IN RE: PETITION FOR VARIANCE

N/S of Battle Grove Circle, west of c/l

Of New Battle Grove Road

15th Election District

7th Councilmanic District

(7522 Battle Grove Circle)

/1

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 07-031-A

David W. Walton Sr. and Gail L. Walton **

* * * * * * * * * * * *

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, David W. Walton Sr. and Gail L. Walton. The Petitioner is requesting variance relief for property located at 7522 Battle Grove Circle. The variance request is from Sections 400.1 and 1B02.3.C Baltimore County Zoning Regulations (B.C.Z.R.) and 400.1d.(2) of the ZCPM to permit an accessory structure (shed with deck) with a 0 foot front setback in the front yard in lieu of the required 25 feet in the rear yard.

The property was posted with Notice of Hearing on September 5, 2006 for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief and time and date of the public hearing. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on September 5, 2006 to notify any interested persons of the scheduled hearing date and relief requested.

Applicable Law

Section 307 of the B.C.Z.R. – Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict

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compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments dated August 15, 2006 were received from the Department of Environmental Protection and Resource Management, copy of which is attached hereto and made a part hereof. This comment was received by the Zoning Commissioner's Office on October 10, 2006 which was after the public hearing on this matter.

Interested Persons

Appearing at the hearing on behalf of the variance request was Gail L. Walton. There were no protestants or citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The subject waterfront property contains 7,632 +/- square feet zoned DR 5.5 and is improved by the Petitioner's home and garage. The subject property is located at 7522 Battle Grove Circle on Bear Creek. Ms. Walton indicated that she ordered a prefabricated 12 x 24 foot shed in December to provide additional family storage and

most importantly to provide a sun free screened in area in which she and her family could enjoy the water without mosquitoes and in the shade. Consequently she divided the shed into a 12 x 12 foot storage area and a 12 x 12 foot sitting area as shown in red on exhibit 1. The shed is approximately 11 feet high. She indicated her elderly mother was particularly sensitive to sun and insects when she comes to visit the family. She located the shed approximately 12 feet back from the water's edge as shown on exhibit 1.

Apparently an anonymous complaint about the Petitioner's bulkhead was made to the County whose inspector found nothing wrong with the bulkhead but issued a complaint about the location of the shed which should have been in the rear yard. Ms. Walton indicated she was surprised by the complaint because nearly 50% of the properties along this section of Bear Creek have sheds for the same purposes located close to the water. In fact the neighbor at 7524 Battle Grove Circle has an identical size building directly on the water edge and has a similar size deck extending over the water as shown in exhibit 1. She mentioned that the owners of 7520 Battle Grove Circle also have a shed near the water's edge. Finally she indicated that she would also like to build a ground level deck to the water edge as shown.

She indicated that the subject property is lot 111 in the Battle Grove, Plat 2, subdivision which has been recorded among the land records in 1938 as shown by exhibit 2. She also noted that the subject lot is almost trapezoidal in shape having only 27 feet of road frontage on Battle Grove Road and 58 feet of waterfront along the front of the lot. In addition the property curves around on the north giving the Petitioner another 80 feet of waterfront giving an almost peninsula look to the property.

While a shed used exclusively for storage could be located in the rear yard as required, this shed provides a shaded, insect free area in which to enjoy the waterfront. The Petitioners indicate that it would be a hardship not to have enjoyment of the water if the shed were located in the rear yard.

Findings of Fact and Conclusions of Law

I acknowledge that I did not receive the ZAC comment from DEPRM until well after the public hearing. However as I mentioned at the hearing as this request involves the Chesapeake Bay Critical Area comments from DEPRM in this regard are going to apply. I have attached a copy of these comments and have incorporated them into the Order as I view them as standard CBCA comments applicable to all such waterfront property. I admit the Petitioner did not have a chance to review or object to these requirements at the public hearing. If she has some objection, she should file a Motion for Reconsideration to this Office within 30 days of the date of this Order. However I suspect she will find them acceptable so that rather than reopen the hearing, I have simply incorporated these comments for the reasons above.

Considering all the testimony and evidence presented, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The lot is oddly shaped and was recorded in the land records many years before the imposition of the DR 5.5 zoning on the property. I find the property unique in that the imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning district.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The hardship involves the shaded insect free feature of the shed which would not be nearly as beneficial to the family if located in the rear yard.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The next door neighbor has a similar shed and deck built over the water. Whether someone might think of this as a pier or not is not before me. Many other similar structures have been built at or near the water edge so that this shed will not change the pattern of development of the neighborhood.

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 requests should be granted

THEREFORE, IT IS ORDERED, this <u>ia</u> day of October, 2006 by this Deputy Zoning Commissioner, that the Petitioner's variance request from Sections 400.1 and 1B02.3.C Baltimore County Zoning Regulations (B.C.Z.R.) and 400.1d.(2) of the ZCPM to permit an accessory structure (shed with deck) with a 0 foot front setback in the front yard in lieu of the required 25 feet in the rear yard is hereby GRANTED, subject to the following conditions:

- 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner shall comply with the ZAC comments from the Department of Environmental Protection and Resource Management dated August 15, 2006 attached hereto.

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

JVM:pz



JAMES T. SMITH, JR. County Executive

October 12, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

DAVID W. WALTON SR AND GAIL L. WALTON 7522 BATTLE GROVE CIRCLE BALTIMORE MD 21222

> Re: Petition for Variance Case No. 07-031-A

> > Property: 7522 Battle Grove Circle

Dear Mr. and Mrs. Walton:

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,

John V. Murphy

Deputy Zoning Commissioner

JVM:pz

Enclosure



REV 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1522 BAHR GROVE CIRCLE which is presently zoned $DR \cdot 5.5$

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) 400.1,1002.3c (BCZR); 400.1.d(コ) (王CPM)

TO PERMIT AN ACCESSORY STRUCTURE (SHED WITH DECK) WITH A O-FOOT FRONT SETBACK IN THE FRONT YARD IN LIEU OF THE REQUIRED 25-FEET IN THE REAR YARD.

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

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

		is the subject of this Petit	ion.	or the property which		
Contract Purchaser	Lessee:		Legal Owner(s):			
Manna Tuna as Deint			DAVIDO	N. WALT	ON, SR.	•
Name - Type or Print			Name Type or Print	1. alatta	- L.	
Signature			Signature	11/01-1	21/	
Address	·-	Telephone No.	Name - Type or Print	1 do lota	~ / // 3	<i>50</i>
City	State	Zip Code	Signature	I y accor	7/0-7	00 - 8392
Attorney For Petition	ner:		7522 BAT	HE GROVE	CIRCLE	~ ~
			Address BALHMORG	- MD	Telephone No.	
Name - Type or Print			City	State	7/222 Zip Code	
Signature	· 		Representative to	o be Contacted:		
orginatore			DAVID W.	WALTON,	SR.	
Company		-	Name	 -		
Address		Telephone No.	7572/24/4/C Address	GROVE CIRC	Telephone No.	-6421
<u></u>		·	BALTO.	MO.	2/222	
City	State	Zip Code	City	State	Zip Code	
<i>i</i> .			<u>OFF</u>	ICE USE ONLY		
Case No.	-031-A		ESTIMATED LENG	TH OF HEARING		
	ロインカル	Reviewed By	UNAVAILABLE FOI	R HEARING		

Zoning Description for 7522 Battle Grove Circle

Beginning at a point on the north side of Battle Grove Circle having a 30-foot right-of-way and 550-feet west of the centerline of New Battle Grove Road. Being Lot #111 in the Subdivision known as "Battle Grove" as recorded in Plat Book #7, Folio 124 containing 7,632 square feet. Also known as 7522 Battle Grove Circle and located in the 15th Election District District, 7th Councilmanic District.

					CASHIER'S VALIDATION
2				TRUE 233	W. CUSTOMER
BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE	AMOUN	FOR THE PARTY OF T		DISTRIBUTION WHITE - CASHIER PINK AGENCY YELLO

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: # 07-031-A
7522 Battle Grove Circle
North side of Battle Grove Circle, 550 feet west of centerline of New Battle Grove Road
15th Election District — 7th Councilmanic District
Legal Owner(s): David W. & Gail L. Walton, Sr.

Varlance: to permit an accessory structure (shed with deck) with a 0-foot front setback in the front yard in lieu of the required 25 feet in the rear yard.

Hearing: Wednesday, September 20, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 9/606 Sept. 5

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on $9/5/2006$	once in each ofsuccessive weeks, the first publication appearing	in the following weekly newspaper published in Baltimore County, Md.,	THIS IS TO CERTIFY, that the annexed advertisement was published	9/7/2006	
	reeks, the first publication appearing	ublished in Baltimore County, Md.,	nnexed advertisement was published	9/7/2006	

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

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 07-03/-A Petitioner/Developer: DAVID W Date of Hearing/Closing: 57720 2006 This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were 7522 BATTLE GROVE, RD Sincerely, 2-6-06 (Signature of Sign Poster) **SSG Robert Black** (Print Name) 1508 Leslie Road (Address) Dundaik, Maryland 21222 (City, State, Zip Code) (410) 282-7940 (Telephone Number)

ZONING NOTICE CASE #_07031-A ____ A PUBLIC HEARING WILL BE HELD BY THE IBNING COMMISSIONER IN TOWSON, MO PLACE: YOU Breaty Awar. Fr. M. STICK DATE AND TIME: LEONETTE SEPTEMBER 20, 200. OF POR REQUEST: VINNELS TO HAME BY ACCESSED SHEETING (CHIED WITE DITE | LITTLE OF D FORT TRANS THE PRINCE IN THE FRONT These In Lates of the Property 27 Feet 16 THE REAL PROPERTY.

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Baltimore County Department of

County Office Building, Room 111

111 West Chesapeake Avenue

Towson, Maryland 21204

Ladies and Gentlemen:

The sign(s) were posted on _

Permits and Development Management

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

posted conspicuously on the property located at:

Department of Permits Ol Development Management

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



Baltimore County

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

August 14, 2006

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: 07-031-A

7522 Battle Grove Circle

North side of Battle Grove Circle, 550 feet west of centerline of New Battle Grove Road 15th Election District – 7th Councilmanic District

Legal Owners: David W. & Gail L. Walton, Sr.

<u>Variance</u> to permit an accessory structure (shed with deck) with a 0-foot front setback in the front yard in lieu of the required 25 feet in the rear yard.

Hearing: Wednesday, September 20, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: David & Gail Walton, Sr., 7522 Battle Grove Circle, Baltimore 21222

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 5, 2006.

- (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.



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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 5, 2006 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. David Walton, Sr. 7522 Battle Grove Circle Baltimore, MD 21222

410-388-8392

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: 07-031-A

7522 Battle Grove Circle

North side of Battle Grove Circle, 550 feet west of centerline of New Battle Grove Road 15th Election District -- 7th Councilmanic District Legal Owners: David W. & Gail L. Walton, Sr.

Variance to permit an accessory structure (shed with deck) with a 0-foot front setback in the front yard in lieu of the required 25 feet in the rear yard.

Hearing: Wednesday, September 20, 2006 at 11:00 a.m. in Room 407, County Courts Building, 40/1 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

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 <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 07-031-A
Petitioner: WALTON
Address or Location: 7522 BATTLE GROVE CIRCLE
PLEASE FORWARD ADVERTISING BILL TO:
Name: MR.4MRG. DAVID WALTON
Address: 7522 BATTLE GROVE CIRCLE
BALTO MO 21222
• • • • • • • • • • • • • • • • • • • •
Telephone Number: 410-388-8392



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director
September 13, 2006

Development Management

Development Management

David W. Walton, Sr. Gail L. Walton 7522 Battle Grove Circle Baltimore, MD 21222

Dear Mr. and Mrs. Walton:

RE: Case Number: 07-031-A, 7522 Battle Grove Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 27, 2006.

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:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





OCT 1 0 2006

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination Jul

DATE:

08/15/2006

SUBJECT:

Zoning Item

07-31-A

Address

7522 Battle Grove Circle

Baltimore, MD 21222

Zoning Advisory Committee Meeting of August 7, 2006

____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

<u>X</u> 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 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

<u>X</u> Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

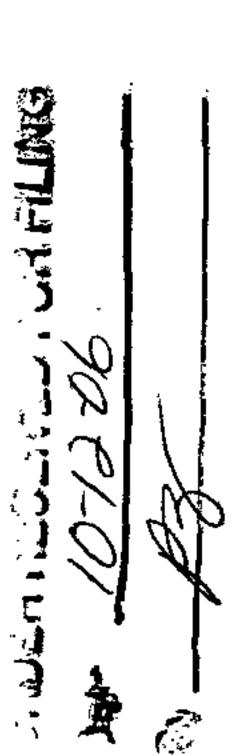
This property is within the Limited Development Area (LDA) and Buffer Management Area (BMA) of the CBCA. Impervious surface area is limited to 25% of the lot size, and must maintain 15% tree cover. Any impervious surface area over 25% will require mitigation or removal. BMA regulations state that no structure is allowed within 25 feet of the water, without variance approval from this Department. Any disturbance to the 100-foot buffer will require mitigation (BMA regulation).

Reviewer:

Kevin Brittingham

Date: 08/15/2006

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2007\ZAC 07-31-A.doc ·



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 8, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 14, 2006

Item No. 031

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The base flood elevation for this site is 9.4 feet Baltimore County Datum.

The flood protection elevation for this site is 10.4 feet.

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

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.

The building engineer shall require a permit for this project.

The building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of structure with materials resistant to flood damage.

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 031-08082006.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 7-031- Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Amy Mantay in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

RECEIVED

DATE: August 9, 2006

AUG 1 8 2006

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: 8.3.01

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

RE:

Baltimore County

Item No. 231

DT

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

Engineering Access Permits Division

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 August 3,2006

ATTENTION: Zoning Review Planners

Distribution Meeting of: August 3,2006

Item No.: 031, 036, 037, 038, 039, 040, 041, 042, 043 and 044

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

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

Acting Lieutenant Don W. Muddiman Fire Marshal's Office 410-887-4880 MS-1102F



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

PETITION FOR VARIANCE RE: 7522 Battle Grove Circle; N/S Battle Grove Circle, 550' W c/line New Battle Grove Rd * 15th Election & 7th Councilmanic Districts Legal Owner(s): David, Sr. & Gail Walton Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-031-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent UX 2 immerman and all 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 4th day of August, 2006, a copy of the foregoing Entry of Appearance was mailed to, David Walton, 7522 Battle Grove Circle, Baltimore, MD 21222, Petitioner(s).

RECEIVED

AUS 0 4 2006

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

John Murphy - ZAC #07-031

From:

Dennis Kennedy

To:

Murphy, John

Date:

09/20/06 2:40 PM

Subject: ZAC #07-031

Dear Mr. Murphy:

Our comments for the subject case were in error. They would apply for a new dwelling but not for a shed of this size. Accordingly, please disregard our previouss comments. I apologize for the error.

Dennis Kennedy

PLEASE PRINT CLEARLY

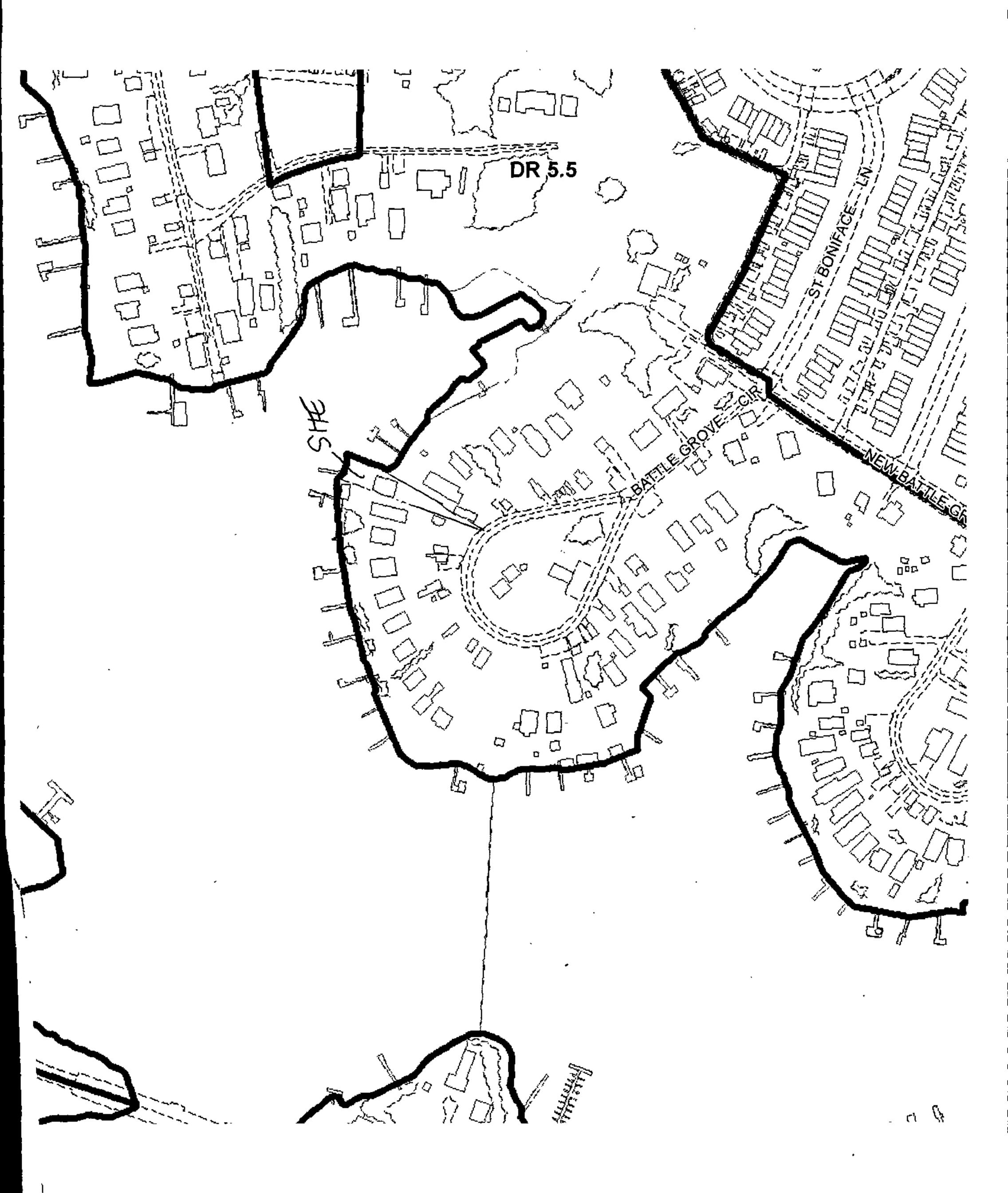
CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN.

NAME

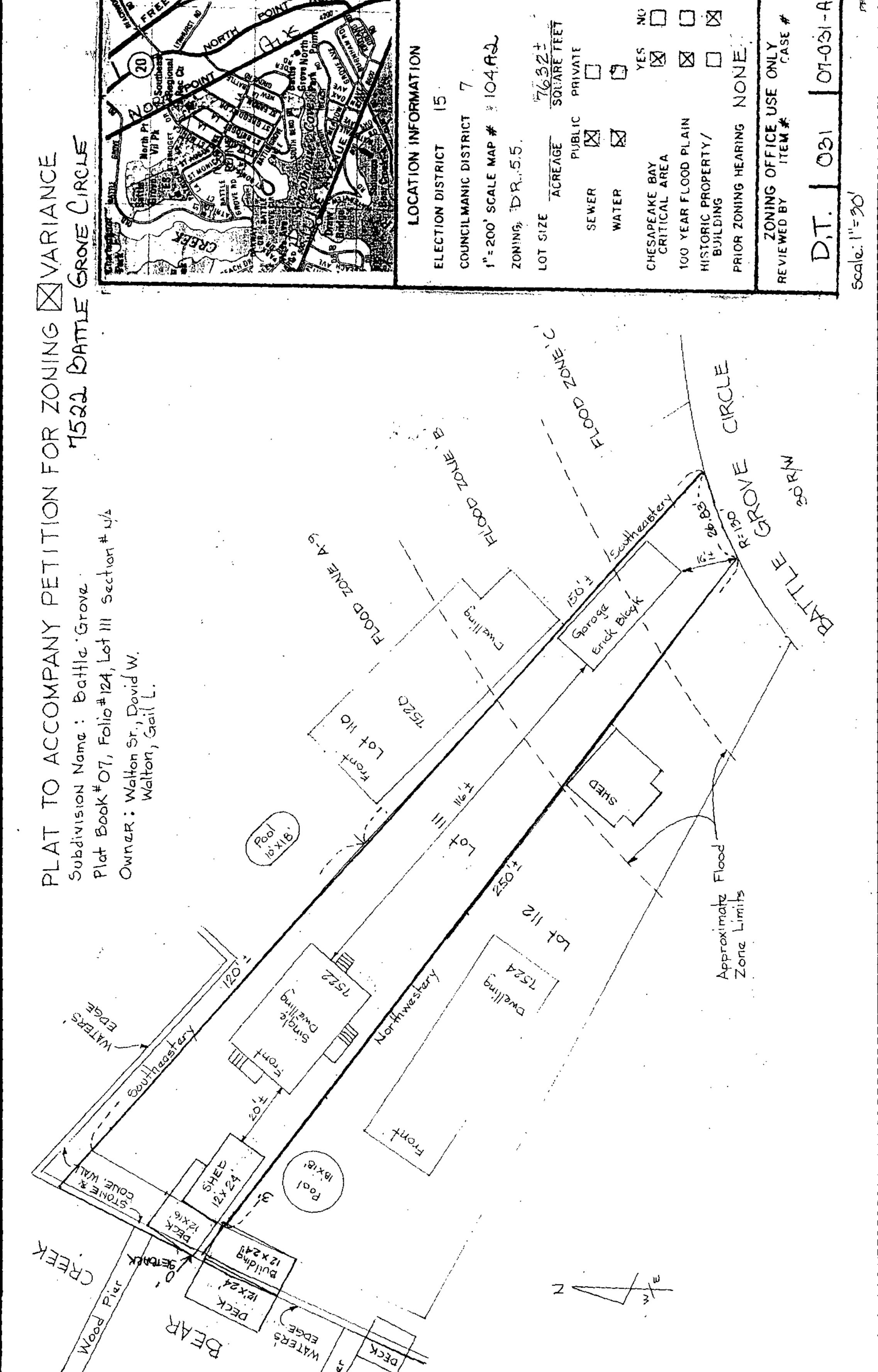
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CITY STATE ZID	DIMBAK MD 21227									
ADDRESS	132 Onle Gene Gielle									
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Baltimore County - My Neighborhood



07-031-A

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ROAD.

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