

83-55-A #272 PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 303.1 to permit a front yard setback of 21 ft. instead of the average setback of 28.7 ft.

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

- 1) Dwelling is 55+ years old and by present day standards contains a deficiency of closets, i.e. only two closets in the whole house. The lack of closets poses a practical difficulty particularly in the presence of a growing family (total of two adults and one toddler). Variance is sought to allow enclosure of an existing covered front porch which in part is planned for an expanded front bedroom with an 8' long closet.

-Continued (see attachments)-

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.

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:	Legal Owner(s):
(Type or Print Name)	Fred Joseph Engesser
Signature	Signature <i>Fred Joseph Engesser</i>
(Type or Print Name)	(Type or Print Name)
Address	Signature
City and State	Address
For Petitioner:	120 E. Susquehanna Avenue 296-7408
(Type or Print Name)	Address Phone No.
Signature	Towson, Maryland 21204
City and State	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Fred Joseph Engesser
Attorney's Telephone No.:	Name
	120 E. Susquehanna Avenue 296 7408
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of June 19 82 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 31st day of August 19 82 at 1:30 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE-ATTACHMENT

Fred Joseph Engesser
120 E. Susquehanna Avenue
Towson, Maryland 21204

Reasons for requesting variance are continued as follows:

- 2) Original bathroom recess with tub was converted to provide an enlarged bedroom closet and tub was replaced by a shower stall. The present shower stall as the only means of bathing poses a practical difficulty particularly for bathing needs of an infant child. Variance is sought to allow enclosure of an existing covered front porch and expansion of living space which will provide the room necessary to redo the bathroom so as to include a bathtub.
- 3) The variance is requested for hardship reasons in that the family can only afford the proposed enclosure of an existing covered front porch in order to gain the bathtub, closets and additional space needed. To purchase another house with the above features already existing is financially out of reach to the family due to high cost housing coupled with high interest rates.
- 4) Covered front porch is part of the dwelling structure and proposed construction to enclose the porch will be within the existing structure.
- 5) Attached copies of letters from neighbors on either side of the subject demonstrate neighbors awareness and approval of proposed construction to enclose an existing covered front porch of the subject dwelling.
- 6) Variance is requested on the basis that a front porch enclosure on a dwelling in the immediate block of the subject has already been allowed and is existing. The dwelling exhibiting the presence of an already enclosed front porch is located at 117 E. Susquehanna Avenue.

May 15, 1982

Mr. William Hammond
Zoning Commissioner for
Baltimore County
111 W. Chesapeake
Towson, Maryland 21204

Dear Mr. Hammond,

This is to inform you that I am aware of the proposed changes that my neighbor to the West would like to make to their existing front porch. I am in full agreement with these improvements. I understand these changes to be an enclosing of the existing front porch.

Should an official from the Office of Planning and Zoning wish to confirm my endorsement of the changes the Engessers are planning I may be contacted at the below listed address or by phone (886-7746).

Mrs. Anna M. Rutlik
Mrs. Anna M. Rutlik
Owner of Record
122 E. Susquehanna Ave.
Residence:
1303 Spring Ave.
Baltimore, Maryland 21237

May 15, 1982

Mr. William Hammond
Zoning Commissioner for
Baltimore County
111 W. Chesapeake
Towson, Maryland 21204

Dear Mr. Hammond,

This is to inform you that I am aware of the proposed changes that my neighbor to the East would like to make to their existing front porch. I am in full agreement with these improvements. I understand these changes to be an enclosing of the existing front porch.

Should an official from the Office of Planning and Zoning wish to confirm my endorsement of the changes the Engessers are planning I may be contacted at the below listed address or by phone (823-4657).

Anthony M. Conery
Anthony M. Conery
11 E. Susquehanna Ave.
Towson, Maryland 21204

ZONING DESCRIPTION

Beginning on the north side of East Susquehanna Avenue 50 feet wide, at the distance of 75 feet west of the centerline of Aigburth Avenue. Using lots 106 and 107 in the subdivision of Towson Manor. Book No. 5, Folio 79. Also known as 120 E. Susquehanna Avenue in the 9th Election District.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Susquehanna Ave., 75'
W of the centerline of Aigburth
Ave., 9th District : OF BALTIMORE COUNTY

FRED J. ENGESSER, Petitioner : Case No. 83-55-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

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 therefor, 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
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 6th day of August, 1982, a copy of the foregoing Order was mailed to Mr. Fred J. Engesser, 120 E. Susquehanna Avenue, Towson, Maryland 21204, Petitioner.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 27, 1982

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

Chairman
Nicholas B. Commodari

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

Mr. Fred J. Engesser
120 E. Susquehanna Avenue
Towson, Maryland 21204

RE: Item No. 272 - Case No. 83-55-A
Petitioner - Fred Joseph Engesser
Variance Petition

Dear Mr. Engesser:

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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

ENC:bae
Enclosures

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of September, 1982, that the ~~variance~~ Petition for Variance(s) to permit a front yard setback of 21 feet in lieu of the required average of 28.7 feet, for the expressed purpose of enclosing the existing front porch of the dwelling to provide additional habitable space, in accordance with the site plan filed herein and marked Petitioner's Exhibit 2, is hereby GRANTED, from and after the date of this Order, subject, however, to the approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]
Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

August 2, 1982

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

Re: Item #272 (1981-1982)
Property Owner: Fred Joseph Engesser
E/S Susquehanna Ave. 75' W. from centerline
of Aigburth Avenue
Acres: 50 X 125 District: 9th

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.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 272 (1981-1982).

Very truly yours,

[Signature]
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

TAM:EAM:PMR:as

N-W Key Sheet
37 NE 4 Pos. Sheet
NE 10 A Topo
70 & 70A Tax Maps



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

August 10, 1982

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

Dear Mr. Hammond:

Comments on Item #272, Zoning Advisory Committee Meeting, June 29, 1982 are as follows:

Property Owner: Fred Joseph Engesser
Location: E/S Susquehanna Ave 75' W from centerline of Aigburth Avenue
Acres: 50 X 125
District: 9th

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 petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

[Signature]
John L. Wibley
Planner III
Current Planning & Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 25, 1982

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

RE: ZAC Meeting of June 29, 1982

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items number 265, 266, 267, 268, 270, 271 and 272.

Very truly yours,

[Signature]
Michael S. Flanigan
Engineering Associate II

MSP/r1j

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: August 10, 1982

OM: Ian J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item # 265 - Albert Beck
- Item # 266 - David I. & Cronie Rosen
- Item # 267 - York Associates
- Item # 270 - Arlington Baptist Church, Inc.
- Item # 272 - Fred Joseph Engesser
- Item # 18 - Ervin J. & Joan W. Cerveny

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: June 28, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1114 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: June 29, 1982

RE: Item No: 265, 266, 267, 268, 270, 271 and 272
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

Items 265, 266, 267, 268, 271 and 272 have no bearing on student population. Item 270 would only result in a loss of two or three pupils.

Very truly yours,

[Signature]
Mr. Nick Petrovich, Assistant
Department of Planning

WNP/bp

Mr. William E. Hammond
Zoning Commissioner
Room 109, County Office Building
Towson, Maryland 21204

RE: Case No. 63 - 55 - A
Building Permit Application
No. MP 4933
9th Election District

Dear Mr. Hammond:

We, the undersigned, being the owner of the above mentioned property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of your Order being subject to a thirty (30) day appeal period, but wish to go ahead with the construction of improvements on the property prior to the expiration of said appeal period.

We hereby relieve our builder, Baltimore County, Maryland and you from any liability or responsibility in this matter and agree to assume any and all financial responsibility for any consequences which might arise during the appeal period if an appeal is filed after construction has begun.

Very truly yours,

[Signature]
Fred J. Engesser



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
625-7310

PAUL H. RENICKE
CHIEF

September 1, 1982

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Fred Joseph Engesser

Location: E/S Susquehanna Avenue 75' W. from centerline of Aigburth Avenue

Item No.: 272

Zoning Agenda: Meeting of June 29, 1982

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 or _____ 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 operation.
- (X) 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", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *[Signature]* 9/1/82
Planning Group
Special Inspection Division

Noted and
Approved: *[Signature]*
Fire Prevention Bureau

JK/mb/cm

9/9 83-55-A

PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance
 LOCATION: North side Susquehanna Avenue, 75' W of the centerline of Aigburth Avenue
 DATE & TIME: Tuesday, August 31, 1982 at 1:30 P.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:

Petition for Variance to permit a front yard setback of 21 ft. instead of the average setback of 28.7 ft.

The Zoning Regulation to be excepted as follows:
 Section 303.1 - average front yard setback

All that parcel of land in the Ninth District of Baltimore County

Being the property of Fred J. Engesser, as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, August 31, 1982 at 1:30 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
 WILLIAM E. HAMMOND
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY

August 4, 1982

Mr. Fred J. Engesser
 120 E. Susquehanna Avenue
 Towson, Maryland 21204

NOTICE OF HEARING

Re: Petition for Variance
 N/S Susquehanna Ave., 75' W of c/l of Aigburth Ave.
 Fred J. Engesser - Petitioner
 Case #83-55-A Item #272

TIME: 1:30 P.M.

DATE: Tuesday, August 31, 1982 at 1:30 P.M.

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

[Signature]
 ZONING COMMISSIONER OF
 BALTIMORE COUNTY

September 23, 1982

Mr. Fred Joseph Engesser
 120 East Susquehanna Avenue
 Towson, Maryland 21204

RE: Petition for Variance
 N/S of Susquehanna Avenue, 75'
 W of the centerline of Aigburth
 Avenue - 9th Election District
 Fred Joseph Engesser -
 Petitioner
 NO. 83-55-A (Item No. 272)

Dear Mr. Engesser:

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/wrl

Attachments

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond
 TO: Zoning Commissioner
 Norman E. Gerber, Director
 FROM: Office of Planning and Zoning
 SUBJECT: Zoning Petition No. 83-55-A
 Fred J. Engesser

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

[Signature]
 Norman E. Gerber
 Director of Planning and Zoning

NEG:JGH:slc

cc: Arlene January
 Shirley Hess

May 15, 1982

Mr. William Hammond
 Zoning Commissioner for
 Baltimore County
 111 W. Chesapeake
 Towson, Maryland 21204

Dear Mr. Hammond,

This is to inform you that I am aware of the proposed changes that my neighbor to the East would like to make to their existing front porch. I am in full agreement with these improvements. I understand these changes to be an enclosing of the existing front porch.

Should an official from the Office of Planning and Zoning wish to confirm my endorsement of the changes the Engessers are planning I may be contacted at the below listed address or by phone (823-4657).

[Signature]
 Mrs. Dorothy M. Coney
 118 E. Susquehanna Ave.
 Towson, Maryland 21204

May 15, 1982

Mr. William Hammond
 Zoning Commissioner for
 Baltimore County
 111 W. Chesapeake
 Towson, Maryland 21204

Dear Mr. Hammond,

This is to inform you that I am aware of the proposed changes that my neighbor to the West would like to make to their existing front porch. I am in full agreement with these improvements. I understand these changes to be an enclosing of the existing front porch.

Should an official from the Office of Planning and Zoning wish to confirm my endorsement of the changes the Engessers are planning I may be contacted at the below listed address or by phone (686-7740).

[Signature]
 Mrs. Anna M. Kutlik
 122 E. Susquehanna Ave.

Owner of Record
 122 E. Susquehanna Ave.

Residence:
 1203 Spring Ave.
 Baltimore, Maryland 21237

[Signature]
 Signed this 20th Day of August 1982
 Baltimore County Md.

August 26, 1982

Mr. William Hammond
 Zoning Commissioner for
 Baltimore County
 111 W. Chesapeake
 Towson, Maryland 21204

Dear Mr. Hammond,

As a matter of record, please know that I do not object to the front porch enclosure which my neighbors, the Engessers, wish to make to their dwelling at 120 E. Susquehanna Avenue.

Sincerely,

[Signature]
 Mrs. Vivian Collins
 119 E. Susquehanna Ave.
 Towson, Maryland 21204

[Signature]
 Signed this 20th Day of August 1982
 Baltimore County Md.

August 26, 1982

Mr. William Hammond
 Zoning Commissioner for
 Baltimore County
 111 W. Chesapeake
 Towson, Maryland 21204

Dear Mr. Hammond,

As a matter of record, please know that I do not object to the front porch enclosure which my neighbors, the Engessers, wish to make to their dwelling at 120 E. Susquehanna Avenue.

Sincerely,

[Signature]
 William W. Smith
 121 E. Susquehanna Ave.
 Towson, Maryland 21204

[Signature]
 Signed this 20th Day of August 1982
 Baltimore County Md.

PETITIONER'S
 EXHIBIT /



- Subject Property -



123
121



121
119



114
116
118



117
115

