

RE: PETITION FOR VARIANCE	*	BEFORE THE
S/S of Burke Rd., 450 ft. W		
centerline of Bowleys Quarters Rd.	*	DEPUTY ZONING COMMISSIONER
(1234 Burke Road - #05-328-A)		
and	*	FOR BALTIMORE COUNTY
PETITIONS FOR VARIANCE &		
SPECIAL HEARING	*	CASE NO. 05-328-A
S/S of Burke Rd., 400 ft. W		and
centerline of Bowleys Quarters Rd.	*	CASE NO. 05-329-SPHA
(1236 Burke Road - #05-329-A)		
5th Election District	*	
7th Councilmanic District		
	*	
Mary S. & Donald J. Hansen,		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Deputy Zoning Commissioner as a Petition for Variance and a Petition for Special Hearing filed by the legal owners of the subject properties, Mary S. and Donald J. Hansen. The Petitioners are requesting relief as follows:

Case No. 05-328-A is a Petition for Variance from Section 1A04.3.B.1.a and b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Isabel damage), to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively, and to permit an area of 0.32 ac. in lieu of the required 1.5 ac.

Case No. 05-329-SPHA is a companion case filed pursuant to Section 500.7 of the B.C.Z.R. for a Special Hearing to approve two building lots without density being affected. In addition, the Petitioners are requesting a variance from Section 1A04.3.B.1.a and b of the B.C.Z.R., to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively and to permit an area of .27 ac. in lieu of the required 1.5 ac.

The properties were posted with Notices of Hearing on January 31, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In

ORDER RECEIVED FOR FILING

2/24/05

By [Signature]

addition, Notices of Zoning hearing were published in "The Jeffersonian" newspaper on February 1, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Interested Persons

Appearing at the hearing on behalf of the variance request were Craig and Traci Leonard and Randolph Reyes, contract purchasers, Marianne Garrison, realtor, and Donald Hansen, Petitioner. There were no persons in opposition to the variance request who attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

WHEN RECEIVED FOR FILING
Date 2/24/05
By [Signature]

ZAC Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights. ZAC comments were received from the Bureau of Development Plans Review dated January 24, 2005, a copy of which is attached hereto and made a part hereof. In addition, ZAC comments were received from the Department of Environmental Protection & Resource Management (DEPRM) dated February 11, 2005, a copy of which is attached hereto and made a part hereof. Finally, ZAC comments were received from the Office of Planning dated February 3, 2005, a copy of which is attached hereto and made a part hereof. A supplemental comment was received from the Office of Planning dated February 22, 2005 which indicates that the Office reviewed the proposed homes to be erected, finds them in accord with the spirit and intent of the regulations and does not oppose the requested relief.

Testimony and Evidence

These are side by side waterfront lots owned by Donald and Mary Hansen. These lots are lot 122 and lot 123 of the "Bowleys Quarters" subdivision which was recorded in the Land Records of Baltimore County in the 1921 according to Mr. Leonard. The Hansens' home was located on lot 122 while lot 123 was used as their side yard. Unfortunately, Hurricane Isabel destroyed the home and rather than sell both lots together, the Hansens would like to sell them separately to the Leonards and Mr. Reyes.

Each lot is 50 ft. wide and zoned RC 5, which requires a 50 ft. side yard setback. Lot 122 is 0.32 acres while lot 123 is 0.27 acres. County Council Bill No. 55-04 which was passed in May 2004 requires 1.5 acre lots. Thus the request for variances. Both Petitioners noted that they can not possibly meet the applicable zoning regulations with these old lots and that it would be a hardship on them and the owners not to allow homes to be built on these lots. They also

indicated that having one home on each 50 ft. lot would not change the pattern of development in the neighborhood, as virtually all the adjoining lots along this portion of waterfront had one lot per home rather than two or more lots per home as seen in other neighborhoods. Ms. Leonard also noted that there was no residential development behind these lots so no one's view of the water would be taken away. The area behind them has all agricultural uses. Mr. Hansen indicated that he was aware of a 7 lot subdivision approved behind them but no construction had taken place.

Findings of Fact and Conclusions of Law

With regard to the request for variances, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. These lots were laid out in 1921 much before the RC zoning regulations were imposed on the property. As such, I find that the RC regulations impact these lots more than lots created after the RC regulations went into effect. Consequently, I find the lots unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. These lots are 50 ft. wide and clearly can not meet either the side yard set back required of 50 ft. or the 1.5 acre area required by the RC 5 regulations. The Petitioners propose the "standard" 10 ft. side yard setbacks found so often in waterfront properties.

Finally, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is the key question in this case. From the evidence presented, it is clear that the pattern of development along this stretch of Galloway Creek is one home per 50 ft. lot. Granting these variances will not change that pattern.

I note that the Petitioners have now submitted the information needed by the Office of Planning regarding the proposed new homes, and the Office finds that the proposed homes to be erected are in accord with the spirit and intent of the regulations. Consequently, the Office of Planning does not oppose the requested relief.

With regard to the request for special hearing to approve two building lots without density being affected, at first glance this could be problematic. Clearly the RC 5 regulations do not have this situation in mind when they specify that the maximum density shall be 0.667 dwelling per acre. This neighborhood was developed long before the RC regulations were imposed on this area at a density of approximately DR 3.5 or 3.5 dwellings per acre. This is five times the density required by the RC regulations. The subject lots are 0.32 and 0.27 acres not 1.5 acres. It is apparent to me that the RC 5 regulations were intended primarily to control new subdivisions and not regulate rather ancient varieties as we have here.

I find that this issue of density to be essentially the same as the issue of pattern of development in the neighborhood addressed above. I find that if the proposed use does not violate the pattern of development in subdivisions recorded before the RC regulations were imposed, then the issue of density is satisfied within the spirit and intent of the regulations. Consequently, I will approve the special hearing request.

I am also aware that the RC 5 regulations as applied to these old subdivisions is under review by the Office of Planning with the likelihood that the anomalies illustrated above will be rectified.

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 Petitioners, I find that the Petitioners' requests for variance and for approval of an undersized lot should be granted

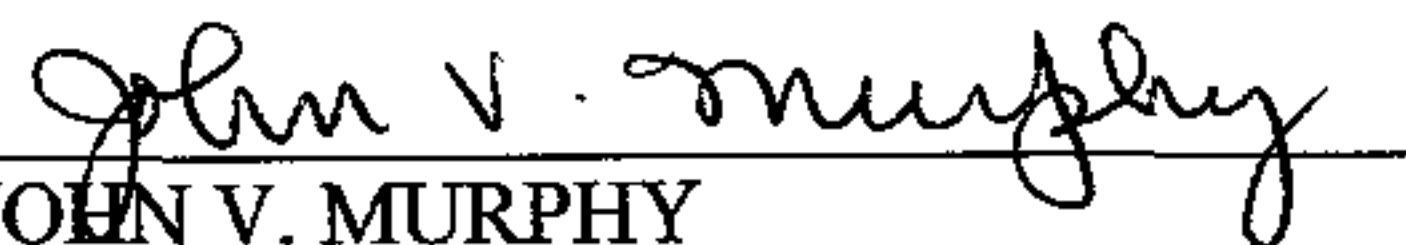
MAILED RECEIVED FOR FILING
02/24/05
Ray

THEREFORE, IT IS ORDERED, this 24 day of February, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance in Case No 05-238-A from Section 1A04.3.B.1.a and b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Isabel damage), to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively, and to permit an area of 0.32 ac. in lieu of the required 1.5 ac., be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the request for special hearing in Case No. 05-329-A filed pursuant to Section 500.7 of the B.C.Z.R., to approve two building lots without density being affected, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petitioners' request for variance in Case No. 05-329-A from Section 1A04.3.B.1.a and b of the B.C.Z.R., to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively and to permit an area of .27 ac. in lieu of the required 1.5 ac., be and is hereby GRANTED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
DATE 2/24/05
BY J. Ray

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

February 24, 2005

Mr. & Mrs. Donald J. Hansen
222 E. Saratoga Street, #805
Baltimore, Maryland 21202

Re: Petitions for Variance
Case Nos. 05-328-A & 05-329-SPHA
Property: 1234 & 1236 Burke Road

Dear Mr. & Mrs. Hansen:

Enclosed please find the decision rendered in the above-captioned cases. The petitions for special hearing and variance have 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,

A handwritten signature in black ink that reads "John V. Murphy". The signature is fluid and cursive.

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Randolph Reyes, 6505 Evening Shadows Ct., Clarksville, MD 21029
Marianne Garrison, 205 E. Joppa Road, Towson, MD 21286
Craig & Tracie Leonard, 1847 Cape May Road, Essex, MD 21221

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





to the Zoning Commissioner of Baltimore County

which is presently zoned *RC5*

TO PERMIT A DWELLING WITH A SIDE YARD SETBACKS OF 10' ON EACH SIDE IN LIEU OF THE REQUIRED 50', RESPECTIVELY. AND TO PERMIT AN AREA OF 0.32 AC. IN LIEU OF THE REQUIRED 1.5 AC.

1. The lot is 50 feet wide and was recorded prior to the adoption of County setback requirements.
2. Strict compliance with the side setback requirements will eliminate any reasonable use of the property.

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

Legal Owner(s):

DONALD J. HANSEN
Name - Type or Print

Signature

MARY S. HANSEN
Name - Type or Print

Signature

222 E. SARATOGA ST #805
Address Telephone No
BALTIMORE MD 21202
City State Zip Code

Name		
Address		Telephone No.
City	State	Zip Code

ESTIMATED LENGTH OF HEARING

Reviewed By JP Date 1/3/05

/ 9/15/98

ORDER RECEIVED FOR FILING

2/24/05

Ray

05

ZONING DESCRIPTION FOR 1234 BURKE ROAD, MIDDLE RIVER, MD 21220

Beginning at the point on the south side of Burke Road which is 30 feet wide at the distance of 450 feet west of the centerline of the nearest improved intersecting street Bowleys Quarters Road which is 30 feet wide. Being Lot #122 in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book #1, Folio #12, containing 13,900 square feet. Also known as 1234 Burke Road, Middle River, MD 21220 and located in the ~~7~~⁵₁₅th Election District, 15th Councilmanic District.

328

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441298

DATE 1-3-05

ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED RANDOLPH REYES

FOR 1234 Bucks Rd.
Baltimore, MD 21206

ITEM # 328

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

DATE 1/13/2005 TIME 11:29:44

AMOUNT \$ 65.00

RECEIVED BY RANDOLPH REYES

FOR 1234 Bucks Rd.

Baltimore, MD 21206

ITEM # 328

CASHIER'S VALIDATION

NOTICE OF PUBLIC 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: #05-328-A

1234 Burke Road

S/Side of Burke Road, at the distance of 450 ft. west of centerline of Bowley's Quarters Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Donald J. and Mary S. Hansen

Contract Purchaser: Randolph Reyes

Variance: to permit a dwelling with a side yard setback of 10 feet on each side in lieu of the required 50 feet respectively and to permit an area of 0.32 AC in lieu of the required 1.5 AC.

Hearing: Tuesday, February 15, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN

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 2/603 February 1

37688

CERTIFICATE OF PUBLICATION

2/4/, 2005

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 2/1/, 2005.

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

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-328-A

Petitioner/Developer: RANDOLPH
REYES / DONALD & MARY HANSEN ^{OWNERS}

Date of Hearing/Closing: 2/15/05

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

ATTN: Kristen Matthews {(410) 887-3394}

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:

1234 BURKE RD

The sign(s) were posted on

1/31/05
(Month, Day, Year)

Sincerely,

Robert Black 1/31/05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

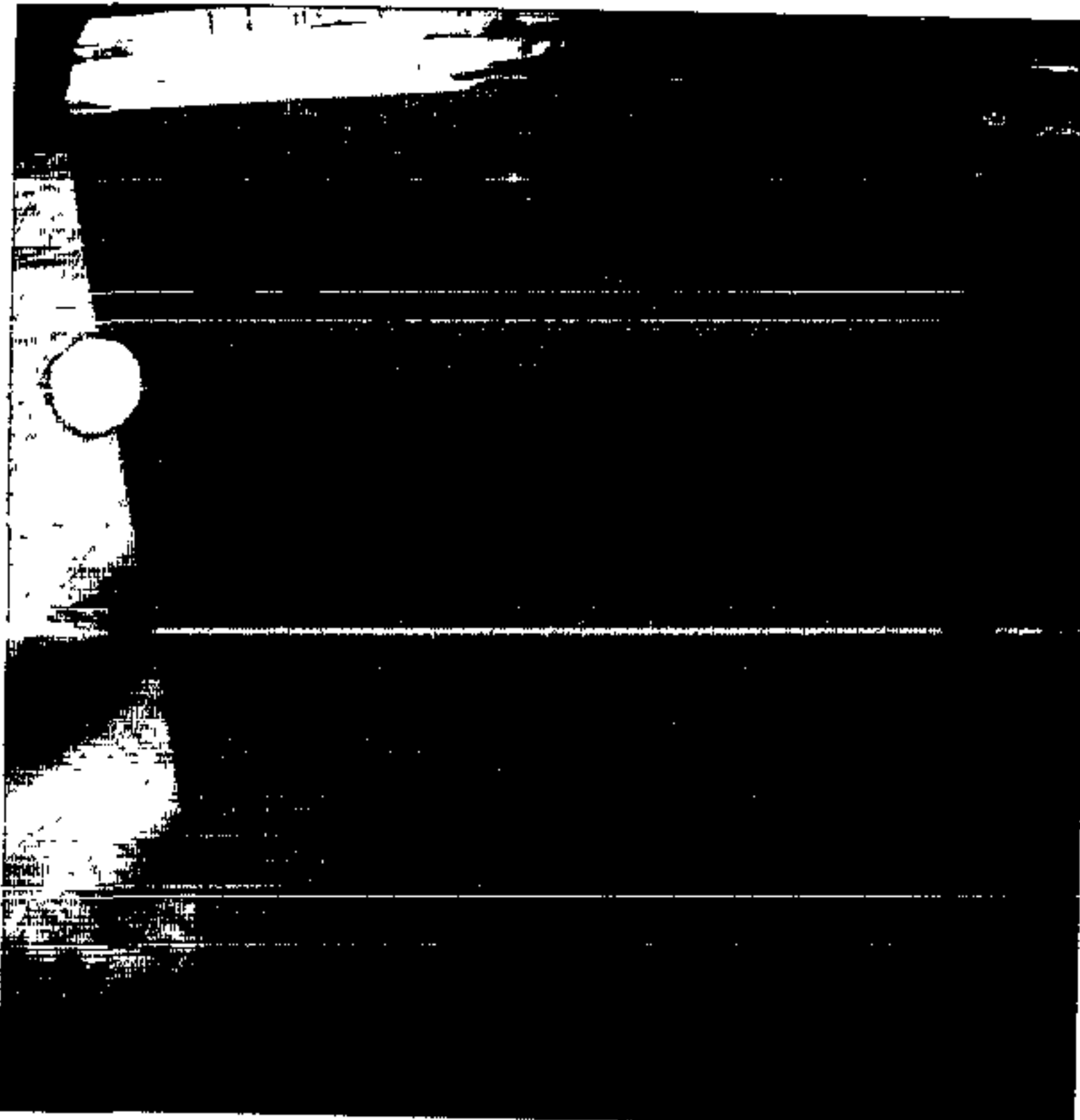
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2005 Issue - Jeffersonian

Please forward billing to:
Randolph Reyes
6505 Evening Shadows
Clarksville, MD 21029

410-309-6590

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: 05-328-A

1234 Burke Road

S/side of Burke Road, at the distance of 450 ft. west of centerline of Bowley's Quarters Road

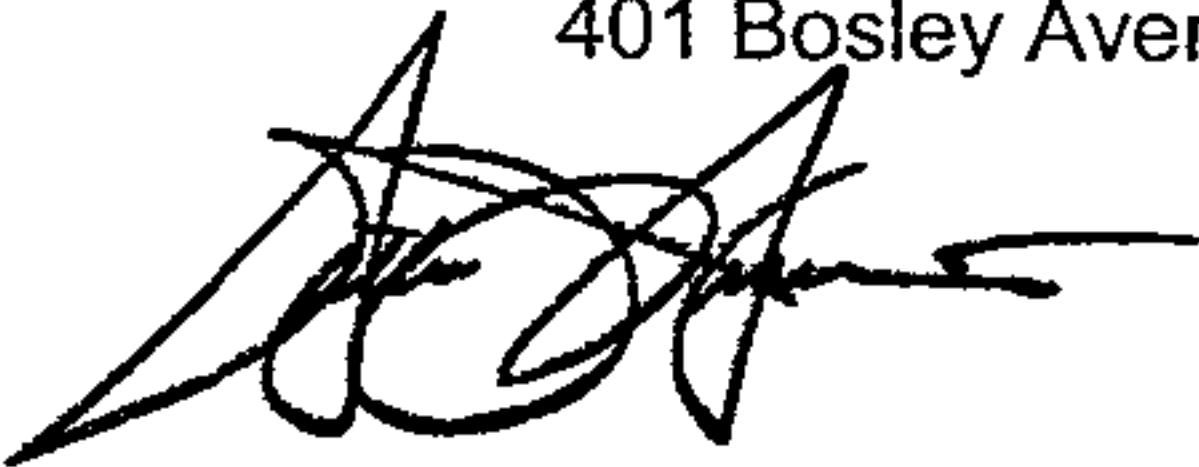
15th Election District – 6th Councilmanic District

Legal Owners: Donald J. and Mary S. Hansen

Contract Purchaser: Randolph Reyes

Variance to permit a dwelling with a side yard setback of 10 feet on each side in lieu of the required 50 feet respectively and to permit an area of 0.32 AC in lieu of the required 1.5 AC.

Hearing: Tuesday, February 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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**

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



Baltimore County

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

January 7, 2005

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: 05-328-A

1234 Burke Road

S/side of Burke Road, at the distance of 450 ft. west of centerline of Bowley's Quarters Road
15th Election District – 6th Councilmanic District

Legal Owners: Donald J. and Mary S. Hansen

Contract Purchaser: Randolph Reyes

Variance to permit a dwelling with a side yard setback of 10 feet on each side in lieu of the required 50 feet respectively and to permit an area of 0.32 AC in lieu of the required 1.5 AC.

Hearing: Tuesday, February 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".
Timothy Kotroco
Director

TK:klm

C: Donald J. & Mary S. Hansen, 222 E. Saratoga St., #805, Baltimore 21202
Randolph Reyes, 6505 Evening Shadows, Clarksville 21029

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 31, 2005.**
(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.

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

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 05-328-A

Petitioner DONALD HANSEN

Address or Location 1234 BURKE RD

PLEASE FORWARD ADVERTISING BILL TO

Name RANDOLPH FEYES

Address 6505 EVENING SHADOWS

CLARKSVILLE MD 21029

Telephone Number 410-389-6598

**Department of Permits and
Development Management**

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



Baltimore County

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

February 8, 2005

Donald J. Hansen
Mary S. Hansen
222 E. Saratoga Street, # 805
Baltimore, Maryland 21202

Dear Mr. and Mrs. Hansen:

RE: Case Number: 05-328-A, 1234 Burke Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 3, 2005.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Randolph Reyes 6505 Evening Shadows Clarksville 21029

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: 338 319-333

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr JDO
DATE: February 11, 2005
SUBJECT: Zoning Item # 05-328
Address 1234 Burke Road

Zoning Advisory Committee Meeting of January 10, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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:

Any improvements on this property must comply with the Limited Development Area (LDA) regulations and Buffer Management Area (BMA) policies of the Chesapeake Bay Critical Area Regulations. The Property is limited to 25% maximum impervious surface cover and 15% minimum tree cover.

Reviewer: Glenn Shaffer

Date: February 11, 2005

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item No. 328

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

The flood protection elevation (M.C.S.) 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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 3, 2005

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

SUBJECT: 1234/1236 Burke Road

INFORMATION:

Item Number: 5-328 & 5-329

Petitioner: Donald J. Hansen

Zoning: RC 5

Requested Action: Special Hearing/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and has determined that the subject property is an existing lot of record that is not a subdivision. As such, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of the existing dwelling.
2. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
3. Orient the front of the proposed dwelling towards Burke Road and incorporate prominent entries and porches or stoops in the front building façade.
4. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

05-328

5. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
6. Ensure that exterior of all buildings use the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
7. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact David Pinning in the Office of Planning at 410-887-3480.

Prepared By: Mae A. Cunningham

Division Chief: Lynne L. Ham

MAC/LL

2/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 22, 2005

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

SUBJECT: 1234/1236 Burke Road

INFORMATION:

Item Number: 5-328 & 5-329, Amended Comments

Petitioner: Donald J. Hansen

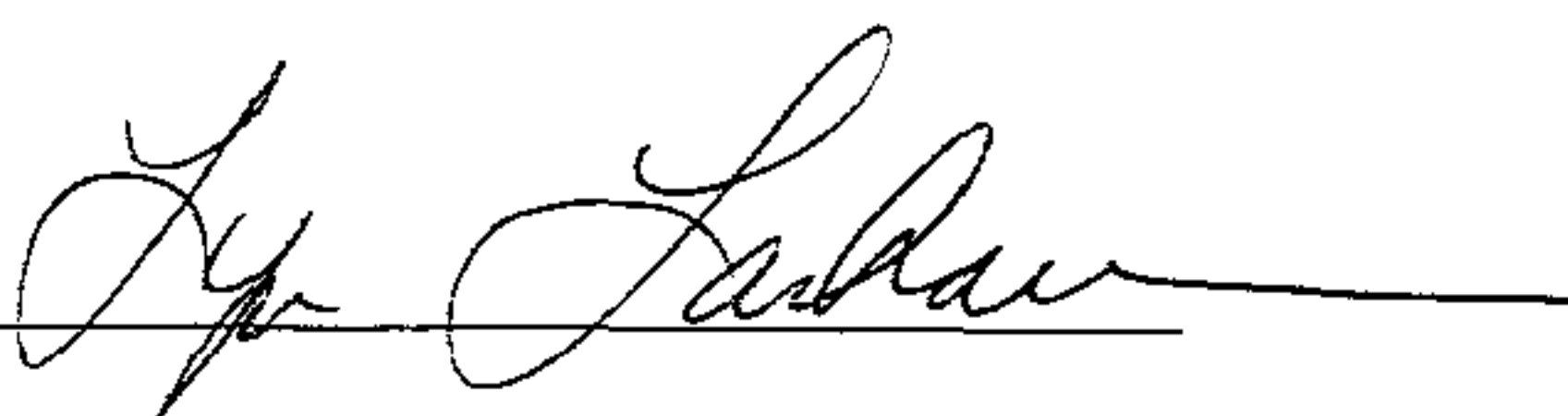
Zoning: RC 5

Requested Action: Special Hearing/Variance

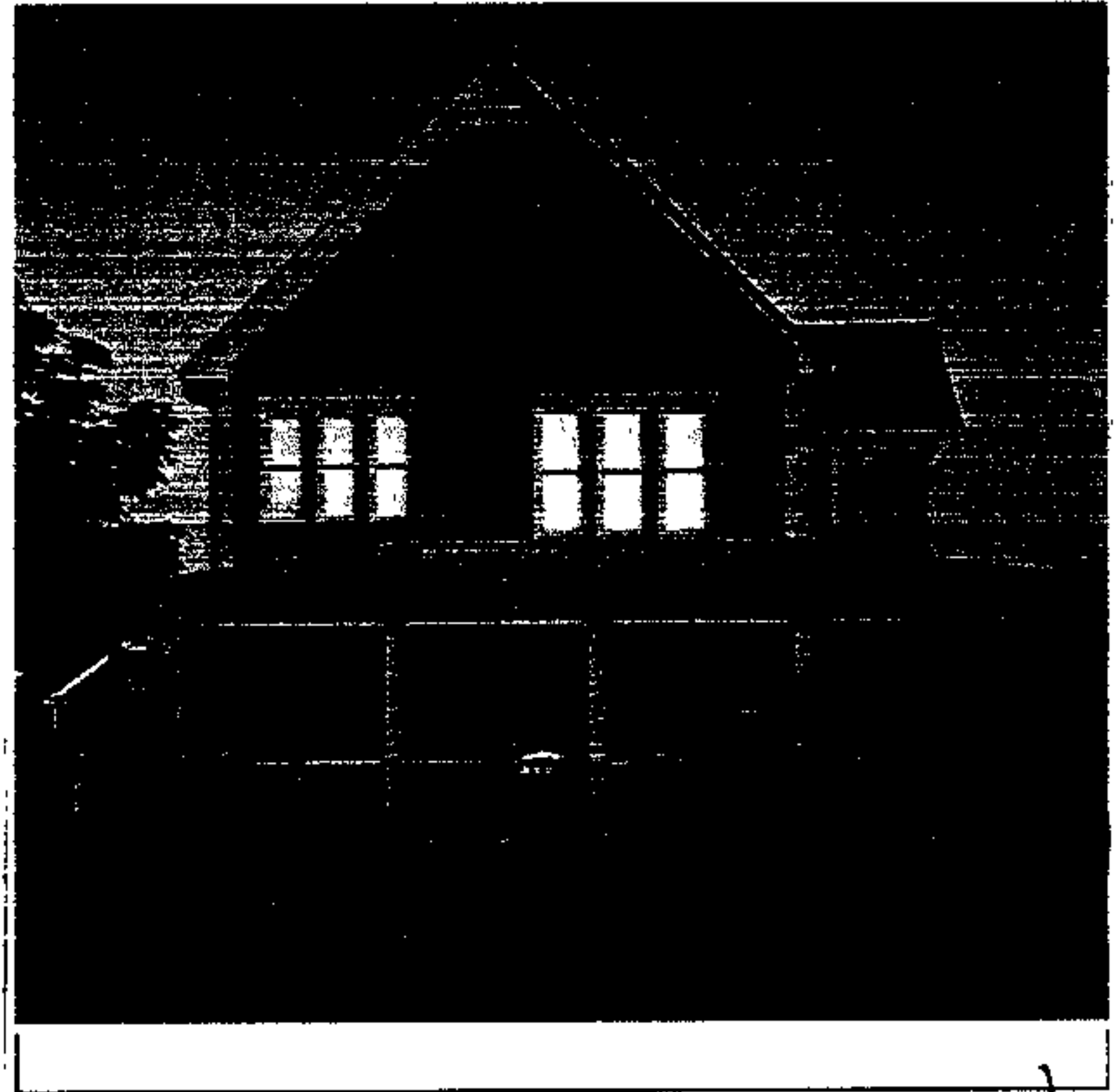
SUMMARY OF RECOMMENDATIONS:

The Office of Planning reviewed the petitioner's request and accompanying site plan and elevation drawings (with materials and colors indicated) and finds the proposal to be in accordance with the spirit and intent of the RC 5 regulations and performance standards listed within Bill 55-04. As such, this office does not oppose the setback variance and lot area requests.

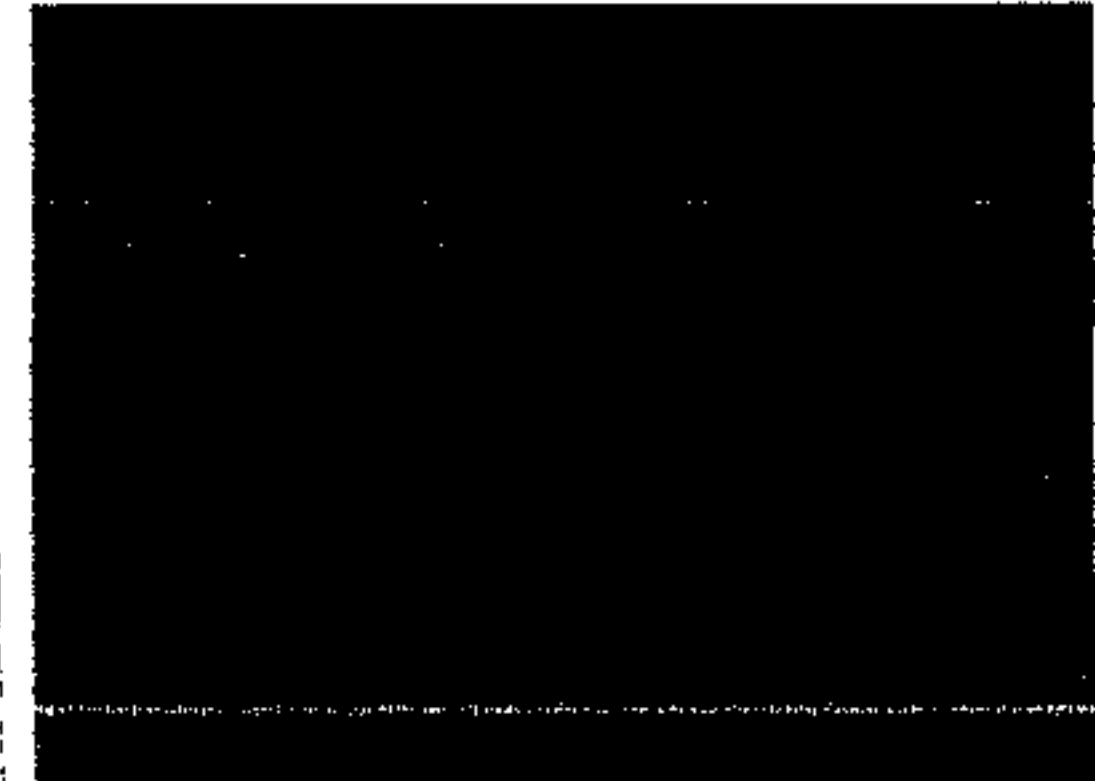
Division Chief: _____



LL



Snowfield 00NN 72/000
Trim



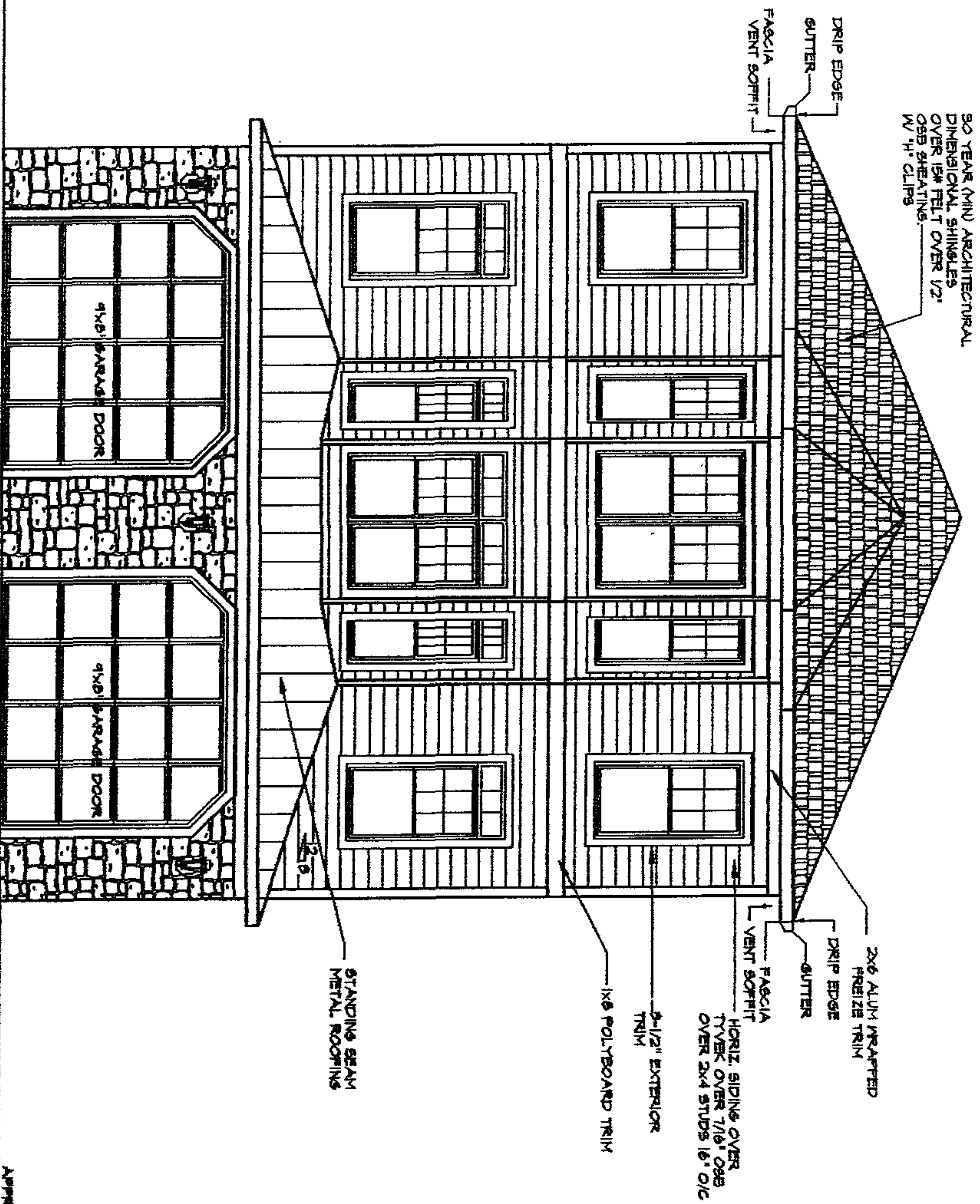
Mountain Creek 70GG 38/059
Body



Lindy's Garden 90GG 17/082
Door

case 05-328-A 1234 Burke Rd Calicut, Fla

Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes



FRONT ELEVATION
SCALE: 3/8"=1'-0"

Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes

80 YEAR (MIN) ARCHITECTURAL
DIMENSIONAL SHINGLES
OVER 1/4" FELT OVER 1/2"
OSB SHEATHING.
W/ 1/4" CLIPS

2x6 ALUM WRAPPED
PREFRIZE TRIM
DRAIN EDGE
GUTTER
PASCIA
VENT SOFFIT

HORIZ. SIDING OVER
TYVEK OVER 7/16" OSB
OVER 2x4 STUDS 16" O/C

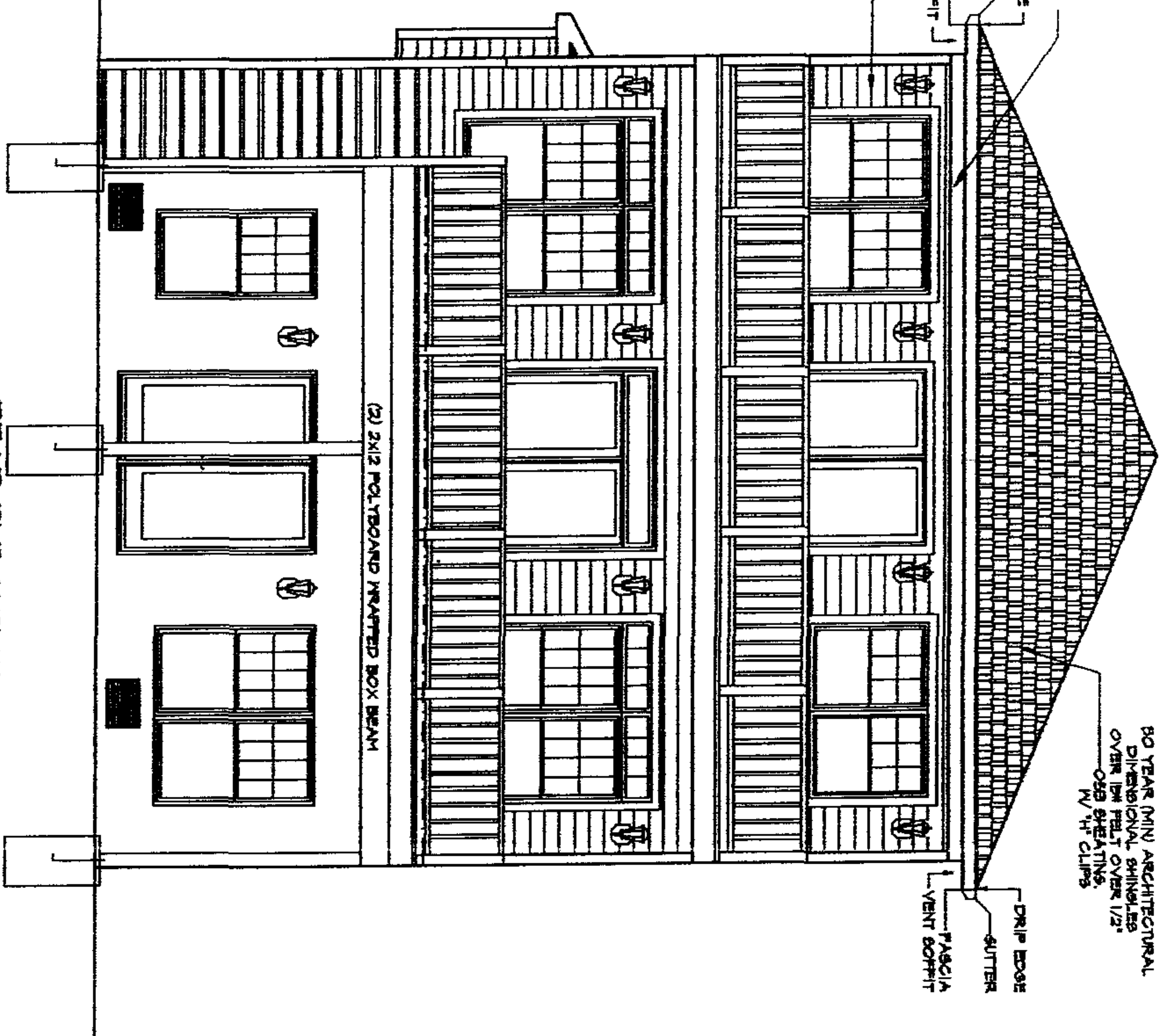
DRAIN EDGE
GUTTER
PASCIA
VENT SOFFIT

(2) 2x12 POLYBOARD WRAPPED BOX BEAM

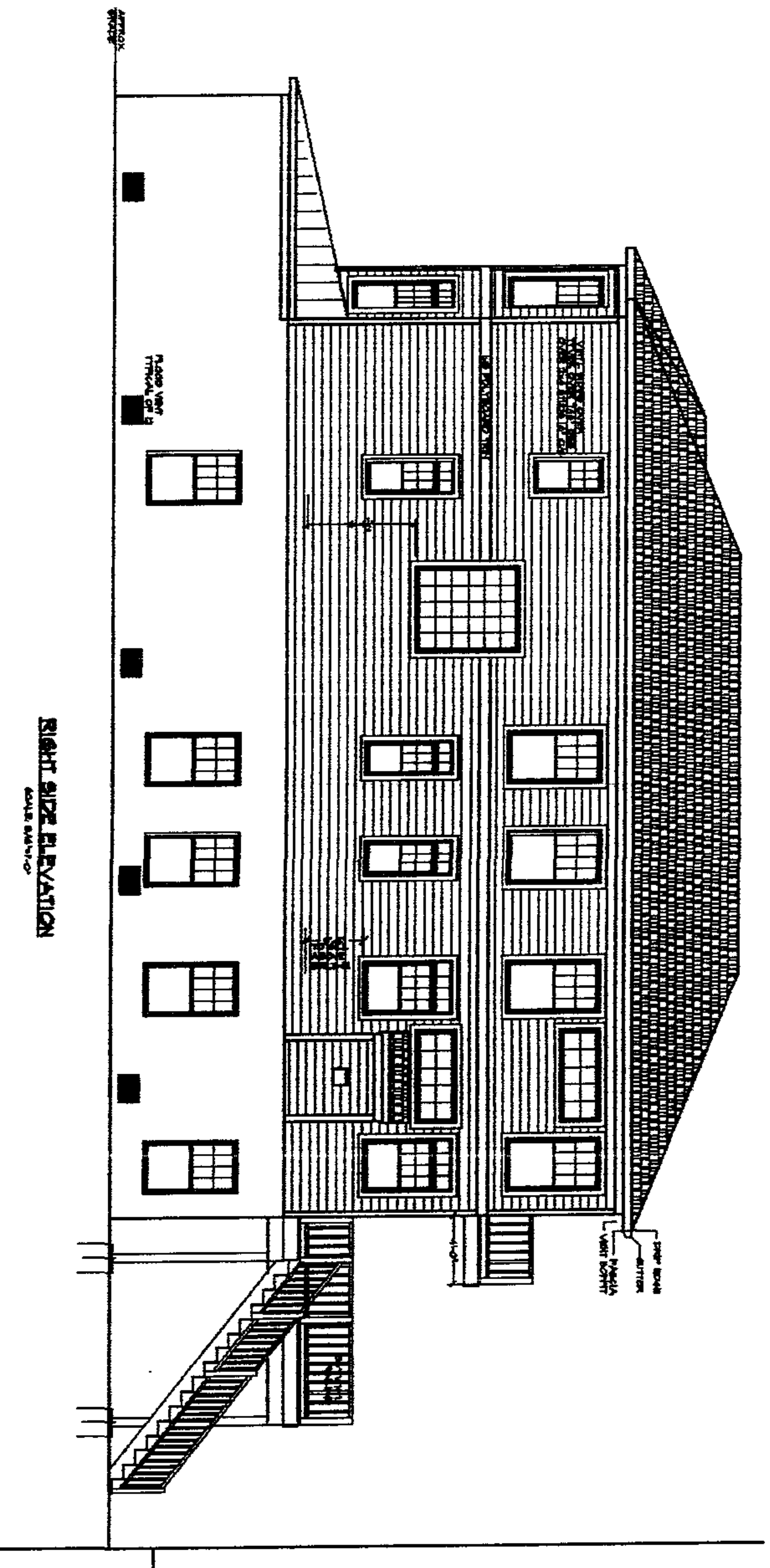
APPROX
GRADE

REAR ELEVATION

SCALE: 3/16"=1'-0"



Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes

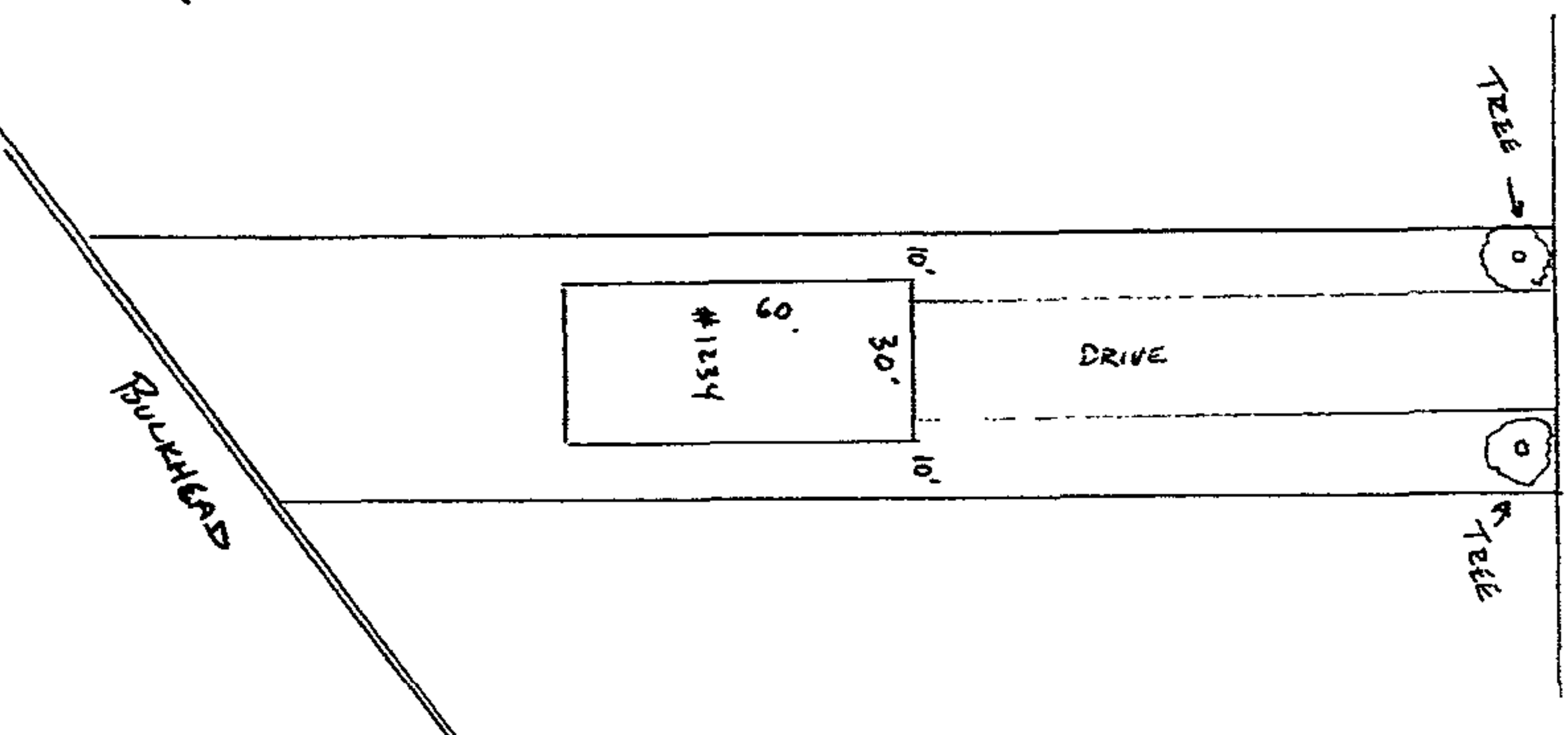


Architectural drawing of the left side elevation of a building. The drawing shows a two-story structure with a gabled roof. The left side features a series of windows: a large double window on the ground floor, a smaller double window above it, and a row of five small square windows on the second floor. The right side has a large double window on the ground floor, a smaller double window above it, and a row of five small square windows on the second floor. The roof is gabled with a chimney on the left side. The drawing is labeled "LEFT SIDE ELEVATION" and "SCALE 3/8"=1'-0"."

LEFT SIDE ELEVATION

Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes

BURKE RD



Lot is presently vacant. Original house
was destroyed by Hurricane Isabel.

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 1.10.05

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

RE: Baltimore County
Item No. 328 JRF

Dear Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item No. 328

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

The flood protection elevation (M.C.S.) 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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item No. 329

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

The minimum right-of-way for all roads in Baltimore County is 40 feet. Variance shall be modified to reflect this on Burke Road.

The flood protection elevation for this site is 11.2 (M.C.S.) 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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JDO}
DATE: February 11, 2005
SUBJECT: Zoning Item # 05-328
Address 1234 Burke Road

RECEIVED

FEB 14 2005

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of January 10, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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:

Any improvements on this property must comply with the Limited Development Area (LDA) regulations and Buffer Management Area (BMA) policies of the Chesapeake Bay Critical Area Regulations. The Property is limited to 25% maximum impervious surface cover and 15% minimum tree cover.

Reviewer: Glenn Shaffer

Date: February 11, 2005

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 3, 2005

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

SUBJECT: 1234/1236 Burke Road

INFORMATION:

Item Number: 5-328 & 5-329

Petitioner: Donald J. Hansen

Zoning: RC 5

Requested Action: Special Hearing/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and has determined that the subject property is an existing lot of record that is not a subdivision. As such, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of the existing dwelling.
2. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
3. Orient the front of the proposed dwelling towards Burke Road and incorporate prominent entries and porches or stoops in the front building façade.
4. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

RE: PETITION FOR VARIANCE * BEFORE THE
1234 Burke Road; S/S Burke Rd, 450' W
c/line Bowleys Quarters Rd * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts
Legal Owner(s): Donald J. & Mary S. Hansen* FOR
Contract Purchaser(s): Randolph Reyes
Petitioner(s) * BALTIMORE COUNTY
* 05-328-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 13th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to, Donald & Mary Hansen, 222 E. Saratoga Street, Suite 805, Baltimore, MD 21202, Petitioner(s).

RECEIVED

JAN 17 2005
CJB
Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

February 25, 2005

Mr. & Mrs. Donald J. Hansen
222 E. Saratoga Street, #805
Baltimore, Maryland 21202

Re: Petitions for Variance & Special Hearing
Case Nos. 05-328-A & 05-329-SPHA
Property: 1234 & 1236 Burke Road

Dear Mr. & Mrs. Hansen:

Enclosed you will find the ZAC comments referred to in my February 24, 2005 order that were inadvertently not attached to the Order.

Please accept our apologies for any inconvenience this may have caused. Should you have any questions or require any additional information, please feel free to contact me at the above number.

Very truly yours,


John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosures

c: Randolph Reyes, 6505 Evening Shadows Ct., Clarksville, MD 21029
Marianne Garrison, 205 E. Joppa Road, Towson, MD 21286
Craig & Tracie Leonard, 1847 Cape May Road, Essex, MD 21221



CASE NAME 1234 P1236 Burke Rd
CASE NUMBER 05-328-A &
DATE 4/5/05 05-329-SPHA

PETITIONER'S SIGN-IN SHEET

[illegible]

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

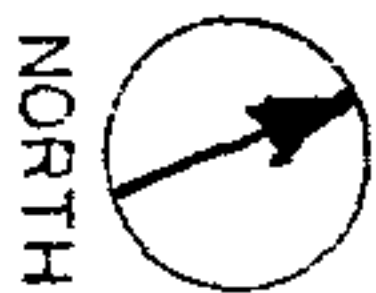
PROPERTY ADDRESS 1234 Burke Rd

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Bowleys Quarters

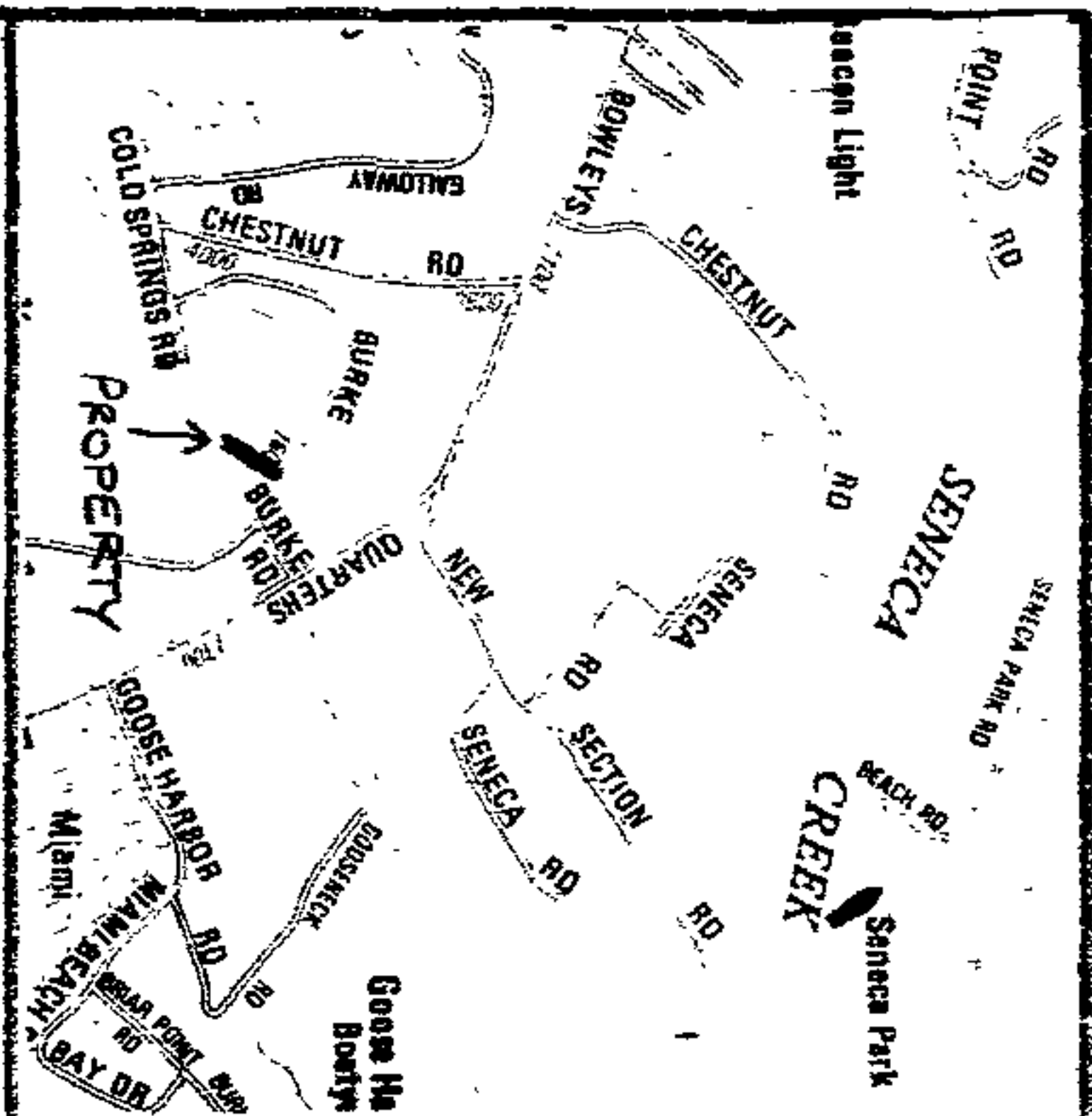
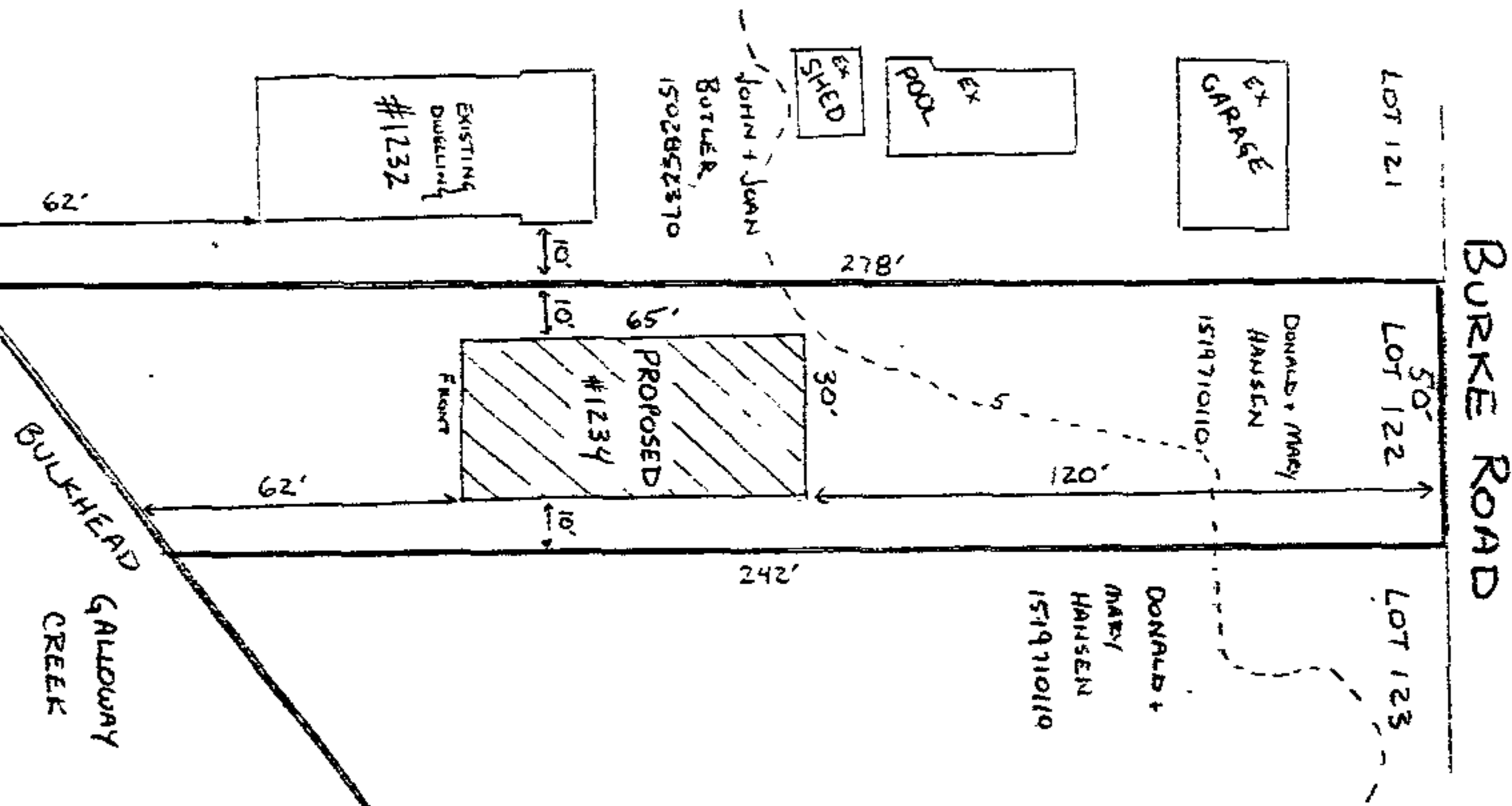
PLAT BOOK # 7 FOLIO # 12 LOT # 122 SECTION # 1

OWNER DONALD AND MARY HANSEN



PREPARED BY

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT HS G

1" = 200' SCALE MAP # NE 2L

ZONING RC5

LOT SIZE 0.32 13,900 SQUARE FEET

ACREAGE

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO

100 YEAR FLOOD PLAIN ☒ ☐

HISTORIC PROPERTY/BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

328

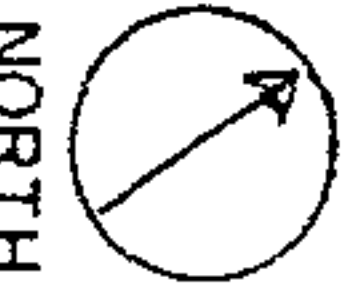
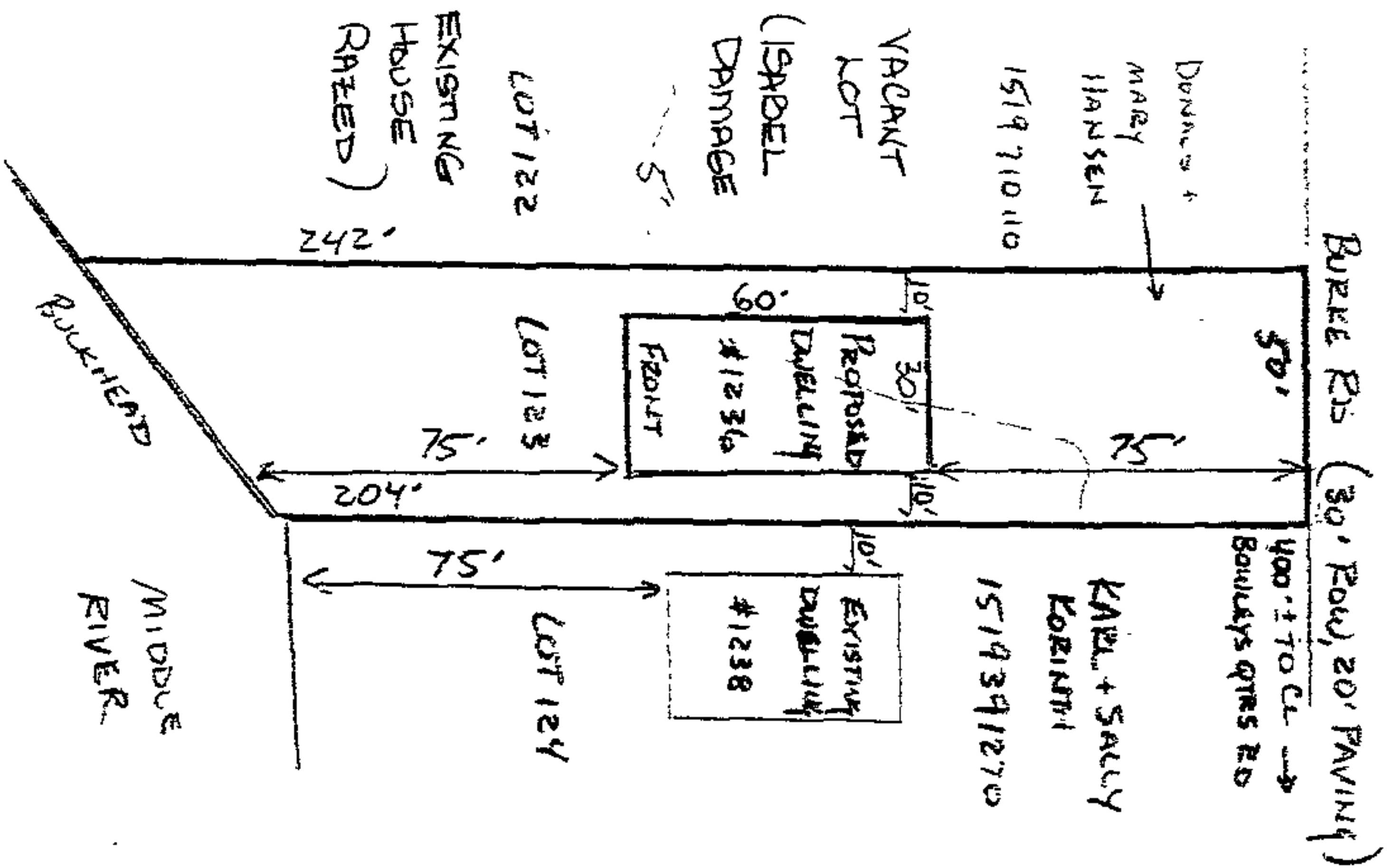
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1234 Burke Rd, Middle River, MD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Bowleys Quarters

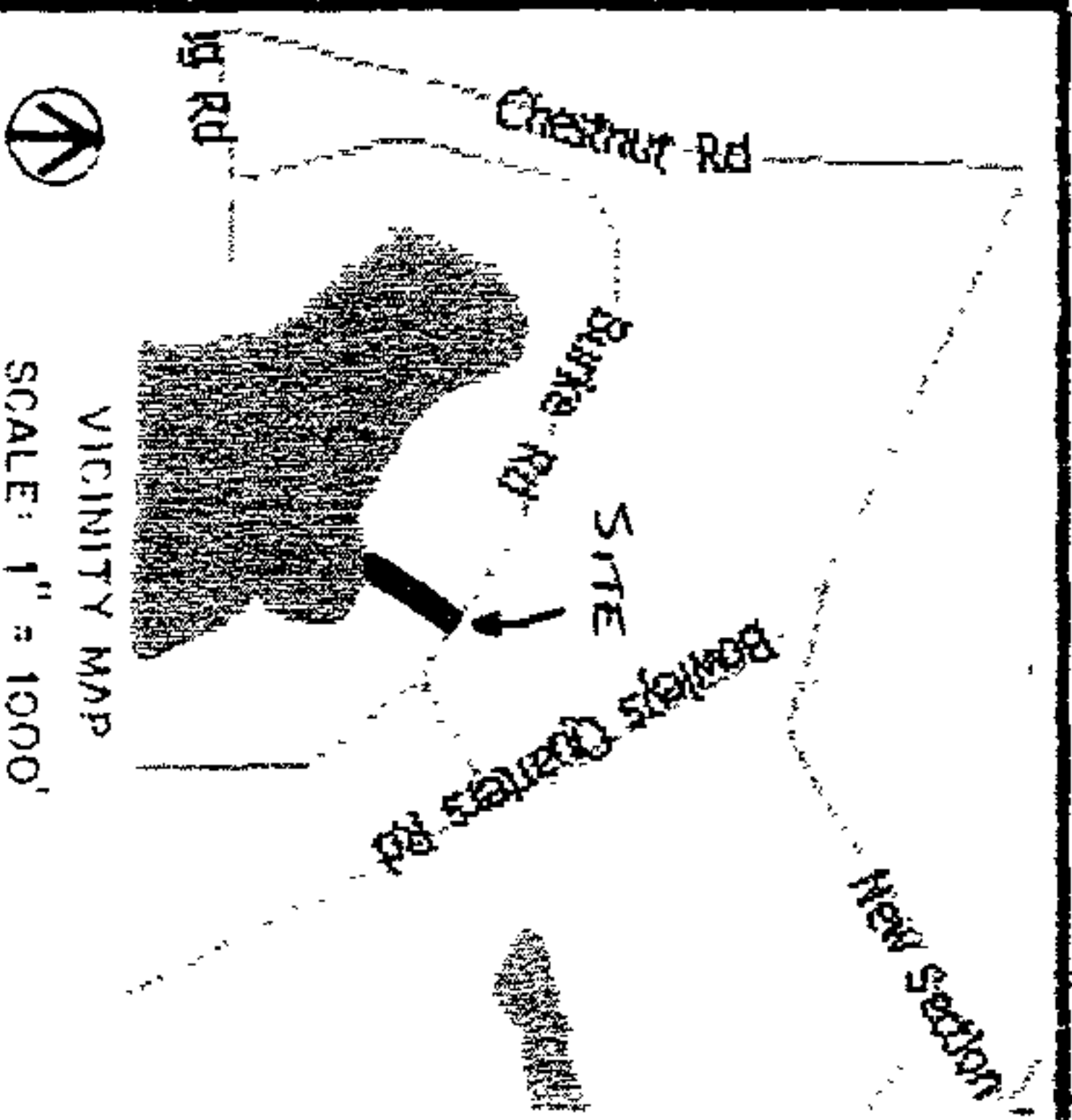
PLAT BOOK # 7 FOLIO # 12 LOT # 123 SECTION #

OWNER DONALD + MARY HANSEN



PREPARED BY CL

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # NE 2L

ZONING RC 5

LOT SIZE .27 AC 11,900 SQUARE FEET

ACREAGE

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☒ ☐

100 YEAR FLOOD PLAIN (A-10) ☒ ☐

HISTORIC PROPERTY / BUILDING ☐ ☒

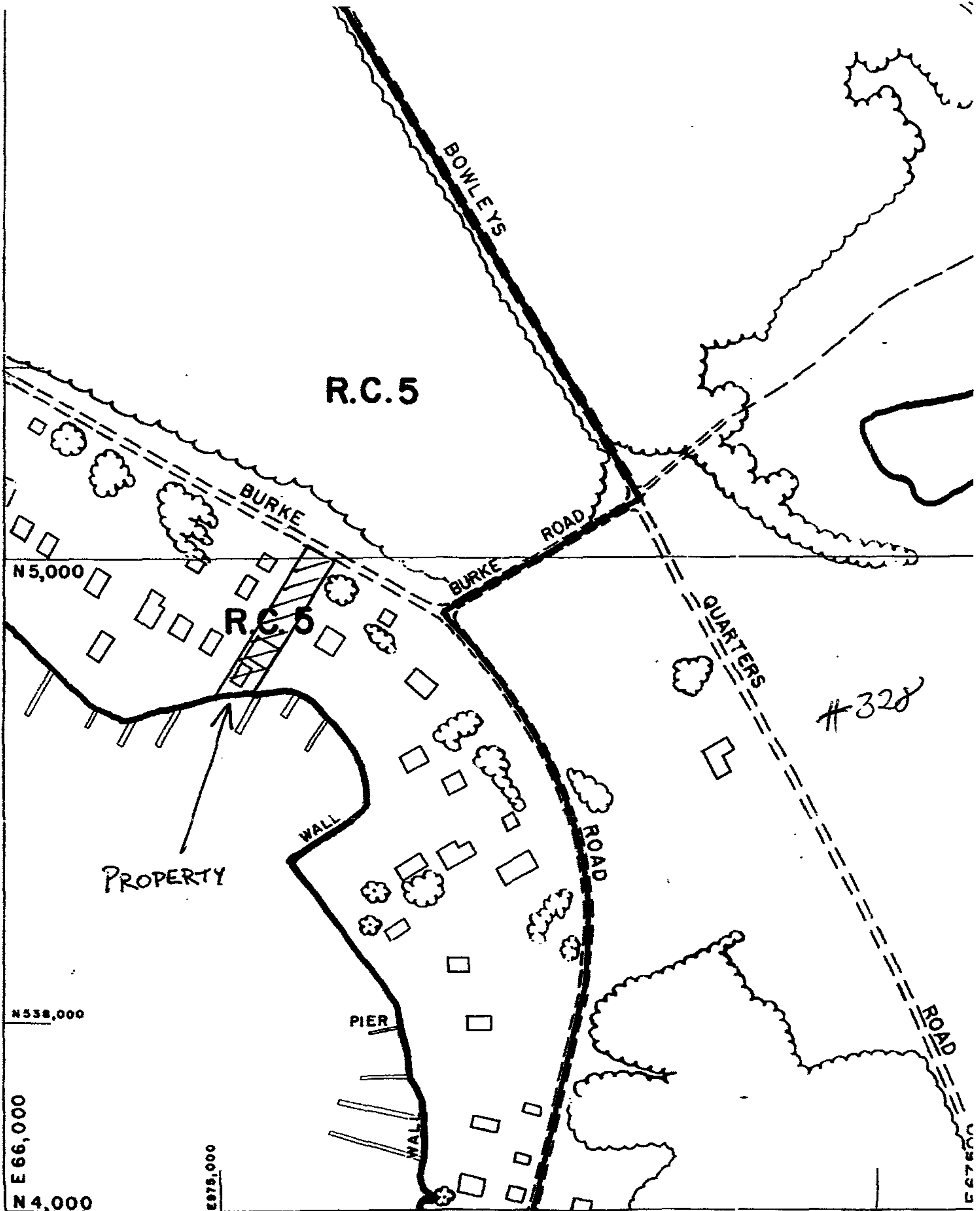
PRIOR ZONING HEARING N/A

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D.T. 329 05-329-6 PHA

NE-2L

SCALE 1" = 200'



R.C. 5

N 5,000

1218

1220

1222

1224

1226

1228

1230

1232

1234

1236

1238

1240

1300

1304

1306

Pool

Pool

R.C. 5

BURKE

BURKE

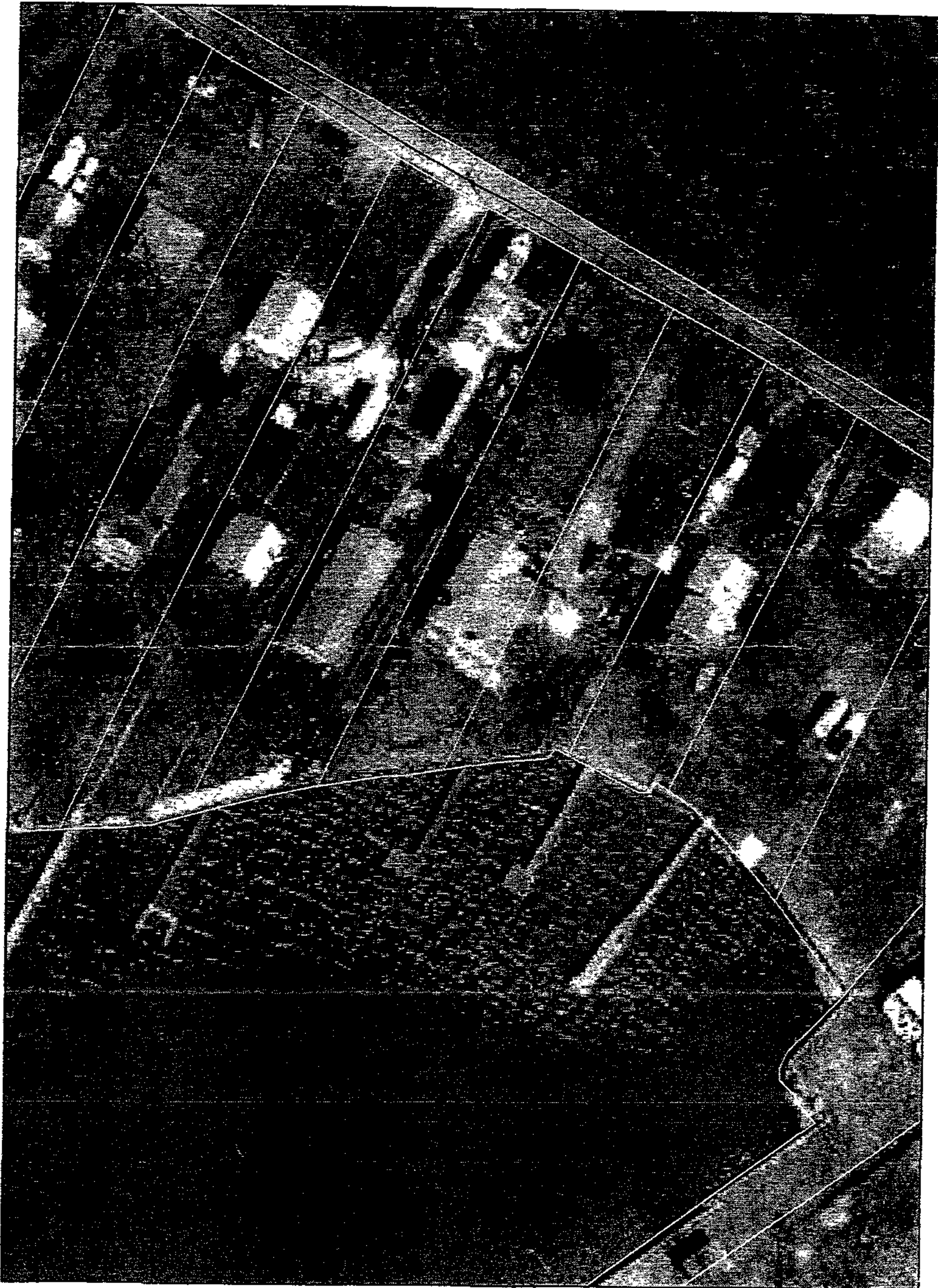
ROAD

WALL

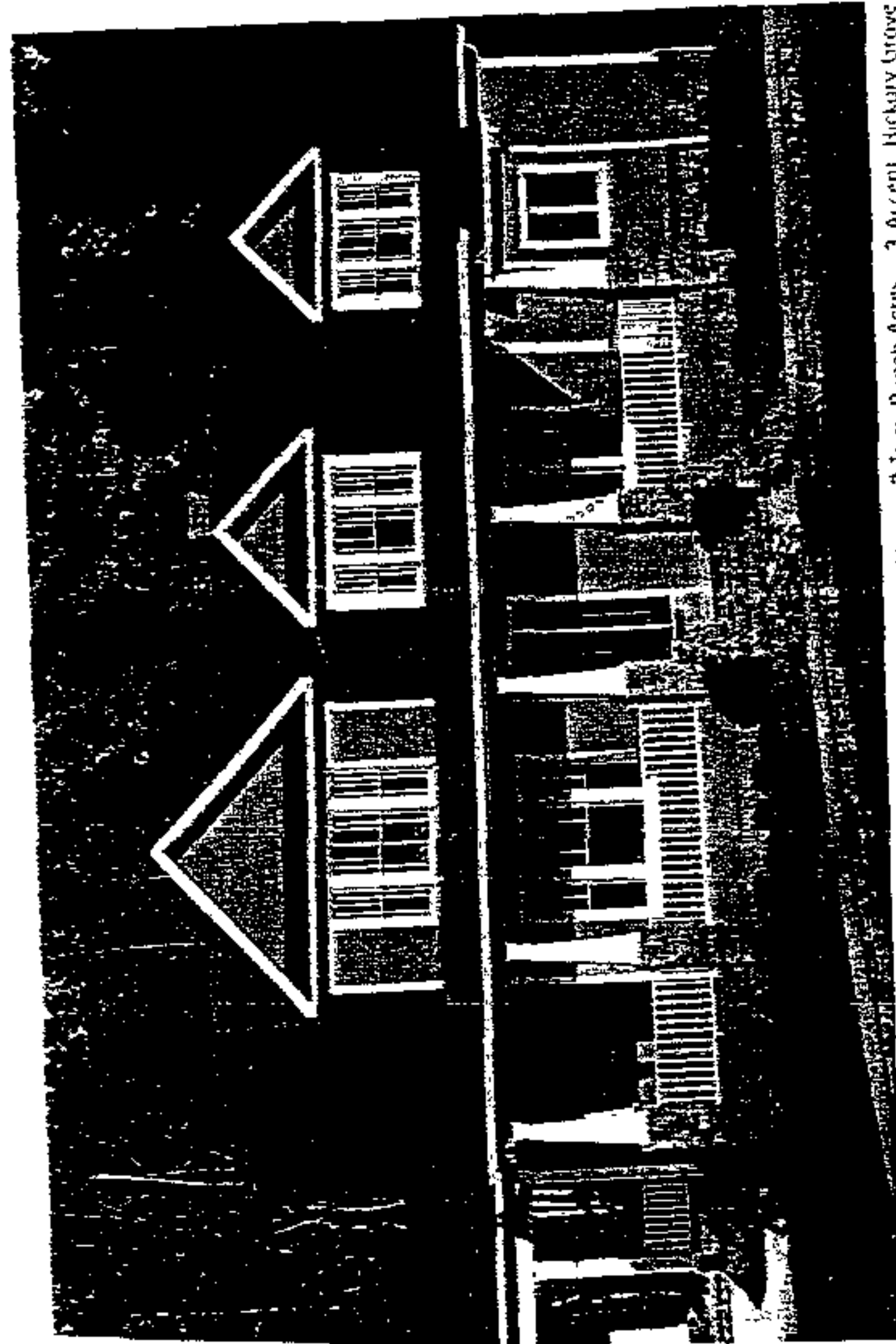
R.C.

Handwritten signature

1234 burke road



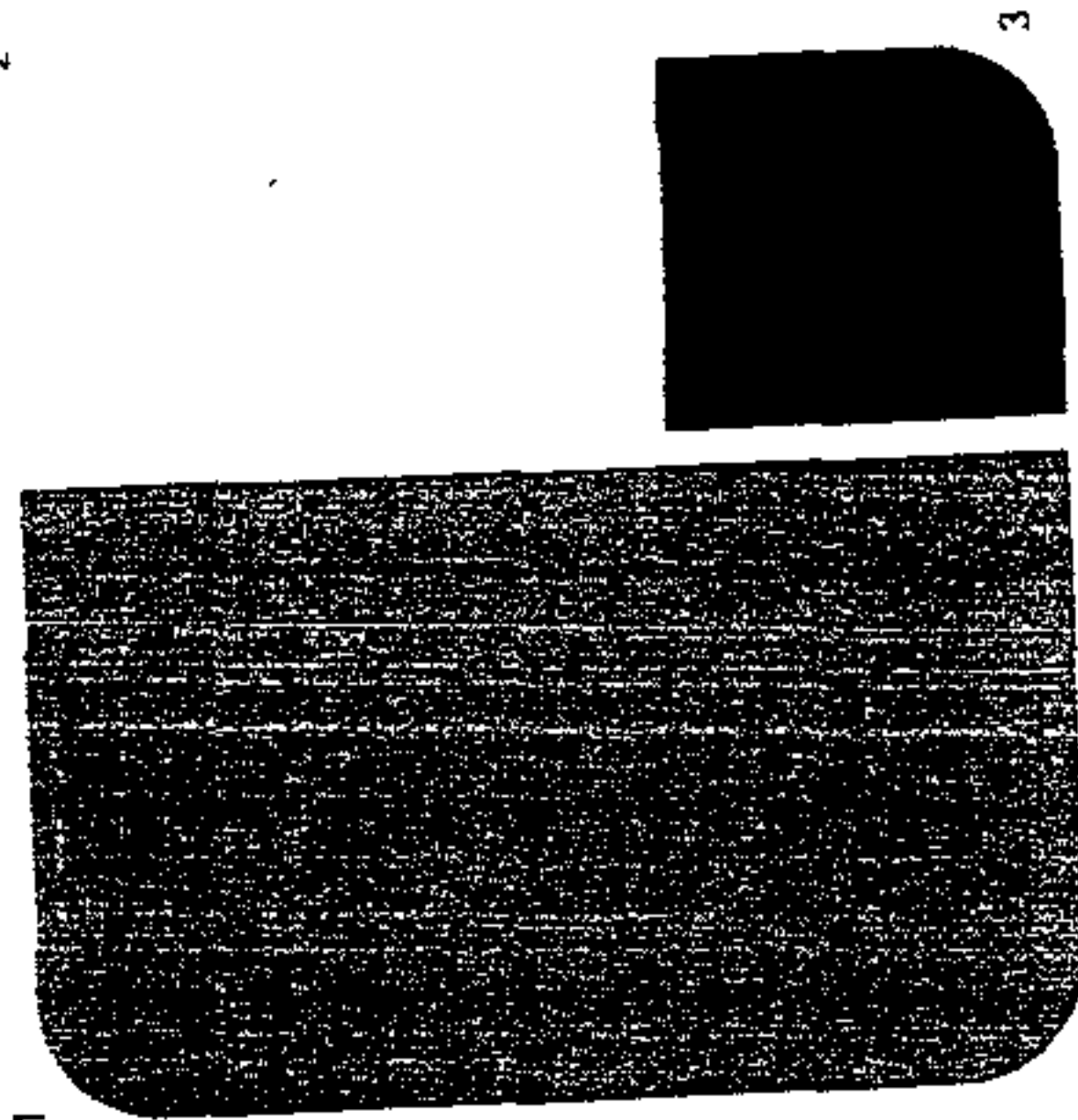
Ref # 1234



CASE-05-329-SPHA

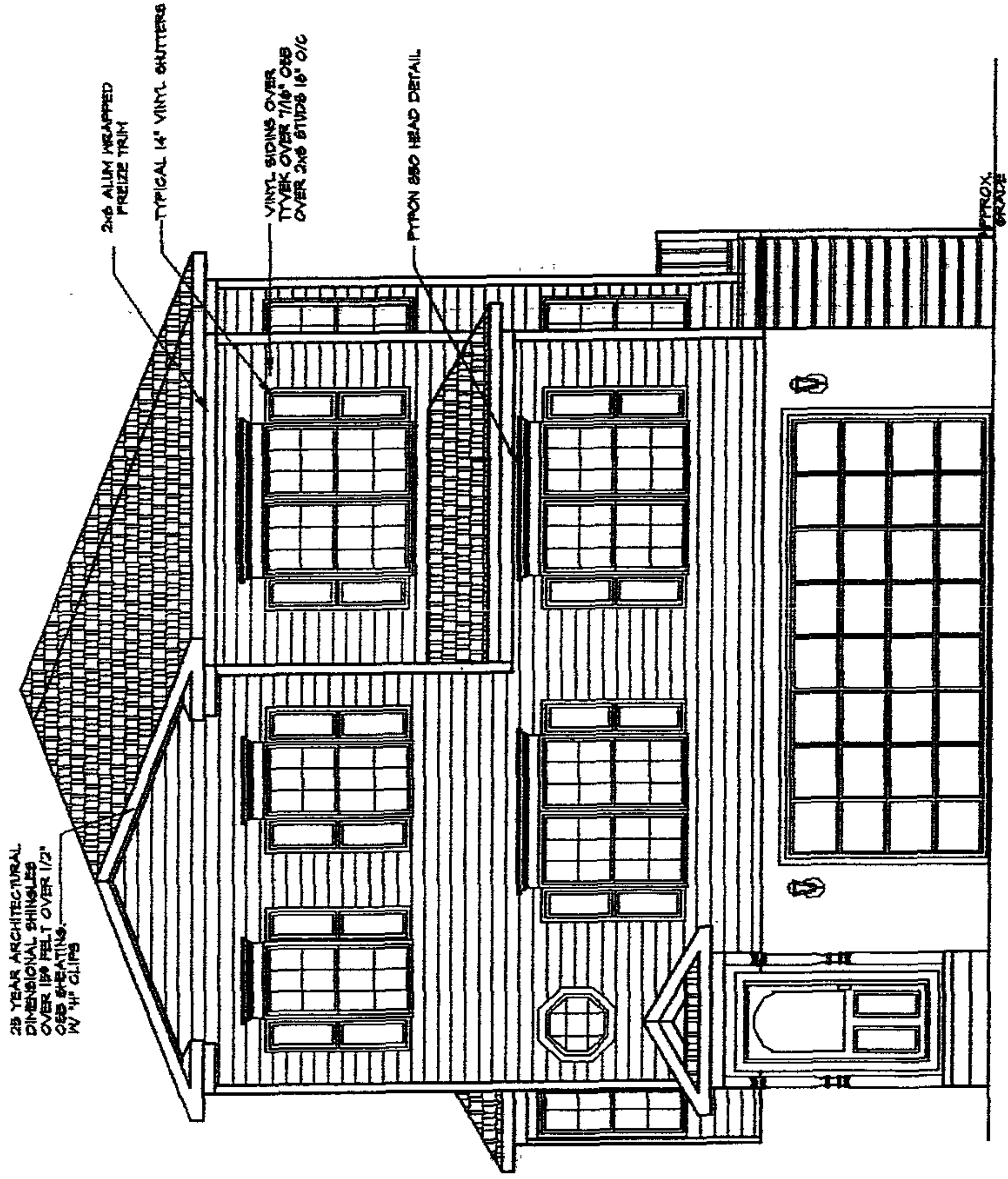
1 Body Canyon View 2 Trim Ranch Acres 3 Accent Hickory Grove

1236 Burke Rd color scheme



1 Body Canyon View ECC-20-1
2 Trim Ranch Acres ECC 20-2
3 Accent Hickory Grove ECC-20-3

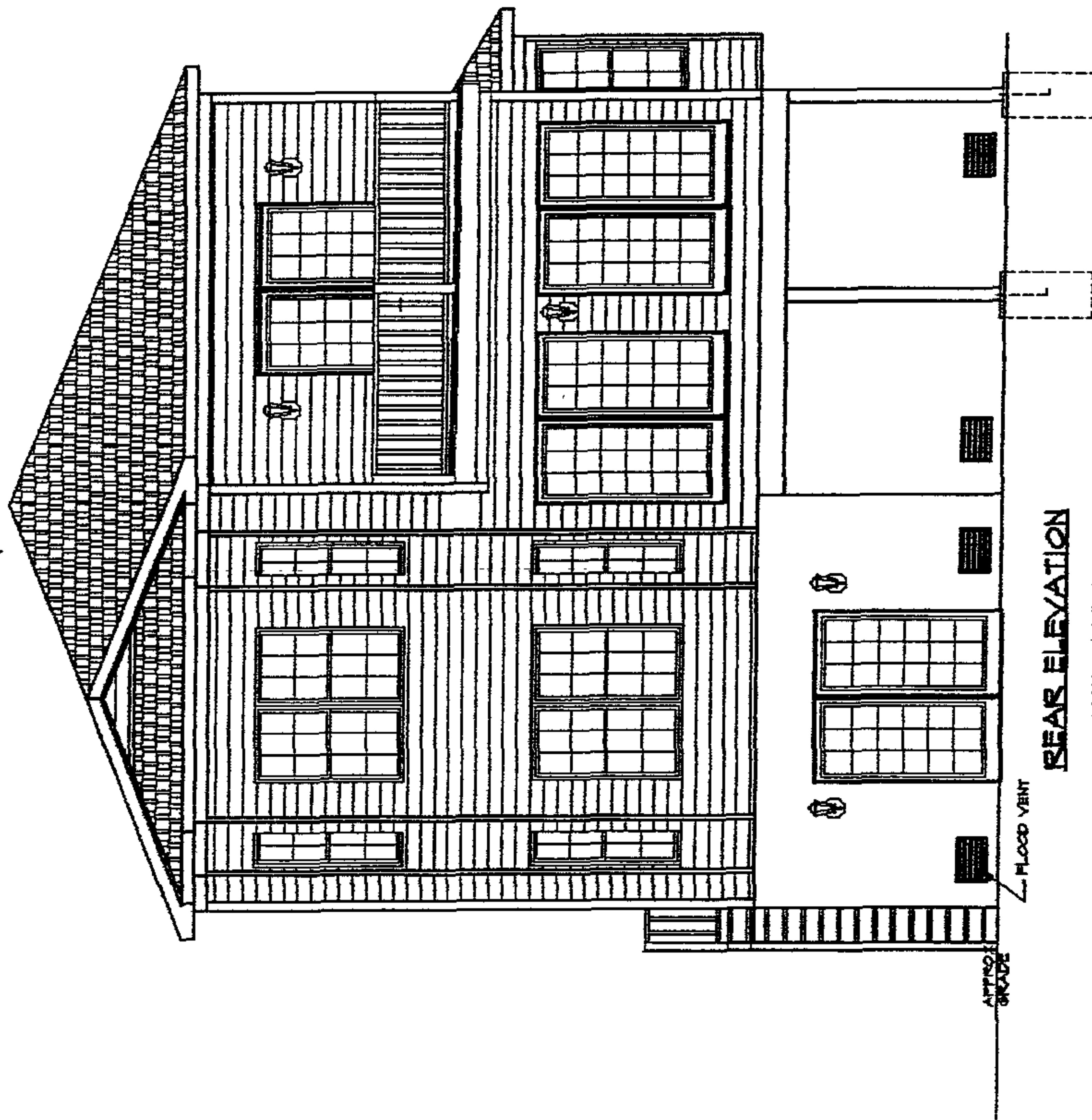
Case Number: 05-329-SPHA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard



FRONT ELEVATION
SCALE: 3/16"=1'-0"

Case Number: 05-329-SPHA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard

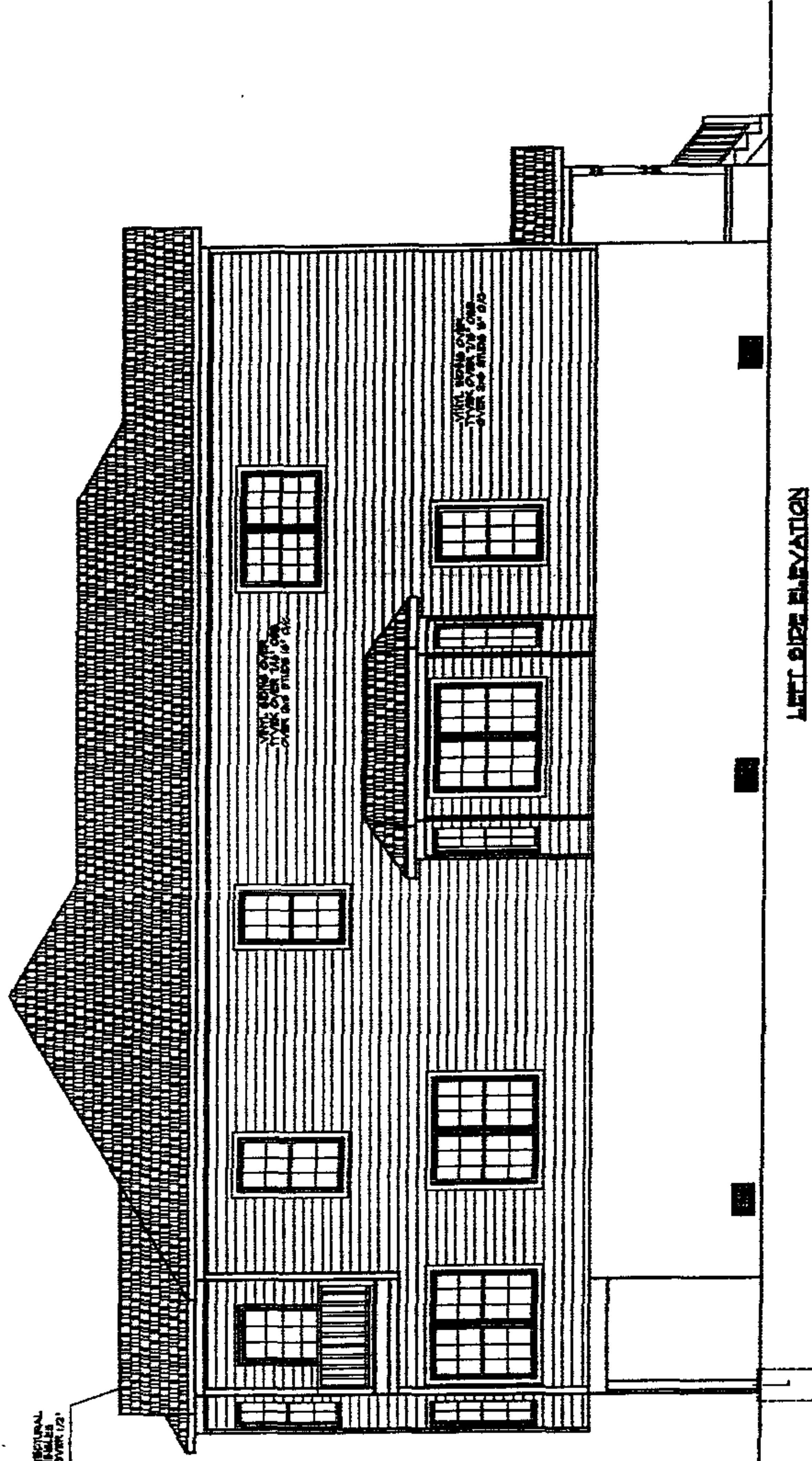
25 YEAR ARCHITECTURAL
DIMENSIONAL SHINGLES
OVER 1/2" FELT OVER 1/2"
OSB SHEATHING
1/4" H" CLIPS



REAR ELEVATION

SCALE: 5/16\"=1'-0"

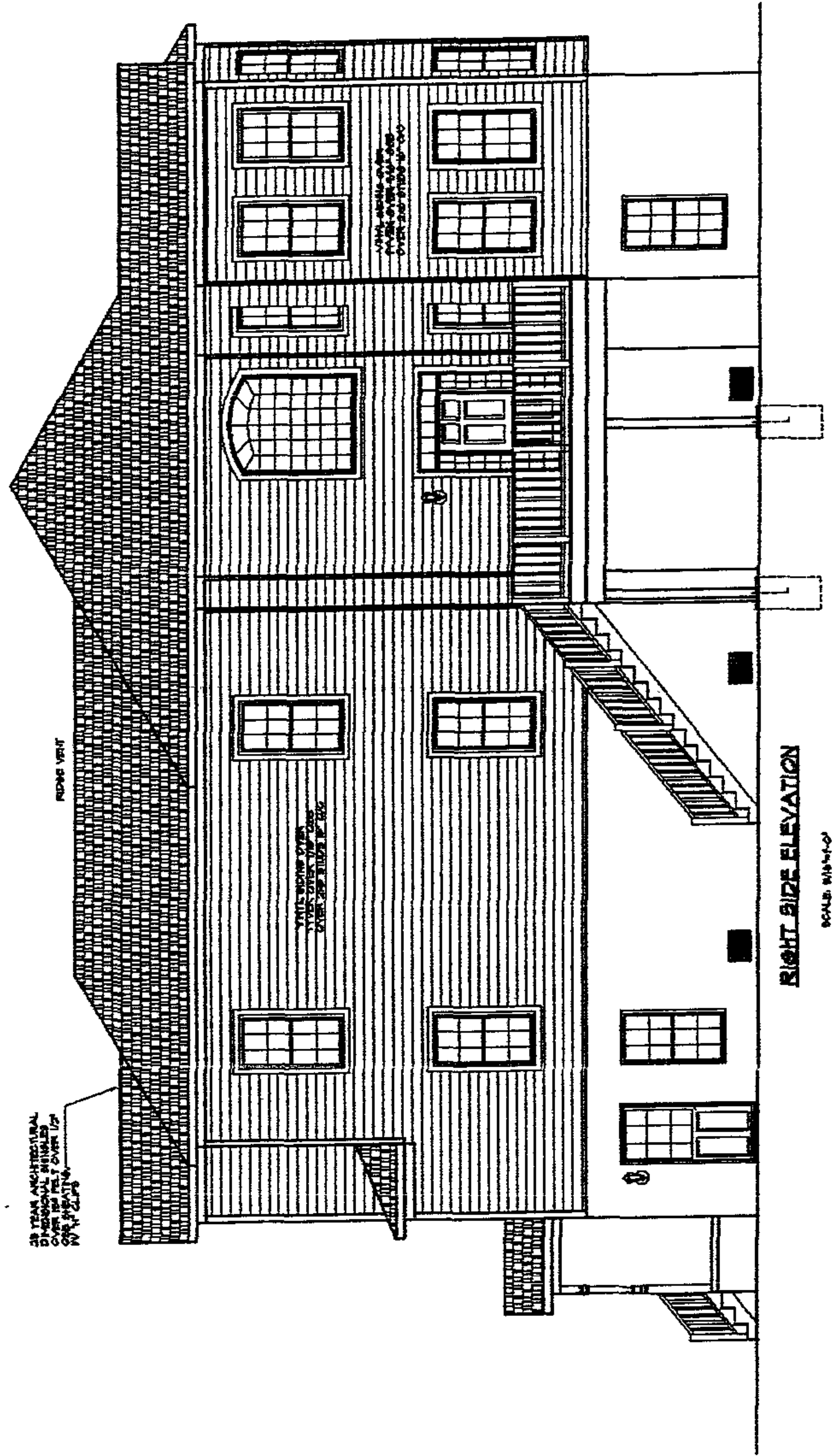
Case Number: 05-329-SPHA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard



LEFT SIDE ELEVATION

SCALE: 1/8"=1'-0"

Case Number: 05-329-SPHA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard

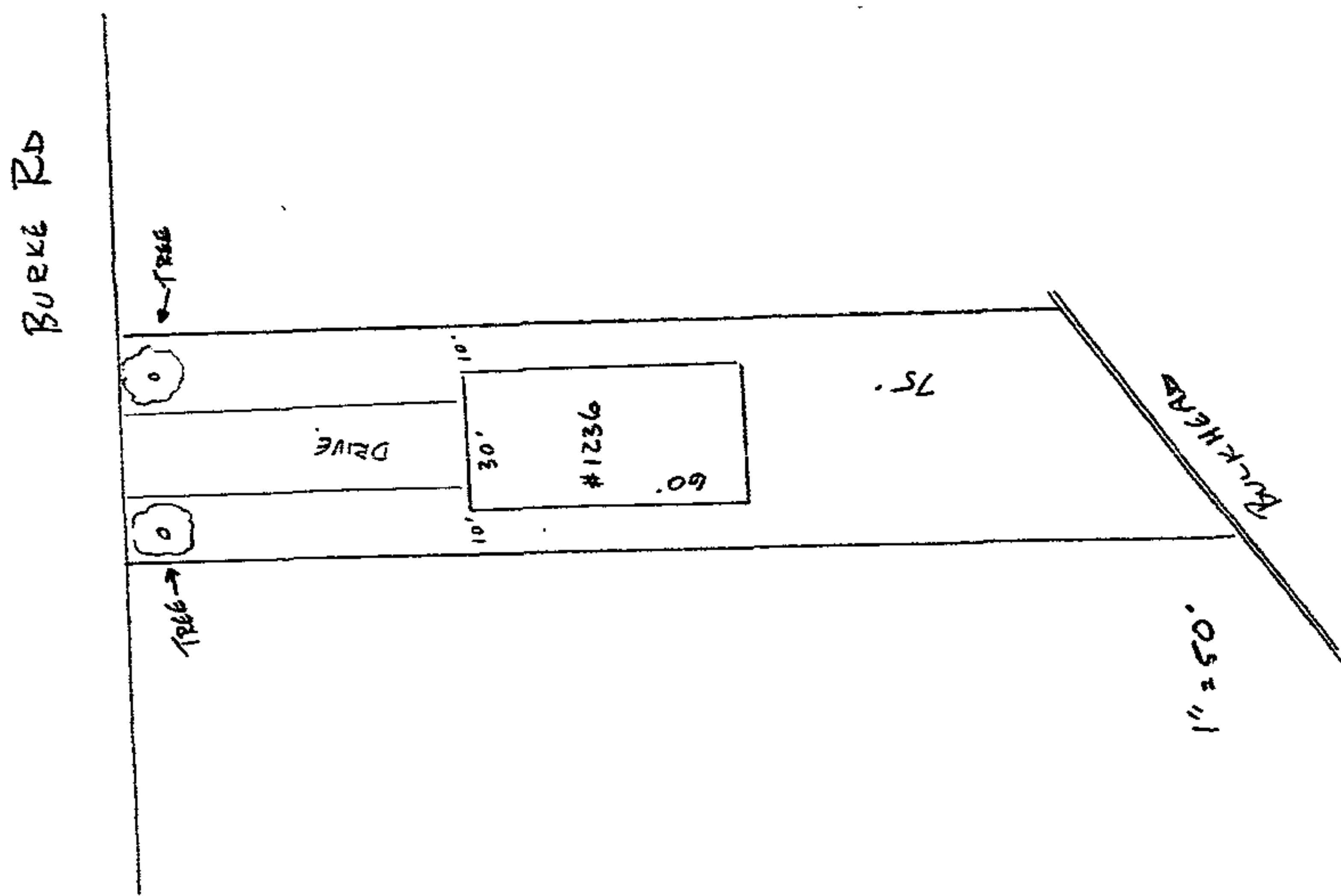


Case Number: UD-329-SFHA

1236 Burke Road

Legal Owners: Donald J. & Mary S. Hansen

Contract Purchaser: Craig & Tracie Leonard



Lot is presently vacant. Original house was destroyed by Hurricane Isabel.

IN RE: PETITIONS FOR VARIANCE

S/S Burke Road, 415' & 465' NW of the c/l
Burke Road

(1224 and 1226 Burke Road)

15th Election District

6th Council District

Charles G. Hill, et ux, Owners;

David M. Hausner and Charles D. Falter,

Respective Contract Purchasers

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Cases Nos. 05-042-A and 05-043-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by Charles G. Hill and his wife, Rosalie M. Hill, Owners, and David M. Hausner, Contract Purchaser of 1224 Burke Road, and Charles D. Falter, Contract Purchaser of 1226 Burke Road. Since the properties are located adjacent to one another and owned by the same persons, the two cases were heard contemporaneously. Relief is requested from Sections 1A04.3.B.2 and 1A04.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each in lieu of the required 50 feet for a proposed 30' x 65' dwelling on each lot with a height of 45 feet in lieu of the maximum allowed 35 feet. The subject properties and requested relief are more particularly described on the respective site plans submitted in each case and marked into evidence as Petitioner's Exhibits 1.

Appearing at the requisite public hearing in support of the request were David M. Hausner, Esquire, attorney for the Petitioners and Contract Purchaser of 1224 Burke Road; Charles D. Falter, Contract Purchaser of 1226 Burke Road; and, Clyde F. Hinkle, Professional Engineer who prepared the site plans for these properties. Also appearing was Bruce L. Schuchardt, adjacent property owner of 1228 Burke Road. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject properties are waterfront lots located adjacent to one another on Galloway Creek in eastern Baltimore County. The properties

are also known as Lots 117 and 118 of the subdivision of Bowleys Quarters, which was recorded in the Land Records of Baltimore County on May 27, 1921. As shown on the site plans submitted, Lot 117 contains a gross area of 16,833 sq.ft., or 0.386 acres, and is improved with a one-story dwelling, known as 1224 Burke Road, and detached garage. Lot 118 contains 17,759 sq.ft., or 0.407 acres, and is unimproved but for an in-ground swimming pool and freestanding garage. Although each lot was recorded as a separate lot under separate deeds, Lot 118 has essentially been used as the side yard for the dwelling on Lot 117 for many years. The Petitioners have contracted to sell Lot 117 to Mr. Hausner and Lot 118 to Mr. Falter, who are longtime friends and wish to redevelop each lot with a single-family dwelling in which they will reside. Each lot is approximately 50 feet wide and 395 feet deep, and is located with frontage on Burke Road to the north and Galloway Creek to the south.

Testimony and evidence offered revealed that all existing improvements will be razed and each lot redeveloped with a single family dwelling, 30' x 65' in dimension, with a height of 45 feet. As to the variances, relief is requested to allow 10-foot side yard setbacks on each side in lieu of the required 50 feet. Obviously, given the 50-foot width of each lot, it is not possible to meet the 50-foot side yard setback required in the R.C.5 zone. The second request is to allow a height of 45 feet in lieu of the maximum allowed 35 feet. In this regard, due to the property's waterfront location adjacent to Galloway Creek, the existing improvements suffered storm damage as a result of Hurricane Isabel. Moreover, under the County's floodplain regulations, the first floor living area must be a minimum of 1 foot above the flood elevation level. In view of these environmental and floodplain requirements, the proposed houses must be constructed at a height greater than that allowed by the B.C.Z.R. As to compatibility, the Petitioners submitted a site plan depicting other houses on this section of Burke Road which show that the predominant theme in the community is that most of the lots are 50 feet wide. Additionally, photographs submitted show that the proposed dwellings will be consistent from an architectural standpoint with existing houses in the neighborhood.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. The Petitioners have shown that the proposed improvements meet the spirit and intent of the zoning regulations and will not be detrimental to the health, safety or general welfare of the surrounding locale. Moreover, it is clear that the proposed dwellings will be consistent with other homes in the neighborhood. Thus, the relief requested will be granted. However, the proposed construction must comply with Chesapeake Bay Critical Areas regulations, as set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Additionally, the Petitioners shall submit building elevation drawings of the proposed dwellings to the Office of Planning for review and approval prior to the issuance of any permits to insure that the proposed dwelling are compatible with existing development in the area.

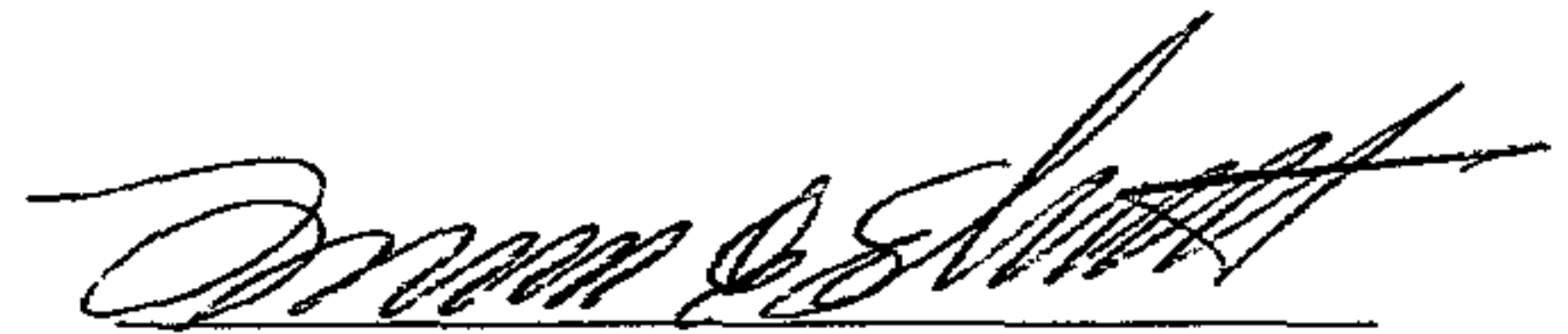
It is also to be noted that certain questions arose at the hearing regarding the nature of the relief requested. Specifically, the Petitioners questioned whether variance relief is necessary from Section 1A04.3.B.1 of the B.C.Z.R. That Section originally required that no lot in the R.C.5 zone can be less than 1.0 acre in size; however, the Baltimore County Council recently amended this Section to require that every lot in the R.C.5 zone be no less than 1.5 acres in area. The language of Section 1A04.3.B.1 prohibits the "creation" of any such R.C.5 lot. In this case, the lots are not being created; that is, they are part of a subdivision that was duly recorded in the Land Records of Baltimore County in 1921. Thus, although the lots are less than 1.5 acres in area, variance relief is not necessary in that the lots already exist.

Secondly, the Petitioners questioned whether relief was required under Section 304 of the B.C.Z.R. That Section allows a Petitioner to request relief for an undersized lot if certain conditions are met. In this case, the Petitioners are not eligible for relief under Section 304 in that Mr. & Mrs. Hill own both lots and variance relief is requested from both side yard setback and height requirements. Thus, relief cannot be sought under Section 304.

Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions 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 31st day of August 2004 that the Petitions for Variance filed in Cases Nos. 05-042-A and 05-043-A seeking relief from Sections 1A04.3.B.2 and 1A04.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each in lieu of the required 50 feet for a proposed 30' x 65' dwelling on each lot with a height of 45 feet in lieu of the maximum allowed 35 feet, in accordance with the site plan submitted in each case and marked as Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permits and be granted same upon receipt of this Order; however, the 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 DEPRM relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of those comments have been attached hereto and are made a part hereof.
- 3) The Petitioners shall submit building elevation drawings of the proposed dwellings to the Office of Planning prior to the issuance of any permits to insure that the proposed houses are compatible in terms of size, exterior, building materials, color and architectural details with existing dwellings in the area.
- 4) When applying for a building permit, the site plan(s) filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/31/04
by [Signature]
LES:bjs

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: August 27, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For August 9, 2004
Item No. 043

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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 23, 2004

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

RECEIVED

AUG 24 2004

SUBJECT: 1224 and 1226 Burke Road

INFORMATION:

Item Number: 5-042 and 5-043

Petitioner: Charles Hill

Zoning: RC 5

Requested Action: Variance

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform with the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. Nevertheless, the existing lot pattern of the neighborhood is that of 50-foot wide lots. As such, this office does not oppose the petitioner's request. If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling at 1226 Burke Road:

Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.

Provide landscaping across the front of the subject property.

Prepared by:

Mark A. Cunningham

Division Chief:

John J. Keller

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. JDO
DATE: August 10, 2004
SUBJECT: Zoning Item # 05-042
Address 1224 Burke Road (Hill Property)

RECEIVED
AUG 26 2004
ZONING COMMISSIONER

Zoning Advisory Committee Meeting of August 2, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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: Keith Kelley

Date: August 10, 2004

LIBER 9633 PAGE 393

STREET ADDRESS: 1234 Burke Road
TAX ACCOUNT NO. 15-19-710110
LOT/BLOCK DESIGNATION: Lots 122
and 123, Plat No. 1, Plat of
Property of Bowley's Quarter
Company of Baltimore County,
W.P.C. 7, folio 12.

CONFIRMATORY DEED

THIS CONFIRMATORY DEED, made this 5 day of February, in the year nineteen hundred and ninety-three, by and between CHARLOTTE I. MOODIE-SCOTT, (formerly known as CHARLOTTE MOODIE) of Baltimore County, State of Maryland, Grantor and DONALD J. HANSEN and MARY S. HANSEN, his wife, of Baltimore County, State of Maryland, Grantees.

WHEREAS, by a Deed dated December 3, 1982 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 6463, folio 315, Allan Moodie and Charlotte Moodie, (now known as Charlotte I. Moodie-Scott), did attempt to convey the hereinafter described property to Donald J. Hansen and Mary S. Hansen, his wife, and Robert J. Hansen and Margaret M. Hansen, his wife, the Grantees therein; and

WHEREAS, through an inadvertence, the names of said Grantees were omitted from the granting and habendum clauses in said Deed; and

WHEREAS, the said Robert J. Hansen departed this life on or about December 1, 1984, thereby vesting title to his interest in said property in the said Margaret M. Hansen by right of survivorship; and

WHEREAS, by a Deed dated September 30, 1986 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr., No. 7294, folio 807, the said Donald J. Hansen, Guardian of the person and property of Margaret Marie Hansen did attempt to convey the interest of the said Margaret M. Hansen (therein referred to as Margaret Marie Hansen), to said Donald J. Hansen and Mary S. Hansen, his wife; and

WHEREAS, the said Margaret M. Hansen has since departed this life on or about November 3, 1988; and

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE [Signature] DATE 3/1/93

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

By [Signature] Date 3/1/93

LIBER 9633 PAGE 394

WHEREAS, the said Allan Moodie departed this life on or about August 20, 1985, leaving the said Charlotte Moodie, (now known as Charlotte I. Moodie-Scott), as surviving tenant by the entirety; and

WHEREAS, it is the intention of the parties to confirm and correct the original Deed and to vest fee simple title in and to the hereinafter described property, in the said Donald J. Hansen and Mary S. Hansen, his wife, as tenants by the entireties, wherefore these present are executed.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, there being no actual consideration paid or to be paid in connection with this confirmatory conveyance, the said CHARLOTTE I. MOODIE-SCOTT, formerly known as CHARLOTTE MOODIE, does grant, convey and confirm to DONALD J. HANSEN and MARY S. HANSEN, his wife, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that land, situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows:

BEING known and designated as Lots Nos. 122 and 123 Flat No. 1 as shown on the Plat of the property of the Bowley's Quarter Company of Baltimore County, which Plat is duly recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 12. Said lots being situate on the southwest side of Burke Road.

SUBJECT to all covenants, conditions, easements and encumbrances of record.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed, unto and to the proper use and benefit of DONALD J. HANSEN and MARY S. HANSEN, his wife, as tenants by the entireties, their assigns, the

LIBER 9633 PAGE 95

survivor of them, and the survivor's personal representatives and assigns, in fee simple.

AND the Grantor does hereby covenant that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that she will warrant specially the property granted, and that she will execute such further assurances of the same as may be requisite.

AS WITNESS the hand and seal of the Grantor.

WITNESS:

Karen Egerton Charlotte I. Moodie-Scott (SEAL)
CHARLOTTE I. MOODIE-SCOTT
(formerly known as Charlotte Moodie)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 5 day of February, 1993, before me, a Notary Public in and for the State and County aforesaid, personally appeared CHARLOTTE I. MOODIE-SCOTT, (formerly known as Charlotte Moodie), known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Confirmatory Deed, and acknowledged that she executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Beatrice L. McElroy
Notary Public

My Commission Expires: 12/1/93

I hereby certify that this instrument has been prepared by J. Paul Rieger, Jr., an attorney at law admitted to practice before the Court of Appeals of Maryland.

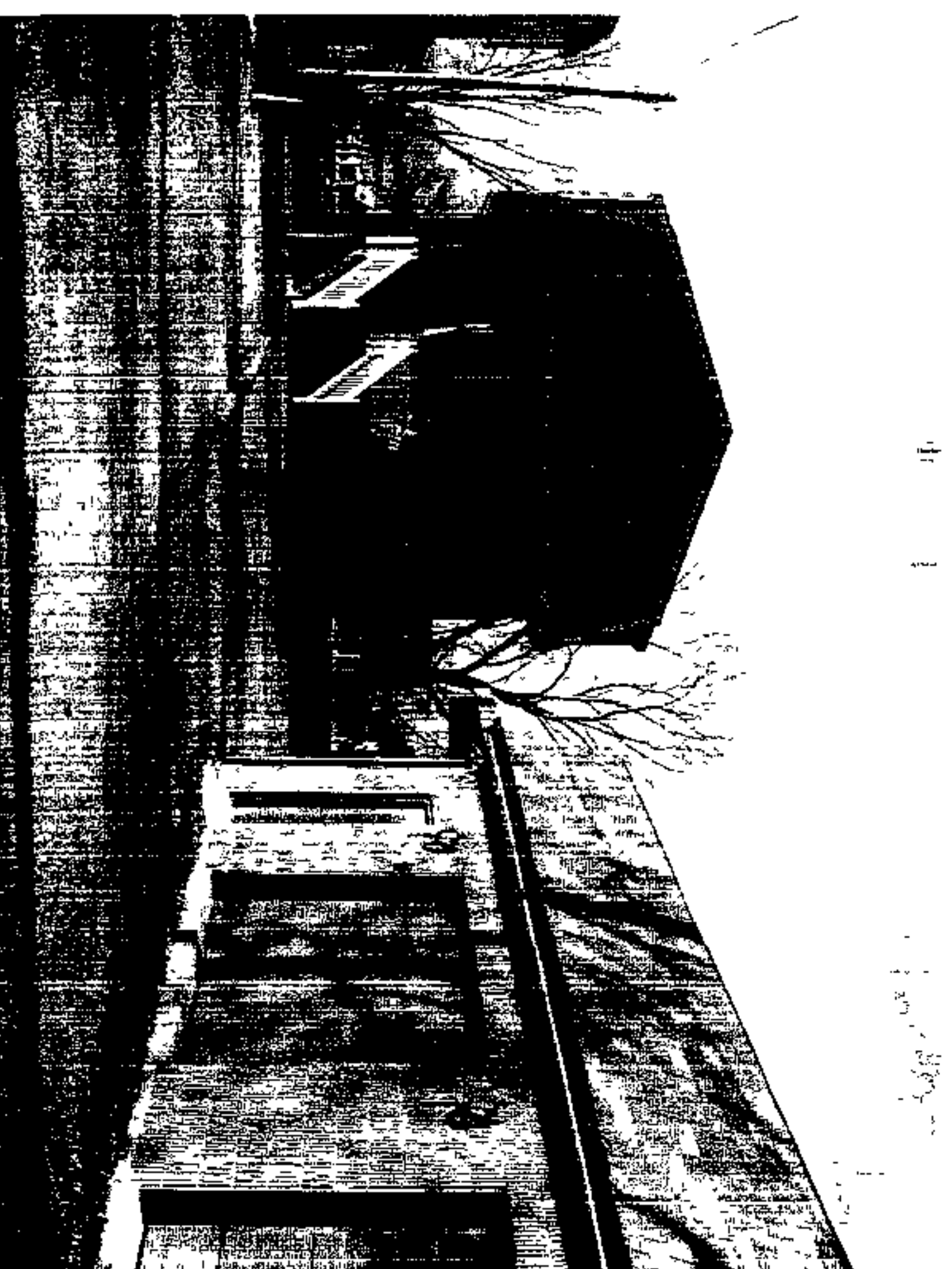
J. Paul Rieger, Jr.
J. Paul Rieger, Jr.

Return to: J. Paul Rieger, Jr., Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

DEED1444.JPR



1214 Burke



1218 Burke



1216 Burke



1220 Burke



1222 Burke

69



1226 Burke

69



1224 Burke



1228 Burke

69



1230 Burke

69



1232 Burke

69B

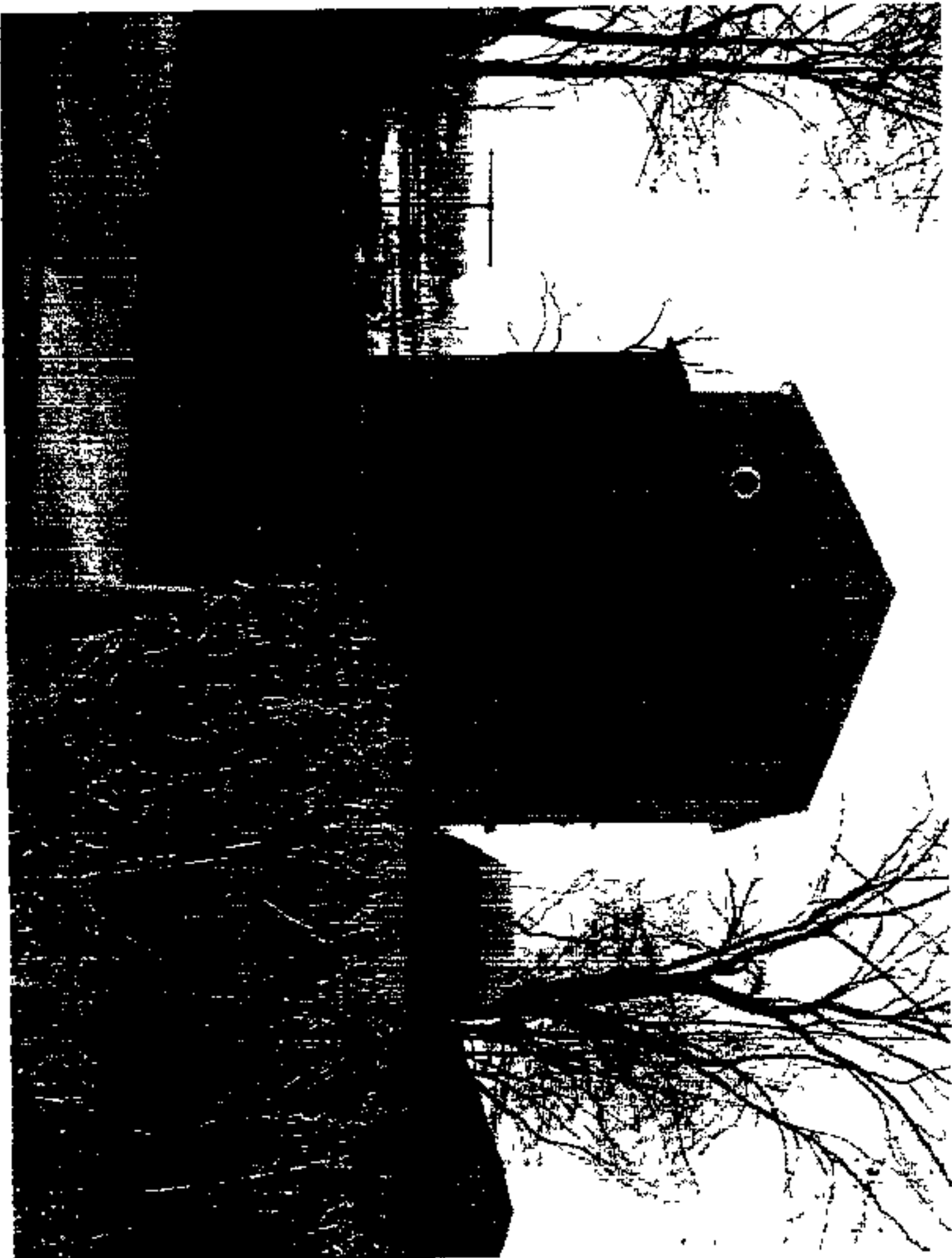


1236 Burke

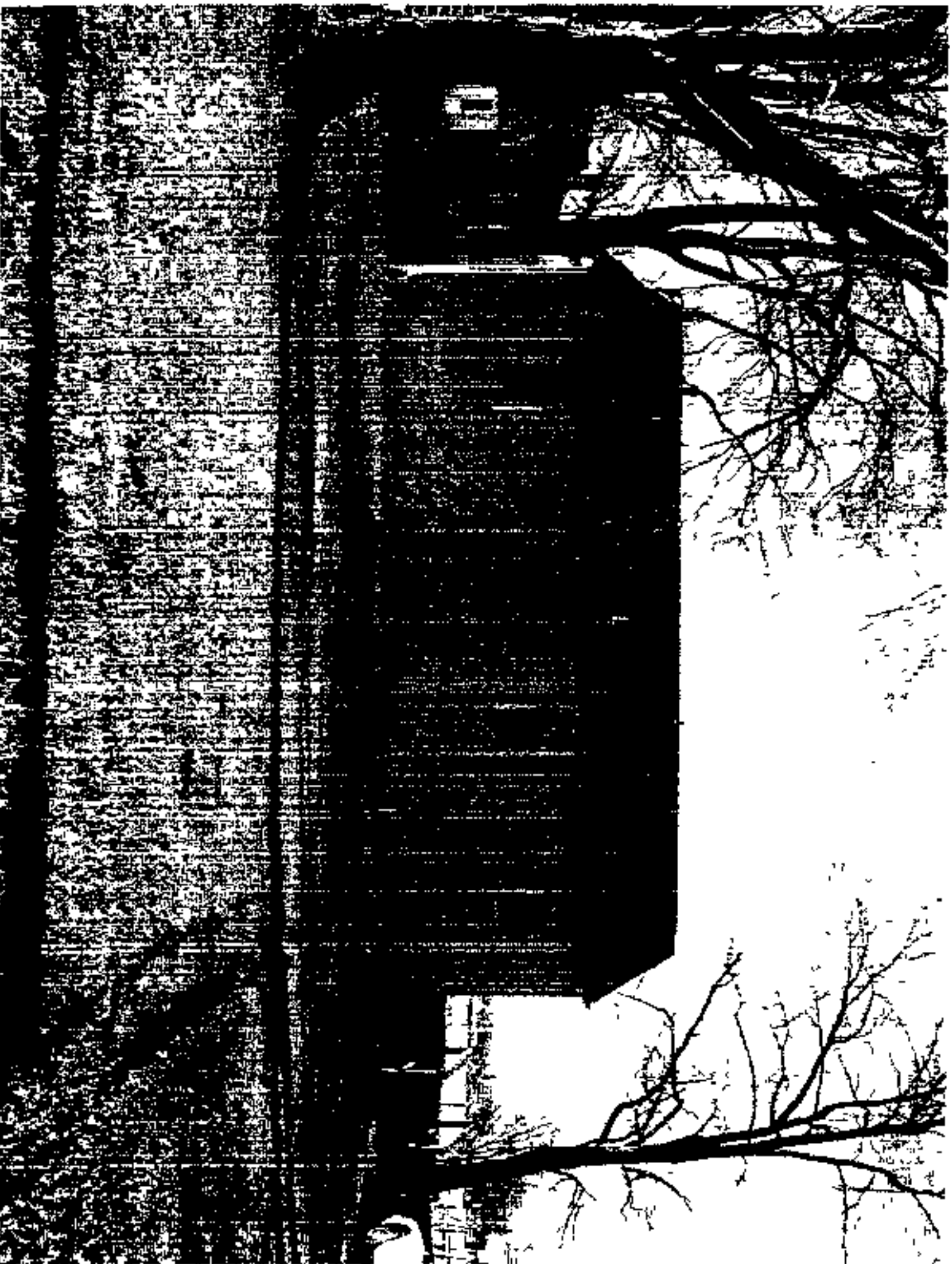


1234 Burke

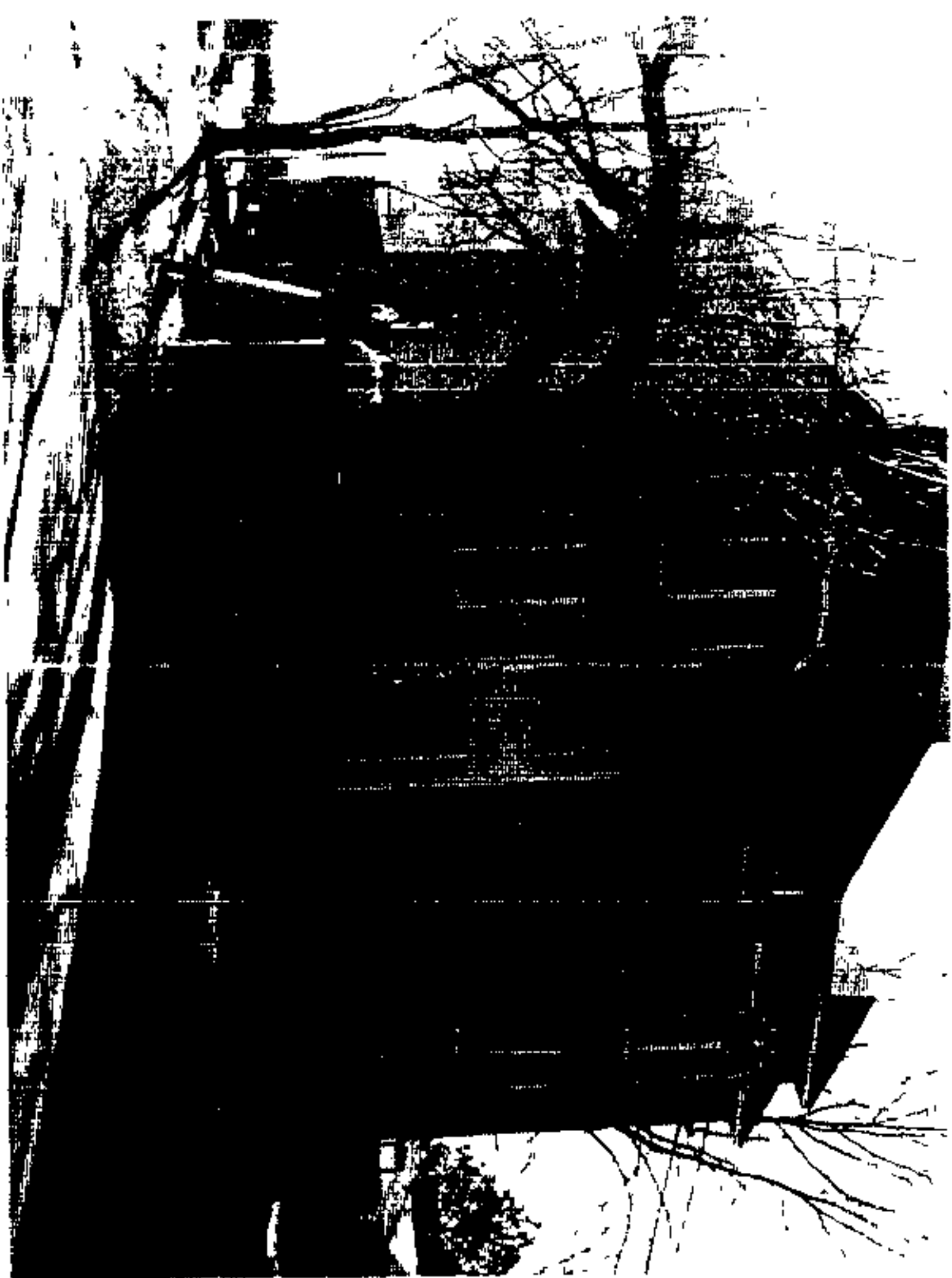
69B



1238 Burke



1300 Burke



1240 Burke



1304 Burke

RE: PETITION FOR VARIANCE	*	BEFORE THE
S/S of Burke Rd., 450 ft. W		
centerline of Bowleys Quarters Rd.	*	DEPUTY ZONING COMMISSIONER
(1234 Burke Road - #05-328-A)		
and	*	FOR BALTIMORE COUNTY
PETITIONS FOR VARIANCE &		
SPECIAL HEARING	*	CASE NO. 05-328-A
S/S of Burke Rd., 400 ft. W		and
centerline of Bowleys Quarters Rd.	*	CASE NO. 05-329-SPHA
(1236 Burke Road - #05-329-A)		
5th Election District	*	
7th Councilmanic District		
	*	
Mary S. & Donald J. Hansen,		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters come before this Deputy Zoning Commissioner as a Petition for Variance and a Petition for Special Hearing filed by the legal owners of the subject properties, Mary S. and Donald J. Hansen. The Petitioners are requesting relief as follows:

Case No. 05-328-A is a Petition for Variance from Section 1A04.3.B.1.a and b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Isabel damage), to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively, and to permit an area of 0.32 ac. in lieu of the required 1.5 ac.

Case No. 05-329-SPHA is a companion case filed pursuant to Section 500.7 of the B.C.Z.R. for a Special Hearing to approve two building lots without density being affected. In addition, the Petitioners are requesting a variance from Section 1A04.3.B.1.a and b of the B.C.Z.R., to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively and to permit an area of .27 ac. in lieu of the required 1.5 ac.

The properties were posted with Notices of Hearing on January 31, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In

ORDER RECEIVED FOR FILING
 Date 2/24/05
 By [Signature]

addition, Notices of Zoning hearing were published in "The Jeffersonian" newspaper on February 1, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 307 of the B.C.Z.R. – Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

Interested Persons

Appearing at the hearing on behalf of the variance request were Craig and Traci Leonard and Randolph Reyes, contract purchasers, Marianne Garrison, realtor, and Donald Hansen, Petitioner. There were no persons in opposition to the variance request who attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

NOTED RECEIVED FOR FILING
2/24/05
Ray

ZAC Comments

The Zoning Advisory Committee Comments are made part of the record of this case and contain the following highlights. ZAC comments were received from the Bureau of Development Plans Review dated January 24, 2005, a copy of which is attached hereto and made a part hereof. In addition, ZAC comments were received from the Department of Environmental Protection & Resource Management (DEPRM) dated February 11, 2005, a copy of which is attached hereto and made a part hereof. Finally, ZAC comments were received from the Office of Planning dated February 3, 2005, a copy of which is attached hereto and made a part hereof. A supplemental comment was received from the Office of Planning dated February 22, 2005 which indicates that the Office reviewed the proposed homes to be erected, finds them in accord with the spirit and intent of the regulations and does not oppose the requested relief.

Testimony and Evidence

These are side by side waterfront lots owned by Donald and Mary Hansen. These lots are lot 122 and lot 123 of the "Bowleys Quarters" subdivision which was recorded in the Land Records of Baltimore County in the 1921 according to Mr. Leonard. The Hansens' home was located on lot 122 while lot 123 was used as their side yard. Unfortunately, Hurricane Isabel destroyed the home and rather than sell both lots together, the Hansens would like to sell them separately to the Leonards and Mr. Reyes.

Each lot is 50 ft. wide and zoned RC 5, which requires a 50 ft. side yard setback. Lot 122 is 0.32 acres while lot 123 is 0.27 acres. County Council Bill No. 55-04 which was passed in May 2004 requires 1.5 acre lots. Thus the request for variances. Both Petitioners noted that they can not possibly meet the applicable zoning regulations with these old lots and that it would be a hardship on them and the owners not to allow homes to be built on these lots. They also

ORDER RECEIVED FOR FILING

2/24/05
Jag

indicated that having one home on each 50 ft. lot would not change the pattern of development in the neighborhood, as virtually all the adjoining lots along this portion of waterfront had one lot per home rather than two or more lots per home as seen in other neighborhoods. Ms. Leonard also noted that there was no residential development behind these lots so no one's view of the water would be taken away. The area behind them has all agricultural uses. Mr. Hansen indicated that he was aware of a 7 lot subdivision approved behind them but no construction had taken place.

Findings of Fact and Conclusions of Law

With regard to the request for variances, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. These lots were laid out in 1921 much before the RC zoning regulations were imposed on the property. As such, I find that the RC regulations impact these lots more than lots created after the RC regulations went into effect. Consequently, I find the lots unique in a zoning sense.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. These lots are 50 ft. wide and clearly can not meet either the side yard set back required of 50 ft. or the 1.5 acre area required by the RC 5 regulations. The Petitioners propose the "standard" 10 ft. side yard setbacks found so often in waterfront properties.

Finally, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is the key question in this case. From the evidence presented, it is clear that the pattern of development along this stretch of Galloway Creek is one home per 50 ft. lot. Granting these variances will not change that pattern.

I note that the Petitioners have now submitted the information needed by the Office of Planning regarding the proposed new homes, and the Office finds that the proposed homes to be erected are in accord with the spirit and intent of the regulations. Consequently, the Office of Planning does not oppose the requested relief.

With regard to the request for special hearing to approve two building lots without density being affected, at first glance this could be problematic. Clearly the RC 5 regulations do not have this situation in mind when they specify that the maximum density shall be 0.667 dwelling per acre. This neighborhood was developed long before the RC regulations were imposed on this area at a density of approximately DR 3.5 or 3.5 dwellings per acre. This is five times the density required by the RC regulations. The subject lots are 0.32 and 0.27 acres not 1.5 acres. It is apparent to me that the RC 5 regulations were intended primarily to control new subdivisions and not regulate rather ancient varieties as we have here.

I find that this issue of density to be essentially the same as the issue of pattern of development in the neighborhood addressed above. I find that if the proposed use does not violate the pattern of development in subdivisions recorded before the RC regulations were imposed, then the issue of density is satisfied within the spirit and intent of the regulations. Consequently, I will approve the special hearing request.

I am also aware that the RC 5 regulations as applied to these old subdivisions is under review by the Office of Planning with the likelihood that the anomalies illustrated above will be rectified.

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 Petitioners, I find that the Petitioners' requests for variance and for approval of an undersized lot should be granted

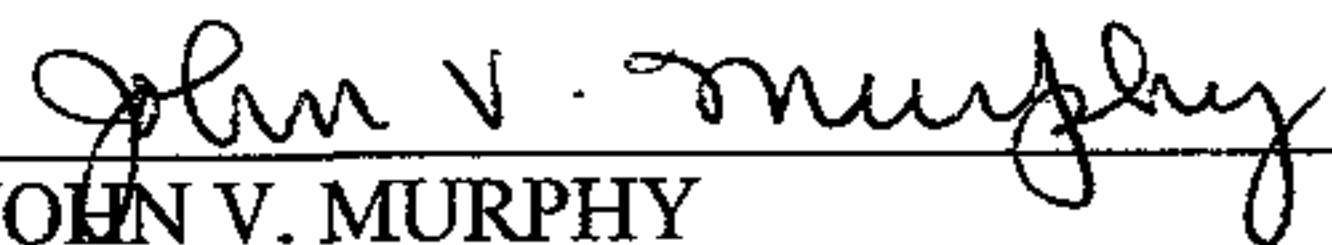
MAILED RECEIVED FOR FILING
DATE 02/24/05
BY [signature]

THEREFORE, IT IS ORDERED, this 24 day of February, 2005, by this Deputy Zoning Commissioner, that the Petitioners' request for variance in Case No 05-238-A from Section 1A04.3.B.1.a and b of the Baltimore County Zoning Regulations (B.C.Z.R.) (Isabel damage), to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively, and to permit an area of 0.32 ac. in lieu of the required 1.5 ac., be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the request for special hearing in Case No. 05-329-A filed pursuant to Section 500.7 of the B.C.Z.R., to approve two building lots without density being affected, be and is hereby APPROVED.

IT IS FURTHER ORDERED, that the Petitioners' request for variance in Case No. 05-329-A from Section 1A04.3.B.1.a and b of the B.C.Z.R., to permit a dwelling with side yard setbacks of 10 ft. on each side in lieu of the required 50 ft. respectively and to permit an area of .27 ac. in lieu of the required 1.5 ac., be and is hereby GRANTED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

DATE

2/24/05

BY



Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

February 24, 2005

Mr. & Mrs. Donald J. Hansen
222 E. Saratoga Street, #805
Baltimore, Maryland 21202

Re: Petitions for Variance
Case Nos. 05-328-A & 05-329-SPHA
Property: 1234 & 1236 Burke Road

Dear Mr. & Mrs. Hansen:

Enclosed please find the decision rendered in the above-captioned cases. The petitions for special hearing and variance have 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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Randolph Reyes, 6505 Evening Shadows Ct., Clarksville, MD 21029
Marianne Garrison, 205 E. Joppa Road, Towson, MD 21286
Craig & Tracie Leonard, 1847 Cape May Road, Essex, MD 21221

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





/ 9/15/98

ZONING DESCRIPTION FOR 1234 BURKE ROAD, MIDDLE RIVER, MD 21220

Beginning at the point on the south side of Burke Road which is 30 feet wide at the distance of 450 feet west of the centerline of the nearest improved intersecting street Bowleys Quarters Road which is 30 feet wide. Being Lot #122 in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book #1, Folio #12, containing 13,900 square feet. Also known as 1234 Burke Road, Middle River, MD 21220 and located in the ⁶7th Election District, 15th Councilmanic District.

6
15

6

328

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441290

DATE 1-3-05

ACCOUNT 001-006-6150

AMOUNT \$ 65.00

RECEIVED FROM RANDOLPH REYES

FOR 1234 Buys 05/1/04
1234 Buys 05/1/04

ITEM # 308

PAID RECEIPT

BUSINESS ACTIVITY TIME
1/03/2005 1/03/2005 09:29:44

RECEIVED BY MAXIN LPEI LPEI
DIRECTOR # 281621 1/03/2005

RECEIVED BY MAXIN LPEI LPEI
DIRECTOR # 281621 1/03/2005

RECEIVED BY MAXIN LPEI LPEI
DIRECTOR # 281621 1/03/2005

BALTIMORE COUNTY, MARYLAND

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

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: #05-328-A

1234 Burke Road

S/side of Burke Road, at the distance of 450 ft. west of centerline of Bowley's Quarters Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Donald J. and Mary S. Hansen

Contract Purchaser: Randolph Reyes

Variance: to permit a dwelling with a side yard setback of 10 feet on each side in lieu of the required 50 feet respectively and to permit an area of 0.32 AC in lieu of the required 1.5 AC.

Hearing: Tuesday, February 15, 2005 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
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 2/603 February 1 37688

CERTIFICATE OF PUBLICATION

2/4/2005

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 2/1/2005.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-328-A

Petitioner/Developer: RANDOLPH
REYES / DONALD & MARY HANSEN ^{OWNERS}

Date of Hearing/Closing: 2/15/05

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

ATTN: Kristen Matthews {(410) 887-3394}

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:

1234 BURKE RD

The sign(s) were posted on

1/31/05
(Month, Day, Year)

Sincerely,

Robert Black 1/31/05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

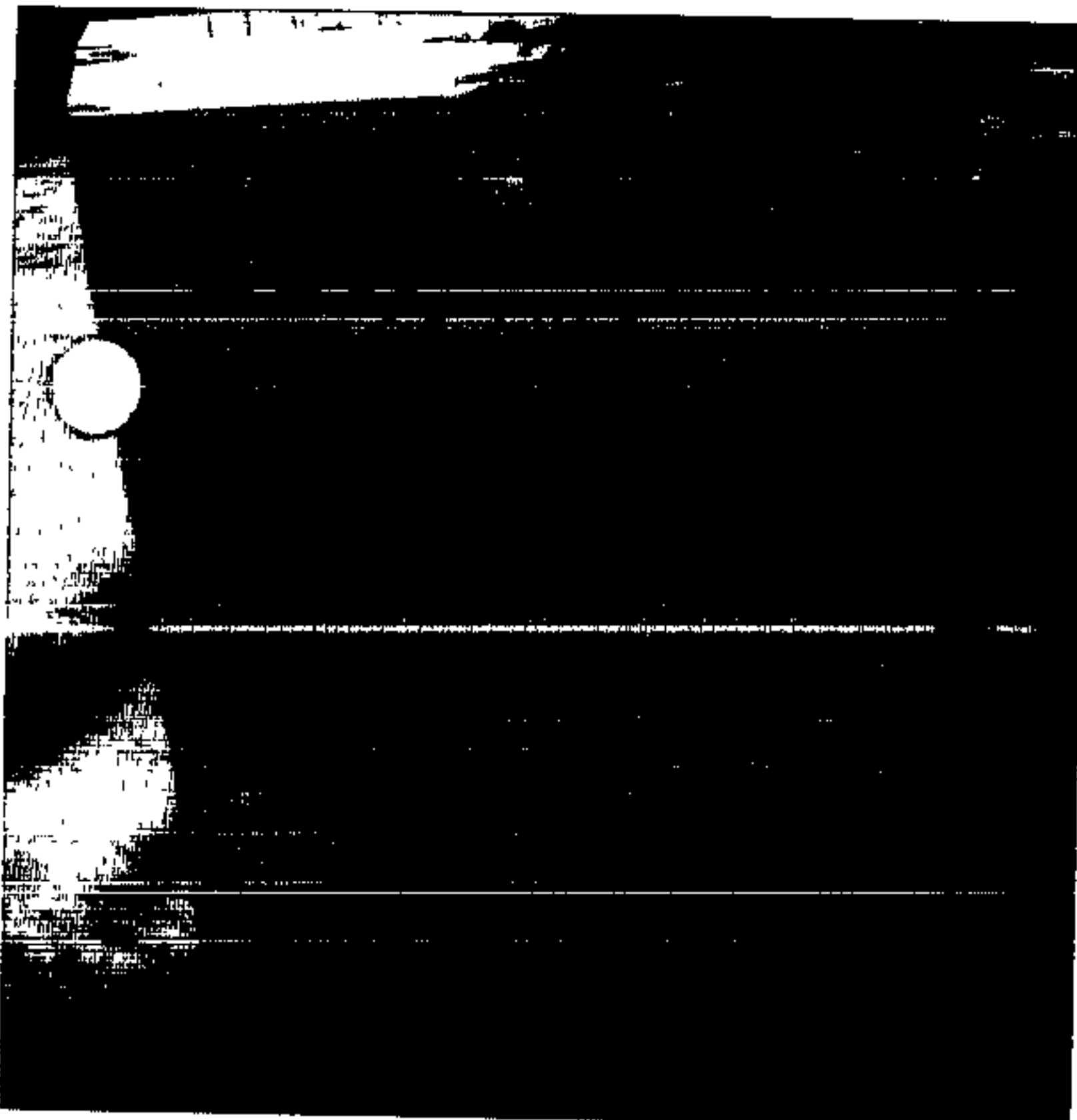
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 1, 2005 Issue - Jeffersonian

Please forward billing to:
Randolph Reyes
6505 Evening Shadows
Clarksville, MD 21029

410-309-6590

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: 05-328-A

1234 Burke Road

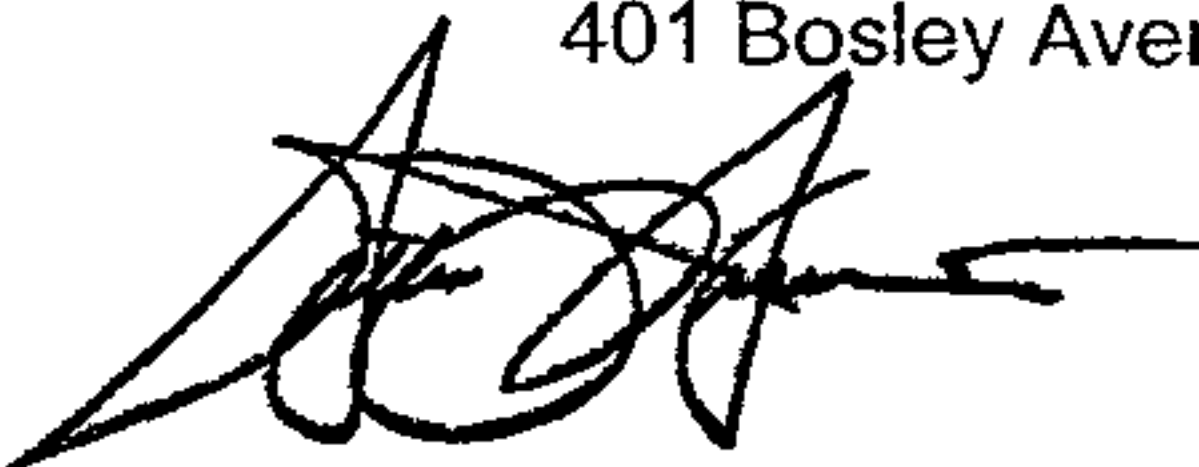
S/side of Burke Road, at the distance of 450 ft. west of centerline of Bowley's Quarters Road
15th Election District – 6th Councilmanic District

Legal Owners: Donald J. and Mary S. Hansen

Contract Purchaser: Randolph Reyes

Variance to permit a dwelling with a side yard setback of 10 feet on each side in lieu of the required 50 feet respectively and to permit an area of 0.32 AC in lieu of the required 1.5 AC.

Hearing: Tuesday, February 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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**

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



Baltimore County

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

January 7, 2005

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: 05-328-A

1234 Burke Road

S/side of Burke Road, at the distance of 450 ft. west of centerline of Bowley's Quarters Road
15th Election District – 6th Councilmanic District

Legal Owners: Donald J. and Mary S. Hansen

Contract Purchaser: Randolph Reyes

Variance to permit a dwelling with a side yard setback of 10 feet on each side in lieu of the required 50 feet respectively and to permit an area of 0.32 AC in lieu of the required 1.5 AC.

Hearing: Tuesday, February 15, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".
Timothy Kotroco
Director

TK:klm

C: Donald J. & Mary S. Hansen, 222 E. Saratoga St., #805, Baltimore 21202
Randolph Reyes, 6505 Evening Shadows, Clarksville 21029

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 31, 2005.**
(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.

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

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 05-328-A

Petitioner DONALD HANSEN

Address or Location: 1234 BURKE RD

PLEASE FORWARD ADVERTISING BILL TO

Name: RANDOLPH REYES

Address 6505 EYENING SHADOWS

CLARKSVILLE MD 21829

Telephone Number: 410-389-6598

**Department of Permits and
Development Management**

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



Baltimore County

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

February 8, 2005

Donald J. Hansen
Mary S. Hansen
222 E. Saratoga Street, # 805
Baltimore, Maryland 21202

Dear Mr. and Mrs. Hansen:

RE: Case Number: 05-328-A, 1234 Burke Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 3, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Randolph Reyes 6505 Evening Shadows Clarksville 21029

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: ³³⁶ 319-333

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr ^{JPO}
DATE: February 11, 2005
SUBJECT: Zoning Item # 05-328
Address 1234 Burke Road

Zoning Advisory Committee Meeting of January 10, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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:

Any improvements on this property must comply with the Limited Development Area (LDA) regulations and Buffer Management Area (BMA) policies of the Chesapeake Bay Critical Area Regulations. The Property is limited to 25% maximum impervious surface cover and 15% minimum tree cover.

Reviewer: Glenn Shaffer

Date: February 11, 2005

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item No. 328

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

The flood protection elevation (M.C.S.) 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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 3, 2005

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

SUBJECT: 1234/1236 Burke Road

INFORMATION:

Item Number: 5-328 & 5-329

Petitioner: Donald J. Hansen

Zoning: RC 5

Requested Action: Special Hearing/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and has determined that the subject property is an existing lot of record that is not a subdivision. As such, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of the existing dwelling.
2. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
3. Orient the front of the proposed dwelling towards Burke Road and incorporate prominent entries and porches or stoops in the front building façade.
4. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

05:328

- 5. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 6. Ensure that exterior of all buildings use the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 7. Provide landscaping along the public road.

For further questions or additional information concerning the matters stated herein, please contact David Pinning in the Office of Planning at 410-887-3480.

Prepared By: Mark A. Cunningham

Division Chief: Lyman J. Hamman

MAC/LL

2/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 22, 2005

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

SUBJECT: 1234/1236 Burke Road

INFORMATION:

Item Number: 5-328 & 5-329, Amended Comments

Petitioner: Donald J. Hansen

Zoning: RC 5

Requested Action: Special Hearing/Variance

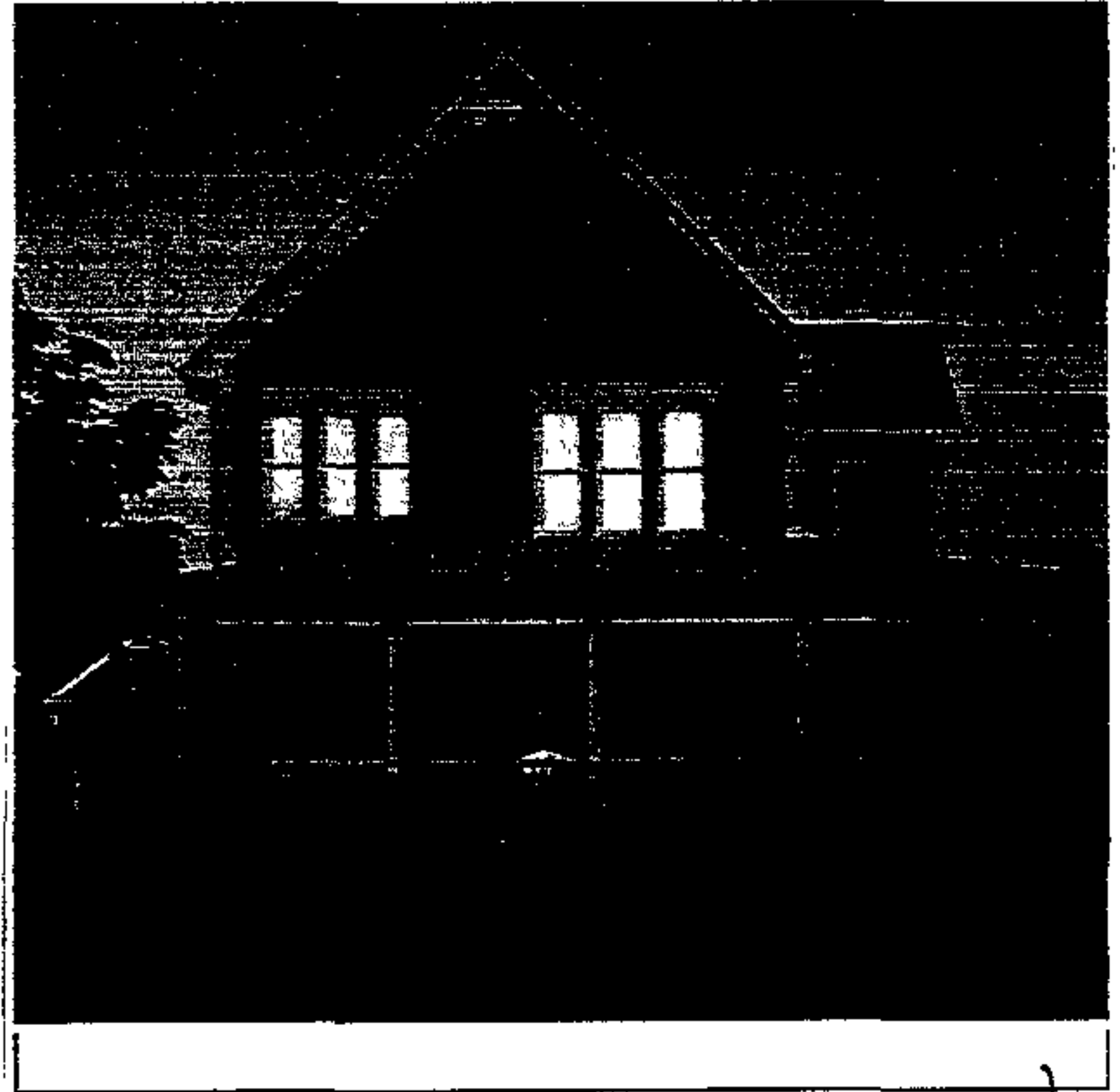
SUMMARY OF RECOMMENDATIONS:

The Office of Planning reviewed the petitioner's request and accompanying site plan and elevation drawings (with materials and colors indicated) and finds the proposal to be in accordance with the spirit and intent of the RC 5 regulations and performance standards listed within Bill 55-04. As such, this office does not oppose the setback variance and lot area requests.

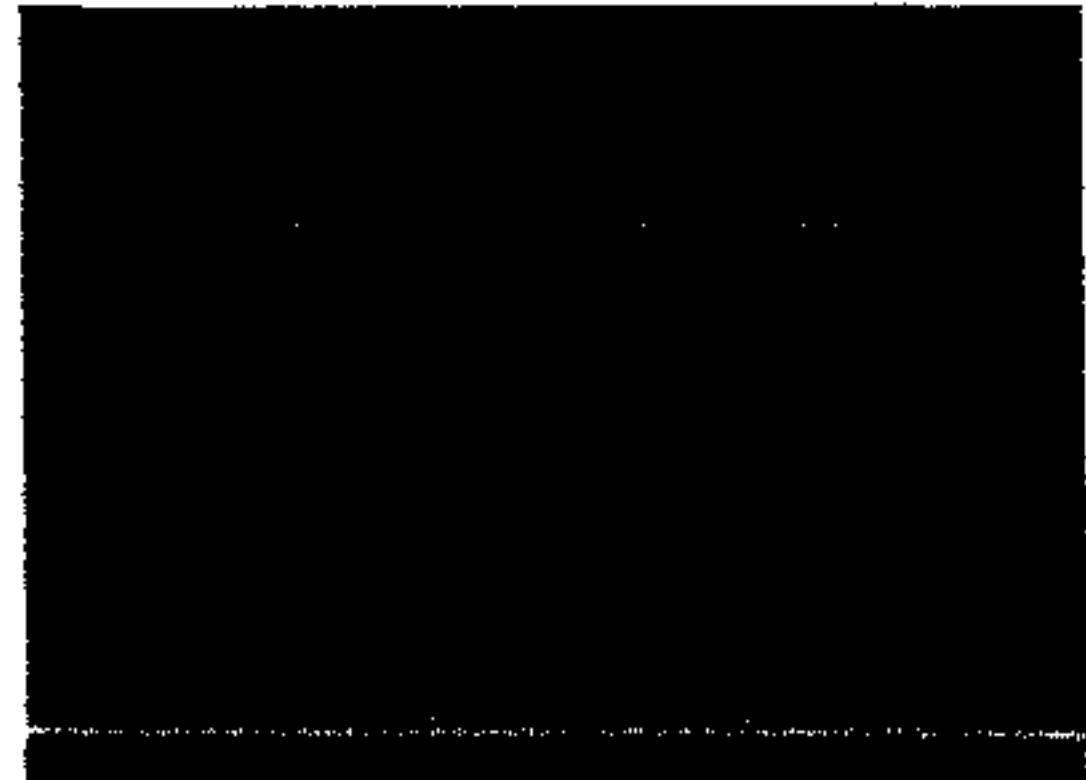
Division Chief: _____



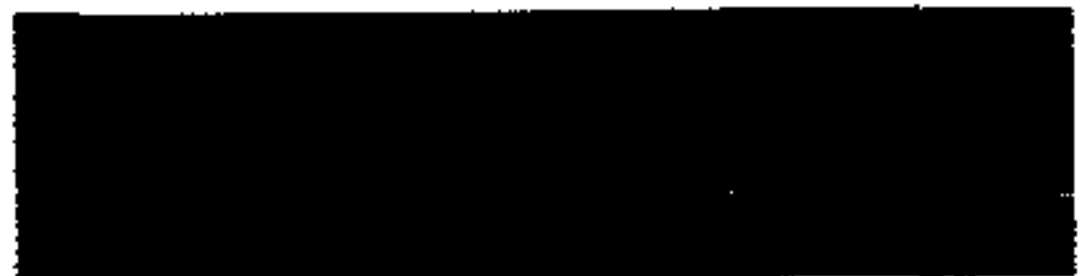
LL



Snowfield 00NN 72/000
Trim



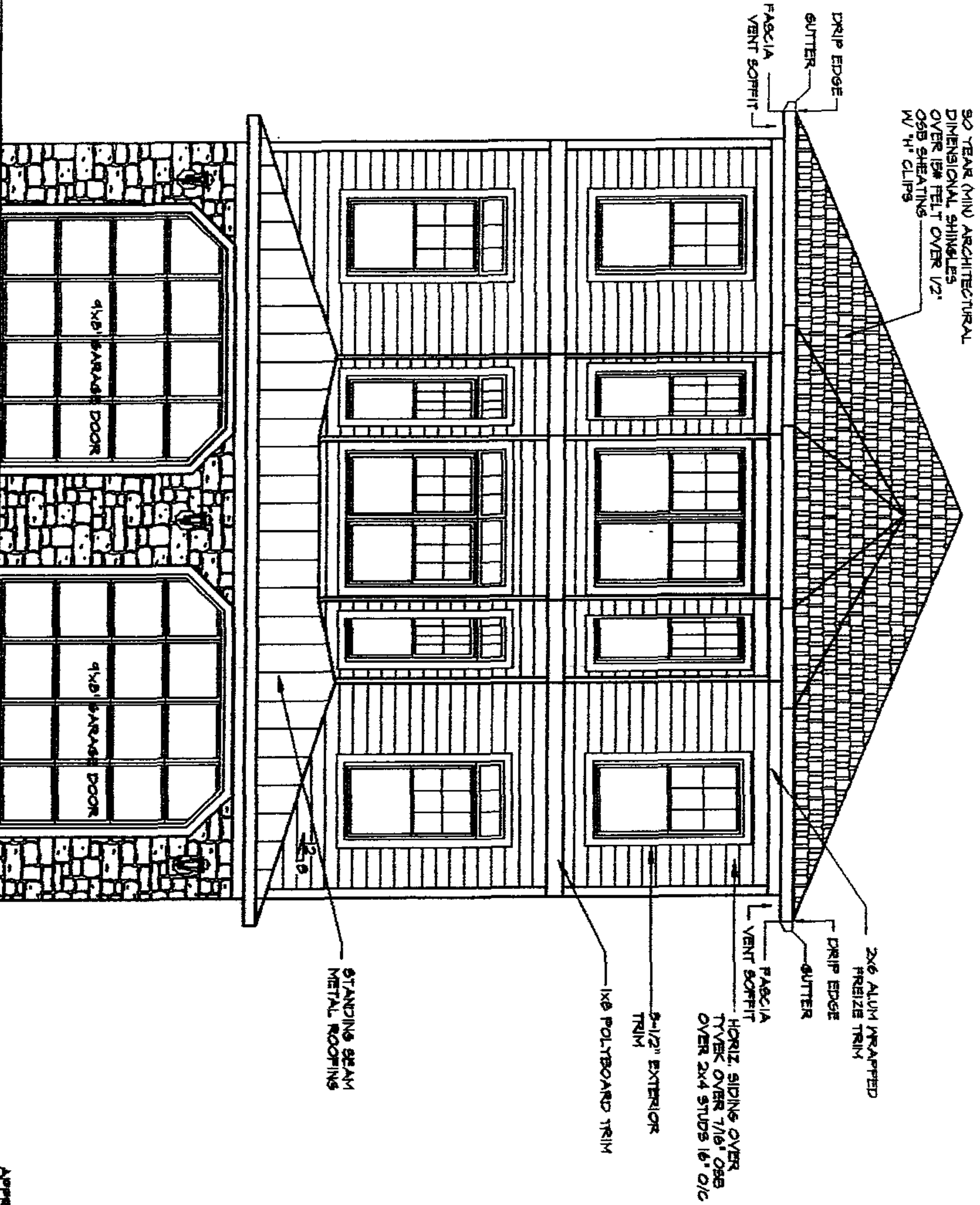
Mountain Creek 70GG 38/059
Body



Lindy's Garden 90GG 17/082
Door

case 05-328-A 1234 Burke Rd Colic-Schone

Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes



FRONT ELEVATION

SCALE: 3/16"=1'-0"

APPROX
GRADE

Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes

80 YEAR MIN ARCHITECTURAL
DIMENSIONAL SHINGLES
OVER 15M FELT OVER 1/2"
OSB SHEATHING
W/ 1" CLIPS

2x6 ALUM WRAPPED
FRIEZE TRIM
Drip Edge
Gutter
PASCIA
VENT SOFFIT

HORIZ. SIDING OVER
TYVEK OVER 7/16" OSB
OVER 2x4 STUDS 16" O/C

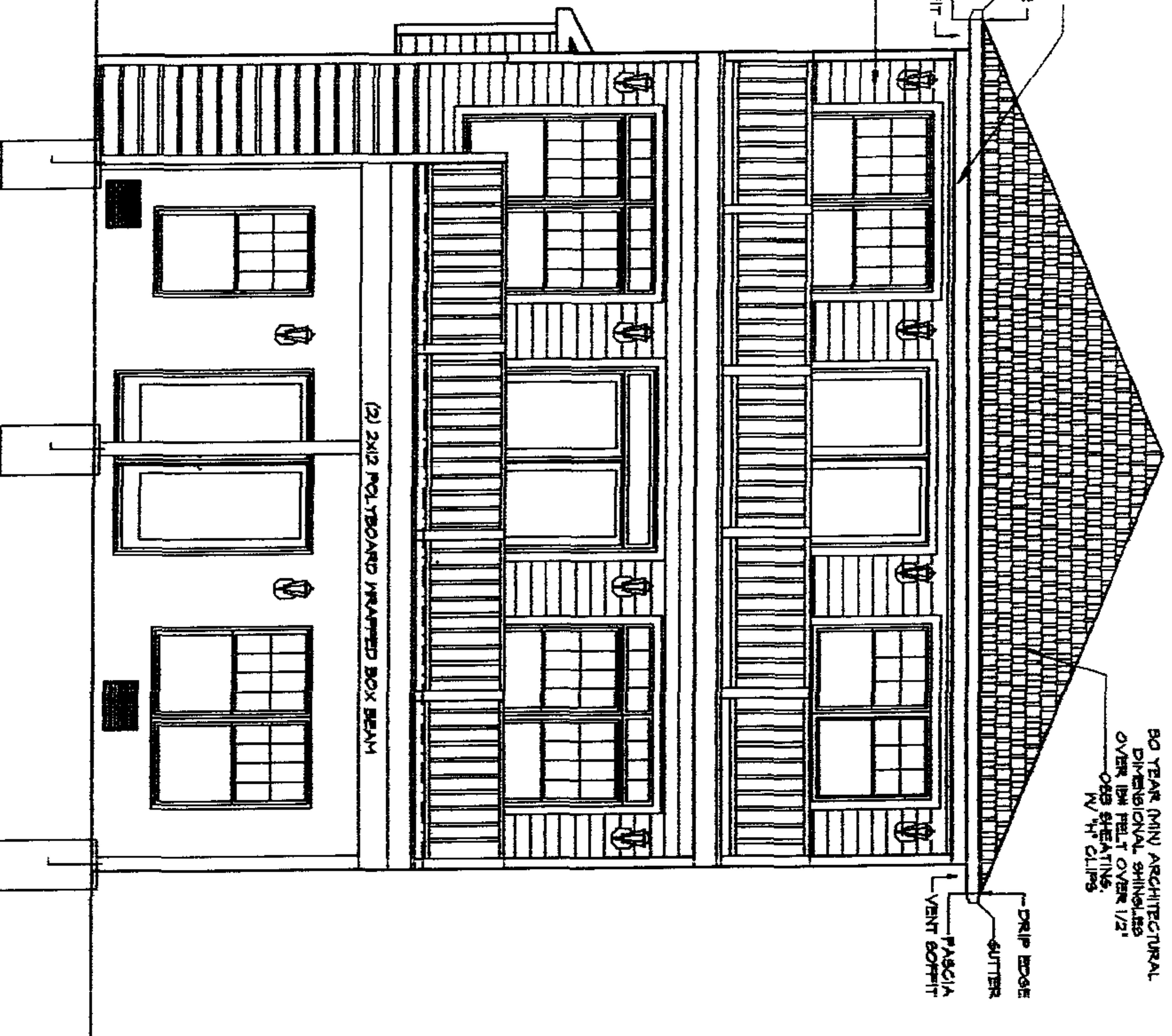
Drip Edge
Gutter
PASCIA
VENT SOFFIT

(2) 2x12 POLYBOARD WRAPPED BOX BEAM

APPROX
GRADE

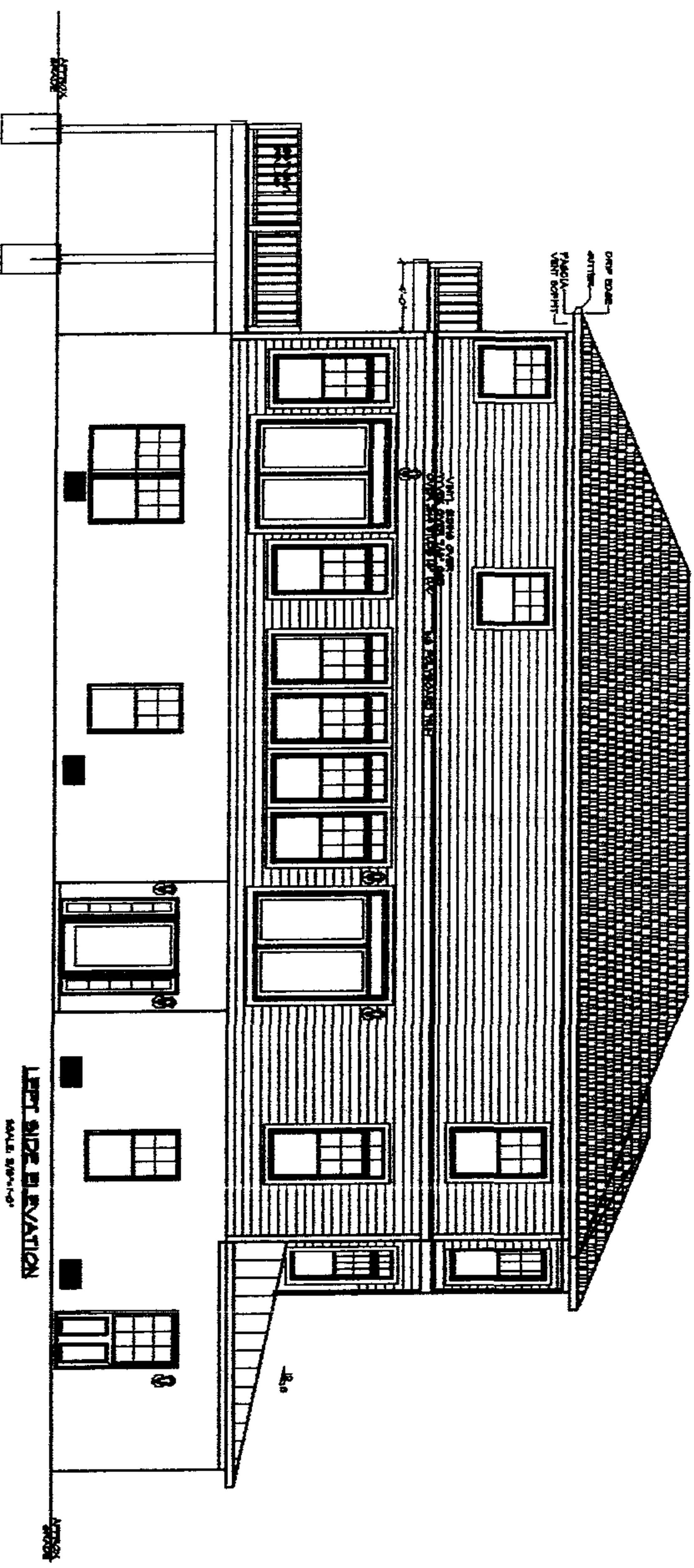
REAR ELEVATION

SCALE: 3/16"=1'-0"



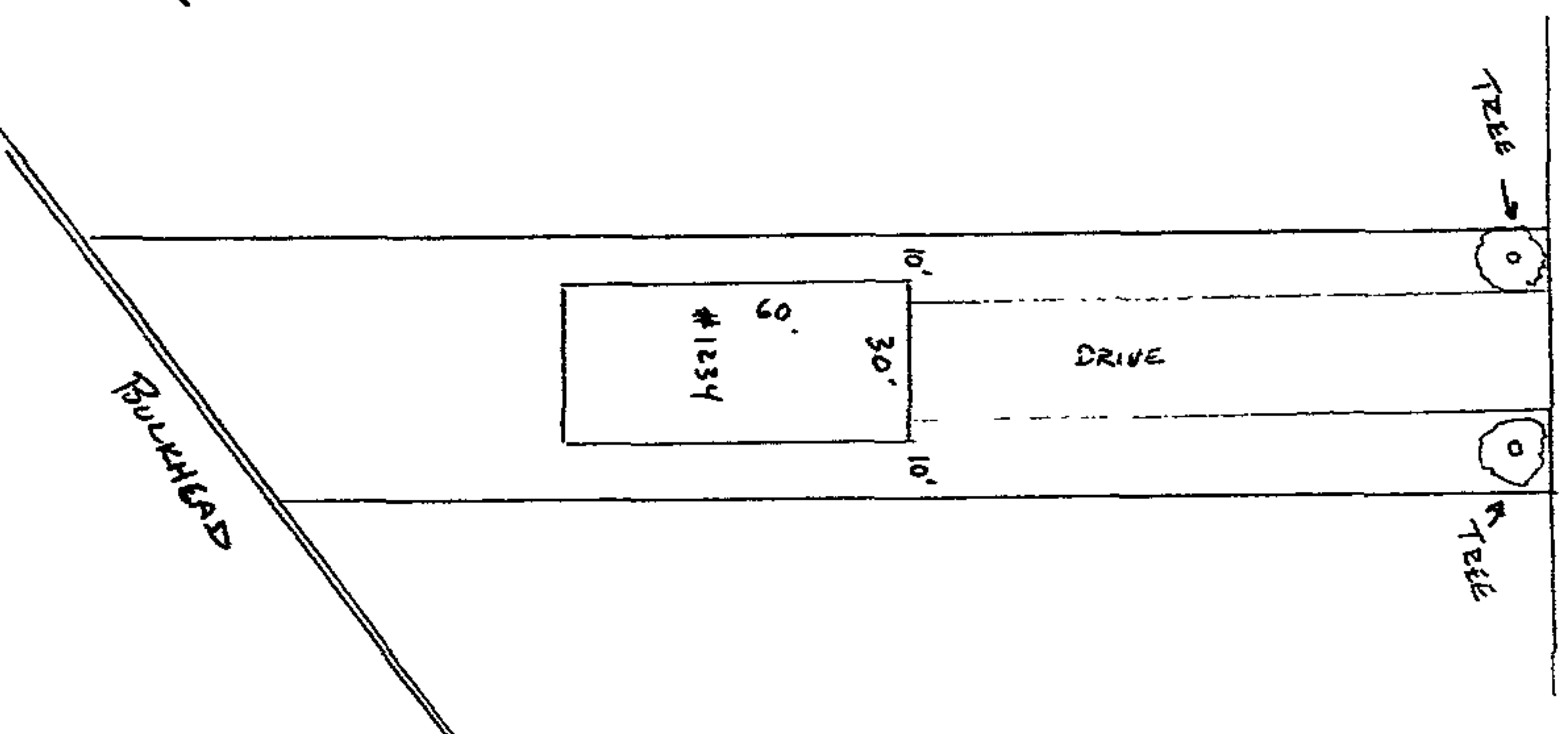
RIGHT SIDE ELEVATION

Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes



Case Number: 05-328-A
1234 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Randolph Reyes

BURKE RD



Lot is presently vacant. Original house was destroyed by Hurricane Isabel.

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 1.10.05

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

RE: Baltimore County
Item No. 328 JRF

Dear Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item No. 328

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

The flood protection elevation (M.C.S.) 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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item No. 329

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

The minimum right-of-way for all roads in Baltimore County is 40 feet. Variance shall be modified to reflect this on Burke Road.

The flood protection elevation for this site is 11.2 (M.C.S.) 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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr JDO
DATE: February 11, 2005
SUBJECT: Zoning Item # 05-328
Address 1234 Burke Road

RECEIVED

FEB 14 2005

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of January 10, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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:

Any improvements on this property must comply with the Limited Development Area (LDA) regulations and Buffer Management Area (BMA) policies of the Chesapeake Bay Critical Area Regulations. The Property is limited to 25% maximum impervious surface cover and 15% minimum tree cover.

Reviewer: Glenn Shaffer

Date: February 11, 2005

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 3, 2005

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

SUBJECT: 1234/1236 Burke Road

INFORMATION:

Item Number: 5-328 & 5-329

Petitioner: Donald J. Hansen

Zoning: RC 5

Requested Action: Special Hearing/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and has determined that the subject property is an existing lot of record that is not a subdivision. As such, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of the existing dwelling.
2. Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.
3. Orient the front of the proposed dwelling towards Burke Road and incorporate prominent entries and porches or stoops in the front building façade.
4. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

RE: PETITION FOR VARIANCE * BEFORE THE
1234 Burke Road; S/S Burke Rd, 450' W *
c/line Bowleys Quarters Rd * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts
Legal Owner(s): Donald J. & Mary S. Hansen* FOR
Contract Purchaser(s): Randolph Reyes
Petitioner(s) * BALTIMORE COUNTY
* 05-328-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 13th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to, Donald & Mary Hansen, 222 E. Saratoga Street, Suite 805, Baltimore, MD 21202, Petitioner(s).

RECEIVED

Jan 18 2005
CLB
Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

February 25, 2005

Mr. & Mrs. Donald J. Hansen
222 E. Saratoga Street, #805
Baltimore, Maryland 21202

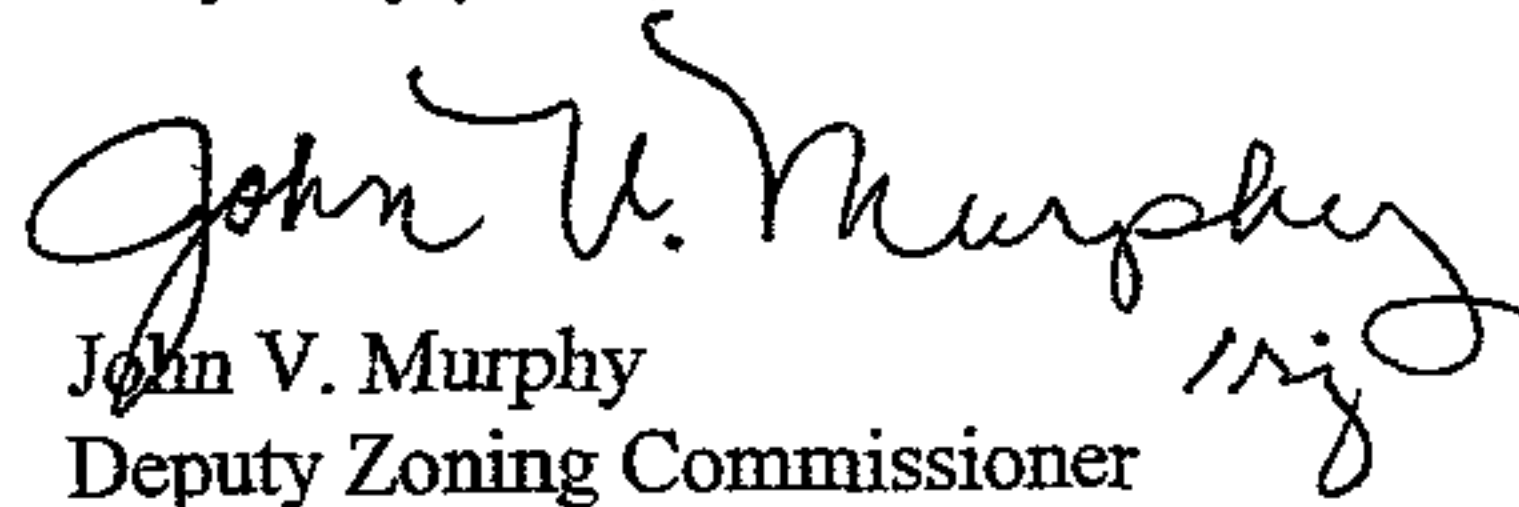
Re: Petitions for Variance & Special Hearing
Case Nos. 05-328-A & 05-329-SPHA
Property: 1234 & 1236 Burke Road

Dear Mr. & Mrs. Hansen:

Enclosed you will find the ZAC comments referred to in my February 24, 2005 order that were inadvertently not attached to the Order.

Please accept our apologies for any inconvenience this may have caused. Should you have any questions or require any additional information, please feel free to contact me at the above number.

Very truly yours,


John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosures

c: Randolph Reyes, 6505 Evening Shadows Ct., Clarksville, MD 21029
Marianne Garrison, 205 E. Joppa Road, Towson, MD 21286
Craig & Tracie Leonard, 1847 Cape May Road, Essex, MD 21221



CASE NAME 1234 1236 Burke Rd
CASE NUMBER 05-328-A \$
DATE 4/5/05 05-329-SPHA

E-MAIL

[illegible]

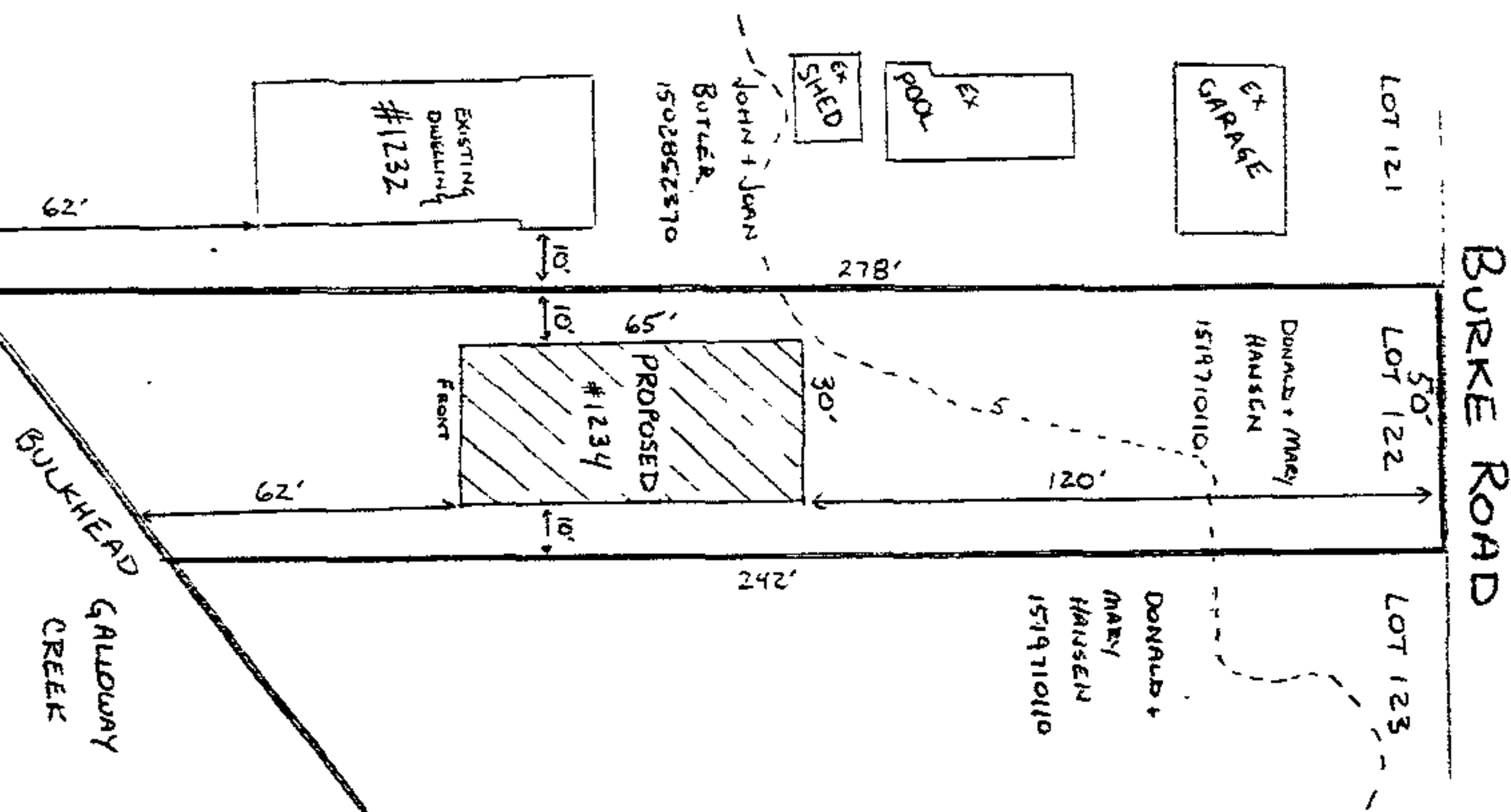
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 1234 BURKE RD

SUBDIVISION NAME BOULEY'S QUARTERS

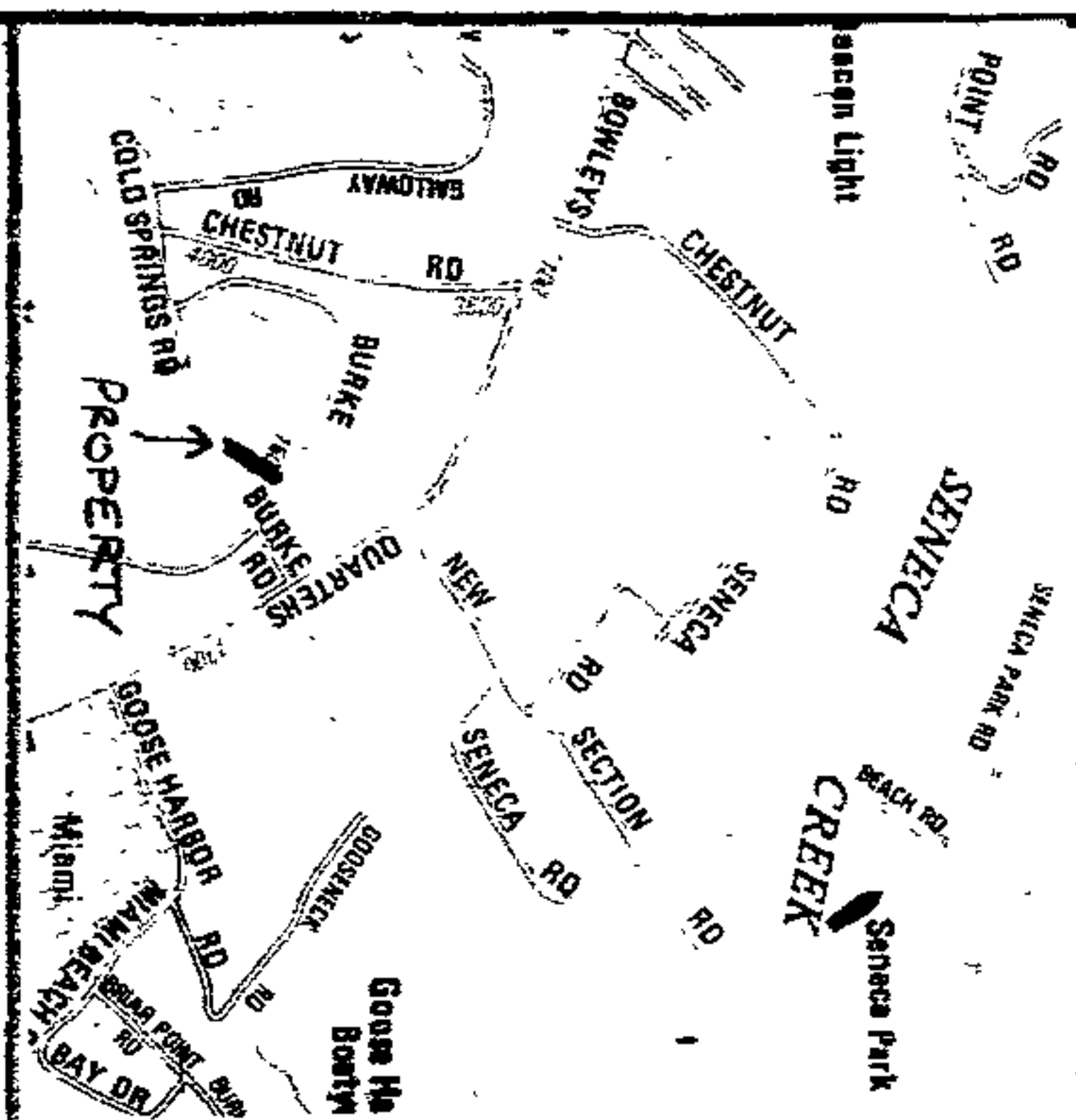
PLAT BOOK # 7 FOLIO # 12 LOT # 122 SECTION #

OWNER DONALD AND MARY HANSEN



PREPARED BY

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT **718**

COUNCILMANIC DISTRICT ~~45~~ 6

1"=200' SCALE MAP # NE 2L

ZOMING
RCS

LOT SIZE 0.32 13,700

PUBLIC PRIVATE

SEWER ☒ 111

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

YES ☒ NO ☐

100 YEAR FLOOD PLAIN ☒ ☐

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING
NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

328

#

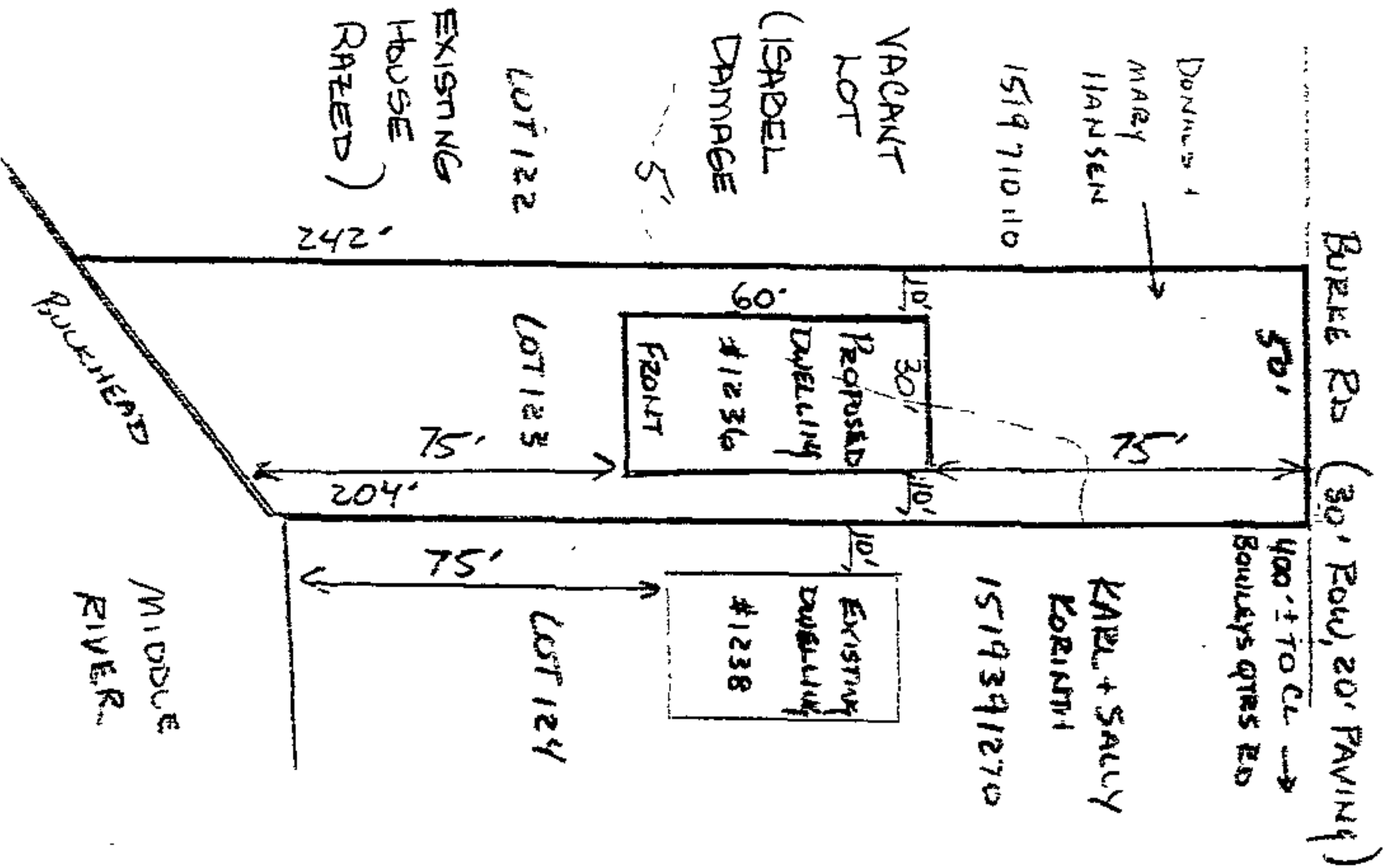
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1236 Burke Rd, Middle River, MD SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Bowleys Quarters

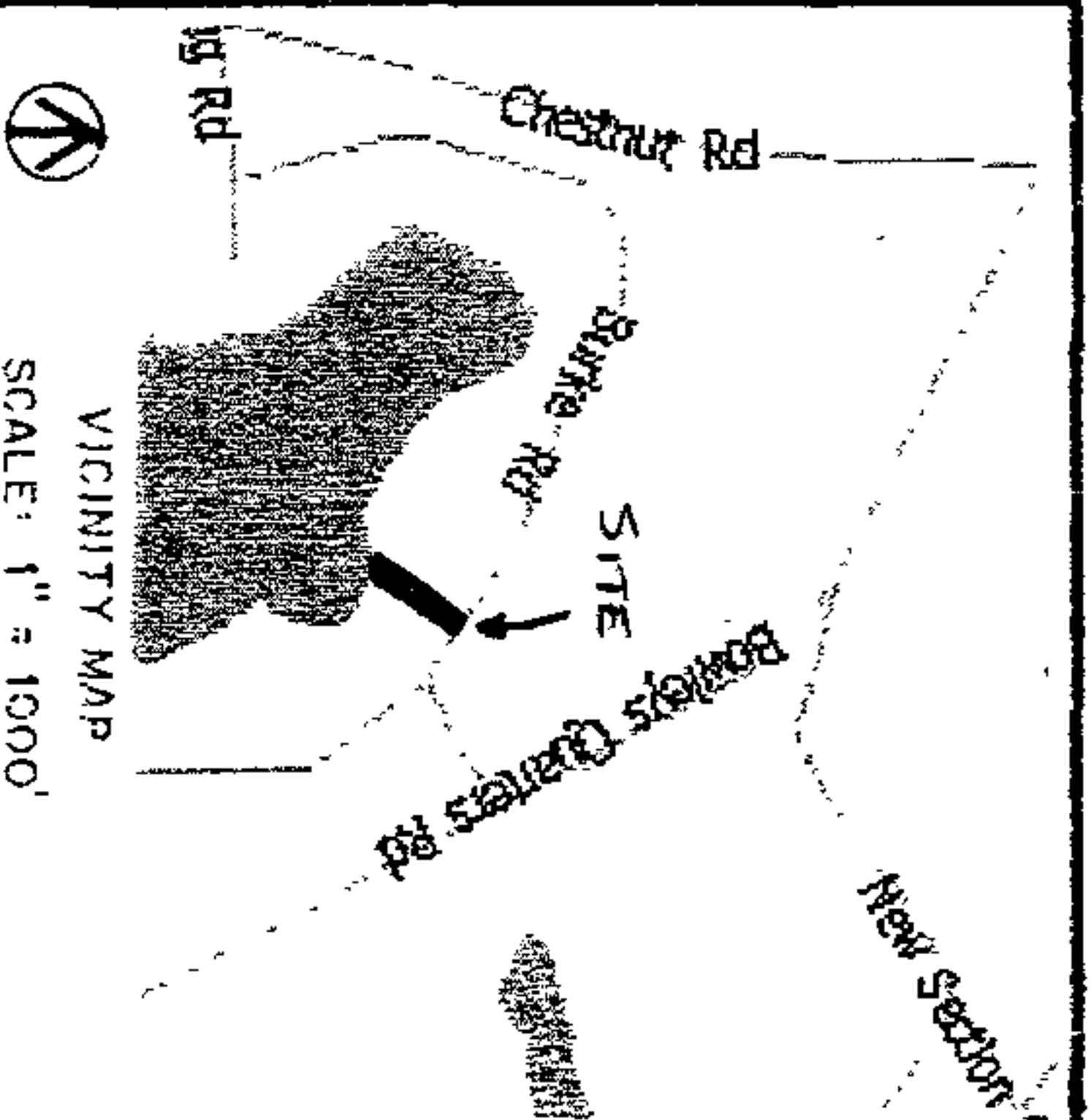
PLAT BOOK # 7 FOLIO # 12 LOT # 123 SECTION #

OWNER DONALD + MARY HANSEN



PREPARED BY CL

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # N/E 2L

ZONING RC5

LOT SIZE .27 AC 11,900 SQUARE FEET

ACREAGE

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY CRITICAL AREA ☒ YES ☐ NO

100 YEAR FLOOD PLAIN(A-10) ☒ ☐

HISTORIC PROPERTY / BUILDING ☐ ☒

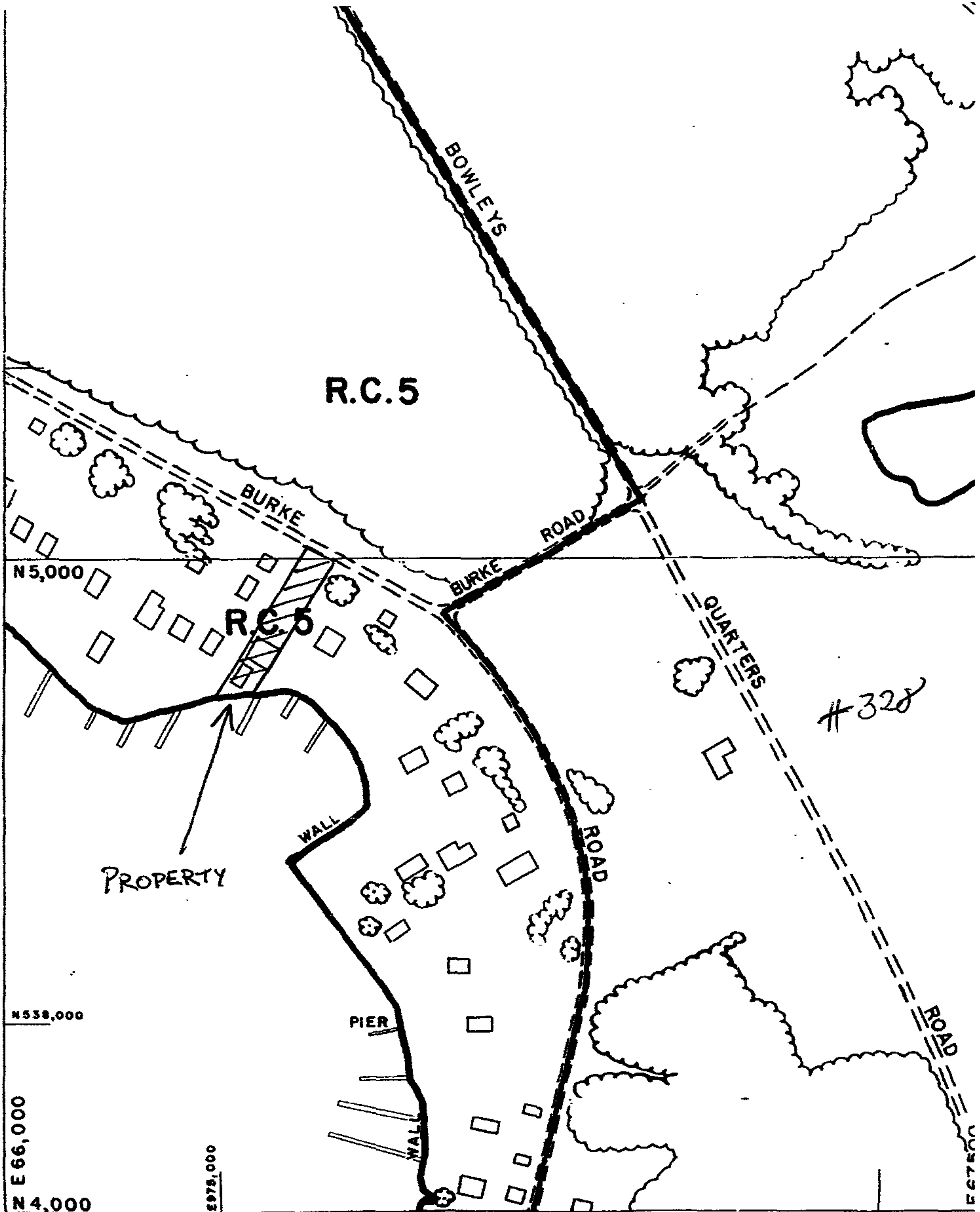
PRIOR ZONING HEARING N/A

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

D.T. 329 05-329-5 PHA

NE-2L

SCALE 1" = 200'



R.C. 5

N 5,000

R.C. 5

BURKE

BURKE

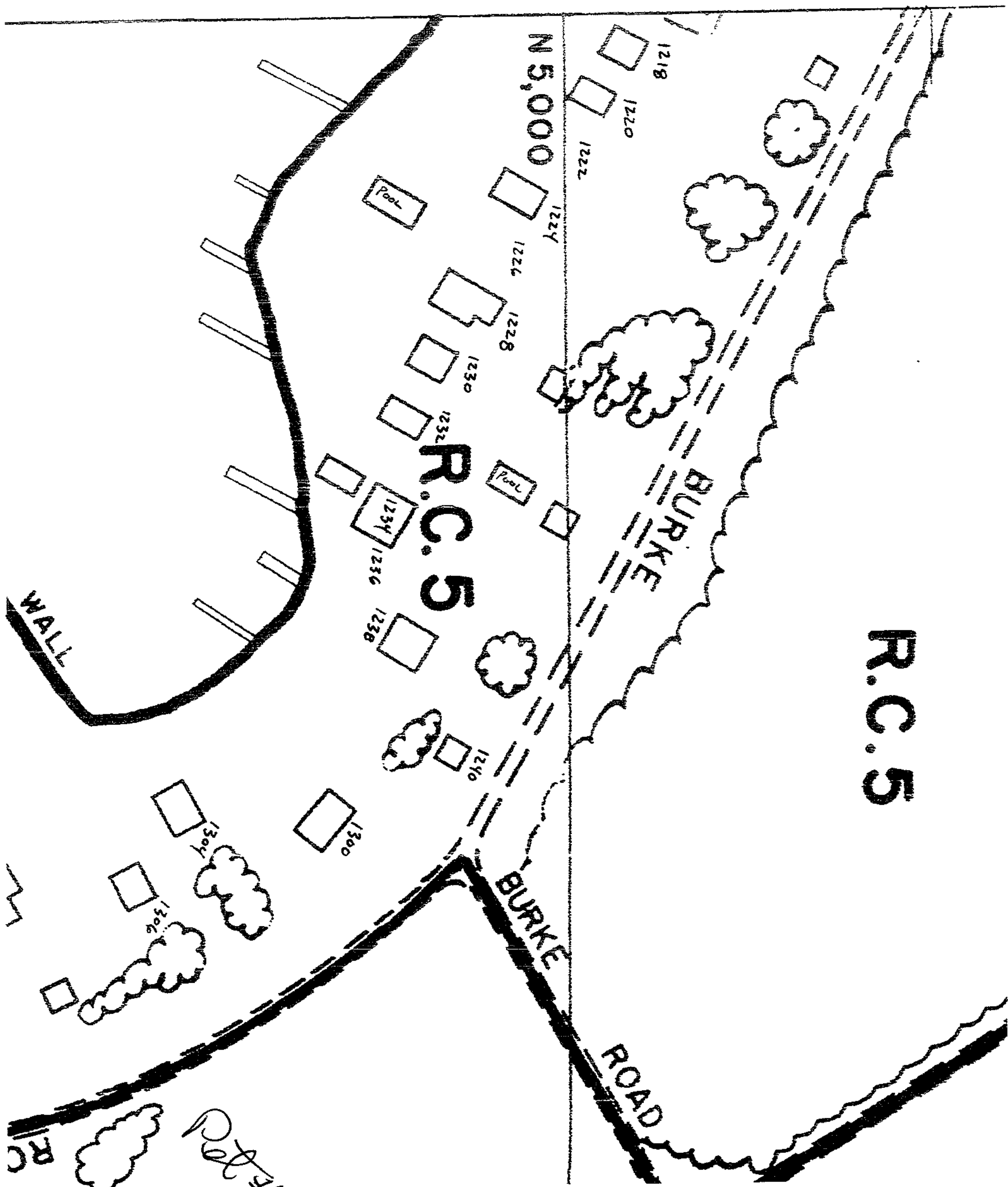
ROAD

WALL

Pool

Pool

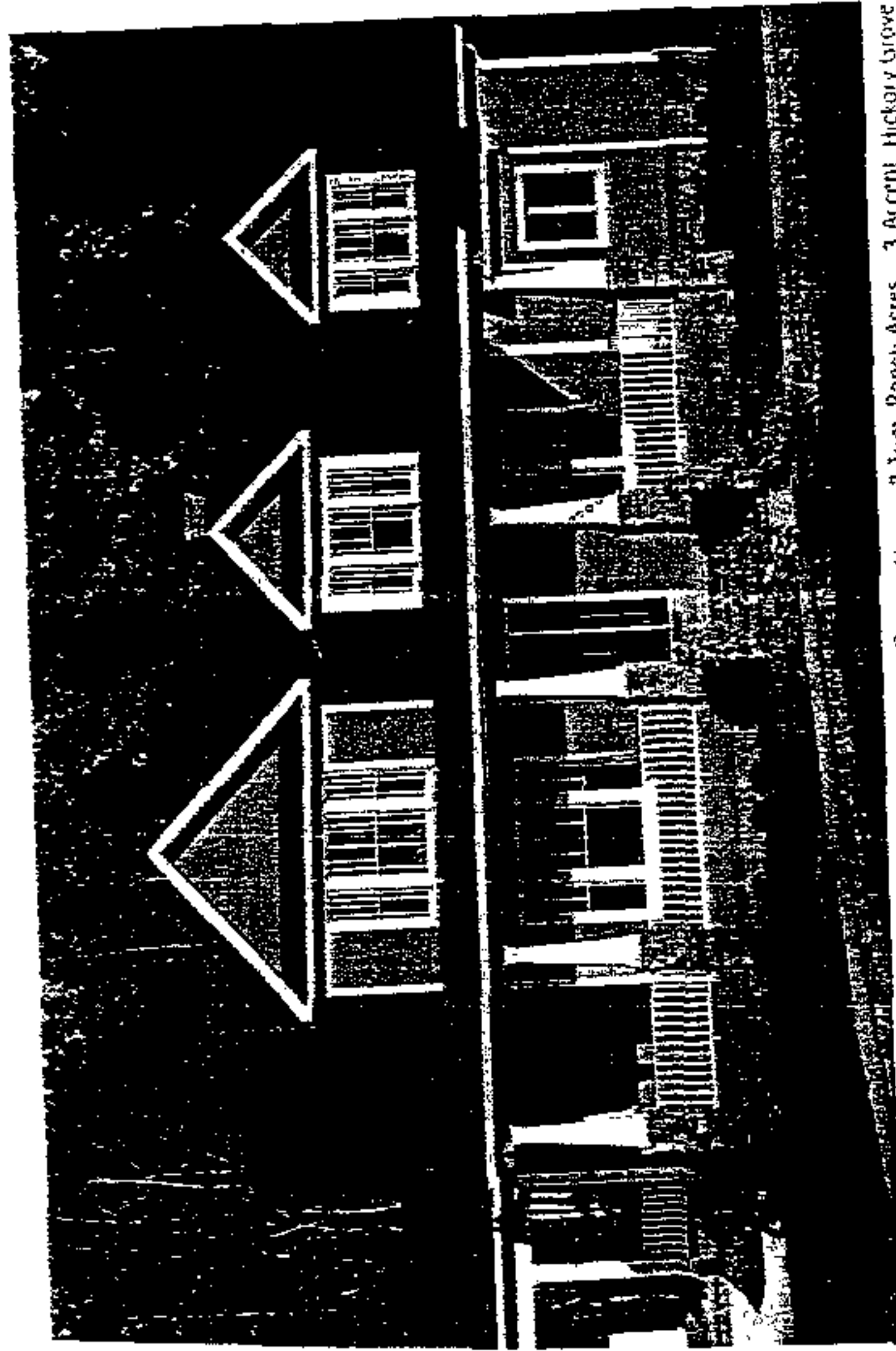
Handwritten signature



1234 burke road



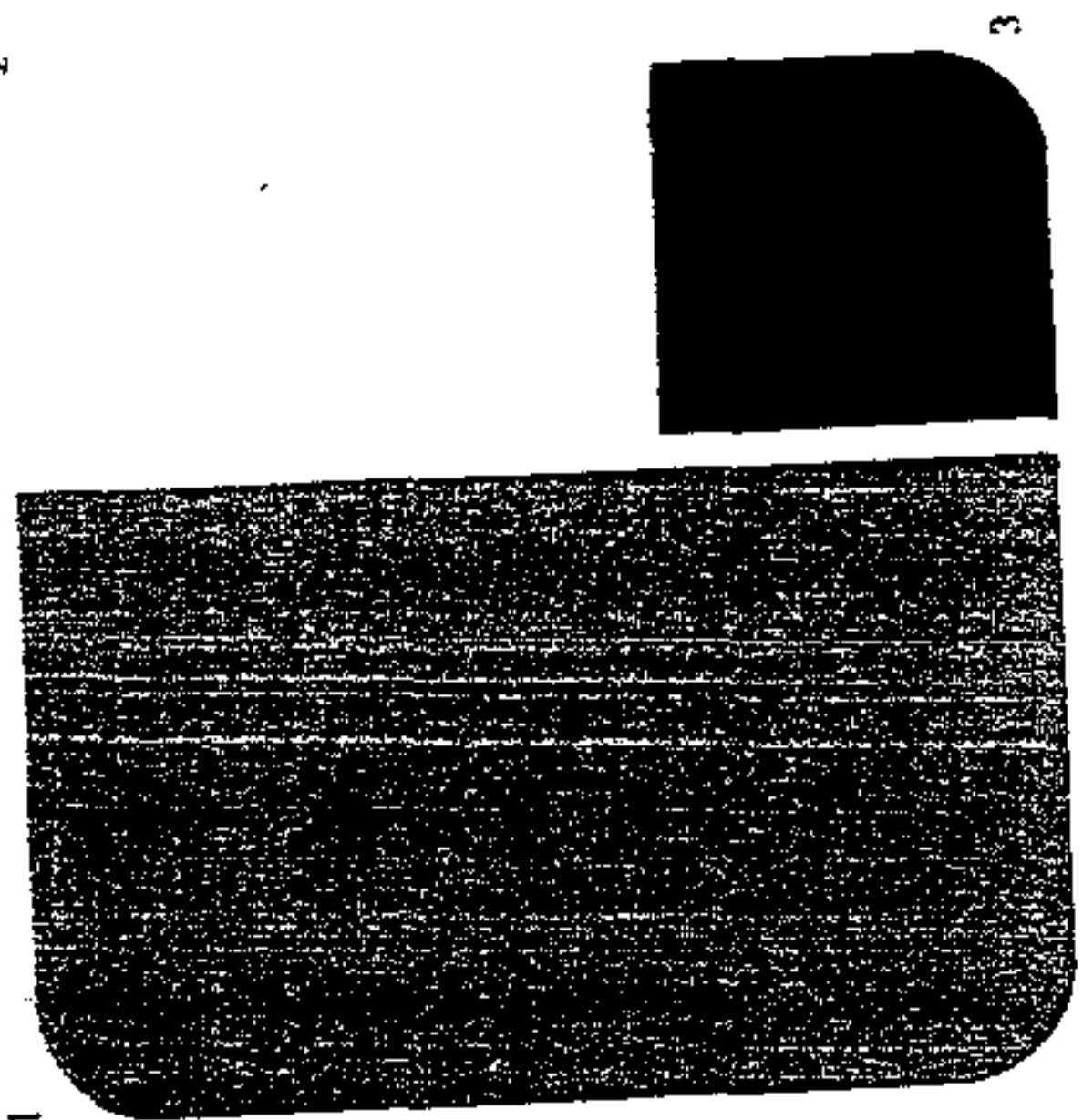
Ref # 13



1 Body Canyon View 2 Trim Ranch Acres 3 Accent Hickory Grove

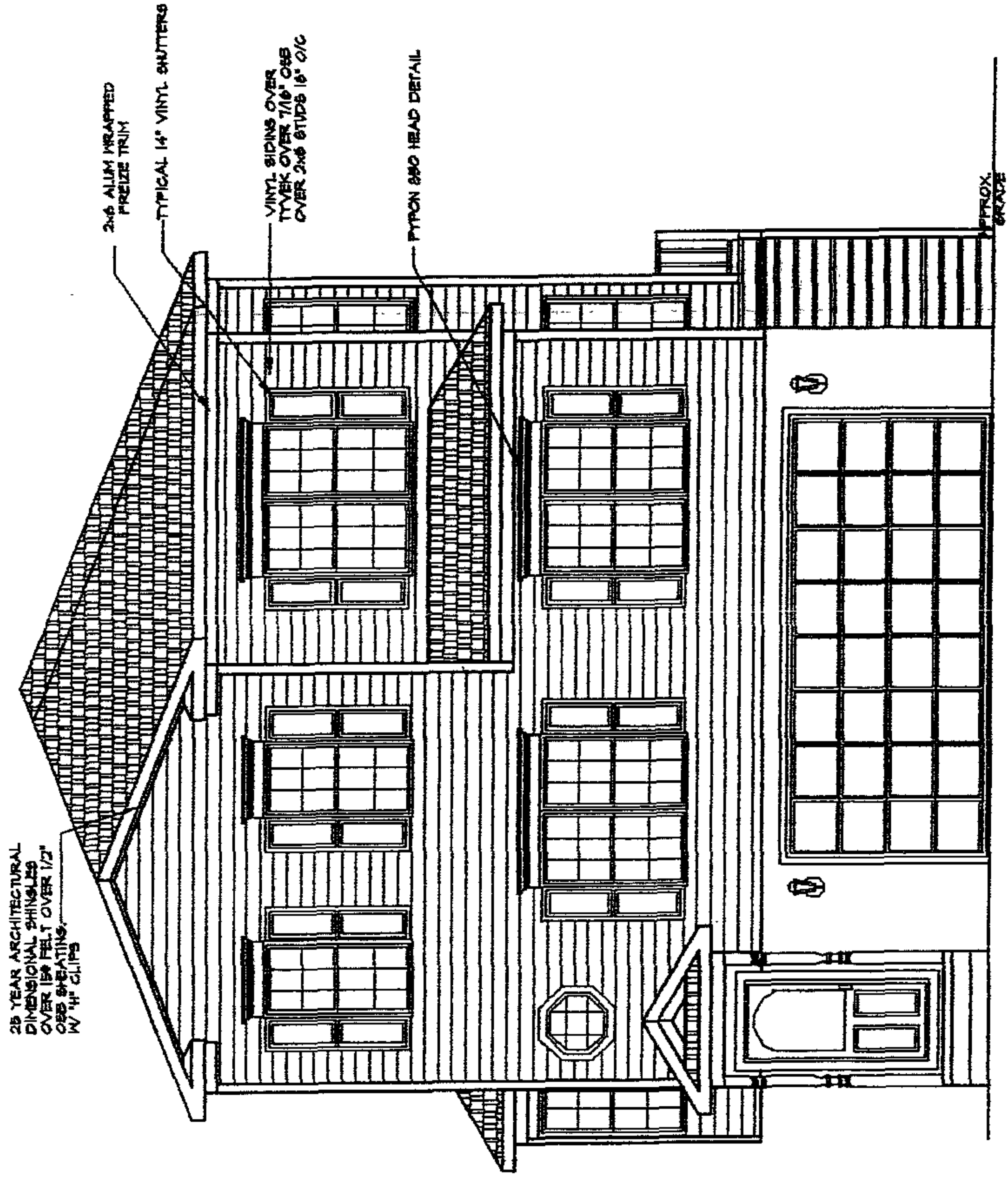
CASE 05-329-SPHA

1236 Burke Rd color scheme



1 Body: Canyon View ECC-20-1
2 Trim: Ranch Acres ECC 20-2
3 Accent Hickory Grove ECC-20-3

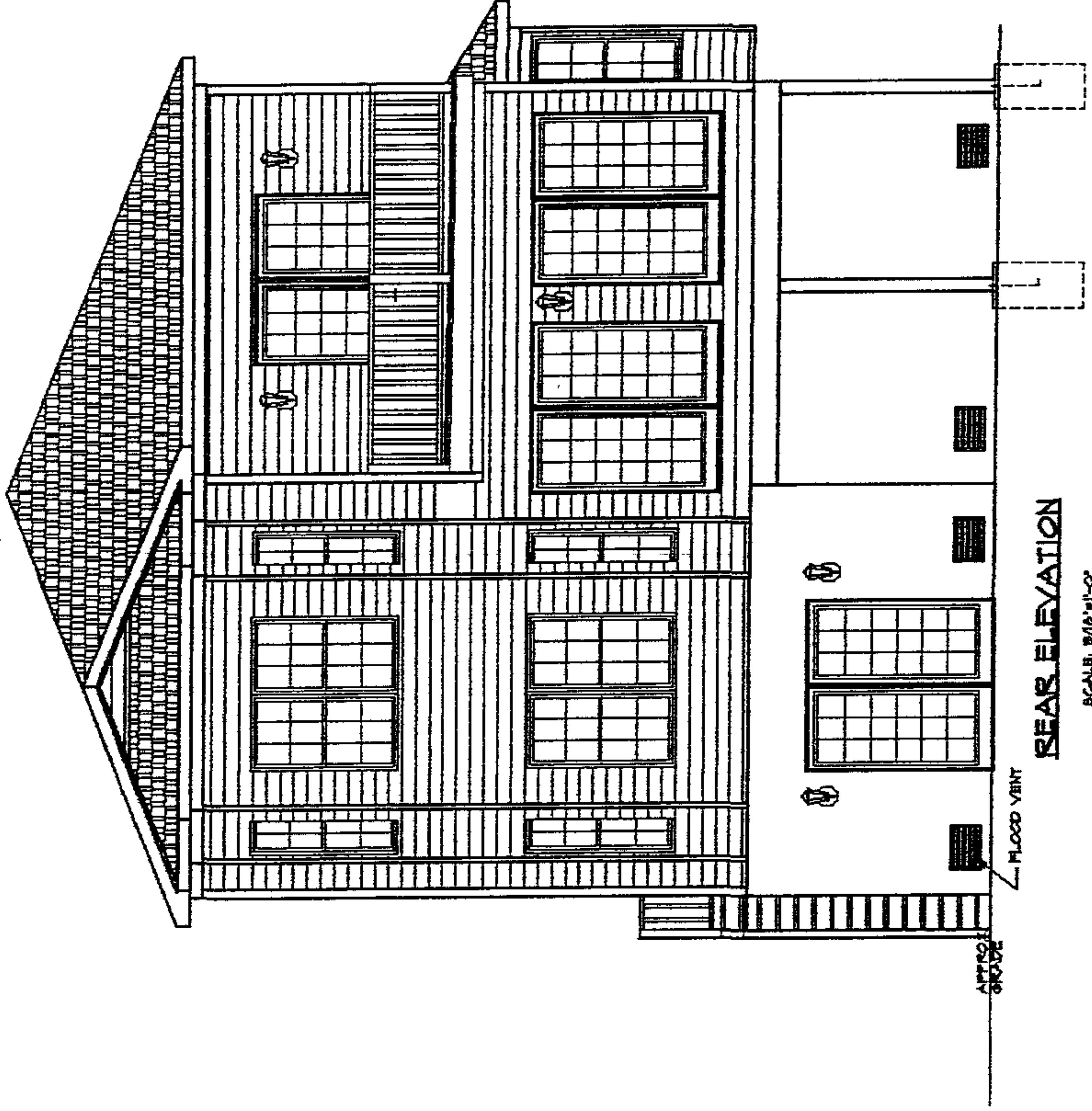
Case Number: 05-329-SPHA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard



FRONT ELEVATION
SCALE: 3/16"=1'-0"

Case Number: 05-329-SPIIA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard

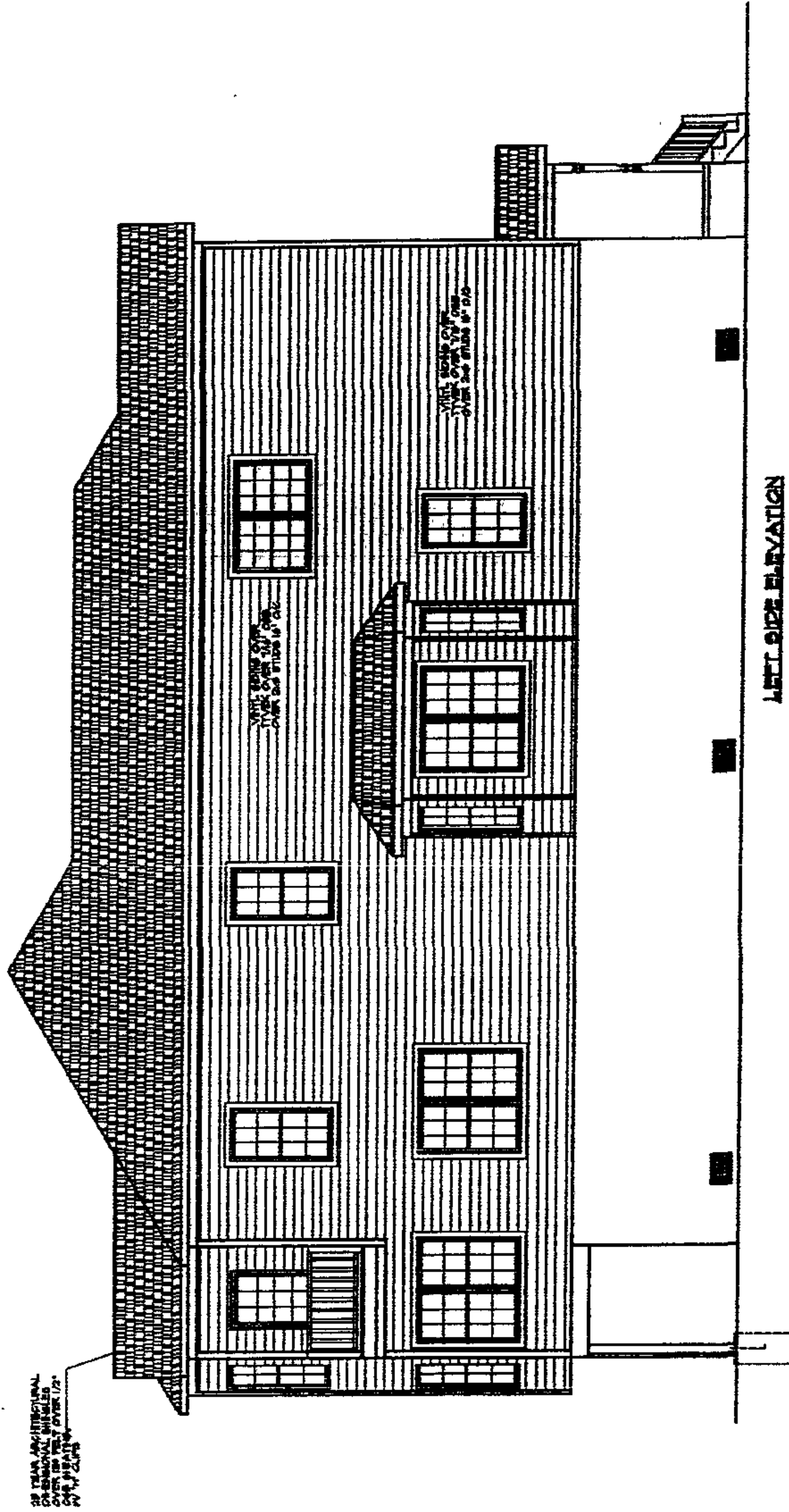
25 YEAR ARCHITECTURAL
DIMENSIONAL SHINGLES
OVER 1/2" FELT OVER 1/2"
OSB SHEATHING
W/ 1" CLIPS



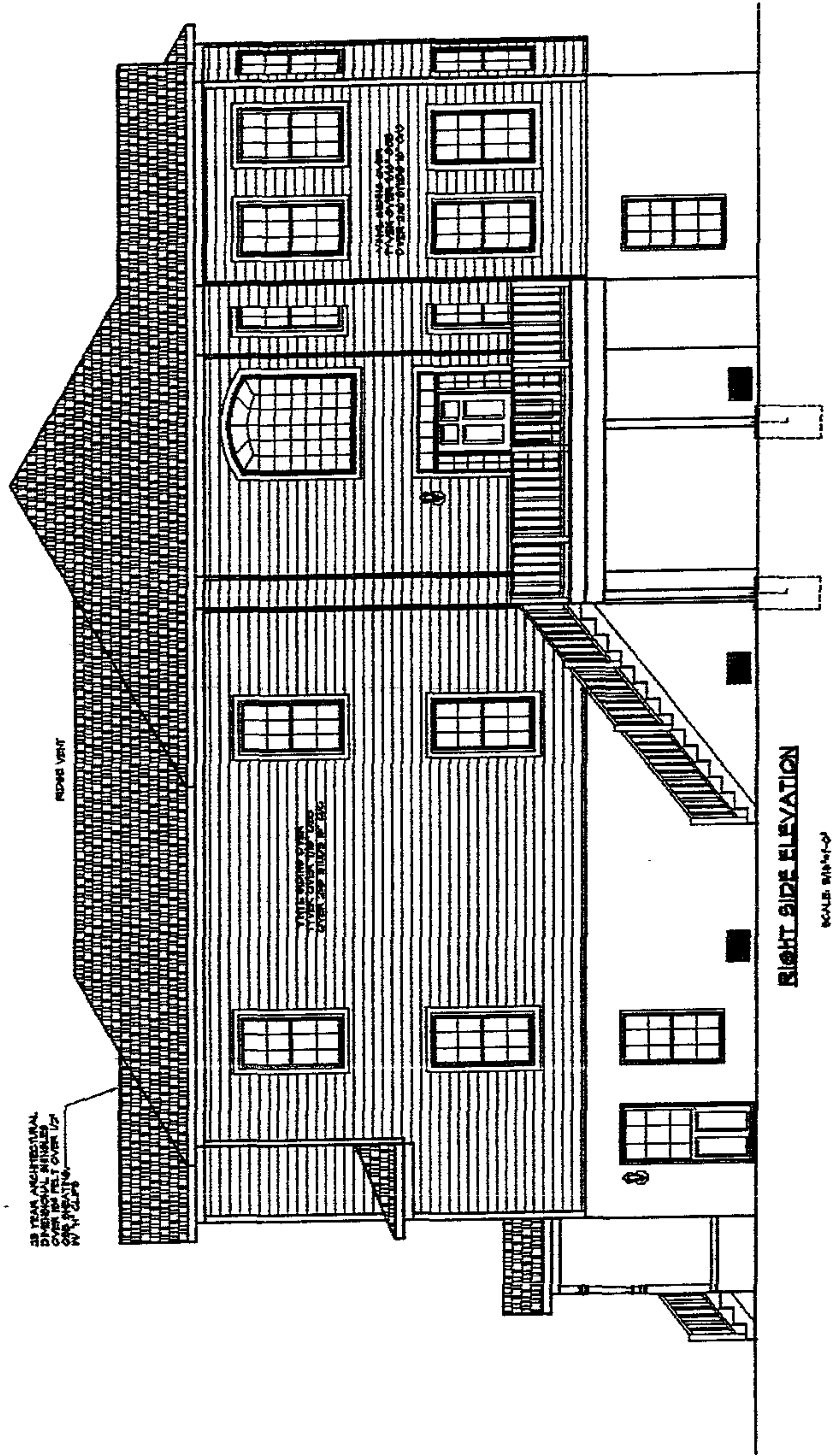
REAR ELEVATION

SCALE: 3/8"=1'-0"

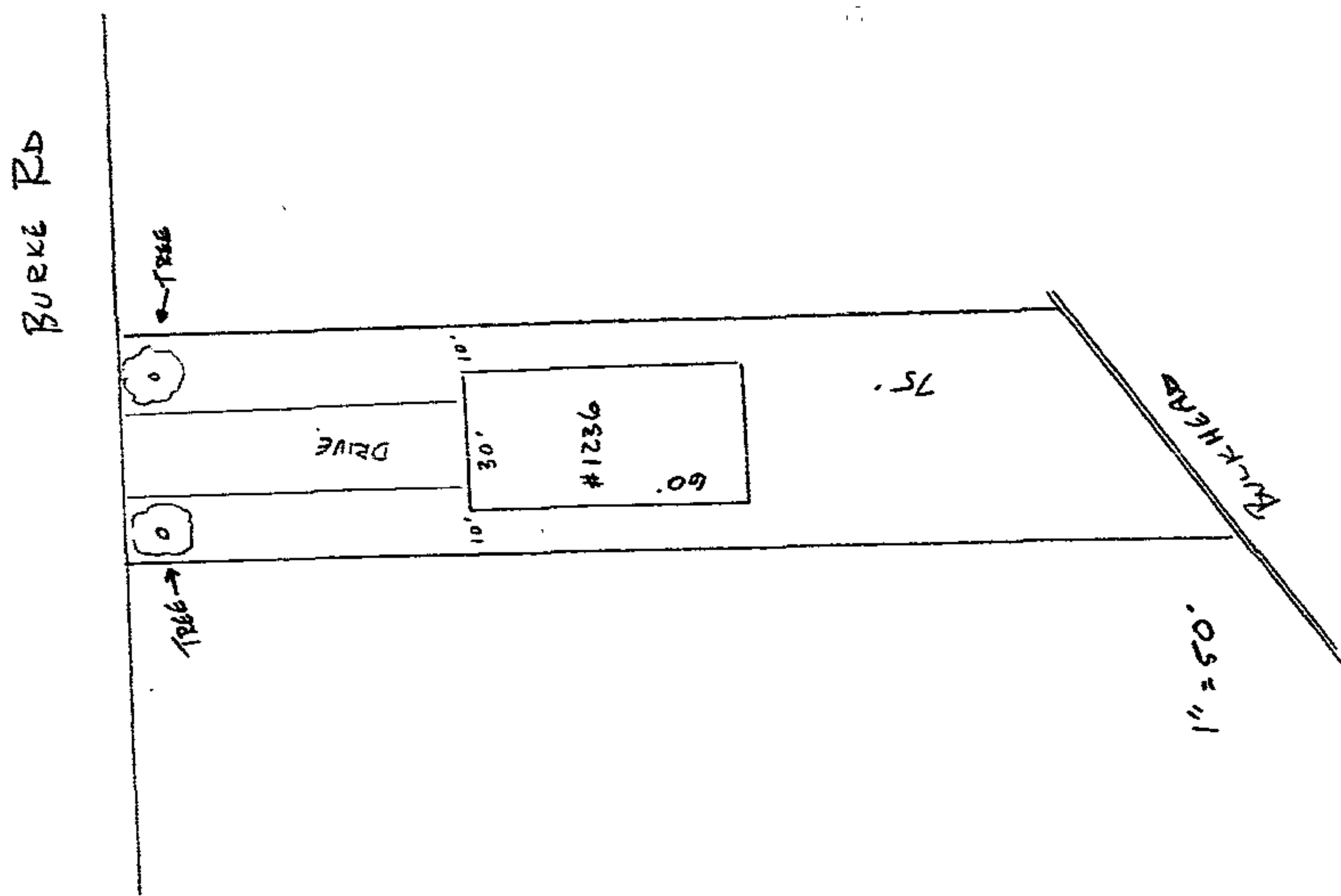
Case Number: 05-329-SPHA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard



Case Number: 05-329-SPHA
 1236 Burke Road
 Legal Owners: Donald J. & Mary S. Hansen
 Contract Purchaser: Craig & Tracie Leonard



Case Number: 05-329-SFHA
1236 Burke Road
Legal Owners: Donald J. & Mary S. Hansen
Contract Purchaser: Craig & Tracie Leonard



Lot is presently vacant. Original house was destroyed by Hurricane Isabel.

IN RE: PETITIONS FOR VARIANCE

S/S Burke Road, 415' & 465' NW of the c/l
Burke Road

(1224 and 1226 Burke Road)

15th Election District

6th Council District

Charles G. Hill, et ux, Owners;

David M. Hausner and Charles D. Falter,

Respective Contract Purchasers

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Cases Nos. 05-042-A and 05-043-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Variance filed by Charles G. Hill and his wife, Rosalie M. Hill, Owners, and David M. Hausner, Contract Purchaser of 1224 Burke Road, and Charles D. Falter, Contract Purchaser of 1226 Burke Road. Since the properties are located adjacent to one another and owned by the same persons, the two cases were heard contemporaneously. Relief is requested from Sections 1A04.3.B.2 and 1A04.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each in lieu of the required 50 feet for a proposed 30' x 65' dwelling on each lot with a height of 45 feet in lieu of the maximum allowed 35 feet. The subject properties and requested relief are more particularly described on the respective site plans submitted in each case and marked into evidence as Petitioner's Exhibits 1.

Appearing at the requisite public hearing in support of the request were David M. Hausner, Esquire, attorney for the Petitioners and Contract Purchaser of 1224 Burke Road; Charles D. Falter, Contract Purchaser of 1226 Burke Road; and, Clyde F. Hinkle, Professional Engineer who prepared the site plans for these properties. Also appearing was Bruce L. Schuchardt, adjacent property owner of 1228 Burke Road. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject properties are waterfront lots located adjacent to one another on Galloway Creek in eastern Baltimore County. The properties

are also known as Lots 117 and 118 of the subdivision of Bowleys Quarters, which was recorded in the Land Records of Baltimore County on May 27, 1921. As shown on the site plans submitted, Lot 117 contains a gross area of 16,833 sq.ft., or 0.386 acres, and is improved with a one-story dwelling, known as 1224 Burke Road, and detached garage. Lot 118 contains 17,759 sq.ft., or 0.407 acres, and is unimproved but for an in-ground swimming pool and freestanding garage. Although each lot was recorded as a separate lot under separate deeds, Lot 118 has essentially been used as the side yard for the dwelling on Lot 117 for many years. The Petitioners have contracted to sell Lot 117 to Mr. Hausner and Lot 118 to Mr. Falter, who are longtime friends and wish to redevelop each lot with a single-family dwelling in which they will reside. Each lot is approximately 50 feet wide and 395 feet deep, and is located with frontage on Burke Road to the north and Galloway Creek to the south.

Testimony and evidence offered revealed that all existing improvements will be razed and each lot redeveloped with a single family dwelling, 30' x 65' in dimension, with a height of 45 feet. As to the variances, relief is requested to allow 10-foot side yard setbacks on each side in lieu of the required 50 feet. Obviously, given the 50-foot width of each lot, it is not possible to meet the 50-foot side yard setback required in the R.C.5 zone. The second request is to allow a height of 45 feet in lieu of the maximum allowed 35 feet. In this regard, due to the property's waterfront location adjacent to Galloway Creek, the existing improvements suffered storm damage as a result of Hurricane Isabel. Moreover, under the County's floodplain regulations, the first floor living area must be a minimum of 1 foot above the flood elevation level. In view of these environmental and floodplain requirements, the proposed houses must be constructed at a height greater than that allowed by the B.C.Z.R. As to compatibility, the Petitioners submitted a site plan depicting other houses on this section of Burke Road which show that the predominant theme in the community is that most of the lots are 50 feet wide. Additionally, photographs submitted show that the proposed dwellings will be consistent from an architectural standpoint with existing houses in the neighborhood.

Based upon the testimony and evidence offered, I am persuaded to grant the requested relief. The Petitioners have shown that the proposed improvements meet the spirit and intent of the zoning regulations and will not be detrimental to the health, safety or general welfare of the surrounding locale. Moreover, it is clear that the proposed dwellings will be consistent with other homes in the neighborhood. Thus, the relief requested will be granted. However, the proposed construction must comply with Chesapeake Bay Critical Areas regulations, as set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Additionally, the Petitioners shall submit building elevation drawings of the proposed dwellings to the Office of Planning for review and approval prior to the issuance of any permits to insure that the proposed dwelling are compatible with existing development in the area.

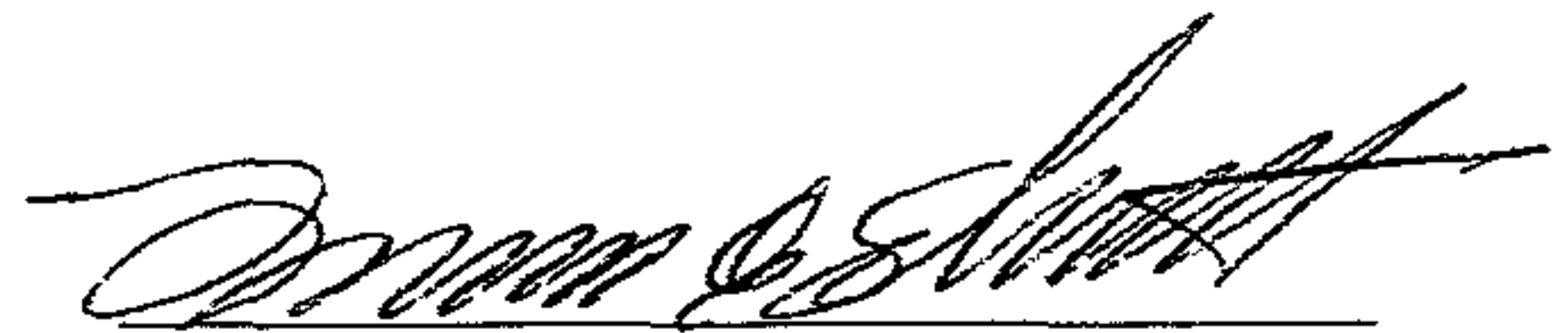
It is also to be noted that certain questions arose at the hearing regarding the nature of the relief requested. Specifically, the Petitioners questioned whether variance relief is necessary from Section 1A04.3.B.1 of the B.C.Z.R. That Section originally required that no lot in the R.C.5 zone can be less than 1.0 acre in size; however, the Baltimore County Council recently amended this Section to require that every lot in the R.C.5 zone be no less than 1.5 acres in area. The language of Section 1A04.3.B.1 prohibits the "creation" of any such R.C.5 lot. In this case, the lots are not being created; that is, they are part of a subdivision that was duly recorded in the Land Records of Baltimore County in 1921. Thus, although the lots are less than 1.5 acres in area, variance relief is not necessary in that the lots already exist.

Secondly, the Petitioners questioned whether relief was required under Section 304 of the B.C.Z.R. That Section allows a Petitioner to request relief for an undersized lot if certain conditions are met. In this case, the Petitioners are not eligible for relief under Section 304 in that Mr. & Mrs. Hill own both lots and variance relief is requested from both side yard setback and height requirements. Thus, relief cannot be sought under Section 304.

Pursuant to the advertisement, posting of the properties, and public hearing on these Petitions 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 31st day of August 2004 that the Petitions for Variance filed in Cases Nos. 05-042-A and 05-043-A seeking relief from Sections 1A04.3.B.2 and 1A04.3.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet each in lieu of the required 50 feet for a proposed 30' x 65' dwelling on each lot with a height of 45 feet in lieu of the maximum allowed 35 feet, in accordance with the site plan submitted in each case and marked as Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permits and be granted same upon receipt of this Order; however, the 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 DEPRM relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations relative to the protection of water quality, streams, wetlands and floodplains. Copies of those comments have been attached hereto and are made a part hereof.
- 3) The Petitioners shall submit building elevation drawings of the proposed dwellings to the Office of Planning prior to the issuance of any permits to insure that the proposed houses are compatible in terms of size, exterior, building materials, color and architectural details with existing dwellings in the area.
- 4) When applying for a building permit, the site plan(s) filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 9/3/04
by [Signature]

LES:bjs

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: August 27, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For August 9, 2004
Item No. 043

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.

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 building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the requirement of B.O.C.A. International Building Code adopted by the county.

RWB:CEN:jrb

cc: File

JK
8/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 23, 2004

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

RECEIVED

AUG 24 2004

SUBJECT: 1224 and 1226 Burke Road

INFORMATION:

Item Number: 5-042 and 5-043

Petitioner: Charles Hill

Zoning: RC 5

Requested Action: Variance

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and has determined that the petitioner owns sufficient adjoining land to conform with the minimum width and area requirements and therefore does not meet the standards stated in Section 304.1.C of the BCZR. Nevertheless, the existing lot pattern of the neighborhood is that of 50-foot wide lots. As such, this office does not oppose the petitioner's request. If the petitioner's request is granted, the following conditions shall apply to the proposed dwelling at 1226 Burke Road:

Submit building elevations to this office for review and approval prior to the issuance any building permit. The proposed dwelling shall be compatible in size, exterior building materials, color, and architectural detail as that of the existing dwellings in the area.

Provide landscaping across the front of the subject property.

Prepared by: Maet A. Cunningham

Division Chief: [Signature]

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. JDO
DATE: August 10, 2004
SUBJECT: Zoning Item # 05- 042
Address 1224 Burke Road (Hill Property)

RECEIVED
AUG 26 2004
ZONING COMMISSIONER

Zoning Advisory Committee Meeting of August 2, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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: Keith Kelley

Date: August 10, 2004

LIBER 9633 PAGE 393

STREET ADDRESS: 1234 Burke Road
TAX ACCOUNT NO. 15-19-710110
LOT/BLOCK DESIGNATION: Lots 122
and 123, Plat No. 1, Plat of
Property of Bowley's Quarter
Company of Baltimore County,
W.P.C. 7, folio 12.

CONFIRMATORY DEED

THIS CONFIRMATORY DEED, made this 5 day of February, in the year nineteen hundred and ninety-three, by and between CHARLOTTE I. MOODIE-SCOTT, (formerly known as CHARLOTTE MOODIE) of Baltimore County, State of Maryland, Grantor and DONALD J. HANSEN and MARY S. HANSEN, his wife, of Baltimore County, State of Maryland, Grantees.

WHEREAS, by a Deed dated December 3, 1982 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. No. 6463, folio 315, Allan Moodie and Charlotte Moodie, (now known as Charlotte I. Moodie-Scott), did attempt to convey the hereinafter described property to Donald J. Hansen and Mary S. Hansen, his wife, and Robert J. Hansen and Margaret M. Hansen, his wife, the Grantees therein; and

WHEREAS, through an inadvertence, the names of said Grantees were omitted from the granting and habendum clauses in said Deed; and

WHEREAS, the said Robert J. Hansen departed this life on or about December 1, 1984, thereby vesting title to his interest in said property in the said Margaret M. Hansen by right of survivorship; and

WHEREAS, by a Deed dated September 30, 1986 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr., No. 7294, folio 807, the said Donald J. Hansen, Guardian of the person and property of Margaret Marie Hansen did attempt to convey the interest of the said Margaret M. Hansen (therein referred to as Margaret Marie Hansen), to said Donald J. Hansen and Mary S. Hansen, his wife; and

WHEREAS, the said Margaret M. Hansen has since departed this life on or about November 3, 1988; and

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE [Signature] DATE 3/1/93

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

By

Date

LIBER 9633 PAGE 394

WHEREAS, the said Allan Moodie departed this life on or about August 20, 1985, leaving the said Charlotte Moodie, (now known as Charlotte I. Moodie-Scott), as surviving tenant by the entirety; and

WHEREAS, it is the intention of the parties to confirm and correct the original Deed and to vest fee simple title in and to the hereinafter described property, in the said Donald J. Hansen and Mary S. Hansen, his wife, as tenants by the entireties, wherefore these present are executed.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, there being no actual consideration paid or to be paid in connection with this confirmatory conveyance, the said CHARLOTTE I. MOODIE-SCOTT, formerly known as CHARLOTTE MOODIE, does grant, convey and confirm to DONALD J. HANSEN and MARY S. HANSEN, his wife, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that land, situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows:

BEING known and designated as Lots Nos. 122 and 123 Plat No. 1 as shown on the Plat of the property of the Bowley's Quarter Company of Baltimore County, which Plat is duly recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 12. Said lots being situate on the southwest side of Burke Road.

SUBJECT to all covenants, conditions, easements and encumbrances of record.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed, unto and to the proper use and benefit of DONALD J. HANSEN and MARY S. HANSEN, his wife, as tenants by the entireties, their assigns, the

LIBER 9633 PAGE 95

survivor of them, and the survivor's personal representatives and assigns, in fee simple.

AND the Grantor does hereby covenant that she has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, that she will warrant specially the property granted, and that she will execute such further assurances of the same as may be requisite.

AS WITNESS the hand and seal of the Grantor.

WITNESS:

Karen Egerton Charlotte I. Moodie-Scott (SEAL)
CHARLOTTE I. MOODIE-SCOTT
(formerly known as Charlotte Moodie)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 5 day of February, 1993, before me, a Notary Public in and for the State and County aforesaid, personally appeared CHARLOTTE I. MOODIE-SCOTT, (formerly known as Charlotte Moodie), known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Confirmatory Deed, and acknowledged that she executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Baetjer, L. McElroy
Notary Public

My Commission Expires: 12/1/93

I hereby certify that this instrument has been prepared by J. Paul Rieger, Jr., an attorney at law admitted to practice before the Court of Appeals of Maryland.

J. Paul Rieger, Jr.
J. Paul Rieger, Jr.

Return to: J. Paul Rieger, Jr., Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

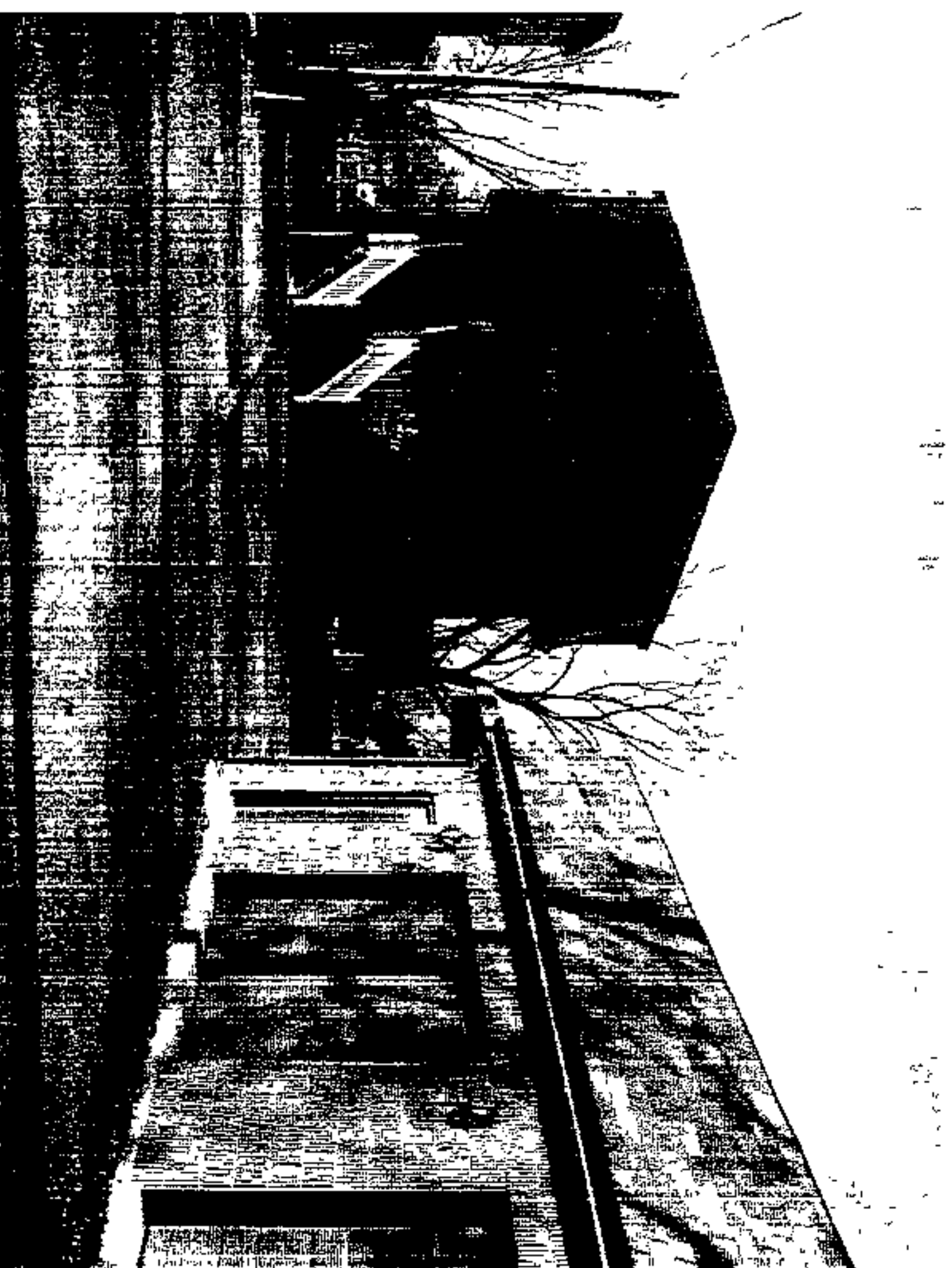
DEED1444.JPR



1214 Burke



1216 Burke



1218 Burke



1220 Burke



1222 Burke

69



1226 Burke

69



1224 Burke



1228 Burke

69



1230 Burke

g
B



1232 Burke

g
B

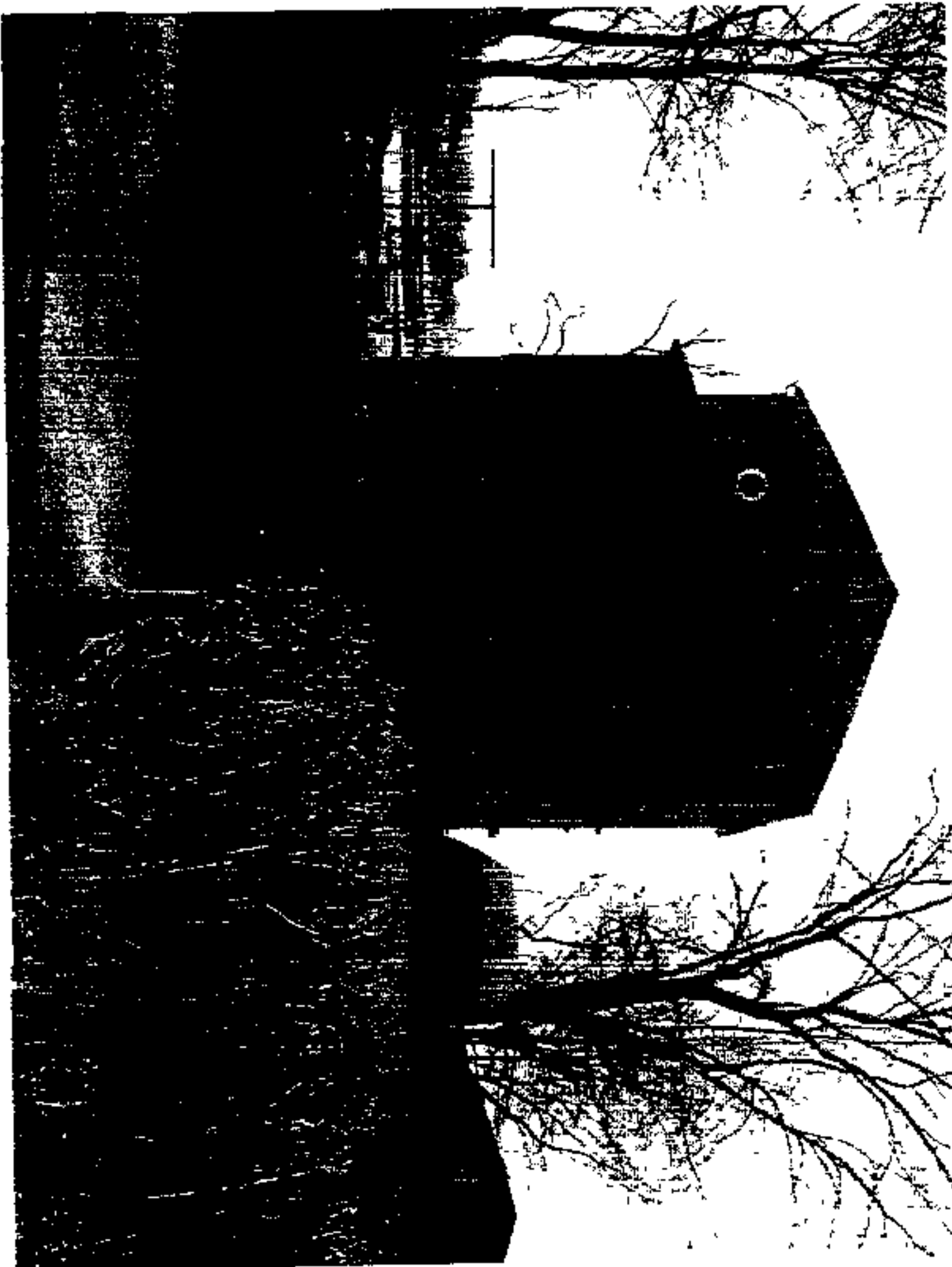


1236 Burke



1234 Burke

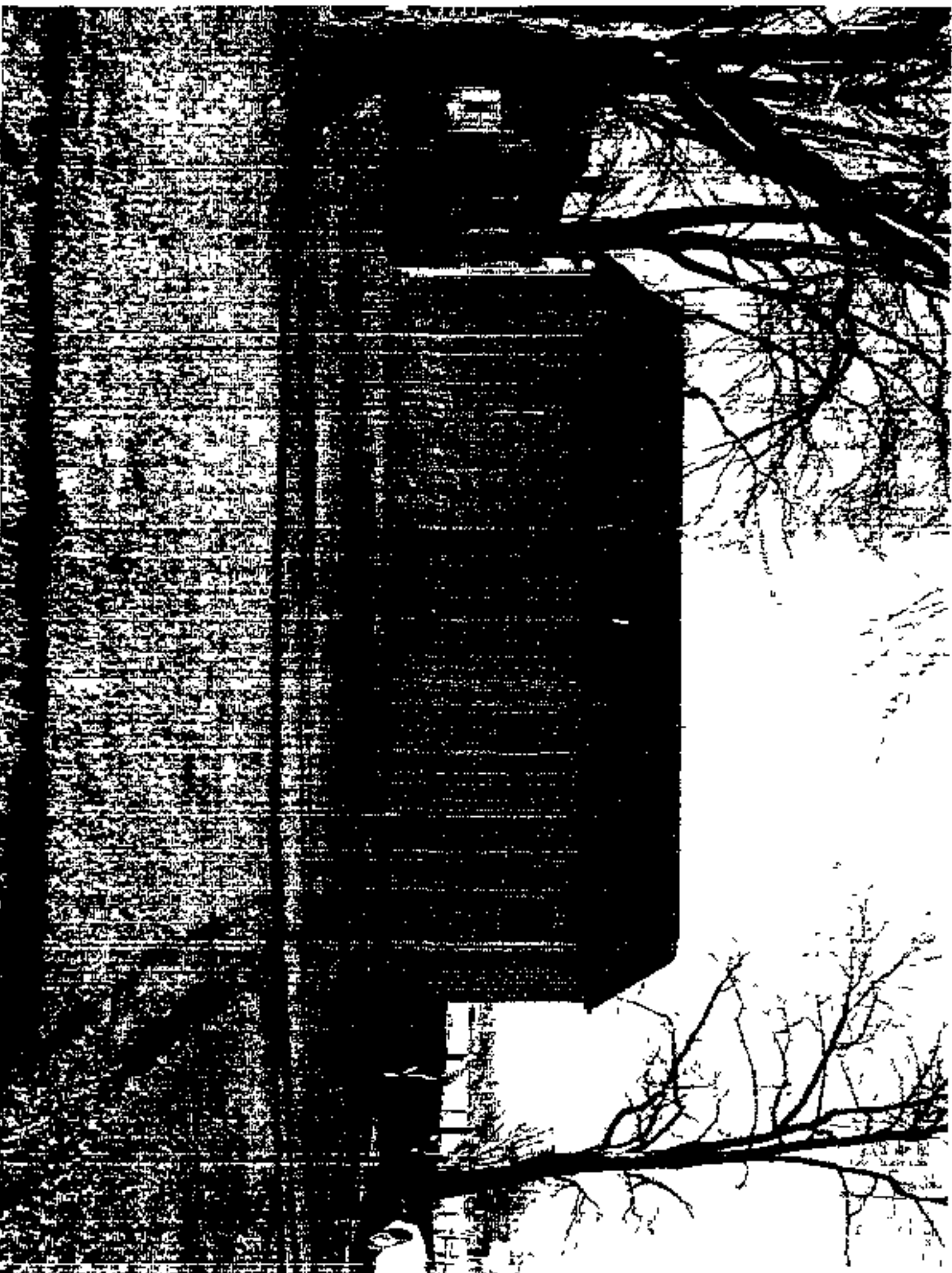
g
B



1238 Burke



1240 Burke



1300 Burke



1304 Burke