

IN RE: HEARING ON UNDERSIZED LOT  
N/S Bauernschmidt Drive and S/S  
Martin Drive, across from Bayside Drive  
(2500 Bauernschmidt Drive)  
15<sup>th</sup> Election District  
5<sup>th</sup> Council District

Margaret Fritz, Owner/Applicant

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. N/A

\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a building permit application filed by Margaret Fritz, property owner, through George Weiderhold, Vice President of Ramcor Corporation, Builder/Developer. The applicant proposes the construction of a single family dwelling on the subject undersized lot, pursuant to Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.). Upon application for relief under this Section, the property is posted with a sign giving any interested neighbor the opportunity to request a public hearing. In this case, the adjacent property owners, Patrick and Margaret Brennan, requested a public hearing to determine the appropriateness of the applicant's proposal. Thus, the matter was convened for public hearing on July 31, 2000. Pursuant to Section 304.4 of the B.C.Z.R., the zoning regulations provide that the Zoning Commissioner, "...shall make a determination whether the proposed dwelling is appropriate."

Appearing at the public hearing in support of the request were Charles F. and Margaret Mack, the potential residents of the home. Mrs. Mack is the daughter of the owner, Margaret Fritz. Also appearing on behalf of the applicants were George Weiderhold, Builder/Developer of the lot, and Joan Wagner. Appearing in opposition to the request were several neighbors, including Patrick and Margaret Brennan, Emily Bimestefer, Joan Wrzesinski, Mary Whittaker, John W. Liller, and Joseph L. Eiben, all residents of the area.

The Protestants who appeared primarily objected to the height and proposed style of the house, which, as shown on the elevation drawings submitted at the hearing, will be constructed on stilts. It was indicated at the hearing that parking would be provided under the house, and that this elevation was proposed in that the property is located in the Chesapeake Bay Critical Areas near Middle River. Although not waterfront, the rear of the lot abuts Martin Drive, and the houses on the other side of that road do face the water. The Protestants at the hearing indicated that there were no other dwellings in the neighborhood that had been constructed on stilts and opined that the proposed dwelling would be in appropriate.

Subsequent to the hearing, an unsolicited letter, dated September 8, 2000, was received from Mr. Weiderhold. Therein, he referenced the opposition by many of the neighbors to the proposed dwelling being set on stilts, and attached a sketch depicting a revised design. His letter and attached sketch have been marked as Exhibit A. His letter further stated, "In order to move the process forward and maintain good-will in the community, we are proposing to abandon the piling design house completely. We will build a two-story house similar to that shown on the attached sketch. The house will be set on a slightly raised concrete foundation. We will only raise the foundation enough to maintain a basement slab elevation above sea level per Baltimore County Code."

In my judgment, this is an appropriate solution to the issues presented in this case. The applicants should be allowed to construct a single family dwelling on this property, pursuant to Section 304 of the B.C.Z.R. A house consistent with the sketch attached to Mr. Weiderhold's letter of September 8, 2000 appears more compatible with the neighborhood. Thus, relief shall be granted, with certain conditions as noted below.

Pursuant to the advertisement, posting of the property, and public hearing on this matter held, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14<sup>th</sup> day of September, 2000 that the building permit application to construct a single family dwelling on the subject undersized lot, in accordance with Exhibit A, and pursuant to

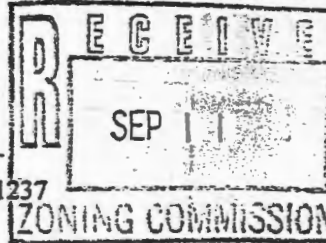
# RAMCOR CORPORATION

## BUILDERS

NEW CONSTRUCTION - ADDITIONS  
RESTORATIONS

7090 GOLDEN RING ROAD, SUITE 107A - BALTIMORE, MARYLAND 21237

TELEPHONE (410) 682-5780 - FAX (410) 682-5781



September 8, 2000

Baltimore County Zoning Commissioner  
401 Bosley Avenue  
Room 405  
Towson, MD 21204

Attention: Mr. Lawrence Schmidt

Subject: 2300 Bauernschmidt Drive

Dear Mr. Schmidt,

On Monday, July 31, 2000, we had a zoning hearing in front of you to determine if a proposed dwelling was appropriate for the above undersized lot. As you may remember the proposed house was to be set on pilings. The fact that the home was to be set on pilings seemed to be the main item of contention at the hearing.

In order to move the process forward, and maintain goodwill in the community, we are proposing to abandon the piling design house completely. We will build a two story house similar to that shown on the attached sketch. The house will be set on a slightly raised concrete foundation. We will only raise the foundation enough to maintain a basement slab elevation above sea level per Baltimore County Code.

We are willing to be reasonably flexible in order to move this project forward. If we can provide any additional information to you or your office to accomplish this, please do not hesitate to call me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "George Weiderhold". The signature is fluid and cursive, written over the typed name.

George Weiderhold  
Vice President

EXHIBIT A

MHIC # 70928