

IN RE: PETITION FOR VARIANCE
N/S Old Battle Grove Road, 1400' W
Of North Point Boulevard
15th Election District
7th Councilmanic District
7660 Old Battle Grove Road)

Lorraine, Joseph and Michael Morgan
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-116-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Lorraine, Joseph and Michael Morgan. The Petitioners are requesting a variance for property they own at 7660 Old Battle Grove Road, located in the Dundalk area of Baltimore County. The variance request is from Section 417.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a mooring pile to be located 4 ft. from the divisional line of the property in lieu of the required 10 ft. and to permit three (3) 4 x 4 pilings to be located on the divisional line in lieu of the required 10 ft.

Appearing at the hearing on behalf of the variance request was Joseph Morgan, one of the property owners. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 21,489 sq. ft., more or less, zoned DR 5.5. The subject property is a waterfront home located on Bear Creek in Dundalk. The Petitioners have installed a new pier on the property and in connection therewith installed four (4) mooring piles which are the subject of this variance request. As stated in the petition request, three of the mooring piles are on the divisional line and one is situated 4 ft. from the division line. Mr. Morgan, prior to installing these mooring poles, discussed this matter with his adjacent neighbors, both of whom had no

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Date 10/23/60
By R. J. Morgan

objection and supported him concerning the location of the subject mooring piles. Submitted into evidence were two (2) letters, one signed by Ms. Maxwell and the other by Mr. Kirkner, evidencing their full support for the location of the pilings. If anyone would be adversely affected by the location of these pilings it would be either of these two neighbors.

Mr. Morgan also testified that he had some violations pending with the Department of Environmental Protection and Resource Management and indicated at the hearing that all matters have been corrected. Mr. Morgan further indicated that in the event the Maxwell's were to construct a pier on their property, as none currently exists at this time, then he would move the three (3) 4 x 4 pilings located on the divisional line in the event they obstructed the Maxwell's from utilizing their own pier. Mr. Morgan was agreeable to removing them in the future, in the event it became necessary to do so.

After considering the testimony and evidence offered at the hearing, as well as the letters evidencing the full support of his adjacent neighbors, I find that the variance request should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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DATE 10/23/00
BY R. J. MURPHY

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance request should be granted.

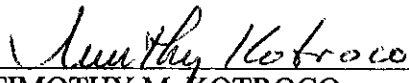
THEREFORE, IT IS ORDERED this 23rd day of October, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 417.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a mooring pile to be located 4 ft. from the divisional line of the property in lieu of the required 10 ft. and to permit three (3) 4 x 4 pilings to be located on the divisional line in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 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 shall be prohibited from bringing back to the property the floating pier which was used to store jet skis. This pier has been removed from the

CHESAPEAKE BEACH FOR FILING
DATE 10/23/00
BY J.R. JAMESON

property and as a condition of approval of this variance, the Petitioners shall be prohibited from bringing the floating pier back to their property.

- 3) In the event the three (3) 4 x 4 mooring piles, located on the divisional line, should ever encumber or obstruct the Maxwell's from utilizing a pier on their own property, in the event they choose to install one, then Mr. Morgan has agreed and shall be required to remove any such 4 x 4 mooring pile that may hinder or obstruct the Maxwell's use of any future pier they may install on their property.
- 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER DEPT. OF ZONING
DEC 10/23/00
BY: R. J. Morgan



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October ²³ 19, 2000

Mr. & Mrs. Joseph P. Morgan
7660 Old Battle Grove Road
Baltimore, Maryland 21222

Re: Petition for Variance
Case No. 01-116-A
Property: 7660 Old Battle Grove Road

Dear Mr. & Mrs. Morgan:

Enclosed please find the decision rendered in the above-captioned case. The Petition for 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,

A handwritten signature in cursive script, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7660 Old Battle Grove Rd.
which is presently zoned DR 5.5

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) 417.4 to permit a mooring

pile to be located 4' from the divisional line in lieu of the required 10'. And to permit 3 4"x4" pilings to be located on the divisional line in lieu of the required 10'.

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

see attached.

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 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:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

Joseph P. Morgan Lorraine E. Morgan
Name - Type or Print

Joseph P. Morgan Lorraine E. Morgan
Signature

Michael W. Morgan 410-550-7694
Name - Type or Print

Michael W. Morgan
Signature

7660 Old Battle Grove Rd. 410-477-3657
Address

Baltimore MD 21222
City State Zip Code

Representative to be Contacted:

Joseph P. Morgan
Name

7660 Old Battle Grove Rd 410-477-3657
Address

Baltimore MD 21222
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By TAG Date 9/11/00

Case No. 01-116A

REV 9/15/98

REASON'S FOR THE ZONING REGULATIONS
CANNOT BE MET ON OUR
PROPERTY...

- ① WATER IS TOO LOW TO PUT THE
BOAT LIFT IN ALL THE WAY
- ② CAN'T PUT THE BOAT LIFT ON
THE CHANNEL SIDE
- ③ DOWN RIVER NEAR 7662 SIDE
IS NOT ENOUGH PROPERTY TO
PUT BOAT LIFT WITHOUT BACK-
ING OUT ACROSS TO THE BOAT
LIFT ACROSS THE WATER FROM
US.
- ④ NEIGHBOR AT 7658 IS FACING
ACROSS THE CHANNEL AND WITH
HIS BOAT THERE WE COULD
NOT BACK OUT THAT WAY
- ⑤ BOAT LIFT NEEDS TO BE
ANGLE OUT AT A-LEFT 45°
TO GET OUR BOAT OUT WITHOUT
HURTING ANYONE....

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 7660 Old Battle Grove Road

Beginning at a point on the NORTH SIDE OF
OLD BATTLE GROVE ROAD which is 20 FEET
wide at the distance of 1400 FEET WEST of the
centerline of the nearest improved intersecting street known as
NORTH POINT BLVD. which is 50 FEET wide.
*Being Lot # 80, Block -- Section -- in the Subdivision
of BATTLE GROVE AS RECORDED IN Baltimore County Plat
Book # 5, Folio # 75, containing 21,489 Square Feet.
Also Known as 7660 Old Battle Grove Road and located in the
15 th Election District, 7 th Councilmanic District.

01-116-A

01-116A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

86841

DATE

1-11-00

ACCOUNT

1001 6150

AMOUNT

\$ 50.00

RECEIVED
FROM:

Joseph Dorman

FOR:

Varma 01-116A

1660 Ok Little Grove Rd.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE 9/11/2000 9/11/2000 09:13:13

REG 1592 CASHIER DMIL DMV DRIVER

Date 5 5.0 ZONING VERIFICATION

Receipt # 152717

OF NO. 00-01

Receipt Tot

50.00

50.00 OK

00 0A

Baltimore County, Maryland

01-116-A

CASHIER'S VALIDATION

A-611-10

CERTIFICATE OF POSTING

RE: Case No.: 01-116-A

Petitioner/Developer: LOLA NINE E. &
Joseph P. & Michael W. MORGAN

Date of Hearing/Closing: 18 OCT 00

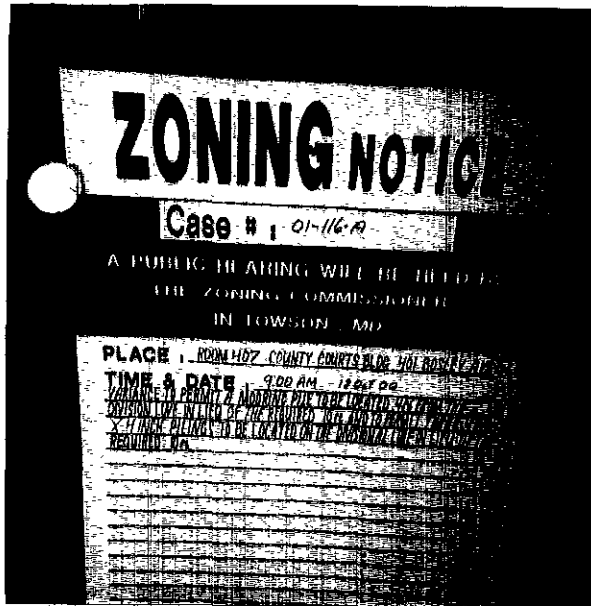
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 7660 Old Battle G-Love Rd

The sign(s) were posted on Sept 28 2000
(Month, Day, Year)



Sincerely,

[Signature] 28 Sept 2000
(Signature of Sign Poster and Date)

Sgt Robert BLACK
(Printed Name)

1508 Leslie Rd.
(Address)

Dundalk, Md 21222
(City, State, Zip Code)

410-282-7940
(Telephone Number)

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-116-A

7660 Old Battle Grove Road

N/S Old Battle Grove Road, 1400 feet W of North Point Boulevard

15th Election District - 7th Councilmanic District

Legal Owner(s): Lorraine E. & Joseph P. & Michael W. Morgan

Variance: to permit a mooring pile to be located 4 feet from the divisional line in lieu of the required 10 feet and to permit three 4 inch x 4 inch pilings to be located on the divisional line in lieu of the required 10 feet.

Hearing: Wednesday, October 18, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/10/616 Oct 3

C424060

CERTIFICATE OF PUBLICATION

10/5/2000

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/3/2000.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
7660 Old Battle Grove Road, N/S Old Battle
Grove Rd, 1400' W of North Pt. Blvd.
15th Election District, 7th Councilmanic

Legal Owner: Joseph P., Lorraine E. &
Michael W. Morgan
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-116-A

* * * * *

ENTRY OF APPEARANCE

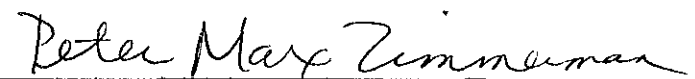
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of September, 2000 a copy of the foregoing Entry of Appearance was mailed to Joseph P., Lorraine E. & Michael W. Morgan, 7660 Old Battle Grove Road, Baltimore, MD 21222, Petitioners.


PETER MAX ZIMMERMAN

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 3, 2000 Issue – Jeffersonian

Please forward billing to:

Joseph P. Morgan
7660 Old Battle Grove Road
Baltimore, MD 21222

410-477-3657

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-116-A
7660 Old Battle Grove Road
N/S Old Battle Grove Road, 1400 feet W of North Point Boulevard
15th Election District – 7th Councilmanic District
Legal Owners: Lorraine E. & Joseph P. & Michael W. Morgan

Variance to permit a mooring pile to be located 4 feet from the divisional line in lieu of the required 10 feet and to permit three 4 inch x 4 inch pilings to be located on the divisional line in lieu of the required 10 feet.

HEARING: Wednesday, October 18, 2000, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

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 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: 01-116A

Petitioner: Joseph P. Morgan

Address or Location: Battle Grove.. 7660 Old Battle Grove Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Joseph P. Morgan

Address: 7660 Old Battle Grove Road

Baltimore Maryland 21222

Telephone Number: 410-477-3657

Revised 2/20/98 - SCJ

01-116-A



Baltimore County
Department of Permits and
Development Management

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

October 13, 2000

Lorraine E. Morgan, Joseph P. Morgan
& Michael W. Morgan
7660 Old Battle Grove Road
Baltimore, MD 21222

Dear Ms & Mr.'s Morgan:

RE: Case Number: 01-116-A, 7660 Old Battle Grove Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 11, 2000.

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. 672
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: People's Counsel



B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

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

DATE: October 10, 2000

FROM:  Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for October 2, 2000
 Item Nos. 105, 116, 117, 119, 120,
 122, 124, and 125

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

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 3, 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 September 25, 2000

Item No.: See Below

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.

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

105, 116, 120, 122, 123, 124, 125

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

cc: File

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *Ac/RBS*

DATE: October 3, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of September 25, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
105	1618 Gray Haven Court
116	7660 Old Battle Grove Road
117	10 North Point Terrace
119	9633 Belair Road
120	7851 St. Bridget Lane
121	White Marsh Business Park
122	2626 Luiss Deane Drive
123	139 Newberg Avenue
124	10602 Topsfield Drive
125	11 Helicopter Drive

Sept
10/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 4, 2000

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

SUBJECT: 7660 Old Battle Grove Road

INFORMATION:

Item Number: 01-116

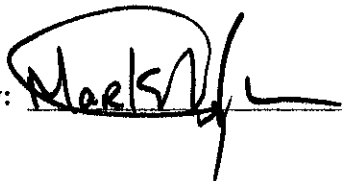
Petitioner: Joseph P. Morgan

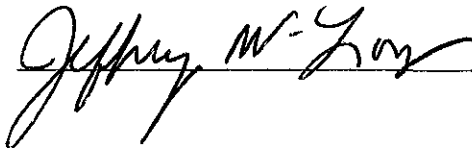
Zoning: DR 5.5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has no comment to offer pertaining to the subject request. This office therefore defers to any and all comments offered by the Department Environmental Protection and Resource Management (DEPRM).

Prepared by:  _____

Section Chief:  _____

AFK:MAC:



Maryland Department of Transportation
State Highway Administration

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

Date: 9.25.00

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

RE: Baltimore County
Item No. 116 TAG

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,

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

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

DATE: September 21, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 116
Legal Owner/Petitioner: Michael W. & Lorraine E. Morgan
Contract Purchaser: n/a
Property Address: 7660 Old Battle Grove Rd.
Location Description: N/S Old Battle Grove Rd.
1400' W of North Point Blvd.

VIOLATION INFORMATION: Case No. 00-6639
Defendants: Michael W. & Lorraine E. Morgan

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
------	---------

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- | | | |
|---|-----|---|
| X | 1. | Complaint letter/memo/email/fax (if applicable) |
| X | 2. | Complaint Intake Form/Code Enforcement Officer's report and notes |
| X | 3. | State Tax Assessment printout |
| | 4. | State Tax Parcel Map (if applicable) |
| | 5. | MVA Registration printout (if applicable) |
| | 6. | Deed (if applicable) |
| | 7. | Lease-Residential or Commercial (if applicable) |
| | 8. | Photographs including dates taken |
| | 9. | Correction Notice/Code Violation Notice |
| | 10. | Citation and Proof of Service (if applicable) |
| | 11. | Certified Mail Receipt (if applicable) |
| | 12. | Final Order of the Code Official/Hearing Officer (if applicable) |
| | 13. | Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable) |
| X | 14. | Copy of permit application |

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/jk
C: Code Enforcement Officer

CODE ENFORCEMENT REPORT

DATE: 8/17/00 INTAKE BY: Roy Lest CASE #: 00-6639 INSP: Jim Kemp

COMPLAINT LOCATION: 7660 Old Battle Grove Rd

ZIP CODE: 21222 DIST: 15

COMPLAINANT NAME: David & Pam Green PHONE #: (H) 477-21429 (W)

ADDRESS: 3831 ~~Phonograph Rd~~ ZIP CODE: 21222

PROBLEM: See Attached DEPRAL File.

RECEIVED
See Below

OWNER/TENANT INFORMATION:

ANON.

TAX ACCOUNT #: _____ ZONING: _____

ACTION: 8/17/00 Site Insp. - 4 New Pickets installed
+ byr. old pick installed w/o permit.
VN# 122767 given to Mr. Borgan Re. Check 8/31/00
8/18/00 Called & Left message on Green's

INSPECTION: recorder w/ update. 8/18/00 3:40
Mrs Green called & stated she nor husband
made Complaint & wanted her name
off record

INSPECTION: 8/31/00 To Spike to H/O, He has
Zoning Appl. date of 9/11/00 re-check 9/13
Zoning Var 01-116-A Ext. 11/25/00

INSPECTION:



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE BALTIMORE COUNTY CODE ZONING OR OTHER (1) TO (4) CODES, REGULATIONS, AND POLICIES AS INDICATED BELOW:

Violation Notice No.
122167
Case No.

Election District: 15 Permit No. B235728

Name (s):

Address: 7660 Old Battle Grove Rd

Location of Violation (if different than address):

Vehicle License No.: Vehicle ID:

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code: 7-36 Const. w/o Permits
Zoning Regulations

Building Code (BOCA):
Livability Code (18-66):

Investment Property Act (7-66):
Electrical Code (NEC):

Plumbing Code (NSPC):
Dwelling (CABO):

Other: 11.3 Compliance required

Permit B235728 has never been issued. Work on site does not match plan approved/ submitted. Secure permit for work done. Subject to \$1,000 plus \$200/day fine if not brought into compliance.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: 8/31/00
DATE ISSUED: 8/17/00 INSPECTOR: Don Kemp

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE. PLEASE READ CAREFULLY.

DEFENDANT

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DIVISION OF INSPECTION AND ENFORCEMENT
INSPECTION REQUEST

DATE RECEIVED: 8/14/00

SC # 94-120

Complainant Information

Name: PAM GREEN DAVID

Address: 3831 ANNADALE RD Anon.

Telephone: Home: (1477) 4424 Work: ()

Site Information JOSEPH MORGAN

Location: 7660 OLD BATTLE GROVE RD Election District: 15

Description: ADDING PILINGS - NO PERMITS - ENCRACHING
ON CHANNEL

Inspector Comments

Inspection Date: _____

Action Taken: ^{8/15} fw to Pldg Insp - note: the original pier was built
without permits - filed after the fact B 225728 WF - approved
by DEPRM 3/2/95 but not by Building Plans - permit was
never issued - existing pier is illegal

^{8/15} also fw to Army Corps of Engineers - Enforcement - since property
is still under CEASE - DESIST order dated 6/24/94
^{8/15} also fw to MD DEPT of ENVIRONMENT

Completion Date: _____

Inspector: ROYLIST 410/887-3980

Operations Division

JUN 24 '994

Subject: CENAB-OP-RE(MORGAN, JOSEPH) 94-0760-4

Mr. Joseph Morgan
7660 Old Battle Grove Road
Baltimore, Maryland 21222

Dear Mr. Morgan:

A recent field investigation by a representative of this office has disclosed that an unauthorized structure has been placed into tidal wetlands of Bear Creek, Baltimore County, Maryland.

Records in this office indicate that neither a Department of the Army permit nor a letter of permission authorizing this work was issued by this office. Any work performed in a navigable waterway of the United States without prior approval of plans by the Department constitutes a violation of Section 10 of the River and Harbor Act of 3 March 1899.

No further work is to be performed at this or any other location in a navigable waterway or in wetlands without compliance with the law. Violations of Section 10 are subject to prosecution by the Attorney General of the United States. You are to furnish this office within 10 calendar days following receipt of this letter, the name and address of the contractor who performed this work.

If you have any questions concerning this matter, you may call Ms. Sandra A. Mues of this office at (410)962-5698.

Sincerely,

Thaddeus J. Rugiel
Chief, Enforcement Section

Copy Furnished:

Environmental Protection Agency - Jeff Lapp
Fish and Wildlife Service - Annapolis
Water Resources Administration - Enforcement
Maryland Department of Environment
Baltimore County DEPRM - Roy List
CENAB-OP-RW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

APPLICATION FOR BUILDING PERMIT

Never Issued

PERMIT #: 8225728 CONTROL #: WF DIST. 15 PREC. 21

LOCATION 7660 OLD BATTLE GROVE RD
SUBDIVISION BATTLE GROVE
TAX ASSESSMENT #: 1502851321

OWNERS INFORMATION

NAME: MORGAN, JOSEPH P
ADDR: 7660 OLD BATTLE GROVE RD, 21222

APPLICANT INFORMATION

NAME: JOSEPH P MORGAN
COMPANY:
ADDR1: 7660 OLD BATTLE GROVE RD
ADDR2: BALTIMORE MD 21222
PHONE #: 477/3657 LICENSE #

NOTES

CANCELLED 2/5/96. NON COMPLIANCE. RCD

RC#

LANDS: COUNCIL 2 PLAT 5 2 PLAT 6 DATA 9 ELEC RD PLUM 10

ENANT:

CONTR: OWNER

NGNR:

LR:

CONSTRUCT NEW PIER 6'10"X14'7" W/ 20X6'10" "L"
IN BEAR CREEK ARMY CORP & STATE PERMITS MAY
BE REQUIRED/ LMC ESSEX OFFICE

PROPOSED USE: SED & PIER
EXISTING USE: SED

LDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED
ESTIMATED COST OF MATERIAL AND LABOR 1,299.00

TYPE OF IMPROV: BLDG BUILDING CONSTRUCTION

SE: OTHER - RESIDENTIAL

FOUNDATION:

SEWAGE: PUBLIC EXIST

BASEMENT:

INSTRUCTIONS:

WATER: PUBLIC EXIST

ENTRANCE AIR:

FUEL:

SINGLE FAMILY UNITS

TOTAL 1 FAMILY BEDROOMS

MULTI FAMILY UNITS

EFFICIENCY (NO SEPARATE BEDROOMS): NO. OF 1 BEDROOM

NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE.

TOTAL NO. OF BEDROOMS TOTAL NO. OF APARTMENTS

PERMIT # 8025728

DIMENSIONS - INSTALL FIXTURES

REARAGE DISP
POWDER ROOMS
BATHROOMS
KITCHENS

BUILDING SIZE
FLOOR: 295
WIDTH: 26'10
DEPTH: 24'7
HEIGHT
STORIES:

LOT NOS 80
CORNER LOT N

LOT SIZE AND SETBACKS
SIZE: 6050.00 X 600.00
FRONT STREET:
SIDE STREET:
FRONT SETB: N/C
SIDE SETB: 21'5-10'
SIDE STR SETB
REAR SETB: N/C

ZONING INFORMATION

DISTRICT
REVISION
DATE
MAP

BLOCK
SECTION
LIBER 000
FOLIO: 075
CLASS: 34

ASSESSMENTS
LAND: 00'5'00'00
IMPROVEMENT: 00'5'00'00
TOTAL AS\$

PLANNING INFORMATION

BASED PLAN AREA SUBSEWERSED CRITICAL AREA

DATE APPLIED: 02/14/1995 INSPECTOR INITIALS: 15R
FEE: \$20.00 PAID: \$10.00 RECEIPT # 0202012
PAID BY: OWNER

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE. AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

COMPANY OR LINE? _____ DATE _____

DOCKET _____

AGENT _____
TITLE _____

SIGNATURE OF APPLICANT _____ DATE _____

DATE: 09/21/2000

STANDARD ASSESSMENT INQUIRY (1)

TIME: 10:11:59

PROPERTY NO.	DIST	GROUP	CLASS	UCC.	HISTORIC	DEL	LOAD DATE
15 02 851321	15	3-1	34-00	H	NO		04/25/00

MORGAN JOSEPH P, SR/LORRAINE E DESC-1.. IMPS
MORGAN MICHAEL W DESC-2.. BATTLE GROVE
7660 E BATTLE GROVE RD PREMISE. 07660 BATTLE GROVE RD

00000-0000

BALTIMORE MD 21222-3521 FORMER OWNER: MORGAN JOSEPH P, JR U A M

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	64,620	64,620		FCV	ASSESS	ASSESS
IMPV:	113,110	114,690	TOTAL..	178,256	71,300	71,090
TOTL:	177,730	179,310	PREF..	0	0	0
PREF:	0	0	CURT..	178,256	71,300	71,090
CURT:	177,730	179,310	EXEMPT.		0	0
DATE:	10/96	06/99				

----- TAXABLE BASIS ----- FM DATE

00/01 ASSESS:	71,300	11/21/99
99/00 ASSESS:	71,090	06/04/99
98/99 ASSESS:	63,490	06/05/98

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

R0109114

DATE: 09/21/2000

STANDARD ASSESSMENT INQUIRY (2)

TIME: 10:12:06

PROPERTY NO.	DIST	GROUP	CLASS	UCC.	HISTORIC	DEL	LOAD DATE
15 02 851321	15	3-1	34-00	H	NO		04/25/00

LOT.... 80 BOOK.... 0005 MAP.... 0104 LOT WIDTH..... 50 00
BLOCK.. FOLIO... 0075 GRID.... 0008 LOT DEPTH..... 00
SECTION.. PARCEL.. 0224 LAND AREA... 21489.000 0
PLAT.. 1 YEAR BUILT..... 58

-----TRANSFER DATA-----

NUMBER.....	087117
DATE.....	12/22/95
PURCHASE PRICE.....	0
GROUND RENT.....	0
DEED REF LIBER.....	11360
DEED REF FOLIO.....	0149
CONVEYED IND.....	9
TOT-PART TRAN IND.....	1
GRANTOR ACCT NO..	15-02-851321

-----EXEMPT DATA-----

STATUS.....	
CLASS CODE.....	000
STATE EXEMPT CODE.....	000
COUNTY EXEMPT CODE.....	000
CURR STATE EX ASMT....	0
PRIOR STATE EX ASMT....	0
CURR COUNTY EX ASMT....	0
PRIOR COUNTY EX ASMT..	0

CRITICAL NEW CONST CARD

AREAS CODE YEAR NO

25724

-----STRUCTURE-----

CODE SQ. FEET

3144

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

R0109115

DATE: 09/21/2000

STANDARD ASSESSMENT INQUIRY (3)

TIME: 10:12:10

PROPERTY NO.	DIST	GROUP	CLASS	UCC.	HISTORIC	DEL	LOAD DATE
15 02 851321	15	3-1	34-00	H	NO		04/25/00

-----STATE-----

REC CREATE DATE.. 10/23/92

DELETE CODE.....

DATE DELETED.....

LAST FM DATE..... 11/21/99

LAST FM TYPE..... C

PREV FM DATE.....

PREV FM TYPE.....

----- COUNTY -----

LAST LOAD DATE... 04/25/00

PRIOR LOAD DATE.. 04/05/00

STATE TAXABLE ASSESS

00/01 ASSESS: 71,300

99/00 ASSESS: 71,090

98/99 ASSESS: 63,490

ENTER-INQUIRY1 PA1-PRINT PF2-INQUIRY2 PF4-MENU PF5-QUIT PF7-CROSS REF

V A R I A N C E

DATE: 8-23-00

TO WHOM IT MAY CONCERN:

My name is Debbie Maxwell, and I live next door to the Morgan's, at 7662 Old Battle Grove Road... The Floating Pier and the 4x4 Railings that are adjacent to the Property Line are in good Taste and I give My Permission to leave them where they are.. It is not bothering me in no way. Thank You.

Miss Debbie Maxwell

7662 Old Battle Grove Road

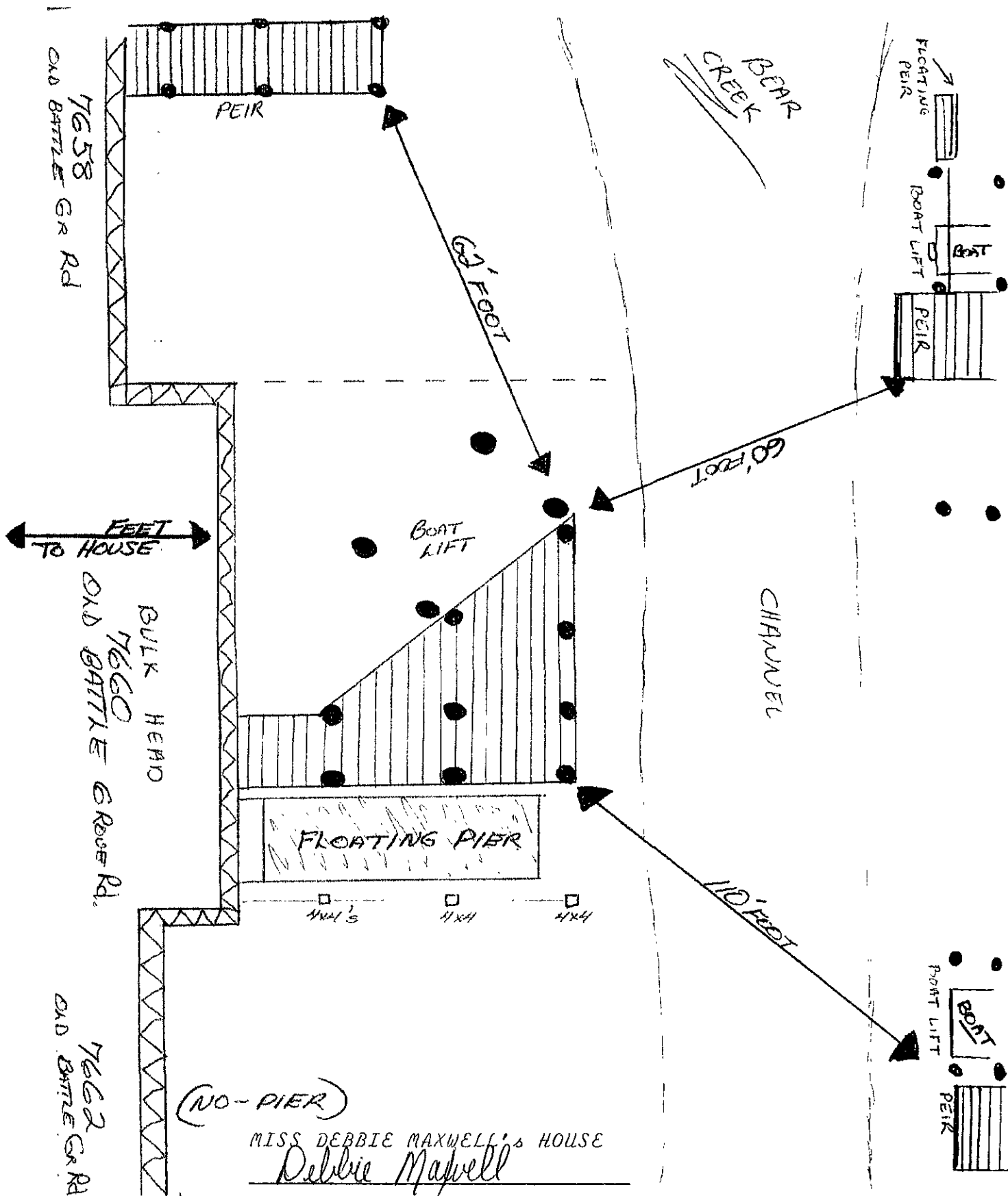
Balto, Maryland 21222

410 388-0710

Debbie Maxwell

01-116-A

01-116A



01-116A

V A R I A N C E

DATE: 8-23-2000

TO WHOM IT MAY CONCERN:

My name is Gill Kirkner, and I live next door to the Morgan's at 7658 Old Battle Grove Road... The Boat Lift Pilings, that are to close to the Property Line, is in no way infringing on us... As far as I am concern they can put their Boat Lift in where the Piling's are. It makes it better for the both of us to get our Boats in and Out. Thank You.

Mr. Gill Kirkner

7658 Old Battle Grove Road

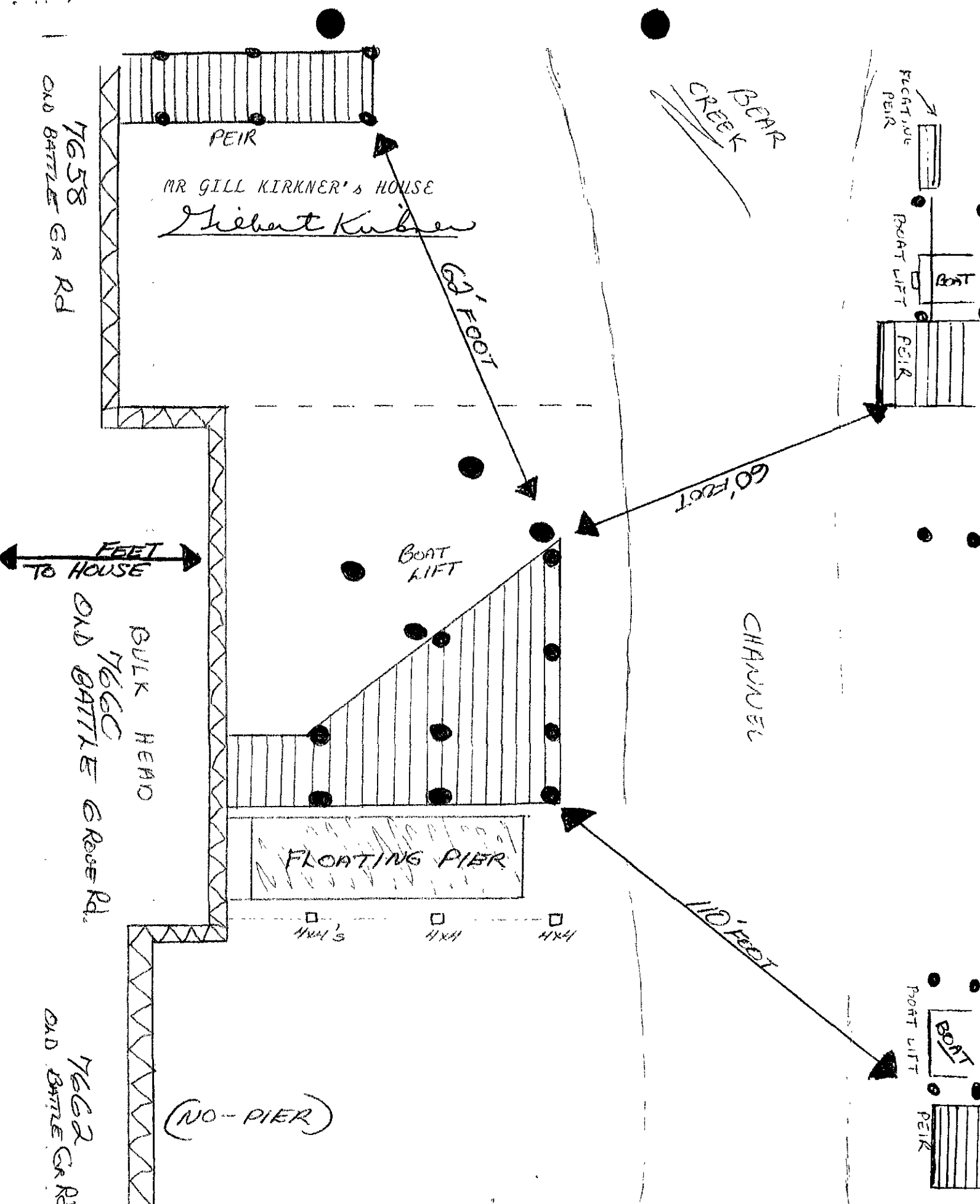
Balto. Maryland 21222

410 477 1865

Gilbert Kirkner

01-116-A

01-116A

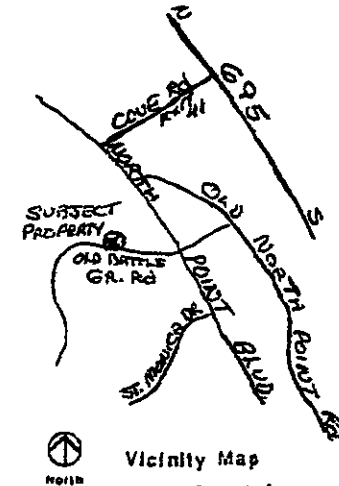


01-116A

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

plat book # 5 , folio # 75 , lot # 80 , section #

OWNER: MIKE + LORRAINE MORGAN
JOE



Vicinity Map
scale: 1"=1000'

Councilmanic District: # 15

1"=200' scale map# : S. E. - 93

Zoning: DR-5.5

Lot size: 0.49 21,489
acres square feet

SEWER: ☒ public ☐ private

WATER : ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings: *NONE*

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

TAG	116	01-116A
-----	-----	---------



North

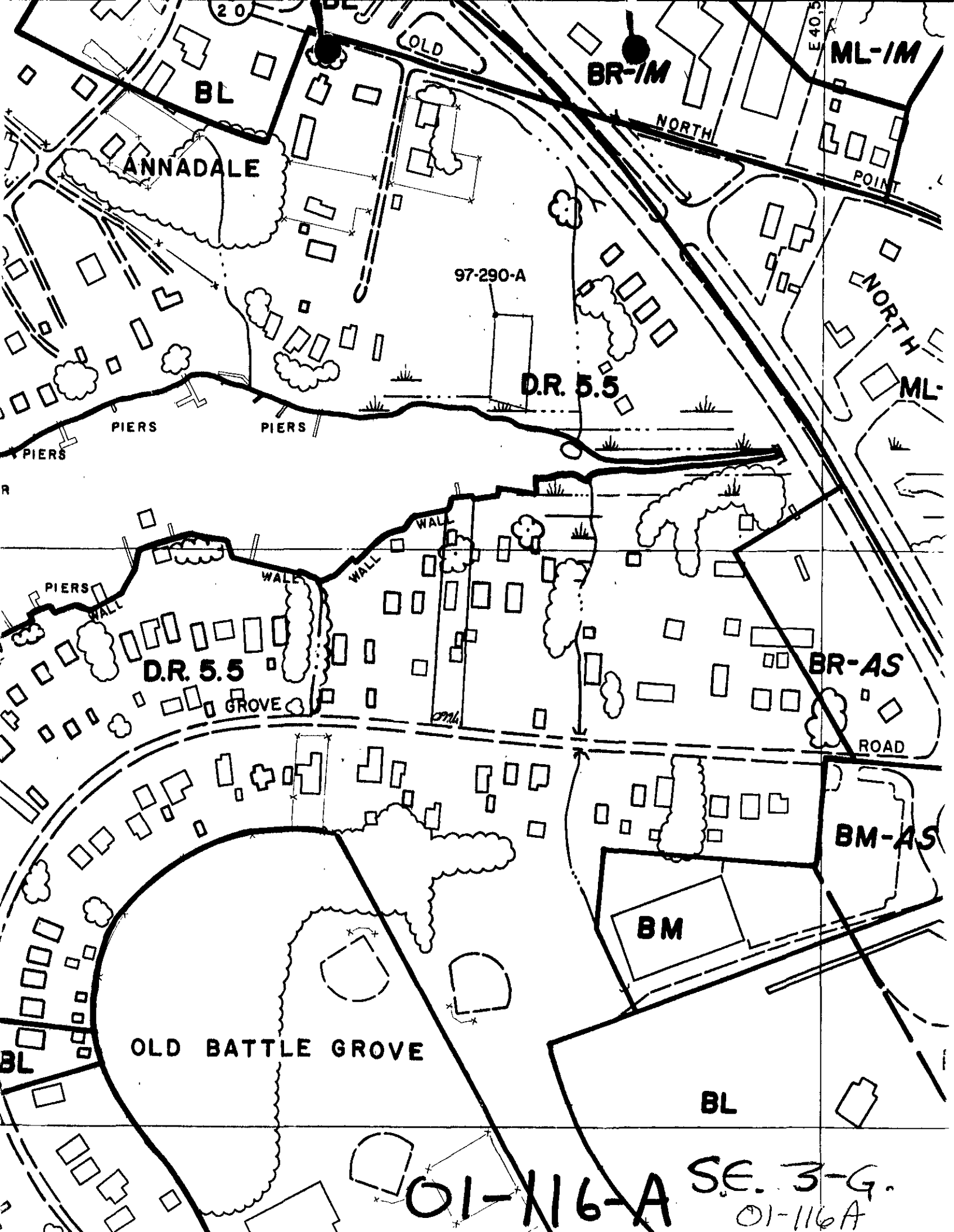
date: 8-25-00 OLD BATTLE GROVE ROAD 20' wide

prepared by: MIKE + JOE McCAIN Scale of Drawing: 1" = 50'

15

Rev. #1

01-116-A



BL

ANNADALE

OLD

BR-1M

ML-1M

NORTH

POINT

97-290-A

D.R. 5.5

PIERS

PIERS

PIERS

WALL

WALL

D.R. 5.5

GROVE

BR-AS

ROAD

BM-AS

BM

BL

OLD BATTLE GROVE

01-116-A

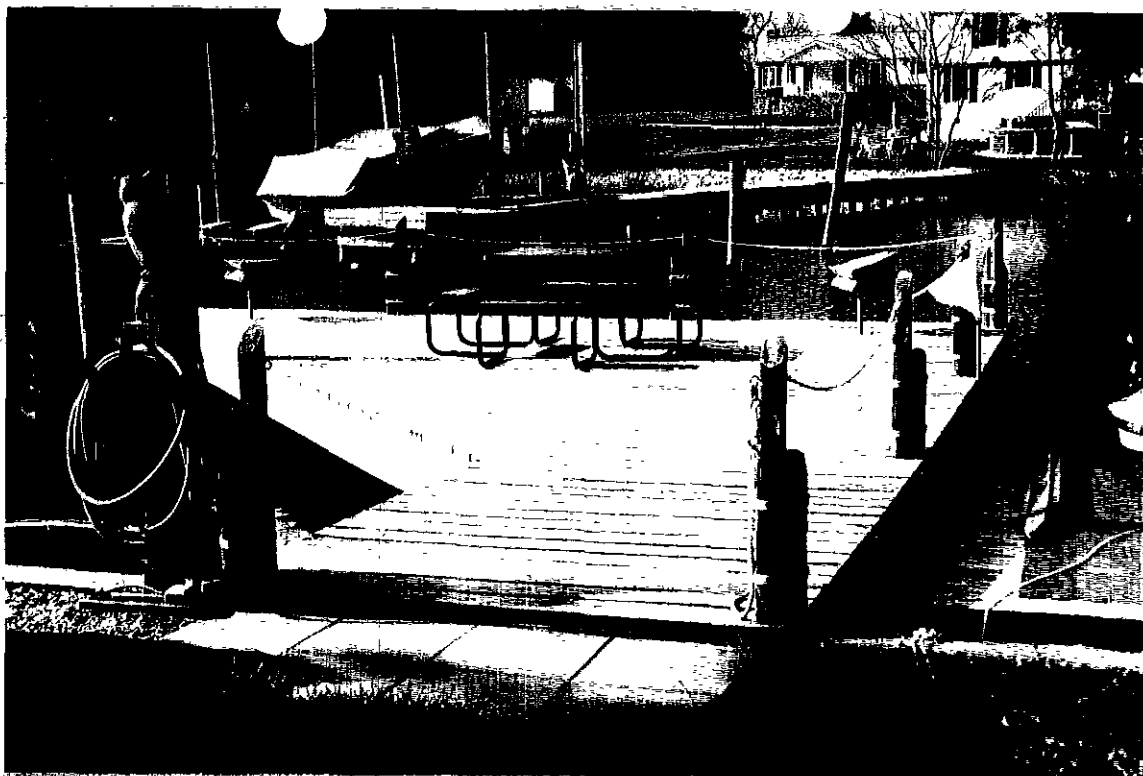
SE. 3-G.

01-116A



01-116-A

Subject
Pier &
Neighbor's
Pier across
water



Pier
across
water



Pier
across
water
with
Channel
Marker



subject pier

01-116-A

01-116A

Neighbor's
pier across
water



View of
pier from
house



116

Bulkhead.



01-116-A

01-116A

Pilings
+ neighbor's
property



Neighboring
property



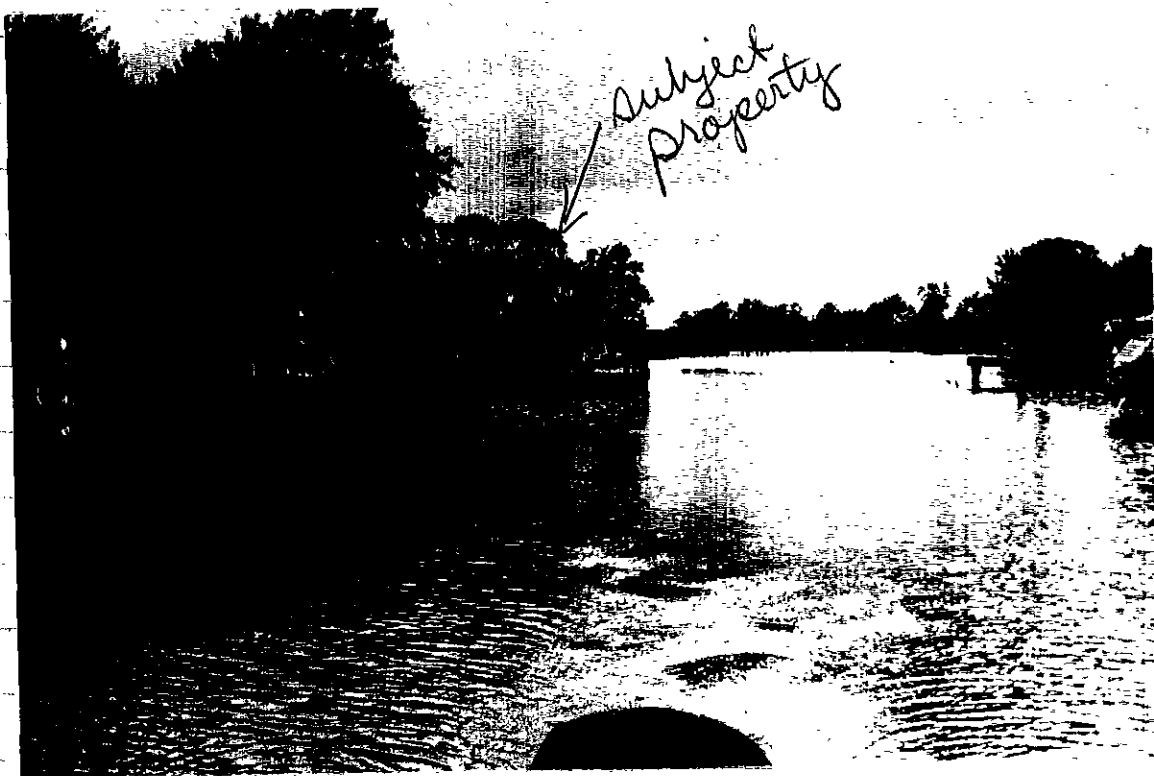
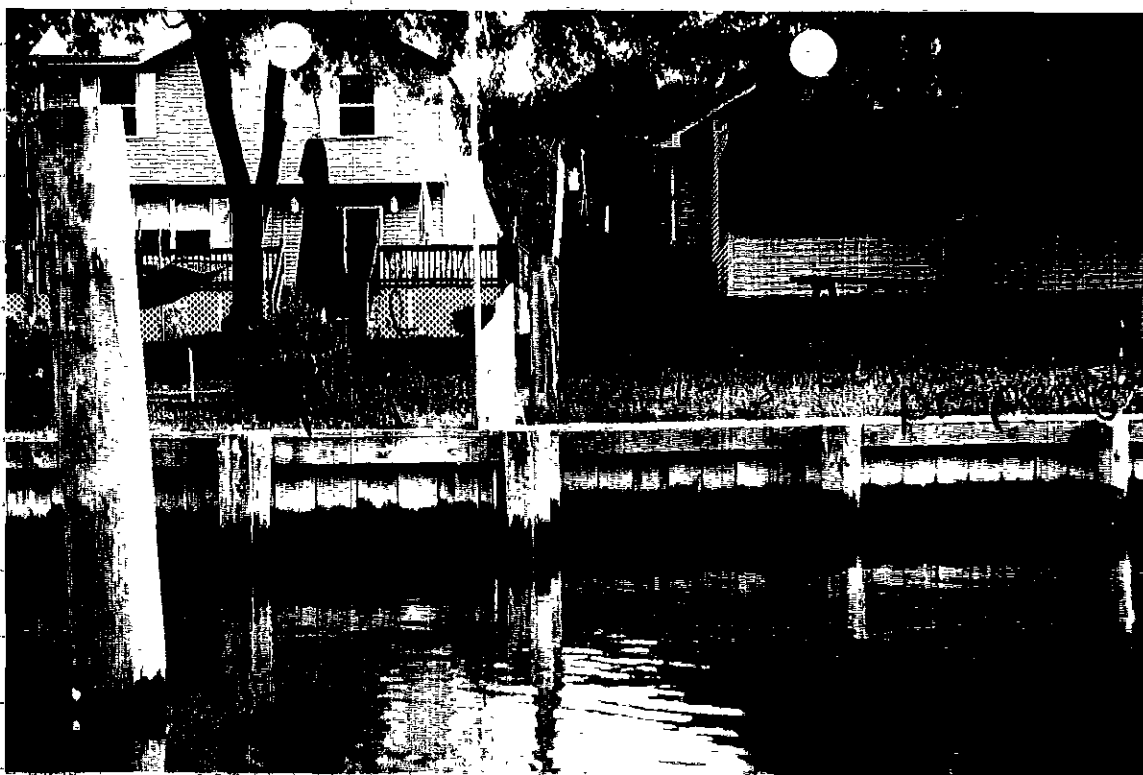
116

Pilings



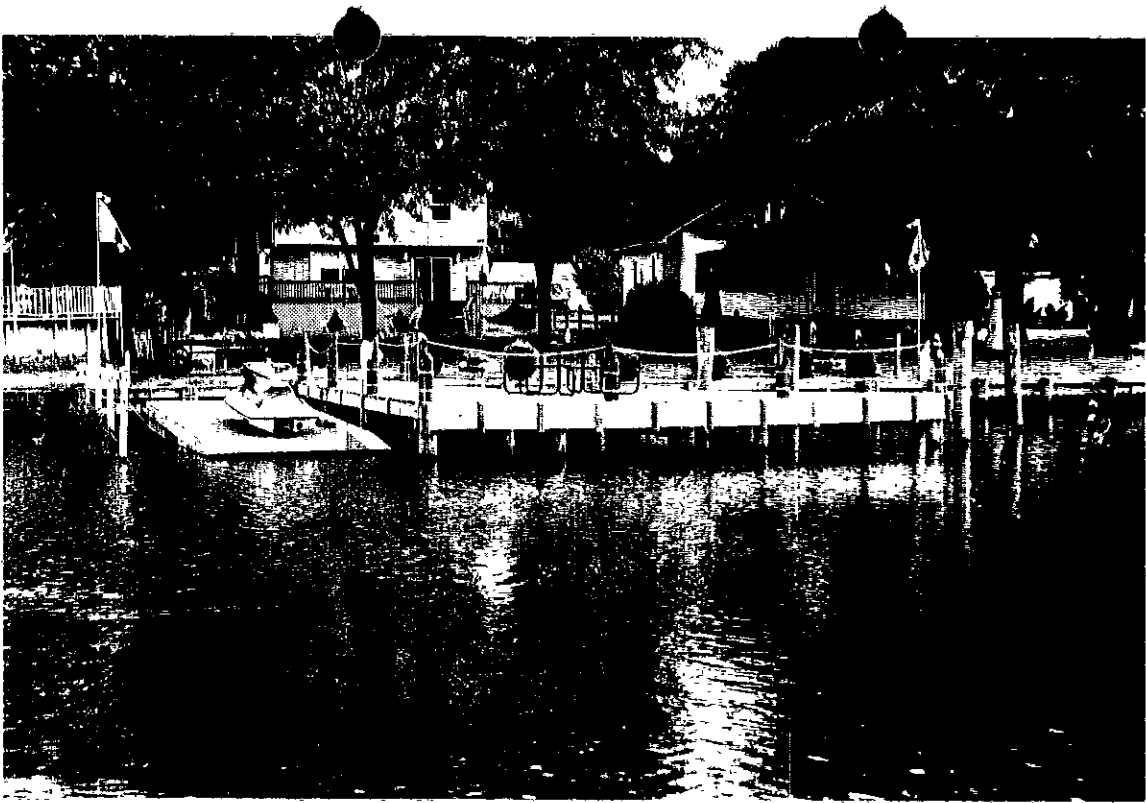
01-116-A

01-116A

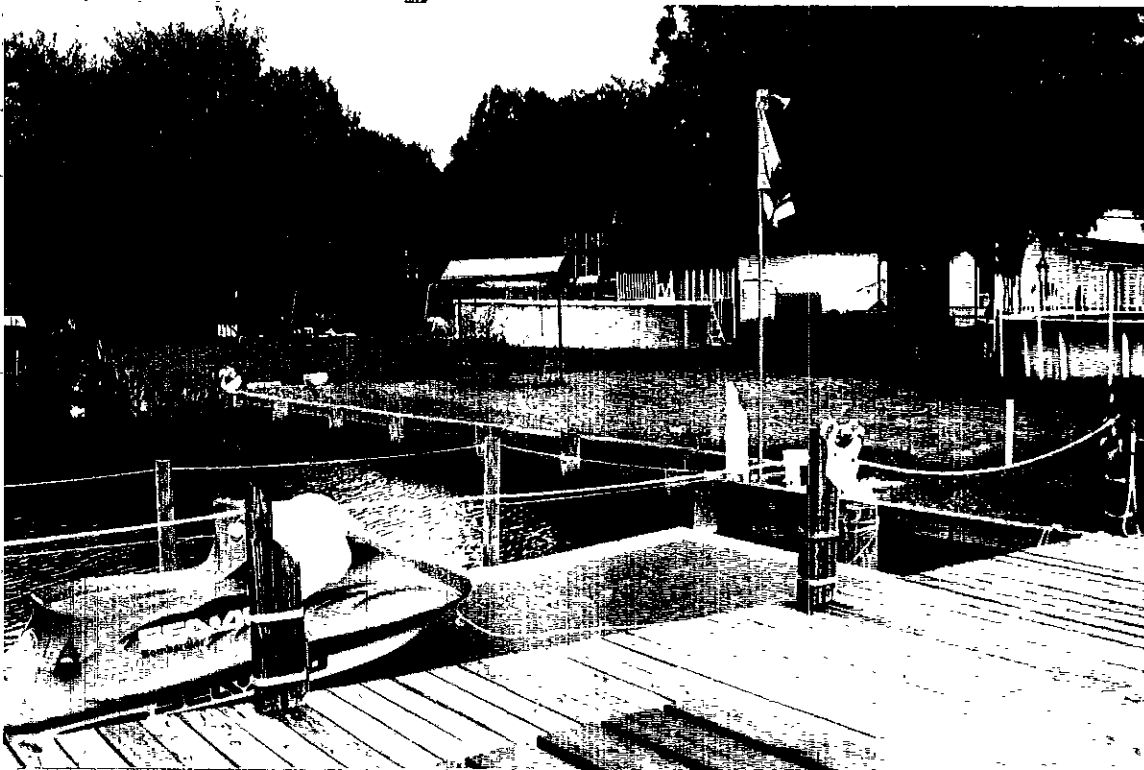


01-116-A

01-116A



Pier + Floating Dock



Neighbor's Property



116

01-116-A

01-116A

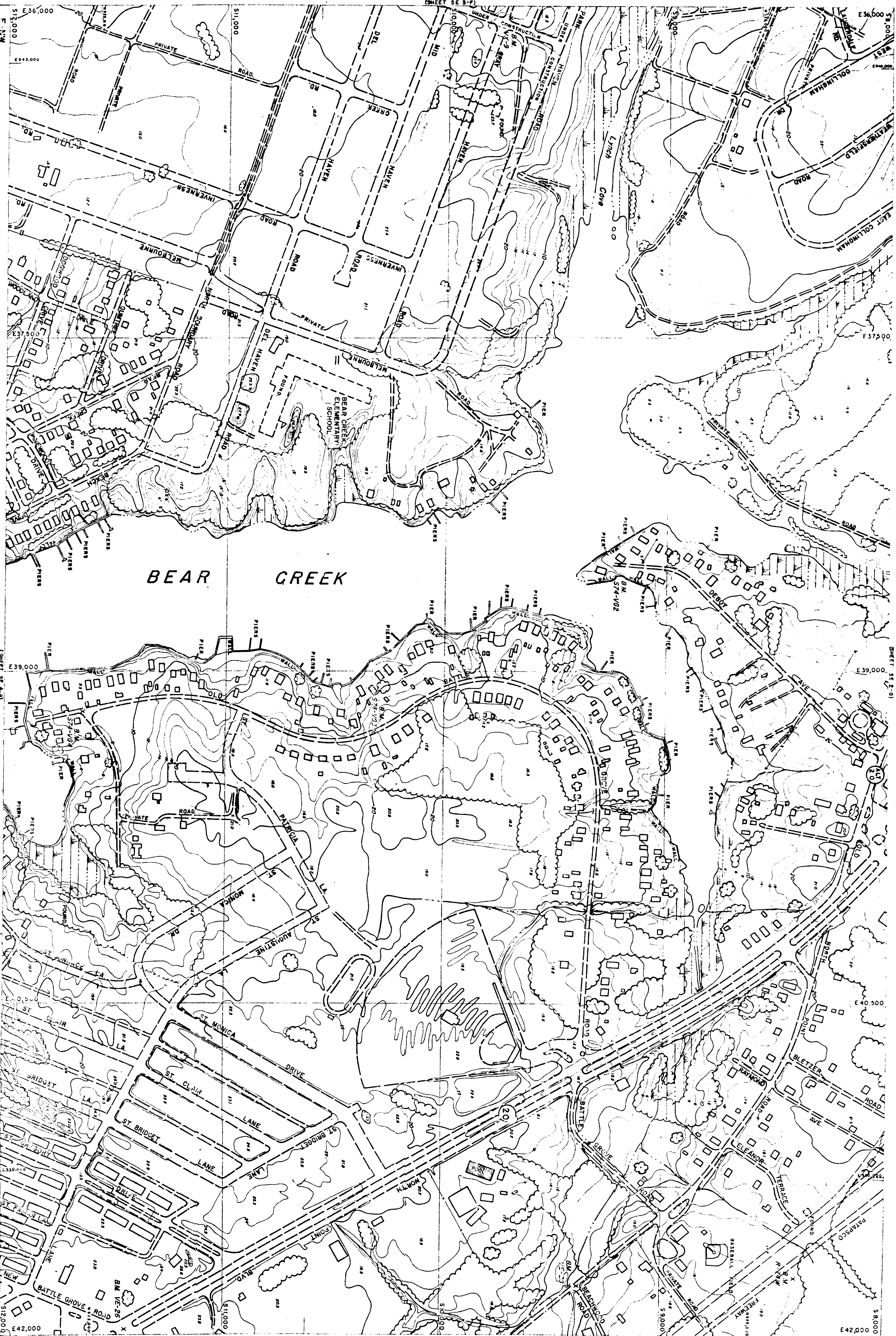


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±
DATE OF PHOTOGRAPHY JANUARY 1966
NORTH POINT 01-116 A
S.E. 3-G
SHEET

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		DATE OF PHOTOGRAPHY	LOCATION	SHEET
BY	DATE			
		DEC. 1954	NORTH POINT	S.E. 3-G
Photography Compiled by Photogrammetric Methods AERIALS AERIAL SURVEY CORP. LANSING MICH.				
01-116A				





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

September 22, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-116-A
7660 Old Battle Grove Road
N/S Old Battle Grove Road, 1400 feet W of North Point Boulevard
15th Election District – 7th Councilmanic District
Legal Owners: Lorraine E. & Joseph P. & Michael W. Morgan

Variance to permit a mooring pile to be located 4 feet from the divisional line in lieu of the required 10 feet and to permit three 4 inch x 4 inch pilings to be located on the divisional line in lieu of the required 10 feet.

HEARING: Wednesday, October 18, 2000, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, reading "Arnold Jablon". Below the signature, the initials "GDZ" are written.

Arnold Jablon
Director

C: Lorraine E. & Joseph P. & Michael W. Morgan, 760 Old Battle Grove Road
Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 2, 2000:**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
 - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.