

October 23, 2024

Human & Rhode, Inc.
ATTN: Devin Leary
512 Virginia Avenue
Towson, MD 21286

RE: 9428 Ridgely Avenue
Forest Buffer Variance
Tracking # 05-24-4188

Dear Devin Leary:

A request for a variance from Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains (i.e., Forest Buffer Law) was received by the Department of Environmental Protection and Sustainability (EPS) on August 12, 2024. This variance seeks to impact 72 square feet (SF) of the 35-foot principal setback to the proposed Forest Buffer Easement (FBE) on an undeveloped property for the construction of a new single-family home [Baltimore County Code with §33-3-111(d)]. If granted, the minimum setback from the proposed dwelling to the FBE will be reduced to 31 feet.

This Department has reviewed your request and has determined that a practical difficulty exists, in that the proposed FBE covers over 60% of the undeveloped property and the proposed, modestly-sized 1,545 SF single-family dwelling is situated in such a way as to minimize impacts within the principal setback, while still complying with other Baltimore County regulations regarding lot line setbacks. Furthermore, we find that the potential for impacts to water quality as a result of this proposal can be adequately minimized by the installation of permanent signage and fencing along the FBE boundary in perpetuity. No forests or streams will be directly impacted by the proposed 72 SF impact to the principal setback.

Therefore, we will grant this request in accordance with §33-3-106(a)(1) of the Baltimore County Code with the following conditions:

1. The following notes must appear on all subsequent plans submitted for this project:
 - A variance to the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (tracking # 05-24-4188) was granted by Baltimore County Environmental Protection and Sustainability to allow 72 square feet of

permanent impact within the 35-foot setback for the construction of a new single-family home.”

- “There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement except as permitted by the Baltimore County Department of Environmental Protection and Sustainability.”
2. The proposed forest buffer easement must be recorded within the land records of Baltimore County.
 3. Permanent protective signage and split rail fence must be installed along the forest buffer easement boundary prior to release of the use & occupancy permit by this department and remain in perpetuity.

Please sign the statement on the following page and return a signed copy of this letter to this Department. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of the addition permit for this property.

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.

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

Sincerely yours,

Horacio Tablada
Director

c/c: HT/AYG

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I/we agree to the above conditions to bring my/our property into compliance with Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Property Owner's Signature Date

Printed Name

Property Owner's Signature Date

Printed Name