

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1216 Burke Road which is presently zoned RC-5
Deed References: 42345/170 10 Digit Tax Account # 1508004920
Property Owner(s) Printed Name(s) 1216 Burke, LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
-
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
-
3. X a **Variance** from Section(s)
1A04.3.A to permit a building of 42' in height in lieu of the maximum permitted 35'

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If
you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____

Signature _____

Mailing Address	City	State
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_____/_____/_____
Zip Code Telephone # Email Address

Attorney for Petitioner:

TO BE DETERMINED

Signature _____

Mailing Address	City	State
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_____/_____/_____
Zip Code Telephone # Email Address

CASE NUMBER 2020-0103-A Filing Date 4/15/20

Legal Owners (Petitioners):

1216 Burke, LLC /
Name #1 - Type or Print Name #2 - Type or Print

Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____

8 Beechdale Road Baltimore MD
Mailing Address City State

21210 / 443-790-5277 / brad@rocksolidbuildersonline.com
 Zip Code Telephone # Email Address

Representative to be contacted:

Richardson Engineering, LLC
Name - Type or Print

Name - Type or Print _____
Signature _____

30 E. Padonia Road, Suite 500	Timonium	MD
Mailing Address	City	State

21093 / 410-560-1502 / Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

Do Not Schedule Dates: _____ Reviewer: ST

**ZONING DESCRIPTION FOR
1216 BURKE ROAD
15TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the South side of Burke Road (30' R.O.W.) at a distance of 665'+/- West of the centerline the nearest improved intersection of Burke Road with Burke Road.

Being Lot #113, Plat #1 of Bowleys Quarter Company of Baltimore County, as recorded in the land records of Baltimore County in Plat Book #7, Folio #12.

Containing a net area of 13,922 square feet, or 0.32 acres of land, more or less.

2020-0103-A

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Contract Purchaser/Lessee:

Name- Type or Print _____ /

Signature _____

Mailing Address	City	State
-----------------	------	-------

_____/_____/_____

Zip Code Telephone # Email Address

Attorney for Petitioner:

To BE DETERMINED

Signature _____

Mailing Address	City	State
-----------------	------	-------

_____/_____/_____
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

1216 Burke, LLC /
Name #1 - Type or Print Name #2 - Type or Print

Signature #1 _____ Signature #2 _____

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Do Not Schedule Dates: _____ Reviewer: AF

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2020-0103-A

Kristen L Lewis

From: Richardson, Patrick <rick@richardsonengineering.net>
Sent: Tuesday, August 25, 2020 8:47 AM
To: Kristen L Lewis
Subject: 1216 Burke Road

CAUTION: This message from rick@richardsonengineering.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Please have this serve as notice that the owner wishes to cancel the case.
Thank you.

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208

RE: PETITION FOR VARIANCE
1216 Burke Avenue; S/S of Burke Avenue,
665' W of c/line of Burke Road & Burke
15th Election & 6th Councilmanic Districts
Legal Owner(s): 1216 Burke LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2020-103-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

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 11th day of May, 2020, a copy of the foregoing Entry of Appearance was emailed to Richardson Engineering, LLC, 30. E. Padonia Road, Suite 500, Towson, Maryland 21204, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Date: May 12, 2020

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

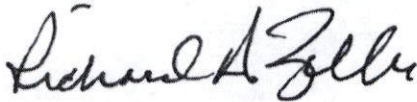
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. **2020-0103-A**

Variance
1216 Burke, LLC
1216 Burke Road

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@mdot.maryland.gov).

Sincerely,



For Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 6/10/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-103

INFORMATION:

Property Address: 1216 Burke Road
Petitioner: 1216 Burke, LLC
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance from § 1A04.3.A of the Baltimore County Zoning Regulations (BCZR) to permit a building of 42 feet in height in lieu of the maximum permitted 35 feet. There is an existing variance on the property for side setbacks of 8 feet in lieu of the required 50 feet that was granted in 2013 (Case 2013-0096-A).

A site visit was conducted on 6/9/2020. The site is located on Galloway Creek in Bowleys Quarters. Burke Road provides access to a number of homes with waterfront access. It is also bordered by vacant forested land to the North that is also zoned RC 5.

Other variance requests for building height relief along Burke Road have been granted (see case 2004-0334-A to allow a height of 42 ft, and case 2013-011-A to allow a height of 39 ft).

The property lies within the 2-4 ft. contour line and is within the 100-year flood plain. The applicant must follow the Baltimore County 100-Year Site Plan Requirements outlined below.

BALTIMORE COUNTY 100-YEAR FLOOD PLAIN SITE PLAN REQUIREMENTS

1. Show size and location of new construction and existing structures on the site and distances from lot lines.
2. Delineation of all flood hazard areas, floodway boundaries and flood zones, and the design flood elevation, as appropriate.
3. Base flood elevation.
4. Required flood protection elevation.
5. Elevation contour lines.
6. Elevation of the proposed lowest floor.
7. Structure location and orientation on lot so as to minimize flood damage.
8. Location of all public utilities and facilities, such as sewer, gas, electrical and water systems to be constructed to minimize or eliminate flood design.
9. Show drainage plan so as to reduce exposure to flood hazards.
10. Site plan shall be drawn to scale, no smaller than 1" = 30'.

11. Site plan shall be signed and sealed (original seal and signature) by a State of Maryland Registered Civil Engineer or Surveyor.

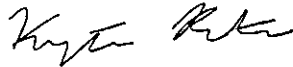
Note: Base Flood, Design Flood and Flood Protection Elevations shall also be shown in a separate "note" section in addition to being shown on the actual site plan.

The Department of Planning has no objections to the request for variance subject to the following conditions:

1. The RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR. Architectural elevations must be submitted to the Department of Planning for review at permitting.

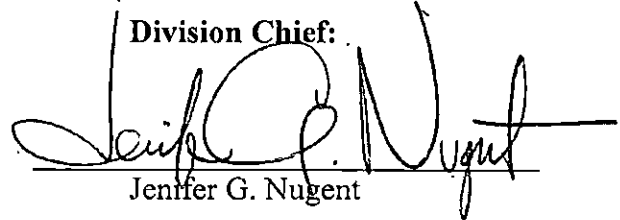
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

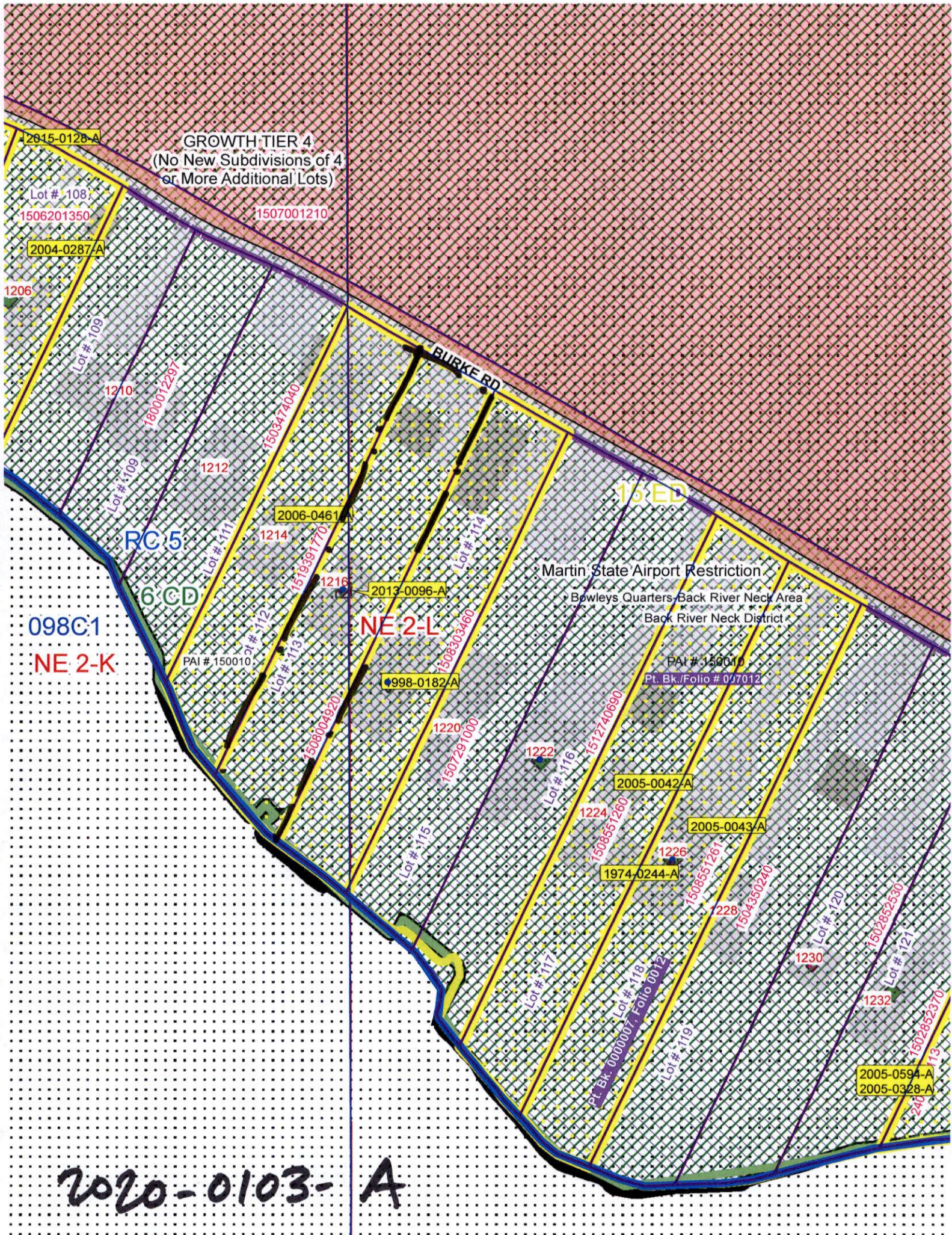
Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Patrick C. Richardson, Jr. Richardson Engineering
Office of the Administrative Hearings
People's Counsel for Baltimore County



2020-0103-7



**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2020-0103-A

Property Address: 1216 BURKE ROAD

Property Description:

Legal Owners (Petitioners):

Contract Purchaser/Lessee:

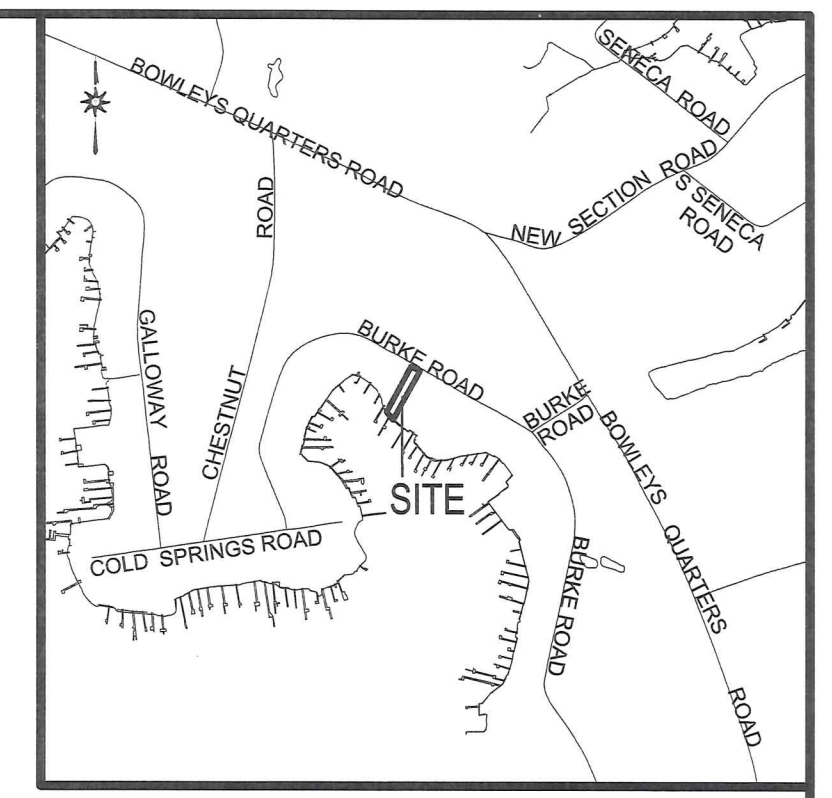
PLEASE FORWARD ADVERTISING BILL TO:

Name: RICHARDSON ENGINEERING, LLC

Company/Firm (if applicable):

Address: 30 E. PADONIA ROAD, SUITE 500
TIMONIUM, MD 21093

Telephone Number: 410-560-1502



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: 1216 BURKE, LLC
1216 BURKE RD
BALTIMORE MD 21210
- SITE AREA:
NET: 13,922 SF OR 0.32 AC.±
GROSS: 14,672 SF OR 0.34 AC.±
- USE:
EXISTING: 1 RESIDENTIAL DWELLING
PROPOSED: 1 RESIDENTIAL DWELLING
- UTILITIES: PUBLIC WATER AND SEWER
- DEED REF: 42345/170
- TAX ACCOUNT: 1508004920
- ZONING: RC 5
(PER 1"=200' ZONING MAP 101B1)
- TAX MAP: 98
GRID: 4
PARCEL: 4
- SITE LIES WITHIN ZONE AE (EL 5 FT) PER FLOOD INSURANCE RATE MAP (FIRM) PANEL 24001004450 DATED MAY 5, 2014.
- PLAT REF: ROWLEY'S QUARTERS, 7/12
- PREVIOUS ZONING CASES: 2013-0096-A TO PERMIT A PROPOSED REPLACEMENT DWELLING TO HAVE SIDE YARD SETBACKS OF 10' EACH IN LIEU OF THE REQUIRED 50'. GRANTED DECEMBER 17, 2012.
- PREVIOUS PERMITS: B742025 FOR REPLACEMENT PIER.
- SITE DOES LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- LIMIT OF DISTURBANCE: 10,237 SF OR 0.25 AC.
- SETBACKS FOR RC-5:

	REQUIRED	PROVIDED
FRONT	75'	132'±
SIDE	8'±	10'±
REAR	75'	88'±
- *ZONING VARIANCE APPROVED 2013-0096-A
- BUILDING HEIGHT: PERMITTED 35' TALL
- BUILDING HEIGHT PROPOSED: 42' TALL

AREAS:
EXISTING-
DWELLING = 1,297 SQ.FT.
DRIVEWAY = 985.7 SQ.FT.
GARAGE = 172.6 SQ.FT.
SHED = 676 SQ.FT.
TOTAL = 3,141.3 SQ.FT.
PROPOSED-
DWELLING = 1,345 SQ.FT.
DRIVEWAY = 986 SQ.FT.
GARAGE = 172.6 SQ.FT.
SHED = 676 SQ.FT.
TOTAL = 3,179.6 SQ.FT.

LOT COVERAGE:
EXISTING = 3,141.3 SQ.FT. / 13,921.9 X 100 = 22.56%
PROPOSED = 3,179.6 SQ.FT. / 13,921.9 X 100 = 22.84%
COVERAGE IN BUFFER:
EXISTING: 128 SQ.FT.
PROPOSED: DWELLING: 495.6 SQ.FT.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR
PROPOSED RESIDENCE

1216 BURKE ROAD
BALTIMORE COUNTY MARYLAND
16TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY: LNR	CHECKED BY: PCR	SCALE: 1" = 20'
DATE: 12-29-19	JOB NO.: 19214	SHEET NO.: 1 OF 1	

2020-0103-A