

IN RE: PETITION FOR ADMIN. VARIANCE
SW/S East Battle Grove Road,
25' W of South Bend Road
(7629 E. Battle Grove Road)
15th Election District
7th Councilmanic District

David K. Patro, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-271-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, David K. and Brenda J. Patro. The Petitioners seek relief from Sections 1B02.3.C.1, 303.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front average setback of 11 feet in lieu of the required 40 feet and a side setback of 10 inches in lieu of the required 10 feet for the existing dwelling, and to permit an existing pool and proposed garage to be located in the side yard in lieu of the required rear yard, or third of the yard farthest removed from any street. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file.

This property is located within the Chesapeake Bay Critical Areas, and as such, the relief requested must also comply with the requirements of Sections 307.2 and 500.14 of the B.C.Z.R. as those regulations relate

ORDER RECEIVED FOR FILING

Date

By

to development adjacent to or near the Bay and its tributaries. In the opinion of this Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that the relief requested complies to the extent possible with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in a practical difficulty and/or unreasonable hardship upon the Petitioners.

The facts and evidence presented have established that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner, and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has

submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of February, 1998 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.C.1, 303.1 and 400.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front average setback of 11 feet in lieu of the required 40 feet and a side setback of 10 inches in lieu of the required 10 feet for the existing dwelling, and to permit an existing pool and proposed garage to be located in the side yard in lieu of the required rear yard, or third of the yard

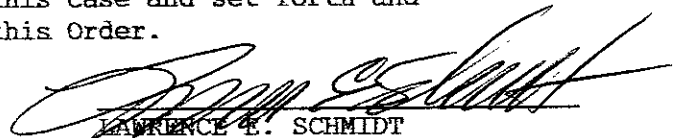
farthest removed from any street, in accordance with Petitioner's Exhibit 1
be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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 Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The proposed garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. Furthermore, there shall be no commercial use or activity within the subject garage.

3) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated January 29, 1998, a copy of which is attached hereto and made a part hereof.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 2/19/98
By [Signature]

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: January 29, 1998

To: Arnold L. Jablon

From: Bruce Seeley *BS/JS*

Subject: Zoning Item #271

Patro Property, 7629 E. Battle Grove Road

Zoning Advisory Committee Meeting of February 2, 1998

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

----- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

----- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)

----- Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code), if the property is being subdivided according to the Development Regulations.

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

ORDER RECEIVED FOR FILING

Date 2/19/98

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 19, 1998

Mr. & Mrs. David K. Patro
7629 E. Battle Grove Road
Baltimore, Maryland 21222

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SW/S East Battle Grove Road, 25' W of South Bend Road
(7629 E. Battle Grove Road)
15th Election District - 7th Councilmanic District
David K. Patro, et ux - Petitioners
Case No. 98-271-A

Dear Mr. & Mrs. Patro:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

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 Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM
People's Counsel
Case File





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7629 E. Battle Grove Rd.

which is presently zoned DR 5.5

This Petition shall be filed with the Dept. of Permits & 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) 1802.3.C.1, 303.1 & 400.2 (BCZR)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See back of this sheet.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

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

Legal Owner(s)

David K. Patro

(Type or Print Name)

David K. Patro

Signature

Brenda J. Patro

(Type or Print Name)

Brenda J. Patro

Signature

7629 E. Battle Grove Rd (410) 477-0640

Address

Phone No

Baltimore MD 21222

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: Bh

DATE: 1/21/98

ESTIMATED POSTING DATE: 2/1/98



Printed with Soybean Ink
on Recycled Paper

ITEM #: 271

98-271-A

271

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that 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 Affiant(s) does/do presently reside at 7629 E. Battle Grove Rd.
address
Baltimore, Md 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1) To protect small children from the hazards of driveway and swimming pool.

2) Because of situation of the house and existing rear yard accessory buildings impossible to comply w/ the front yard set-back and rear yard requirements.
it is

3) Would like a place to put the children and packages when unloading my vehicle in bad weather.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

David K. Patro
(signature)
David K. Patro
(type or print name)



Brenda J. Patro
(signature)
Brenda J. Patro
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6TH day of JANUARY, 19 98, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID KENNETH PATRO & BRENDA JEAN PATRO

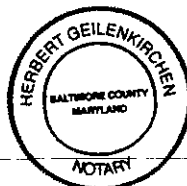
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1/6/98
date

Herbert Geilenkirchen
NOTARY PUBLIC

My Commission Expires: 11-1-2000



Herbert Geilenkirchen, Notary Public
Baltimore County
State of Maryland
My Commission Expires Oct. 1, 2000

A-175-70

- To permit:
- 1) a front average setback of 11' in lieu of the required 40';
 - 2) the existing SFD side setback of 10 inches in lieu of the required 10';
 - 3) an existing pool and proposed garage located in the side yard in lieu of the required location in the third of the lot farthest removed from any street.

Brenda J. Patro

ORDER RECEIVED FOR FILING

Date

By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that 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 Affiant(s) does/do presently reside at 7629 E. Battle Grove Rd.
address
Baltimore MD 21222
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1) To protect small children from the hazards of drive way and swimming pool.

2) Because of the situation of the house and existing rear yard accessory bldgs. impossible to comply w/ the front yard set-back and rear yard requirements.
it is

3) Would like a place to put the children and packages when unloading my vehicle in bad weather.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

David K. Patro
(signature)
David K. Patro
(type or print name)



Brenda J. Patro
(signature)
Brenda J. Patro
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6TH day of JANUARY, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

DAVID KENNETH PATRO & BRENDA JEAN PATRO

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1/6/98
date

Herbert Geilenkirchen
NOTARY PUBLIC

My Commission Expires: 10-1-2000



Herbert Geilenkirchen, Notary Public
Baltimore County
State of Maryland
My Commission Expires Oct. 1, 2000

A-175-8P

CBCA



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7629 E. Battle Grove Rd.
which is presently zoned DR 5.5

This Petition shall be filed with the Dept. of Permits & 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) 1802.3.C.1, 303.1 + 400.2 (BCZR)

See attached sheet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See back of this sheet

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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

Legal Owner(s).

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Address

Phone No

Signature

City

State

Zipcode

Address

Phone No

Name

City

State

Zipcode

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: Bn DATE: 1/21/98

ESTIMATED POSTING DATE: 2/1/98

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ITEM #: 271

98-271-A

271

ORDER RECEIVED FOR FILING

Date 2/19/98

-- Zoning Description

ZONING DESCRIPTION FOR 7629 E. Battle Grove Rd.
(address)

Beginning at a point on the Southwest side of
(north, south, east or west)

East Battle Grove Rd. which is 60 feet
name of street on which property fronts (number of feet of right-of-way width)

wide at the distance of 25 feet West of of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street South Bend Rd.
(name of street)

which is 50 feet wide. *Being Lot # 173 + 174
(number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of Battle Grove Plat #2
(name of subdivision)

as recorded in Baltimore County Plat Book # 7, Folio # 124,

containing 20,000 sq. ft. Also known as 7629 E. Battle Grove Rd.
(square feet or acres) (property address)

and located in the 15th Election District, 7th Councilmanic District.

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber __, Folio __" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

98-271-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINA
MISCELLANEOUS RECEIPT

No. 0692.3

DATE 6/22/99

ACCOUNT 001-6150

AMOUNT \$ 10.00 (BR)

RECEIVED

FROM: David & Brenda Patro

FOR: #99-1648

98-271-A

7629 E. Battle Grove Road

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

BALTIMORE COUNTY, MAF AND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044571

DATE 1-21-98

ACCOUNT 12001-6150

010-Variance

AMOUNT \$ 50.00

RECEIVED

FROM: Barbara Perkins

FOR:

John Varnage

#7629 E. Battle Grove Rd,

PAID RECEIPT

PROCESSED ACTUAL TIME

6/23/1999 6/23/1999 13:14:54

REG #302 CASHIER LSN1 LYS DROWER 2

Dept 5 528 ZONING VERIFICATION

Receipt # 097465

CR #1. 069213

Receipt Tot

10.00 CR

Baltimore County, Maryland

CASHIER'S VALIDATION

PAID RECEIPT

PROCESSED ACTUAL TIME

1/22/1998 1/21/1998 15:31:56

REG #301 CASHIER CLSN CML APPROVE 1

5 MISCELLANEOUS CASH RECEIPT

Receipt # 096652

CR #1. 044571

50.00 CHECK #12

Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

ES, K,

871

CASHIER'S VALIDATION

98-271-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 98- 271 -A Address 7629 E. Bethle Grove Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/21/98 Posting Date: 2/1/98 Closing Date: 2/16/98

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 (on the reverse side of this form) 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. **DEADLINE:** The closing date is the deadline for an 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.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The 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 zoning or deputy zoning commissioner), 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 98- 271 -A Address _____

Posting Date: 2/1/98 Closing Date: _____

Wording for Sign: To Permit (1) a front average setback of 11' in lieu of the required 40';
(2) the existing SFD side setback of 10 inches in lieu of the required 10'; (3) an
existing pool and proposed garage located in the side yard in lieu of the required
location in the third of the lot farthest removed from any street.

WCR - 12/11/97

271



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 12, 1998

Mr. and Mrs. David Patro
7629 E. Battle Grove
Baltimore, MD 21222

RE: Item No.: 271
Case No.: 98-172-A
Petitioner: David Patro, et ux

Dear Mr. and Mrs. Patro:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 21, 1998.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

DATE: January 29, 1998

To: Arnold L. Jablon

From: Bruce Seeley *BS/ys*

Subject: Zoning Item #271

Patro Property, 7629 E. Battle Grove Road

Zoning Advisory Committee Meeting of February 2, 1998

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

----- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

----- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)

----- Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code), if the property is being subdivided according to the Development Regulations.

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

GP:sp



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 11/30/98
Item No. 271 BR

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

for

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: January 30, 1998

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

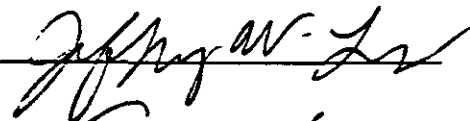
SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition (s):

Item Nos. 266 & 271

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:



Division Chief:



AFK/JL

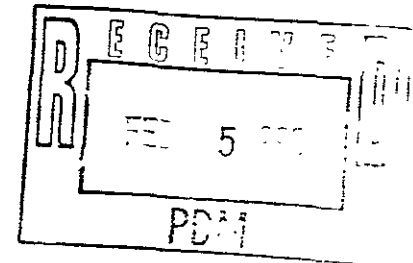


Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

February 4, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105



RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 2, 1998

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

247, R-98-150, 270, 271, 276, 277, and 278

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 25, 1999

Mr. David K. Patro
7629 E. Battle Grove Road
Baltimore, MD 21222

Dear Mr. Patro:

RE: Spirit and Intent Zoning Case #98-271-A, 7629 E. Battle Grove Road
15th Election District

Pursuant to your letter of June 18, 1999, you have requested an opinion from this office regarding the variance for the proposed garage in the above referenced case. You are requesting to amend the previously submitted site plan to include a 25'x24' garage in lieu of the approved 24'x24' garage.

It is the opinion of this office that your request meets the spirit and intent of the variance granted in the subject case. However, the minimum rear and side yard setbacks of 20' must be maintained as per the site plan.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in cursive script, reading "Bruno Rudaitis".

Bruno Rudaitis
Planner II
Zoning Review

BR:ggs

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

7629 E. Battle Grove Road
Baltimore, MD 21222
June 18, 1999

Mr. Arnold Jablon, Director
Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

6/21/99 S+I
8 to BR
WCR 6/22/99
B cashier

Dear Mr. Jablon,

I am writing to you concerning our approved variance, case # 98-271-A, we were approved for a 24' X 24' garage in our side yard. We found a vendor offering us a 25' X 24' garage at substantial discount and we would like to accept it. See our enclosed red-lined site plan for additional information.

There were no appeals to the granting of the variance. Would changing the dimensions by one (1) foot be within the spirit and intent of the zoning plan in order?

Please reply in writing at your earliest convenience so we may move forward with our plans.

Sincerely,


David K. Patro


Brenda J. Patro

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

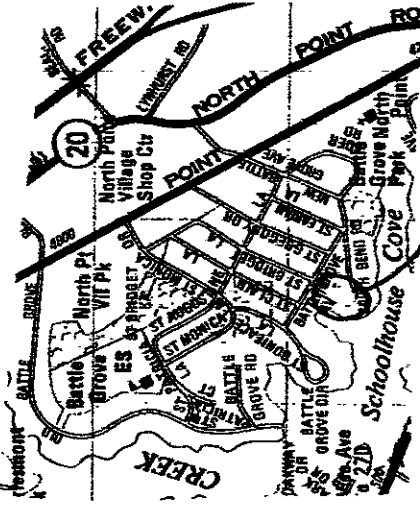
PROPERTY ADDRESS: 7629 E. Battle Grove Road

Subdivision name: Battle Grove

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: David and Brenda Patro

see pages 5 & 6 of the CHECKLIST for additional required information



Vicinity Map
scale: 1"=1000'
North
Subject Property

LOCATION INFORMATION

Election District: 15

Councilmanic District: -7

1"-200' scale map#: SE-46

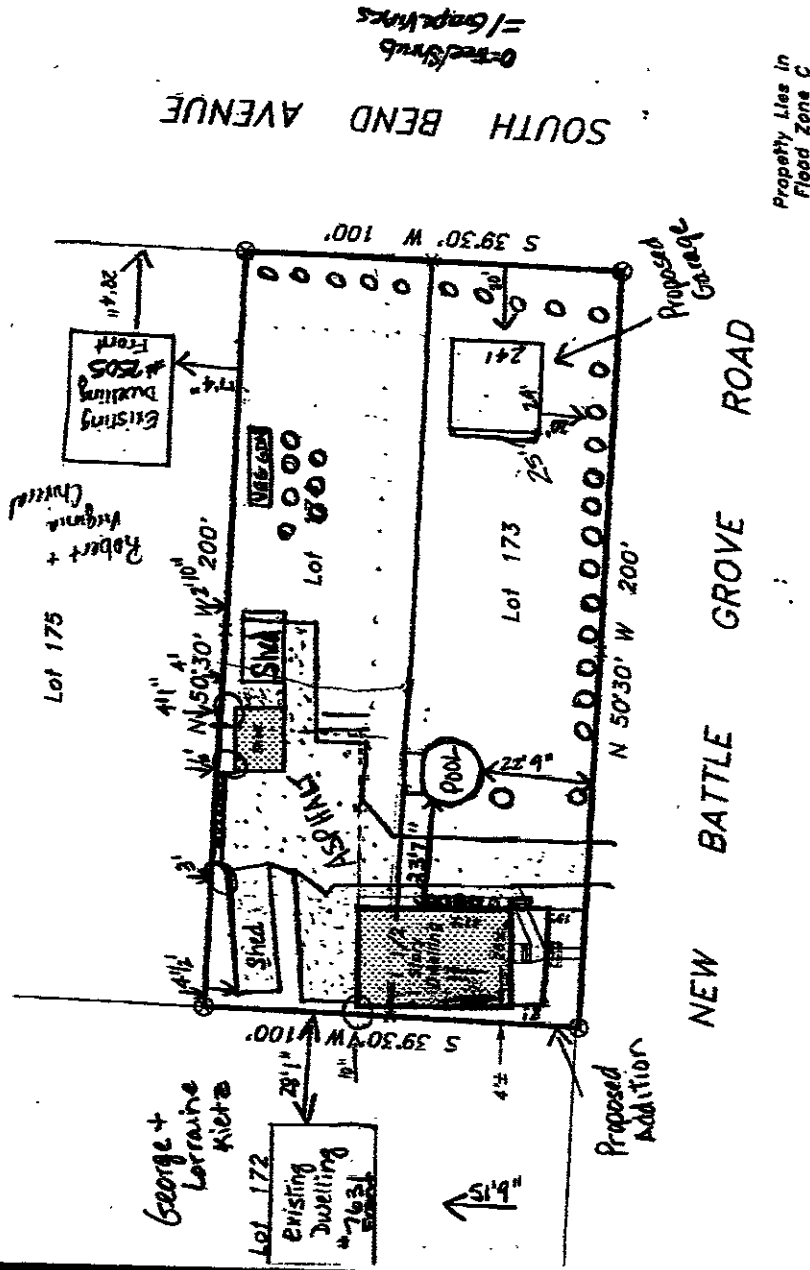
Zoning: DR 5.5

Lot size: .50 ± acreage 20000 square feet

public private
SEWER: ☒ ☐
WATER: ☒ ☐
Chesapeake Bay Critical Area: ☒ ☐
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



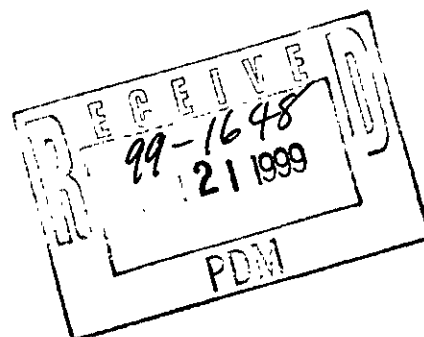
North

date: 8/15/89

prepared by: Temple Engineering

updated: 11/98 by Brenda Patro

Scale of Drawing: 1"= 50'



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

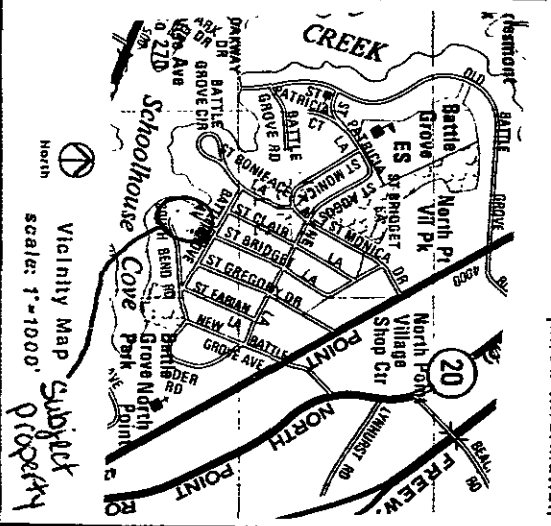
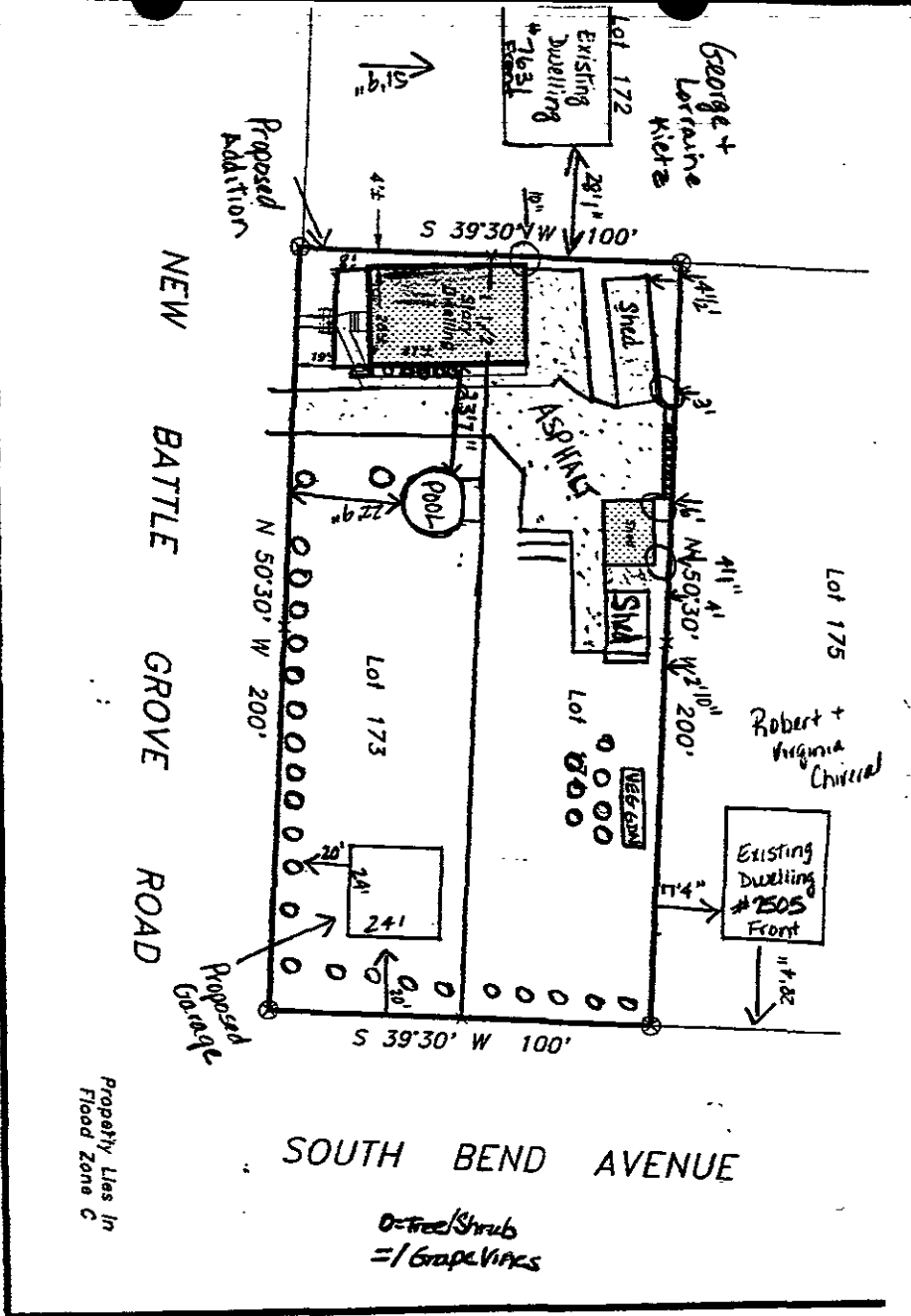
PROPERTY ADDRESS: 7629 E. Battle Grove Road

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Battle Grove

plat book # , folio # , lot # , section #

OWNER: David and Brenda Patro



LOCATION INFORMATION

Election District: 15

Councilmanic District: -7

T=200' scale map#: SE-4G

Zoning: DR 5.5

Lot size: .50 ± 20000
acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ yes ☐ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

13h 271

North
date: 8/15/89
prepared by: Temple Engineering
checked: 1988 31 Brenda Patro
Scale of Drawing: 1" = 50'

98-271-A

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESILIENCE ZONES
 WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED
 Reference - Section 303.1 Baltimore County Zoning Regulations

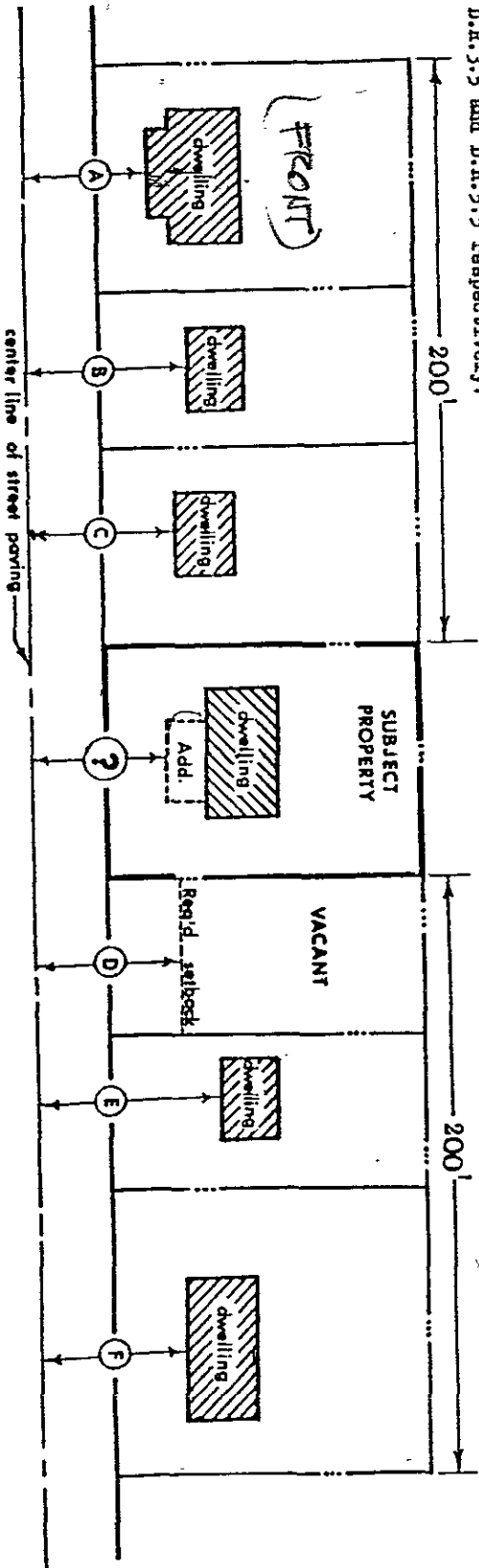
303.1 - In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situate within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified herefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

A	_____	FT.	1107
B	63'5"	FT.	761
C	72'2"	FT.	866
D	_____	FT.	75.11
E	_____	FT.	
F	_____	FT.	

TOTAL (135.7) ÷ (2) = **67.85**
 # of dwellings REQUIRED FRONT SETBACK (averaged)

NORMAL REQUIRED SETBACKS
 D.R.2 - 65 ft.
 D.R.3.5- 55 ft.
 D.R.5.5- 50 ft.

David & Brenda Pato
 applicant's name
 7029 E. Battle Grove Rd.
 building address
 date 1/20/98

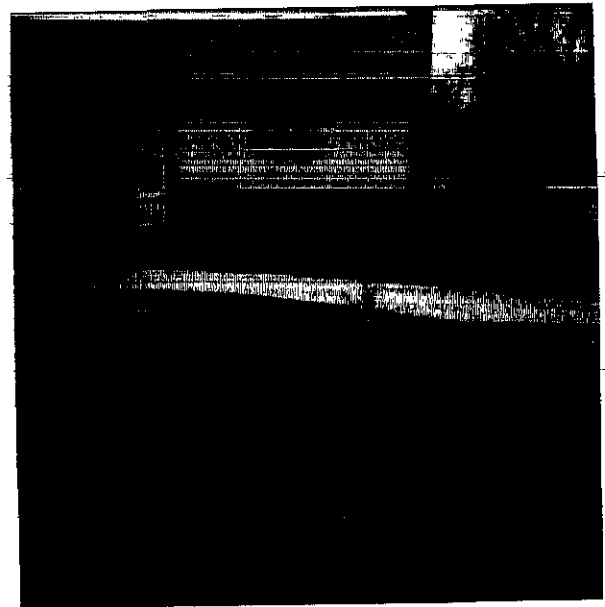


A - Backyard Address is 7636 Southland Road

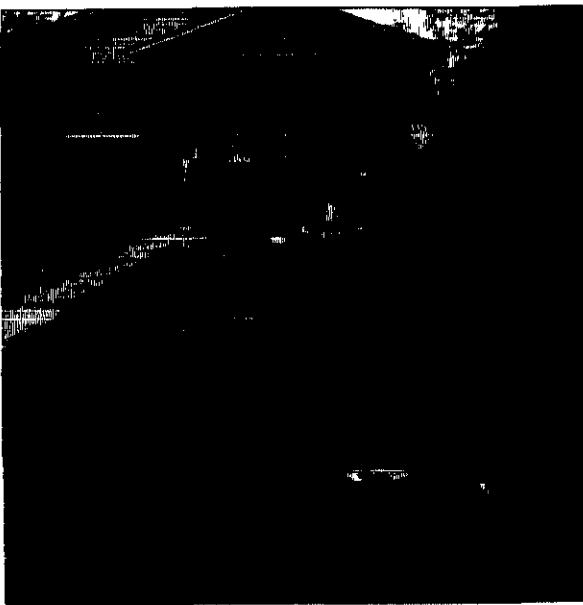
98-271-A



7629 = Battle Grove
19 ft. - 8 ft. - 11 ft.
FRONT ELEV. 271



7631
ADJACENT HOUSE 271



7633
ADJACENT HOUSE 271

98-271-A