IN RE: PETITION FOR VARIANCE N/S Bowleys Quarters Road, 1,145'	*	BEFORE THE				
SE Clarks Point Road	*	ZONING OMMISSIONER				
(913 Bowleys Quarters Road ~	_					
Lot Nos. 65 & 66)	*	OF				
15 th Election District	a ta	DATES COLDER				
6 th Council District	*	BALTIMORE COUNTY				
John Bottaro, et ux Petitioners	*	Case No. 07-269-A				

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, John Bottaro, and his wife, Suzann Bottaro. The Petitioners request variance relief from Sections 1A04.3.B.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement dwelling with setbacks to lot lines as close as 14 feet and a deck (open projection) setback of 23 feet and a street centerline setback of 50 feet, in lieu of the required 50 feet, 37-½ feet and 100 feet, respectively. The subject property and requested relief are more particularly described on the amended redlined 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 John Bottaro, property owner, and Bernadette Moskunas, of Site Rite Surveying, Inc., the consultants who assisted the Petitioner's in the filing process. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the property under consideration consists of two lots of record (Lot 65 and 66) and when combined form an irregular, rectangular shaped waterfront parcel located with frontage on Seneca Creek on the northwest side of Bowleys Quarters Road in eastern Baltimore County. The properties contain a gross area of 0.33

acres, more or less, zoned R.C.5 and improved (Lot 66) with a small one-story dwelling featuring a deck and large shed. As is often the case with older subdivisions, the Bowleys Quarters community was laid out many years ago (April 16, 1921), well prior to the adoption of any zoning regulations in Baltimore County. Thus, many of the lots in the neighborhood are undersized and do not meet current area and width requirements. As shown on the site plan, the subject property is 100' wide and 130' deep on its east side and 84' deep on the west side and thus, is clearly undersized by today's standards.

Testimony indicated that the Petitioner's have owned the subject property since 1998 and have used it as a summer home. As shown on the site plan, the Bottaro's are desirous of removing all of the existing improvements, with the exception of the pier, and propose to construct a two-story dwelling, approximately 54' wide x 38' deep, to include in-law quarters and deck. The dwelling is proposed to be centered on the lot; however, given the shape of the property, both ends of the dwelling and the northwest corner of the deck extend into the front and side setbacks, thereby necessitating the requested variance relief. Current regulations require a minimum lot area of 1.5 acres, and side setbacks of no less than 50 feet for R.C.5 zoned land. In support of the request, Mr. Bottaro discussed his proposal with the adjacent neighbors at 915 Bowleys Quarters Road, the Carvella family, who have no objections and support the proposal. On the west side of the subject property is an in-use commercial marina. Ms. Moskunas points out that the R.C. 5 zoning classification was placed on the properties when utility services were non-existent and now that they have been provided the zoning classification should rightly be changed to D.R.5.5. Further, she indicates that all of the lots in this community are 50' wide and many of the existing homes were built on 50' lots (see Petitioner's Exhibit 4 – Topographical Map demonstrating the pattern of development). Thus, she submits that the relief requested is

Date 2-21-07 By LINES

appropriate and is consistent with the neighborhood. In response to the Bureau of Development Plans Review comment, dated January 3, 2007, Ms. Moskunas redlined the site plan to show an ultimate right-of-way width for Bowleys Quarters Road as 60'.

I find that special circumstances or conditions exist that are peculiar to the land or structure which is subject to the variance request. The amended site plan shows a 100' wide lot at Bowleys Quarters Road narrowing at the Seneca Creek property line. I find that strict compliance with the zoning regulations of Baltimore County would result in practical difficulty. There is no land on either side of the lot for the Petitioner's to acquire and avoid the variance request. They cannot meet the regulations under any circumstance; however, the Petitioner's have satisfied the requirements of Section 307 for relief to be granted. The regulations require a 50' setback from either side yard lot line. No increase in residential density beyond that otherwise allowable by the zoning regulations will result by granting these variances. Finally, I find that these variances shall be granted in strict harmony with the spirit and intent of the said regulations, and in such a manner as to grant relief without injury to the public, health, safety or general welfare. The proposed replacement home will be compatible with the pattern of development of the neighborhood.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of February 2007 that the Petition for Variance seeking relief from Sections 1A04.3.B.2.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a replacement dwelling with setbacks to lot lines as close as 14 feet and a deck (open projection) setback of 23 feet and a street centerline setback of 50 feet, in lieu of the required 50 feet, 37-1/2

feet and 100 feet, respectively, for a proposed dwelling, in accordance with Petitioner's amended 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. Compliance with the ZAC comments submitted by DEPRM and the Development Plans Review Division of DPDM relative to Chesapeake Bay Critical Area 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, dated February 7, and January 3, 2007, respectively, have been attached hereto and made a part hereof.
- 3. The Petitioner's shall provide landscaping along the public road for both properties, and submit building elevation drawings of the proposed dwelling to the Office of Planning prior to the issuance of any permits. The proposed dwelling shall be compatible to the exterior elevations submitted at the hearing and marked as Petitioner's Exhibit 3. With regard to the in-law quarters shown on Petitioner's Exhibits 1 and 3, an application must be submitted through the Zoning Review Office of the Department of Permits and Development Management for approval and filing of the requisite declaration.
- 4. When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

WJW:dlw

WILLIAM J. WISEMAN, III Zohing Commissioner

for Baltimore County

4BW 2/12

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination 5wc

DATE:

February 7, 2007

SUBJECT:

Zoning Item

07-269-A

Address

913 Bowleys Quarters Road

(Bottaro Property)

Zoning Advisory Committee Meeting of December 25, 2006

_____ 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 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

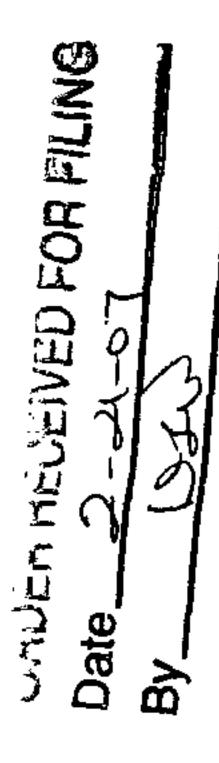
_X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer:

T. Krispin

Date: 1/29/07



ZAC 07-269-AS:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2007\ZAC 07-269-A.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 3, 2007

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 1, 2006 Item No. 07-269

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

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

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.

The ultimate right-of-way width for Bowleys Quarters Road is 76-feet. Show the right-of-way for Bowley's Quarters Road centered on existing 30-foot right-of-way and adjust the setback accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 07-269-01022007.doc

Date 2 21-57

By USENCE TOR FILING

200



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

February 21, 2007

Ms. Bernadette Moskunas Site Rite Surveying, Inc. 200 East Joppa Road, Suite 101 Towson, MD 21286

RE: PETITION FOR VARIANCE

N/S Bowleys Quarters Road, 1,145' SE Clarks Point Road (913 Bowleys Quarters Road – Lot Nos. 65 & 66)
15th Election District - 6th Council District
John Bottaro, et ux - Petitioners
Case No. 07-269-A

Dear Ms. Moskunas:

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

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

c: Mr. John Bottaro, 719 Ridge Road, Lewisberry, PA 17339 Chesapeake Bay Critical Area Commission, 1804 West Street, Suite 100, Annapolis, Md. 21401 Development Plans Review; DPDM; DEPRM; People's Counsel; Case File



High for Variance

to the Zoning Commissioner of Baltimore County

Lot # 65 &
for the property located at 913 Bowleys Quarters Rd. (Lot #66)

	which is presently zonedRC5
owner(s) of the property situate in Baltimore County and wand made a part hereof, hereby petition for a Variance from 301. 1 (BCZR) TO PERMIT A REPLACEM LINES OF ASCLOSE AS 14 FT. AND A DECK OF A STREET CENTER LINE SETBACK OF 50 FT.) IN 100 FT. RESPECTIVELY of the Zoning Regulations of Baltimore County, to the cindicate hardship or practical difficulty)	which is described in the description and plat attached hereto is Section(s) AOA, 3, B. 2. b (BCCR) AND FUT DWELLIMS WITH SETBACKS TO LOT (OPEN PROJECTION) SETBACK OF 23 FT AND ILIEU OF THE REQUIRED 50 FT., 372 FT., AND ZONING law of Baltimore County, for the following reasons:
Property is to be posted and advertised as prescribed by the l, or we, agree to pay expenses of above Variance, advertising, percepulations and restrictions of Baltimore County adopted pursuant	osting, etc. and further agree to and are to be bounded by the zoning
	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):

Contract Purchaser/Lessee:

CAUCA HEURIVED FOR FILING

REV 9/15/98

John Bottaro Name - Type or Print Name - Type or Print Signature Signature Suzann Bottaro Name - Type or Print Telephone No. Address Zip Code Signature State City (717) 938~9770 719 Ridge Road Attorney For Petitioner: Telephone No. Address 17339 Lewisberry PA Zip Code State City Name - Type or Print Representative to be Contacted: Signature Site Rite Surveying, Inc. Name Company 200 E. Joppa Road, Suite 101 (410) 828-9060 Telephone No. Address Telephone No. Address Zip Code Zip Code State City State City OFFICE USE ONLY Case No. _

REASONS TO ACCOMPANY VARIANCE PETITION

- 1. EXISTING LOTS OF RECORD PER "BOWLEYS QUARTERS" PLAT RECORDED APRIL 16,1921. THERE IS NO CONTIGUOUS OWNERSHIP TO ACCOMMODATE THE CURRENT B.C.Z.R.
- 2. THERE IS AN EXISTING DWELLING ON SAID PROPERTY OF WHICH THE OWNERS ARE LOOKING TO REPLACE. THE CONFIGURATIONAND SIZE OF THE LOT RESTRICTS COMPLIANCE WITH R.C.5 REGULATIONS.
- 3. THIS REQUEST IS WITHIN THE SPIRIT AND INTENT OF THE ZONING REGULATIONS AND WOULD NOT ADVERSELY AFFECT THE HEALTH, WELFARE OR SAFETY OF THE SURROUNDING COMMUNITY. STRICT COMPLIANCE WITH THE REGULATIONS WOULD PROHIBIT THE PERMITTED USE OF SAID PROPERTY.

ZONING DESCRIPTION FOR #913 BOWLEYS QUARTERS ROAD

BEGINNING AT A POINT ON THE NORTHEAST SIDE OF BOWLEYS
QUARTERS ROAD WHICH IS 30 FEET WIDE AT THE DISTANCE OF
1145 FEET SOUTHEAST OF THE CENTERLINE OF CLARKS POINT
ROAD WHICH IS 40 FEET WIDE. BEING LOT NOS. 65 AND 66 IN
THE SUBDIVISION OF "BOWLEYS QUARTERS" AS RECORDED IN
BALTIMORE COUNTY PLAT BOOK NO. 7, FOLIO NO. 13,
CONTAINING 0.3301 ACRES, MORE OR LESS. ALSO KNOWN AS
#913 BOWLEYS QUARTERS ROAD AND LOCATED IN THE 15TH
ELECTION DISTRICT, 6TH COUNCILMANIC DISTRICT.

MICHAEL V. MOSKUNAS REG. NO. 21175

SITE RITE SURVEYING, INC. 200 E. JOPPA ROAD ROOM 101, SHELL BUILDING TOWSON, MD 21286 (410)828-9060

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POTACE OF ZONING THE ARING

J. WISEMAN, III

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Gommissioner's Office at (410) 887-3868.

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

1/295 Jan. 25 WILLIAM Zoning Co NOTES:

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

如 The Jeffersonian

- Arbutus Times
- Catonsville Times
 - Towson Times
- NE Booster/Reporter Owings Mills Times
 - North County News

Wullus

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 07-269-4

Petitioner/Developer: John & SUZAN BOTTARO

Date of Hearing/Closing: FEB, 12, 7007

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

Attention: Christen Matthews

PONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

TO CONFIRM MEARING CALL \$27-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

 Ladies and Gentlemen: This letter is to c	ertify under the	penalties of perjury that the	ne necessary sign(s)
required by law were posted conspicuous			
# 913 Bo	WUSYS	QUARTERS	ROAD_
······································			
The sign(s) were posted on	0-12		(, 25, 2007
		(Month, Day, Year)	per Mr. Moore no telephone 2/5/09
		Sincerely,	telephone 2/5/01
ZONING NOTICE		Darleen (Signature	of Sign Poster and Date)
CASE # 07-269-A			o E, Moore
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD		3225 R	(51250AL CIRCLE (Address)
PLACE: TOWSON, MD. ZIZO4 DATE AND TIME: AT 11:00 AM.			212€, MD, 21227 State, Zip Code)
REQUEST: VARIANCE TO PERMIT A REPLACEMENT DWELLING WITH SETBACKS TO LOT LINES OF AS CLOSE AS 14 FEET AND A DECK (OPEN PROJECTION) SETBACK OF 23 FEET AND A STREET CENTERLINE SETBACK OF SOFEET, IN LIEU OF THE REQUIRED		(410) 24	42-4263
SUFEET, 37.5 FEET AND 1,000 FEET RESPECTIVELY		(Teleph	one Number)



: JAN 2 9 2007

-ARE: PETITION FOR VARIANCE

913 Bowleys Quarters Rd; Lot #65 & #66; N/S

Bowleys Quarters Rd, 1,145' SE Clarks Point Rd*

15th Election & 6th Councilmanic Districts

Legal Owner(s): John & Suzann Bottaro

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-269-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

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 4th day of January, 2007, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

RECEIVED

JAN 0 4 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....



JAMES T. SMITH, JR. County Executive

TIMPOUTRY M. 2007 ROCO, Director

Department of Permits and

Development Management

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: 07-269-A

913 Bowleys Quarters Road (Lots 65 & 66)
Northside of Bowleys Quarters Road, 1,145 feet southeast of Clarks Point Road
15th Election District – 6th Councilmanic District
Legal Owners: John & Suzann Bottaro

<u>Variance</u> to permit a replacement dwelling with setbacks to lot lines of as close as 14 feet and a deck (open projection) setback of 23 feet and a street centerline setback of 50 feet, in lieu of the required 50 feet, 37.5 feet and 1,000 feet respectively.

Hearing: Monday, February 12, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: John & Suzann Bottaro, 719 Ridge Road, Lewisberry, PA 17339 Site Rite Surveying, Inc., 200 E. Joppa Road, Ste. 101, Towson 21286

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 27, 2007.
 - (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.

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: () (× 6 4
Petitioner: Juhn Bottavo
Address or Location: 113 Bowles Ques Ques Poal
PLEASE FORWARD ADVERTISING BILL TO:
Name: JOHN BOTTONO
Address: 719 Ridge Poad
Lewis benn PA 17339
Telephone Number: 1-717- 938- 9770

LETTER OF TRANSMITTAL

Site Rite Surveying, Inc.

DIRECT CORRESPONDENCE TO:

Shell Building, Room 101 200 East Joppa Road Towson, Maryland 21286

			410-828-9060 Fax 410-828-9066								
TO: MV	. Wm	Wiseman	DATE: 21607								
Zow		mm3510her	SUBJECT: (00 Nº- 07-269 -A								
^	om/40	5	13 Banus Quarters Road								
ATTENTI			OUR FILE: 323								
WE ARE,	☐ HER	EWITH ER SEPERATE COVER, ^T	RANSMITTING VIA, U.S. MAIL () THE FOLLOWING:								
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DATE: ______

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 3, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 1, 2006 Item No. 07-269

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

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

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.

The ultimate right-of-way width for Bowleys Quarters Road is 70-feet. Show the right-of-way for Bowley's Quarters Road centered on existing 30-foot right-of-way and adjust the setback accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 07-269-01022007.doc.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 5, 2007

John Bottaro Suzann Bottaro 719 Ridge Road Lewisberry, PA 17339

Dear Mr. and Mrs. Bottaro:

RE: Case Number: 07-269-A, 913 Bowleys Quarters Road, Lot #65 and Lot #66

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 11, 2006.

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

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

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

U. Callibal)

WCR:amf

Enclosures

c: People's Counsel Site Rite Surveying, Inc. 200 E. Joppa Road, Suite 101 Towson 21286



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1 - 2 - 2007

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

RE: Baltim

Baltimore County

Item No. 7 - 265-A

913 BOWLEYS QUARTERS RD

BOTTARD PROPERTY

VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 7-269A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Engineering Access Permits

Division

SDF/MB

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 December 21,2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 25, 2006

Item Number(s): 267 trough 269 and 271 through 280

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.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

913 Bowleys Quarters Road

INFORMATION:

Item Number:

7-269

Petitioner:

John Bottaro

Zoning:

RC 5

Requested Action: Variance

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DATE: January 16, 2007

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. 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.
- 5. Provide landscaping along the public road.

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

Prepared By:

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: January 3, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For January 1, 2006 Item No. 07-269

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

The base flood elevation for this site is 10.2 feet Baltimore County Datum.

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.

The ultimate right-of-way width for Bowleys Quarters Road is 76-feet. Show the right-of-way for Bowley's Quarters Road centered on existing 30-foot right-of-way and adjust the setback accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 07-269-01022007.doc

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BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JWL

DATE:

February 7, 2007

SUBJECT:

Zoning Item # 07-269-A

Address

913 Bowleys Quarters Road

(Bottaro Property)

Zoning Advisory Committee Meeting of December 25, 2006

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 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and

Additional Comments:

Reviewer:

T. Krispin

Date: 1/29/07

other Sections, of the Baltimore County Code).

PLEASE PRINT CLEARLY

CASE NAME 913 BOW WAS GUANDARDS CASE NUMBER 07-269-A DATE 2/12/07

PETITIONER'S SIGN-IN SHEE

E-MAIL												
CITY, STATE, ZIP	,	Erry PA										
ł	200 E. Joppa Road Bowloll											
NAME	SK KIK SUMMING	John Soft Was										



Zoming Map: 091B3 #913 Bowleys avanders Road

269

Page No.: 07-269-A 913 Boukeys QUARTERS RD

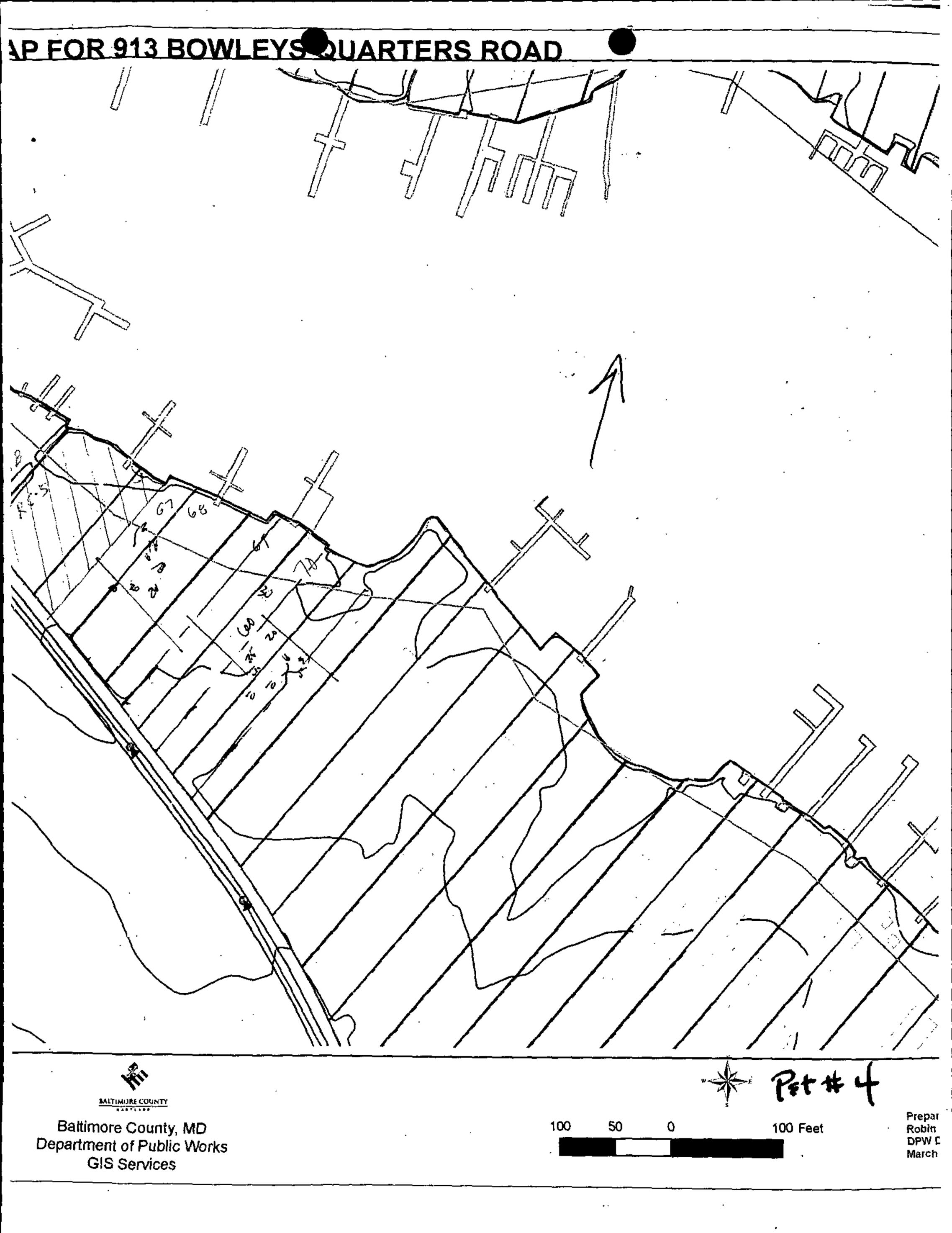
Exhibit Sheet

Petitioner/Developer

7

Protestant

NT - 1	<u></u>	<u></u>
NO. 1	AMENDED REDLINED 5, to PLAN	
No. 2	RECORD PLAT	
No. 3	BLOG ELEVATIONS	
No. 4	615 MAP	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



HOUSE OF THE WEEK

Plan DRU-3923

Price Code: B (SEE ORDER FORM)

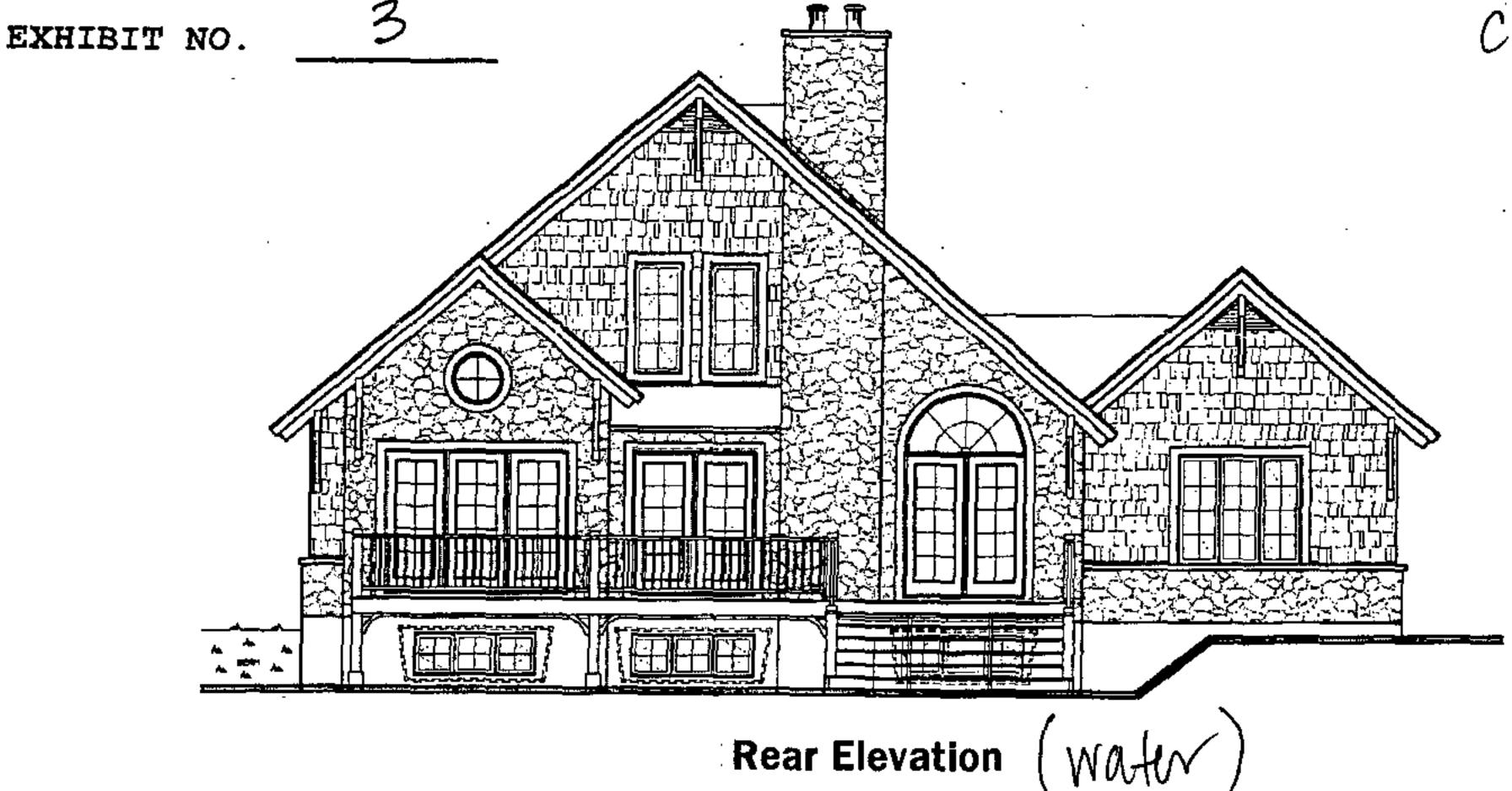
Exterior Elevations



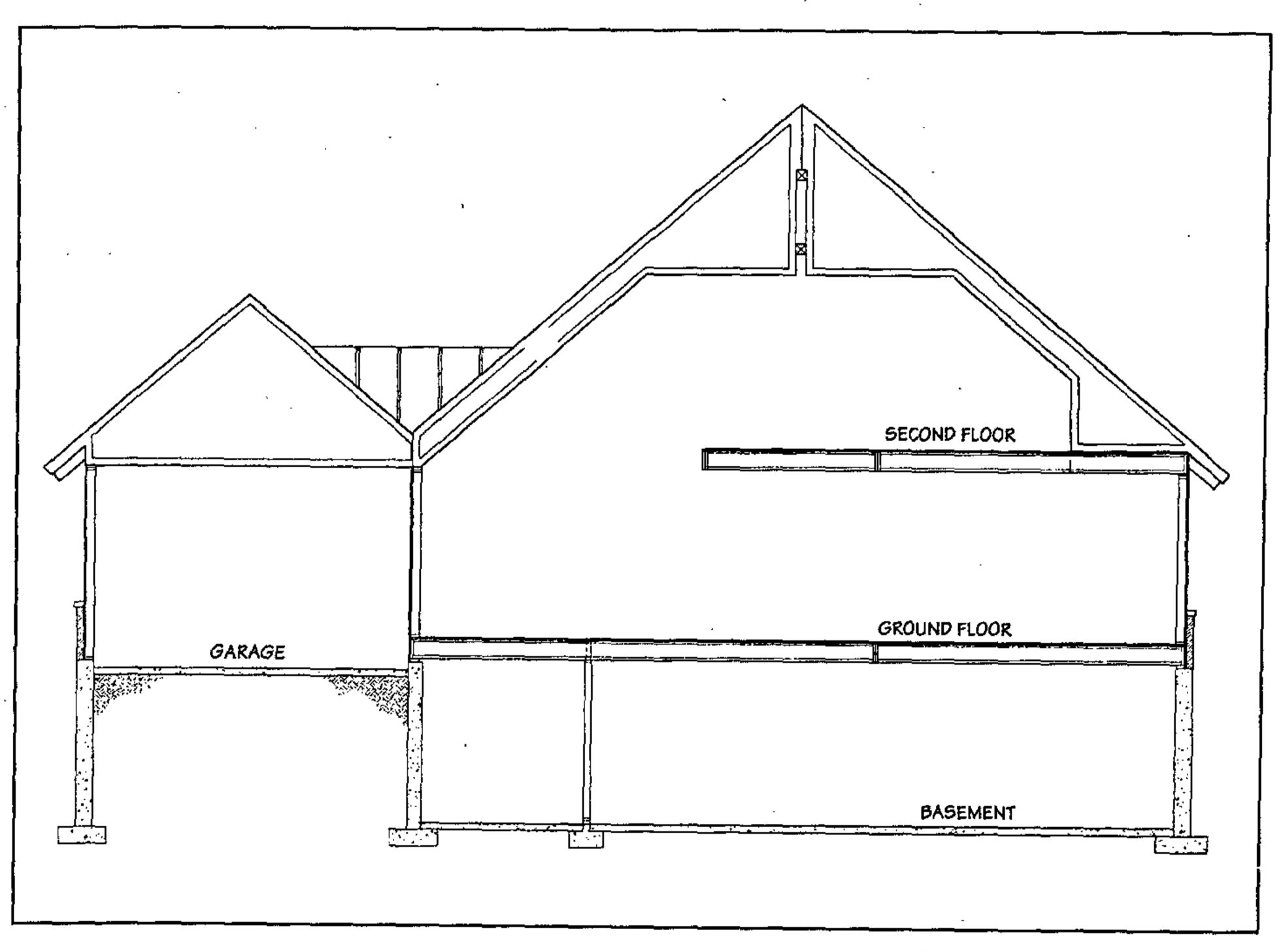
Front Elevation Poad

foundation walls to meet CBCA reg.





Cross Section



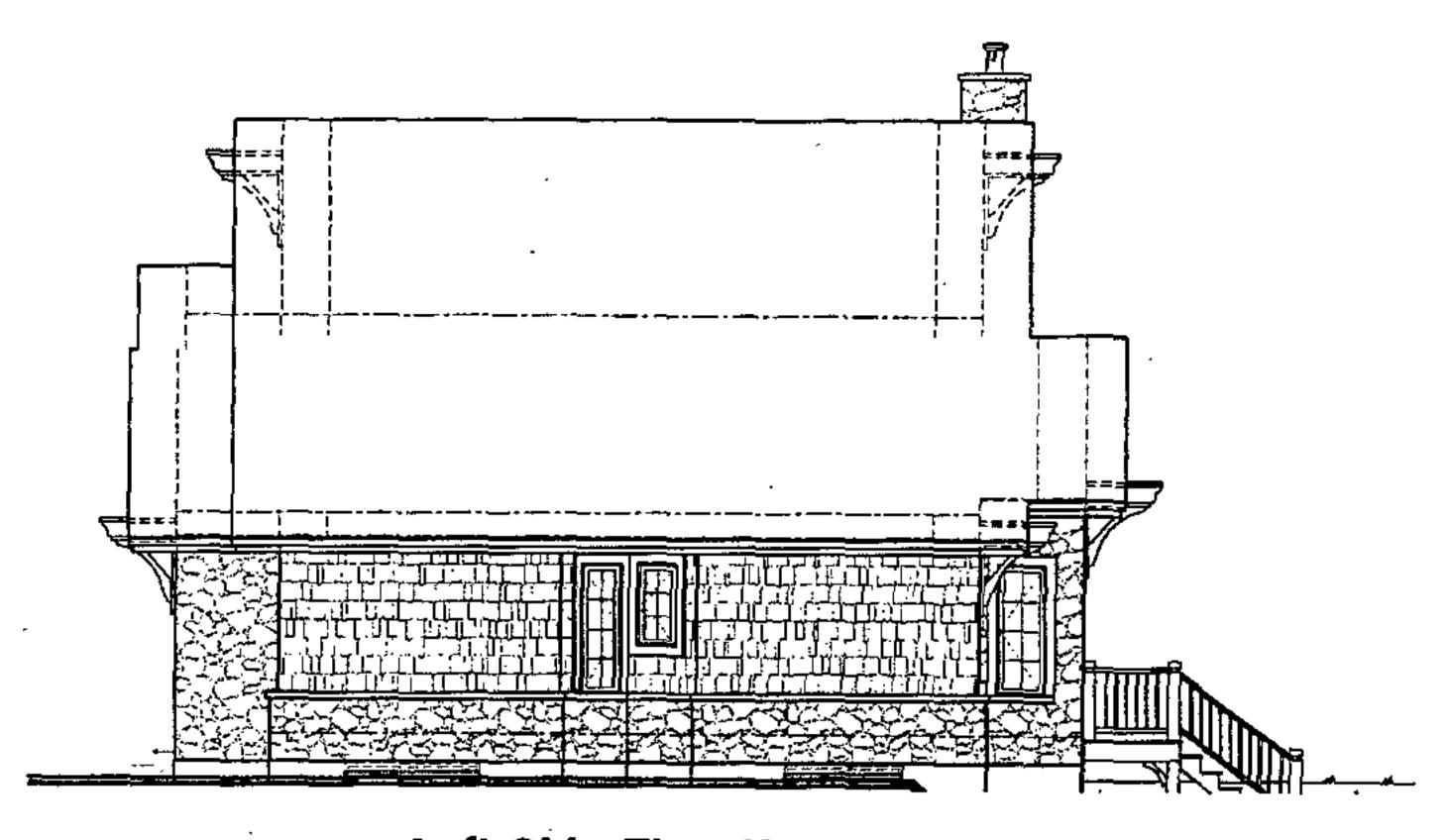
Cross Section

HOUSE OF THE WEEK

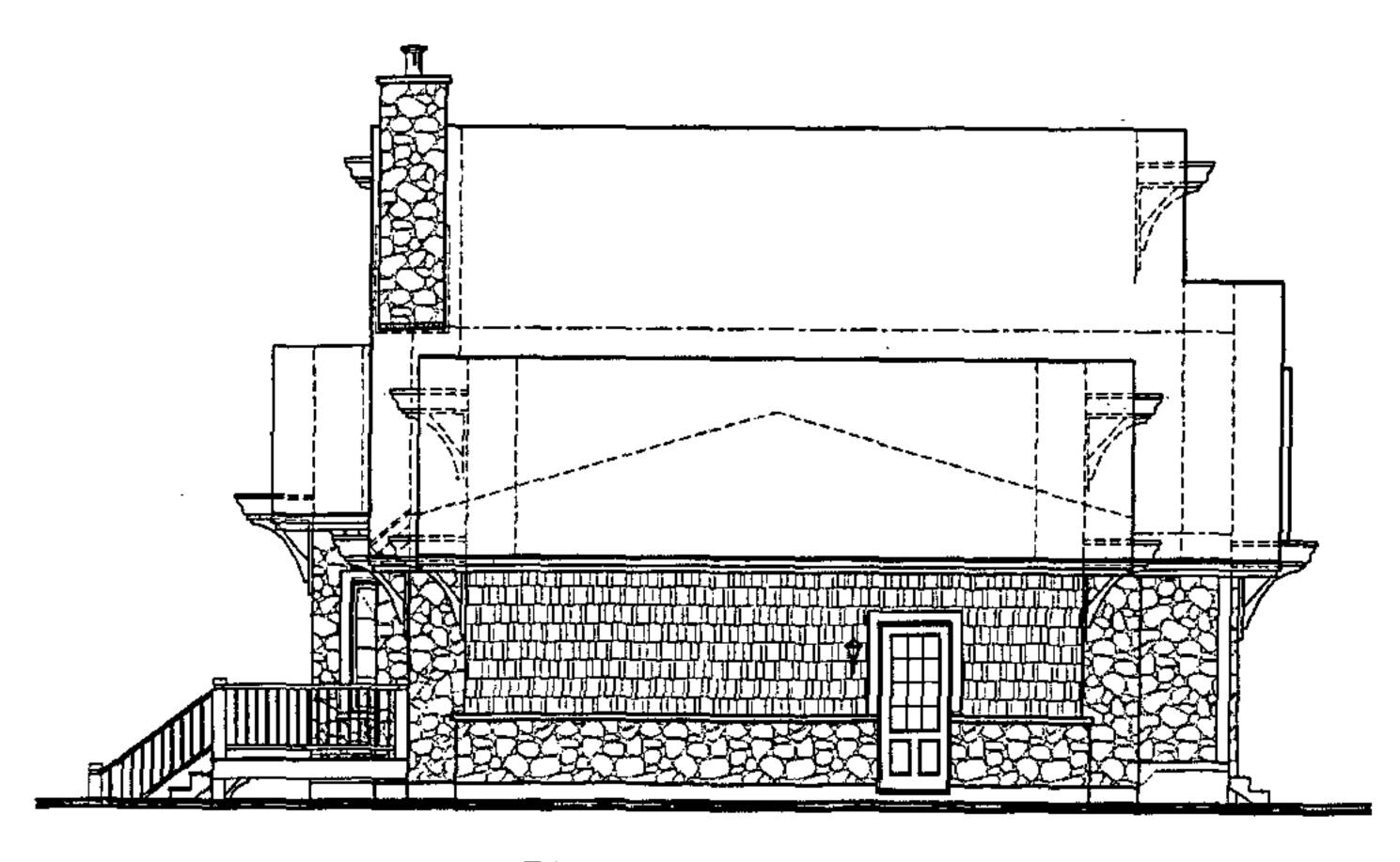
Plan DRU-3923

Price Code: B (SEE ORDER FORM)

Exterior Elevations



Left Side Elevation

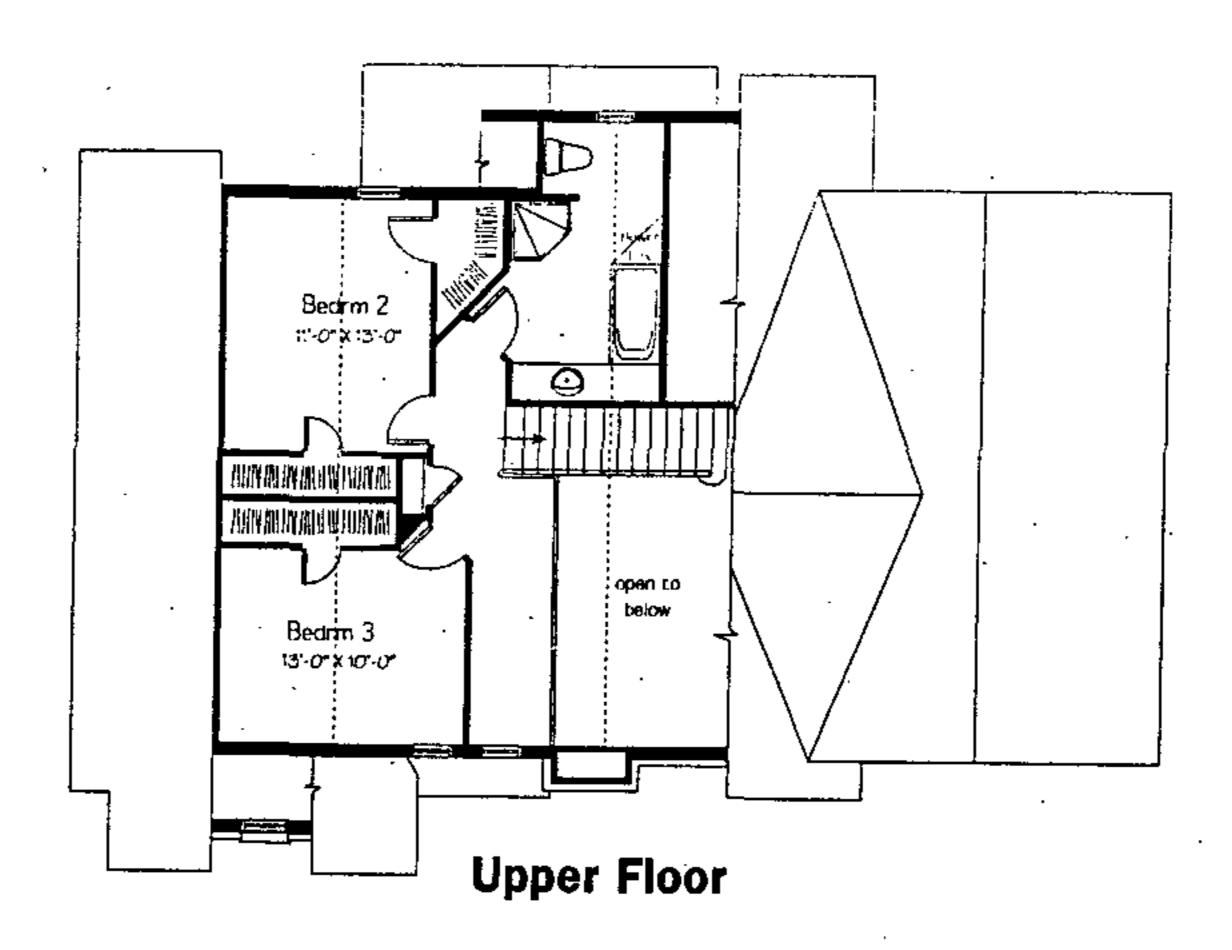


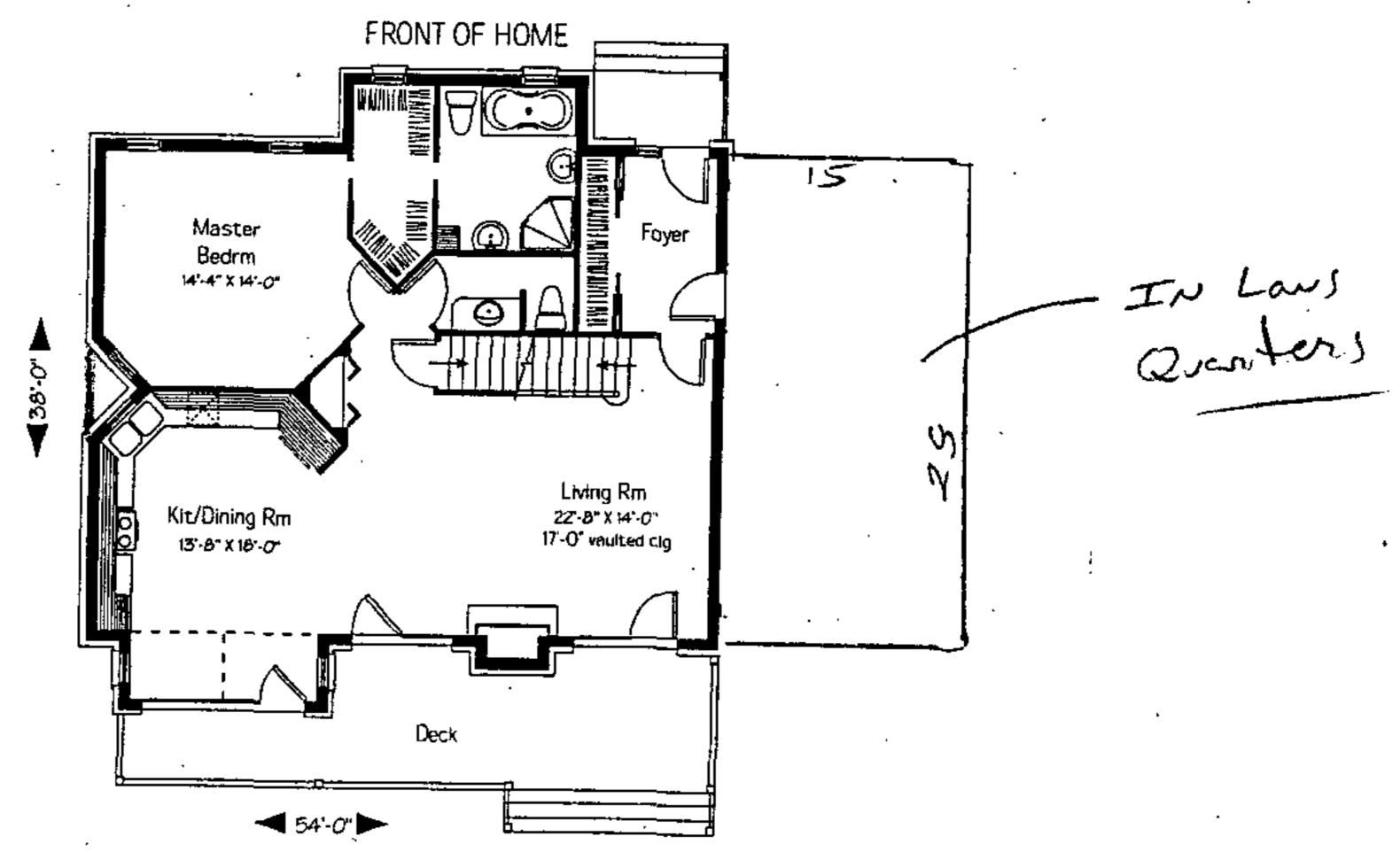
Right Side Elevation

HOUSE OF THE WEEK

Plan DRU-3923

Price Code: B (SEE ORDER FORM)




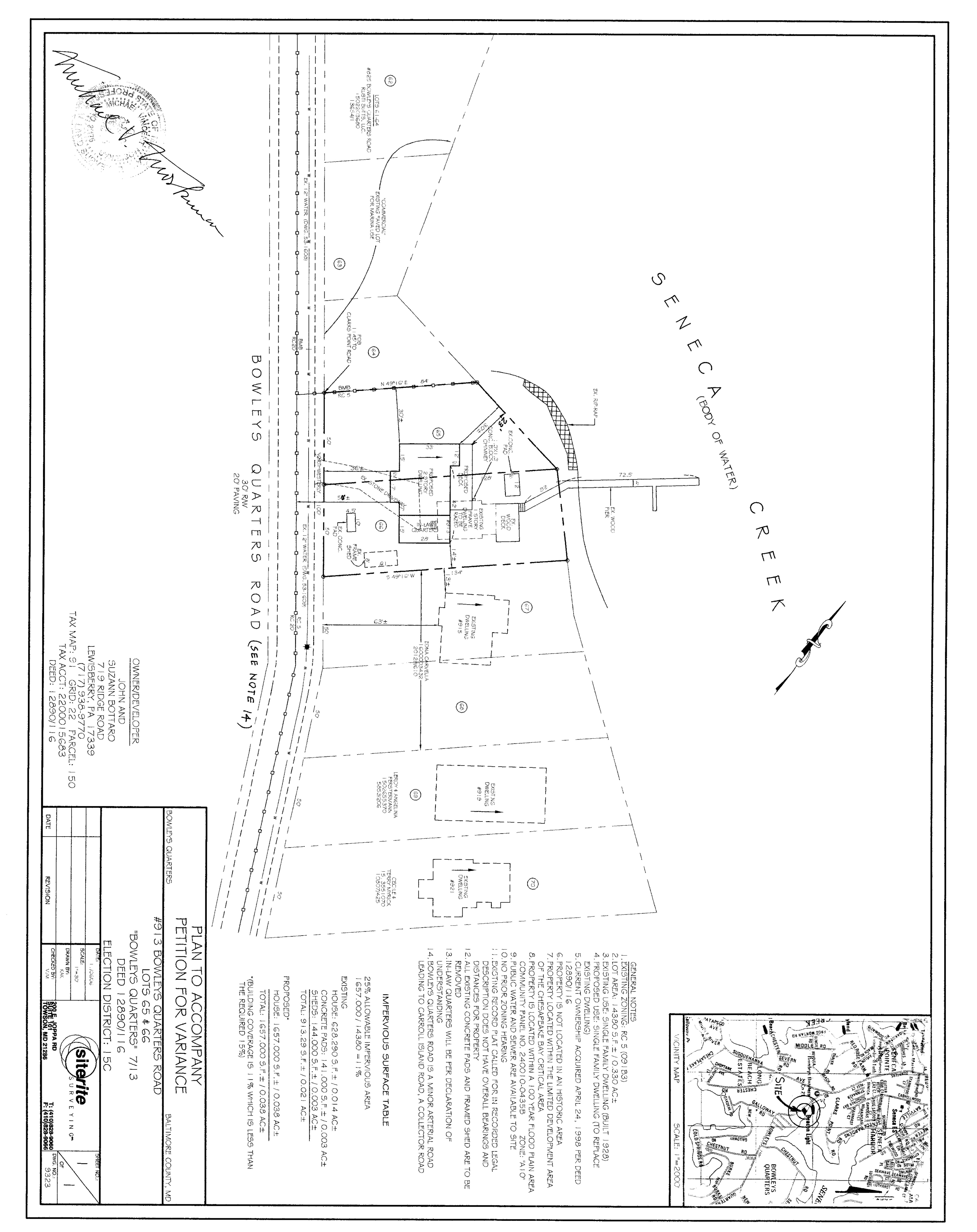


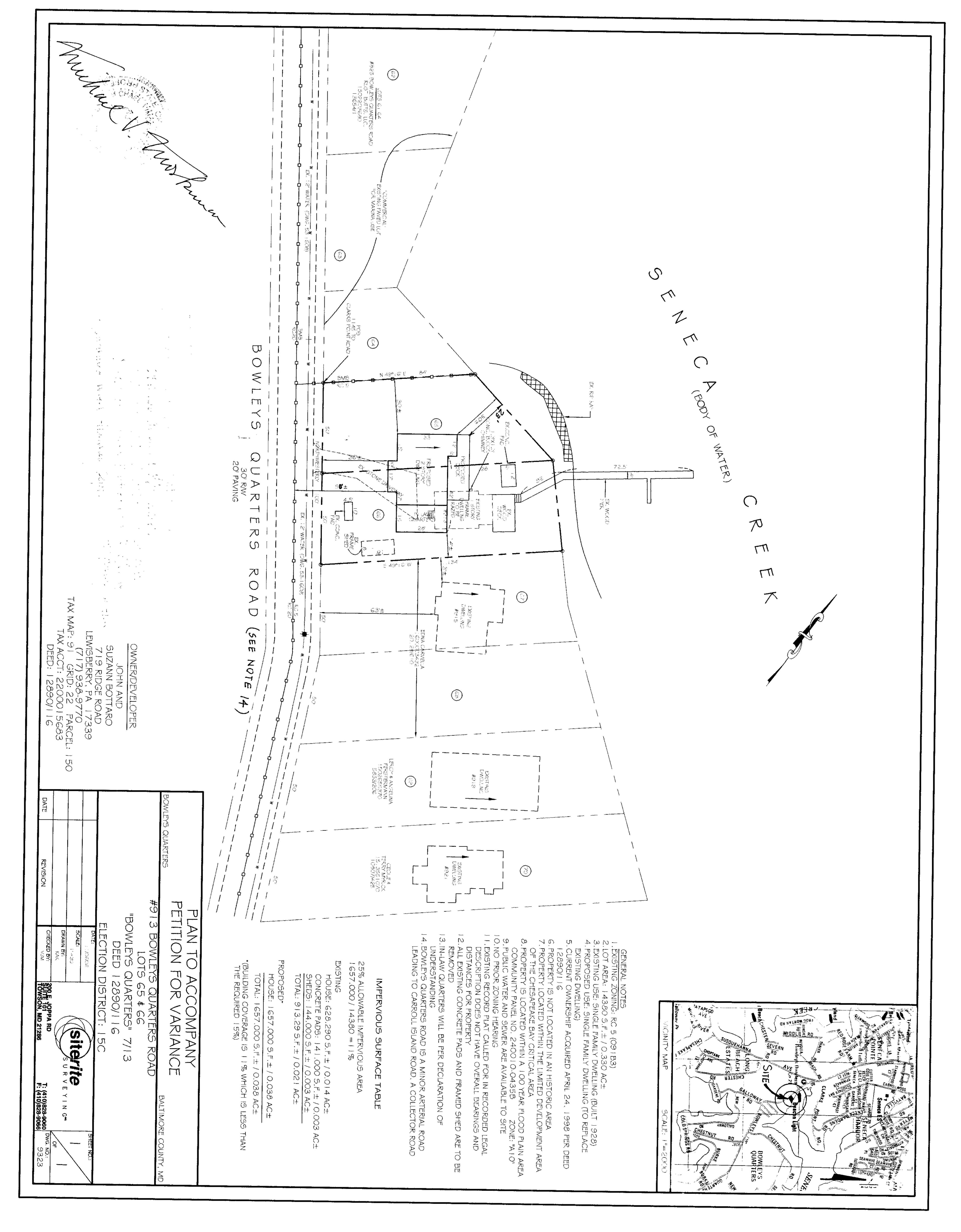
Main Floor

A perfect combination of luxury and practicality make up this home's floor plan, which offers open, comfortable spaces for relaxation, as well as roomy closets, efficient baths and a handy foyer, which is closed off from the rest of the home.

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TO: PATUXENT PUBLISHING COMPANY

Thursday, January 25, 2007 Issue - Jeffersonian

Please forward billing to:

John Bottaro 719 Ridge Road Lewisbury, PA 17339 1-717-938-9770

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: 07-269-A

913 Bowleys Quarters Road (Lots 65 & 66) Northside of Bowleys Quarters Road, 1,145 feet southeast of Clarks Point Road 15th Election District — 6th Councilmanic District Legal Owners: John & Suzann Bottaro

<u>Variance</u> to permit a replacement dwelling with setbacks to lot lines of as close as 14 feet and a deck (open projection) setback of 23 feet and a street centerline setback of 50 feet, in lieu of the required 50 feet. 37.5 feet and 1,000 feet respectively.

Hearing: Monday, February 12, 2007 at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

WILLIAM 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.