IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE – N/S Burke Road, 300' E of the c/l Holly Tree Road (1612 Burke Road)
15th Election District
5th Council District

Robert Lewis, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-336-SPHA
*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Robert and Jill Lewis. The Petitioners request a special hearing to approve a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), of Sections 517.1 (510.1) of the Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code, to build a single family dwelling in a tidal floodplain. In addition, the Petitioners request a variance from Section 1A04.3.B.2 of the B.C.Z.R. to permit (side) property line setbacks of 22 feet each in lieu of the required 50 feet, a street centerline setback of 65 feet in lieu of the required 75 feet, and approval of the subject lot as an undersized lot, and any other variances deemed necessary to permit redevelopment of the property with a single family dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Jill Lewis, property owner, and Don Schmelzer, a nearby neighbor. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterfront lot, with frontage on Galloway Creek and Burke Road in Bowleys Quarters. The property contains a gross area of .32 acres, more or less, zoned R.C.5 and is improved with a single family dwelling

ORDER RECEIVED FOR FILING
Date 4/16/01
By

which was built in 1924. The Petitioners have owned and resided on the property since 1993 and are desirous of razing the existing dwelling and constructing a new home in its place. However, due to the location of the property and it's zoning classification, the requested relief is necessary in order to proceed with the proposed improvements.

Presently, the existing dwelling features 21-foot side yard setbacks on both sides. The new dwelling will be slightly narrower and increase those setbacks to 22 feet on each side. However, 50-foot setbacks are required in the R.C.5 zone. In addition, the Petitioners propose to relocate the building envelope 8 feet closer to Burke Road. It was indicated that the house is being shifted in that direction due to environmental concerns raised by the Department of Environmental Protection and Resource Management (DEPRM). Apparently, DEPRM desires that as large a setback as possible be maintained from the dwelling to the bulkhead at the water. Thus, the requested street centerline setback of 65 feet in lieu of the required 75 feet is sought. As for the Petition for Special Hearing, the property is located within a tidal floodplain. Thus, the Petitioners request the appropriate waiver to permit construction of the new dwelling.

As noted above, no one appeared in opposition to the request. In fact, Ms. Lewis indicated that her neighbors support the request and believe that the new house will be an improvement to the Petitioners' lot and surrounding neighborhood. Zoning Advisory Committee (ZAC) comments were received from several agencies, however, which offer certain recommendations. DEPRM notes that development on the property must be in compliance with the Chesapeake Bay Critical Area regulations and that an evaluation of the septic system must be conducted prior to building permit approval. Ms. Lewis indicated that she was aware that the property need comply with the Chesapeake Bay Critical Areas regulations and had already contacted DEPRM about an evaluation of the septic system. She indicated no opposition to the inclusion of that comment as a restriction on the grant of the special hearing and variance relief.

It is also to be noted that the Petitioners submitted building elevation drawings for review by the Office of Planning, which approved same on March 5, 2001. Thus, the new dwelling shall be constructed in accordance with the approved drawings.

ORDER RECEIVED FOR FILING
Date 3/14/01
By

A ZAC comment was also received from Robert W. Bowling of the Development Plans Review Division of the Department of Permits and Development Management (DPDM). This comment offers a number of recommendations relating to the redevelopment of the subject property, including the creation of a 15' x 15' drainage and utility easement for a simplex sewer grinder pump when public sewer becomes available to this property. In this regard, it is to be noted that although the property is served by public water, a private septic system is in place. Although construction is in the area to bring public sewer to this property and the surrounding community, those public improvements have not yet been completed. The Petitioner indicated a willingness to accept the conditions contained within Mr. Bowling's recommendation. Ultimately, the dwelling will be connected to public sewer when such utilities are made available.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of April, 2001 that the Petition for Special Hearing to approve a waiver, pursuant to Section 500.6 of the Baltimore County *Zoning Regulations* (B.C.Z.R.), of Sections 517.1 (510.1) of the Building Code, and Sections 26-670 and 26-172(a)(3) of the Baltimore County Code, to build a single family dwelling in a tidal floodplain, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.2 of the B.C.Z.R. to permit (side) property line setbacks of 22 feet each in lieu of the required 50 feet, a centerline setback of 65 feet in lieu of the required 75 feet, and approval of the subject lot as an undersized lot, and any other variances deemed necessary to permit redevelopment of the subject property with a single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until 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.

ORDER RECEIVED FOR FILING
Date 4/16/01
By

2) Compliance with the Chesapeake Bay Critical Areas requirements, pursuant to the ZAC comments submitted by DEPRM, dated March 8, 2001, and compliance with the ZAC comment submitted by the Development Plans Review Division of DPDM, dated March 19, 2001, copies of which are attached hereto and made a part hereof.

3) 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:bjs

ORDER RECEIVED FOR FILING
Date 4/16/01
By

Baltimore County
Zoning Commissioner

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

April 16, 2001

Mr. & Mrs. Robert Lewis
1612 Burke Road
Baltimore, Maryland 21220

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Burke Road, 300' E of the c/l Holly Tree Road
(1612 Burke Road)
15th Election District – 5th Council District
Robert Lewis, et ux - Petitioners
Case No. 01-336-SPHA

Dear Mr. & Mrs. Lewis:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
Office of Planning; DEPRM; People's Counsel; Case File



Printed with Soybean Ink on Recycled Paper

FP-CBCA

# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 1612 Burke Rd

which is presently zoned RC5

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

A waiver pursuant to Sction 500.6 (BCZR); Section 517.1 (510.1). Building code; and sections 26-670, 26-172 (a)(3), BCC to build a single family dwelling in a tidal floodplain

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

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

***Contract Purchaser/Lessee:***

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

***Attorney For Petitioner:***

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

***Legal Owner(s):***

Jill Lewis

Name - Type or Print

Signature

Robert Lewis

Name - Type or Print

Signature

1612 Burke Rd 4103352858

Address Telephone No.

City State Zip Code

***Representative to be Contacted:***

Jill Lewis

Name

same as above 4103352858

Address Telephone No.

City State Zip Code

ORDER RECEIVED FOR FILING
Date 4/11/01
By [illegible]

336
Case No. 01-SPHA

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By LTM Date 2/22/01

REVISED 9/15/98

FP- CBCA

# Petition for Variance

## to the Zoning Commissioner of Baltimore County

**for the property located at** 1612 Burke Rd

**which is presently zoned** RCS

**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 (BCZR)

TO PERMIT A PROPOSED SINGLE FAMILY DWELLING TO HAVE A PROPERTY LINE SETBACK OF 22', A CENTERLINE SETBACK OF 65' IN LIEU OF THE REQUIRED 50' AND 75' RESPECTIVELY. APPROVE AN UNDERSIZED LOT AND TO APPROVE ANY OTHER VARIANCES DEEMED NECCESSARY.

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 DISCUSSED AT THE 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):***

Jill ~~Robert~~ Lewis
Name - Type or Print

Signature

Robert Lewis
Name - Type or Print

Signature

1612 Burke Rd 410-335-2858
Address Telephone No.

Baltimore MD 21220
City State Zip Code

***Representative to be Contacted:***

Jill Lewis
Name

1612 Burke Rd 410-335-2858
Address Telephone No

Balto MD 21220
City State Zip Code

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING
Reviewed By CM Date 2/22/01

ORDER RECEIVED FOR FILING
Date 2/22/01 ~~9/15/98~~
By DeCarlton

Case No. 01-336-SPHA

# ZONING DESCRIPTION

## 1612 BURKE RD

BEGINNING AT A POINT ON THE NORTH SIDE OF BURKE ROAD WHICH IS 30' WIDE AT A DISTANCE OF 300' ± EAST OF THE CENTERLINE OF HOLLY TREE ROAD WHICH IS 30' WIDE. BEING KNOWN AS LOT 175-176 IN SUBDIVISION OF BOWLEYS QUARTERS PLAT 1 AS RECORDED IN BALTIMORE COUNTY PLAT BOOK 7 FOLIO 12 CONTAINING 15,000 SQ FT.

ALSO KNOWN AS 1612 BURKE ROAD.

#336

**BALTIMORE COUNTY, MARYLAND**
**OFFICE OF BUDGET & FINANCE**
**MISCELLANEOUS RECEIPT**

No. 01789

DATE 2/22/01 ACCOUNT R001 006 .150

AMOUNT $ 100.00

RECEIVED FROM: JILL CURIS

FOR: ZAC VARIANCE

ZAC SPECIAL HEARING

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

| PAYMENT | ACTUAL | TIME |
|---|---|---|
| 2/22/2001 | 2/22/2001 | 12:00:43 |

REG [illegible] CASHIER PAUL DMD DRAWER 2
RECEIPT # 170130 OFLN
5 SCH ZONING VERIFICATION
CK [illegible] 001781

| | |
|---|---|
| Rcpt tot | 100.00 |
| 100.00 CK | .00 CA |

Baltimore County, Maryland

01-336-A

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: #01-336-SPHA
1612 Burke Road
N/S Burke Road, 300' E of Holly Tree Road
15th Election District - 5th Councilmanic District
Legal Owner(s): Jill & Robert Lewis

**Special Hearing:** to approve a waiver pursuant to Section 500.6 (BCZR), Section 517.1 (610.1), Building Code, and Sections 26-670, 26-172(a)(3), BCO to build a single family dwelling in a tidal floodplain; **Variance:** to permit a proposed single family dwelling to have a property line setback of 22 feet, a centerline setback of 65 feet in lieu of the required 50 feet and 75 feet respectively; to approve an undersized lot and to approve any other variances deemed necessary.

**Hearing: Tuesday, April 10, 2001 at 2:00 p.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.

JT/3/757 March 27 C456933

# CERTIFICATE OF PUBLICATION

3/29/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/27/, 2001.

- [X] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 01-336-SPHA

Petitioner/Developer: Jill + Robert Lewis

Date of Hearing/Closing: 4/10/01

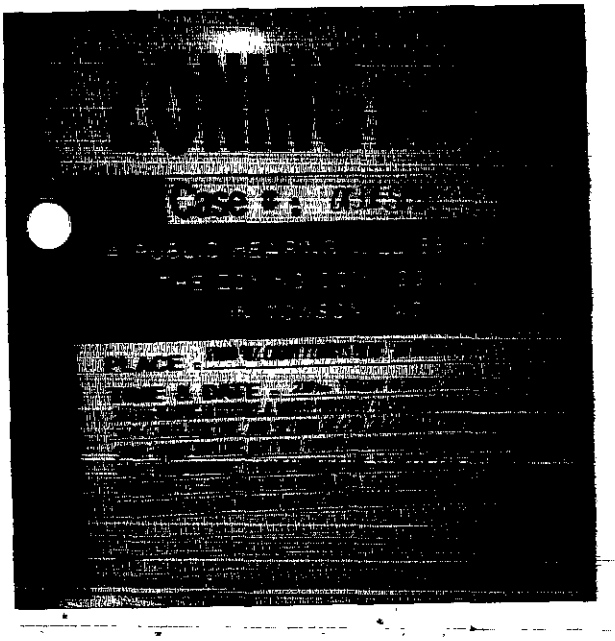
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

*Attention: Ms. Gwendolyn Stephens*

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1612 Burke Rd

The sign(s) were posted on MARCH 26 2001
(Month, Day, Year)



Sincerely,

3/26/01
(Signature of Sign Poster and Date)

SSG Robert Black
(Printed Name)

1508 Leslie Road
(Address)

Dundalk Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

# 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: 01-336-SPHA

Petitioner: Jill Lewis

Address or Location: 1612 Burke Rd, Baltimore 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jill Lewis

Address: 1612 Burke Rd
Baltimore, MD. 21220

Telephone Number: 410-335-2858

Revised 2/20/98 - SCJ

#336 -16-

# 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: 15

Councilmanic District: 5

1"=200' scale map#: NE-1L

Zoning: RC5

Lot size: _____ _____
acreage square feet

| | public | private |
|---|---|---|
| SEWER: | ☐ | ☐ |
| WATER: | ☐ | ☐ |

| | yes | no |
|---|---|---|
| Chesapeake Bay Critical Area: | ☐ | ☐ |

Prior Zoning Hearings:

## Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

date: _____

prepared by: _____ Scale of Drawing: 1"=_____

-15-

Baltimore County
Department of Permits and
Development Management

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

March 7, 2001

## 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: 01-336-SPHA
1612 Burke Road
N/S Burke Road, 300' E of Holly Tree Road
15th Election District – 5th Councilmanic District
Legal Owners: Jill & Robert Lewis

Special Hearing to approve a waiver pursuant to Section 500.6 (BCZR), Section 517.1 (510.1), Building Code, and Sections 26-670, 26-172(a)(3), BCC to build a single family dwelling in a tidal floodplain. Variance to permit a proposed single family dwelling to have a property line setback of 22 feet, a centerline setback of 65 feet in lieu of the required 50 feet and 75 feet respectively; to approve an undersized lot and to approve any other variances deemed necessary.

HEARING: Tuesday, April 10, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

GDZ

Arnold Jablon
Director

C: Jill & Robert Lewis, 1612 Burke Road, Baltimore 21220

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 26, 2001.**
(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.

Printed with Soybean Ink on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 26, 2001 Issue – Jeffersonian

Please forward billing to:
Jill Lewis 410 335-2858
1612 Burke Road
Baltimore MD 21220

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## 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: 01-336-SPHA
1612 Burke Road
N/S Burke Road, 300' E of Holly Tree Road
15th Election District – 5th Councilmanic District
Legal Owners: Jill & Robert Lewis

Special Hearing to approve a waiver pursuant to Section 500.6 (BCZR), Section 517.1 (510.1), Building Code, and Sections 26-670, 26-172(a)(3), BCC to build a single family dwelling in a tidal floodplain. Variance to permit a proposed single family dwelling to have a property line setback of 22 feet, a centerline setback of 65 feet in lieu of the required 50 feet and 75 feet respectively; to approve an undersized lot and to approve any other variances deemed necessary.

HEARING: Tuesday, April 10, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

GDZ

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.

Baltimore County
Department of Permits and
Development Management

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

April 6, 2001

Jill & Robert Lewis
1612 Burke Road
Baltimore MD 21220

Dear Mr. & Mrs. Lewis:

RE: Case Number: 01-336-SPHA, 1612 Burke Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 22, 2001.

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: People's Counsel

Printed with Soybean Ink on Recycled Paper

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** March 12, 2001

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

MAR 13

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 01-336**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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:** Mark A Cunningham

**Section Chief:** Jeffrey W Long

AFK/JL:MAC

W:\DEVREV\ZAC\nocomment.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director
Department of Permits & Development Mgmt.

**DATE:** March 19, 2001

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

**SUBJECT:** Zoning Advisory Committee Meeting
For March 12, 2001
Item No. 336

The Bureau of Development Plans Review has reviewed the subject zoning item.

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 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.

Minimum flood protection elevation is 11 feet for this site.

The proposed building or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

Additionally, the Miami Beach Collection Sewer System design has been completed with construction of the pressure sewer approximately two years away. Enclosed is a drawing showing the proposed grinder pump, number 136, for the existing house at 1612 Burke Road.

We are requesting the owner set aside the 15-foot by 15-foot drainage and utility easement shown on Lot #175 for a simplex sewer grinder pump to supply public sewer service to the dwelling.

RWB:HJO:jrb

Enclosure

cc: File

ORDER RECEIVED FOR FILING
Date 4/11/01
By JRB

*ZAC-3-12-2001-ITEM 336-3192001.doc*

Baltimore County
Fire Department

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

March 14, 2001

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 March 5, 2001

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:

332, 333, 334, 335, 336, 338, 339, 340, and 341

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

cc: File



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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. 01-336-SPHA

RECEIVED
FEB 23 2001
OFFICE OF PLANNING

Residential Processing Fee Paid
($50.00)

Accepted by CTM
Date 2/22/01

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

**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:

Jill Lewis (Print Name of Applicant) 1612 Burke Rd, Balto, 21220 (Address) 410 335-2858 (Telephone Number)

Lot Address 1612 Burke Rd Election District 15 Councilmanic District 5 Square Feet 15,000

Lot Location: N E S W/side/corner of Burke Rd (street) 110 feet from N E S W corner of Baileys Quarters Rd (street)

Land Owner: Robert and Jill Lewis Tax Account Number 1513205300

Address: 1612 Burke Rd Telephone Number 410 335-2858

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) | | |
| 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:** RCS

***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

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

Date 3/5/01

Revised 2/25/99

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

Department of Permits and Development Management (PDM)
**County Office Building**
**111 West Chesapeake Avevnue**
**Towson, Maryland 21204**

The application for your proposed Building Permit application has been reviewed and is accepted for filing by _____ on _____.
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is $50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES_____ NO_____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

---

***CERTIFICATE OF POSTING***

District: _____

Location of Property: _____

_____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

MAR - 6 2001

Revised 2/25/99

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: March 8, 2001

SUBJECT: Zoning Item #336
1612 Burke Road

Zoning Advisory Committee Meeting of March 5, 2001

_____ 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__ Groundwater Management: An evaluation of the septic system must be conducted prior to building permit approval. Contact Groundwater Management at (410) 887-2762 for more information.

Reviewer: Keith Kelley Date: March 6, 2001
Reviewer: Sue Farinetti Date: March 8, 2001

OFFICE FILLED FOR FILING
Date 3/16/01
By

**Maryland Department of Transportation**
*State Highway Administration*

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3.7.01

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

RE: Baltimore County
Item No. 336 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**

| | | |
|---|---|---|
| RE: PETITION FOR SPECIAL HEARING<br>PETITION FOR VARIANCE<br>1612 Burke Road, N/S Burke Rd,<br>300' E of Holly Tree Rd<br>15th Election District, 5th Councilmanic | * | BEFORE THE<br><br>ZONING COMMISSIONER<br><br>FOR |
| Legal Owner: Robert & Jill Lewis<br>Petitioner(s) | * | BALTIMORE COUNTY |
| | * | Case No. 01-336-SPHA |

* * * * * * * * * * * * * * *

**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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

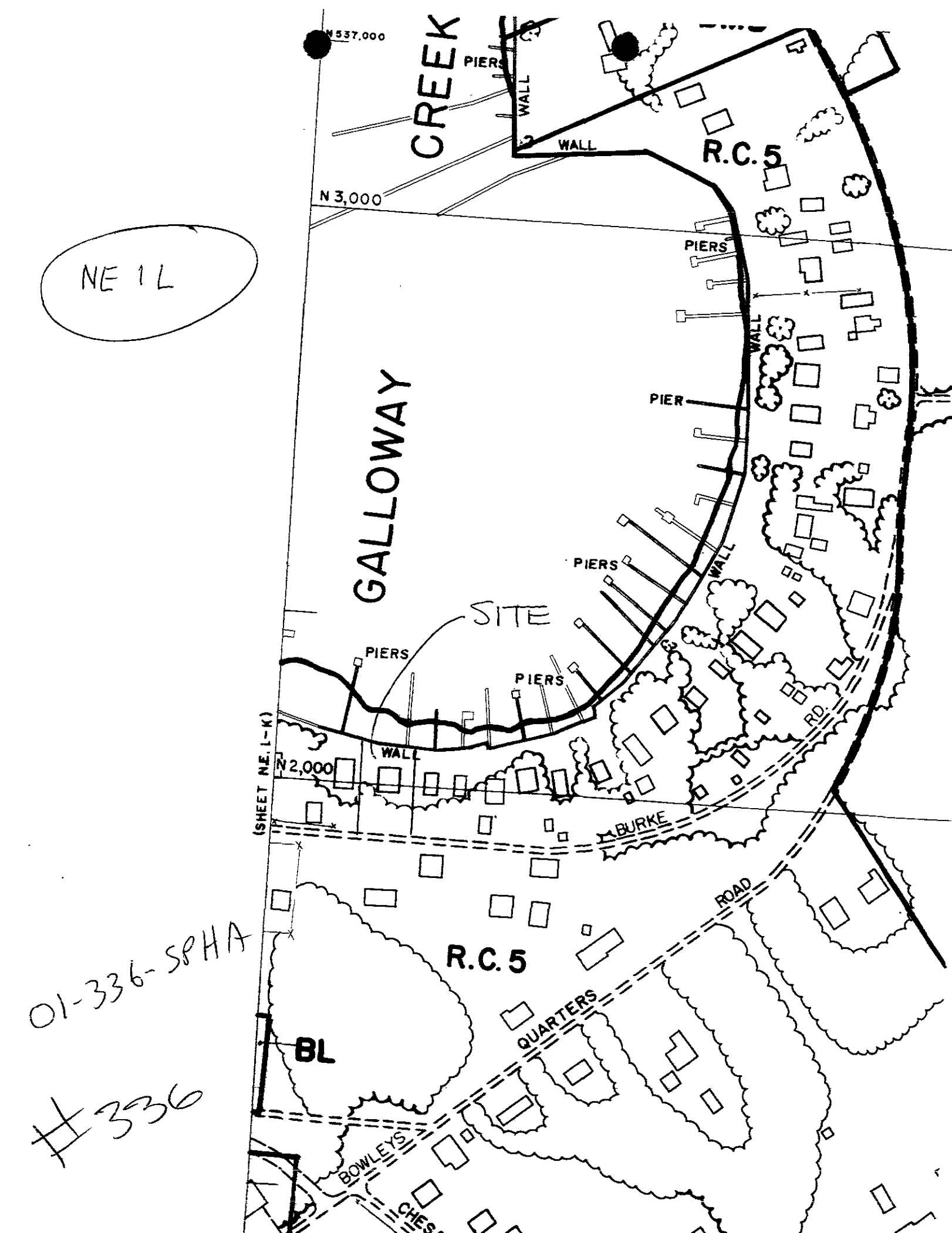
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14th day of March, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert & Jill Lewis, 1612 Burke Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN


NE 1L
N 537,000
CREEK
PIERS
WALL
WALL
R.C.5
N 3,000
PIERS
WALL
PIER
GALLOWAY
PIERS
WALL
SITE
PIERS
PIERS
WALL
RD.
(SHEET N.E. L-K)
N 2,000
BURKE
ROAD
R.C.5
01-336-SPHA
BL
QUARTERS
#336
BOWLEYS

# Plat to accompany Petition for Zoning [X] Variance AND SPECIAL HEARING

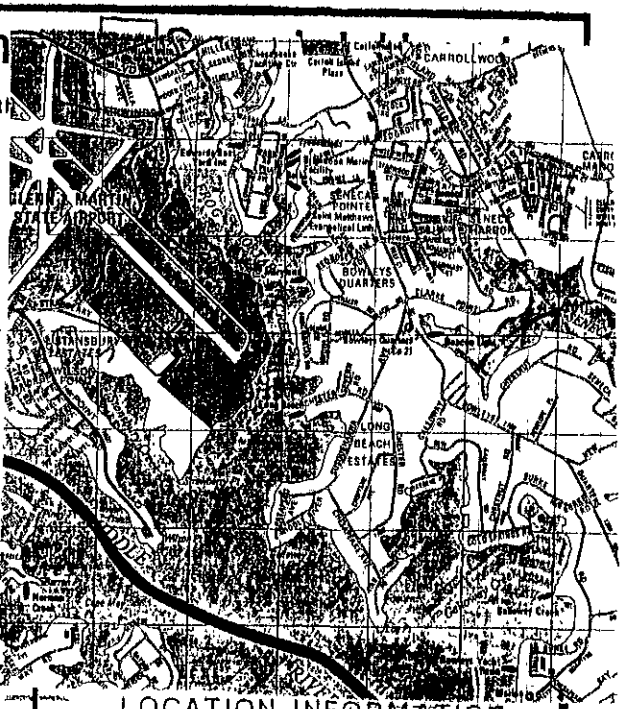
PROPERTY ADDRESS: 1612 Burke Rd

see pages 5 & 6 of the

Subdivision name:

plat book# 112 ,folio# 301 ,lot# 175 ,section# 176

OWNER: Robert and Jill Lewis



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: NE-1L

Zoning: RC5

Lot size: .32 acreage 15,000 square feet

| | public | private |
|---|---|---|
| SEWER: | ☐ | ☒ |
| WATER: | ☒ | ☐ |

| | yes | no |
|---|---|---|
| Chesapeake Bay Critical Area: | ☒ | ☐ |

Prior Zoning Hearings: N/A

Zoning Office USE ONLY!

| reviewed by: | ITEM #: | CASE#: |
|---|---|---|
| LTM | 336 | 01 336 SPHA |

date: 12/01

prepared by:

Scale of Drawing: 1"=40

Elevation:

-Impervious Surface:
House + Driveway:
2758.35 sq. ft

SEE DWG.# 2000-03[illegible]

1 DUPLEX GRI
1 DUPLEX GRI

| INV.ELEV.@ NDER PUMP | GP STA. | NORTH | EAST |
|---|---|---|---|
| −0.75 | Simplex | 596,472.65 | 1,486,856.05 |
| −0.75 | Simplex | 596,530.00 | 1,486,902.77 |
| −1.25 | Simplex | 596,564.37 | 1,486,903.50 |
| 0.25 | Simplex | 596,348.95 | 1,487,042.79 |
| −1.25 | Simplex | 596,395.78 | 1,486,966.40 |
| 0.83 | Simplex | 596,342 43 | 1,487,335.34 |
| −1.25 | Simplex | 596,393.70 | 1,487,032.62 |
| −1.75 | Simplex | 596,410.90 | 1,487,092.54 |
| −0.75 | Simplex | 596,392.74 | 1,487,186.09 |
| −2.25 | Simplex | 596,387.13 | 1,487,316.38 |
| −1.25 | Simplex | 596,386 69 | 1,487,350.15 |

| GP# | ADDRESS | EX.GROUND ELEV. @ GRINDER PUMP | 4" INV.ELEV.@ GRINDER PUMP |
|---|---|---|---|
| GP#138 | 1608 BURKE ROAD | 5.5± | −1.75 |
| GP#139 | 1607 BURKE ROAD | 5.0± | −2.25 |
| GP#140 | 1606 BURKE ROAD | 5.0± | −2.25 |
| GP#141 | 1605 BURKE ROAD | 5.0± | 0.33 |
| GP#142 | 1604 BURKE ROAD | 4.5± | −2.75 |
| GP#143 | 1602 BURKE ROAD | 5.0± | −2.25 |
| GP#144 | 1600 BURKE ROAD | 5.5± | −3.08 |
| GP#145 | 1514 BURKE ROAD | 6.5± | −2.08 |
| GP#146 | 1510 BURKE ROAD | 6.0± | −4.08 |
| GP#147 | 1508 BURKE ROAD | 5.5± | −3.08 |
| GP#148 | 1504 BURKE ROAD | 6.0± | −4.08 |

PUMP —E—E—E—E—E—E—

ROVISIONS.

ON, TWO SIMPLEXES WILL NOT BE ACCEPTED.

EX Item #336

BOWLEYS QUARTERS
PLAT 1
7@12

FRANK & CONSTANCE SCARFIELD 15-19-073960 4249/602

DOROTHY BIEMER & TRUSTEE 22-00-02859 11740/351

ROBERT & JILL LEWIS 15-13-205300 9613/301

MICHAEL & MILDRED RIST 15-20-000940 6838/108

DONALD & DOROTHEA SCHMELZER 15-16-350602 6966/680

ANNE MARIE LEWANDOWSKI JUDITH GRIFFITH 15-08-652960 8578/513

PT STA.8+04.36

#1614 FF=6.62 CE=NO

#1612 FF=6.10 CE=NO

#1610 FF=6.4 CE=NO

#1608 FF=6.4 CE=NO

#1606 FF=7.96 CE=NO

GP#135 GP#136 GP#137 GP#138 GP#140

DO NOT DISTURB TREE

APPROX LOCATION OF SEPTIC

EXIST.PAVING

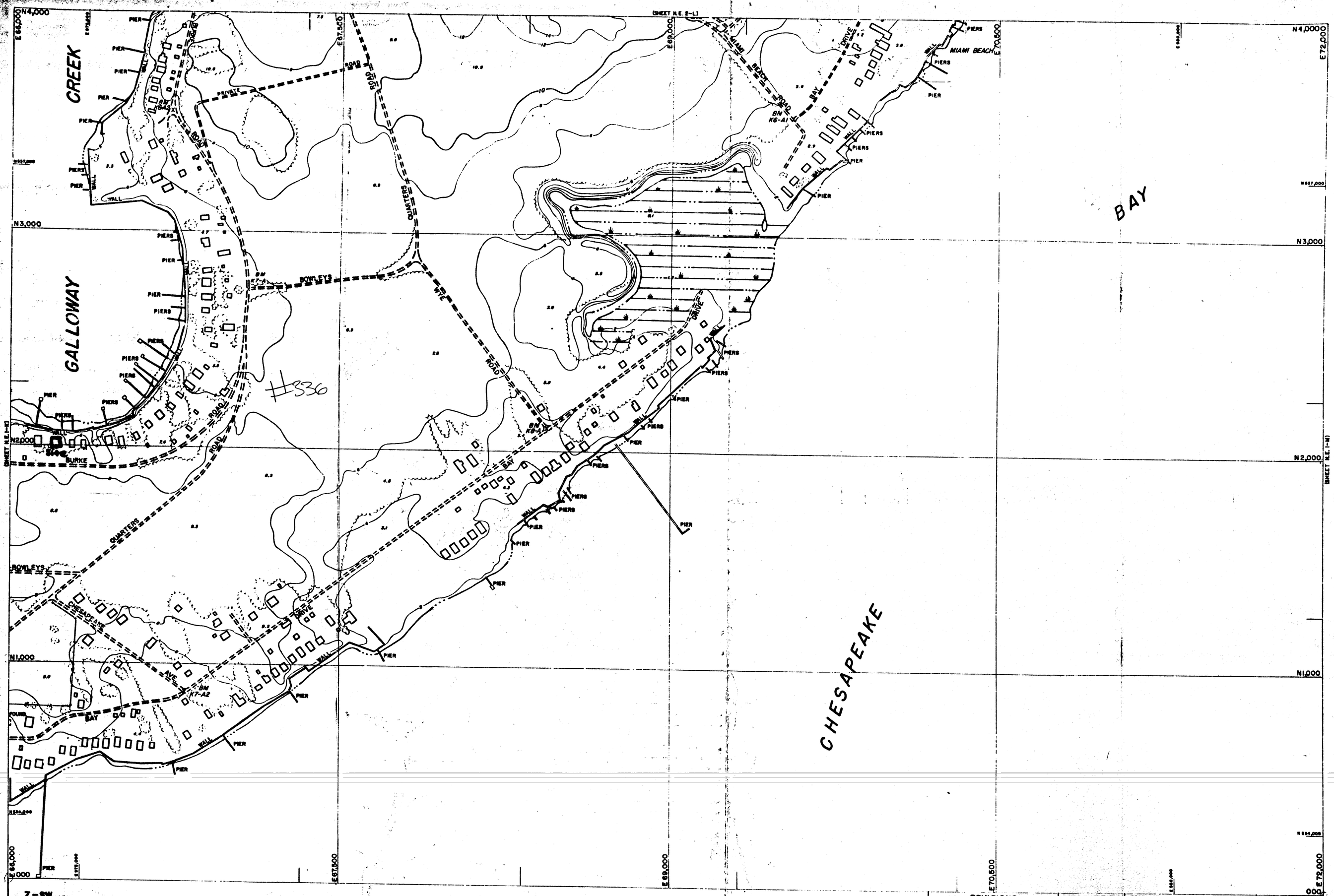
12"RCCP

OP.3"SEWER

URKE ROAD

GP#132

ORDER REVIEWED FOR FILING
Date
By




#536

Z-SW
ZZ-NW

01-336-SPHA

PHOTOGRAMMETRIC MAP OF
# BALTIMORE COUNTY METROPOLITAN AREA

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

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

#336

01-336-SOHA

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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

PREPARED BY AIR PHOTOGRAPHICS, INC.

CROSSING AT STA 8+10
EXT GR 6.4
BOT SD. 4.0
TOPWATER 2.9
CLEARANCE 1.1

SITE

Bowleys Quarters Plat 1

| BILL OF MATERIAL | | |
|---|---|---|
| No | DESCRIPTION | SIZE |
| 2 | VALVES | 8" |
| 1 | TEE | 8"X6" |
| 1 | VALVE | 6" |
| 1 | S.N.F.H. | 6" |
| | | |
| | | |
| | | |
| | | |
| 1010' | CI. PIPE | 8" |
| 20' | CI. PIPE | 6" |

JO 6900 REVISED AS PER RECORD PRINT
RGB 3-17-55
SEE DWG. 53-1613 C

| STATION | EXIST. GR. | EST. GR. | CUT |
|---|---|---|---|
| 5+00 | 2.5 | 7.8 | 4.3 |
| 6+00 | 7.6 | 7.9 | 4.3 |
| 7+00 | 7.1 | 7.4 | 4.3 |
| 8+00 | 6.3 | 6.8 | 4.5 |
| 9+00 | 6.4 | 6.4 | 4.3 |
| 10+00 | 6.9 | 6.0 | 5.2 |
| 11+00 | 6.7 | 6.3 | 4.7 |
| 12+00 | 7.1 | 6.6 | 4.8 |
| 13+00 | 7.4 | 6.8 | 4.9 |
| 14+00 | 7.3 | 7.2 | 4.4 |

TREE RD.
HOLLY
BURKE
ROAD
BOWLEYS QUARTERS RD.
E. MACADAM
8" WATER
8" VALVE
6" VALVE
8"x6" TEE
6" N.F.H.
S.N.F.H.
FROM 8" WATER
See Dwg. 53-1632
See Dwg. 53-1613 Match Line
Emmit F. Burke 1753-216
A.C. Wild 836-18
Christian Wild 936-17
J. Russell Norman 1351-529
Geo. D. Riley 1870-137
Wm. George 978-331
Bowleys Quarters Co. 326-169
Harry E. Nash 852-171
James R. Coale 2225-284
Chas. E.H. Madary 1396-216
Dina Peters 853-477
John Podzachke 1025-315
Bowleys Quarters Co 326-169
PROP. W.M. SHALL BE CRIMPED BETWEEN STATION 4+30 TO 8+80
NO GAS
MICROFILMED

| RIGHT OF WAY SECURED | DEF. |
|---|---|
| | County Road |

BALTIMORE COUNTY HIGHWAYS
PERMIT REQUESTED 3-1-54
PERMIT NUMBER 54-031
GRADE ESTABLISHED 11-2-53
PROFILE NUMBER 53-1711

LOCATION APPROVED
Dec 30 '53
C. A. Stinson Jr.

DRAWN:
TRACED:
CHECKED:
EXAMINED:
Asst. Asst. Engr.
FORM 04

DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY
METROPOLITAN DISTRICT

APPROVED
Dec 30 '53
CHIEF ENGINEER BALTO. CO. METRO. DIST.

GRADE ESTABLISHED AND LOCATION APPROVED
2/20/54
DATE
Robert J. Herzog
ROADS ENGINEER BALTO. COUNTY

APPROVED
3/1/54
DATE
John R. Frank
CHIEF ENGINEER BALTIMORE COUNTY

APPROVED FOR CITY OF BALTIMORE
4-2-54
DATE
WATER ENGINEER
DIR. OF PUBLIC WORKS

C.W.O. 27077 CWO 27077

8" WATER
# BURKE ROAD
FROM BOWLEYS QUARTERS RD. WESTERLY 1370 FT. TO HOLLY TREE RD.
BOWLEYS QUARTERS
ELECT. DIST #15

KEY SHEET
Z
SW.

DRAWING
NO. 2
OF 2

SCALE:
1"=50'
3NE 44,45

J. O. G 900
53-1627
FILE: A-4-C

MICROFILMED

#336

01-336-SPHA