A FRESTIVED FOR PHINGS

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Comes Avenue, 165.62' N of centerline of Ridge Road 14th Election District 6th Councilmanic District (12423 Eastern Avenue)

Gregg & Deborah Keplinger Petitioners \* BEFORE THE

\* DEPUTY ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

CASE NO. 00-362-A

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Gregg and Deborah Keplinger. The variance request is for property located at 7901 Comes Avenue in the Fullerton area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located partially within the side yard in lieu of the rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. 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 Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

- 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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioners or subsequent owners shall not allow or cause the garage to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities. In addition, the accessory structure should not be used for commercial purposes.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

**DEPUTY ZONING COMMISSIONER** 

FOR BALTIMORE COUNTY

ТМК:гај



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

April 5, 2000

Mr. & Mrs. Gregg Keplinger 7901 Comes Avenue Baltimore, Maryland 21236

Re: Petition for Administrative Variance

Case No. 00-362-A

Property: 7901 Comes Avenue

Dear Mr. & Mrs. Keplinger:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

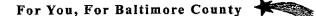
Timothy M. Kotroco

**Deputy Zoning Commissioner** 

TMK:raj Enclosure

















## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	7901	Comes	Avenue	
whiel	is present	tly zoned	DR3.5	

This Petition shall be filed with the Department of Permits and 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)

400.1 to permit an accessory structure (garage) to be located partially within the side yard in lieu of the rear.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, 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.

			I/We do solemnly de perjury, that I/we are is the subject of this	eclare and affirm, under the the legal owner(s) of the Petition.	ne penalties of e property which
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Signature			Signature	right	
			Deborah 1	Keplangen	
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City	Stare	Zip Code	Signature	· trypus y	
Attorney For I	Petitioner:		1901 Con	mes ALE	400 665-06 Telephone No.
<u>-</u>			Address	:a. b	Telephone No.
Name Time or Drive	<u> </u>		City	MD State	21236 Zin Code
Name - Type or Prin	I		,		2.6 0000
Signature	44		<u>Representative</u>	to be Contacted:	
			abou	c	
Company			Name		
Address 2		Telephone No.	Address		Telephone No.
	State	Zip Code	City	State	Zip Code
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			Zoning Corr	missioner of Baltimore Cour	<del>ity</del>
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-			c/63c - 41		_
			C/05c 7/	3/07	

# 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.

competent to testiny thereto in the event that a p	inning the grand is		e infale win Lead	aru mereto.	
That the Affiant(s) does/do presently reside at	<u> </u>	omes 1	ICE		
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Recping part of	existing q	acage			
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+e .					
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand additional inform	is filed, Affiant( mation.	s) will be requir	red to pay a i	reposting and
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Signature /	4.445 (r.1610 - 1	Signature	WHISH	J. Comp.	
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Marile - Type of Filmt - D		Haine - Type of	· int	J	
STATE OF MARYLAND, COUNTY OF BALTII	 VIORE, to wit:				
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, pe	Ebrusa	1 200	before me,	a Notary Publ	ic of the State
of Maryland, in and for the County aforesaid, pe	ersonally appear	ged H K=1	PLING	FR	
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set	factorily identification of the second contract of the second contra	ied to me as sund correct to the	ch Affiant(s), and best of his/her/th	d made oath i neir knowledge	n due form of and belief.
AS WITNESS my hand and Notarial Seal					
Del- 10 2000	/	While	L. Las	yke I	!

Notary Public /

My Commission Expires

Date

# fidavit 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	1901	Comes	ALE		
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HEREBY CERTIFY, this 10 day of 50 day of 60 da	<u>Performa</u> ersonally appea of AJ	HEPI		a Notary Public of t	ne State
the Affiant(s) herein, personally known or satisflaw that the matters and facts hereinabove set	sfactorily identif	ied to me as su	uch Affiant(s), and	i made oath in due	e form of belief.
AS WITNESS my hand and Notarial Seal	/	700		0 0	
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Lac	IYUKA	IN TUDING	• // //		

My Commission Expires 5

REV 09/15/98



REU 9115198

## Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

for the property located at	7901 Comes	Arence
	h is presently zoned	

This Petition shall be filed with the Department of Permits and 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)

400.1 to permit an accessory structure (garage) to be located partially within the side yard in her of the rear.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, 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.

			I/We do solemnly de perjury, that I/we are is the subject of this	clare and affirm, under the the legal owner(s) of the Petition.	e penalties of property which
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City	State	Zip Code	Signature	100	
Attorney For	<u>Petitioner:</u>		Address	omes Au	Telephone No.
			SALTO	mD 21	236
Name - Type or Prir	nt		City	State	Zip Code
			Representative	to be Contacted:	
Signature			abou		
Company	,		Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
this day of	having been formally deman	at the subject matter of t	required, it is ordered by	the Zoning Commissioner of chearing, advertised, as requ	Baltimore County, pired by the zoning
regulations of Baltin	nore County and that the prope	erty be reposted.			
			Zoning Com	missioner of Baltimore County	<i>T</i>
776 <b>5 3</b> 77			· · · · · · · · · · · · · · · · · · ·		f
CASE NO.	00-362-A	Rev	riewed By MIR	Date <u> </u>	

Estimated Posting Date 3/19/07

close - 4/3/0+

Beginning on the east side of Comes

Avenue, 20 feet wide, at the distance of

165.62 ft north of the conterline of Ridge

Road, being known as part of Lots 11 & 12

ef the Plat of Property of Geary A. Long
as recorded in Plat Book 7, Folio 120.

Also known as 7901 Comes Avenue Containing

243 acres in the 14th Election District.

#362

00.362.A

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	
DATE 3/6/17 ACCOUNT 001-6150	
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RECEIVED Cred Kephyger - 7901 Comes Ave.	the country of the co
FOR: C10 - Rich Will (Manne) - A 50, 1000	\$ 1
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

#### CERTIFICATE OF POSTING

RE: CASE # 00-362-A
PETITIONER/DEVELOPER
(Gregg Keplinger)
DATE OF Closing
(Apr. 3, 2000)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

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

7901 Comes Ave. Baltimore, Maryland 21237\_\_\_\_\_\_

The sign(s) were posted on\_\_\_\_\_ 3-17-00\_\_\_\_\_

[Month, Day, Year]

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Sincerely,
Olomo Delst 3/17/00
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405
(Telephone Number)

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

o N	Address 7961 Comes Avenue  Address 7961 Comes Avenue  Planner, Please Print Your Name  2/19/17  Planner, Please Print Your Name  2/19/17
Case N	Number 00- 362 - A Kellman Phone Number: 410-887-3391
Contac	Planner, Please Print Your Name
Filing I	Date: 3/6/04 Posting Date: 3/1/1/4 Closing Date: 1/1/1/2
through	ontact made with this office regarding the status of the administrative variance should be h the contact person (planner) using the case number.
	<b>POSTING/COST:</b> 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.	<b>DEADLINE:</b> 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)
Petiti	ioner: This Part of the Form is for the Sign Poster Only
	USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case	Number 00-362 -A Address 7901 Comes Avenue  ioner's Name Gregg + Deborah Keplinger Telephone 410-665-1001  Closing Date: 4/3/m
Petiti	ioner's Name Grega + Deborah Keplinger Telephone 410-665-1001
Post	ting Date: $\frac{3/19/m}{}$ Closing Date: $\frac{4/3/m}{}$
Word	ding for Sign: To Permit an accessory structure (garage) to be
10	ding for Sign: To Permit an accessory structure (garage) to be exacted partially within the side yard in lieu of the rear.
	WCR - Revised 7/28/99

### BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### **APPROVED SIGN POSTERS**

Stacy Gardner	Telephone:	410-781-4000
Shannon-Baum Signs, Inc.	Toll Free:	800-368-2295
105 Competitive Goals Drive	Fax:	410-781-4673
Eldersburg, MD 21784	•	
Richard Hoffman	Telephone:	410-879-3122
904 Dellwood Drive Fallston, MD 21047	•	
Garland E. Moore	Telephone:	410-242-4263
3225 Ryerson Circle	Mobile:	410-382-4470
Baltimore, MD 21227		
Tom Ogle	Telephone:	410-687-8405
325 Nicholson Road	Mobile:	410-262-8163
Baltimore, MD 21221	Fax:	410-687-4381
Patrick M. O'Keefe, Sr.	Telephone:	410-666-5366
523 Penny Lane	Cell:	410-905-8571
Hunt Valley, MD 21030	Fax:	410-628-2574
•		410-882-2469
Linda M. Jones	Telephone:	410-296-3333
Daft-McCune-Walker, Inc.	Fax:	410-296-4705
200 East Pennsylvania Avenue		
Towson, MD 21286		
Staff Sergeant Robert A. Black	Telephone:	410-282-7940
1508 Leslie Road	Ceil:	410-499-7940
Dundalk, MD 21222	Pager:	410-373-9662
· · · - <del>- · · · · · · · · · · · · · </del>	Work:	410-288-3284

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 11/17/99

#362

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

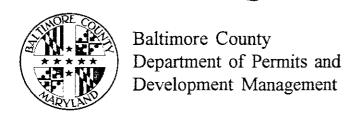
#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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:
Item Number or Case Number: 00-362-A
Petitioner: Grey and Deborah Keplinger
Address or Location: 7901 Comes Avenue
PLEASE FORWARD ADVERTISING BILL TO:
Name: Brey Keplinger
Address: 7901 Comes Anne
Balto. MD 21236.
Telephone Number: (410) 665-100/



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

April 4, 2000

Mr. and Mrs. Gregg Keplinger 7901 Comes Avenue Baltimore MD 21236

Dear Mr. and Mrs. Keplinger:

RE: Case Number 00-362-A, 7901 Comes Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 03/06/00.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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.

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:rsi

Enclosures



Printed with Soybean link

on Recycled Paper









#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** April 21, 2000

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 27-2000

Item Nos. 662 363, 366, 367, 368,

and 369

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

RWB:HJO:jrb

cc: File



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

March 21, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MARCH 20, 2000

Item No.: (362) 364, 365, 366, 367, 368, 369

Dear Ms. Stephens:

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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

April 10, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of March 20, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
362	7901 Comes Avenue
363	8432 Pulaski Highway
367	9712 and 9714 Magledt Road
368	321 North Beaumont Avenue
369	2107 Cider Mill Road

PN 4/3

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

MAR 2

Date: March 20, 2000

TO: Arnold Jablon, Director
Department of Permits
and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

**SUBJECT:** Zoning Advisory Petitions

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

Item No(s): 334, 362, 363, and 369

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 3.22.00

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

RE: Baltimore County

Item No. 362 MJK

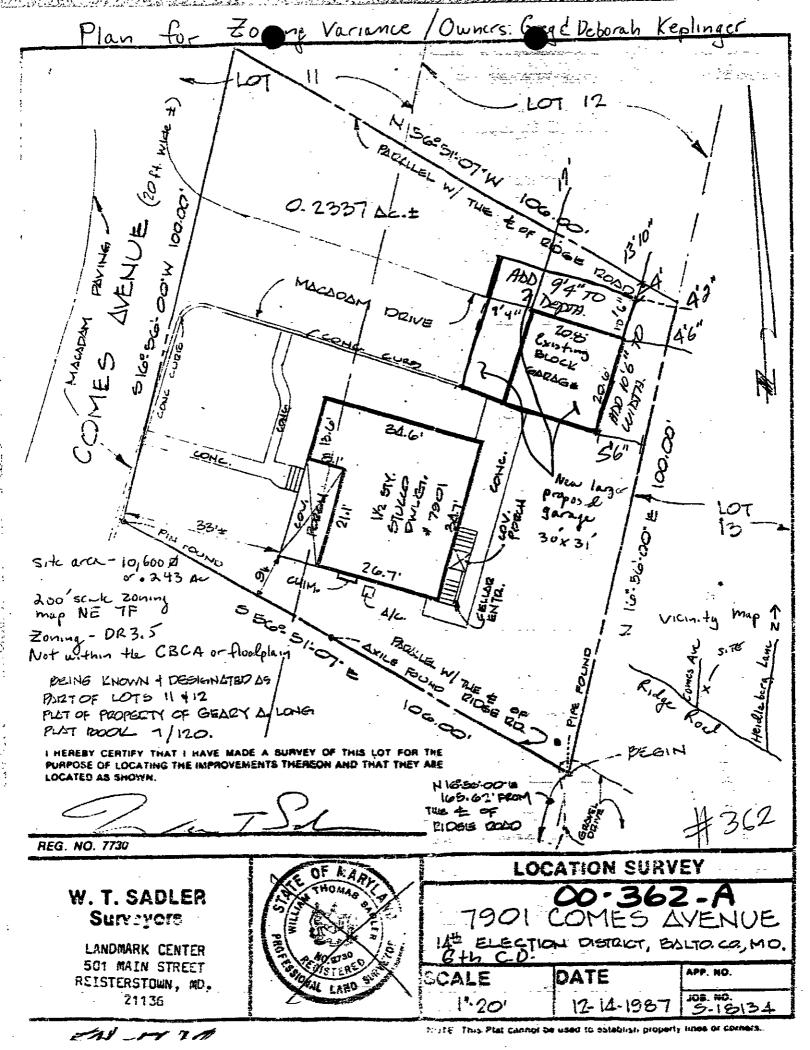
Dear, Ms. Jackson:

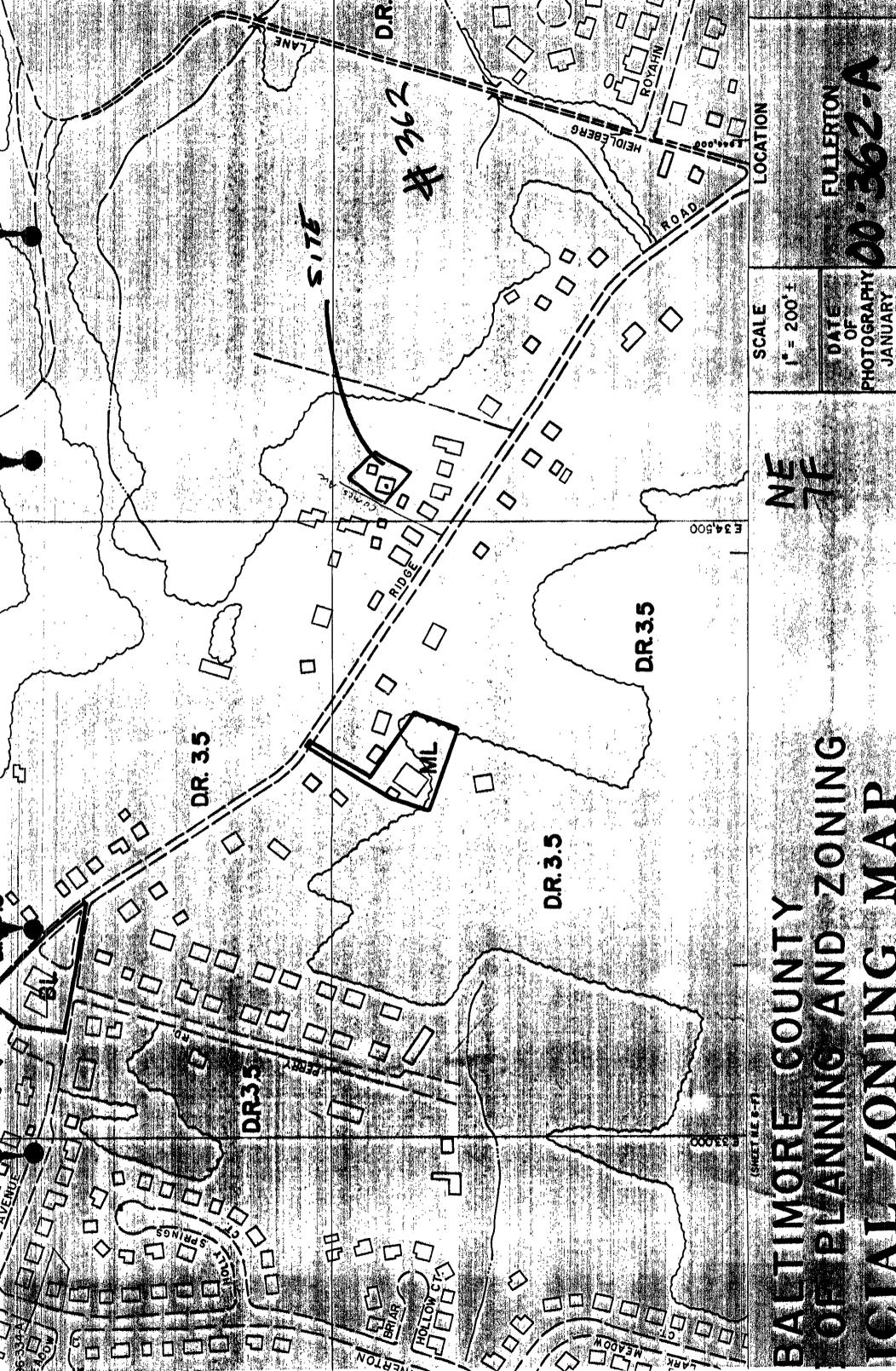
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

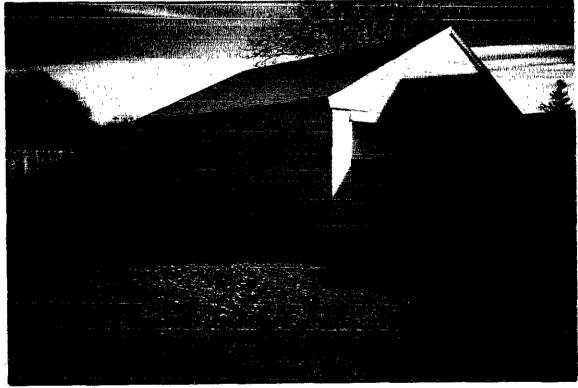
Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division







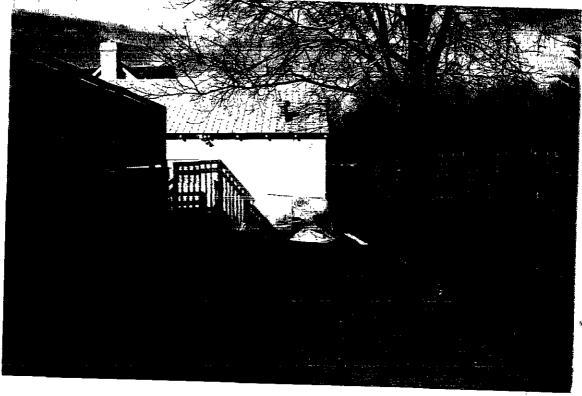






# 00-362-A





00·362-A