

IN RE: PETITION FOR VARIANCE

S side Clarks Point Road, 2,376 feet E of
Bowleys Quarters Road
(3823 Clarks Point Road)
15th Election District
6th Councilmanic District

Marie F. and Robert A. Burns, III
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 07-514-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Marie F. and Robert A. Burns, III. Petitioners are requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (proposed swimming pool) in the front yard in lieu of the required rear yard and any other variances deemed necessary by the Zoning Commissioner. The subject property and requested relief are more particularly described on the site plan, which was marked and accepted into evidence as Petitioners' Exhibit 9.

Appearing at the requisite public hearing in support of the variance request were Petitioners Marie F. and Robert A. Burns, III, and their daughter, Kelsey Burns. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped lot measuring 50 feet wide by 269 feet long, containing 13,300 square feet and zoned D.R.5.5. The property is located along the shoreline of Seneca Creek in the Bowleys Quarters area of Baltimore County.

Petitioners purchased the property in 1990. Prior to Hurricane Isabel, which struck the Middle River area in September 2003, damaging and destroying a number of homes, Petitioners resided in the original structure which was built in the 1940's. After the flooding associated with

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8-20-07
YBS

Isabel, Petitioners' home was severely damaged, as were their cars and other property, but Petitioners had no flood insurance. Petitioners then decided to re-build the home, and in doing so raised the property level by approximately three feet, and placed a three-story brick and siding home on the property. In the recent past, Petitioners placed a round, above-ground swimming pool in a grassy, open area nearest the waterfront between a chain link fence and a concrete walkway toward their pier.

At this juncture, Petitioners' desire to place a more permanent above-ground swimming pool with decking surrounding the pool, approximately 15 feet wide by 30 feet long and approximately 52 inches high, in the same area as the previous pool. In order to better illustrate the size and type of swimming pool requested, Petitioners submitted photographs of a nearby home at 3809 Clarks Point Road, which were marked and accepted into evidence as Petitioners' Exhibit 4. These photographs depict a swimming pool that, according to Petitioners, is similar to what they desire to place on their property. That pool is rectangular in shape with decking around the pool. The pool also is bounded by a white fence, which Petitioners believe is unnecessary in their case because their property is already bounded by a chain link fence on at least two sides.

In support of their request, Petitioners presented a number of photographs of the surrounding properties. Marked and accepted into evidence as Petitioners' Exhibit 1 were five photographs. These photographs depicted a round, above-ground swimming pool at 3817 Clarks Point Road, a large, ground-level deck situated near the waterfront at 3825 Clarks Point Road, and another round, above-ground pool 3827 Clarks Point road. Marked and accepted into evidence as Petitioners' Exhibit 2 were four photographs. These photographs depicted a view of the shoreline from Petitioners' pier looking south, views of the immediate properties from Petitioners' second-floor deck, and a view of another round, above-ground swimming pool at

3821 Clarks Point Road. Petitioner also submitted a photograph showing a view of his waterfront yard from his second-floor deck, which was marked and accepted into evidence as Petitioners' Exhibit 6. The photograph also shows the proposed outline of his pool in an area between his chain link fence to one side and the concrete walkway to the other side.

Marked and accepted into evidence as Petitioners' Exhibit 3 were four photographs. These photographs depicted the views of the shoreline looking north from the waterfront yard of 3817 Clarks Point Road. These photographs illustrate that the view is almost completely obstructed by existing trees, shrubs and foliage between the properties at 3819 and 3821 Clarks Point Road.

Although there were no Protestants or other interested parties at the hearing, several adjacent neighbors submitted letters to this Office in opposition to Petitioners' requested relief. Marked and accepted into evidence as Protestant's Exhibit 1 was a letter and four photographs submitted by Bette L. Moore of 3819 Clarks Point Road. Ms. Moore indicated in her letter that Petitioners' proposed swimming pool would block her view looking out to the bay, especially with the height of required fencing surrounding a pool. Ms. Moore also voiced her concern that Petitioners' proposed pool, as well as existing pools in the area, would become a hazard during high winds and storms, would kill the grass where the pool is placed, and would exceed the legal allowance for impervious surfaces. In addition, marked and accepted into evidence as Protestant's Exhibit 2 was a letter from Maryanne Campbell of 3825 Clarks Point Road. Ms. Campbell indicated that there is no fence on half of the property, which could present a danger to small children near a swimming pool. She also was concerned over the potential size of the pool and that it could block her water view. Finally, Ms. Campbell indicated that Petitioners had violated a number of Code requirements in rebuilding their home, including the width of a wrap-around porch, not having required flood vents, and elevating the house higher than allowed. Ms.

Campbell also indicated that Petitioners stored piles of junk and debris, and voiced a general concern that Mr. Burns could not be trusted to abide by County requirements if his pool request was approved.

Zoning Advisory Committee ("ZAC") comments were received and are contained in the file for this case and incorporated herein. The email comment dated July 31, 2007 from Development Plans Review indicates that an above-ground pool is allowed to be built in the tidal flood plain and that, if approved, Petitioner would need to first obtain a building permit in order to construct the pool. In addition, the comment dated August 2, 2007 from the Department of Environmental Protection and Resource Management (DEPRM) indicates that development of the subject property must comply with Chesapeake Bay Critical Area Regulations. In addition, the comment states that the subject site is in a Limited Development Area (LDA) and must meet all LDA requirements, including a 31.25% impervious surface limit. The site is also in a Buffer Management Area (BMA) and must also meet all BMA requirements including a 25 foot setback from mean high water and a 15% afforestation requirement.

Although I am very mindful of the aesthetic concerns and other issues brought about by the proliferation of above-ground pools in the County's waterfront communities, based on the testimony and evidence, I am nonetheless persuaded to grant the requested relief with restrictions, which will be addressed later in this Order. Unlike in most neighborhoods and subdivisions in the County where the "front" of a property is the area that is closest to the street and would normally be on the side where the "front" door is located, in many waterfront communities, the "front" area of a property is actually designated as the area of the property near the waterfront, and the "back" of the property is designated as the area near the road. This sometimes causes confusion for those not acquainted with this nuance, but it is fairly common knowledge for those residing in these waterfront communities.

~~FOR REVIEW ONLY~~
8-20-07
YBZ

In the instant matter, Petitioners have lived at their property since 1990. They bore the unfortunate weight of Hurricane Isabel and rebuilt their home after it was damaged by the storm. During that time, they have had a moderately-sized, round, above-ground swimming pool in their yard area between their home and the waterfront. At this juncture, the round pool has been removed and they wish to replace it with a more permanent, above-ground swimming pool, albeit larger than the previous pool, and rectangular in shape. In order to do so, Petitioners are in need of variance relief from Section 400.1 of the B.C.Z.R., which requires accessory structures in residence zones to be located only in the rear yard and not occupy more than 40% thereof.

I note that in support of their variance request, Petitioners presented photographs of the surrounding locale. These photographs showed a number of above-ground swimming pools in the property areas nearest the waterfront not far from Petitioners' property. In addition, just next to Petitioners' property is a large ground-level deck at 3825 Clarks Point Road, which takes up approximately the same area as would Petitioners' proposed pool. The photographs also show the site lines from a number of angles and vantage points beyond Petitioners' property in order to illustrate that the proposed pool would not interfere with the site lines of adjacent or nearby properties. In particular, I note that the view of the only Protestants -- Ms. Campbell at 3825 Clarks Point Road and Ms. Moore at 3819 Clarks Point Road -- would not be adversely affected by the proposed swimming pool. The photographs in Petitioners' Exhibit 3 demonstrate that the view from Ms. Moore's yard down the shoreline is only obstructed by the large tree growth and thick shrubbery and foliage located between her property and the property at 3821 Clarks Point Road. In addition, it does not appear that Petitioners' proposed swimming pool would affect the view of Ms. Campbell. Indeed, it would appear that Ms. Campbell's view would be more obstructed by the pool located next door to her at 3827 Clarks Point Road, or perhaps her own

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8-20-07

103

large deck, as well as a boat sitting up on blocks, both located on the waterfront side of her property.

In sum, I find that special circumstances or conditions exist that are peculiar to the land or structure which is subject to the variance request, and I find that strict compliance with the zoning regulations of Baltimore County would result in practical difficulty, and would disproportionately affect Petitioners to an extent beyond that of the rest of the community. Finally, I find that this variance shall be granted in strict harmony with the spirit and intent of the said regulations and be conditioned on exact compliance with the ZAC comments, so as to grant relief without injury to the public, health, safety or general welfare. I also find that the relief can be granted in such a manner that there will be no detrimental impact to adjacent properties or the surrounding locale.

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

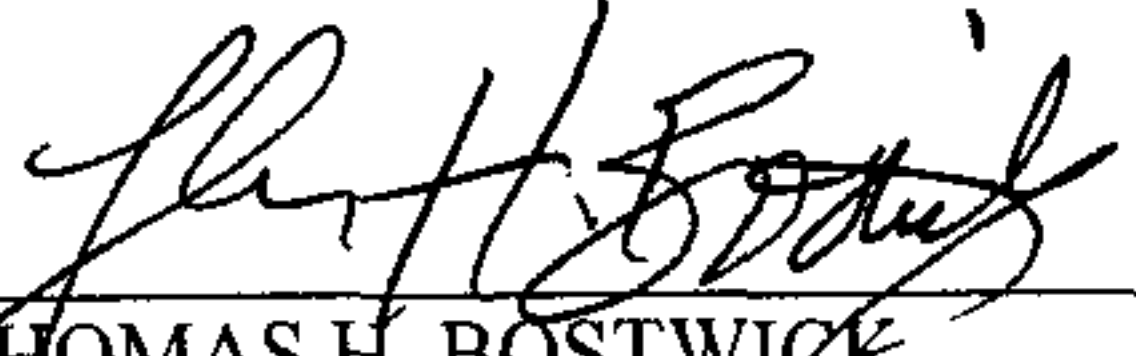
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 20th day of August, 2007 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations to permit an accessory structure (proposed swimming pool) in the front yard in lieu of the required rear yard, in accordance with Petitioners' Exhibit 9, be and the same is hereby GRANTED, subject to the following restrictions, all of which are conditions precedent to the granting of the relief requested herein. If Petitioners are unwilling or unable for any reason to comply with these conditions, the granting of the requested relief shall be null and void, and the Petition shall be deemed denied.

1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded and Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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2. Petitioners shall comply with any and all fencing and enclosure requirements for a pool contained in the Baltimore County Code and the Baltimore County Zoning Regulations, though any swimming pool enclosure beyond the required four foot height above the underlying ground shall necessitate a separate variance relief request and public hearing.
3. Petitioners 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). In addition, the subject site is in a Limited Development Area (LDA) and must meet all LDA requirements, therefore, the area of Petitioners' proposed swimming pool must not cause the property to exceed the allowable 31.25% impervious surface limit. The site is also in a Buffer Management Area (BMA) and must also meet all BMA requirements including a 25 foot setback from mean high water and a 15% afforestation requirement.
4. When applying for any permits, the site plan filed must reference this case and set forth and satisfactorily demonstrate compliance with the restrictions of this Order.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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8-20-07
pz

BOWLEYS QUARTERS
PLAT NO. 2
W.P.C. No. 7/13

PLAT TO ACCOMPANY PETITION FOR ZONING

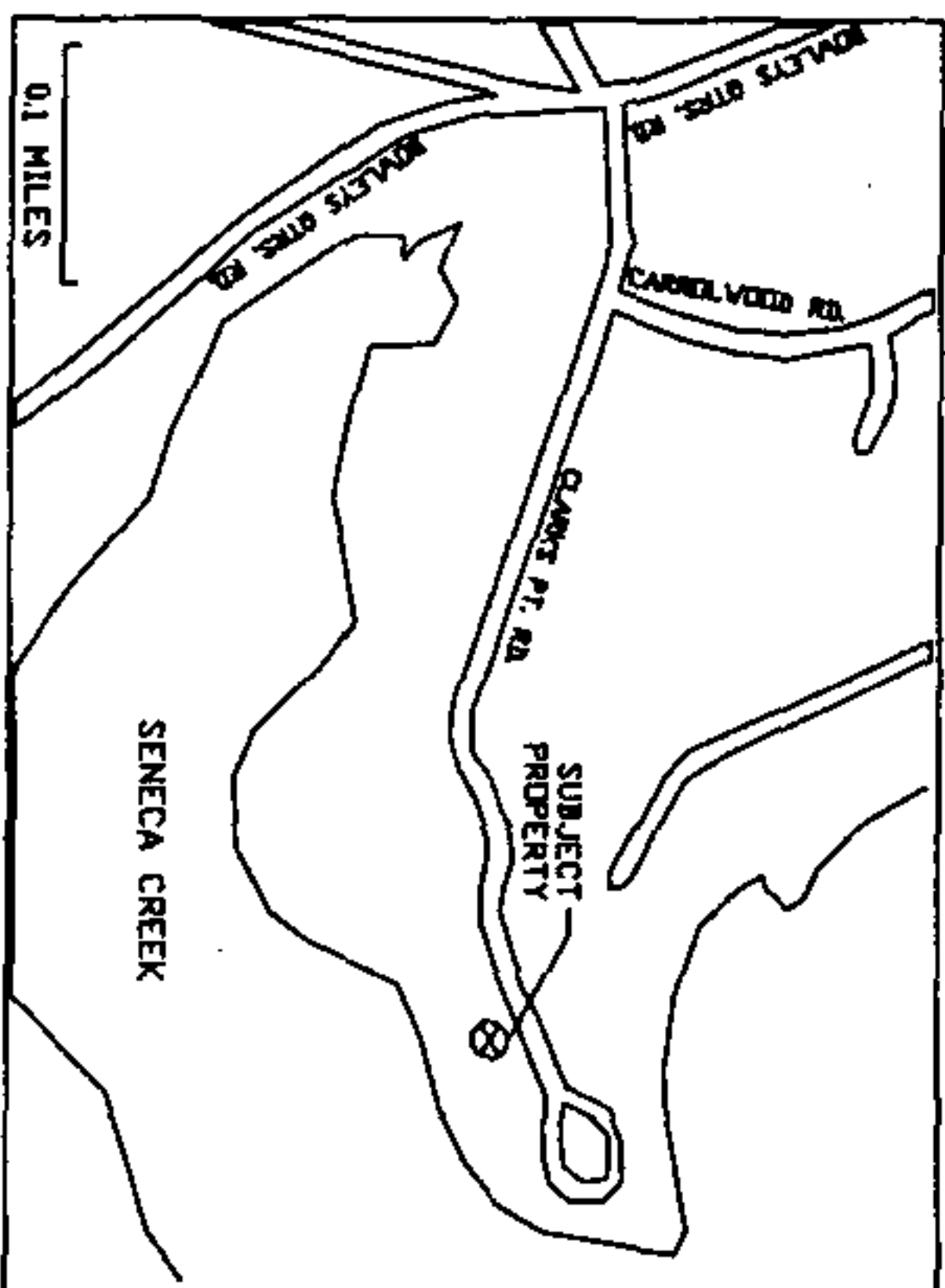
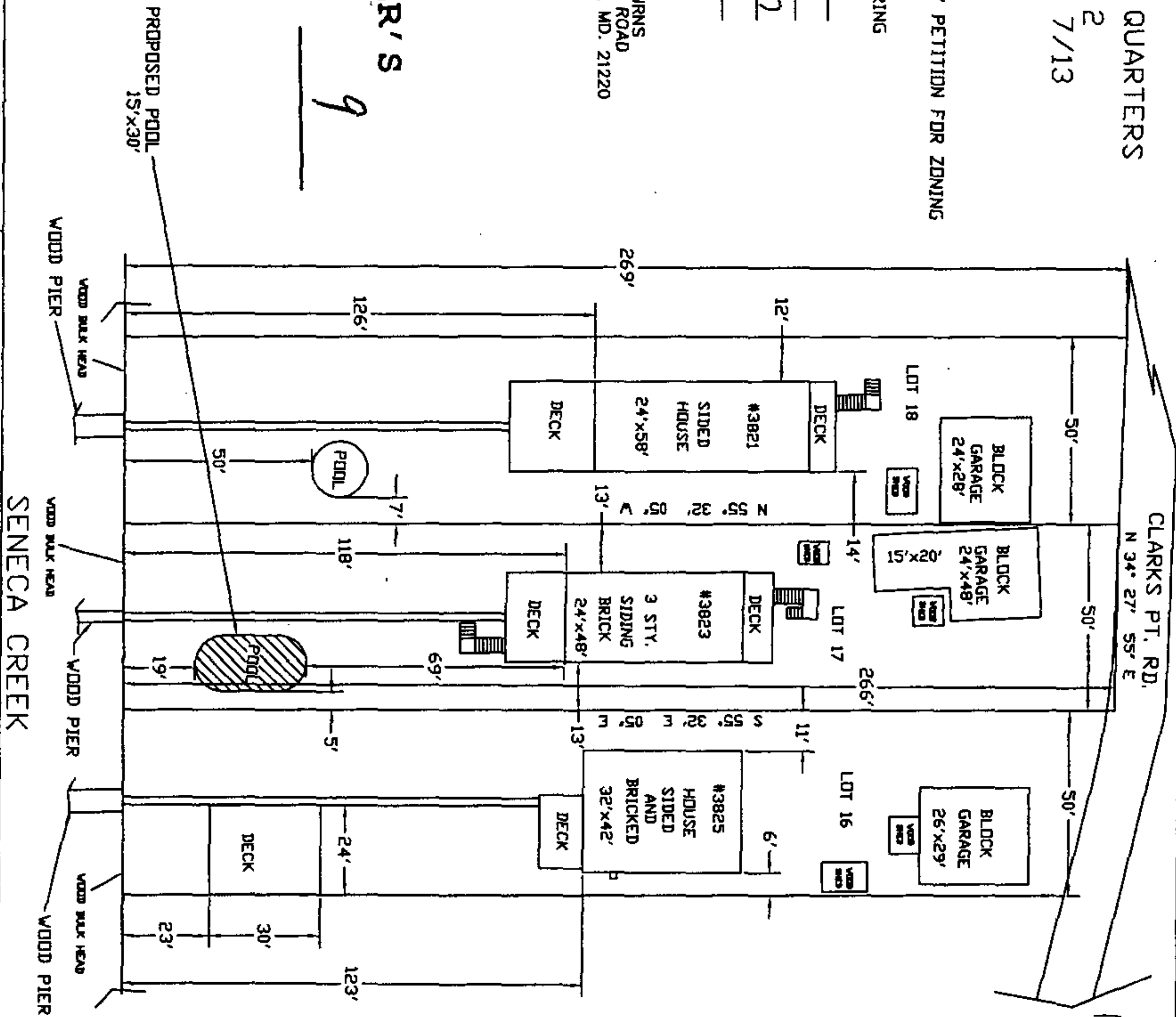
- ☐ VARIANCE
☐ SPECIAL HEARING

PLAT BOOK _____
FOLIO _____
LOT # 12
SECTION _____

OWNERS NAME:
ROBERT & MARIA BURNS
3823 CLARKS POINT ROAD
BOWLEYS QUARTERS, MD. 21220

PETITIONER'S

EXHIBIT NO. 9



VICINITY LOCATION

LOCATION INFORMATION

ELECTION DISTRICT 8
COUNCILMANIC DISTRICT 15
ZONING _____
LOT SIZE 1/2 ACREAGE 1.3300 SQUARE FT

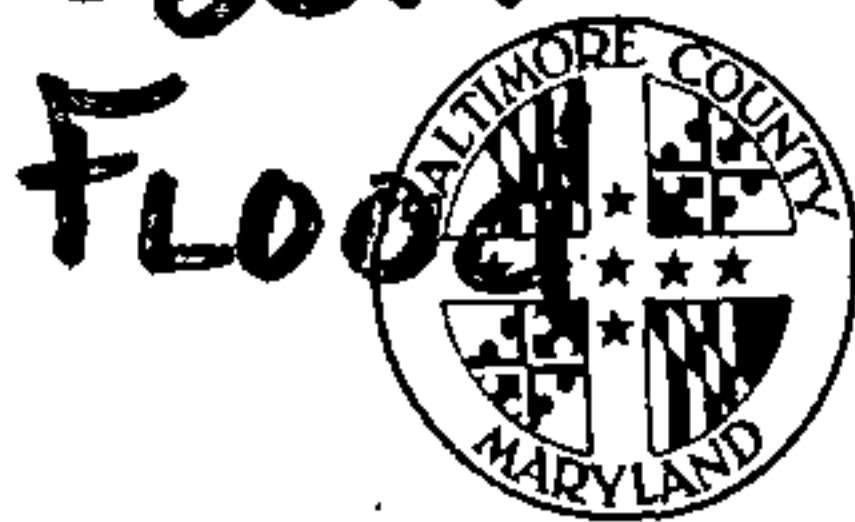
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☐ YES ☒ NO
CHESAPEAKE BAY ☐ CRITICAL AREA ☒
100 YR. FLOOD PLAIN ☐ HISTORIC PROPERTY ☒ BUILDING

PRIOR ZONING HEARING N/A

REAL-TIME VERSION	DATE	BY
MBB	4/23/07	
RAB		
LOT STAKEOUT		

1' = 40' 1/2"

CBCA ORIGINAL, KEEP IN FILE



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3823 CLARKS POINT RD

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 BCZR TO PERMIT AN ACCESSORY

STRUCTURE (A PROPOSED SWIMMING POOL) IN THE FRONT YARD IN LIEU OF
THE REQUIRED REAR YARD, AND ANY OTHER VARIANCES DEEMED NECESSARY
BY THE ZONING COMMISSIONER.

R.B.

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

TO BE DETERMINED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Marie F. Burns

Name - Type or Print

Marie F. Burns

Signature

Robert A. Burns

Name - Type or Print

Robert A. Burns

Signature

3823 CLARKS POINT RD 410 335 5537

Address

Telephone No.

MIDDLE RIVER MD

21220

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING JUNE 14 - 22, 2007

Reviewed By JL

Date 5/10/07

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S side Clarks Point Road, 2,376 feet E of
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(3823 Clarks Point Road)
15th Election District
6th Councilmanic District

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PS

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At this juncture, Petitioners' desire to place a more permanent above-ground swimming pool with decking surrounding the pool, approximately 15 feet wide by 30 feet long and approximately 52 inches high, in the same area as the previous pool. In order to better illustrate the size and type of swimming pool requested, Petitioners submitted photographs of a nearby home at 3809 Clarks Point Road, which were marked and accepted into evidence as Petitioners' Exhibit 4. These photographs depict a swimming pool that, according to Petitioners, is similar to what they desire to place on their property. That pool is rectangular in shape with decking around the pool. The pool also is bounded by a white fence, which Petitioners believe is unnecessary in their case because their property is already bounded by a chain link fence on at least two sides.

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Although I am very mindful of the aesthetic concerns and other issues brought about by the proliferation of above-ground pools in the County's waterfront communities, based on the testimony and evidence, I am nonetheless persuaded to grant the requested relief with restrictions, which will be addressed later in this Order. Unlike in most neighborhoods and subdivisions in the County where the "front" of a property is the area that is closest to the street and would normally be on the side where the "front" door is located, in many waterfront communities, the "front" area of a property is actually designated as the area of the property near the waterfront, and the "back" of the property is designated as the area near the road. This sometimes causes confusion for those not acquainted with this nuance, but it is fairly common knowledge for those residing in these waterfront communities.

~~ORDER REJECTED FOR FILE~~
8-20-07
702

In the instant matter, Petitioners have lived at their property since 1990. They bore the unfortunate weight of Hurricane Isabel and rebuilt their home after it was damaged by the storm. During that time, they have had a moderately-sized, round, above-ground swimming pool in their yard area between their home and the waterfront. At this juncture, the round pool has been removed and they wish to replace it with a more permanent, above-ground swimming pool, albeit larger than the previous pool, and rectangular in shape. In order to do so, Petitioners are in need of variance relief from Section 400.1 of the B.C.Z.R., which requires accessory structures in residence zones to be located only in the rear yard and not occupy more than 40% thereof.

I note that in support of their variance request, Petitioners presented photographs of the surrounding locale. These photographs showed a number of above-ground swimming pools in the property areas nearest the waterfront not far from Petitioners' property. In addition, just next to Petitioners' property is a large ground-level deck at 3825 Clarks Point Road, which takes up approximately the same area as would Petitioners' proposed pool. The photographs also show the site lines from a number of angles and vantage points beyond Petitioners' property in order to illustrate that the proposed pool would not interfere with the site lines of adjacent or nearby properties. In particular, I note that the view of the only Protestants -- Ms. Campbell at 3825 Clarks Point Road and Ms. Moore at 3819 Clarks Point Road -- would not be adversely affected by the proposed swimming pool. The photographs in Petitioners' Exhibit 3 demonstrate that the view from Ms. Moore's yard down the shoreline is only obstructed by the large tree growth and thick shrubbery and foliage located between her property and the property at 3821 Clarks Point Road. In addition, it does not appear that Petitioners' proposed swimming pool would affect the view of Ms. Campbell. Indeed, it would appear that Ms. Campbell's view would be more obstructed by the pool located next door to her at 3827 Clarks Point Road, or perhaps her own

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[Signature]

large deck, as well as a boat sitting up on blocks, both located on the waterfront side of her property.

In sum, I find that special circumstances or conditions exist that are peculiar to the land or structure which is subject to the variance request, and I find that strict compliance with the zoning regulations of Baltimore County would result in practical difficulty, and would disproportionately affect Petitioners to an extent beyond that of the rest of the community. Finally, I find that this variance shall be granted in strict harmony with the spirit and intent of the said regulations and be conditioned on exact compliance with the ZAC comments, so as to grant relief without injury to the public, health, safety or general welfare. I also find that the relief can be granted in such a manner that there will be no detrimental impact to adjacent properties or the surrounding locale.

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

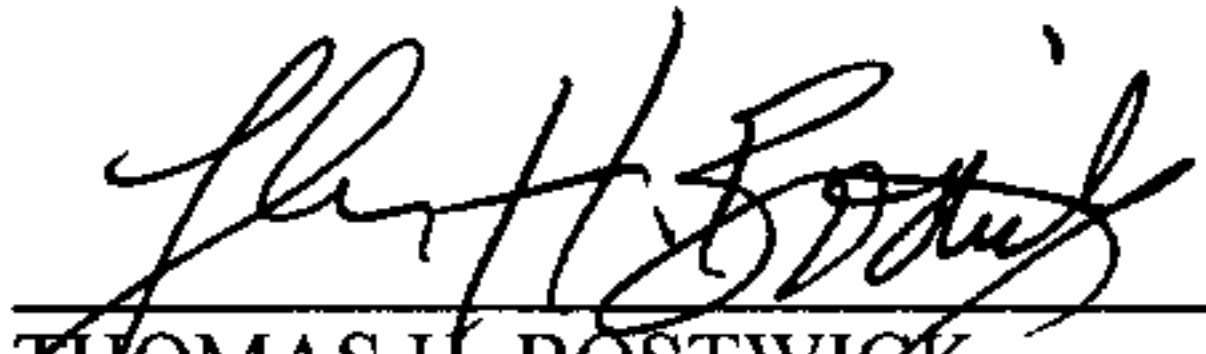
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 20th day of August, 2007 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations to permit an accessory structure (proposed swimming pool) in the front yard in lieu of the required rear yard, in accordance with Petitioners' Exhibit 9, be and the same is hereby GRANTED, subject to the following restrictions, all of which are conditions precedent to the granting of the relief requested herein. If Petitioners are unwilling or unable for any reason to comply with these conditions, the granting of the requested relief shall be null and void, and the Petition shall be deemed denied.

1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded and Petitioners would be required to return, and be responsible for returning, said property to its original condition.

~~FROM RECEIVED FOR FILE~~
8-20-07
R3

2. Petitioners shall comply with any and all fencing and enclosure requirements for a pool contained in the Baltimore County Code and the Baltimore County Zoning Regulations, though any swimming pool enclosure beyond the required four foot height above the underlying ground shall necessitate a separate variance relief request and public hearing.
3. Petitioners 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). In addition, the subject site is in a Limited Development Area (LDA) and must meet all LDA requirements, therefore, the area of Petitioners' proposed swimming pool must not cause the property to exceed the allowable 31.25% impervious surface limit. The site is also in a Buffer Management Area (BMA) and must also meet all BMA requirements including a 25 foot setback from mean high water and a 15% afforestation requirement.
4. When applying for any permits, the site plan filed must reference this case and set forth and satisfactorily demonstrate compliance with the restrictions of this Order.

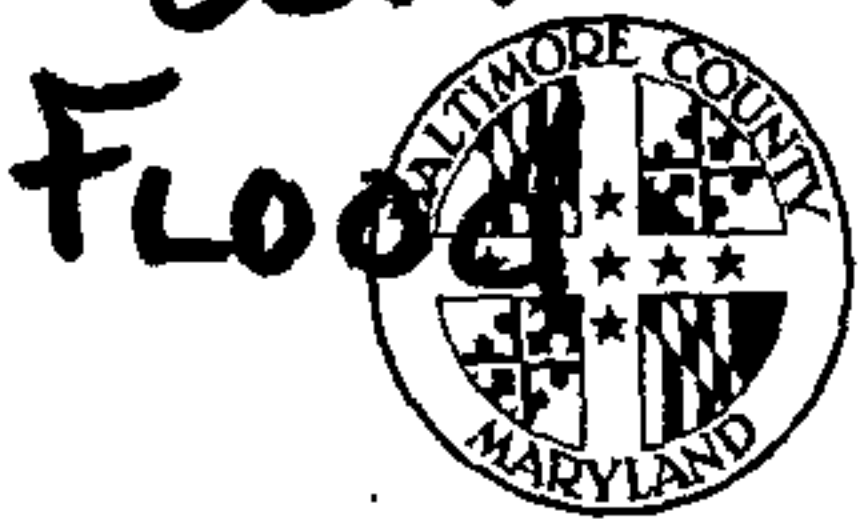
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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8-20-07


CBCA ORIGINAL, KEEP IN FILE



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 3823 CLARKS POINT RD
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 BCZR TO PERMIT AN ACCESSORY STRUCTURE (A PROPOSED SWIMMING POOL) IN THE FRONT YARD IN LIEU OF THE REQUIRED REAR YARD, AND ANY OTHER VARIANCES DEEMED NECESSARY BY THE ZONING COMMISSIONER.

R.B.

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

TO BE DETERMINED AT HEARING

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Maria F. Burns
Name - Type or Print _____
Maria F. Burns
Signature _____
Robert A. Burns
Name - Type or Print _____
Robert A. Burns
Signature _____
3823 CLARKS POINT RD 4103355537
Address _____ Telephone No. _____
MIDDLE RIVER MD 21220
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 07-514-A

ESTIMATED LENGTH OF HEARING 1 HR
UNAVAILABLE FOR HEARING JUNE 14 - 22, 2007
Date 5/10/07



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 20, 2007

MARIE F. AND ROBERT A. BURNS, III
3823 CLARKS POINT ROAD
MIDDLE RIVER MD 21220

Re: Petition for Variance
Case No. 07-514-A
Property: 3823 Clarks Point Road

Dear Mr. and Mrs. Burns:

Enclosed please find the decision rendered in the above-captioned case.

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, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

CBCA

Flood



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3823 CLARKS POINT RD
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 BCZR TO PERMIT AN ACCESSORY

STRUCTURE (A PROPOSED SWIMMING POOL) IN THE FRONT YARD IN LIEU OF
THE REQUIRED REAR YARD, AND ANY OTHER VARIANCES DEEMED NECESSARY
By the Zoning Commissioner. R.B.

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

TO BE DETERMINED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Marie F. Burns

Name - Type or Print

Marie F. Burns

Signature

Robert A. Burns

Name - Type or Print

Robert A. Burns

Signature

3823 CLARKS POINT RD 4103355537

Address

Telephone No.

MIDDLE RIVER MD

21220

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING JUNE 14 - 22, 2007

Case No. 07-514-A

REV 9/15/98

8-20-07

Reviewed By DL

Date 5/10/07

DL

CBCA Flood



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3823 CLARKS POINT RD

which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 BCZR TO PERMIT AN ACCESSORY

STRUCTURE (A PROPOSED SWIMMING POOL) IN THE FRONT YARD IN LIEU OF
THE REQUIRED REAR YARD, AND ANY OTHER VARIANCES DEEMED NECESSARY
BY THE ZONING COMMISSIONER.

R.B.

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

TO BE DETERMINED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Maria F. Burns

Name - Type or Print

Maria F. Burns

Signature

Robert A. Burns

Name - Type or Print

Robert A. Burns

Signature

3823 CLARKS POINT RD 410 335 5537

Address

MIDDLE RIVER MD

City

State

Telephone No.

21220

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING JUNE 14 - 22, 2007

Date 5/10/07

Case No. 07-514-A

REV 9/15/98

8-20-07

Reviewed By

pb

514

EXAMPLE 3 – Zoning Description

ZONING DESCRIPTION FOR 3823 CLARKS POINT RD

Beginning at a point on the south side of Clarks Point Rd which is 50' of right-of-way wide at the distance of 2376 feet east of the centerline of the nearest improved intersecting street Bowleys Quarters Rd which is 50' wide.

*Being lot # 17, in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book # 7, Folio # 13, containing 14,700 square feet. Also Known as 3823 Clarks Point Rd and located in the 15 Election District, ~~15~~ Councilmanic District. 6TH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

DATE 5/10/07

ACCOUNT 001 006 6150

AMOUNT \$ 65.00

RECEIVED FROM: BURNS

FOR: For Unavail 3823 CMEKS

PORR RD

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

5/19/2007 5/10/2007 14:30:52

RECEIVED BY: [Signature]

DATE: 5/10/2007

TIME: 14:30:52

AMOUNT: \$65.00

RECEIVED BY: [Signature]

DATE: 5/10/2007

TIME: 14:30:52

AMOUNT: \$65.00

CASHIER'S VALIDATION

NOTICE OF ZONING HEARINGS

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: # 07-514-A

3823 Clarks Point Road, 2,376 feet east of S/side of Clarks Point Road, 2,376 feet east of Bowley's Quarters Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Marie F. & Robert A. Burns

Variance: to permit an accessory structure (a proposed swimming pool) in the front yard in lieu of the required rear yard and any other variances deemed necessary by the Zoning Commissioner.

Hearing: Tuesday, July 31, 2007 at 9:00 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) 887-3868.

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

JT 7/6/44 July 10 141375

CERTIFICATE OF PUBLICATION

7/12/2007

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 7/10/2007.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 07-514-A

Petitioner/Developer: MARIE E. +

ROBERT A. BURNS

Date of Hearing/Closing: 7-31-07

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:

3823 CLARKS POINT RD

The sign(s) were posted on 7-9-07
(Month, Day, Year)

Sincerely,

Robert Black 7-11-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

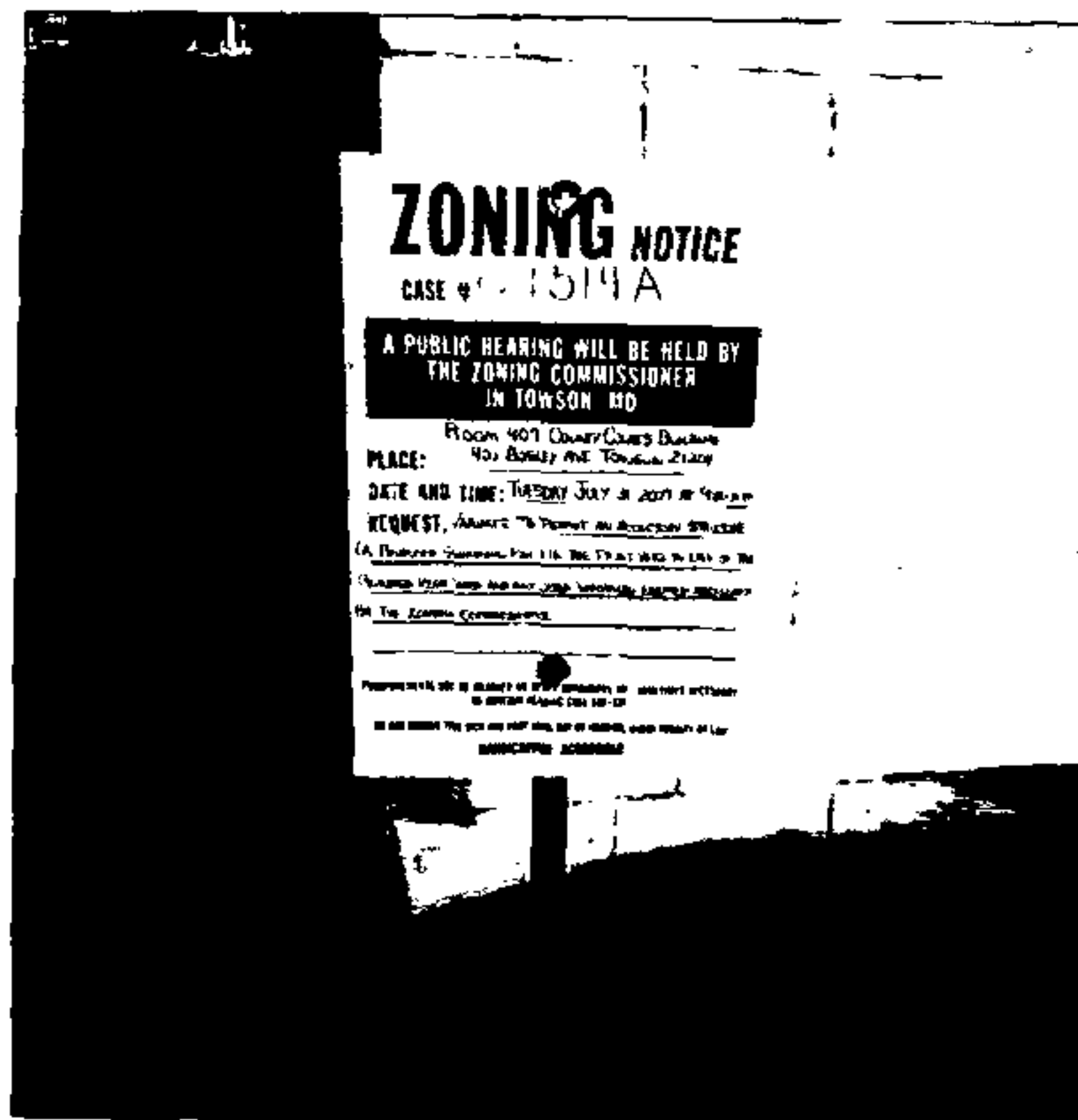
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

~~June 12, 2007~~ **June 12, 2007** T. KOCCO, 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: 07-514-A

3823 Clarks Point Road

S/side of Clarks Point Road, 2,376 feet east of Bowley's Quarters Road

15th Election District – 6th Councilmanic District

Legal Owners: Marie F. & Robert A. Burns

Variance to permit an accessory structure (a proposed swimming pool) in the front yard in lieu of the required rear yard and any other variances deemed necessary by the zoning commissioner.

Hearing: Tuesday, July 31, 2007 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Marie & Robert Burns, 3823 Clarks Point Road, Middle River 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 10, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 10, 2007 Issue - Jeffersonian

Please forward billing to:

Robert Burns
3823 Clarks Point Road
Middle River, MD 21220

410-335-5537

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: 07-514-A

3823 Clarks Point Road

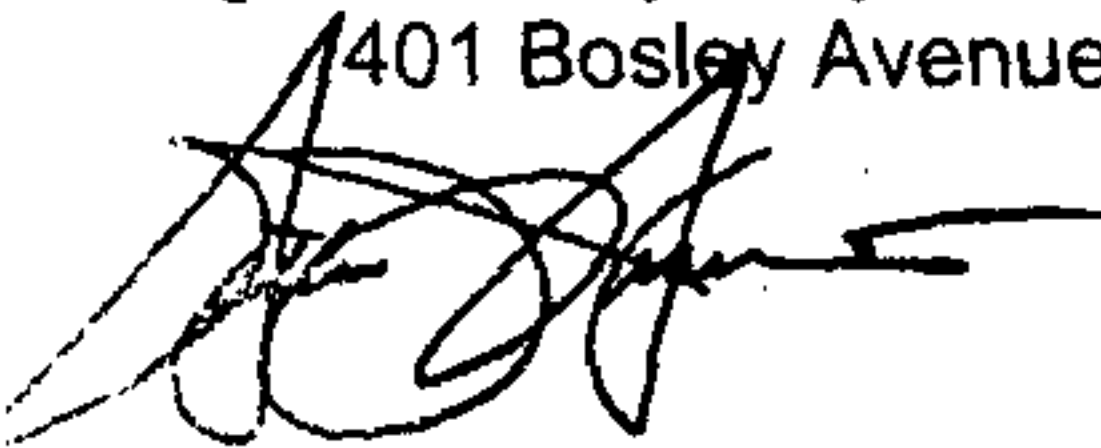
S/side of Clarks Point Road, 2,376 feet east of Bowley's Quarters Road

15th Election District – 6th Councilmanic District

Legal Owners: Marie F. & Robert A. Burns

Variance to permit an accessory structure (a proposed swimming pool) in the front yard in lieu of the required rear yard and any other variances deemed necessary by the zoning commissioner.

Hearing: Tuesday, July 31, 2007 at 9:00 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 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 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: 07-514-A

Petitioner: ☒ Burns

Address or Location: ☒ 3823 CLARKS POINT RD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert Burns

Address: 3823 CLARKS POINT

MIDDLE RIVER MD 21220

Telephone Number: 410 335 5537



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

July 26, 2007

Marie F. Burns
Robert A. Burns
3823 Clarks Point Road
Middle River, MD 21220

Dear Mr. and Mrs. Burns:

RE: Case Number: 07-514-A, 3823 Clarks Point Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 10, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

This letter is in reference to case 07514A

I would like to see not giving a variance to this property. This property is near the end of our peninsula looking out to the bay. The pool would block the view in either direction but especially looking out to the bay.

I feel this property has already gone over the allowance for impervious surface.

Pools should not be in front yards on the bay. They become a hazard during our storms. We just don't need more problems than what came along with Hurricane Isabel.

Most of the people here have ground level patios. I don't feel we need to be looking at a pool structure instead of the bay.

We all swim in the creek since we have been on grunder pumps about five years. Our area is a hard sandy bottom.

I have notice that pools leave the area barren of grass. I guess the chemicals do that. I also see pools emptied into the bay.

Please do not start letting people clutter the front with pools. If front yards become back yards then the six foot high fence will be the new height for our front yards.

Thank You

PROTESTANT'S

EXHIBIT NO. 1

Bette L Moore
3819 Clarks Point Rd
Baltimore, Md 21220

LOOKING OUT TO THE BAY

RED CANOE IS AREA
WHERE HE HAD HIS BLUE BLOW UP POOL



← SHOWS
HIS YARD
IS HIGHER
AFTER HE
FILLED IN.

SMALL ROUND POOL ARE EYE SORES ALSO.



CAMBELL HOME



To: County Court Bldg

Room 402

Case # 07514A (Pool Variance)

July 31, 2007 9:00 am Hearing

From Mayanne Campbell

3885 Clarke Point Road

CONCERNS

- 1) There is no fence on 1/2 of the property.
Driveway gate is always open for cars.
Small children could be in danger.
- 2) What size pool? Fishing, etc.? Will it block the water view of the neighbors?
- 3) Burns' past behavior is a concern - he says one thing to the County & does what he wants after inspectors leave. For example
 * porch 13' wide - He increased to 14' & added a porch from back all around side of house to the front
 * Flood vents - on the side walls - after inspectors leave he filled in with brick instead of metal flaps
 * House was elevated higher than code allowed

PROTESTANT'S

EXHIBIT NO.

2

I've lived in the strong shack in
the yard. The yard looks like a
beach. Part of the yard of wood, about. About
the same. Part of the yard, part of
the yard.

How can we be sure what he
proposes for this goal to the County
will in actuality be what he does??

Thank you -

TB
7-31-07

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
AUG 02 2007

BY:

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *swc*

DATE: August 2, 2007

SUBJECT: Zoning Item # 07-514-A
Address 3823 Clarks Point Road
(Burns Property)

Zoning Advisory Committee Meeting of May 21, 2007

_____ 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:

The site is in a Limited Development Area (LDA) and must meet all LDA requirements, including impervious surface limits. This property is limited to 31.25% impervious surface. The site is also in a Buffer Management Area (BMA) and must meet all BMA requirements, including a 25-foot setback from mean high water. 15% afforestation must also be addressed.

Reviewer: Regina Esslinger

Date: July 18, 2007

07-514
410-388-3596

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 11156

PAID RECEIPT

Date:

2-26-08

BUSINESS ACTUAL TIME DR
2/27/2008 2/26/2008 11:34:14

REG 302 MAIL JEVA JEE
>>RECEIPT # 564986 2/26/2008 OFL
Dept 5 528 ZONING VERIFICATION
CR 011156
Recpt Tot \$9.00
\$9.00 CR \$1.00 CA
Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
DDI	DDI			1050				9.00

Total:

9.00

Rec

From:

For:

Marie Burton

Copies (07-514-A)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
VALIDATION**

Case No.:

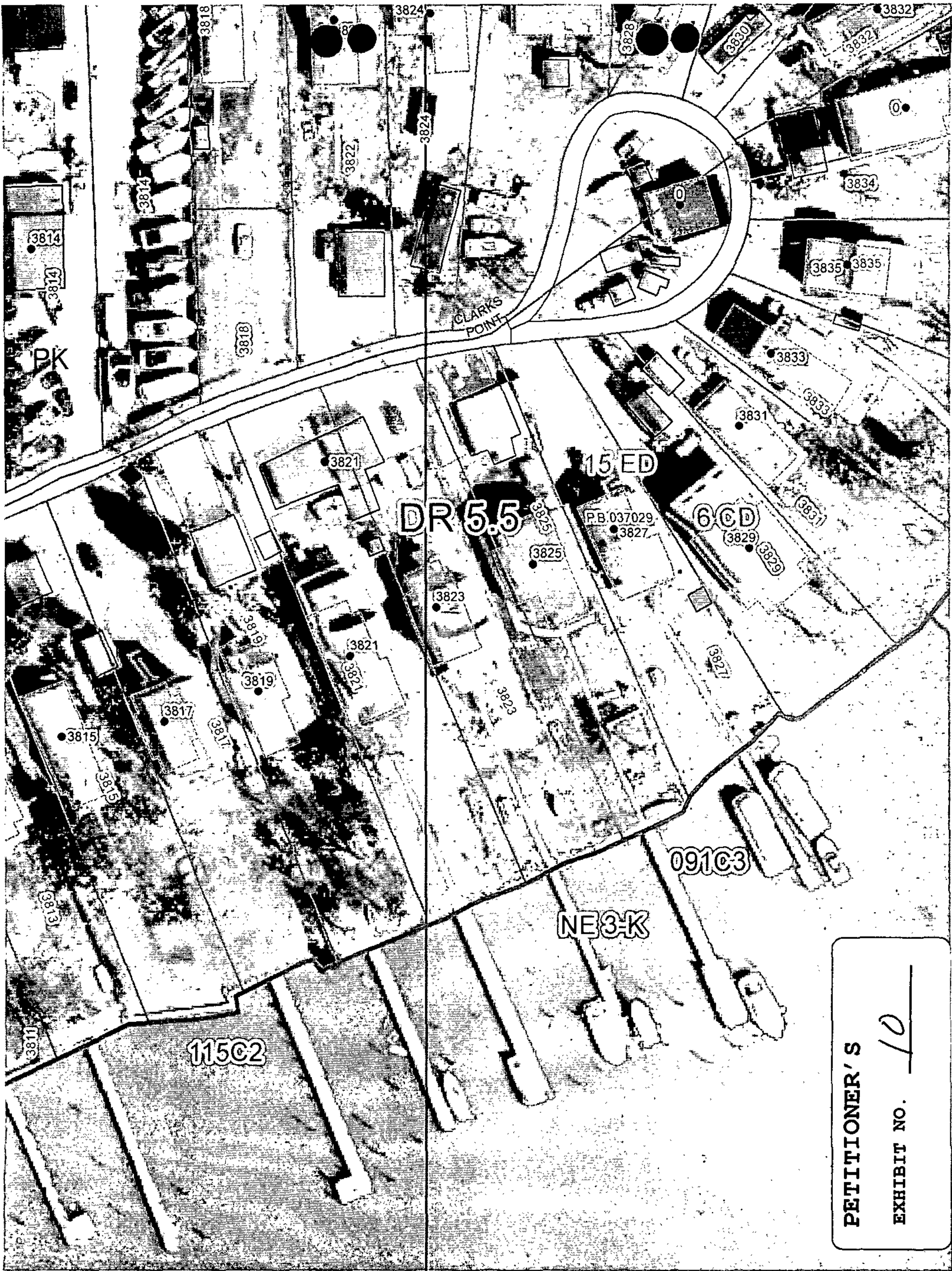
07-514-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	5 PHOTO GRAPHS	Letter from neighbor against pool
No. 2	4 PHOTOGRAPHS	Letter from neighbor against variance
No. 3	3 PHOTOGRAPHS	
No. 4	4 PHOTOGRAPHS	
No. 5	PHOTO OF PETITIONER'S BACKYARD	
No. 6	SIDE VIEW PHOTO OF PETITIONER'S BACKYARD	
No. 7	PHOTO OF NEIGHBOR'S DECK IN BACKYARD	
No. 8	3 PHOTOS OF PETITIONER'S DRIVEWAY AREA	
No. 9	SITE PLAN	
No. 10	ZONING MAP	
No. 11		
No. 12		



PETITIONER'S
EXHIBIT NO. 10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 23, 2007

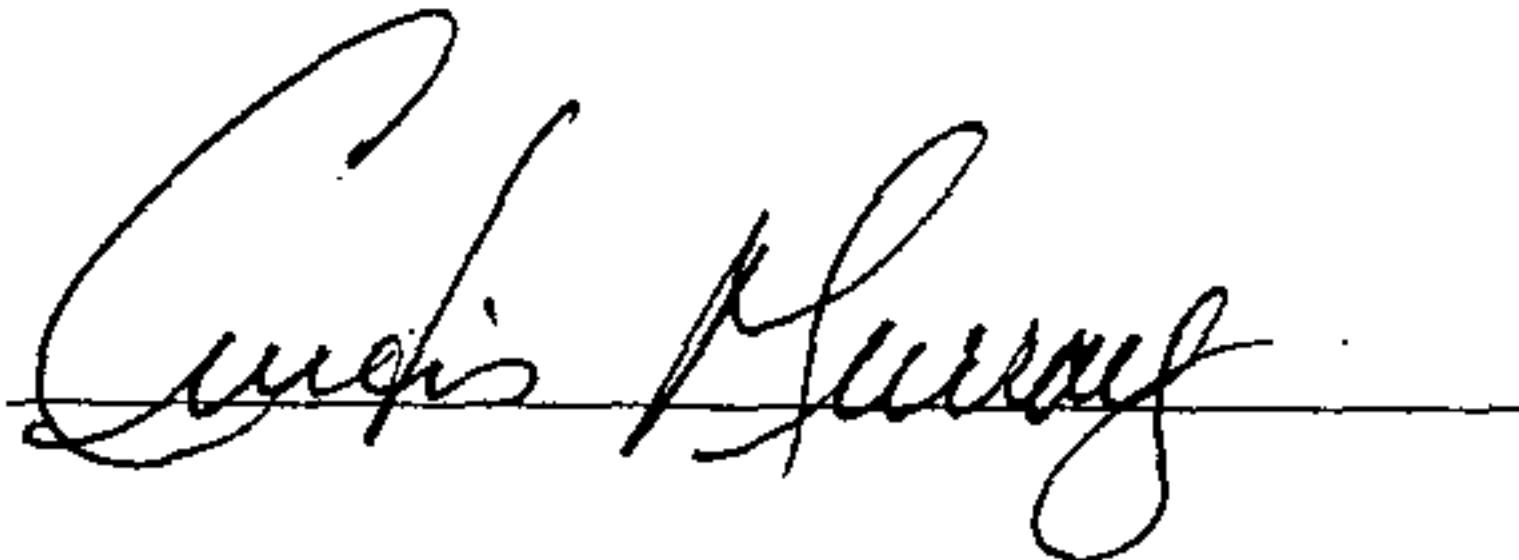
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-514- Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:



Division Chief:



CM/LL

Patricia Zook - Fwd: Re: Case 07-514-A (hearing is Tuesday July 31 @ 9:00)

From: Patricia Zook
Subject: Fwd: Re: Case 07-514-A (hearing is Tuesday July 31 @ 9:00)

>>> Dennis Kennedy 7/25/2007 2:25 PM >>>

Patti:

It is an above-ground pool which is allowed to be built in the tidal flood plain. I guess it would be proper to remind the petitioner that he needs to get a building permit to construct it.

Dennis Kennedy

>>> Patricia Zook 07/25/07 11:29 AM >>>

Good morning -

The case file indicates that the property is within the 'CBCA' and 'Flood' area. We are missing comments from DEPRM.

Dennis - your office indicated 'no comments' for the property, but I wanted to double check since PDM marked the file as 'flood'.

Thanks for your help, gentlemen.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

TB 7/31 9 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 23, 2007

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

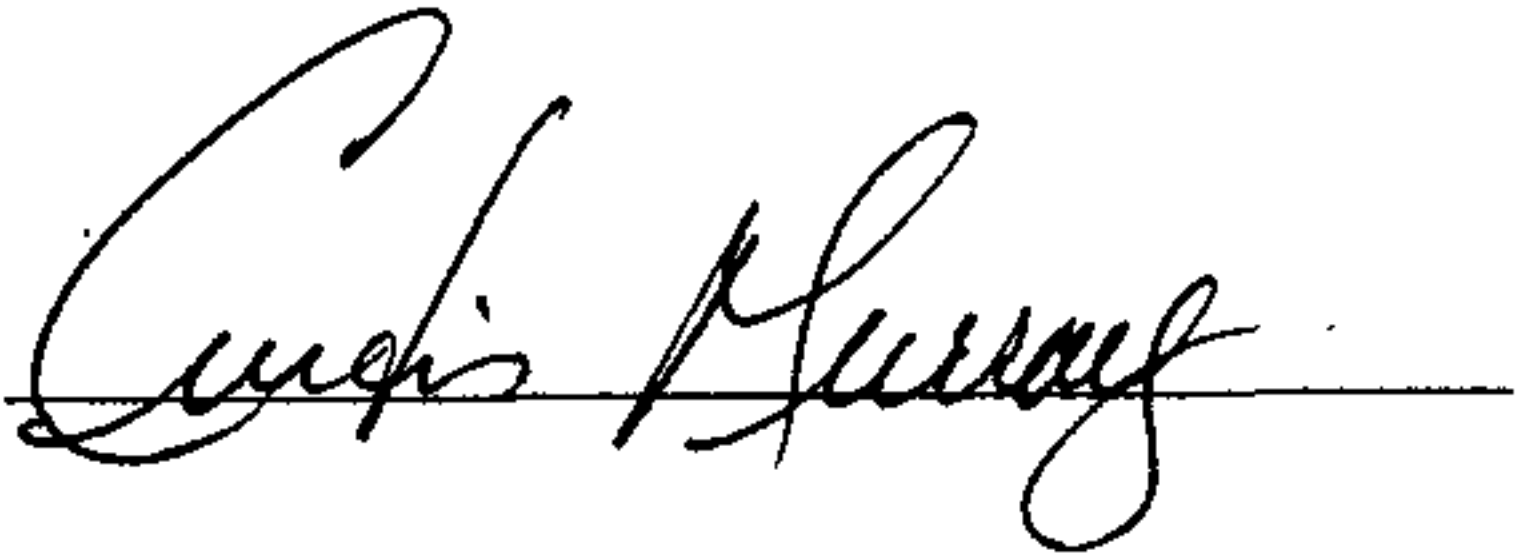
RECEIVED
MAY 25 2007

BY:.....

SUBJECT: Zoning Advisory Petition(s): Case(s) 07-514- Variance

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By: 

Division Chief: 

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 24, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 28, 2007
Item Nos. 07-500, 512, 513, 514, 515,
516, 517, 519, 520, 522, 523, 524, 525

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-05242007.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MAY 22, 2007

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

RE: Baltimore County
Item No. 7-514-A
3823 CLARKSPONT ROAD
BURNS 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. 7-514-A.

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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

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

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

May 24, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 21, 2007

5
Item Number: 512 through 529 and 522 and 523

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

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



Printed on Recycled Paper

RE: PETITION FOR VARIANCE * BEFORE THE
3823 Clarks Point Road; S/S Clarks Point Road *
2,376' E Bowleys Quarters Road * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Marie & Robert Burns * FOR
Petitioner(s) *
* BALTIMORE COUNTY
* 07-514-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 and 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 22nd day of May, 2007, a copy of the foregoing Entry of Appearance was mailed Marie & Robert Burns, 3823 Clarks Point Road, Middle River, MD 21220, Petitioner(s).

RECEIVED

MAY 23 2007

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 07-
CASE NUMBER _____
DATE _____

NAME _____

ADDRESS

CITY, STATE, ZIP

E-MAIL

Robert Burns

Kelsey Burns

Marile Burns

30-2 Cheryl Point Rd

3823 Clarks Point Rd.

3823 Clark Pt. RD.

Mobile River 21220

Baillo, MD. 21220

Bacto. MD 21220

Robert A Burns @ Verizon.

BOWLEYS QUARTERS
PLAT NO. 2
W.P.C. NO. 7/13

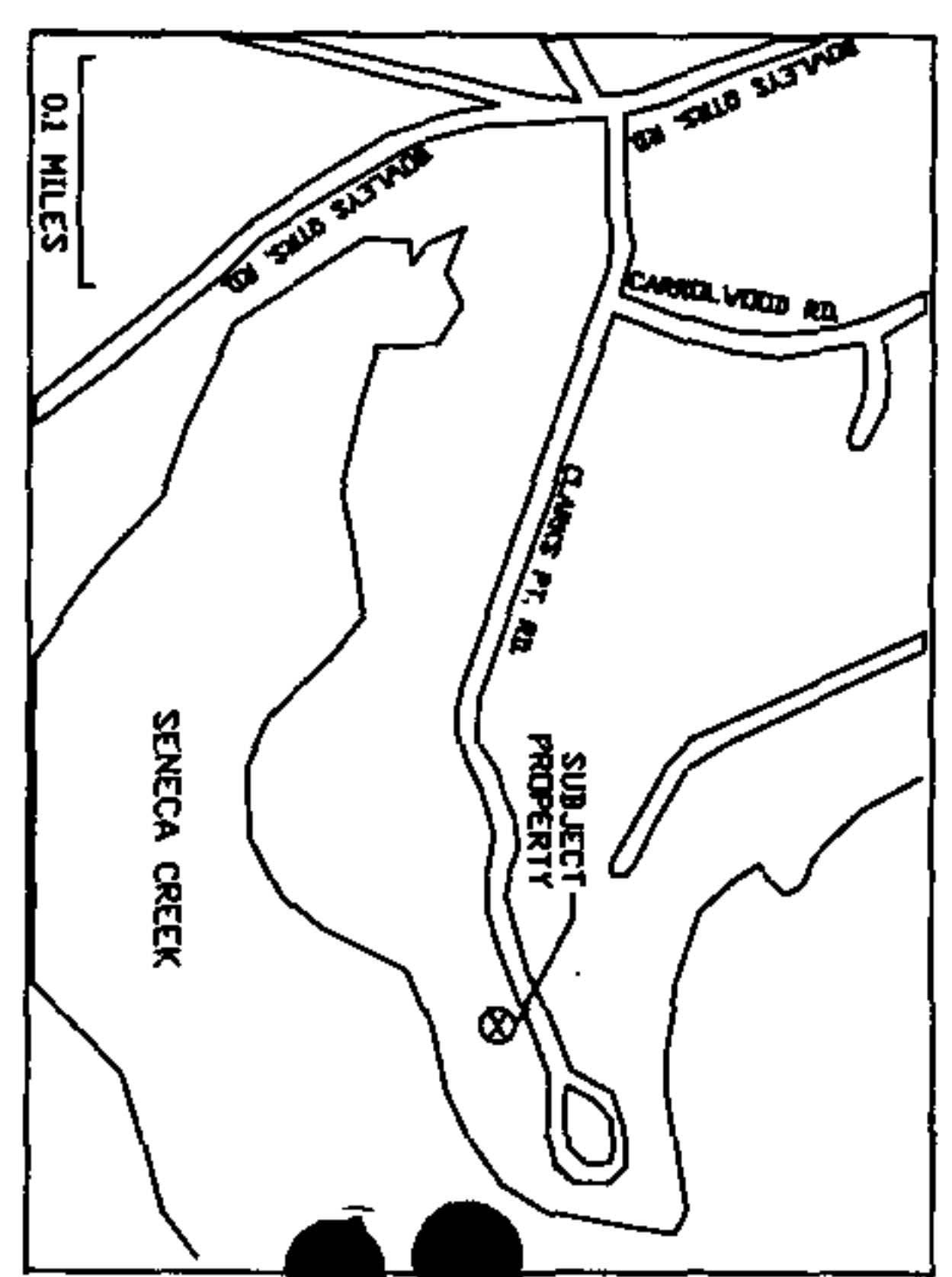
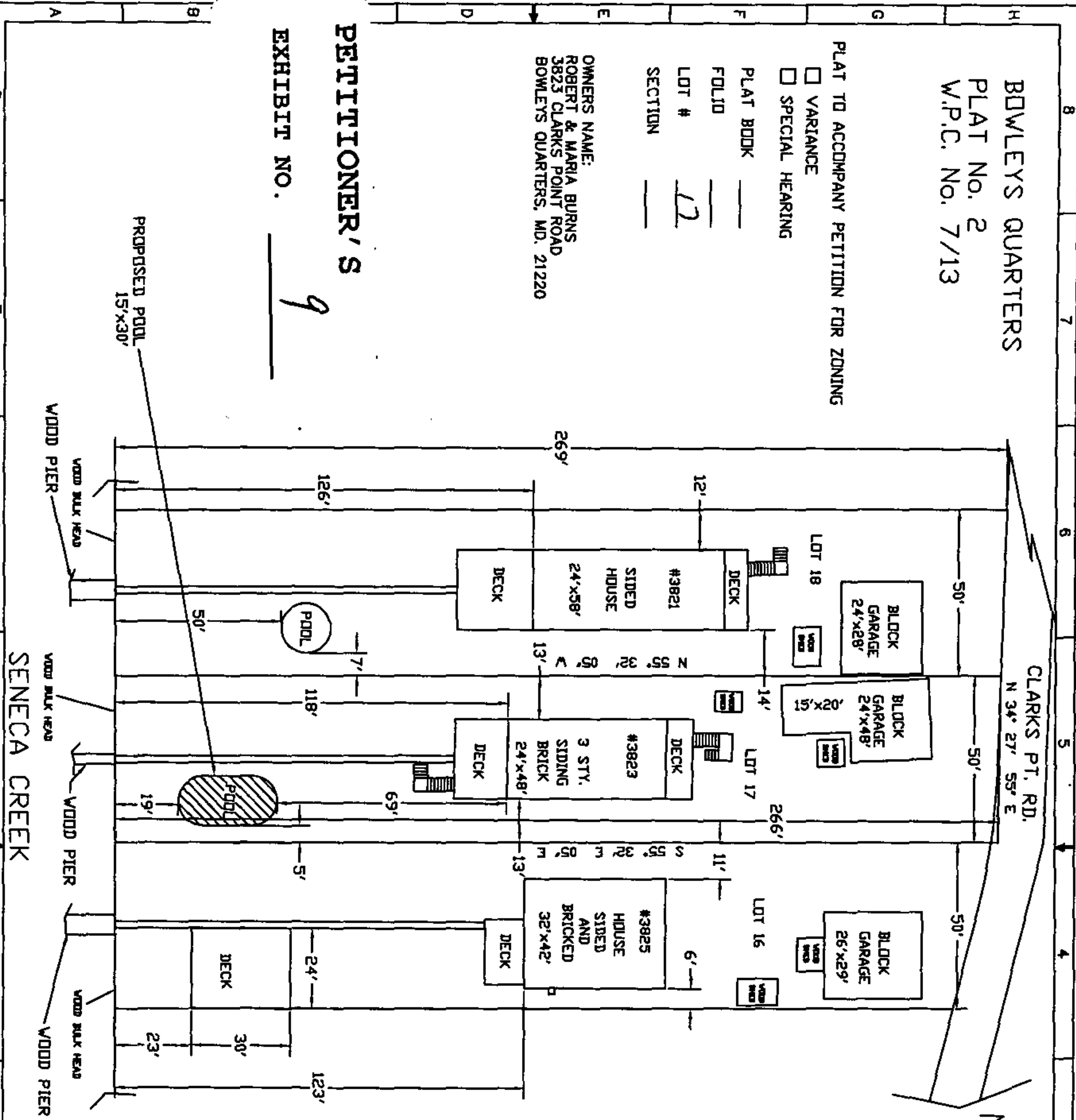
PLAT TO ACCOMPANY PETITION FOR ZONING

- ☐ VARIANCE
☐ SPECIAL HEARING

PLAT BOOK _____
 FOLIO _____
 LOT # 12
 SECTION _____

OWNERS NAME:
 ROBERT & MARIA BURNS
 3823 CLARKS POINT ROAD
 BOWLEYS QUARTERS, MD. 21220

PETITIONER'S
EXHIBIT NO. 9



VICINITY LOCATION

LOCATION INFORMATION

ELECTION DISTRICT 8
 COUNCILMANIC DISTRICT 15
 ZONING _____
 LOT SIZE 1/3 ACREAGE 13300 SQUARE FT

SEWER ☒ PUBLIC ☐ PRIVATE
 WATER ☐

CHESAPEAKE BAY ☐ YES ☒ NO
 100 YR. FLOOD PLAIN ☐
 HISTORIC PROPERTY/BUILDING ☒

PRIOR ZONING HEARING NA

REAL-TIME DESIGN	DATE	BY
MBB	11/21/07	MBB
RAB		RAB
LOT STAKEOUT		

11'x48"
 1/48"=1'12"



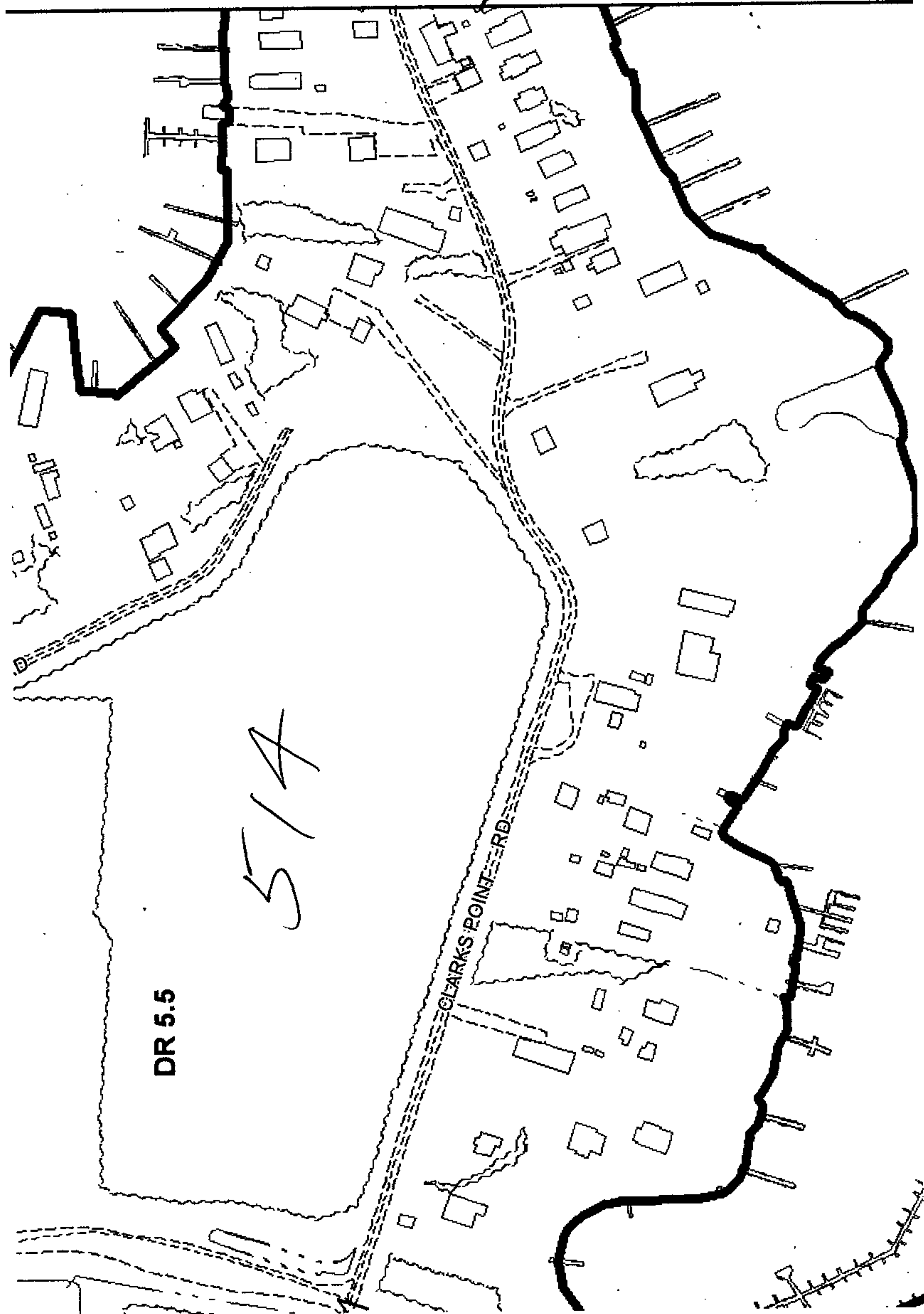
DR 5.5

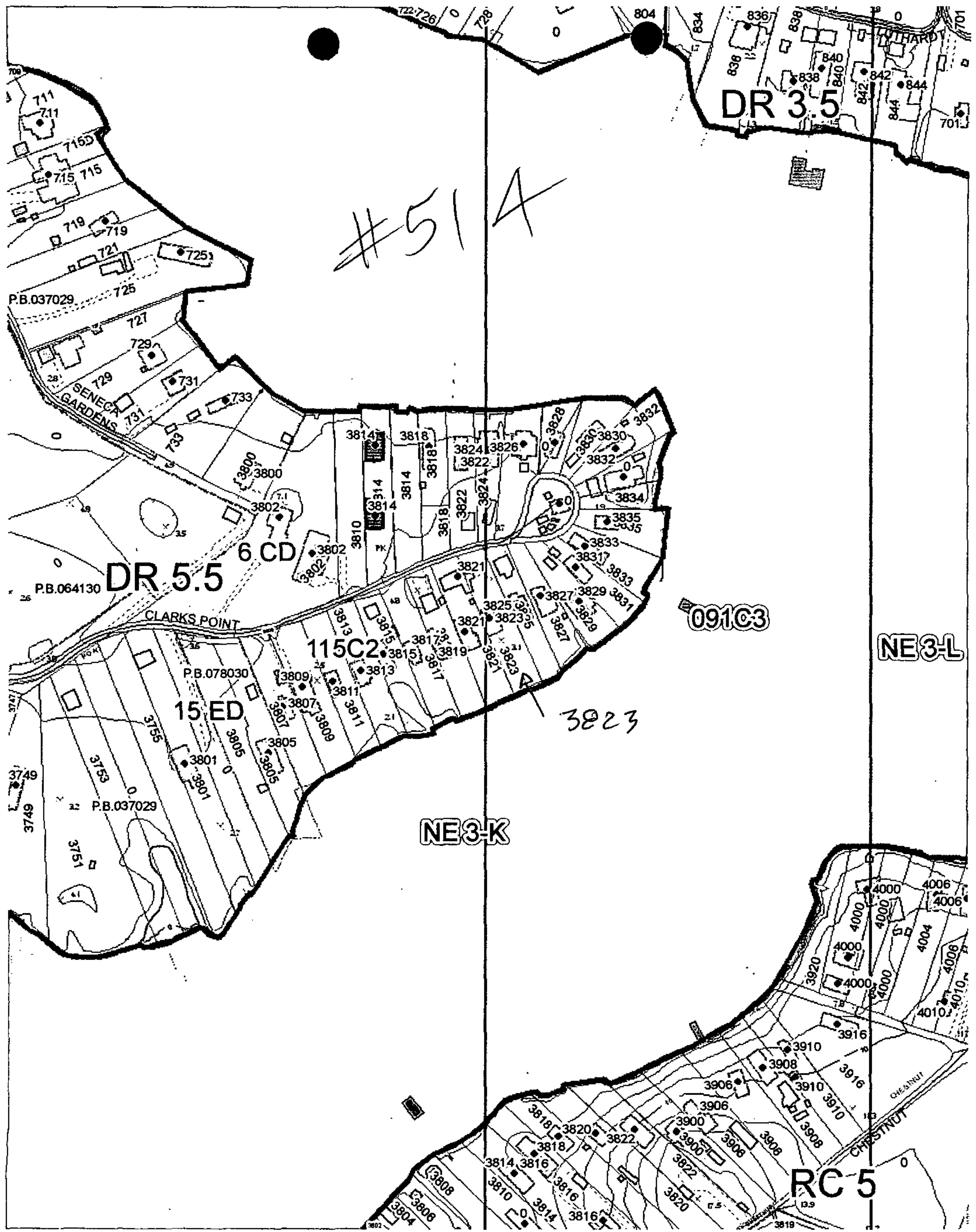
514

CLARKS POINT RD

SIT 2

115C2
0801815





#51A

DR 3.5

DR 5.5

6 CD

115C2

15 ED

NE3-K

091C3

NE3-L

3823

RC 5

P.B.037029

P.B.064130

P.B.078030

P.B.037029

711
715
719
721
725

SENECA
GARDENS

CLARKS POINT

RUTHARD

CHESTNUT

ZONING VARIANCE PLAN 3823 CLARKS POINT RD.

BOWLEYS QUARTERS
 PLAT NO. 2
 W.P.C. No. 7/13

2,376' Bowleys
 Quarters
 RD

PLAT TO ACCOMPANY PETITION FOR ZONING

- ☐ VARIANCE
- ☐ SPECIAL HEARING
- PLAT BOOK _____
- FOLIO _____
- LOT # 17
- SECTION _____

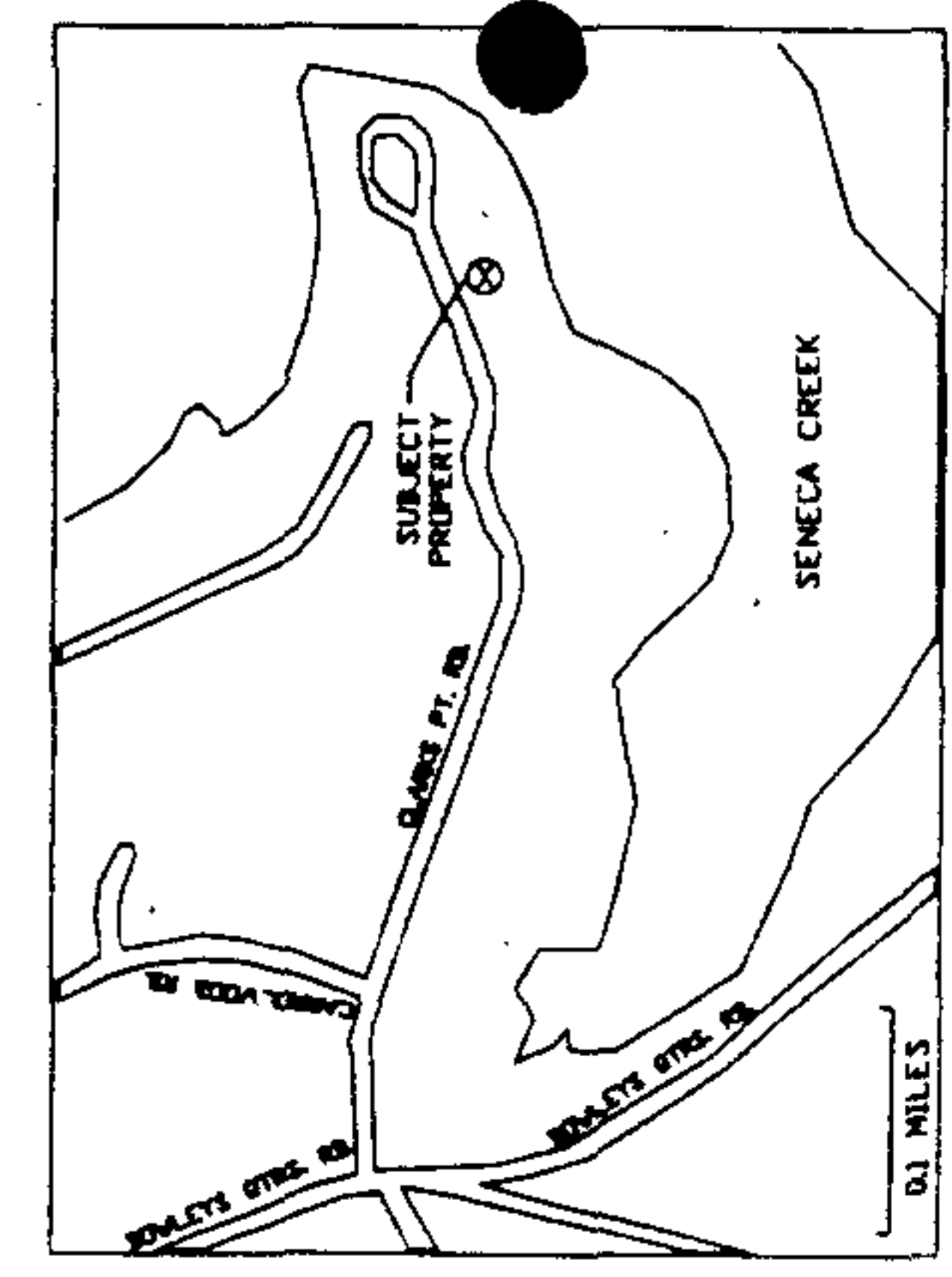
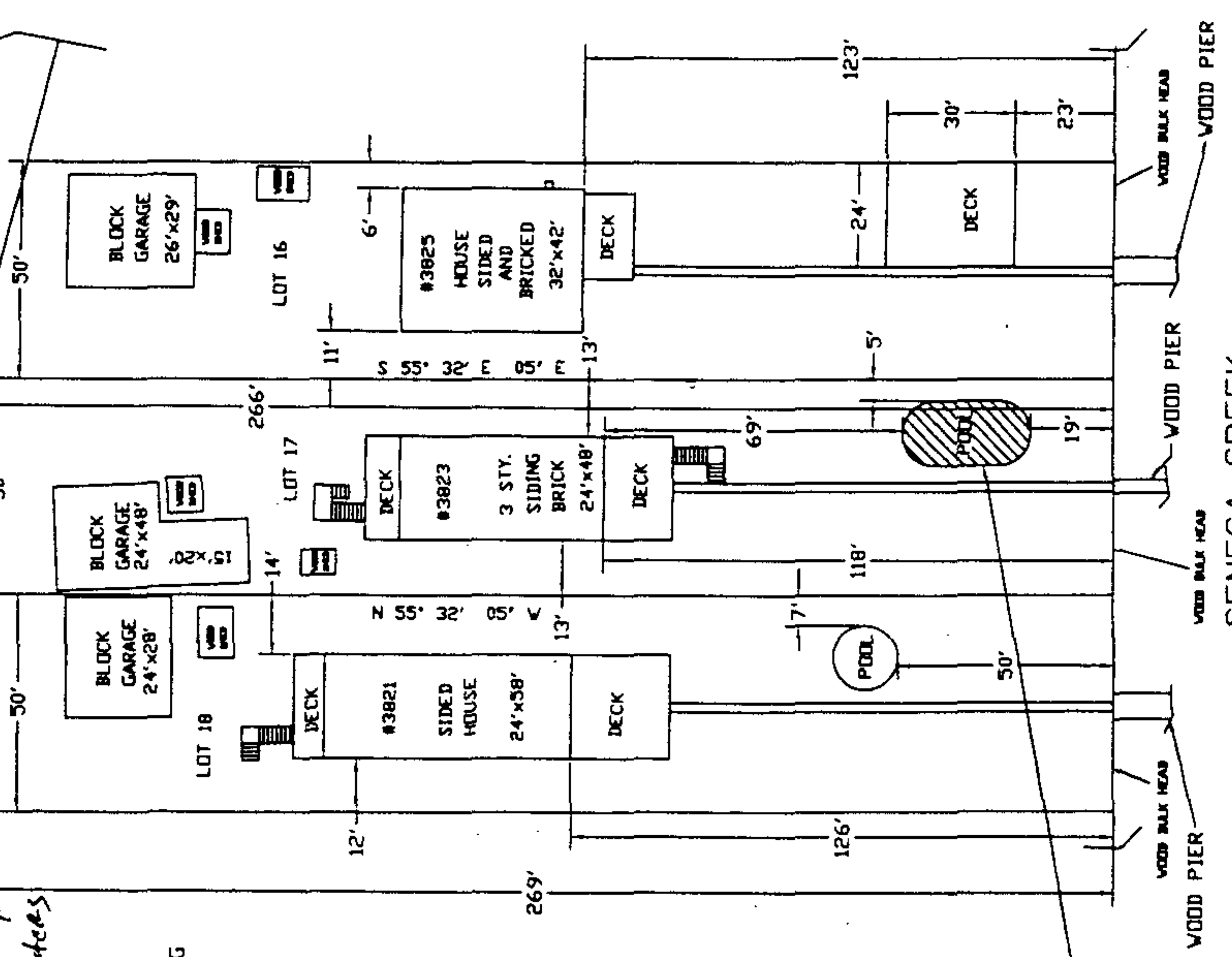
OWNERS NAME:
 ROBERT & MARIA BURNS
 3823 CLARKS POINT ROAD
 BOWLEYS QUARTERS, MD. 21220

51A

PROPOSED POOL
 15'x30'

Revised 5/10/07
 R. Burns

CLARKS PT. RD.
 N 34° 27' 55" E



VICINITY LOCATION

LOCATION INFORMATION

ELECTION DISTRICT
 COUNCILMANIC DISTRICT 6

ZONING
R5.5

LOT SIZE 1/4 ACREAGE 13300 SQUARE FT

MFR ☒ PUBLIC ☒ PRIVATE ☐

SEWER ☒ YES ☐ NO

WATER ☒ YES ☐ NO

CHESAPEAKE BAY CRITICAL AREA ☐

100 YR. FLOOD PLAIN ☒

HISTORIC PROPERTY/BUILDING ☐

PRIOR ZONING HEARING NA

REAL-TIME ZONING

MBB ☐ RAB ☐

1" = 50'

ZONING VARIANCE PLAN 3823 CLARKS POINT RD.

BOWLEYS QUARTERS

PLAT NO. 2

W.P.C. No. 7/13

Bowleys Quarters RD

PLAT TO ACCOMPANY PETITION FOR ZONING

☐ VARIANCE

☐ SPECIAL HEARING

PLAT BOOK

FOLIO

LOT #

SECTION

OWNERS NAME:

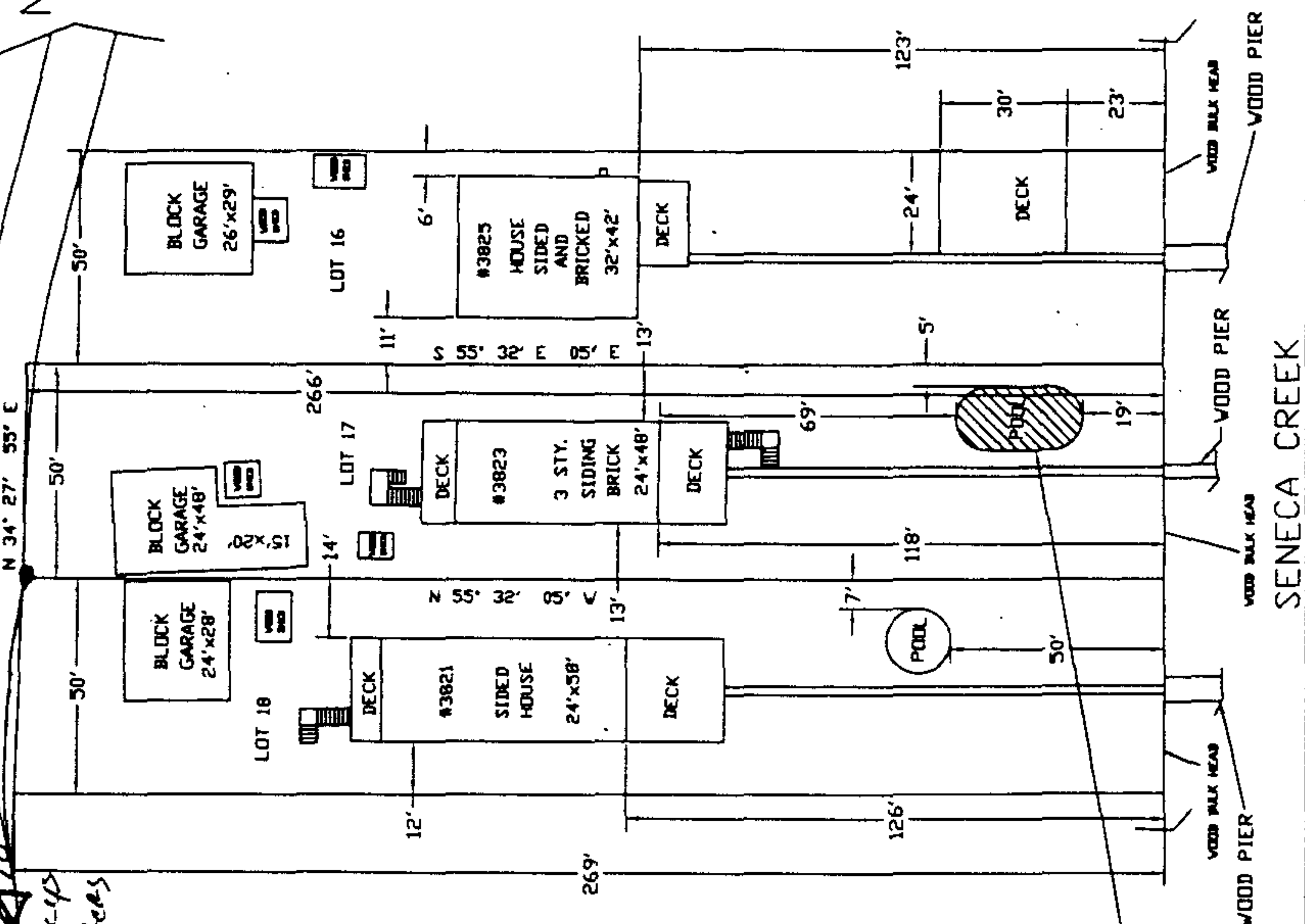
ROBERT & MARIA BURNS

3823 CLARKS POINT ROAD

BOWLEYS QUARTERS, MD. 21220

CLARKS PT. RD.
N 34° 27' 55" E

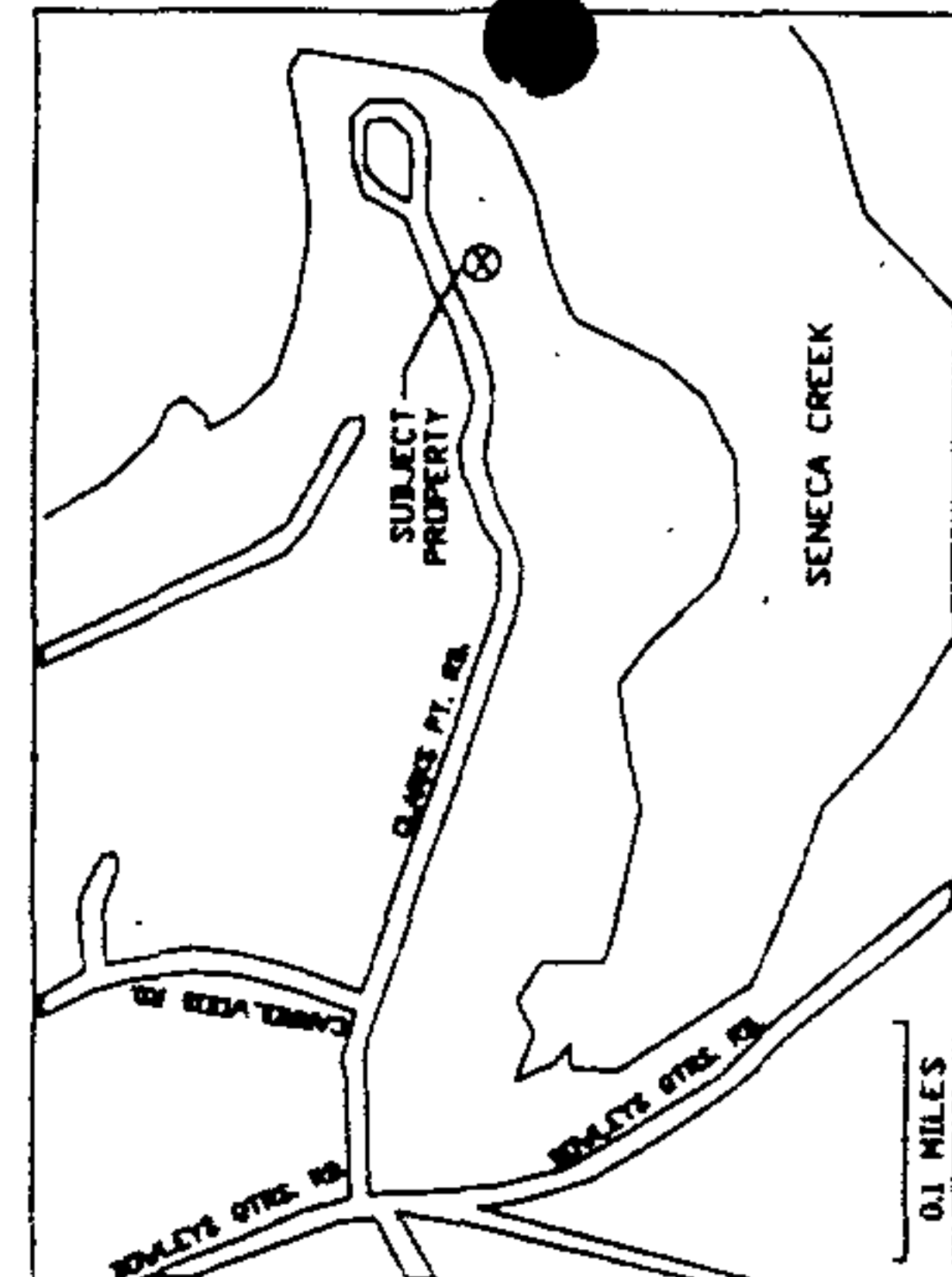
2,376'



PROPOSED POOL
15'x30'

*Revised 5/10/07
R. Burns*

51A



VICINITY LOCATION

LOCATION INFORMATION

ELECTION DISTRICT

COUNCILMANIC DISTRICT 6

ZONING

LOT SIZE

MAP

SEWER

WATER

CHESAPEAKE BAY

CRITICAL AREA

100 YR. FLOOD PLAIN

HISTORIC PROPERTY/BUILDING

PRIOR ZONING HEARING

1/19

ACREAGE

13300

SQUARE FT

11562 + 21163

PUBLIC

PRIVATE

YES

NO

1/19

1/19

1/19

1/19

1/19

ZONING VARIANCE PLAN 3823 CLARKS POINT RD.

BOWLEYS QUARTERS

PLAT NO. 2

W.P.C. No. 7/13

2,376' Bowleys
Quarters
RD

PLAT TO ACCOMPANY PETITION FOR ZONING

☐ VARIANCE

☐ SPECIAL HEARING

PLAT BOOK

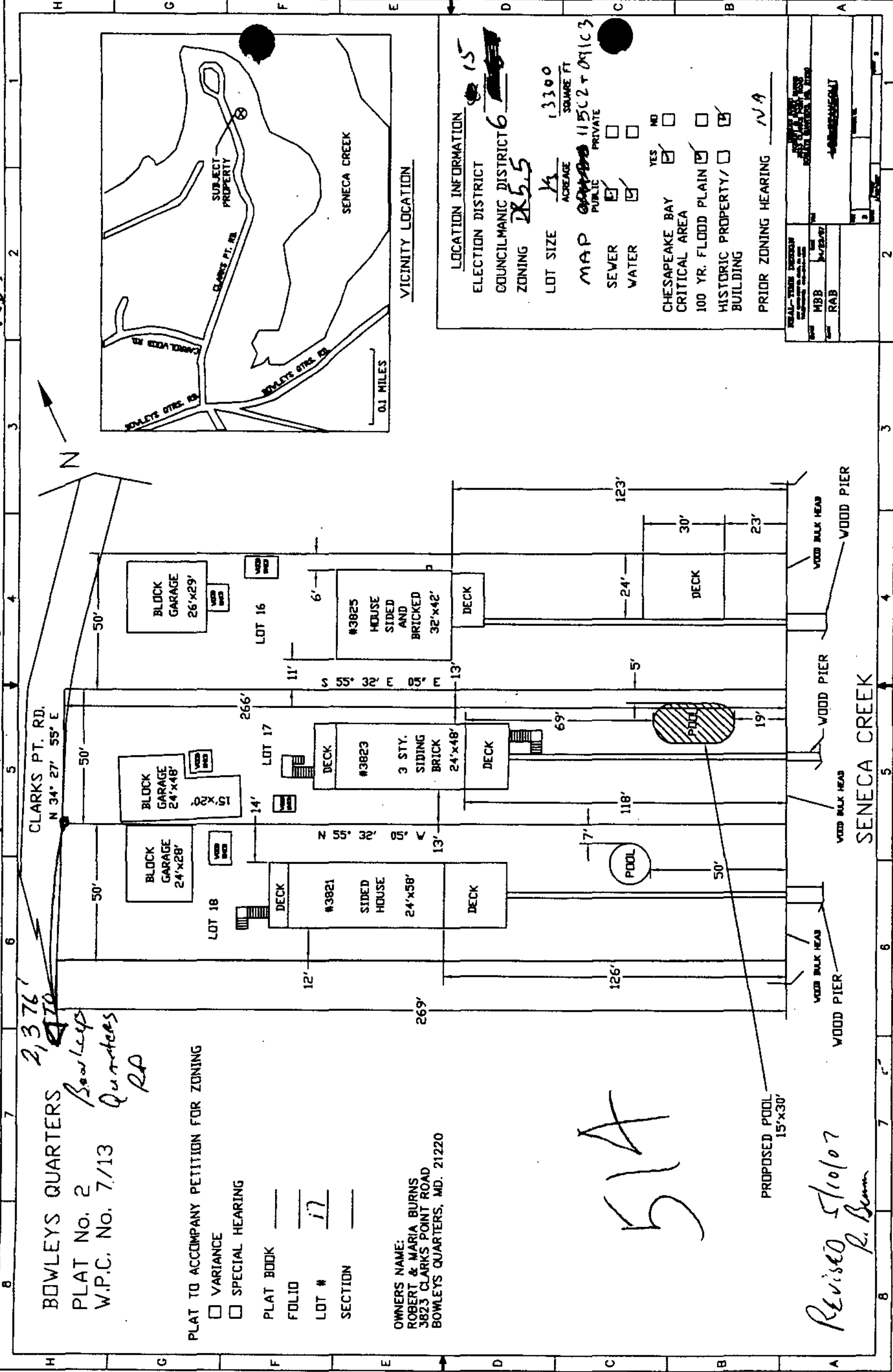
FOLIO

LOT # 17

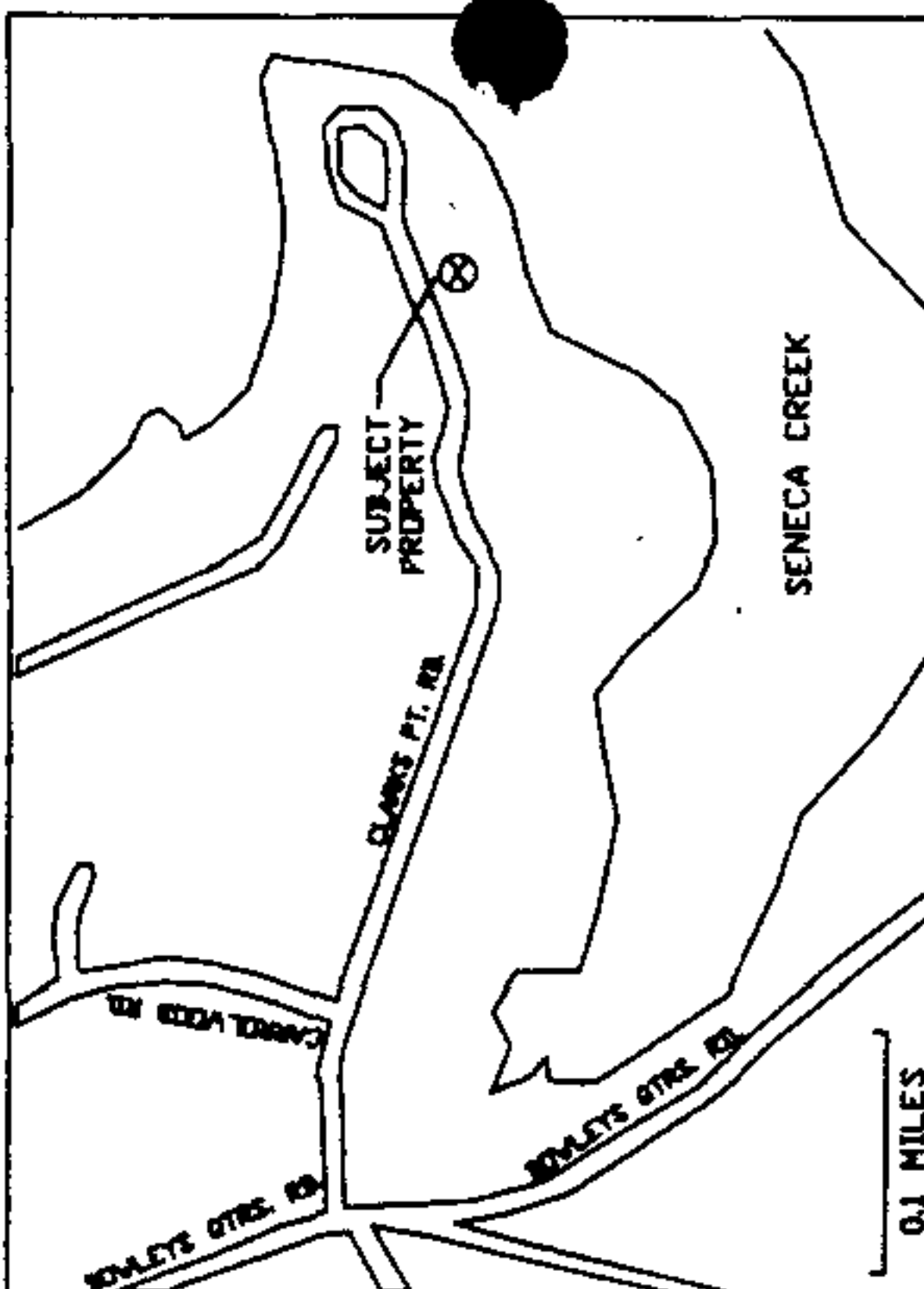
SECTION

OWNERS NAME:
ROBERT & MARIA BURNS
3823 CLARKS POINT ROAD
BOWLEYS QUARTERS, MD. 21220

CLARKS PT. RD.
N 34° 27' 55" E



VICINITY LOCATION



LOCATION INFORMATION

ELECTION DISTRICT

COUNCILMANIC DISTRICT 6

ZONING R5.5

LOT SIZE 1/4

ACREAGE

1.3300

SQUARE FT

MAP 11562 + 091103

SEWER PUBLIC

WATER PRIVATE

YES NO

CHESAPEAKE BAY

CRITICAL AREA

100 YR. FLOOD PLAIN

HISTORIC PROPERTY/BUILDING

PRIOR ZONING HEARING

NA

REAL-TIME RECORD	DATE	TIME
MBB	11/14/07	11:00
RAB	11/14/07	11:00

51A

PROPOSED POOL
15'x30'

Revised 5/10/07
R. Burn

1" = 50'



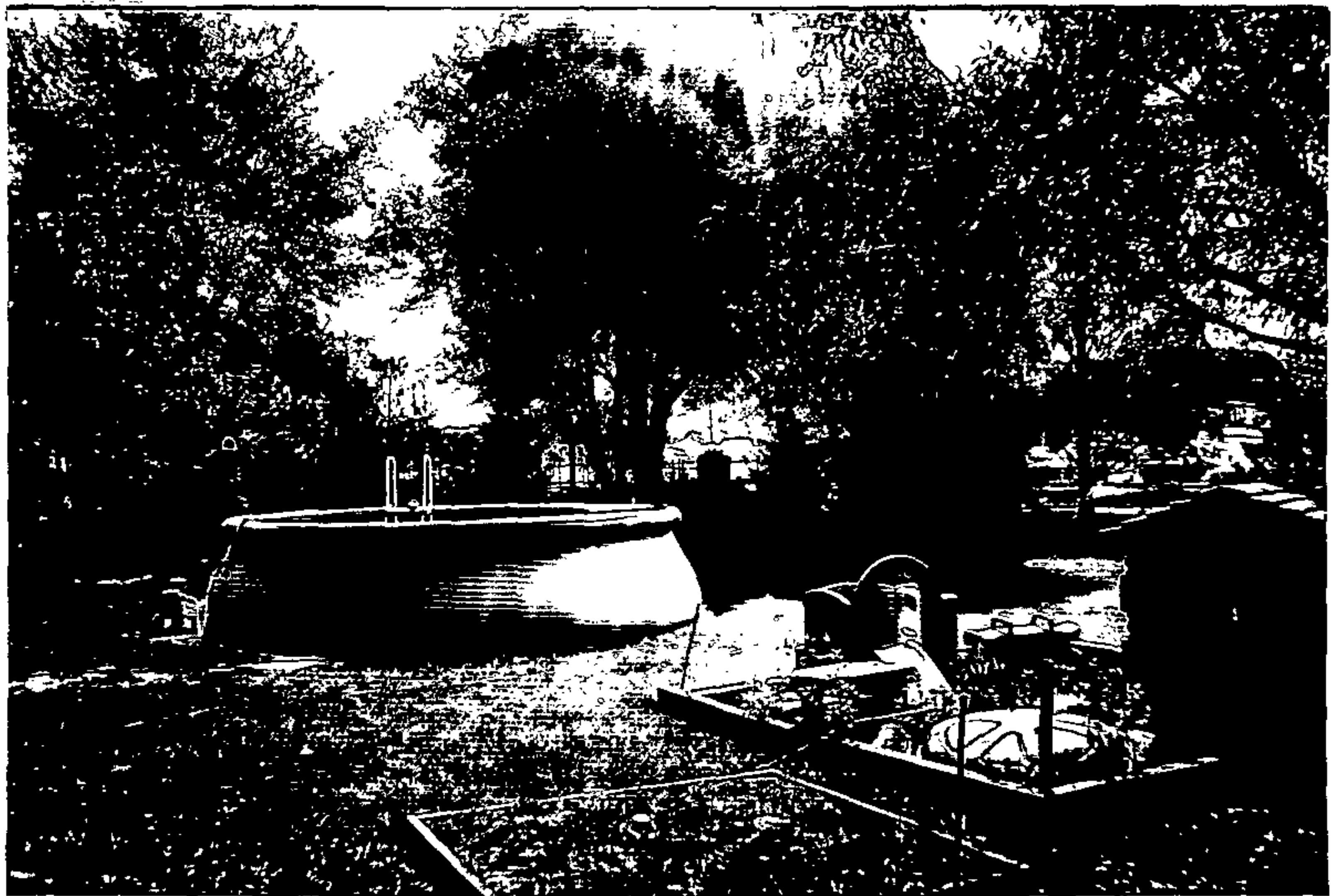
3817

Tom Foot
Property
Pool

PETITIONER'S

EXHIBIT NO.

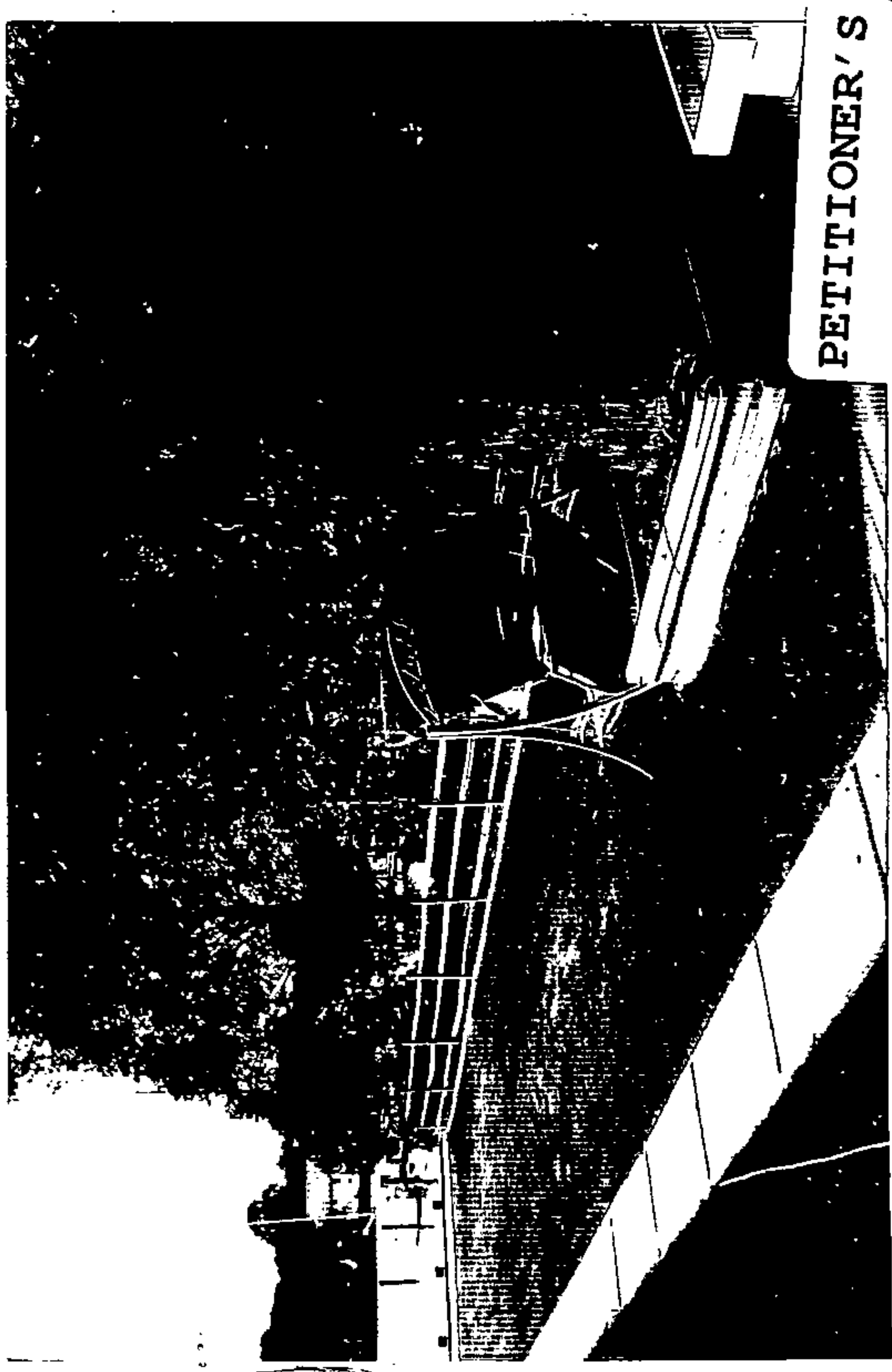
3



PETITIONER'S

EXHIBIT NO.

2





3819
Betty Moore's

Grade



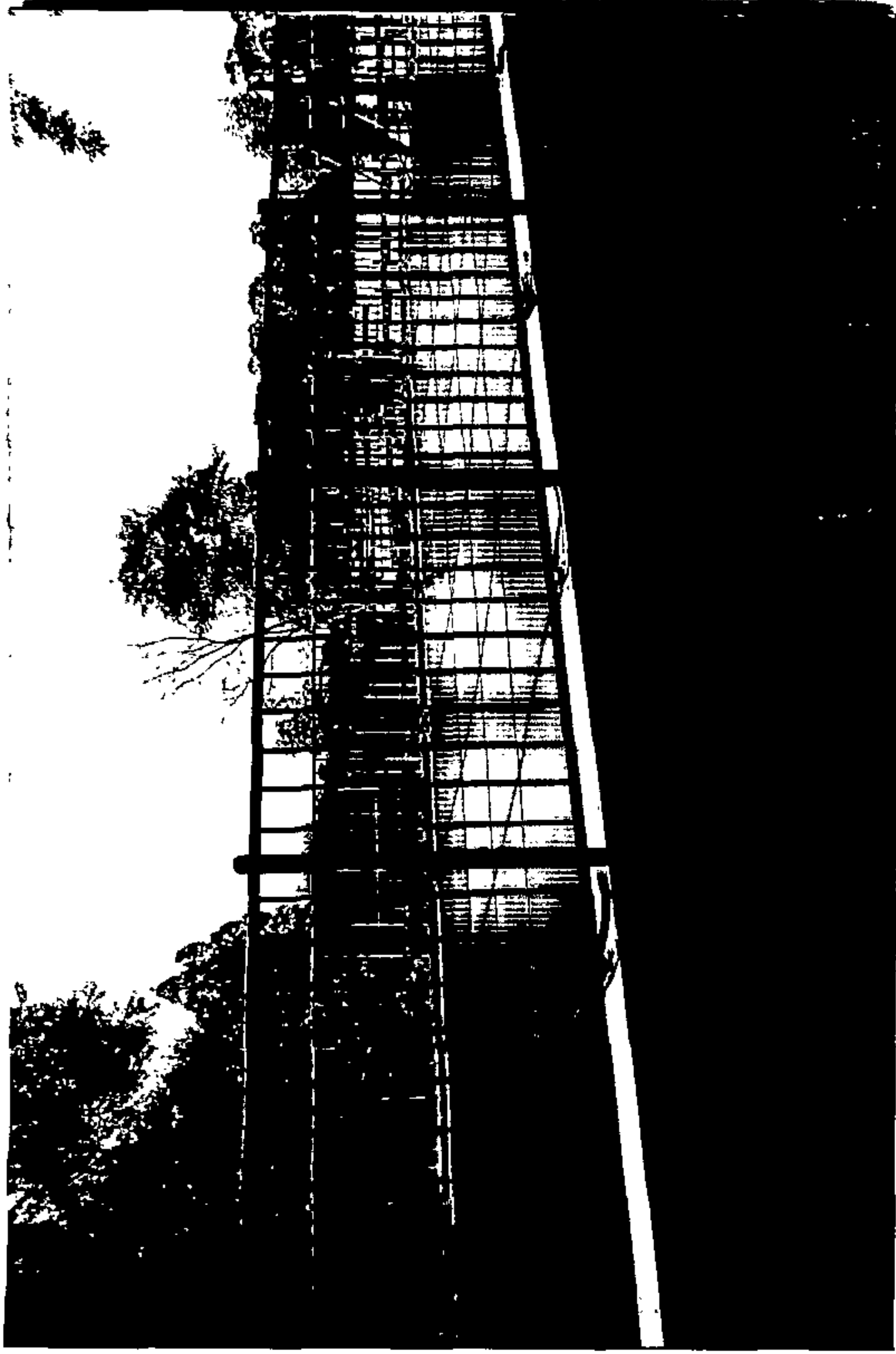
7823

PETITIONER'S
EXHIBIT NO. 1



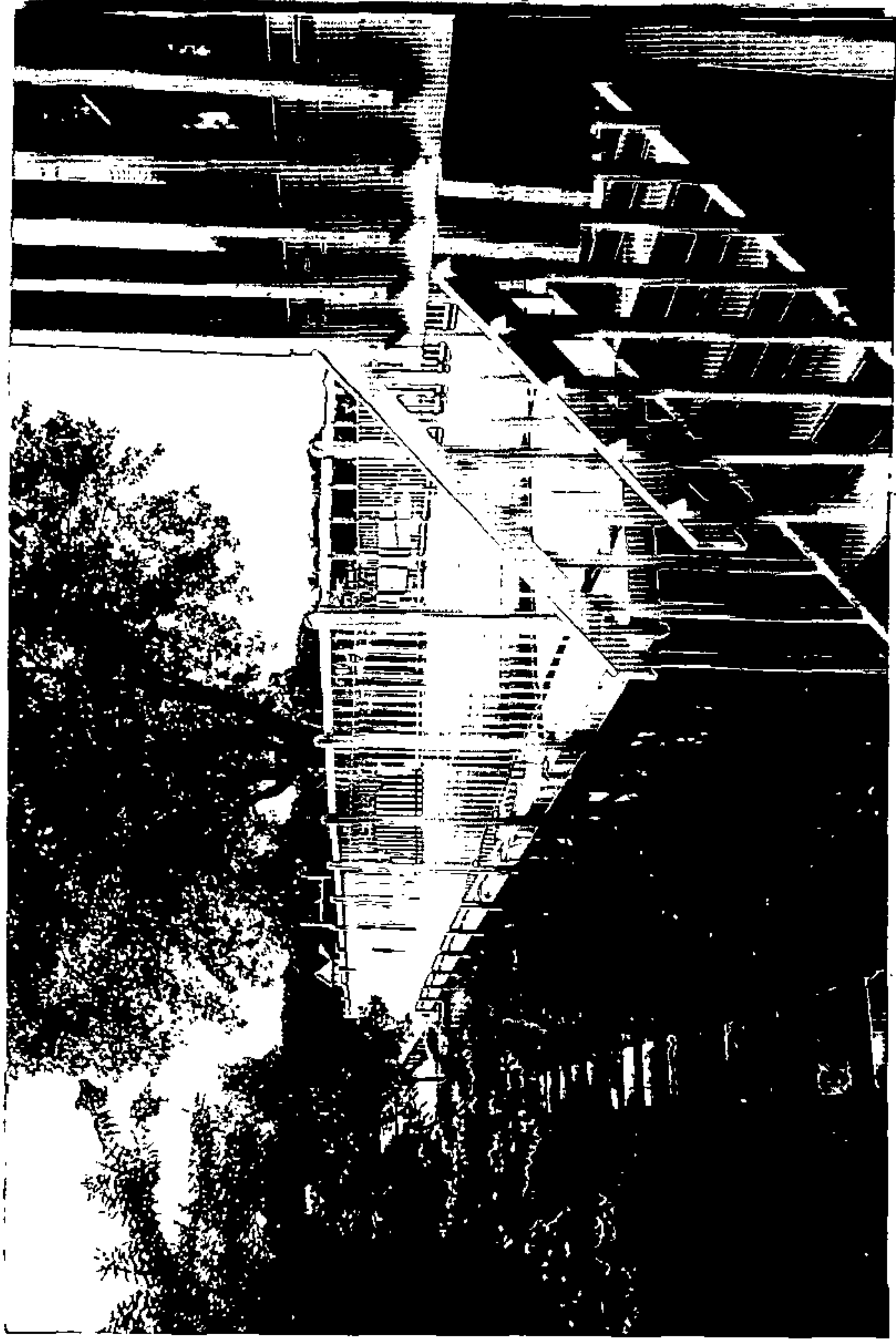
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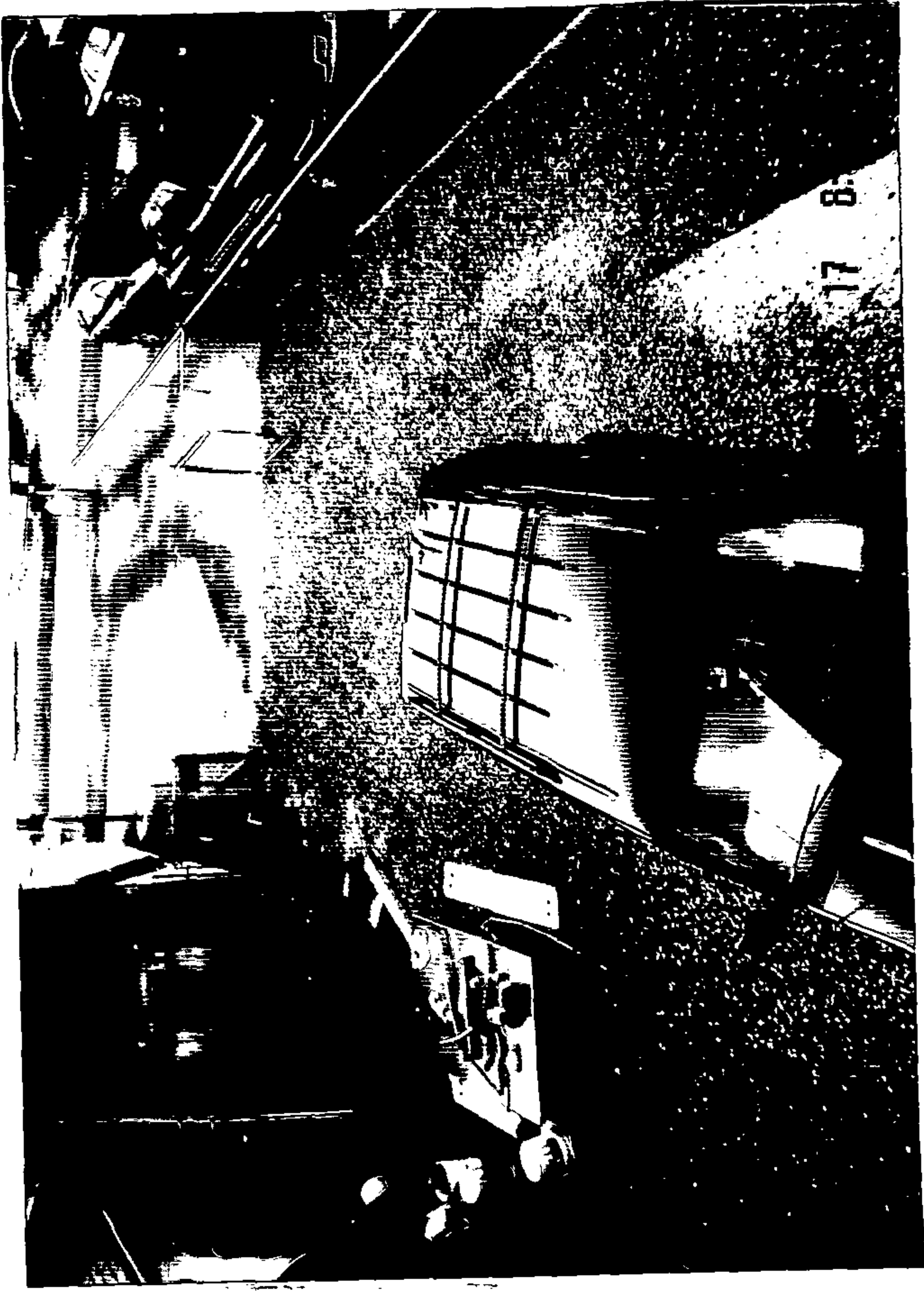
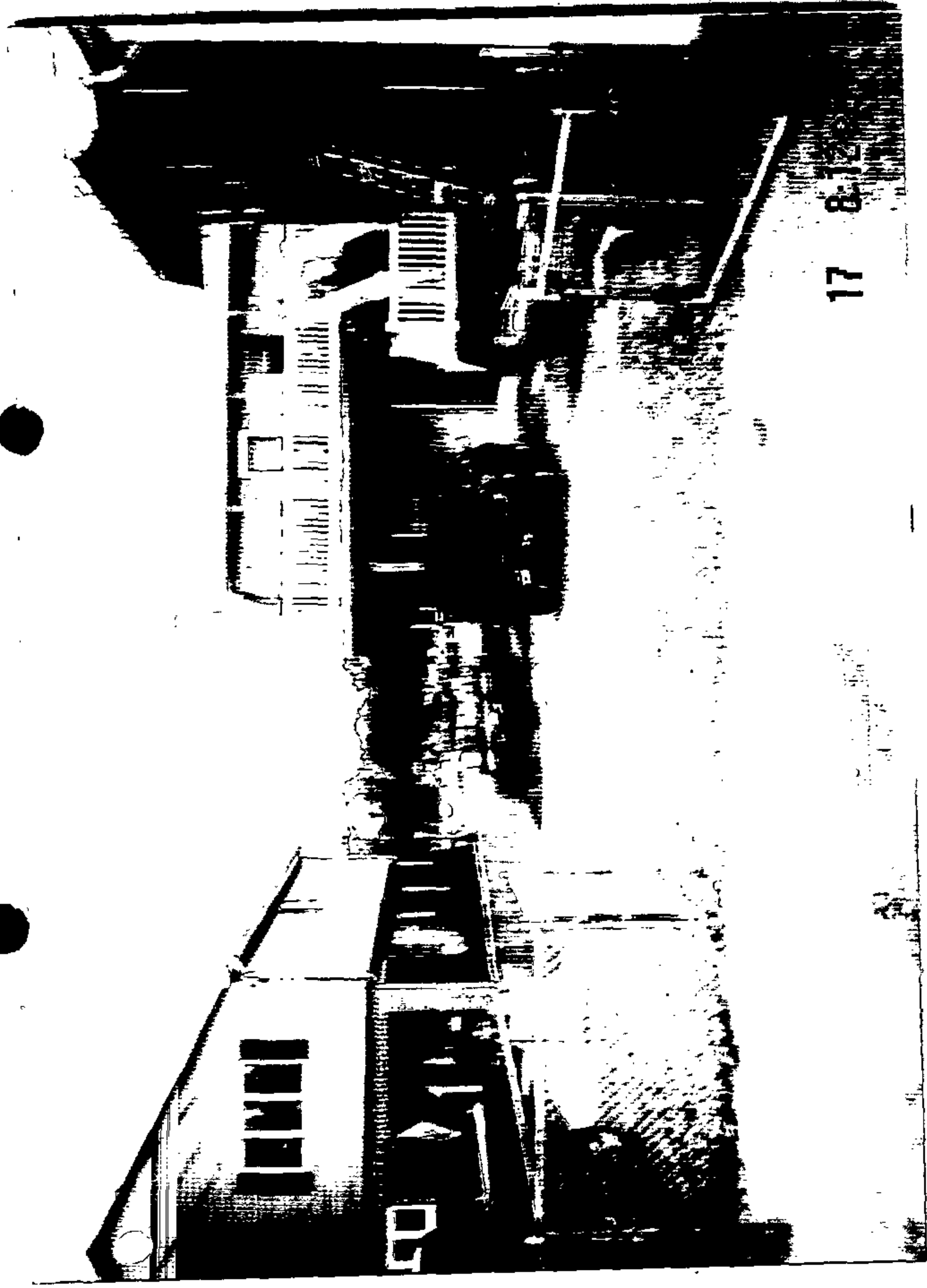
3809 Clarks Point Rd.



PETITIONER'S

EXHIBIT NO.





Street side
of

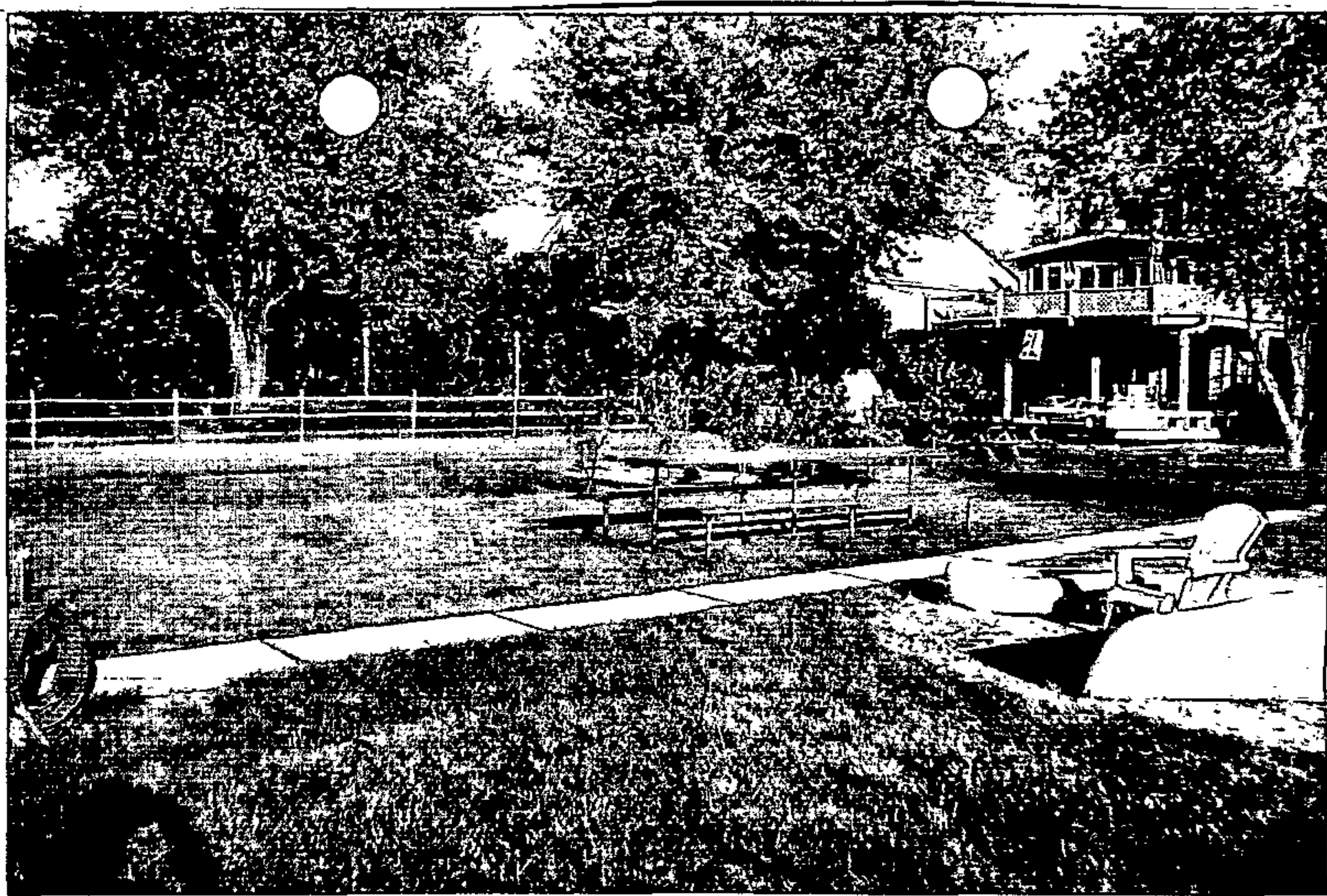
3323 Clark Point Rd
Burns

PETITIONER'S

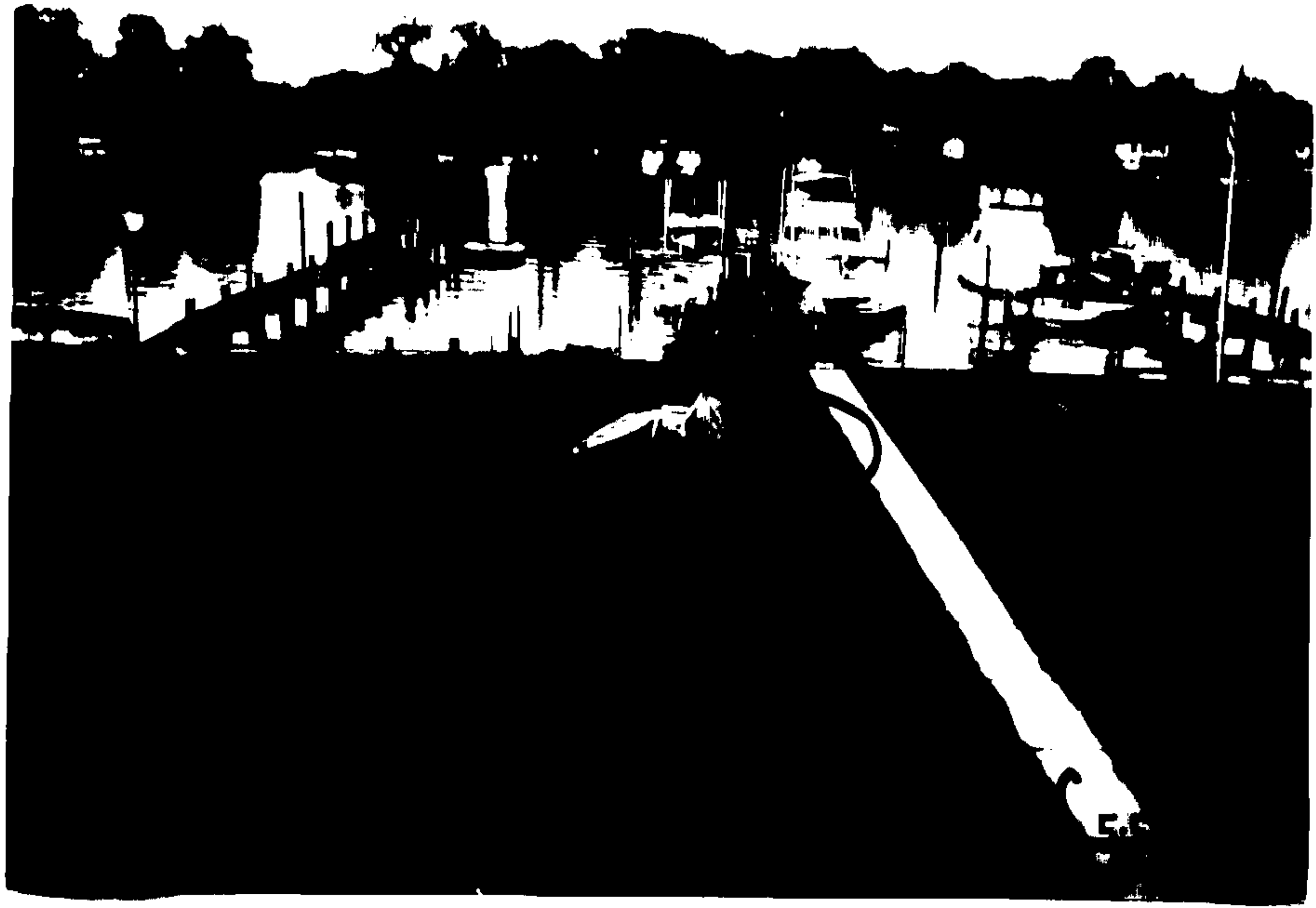
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8

946



4x9



4x7

