IN RE: PETITIONS FOR SPECIAL HEARING &

VARIANCE - NE/S Bowleys Quarters Road,

1,482' S of the c/l Susquehanna Avenue

(927 Bowleys Quarters Road)

15th Election District

6th Council District

Norman A. Flowers, et ux Petitioners BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 05-663-SPHA

r

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Norman A. Flowers, and his wife, Linda Flowers. The Petitioners request special hearing relief and a series of variances from the Baltimore County Zoning Regulations (B.C.Z.R.) to permit development of the subject property with a single-family dwelling. Specifically, relief is requested from Section 1A04.3.B.1.a of the B.C.Z.R. to approve the subject property as an undersized lot and to determine that density will not be affected by the proposed development. In addition, variance relief is requested from Section 1A04.3.B.2.b to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet, and from Section 1A04.3.A to allow a building height of 36'11-1/8" in lieu of the maximum allowed 35 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Linda Flowers, co-owner of the property, Doug DuVal, Architect, and Anthony J. DiPaula, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped waterfront parcel located with frontage on Seneca Creek and the northeast side of Bowleys Quarters Road in Middle River. The property is an unimproved parcel, also known as



1921, well prior to the adoption of the first set of zoning regulations in Baltimore County. As is often the case with older subdivisions, many of the lots in this community are undersized and do not meet current width and/or area requirements for development. The Petitioners recently purchased the property and are desirous of developing the lot with a single-family dwelling. However, given the narrow width and small area of the lot, the requested zoning relief is necessary. In addition, a variance from height limitations is requested given the proposed construction in a designated flood hazard area. Finally, special hearing relief is requested to approve the subject lot as undersized and a determination that density will not be affected by the proposed development.

In this regard, testimony disclosed that the Petitioners recently purchased the property from Henry Roesner, who at one time owned three adjacent lots, namely Lots 71, 72 and 73 of Bowleys Quarters. Mr. Roesner resided on the middle lot (Lot 72) in the dwelling known as 923

Lot 73 of Bowleys Quarters Plat No. 2, which was recorded in the Land Records on May 26,

In this regard, testimony disclosed that the Petitioners recently purchased the property from Henry Roesner, who at one time owned three adjacent lots, namely Lots 71, 72 and 73 of Bowleys Quarters. Mr. Roesner resided on the middle lot (Lot 72) in the dwelling known as 923 Bowleys Quarters Road, until that home was destroyed by Hurricane Isabel in 2003. In any event, Mr. Roesner subsequently sold Lot 73 to the Petitioners and is apparently in the process of selling the other lot (Lot 71) to another party.

As shown on the site plan, the subject property is 52.16 feet wide and approximately 331 feet deep, and contains a gross area of 0.3773 acres, (16,433 sq.ft.) more or less, zoned R.C.5. The R.C.5 regulations require a minimum lot area of 1.5 acres, and setbacks of no less than 50 feet to any property line. Thus, it is clear that the property could not be developed without the requested zoning relief. In support of the request, Counsel for the Petitioners noted that the property has been a duly recorded lot of record since 1921. Moreover, the proposed development will be compatible with the pattern of development in the neighborhood and will provide setbacks consistent with other houses in the community.

After due consideration of the testimony and evidence presented, I am persuaded that relief should be granted. To deny relief would result in a practical difficulty for the Petitioners and prohibit reasonable use of the property for a permitted purpose. As noted above, many of the

OFFICE NEDFOR FILING

lots are similar in area and width as the subject property. Moreover, the proposed dwelling will be consistent with the pattern of development in the neighborhood and meets the spirit and intent of Section 307 of the B.C.Z.R. and Cromwell v. Ward, 102 Md. App. 691 (1995). In this regard, the Office of Planning had requested that certain conditions be imposed to the grant of any relief to insure compliance with the R.C.5 zoning regulations and development standards. However, subsequent to the hearing, building elevation drawings of the proposed dwelling were submitted to the Office of Planning which found the Petitioners' proposal to be in accordance with the spirit and intent of the R.C.5 regulations and performance standards.

I further find that the subject property meets the requirements of Section 304 of the B.C.Z.R. and that the proposed development will not result in any increase in density. There were no adverse comments submitted by any County reviewing agency and no one appeared in opposition to the request. To the contrary, the community supports the proposal as evidenced by the letter received from the Bowleys Quarters Improvement Association. Thus, it appears that relief can be granted without detrimental impact to the surrounding locale. However, as conditions to this approval, the proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning. Moreover, due to the property's waterfront location, the proposed construction must comply with Federal Flood Insurance regulations and Chesapeake Bay Critical Areas requirements as set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management and the Development Plans Review Division of the Department of Permits and Development Management, copies of which are attached hereto and made a part hereof.

Pursuant to the advertisement, posting of the property 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 23 day of August 2005 that the Petition for Special Hearing seeking approval of the subject property as an undersized lot and a determination that density will not be affected by the

proposed development, pursuant to Section 1A04.3.B.1.a of the Baltimore County Zoning Regulations (B.C.Z.R.) be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A04.3.B.2.b to permit side yard setbacks of 10 feet each in lieu of the minimum required 50 feet, and from Section 1A04.3.A to allow a building height of 36'11-1/8" in lieu of the maximum allowed 35 feet for a proposed single-family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, 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) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning.
- 3) Compliance with the ZAC comments submitted by DEPRM and the Bureau of Development Plans Review relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations for the protection of water quality, streams, wetlands and floodplains. Copies of those comments have been attached hereto and are made a part hereof.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order

LLIAM JOVISEMAN, I

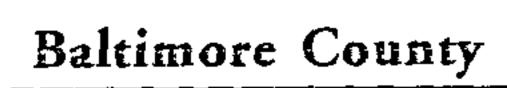
Zoning Commissioner for Baltimore County

WJW:bis

Zoning Commissioner

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





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

August 23, 2005

Anthony J. DiPaula, Esquire 34 S. Main Street Bel Air, Maryland 21014

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
NE/S Bowleys Quarters Road, 1,482' S of the c/l Susquehanna Avenue
(927 Bowleys Quarters Road)
15th Election District - 6th Council District
Norman A. Flowers, et ux - Petitioners
Case No. 05-663-SPHA

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

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

Very truly yours,

WILLIAM J. WISEMAN, III Zoning Commissioner

for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Norman A. Flowers

3 Sundance Lane, Shrewsbury, Pa. 17361

Mr. Doug DuVal, DuVal & Assoc., P.A.

1729 York Road, Suite 205, Lutherville, Md. 21093

Chesapeake Bay Critical Areas Comm., 1804 West Street, Suite 100, Annapolis, Md. 21401 Development Plans Review, DPDM; DEPRM; Office of Planning; People's Counsel; File



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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 927 Bowcey's QUARTERS Rowhich is presently zoned ! RC 5

i/We do solemnly declare and affirm, under the penalties of

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

(See attached)

Property is to be posted and advertised as prescribed by the zoning regulations.

If or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/L	_essee:		Legal Owner(s):
•			NURMAN A. FLOWERS
Name - Type or Print			Name - Type or Print
Signature			Signature A. Slam
X-1-1			LINDA FLOWERS
Address		Telephone No.	Name - Type or Print Nunde H/ Jen
City	State	Zip Code	Signature 7/7-578-87/9 (C
Attorney For Petition	er:		3 SUNDANCE LANE 717-235-633174
		•	Address SHREWSBURY PA 17361 Telephone No.
Name - Type or Print			City State Zip Code
Signature			Representative to be Contacted:
			DOUG DUVAL (BUVAL & ASSOC. P.A.)
Company			1729 YORK ROAD, SUITE 205 410 666 541
Address		Telephone No.	Address LUTHERVILLE MD 21093
97	State	Zip Code	City State Zip Code
			OFFICE USE ONLY
			ESTIMATED LENGTH OF HEARING
Case No.	······································		UNAVAILABLE FOR HEARING
PEV 915198		Revi	ewed By PETITIONER'S
			EXHIBIT NO. 1

VARIANCE FOR 927 BOWLEYS QUARTERS ROAD

1A04.3.B.1.a., TO APPROVE AN UNDERSIZED LOT AND TO DETERMINE THAT DENSITY IS NOT BEING AFFECTED.

REASON FOR REQUEST.
THE LOT OF RECORD, DATED 1921, CONTAINS 0.3677 ACRES, IN LIEU OF 1.5 ACRES, AS REQUIRED UNDER BALTIMORE COUNTY SECTION 1A04.3.B.1.a.

1A04.3.B.2.b., TO ALLOW SIDE YARD SETBACKS OF 10' IN LIEU OF THE REQUIRED 50'.

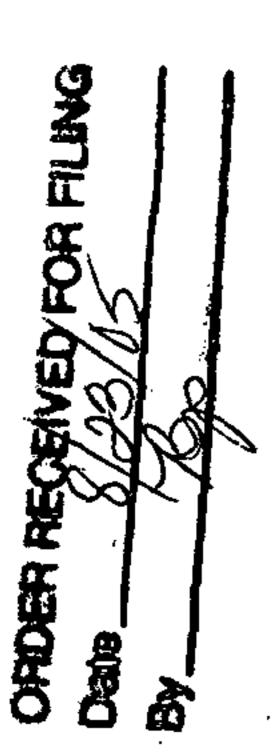
REASON FOR REQUEST THE WIDTH OF THE EXISTING LOT OF RECORD, FROM 1921, IS 50'.

1A04.3.A., TO ALLOW THE BUILDING HEIGHT TO BE 36'-11 1/8", IN LIEU OF THE MAXIMUM 35'.

REASON FOR REQUEST BALTIMORE COUNTY BUILDING CODE REQUIRES THAT CONSTRUCTION IN DESIGNATED FLOOD HAZARD AREAS REQUIRE, IN THIS CASE, THE LOWEST LEVEL OF LIVING SPACE TO BE ELEVATED 8' ABOVE EXISTING GROUND, THUS INCREASING THE HEIGHT TO 36'-11 1/8".

A Special Hearing to determine that density is not affected.









Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 907 Bowley's QUARTERS which is presently zoned

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

(SEE ATTACHED)

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

SEE ATTACHED,

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

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

Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Name - Type or Print . A. A. COWERS
Signature	Signature A Slam
Address Telephone No.	Name - Type or Print /
City State Zip Code	Signature Stowers
Attorney For Petitioner:	3 SUNDANCE LANE 717-578-8719 (CELL 4000000 717-335-6331 (HSM)
Name - Type or Print	THREWSBURY PA 17361 City State Zip Code
Signature	Representative to be Contacted:
Company	Name Dove DuVAL (AUVAL + Assec. P.A.)
Address Telephone No.	1729 YORKROAD SUITE DOS 410-666-5467 Address Telephone No.
State Zip Code	City State 21093
	OFFICE USE ONLY
Case No. 05-663-4	ESTIMATED LENGTH OF HEARING
	UNAVAILABLE FOR HEARING Date 4/14/05

VARIANCE FOR 927 BOWLEYS QUARTERS ROAD

1A04.3.B.1.a., TO APPROVE AN UNDERSIZED LOT AND TO DETERMINE THAT DENSITY IS NOT BEING AFFECTED.

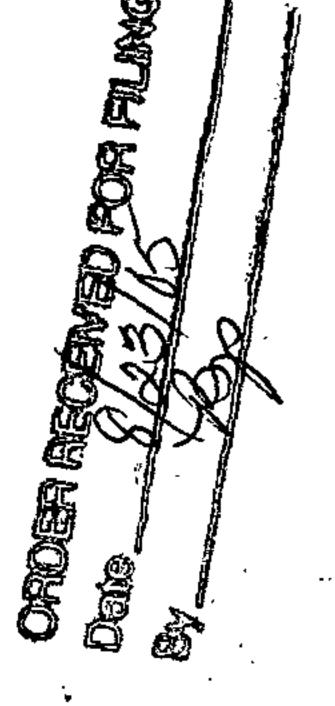
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1A04.3.B.2.b., TO ALLOW SIDE YARD SETBACKS OF 10' IN LIEU OF THE REQUIRED 50'.

REASON FOR REQUEST THE WIDTH OF THE EXISTING LOT OF RECORD, FROM 1921, IS 50'.

1A04.3.A., TO ALLOW THE BUILDING HEIGHT TO BE 36'-11 1/8", IN LIEU OF THE MAXIMUM 35'.

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NOTICE OF ZONING HEARING

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

Case: #05-653-A 927 Bowleys Quarters Road N/east of Bowleys Quarters, 1,482 feet south of centerline of Susquehanna Avenue 15th Election District — 6th Councilmanic District Legal Owner(s): Norman A. & Linda Flowers

Variance: to approve an undersized lot and to determine that density is not being affected and to allow side yard setbacks of 10 feet in lieu of the required 50 feet and to allow the building height to be 36 feet 11 1/8 in lieu of the

maximum 35 feet. Hearing: Monday, August 15, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III 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. 7/227 July 28

CERTIFICATE OF PUBLICATION

728,2005
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md., once in each ofsuccessive weeks, the first publication appearing on
The Jeffersonian Arbutus Times Catonsville Times Towson Times Owings Mills Times NE Booster/Reporter North County News
☐ North County News

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No.
DATE (// / ACCOUNT	101-106-6
AMOUNT \$	100 C
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FOR:	

MAGNI (14/2)(1)(1) 等公案:汉 Recent 19th Mitigare County, Maryland **犯 医蜂** * 34.70g WAXIN VIXXX MILITALITY OF THE COLUMN 经济的 经股份 WILL W 97/14/2005 \$35.00 MI * 1 X 20 2 **.C**>

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: **05-663-SPHA**Petitioner/Developer:

Norman & Linda Flowers Hearing Date: 8/15/05

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

Attention: Ms. Kristen Matthews

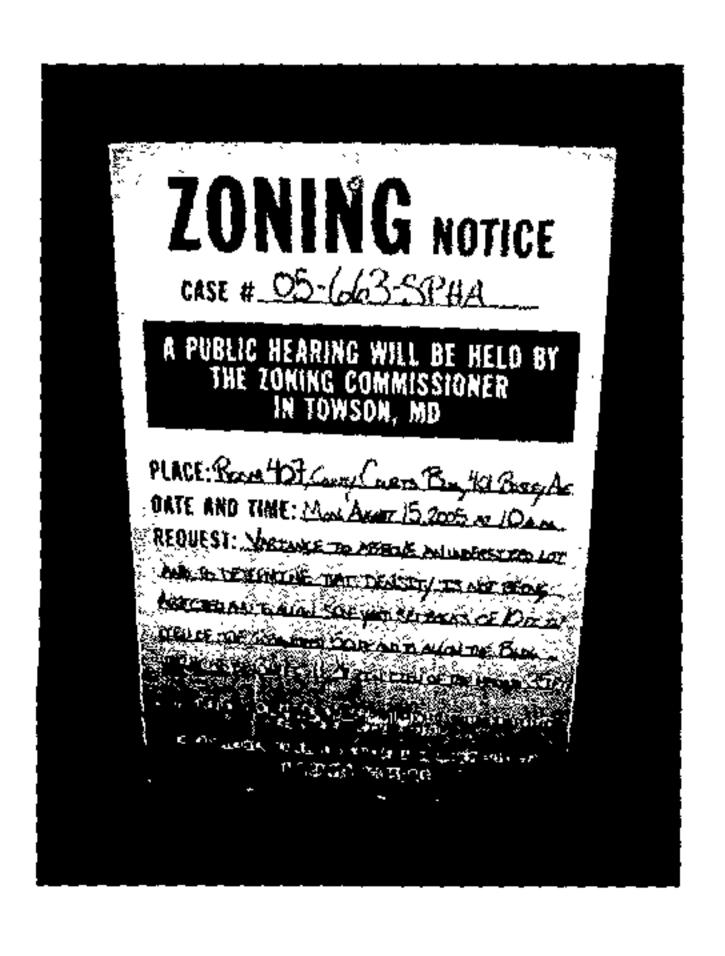
Ladies and Gentlemen:

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 927 Bowleys Quarters Rd.

The sign(s) were posted on 7/30/05.

Sincerely,

Thomas J. Hoff Thomas J. Hoff, Inc. 406 West Pennsylavnia Avenue Towson, MD 21204 410-296-3668



Department of Permits and Development Management

E CONTRACTOR OF THE PARTY OF TH

Baltimore County

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

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

June 29, 2005

CORRECTED 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: 05-663-A

927 Bowleys Quarters Road

N/east side of Bowleys Quarters Road, 1,482 feet south of centerline of Susquehanna Avenue 15th Election District – 6th Councilmanic District

Legal Owners: Norman A. & Linda Flowers

<u>Variance</u> to approve an undersized lot and to determine that density is not being affected and to allow side yard setbacks of 10 feet in lieu of the required 50 feet and to allow the building height to be 36 feet 11 1/8 in lieu of the maximum 35 feet.

Hearing: Monday, August 15, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

buth Kotroco

Director

TK:klm

C: Norman & Linda Flowers, 3 Sundance Lane, Shrewsbury PA 17361 Doug Duval, 1729 York Road, Ste. 205, Lutherville 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 30, 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

TO: PATUXENT PUBLISHING COMPANY

Thursday, July 28, 2005 Issue - Jeffersonian

Please forward billing to:

Norman Flowers 3 Sundance Lane

Shrewsbury, PA 17361-1123

1-717-255-6859

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: 05-663-A 927 Bowleys Quarters Road

N/east side of Bowleys Quarters Road, 1,482 feet south of centerline of Susquehanna Avenue 15th Election District – 6th Councilmanic District

Legal Owners: Norman A. & Linda Flowers

Variance to approve an undersized lot and to determine that density is not being affected and to allow side yard setbacks of 10 feet in lieu of the required 50 feet and to allow the building height to be 36 feet 11 1/8 in lieu of the maximum 35 feet.

Hearing: Monday, August 15, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

MICLIAM J-WISEMAN III

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

June 29, 2005

Norman A. Flowers Linda Flowers 3 Sundance Lane Shrewsbury, PA 17361

Dear Mr. & Mrs. Flowers:

RE: Case Number: 05-663-A, 927 Bowleys Quarters Road

The above matter, previously scheduled for August 10, 2005, has been postponed because there are no Zoning Commissioners available on that date. The hearing has been rescheduled and the corrected notice is attached. Sorry for any inconvenience this may have caused you.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very fully yorks,

Lung Korroco

Timothy Kotroco

Director

TK:klm

C: Doug Duval, 1729 York Road, Ste. 205, Lutherville 21093.



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

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





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

June 24, 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: 05-663-A

927 Bowleys Quarters Road

N/east side of Bowleys Quarters Road, 1,482 feet south of centerline of Susquehanna Avenue 15th Election District – 6th Councilmanic District

Legal Owners: Norman A. & Linda Flowers

<u>Variance</u> to approve an undersized lot and to determine that density is not being affected and to allow side yard setbacks of 10 feet in lieu of the required 50 feet and to allow the building height to be 36 feet 11 1/8 in lieu of the maximum 35 feet.

Hearing: Wednesday, August 10, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Norman & Linda Flowers, 3 Sundance Lane, Shrewsbury PA 17361 Doug Duval, 1729 York Road, Ste. 205, Lutherville 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 26, 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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, July 26, 2005 Issue - Jeffersonian

Please forward billing to:

Norman Flowers

3 Sundance Lane

Shrewsbury, PA 17361-1123

1-717-255-6859

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: 05-663-A

927 Bowleys Quarters Road

N/east side of Bowleys Quarters Road, 1,482 feet south of centerline of Susquehanna Avenue 15th Election District – 6th Councilmanic District

Legal Owners: Norman A. & Linda Flowers

Variance to approve an undersized lot and to determine that density is not being affected and to allow side yard setbacks of 10 feet in lieu of the required 50 feet and to allow the building height to be 36 feet 11 1/8 in lieu of the maximum 35 feet.

Hearing: Wednesday, August 10, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM JWISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 05-663-4	
Petitioner: Mr. Norman Flowars	
Address or Location: 927 Bowleys Quantous E	2. Q.
PLEASE FORWARD ADVERTISING BILL TO: Name: Mr. Norm Flowers	
Address: 3 Sundance Lane	
Shrews bury, PA 17361-1123	
Telephone Number: 1-7/7-255-6859	
# 663	Revised 2/20/08 Scu

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

August 8, 2005

Norman A. Flowers Linda Flowers 3 Sundance Lane Shrewsbury, Pennsylvania 17361

Dear Mr. and Mrs. Flowers:

RE: Case Number: 05-663-A, 927 Bowleys Quarters Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 14, 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.

W. Callaball D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Doug Duvall 1729 York Road, Ste. 205 Lutherville 21093



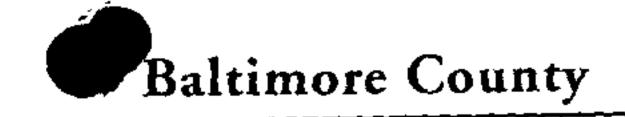
Visit the County's Website at www.baltimorecountyonline.info

Fire Department



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





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 June 28, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: June 20, 2005

Item No.: 621, 662-666, 668-678

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.

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

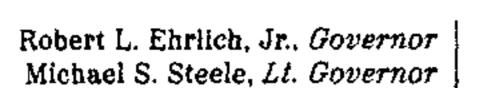
Lt J.D.Mezick Fire Marshal's Office 410-887-5178 MS-1102F

cc: File



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

Printed on Recycled Paper





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

Maryland Department of Transportation

Date: 6.27.05

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

RE:

Baltimore County
Item No. 643

BPR

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 DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:		Tim Kotroco	LEIVED
FROM	[:	Bruce Seeley	
DATE	:	August 3, 2005	AUG - 3 2005
SUBJE	ECT:	Zoning Item # <u>663</u> Address <u>927 Bowleys Quarters Rd</u> Flowers Property	TAMIG COMMISSIONE
	Zoning	g Advisory Committee Meeting of 6-20-05	,
		epartment of Environmental Protection and Resou ents on the above-referenced zoning item.	rce Management has no
<u>X</u>		epartment of Environmental Protection and Resou lowing comments on the above-referenced zoning	_
		Development of the property must comply with the Protection of Water Quality, Streams, Wetlands at 33-3-101 through 33-3-120 of the Baltimore Countries.	and Floodplains (Sections
		Development of this property must comply with a Conservation Regulations (Section 33-6-101 through Baltimore County Code).	
	<u>X</u>	Development of this property must comply with the Critical Area Regulations (Sections 33-2-101 throother Sections, of the Baltimore County Code).	<u>-</u>
	Additio	onal Comments:	•

Reviewer:

TO:

Patricia Farr

Date: August 3, 2005

S:\Devcoord\ZAC SHELL 8-03-05.doc

16416

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

elopment Management RECEIVED

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

JUL 2 9 2005

DATE: July 28, 2005

SUBJECT:

927 Bowleys Quarters Road

INFORMATION:

Item Number:

5-663

Petitioner:

Norman Flowers

Zoning:

RC 5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject request and does not oppose the petitioner's request. There appears to be several existing undersized lots in the neighborhood. However, 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 existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses 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.
- 3. 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.

4. 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. (If applicable)

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

Prepared by:

Division Chief:

AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 5, 2005

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 30, 2005

Item No. 663

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The flood protection elevation for this site is 10.4.

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 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.

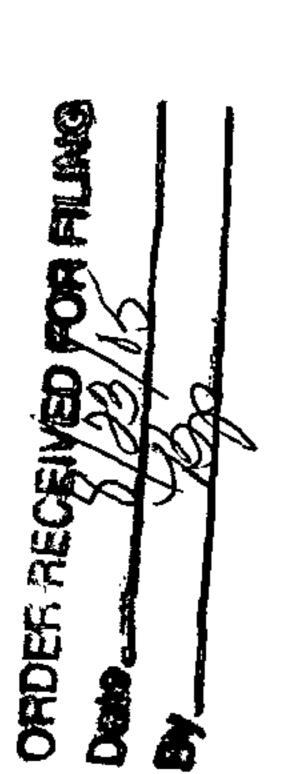
Flood resistant construction shall be in accordance with requirement of B.O.C.A. International Building Code adopted by the county.

The minimum right of way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 663-07052005.doc



RE: PETITION FOR SPECIAL HEARING * BEFORE THE

AND VARIANCE * ZONING COMMISSIONER

927 Bowleys Quarters Road; NE/side

Bowleys Quarters Rd., 1,482' S c/line * FOR BALTIMORE COUNTY

Susquehanna Ave.

15th Election & 6th Councilmanic Districts * 05-663-SPHA

Legal Owners: Norman & Linda Flowers

Petitioners *

ENTRY OF APPEARANCE

Please enter the appearance of Anthony J. DiPaula and DiPaula & Sullivan, LLC as counsel on behalf of the Petitioners in the above captioned matter.

Anthony J. DiPaula DiPaula & Sullivan, LLC 34 South Main Street Bel Air, Maryland 21014 410-893-4255

CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY, that on this ______ day of August, 2005, a copy of the foregoing Entry of Appearance was mailed, first class, postage prepaid to:

Peter Max Zimmerman, People's Counsel Carol S. Demilio, Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, Maryland 21204

Anthony J. DiPaula

s:\das\ajd\Flowers, N.\Entry of App.

RE: PETITION FOR SPECIAL HEARING

AND VARIANCE

927 Bowleys Quarters Road; NE/side Bowleys*

Quarters Rd, 1,482' S c/line Susquehanna Ave

15th Election & 6th Councilmanic Districts

Legal Owner(s): Norman & Linda Flowers

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-663-SPHA

ENTRY OF APPEARANCE

Petitioner(s)

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

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of June, 2005, a copy of the foregoing Entry of Appearance was mailed to Douglas W. DuVal, DuVal and Associates, P.A., 1729 York Road, Suite 205, Lutherville MD 21093, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

JUN 2 7 200

Per....

DiPAULA & SULLIVAN, LLC

34 South Main Street Bel Air, Maryland 21014 (410) 893-4255 FAX (410) 893-4277

TELECOMMUNICATIONS INFORMATION SHEET

Please deliver this sheet and the attached documents, if any, to:

NAME: Zoning Commissioner's Office

FAX NUMBER: 410-887-3468

FROM: Anthony J. DiPaula, Esq.

RE: 927 and 923 Bowleys Quarters Road

TOTAL PAGES INCLUDING THIS PAGE: 3

COMMENTS: Attached please find Entries of Appearance in Case Nos. 05-662 SPHA and 05-

663 SPHA.

SENT: August 11, 2005

OUR CLIENT:

Flowers/Kerr

Confidentiality Notice

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

WARNING

Interception of telephonic communications could be a violation of Maryland and Federal laws.

PLEASE PRINT CLEARLY

CASE NAME 997 Bowley Branton Ry, CASE NUMBER, 05-662-5PH.D. DATE 5/15/05

PETITIONER'S SIGN-IN SHEET

DUNALAPA QUERIZULI. lafter adelonia AT DE DIRAKU SVILLYAN .COM E- MAIL 21093 STATE, ZIP 71017 lathing mo, ille Somewolder 37 S. Mwsr. 1729 Wall Ste. 3 Sudance Lar ADDRESS MANDY J. D. PAUL NAME da

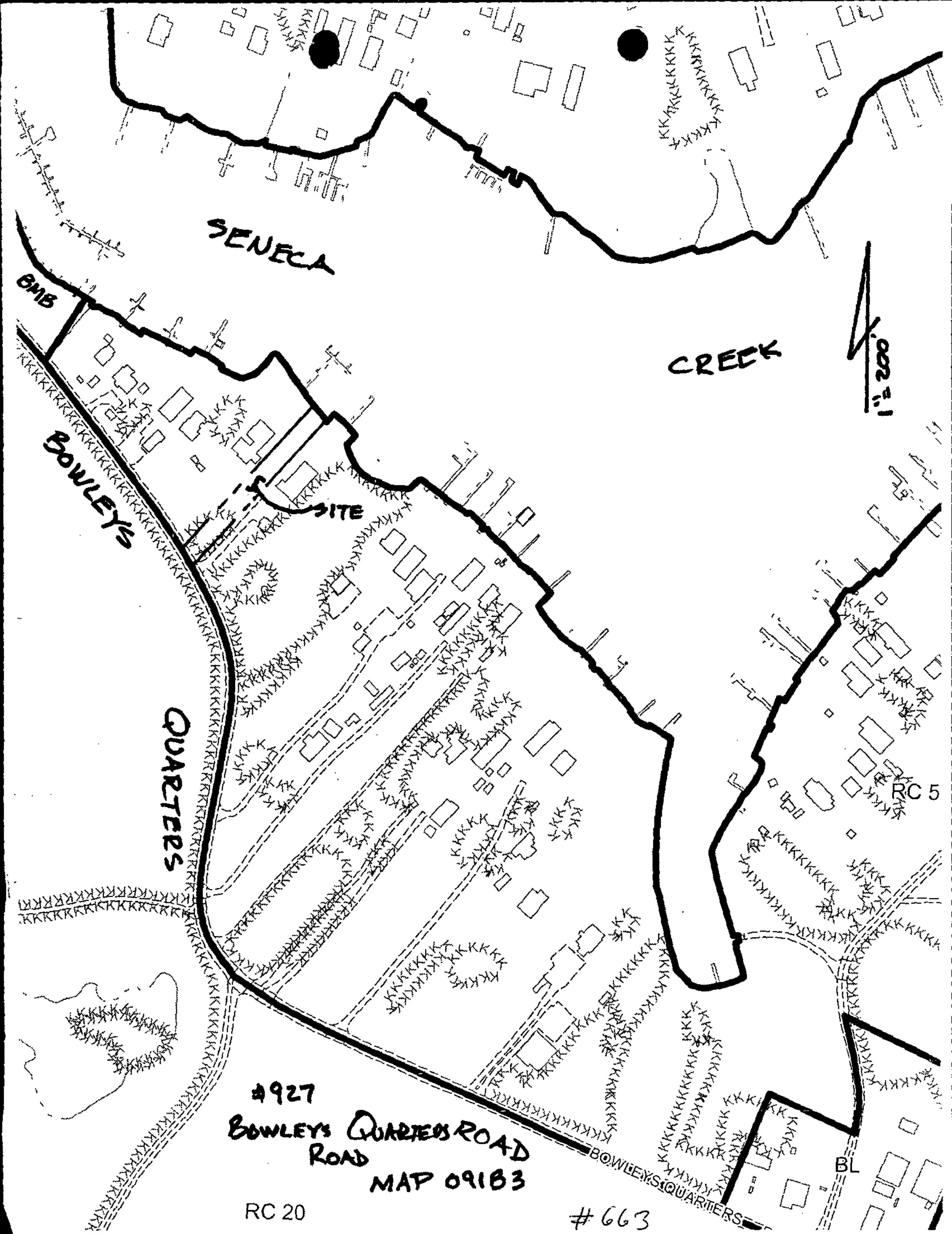
Case No.: 05-663-A 927 Bowleys QtRS

Exhibit Sheet

Petitioner/Developer

Protestant

		
No. 1	PETITION FOR SPECIAL HEARING LEFT OUT OF ZONING FILE	
No. 2	Sitz PLAN	
No. 3	RECORD PLAT.	
No. 4	DEED	
No. 5	BLAG ELEUNTIONS AND PHOTOGRAPHS OF SURROUNDING	
No. 6	acrial Photograph	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
]		j,



Lot 73 View from mns-lot to Street





View from Street Thro Lot

ot 74 View from Street





View from Lot 73 turs
Side et Lot 74

Parcel ID No. 15-2200019744

This Deed, MADE THIS day of January 2005, by and between Henry Roesner, Sole Owner, party of the first part, GRANTOR; and Norman Flowers and Linda Flowers, Tenants By The Entirety, parties of the second part, GRANTEES.

WITNESSETH, That in consideration of the sum of TWO HUNDRED TWENTY FIVE THOUSAND AND 00/100 DOLLARS (\$225,000.00), the receipt whereof is hereby acknowledged, the said GRANTOR does grant and convey to the said Norman Flowers and Linda Flowers, Tenants By The Entirety, their, personal representatives and assigns, in fee simple, all that lot of ground situate in Baltimore County, Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME and being known and designated as Lot No. 73. Plat 2, as shown on the Plat of Bowley's Quarters Company of Baltimore County, which Plat is recorded among the Land Records of Baltimore County in Plat Book WPC No. 7 folio 13.

Tax Account No.

Title Insurer: First American Title Insurance Company

BEING all and the same lot of ground which by Deed dated June 9, 2004, and recorded among the Land Records of Baltimore County, Maryland in Liber 208 90, folio 469, was granted and conveyed by Jacqueline Roesner and Henry Roesner unto Henry Roesner, Sole Owner.

TOGETHER with the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises to the said Norman Flowers and Linda Flowers, Tenants By The Entirety, their, personal representatives and assigns, in Fee Simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

GRANTOR:	
Henry Rossher Rossher	eal}
{S	eal}
{S	eal}
{S	eal}
	Menny Rossner {S Henry Rossner {S

STATE OF MARYLAND,

COUNTY, to wit:

I HEREBY CERTIFY, that on this day of, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Henry Roesner, Sole Owner, the GRANTOR herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My commission expires

Sharon Hayes

Notary Public Public

Baltimore County, MD

My Comm. Exps. 02/01/05

REVIEWED SDAT BY 4270S BY BATE

00217 644

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

David L. Thurston, Attorney

After recording return to: Crown Title Corporation 1 Sanford Avenue Catonsville, Maryland 21228 Phone: (410) 719-0200

Fax: (410) 719-020

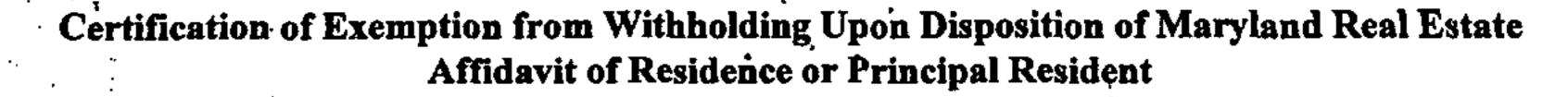
SUBSCRIBED AND SWORN to before me, a Notary Public in and for the State of Maryland, County of _____, this // day of Laguary 2005.

Notary Public

My Commission Expires:

Sharon Hayes
Notary Public
Baltimore County, MD
My Comm. Exps. 02/91/05

RUIOT

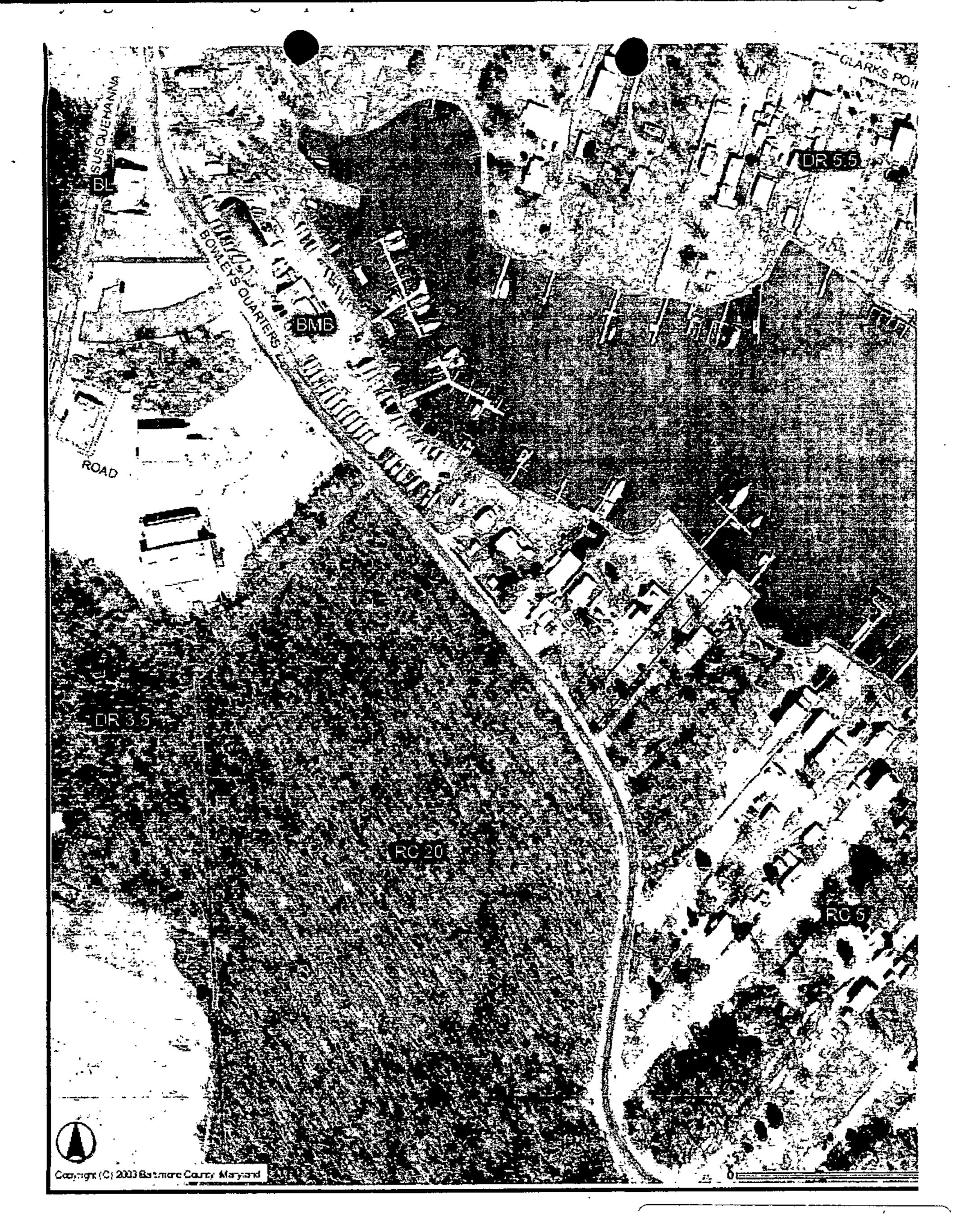


Based on the certification below, Transferor claims exemption from the tax withholding requirements of § 10-912 of Maryland's Tax General Article. Section 10-912 states that certain tax payments must be withheld when a deed or other instrument that affects a change in ownership of real property is recorded. The requirements of § 10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

ame of Transferor lenry Roesn	il. Medisioningion er	** * *** ****
· - ·		· · · · · · · · · · · · · · · · · · ·
	24-Prasson for Than	
Residens	1, Transferor, am a resident of the State of Maryland.	
STENCTIS	Transferor is a resident entity under § 10-912(A)(4) o Tax General Article, I am an agent of Transferor, authority to sign this document on Transferor's behalf.	▼
មិនប្រថ្មគ្គល់ លេខសាធាត	Although I am no longer a resident of the State of Maryla	and, the
सिक्सिक्रास	Property is my principal residence as defined in IRC § 12	21.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

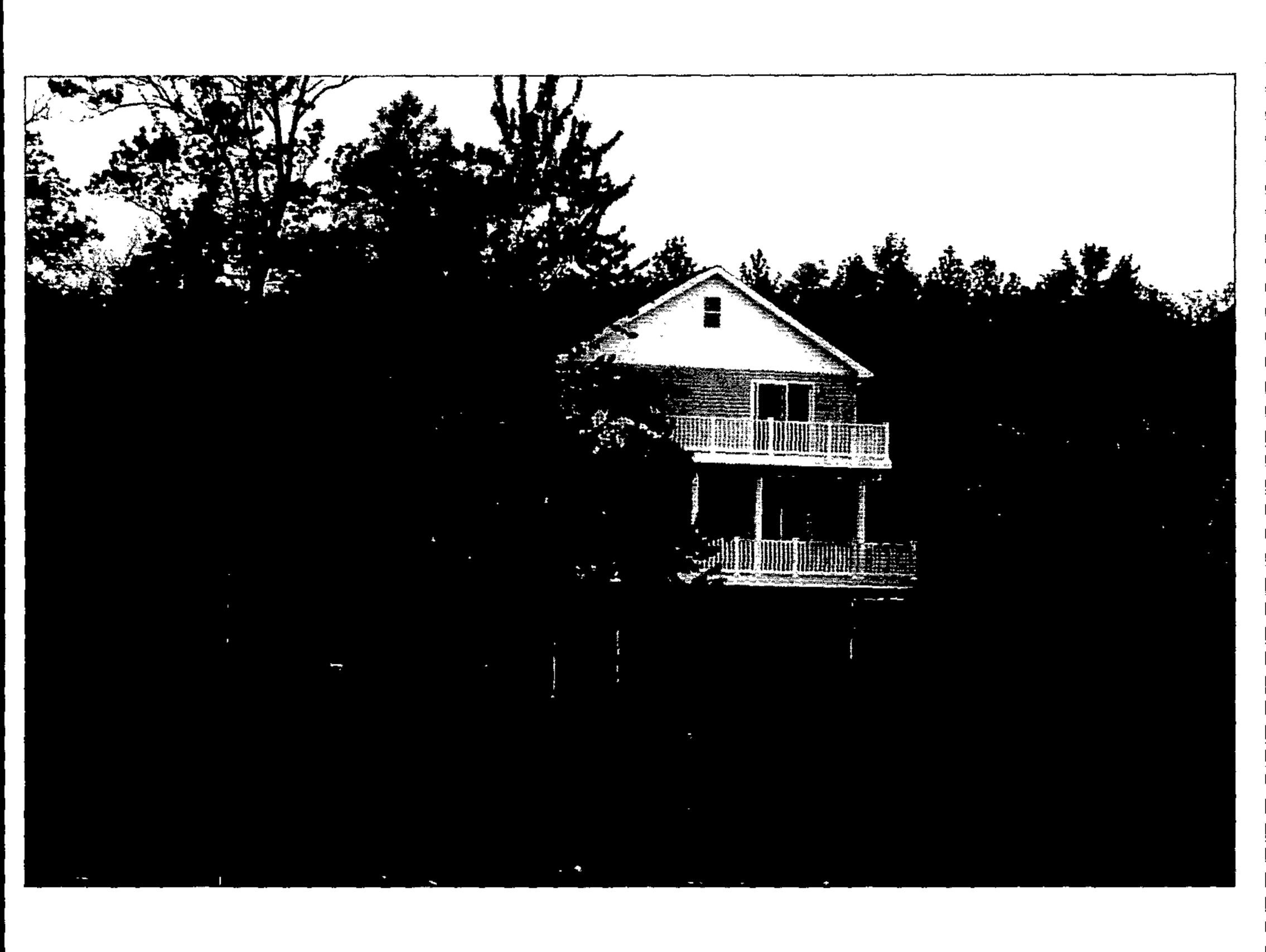
	er linglychien france
Witness	Henry Roesner Name Signature Name Signature
	So. Undividuencie
Witness/Attest	Name of Entity
	Bv:
-	
•	Name



http://bamaps1.co.ba.md.us/arcims_path/bcgims?ServiceName=wds&Clic PETITIONER'S



Lot 71 is vocant lot Lot 70 on right Let 72 on left



Waterview of Lot 70



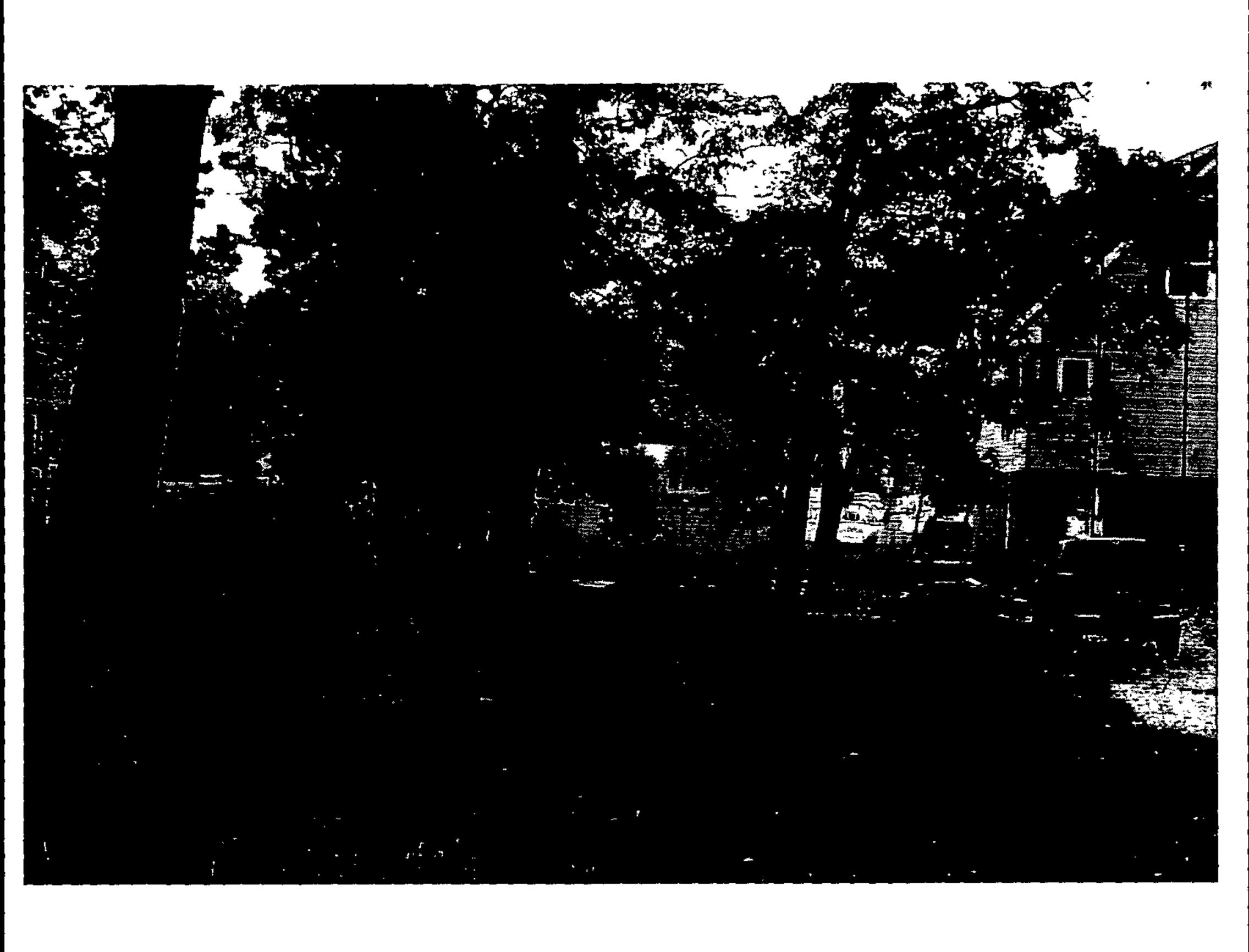
Struct view of Lot 70

Waterview of lot 71

#663

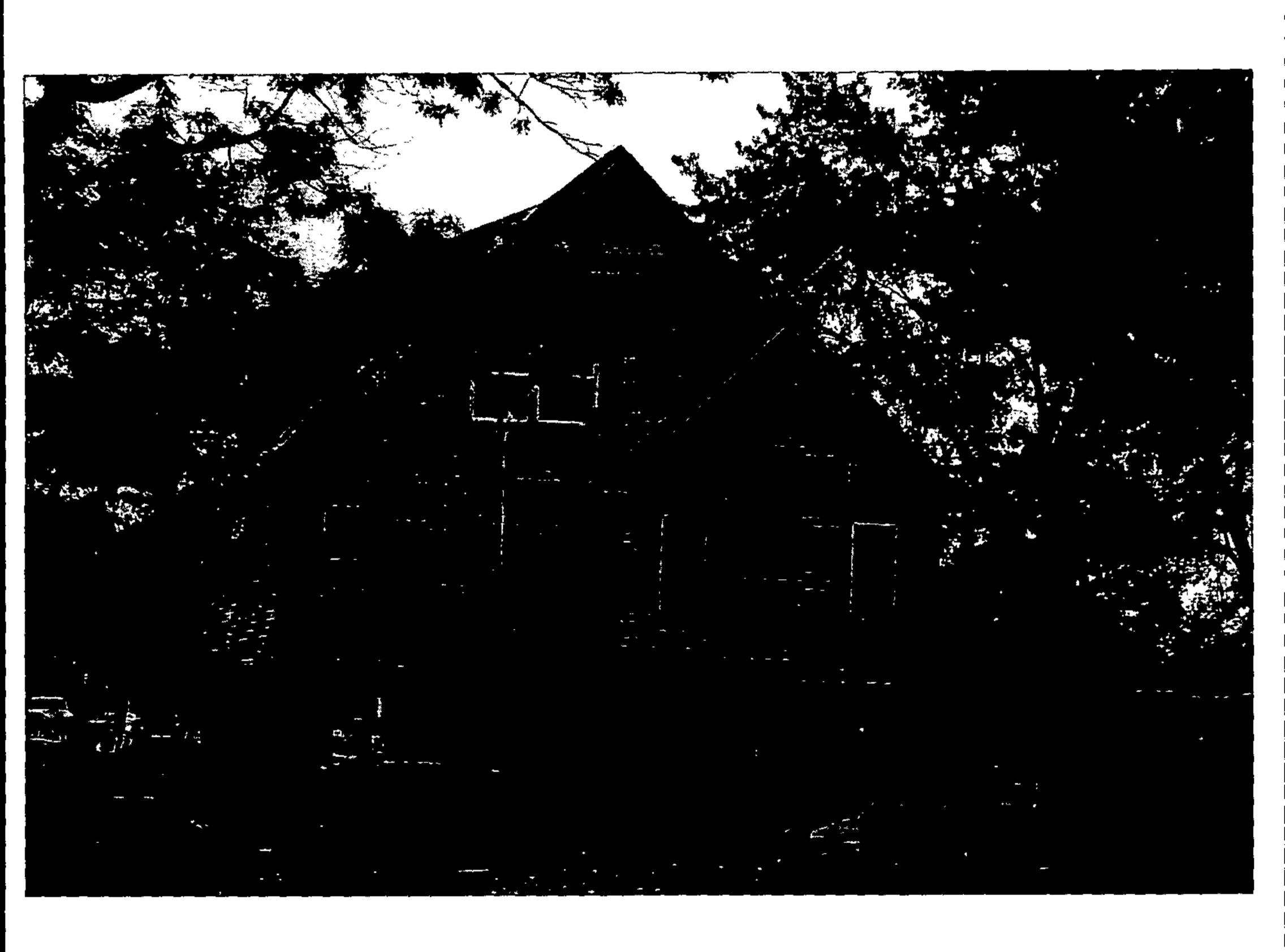


Lot 71 in middle (street view)

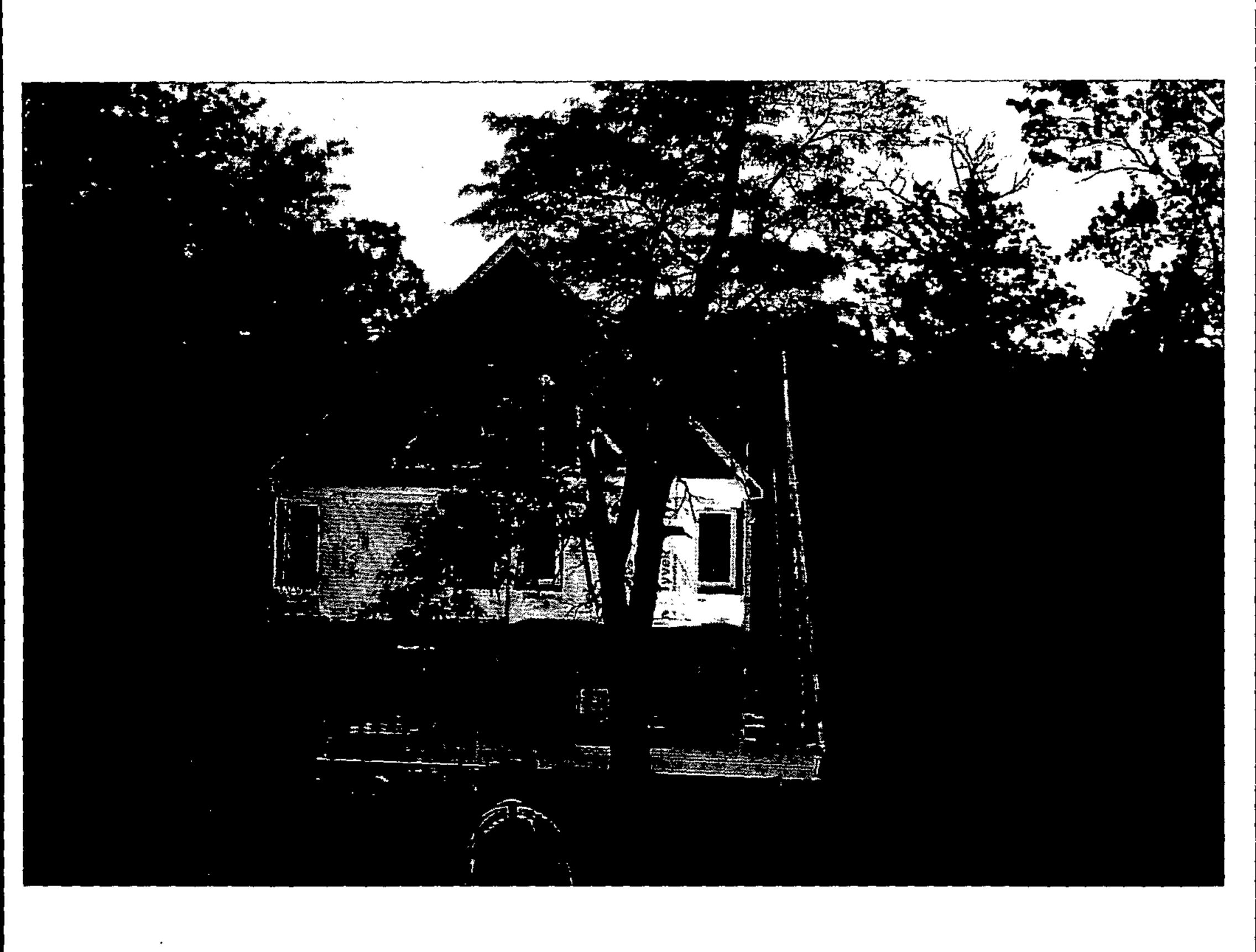


Lot 71 From Stront

#663



Street view of Lot 72



Waterview of lot 72

Looking NW on Bowleys Quarters Road



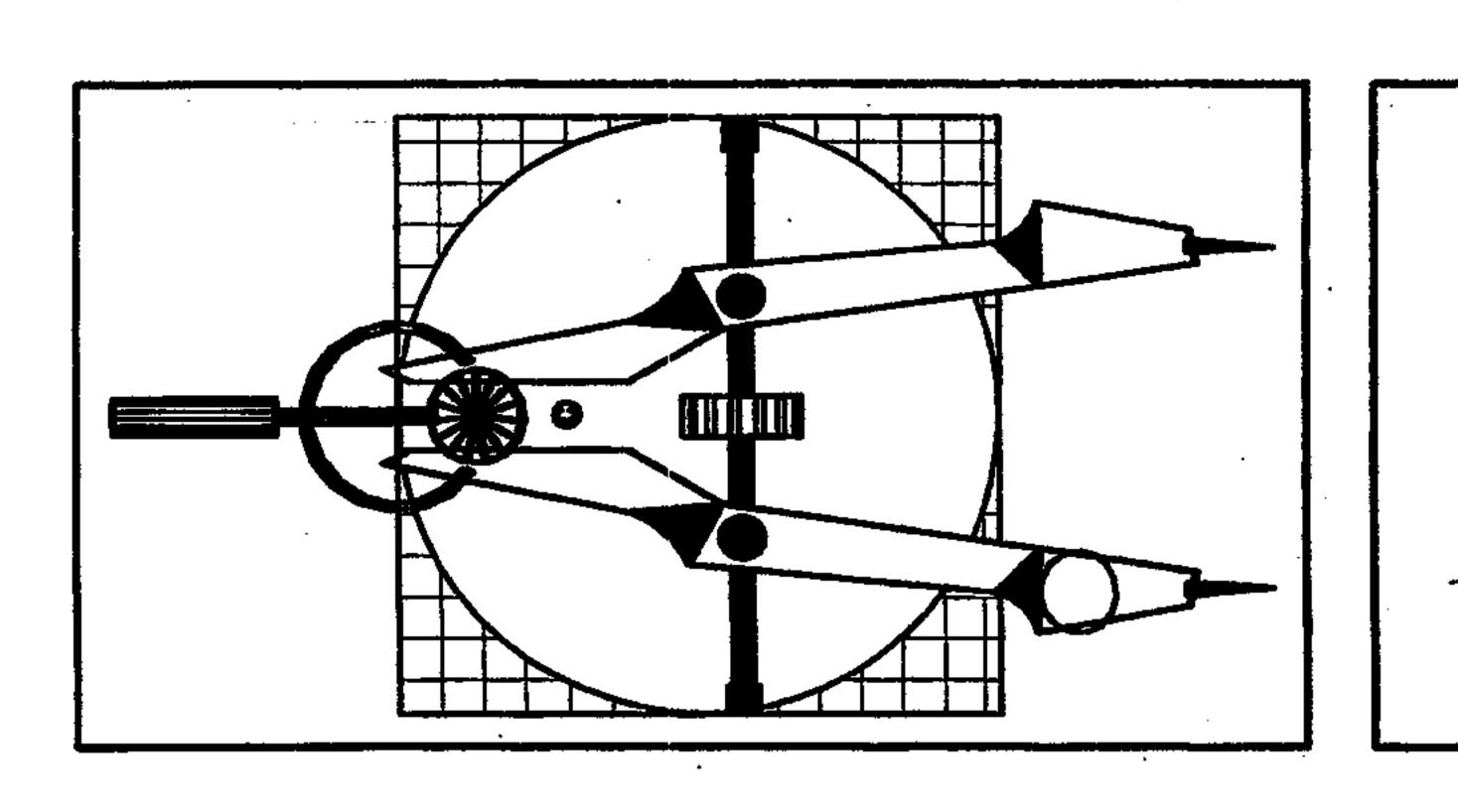
Looking South on bowlys Quarters Rd.

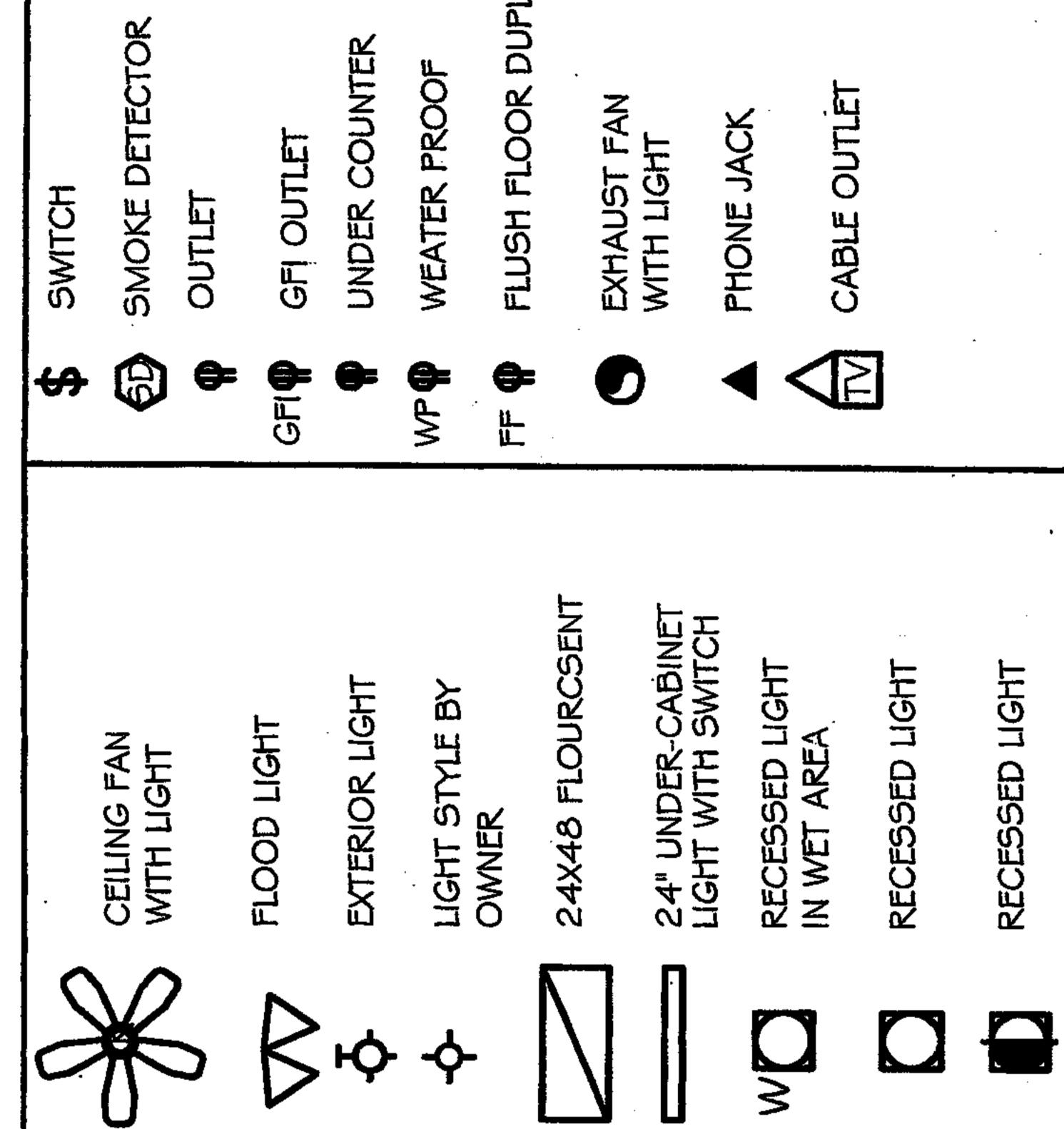
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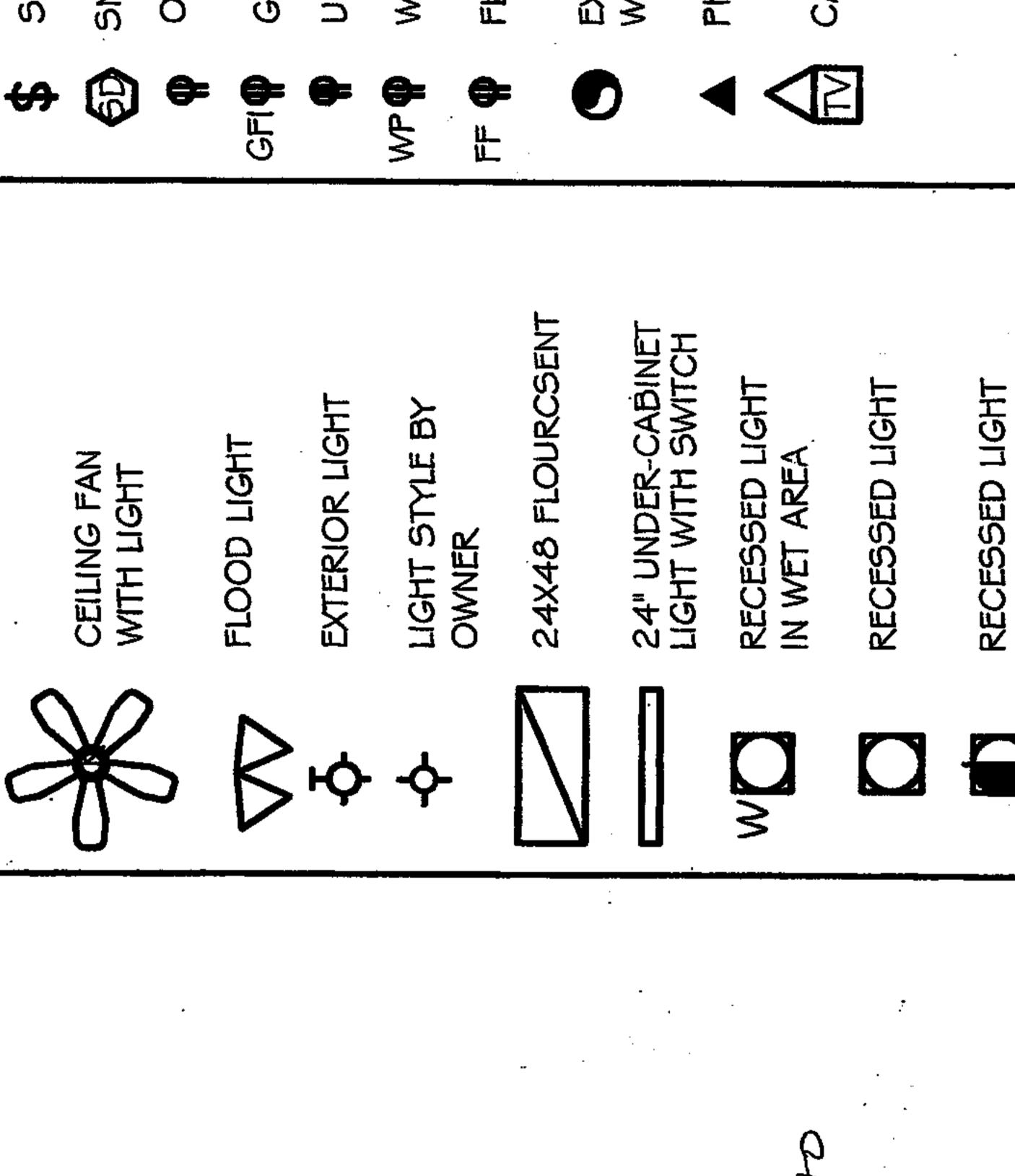
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PLANS@KIRKLANDDESIGNS.COM

E966 618 E48







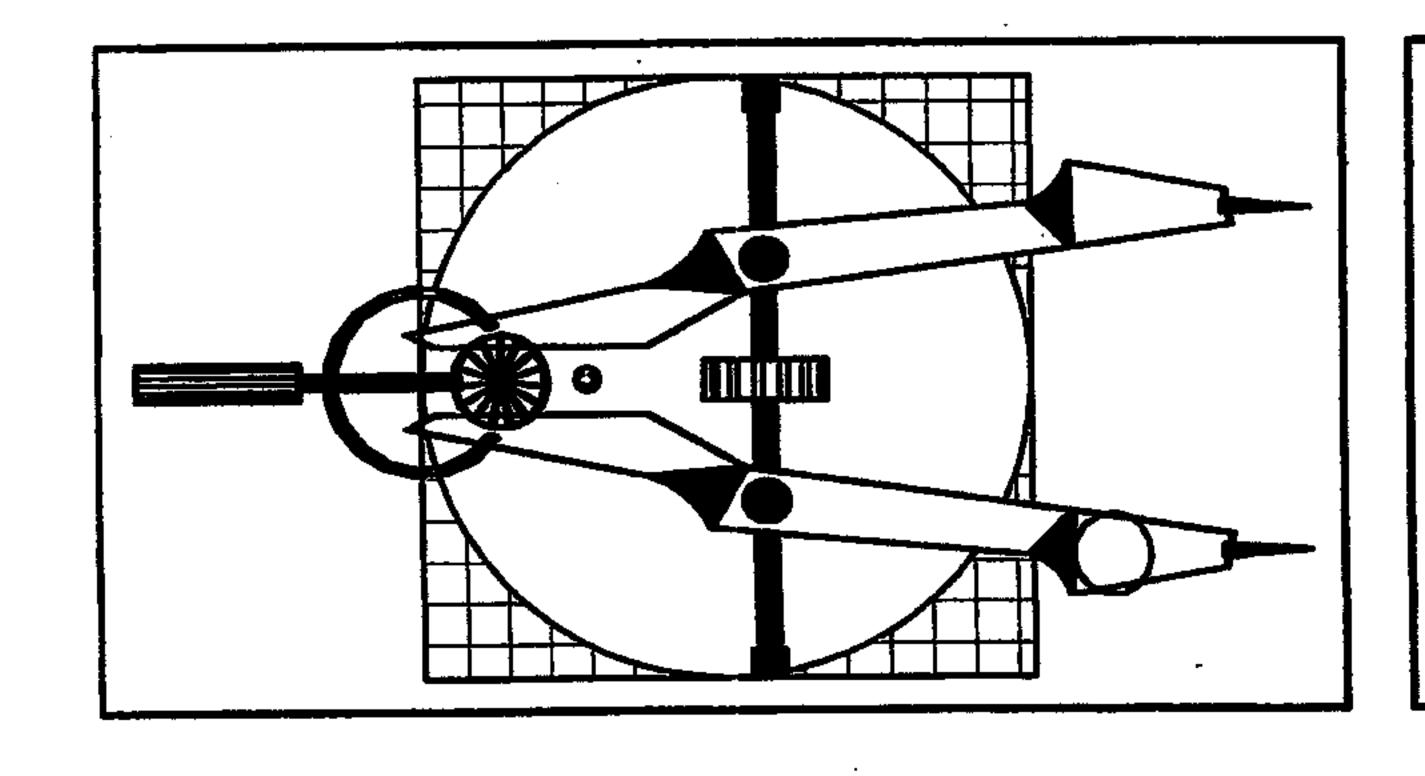
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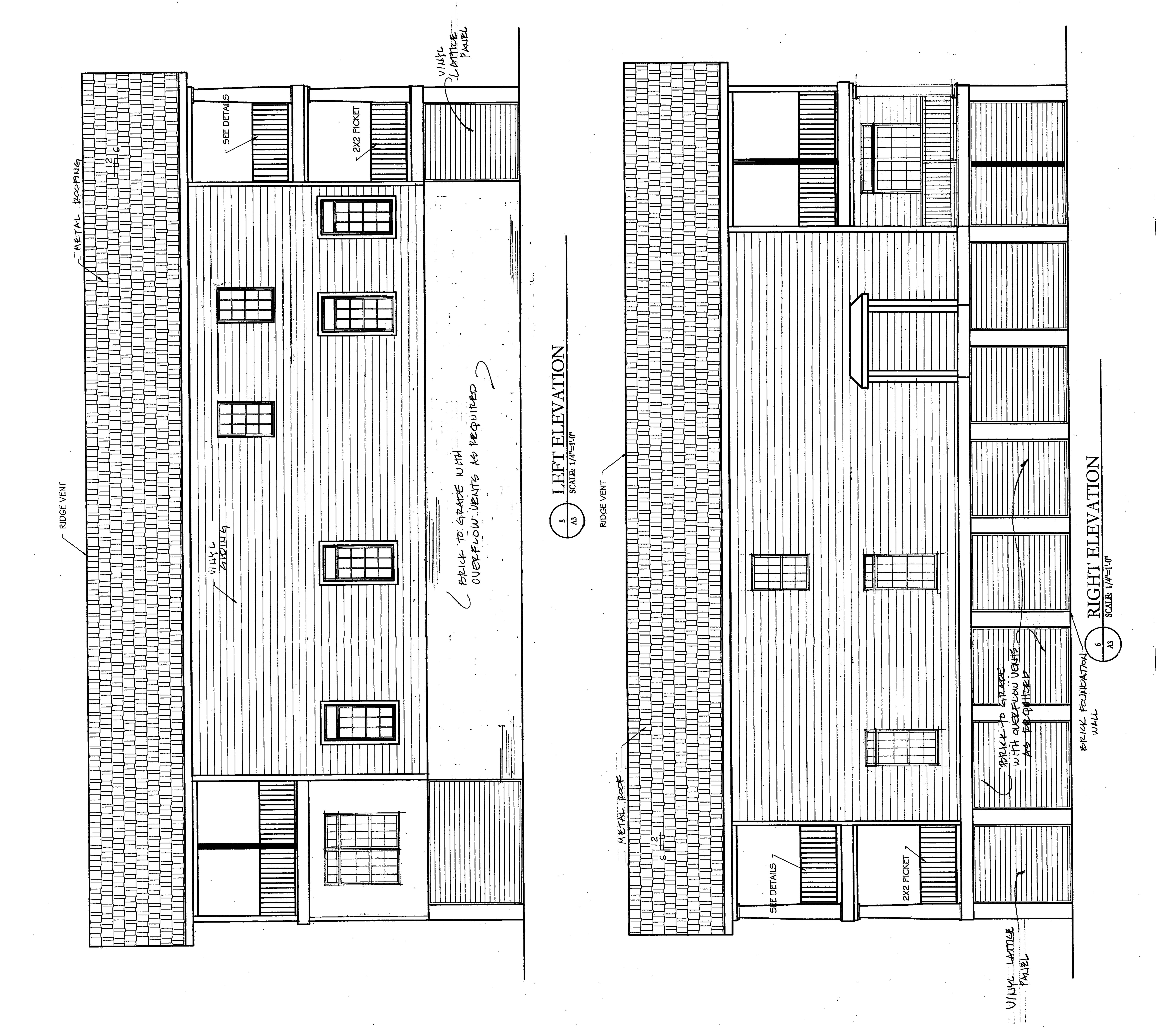
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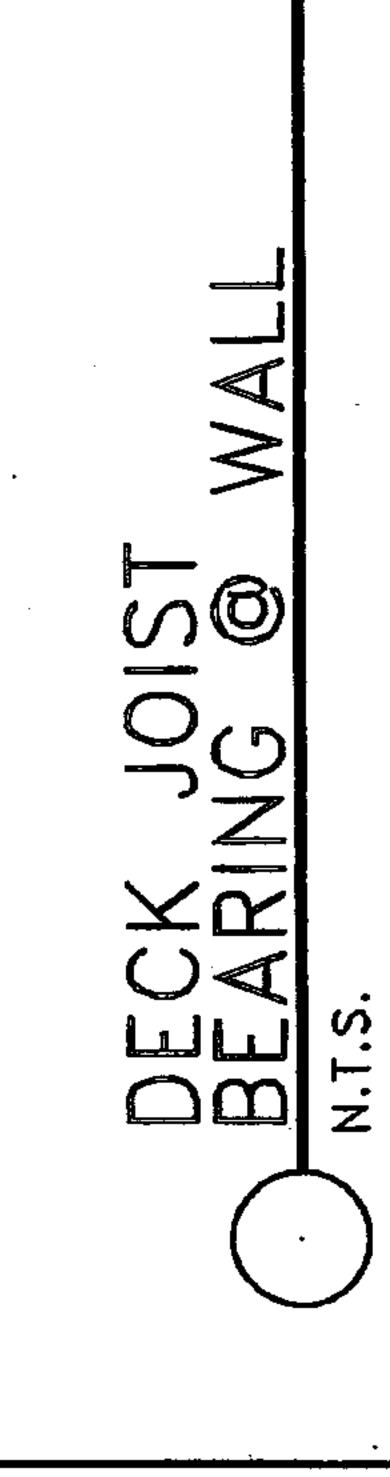
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PLANS@KIRKLANDDESIGNS.COM 9119 E118 20MINERAITTE' 2C 50483 222 VARIHELD DR.

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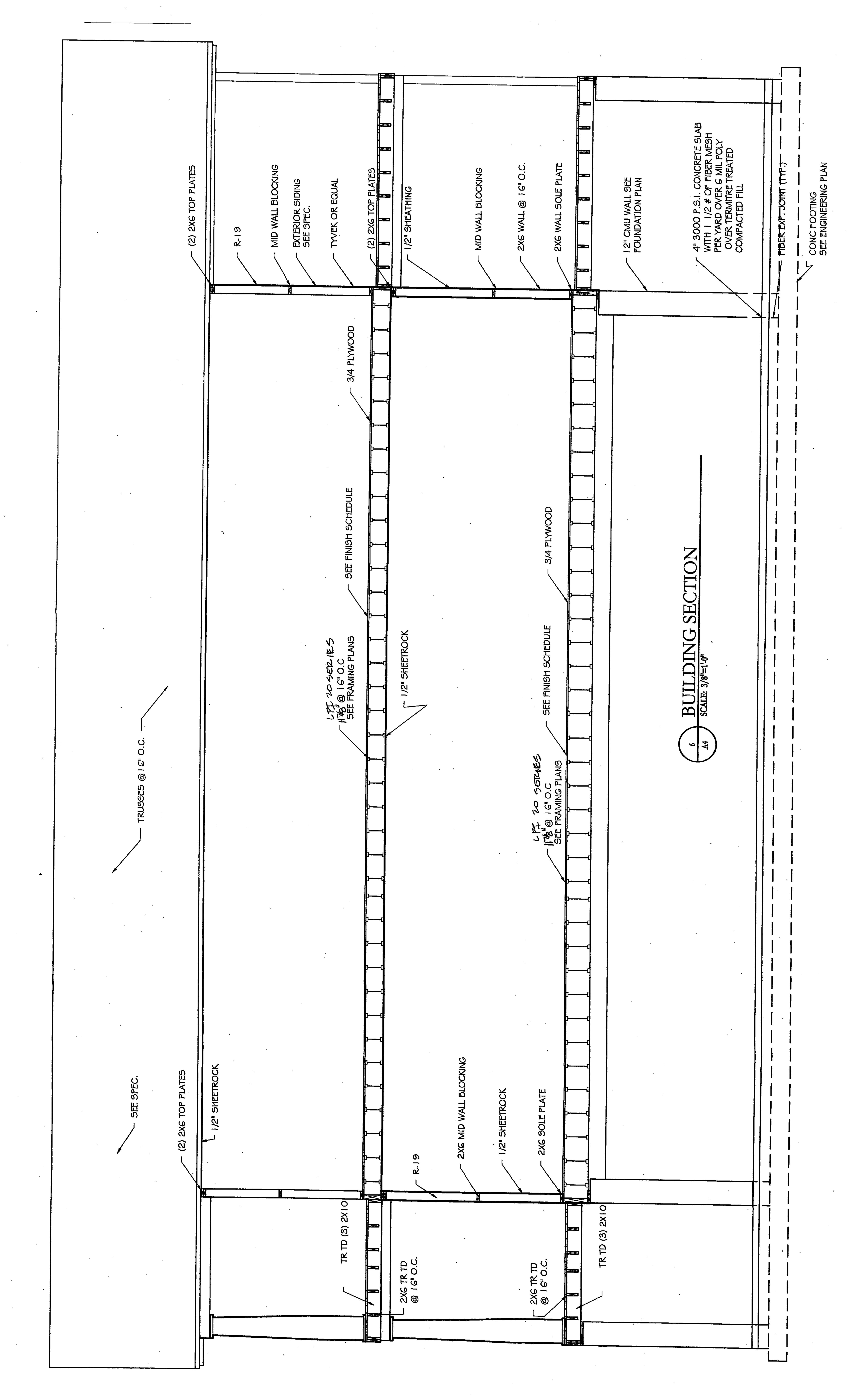







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PLANS@KIRKLANDDESIGNS.COM CHARLES KIRKLAND INC.





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