IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Schroeder Avenue, 109 feet S of c/l of Gunview Farm Court 11th Election District 5th Councilmanic District (3898 Schroeder Avenue)

Karl Vernon and Susan Jeanne Von Lindenhe

Karl Vernon and Susan Jeanne Von Lindenberg

Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 08-044-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Karl Vernon and Susan Jeanne Von Lindenberg for property located at 3898 Schroeder Avenue. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (proposed 2-story detached garage) with a height of 20 feet 6 inches in lieu of the maximum height of 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners state that the existing home is small with limited storage. The proposed detached garage will serve multiple purposes. The first level will contain the garage and a workshop, and the second floor will have storage and exercise areas. The proposed garage measures 24 feet x 32 feet in size.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: Comments were received from the Office of Planning dated August 15, 2007 and received September 19, 2007 which does not oppose the Petitioners' request. The comment indicates that due to the close proximity of the garage to adjacent dwellings, all existing vegetation on the site shall remain. The comment indicates further that the accessory structure shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

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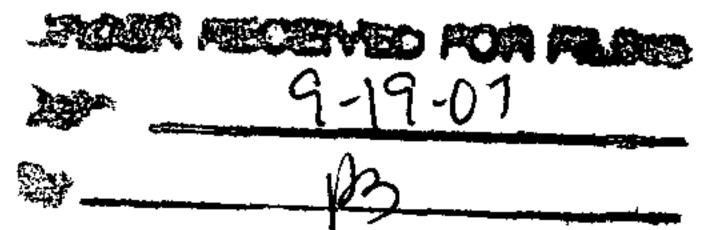
The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 5, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have 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, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of September, 2007 that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory building (proposed 2-story detached garage) with a height of 20 feet 6 inches in lieu of the maximum height of 15 feet be and is hereby GRANTED, subject to the following:

- 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. 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.
- 3. The accessory structure shall not be used for commercial purposes.
- 4. Submit elevation drawings of the proposed garage to the Office of Planning for review and approval.



5. Due to the close proximity of the garage to adjacent dwellings, all existing vegetation on the site shall remain. Provide limits of disturbance showing how the existing trees on the north and east sides of the site will be retained.

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 20, 2007

KARL VERNON AND SUSAN JEANNE VON LINDENBERG 3898 SCHROEDER AVENUE PERRY HALL MD 21128

Re: Petition for Administrative Variance
Case No. 08-044-A

Property: 3808 Schroeder Avenue

Property: 3898 Schroeder Avenue

Dear Mr. and Mrs. Von Lindenberg:

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,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

paneaus order

IN RE: PETITION FOR ADMIN. VARIANCE NE/S of Schroeder Avenue, 109 ft. S centerline of Gunview Farm Court 11th Election District 3rd Councilmanic District (3898 Schroeder Avenue)

Susan & Karl V. Von Lindenberg Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 05-149-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Susan and Karl V. The administrative variance is requested for property located at 3898 Von Lindenberg. Schroeder Avenue in Baltimore County. The administrative variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory building (shed) with a height of 19 ft. in lieu of the maximum 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 Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 2, 2004, 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: None.

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 Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) 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 Petitioners.

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 ____ day of October, 2004, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a proposed accessory building (shed) with a height of 19 ft. in lieu of the maximum 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 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. The shed shall be limited to uses accessory to the residential use of the property. It shall not be used to support a business or for commercial purposes. Moreover, the Petitioners shall not allow or cause the shed to be converted to a second dwelling unit and/or apartment. There shall be no living quarters contained therein, and no kitchen or bathroom facilities;
- 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
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

penius order

IN RE: PETITION FOR SPECIAL HEARING E/S of Schroeder Avenue, 13 ft. N centerline of Gunview Farm Court 11th Election District 5th Councilmanic District (3898 Schroeder Avenue)

Karl and Susan von Lindenberg *Petitioners*

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-527-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owners of the subject property, Karl and Susan von Lindenberg. The Petitioners are requesting a special hearing for a waiver of Public Design Standards to eliminate the construction of curb and gutter and road widening along the frontage of a proposed two-lot minor subdivision.

Appearing at the hearing on behalf of the special hearing request were Karl and Susan von Lindenberg, Paul Nardrett and Sean Schmidt. Appearing as protestants in the matter were Brenda Ward and Dennis Eckard. There were no others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, is located on the north side of Schroeder Avenue, opposite its intersection with Gunview Farm Court. The von Lindenberg's own a house located at 3898 Schroeder Avenue. They are in the process of subdividing their property to create a new lot of record upon which a home may be constructed in the future. At issue in the case is the requirement from the Department of Public Works that the von Lindenberg's set aside an area of their property for the purpose of constructing concrete curbs and gutters, sidewalks, and also widening the paved portion of Schroeder Avenue on their side of that roadway. The von Lindenberg's are requesting relief from this requirement, given the tremendous cost and expense to them, in order to provide these improvements. The von Lindenberg's stated that there are no curbs, gutters and sidewalks

on their side of Schroeder Avenue and that the roadway functions in an acceptable fashion at this time. They, therefore, ask that the special hearing be granted and they not have to provide these improvements. Furthermore, the von Lindenberg's indicated that they are merely proposing to subdivide their property, creating one additional lot. These costs and expenses, given their small-scale development proposal, are exorbitant and would make the subdivision of their property financially unacceptable.

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Appearing in opposition to the Petitioners' request were Brenda Ward and Dennis Eckard. These individuals are residents of the area and are familiar with Schroeder Avenue. They are concerned regarding the narrow width of Schroeder Avenue, the bend in the road and the fact that Schroeder Avenue crests at the property owned by the von Lindenberg's. This area of roadway is shaded by large mature trees and often becomes icy and slippery during the winter months. These citizens ask that Schroeder Avenue be widened in order to provide a safer means of passage for motorists who travel this area.

Additional testimony was provided by Mr. Eckard indicating that the installation of curb, gutter and sidewalks on the side of the von Lindenberg property would not be necessary, given that there are no other such amenities on the northeast side of that roadway. Mr. Eckard opined that providing sidewalks on the von Lindenberg side of Schroeder Avenue would invite pedestrians to cross over the roadway to utilize the sidewalk, which would not be a safe pedestrian maneuver. Therefore, he believes that the special hearing should be granted in a limited fashion so as to not require that sidewalks, curb and gutter be installed by the von Lindenberg's. However, he still would like to see the small amount of road paving installed as shown on Petitioners' Exhibit No. 2, the site plan submitted into evidence.

After considering the testimony and evidence offered at the hearing, I find that the special hearing request filed by these Petitioners should be granted in a limited fashion. After hearing

from the citizens in attendance, I find that it shall not be necessary for the von Lindenberg's to actually construct sidewalks, curbs and gutters on their side of Schroeder Avenue. However, it shall be necessary for them to dedicate to Baltimore County the area of land necessary for such future improvements. In addition, the Petitioners shall be required to provide the widening of Schroeder Avenue, as shown on the site plan submitted. The actual widening area is a small sliver of macadam widening which, at its widest point measures approximately 10 ft. and tapers down to nothing over a distance of approximately 160 ft. The von Lindenberg's shall not be required to perform this road widening until such time as the adjacent property owner excavates and grades the front portion of their property for the installation of a proposed storm drainpipe. The property adjacent to this is being developed as a subdivision of homes known as "Broad Run". The Broad Run developers are required to grade and install a drainpipe across this area of the Petitioners' property. Only after the Broad Run developers install this pipe shall the Petitioners become obligated to perform the road widening. Hopefully, this will lessen the cost and expense to the von Lindenberg's to only have to pay for the macadam paving itself. All other grading and excavation work, in order for Schroeder Avenue to be widened, shall be paid for and accomplished by the adjacent developer of Broad Run and not the von Lindenberg's. Their contribution to this road widening effort shall be limited to only paying for the installation of the macadam.

The Department of Public Works shall take note of this Order and shall take into consideration the findings made herein when approving, reviewing and designing the grading plan submitted by the developers of Broad Run for the installation of the storm drain along this area of the von Lindenberg property. The Department of Public Works shall take into consideration the widening of Schroeder Avenue in the final design of the grading plan for the installation of this drainpipe. This will, in effect, accomplish two goals; that being the

installation of the storm drain and the widening of Schroeder Avenue. Again, this shall be in an

effort to lessen the cost and expense upon the von Lindenberg's.

Having considered the testimony and evidence offered at the hearing and in accordance

with the findings previously made in this Order, I shall grant the relief requested.

THEREFORE, IT IS ORDERED, this ____ day of August, 2002, by the Deputy Zoning

Commissioner for Baltimore County, that the special hearing request to eliminate the

construction of curb and gutter and the installation of sidewalks along Schroeder Avenue, be and

is hereby GRANTED. It shall not be necessary for the von Lindenberg's to make these

improvements.

IT IS FURTHER ORDERED, that the von Lindenberg's shall be required to provide the

necessary macadam paving to accomplish the road widening of Schroeder Avenue on their side

of the roadway, as shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence.

This road widening shall only occur after the developers of "Broad Run", the adjacent residential

subdivision, have graded and installed the storm drainpipe along this same area of the von

Lindenberg property. The grading plan submitted by the developers of "Broad Run" shall

account for and provide the proper grading so that Schroeder Avenue may be widened at the

least expense to Mr. & Mrs. von Lindenberg.+

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty

(30) days of the date of this Order.

TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

| for the property located at | h is presentl | | 21128 |
|-----------------------------|---------------|-----|-------|
| • • • | | DR- | |

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) BCZR E4000

TO PERMIT AN ACCESSORY BUILDING (PROPOSED 2-STORY DETACHED GARAGE) WITH A HEIGHT OF 20'6" IN LIEU OF THE MAXIMUM HEIGHT OF 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.

| Name - Type or Print Address PERRY HALL MARYLAND 211 City State Zip | ies of which |
|--|--|
| Name - Type or Print Signature Signature Address Telephone No. Telephone No. Signature Signature Susan Jeanne von Lindbenbeng Name - Type or Print Signature Susan Jeanne von Lindbenbeng Signature Signature Signature Attorney For Petitioner: Address Telephone Perry Hau Maryanis 211 City State Signature City State Signature Signature City State Signature | |
| Name - Type or Print Signature Signature Address Telephone No. Telephone No. Signature Signature Susan Jeanne von Lindbenbeng Name - Type or Print Signature Susan Jeanne von Lindbenbeng Signature Signature Signature Attorney For Petitioner: Address Telephone Perry Hau Maryanis 211 City State Signature City State Signature Signature City State Signature | |
| Signature Signature Signature SUSAN JEANNE VON LINDENBERG Name - Type or Print Signature Signature Susan Jeanne von Indenber Signature Signature Signature Signature Signature Signature Signature Signature Signature Address FERRY HALL MARYLAND State Signature Signat | ······································ |
| Address Telephone No. Name - Type or Print Attorney For Petitioner: Attorney For Petitioner: Name - Type or Print | <u> </u> |
| City State Zip Code Signature Attorney For Petitioner: Address Telephoner Print Name - Type or Print Signature Signature Address AVE. (410)254- Repry Hall Maryland 211 City State Zignature City State | er 9 |
| Name - Type or Print Address PERRY HALL MARYLAND 211 City State Zig | |
| Name - Type or Print PERRY HALL MARYLAND 211 City State Zip | |
| Name - Type or Print City State Zig | hone No. |
| Danvagantativa ta ha Cantantado | Zip Code |
| Signature Representative to be Contacted: | |
| Company | |
| Address Telephone No. Address Telephon | one No. |
| City State Zip Code City State Zip | ip Code |
| A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore of this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County | County, ne zoning |
| CASE NO. 08-044-A Reviewed By Aaron Tsin Date 07/24/200 | |
| REV 10/25/01 Estimated Posting Date 06/05/07 8/20/32 | <u>30'/</u> |

Affida Vit in Support of Administrative Variance

Address

That the Affiant(s) does/do presently reside at

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.

3898 SCHROEDER AVE.

21128

| | City | | State | Eip Cook |
|--|--------------------------------------|---------------------------------|----------------------|-------------------------|
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| STATE OF MARYLAND, COUNTY OF BALT | rimore, to wit: | | | |
| I HEREBY CERTIFY, this 19th day of of Maryland, in and for the County aforesaid, | personally appea | red . 200 | Z, before me, a Nota | ary Public of the State |
| the Affiant(s) herein, personally known or sati | sfactorily identifie | d to me as such A | Affiant(s). | |
| AS WITNESS my hand and Notarial Seal | | ma MI | Want tolk | |
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| REV 10/25/01 | My C | Commission Expire | s <u>9-1-01</u> | |
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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County 3898 SCHROEDER AVE.

for the property located at <u>PERRY HALL</u>, MD. 21128
which is presently zoned <u>DR-2</u>

I/We do solemnly declare and affirm, under the penalties of

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) BCZR & 400.3

TO PERMIT AN ACCESSORY BUILDING (PROPOSED 2-STORY DETACHED GARAGE) WITH A HEIGHT OF 20'6" IN LIEU OF THE MAXIMUM HEIGHT OF 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.

| REV 10/25/01 | 9-1 | 9-07 Est | mated Posting Date | 00/03/0/ | F-01.00 |
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| CASE NU. | 3-044- | Rev | iewed By Aaron 15 | Date Date | 145/2000 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |
| A Public Hearing having been this day of regulations of Baltimore County | , tha | it the subject matter of t | his petition be set for a publ | ic hearing, advertised as re | guited by the zoning |
| City | State | Zip Code | Cîty | State | Zip Code |
| Address | | Telephone No. | Address | | Telephone No. |
| Company | | | Name | | |
| Signature | | | Representative | to be Contacted: | |
| Name - Type or Print | | | | State | Zip Code |
| | | | Address 7-ERRY HALL City | L MARYLAND | Telephone No. 21128 |
| Attorney For Petition | er: | | 3898 SCHROO | EDGR AVE. (410 |) 256-4786 |
| City | State | Zip Code | Signature Signature | anne von | the Jewag |
| Address | | Telephone No. | Name - Type or Print | | f. 1 1. |
| Signature | · · · · · · · · · · · · · · · · · · · | · | Signature Susan Jean | NE VON LINDEN | PEN /2 |
| Name - Type or Print | | | Name - Type or Print | man Leine | |
| | | • | KARL VERN | ion von Linde | NBERG |
| Contract Purchaser/L | .essee: | | Legal Owner(s) | | |
| | | | perjury, that I/we are is the subject of this | the legal owner(s) of the Petition. | e property which |

Hicks Engineering Associates, Inc.

200 East Joppa Road, Suite 402
Towson, Maryland 21286-3160

/410/494-0001

Facsimile: /410/821-8890

08-044A

FOR
NO. 3898 SCHROEDER AVENUE
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING at a point on the northeasternmost side of Schroeder Avenue, as planned as a fifty-feet wide right of way, at the distance of 109 feet, more or less, south of the centerline of Gunview Farm Court, fifty-feet wide right of way, thence leaving said point of beginning and running the following courses and distances, and referring to the North American Datum, 1983, to describe the said parcel;

- 1) North 54° 33' 37" East 170.07 feet, thence
- 2) South 28° 37' 23" East 94.15 feet, thence
- 3) South 32° 55' 00" West 165.09 feet to a point on the said northeasternmost side of Schroeder Avenue, thence running with the northeasternmost side,
- 4) North 45° 48' 23" West 61.90 feet, thence continuing along the northeasternmost side,
- 5) 85.22 feet along a curve to the right having a radius of 355.00 feet, thence
- 6) North 26° 10' 23" West 6.08 feet to the Point of Beginning.

CONTAINING 0.47 acres of land more or less

BEING known as Lot 1, No. 3898 Schroeder Avenue, as shown on a plat of minor subdivision of the Von Lindnberg Property, recorded among the Baltimore County Land Records Office in plat book SM 1 folio 271.

HICKS ENGINEERING ASSOCIATES, INC.

June 21,2004

| BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET AND FINANCE MISCELLANEOUS RECEIPT MISCELLANEOUS RECEIPT MISCELLANEOUS RECEIPT Detail Color State | | | | n ' mag n ' mag n ' mag n ' mag ' n ' | | and the first of the second se | | | | r verska erlegen den de f | | 15 man 15 m | • | | • |
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| | RE: Case No.: <u>CB-044-A</u> |
|--|---|
| • | Petitioner/Developer: |
| | KARI VERNOW YOU LENOURSENCE |
| | Date of Hearing/Closing: 8/20/07 |
| Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204 | |
| Attention: | |
| Ladies and Gentlemen: | |
| were posted conspicuously on the proper | |
| The sign(s) were posted on | 8/5/07 |
| | (Month, Day, Year) |
| ZONING NOTICE ZONING NOTICE OPENISTRATIVE VARIANCE CASE # DB-DAA-A PPORTING AN ARRESTMENT OF A STANDAR (FINANCE) PROBLEM HE RETURN TO-UTENTH, RATERIOR COURT COOK, IN STANDARD METERINA, AN COOP MEN IN SECOND METERINA TO STANDARD CONSTRUCTION IN SECOND METERINA OF CONSTRUCTION THE SECOND METERINA OF CONSTRUCTION THE SECOND METERINA OF CONSTRUCTION THE SECOND METERINA OF CONSTRUCTION SECOND METERINA OF CONSTRUCTION THE SECOND METERINA OF CONSTRUCTION SECOND METERINA OF THE SECOND OF CONSTRUCTION SECOND METERINA | Sincerely, Sincerely, (Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TON, MO 21047 |
| HE WEST CHE SAFETY AND THE SECRETARY OF | (City, State, Zip Code) |

(Telephone Number)

3898 SCHROEDER AVE POSTED 8/5/07 0/2021 EBRIL 8/5/07

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

| 01 |
|---|
| Case Number 07- 044 -A Address 3898 SCHRIEDER AVE 21128 |
| Contact Person: ARON TSUI Planner, Please Print Your Name Phone Number: 410-887-3391 |
| Filing Date: $07/25/200$ Posting Date: $08/05/0$ Closing Date: $08/20/0$ |
| 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. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date. |
| ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail. |
| 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 |
| OF USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT |
| Case Number 87- 044 -A Address 3898 SCHROEDER AVE |
| Petitioner's Name KARL VERNOW VON LINDERBERG Telephone 410-256-4784 |
| Posting Date: <u>8/5/07</u> Closing Date: <u>8/20/07</u> |
| Wording for Sign: To Permit AN ACCESSURY BUILDING (PROPOSED 2 STURY |
| DETACHED GARAGE) WITH A HEIGHT OF 20'6" IN LIEU OF THE |
| MAXIMUM HEIGHT OF 15 FEET. |
| |



JAMES T. SMITH, IR. County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

August 21, 2007

Karl Vernon Von Lindenberg Susan Jeanne Von Lindenberg 3898 Schroeder Avenue Perry Hall, Maryland 21128

Dear Mr. and Mrs. Von Lindenberg:

RE: Case Number: 08-044-A, 3898 Schroeder Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 24, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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,

U. Calliball

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 15, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

8-044- Administrative Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 20.6 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

- 1. Due to the close proximity of the garage to adjacent dwellings, all existing vegetation on the site shall remain. Provide limits of disturbance showing how the existing trees on the north and east sides of the site will be retained.
- 2. Submit elevations of the proposed garage to the Office of Planning for review and approval.
- 3. 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.
- 4. The accessory structure shall not be used for commercial purposes.

you Toublein

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

Prepared by:

Section Chief:

AFK/LL: CM





Patricia Zook - Administrative Variance cases - Planning comments needed

From:

Patricia Zook

To:

Murray, Curtis

Date:

9/18/2007 4:05 PM

Subject: Administrative Variance cases - Planning comments needed

Curtis -

We need Planning comments for the following administrative variance cases:

08-071-A, closed 9-3

08-066-A, closed 9-3

08-056-A, closed 8-27

(08-044-A, closed 8-20)

Patti Zook **Baltimore County** Office of the Zoning Commissioner 410-887-3868 pzook@baltimorecountymd.gov





Patricia Zook - Administrative Variance cases - Planning comments needed

From:

Patricia Zook

To:

Murray, Curtis

Date:

9/5/2007 12:06:10 PM

Subject: Administrative Variance cases - Planning comments needed

Curtis -

We need comments from Planning for the following administrative variance cases:

08-012-A, closed 7-30

08-035-A, closed 8-13

08-052-A, closed 8-20

08-044-A, closed 8-20

08-051-A, closed 8-20

08-058-A, closed 8-27

08-056-A, closed 8-27

Thanks for your help.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 410-887-3868 pzook@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: August 1, 2007

OT:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 6, 2007

Item Nos. 08-035, 036, 037, 038, 039, 040, 041, 043, 044, 046, 048 and 051

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS-08062007.doc



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JULY 31, 2007

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

RE: **Baltimore County**

Item No. 8-44-A 3898 SCHROEDER AVENUE LINDENBERG PROPERTY

ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-44-4.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours.

A Steven D. Foster, Chief ()
Engineering Access Permits

Division

SDF/MB



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

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

August 2, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 30, 2007

Item Number: 035,036,037,038,039,040,041,043,044,046,047,048,050,051

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

| TO: | Timothy M. Kotroco, Director Department of Permits and Development Management | DATE: August 15, 2007 | | | | | |
|--------------------|--|---|--|--|--|--|--|
| FROM: | Arnold F. 'Pat' Keller, III Director, Office of Planning | DECEIVED SEP 1 9 2007 | | | | | |
| SUBJEC | T: 8-044- Administrative Variance | BY: | | | | | |
| (garage) | ce of Planning does not oppose the petitioner's with a height of 20.6 feet in lieu of the mag conditions are met: | • • | | | | | |
| th | to the close proximity of the garage to adjact the site shall remain. Provide limits of disturbant orth and east sides of the site will be retained. | | | | | | |
| | ubmit elevations of the proposed garage to pproval. | the Office of Planning for review and | | | | | |
| a | he petitioner or subsequent owners shall not co dwelling unit or apartment. The structure shall rea, kitchen or bathroom facilities. | | | | | | |
| 4. T | 4. The accessory structure shall not be used for commercial purposes. | | | | | | |
| For furth 410-887- | er information concerning the matters stated last 3480. | nerein, please contact Donnell Zeigler at | | | | | |
| Prepare | d by: | | | | | | |
| Section (| Chief: | | | | | | |

C:\Documents and Settings\pzook\Local Settings\Temp\8-044.doc

AFK/LL: CM

From:

Curtis Murray

To:

Zook, Patricia

Date:

9/19/2007 12:48:49 PM

Subject:

Re: Administrative Variance cases - Planning comments needed

Patti see attached

Curtis J. Murray
Development Planner
Baltimore County Office of Planning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
410-887-3480
Fax: 410-887-5862
cjmurray@co.ba.md.us

>>> Patricia Zook 09/18/07 4:05 PM >>> Curtis -

We need Planning comments for the following administrative variance cases:

08-071-A, closed 9-3 08-066-A, closed 9-3 08-056-A, closed 8-27 08-044-A, closed 8-20

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

08-044-4 PART OF ZONING MAP NE 12 H 5CALE: 1"= 200' SITE 0 N 46,000 D.R. 2 1 45,000

