

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Schaadt's Road, 2500' N of the c/l
Harewood Road
(6801 Schaadt's Road)
15th Election District
5th Councilmanic District

James R. Gernhart, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-385-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, James R. Gernhart, Jr., and his wife, Christine W. Gernhart. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (16' x 10' shed) to be located in the side yard in lieu of the required rear yard. 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.

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 requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that 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

ORDER RECEIVED FOR FILING
Date 1/2/10
By [Signature]

unreasonable hardship upon the Petitioner. Moreover, there were no adverse comments submitted by any Baltimore County reviewing agency. It is also to be noted that a letter of support was received from Jennifer Merenda, Architectural Standards Committee Chairperson for the Woods At Bay Country Homeowners Board of Directors, dated December 18, 1999.

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.

ORDER RECEIVED FOR FILING

Date

By

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 posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of April, 2000, that the Petition for Administrative Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (16' x 10' shed) to be located in the side yard in lieu of the required rear yard., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

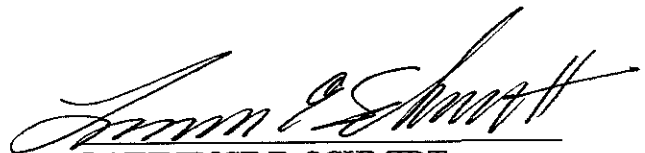
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated April 6, 2000, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ORDER RECEIVED FOR FILING

Date

By

LES:bjs



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 20, 2000

Mr. & Mrs. James R. Gernhart, Jr.
6801 Schaadt's Road
Baltimore, Maryland 21220

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Schaadt's Road, 2500' N of the c/l Harewood Road
(6801 Schaadt's Road)
15th Election District - 5th Councilmanic District
James R. Gernhart, Jr., et ux - Petitioners
Case No. 00-385-A

Dear Mr. & Mrs. Gernhart:

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: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401
DEPRM; People's Counsel; Case File



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 6801 SCHAADTS RD.
which is presently zoned BC 20

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) BALTO. Co. Map # 30411
property known as 6801 SCHAADTS RD.

Liber No. 0014187 folio 596 Also described in Liber No. 11184 folio No. 92
As Condominium unit No. 6801 in the Woods at Bay Country. AND Liber No. 11400 folio No. 414 (SEC 400.1 BALTO. Co. Zoning Reg. permit accessory structure inside yard in lieu of rear yard)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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.

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:

Name - Type or Print _____
Signature [Signature]
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Name - Type or Print JAMES R. GERNHART JR.
Signature [Signature]
Name - Type or Print CHRISTINE W. GERNHART
Signature [Signature]
Address 6801 SCHAADTS RD. (410) Telephone No. 335-6628
City BALTO. State MD. Zip Code 21220

Attorney For Petitioner:

Name - Type or Print _____
Signature [Signature]
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name As Above.
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

If a Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, on this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-385-A

Reviewed By DD/JRF Date 3-20-00

Estimated Posting Date 4-2-00

ORDER RECEIVED FOR FILING
Date 3/20/00
BY [Signature]

Affidavit 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.

That the Affiant(s) does/do presently reside at 6801 SCHAADTS Rd.
Address
BALTO. MD. 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

UNdue hardship due to unique size AND shape of property AND close ness to CHESAPEAKE Bay Critical Area would provide practical difficulty. Since non TReED area is only of right side of home (when viewed from ROAD) AND this property dimension is less than the 100' setback. These facts are through no fault of myself or any representative. AND this location is also the most practical AND least intrusive.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

James R. Gerhardt Jr.
Signature
James R. Gerhardt Jr.
Name - Type or Print

Dr. C.W. Bernhart 3/8/00
Signature
CHRISTIE W. GERHART
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, _____, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

09 March 2000
Date

Therese D. Cone
Notary Public
My Commission Expires 01 July 2002

Affidavit 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.

That the Affiant(s) does/do presently reside at 6801 SCHAADTS Rd.
Address
Balto. MD. 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

UNIQUE hardship due to unique size AND shape of property AND close ness to CHESAPEAKE Bay Critical Area would provide practical difficulty. Since non treed area is only of right side of home (when viewed from road) AND this property dimension is less than the 100' setback. These facts are through no fault of myself or any representative. AND this location is also the most practical AND least intrusive.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

James R. Gerhardt Jr.
Signature
James R. Gerhardt Jr.
Name - Type or Print

Dr. C.W. Bernhart 3/8/00
Signature
CHRISTIE W. GERHART
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, _____ before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

09 March 2000
Date

Christie W. Gerhardt
Notary Public
My Commission Expires 01 July 2002



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 6801 SCHAADTS RD.
which is presently zoned RC 20

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) BALTO. Co. Map # 30H11 property known as 6801 SCHAADTS RD.

Libers No. 0014187 folio 596 Also described in Libers No. 11184 folio NO. 92
As Condominium unit No. 6801 in the Woods at Bay Country. AND Libers No. 11400 folio No. 414 (SEC 400.1 BALTO. Co. Zoning REG. permit necessary structure inside) yard in front & rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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.

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:

Name - Type or Print _____
Signature [Signature]
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

JAMES R. GERNHART JR.
Name - Type or Print _____
Signature [Signature]
CHRISTINE W. GERNHART
Name - Type or Print _____
Signature [Signature]
6801 SCHAADTS RD. (410) 335-6628
Address _____ Telephone No. _____
BALTO. MD. 21220
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature [Signature]
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Representative to be Contacted:

As Above.
Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-385-A

Reviewed By DD/JRF Date 3-20-00

REV 9/15/98

Estimated Posting Date 4-2-00

Young Description

Young description for 6801 Schaadts Rd.

Beginning at a point on the North side of
Schaadts Rd. which is 20 feet wide at
the distance of 2500 feet North of the
centerline of Harewood Road which is
40 ft. wide. Being lot # _____ Block _____
in the Subdivision of Woods at Bay Country
as recorded in Balto. County Plat Book #
19 Folio # 6 containing .3770 acres
Also known as 6801 Schaadts Road.
and located in the 15th Election District
5th Councilmanic District.

385

00-385-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 079030

DATE 2/20/00 ACCOUNT 2-0016150

AMOUNT \$ 50.00

RECEIVED FROM: James E. Gerhardt Jr
6891 Columbia Rd. York Region, PA 17360
FOR: DI Purchase Mail No. 385

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DD-385A

CASHIER'S VALIDATION

FOR DEPOSIT ONLY
BALTIMORE COUNTY - BALTIMORE
COMMERCE ELECTRONIC DEPT.
ACCOUNT NO. 124 16292 00 16292
ACCOUNT # 0603756
CHECKS ONLY
140.00
100.00

CERTIFICATE OF POSTING

ADMIN. V.

RE Case No 00-385-A

Petitioner/Developer J. GERNHART

Date of Hearing/Closing 4/17/00

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 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 #6801 SCHAADTS RD

The sign(s) were posted on 4/1/00
(Month, Day, Year)

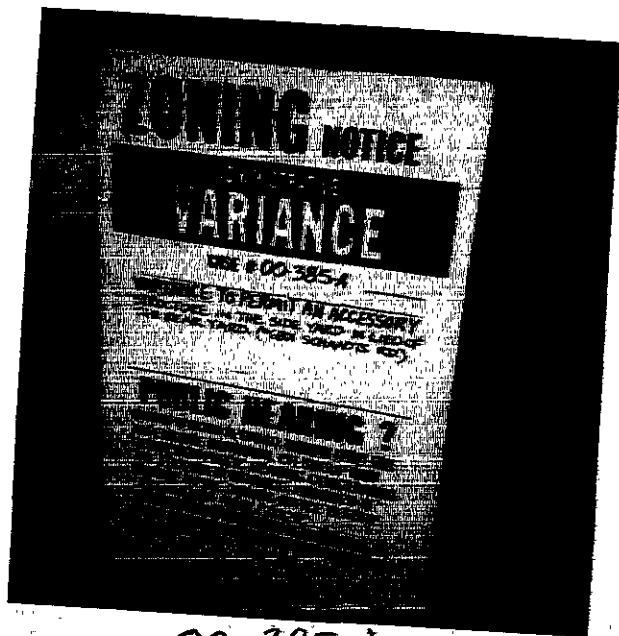
Sincerely,
Patrick M. O'Keefe, 4/2/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



00-385-A
#6801 SCHAADTS RD.
JIM GERNHART-335-6628
396-9741 CL-4/17/00

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 385 -A Address 6801 Schaadts Rd

Contact Person: James Gernhart Jr Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 3/20/00 Posting Date: 4/2/00 Closing Date: 4/17/00

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

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (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.
- 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.
- 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.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the 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- 385 -A Address 6801 Schaadts Rd

Petitioner's Name James Gernhart Jr Telephone 410-335-6628

Posting Date: 4/2/00 Closing Date: 4/17/00

Wording for Sign: To Permit an accessory structure (shed) to be located on the side in lieu of the required rear yard

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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.

For Newspaper Advertising:

Item Number or Case Number: 385
Petitioner: James Gernhart Jr.
Address or Location: 6801 Schaadts Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: James Gernhart Jr.
Address: 6801 Schaadts Rd.
Balto. MD. 21220
Telephone Number: (410) 335-6628

Revised 2/20/98 - SCJ

00-385-A



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

April 17, 2000

Mr. James R. Gernhart
6801 Schaadts
Baltimore MD 21220

Dear Mr. Gernhart:

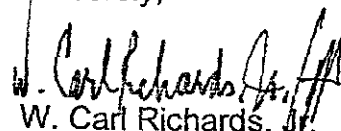
RE: Case Number 00-385-A , 6801 Schaadts Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 20, 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, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Baltimore County
Fire Department

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

April 6, 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 April 3, 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:

381, 382, 384, 385, 387, 388, 389, 391, 392, 393, 394,
395, and 397

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 *RB*
DATE: April 6, 2000
SUBJECT: Zoning Item #385
6801 Schaadts Road

Zoning Advisory Committee Meeting of April 3, 2000

_____ 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.

X 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 (Section 14-401 through 14-422 of the Baltimore County Code).

X 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).

X An administrative Critical Area variance must be granted to allow the shed in the 100 foot buffer to tidal water.

Reviewer: Glenn Shaffer

Date: April 3, 2000

AV
4/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 13, 2000

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

APR 13 2000

SUBJECT: 6801 Schaadts Road

INFORMATION:

Item Number: 385


Petitioner: James R. Grenhart


Zoning: RC 20

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to allow an accessory structure to be placed in the side yard in lieu of the rear yard, provided the existing landscaping within the front yard creates a visual buffer between the proposed structure and the public right-of-way. If the existing landscaping is inadequate to provide the desired buffer, the petitioner should submit a landscaping plan to the Office of Planning for review and approval prior to the issuance of any building permit.

Prepared by:  _____

Section Chief:  _____

AFK: MAC:



**Maryland Department of Transportation
State Highway Administration**

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

Date: 4.3.00

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

RE: Baltimore County
Item No. 385

JRF

Dear Ms. Jackson:

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,

A handwritten signature in cursive script, appearing to read 'K. A. McDonald Jr.'.

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

Shed
Approval



WOODS AT BAY COUNTRY HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS

Date 12/13/99

Dear Homeowner:

This will formally acknowledge receipt of your request and sketch describing your exterior alteration at your house in the Woods at Bay country. This letter will constitute approval.

You must comply with all Baltimore County building and zoning regulations, including permits where required. Furthermore, it is also your responsibility to make certain that the changes you make will not inhibit the approved grading, drainage and sediment controls plans for your property or that of your neighbors.

It is further condition of this approval that the homeowner indemnifies and holds harmless the Homeowner's Association, the Board of Directors and the Architectural Standards Committee from and against any loss, cost, damage or expense relating to or arising out of any work performed on applicant's property. The scope of such indemnity shall include, without limitation, physical injury, property damage and damage to roads, walks, landscaping or other common or public areas or facilities.

We thank you for your consideration in this matter and for your recognition of the value of the restrictions that have been established for the Woods at Bay Country.

Sincerely,

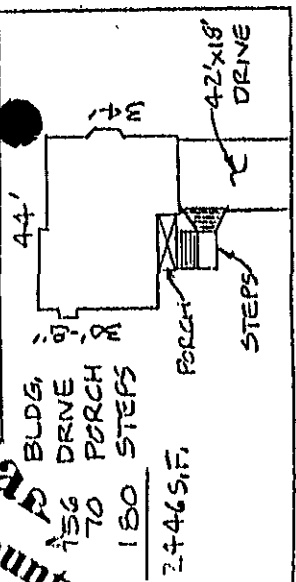
Mike

Jennifer Merenda
Architectural Standards Committee Chairperson
(410) 344-1058

385

00-385-A

County



STANDARD HOUSE DIMENSIONS

Woods at Bay Country
 Tax acc. # 22-00024424
 Book # 19 Folio # 6
 Lot size: Acre .3770 sq. ft. 16422.
 Council Dist: S Elect. Dist: 15TH
 1"=200' scale map: NE - 7L
 Zoning: RC 20 prior Hearing 95-93-A
 SEWER: public
 WATER: private
 Chesapeake Bay Critical
 AREA: YES

Item # 385

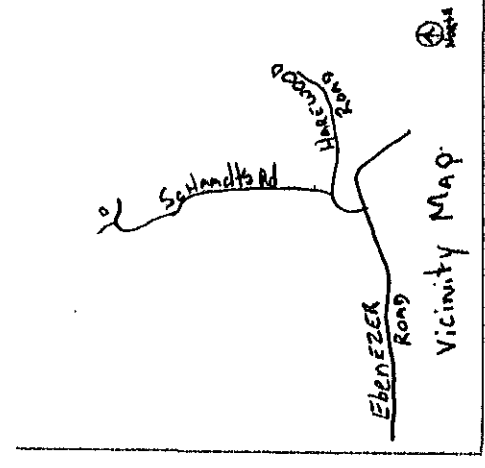
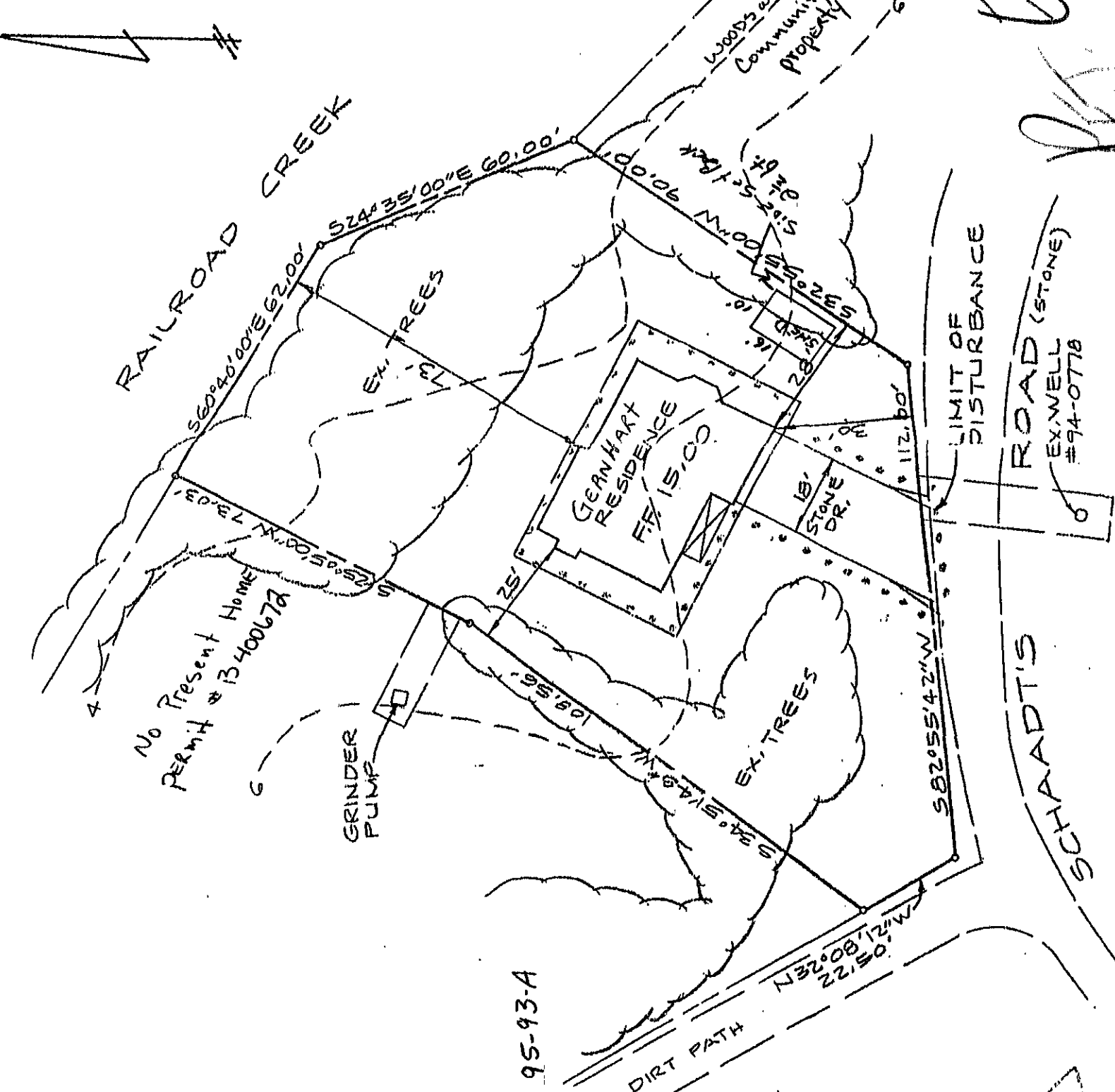
W. DUVALL & ASSOCIATES, INC.
 ENGINEERS - SURVEYORS - LAND PLANNERS
 530 EAST JOPPA ROAD
 TOWSON, MARYLAND 21286
 TEL (410) 583-9571
 FAX (410) 583-1513

TOTAL LOT AREA IN CRITICAL AREA	16,422 S.F.	TOTAL IMPERVIOUS ALLOWED IN CRITICAL AREA	4,106 S.F.	TOTAL IMPERVIOUS AREA IN CRITICAL AREA	2,446 S.F.
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MAXIMUM HEIGHT OF 45' ALLOWED AS PER ZONING VARIANCE CASE NO. 95-93-A, ON 11-3-94.

EXISTING TOPG, EXISTING UTILITY LOCATIONS AND INVERTS SHOWN TAKEN FROM APPROVED DEVELOPMENT PLAN ON FILE AT BALTO, COUNTY, W. DUVALL & ASSOCIATES DOES NOT GUARANTEE THE ACCURACY OR CORRECTNESS. BUILDER/CONTRACTOR IS TO VERIFY THE LOCATION AND DEPTH OF EXISTING UTILITIES, ETC., TO HIS SATISFACTION.

EXACT LOCATION OF HOUSE CONNECTIONS TO BE DETERMINED IN THE FIELD.



DISTURBED AREA = 3,400 S.F. ±

LOT GRADING PLAN
 "WOODS AT BAY COUNTRY"

#6801 SCHAAEDT'S ROAD

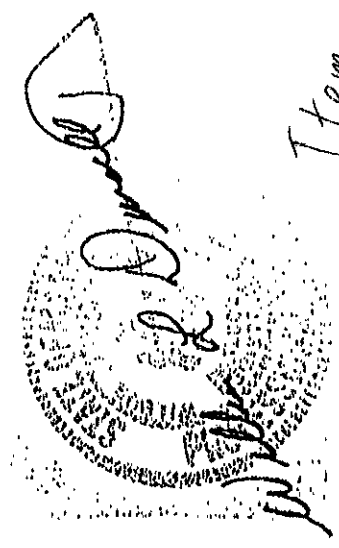
7254/745

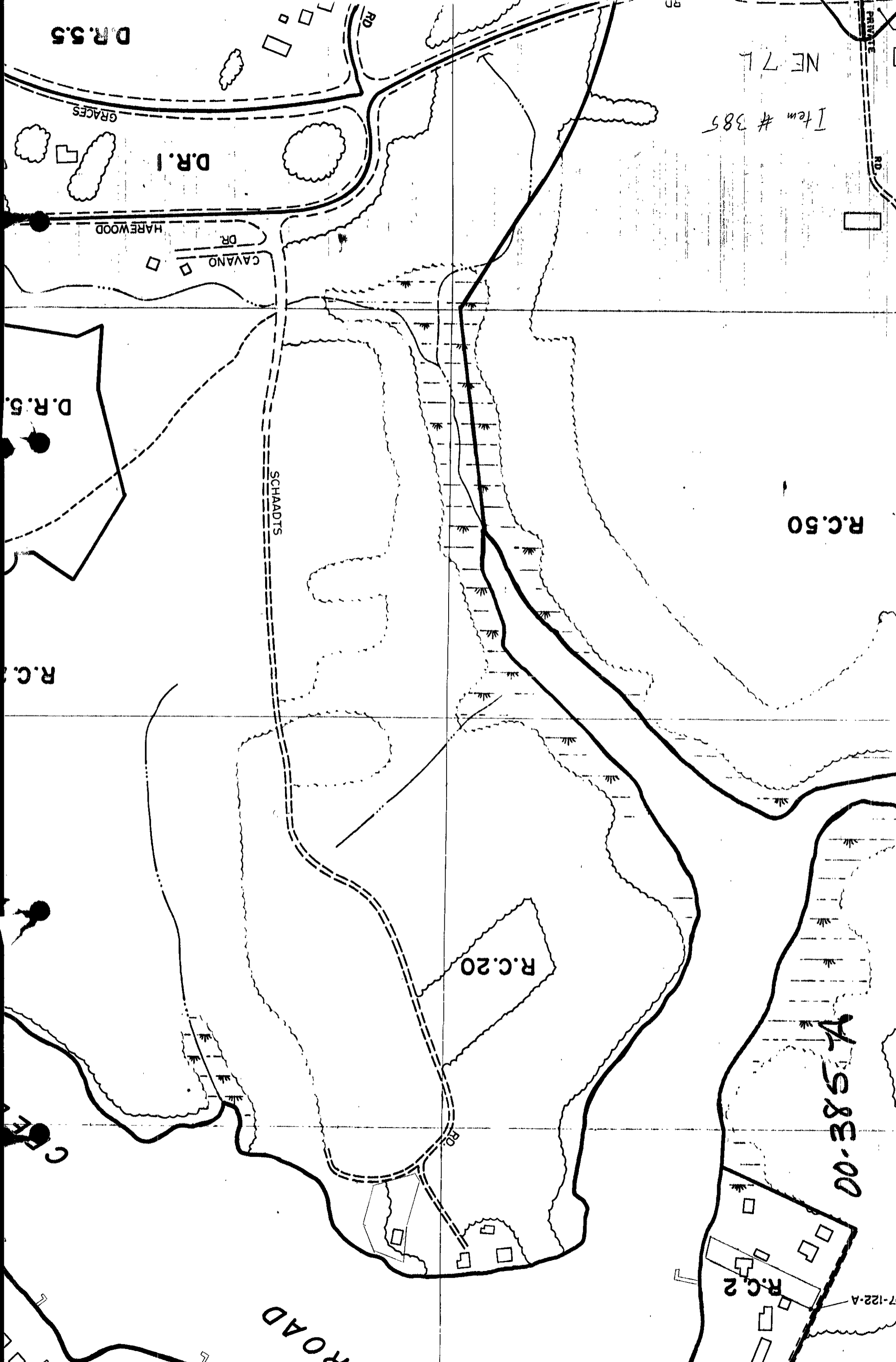
15TH ELEC. DISTRICT BALTO, COUNTY, MD.

SCALE: 1"=30'

FEB 12, 1996

00-385-A





D.R. 5.5

NE 7 L

Item # 385

D.R. 1

HAREWOOD DR

CAVANO DR

D.R. 5

SCHAADT'S

R.C. 50

R.C. 20

R.C. 20

A 58E-00

R.C. 2

ROAD

7-122-A



385

JAMES GERHART JR.
6801 SCHAADTS RD.

Shed VARIANCE (SIDE YARD) & REFLECTORS SHOW @ LOCATION
AND THAT IS 2 1/2 FEET FROM PROPERTY LINE. PROPERTY ADJACENT
IS ON BUILDABLE HOA PROPERTY. "THE WOODS AT BAY COUNTY."

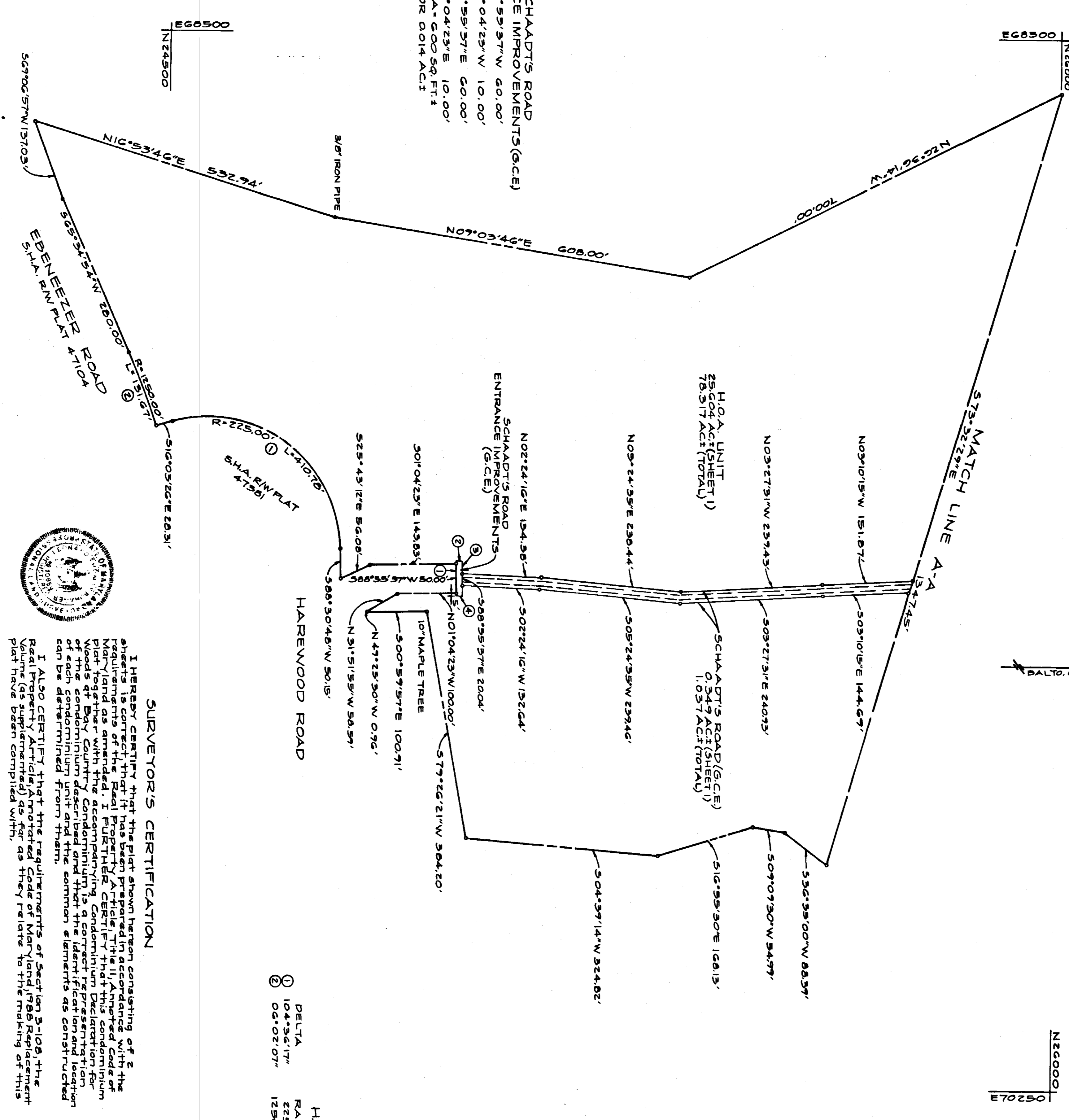
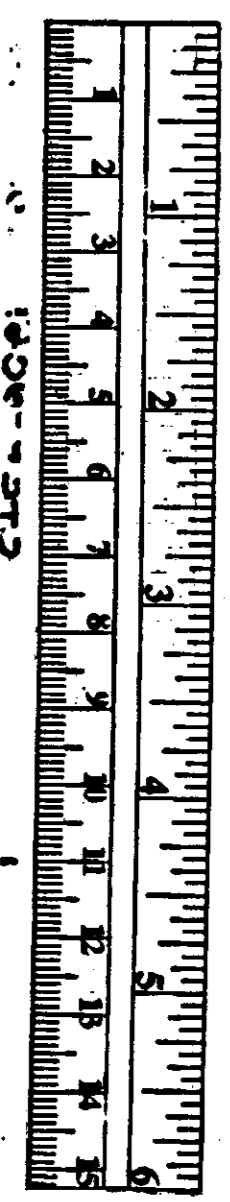
00-385-A

OWNERS CERTIFICATION

WE, JASON DEVELOPMENT CORPORATION, owner of the property shown hereon and described in the Surveyor's plat hereby adopt this condominium plat consisting of the lots hereon shown and described in the Surveyor's plat of Title II of the Real Property Article Annotated of Maryland. We further certify that to the best of our knowledge, the requirements of Section 3-109 of the Real Property Article of the State of Maryland, and the Replacement Volume (as supplemented) as of 10/1/77, have been complied with.

JASON DEVELOPMENT CORPORATION
 BY: *[Signature]*
 Name: *[Signature]*
 Title: *[Signature]*

- SCHAADT'S ROAD
 ENTRANCE IMPROVEMENTS (G.C.E.)
- ① 589°59'37"W 60.00'
 - ② N01°04'23"W 10.00'
 - ③ N88°59'37"E 60.00'
 - ④ 501°04'23"E 10.00'
- AREA: 600 SQ. FT.
 OR 0.014 ACI.



BALTO. COUNTY GRID NORTH

N 26000
 E 70250

SURVEYOR'S CERTIFICATION

I HEREBY certify that the plat shown hereon consisting of 2 sheets is correct and that the same conform with the requirements of the Real Property Article of the State of Maryland as amended. I FURTHER CERTIFY that this condominium plat is in conformity with the requirements of Section 3-109 of the Real Property Article of the State of Maryland, and the Replacement Volume (as supplemented) as of 10/1/77, and that the identification of each condominium unit and the common elements as constructed can be determined from them.

I ALSO CERTIFY that the requirements of Section 3-109 of the Real Property Article, Annotated Code of Maryland, 1988 Replacement Volume (as supplemented) as of 10/1/77, and that the identification of each condominium unit and the common elements as constructed can be determined from them.

[Signature]
 LEONARD T. BOHAGER REG. NO. 10854 DATE: 8-10-95

NOTES:

1. The condominium consists of all of Parcel 1A, as shown on those plats entitled "Woods at Bay Country in Liberated 5M, 21, Falls 98, 99 and 71."
2. Except as may be otherwise provided herein, each Unit shall consist of the following:
 - (a) All of the land contained within the boundary lines of such Unit as shown on this plat, including the surface elevation of the unit, as shown on the condominium plat, to such surface elevation.
 - (b) All the improvements thereon, including, without limitation, all buildings, footings, foundations, porches, patios, balconies, deck, and steps; and
 - (c) All of the airspace lying above such surface elevation and extending to the level of 100 feet above such surface elevation.
3. The Units consist of Residential Units and the HoA. Each Residential Unit is identified by a Unit Number shown thus: UNIT #6801.
4. The common elements (a) consist of all the condominium and improvements thereon which are not a part of any condominium unit and (b) consist of all the common elements shown forth in the Declaration and as shown on this condominium plat.
5. The Limited Common Elements designated (L.C.E.) herein, as set forth in the Declaration and as shown on this plat, are the Limited Common Elements (G.C.E.) and are reserved for the exclusive use of the Residential Units.
6. The General Common Elements designated (G.C.E.) herein, consist of Schaadts Road and the Schaadts Road Entrance Improvements and the Space above and below the units.

ELEVATION

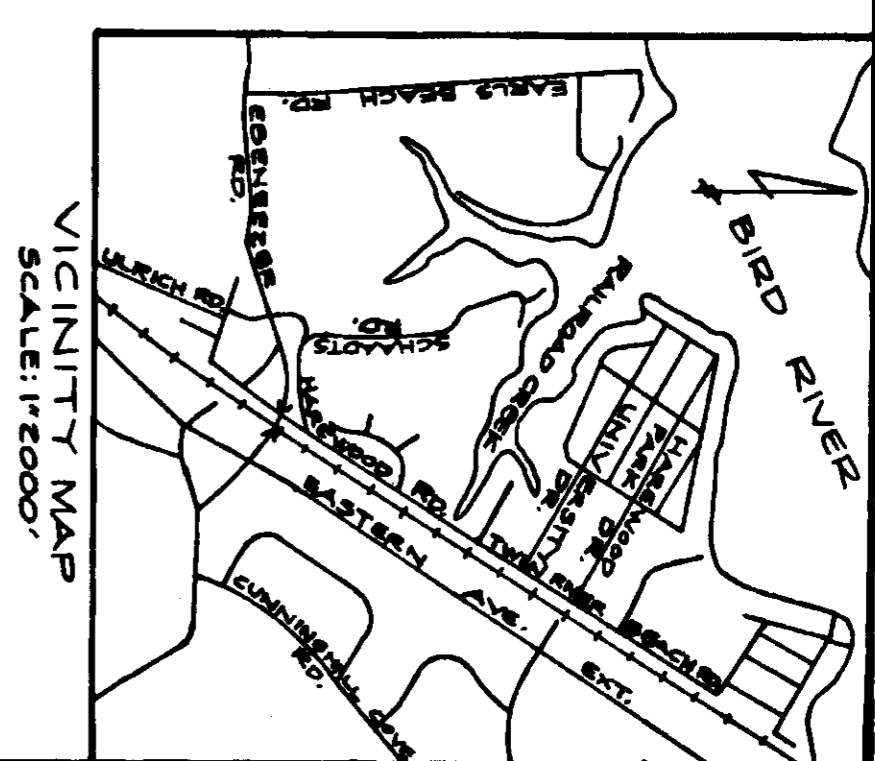
The vertical boundaries of each unit extend from 34 feet below average surface elevation of 60 feet as established by Baltimore County Datum.

HOA UNIT CURVE DATA	DELTA	RADIUS	LENGTH	CHORD	TANGENT	PLAT
①	104°36'17"	1250.00'	110.78'	536°12'41"W 356.05'	271.14'	1588
②	04°02'07"	1250.00'	131.67'	668°58'57"W 131.61'	55.70'	1187

WOODS AT BAY COUNTRY
 CONDOMINIUM

ELECTION DISTRICT 15 BALTO. COUNTY, MD
 SCALE: 1"=100' DATE: AUG. 7, 1995
 SHT. 1 OF 2

FILED FOR RECORD
 SE 19 10:10 05
 DATE AUG 23 1995
 00.385-A
[Signature]
 CIVIL

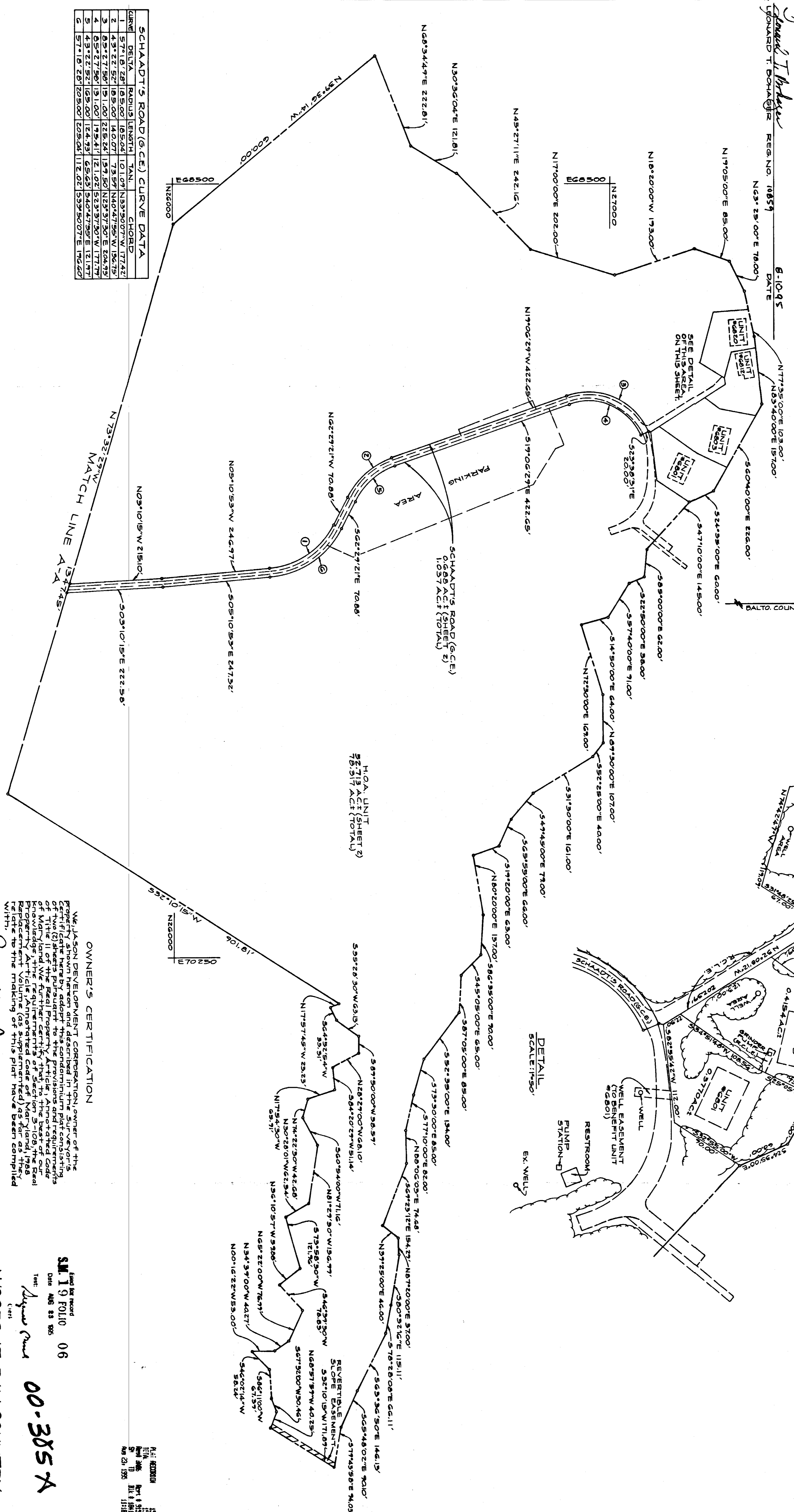


SURVEYORS' CERTIFICATION

I HEREBY CERTIFY that the plat shown hereon consisting of 2 sheets is correct that it has been prepared in accordance with the requirements of the laws of the State of Maryland and that the requirements of the laws of the State of Maryland have been complied with. I ALSO CERTIFY that the requirements of Section 2-103 of the Real Property Code of the State of Maryland as to the Volume (as supplemented) as far as they relate to the making of this plat have been complied with.



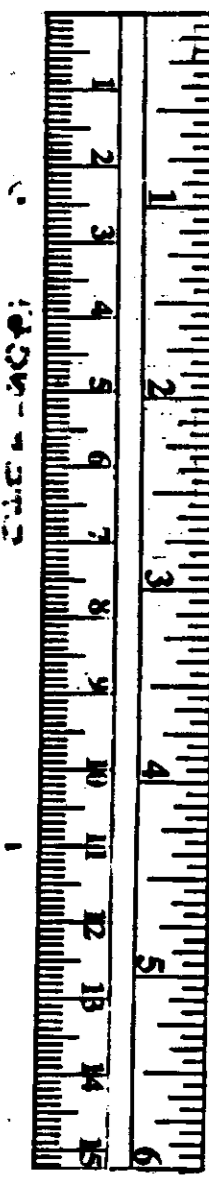
James I. Mather
 REG. NO. 10859
 LEONARD T. DONAHUE
 DATE 6-10-95



SCHADT'S ROAD (G.C.E.) CURVE DATA

CURVE	DELTA	RADIUS	LENGTH	TAN	CHORD
1	57°18'28"	185.00'	101.07'	133°50'07"W	177.42'
2	43°22'52"	185.00'	140.07'	73°57'14"W	196.75'
3	85°27'56"	185.00'	228.24'	137°50'12"W	320.43'
4	85°27'56"	185.00'	124.73'	52°37'30"W	177.71'
5	43°22'52"	185.00'	124.73'	65°53'40"E	177.71'
6	57°18'28"	185.00'	101.07'	53°50'07"E	177.42'

W. PUVALL & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS, LAND PLANNERS
 530 EAST JOPPA ROAD
 TOWSON, MARYLAND 21286
 PHONE (410) 583-7571



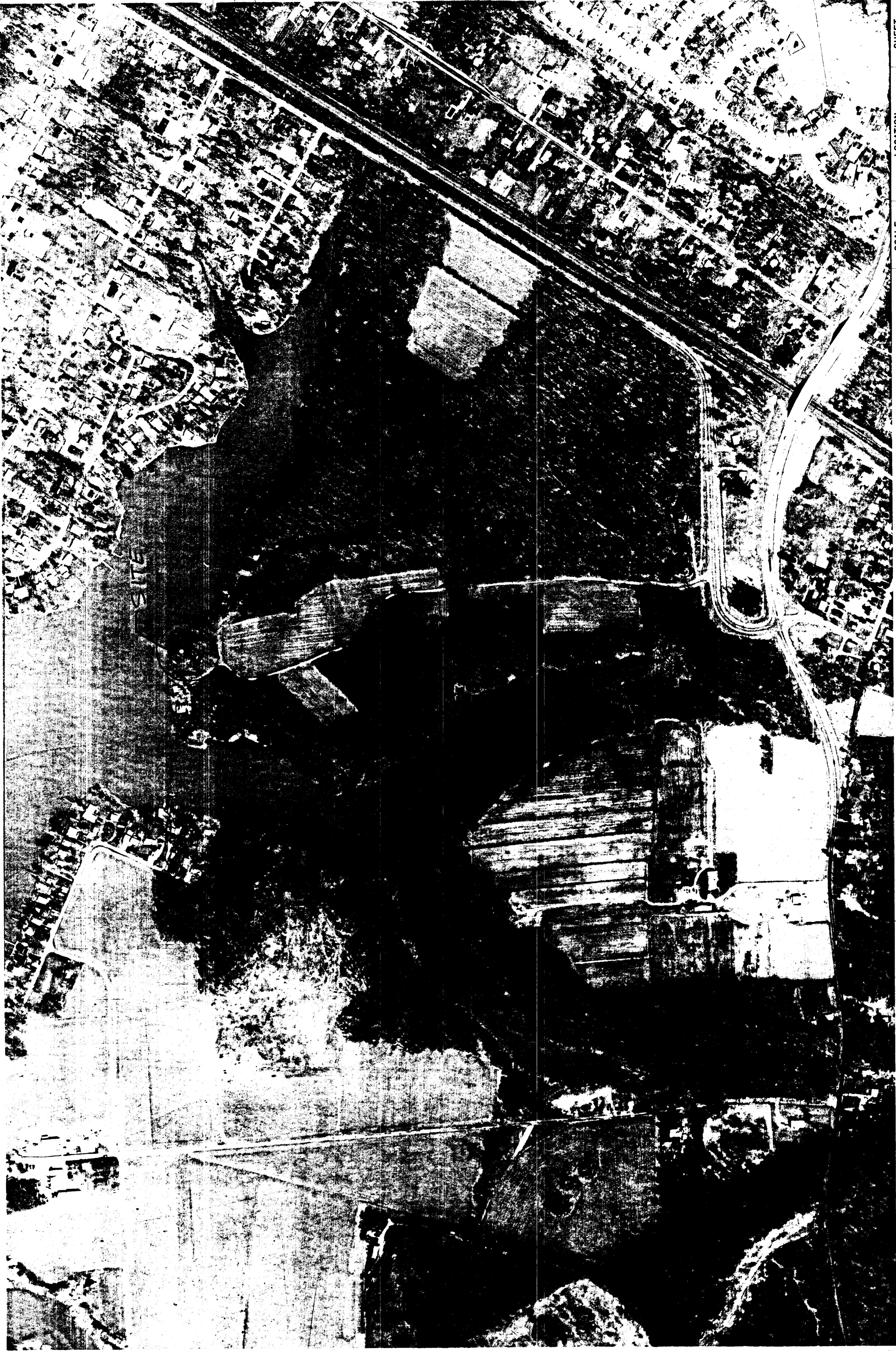
OWNERS' CERTIFICATION

We, JASON DEVELOPMENT CORPORATION, owner of the property shown hereon and described in the Surveyors' Plat of the State of Maryland, do hereby certify that the provisions of Article 11 of the Real Property Code of the State of Maryland have been complied with to the best of our knowledge and belief. I, the undersigned, as President of Jason Development Corporation, do hereby certify that the Volume (as supplemented) as far as they relate to the making of this plat have been complied with.

JASON DEVELOPMENT CORPORATION
 BY: *[Signature]*
 Name: Lawrence M. Marks
 Title: President
 Date: August 11, 1995

Final Plat Book
SM 19 FOLIO 06
 Date: AUG 23 1995
 Title: *[Signature]*
WOODS AT BAY COUNTRY
 CONDOMINIUM
 BALTO. COUNTY, MD
 DATE: AUG 7, 1995
 SHT. 2 OF 2

MSA SD 1265-984-2
 Scale: 1"=100'
 Date: Aug 7, 1995
 Sht. 2 of 2
 19-06

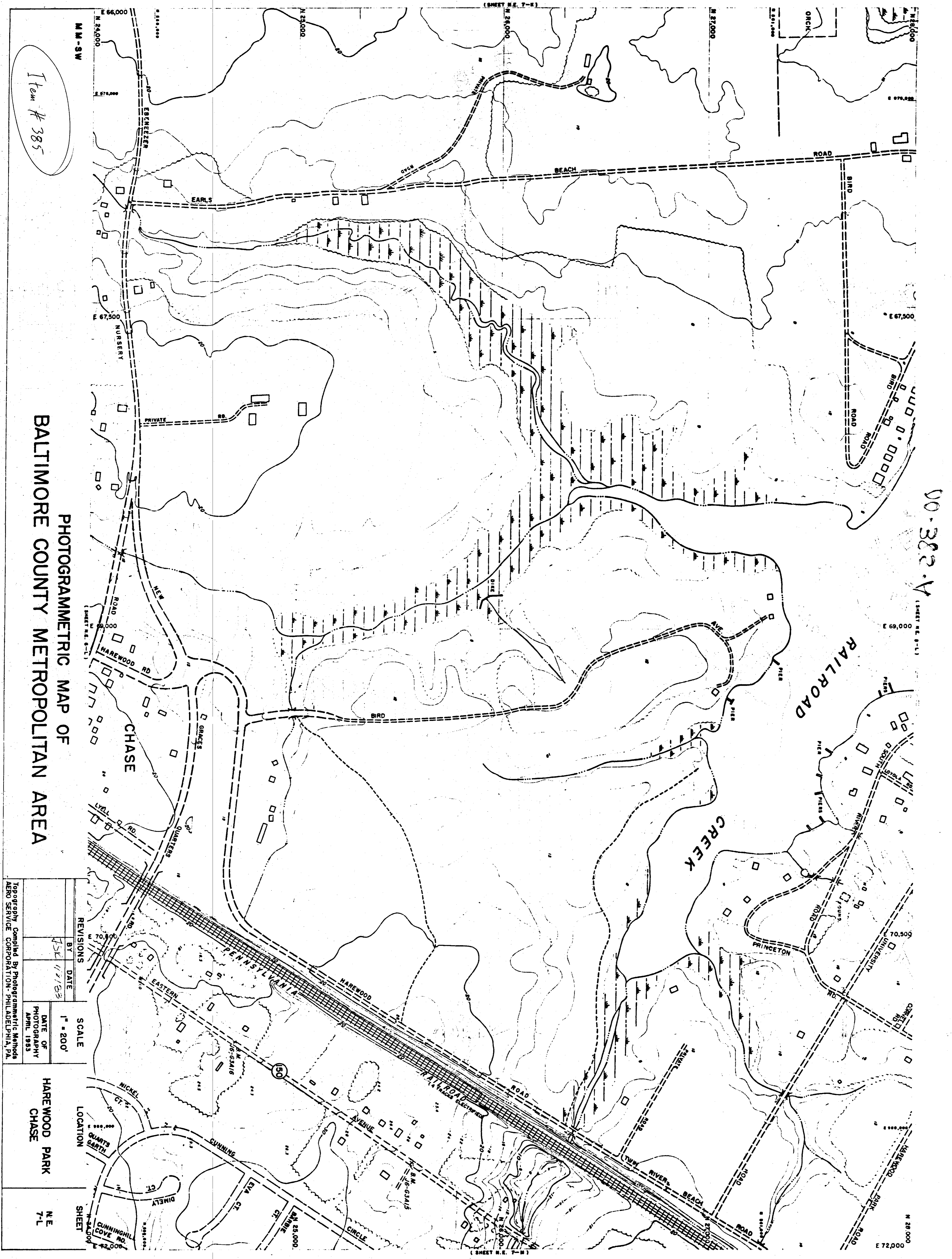


SCALE	LOCATION	SHEET
1" = 200' ±	HAREWOOD PARK CHASE	NE. 7-L
DATE OF PHOTOGRAPHY		
JANUARY 1986		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

A

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

Item # 385

00-382-V

Topography Compiled by Photogrammetric Methods AERO SERVICE CORPORATION - PHILADELPHIA, PA.		SCALE 1" = 200'	
DATE OF PHOTOGRAPHY APRIL 1953	BY JSK/1/1/53	REVISIONS	LOCATION HAREWOOD PARK CHASE
	DATE		SHEET 7-L