



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

May 8, 2013

Frederick John Neukam, Jr.
Clarice L. Neukam
1213 Engleberth Road
Baltimore, Maryland 21221

Re: Petition for Administrative Variance
Case No. 2013-0221-A
Property: 1213 Engleberth Road

Dear Mr. and Mrs. Neukam:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Baltimore County Board of Appeals an appeal within thirty (30) days from the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: William N. Bafitis, P.E., Bafitis & Associates, Inc., 1249 Engleberth Road,
Baltimore, MD 21221
Robert H. Scott, Jr., 1211 Engleberth Road, Baltimore, MD 21221
Robert and Dorothy Miles, 1215 Engleberth Road, Baltimore, MD 21221

IN RE: PETITION FOR ADMIN. VARIANCE *
(1213 Engleberth Road)
15th Election District *
6th Council District
Frederick John, Jr. and Clarice L. Neukam *
Petitioners

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0221-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Frederick John, Jr. and Clarice L. Neukam. The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To allow a front yard centerline setback of 20' in lieu of the required 75' for an accessory structure pursuant to §1A04.3.B.2.b., (2) To allow building coverage of 15.64% in lieu of the required 15% pursuant to §1A04.3.B.3, and (3) To allow a height of 18' in lieu of the required 15' for an accessory structure pursuant to §400.3. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Department of Environmental Protection and Sustainability (DEPS) dated April 12, 2013, indicating that Petitioners were obliged to comply with certain Critical Area regulations, as set forth in B.C.Z.R. Section 500.14.

In addition, it is to be noted that letters of support were received from Robert H. Scott, Jr. (1211 Engleberth Road) and Robert and Dorothy Miles (1215 Engleberth Road), both of whom had no objection to the requested relief.

ORDER RECEIVED FOR FILING

Date 5-8-13

By [Signature]

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on April 14, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). 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 Administrative Law Judge, 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 Petitioners.

Although the Department of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory building not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

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, this 8th day of May, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To allow a front yard centerline setback of 20' in lieu of the required 75' for an accessory structure pursuant to §1A04.3.B.2.b., (2) To allow building coverage of 15.64% in lieu of the required 15% pursuant to §1A04.3.B.3, and (3) To allow a

ORDER RECEIVED FOR FILING

Date 5-8-13

2

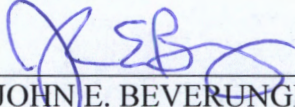
By [Signature]

height of 18' in lieu of the required 15' for an accessory structure pursuant to §400.3, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.
4. The Petitioners must comply with the ZAC comments received from the Department of Environmental Protection and Sustainability (DEPS) dated April 12, 2013; a copy of which is attached and made a part thereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 5-8-13

By 

CBCR

FLOOD PLAIN



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1213 Engleberth Road which is presently zoned RC-5
 Deed Reference 13539/031 10 Digit Tax Account # 1514100950
 Property Owner(s) Printed Name(s) Frederick J. Neukam, Jr. & Clarice L. Neukam

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
 Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 1) To allow a front yard centerline setback of 20' in lieu of the required 75' for an accessory structure per sec. 1A04.3.B.2.b (BCZR). 2) To allow building coverage of 15.64% in lieu of the required 15% per sec. 1A04.3.B.3 (BCZR). 3) To allow a height of 18' in lieu of the required 15' for an accessory structure per sec. 400.3 (BCZR)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raise, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Frederick J. Neukam, Jr. Clarice L. Neukam

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1213 Engleberth Road Baltimore MD

Mailing Address City State

21221 410-391-9858

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, 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.

Administrative Law Judge of Baltimore County

CASE NUMBER

2013-0221 A

Filing Date

4.3.2013

Estimated Posting Date

/ /

Reviewer

JCM

FLOOD PLAIN

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 1213 Engleberth Road Essex Maryland 21221
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

Our home is only 800 Square Feet without a basement or attic for storage. The garage we have planned is 18 feet high. It will have a loft for storage and the lower area would be for our cars to get them out of the elements and it will also have a small workshop to the rear of the structure.

Lots in the neighborhood are not typical for RC5 zoning. We would be using over 15% of the allowable coverage area and stay within what is typical for the neighborhood. The setback from the road is 10 feet, which is typical for the neighborhood. ** See photos

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Frederick J. Neukam, Jr.
Signature of Affiant

Frederick J. Neukam, Jr.
Name- Print or Type

Clarice L. Neukam
Signature of Affiant

Clarice L. Neukam
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of MARCH, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Frederick Neukam and Clarice Neukam
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

KATHERINE A. RYAN
NOTARY PUBLIC
BALTIMORE COUNTY
MARYLAND
MY COMMISSION EXP. JAN. 27, 2015

Kathryn Ryan
Notary Public
1/27/2015
My Commission Expires



Bafitis & Associates, Inc.

ZONING DESCRIPTION
FOR
1213 ENGLEBERTH ROAD
BALTIMORE, MARYLAND 21221

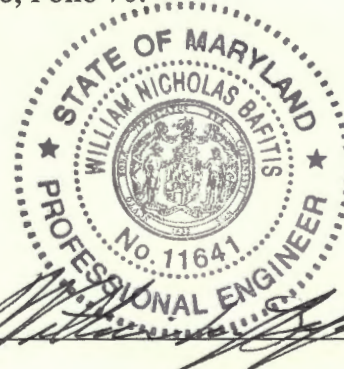
Beginning at point on the West side of Engleberth Road 20' wide; and 603 feet $\pm$ Southwesterly from the centerline intersection of Cross Road 20' wide.

- 1.) Thence running along Engleberth Road South $07^{\circ}-02'-15''$ West 65.00 feet to a point,
- 2.) Thence leaving said road North $83^{\circ}-02'-45''$ West 187.64 feet to the waters of Brown's Creek,
- 3.) Thence running along said creek the following two courses;
North $25^{\circ}-35'-45''$ West 3.48 feet and;
- 4.) Thence North $31^{\circ}-24'-15''$ East 68.18 feet; to a point
- 5.) Thence leaving said Creek South $83^{\circ}-02'-45''$ East 161.39 feet; to the point of beginning.

Containing: 11,443 Square Feet or 0.262 Acres more or less.

Being known as Lot 14 shown on a plat; Entitled "Eagle Nest Point", recorded among the Land Records of Baltimore County, Maryland, Plat Book 08, Folio 70.

Seal



DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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:

2013-0221-A

Petitioner:

Fredrick John Manton

Address or Location:

1213 Englewood Rd. Essex, Md. 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Address:

SAME

Telephone Number:

410.391.9858

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

No. **96287**
 Date: **4/4/13**

PAID RECEIPT

BUSINESS V.TAXL TIME GEN
 4/04/2013 4/03/2013 09:30:46 2
 REC MSOS WALKIN ODEL TRD
 >>RECEIPT # 660232 4/03/2013 (FPL)

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
DDI	806	0000		6150				75.00

Dep: 5 126 ZONING VERIFICATION
 (E NO. 076207)

Recpt Tot \$75.00
 1.00 CR \$100.00 CA
 \$25.00 CB
 Baltimore County, Maryland

Total: **75.00**

Rec From: **F. Neukam**
 For: **2013 - 0221 - A**

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

AV
4/29

CERTIFICATE OF POSTING

2013-0221-A

RE: Case No.: _____

Petitioner/Developer: _____

F. Neukam, Jr

April 29, 2013

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 100
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Karen Lewis:

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: _____

1213 Engleberth Rd

April 14, 2013

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

April 14, 2013

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



MEMORANDUM

DATE: June 10, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0221-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 7, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment4-9DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NO4-12DEPS
(if not received, date e-mail sent _____)C

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)4-8

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

3-12 dated

ADJACENT PROPERTY OWNERS

SPAT ✓
State, 1211 Englewood Rd.
Miles, 1215 " "

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: _____

SIGN POSTING

Date: 4-14-13 by Black

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any: _____

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0221 -A Address 1213 ENGLEBERTH Rd.

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

Filing Date: 4/4/13 Posting Date: 4/14 Closing Date: 4/29

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **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.
2. **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.
3. **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, usually within 10 days of the closing date if all County agencies' comments are received, 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.
4. **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 2013- 0221 -A Address 1213 ENGLEBERTH Rd.

Petitioner's Name F. NEUKAM, JR. Telephone 410-391-9858

Posting Date: _____ Closing Date: 4/29/13

Wording for Sign: To Permit A FRONT YARD CENTERLINE SETBACK OF 20ft. IN LIEU OF THE REQUIRED 75ft FOR A GARAGE AND TO ALLOW BUILDING COVERAGE OF 15.64% IN LIEU OF THE REQUIRED 15%, AND TO ALLOW A HT. OF 18ft. IN LIEU OF THE REQUIRED 15ft FOR THE GARAGE.

Revised 7/06/11

This agreement made this day, 12 March 2013, between **Robbie Scott 1211 Engleberth Rd., Essex, MD. 21221** and John and Clarice Neukam 1213 Engleberth Rd., Essex, Md. 21221 that we have no objection to the construction of a 24 x 24 2 car garage to be located at 1213 Engleberth Rd., Essex, MD. 21221

Robbie Scott
John Neukam
Clarice Neukam

This agreement made this day, 12 March 2013, between **Bob and Dot Miles 1215 Engleberth Rd., Essex, MD. 21221** and John and Clarice Neukam 1213 Engleberth Rd., Essex, Md. 21221 that we have no objection to the construction of a 24 x 24 2 car garage to be located at 1213 Engleberth Rd., Essex, MD. 21221

Bob & Miles Dorothy J Miles
John Neukam Clarice Neukam

Per Bill Bafis - \$7 @ 9:27 AM
15 - 13200131

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: April 09, 2013

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For April 15, 2013
Item Nos. 2013- 0217, 0218, 0219, and 0221.

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

DAK:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

APR 12 2013



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: April 12, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0221-A
Address 1213 Engleberth Road
(Neukam Property)

Zoning Advisory Committee Meeting of April 8, 2013.

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

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

The subject property is located within a Limited Development Area (LDA) and a Buffer Management Area (BMA) and is subject to Critical Area requirements. The applicant is requesting to place a 576 square foot garage between the house and the street where there is now a small shed. The lot is developed with a dwelling, a shed, and a driveway. Lot coverage on the entirety of this property is limited to a maximum of 31.25%, with mitigation required for lot coverage over 25%. Lot coverage information was not provided, and only lot acreage above the bulkhead may be used for lot coverage calculations. 15% afforestation (3 trees) is also required. The garage is not within the Critical Area buffer. If the applicant can meet the lot coverage and afforestation requirements, the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront, but the garage is not proposed within the Critical Area buffer. 3 trees must be existing or planted on site to meet the 15% afforestation

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Date 5-8-13

By BW

requirement. Provided the lot coverage and afforestation requirements are met, fish, plant, and wildlife habitat in the Chesapeake Bay will be conserved.

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

Information was not provided as to whether the proposal will meet lot coverage limits and afforestation requirements. If so, the proposal will be consistent with the Critical Area requirements, and therefore the relief requested will be consistent with established land-use policies.

Reviewer: Regina Esslinger

Date: April 12, 2013

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Date 5-8-13

By aw

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4-8-13

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

RE: Baltimore County

Item No 2013-0221-A

Administrative Variance

Frederick F. Jr. & Clarice L. Newkirk

1213 Engleberth Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0221-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink that reads "Steven D. Foster". The signature is written in a cursive style.

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 30, 2013

Frederick J. & Clarice L. Neukam
1213 Engleberth Road
Baltimore MD 21221

RE: Case Number: 2013-0221 A, Address: 1212 Engleberth Road

Dear Mr. & Ms. Neukam:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 3, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1513200131

Owner Information

Owner Name: MILES ROBERT
MILES DOROTHY
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1215 ENGLEBERTH RD
BALTIMORE MD 21221-2010
Deed Reference: 1) /06245/ 00097
2)

Location & Structure Information

Premises Address
1215 ENGELBERTH RD
0-0000

Legal Description

Waterfront EAGLES NEST POINT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0105	0004	0212		0000			15	3	
									Plat Ref: 0008/ 0070

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1930	662 SF	7,950 SF	34

Stories	Basement	Type	Exterior
1.000000	NO	STANDARD UNIT	ASBESTOS SHINGLE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	295,500	259,500		
Improvements:	44,300	32,900		
Total:	339,800	292,400	292,400	292,400
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
MAULER ANNA C	12/24/1980	\$15,000
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/06245/ 00097	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class: **Special Tax Recapture:** NONE

Homestead Application Information

Homestead Application Status: Approved 05/14/2012



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
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District - 15 Account Number - 1513200131



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[GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1512203110

Owner Information

Owner Name: SCOTT ROBERT H JR
Use: RESIDENTIAL
Mailing Address: 1211 ENGLEBERTH RD
BALTIMORE MD 21221-2010
Principal Residence: YES
Deed Reference: 1) /29947/ 00328
2)

Location & Structure Information

Premises Address
1211 ENGLEBERTH RD
0-0000

Legal Description

1211 ENGLEBERTH RD
Waterfront EAGLES NEST POINT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0105	0004	0212		0000	A		13	3		0008/ 0070

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1950	1,133 SF	12,640 SF	34

Stories	Basement	Type	Exterior
1.000000	NO	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	302,100	262,100		
Improvements:	174,300	113,900		
Total:	476,400	376,000	376,000	376,000
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
SCOTT ROBERT H,SR	09/30/2010	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /29947/ 00328	Deed2:
Seller: LEWIS JAMES J	Date: 10/29/1971	Price: \$26,000
Type: ARMS LENGTH IMPROVED	Deed1: /05228/ 00033	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:
Special Tax Recapture: NONE

Homestead Application Information

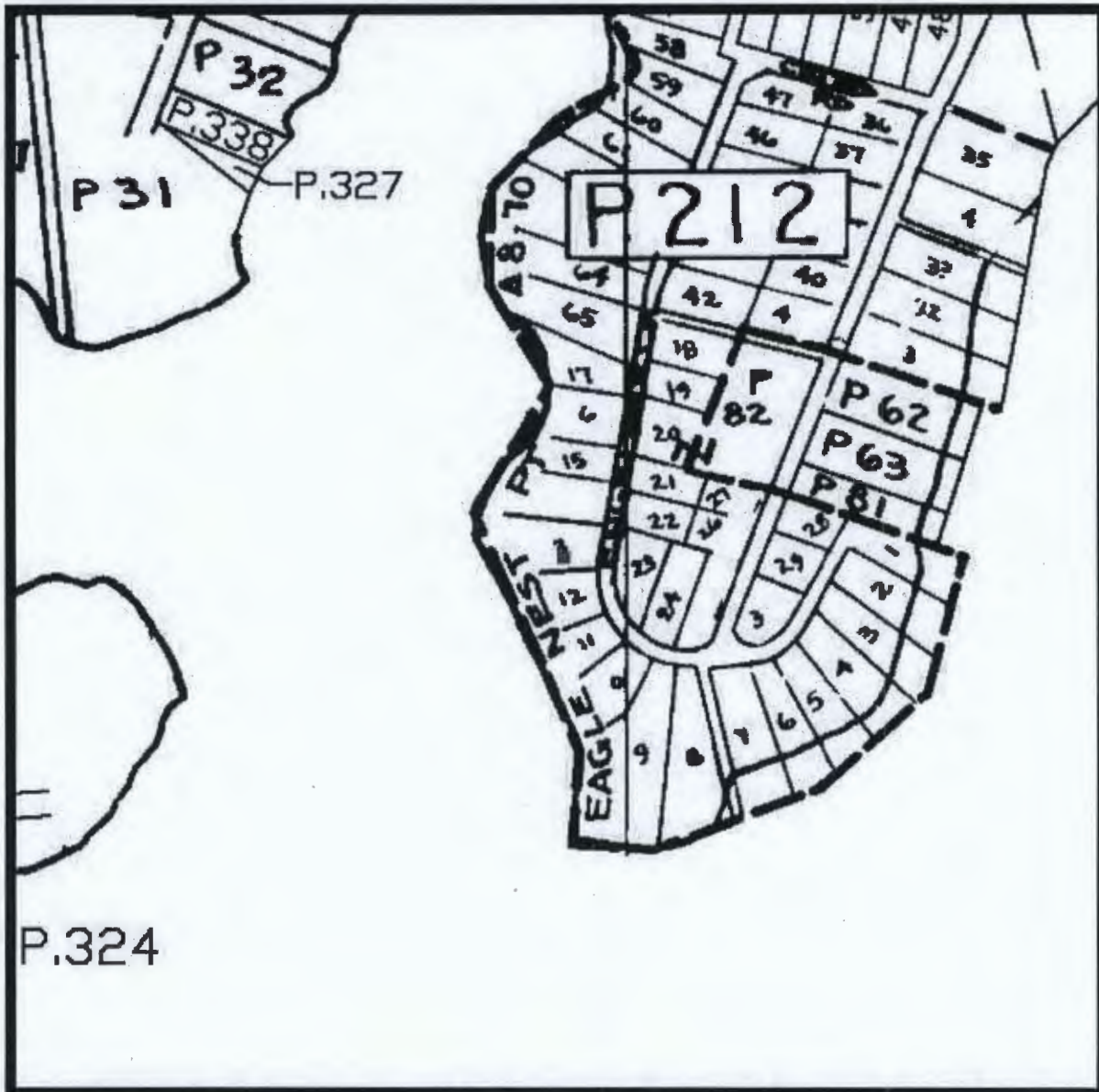
Homestead Application Status: Approved 12/31/2012



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BALTIMORE COUNTY
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District - 15 Account Number - 1512203110



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[GroundRent Registration](#)

Account Identifier: District - 15 Account Number - 1514100950

Owner Information

Owner Name: NEUKAM FREDERICK JOHN JR
NEUKAM CLARICE L
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1213 ENGLEBERTH RD
BALTIMORE MD 21221-2010
Deed Reference: 1)/13539/ 00031
2)

Location & Structure Information

Premises Address
1213 ENGLEBERTH RD
0-0000

Legal Description

1213 ENGLEBERTH RD
Waterfront EAGLES NEST POINT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0105	0004	0212		0000	A		14	3		0008/ 0070

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	800 SF	11,180 SF	34

Stories	Basement	Type	Exterior
1,000000	NO	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	301,100	261,100		
Improvements:	85,000	47,700		
Total:	386,100	308,800	308,800	308,800
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
DONATHAN RUBY MAE	02/19/1999	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /13539/ 00031	Deed2:
NEUKAM MAURICE EUGENE/ CAROLYN	10/13/1998	\$75,000
Type: NON-ARMS LENGTH OTHER	Deed1: /13210/ 00300	Deed2:
NEUKAM FREDERICK J/MAURICE EUGENE	01/22/1998	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12622/ 00117	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class: **Special Tax Recapture:** NONE

Homestead Application Information

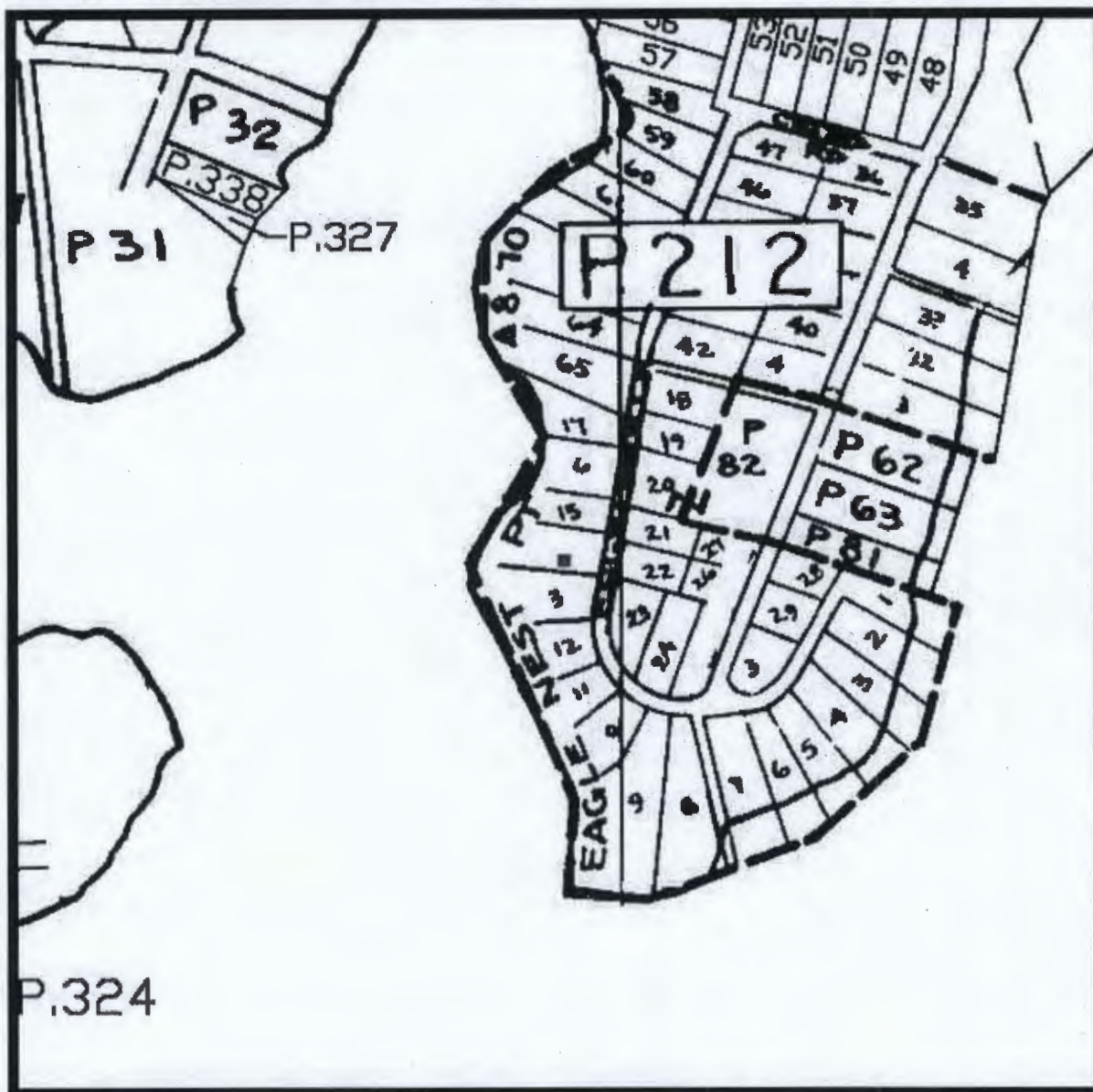
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
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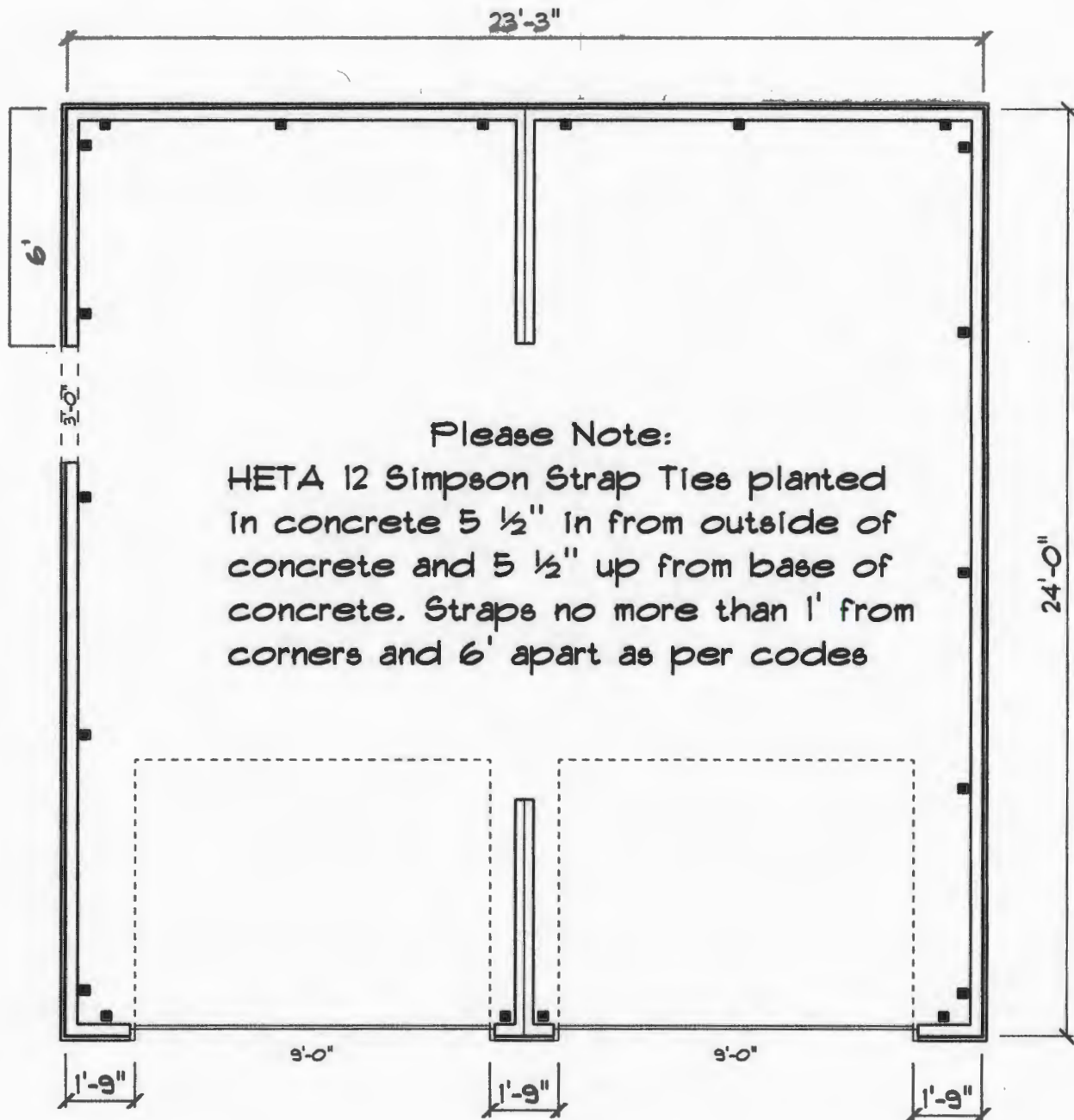
District - 15 **Account Number - 1514100950**



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Concrete Plan

Construction Notes:

Snow Load: 55 psf
 Wind Load: 90 mph
 Weathering: Severe
 Termite: Moderate to Heavy
 Decay: Slight to Moderate
 Flood Hazard: see Local Flood Map

Builders:



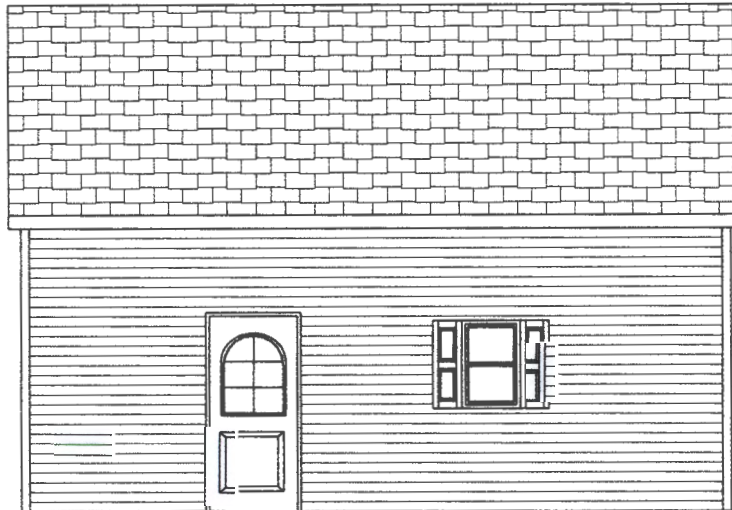
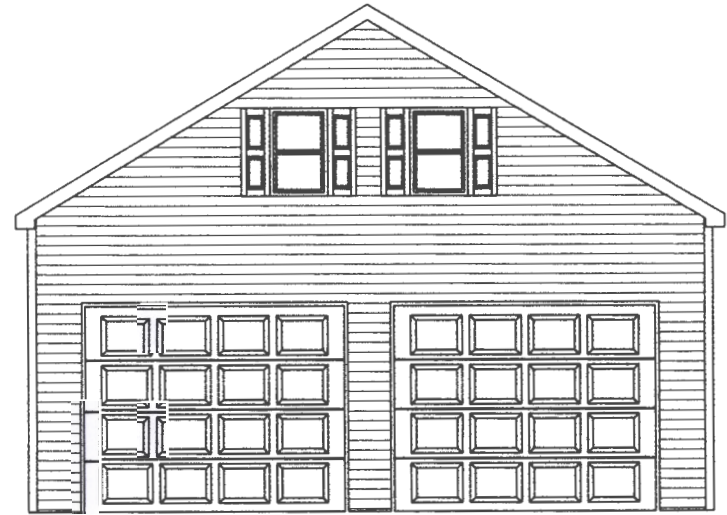
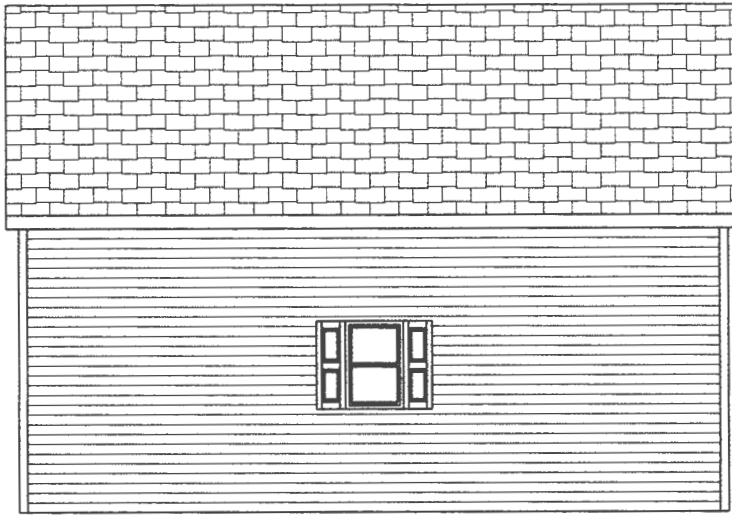
Stoltzfus Structures
 5075 Lower Valley Road
 Atglen, Pa 19130
www.mysheds.net

Job Name:

John Neukam
 1213 Engleberth RD
 Essex MD 21221

Dimensions:

24X24
 2 Car Garage



Construction Notes:

Snow Load: 55 psf
 Wind Load: 90 mph
 Weathering: Severe
 Termites: Moderate to Heavy
 Decay: Slight to Moderate
 Flood Hazard: see Local Flood Map

Builders:

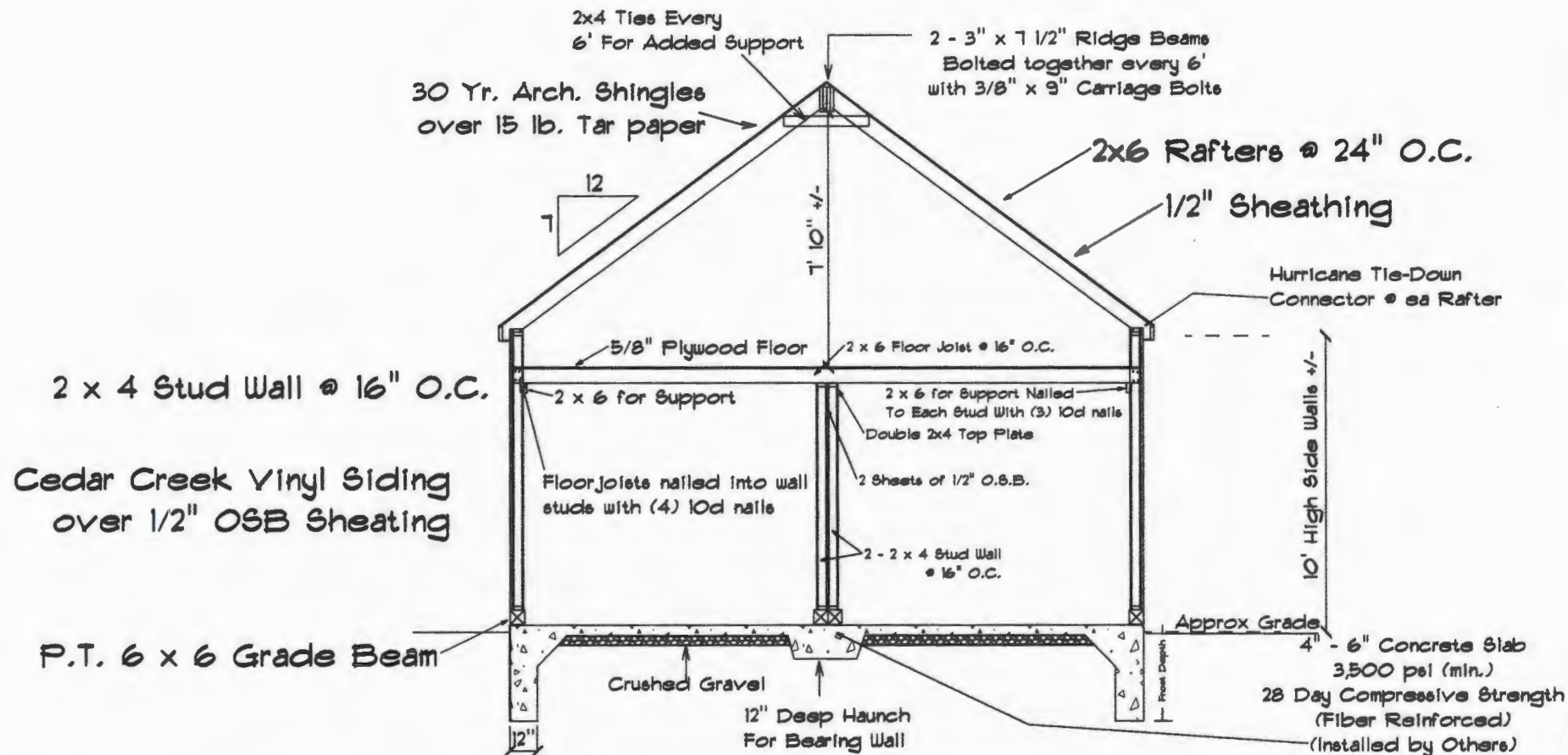

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 5075 Lower Valley Road
 Atglen, Pa 19130
www.mysheeds.net

Job Name:

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Dimensions:

24X24
 2 Car Garage



Construction Notes:

Snow Load: 55 psf
Wind Load: 90 mph
Weathering: Severe
Termite: Moderate to Heavy
Decay: Slight to Moderate
Flood Hazard: see Local Flood Map

Builders:

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5075 Lower Valley Road
Atglen, Pa 19130
www.myshed.net

Job Name:

John Neukam
1213 Engleberth RD
Essex MD 21221

Dimensions:

24X24
2 Car Garage

Subject Property



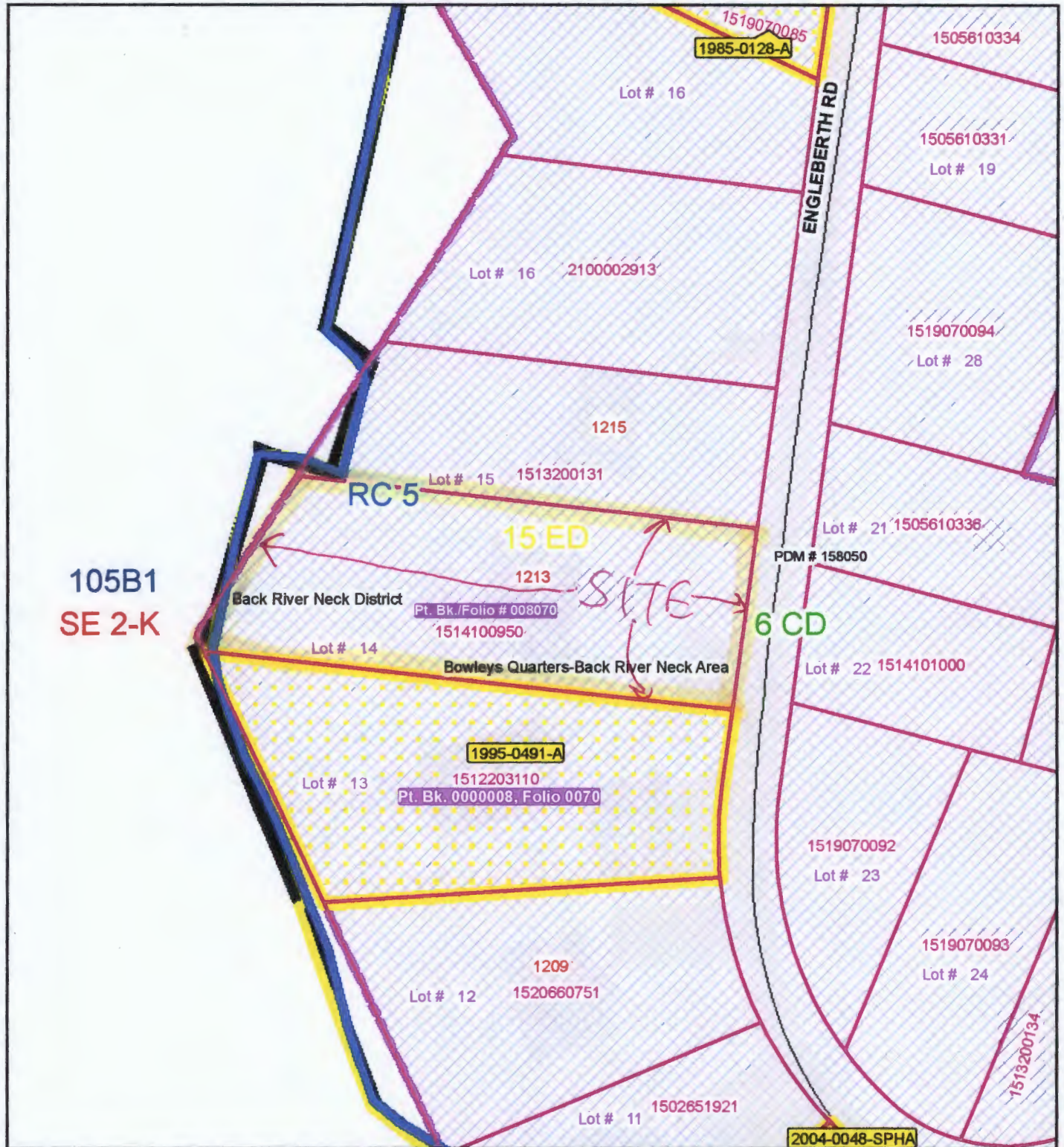
01/01/2013

Neighborhood

01/01/2013



1213 Engleberth Road



Publication Date: 3/26/2013



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

NOTES

1. The Firm Insurance Rate Map, 240010-0445 F indicates this is situated within flood Zone AE. F.E.M.A. indicates a Flood Elevation of 8.5 NAVD 88 based on a Flood Insurance Study Number 240010V000B. A minimum first floor elevation 10.5 NAVD 88.
2. Property lines shown hereon were established by public information.
3. This site is situated within the Chesapeake Bay Critical Areas and is classified by land use as Limited Development Area (LDA) (MAP 105).
4. There shall be no clearing, grading, construction or disturbance of vegetation within the 100' Buffer Area except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
5. This site is situated within a Mapped Buffer Management Area of the Chesapeake Bay Critical Areas.
6. There are no forest or developed woodlands on this site.
7. There are no Tidal & Non-Tidal Wetlands shown on this site.
8. There is no significant plant or animal habitat on this site.
9. There are no slopes greater than 15% on this site.
10. There is a (abandoned) well on this site.
11. There is a (abandoned) septic system on this site.
12. There are no known potentially hazardous materials on this site as defined by Title 7-Health and Environmental Article, Annotated Code of Maryland, except as noted.
13. There are no buildings or property within this site that are included on the Maryland Historical Trust Inventory, The Baltimore County Landmarks List, the National Register of Historic Places, the Maryland Archeological Survey or is a Baltimore County Historical District.
14. The site has 70' ± of water frontage.
15. Public Water and sewer serve this site.
16. Caution underground utilities may exist in Engleberth Road & onsite, contact Miss Utility (800-257-7777) prior to any construction.
17. Proposed garage height < 15'.

ZONING HISTORY

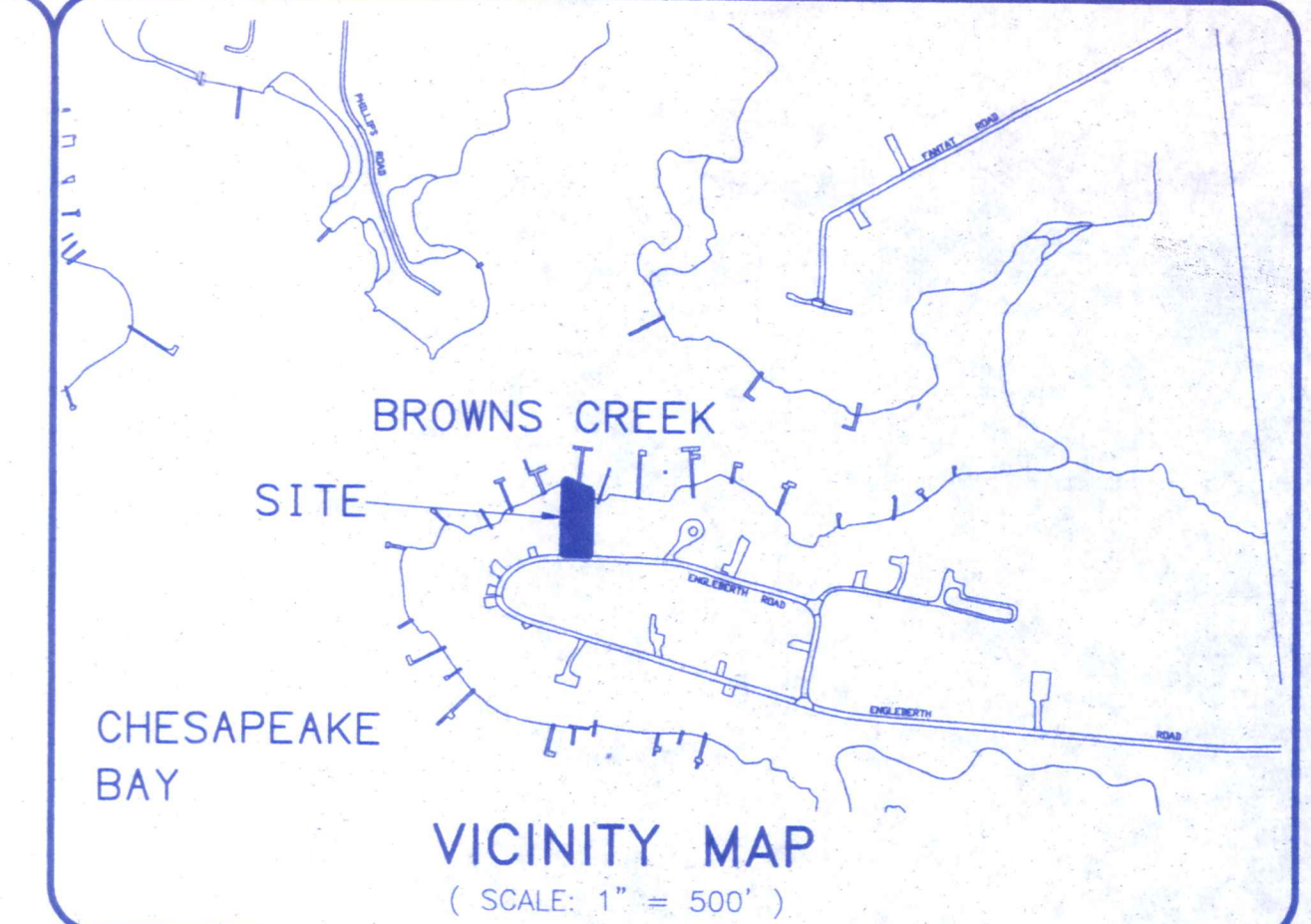
THERE ARE NO CASES FOR THIS SITE.

ZONING VARIANCE REQUEST

1. TO ALLOW A FRONT YARD CENTERLINE SETBACK OF 20' IN LIEU OF THE REQUIRED 75' FOR AN ACCESSORY STRUCTURE PER SECTION 1A04.3.B.2.b. (B.C.Z.R.).
2. TO ALLOW BUILDING COVERAGE OF 15.64% IN LIEU OF THE REQUIRED 15% PER SECTION 1A04.3.B.3. (B.C.Z.R.).
3. TO ALLOW A HEIGHT OF 18' IN LIEU OF THE REQUIRED 15' FOR AN ACCESSORY STRUCTURE PER SECTION 400.3(B.C.Z.R.).

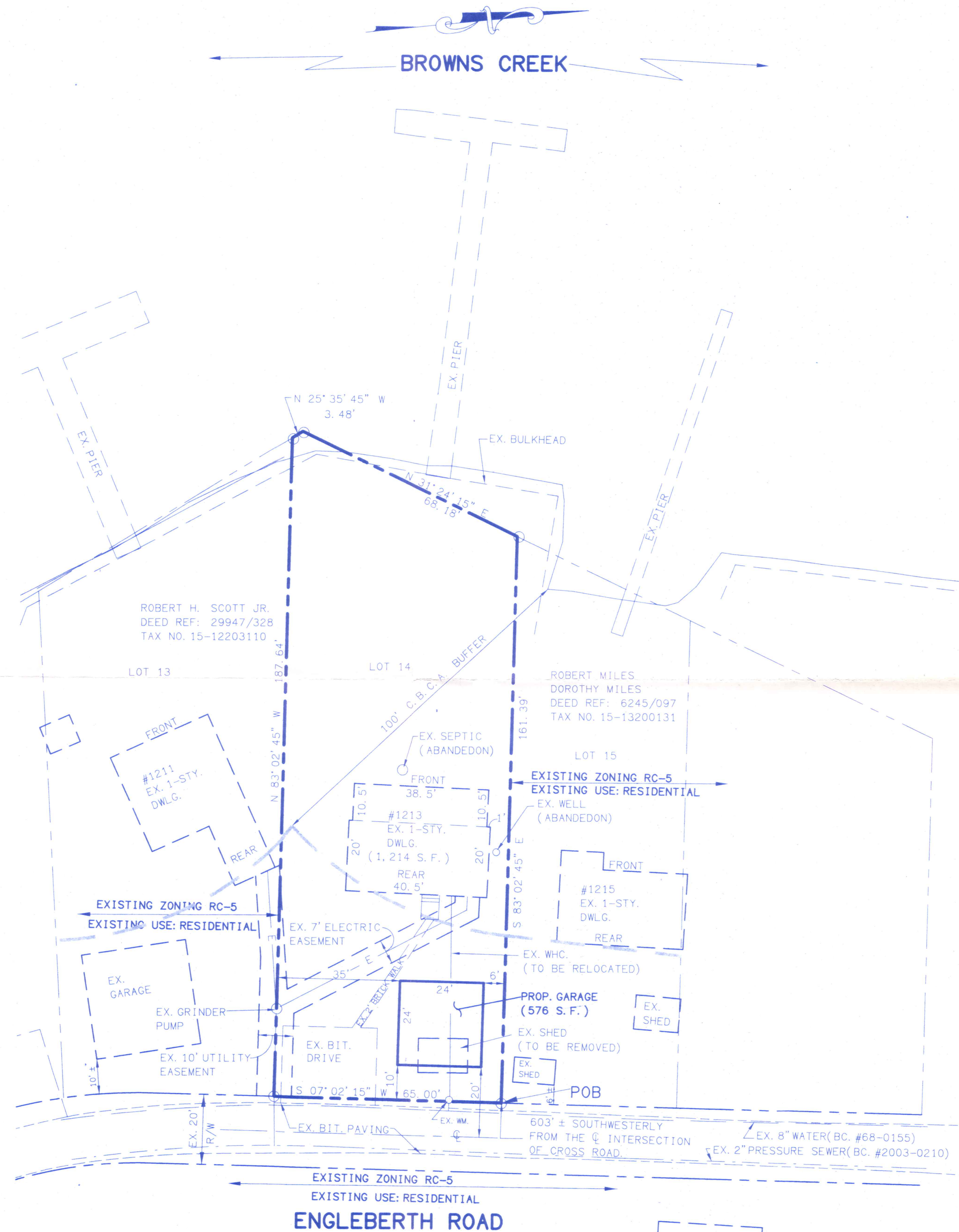
This agreement made this day, 14 March 2013, between Bob and Dot Miles 1215 Engleberth Rd., Essex, MD. 21221 and John and Clarice Neukam 1213 Engleberth Rd., Essex, Md. 21221 that we have no objection to the construction of a 24 x 24 2 car garage to be located at 1213 Engleberth Rd., Essex, MD. 21221

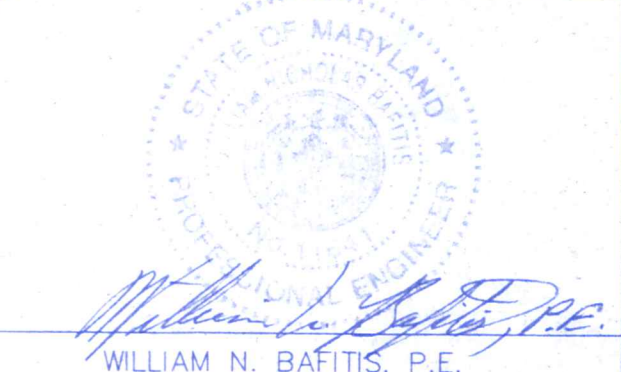
This agreement made this day, 14 March 2013, between Robbie Scott 1211 Engleberth Rd., Essex, MD. 21221 and John and Clarice Neukam 1213 Engleberth Rd., Essex, Md. 21221 that we have no objection to the construction of a 24 x 24 2 car garage to be located at 1213 Engleberth Rd., Essex, MD. 21221



SITE DATA

- 1) OWNER: FREDRICK JOHN NEUKAM JR. & CLARICE L. NEUKAM
#1213 ENGLEBERTH ROAD
BALTIMORE, MARYLAND 21221
- 2) DEED REF: 13539/031
- 3) TAX ACC. NO.: 15-14100950
- 4) TAX MAP: 105 PARCEL: 212 LOT: 14
- 5) PLAT REF: SECTION A & B EAGLE NEST POINT 08/70
- 6) ELECTION DISTRICT: 15TH
- 7) CONCILMANIC DISTRICT: 6TH
- 8) REGIONAL PLANNING DISTRICT: 328
- 9) CENSUS TRACT: 4510
- 10) ZONING: RC-5
- 11) ZONING MAP: 105B1
- 12) USE: EXISTING: RESIDENTIAL, SINGLE FAMILY DWELLING
PROPOSED: RESIDENTIAL GARAGE
- 13) SITE AREA: 11,443 S.F. OR 0.262 AC.



 Bafitis & Associates, Inc.		William N. Bafitis, P.E. PRESIDENT Civil Engineers/Land Planners SURVEYORS		
1249 Engleberth Rd. Baltimore, MD. 21221		(410) 391-2336		
PLAN TO ACCOMPANY ADMINISTRATIVE ZONING PETITION FOR #1213 ENGLEBERTH ROAD				
15TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND		
 WILLIAM N. BAFITIS, P.E. Professional Certification: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 11641 Expiration Date: 09/09/2013		SCALE: 1" = 20'	JOB ORDER NO: 21301	
		DATE: 03/27/13	CHECKED: W.N.B.	
		DRAWN: W.N.B.	SHEET <u>1</u> OF <u>1</u>	
		NO.	REVISIONS	DATE