IN RE: PETITION FOR VARIANCE E/S Engleberth Road, 2220' S of the c/l Holly Neck Road (1224 Engleberth Road) 15th Election District 5th Council District Dave Matthews, et ux Petitioners	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 01-406-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Dave and Judy Matthews. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 45 feet, a side yard setback of 35 feet, and a front yard setback of 45 feet in lieu of the required 50 feet each, and, a front yard to street centerline setback of 45 feet in lieu of the required 75 feet; and, from Section 304 of the B.C.Z.R. to approve the subject property as an undersized lot and any other variances deemed necessary by the Zoning Commissioner to permit development with a single family dwelling. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Dave and Judy Matthews, property owners, and Buck Jones, Builder. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an unimproved parcel, located on the east side of Engleberth Road in the vicinity of Holly Neck Road in the subdivision of Eagles Nest Point in Essex. The property is 180' x 120' in dimension, and consists of a gross area of 21,600 sq.ft., more or less, zoned R.C.5. The Petitioners are desirous of developing the property with a single family dwelling in accordance with the site plan submitted

into evidence and marked as Petitioner's Exhibit 1. Due to the size of the lot and its R.C.5 zoning classification, the requested relief is necessary in order to permit development with a single family dwelling as proposed. Testimony indicated that the subject property is an old lot of record, which was created many years ago, prior to the establishment of the R.C.5 zoning regulations. The Petitioners own no other contiguous property, and thus, a denial of the variance would result in an unreasonable hardship and practical difficulty for them. The Petitioners have submitted building elevation drawings of the proposed dwelling to the Office of Planning who approved same on March 19, 2001 and recommended approval of the variance requests. Moreover, no one appeared in opposition to the request, and there were no adverse comments submitted by any Baltimore County reviewing agency. Thus, it appears that relief can be granted without detrimental impact to the health, safety and general welfare of the surrounding locale.

It should be noted that although not waterfront, the property is located within the Chesapeake Bay Critical Areas. Thus, the proposed development is subject to compliance with the critical areas regulations as set forth in the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated April 23, 2001, a copy of which is attached hereto and made a part hereof. Moreover, the property is served by public water; however, public sewer will not be available to the site until next year. Pursuant to DEPRM's comment, a building permit will not be issued until public sewer is available. The Petitioners indicated that they were aware of this restriction and had no plans of developing the site until after public sewer became available. Therefore, as a condition of approval, I will require compliance with DEPRM's comments and restrict development on the site until after public sewer is available.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of June, 2001 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback

of 45 feet, a side yard setback of 35 feet, and a front yard setback of 45 feet in lieu of the required 50 feet each, and, a front yard to street centerline setback of 45 feet in lieu of the required 75 feet; and, from Section 304 of the B.C.Z.R. to approve the subject property as an undersized lot and any other variances deemed necessary by the Zoning Commissioner to permit development with a single family dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with the ZAC comments submitted by the Department of Environmental Protection and Resource Management dated April 23, 2001, a copy of which is attached hereto and made a part hereof. There shall be no construction on the subject property until such time as public sewer becomes available to the site.

3) The proposed dwelling shall be constructed in accordance with the building elevation drawings reviewed and approved by the Office of Planning on March 19, 2001, a copy of which was submitted into evidence and marked as Petitioner's Exhibit 2.

4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/19/01
By bjs

Baltimore County
Zoning Commissioner

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

June 20, 2001

Mr. & Mrs. Dave Matthews
1936 Sue Creek Drive
Baltimore, Maryland 21221

RE: PETITION FOR VARIANCE
E/S Engleberth Road, 2220' S of the c/l Holly Neck Road
(1224 Engleberth Road)
15th Election District – 5th Council District
Dave Matthews, et ux - Petitioners
Case No. 01-406-A

Dear Mr. & Mrs. Matthews:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Buck Jones
500 Vogts Lane, Baltimore, Md. 21221
Chesapeake Bay Critical Areas Commission,
1804 West Street, Suite 100, Annapolis, Md. 21401
Office of Planning; DEPRM; People's Counsel; Case File

Petition for Variance

CBCA

to the Zoning Commissioner of Baltimore County

for the property located at 1224 ENGLEBERTH ROAD

which is presently zoned RC5

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) 1A04.3.B.3 to permit a rear yard setback of 45 ft., a side yard setback of 35 ft., a front yard setback of 45 ft. in lieu of the required 50 ft.; and a front yard to street centerline setback of 45 ft. in lieu of the required 75 ft.; and Section 304 to request approval for an undersized lot and to approve any other variances deemed necessary of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

THE OWNERS OF THE PROPERTY IN QUESTION WISH TO CONSTRUCT A SFD ON THE LOT. THEY OWN NO OTHER CONTIGUOUS PROPERTY. TO DENY THIS REQUEST WOULD DEEM THIS PROPERTY UNBUILDABLE AND WOULD DENY THEM THE RIGHTS THAT OTHER HOMEOWNERS ON THE STREET ENJOY.

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):

DAVE MATTHEWS
Name - Type or Print

x Dave Matthews
Signature

JUDY MATTHEWS
Name - Type or Print

x Judy Matthews
Signature

1936 SUE CREEK DRIVE 410-574-9337
Address — Telephone No

BALTIMORE, MD 21221
City — State — Zip Code

Representative to be Contacted:

BUCK JONES
Name

500 VOGTS LN — day & eve. 574-9337
Address — Telephone No

BALTIMORE, MD 21221
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BU Date 4/5/01

ORDER RECEIVED FOR FILING
Date 4/11/01
By

Case No. 01-406-A

REV 9/15/98

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 1224 ENGLEBERTH ROAD
(ADDRESS)

BEGINNING AT A POINT ON THE EAST SIDE OF
(NORTH, SOUTH, EAST OR WEST)

ENGLEBERTH ROAD WHICH IS 20'
NAME OF STREET ON WHICH PROPERTY FRONTS (NO. OF FEET OF RIGHT-A-WAY WIDTH)

WIDE AT THE DISTANCE OF 2220 SOUTH OF THE
(NUMBER OF FEET) (NORTH, SOUTH, EAST OR WEST)

CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET HOLLY NECK ROAD
(NAME OF STREET)

WHICH IS 40" WIDE. *BEING LOT # 42 .
(NUMBER OF FEET OR RIGHT-OF-WAY)

BLOCK _____, SECTION #_____ IN THE SUBDIVISION OF EAGLES WEST POINT
(NAME OF SUBDIVISION)

AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 8, FOLIO # 70,

CONTAINING 21,600 S.F. . ALSO KNOWN AS 1224 ENGLEBERTH ROAD
(SQUARE FEET OR ACRES) (PROPERTY ADDRESS)

AND LOCATED IN THE 15 ELECTION DISTRICT, 5 COUNCILMANIC DISTRICT.

#406

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92939

DATE 4/5/01 ACCOUNT R001-006-6150

AMOUNT $ 50.00

RECEIVED FROM: Buck Jones

FOR: Zoning Variance

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Item # 406

CASHIER'S VALIDATION

PAID RECEIPT

PAYMENT	ACTUAL	TIME
4/05/2001	4/05/2001	11:16:52

REG WS03 CASHIER LWIL LDW DRAWER 3
>>RECEIPT # 177257 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 092939
Recpt Tot 50.00
50.00 CK .00 CA
Baltimore County, Maryland

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-406-A
1224 Engleberth Road
E/S Engleberth Road, 2220' S centerline Holly Neck Road
15th Election District - 5th Councilmanic District
Legal Owner(s): Judy & Dave Matthews

Variance: to permit a rear yard setback of 45 feet, a side yard setback of 35 feet and front yard setback of 45 feet in lieu of the required 50 feet; to permit a front yard to street centerline setback of 45 feet in lieu of the required 75 feet; to request an approval for an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

Hearing: Wednesday, May 30, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/5/704 May 15 C469074

CERTIFICATE OF PUBLICATION

5/17/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/15/, 2001.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 01-406-A

Petitioner/Developer: JONES, ETAL

Date of Hearing/Closing: 6/18/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

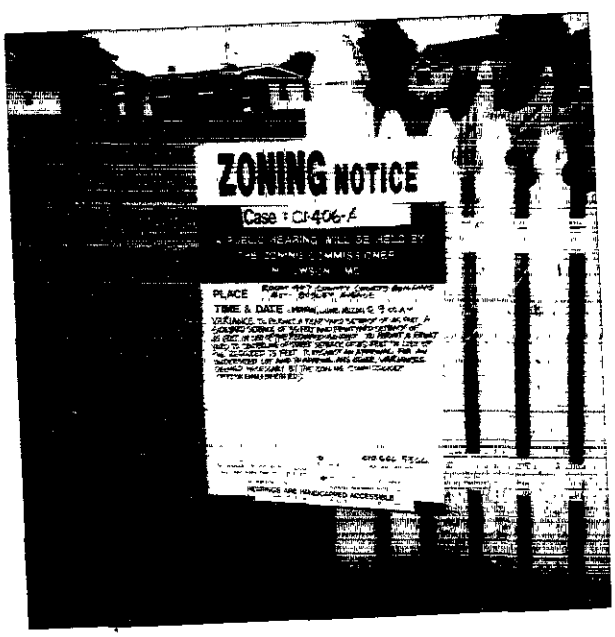
Attention: Ms. Gwendolyn Stephens

it® Fax Note 7671	Date	# of pages ▶
To ROBIN/BETTY	From O'KEEFE	
Co./Dept. ZONING COMMISS	Co.	
Phone # 887 4386	Phone #	
Fax # 887-3468	Fax # 324-4100	

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 # 1224 - ENGLEBERTH RD.

The sign(s) were posted on 5/30/01
(Month, Day, Year)



Sincerely,

Patrick M O'Keefe 6/5/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

0-406-A
1224 ENGLEBERTH 21
6/18/01

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.

For Newspaper Advertising:

Item Number or Case Number: 01-406-A

Petitioner: DAVE & JUDY MATTHEWS

Address or Location: 1224 BENGE BRAITH ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVE & JUDY MATTHEWS

Address: 1936 SUE CREEK DR.

BALT. MD 21221

Telephone Number: 410 687-3553

Revised 2/20/98 - SCJ

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

April 17, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-406-A
1224 Engleberth Road
E/S Engleberth Road, 2220' S centerline Holly Neck Road
15th Election District – 5th Councilmanic District
Legal Owners: Judy & Dave Matthews

Variance to permit a rear yard setback of 45 feet, a side yard setback of 35 feet and front yard setback of 45 feet in lieu of the required 50 feet; to permit a front yard to street centerline setback of 45 feet in lieu of the required 75 feet; to request an approval for an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

HEARING: Wednesday, May 30, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GDZ
Director

C: Judy & Dave Matthews, 1936 Sue Creek Drive, Baltimore 21221
Buck Jones, 500 Vogts Lane, Baltimore 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Issue – Jeffersonian

Please forward billing to:

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-406-A
1224 Engleberth Road
E/S Engleberth Road, 2220' S centerline Holly Neck Road
15th Election District – 5th Councilmanic District
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HEARING: Wednesday, May 30, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

May 3, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-406-A
1224 Engleberth Road
E/S Engleberth Road, 2220' centerline Holly Neck Road
15th Election District – 5th Councilmanic District
Legal Owners: Judy & Dave Matthews

Variance to permit a rear yard setback of 45 feet, a side yard setback of 35 feet and front yard setback of 45 feet in lieu of the required 50 feet; to permit a front yard to street centerline setback of 45 feet in lieu of the required 75 feet; to request an approval for an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

HEARING: Monday, June 18, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon GJZ
Director

C: Judy & Dave Matthews, 1936 Sue Creek Drive, Baltimore 21221
Buck Jones, 500 Vogts Lane, Baltimore MD 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 2, 2001**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 31, 2001 Issue – Jeffersonian

Please forward billing to:
Dave & Judy Matthews
1936 Sue Creek Drive
Baltimore MD 21221

410 687-3553

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-406-A
1224 Engleberth Road
E/S Engleberth Road, 2220' centerline Holly Neck Road
15th Election District – 5th Councilmanic District
Legal Owners: Judy & Dave Matthews

Variance to permit a rear yard setback of 45 feet, a side yard setback of 35 feet and front yard setback of 45 feet in lieu of the required 50 feet; to permit a front yard to street centerline setback of 45 feet in lieu of the required 75 feet; to request an approval for an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

HEARING: Monday, June 18, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 15, 2001

Judy & Dave Matthews
1936 Sue Creek Drive
Baltimore MD 21221

Dear Mr. & Mrs. Matthews:

RE: Case Number: 01-406-A, 1224 Engleberth Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 5, 2001.

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

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Buck Jones, 500 Vogts Lane, Baltimore 21221
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 18, 2001

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

SUBJECT: 1224 Engleberth Road

INFORMATION:

Item Number: 01-406

Petitioner: Dave Matthews

Zoning: RC - 5

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to allow a rear yard setback of 45 feet; a side yard setback of 35 feet, and a front yard setback of 45 feet in lieu of the required 50 feet. This office also supports the request for a front yard to street centerline setback of 45 feet in lieu of the minimum required 75 feet, and the undersize lot request.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. Long
AFK:MAC:

\\NCH_NW\VOL3\WORKGRPS\DEVREV\ZAC\01-406.doc

Baltimore County
Fire Department

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

April 17, 2001

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: SEE BELOW

Location: DISTRIBUTION MEETING OF April 16, 2001

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

379, 383, 395, 396, 397, 398, 399, 400, 402, 404, 405, 406, 407, 409, and 411

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

cc: File

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4 · 12 · 01

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

RE: Baltimore County
Item No. 406 BR

Dear. Ms. Jackson:

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS

DATE: April 23, 2001

SUBJECT: Zoning Item #406
1224 Engleberth Road

Zoning Advisory Committee Meeting of April 16, 2001

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

__X__ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

__X__ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

__X__ Groundwater Management: A building permit will not be approved until public sewer is available. Contact the Department of Public Works for more information.

Reviewer: Sue Farinetti Date: April 18, 2001
Reviewer: Glenn Shaffer Date: April 19, 2001

RE: PETITION FOR VARIANCE 1224 Engleberth Road, E/S Engleberth Rd, 2220' S of c/l Holly Neck Rd **15th Election District, 5th Councilmanic**	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
Legal Owner: Dave & Judy Matthews Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. 01-406-A

* * * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Buck Jones, 500 Vogts Lane, Baltimore, MD 21221, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 01-406-A

Residential Processing Fee Paid ($50.00)
Accepted by BR
Date 4/5/01

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

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

BUCK JONES (Print Name of Applicant) 500 VOGTS LANE (Address) 410-574-9337 (Telephone Number)

Lot Address 1224 ENGLEBERTH RD Election District 15 Councilmanic District 5 Square Feet 21,600

Lot Location: N E S W side/corner of ENGLEBERTH RD. (street), 200 feet from N E S W corner of HOLLY NECK RD. (street)

Land Owner: DAVE & JUDY MATTHEWS Tax Account Number 1520660750

Address: 1936 SUE CREEK DR. 21221 Telephone Number (410) 574-9337

CHECKLIST OF MATERIALS-. (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED? YES	NO
1. This Recommendation Form (3 copies)	✓	
2. Permit Application		✓
3. Site Plan		
Property (3 copies)	✓	
Topo Map (2 copies). *available* in Room 206, County Office Building - ***(please label site clearly)***	✓	
4. Building Elevation Drawings	✓	
5. Photographs (please label all photos clearly)		
Adjoining Buildings	✓	
Surrounding Neighborhood	✓	

6. Current Zoning Classification: RC-5

RECEIVED APR 10 2001 OFFICE OF PLANNING

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations

Signed by: Jeffrey W. Long
for the Director, Office of Planning and Community Conservation

Date 3/19/2001

RECEIVED APR - 9 2001 OFFICE OF PLANNING

Revised 2/25/99

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Department of Permits and Development Management (PDM)
County Office Building
111 West Chesapeake Avevnue
Towson, Maryland 21204

The application for your proposed Building Permit application has been reviewed and is accepted for filing by _____ on _____.
(name of planner) Date (A)

A sign indicating the proposed building must be posted on the property for fifteen (15) days before a decision can be rendered. The cost of filing is $50.00. This fee is subject to change. Confirm all current fees prior to filing the application.

In the absence of a request for public hearing during the 15-day posting period, a decision can be expected within approximately four weeks. However, if a valid demand is received by the closing date, then the decision shall only be rendered after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED? YES_____ NO_____ - DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District: _____

Location of Property: _____

_____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

Revised 2/25/99

FREE-STATE GENERAL CONTRACTORS, INC.

5/2/01
Geo
Q

500 VOGTS LANE • BALTIMORE, MARYLAND 21221 • (410) 574-9337
M.H.I.C.# 20286
www.freestatehomes.com

APRIL 30, 2001

DIRECTOR'S OFFICE
COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204
ATTN: ARNOLD JABLON, DIRECTOR

RE: ZONING HEARING - JUDY & DAVE MATTHEWS
CASE # 01-406-A
1224 ENGLEBERTH ROAD

DEAR MR. JABLON,

MR. & MRS. DAVE MATTHEWS ARE REQUESTING A POSTPONEMENT OF THE ABOVE MENTIONED VARIANCE. MR. MATTHEW'S SON IS GRADUATING FROM RECRUIT TRAINING OF THE NAVY ON MAY 31ST, 2001. MR. MATTHEWS FEELS IT IS VERY IMPORTANT TO BE AT THE CEREMONY TO SUPPORT HIS SON. DUE TO THE FACT THAT THE CEREMONY IS ON MAY 31ST, 2001 AND IS LOCATED IN GREAT LAKES, ILLINOIS, THERE WOULD BE NO WAY MR. MATTHEWS COULD ATTEND THE ZONING HEARING. WE THANK YOU IN ADVANCE FOR YOUR ATTENTION TO THIS MATTER AND HOPE TO HEAR FROM YOU SOON WITH A NEW HEARING DATE.

SINCERELY YOURS,

Buck Jones

BUCK JONES
PRESIDENT

ATTN: PAT

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

April 17, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-406-A
1224 Engleberth Road
E/S Engleberth Road, 2220' S centerline Holly Neck Road
15th Election District – 5th Councilmanic District
Legal Owners: Judy & Dave Matthews

Variance to permit a rear yard setback of 45 feet, a side yard setback of 35 feet and front yard setback of 45 feet in lieu of the required 50 feet; to permit a front yard to street centerline setback of 45 feet in lieu of the required 75 feet; to request an approval for an undersized lot and to approve any other variances deemed necessary by the Zoning Commissioner.

HEARING: Wednesday, May 30, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon CDZ
Director

C: Judy & Dave Matthews, 1936 Sue Creek Drive, Baltimore 21221
Buck Jones, 500 Vogts Lane, Baltimore 21221

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MAY 15, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF THE NAVY
RECRUIT TRAINING COMMAND
NAVAL TRAINING CENTER
GREAT LAKES, ILLINOIS 60088-5300

Welcome aboard,

Your recruit will participate in a Pass-in-Review Ceremony in the near future Enclosed, you will find several informative items, one being a two-part card labeled "Visitors Pass." Please take time to complete this form, and mail the lower half early enough for Recruit Training Command (RTC) to receive it prior to your recruit's Pass-in-Review. This form helps us approximate how many guests will visit each day. **Please note that the top portion is required for entrance onto RTC, and you can save time by placing it in the lower left corner of the windshield when driving onto RTC. You may make copies if you have additional vehicles in your party.**

Please do not plan a surprise visit as you can only see your recruit during the times specified below!

THURSDAY, PASS-IN-REVIEW

Your recruit's information:

Div 203 /Ship 06

Date of Pass-in-Review Ceremony 31 MAY 01

Departure date 01 JUN 01

You and mom have to come on base to gether with that visitors Pass

Plan to arrive at RTC no earlier than 2:00 p.m. At approximately 3:15 p.m. you will be escorted to the review area for seating. The review will begin at 4:00 p.m. and conclude at approximately 6:00 p.m. The Pass-in-Review will be held indoors. There is no set dress code. There will be a meeting for all spouses and fiancés at 2:30p.m. at the Visitor's Center.

Your recruit will have liberty after the review until 9:00 p.m. on Thursday and on Friday from 9:00 a.m. until 1:00 p.m. Your recruit will be moving to his or her next school on Friday afternoon. Please do not plan on spending the weekend with your recruit, unless he or she is attending Fireman or Seaman Apprentice Training or an "A" school at Naval Training Center (NTC), Great Lakes. If you are unsure of your recruit's next destination, please discuss this, and the liberty schedule for the weekend, with your recruit before you make plans

Your recruit's ceremony date is subject to change based on YOUR RECRUIT'S performance in Basic Training. Recruits can be set back in training for disciplinary, medical or academic reasons. Recruits who are set back in training are afforded a phone call to let you know of the change in mailing address and to provide you with the new ceremony date and liberty schedule.

Additionally, if your recruit does not complete Battle Stations, your recruit will neither Pass-in-Review, nor be granted off-base liberty. You will be able to watch the division Pass-in-Review and may visit with your recruit onboard RTC.

Due to the lack of storage facilities available for recruit use, please do not bring expensive, bulky items or gifts. Pets are not allowed on the grounds of RTC. There is no guest housing or government transportation available at RTC. Luggage brought to RTC must remain in your vehicle or with you at all times.

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

May 2, 2001

Judy & Dave Matthews
1936 Sue Creek Drive
Baltimore MD 21221

Dear Mr. & Mrs. Matthews:

RE: Case Number 01-406-A, 1224 Engleberth Road

The above matter, previously scheduled for Wednesday, May 30, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, has been postponed at the request of Buck Jones, Free-State General Contractors, Inc. per Mr. & Mrs. Matthews. Once the hearing has been rescheduled you will be notified by mail.

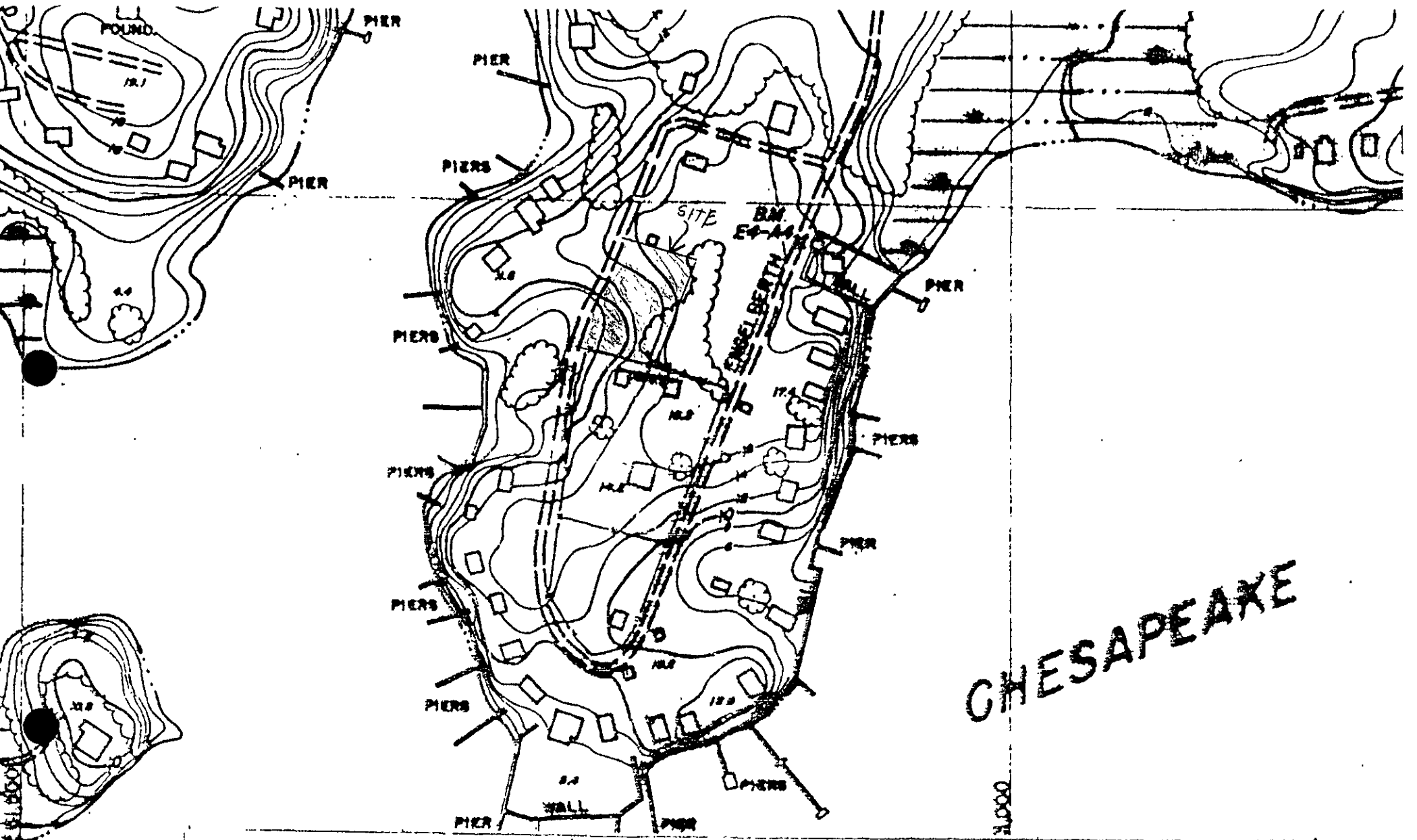
Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon GDZ
Director

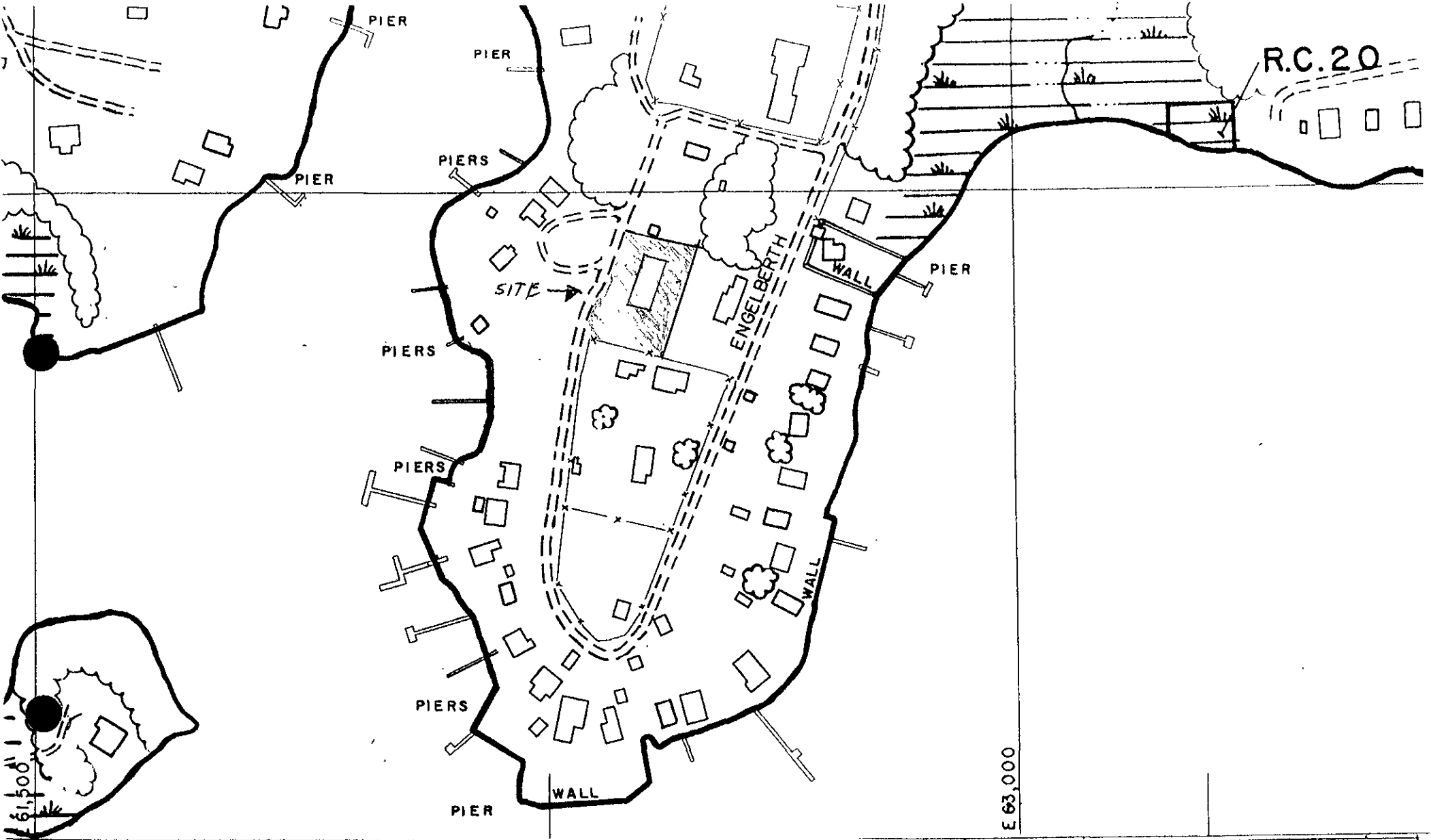
AJ: gdz

C: Buck Jones, Free-State General Contractors, Inc., 500 Vogts Lane, Baltimore 21221



REVISIONS			SCALE	LOCATION	SHEET
	BY	DATE	1" = 200'	HOLLY NECK	S. E. 2-X
	JBR	5/2/64	DATE OF PHOTOGRAPHY DEC. 1964		#406

Topography Compiled by Photogrammetric Methods
ABRAMS AERIAL SURVEY CORP LANSING MICH



ENSIVE ZONING MAP
PTED by
E COUNTY COUNCIL
ER 10, 2000
00, 90-00, 91-00, 92-(

County Council

SCALE	LOCATION	SHEET
1" = 200'±	HOLLY NECK	S.E. 2-K
DATE OF PHOTOGRAPHY JANUARY		#406

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

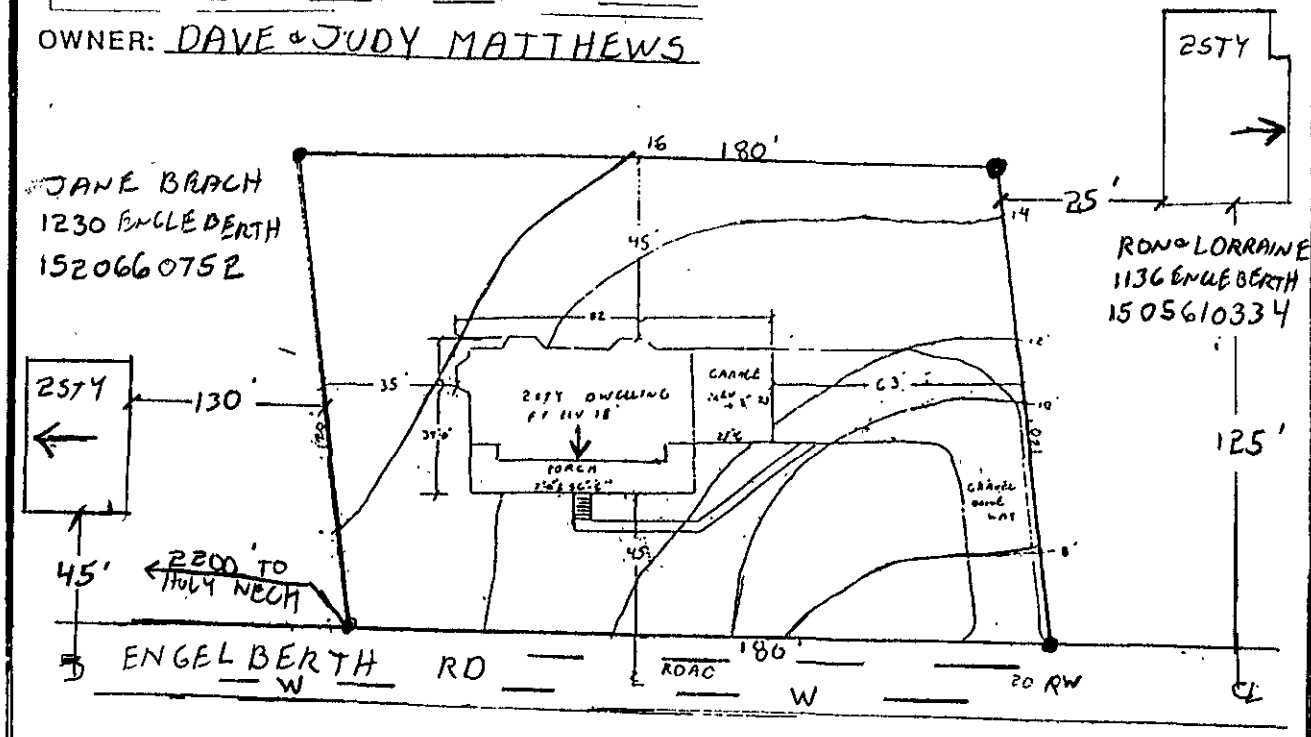
PROPERTY ADDRESS: 1224 ENGLEBERTH ROAD

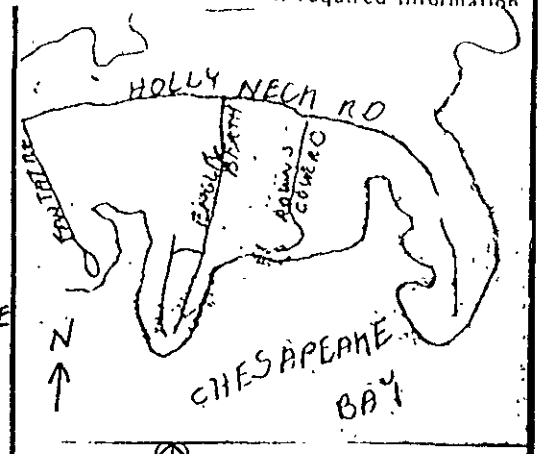
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: EAGLES NEST POINT

plat book# 8 ,folio# 70 ,lot# ____ ,section# ____

OWNER: DAVE & JUDY MATTHEWS





North

Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: SE 2-K

Zoning: RC 5

LOT SIZE .5 ACREAGE 21,600 SQ. FT.

	PUBL.	PRIV.
SEWER	☐	☐
WATER	☒	☐

NOTE: 15 IN R/W AT THIS MOMENT *

Chesapeake Bay Critical Area ☒ yes ☐ no

Prior Zoning Hearings:

NONE

Zoning Office USE ONLY

reviewed by	ITEM #	CASE #
BIL	406	01-406-A

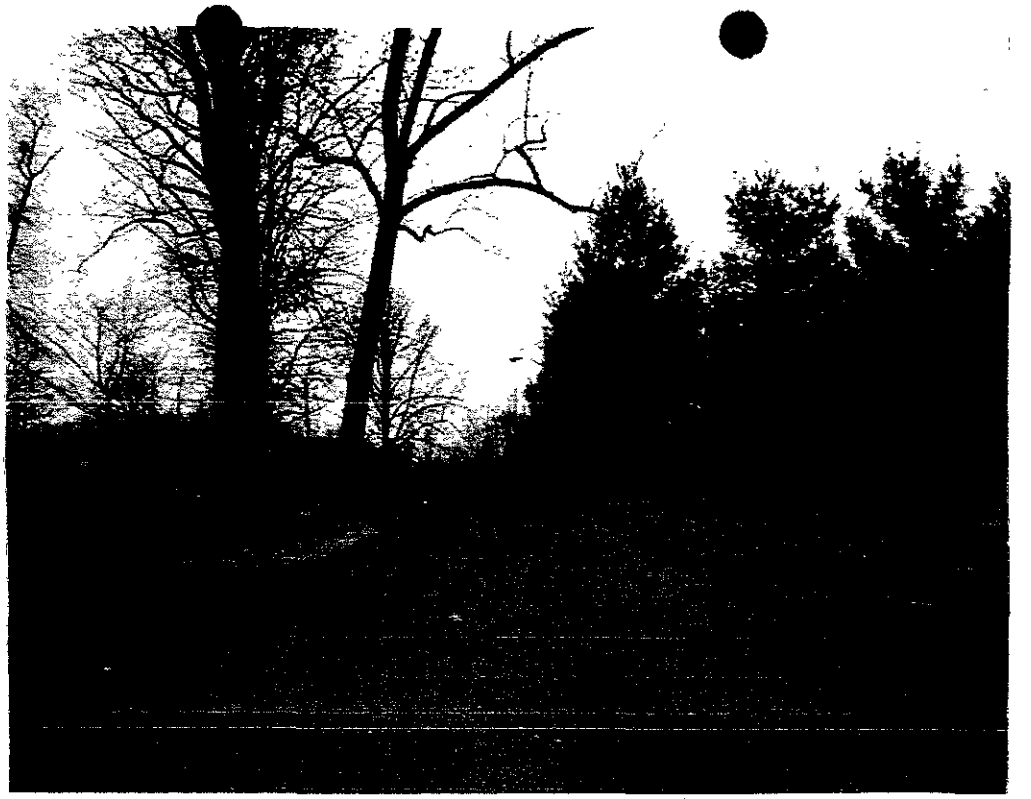
North

date 3-27-01

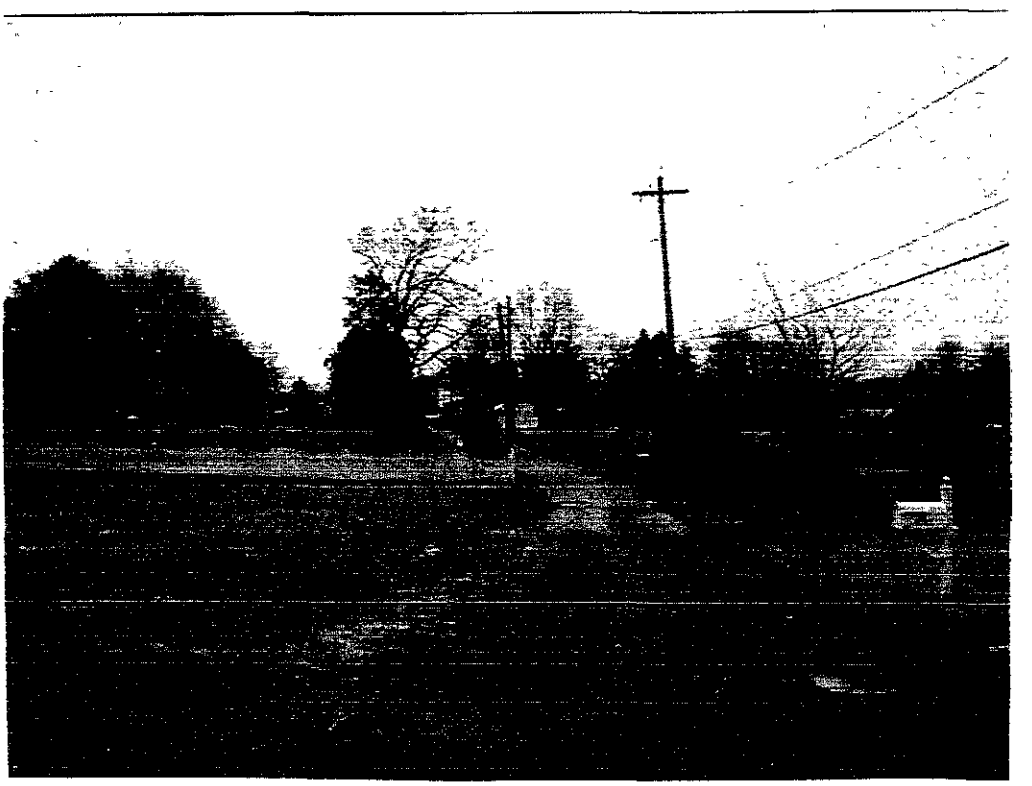
Drawn by BUCH JONES

Scale of Drawing 1" = 50'

STANDING ON OWNERS PROPERTY LOOKING WEST ACROSS STREET



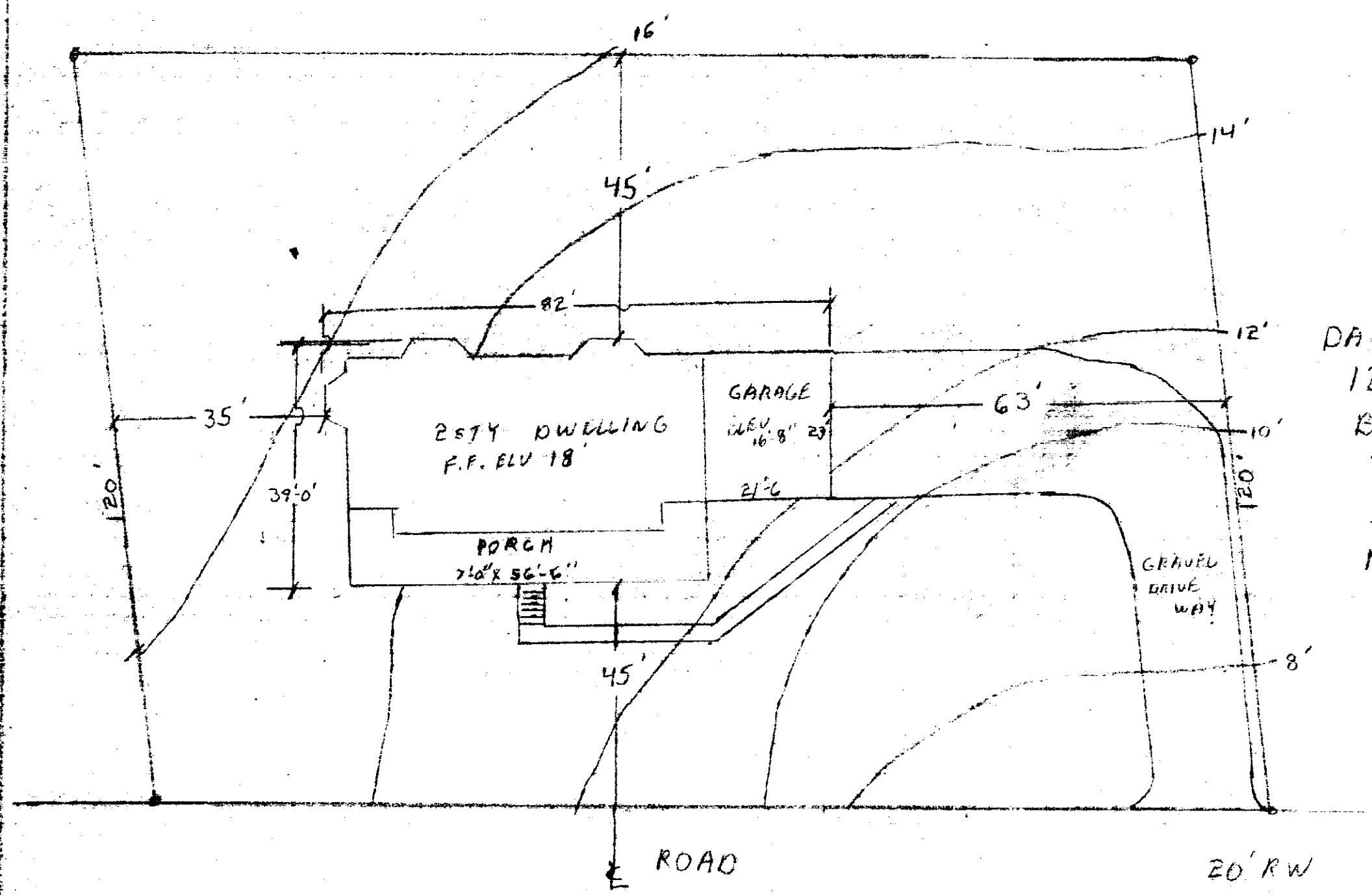
LOOKING NORTH UP ENGLEBERTH ROAD
OWNERS PROPERTY IS ON RIGHT

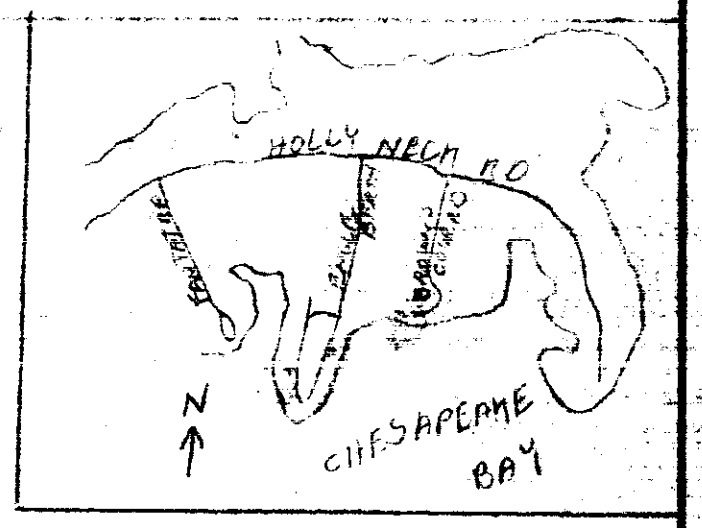


STANDING ON ENGLEBERTH LOOKING SOUTH
OWNERS PROPERTY IS ON LEFT

LOOKING SOUTH INTO PROPERTY STANDING ON ENGLEBERTH ROAD

LOOKING NORTH INTO PROPERTY STANDING ON ENGLEBERTH ROAD





DAVE & JUDY MATTHEWS
1224 ENGLEBERTH ROAD
BALT. MD. 21221
TAX I.D. : 1520660750
SUB-DIVISION . EAGLES NEST POINT
PLAT LIBER 8 - FOLIO 70
COUNCIL DIST . 5
ELECTION DIST. : 15
ZONING : RC 5
VARIENCE :
LOT SIZE 21,600SF / .5 ACRES

Ref No1

CRITICAL INFO

DWELLING/PORCH/GARAGE	2,721SF
SIDE WALK	210SF
TOTAL IMPER.	2,931SF

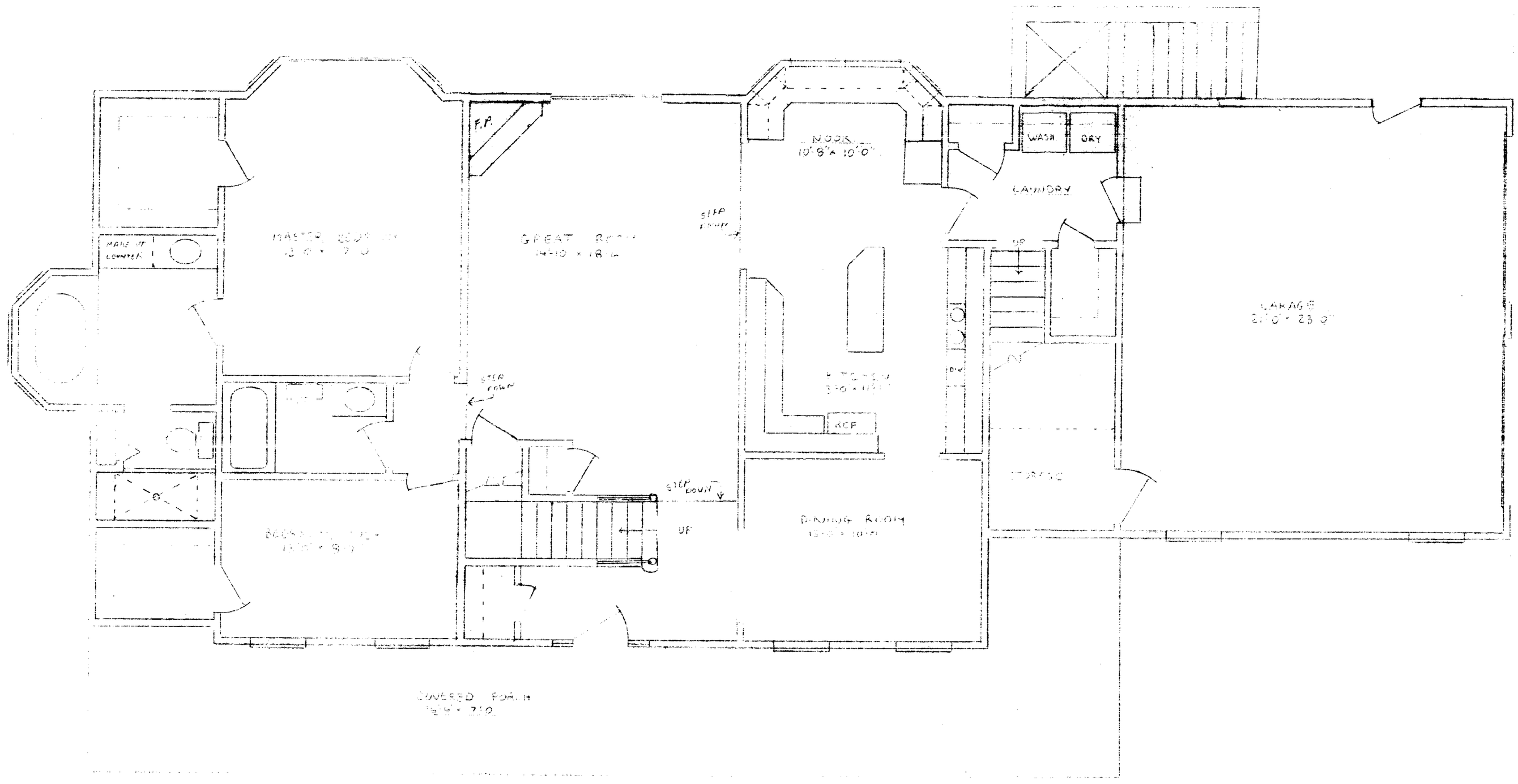
THIS PROPERTY IS IN THE LDA OF THE CBCA
IMPERVIOUS SURFACES ARE LIMITED TO 25% OF THE AREA
EXISTING IMPERVIOUS EQUALS 0%
PROPOSED EQUALS 14%

[redacted]

MATTHEWS SITE PLAN

SCALE: 1" = 20'	APPROVED BY:	DRAWN BY B.G.
DATE:		REVISED
		DRAWING NUMBER

Filler



MATTHEWS RESIDENCE

SCALE 1/4" = 1'-0"

DATE 1-23-01

APPROVED BY

DRAWN BY

REVISED 3-4-01

FIRST FLOOR PLAN

DRAWING NUMBER