



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6605 KENWOOD AVENUE
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

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

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

JEFFREY FOUCAULT

Signature

CHRISTOPHER BARSTAD

Name - Type or Print

Signature

P.O. BOX 3661 (410) 254-0111

Address

Telephone No.

BALTO.

MD.

21214-0661

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. 08-287-SPH

Reviewed By DR Date 1/3/08

To amend case # 99-103-SPH for the use by 2 lots of a proposed minor subdivision of an existing 15-foot ingress/egress maintenance and utility easement.

ZONING DESCRIPTION
6605 KENWOOD AVENUE
LOT 2
FREDERICK W. KAHLER, JR. PROPERTY
09081M

Beginning at a point distant northwesterly 150 feet and southwesterly 205 feet from the point formed by the intersection of the center of Kenwood Avenue with the center of Coco Road, thence (1) S 50°31'00" W 158.50 feet, thence (2) N 39°29'00" W 148 00 feet, thence (3) N 53°03'43" E 139.46 feet, thence (4) S 36°56'17" E 71.24 feet, thence (5) N 52°09'30" E 22.36 feet, thence (6) S 39°29'00" E 70.01 feet to the place of beginning.

Containing 21,424 square feet or 0.491 acre of land, more or less.

Being known as 6605 Kenwood Avenue. Located in the 14TH Election District, 7TH Councilmanic District of Baltimore County, Maryland.

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: #08-287-SPH

6605 Kenwood Avenue

W/side of Kenwood Avenue, 150 feet north of centerline of Coco Road

14th Election District - 7th Councilmanic District

Legal Owner(s): Jeffrey Foucault, John Butz, II & Christopher Barstad

Special Hearing: to amend case 99-103-SPH for the use by 2 lots of a proposed minor subdivision of an existing 15 foot ingress/egress maintenance and utility easement.

Hearing: Wednesday, February 27, 2008 at 9:00 a.m.
In Room 106, County Office Building, 111 West Chesapeake 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) 887-4386.

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

JT 2/701 Feb. 14

163638

CERTIFICATE OF PUBLICATION

2/14/, 2008

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 2/2/, 2008.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **09205**

Date: 11/1/00

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount

Total: _____

Rec

From: CASHIER'S VALIDATION

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE: 11/01/2000
 TIME: 10:41AM
 BY: J. J. JONES
 RECEIPT # 09205
 \$ 500.00
 RECEIPT FOR
 \$500.00
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

11/1/00 #381

ZONING NOTICE

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

CASE # 08-287-SPH

ROOM 106 COUNTY OFFICE BUILDING
PLACE: 111 WEST CHESAPEAKE AVENUE TOWSON, MD

DATE AND TIME: WEDNESDAY FEBRUARY 27, 2008
AT 9:00 AM

REQUEST: SPECIAL HEARING TO AMEND CASE
08-103-SPH FOR THE USE B12 LOT OF A PROPOSED
MINOR SUBDIVISION OF AN EXISTING 15 FOOT
INGRESS/EGRESS MAINTENANCE AND UTILITY EASEMENT

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD 21204 TEL. 887-3391

IF YOU HAVE ANY QUESTIONS OR NEED ASSISTANCE, PLEASE CALL THE OFFICE OF THE ZONING COMMISSIONER AT 887-3391
OR VISIT THE WEBSITE AT WWW.TOWSONMD.GOV

CERTIFICATE OF POSTING

RE: Case No: 08-287-SPH

Petitioner/Developer: DAVE
BILLINGSLEY

Date Of Hearing/Closing: 2/27/08

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 6605 KENWOOD AVE

This sign(s) were posted on February 12, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 2/12/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

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.

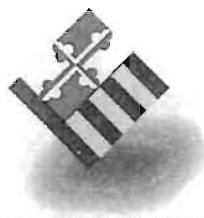
For Newspaper Advertising:

Item Number or Case Number: 08-287-SPH
Petitioner: CHRIS BARSTAD
Address or Location: 6605 KENWOOD AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHRIS BARSTAD
Address: PO BOX 3661
BALTO, MD 21214
Telephone Number: (410) 254-0111

Revised 7/11/05 - SCJ



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

January 10, 2008
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 08-287-SPH

6605 Kenwood Avenue

W/side of Kenwood Avenue, 150 feet north of centerline of Coco Road

14th Election District – 7th Councilmanic District

Legal Owners: Jeffrey Foucault, John Butz, II & Christopher Barstad

Special Hearing to amend case 99-103-SPH for the use by 2 lots of a proposed minor subdivision of an existing 15 foot ingress/egress maintenance and utility easement.

Hearing: Wednesday, February 27, 2008 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Foucault, Butz, Barstad, P.O. Box 3661, Baltimore 21214
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, FEBRUARY 12, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 12, 2008 Issue - Jeffersonian

Please forward billing to:
Chris Barstad
P.O Box 3661
Baltimore, MD 21214

410-254-0111

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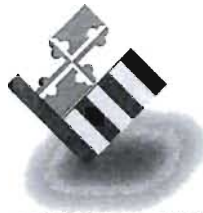
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WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

February 20, 2008

John Butz, II
Jeffrey Foucault
Christopher Barstad
P.O. Box 3661
Baltimore, MD 21214-0661

Dear Sirs:

RE: Case Number: 08-287-SPH, 6605 Kenwood Avenue

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 3, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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
David Billingsley Central Drafting & Design, Inc. 601 Charwood Ct. Edgewood 21040



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: **JANUARY 7, 2008**

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

RE: Baltimore County
Item No. **8-287-SPH**
6605 KENWOOD AVENUE
BUTZ, FOUCAULT & BARSTAD PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. **8-287-SPH**.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael P. Bailey", is written over the typed name of Steven D. Foster.

Fo 1 Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 10, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For January 15, 2008
Item No. 08-287

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

The developer shall have a title attorney certify that he has the right to place an additional burden on the existing right of way

DAK:CEN:clw

cc: File

ZAC-ITEM NO 08-287-01082008.doc

M E M O R A N D U M

DATE: February 27, 2008
TO: To The File
FROM: Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County
SUBJECT: Case No. 08-287-SPH - withdrawn

Petitioner Christopher Barstad and David Billingsley appeared at the scheduled hearing on Wednesday, February 27, 2008. There were several protestants as well (next door neighbors) in attendance.

Based on the opposition of the neighbors and the negative comment from the Office of Planning recommending denial, Petitioner elected to withdraw the Petition.

c: Kristen Matthews, Permits & Development Management

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
6605 Kenwood Avenue; W/S Kenwood *
Avenue, 150' N c/line Coco Road * ZONING COMMISSIONER
14th Election & 7th Councilmanic Districts *
Legal Owner(s): John Butz, II and Jeffrey * FOR
Foucault & Christopher Barstad *
Petitioner(s) * BALTIMORE COUNTY
* 08-287-SPH

* * * * *

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 and all 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 9th day of January, 2008, a copy of the foregoing Entry of Appearance was mailed to, David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

RECEIVED

JAN 09 2008

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CENTRAL DRAFTING AND DESIGN, INC.

601 CHARWOOD COURT
EDGEWOOD, MARYLAND 21040
(410) 679-8719 FAX (410) 679-1298

February 28, 2008

Thomas H. Bostwick, Deputy Zoning Commissioner
Baltimore County Courts Building
Towson, Maryland 21204

RE: 6605 KENWOOD AVENUE
CASE NO. 08-287-SPH

Dear Mr. Bostwick:

As discussed yesterday, and placed on record prior to a hearing being held, the petitioners for the referenced case have requested that the Petition For Special Exception be withdrawn.

Thank you for your cooperation in this matter.

Very truly yours,



David W. Billingsley

RECEIVED
MAR 04 2008

BY: _____

cc: John Butz, II
Jeffrey Foucault
Christopher Barstad
Zoning Review

CASE NAME _____
CASE NUMBER 08-257-SPH
DATE 2-27-08

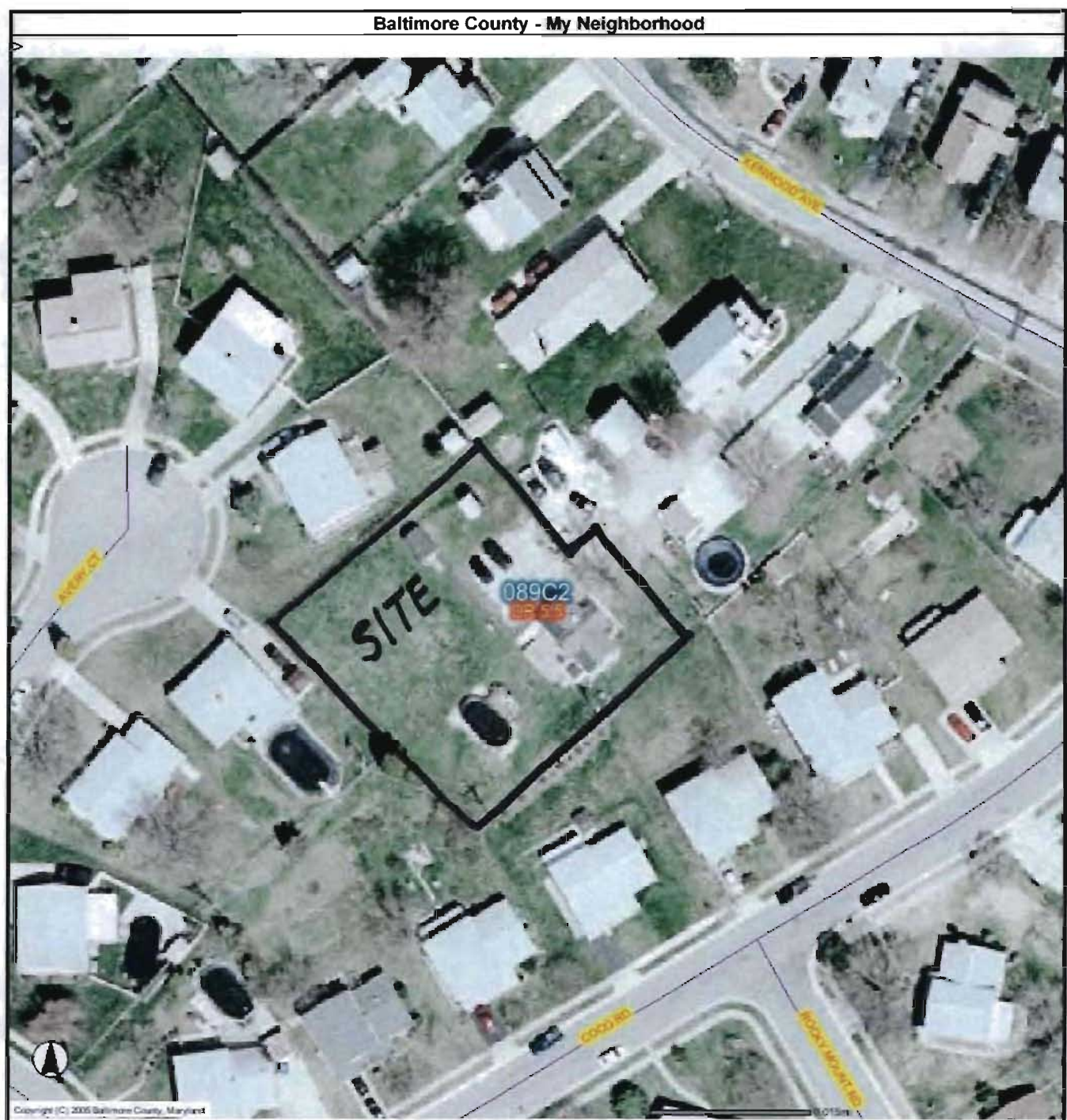
CASE NAME _____
CASE NUMBER 08-257-SPH
DATE 2-27-08

[illegible]

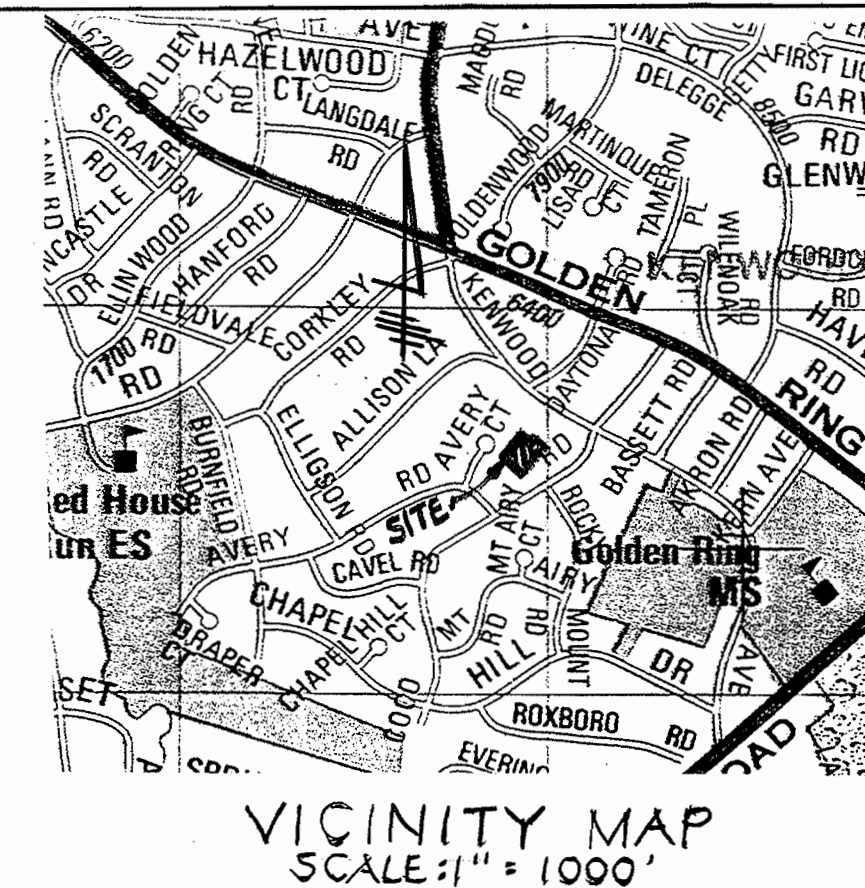
CASE NAME _____
CASE NUMBER 08-187-SPH
DATE 2-27-08

CASE NAME _____
CASE NUMBER 08-187-SPH
DATE 2-27-08

[illegible]



#287



NOTES

1. ZONING.....DR 5.5 (MAP 089C2)
2. AREA.....21424 S.F. = 0.491 ACRE
3. PREVIOUS ZONING HISTORY
CASE NO. 99-103 SPH GRANTED NOVEMBER 12, 1998
SEE ORDER ATTACHED HERETO
4. PUBLIC WATER AND SEWER IS EXISTING
5. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES, CRITICAL AREAS OR UNDERGROUND STORAGE TANKS EXIST
6. SITE IS NOT LOCATED IN THE CBCA OR A 100 YEAR FLOOD ZONE

ZONING ORDER-CASE 99-103 SPH

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of November, 1998 that the Petition for Special Hearing seeking approval of a waiver from the requirements of Section 2.B.1 of the Department of Permits and Development Management (DPDM) Design Manual, to permit the use of an existing 15-foot wide ingress/egress maintenance and utility easement to provide access from Lot 2 to a public road (Kenwood Avenue) in lieu of the required 20-foot wide in-fee strip, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

PLAT TO ACCOMPANY PETITION
FOR SPECIAL HEARING
6605 KENWOOD AVENUE
LOT 2
FREDERICK W. KAHLER, JR. PROPERTY (98081M)
ELECTION DISTRICT 14C7
BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 40 FEET OCTOBER 12, 2007

OWNERS
JEFFREY FOUCAULT, CHRISTOPHER BARSTAD
AND JOHN BUTZ, II
P.O. BOX 3661
BALTIMORE, MD. 21214-0661
DEED REF. L.22365 F.526
PROP. NO. 2300004474

AVERY COURT

GREENVIEW
P.B. 24 F. 64

EX. B'S
58-956
#5
EX. SFD

N/F GEIGER
1407016890

EX. B'S
58-956
#5
EX. SFD

N/F GEIGER
1407016890

N/F HUFF
1416046240

EX. S.F.D.
#8432

N/F RIZKALLAH
1408056290

EX. SFD
#8434

N/F CLAYSON
1403039160

EX. SFD
#8436

N/F ORFANOS
1403004550

EX. S.F.D.
#8438

EX. S.F.D.
#8440

PLAT 1 HIGHPOINT
P.B. 24 F. 135

COCO ROAD

KENWOOD AVENUE

EX. SFD
#6510

EX. SFD
#6600

EX. SFD
#6602

EX. SFD
#6604

EX. SFD
#6511

N/F SEELEY
L18536 F.363
2300004473

EX. GAR.
#6601

N/F MILLER
L19186 F.001
1411002190

EX. SFD
#6603

EX. 15' EASEMENT FOR
INGRESS, EGRESS,
MAINTENANCE AND
UTILITIES L13825 F.060
L15277 F.533



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