

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE

E/S of Brick Store Road, NW of c/l
Of Falls Road
5th Election District
3rd Councilmanic District
(18527 Brick Store Road)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY

David W. and Dawn E. Graf
Petitioners

* CASE NO. 07-084-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, David W. and Dawn E. Graf. The Petitioners are requesting Special Hearing relief for property owned at 18527 Brick Store Road. The Variance is to permit an accessory structure (pole barn) with a height of 24 feet in lieu of the permitted 15 feet. The Special Hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an accessory building (pole barn) with an area larger than that of the principal structure (dwelling) 2,880 square feet and 1,950 square feet respectively.

The property was posted with Notice of Hearing on October 3, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on October 3, 2006, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of

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any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

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 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 Comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing and variance relief was David Billingsley with Central Drafting & Design, Inc., who prepared the site plan. 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 property contains 2.00 acres in size zoned RC 2 and is improved by the Petitioners' home and garage. The Petitioners would like to erect a pole barn on the rear of their property as shown in exhibit 1. The barn would be 48 x 60 feet and would house the Petitioners' camper, truck, garden tractor and mower which are now subject to the weather and possible

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security problems outside on the property. Mr. Billingsley indicated that the height of 24 feet was needed exclusively for the peak roof of the barn which has to match the roof of the Petitioners' home to be architecturally compatible. There will be no second floor. He indicated that the Petitioners would accept restrictions on the use of the barn which prohibit using the barn for a second dwelling or for commercial purposes.

He noted the immediate area around the Petitioners' home is residential although zoned RC 2. There are other pole barns in the area so that the proposed structure will not change the character of the neighborhood. In fact the neighbor to the north has a 30 x 60 foot garage which is comparable in size as shown on exhibit 1 and the aerial zoning map in the file. He opined that the proposed design is compatible with the existing dwelling and the community as shown by the elevations exhibit 4. The color will be neutral again so as to blend in with the neighborhood.

Findings of Fact and Conclusions of Law

The appellate courts have interpreted the first criteria of Section 307 of the BCZR which specifies that variances can be granted 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". (Emphasis supplied). The Courts take this provision to mean a property must be unique from a zoning perspective as a first essential step to granting a variance. See *Cromwell v Ward et al.* The uniqueness of the property must be connected to the variance request.

This Commission has held that height of a peak roof on a garage that architecturally matches the principal building is one of those special circumstances or conditions that makes a property unique from a zoning perspective. The idea is that there is an existing structure (the house) which must be matched by the garage in order to be compatible architecturally. Consequently such a property can be unique. In the subject case Mr. Billingsley testified the new barn would be compatible with the principal structure (the house) and the rural community.

To assure that the design of the garage is compatible, I will require the drawings and elevations be submitted to the Planning Office for review prior to building permit. This will assure the barn does not adversely impact the community but compatible designs also make the property unique.

Similarly we have recognized that storing valuable equipment out of the weather and in a secure location is not a self imposed hardship, but rather reflect the reality of maintaining homes with large lots. I find strict enforcement of the zoning regulations would cause the Petitioner to suffer hardship and practical difficulty by being unable to store the equipment as proposed.

Another issue is whether or not the proposed structure adversely impacts the community and changes the character of the neighborhood. However from the testimony pole barns are common in the area so that I cannot see the new barn changing the character of the neighborhood. The proposed garage will be 400+ feet from Brick Store Road so that there should not be much if anything seen from the road. The immediate area is residential although zoned RC 2 so that there is no sacrifice of the spirit and intent of the RC 2 regulations to preserve agriculture. Said another way the Petitioner is not proposing to erect the building on prime agriculture land but rather on the grass of his back yard.

I find that if the design of the barn is compatible with the Petitioner's house and community, I do not believe that the garage will diminish property values or become an eyesore. Rather it should give added value to the Petitioner's property and the community. I will grant the variance requested.

In regard to the request for Special Hearing, I will also grant the request to allow an accessory building larger than the principal building for the reasons above as I find that community will not be adversely impacted and the proposed use will be within the spirit and intent of the RC 2 regulations. A smaller barn will not be adequate to hold the equipment and vehicles needed.

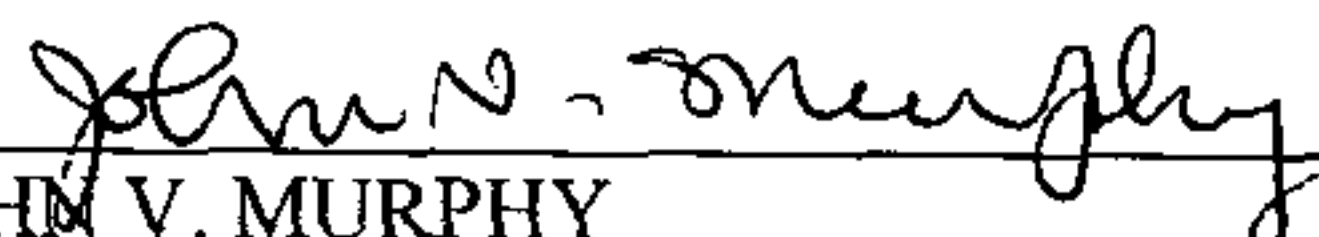
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 19th day of October, 2006, that the Petitioners' request for Variance is to permit an accessory structure (pole barn) with a height of 24 feet in lieu of the permitted 15 feet is hereby GRANTED; and

IT IS FURTHER ORDERED, the Petitioner's request for Special Hearing request is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve an accessory building (pole barn) with an area larger than that of the principal structure (dwelling) 2,880 square feet and 1,950 square feet respectively is hereby GRANTED subject to the following:

1. The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The 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.
4. The Petitioner shall not repair or recondition vehicles on the subject property, but may perform ordinary maintenance of vehicles.
5. The Petitioner shall submit building elevations and designs for the new garage to the Office of Planning for review and approval prior to building permit to assure the new barn is compatible in architectural detail to that of the primary structure and is compatible with the neighborhood.
6. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.
7. The Petitioner shall cause this Order to be recorded by a qualified attorney in the land records of the County at the Petitioners' expense to notify future owners of 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:pz

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10-19-06
Ed. : pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

October 19, 2006

DAVID W. AND DAWN E. GRAF
18527 BRICK STORE ROAD
HAMPSTEAD MD 21074

Re: Petition for Special Hearing and Variance
Case No. 07-084-SPHA
Property: 18527 Brick Store Road

Dear Mr. and Mrs. Graf:

Enclosed please find the decision rendered in the above-captioned case. The petition for Special Hearing and 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
for Baltimore County

JVM:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040

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10-19-06

10-19-06



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 18527 BRICK STORE ROAD
which is presently zoned RC2

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

AN ACCESSORY BUILDING (POLE BARN) WITH AN AREA
LARGER THAN THAT OF THE PRINCIPAL STRUCTURE (DWELLING)
2880 SQUARE FEET AND 1950 SQUARE FEET RESPECTIVELY

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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

City

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

DAVID W. GRAF

Name - Type or Print

Signature

DAWN E. GRAF

Name - Type or Print

Signature

18527 BRICK STORE ROAD. (410) 374-4352

Address

Telephone No.

HAMPSTEAD

MD.

21074

State

Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING & DESIGN, INC.

Name

601 CHARWOOD CT. (410) 679-8719

Address

Telephone No.

EDGEWOOD

MD

21040

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 07-084-SPHA

Reviewed By D.T. Date 8/23/06

REV 9/15/98

NOT RECORDED FOR FILING

10-19-06

PM



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 18527 BRICK STORE ROAD
which is presently zoned RC2

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 (BCZR) TO PERMIT

AN ACCESSORY STRUCTURE (POLE BARN) WITH A HEIGHT OF 24 FEET
IN LIEU OF THE PERMITTED 15 FEET.

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

TO BE PRESENTED AT HEARING

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 _____ City _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

DAVID W. GRAF

Name - Type or Print _____
Signature David W. Graf

DAWN E. GRAF

Name - Type or Print _____
Signature Dawn E. Graf

18527 BRICK STORE ROAD (410) 374-4352
Address _____ Telephone No. _____
HAMPSTEAD MD. 21074
City _____ State _____ Zip Code _____

Representative to be Contacted:

DAVID BILLINGSLEY
CENTRAL DRAFTING & DESIGN, INC.

Name _____
601 CHARWOOD CT. (410) 679-8719
Address _____ Telephone No. _____
EDGEWOOD MD. 21040
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 07-084-SPHA

ESTIMATED LENGTH OF HEARING _____

SFW: 0260 9

Reviewed By D.T. UNAVAILABLE FOR HEARING Date 8/23/06

ORDER RECEIVED FOR FILING

10-19-06

[Signature]

ZONING DESCRIPTION

18527 BRICK STORE ROAD

Beginning at a point on the east side of Brick Store Road (40 feet wide) distant 3,350 feet northwesterly from it's intersection with the center of Falls Road (Md. Rte. 25), thence:

(1) N 52° 17' 20" W 150.00 feet, thence (2) N 66° 31' 10" E 515.13 feet, thence (3) S 03° 23' 40" W 317.44 feet, thence (4) N 86° 36' 20" W 335.59 feet to the place of beginning.

Containing 2.00 acres of land more or less.

Being located in the 5TH Election District, 3RD Councilmanic District of Baltimore County, Maryland.

07-084-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 9339

DATE

8/23/06

ACCOUNT

0010066150

AMOUNT \$

130.00

RECEIVED
FROM:

CENTRAL DRAFTING & DESIGN

FOR:

ITEM # 084 CM-084-SPHA

VARENCE & SPECIAL HEARING 18507 PRICKSTONE RD.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED BY: [Signature]
DATE: 8/23/06
AMOUNT: \$130.00
ACCOUNT: 0010066150
DEPT: 3
OFFICE: 02260004
CLERK: [Signature]

Amount Due: \$130.00
Amount Paid: \$130.00
Balance Due: \$0.00
Baltimore County, Maryland

CASHIER'S VALIDATION

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: # 07-064-SPHA

18527 Brick Store Road
East side of Brick Store Road, 3,350 feet n/west of centerline of Falls Road

5th Election District — 3rd Councilmanic District

Legal Owner(s): David W. & Dawn E. Graf

Special Hearing: to approve an accessory building (pole barn) with an area larger than that of the principal structure (dwelling) 2880 square feet and 1950 square feet re-
Variance: to permit an accessory structure (pole barn) with a height of 24 feet in lieu of the permitted 15 feet.

Hearing: Wednesday, October 18, 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 10/607 Oct. 3 111447

CERTIFICATE OF PUBLICATION

10/5/, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/3/, 2006.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 07-084-SPHA

Petitioner/Developer: DAWN E.
GRAF & DAVID W.

Date Of Hearing/Closing: 10/18/06

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

Attention:

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
at 18527 BRICK STORE ROAD

This sign(s) were posted on October 3, 2006

(Month, Day, Year)

Sincerely,

Martin Ogle 10/3/06
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

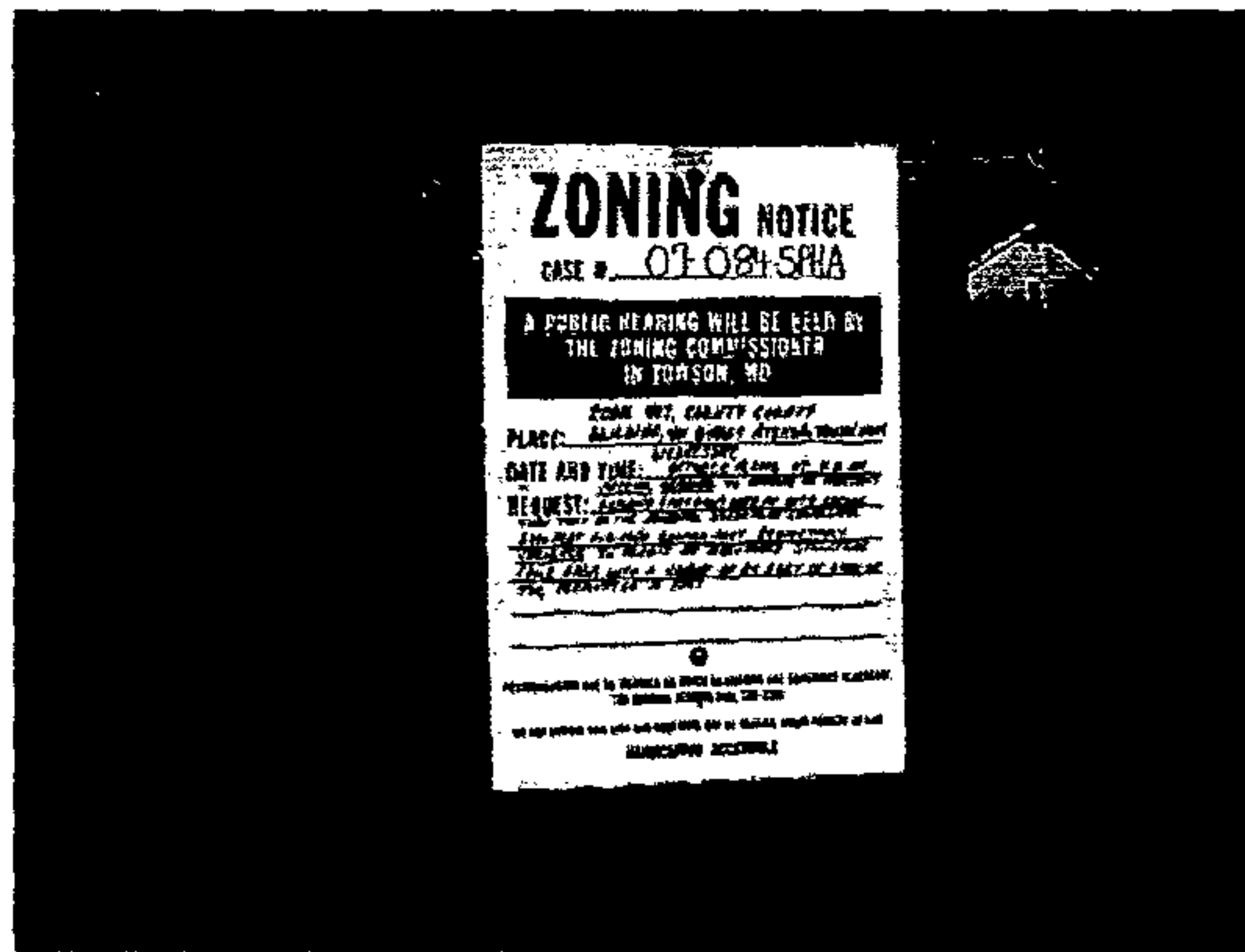
16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

im000828 (576x432x24b jpeg)



Ypacton 10/3/06

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
18527 Brick Store Road; E/S Brick Store
Road, 3,350' NW c/line Falls Road
5th Election & 3rd Councilmanic Districts
Legal Owner(s): David & Dawn Graf
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 07-084-SPHA

* * * * *

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/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 5th day of September, 2006, a copy of the foregoing Entry of Appearance was mailed David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

RECEIVED

SEP 05 2006

Per. *[Signature]*

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 3, 2006 Issue - Jeffersonian

Please forward billing to:
David Graf
18527 Brick Store Road
Hampstead, MD 21074

410-374-4352

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: 07-084-SPHA

18527 Brick Store Road

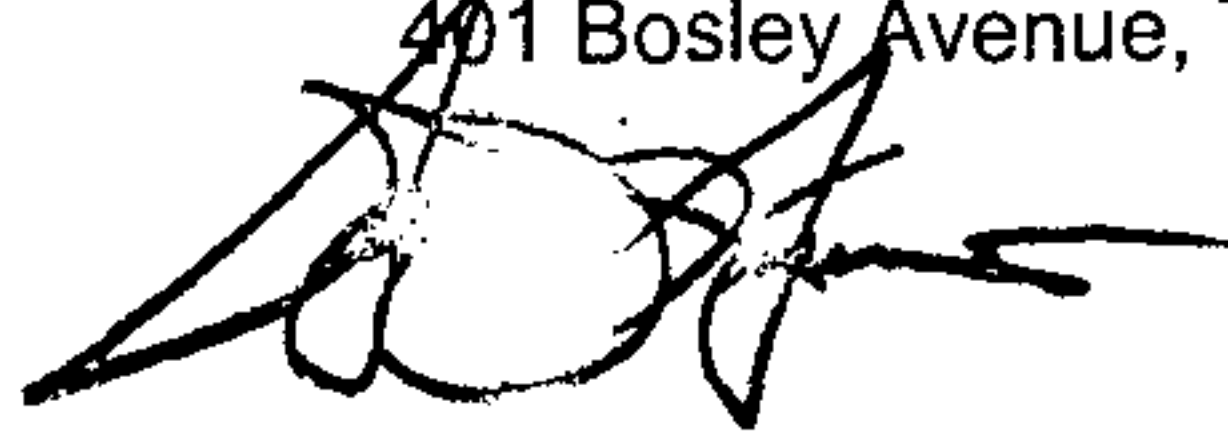
East side of Brick Store Road, 3,350 feet n/west of centerline of Falls Road

5th Election District – 3rd Councilmanic District

Legal Owners: David W. & Dawn E. Graf

Special Hearing to approve an accessory building (pole barn) with an area larger than that of the principal structure (dwelling) 2880 square feet and 1950 square feet respectively. Variance to permit an accessory structure (pole barn) with a height of 24 feet in lieu of the permitted 15 feet.

Hearing: Wednesday, October 18, 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 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**



Baltimore County

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

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

September 12, 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: 07-084-SPHA

18527 Brick Store Road

East side of Brick Store Road, 3,350 feet n/west of centerline of Falls Road

5th Election District – 3rd Councilmanic District

Legal Owners: David W. & Dawn E. Graf

Special Hearing to approve an accessory building (pole barn) with an area larger than that of the principal structure (dwelling) 2880 square feet and 1950 square feet respectively. Variance to permit an accessory structure (pole barn) with a height of 24 feet in lieu of the permitted 15 feet.

Hearing: Wednesday, October 18, 2006 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over the printed name and title.

Timothy Kotroco
Director

TK:klm

C: David & Dawn Graf, 18527 Brickstore Road, Hampstead 21074
David Billingsley, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 3, 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



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: 07-084-SPHA

Petitioner: GRAF

Address or Location: 18527 BRICK STORE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. & MRS. DAVID W. GRAF

Address: 18527 BRICK STORE RD.

HAMPSTEAD, MD 21074

Telephone Number: 410-374-4352



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

October 11, 2006

David W. Graf
Dawn E. Graf
18527 Brickstore Road
Hampstead, MD 21074

Dear Mr. and Mrs. Graf:

RE: Case Number: 07-084-SPHA, 18527 Brickstore Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 23, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
David Billingsley Central Drafting & Design, Inc. 601 Charwood Ct. Edgewood 21040



Baltimore County
Fire Department

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

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

August 31, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 28, 2006

Item Number(s): 067,068,069,079,080,081,083,084

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.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 1, 2006

FROM: ^{DM}Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 4, 2006
Item Nos. 07-067, 068, 069, 079, 080,
081, 082, 083 and 084

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS-09042006.doc

Am
10/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 26, 2006

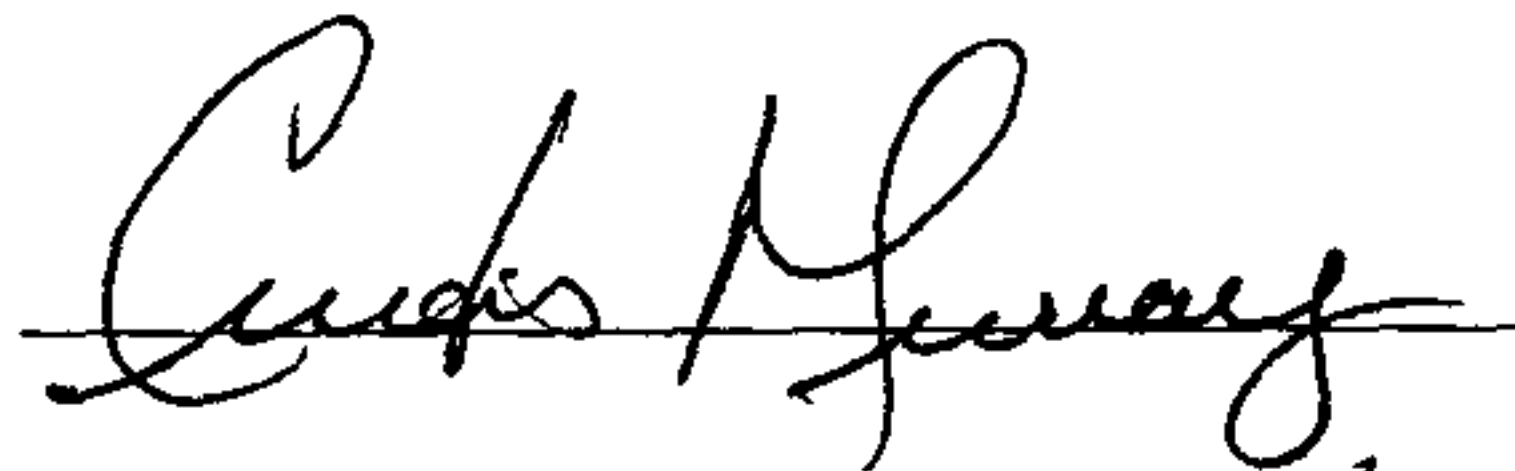
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 7-084- 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 Bill Hughey in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

RECEIVED

SEP 27 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: 8.25.06

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

RE: Baltimore County
Item No. 084 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

My telephone number/toll-free number is -

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

OWNER
DAVID W. AND DAWN E. GRAF
18527 BRICK STORE ROAD
HAMPSTEAD, MD. 21074
DEED REF. L.10168 F.736
ACCT. NO. 1600001167

EX. DWLG
#18601

EX. GAR.

PROP. BARY.
#18610
48.7' x 48.7'

EX. GARAGE
40'

EX. DWLG
#18527

FOOT PRINT OF
EX. DWLG
1950 S.F.

SEPTIC

WELL

N 66° 31' 10" E
EX. DRIVE

5/5.13'

503° 23' 40" W
317.44'

35.53'

BRICK

STORE

SEG
POINT

ROAD
3350 TO &
FALLS ROAD

EX. PAVING

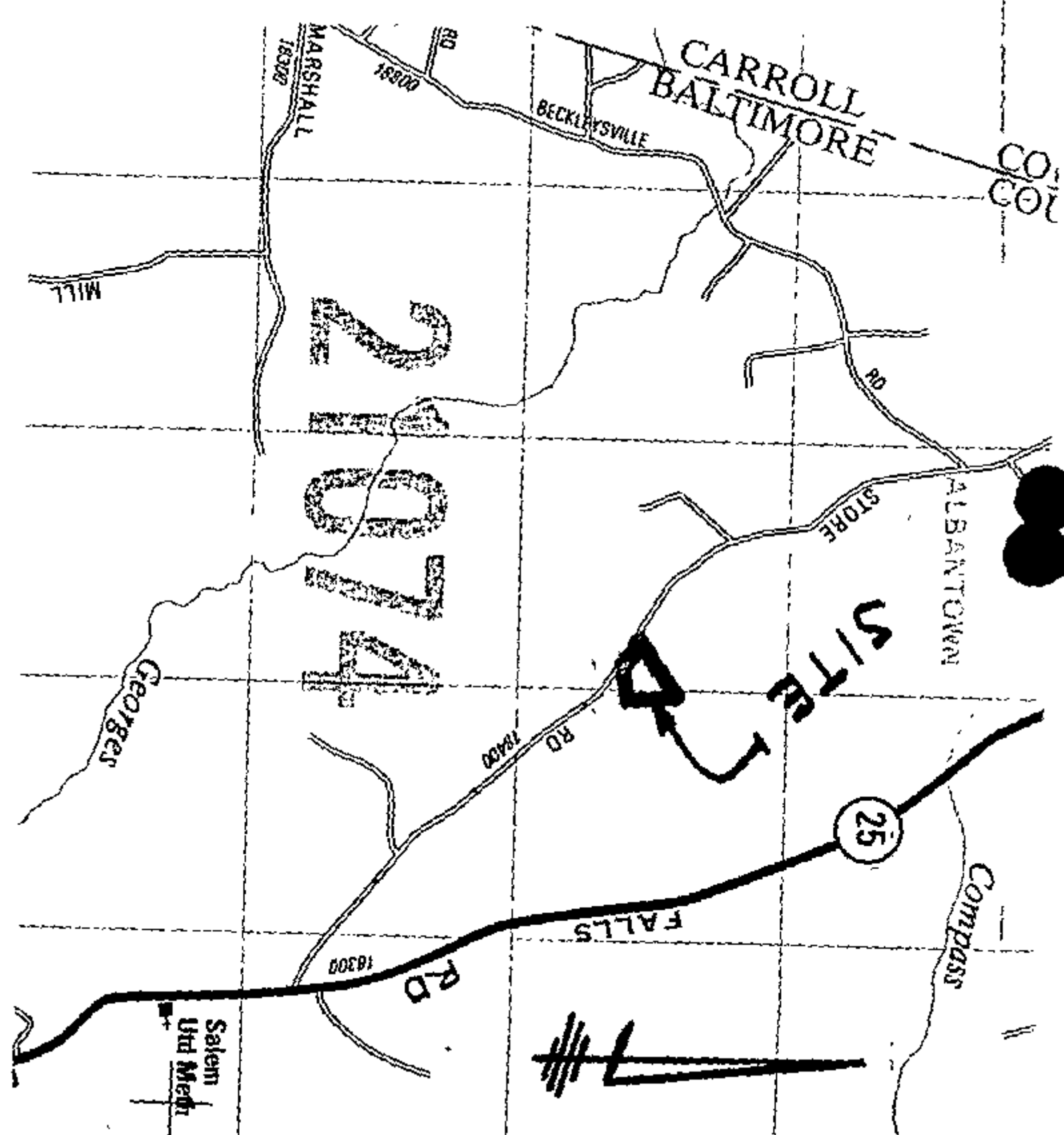
40' RW

EX. DWLG
#18521

NOTES

1. ZONING...RC2 (015A1, 015A2)
2. AREA...2.00 ACRES
3. PRIVATE WATER AND SEWER
4. SITE IS NOT LOCATED IN CRITICAL AREA OR 100 YEAR FLOOD PLAIN
5. NO HISTORIC STRUCTURES, UNDERGROUND STORAGE TANKS OR ARCHEOLOGICAL SITES EXIST
6. NO PREVIOUS ZONING HISTORY

VICINITY MAP SCALE: 1" = 2000'



ZONING PLAT

18527 BRICK STORE ROAD
ELECTION DISTRICT 5
COUNCILMANIC-DISTRICT 3
BALTIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 50 FEET

CENTRAL DRAFTING & DESIGN, INC.
601-CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

Click here for a plain text ADA compliant screen.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
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[Ground Rent](#)

Account Identifier: District - 05 Account Number - 1600001167

Owner Information

Owner Name: GRAF DAVID W
GRAF DAWN E
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 18527 BRICK STORE RD
HAMPSTEAD MD 21074-2847
Deed Reference: 1) /10168/ 736
2)

Location & Structure Information

Premises Address
18527 BRICK STORE RD

Legal Description
2 AC
NES BRICK STORE RD
3370 NW FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
15	7	146						2	

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1980	2,066 SF	2.00 AC	04
Stories 1	Basement YES	Type STANDARD UNIT	Exterior BRICK

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	55,000	88,000		
Improvements:	178,320	192,750		
Total:	233,320	280,750	264,940	280,750
Preferential Land:	0	0	0	0

Transfer Information

Seller: WALLACE MELVIN F	Date: 11/26/1993	Price: \$192,500
Type: IMPROVED ARMS-LENGTH	Deed1: /10168/ 736	Deed2:
Seller: DANNA SAMUEL D	Date: 09/01/1987	Price: \$130,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 7659/ 245	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

1991 01 03 10:17:33

DEED, FEE SIMPLE
INDIVIDUAL GRANTOR

(DEEDFEE)

THIS DEED made this 1st of November in the year one thousand nine hundred and Ninety-Three by and between MELVIN F. WALLACE and REGINA D. WALLACE, HUSBAND AND WIFE, parties of the first part, Grantor(s) and DAVID W. GRAF and DAWN E. GRAF, HUSBAND AND WIFE, parties of the second part, Grantee(s).

WITNESSETH, that in consideration of the sum of One Hundred Ninety-Two Thousand Five Hundred and 00/100'S *** (\$192,500.00) DOLLARS, the actual consideration paid or to be paid, and other good and valuable considerations, receipt of which are hereby acknowledged, the said parties of the first part do grant and convey to the said DAVID W. GRAF and DAWN E. GRAF, HUSBAND AND WIFE, tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate in BALTIMORE COUNTY, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a pipe on the northeast side of Brick Store Road at the end of the North 86 degrees 16 minutes 20 seconds West 1531.32 foot line as described in a Deed from Lawrence H. Roberts and wife to Julia Mae Appelfeld, et al, dated March 28, 1968 recorded among the Land Records of Baltimore County in Liber O.T.G. No. 4881, folio 480 etc., running thence binding on that Deed and running in Brick Store Road North 52 degrees 17 minutes 20 seconds West 150.00 feet thence by a line of division North 68 degrees 31 minutes 10 seconds East 515.13 feet to a pipe and to intersect the South 03 degrees 23 minutes 40 seconds West 300.00 foot line in the above-mentioned Deed at the end of 282.56 feet thence binding on that Deed South 03 degrees 23 minutes 40 seconds West 17.44 feet to a pipe thence continuing the same course and running by a new line of division South 03 degrees 23 minutes 40 seconds West 300.00 feet to a pipe and to intersect the first above-mentioned Deed line, thence binding on that line North 86 degrees 36 minutes 20 seconds West 335.59 feet to the place of beginning, containing two acres (2.00) of land, more or less.

BEING the same lot of ground which by deed dated August 31, 1987 and recorded among the Land records of Baltimore County in Liber 7659 folio 245, was granted and conveyed by Samuel D. Danna and Victoria M. Danna unto Melvin F. Wallace and Regina D. Wallace, the within Grantors.

The Grantees hereby certify, under penalties of perjury, that the land conveyed in said Deed is residentially improved, owner-occupied real property and that the residence will be occupied by us.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said DAVID W. GRAF and DAWN E. GRAF, HUSBAND AND WIFE, tenants by the entireties, their assigns, the survivor of them and the survivor's personal representatives and assigns, in fee simple.

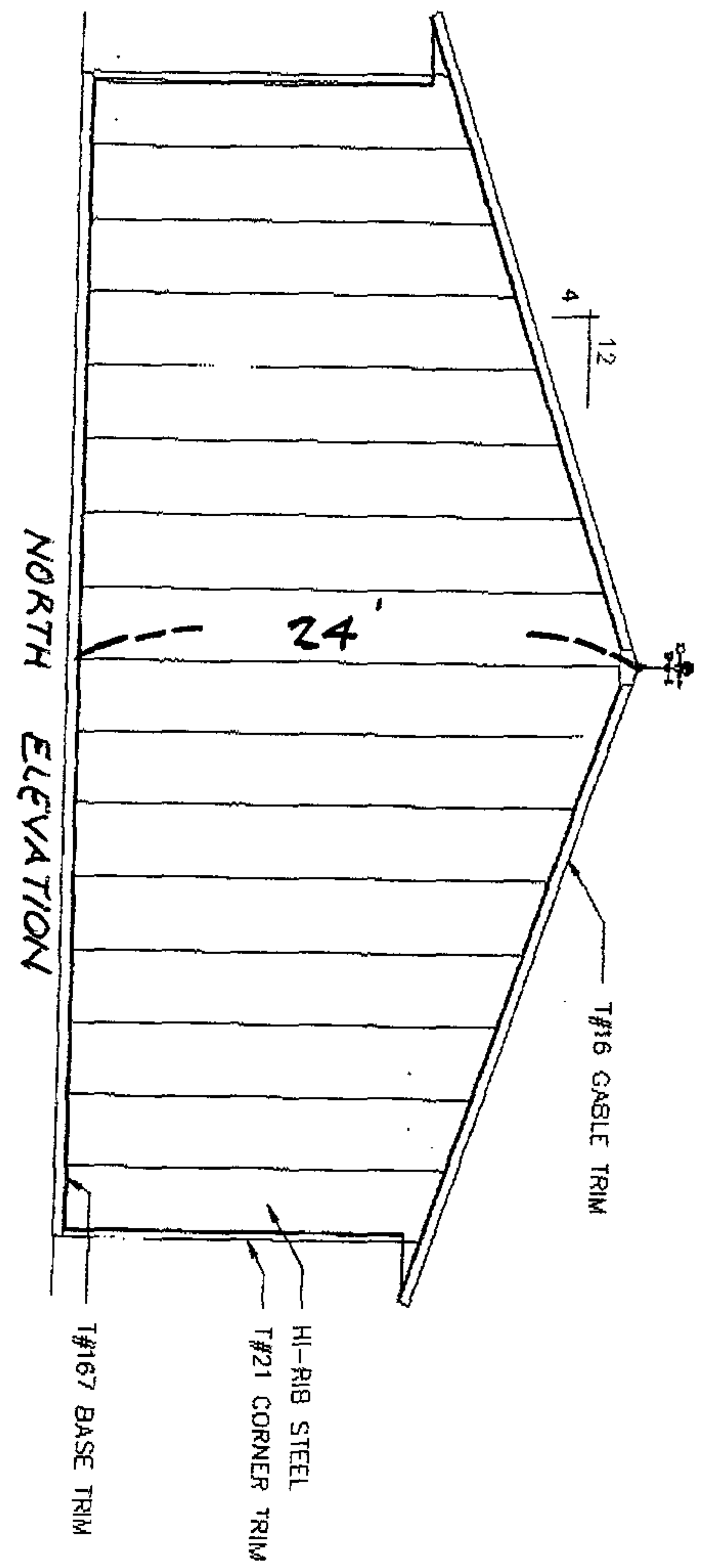
AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said Grantors and Grantees.

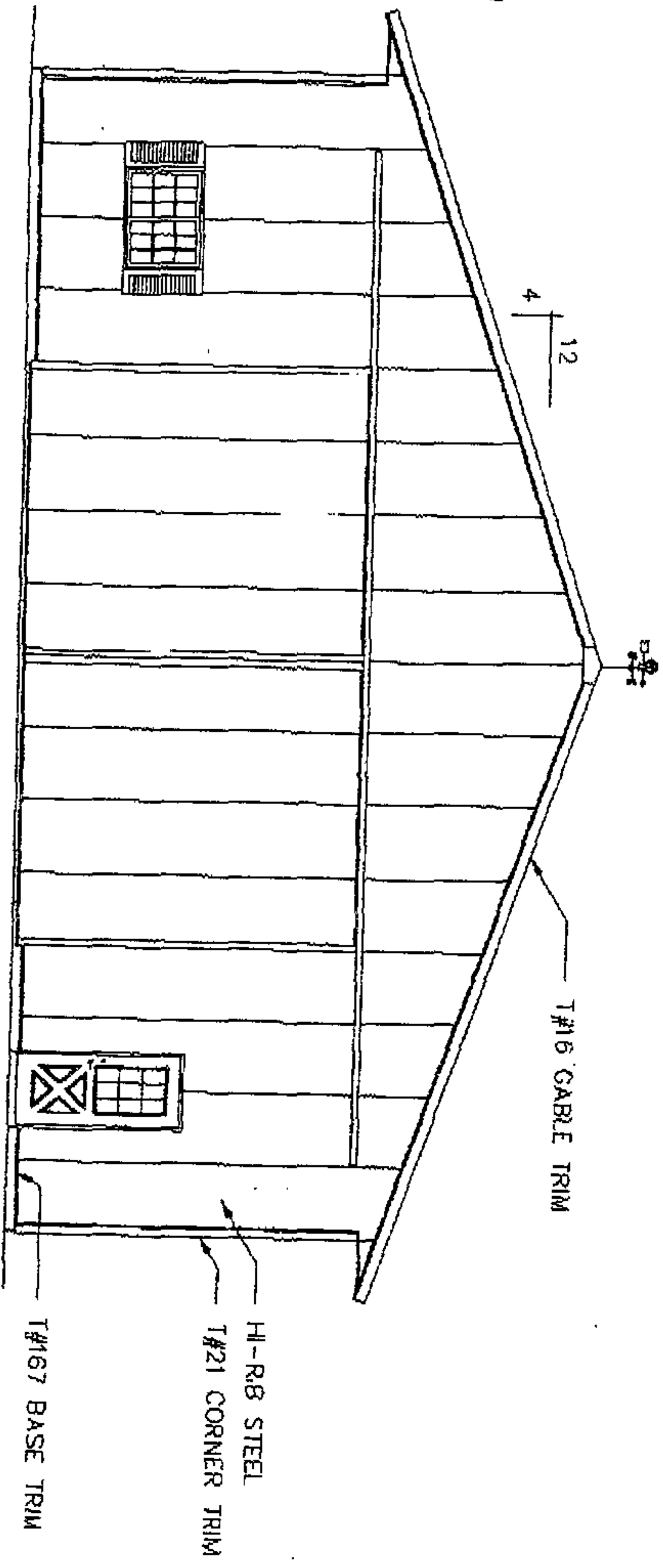
INDIVIDUAL TRANSFER TAX
IF APPLICABLE

Petty

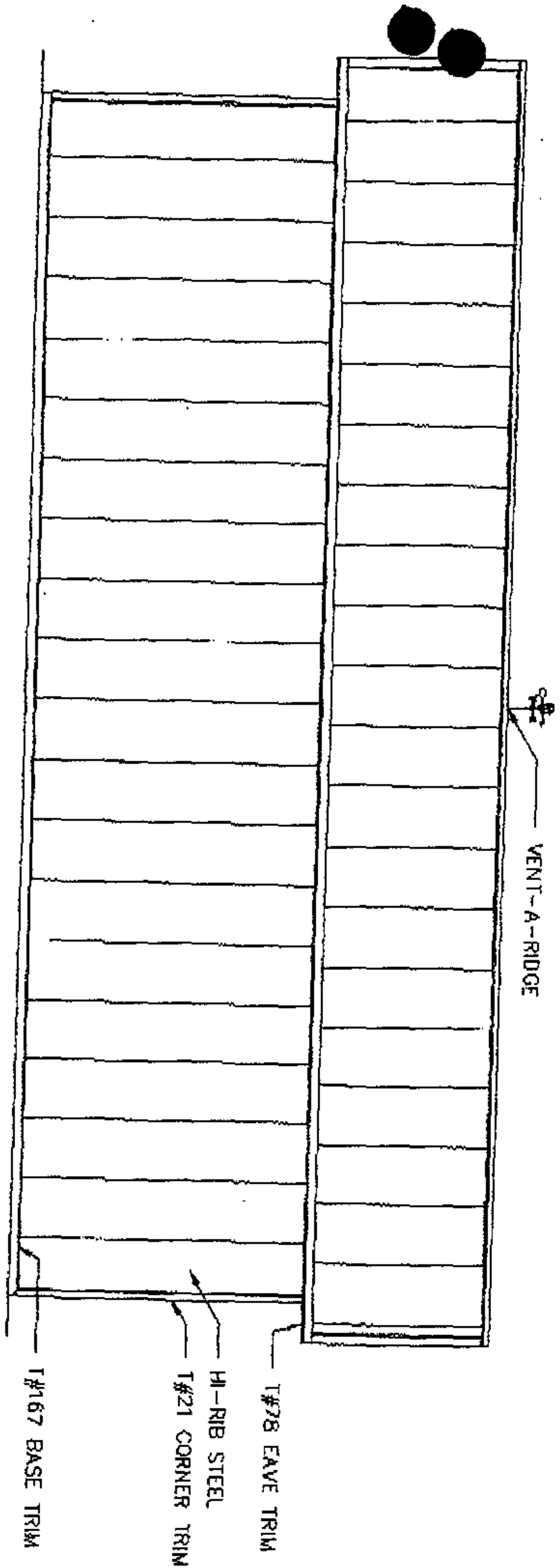
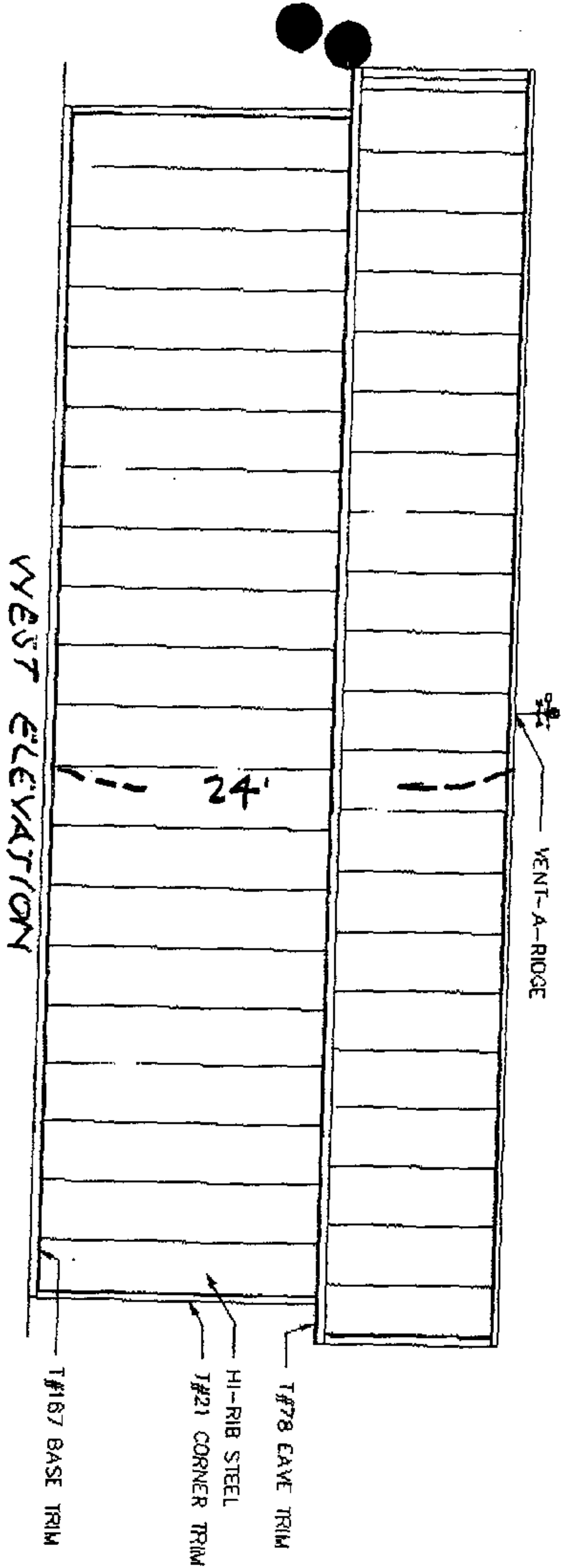
Rev #4



NORTH ELEVATION



SOUTH ELEVATION



~~PRINT CLEARLY~~

NAME

CITY, STATE, ZIP

DAVID BILLINGSLEY

601 CHARWOOD CT.

EDGEWOOD MD 21040

dw60209@ya00.com

dw60209@ya00.com



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015A1 + 015A2

07-084-SPHA