

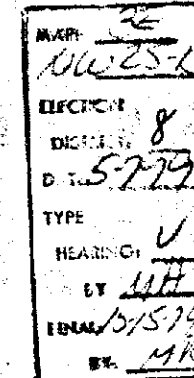
PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MR. & MRS. THOMAS W. ENGLE, legal owner... 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 500.1.1 - To permit an accessory structure (indoor swimming pool) to be built outside of the rear third of the lot furthest removed from the side street (York Road).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Due to poor topographical conditions of the required N.E. sector of the lot together with the inconvenience of placing the pool at a distance from the dwelling.



Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract purchaser: Thomas W. Engle, Evelyn T. Engle, Legal Owner, Address: 16143 York Road, Sparks, Maryland 21152
Petitioner's Attorney: [Signature]
Protestant's Attorney: [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day

of June 1979, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of August, 1979, at 10:15 o'clock A.M.

(over)

8/7/79
10:45 A.M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner, Date: July 30, 1979
TO: John D. Seyffert, Director of Planning
FROM: [Signature]
SUBJECT: Petition #80-33-A, Item 231

Petition for Variance for an accessory structure East side of York Road 1600' North of Indian Spring Court Petitioner - Thomas W. Engle, et ux

8th District

HEARING: Tuesday, August 7, 1979 (10:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

[Signature]
John D. Seyffert
Director of Planning and Zoning

JDS:JGH:rw

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
E/S of York Rd. 1600' : OF BALTIMORE COUNTY
N of Indian Spring Ct., 8th District :
THOMAS W. ENGLE, et ux, Petitioners : Case No. 80-33-A

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman, Deputy People's Counsel
John W. Hession, III, People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 27th day of July, 1979, a copy of the foregoing Order was mailed to Mr. and Mrs. Thomas W. Engle, 16143 York Road, Sparks, Maryland 21152, Petitioners.

[Signature]
John W. Hession, III

August 21, 1979

Robert Allen Sapero, Esquire
444 Equitable Building
Baltimore, Maryland 21202

RE: Petition for Variance
E/S of York Road, 1600' N of Indian Spring Court - 8th Election District
Thomas W. Engle, et ux - Petitioners
NO. 80-33-A (Item No. 231)

Dear Mr. Sapero,

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:erl

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

VARIANCE DESCRIPTION OF PROPERTY FOR MR. & MRS. THOMAS W. ENGLE BEGINNING AT A POINT ON THE EAST SIDE OF YORK ROAD, 1600' (+/-) NORTH OF INDIAN SPRING COURT AND KNOWN AS:

LOT 6, BLOCK D BRERWOOD - SECTION III AS RECORDED ON THE PLAT OR BRERWOOD SECT. III O.T.G. 35 FOLIO 98, CONTAINING 1.02 (+/-) ACRES. ALSO KNOWN AS 16143 YORK ROAD.

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE H. GRAEF
DIRECTOR

July 13, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #231, Zoning Advisory Committee Meeting, May 8, 1979, are as follows:

Property Owner: Thomas W. and Evelyn T. Engle
Location: E/S York Road 1600' N. Indian Spring Court
Existing Zoning: RC-5
Proposed Zoning: Variance to permit an accessory structure to be outside the rear third of the lot farthest removed from the side street.
Acres: 1.02
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. & Mrs. Thomas W. Engle, 16143 York Road, Sparks, Maryland 21152
cc: Ira C. Rigger, Inc., 10100 Marble Court, Cockeysville, Maryland 21030

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 15th day of June, 1979.

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Thomas W. Engle, et ux
Petitioner's Attorney

Reviewed by: [Signature]
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

ORDER RECEIVED FOR FILING
DATE August 21, 1979
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community, and, therefore, the Variance should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of August, 1979, that the herein Petition for Variance to permit an accessory structure (inground swimming pool) to be outside the rear third of the lot farthest removed from the side street should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of failure to show practical difficulty and/or unreasonable hardship, the Variance(s) should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 26, 1979

COUNTY OFFICE BLDG.
1000 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Planning
Department of
Public Engineering
State Route Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Mr. & Mrs. Thomas W. Engle
16143 York Road
Sparks, Maryland 21152

RE: Item No. 231
Petitioners - Thomas W. Engle, et ux
Variance Petition

Dear Mr. & Mrs. Engle:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This Variance Petition was required as a result of your proposal to construct a swimming pool outside of the rear third of the lot farthest removed from the side street, York Road. Originally, this proposal was brought to this office to determine whether your property should be a corner lot. After consultation with the Zoning Supervisor, Mr. James E. Dyer, it was determined that the property should, in fact, be considered a corner lot and the proposed pool should be located 115' from York Road in lieu of the requested 86'. Subsequent to this decision, Ira Rigger Pool Company filed the necessary materials and the Variance process was initiated. However, it has come to our attention that the building permit was refiled by a member of your family and inadvertently issued by this office. Because of this confusion, the pool is now partially constructed and the Variance is being requested in order to legalize this situation.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted.

Item No. 231
Page 2
July 26, 1979

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate will be forwarded to you in the near future.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:mr

Enclosures

cc: Ira G. Rigger, Inc.
10100 Marble Court
Cockeysville, Maryland 21030

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHENE COLLINS
DIRECTOR

July 11, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

This department has no comments about item numbers 231 and 232.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineer Associate II

MSF/mjm

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

June 15, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #231 (1978-1979)
Property Owner: Thomas W. & Evelyn T. Engle
E/S York Rd. 1600' N. Indian Spring Ct.
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit an accessory structure to be outside the rear third of the lot farthest removed from the side street.
Acres: 1.02 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #86812, executed in conjunction with the development of "Brerewood Sections II & III", of which this property comprises Lot 6 of Block B Plat of Brerewood Section III, recorded O.T.G. 33, Folio 98.

York Road (Md. 45) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #231 (1978-1979)
Property Owner: Thomas W. & Evelyn T. Engle
Page 2
June 15, 1979

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #231 (1978-1979).

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

DD-NE Key Sheet
99 NW 8 Pos. Sheet
NW 25 B Topo
28 Tax Map

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 22, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 231, Zoning Advisory Committee meeting of May 8, 1979, are as follows:

Property Owner:	Thomas W. & Evelyn T. Engle
Location:	E/S York Rd. 1600' N Indian Spring Ct.
Existing Zoning:	R.C. 5
Proposed Zoning:	Variance to permit an accessory structure to be outside the rear third of the lot farthest removed from the side street
Acres:	1.02
District:	8

The existing dwelling is presently served by a private water well and sewage disposal system. The septic system appears to be functioning properly and the proposed pool will not interfere with the location of the well or sewage disposal system, therefore no health hazards are anticipated.

Very truly yours,

[Signature]
JAMES ROBERT
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP:ph

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

July 12, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Thomas W. & Evelyn T. Engle

Location: E/S York Rd. 1600' N Indian Spring Ct.

Item No. 231 Zoning Agenda Meeting of 5/8/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1975 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] 7-11-79
Special Inspection Division

Noted and Approved: [Signature]
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari
FROM: Charles E. Burnham
SUBJECT: Zoning Advisory Committee Meeting May 8, 1979

Date: May 15, 1979

ITEM NO. 230 Standard Comment
ITEM NO. 231 Standard Comment
ITEM NO. 232 Standard Comment
ITEM NO. 233 Standard Comment
ITEM NO. 172 REVISED See Revised Comments

*Charles E. Burnham*Charles E. Burnham, Chief
Plans Review

CEB:rrj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: May 7, 1979

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: Meeting of May 8, 1979

RE: Item No: 230, 231, 232, 233
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

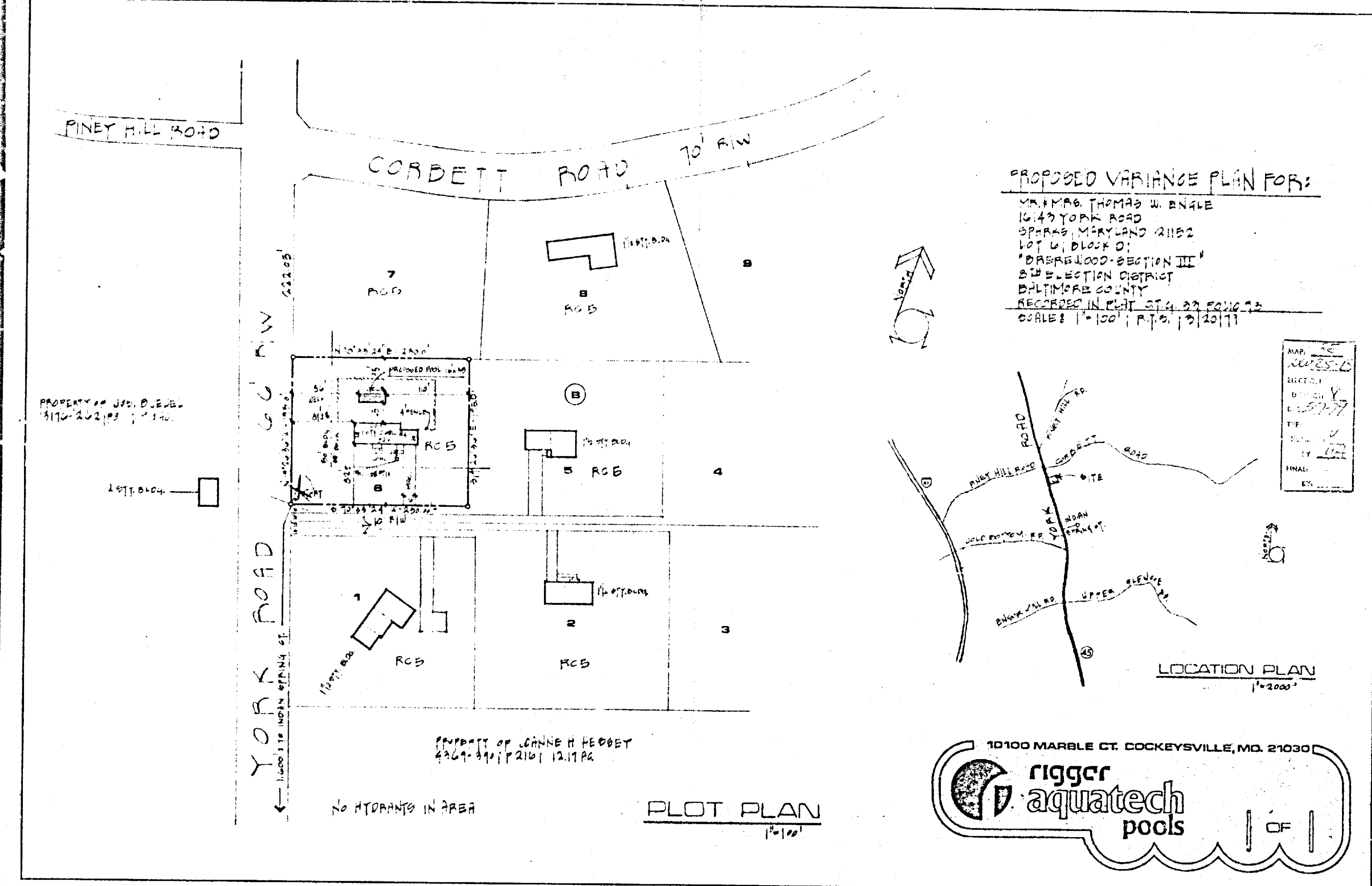
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NNP/Lup

JOSEPH N. MCGOWAN, PRESIDENT
T. DAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTSAIRIS

THOMAS H. BOYER
MRS. LORRAINE F. CHIRCUR
ROGER D. HAYOLIN
ROBERT T. DUDEL, SUPERINTENDENT

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.



TOWSON, MD. 21204 July 19 1979

THIS IS TO CERTIFY that the annexed advertisement of
PETITION FOR VARIANCE - Thomas W. Engle, et ux
was inserted in the following:

- ☐ Catonsville Times ☐ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
20th day of July 1979, that is to say, the same
was inserted in the issues of July 19, 1979.

STROMBERG PUBLICATIONS, INC.

BY *Etha Bunge*

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 12, 1979

THIS IS TO CERTIFY that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., 869-30-8888
on one time, successive weeks before the 7th
day of August 1979, the first publication
appearing on the 12th day of July 1979.

THE JEFFERSONIAN

S. Frank Strickland
Manager

Cost of Advertisement, \$

PETITION FOR VARIANCE

ZONING: Petition for Variance for
an accessory structure
LOCATION: East side of York
Road 1000' North of Indian Spring
Court
DATE & TIME: Tuesday, August 7,
1979 at 10:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Section 400-1-Accessory structure
All that parcel of land in the Eighth District of Baltimore County beginning at a point on the east side of York Road, 1400' ± north of Indian Spring Court and known as Lot 4, Block D Breewood-Section III as recorded on the plat of Breewood Sect. III O.T.G. 23 folio 96, containing 1.02 ± acres. Also known as 10427 York Road. Being the property of Thomas W. Engle, et ux, as shown on plat filed with the Zoning Department. Hearing Date: Tuesday, August 7, 1979 at 10:00 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. By order of: WILLIAM E. HALL, JOND, Zoning Commissioner of Baltimore County July 12.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8 Date of Posting: 7/11/79
Posted for: Petition for Variance
Petitioner: Thomas W. Engle, et ux
Location of property: E. 13 York Rd., 1000' N Indian Spring Ct.
Location of Signs: Corner of York Rd. & Indian Spring Ct.
Remarks: See attached
Posted by: [Signature] Date of return: 7/12/79

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 1 day of
May 1979. Filing Fee \$25 Received ☒ Check
Cash ☐ Other ☐

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: Engle Submitted by: [Signature]
Petitioner's Attorney: [Signature] Reviewed by: [Signature]

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 83094

DATE: August 3, 1979 ACCOUNT: 01-662

AMOUNT: \$39.14

RECEIVED FROM: Evelyn T. Engle

FOR: Advertising and Posting for Case No. 80-33-A

39.14 39.44

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 78769

DATE: July 9, 1979 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: Ira C. Rieger, Inc.

FOR: Posting and Advertising of Case #80-33-A

25.00 25.00

VALIDATION OR SIGNATURE OF CASHIER

NOV 07 1979