

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE – E/S Schroeder Avenue,
1,600' NE/S of c/line of Sadler Lane *
(3804 Schroeder Avenue) *
11th Election District *
5th Council District *

James L. Mosley, et ux
Petitioners *

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2010-0267-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, James L. Mosley and his wife, Angela T. Mosley. The Petitioners request a special hearing to approve a proposed detached accessory structure (garage) with an area footprint larger than that of the principal dwelling, and variance relief to permit the proposed detached accessory structure (garage) to have a height of 16 feet in lieu of the maximum allowed 15 feet. Relief is requested pursuant to Sections 500.7 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were James and Angela Mosley, property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel, located at the terminus of Schroeder Avenue in the Perry Hall. The property contains 1.75 acres, more or less, zoned D.R.2 and is improved with a modest one-story stucco/brick dwelling (936 square feet), a collapsed carport and two (2) sheds that are proposed to be razed if their zoning relief is granted. The Petitioners have owned and resided on the property for 44 years. Their metal frame carport was destroyed during the substantial winter snowfalls. This carport protected the Petitioners' boats and lawn equipment from the elements.

ORDER RECEIVED FOR FILING

Date

By

5-24-10

23

Petitioners submitted photographs (Exhibit 3) that clearly illustrate that the carport was completely destroyed by the nearly 60 inches of snow received December through January. Mr. Mosley is retired and enjoys fishing as a hobby and is desirous of having a pole barn building (detached garage) [30' x 40' in dimension, 16' high with a 4-12 roof pitch]. Building elevations were submitted as Exhibit 5 and show windows and two (2) 16' wide x 8' high overhead doors to be built by PPB, Inc. Having the structure will allow for complete boat coverage and easy access as a standard 7-foot overhead door with a 15-foot high garage would not be sufficient to allow the boats on trailers to enter. The extra space will allow for additional storage of lawn and garden supplies and boat items. Further testimony indicated that the Petitioners have discussed their proposal with their adjacent neighbors, Mr. Steven H. and Jane M. Sagner, who reside directly to the rear, and they have no objections. Petitioners submitted a letter of support, dated May 17, 2010, (Exhibit 2) from the Sagner's. Moreover, the property is heavily wooded with mature trees that buffer the view of the proposed garage from the adjacent property owners who have no objection. This new improvement will benefit the overall appearance of the property as two existing sheds will be razed.

After due consideration of the testimony and evidence presented, I am easily persuaded that Petitioners have met the requirements of Section 307 of the B.C.Z.R. and relief should be granted. Strict compliance with the regulations would result in a practical difficulty and unreasonable hardship for these Petitioners. Their primary residence is too compact to provide needed storage space. There were no adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies. However, the Office of Planning has requested that approval be conditioned to exclude conversions for living space and/or commercial uses.

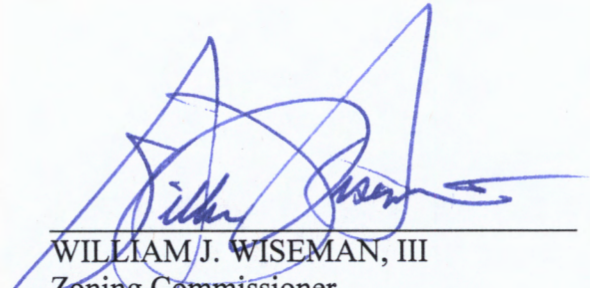
Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of May 2010 2009 that the Petitions for Special Hearing and Variance seeking relief, pursuant to Sections 500.7 and 400.3 of the Baltimore County Zoning

Regulations (B.C.Z.R.), to permit a proposed detached accessory structure (garage) with an area footprint larger than that of the principal dwelling and with a height of 16 feet in lieu of the maximum allowed 15 feet, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their 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 garage 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 Petitioners or their assigns shall not allow or cause the garage to be converted to a second dwelling unit and/or apartments. There shall be no living quarters contained therein, and no kitchen or bathroom 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 taken in accordance with Section 32-3-401 of the Baltimore County Code.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 5-24-10

By WJW:dlw



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 24, 2010

James L. Mosley
Angela T. Mosley
3804 Schroeder Avenue
Perry Hall, Maryland 21128

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
E/S Schroeder Avenue, 1,600' NE/S of c/line of Sadler Lane
(3804 Schroeder Avenue)
11th Election District - 5th Council District
James L. Mosley, et ux – Petitioners
Case No. 2010-0267-SPHA

Dear Mr. and Mrs. Mosley:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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,

WILLIAM J. WISEMAN
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: People's Counsel, DEPRM; Office of Planning, File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3804 Schroeder Ave
which is presently zoned DR 2

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

a proposed detached
accessory structure (garage) with an area footprint larger than that of
the principal dwelling

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):

JAMES L. MOSLEY

Name - Type or Print

Signature

ANGELA MOSLEY

Name - Type or Print

Angela Mosley

Signature

3804 Schroeder Ave 410-256-5831

Address

Telephone No.

Perry Hall

City

Md

State

21128

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By RDD Date 4/5/10

Case No. 2010-0267-SPHA

REV 9/15/98

ORDER RECEIVED FOR FILING

Date 5-24-10

By DW



TAX. ACCT # 1113077210

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 3804 Schroeder Ave
which is presently zoned DR2

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 detached

accessory structure (garage) to have a height of 16 feet in lieu of the
maximum allowed 15

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 discussed at hearing

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):

JAMES MOSLEY
Name - Type or Print

Signature

ANGELA MOSLEY
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Date

Case No. 2010-0267-SPHA

ORDER RECEIVED FOR FILING Reviewed By

REV 9/15/98

Date

5-24-10

100

4/5/10

Zoning Description for 3804 Schroeder Avenue

As recorded in Deed liber 4735, folio 129:

Beginning for the same at a stake driven in the ground at a point in the third line of the whole tract of land ~~of which~~ the lot now being described is a part and which said whole tract of land is described in a deed dated November 3, 1930, and recorded among the Land Records of Baltimore County in Liber L.McL.M. No. 865, folio 208, from Clarence E. Hoey and wife to Harry Clifton Sadler and wife, at the distance of 626.15 feet northwesterly, measured along said third line from the beginning thereof; and running thence from said place of beginning, binding on part of said third line of said whole tract of land North 43 degrees 30 minutes West, as now surveyed, 236.50 feet to an iron pipe and to intersect the center of a 30 foot road; thence binding on the said center of said thirty foot road, with the use thereof in common with others entitled thereto, and running South 81 degrees 40 minutes West 382.73 feet to an iron pipe and to intersect the fourth line of said whole tract of land and to the center of another 30 foot road; thence binding on part of said fourth line of said whole tract of land and binding on the center of said last mentioned 30 foot road, with the use thereof in common with others entitled thereto, and running South 50 degrees 21 minutes West 50.15 feet; thence South 53 degrees 04 minutes East 200 feet to an iron pipe; and running thence North 85 degrees 05 minutes 09 seconds East, and binding on the lands of Melvin C. Sadler and Clifflyn S. Sadler, 421.76 feet to the place of beginning. Containing 1.747 acres of land, more or less.

11th Election District, 5th Councilmanic District

Item #0267

**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: 2010-0267-SPHA
Petitioner: James + Angela Masley
Address or Location: 3804 Schroeder Ave. Perry Hall, Md. 21128

PLEASE FORWARD ADVERTISING BILL TO:

Name: James + Angela Masley
Address: 3804 Schroeder Ave
Perry Hall, Maryland 21128

Telephone Number: 410-256-5831

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

No. _____

Date: _____

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
				Obj	Sub Obj				

Total: _____

Rec
From: _____

For: _____

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: # 2010-0267-SPHA

3804 Schroeder Avenue

E/side of Schroeder Avenue, 1600 feet +/- n/east side of the centerline of Sadler Lane

11th Election District — 5th Councilmanic District

Legal Owner(s): James & Angela Mosley

Special Hearing: for a proposed structure (garage) with an area footprint larger than that of the principal dwelling. **Variance:** to permit a proposed detached accessory structure (garage) to have a height of 16 feet in lieu of the maximum allowed 15.

Hearing: Friday, May 21, 2010 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.

5/076 May 6

239023

CERTIFICATE OF PUBLICATION

5/6/, 2010

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 5/6/, 2010.

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

J. Wilkins

LEGAL ADVERTISING

William D. Gulick, Jr.
Baltimore County Approved Sign Poster
Notary Public
2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

LETTER OF TRANSMITTAL

TO: BALTO COUNTY, PDM
ZONING OFFICE

ATTENTION: MS KRISTEN
MATTHEWS

DATE: 5.6.2010
JOB NO. SP-04
RE: 3804

SCHROEDER AVE.
CASE NO. 2010-0267-SPHA

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover the following items:

☐ Copy of letter ☒ Prints ☒ Documents ☐ Other

No. of copies	Date	Description
1	5.6.2010	CERT. OF POSTING
2	5.6.2010	SITE PHOTOS

TRANSMITTALS are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review and comment

☐ Other

REMARKS: LAURA SUBMITTAL

SIGNED:

WILLIAM D. GULICK, JR.

cc:

File #

JAMES & ANGELA
MOSLEY

rec'd 5/10/10

CERTIFICATE OF POSTING

Department of Permits & Development Management
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

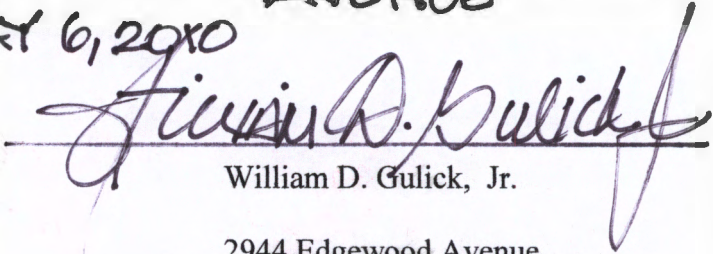
Date: 5.6.2010

ZONING OFFICE
Attention: MS KRISTEN MATTHEWS

Re: Case Number: 2010-0267-SPHA
Petitioner/Developer: JAMES & ANGELA MOSLEY
Date of Hearing/Closing: MAY 21, 2010

This is to certify under the penalties of perjury that the necessary sign (s) required by law
were posted conspicuously on the property located at: 3804 SCHROEDER
AVENUE

The sign (s) were posted on: MAY 6, 2010


William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

SEE ATTACHED SITE PHOTOS





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

April 19, 2010

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: 2010-0267-SPHA

3804 Schroeder Avenue

E/side of Schroeder Avenue, 1600 feet +/- n/east side of the centerline of Sadler Lane

11th Election District – 5th Councilmanic District

Legal Owners: James & Angela Mosley

Special Hearing for a proposed structure (garage) with an area footprint larger than that of the principal dwelling. Variance to permit a proposed detached accessory structure (garage) to have a height of 16 feet in lieu of the maximum allowed 15.

Hearing: Friday, May 21, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: James & Angela Mosley, 3804 Schroeder Avenue, Perry Hall 21128

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 6, 2010.**
- (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
Thursday, May 6, 2010 Issue - Jeffersonian

Please forward billing to:
James & Angela Mosley
3804 Schroeder Avenue
Perry Hall, MD 21128

410-256-5831

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: 2010-0267-SPHA

3804 Schroeder Avenue

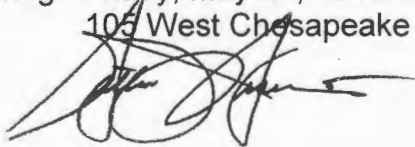
E/side of Schroeder Avenue, 1600 feet +/- n/east side of the centerline of Sadler Lane

11th Election District – 5th Councilmanic District

Legal Owners: James & Angela Mosley

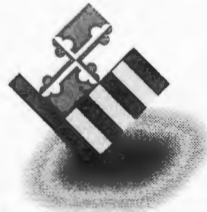
Special Hearing for a proposed structure (garage) with an area footprint larger than that of the principal dwelling. Variance to permit a proposed detached accessory structure (garage) to have a height of 16 feet in lieu of the maximum allowed 15.

Hearing: Friday, May 21, 2010 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

May 19, 2010

James and Angela Mosley
3804 Schroeder Ave.
Perry Hall, MD 21128

Dear: James and Angela Mosley

RE: Case Number 2010-0267-SPHA, 3804 Schroeder Ave

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 05, 2010. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BW 5/21 10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 20, 2010

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

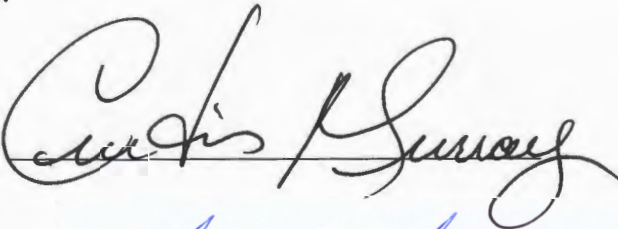
SUBJECT: 10-267 -Variance

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 16 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

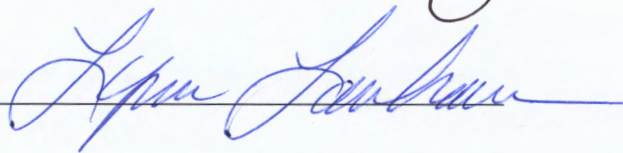
1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
2. The accessory structure shall not be used for commercial purposes.

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

Prepared by:



Division Chief:



AFK/LL: CM

RECEIVED

APR 21 2010

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For April 26, 2010
Item Nos. 2010-254, 259, 261, 262,
263, 264, 265, 266, 267, 268 and 272

DATE: April 14, 2010

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

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04262010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAY 20 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: May 20, 2010
SUBJECT: Zoning Item # 10-267-SPHA
Address 3804 Schroeder Avenue
(Mosley Property)

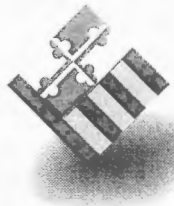
Zoning Advisory Committee Meeting of April 12, 2010.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

The proposed garage will need to be reviewed by the Groundwater Mgmt. Section, at the Building Permit stage, for setbacks to well and septic.

Reviewer: Dan Esser

Date: 4/27/10



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

April 19, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: April 12, 2010

Item Numbers: 0254, 0259, 0261, 0262, 0263, 0264, 0265, 0266, 0267, 0268 and 0272

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



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: APRIL 22, 2010

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

RE: Baltimore County
Item No. 2010-0267-SHA
380A SHROEDER AVE.
MOSLEY PROPERTY
SPECIAL EXCEPTION -
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. 2010 - 0267-SHA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 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 black ink, appearing to read "Steven D. Foster".

Fo¹ 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.sha.maryland.gov

AV
5-3-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 09 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 8, 2010

SUBJECT: Zoning Item # 10-268-A
Address 220 Embleton Road
(Linton and Pilkerton Property)

Zoning Advisory Committee Meeting of April 12, 2010.

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

Reviewer: JWL Date: 6/8/10

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
3804 Schroeder Avenue; E/S Schroeder Avenue,* ZONING COMMISSIONER
1600' NE/S c/line of Sadler Lane
11th Election & 5th Councilmanic Districts * FOR
Legal Owner(s): James & Angela Mosley
Petitioner(s) * BALTIMORE COUNTY
* 10-267-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

APR 21 2010

.....

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 21st day of April, 2010, a copy of the foregoing Entry of Appearance was mailed to James & Angela Mosley, 3804 Schroeder Avenue, Perry Hall, Maryland 21128, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Debra Wiley
To: Livingston, Jeffrey
Date: 5/19/2010 1:40 PM
Subject: Comment Needed - Bill - May 21st

*Missing
DEPRM*

Hi Jeff,

We just received Bill's file for his hearing on Friday, May 21st @ 10 AM and do not see a DEPRM comment. I have provided a case description for your convenience below. Please let us know if you're planning to submit a comment, whether it's a comment or a "no" comment. Thanking you in advance.

CASE NUMBER: 2010-0267-SPHA
3804 Schroeder Avenue (Zoned D.R. 2)
Location: E side of Schroeder Avenue; 1600 feet NE side of the c/l of Sadler Lane.
11th Election District, 5th Councilmanic District
Legal Owner: James and Angela Mosley

SPECIAL HEARING A proposed structure (garage) with an area footprint larger than that of the principal dwelling.

VARIANCE To permit a proposed detached accessory structure (garage) to have a height of 16 feet in lieu of the maximum allowed 15.

Hearing: Friday, 5/21/2010 at 10:00:00 AM, Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

5/21
10am

Case No. 2010- 0267-SPHA

CHECKLIST

**Comment
Received**

Department

**Support/
Oppose**

4-14 DEVELOPMENT PLANS REVIEW

None

Revised 5-20
4-19 DEPRM

Comments

4-19 FIRE DEPARTMENT

None

4/20 PLANNING

Comments

4-22 STATE HIGHWAY ADMINISTRATION

No objection

_____ TRAFFIC ENGINEERING

_____ ZONING VIOLATION

✓ NEWSPAPER ADVERTISEMENT

✓ 4-21 PEOPLE'S COUNSEL APPEARANCE

_____ PRIOR ZONING

✓ 5-6 SIGN POSTING

Comments, if any: _____



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3d)

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

Account Identifier: District - 11 Account Number - 1113077710

Owner Information

Owner Name:	MOSLEY JAMES L MOSLEY ANGELA T	Use:	RESIDENTIAL
Mailing Address:	3804 SCHROEDER AVE PERRY HALL MD 21128-9721	Principal Residence:	YES
		Deed Reference:	1) / 4735/ 129 2)

Location & Structure Information

Premises Address	Legal Description
3804 SCHROEDER AVE	1.747 AC SS SCHROEDER AVE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
63	15	205						3	Plat Ref:

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1960	936 SF	1.75 AC	04
Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	STUCCO

Value Information

	Base Value	Value	Phase-In Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2009	07/01/2010
Land	139,750	107,500		
Improvements:	76,140	75,300		
Total:	215,890	182,800	182,800	182,800
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

CASE NAME Trusley
CASE NUMBER 2010-0267-SARA
DATE 5-21-10

CASE NAME Trusley
CASE NUMBER 2010-0267-SARA
DATE 5-21-10

[illegible]

Case No.: 2010-0267-SPHA 3804 Schroeder Ave

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site PLAN	
No. 2	Letter from adjacent Neighbor Sagner	
No. 3	Collapsed 24'x24' Carport - in SNOW	
No. 4	Photo's of adjacent Neighbor	
No. 5	Elevations of garage structure 4-12 roof pitch.	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

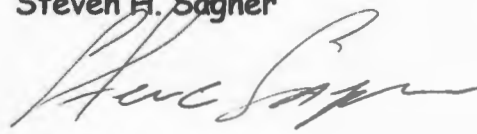
May 17, 2010

To Baltimore County Zoning Department-

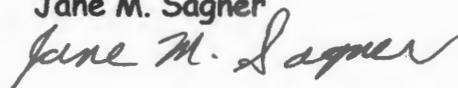
We live at 9812 Sadler Lane. Our property is directly behind 3804 Schroeder Ave. We have no objections to James L. and Angie Mosley constructing a pole building that will be 30' x 40' -16' high to peak.

410-529-6953

Steven H. Sagner



Jane M. Sagner



BRENDA L. WARD
NOTARY PUBLIC
BALTIMORE COUNTY
STATE OF MARYLAND

*My commission expires
April 1, 2011*

PETITIONER'S

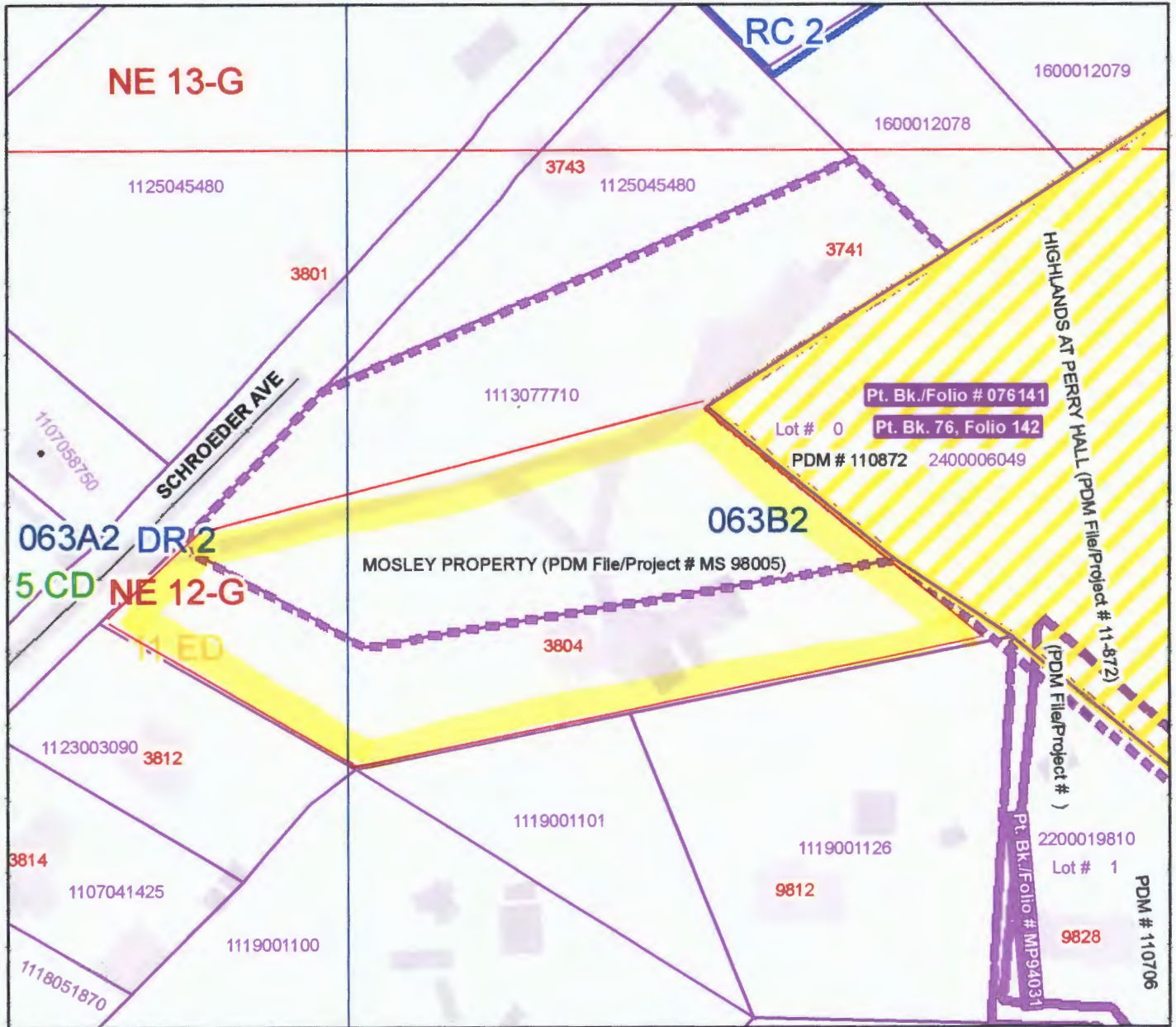
EXHIBIT NO.

2



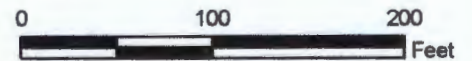


3804 Schroder Avenue



Publication Date: March 29, 2010
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



1 inch = 100 feet

Item #0267

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

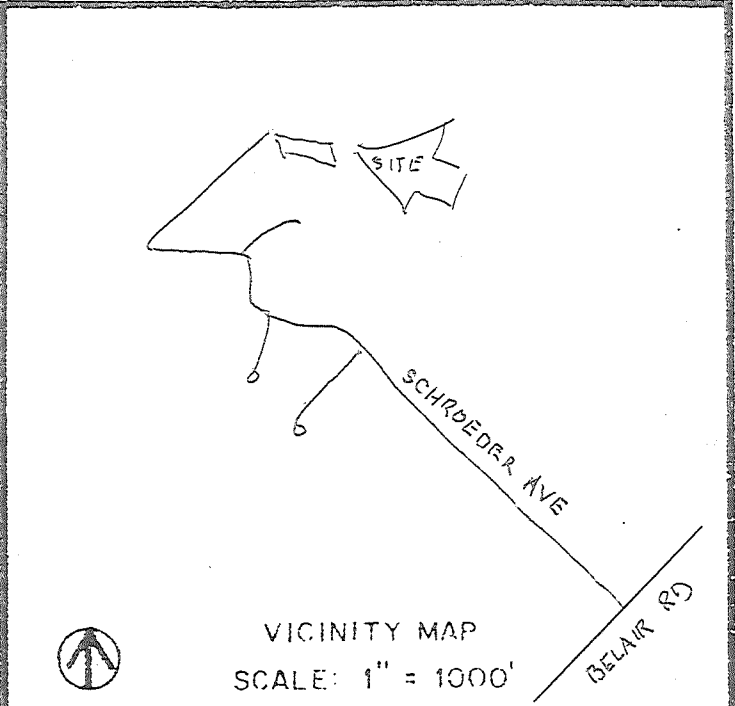
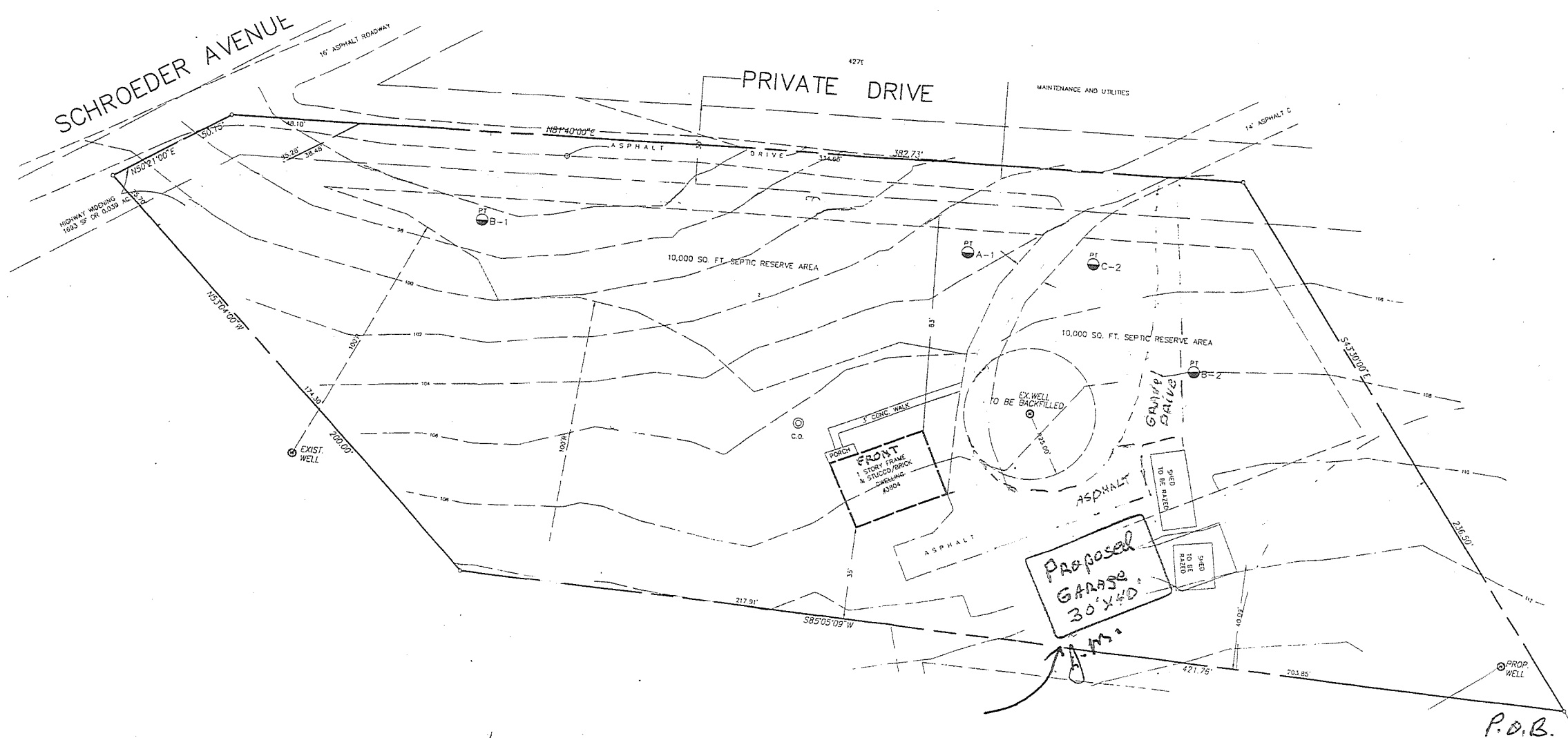
PROPERTY ADDRESS 3804 Schroeder Avenue

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME N/A

PLAT BOOK # FOLIO # LOT # SECTION #

OWNER James & Angela Wosley



LOCATION INFORMATION

ELECTION DISTRICT 11

COUNCILMANIC DISTRICT 5th

1"=200' SCALE MAP # 063A2, 063B2

ZONING DR2

LOT SIZE 1.24 ACREAGE 74,340 SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☐	☒
WATER	☐	☒

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING ☐

PETITIONER'S

EXHIBIT NO. 1

PREPARED BY James Wosley - Owner

SCALE OF DRAWING: 1" = 50

ZONING OFFICE USE ONLY

REVIEWED BY [Signature] ITEM # CASE # 2010-0267-SPHA