

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
 NW/S Burke Road, 600' S of the \* DEPUTY ZONING COMMISSIONER  
 c/l of Bowleys Quarters Road \* OF BALTIMORE COUNTY  
 (1514 Burke Road) \* Case No. 96-258-SPH  
 15th Election District \*  
 7th Councilmanic District \*  
 James M. Anders, Jr., et ux \*  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 1514 Burke Road, located in the vicinity of Bowleys Quarters Road in Middle River. The Petition was filed by the owners of the property, James M. Anders, Jr., and his wife, Debra L. Anders. The Petitioners seek approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.1 of the Baltimore County Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code (BCC) to construct a substantial addition over the existing footprint of a single family dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were David Moore and Brian Porter. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.37 acres, more or less, zoned R.C. 5 and is improved with a one-story dwelling and detached garage. The property is located within the Chesapeake Bay Critical Areas near Middle River and fronts Galloway Creek. The Petitioners are desirous of constructing a large addition to the existing dwelling to provide more living space for their family. The

ORDER RECEIVED FOR FILING  
 Date 2/15/96  
 By [Signature]

2-15-96

proposed addition will actually provide a second story to the existing dwelling. Photographs submitted show that many other homes in the neighborhood have had similar additions constructed thereto to create larger and more attractive homes. Testimony revealed that the subject dwelling is one of the remaining original homes in this community which has not yet been renovated.

As noted above, this property lies within the Chesapeake Bay Critical Areas, and as such, is subject to compliance with Critical Areas legislation and any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) to ensure such compliance.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested

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Date

By

2/15/66  
[Signature]

FILED IN 10-10-66

will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is

compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

ORDER RECEIVED FOR FILING  
Date 8/5/96  
By [Signature]

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
 NW/S Burke Road, 600' S of the \* DEPUTY ZONING COMMISSIONER  
 c/l of Bowleys Quarters Road \* OF BALTIMORE COUNTY  
 (1514 Burke Road) \* Case No. 96-258-SPH  
 15th Election District \*  
 7th Councilmanic District \*  
 James M. Anders, Jr., et ux \*  
 Petitioners \*

\* \* \* \* \*

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property seeking approval, pursuant to Section 517.1 of the Baltimore County Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code (BCC), to construct a substantial addition over an existing footprint of a single family dwelling in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1. The relief requested was granted, subject to certain terms and conditions, by Order issued February 15, 1996.

Subsequent to the issuance of said Order, this office was advised that a clarification of the relief sought was necessary in order for the Petitioners to proceed with the proposed improvements. Specifically, the Petitioners seek a waiver from the requirements of Section 517.1 of the Baltimore County Building Code and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code to permit the proposed addition over an existing dwelling, which is located within a tidal floodplain. (emphasis added)

After due consideration of the relief requested, it is clear that a modification of the Order issued February 15, 1996 is necessary.

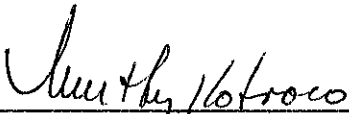
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of March, 1996 that the Order issued

ORDER RECEIVED FOR FILING  
 Date 3/11/96  
 By [Signature]

[Faint stamp]

February 15, 1996 be and the same shall hereby be AMENDED to GRANT approval of a waiver from the requirements of Section 517.1 of the Baltimore County Building Code and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code to permit the construction of a substantial addition over an existing single family dwelling, which is located within a tidal floodplain, in accordance with Petitioner's Exhibit 1; and,

IT IS FURTHER ORDERED that all terms and conditions of the Order issued February 15, 1996 shall remain in full force and effect.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. James M. Anders, Jr.  
101 Woodmans Court, Baltimore, Md. 21221

Chesapeake Bay Critical Areas Commission  
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File

ORDER RECEIVED FOR FILING  
Date 3/11/96  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 15, 1996

Mr. & Mrs. James M. Anders, Jr.  
101 Woodmans Court  
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING  
NW/S Burke Road, 600' S of the c/l of Bowleys Quarters Road  
(1514 Burke Road)  
15th Election District - 7th Councilmanic District  
James M. Anders, Jr., et ux - Petitioners  
Case No. 96-258-SPH

Dear Mr. & Mrs. Anders:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

File



CRITICAL AREA

# 255

(2)



# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 1514 BURKE ROAD, BALTO MD 21220

96-258-SRH

which is presently zoned RC5

This Petition shall be filed with the Department of Permits & 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

pursuant to Section 500.6, BCZR; Section 517.1, Building Code; and Sections 26-670 and 26-172(a)(3), BCC to build a substantial addition over the existing footprint at a single family dwelling.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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

Legal Owner(s).

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner.

Address

(Type or Print Name)

City

Signature

State Zipcode

Address Phone No.

Address

City State Zipcode

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING

Date

Revised 9/5/95

MICROFILMED

\* conditional approval

Handwritten notes: 9/5/96, [Signature]

JAMES M. ANDERS, JR. (Type or Print Name)  
[Signature]  
DEBRA L. ANDERS (Type or Print Name)  
Debra L Anders (Signature)

101 WOODMANS CT. 574-2913 (Address)  
530-9473 (Phone No)  
BALTO MD 21221 (City, State, Zipcode)

ESTIMATED LENGTH OF HEARING 1 hr.  
unavailable for Hearing  
the following dates Next Two Months  
ALL OTHER  
REVIEWED BY: [Signature] DATE 1/3/96

Zoning Description for 1514 Burke Road, Baltimore Maryland 21220

96-258-SPH

Beginning at the West side of Burke Road. Being known and designated as Lot No. 168, Plat 1 as shown on the Plat of the property of Bowleys Quarters Company of Baltimore County, which Plat is filed among the Land Records of Baltimore County in Plat Book W.P.C. 7, folio 12, containing 15,939 Sq.ft. Also known as 1514 Burke Road and located in the 15 Election District, 7 Councilmanic District.

# 255

1514 Burke Road





# CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 1996.

THE JEFFERSONIAN,

*A. Hemickson*

LEGAL AD. - TOWSON

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the matter referred herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-258-SPH  
(Item 255)  
1514 Burke Road  
NW/S-Burke Road, 800' S of  
c/1 Bowleys Quarters Road  
15th Election District  
7th Councilmanic

Legal Owner(s):  
James M. Anders, Jr. and  
Debra L. Anders

Special Hearing: to build a  
substantial addition over the  
existing footprint at a single  
family dwelling.

Hearing: Monday, February  
12, 1996 at 10:00 a.m. in Rm.  
118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Handicapped Accessible for  
special accommodations.

Please Call 887-3381  
(2) For information concerning  
the file and/or hearing.  
Please Call 887-3381.

1/207 Jan 25

227596

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 011173

96-258-5PH

DATE 1/3/96 ACCOUNT 01-615

Item: 255

Pay: 257K

AMOUNT \$ 85.00

RECEIVED FROM: Adl - Moor (1514 Burke Rd) - Owner - Andrew

030 - Special Hearing - \$50.00

050 - 1 sign party - \$35.00

FOR: \$85.00

*[Faint signature and stamp area]*

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County  
 Department of Permits and  
 Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
 ARNOLD JABLON, DIRECTOR

-----  
 For newspaper advertising:

Item No.: 255 Petitioner: James Anders, Jr.

Location: 1514 Burke Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: James Anders, Jr.

ADDRESS: 101 Woodmans Court

Ba 14. MD. 21221

PHONE NUMBER: 574-2913

10/11/01

TO: PUTUXENT PUBLISHING COMPANY  
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-258-SPH (Item 255)  
1514 Burke Road  
NW/S Burke Road, 600' S of c/l Bowleys Quarters Road  
15th Election District - 7th Councilmanic  
Legal Owner: James M. Anders, Jr. and Debra L. Anders

Special Hearing to build a substantial addition over the existing footprint at a single family dwelling.

HEARING: MONDAY, FEBRUARY 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

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

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-258-SPH (Item 255)  
1514 Burke Road  
NW/S Burke Road, 600' S of c/l Bowleys Quarters Road  
15th Election District - 7th Councilmanic  
Legal Owner: James M. Anders, Jr. and Debra L. Anders

Special Hearing to build a substantial addition over the existing footprint at a single family dwelling.

HEARING: MONDAY, FEBRUARY 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: James and Debra Anders

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County  
Department of Permits and  
Development Management

Permits and Licenses  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3900  
Fax: (410) 887-2824

February 5, 1996

Mr. and Mrs. James Anders, Jr.  
1514 Burke Road  
Baltimore, MD 21220

RE: Item No.: 255  
Case No.: 96-258-SPH  
Petitioner: J. M. Anders, et ux

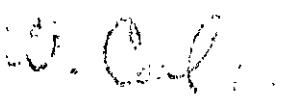
Dear Mr. and Mrs. Anders:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Jan. 26, 1996  
Zoning Administration and Development Management

FROM: *fw* Robert W. Bowling, P.E., Chief  
Development Plans Review Division

RE: Zoning Advisory Committee Meeting  
for January 22, 1996  
Item No. 255

The Development Plans Review Division has reviewed the subject zoning item. 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 of residential development.

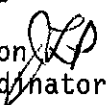
RWB:sw

*(Handwritten initials)*



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
January 29, 1996

FROM: J. Lawrence Pilson   
Development Coordinator, DEPRM

SUBJECT: Zoning Item #255 - Anders Property  
1514 Burke Road  
Zoning Advisory Committee Meeting of January 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

J  
JLP:TI:sp

ANDERS/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: January 18, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

PK/JL

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 01/17/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW                      Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257,  
258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

1-16-96

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

RE: Baltimore County  
Item No. 255 (MJK)

Dear Ms. Watson:

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.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

# PETITION PROBLEMS

## #254 --- JRA

1. No address, zip code, or telephone number on petition form for legal owner.

## #255 --- MJK

1. Bottom of petition form states conditional approval was given - Where is it?

## #259 --- MJK

1. No telephone number on petition forms for legal owner.
2. No signature for attorney on variance petition.

## #262 --- JJS

1. No authorization for person signing for legal owner.
2. No hardship or practical difficulty listed on petition form.

## #264 --- JJS

1. Where is undersized lot information?

## #265 --- CAM

1. No signature for legal owner on variance petition.
2. No telephone number for legal owner on petition forms.
3. No signature for attorney on variance petition.
4. No review information completed on bottom of variance petition.

RE: PETITION FOR SPECIAL HEARING  
1514 Burke Road, NW/S Burke Road, 600'  
S of c/l Bowleys Quarters Road, 15th  
Election District - 7th Councilmanic

James M. and Debra L. Anders, Jr.  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 96-258-SPH

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13<sup>th</sup> day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to James M. and Debra L. Anders, Jr., 101 Woodmans Court, Baltimore, MD 21221, Petitioners.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

MICROFILMED



SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required. Community officials who are authorized by local law or ordinance to provide floodplain management information, may also sign the certification. In the case of Zones AO and A (without a FEMA or community issued BFE), a building official, a property owner, or an owner's representative may also sign the certification.

Reference level diagrams 6, 7 and 8 - Distinguishing Features-If the certifier is unable to certify to breakaway/non-breakaway wall, enclosure size, location of servicing equipment, area use, wall openings, or unfinished area Feature(s), then list the Feature(s) not included in the certification under Comments below. The diagram number, Section C, Item 1, must still be entered.

I certify that the information in Sections B and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME: THOMAS PHELPS LICENSE NUMBER (or Affix Seal): 374

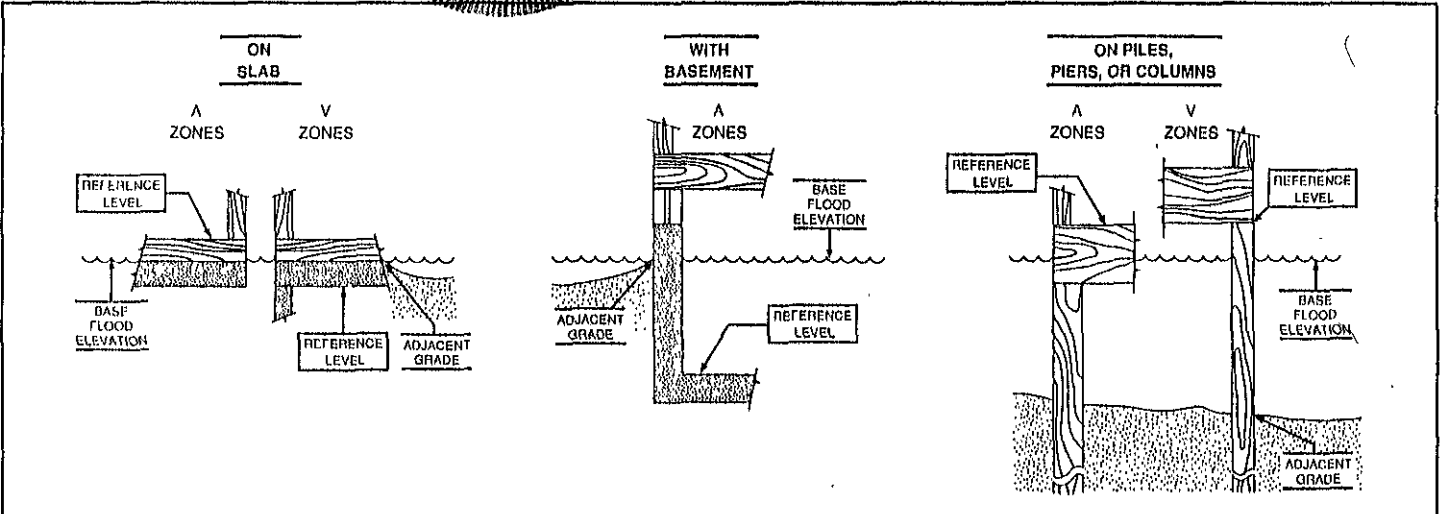
TITLE: OWNER COMPANY NAME: THOMAS E. PHELPS & ASSOC., INC.

ADDRESS: [Signature] CITY: [Signature] STATE: [Signature] ZIP: [Signature]

SIGNATURE: [Signature] DATE: 12/19/85 PHONE: (410) 574-6744

Copies should be made of this Certificate for: 1) community official, 2) insurance agent/company, and 3) building owner.

COMMENTS: FIRM ELEVATIONS ARE BASED ON BALT. Co. DATUM  
FIELD ELEVATIONS ARE BASED ON BALT Co. MEN # 10266



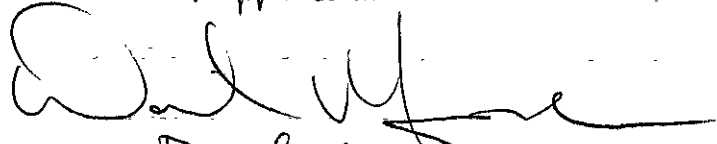
The diagrams above illustrate the points at which the elevations should be measured in A Zones and V Zones. Elevations for all A Zones should be measured at the top of the reference level floor. Elevations for all V Zones should be measured at the bottom of the lowest horizontal structural member.



B257279 (1514 Burke Road)

The applicant has been given notice that a permit has been issued provisioned and conditioned upon a floodplain variance being granted. If the variance is denied, the applicant must return the building back to its original condition, or meet the current floodplain regulations.

Applicant



David Moore

Add. Mr.

APPLICATION FOR PERMIT  
BALTIMORE COUNTY MARYLAND  
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT  
TOWSON, MARYLAND 21204

DATE: 12/21/95  
OEA: *14/1/95*  
HISTORIC DISTRICT/BLDG.

PERMIT #: *B 257279*  
RECEIPT #: *A 28629*  
CONTROL #: *ML*  
XREF #:  
FEE: *54.00*  
PAID: *59.00*  
PAID BY: *app*  
INSPECTOR:

PROPERTY ADDRESS 1514 Burke Rd  YES  NO  
SUITE/SPACE/FLOOR \_\_\_\_\_  
SUBDIV: Bowley Quarters  DO NOT KNOW  
TAX ACCOUNT #: 15-031-671321 DISTRICT/PRECINCT \_\_\_\_\_  
OWNER'S INFORMATION (LAST, FIRST) \_\_\_\_\_  
NAME: ANDERS JAMES + DEBRA JR.  
ADDR: 1514 BURKE RD BALTO. MD 21220

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION  
NAME: DAVID MOORE  
COMPANY: ADD. MGR Gen. Contr.  
STREET: 9129 Todd Ave  
CITY, ST, ZIP: FT. HOWARD MD. 21052  
PHONE #: 410 471 3714 MHIC LICENSE #: 49733  
APPLICANT SIGNATURE: [Signature] TRACT: \_\_\_\_\_ BLOCK: \_\_\_\_\_  
PLANS: CONST 2 PLOT X PLAT 0 DATA 0 EL 1 PL 1  
TENANT: \_\_\_\_\_  
CONTR: ADD. MGR Gen. Contr.  
ENGR: \_\_\_\_\_  
SELLR: \_\_\_\_\_

DOES THIS BLDG. HAVE SPRINKLERS  
YES  NO

- BUILDING 1 or 2 FAM. CODE \_\_\_\_\_ BOCA CODE \_\_\_\_\_  
TYPE OF IMPROVEMENT  
1.  NEW BLDG CONST  
2.  ADDITION  
3.  ALTERATION  
4.  REPAIR  
5.  WRECKING  
6.  MOVING  
7.  OTHER \_\_\_\_\_

DESCRIBE PROPOSED WORK: *Can construct 2nd story addition above existing apt, to be used as (3) bedrooms and (2) bathrooms. 25'6" x 44'8" x 18" = 1134*

- TYPE OF USE  
RESIDENTIAL FLOOR A  
01.  ONE FAMILY ELV. 7.2  
02.  TWO FAMILY  
03.  THREE AND FOUR FAMILY  
04.  FIVE OR MORE FAMILY 4-15  
(ENTER NO UNITS)  
05.  SWIMMING POOL  
06.  GARAGE  
07.  OTHER MIN. 15 FEB 11.2

- NON-RESIDENTIAL  
08.  AMUSEMENT, RECREATION, PLACE OF ASSEMBLY  
09.  CHURCH, OTHER RELIGIOUS BUILDING  
10.  FENCE (LENGTH HEIGHT)  
11.  INDUSTRIAL, STORAGE BUILDING 13  
12.  PARKING GARAGE  
13.  SERVICE STATION, REPAIR GARAGE  
14.  HOSPITAL, INSTITUTIONAL, NURSING HOME  
15.  OFFICE, BANK, PROFESSIONAL  
16.  PUBLIC UTILITY  
17.  SCHOOL, COLLEGE, OTHER EDUCATIONAL  
18.  SIGN  
19.  STORE MERCANTILE RESTAURANT Specs 12/21/95  
SPECIFY TYPE \_\_\_\_\_  
20.  SWIMMING POOL SPECIFY TYPE \_\_\_\_\_  
21.  TANK, TOWER  
22.  TRANSIENT HOTEL, MOTEL (NO. UNITS \_\_\_\_\_)  
23.  OTHER \_\_\_\_\_

- TYPE FOUNDATION  
1.  SLAB  
2.  BLOCK  
3.  CONCRETE  
BASEMENT  
1.  FULL  
2.  PARTIAL  
3.  NONE

- TYPE OF HEATING FUEL  
1.  GAS 3.  ELECTRICITY  
2.  OIL 4.  COAL  
TYPE OF SEWAGE DISPOSAL  
1.  PUBLIC SEWER  EXISTS  PROPOSED  
2.  PRIVATE SYSTEM  
TYPE OF WATER SUPPLY  
1.  PUBLIC SYSTEM  EXISTS  PROPOSED  
2.  PRIVATE SYSTEM  EXISTS  PROPOSED  
TYPE OF WATER SUPPLY  
1.  SEPTIC  EXISTS  PROPOSED  
2.  PRIVY  EXISTS  PROPOSED

CENTRAL AIR: 1. \_\_\_\_\_ 2. \_\_\_\_\_  
ESTIMATED COST: \$1000.00  
OF MATERIALS AND LABOR

PROPOSED USE: apts and addition  
EXISTING USE: \_\_\_\_\_  
OWNERSHIP  
1.  PRIVATELY OWNED 2.  PUBLICLY OWNED 3.  SALE 4.  RENTAL

RESIDENTIAL CATEGORY: 1.  DETACHED 2.  SEMI-DET. 3.  GROUP 4.  TOWNHSE 5.  MIDRISE  
EFF: #1BED: \_\_\_\_\_ #2BED: \_\_\_\_\_ #3BED: \_\_\_\_\_ TOT BED: \_\_\_\_\_ TOT APTS/CONDOS: \_\_\_\_\_ 6.  HIRISE  
FAMILY BEDROOMS \_\_\_\_\_  
GARBAGE DISPOSAL 1.  Y 2.  N BATHROOMS 2 CLASS 037  
POWDER ROOMS \_\_\_\_\_ KITCHENS 2 LIBER 7 FOLIO 12

BUILDING SIZE  
FLOOR 1134  
WIDTH 25'6"  
DEPTH 44'8"  
HEIGHT 18  
STORIES 1  
LOT #'S 103  
CORNER LOT  
1.  Y 2.  N ZONING \_\_\_\_\_

APPROVAL SIGNATURES DATE  
BLD INSP: \_\_\_\_\_ : \_\_\_\_\_  
BLD PLAN: no specs OK to file : 12/21/95  
FIRE: \_\_\_\_\_ : \_\_\_\_\_  
SEDI CTL: \_\_\_\_\_ : \_\_\_\_\_  
ZONING: JUM PLUM : 12/21/95  
PUB SERV: 11 : \_\_\_\_\_  
ENVRMNT: 4/6 FINAL : 12/21/95  
PERMITS: \_\_\_\_\_ : \_\_\_\_\_

This is to give our permission for James Anders of 1514 Burke Rd. to construct a 2nd story addition above existing house. We live at 1600 Burke Rd. adjacent to 1514 Burke Rd on this 3 day of January 1996.

Jerry W. Power  
Betty H Crowell

I also am aware of proposed renovations to 1514 Burke Rd. and as resident of 1512 Burke Rd I give my permission for renovations.

Dominic Corzola

Jimm and SUBRIKED ME THIS  
JANUARY 3, 1996  
Harry H. Iman Sr.  
8906 AVE. B  
Baltimore 21219 MD.

My Commission EXPIRES  
APRIL 1, 1997

1996

# Plat to accompany Petition for Zoning Variance Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 1514 Burke Rd

Subdivision name: BOWLEYS QTRS

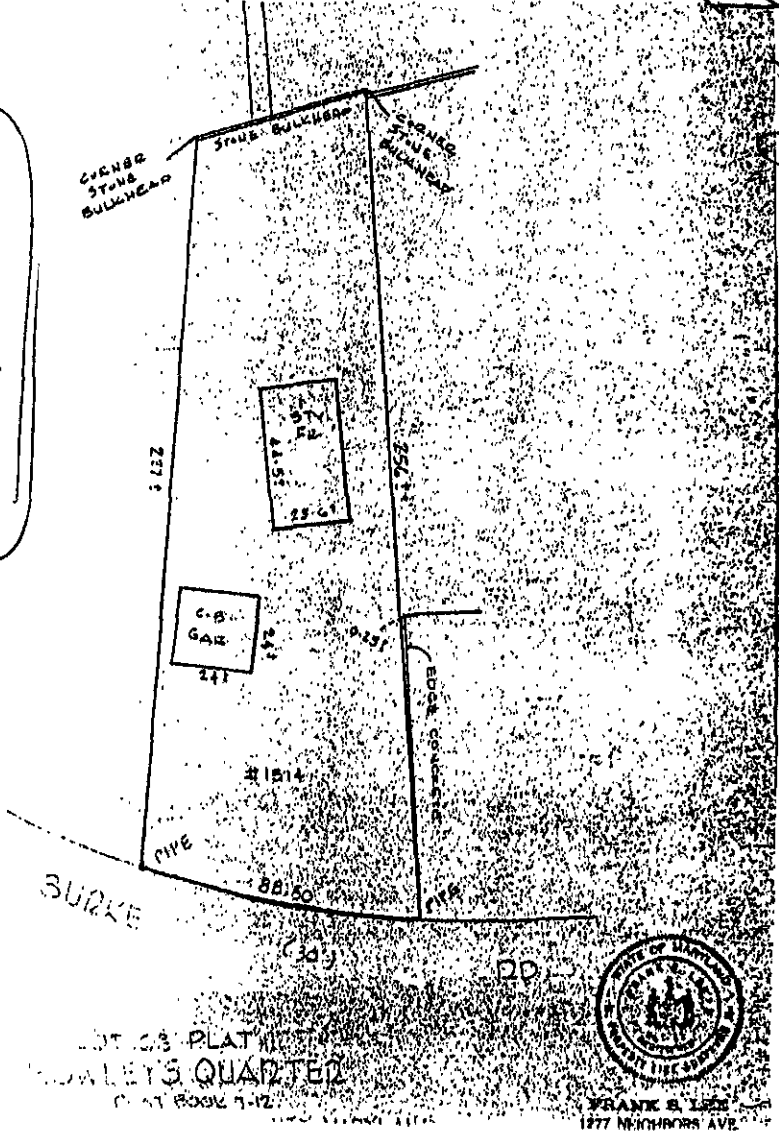
plat book # 7, folio # 12, lot # 168, section # 96-258-SPH

OWNER: JAMES + DEBRA ANDREAS



Vicinity Map  
Scale: 1"=1000'

SEE ATTACHED



\* special hearing request to increase building sq feet within same footprint in Floodplain 'A'



North

date: \_\_\_\_\_ prepared by: \_\_\_\_\_

Scale of Drawing: 1" = see sheet 3 at 1 1/2" = 30'

## LOCATION INFORMATION

Election District: 15

Councilmanic District: 7

1"-200' scale map #: NEIL

Zoning: RC5 .37

Lot size: 15939 square feet

public  private   
SEWER:  WATER:   
Chesapeake Bay Critical Area:  Yes  No

Prior Zoning Hearings: None

## Zoning Office USE ONLY!

reviewed by: mjk ITEM #: 255 CASE#: \_\_\_\_\_

Plat to accompany Petition for Zoning  Variance  Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

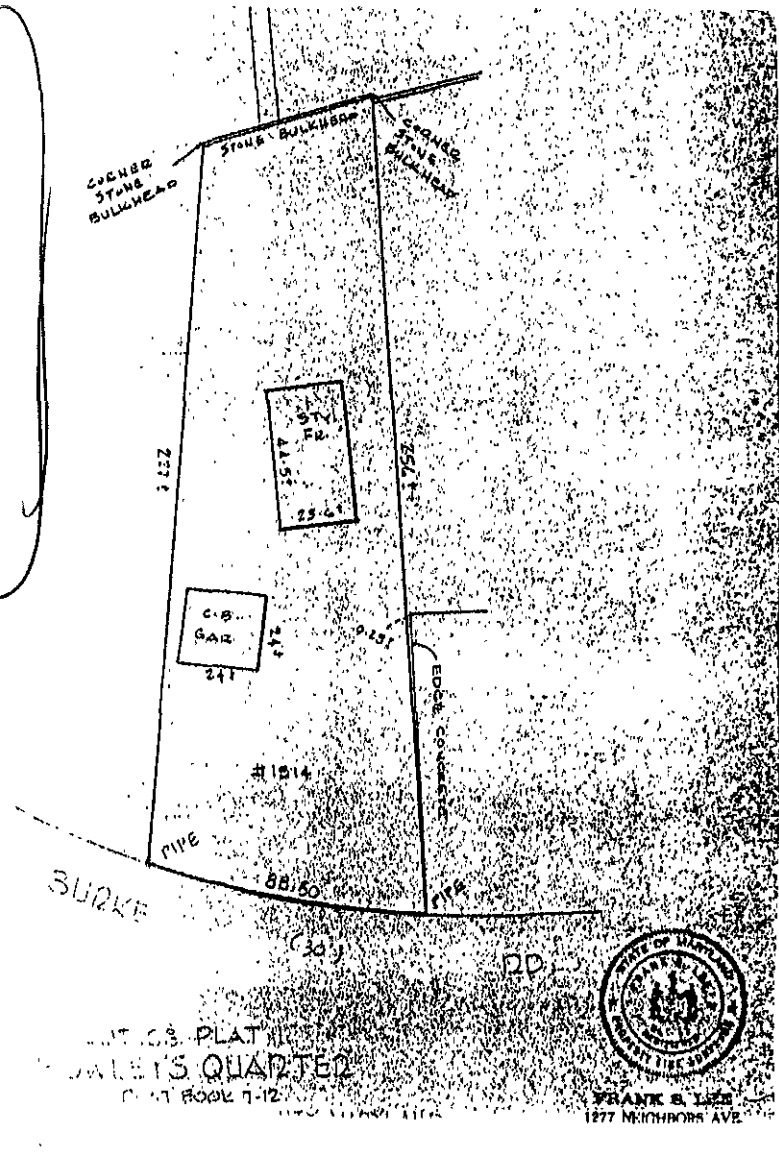
PROPERTY ADDRESS: 1514 Burke Rd

Subdivision name: BOOLEYS QTRs

plat book# 96-258-SFH

OWNER: JAMES + DEBRA ANDERS

SEE ATTACHED



Vicinity Map  
North  
scale: 1"=1000'

LOCATION INFORMATION

Election District: 15

Councilmanic District: 7

1"=200' scale map#:

Zoning: R37

Lot size: 37 acreage 15939 square feet

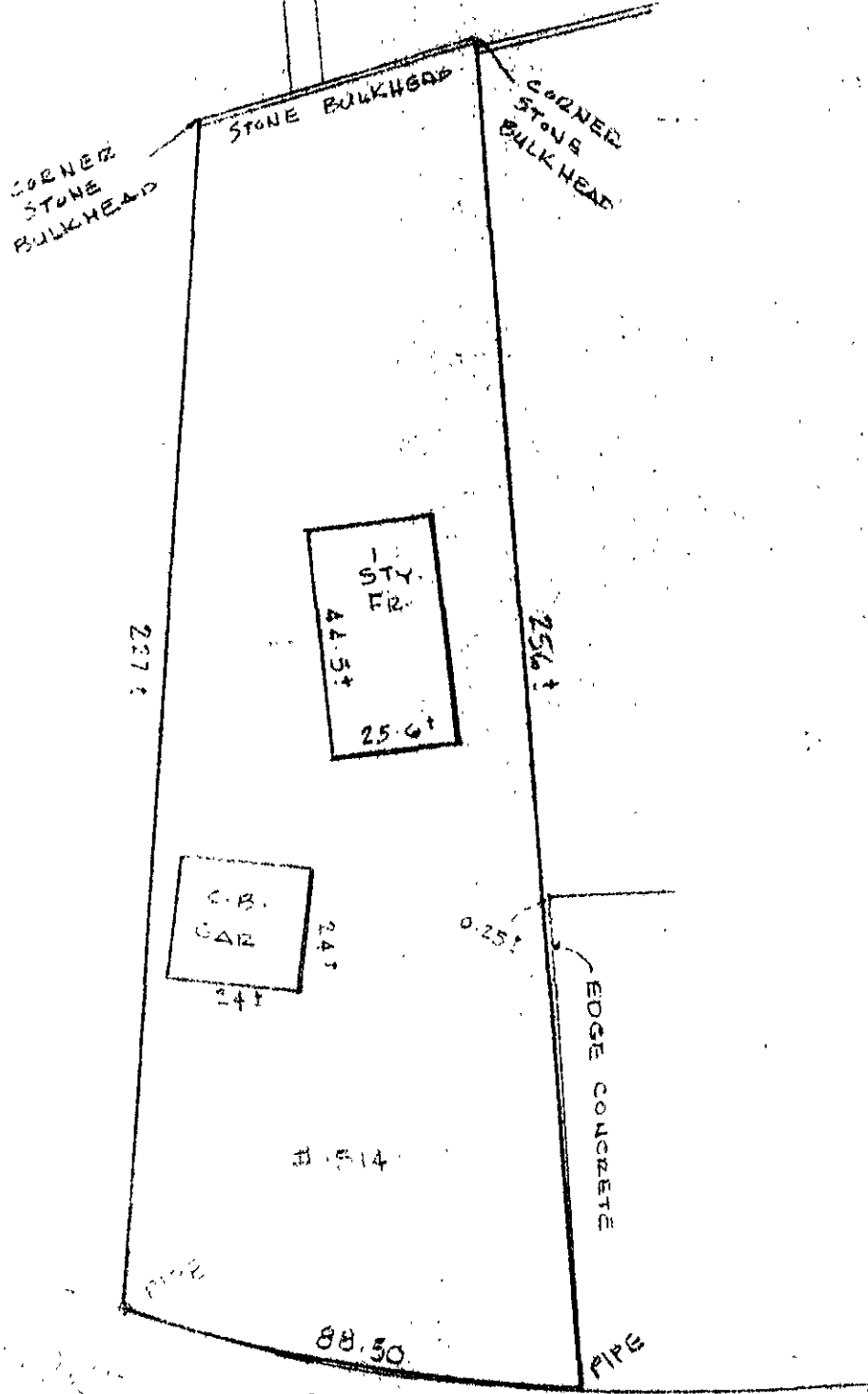
public private  
SEWER:    
WATER:    
Chesapeake Bay Critical Area:

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

date: \_\_\_\_\_ prepared by: \_\_\_\_\_ Scale of Drawing: 1"= \_\_\_\_\_



(30°)

120

96-258-SPH

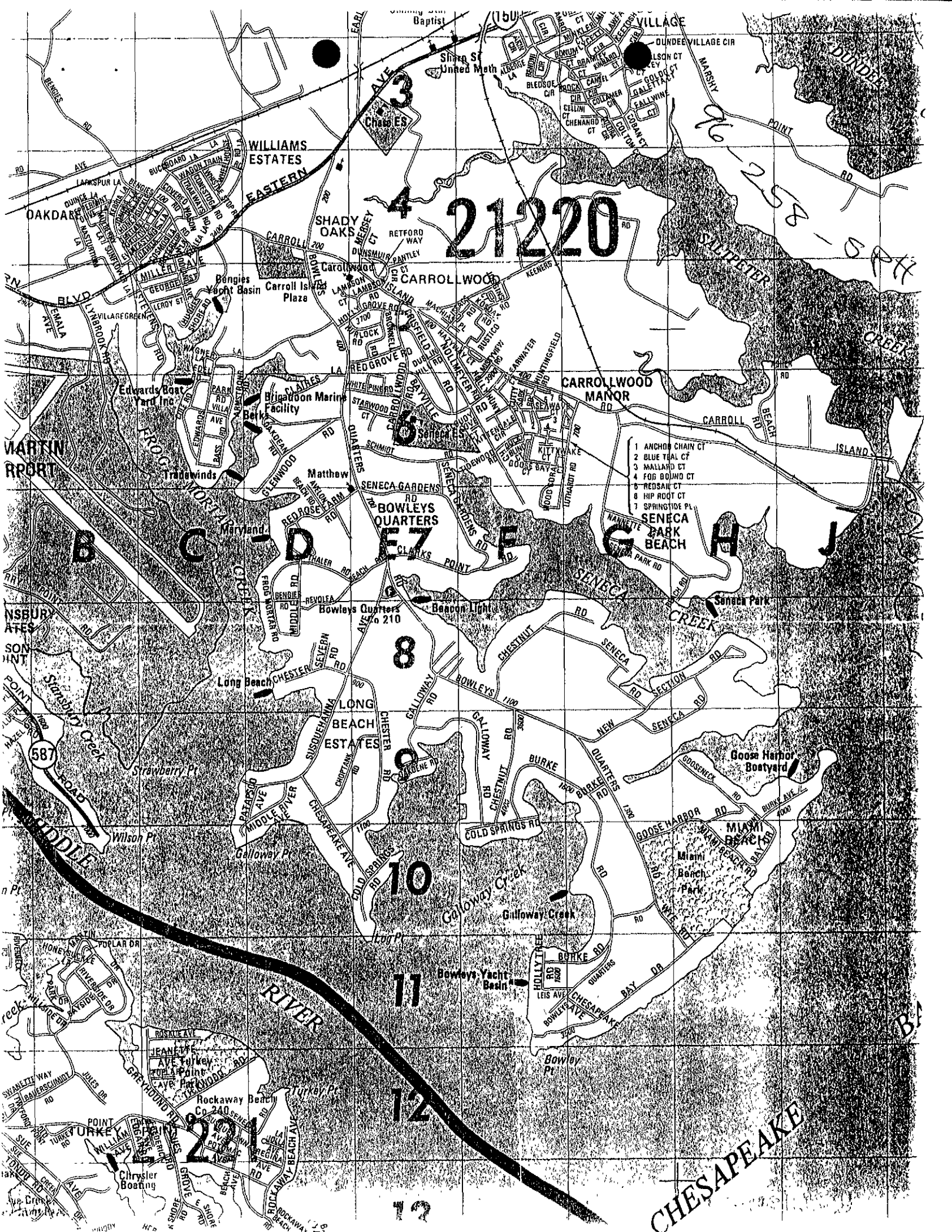
LOT 168 PLAT 1  
BOWLEYS QUARTER

MICROFILMED



15TH DISTRICT ANNE ARDRE COUNTY, MARYLAND  
SCALE 1"=30'  
DATE 6-17-92

FRANK S. LEE  
1277 NEIGHBORS AVE  
BALTIMORE, MD. 21297



21220

258 - SPK

- 1 ANCHOR CHAIN CT
- 2 BLUE THAL CT
- 3 MALLARD CT
- 4 FOG BOUND CT
- 5 REDSAIL CT
- 6 HIP ROOT CT
- 7 SPRINGTIDE PL

2221

CHESAPEAKE

1125

NE

R.C. 20 1-2

R.C. 5

1125

PIER

PIER

RD

RD

RD

RD

RD

RD

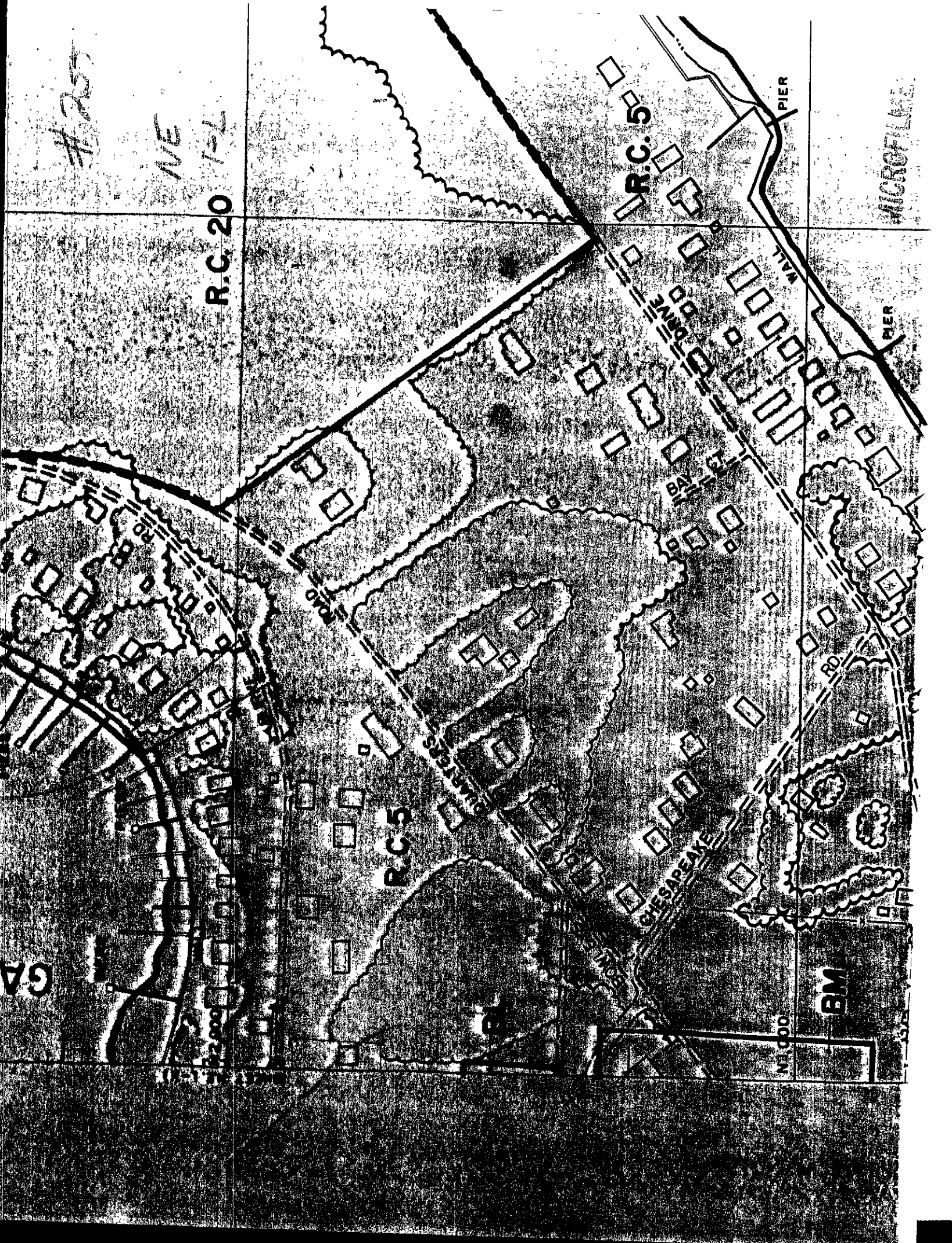
R.C. 5

CHESAPEAKE

BM

GA

1:10,000



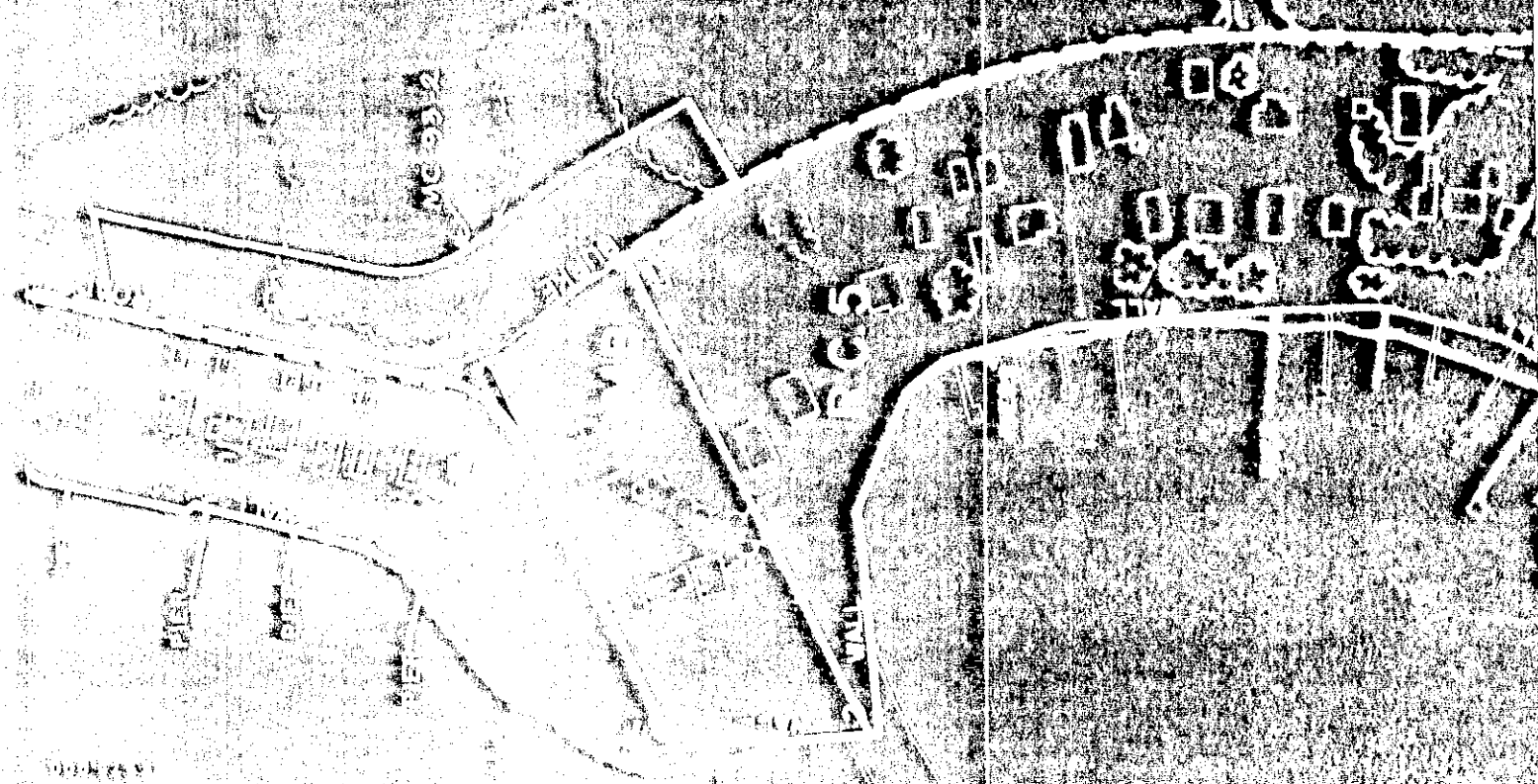


96-258-SPH

QUARTERS

PC 20

BOWLEYS



LOWWAY

photographs

Case 96-258-SPH

10/2/95



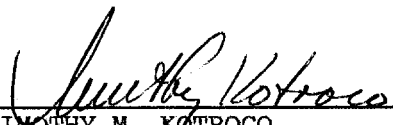




THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of February, 1996 that the Petition for Special Hearing seeking approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.1 of the Baltimore County Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code (BCC) to construct a substantial addition over the existing footprint of a single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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 relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated January 29, 1996, attached hereto and made a part hereof.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 2/15/96  
By [Signature]

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
NW/S Burke Road, 600' S of the \* DEPUTY ZONING COMMISSIONER  
c/1 of Bowleys Quarters Road \* OF BALTIMORE COUNTY  
(1514 Burke Road) \* Case No. 96-258-SPH  
15th Election District  
7th Councilmanic District  
James M. Anders, Jr., et ux  
Petitioners

AMENDED ORDER

WHEREAS, this matter came before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property seeking approval, pursuant to Section 517.1 of the Baltimore County Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code (BCC), to construct a substantial addition over an existing footprint of a single family dwelling in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1. The relief requested was granted, subject to certain terms and conditions, by Order issued February 15, 1996.

Subsequent to the issuance of said Order, this office was advised that a clarification of the relief sought was necessary in order for the Petitioners to proceed with the proposed improvements. Specifically, the Petitioners seek a wavier from the requirements of Section 517.1 of the Baltimore County Building Code and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code to permit the proposed addition over an existing dwelling, which is located within a tidal floodplain. (emphasis added)

After due consideration of the relief requested, it is clear that a modification of the Order issued February 15, 1996 is necessary.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of March, 1996 that the Order issued

February 15, 1996 be and the same shall hereby be AMENDED to GRANT approval of a waiver from the requirements of Section 517.1 of the Baltimore County Building Code and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code to permit the construction of a substantial addition over an existing single family dwelling, which is located within a tidal floodplain, in accordance with Petitioner's Exhibit 1; and,

IT IS FURTHER ORDERED that all terms and conditions of the Order issued February 15, 1996 shall remain in full force and effect.

*Timothy M. Kotrocco*  
TIMOTHY M. KOTROCCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. James M. Anders, Jr.  
101 Woodmans Court, Baltimore, Md. 21221

Chesapeake Bay Critical Areas Commission  
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File

ORDER RECEIVED FOR FILING  
Date 3/11/96  
By [Signature]

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
NW/S Burke Road, 600' S of the \* DEPUTY ZONING COMMISSIONER  
c/1 of Bowleys Quarters Road \* OF BALTIMORE COUNTY  
(1514 Burke Road) \* Case No. 96-258-SPH  
15th Election District  
7th Councilmanic District  
James M. Anders, Jr., et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 1514 Burke Road, located in the vicinity of Bowleys Quarters Road in Middle River. The Petition was filed by the owners of the property, James M. Anders, Jr., and his wife, Debra L. Anders. The Petitioners seek approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.1 of the Baltimore County Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code (BCC) to construct a substantial addition over the existing footprint of a single family dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were David Moors and Brian Porter. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.37 acres, more or less, zoned R.C. 5 and is improved with a one-story dwelling and detached garage. The property is located within the Chesapeake Bay Critical Areas near Middle River and fronts Galloway Creek. The Petitioners are desirous of constructing a large addition to the existing dwelling to provide more living space for their family. The

ORDER RECEIVED FOR FILING  
Date 3/11/96  
By [Signature]

proposed addition will actually provide a second story to the existing dwelling. Photographs submitted show that many other homes in the neighborhood have had similar additions constructed thereto to create larger and more attractive homes. Testimony revealed that the subject dwelling is one of the remaining original homes in this community which has not yet been renovated.

As noted above, this property lies within the Chesapeake Bay Critical Areas, and as such, is subject to compliance with Critical Areas legislation and any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) to ensure such compliance.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested

ORDER RECEIVED FOR FILING  
Date 3/11/96  
By [Signature]

will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within in the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is

compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

ORDER RECEIVED FOR FILING  
Date 3/11/96  
By [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of February, 1996 that the Petition for Special Hearing seeking approval, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), Section 517.1 of the Baltimore County Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code (BCC) to construct a substantial addition over the existing footprint of a single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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 relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated January 29, 1996, attached hereto and made a part hereof.

*Timothy M. Kotrocco*  
TIMOTHY M. KOTROCCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 3/11/96  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 15, 1996

Mr. & Mrs. James M. Anders, Jr.  
101 Woodmans Court  
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING  
NW/S Burke Road, 600' S of the c/1 of Bowleys Quarters Road  
(1514 Burke Road)  
15th Election District - 7th Councilmanic District  
James M. Anders, Jr., et ux - Petitioners  
Case No. 96-258-SPH

Dear Mr. & Mrs. Anders:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotrocco*  
TIMOTHY M. KOTROCCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: People's Counsel

file

**CRITICAL AREA #255**  
**Petition for Special Hearing**  
to the Zoning Commissioner of Baltimore County

for the property located at 1514 Burke Road, Baltimore MD 21226  
96-258-SPH which is presently zoned RCS

This Petition shall be filed with the Department of Permits & 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 502.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission should approve

pursuant to Section 500.6, BCCR; Section 517.1, Building Code; and Sections 26-670 and 26-172(a)(3), BCC to build a substantial addition over the existing footprint at a single family dwelling.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):  
Contract Purchaser/Lessee:  
(Type or Print Name)  
Signature  
Address  
City State Zipcode

*James M. Anders, Jr.*  
*Debra L. Anders*  
*Debra J. Anders*

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City State Zipcode

101 WOODMANS CT. 574-2913  
Baltimore MD 21221 530-7173

ORDER RECEIVED FOR FILING  
Date 3/11/96  
By [Signature]

REVIEWED BY: [Signature] DATE: 1/5/96  
\* conditional approval

Zoning Description for 1514 Burke Road, Baltimore Maryland 21220

96-258-SPH

Beginning at the West side of Burke Road. Being known and designated as Lot No. 168, Plat 1 as shown on the Plat of the property of Bowleys Quarters Company of Baltimore County, which Plat is filed among the Land Records of Baltimore County in Plat Book W.P.C. 7, folio 12, containing 15,939 Sq. ft. Also known as 1514 Burke Road and located in the 15 Election District, 7 Councilmanic District.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15 Date of Posting: 1/26/96  
Posted for: Special Hearing  
Petitioner: James M. Anders and Debra L. Anders  
Location of property: 1514 Burke Road  
Location of Sign: In front of fence along street  
Remarks:  
Posted by: [Signature] Date of return:  
Number of Signs: 1

# 255

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 1996.

THE JEFFERSONIAN,

A. Henderson  
LEGAL AD. - TOWSON

NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the zoning of the property of James M. Anders and Debra L. Anders, located at 1514 Burke Road, 600' S of c/1 Bowleys Quarters Road, 15th Election District - 7th Councilmanic District, Towson, Maryland 21220 as follows:  
Case: 96-258-SPH  
Item: 255  
Address: 1514 Burke Road, 600' S of c/1 Bowleys Quarters Road, 15th Election District - 7th Councilmanic District, Towson, Maryland 21220  
Legal Owners: James M. Anders, Jr. and Debra L. Anders  
Special Hearing to build a substantial addition over the existing footprint at a single family dwelling.  
Hearing: Monday, February 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:  
LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
NOTICE: (1) Hearing is handicapped accessible for accommodations. Please call 887-3393.  
(2) For information concerning the file and/or hearing, contact this office at 887-3391.  
1996-01-25 42785

BALTIMORE COUNTY, MARYLAND No. 011173  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT 96-258-SPH  
DATE: 1/3/96 ACCOUNT: 01-615  
Trm: 255 AMOUNT: \$ 85.00  
Pr: 255  
RECEIVED: All-Mor (1514 Burke Rd) - Anders - Anders  
FROM: 030 - Special Hearing - \$ 50.00  
030 - 1 sign permit - \$ 35.00  
FOR: [Signature]  
VALIDATION OR SIGNATURE OF CASHIER  
PRINTED WITH Soybean Ink on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 255 Petitioner: James Anders, Jr.  
Location: 1514 Burke Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: James Anders, Jr.  
ADDRESS: 101 Woodman Court  
Baltimore, MD 21221  
PHONE NUMBER: 574-2913

Printed with Soybean Ink on Recycled Paper

12

TO: FUTURE PUBLISHING COMPANY  
January 25, 1996 Issue - Jeffersonian  
Please forward billing to:

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-258-SPH (Item 255)  
1514 Burke Road  
15th Election District - 7th Councilmanic  
Legal Owner: James M. Anders, Jr. and Debra L. Anders

Special Hearing to build a substantial addition over the existing footprint at a single family dwelling.

HEARING: MONDAY, FEBRUARY 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

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

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-258-SPH (Item 255)  
1514 Burke Road  
15th Election District - 7th Councilmanic  
Legal Owner: James M. Anders, Jr. and Debra L. Anders

Special Hearing to build a substantial addition over the existing footprint at a single family dwelling.

HEARING: MONDAY, FEBRUARY 12, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon  
Director

cc: James and Debra Anders

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Permits and Licenses  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3900  
Fax: (410) 887-2824

February 5, 1996

Mr. and Mrs. James Anders, Jr.  
1514 Burke Road  
Baltimore, MD 21220

RE: Item No.: 255  
Case No.: 96-258-SPH  
Petitioner: J. M. Anders, et ux

Dear Mr. and Mrs. Anders:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 26, 1996  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review Division

RE: Zoning Advisory Committee Meeting  
for January 22, 1996  
Item No. 255

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to a 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 of residential development.

RWB:ew

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director DATE: January 29, 1996  
Zoning Administration and Development Management

FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #255 - Anders Property  
1514 Burke Road  
Zoning Advisory Committee Meeting of January 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

JLP:TI:sp  
ANDERS/DEPRM/TXTSPB

Printed with Soybean Ink on Recycled Paper



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
DATE: January 18, 1996
FROM: Pat Keller, Director
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item Nos. 254, 255, 257, 258, 260, 263, and 264

Prepared by: Jeffrey W. Long
Division Chief: Cary L. Keene

PK/JL

ITEM254/PZONE/ZACL

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management

RE: Baltimore County
Item No. 255 (MJK)

Dear Ms. Watson:

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.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 717 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#254 --- JRA

- 1. No address, zip code, or telephone number on petition form for legal owner.

#255 --- MJK

- 1. Bottom of petition form states conditional approval was given - Where is it?

#259 --- MJK

- 1. No telephone number on petition forms for legal owner.
2. No signature for attorney on variance petition.

#262 --- JJS

- 1. No authorization for person signing for legal owner.
2. No hardship or practical difficulty listed on petition form.

#264 --- JJS

- 1. Where is oversized lot information?

#265 --- CAM

- 1. No signature for legal owner on variance petition.
2. No telephone number for legal owner on petition forms.
3. No signature for attorney on variance petition.
4. No review information completed on bottom of variance petition.

RE: PETITION FOR SPECIAL HEARING
1514 Burke Road, NW/S Burke Road, 600'
S of C/I Bowleys Quarters Road, 15th
Election District - 7th Councilmanic

James M. and Debra L. Anders, Jr.
Petitioners
CASE NO. 96-258-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to James M. and Debra L. Anders, Jr., 101 Woodmans Court, Baltimore, MD 21221, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

ELEVATION CERTIFICATE
FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

ATTENTION: Use of this certificate does not provide a waiver of the flood insurance purchase requirement. This form is used only to provide elevation information necessary to ensure compliance with applicable community floodplain management ordinances...

SECTION A PROPERTY INFORMATION
BUILDING OWNER'S NAME: JAMES ANDERS
STREET ADDRESS: 1514 BURKE RD
CITY: BALT

SECTION B FLOOD INSURANCE RATE MAP (FIRM) INFORMATION
1. COMMUNITY NUMBER: 240010
2. PANEL NUMBER: C995
3. SUFFIX: B
4. DATE OF FIRM INDEX: 1/21/81
5. FIRM ZONE: A-10
6. BASE FLOOD ELEVATION: 10.0

SECTION C BUILDING ELEVATION INFORMATION
1. Using the Elevation Certificate Instructions, indicate the diagram number from the diagrams found on Pages 5 and 6 that best describes the subject building's reference level.
2(a) FIRM Zones A1-A30, AE, AH, and A (with BFE). The top of the reference level floor from the selected diagram is at an elevation of 11.0 feet NGVD.

SECTION D COMMUNITY INFORMATION
1. If the community official responsible for verifying building elevations specifies that the reference level indicated in Section C, Item 1 is not the "lowest floor" as defined in the community's floodplain management ordinance, the elevation of the building's "lowest floor" as defined by the ordinance is: 11.0 feet NGVD.

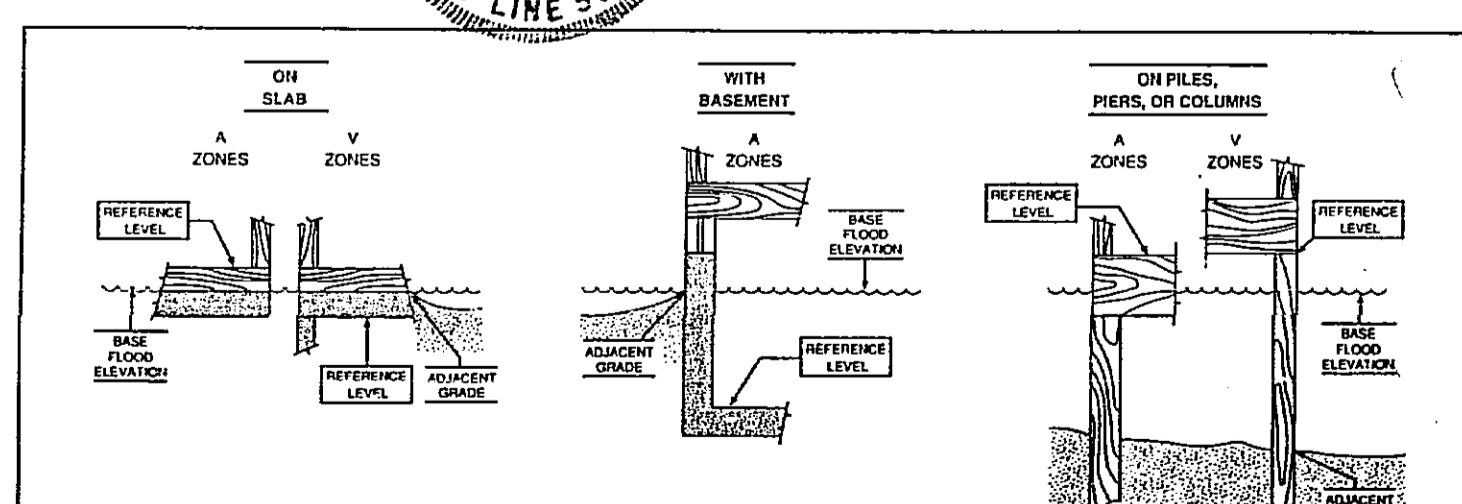
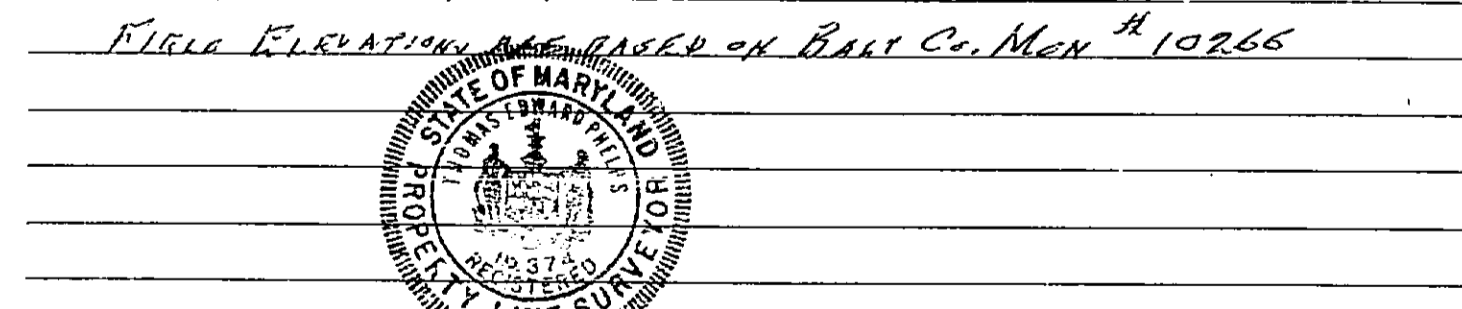
SECTION E CERTIFICATION

This certification is to be signed by a land surveyor, engineer, or architect who is authorized by state or local law to certify elevation information when the elevation information for Zones A1-A30, AE, AH, A (with BFE), V1-V30, VE, and V (with BFE) is required.

CERTIFIER'S NAME: THOMAS PHRIPS
LICENSE NUMBER: 374
TITLE: OWNER
COMPANY NAME: THOMAS E. PHRIPS & ASSOCIATES, INC.
ADDRESS: 1215195
CITY: BALT
STATE: MD
ZIP: 21286

COPIES SHOULD BE MADE OF THIS CERTIFICATE FOR: 1) community official, 2) insurance agent/company, and 3) building owner.

COMMENTS: FIRM ELEVATIONS ARE BASED ON BALT. CO. DATUM
FIELD ELEVATIONS ARE BASED ON BALT. CO. M.D. # 10266



The diagrams above illustrate the points at which the elevations should be measured in A Zones and V Zones. Elevations for all A Zones should be measured at the top of the reference level floor.

Item # 255

BA57279 (1514 Burke Road)

The applicant has been given notice that a permit has been issued provisional and conditional upon a floodplain variance being granted. If the variance is denied, the applicant must return the building back to its original condition or meet the current floodplain regulations.

Applicant
David Moore
Add - Mr

APPLICATION FOR PERMIT  
BALTIMORE COUNTY MARYLAND  
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT  
TOWSON, MARYLAND 21284

DATE: 12/21/87  
OEA: 12/21/87  
HISTORIC DISTRICT/BLDG.

PROPERTY ADDRESS: 1514 Burke Rd  
SUITE/SPACE/FLOOR: YES  NO  DO NOT KNOW

PERMIT #: B-251274  
RECEIPT #: B-28624  
CONTROL #: 111  
KREF #:

OWNER'S INFORMATION (LAST, FIRST)  
NAME: JAMES + DEBRA ANDREWS  
ADDR: 1514 BURKE RD BALTO MD 21220  
PHONE: 410 470 2114  
MHC LICENSE #: 44733

APPLICANT INFORMATION  
NAME: DAVID WOODS  
COMPANY: ADD MAP CONTRACTOR  
STREET: 912 MAP RD  
CITY, ST, ZIP: BALTIMORE MD 21202  
PHONE #: 410 470 2114  
MHC LICENSE #: 44733

APPLICANT SIGNATURE: [Signature]  
BLOCK: [Blank]  
TRACT: [Blank]  
PLANS: CONST  PLOT  PLAT  DATA  EL  FL

REMARKS:  
CONTR: Add map & contract  
ENGR: [Blank]  
SELLR: [Blank]

DESCRIBE PROPOSED WORK: Construct 2nd story addition above existing apt, to be used as (3) bedrooms and (2) bathrooms, 25'6" x 44'8 1/2" = 1134

TYPE OF USE  
RESIDENTIAL (R-200) A

TYPE OF IMPROVEMENT  
NEW BLDG CONST

TYPE OF FOUNDATION  
BASEMENT FULL

TYPE OF HEATING FUEL  
GAS

TYPE OF SEWAGE DISPOSAL  
PUBLIC SEWER

APPROVAL SIGNATURES  
DATE

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED  
PREPARED (H20) FLOOD ELD. CERT.

This is to give our permission for James Andrews of 1514 Burke Rd. to construct a 2nd story addition above existing house. We live at 1600 Burke Rd. adjacent to 1514 Burke Rd on this 3 day of January 1986.

James W. Lewis  
Betty H. Crowell

I also am aware of proposed renovations to 1514 Burkhead. and as resident of 1512 Burke Rd I give my permission for renovations.  
Dorine Coogler

SWORN AND SUBSCRIBED ME THIS  
JANUARY 3, 1986  
Harry H. Simon Jr.  
8906 AVE. B  
BALTIMORE 21219 MD.  
My Commission EXPIRES  
APRIL 1, 1987

Plat to accompany Petition for Zoning  Variance  Special Hearing

PROPERTY ADDRESS: 1514 Burke Rd  
Subdivision name: BOWLEYS QTR  
[plat book #, folio #, lot #, section #] = 96-258-SPH  
OWNER: JAMES + DEBRA ANDREWS

SEE ATTACHED

LOCATION INFORMATION  
Election District: 15  
Councilmanic District: 7  
1"-200" scale map: NE 1 L  
Zoning: R.C. 5  
Lot size: 37,5939 square feet

Zoning Office USE ONLY!  
reviewed by: [Blank] ITEM #: [Blank] CASE#: [Blank]

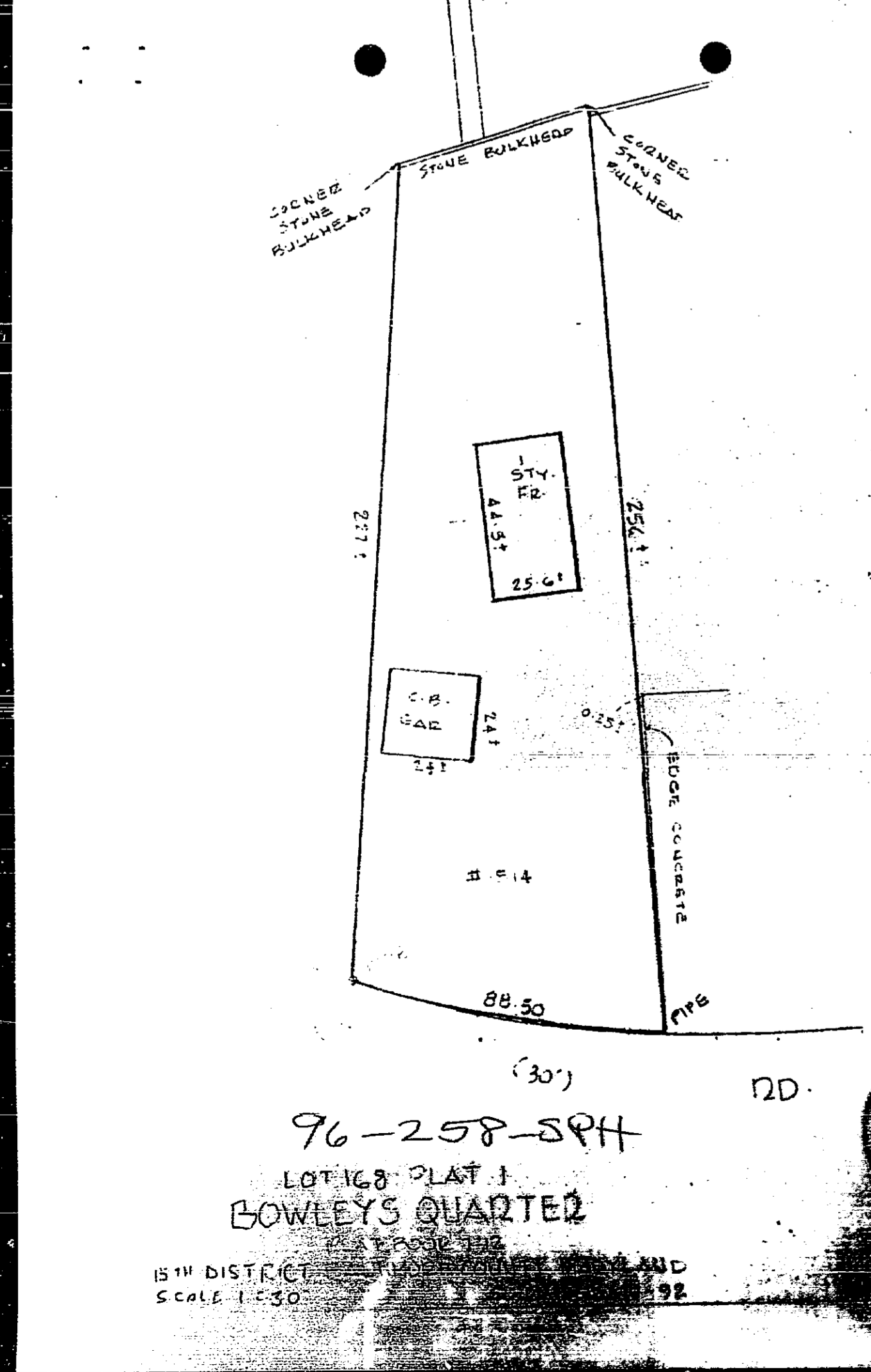
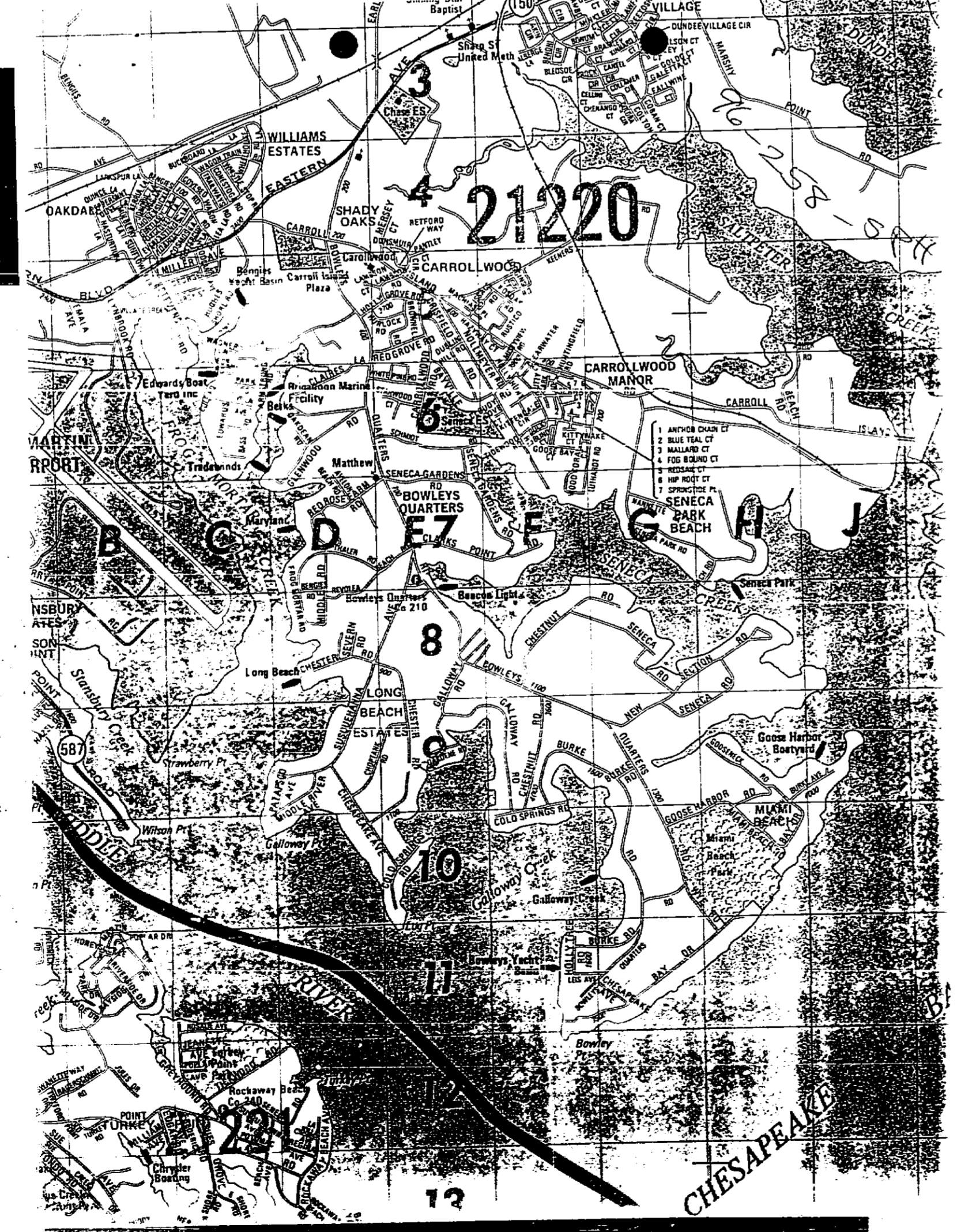
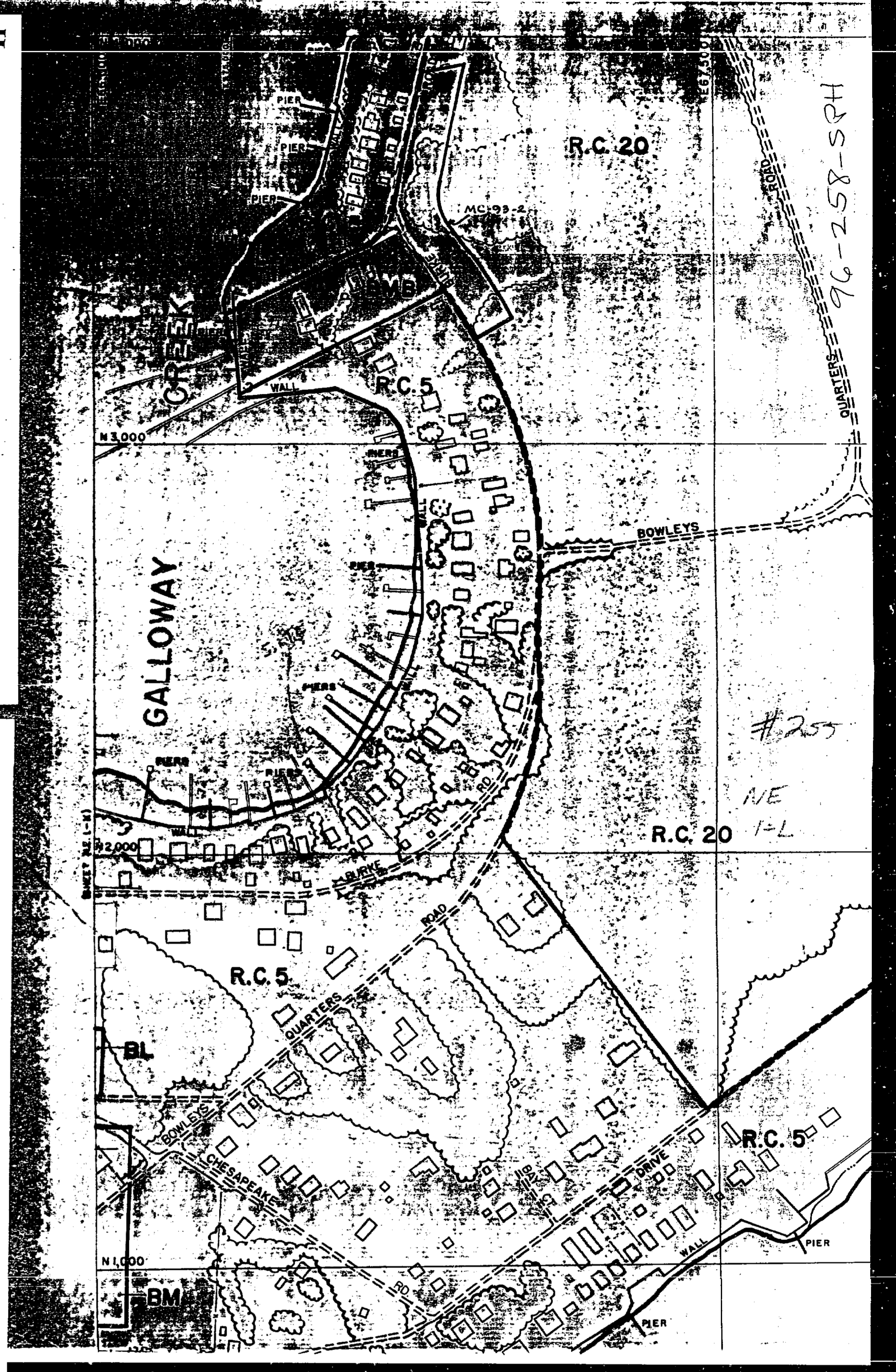
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Zoning Office USE ONLY!  
reviewed by: [Blank] ITEM #: [Blank] CASE#: [Blank]



photographs  
Case 96-258-SPH

9'8"

8.5'

11"

17"

22"

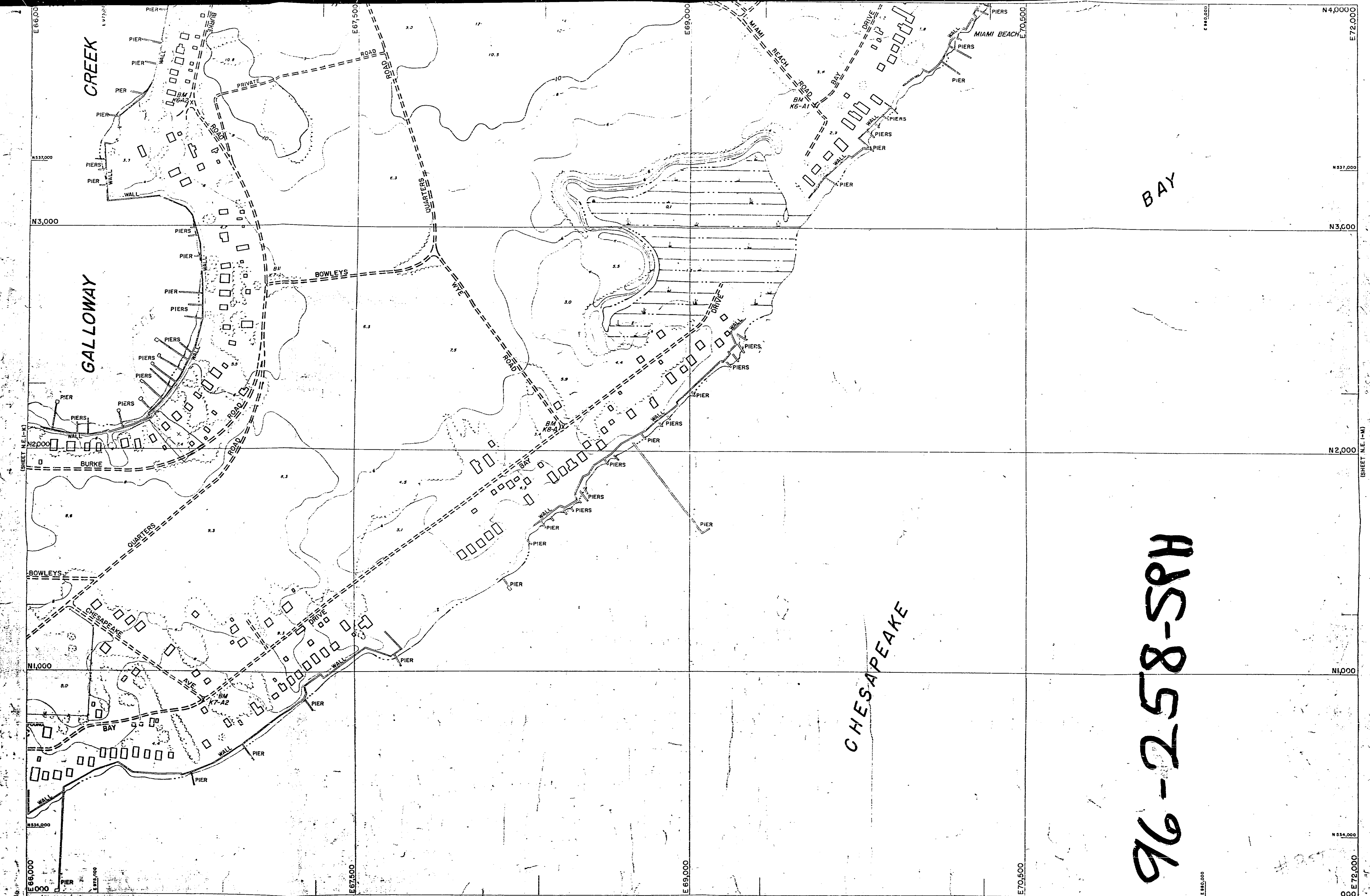
9'8"

8.5'

11"

17"

22"



PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE 1" = 200'	LOCATION BOWLEYS QUARTERS	SHEET N.E. I-L
BY	DATE			
		DATE OF PHOTOGRAPHY DEC. 1954		

Topography Compiled By Photogrammetric Methods  
ABRAMS AERIAL SURVEY CORP. LANSING MICH.

MICROFILMED