IN RE: PETITION FOR ZONING VARIANCE

W of Galloway Rd., 365 ft.

of Coldspring Road

3512 Galloway Road 15th Election District

5th Councilmanic District

Gertrude V. Brush

Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 98-379-A

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 3512 Galloway Road located in the Bowleys Quarters community of eastern Baltimore County. The Petition was filed by Gertrude V. Brush, property owner. Variance relief is requested from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow side yard setbacks of 7 ft. and 13 ft., in lieu of the required 50 ft., respectively, and/or to obtain undersized lot approval pursuant to Section 304, and any other variances deemed necessary by the Zoning Commissioner. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the requisite public hearing held for this case were Gertrude V. Brush, property owner and Frank J. Brush, Jr., her son. Appearing in opposition to the Petition was Jon-Jason Fratta, on behalf of Theodore Fratta and Bonita Fratta, his parents, adjoining property owners.

Testimony and evidence presented was that the subject property is a rectangularly shaped lot located in the Bowleys Quarters subdivision of eastern Baltimore County. The property is a waterfront site adjacent to Galloway Creek. Vehicular access to the property is by way of Galloway Road. The property is narrow in width, with a dimension of approximately 50 ft. However, there is a significant depth of approximately 184 to 198 ft. The property is approximately .245 acres in area zoned R.C.5. Appar-



ently, the property has been owned by the Brush family for many years. Mrs. Brush indicated that she has owned the site for approximately 44 years. The property is presently improved with a framed story building which is located near the water. In addition to this building, there is a 10 ft. high enclosed patio, an existing concrete deck and a wooden pier which leads from the site into the water. Additionally, the northern (side) property line is improved with a driveway which leads to a boat ramp at the water.

The existing frame building is served by electricity, water and septic. The building has apparently been used as a bath house for many years. The Petitioner proposes razing the existing building and constructing a single family dwelling in lieu thereof. The dwelling will be located farther towards the road and maintain the required 100 ft. buffer to the waterfront. Side yard setbacks of 7 ft. and 13 ft. are proposed. The existing frame dwelling will be razed upon completion of the proposed dwelling.

Obviously, the lot is undersized and of insufficient width, in lieu of the requirements of R.C.5 zoned property, as contained in the BCZR. However, the lot is not being created at this time, rather, it is a parcel which has existed for many years. The proposal represents an upgrade to the property, and not development of an unimproved lot.

Obviously, in view of the width of the property, the 50 ft. required side yard setbacks cannot be met. A 13 ft. setback is shown on the north side. That side yard includes the aforementioned driveway which leads from Galloway Road to the water. A 7 ft. side yard setback will be maintained on the southside, toward the Fratta property. It is to be noted that the proposed dwelling will be actually located farther away from the building on the Fratta property and that the side yard setback for the new

building will be increased over what is existing for the bath house. Nonetheless, the Frattas request that a minimum of 10 ft. be maintained. The Petitioner indicates that maintenance of such a dimension would prohibit the construction of the new building.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the proposed building will be an upgrade to the property and improvement on existing conditions. Clearly, the Petitioner cannot maintain the 50 ft. side yard setback requirements in view of the configuration and size of the proper-I find that the Petitioner has satisfied the requirements of Section of the BCZR as construed by the case law. Thus, the Petition for Variance shall be granted. However, in so granting, certain restrictions shall be imposed. First, the improvements must be in accordance with the site plan submitted. That is, as the site plan shows, the existing bath house and a shed will be removed. The new house must be at the location and maintain the setbacks shown on the plan. Second, the Petitioner shall comply with the requirements set out in the comment from Robert W. Bowling, of the Development Plans Review Division. His comment indicates that the property is located adjacent to tidewater and, in conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 ft. over the flood plain elevation. Also, the house shall not be constructed until a proposed pressure sewer for the area is constructed. In this regard, Mr. Bowling's comment indicates that said project is scheduled for construction in the summer of 1999 and the Petitioner indicated that she was willing to wait for that improvement before beginning construction. Last, the Petitioner shall also comply with the comments from the Department of Environmental Protection and Resource

Management (DEPRM). Specifically, development of the property shall comply with the Chesapeake Bay Critical Area regulations.

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 Zoning Commissioner for Baltimore County this 22 day of June 1998, that a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow side yard setbacks of 7 ft. and 13 ft., in lieu of the required 50 ft., respectively, and/or to obtain undersized lot approval pursuant to Section 304, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The property shall be improved in accordance with the site plan submitted, including the removal of the existing bath house and shed. The new house shall be at the location and maintain the setbacks as shown on the plan.
- 3. The new dwelling shall not be constructed until a pressure sewer is installed in the area, and the dwelling shall meet Federal Flood Insurance requirements, all as more fully set out in the ZAC comment dated 5/6/98 from the Development Plans Review Division of the Office of Permits and Development Management.
- 4. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, Department of Environmental Protection and Resource Management (DEPRM) dated May 4, 1998, are adopted in their entirety and made a part of this Order.



5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES/mmn





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

June 22, 1998

Mr. Frank J. Brush, Jr. 7420 Greenbank Road Baltimore, Maryland 21220

RE: Case No. 98-379-A

Petition for Zoning Variance Location: 3512 Galloway Road

Dear Mr. Brush:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.

c: Mrs. Gertrude V. Brush 7399 Belmont Avenue Baltimore, Maryland 21224

c: Mr. and Mrs. Theodore Fratta 24 Old Sound Road Joppa, Maryland 21085



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

3512 Galloway Road

which is presently zoned

BC-5

This Petition shall be filed with the Department of Permits & Development Management	
The undereigned, legal owner(s) of the property situate in Balkimore County and which is described in the description and herote and made a part hereof, both a relief for the property situate in Balkimore County and which is described in the description and	J plat attached
heroto and made a part hereof, hereby position for a Variance from Section(e) Section 1A04, 3. B. 3 to	allow side
yard setbacks of 7 and 13' in lieu of required 50' setbacks, "	us medtivel.
I'm Donate and Charles and all all all to the Decarion 304 and all all	ورور و الماران الماران و الماران
deemed necessary by the commissioner,	er variantes

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or preoficed difficulty) Hardship created because of side lot set back requirement of 50 feet on a lot that is 50 feet wide. I would like to build a home 30 feet wide with a side set back of 13 feet on the north side to allow access to the boat launching ramp for my children and grandchildren. I have owned this property 44 years, I am 80 years old, and would like to live on this property before I die.

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 filling 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.

			We do colemnly declare and allism, under the penalties of payury, that live are the legal owner(s) of the property which is the subject of this Polition.
Contract Purchaser/Lesson:			Legal Owner(a):
(Type or Pant Name)			Gertrude V. Brush (Type of Pint Name)
Signatura			Grand Gertrude T. Brush
Address		Personala de reconstigad de accomencia de	(Type or Pant Name)
Caly	State	Zipcode	Signaturo
Attorney for Pelitioner:			
(Type or Print Name)		the state of the s	7399 Belmont Ave. 410-284-3596 hm.
			Belto. MD. 21224
Signature	former than the second the comment of the complete of the comp		City State Zipcode Name, Address and phone number of representative to be contacted.
			Frank J.Brush, Jr.
Address	Phona N	ło.	7420 Chambank Dd 440 205 0055
City	State	Zipcode	7420 Greenbank Rd. 410-335-3655 hm. suk B智性o. MD. 21220 Phone No.
			OFFICE USE CINLY
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Revised 9/5/95	MAR 31	1998	REVIEWED BY: 13/22

3.379-A

Zoning Description for 3512 Galloway Road

Beginning at a point on the west side of Galloway Road which is 30 feet wide at the distance of 365 feet north of the centerline of the nearest improved intersecting street Cold Spring Road which is 30 feet wide. Being Lot #57 in the subdivision of Bowleys Quarters as recorded in the Baltimore County Plat Book #7 Folio #12 containing 10,670 square feet. Also known as 3512 Galloway Road and located in the 15th Election District, 5th Councilmanic District.

98.379-A

BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.	953 143	5 PAID ALLEIT 	
DATE $\frac{11/13/9y}{}$ ACCOUNT $\frac{$}{9}$		6 2	40 SPAN 4/13/1998 11:14/30 FOR MAY CONTROL CASH MAI THE S RESPUTABLE CASH MAI THE Benchel R MAI/30 — URING OSTAT	
RECEIVED Frank Brush, 3	<i>r</i> .	AQ 2	Callimna County, Maryland	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER		180 11 3 79	CASHIER'S VALIDATION	

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-379-A 3512 Galloway Road W of Galloway Road, 365' N of Coldspring Road
15th Election District
5th Councilmanic District
Legal Owner(s):
Gertrude V. Brush

Gertrude V. Brush
Variance: to allow side yard
stracks of 7 feet and 13 feet
in lieu of required 50 feet selbacks, respectively; to obtain
undersized tot approval; and
any other variances deemed
nacessary by the commissloner.

Hearing: Monday, June 1, 1998 at 9:00 a.m., in Room 407, County Courts Bidg., 401 Bosley Avenue

LAWRENCE E. SCHMIDT

LAWRENCE E: SCHMIDT
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handlcapped Accessible; for
special accommodations
Please Call (410) 887-3353.
(2) For Information Concerning the File and/or Hearing,
Please Call (410) 867-3391.

G228194 5/107 May 14

CERTIFICATE OF PUBLICATION

TOWSON, MD., 514, 1998
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 successive weeks, the first publication appearing on, 19 98.
the Jeffersonian,
a. Henrilesan LEGAL AD. TOWSON

*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
	Petiti	oner(s)					*		Case Nu	mber: 98	3-379-A			
Lega	l Owners	: Gerti	rude V. E	Brush			*		BALTIM	ORE CO	OUNTY			
	ncilmanic	•	Jechon I.	visurici, o	Ų.		*		FOR					
RE: PETITION FOR VARIANCE 3512 Galloway Road, W of Galloway Rd, 365' of Coldspring Rd, 15th Election District, 5th					of	*		ZONINO	G COMM	IISSION	ER			
							*		BEFORE	ETHE				

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 of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

People's Counsel for Baltimore County

Reter May Zimmeinan

Carole S. Demilio

Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Frank J. Brush, Jr., , 7420 Greenbank Road, Baltimore, MD 21220, representative for Petitioner(s).

Peter May Zimmerman
PETER MAX ZIMMERMAN

CERTIFICATE OF POSTING

RE: Case # 98-379-A
Petitioner/Developer:
(Gertude V. Brush)
Date of Hearing/Glasing:
(June 1, 1998)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

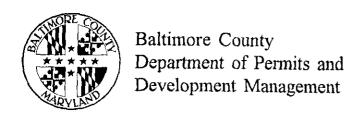
Attention: Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by								
law were posted conspicuously on the property located at								
3512 Galioway Road Baltimore, Maryland 21220								
The sign(s) were posted onMay 15, 1998(Month, Day, Year)								



Sincerely, Olar Olar 5/15/98 (Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)



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

April 27, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-379-A

3512 Galloway Road

W of Galloway Road, 365' N of Coldspring Road 15th Election District - 5th Councilmanic District

Legal Owner: Gertrude V. Brush

<u>Variance</u> to allow side yard setbacks of 7 feet and 13 feet in lieu of required 50 feet setbacks, respectively; to obtain undersized lot approval; and any other variances deemed necessary by the commissioner.

HEARING:

Monday, June 1, 1998 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Arnold Jabton

Director

c: Gertrude V. Brush Frank J. Brush, Jr.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 17, 1998.

- (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

May 14, 1998 Issue - Jeffersonian

Please forward billing to:

Gertrude V. Brush

410-284-3596

7399 Belmont Avenue Baltimore, MD 21224

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-379-A

3512 Galloway Road

W of Galloway Road, 365' N of Coldspring Road 15th Election District - 5th Councilmanic District

Legal Owner: Gertrude V. Brush

<u>Variance</u> to allow side yard setbacks of 7 feet and 13 feet in lieu of required 50 feet setbacks, respectively; to obtain undersized lot approval; and any other variances deemed necessary by the commissioner.

HEARING:

Monday, June 1, 1998 at 9:00 a.m. in Room 407, County Courts Building.

401 Bosley Avenue

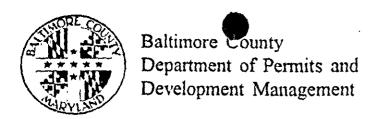
wrence E. Schmidt

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.



rinted with Sovboan Infon Recycled Paper

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.

Ā	RNOLD	JABLON,	DIRECTOR
For newspaper advertising:	,	5 Aug. Augr. pers mark mark mit and mit	ين ئي ڊي ۽ ۾ هد جي تحد جير جي فحد لڪ فحد لڪ انده احد احد احد احد احد
Item No.: 379			
Petitioner: GERTRUDE V. BRUSH			
Location: 3512 GALLOWAY F	2 <u>D</u>		
PLEASE FORWARD ADVERTISING BILL TO:			
NAME: GERTRUDE V. BRUSH			
ADDRESS: 7399 BELMONT AVE			
BALTIMORE, MD 21224	<u> </u>		
PHONE NUMBER: 410 - 284-3596			
AJ:ggs			

98-379-A

(Revised 09/24/96)

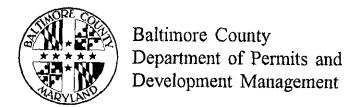
Request for Zoning: Variance, Special Exception, or Special Hearing
Date to be Posted: Anytime before but no later than
Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: <u>98-379-</u> A

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

PLACE:
DATE AND TIME:
REQUEST: Variance to permit side yard setbacks of 7'and 13' in lieu of required 50' respectively, to permit an
undersized lat and any other variances deemed hecessary by the commissioner.
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



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

May 27, 1998

Ms. Gertrude V. Brush 7399 Belmont Avenue Baltimore, MD 21224

RE: Item Number: 379

Case Number: 98-379-A Petitioner: Gertrude V. Brush

Dear Ms. Brush:

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 April 13, 1998.

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 Gwen Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

W. Cont Richardy Je

WCR:rye

Enclosures

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: May 6, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for May 4, 1998 Item No. 379

The Development Plans Review Division has reviewed the subject zoning item. New Galloway Road is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-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.

Per the Department of Public Works, the proposed pressure sewer for this area is in the design stage - scheduled for construction in summer of 1999.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: May 7, 1998

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: 3512 Galloway Road

INFORMATION

Item Number:

379

Petitioner:

Gertrude V. Brush

Zoning:

RC 5

Requested Action:

Variance

Summary of Recommendations:

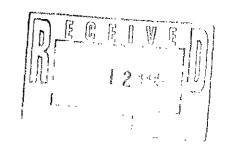
Staff does not oppose the applicant's request provided that the accessory structure is not used as a dwelling.

Cary L. Kerns

Prepared by:

Division Chief:

AFK/JL



Due Date: May 4, 1998

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RBS/4p

SUBJECT:

Zoning Item #379

Brush Property, 3512 Galloway Road

Zoning Advisory Committee Meeting of April 27, 1998 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. X 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 (Section 14-401 through 14-422 of the Baltimore County Code). X 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). X Ground Water Management: An evaluation of the septic system must be conducted prior to building permit approval, contact 410-887-2762 for more information.

GP:sp



Parris N. Glendening Governor

David L. Winstead Secretary

Parker F. Williams Administrator

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

RE: Baltimore County 4.28.35

Item No. 379

9

32

Dear Ms. Stephens:

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 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

101

P. J. Aredle Ronald Burns, Chief

Engineering Access Permits

Division

LG



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

May 6, 1998

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 APRIL 27, 1998

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:

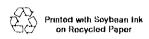
(379), 380, 383, 385, 387, 388, 389, 390, 391 AND 392

REVIEWER: LT. ROBERT P. SAUERWALD

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

cc: File







BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: May 7, 1998

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: 3512 Galloway Road

<u>INFORMATION</u>

Item Number:

379

Petitioner:

Gertrude V. Brush

Zoning:

RC 5

Requested Action:

Variance

Summary of Recommendations:

Staff does not oppose the applicant's request provided that the accessory structure is not used as a dwelling.

any L. Kerns

Prepared by:

Division Chief:

AFK/JL

Department of Permits and Development Management

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



Baltimore County

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

June 16, 2005

Robert & Kathy Pyles 3512 Galloway Road Baltimore, MD 21220

Dear Mr. & Mrs. Pyles:

Re: Spirit and Intent - case #98-379A; 3512 Galloway Road; 15th Election District

Your recent letter to the Zoning Office was forwarded to me for reply. Based upon the information you provided, the following has been determined. In the subject case referenced above, the Zoning Commissioner included five restrictions as part of his Order in the subject case.

Restriction #2 states, "The property shall be improved in accordance with the site plan submitted, including the removal of the existing bath house and shed. The new house shall be at the location and maintain the setbacks as shown on the plan." Your proposal places the new dwelling in a different location - 30 ft. closer to the water, and does not maintain the approved setbacks of 7 ft. on the south side and 13 ft. on the north side of the property. You are proposing setbacks of 9.25 ft. for both sides.

Restriction #4 states "Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, Department of Environmental Protection and Resource Management (DEPRM) dated May 4, 1998, are adopted in their entirety and made a part of this Order (copy of DEPRM's comments enclosed). Your proposal encroaches more than 30 ft. into the Chesapeake (approximately proposal encroaches more than 30 ft. Into the Chesapeake Bay Critical Area Buffer. You will be required to provide on-site mitigation or pay an in-lieu-of fee as to be determined by DEPRM.

In the opinion of this reviewer, your request does not meet the Spirit and Intent of the subject case noted above. The Zoning Commissioner's restrictions #2 and #4 will have to be addressed through another hearing. If you need further information or have any questions, I can be reached at 410-887-3391.

Sincerely,

Bruno Rudaitis

Planner II

Zoning Review

BR:br enclosure



Department of Permits and Development Management

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



Baltimore County

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

October 5, 2005

Kathy and Robert Pyles 3512 Galloway Road Baltimore, MD 21220

Re: Spirit & Intent - case # 98-379-A; 3512 Galloway Road; 15th Election District

Dear Mr. & Mrs. Pyles:

Your recent letter to Timothy Kotroco, Director – PDM, was forwarded to me for reply. Based upon the information you provided and review of the subject case, the following has been determined. Since the adjoining neighbor has no issue with the proposed addition (deck) being built no closer than 5.25 feet from the property line on the south side of the dwelling, your request <u>meets</u> the Spirit & Intent of the subject zoning case. Your permit (B607181) has been approved and you should be receiving it in the mail shortly.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, I can be reached at 410-887-3391.

Sincerely,

Bruno Rudaitis Planner II

Juno Rudaitis

Zoning Review

BR:br



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



ATTN: TIMOTHY M KOTROCO

BALTIMORE COUNTY

DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING, ROOM 111

111 WEST CHESAPEAKE AVE

TOWSON, MD 21204

RE:

KATHY AND ROBERT PYLES

3512 GALLOWAY ROAD

BALTIMORE, MARYLAND 21220 ORIGINAL CASE NO. 98-379-A

LETTER OF SPIRIT AND INTENT

PLEASE BE ADVISED WE ARE REQUESTING AN ADDITIONAL CHANGE TO THE ORIGINAL PLANS REGARDING THE ABOVE MENTIONED ADDRESS. OUR HOUSE IS HIGHLY ELEVATED DUE TO FLOOD RESTRICTIONS. WE HAVE A SIDE ENTRY ON OUR HOME WHICH REQUIRES STEPS AND LANDINGS TO REACH THIS DOOR. THIS IS ESSENTIAL TO SEVERAL FAMILY MEMBERS WHO HAVE MEDICAL PROBLEMS. WE ARE ALSO REQUESTING A DECK ON THE WATERFRONT OF THE HOME WHICH IS 31 X 15 FEET. THESE PLANS WERE APPROVED BY THE ENVIRONMENTAL DEPARTMENT, BUT SOMEHOW WERE NOT ON THE SITE PLANS. THE NEIGHBOR ON THE SIDE WHERE THE STEPS ARE LOCATED, MR. FRATTA, HAS NO OBJECTIONS REGARDING THIS MATTER. HE HAS BEEN MADE AWARE OF THESE PLANS AND HAS SIGNED A LETTER JUST AS WITH OUR ORIGINAL REQUEST. PLEASE FEEL FREE TO CONTACT HIM AGAIN IF NECESSARY.

THERE ARE PLANS ATTACHED THAT WERE APPROVED BY ENVIRONMENTAL PER REQUEST.

THE TYPE OF DECK AND STAIRS WE ARE REQUESTING EXIST ON MOST OF THE HOMES ON GALLOWAY ROAD.

THANKING YOU IN ADVANCE FOR YOUR ASSISTANCE IN THIS MATTER.

ROBERT AND KATHY PYLES

PUBLIC SEWAGE AND WATER ON PROPERTY LETTER FROM NEIGHBOR ATTACHED SITE PLAN ATTACHED BUILDING PERMIT ATTACHED

SEP 28 2003 05-2874 I HAVE BEEN MADE AWARE OF THE CONSTURCTION BEING COMPLETED AT 3512 GALLOWAY ROAD. MR PYLES HAS EXPRESSED TO ME THE NEED FOR THE STAIRS AND LANDING TO THE SIDE ENTRANCE OF HIS HOME. I HAVE NO OBJECTIONS TO THE STAIRS AND LANDINGS BEING COMPLETED ON THE SIDE NEXT TO MY PROPERTY AS THIS IS A NECESSARY ENTRANCE INTO HIS HOME.

DATE

Therbre M. Trotte

THEODORE FRATTA HOME PHONE:

410 344-0000

Zoning Commissioner Dear Sir:

Please be advised that our son, Jon Jason Fratte, is representing us at todays hearing - Case #18-379-A.

He is authorized to express our views and wishes with respect to the setback distances.

We would prefer to have a 10' setback from the property line to our neighbors house.

because of our work schedule.

We feel that a 501 Lot is too narrow to allow less than a normal 10' setback.

Respectfully yours Theodore M. Fratta Boxita L. Fratta THIS LETTER IS REGARDING NEW CONSTRUCTION LOCATED AT 3512 GALLOWAY ROAD, BALTIMORE, MD. 21220.

I HAVE BEEN MADE AWARE OF THE NEW HOME TO BE BUILT ON THE ABOVE MENTIONED ADDRESS. THE SIZE OF THE HOME IS 31 1/2 FEET WIDE AND 46 FEET LONG. THE STRUCTURE WILL BE 85 FEET FROM THE WATER. THE HOME WILL BE STRAIGHT WITH THE EXISTING HOME TO THE LEFT OF THE PROPERTY AND IN LINE WITH OTHER EXISTING HOMES. THE HOUSE WILL BE IN THE CENTER OF THE LOT REGARDING BOTH THE HOUSE TO THE LEFT AND THE LOT TO THE RIGHT.

I HAVE NO OBJECTIONS TO THE CHANGES FROM THE ORIGINAL VARIANCE.

NICK COSTAS TRIANTAFILG3514 GALLOWAY ROAD

410-477-1975

Talked to Costa on 6/22/25 and he indicated no groble in with 9.25' side yard setback.

Brum Pridate

THIS LETTER IS REGARDING NEW CONSTRUCTION LOCATED AT 3512 GALLOWAY ROAD, BALTIMORE, MD. 21220.

I HAVE BEEN MADE AWARE OF THE NEW HOME TO BE BUILT ON THE ABOVE MENTIONED ADDRESS. THE SIZE OF THE HOME IS 31 ½ FEET WIDE AND 46 FEET LONG. THE STRUCTURE WILL BE 85 FEET FROM THE WATER. THE HOME WILL BE STRAIGHT WITH THE EXISTING HOME TO THE LEFT OF THE PROPERTY AND IN LINE WITH OTHER EXISTING HOMES. THE HOUSE WILL BE IN THE CENTER OF THE LOT REGARDING BOTH THE HOUSE TO THE LEFT AND THE LOT TO THE RIGHT.

I HAVE NO OBJECTIONS TO THE CHANGES FROM THE ORIGINAL VARIANCE.

Theodore M Fratta
THEODORE FRATTA 3510 GALLOWAY ROAD

5/28/05 DATE

5/23/15

410-344-6000

Talked to Ted Fratta and he indicated no problem with the 9.35' side yard

setlevele.

Grum Restartion

DATE: 06/22/2005 STANDARD ASSESSMENT INQUIRY

TIME: 15:50:44

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
15 19 321291 15 3-1 34-00 N NO 06/01/05

TRIANTAFILOS NICHOLAS C DESC-1.. IMPS

DESC-2.. BOWLEYS QUARTERS

1528 BOWLEYS QUARTERS RD PREMISE. 03514 GALLOWAY RD

00000-0000

BALTIMORE MD 21001-1841 FORMER OWNER: GAYDOS JOSEPH JEFFERY, JR

----- FCV ----- PHASED IN -----PRIOR PROPOSED CURR CURR PRIOR 48,770 48,770 LAND: FCV ASSESS ASSESS IMPV: 330 290 TOTAL.. 49,060 49,060 TOTL: 49,100 49,060 PREF... 0 0 0 CURT... 0 EXEMPT. PREF: U 0 0 0 0 CURT: 0

DATE: 07/99 07/02

---- TAXABLE BASIS ---- FM DATE

00/01 ASSESS: 49,060 05/27/05

ASSESS: 49,060 ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

CATION FOR PERMIT

DATE: 6/10/09

	DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT OEA: CPC.
PERMIT #: 8	PRODURING ANDRESCO 3512 (TALALAMA (A)
RECEIPT #: AFCONTROL #: VR. FPPA	SUITE/SPACE/FLOOR
XREF #:	SUBDIV: BOWLEUS BUARTERS. DO NOT KNOW TAX ACCOUNT #: 1302654269 DISTRICT/PRECINCT
FEE: 130	NAME: LOBELY & LATTY YES 15 01
PAID: WHIVE PAID BY:	ADDR: 1190 CUMPING UK YOACTO MID 21220
INSPECTOR:	APPLICANT INFORMATION, () // HAVE SPRINKLERS
I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE,	COMPANY.
AND THAT IN POING THIS WORK ALL, PROVI- SIONS OF THE BALTIMORE COUNTY CODE AND	STREET WEST 5 12 GALDWAN FD 7190 CUNNINGCK
APPROPRIATE STATE RECULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED	CITY, ST, 21P (30-15) 3-1226
OR NOT AND WHIL REQUEST ALL REQUERED UNSPECTIONS.	SIGNATURE: LOYUL W la DRC#
	PLANS: CONST 2 PLOT / PLAT O DATA C) EL PL
	TENANT CONTR: OWNEL
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2. ADDITION 3. ALTERATION	2 Nyw/ atter unhenested
4REPAIR	DESCRIBE PROPOSED WORK: Demago due 40 Cabel.
5. WRECKING 6. MOVING	Erect foundation & state approval
7. OTHER	- industrialine divelling, 2NO Floor
TYPE OF USE	Erect foundation & state approvol industrialine dividing, 200 Floor tobe unfinished 2 bodoms:
RESIDENTIAL	NON DEGITATION AT
01. ONE FAMILY 02. TWO FAMILY	08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
03. THREE AND FOUR FAMILY 04. FIVE OR MORE FAMILY	09. CHURCH, OTHER RELIGIOUS BUTLDING 10. FENCE (LENGTH HEIGHT) 11. INDUSTRIAL, STORAGE BUILDING
(ENTER NO UNITS)	- 12. PARKING GARAGE 13 SERVICE CHARLON NEDATE OFFICE WILL NOT EXCENT
06. GARAGE 07. OTHER	14. HOSPITAL, INSTITUTIONAL, NURSING HOME 15. OF LOT
TYPE FOUNDATION BASEMEN	16. PUBLIC UTILITY 17. SCHOOL, COLLEGE, OTHER EDUCATIONAL 18. SIGN
1. SLAB 1. FUI 2. BLOCK 2. PAF 3 CONCRETE 3. NON	L 19. STORE MERCANTILE RESTAURANT
3, CONCRETE 3. NON	E 20. SWIMMING POOL
	21. TANK, TOWER 22. TRANSIENT HOTEL, MOTEL (NO. UNITS) 23. OTHER
TYPE OF CONSTRUCTION T	
_	
3. WOOD FRAME STRUCTURE STEEL	Z. PRIVATE SYSTEM
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PROPOSED US EXISTING US	E: UFO E: VACANT FOT SEEB FOR PAING
OMMERGUTE	2. PUBLICLY OWNED 3. SALE 4. RENTAL
	DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE #3BED: TOT BED: TOT, APTS/CONDOS: 6. HIRISE
1 FAMILY BEDROOMS GARBAGE DISPOSAL 1. 2.	: #3BED: TOT BED: TOT APTS/CONDOS: 6. HIRISE
POWDER ROOMS O	RUBER 07 FOLIO 12
DILLIPTUS GROW	APPROVAL SIGNATURES DATE
FLOOR <u>2139</u> SIZE	AND SETBACKS BLD INSP: BLD PLAN RM 120 :
WIDTH 3/5 FRONT STORE STREET	REET FIRE :
HEIGHT 24 FRONT SE	TBK 85 (ZONING RM: III) /N FINAL ://22/35
LOT #'S <u>57</u> SIDE STR	
CORNER LOT REAR SETTING 1. Y. 2. N. ZONING	BIG ENG:
	TO BALTIMORE COUNTY MARYLAND NO PERMIT FEES REFUNDED
1 .	THE THE COUNTY

DO WATERFRONT

DATE: 9/20/05 APPLICATION FOR PERMIT BALTIMORE COUNTY MARYLAN DEPARTMENT OF PERMITS & DEVELOPMENT OEA: MR TOWSON, MARYLAND 21204 HISTORIC DISTRICT/BLDG. PERMIT #: \$60718|
RECEIPT #: 4 PROPERTY ADDRESS 35/2 YES T SUITE/SPACE/FLOOR CONTROL #: DO NOT KNOW SUBDIV: TAX ACCOUNT #: DISTRICT/PRECINCT OWNER'S INFORMATION PAID: (00.00)
PAID: (00.00)
PAID BY: (00.00) UBBL NAME: 34-1253 ADDR: DOES THIS BLDG. INSPECTOR: // HAVE SPRINKLERS APPLICANT INFORMATION I HAVE CAREFULLY READ THIS APPLICATION AVAU YES __ NO __ AND KNOW THE SAME IS CORRECT AND TRUE, COMPANY: AND THAT IN DOING THIS WORK ALL PROVI-STREETS SIONS OF THE BALTIMORE COUNTY CODE AND CITY, ST, ZIP APPROPRIATE STATE REGULATIONS WILL BE PHONE #: COMPLIED WITH WHETHER HEREIN SPECIFIED MHBR# OR NOT AND WILL REQUEST ALL REQUIRED APPLICANT INSPECTIONS. SIGNATURE: DRC# ZPL Z PLANS: CONST TENANT CONTR: TYPE OF IMPROVEMENT ENGNR: NEW BLDG CONST SELLR: ADDITION DESCRIBE PROPOSED WORK: Const-open wood Deck ALTERATION REPAIR WRECKING ale, also const. open woo MOVING OTHER TYPE OF USE W) steps to SKD, YXIS= GOSF RESIDENTIAL ONE FAMILY AMUSEMENT, RECREATION, PLACE OF ASSEMBLY CHURCH, OTHER RELIGIOUS BUILDING FENCE (LENGTH HEIGHT) TWO FAMILY
THREE AND FOUR FAMILY
FIVE OR MORE FAMILY
(ENTER NO UNITS)
SWIMMING POOL AMUSEMENT, RECREATION, PLACE OF ASSEMMENT OF THE RELIGIOUS BUILDING FENCE (LENGTH HEIGHT)
INDUSTRIAL, STORAGE BUILDING
PARKING GARAGE
SERVICE STATION, REPAIR GARAGE
HOSPITAL, INSTITUTIONAL, NURSING HOME
OFFICE, BANK, PROFESSIONAL
PUBLIC UTILITY
SCHOOL, COLLEGE, OTHER EDUCATIONAL ÕŌ. 10. 11. 12. 13. GARAGE OTHER 15 16 17 SCHOOL, COLLEGE, OTHER EDUCATIONAL TYPE FOUNDATION BASEMENT - SLAB - BLOCK 1. FULL 2. PARTIAL MERCANTILE _ STORE RESTAURANT SPECIFY TYPE SWIMMING POOL CONCRETE NONE SPECIFY TYPE TANK, TOWER
TRANSIENT HOTEL, MOTEL (NO. UNITS OTHER TYPE OF CONSTRUCTION TYPE OF HEATING FUEL TYPE OF SEWAGE DISPOSAL A PUBLIC SEWER PRIVATE SYSTEM SEPTIC MASONRY GAS ELECTRICITY EXISTS PROPOSED WOOD FRAME STRUCTURE STEEL _OIL 4. COAL REINF. CONCRETE EXISTS PROPOSED TYPE OF WATER SUPPLY PRIVY EXISTS PROPOSED CENTRAL AIR: 1. 2. ESTIMATED COST: 5 407)
OF MATERIALS AND LABOR
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TOT BED: TOT APTS/CONDOS_ 2. TOWNHSE #2BED: MIDRISE #3BED: HIRISE GARBAGE DISPOSAL I. Y... BATHROOMS CLASS & POWDER ROOMS KITCHENS 07 FOLIO/2 LIBER LOT SIZE AND SETBACKS APPROVAL SIGNATURES DATE BUILDING STRE BLD INSP: FLOOR 525 SIZE <u>50X200</u> BLD PLAN WIDTH FRONT STREET FIRE DEPTH SIDE STREET SEDI

PUB SEI

PERMITS

mahulis

HEIGHT

STORIES

LOT # S

CORNER LOT

1. __ YES 2. \(\times NO

FRONT SETBK

REAR SETBK

ZONING

SIDE SETBK

LHM077H5 OHON CEXIST POVINGS L Prop Prassura Sawar 368' to & cold Spring Rd. (DD11-75.640) W" S.x3 ,0009 M. C.69.50N 7/8" Coppad Pin Sat 8.0.9 DDE000-78-51 16217E-61-21 849-0852 60000 178 - 8655 Theodore M& Bonito L. Frotto 45 107 234000 89 107 95 107 (P) Constancetion hereutioned the regordeny To act uchabanto 105 vid , 8/E (2) 109 11.1.8/8 198.42 8,000 ロバンタ groma groma Froma. Exist. (3) (pr) FXIZY p045 Rock 2000 10 9 Exist XVIVE TO THE STATE OF THE STATE ליח אח לסחב. לסעחם Bulkhaod Z 2/8, Cappad Pin Sat Bulkhaod 200

PLEASE PRINT CLEARLY

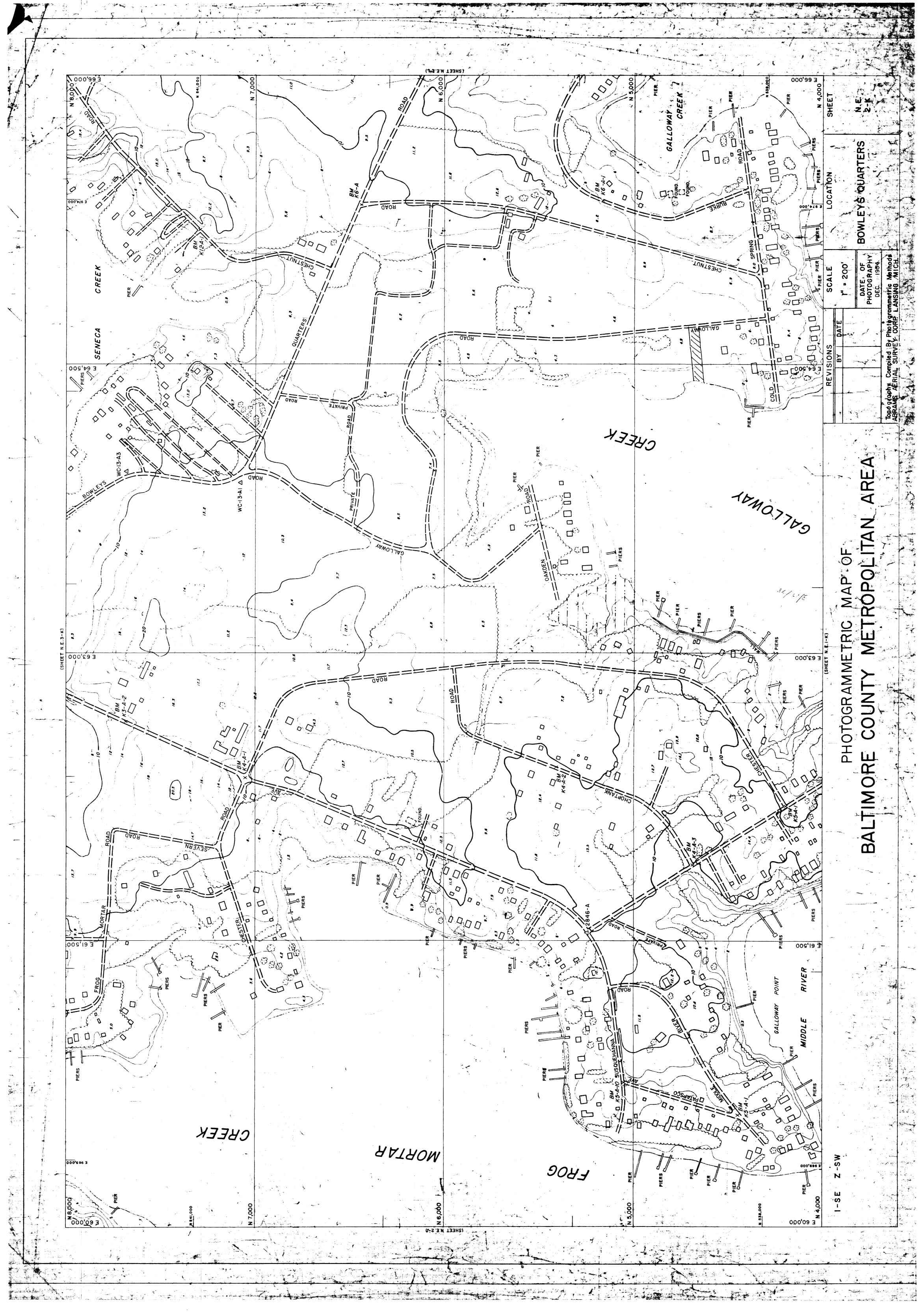
PETITIONER(S) SIGN-IN SHEET

FRANK J. BRUSH GERTRUDE V. BRUSH	JR ADDRESS 7420 Gruenbank Rd 21220
GERTRUDE V. BRUSH	1399 BELMONT AVE 21224

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Thurdone FRATTA	24 OLD SUND 7D
Bonita Frank	Joppa MD 2,000
Jon- Jam Frank	
	,



98-379-A

Enclosed Potio = 352 Sq. Pt. Proposed House = 1740 Sq. Pt. ZONING REQUIREMENTS 1904.3.B.4 - 15% Covaroge Allo Proposad 50' Lot Satbocks Raquirad Satbocks Proposad As Show Forast 15% or 3,82,00.08 N,1E.p81 ,00'111 Wood Pier, 5// M,,82,00.085 198.42 • the third is a second of the s

JUNDERSIZE LOT, SIDE X.
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Subdivision Nome
RAT Book 7
Tox Map # 98
Ownar: Fronk
Tox. Acf. # 15Tox. Acf. # 15-

98-379-A