MEMORANDUM

DATE:

January 22, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0118-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 18, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(5 Glider Dr.)		
15 th Election District	*	OF ADMINISTRATIVE
6 th Council District	*	WE A BRIGG FOR
Frederick Schroeder	•	HEARINGS FOR
Legal Owner	*	BALTIMORE COUNTY
Petitioner		BALTIMORE COUNTY
i cutionei	*	CASE NO. 2019-0118-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Frederick Schroeder, legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief pursuant to the Baltimore County Zoning Regulations ("BCZR") to allow a proposed and existing accessory structure (2 detached carports) to be located in the side and front yards with a setback as little as 0 ft. in lieu of the minimum required 2.5 ft. A site plan was marked as Petitioner's Exhibit 1.

Professional engineer Rick Richardson and Frederick Schroeder appeared in support of the petition. Mary Gephardt, Esq. appeared on behalf of Denise Pitsenbarger, an adjoining neighbor who opposed the request. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the County reviewing agencies.

The site is approximately 5,000 square feet in size and zoned DR 5.5. The property is improved with a single-family dwelling constructed in 1942. Petitioner has lived in the house since 1955. The property has two carports: one on either side of the dwelling. Most recently the carport on the north side of the dwelling (adjoining the protestant's lot) was constructed. Petitioner stated the carport on the south side of the dwelling was constructed approximately 30 years ago.

ORDER RECEIVED FOR FILING

Date 1919 18

By _______

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

As seen on the plat of Victory Villa (Petitioner's Exhibit 4), the shape and size of Petitioner's property is quite similar to most of the other lots in this community. As such, I do not believe the property is "unique" as that term is used in Maryland law. Thus, the variance request (at least with respect to the newly installed carport on the north side of the dwelling) must be denied. While the same variance standard is arguably applicable in evaluating whether the older carport on the south of the dwelling complies with the BCZR, I believe there are at least two distinguishing factors that dictate a contrary result.

As an initial matter, the plan shows the older carport is setback two (2) ft. from the western boundary and one (1) ft. from the southern boundary. The Regulations require only a 2.5 ft. setback, and this older carport substantially complies with that requirement. In addition, this structure has stood without complaint for over 20 years, and I believe protestant (and Baltimore County) should be equitably estopped from insisting upon its removal at this juncture. In fact, Maryland law provides that an individual may not initiate a complaint or action concerning a building or structure which allegedly violates a setback line requirement more than three years after that structure has been completed. Md. Cts. & Jud. Proc. Code Ann. §5-114. As such, I will grant the petition with respect to the older carport.

THEREFORE, IT IS ORDERED, this <u>19th</u> day of **December**, **2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to allow a proposed accessory ORDER RECEIVED FOR FILING

Date 1319118

structure (detached carport) on the north side of the dwelling to be located in the side and front yards with a setback as little as 0 ft. in lieu of the minimum required 2.5 ft., be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Variance to allow an existing accessory structure (detached carport) on the south side of the dwelling to be located in the side and front yard in lieu of the required rear yard location with setbacks of 1 ft. and 2 ft. in lieu of the required 2.5 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

(1) Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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

JOHN E. BEVERUNGEN Administrative Law Judge for

Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

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3v_____

ADMINISTRATIVE ZONING PE

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative I aw of Baltimore County for the property located at:

Address 5 Glider Drive	which is presently zoned DR-5.5
Deed Reference 38612/352	10 Digit Tax Account # 1519073030
Property Owner(s) Printed Name(s) F	Frederick E. Schroeder & Mary Ruth Schroeder (deceased)

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST) Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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	e a part hereof, hereby petition for a
1. X ADMINISTRATIVE VARIANCE from section(s) 400 (2 detached carports) to be located in the side of the minimum required 2.5	.1 to allow ar proposed and existing accessory structure de and front yards with a setback as little as feet.
of the zoning regulations of Baltimore County, to the zoning	
2ADMINISTRATIVE SPECIAL HEARING to approve Section 32-4- 416(a)(2): (indicate type of work in this space	e a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and to raze, alter or construct addition to building)
restrictions of Baltimore County adopted pursuant to the zoning law for Balt	tions. tc. and further agree to and are to be bounded by the zoning regulations and
Contract Purchaser/Lessee:	Legal Owners:
Name- Type or Print Signature	Frederick E. Schroeder / Mary Ruth Schreder Name #1 - Type or Print Name #2 - Type or Print / (deceased) Signature #1 Signature # 2
	5 Glider Drive, Baltimore MD
Mailing Address City State	Mailing Address City State
Zip Code Telephone # Email Address	21220-4602 / 410-686-5077 / Zip Code Telephone # Email Address
Attorney for Petitioner:	Representative to be contacted:
D FOR FILIT	Richardson Engineering/LIAC Rick Richardson
Attorney for Petitioner: Name- Type or Print Signature ORDER RECEIVED TO THE STATE OF THE STAT	Name Type or Print Signature
	30 E. Padonia Road, Timonium MD
Mailing Address City State	Mailing Address City State
Zip Code	21093 / 410-560-1502 / rick@richardsonengineering.net Zip Code Telephone # Email Address
A PUBLIC HEARING having formally demanded and/or found to be re	equired, it is ordered by the Office of Administrative Law, of Baltimore County,

that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 20 (9 - 0 118-A

Filing Date 10,12, 2018 Estimated Posting Date 10,21, 2818 Reviewer NP

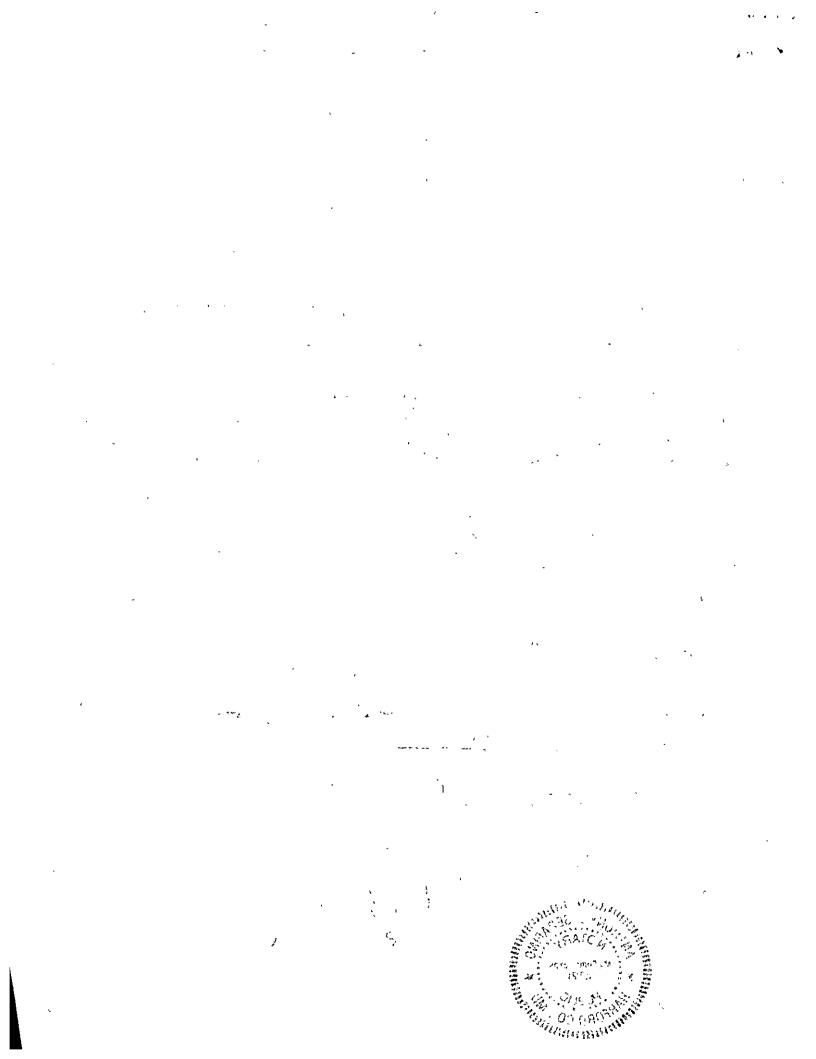
Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 5 Glider Drive	Baltimore	MD	21220
Print or Type Address of property	City	State	Zip Code
Based upon personal knowledge, the Administrative Variance at the above			
The existing driveway for the house is local The carport will be open on all sides and is	ated on the east side and the nos in the side yard of the existing	ew carport will be con building.	nstructed over it
ACCESS TO THE REAR GARAGE	19 BLOCKED BY A CH	IMNEYON THES	OUTH SIDE.
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(If additional space for the petition i	request or the above stateme	ent is needed, label	and attach it to this Form)
Signature of Affiant		gnature of Affiant	
FREDERICK SCHROEDER ST			tie teen van de state en d
Name- Print or Type	N	ame- Print or Type	
The following information	n is to be completed by a Not	tary Public of the St	ate of Maryland
STATE OF MARYLAND, COUNTY	Y OF BALTIMORE, to wi	t:	
I HEREBY CERTIFY, this 25 and for the County aforesaid, persona	day of <u>SEPT</u> , <u>S</u> lly appeared	018, before m	e a Notary of Maryland, in
FREDERICK SCH	IROEDER		
the Affiant(s) herein, personally known	or satisfactorily identified to	me as such Affian	t(s) (Print name(s) here)
AS WITNESS my hand and Notaries S	Chilly y.	lh	And the second s
My Comm. Exos.	Notary Public B My Commission Expire	7 202 (es	

REV. 10/12/11



30 E. Padonia Road, Suite 500 Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

ZONING DESCRIPTION FOR 5 GLIDER DRIVE 15TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the East side of Glider Drive at a distance of 140' +/- from the intersection of Fuselage Ave. (60' wide) and Glider Dr. (50' wide); being lot 60 in the Subdivision known as Victory Villa, Section 2, Plat B as recorded in the land records of Baltimore County in Plat Book 22, folio 110.

Containing a net area of 5,000 square feet, or 0.11 acres of land, more or less.



Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater Administrator

Date: 10/22/18

Ms. Kristen Lewis Baltimore County Office of Permits and Development Management County Office Building, Room 109 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019 -0118 -A

Additions I Vorionce

Frederich E. Schroeder

5 Glider Drigo

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2019-0118-A
Address: 5 Glider Road
Petitioner(s): Frederick E. Schroeder
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: (We Mary E. Gephardt Mr. & Mrs. Worthie Attornay Name - Type or Print esq.) Pitsenbarger
MLegal Owner OR () Resident of Address Address
Baltimore, Maryland 21220 City State Zip Code 410-687-2299
which is located approximately
Signature For Mrt Mrs Worthise Date Pitsenburger

Date

Signature Revised 9/18/98 - wcr/scj

LONINGNOTICE

MARIANCE:

CASE

2019-0118-A

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PUBLIC HEARING?

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Law Office of Mary E. Gephardt, P.A.

M&T Bank Building 809 Eastern Boulevard Suite 300 Baltimore, Maryland 21221

Telephone (410) 687-2299

Telefax (410) 687-2616

November 5, 2018

Baltimore County Zoning Office
Department of Permits, Approvals and Inspection
Zoning Review Bureau Room 111
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 2019-0118A

5 Glider Road

Baltimore, MD 21220

Dear Sir or Madam:

This is to advise I represent Mr. & Mrs. Worthie Pitsenbarger, the owners of the adjacent property where a sign has been posted for an administrative variance. My client's are opposed to the granting of a permit for the two detached carports located on the side and front yards with a setback as little as 0 feet in lieu of the minimum required 2.5 feet.

My clients are therefore requesting a hearing be scheduled for the above case,

Very truly yours

Mary E. Gephardt

MEG:krk Enclosure

Cc: Mr. & Mrs. Worthie Pitsenbarger

The Daily Record

11 East Saratoga Street Baltimore, MD 21202-2199 (443) 524-8100

http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

11/21/2018

Order #:

11649249

Case #:

2019-0118-A

Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0118-A

(Representative Signature)

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2019-0118-A

5 Glider Drive

E/s Glider Drive, 140 ft. s/w of Ruselage Avenue

15th Election District - 6th Councilmante District

Legal Owners: Frederick & Mary Ruth Schroeder

Variance to allow a proposed and existing accessory structure (2 detached carports) to be located in the side and front yards with a setback as little as 0 ft

in lieu of the minimum required 2.5 ft. Hearing: Wednesday, December 12, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Director of Permits, Approvals and Inspections for Baltimore County NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS

OFFICE AT 4 10-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

NB 12-12-18 1:30 Pm

Debra Wiley

From:

SGT ROBERT BLACK <1opie@comcast.net>

Sent:

Sunday, December 09, 2018 8:40 PM

To:

Administrative Hearings

Subject:

Recertification's For 2019-0105-XA AND 2019-0118-A

Attachments:

Re-Cert 1 2019-0105-XA.doc; Re-Cert 2 2019-0105-XA.doc; Re-Cert 3 2019-0105-

XA.doc; Re-Cert 4 2019-0105-XA.doc; Re-Cert 2019-0105-XA Groups 1 & 2.doc; Re-Cert

1 2019-0118-A.doc; Re-Cert 2 2019-0118-A.doc

Recertification's for 8301 Oakleigh Road and 5 Glider Drive

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OFFICE OF

ADMINISTRATIVE HEARINGS

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			RE: Case No.:	2019-0118-A
			Petitioner/Develo	oper:
			Frederick	& Mary Ruth Schroeder
			Date of Hearing	December 12, 2018 /Closing:
	I Inspections , Room 111 Avenue 04 under the penalties		perjury that the necessar at:	RECEIVED DEC 1 0 2018 OFFICE OF ADMINISTRATIVE HEARINGS y sign(s) required by law were
5 Glider Drive	SIGN	1	Recertific	ation
The sign(s) were posted	on		November 20 2018 (Month, Day, Year)	



Sincerely,

December 7, 2018

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

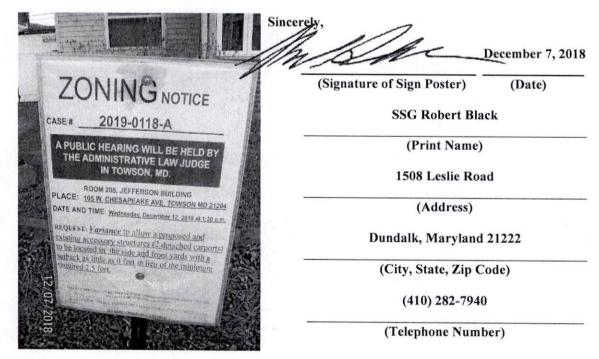
(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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		RE: Case No.:	2019-0118-A
			loper:
		Frederic	k & Mary Ruth Schroeder
		Date of Hearing	December 12, 2018 g/Closing:
Baltimore County Dep Permits, Approvals an County Office Buildin 111 West Chesapeake Fowson, Maryland 212	d Inspections g, Room 111 Avenue		RECEIVED DEC 1 0 2018
Attn: Kristen Lewis:			OFFICE OF ADMINISTRATIVE HEARINGS
Ladies and Gentlemen	:		
This letter is to certify posted conspicuously o	under the penalties of on the property located	perjury that the necessa	ry sign(s) required by law were
5 Glider Drive	SIGN 2	Recertific	ation
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		(Month, Day, Year)	



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	RE: Case No.:
	Petitioner/Developer:
	Frederick & Mary Ruth Schroeder
	December 12, 2018 Date of Hearing/Closing:
Baltimore County Department of	
Permits, Approvals and Inspections	
County Office Building, Room 111	
111 West Chesapeake Avenue	
Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
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5 Glider Drive	GN 1
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Sincerely,

November 20, 2018

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

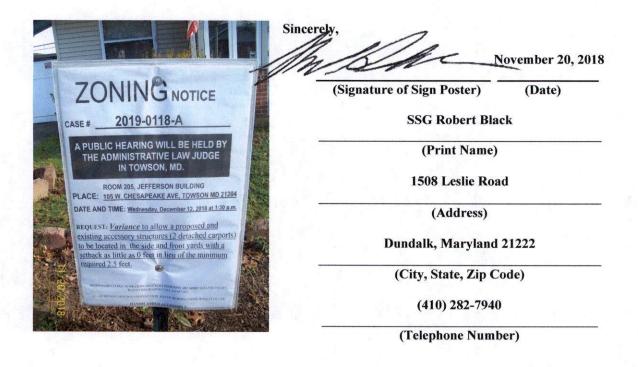
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Frederick & Mary Ruth Schroeder	
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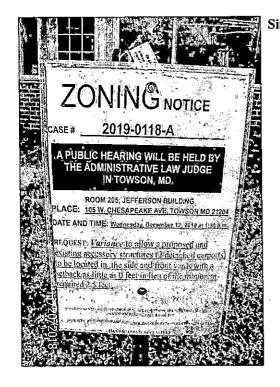
	2019-0118-A
	RE: Case No.:
	Petitioner/Developer:
	Frederick & Mary Ruth Schroeder
	December 12, 2018
	Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections	
County Office Building, Room 111	
111 West Chesapeake Avenue	
Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
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5 Glider Drive	SIGN 2
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	Petitioner/Developer:
	Frederick & Mary Ruth Schroeder
	December 12, 2018 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
	alties of perjury that the necessary sign(s) required by law were located at:
5 Glider Drive	SIGN 1
The sign(s) were posted on	November 20 2018
The sign(s) were posted on	(Month, Day, Year)



Sincerely,

November 20, 2018

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

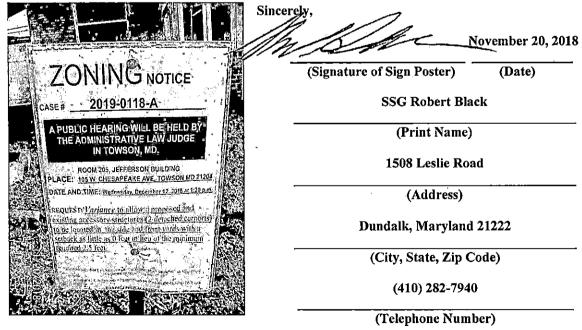
(410) 282-7940

(Telephone Number)

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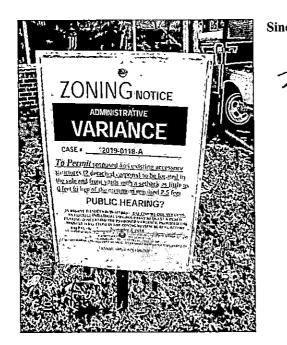
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	2019-0118-A RE: Case No.:
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	Petitioner/Developer:
	Frederick & Mary Ruth Schroeder
·	December 12, 2018 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
	lities of perjury that the necessary sign(s) required by law were located at:
5 Glider Drive	SIGN 2
The sign(s) were posted on	November 20 2018
The sign(s) were posted on	(Month, Day, Year)
	Sincerely, November 20, 2018



CEKTIFICATE OF POSTING

		RE: Case No.:
		Petitioner/Developer:
		Frederick E. Schrooder
·		November 5, 2018 Date of Hearing/Closing:
Baltimore County Departm Permits, Approvals and Ins County Office Building, Ro 111 West Chesapeake Aver Towson, Maryland 21204 Attn: Kristen Lewis:	spections om 111	
Ladies and Gentlemen:		
		perjury that the necessary sign(s) required by law were at:
5 Glider Drive	SIGN	1 Recertification
The sign(s) were posted on		October 21, 2018
The sign(s) were posted on		(Month, Day, Year)



cere	10 17	November 3, 2018
<u>//-</u>	(Signature of Sign Poster)	(Date)
	SSG Robert Bla	ck
-	(Print Name)	
	1508 Leslie Roa	ad
-	(Address)	
	Dundalk, Maryland	21222
-	(City, State, Zip C	Code)
	(410) 282-794	0
	(Telephone Num	ber)

CERTIFICATE OF POSTING

	2019-0118-A
	RE: Case No.:
	Petitioner/Developer:
	Frederick E. Schrooder
	November 5, 2018 Date of Hearing/Closing:
Baltimore County Departmen Permits, Approvals and Insp County Office Building, Roon 111 West Chesapeake Avenu Towson, Maryland 21204	ections n 111
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
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5 Glider Drive	SIGN 2 Recertification
m : ()	October 21, 2018
The sign(s) were posted on _	(Month, Day, Year)



cere	November 3, 2018
	(Signature of Sign Poster) (Date)
	SSG Robert Black
-	(Print Name)
	1508 Leslie Road
-	(Address)
	Dundalk, Maryland 21222
-	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

CEKTIFICATE OF POSTING

	2019-0118-A
	RE: Case No.:
	Petitioner/Developer:
	and an indian and a property of
	Frederick E. Schrooder
	November 5, 2018
	Date of Hearing/Closing:
Baltimore County Department of	
Permits, Approvals and Inspections	
County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 Attn: Kristen Lewis:	
Ladies and Gentlemen:	
This letter is to certify under the pen posted conspicuously on the property	alties of perjury that the necessary sign(s) required by law were located at:
5 Glider Drive	SIGN 1
The sign(s) were posted on	October 21, 2018
The sign(s) were posted on	(Month, Day, Year)



Sincerely,

October 21, 2018

(Signature of Sign Poster)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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	Date of Hearing/Closing.
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
	alties of perjury that the necessary sign(s) required by law were located at:
5 Glider Drive	SIGN 2
The sign(s) were posted on	October 21, 2018
	(Month, Day, Year)



Sincerely,

October 21, 2018

(Signature of Sign Poster)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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			Petitioner/Developer:	
			Frede	rick E. Schrooder
			Date of Hearing/Closing:	November 5, 2018
Baltimore County Departme Permits, Approvals and Insp County Office Building, Roo 11 West Chesapeake Avenu Towson, Maryland 21204	ections m 111			
Attn: Kristen Lewis:				
Ladies and Gentlemen:				
			ury that the necessary sign(s) re	
Glider Drive	SIGN	1	Recertification	on
The sign(s) were posted on		O	ctober 21, 2018	
		(M	onth, Day, Year)	



ere	November 3, 20
/_	(Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
-	(Address)
	Dundalk, Maryland 21222
-	(City, State, Zip Code)
	(410) 282-7940
-	(Telephone Number)

CE TIFICATE OF POST...IG

	2019-0118-A
	RE: Case No.:
	Petitioner/Developer:
	Frederick E. Schrooder
	November 5, 2018 Date of Hearing/Closing:
Baltimore County Department of	
Permits, Approvals and Inspections County Office Building, Room 111	
11 West Chesapeake Avenue	
Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
	ies of perjury that the necessary sign(s) required by law were cated at:
5 Glider Drive SIG	N 2 Recertification
The sign(s) were posted on	October 21, 2018
	(Month, Day, Year)



n.	10	A.	- NO	ovember 3,
(Signa	ture of S	ign Poste	r)	(Date)
	SS	SG Rober	t Black	
		(Print Na	ame)	
	1	508 Leslie	Road	
	7	(Addre	ss)	
	Dunda	alk, Mary	land 2	1222
-	(Cit	y, State, Z	Zip Coo	le)
		(410) 282-	7940	

CEKTIFICATE OF POSTING

	2019-0118-A RE: Case No.:
•	Petitioner/Developer:
	Frederick E. Schrooder
	November 5, 2018 Date of Hearing/Closing:
caltimore County Department of Sermits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue Cowson, Maryland 21204	
attn: Kristen Lewis:	
adies and Gentlemen:	
This letter is to certify under the penalties oosted conspicuously on the property loca	of perjury that the necessary sign(s) required by law were ted at:
G Glider Drive	SIGN 1
	October 21, 2018
The sign(s) were posted on	(Month, Day, Year)
	Sincerely, October 21, 2018
TONUNC	(Signature of Sign Poster) (Date)
ZONING NOTICE	SSG Robert Black
VARIANCE	(Print Name)
CASE # 2019-0118-A To Permit proposed and existing accessory	1508 Leslie Road
simplying (2,3 etached carporis) to be located in the side and front yards with a setb. et as indeas 9 feet in fleet of the minimum required 2.5 feet.	(Address)
PUBLIC HEARING? Fine-time in servicine states of its ability to promote states of its ability o	Dundalk, Maryland 21222
A THE ASSESS CONTROL OF SHEET PRODUCT VARANCE CONTROL OF THE RESIDENCE	(City, State, Zip Code)
HVortage of CE voil 6	(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

	2019-0118-A RE: Case No.:
	. Petitioner/Developer:
	Frederick E. Schrooder
	November 5, 2018 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
This letter is to certify under the penalties of posted conspicuously on the property located	perjury that the necessary sign(s) required by law were at:
S Glider Drive SI	GN 2
	October 21, 2018
The sign(s) were posted on	(Month, Day, Year)
ZONING NOTICE ADMINISTRATIVE VARIANCE CASE 2019-0718-A To Permit prohosed and existing accessory structures (2 debughed carports) to be inserted in the state and from syndrawiths a setheric 8. It led a to be state and from syndrawiths a setheric 8. It led a to be state and from syndrawiths a setheric 8. PUBLIC HEARING? **Control of the embrania proposed of 1.5 Led a **Control of the control of the state of the s	October 21, 2018 (Signature of Sign Poster) (Date) SSG Robert Black (Print Name) 1508 Leslie Road (Address) Dundalk, Maryland 21222
(AMPLIE AND ASSESSMENT OF A SERVICE ASSESSMENT OF A SE	(City, State, Zip Code)
	(410) 282-7940

(Telephone Number)

RE: PETITION FOR ADMINSTRATIVE

VARIANCE

5 Glider Drive 15th Election & 6th Councilmanic Districts

Legal Owner(s): Frederick & Mary-

Ruth Schroeder

Petitioner(s) *

BEFORE THE OFFICE

OF ADMINSTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

2019-118-A

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

DEC 1 0 2018

OFFICE OF ADMINISTRATIVE HEARINGS Peter Max Zummerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County Cante S yentie

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 10th day of December, 2018, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Timonium, Maryland 21093, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

Peter Max Zum mo sura

People's Counsel for Baltimore County

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DONALD I. MOHLER III County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

November 9, 2018

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2019-0118-A

5 Glider Drive

E/s Glider Drive, 140 ft. s/w of Ruselage Avenue 15th Election District – 6th Councilmanic District Legal Owners: Frederick & Mary Ruth Schroeder

Variance to allow a proposed and existing accessory structure (2 detached carports) to be located in the side and front yards with a setback as little as 0 ft. in lieu of the minimum required 2.5 ft.

Hearing: Wednesday, December 12, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arrior danion Director

AJ:kl

C: Mr. & Mrs. Schroeder, 5 Glider Drive, Baltimore 21220
Rick Richardson, 30 E. Padonia Road, Timonium 21093
Mr. & Mrs. Pitsenbarger, 3 Glider Drive, Baltimore 21220
Mary Gephardt, 809 Eastern Blvd., Ste. 300, Baltimore 21221

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., NOVEMBER 22, 2018.
 - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD

Wednesday, November 21, 2018 - Issue

Please forward billing to:

Frederick Schroeder 5 Glider Drive Baltimore, MD 21220

410-686-5077

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2019-0118-A

5 Glider Drive

E/s Glider Drive, 140 ft. s/w of Ruselage Avenue 15th Election District – 6th Councilmanic District Legal Owners: Frederick & Mary Ruth Schroeder

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Hearing: Wednesday, December 12, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jaketon

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

AND INSPECTIONS

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINISTRATIVE VARIANCE INFORMATION SHELT AND DATES
Case Number 2019- 0118 -A Address 5 Glider Drive
Case Number 2019- 0118 -A Address 5 Glider Drive Contact Person: Jeffrey Perlow Planner, Please Print Your Name Planner, Please Print Your Name
Filing Date: 10/12/2018 Posting Date: 10/2//18 Closing Date: 11/5//18
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only,
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2019- 0118 -A Address 5 Glider Orive
Petitioner's Name Frederick E. Schroeder Telephone 410-686-5077
Posting Date: $\frac{10/21/2018}{2018}$ Closing Date: $\frac{11/5/2018}{2018}$
Wording for Sign: To Permit proposed and existing accessory structures (2 detached
carports) to be located in the side and front yards with a set back as little
Wording for Sign: To Permit proposed and existing accessory structures (2 detached carports) to be located in the side and front yards with a setback as little as 0 feet in lieu of the minimum required 2,5 feet.
·



JOHN A. OLSZEWSKI, JR.

County Executive
Frederick E. Schroeder & Mary Ruth Shroeder
5 Glider Dr.
Baltimore, MD 21220

DIRECTOR
Department of Permits,
Approvals & Inspections

Dear Mr. Schroeder & Ms. Schroeder:

RE: Case Number: 2019-0118A, Address: 5 Glider 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 12, 2018. 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.

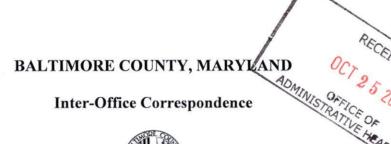
Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel Richardson Engineering, LLC 30 E Padonia Rd. Timonium, MD 21093





TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

October 25, 2018

SUBJECT:

DEPS Comment for Zoning Item

2019-0118-A

Address

5 Glider Drive

(Schroeder Property)

Zoning Advisory Committee Meeting of October 29, 2018.

The Department of Environmental Protection and Sustainability has no X comment on the above-referenced zoning item.

Reviewer:

Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

October 25, 2018

SUBJECT:

DEPS Comment for Zoning Item

2019-0118-A

Address

5 Glider Drive

(Schroeder Property)

Zoning Advisory Committee Meeting of October 29, 2018.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer:

Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 8, 2018

Department of Permits, Approvals
Vishnu Desai, Supervisor

FROM:

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 29, 2018

Item No. 2019-0052-A, 0111-A, 0112-A, 0114-A, 0115-A, 0116-A, 0117-A,

0118-A, 0119-A, 0120-A and 0121-SPH

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

VKD: cen cc: file

-	•		
PLEA	(SE	PRINT	CLEARLY

	2019-118-A
CASE NAME	5 GUPER RP
CASE NUMBÉ	
DATE 121	12/18

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS		CITY, STA	ATE, ZÎP	E - MAIL	
FRED SCHBOEDER RICK RICHARDSON	5 GUDER	DN RTD	SUITE CO	MIDGLA RIVILL	MO 21220	RCKQ RICHARDSONENGIMETRINGING
MUL MEHAGISON	JO C FAVORIA	NV	20110 300	MINORIO PE PER	21017	WAS ACHAZDON SMALMELA MA
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CASE NAME	20	19-	-118-A	
CASE NUMBER		r	(_
DATE	12	12	2018	_

CITIZEN'S SIGN - IN SHEET

E - MAIL NAME **ADDRESS** . CITY, STATE, ZIP

CHECKLIST

Comment Received	<u>Depar</u>	tment		Support/Oppose/ Conditions/ Comments/ No Comment
11/8	DEVELOPMENT (if not received, da			MC
10/25	DEPS (if not received, da	te e-mail sent)	NC
	FIRE DEPARTME	ENT		
·	PLANNING (if not received, da	te e-mail sent _)	
10/22	STATE HIGHWA	Y ADMINISTR	ATION	NO Ob
	TRAFFIC ENGIN	EERING		
	COMMUNITY AS	SSOCIATION		
	ADJACENT PROJ	PERTY OWNE	RS	
ZONING VIOLATI	ON (Cas	se No		
PRIOR ZONING	(Cas	se No)
NEWSPAPER ADV	ERTISEMENT	Date:	11/21/18	
SIGN POSTING (1	st)	Date:	71190/18	by SSG BIGCK
SIGN POSTING (2	nd)	Date:	15/4/18	by SSG Black
PEOPLE'S COUNS	EL APPEARANCE EL COMMENT LET	Yes TTER Yes	No [].
Comments, if any: _				

Real Property Data Search

Search Result for BALTIMORE COUNTY

	View Map View GroundRent Redemption View GroundRent Registration						<u> </u>			
Tax Exempt		Special Tax Recapture;								
Exempt Clas		NONE								
Account Ident	lifler:	Distric	t - 15 Accoun	t Number	- 1 51 9073	030				
					wner Infon	mation				
Owner Name:		SCHROEDER FREDERICK ERNEST SCHROEDER MARY RUTH					Use: Principa	al Residence:	RESIDENTIA YES	AL.
Mailing Addre	ss:		ER DR MORE MD 212	20-4602			Deed R	eference:	/38612/ 0035	52
	-			Location	& Structur	e Informatio	n			
Premises Add	ress:	5 GLID 0-0000	ER DR				Legal D	escription;		
									VICTORY VI	
Map: Gr 0090 00	id: Parcel: 10 0582	Sub District:	Subdivisio 0000	n: S 2	iection:	Block:	Lot: 60	Assessment Year: 2018	Plat No: Plat Ref:	B 0022/ 0110
Special Tax	Areas:		· -		Town:				NONE	
					Ad Val	orem:				
					Tax CI	ass:				
Primary Stru 1942	icture Bullt	Above Grade	Living Area				rea Property Land Area County Use 5,000 SF 04			
Stories	Basement NO	Type STANDARD UN		Exterior SIDING	Full 2 fu	l/Half Bath		Garage 1Del/1Carport	Last Major Ren	ovation
<u> </u>		STANDARD OF			alue Inform	·-		TDev TCarport	·	
	_	Don.	e Value		Value	nauun		Phase-In Assessme		
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				01/01/2018			07/01/2018 07/01/2019		19	
Land:		53,0	00	53,000						
Improvemen	its	83,2	00	91,000						
Total;		136,	200 .	144,000				138,800 141,400		
Preferential	Land:	0							0	
				Tr	ansfer Infor	rmation				
Seller: SCHF	ROEDER FREDER	ICK E		Date: 0	2/09/2017		_		Price: \$0	
Type: NON-A	ARMS LENGTH OT	THER		Deed1:	/38612/ 00	0352			Deed2:	
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Type:	•			Deed1:	}				Deed2:	
Seller:		-		Date:	·				Price:	
Туре:				Deed1:	1				Deed2:	
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Partial Exemp	t Assessments:	Class					07/01/20	018	07/01/2019	
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State:		000			0.00					
Municipal:		000		00.0100.0		0	0.00[0.00			
Tax Exempt:					I Tax Reca	apture:				
Exempt Clas	ss:			NONE				_		
				Homestea	d Applicati	on Informati	on			
Homestead Ap	oplication Status:	Approved 12/31/2								
				wлегs' Та	x Credit A	pplication In	formatio	1		
Homeowners'	Tax Credit Applic	ation Status: No A	pollogijon				Date:			

Case No.: 2019-0118-A

Exhibit Sheet

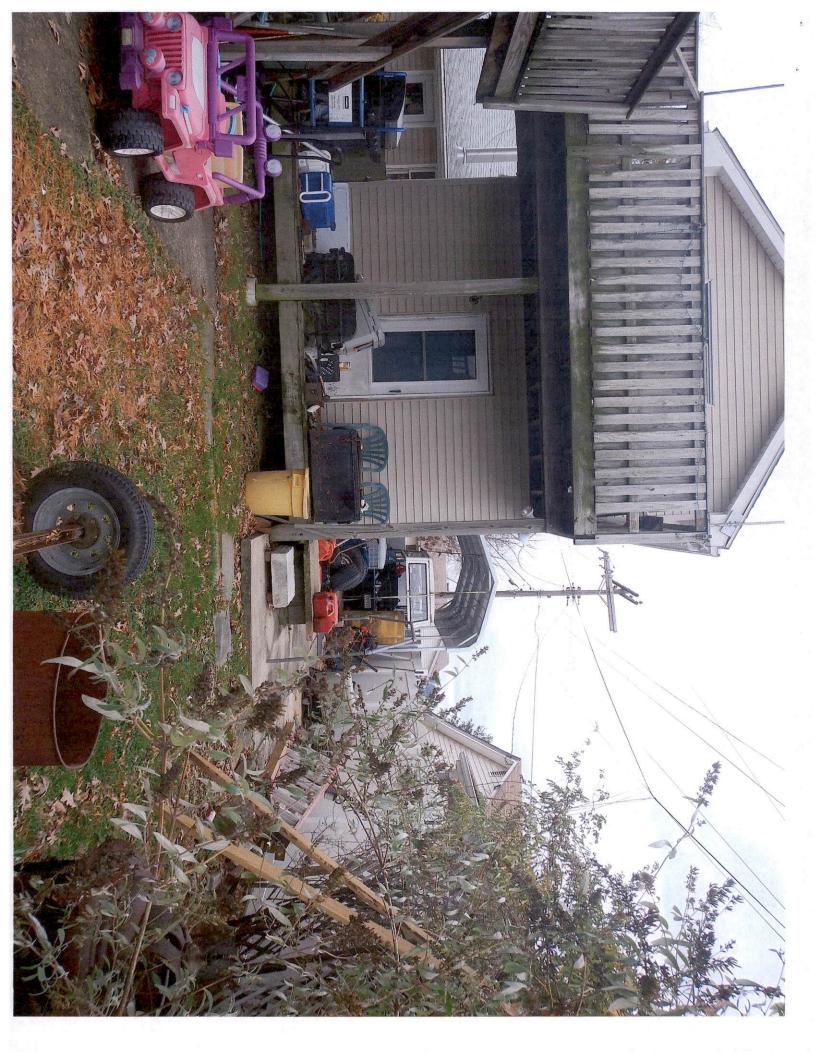
Petitioner/Developer

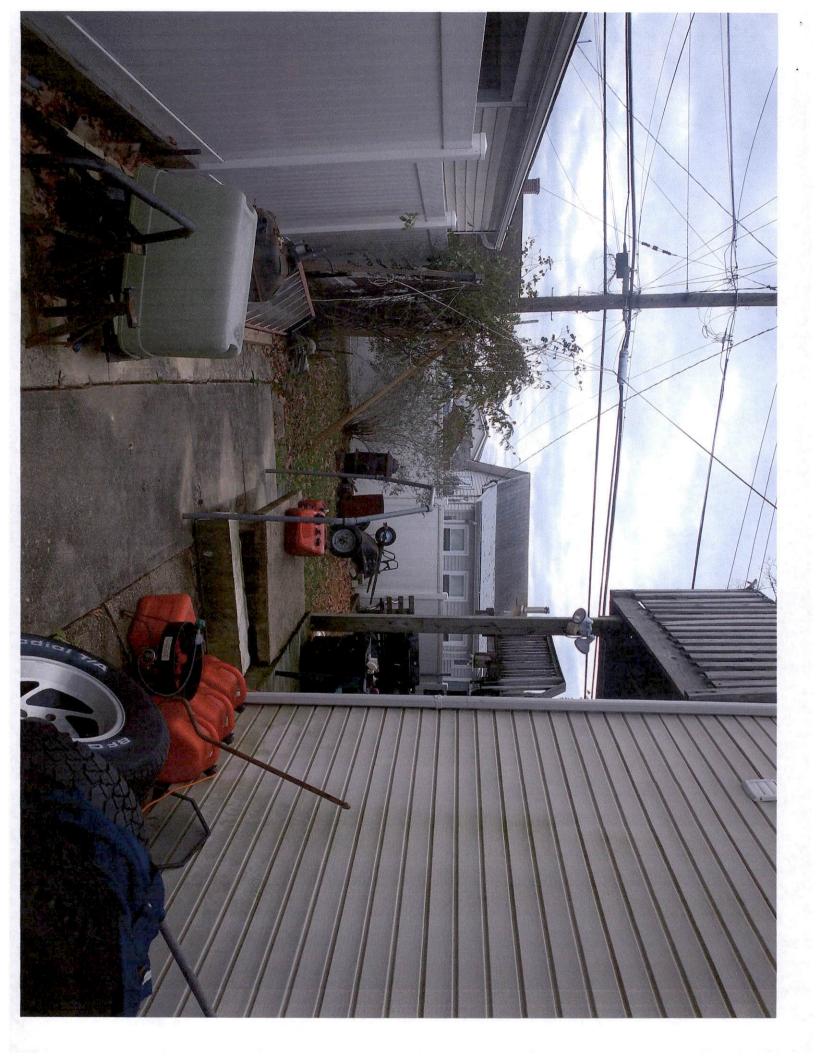
Protestants 12/19/18

No. 1	Site plan	Photos
No. 2	Photo-existing carport	
No. 3	Photos of sits	
No. 4	Plat-Victory Villa	
No. 5		
No. 6		
No. 7	9	
No. 8	4	9 -
No. 9	, as	
No. 10		
No. 11		** ** **
No. 12		



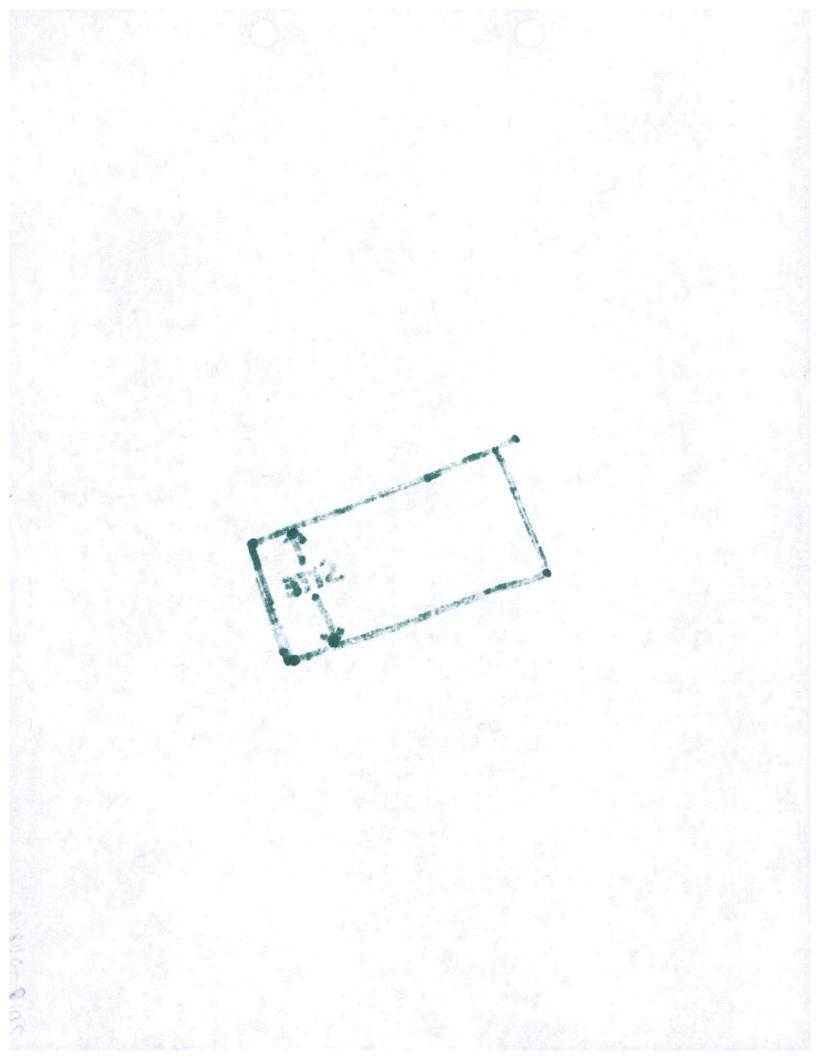












Arold Property Live



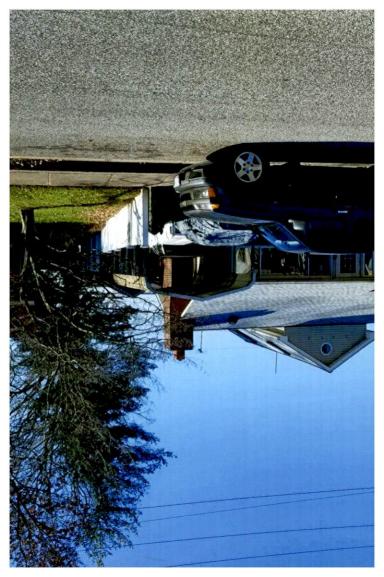


STREET VIEW



ALONGSIDE NEIGHBOR'S DRIVEWAY















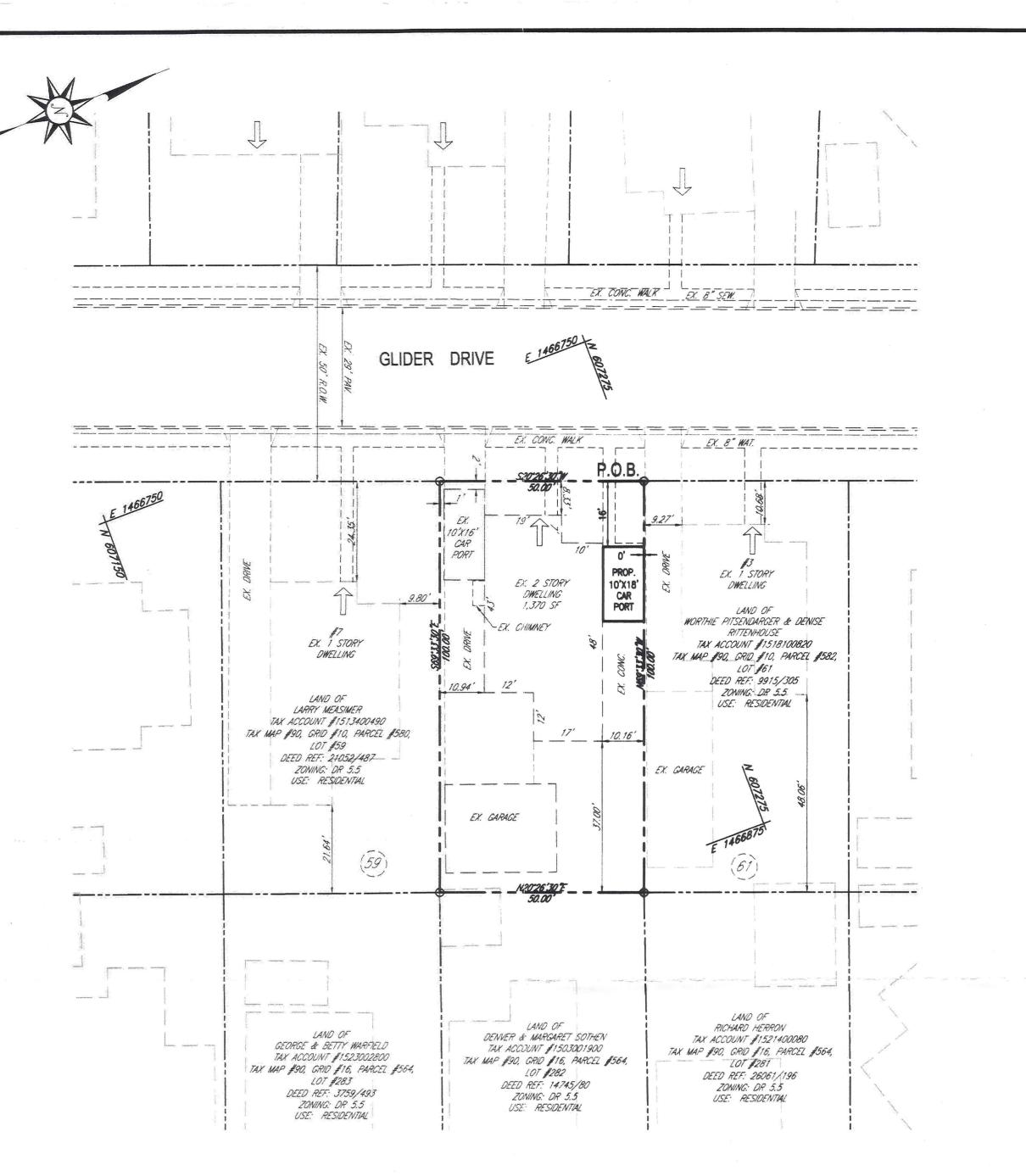


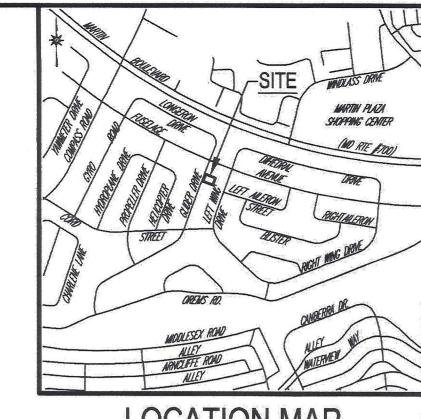






PROT. (





SCALE: 1" = 1,000"

GENERAL NOTES:

1. OWNER:

ERNEST SCHROEDER

5 GLIDER DRIVE

MIDDLE RIVER, MD 21220

2. SITE ADDRESS: 5 GLIDER DRIVE

3. SITE AREA: GROSS 6,250 SF or 0.143 Ac.±

NET 5,000 SF or 0.114 Ac.±

4. DEED REF: 38612/352 5. TAX MAP #90, GRID #10, PARCEL #582, LOT #60

6. PLAT REF: 22/110 7. PRESENT ZONING: DR 5.5 (PER 1"=200' ZONING MAP 09082)

8. USE: RESIDENTIAL
9. UTILITIES: PUBLIC WATER & PUBLIC SEWER

10. TAX ACCOUNT #1519073030 11. THE SITE DOES NOT LIE WITHIN A FLOOD ZONE (FIRM PANEL

2400100430G) 12. NO KNOWN PREVIOUS ZONING CASES ON FILE 13. NO KNOWN PREVIOUS PERMITS ON FILE.

14. NO KNOWN PREVIOUS CRG'S, DRC'S OR WAIVERS ON FILE. SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.

17. THE PROPERTY AND THE STRUCTURES ARE NOT HISTORIC. 18. WATERSHED: MIDDLE RIVER

20. SETBACKS FOR DR 5.5 FRONT SIDE

REAR

PROVIDED

Richardson Engineering, LLC

30 East Padonia Road, Suite 500 Timonium, Maryland 21093 Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION FOR

SCHROEDER PROPERTY

5 GLIDER DRIVE MIDDLE RIVER 21220

BALTIMORE COUNTY 15TH ELECTION DISTRICT

MARYLAND 6TH COUNCILMANIC DISTRICT

PET. 1

DRAWN BY: CHECKED BY: SCALE: PCR/CLB 1" = 20' PCR DATE: JOB NO.: SHEET NO .: 10/10/18 18120 1 OF 1

PETITIONER'S
EXHIBIT NO.