IN RE: PETITION FOR ADMIN. VARIANCE N/S of Bluemount Road, 750 ft. +/- W centerline of Wesley Chapel Road 10th Election District 3rd Councilmanic District **(2316 Bluemount Road)** Charles L. Waechter *Petitioner*	* * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 05-503-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 owner of the subject property, Charles L. Waechter. The administrative variance is requested for property located at 2316 Bluemount Road in the Monkton area of Baltimore County. The administrative variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a garage to be 26 ft. in height in lieu of the permitted 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on April 7, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated April 12, 2005, a copy of which is attached hereto and made a part hereof.

Applicable Law

Section 307 of the B.C.Z.R. – ***Variances.***

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where

4/29/05

special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits 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 Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, I find that the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, this 29 day of April, 2005, by this Deputy Zoning Commissioner, that the Petitioner's request for administrative variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a garage to be 26 ft. in height in lieu of the permitted 15 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at

ORDER RECEIVED FOR FILING
Date 4/29/05
By

his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition;

2. The Petitioner shall comply with the ZAC comments submitted by the Office of Planning dated April 12, 2005, a copy of which is attached hereto and made a part hereof;

3. When applying for a building permit, the site plan field must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
Date 4/29/05
By Raj

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

April ~~27~~ 29, 2005

Mr. Charles L. Waechter
2316 Bluemount Road
Monkton, Maryland 21111

Re: Petition for Administrative Variance
Case No. 05-503-A
Property: 2316 Bluemount Road

Dear Mr. Waechter:

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,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Dino Basso, 1100 Weddel Ave., Baltimore, MD 21227

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

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Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Dino Basso, 1100 Weddel Ave., Baltimore, MD 21227

Printed on Recycled Paper

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2316 BLUEMOUNT ROAD

which is presently zoned RC-4

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) 400.3; BCZR TO PERMIT A GARAGE TO BE 26 FT. IN HEIGHT IN LIEU OF THE PERMITTED 15 FT.

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:

N/A
Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

CHARLES L. WAECHTER
Name - Type or Print

Signature

N/A
Name - Type or Print

N/A
Signature

2316 BLUEMOUNT ROAD — 410.329.6615
Address — Telephone No.

MONKTON — MD. — 21111
City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Representative to be Contacted:

DINO BASSO
Name

1100 WEDDEL AVENUE — 410.536.0886
Address — Telephone No.

BALTIMORE — MD. — 21227
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

ORDER RECEIVED FOR FILING
4/29/05

CASE NO. 05-503-A

Reviewed By JWW **Date** 4.1.05

Estimated Posting Date 4.10.05

REV 10/25/01

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 2316 BLUEMOUNT ROAD
Address
MONKTON MD. 21111
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):

SEE ATTACHED

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.

Signature

CHARLES L. WAECHTER
Name - Type or Print

Signature N/A

Name - Type or Print N/A

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HOWARD, to wit:

I HEREBY CERTIFY, this 24 day of February, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

CHARLES L. WAECHTER

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

SANTINA MARIA SETTERLY NOTARY PUBLIC HOWARD COUNTY, MD.

Notary Public

My Commission Expires 8/1/06

REV 10/25/01

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.

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City State Zip Code

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Signature

CHARLES L. WAECHTER
Name - Type or Print

Signature N/A

N/A
Name - Type or Print

STATE OF MARYLAND, COUNTY OF ~~BALTIMORE~~ HOWARD, to wit:

I HEREBY CERTIFY, this 24 day of February 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Charles L Waechter

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal.

SANTINA MARIA SHETTERLY NOTARY PUBLIC HOWARD COUNTY, MD.

Notary Public

My Commission Expires 8/1/06

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2316 BLUEMOUNT ROAD

which is presently zoned RC-4

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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:

N/A
Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

CHARLES L. WAECHTER
Name - Type or Print

Signature

N/A
Name - Type or Print

N/A
Signature

2316 BLUEMOUNT ROAD — 410.329.6615
Address — Telephone No.

MONKTON — MD. — 21111
City — State — Zip Code

Representative to be Contacted:

DINO BASSO
Name

1100 WEDDEL AVENUE — 410.536.0886
Address — Telephone No.

BALTIMORE — MD. — 21227
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. 05-503-A

Reviewed By JWM **Date** 4.1.05

Estimated Posting Date 4.10.05

REV 10/25/01

ADDENDUM TO PETITION FOR ADMINISTRATIVE VARIANCE
2316 BLUEMOUNT ROAD

1. Property Information:

The Petitioner, Charles A. Waechter, requests relief from the Baltimore County Zoning Regulations to construct a 728 square foot 1-1/2 story detached garage, a 864 square foot one story detached pool house and swimming pool on his property located at 2316 Bluemount Road. The property was created as part of the "Wesley Chapel Woods, Section Two" subdivision and is identified as Lot 10 of the plat recorded in S.M. 70 folio 12. The 1.13 acre lot is presently zoned RC-4 (Resource Conservation – Watershed Protection Zone). As part of the subdivision compliance and approval, Lot 10 and adjacent Lot 9 (#2314) and Lot 11 (#2318) are surrounded by conservancy and forest conservation easements. These easements provide wooded buffers adjacent to an unnamed tributary of the Little Gunpowder Falls (Loch Raven Watershed).

The Petitioner's property is presently improved by a two story stucco dwelling. Vehicular access is provided to Lot 10 and six other lots from Bluemount Road via an 18 foot paved road within a 40 foot wide private right-of-way. Lot 10 derives access from the private road by a paved driveway along the east side of the property. The driveway leads to a side entry garage and parking area. Due to the property's location outside of the public water and sewer service area, private well and septic are utilized by all lots within the vicinal area. The potable water supply (well) is located on the east side of the property and the sewage disposal easement is located on the west side of the lot. The defined sewage easement (11,050 square feet) and its close proximity to the lot's boundary and other County/State mandated structure setbacks comprise approximately 20,000 square feet or over 41% of the lot area.

Additionally, the lot's front yard and building setbacks occupy 10,000 square feet of area which is unsuitable for the owner's building proposal. Given these spatial restraints, the area located behind the existing dwelling remains the only viable area for development.

2. Petitioner's Proposal and Request:

The owner's specific request proposes construction of a detached garage, detached pool house and swimming pool behind the principal dwelling. This area's topography varies from moderately steep slopes (15 – 20%) to moderate slopes (6 – 8%) and drops 14 feet laterally across the rear of the lot. The building proposal will plateau the rear yard consistent with the basement floor of the existing dwelling. Using the vertical elevation differential of the front yard to the proposed rear yard construction, the front façade of the existing dwelling and the existing vegetation located on the adjacent lots within the conservancy area, the owner's building proposal will be effectively screened from adjoining dwellings and properties. The proposed accessory buildings' architecture will be similar in construction style, materials and color. Construction plans of the accessory buildings have been included as part of this petition.

The Petitioner, based on personal knowledge, bases his request for an Administrative Variance on the following:

A. The property whereon the proposed structures are to be placed is unique, unusual and different from the surrounding properties. The Petitioner's property (Lot 10) and the adjoining properties (Lot 9 and 11) are irregular polygons. However, Lot 10's private road frontage is restricted to seventy (70) feet, while Lot 9 has over 215 feet of frontage and Lot 11 has over 318 feet. (See Record Plat attached). The enlarged frontage of Lots 9 and 11 and front to back topography provides a side to side and front to back building flexibility. While Lot 10's constricted frontage and other physical spatial relationships (septic easement placement, side to side topography) hinders the comparable ability of proposed structure placement and proposed improvements. The proposed structures and improvements are placed in the only reasonable location and the preferred location in conformance with Baltimore County Zoning Regulations, Article 4, Special Regulations Section A400.1 on Lot 10.

B. Strict compliance with the Baltimore County Zoning Regulations would result in unreasonable hardship for the Petitioner. As stated previously, the Petitioner has placed the proposed improvements in the only reasonable and practical location available. Denial of the Petitioner's request to construct the proposed improvements would negate the reasonable use of his property. The difficulties and hardship is peculiar to the Petitioner's property. The Petitioner's neighbors have greater flexibility in placement of improvements. In addition, the Petitioner did not create the hardship. The constraints that create the hardship are the result of mandated subdivision and zoning regulations in effect when the lot was subdivided.

C. The Petitioner's proposal does not increase the residential density beyond that allowed by the Baltimore County Zoning Regulations. The detached buildings proposed by the Petitioner are for accessory uses only. Domiciliary uses are not proposed or requested.

D. The relief requested is in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations. The Petitioner's proposal mitigates any negative impact to adjoining property owners by effectively using the existing vegetative and structural screening. The views from the existing dwelling on Lot 11 (#2318) are blocked by the subject house and existing woods. The views from the existing dwelling on Lot 9 (#2314) are blocked by the subject house, existing woods and the elevation difference between the Lot 9 and the subject house.

E. The Petitioner's request can be granted without substantial injury to the public health, safety and general welfare. The Petitioner's proposal does not hinder or impair the appropriate use or development of adjacent property; will not alter the essential character of the neighborhood in which the lot is located; and will not be detrimental to the public welfare.

In consideration of the above, the Petitioner prays that the requested relief be granted.

Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search
Ground Rent

Account Identifier: **District** - 10 **Account Number** - 2300001634

Owner Information

Owner Name:	WAECHTER CHARLES L	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Malling Address:	2316 BLUE MOUNT RD MONKTON MD 21111-1217	**Deed Reference:**	1) /12610/ 346 2)

Location & Structure Information

Premises Address
2316 BLUEMOUNT RD

Legal Description
1.13 AC
2316 BLUEMOUNT RD NS
WESLEY CHAPEL WOODS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
23	8	257			2		10	81	Plat Ref: 70/ 12

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1998	4,950 SF	1.13 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value As Of 01/01/2005	Phase-In Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	111,430	253,250		
Improvements:	409,190	570,660		
Total:	520,620	823,910	520,620	621,716
Preferential Land:	0	0	0	0

Transfer Information

Seller:	WESLEY CHAPEL WOODS LLC	**Date:**	01/15/1998	**Price:**	$122,000
Type:	UNIMPROVED ARMS-LENGTH	**Deed1:**	/12610/ 346	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

ZONING DESCRIPTION FOR #2316 BLUEMOUNT ROAD

BEGINNING at a point on the north side of a private road (also known as Bluemount Road) which is forty (40) foot wide at the approximate distance of 941 feet south of the centerline of the nearest improved street. Bluemount Road, which is a sixty (60) foot wide right of way. Being Lot #10, Section Two in the subdivision of Wesley Chapel Woods as recorded in Baltimore County Plat Book 70, folio 12, containing 1.13 acres, more or less. Also known as 2316 Bluemount Road and located in the 10th Election District, 3rd Councilmanic District.

503

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 443635

DATE 4/1/05 ACCOUNT 001-6150

AMOUNT $ 65.00

RECEIVED FROM: C. Wachter 2316 Redmont Rd.

FOR: Adv. Var.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
4/04/2005 4/01/2005 14:10:15 1
001 WALK IN
443635 4/01/2005
5 - 120 ZONING VERIFICATION
Recpt Tot $65.00
$65.00 CK $0.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 05-503-A

Petitioner/Developer: CHARLES L. WAECHTER

Date of Hearing/ Closing: APRIL 25, 2005

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

Attention: Becky Hart

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 #2316 BLUEMOUNT

The sign(s) were posted on APRIL 7, 2005
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

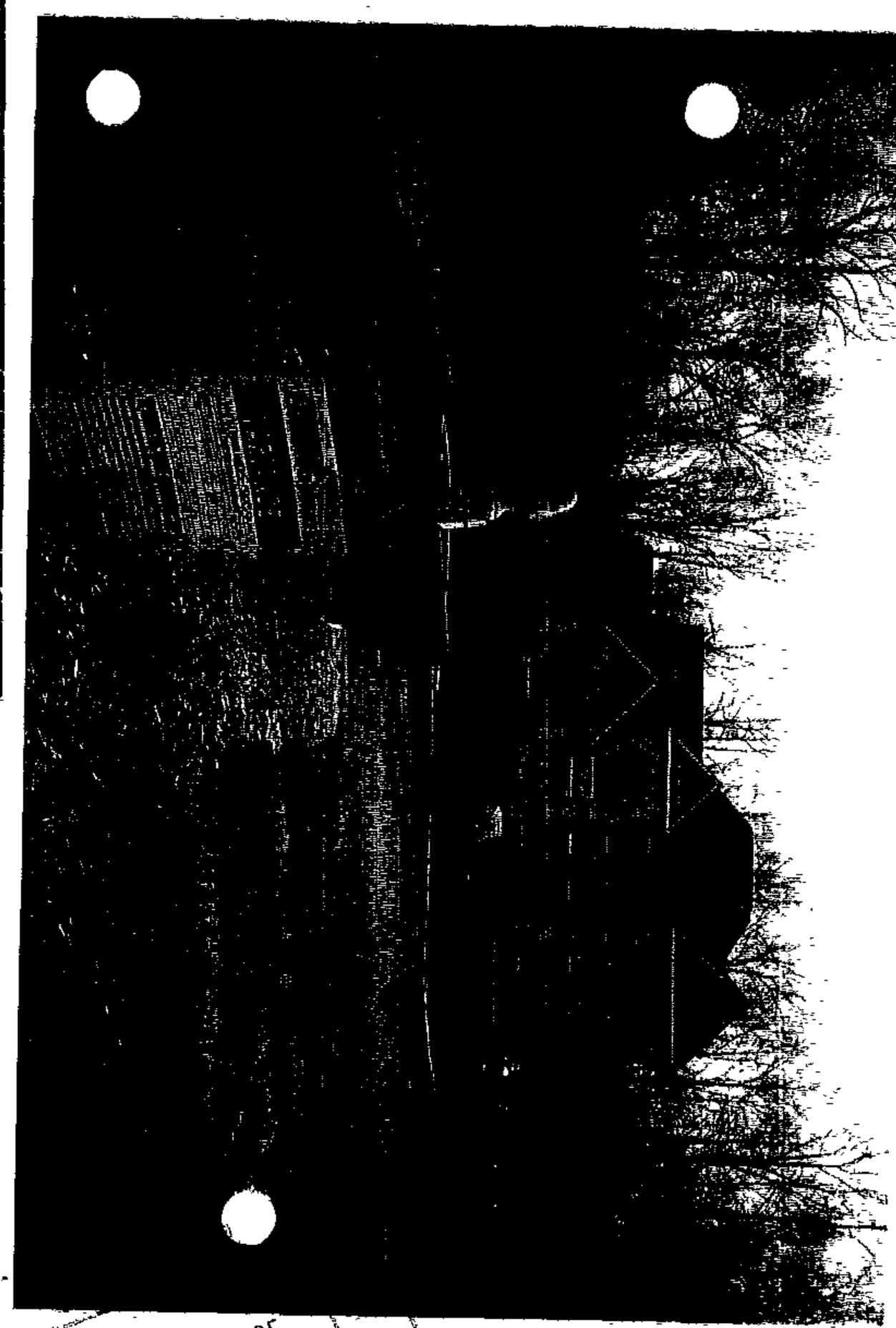
CASE # 05-503-A

A VARIANCE TO PERMIT A GARAGE TO BE 26 FEET IN HEIGHT IN LIEU OF THE PERMITTED 15 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1) BALTIMORE COUNTY CODE AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE PROVIDED THAT IT IS DONE IN THE ZONING COMMISSIONER'S OFFICE WITHIN 15 DAYS FROM THE POSTING DATE.

ADDITIONAL INFORMATION IS AVAILABLE IN THE ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT OFFICE, 111 WEST CHESAPEAKE AVENUE, TOWSON, MD. 21204



APR - 8 2005

DEPT OF PERMITS AND DEVELOPMENT MANAGEMENT

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/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.

For Newspaper Advertising:

Item Number or Case Number: 503

Petitioner: CHARLES WAECHTER

Address or Location: 2316 BLUEMOUNT Rd. MONKTON, Md. 21111

PLEASE FORWARD ADVERTISING BILL TO:

Name: SAME

Address:

Telephone Number: 410-329-6615

Revised 2/20/98 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05-503 -A Address 2316 Bluemount Rd.

Contact Person: J. Meyers
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4.1.05 **Posting Date:** 4.10.05 **Closing Date:** 4.25.05

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

1. **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.

2. **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.

3. **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.

4. **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 05-503 -A Address 2316 Bluemount Rd.

Petitioner's Name C. Waechter Telephone 410-329-6615

Posting Date: 4.10.05 **Closing Date:** 4.25.05

Wording for Sign: A VARIANCE To Permit A GARAGE TO Be 26ft. IN Height IN LIEU of The permitted 15 ft.

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 25, 2005

Charles L. Waechter
2316 Bluemount Road
Monkton, Maryland 21111

Dear Mr. Waechter:

RE: Case Number: 05-503-A, 2316 Bluemount Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 1, 2005.

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Dino Basso 1100 Weddel Avenue Baltimore 21227

Printed on Recycled Paper

April 14, 2005

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review planners

Distribution Meeting of: April 11, 2005

Item No.: 487, 488, 489, 490, 491, 493, 493, 495, 496, 497, 502, 503

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Acting Lieutenant William F Connolly, Jr.
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: April 18, 2005

FROM: Dennis A. Kennedy, DAK Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 18, 2005
Item No. 485, 486, 487, 488, 490, 491, 492, ~~494~~, 495, 497, 498, 499, 501, 503, and 504

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

DAK:CEN:clw
cc: file
ZAC-NO COMMENTS-04182005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: April 12, 2005

RECEIVED

APR 13 2005

ZONING COMMISSIONER

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

SUBJECT: **5-503 – Administrative Variance**

The Office of Planning does not oppose the petitioner's request to permit an accessory structure with a height of 26 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.
3. Submit elevations (all sides) of the proposed accessory structure to his office for review and approval prior to the issuance of any building permit.

For further information concerning the matters stated herein, please contact William Hughey at 410-887-3480.

Prepared by: Mark A. Cump

Section Chief: Lyn Lanham

AFK/LL: MAC

ORDER RECEIVED FOR FILING
Date 4/14/05
By

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA
Driven to Excel
State Highway Administration
Maryland Department of Transportation

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Date: 4·8·05

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

RE: Baltimore County
Item No. 503 JCM

Dear. Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

Diary 6/24

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

May 31, 2005

Mr. Charles L. Waechter
2316 Bluemount Road
Monkton, Maryland 21111

Re: Petition for Administrative Variance
Case No. 05-503-A
Property: 2316 Bluemount Road

Dear Mr. Waechter:

I received your letter dated May 20, 2005 requesting approval of a variance for the height of the pool house of 21 ft. in addition to the previously granted variance of 26 ft. for the garage. Logic indicates that since the pool house variance is less than the garage variance, I should be able to grant the pool house variance by means of a spirit and intent letter. Unfortunately, I can not.

Our commission has held over many years that unless the public is properly notified of the request via posting or publication, this commission has no jurisdiction to consider the request. A review of the photograph in the file of the zoning sign indicates that the public was not notified of the second request.

You can file a new petition, or if you like I will treat your letter as a motion for reconsideration which stays appeals and final decisions. In the latter case, would you send me a revised petition for the pool house variance, re-post the property, and republish the notice for a future closing. Please call 410-887-3391 for further information regarding this process. Assuming that no one objects after notice, I will consider your request. If someone objects, I will set the matter in for public hearing.

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj

c: Dino Basso, 1100 Weddel Ave., Baltimore, MD 21227

← Elect Loup
Send to Charles

FAX
410
242
4764

Walter

410
627
2400

LAW OFFICES OF

CHARLES L. WAECHTER

Baltimore (410) 242-4745
Annapolis (410) 267-6267

5300 East Drive
Baltimore, Maryland 21227

Belair (410) 838-8891
Ocean City (410) 250-5297

Fax (410) 242-4764

May 20, 2005

RECEIVED
MAY 23 2005
ZONING COMMISSIONER

John V. Murphy,
Deputy Zoning Commissioner
Baltimore County Department of Zoning
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Administrative Variance
Case No.: 05-503-A
Property: 2316 Bluemount Road

Dear Mr. Murphy:

This correspondence will acknowledge receipt of your letter dated April 29, 2005, granting the Administrative Variance with regard to the 26 foot height of my garage. Unfortunately, when we originally sought to obtain the variance, we had petitioned for approval, not only for the garage, but also the height for the pool house, which is 21 feet in height. For some reason, your department inadvertently omitted the height for the pool house for purposes of the Administrative Variance.

When I learned that the Administrative Variance was approved relating only to the height requirement on the garage, I contacted your office and was advised to draft this letter to you to obtain your approval for the pool house as well. Therefore, under these circumstances, since the height for the pool house is even less then the height for the garage, I would appreciate if you would simply approve the variance for the pool house, since we are ready to commence construction on both buildings. In addition thereto, when we originally applied for the variance for both buildings, I filed with your office a set of drawings for each building. Each of those drawings are in the file under Case No. 05-503-A.

Should you have any questions regarding this matter, please feel free to contact me.

Respectfully,

Charles L. Waechter

CLW:ss
cc: Dino Basso, 1100 Weddel Avenue, Baltimore, Maryland 21227

LAW OFFICES OF

CHARLES L. WAECHTER

Baltimore (410) 242-4745
Annapolis (410) 267-6267

5300 East Drive
Baltimore, Maryland 21227

Fax (410) 242-4764

Belair (410) 838-8891
Ocean City (410) 250-5297

RECEIVED

AUG 3 1 2005

ZONING COMMISSIONER

August 30, 2005

John V. Murphy, Deputy Zoning Commissioner
Zoning Commission for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Zoning Case No. 05-503-A
Electrical Permit No. E602053

Dear Mr. Murphy:

This correspondence will acknowledge that I previously obtained approval for a variance for construction of a detached garage on my lot under the above case number. I also obtained a variance under Case No. 05-668-A, for the construction of a pool house at my residence. On Monday, August 29, 2005, I received a telephone call from Tracey Snyder of Snyder Electric, Inc. advising that (electrical) Inspector Bull had requested that we write to you to obtain approval for an additional 300 amp BGE service to the garage. This service has, in fact, been approved by BGE, as evidenced by the attached work order. Unfortunately, after reviewing this matter with my electrician, we will be unable to upgrade the existing service in my residence in light of the fact that I have finished basement where my existing service is located. The existing panel is located in my daughter's finished bedroom and in order to upgrade the existing service would require us to demo the existing sheet rock, studs, carpet, etc. in this area. This would obviously disrupt our living arrangement and also be cost prohibitive. After reviewing this matter with Mr. Snyder, it would be much more cost effective to simply run this added service directly to the detached garage. This would clearly avoid any physical damage to my existing dwelling.

It is my understanding that Mr. Snyder spoke with Inspector Bull who advised me to draft this correspondence. The additional service which is being run to the detached garage will provide service to the garage, pool house, and swimming pool on my property. Under no circumstances will this additional service be used for any other purpose. It will not be used for any other business or residence.

I would appreciate if you would review this matter and approve the detached garage under Case No. 05-503-A for a second 300 amp BGE service. I am eighty percent (80%) complete on construction on the garage, pool house and pool and have spend approximately $150,000.00 thus far on construction costs. Since I had approval for the variance on the detached garage as of April 29, 2005, and was never notified to the contrary, I assumed that the variance approval covered the additional BGE service. Any relief you can provide me on this matter would be greatly appreciated, as time is of the essence. In the event that this matter is approved, I would appreciate if you would forward same to your electrical department so that they may provide clearance to my electrical contractor under Permit No. E602053.

Once again, I certainly appreciate your past courtesies with regard to the aforegoing variances. In the event that you have any questions regarding this matter, please do not hesitate to contact me.

Respectfully,

Charles L. Waechter

CLW:ss

Granted with condition
Petitioner will file memorandum/Declaration
of understanding in land records that accessory structures are
not separate dwellings
John V. Murphy
Sept 15, 2004
Deputy Zoning Commissioner

BGE
A Member of the Constellation Energy Group

TO F & D

FROM George Diver - 410-459-9933 C.T.CAB.

SUBJECT R 2316 Blue Mount Rd. DATE 8-17-05

MESSAGE

You requested that I send you a copy of the work that is to be done at the address listed above.

I have faxed the same to Tracy on 8-16-05 asking that he sign & return the sketch to me.

SIGNED George Diver

REPLY

PS: Please call our "Call Center" @ 410-850-4620 3-5 days after your work has been inspected by Baltimore Co. Have the call center schedule the Following 2 jobs:

UG secondary - WMS - 1344501

meter order - WMS - 1352792

SIGNED DATE

TO WRITE MESSAGE

WRITE MESSAGE IN UPPER HALF. REMOVE CANARY COPY (PART 2) FOR YOUR FILE. PLACE BALANCE OF SET IN OUTGOING MAIL. PART 3 WILL BE RETURNED WITH REPLY.

TO SEND REPLY

WRITE REPLY IN BOTTOM HALF. RETAIN WHITE COPY FOR YOUR FILE. PLACE PINK COPY (PART 3) IN OUTGOING MAIL.

81262 Rev. 3/00

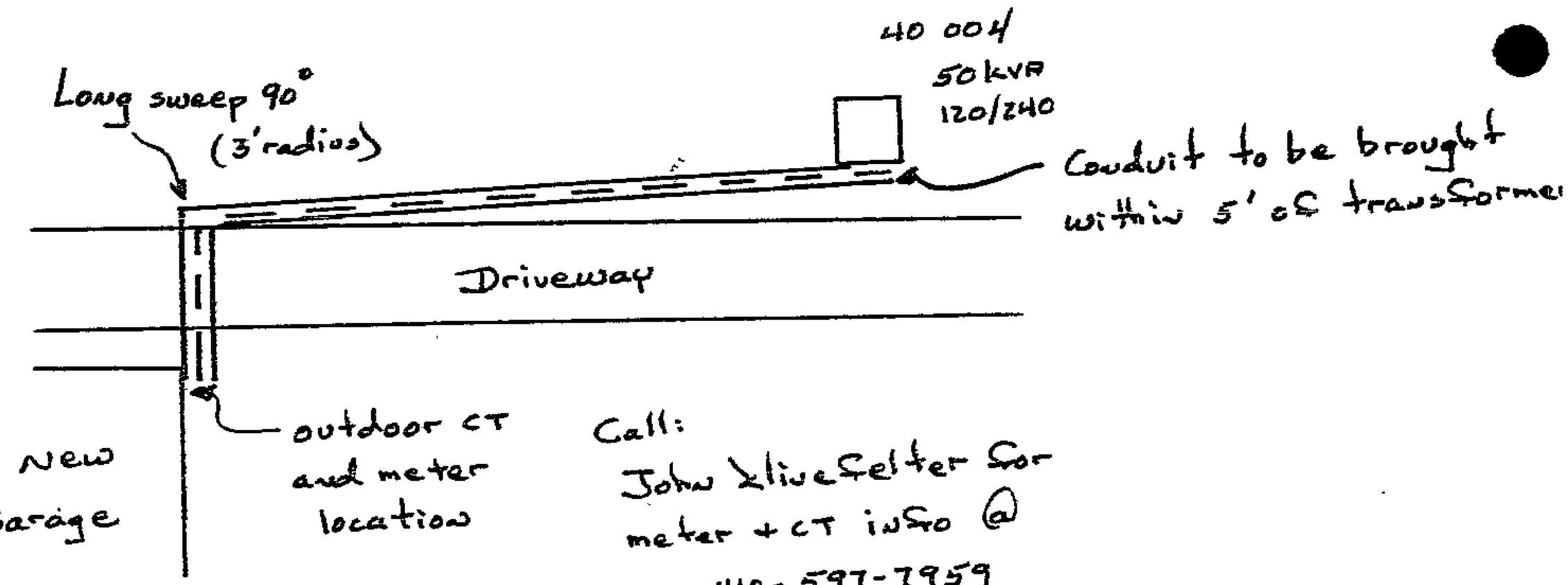
R 2316 Blue-Mount Rd.

LOCATION OF FACILITIES APPROVED

PRINT NAME: _____

SIGNATURE: _____

PHONE: _____ DATE: _____



Call:
John Kline Selter for meter + CT info @
410-597-7959

Note:
Address to be
R 2316 Blue-Mount Rd.

- The cost for this work is $576.00. This amount will be billed to you when BGE's work has been completed.
- When your work has been completed & inspected by Balto. C please wait 3-5 days then call our "Call center" @ 410-850-4620 to schedule this work.

LAW OFFICES OF

CHARLES L. WAECHTER

Baltimore (410) 242-4745
Annapolis (410) 267-6267

5300 East Drive
Baltimore, Maryland 21227

Belair (410) 838-8891
Ocean City (410) 250-5297

Fax (410) 242-4764

RECEIVED

SEP 23 2005

ZONING COMMISSIONER

September 21, 2005

John V. Murphy, Deputy Zoning Commissioner
County Courts Building, Suite 405
401 Bosley Avenue
Towson, Maryland 21204

RE: Case Nos: 05-503-A and 05-668-A

Dear Mr. Murphy:

This correspondence will confirm our telephone discussion of today's date. I am enclosing herewith the Declaration of Understanding that we discussed. I would appreciate if you would execute same and forward back to my office so that I can file it with the Land Records.

Should you have any questions concerning this matter, please feel free to contact me at your convenience.

Respectfully,

Charles L. Waechter

CLW:mz

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this _____ day of September, 2005, by and between Charles L. Waechter (hereinafter referred to as "Declarant") and the Deputy Zoning Commissioner.

Recitals

a. The Declarant filed two (2) Petitions for Administrative Variances under section 400.3 of the Baltimore County Zoning Regulations to permit two (2) detached accessory structures (pool house and garage) to be 25 feet in height docketed under Baltimore County Zoning Case No. 05-668-A and 05-503-A, respectively. The property address is identified as 2316 Bluemount Road, Monkton, Maryland 21111.

b. The Deputy Zoning Commissioner approved both variances allowing the Declarant to build both structures in excess of the required 15 foot requirement.

c. The Declarant has sought approval for a second 300 amp BGE service to be installed to the garage docketed under Case No. 05-503-A to service his pool house, garage, swimming pool and hot tub. As a condition to the approval of the Declarant's request, the Deputy Zoning Commissioner has required the filing of this Declaration among the Land Records of Baltimore County to provide notice to any future owners, subsequent bonifide purchasers or users of the property that no part of any improvement or addition on the property may be used for separate living quarters.

DECLARATIONS

NOW THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant and the Deputy Zoning Commissioner hereby declare as follows:

1. The Declarant shall be allowed to install a second 300 amp BGE service to the garage. Further any and all improvements constructed on the Property pursuant to variance Case Nos. 05-668-A and 05-503-A, shall not be used as a separate living quarter or second residential unit.

2. If the Declarant moves or sells the Property, then this Declaration of Understanding shall run with the land and be binding on any and all purchasers, future owners, or subsequent bonafide purchasers of the property.

IN WITNESS WHEREOF, the parties hereto have duly executed this Declaration under seal on the date first above written.

WITNESS:

_____ _____
Declarant

State of Maryland, County of Howard, to wit:

I HEREBY CERTIFY that on this _____ day of September, 2005, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared the Declarant herein, Charles L. Waechter, known to me to be the person whose name is subscribed to the within instrument, and he executed the foregoing instrument for the purposes contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

_____
NOTARY PUBLIC
My Commission Expires: _____

WITNESS:

_____ John V. Murphy
Deputy Zoning Commissioner

State of Maryland, _____ of _____, to wit:

I HEREBY CERTIFY that on this _____ day of _____, 2005, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument, and he executed the foregoing instrument for the purposes contained.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

_____
NOTARY PUBLIC
My Commission Expires: _____

****
***** ACTIVITY REPORT *****
****

TRANSMISSION OK

TX/RX NO.	5056
CONNECTION TEL	94102424764
CONNECTION ID	
START TIME	09/15 16:48
USAGE TIME	02'16
PAGES	6
RESULT	OK

Daechter Fax #

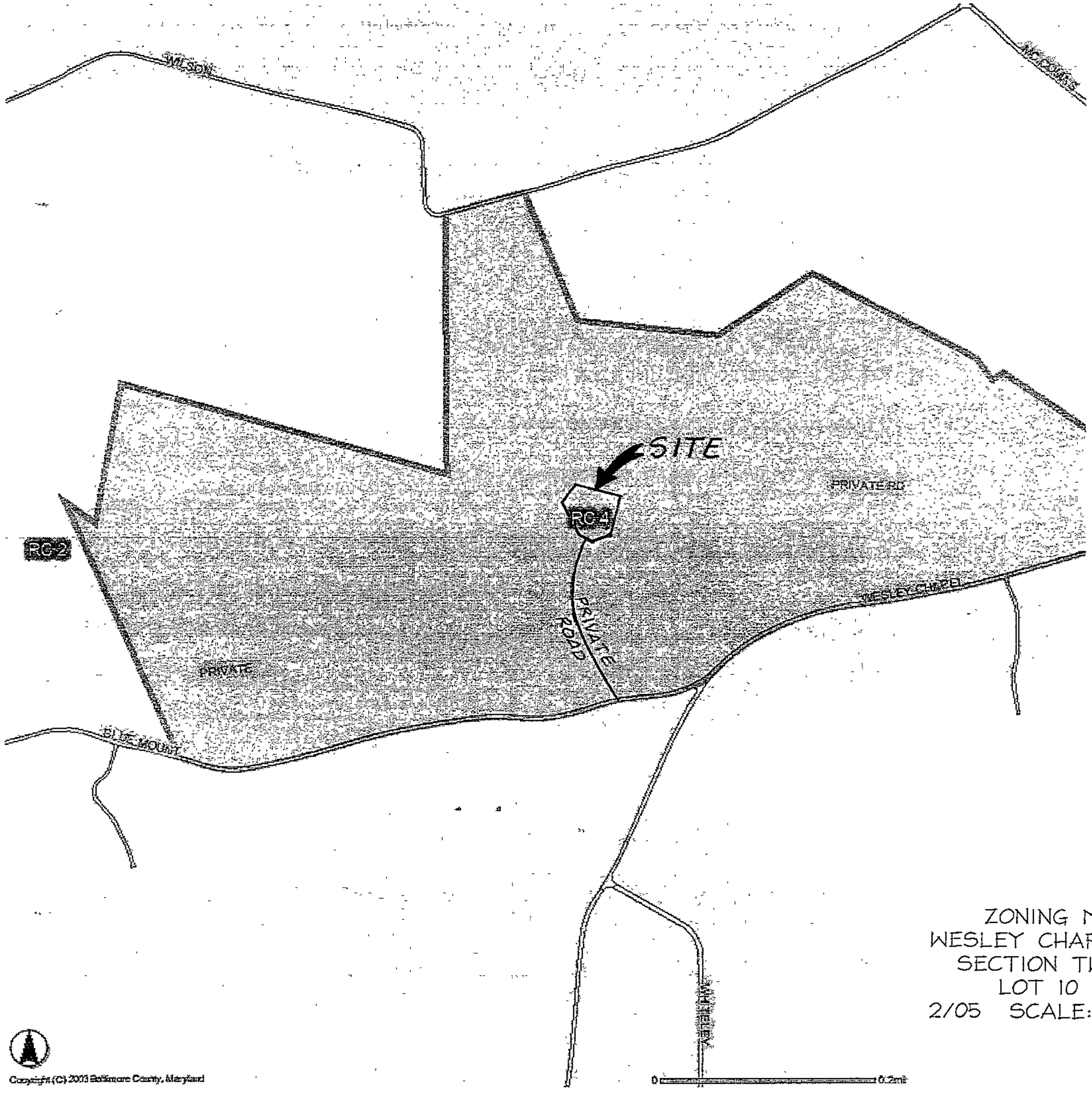
J. Murphy approval & signature on placed his Mr. Daechter's request dated 8/3/05 & faxed copy to him 9/15/05.

← Copies were also mailed to Mr. Daechter & Inspector Bull.

RJ 9/21/05

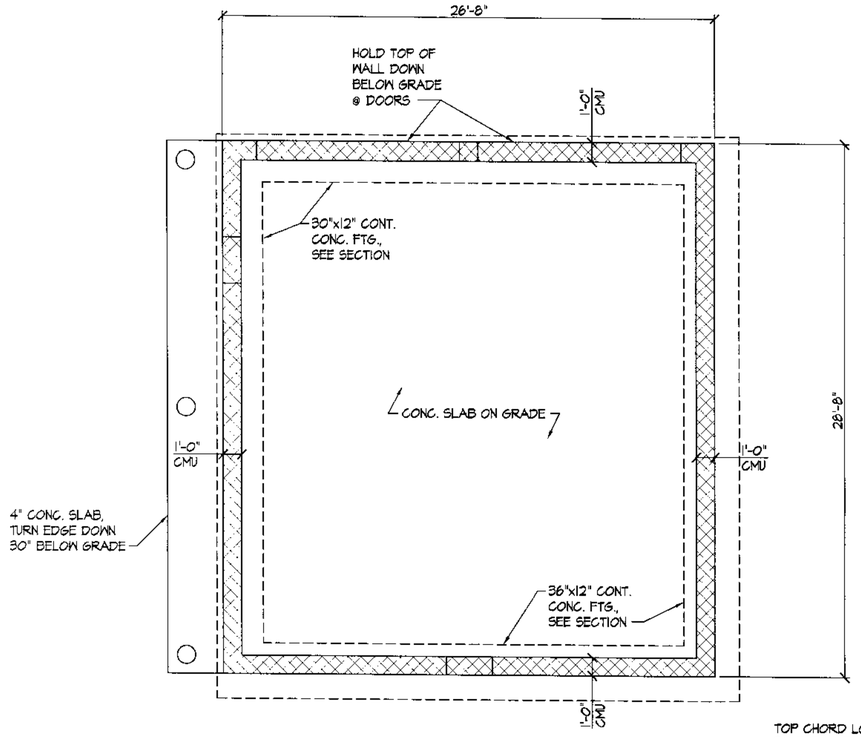
R

Would you send to Inspector Bull and Petitioner. I faxed form for Declaration of Understanding to CW 9/15



ZONING MAP
WESLEY CHAPEL WOODS
SECTION TWO
LOT 10
2/05 SCALE: AS SHOWN

Copyright (C) 2003 Baltimore County, Maryland

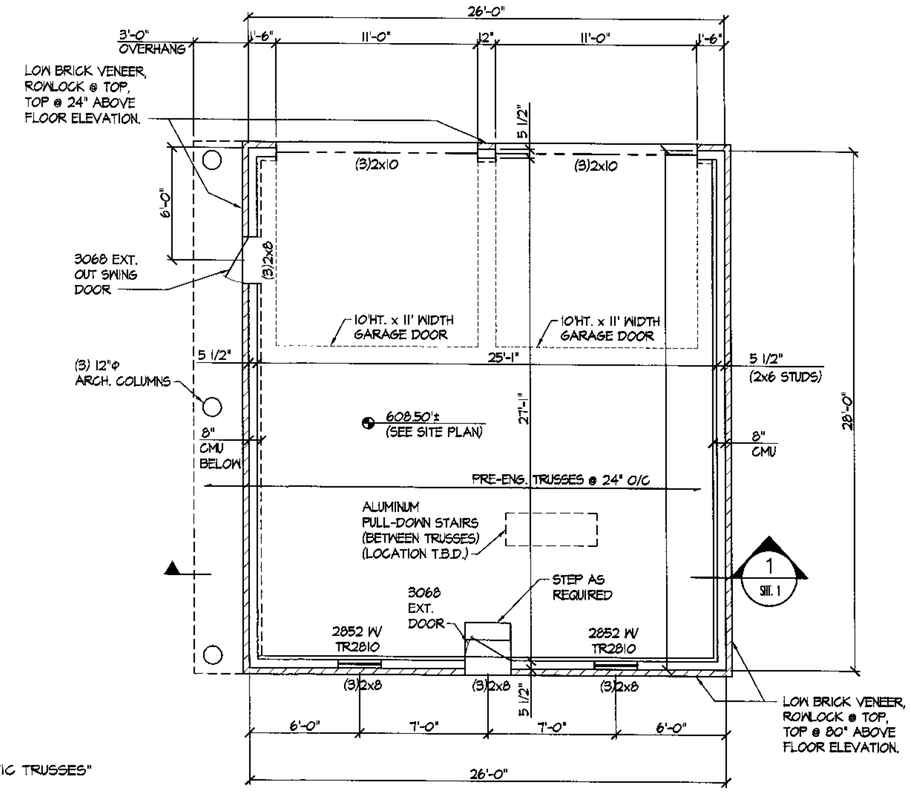


GARAGE FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

NOTE:

1. CONC. SLAB SHALL BE 5" THICK W6"x6"-W2xW2 W.W.F. OVER 4" CRUSHED STONE & 10 MIL. POLY VAPOR BARRIER.

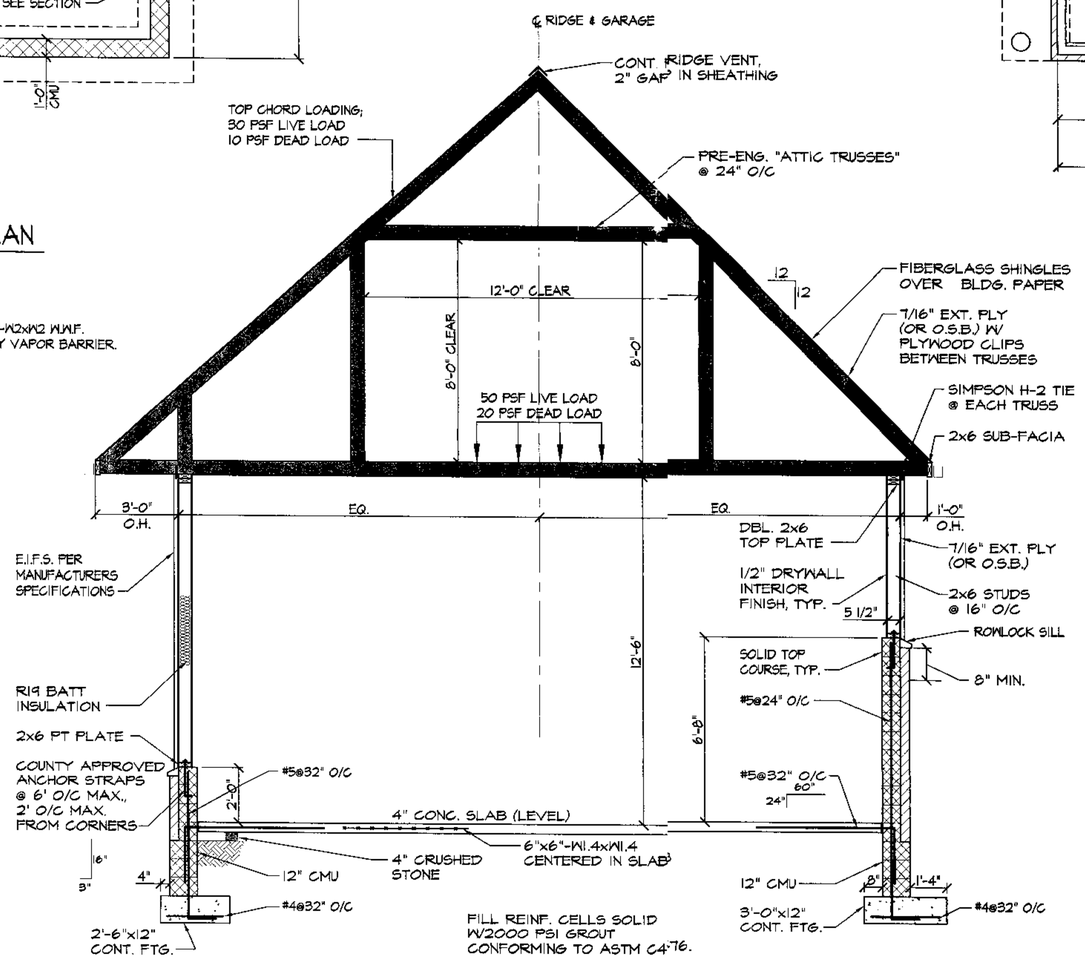


GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"

NOTES:

1. HOLD T.O. WINDOW R.O.'S @ 10'-0" ABOVE SLAB.
2. CEILING HEIGHT = 12'-6" FROM SLAB TO B.O. TRUSSES.
3. DIMENSIONS ARE TO FACE OF WOOD STUD UNLESS NOTED OTHERWISE.



1 SHT. 1

SECTION

SCALE: 3/8" = 1'-0"

GENERAL NOTES

1. ALL WORK SHALL COMPLY WITH 2000 IBC AND ALL APPLICABLE CODES TYP.
2. GENERAL CONTRACTOR TO VERIFY DIMENSIONS, METHODS PRIOR TO CONSTRUCTION.
3. ALL EXT. STUDS ARE 2x6's @ 16" O/C, UNLESS NOTED OTHERWISE. ALL INT. STUDS ARE 2x4's @ 16" O/C, UNLESS NOTED OTHERWISE.
4. ALL CONCRETE SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3000 PSI.
5. ALL SILL PLATES SHALL BE PRESSURE TREATED.
6. TEMPERED GLAZING SHALL BE USED WHERE REQUIRED BY CODE.
7. ALL PRE-FABRICATED ROOF AND FLOOR TRUSSES SHALL BE SIGNED & SEALED BY A REGISTERED STRUCTURAL ENGINEER, DESIGNED FOR LOADS NOTED ON SECTION.
8. LOCATION OF VENTS, DUCTS & ELECTRICAL FIXTURES SHALL BE DETERMINED BY FIELD CONDITIONS.
9. ALL LUMBER FOR STUDS SHALL BE SPRUCE-PINE-FIR.
10. ALL NAILING SHALL BE IN ACCORDANCE WITH THE 2000 IBC BUILDING CODE.
11. FOOTINGS ARE DESIGNED FOR AN ALLOWABLE BEARING PRESSURE OF 2000 PSI. IF SOIL IS FOUND TO NOT MEET THIS CRITERIA FOOTINGS WILL HAVE TO BE REDESIGNED
12. ALL MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS SHALL BE PER CODE AND DESIGNED BY OTHERS.

1/21/05
PERMIT SET

WAECHTER RESIDENCE - GARAGE

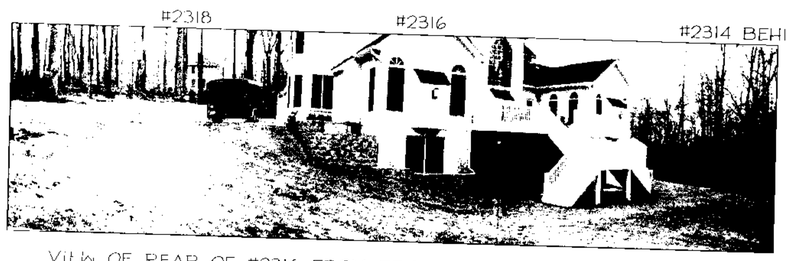
2316 BLUE MOUNT ROAD
MONKTON, MD 21111

GARAGE
PLANS & SECTION

DRAWING NO.
SHT. 1
OF 2

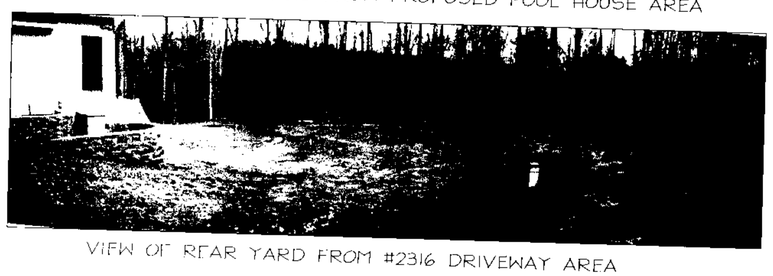
SCALE:	AS NOTED
JOB NO.:	04002
DATE:	JAN. 21, 2005

PANORAMIC VIEW OF PROPERTY FROM TERMINUS OF BLUEMOUNT ROAD

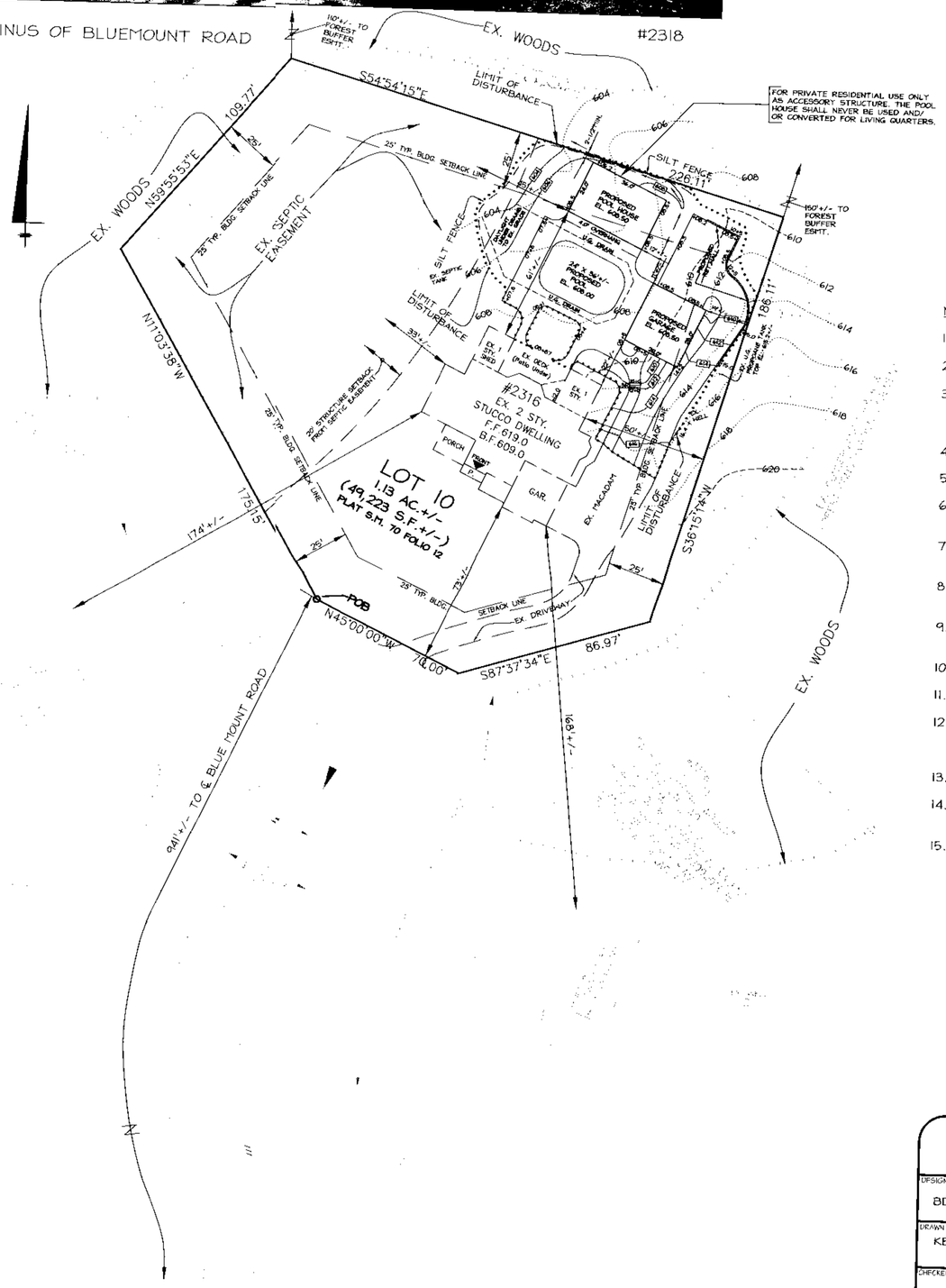


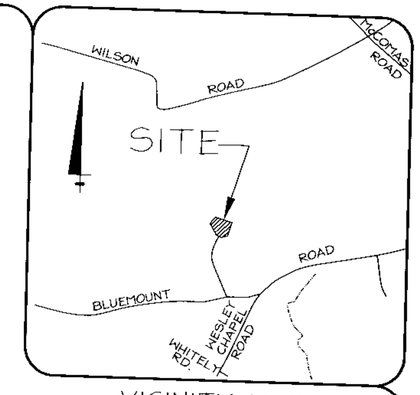
VIEW OF REAR OF #2316 FROM PROPOSED GARAGE AREA

VIEW OF REAR OF #2316 FROM PROPOSED POOL HOUSE AREA



VIEW OF REAR YARD FROM #2316 DRIVEWAY AREA





VICINITY MAP
1" = 1000'

NOTES:

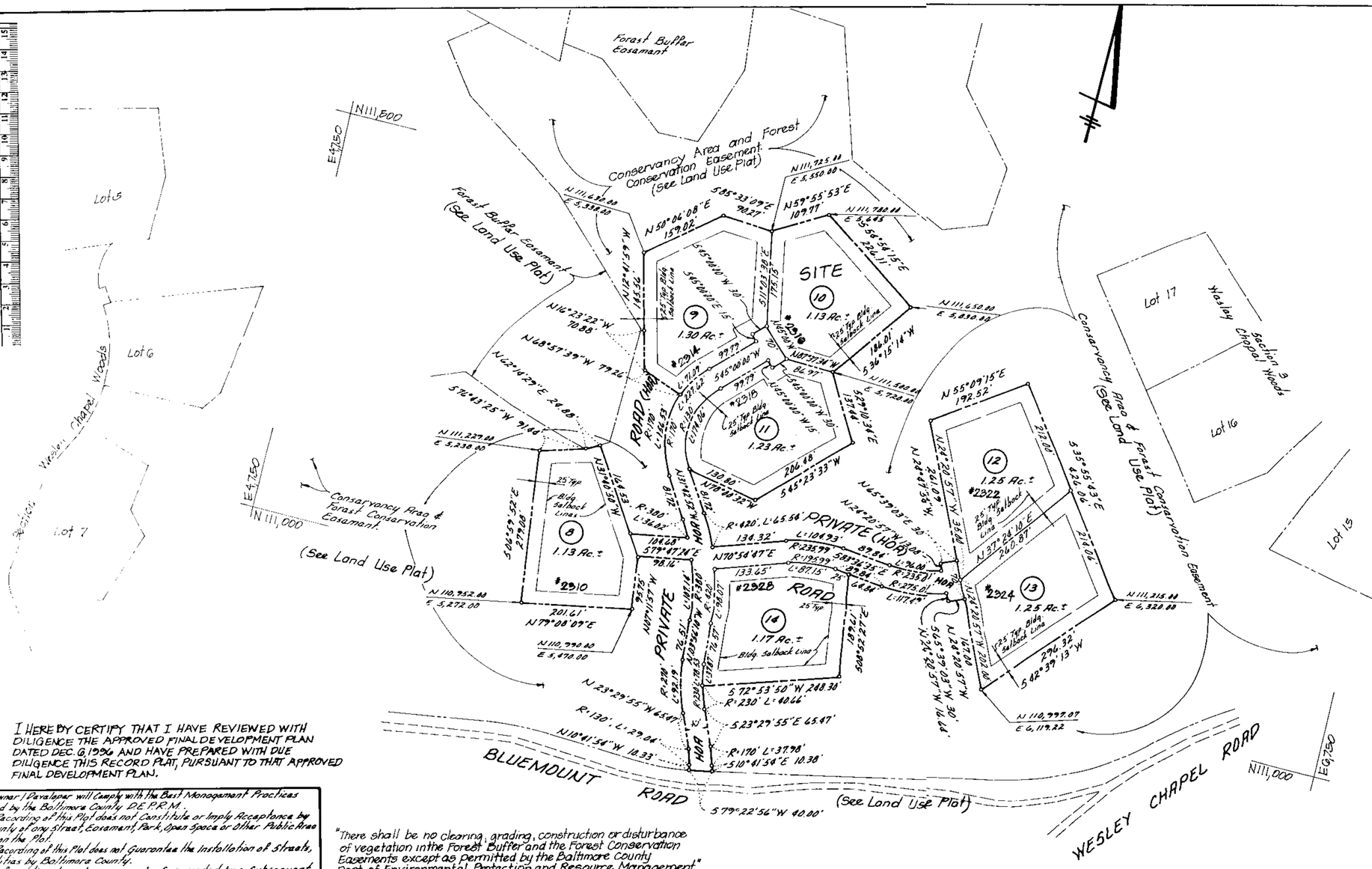
1. AREA OF LOT: 1.13 AC.+/-
2. ZONING CLASSIFICATION: RC-4
3. OWNER'S NAME: CHARLES L. WAECHTER
   ADDRESS: 2316 BLUEMOUNT RD. MONKTON, MD 21111-1217
   TELEPHONE: WORK: (410)242-4745 OR (410)788-7900
   HOME: (410)329-6615
4. TAX ACCOUNT #1023000001634
5. TAX MAP 23, GRID 8, P/O PARCEL 257
6. PLAT S.M. 70 FOLIO 12
   DEED REFERENCE: L. 12610 / F. 346
7. SEE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND RETAINING WALLS DETAILS.
8. THE TOPOGRAPHY SHOWN HEREON IS FIELD RUN BY LDE, INC. 11/2003.
9. PRIVATE WATER AND SEWER IS UTILIZED FOR THIS DEVELOPMENT.
10. LIMIT OF DISTURBANCE: 10,000 SQ. FT. +/-
11. NO PRIOR ZONING HEARINGS.
12. THERE ARE NO STREAMS, STORMWATER MANAGEMENT SYSTEMS, DRAINAGE PIPE SYSTEMS OR 100 YEAR FLOODPLAIN WITHIN 50 FEET OF THE PROPERTY.
13. THE DWELLING LOCATED ON LOT 10 IS NOT HISTORIC.
14. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
15. THE LOCATIONS OF THE EXISTING DWELLINGS SHOWN AT #2314 AND #2318 BLUEMOUNT ROAD ARE TAKEN FROM THE BALTIMORE COUNTY BUILDING PERMIT FILES.

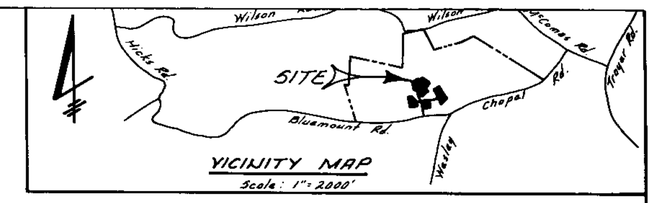
CONTACT PERSON:
DINO BASSO
1100 Weddel Avenue
Baltimore, MD 21227
(410) 536-0886

LDE, INC.
9250 Rumsey Road, Suite 106, Columbia, MD. 21045
(410) 715-1070 (301) 596-3424 (410) 715-9540 (Fax)

DESIGNED: BDB	PLAN TO ACCOMPANY ADMINISTRATIVE VARIANCE "WESLEY CHAPEL WOODS" SECTION TWO LOT 10	SCALE: 1" = 30'
DRAWN: KBW		DRAWING: 1 of 1
CHECKED: BDB	10th Election District-Baltimore County, MD 3rd Councilmanic District Tax Map No. 23-Grid No.8-Parcel 257	JOB NO.: 98-001
DATE: 04/2005	OWNER: CHARLES L. WAECHTER 2316 Blue Mount Road Monkton, Maryland 21111-1217 (410) 329-6615	FILE NO.:

Pet Ex. #1





DENSITY CALCULATIONS

Gross Area of Tract = 172.7 Acres±
Zoning = RC-4 : 171.3 Acres±
RC-2 : 1.4 Acres±

Density	Allowed	Proposed
RC-4 : 171.3 x 0.2 =	34	22
RC-2 : 1.4 x 1.0 =	1	0

Total Area This Plat (Section Two) 9.82 Ac.±
Number of Lots Proposed, Section Two = 7 Lots
Lots = 8.46 Acres±, H.O.A. Area = 1.36 Ac.±

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DILIGENCE THE APPROVED FINAL DEVELOPMENT PLAN DATED DEC. 6, 1996 AND HAVE PREPARED WITH DUE DILIGENCE THIS RECORD PLAT, PURSUANT TO THAT APPROVED FINAL DEVELOPMENT PLAN.

The Owner / Developer will Comply with the Best Management Practices Adopted by the Baltimore County D.E.P.R.M.
The Recording of this Plat does not Constitute or Imply Acceptance by the County of any Street, Easement, Park, Open Space or Other Public Area shown on the Plat.
The Recording of this Plat does not Guarantee the Installation of Streets, or Utilities by Baltimore County.
The Information shown hereon may be Superseded by a Subsequent or Amended Plat.
Additional Information Concerning this Plat may be Obtained from the Baltimore County Office of Permits and Development Management.

This Plat may Expire in Accordance with the Provisions of the Baltimore County Code, Section 26-216
Streets and/or Roads shown hereon and Mentioned thereof in Deeds are for purposes of Description only, and the same are not Intended to be Dedicated to Public Use, the Fee Simple Title to the Beds thereof is Expressly Reserved in the Grantors of the Deed to which this Plat is Attached, their Heirs and Assigns.
Highway and Highway Widening, Slope Easements, Drainage and Utility Easements, Access Easements and Stormwater Management Areas, no matter how entitled, shown hereon are Reserved unto the Owner and are hereby Offered for Dedication to Baltimore County, Maryland. The Owner, His Personal Representative and Assigns shall Convey said Areas by Deed to Baltimore County, Maryland at No Cost Until Such Time as said Convenience is Accepted by Balto. County, the Owner Hereby Authorizes Balto. Co., its Agents and Assigns the Right to enter upon the Property for the purpose of Installing, Constructing, Maintaining and Repairing Roads, Utility Lines & Facilities, and Stormwater Management Ponds and Facilities.
Protective Covenants Governing the use of the "Forest Buffer and the Forestc Conservation Easements" shall be recorded in the Land Records of Baltimore County at the time of Plat Recordation.
Soil Percolation Tests will be valid for a period of Five Years from the Date the Record Plat is Signed by the Director of Department of Environmental Protection and Resource Management. At the Expiration of this Period, New Tests may be Required.
All Requirements of the Maryland State Department of the Environment and Baltimore County Department of Environmental Protection and Resource Management Pertaining to Private Water and/or Sewage Systems must be complied with Prior to Approval of Building Applications.

"There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer and the Forest Conservation Easements except as permitted by the Baltimore County Dept. of Environmental Protection and Resource Management."

"Any Forest Buffer or Forest Conservation Easement shown hereon is Subject to protective covenants which may be found in the Land Records of Baltimore County a which restrict disturbance and of these areas."

Each Lot, 8 thru 14 Inclusive, Shall Be Granted the Right into the 40' Private Road shown on this Plat for Access and Utilities.
Trash Collection, Snow Removal and Road Maintenance are to be Provided to the Junction of the Panhandle (Private Rd) and Street Right of Way.

Coordinates and Bearings shown on this Plat are referred to Baltimore County Metropolitan Dist. Traverse Sta. H-5-A and reference Bearing to Hereford Water Tank.

Owner:
Wesley Chapel Woods, L.L.C.
P.O. Box. 8
Butler, Md. 21023

The Plan for the Property was Approved on December 12, 1996
Deed Reference: S.M. 12429 / 585 Tax Account No. 1016015326

S.M. 76-12
70 - 12

SECTION TWO

"WESLEY CHAPEL WOODS"

10TH. Elect. Dist. Baltimore County, Md.
Scale: 1" = 100' Date: June 19, 1997

APPROVED BY THE DIRECTOR OF PERMITS & DEVELOPMENT MANAGEMENT, PURSUANT TO SECTION 26-215 (C) BALTO. COUNTY CODE.
David Flowers 11-26-97
Director of Permits & Development Management Date

APPROVED FOR DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
[illegible] 11-25-97
Director Date

No Clearing, Grading, Construction or Disturbance of Vegetation is Allowed in the "Forest Buffer" Except as Permitted by the Balto. County Dept. of Environmental Protection and Resource Management.

OWNER'S CERTIFICATE:

The Undersigned, Owner of the Land shown on this Plat hereby Certifies that, to the best of its Knowledge, the Requirements of Subsections (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, has been complied with insofar as same concerns the making of the Plat and Setting of the Markers.

WESLEY CHAPEL WOODS, L.L.C.
P.O. BOX 8
BUTLER, MD. 21023
[illegible] 11-[illegible]-97
George Y. Palmer, Manager Date

SURVEYOR'S CERTIFICATE:

The Undersigned, A Registered Land Surveyor of the State of Maryland does hereby Certify that he is the Surveyor who prepared this Plat and that the Land shown on this Plat has been field out and the Plat thereof has been prepared in compliance with Subsection (C) of Section 3-108 of the Real Property Article of Annotated Code of Maryland, particularly insofar as same concerns the making of the Plat and the Setting of the Markers.

[illegible] 11/1/97
Reg. Land Surveyor #2246 Date

E.F. RAPHEL & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
205 Courtland Ave.
Towson, Maryland
21204