IN RE: PETITION FOR SPECIAL HEARING NW/S Intersection of Hartley Mill &	*	BEFORE THE
Hillrise Roads	*	ZONING COMMISSIONER
(5540 Hillrise Road) 11th Election District	*	OF
3 rd Council District	*	BALTIMORE COUNTY
Robert S. Knight, Jr., et ux Petitioners	*	Case No. 08-027-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Robert (Bob) S. Knight, Jr. and his wife, Carol C. Knight. The Petitioners request a special hearing to approve a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 3112.0 of the Baltimore County Building Code; and Sections 32-4-414, 32-4-107(a)(2), and 32-8-301 of the Baltimore County Code (B.C.C.), to permit construction of a building addition in a riverine floodplain and to approve a waiver pursuant to B.C.C. Sections 32-4-107(b), 32-4-223(8) and 32-4-416(a)(2) to construct an addition to an existing historic dwelling. The subject property and requested relief are more particularly described on the site plan, Petitioners' Exhibit 1, and the floor plan and elevation drawings for the new addition, Petitioners' Exhibits 4 and 5 respectively (home addition), which were submitted and accepted into evidence.

Appearing at the requisite public hearing in support of the requests were Bob and Carol Knight, the owners of the property. There were no Protestants or other interested parties present, however, David Thomas, a professional engineer and representative of the Department of Public Works, attended and participated in the proceedings.

Testimony and evidence offered revealed that the subject property consists of a long and irregularly shaped parcel bordering along the west side of Hartley Mill Road for some 1,328

Date CENTED FOR FILING

It should be pointed out by this Commission that County Council Bill 26-07 went into effect on April 29, 2007 repealing and reenacting with amendments Section 32-4-416(a). Section 32-4-416(a) no longer mentions "Historic Structures".

DESCRIPTION OF THE PROPERTY OF

feet with 224 feet of frontage on Hillrise Road just south of Glen Arm Road in the Long Green Valley area of Glen Arm. The property contains a gross area of 6.23 acres, more or less, zoned R.C.2, and improved with a three-level (two-story) home that is included on the Baltimore County Inventory as "Russell Welsh House" CI-529 (MIHP) #BA-529. The dwelling, which was constructed in phases from 1850, is in close proximity to the Long Green Creek that runs north and south between Glen Arm Road, through the Petitioners' property and Hartley Mill Road, placing a portion of the home within a 100-year floodplain. Existing stone walls surround the northern and southern exposures on the eastern side of the home giving protection from the stream and associated floodplain. The Petitioners' have owned the property since 1989 and now are desirous of adding a one-story (16' x 24' x 15' high) family room addition to the north end of the home. The new great room will include among other things an open deck and fireplace on the main level. Included in the improvements are plans to relocate existing utilities (furnace, well pump, washer and dryer) from the lower level to main level in a new utility room. Six passive flood vents will be incorporated on the lower level in the event unexpected flooding should occur. See Petitioners' Exhibit 4 depicting the existing home (left side) to the home with the new addition (right side). These plans, and the floodplain study performed by the civil engineering firm of Gower Thompson, Inc, have been reviewed by David Thomas and Mr. John Joyce with the Maryland Department of Environment. Both Mr. Thomas and Mr. Joyce have recommended that the waiver be granted.

It is important to note that the proposed addition will be recessed back and away from the Long Green Creek. Moreover, the new addition and foundation will incorporate materials and standards superior to those presently existing. Mr. Knight, also a structural engineer with RTKL, points out that in the family's eighteen (18) years of ownership, they have never experienced flooding.

The proposal and subject property has been reviewed by the Director of the Department of Public Works, Edward C. Adams, and the Office of Planning's Chief of Preservation Services, Karin Brown. The file contains their agency comments indicating that

Date RECEIVED FOR FILING

they have no objection to either the requested floodplain waiver or the alterations to the home, which are compatible with the historic structure. Both departments recommended approval. Thus, I find the requested relief is the minimal necessary, considering the flood hazard, and will not increase flood heights or impact public safety or conflict with existing local and state laws. In this regard, the Gower study concludes that the addition will have no impact on the floodplain and that there will be no change in the floodplain elevation either upstream or downstream from Petitioners house.

Based upon the testimony and evidence offered, I am persuaded that the Petitioners have met the requirements set out in Sections 32-8-301 and 32-4-414 of the Baltimore County Code for waiver relief to be granted. I find that a grant of the relief will not adversely impact the floodplain and that a denial of the requests would result in a hardship upon the applicant. In sum, I find that the grant of relief is appropriate in this instance.

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.

this ______ day of September 2007 that the Petition for Special Hearing seeking approval of a waiver, pursuant to Section 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 3112.0 of the Baltimore County Building Code; and Sections 32-4-414, 32-4-107(a)(2) & (b) and 32-8-301 of the Baltimore County Code (B.C.C.), to permit construction of a building addition in a riverine floodplain and to approve a waiver pursuant to B.C.C. Sections 32-4-223(8) and 32-4-416(a)(2) to construct an addition to an existing historic dwelling, in accordance with Petitioners' Exhibits 1, 4 and 5, be and are 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 attached Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated September 12, 2007.

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

WJW:dlw

AMIL WISENIAN, III

Zoning Commissioner for Baltimore County

By Date S-17-ST



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

September 17, 2007

Robert S. Knight, Jr. Carol C. Knight 5540 Hillrise Road Glen Arm, Maryland 21057

RE: PETITION FOR SPECIAL HEARING

NW/S Intersection of Hartley Mill & Hillrise Roads (5540 Hillrise Road)

11th Election District ~ 3rd Council District

Robert S. Knight, Jr., et ux ~ Petitioners

Case No. 08-027-SPH

Dear Mr. and Mrs. Knight:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing 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.

Very truly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

c: People's Counsel; DEPRM; Dennis Kennedy, DPR; File David Thomas, Department of Public Works
Karin Brown, Chief of Preservation Services, Office of Planning



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5540 HILLRISE PD which is presently zoned _____ R This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve Special Hearing for a waiver pursuant to Section 500.6, BCZR; Section 3112.0, Building Code; and Sections 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to permit an addition in a riverine floodplain and to approve a waiver pursuant to Sections 32-4-107(b), BCC of Sections 32-4-223.(8) and Section 32-4-416(a)(2) to construct an addition to an existing historic dwelling. Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. P101+0 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): 26-07 Name - Type or Print Name - Type or Print Signature Signature Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: THE PARTY. Address Telephone No. Name - Type or Print State Zip Code Representative to be Contacted: Signature Company Name Address Telephone No Address Telephone No City State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 08-027-SPH UNAVAILABLE FOR HEARING _ Reviewed By D.T. Date 7/13/07 REV 9/15/98 ONDER RECEIVED FOR FILING Date_

BV_

ZONING DESCRIPTION

Zoning Description for 5540 Hillrise Road

Beginning at a point on the Northwest side of the intersections of Hartley Mill and Hillrise Roads, both with 15 ft of paving width, thence the following courses and distances: Northerly along the West side of Hartley Mill Road 25 ft, Northerly 168.7 ft, Northerly 214.9 ft, Northerly 175.3 ft, Northerly 120.9 ft, Northerly 139.8 ft, Northerly 235.3 ft, Northwesterly 82.1 ft, Westerly 44.5 ft, Northwesterly 39.5 ft, Northerly 126.9 ft, Westerly 83.7 ft away from Hartley Mill Road, Southerly 718.5 ft, Southerly 406.8 ft, Southerly 184.8 ft to the North side of Hillrise Road, Southeasterly 32.3 ft, Easterly 74.5 ft, and Easterly 117.5 ft back to the point of the beginning, containing 6.23 acres and located in the 11th Election District, 3rd Councilmanic District.

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OUNTY, MARYI DGET AND FIN	Sub Orgn Orgn				R. PINK
BALTIMORE COFFICE OF BU	힏		Rec	For	DISTRIBUTION WHITE CASHIER

The Zoning of the Soling Act and Recognitions of Baitimore thority of the Soling Act and Recognitions of Baitimore County will the property dentified hereith as follows:

Case: #06.027-SPH
5540 Hillrise Road
N/west side of intersection of Hartley Mill and Hillrise Roads OF ZONMONEABING 3311

Roads

11th Election District 3rd Councilmanic District
Legal Dwner(s): Robert S. & Carol Knight, Jr.
Legal Dwner(s): Robert S. & Carol Knight, Jr.
Legal Dwner(s): Robert S. & Carol Knight, Jr.
Special Hearing: for a Walver pursuant to Section 500.6, 8CZR, Section 3112.0, Bullding Code and Sections 32-4-107 (b) BCC to permit an addition in a riverine floodpiain and to approve a walver purtion in a riverine floodpiain and to approve a walver purtion in a riverine floodpiain and to approve a walver purtion in a riverine floodpiain and to approve a walver purtion in a riverine floodpiain and to approve a walver purtion in a rivering historic dwelling.

223(8) and Section 32-4-416(a)(2) to construct an addition to an existing historic dwelling.

Hearing: Wednesday, September 12, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

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

(2) For Information concerning the File and/or Hearing,
(2) For Information concerning the File and/or Hearing,
37 8/755 August 28

the annexed advertisement was published THIS IS TO CERTIFY

in the following weekly newspaper published in Baltimore County, Md.,

successive weeks, the first publication appearing once in each of

X The Jeffersonian

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

Mulus.

LEGAL ADVERTISING

CERTIFICATE OF POSTING

· ·	RE: Case No.: 08-027-SPH
	Petitioner/Developer:
	ROBERT KNIGHT
	Date of Hearing/Closing: 9/12/07
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention:	
Ladies and Gentlemen:	
were posted conspicuously on the property	of perjury that the necessary sign(s) required by law located at
The sign(s) were posted on CASE # 08-027-SPH	E/28/07 (Month, Day, Year) Sincerely,
ZONING HOTICE CASE # GB-O27-2PM A PUBLIC MEARING WILL THE TOKING COUNTS IN TOWNS H. M.D.	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name)
PERCE PAR AND TIME: North Last to the part of the sea of a sea sea of a sea	904 DELLWOOD DR. (Address)
5540 HILLRISE RD. POSTED B/28/07 62-RESEMBLES/107	



JAMES T. SMITH, JR. County Executive

August 2, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
NG
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: 08-027-SPH

with Kotroco

5540 Hillrise Road N/west side of intersection of Hartley Mil and Hillrise Roads 11th Election District –3rd Councilmanic District Legal Owners: Robert S. & Carol Knight, Jr.

Special Hearing for a waiver pursuant to Section 500.6, BCZR, Section 3112.0, Building Code and Sections 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to permit an addition in a riverine floodplain and to approve a waiver pursuant to Sections 32-4-107(b), BCC of Sections 32-4-23(8) and Section 32-4-416(a)(2) to construct an addition to an existing historic dwelling.

Hearing: Wednesday, September 12, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Robert & Carol Knight, 5540 Hillrise Road, Glen Arm 21057

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 28, 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, August 29, 2007 Issue - Jeffersonian

Please forward billing to:

Robert S. Knight, Jr. 5540 Hillrise Road Glen Arm, MD 21057

410-592-6928

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: 08-027-SPH

5540 Hillrise Road N/west side of intersection of Hartley Mil and Hillrise Roads 11th Election District –3rd Councilmanic District Legal Owners: Robert S. & Carol Knight, Jr.

Special Hearing for a waiver pursuant to Section 500.6, BCZR, Section 3112.0, Building Code and Sections 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to permit an addition in a riverine floodplain and to approve a waiver pursuant to Sections 32-4-107(b), BCC of Sections 32-4-23(8) and Section 32-4-416(a)(2) to construct an addition to an existing historic dwelling.

Hearing: Wednesday, September 12, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper A	•
Item Number or Ca	se Number: 08-017-SPH
Petitioner:	KNIGHT
Address or Locatio	n: 5540 HILLRISE RD.
PLEASE FORWAR	RD ADVERTISING BILL TO: MR. 4 MRS. ROBERT S. KNIGHT JR.
Address:	5540 HILLRISE RD.
· · · · · · · · · · · · · · · · · · ·	GLEN ARM MD 21057
Telephone Numbe	r: H10-592-6928



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 5, 2007

Robert S. Knight, Jr. Carol C. Knight 5540 Hillrise Road Glen Arm, MD 21057

Dear Mr. and Mrs. Knight:

RE: Case Number: 08-027-SPH, 5540 Hillrise Road

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 13, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

u. Callibal)

WCR:amf

Enclosures

c: People's Counsel

BW 9/12 Order 9/17

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

DATE: September 26, 2007

ECEIVE OCT 0 1 2007

BY:..

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-027- Special Hearing

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 Jessie Bailek in the Office of Planning at 410-887-3480.

Reviewed By:

CM/LL

7. John Joyce (410) 537-3914 – call to discuss Bob Knight's waiver 5540 Hillrise Road Case 08-027-SPH see floodplain file 9/2/04. (John is retiring Oct. 31st!) (I explained Knight's house will be vented basement, FF > BFE, utilities elevated. John thinks this is OK.) (For CRS, I need to go over the application and decide what activities the County intends as well as what we are doing, so we can fill out. John will check with Tom Brett to arrange meeting with the 3 of us within a month or so if we can.)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination JWL

DATE:

September 12, 2007

SUBJECT:

Zoning Item

08-27-SPH

Address

5540 Hillrise Road

(Knight Property)

Zoning Advisory Committee Meeting of July 23, 2007

_X	The Department of Environmental Protection and Resource Management offers
	the following comments on the above-referenced zoning item:

<u>X</u>	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).

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:

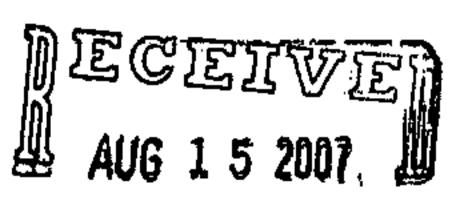
Development of this property may require a Forest Buffer Variance approval by this Department. – Kevin Brittingham; Environmental Impact Review (EIR)

An evaluation of the septic system will be required prior to building permit approval. – S. Farinetti; Ground Water Management (GWM)

08-27-SPM 9/12

BALTIMORE COUNTY, MARYLAND OFFICE OF PLANNING

Memorandum



BY:

TO:

William J. Wiseman

DATE:

August 15, 2007

Zoning Commissioner

FROM:

Karin Brown

Chief, Preservation Services

SUBJECT: Case # 08027SPH – Knight Residence – 5540 Hillrise Road

The above referenced property is a contributing structure in the Long Green Valley National Register District and is listed on the Baltimore County Inventory as "Russell Welsh House," CI-529 (MIHP) # BA-529. As per Title 7, LPC review is not required.

The petitioner asked staff to review the proposed addition. Staff found the proposed addition compatible with the historic structure. Preservation Services staff supports a waiver from 32-4-414.

Initials sample - KEB

C:

Lynn Lanham
Curtis Murray
Robert Knight

CASE NUMBER: 8-27-SPH

5540 Hillrise Road

Location: NW side of intersection of Hartley Mill and Hillrise Roads.

11th Election District, 3rd Councilmanic District Legal Owner: Carol C. and Robert S. Knight, Jr.

SPECIAL HEARING For a waiver pursuant to Section 500.6, BCZR; Section 3112.0, Building Code; and Sections 32-4-414, 32-4-107, (a)(2), 32-8-301 BCC to permit an addition in a riverine floodplain and to approve a waiver pursuant to Sections 32-4-107(b), BCC of Sections 32-4-223.(8) and Section 32-4-416 (a)(2) to construct an addition to an existing historic dwelling.

Hearing: Wednesday, 9/12/2007 at 10:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson 21204



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



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

Maryland Department of Transportation

Date: JULY 23, 2007

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

RE: Baltin

Baltimore County

Item No. 8-27-5PH

5540 HILLRISE ROAD KNIGHT PROPERTY

SPECIAL HEARING

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. 8-27-6PM.

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,

Foe!

Steven D. Foster, Chie

Engineering Access Permits

Division

SDF/MB

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



INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 30, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for July 30, 2007 Item No. 08-027

The Director of Public Works will comment separately. See attachment.

DAK:CEN:cab

cc: File

Attachment

ZAC-ITEM NO 08-027-07302007.doc



INTER OFFICE CORRESPONDENCE

To Kristering SPM
please Class Coon 2
File # 08-007 2

TO:

Timothy Kotroco, Director,

Permits & Development Management

ATTN:

Kristen Matthews

MS 1105

FROM:

Edward Adams, Director, Edward C. Adams / WK

Public Works

DATE:

July 25, 2007

SUBJECT:

Case No. 08-027-SPH

Petition for Special Hearing to construct an addition to an existing historic

structure in a riverine floodplain

5540 Hillrise Road

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

The waiver involves an addition to an existing house along with corresponding improvements to make the overall dwelling flood-resistant. The petitioner has met with Department of Public Works staff and is proposing to comply with all applicable building code requirements and suitable mitigative measures consistent with the historic nature of the dwelling.

This department recommends approval of the as requested.

ECA/DLT/s

CC: John Joyce, State Coordinating Office, Maryland Department of Natural Resources; Dennis Kennedy, Chief, Development Plan Review Bureau



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief
Fire Department

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

July 25, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 23, 2007

Item Number: 020 through 034

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

TENNIL LEUNEDY

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

JUL 2 5 2007

TO:

Timothy Kotroco, Director,

Permits & Development Management

ATTN:

Kristen Matthews

MS 1105

FROM:

Edward Adams, Director,

Public Works

DATE:

July 25, 2007

SUBJECT:

Case No. 08-027-SPH

Petition for Special Hearing to construct an addition to an existing historic

Edward Cadams /wx

structure in a riverine floodplain

5540 Hillrise Road

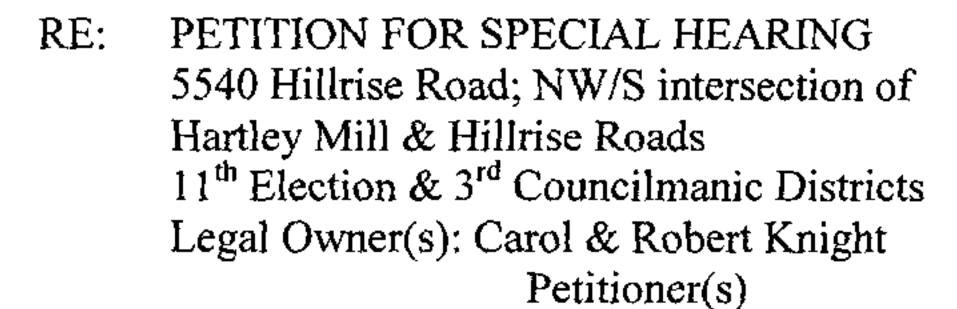
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The waiver involves an addition to an existing house along with corresponding improvements to make the overall dwelling flood-resistant. The petitioner has met with Department of Public Works staff and is proposing to comply with all applicable building code requirements and suitable mitigative measures consistent with the historic nature of the dwelling.

This department recommends approval of the as requested.

ECA/DLT/s

CC: John Joyce, State Coordinating Office, Maryland Department of Natural Resources; Dennis Kennedy, Chief, Development Plan Review Bureau



* BEFORE THE BOARD

* OF APPEALS

* FOR

* BALTIMORE COUNTY

* 08-027-SPH

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 all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of July, 2007, a copy of the foregoing Entry of Appearance was mailed to, Robert & Carol Knight, 5540 Hillrise Road, Glen Arm, MD 21057, Petitioner(s).

RECEIVED

JUL & 7 2007

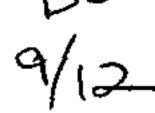
PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Рег....







Bill Wiseman - Special Hearing Case #08027SPH

(0 Am

From:

"Bob Knight" <BKnight@RTKL.com>

To:

<wwiseman@baltimorecountymd.gov>

Date:

08/27/07 8:16 AM

Subject:

Special Hearing Case #08027SPH

Bili:

Just as a reminder, I am a member of Trinity Church and a friend of Bruce Nelson, and we spoke several weeks ago about my upcoming Special Hearing; case # 08027SPH. I have an Historic house (listed with the County) in Glen Arm that is technically in the 100-year flood plain, and I am proposing to add a family room addition. You asked me to email you with the hearing date; it is Wednesday, September 12 at 10:00 a.m.

A couple of relevant points are:

- I have met with Dave Thomas 5 or 6 time over the past year or so to review my plans, discuss codes and code interpretations, and review specific flood-related construction details. Dave is supportive of my case, and plans to attend the hearing accordingly.
- You should have received a copy of a memo from Edward Adams (Dept. of Public Works) addressed to Timothy Kotroco (Permits and Development Management), dated July 25. The memo recommends approval of my petition.
- I met with Karin Brown (Preservation Services) to review my plans, and to demonstrate that the addition will maintain the overall historic character of the property. You should have received a memo from Karin Brown supporting that point.

Thanks for your time, and I look forward to the opportunity of presenting my plans and case to you at the hearing.

Sincerely,

Bob Knight

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Case No.: 08-027-SPH 5540 HURISE RD



Exhibit Sheet

Petitioner/Developer

Protestant

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No. 1	Sité PLAN	
No. 2	GOWER THOMPSON INC FLOODPLAIN STUDY	
No. 3	Collectively - Existing Conditions (PHOtos)	
No. 4	Newadditon Elevator Existing Elevator	
No. 5	BLDG SECTION ELEVATIONS SIDE FRANT	
No. 6	ZONING MAP	
No. 7	DIRECTORS RECOMMENDATIONS FOR WAIVER APPROVACE 7A-PUBLIC WORKS 713 - OFFICE OF PLANNING	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
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Paumanock Development Sanford and Claire Adjacent Parcels **Bradley Davis** Ownership Corporation l and Jeny Jones Ref. 13934 / 633 Deed Ref. Deed Ref. Hershfield Depetris 1109035100 1107060570 1112084360 25 | 86 / 1900002713 1 1 0 8 0 3 1 2 2 5 8342 /571 & Dennis ð 182 prepared Subdivision ROPERT book# name: ADDRESS: BOB tolia# **P** W Scale Drawing: FRONT .74.51 O reage NOLL 7 зву additional ecia Critical ITEM INFORMATION USE required information Map 1000 NAS-100-80 CASE#: ONL 120 P teet aring TONO D XX 16 PU

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EXHIBIT NO.

Jean



GOWER THOMPSONING.

CIVIL ENGINEERING STEERLANNING

February 8, 2007

David Thomas
Baltimore County
Department of Public Works
County Office Building
111 W. Chesapeake Avenue, Suite 307
Towson, Maryland 21204

Re:

Knight Property

Floodplain Study

Dear Mr. Thomas,

The Knight property contains an existing residence (approximately 100 years old) located at 5540 Hillside Road along the Long Green Creek. The Knights propose to construct an addition to their house.

Robert Knight, the owner, met with Terry Curtis of your department and found that his residence is located within a 100-year floodplain. Mr. Curtis requested that Mr. Knight determine the impact of the addition on the floodplain. Mr. Curtis provided the following for our use in this study:

- TR-20 hydrology output file showing flow rates to be used
- Cross section map showing locations of flow rates in the TR-20 output file.
- A HEC-2 input file for a previous floodplain study in the area at the time of construction of a new bridge at Hillrise Road.
- Copies of the 20-scale topo showing cross section locations for the old floodplain study.

Mr. Curtis cautioned that the flows in the HEC-2 input file were incorrect and needed to be revised per the TR-20 hydrology output provided and that the HEC-2 file needed to be converted to a HEC-RAS file.

We completed the above; in addition, we added two additional field run cross sections to the HEC-RAS file. One section is at the location of the proposed house addition and one upstream of the house. We have included the results of two separate HEC-RAS calculations. One is prior the building addition and the second is after the addition. The results are that the addition has essentially no impact on the floodplain. There is no change in the floodplain elevation at the sections immediately upstream and downstream of the house as well as at the location of the addition.

We have one copy of the following for your review:

- Site plan showing cross section locations, floodplain elevation and existing house and proposed addition.
- Cross section map and TR-20 output sheets showing flow rates used
- HEC-RAS outputs for existing and proposed conditions including cross sections at the Knight house.

PETITIONER'S

Phone (410) 532-0101 • Fax (410) 532-0104

EXHIBIT NO.

429 East Lake Avenue



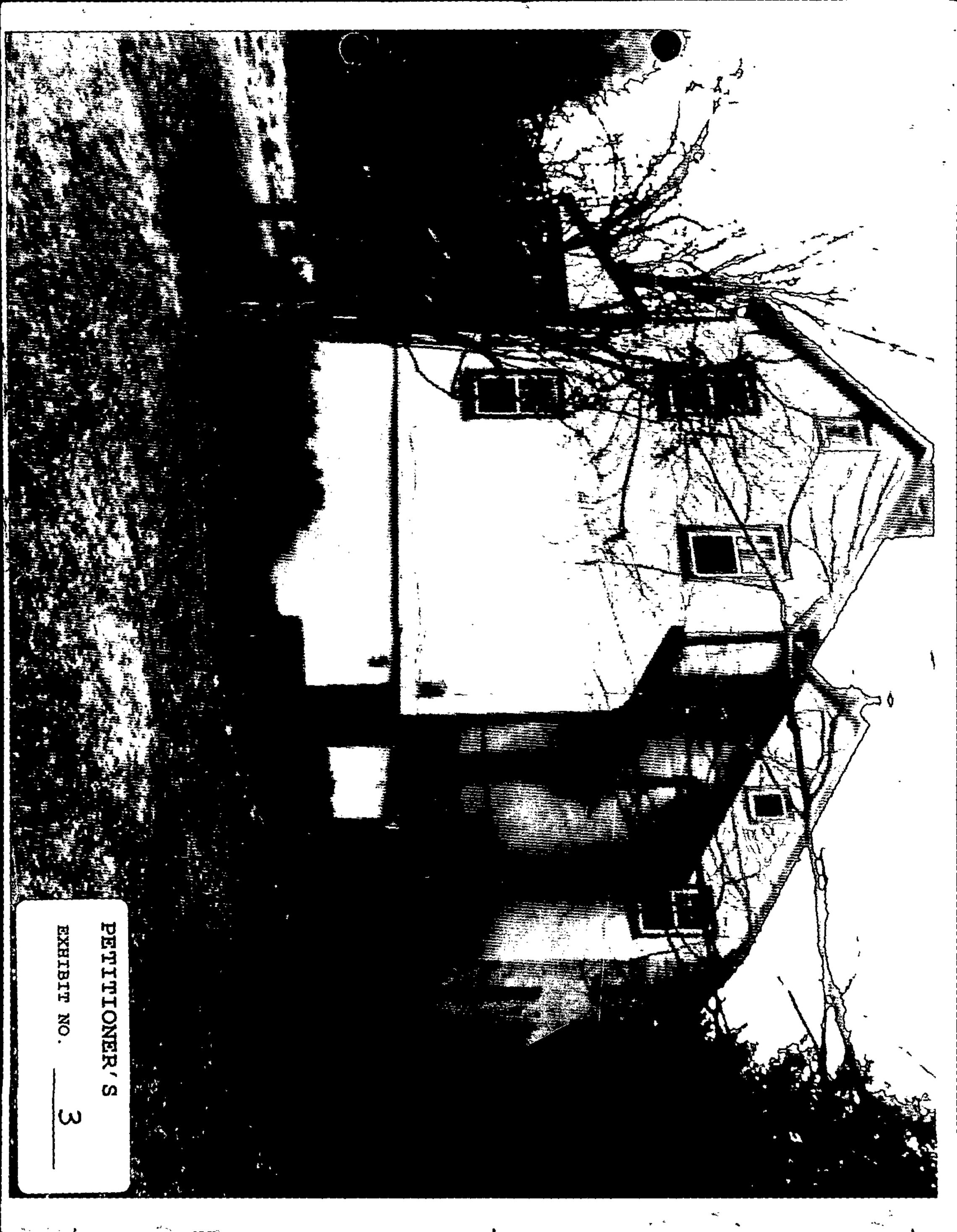
We trust that the enclosed in sufficient for you to complete your review. Let us know if you have any questions concerning the enclosed.

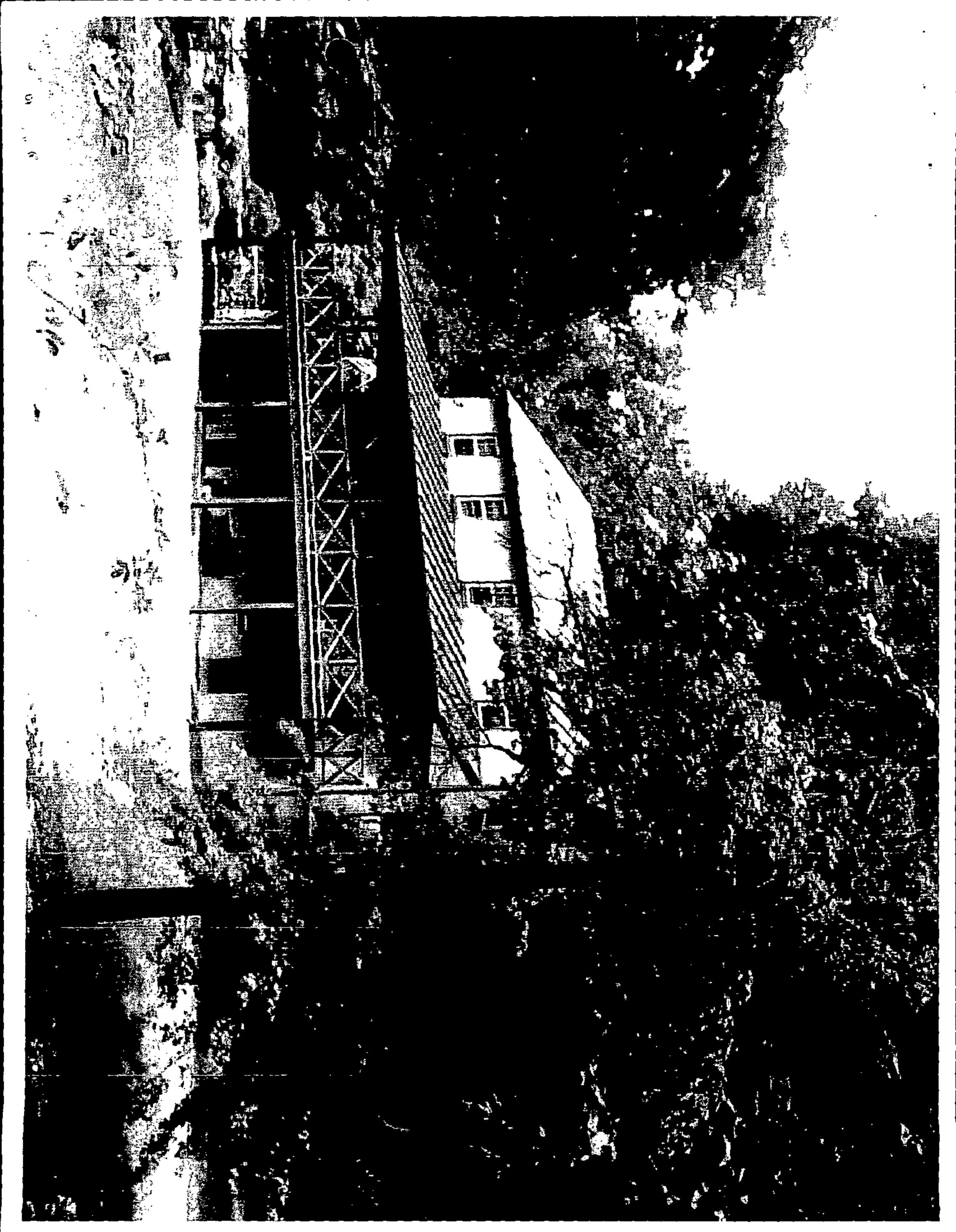
Sincerely,

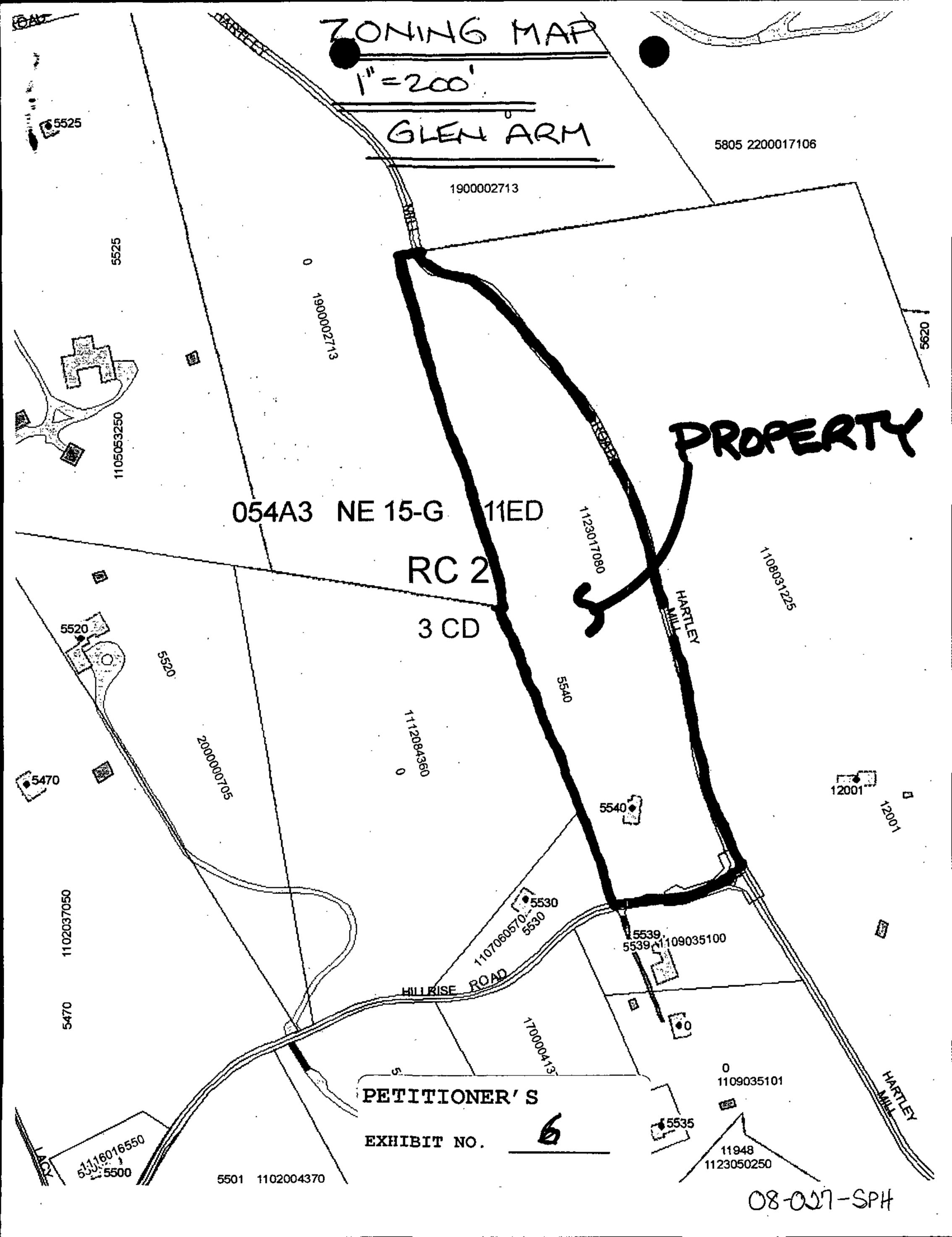
Gower Thompson Inc.

Cindy A. Gower, P.E.

Cc: Robert Knight







BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

TO:

Timothy Kotroco, Director,

Permits & Development Management

ATTN:

Kristen Matthews

MS 1105

FROM:

Edward Adams, Director, Edward C adams / WK

Public Works

DATE:

July 25, 2007

SUBJECT: Case No. 08-027-SPH

Petition for Special Hearing to construct an addition to an existing historic

structure in a riverine floodplain

5540 Hillrise Road

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

The waiver involves an addition to an existing house along with corresponding improvements to make the overall dwelling flood-resistant. The petitioner has met with Department of Public Works staff and is proposing to comply with all applicable building code requirements and suitable mitigative measures consistent with the historic nature of the dwelling.

This department recommends approval of the as requested.

ECA/DLT/s

CC: John Joyce, State Coordinating Office, Maryland Department of Natural Resources; Dennis Kennedy, Chief, Development Plan Review Bureau

PETITIONER'S

EXHIBIT NO.

Memorandum

TO:

William J. Wiseman

Zoning Commissioner

DATE:

August 15, 2007

FROM:

Karin Brown

Chief, Preservation Services

SUBJECT:

Case # 08027SPH - Knight Residence - 5540 Hillrise Road

The above referenced property is a contributing structure in the Long Green Valley National Register District and is listed on the Baltimore County Inventory as "Russell Welsh House," CI-529 (MIHP) # BA-529. As per Title 7, LPC review is not required.

The petitioner asked staff to review the proposed addition. Staff found the proposed addition compatible with the historic structure. Preservation Services staff supports a waiver from 32-4-414.

Initials sample - KEB

 \mathbf{C} :

Lynn Lanham Curtis Murray Robert Knight

PETITIONER'S

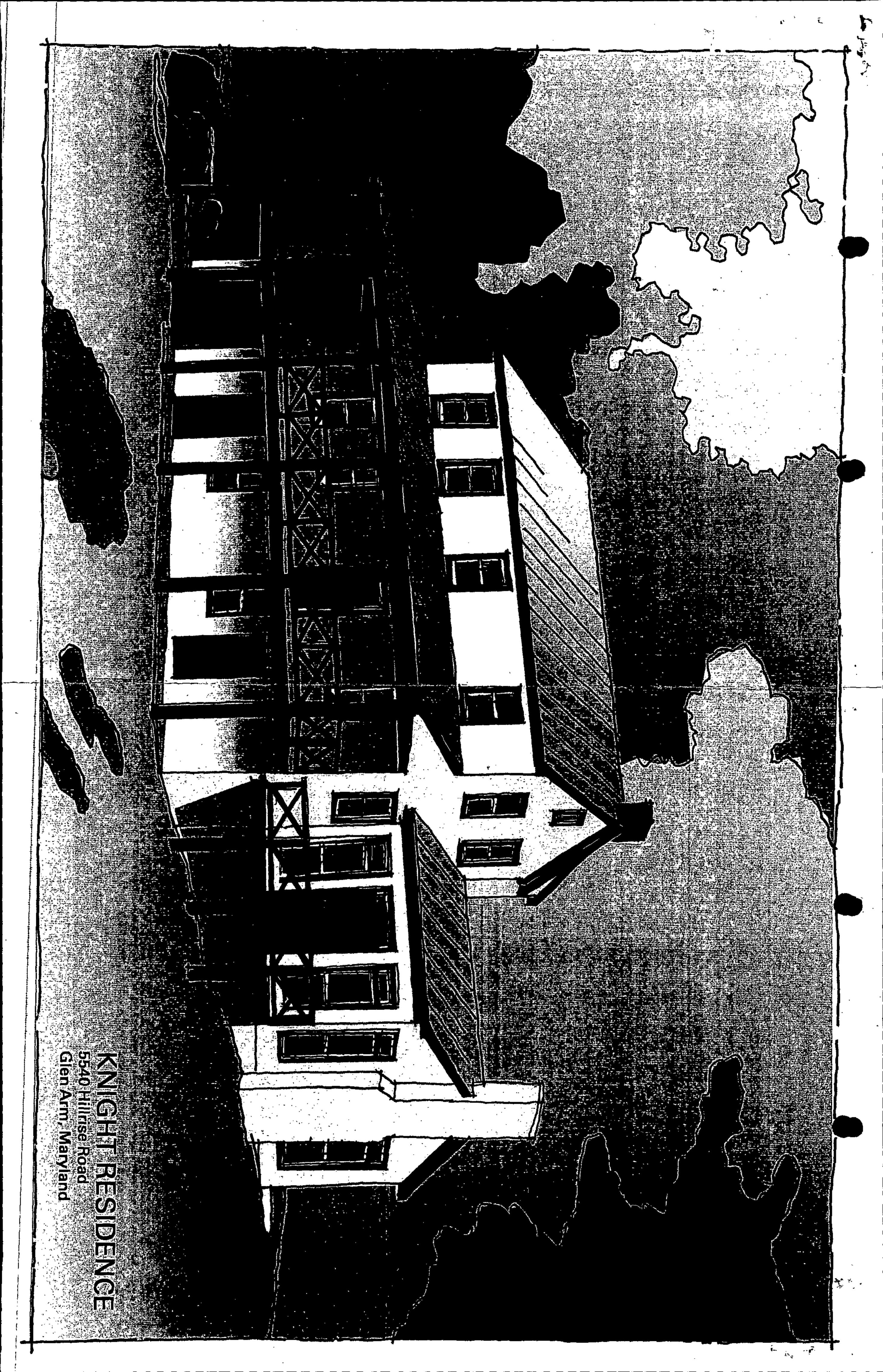
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GLEN ARM, MARYLAND

PETITIONER'S
EXHIBIT NO.

09/12/07

