

IN RE: PETITION FOR ADMIN. VARIANCE
W/S of Old Battle Grove Road, 80 ft. +/-
S centerline of Old Battle Grove Road
15th Election District
7th Councilmanic District
(7406 Old Battle Grove Road)

April N. & John S. McVey
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-136-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, April N. and John S. McVey. The variance request is for property located at 7406 Old Battle Grove Road in the "Battle Grove" subdivision of Baltimore County. The variance request is from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (400.2.A Policy Manual), to allow an accessory structure (detached garage) with a height of 24 ft. and setback of 3 ft. to the road in lieu of the maximum allowed 15 ft. and minimum 25 ft. setback respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 26, 2004, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

In addition, the Petitioners must be in compliance with the requirements set forth in the Zoning Advisory Committee (ZAC) comments submitted by the following County agencies: A ZAC comment was received from the Office of Planning dated October 1, 2004, a copy of which is attached hereto and made a part hereof. A ZAC comment was also received from the Bureau of Development Plans Review dated October 4, 2004, a copy of which is attached hereto and made a part hereof.

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.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 26 day of October, 2004, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) (400.2.A Policy Manual), to allow an accessory structure (detached garage) with a height of 24 ft. and setback of 3 ft. to the road in lieu of the maximum allowed 15 ft. and minimum 25 ft. setback respectively, 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, Petitioner is 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition;
2. The Petitioners must be in compliance with the ZAC comments submitted by the Office of Planning dated October 1, 2004, a copy of which is attached hereto and made a part hereof;
3. The Petitioners must be in compliance with the ZAC comment submitted by the Bureau of Development Plans Review dated October 4, 2004 a copy of which is attached hereto and made a part hereof;

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

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

October 26, 2004

Mr. & Mrs. John S. McVey
7406 Old Battle Grove Road
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 05-136-A
Property: 7406 Old Battle Grove Road

Dear Mr. & Mrs. McVey:

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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

Visit the County's Website at www.baltimorecountyonline.info





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7406 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) 400.3 (400.2.A. Policy manual)

To allow an accessory structure (detached garage) with a height of 24 ft. and setback of 3 ft. to the road in lieu of the maximum allowed 15 ft. & minimum 25 ft. setback respectively

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 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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10/26/04 day of October, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

Zoning Commissioner of Baltimore County

Reviewed By [Signature] Date 9-13-04

Estimated Posting Date 9-26-04

CASE NO. 05-136 A

REV 10/25/01

ORDER RECEIVED FOR FILING

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 7406 OLD BATTLE GROVE RD
Address
BALTIMORE MD 21222
City State Zip Code

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

PRACTICAL DIFFICULTY

TO MOVE BACK, TO MEET SETBACKS WOULD BLOCK THE VIEW OF

OTHER NEIGHBORS. BUILDING TO BE BUILT IN LINE WITH OTHERS ON STREET

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

Signature

Name - Type or Print

Signature

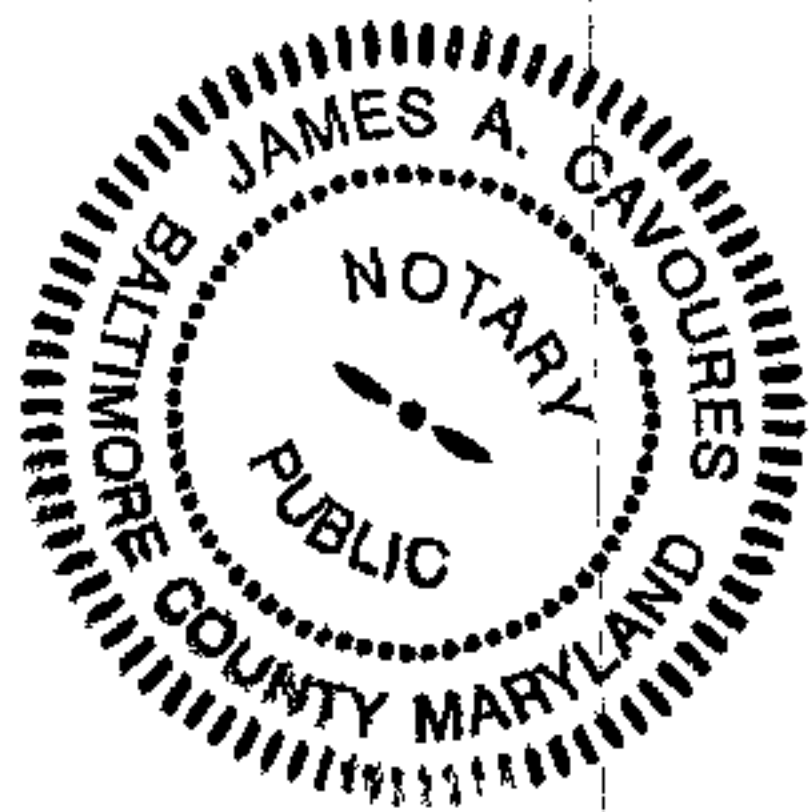
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18 day of AUG, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John S. McVey, April N. McVey
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



James A. Cavanaugh
Notary Public

My Commission Expires 2/1/07

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.

That the Affiant(s) does/do presently reside at 7406 OLD BATTLE GROVE ROAD
Address
BALTIMORE MD 21222
City State Zip Code

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

Practical Difficulty

TO MOVE BACK TO MEET SET BACKS WOULD BLOCK THE VIEW OF BOTH

OF OTHER NEIGHBORS. BUILDING TO BE BUILT IN LINE WITH OTHERS ON STREET

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

John S. McVey
Signature
John S. McVey
Name - Type or Print

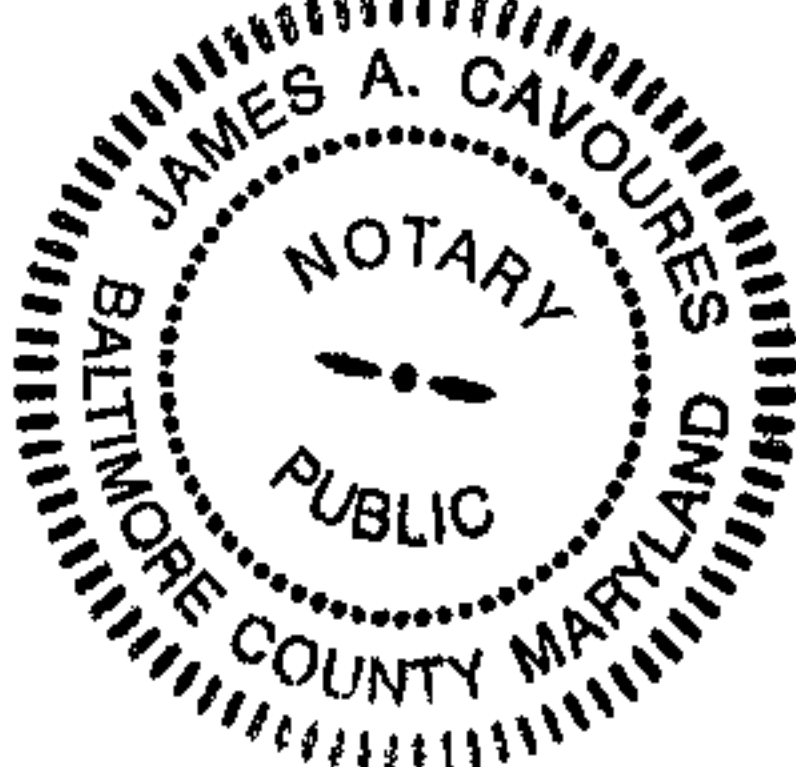
April N. McVey
Signature
April N. McVey
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 18 day of AUG, 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John S. McVey; April N. McVey
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



James A. Cavoires
Notary Public

My Commission Expires 9/1/07



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at X 7406 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) 400, 3 (400.2-A Policy manual)

TO allow an accessory structure (detached garage) with a height of 24 ft. and a setback to the road of 3 ft. in lieu of the maximum allowed 15 ft. & 25 ft. minimum setback respectively.

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 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

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 05-13-04 day of May that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO.

REV 10/25/01

Reviewed By

Date

Estimated Posting Date

Zoning Description for 7406 Old Battle Grove Road

Beginning at a point on the west side of Old Battle Grove Road which is twenty feet wide at the distance of eighty feet south of the centerline of the nearest improved intersecting street, Old Battle Grove Road, which is twenty feet wide. Being Lot #13, Plat Book #5, Folio #75 in the subdivision of Battle Grove as recorded in Baltimore County Plat Book #5, Folio #75, containing 8,800 square feet. Also known as 7406 Old Battle Grove Road and located in the 15th Election District, 7th Councilmanic District.

136

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Inv #05-136-1A

No. **40920**

DATE 9-13-24 ACCOUNT R-001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM Mrs. M. V. V. V.

FOR: Residential Variance Allowance
In 7406 Old Battle Creek Rd

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

DATE 9/13/2024 TIME 14:54:07
RECEIVED BY WILSON, JESSICA
RECEIPT # 22024 9/13/2024

DEPT 5 ZONING VERIFICATION
BY NO. 000720

Receipt Tot \$65.00
NET DUE 00
NET DUE 00

Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No.: 05-136-A

Petitioner/Developer: MR. & MRS

MCVEY

Date of Hearing/Closing: 10-11-04

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

ATTN: Kristen Matthews {(410) 887-3394}

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:

7406 OLD BATTLE GROVE RD

The sign(s) were posted on

9/26/04
(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

9/27/04
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

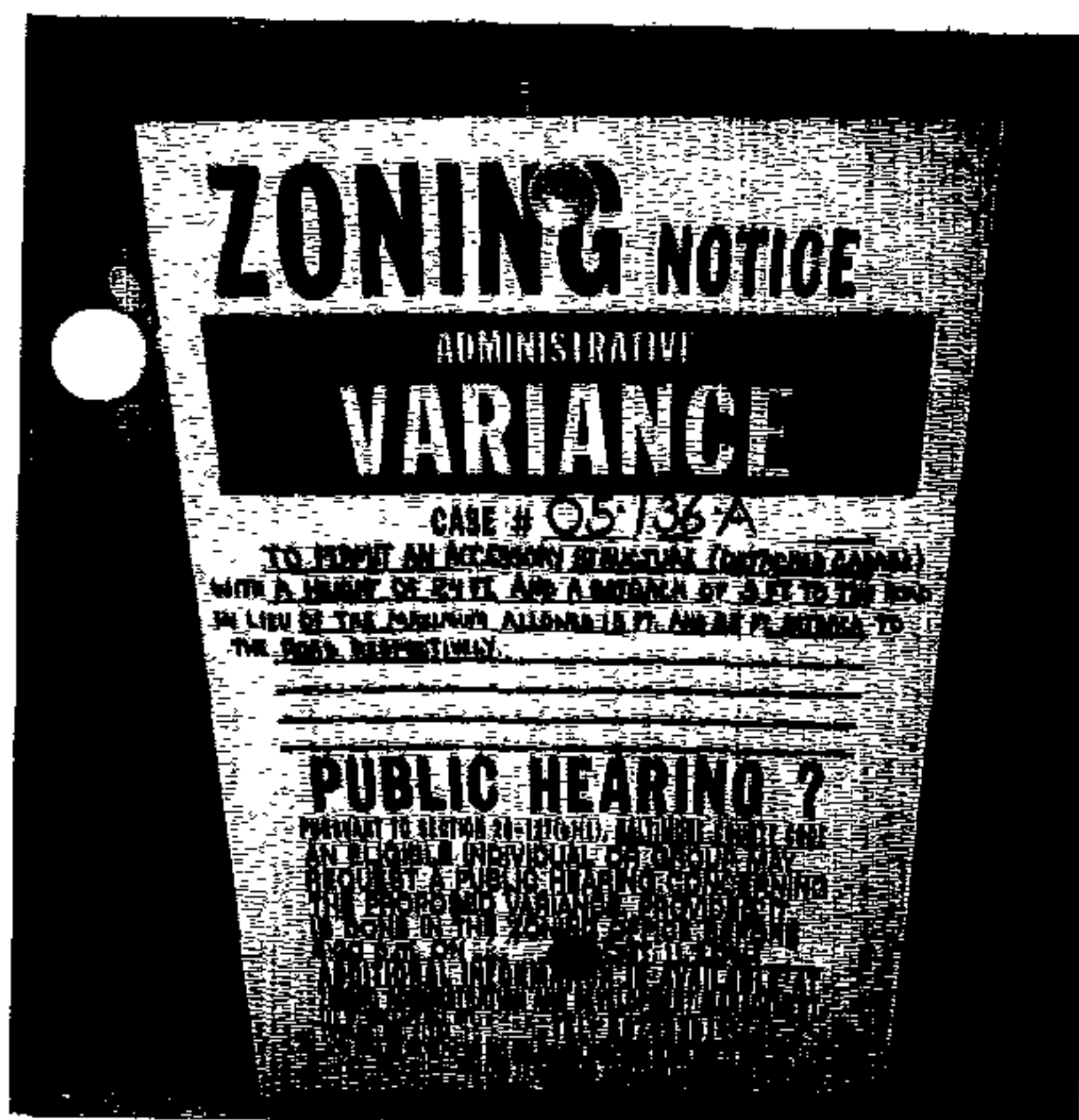
(Address)

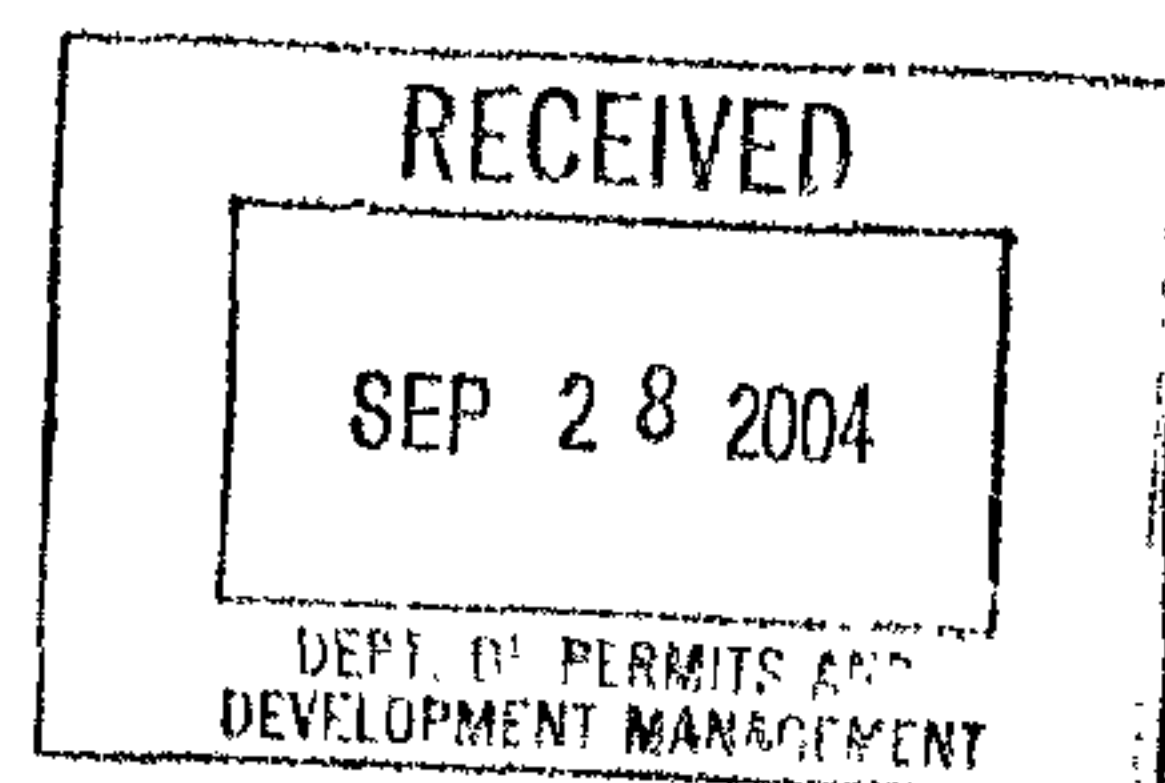
Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





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 05-136 A

Petitioner Mr. & Mrs. John McVey

Address or Location: 7406 Old Battle Grove Rd.

PLEASE FORWARD ADVERTISING BILL TO

Name: Same

Address _____

Baltoy Md, 21222

Telephone Number: 410-427-8883

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 05- 136 -A

Address 7406 Old Battle Grove Rd.

Contact Person: John Sullivan

Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 9-13-04

Posting Date: 9-26-04

Closing Date: 10-11-04

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 05- 136 -A

Address 7406 Old Battle Grove Rd.

Petitioner's Name Mr. & Mrs. McVey

Telephone 410-477-8883

Posting Date: 9-26-04

Closing Date: 10-11-04

Wording for Sign: To Permit an accessory structure (detached garage) with a height of 24 ft. and a setback of 3 ft. to the road in lieu of the maximum allowed 15 ft. and ^{25 ft} setback to the road respectively.

WCR - Revised 6/25/04

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

October 12, 2004

John Shannon McVey
April Nicole McVey
7406 Old Battle Grove Road
Baltimore, Maryland 21222

Dear Mr. and Mrs. McVey:

RE: Case Number: 05-136-A, 7406 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 13, 2004.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

September 21, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: September 20, 2004

Item No.: 125, 127, 130, 132-137 (136)

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: October 4, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For September 27, 2004
Item No. 136

The Bureau of Development Plans Review has reviewed the subject-zoning item.

Show a 40-foot right-of-way for Old Battle Grove Road. New garage must be outside the future right-of-way.

RWB:CEN:jrb

cc: File

10/11 AN

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr
DEPRM

DATE: October 21, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of September 20 and October 4, 2004,
respectively.

X The Department of Environmental Protection and Resource Management has no
comments on the following zoning items:

05-136
05-144

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

10/11 AV
Is noted
11/26/04

RECEIVED

OCT 27 2004

ZONING COMMISSIONER

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JD}
DATE: October 27, 2004
SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of September 20, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-125
~~04~~-133
~~04~~-135
~~04~~-136
~~04~~-137

Reviewers: Sue Farinetti, Dave Lykens

AN
10/11

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: October 1, 2004

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

SUBJECT: 7406 Old Battle Grove Road
Case #: 5-136

The Office of Planning does not oppose the petitioner's request to permit an accessory structure with a height of 24 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

1. Submit elevations of the proposed structure to this office for review and approval. The structure should be compatible with the existing principal structure.
2. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Mark Cunningham at 410-887-3480.

Prepared by: Mark A Cunningham

Section Chief: [Signature]

AFK/LL: MAC

RECEIVED

OCT - 4 2004

ZONING COMMISSIONER

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 9.17.04

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

RE: Baltimore County
Item No. 136 JJS

Dear Ms. Matthews:

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,

Steven D. Foster, Acting Chief
Engineering Access Permits Division

05-136-A FOR File ZC's

NO case # assigned

IN RE: APPLICATION FOR BUILDING PERMIT
FOR UNDERSIZED LOT

15th Election District
7th Councilmanic District
(7406 Old Battle Grove Road)

John & April McVey
Landowners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY

* Permit No.: Undersized lot

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner to consider a request for approval of the construction of a single family dwelling on an undersized lot located at 7406 Old Battle Grove Road in the Battle Grove area of Baltimore County. The request for approval was filed by John & April McVey, property owners. The subject property at issue is 50 ft. in width and 176 ft. in depth. The subject property is zoned D.R.5.5, a zoning classification which requires a minimum lot area of 6,000 sq. ft. and a minimum lot width of 55 ft.

Notwithstanding these requirements, Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) permits the development of an undersized lot with a single family dwelling in certain cases. In order to qualify for relief pursuant to Section 304, the property owner must demonstrate that the property at issue has been duly recorded either by deed or in a validly approved subdivision prior to March 30, 1955; and that all other requirements of the height and area regulations are satisfied. Furthermore, the property owner must demonstrate that he does not own sufficient land on either side of the lot in question to conform to the width and area requirements contained within the regulations.

In addition to these requirements, the Petitioners are required to post a sign on the subject property providing public notice of their application. Within fifteen (15) days of the sign posting, any occupant or owner of property within 1,000 ft. of the lot may file a written request for a public

8/16/99
R. J. Jenson

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 7406 Old Battle Grove Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

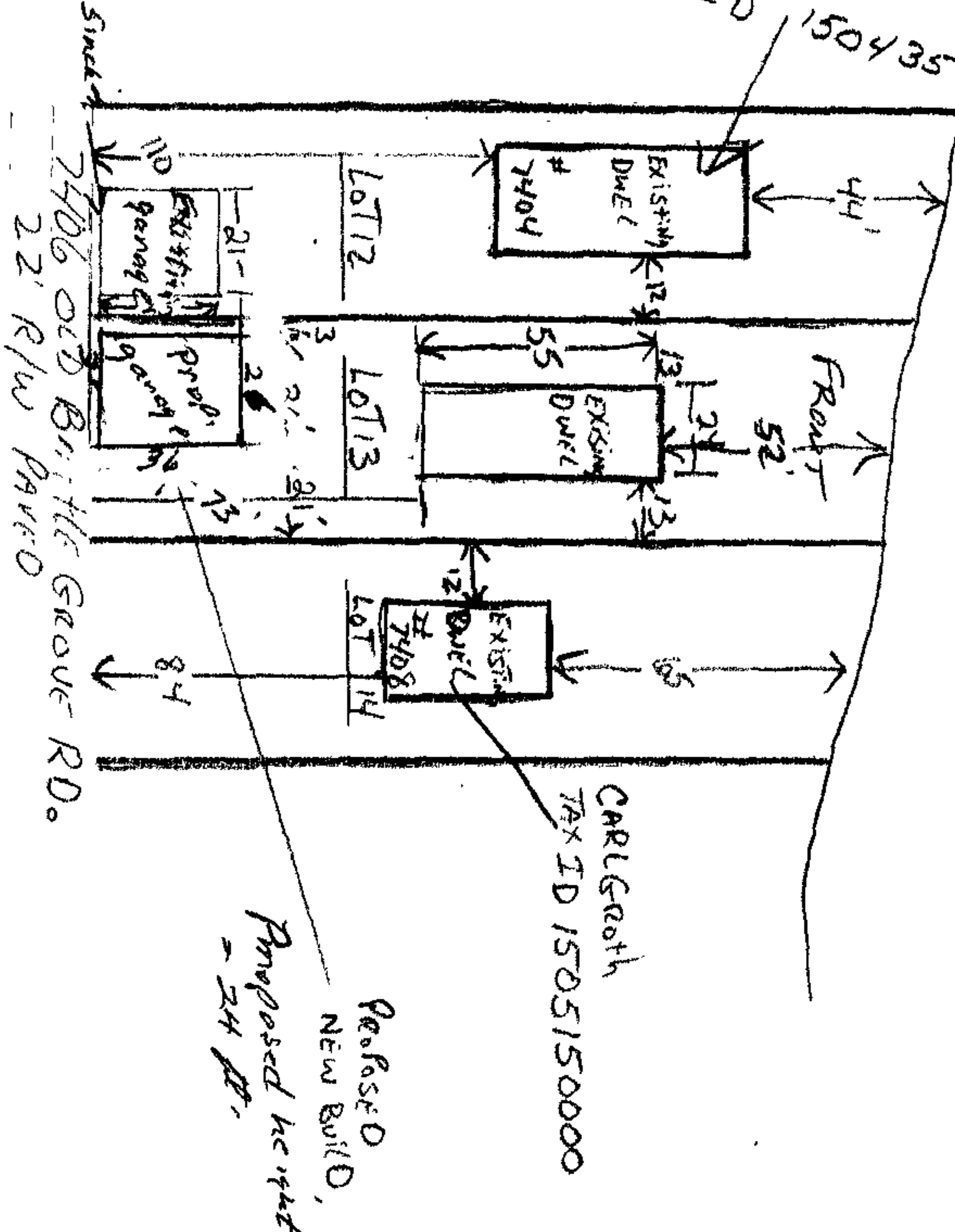
SUBDIVISION NAME Battle Grove

PLAT BOOK # 5 FOLIO # 75 LOT # 13 SECTION #

OWNER John & April Mclvey

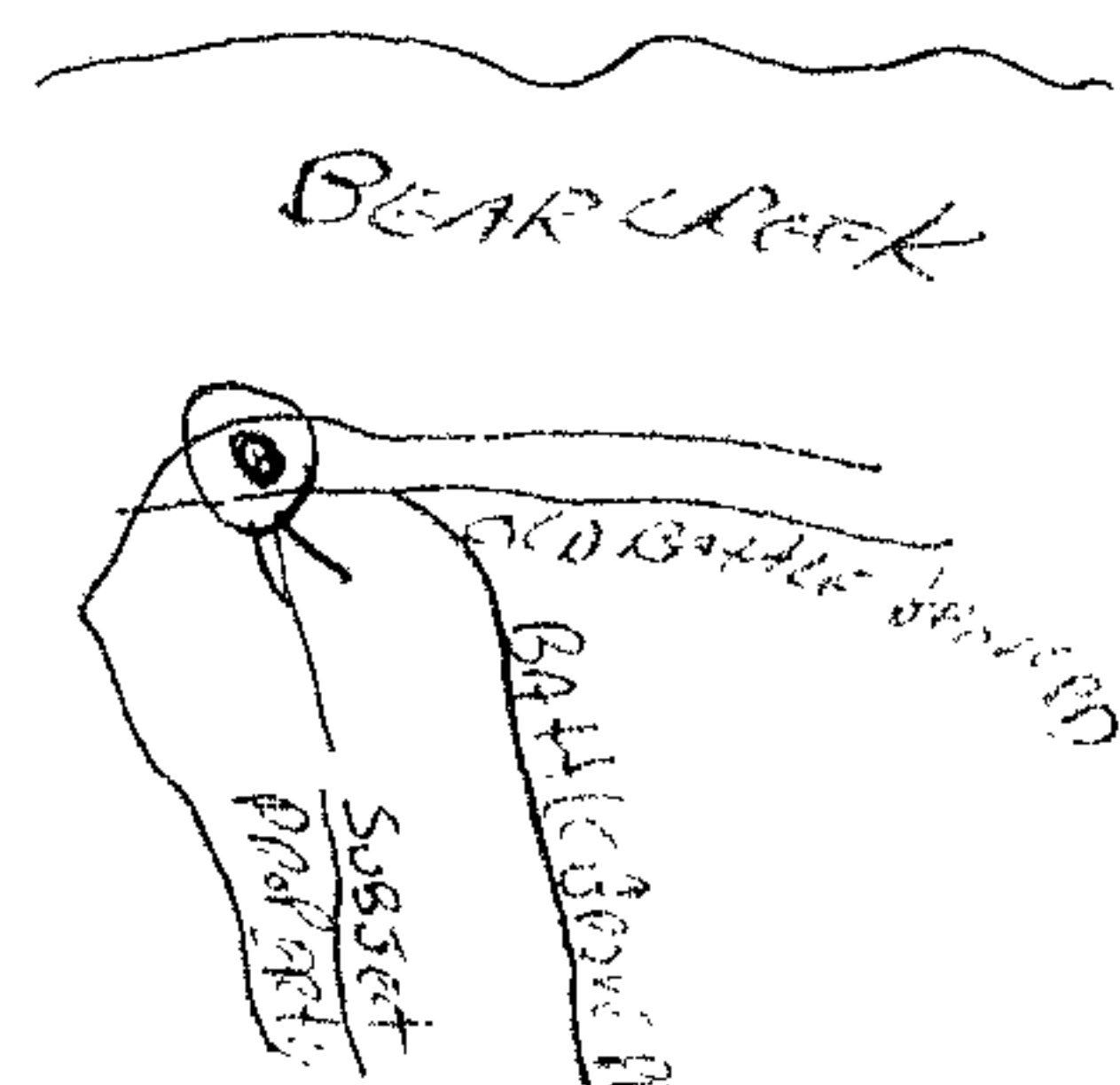
BEAR CREEK

DONALD + KAY DICKEN
7404
TAX ID 1504351650



CARL GARTH
TAX ID 1505150000

Proposed New Build,
- 24 ft.



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 7th

1" = 200' SCALE MAP # SE 3-G

ZONING D.R. - 5.5

LOT SIZE 50 x 176 ± 8800 ±

ACREAGE SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

YES ☒ NO ☐

CHESAPEAKE BAY

CRITICAL AREA

100 YEAR FLOOD PLAIN

HISTORIC PROPERTY /

BUILDING

* See undersize lot
PRIOR ZONING HEARING
1999 Ord. 11 - NE. Co. no-entailed.

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # 134 CASE #

PREPARED BY John Mclvey

SCALE OF DRAWING: 1" = 50'

NORTH



Ret. Ex #1

CREEK

BEAR

PIER

PIERS

PIERS

WALL

PIERS

PIERS

PIERS

PIERS

PIER

E 39,000

D.R. 8.5

D.R. 10.5

D.F.

GROVE

RD.

BATTLE

ST. PATRICIA CT.

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