

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
VARIANCE		
W side corner of Overbrook Road and	*	DEPUTY ZONING
Regester Avenue, N of Wakeford Circle		
9 th Election District	*	COMMISSIONER
5 th Councilmanic District		
(1214 Overbrook Road)	*	FOR BALTIMORE COUNTY
 Douglas and Christine Byerly		
<i>Petitioners</i>	*	Case No. 2009-0112-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Douglas and Christine Byerly. The Special Hearing request was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of an accessory structure (pool) on an empty lot pursuant to Section 400.1.b of the Zoning Commissioner's Policy Manual (Z.C.P.M.). The Variance request is from Section 400.1 of the B.C.Z.R. to permit an accessory structure (pool) to be located in the side yard in lieu of the required rear yard and outside of the rear third of the lot farthest removed from both streets. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing and variance petitions were Petitioners Douglas and Christine Byerly, and their attorney, Francis X. Borgerding, Jr., Esquire. Also appearing in support of the requested relief was Bruce Doak with Gerhold Cross & Etzel, Ltd., the registered property line surveyor who prepared the site plan. There were no Protestants or other interested citizens in attendance at the hearing.

COPIES PREPARED FOR FILE
 1-27-09
 [Signature]

Testimony and evidence presented revealed that the subject property is an irregular-shaped property consisting of approximately 16,180 square feet or 0.371 acre, more or less, zoned D.R.5.5. The property is located on the west side of Overbrook Road, approximately one mile east of York Road and about two miles south of Towson in the Idlewylde subdivision in Baltimore County, just north of the City-County line. As indicated in the SDAT printout that was marked and accepted into evidence as Petitioners' Exhibit 2, the property consists of three lots -- Lots 418, 420, and 422 -- in the Idlewylde subdivision. The property is improved with a two-story single-family dwelling that was constructed in 1948. The property also has a driveway that runs along the rear of the property. As shown on the deeds that were marked and accepted into evidence as Petitioners' Exhibits 3A and 3B, Petitioners purchased the property in July 1998.

At this juncture, Petitioners desire to construct a pool on their property. The difficulty is finding a suitable location for the pool, given the property's layout in the subdivision, the topography of the subject property, and its proximity to public roads. A copy of the record plat that was marked and accepted into evidence as Petitioners' Exhibit 4 illustrates the layout of the "Idlewylde" subdivision, which was recorded on December 4, 1942. The subject property is highlighted in yellow and shows Lots 418, 420, and 422 situated at the corner of Regester Avenue and Overbrook Road. Petitioners' home is situated on the middle lot -- Lot 420. Petitioners are requesting special hearing relief to permit construction of the pool on one of the unimproved lots - Lot 422. They also seek variance relief in order to place the pool in the side yard and outside of the rear third of the lot farthest removed from both streets.

In addition to the frontage on the aforementioned streets, the property also has frontage on the adjacent Wakeford Circle that is parallel to Regester Avenue and leads into a court nearby. The property also has a driveway that runs through the rear yard from Wakeford Circle to Regester

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Avenue. Aerial photographs that were marked and accepted into evidence as Petitioners' Exhibits 5A and 5B also provide context for the property. They show that, in addition to being the only property in the neighborhood with street frontage on three sides, it is also filled with lush trees and foliage, providing tremendous buffers to the roads and other properties.

In order to better identify the site constraints that require the proposed pool to be located in the side yard as shown on the site plan, Petitioners' consultant, Mr. Doak, submitted a number of photographs of the property and surrounding properties, which were collectively marked and accepted into evidence as Petitioners' Exhibit 6. Mr. Doak pointed out several unusual characteristics of the property that drive the need to locate the pool as shown on the site plan. First, there is already an existing wood fence that surrounds part of the back driveway, Regester Avenue, and part of Overbrook Road. The fence has existed since before Petitioners purchased the property and would serve as the required fencing around the pool should the relief be granted. Second, the property sits up on a hill, with relatively steep grades from the hill to the lower sidewalk areas that surround the property along the three public roads. In fact, a retaining wall is located along Overbrook Road in order to ease the impact of the steep slope. Because of the elevation of the property and the existing fencing, the pool would not be visible to neighbors, other than the neighbor directly behind the subject property; however, this property is buffered by existing trees as well as the fencing.

In further support of the requested relief, Mr. Doak noted the unusual layout of the three lots that comprise the subject property. There is frontage on three public streets, as well as the driveway running the entire length of the rear yard. In addition, rather than the customary layout of other lots in the neighborhood that are long and narrow and front the public road, the subject lots are wide and very shallow. As a result, there is virtually no rear yard, almost all of which is

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taken up by the driveway. There is also a tremendous slope upward from the rear yard of the subject property to the property directly behind it. In short, the photographs and the site plan show a property that is large enough to accommodate a pool, but one that also has significant limitations as to where the pool can be located.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comment received from the Office of Planning dated November 24, 2008 indicates that Office does not oppose Petitioners' request provided landscaping is proposed on the exterior of the fence and that said fence is no closer to the public right-of-way than shown on the site plan.

Turning first to the Petition for Special Hearing, I am persuaded to grant Petitioners' request to approve an accessory structure (pool) on an empty lot pursuant to Section 400.1.b of the Zoning Commissioner's Policy Manual (Z.C.P.M.). This section states that if two or more lots are under the same ownership and one lot is improved with a dwelling and an accessory structure is proposed on an adjacent lot, this may be accomplished when the two lots are combined for the purpose of building an accessory structure, the owner has exclusive use of all of the property between the dwelling and the accessory structure, and there are no easements or rights-of-way between the lots. Based on the testimony and evidence presented, I am convinced that Petitioners meet these requirements.

As to the variance request, I am also convinced that this request should be granted. First, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Certainly, the layout of the subject property compared with other properties in the neighborhood, and its wider shape with almost no depth, is unique. The steep topography also places limitations on the space available on the property. Indeed, the lack of

REPORT PREPARED FOR PLANNING

1-27-09

available space in the rear yard is what necessitates the variance relief. I also find that these constraints cause the subject property to be disproportionately impacted by the Zoning Regulations as compared with other surrounding properties, making it virtually impossible for Petitioners to have any accessory structure on their property.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by Petitioners, I find that Petitioners' special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 27th day of January, 2009 that Petitioners' request for Special Hearing relief filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) for approval of an accessory structure (pool) on an empty lot pursuant to Section 400.1.b of the Zoning Commissioner's Policy Manual (Z.C.P.M.) be and is hereby GRANTED; and

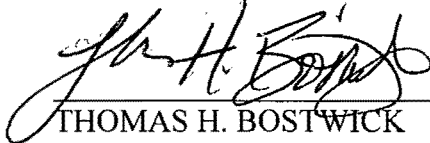
IT IS FURTHER ORDERED that Petitioners' request for Variance from Section 400.1 of the B.C.Z.R. to permit an accessory structure (pool) to be located in the side yard in lieu of the required rear yard and outside of rear third of the lot farthest removed from both streets be and is hereby GRANTED.

The granting of the relief herein shall be subject to the following:

1. Petitioners may apply for their permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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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

STATION RETAINED FOR FILING
1-27-09




BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

January 27, 2009

FRANCIS X. BORGERDING, JR., ESQUIRE
409 WASHINGTON AVENUE, SUITE 600
TOWSON, MD 21204

Re: Petition for Special Hearing and Variance
Case No. 2009-0112-SPHA
Property: 1214 Overbrook Road

Dear Mr. Borgerding:

Enclosed please find the decision rendered in the above-captioned case.

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 black ink, appearing to read "Th. H. Bostwick", written over a circular stamp or seal.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Douglas And Christine Byerly, 1214 Overbrook Road, Baltimore MD 21239
Bruce Doak, Gerhold, Cross & Etzel, Ltd., 320 East Towsontown Blvd., Suite 100, Towson,
MD 21286



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1214 OVERBROOK 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, 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):

DOUGLAS B. BYERLY
Name - Type or Print _____
[Signature]
Signature _____
CHRISTINE L. BYERLY
Name - Type or Print _____
[Signature]
Signature _____
1214 OVERBROOK Rd. 410-808-6980
Address _____ Telephone No. _____
BALTIMORE MD 21239
City _____ State _____ Zip Code _____

Representative to be Contacted:

GERHOLD, CROSS & EITZEL Ltd.
Name _____
320 E. TOWSON TOWN BLVD. 410-823-4470
Address _____ Telephone No. _____
TOWSON MD 21286
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 10/22/08

Case No. 2009-0112-SPHA

REV 9/15/98

1-2109
[Signature]



TAX. ACCOUNT #

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 1214 OVERBROOK Rd
which is presently zoned DQ 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)

SEE ATTACHED

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED

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):

DOUGLAS B. BYERLY

Name - Type or Print

Signature

CHRISTINE L. BYERLY

Name - Type or Print

Signature

1214 OVERBROOK RD.

410-808-6988

Address

Telephone No.

BALTIMORE

MD

21239

City

State

Zip Code

Representative to be Contacted:

GERHOLD, CROSS & ETAL LTD.

Name

Suite #100

320 E. TOWSONTOWN BLVD

410-823-4470

Address

Telephone No.

TOWSON

MD

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Case No. 2009-0112-SPHA

REV 9/15/98

Reviewed By

Date

10/22/08

1214 OVERBROOK ROAD

SPECIAL HEARING REQUESTED

*BALTIMORE COUNTY ZONING POLICY
400.1.b*

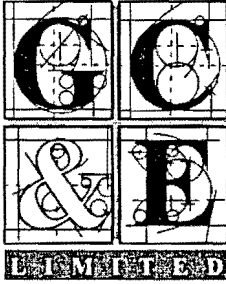
TO PERMIT AN ACCESSORY STRUCTURE (POOL) ON AN EMPTY LOT.

VARIANCES REQUESTED

*BALTIMORE COUNTY ZONING REGULATIONS
400.1*

*TO PERMIT AN ACCESSORY STRUCTURE (POOL) TO BE LOCATED IN
THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD, AND
OUTSIDE OF REAR THIRD OF LOT FARTHEST REMOVED FROM
BOTH STREETS.*

Item #0112



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

October 20, 2008

ZONING DESCRIPTION
Douglas B. and Christine L. Byerly Property
1214 Overbrook Road
Baltimore County, Maryland

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

Beginning for the same at a point on the North side of Wakeford Circle which is 30 feet wide and West side of Overbrook Road which is 40 feet wide, property located at the intersection between Regester Avenue, Overbrook Road and Wakeford Circle. Being lots 418, 420 and 422, Parcel 128 in the plat entitled "REVISED PLAT OF IDLEWYLDE" as recorded in Baltimore County Liber C.H.K. Plat Book 13, folio 37.

Containing 16,180 sq. ft. of land, more or less.



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

Item #0112

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT**

No

Date:

22

10/22/28

PAID RECEIPT

10-22-2006 15:19

10/23/2008

0. 00000

170.00 116 170.00
5.00 116 5.00

RECEIVED BY THE DIRECTOR, FBI, 11-1-64

**CASHIER'S
VALIDATION**

Fund		Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	806	0000			650				6130
Total:									6130

Rec
From:

Total:

5130

För

Zoning hearing case # 2009-0112 SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PLEASE PRESS HARD!!!!

GOLD - ACCOUNTING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #2009-0112-SPHA

1214 Overbrook Road

W/side corner of Overbrook Road and Register Avenue, N/of Wakeford Circle

9th Election District - 5th Councilmanic District

Legal Owner(s): Douglas & Christine Byerly

Special Hearing: to permit an accessory structure (pool) an empty lot. **Variance:** to permit an accessory structure (pool) to be located in the side yard in lieu of the required rear yard, and outside of rear third lot farthest removed from both streets.

Hearing: Wednesday, January 7, 2009 at 10:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/12/749/Dec. 23

191038

CERTIFICATE OF PUBLICATION

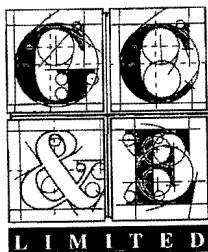
1/7/, 2009

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/23/, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

CERTIFICATE OF POSTING

RE: CASE#2009-0112-SPHA

OWNER/DEVELOPER:
Douglas & Christine Byerly

DATE OF HEARING: January 7, 2009

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

ATTENTION: KRISTEN MATTHEWS

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT

(see page 2 for full size photo)

LOCATION:

1214 Overbrook Road

SIGNATURE OF SIGN POSTER

Bruce E. Doak

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

POSTED ON: December 17, 2009

ZONING NOTICE

CASE # :2009-0112-SPHA

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.**

PLACE: Room 104, Jefferson Building, 105
West Chesapeake Ave., Towson 21204
**TIME &
DATE :** Wednesday, January 7, 2009 at 10:00 a.m.

Special Hearing to permit an accessory structure (pool) in an empty lot. Variance to permit an accessory structure (pool) to be located in the side yard in lieu of the required rear yard, and outside of rear third lot farthest removed from both streets

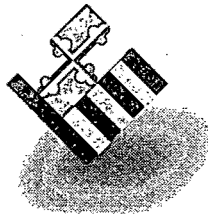
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING

CALL 410-887-3391 THE DAY BEFORE THE SCHEDULED HEARING DATE

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HEARINGS ARE HANDICAPPED ACCESSIBLE





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

November 14, 2008
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0112-SPHA

1214 Overbrook Road

W/side corner of Overbrook Road and Register Avenue, N/of Wakeford Circle

9th Election District – 5th Councilmanic District

Legal Owners: Douglas & Christine Byerly

Special Hearing to permit an accessory structure (pool) an empty lot. Variance to permit an accessory structure (pool) to be located in the side yard in lieu of the required rear yard, and outside of rear third lot farthest removed from both streets.

Hearing: Wednesday, January 7, 2009 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Byerly, 1214 Overbrook Road, Baltimore 21239
Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Ste. 100, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 23, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 23, 2008 Issue - Jeffersonian

Please forward billing to:
Douglas Byerly
1216 Overbrook Road
Baltimore, MD 21239

410-808-6988

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0112-SPHA

1214 Overbrook Road

W/side corner of Overbrook Road and Register Avenue, N/of Wakeford Circle

9th Election District – 5th Councilmanic District

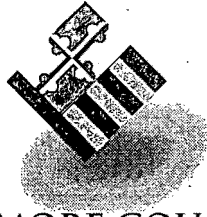
Legal Owners: Douglas & Christine Byerly

Special Hearing to permit an accessory structure (pool) an empty lot. Variance to permit an accessory structure (pool) to be located in the side yard in lieu of the required rear yard, and outside of rear third lot farthest removed from both streets.

Hearing: Wednesday, January 7, 2009 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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
January 6, 2009

Douglas B. & Christine L. Byerly
1214 Overbrook Dr.
Baltimore, MD 21239

Dear: Douglas B. & Christine L. Byerly

RE: Case Number 2009-0112-SPHA, 1214 Overbrook Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 22, 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 dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel LTD., 320 E. Towsontown Blvd., Towson, MD 21286

TB 1/7
10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 24, 2008

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

RECEIVED
NOV 26 2008

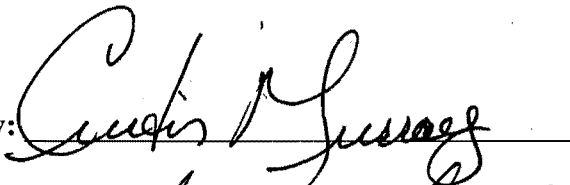
BY:.....

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-112- Special Hearing**

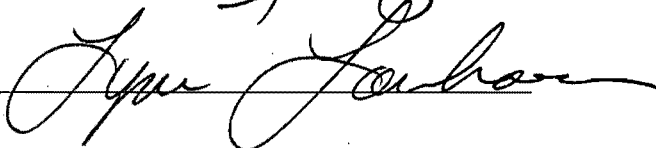
The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided landscaping is proposed on the exterior of the fence and said fence is no closer to public right of way than shown on the plan.

For further questions or additional information concerning the matters stated herein, please contact Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:
CM/LL



1-7-09

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
NOV 21 2008

BY:.....

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: November 20, 2008

SUBJECT: Zoning Item # 09-112-SPHA
Address 1214 Overbrook Road
(Byerly Property)

Zoning Advisory Committee Meeting of November 3, 2008

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

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).

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:

Reviewer: JWL

Date: 11/20/08

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 7, 2008

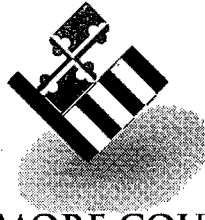
FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 10, 2008
Item No.: 2009-109, 110, 112, 113,
114, 115, 116, 117, 118, 119, 120,
122 & 123

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

DAK:CEN:cab
cc: File

ZAC-11072008-NO COMMENTS



BALTIMORE COUNTY
MARYLAND

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

November 10, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 03, 2008

Item Numbers: Item Number 0109 through 0125

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



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

State Highway
Administration

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

Maryland Department of Transportation

Date: Nov. 3, 2009

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

RE: Baltimore County
Item No. 2009-0112-SPHA
1214 OVERBROOK RD
BYERLY PROPERTY
SPECIAL HEARING
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. 2009-0112-SPHA.

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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
1214 Overbrook Road; W/S cor of Overbrook * ZONING COMMISSIONER
Road & Register Avenue, N of Wakeford Circle *
9th Election & 5th Councilmanic Districts * FOR
Legal Owner(s): Douglas & Christine Byerly *
Petitioner(s) * BALTIMORE COUNTY
* 09-112-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

RECEIVED

NOV 12 2008

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of November, 2008, a copy of the foregoing Entry of Appearance was mailed to Gerhold, Cross & Etzel, Ltd, 320 E Towsontown Blvd, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 2009-0117-SHA
DATE 1-7-09

[illegible]

Case No.:

2009-0112 - SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	SDAT printout	
No. 3 A+B	Deed	
No. 4	Record Plat	
No. 5 A+B	Aerial Photos of property	
No. 6	Plan to accompany photos and 21 photos of property	
No. 7	Permit that was previously issued for pool	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 09 **Account Number -** 2100003702

Owner Information

Owner Name:	BYERLY DOUGLAS B BYERLY CHRISTINE L	Use:	RESIDENTIAL
Mailing Address:	1214 OVERBROOK RD BALTIMORE MD 21239-1608	Principal Residence:	YES
		Deed Reference:	1) /13058/ 18 2)

Location & Structure Information

Premises Address	Legal Description
1214 OVERBROOK RD	PTLTS418-420-422 .37 1214 OVERBROOK RD IDLEWYLDE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
80	3	128					418	2	Plat Ref: 13/ 37

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1948	1,917 SF	16,180.00 SF	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2008	07/01/2009
Land	64,290	103,040		
Improvements:	204,460	307,640		
Total:	268,750	410,680	316,060	363,370
Preferential Land:	0	0	0	0

Transfer Information

Seller: LAYTON DAVID M	Date: 08/06/1998	Price: \$185,000
Type: IMPROVED ARMS-LENGTH	Deed1: /13058/ 18	Deed2:
Seller: PEDERSEN PETER L	Date: 01/18/1988	Price: \$147,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 7771/ 103	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER' S

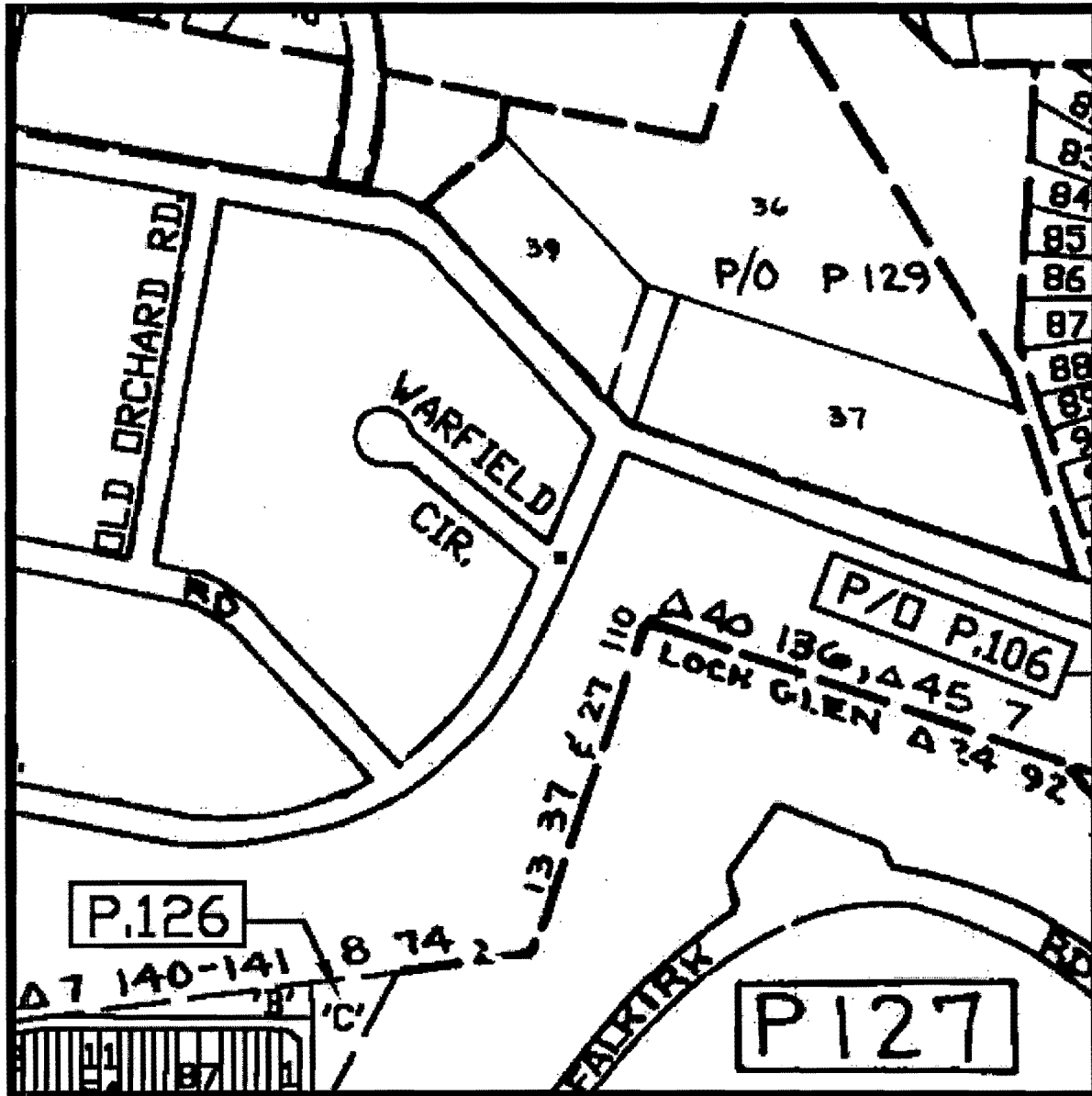
EXHIBIT NO. 2



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

[Go Back](#)
[View Map](#)
[New Search](#)

District - 09 Account Number - 2100003702



Property maps provided courtesy of the Maryland Department of Planning ©2004.
 For more information on electronic mapping applications, visit the Maryland Department of Planning
 web site at www.mdp.state.md.us/webcom/index.html

side of Wakeford Circle and running north 28 degrees 21 minutes east 167.72 feet more or less to the place of beginning.

BEING the northwest 10 feet of Lots No. 418, 420 and 422 on the Revised Plat of Idlewyld above referred to and BEING subject to a 5 foot easement strip along the third line of the above description for the widening of Wakeford Circle.

BEING a part of Lots Nos. 418, 420 and 422. The fee simple title to Lots Nos. 418 and 422, and the reversionary title to Lot No. 420 are vested in the said Melvin E. Nizer by virtue of a deed from Charles J. Novak and wife dated January 15, 1952 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2065, folio 375. The leasehold title to Lot No. 420 is vested in the said Russell A. Nizer and Nicholas A. Nizer, Jr. by virtue of a deed of assignment dated January 15, 1952 and recorded among the aforesaid Land Records in Liber G.L.B. No. 2065, folio 378, it being the intention hereof that the 10-foot strip of land herein described and conveyed shall not hereafter be liable for payment of the annual ground rent of \$120.00 which is payable on Lot No. 420 aforesaid, but that the remaining portion of Lot No. 420 shall continue to be liable fully for payment of the aforesaid \$120.00 ground rent now issuing and payable thereout. Nicholas A. Nizer, father of the above named Nicholas A. Nizer, Jr. was one of the grantees as joint tenant in the above mentioned assignment of the leasehold interest in Lot No. 420 but he has since departed this life, thereby vesting the said leasehold interest in Russell A. Nizer, Nicholas A. Nizer, Jr. and Melvin E. Nizer.

KNOW ALL MEN BY THESE PRESENTS, That MELVIN E. NIZER and SOPHIE NIZER, his wife (hereinafter called the Grantors) of Baltimore County, State of Maryland, in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the COUNTY COMMISSIONERS OF BALTIMORE COUNTY, a municipal body corporate of the State of Maryland, their successors and assigns, forever, in fee simple, exclusive of slopes, the hereinafter described parcel of land to be used for the proper establishment and maintenance of a County Road known as Wakeford Circle situate, lying and being in the 9th Election District of Baltimore County, and particularly described as follows, that is to say:

BEING a five foot easement strip along the northeastern and southwesternmost side of Wakeford Circle shown shaded on the attached plat entitled "Plat Showing Right-of-Way to be Acquired by the County Commissioners of Baltimore County for the Widening of Wakeford Circle West of Overbrook Road" and intended to be recorded herewith among the Land Records of Baltimore County in Highways Department Plat Book T.B.S. #15, folio 89.

AND the said Grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; and that they will execute such further assurances of the same as may be requisite.

AS WITNESS the hands and seals of said Grantors on this

17th day of November, 1951.

TEST:

Charles E. Gilbert
CHARLES E. GILBERT

Melvin E. Nizer (SEAL)
MELVIN E. NIZER

Sophie Nizer (SEAL)
SOPHIE NIZER

DEL PER TICKET FEB 7 1952

2013058 018

FEE SIMPLE-DEED-INDIVIDUAL GRANTOR-LONG FORM

Shapiro Title Co., Inc.
100 West Road, Suite 400
Towson, Maryland 21204

FILE NO. 79-48-8621

TAX ID NO. 09/21-00-003702

THIS DEED, MADE THIS 31st day of July in the year one thousand nine hundred and ninety-eight by and between DAVID M. LAYTON and LINDA T. LAYTON, of Baltimore County, State of Maryland, Grantor(s) and parties of the first part, and DOUGLAS B. BYERLY AND CHRISTINE L. BYERLY, Grantee(s) and parties of the second part.

WITNESSETH, That in consideration of the sum of ONE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS, (\$185,000.00), the actual consideration paid, or to be paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, as tenants by the entirety, their assigns, the survivor of them and unto the survivor's personal representatives and assigns, forever, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

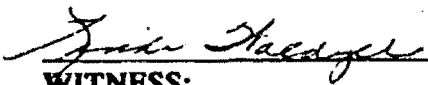
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

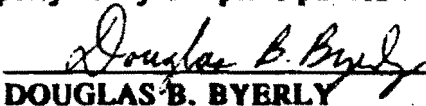
BEING that same lot of ground which by Deed dated January 13, 1988 and recorded among the Land Records of Baltimore County in Liber No. 7771, folio 103 was granted and conveyed by Peter L. Pedersen unto David M. Layton and Linda T. Layton, the Grantor(s) herein.

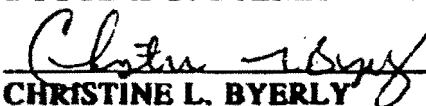
THIS CONVEYANCE is made subject to the restrictions, rights of way, and conditions, if any, contained in the Deeds forming the chain of title to this property.

(I), (We), the undersigned Grantee(s) do hereby certify under penalty of perjury, that the above property is improved for residential purposes, and that (I), (We), the undersigned Grantee(s) will own and occupy the property as my/our principal residence.

WITNESS:




_____ **DOUGLAS B. BYERLY** Grantee


_____ **CHRISTINE L. BYERLY** Grantee

PETITIONER'S

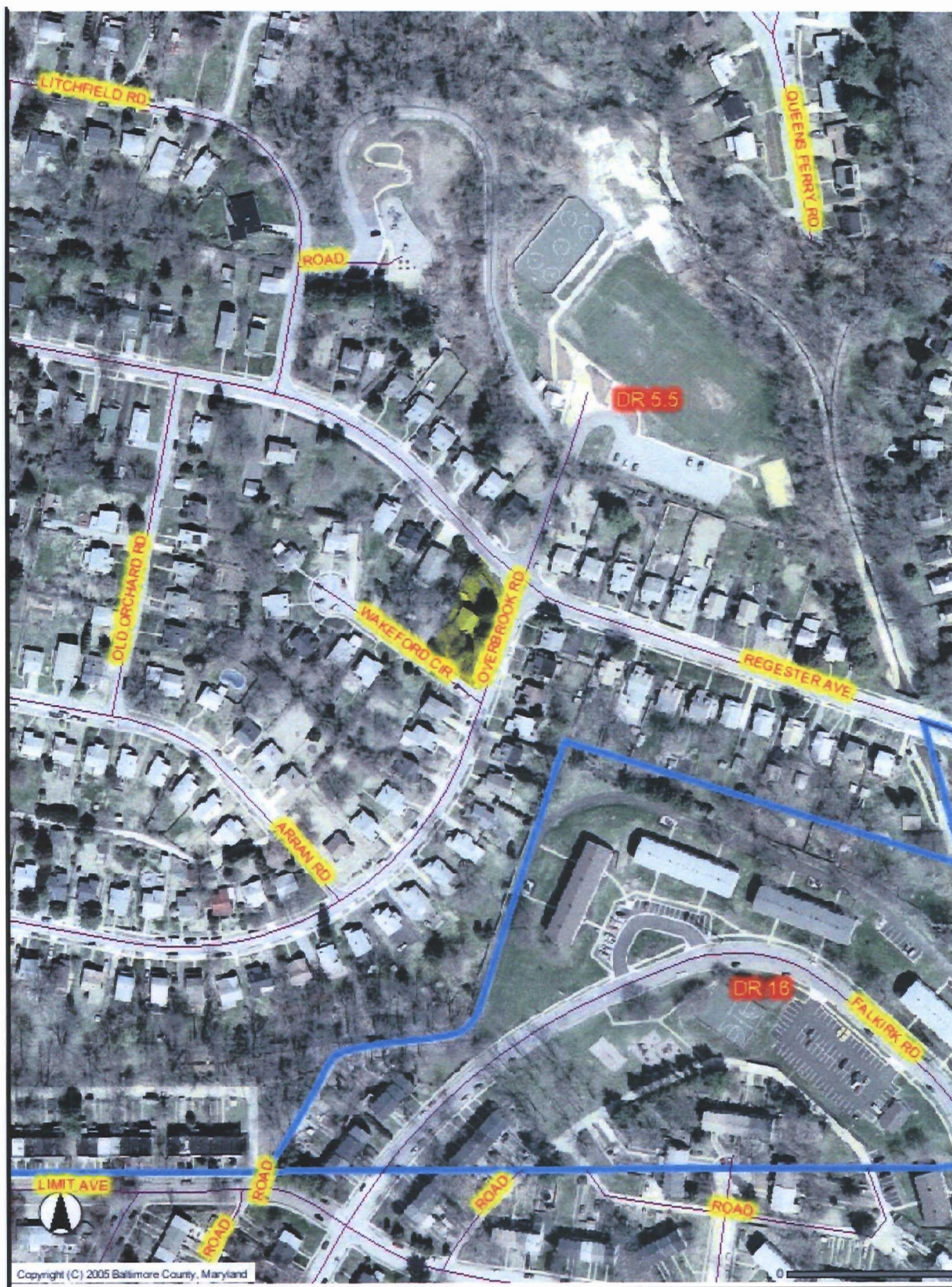


PETITIONER' S

EXHIBIT NO. 5A & B

A

3



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

Timothy Kotroco

TIMOTHY M. KOTROCO, Director



Donald E. Brand

DONALD E. BRAND, Buildings Engineer

BUILDING PERMIT

PERMIT #: B703318 CONTROL #: RS DIST: 13 PREC: 01
DATE ISSUED: 09/10/2008 TAX ACCOUNT #: 2100003702 CLASS: 04

PLANS: CONST PLOT 1 R PLAT DATA ELEC YES PLUM NO
LOCATION: 1214 OVERBROOK RD
SUBDIVISION: IDLEWYLDE

OWNERS INFORMATION

NAME: BYERLY, DOUG & CHRISTINA L
ADDR: 1214 OVERBROOK RD

TENANT:

CONTR: ELITE POOLS

ENGR:

SELLR:

WORK: CONST I/G POOL ON REAR OF PROPERTY. CARTRIDGE
FILTER, FILLED BY TRUCK. POOL LETTER ATTACHED.
FENCE EXISTS. 34'X16'=544SF 3'6"-8'DEEP

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & POOL

EXISTING USE: SFD

TYPE OF IMPRV: NEW BUILDING CONTRUCTION

USE: SWIMMING POOL

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 150.00 X

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: 80/80

SIDE STR SETB:

REAR SETB: 10'

~~PERMIT EXPIRES~~

PETITIONER'S

EXHIBIT NO. 7

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

111 West Chesapeake Avenue, Towson, Maryland 21204

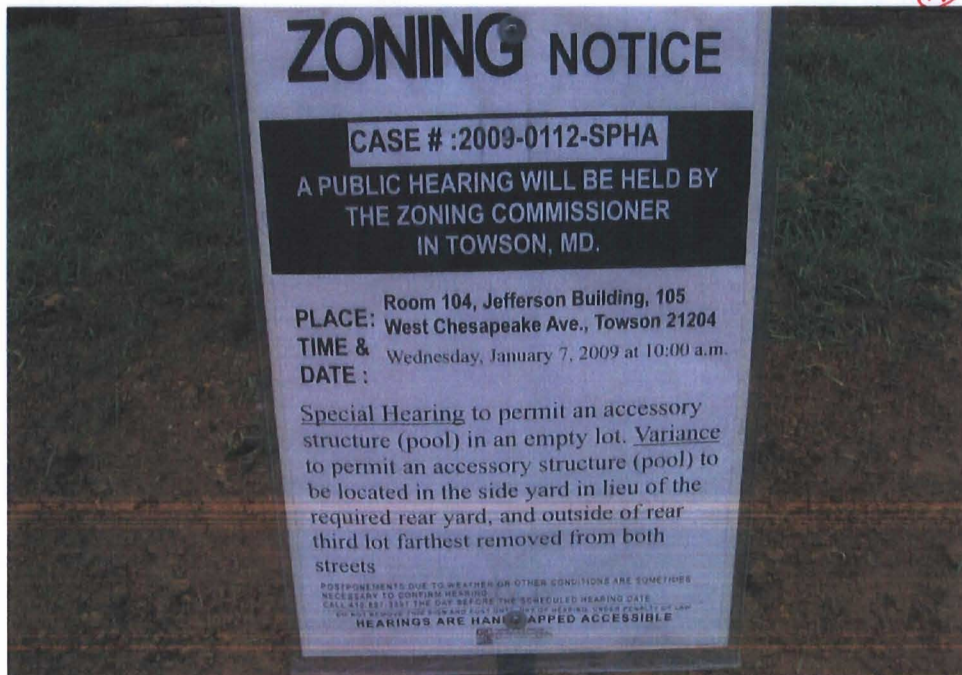
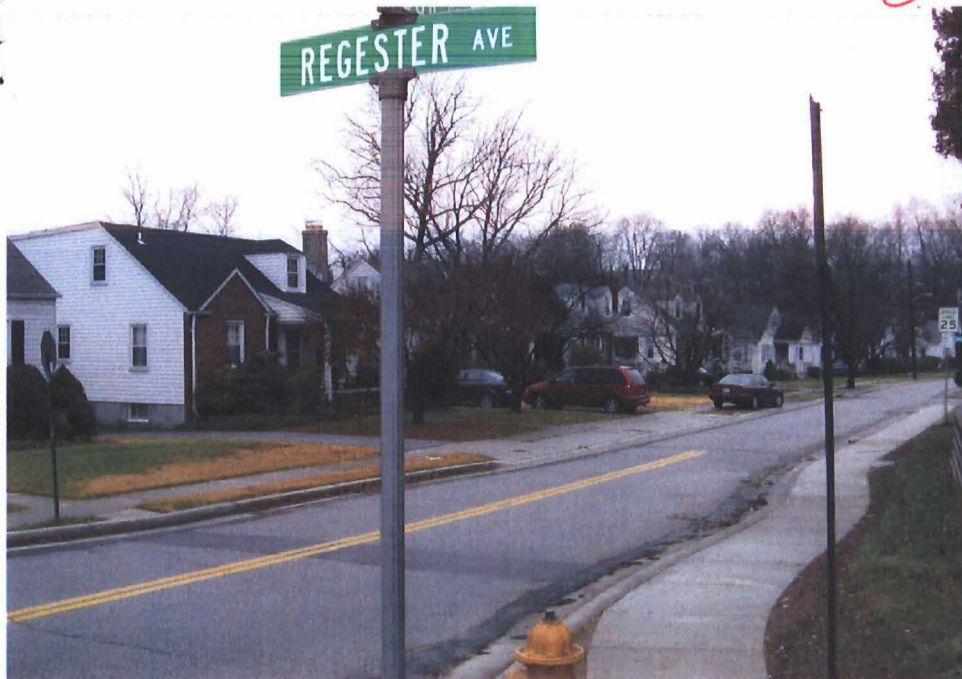
410-887-3900





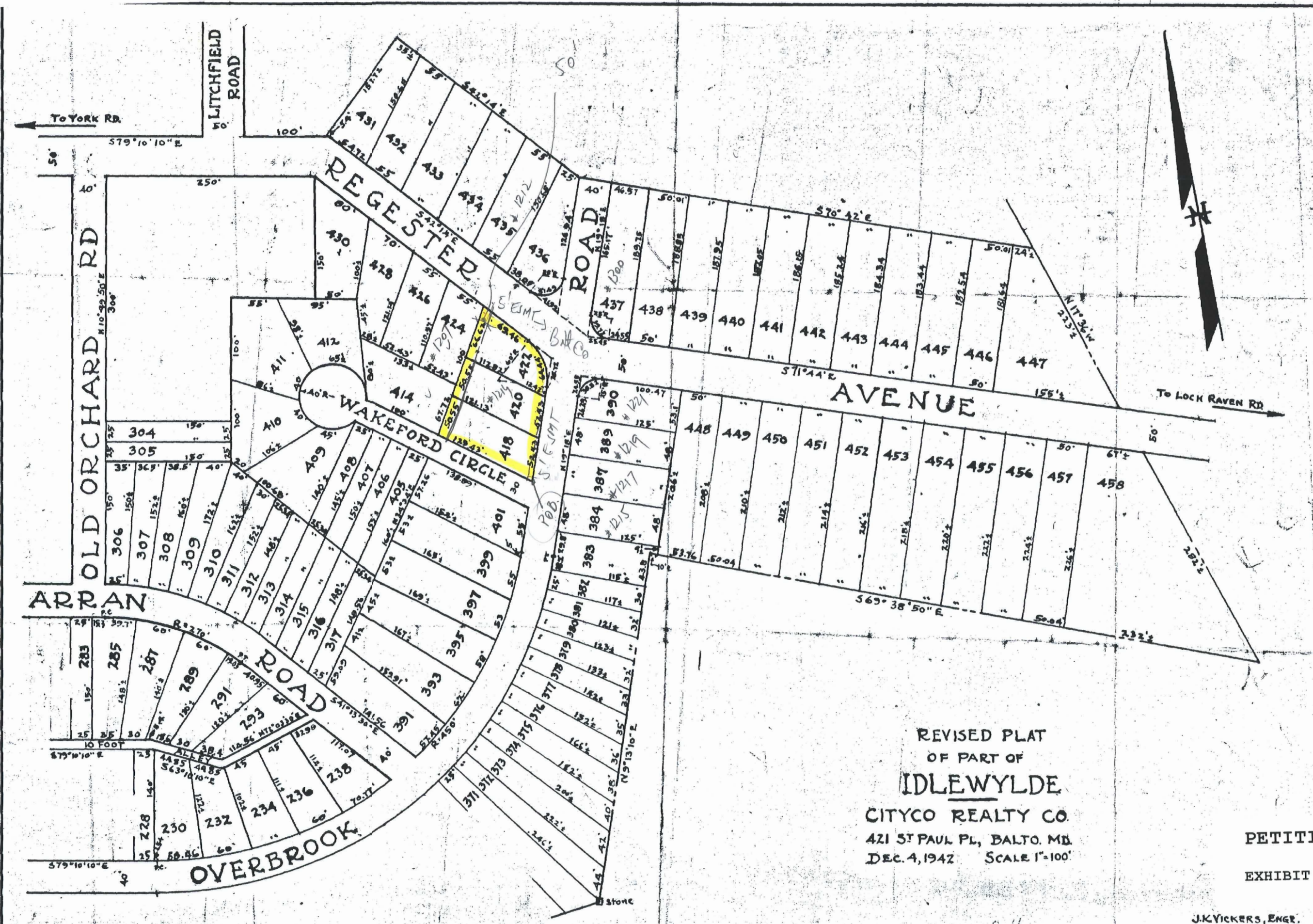
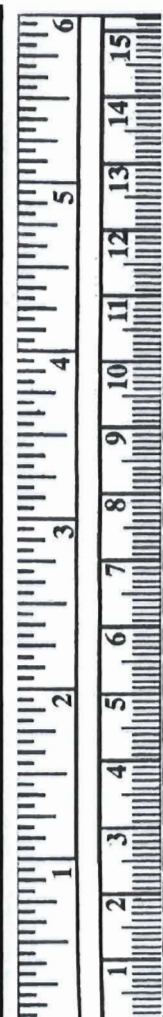






21





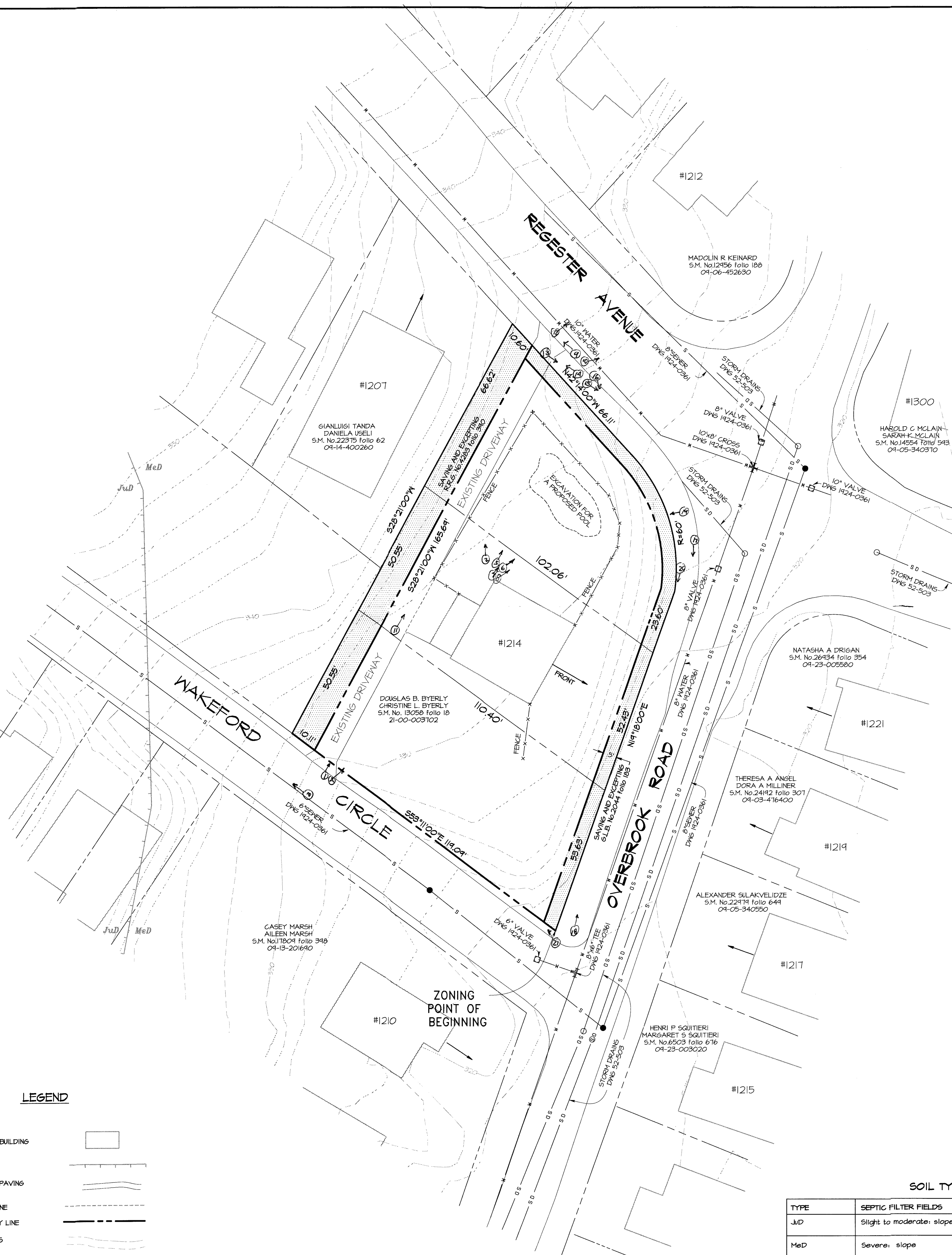
35.72 +
12 42

48.14

REVISED PLAT
OF PART OF
IDLEWYLDE
CITYCO REALTY CO.
421 ST PAUL PL, BALTO. MD.
DEC. 4, 1942 SCALE 1"=100'

PETITIONER'S
EXHIBIT NO. 4

J.K. VICKERS, ENGR.

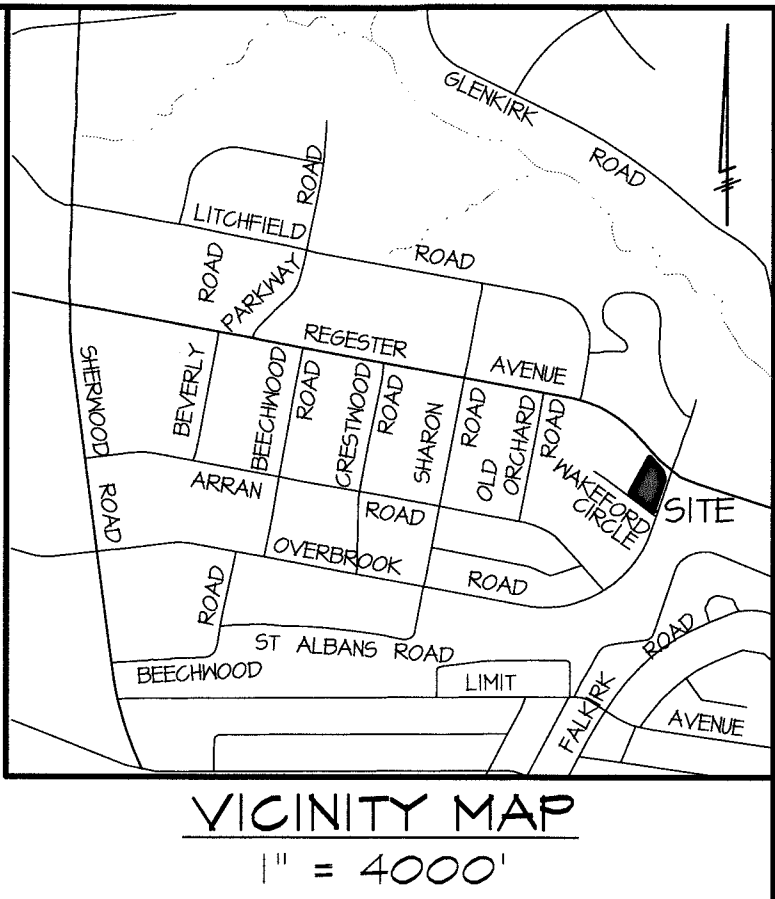


BALTIMORE COUNTY ZONING REGULATIONS

D.R. 5.5 DEVELOPMENT STANDARDS

MINIMUM NET LOT AREA PER DWELLING UNIT (sq. ft.)	6,000
MINIMUM LOT WIDTH (feet)	55
MINIMUM FRONT YARD DEPTH (feet)	25
MINIMUM WIDTH OF INDIVIDUAL SIDE YARD (feet)	10
MINIMUM REAR YARD DEPTH (feet)	30

IN D.R.5.5 ZONES THE FRONT YARD DEPTH OF ANY BUILDING HEREAFTER ERECTED SHALL BE THE AVERAGE OF FRONT YARD DEPTHS OF THE LOTS IMMEDIATELY ADJOINING ON EACH SIDE, PROVIDED SUCH ADJOINING LOTS ARE IMPROVED WITH PRINCIPAL BUILDINGS SITUATE WITHIN 200 FEET OF THE JOINT SIDE PROPERTY LINE. ... PROVIDED THAT NO DWELLING SHALL BE REQUIRED TO BE SET BACK MORE THAN 40 FEET IN D.R.5.5 ZONES. ...



DEED MERIDIAN
(S.M. No. 13058 folio 18)
PLAT REF: 13/37
"IDLEWYLDE"

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 080BI
3. ADC. MAP # 27 FII
4. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
6. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
8. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PUBLIC WATER AND SEWER.

REASON FOR SECIAL HEARING

BALTIMORE COUNTY ZONING POLICY
400.1b
TO PERMIT AN ACCESSORY STRUCTURE (POOL) ON AN EMPTY LOT

REASON FOR VARIANCE

BALTIMORE COUNTY ZONING REGULATIONS
400.1
TO PERMIT AN ACCESSORY STRUCTURE (POOL) TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD, AND OUTSIDE OF REAR THIRD OF LOT FARTHEST REMOVED FROM BOTH STREETS.

OWNER/DEVELOPER

DOUGLAS B. BYERLY
CHRISTINE L. BYERLY, HIS WIFE
1214 OVERBROOK ROAD
BALTIMORE, MARYLAND 21234-1608
(410) 808-6988

PLAN TO ACCOMPANY PHOTOGRAPHS
**PLAT TO ACCOMPANY A PETITION
FOR SPECIAL HEARING AND VARIANCE
BYERLY PROPERTY**

1214 OVERBROOK ROAD
LOTS 418, 420 AND 422
PLAT REF: 13/37
"IDLEWYLDE"
Deed Ref: S.M. No. 13058 folio 18
Tax Account No.: 21-00-003702
Zoned DR 5.5; GIS Tile 080BI
Tax Map 80; Grid 3; Parcel 128
9th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20' Date: OCTOBER 15, 2008

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PETITIONER'S
6 PAGES
EXHIBIT NO. 1-21

LEGEND

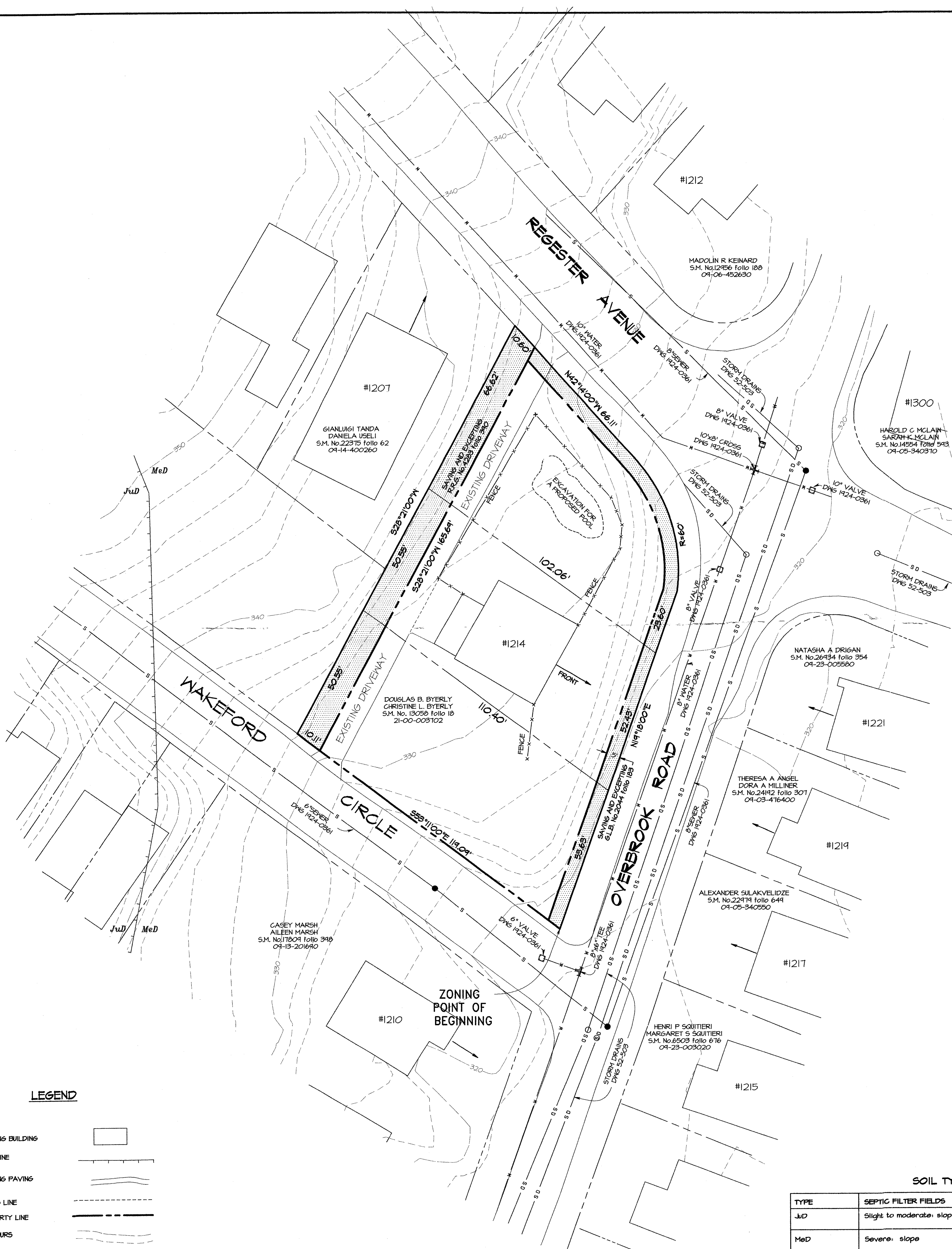
- EXISTING BUILDING
- SOIL LINE
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING		
J/D	Slight to moderate: slope*	Slight to moderate: slope	Severe: slope		
MeD	Severe: slope	Severe: slope	Severe: slope		

REVISION PER ZONING	10/22/08
REVISION	DATE

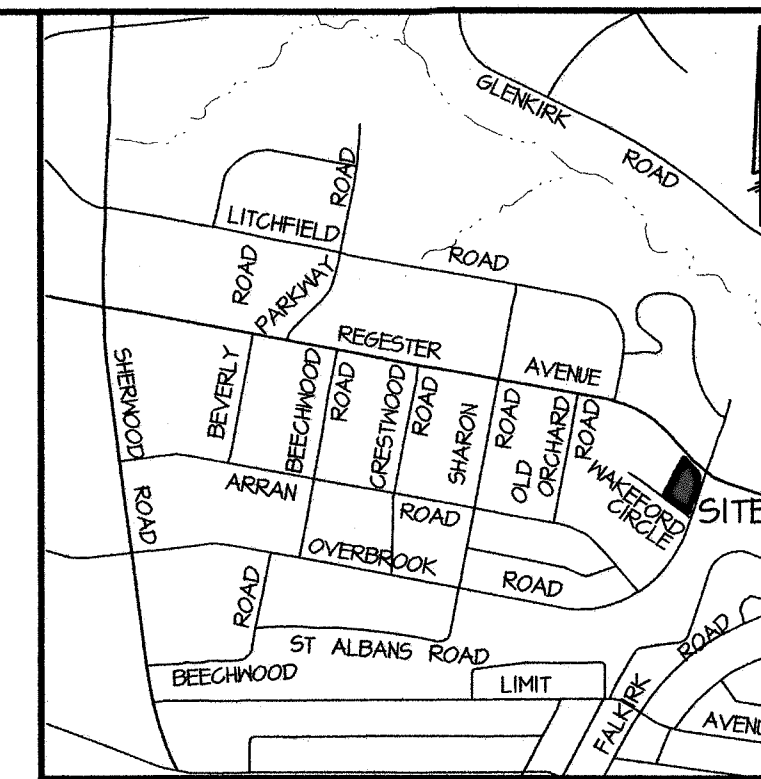
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BALTIMORE COUNTY ZONING REGULATIONS
D.R. 5.5 DEVELOPMENT STANDARDS

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VICINITY MAP
1" = 4000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A DEED;
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 080B1
3. ADC. MAP # 21 FII
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5. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
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7. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
8. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PUBLIC WATER AND SEWER.

#2009-012 SPHA

BY

OWNER/DEVELOPER

DOUGLAS B. BYERLY
CHRISTINE L. BYERLY, HIS WIFE
1214 OVERBROOK ROAD
BALTIMORE, MARYLAND 21239-1608
(410) 808-6488

REASON FOR SECIAL HEARING

BALTIMORE COUNTY ZONING POLICY
400.1b
TO PERMIT AN ACCESSORY STRUCTURE (POOL) ON AN EMPTY LOT

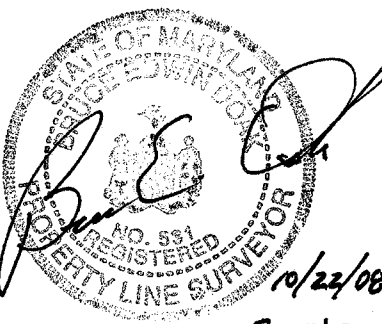
REASON FOR VARIANCE

BALTIMORE COUNTY ZONING REGULATIONS
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TO PERMIT AN ACCESSORY STRUCTURE (POOL) TO BE LOCATED IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD, AND OUTSIDE OF REAR THIRD OF LOT FARTHEST REMOVED FROM BOTH STREETS.

**PLAT TO ACCOMPANY A PETITION
FOR SPECIAL HEARING AND VARIANCE
BYERLY PROPERTY**

1214 OVERBROOK ROAD
LOTS 418, 420 AND 422
PLAT REF: 13/37
"IDLEWYLDE"

Deed Ref: S.M. No. 13058 folio 18
Tax Account No.: 21-00-003702
Zoned DR 5.5; GIS Tile 080B1
Tax Map 80; Grid 3; Parcel 128
9th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1"=20'

Date: OCTOBER 13, 2008

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PETITIONER'S

EXHIBIT NO.

LEGEND

- EXISTING BUILDING
- SOIL LINE
- EXISTING PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING
JuD	Slight to moderate: slope*	Slight to moderate: slope	Severe: slope
MeD	Severe: slope	Severe: slope	Severe: slope

REVISION PER ZONING

10/22/08

REVISION

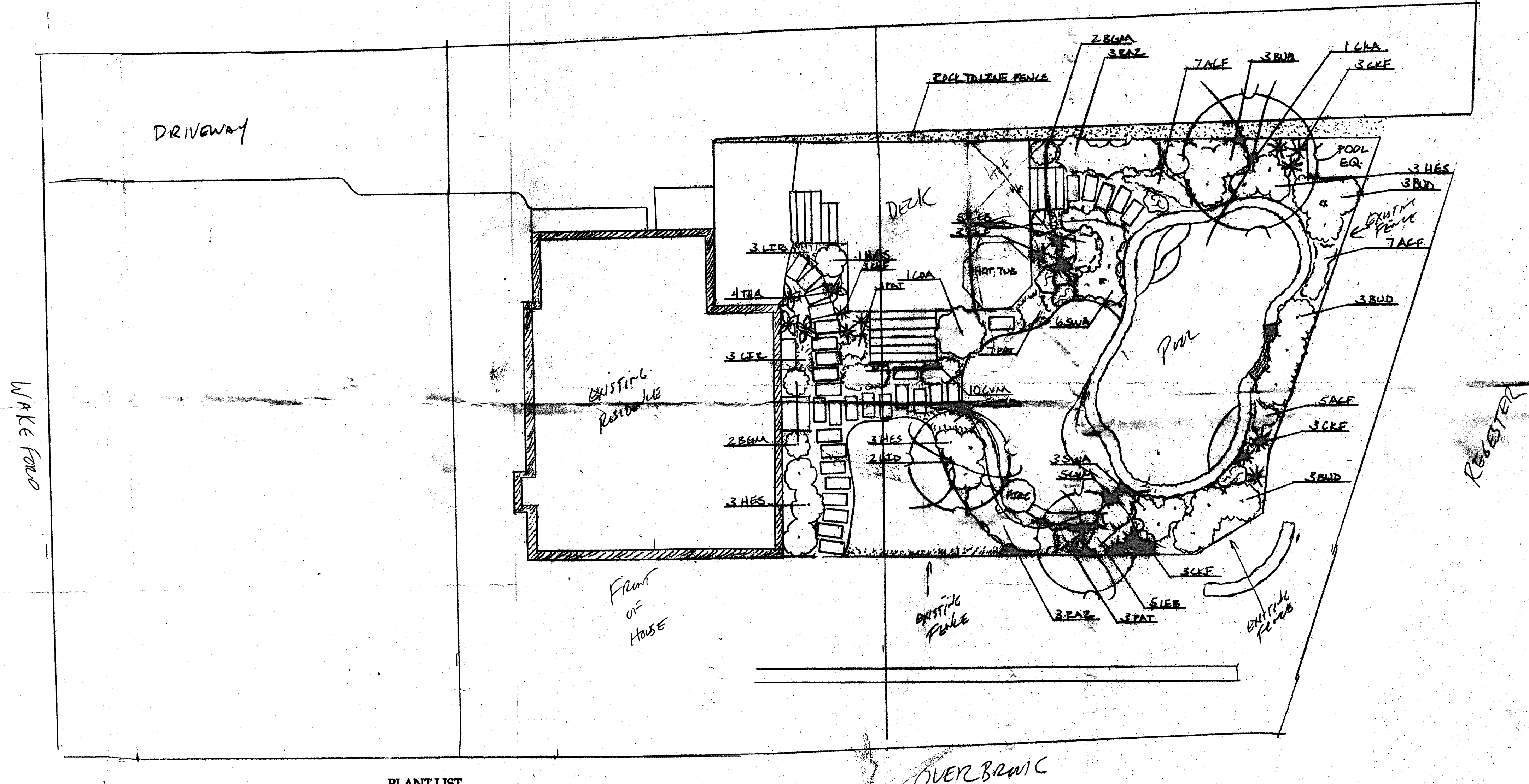
DATE

COMPUTED:

DRAWN: C.L.M.

CHECKED:

FILE: X:\B\Byerly\Zoning\plat.pro



PLANT LIST

CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
CKA	1	CORNUS KOUSA	KOUSA DOGWOOD	8-10'
COA	1	CHAMAECYPARIS OBUSA 'AUREA'	GOLDEN HINOKI CYPRESS	4'
LID	2	LAGERSTROEMIA INDICA 'DYNAMITE'	DYNAMITE CRAPE MYRTLE	7-8'
SHRUBS				
BUD	12	BUDDLEIA DAVIDII	BUTTERFLY BUSH	3 GAL
BGM	4	BUXUS X 'GREEN MOUNTAIN'	GREEN MOUNTAIN BOXWOOD	3 GAL
HES	10	HYDRANGEA GRANDIFLORA 'ENDLESS SUMMER'	ENDLESS SUMMER HYDRANGEA	3 GAL
RAZ	6	ROSA X 'RADRAZZ'	RED KNOCKOUT ROSE	3 GAL
SWA	9	SPIRAEA X 'WALBUMA'	MAGIC CARPET SPIRAEA	2-3 GAL
PERENNIALS/GRASSES				
ACF	19	ACHILLEA X 'FIRELAND'	FIRELAND YARROW	1 GAL
CKF	15	CALAMAGROSTIS X ACUTIFLORA 'KARL FORESTER'	KARL FORESTER REED GRASS	1 GAL
CVM	15	COREOPSIS VERTICILLATA 'MOONBEAM'	MOONBEAM COREOPSIS	1 QT
LEB	10	LEUCANTHEMUM X 'BECKY'	BECKY SHASTA DAISY	1 QT
LIR	11	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LIRIOPE	4"
PAT	13	PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	1 QT
THA	4	TRANSPLANTED HOSTA	TRANSPLANTED HOSTA	N/A

NOTES:
1. ALL NEW HARDSCAPING AND LIGHTING TO BE DISCUSSED WITH SALESPERSON.

Item #0112