

June 6, 2024

Ejike Okoye and Ifeyinwa Okoye  
7431 Gum Spring Road  
Rosedale MD 21237

Re: 7431 Gum Spring Road  
Rosedale MD 21237  
Forest Buffer Variance  
Tracking Number 06-24-4121

Dear Ejike Okoye and Ifeyinwa Okoye:

The Department of Environmental Protection and Sustainability has completed a review of the request for a variance from Baltimore County Code Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains submitted for the above referenced residential property. The request proposes to impact 4,700 square feet of the forest buffer easement for the continued use of two existing sheds, and lawn area around the sheds. This includes area for a safer access because of the steep slope on the northern part of the property just inside the forest buffer. These buffer impacts include 670 square feet of nontidal wetland buffer and about 2,500 square feet of 100-year floodplain. There are no direct impacts to the stream, or nontidal wetlands. The buffer is associated with an unnamed Use 1 tributary to Stemmers Run.

This Department has reviewed your request and has determined that a practical difficulty exists given the existing site constraints and the fact that a dwelling and associated residential uses, including the use of the sheds and adjacent lawn area, existed prior to the forest buffer law. The forest buffer, established prior to approval of a replacement dwelling that is currently under construction, covers about 60 percent of the property. Complying with the full extent of the law would not allow the applicant to continue use of the sheds and the area surrounding the sheds. The potential for impacts to water quality and aquatic resources as a result of this proposal are minimized by limiting the continued use area to 4,700 square feet, and by avoiding continued use within the stream and wetland. In addition, the remaining forest buffer area must adhere to protective covenants, conditions, and restrictions recorded in land records. Therefore, the proposed continued existing use meets the requirements of Baltimore County Code Section 33-3-106. The approval is subject to the following conditions to minimize water quality impacts:

1. The following notes must appear on all plans submitted for this project:

“A variance (Tracking Number 06-24-4121) was granted by the Baltimore County Department of Environmental Protection and Sustainability from Baltimore County Code Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains to allow for continued existing use of two sheds and adjacent lawn area within 4,700 square feet of the forest buffer on this residential property. Conditions were placed on this variance to reduce water quality impacts.”

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2. The granting of this variance approves the continued use of the two existing sheds and continued maintenance of lawn only in the area shown on the attached plan. Replacement of the sheds is not approved.
3. All areas of the Forest Buffer Easement outside of the 4,700 square foot continued use area must comply with the Declaration of Protective Covenants, Conditions and Restrictions recorded in Baltimore County Land Records in Book 48250, Page 452. Compliance requires that the mowing of the Forest Buffer Easement cease outside of the continued use area.

If you have any questions regarding this correspondence, please contact Paul Dennis at (410) 887-3980.

This variance is approved by the Director of the Department of Environmental Protection and Sustainability on \_\_\_\_\_. Any changes to site layout may require submittal of revised plans and a new variance request.

Sincerely yours,

Horacio Tablada  
Director

HT: pad

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