

IN RE: PETITION FOR ADMIN. VARIANCE  
E/S Pleasant View Avenue  
at Rest Road  
1st Election District  
1st Councilmanic District  
(519 Rest Avenue)

Thomas W. Engers  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 00-282-A

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Thomas W. Engers, property owner, for that property known as 519 Rest Avenue in the Westchester area of Baltimore County. The Petitioner herein seeks a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single family dwelling with an addition to have a front yard setback of 37 ft. in lieu of the required average front yard depth of 47 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

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

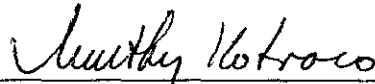
The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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 the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

DATE 2/4/2000  
BY J.C. JAMES

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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4<sup>th</sup> day of February, 2000, that a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single family dwelling with an addition to have a front yard setback of 37 ft. in lieu of the required average front yard depth of 47 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

2/4/2000  
By R. G. [Signature]



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

February 4, 2000

Mr. Thomas W. Engers  
519 Rest Avenue  
Baltimore, Maryland 21228

Re: Petition for Administrative Variance  
Case No. 00-282-A  
Property: 519 Rest Avenue

Dear Mr. Engers:

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 cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 519 Rest Ave.  
which is presently zoned DOR3.5

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) 303.1

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH AN ADDITION TO HAVE A FRONT YARD OF 37 FEET IN LIEU OF THE REQUIRED AVERAGE FRONT YARD DEPTH OF 47 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):

Name - Type or Print Thomas W. Engers

Signature

Name - Type or Print

Signature

Address 519 Rest Ave. Telephone No. 410-465-6274

City Baltimore State MD Zip Code 21220

### Representative to be Contacted:

Name Some

Address Telephone No.

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 0 day of 0, 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. 00-282-A

Reviewed By LTM Date 1/6/00

Estimated Posting Date 1/14/00

# 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 519 Rest Avenue  
Address  
Baltimore Md. 21228  
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):

In 1983, I purchased the tract of land known as 519 Rest Avenue. Badly overgrown and crying out for renovation, it was my move toward "The American Dream". The Kitchen and the Bathroom were ancient, the bedrooms tolerable, but the living room was far too narrow to furnish in a practical manner. {A recliner is too long, coffee tables do not fit, and friends and family cannot move around,} Despite all of this, the location was wonderful and the house was affordable; so I signed the dotted line. I slowly but surely transformed this house into a home - both inside and out. I cleared and landscaped, demolished a badly deteriorating screened porch, and built an addition and garage. But the living room - still impractical. Now ready to address the living room, I appeal to you to give me the variance I need to proceed with my dreams. Simple things like a recliner and coffee table, that every American takes for granted, I can now enjoy. Family gatherings and Holiday celebrations can now become a tradition in my home. My house, somewhat weathered over the years, can be remodeled to enhance the neighborhood that I have watched develop over the past 17 years. I appeal to you as a member of this community, a taxpayer and a human being. Thank you.

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  
Thomas W. Engers  
Name - Type or Print

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5<sup>th</sup> day of JANUARY, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

THOMAS ENGERS

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

1/5/06  
Date

[Signature]  
Notary Public

3/1/07  
My Commission Expires

# Affidavit in Support of Administrative Variance

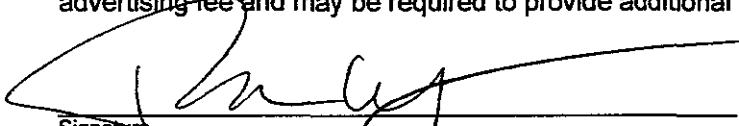
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That the Affiant(s) does/do presently reside at 519 Rest Avenue  
Address  
Baltimore Md. 21228  
City State Zip Code

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):

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Signature  
Thomas W. Engers  
Name - Type or Print

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:


I HEREBY CERTIFY, this 5<sup>th</sup> day of JANUARY, 2006, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

THOMAS ENGERS

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

1/5/00  
Date

  
Notary Public  
My Commission Expires 3/1/01



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 519 Rest Ave.  
which is presently zoned D.R.3.S

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) 303.1

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING WITH AN ADDITION TO HAVE A FRONT YARD OF 37 FEET IN LIEU OF THE REQUIRED AVERAGE FRONT YARD DEPTH OF 47 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):

Thomas W. Engers  
Name - Type or Print \_\_\_\_\_  
[Signature]  
Signature \_\_\_\_\_

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
519 Rest Ave. 410-465-6277  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Baltimore MD 21220  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

Some  
Name \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
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. 00282-A

Reviewed By LTN Date 1/6/00

REV 9/15/98

Estimated Posting Date 1/14/00

## ZONING DESCRIPTION FOR 519 REST AVENUE

As recorded in Deed Liber 6495, Folio 491. Beginning at a point at the Southeasternmost point, North 70 degrees 20 minutes, West 175 feet., North 9 degrees 15 minutes, East 145.5 feet., South 81 degrees 31 minutes, East 213.1 feet., South 17 degrees 55 minutes West 180.8 feet to the starting point.

# 282



SCHEDULE "A"

BEGINNING for the first in the center of said Rest Avenue which point of beginning is at the Southeasternmost point of the entire tract of which this is a part, and running thence with the center of said Rest Avenue, (1) North seventy degrees twenty minutes West 80 feet; thence leaving said Rest Avenue and passing over an iron pin driven 16-1/2 feet from the center thereof, and running, (2) North 9 degrees 15 minutes East 164 feet to an iron pin in the Southern boundary of a tract of land now owned by Emma Martin; thence running with a part of the southern boundary of said Martin tract, (3) South 81 degrees 31 minutes East 109.9 feet to an iron pin in the Eastern outline of the whole tract; thence running with a part of the Eastern boundary of said whole tract (4) South 17 degrees 55 minutes West 180.8 feet, passing over an iron pin driven 16-1/2 feet from the end of this line, to the place of beginning, containing 0.36 of an acre, more or less.

BEGINNING for the second at the center of the intersection of said Pleasant View and Rest Avenues, which said point of beginning is at the end of the last line in a deed from John Crockard and Louise Crockard, his wife, to John Joseph Rest, dated the 22nd day of May, 1920 and recorded among the Land Records of said Baltimore County in Liber W.P.C. No. 530, folio 559, etc. and running thence in the center of said Rest Avenue and reversely with a part of said last line in the aforesaid Deed (1) South 70 degrees 20 minutes East 95 feet; thence crossing over an iron pin driven in the Northeast edge of Rest Avenue (2) North 9 degrees 15 minutes East 164 feet to an iron pin; thence crossing over an iron pin driven in the Eastern edge of Pleasant View Avenue, (3) North 81 degrees 31 minutes West 93.2 feet to the center of said Pleasant View Avenue; thence running along the center of said Pleasant View Avenue, (4) South 9 degrees 15 minutes West 145.5 feet to the place of beginning, containing 0.33 of an acre more or less.

The improvements thereon being known as No. 519 Rest Avenue.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. **077918**

DATE 1/6/00 ACCOUNT R001 6150  
AMOUNT \$ 50.00

RECEIVED FROM: THOMAS ENGER  
FOR: OLC VARIANCE

CONTRIBUTION  
DATE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

**PAID RECEIPT**  
PAYMENT ACTUAL LINE  
1/07/2000 1/06/2000 11:51:36  
REG 4801 CASHIER JRIC JMR DRAMER 1  
DEPT 5 528 ZIMING VERIFICATION  
Receipt # 131477 OFLN  
CR NO. 077918 Receipt Tot 50.00  
.00 CR 60.00 CR  
50.00-06  
Baltimore County, Maryland

CASHIER'S VALIDATION

**CERTIFICATE OF POSTING**

**RE: CASE #00-282-A  
PETITIONER/DEVELOPER  
[Thomas W. Engers]  
DATE OF Closing  
{Jan 31, 2000}**

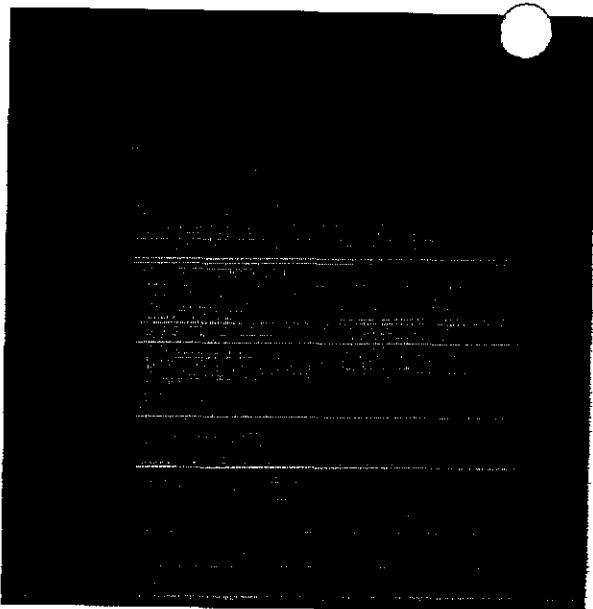
**Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Ave.  
Towson, Maryland 21204**

**ATTENTION : MS. GWENDOLYN STEPHENS**

**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 located at  
519 Rest Ave. Baltimore, Maryland 21228**

**The sign(s) were posted on \_\_\_\_\_ 1-14-00 \_\_\_\_\_  
[Month, Day, Year]**



**Sincerely,**

*Thomas P. Ogle, Sr. 1/14/00*  
**(Signature of Sign Poster & Date)**

\_\_\_\_\_ **Thomas P. Ogle, Sr.** \_\_\_\_\_

\_\_\_\_\_ **325 Nicholson Road** \_\_\_\_\_

\_\_\_\_\_ **Baltimore, Maryland 21221** \_\_\_\_\_

\_\_\_\_\_ **(410)-687-8405** \_\_\_\_\_  
**[Telephone Number]**

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**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 petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the 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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 00-282-A  
Petitioner: Thomas W. Engers  
Address or Location: 519 Rest Avenue

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Thomas W. Engers  
Address: 519 Rest Ave.  
Baltimore, Md. 21228  
Telephone Number: 410-465-6279

Revised 2/20/98 - SCJ

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

I HAVE RECEIVED SIGN POSTING INFO

Case Number 00- 282 -A Address 519 REST AVE.

Contact Person: LOYD. MOXLEY Phone Number: 410-887-3391  
Planner, Please Print Your Name

Filing Date: 1/6/00 Posting Date: 1/14/00 Closing Date: 1/31/00

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 (typically within 7 to 10 days of the closing date) 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 00- 282 -A Address 519 REST AVE.

Petitioner's Name THOMAS W. ENGERS Telephone (410) 465-6274

Posting Date: 1/14/00 Closing Date: 1/31/00

Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING WITH AN ADDITION TO HAVE A FRONT YARD OF 37 FEET IN LIEU OF THE REQUIRED AVERAGE FRONT YARD DEPTH OF 47 FEET



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

February 1, 2000

Mr. Thomas W. Engers  
519 Rest Avenue  
Baltimore MD 21220

Dear Mr. Engers:


RE: Case Number 00-282-A , 519 Rest Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 6, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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.

Sincerely,

  
W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: January 21, 2000

RECEIVED JAN 27 2000

FROM: *WJB* Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting  
for January 24, 2000  
Item Nos. 273, 274, 276, 277, 279,  
280, 281, 282, 283, 284, and 285

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor  
John D. Porcari  
Secretary  
Parker F. Williams  
Administrator

Date: 1.12.00

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

RE: Baltimore County  
Item No. 282 LTM

RECEIVED JAN 14 2000

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

*L. J. Gredlein*  
for Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll-Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



AY  
1/31

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

JW 24

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** January 24, 2000


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

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 281, 282, and 285

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: 

AFK/JL



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

February 15, 2000

RECEIVED FEB 25 2000

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: GOODWILL INDUSTRIES OF THE  
CHES., INC. - 277

Location: DISTRIBUTION MEETING OF JANUARY 18, 2000

Item No.: 277

Dear Ms. Stephens:

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

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

273, 274, 276, 278, 279, 280, 281, 282, 283, 284, AND 285

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

3 317



Thomas W. Engers  
519 Rest Avenue  
Catonsville, Maryland 21228  
410-465-6274  
Fax 410-465-7611

2000 5/24/00  
5/22/00  
wcf  
8

To: LT m  
ST I  
Sec 2 C  
5/23/00  
wcf

\$ if  
written -  
Call only  
no \$

May 7, 2000

Arnold Jablon  
Director of PDM  
Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Dear Mr. Jablon,

On February 4, 2000, I was granted an Administrative Variance for the construction of an addition at my home: {Case # 00-282-A} Prior to applying for this permit, my plans were to construct two additions on the front of my house. Since financing both was not practical at the time, I only applied for one. At this time, I have both the time as well as financing to proceed with the second part of my plans. When I went to Towson to apply for this second permit, I was denied and told that I needed to apply for another variance.

I made an appointment to state my case and apply for the variance. While at that meeting, the case worker recommended that I write you and explain the predicament that I am in, and perhaps you would be willing to grant the permit since I just went through the variance process without any opposition from my neighbors.

The second addition will be no farther out than the first. The same Spirit of Intent exists with both additions. The new addition will be slightly closer to the property line, but only because the street runs at a slight angle to the house.

I have enclosed some documents, as well as sketches of the property. I certainly appreciate your attention to this matter. If you decide that another variance is in order, I am more than willing to proceed with that course of action. I shall wait to hear from you.

Sincerely,

Tom Engers

CALLED AND  
LEFT V.M. 5/24

MR ENGERS CAME INTO OFFICE  
5/25 - SCHEDULED AN APPT. TO  
FILE A VARIANCE FOR 2<sup>ND</sup> ADDITION  
NO LETTER WRITTEN / NO \$

00-1418

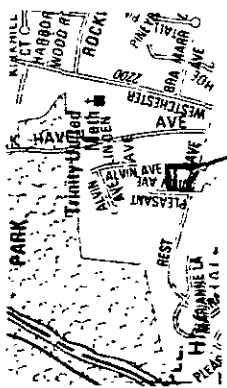
# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 519 Rest Avenue See pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: N/A  
plat book # 11, lot # 1, section # 1  
OWNER: Thomas W. Engers

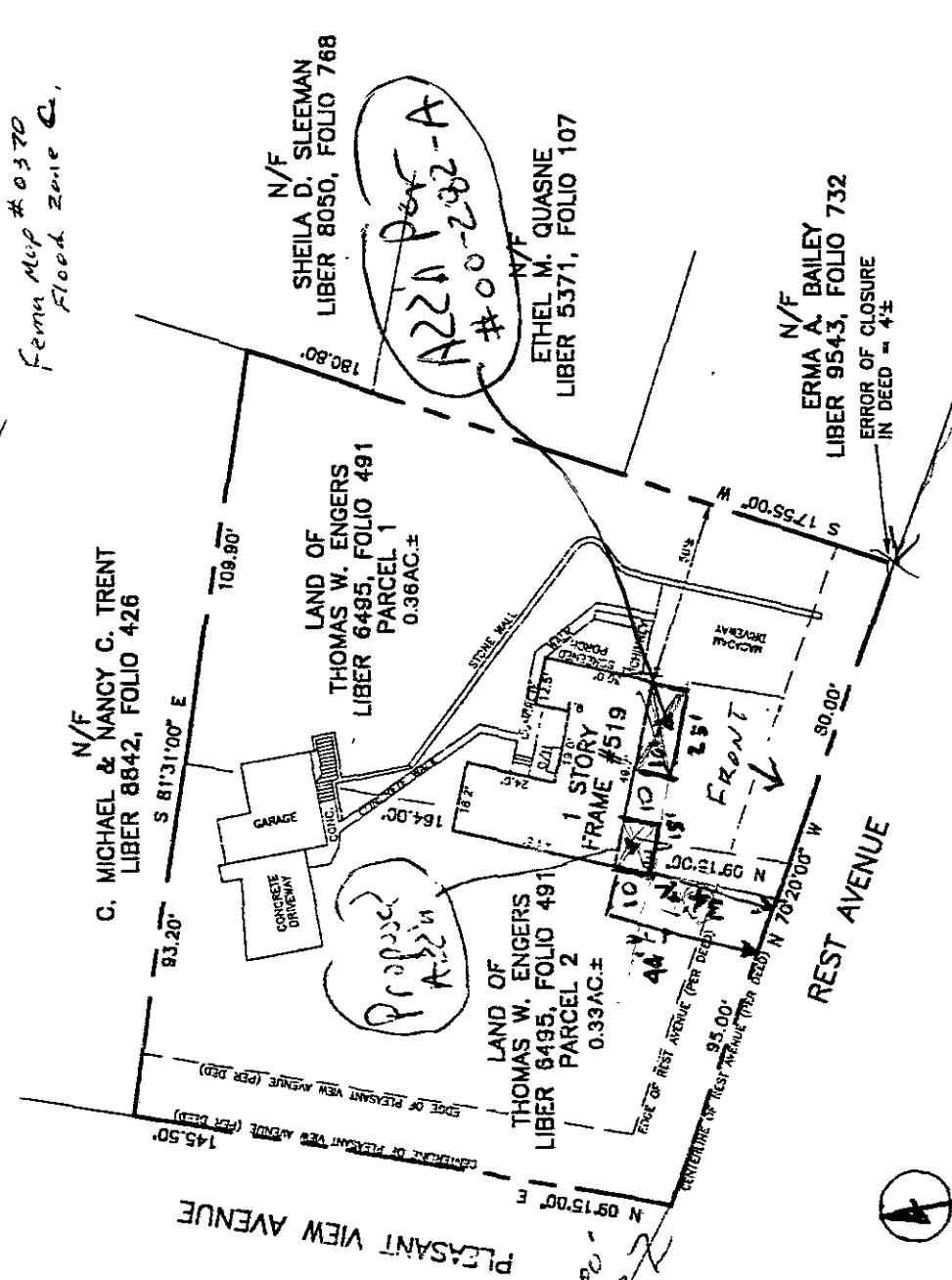
\* See attached sheet  
for front Aug. Calc.  
(56' x 30' = 86' ÷ Z = 43)

Fema Map # 0370  
Flood Zone C.



Subject  
Property

Vicinity Map  
Scale: 1" = 2000'



Scale of Drawing: 1" = 80'  
prepared by: STL

North  
date: 01/05/00

## LOCATION INFORMATION

Election District: 51  
Councilmanic District: 51  
1" = 200' scale map #: SW-2H  
Zoning: D.R.-3-S  
Lot size: 2697 30056 square feet

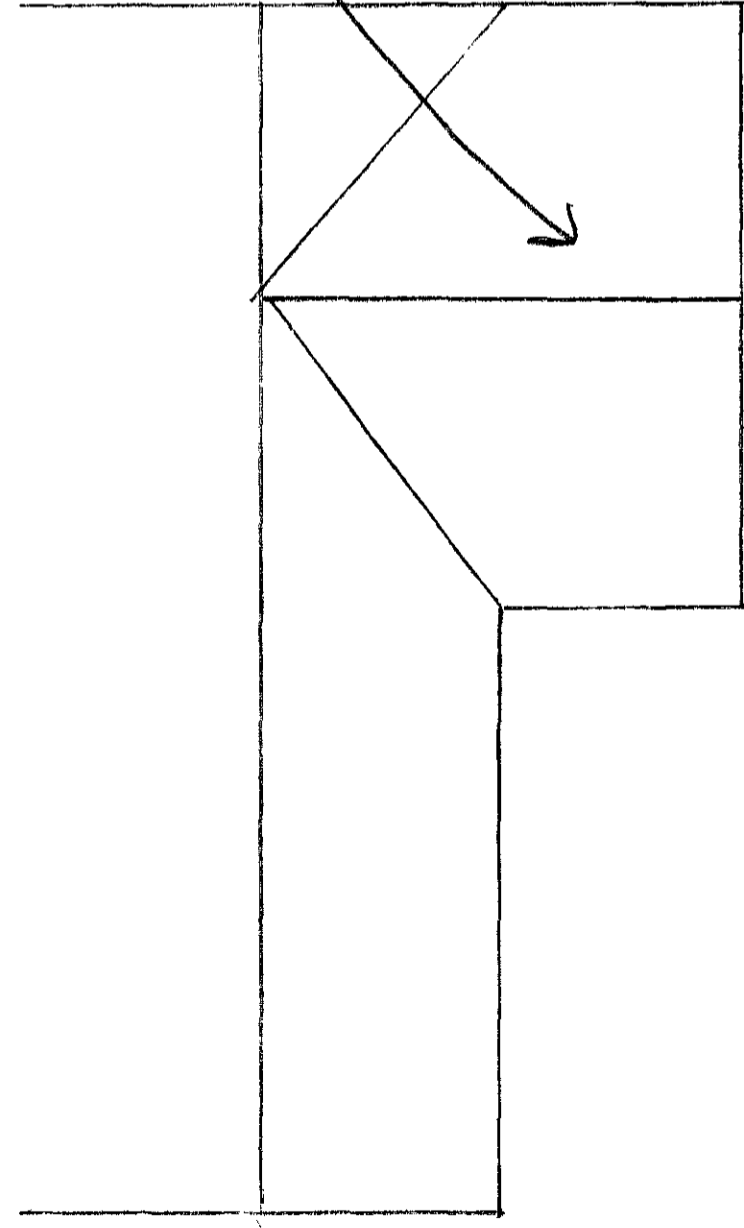
Public Privals  
SEWER:     
WATER:     
Chesapeake Bay Critical Area:

Prior Zoning Hearings:  
#00-282-A

## Zoning Office USE ONLY!

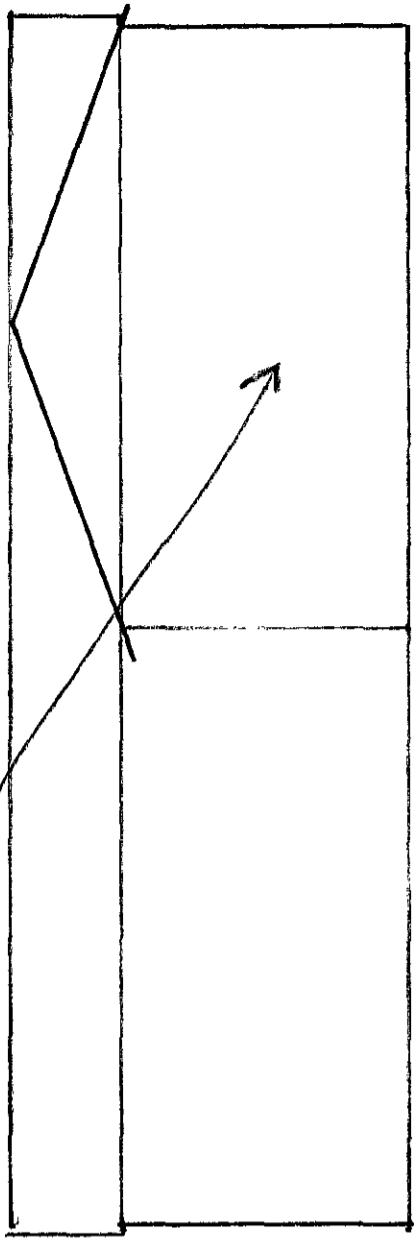
reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE #: \_\_\_\_\_

571 Rest Ave

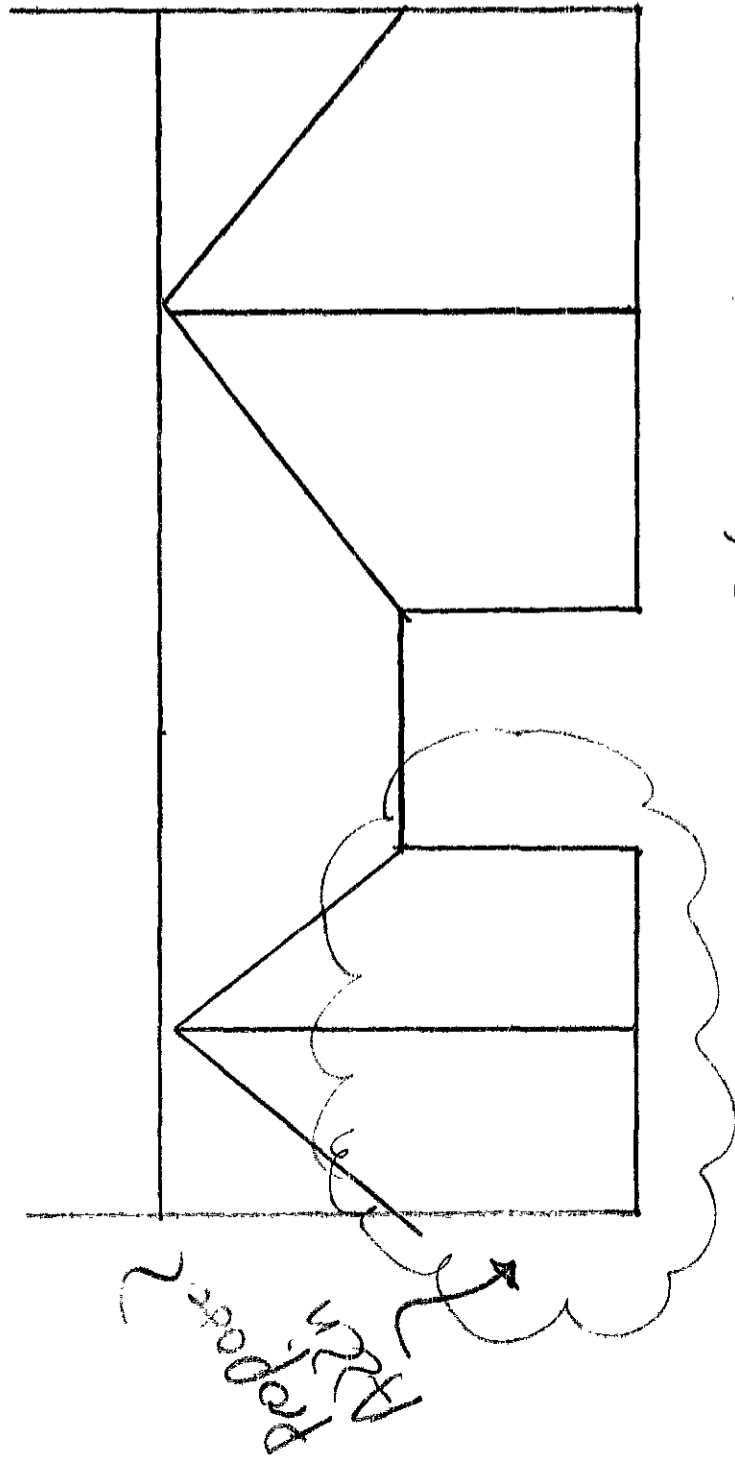


Addition Per  
Case # 00-080-A

Existing Plan View

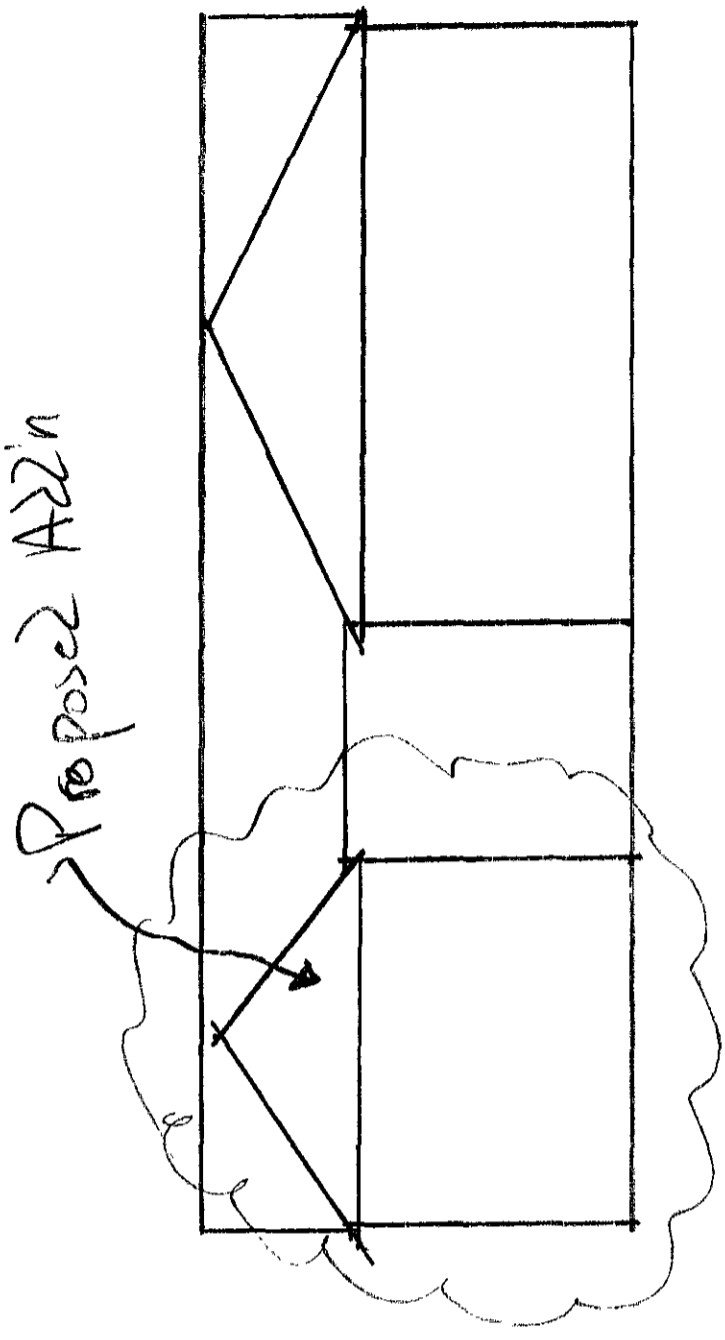


Existing Front Elevation



Proposed Addition

Proposed Plan View



Proposed Addition

Proposed Elevation

SW, 2-H

**D.R. 3.5**

CHALFONTE MANOR

CHALFONTE LA.

ALVIN AVE.

LINDEN AVE.

VILLA

PLEASANT

REST

**D.R. 3.5**

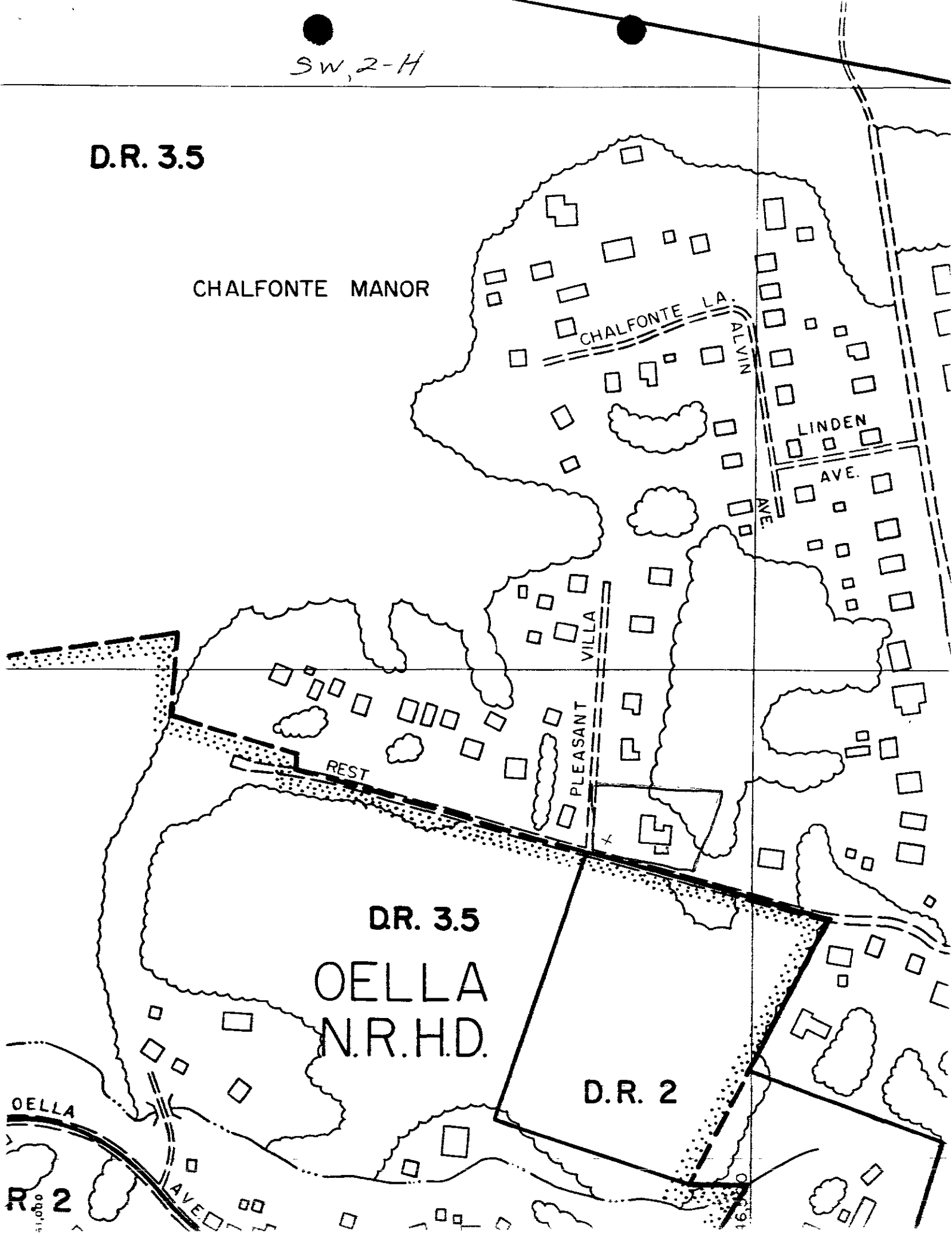
OELLA  
N.R.H.D.

**D.R. 2**

OELLA

**R. 2**

AVE.



00-282-A

**SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESILIENCE ZONES**  
**WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED**  
 Reference - Section 303.1 Baltimore County Zoning Regulations

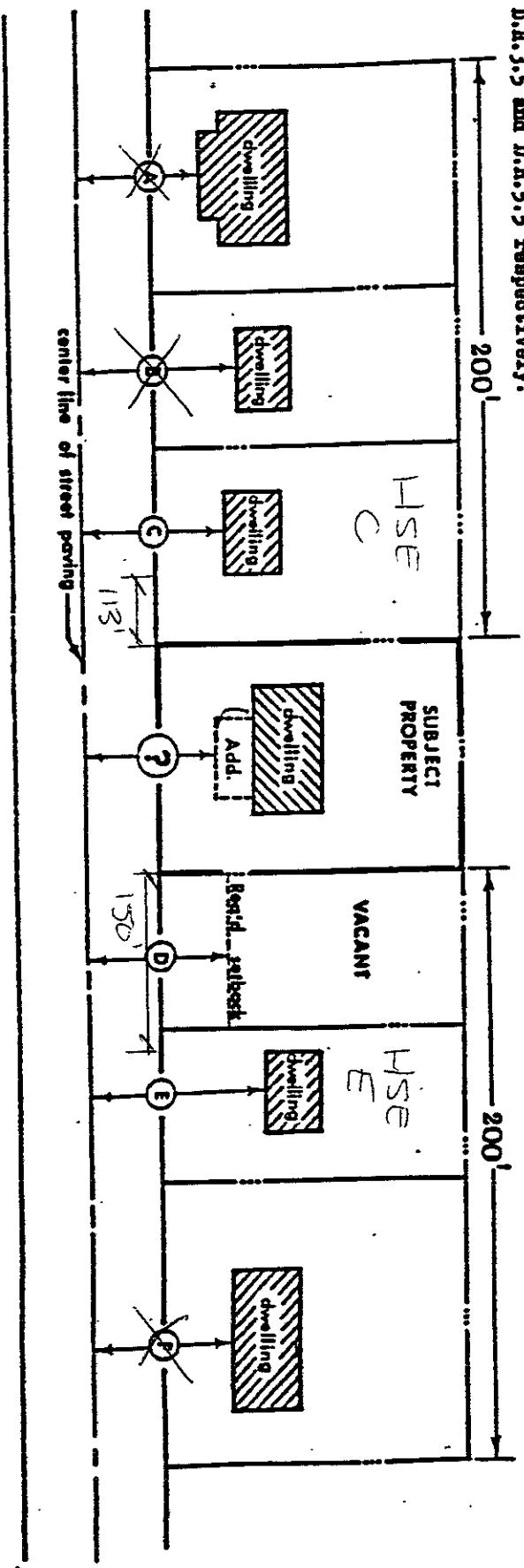
303.1 - In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved principal buildings situate within 200 feet of joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof; provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.

A	_____	FT.
B	_____	FT.
C	34	FT.
D	_____	FT.
E	60	FT.
F	_____	FT.
TOTAL	( 94 )	÷ ( 2 ) =

REQUIRED FRONT SETBACK (averaged) **47**

**NORMAL REQUIRED SETBACKS**  
 D.R.2 - 65 ft.  
 D.R.3.5- 55 ft.  
 D.R.5.5- 50 ft.

Thomas W. Engers  
 applicant's name  
 579 East Ave.  
 building address  
 01/06/00  
 date



# 282

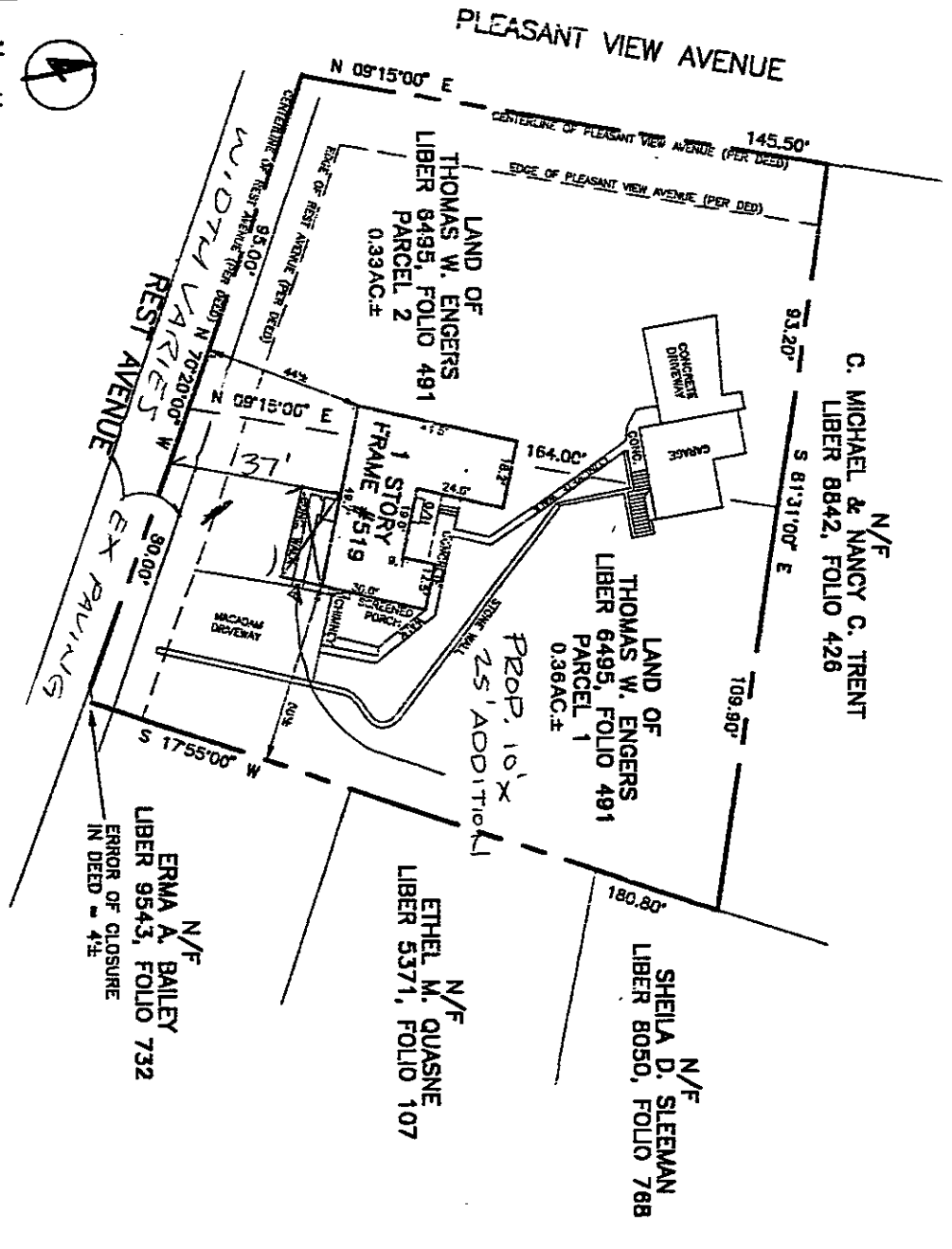
# Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 519 Rest Avenue (see pages 5 & 6 of the CHECKLIST for additional required information)

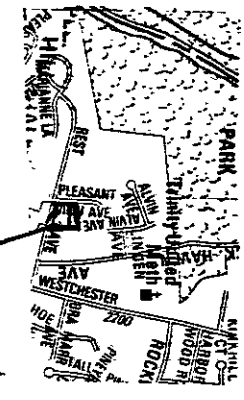
Subdivision name: \_\_\_\_\_  
 plat book # \_\_\_\_\_, folio # \_\_\_\_\_, section # \_\_\_\_\_

OWNER: Thomas W. Engers

**00-282-A**



North  
 date: 01/05/00  
 prepared by: FE  
 Scale of Drawing: 1" = 50'



*Subject Property*

Vicinity Map  
 scale: 1" = 1000'

### LOCATION INFORMATION

Election District: 1 Precinct #12  
 Councilmanic District: District-1

1" = 200' scale map: SCD-2H

Zoning: D.R. 3.5  
 Lot size: 2697 acreage  
 square feet

- SEWER:  public,  private
- WATER:  public,  private
- Chesapeake Bay Critical Area:  Yes,  No
- Prior Zoning Hearings: NONE

### Zoning Office USE ONLY!

reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE #: \_\_\_\_\_  
CTM 282 00-282-A

*Pet. Ex. #1*



ONTE MANOR

CHALFONTE LA.

ALVIN AVE.

LINDEN AVE.

00-282-A

VILLA

PLEASANT

REST

DR. 3.5

OELLA N.R.H.D.

D.R. 2

Site

W4630

RD.

AVE.

DR. I

BRA

1996 COMPREHENSIVE ZONING MAP

ADOPTED BY

THE BALTIMORE COUNTY COUNCIL

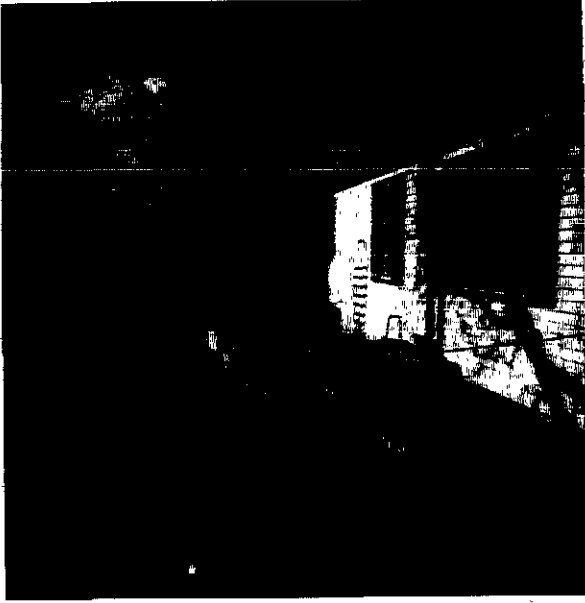
OCTOBER 8, 1996

SW 2-11 # 282

Bills Nos. 129.06 130.06 131.06 132.06 133.06 134.06 135.06

OELLA

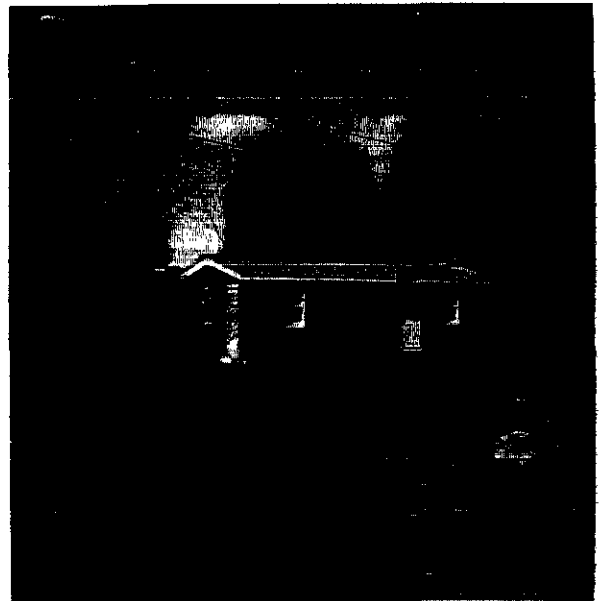
Engers, Thomas  
519 East Ave



Looking west along front  
Edge of Proposed Addition

00-282-A

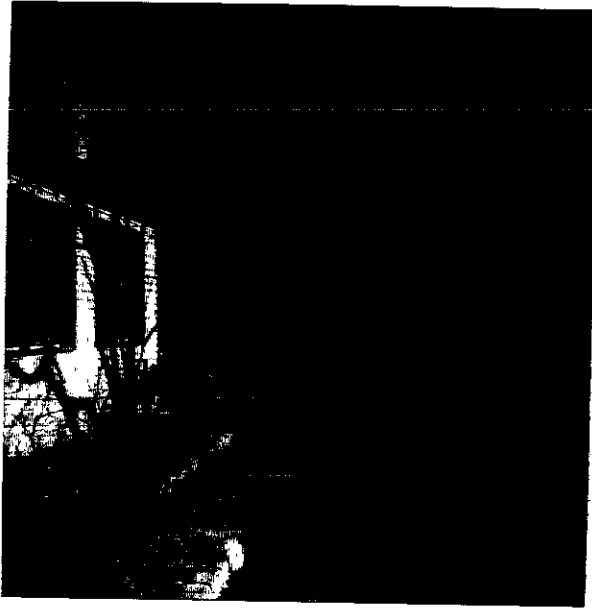
Toward House 'c'  
Please note that you cannot  
see the House!



House Directly to The  
West of 519 East Ave.  
House "c"

# 282

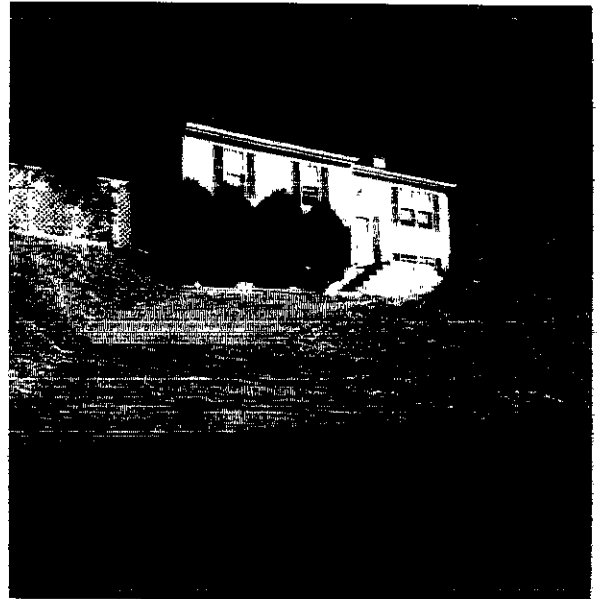
Enges, Thomas W  
519 East Ave



Looking East along front  
Edge of Proposed Addition

00-282-A

Toward House "E"  
House is barely visible,  
~~is~~ NOT at all visible  
when the leaves are on  
the trees.



House Directly to the East  
House "E"

Please note bushes next to  
porch between H's house  
& mine

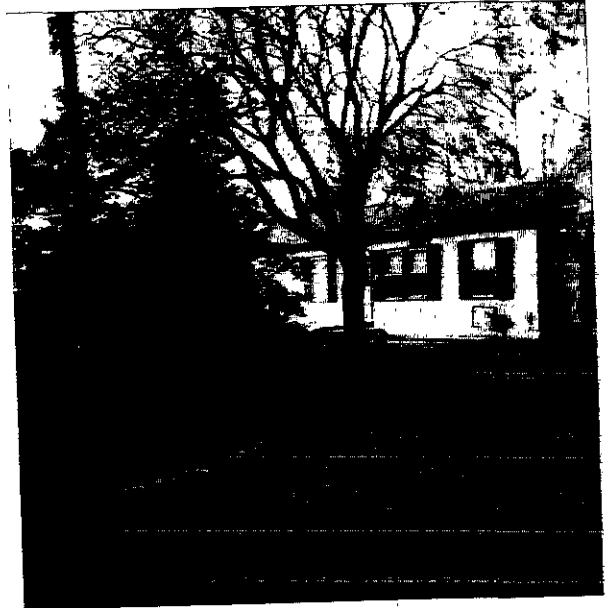
# 282

Engels, Thomas W  
519 Best Ave

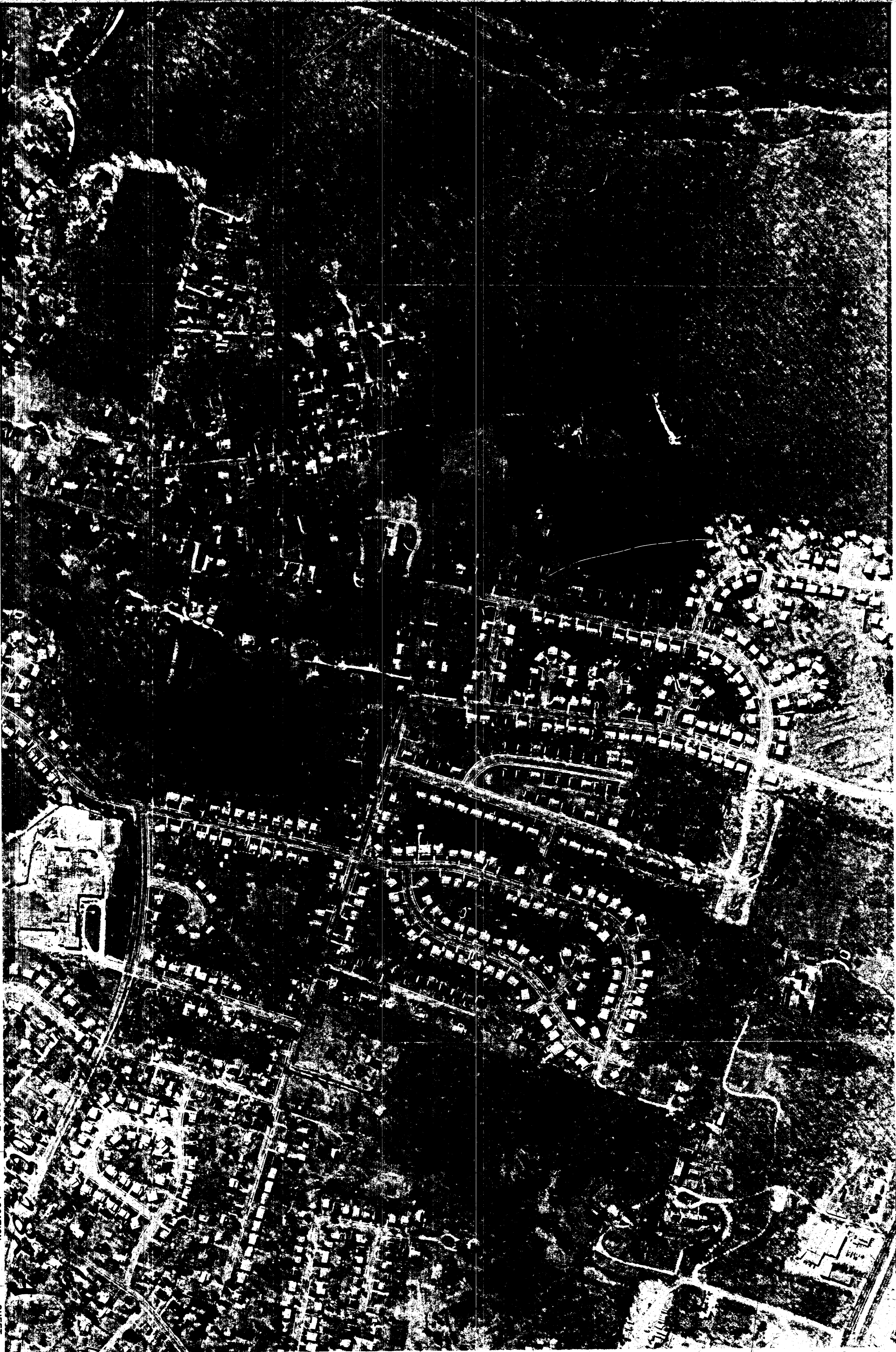


00-282-A

Side & front  
screening of Addition  
with shrubbery on  
my property.



# 282



PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	WESTCHESTER	SW 2-H
DATE OF PHOTOGRAPHY JANUARY 1986	A	# 282