

IN RE: PETITION FOR VARIANCE
S/S Burke Road, 624' NW of
the c/l of Burke Road
(1218 Burke Road)
15th Election District
5th Councilmanic District

Charles R. Cargile, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-182-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Charles R. and Debra J. Cargile. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R to permit building (side) setbacks of 10 feet each in lieu of the required 50 feet, and from Section 1A04.3.B.4 of the B.C.Z.R. to permit existing and proposed improvements to cover 25% of the total site area, in lieu of the maximum permitted 15% for a proposed replacement 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 Petition were Charles and Debra Cargile, property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.331 acres, more or less, zoned R.C.5, and is improved with a one story shingle dwelling and two story block garage. The property is a waterfront lot located on Galloway Creek in Bowleys Quarters. Mr. Cargile testified that he was born and raised in this area of Baltimore County and that he and his wife have lived on the subject

ORDER RECEIVED FOR FILING

Date

By

property for the past 12 years. Apparently, the dwelling on the property was built many years ago as a shore home and has deteriorated over the years to the point where it is now beyond renovation. The Petitioners are desirous of razing the existing dwelling and constructing a new, larger home to meet their growing family's needs and modernize current living conditions. In order to proceed with the proposed improvements, however, the requested variance relief is necessary.

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 have established that special conditions or circumstances exist that are peculiar to this property which is 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 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

ORDER RECORDED
DATE 1/26/98
BY [Signature]

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.

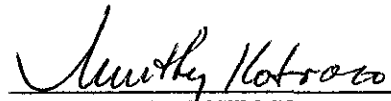
These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There was no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the surrounding community. Furthermore, no one appeared in opposition to the request and there were no adverse comments submitted by any Baltimore County reviewing agency. Thus, it appears relief can be granted, subject to the Petitioners' 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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of January, 1998 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R. to permit building (side) setbacks of 10 feet each in lieu of the required 50 feet, and from Section 1A04.3.B.4 of the B.C.Z.R. to permit existing and proposed improvements to cover 25% of the total site area, in lieu of the maximum permitted 15% for a proposed replacement 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 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.
- 2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated December 1, 1997, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 1/26/98
By [Signature]

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

DATE: December 1, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RBS/98*
Subject: Zoning Item #182

Cargile Property, 1218 Burke Road

Zoning Advisory Committee Meeting of November 17, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- ☒ 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).

Ground Water Management: An evaluation of the septic system must be made prior to building permit approval. Contact GWM at 410-887-2762 for more information.

ORDER RECEIVED FOR FILING
Date 12/1/97
By [Signature]
B5:50
Cargile.doc.



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

January 26, 1998

Mr. & Mrs. Charles R. Cargile
1218 Burke Road
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
S/S Burke Road, 624' NW of the c/l of Burke Road
(1218 Burke Road)
15th Election District - 5th Councilmanic District
Charles R. Cargile, et ux - Petitioners
Case No. 98-182-A

Dear Mr. & Mrs. Cargile:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance 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, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

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

DEPRM; People's Counsel; Case Files





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

1218 Burke Road, Bowleys Quarters

which is presently zoned

RC 5

This Petition shall be filed with the Office of Zoning Administration & 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) 1A04.3.B.3 TO PERMIT

PROPOSED BUILDING SET BACKS FOR A PROPOSED REPLACEMENT DWELLING OF 10 FT. IN LIEU OF THE REQUIRED 50 FT. AND 1A04.3.B.4. TO PERMIT 25% COVERAGE IN LIEU OF THE MAXIMUM 15%

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

Our existing dwelling is small and because of its age is deteriorating badly. We have two small children and the house is inadequate for a growing family. We love the neighborhood and have been saving to build a new house at the present location. However the RC 5 regulations would make our lot useless.

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

I, or we, agree to pay expenses of above Variance 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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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.

Legal Owner(s):

Charles R. Cargile

(Type or Print Name)

Signature

Debra J. Cargile

(Type or Print Name)

Signature

1218 Burke Road

410-335-3449

Address

Phone No

Bowleys Quarters

Md. 21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

11/6/97

98-182-A

Printed with Soybean Ink
on Recycled Paper



ORDER RECEIVED FOR FILING

Date

By

182

ZONING DESCRIPTION FOR 1218 BURKE ROAD

Beginning at a point on the south side of Burke Road which is 30 feet wide at a distance of 624 feet northwest of the centerline of the nearest improved intersecting street Burke Road (connector) which is 30 feet wide. Being Lot 114 of the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book #7 Folio #12, containing 14,401 square feet. Also known as 1218 Burke Road, and located in the 15th Election District, 5th Councilmanic District.

98-182-A

CERTIFICATE OF PUBLICATION

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 in Towson, Maryland on the property identified herein as follows:

Case: #98-182-A
1218 Burke Road
S/S Burke Road, 624' NW of
centerline Burke Road (con-
nector)
15th Election District
5th Councilmanic District
Legal Owner(s): Charles R.
Cargile & Debra J. Cargile

Variance: to permit pro-
posed building setback (for a
proposed replacement dwell-
ing) of 10 feet in lieu of the re-
quired 50 feet and to permit
25% coverage in lieu of the
maximum 15%.

Hearing: Thursday, January
15, 1998 at 9:00 a.m. in
Room 407, County Courts
Bldg., 401 Bostley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES. (1) Hearings are
Handicapped Accessible for
special accommodations
Please Call (410) 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

12/253 Dec. 25 C197480

TOWSON, MD., Dec. 26, 1997

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 Dec. 25, 1997.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

CERTIFICATE OF PUBLICATION

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 in Towson, Maryland on the property identified herein as follows:

Case: #98-182-A
1218 Burke Road
S/S Burke Road, 624' NW of
centerline Burke Road (con-
nector)
15th Election District
5th Councilmanic District
Legal Owner(s):
Charles R. Cargile & Debra J.
Cargile

Variance: to permit pro-
posed building setback (for a
proposed replacement dwell-
ing) of 10 feet in lieu of the re-
quired 60 feet and to permit
25% coverage in lieu of the
maximum 15%.

Hearing: Friday, December
12, 1997 at 2:00 p.m. in
Room 106, County Office
Building, 111 West Ches-
apeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call (410) 887-3353.

(2) For information concern-
ing the file and/or hearing,
Please Call (410) 887-3391.

11/393 Nov. 27 C192431

TOWSON, MD., November 27, 1997

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 Nov. 27, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

BALTIMORE COUNTY MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

28648

PAID RECEIPT

JUL 18 1997

FROM: JLL PROCESS ACTON 1171

11/06/1997 11/06/1997 00:00:00

DATE

~~10/16~~ 11/6/97

ACCOUNT

REC-1000
R0018150

5 MISCELLANEOUS CASH RECEIPT

Receipt #

50.00

038426

11/11

AMOUNT

\$

50.00

RECEIVED

FROM:

CARGILE

50.00 (MCH)

Baltimore County, Maryland

FOR:

RV FILING

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-182-A

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

PLACE: *

DATE AND TIME: *

REQUEST: VARIANCES TO PERMIT PROPOSED BUILDING SETBACKS FOR A
PROPOSED REPLACEMENT DWELLING OF 10' FT. IN LIEU OF THE REQUIRED
50 FT. AND TO PERMIT 25% LOT COVERAGE IN LIEU OF THE MAXIMUM 15%

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

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

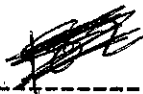
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.:

182

Petitioner:

Charles R. and Debra J. Cargile

Location:

1218 Burke Rd. Bowleys Quarters, Md. 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME:

Charles R. Cargile

ADDRESS:

1218 Burke Rd.

Bowleys Quarters, Md. 21220

PHONE NUMBER:

410-335-3449

AJ:ggs

(Revised 09/24/96)



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

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

Subdivision name: _____

plat book# _____, folio# _____, lot# _____, section# _____

OWNER: _____



North

Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acreage square feet

SEWER: ☐ public ☐ private

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____



Baltimore County
Department of Permits and
Development Management

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

November 14, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-182-A
1218 Burke Road
S/S Burke Road, 624' NW of centerline Burke Road (connector)
15th Election District - 5th Councilmanic District
Legal Owner: Charles R. Cargile & Debra J. Cargile

Variance to permit proposed building setback (for a proposed replacement dwelling) of 10 feet in lieu of the required 50 feet and to permit 25% coverage in lieu of the maximum 15%.

HEARING: Friday, December 12, 1997 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small "SS" written below it.

Arnold Jablon
Director

c: Debra & Charles Cargile

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 26, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
November 26, 1997 Issue - Jeffersonian

Please forward billing to:

Charles R. Cargile

410-335-3449

1218 Burke Road

Bowleys Quarters, MD 21220

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-182-A

1218 Burke Road

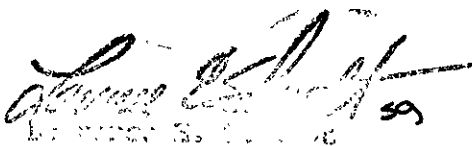
S/S Burke Road, 624' NW of centerline Burke Road (connector)

15th Election District - 5th Councilmanic District

Legal Owner: Charles R. Cargile & Debra J. Cargile

Variance to permit proposed building setback (for a proposed replacement dwelling) of 10 feet in lieu of the required 50 feet and to permit 25% coverage in lieu of the maximum 15%.

HEARING: Friday, December 12, 1997 at 2:00 p.m. in Room 106, County Office Building, 111



LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

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

December 9, 1997

Mr. & Mrs. Charles Cargile
1218 Burke Road
Bowleys Quarters, MD 21220

RE: Case Number 98-182-A
Location: 1218 Burke Road

Dear Mr. & Mrs. Cargile:

As you are aware from your telephone conversation with the Zoning Commissioner's office, the above matter, previously assigned to be heard on December 12, 1997 has been postponed at your request.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", with the initials "scj" written below it.

Arnold Jablon
Director

AJ:scj





Baltimore County
Department of Permits and
Development Management

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

December 16, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-182-A

1218 Burke Road

S/S Burke Road, 624' NW of centerline Burke Road (connector)

15th Election District - 5th Councilmanic District

Legal Owner: Charles R. Cargile & Debra J. Cargile

Variance to permit proposed building setback (for a proposed replacement dwelling) of 10 feet in lieu of the required 50 feet and to permit 25% coverage in lieu of the maximum 15%.

HEARING: Thursday, January 15, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the initials "SJ" written below it.

Arnold Jablon
Director

c: Debra & Charles Cargile

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 31, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
December 24, 1997 Issue - Jeffersonian

Please forward billing to:
Charles R. Cargile 410-335-3449
1218 Burke Road
Bowleys Quarters, MD 21220

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-182-A
1218 Burke Road
S/S Burke Road, 624' NW of centerline Burke Road (connector)
15th Election District - 5th Councilmanic District
Legal Owner: Charles R. Cargile & Debra J. Cargile

Variance to permit proposed building setback (for a proposed replacement dwelling) of 10 feet in lieu of the required 50 feet and to permit 25% coverage in lieu of the maximum 15%.

HEARING: Thursday, January 15, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

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

December 3, 1997

Mr. and Mrs. Charles Cargile
1218 Burke Road
Bowleys Quarters, MD 21220

RE: Item No.: 182
Case No.: 98-182-A
Petitioner: Charles Cargile, et ux

Dear Mr. and Mrs. Cargile:

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 November 6, 1997.

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 Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A L T I M O R E C O U N T Y, M A R Y L A N D

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
 Department of Permits & Development
 Management

Date: November 24, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for November 24, 1997
 Item 182

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Burke Road is an existing road which shall ultimately be improved as an 18-foot street cross section on a 40-foot right-of-way.

The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

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

The minimum flood protection elevation for this site is 11.2 feet.

RWB:HJO:jrb

cc: File

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

DATE: December 1, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *ROS/gp*
Subject: Zoning Item #182

Cargile Property, 1218 Burke Road

Zoning Advisory Committee Meeting of November 17, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- ☒ 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).
- ☒ Ground Water Management: An evaluation of the septic system must be made prior to building permit approval. Contact GWM at 410-887-2762 for more information.



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 11/14/99
Item No. 182 JLL

Dear Ms. Eubanks:

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Cindy R. Webb
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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



Baltimore County
Fire Department

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

NOVEMBER 19, 1997

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 NOVEMBER 17, 1997

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.

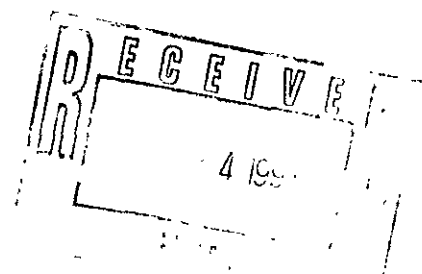
8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

175, 177, 179, 180, 182, 183, AND 184

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Rashyn
Pls. file

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: November 19, 1997

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

SUBJECT: Zoning Advisory Petitions

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

Item Nos. 179, 180, 181, 182, 183, and 184

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kern

AFK/JL

RE: PETITION FOR VARIANCE
1218 Burke Road, S/S Burke Road, 624'
NW of centerline Burke Road (connector)
15th Election District, 5th Councilmanic

Charles R. and Debra J. Cargile
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-182-A

* * * * *

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 1st day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to Charles R. and Debra J. Cargile, 1218 Burke Road, Baltimore, MD 21220, Petitioners.

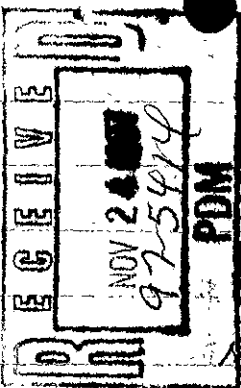
Peter Max Zimmerman

PETER MAX ZIMMERMAN

Bett - JUN Fernando
brought this over late
Friday. The CASE is set for
Tim on 12/12/97. Neither
US OR PADM have
record of his written
request. I called & spoke to
Mrs CAROL. I told her
TMK would review on
Monday but I thought
he would postpone. Sign has
NOT been posted. IF
Tim agrees, call her to confirm
↓ send letter to Ros for
Reset

LES

Return to Sophie to reschedule.
12/8/97



11/25/97 11/21/97
✓
TO SS

DEAR MR. JABLON,

I JUST RECEIVED MY HEARING
NOTICE ON 11/18/97. I REALIZED
THAT THE HEARING DATE OF DEC.
12TH IS UNFORTUNATELY NOT GOOD
FOR ME, DUE TO THE FACT THAT
I WILL BE OUT OF TOWN. I AM
LEAVING ON THURSDAY DEC. 11TH AND
WILL BE ARRIVING BACK ON THE
14TH OF DEC.

I AM REQUESTING AT THIS
POINT OF TIME A NEW HEARING
DATE AS SOON AS POSSIBLE.

THANK YOU FOR YOUR COOPERATION
AND UNDERSTANDING IN THIS MATTER.

CHARLES R. CARGILE

CASE # 98-182-A

OVER →

OK to
use
Stan Shapiro

REC'D
20116 REVIEW
12/19/97
JCW

IF YOU NEED TO CALL FOR ANY REASON,

HOME # 410-335-3449

WORK # 410-732-4400 (5:00 AM - 4:30 PM)

MON
D

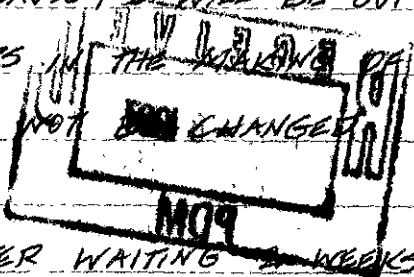
MR. JABLON

TO WORK
OK

12/8/97
please call him OK

12-04-97

I RECEIVED A HEARING NOTICE ON NOV. 18.
THE DATE AS OF DEC. 12, 1997 WAS THE PROPOSED
HEARING DATE. UPON COMPLETION OF YOUR LETTER,
I REALIZED THAT THE DATE THAT I WAS
GIVING IS NO GOOD FOR ME. THE VERY NEXT DAY,
ON NOV. 19, I CALLED YOUR OFFICE TO LET YOU
KNOW THAT I WOULD BE UNABLE TO ATTEND ON
THE ABOVE MENTION DATE. I WAS TOLD TO WRITE
A LETTER REQUESTING A NEW HEARING DATE. ON
NOV. 21, MY LETTER WAS IN THE MAIL AND THAT
MY SIGN MAN MR. TOM OGLE WAS NOTIFIED AS
OF MY SITUATION. THE REASON OF THE REQUEST
IS BECAUSE, I WILL BE OUT OF TOWN. IT TOOK
3 YEARS IN THE WORKING OF THIS TRIP AND IT
COULD NOT BE CHANGED



OK WORK
12/9

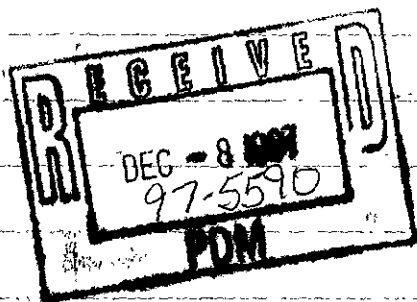
AFTER WAITING A WEEKS TO HEAR FROM YOUR
OFFICE, I DECIDED TO CALL TO FIND OUT IF
MY REQUEST WAS GRANTED OR NOT, AND TO FIND
OUT MAYBE A NEW HEARING DATE WAS GIVING. I

WAS TOLD THAT MY 1ST LETTER WAS NOT RECEIVED
AND TO WRITE ANOTHER LETTER. TIME IS RUNNING
OUT, MY SIGN IS STILL NOT POSTED, AND I STILL
CAN NOT ATTEND THE HEARING ON DEC. 12TH.
SO I AM REQUESTING PLEASE, IF I CAN
GET A NEW DATE. THANK YOU FOR YOUR
COOPERATION AND UNDERSTANDING IN THIS
MATTER.

SINCERELY

CHARLES R. CARGILE

CASE # 98-182-A



WAS TOLD THAT MY 1ST LETTER WAS NOT RECEIVED
AND TO WRITE ANOTHER LETTER. TIME IS RUNNING
OUT, MY SIGN IS STILL NOT POSTED, AND I STILL
CAN NOT ATTEND THE HEARING ON DEC. 12TH.

SO I AM REQUESTING PLEASE, IF I CAN
GET A NEW DATE. THANK YOU FOR YOUR
COOPERATION AND UNDERSTANDING IN THIS
MATTER.

Sincerely,

CHARLES R. GARGILE

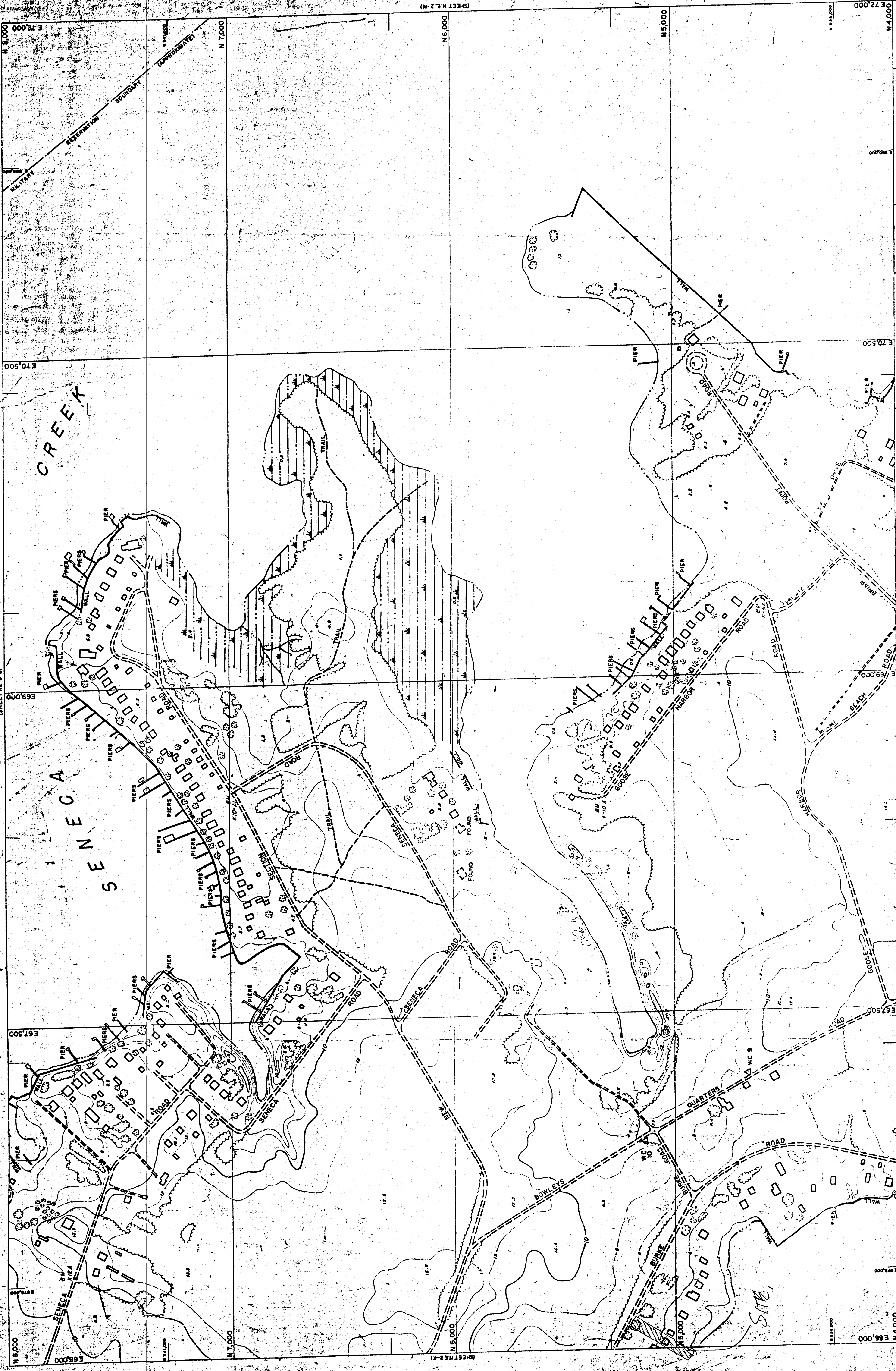
CASE # 98-182-A

LES/TMK -

This is the first I have heard
about this. I never talked to this
man & we never got any letters
requesting a postponement, except
this fax today.

Sophia
12/5/97

98-182-A

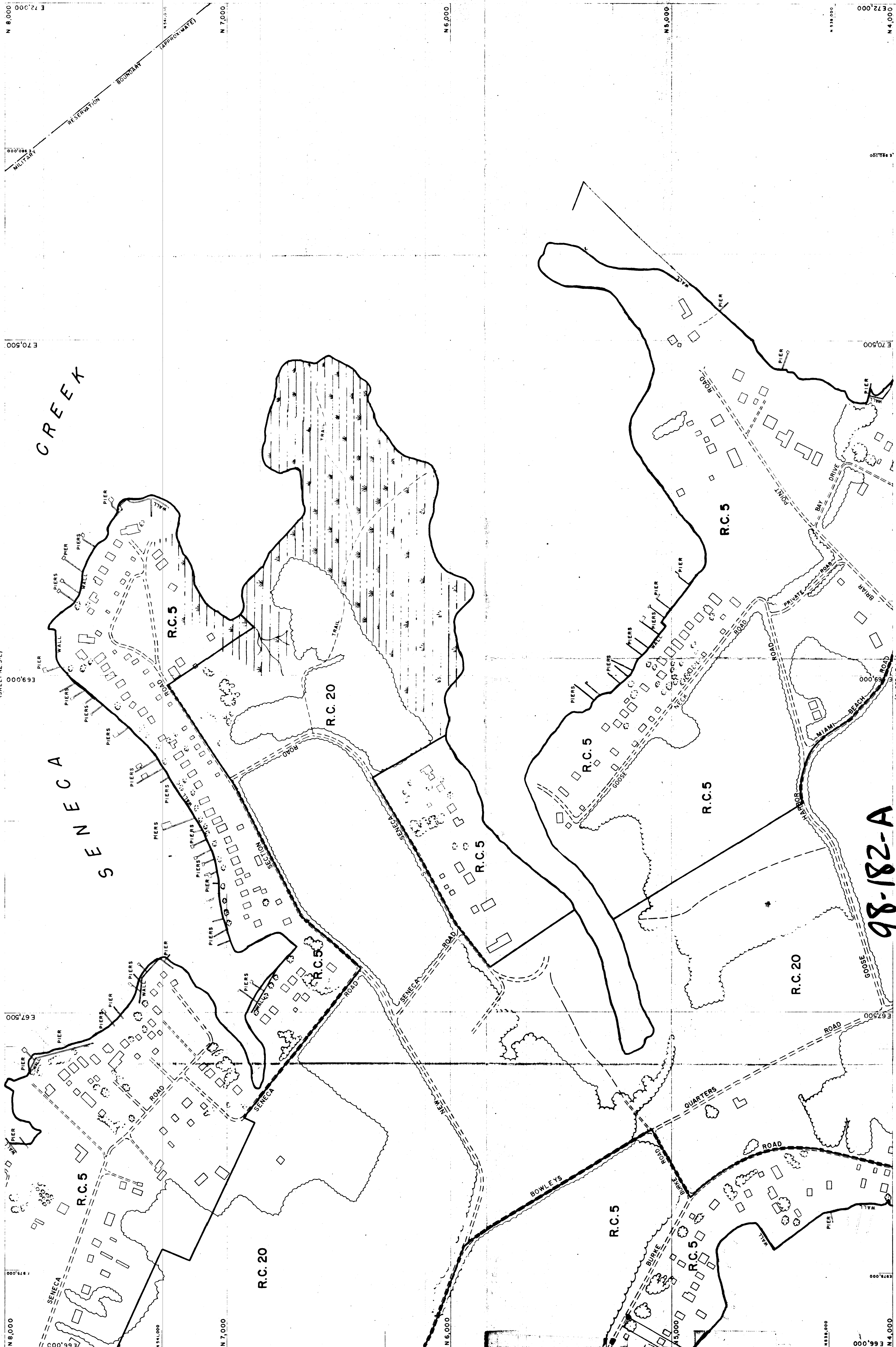


PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

Z-SW

182

REVISIONS		SCALE	LOCATION	SHEET
BY	DATE			
		1" = 200'	BOWLEYS QUARTERS	N.E. 2-L
DATE OF PHOTOGRAPHY DEC. 1954				
Topography Compiled By Photogrammetric Methods ABRAMS AERIAL SURVEY CORP. LANSING, MICH.				

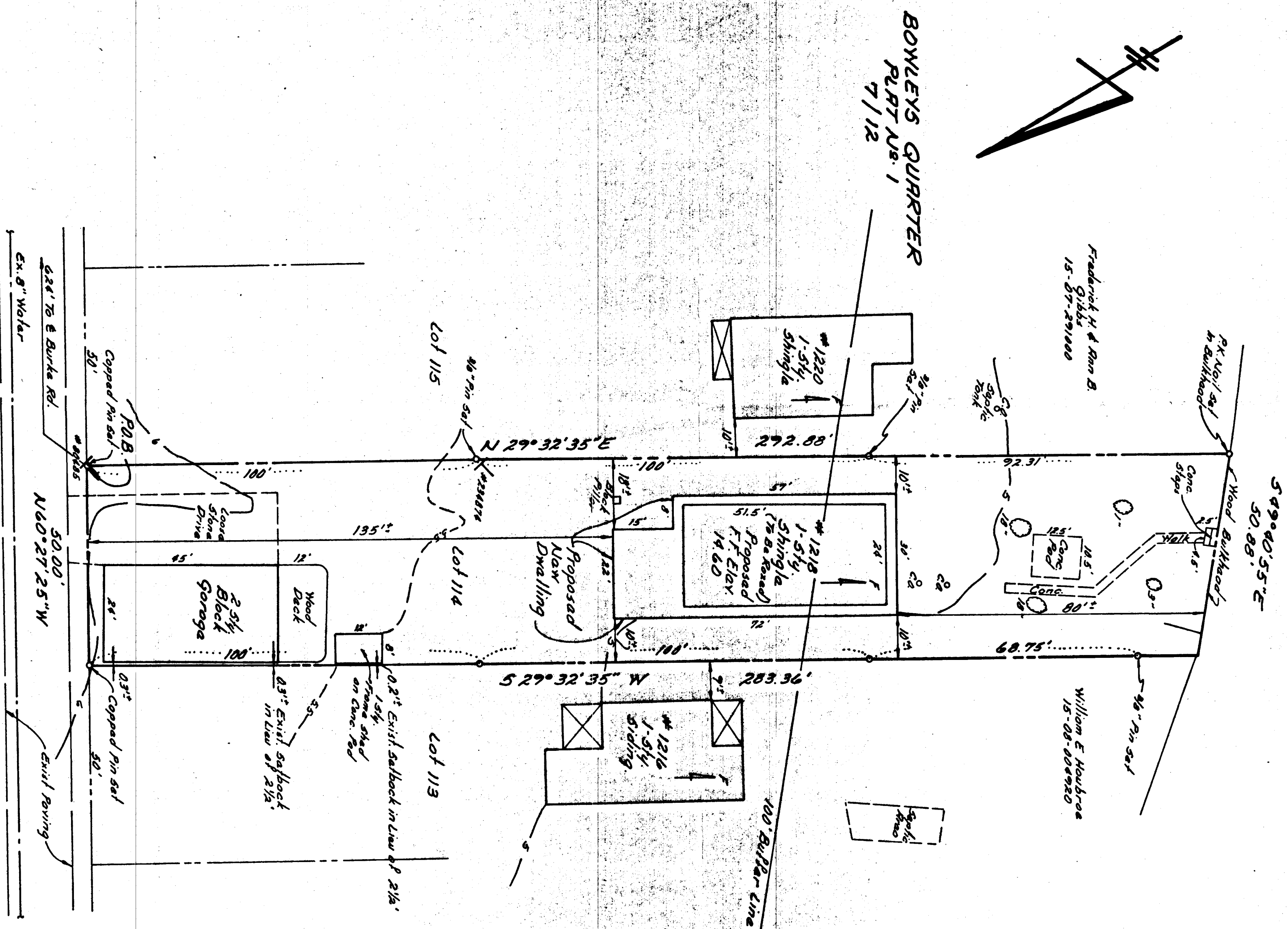


SCALE	LOCATION	SHEET
1" = 200' ±	BOWLEYS	N.E.
DATE OF PHOTOGRAPHY	QUARTERS	2-L
JANUARY 1986		

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

Z-SW
NE 2L
182-
THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY CORRECTED BY PHOTOGRAMMETRIC
METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

GALLEWAY CREEK

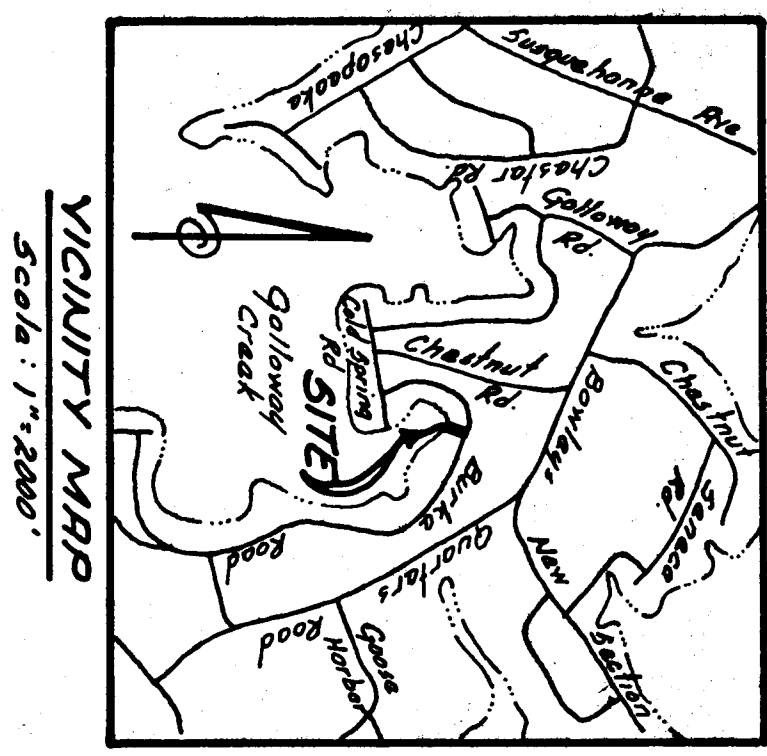


Conc. Slabs 11 sq. ft.
 Conc. Walls 140 sq. ft.
 Conc. Pad 131 sq. ft.
 282 sq. ft. To Be Removed
 Additional Square Footage To Be Added
 In 100 B.M.A. = 163 sq. ft.
 282 sq. ft.
 - 163 sq. ft.
 119 sq. ft. Loss of Impervious Surface

CRITICAL BAY REQUIREMENTS
 Area 0.3306 Ac.± or 14601 sq. ft.
 25% = 3650 sq. ft. Allowed
 243% = 3504 sq. ft. Proposed

ZONING REQUIREMENTS
 1R04.3.B.4 - 15% Coverage Allowed
 1R04.3.B.4 - 243% Proposed

50' Lot setback Required
 10' Lot Setbacks Proposed
 Min. Lot Size (RC-5) Required = 11676
 Proposed (Existing) Lot Size = 14401 sq. ft.



Note:
 The Proposed Dwelling will comply with Flood Plain Requirements for the R-10 Flood Zone, 1st Floor Elevation Requirement must be a minimum of 11.2 ft. (to Basement)

PART TO ACCOMPANY PETITION FOR VARIANCE TO APPROVE AN EXISTING UNDERSIZE LOT

Property Address #1218 Burke Road
 Subdivision Name Bowleys Quarters
 Part Book 7 Folio 12 Lot # 114 Section -
 Tax Map # 98 Parcel # 4
 Owner: Charles R & Dabre D Corgie
 Tax. Ref # 15-08-303460
 Reported By: LB Date: Nov 8, 1997 Scale: 1"=20'

LOCATION INFORMATION

Councilmanic District - 5
 Election District - 15
 1"=200 Scale Map # - SE 2L
 Zoning - RC-5
 Lot Size - 0.331 Acres or 14401 sq. ft.

Public Private
 Sewer ☐ ☒
 Water ☒ ☐
 Chesapeake Bay Critical Area ☒ ☐
 Prior Zoning Hearings: None

Zoning Office Use Only

98-182-A

Reviewed By: Item # Core #

182