IN RE: PETITION FOR ADMIN. VARIANCE SW/S of Dover Road and Baublitz Road

4th Election District

2nd Councilmanic District

(12516 Dover Road)

Beth Amy & M. Paul Speert Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 06-096-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, Beth Amy and M. Paul Speert. The variance request is for property located at 12516 Dover Road in the Reisterstown area of Baltimore County. The variance request is from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with additions to have a setback to road centerline of 44 ft., a property line setback of 18 ft. and an open projection to property line setback of 16 ft. in lieu of the required 75 ft., 50 ft. and 37.5 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 24, 2005, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 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

STATE OF SON PARTIES

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 is day of September, 2005, that a variance from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with additions to have a setback to road centerline of 44 ft., a property line setback of 18 ft. and an open projection to property line setback of 16 ft. in lieu of the required 75 ft., 50 ft. and 37.5 ft. respectively., be and is hereby GRANTED, subject, however, to the following restriction which is a condition 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.

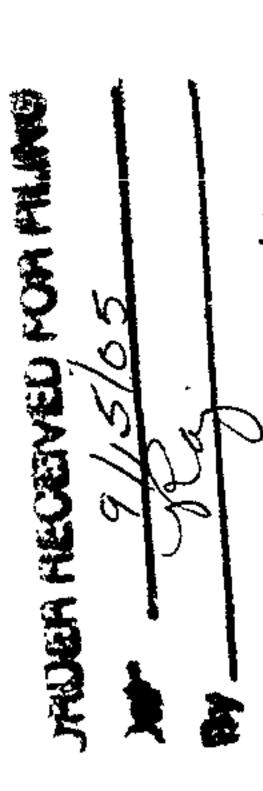
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

OHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

IVM:rai



Zoning Commissioner

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





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

September 13, 2005

Mr. & Mrs. M. Paul Speert 12516 Dover Road Reisterstown, Maryland 21136

> Re: Petition for Administrative Variance Case No. 06-096-A Property: 12516 Dover Road

Dear Mr. & Mrs. Speert:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Robert L. Thomas 5814 Mineral Hill Eldersburg, MD 21784



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



CASENO. 06-096-A

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	12516	DOVER	RD
		oned ZC	

	which is presently zoned 225
numer(s) of the property cituate in Reltin	repartment of Permits and Development Management. The undersigned, legal more County and which is described in the description and plat attached hereto and a Variance from Section(s) / AO4. 3, B, 2. b (BC2R) Single family dwelling with additions to have a Setback to reach property line Setback of 18' and an open projection to of 16' in lieu of the required 75', 50' \(\frac{1}{3}\) 37.5 respectively
of this petition form. Property is to be posted and advertised I, or we, agree to pay expenses of above Va	ounty, to the zoning law of Baltimore County, for the reasons indicated on the back as prescribed by the zoning regulations. ariance, advertising, posting, etc. and further agree to and are to be bounded by the zoning anty 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	Legal Owner(s): M. AUL SAR- Name - Type or Rrint Signature Telephone No. Name - Type or Print
Address City State Attorney For Petitioner:	Zip Code Signature 18516 DOVER ROPO 410-561-5235 Address Telephone No. RESTERSTOWN MD 31136
Name - Type or Print	City State Zip Code

Representative to be Contacted: Signature Company Telephone No. Address Zip Code State

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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.

Zoning Commissioner of Baltimore County

Reviewed By 1711 Date _

Estimated Posting Date

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	12516 Dover Rd	<u>-</u>	
	Address Reisterstaun	MT)	2/136 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts upon wood or practical difficulty):	State hich I/we base the req	•
We want to extend addition	to match up t	o existing por	ch 50
that addition follows an or 2 other extensions of resi	ctagonal shape	already in v	5e in
2 other extensions of resi	dence. We wa	nt to retain	existing
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more spall for our	children mas	our taining gre) ひろ .
	·····		
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmai demand is filed, Af dditional information.	fiant(s) will be required	d to pay a reposting and
1. Jan /		Hi Ino	
/Signature	Signature	hAm. Swort	
Name - Type or Print	Name - Ty	pe or Print	· -
STATE OF MARYLAND, COUNTY OF BALTIM	ORE. to wit:		
I HEREBY CERTIFY, this 8 day of	ugust,	2∞5_, before me, a	Notary Public of the State
of Maryland, in and for the County aforesaid, per	and Betham	7 0100.1	
the Affiant(s) herein, personally known or satisfaction	ctorily identified to me as	such Affiant(s).	
AS WITNESS my hand and Notarial Seal	_	O A	1
Notary Public. State of Maryland	d Notary Public	1° fr	
PUBLIC My Commission Expires February 14, 2009	My Commission	Expires Feb.	14, 2009
REV 10/25/01	- -		-

Affida Vit in Support of Administrative Variance

Address

That the Affiant(s) does/do presently reside at

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.

- -	Reisterstown	mD	21136
That based upon personal knowledge, the follo	City	State which I/we base the	Zip Code request for an Administrative
Variance at the above address (indicate hardsh	ip or practical difficulty):		
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Signature	Signature	(1) p	
M. PAUL CERUT		Amy Speer	<u></u>
Name - Type or Print	Name - I	ype or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	MORE. to wit:		
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of Maryland, in and for the County aforesaid, pe	(1 0		•
the Affiant(s) herein, personally known or satisfa	• • • • • • • • • • • • • • • • • • • •	such Affiant(s).	<u> </u>
AS WITNESS my hand and Notarial Seal			
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PUBLIC My Commission Expires February 14, 2009	My Commission	Expires Fel	6. 14,2009
REV 10/25/01			



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

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) / Do4 3 R 2 / Cano \$1
To permit AN existing single family dwelling with additions to have a sotback to road contertine of 44' A property line setback of 18' and an open projection to property line setback of 18' and an open projection to
centerline of 44, A property live setback of 18/ and an open projection L
property line Setback of 161 in lieu of the required 75, 50'\$ 37.5 respectively
15, 50'\$ 37.5 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.

			perjury, that I/we are the is the subject of this Petit	legal owner(s) of the tion.	e property which
Contract Purchaser/Le	essee:		Legal Owner(s):		
Name - Type or Print			M. PAU SPEN Name - Type or Print	37	
Signature			Signature		
Address	1.1"	Telephone No.	Name - Type or Pont	ANG	·
City	State	Zip Code	Signature		
Attorney For Petitione	<u>:r:</u>		Address	RD 410-	56/- \$235 Telephone No
Name - Type or Print			MEISTENSTOWN.) // State	2 1 3 6 Zip Code
	· · · · · · · · · · · · · · · · · · ·	<u> </u>	Representative to b		,
Signature			Robert L. The Name	t nemas	
Company			Name 5814 Mineral Address	1 Hill Rd.	
Address		Telephone No.	Address	Md-	Telephone No.
City	State	Zıp Code	Eldersburg,	State	Zip Code
A Public Hearing having been this day of regulations of Baltimore County	, tha	at the subject matter of	required, it is ordered by the zero this petition be set for a public hea	Zoning Commissioner of aring, advertised, as re	of Baltimore_County, quired by the zoning
			Zoning Commissi	oner of Baltimore Cour	ity
CASE NO. O6	-096-	A Re	viewed By LTM	Date 8	5/05.
REV 10/25/01			timated Posting Date	9 17	05 8 25

Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on $8-1/2" \times 11"$ sheet.

zoning description for 12516 DOVER ROAD
Election District 4 Councilmanic District 3
Beginning at a point on the WEST side of (north, south, east or west)
DOVER ROAD which is 70
(street on which property fronts) (number of feet of right-of way width) wide at a distance of 457 5047H of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street BAUBITZ ROAD (name of street)
which is wide. *Being Lot #, (number of feet of right-of-way width)
Block, Section # in the subdivision of
WORTHINGTON CLUB ESTATES as recorded in DEED (name of subdivision)
BER # 9170 , Folio # 571 , containing
79279.25a.F. (1.81 Ac) (square feet and acres)
BEGINNING AT SW CORNER DOVER & BAUBITZ RO. GOING SE 57' THEN SE 230.1', THEN SE 150' THEN SW 150', THEN SW 203.7', THEN NW 50.5' THEN NE 42Z', THEN SE 26' TO POINT OF BEGINNING

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•	RE: Case No.: 06-096-A
	Petitioner/Developer:
	P Speert ET UX
	Date of Hearing/Closing: 9-12-05
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Lloyd Moxley	
Ladies and Gentlemen:	•
Were posted conspicuously on the property Reisters town, MD 21136	of perjury that the necessary sign(s) required by law y located at 12516 Dover Road
The sign(s) were posted on Augus	# 24, 2005 (Month, Day, Year)
An other to the first of the fi	(Month, Day, Year)
	Sincerely, Macualana
A STATE OF THE PROPERTY OF THE	The state of the s
	(Signature of Sign Poster and Date) Stach Jordan Signs INC
	(Signature of Sign Poster and Date) STACH TOWN SIGNS INC. 105 COMPETITIVE GOALS DR.
	(Signature of Sign Poster and Date) Stach Jordan Signs INC
	(Signature of Sign Poster and Date) Stach Jordan Signs INC

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is ubject 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 Adve	
	Number: $(36-0)6-A$
Petitioner: TAU \$	Bethamy Speet
Address or Location:	12516 Dover Rd. Reisterstown, Md-21136
PLEASE FORWARD Name: Kobert	ADVERTISING BILL TO:
Address: <u>5814 M</u>	ineral Hill Rd.
	burg, Md-21784
Telephone Number:	443-340-7078

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

· · · · · · · · · · · · · · · · · · ·
Case Number 06- 096 -A Address 12516 DOVER 720
Contact Person: LIOYO T. WOXLEY Phone Number: 410-887-3391
Filing Date: 8/15/05 Posting Date: 8/28/05 Closing Date: 9/12/0\$
Any contact made with this office regarding the status of the administrative variance should be \S 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.
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 06-096 -A Address 12516 DOVER (20)
Petitioner's Name P. SPEERT ET UX Telephone 4105015235
Posting Date: $\frac{9/2905}{Closing Date: 9/12/05}$
Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING WITH
ADDITION TO HAVE A SETBACK TO ROAD CENTERLINE OF 44', A PROPERTY
LINE SETBACK OF 18' AND AN OPEN PROJECTION TO PROPERTY LINE
ETBACK OF 16 IN LIEU OF THE REQUIRED 75', 50' AND 37.5'

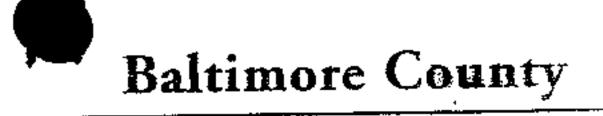
WCR - Revised 6/25/04

RESPECTIVELY

Department of Permits and Development Management

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





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

September 12, 2005

M. Paul Speert Beth Amy Speert 12516 Dover Road Reisterstown, Maryland 21136

Dear Mr. and Mrs. Speert:

RE: Case Number: 06-096-A, 12516 Dover Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 15, 2005.

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. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Robert L. Thomas 5814 Mineral Hill Eldersburg 21784



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

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

August 26, 2005

ATTENTION: Kristen Matthews

Distribution Meeting of: August 29,2005

Item No.: 091-09 096 102&104

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.

1. The fire marshal's office has no comments at this time.

Lt. Jimmie Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 2, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 6, 2005 Item Nos. 091, 094, 095 096 097, 098,

099, 100, 101, 103, and 104

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-09022005.doc

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley MAS

DATE:

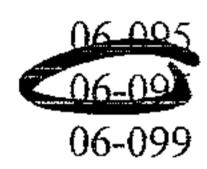
September 7, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of August 29, 2005

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



Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: August 31, 2005

SEP 2005

TO: Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM: Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 12516 Dover Road

INFORMATION:

Item Number: 6-096

Petitioner: M. Paul & Bethany Speert

Zoning: RC 5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the site plan and architectural elevation drawings for additions for this property, which is in an approved subdivision known as Worthington Club Estates. The dwelling has an MHT # 2314 and it had numerous additions and modifications over the years.

The Office of Planning does not object to the requested setback variances for the additions as shown on the architectural elevation drawings submitted by Robert L. Thomas

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

r repared by:

Division Chief:

AFK/LL: CM



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

! Robert L. Flanagan. Secretary ! Neil J. Pedersen. Administrator

Maryland Department of Transportation

RE:

Date: \$. 30 . 05

Item No

Baltimore County

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

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.

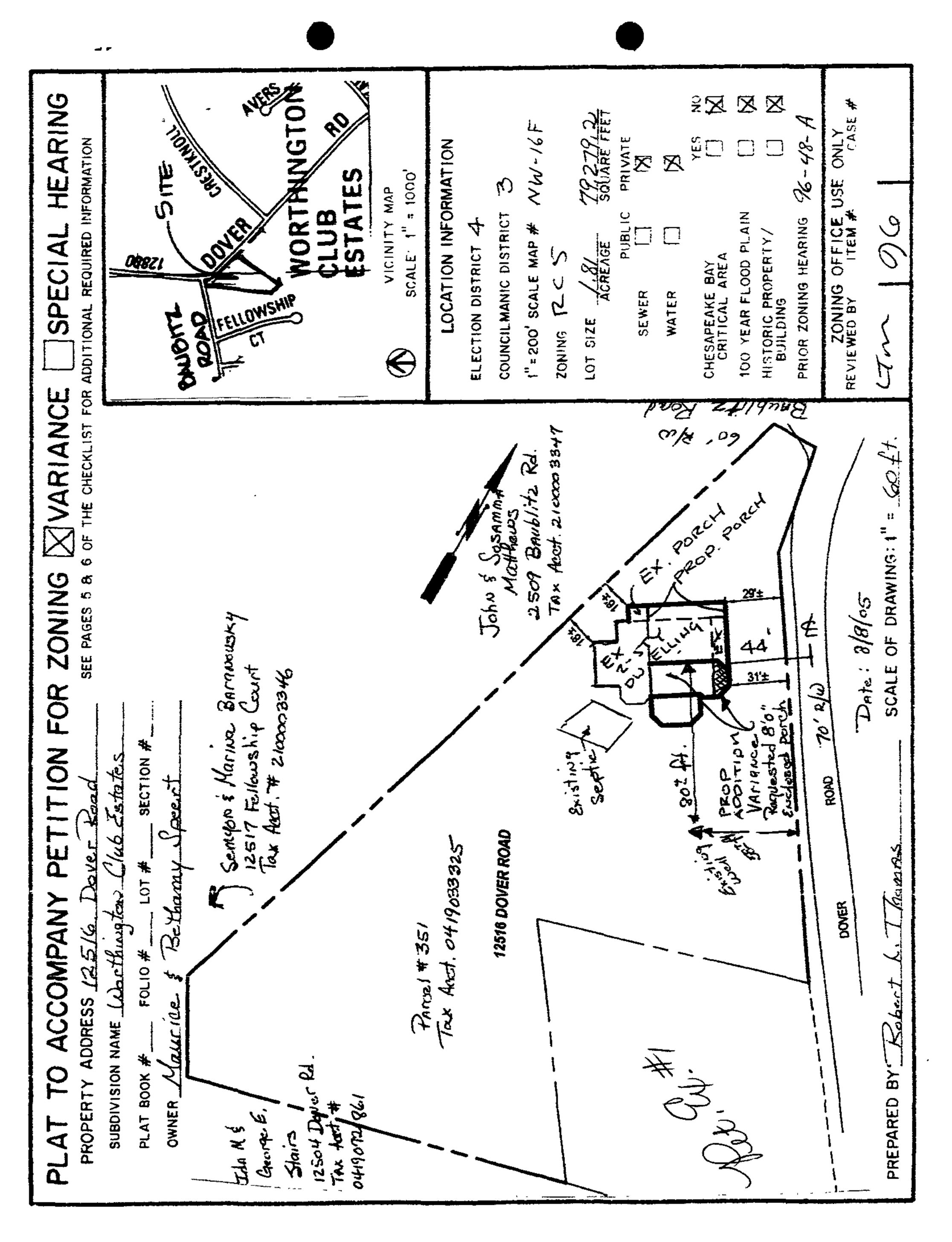
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

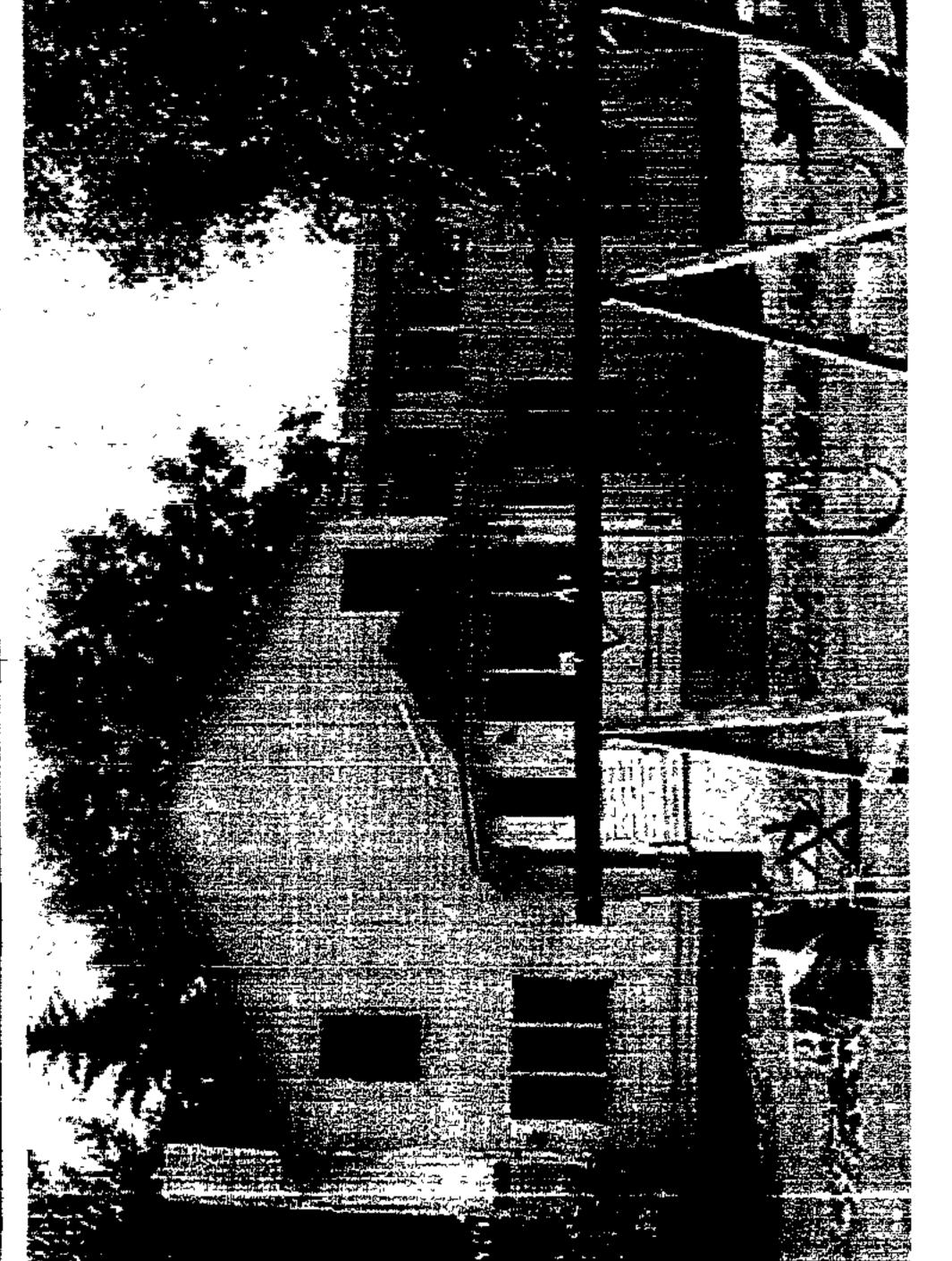
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Engineering Access Permits Division



050-M2







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