IN RE: PETITION FOR VARIANCE

S/S Galloway Road, 400' W c/line

Cold Spring Road

(3514 Galloway Road)

15th Election District

6th Council District

Nicholas C. Triantufiles, Legal Owner

Matthew R. Gifford, et ux,

Contract Purchasers

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 08-064-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Nicholas C. Triantufiles, and the contract purchasers, Matthew R. Gifford and his wife, Holly R. Gifford. As originally filed, the Petitioners requested Variance relief from Sections 1A04.3B.2.b and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a single-family dwelling with a height of 42 feet on a lot having an area of 0.32 acres with property line setbacks of 10 feet in lieu of the required 35 feet, 1.5 acres and 50 feet respectively and any other relief deemed necessary by the Zoning Commissioner. At the hearing, and at the request of the adjacent property owners, the Petitioners amended their site plan to reflect a front yard setback for the homes proposed "bumpout" on the northwest side of the structure to be within 2 to 3 feet of the front building line of the adjacent home at 3572 Galloway Road. The subject property and requested relief are more particularly described on the amended site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

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¹ The subject property has 50 feet of frontage at the concrete bulkhead on Galloway Creek and 50 feet of width on Galloway Road. The Zoning Commissioner's Policy Manual (Z.C.P.M.), Sections 400.1A and 400.2A, provides a determination of what constitutes the front yard on waterfront lots based on the orientation of the houses and accessory buildings. In most cases, waterfront lots refer to the front of the structure facing the water.

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Appearing at the requisite public hearing in support of the request were Matthew R. and Holly R. Gifford, contract purchasers, and Dayle M. Gifford. Appearing as concerned adjacent property owners were Robert and Kathy Pyles as well as nearby neighbors, Theodore M. Fratta, Norma H. Bankard, and Anthony Russo. Jeffrey W. Long, from the Office of Planning, attended the hearing in his capacity as Deputy Director and spoke in support of the variance request conditioned on his office's approval of the proposed homes architectural details.

Testimony and evidence offered disclosed that the property under consideration is a rectangular shaped unimproved waterfront parcel on the southwest side of Galloway Road, near Cold Spring Road, in Bowleys Quarters. The property contains an area of 14,100 square feet (0.32 acres), more or less, zoned R.C.5. As is often the case with older subdivisions, Bowleys Quarters was laid out many years ago (1921), well before the adoption of any zoning regulations in Baltimore County. Thus, many of the lots in the neighborhood are undersized and do not meet current area and width requirements. As shown on the site plan, the subject property is 50 wide and 208 feet deep and is clearly undersized by today's standards.

Testimony indicated that the subject property is a lot of record known as Lot 56 of Bowleys Quarters and has never been held in common ownership or used as an accessory lot to the adjoining neighboring parcels 55 or 56. As shown on the site plan and building elevation drawings submitted as Petitioners' Exhibit 3, the Gifford's are desirous of constructing a two-story dwelling featuring ground floor parking, second and third floor decks with attic storage, approximately 35' wide x 63' deep. The dwelling is to be centered on the lot; however, given the shape of the property, both sides extend into the side setbacks, thereby necessitating the requested variance relief. Current regulations require a minimum lot area of 1.5 acres, side yard setbacks of no less than 50 feet and a height limitation of 35 feet for R.C.5 zoned land. In support of the request, Ms. Gifford discussed the proposal with neighbors and submitted the

By By RECEIVED FOR FILMS

zoning map and multiple photographs (Petitioners' Exhibit 2) demonstrating that their home would be appropriate and consistent with other homes in the neighborhood. Petitioners point out that the R.C.5 zoning classification was placed on the property when utility services were non-existent and now that they have been provided, the zoning classification should rightly be changed to D.R.5.5. Thus, they submit and the Office of Planning, through Mr. Long, concurs that the relief requested is appropriate and consistent with the pattern of development in the neighborhood.

Secondly, the Petitioners request that a height variance be granted in view of the flood protection elevation for this site of 11.2 feet driving the need for the increased height coupled with their desire to have an architecturally aesthetically pleasing pitched roof. The property is located in the Limited Development Area (LDA) of the Chesapeake Bay Critical Area (CBCA) which requires that the proposed development comply with these regulations and, in particular, the impervious surfaces are limited to 31.25% of the property. The attic with a steeply pitched roof will provide for needed storage space out of the floodplain. Thus, the height limitation in the regulations impact this property disproportionately compared to others in the R.C.5 zoning district. The Petitioners submitted numerous photographs featuring similar heights of newly constructed homes in this area. They opined that the height variance would not be out of character as their home would be similar to others.

The neighboring property owners' issues really had less to do with the requested side yard setback variances than with issues of height and the forward protrusion of the 6-foot front bay structure that may impair water views.² In the case before me and as shown on the building elevations submitted, the subject front bay projection is incorporated with the home's foundation

² B.C.Z.R. Section 302.2 pertains to Projections Into Yards: "Projections such as bay windows, chimneys, entrances, vestibules, balconies, eaves and leaders may extend into any required yard not more than 4 feet, provided that such projections (excepting eaves) are not over 10 feet in length."

and floors. Accordingly, Section 302 provides no relief to the Petitioners. As noted above, the Gifford's amended their site plan reducing the bay's projection. Mr. Pyles and Norma Bankard, who has resided on Galloway Road for some 30 years, spoke of the effects of Hurricane Isabel, the loss of homes and the requirement that they build on the existing footprint and at a height limitation of 35 feet. In short, they believe that the Petitioners are trying to take advantage of the regulations and point that any practical difficulty or hardship caused by the height of the structure is of a self-inflicted nature. Further efforts were undertaken by the parties during the hearing in order to reach a compromised resolution. The Petitioners having revised the site plan, pulling the front building line of the home back to be within 2 or 3 feet of the 85-foot setback (from the bulkhead) similar to neighboring homes, next discussed the height variance request. This request was also reduced to 38 feet in lieu of the originally desired 42 feet. Mr. Long pointed out to those in attendance that the R.C.5 Performance Standards require his Office to review and approve the proposed architectural details and to assure that they would be compatible in size and architectural detail as those of existing dwellings in the area.

After due consideration of the testimony and evidence presented, I find that special circumstances or conditions exist that are peculiar to the land or structure which is subject to the variance request. I find that strict compliance with the zoning regulations of Baltimore County would result in practical difficulty. There is no land on either side of the lot for the Petitioners to acquire and avoid the variance request. The Gifford's cannot meet the regulations under any circumstances; however, the Petitioners have satisfied the requirements of Section 307 for relief to be granted. The regulations require a 50-foot setback from either side yard lot line. Moreover, due to the property's close proximity to the Galloway Creek, the proposed improvements must comply with the Chesapeake Bay Critical Area regulations as set forth in the attached Zoning Advisory Committee (ZAC) comment submitted by the Department of

Environmental Protection and Resource Management (DEPRM) as well as the Baltimore County Building Code whereby elevation limitations are placed on the lowest floor of residential development as outlined in the comment received from the Bureau of Development Plans Review (DPR). No increase in residential density beyond that otherwise allowable by the zoning regulations will result by granting these variances. Finally, I find that the height variance, as amended during the hearing, shall be granted in strict harmony with the spirit and intent of the said regulations, and in such a manner as to grant relief without injury to the public, health, safety or general welfare. The proposed home will be compatible with the pattern of the development of the neighborhood.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of October 2007 that the Petition for Variance seeking relief from Sections 1A04.3 and 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a single-family dwelling with a height of 38 feet on a lot having an area of 0.32 acres with property line setbacks of 10 feet in lieu of the required 35 feet, 1.5 acres and 50 feet respectively, in accordance with Petitioners' Amended Exhibit 1, be and are hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permits and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by DEPRM and the Development Plans Review Division of the Department of Permits & Development Management (DPDM) relative to the Chesapeake Bay Critical Area regulations and all other appropriate environmental, floodplain and B.O.C.A regulations relative

to the protection of water quality, streams, wetlands and floodplains. Copies of those comments, dated October 2, 2007 and August 15, 2007 respectively, have been attached hereto and are made a part hereof.

- 3) Prior to the issuance of any building permits, the Petitioners shall submit building elevation drawings of the proposed drawing to the Office of Planning for review and approval prior to ensure compatibility in terms of size, exterior, building materials, color and architectural details with existing dwellings in the area. It is also to be noted that the front of the proposed dwelling shall be oriented to face the water, consistent with other waterfront homes in the community.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the Baltimore County Code.

WJW:dlw

ALMAM J. WISEMAN, III

Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

October 15, 2007

Nicholas C. Triantufiles 1528 Bowleys Quarters Road Baltimore, Maryland 21220

Matthew R. Gifford Holly R. Gifford 11 Ketch Cay Court Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE

S/S Galloway Road, 400' W c/line Cold Spring Road

(3514 Galloway Road)

15th Election District - 6th Council District Nicholas C. Triantufiles, Legal Owner; Matthew R. Gifford, et ux,

Contract Purchasers - Petitioners

Case No. 08-064-A

Dear Mr. Triantufiles and Mr. and Mrs. Gifford:

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

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

Very truly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

C: Dayle M. Gifford, 3400 Yorkway, Baltimore, MD 21222
 Robert and Kathy Pyles, 3512 Galloway Road, Baltimore, MD 21220
 Theodore M. Fratta, 3510 Galloway Road, Baltimore, MD 21220
 Norma Bankard, 3506 Galloway Road, Baltimore, MD 21220
 Anthony Russo, 3504 Galloway Road, Baltimore, MD 21220
 Chesapeake Bay Critical Area Commission, 1804 West Street,
 Suite 100, Annapolis, MD 21401
 People's Counsel; DEPRM; Develop. Plans Review; Office of Planning; File



BBCA Frood Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3514 60110 way Rd. which is presently zoned 2/5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal and made a part hereof, hereby petition for a Variance from Section(s).

Vandact to permit a single family dulling with a height of 42' on a lot hand an area of 0.32 acres with property line setbacks of 10' in lieu, of the required 35', i.5 acres and 50' respectively and any such other relief deemed necessary by the zoning commissioner. owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto 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 discussed 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: While P & Line R. G. G.	Legal Owner(s): (d Nichola) (Imantables
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	Signature	Representative to be Contacted:
	Company	Name Kern Cau Court 4103441844
	Address Telephone No.	Address 2/27 Telephone No.
	City State Zip Code	City State Zip Code OFFICE USE ONLY
	Case No. 08 - 064-4	ESTIMATED LENGTH OF HEARING
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ZONING DESCRIPTION FOR 3514 GALLOWAY ROAD BALTIMORE, MARYLAND 21220

Beginning at a point on the South Side of Galloway Road which is 20 feet wide at the distance of 400 feet west of the centerline of the nearest improved intersecting street Cold Spring Road which is 20 feet wide. Being Lot #56, in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book #7, Folio #18, containing 14,100 square feet. Also known as 3514 Galloway Road, Middle River, MD 21220 and located in the 15th Election District, 6th Councilmanic District.

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: # 08-064-A

3514 Galloway Road

S/side of Galloway Road at the distance of 400 feet west of the centerline of Cold Spring Road

15th Election District - 6th Councilmanic District

Legal Owner(s): Nicholas Triantufiles

Contract Purchaser(s): Matthew & Holly Gifford Variance: to permit a single family dwelling with a height of 42 feet on a lot having an area of 0.32 acres with property line setbacks of 10 feet in lieu of the required 35 feet. 1.5 acres and 50 feet, respectively.

Hearing: Thursday, October 4, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-

nue, 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 9/713 Sept. 18 _______149158

CERTIFICATE OF PUBLICATION

——————————————————————————————————————
9/20, 2007
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $\frac{9/8}{200}$, 2007.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

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JAMES T. SMITH, JR. County Executive

August 29, 2007
TIMOTHY M. KOTROCO, 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: 08-064-A

3514 Galloway Road

S/side of Galloway Road at the distance of 400 feet west of the centerline of Cold Spring Road

15th Election District - 6th Councilmanic District

Legal Owners: Nicholas Triantufiles

Contract Purchaser: Matthew & Holly Gifford

<u>Variance</u> to permit a single family with a height of 42 feet on a lot having an area of 0.32 acres with property line setbacks of 10 feet in lieu of the required 35 feet, 1.5 acres and 50 feet, respectively.

Hearing: Thursday, October 4, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

but Kotroco

Director

TK:klm

C: Matthew & Holly Gifford, 11 Ketch Cay Court, Baltimore 21220
Nicholas Triantufiles, 1528 Bowleys Quarters Road, Baltimore 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPT. 19, 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, September 18, 2007 Issue - Jeffersonian

Please forward billing to:

Holly Gifford

11 Ketch Cay Court

11 Ketch Cay Court Baltimore, MD 21220

410-344-1844

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: 08-064-A

3514 Galloway Road

S/side of Galloway Road at the distance of 400 feet west of the centerline of Cold Spring Road 15th Election District - 6th Councilmanic District

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101 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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OFFICE AT 410-887-4386.

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number: <u>08-064-人</u>
Petitioner: MATTHEW & HOLLY GIFFORD
Address or Location: 3514 GALLOWAY RD.
PLEASE FORWARD ADVERTISING BILL TO: Name: HOLLY GIFFORD
Address: 1/ KETCH CAY COURT
BALTO. MO. 2/220
Telephone Number: 410 - 344 - 1844

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

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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.

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

For Newspaper Advertising:
Petitioner: HOLLY & MATHIW GIFFORD FCONTACT PURCHASED Address or Location: 3514 GALLOWAY ROLD BUTTIMORE, MD 2122
PLEASE FORWARD ADVERTISING BILL TO: Name: HOLLY & MAHAW GIFFORD Address: II Letch Cay Court
Baltimore manjard 21220
Telephone Number: 410-544-1844



JAMES T. SMITH, JR. County Executive

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

September 26, 2007

Matthew R. Gifford Holly R. Gifford 11 Ketch Cay Court Baltimore, MD 21220

Dear Mr. and Mrs. Gifford:

RE: Case Number: 08-064-A, 3514 Galloway Road

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 6, 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,
U. Call Rills D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

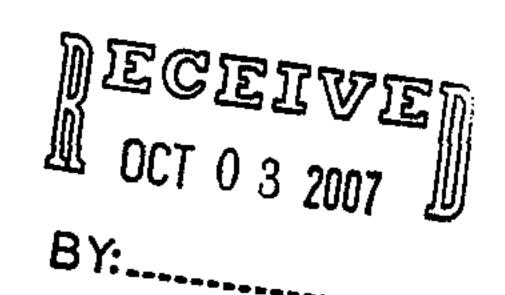
People's Counsel C:

Nicholas Triantufiles 1528 Bowleys Quarters Road Baltimore 21220

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

October 2, 2007

SUBJECT:

Zoning Item # 08-64-A

Address

3514 Galloway Road

(Triantafilos Property)

Zoning Advisory Committee Meeting of August 13, 2007

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

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).

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 property is within the Limited Development Area (LDA) of the Chesapeake Bay Critical Area and must meet all LDA requirements, including an impervious surfaces limit of 31.25% and a 15% afforestation provision.

Reviewer:

Regina Esslinger

Date: 9/24/07

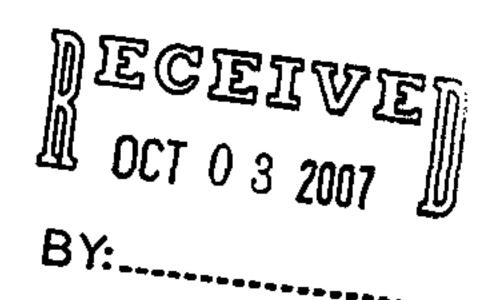
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BU 10/4

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





7	ro.
	().

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

October 2, 2007

SUBJECT:

Zoning Item # 08-64-A

Address

3514 Galloway Road

(Triantafilos Property)

Zoning Advisory Committee Meeting of August 13, 2007

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

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Reviewer:

Regina Esslinger

Date: 9/24/07

S:\Devcoord\! ZAC-Zoning Petitions\ZAC 2008\ZAC 08-64-A.doc

From:

Debra Wiley

To:

Livingston, Jeffrey 09/28/07 12:00:44 PM

Date: Subject:

DEPRM Comments Needed

Hì Jeff,

Bill has two (2) hearings next Thursday, October 4th that are missing DEPRM comments as follows:

08-059-A - CBCA & Flood

2811 Bay Drive

N/side of Bay Drive, 185 feet west of c/line of Cuckold Point Road

15th Election District - 7th Council District

Legal Owners: Jack & Carol Perron Contract Purchaser: Linda Kropp

Variance to permit a lot width of 50 feet, a front yard setback of 20 feet, and side yard setbacks of 5 feet

each in lieu of the required 50 feet, 25 feet and 10 feet respectively.

08-064-A - CBCA & Flood

3514 Galloway Road

S/side of Galloway Road @ the distance of 400 feet west of c/line of Cold Spring Road

15th Election District - 6th Council District

Legal Owners: Nicholas Triantufiles

Contract Purchaser: Matthew & Holly Gifford

Variance to permit a single family with a height of 42 feet on a lot having an area of 0.32 acres with property line setbacks of 10 feet in lieu of the required 35 feet, 1.5 acres and 50 feet, respectively.

Thanks and have a great day!

Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: August 15, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 20, 2007

Item No. 064

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

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

The flood protection elevation for this site is 11.2 feet.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot above the flood plain elevation in all construction.

The property to be developed is located adjacent to tidewater. The developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

The building engineer shall require a permit for this project.

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

Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the *International Building Code*.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 064-08152007.doc

Date Description of The By

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

D E C E T

DATE: August 14, 2007

AUG 1 7 2007

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

BY:____

SUBJECT:

Zoning Advisory Petition(s):

Case(s) 08-064- Variance

The Office of Planning has reviewed the above referenced case(s) and has the following comments to offer:

This office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
- 4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 5. Provide landscaping along the public road, if consistent with the existing streetscape.

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



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

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

August 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 14, 2007

Item Number: Item Number 49 and 052 through 075

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



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

Neil J. Pedersen, Administrator

John D. Porcari, Secretary

Maryland Department of Transportation

Date: AUGUST 13, 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. 8-64-A

3514 GALLOWAY ROAD TRIANTHEILES PROPERTY

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.8-64-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).

Steven D. Foster, Chief
Engineering Access Permits

Division

SDF/MB

3514 Galloway Road Baltimore, Maryland 21220

Zoning Review Application for Matthew and Holly Gifford (Contract Purchasers)

This packet includes the following:

- Three (3) copies of Petition for Special Hearing (originals)
- Twelve (12) copies of plat
- Three (3) copies of the property description
- One (1) copy of the official zoning map indicating property
- One (1) completed copy of the advertising and posting requirements and procedures form
- One (1) copy of our house (building) plans and elevation certificate
- Photographs

Packet for Carl Richards-Zoning

Please contact Holly or Matthew GIFFord

410 344 1844 410 596 9510

RE: PETITION FOR VARIANCE

3514 Galloway Road; S/S Galloway Road,

400' W c/line Cold Spring Road

15th Election & 6th Councilmanic Districts

Legal Owner(s): Nicholas Triantufiles

Contract Purchasers: Matthew & Holly Gifford

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

08-064-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 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 16th day of August, 2007, a copy of the foregoing Entry of Appearance was mailed to, Matthew Gifford, 11 Ketch Cay Court, Baltimore, MD 21220, Petitioner(s).

RECEIVED

AUG 1-6 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Рег.....

IT CLEARLY

4 -06A 80 10-4-0 CASE NAME CASE NUMBER DATE

CITIZEN'S SIGN-IN SHEET

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Dath Mb 21220 Dath Mb 21220						
II ICHCH CAY CT 3480 UNDERVAY						
LOLLY & MAH GIFFING	3 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -					

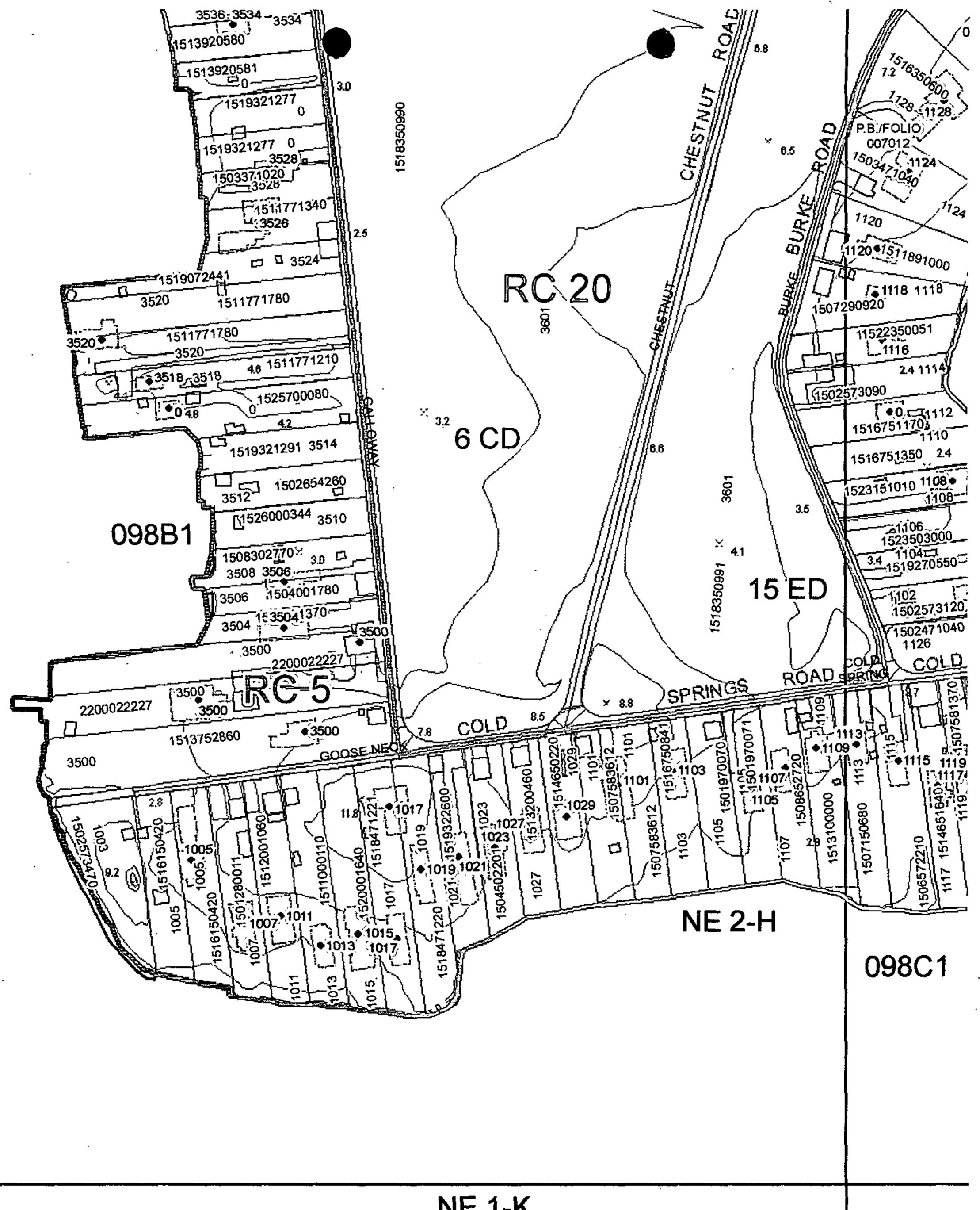
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C. Harris

CASE NUMBER OS - DA DATE 10 -4-07

PETITIONER'S SIGN-IN SHEET

E-MAIL					
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3512 Klalloway R.	3510 (FRII Dulay 3506 6461 1000 120	3504 GALLOWAY BD			
Robus Offices	NORMA RAMKADA	ANTHON PUSSO			



NE 1-K

Case No.: 08-064-D 3514 Galloway Pel.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	PHotographs of Existy Hones
No. 2	PHOTOSINAREA	Drawn - Kept by Protect
No. 3	BUDG Elevations	
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No. 5		
No. 6		
No. 7		
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No. 9		
No. 10		
No. 11		
No. 12		

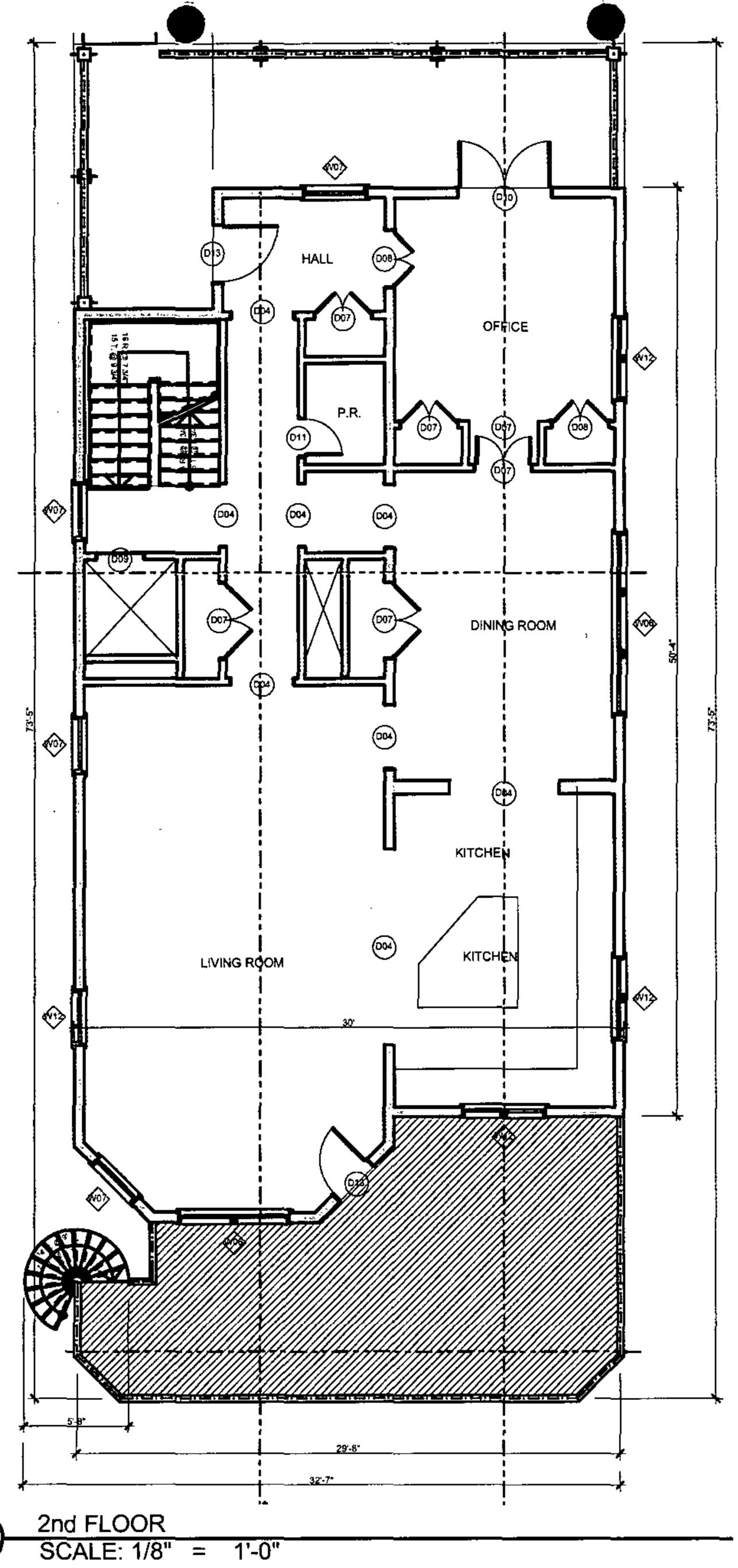
Case No.: 08-064-D 3514 Galloway Pol

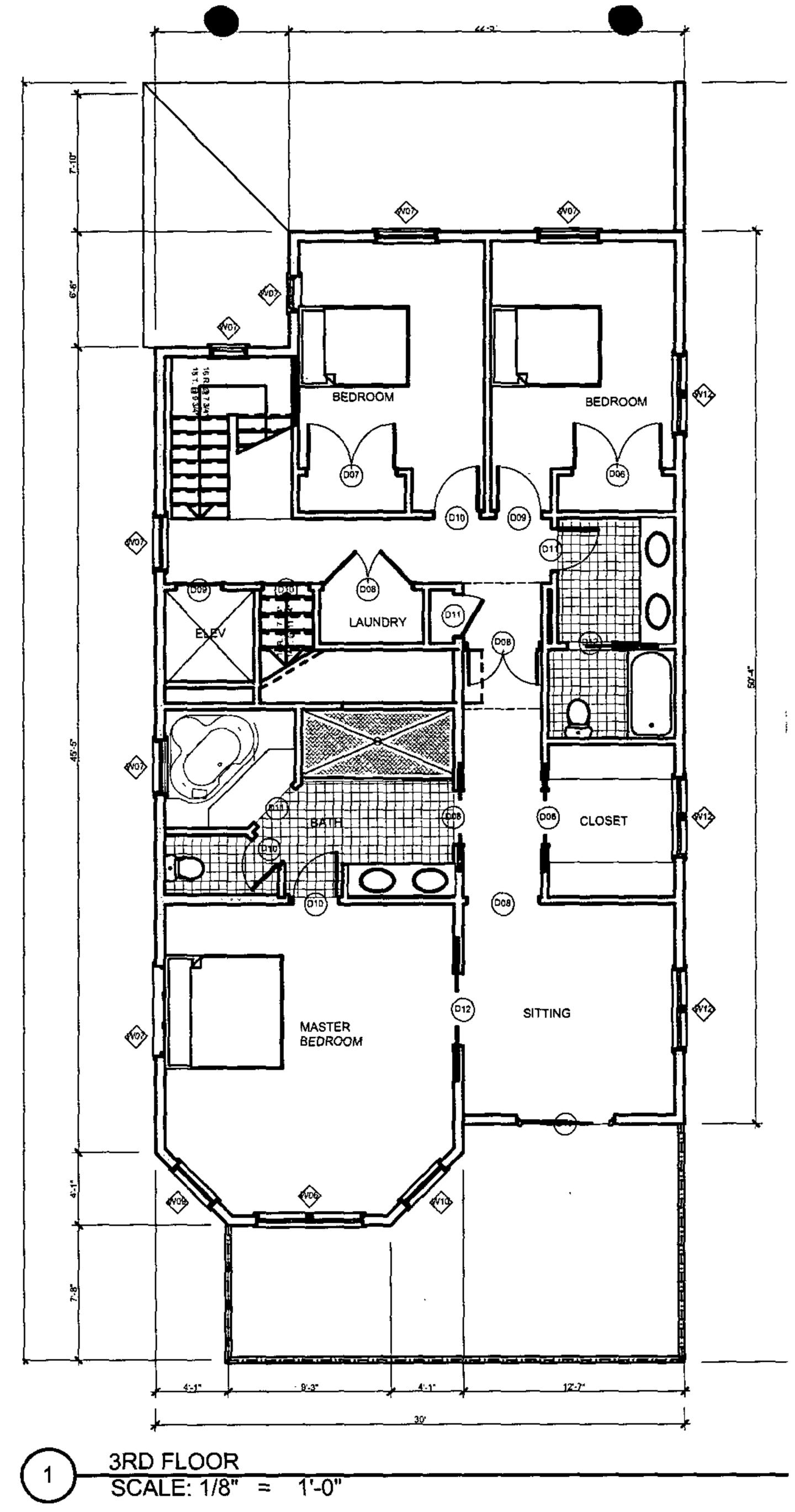
Exhibit Sheet

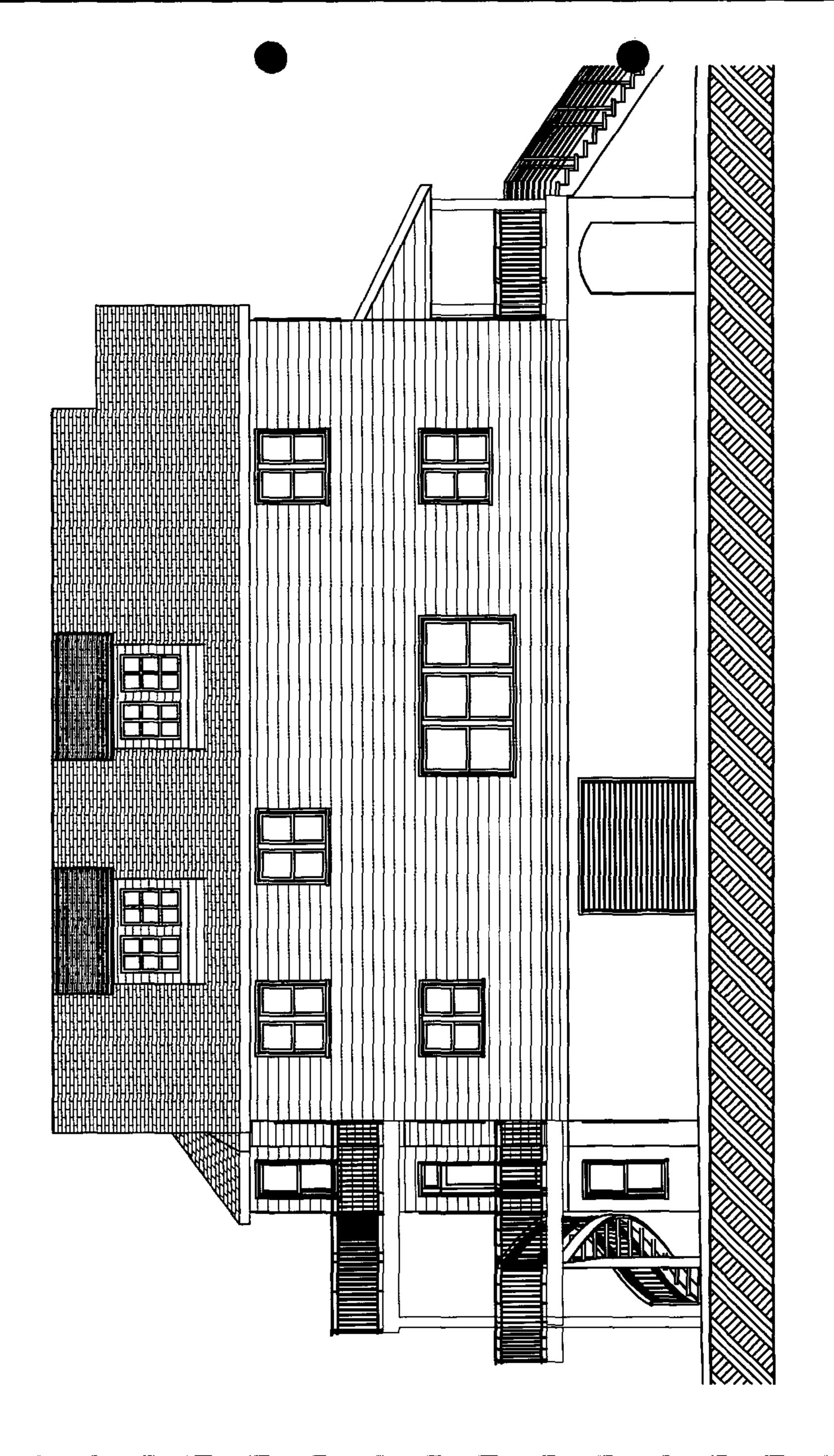
Petitioner/Developer

Protestant

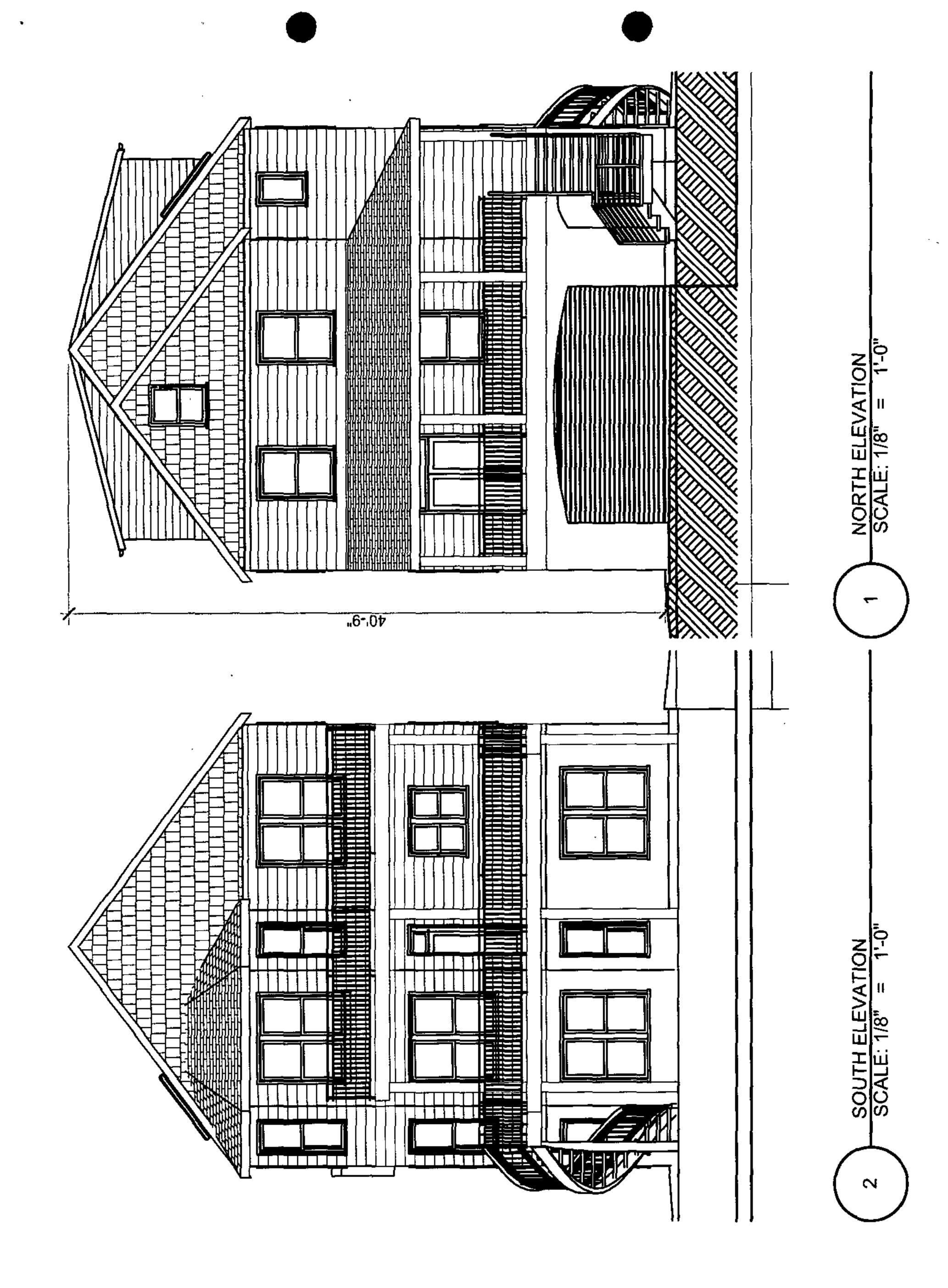
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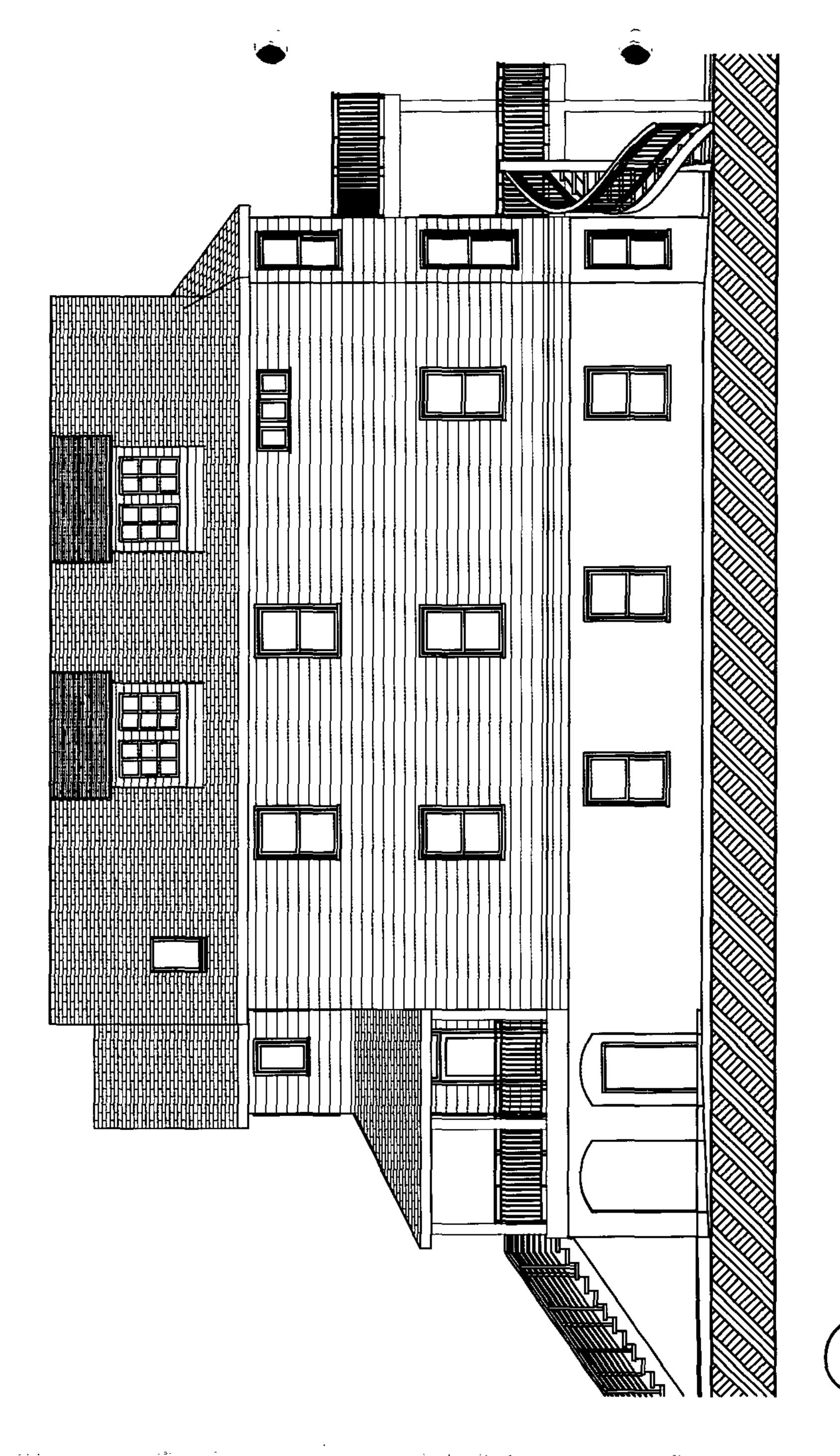






SCALE: 1/8" = 1'-0"





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

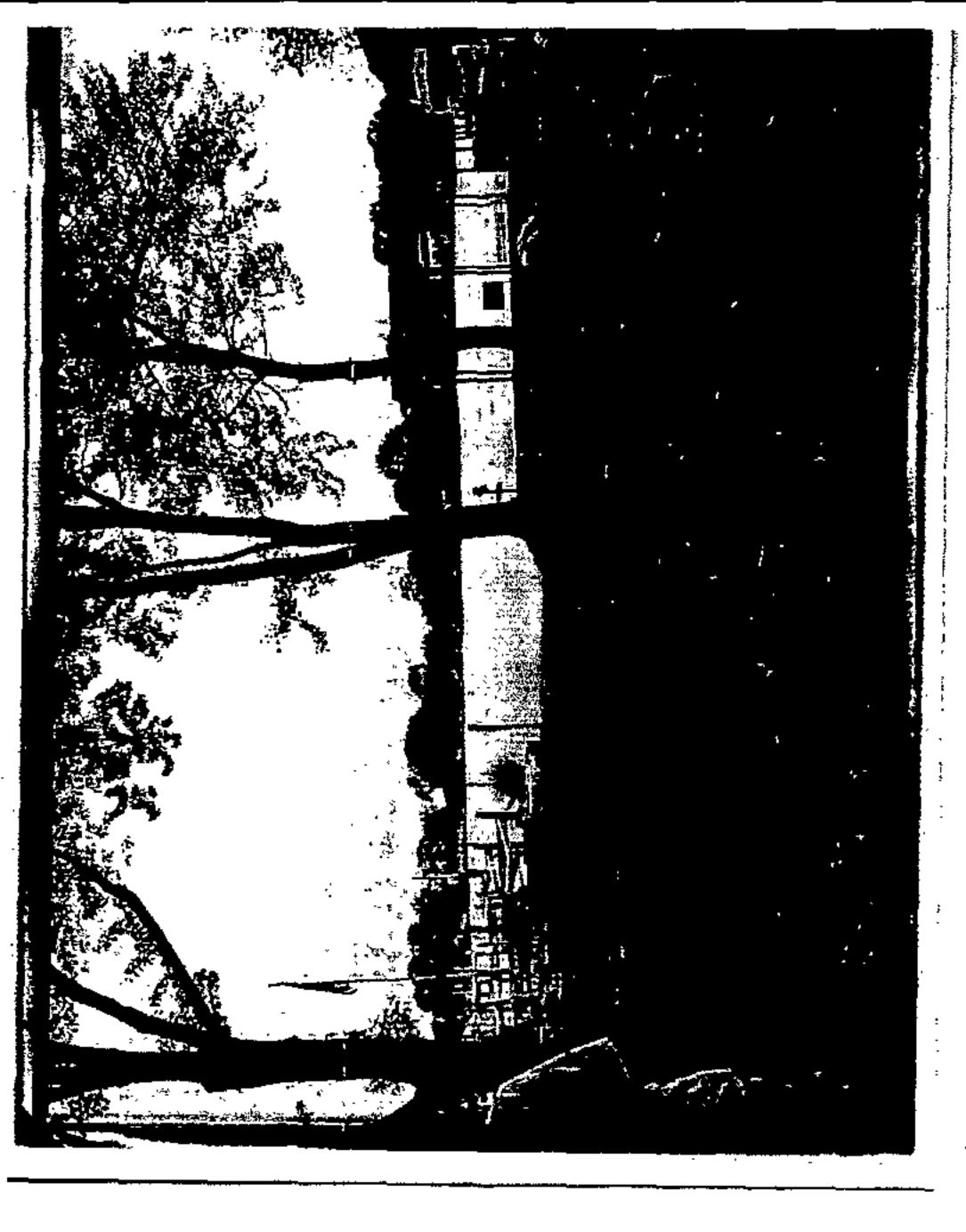
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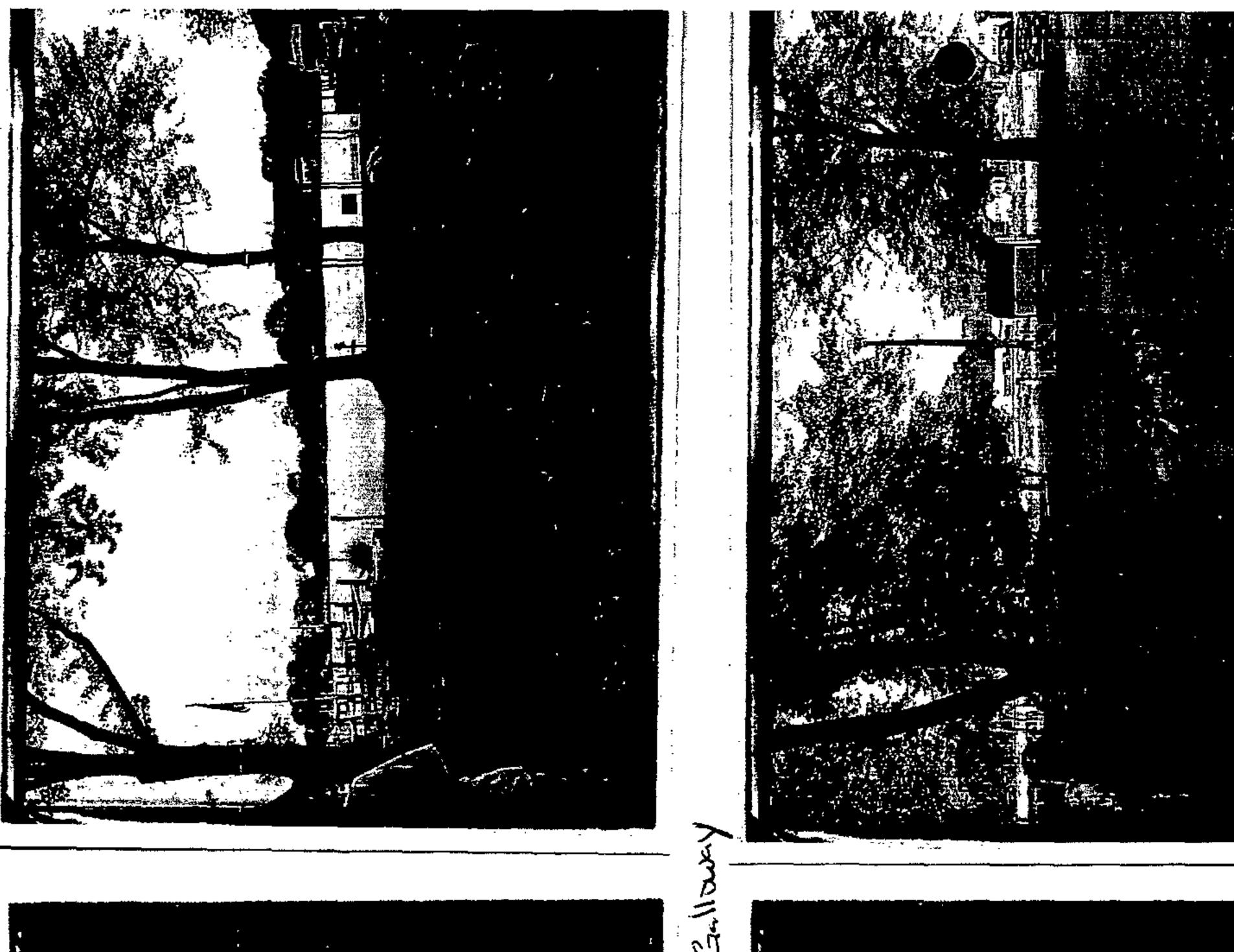
3936sd0999jp2 SCALE: 1' = 1'-0"

PLAT TO ACCOMPANY PETITION FOR ZONING X VARIANCE PROPERTY ADDRESS 3514 GALLOWAY ROLL SEE PAGES 5 8 6 OF THE CHECKLIST F	E SPECIAL HEARING OR ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME BOWIEYS QUATERS PLAT BOOK # 7 FOLIO # 18 LOT # 5 LO SECTION #_ OWNER NICHOLAS C. Triantafilos	
Galloway Rd (20'wide) 50' POB 400'= to cold Spring Rd	A COLUMN TO SELECTION OF THE PARTY OF THE PA
E. Nurek 35H Gallowy Robot Pyks 35TB SSTID Gallowsy Lat 56 Gallowsy Lat 57 to PB 7 PG12 00 N DETITIONER'S EXHIBIT NO. D	VICINITY MAP SCALE: (" = 1000' LOCATION INFORMATION ELECTION DISTRICT /5 COUNCILMANIC DISTRICT () I" = 200'SSCALE MAP # 098 B1 ZONING R C5 LOT SIZE 0.32 IH 100 ACREAGE SQUARE FEET PUBLIC PRIVATE SEWER PUBLIC PRIVATE SEWER YES NO CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING NONE
NORTH X3 ~ CREEK	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #
PREPARED BY: MG SCALE OF DRAWING 1" = 50	064

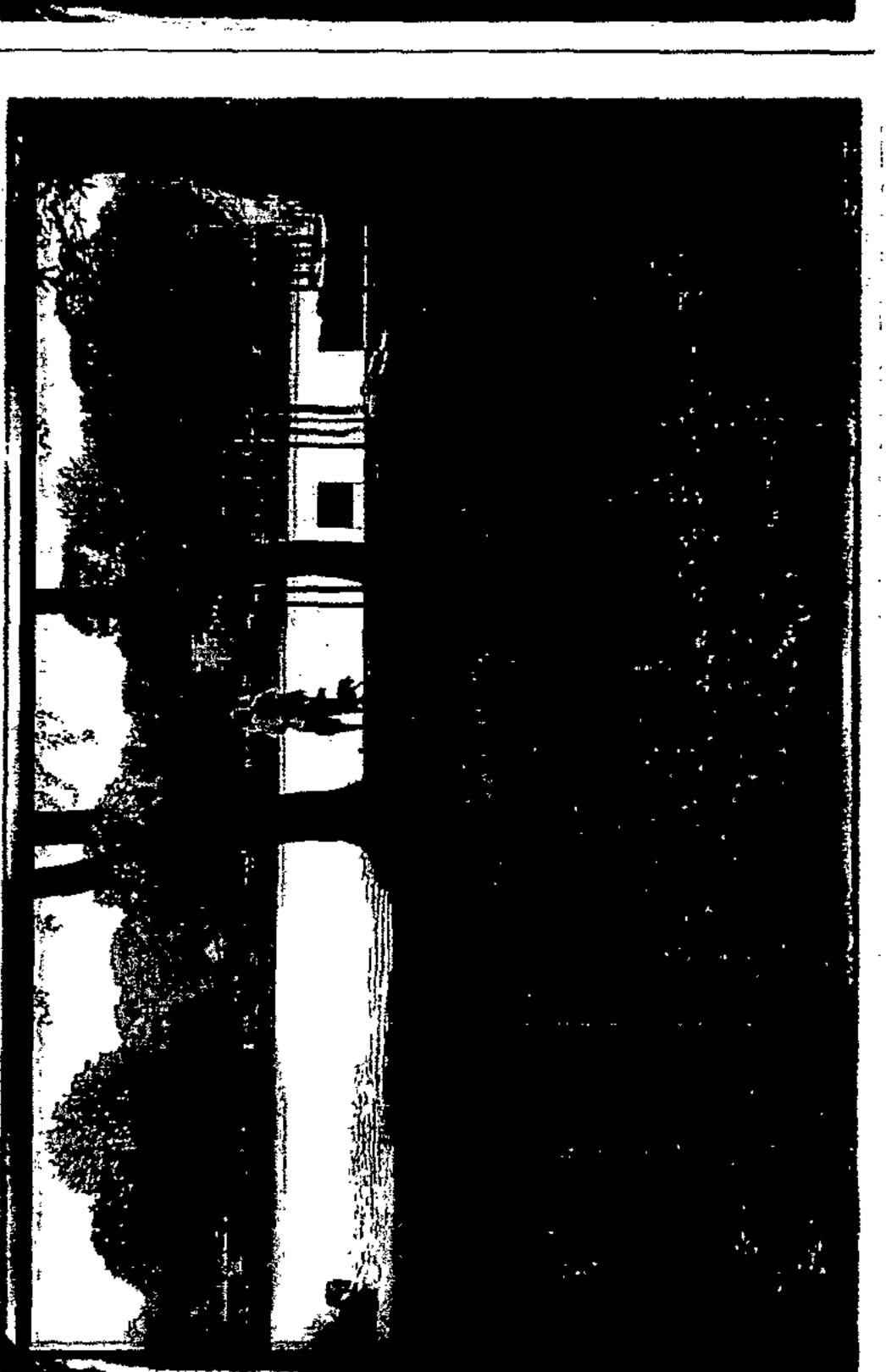
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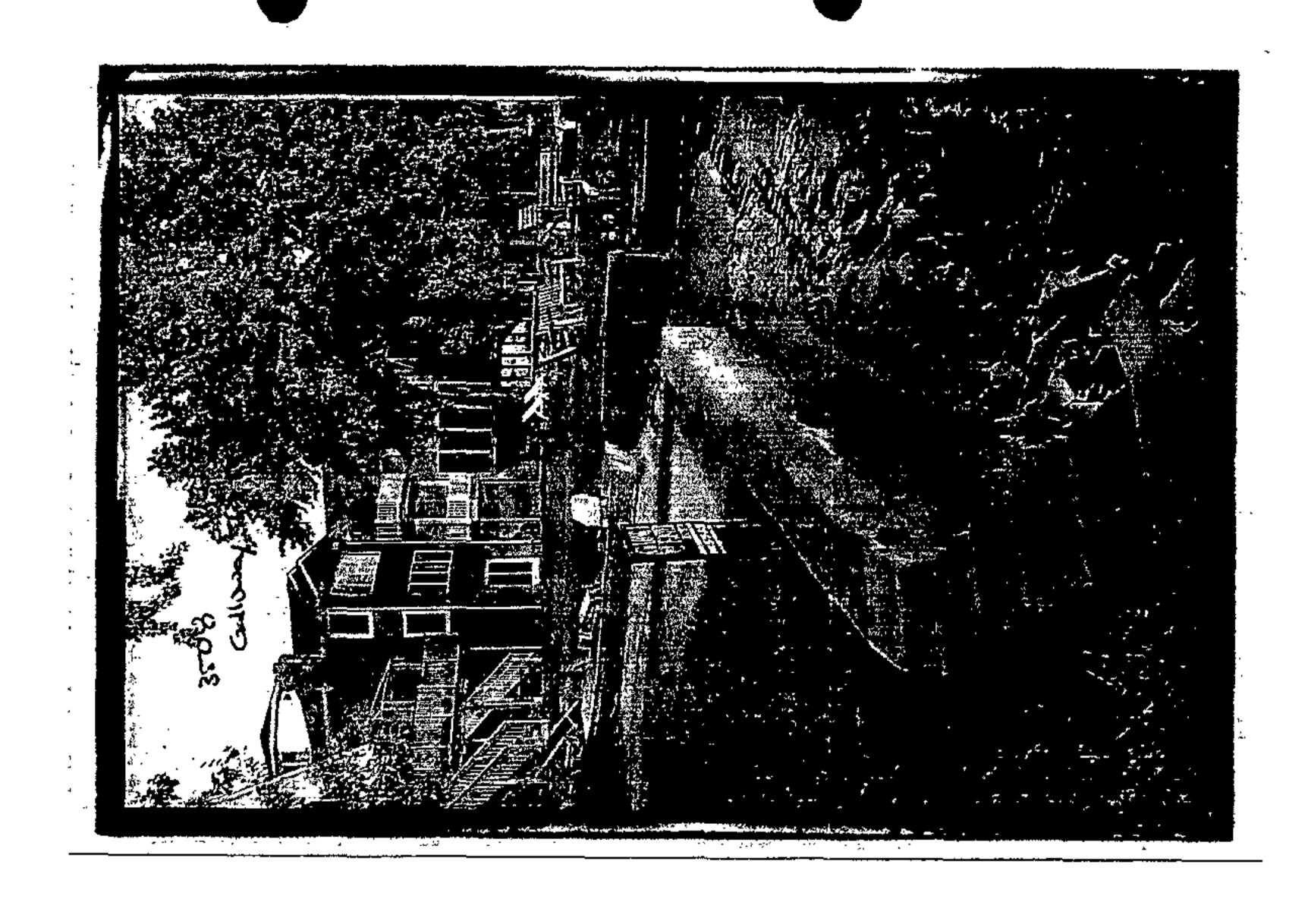


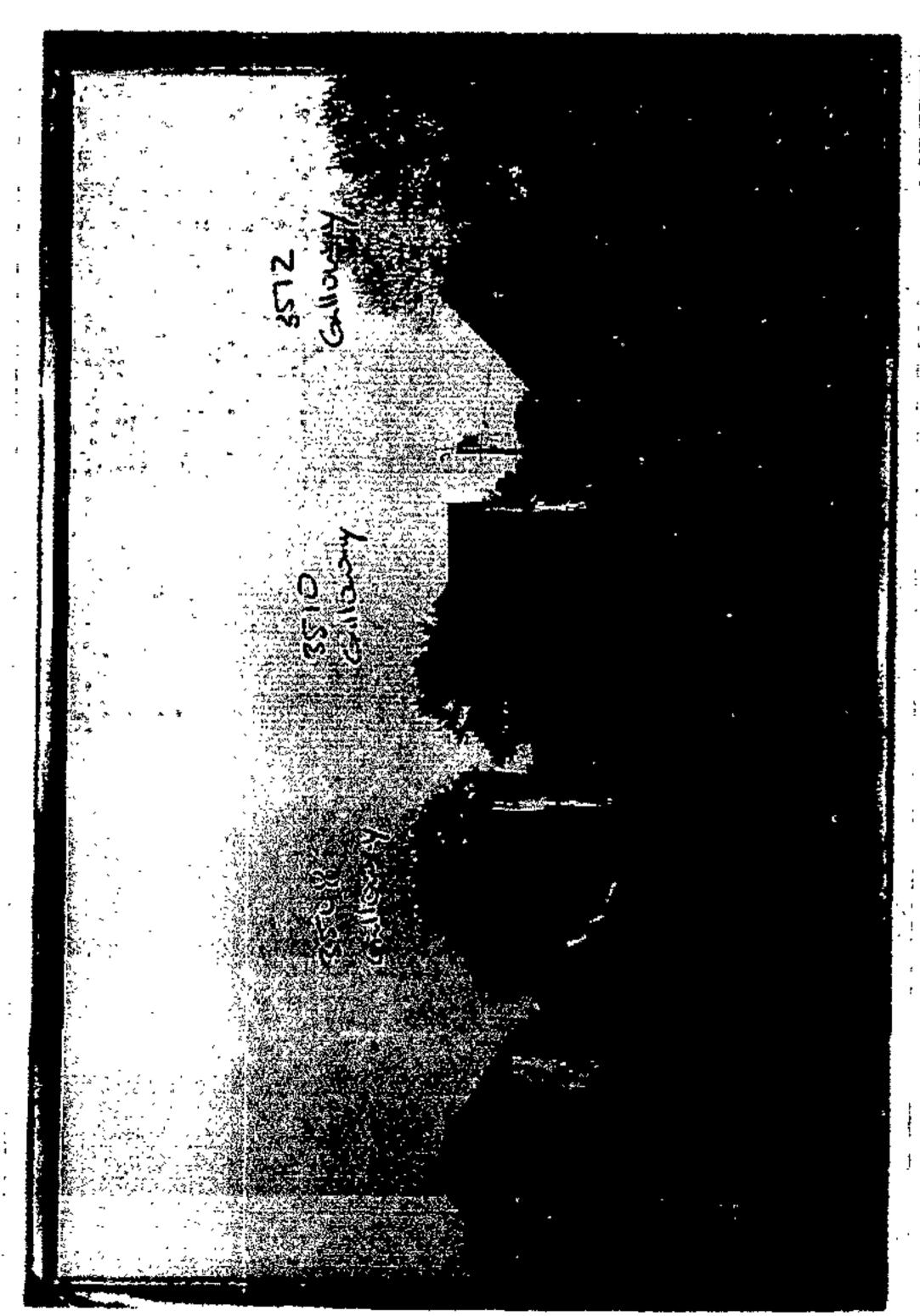








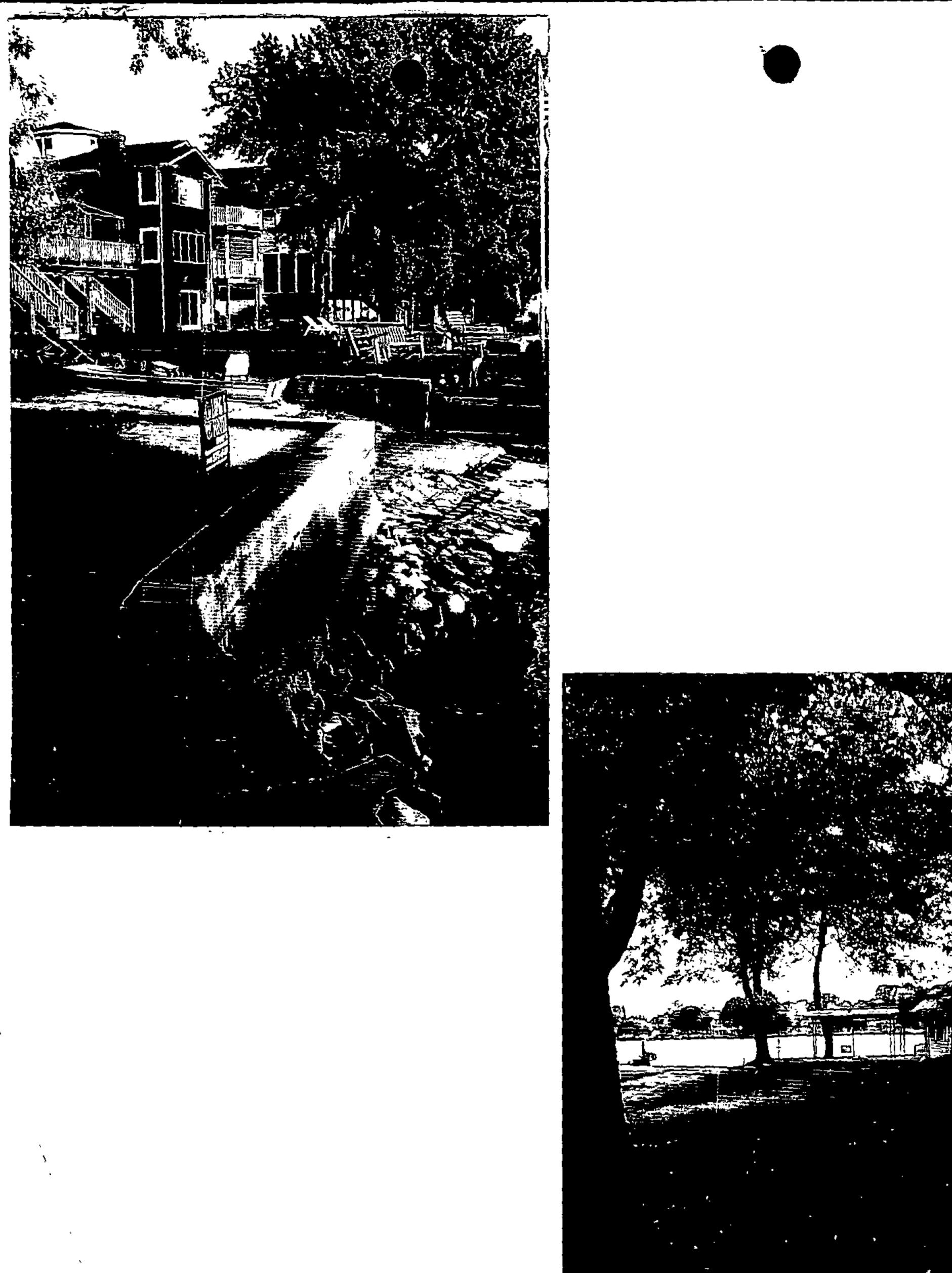


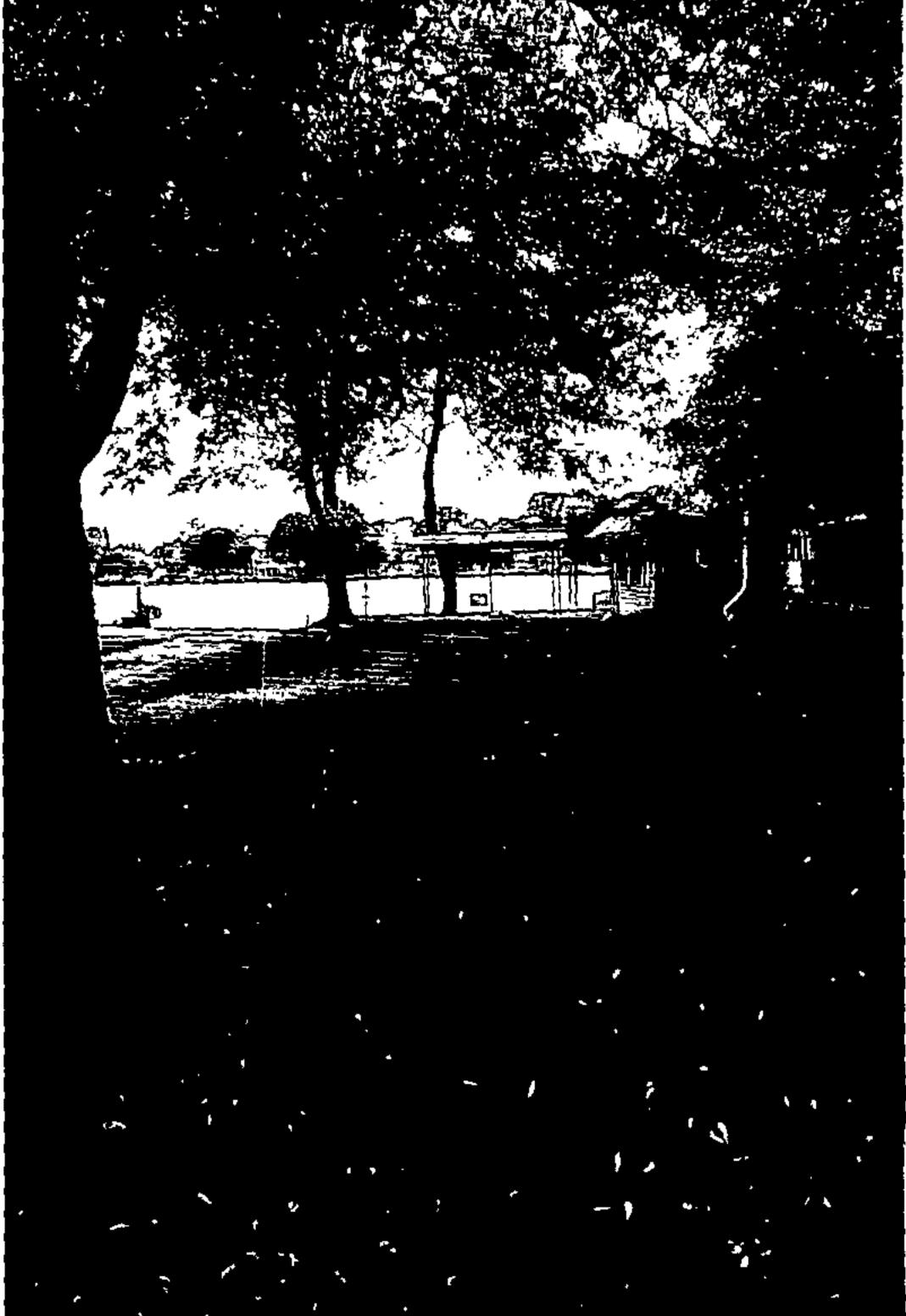


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Tools For You

Services for this Home

The Finance Center 3512 Galloway Rd

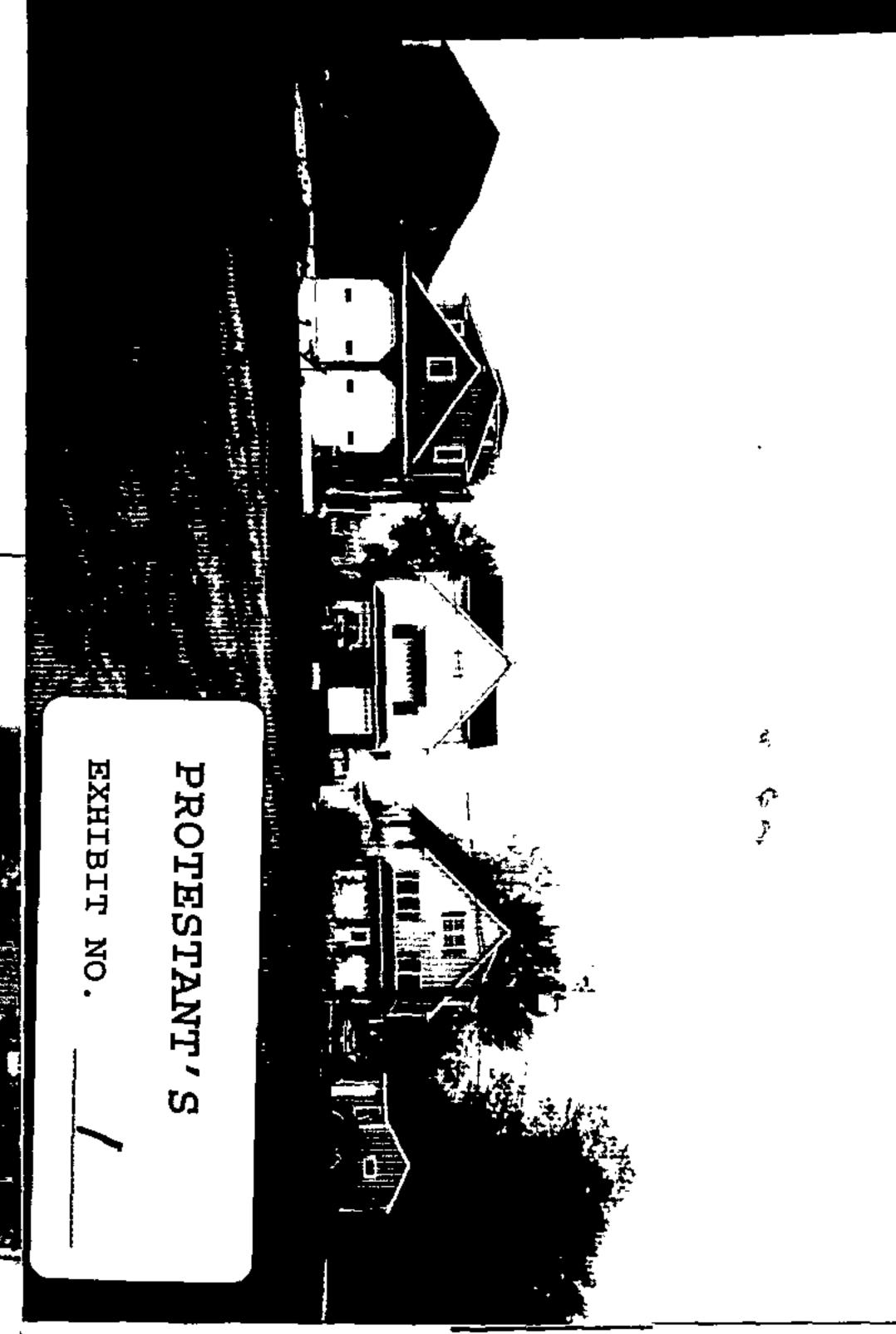
-- beds, 2.5 baths, 2,139 sq ft;

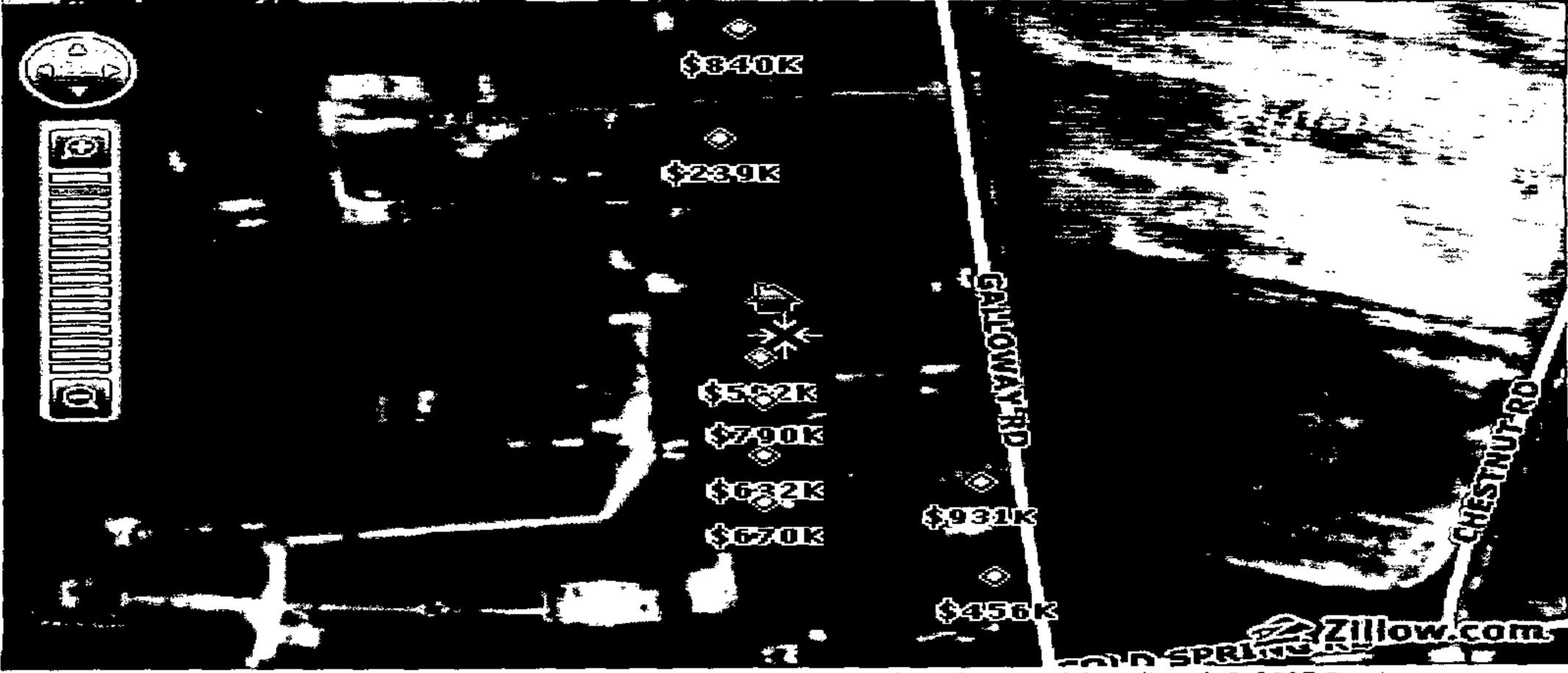
ZESTIMATE™: \$530,023 What's this?

My Estimate:Create

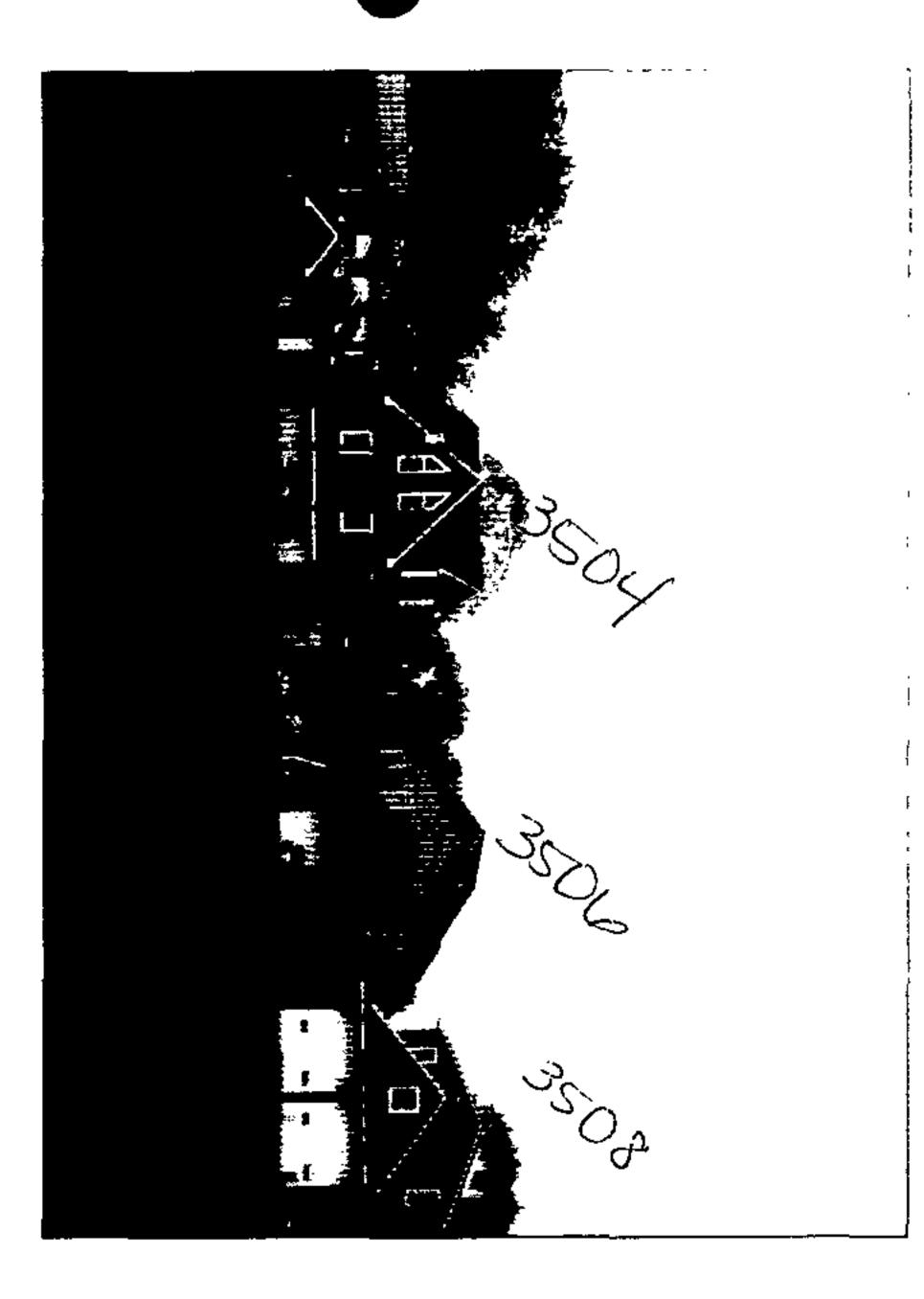
Bird's Eye View & Street Map



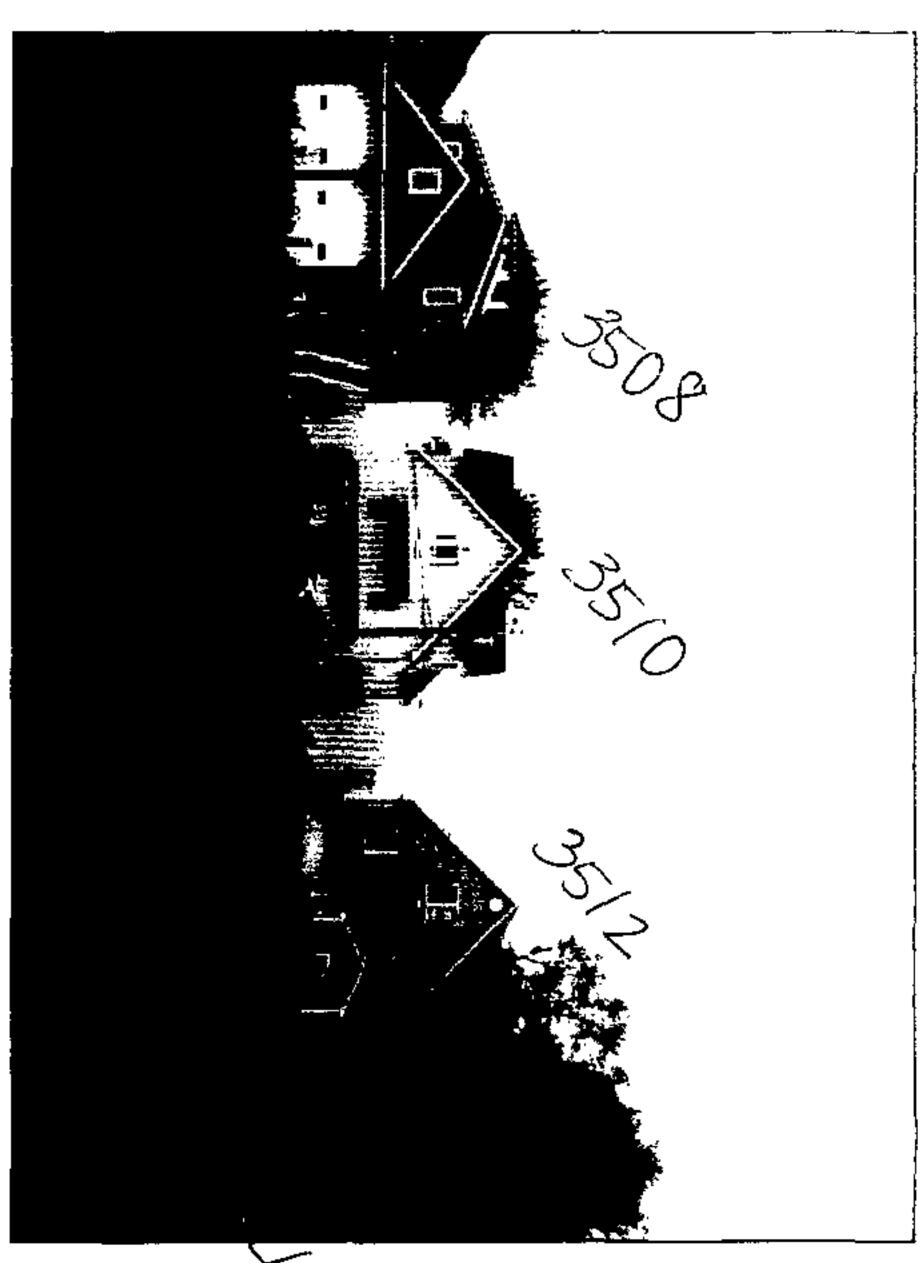




About Zestimate™ values and accuracy - © 2007 NAVTEQ | © 2007 GlobeXplorer and Suppliers | © 2007 Proxix







3520 Galloway Rd











Seneca Rd



Burke Road

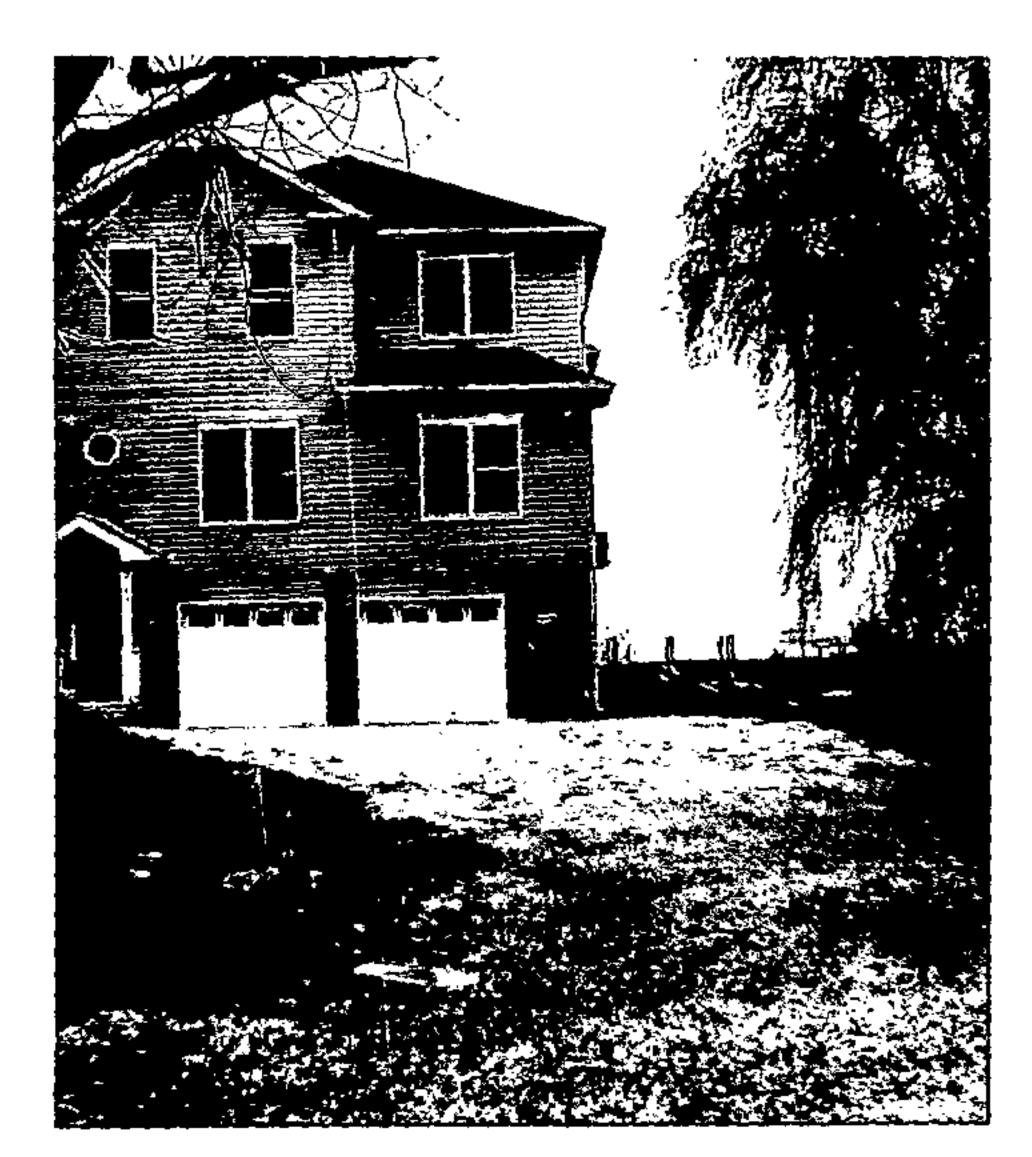




New Section Road



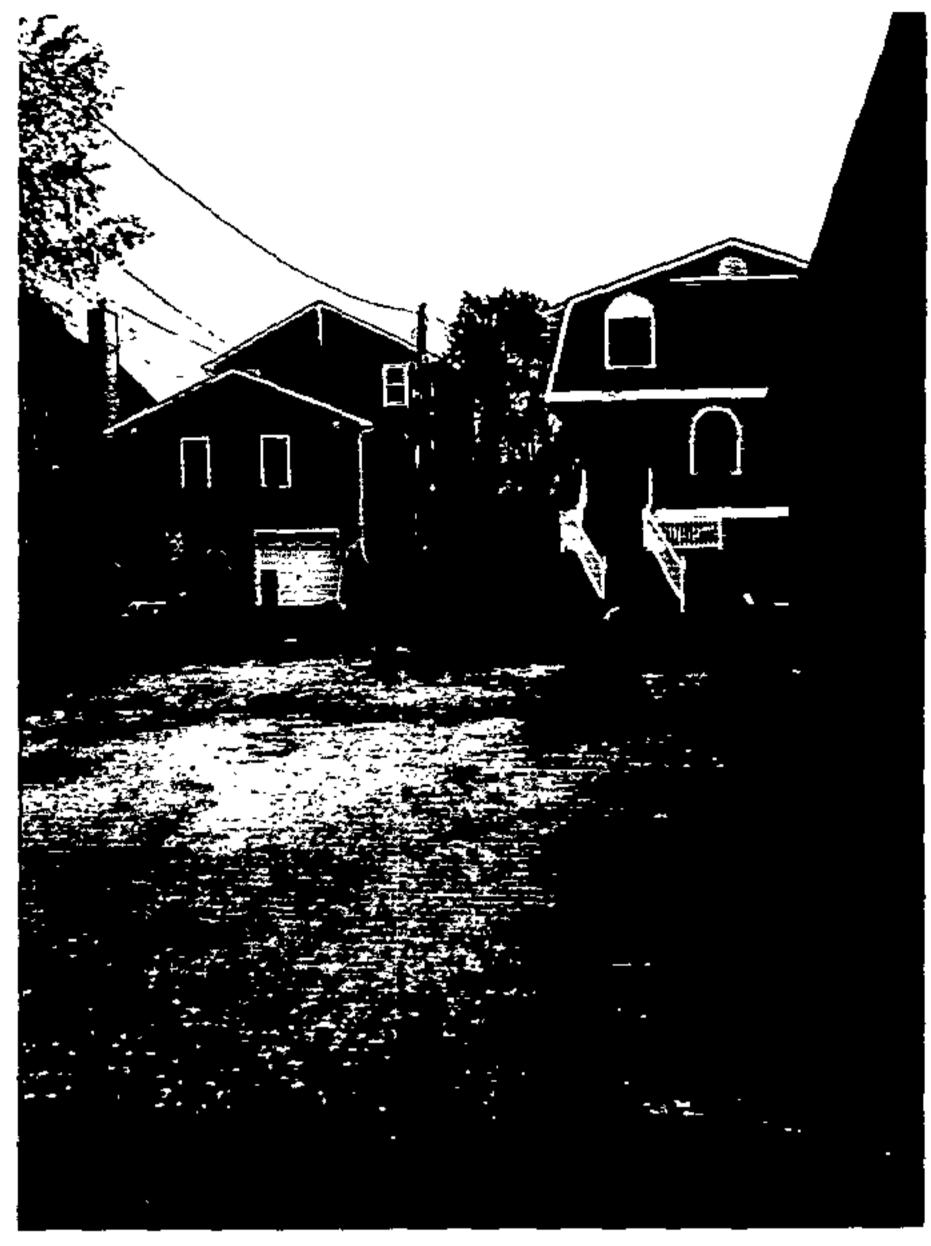
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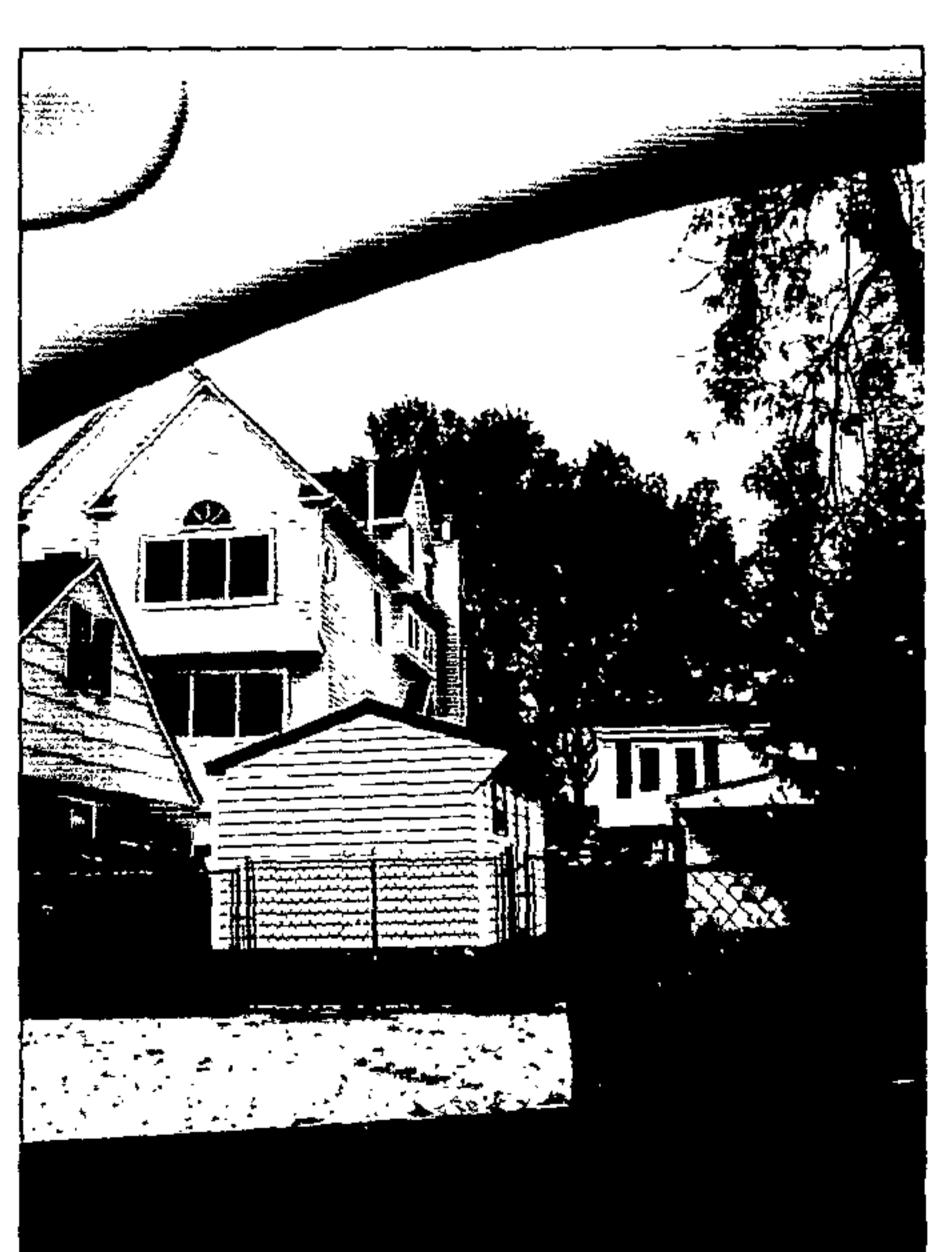


Burke Road









Cold Spring Rd



3520 Galloway Rd



Cold Spring Road

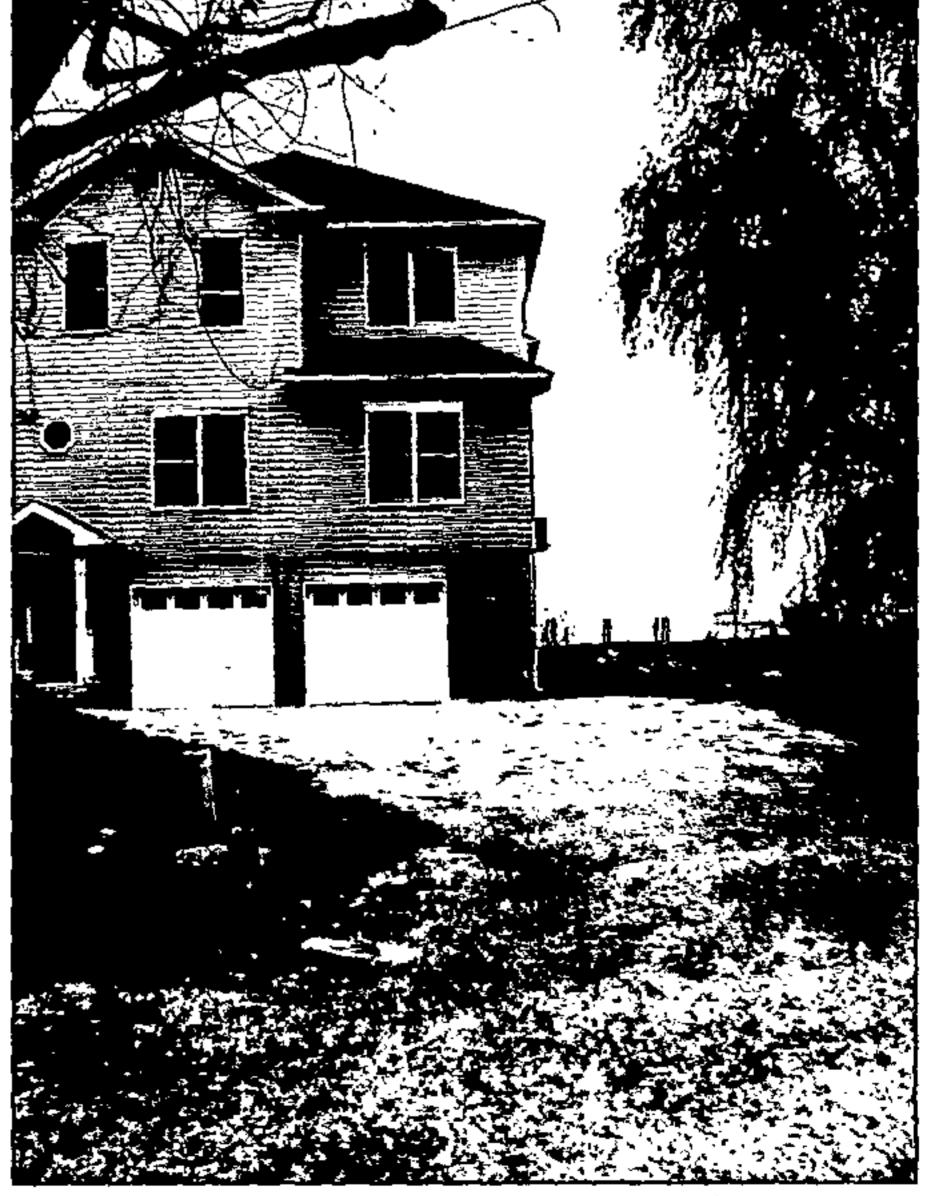


Burke Road









Burke & Galloway Roads



4 928



ZONING NOTICE CASE # 08-064-A

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

ROOM 407. COUNTY COURTS BUILDING
401 BOSLEY AVE. TOWSON 21204

DATE AND TIME: THURSDAY, OCTOBER 4, 2007 AT 11:00 A TO

REQUEST: VARIANCE TO PERMIT A SINCLE FAMILY WITH A

HEIGHT OF 42 FEET ON A LOT HAVING AN AREA OF 0.32 ACRES WITH

PROPERTY LINE SETBICKS OF 10 FEET IN LIEU OF THE REQUIRED 35 FIET

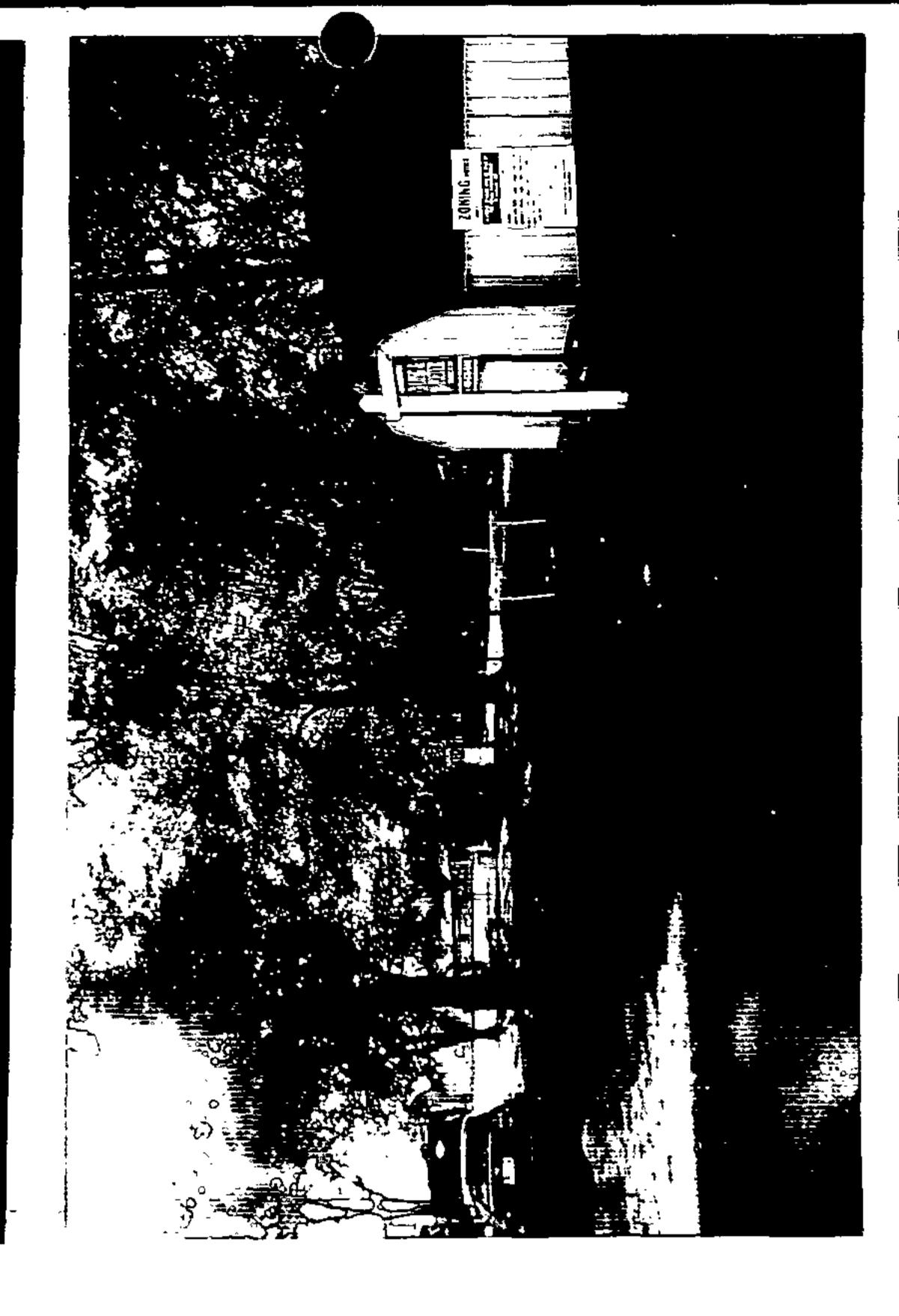
1-5 ACRS AND 50 FEET, RESPECTIVELY



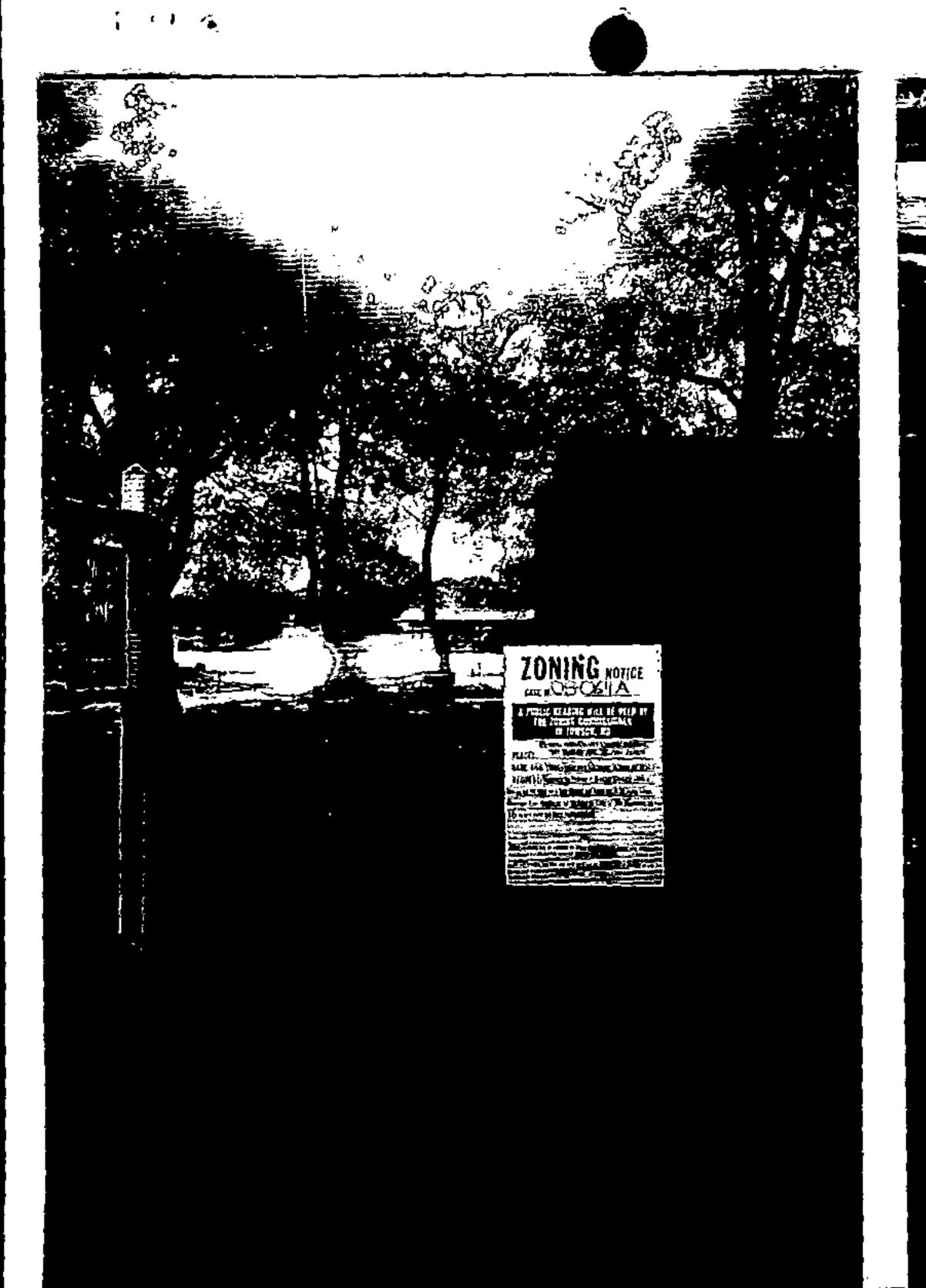
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

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

HANDICAPPED ACCESSIBLE









A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: 401 BOSLEY AVE. TOWSON 21204

BATE AND TIME: THURSDAY, OCTOBER 4, 2007 AT 11:00 A TO REQUEST: VARDANCE TO PERMIT A SINGLE FAMILY WITH A

HEIGHT OF 42 FEET ON A LOT HANNE AN AREA OF 032 ACRES WITH

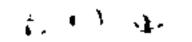
PROPERTY LINE SETBICUS OF 10 FEET IN LIEU OF THE REQUIRED 35 FROM

POSTPONEMENTS BUE TO WEATHER OR DITHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

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

NANDICAPPED ACCESSIBLE










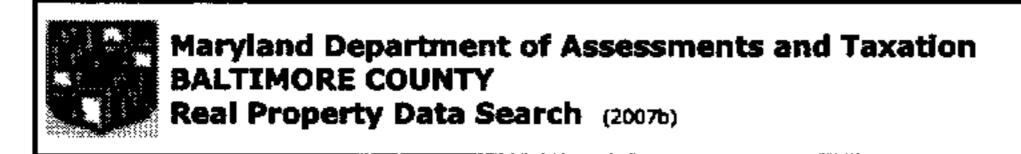


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Exempt Class:

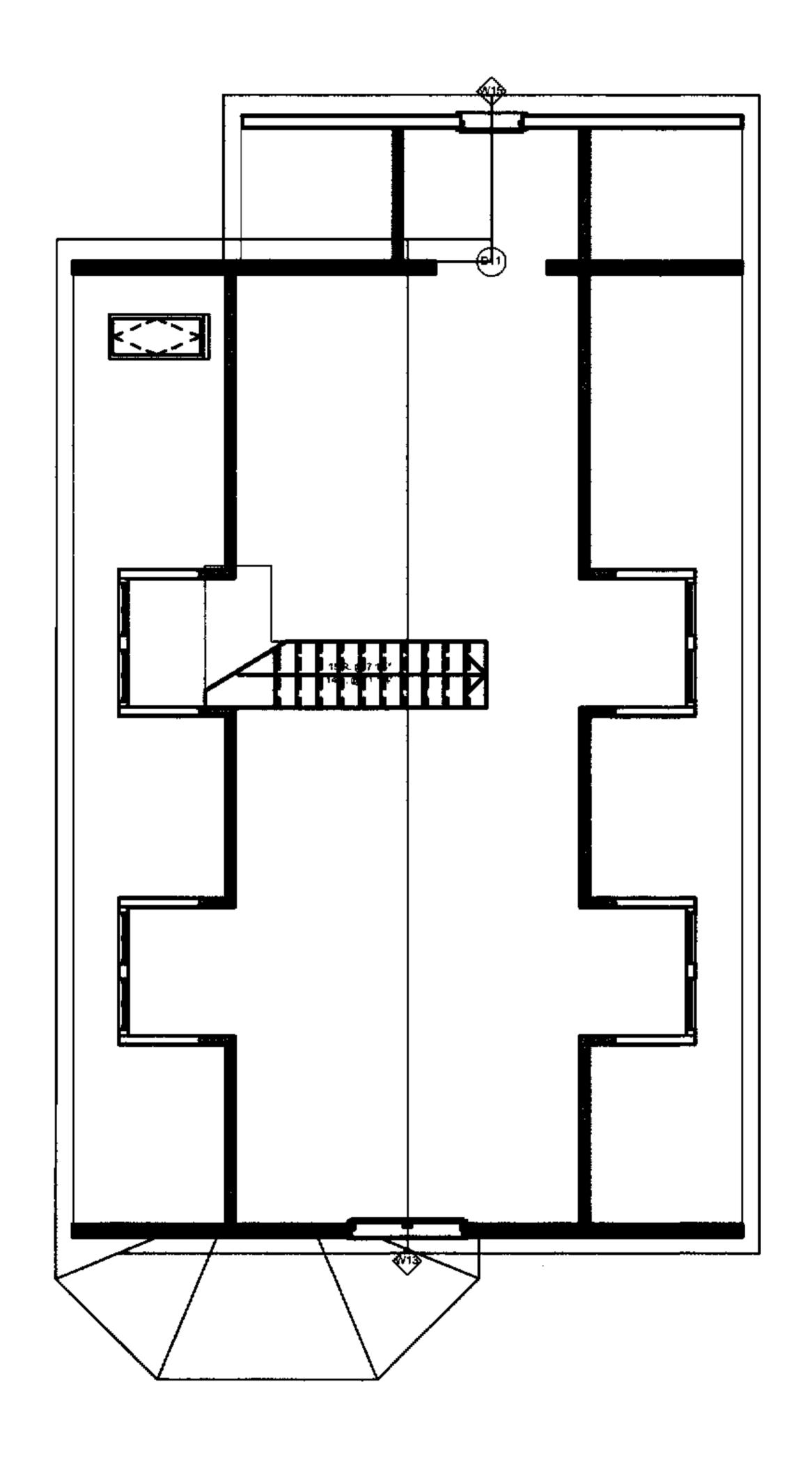


Go Back View Map New Search GroundRent

* NONE *

Account Identifier:	District -	15 Account N	lumber - 151	9321291	l		
		Ow	ner Informa	ation			
Owner Name:	TRIANTAFILO	OS NICHOLAS	C Use: Principal Residen			RESIDENTIAL	
Mailing Address:		EYS QUARTERS MD 21001-184		Deed	Reference:) /21902/ 704 !)
		Location 8	Structure	Informa	tion		
Premises Address 3514 GALLOWAY RD				Legai Description			
		WATERFRONT			400 N BOWL		
Map Grid Parcel 98 4 4	Sub District	Subdivision	Section	Block Lo	ot Assess 6	ment Area 3	Piat No: 1 Plat Ref: 7/ 1/8
Special Tax Areas	Ad	own d Valorem ax Class					
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Stories		Basemen	it		Туре		Exterior
		Va	lue Informa	tion			· · <u>-</u>
	Base Value	Value	Phase-in A	ssessme	ents		
•	40.770	As Of 01/01/2006	As Of 07/01/2006		As Of /2007		
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Seller: SHELL REALT Type: IMPROVED AF					1/10/1971 5230/ 648	Price: Deed2	\$3,500 :
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Manney 30'-0" GARAGE **∞** (009) (OO) STORAGE ROOM REC ROOM GROUND FLOOR SCALE: 1/8" = 1'-0"



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