ORDER RECEIVED FOR FILING

IN RE: PETITION FOR VARIANCE E/S Silver Lane, 1300' E of the c/l

Cedar Creek Road
(2011 Silver Lane)
15<sup>th</sup> Election District
5<sup>th</sup> Councilmanic District

Charles Schaller, et ux Petitioners

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- Case No. 00-208-A

\* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Charles and Audrey Schaller. The Petitioners seek relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet and 10.5 feet in lieu of the required 50 feet each and to permit a front yard setback to the centerline of the street of 51 feet in lieu of the required 75 feet; and, to approve the subject property as an undersized lot, pursuant to Section 304 of the B.C.Z.R. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held in support of this request was Raymond James, the Petitioners' son-in-law. Also present were Leroy Sennett, a community activist, and Catherine Travis, who resides on the adjacent property at 2019 Silver Lane. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property consists of two lots, known as Lots 512 and 513 of the subdivision known as Cedar Beach, an older waterfront community located not far from Sue Creek in Essex. Each lot is 50 feet wide along Silver Lane, but tapers to a narrow dimension in the rear. Lot 512 is 40.3 feet wide along the rear property line, and Lot 513 is only 29 feet wide along its rear property line. The lots contain a combined gross area of .275 acres, more or less, zoned R.C.5, and are presently unimproved. Testimony indicated

that Mr. & Mrs. Schaller have owned the property for many years, since approximately 1942. Mr. James testified that he proposes to construct a modular home, 60 feet wide by 27.5 feet deep in dimension, on the property. He indicated that Mr. & Mrs. Schaller, who are each elderly and over the age of 80 years, will reside in the dwelling with himself and his wife; thus, a rancher style dwelling was chosen so as to avoid the necessity of steps. Due to the proposed style of the home and its significant width, the requested variances are necessary.

Testimony was also received from Mrs. Travis who resides on the adjacent property known as 2019 Silver Lane. She actually owns three lots, specifically, Lots 514, 515, and 516. Lot 514 is located immediately adjacent to the Petitioners' property and is unimproved at this time. However, it is used as a side yard for the Travis dwelling which is located on Lot 515. Mrs. Travis acknowledged that the Schallers should be given an opportunity to build on their property. That is, she recognized their property rights and the hardship they would suffer if strict adherence to the regulations were required. Nonetheless, she believes that the relief requested is excessive. She noted that most houses in the area have larger setbacks than the 10-foot proposed herein and requested that there be a modification to the plan and/or a reorientation of the dwelling so as to provide greater side setbacks.

Mr. Sennett commented on the integrity of the zoning regulations, the age of this subdivision and the character of the neighborhood.

Upon due consideration of the testimony and evidence offered, I am persuaded that some variance relief should be granted. If no variance were granted, the Petitioners would have an unbuildable lot. At its widest point, the subject parcel is only 100 feet wide; thus, compliance with the required 50-foot side setback is impossible. Moreover, it appears that many of the houses in the neighborhood are built on double or triple lots; thus, what is proposed here is not inconsistent with the vicinity. Nonetheless, I agree with Mrs. Travis' comment that the requested relief is excessive. Although I am appreciative of Mr. James' concerns regarding his elderly in-laws, the proposed house will remain on this property long after their passing or relocation. Their

immediate short-term needs are not sufficient to justify the excessive variance relief that has been requested.

Based upon the testimony and evidence offered, I will grant modified variance relief to allow a dwelling to be constructed on the property. However, any such structure shall maintain a minimum setback of 20 feet on each side, and a 50-foot setback from the centerline of the street. In my judgment, an appropriately sized dwelling can be built within these guidelines. Moreover, I will require that the Petitioner submit building elevation drawings of any proposed dwelling for review and approval by the Office of Planning to insure compatibility with the surrounding neighborhood. A Zoning Advisory Committee (ZAC) comment from that agency indicated that building elevation drawings of the proposed dwelling had not been submitted for their review and approval, and they wanted the opportunity to review such drawings before the issuance of any permits. Particularly with the modification of the requested variance relief, such a restriction is appropriate and I shall so Order. Moreover, the Petitioners shall be required to comply with the ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated December 15, 1999, relative to Chesapeake Bay Critical Areas legislation, and the Bureau of Development Plans Review, dated December 10, 1999, regarding the sewer connection for the proposed dwelling.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, a modification of the requested relief shall be granted.

IT IS FURTHER ORDERED that the subject property is approved as an undersized lot, pursuant to Section 304 of the B.C.Z.R., subject, however, 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.
- 2) In accordance with the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning, dated December 14, 1999, the Petitioners shall submit building elevation drawings of the proposed dwelling, incorporating the modified relief granted herein, for their review and approval, prior to the issuance of any building permits.
- 3) Compliance with the ZAC comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated December 15, 1999, and the Bureau of Development Plans Review, dated December 10, 1999, copies of which are attached hereto and made a part hereof.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMID

Zoning Commissioner for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING



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

Fax: 410-887-3468

January 7, 2000

Mr. & Mrs. Charles Schaller 343 South Newkirk Street Baltimore, Maryland 21224

RE: PETITION FOR VARIANCE

E/S Silver Lane, 1300' E of the c/I Cedar Creek Road (2011 Silver Lane)
15th Election District — 5th Councilmanic District Charles Schaller, et ux - Petitioners
Case No. 00-208-A

Dear Mr. & Mrs. Schaller:

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,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. Raymond James

6900 Ridgeway Road, Baltimore, Md. 21222 Chesapeake Bay Critical Areas Commission

45 Calvert Street, 2<sup>nd</sup> Floor, Annapolis, Md. 21401

DEPRM; OP; People's Counsel; Case File



PADER RECEIVED FOR FILING

# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 20/1 Silver have which is presently zoned R-C-5

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

This Petition shall be filed with the Department of Permits and 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) 1 A04.3. B. 2 to permit side yard setbacks of 10 ft. and 10.5 ft. in lieu of the required 50 ft. and to permit a front yard setback to the center line of the street of 51 ft. in lieu of the required 75 ft. To approve an undersized 1st per Section 304.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be presented at the hearing

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			is the subject of this Petition.
Contract Purchaser/Lessee:	<u>.</u>		<u>Legal Owner(s):</u>
Name - Type or Print	<u> </u>		CHARLES SCHALLER Name - Type or Print  * Schaller
Signature			Name - Type of Print  × Charles Schaller  Signature  Audr 5 y Schaller  Name - Type of Print
Address		Telephone No.	Name - Type or Print  * Caudien Schaller
City  Attorney For Petitioner:	State	Zip Code	343 So NEWKIRK Street  Address Telephone No.
Name - Type or Print			Address Telephone No.  BALTimore, mp 2/224 4/0-276-282, City State Zip Code
			Representative to be Contacted:
Signature			RAYMOND JAMES
Company			Name 6900 Ridgeway Road 282.8688 Address Telephone No.
Add, ess		Telephone No.	BALtimore, MD QILLY
City .	State	Zip Code	City State Zip Code  OFFICE USE ONLY
Sise No. 00-209-1	ì_		ESTIMATED LENGTH OF HEARING
	<u>-</u>		UNAVAILABLE FOR HEARING Date 11/18/99
R8V 9115198			·

### **Zoning Description**

Zoning Description For 2011 Silver Lane

Beginning at a point on the  $E_{0.5}$ † side of <u>Silver Lane</u> which is <u>40</u>° wide at a distance of

1, 300' E. of the center of the nearest improvement intersecting street Cedar Creek Rd.

which is 40 'wide.

Being Lot # 512 & 513 Block CWB, Section #12 in the subdivision of

Cedar Beach as recorded in Baltimore County Plat Book # CWB # 12, Foil # 90-91

Contains 11,994 Square feet Also Known as 2011 Silver Lane and located in the 15

Election District, 5\_Councilmanic District.

Request 10' Side yard set back.

#### NOTICE OF ZONNIG

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: #00-208-A 2011 Silver Lane E/S Silver Lane, 1300' E of centerline Cedar Creek Road 15th Election District 5th Councilmanic District

Legal Owner(s): Audrey Schaller & Charles Schaller Schaller & Charles Schaller Variance: to permit side yard setbacks of 10 feet and 10.5 feet in lieu of the required 50 feet, to permit a front yard setback to the centerline of the street of 51. feet in lieu of the required

75 feet; and to approve an

undersized lot. Hearing: Wonday, January 3, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-

nue. LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at

Commissioner's Office at (410) 887-4386. (2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3301 3391.

12/153 Dec 16 C359252

## **CERTIFICATE OF PUBLICATION**

TOWSON, MD, 12-16, , 1997
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 ofsuccessive
weeks, the first publication appearing on

LEGAL ADVERTISING

#### **CERTIFICATE OF POSTING**

RE: CASE # 00-208-A
PETITIONER/DEVELOPER
(Charles Schaller)
DATE OF Hearing
(Jan 3, 2000)

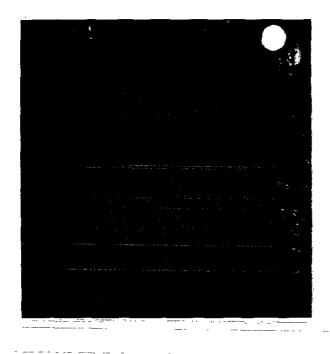
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

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 2011 Silver Lane Baltimore, Maryland 21221—

The sign(s) were posted on	12-17-99
	(Month. Day, Year)



Sincerely,
Cham Edding
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405
(Telephone Number)

**RE: PETITION FOR VARIANCE** 2011 Silver Lane, E/S Silver Ln. 1300' E of c/l Cedar Creek Rd 15th Election District, 5th Councilmanic

Legal Owner: Charles & Audrey Schaller

Petitioner(s)

- **BEFORE THE**
- ZONING COMMISSIONER
- **FOR**
- **BALTIMORE COUNTY**
- Case No. 00-208-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

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 1/th day of December, 1999 a copy of the foregoing Entry of

Appearance was mailed to Raymond James, 6900 Ridgeway Road, Baltimore, MD 21222, representative for Petitioners.

TO: PATUXENT PUBLISHING COMPANY

Thursday, December 16, 1999 Issue - Jeffersonian

Please forward billing to:

Charles Schaller 343 S. Newkirk Street Baltimore, MD 21224 410-276-2321

#### **NOTICE OF ZONING 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: 00-208-A

2011 Silver Lane

E/S Silver Lane, 1300' E of centerline Cedar Creek Road

15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District Legal Owner: Audrey Schaller & Charles Schaller

<u>Variance</u> to permit side yard setbacks of 10 feet and 10.5 feet in lieu of the required 50 feet; to permit a front yard setback to the centerline of the street of 51 feet in lieu of the required 75 feet; and to approve an undersized lot.

HEARING: Monday, January 3, 2000 at 10:00 a.m. in Room 407, County Courts

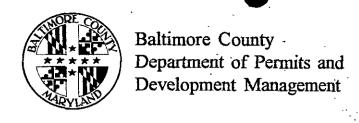
Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

**December 8, 1999** 

#### **NOTICE OF ZONING 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: 00-208-A

2011 Silver Lane

E/S Silver Lane, 1300' E of centerline Cedar Creek Road

15th Election District - 5th Councilmanic District

Legal Owner: Audrey Schaller & Charles Schaller

<u>Variance</u> to permit side yard setbacks of 10 feet and 10.5 feet in lieu of the required 50 feet; to permit a front yard setback to the centerline of the street of 51 feet in lieu of the required 75 feet; and to approve an undersized lot.

HEARING:

Monday, January 3, 2000 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Audrey & Charles Schaller, 343 S. Newkirk Street, Baltimore 21224 Raymond James, 6900 Ridgeway Road, Baltimore 21222

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY DECEMBER 19, 1999.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

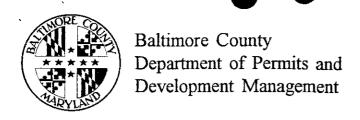
4

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:
Item Number or Case Number: 00-208 - A  Petitioner: CHARLES SCHALLER
Address or Location: 2017 SILVER LA.
PLEASE FORWARD ADVERTISING BILL TO:  Name:
Address: 343 So. NEWKirk Street.
BACTIMORE, MARYLAND 21224
Telephone Number: 410- 276- 732/

Revised 2/20/98 - SCJ



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

December 30, 1999

Mr. Raymond James 6900 Ridgeway Road Baltimore, Maryland 21222

Dear Mr. James:

RE: Case Number 00-208-A, 2011 Silver Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 11/13/99.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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.

Sincerely,

U. Carl Richal W. Carl Richards, Jr.

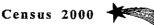
Zoning Supervisor Zoning Review

WCR:rsi

**Enclosures** 

c: Charles Schaller





For You, For Baltimore County







#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Date: December 10, 1999

Department of Permits & Development

Management

FROM: Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for December 6, 1999

Item Nos. 208

The Bureau of Development Plans Review has reviewed the subject zoning item. If the variance is granted, the owner will be required to connect to the existing pressure sewer in Silver Lane using a grinder pump sewer house connection. See drawing number 90-1685 for additional information.

RWB:HJO:jrb

cc: File



Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
December 17, 199887-4880

RECEIVED JAN 0 6 2000

Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: See Below

Item No.: 206, 208, 209, 210, 212, 214, 215, 218

Dear Ms. Stephens:

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.

The Fire Marshal's Office has no comments at this time.

Cc: file

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

FROM:	R. Bruce Seeley 2115
DATE:	December 15, 1999
SUBJECT:	Zoning Item #208  2011 Silver Lane
Zon	ing Advisory Committee Meeting of November 29, 1999
	Department of Environmental Protection and Resource Management has no ments on the above-referenced zoning item.
an e	Department of Environmental Protection and Resource Management requests xtension for the review of the above-referenced zoning item to determine the nt to which environmental regulations apply to the site.
	Department of Environmental Protection and Resource Management offers 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 (Section 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).

TO:

Arnold Jablon

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 14, 1999

Department of Permits and Development Management

Arnold F. 'Pat' Keller, III, Director

Office of Planning

FROM:

**SUBJECT:** 2011 Silver Lane

**INFORMATION:** 

**Item Number:** 

208

**Petitioner:** 

Charles Schaller

Zoning:

RC-5

Requested Action:

Variance

#### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning cannot provide substantive comments until such time as the applicant submits elevation drawings for the proposed house to this office for review and approval. We request that the elevation drawing be submitted to the Office of Planning prior to a final decision in this matter, and not as a condition of approval.

If there should be any questions, please contact Karin Brown, Fifth District Community Planner, at 410-887-3480.

Section Chief: Oeffy W. Long

AFK/JL

C:\JEFF\_L\208.doc

887-3391 INTER-OFFICE CORRESPON Permit or Case No. \_\_00-209- A Director, Office of Planning & Community Conservation TO: Attention: Jeffrey Long County Courts Building, Room 406 401 Bosley Avenue Residential Processing Fee Paid Towson, MD 21204 (\$50.00)FROM: Arnold Jablon, Director Accepted by Department of Permits & Development Management RE: Undersized Lots Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit MINIMUM APPLICANT SUPPLIED INFORMATION: CHARLES SCHALLER 6900 RIDGEWAY Rd. 410-282-8688
Print Name of Applicant

Lot Address 201/ SILVER LA (Lots 5/245/3)
Election District 15 Councilmanic District 5 Square Feet 11, 994 Lot Location: N@S W/Gde)corner of Silver Lune 1,300 feet from N@S Woorner of Cedar Creek Rd.

(street) (street) Land Owner: CHARLES SCHALLER Tax Account Number 15/90 70330 Address: 6900 RIDGEWAY R.D 2/222 Telephone Number (410) 282-8688 CHECKLIST OF MATERIALS-. (to be submitted for design review by the Office of Planning and Community Conservation) TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED? NO 1. This Recommendation Form (3 copies) 2. Permit Application 3. Site Plan Property (3 copies) Topo Map (2 copies) available in Room 206, County Office Building - (please label site clearly) 4. Building Elevation Drawings 5. Photographs (please label all photos clearly) Adjoining Buildings Surrounding Neighborhood 6. Current Zoning Classification: \_\_\_\_\_ TO BE FILLED 'N BY THE UFFICE OF PLANNING ONLY! RECOMMENDATIONS / COMMENTS:

Approval conditioned on required modifications of the application to conform with the following recommendations: Approval

for the Director, Office of Planning and Community Conservation

Date \_

2019 Silver Lone Baltimore, MD 2124-6135 January 5, 2800

Lowrence Schmitt

Commissioner of Zoning

Svite 405, County Courts Building

401 Bosley Avenue

Towson, MD 21204

JAN - 6

And the second s

Dear Sir, Re: Case # 00-208-A -10:000m 1/3/00

Following the above hearing in your court, I began, mentally, to compute the impact of my suggestion to Mr. James to change the orientation of his planned house to the lot. This would change the overall appearance, however, it would not change the fact that the proposed house would have a much larger square foot ratio of house to size of lot than that of the overall community in this area. (please refer to the sewer map I gave you.) I now realize the size of the Footprint of this house is inappropriate in the neighborhood and ask that you consider this fact in your decision.

Respectfully, Catherine T. Travia

P.S. Perhaps 30' side setback would be more compatible.

January 4, 2000

Commissioner Lawrence Schmidt Commissioner of Zoning Suite 405 County Court Bldg Towson MD 21204

Dear Commissioner,

I am writing to oppose the requested set-back for the property at 2019 Silver Lane Road, Cedar Beach - Back River Neck Peninsula, Essex, Baltimore County.

This property is just "two doors" from my own home – 2005 Silver Lane Road. The proposed construction for this lot, in my opinion, is not in the best interest of the property owners nor the neighborhood. And there are several reasons why I feel this way.

First, I was born and raised in Cedar Beach (I bought my parents house in 1986); and moved back here because I like the make up of the area - wooded lots, individual homes with big yards, young families with lots of kids...

- 1. The current make-up of the neighborhood makes it a great place to raise kids!
- 2. A great place to know your neighbors without being right on top of each other.
- 3. This proposal would remove yet another wooded site.!
- 4. ---- displacing all the animals that have taken refuge there due to the greatly declining habitat on the peninsula. And,
- 5. The removal of these trees will also remove a major wind-break for my property and that of my immediate neighbor. This 'coverage' is essential especially during any 'Nor'ester that comes through from time to time.
- 6. Plus, the proposed house size and placement would put them almost in the lap of their neighbors; the lot is odd shaped – this house !? Too big for it!
- 7. A very important issue to consider, is the traffic patterns of this immediate block. While the removal of the trees will increase visibility around this curve, it would still be extremely hazardous to anyone trying to back into or out of the driveway for this property – regardless of which side of the house they put the driveway.
- 8. I believe, the community association and my neighbors worked extremely hard just a few years ago, to fight to keep this neighborhood as is - individual homes with nice sized yards. This exception would open the door to change all that.

Now. following the hearing, I have learned new information about the residents who plan to live there. And, before I comment - know that I have worked for 30 years for the State Department's Division of Rehabilitation Services and am a firm believer in integration of individuals with disabilities into every neighborhood—so it is not with fear of being near someone with a problem that I make the following comments. However, having known several elderly individuals with Alzheimer's, I do not believe this would be a safe environment for that individual. Yes, caretakers will be available, but how often do we hear in the news about someone who has been lost! I do not want to hear that

Case # 08-A

my neighbor has gotten lost in the nearby woods or fallen into the water which is within walking distance of this property. I do not want the neighborhood kids 'finding' an injured or drowned individual in these circumstances. And, yes I have two such 'kids' – my grandchildren are 10 and 12. They travel and play in and around the woods, and while they may be 'the rescuers' of such a lost person; they may just as easily be the ones to find a 'body.' Within a few blocks of this property is extensive woods both to the east and the west – a great hazard. To the east and the north are also waterfront properties – more hazards.

So I ask that you seriously consider this weighty problem. Not only is the lot too small for such a proposed house. Is it a wise place for these four 'older' people to live? Have they even considered the presence of the kids in this neighborhood? We have a busload of elementary school kids, plus some kids who go to private schools. We have a busload of middle school plus kids who go to magnate schools; and at least a dozen+ high schoolers. Within a few short years, our middle school kids will be in high school and will be driving. We already have a number of dirt bikes and four-wheelers that roam the woods and yards - and yes, sometimes the streets. While we do have many of us 'graying' residents, we are used to what we have here, but there are more and more families moving in with young children. One of the newest homes – at Silver Lane and Cedar Creek - have 3 kids under 10! Is this the type of neighborhood these folks want to live in? Are they prepared to deal with the noise level - add to that in the summer -- boats and jet skis? Are these people aware that we live in the plane flight path for Martins Airport? When The Med-Evac flies over, the windows do rattle!? Do these people know that? Are they willing to live with that? Or are they going to move in and raise a fuss?

In terms of them cutting down all those trees... Are they going to re-plant trees to replace them? How will the loss of trees effect our water absorption, wind protection, etc – as I mentioned above? How detrimental will this be to the conservation efforts? Isn't this property considered to be within a critical watershed area since we are so close to so much water which directly effects the Bay?

So please note, I have many, many reasons why this proposed development is not in the best interest of the owners, neighbors, neighborhood, or our natural habitat.

Your consideration of these arguments would be greatly appreciated. Please know that I am sorry I could not be at the hearing due to commitments at work.

Sincerely,

Anna M. Renault

2005 Silver Lane Road Baltimore MD 21221-6135

410-391-8260

# **FAX COVER SHEET**

DATE: //
TO: Commissioner Schmidt
FROM: Anna M. Genault
TOTAL DACES, (Including processing)
TOTAL PAGES: (Including cover sheet)
COMMENTS:

101 he magistrate of the Protesting Variance Explication. The is undersized and no place for exit. The side setback should be at lease 30.ft. I feel that the exit from the Suveway and Our dvinewy is to close to efit, The road runs in a Circle There would not be adequate packing. The lot is not sufficient for the houses Jan. 3-2000

Jo whom it may concern.

The undersigned objects to the proposed variance for lot 512 and lot 513 located on Silver Jane.

Oven D. Rel L.

2009 Lilver Fa.
13 alts. md. 21221

#### PLEASE PRINT CLEARLY

#### PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
RAY-MOND H JAMES	6900 Ridgeway Rd Boke
#3 FR 9 1100 1 V Since	in agency no par
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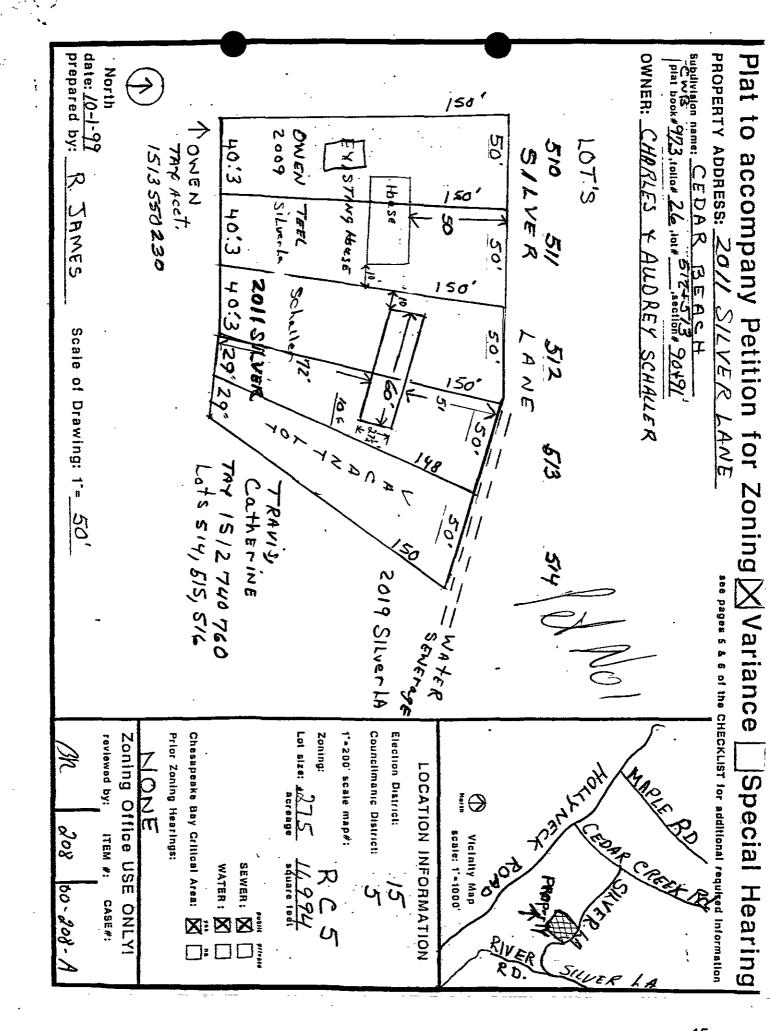


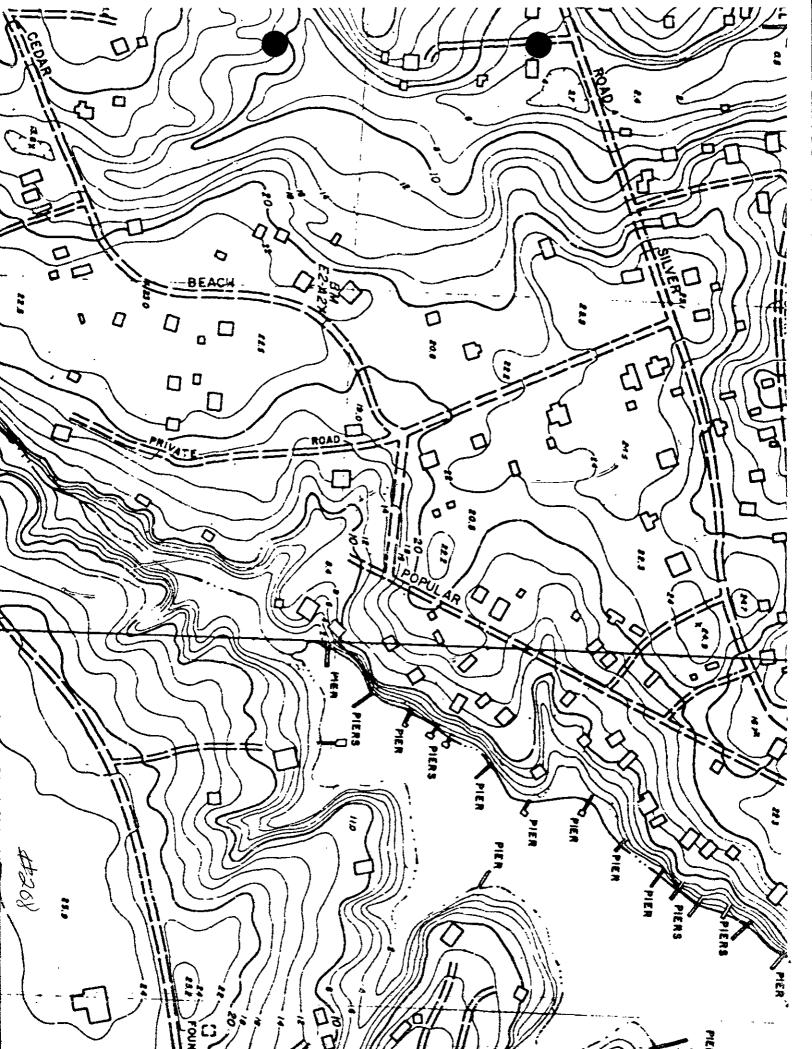
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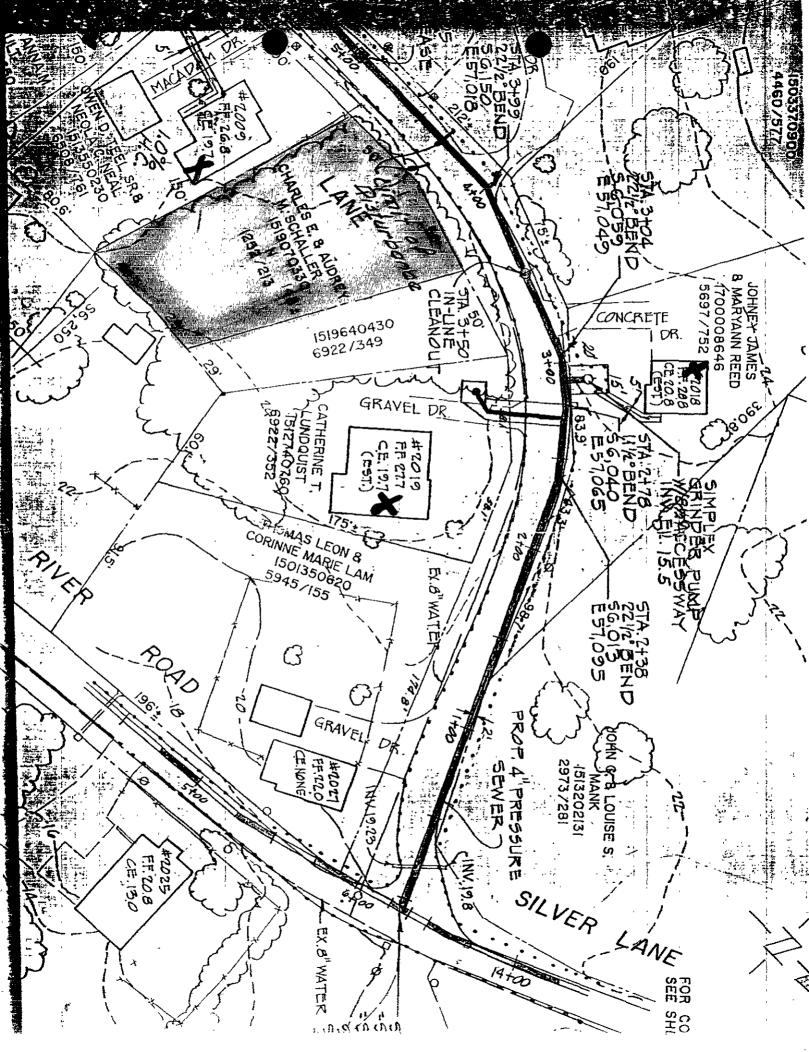
## CITIZEN SIGN-IN SHEET

NAME	ADDRESS
LEROY SENNETT	1716 BEAHWOOD (21221)
Cothenine Travis	Mrs. Catherine Travis  2019 Silver Lane Baltimore, MD 21221-6135

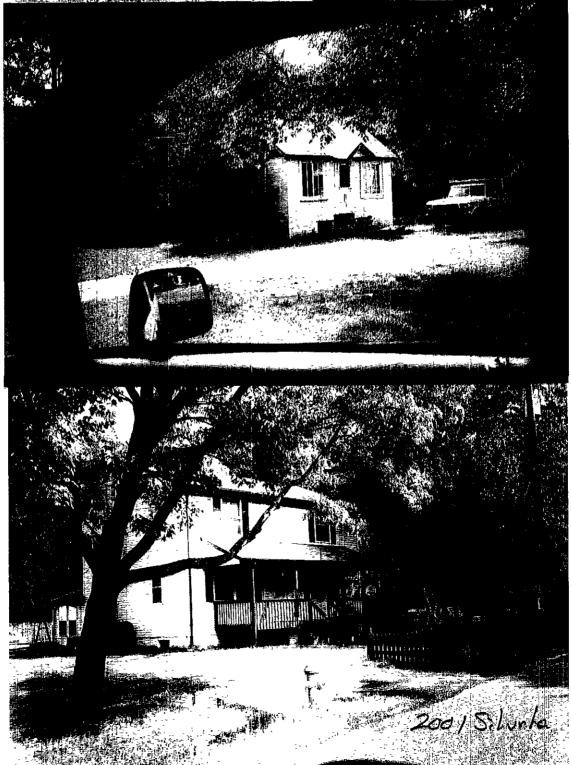


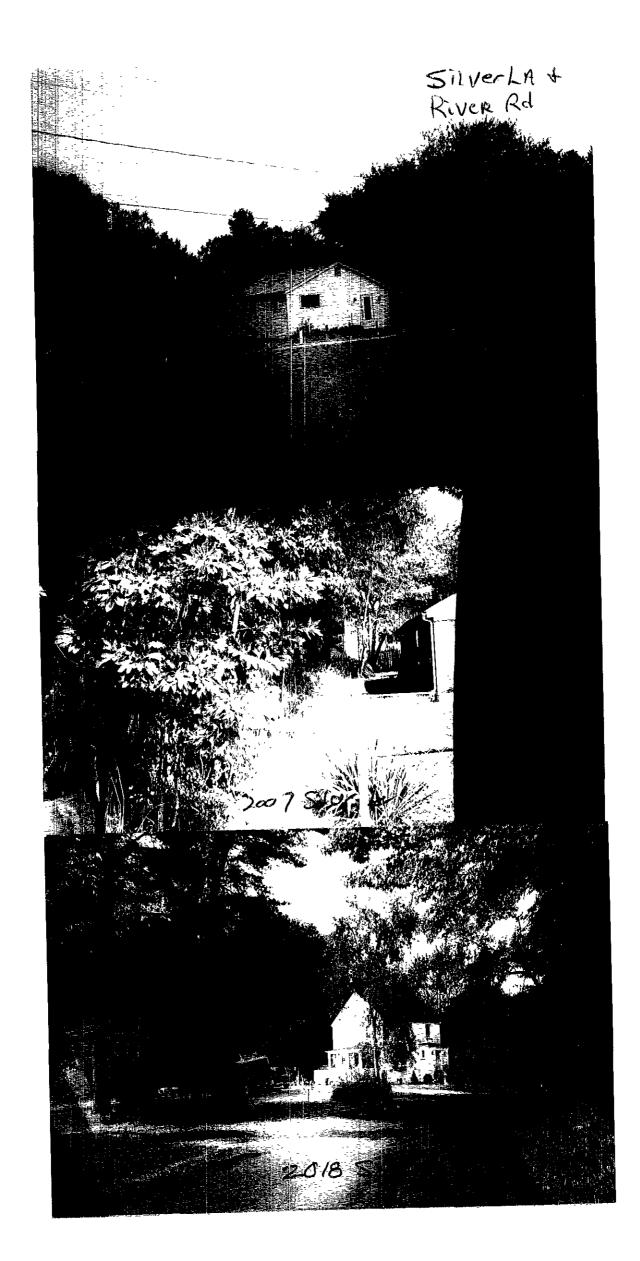






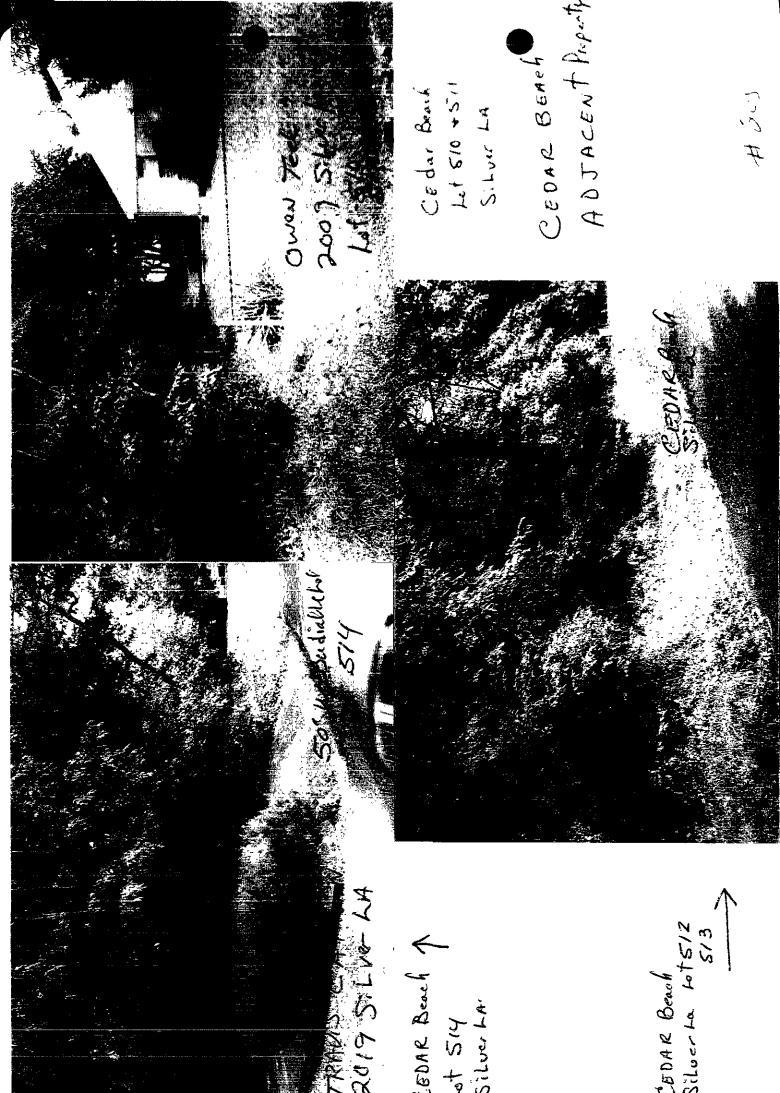






Case#08-218-A photographs

2018 Silver LANE Adjacent Property Silver LA + Silver La 2010 SILVER LANG CEDAR BEACH

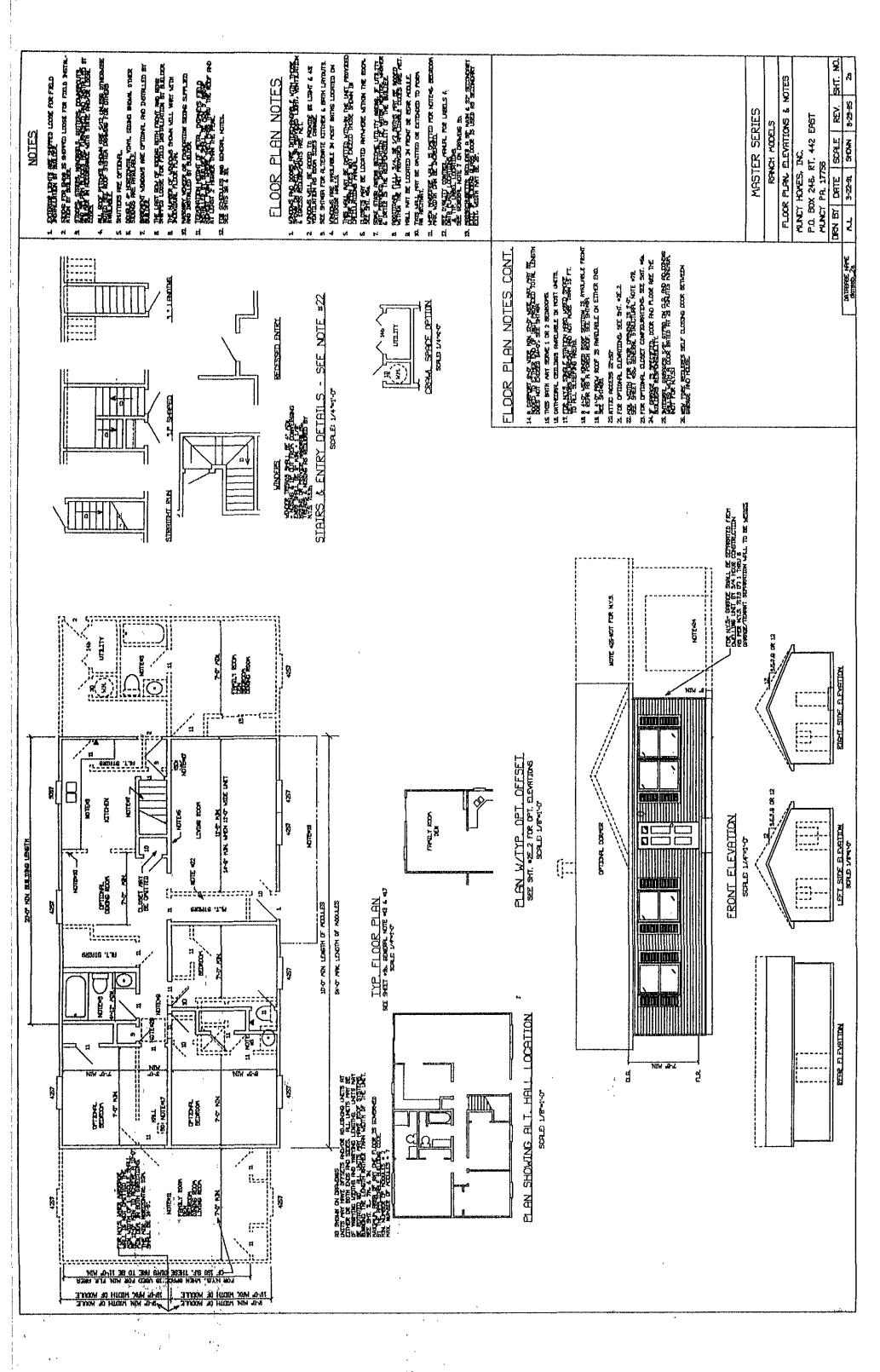


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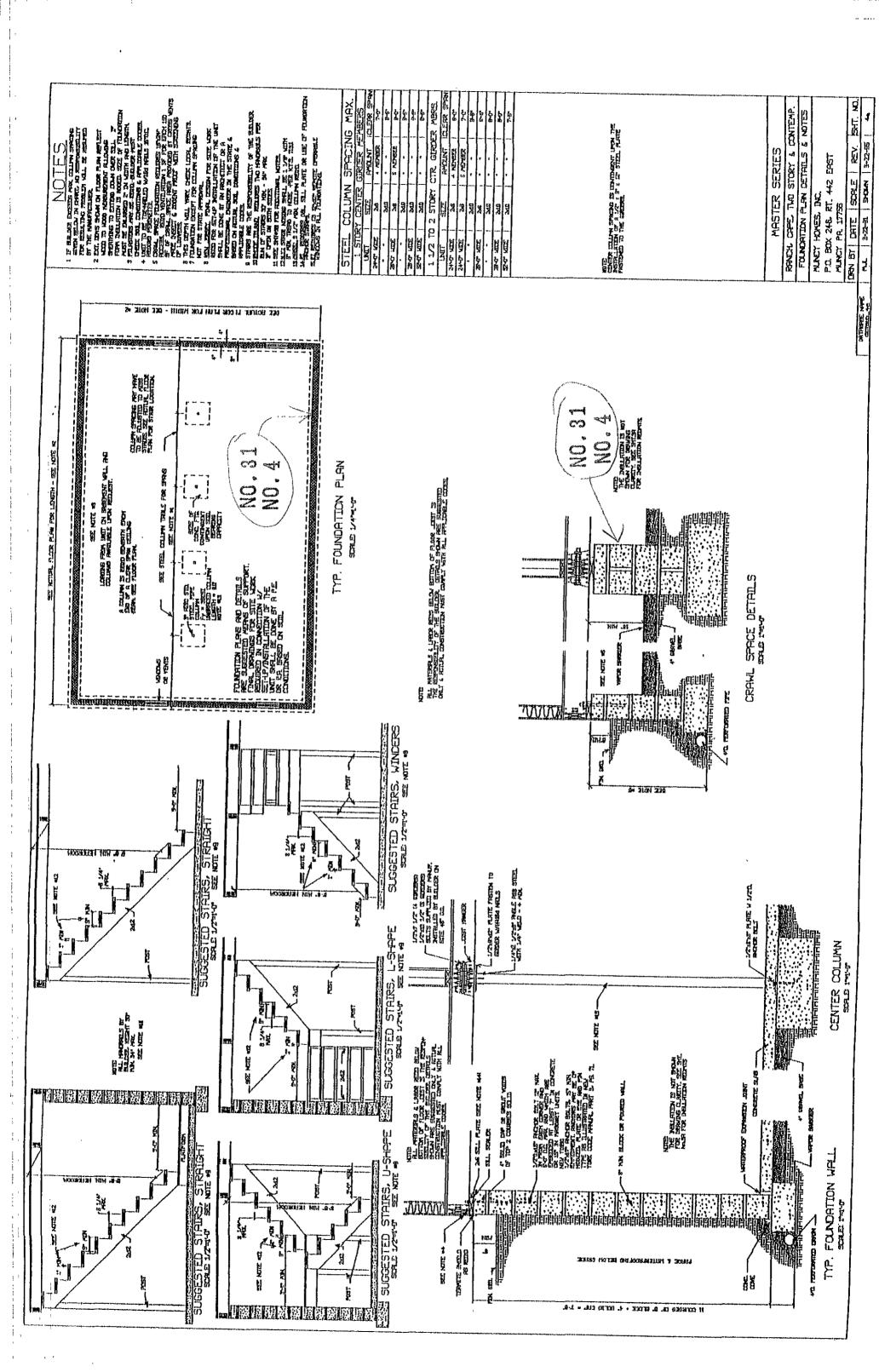
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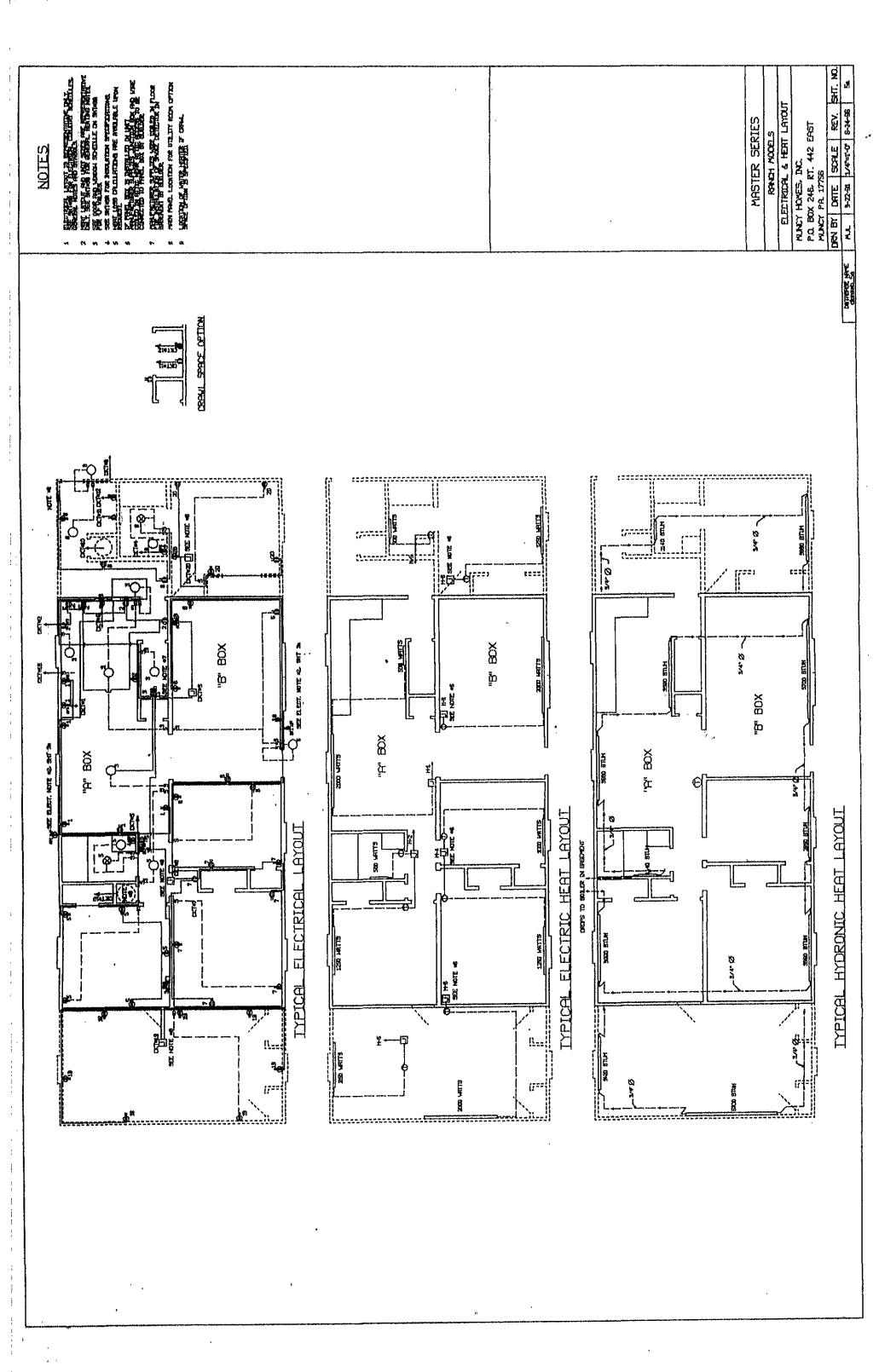


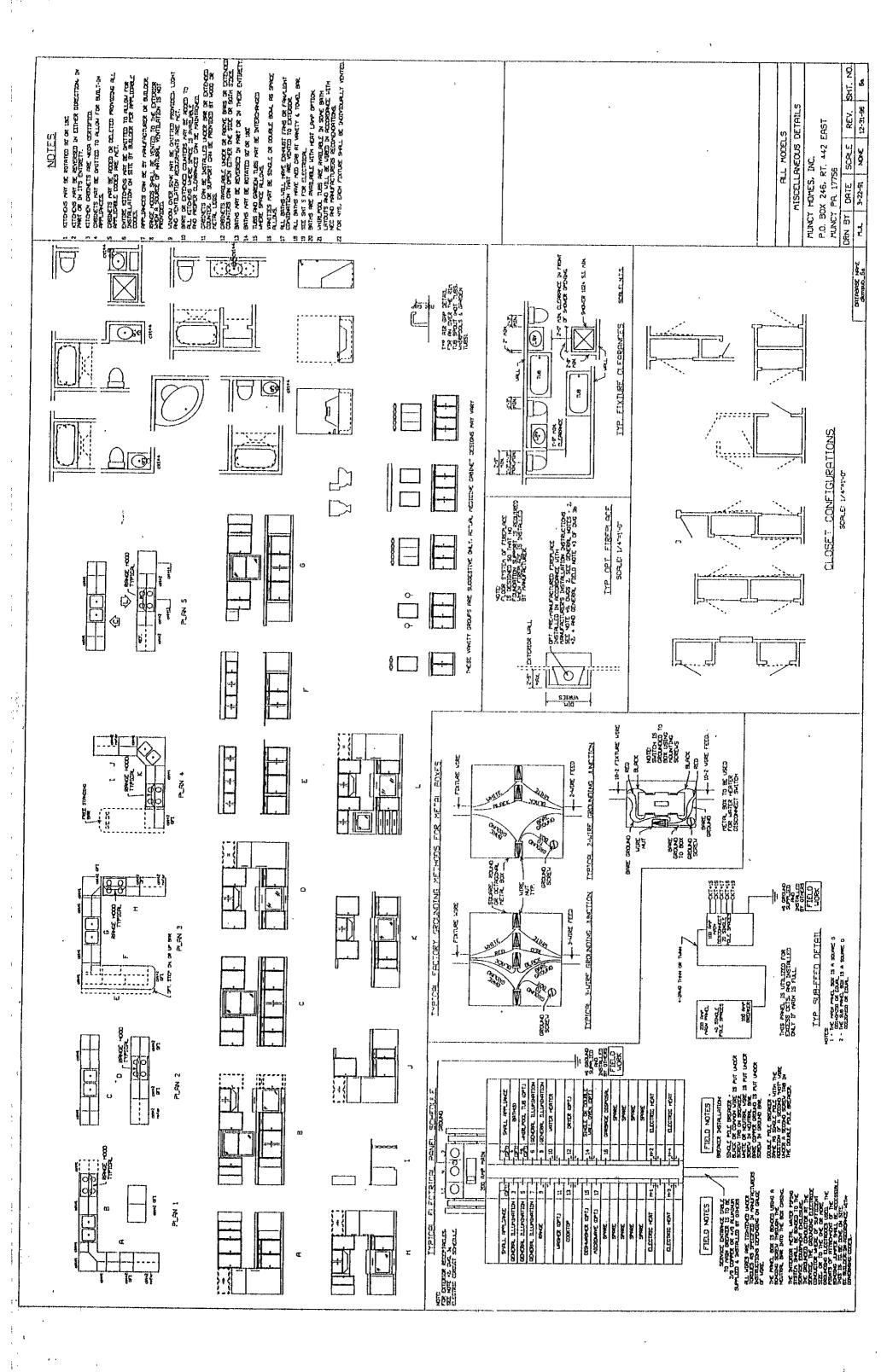
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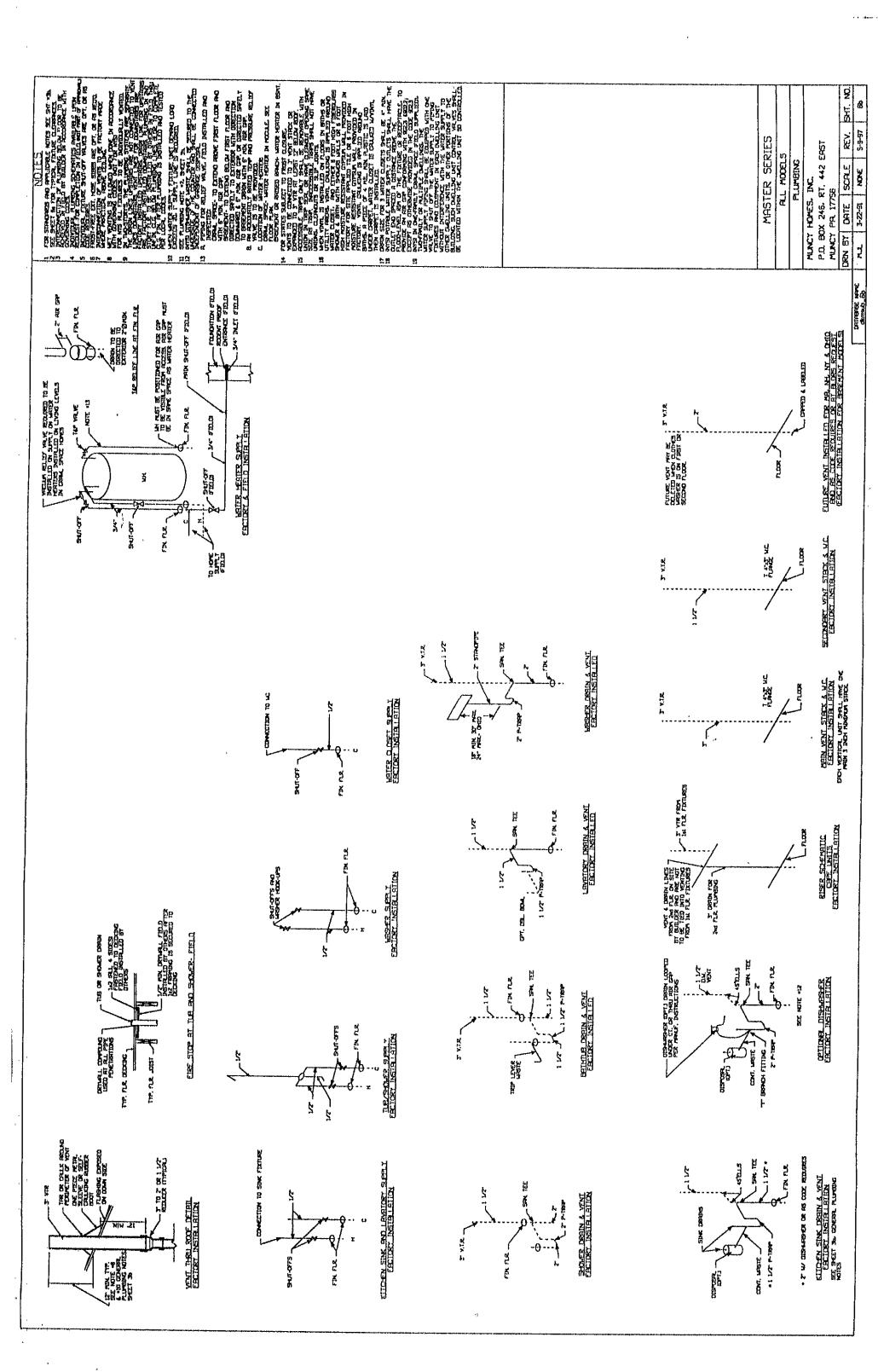
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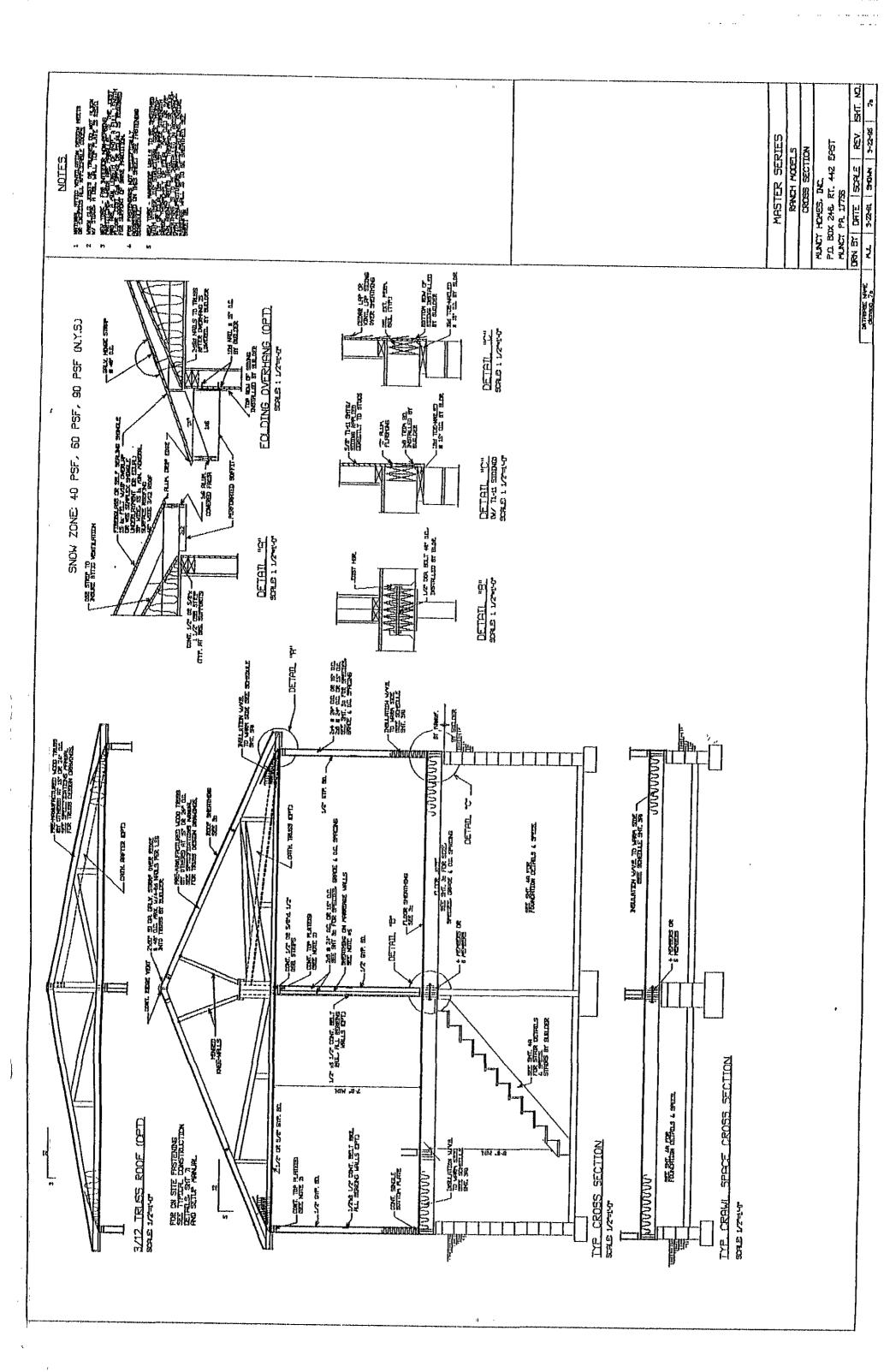
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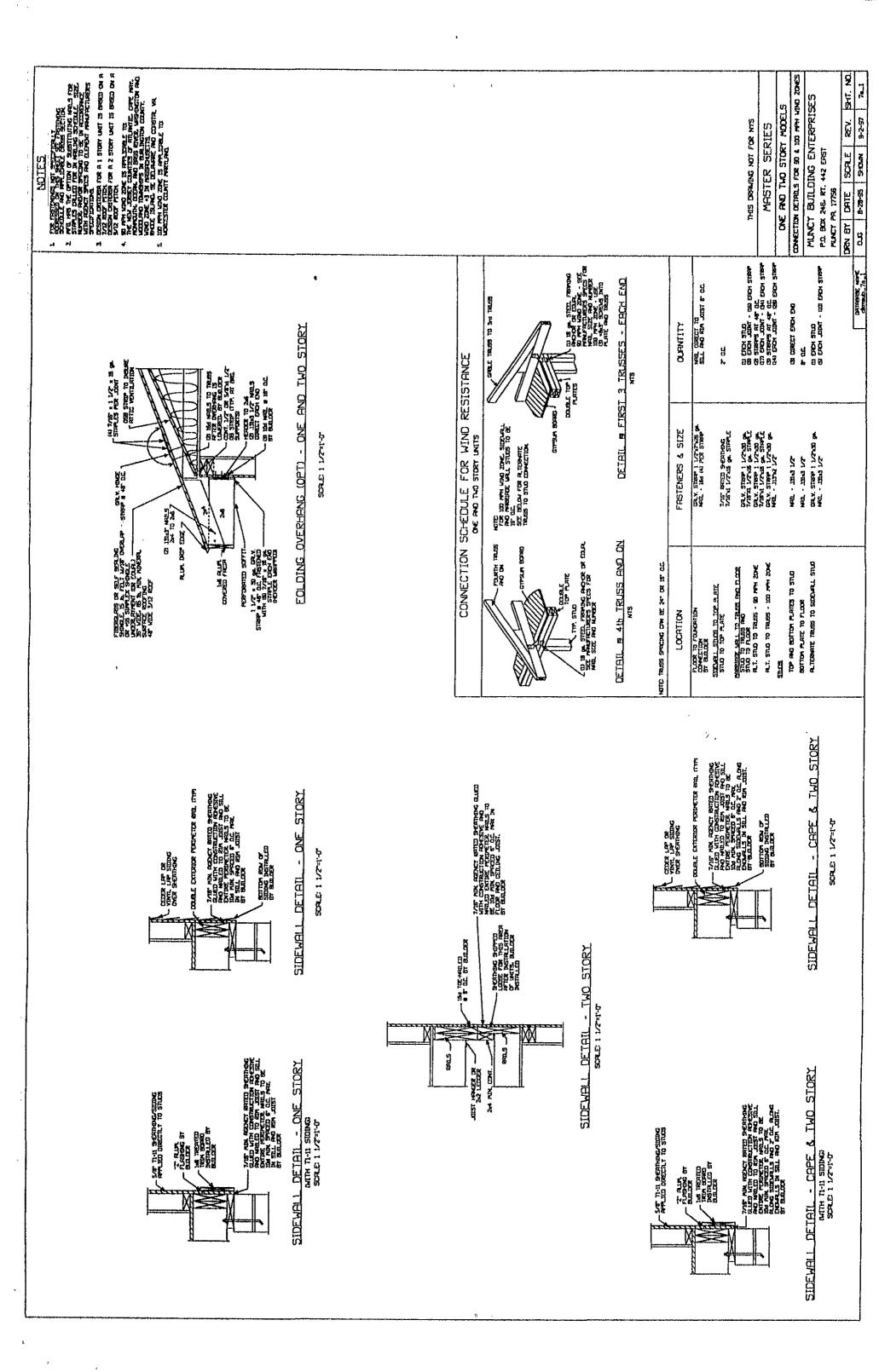


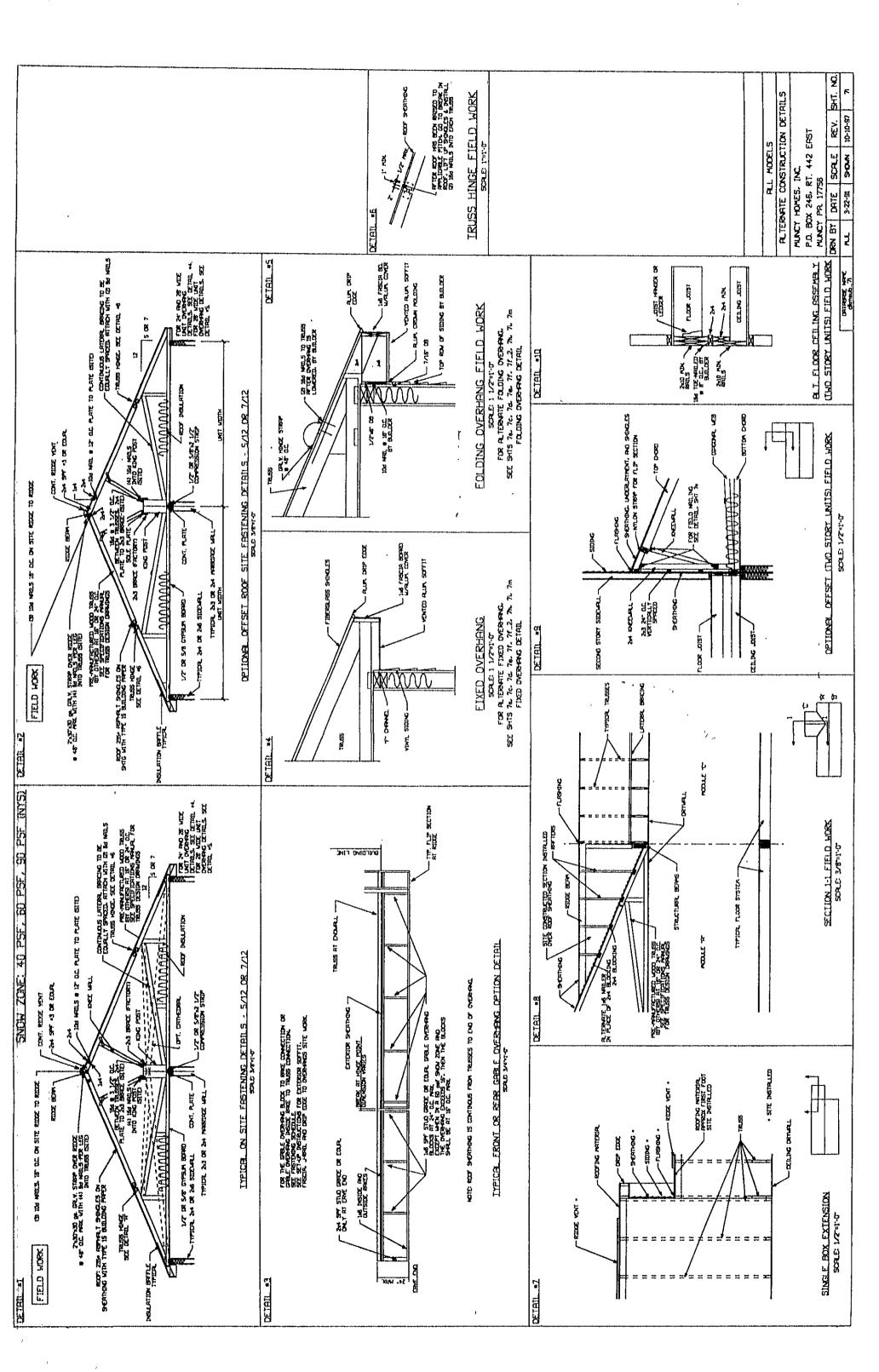


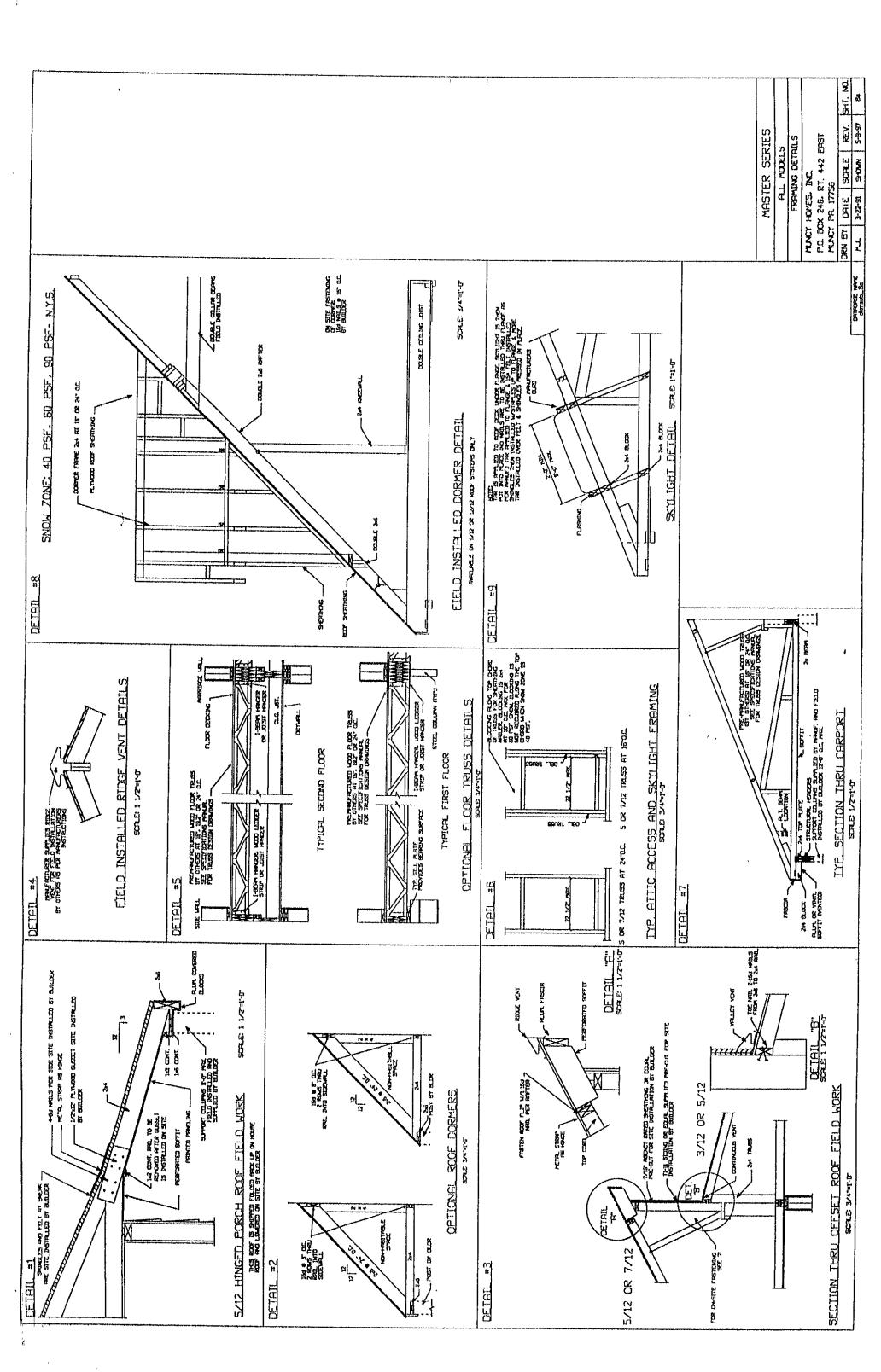


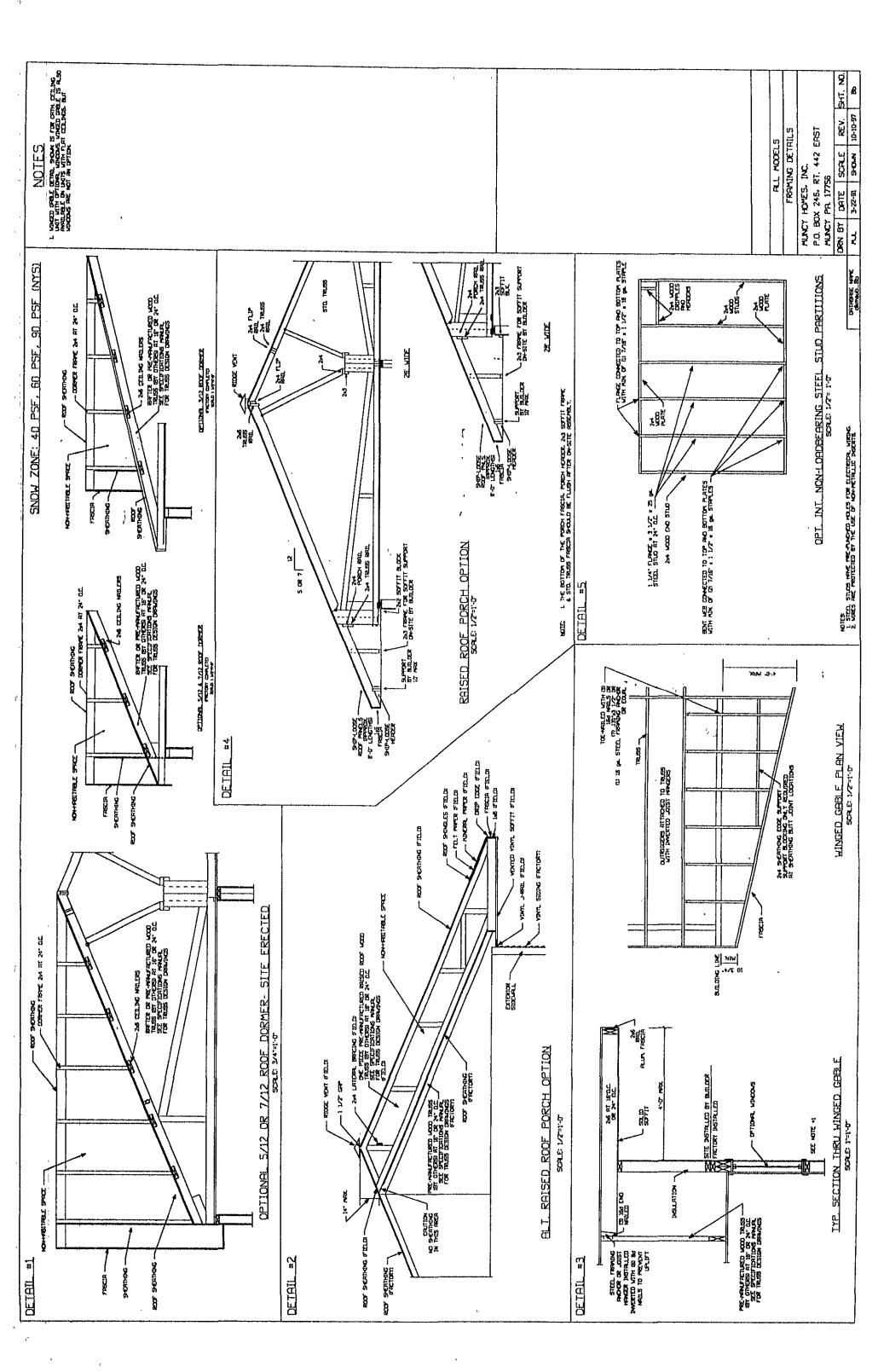


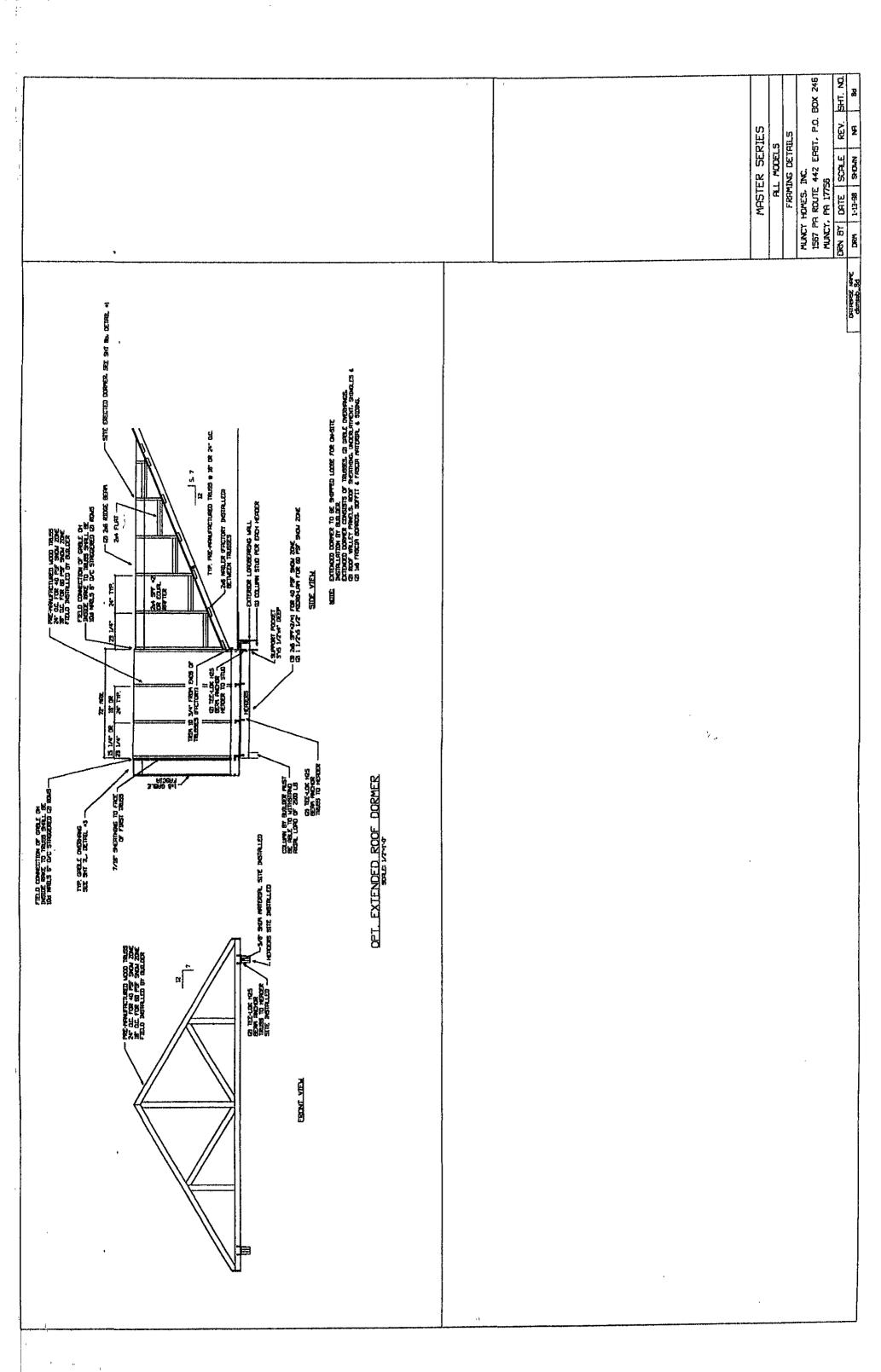


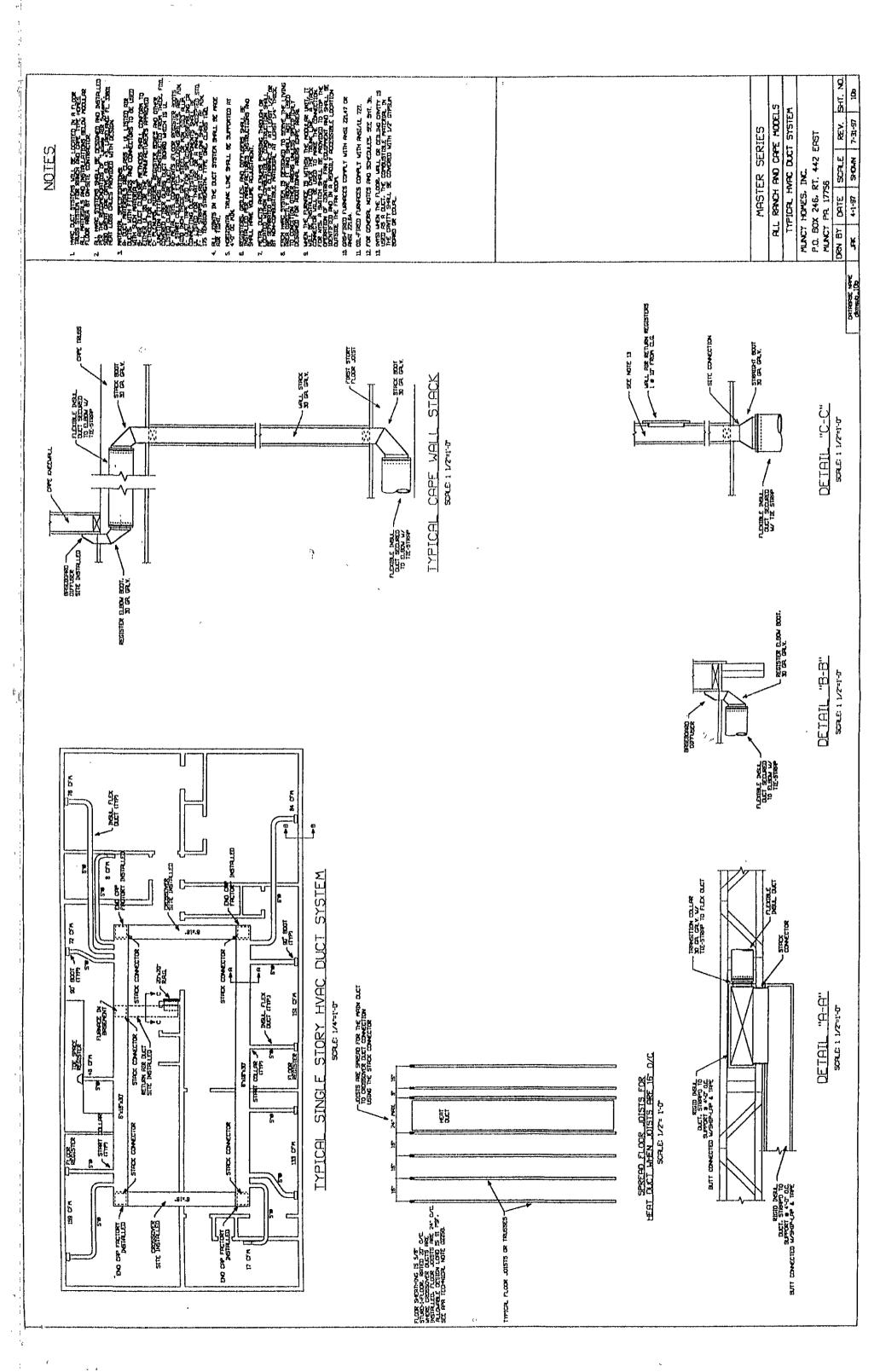


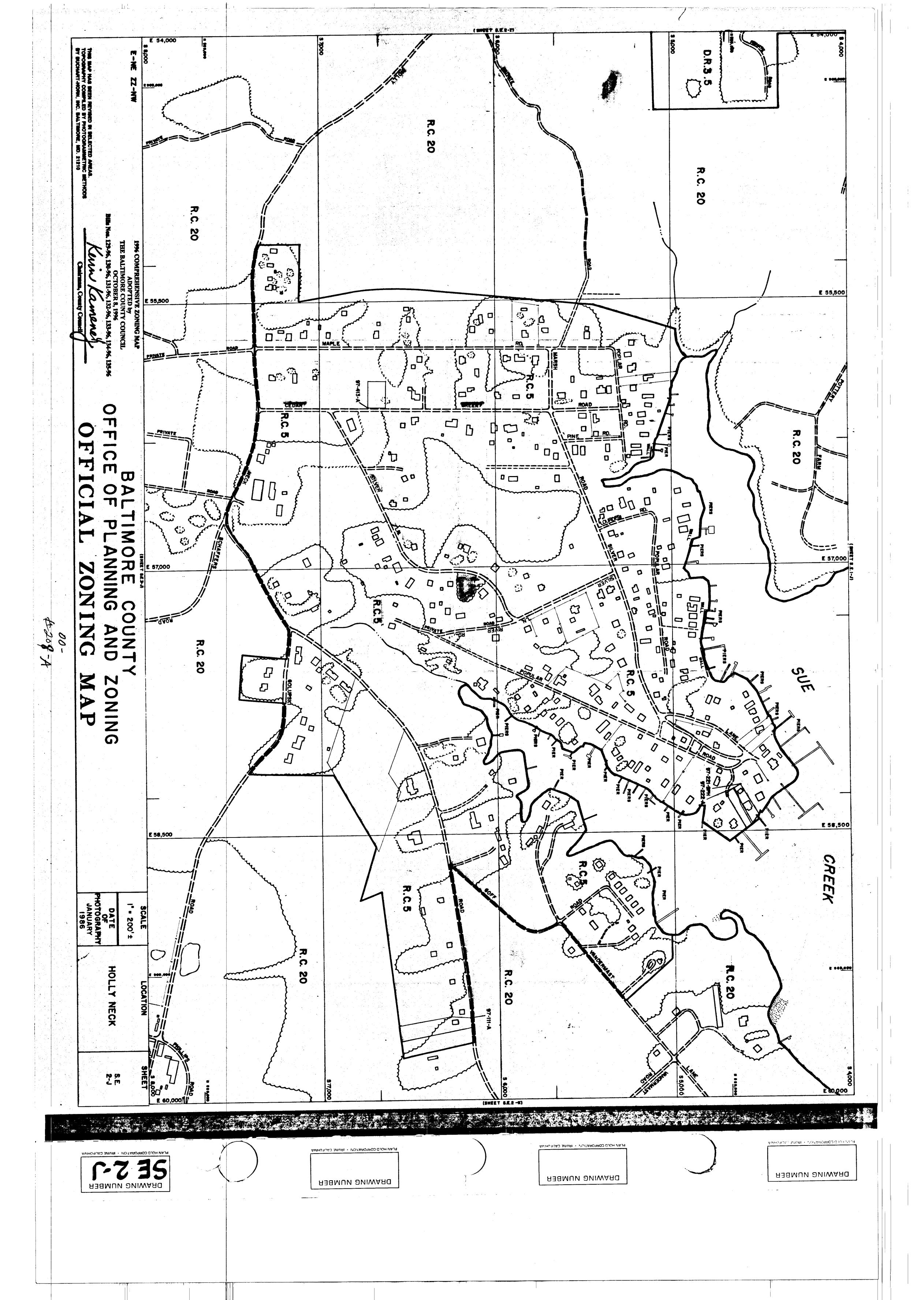


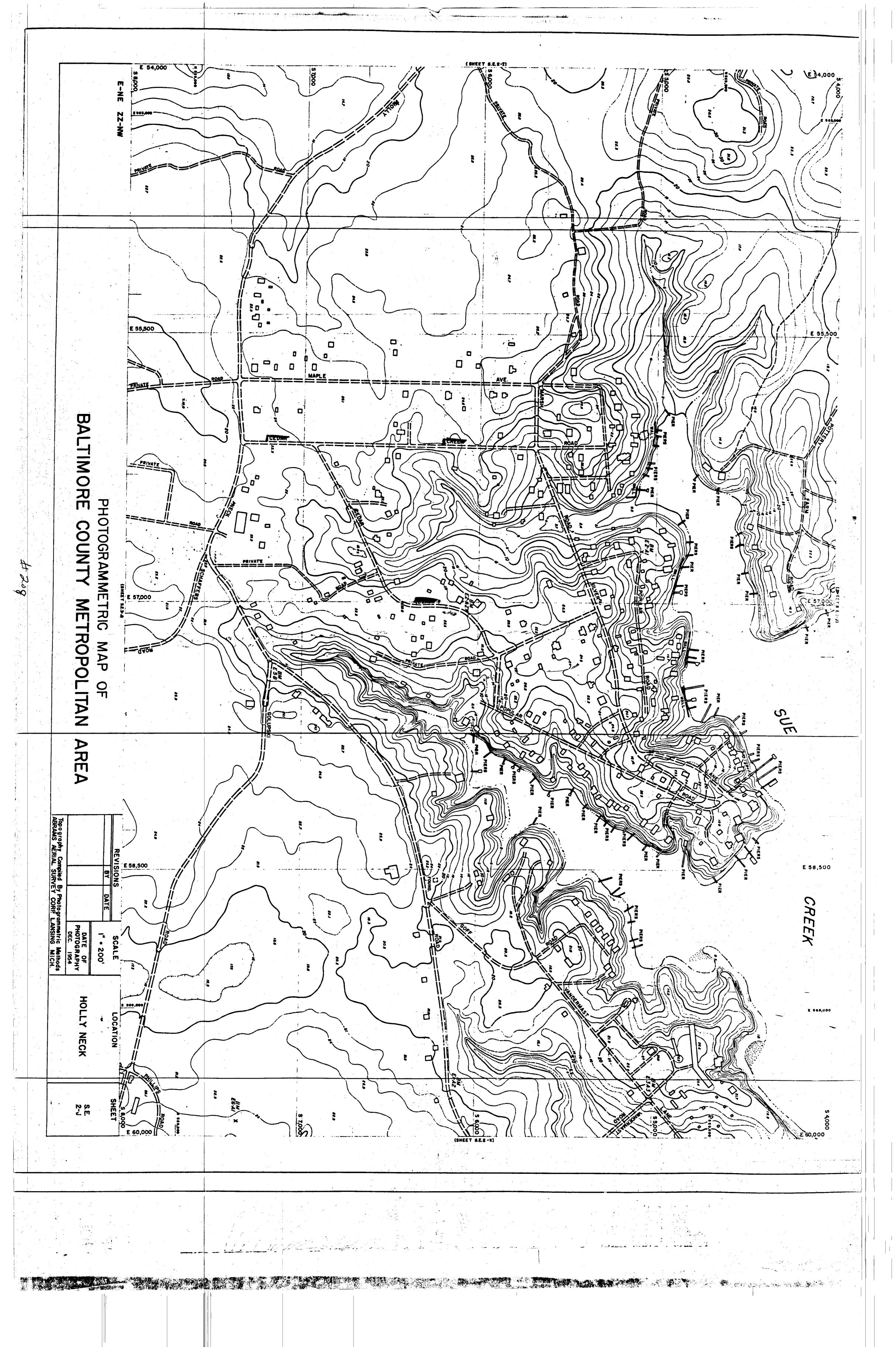












## P TIMORE COUNTY, MARYLAND C. CE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

No. 075714

DATE	<u> </u>	ACCOUNT_	e Kowa je	NOW 1 6/20.		
		AMOUNT	\$ <u>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</u>			
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FOR:		111		Section Contracts		
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| 野難線 | 1996 | 1555 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 | 1575 |

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DIS...IBUTION
WHITE - CASHIER

HITE - CASHIER PINK - AG

PINK - AGENCY YELLOV

YELLOW - CUSTOMER



**CASHIER'S VALIDATION** 

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