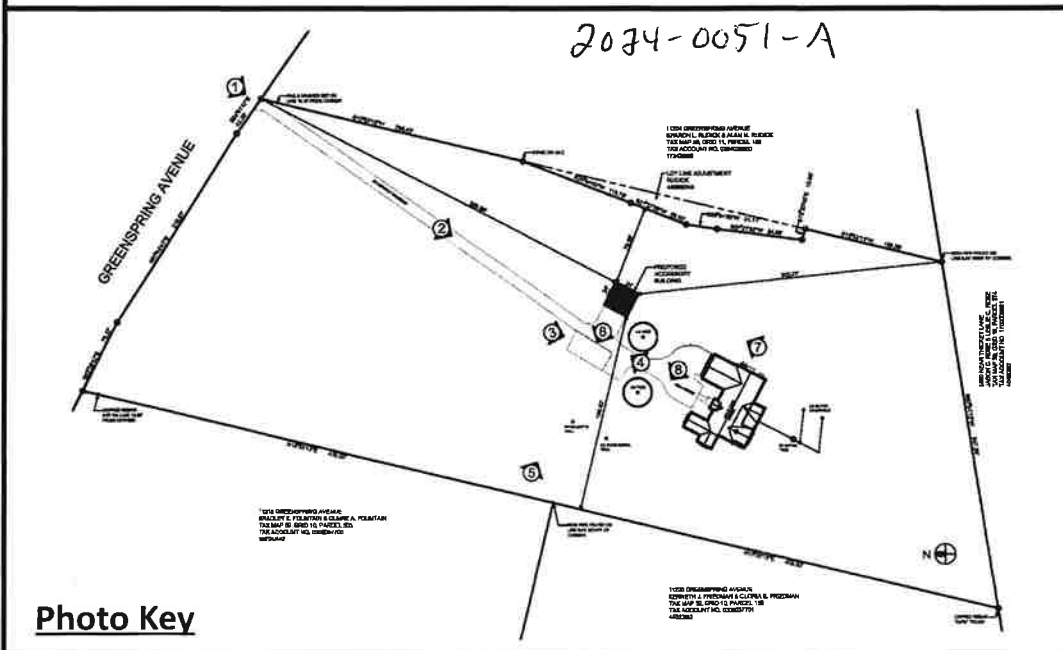
Lot # 24





Baltimore County Aerial Photograph of Site (north is to the left)

Greenspring Avenue is to the left (north side). The existing house shown at the 11120 address number above is now demolished. The drawing below shows the new house siting with the proposed accessory building site to the north and east.



11210
Greenspring
Avenue

Tax Acc. 0307015625

John Ross Germano,
Jenna Lynn Germano

February 14, 2024

Aerial Photo



Photo # 3

Looking from the west side of the driveway towards the house building site beyond the coniferous trees.
The proposed accessory building site on the left side just off the driveway.

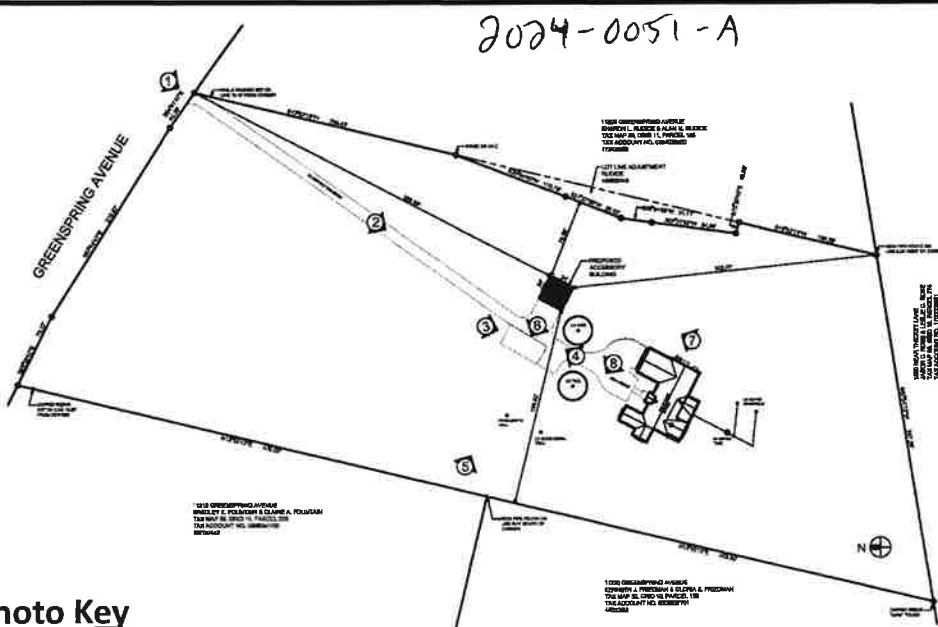


Photo Key

11210
Greenspring
Avenue

Tax Acc. 0307015625

John Ross Germano,
Jenna Lynn Germano

February 14, 2024

Photo # 3

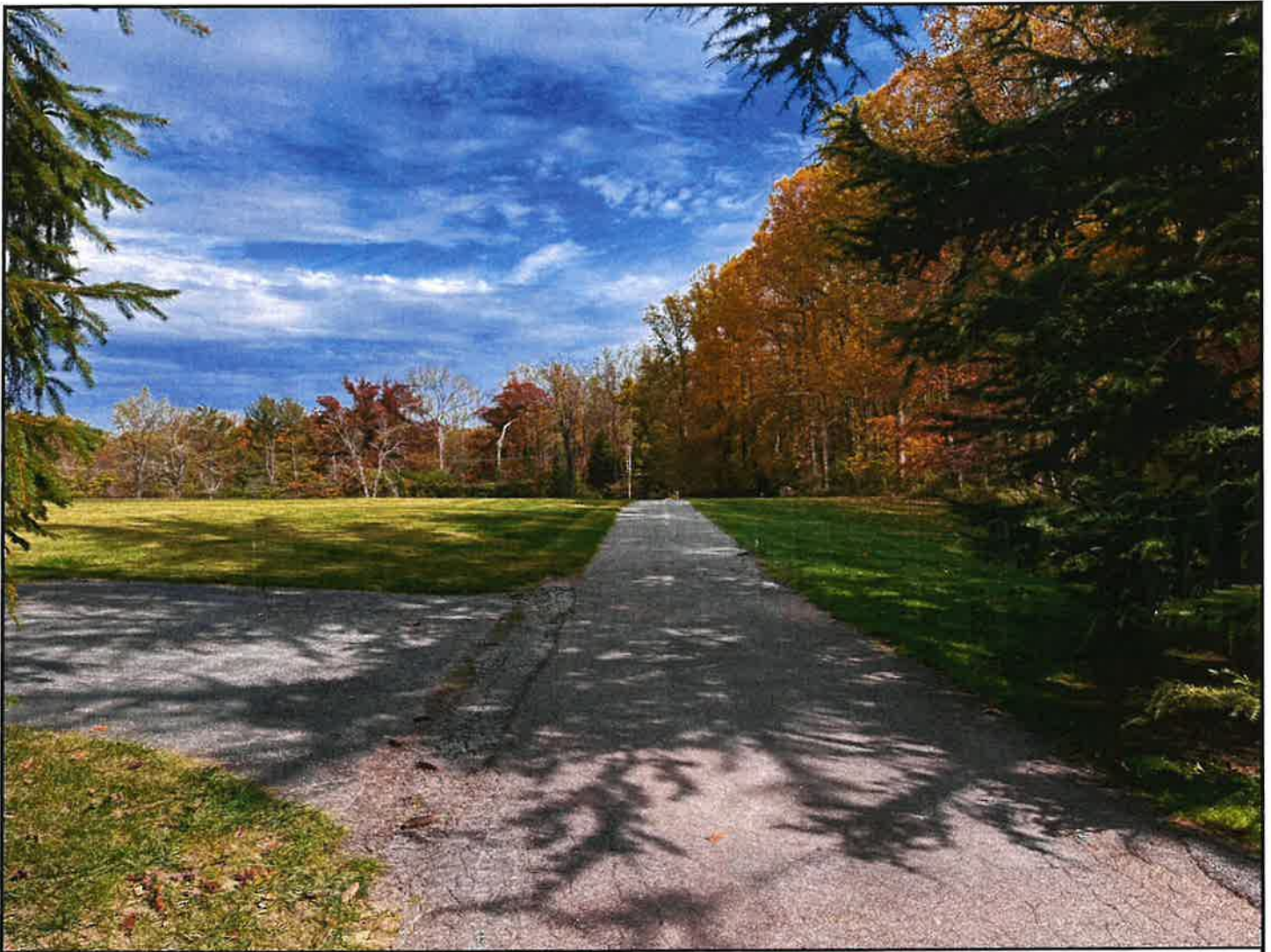
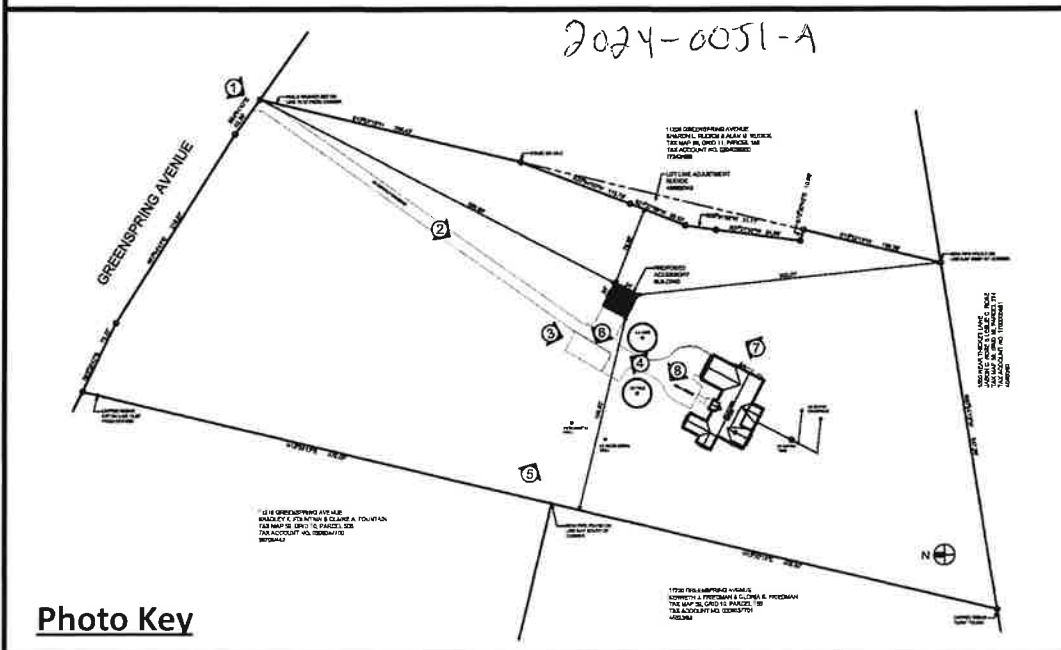


Photo # 4

Looking from the driveway in front of the house building site north towards Greenspring Avenue.
The proposed accessory building site is just beyond the coniferous tree on the right side the driveway.



11210
Greenspring
Avenue

Tax Acc. 0307015625

John Ross Germano,
Jenna Lynn Germano

February 14, 2024

Photo # 4



Photo # 5

Looking from the west side of the site east at the proposed accessory building site across the driveway. The house building site is on the right side of the coniferous trees.

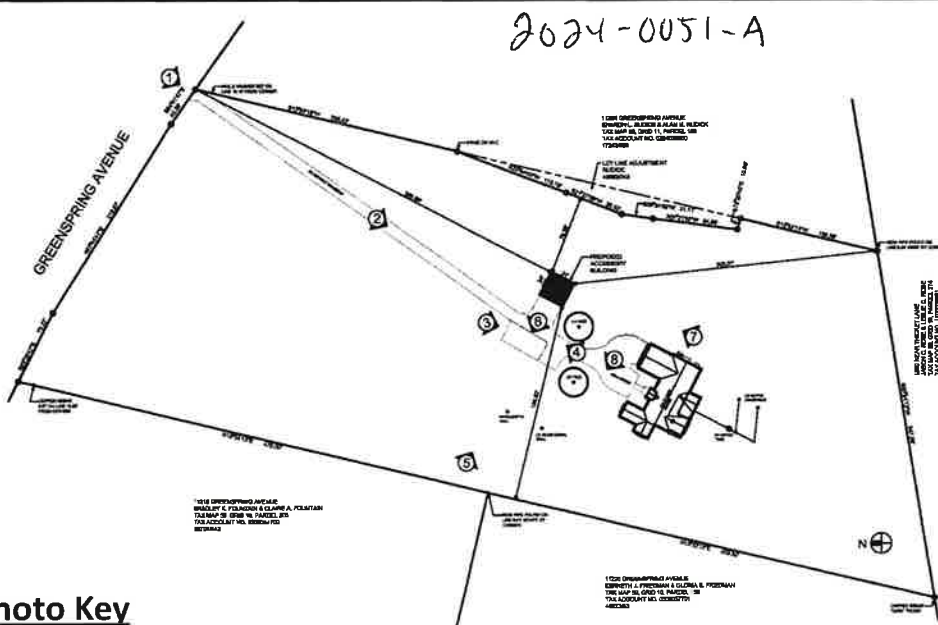


Photo Key

11210
Greenspring
Avenue

Tax Acc. 0307015625

John Ross Germano,
Jenna Lynn Germano

February 14, 2024

Photo # 5



Photo # 6

Looking from the driveway in front of the proposed accessory building site towards the west side of the site. The house building site is off of the left side of photograph.

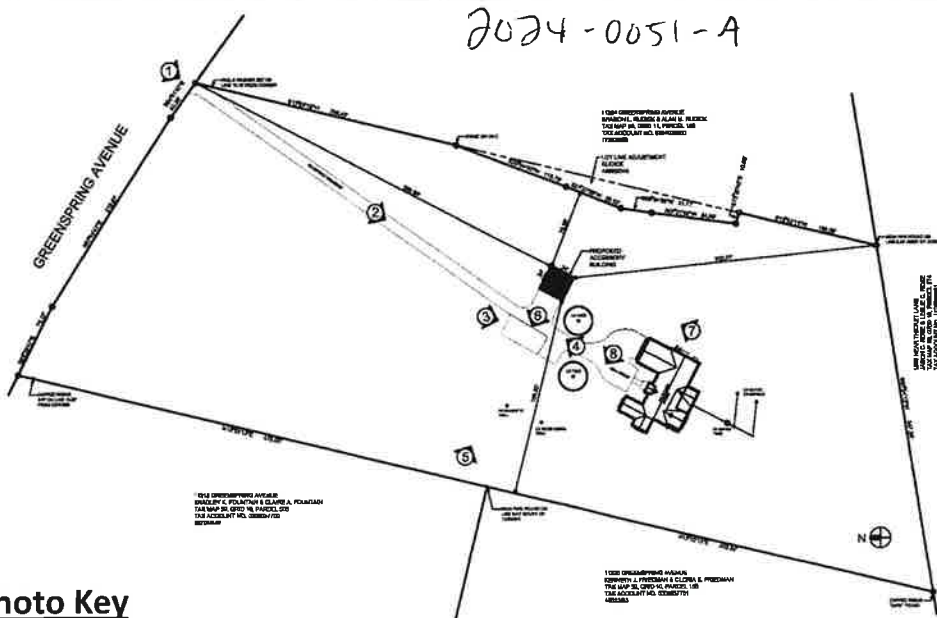


Photo Key

11210
Greenspring
Avenue

Tax Acc. 0307015625

John Ross Germano,
Jenna Lynn Germano

February 14, 2024

Photo # 6



Photo # 7

Looking from the east side of the house building site north. The proposed accessory building site is straight ahead on the other side of the coniferous tree.

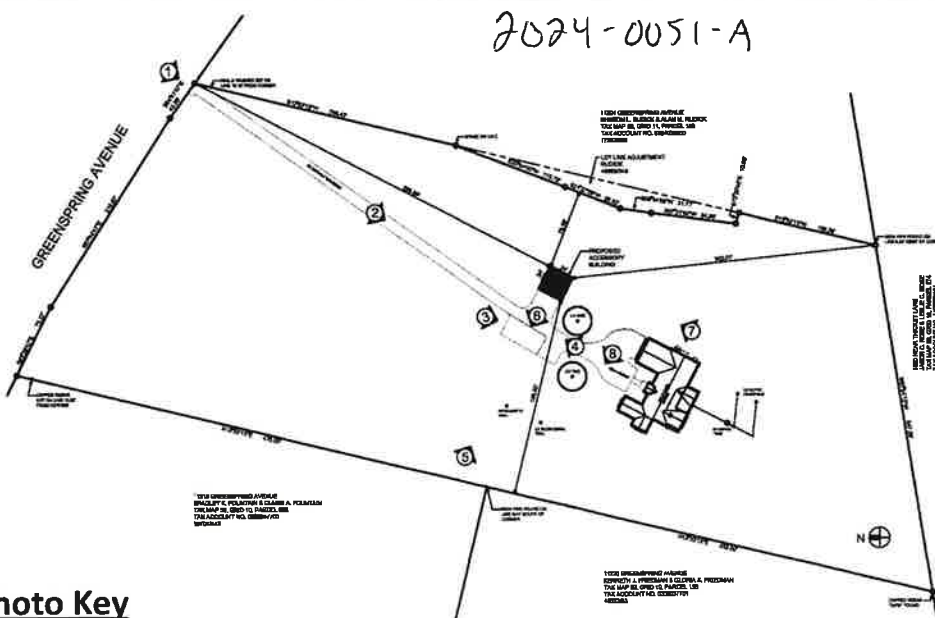


Photo Key

11210
Greenspring
Avenue

Tax Acc. 0307015625

John Ross Germano,
Jenna Lynn Germano

February 14, 2024

Photo # 7



Photo # 8

Looking from the front side of the house building site. The proposed accessory build-
ing site is to the right off of the photograph.

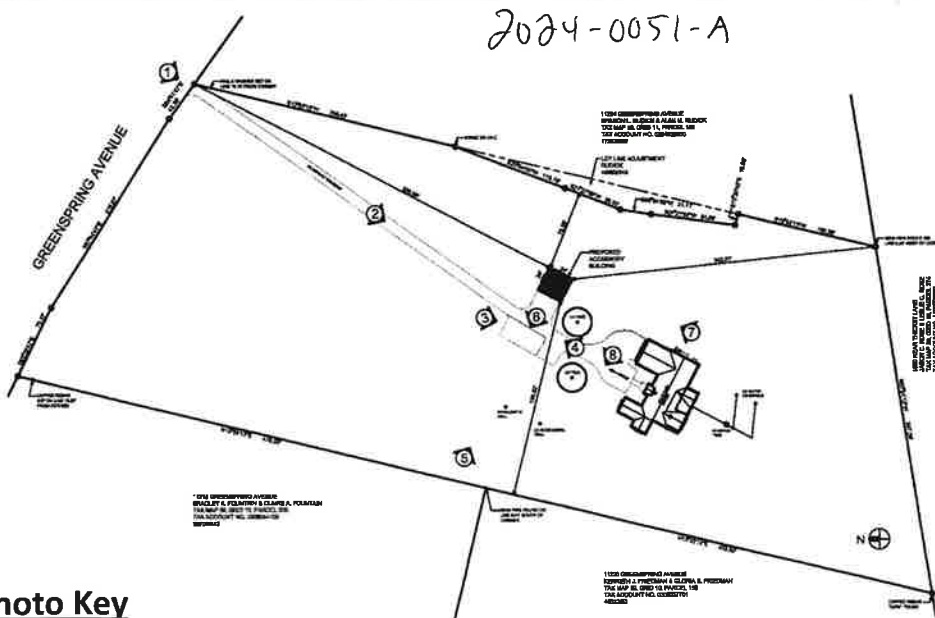


Photo Key

11210
Greenspring
Avenue

Tax Acc. 0307015625

John Ross Germano,
Jenna Lynn Germano

February 14, 2024

Photo # 8



PETITION FOR ZONING HEARING(S)

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 11210 Greenspring Avenue Currently Zoned RC-5
 Deed Reference 12396 / 328 10 Digit Tax Account # 0307015625
 Owner(s) Printed Name(s) John Ross Germano, Jenna Lynn Germano

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

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

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. ☒ a Variance from Section(s)

BCZR: 400.1 & 400.3 → To permit an accessory building (garage/shed) to located in the front yard and have a height of 16 feet in lieu of the required rear yard placement and maximum height of 15 feet.

See Attachment "A" dated November 29, 2023

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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.

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Contract Purchaser/Lessee:

Name - Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name - Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

John Ross Germano , Jenna Lynn Germano
 Name #1 - Type or Print _____ Name #2 - Type or Print _____
 Signature #1 _____ Signature #2 _____
2020 Ridge Road Reistertown MD
 Mailing Address _____ City _____ State _____
21136 , 410-925-0436 , 2020home52@gmail.com
 Zip Code _____ Telephone #s (Cell and Home) _____ Email Address _____

Representative to be contacted:

Henry Warfield, Warfield Architects
 Name - Type or Print _____
 Signature _____
P.O. Box 76 Butler MD
 Mailing Address _____ City _____ State _____
21023 , 410-472-4048 , henry@warfieldarch.com
 Zip Code _____ Telephone # _____ Email Address _____

Case Number 2024-0051-A Filing Date 2/26/24 Do Not Schedule Dates _____ Reviewer JS

Attachment "A" to accompany Petition for Zoning Hearing 11210 Greenspring Avenue

November 29, 2023

We request permission to locate a detached accessory building in the front yard along the side of the existing driveway. This building will be a single-story structure with a 24'x 24' footprint and is intended to serve as storage for garden equipment and a utility vehicle.

The existing single-family dwelling on the property was demolished in May 2023 (permit R23-00299) in preparation for construction of a new single-family dwelling by the same owner. In preparing plans for the new dwelling and in consultation with the contractor, locating an accessory structure in the rear yard is prohibitive due to grading and impact on existing mature trees. Significant retaining walls, additional paved driveway area and a substantial increase in disturbed area would be required.

The property is 6 acres with the proposed new dwelling located essentially on the demolished dwelling footprint. The detached accessory building will be in the front side yard approximately 396' from the nearest public road to the north, 196' from the west side property line and 78.5' from the east side property line which bisects a heavily wooded area. It will be accessed from a short extension of the existing driveway.

We also request permission for the detached accessory building to be 16' high in lieu of the required 15' maximum. This increase allows the accessory building to better coordinate with the proposed new dwelling by having the roof pitch and details match the dwelling. The exterior walls will be 9' high to allow 8' high overhead doors. The roof structure will be standard wood trusses with no occupiable area under the roof.

2024-0051-A

Zoning Property Description for 11210 Greenspring Avenue

November 29, 2023

Beginning at a point on the south side of Greenspring Avenue which is forty feet wide at the distance of four hundred and ninety-four feet northwest of the centerline of the nearest improved intersecting street Woodland Drive which is fifty feet wide.

Thence the following courses and distances:

S. 13° 33' 13" W 266.43'
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S. 57° 44' 47" E 219.67'
S. 54° 41' 47" E 42.35'

Back to the point of beginning as recorded in Deed Liber 12396 Folio 328, containing 258,227 S.F. or 5.928 acres. Located in the 3rd Election District and 2ND Councilmanic District.

2024-0051-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/17/2024

Case Number: 2024-0051-A

Petitioner / Developer: HENRY WARFIELD ~
JOHN & JENNA GERMANO

Date of Hearing: APRIL 12, 2024

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:
11210 GREENSPRING AVENUE

The sign(s) were posted on: MARCH 17, 2024

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0051-A
11210 GREENSPRING AVE
SW/S of Greenspring Ave., N/W of Woodland Dr. Council District, 2 Election District, 3
Legal Owners: John & Jenna Germano

PETITION REQUEST: VARIANCE: From the Baltimore County Zoning Regulations ("BCZR") 400.1 and 400.3 to permit an accessory building (garage/shed) to be located in the front yard and have a height of 16 ft. in lieu of the required rear yard placement and maximum height of 15 ft.

Hearing Date: THURSDAY, APRIL 12, 2024 - 10:00 A.M.

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.0
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



Background Photo 1st Sign

Background Photo 2nd Sign

Posted @ 11210 Greenspring Avenue ~ 3/17/2024

CASE # 2024-0051-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 3/14/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0051-A

INFORMATION:

Property Address: 11210 Greenspring Avenue

Petitioner: John Ross Germano

Zoning: RC 5

Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance(s) -

1. To permit an accessory structure (garage) to be located in the front yard per Section 400.1 BCZR.
2. To permit an accessory structure (garage) with a height of 16 feet in lieu of the required maximum height of 15 feet per Section 400.3 BCZR.

The proposed site is an approximately 5.928-acre property zoned RC 5. It is surrounded by predominantly rural residential uses. The site has no previous Zoning history and is not located in a historic district.

The existing land use is currently residential. The requested zoning relief, as said in the above request, does not appear to adversely impact the public right-of-way or the surrounding dwellings. All structures on the property will be approximately 400 feet from the public right-of-way and visual impacts will be minimized. The applicant indicated that the single-story structure will be 24'x24' footprint and will be used for garden equipment and a utility vehicle. Elevations were submitted to the Planning Department and it was noted that the extra foot in height was requested in order to make the roof of the accessory structure compatible with the future proposed dwelling. It was indicated that locating an accessory structure in the rear yard is problematic due to grading and impacts on existing mature trees. It would also require significant retaining walls, additional paved driveway area and a substantial increase in disturbed area. The Department feels the request relief has low impact on the existing neighborhood and with the presence of above-mentioned hardships would provide the ideal site design.

The Department of Planning has no objections to the requested relief conditioned upon the following:

1. The garage will not be converted into living quarters.
2. Coordinate with the Baltimore County Landscape Architect to comply with any additional landscaping requirements.
3. All other accessory structure requirements outlined in BCZR Section 400 are met.
4. Any additional conditions set forth by the Administrative Law Judge.

For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

Henry Warfield, Warfield Architects
David Birkenthal, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Donna Mignon

From: Administrative Hearings
Sent: Monday, April 15, 2024 9:29 AM
To: '2020home52@gmail.com'
Cc: 'Henry Warfield'
Subject: Case No: 2024-0051-A - ORDER- 11210 Greenspring Avenue
Attachments: 2024-0051-A - Order.pdf

Good Morning,

Please find attached ALJ Belt's Opinion and Order in reference to the above matter.

Have a great and safe day.

Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

April 15, 2024

John Ross Germano- 2020home52@gmail.com
Jenna Lynn Germano
2020 Ridge Road
Reisterstown, MD 21136

RE: Petition for Variance
Case No. 2024-0051-A
Property: 11210 Greenspring Avenue

Dear Petitioners:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Belt", is written over a faint, circular official stamp.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlm
Enclosure
c: Henry Warfield – henry@warfieldarch.com

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **CASE NO. 2024-0051-A**

* **CASE NO. 2024-0051-A**

* * * * *

OPINION AND ORDER

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioner, John Germano appeared at the hearing in support of the Petition. Henry Warfield of Warfield Architects assisted the Petitioners. There were no Protestants or other interested persons, who testified in opposition or even participated in the hearing.

The Property is approximately 6 acres and is zoned RC 5. Mr. Warfield explained that the Petitioners propose to build a new home in the vicinity of a razed structure formally owned by the

Data

By

Petitioner's parents. Mr. Warfield explained that the new structure will actually sit further back from Greenspring Avenue than other neighboring dwellings. (Pet. Ex. 5) The Petitioners are requesting to build a 16-foot, 24' by a 24' accessory garage on the eastern side of the subject property off of an existing paved entrance road, and in front to the primary structure. The use of this existing asphalt driveway will eliminate the need for the creation of additional impervious surface. The proposed accessory structure will be shielded by dense trees from the neighboring property and Mr. Germano testified that he was spoken to his neighbors who have no objection to the construction of the garage. (Pet. Ex. 3)

Mr. Warfield explained that the proposed garage cannot be built in the rear of the principal dwelling due to steep slopes, mature trees and the existing septic area. (Pet. Ex. 4.7) Mr. Germano testified that the additional height for the accessory structure is needed in order for him to park his truck with ladder racks in the garage. Mr. Warfield also clarified that the height of the garage and its roof angles will be in harmony with the principal structure.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

I find that the Property is unique due its steep slopes, mature trees, and septic area in the rear of the property and that the Petitioners would experience a practical difficulty if variance relief was not granted. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

ORDER RECEIVED FOR FILING
Date 4/15/24
By [Signature]

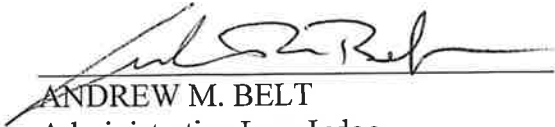
THEREFORE, IT IS ORDERED, this 15th day of **April 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §,400.1 to permit an accessory structure (garage) to be located in the front yard be and it is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance relief pursuant to BCZR §400.3 to permit an accessory structure (garage) with a height of 16 ft., in lieu of the maximum height of 15 ft. 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.
2. Petitioners and subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, bathroom facilities or kitchen facilities.
3. The detached garage shall not have a separate utility or electric connection and shall connect all electrical to the home.
4. The detached garage shall not be used for commercial or industrial purposes.
5. Petitioner must comply with the DEPS ZAC comment, a copy is attached hereto and made a part hereof.

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


ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB/dlm

ORDER RECEIVED FOR FILING
Date 4/15/24
By DMagnan

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: March 6, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0051-A
Address: 11210 GREENSPRING DR
Legal Owner: John & Jenna Germano

Zoning Advisory Committee Meeting of March 11, 2024.

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

 X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Forest Conservation Regulations can be met by filing a Single Lot Declaration of Intent provided forest clearing is less than 20,000 square feet.

Reviewer: Glenn Shaffer

ORDER RECEIVED FOR FILING
4/15/24
Date
By [Signature]

BALTIMORE COUNTY, MARYLAND

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Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: March 7, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0051-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No Exception taken.

Landscaping: No comment.

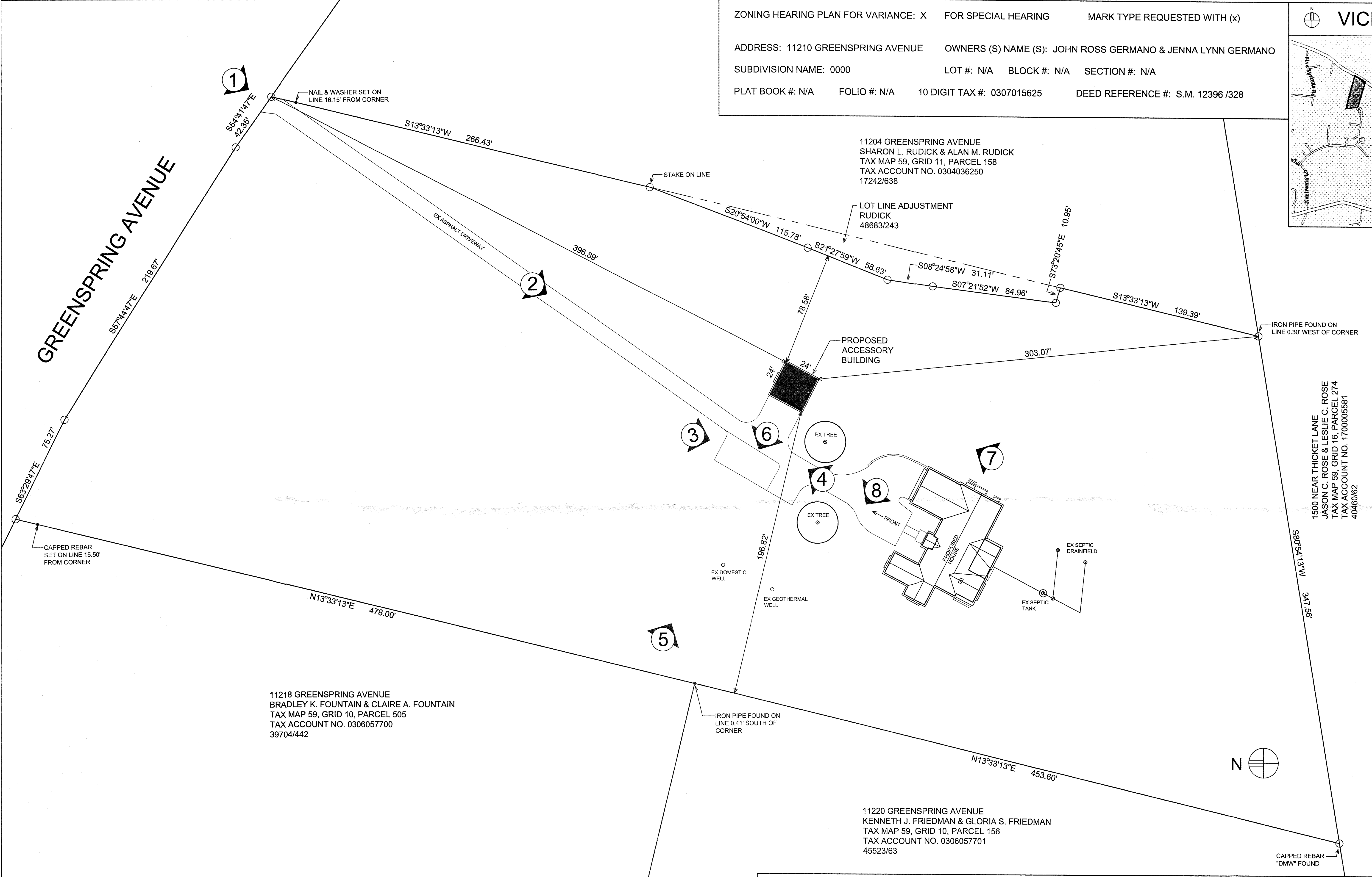
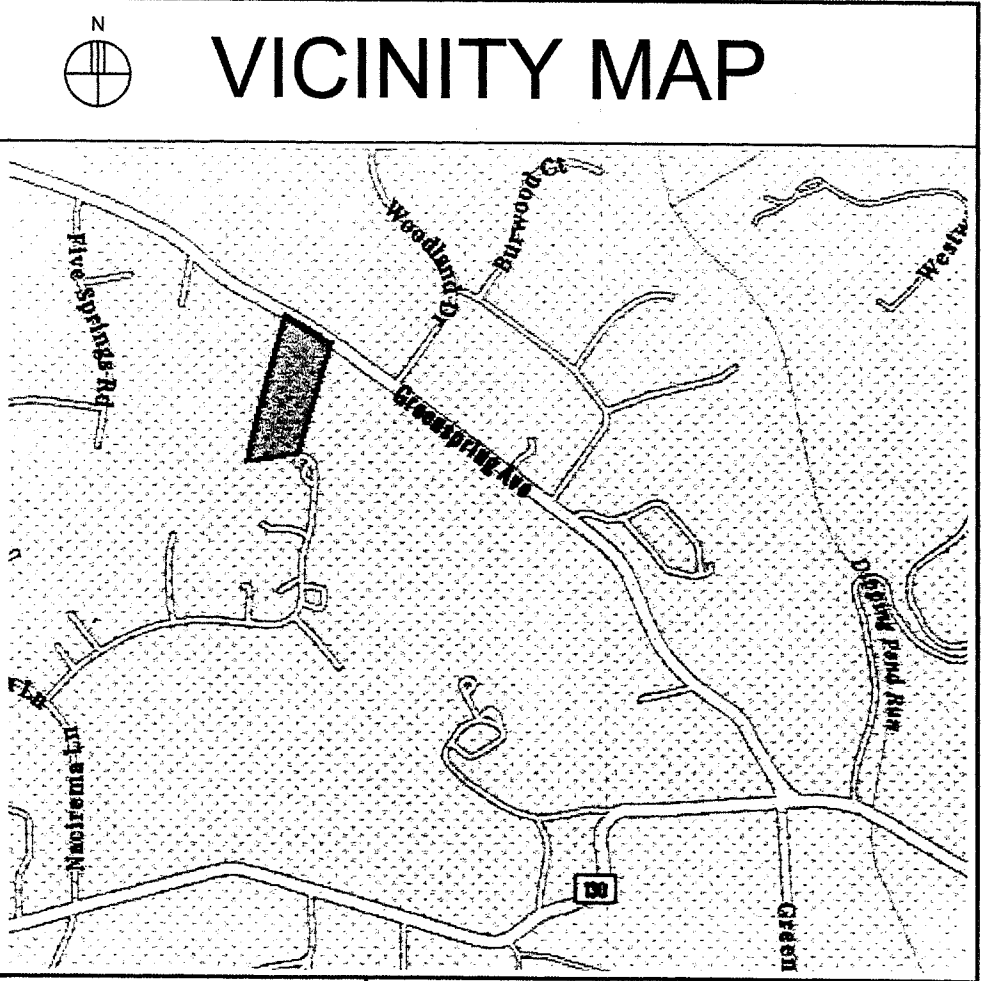
Recreations & Parks: No Greenways affected.

ZONING HEARING PLAN FOR VARIANCE: X FOR SPECIAL HEARING MARK TYPE REQUESTED WITH (X)

ADDRESS: 11210 GREENSPRING AVENUE OWNERS (S) NAME (S): JOHN ROSS GERMANO & JENNA LYNN GERMANO

SUBDIVISION NAME: 0000 LOT #: N/A BLOCK #: N/A SECTION #: N/A

PLAT BOOK #: N/A FOLIO #: N/A 10 DIGIT TAX #: 0307015625 DEED REFERENCE #: S.M. 12396 /328



ZONING MAP#: 0059-0011

ZONING: RC-5

ELECTION DISTRICT: 3

COUNCIL DISTRICT: 2

LOT AREA ACREAGE: 5.928

LOT SQ FOOTAGE: 258,227

HISTORIC: NO

CBCA: NO

FLOODPLAIN: NO

UTILITIES - MARK WITH (X):

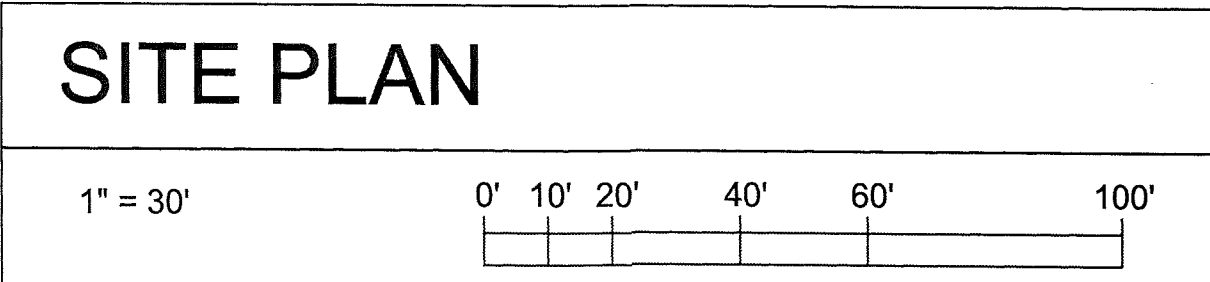
WATER IS: PUBLIC: PRIVATE: X

SEWER IS: PUBLIC: PRIVATE: X

PRIOR HEARING: NO

IF (YES) LIST CASE NUMBER AND ORDER RESULT(S) BELOW:

VIOLATION CASE NUMBER(S)



PLAN DRAWN BY: WARFIELD ARCHITECTS DATE: 02/16/2024 SCALE: 1 INCH = 30 FEET

TAKEN FROM BOUNDARY SURVEY BY DIETZ SURVEYING INC., DATED 02/16/2024

2024-0051-A