

IN RE: PETITION FOR ADMIN. VARIANCE \*  
East side of Seneca Gardens Road, adjacent \*  
to the Seneca Creek \*  
15<sup>th</sup> Election District \*  
6<sup>th</sup> Councilmanic District \*  
(731 Seneca Gardens Road) \*

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Richard S. and Joan H. Schaffer  
*Petitioners*

\* CASE NO. 06-541-AV

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Richard S. and Joan H. Schaffer. The variance request is for property located at 731 Seneca Gardens Road in the Bowleys Quarters area of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R), to allow a replacement accessory structure (detached garage) with a height of 25 feet in lieu of the maximum 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The existing accessory structure (detached garage) is presently 15 feet high and has an existing sunroom measuring 10 feet by 14 feet. Petitioner states the purpose of raising the garage roof higher is to permit additional storage.

Zoning Advisory Committee Comments

A Zoning Advisory Committee (ZAC) comment was received from the Office of Planning, dated May 22, 2006 which recommended certain restrictions. A comment was received from DEPRM dated May 24, 2006 which contains certain restrictions.

RECEIVED FOR FILING  
5-26-06  
[Signature]



**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 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 having filed a Petition for Administrative Variance and the subject property having been posted on May 6, 2006, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner have filed the supporting affidavits and photographs 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.

FILED  
5-26-06  
JF

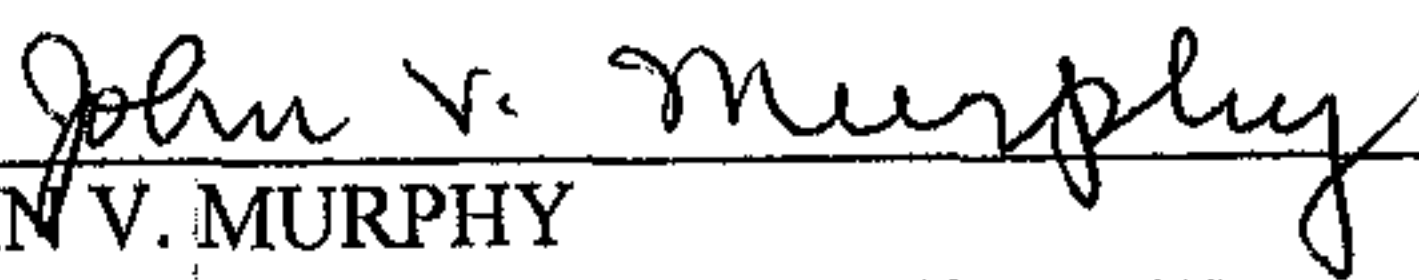


Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be GRANTED.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 26<sup>th</sup> day of May, 2006, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an existing accessory structure (detached garage) to raise the existing garage 10 feet to a proposed total height of 25 feet in lieu of the maximum 15 feet.

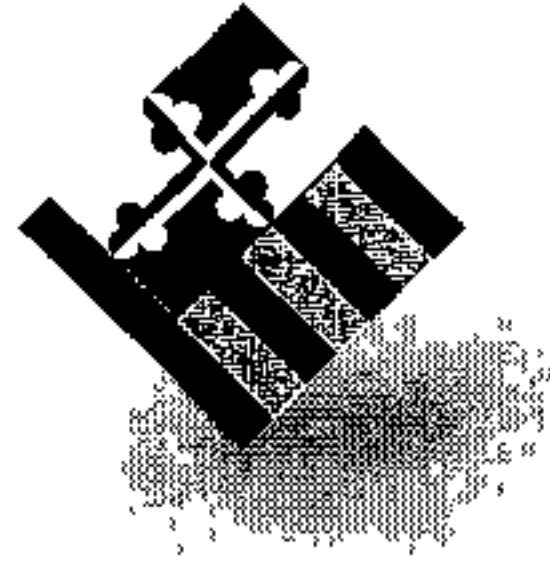
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).
3. Development of this property must comply with Limited Development Area (LDA) regulations which state that impervious surfaces are limited to 25% of the lot or up to a maximum of 31.25% with mitigation. Must also contain a minimum of 15% tree cover. Any encroachment into the 100-foot buffer of Seneca Creek also requires mitigation.
4. 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.
5. The accessory structure shall not be used for commercial purposes.

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

  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

JVM:pz





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

WILLIAM J. WISEMAN III  
*Zoning Commissioner*

May 25, 2006

RICHARD S AND JOAN H. SCHAFER  
731 SENECA GARDENS ROAD  
BALTIMORE MD 21220

Re: Petition for Administrative Variance  
Case No. 06-541-AV  
Property: 731 Seneca Gardens Road

Dear Mr. and Mrs. Schaffer:

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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy  
Deputy Zoning Commissioner

JVM:pz  
Enclosure

RECEIVED FOR FILING  
5-26-06



CBCA

FLOOD



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 731 Seneca Gardens Road  
which is presently zoned DR-5.5

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 To allow a replacement accessory structure (detached garage) with a height of 25 ft in lieu of the maximum allowed 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:

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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 5-26-06 day of May 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.

## Legal Owner(s):

Richard S. Schaffer Sr.

Name - Type or Print

Signature

Joan H. Schaffer

Name - Type or Print

Signature

731 Seneca Gardens Rd

410-335-8478

Address

Baltimore, Md

21220

City

State

Zip Code

## Representative to be Contacted:

Joan H. Schaffer

Name

731 Seneca Gardens Rd

410-335-8478

Address

Baltimore Md

21220

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 06-541A

REV 10/25/01

Reviewed By [Signature] Date 4-26-06

Estimated Posting Date 5-7-06



# 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 731 Seneca Gardens Road  
Address  
Baltimore 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):

1. Raise Existing Garage an additional 10 feet  
to a Total of 25 feet in height. For Storage

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.

Richard S. Schaffer Sr.  
Signature  
Richard S. Schaffer Sr.  
Name - Type or Print

Joan H. Schaffer  
Signature  
Joan H. Schaffer  
Name - Type or Print

-----  
**STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:**

**I HEREBY CERTIFY**, this 25 day of April, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

**AS WITNESS** my hand and Notarial Seal

Leah M. Cummings  
Notary Public  
My Commission Expires Sept. 15, 2008



# 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 731 Seneca Gardens 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):

1 - Raise Existing Garage an additional 10 feet to a total of 25 feet in height. For Storage

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.

Richard S. Schaffer  
Signature  
Richard S. Schaffer  
Name - Type or Print

Joan H. Schaffer  
Signature  
Joan H. Schaffer  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of April, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Sheila M. Cummings  
Notary Public  
My Commission Expires Sept. 15, 2008



CBCA

FLOOD



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 731 Seneca Gardens Rd.  
which is presently zoned DR-5.5

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) 4003 To allow a replacement ACCESSORY STRUCTURE (detached garage) with a height of 25 ft. in lieu of the maximum allowed 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:

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):

Richard S. Schaffer Sr.

Name - Type or Print

Signature

Joan H. Schaffer

Name - Type or Print

Signature

731 Seneca Gardens Rd

410-

335-8478

Address

Telephone No.

Baltimore

Md

21220

City

State

Zip Code

### Representative to be Contacted:

Joan H. Schaffer

Name

731 Seneca Gardens Rd

410-  
335-8478

Address

Telephone No.

Baltimore

Md

21220

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 06 day of June, 2006, 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. 06-541 A

Reviewed By [Signature] Date 4-26-06

REV 10/25/01

Estimated Posting Date 5-7-06



5-26-06  
B

ZONING DESCRIPTION FOR 731 Seneca Gardens Rd.  
(address)

Beginning at a point on the North East side of  
(~~North, south, east or west~~)  
Seneca Gardens Rd. which is 2420 ft. ± of the  
(name of street on which property fronts) (number of feet of right-of-way width) (number of feet)  
wide at the distance of 2420 ft. ± (north, south, east or west)  
centerline of the nearest improved intersecting street Bowleys Quarters Rd.  
(name of street)  
which is 3 wide. \*Being Lot # 3  
(number of feet of right-of-way width)

Block — Section # — in the subdivision of Seneca Gardens  
(name of subdivision)  
as recorded in Baltimore County Plat Book # 7, Folio # 054,  
containing 17,325 sq ft. Also known as 731 Seneca Gardens Rd.  
(square feet or acres) (property address)  
and located in the 15<sup>th</sup> Election District, 6<sup>th</sup> Councilmanic District.  
#541



## BALTIMORE COUNTY, MARYLAND

# OFFICE OF BUDGET & FINANCE

## MISCELLANEOUS RECEIPT

No. 100

124

DATE 5-16-68 ACCOUNT K-C-1-000

## ACCOUNT

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**AMOUNT \$ 60.00**

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# CERTIFICATE OF POSTING

RE: Case No: 06-541-A

Petitioner/Developer: RICHARD S.  
SCHAFER SR.

Date Of Hearing/Closing: 5/22/06

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

Attention:

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  
at 731 SENECA GARDENS RD.

This sign(s) were posted on May 6, 2006  
(Month, Day, Year)

Sincerely,

Martin Ogle 5/6/06  
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

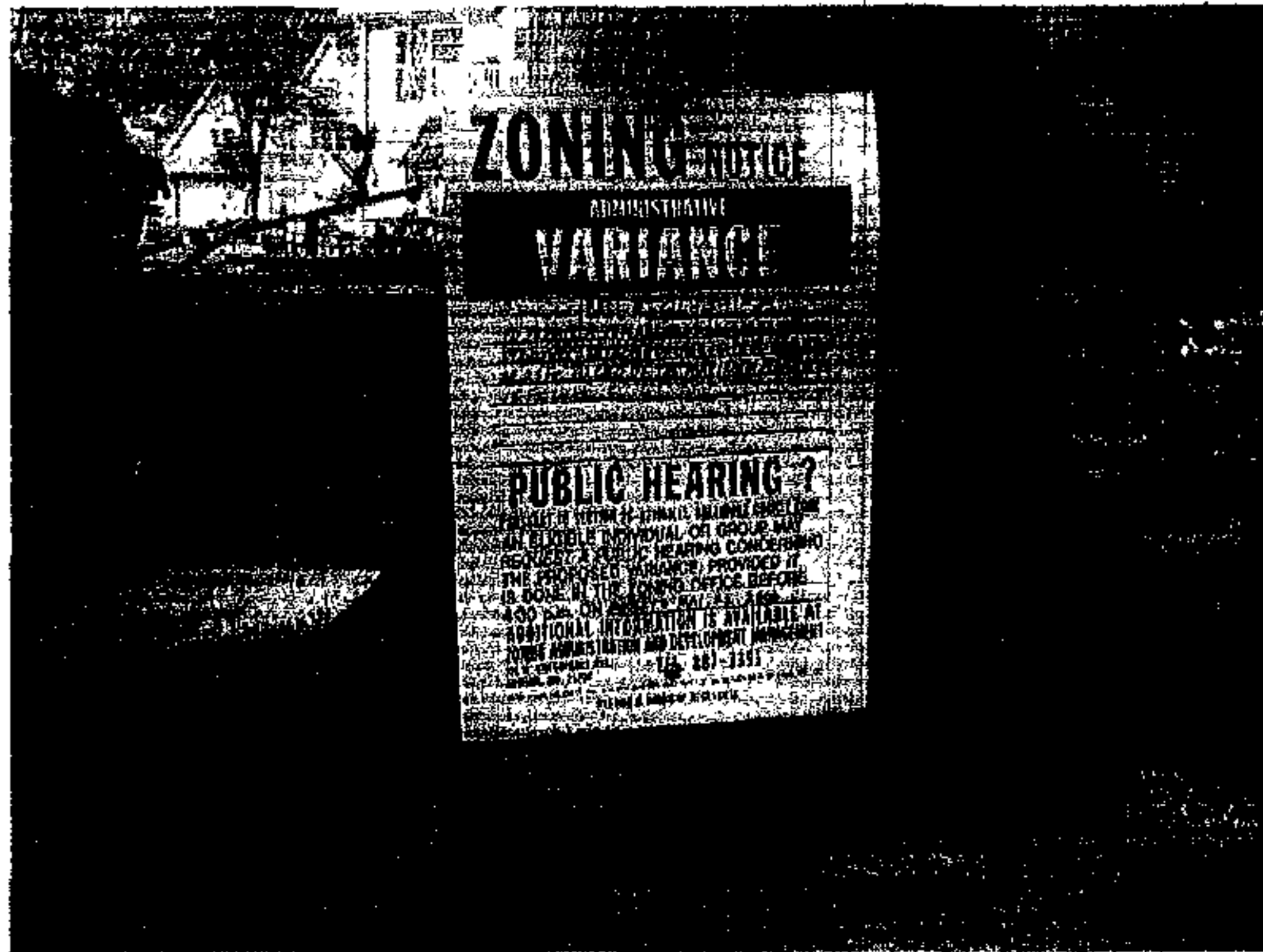
Address

Balto. Md 21220

(443-629 3411)



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*Martin D. 5/6/06*



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 06- 541 -A

Address 731 Seneca Gardens Rd

Contact Person: John Sullivan  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 4-26-06

Posting Date: 5-7-06

Closing Date: 5-22-06

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- 541 -A

Address 731 Seneca Gardens Rd.

Petitioner's Name Richard S. Schaffer SR Telephone 410-335-8478

Posting Date: 5-7-06

Closing Date: 5-22-06

Wording for Sign: To Permit a replacement accessory structure (detached  
garage) with a height of 25 ft. in lieu of the maximum  
permitted 15 ft.

WCR - Revised 6/25/04



**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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 06-541 A  
Petitioner: 731 Seneca Garden Rd.  
Address or Location: Richard S. Schaffer Sr.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same

Address: \_\_\_\_\_

Balto, Md, 21220

Telephone Number: 410-335-8478



**Department of Permits  
Development Management**

Director's Office  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
Tel: 410-887-3353 • Fax: 410-887-5708



**Baltimore County**

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

May 22, 2006

Richard S. Schaffer, Sr.  
Joan H. Schaffer  
731 Seneca Gardens Road  
Baltimore, MD 21220

Dear Mr. and Mrs. Schaffer:

RE: Case Number: 06-541-A, 731 Seneca Gardens Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 26, 2006.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)





## Fire Department

700 East Joppa Road  
Towson, Maryland 21286-5500  
Tel: 410-887-4500



## Baltimore County

*James T. Smith, Jr., County Executive*  
*John J. Hohman, Chief*

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

May 8, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: May 15, 2006

Item Numbers: 537 thru 557

541

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

Lieutenant Roland P Bosley Jr.  
Fire Marshal's Office  
410-887-4881 (C) 443-829-2946  
MS-1102F

cc: File

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



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

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

Maryland Department of Transportation

Date: 5.5.06

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

RE: Baltimore County  
Item No. 541 JJS

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

My telephone number/toll-free number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.marylandroads.com](http://www.marylandroads.com)



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** May 17, 2006

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

**SUBJECT:** 6-541 – Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 19 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.

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

**Prepared by:**

*Curles Murray*

**Section Chief:**

*John J. [Signature]*

AFK/LL: CM

1519 MAY 19

MAY 21 2006

2006 MAY 21 10:10 AM



**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 12, 2006

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 15, 2006  
Item No. 541

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 feet.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the *Baltimore County Building Code* must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 541-05102006.doc



# BALTIMORE COUNTY, MARYLAND

## Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Jeff Livingston – DEPRM Development Coordination

DATE: May 24, 2006

SUBJECT: Zoning Item # 06-541  
Address 731 Seneca Gardens Road  
May 8, 2006

RECEIVED

MAY 24 2006

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of 5/8/2006

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

### Additional Comments:

Must comply with Limited Development Area (LDA) regulations which state that impervious surfaces are limited to 25% of the lot or up to a maximum of 31.25% with mitigation. Must also retain a minimum of 15% tree cover. Any encroachment into the 100-foot buffer of Seneca Creek also requires mitigation.

Reviewer: Martha Stauss, EIR

Date: May 18, 2006



FOR ZC's  
File

To Baltimore County

I have seen the plans the Schaffer's have to raise their roof on the Garage an additional 10 feet . I do not have any problems with that at all . It does not interfere with my view of the water, which is the most important thing to me . I can't see that it would bother me in any way .

Thank You ,  
Betty Brunnett

Betty Brunnett  
733 Seneca Gardens Road  
Baltimore , Maryland 21220

  
Betty Brunnett 4/21/06

SHEILA M. CUMMINGS  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires September 15, 2008

#541



FOR  
ZC's  
File

To whom it may concern at Baltimore County.

We have both looked at the plans for the Schaffer's to raise their garage. We do not have any problems with them at all. They do not block our view of the water and we can't see that it would put any undo hardship on us at all.

Michael & Susan Acosta  
729 Seneca Gardens Road  
Baltimore , Maryland 21220  
April 20 , 2006

 4.20.06

Michael Acosta    Date

 4-20-06

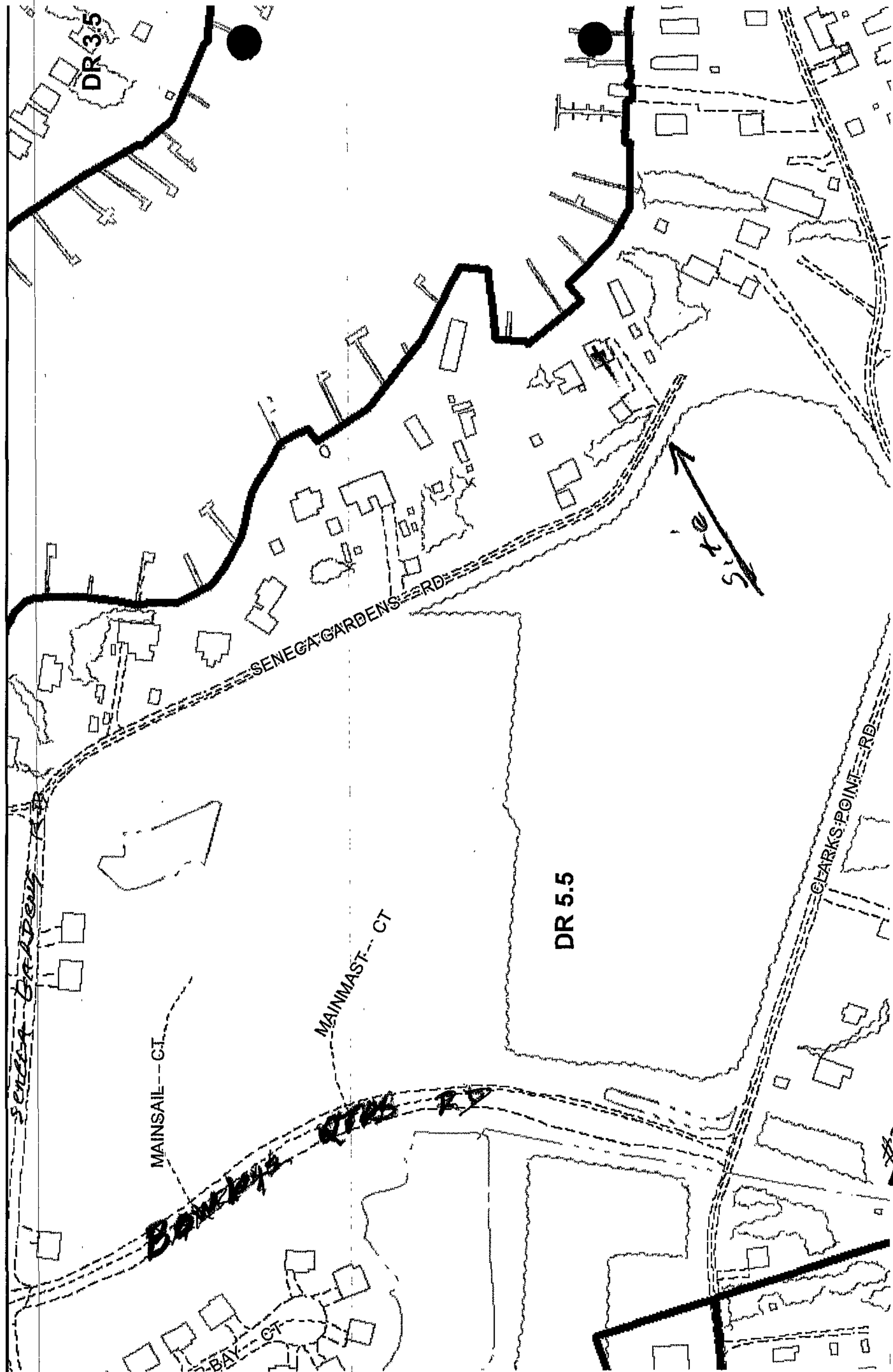
Susan Acosta    Date

SHEILA M. CUMMINGS  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires September 15, 2008

# 541



MAP # 091B3





PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

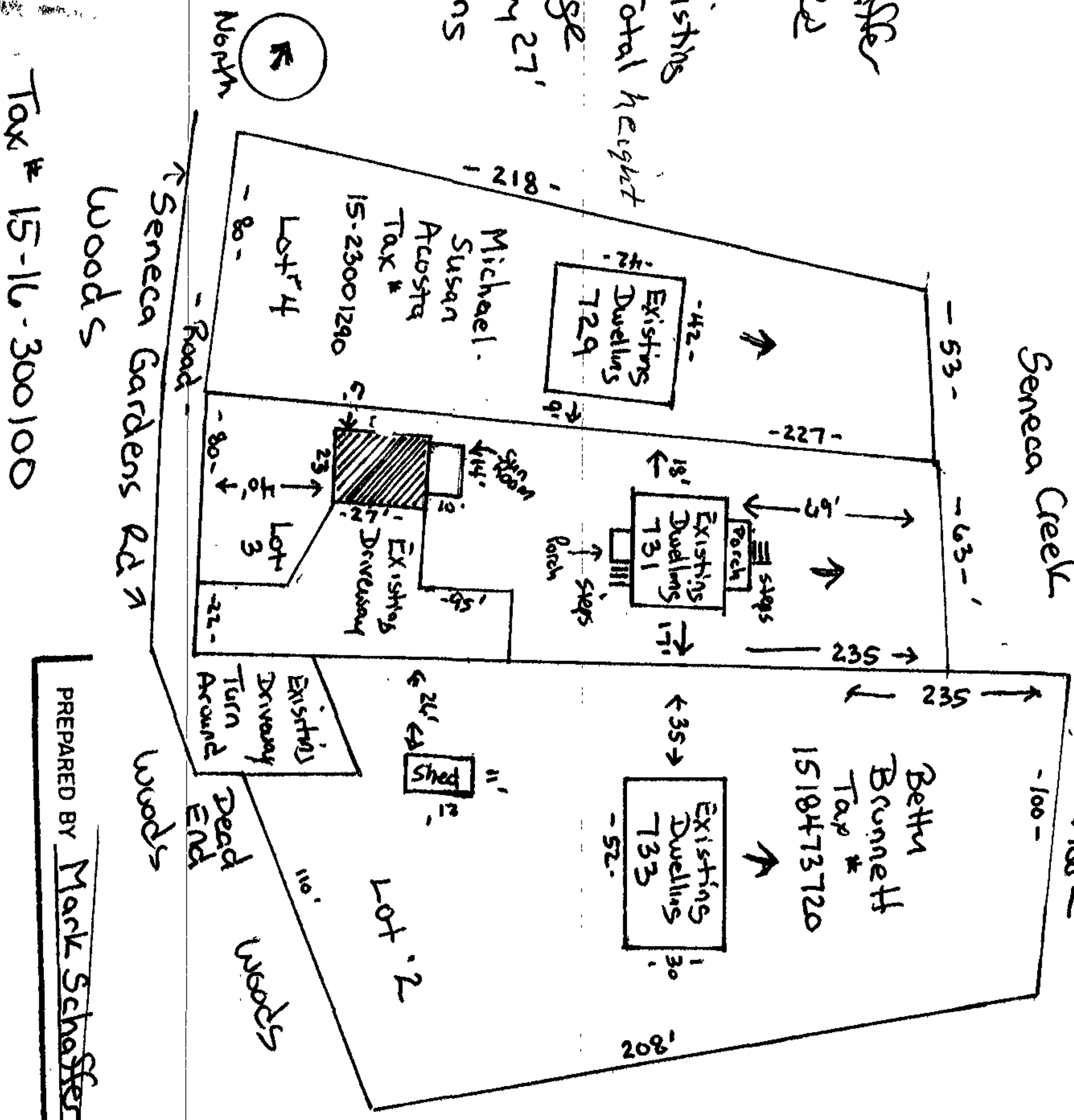
PROPERTY ADDRESS 731 Seneca Gardens Rd SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Boulevards Quarters

PLAT BOOK # 7 FOLIO # 54 LOT # 1 SECTION # 1

OWNER Richard & Joan Schaffer

Richard - Joan Schaffer  
731 Seneca Gardens Rd  
Tax # 15-K-300100  
Asking to Raise Existing  
Garage 10' to 25' Total height  
For Additional Storage  
Existing Garage 23' by 27'  
Garage has a Existing  
Sun Room 10' by 14'



Tax # 15-K-300100

**VICINITY MAP**  
SCALE: 1" = 1000'

**LOCATION INFORMATION**  
ELECTION DISTRICT 1544  
COUNCILMANIC DISTRICT 644  
1" = 200' SCALE MAP # NE 3-K  
ZONING: D.R. - 5.5  
LOT SIZE - 0.397 17,325  
ACREAGE SQUARE FEET  
SEWER ☒ PUBLIC ☐ PRIVATE  
WATER ☒ ☐  
CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO  
100 YEAR FLOOD PLAIN ☒ ☐  
HISTORIC PROPERTY/BUILDING ☐ ☒  
PRIOR ZONING HEARING ☐

**ZONING OFFICE USE ONLY**  
REVIEWED BY ITEM # CASE # 541

PREPARED BY Mark Schaffer

SCALE OF DRAWING: 1" = 50'



733  
Seneca  
Gardens →



729  
← Seneca  
Gardens

733  
Seneca  
Gardens ↗



↖  
729  
Seneca  
Gardens

Waterview ↗  
731 Seneca Gardens

731  
Seneca  
Gardens Rd ←



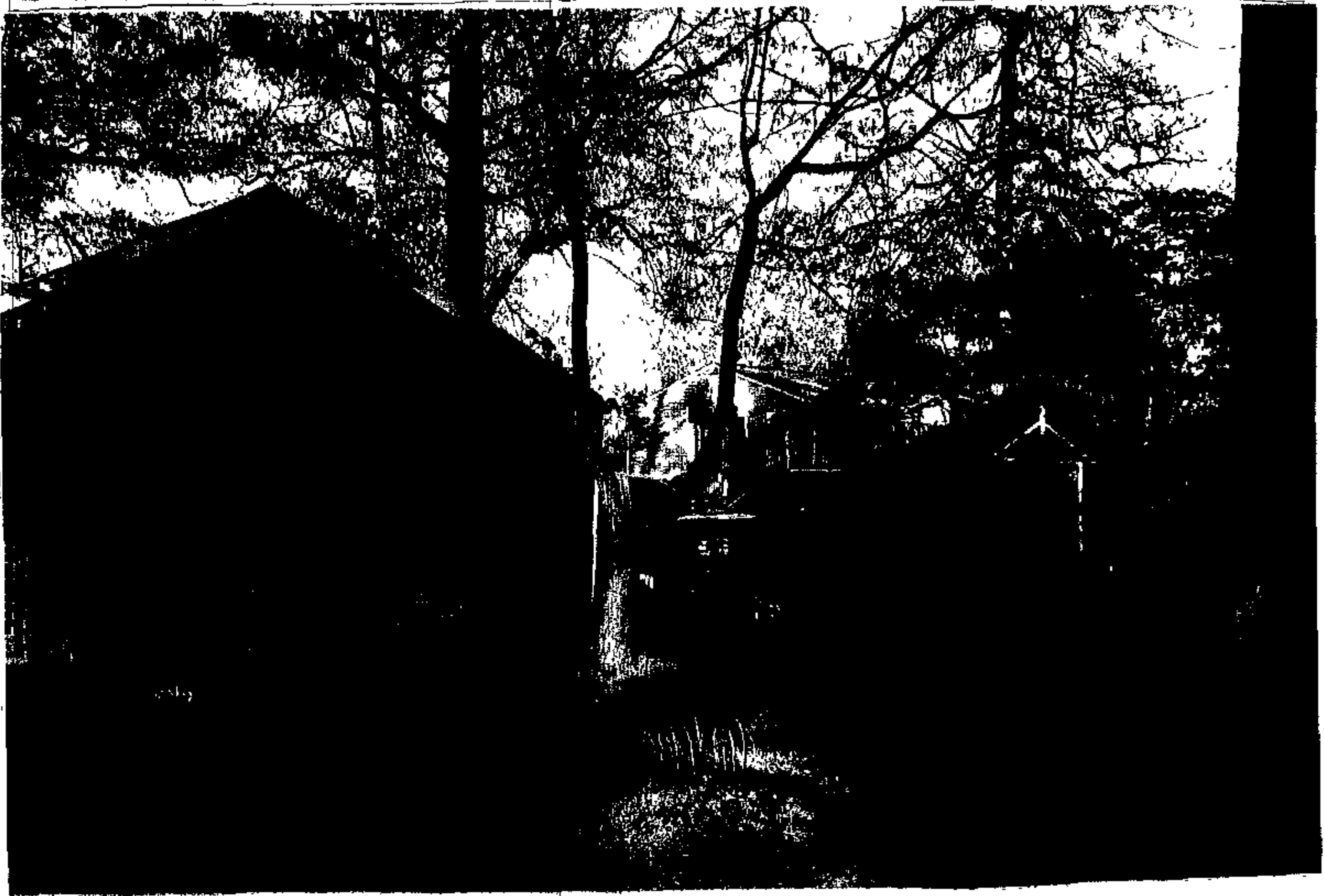
← 729  
Seneca  
Gardens

541

Water View of 731 Seneca Gardens Rd

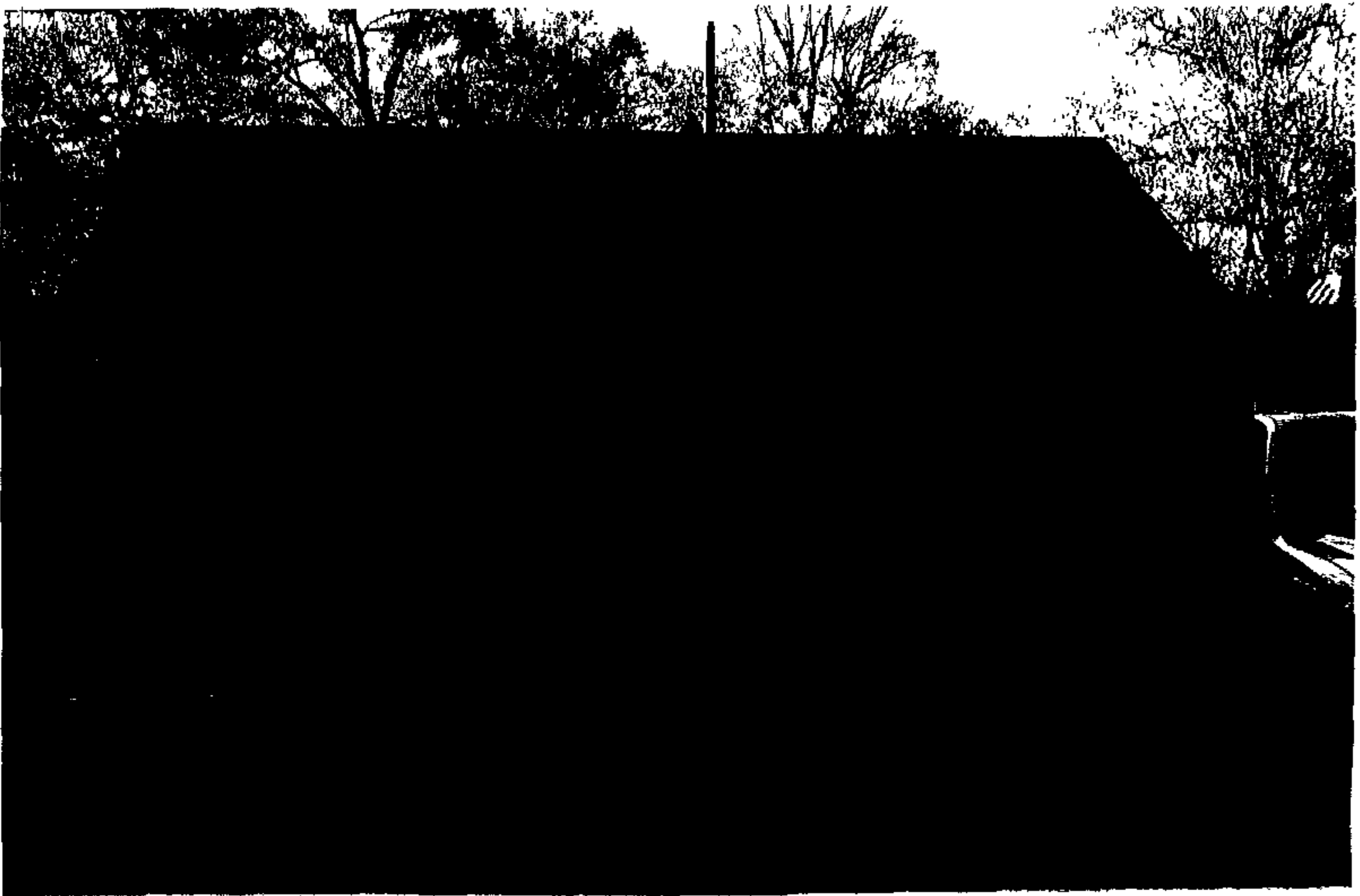


729 →  
Seneca  
Gardens



←  
733  
Seneca  
Gardens

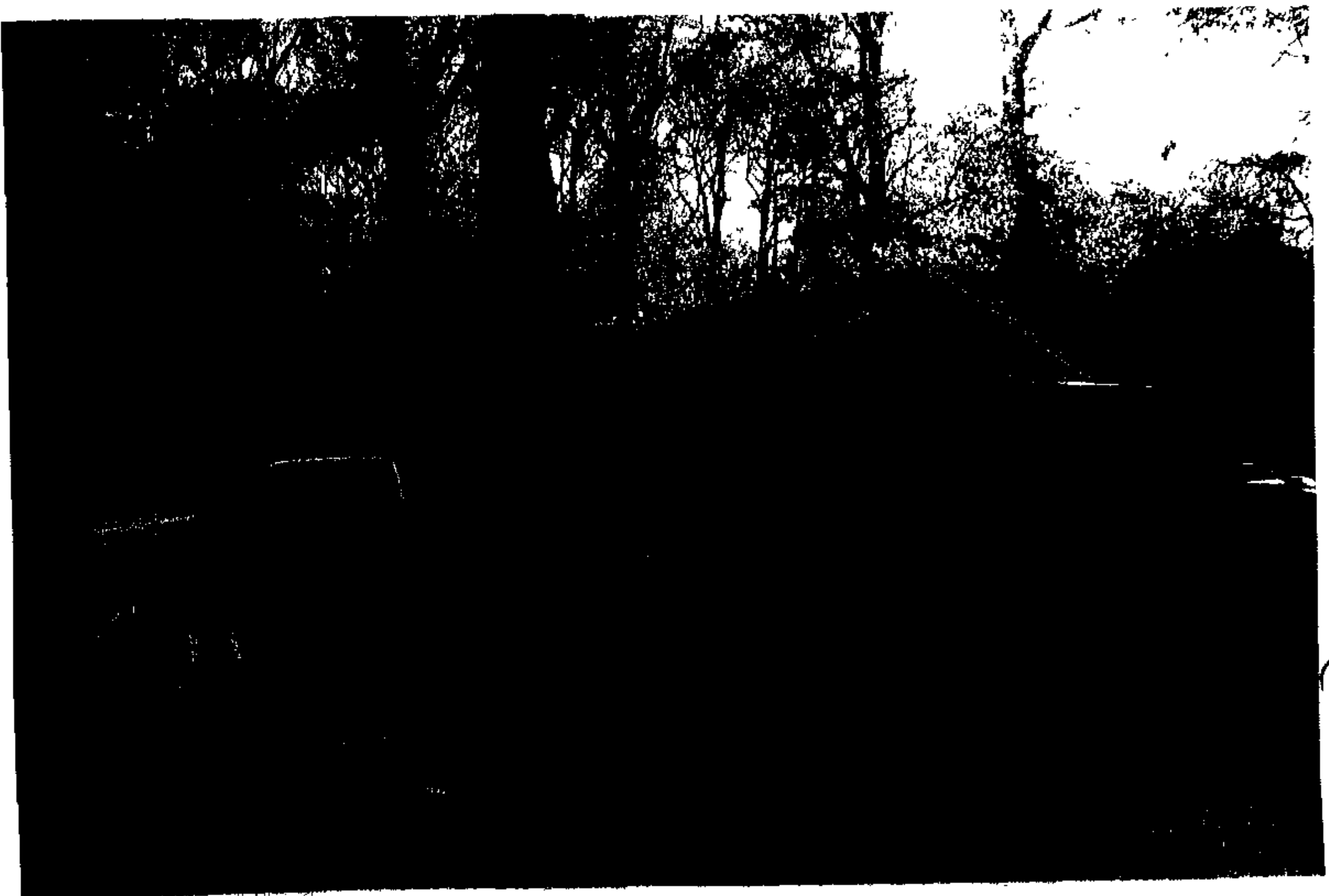
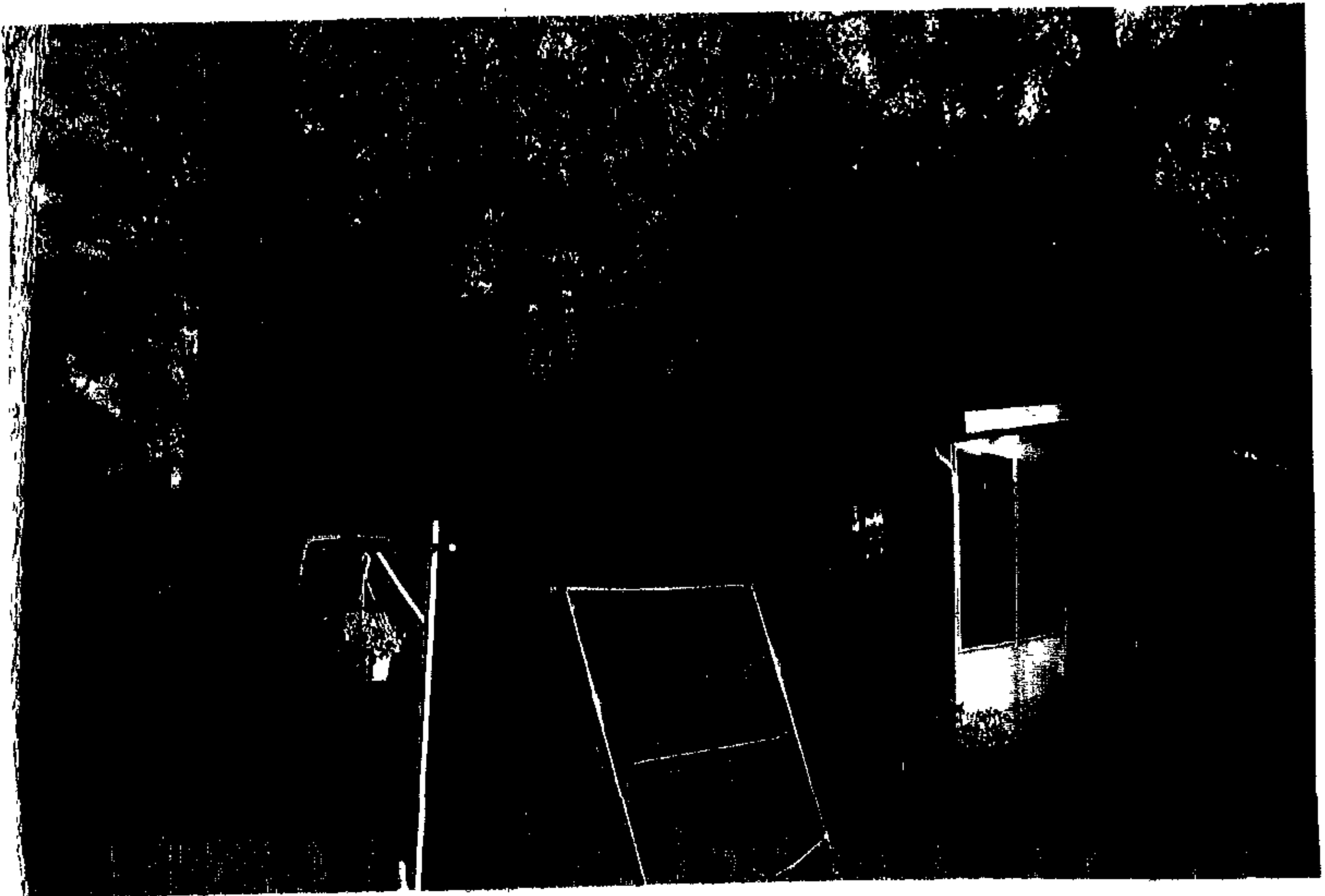
Side View of Garage



#541

Front View of Garage  
731 Seneca Gardens Rd





#541

Sunkroom Side View of Garase  
731 Seneca Gardens Road