

IN RE: PETITION FOR VARIANCE
W/S Burke Road, 300' N
centerline Bowley's Quarters Road
15th Election District
7th Councilmanic District
(1434 Burke Road)

Edward G. Miller
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-133-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Edward Miller. The Petitioner is requesting a variance for property he owns at 14354 Burke Road, located in the Bowley's Quarters area of Baltimore County. The variance request is from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 5 ft. in lieu of the required 50 ft. for a new single family dwelling and to approve an undersized lot.

Appearing at the hearing on behalf of the variance request was Edward Miller, property owner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.39 acres, more or less, zoned RC 5. The subject property is improved with an old single-family residential dwelling. Mr. Miller has resided in that dwelling since 1986. The subject structure is beyond renovation and the Petitioner is desirous of tearing down the old shore home and constructing a new single-family dwelling in its place. He intends to construct the new dwelling in the exact location of the old house. The new dwelling will have a 5 ft. side yard setback, whereas the current house is situated just 1 ft. from the side property line. In order to proceed with the construction of his new dwelling the requested variance is necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

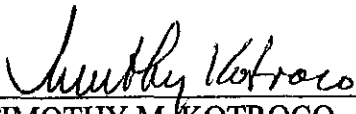
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDRED this 25th day of October, 2000, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 5 ft. in lieu of

the required 50 ft. for a new single family dwelling and to approve an undersized lot, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 9/25/02
H. J. Pearson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October 25, 2000

Mr. Edward G. Miller
1434 Burke Road
Baltimore, Maryland 21220

Re: Petition for Variance
Case No. 01-133-A
Property: 1434 Burke Road

Dear Mr. Miller:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

ZONING DESCRIPTION FOR
1434 BURKE RD.
BALTIMORE, MD. 21228

Beginning at a point on the WEST side of BURKE RD., which is 30 feet wide at the distance of 300 feet NORTH of the centerline of BOWLEY'S QUARTERS ROAD, which is 30 feet wide. Being lot # 153, Plat #1, in the subdivision of BOWLER'S QUARTERS as recorded in Baltimore County Plat Book # 7, Folio # 12, containing ^{16,994}~~15,825~~ sq. ft. Also known as 1434 BURKE ROAD, and located in the 15th election district, 7th councilmanic district.

133

01-133-A

CERTIFICATE OF POSTING

**RE: CASE # 01-133-A
PETITIONER/DEVELOPER
(Edward G. Miller)
DATE OF Hearing
(10-24-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

1434 Burke Road Baltimore, Maryland 21220_____

THE SIGN(S) WERE POSTED ON_____ 10-9-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)

**NOTICE OF ZONING
HEARINGS**

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 #01-133-A

1434 Burke Road, 300 feet N of centerline Bowleys Quarters Road

15th Election District

7th Councilmanic District

Legal Owner(s): Edward G. Smith

Mileend Settlement, 67 West Hill

Variance to permit a proposed single family dwelling with a property line setback of 5 feet in lieu of the 50 feet and to approve an undersized lot.

Hearing: Tuesday, October 24, 2000 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JF10063 Oct 10 C25/75

CERTIFICATE OF PUBLICATION

TOWSON, MD, 10/13/, 2000

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 10/10/, 2000.

S. Williams
THE JEFFERSONIAN,

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
1434 Burke Road, W/S Burke Rd,
300' N of c/l Bowleys Quarters Rd
15th Election District, 7th Councilmanic

Legal Owner: Edward G. Miller
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-133-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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



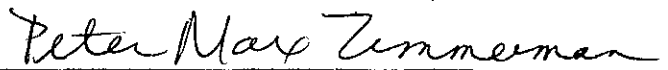
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 16th day of October, 2000 a copy of the foregoing Entry of Appearance was mailed to George McClelland, 25 Waterview Road, Baltimore, MD 21222, representative for Petitioners.



PETER MAX ZIMMERMAN

04/33-A

AND WILL BE HELD BY
THE COMMISSIONER
MORGAN, MD.

COUNTY OF LOS ANGELES, CALIF.
 AND TIMES OF SALE and of 200000

HEARD OF CONN CONDITIONS ARE FAVORABLE
SCHEDULED HEARING DAY
HEARINGS ARE
UNLAPSED ACCESSIBLE

1434 Burke Road



Baltimore County
Department of Permits and
Development Management

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

September 28, 2000

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: 01-133-A
1434 Burke Road
W/S Burke Road, 300 feet N of centerline Bowleys Quarters Road
15th Election District – 7th Councilmanic District
Legal Owner: Edward G. Miller

Variance to permit a proposed single family dwelling with a property line setback of 5 feet in lieu of the 50 feet and to approve an undersized lot.

HEARING: Tuesday, October 24, 2000, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, reading "Arnold Jablon". Below the signature, the initials "GDZ" are written.

Arnold Jablon
Director

C: Edward G. Miller, 1434 Burke Road, Baltimore 21220
George D. McClelland, 25 Waterview Road, Baltimore 21222

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 9, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday October 10, 2000 Issue – Jeffersonian

Please forward billing to:

Edward G. Miller
1434 Burke Road
Baltimore, MD 21220

410 335-8686

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: 01-133-A

1434 Burke Road

W/S Burke Road, 300 feet N of centerline Bowleys Quarters Road

15th Election District – 7th Councilmanic District

Legal Owner: Edward G. Miller

Variance to permit a proposed single family dwelling with a property line setback of 5 feet in lieu of the 50 feet and to approve an undersized lot.

HEARING: Tuesday, October 24, 2000, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

GJZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-133-A

Petitioner: MILLER

Address or Location: 1434 BURKE RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: Edward G. Miller

Address: 1434 Burke Rd.

Baltimore, MD 21220

Telephone Number: 410-335-8686

Revised 2/20/98 - SCJ

#1 133

01-133-A



Baltimore County
Department of Permits and
Development Management

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

October 20, 2000

George D. McClelland
25 Waterview Road
Baltimore, MD 21222

Dear Mr. McClelland:

RE: Case Number: 01-133-A, 1434 Burke Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 21, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C Edward G. Miller, 1434 Burke Road, Baltimore 21220
: People's Counsel





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 3, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCTOBER 2, 2000

Item No.: See Below

Dear Ms. Stephens:

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:

114, 127, 128, 129, 130, 131, 133, AND 135

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits &
 Development Management

DATE: October 10, 2000

FROM: Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for October 10, 2000
 Item No. 133

The Bureau of Development Plans Review has reviewed the subject zoning item. Burke Road is an existing road which shall ultimately be improved as a 30-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.

Basements are not permitted for new buildings, for substantial improvements to existing buildings, or for additions.,

A building permit shall be granted only after the necessary permits from the state and federal agencies have been obtained.

RWB:HJO;jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RM*
DATE: October 5, 2000
SUBJECT: Zoning Item #133
1434 Burke Road

Zoning Advisory Committee Meeting of September 25, 2000

- _____ 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 may need to 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 Groundwater Management: The house and deck must be located a minimum of 20 feet from the septic reserve area. The condition of the existing septic system must be verified and approved by Groundwater Management prior to building permit approval.

Reviewer: Keith Kelley
Reviewer: Margie Epps

Date: October 5, 2000
Date: October 3, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

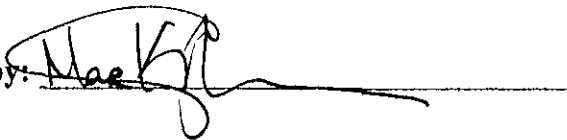
DATE: October 13, 2000

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

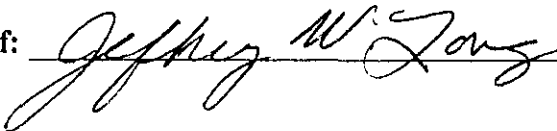
SUBJECT: Zoning Advisory Petition(s): Case(s) 01-132, 01-133, 01-142 and 01-144.

The Office of Planning has reviewed the above referenced case and has no comments to offer. For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-133-A

FROM: Arnold Jablon, Director
Department of Permits & Development Management

Residential Processing Fee Paid
(\$50.00)

Accepted by CTM
Date 9/21/00

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

EDWARD G. MILLER 1434 BURKE RD BALTO 21220 410-335-8686
Print Name of Applicant Address Telephone Number
Lot Address 1434 Burke Rd Election District 15 Councilmanic District 7 Square Feet 16,994
Lot Location: N E S W side/corner of Burke Rd 300 feet from N E S W corner of Bowleys Quarter
(street) (street)
Land Owner: Edward G. Miller Tax Account Number 1502655150
Address: 1434 Burke Rd Telephone Number 410 335-8686

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u> </u>	<u> </u>
2. Permit Application	<u> </u>	<u> </u>
3. Site Plan Property (3 copies)	<u> </u>	<u> </u>
Topo Map (2 copies): available in Room 208, County Office Building - (please label site clearly)	<u> </u>	<u> </u>
4. Building Elevation Drawings	<u> </u>	<u> </u>
5. Photographs (please label all photos clearly) Adjoining Buildings	<u> </u>	<u> </u>
Surrounding Neighborhood	<u> </u>	<u> </u>
6. Current Zoning Classification: <u>RC-5</u>		

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:



Approval



Disapproval

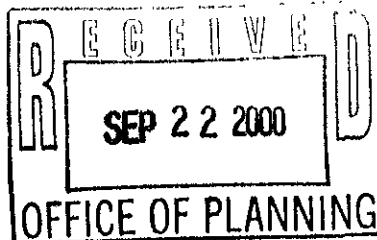


Approval conditioned on required modifications of the application to conform with the following recommendations.

Additional comments will be made in 2AC
Comment in Case No. 01-133-A

Signed by:

Jeffrey W. Long
for the Director, Office of Planning and Community Conservation



Date:

9/29/00

Revised 2/25/99

**SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2**

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-133-A

FROM: Arnold Jablon, Director
Department of Permits & Development Management

Residential Processing Fee Paid
(\$50.00)

Accepted by CTM
Date 9/21/00

RE: Undersized Lots

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Lot Address 1434 Burke Rd Election District 15 Councilmanic District 7 Square Feet 16,994
Lot Location: N E W side/corner of Burke Rd 300 feet from N E S W corner of Bowleys Circle
(street) (street)
Land Owner: Edward G. Miller Tax Account Number 1502655150
Address: 1434 Burke Rd Telephone Number 410 335-8686

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

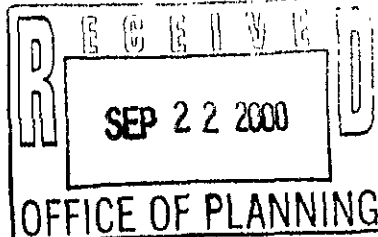
	YES	NO
1. This Recommendation Form (3 copies)	_____	_____
2. Permit Application	_____	_____
3. Site Plan Property (3 copies)	_____	_____
Topo Map (2 copies): available in Room 206, County Office Building - (please label site clearly)	_____	_____
4. Building Elevation Drawings	_____	_____
5. Photographs (please label all photos clearly) Adjoining Buildings	_____	_____
Surrounding Neighborhood	_____	_____
6. Current Zoning Classification: <u>RC-5</u>	_____	_____

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations
Additional comments will be made in 2AC
Comment in Case No. 01-133-A

Signed by: Jeffrey W. Long
for the Director, Office of Planning and Community Conservation



Date: 9/29/00

Revised 2/25/9

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Lloyd,

10/16/00

Please be advised
that this office has
no additional comments
to offer as part

of our ZAC review.
J. Long



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 10.2.00

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

RE: Baltimore County
Item No. 133 LTM

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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

E66,000

E975,00

E67,5

R.C. 20

97-104-A

R.C. 5

BMB

R.C. 5

SITE

POB

BOWLEYS

133

01-133-A R.C. 20

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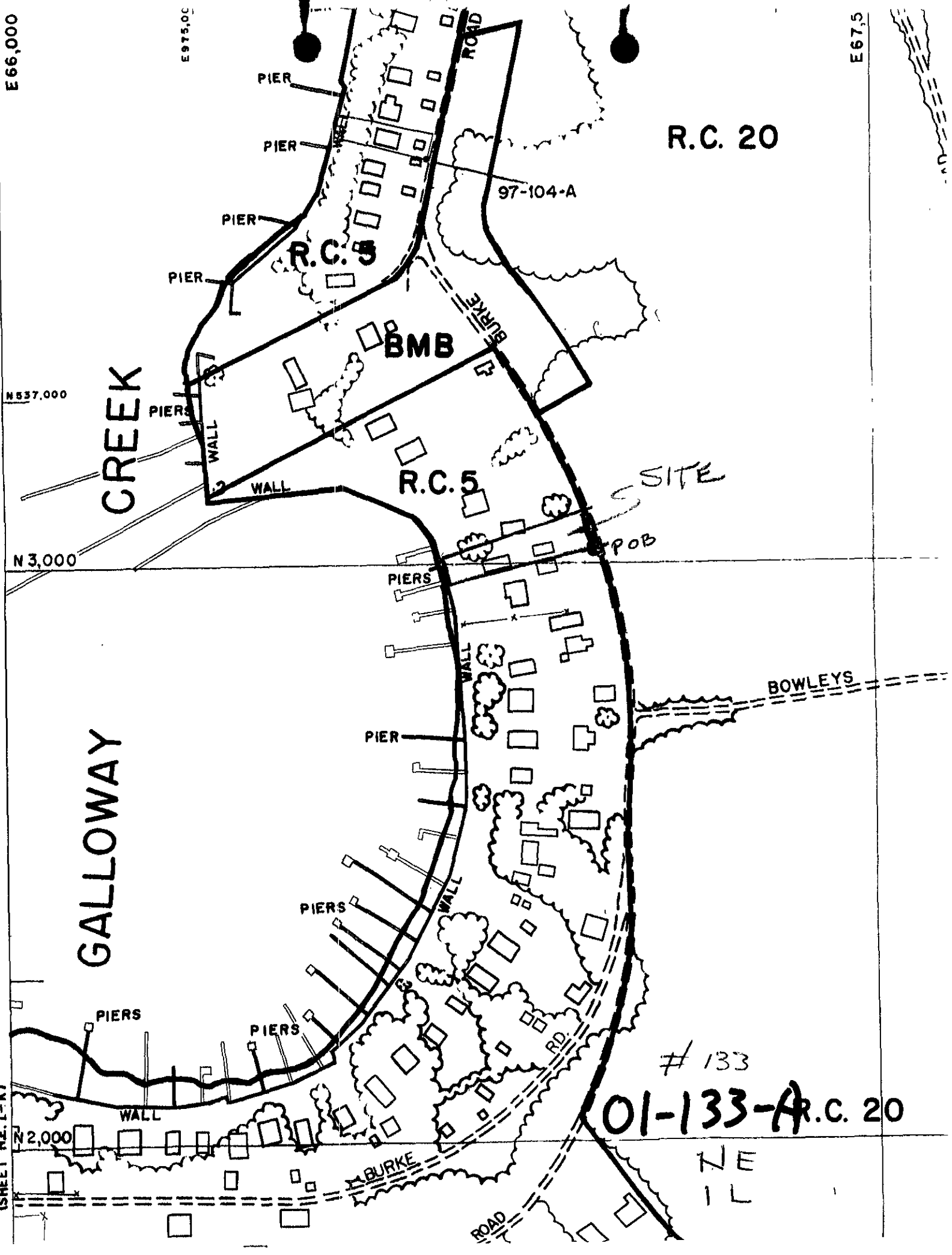
GALLOWAY

N 537,000

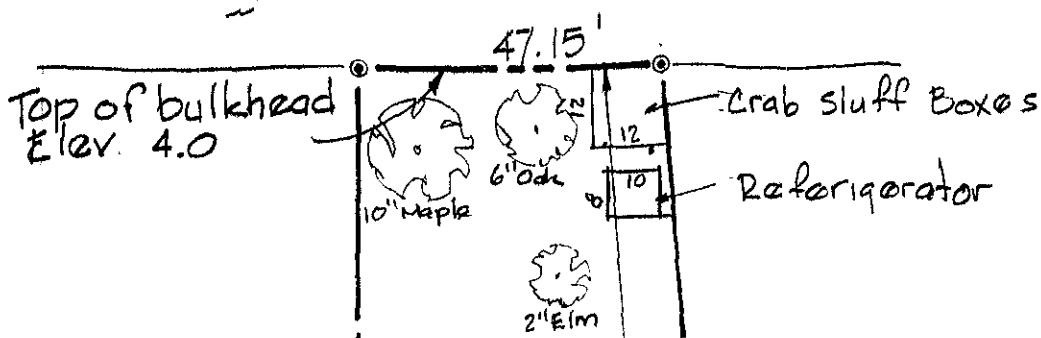
N 3,000

N 2,000

(SHEET N.E. L-K)

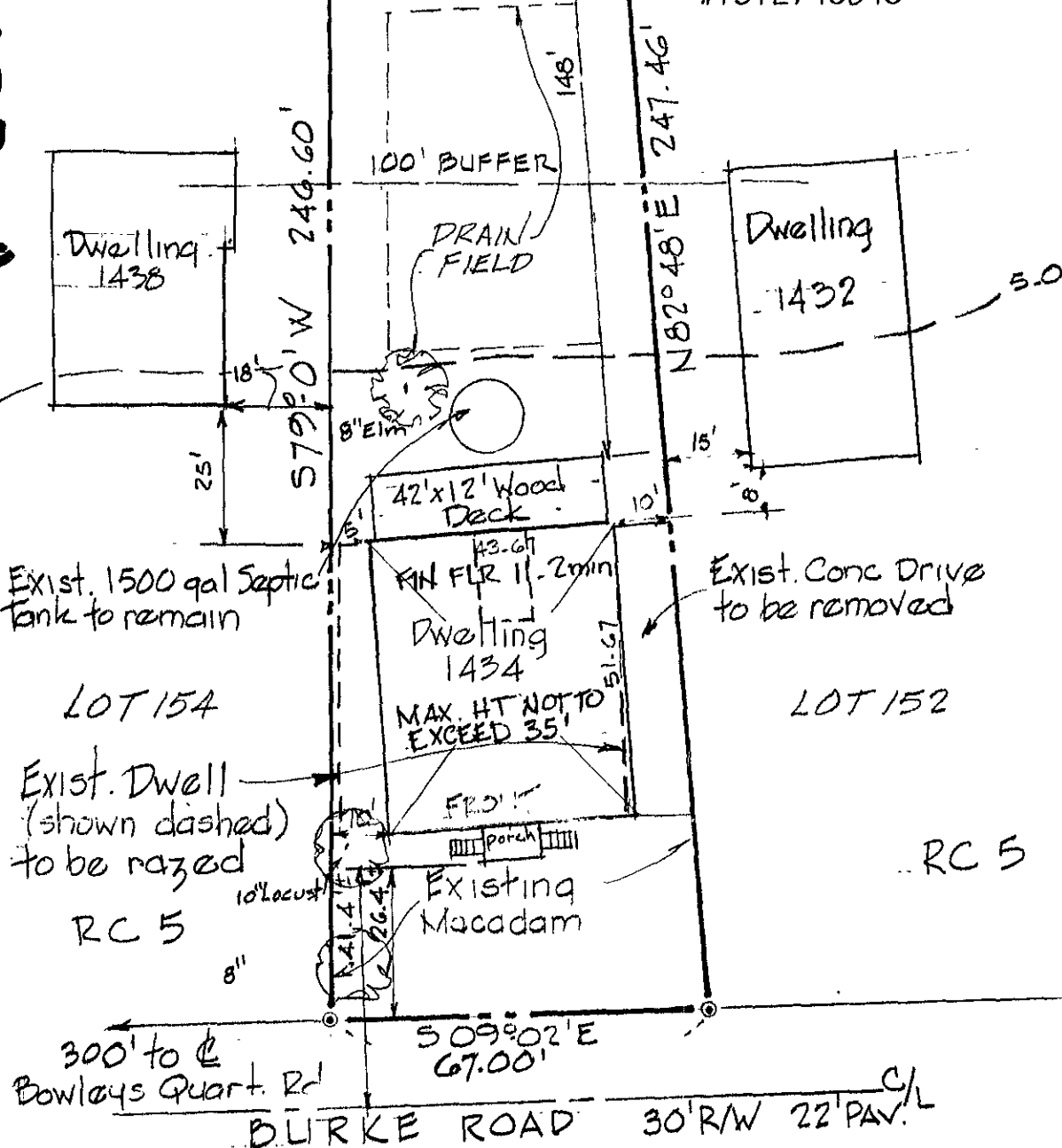


GALLOWAY CREEK



Swinder, Ronald
1438 Burke Rd.
#1508007310

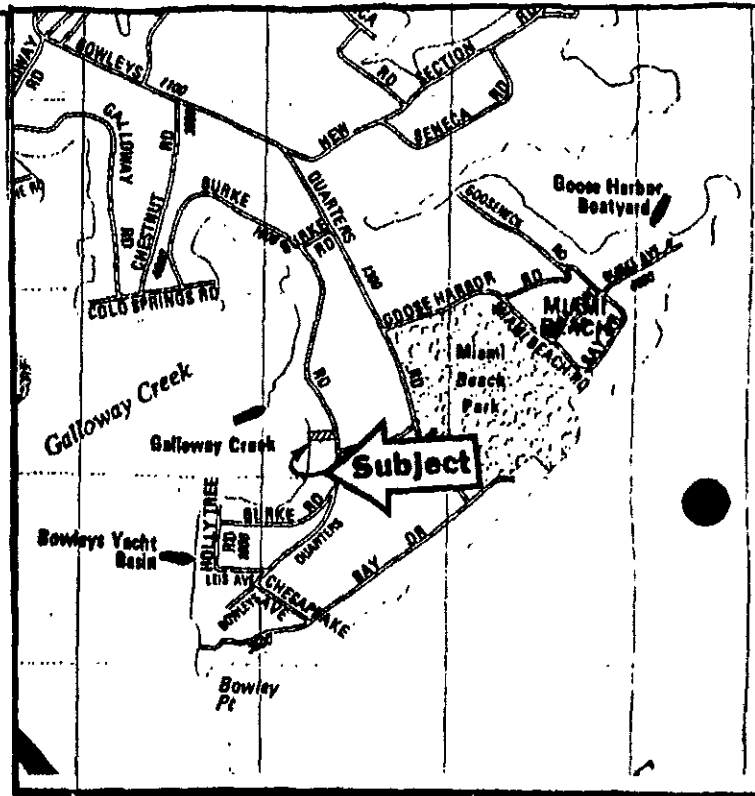
Wiley, Lawrence Robert Jr.
Wiley, Cassandra Kay
1432 Burke Rd.
#1512740940



SITE PLAN

LOT 153
Plat 1 Bowleys Quarters

Ref Ex #1



VICINITY MAP

PLAT TO ACCOMPANY BUILDING PERMIT, VARIANCE & UNDERSIZED LOT

1434 BURKE RD.

BALTIMORE, MD 21220

ACCT. NO. 1502655150, DEED REF. 0429/233

Lot # 153, plat #1, plat ref. 7/12

15th Elect. Dist, 7th Councilmanic Dist.

Owner: Edward G. Miller

1434 Burke Rd. Baltimore, MD 21220

Telephone: 410-335-8686

Agent: George D. McClelland

25 Waterview Rd. Baltimore, MD 21222

Telephone: 410-477-9136

Date: Sept. 20, 2000

REMARKS

Prior Zoning Hearings: NONE

Zoning: RC-5 NE-1L

Site is located in the C.B.C.A.

Flood zone A, and the L.D.A.

The proposed work is NOT in the 100' buffer

Site is served by public water, and has a

private septic system, with drain field.

The lowest floor shall be 11.2' min.

No clearing, grading, construction, or other disturbance will occur in the buffer, except as permitted by D.E.P.R.M.

All downspouts shall be directed across the lawn.

The 6 major trees shall remain, 3 are in the buffer.

No shared ownership with adjacent lots for more than six years.

TABULATION

Lot area: 16994 SF, 0.39 Ac.

Macadam parking area: 1920 SF

Concrete Drive (to be razed): 400 SF

Sluff boxes (for crabs): 144 SF

Walk-in Refrigerator: 80 SF

Existing dwelling to be razed: 2652 SF

Proposed dwelling: 2355 SF

EXISTING IMPERVIOUS: 5196 SF, 30%

PROPOSED IMPERVIOUS: 4499 SF, 26%

A REDUCTION OF 697 SF

LTm #133



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1434 Burke Rd

which is presently zoned RC-5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.2 (RC2R)

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING WITH A PROPERTY LINE SETBACK OF 5 FEET IN LIEU OF THE REQUIRED 50 FEET AND TO APPROVE AN UNDERSIZED LOT

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

To be determined at hearing

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Edward G. Miller

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

George D. McClelland

Name

Address

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By LTm

Date 9/21/00

ORDER RECEIVED FOR FILING

Date

By

Case No. 01-133-A
REV 9/15/98

CBCA
FLOODPLAIN