IN RE: PETITION FOR ADMIN. VARIANCE
W/S Shad Court, 180' NW
centerline Sand Dollar Way
15<sup>th</sup> Election District
5<sup>th</sup> Councilmanic District

(8 Shad Court)

Stephen & Angela Schneider Petitioners

BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 00-297-A

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

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Stephen and Angela Schneider. The variance request is for property located at 8 Shad Court, located in the Chase area of Baltimore County. The Petitioners herein seek a variance from Section V.B.6.6 of the Comprehensive Manual of Development Policies (CMDP) and Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a setback of 10 ft. 7 in. from window to property line in lieu of the required 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested administrative variance would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the sopinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits

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submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

This property is located within the Chesapeake Bay Critical Areas and as such, is subject to compliance with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM), pursuant to Section 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). As of the date of this Order, DEPRM had not completed its review of this project. Therefore, the relief granted herein is subject to the Petitioners' compliance with any recommendations made by Department of Environmental Protection and Resource Management upon completion of their review.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons given above, the requested administrative variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23 day of February, 2000, that a variance from Section V.B.6.6 of the Comprehensive Manual of Development Policies (CMDP) and Section 504 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a setback of 10 ft. 7 in. from window to property line in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

123/00 minima

- 2) Compliance with any recommendations made by DEPRM to minimize any effect the proposed development might have on the Bay and its tributaries.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCC

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

0110 2/23/00 Date 2/23/00



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

Fax: 410-887-3468

February 23, 2000

Mr. & Mrs. Stephen F. Schneider 8 Shad Court Baltimore, Maryland 21220

Re: Petition for Administrative Variance

Case No. 00-297-A Property: 8 Shad Court

Dear Mr. & Mrs. Schneider:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 8 Shad ct.

which is presently zoned Defines.

	owner(s)	of the pro	perty situa	ite in Baltim	ore County a	nd which i	is described	opment Mana in the descrip	gement. The unition and plat atta	ndersigned, legal ached hereto and
	made a p	part hereof	, hereby p	etition for a	Variance from	n Section	(s) V, (3,	6. b. (C)	MDP) and	Section 504
(BCZR)	) to 1	permit	å i	setback	of 10	· 7 ·	from	windo	u to pr	operty
					ne requ					
		ning regula etition form.		altimore Co	unty, to the z	oning law	of Baltimore	e County, for t	he reasons indic	ated on the back
	i, or we, a	gree to pay	expenses	of above Va	as prescribed riance, advertis nty adopted pu	ing, postin	ig, etc. and fu	ions. urther agree to a v for Baltimore (	and are to be bour County.	nded by the zoning
							perjury, tha	lemnly declare a at I/we are the le act of this Petition	and affirm, under t egal owner(s) of th on.	he penalties of e property which
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						<u></u>	Balti	more	MD_	21220
- he	Name - Typ	e or Print							State Contacted:	Zip Code
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							Zo	ning Commission	er of Baltimore Cou	nty
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	REU 9 15 9	8				Estimo	ited Postin	g Date	1/28/00	)
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# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of periury to the Zoning Commissioner of Baltimore County, as

follows: That the information herein given is competent to testify thereto in the event that a p	within the persor ublic hearing is so	nal knowledge of the A cheduled in the future w	Affiant(s) and th	at Affiant(s) is/are
That the Affiant(s) does/do presently reside at	8 Shad	Court		
	Address Baltima	ove MD		21220
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts ip or practical diffi	state s upon which I/we base culty):	-	
1. DINDOWS PROVIDE FROM GARGE TO	616HT 11	nto Room	CONVE	TED
FROM GARGE TO	FAMILY	ROM.	/	. /
2. WINDOWS to DROW	ide Ada	ctionA (	CHT	into
2. Windows to prov Room Henrily	, SHAD	D By to	EES	
PROTECTED BY	Chesa	PEAKE BAY	1 CZ.+	sc+C
AREA.		'		
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is additional informa	filed, Affiant(s) will be	required to pa	y a reposting and
All Mil		Signature Signature	we-	
Angela C. Schneider		STEPHEN	F. Sch	INCITEL
Name - Type or Print		Name - Type or Print		
STATE OF MARYLAND, COUNTY OF BALTIN	-			_
of Maryland, in and for the County aforesaid, pe	cem Ber rsonally appeared Y	, <u>1999</u> _, befor	e me, a Notary	Public of the State
of Maryland, in and for the County aforesaid, pe Angela C. Schneider the Affiant(s) herein, personally known or satisflaw that the matters and facts hereinabove set for	factorily identified orth are true and	to me as such Affiantic	s), and made of	eath in due form of ledge and belief.
AS WITNESS my hand and Notarial Seal				
12/16/99	m	LL X. Mala Public Amission Expires	il.	
Date	Notary F	PUDIIC	0/01/01	
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# Affida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

competent to testify thereto in the event that a pro-	ublic hearing is scheduled in	the future with rega	ird thereto.
That the Affiant(s) does/do presently reside at	8 Shad Cou.	rt	
	Baltimore City	MD	21220
	City	State	Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardshi	wing are the facts upon which or practical difficulty):	ch I/we base the re	quest for an Administrative
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2. Win Dows to provide	Additional	CIGHT 1	w to
2. Windows to provide A ROOM HEAVIL	1 SHADED B	34 TREE	5
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That the Affiant(s) acknowledge(s) that if a fo	rmal demand is filed, Affiai	nt(s) will be require	ed to pay a reposting and
advertising fee and may be required to provide a	ldditional information.		N
Agl l. Shil		Some de	"/ ?
Signature	Signature	M Name	
Angela C. Schneider	STEA	E SUN	EDER_
Name - Type or Print	Name - Type		
STATE OF MARYLAND, COUNTY OF BALTIN	IOPE to wit:		
·	·	99 hofore me s	Noton, Bublic of the State
I HEREBY CERTIFY, this 16TH day of De of Maryland, in and for the County aforesaid, per	sonally appeared	<u>17</u> , perore me, a	Notary Public of the State
of Maryland, in and for the County aforesaid, per Angela C. Schneider the Affiant(s) herein, personally known or satisf	5	EPHEN F. S	CHNEDER
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set for	actorily identified to me as orth are true and correct to the	such Affiant(s), and he best of his/her/th	made oath in due form of eir knowledge and belief.
AS WITNESS my hand and Notarial Seal			
12/16/99	Mill &	Malmel	
Date	Notary Public	- J	1
	Notary Public  My Commission Ex	xpires	101

REV 09/15/98



# Petition for Administrative Variance

for the property located at 8 Shed ct.

## to the Zoning Commissioner of Baltimore County

	which is presently zoned D. R. S.5
owner(s) of the property situate in Baltimore County a made a part hereof, hereby petition for a Variance fro	of Permits and Development Management. The undersigned, legal and which is described in the description and plat attached hereto and om Section(s)
CHY (13(28) to permit a se	etheck of (3.6.b. (CMDP) and Section
god (Desk) to between a se	trom window to
property line in lieu of	etback of 10'7" from window to  the required 15%
of the zoning regulations of Baltimore County, to the a of this petition form.	zoning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed I, or we, agree to pay expenses of above Variance, advertiregulations and restrictions of Baltimore County adopted property.	tising, posting, etc. and further agree to and are to be bounded by the zoning
	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:	Legal Owner(s):
	Stephenst. Schneider
Name - Type or Print	Name - Mae of Point
Signature	Signature / Muli Co
ognature	Angela C. Schneider
Address Telephone	Name Type or Print
City State Zip C	Code Signature day of Lenin
Attorney For Petitioner:	8 Shad Court (410) 335-3981 Address Telephone No.
	Baltimore MD 21220
Name - Type or Print	City State Zip Code
0	Representative to be Contacted:
Signature	Same as above
Company	Name
Address Telephone I	No. Address Telephone No.
City State Zip C	Code City State Zip Code
A Public Hearing having been formally demanded and/or fou this that the subject m regulations of Baltimore County and that the property be reposted.	und to be required, it is ordered by the Zoning Commissioner of Baltimore County, matter of this petition be set for a public hearing, advertised, as required by the zoning l.
	Zoning Commissioner of Baltimore County
CASE NO. <u>80-297-A</u>	Reviewed By ST Date 1/18/02
REV 9/15/98	Estimated Posting Date 1/28/00

### **ZONING DESCRIPTION FOR 8 Shad Court**

00-297-A

Beginning at a point on the West side of Shad Court which is 30 feet wide at the distance of 180 feet North West of the centerline of the nearest improved intersecting street Sand Dollar Way which is 40 feet wide. Being Lot # 18, Section # 3 in the subdivision of The Woods at Bay Country as recorded in Baltimore County Plat Book # SM61, Folio # 71, containing 9,150 square feet. Also known as 8 Shad court and located in the 15th Election District, 5th Councilmanic District.

OC 1/18/20/0 15:28:25 CGRIER PILS PU DRAME SZB ZURING MERTFORITON LLIPOG bilimic gunty, buylan figure tot CASHIER'S VALIDATION 1/17/2000 MEB 18305 No. 077933 6 (19 -100 ) 0 0 YELLOW - CUSTOMER AMOUNT \$ S. 6. 6. 6. 6. 1 18 5 ACCOUNT BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE つ つ MISCELLANEOUS RECEIPT PINK - AGENCY O ټ خد خ DISTRIBUTION WHITE - CASHIER RECEIVED FROM: FOR: DATE

10.00 100 EN

#### CERTIFICATE OF POSTING

RE: CASE #00-297-A
PETITIONER/DEVELOPER
(Stephen Schneider)
DATE OF Closing
(Feb 14, 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
8 Shad Court Baltimore, Maryland 21220\_\_\_\_\_

The sign(s) were posted on\_\_\_\_\_ 1-28-00\_\_\_\_\_

[Month, Day, Year]

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Sincerely,
Olsom Set 1/8/a
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

## BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 00- 297 -A Address 8 Shad Ct.						
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391  Planner, Please Print Your Name						
Filing Date: $\frac{1/18/00}{2/14/00}$ Posting Date: $\frac{1/28/00}{2/14/00}$ Closing Date: $\frac{2/14/00}{2}$						
Any contact made with this office regarding the status of the administrative variance should be hrough the contact person (planner) using the case number.						
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) 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.						
<ol> <li>DEADLINE: The closing date is the deadline for an 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.</li> </ol>						
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.						
(whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), 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.						
(Detach Along Dotted Line)						
Petitioner: This Part of the Form is for the Sign Poster Only						
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT						
Case Number 00- 297 -A Address 8 Shad Ct.  Petitioner's Name Stephen Schneider Telephone 410-335-3981						
Petitioner's Name Stephen Schneider Telephone 410-335-3981						
Posting Date: 1/28/00 Closing Date: 2/14/00						
Wording for Sign: To Permit a setback of 10' 7" from window to property						
line in lieu of the required 15'.						

# 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.

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.

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

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

February 17, 2000

Mr. Stephen F. Schneider 8 Shad Court Baltimore MD 21220

Dear Mr. Schneider:

RE: Case Number 00-297-A, 8 Shad Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 18, 2000.

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,

W. Carl Richards, J Zoning Supervisor

Zoning Review

WCR:ggs

**Enclosures** 









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on Recycled Paper

Census 2000

#### BALTIMORE MARYLAND

#### INTEROFFICE CORRESPONDENCE

DATE: February 4, 2000

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review Department of Permits & Development

Management

SUBJECT:

Zoning Advisory Committee Meeting

for February 7, 2000

Item Nos. 296, (297), 299, 302, and

304

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



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

February 15, 2000

RECEIVED FEB 2 5 2000

Department of Permits and
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

Location: DISTRIBUTION MEETING OF JANUARY 31, 2000

Item No.: See Below

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.

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

296, 297, 298, 299, 300, 302, AND 304

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

# BALTIMORE COUNTY MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley MAS

DATE:

February 9, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of January 31, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
296	10519 Marriottsville Road
297	8 Shad Court
298	4103 Southwestern Boulevard
299	55 Millstone Road
301	2010-2044 York Road
302	107 Forest Drive
304	Belfast Road

PV 2/14

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director Department of Permits and Development Management Date: February 4, 2000

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 295, 297, and 300

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

1.31.00 Date:

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

RE:

**Baltimore County** 

Item No. 257

3 R

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

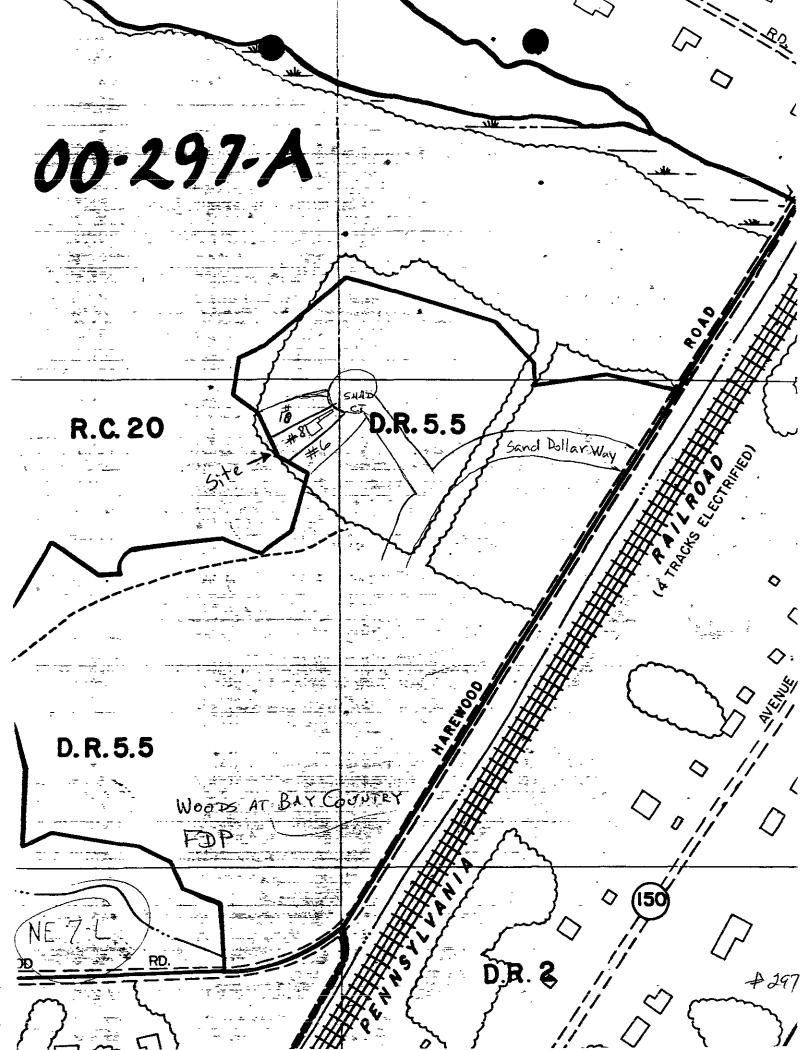
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

f. J. Goll

Kenneth A. McDonald Jr., Chief

Engineering Access Permits Division



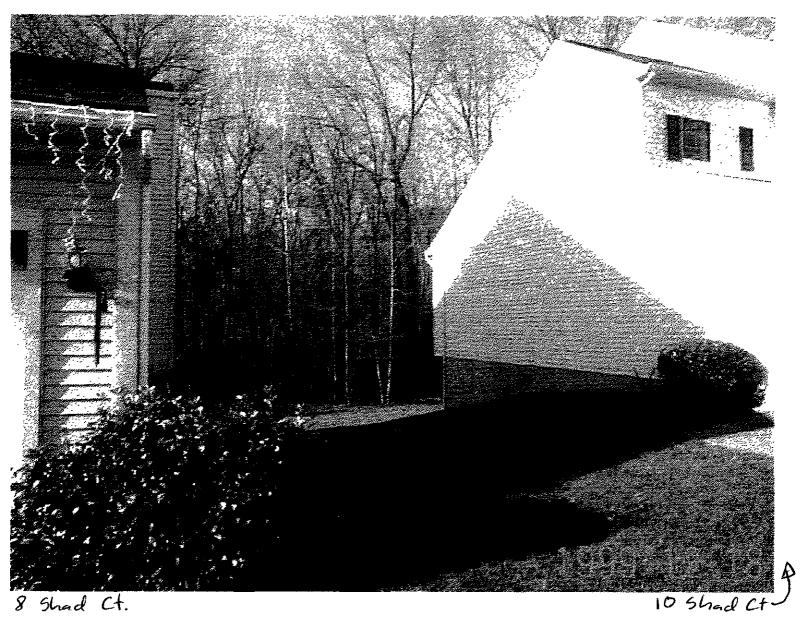
Photographs to accompany Petition For Zoning Variance

Property Address: 8 Shad Court

Subdivision name: The Woods At Bay Country

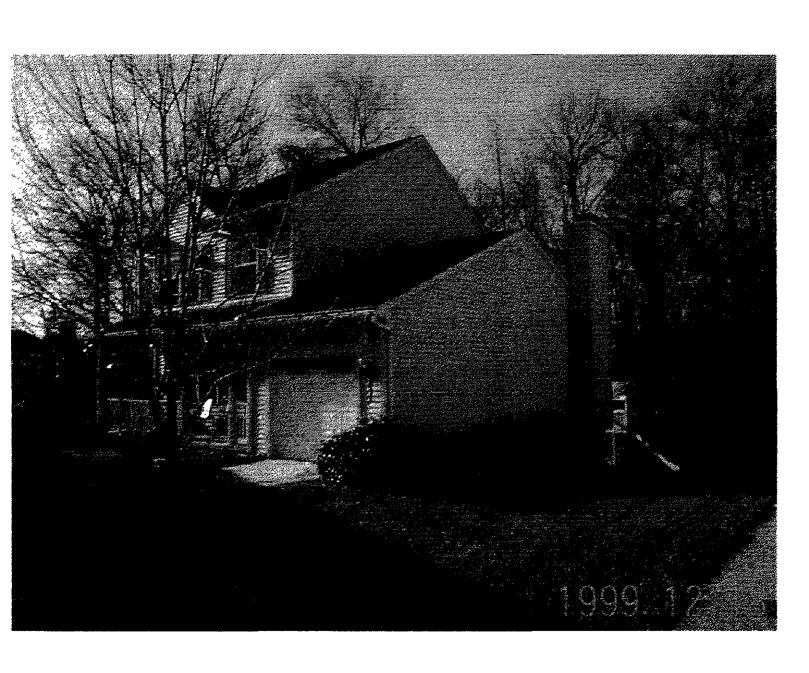
plat book#: SM61 Folio#: 71 lot #: 18

OWNER: Stephen & Angela Schneider



Photograph of the immediately adjecent dwelling

# 00-297-P



Photograph indicating existing conditions

00-297-A



Photograph of area of proposed changes (2 of 2)

00-297-A



Photograph of area of proposed changes (10+2)

00.291-A

