

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E side of Burke Road, 1130 feet SW of		
c/l of Bowleys Quarters Road	*	DEPUTY ZONING
15 th Election District		
6 th Councilmanic District	*	COMMISSIONER
(1322 Burke Road)		
	*	FOR BALTIMORE COUNTY
Russell and June Lates		
<i>Petitioners</i>	*	
Michael Loveless		
<i>Contract Purchaser</i>	*	Case No. 2008-0569-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Russell and June Lates, the legal property owners, and Michael Loveless, the contract purchaser. Special Hearing relief is requested in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and pursuant to Sections 1A04.3.B.1.b(1), 1A04.3.B.2.b, and 1A04.3.B.3 of the B.C.Z.R. to permit side setbacks of 12 feet in lieu of the required 50 feet, a front setback of 67 feet to the centerline of the street in lieu of the required 75 feet, lot coverage of 28% in lieu of the maximum permitted 15%, and lot size of 21,620 square feet in lieu of the required 1.5 acres. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1A. An amended site plan was also marked and accepted into evidence as Petitioner's Exhibit 1B.

Appearing at the requisite public hearing in support of the requested special hearing relief was Russell Lates and Petitioner Michael Loveless, along with his wife, Kristen Loveless. Also appearing were realtors Chris Barkley (seller's agent) and Tami Caggese (buyer's agent), as well

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as Bernadette Moskunas with Site Rite Surveying, Inc., the land surveyor who prepared the site plan.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel consisting of approximately 24,500 square feet or 0.562 acre, more or less, zoned R.C.5. The property is located on Galloway Creek on the west side of Burke Road, west of Bowleys Quarters Road, in the Middle River area of Baltimore County. As shown on the amended site plan, the property is situated on a "double lot" that is 100 feet wide and averages approximately 245 feet deep from the road to the water. The property is currently improved with an existing, modest two-story dwelling located at the northernmost side of the property and an asphalt driveway leading to Burke Road. There is also an aluminum shed located in the same area as the dwelling. A gazebo is located at the southernmost side of the property.

As shown on the plat of "Bowleys Quarter" dated April 5, 1921 that was marked and accepted into evidence as Petitioner's Exhibit 2, the subject property was originally platted as Lots 132 and 133 and located at the innermost area of Galloway Creek. The current structure was built in 1963. As indicated by the SDAT printout and the accompanying Deed that were marked and accepted into evidence as Petitioner's Exhibit 3, Mr. and Mrs. Lates have owned the property since 1993. At this juncture, Petitioner desires to purchase the property and raze the existing structures and construct a new, replacement dwelling. Due to the minimum lot size and setback requirements and building coverage limitations, Petitioner is in need of special hearing relief.

In support of the special hearing request, Petitioner's consultant, Ms. Moskunas pointed out some of the unusual characteristics of the property. She indicated that in reviewing the original "Bowleys Quarter" plat, it shows that the subject property is relatively large compared to other lots in the vicinity. It consists of a 100 foot wide double lot, whereas a number of nearby

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lots are 50 feet wide. The property also has an exaggerated, diagonal shoreline configuration. Although the property averages approximately 245 feet deep, there is an approximate 30 foot difference in depth from the north end of the property to the south end at the shoreline. Ms. Moskunas also submitted a copy of the site plan illustrating Petitioner's plans for the property, with approval signatures from the adjacent neighbors, Mr. and Mrs. Pedrick at 1326 Burke Road and Mr. and Mrs. Bongiorno at 1316 Burke Road. This site plan was marked and accepted into evidence as Petitioner's Exhibit 4.

During the hearing, Ms. Moskunas indicated on behalf of Petitioner that due to the building coverage limitations, they had decided to decrease the proposed width of the dwelling; however, in doing so -- and in order to have adequate access to the proposed attached three car garage -- the garage would need to be angled toward the side yard at the north side of the property. As a result, the side yard on the north side of the property would still be 12 feet and the side yard on the south side of the property would also remain 12 feet. A preliminary design of the proposed changes was marked and accepted into evidence as Petitioner's Exhibit 5. The proposed home is still a substantial structure, but the change will result in a smaller footprint and hence, less building coverage. The undersigned permitted Petitioner to amend the site plan and the special hearing request because it would result in a decrease in the percentage of building coverage on the property.

Front and rear building elevations were marked and accepted into evidence as Petitioner's Exhibits 6A and 6B. Petitioner also provided photographs of the Pedrick home at 1326 Burke Road and the Bongiorno home at 1316 Burke Road, as well as photographs of the dwelling on the subject property. This collage of photographs was marked and accepted into evidence as Petitioner's Exhibit 7. The Pedrick home is a replacement dwelling that appears to be just recently

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completed. It is an impressive 2½-story structure with a substantial footprint on a 50 foot wide lot. The Bongiorno home appears to be an original structure and according to SDAT records, was constructed in 1924. Notwithstanding its age, it appears to be a relatively small well kept and well maintained structure on a large, pie-shaped lot. There is approximately 120 feet of frontage on Burke Road and only 50 feet along the shoreline.

Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments received from the Office of Planning dated August 8, 2008 indicate the office does not oppose Petitioners' request, provided the construction complies with the current R.C.5 requirements. The Office of Planning then submitted an additional comment dated August 27, 2008 indicating that Petitioner's request and accompanying site plan and elevation drawings are in compliance with the spirit and intent of the R.C.5 regulations and performance standards. Comments received from the Bureau of Development Plans Review dated June 15, 2008 indicate that the first floor or basement must be at least one foot above the flood plain elevation in all construction, the building should be designed and adequately anchored to prevent flotation or collapse and constructed of materials resistant to flood damage. Flood-resistant construction should be in accordance with the Baltimore County Building Code which adopts the International Building Code. Comments received from the Department of Environmental Protection and Resource Management dated June 27, 2008 indicate that the property must comply with the Chesapeake Bay Critical Area Regulations. The property is in a Limited Development Area and Buffer Management Area. Lot coverage of all surfaces is limited to 25%. Any impervious surface within the 100 foot buffer must meet all BMA provisions and will require mitigation or fee-in-lieu. In addition, 15% afforestation requirements must be met.

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Near the conclusion of the hearing, Ms. Moskunas indicated that the changes in the dwelling design would result in an amended site plan with new building coverage calculations, and revised elevation drawings. As such, the undersigned permitted the record to be kept open for one week to allow Ms. Moskunas to submit the amended site plan and revised elevation drawings. Thereafter, on August 21, 2008, the undersigned received the amended site plan (Petitioner's Exhibit 1B) and the revised elevations that were marked and accepted into evidence as Petitioner's Exhibits 8A through 8F. The amended site plan shows an actual lot size of 24,500 square feet or 0.562 acre and the lot coverage of 23% and not the 28% as originally requested. Hence, an amendment to the Petition was permitted to reflect the minor change in total square footage/acreage from 21,620 square feet to 24,500 square feet and lot coverage from 28% to 23%. The elevations show front and rear elevations, and ground, first, and second level floor plans consistent with the amended site plan.

Considering of all the testimony and evidence presented, I am persuaded to grant the special hearing relief. As to the request to permit a lot size of 24,500 square feet in lieu of the required 1.5 acres, in my view, Petitioner is entitled to this relief under Section 1A04.3.B.1.b(1) as an exception to the minimum lot size. This section allows an owner of a single lot of record that is not a subdivision and in existence prior to September 2, 2003 and does not meet the minimum acreage or setback requirement to apply for a special hearing to alter the minimum lot size requirement. I believe Petitioner's property is covered by this exception and the relief should be granted. While the property is technically in a "subdivision," this office has traditionally treated old Land Record subdivisions as simply "lots of record."

As to the request for side yard setbacks of 12 feet in lieu of the required 50 feet, again I am persuaded to grant this relief. On an established lot of record, the R.C.5 zoning on this property

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requiring 50 foot side yard setbacks would make it impossible to construct any dwelling, much less a replacement dwelling. I do not believe this is what the zoning regulations in this regard intended. The 12 foot side yard setback on each side are reasonable in my view. In addition, the proposed building coverage of 23% in lieu of the maximum 15% is also reasonable and I shall grant that relief as well. Reviewing the rendering and elevations of the proposed dwelling, it will be an improvement on what currently exists and according to the Planning Office, is in compliance with the spirit and intent of the R.C.5 regulations and performance standards. Finally, as to the request for a front setback of 67 feet to the centerline of the street in lieu of the required 75 feet, although Ms. Moskunas indicated that this setback could be met if absolutely required, she indicated the desire was to move the location of the new dwelling slightly closer to the road in order to lessen the impact to the buffer management area on the waterfront side of the property. Based on the DEPRM comments, I am in agreement with this rationale and shall grant this relief.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioner's request for special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 10th day of September, 2008 that Petitioners' request for Special Hearing relief filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and pursuant to Sections 1A04.3.B.1.b(1), 1A04.3.B.2.b, and 1A04.3.B.3 of the B.C.Z.R. to permit side setbacks of 12 feet in lieu of the required 50 feet, a front setback of 67 feet to the centerline of the street in lieu of the required 75 feet, lot coverage of 28% in lieu of the maximum permitted 15%, and lot size of 21,620 square feet in lieu of the required 1.5 acres, be and is hereby GRANTED, subject to the following:

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1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. 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).
3. The property is in a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. Lot coverage of all surfaces are limited to 25%. Any impervious surface within the 100 foot buffer must meet all BMA provisions and will require mitigation or fee-in-lieu. In addition, the 15% afforestation requirement must be met.
4. 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.
5. 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.
6. The building engineer shall require a permit for this project.
7. 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.

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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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at #1822 Burke Road
which is presently zoned RCS

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 1A04.3.B.1.b(1) and a. and 2.b and 3; BCZR, to permit side setbacks of 12 ft. in lieu of the required 50 ft., a front yard setback of 67 ft. to the center line of the street in lieu of the required 75 ft., lot coverage of 28 % in lieu of the maximum permitted 15 % and a lot size of 21,620 sq. ft. in lieu of the required 1.5 acres.

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.

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:

Michael Lovelless
Name - Type or Print
Michael Lovelless
Signature
3038 Elliott Street 443-695-1665
Address Telephone No.
Baltimore, MD 21224
City State Zip Code

Attorney For Petitioner:

Name - Type or Print City

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Russell Lates
Name - Type or Print
Russell Lates
Signature
June Lates
Name - Type or Print
June Lates
Signature
1322 Burke Road
Address
Baltimore, MD 21220
City State Zip Code Telephone No.

Representative to be Contacted:

Site Rite Surveying, Inc.
Name
200 E. Joppa Road Rm 101 410 828 9060
Address Telephone No.
Towson, MD 21206
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 6-6-08

REV 9/15/98

ORIGINAL RECEIVED FOR FILING

DATE: 9-10-08

BY: [Signature]

ZONING DESCRIPTION
#1322 BURKE ROAD

BEGINNING at a point on the east side of Burke Road which is 30 feet wide at the distance of 1130 feet southwest of the centerline of the nearest improved intersecting street Bowleys Quarter Road which is 40 feet wide. Being Lot #'s 132 and 133 in the subdivision of "Bowleys Quarters" as recorded in Baltimore County Plat Book #7, Folio #12, containing 21,620 S.F. Also known as #1322 Burke Road and located in the 15th Election District, 6th Councilmanic District.



Michael V. Moskunas
Reg. No. 21175

Site Rite Surveying, Inc.
200 E. Joppa Road
Suite 101
Towson MD 21286
(410) 828-9060

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **15985**

Date: **6.6.08**

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				65. —

Total: **65. —**

Rec
From: **R. LATES**

For: **2008-0569-SPH**

BUSINESS ACTUAL TIME DRW
 6/06/2008 6/06/2008 09:21:59 1
 REG 1601 WALKIN JRIC JHR
 >>RECEIPT # 376996 6/06/2008 OFLN
 Dept 5 528 ZONING VERIFICATION
 OF NO. 015985
 Recpt Tot: \$65.00
 \$65.00 OK \$1.00 CA
 Baltimore County, Maryland

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

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: # 2008-0569-SPH

1322 Burke Road

E/side of Burke Road, 1130 feet +/- s/west of centerline of Bowleys Quarters Road

15th Election District- 6th Councilmanic District

Legal Owner(s): Russell & June Lates

Contract Purchaser: Michael Loveless

Special Hearing: to permit side setbacks of 12 feet in lieu of the required 50 feet, a front setback of 67 feet to centerline of the street in lieu of the required 75 feet and lot coverage of 28% in lieu of the maximum permitted 15% and lot size of 21,620 square feet in lieu of the required 1.5 acres.

Hearing: Wednesday, August 20, 2008 at 10:00 a.m. in 1st Floor Hearing Room, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT 8/605 Aug. 5

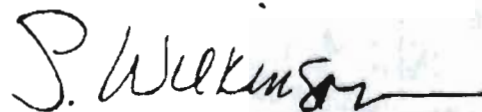
179914

CERTIFICATE OF PUBLICATION

8/7/, 2008

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 8/5/, 2008.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 2008-0569-SPH

Petitioner/Developer: SITE
RITE SURVEYING INC.

Date Of Hearing/Closing: 8/20/08

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

Attention:

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
at 1322 BURKE RD

This sign(s) were posted on July 30, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 7/30/08
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)

ZONING NOTICE

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
10 TOWN, RD

CASE # 2008-0014-SW

1ST FLOOR HEADING ROOM TELEPHONE
PLACE: BUILDING NO 10 CORNELIUS AVE THUNDERBOLT
WILMINGTON, AUGUST 24, 1968
DATE/TIME: AT 10:00 AM

REQUEST: SPECIAL HEARING TO REVERT SAME SUBTRACT
OF 16 FEET IN LIEU OF THE REQUIRED 20 FEET, A FRONT
SUBTRACT OF 6 FEET TO CENTERLINE OF THE STREET
IN LIEU OF THE REQUIRED 25 FEET AND LOT COVERAGE
OF 25 % IN LIEU OF THE MAXIMUM PERMITTED 15 %
AND LOT SIZE OF 22,000 SQUARE FEET IN LIEU OF
THE REQUIRED 16,000

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
HOMES AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., FORDSON, MD 21064, (410) 867-3381
OR MAY BE OBTAINED THIS DATE AND POST CARD, AFTER 2:00PM EST, UNDER PROPERTY OF LAM
HANDICAPPED ACCESSIBLE

**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/neighbor 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: 0569
Petitioner: Michael Loveless
Address or Location: 1322 Burke Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Loveless
Address: 3038 Elliott Street
Baltimore, MD 21224
Telephone Number: 443-695-1665

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 5, 2008 Issue - Jeffersonian

Please forward billing to:
Michael Loveless
3038 Elliott Street
Baltimore, MD 21224

443-695-1665

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: 2008-0569-SPH

1322 Burke Road

E/side of Burke Road, 1130 feet +/- s/west of centerline of Bowleys Quarters Road

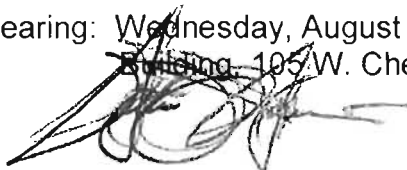
15th Election District – 6th Councilmanic District

Legal Owners: Russell & June Lates

Contract Purchaser: Michael Loveless

Special Hearing to permit side setbacks of 12 feet in lieu of the required 50 feet, a front setback of 67 feet to centerline of the street in lieu of the required 75 feet and lot coverage of 28% in lieu of the maximum permitted 15% and lot size of 21,620 square feet in lieu of the required 1.5 acres.

Hearing: ~~Wednesday~~ Wednesday, August 20, 2008 at 10:00 a.m. in 1st Floor Hearing Room, Jefferson Building, 105 W. Chesapeake 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

July 3, 2008
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: 2008-0569-SPH

1322 Burke Road

E/side of Burke Road, 1130 feet +/- s/west of centerline of Bowleys Quarters Road

15th Election District – 6th Councilmanic District

Legal Owners: Russell & June Lates

Contract Purchaser: Michael Loveless

Special Hearing to permit side setbacks of 12 feet in lieu of the required 50 feet, a front setback of 67 feet to centerline of the street in lieu of the required 75 feet and lot coverage of 28% in lieu of the maximum permitted 15% and lot size of 21,620 square feet in lieu of the required 1.5 acres.

Hearing: Wednesday, August 20, 2008 at 10:00 a.m. in 1st Floor Hearing Room, Jefferson Building, 105 W. Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Michael Loveless, 3038 Elliott Street, Baltimore 21224
Mr. & Mrs. Lates, 1322 Burke Road, Baltimore 21220
Site Rite Surveying, Inc., 200 E. Joppa Road, Rm. 101, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 5, 2008.**
- (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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

August 13, 2008

Russell & June Lates
1322 Burke Rd.
Baltimore, MD 21220

Dear: Russell & June Lates

RE: Case Number 2008-0569-SPH, 1322 Burke Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 6, 2008. 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

WCR:lnw

Enclosures

c: People's Counsel
Site Rite Surveying, INC, 200 E. Joppa Rd. Rm. 101, Towson, MD 21286
Michael Loveless, 3038 Elliott St., Baltimore, MD 21224

TB 8/20
10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 27, 2008

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

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AUG 27 2008

BY: _____

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-569** (*additional comments*)

The Office of Planning reviewed the petitioner's request and accompanying site plan and elevation drawing and finds the proposal to be in accordance with the spirit and intent of the RC 5 regulations and performance standards listed within Bill 55-04. As such, this office does not oppose the subject request.

Prepared By:
CM/LL



TB 8/20
10am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: June 27, 2008

SUBJECT: Zoning Item # 08-569-SPH
Address 1322 Burke Road
(Lates Property)

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JUN 27 2008
BY:

Zoning Advisory Committee Meeting of June 17, 2008

_____ 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 property is in a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area. Lot coverage of all surfaces are limited to 25%. Any impervious surface within the 100-foot buffer must meet all BMA provisions and will require mitigation or fee-in-lieu. In addition, the 15% afforestation requirement must be met.

Reviewer: Regina Esslinger

Date: June 26, 2008

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2008\ZAC 08-569-SPH.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 19, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For June 23, 2008
Item No. 08-0569

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:lrk

cc: File

ZAC-ITEM NO 08-0569-06192008

TB
8-20-08

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 8, 2008

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

SUBJECT: 1322 Burke Road

INFORMATION:

Item Number: 8-569

Petitioner: Russell Lates

Zoning: RC 5

Requested Action: Special Hearing

RECEIVED
AUG 18 2008

BY:.....

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. However, this office is required to provide a statement of finding to the Zoning Commissioner indicating how the proposed construction complies with the current RC 5 requirements. To prepare the statement of finding, the following information must be submitted to this office:

1. Photographs of existing adjacent dwellings.
2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.

4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
5. Provide landscaping along the public road, if consistent with the existing streetscape.

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

Prepared By:

Curtis Murray

Division Chief:

Lynne Landon

CM/LL



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: 6-20-2008

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

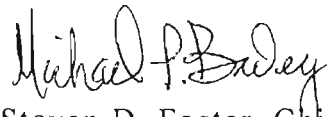
RE: Baltimore County
Item No 2008-0569-SPH
1322 BURKE AVENUE
LATES PROPERTY
SPECIAL HEARING

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. 2008-0569-SPH

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



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
1322 Burke Road: E/S Burke Road, 1130'		
SW c/line Bowleys Quarters Road	*	ZONING COMMISSIONER
15 th Election & 6 th Councilmanic Districts		
Legal Owner(s): Russell & June Lates	*	FOR
Contract Purchaser(s): Michael Loveless		
Petitioner (s)	*	BALTIMORE COUNTY
	*	08-569-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.

RECEIVED

JUN 27 2008

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of June, 2008, a copy of the foregoing Entry of Appearance was mailed to Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DATE: _____

CASE NAME 322 Burke Road
CASE NUMBER 2008-569-SPH
DATE 8/20/08

[illegible]

Case No.: 2078-0569-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	1A Site Plan 1B- Amended Site Plan	
No. 2	Plot of Bowleys Quarter 4/5/1921	
No. 3	SDAT and Deed dated 5/27/93 From Morris to Later	
No. 4	Site plan signed by adjacent neighbors showing project approval	
No. 5	Foundation plan for proposed Loveless residence	
No. 6	A- Front elevation B- Rear elevation	
No. 7	Photos of subject property + nearby properties	
No. 8 A-F	Amended elevations reflected by Amended Site Plan	
No. 9		
No. 10		
No. 11		
No. 12		



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 15 **Account Number -** 1508002714

Owner Information

Owner Name: LATES RUSSELL B, JR
 LATES JUNE R
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1322 BURKE RD
 BALTIMORE MD 21220-4417
Deed Reference: 1) / 9837/ 129
 2)

Location & Structure Information

Premises Address
 1322 BURKE RD

Legal Description
 LT 132-133
 1322 BURKE RD WS
 BOWLEYS QUARTERS

WATERFRONT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
98	4	4					132	3	1	7/ 12

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1963	1,440 SF	21,620.00 SF	34
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value Phase-in Assessments		
		As Of 01/01/2006	As Of 07/01/2007	As Of 07/01/2008
Land	186,620	371,620		
Improvements:	44,790	171,420		
Total:	231,410	543,040	439,162	543,040
Preferential Land:	0	0	0	0

Transfer Information

Seller: MORRIS ARTHUR R, JR	Date: 06/22/1993	Price: \$220,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 9837/ 129	Deed2:
Seller: HARRIS JOHN W	Date: 07/15/1971	Price: \$31,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5201/ 844	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0
Tax Exempt: NO			
Exempt Class:			
		Special Tax Recapture:	
		* NONE *	

PETITIONER' S

EXHIBIT NO. 3

1322 Burke Road
File #933097

THIS DEED, Made This 27th day of May in the year one thousand nine hundred and ninety-three by and between

ARTHUR R. MORRIS, JR. and PATRICIA M. MORRIS husband and wife, parties of the first part, Grantors;

and

RUSSELL B. LAYES, JR. and JUNE R. LAYES husband and wife, parties of the second part, Grantees.

WITNESSETH: that in consideration of the sum of Two hundred twenty thousand and 00/100 Dollars \$220,000.00, and other valuable considerations, the receipt of which is hereby acknowledged, the Grantors do hereby grant and convey unto said Grantees, as Tenants by the Entireties, their assigns, the survivor of them and the survivor's heirs, personal representatives and assigns, in fee simple, all that (those) lot(s) of ground situate in BALTIMORE County/City, in the State of Maryland, and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 132 and 133, as shown on a Plat entitled, "Plat No. 1 of Bowleys Quarters", which Plat is recorded among the Land Records of BALTIMORE County in Plat Book WPC No. 7, folio 12.
The improvements thereon being known as 1322 Burke Road.

BEING the same lot of ground which by Deed dated 7/13/71 and recorded among the Land Records of BALTIMORE County/City at Liber EHK Jr. No. 5201, folio 844, was granted and conveyed from John W. Harris and Julia M. Harris, his wife to the within named grantors.

TOGETHER WITH the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot(s) of ground and premises, unto and to the use of the said Grantees, as Tenants by the Entireties, their assigns, the survivor of them and the survivor's heirs, personal representatives and assigns, in fee simple.

And the said Grantors covenant to warrant specially the property hereby granted and conveyed, and to execute such further assurances of the same as may be requisite.

Witness the hands and seals of said Grantors:

WITNESSES

[Signature]
Witness

[Signature] (Seal)
ARTHUR R. MORRIS, JR.

[Signature]
Witness

[Signature] (Seal)
PATRICIA M. MORRIS

RECORDED & INDEXED
TRANSFER TAX
\$1.00
SIGNATURE *[Signature]* DATE 6/18/93

RECORDED & INDEXED
\$1.00
for 6/18/93

This Deed, Made this 13th day of July

in the year one thousand nine hundred and Seventy-one, by and between John W.

Harris and Julia M. Harris, his wife -----, of the first part, and

Arthur R. Morris, Jr. and Patricia M. Morris his wife -----

of the second part.

Witnesseth, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged -----

the said John W. Harris and Julia M. Harris, his wife -----

do hereby grant and convey unto the said Arthur R. Morris, Jr. and Patricia M. Morris, his wife, as tenants by the entireties, their heirs and assigns and to the survivor of them, his or her -----

heirs and assigns, -----

in fee simple, all ----- those ----- lot(s) of ground, situate, lying and being in

Baltimore County -----, State of Maryland, and described as follows, that is to say:--

Beginning for the same and being Lots 132 and 133 as shown on Plat No. 1 of Bowleys Quarters and recorded among the Land Records of Baltimore County in Plat Book WPC 7, folio 12.

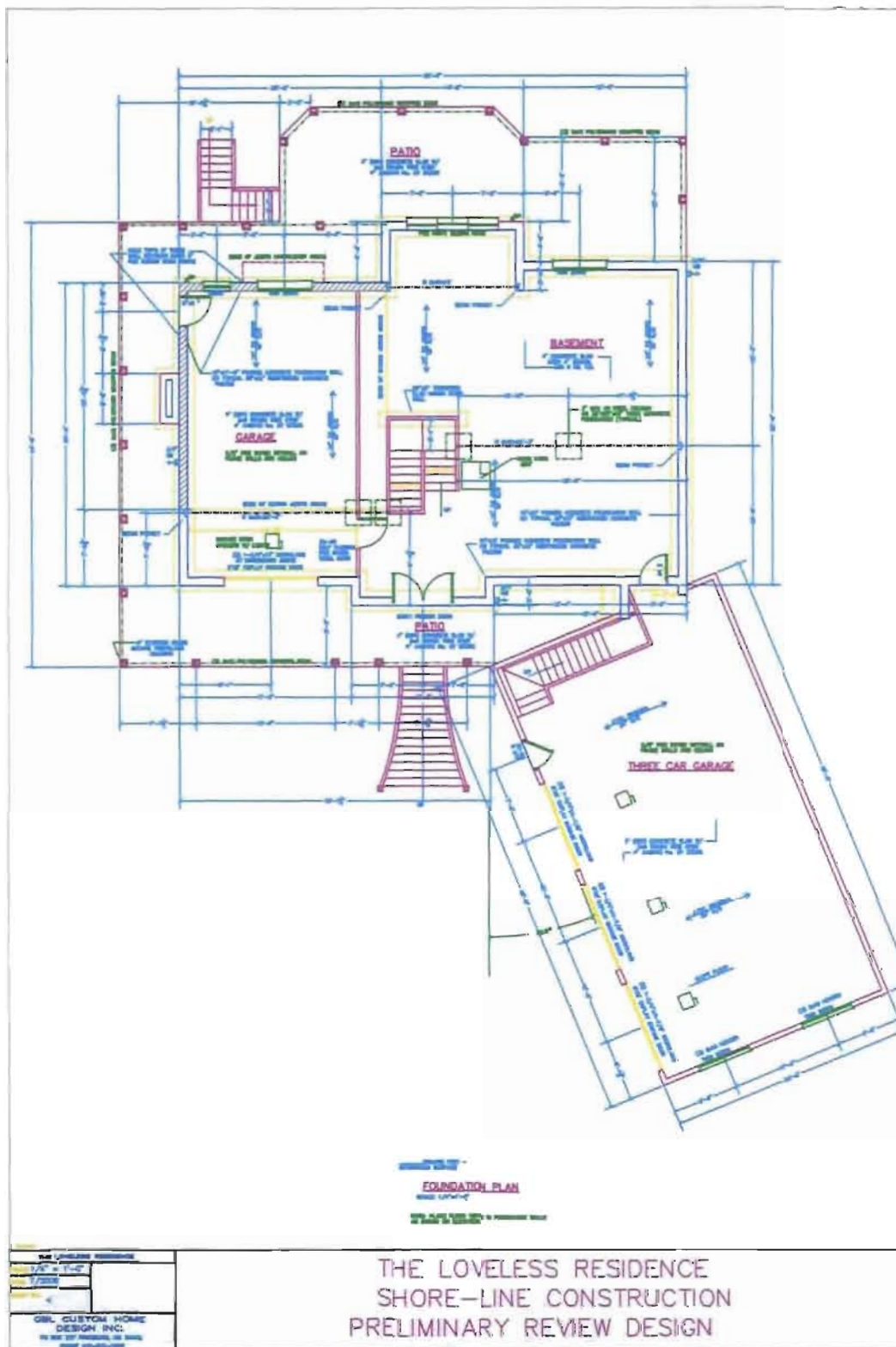
SUBJECT to the restrictions of record.

BEING the same two lots of ground which by Deed dated August 24, 1961 and recorded among the Land Records of Baltimore County in Liber WJR 3886, folio 458 was granted and conveyed by Shell Realty, Corp. at al unto the within Grantors.

00600000 20415512 11-91 W
00551000 20415512 11-91 W
00201000 20415512 11-91 W
00992000 20415512 11-91 W

2006 8 5 JUL 15

465.00 MSC



PETITIONER'S

EXHIBIT NO.

5

CASE NUMBER- 2008-0569- SPH

HOME SELLING ASSISTANCE

"THE REAL ESTATE PEOPLE"

9512 Harford Rd. Suite 7 & 8
Baltimore, Maryland 21234

Christa Barkley
Real Estate Salesperson

Office 410-661-2600

Cell 410-627-5252

www.WaterfrontBaltimoreRealty.com



PROPERTY INFORMATION

Address: 1322 BURKERO

County: _____ Tax ID: _____

MRIS Number: _____

Sales Price: _____ Deposit: _____

Deposit Held By: _____ Overage, if any: _____

Investment Property ☐ Yes ☐ No

SETTLEMENT

Date: _____ Time: _____ Location: _____

☐ 51 Monroe St., Ste. 1505, Rockville Phone 301-424-5400 Fax 301-424-6896

~~5112 Wisconsin Ave. Ste. 300, Bethesda, Md. 20814-1200 Phone 301-424-6896~~

☐ 2100 Aliceanna St., Baltimore Phone 410-342-0099 Fax 410-342-1022

Processor: _____ Ext: _____ Direct Line: _____

E-mail: _____

CONTRACT INFORMATION

Date Presented: _____ Ratified: _____

Copy to: ☐ Buyer ☐ Seller ☐ Pinnacle ☐ Lender

Credits/Terms/Notes: _____

OTHER AGENT

Agent: CHRIS BARKLEY

Broker: HOME SELLING ASSISTANCE

Office Location: 410-627-5252

E-mail: TAMI CABESCE

(O) 591-8853 (H) _____

Cell _____ Fax _____



STREET VIEW



	<u>Contingency</u>		<u>Inspection</u>			<u>Copy to</u>			<u>Cost</u>		
	Exp i r e s	Re m o v e d	Or d e r e d	Done	Re c v e d	Le n d e r	Se l l e r	Buy e r	Pin n a c l e	Cost	Buy
Home Inspection Co: Phone:											
Appraisal Co: Phone:											
Pest Inspection Co: Phone:											
Radon Inspection Co: Phone:											
Well/Septic Inspection Co: Phone:											
Lead-Based Paint Co: Phone:											
Pool/Air Conditioning Co: Phone:											



1322 Burke Rd-

EXHIBIT NO.

7

Victor Donigorno
1316 Burke Rd



STREET VIEW



STREET VIEW





GENERAL STRUCTURAL NOTES

1. GENERAL

A. ALL CONSTRUCTION SHALL CONFORM WITH THE PROVISIONS OF THE 2000 INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO TWO FAMILY DWELLINGS.

B. DESIGN LIVE LOADS:
ROOF 30 PSF
FLOORS 40 PSF
SLEEPING AREAS 30 PSF

C. THE CONTRACTOR SHALL PROVIDE ALL SHORING AND BRACING AS REQUIRED TO SUPPORT THE EXISTING STRUCTURE. THE CONTRACTOR SHALL EXAMINE THE EXISTING STRUCTURE TO DETERMINE THE EXTENT OF NECESSARY SHORING AND BRACING. THE CAPACITY AND METHOD USED FOR SHORING AND BRACING SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

2. FOUNDATIONS

A. FOOTINGS ARE DESIGNED FOR AN ALLOWABLE SOIL BEARING CAPACITY OF 2000 PSF. FOOTINGS SHALL BEAR ON NATURAL UNDISTURBED SOIL, 1'-0" BELOW ORIGINAL GRADE. THE BOTTOM OF EXTERIOR FOOTINGS SHALL BE A MINIMUM OF 2'-6" BELOW FINISHED GRADE. CONTRACTOR TO VERIFY THE ALLOWABLE SOIL PRESSURE IN THE FIELD. IF FOUND TO BE LESS THAN 2000 PSF, THE FOOTINGS WILL HAVE TO BE REDESIGNED.

3. CAST IN PLACE CONCRETE

A. ALL CONCRETE WORK SHALL CONFORM TO THE LATEST APPROVED (BY LOCAL GOVERNMENT) EDITIONS OF THE FOLLOWING A.C.I. AND A.S.T.M. DOCUMENTS:

ACI-301 SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS
ACI-318 BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE

B. ALL CONCRETE, EXCEPT AS NOTED, SHALL BE (f_c=3,000 PSI) STONE AGGREGATE CONCRETE AT 28 DAYS. ALL CONCRETE EXPOSED TO THE WEATHER SHALL BE AIR ENTRAINED.

C. SLABS ON GROUND SHALL BE 4" THICK CONCRETE REINFORCED WITH 6"x6" W1.4XW1.4 WWF OVER 6 MIL POLYETHYLENE VAPOR BARRIER AND 4" WASHED GRAVEL UNLESS OTHERWISE NOTED.

4. MASONRY

A. ALL MASONRY CONSTRUCTION AND MATERIALS USED THEREIN (CONCRETE MASONRY, CLAY MASONRY, MORTAR, GROUT AND STEEL REINFORCEMENT) SHALL CONFORM TO "BUILDING CODE REQUIREMENTS FOR MASONRY STRUCTURES" (ACI 530-92/ASCE 5-92/TMS 402-92) AND "SPECIFICATIONS FOR MASONRY STRUCTURES" (ACI 530.1-92/ASCE 6-92/TMS 602-92) IN ALL RESPECTS.

B. MASONRY BEARING WALLS SHALL CONSIST OF STANDARD HOLLOW UNITS CONFORMING TO ASTM C 90 UNLESS OTHERWISE NOTED, WHERE SOLID UNITS ARE REQUIRED, PROVIDE UNITS CONFORMING TO ASTM C 145.

C. ALL MORTAR SHALL CONFORM TO THE REQUIREMENTS FOR PROPORTIONS, MIXING, STRENGTH AND APPLICATION FOR PORTLAND CEMENT/LIME TYPE "S" MORTAR AS DESCRIBED IN ACI 530-92.

D. ALL GROUT FILL IN MASONRY WALLS SHALL CONFORM TO ASTM C 476. SLUMP RANGE 8-11". PLACE GROUT IN 5'-0" MAXIMUM POUR HEIGHTS AND CONSOLIDATE BY MECHANICAL VIBRATION.

E. PROVIDE 8" DEPTH OF 100 % SOLID MASONRY BELOW ALL JOIST OR SLAB BEARING LINES. PROVIDE 16" HIGH X 16" LONG 100% SOLID MASONRY BELOW ALL LINTELS AND BEAMS UNLESS NOTED OTHERWISE.

F. ALL MASONRY WALLS SHALL BE REINFORCED WITH NO. 8 CAGE TRUSS TYPE GALVANIZED DUR-O-WALL SPACED VERTICALLY AT 16" O.C. U.N.O. LAP ALL DUR-O-WALL 6" MINIMUM. PROVIDE CORNER AND TEE PIECES AT ALL INTERSECTIONS.

G. LOOSE LINTELS FOR MASONRY WALLS SHALL BE FOR EACH 4" WIDTH OF MASONRY ONE STEEL ANGLE AS FOLLOWS:

0'-0" TO 3'-0"	3-1/2" X 3-1/2" X 5/16"
3'-1" TO 5'-0"	4" X 3-1/2" X 5/16"
5'-1" TO 6'-8"	4" X 3-1/2" X 3/8"
6'-7" TO 8'-0"	6" X 3-1/2" X 3/8"

ALL ANGLES SHALL HAVE THEIR SHORT LEG OUTSTANDING AND 6" MINIMUM BEARING.

5. STRUCTURAL STEEL

A. ALL STRUCTURAL STEEL SHALL CONFORM TO ASTM SPECIFICATION A-36 (LATEST LOCAL APPROVED). ALL STEEL SHALL BE DETAILED, FABRICATED, AND ERECTED IN ACCORDANCE WITH THE AISC MANUAL, AISC SPECIFICATION AND AISC CODE OF STANDARD PRACTICE.

B. ALL WELDED CONNECTIONS SHALL BE DONE WITH E70XX ELECTRODES. SHOP AND FIELD WELDS SHALL BE MADE BY APPROVED CERTIFIED WELDERS AND SHALL CONFORM TO THE AMERICAN WELDING SOCIETY CODE FOR BUILDINGS AWS D1.1. WELDS SHALL DEVELOP THE FULL STRENGTH OF MATERIALS BEING WELDED UNLESS OTHERWISE NOTED.

6. WOOD

A. STRUCTURAL SOLID WOOD RAFTERS, JOISTS, BEAMS AND STUDS SHALL BE HEM FIR #2 OR SPRUCE PINE FIR #2 SURFACED DRY AT A MAXIMUM OF 19 % MOISTURE CONTENT. ALL LUMBER EXPOSED TO WEATHER SHALL BE PRESSURE TREATED SOUTHERN PINE #2. ALL FABRICATION, ERECTION, OTHER PROCEDURES, AND MINIMUM UNIT STRESSES SHALL CONFORM TO THE CURRENT "NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION".

B. WOOD TRUSSES SHALL BE DESIGNED, FABRICATED AND ERECTED IN ACCORDANCE WITH THE NATIONAL DESIGN STANDARD FOR METAL PLATE CONNECTED WOOD TRUSS CONSTRUCTION (ANSI/TPI 1) AND COMMENTARY AND RECOMMENDATIONS FOR HANDLING, INSTALLING AND BRACING METAL PLATE CONNECTED WOOD TRUSSES (HIB-91) AS PUBLISHED BY THE TRUSS PLATE INSTITUTE AND IN ACCORDANCE WITH THE 1991 EDITION OF THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION.

C. WOOD TRUSSES AND ENGINEERED FLOOR JOISTS ARE TO BE DESIGNED BY THE SUPPLIER. SHOP DRAWINGS SHALL BE SUBMITTED TO THE ENGINEER/ARCHITECT FOR REVIEW. ALL TRUSSES AND JOISTS SHALL BE DESIGNED TO LIMIT THE BEARING STRESS TO 425 psi WHEN MEMBERS BEAR ON STUD WALLS. PROVIDE MEMBERS OF ADEQUATE WIDTH OR METAL CONNECTIONS TO LIMIT STRESSES TO THE SPECIFIED VALUE.

D. ALL LAMINATED VENEER LUMBER (LVL) OR PARALLEL STRAND LUMBER (PSL) SHALL HAVE THE FOLLOWING MINIMUM PROPERTIES: F_b=2600psi, F_v=285psi, E=1,900,000psi, F_c=2510psi(PARALLEL), F_c=750psi(PERPENDICULAR).

E. ALL DOUBLE MEMBERS SHALL BE NAILED TOGETHER WITH 2 ROWS OF 16d NAILS SPACED AT 12" O.C. ALL TRIPLE MEMBERS SHALL BE NAILED TOGETHER WITH 3 ROWS OF 16d NAILS SPACED AT 12" O.C. NAILED FROM EACH SIDE.

F. PROVIDE DOUBLE JOISTS AT PARALLEL PARTITIONS WHERE PARTITION LENGTH EXCEEDS 1/3 JOIST SPAN.

G. ALL NAILS ARE TO BE COMMON WIRE NAILS. NAILING OF ALL FRAMING SHALL BE AS SPECIFIED IN THE CONTRACT DOCUMENTS BUT IN NO CASE SHALL BE LESS THAN THE RECOMMENDED NAILING SCHEDULE CONTAINED IN THE 2000 INTERNATIONAL RESIDENTIAL CODE. ALL MULTIPLE STUD POSTS ARE TO BE NAILED TOGETHER WITH 12d NAILS @ 6" O.C. STAGGERED.

H. PROVIDE BRIDGING SPACED AT 48" O.C. IN FIRST TWO JOIST, RAFTER OR TRUSS SPACES WHEN FRAMING IS PARALLEL TO EXTERIOR WALL. NAIL SHEATHING (FLOOR, CEILING OR ROOF) TO BRIDGING AND NAIL BRIDGING TO EXTERIOR WALL PLATE. PROVIDE ONE ROW OF BRIDGING BETWEEN ALL FLOOR AND ROOF JOISTS FOR EACH 8'-0" OF SPAN. PROVIDE SOLID BLOCKING OR A CONTINUOUS RIM JOIST AT THE BEARING OF JOISTS, RAFTERS OR TRUSSES ON WOOD PLATES.

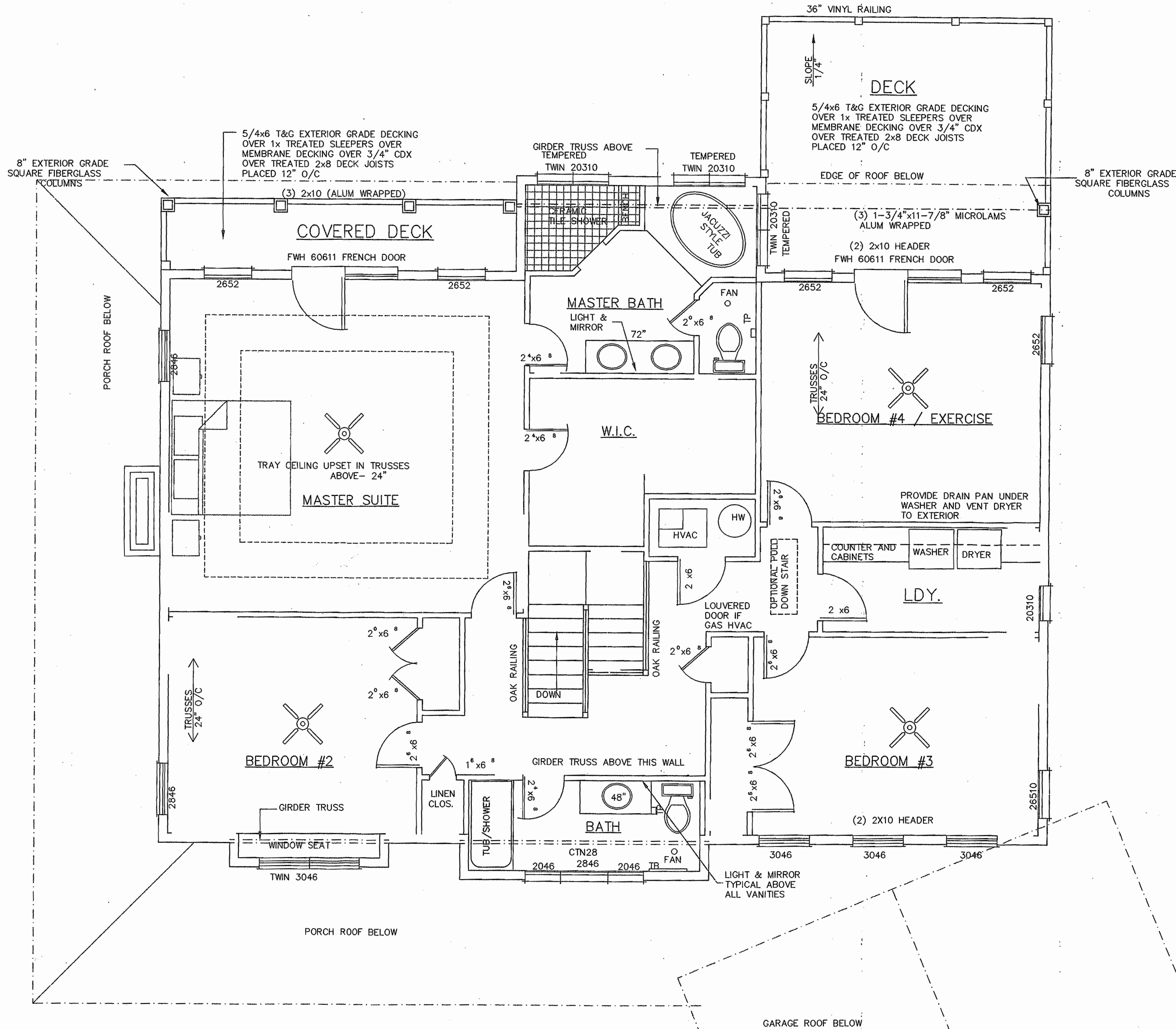
I. PROVIDE THE FOLLOWING JAMB STUDS AT ALL BEARING WALL OPENINGS UNLESS NOTED OTHERWISE:

0-3' OPENING	1 JACK STUD, 1 KING STUD
3'-1" - 6'-0" OPENING	2 JACK STUDS, 1 KING STUD
6'-1" - 9'-0" OPENING	2 JACK STUDS, 2 KING STUDS

PROVIDE DOUBLE STUDS AT ALL CORNERS AND BENEATH ALL GIRDER TRUSSES AND WOOD BEAMS UNLESS NOTED OTHERWISE ON PLANS. WOOD BEAMS, GIRDER TRUSSES HAVE TH AND HEADERS SHALL BEAR THE FULL DEPTH OF POSTS AND JACK STUDS.

J. ALL POSTS (MULTIPLE STUDS OR SOLID POST) SUPPORTING BEAMS, WALL HEADERS OR GIRDER TRUSSES, SHALL BE BLOCKED SOLID FOR THE FULL LENGTH AND WIDTH OF POSTS AT ALL INTERSECTIONS WITH FLOORS AS REQUIRED TO PROVIDE CONTINUOUS SUPPORT TO TOP OF FOUNDATION WALLS OR BEAMS. POSTS SHOWN ON UPPER LEVELS FLOORS SHALL ALSO BE INSTALLED ON THE LOWER LEVELS IN LINE WITH THE POST ABOVE DOWN TO FOUNDATION WALLS OR BEAMS.

K. ALL FLUSH JOIST TO BEAM OR BEAM TO BEAM CONNECTIONS SHALL BE MADE WITH JOIST OR BEAM HANGERS TO SUPPORT THE LOAD CAPACITY INDICATED ON THE PLANS OR THE FULL CAPACITY OF THE JOIST OR BEAM. HANGERS SHALL BE PROVIDED BY SIMPSON STRONG-TIE OR USP LUMBER CONNECTORS. THE SUPPLIER SHALL DESIGN ALL HANGERS FOR THE CAPACITY STATED. INSTALL ALL HANGERS IN STRICT CONFORMANCE TO THE MANUFACTURER'S INSTRUCTIONS. FILL ALL NAIL OR BOLT HOLES USING THE SPECIFIED NAILS AND BOLTS ONLY.



SECOND FLOOR FRAMING PLAN

SCALE: 1/4" = 1'-0"

EXTERIOR LIGHTING NOTE:
PROVIDE DOUBLE EXTERIOR GRADE
SPOTLIGHT UNITS W/ MOTION SENSORS
ON ALL 4 CORNERS OF EXTERIOR AT
ROOF SOFFIT LOCATION

PROVIDE SMOKE DETECTOR IN EVERY BEDROOM
1 IN UPSTAIRS HALL, 2 SPACED EVENLY ON FIRST FLOOR
AND TWO SPACED EVENLY IN GROUND LEVEL

THE LOVELESS RESIDENCE
SHORE-LINE CONSTRUCTION

THE LOVELESS RESIDENCE

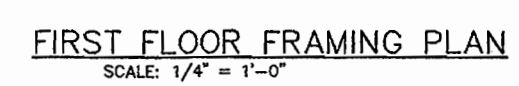
1/4" = 1'-0"
7/2008

<

GBL CUSTOM HOME
DESIGN INC.

PO BOX 237 FINKSBURG, MD 21048

PHONE 410-833-8320





FRONT ELEVATION

SCALE: 1/4"=1'-0"

STREET SIDE ELEVATION

THE LOVELESS RESIDENCE
SHORE-LINE CONSTRUCTION

THE LOVELESS RESIDENCE

1/4" = 1'-0"

7/2008

<

GBL CUSTOM HOME
DESIGN INC.

PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320



REAR ELEVATION
 SCALE: 3/16"=1'-0"
 WATER FRONT ELEVATION

PETITIONER'S
 EXHIBIT NO. *DA-F*

THE LOVELESS RESIDENCE

1/4" = 1'-0"

7/2008

<

GBL CUSTOM HOME
 DESIGN INC.
 PO BOX 237 FINKSBURG, MD 21048
 PHONE 410-833-8320

THE LOVELESS RESIDENCE
 SHORE-LINE CONSTRUCTION



REAR ELEVATION
SCALE: 3/16"=1'-0"
WATER FRONT ELEVATION

PETITIONER'S
EXHIBIT NO. 6B

THE LOVELESS RESIDENCE
SHORE-LINE CONSTRUCTION

THE LOVELESS RESIDENCE			
1/4" = 1'-0"			
7/2008			
<			
GBL CUSTOM HOME DESIGN INC. PO BOX 237 FINNSBURG, MD 21048 PHONE 410-833-8320			



FRONT ELEVATION

SCALE: 1/4"=1'-0"

STREET SIDE ELEVATION

PETITIONER'S
EXHIBIT NO. 6A

THE LOVELESS RESIDENCE
SHORE-LINE CONSTRUCTION

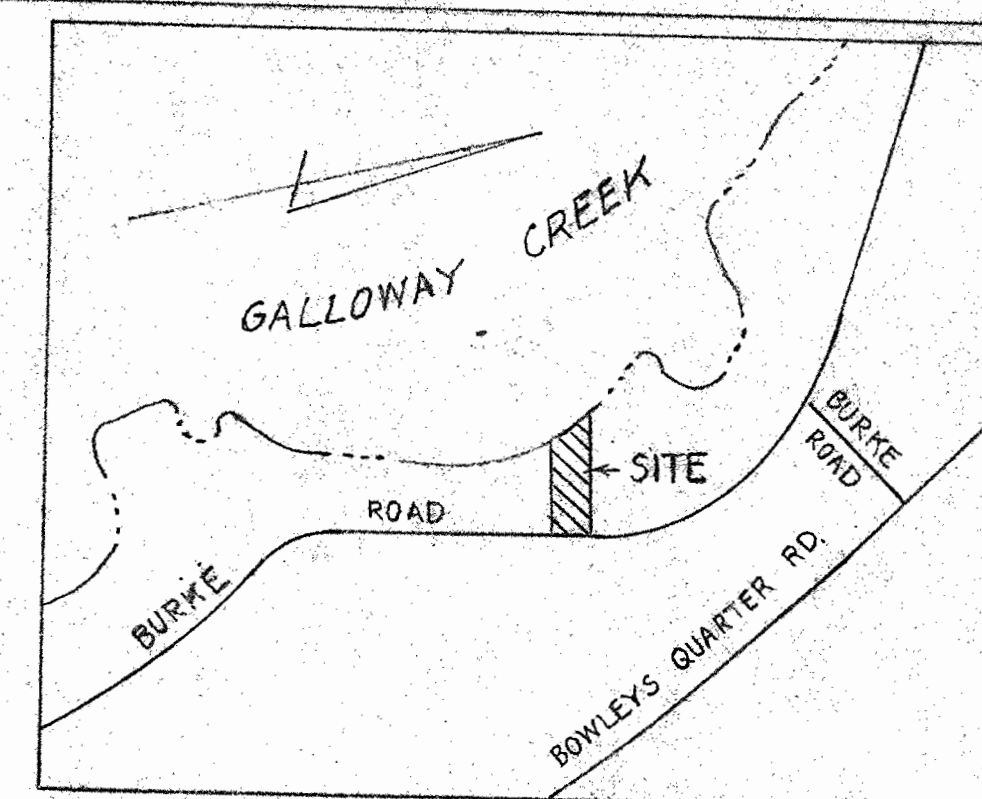
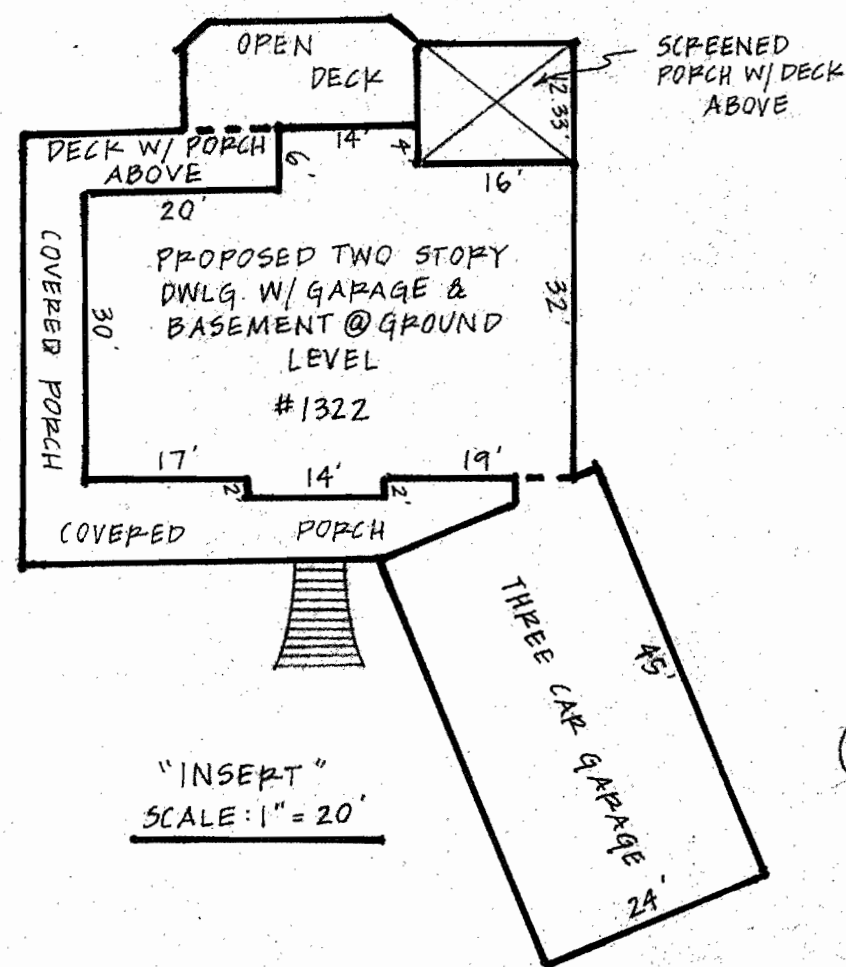
THE LOVELESS RESIDENCE

1/4" = 1'-0"

7/2008

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-633-6320

"BOWLEY'S QUARTERS" 7/12
 ELECTION DISTRICT NO. 15 C6
 BALTIMORE COUNTY, MARYLAND
 TAX MAP: 98 GRID: 4 PARCEL: 4
 TAX ACCT. NO. 1508002714
 DEED REF. 9837/129
 SCALE: 1" = 20'
 JUNE 5, 2008
 JOB #9674

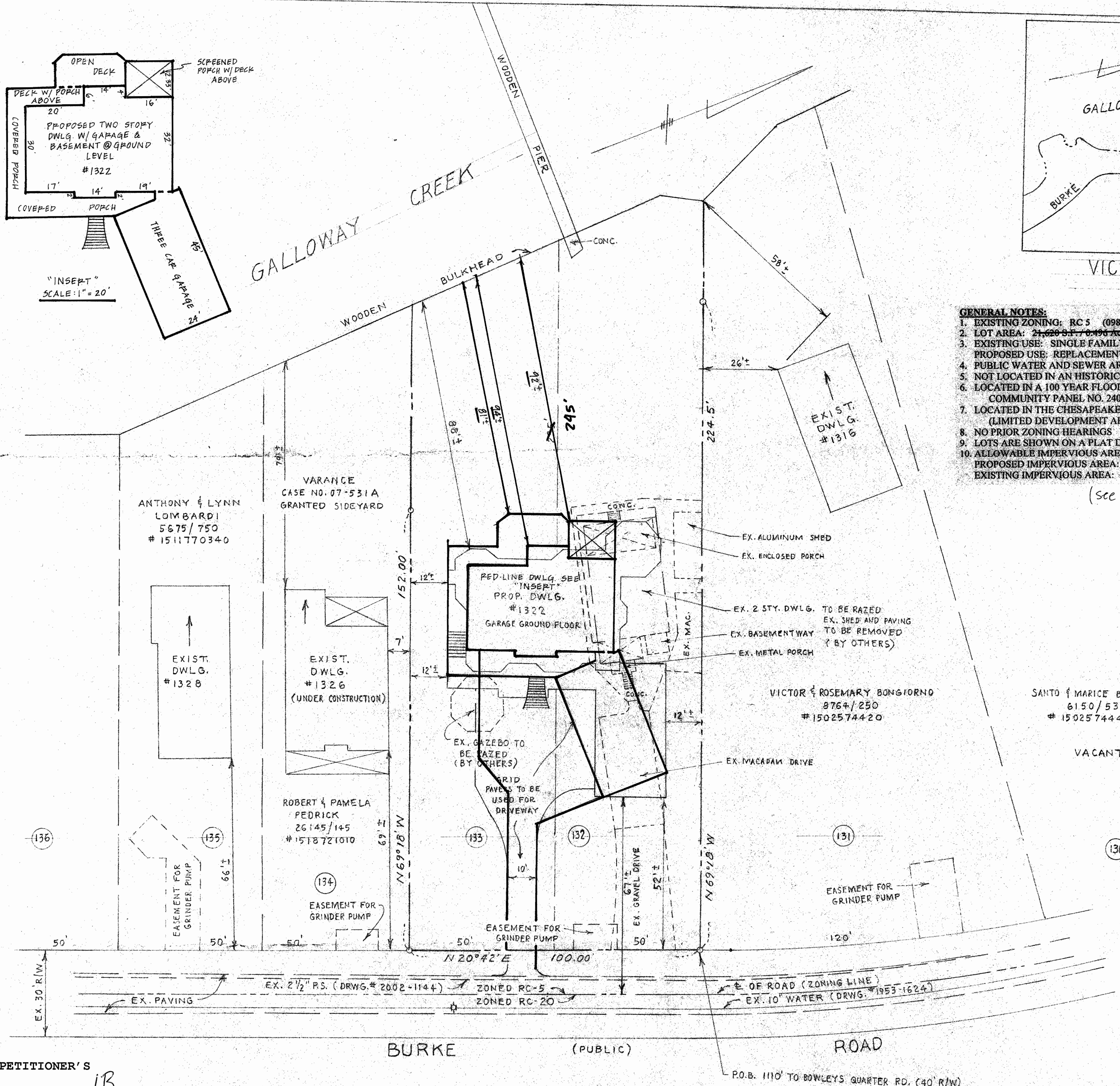


VICINITY MAP
SCALE: 1" = 500'

GENERAL NOTES:

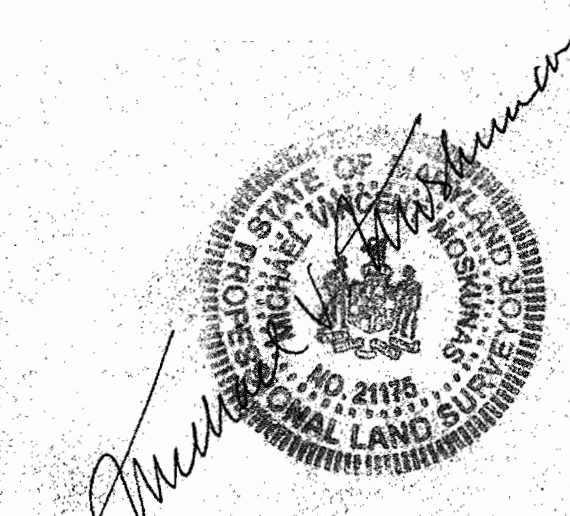
1. EXISTING ZONING: RC-5 (098C1)
2. LOT AREA: 21,620 S.F. (0.496 AC) - 24,500 S.F. / 0.562 AC ±
3. EXISTING USE: SINGLE FAMILY DWELLING
4. PROPOSED USE: REPLACEMENT DWELLING (SINGLE FAMILY DWELLING)
5. PUBLIC WATER AND SEWER ARE AVAILABLE TO THE SITE
6. NOT LOCATED IN AN HISTORIC AREA
7. LOCATED IN A 100 YEAR FLOOD PLAIN AREA
COMMUNITY PANEL NO. 240010.0445C
8. LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA
(LIMITED DEVELOPMENT AREA)
9. NO PRIOR ZONING HEARINGS
10. LOTS ARE SHOWN ON A PLAT DATED APRIL 1921
11. ALLOWABLE IMPERVIOUS AREA: 31.25% (6756.25 S.F. +/-)
12. PROPOSED IMPERVIOUS AREA: 28% (6037 S.F. +/-)
13. EXISTING IMPERVIOUS AREA: 17% (3738 S.F. +/-)

(see box)



PETITIONER'S

EXHIBIT NO. 1B



CASE NO. 2008-0549-SPH
RED-LINE REVISIONS AS DISCUSSED
AT TIME OF HEARING 8/20/2008

The existing impervious area (lot coverage) shown on the original plan was based on the SDAT Lot Area of 21,620 S.F. which yielded 28% Coverage.

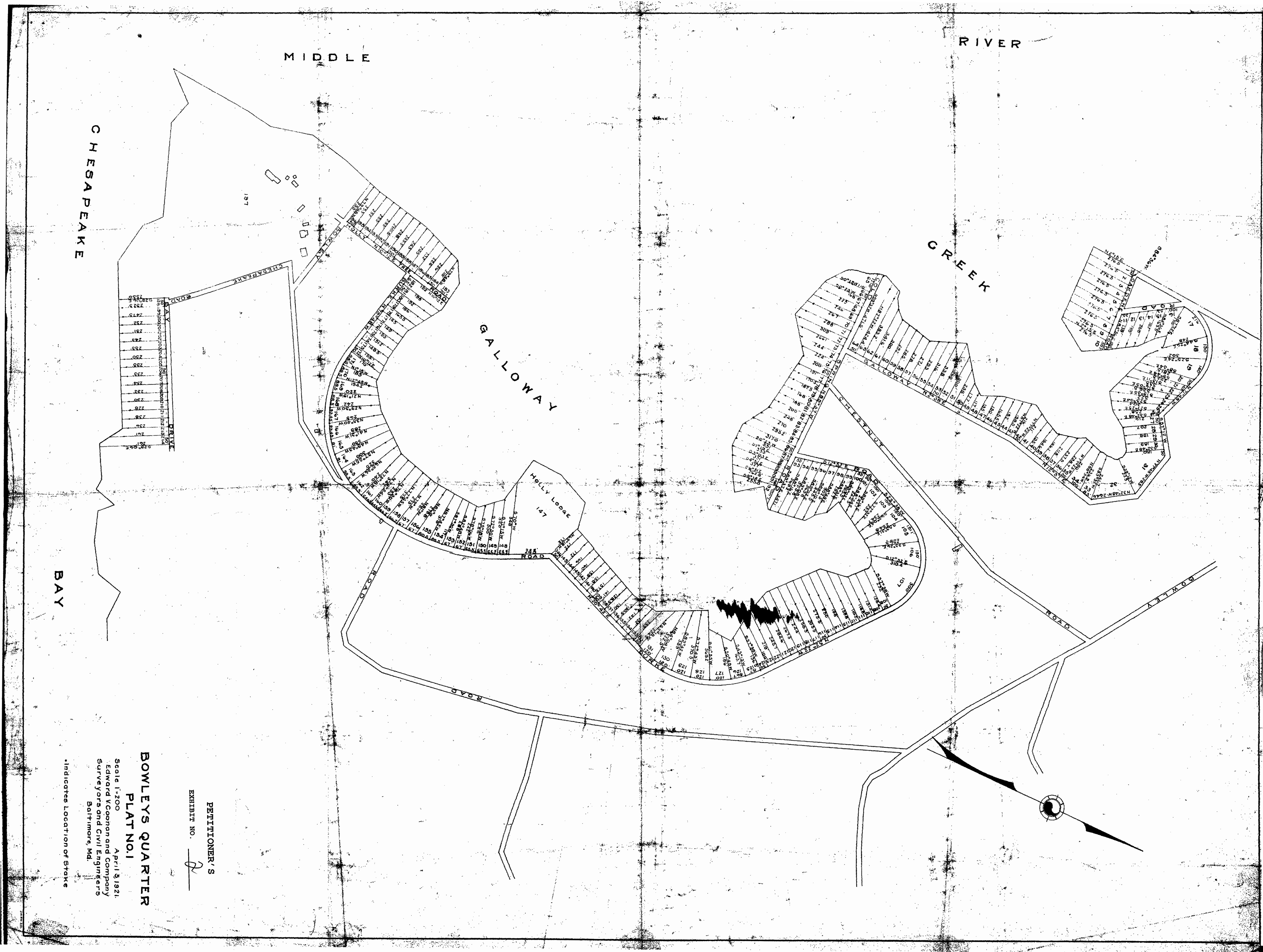
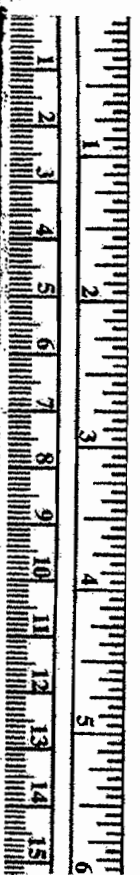
The Lot Area based on the width (100') and mean average to the existing bulkhead is 24,500 S.F. or 0.562 Acres. Therefore:
The Allowable: 31.25% (DEPRM) = 7656.25 S.F.
Proposed Lot Coverage: 28% (5856.25 S.F.)
Existing Lot Coverage: 17% (3738 S.F.)
The change in house design yields 23% lot coverage vs. the 28% lot coverage requested.

This Red-Line is requesting relief for the 12 foot side yards and a 67 foot to centerline of street in lieu of the required 50 foot and 75 foot respectively, to amend the lot size from 21,620 S.F. to 24,500 S.F. in lieu of the required 1.5 acres and finally to amend the lot coverage from 28% to 23% in lieu of the maximum permitted 15%.

OWNER: RUSSELL and JUNE LATES
1322 BURKE ROAD
BALTIMORE MD 21220-4417

CONTRACT PURCHASER: MIKE LOVELESS

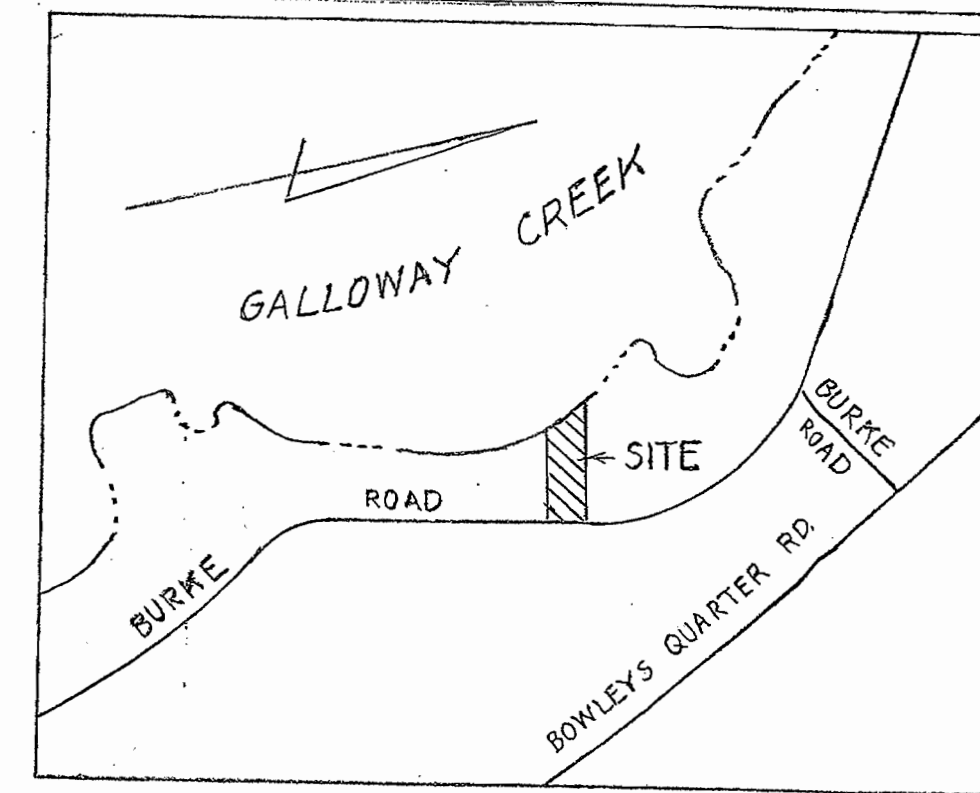
PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING
#1322 BURKE ROAD
LOTS 132 and 133
"BOWLEYS QUARTERS" 7/12
ELECTION DISTRICT NO. 15 C6
BALTIMORE COUNTY, MARYLAND
TAX MAP: 98 GRID 4 PARCEL: 4
TAX ACCT. NO. 1508002714
DEED REF. 9837/129
SCALE: 1" = 20'
JUNE 5, 2008
JOB #9674



PETITIONER'S
EXHIBIT NO. 2

BOWLEYS QUARTER
PLAT NO. 1
Scale 1"=200' April 3, 1921.
Edward W. Coon and Company
Surveyors and Civil Engineers
Baltimore, Md.

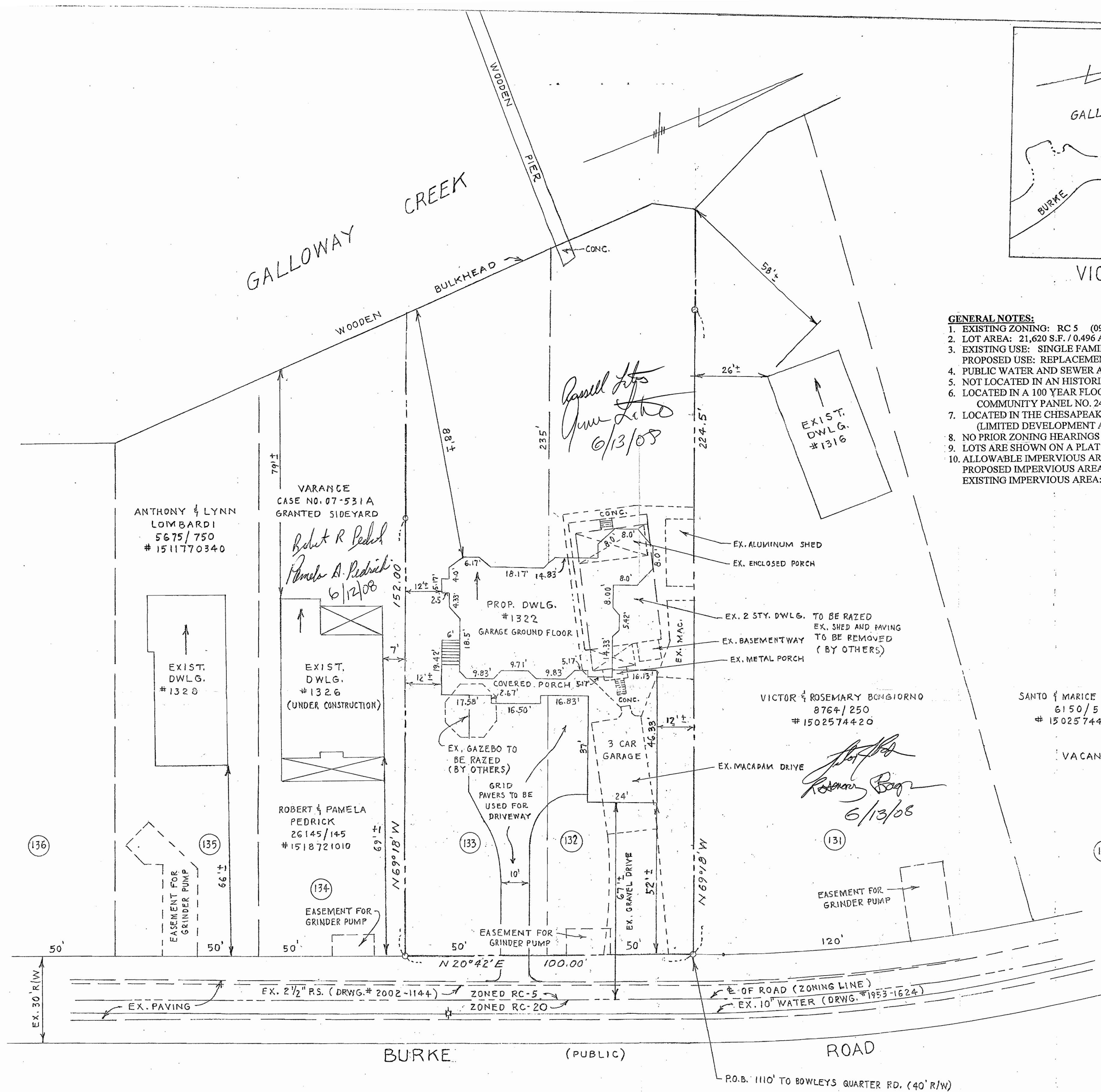
*Indicates Location of Stake



VICINITY MAP
SCALE: 1"=500'

GENERAL NOTES:

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EXISTING IMPERVIOUS AREA: 17% (3738 S.F. +/-)



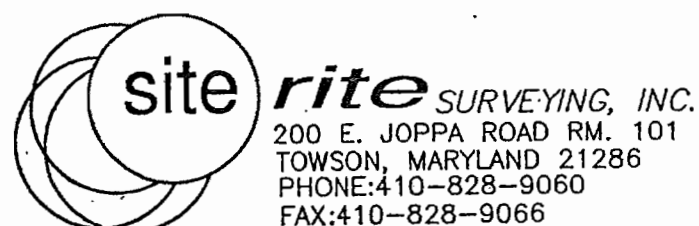
PETITIONER'S

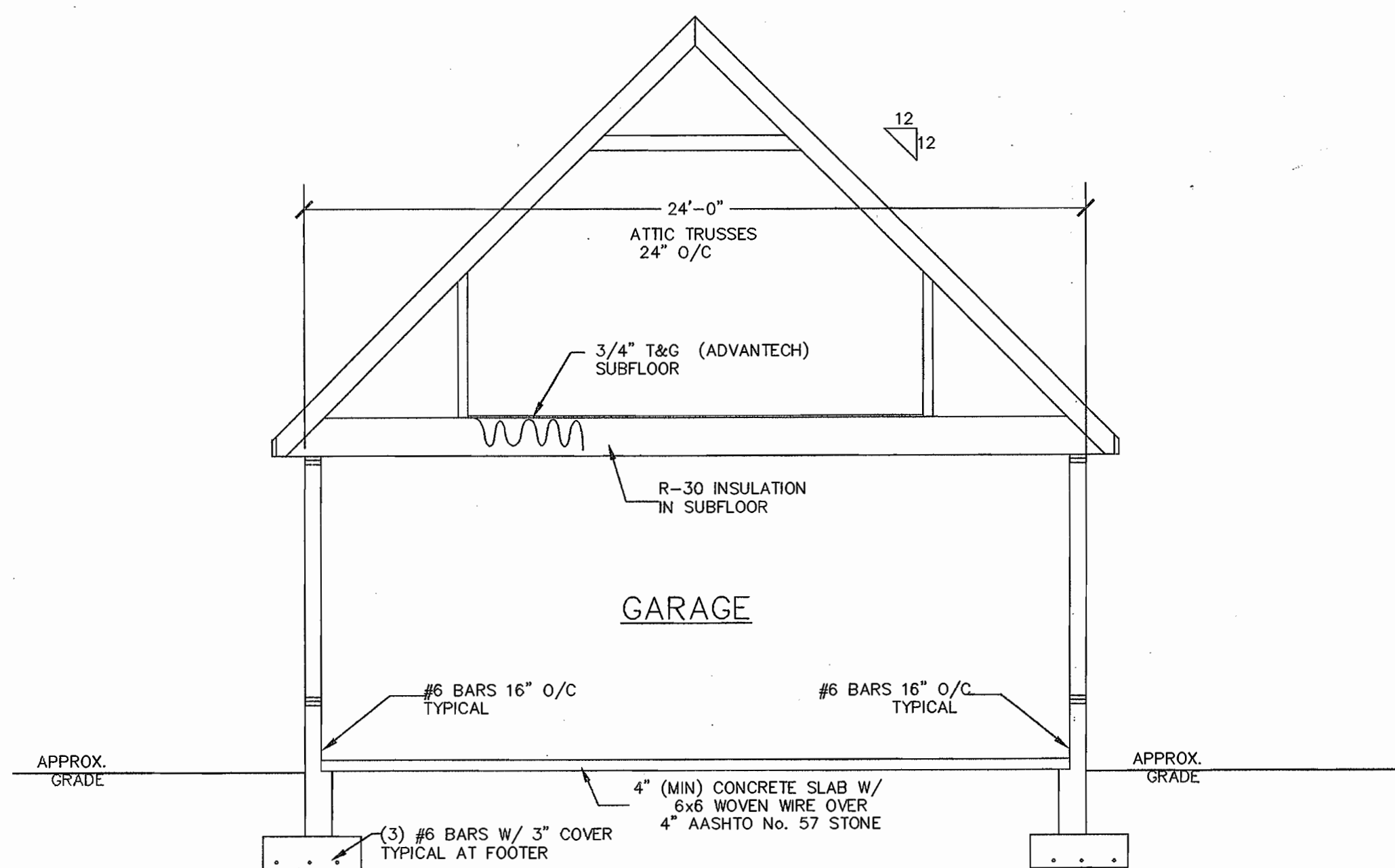
EXHIBIT NO. 4

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING
#1322 BURKE ROAD
LOTS 132 and 133
"BOWLEYS QUARTERS" 7/12
ELECTION DISTRICT NO. 15 C6
BALTIMORE COUNTY, MARYLAND
TAX MAP: 98 GRID: 4 PARCEL: 4
TAX ACCT. NO. 1508002714
DEED REF. 9837/129
SCALE: 1"=20'
JUNE 5, 2008
JOB #9674

OWNER: RUSSELL and JUNE LATES
1322 BURKE ROAD
BALTIMORE MD 21220-4417

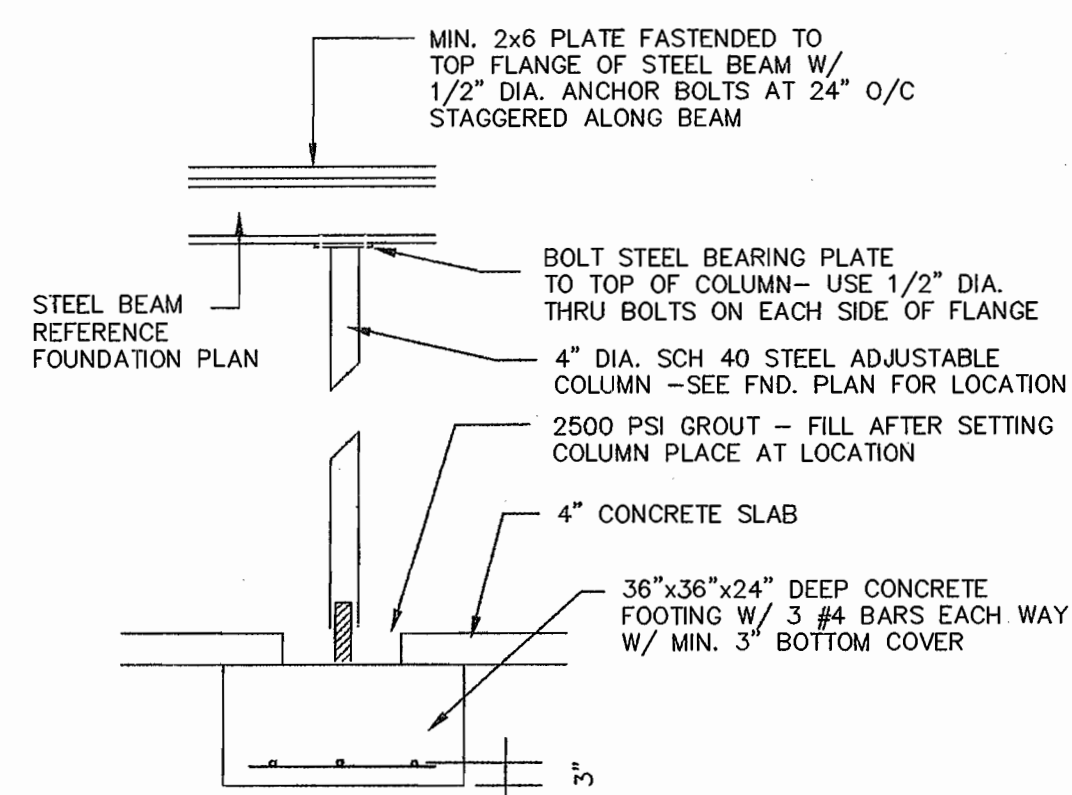
CONTRACT PURCHASER: MIKE LOVELESS



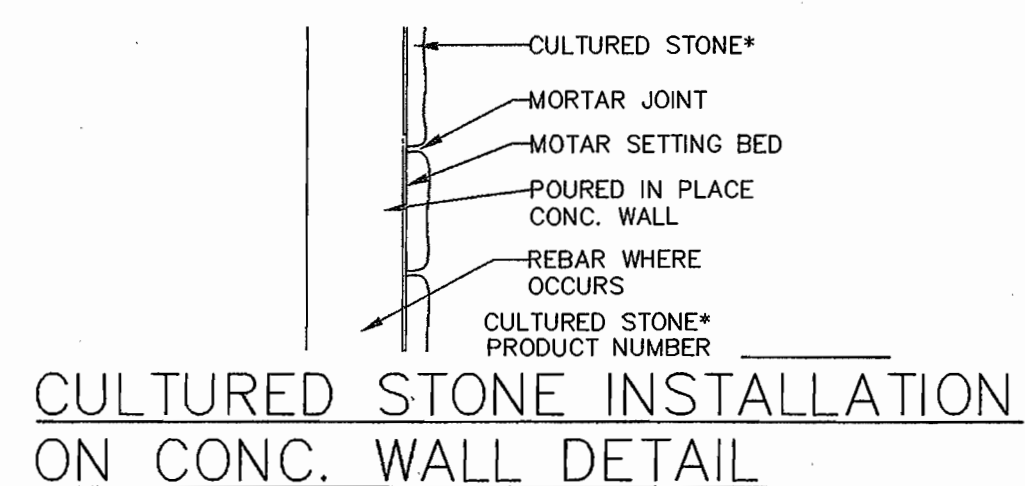


SECTION
SCALE: 1/4"=1'-0"

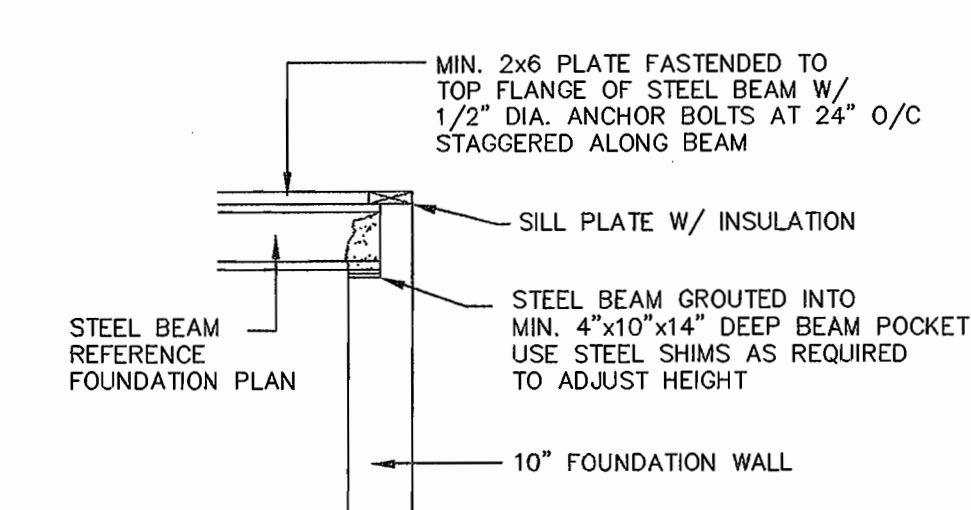
B
4



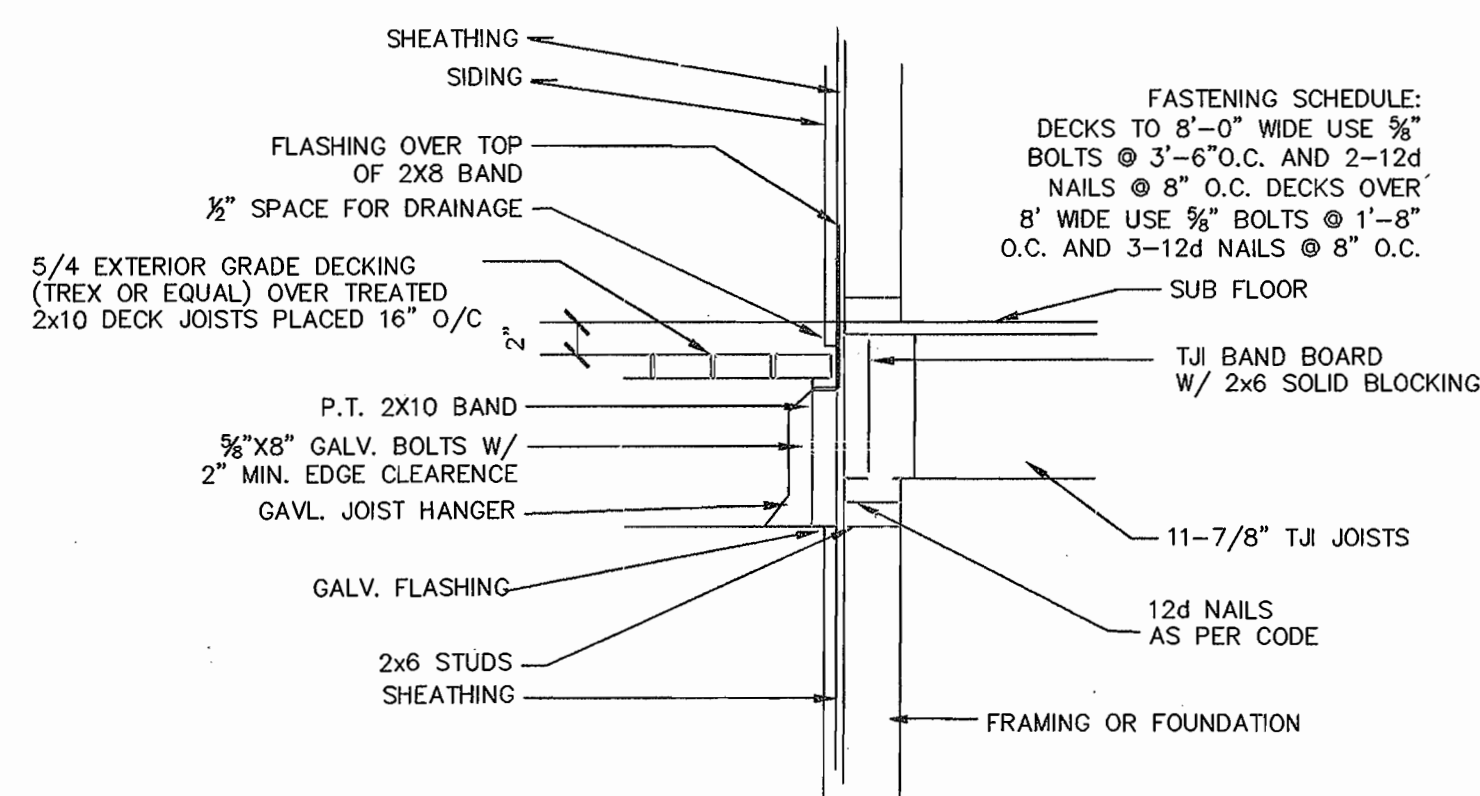
LALLY COLUMN DETAIL
SCALE: 1/2"=1'-0"



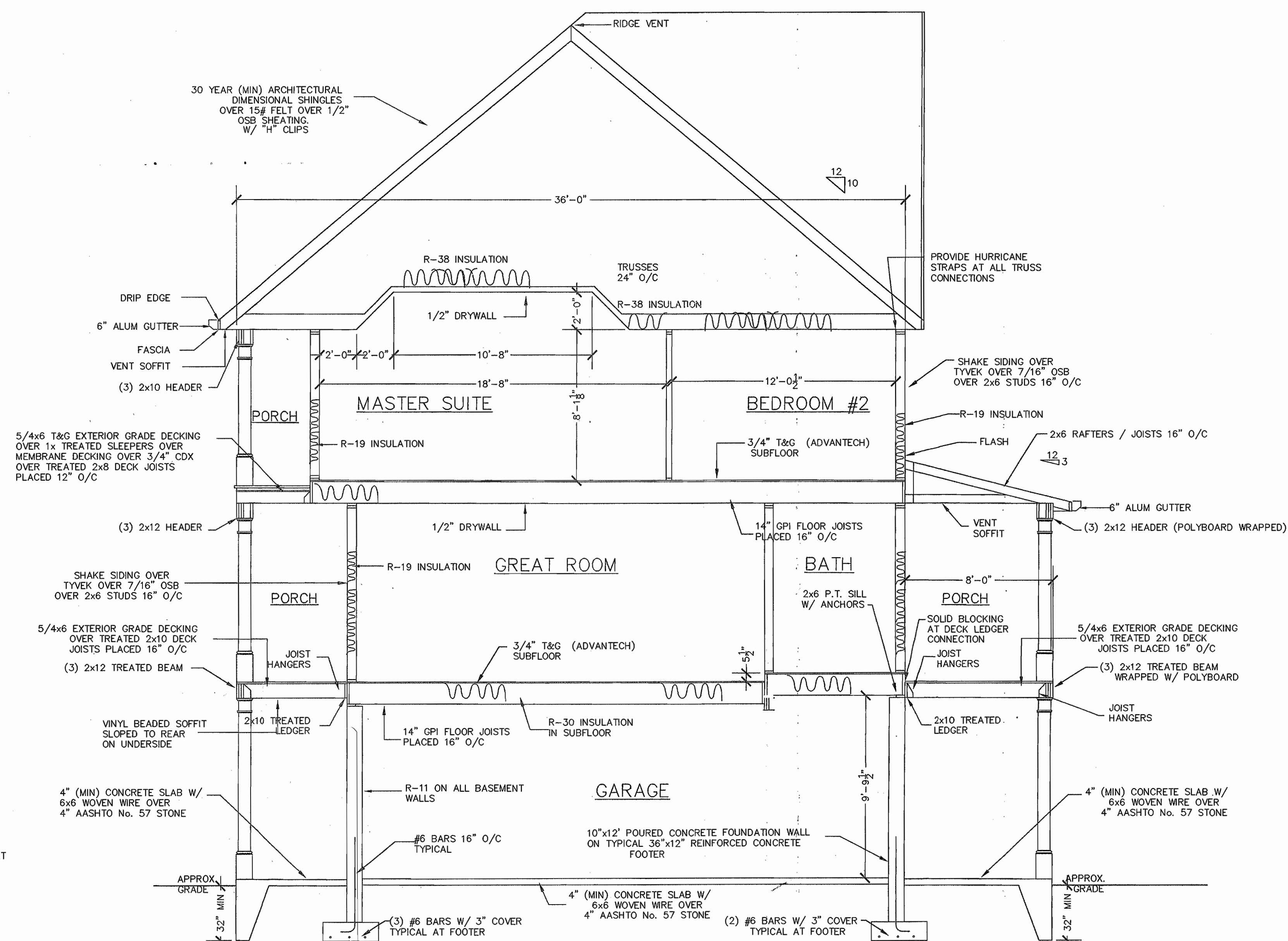
SCALE: 3/4"=1'-0"



BEAM POCKET DETAIL
SCALE: 1/2"=1'-0"



DECK TO HOUSE
CONNECTION
DETAIL
SCALE: 1"=1'-0"



SECTION
SCALE: 1/4"=1'-0"

A
4

THE LOVELESS RESIDENCE SHORE-LINE CONSTRUCTION

THE LOVELESS RESIDENCE

1/4" = 1'-0"

7/2008

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GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320