



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

August 14, 2023

Harry M. Schleicher, Jr. – harry_schleicher@comcast.net
6543 Ebenezer Road
Baltimore, MD 21220

RE: Petition for Administrative Variance
Case No. 2023-0147-A
Property: 6543 Ebenezer Road

Dear Mr. Schleicher:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, reading "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw
Enclosure

c: Rick Richardson – rick@richardsonengineering.net

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(6543 Ebenezer Road)		
15 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
Harry Schleicher, Jr.	*	HEARINGS FOR
	*	BALTIMORE COUNTY
Petitioner	*	CASE NO. 2023-0147-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the subject property, Harry Schleicher, Jr. (“Petitioner”). The Petitioner is requesting Variance relief pursuant to the Baltimore County Zoning Regulations (“BCZR”) § 400.3: To permit an accessory structure with a height of 18 feet in lieu of the maximum permitted 15 feet. The subject property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioner’s Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on July 16, 2023, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of

the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts to satisfy the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would cause practical difficulty and/or unreasonable hardship for the Petitioner.

Although the Department of Planning did not make any recommendations related to the proposed accessory building (detached garage) height and usage, I will impose conditions that the proposed accessory building (detached garage) shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

THEREFORE, IT IS ORDERED, this 14th day of **August, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (“BCZR”) § 400.3: To permit an accessory structure with a height of 18 feet in lieu of the maximum permitted 15 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- Petitioner or subsequent owners shall not convert the proposed accessory building (detached garage) into a dwelling unit or apartment. The proposed accessory building (detached garage) shall not contain any sleeping quarters, living area, or kitchen or bathroom facilities.
- The proposed accessory building (detached garage) shall not be used for commercial purposes.

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

A handwritten signature in cursive script, reading "Paul M. Mayhew", written in black ink.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlw



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

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

Address 6543 Ebenezer Road which is presently zoned RC-3

Deed Reference 44782/426 10 Digit Tax Account # 1519071240

Property Owner(s) Printed Name(s) Harry M. Schleicher, Jr.

(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 a part hereof, hereby petition for a

1. ☒ ADMINISTRATIVE VARIANCE

BCZR: 400.3 → To permit an accessory structure with a height of 18 feet in lieu of the maximum permitted 15 feet.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Harry M. Schleicher, Jr. /

Name #1 – Type or Print Name #2 Type or Print

Signature #1

Signature # 2

6543 Ebenezer Road Baltimore MD

Mailing Address City State

21220 / 443-791-7759 / harry_schleicher@comcast.net

Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC Rick Richardson

Name – Type or Print

Signature

7 Deneison Street Timonium MD

Mailing Address City State

21093 / 410-560-1502 / rick@richardsonengineering.net

Zip Code Telephone # Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this _____ day of _____, 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 2023-0147-A Filing Date 7/3/23 Estimated Posting Date 7/16/23 Reviewer JS

CLOSING: 7/31/23 Rev 10/12/11

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: 6543 Ebenezer Road Baltimore MD 21220
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

The proposed garage is going to be constructed with 12' eave height so that a boat on a trailer can be stored inside. The roof line needs to have sufficient slope to accommodate the pitched roof based on the building size, and thus adds an additional 5'-6" to the overall height so it will exceed the permitted 15'. So the practical difficulty is that in order to accommodate the proposed use of a garage to store the boat it is impractical to have roof that will allow the structure to meet the allowed height. A flat roof would not be in character with the neighborhood, so the hardship is constructing a garage that will fit in and still be functional.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Harry M. Schleicher, Jr.
Signature of Affiant

Harry M. Schleicher, Jr.
Name- Print or Type

Signature of Affiant

Name- Print or Type

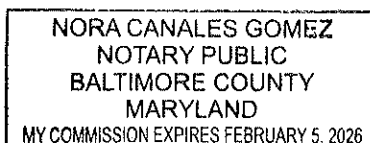
The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24th day of June, 2023, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Harry M Schleicher Jr
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) **(Print name(s) here)**

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public

02/05/2026
My Commission Expires



**ZONING PROPERTY DESCRIPTION FOR
6543 EBENEZER ROAD
15th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the South side of Ebenezer Road which is **variable width** at a distance of 270' west of the intersection of Earls Road, the nearest improved intersecting street. More particularly described as: Running in Ebenezer Road (1) South 77 degrees 07 minutes 12 seconds West 79.06 feet, (2) North 89 degrees 04 minutes 24 seconds West 61.00 feet, (3) South 87 degrees 10 minutes 43 seconds West 175.70 feet, (4) South 16 degrees 34 minutes 42 seconds East 189.16 feet, (5) North 64 degrees 26 minutes 50 seconds East 87.50 feet, (6) North 64 degrees 30 minutes 39 seconds East 81.58 feet, (7) North 77 degrees 24 minutes 01 seconds East 91.13 feet, (8) North 77 degrees 15 minutes 25 seconds East 79.00 feet, (9) North 26 degrees 24 minutes 08 seconds West 169.74 feet, to the point of beginning.

Containing a net area of **61,770 Sq.Ft.** or 1.418 Ac.+/-.

2023-0147-A

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2023-0147-A
Property Address: 6543 EBENEZER ROAD
Legal Owners (Petitioners): HARRY M. SCHLEICHER, JR.
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): RICHARDSON ENGINEERING
Address: 7 DENIGSON STREET
TIMONIU, MD 21093

Telephone Number: 410-560-1502

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number: 2023-0147 -A Address 6543 EBENEZER ROAD

Contact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/3/23 Posting Date: 7/16/23 Closing Date: 7/31/23

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

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for 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.
- 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.

Petitioner: This Part of the Form is for the Sign Poster Only. (Detach Along Dotted Line)

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number: 2023-0147 -A Address 6543 EBENEZER

Petitioner's Name: SCHLEICHER Telephone (Cell): 443-791-7759

Posting Date: 7/16/23 Closing Date: 7/31/23

Wording for Sign: To Permit AN ACCESSORY STRUCTURE WITH A HEIGHT OF
18 FEET IN LIEU OF THE MAXIMUM PERMITTED 15 FEET.

Revised 1/2022

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 21, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0147-A
Address: 6543 EBENEZER RD
Legal Owner: Harry Schleicher, Jr.

Zoning Advisory Committee Meeting of July 17, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

CERTIFICATE OF POSTING

2023-0147-A

RE: Case No.: _____

Petitioner/Developer: _____

Schleicher

July 31, 2023

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 penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6543 Ebenezer Road ***SIGN 1***

July 16, 2023

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



Sincerely,

 July 16, 2023
(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)

CERTIFICATE OF POSTING

2023-0147-A

RE: Case No.: _____

Petitioner/Developer: _____

Schleicher

July 31, 2023

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 penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6543 Ebenezer Road ***SIGN 2***

July 16, 2023

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



Sincerely,

 July 16, 2023
(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)

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1519071240

Owner Information

Owner Name: SCHLEICHER HARRY M JR Use: RESIDENTIAL
Principal Residence: YES

Mailing Address: 6543 EBENEZER RD Deed Reference: /44782/ 00426
MIDDLE RIVER MD 21220-1617

Location & Structure Information

Premises Address: 6543 EBENEZER RD Legal Description: 1.418 AC
MIDDLE RIVER 21220-1617 SS EBENEZER RD
250FT WEARLS RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0083 0016 0282 15010001.04 0000 2021 Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1959	1,340 SF	1.4180 AC	04	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
1	YES	STANDARD UNIT	BRICK/ 3	1 full/ 1 half			

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	93,600	93,600		
Improvements	102,400	127,300		
Total:	196,000	220,900	212,600	220,900
Preferential Land:	0	0		

Transfer Information

Seller: SCHLEICHER LEONA MARIE	Date: 05/26/2021	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /44782/ 00426	Deed2:

Seller: SCHLEICHER LEONA MARIE	Date: 11/17/2020	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /43647/ 00043	Deed2:

Seller: DRAYER JOHN F	Date: 11/30/1957	Price: \$0
Type: ARMS LENGTH IMPROVED	Deed1: /03279/ 00324	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2022	07/01/2023
County: 000	0.00	
State: 000	0.00	
Municipal: 000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 12/26/2012

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

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

No. 221212

Date: 7/3/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$ 75.00

Total: \$ 75.00

Rec From: SCHLEICHER, JR.

For: 2023-0147-A

6543 EBENEZER RD.

(23-0606 JSS)

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

HARRY M. SCHLEICHER JR.
NATALIE SCHLEICHER
31 SPROUL COURT
BALTIMORE, MD 21220

7-11
520 6432

3301

June 04, 2023
DATE

PAY TO the order of Baltimore County MD \$ 75.00

Seventy Five Dollars - 04/100 DOLLARS
M&T Bank

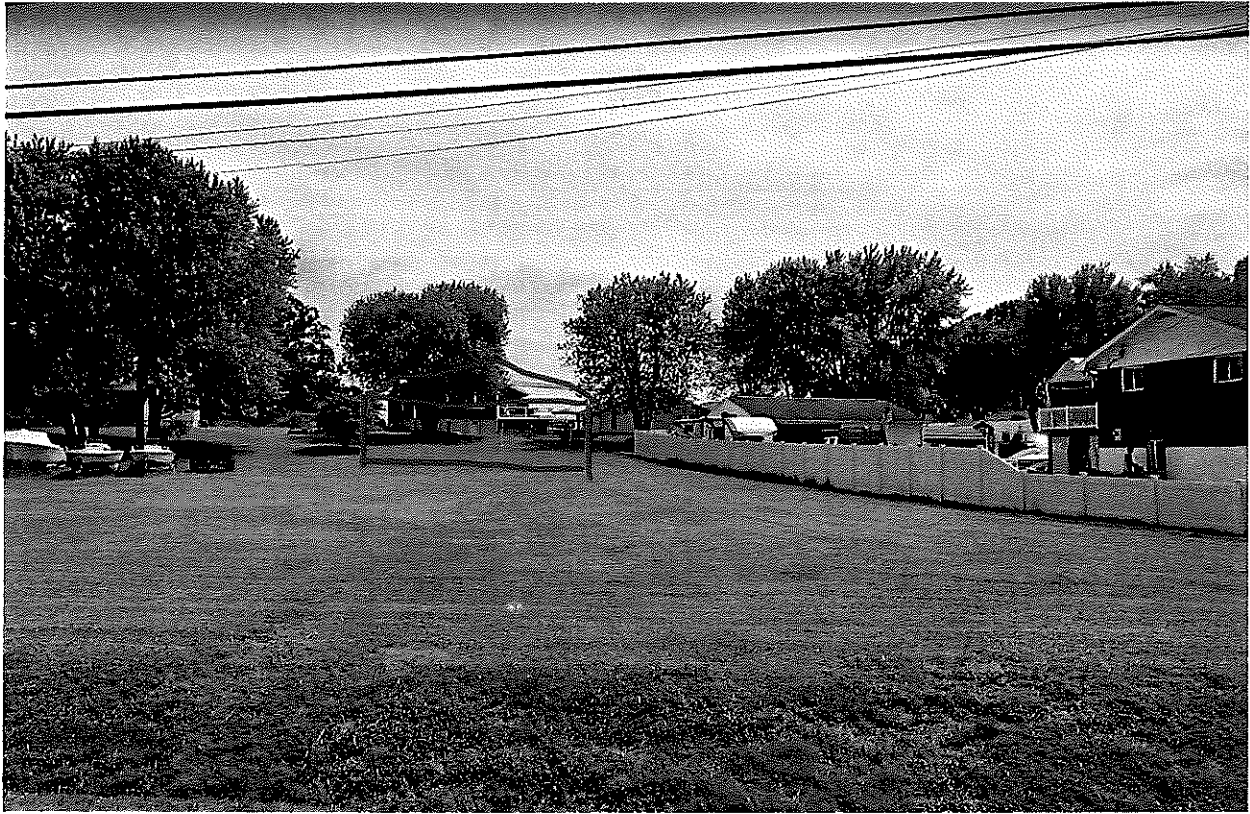
MEMO

Harry M. Schleicher Jr.

+ 10520001131

5366964813301

FOREVER FREE



Garage Location, 6531 Ebenezer Road to right



Boats that will be stored in the garage on left

2023-0147-A

1993-0088-X

1508550950

1975-0018->
1972-0244->
1986-0195->

1519850383

NE 7-K

1519071570

RC 2

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

2400009119

710

PAI # 150849 Folio # MP99113

PAI # 150849

PAI # 150849 PAI # 150849

1975-001
1972-024
1986-019

R-1947-081

1514100830

2400009118

1501970000

6548

6540

EBENEZER RD

R-1959-478

1513554570

Martin State Airport Restriction

1520660131

6550

1520660130

6601

6601

RC 3

Bk. 0000080, Folio 0011

15-0165-SPH

150788

PAI # 150788 0011

2000011630

2100011821

6531

1519071240

6543

15

023B2

2200014836

632

2200014835

628

1995-0419-A

EARL'S RD

NE 6-K

RC 8

PAI # 151027

PAI # 151027

2000011605

PAI # 151027

PAI # 151027

ROAD ROAD

PAI # 150323

PAI # 150323

Pt. Bk. / Folio # 049180A

611

PAI # 150323

1900008345

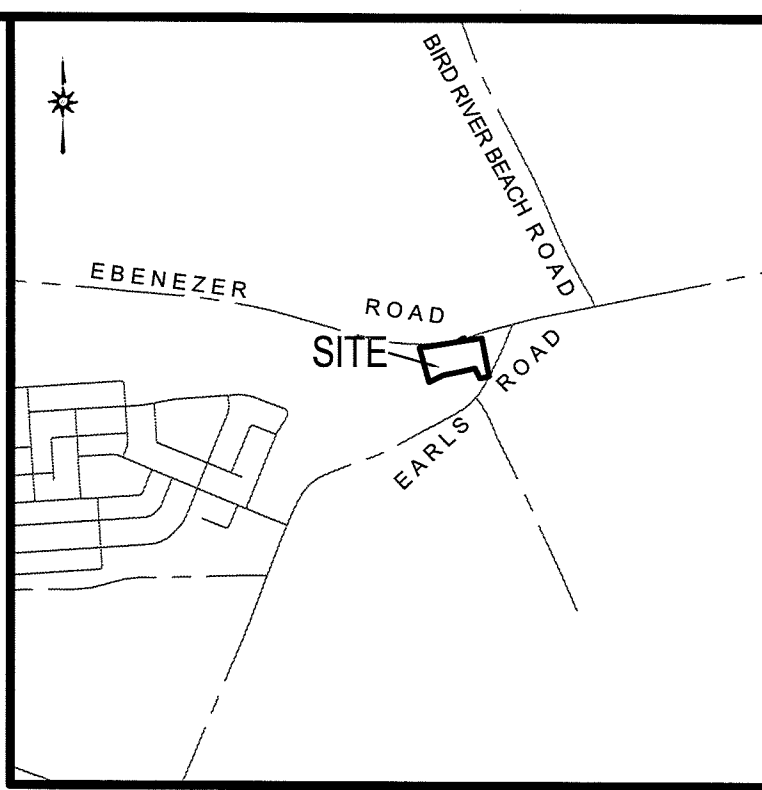
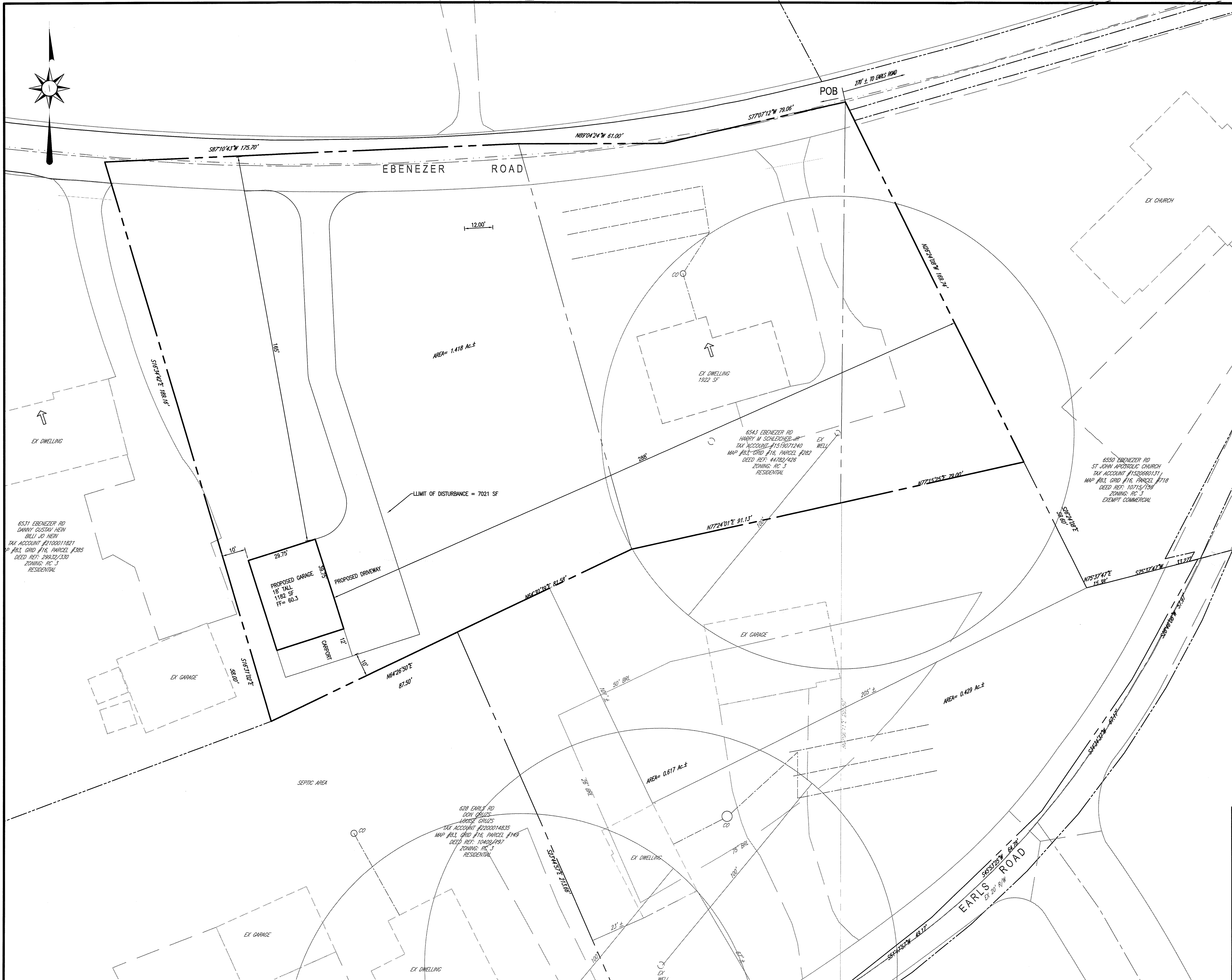
Pt. Bk. 0000049, Folio 0150

Lot # 1

ML M43

1505150120

505



VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES:

1. OWNER: HARRY M. SCHLEICHER, JR.
6543 EBENEZER ROAD
BALTIMORE, MD 21220
2. SITE AREA:
NET 61,770 SF OR 1.418 AC.±
GROSS 61,770 SF OR 1.418 AC.±
3. USE:
EXISTING: 1 RESIDENTIAL DWELLING
PROPOSED: 1 RESIDENTIAL DWELLING AND GARAGE
4. UTILITIES: PRIVATE WATER AND SEWER
5. DEED REF: 44782/426
6. TAX ACCOUNT: 1519071240
7. ZONING: RC 3
(PER 1"=200' ZONING MAP 083B2)
8. TAX MAP: 83
GRID 16
PARCEL 282
9. NO KNOWN FLOODPLAINS EXISTS ON SITE PER FLOOD INSURANCE RATE MAP (FIRM) PANEL 2400100435G DATED MAY 5, 2014.
11. PREVIOUS ZONING CASES: NONE ON FILE.
12. PREVIOUS PERMITS: NONE ON FILE.
13. SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
14. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
15. SETBACKS FOR RC 3
FRONT 75' FROM CL OF RD REQUIRED 165'±
SIDE 2.5' 10'±
REAR 2.5' 10'±
16. GROWTH TIER: 4

2023-0147-A



7 Deneison Street
Timonium, Maryland 21093
Phone: 410-560-1502, info@richardsonengineering.net

PLAN TO ACCOMPANY ZONING PETITION
FOR

SCHLEICHER PROPERTY

6543 EBENEZER ROAD
BALTIMORE COUNTY MARYLAND
15TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	LNR	PCR	1" = 20'
DATE:	JOB NO.:	SHEET NO.:	
06-16-23	23049	1 OF 1	