



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

November 6, 2023

Gregory and Elizabeth Ensor – greg.ensor@corbinfuel.com
1322 Burke Road
Baltimore, MD 21220

RE: Petitions for Variance
Case No. 2023-0156A
Property: 1322 Burke Road

Dear Mr. and Mrs. Ensor:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is fluid and cursive, with the first name "Maureen" being more prominent than the last name "Murphy".

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:d1m

Enclosure

c: Bernadette Moskunas – siteriteinc@aol.com
Elizabeth Ensor – crosscountrymanor@verizon.net
Harrison Holmes – Harrison.holmes@ubalt.edu
Paige Bussells – pbusse2@students.towson.edu
Spencer Baldacci – spencer.baldacci@ubalt.edu
Tom Huskins – tom@huskinsbuilders.com
Jose – jrpl020205@gmail.com

IN RE: PETITION FOR VARIANCE

(1322 Burke Road)

15th Election District

5th Council District

Gregory & Elizabeth Ensor

Legal Owner

Petitioners

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*

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BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS OF

BALTIMORE COUNTY

CASE NO. 2023-0156-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Gregory and Elizabeth Ensor (“Petitioners”) for property located at 1322 Burke Road, Bowleys Quarters (the “Property”). The Petitioner is requesting Variance relief from Baltimore County Zoning Regulations (“BCZR”), §1A04.3.A to permit a proposed dwelling with a height of 43 ft. in lieu of the maximum height of 35 ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Elizabeth Ensor appeared at the hearing in support of the Petition along with Thomas Huskins, of Huskins Builders, Inc., the builder who will construct the replacement home. A Site Plan was prepared and sealed by Site Rite Surveying, Inc. (the “Site Plan”). (Pet. Ex. B). Architectural renderings were prepared by GBL Custom Home Design, Inc. for the replacement dwelling. (Pet. Ex. A). There were no Protestants or other interested persons, who appeared at the hearing. People’s Counsel provided a detailed analysis in a letter dated August 31, 2023 which is included in the file.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) which agency was opposed to the 4 front-facing overhead garage doors. Department of Environmental Protection Sustainability (“DEPS”) provided a comment that the

proposed lot coverage exceeds the maximum under the Chesapeake Bay Critical Area ("CBCA") Regulations. Development Plans Review ("DPR") on behalf of Department of Public Works and Transportation ("DPWT") commented in regard to a flood hazard area as follows:

The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100445F dated 9/26/08. Must comply with Flood Plain Ordinance, See County Bill 40-15 (the latest edition of the Baltimore County Code) and Bill 42-15, and Section 32-4-414 of Article 32, Title 4 of the Baltimore County Code, 2003, as amended. The LiMWA is not on the property.

The Property is comprised of 2 lots (Lots 132 and 133) created on Plat One for Bowleys Quarters as recorded in Land Records of Baltimore County (WPC 7, 12) on May 27, 1921. The Property sits on Galloway Creek and is improved with a 1,440 sf, 2-story dwelling constructed in 1963 along with a 220 sf shed, and a gazebo, all of which will be razed. The Property measures a total of 21,620 sf +/- and is zoned Rural Residential (RC 5).

The Property was granted Special Hearing relief in Case No.: 2008-0569-SPH to construct a replacement dwelling to the then legal owners to have side setbacks of 12 ft. in lieu of the required 50 ft., a front (road) setback of 67 ft. to the centerline of the street in lieu of the required 75 ft., for lot coverage of 28% in lieu of the maximum 15% in an RC5 zone, and for a lot size of 21,620 sf in lieu of the required 1.5 acres. That replacement home was never constructed.

The Property was also granted Variance relief in Case No.: 2020-0097-A to build a pier, platform, boatlift with mooring piles to be constructed as much as 28 ft. beyond a divisional property line as established, and for 3 proposed mooring piles with a setback of 1 ft. from a divisional property line as established in lieu of maintaining the required 10 ft. setback. Mr. Huskins confirmed that the pier, platform, boatlift and mooring piles have all been constructed (B970737). These structures are shown on the Site Plan. (Pet. Ex. B).

The Petitioners propose to construct a replacement dwelling as shown on the Site Plan which would still have 1 side yard setback of at least 12 ft. However, the home will no longer be setback from centerline of Burke Rd. 67 ft., but now 94 ft. from Burke Rd. The proposed lot coverage will now be 26.8% rather than the 28% granted in Case No.: 2008-569-SPH. Petitioners here are seeking an additional 8 ft. in height due to the flood hazard area on the Property and requirement that the first-floor area not be living space. As proposed, the first floor will be used only as a 2-car garage and storage space. In response to DOP comments, Mr. Huskins explained that 4 garage overhead doors on the front of the home were removed and replaced with entry doors and 2 garage overhead doors. Petitioners also reduced the size of the driveway and the previous turn around area.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The Property was previously adjudicated to be unique in Case No.: 2020-0097-A. As a result, the Property's physical characteristics have not changed, that factual finding is applicable to this Case under the doctrine of collateral estoppel. *Garrity v. Maryland State Bd. of Plumbing*, 447 Md. 359, 368 (2016). (See also *Colandrea v. Wilde Lake Community Ass'n, Inc.*, 361 Md. 391 (2000); *Washington Suburban Sanitary Commission v. TKU Associates*, 281 Md. 1, 18-19 (1977)).

I find that the Petitioners would suffer a practical difficulty and unreasonable hardship if the proposed additional height Variance was not granted because they would not be able to construct a reasonably sized replacement dwelling, the first floor of which cannot be living space.

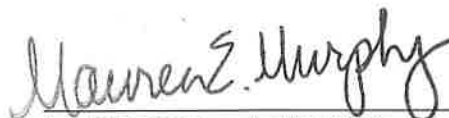
Their request for additional height is reasonable given the floor hazard area and need for additional living space on the second and third floors. The Petitioners have also reconfigured the dwelling and reduced the impervious surface areas to comply with the BCZR to the extent possible. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED, this 6th day of **November**, 2023, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §1A04.3.A to permit a proposed dwelling with a height of 43 ft. in lieu of the maximum height of 35 ft., be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners shall comply with the DOP, DPR/DPWT, and DEPS ZAC comments, copies of which are attached hereto and incorporated herein.
3. The Site Plan (Pet. Ex. B) is attached hereto and incorporated herein.

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



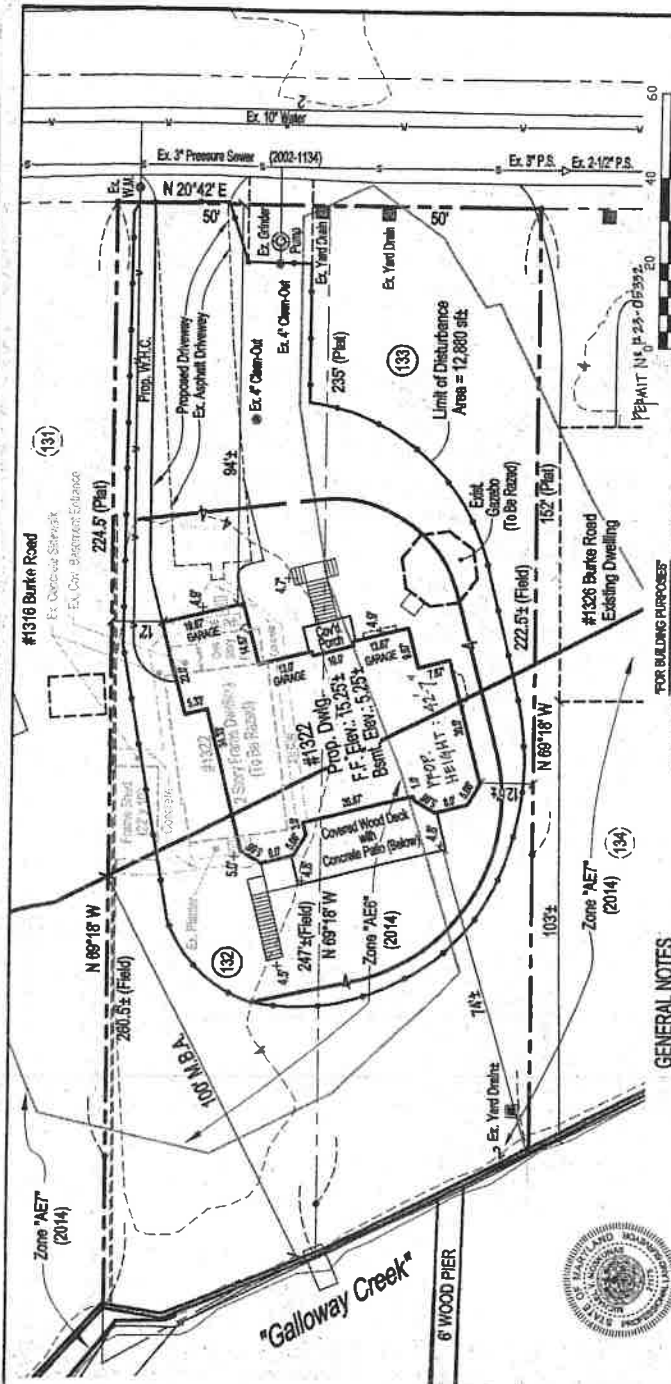
MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

2010-0097-A GRANTED: TO PERMIT A PROPOSED BOATLIFT AND
ANCHORAGE PILES TO BE CONSTRUCTED AS MUCH AS 28' BEYOND A DIVISIONAL
PROPERTY LINE AS ESTABLISHED AND 3 PROPOSED MOORING PILES WITH A
SETBACK OF 1' FROM A DIVISIONAL PROPERTY LINE AS ESTABLISHED IN LIEU
OF MAINTAINING THE REQUIRED 10' SETBACK.

2001-004984 GRANTED: TO PERMIT SIDE SETBACKS OF 12' IN LIEU OF THE
REQUIRED 50' A FRONT (ROAD) SETBACK OF 67' TO THE CENTERLINE OF THE
STREET IN LIEU OF THE REQUIRED 75' LOT COVERAGE OF 28% IN LIEU OF THE
MAXIMUM PERMIT 15% LOT SIZE OF 21,620 SF IN LIEU OF THE REQUIRED
15 ACRES.

NOTE: ANY NEW CONSTRUCTION OF ANY KIND WILL REQUIRE A ZONING
PERMIT.



PLOT PLAN FOR REPLACEMENT DWELLING
#1322 Burke Road
 Lots 132 & 133 Plot One, P.O. Box 7112
"BOWLEYS QUARTERS"
 Tax Map: 98 Grid: 4 Parcel: 4
 Dead Reference: 41449 / 498
 15th Election District, C8
 Baltimore County, Maryland
 Date: 6/21/23 R 9/22/23
 Scale: 1" = 20'
 Drawn: M.V.M.
 Checked: B.L.M.
 JOB #10707TLE
 SURVEYED: DTH/JK

- FOR BUILDING PURPOSES**
 FLOOD ELEVATION 15.5' (15.5' MINIMUM PER MAP AND HAZARD UNITED STATES)
 REQUIRED FLOOD PROTECTION ELEVATION (F.P.E.) MUST BE TWO (2) FEET
 ABOVE THE BASE FLOOD ELEVATION (B.F.E.), THEREFORE, THE F.P.E. SHOULD
 BE ELEVATION 17.5' (17.5' MINIMUM).
 MHA Impact: Existing 27.8' and Proposed 198.8'
 All existing structures are to be removed (DEM) except the driveway.
- OWNERS**
 Gregory C. Enser
 Elizabeth Starneth Enser
 #1322 Burke Road
 Baltimore, Maryland 21220-4417
- GENERAL NOTES**
 1. Zone: R-2
 2. Lot Area: 21,620 sq. ft. or 0.496 ac. SONT 74,608 SF to Railroad.
 3. Existing Use: Single Family Dwelling (SFD).
 4. Proposed Use: Replacement SFD.
 5. EX. F.D.M. Map 2409100455 Dated 05/05/2014. Zone "X".
 6. EX. F.D.M. Map 2409100455 Dated 05/05/2014. Zone "X".
 7. Verify house dimensions with architect plans.
 8. This plan is NOT based on a Boundary Survey. It is a compilation
 of a 1998 Plat, Plat Record and Public Works Utility Drawings.
 9. EX. Lot Coverage: 3.25% SF = 11.7% Based on SONT 74,608 SF.
 Proposed Lot Coverage: 5.48% SF.
 10. Variance Case No. 04-0008-SFH granted 12 side yard setbacks, 87' to centerline road, 60' coverage and area.



Michael V. Medicus
 Professional Land Surveyor #21175
 License Expires: 8/25/2025

siterite INC.
 SURVEYING
 200 E. JORDAN RD.
 SUITE 100
 TOWSON, MD 21204
 T: 410-238-0413
 F: 410-238-0415

EXHIBIT "B"

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 8/23/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0156-A

INFORMATION:

Property Address: 1322 Burke Road
Petitioner: Gregory and Elizabeth Ensor
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

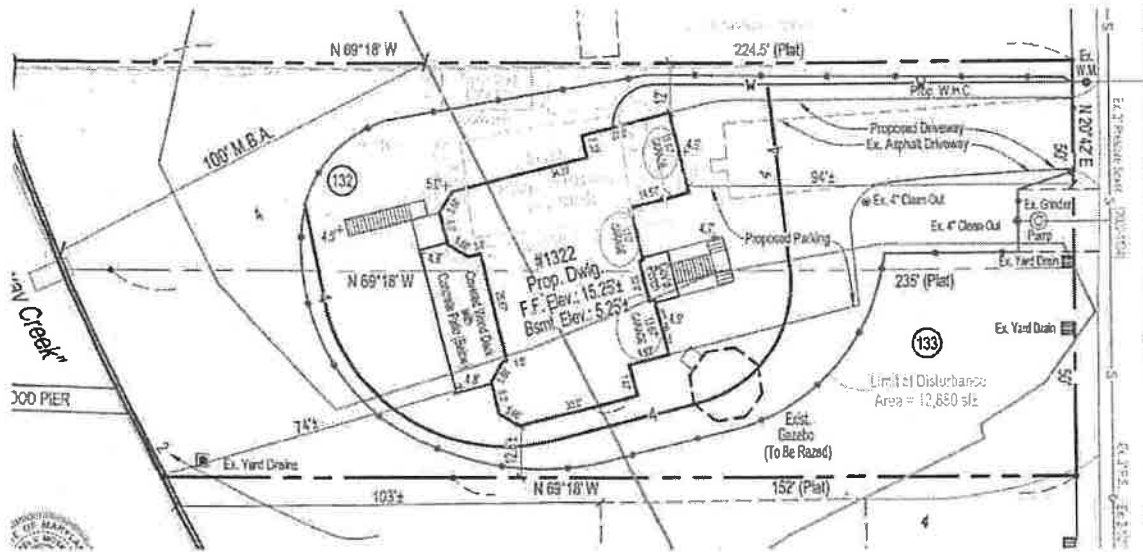
Variance –

1. From BCZR Section 400.3.A. to permit a proposed dwelling with a height of 43' in lieu of the maximum height of 35'.

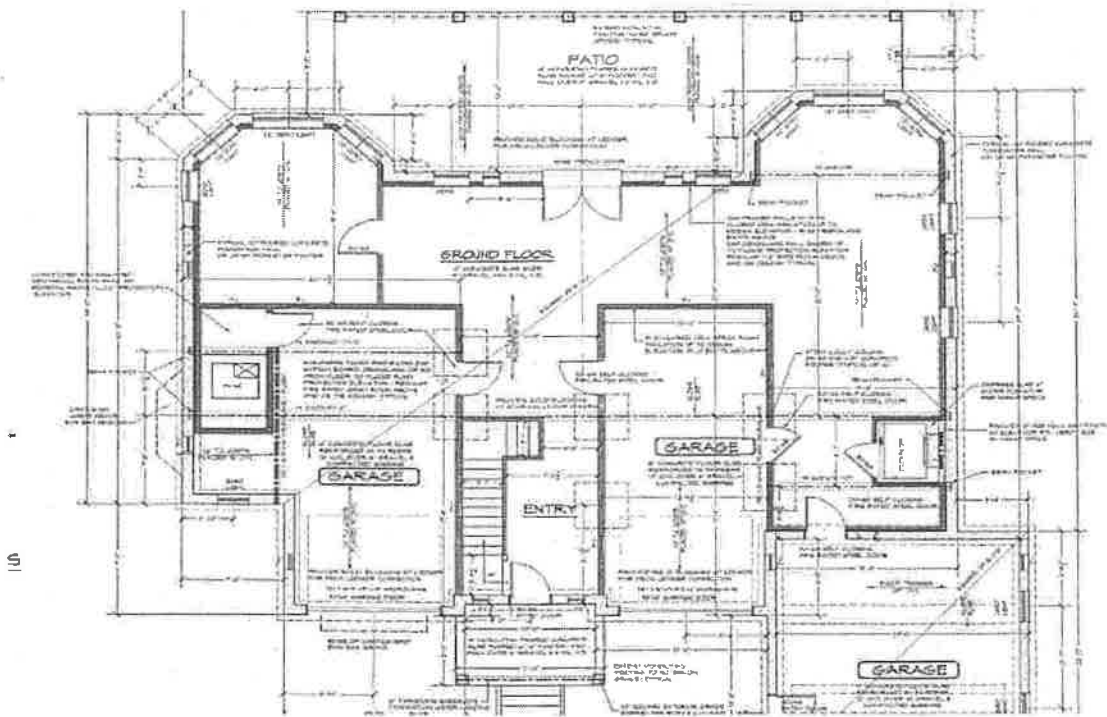
The property under consideration is located on Burke Road within the Bowleys Quarters area of Baltimore County. Spanning approximately 21,620 sf+/-, the property is zoned as RC 5 and features a single-family residential dwelling. Residential dwellings, farms, the Galloway Creek and forest conservation characterize the surrounding area.

The establishment of the RC 5 zoning classification was prompted by concerns regarding haphazard and wasteful development in rural-residential areas, as well as insufficient lot sizes for on-lot sewer and water systems. These issues had the potential to impose financial burdens and adversely impact the well-being and safety of residents. By identifying specific areas suitable for rural-residential development, the goal is to guide future growth in a directed manner and prevent chaotic development patterns. The RC 5 zoning classification serves the purpose of designating suitable regions for rural-residential development, minimizing encroachments on natural resources, and mandating a minimum lot size to ensure proper functioning of on-lot sewer and water systems.

The Variance BCZR 400.3.A. to permit a proposed dwelling with a height of 43' in lieu of the maximum height of 35' do not violate the intended purpose of the zone. However, the Department observed three front-facing car garages in the building envelope depicted on the submitted site plan accompanying the relief request (see below). While the Manual of Regulations, Section 260 mainly pertains to major development projects involving four or more lots submitted after June 24, 2010, the Planning Department employs these rules as benchmarks and best practice standards for all developments. Page D-11 of Section 260 in the Manual of Regulations disallows front entry garages accommodating more than two vehicles.



Also, on August 22nd, 2023, the Planning Department evaluated a Building Permit Application for the specified location. The architectural plans provided with the application indicated the applicant's intention to construct three front-facing garages for the residence - a double-car garage and two single-car garages.



The Department of Planning has no objection to the requested relief. However it should be noted that the Department does not approve the design presented in the permit application and as outlined in the site plan submitted for variance relief. It should also be advised that this site is subject to the RC 5 performance standards as listed in Section 1A04.4 of the BCZR.

For further information, concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

SL/JGN/KP

c: Thomas P. Huskins Jr.
David Birkenthal, Community Planner
Ngone Seye Diop, Community Planning Division Chief
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 14, 2023
Item No. 2023-0156-A

DATE: August 14, 2023

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPW&T Comments:

- A) The property is within the Tidal Special Flood Hazard Area Zone AE (BFE=8.5) per panel FIRM 2400100445F dated 9/26/08. Must comply with Flood Plain Ordinance, See County Bill 40-15 (the latest edition of the Baltimore County Code) and Bill 42-15, and Section 32-4-414 of Article 32, Title 4 of the Baltimore County Code, 2003, as amended. The LiMWA is not on the property.

VKD: JK
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 22, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0156-A
Address: 1322 BURKE RD
Legal Owner: Gregory & Elizabeth Ensor

Zoning Advisory Committee Meeting of August 14, 2023.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

The Department of Environmental Protection and Sustainability has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) of the Chesapeake Bay Critical Area and is subject to Critical Area requirements. The applicant is proposing to construct a replacement dwelling with a height of 43 feet in lieu of the maximum height of 35 feet. Any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. Lot coverage is limited to a maximum of 31.25% (6,756 square feet), with mitigation required for any new lot coverage between 25% (5,405 sf) and 31.25%. The site plan accompanying the zoning petition does not include lot coverage information. There is a 15% afforestation requirement in the LDA. On a lot of this size six (6) trees are required. Mitigation for any new impacts to the MBA are required. It

appears that a portion of the proposed dwelling will be within the MBA, but the amount of proposed impact has not been provided. If the lot coverage, afforestation, and MBA requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and within a Modified Buffer Area (MBA). The property must meet all lot coverage, afforestation, and MBA mitigation requirements. If lot coverage, afforestation, and MBA mitigation requirements are met, this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

This is a grandfathered lot. Provided that the applicants meet their lot coverage, afforestation, and MBA mitigation requirements, then the relief requested will be consistent with the established land-use policies.

Additional Comments:

Reviewer: Libby Errickson August 16, 2023

CERTIFICATE OF POSTING

Date: SEPTEMBER 30, 2023

RE: Project Name: 1322 BURKE ROAD #1
Case Number /PAI Number: 2023-0156-A
Petitioner/Developer: ENSOR
Date of Hearing/Closing: OCTOBER 23, 2023

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1322 BURKE ROAD

The sign(s) were posted on SEPTEMBER 30, 2023
(Month, Day, Year)

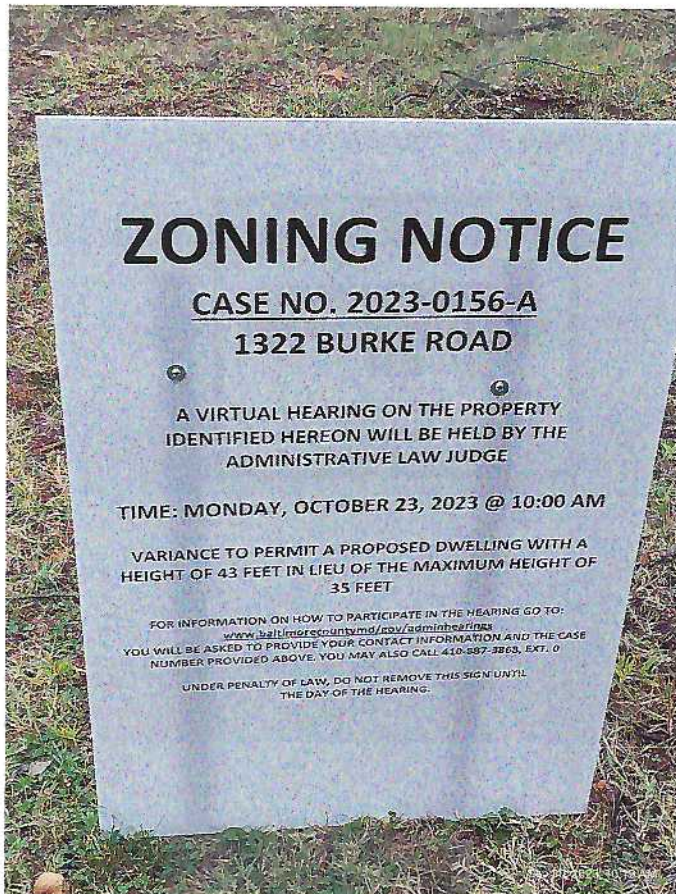

(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



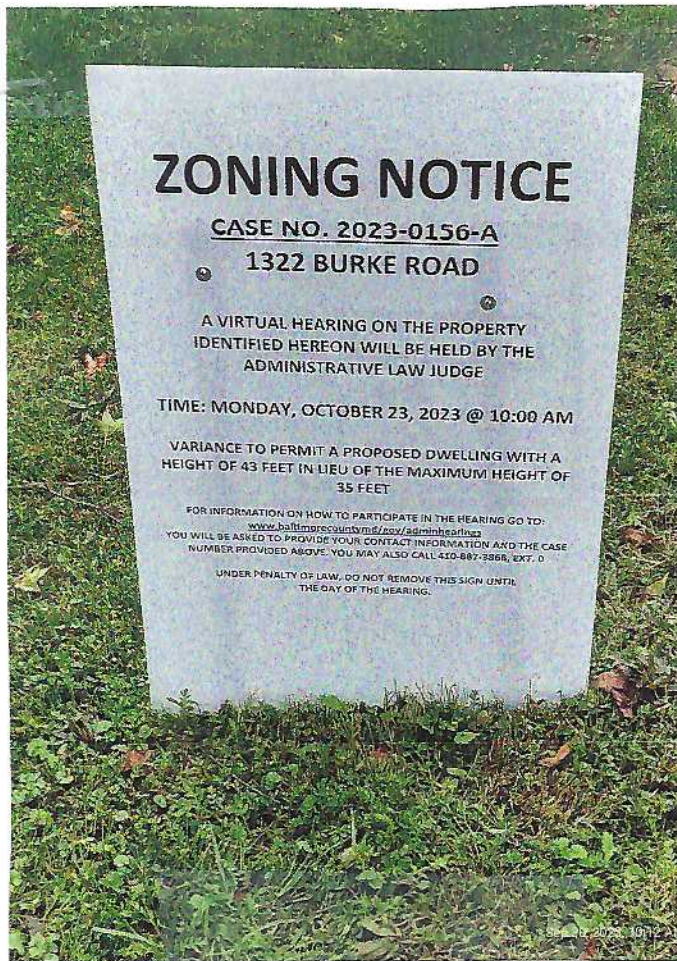
CERTIFICATE OF POSTING

Date: SEPTEMBER 30, 2023

RE: Project Name: 1322 BURKE ROAD #2
Case Number /PAI Number: 2023-0156-A
Petitioner/Developer: ENSOR
Date of Hearing/Closing: OCTOBER 23, 2023

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1322 BURKE ROAD

The sign(s) were posted on SEPTEMBER 30, 2023
(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 8/23/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0156-A

INFORMATION:

Property Address: 1322 Burke Road
Petitioner: Gregory and Elizabeth Ensor
Zoning: RC 5
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Variance –

1. From BCZR Section 400.3.A. to permit a proposed dwelling with a height of 43' in lieu of the maximum height of 35'.

The property under consideration is located on Burke Road within the Bowleys Quarters area of Baltimore County. Spanning approximately 21,620 sf+/-, the property is zoned as RC 5 and features a single-family residential dwelling. Residential dwellings, farms, the Galloway Creek and forest conservation characterize the surrounding area.

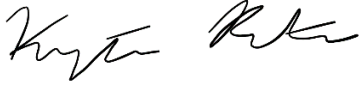
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The Variance BCZR 400.3.A. to permit a proposed dwelling with a height of 43' in lieu of the maximum height of 35' do not violate the intended purpose of the zone. However, the Department observed three front-facing car garages in the building envelope depicted on the submitted site plan accompanying the relief request (see below). While the Manual of Regulations, Section 260 mainly pertains to major development projects involving four or more lots submitted after June 24, 2010, the Planning Department employs these rules as benchmarks and best practice standards for all developments. Page D-11 of Section 260 in the Manual of Regulations disallows front entry garages accommodating more than two vehicles.

The Department of Planning has no objection to the requested relief. However it should be noted that the Department does not approve the design presented in the permit application and as outlined in the site plan submitted for variance relief. It should also be advised that this site is subject to the RC 5 performance standards as listed in Section 1A04.4 of the BCZR.

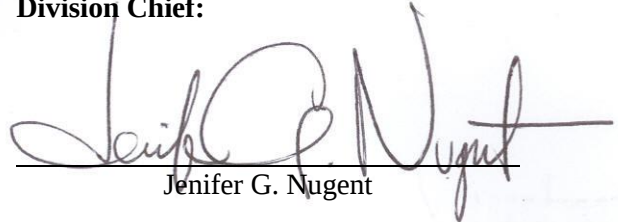
For further information, concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Thomas P. Huskins Jr.
David Birkenthal, Community Planner
Ngone Seye Diop, Community Planning Division Chief
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 22, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0156-A
Address: 1322 BURKE RD
Legal Owner: Gregory & Elizabeth Ensor

Zoning Advisory Committee Meeting of August 14, 2023.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

The Department of Environmental Protection and Sustainability has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Limited Development Area (LDA) and a Modified Buffer Area (MBA) of the Chesapeake Bay Critical Area and is subject to Critical Area requirements. The applicant is proposing to construct a replacement dwelling with a height of 43 feet in lieu of the maximum height of 35 feet. Any proposed development must meet all LDA and MBA requirements, including lot coverage limits and afforestation requirements. Lot coverage is limited to a maximum of 31.25% (6,756 square feet), with mitigation required for any new lot coverage between 25% (5,405 sf) and 31.25%. The site plan accompanying the zoning petition does not include lot coverage information. There is a 15% afforestation requirement in the LDA. On a lot of this size six (6) trees are required. Mitigation for any new impacts to the MBA are required. It

appears that a portion of the proposed dwelling will be within the MBA, but the amount of proposed impact has not been provided. If the lot coverage, afforestation, and MBA requirements are met, then the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and within a Modified Buffer Area (MBA). The property must meet all lot coverage, afforestation, and MBA mitigation requirements. If lot coverage, afforestation, and MBA mitigation requirements are met, this request will help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

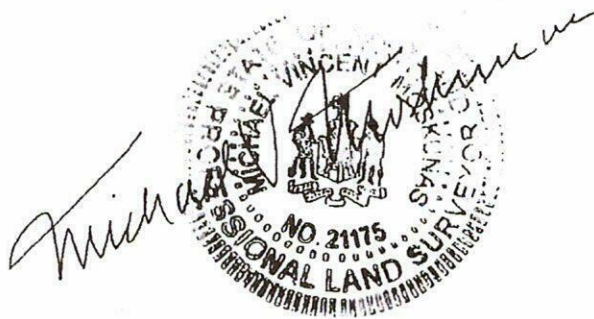
This is a grandfathered lot. Provided that the applicants meet their lot coverage, afforestation, and MBA mitigation requirements, then the relief requested will be consistent with the established land-use policies.

Additional Comments:

Reviewer: Libby Errickson August 16, 2023

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

2023-0156-A



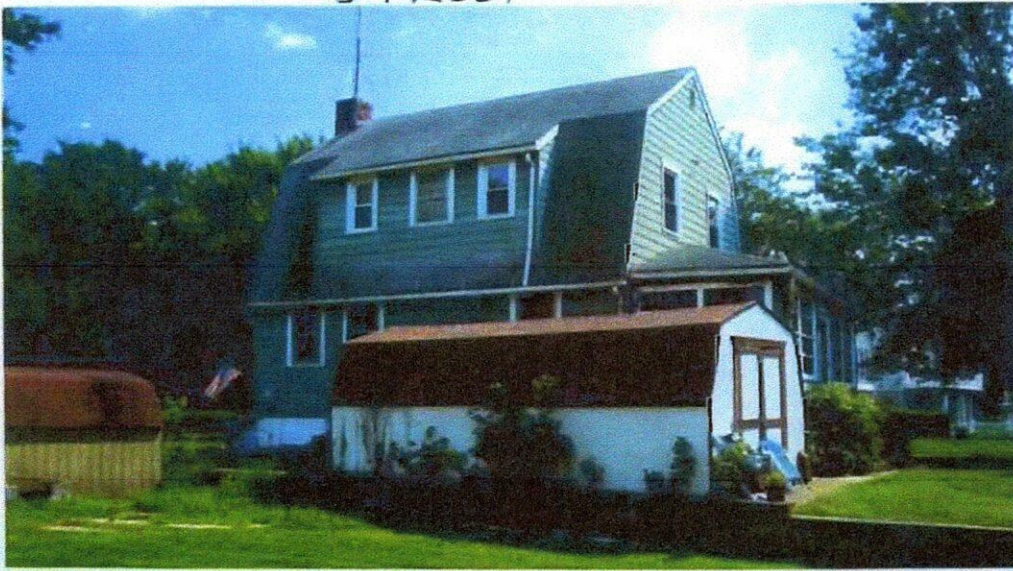
2023-0156-A

1322 Burke Rd-

EXHIBIT



STREET VIEW



2023-0156-4

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING



HUSKINS BUILDERS, INC.
1446 KNOPP ROAD
JARRETTSVILLE, MD 21084

MANUFACTURERS AND TRADERS TRUST COMPANY
COMMERCIAL BANKING
NYC COMMERCIAL BANKING, NEW YORK, NY 10022
07-011/520

22750

7/17/2023

AY TO THE
RDER OF BALTIMORE COUNTY MD

\$ **75.00

DOLLARS

Seventy-Five and 00/100

BALTIMORE COUNTY MD

AUTHORIZED SIGNATURE

[Signature] MP

MEMO

⑈022750⑈ ⑈052000113⑈

83060067⑈

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

No. 221237

Date: 7/17/23

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	800	0000		650					\$75.00

Total: \$75

Rec
From: HUSKINS BUILDERS, INC

For: VARIANCE: 1322 BURKE ROAD

DISTRIBUTION

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

CASHIER'S
VALIDATION

SC

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1508002714

Owner Information

Owner Name: ENSOR GREGORY C **Use:** RESIDENTIAL
SIMMETH ENSOR ELIZABETH **Principal Residence:** YES
Mailing Address: 1322 BURKE RD **Deed Reference:** /41449/ 00496
BALTIMORE MD 21220-4417

Location & Structure Information

Premises Address: 1322 BURKE RD **Legal Description:** LT 132-133
BALTIMORE 21220-4417 1322 BURKE RD WS
Waterfront BOWLEYS QUARTERS

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: 1
0098 0004 0004 15030020.04 0000 132 2021 **Plat Ref:** 0007/ 0012

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1963 1,440 SF 21,620 SF 34

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
2 YES STANDARD UNITSIDING/3 1 full

Value Information

	Base Value	Value	Phase-in Assessments	
		As of 01/01/2021	As of 07/01/2022	As of 07/01/2023
Land:	311,600	264,400		
Improvements	103,400	109,400		
Total:	415,000	373,800	373,800	373,800
Preferential Land:	0	0		

Transfer Information

Seller: LATES RUSSELL B JR	Date: 05/23/2019	Price: \$369,000
Type: ARMS LENGTH IMPROVED	Deed1: /41449/ 00496	Deed2:
Seller: MORRIS ARTHUR R, JR	Date: 06/22/1993	Price: \$220,000
Type: ARMS LENGTH IMPROVED	Deed1: /09837/ 00129	Deed2:
Seller: HARRIS JOHN W	Date: 07/15/1971	Price: \$31,000
Type: ARMS LENGTH IMPROVED	Deed1: /05201/ 00844	Deed2:

Exemption Information

Partial Exempt Assessments: Class		07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

2023-0156-A

1982-0152-A

1505430940

Lot # 128

1308

1310

Pt. Bk. 0000007, Folio 0012

Lot # 129

1984-0263-A
2005-0691-A

1502574430

1312

2021-0169-A

1502574440

Lot # 130

Lot # 130

2500015505

1316

2019-0164-A
1991-0039-A

Lot # 131

1502574420

RC 5

150010-AI # 150010

Pt. Bk./Folio # 007012

Martin State Airport Restriction

NE 2-L

098C1

15 ED

Lot # 132

1508002714

Back River Neck District

Bowleys Quarters-Back River Neck Area
2008-0569-SPH
2020-0097-A
2020-0078-A

Lot # 132

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

RC 20

2007-0531-A

Lot # 134

1518721010

1328

Lot # 135

1511770340

Lot # 136

1522001000

BURKE RD

1512202980

1986-0202-A
1985-0106-SPH

Lot # 137

1512002880

NE 1-L

1332

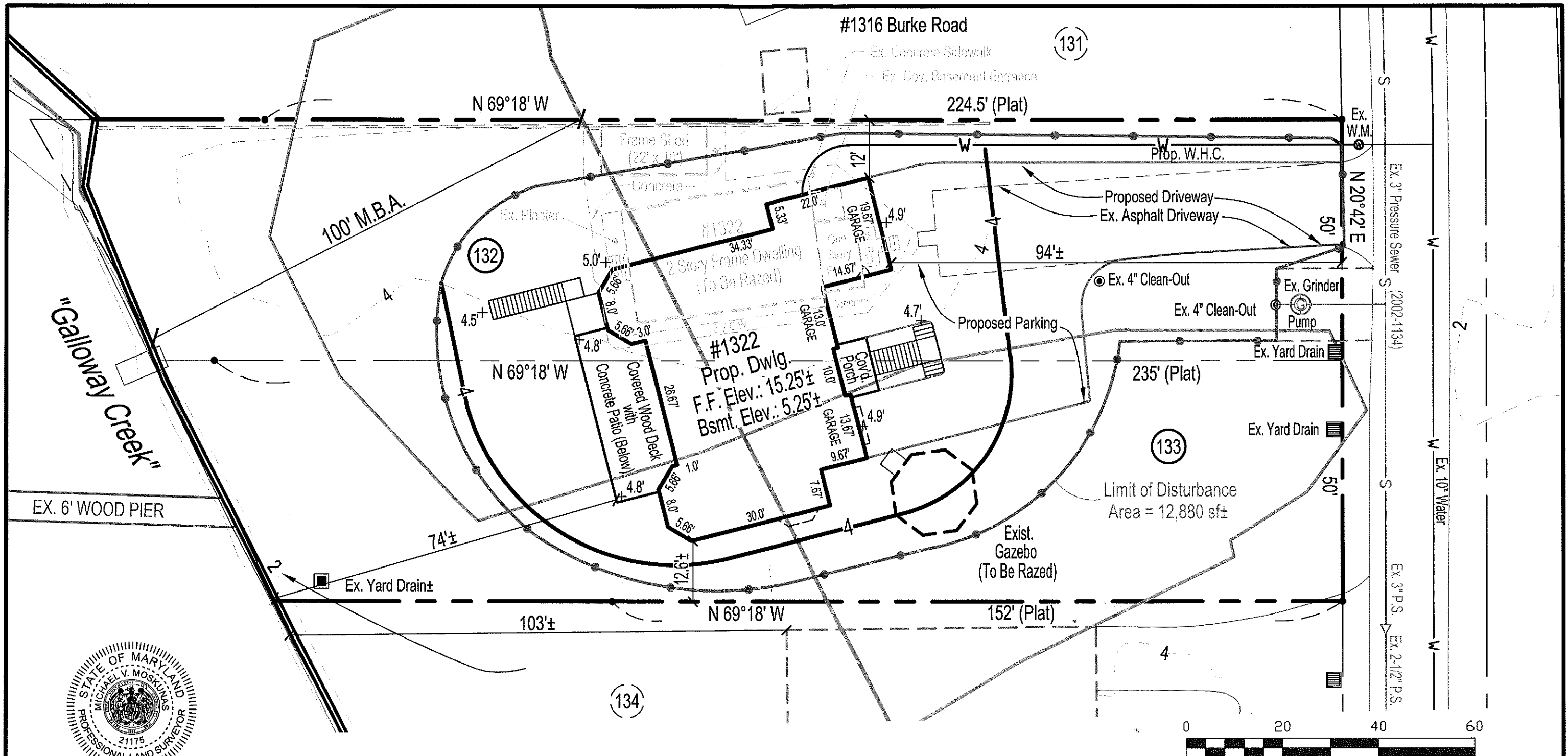
1331

Lot # 138

1504201690

2023-0156-A

2023-0156-A



Michael V. Moskunus
Michael V. Moskunus
Professional Land Surveyor #21175
License Expires: 6/25/2025



T: (410)339-5413
F: (410)339-5415
200 E. JOPPA RD
SUITE 105
TOWSON, MD 21286

GENERAL NOTES

1. Zoned: RC-5
2. Lot Area: 21,620 sf± or 0.496 ac±
3. Existing Use: Single Family Dwelling
4. Proposed Use: Single Family Dwelling
5. Existing lot is serviced by public sewer and water.
6. EX. F.I.R.M. Map 2400100445G Dated 05/05/2014 Zone "X"
7. Verify house dimensions with architectural plans.
8. This plan is NOT based on a Boundary Survey, it is a compilation of the GIS Portal, Public Records and Public Works Utility Drawings.
9. Ex. Lot Coverage: 3,825 SF± = 17.7%
Prop. Lot Coverage: 6,610 SF± = 30.57%
Allowable lot coverage 31.25% = 6,756.25 S.F.

F.I.R.M. NOTE

2400100445G - "AE7" & "AE6" - 05/05/2014

Owners

Gregory C. Ensor
Elizabeth Simmeth Ensor
#1322 Burke Road
Baltimore, Maryland 21220-4417

Plot Plan for Replacement Dwelling

#1322 Burke Road

Lots 132 & 133 Plat One Plat W.P.C 7 / 12

"BOWLEYS QUARTERS"

Tax Map: 98 Grid: 4 Parcel: 4

Deed Reference: 41449 / 496

15th Election District, C6

Baltimore County, Maryland

Scale: 1" = 20'	Date: 06/20/2023	JOB #10767TILE
Drawn: M.V.M.	Checked: B.L.M.	SURVEY'D: DTW,JK

2023-0156-A