

IN RE: PETITION FOR VARIANCE
E/S Bowleys Quarters Road, 150' W of
c/I Galloway Road
(949 Bowleys Quarters Road)
15th Election District
5th Council District

Kenneth D. Hamer
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-535-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Kenneth D. Hamer. The Petitioner seeks relief from Sections 1A04.3.B.1 and 2 and Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit development of the subject undersized lot with a single family dwelling, with side yard setbacks of 14 feet and 8 feet in lieu of the required 50 feet. In addition, the Petitioner requests relief from Section 400.1 of the B.C.Z.R. to permit existing accessory structures to be located in the side yard with 0-foot side yard setbacks in lieu of the required rear yard with minimum 2.5-foot setbacks. 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 was Kenneth Hamer, property owner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterfront lot located on the east side of Bowleys Quarters Road in southeastern Baltimore County with frontage on Seneca Creek. The property is a narrow, yet deep lot, consisting of a gross area of .938 acres, more or less, zoned R.C.5. Mr. Hamer testified that the property has been in his family since the 1920s and is improved with an old dwelling which was previously used as a summer home. That building has not been occupied for residential purposes for 20 years and has been most recently used for storage. In addition to the dwelling, there are a series of outbuildings on the lot, including several sheds. Mr. Hamer is desirous of redeveloping the property with a new single family

ORDER RECEIVED FOR FILING

Date

By

dwelling in which he will reside. The proposed dwelling will be 28' x 44' in dimension and located 118 feet from the bulkhead. The existing dwelling and most of the sheds will be razed; however, the Petitioner wishes to retain a narrow building, 52' x 112' feet in dimension, located nearly in the center of the lot. That building has been and will continue to be used for storage. Variance relief is necessary, however, for the proposed dwelling, due to the small area and narrow width of the property.

Additional variance relief was requested for two buildings identified on the plan as the neighbor's garages. Specifically, as shown on the site plan, the neighbor has two buildings which are situated so that a portion of each protrudes into the Petitioner's property. At the advice of the Department of Permits and Development Management, Mr. Hamer has requested a variance to allow a 0-foot setback for those structures, in view of the location of these buildings on the lot line.

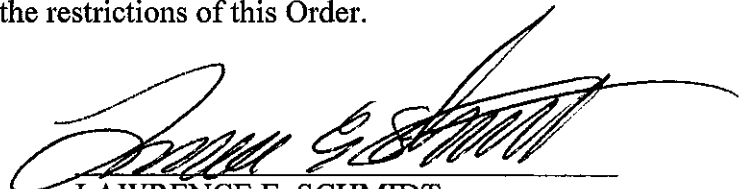
As noted above, there were no Protestants present. In fact, several letters of support for the Petitioner's proposal were received from adjacent neighbors on both sides. Moreover, there were no adverse comments submitted by any Baltimore County reviewing agency. The Petitioner has submitted building elevation drawings of the proposed dwelling to the Office of Planning which indicated its support of the request within its Zoning Advisory Committee (ZAC) comment dated July 25, 2001. However, it is to be noted that the Development Plans Review division of DPDM submitted a ZAC comment dated August 3, 2001, in which certain recommendations were made relative to the proposed development, which is apparently located in a 100-year flood plain. The Petitioner indicated that he was aware of these recommendations and thus, will comply. Moreover, as noted above, the subject property is a waterfront lot and thus, the proposed development is subject to compliance with Chesapeake Bay Critical Areas regulations to mitigate its impact on the Bay and its tributaries.

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance. I find that the property is unique by virtue of its narrow width and deep length and that it meets the requirements of Section 307 of the B.C.Z.R. for variance relief to be granted. In my view, the proposal represents an upgrade of the property and will not be detrimental to the surrounding locale.

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 30th day of August, 2001, that the Petition for Variance seeking relief from Sections 1A04.3.B.1 and 2 and Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit development of the subject undersized lot with a single family dwelling, with side yard setbacks of 14 feet and 8 feet in lieu of the required 50 feet; and, from Section 400.1 of the B.C.Z.R. to permit existing accessory structures to be located in the side yard with 0-foot side yard setbacks in lieu of the required rear yard with minimum 2.5-foot setbacks, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the ZAC comments submitted by the Development Plans Review division of DPDM, dated August 3, 2001, a copy of which is attached hereto and made a part hereof.
- 3) Compliance with any recommendations made by the Department of Environmental Protection and Resource Management relative to Chesapeake Bay Critical Areas regulations.
- 4) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning.
- 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:bjs

ORDER RECEIVED FOR FILING

Date

By



**Baltimore County
Zoning Commissioner**

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

August 28, 2001

Mr. Kenneth D. Hamer
21 Right Wing Drive
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
E/S Bowleys Quarters Road, 150' W of the c/l Galloway Road
(949 Bowleys Quarters Road)
15th Election District – 5th Council District
Kenneth D. Hamer - Petitioner
Case No. 01-535-A

Dear Mr. Hamer:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "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; Development Plans Review; DEPRM; People's Counsel; Case/File





CBCA FLOOD PLANNING AREA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 949 BOWLEY'S QUARTERS ROAD

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.1 & 2 and 304; BC2R,

TO PERMIT A DWELLING ON AN UNDERSIZED RC-5 LOT AND ~~SEPARATE~~ SIDEYARD SETBACKS OF 14ft. AND 8ft. IN LIEU OF THE REQUIRED 50ft.; AND SECTION 400.1, TO PERMIT EXISTING ACCESSORY STRUCTURES TO BE LOCATED IN THE SIDEYARD WITH 20ft. SETBACKS IN LIEU OF THE REAR YARD, WITH 2.5ft. SETBACKS. of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) 50' lot with original building 8' from property line

South. North property line has neighbors garage approx. 6' over property line onto my property, 949 Bowleys Quarters Rd., lot 82. I would like to use the original 8' set back from the South property line.

HARDSHIP - CANNOT MAKE REASONABLE USE OF PROPERTY W/OBTAIN VARIANCE.

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

Case No. 01-535A

REV 9/15/98

Legal Owner(s):

KENNETH D. HAMER

Name - Type or Print

Kenneth D. Hamer

Signature

Name - Type or Print

Signature

CELL 410 236-4854

21 RIGHT WING DRIVE 410/391-4678

Address

Telephone No.

BALTIMORE MARYLAND

21220

City

State

Zip Code

Representative to be Contacted:

Sam

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By Jim Date 6-20-01

ORDER RECEIVED FOR FILING
Date 8/30/01
By [Signature]

ZONING DESCRIPTION FOR 949 BOWLEY'S QUARTERS

ROAD BEGINNING AT A POINT ON THE EAST SIDE OF

BOWLEY'S QUARTERS ROAD, WHICH IS 50' RIGHT OF WAY

WIDE AT THE DISTANCE OF 150' WEST OF THE

CENTERLINE OF THE NEAREST IMPROVED INTERSECTING

STREET GALLOWAY ROAD WHICH IS NO RIGHT OF WAY.

BEING LOT # 82 IN THE SUBDIVISION OF BOWLEY'S

QUARTERS AS RECORDED IN BALTIMORE COUNTY PLAT

BOOK # WPC # 7, FOLIO # 13, CONTAINING 40,850[±]' ALSO

KNOWN AS 949 BOWLEY'S QUARTERS ROAD AND LOCATED

IN THE 8TH ELECTION DISTRICT, 15TH COUNCILMANIC

DISTRICT

535

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: #01-535-A

949 Bowley's Quarters Road

E/S Bowley's Quarters Road, 150' W centerline Galloway Road

15th Election District - 8th Councilmanic District

Legal Owner(s): Kenneth D. Hamer

Variance: to permit a dwelling on an undersized RC5 lot & side yard setbacks of 14 feet and 8 feet, in lieu of the required 50 feet; and to permit existing accessory structures to be located in the side yard with zero feet setbacks in lieu of the rear yard, with 2.5 feet setbacks.

Hearing: Tuesday, August 21, 2001 at 9:00 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.

JTB/609 Aug. 7

C485956

CERTIFICATE OF PUBLICATION

8/9/2001

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 8/7/2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

3315

DATE 6-20-01 ACCOUNT 01-06-6150

AMOUNT \$ 50.00

RECEIVED FROM: K. Hamer 949 Bowley's

FOR: (010) U.M.A. QUARRIES Bn.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Jam

PAID RECEIPT

PAYMENT	ACTUAL	TIME
6/20/2001	6/20/2001	11:39:53
REQ W505	CASHIER LWIL LDM	DRAWER 3
RECEIPT # 189219		
Dent 5 528 ZONING VERIFICATION		
CR NO. 003315		

Receipt Tot. 50.00
50.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.:

01-02-535-A

Petitioner/Developer: Kenneth D.

Hamer

Date of Hearing/Closing: Aug 21, 2001

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 949 Bowleys Quarters

Road

The sign(s) were posted on

Aug 7, 2001

(Month, Day, Year)

Sincerely,

Aug 7, 2001
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

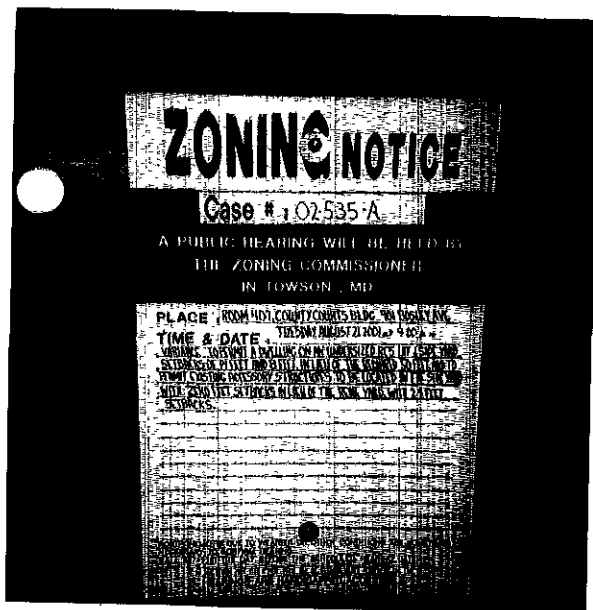
(Address)

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: 535

Petitioner: KENNETH J. HAMER

Address or Location: 949 BOWLEY'S QUARTERS ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: KENNETH J. HAMER

Address: 21 RIGHT WING DRIVE

BALTIMORE, MARYLAND 21220

Telephone Number: (410) 391-4678 CELL PHONE (410) 236-4854

Revised 2/20/98 - SCJ

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: _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200 scale map#: _____

Zoning: _____

Lot size: _____
 acreage square feet

SEWER: ☐ public ☐ private

WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

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



North

date: _____

prepared by: _____

Scale of Drawing: 1"= _____

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 7, 2001 Issue – Jeffersonian

Please forward billing to:
Kenneth D Hamer
21 Right Wing Drive
Baltimore MD 21220

410 391-4678

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: 01-535-A
949 Bowley's Quarters Road
E/S Bowley's Quarters Road, 150' W centerline Galloway Road
15th Election District – 8th Councilmanic District
Legal Owner: Kenneth D Hamer

Variance to permit a dwelling on an undersized RC5 lot & side yard setbacks of 14 feet and 8 feet, in lieu of the required 50 feet; and to permit existing accessory structures to be located in the side yard with zero feet setbacks in lieu of the rear yard, with 2.5 feet setbacks.

HEARING: Tuesday, August 21, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDS
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

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

July 19, 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: 01-535-A
949 Bowley's Quarters Road
E/S Bowley's Quarters Road, 150' W centerline Galloway Road
15th Election District – 8th Councilmanic District
Legal Owner: Kenneth D Hamer,

Variance to permit a dwelling on an undersized RC5 lot & side yard setbacks of 14 feet and 8 feet, in lieu of the required 50 feet; and to permit existing accessory structures to be located in the side yard with zero feet setbacks in lieu of the rear yard, with 2.5 feet setbacks.

HEARING: Tuesday, August 21, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon *GDZ*
Director

C: Kenneth D Hamer, 21 Right Wing Drive, Baltimore 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 7, 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.





Baltimore County
Department of Permits and
Development Management

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

August 17, 2001

Kenneth D Hamer
21 right Wing Drive
Baltimore MD 21220

Dear Mr. Hamer:

RE: Case Number: 01-535-A, 949 Bowley's Quarters Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 20, 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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 3, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For July 23, 2001
Item No. 535

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

The flood protection elevation for this site is 11.2 feet.

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

In accordance with *Bill No. 18-90, Section 26-276*, filling within a flood plain is prohibited.

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.

The development is in the 100-year tidal flood plain.

The building's engineer shall require a permit for all development in the flood plain area, and the permit shall be granted only after necessary permits from the state and federal agencies have been obtained.

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

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

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

July 24, 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 July 16, 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:

527, 528, 529, 531, 533, 534, 535, 536, 539, 540, 541, 542, 543,
545, 548, 550, and 551

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

cc: File

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: September 5, 2001

SUBJECT: Zoning Item 535
Address 949 Bowley's Quarters Road

Zoning Advisory Committee Meeting of July 16, 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).

_____ Additional Comments:

Reviewer: Kieth Kelley

Date: July 27, 2001

Ho
8/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 25, 2001

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

JUL 25

SUBJECT: 949 Bowleys Quarters Road

INFORMATION:

Item Number: 01-535

Petitioner: Kenneth D. Hamer

Zoning: RC 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the variance request to permit side yard setbacks for a principal structure of 14 feet and 8 feet respectively in lieu of the required 50 feet.

Prepared by:

Marta A. Cunniff

Section Chief:

AFK:MAC:

Jeffrey W. Long



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.23.01

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

RE: Baltimore County
Item No. 535

JCM

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,

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

JS
8/21

RE: PETITION FOR VARIANCE
949 Bowleys Quarters Road, E/S Bowleys Quarters
Road, 150' W of c/l Galloway Rd
15th Election District, 8th Councilmanic

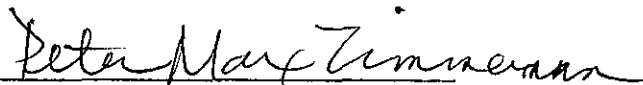
Legal Owner: Kenneth D. Hamer
Petitioner(s)

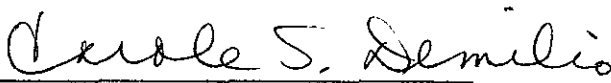
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-535-A

* * * * *

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 7th day of August, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Kenneth D. Hamer, 21 Right Wing Drive, Baltimore, MD 21220, Petitioner.


PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

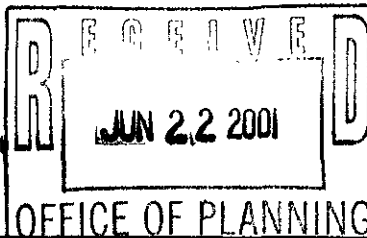
7/6/01

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. _____

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

RE: Undersized Lots



Residential Processing Fee Paid
(\$50.00)

Accepted by Sam
Date 6.20.01

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:

KENNETH D. HAMER 21 RIGHT WING DRIVE CELL 410/236-4854
Print Name of Applicant Address Telephone Number
949 BOWLEY'S QUARTERS RD. Election District 8 Councilmanic District 15 Square Feet 40,850
Lot Address
Lot Location: NE S W side corner of BOWLEY'S QUARTERS RD. 75' feet from NE S W corner of GALLOWAY ROAD
(street) (street)
Land Owner: KENNETH D. HAMER Tax Account Number 15-08-001230
Address: 21 RIGHT WING DRIVE Telephone Number 410) 391-4678

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 <u>PENDING outcome of HEARING.</u>	☐	☒
3. Site Plan Property (3 copies)	☒	☐
Topo Map (2 copies): <u>available in Room 206, County Office Building - (please label site clearly)</u>	☒	☐
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:

01-535A

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

Date: 7/24/01

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 Avenue
Towson, Maryland 21204

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

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

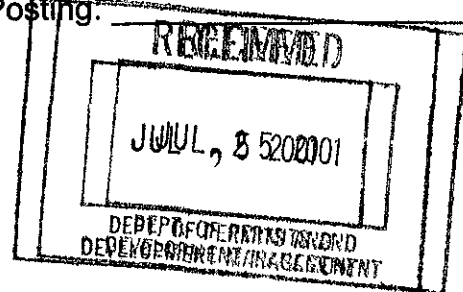
District: _____

Location of Property: _____

Posted by: _____
Signature

Date of Posting: _____

Number of Signs: _____



**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. _____

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

RE: Undersized Lots

Residential Processing Fee Paid (\$50.00)
Accepted by <u>SCW</u>
Date <u>6-20-81</u>

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:

KENNETH D. HAMER 21 RIGHT WING DRIVE CELL 410/236-4854
Print Name of Applicant Address Telephone Number
949 BOWLEY'S QUARTERS RD. Election District 8 Councilmanic District 15 Square Feet 40,850
Lot Address (street)
Lot Location: NE & W side corner of BOWLEY'S QUARTERS RD. 75' feet from NE & W corner of GALLOWAY ROAD
(street) (street)
Land Owner: KENNETH D. HAMER Tax Account Number 15-08-001230
Address: 21 RIGHT WING DRIVE Telephone Number 410 391-4678

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 <u>PENDING outcome of HEARING.</u>	☐	☒
3. Site Plan Property (3 copies)	☒	☐
Topo Map (2 copies): <u>available</u> 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

01-535A

Signed by: _____
for the Director, Office of Planning and Community Conservation

Date: _____

SCHEDULED DATE 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
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(name of planner) Date (A)

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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: _____

February 1, 2001

TO: Mr. Carl Richards, Jr.
Baltimore County Zoning Review Supervisor

SUBJECT: 949 Bowleys Quarters Road
Hamer Property

We have been advised that Ken Hamer is proposing to construct a new home for year -round residence to replace the existing structures known as 949 Bowleys Quarters Road. This new home is to be approximately 27' x 44' in size and two stories high. It will require the demolition of the existing residential use buildings. Several additional storage buildings will also be demolished.

This is to advise Baltimore County that we have no objections and believe that its construction and demolition of the old buildings will be a significant improvement.

We the undersigned are residents and/or property owners located immediately adjacent to 949 Bowleys Quarters Road.

947 Bowleys Quarters Road Gary Voris 2/11/2001
Signature Date

945 Bowleys Quarters Road Marian Voris 2/11/2001
Signature Date

953 Bowleys Quarters Road Elmer D. Ruby 2/13/01
Signature Date

The house and property located at 951 Bowleys Quarters Road is owned by Ken Hamer.

410-8873900

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

DATE: 6/6/01

OEA: RUP

HISTORIC DISTRICT/BLDG.

PERMIT #: B453037
RECEIPT #: A430300
CONTROL #: NRFFPA
XREF #:

FEE: \$14915+50
PAID: \$204
PAID BY:

INSPECTOR:

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

BUILDING 1 or 2 FAM.

CODE CODE
BOCA CODE 146

- TYPE OF IMPROVEMENT
- 1. ☒ NEW BLDG CONST
 - 2. ☐ ADDITION
 - 3. ☐ ALTERATION
 - 4. ☐ REPAIR
 - 5. ☐ WRECKING
 - 6. ☐ MOVING
 - 7. ☐ OTHER

TYPE OF USE

RESIDENTIAL

- 01. ☒ ONE FAMILY
- 02. ☐ TWO FAMILY
- 03. ☐ THREE AND FOUR FAMILY
- 04. ☐ FIVE OR MORE FAMILY (ENTER NO UNITS)
- 05. ☐ SWIMMING POOL
- 06. ☐ GARAGE
- 07. ☐ OTHER

TYPE FOUNDATION

- 1. ☒ SLAB
- 2. ☐ BLOCK
- 3. ☒ CONCRETE

BASEMENT

- 1. ☒ FULL
- 2. ☐ PARTIAL
- 3. ☒ NONE

TYPE OF CONSTRUCTION

- 1. ☒ MASONRY
- 2. ☒ WOOD FRAME
- 3. ☐ STRUCTURE STEEL
- 4. ☐ REINF. CONCRETE

CENTRAL AIR: 1. ☒ 2. ☐
ESTIMATED COST: \$ 140,000
OF MATERIALS AND LABOR

OWNERSHIP

- 1. ☒ PRIVATELY OWNED
- 2. ☐ PUBLICLY OWNED
- 3. ☐ SALE
- 4. ☐ RENTAL

RESIDENTIAL CATEGORY:

#EFF: 3 #1BED: 3 #2BED: 3 #3BED: 3
1 FAMILY BEDROOMS 3
GARBAGE DISPOSAL 1
POWDER ROOMS 0

TYPE OF HEATING FUEL

- 1. ☒ GAS
- 2. ☐ OIL
- 3. ☒ ELECTRICITY
- 4. ☐ COAL

TYPE OF WATER SUPPLY

- 1. ☒ PUBLIC SYSTEM
- 2. ☐ PRIVATE SYSTEM

TYPE OF SEWAGE DISPOSAL

- 1. ☒ PUBLIC SEWER
- 2. ☐ PRIVATE SYSTEM
- 3. ☐ SEPTIC
- 4. ☐ PRIVY

PROPOSED USE:

EXISTING USE:

SFD
3274
44x28x35
3569 SF

BUILDING SIZE

FLOOR 3564
WIDTH 32'4"
DEPTH 10'7"
HEIGHT 35
STORIES 3
LOT #'S 32
CORNER LOT

LOT SIZE AND SETBACKS

SIZE 40,850 SF
FRONT STREET
SIDE STREET
FRONT SETBK 116'
SIDE SETBK 12'10"
SIDE STR SETBK
REAR SETBK 650'

1. ☐ Y 2. ☒ N ZONING

PROPERTY ADDRESS 949 Bowleys Quarters
SUITE/SPACE/FLOOR
SUBDIV: Bowleys Quarters
TAX ACCOUNT #: 15-08-001230
OWNER'S INFORMATION (LAST, FIRST)
NAME: HAMER KENNETH
ADDR: 21 RIGHT WING DRIVE

APPLICANT INFORMATION

NAME: KENNETH D. HAMER
COMPANY: BALTO. Co. PUBLIC SCHOOLS
STREET 21 RIGHT WING DRIVE
CITY, ST, ZIP BALTIMORE, MD 21220
PHONE #: 410/391-4678 MHIC LICENSE #: 525
APPLICANT
SIGNATURE: Kenneth D. Hamer DRC#
PLANS: CONST 3 PLOT 8 PLAT DATA EL 1 PL 1
TENANT
CONTR: MARYLAND MODULAR
ENGR:
SELLR:

DESCRIBE PROPOSED WORK:

Construct foundation
+ erect state approved industrialized
off. w/ 2 car garage + storage on 1st floor,
3 bedroom, no guests or porches.
BCA, Zone: A.

NON-RESIDENTIAL

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

TYPE OF SEWAGE DISPOSAL

- 1. ☒ PUBLIC SEWER
- 2. ☐ PRIVATE SYSTEM
- 3. ☐ SEPTIC
- 4. ☐ PRIVY

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Rm 120- plans

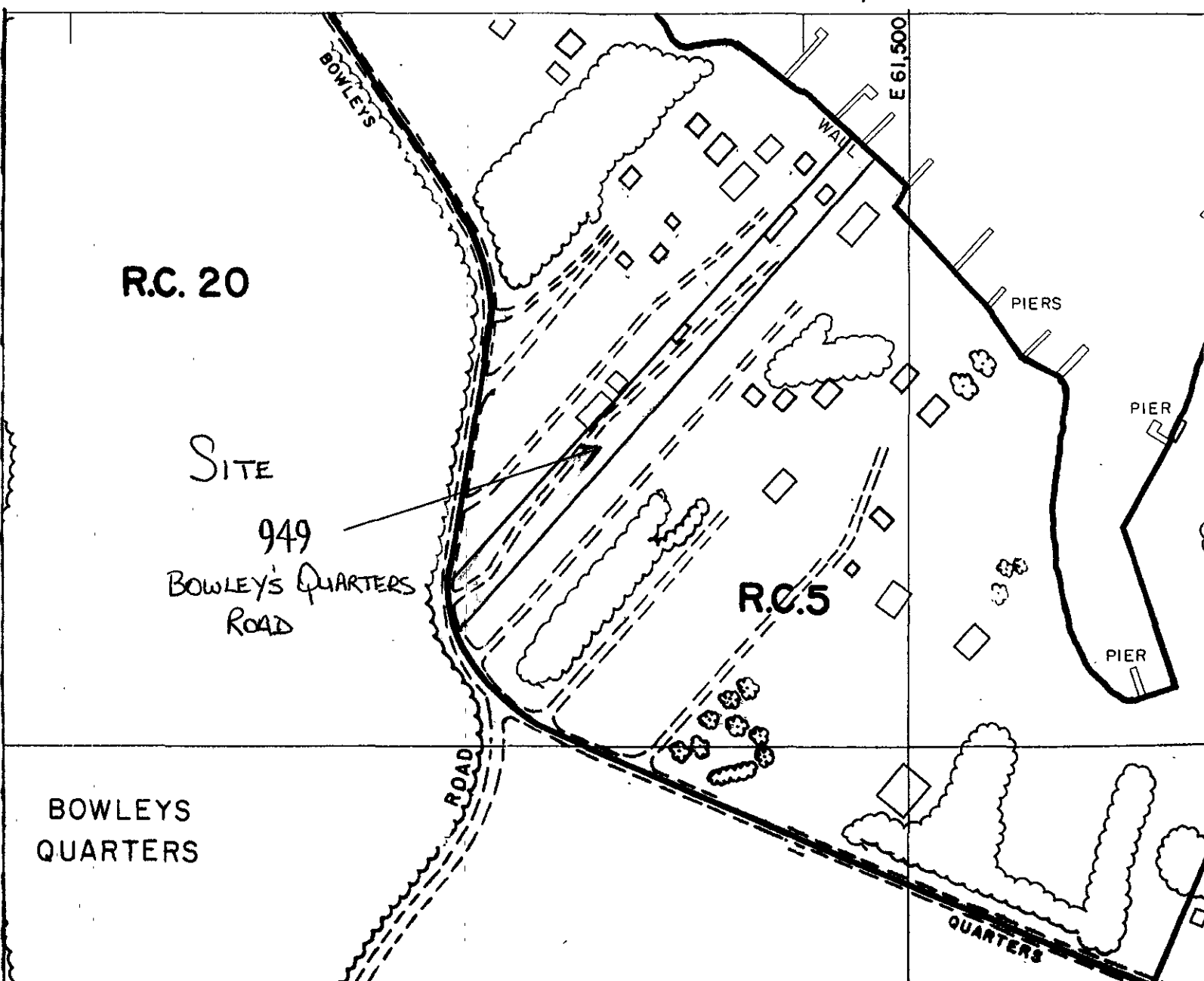
need photos

157 3400

535

BOWLEY'S QUARTERS

NE-2K
1"=200'



A hand-drawn map of the Seneca Creek area. The map features a central horizontal line labeled "SENECA CREEK" at the top. To the left of the creek, there is a large area labeled "Wooded" with a large "3" and "4.2" written nearby. The map is divided into several rectangular sections by dashed lines. Various handwritten notes and numbers are scattered throughout, including "11", "12", "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25", "26", "27", "28", "29", "30", "31", "32", "33", "34", "35", "36", "37", "38", "39", "40", "41", "42", "43", "44", "45", "46", "47", "48", "49", "50", "51", "52", "53", "54", "55", "56", "57", "58", "59", "60", "61", "62", "63", "64", "65", "66", "67", "68", "69", "70", "71", "72", "73", "74", "75", "76", "77", "78", "79", "80", "81", "82", "83", "84", "85", "86", "87", "88", "89", "90", "91", "92", "93", "94", "95", "96", "97", "98", "99", "100". There are also several small circles and squares drawn on the map, some of which are labeled with numbers. The map appears to be a field sketch or a preliminary plan for a project.

949 Brook's Quarters Road
Looking EAST



LOOKING WEST



91 Bowleys Quarter
Looking North



Looking South



View from Seneca Creek

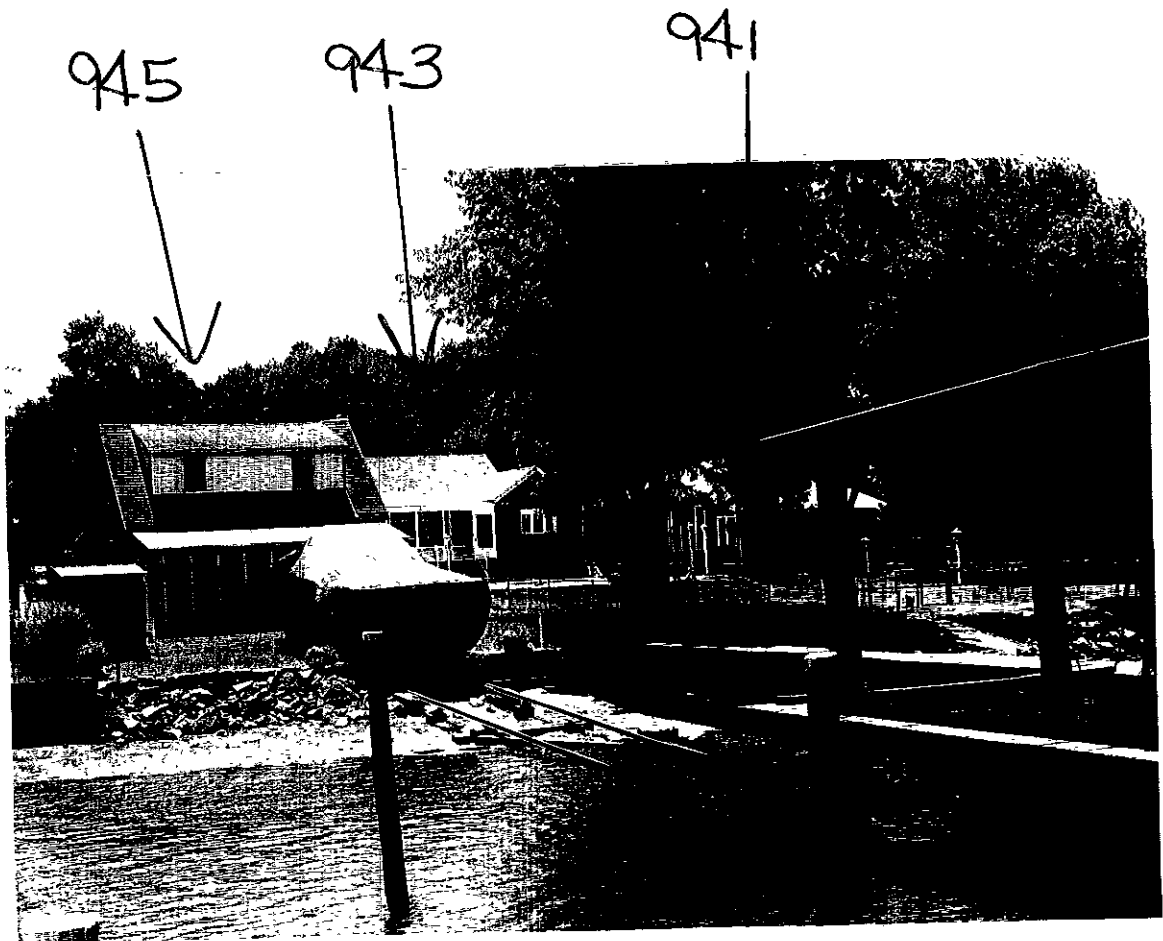
955 Bowley's Quarters

949 Bowley's Quarters



View from Searca Creek

Bordley's Quarters Road



945 Bowley's Quarters Road

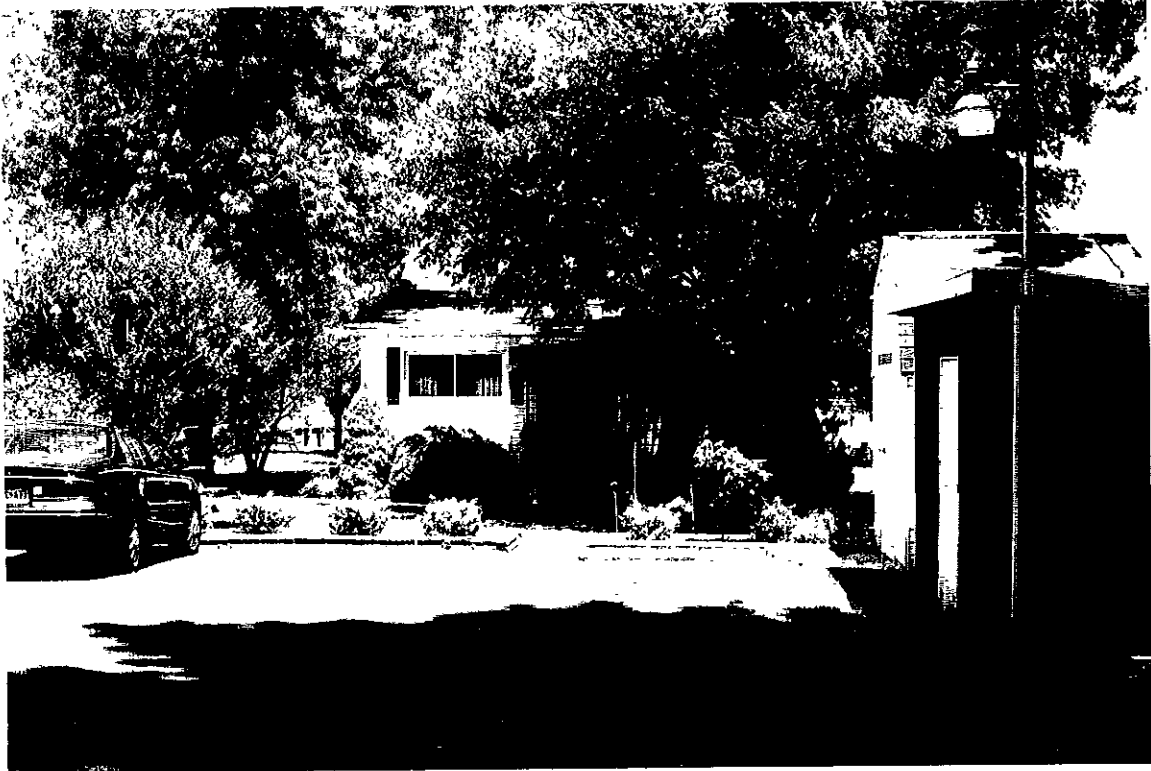
BOR houses on
LOT 81



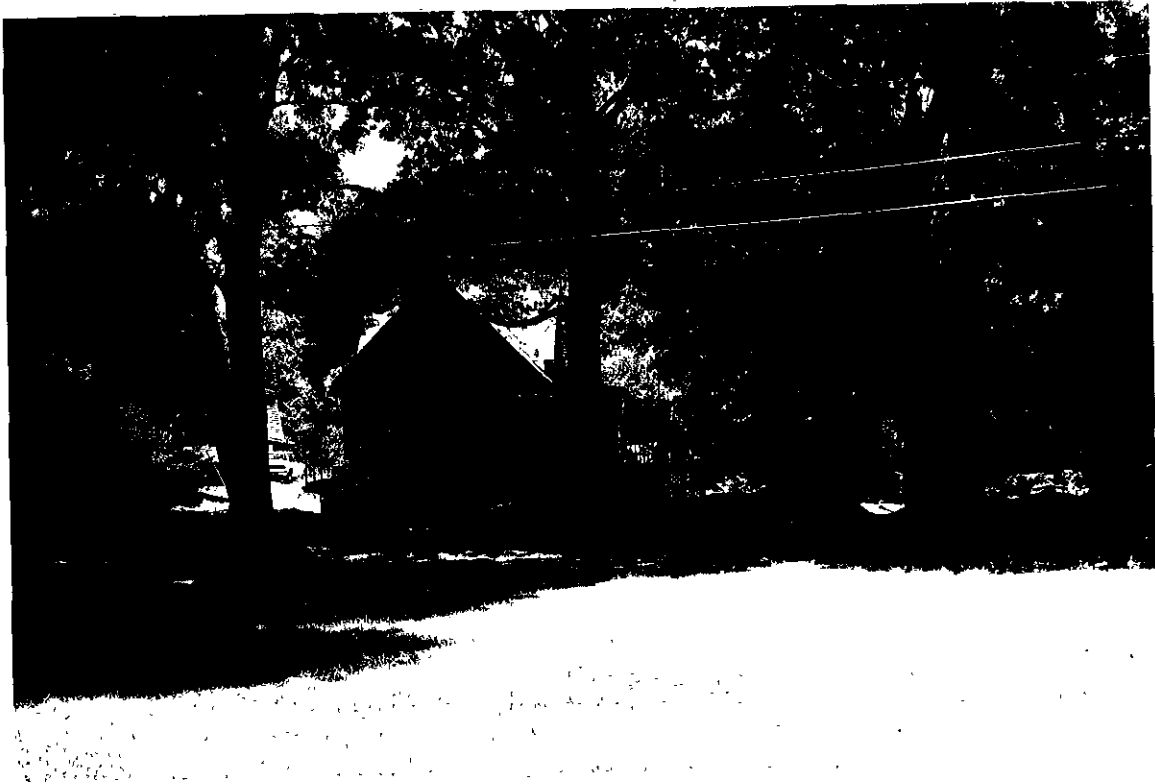
947 Bowley's Quarters Road



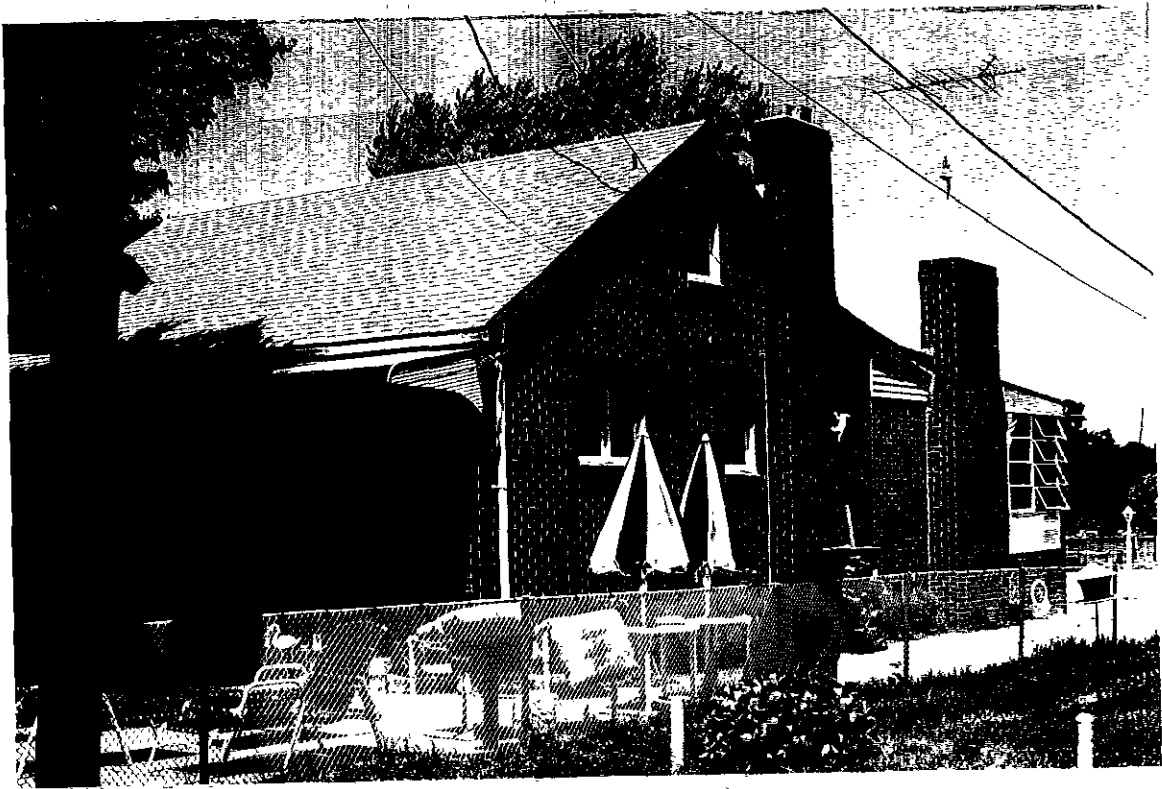
955 Bowley's Quarters Road
LOT 83



1001 Bowley's Quarters Rd.



943 Bowley's Quarters Rd.



941 Bowley's Quarters Rd.



937 Bowley's Quarters Rd.











BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

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

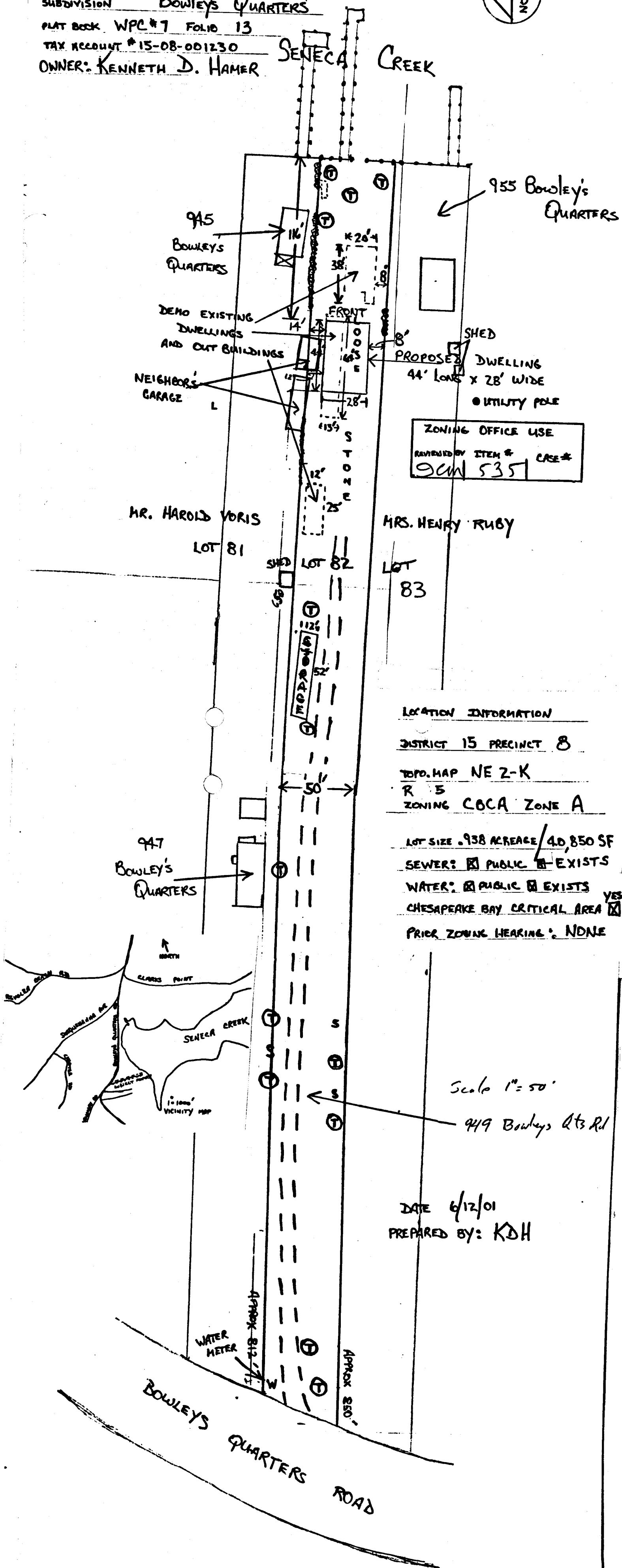
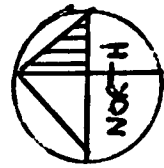
PROPERTY 949 Bowley's Quarters Road

SUBDIVISION Bowley's Quarters

PLAT BOOK WPC #7 FOLIO 13

TAX ACCOUNT #15-08-001230

OWNER: KENNETH D. HAMER



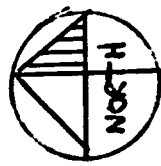
PROPERTY 949 Bowleys Quarters Road

SUBDIVISION Bowleys Quarters

PLAT BOOK WPC #7 FOLIO 13

TAX ACCOUNT #15-08-001230

OWNER: KENNETH D. HAMER



SENECA CREEK

945 BOWLEYS
QUARTERS

955 Bowleys
Quarters

DEMO EXISTING
DWELLINGS
AND OUT BUILDINGS

NEIGHBORS
GARAGE

SHED

PROPOSED DWELLING
44' LONG X 28' WIDE

UTILITY POLE

ZONING OFFICE USE

REVIEWED BY ITEM # CASE #
SCM 535

MR. HAROLD VORIS

LOT 81

MRS. HENRY RUBY

LOT
83

LOT 82

LOCATION INFORMATION

DISTRICT 15 PRECINCT 8

TOPO. MAP NE 2-K

2-5
ZONING COCA ZONE A

LOT SIZE .938 ACREAGE / 40,850 SF

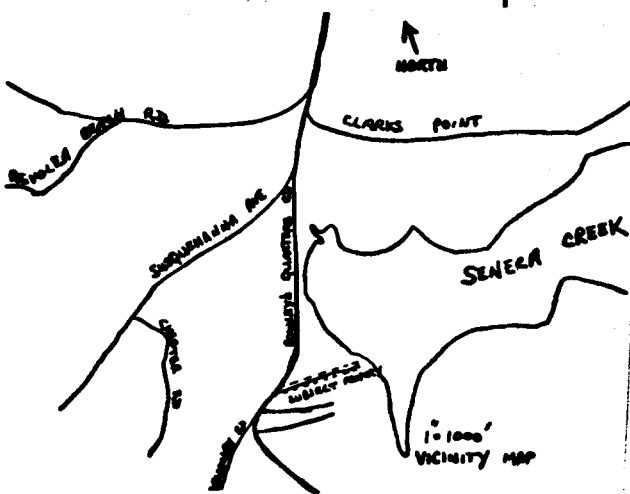
SEWER: ☒ PUBLIC ☒ EXISTS

WATER: ☒ PUBLIC ☒ EXISTS

CHESAPEAKE BAY CRITICAL AREA ☒

PRIOR ZONING HEARING: NONE

947
BOWLEYS
QUARTERS



Scale 1" = 50'

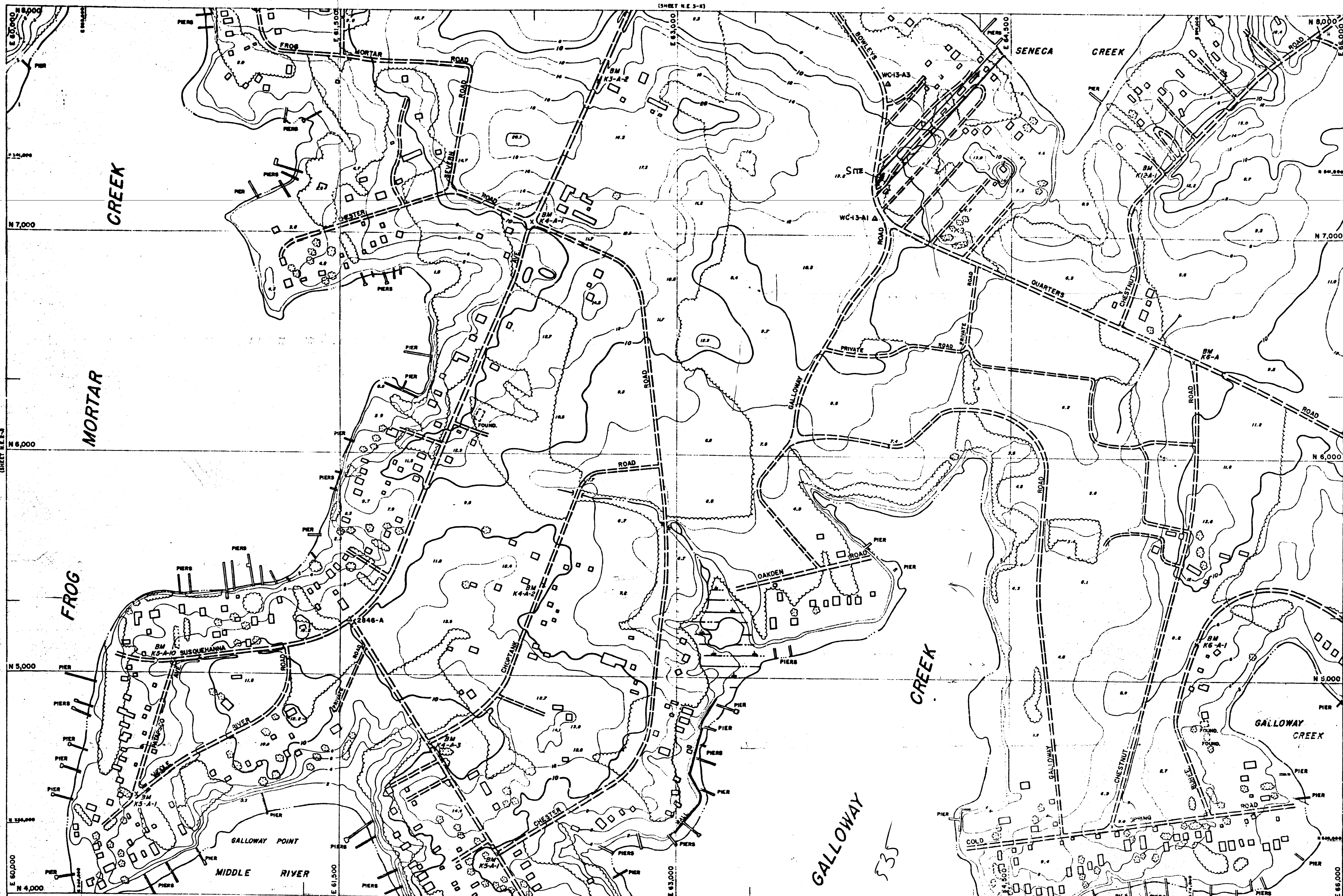
949 Bowleys Qtrs Rd

DATE 6/12/01

PREPARED BY: KDH

Red No 1

BOWLEYS
QUARTERS
ROAD



PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

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

