



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

January 16, 2025

Troy J. & Lisa A. Slifer – tslifer6@gmail.com
12545 Greenspring Avenue
Owings Mills, MD 21117

RE: Petition for Administrative Variance
Case No. 2024-0267-A
Property: 12545 Greenspring Avenue

Dear Mr. & Mrs. Slifer:

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 blue ink, appearing to read "Andrew M. Belt", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(12545 Greenspring Avenue)		
4 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Troy J. & Lisa A. Slifer	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioners	*	CASE NO. 2024-0267-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Troy J. and Lisa A. Slifer (“Petitioners”), for the property located at 12545 Greenspring Avenue, Owings Mills (the “Property”). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Section 1A04.3.B.2.b, to allow an addition on the rear of the house with a setback of 20.32 ft. in lieu of the required 50 ft. setback. The Property is more fully depicted on the site plan which was marked and accepted into evidence as Petitioners’ Exhibit 1. Street view photographs of the Property were provided. (Pet. Exs. 2A-2C). There were no adverse Zoning Advisory Committee (“ZAC”) comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the Property having been posted on December 29, 2024 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavit as required by Section 32-3-303 of the Baltimore County Code (“BCC”) as well as a site plan and corresponding photographs. As reflected in the site plan, the property is unique in keeping with the holding in *Cromwell v. Ward*, 102 Md. App. 691 (1995), in that the septic system is located on the east side of the existing

dwelling and the well is located on the westside. These conditions prohibit the construction of an addition on either side of the dwelling impossible, leaving the rear of the property as the only viable option. 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 Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

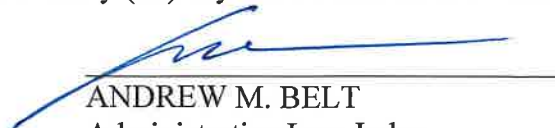
Pursuant to the posting of the Property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 16th day of **January, 2025**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from the Baltimore County Zoning Regulations (“BCZR”), Section 1A04.3.B.2.b, to allow an addition on the rear of the house with a setback of 20.32 ft. in lieu of the required 50 ft. setback, be and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their 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.

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:dlw



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 12545 Greenspring Ave Owings Mills Md. 21117 Currently Zoned RCS
Deed Reference 40343 | 00381 10 Digit Tax Account # 0410000710
Owner(s) Printed Name(s) _____

(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:

- ADMINISTRATIVE VARIANCE** from Section(s) Rear of
1A04.3.B.2.b. to allow an addition on the ~~right side~~ of the house with a setback of 20.32 feet in lieu of the required 50 foot setback

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

- 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 zoning regulations of Baltimore County, to the zoning 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):

<u>Troy L Slifer</u> Name #1 - Type or Print		<u>Lisa A. Slifer</u> Name # 2 - Type or Print
<u>[Signature]</u> Signature #1		<u>[Signature]</u> Signature # 2
<u>12545 Greenspring Ave</u> Mailing Address		<u>Owings Mills Md. 21117</u> City State
<u>21117</u> Zip Code		<u>410-984-0232 N/A</u> Telephone #'s (Cell and Home)
		<u>tslifer6@gmail.com</u> Email Address

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

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

Representative to be Contacted:

Name - Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 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 2024-0267-A Filing Date 12/12/2024 Estimated Posting Date 12/29/24 Reviewer TC
Closing 1/13/25 Revised 8/2022

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: 12545 Greenspring Ave Cowins Mills MD 21117
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)

We would like to add this outdoor living space to our house to create some extra space. Due to the economy, one of our children has been forced to move back home, and we could use some extra space for some privacy

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

Troy Slifer
Signature of Owner (Affiant)

Troy Slifer
Name - Print or Type

Lisa Slifer
Signature of Owner (Affiant)

Lisa Slifer
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 14 day of October, 2024, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

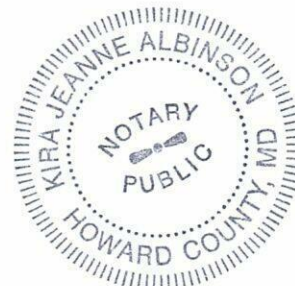
Print name(s) here: Troy Slifer and Lisa Slifer

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

AS WITNESS my hand and Notaries Seal

[Signature]
Notary Public

04/12/2025
My Commission Expires



2024-0267-A

Zoning Description for 12545 GREENSPRING AVE

BEGINNING for the same at a pipe 20 feet northeast of the center line of Greenspring Avenue (formerly Dover Road) and 20 feet South of the center line of Baublitz Road, said pipe being South 60 degrees 50 minutes 30 seconds East 33 13 feet from the beginning point described in a deed from Nikita Yaruta and wife to Cleveland F. Bull dated January 14, 1928, and recorded among the Land Records of Baltimore County in Liber W.H.M. No. 654, folio 220 etc., running thence along the northeast side of Greenspring Avenue right of way as now surveyed by magnetic bearings, South 25 degrees 09 minutes East 144.40 feet to a stake; thence by a line of division, North 72 degrees 22 minutes 30 seconds East 196.39 feet to a stake and to intersect the North 20 degrees 20 minutes West 260 foot line in a deed from Cleveland F. Bull to Thomas J. Rickle and wife dated July 5, 1957, and recorded among the aforesaid Land Records in Liber G.L.B. No. 3191, folio 229, etc.; thence binding on that deed, North 19 degrees 20 minutes West 105.45 feet to a pipe at the end of said line; thence continuing the same course and still binding on said deed, North 19 degrees 20 minutes West 4.55 feet to a stake 20 feet South of the center of Baublitz Road; thence running along the South side of the road right of way, South 81 degrees 16 minutes 30 seconds West 214.60 feet to the place of beginning, containing 0.589 Acres of land, more or less, according to a survey made by C. A. Myers, Surveyor, on October 23, 1963. Situate on the East side of Greenspring Avenue

The improvements thereon being known as 12545 Greenspring Avenue.

Located in the 4th Election District and 2nd Councilmanic District.

2024-0267-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2024 - 0267 -A Address 12545 Greenspring Ave Owings Mills Md. 21117
Contact Person: TYLER COX Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/16/24 Posting Date: 12/16 29/24 Closing Date: 1/13/25

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

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list 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.
- DEADLINE:** The closing date is the deadline for a neighbor (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.
- ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
- 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 Administrative Law Judge), 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.

Petitioner: This Part of the Form is for the Sign Poster Only (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2024 - 0267 -A Address 12545 Greenspring Ave
Petitioner's Name: TROY/LISA Telephone (Cell) _____
Posting Date: 2/29/24 Closing Date: 1/13/24
Wording for Sign: To Permit _____

Rear
1A04.3.B.2.b. to allow an addition on the ~~right side~~ of the house with a setback of 20.32 feet in lieu of the required 50 foot setback

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2024-0267-A

TO PERMIT: (A04.3.B.2.6 TO ALLOW AN ADDITION ON THE
REAR OF THE HOUSE WITH A SETBACK OF 20.22 FEET IN LIEU
OF THE REQUIRED 50-FOOT SETBACK

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

4:30 P.M. ON 1/13/25

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 POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

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: December 30, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0267-A
Address: 12545 GREENSPRING AVENUE
Legal Owner: Troy & Lisa Slifer

Zoning Advisory Committee Meeting of December 30, 2024.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D. Wrenn



2024-026-A



2024-0267-A



2024-0267-A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: December 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0267-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 comment LOS & No Greenways affected.

2023-0119-SPHA

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

Lot # 2B 1800013342

2000001132

PAI # 040270

12600

Lot # 1

2011-0062-A

2000014326

PAI # 040270

Pt. Bk. 0000056, Folio 0130

Pt. Bk./Folio # 056130

PAI # 040270

PAI # 040270

PAI # 040405

PAI # 040405 # MP01010

PAI # 040405

PAI # 040405

Lot # 1

Pt. Bk./Folio # MP91078

2200009862

2832

Lot # 2A

2400000082

Pt. Bk. 0000045, Folio 0065

2834

Pt. Bk./Folio # 043065A

BAUBLITZ RD

2 CD

049C2

RC 5

4 ED

NW 16-G

2008-0523-A
1993-0399-A

0410000710

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

0418035730

2825

GREENSPRING AVE
Pt. Bk./Folio # 018241

0402086400

12541

GREENSPRING AVE

Lot # 13

Pt. Bk. 0000079, Folio 0410

PAI # 040592

2500011203

2004-0517-A
2019-0508-A
2019-0445-A

PAI # 040592

PAI # 040592

Pt. Bk./Folio # 079410

PAI # 040592

0419073660

12537

0413001432

0407030090

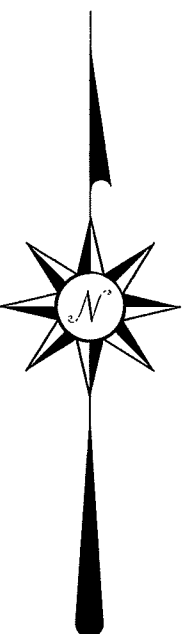
12531

0407030091

Lot # 15

2500011204

GRID NORTH
MARYLAND COORDINATE SYSTEM NAD83/2011
VERTICAL DATUM: NAVD88



BAUBLITZ ROAD

GREENSPRING AVENUE

#12545
0.5745 AC.±

GdB

- LEGEND**
- EXISTING**
- PROPERTY LINES
 - AcB
— McB2 — EX. SOILS
 - EX. TREELINE
 - 456 --- EX. 2' CONTOUR
 - OHW --- EX. OVERHEAD WIRES
 - ⊕ EX. POWER POLE
 - ⊙ EX. WELL
 - ⊙ EX. SANITARY CLEANOUT
 - ▭ EX. PAVEMENT

- PROPOSED**
- ▭ PROPOSED BUILDING
 - LOD — LOD — PROPOSED LIMITS OF DISTURBANCE

SURVEYOR'S CERTIFICATE

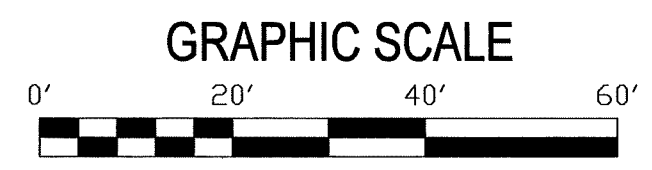
I HEREBY CERTIFY, TO MY BEST KNOWLEDGE AND BELIEF, THAT THIS PLAT AND THE SURVEY IN WHICH IT IS BASED WAS MADE UNDER MY DIRECT SUPERVISION AND IS IN ACCORDANCE WITH CHAPTER 06, "MINIMUM STANDARDS OF PRACTICE", COMAR TITLE 09, MARYLAND DEPARTMENT OF LABOR LICENSING AND REGULATION FOR PROFESSIONAL LAND SURVEYORS.

JOSEPH C. THOMPSON
PROFESSIONAL LAND SURVEYOR #21038
EXPIRES 03-20-2026

DATE: 11-5-2024

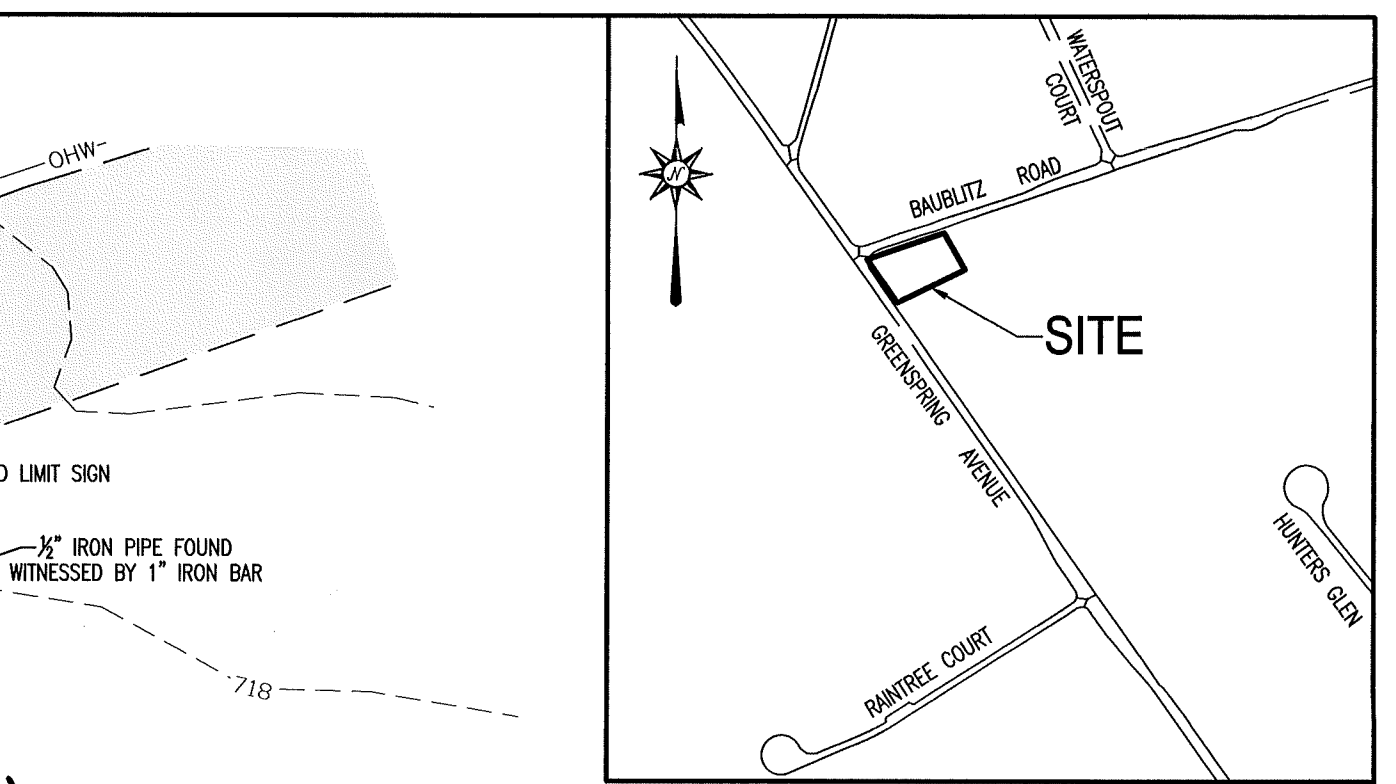
IMPERVIOUS AREA
PROPOSED: 158 SQ.FT.

AREA OF DISTURBANCE
850 SQ.FT.



NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND/OR ABSTRACT.

MAPPED SOILS		
GdB	Glenelg loam, 3 to 8 percent slopes	B



VICINITY MAP
1"=1000'

GENERAL NOTES

OWNER: TROY J. SLIFER
LISA A. SLIFER
12545 GREENSPRING AVENUE
OWINGS MILLS, MD 21117-1007

SITE AREA: 25,027 S.F. OR 0.5745AC±
EXISTING USE: SINGLE FAMILY DWELLING
UTILITIES: PRIVATE WELL & SEPTIC
LOCH RAVEN RESERVOIR WATERSHED
DEED REFERENCE: J.L.E. 40343/381
TAX ACCOUNT NUMBER 0410000710
TAX MAP NO.49 PARCEL NO.177
PARCEL CREATED JANUARY 14, 1966 (DEED O.T.G. 4572/201)
PRESENT ZONING: RC5
COUNCILMANIC DISTRICT: 2ND

SITE DOES NOT LIE WITHIN ANY FLOOD ZONES (FIRM) PANEL 240010-02300
THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC
GROWTH TIER #3
MASTER WATER AND SEWER W-7 S-7
EXISTING DWELLING = 4 BEDROOMS

RC5 ZONING SETBACKS
FRONT = 75' FROM CENTERLINE OF ROAD
SIDEYARD = 50' (20' FOR OLDER LOTS)
REAR YARD = 50'

PREVIOUS ZONING CASES: 93-399-A & 08-523-A

TOPOGRAPHY SHOWN HEREON IS BASED FROM BALTIMORE COUNTY GIS INFORMATION

SOILS TYPES AND SOIL LINES SHOWN HEREON ARE BASED FROM USDA WEB SOIL SURVEY 7-8-2024

NO STRUCTURE HEREAFTER ERECTED IN AN R.C.5 ZONE SHALL EXCEED A HEIGHT OF 35 FEET PURSUANT TO THE BALTIMORE COUNTY REGULATIONS (BCZR) SECTION 1A04.3A.

NO MORE THAN 15 PERCENT OF ANY LOT IN AN R.C.5 ZONE MAY BE COVERED BY BUILDINGS PURSUANT TO BCZR SECTION 1A04.3B.3.

NO MORE THAN ONE DWELLING IS PERMITTED ON ANY LOT IN AN R.C.5 ZONE, BUT NOT EXCLUDING ADDITIONAL DWELLING FOR BONA FIDE TENANT FARMERS PURSUANT TO BCZR SECTION 1A04.3B.5.

Printed

NOV 05 2024

Thompson & Assoc. LLC

PLAT TO ACCOMPANY ZONING VARIANCE/SITE PLAN

#12545 GREENSPRING AVENUE
TM:49 P:177
LAND OF

SLIFER

4TH ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

JOSEPH C. THOMPSON & ASSOCIATES, LLC
402 N. HICKORY AVENUE, SUITE B
BEL AIR, MARYLAND 21014
(410) 803-0696

Land Surveying & Engineering

DRAWN BY: JCT
DATE: 11-1-2024
CHECKED BY: JCT
JOB NO.: 5506