

IN RE: PETITION FOR ADMIN. VARIANCE
W side of Burke Road, 53 feet SE of the c/l
of Bowleys Quarters Road
15th Election District
6th Councilmanic District
(1426 Burke Road)

Milton and Mary Elise Rehbein
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2009-0197-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Milton and Mary Elise Rehbein for property located at 1426 Burke Road. The variance request is from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a addition with a side setback of 15 feet in lieu of the required 50 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners wish to construct an addition measuring 16 feet x 40 feet in size and containing one story. The proposed addition will contain a bedroom and bathroom. Due to the location of the dwelling on the property and the layout of the house, the addition can only be placed as depicted on the site plan. There is a wood deck on the rear of the house and just beyond that is an in-ground swimming pool. The right side of the property contains the garage and driveway. The waterfront property fronts on Galloway Creek in the Miami Beach area of Baltimore County. In Case No. 98-279-A, which was granted on March 9, 1998, Petitioners were granted variance relief as follows: from Section 1A04.3.B.3 of the B.C.Z.R. to permit side yard setbacks of 10 feet and 31 feet in lieu of the required 50 feet and to approve the subject property as an undersized lot pursuant to Section 304.

~~APPROVED BY DEPUTY ZONING COMMISSIONER~~
4.15.09
PM

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Bureau of Development Plans Review dated February 12, 2009. The comments 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 were received from the Department of Environmental Protection and Resource Management dated March 24, 2009 which indicates that the property must comply with the Chesapeake Bay Critical Area Regulations. This property is in a Limited Development Area (LDA) and a Buffer Management Area (BMA) of the Chesapeake Bay Critical Area and must meet all LDA and BMA requirements, including 15% afforestation and lot coverage limits. The property is 36,276 square feet and therefore is limited to 15% lot coverage (5,441.5 square feet). In addition, all development within the 100 foot buffer must meet all BMA provisions.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on February 8, 2009 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with

~~4.15.09~~
~~pm~~

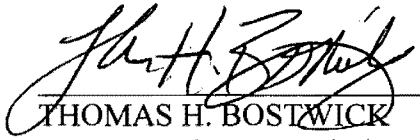
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The base flood elevation for this site is 10.2 feet Baltimore County Datum.
3. The flood protection elevation for this site is 11.2 feet.
4. 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.
8. Flood-resistant construction shall be in accordance with the Baltimore County Building Code which adopts, with exceptions, the International Building Code.

4.15.09
Am

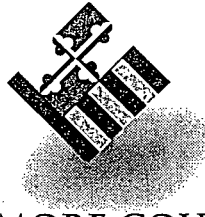
9. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).
10. This property is in a Limited Development Area (LDA) and a Buffer Management Area (BMA) of the Chesapeake Bay Critical Area and must meet all LDA and BMA requirements, including 15% afforestation and lot coverage limits. The property is 36,276 square feet and therefore is limited to 15% lot coverage (5,441.5 square feet). In addition, all development within the 100 foot buffer must meet all BMA provisions.

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

~~RECEIVED FOR FILE~~
4.15.09

BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

April 15, 2009

MILTON AND MARY ELISE REHBEIN
1426 BURKE ROAD
MIDDLE RIVER MD 21220

Re: Petition for Administrative Variance
Case No. 2009-0197-A
Property: 1426 Burke Road

Dear Mr. and Mrs. Rehbein:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick", written over a circular stamp.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1426 Burke Rd
which is presently zoned RC-5

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

To permit a addition with a side setback of 15-feet in lieu of the required 50-feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

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

Legal Owner(s):

MILTON A. REHBEIN III
Name - Type or Print _____
Signature _____
MARIELISE A. REHBEIN
Name - Type or Print _____
Signature _____
1426 Burke Rd 410-335-3575
Address _____ Telephone No. _____
Middle River Md 21220
City _____ State _____ Zip Code _____

Representative to be Contacted:

MILTON REHBEIN
Name _____
1426 Burke Rd 410-335-3575
Address _____ Telephone No. _____
Middle River Md 21220
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2009-0197-A Reviewed By Tu Date 1/29/09
REV 10/25/01 4.15.09 Estimated Posting Date 2/8/09

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

1426 Burke Rd
Address
Middle River MD 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Due to the restrictions of Flood Zone AE more room is needed on the first floor

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature]
Signature
Milton A. Rehbein III
Name - Type or Print

[Signature]
Signature
Maryelise Rehbein
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of January, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Maryelise Rehbein
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

[Signature]
Notary Public
My Commission Expires 8/1/2010

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

1426 Burke Rd
Address
Middle River Md 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Due to the restrictions of Flood Zone AE more room is needed on the first floor

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Milton A. Rehbein III
Name - Type or Print

Signature

Maryelise Rehbein
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of January, 2007, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MaryElise Rehbein
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

8/1/2010

Milton Rehbein III
Mary Elise A Rehbein
1426 Burke Rd.
Middle River, Md. 21220

Zoning Description for 1426 Burke Rd, Middle River Md. 21220

Beginning at a point on the west side of Burke Rd which is 20' wide at the distance of 53' SE of the centerline of the nearest improved intersecting street Bowleys Quarters Road C/L which is 25' wide. Being Lot #149-150, Block , Section# in the subdivision of Bowleys Quarters as recorded in Baltimore County Plat Book #07, Folio #012, containing .824 acres. Also known as 1426 Burke Rd, and located in the 15th Election District, 6th Councilman District.

2009-0197-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **35049**

Date **1/29/09**

PAID RECEIPT

BUSINESS ACTUAL TIME
 1/29/2009 1/29/2009 12:00:38
 REC 4504 MARKIN CSTE CNG
 RECEIPT # 467100 1/29/2009 OFLN
 528 ZONING VERIFICATION

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Item
001	806	0000		650						65.00	CR 10

Recpt Tot \$65.00
 \$65.00 CR \$1.00 CA
 Baltimore County, Maryland

Total: **65.00**

Rec From

M. H. Reibow

For

1426-78 Burke Rd

212-70

2009-0197-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

RE: Case No: 2009-0197-A

Petitioner/Developer: MILTON
A. REHBEIN

Date Of Hearing/Closing: 2/23/09

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 1426-28 BURKE RD

This sign(s) were posted on February 8, 2009
(Month, Day, Year)

Sincerely,

Martin Ogle 2/8/09
(Signature of sign Poster and Date)

Martin Ogle

Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



02/08/2009

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0197 -A Address 1426-28 Burke Rd

Contact Person: LEONARD WASILEWSKI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/29/09 Posting Date: 2/8/09 Closing Date: 2/23/09

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
- DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
- POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

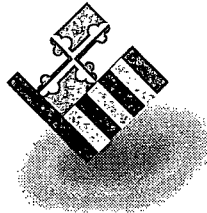
Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0197 -A Address 1426-28 Burke Rd
Petitioner's Name Milton A. Rehbein Telephone 410-627-5771
Posting Date: 2/8/09 Closing Date: 2/23/09
Wording for Sign: To Permit

To permit a addition with a side setback of 15-feet in lieu of the required 50-feet.

WCR - Revised 7/7/08



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
February 23, 2009

Milton A. & Maryelise A Rehbein
1426 Burke Rd.
Middle River, MD 21220

Dear: Milton A. & Maryelise A Rehbein

RE: Case Number 2009-0197-A, 1426 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 January 29, 2009. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 19, 2009

RECEIVED

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

FEB 20 2009

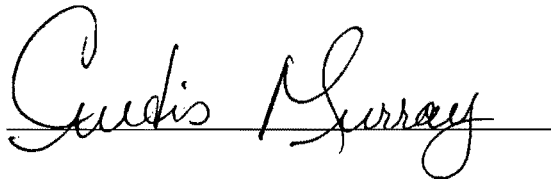
ZONING COMMISSIONER

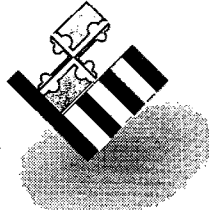
SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-197- Administrative Variance**

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

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

Prepared By:
CM/LL





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

February 11, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 9, 2009

Item Numbers 0195, 0197, 0198, 0199, 0201

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

State Highway
Administration

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

Maryland Department of Transportation

Date: FEB. 10, 2009

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

RE: Baltimore County
Item No 2009-0197-A
1429 BURKE AVE
RENEE IN PROPERTY
ADMINISTRATIVE VARIANCES

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. 2009-0197-A.

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

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 12, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For February 16, 2009
Item No. 2009-0197-A

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 2009-0197-A-02162009

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR 24 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

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

DATE: March 24, 2009

SUBJECT: Zoning Item # 09-197-A
Address 1426 Burke Road
(Rehbein Property)

Zoning Advisory Committee Meeting of February 9, 2009

_____ 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).

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:

This property is in a Limited Development Area (LDA) and a Buffer Management Area (BMA) of the Chesapeake Bay Critical Area and must meet all LDA and BMA requirements, including 15% afforestation and lot coverage limits. The property is 36,276 square feet and therefore is limited to 15% lot coverage (5,441.5 sq.ft). In addition, all development within the 100-foot buffer must meet all BMA provisions.

Reviewer: Regina Esslinger

Date: 3/6/09

Patricia Zook - CASE NUMBER: 2009-0197-A - administrative variance that closed 2-23-09

From: Patricia Zook
To: Livingston, Jeffrey
Date: 3/19/2009 12:03 PM
Subject: CASE NUMBER: 2009-0197-A - administrative variance that closed 2-23-09

Hi Jeff -

Do you know when we might receive comments? The Petitioner has been calling.

Thanks for your help.

Good morning Jeff -

We need DEPRM comments for the following case:

CASE NUMBER: 2009-0197-A
1426 Burke Road
Location: W side of Burke Road, 53 feet SE of the c/l of Bowleys Quarters Road.
15th Election District, 6th Councilmanic District
Legal Owner: Milton & Mary Elise Rehbein
Closing Date: 2/23/2009

ADMINISTRATIVE VARIANCE to permit a addition with a side setback of 15 feet in lieu of the required 50 feet.

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - CASE NUMBER: 2009-0197-A - administrative variance that closed 2-23-09

From: Patricia Zook
To: Livingston, Jeffrey
Date: 3/5/2009 10:25 AM
Subject: CASE NUMBER: 2009-0197-A - administrative variance that closed 2-23-09

Good morning Jeff -

We need DEPRM comments for the following case:

CASE NUMBER: 2009-0197-A
1426 Burke Road
Location: W side of Burke Road, 53 feet SE of the c/l of Bowleys Quarters Road.
15th Election District, 6th Councilmanic District
Legal Owner: Milton & Mary Elise Rehbein
Closing Date: 2/23/2009

ADMINISTRATIVE VARIANCE to permit a addition with a side setback of 15 feet in lieu of the required 50 feet.

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw6.3)

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

Account Identifier: District - 15 Account Number - 2100009649

Owner Information

Owner Name:	REHBEIN MILTON A,3RD REHBEIN MARYELISE A	Use:	RESIDENTIAL
Mailing Address:	1426 BURKE RD BALTIMORE MD 21220-4418	Principal Residence:	YES
		Deed Reference:	1) /12501/ 471 2)

Location & Structure Information

Premises Address	Legal Description
1426 BURKE RD	.824 AC LTS 149-150 1426 BURKE RD BOWLEYS QUARTERS
WATERFRONT	

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
98	4	4					149	3	Plat Ref: 7/ 12

Special Tax Areas

Town	
Ad Valorem	
Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1999	2,800 SF	35,893.00 SF	34
Stories	Basement	Type	Exterior
2	NO	STANDARD UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2008	07/01/2009
Land	327,970	327,970		
Improvements:	577,270	523,660		
Total:	905,240	851,630	905,240	851,630
Preferential Land:	0	0	0	0

Transfer Information

Seller: KFOURY EMIL	Date: 11/18/1997	Price: \$160,000
Type: IMPROVED ARMS-LENGTH	Deed1: /12501/ 471	Deed2:
Seller: TRUSTEES OF EMIL KFOURY M D P A	Date: 03/20/1996	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /11489/ 576	Deed2:
Seller: QUASTER FREDERIC K W	Date: 02/03/1989	Price: \$126,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 7024/ 656	Deed2:

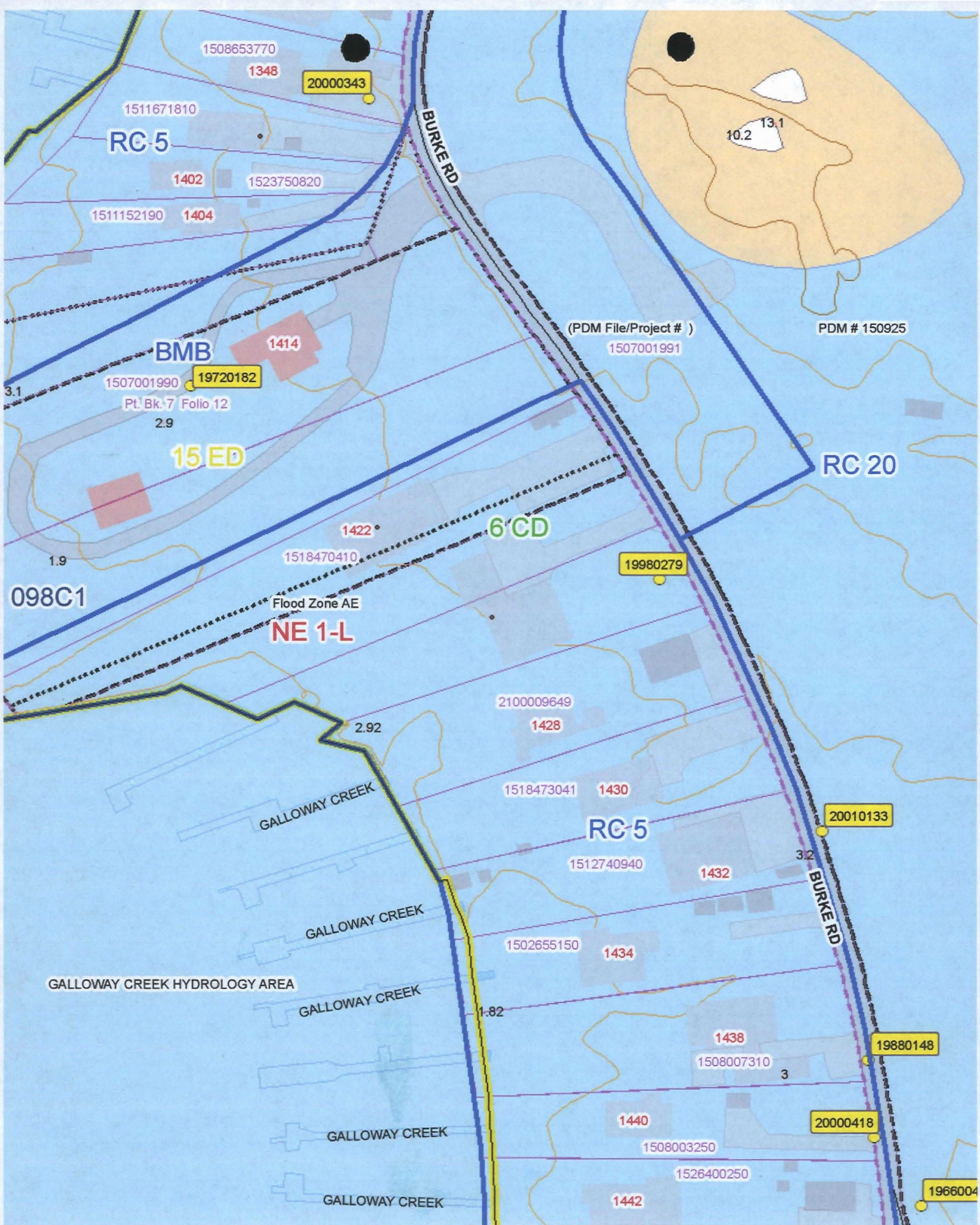
Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *





2009-0197-A

IN RE: PETITION FOR VARIANCE
W/S Burke Road, 530' SE of
the c/l Bowleys Quarters Road
(1426-28 Burke Road)
15th Election District
5th Councilmanic District

Milton A. Rehbein, III, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-279-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Milton A. Rehbein, III, and his wife, Maryelise Rehbein. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 10 feet and 31 feet in lieu of the required 50 feet each, to approve the subject property as an undersized lot, pursuant to Section 304, and any other variances deemed necessary by the Zoning Commissioner. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Milton A. Rehbein, III, and his father, Milton A. Rehbein, Jr. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a waterfront lot located on Galloway Creek in southeastern Baltimore County. The property consists of a gross area of .833 acres, zoned R.C.5, and is improved with a one-story frame dwelling and a shed. The Petitioners are desirous of removing the existing structures and replacing same with a new single family dwelling and a detached garage. The Petitioners also propose to construct an in-ground swimming pool on the waterfront side of

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