IN RE: **PETITION FOR ADMIN. VARIANCE** NW/S Caves Road, 224' SW of the c/l Park Heights Avenue **(2506 Caves Road)** 4th Election District 2nd Council District Charles E. Fauer & Beth D. Yarnold Petitioners	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY **Case No. 06-205-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, Charles E. Fauer and Beth D. Yarnold. The Petitioners request variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory structure (barn) to be located in the side yard in lieu of the required rear yard, with a height of 17 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, the property in question is posted for a period of 15 days during which time any property owner residing within 1,000 feet of the property may demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate.

In this case, the Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) 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.

ORDER RECEIVED FOR FILING
Date 11/10/05
By

Based upon the evidence contained therein, I am persuaded to grant the requested relief. Variance relief is necessitated given the environmental constraints associated with this property and the topography of the land in the rear yard. Moreover, the height of the proposed barn is necessary to provide proper ventilation for the horses and accommodate a cupola. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency and no one voiced any objection. It is also to be noted that all area setback requirements will be met. The only deficiency is the height of the structure, which is a minimal increase over the allowed 15 feet. Thus, I am persuaded that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale. However, it is to be noted that within its ZAC comment, the Office of Planning requested that Note 12 on the site plan be changed to reflect that the property is located within the Caves Valley National Register District. Thus, as a condition of approval, the Petitioners shall be required to submit a revised site plan reflecting this change to the Department of Permits and Development Management prior to the issuance of any permits.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of November 2005 that the Petition for Administrative Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached accessory structure (barn) to be located in the side yard in lieu of the required rear yard, with a height of 17 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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

ORDER RECEIVED FOR FILING
Date 11/10/05
By

2) Prior to the issuance of any permits, the Petitioners shall submit a revised plan to the Department of Permits and Development Management reflecting the modification to Note 12 as requested by the Office of Planning. Specifically, Note 12 shall be changed to read "The subject property is located within the Caves Valley National Register District."

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:bjs

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/6/03
By

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

November 10, 2005

WILLIAM J. WISEMAN III
Zoning Commissioner

Mr. Charles E. Fauer & Ms. Beth D. Yarnold
2506 Caves Road
Owings Mills, Maryland 21117

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
NW/S Caves Road, 224' SW of the c/l Park Heights Avenue
(2506 Caves Road)
4th Election District – 2nd Council District
Charles E. Fauer & Beth D. Yarnold - Petitioners
Case No. 06-205-A

Dear Mr. Fauer & Ms. Yarnold:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Bruce E. Doak, Gerhold Cross & Etzel, Ltd.
320 E. Towsontown Boulevard, Baltimore, Md. 21286
Office of Planning; Development Plans Review; People's Counsel; Case File

FLOOD

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2506 Caves Road, Owings Mills
which is presently zoned RC-2

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)

SECTION 400.1 TO PERMIT PROPOSED ACCESSORY BUILDING (BARN) TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED LOCATION IN THE REAR YARD

SECTION 400.3 TO PERMIT AN ACCESSORY BUILDING A HEIGHT OF 17 FEET IN LIEU OF THE REQUIRED 15 FEET

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

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 E Fauer
Name - Type or Print

Signature

Beth D. Yarnold
Name - Type or Print

Signature

2506 Caves Road — 410-902-1951
Address — Telephone No.

Owings Mills — Md — 21117
City — State — Zip Code

Representative to be Contacted:

Bruce E. Doak
Gerhold Cross & Etzel, Ltd.
Name

320 E. Towsontown Blvd. — 410-823-4470
Address — Telephone No.

Towson — Md — 21286
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
Date 11/1/05
By

Case No. 06-205-A

Reviewed By BA Date 10/12/05

Estimated Posting Date 10/23/05

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 2506 Caves Road
Address
Owings Mills Md 21117
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):

THERE ARE WETLANDS AND FOREST BEHIND THE HOUSE THAT SHOULD BE PROTECTED. WE ARE ALSO TRYING TO REDUCE THE AMOUNT OF GRADING. FOR THESE REASONS, THE PROPOSED SITE IS THE BEST. WE WILL UTILIZE THE SIDE FIELD. THE PROPOSED SITE WILL UTILIZE BEST THIS FIELD FOR THE KEEPING OF HORSES.

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 E. Fauer
Name - Type or Print

Signature

Beth D Yarnold
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of Sept, 2005 before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Charles E. Fauer + Beth D. Yarnold the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

JOY R. FISHER NOTARY PUBLIC BALTIMORE COUNTY, MD.

Notary Public

My Commission Expires Sept. 1, 2008

REV 10/25/01

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson Maryland 21286
Phone (410) 823-4470 • Fax (410) 823-4473 • www.gcelimited.com

October 4, 2005

Zoning Description
Charles E Fauer and Beth D Fauer
2506 Caves Road
Owings Mills, MD 21117-2334

All that piece or parcel of land situate, lying and being in the Fourth Election District of Baltimore County, Maryland and described as follows to wit:

Beginning for the same at a point in the center of Caves Road distant 224.2 feet southwesterly from the center line of Park Heights Avenue; and running thence and binding along the center line of Caves Road, the two following courses and distances, viz:
1) South 46 degrees 25 minutes West 334.1 feet,
2) South 42 degrees 46 minutes West 79.91 feet,
thence leaving the center line of Caves Road, the six following courses and distances, viz:
3) North 71 degrees 39 minutes West 89 feet,
4) North 57 degrees 17 minutes West 269 feet,
5) North 21 degrees 23 minutes East 40 feet,
6) North 21 degrees 23 minutes East 236.6 feet,
7) North 40 degrees 31 minutes East 147.4 feet,
8) South 58 degrees 15 minutes East 482.7 feet to the place of beginning.

Containing 180,235 sq. ft. or 4.14 acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

10/06/05

#205

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 00030

DATE 10/12/05 ACCOUNT R001-006-6150

AMOUNT $ 65.00

RECEIVED FROM: Charles Fauer

FOR: Administrative Variance

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 815

PAID RECEIPT

[illegible]

CASHIER'S VALIDATION

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 06-205-A
PETITIONER/DEVELOPER:
Charles & Beth Fauer
CLOSING DATE: November 7, 2005

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

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

LOCATION:
2506 Caves Road

(see page 2 for full size photo)

POSTED ON: October 19, 2005

SIGNATURE OF SIGN POSTER

John J. Dill

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

ZONING NOTICE
ADMINISTRATIVE
VARIANCE
CASE # : 06-205-A
To permit: an accessory structure (barn) to be located to be located in the side yard with a height of 17 ft. in lieu of the required rear yard and 15 ft. maximum height, respectively.
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 IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 p.m. ON November 07, 2005
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204
TEL. 410-887-3391
HEARINGS ARE HANDICAPPED ACCESSIBLE
10/19/2005

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: 06-205-A

Petitioner: CHARLES E. FAVER

Address or Location: 2506 CAVES ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARLES E. FAVER

Address: 2506 CAVES ROAD

OWINGS MILLS, MD 21117

Telephone Number: 410-902-1951

Revised 7/11/05 - SCJ

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 205 -A Address 2506 Caves Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10/12/05 **Posting Date:** 10/23/05 **Closing Date:** 11/07/05

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 06- 205 -A Address 2506 Caves Rd.

Petitioner's Name Charles & Beth Fauer Telephone 410-902-1951

Posting Date: 10/23/05 **Closing Date:** 11/07/05

Wording for Sign: To Permit an accessory structure (barn) be located in the side yard with a height of 17 ft. in lieu of the required rear yard and 15 ft. maximum height, respectively.

WCR - Revised 6/25/04

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

November 7, 2005

Charles E. Fauer
Beth D. Yarnold
2506 Caves Road
Owings Mills, Maryland 21117

Dear Mr. Fauer and Ms. Yarnold:

RE: Case Number: 06-205-A, 2506 Caves Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 14, 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
Bruce Doak Gerhold, Cross & Etzel 320 E. Towsontown Blvd. Towson 21286

Baltimore County
Fire Department

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

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

November 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: **October 24,** 2005

Item No.: **204** 205 ~~210~~

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.

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

Lieutenant J.D.Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

Baltimore County
Fire Department

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

County Office Building, Room 123
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

NOV. 02, 2005

ATTENTION:

Distribution Meeting of: OCTOBER 24, 2005

Item No.: 204 - 218 205

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.

1. 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.

Insp. PACK
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 9, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For October 31, 2005
Item Nos. 204, 205, 206, 208, 209, 211,
213, 214, 215, 216,

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

Bill - need comment from Dennis Kennedy - also see Planning's comment - why is variance necessary?

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-11092005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 7, 2005

RECEIVED
NOV - 8 2005
ZONING COMMISSIONER

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

SUBJECT: 2506 Caves Road

INFORMATION:

Item Number: 6-205

Petitioner: Charles Fauer and Beth Yarnold

Zoning: RC 2

Requested Action: Administrative Variance

The property in question requests an administrative variance for an accessory building in the side yard in lieu of the required rear yard and with a height of 17' in lieu of the required 15'. Since the property contains more than 3 acres, could this have been considered a farm? If that is the case, then a barn would be permitted in the side yard and no height variance would be required.

SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request provided note number 12 on the accompanying site plan is changed to indicate, " The subject property is located within the Caves Valley National Register District."

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: Curtis Ewing

Division Chief: Arnold F. Keller
AFK/LL: CM

W:\DEVREV\ZAC\6-205.doc

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

SHA State Highway Administration Driven to Excel

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

Maryland Department of Transportation

Date: 10-31-05

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

RE: Baltimore County
Item No. 205 BPR

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

Bette Schuhmann - Administrative Variance Case No. 06-205-A

From: Bette Schuhmann
To: Kennedy, Dennis
Subject: Administrative Variance Case No. 06-205-A

Dennis - I am currently working on the above-captioned case and the file indicates that the property is located in or near a floodplain; however, there are no comments from your office in the file. Would you please forward any comments you may have to me at your earliest convenience? Thanks.

Bette - Thanks for the heads-up on this one. I spoke to Dennis and all is OK - He basically has no floodplain concerns.

As to mine number 2 - Planning is incorrect in believing that 3 acres = farm. The property must be "used primarily for agriculture" - or residential and associated agriculture". If Petitioners were using the property for horse breeding and horse training then I'm thinking that would be correct. The OP would be however that is not the case. Bill

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

RECEIVED
NOV 1 6 2005
ZONING COMMISSIONER

File

TRANSMITTAL SHEET

TO: Kristen Matthews

FROM: Mike Alexander

COMPANY: Zoning Office

DATE: Monday, November 14, 2005

RE: 06-205-A Fauer Property

TOTAL NO OF PAGES INCLUDING COVER: 1 plan

FAX NUMBER:

PHONE NUMBER

WE ARE TRANSMITTING:

- ☒ ATTACHED
- ☐ VIA MAIL
- ☐ VIA MESSENGER
- ☐ FOR REVIEW
- ☐ F.Y.I.
- ☐ PRINTS
- ☐ PLANS
- ☐ PROPOSAL
- ☐ DESCRIPTIONS
- ☐ LOCATION DRAWING
- ☐ PLEASE COMMENT
- ☐ PLEASE REPLY
- ☐ UNDER SEPARATE COVER

QTY	DATE	ITEM	DESCRIPTION
1	11-14-2005		Plan to Accompany Petition for Administrative Variance (revised)

NOTES/COMMENTS:

Kristen,

Please add the attached revised plan to the zoning file 06-205-A.

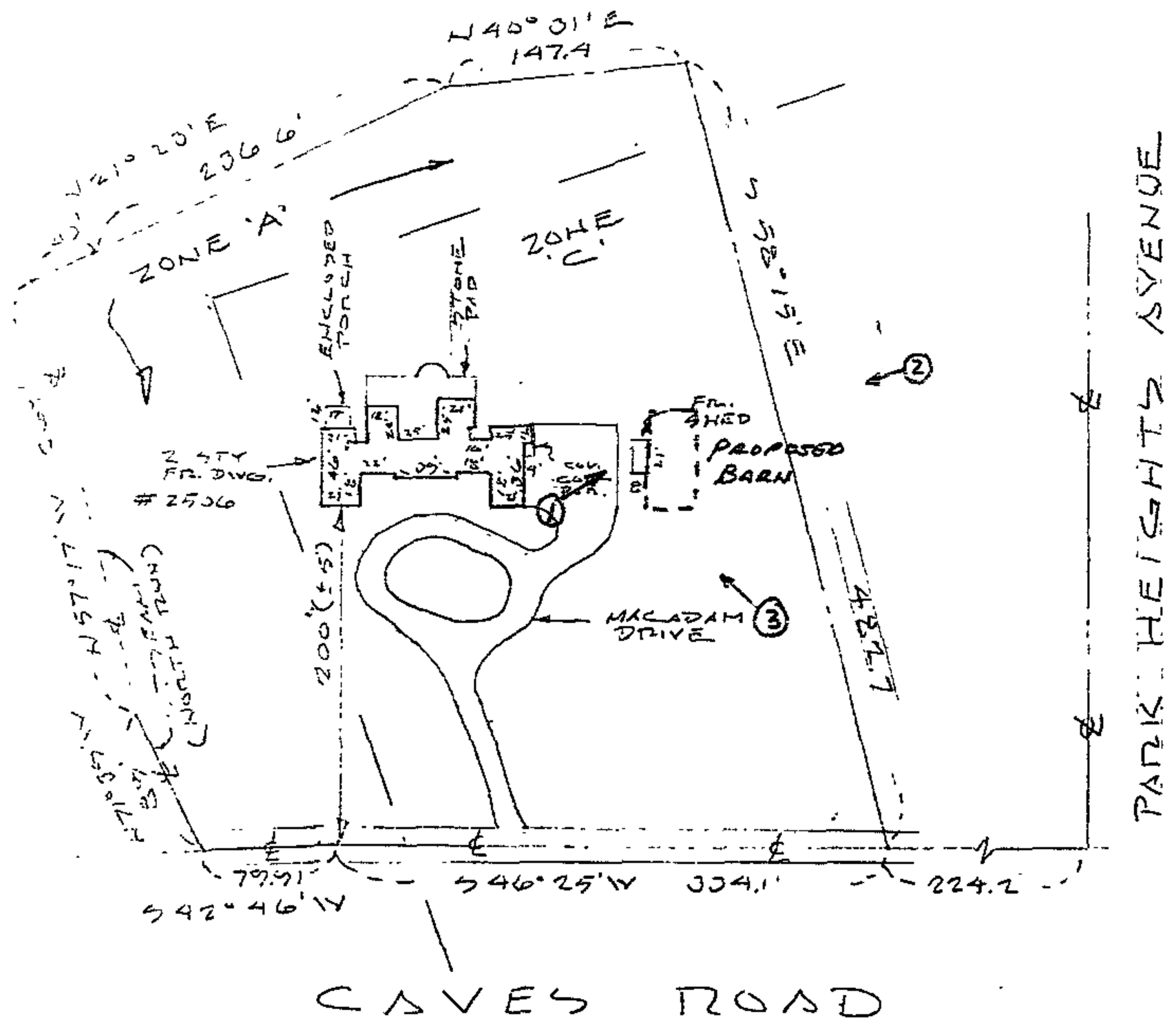
Thank you,

~Mike

Cc

A PORTION OF THIS PROPERTY LIES IN FLOOD ZONE 'A' (100 YEAR) AS SHOWN ON F.I.R.M. PANEL No. 240010-0240-B

FLOOD MAP INTERPRETATION, THOUGH BELIEVED ACCURATE, IS NOT GUARANTEED



1) This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2) This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3) This plat does not provide accurate identification of property boundary lines but such identification may not be required for the transfer of title or securing financing or re-financing.

This is to certify that this drawing meets the Minimum Standards of Practice of the State of Maryland

7/7/05

REG. NO. 135

REVISED: 7/21/05

PLAN TO ACCOMPANY PHOTOGRAPHS

All setback dimensions are + or - one foot unless otherwise noted.

FILE No. 04284

STATE OF MARYLAND ★ CLYDE BROOKE MILLER ★ 135 ★ PROPERTY LINE SURVEYOR

	LOCATION DRAWING 2506 CAVES ROAD, BALTIMORE COUNTY, MARYLAND	**SCALE** 1"=100'
	OFFICE OF **MANK & KUNST** **POST OFFICE BOX 5448** **TOWSON, MARYLAND 21285**	**DATE** 7/7/05
		JOB NO. 967/05T

SEE 1,5 & 2 DATES

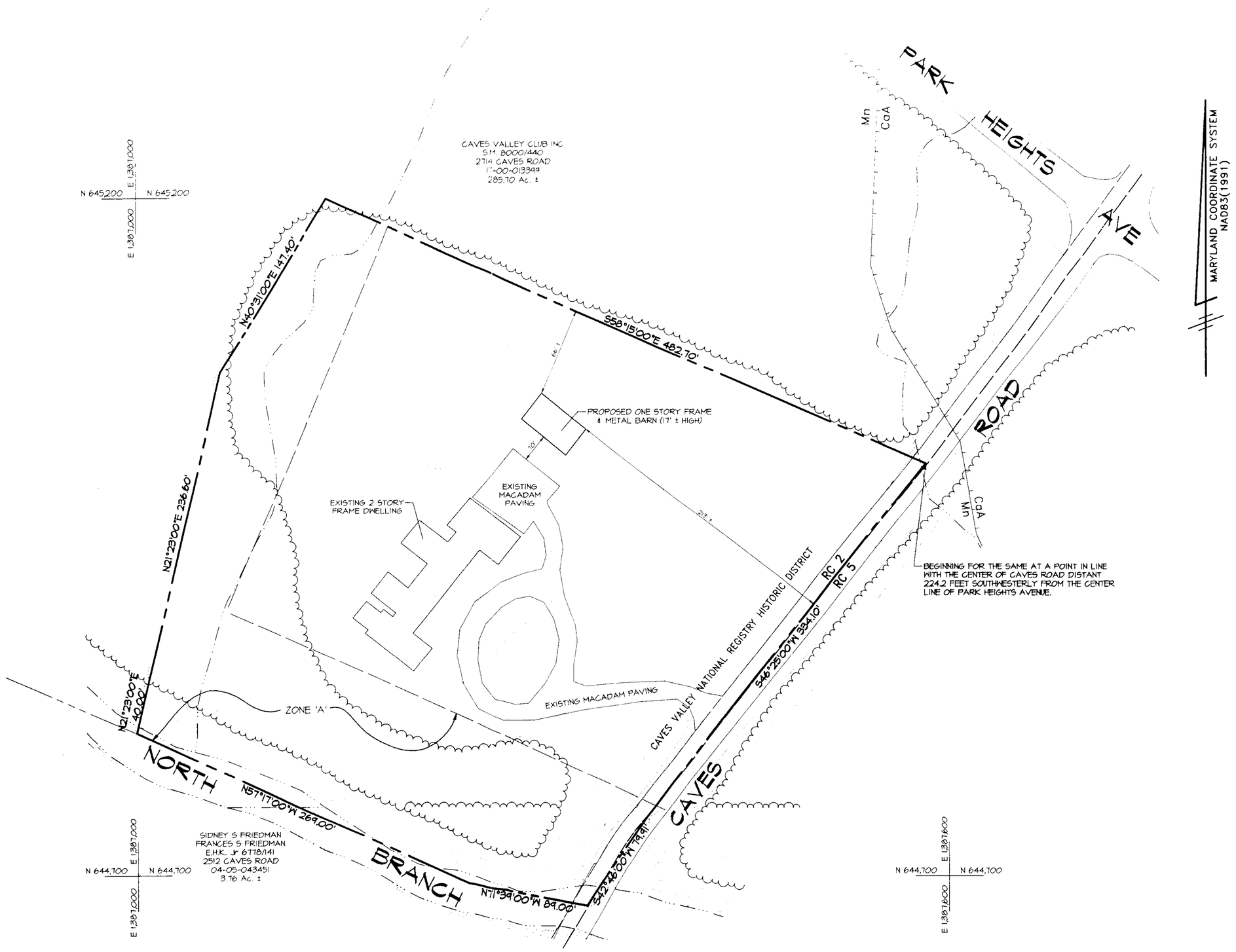
#203

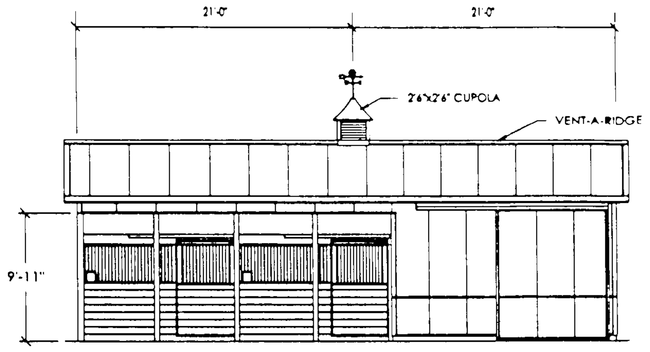
(2)

3
#23

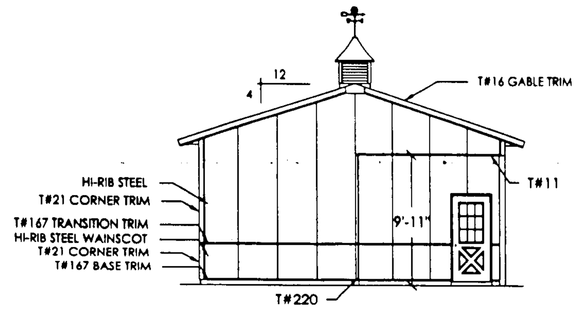
Baltimore County - My Neighborhood

#205

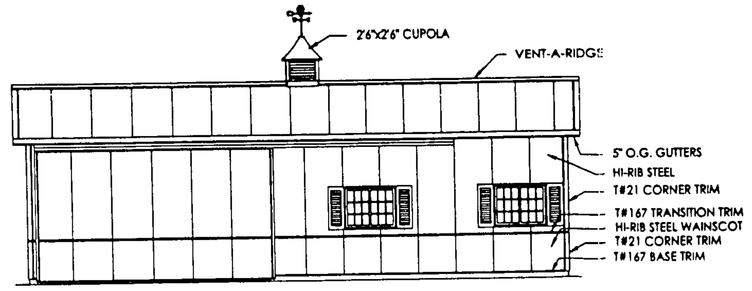




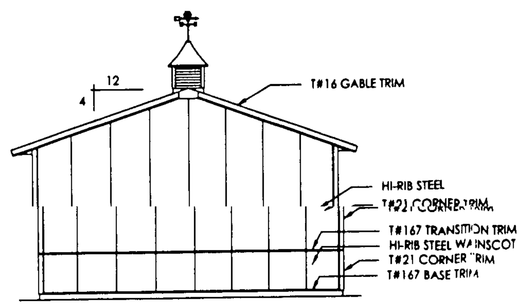
FRONT ELEVATION



SIDE ELEVATION

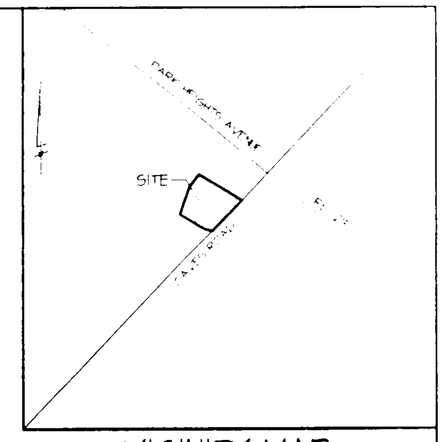


REAR ELEVATION



SIDE ELEVATION

ELEVATION VIEWS
NOT TO SCALE



VICINITY MAP
1" = 1000'

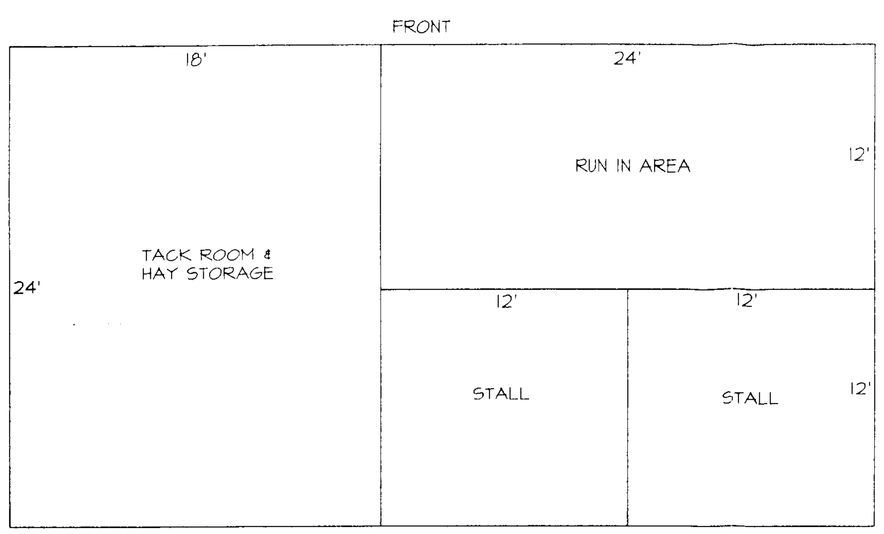
GENERAL NOTES

1. OWNER: CHARLES E FAUER AND BETH D YARNOLD
   2506 CAVES ROAD
   OWINGS MILLS MARYLAND 21117
2. TAX ACCOUNT No. 04-08-080960
3. TITLE DEED LIBER S.M. No. 22413 FOLIO 469
   TOTAL AREA = 4.14 AC.±
4. THE PROPERTY IS ZONED R.C.2
5. 200' SCALE ZONING MAP (615 TILE) No. 59A1.
6. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED.
7. CENSUS TRACT 4037.01
   REGIONAL PLANNING DISTRICT 313
   WATERSHED JONES FALLS
   SUBWATERSHED 61 N
   SCHOOL DISTRICT: ELEMENTARY - OWINGS MILLS E.S.;
   MIDDLE - PIKESVILLE M.S.;
   HIGH - OWINGS MILLS H.S.
   A.D.C. MAP & GRID 17 D13
8. FEATURES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY GIS PANEL 59A1 & 59A2.
9. THIS SITE IS SERVICED BY PRIVATE WATER AND SEWER.
10. THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
11. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
12. THE SUBJECT PROPERTY IS IN THE CAVES VALLEY NATIONAL REGISTRY OF HISTORIC DISTRICTS.
13. A PORTION OF THE SUBJECT PROPERTY LIES IN FLOOD ZONE 'A' (100 YEAR) AS SHOWN ON F.I.R.M. PANEL No 210010-0240-B FLOOD MAP INTERPRETATION, THOUGH BELIEVED ACCURATE, IS NOT GUARANTEED.

PETITION

FOR A VARIANCE FROM SECTION 400.1 OF THE B.C.Z.R. TO PERMIT PROPOSED ACCESSORY BUILDING (BARN) TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED LOCATION IN THE REAR YARD.

FOR A VARIANCE FROM SECTION 400.3 OF THE B.C.Z.R. TO PERMIT AN ACCESSORY BUILDING A HEIGHT OF 17 FEET IN LIEU OF THE REQUIRED 15 FEET.



FLOOR PLAN OF BARN
SCALE: 1" = 5'

R.C. 2 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO: CENTERLINE OF ANY STREET	75'
FROM ANY BUILDING FACE TO: LOT LINE OTHER THAN A STREET LINE	35'

ACCESSORY BUILDINGS

SECTION 400

400.1 ACCESSORY BUILDINGS IN RESIDENCE ZONES, OTHER THAN FARM BUILDINGS SHALL BE LOCATED ONLY IN THE REAR YARD AND SHALL OCCUPY NOT MORE THAN 40% THEREOF. ON CORNER LOTS THEY SHALL BE LOCATED ONLY IN THE THIRD OF THE LOT FARTHEST REMOVED FROM ANY STREET AND SHALL OCCUPY NOT MORE THAN 50% OF SUCH THIRD. IN NO CASE SHALL THEY BE LOCATED LESS THAN 2.5 FEET FROM ANY SIDE OR REAR LOT LINES, EXCEPT THAT TWO PRIVATE GARAGES MAY BE BUILT WITH A COMMON PARTY WALL STRADDLING A SIDE INTERIOR PROPERTY LINE IF ALL OTHER REQUIREMENTS ARE MET. THE LIMITATIONS IMPOSED BY THIS SECTION SHALL NOT APPLY TO A STRUCTURE WHICH IS ATTACHED TO THE PRINCIPAL BUILDING BY A COVERED PASSAGEWAY OR WHICH HAS ONE WALL OR PART OF ONE WALL IN COMMON WITH IT. SUCH STRUCTURE SHALL BE CONSIDERED PART OF THE PRINCIPAL BUILDING AND SHALL BE SUBJECT TO THE YARD REQUIREMENTS FOR SUCH A BUILDING.

400.2 ACCESSORY BUILDINGS, INCLUDING PARKING PADS, SHALL BE SET BACK NOT LESS THAN 15 FEET FROM THE CENTER LINE OF ANY ALLEY ON WHICH THE LOT ABUTS.

400.3 THE HEIGHT OF ACCESSORY BUILDINGS, EXCEPT AS NOTED IN SECTION 300 SHALL NOT EXCEED 15 FEET.

PLAN TO ACCOMPANY A PETITION FOR AN ADMINISTRATIVE VARIANCE OF THE

FAUER PROPERTY

2506 CAVES ROAD
Deed Ref: S.M. No. 22413 folio 469
Tax Account No.: 04-08-080960
Zoned R.C. 2
Tax Map 59; Grid 7; Parcel 85
4th ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

11/4/05

Scale: 1"=50' Date: OCTOBER 3, 2005

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE
SHOW HISTORIC DISTRICT LINE AND REVISE NOTE 12	11-14-2005

COMPUTED:	DRAWN: SMH	CHECKED:	FILE:X:\FAUER\ZONEplan.pro