

IN RE: PETITION FOR VARIANCE
W/S Old Battle Grove Road, 60' NE
centerline of Battle Grove Road
15th Election District
7th Councilmanic District
(7412 Old Battle Grove Road)

Christine A. Behner
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-160-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 owner of the subject property, Christine A. Behner. The Petitioner is requesting a variance from Section 1B02.3.c.1 of the Baltimore County Zoning Regulations, to allow a reconstruction of a single-family dwelling on a lot with a width of 50 ft. in lieu of the minimum required 55 ft.

Appearing at the hearing on behalf of the variance request were Brian Behner, husband of the Petitioner and Dwight Little, professional engineer with W. Duvall and Associates. There were no protestants or other interested parties in attendance.

Testimony and evidence indicated that the property which is the subject of this variance request consists of 0.18 acres, more or less, zoned DR 5.5. The subject property is improved with an existing single-family dwelling wherein the Behner's reside. They are desirous of tearing down the old structure which was originally built as a shore shack. They intend to replace this house with a new single-family residential dwelling which will accommodate their needs. The reconstruction of this dwelling will be a benefit to the surrounding community in that the old structure will be replaced with a new dwelling. Furthermore, the Petitioner will meet all side, front and rear yard setbacks for the new house. In order to proceed with her plans,

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12/14/00
PP Johnson

however, the variance is necessary, given that the Petitioner's lot is only 50 ft. in width and not the required 55 ft.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 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 practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish 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 (attached herewith) 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 advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 4th day of December, 2000, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1B02.3.c.1 of the Baltimore County Zoning Regulations, to allow a reconstruction of a single-family dwelling on a lot with a width of 50 ft. in lieu of the minimum required 55 ft., be and is hereby GRANTED,

subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at his time is at her 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated October 27, 2000, a copy of which is attached hereto and made a part hereof.
3. When applying for any permits, 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

COPIES RECEIVED FOR FILING
Date 12/14/00
By J. P. [Signature]



Baltimore County
Zoning Commissioner

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

December 4, 2000

Mrs. Christine A. Behner
7412 Old Battle Grove Road
Baltimore, Maryland 21222

Re: Petition for Variance
Case No. 01-160-A
Property: 7412 Old Battle Grove Road

Dear Ms. Behner:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied 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

c: Dwight Little, P.E.
W. Duvall & Associates
530 E. Joppa Road
Towson, MD 21286



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

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Baltimore County
Zoning Commissioner

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

December 4, 2000

Mrs. Christine A. Behner
7412 Old Battle Grove Road
Baltimore, Maryland 21222

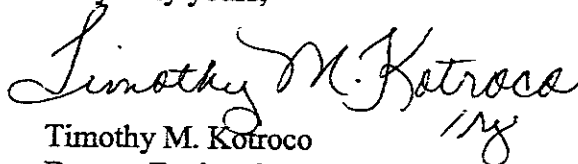
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Very truly yours,


Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Dwight Little, P.E.
W. Duvall & Associates
530 E. Joppa Road
Towson, MD 21286



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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7412 Old Battle Grove Road
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) 1 B02.3.c.1 (chart) to permit a ^{buildable} lot width of 50ft in lieu of the ^{minimum} required 55ft ~~section 304~~ and to approve any other variances deemed necessary by the Zoning Commissioner.

an undersize lot with

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

Undersized lot unable to build new house on without variance.

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):

Christine A. Behner
Name - Type or Print _____
Christine A. Behner
Signature _____
Christine Ann Behner
Name - Type or Print _____
Signature _____
7412 Old Battle Grove Road ⁽⁴¹⁰⁾ 969-7654
Address _____ Telephone No. _____
Baltimore MD 21222
City _____ State _____ Zip Code _____

Representative to be Contacted:

Chuck Merritt c/o W. Duvall & As
Name _____
530 E. Joppa Road 410-583-95
Address _____ Telephone _____
Towson MD 21286
City _____ State _____ Zip _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 10

Case No. 01-160-A

ORDER RECEIVED FOR FILING

2001 9/15/98

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners



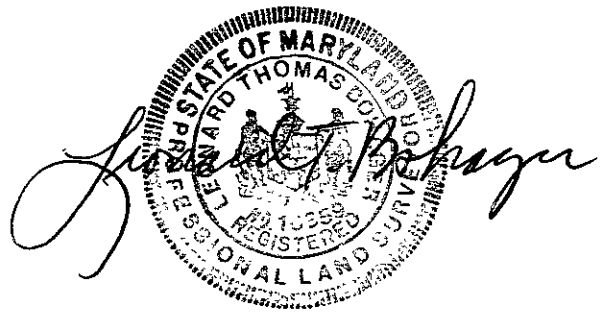
530 East Joppa Road
Towson, Maryland 21286

Telephone: (410) 583-9571
Fax: (410) 583-1513

October 5, 2000

ZONING DESCRIPTION FOR #7412 OLD BATTLE GROVE ROAD

Beginning at a point on the west side of Old Battle Grove Road, which is 30 feet wide, at the distance of 60 feet north⁵theast of the centerline of the nearest improved intersecting street, Battle Grove Road which is 30 feet wide. Being lot #16, in the subdivision Battle Grove as recorded in Baltimore County Plat Book No. 5 folio 75, containing 0.1836 acres. Also known as # 7412 Old Battle Grove and located in the 15th Election District Councilmanic District #7.



01-160-A

160

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

Chk
No. 01-160-A
86885

DATE 10-10-00 ACCOUNT R-001-6150

AMOUNT \$ 50.00

RECEIVED FROM: _____

FOR: Resident's Variance Filing Fee
9412 Old Little Grove Rd.
01-160-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT ACTUAL TIME
10/10/2000 10/10/2000 09:50:23
REF: 0001 CASHIER JILL JAC DEWANEZ
DEPT: 5 528 ZHANG CERTIFICATION
RECEIPT # 16663
CR NO. 096985
Receipt Tot. 50.00
50.00 OK
Baltimore County, Maryland

01-160-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

**RE: CASE # 01-160-A
PETITIONER/DEVELOPER
(Christine A. Behner)
DATE OF Hearing
(11-30-00)**

**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
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

7412 Old Battle Grove Road Baltimore , Maryland 21222_____

THE SIGN(S) WERE POSTED ON_____ 11-11-00_____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____
(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: #01-160-A

7412 Old Battle Grove Road
W/S Old Battle Grove Road, 60 feet NE of centerline Battle Grove Road

16th Election District - 7th Councilmanic District
Legal Owner(s): Christine A. Behner

Variance: to permit a buildable lot width of 60 feet in lieu of the minimum required 65 feet and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

Hearing: Thursday, November 30, 2000 at 11:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake 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) 887-4388.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-8981.

LT/1/893 NOV 1 0434029

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/16/, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/14/, 2000.

S. Jeffersonian
THE JEFFERSONIAN,

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
7412 Old Battle Grove Road, W/S Old Battle
Grove Rd, 60' NE of c/l Battle Grove Rd
15th Election District, 7th Councilmanic

Legal Owner: Christine A. Behner
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-160-A

* * * * *

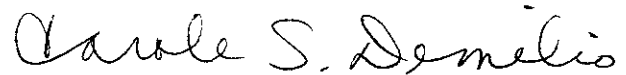
ENTRY OF APPEARANCE

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

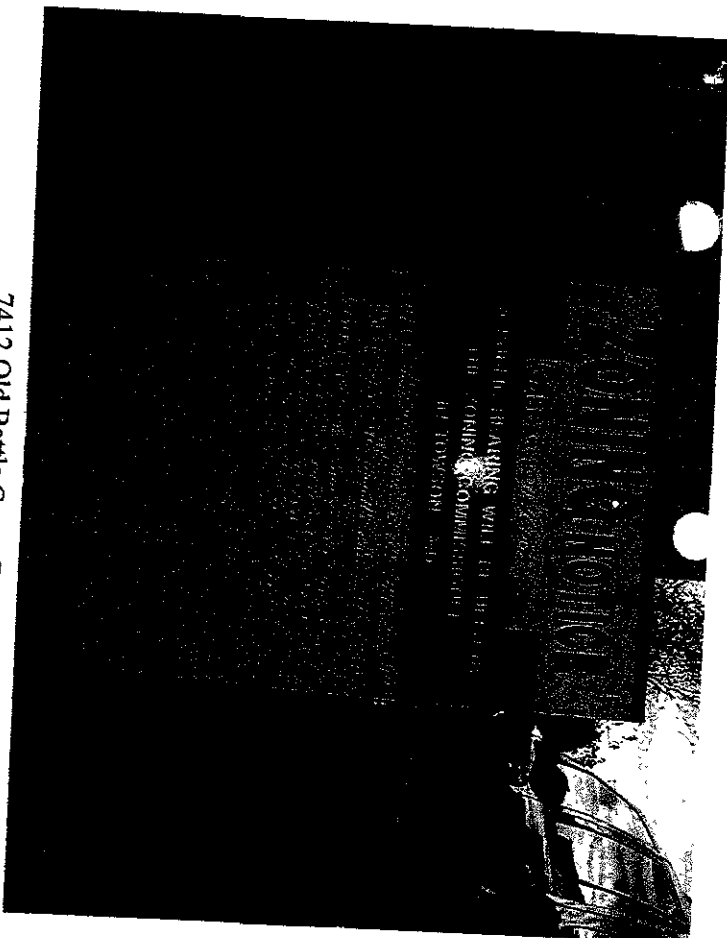
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of October, 2000 a copy of the foregoing Entry of Appearance was mailed to Chuck Merritt, W. Duvall & Assoc., Inc., 530 E. Joppa Road, Towson, MD 21286, representative for Petitioners.



PETER MAX ZIMMERMAN

7412 Old Battle Grove Road



**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: 01-160-A

Petitioner: _____

Address or Location: 7412 OLD BATTLE GROVE RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHRISTINE BEHNER

Address: 7412 OLD BATTLE GROVE RD

BALTO MD 21222

Telephone Number: 410 969-7654

Revised 2/20/98 - SCJ

01-160-A



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

October 19, 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: 01-160-A
7412 Old Battle Grove Road
W/S Old Battle Grove Road, 60 feet NE of centerline Battle Grove Road
15th Election District – 7th Councilmanic District
Legal Owner: Christine A. Behner

Variance to permit a buildable lot width of 50 feet in lieu of the minimum required 55 feet and to approve an undersized lot with any other variances deemed necessary by the zoning commissioner.

HEARING: Thursday, November 30, 2000, at 11:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue

A handwritten signature in cursive script, reading "Arnold Jablon". Below the signature, the initials "GDZ" are printed.

Arnold Jablon
Director

C: Chuck Merritt, W. Duvall & Associates, 530 E. Joppa Road, Towson 21286
Christine A. Behner, 7412 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 MONDAY, NOVEMBER 13, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 14, 2000 Issue – Jeffersonian

Please forward billing to:

Christine Behner
7412 Old Battle Grove Road
Baltimore, MD 21222

410 969-7654

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:

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7412 Old Battle Grove Road
W/S Old Battle Grove Road, 60 feet NE of centerline Battle Grove Road
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HEARING: Thursday, November 30, 2000, at 11:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake 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.



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

November 27, 2000

Chuck Merritt
W. Duvall & Associates
530 E. Joppa Road
Towson, MD 21286

Dear Mr. Merritt:

RE: Case Number: 01-160-A, 7412 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 October 10, 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. *CRJ*
Supervisor, Zoning Review

WCR:gdz

Enclosures

C: Christine A. Behner, 7412 Old Battle Grove Road, Baltimore 21222
People's Counsel



Census 2000



For You, For Baltimore County



Census 2000



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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: November 24, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For October 30, 2000
Item No. 160

The Bureau of Development Plans Review has reviewed the subject zoning item. Old Battle Grove Road is an existing road which shall ultimately be improved as a 40-foot right-of-way.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (*including basements*) of residential (*commercial*) development.

In conformance with *Federal Flood Insurance* requirements, the first floor or basement floor must be at least 1-foot over the flood plain elevation in all construction.

In accordance with *Bill No. 18-90, Section 26-276*, filling within a flood plain is prohibited.

The minimum flood protection elevation is 10.4 feet for this site. All new or substantially improved structures shall be at or above the flood protection elevation. Basements are not permitted in the flood plain area.

The buildings engineer shall require a permit for all development, storage of equipment and materials, or placement of manufactured homes in the flood plain area; and the permit shall be granted only after necessary permits have been obtained from the state and federal agencies.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

October 26, 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 October 23, 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:

160, 161, 162, 164, 165, and 166

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

cc: File

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OCT 30 2000

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *ac/rbs*
DATE: October 27, 2000
SUBJECT: Zoning Item #160
7412 Old Battle Grove Road

Zoning Advisory Committee Meeting of October 23, 2000

- _____ 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 (Section 14-401 through 14-422 of the Baltimore County Code).
- 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).

Reviewer: Keith Kelley

Date: October 25, 2000

12/4/00
R. Seeley

Sim
11/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

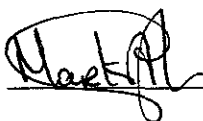
DATE: October 20, 2000

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-160 and 01-165.

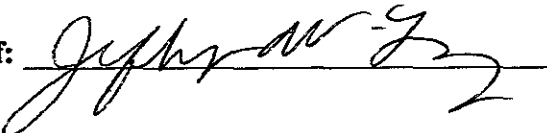
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

_____

23

Section Chief:

_____

AFK/JL:MAC

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

Var. #01-160-A

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. _____

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

Residential Processing Fee Paid
(\$50.00)

Accepted by _____
Date _____

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

CHRISTINE A. BEHNER 7412 OLD BATTLE GROVE Rd Telephone Number _____
Print Name of Applicant Address
Lot Address 7412 OLD BATTLE GROVE Rd Election District 15 Councilmanic District 7 Square Feet 8000
Lot Location: N E S W side/corner of OLD BATTLE GROVE Rd 60 feet from N E S W corner of BATTLE GROVE Rd
(street) (street)
Land Owner: CHRISTINE A. BEHNER Tax Account Number 15-13008020
Address: 7412 OLD BATTLE GROVE Rd Telephone Number () _____

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies)	☒	☐
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	☒	☐
4. Building Elevation Drawings	☐	☒
5. Photographs (please label all photos clearly) Adjoining Buildings	☒	☐
Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>DR S.5</u>		

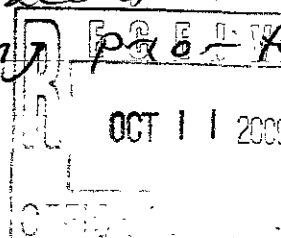
TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☒ Approval conditioned on required modifications of the application to conform with the following recommendations:

Proposed structure should maintain same front setback as the adjacent homes. Elevations should be submitted to Planning prior to the issuance of permits.

Signed by: Jeffrey M. Long
for the Director, Office of Planning and Community Conservation



Date: 10/16/2000

Department of Permits and Development Management (PDMM)
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by John Sullivan on 10-10-00
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is \$50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE 10-18-00 D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES _____ NO _____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 11-2-00 C (B-3 Work Days)

TENTATIVE DECISION DATE 11-9-00 B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____



**Maryland Department of Transportation
State Highway Administration**

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

Date: 10.23.00

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

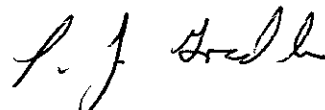
RE: Baltimore County
Item No. 160 JJS

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

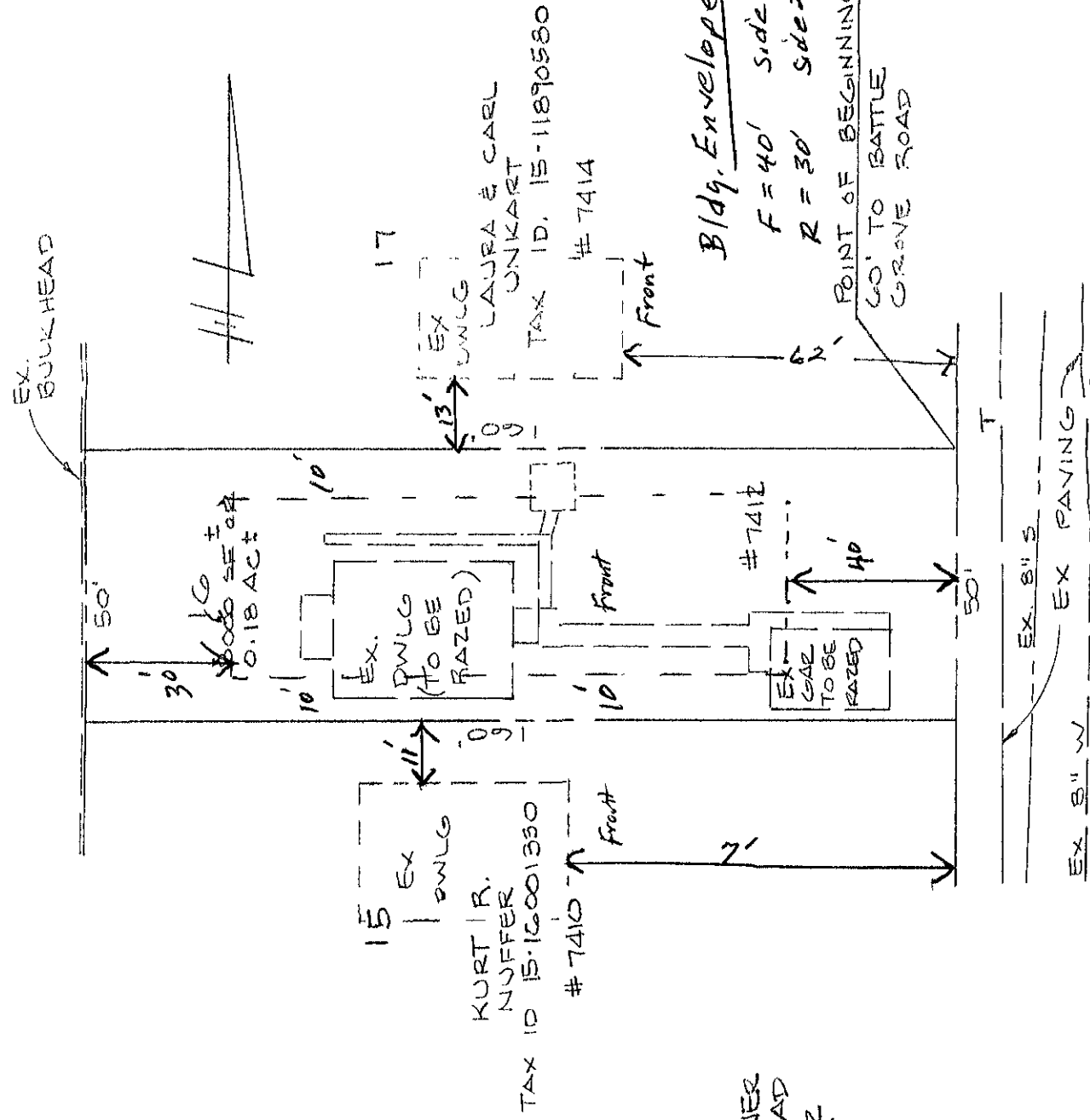
Revised 4/17/00

THIS SITE IS LOCATED IN A 100 YEAR FLOODPLAIN
THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
NO PRIOR ZONING HISTORY
THIS SITE IS SERVED BY PUBLIC WATER AND SEWER
SITE IS ZONED OR 5.5
MAP SE 3-C

OWNER - LOT 16

BRIAN M. & CHRISTINE A. BEHNER
7412 OLD BATTLE GROVE ROAD
BALTIMORE, MARYLAND 21222
TAX ID 15-13008020

BEAR CREEK



Bldg. Envelope Setbacks:

F = 40' Side 1 = 10'
R = 30' Side 2 = 10'

POINT OF BEGINNING
60' TO BATTLE GROVE ROAD

OLD BATTLE GROVE ROAD

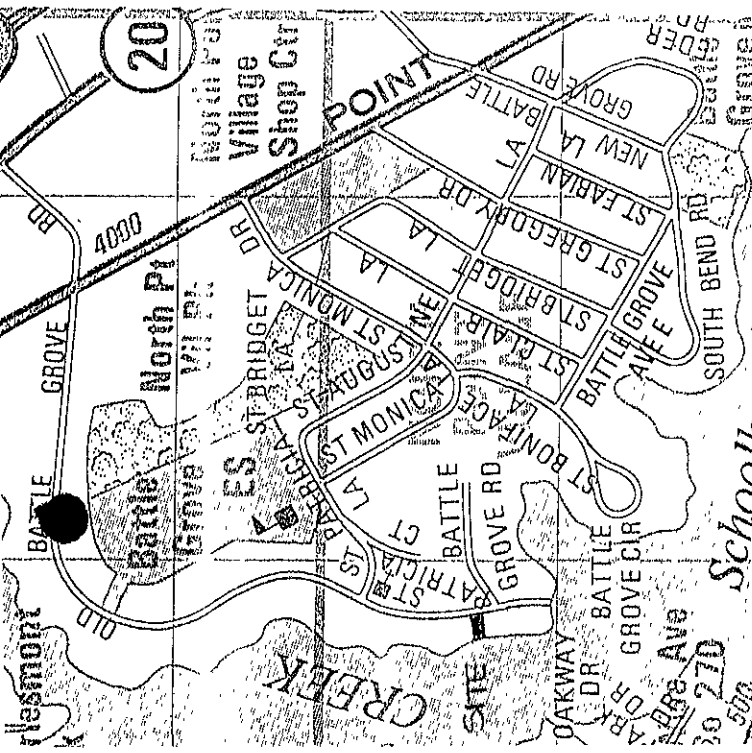
PLAN TO ACCOMPANY ZONING HEARING

7412 OLD BATTLE GROVE ROAD
15TH ELECT. DIST. 7TH CONGRESSIONAL DIST.
SCALE 1" = 30' 10/4/00

160
PAP

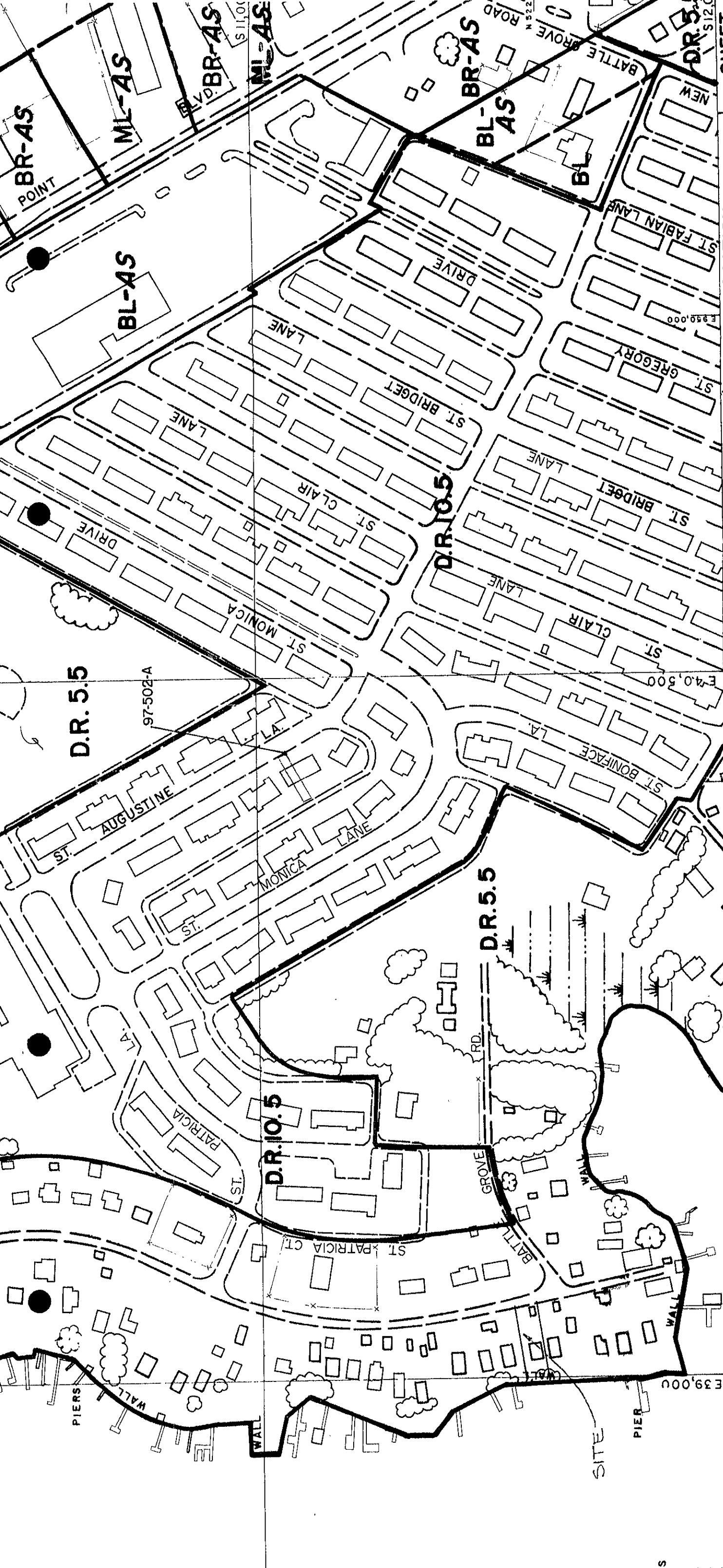
01-160-A

W. DUVALL & ASSOCIATES, INC.
ENGINEERS, SURVEYORS, LAND PLANNERS
230 EAST JOPPA ROAD
TOWSON, MARYLAND 21286
TEL (410) 583-9571
FAX (410) 583-1513



LOCATION MAP
SCALE 1"=1000'

Pot #1



BALTIMORE COUNTY PLANNING AND ZONING MAP		SCALE		LOCATION	S.E. 3-G
		1" = 200' ±			
		DATE OF PHOTOGRAPHY JANUARY 1986			
# 160					

01-160-A