

IN RE: PETITION FOR ADMIN. VARIANCE

SE of Bletzer Road, 15 feet NW of c/l
of Raymond Avenue
15th Election District
7th Councilmanic District
(8101 Bletzer Road)

William R. and Debbie H. Eichner
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0087-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, William R. and Debbie H. Eichner for property located at 8101 Bletzer Road. The variance request is from Section 400.1.d.2 (Policy Manual) and Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a one foot setback in lieu of the required 30 foot setback on a double frontage lot for a garage, and a height of 18 feet in lieu of the permitted 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose to construct a detached garage in the rear of their property.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated October 23, 2008 which indicates that the existing lot is mall. Raymond Avenue is a narrow unpaved private road on which two houses face. However, several garages and high privacy fences also fence on Raymond Avenue. The existing site plan (as originally submitted with the Petition for Administrative Variance) does not show the existing 8 foot x 12 foot shed that exists at the location of the proposed garage. This site plan also shows garage doors facing Bletzer Road instead of Raymond Avenue on which the garage is situated. If this is to be the case, show the

1-9-09
MB

driveway access to the garage. Show a rear elevation with windows or other finished materials so that the neighbors facing the garage will not be fronting on a blank wall. If the doors are intended to open onto Raymond Avenue then the garage should be moved forward so that a vehicle entering from Raymond Avenue can turn into the garage without going onto a neighbor's property. The Planning Office also recommends that the accessory structure 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. Comments were received from the Bureau of Development Plans Review dated October 7, 2008 which indicates that the proposed garage shall be built at least 5 feet away from the property line out of existing easement. Construction is not permitted on easements. Comments were also received from the Department of Environmental Protection and Resource Management (DEPRM) dated November 6, 2008 which indicates that the property must comply with the Chesapeake Bay Critical Area Regulations. This property is located within the Chesapeake Bay Critical Area and is also in a Limited Development Area. Lot coverage may not exceed 2,025 square feet (25% + 500 square feet). There is also a 15% afforestation (tree coverage) requirement that must be met on-site.

On November 5, 2008, a letter was sent to the Petitioners transmitting the Zoning Advisory Committee (ZAC) comments from the Bureau of Development Plans Review and the Office of Planning. The Petitioners were asked to revise the site plan in response to the ZAC comments from the County agencies. On December 23, 2008, the Petitioners submitted their amended site plan depicting the proposed garage with a 5 feet setback instead of the one foot setback. The revised site plan also depicts windows measuring 30 inches x 50 inches on the side of the garage facing Raymond Avenue. The amended site plan also depicts the existing driveway off Bletzer Road being extended to the new detached garage. The proposed garage measures 24 feet x 30 feet

1-9-09
MB

in size. The existing 8 foot x 12 foot shed shall be removed to allow for construction of the new detached garage.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 5, 2008 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 Petitioners. The Petitioners would be unable to construct a detached garage on the property similar to that which is enjoyed by property owners elsewhere in the neighborhood. The subject property is a double frontage lot – the front of the property faces Bletzer Road and the rear of the property faces Raymond Avenue which is a gravel private road or ‘paper’ road. It appears that there are only three double frontage lots in the neighborhood. Petitioners have withdrawn their request to exceed the 15 foot height restriction. With the amended site plan, the Petitioners’ proposal alleviates concerns raised by the Office of Planning and the Bureau of Development Plans Review.

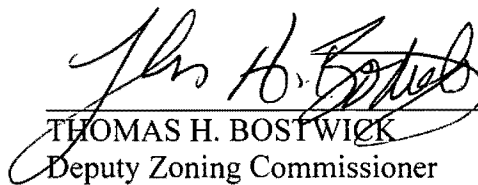
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

RECEIVED FOR PLANNING
1-9-09
[Signature]

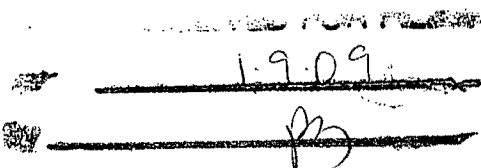
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 9th day of January 2009 that a variance from Section 400.1.d.2 (Policy Manual) and Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 5 foot setback in lieu of the required 30 foot setback on a double frontage lot for a garage be and is hereby GRANTED, subject to the following:

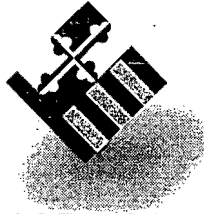
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. 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. This property is located within the Chesapeake Bay Critical Area and is also in a Limited Development Area. Lot coverage may not exceed 2,025 square feet (25% + 500 square feet). There is also a 15% afforestation (tree coverage) requirement that must be met on-site.
4. The Petitioners 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.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

January 9, 2009

WILLIAM R. AND DEBBIE H. EICHNER
8101 BLETZER ROAD
BALTIMORE MD 21222

Re: Petition for Administrative Variance
Case No. 2009-0087-A
Property: 8101 Bletzer Road

Dear Mr. and Mrs. Eichner:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted with conditions 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 dark ink, appearing to read "Thomas H. Bostwick", written over a horizontal line.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8101 Bietzer Rd.
which is presently zoned DR5.5

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) 400.1.d.2 (Policy MANUAL PG. 4-1.1)

TO PERMIT A ONE FT SETBACK IN LIEU OF THE REQUIRED 30ft SETBACK
ON A DOUBLE-FRONTAGE LOT FOR A GARAGE, AND A
HEIGHT OF 18ft IN LIEU OF THE PERMITTED 15ft. (400.3; BCLZ)

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):

William R. Eichner

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Telephone No.

Zip Code

Representative to be Contacted:

Name

Address

City

State

Telephone No.

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 19 day of September 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.



CASE NO. 2009-0087-A

REV 10/25/01

Reviewed By [Signature]

Date 9-25-08

Estimated Posting Date 10/5/08

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 8101 Bletzer Road
Address
Baltimore Md 21222
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. Currently, Raymond Avenue is a 15 feet wide gravel private road that is not improved, nor maintained by either the State, or County. This private road loops back to Bletzer Road. Since the road exists on paper, the code is requiring a 30 foot set back from the Raymond Avenue. This would make it impossible to locate a potential site, since the set back would put the garage in the house, making the garage inaccessible. Other garages in the area are set back 5 feet from Raymond Avenue.

2. In order to be able access both garage doors, the garage needs to be located within 1 foot of the neighboring property line. The shed (which is currently located at the 1 foot line) would be replaced by the Garage.

3. The maximum height that is currently allowed is 15 feet. The proposed 2 post lift for the garage is 11 feet, 10 inches tall. In order to meet the minimum height requirements for the lift, and adding the 4/12 pitch roof, the total height of the garage would measure approximately 17 feet, 6 inches tall.

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.

William R. Eichner
Signature
William R. Eichner
Name - Type or Print

Debbie H. Eichner
Signature
Debbie H. Eichner
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of September, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William R. Eichner and Debbie H. Eichner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Linda A. List
Notary Public
My Commission Expires May 1, 2009

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

8101 Bletzer Road
Address
Baltimore Md 21222
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. Currently, Raymond Avenue is a 15 feet wide gravel private road that is not improved, nor maintained by either the State, or County. This private road loops back to Bletzer Road. Since the road exists on paper, the code is requiring a 30 foot set back from the Raymond Avenue. This would make it impossible to locate a potential site, since the set back would put the garage in the house, making the garage inaccessible. Other garages in the area are set back 5 feet from Raymond Avenue.

2. In order to be able access both garage doors, the garage needs to be located within 1 foot of the neighboring property line. The shed (which is currently located at the 1 foot line) would be replaced by the Garage.

3. The maximum height that is currently allowed is 15 feet. The proposed 2 post lift for the garage is 11 feet, 10 inches tall. In order to meet the minimum height requirements for the lift, and adding the 4/12 pitch roof, the total height of the garage would measure approximately 17 feet, 6 inches tall.

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.

William R. Eichner
Signature
William R. Eichner
Name - Type or Print

Debbie H. Eichner
Signature
Debbie H. Eichner
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of September, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

William R Eichner and Debbie H Eichner
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Linda A. List
Notary Public

My Commission Expires May 1, 2009

ZONING DESCRIPTION FOR 8101 BLETZER RD, BALTIMORE, MD 21222.

Beginning at a point on the southeast side of Bletzer Road which is 30 feet wide at the distance of 15 feet northwest of the centerline of the nearest improved intersecting street, Raymond Avenue which is 15 feet wide.

Being Lot #2, Parcel 171, Grid 2, of Map #104, as recorded in the Baltimore County Plat Book #49, Folio # 78 containing 6,101 Square feet. Also known as 8101 Bletzer Road, and located in the 15th Election District, 7th Councilmanic District.

CERTIFICATE OF POSTING

RE: Case No.: 2009-0087-A

Petitioner/Developer: _____

W. Eichner

Date of Hearing/Closing: Oct20. 08

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

ATTN: 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: _____

8101 Bletzer road _____

The sign(s) were posted on _____ Oct 5 2008
(Month, Day, Year)

Sincerely,

Robert Black Oct 8 08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2009-0087-A

A VARIANCE TO PERMIT A REAR SETBACK OF ONE FT. IN LIEU
OF THE REQUIRED 30 FT. AND A HEIGHT OF 18 FT. IN LIEU OF THE PERMITTED
15 FT.

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 THE REQUEST IS

RECEIVED IN THE ZONING REVIEW BUREAU BEFORE

4:00 P.M. ON 10-20-09

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST MESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0087 -A Address 8101 BLETZER ROAD

Contact Person: J. MERREY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9-25-08 Posting Date: 10/5/08 Closing Date: 10/20/08

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

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0087 -A Address 8101 BLETZER ROAD

Petitioner's Name W. EICHNER Telephone 410-477-1242

Posting Date: 10/5/08 Closing Date: 10/20/08

Wording for Sign: A VARIANCE
To Permit A REARSETBACK OF ONE ft IN LIEU OF
THE REQUIRED 30ft. AND A HEIGHT OF 18ft. IN LIEU OF
THE PERMITTED 15ft.

WCR - Revised 7/7/08

**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.

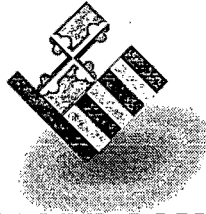
For Newspaper Advertising:

Item Number or Case Number: 0087
Petitioner: William R. Eichner
Address or Location: 8101 Bletzer Rd, Balt. Md. 21222

PLEASE FORWARD ADVERTISING BILL TO:

Name: William R. Eichner
Address: 8101 Bletzer Road
Baltimore, Md. 21222

Telephone Number: 410-477-1242



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
October 20, 2008

William & Debbie Eichner
8101 Bletzer Rd.
Baltimore, MD 21222

Dear: William & Debbie Eichner

RE: Case Number 2009-0087-A, 8101 Bletzer Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 05, 2008. 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 7, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For October 13, 2008
Item No. ~~2009-0087-A~~

The proposed garage shall be built at least 5' away from the property line, out of existing easement. Construction is not permitted on easements.

DAK:CEN:lrk

cc: File

ZAC-ITEM NO-2009-0087-A-10072008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 23, 2008

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

SUBJECT: 8101 Bletzer Road

INFORMATION:

Item Number: 9-087

Petitioner: William Eichner

Zoning: DR 5.5

Requested Action: Administrative Variance

RECEIVED
OCT 24 2008

BY: _____

SUMMARY OF RECOMMENDATIONS:

The existing lot is small. Raymond Avenue is a narrow unpaved private road on which 2 houses face. However, several garages and high privacy fences also face on Raymond Ave.

The existing site plan does not show the existing 8x12 shed that exists at the location of the proposed garage.

The site plan also shows garage doors facing Bletzer Road instead of Raymond Avenue, on which the garage is situated. If this is to be the case, show the driveway access to the garage. Show a rear elevation with windows or other finished materials, so that the neighbors facing the garage will not be fronting on a blank wall.

If the doors are intended to open onto Raymond Avenue then the garage should be moved forward so that a vehicle entering from Raymond can turn into the garage without going onto a neighbors property.

Should the petitioner's request to permit an accessory structure (garage) with a height of 26 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

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

Reviewed by:
AFK/LL: CM

Curtis Gura

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



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

Maryland Department of Transportation

Date: 10/10/2008

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

RE: Baltimore County
Item No 2009-0087-A
8101 BLETZER RD
EICHNER PROPERTY
ADMIN. 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. 2009-0087-A.

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 handwritten signature in dark ink, appearing to read "Michael P. Bailey".

For¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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



BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence****RECEIVED**
NOV 07 2008

BY:.....

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: November 6, 2008

SUBJECT: Zoning Item # 09-087-A
Address 8101 Bletzer Road
(Eichner Property)

Zoning Advisory Committee Meeting of October 6, 2008.

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:

This property is located within the Chesapeake Bay Critical Area (CBCA) and is also in a Limited Development Area (LDA). Lot coverage may not exceed 2,025 square feet (25% +500 square feet). There is also a 15% afforestation (tree coverage) requirement that must be met on-site.

Reviewer: Shawn Krout

Date: 10/23/08



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

November 5, 2008

WILLIAM R. AND DEBBIE H. EICHNER
8101 BLETZER ROAD
BALTIMORE MD 21222

Re: Petition for Administrative Variance
Case No. 2009-0087-A
Property: 8101 Bletzer Road

Dear Mr. and Mrs. Eichner:

Your request for Administrative Variance has been given to me for review. We are in receipt of Zoning Advisory Committee (ZAC) comments from the Bureau of Development Plans Review dated October 7, 2008 that states the proposed garage shall be built at least 5 feet away from the property line out of the existing easement. Construction is not permitted on easements. Comments were also received from the Office of Planning dated October 23, 2008 that specifies the necessary changes to your site plan. I am enclosing copies of these ZAC comments for your review.

Please revise your site plan in response to the ZAC comments from the County agencies. Once I receive your revised site plan and additional information, I can then make my decision and prepare an Order or set the matter in for a public hearing.

Thank you for your attention and cooperation in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Tom H. Bostwick", written over a horizontal line.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

Bill Eichner

8101 Bletzer Road, Baltimore, Md 21222

☎ 410.477.1242

Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County
105 West Chesapeake Avenue
Towson, Md 21204

RECEIVED
DEC 26 2008

BY:.....

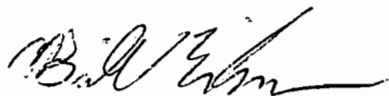
23-Dec-2008

Subject: Petition for Administrative Variance
Case No. 2009-0087-A
Property: 8101 Bletzer Road

Dear Mr. Bostwick,

Enclosed please find the revised site plan per the ZAC recommendations. I am also withdrawing my request to exceed the 15 foot maximum height restriction. I also declare that the garage is not to be used for commercial purposes, nor will it contain any dwelling, or living quarters.

Best regards



Bill Eichner

Enclosure

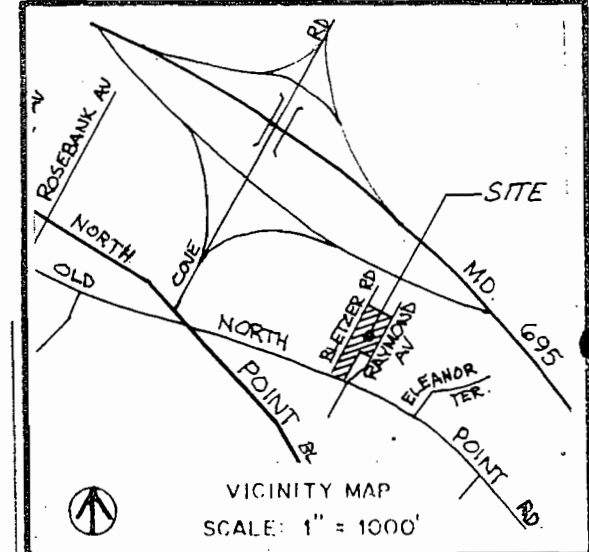
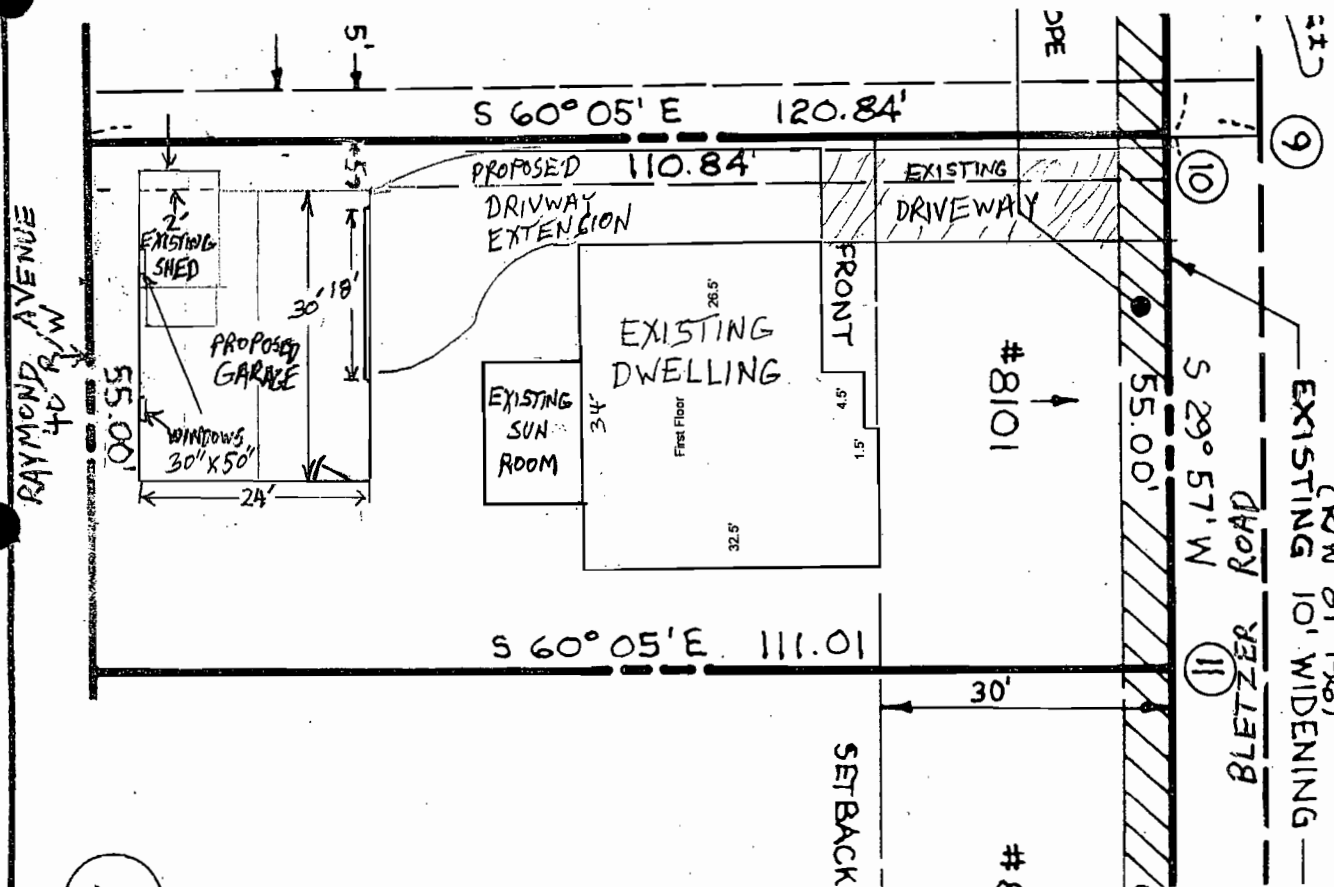
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 8101 Bletzer Rd, Balt Md 21222 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME _____

PLAT BOOK # 49 FOLIO # 78 LOT # 2 SECTION # _____

OWNER Bill & Debbie Eichner



LOCATION INFORMATION

ELECTION DISTRICT 15th
COUNCILMANIC DISTRICT 7th
1" = 200' SCALE MAP # 104A1
ZONING
LOT SIZE .14 ACREAGE 6101 SQUARE FEET
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # 2009-0087-A



PREPARED BY Bill Eichner

SCALE OF DRAWING: 1" = 20'

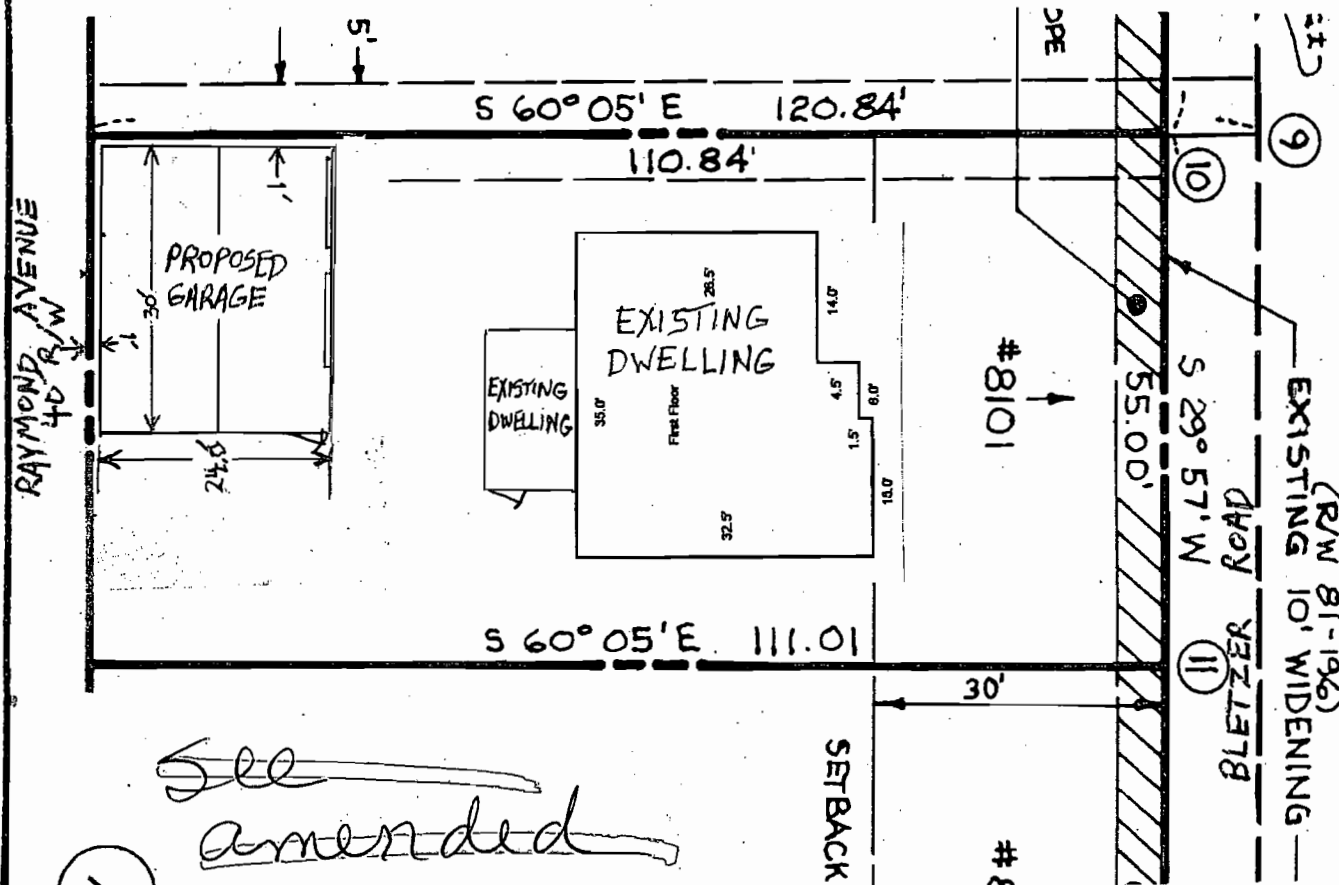
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 8101 Bletzer Rd, Balt Md 21222 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

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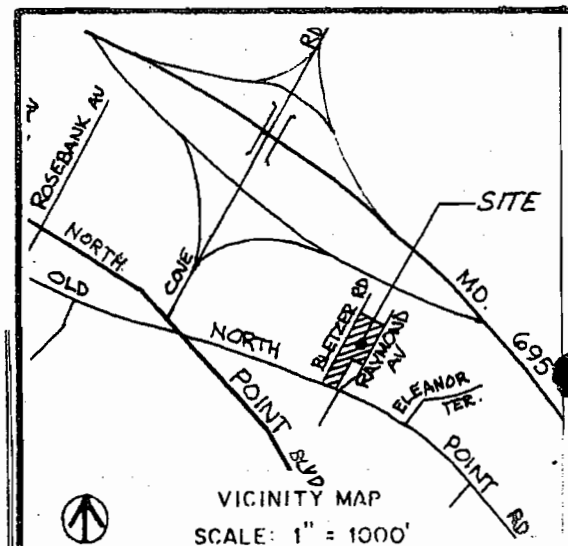


See amended site plan



PREPARED BY Bill Eichner

SCALE OF DRAWING: 1" = 20'

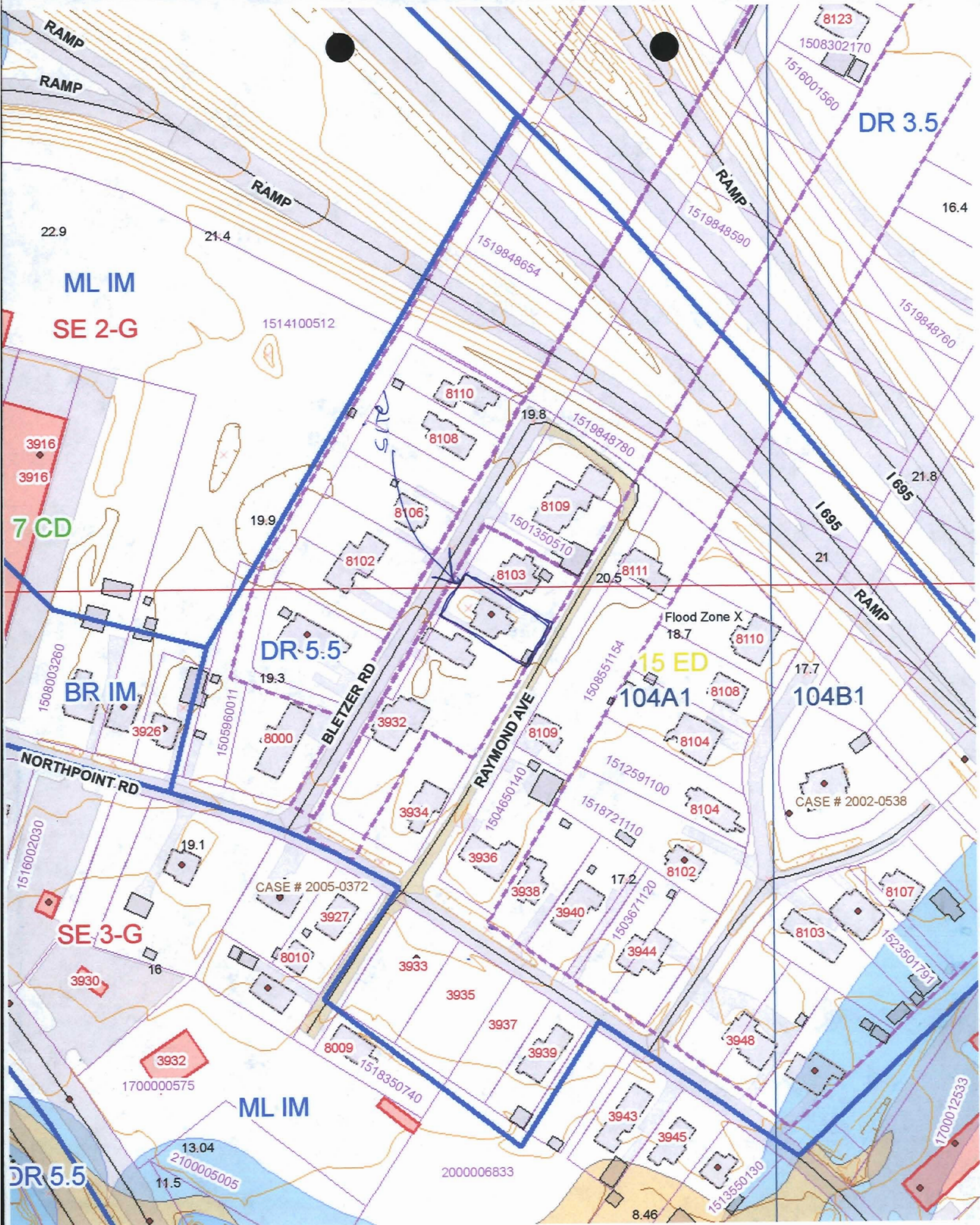


LOCATION INFORMATION

ELECTION DISTRICT 15th
COUNCILMANIC DISTRICT 7th
1" = 200' SCALE MAP # 104A1
ZONING DR5.5
LOT SIZE .14 6101
ACREAGE SQUARE FEET

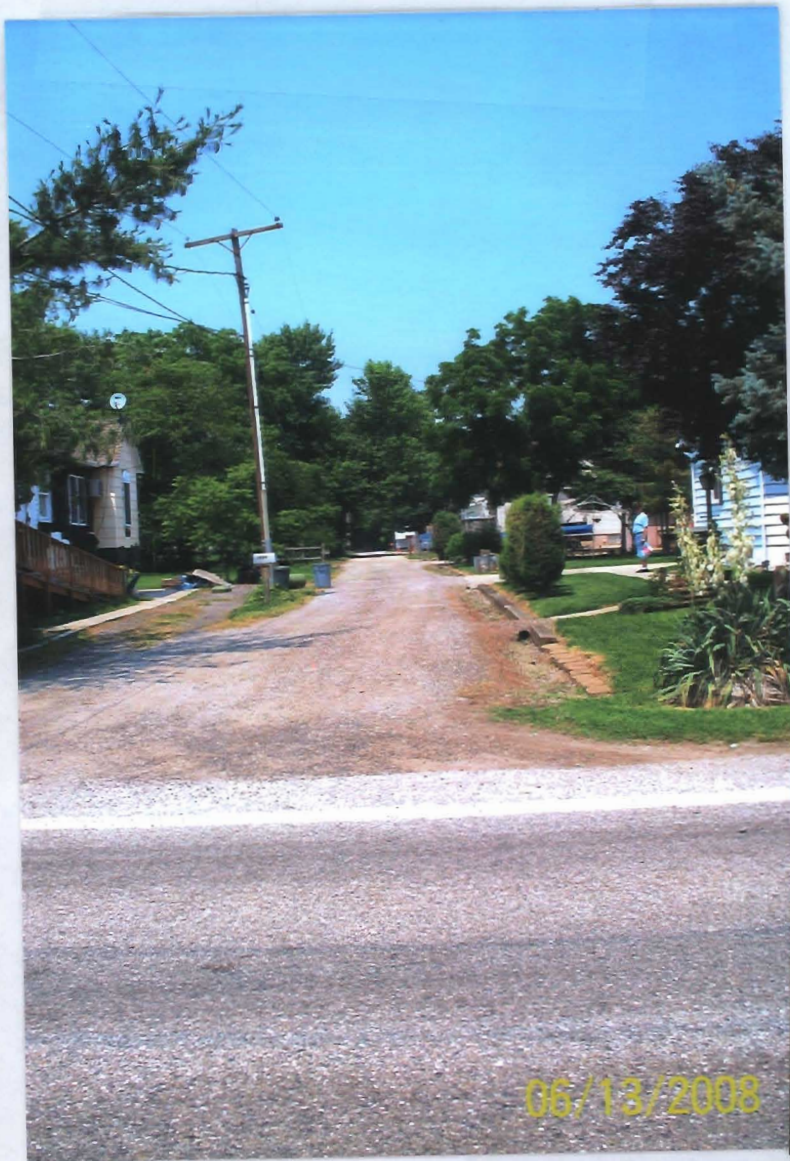
	PUBLIC	PRIVATE	YES	NO
SEWER	☒	☐		
WATER	☒	☐		
CHESAPEAKE BAY CRITICAL AREA			☐	☒
100 YEAR FLOOD PLAIN			☐	☒
HISTORIC PROPERTY/ BUILDING			☐	☒
PRIOR ZONING HEARING	<u>None</u>			

ZONING OFFICE USE ONLY
REVIEWED BY _____ ITEM # _____ CASE # _____











06/13/2008



07/02/2008



07/02/2008