

IN RE: **PETITION FOR VARIANCE**

N/S Bowleys Quarters Road,
NE Corner of New Section Road
(1119 Bowleys Quarters Road)
15th Election District
6th Council District

Josef L. Lacher
Petitioner

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2009-0186-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Josef Lacher. The Petitioner seeks relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (pole barn) with a height of 22 feet in lieu of the maximum allowed 15 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Josef Lacher, owner of the subject property. There were no Protestants or other interested persons present. It should be noted, however, that Mike Vivirito, President of the Bowleys Quarters Improvement Association, participated by telephone conference and offered his Association's position of supporting the requested relief.

Testimony and evidence offered revealed that the subject property is an irregular rectangular shaped parcel located on the north side of Bowleys Quarters Road at its intersection with New Section Road in eastern Baltimore County. The Petitioner's property lies between the Seneca and Galloway Creeks. The property contains a gross area of 12.1 acres, more or less, zoned R.C.20, and is being improved with a two-story single-family dwelling. The Petitioner has owned the property since 2003 and proposes the construction of a detached pole barn, 44' x 60' in dimension, in the rear yard of his property. Testimony indicated that the accessory structure is

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Date

By

3-9-09

2

necessary to provide the architecture and roofline similar to that of the main dwelling (*See Building Elevations – Pole Barn – [Petitioner’s Exhibit 2] and House Elevations [Petitioner’s Exhibit 3]*). Additionally, the Petitioner desires to incorporate a recreational area (baseball batting cage and basketball court) inside the barn for his son who has big-league baseball playing dreams. Testimony and photographs submitted show that the property is heavily wooded with a 7-acre critical area easement on the eastern portion of the lot. Moreover, as is the case with Resource Conservation – Critical Area (B.C.Z.R. Section 1A05.1) zoned land, the Department of Environmental Protection and Resource Management (DEPRM) imposes rigorous obligations on development requests to protect water quality and area natural habitat. As evidenced by DEPRM’s Zoning Advisory Committee (ZAC) comment dated March 5, 2009, they have reviewed Petitioner’s request and have stated in pertinent part, “The proposed pole barn is located outside of the Critical Area Easement and within the approved clearing area”.

Mr. Lacher stated the accessory structure would be built to resemble a country “pole” barn and feature a pitched roof with cupolas, thereby requiring a variance from the height regulations. The Petitioner has reviewed the Office of Planning’s ZAC comment and agrees that the barn will not have a bathroom toilet or sink. Nor will it contain sleeping quarters or be used commercially. Finally, the Petitioner testified that he discussed his plans with neighbors and the Bowleys Quarters Improvement Association and no one had any objections

After due consideration of the testimony and evidence presented, I am persuaded that the Petitioner has met the requirements of Section 307 of the B.C.Z.R. for relief to be granted and that strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for the Petitioner. As noted above, the neighbors support the proposal and there were no adverse comments from any County reviewing agency. DEPRM has approved the proposed location of the structure and Petitioner has provided forest clearing calculations and provided the required mitigation. Thus, I am persuaded that relief can be granted. I find the height of the pole building is reasonable and will not adversely affect the community provided that the terms of the Planning Office comments are incorporated.

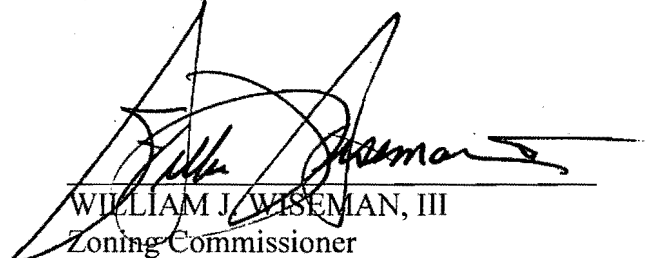
COPY FILED FOR PLANNING
Date 3-9-09
BY [signature]

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of March 2009 that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure ("pole" barn) with a height of 22 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restrictions:

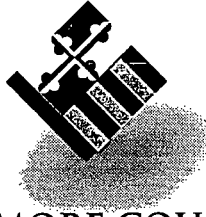
- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The barn/structure shall be limited to uses accessory to the residential use of the property. It shall not be used for commercial or business purposes. Moreover, the Petitioner shall not allow or cause the barn to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no bathroom/kitchen/cooking facilities.
- 3) When applying for any permits, the site plan filed 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.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

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Date 3-9-09
BY 93



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

March 9, 2009

Joseph L. Lacher
1108 Burke Road
Baltimore, Maryland 21220

IN RE: PETITION FOR VARIANCE

N/S Bowleys Quarters Road, NE Corner of New Section Road
(1119 Bowleys Quarters Road)
15th Election District - 6th Council District
Josef L. Lacher - Petitioner
Case No. 2009-0186-A

Dear Mr. Lacher:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Mike Vivirito, President, Bowleys Quarters Improvement Association, 3619 Bay Drive,
Middle River, MD 21220
Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100,
Annapolis, MD 21401
People's Counsel; DEPRM; Office of Planning; File

* ORIGINAL KEEP IN FILE

TAX. ACC. # 1520301140



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 1119 Bowleys Qtrs RD
which is presently zoned RC 20

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 TO PERMIT A PROPOSED ACCESSORY STRUCTURE ^{POKE BLDG.} WITH A HEIGHT OF 22 FT. IN LIEU OF THE MAXIMUM ALLOWED 15 FT.

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

TO BE DETERMINED AT HRNG.

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:

JOSEF LACHER
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

N/A
Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

JOSEF LACHER
Name - Type or Print

Signature
Josef Lacher Josef Lacher

Name - Type or Print

Signature
1108 BURKED 443-854-8454
Address Telephone No.
BALTO MD 21220
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

Case No. 2009 0186 A

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING ✓ Date 1/07/09

RECEIVED
Date 3-9-09
By [Signature]

Zoning Description

2009-0186-A

For 1119 Bowleys Quarters RD

Beginning at a Point North Side of
Bowleys Qts RD, A 40 Right of way
At the intersection ^{with the North Side} of New Section RD,
A 30' Right of way. Being a 12.41 Acre
Parcel.

^{Northern} Then Binding ^{Easterly} along the New Section RD
Right of way for a Distance of 848 Feet.

Then Leaving said Right of way in a
Westward Direction for a Distance of 1197.45
Feet, Then Southwesterly for a Distance of
546.69 Feet ^{to Bowleys Quarters RD - then} Binding along the Northern
Side of Bowleys Qts RD, in a South Easterly
Direction for 595 Feet Back to the
Point of Beginning. Being 12.41 Acres IN the
15 ELECTION District / Councilman District 6

77-0186 No. 31324

107/003

DAVID

1031953 71116 1160

10/20/2011 1:52 PM

THE HISTORY OF THE

DEPT. OF AGRICULTURE

THE UNIVERSITY OF CHICAGO

13

Page 101

STUDY OF THE CHINESE

7-11-1965

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Total

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Rec
From

ACHES

For

11/10/

15-01-1944

1

DISTRIBUTION

WHITE-CASHIER

PINK-AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

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: # 2009-0186-A

1119 Bowleys Quarters Road

N/side of Bowleys Quarters Road, at the intersection with n/east corner of New Section Road

15th Election District — 6th Councilmanic District

Legal Owner(s): Josef Lacher

Variance: to permit a proposed accessory structure (pole building), with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearing: Friday, March 6, 2009 at 9:00 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.

2/29/09 Feb. 19

194614

CERTIFICATE OF PUBLICATION

2/20/2009

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 2/19/2009.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2009-0186-A

Petitioner/Developer JOSEF
LACHER

Date Of Hearing/Closing: 3/6/09

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 1119 BOWLEYS QUARTERS RD

This sign(s) were posted on February 19, 2009

Month, Day, Year

Sincerely,

Martin Ogle 2/19/09
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411



02/19/2009

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 19, 2009 Issue - Jeffersonian

Please forward billing to:
Josef Lacher
1108 Burke Road
Baltimore, MD 21220

410-335-4717

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: 2009-0186-A

1119 Bowleys Quarters Road

N/side of Bowleys Quarters Road, at the intersection with n/east corner of New Section Road
15th Election District – 6th Councilmanic District

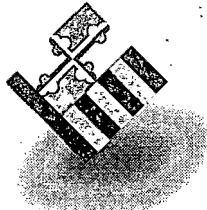
Legal Owners: Josef Lacher

Variance to permit a proposed accessory structure (pole building), with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearing: Friday, March 6, 2009 at 9:00 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
MARYLAND

JAMES T. SMITH, JR.
County Executive

February 3, 2009
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: 2009-0186-A

1119 Bowleys Quarters Road

N/side of Bowleys Quarters Road, at the intersection with n/east corner of New Section Road.

15th Election District – 6th Councilmanic District

Legal Owners: Josef Lacher

Variance to permit a proposed accessory structure (pole building), with a height of 22 feet in lieu of the maximum allowed 15 feet.

Hearing: Friday, March 6, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Josef Lacher, 1108 Burke Road, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., FEBRUARY 19, 2009**
- (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.

**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: 2009-0186-A

Petitioner: LACHER

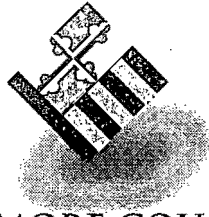
Address or Location: 1119 Bowleys Quarters Rd.

PLEASE FORWARD ADVERTISING BILL TO:

x Name: JOSEF LACHER

Address: 4108 Burke Rd
Baltimore MD 21220

Telephone Number: (cell) 443-854-8454 (H) 410-335-4717



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
February 26, 2009

Josef Lacher
1108 Burke Rd.
Baltimore, MD 21220

Dear: Josef Lacher

RE: Case Number 2009-0186-A, 1119 Bowleys Quarters Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 07, 2009. 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

INTER-OFFICE CORRESPONDENCE

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

DATE: January 22, 2009

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

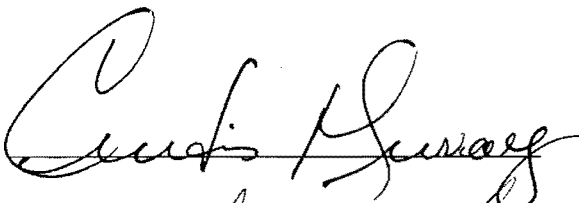
SUBJECT: 9-186 -Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 22 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

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

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

Prepared by:



Section Chief:



AFK/LL: CM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

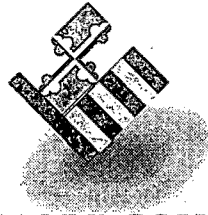
DATE: January 26, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For January 26, 2009
Item Nos. 2009-0035, 0128, 0183, 0184,
~~0186~~, 0187, 0188, and 0189

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

DAK:CEN:lrk
cc: File
ZAC-012609 -NO COMMENTS



BALTIMORE COUNTY

M A R Y L A N D

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

January 26, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 19, 2009

Item Numbers 0035, 0128, 0183, 0184, 0185, ~~0186~~, 0187, 0188, 0189

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: JANUARY 22, 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 2009-0186-A
1119 BOWLEYS QUARTERS RD
LACHER PROPERTY
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. 2009-0186-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,

for 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



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: March 5, 2009

SUBJECT: Zoning Item # 09-186-A
Address 1119 Bowleys Quarters Road
(Lacher Property)

Zoning Advisory Committee Meeting of January 19, 2009

_____ 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:

The property is located within a Resource Conservation Area (RCA) of the Chesapeake Bay Critical Area. Lot coverage is limited to 15% and there are limits on forest clearing. Clearing up to 20% must be mitigated at 1:1, clearing between 20%-30% must be mitigated at 1.5:1 for the entire area cleared; and clearing above 30% is not permitted without a variance. The proposed pole barn is located outside of the Critical Area Easement and within the approved clearing area.

Reviewer: Regina Esslinger

Date: February 2, 2009

BW 316
9 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 22, 2009

RECEIVED

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

JAN 29 2009

ZONING COMMISSIONER

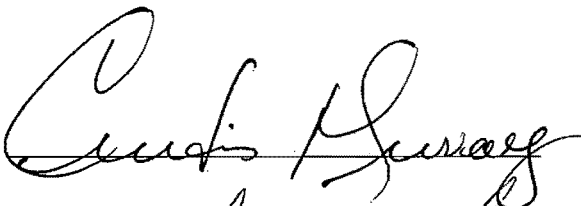
SUBJECT: 9-186 -Variance

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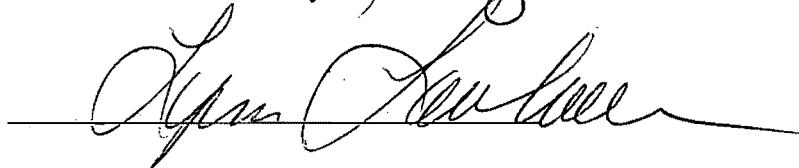
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

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

Prepared by:



Section Chief:



AFK/LL: CM

RE: PETITION FOR VARIANCE * BEFORE THE
1119 Bowleys Quarters Road: N/S Bowleys
Quarters Road, NE corner of New Section Rd* ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts
Legal Owner(s): Josef Lacher * FOR
Petitioner(s) * BALTIMORE COUNTY
* 09-186-A

* * * * *

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 and all documentation filed in the case.

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

RECEIVED

FEB 02 2009

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of February, 2009, a copy of the foregoing Entry of Appearance was mailed to Josef Lacher, 1108 Burke Road, Baltimore, Maryland 21220, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME Lacher
CASE NUMBER 2009-0186-A
DATE 3-6-09

[illegible]

Case No.: 2009-0186-A

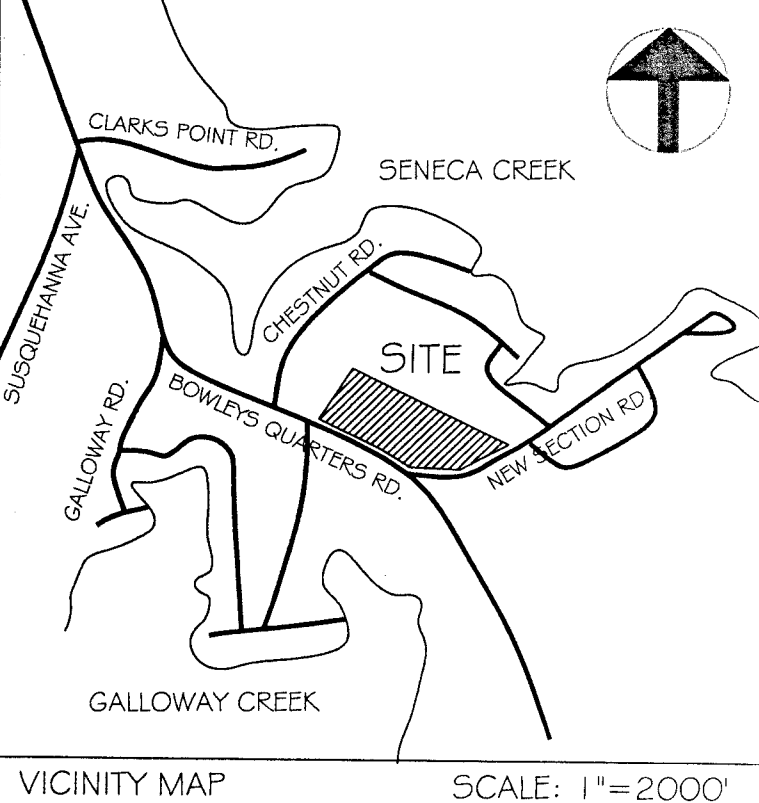
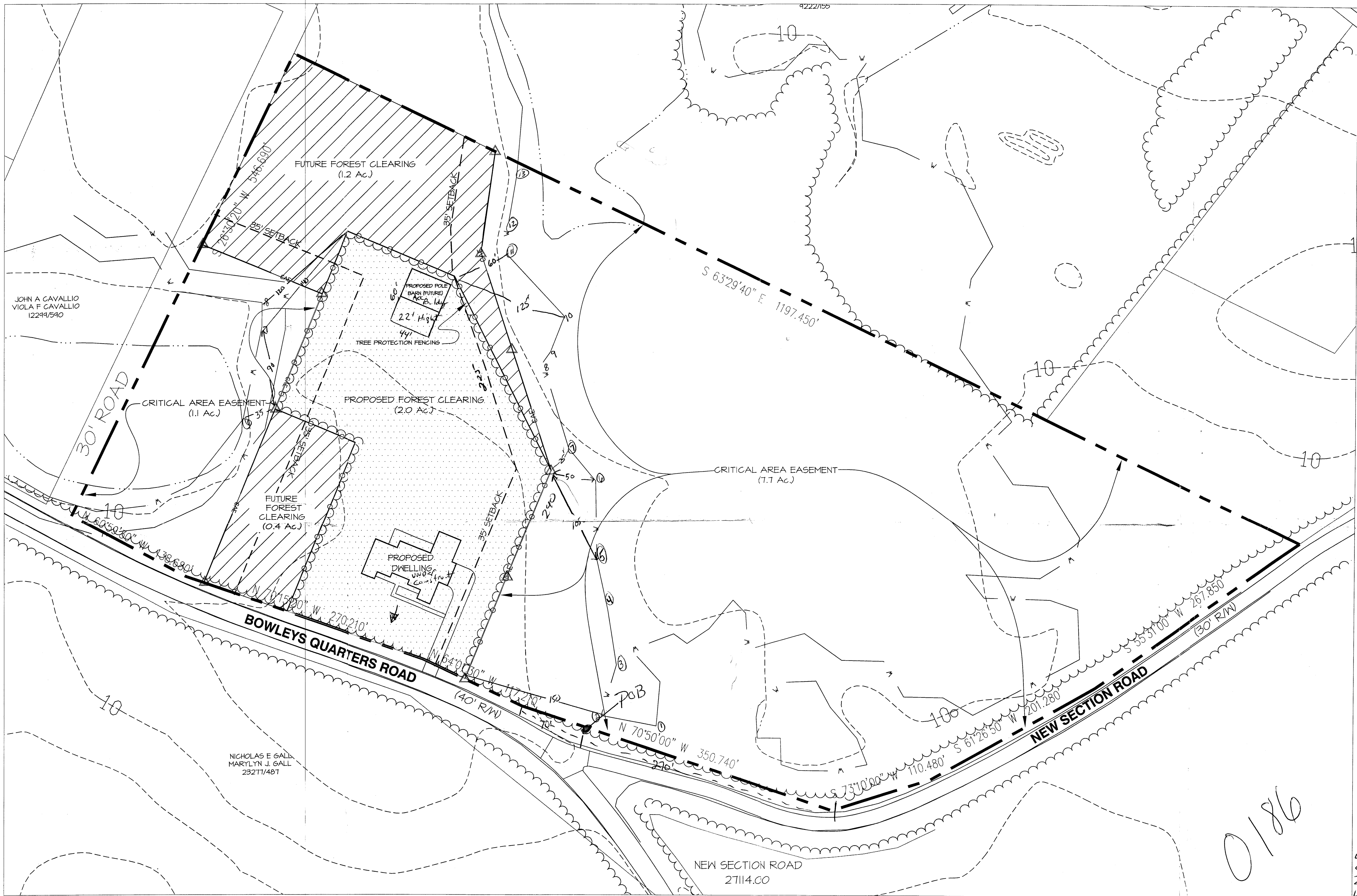
1119 BOWLEYS QTRS RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2	Elevation Sketches POLE BARN	
No. 3	HOUSE ELEVATION DRAWINGS	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



- KEY**
- EXISTING TREE LINE (12.1 AC. OF FOREST)
 - USE I - TRIBUTARY TO SENECA CREEK
 - NON-TIDAL WETLAND LIMITS
 - CHESAPEAKE BAY CRITICAL AREA EASEMENT
 - CHESAPEAKE BAY CRITICAL AREA EASEMENT PROTECTIVE SIGNAGE (10 EA.)
 - PROPOSED CLEARING LIMITS (2.0 AC. OF EX. FOREST CLEARED)
 - TREE PROTECTION FENCING (1,100 LF.)
 - FUTURE CLEARING LIMITS (1.6 AC. OF EX. FOREST MAY BE CLEARED) (ADDITIONAL REFORESTATION REQUIRED)

- FOREST CLEARING CALCULATIONS**
- 12.1 AC. OF EXISTING FOREST ON SITE
 - 1:1 MITIGATION FOR CLEARING UP TO 20% OR 2.4 AC.
 - 1.5:1 MITIGATION FOR CLERING UP TO 30% OR 3.6 AC.
 - 1 AC. OF FOREST CLEARING IS ALLOWED WITHOUT MITIGATION.
 - AN ADDITIONAL ONE (1) AC. IS PROPOSED TO BE CLEARED AT THIS TIME. 1 AC. OF MITIGATION CREDIT WILL BE PURCHASED FROM THE WHITE HOUSE FARM FOREST BANK.
 - AN ADDITIONAL 1.6 AC. MAY BE CLEARED IN THE FUTURE. THIS WILL REQUIRE ADDITIONAL MITIGATION AT A RATIO OF 1.5:1 FOR ALL FOREST CLEARED ABOVE 2.4 AC. OR 20%. THIS WILL INCLUDE THE 1 AC. CLEARED UNDER THIS PROPOSAL. IF THE ADDITIONAL 1.6 AC. IS CLEARED A FEE OF \$0.20 PER SQUARE FOOT WILL BE REQUIRED FOR THE 1 AC. PREVIOUSLY CLEARED (\$8,712.00) THE REMAINING 1.6 AC. WOULD BE MITIGATED AT THE 1.5:1 RATIO (2.4 AC.)
- 0186*
- Flora Plan (10)
Election Dist (15)
Councilman Dist (C)
Zoning RC 20
Lot 5/22 12.41 ac
Sewer Public
Water Public
Critical Area (Yes)
Historical Property (No)
Prior Zoning Hearing (No)

STANDARD CRITICAL AREA EASEMENT NOTES

Standard Nondisturbance Note:

"There shall be no clearing, grading, construction or disturbance of vegetation in the Critical Area Easement except as permitted by the Baltimore County Department of Environmental Protection and Resource Management."

Protective Covenants Note:

"Any Critical Area Easement shown hereon is subject to protective covenants which may be found in the Land Records of Baltimore County and which restrict disturbance and use of these areas."

<u>OWNER</u> JOSEF LACHER 1108 BURKE ROAD BALTIMORE, MD 21220-4414 TAX ACCT. No. 1520301140 DEED REF. 17623739	<table><tr><th>REVISIONS</th><th>DATE</th></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table>	REVISIONS	DATE											CRITICAL AREA MANAGEMENT PLAN SCALE: 1"= 50' JANUARY 4, 2008	"LACHER PROPERTY" BOWLEY'S QUARTERS RD & NEW SECTION RD TAX MAP: 9B GRID: 5 PARCEL: 13 ELECTION DISTRICT: 15 COUNCILMANIC DISTRICT: 6 BALTIMORE COUNTY, MD	HUMAN & ROHDE, INC. Landscape Architects 512 Virginia Ave. Towson, Maryland 21286 (410) 825-3885 Phone (410) 825-3887 Fax
REVISIONS	DATE															

PETITIONER'S
EXHIBIT NO. 1

Plat For Zoning Variance

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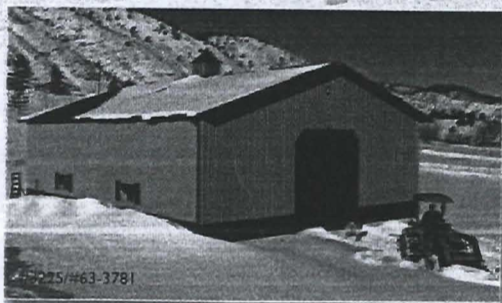
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PLAN AHEAD AND SAVE MONEY.

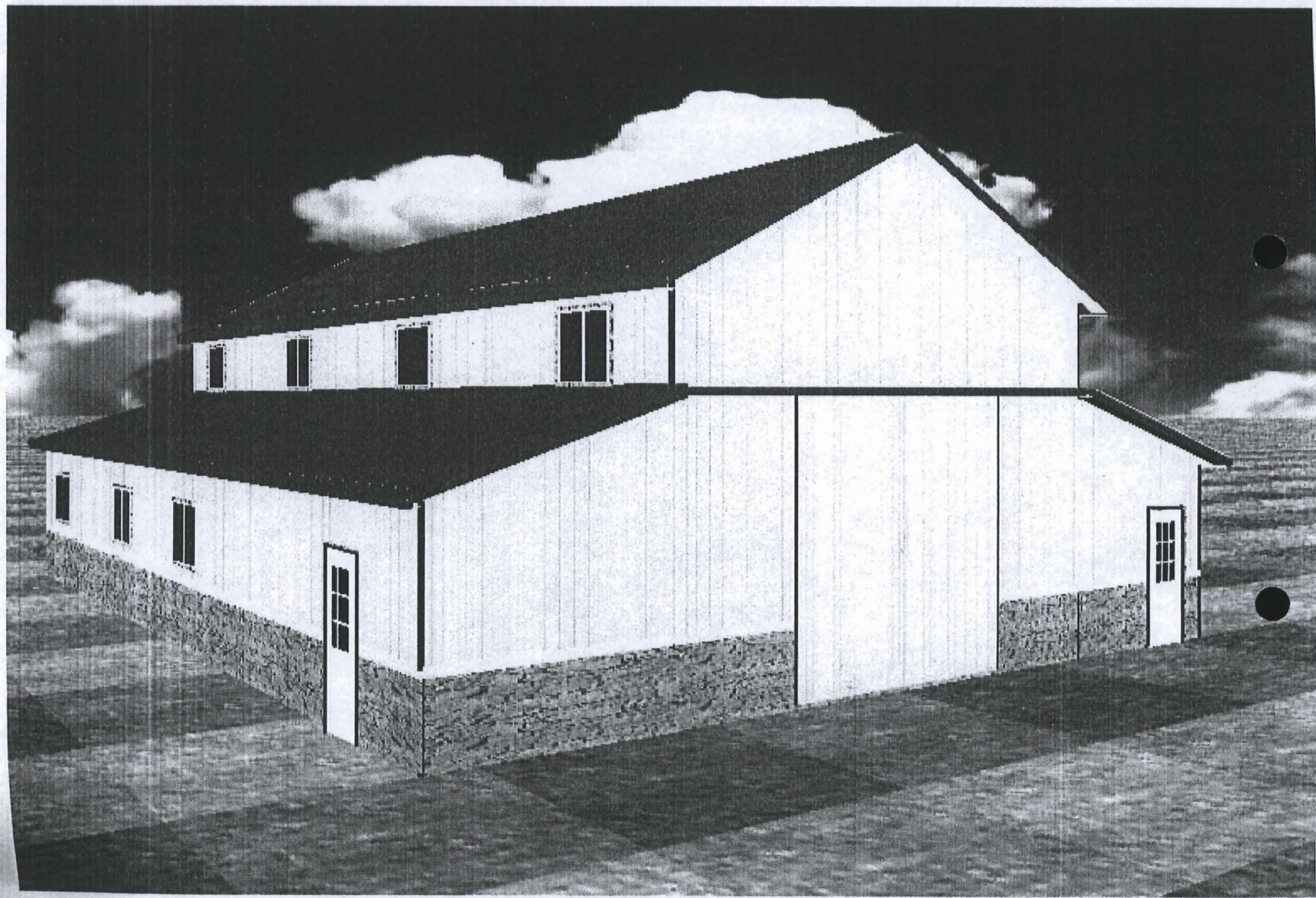
Schedule your building during our off-peak construction season and lock in the lowest price of

PETITIONER' S

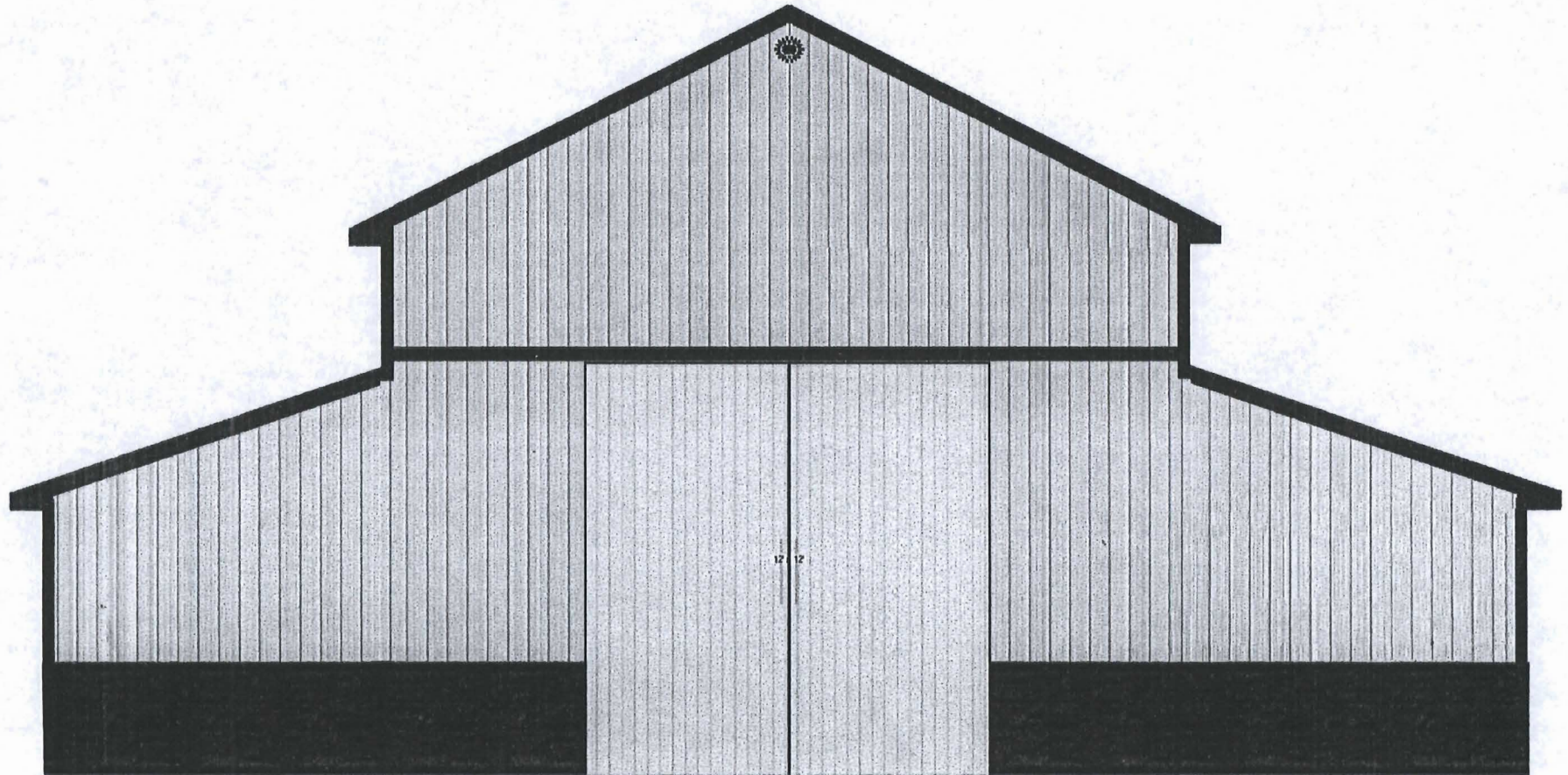
EXHIBIT NO.

2

available
tuling
office.



ELEVATION PLAN (BY DIRECTION, ALL WINGS) -- West



87



Date: 12/17/2008
Line Rock 24x60 Monitor.bc2
AB Martin
Ephrata, PA 17522
800-373-3703

by PostFrame Manager®



2007/02/16 04:26 am

PETITIONER'S

EXHIBIT NO.

3



2007/02/16 04:27 am



2009/01/13 08:12 am



2009/01/13 07:59 am

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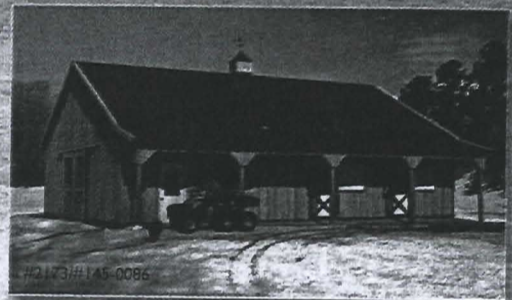
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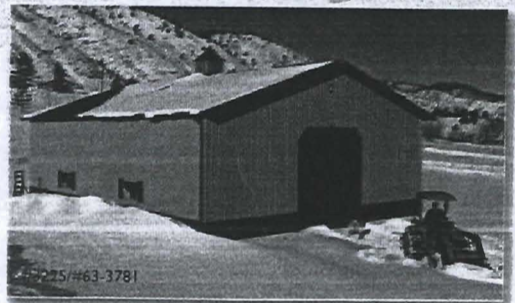


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#225/#63-3781

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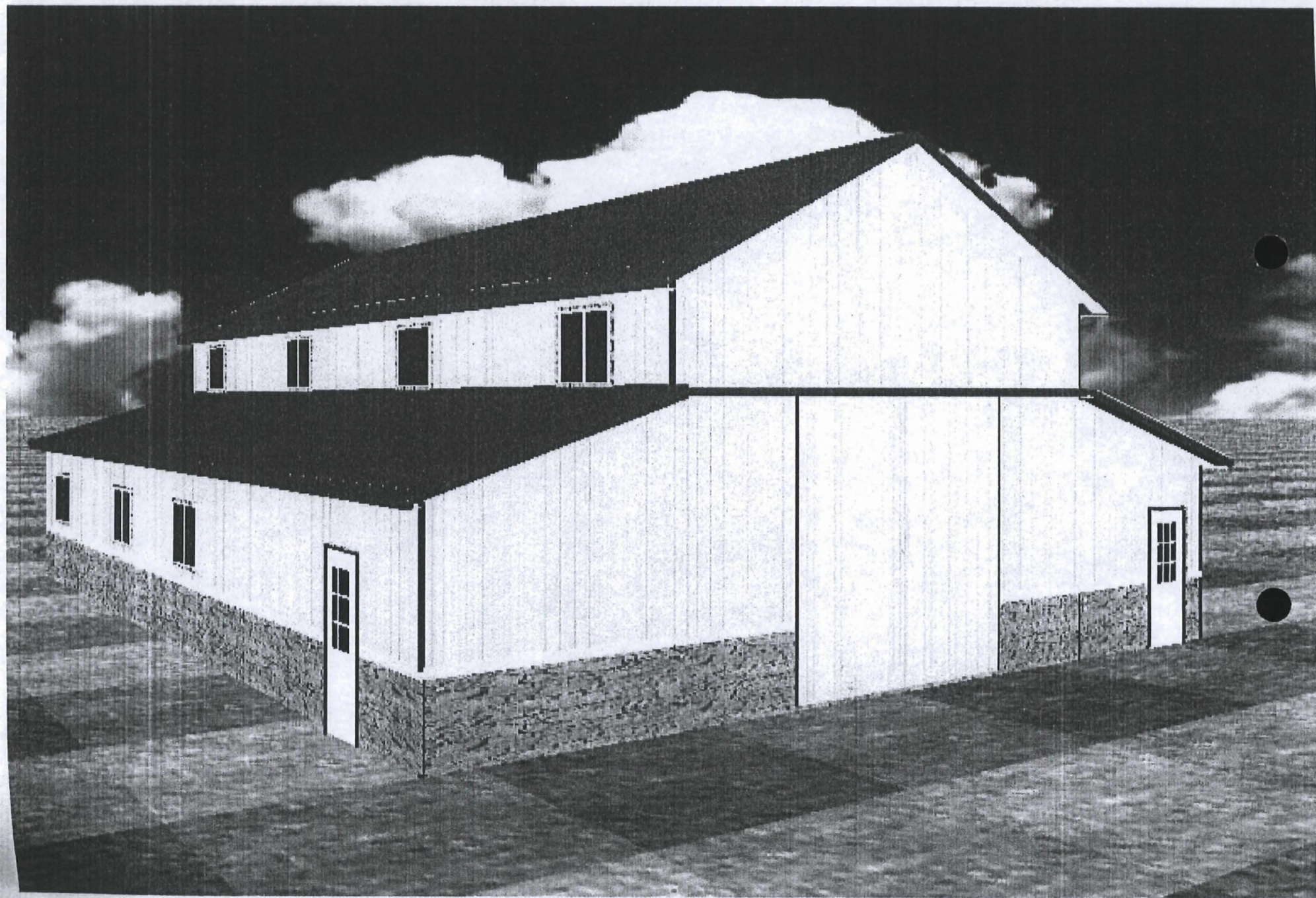
Schedule your building during our off-peak construction season and lock in the lowest price of

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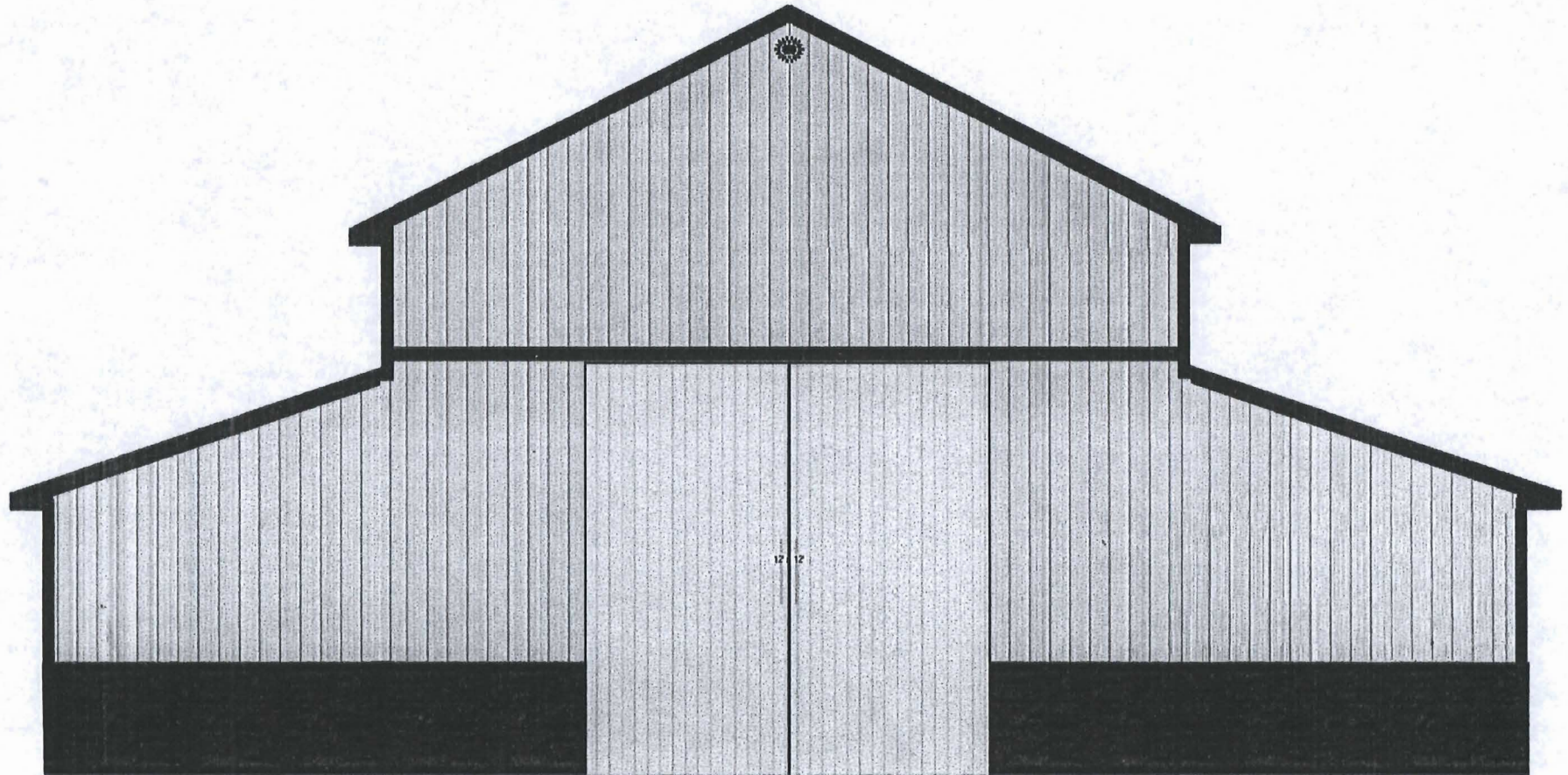
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