

IN RE: PETITION FOR VARIANCE
W/S Silver Lane, 12.5' S of
the c/l of Marsh Road
(2105 Marsh Road)
15th Election District
7th Councilmanic District

Richard J. Shrader, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-70-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Richard J. and Veronica H. Shrader. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 15 feet in lieu of the required 50 feet each for Lots 1, 2 and 3, and a street centerline setback of 37.5 feet in lieu of the required 75 feet for proposed Lot 1. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Richard Shrader, property owner, and Thomas Phelps, Professional Engineer who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 5.36 acres, more or less, zoned R.C.5, and is presently unimproved. The property is located in the subdivision known as Cedar Beach, a waterfront community on Sue Creek, and thus, is subject to Chesapeake Bay Critical Areas legislation. The Petitioners have lived in the community for 29 years and have owned the subject property since 1983.

ORDER RECEIVED FOR FILING

Date

By

The size of the property and its zoning classification permits its subdivision into three lots and the Petitioners are currently proceeding through the minor subdivision process to create same. However, the requested variances are necessary in order to develop the site as proposed, due to site limitations caused by the forestation requirements imposed by the Chesapeake Bay Critical Areas legislation.

It is to be noted that the Office of Planning submitted negative comments recommending a denial of the relief requested. However, after further discussions between Jeffrey Long, a representative of the Office of Planning, and the Petitioners, Mr. Long advised this Deputy Zoning Commissioner that the relief requested was appropriate in this instance and should be granted.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented have established that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner, and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly

enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

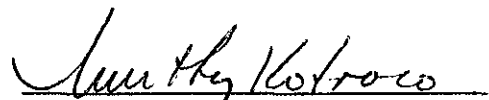
These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of October, 1997 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 15 feet in lieu of the required 50 feet each for Lots 1, 2 and 3, and a street center-line setback of 37.5 feet in lieu of the required 75 feet for proposed Lot 1, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated September 4, 1997, attached hereto and made a part hereof.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 10/2/97
By [Signature]

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: September 4, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RS/ep*
Subject: Zoning Item #70

Shrader Property, 2105 Marsh Road

Zoning Advisory Committee Meeting of September 2, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

ORDER RECEIVED FOR FILING

Date 10/2/97

By [Signature]

BB:K:sp



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

October 2, 1997

Mr. & Mrs. Richard J. Shrader
2016 Poplar Road
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
W/S Silver Lane, 12.5' S of the c/l of Marsh Road
(2105 Marsh Road)
15th Election District - 7th Councilmanic District
Richard J. Shrader, et ux - Petitioners
Case No. 98-70-A

Dear Mr. & Mrs. Shrader:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Thomas E. Phelps
945 Barron Avenue, Baltimore, Md. 21221

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM
People's Counsel; Case Files





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

98-70-A

2105 Marsh Road

which is presently zoned

RC 5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3

To allow 3 lots to have 15' sideyard setbacks in lieu of the required 50', also one of which requires a setback 37.5' to the E of the road in lieu of the required 75'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The property was purchased for a retirement fund as a 3 lot subdivision. The original layout was in a different configuration but this is the only way that the property can have three lots as over 2 acres have been taken for forestation. We would like to decrease the side yard setbacks.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Legal Owner(s):

Richard J Shrader

(Type or Print Name)

Richard J Shrader

Signature

Veronica H Shrader

(Type or Print Name)

Veronica H Shrader

Signature

2016 Poplar Road 410 682 6681

Address

Phone No

Baltimore

MD

21221

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Thomas E Phelps

Name

945 Barron Ave 410 574 6744

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

By



70

945 Barron Avenue
Baltimore, Maryland 21221-5202
(301) 574-6744

LAND PLANNING

ZONING DESCRIPTION FOR 2105 Marsh Road
(address)
Election District 15 Councilmanic District 7

Thence running with Silver Lane :
1 S 26 03' 45"E 381.00'
2 S 67 56' 15"W 675.00'
3 N 01 20' 15"E 414.10'
4 N 67 56' 15"E 484.00'
To the point of beginning
Containing 5.05 Acres

CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner 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 #98-70-A

2105 Marsh Road

W/S Silver Lane

12.55 Marsh Road

15th Election District

7th Councilmanic

Legal Owner(s):

Richard J. Shrader and

Veronica H. Shrader

Variance: to allow 3 lots to have 15 foot side yard setbacks in lieu of the required 60 feet, also one of which requires a setback of 37.5 feet to the of the road in lieu of the required 75 feet.

Hearing: Tuesday, September 23, 1997 at 2:00 p.m., Room 407 Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391

9/073 Sept. 4

C170935

TOWSON, MD.,

Sept. 4, 19 97

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 4, 19 97.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

043329

DATE 14 Aug 97 ACCOUNT R-001-6150
#70
AMOUNT \$ 150.00

RECEIVED
FROM:

SHRAPER

FOR:

VA 2105 (3 1015)

2105 Marsh Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
8/19/1997 8/19/1997 14:01:51

REG M306 CASHIER KCM KCM DRAWER 6

MISCELLANEOUS CASH RECEIPT

Receipt # 012049

CR NO. 043329

DTN

150.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-70-A

Petitioner/Developer: R. J. SHRADER, ETAL
C/O T. PHELPS

Date of Hearing/Closing: 9/23/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

@ 2:00 PM
RM-407
COURTS BLDG.

Attention: Ms. Gwendolyn Stephens

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 #2105 MARSH RD.

The sign(s) were posted on

9/6/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 9/16/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

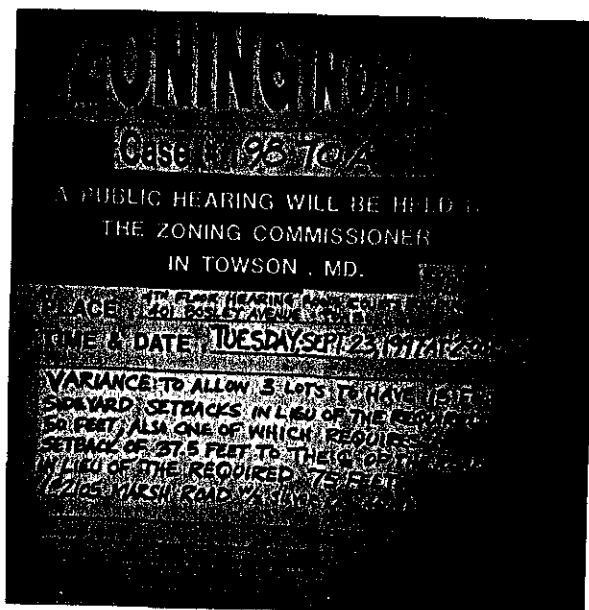
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Page (410) 905-8571



98-70-A

#2105 MARSH RD.

T. PHELPS (R. J. SHRADER) H. 9/16/97 2:00 PM

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-70-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: To Allow 3 lots to have 15' sideyard
Setback in lieu of the required 50'; one
of which also needs a 37.5' setback to
the centerline of a street in lieu of the
required 75'

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 70

Petitioner: SHRAOER

Location: 2105 Marsh Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RICHARD SHRAOER

ADDRESS: 2016 Poplar Road

BALTIMORE MARYLAND 21221

PHONE NUMBER: 410 682 6681

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1997

NOTICE OF HEARING

The Zoning Commissioner 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: 98-70-A
2105 Marsh Road
W/S Silver Lane, 12.55 Marsh Road
15th Election District - 7th Councilmanic
Legal Owner: Richard J. Shrader and Veronica H. Shrader

Variance to allow 3 lots to have 15 foot side yard setbacks in lieu of the required 50 feet; also one of which requires a setback of 37.5 feet to the of the road in lieu of the required 75 feet.

HEARING: TUESDAY, SEPTEMBER 23, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Richard and Veronica Shrader
Thomas E. Phelps

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 8, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 22, 1997

Mr. and Mrs. Richard Shrader
2016 Poplar Road
Baltimore, MD 21221

RE: Item No.: 70
Case No.: 98-70-A
Petitioner: Richard Shrader, et ux

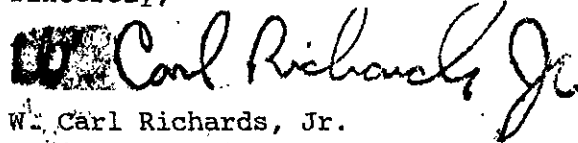
Dear Mr. and Mrs. Shrader:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 19, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: September 4, 1997

To: Arnold L. Jablon

From: R. Bruce Seeley *RBS/gp*

Subject: Zoning Item #70

Shrader Property, 2105 Marsh Road

Zoning Advisory Committee Meeting of September 2, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BS:KK:sp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

Date: September 11, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 2105 Maple Road

INFORMATION

Item Number: 70

Petitioner: Shrader Property

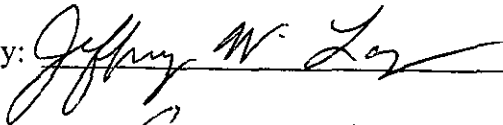
Zoning: RC-5

Requested Action: Variance

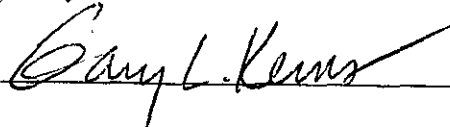
Summary of Recommendations:

Planning staff recommends denial of the requested variances. In response to requests for residential development in RC-5 and RC-20 zones, the Office of Planning has developed a policy and accordingly such requests will only be supported if the site can meet the minimum lot size, as well as the setback requirements. In the instant case the applicant meets neither. The Lower Back River Neck Community Action Plan states: "Sewering of the lower peninsula should be restricted to serve existing communities and the effort to restore the Chesapeake Bay, and should not serve as a spur for residential or commercial facilities" (see page 7).

Prepared by:

_____

Division Chief:

_____

AFK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

9-5-97

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

RE: Baltimore County
Item No. 070 (CAM)

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as the proposed development is not located on a State roadway and there are no impacts to any SHA facilities.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: Sept. 8, 1997

FROM:  Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for September 8, 1997
Item Nos. 066, 068, 070, 071, 072,
074, 075, 076, and 077

The Bureau of Developer's Plans Review has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE908.NOC



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPTEMBER 2, 1997

Item No.: Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

066, 070, 071, 072, 074

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881. MS-1102F

cc: File



RE: PETITION FOR VARIANCE
2105 Marsh Road, W/S Silver Lane, 12.55
Marsh Road, 15th Election District,
7th Councilmanic

Richard J. and Veronica H. Shrader
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-70-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of September, 1997, a copy of the foregoing Entry of Appearance was mailed to Thomas E. Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Jim
9/23

BALTIMORE COUNTY, MARYLAND

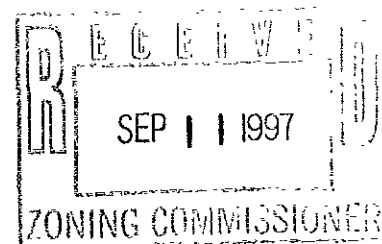
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

Date: September 11, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 2105 Maple Road



INFORMATION

Item Number: 70

Petitioner: Shrader Property

Zoning: RC-5

Requested Action: Variance

Summary of Recommendations:

Planning staff recommends denial of the requested variances. In response to requests for residential development in RC-5 and RC-20 zones, the Office of Planning has developed a policy and accordingly such requests will only be supported if the site can meet the minimum lot size, as well as the setback requirements. In the instant case the applicant meets neither. The Lower Back River Neck Community Action Plan states: "Sewering of the lower peninsula should be restricted to serve existing communities and the effort to restore the Chesapeake Bay, and should not serve as a spur for residential or commercial facilities" (see page 7).

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL

ANY CRITICAL AREA 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 THESE AREAS

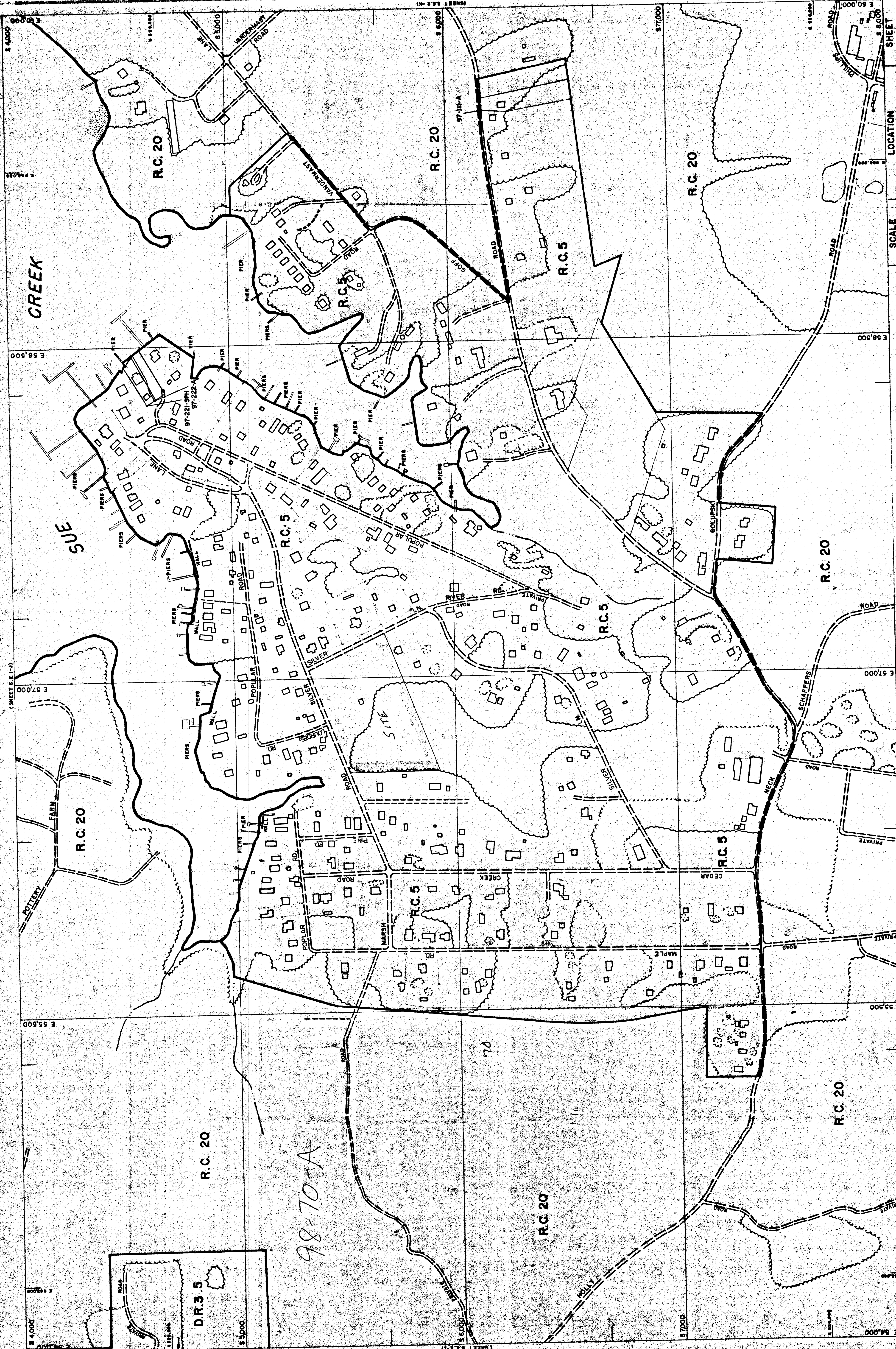


1. ZONING: RC 5 ZONING MAP SEE PL 60-9
2. AREA COMPUTATION TOTAL ACRES GRASS IS 8.36 AC ROW AREA + 0.31 " " " NFR 5.05 AC
3. NO OF ACRES = 536 X .067 = 36 ALLOWED 3 REQUESTED
4. ELEC. DIST. 15 " CENSUS TRACT 4589
5. REG. PLAN DIV. 328 COUNCILMAN TIC 7
6. AREA IS WITHIN CBCA AND LDA
7. PUBLIC SEWER & WATER ARE AVAILABLE
- 8 USE: NOW FIELD PROPOSED SINGLE FAMILY DWG.
- 9 PROPERTY HAS NO ZONING HISTORY
- 10 NO DEFORESTATION TO BE DONE
- 11 REORESTATION TO BE DONE AS NEEDED
- 12 NO KNOWN WETLANDS, OR STORAGE TANKS
- 13 THIS PROPERTY AS SHOWN ON THE PLANNING BEEN HELD INTRAC SINCE AUG 1969
- 14 TAX MAP 98 Block 20 PACE 353
- 15 SOILS MIB MATTERP ALUVIAL
- 16 MAXIMUM IMPERVIOUS SURFACE PERCENT SHALL NOT EXCEED 18% MAXIMUM ST'.
- 17 THERE ARE NO EXISTING STRUCTURES
- 18 GANDER PUMPS REQUIRED FOR SEWER.
- 19 EXISTING FOREST EQUALS 2.25 ACRES
- 20 NO CERTAINITY IS PROJECTED AT THIS TIME. IF ONE OWNER OF LOT 1 & 2 PROPOSES SINKING, MAINT CLEARING LIMITS WILL BE DETERMINED AT MINIMUM PERMIT APPLICATION AND MAY INVOLVE A REEVALUATE AREA ADMINISTRATION VALUE.

1. All the work must be completed at a reasonably early date, taking into account the impact of the weather, wind, rain, frost, etc. on the work.
2. The work must be completed at a reasonably early date, taking into account the impact of the weather, wind, rain, frost, etc. on the work.
3. The work must be completed at a reasonably early date, taking into account the impact of the weather, wind, rain, frost, etc. on the work.
4. The work must be completed at a reasonably early date, taking into account the impact of the weather, wind, rain, frost, etc. on the work.
5. The work must be completed at a reasonably early date, taking into account the impact of the weather, wind, rain, frost, etc. on the work.

**PETITIONER'S
EXHIBIT**

REVISIONS		Minor Subdivision 2105 Marsh Road Baltimore Co., Maryland SHRADER PROPERTY	
NO	DATE		
1	COUNTY COMMENT	3/11/78	
2	COUNTY	8/14/78	
3	COUNTY CHANGES	11/16/78	
Drawn T.W.V.		Scale 1" = 60'	
Checked		Date 11-6-95	
96-030-M			95269



98-70-A

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 18, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kananev
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE 1" = 200' ±	LOCATION HOLLY NECK	SHEET SE 2-J
DATE OF PHOTOGRAPHY JANUARY 1966		

E-NE 22-NW