

MEMORANDUM

DATE: February 8, 2021
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0208-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on February 5, 2021. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

subdivision on a plat recorded in 1925. As noted by the DOP, the petitioner's proposed residence, and the requested variance setbacks are compatible with the surrounding residences and lots. Mr. Scott explained that he and his wife plan to raze the existing residential structure and two story garage. He acknowledged that the lot lies within the Chesapeake Bay Critical Area (CBCA) and that the proposed construction is subject to all the CBCA regulations. He testified that the proposed new residence will be set back farther from the water than the existing residence, and that the impervious surface area will be reduced.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The site is an irregular trapezoid shape with water frontage. The lot was created in 1925, well before the BCZR. It is therefore unique. The Petitioner will suffer practical difficulty and hardship if the variance relief is denied because he would be unable to build the proposed residence. Based on the record evidence I find that the variance relief can be granted within the spirit and intent of the BCZR and without harming the public health, safety, or welfare, especially since the Petitioner will be required to comply with the ZAC comments of the DEPS and DOP.

THEREFORE, IT IS ORDERED, this 6th day of **January 2021**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 1A04.3.B.2.b. for a principal building side yard setbacks of 15.4 ft. and 17.8 ft. in lieu of the required 50 ft., and a principal front yard setback of 48 ft. to the centerline of the road in lieu of the required 75 ft. is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

1/16/21

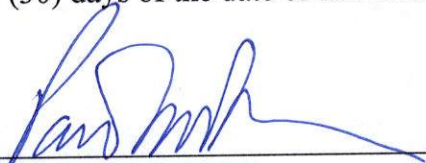
By

D. Mignone

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would Any appeal of this decision must be made within thirty (30) days of the date of this Order.
- Petitioner must comply with DOP and DEPS comments, copies of which are attached hereto and make a part thereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlm

ORDER RECEIVED FOR FILING

Date 1/10/21
By D Mignone



PETITION FOR ZONING HEARING(S)

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 1211 Engleberth Road which is presently zoned RC-5

Deed References: 29947-328 10 Digit Tax Account # 1512203110

Property Owner(s) Printed Name(s) Robert Scott

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

Requesting a variance to Section 1A04.3.B.2.b. for a principal building side yard setback of 15.4 feet and 17.8 feet in lieu of the required 50 feet, and a principal building front yard setback of 48 feet to the centerline of the road in lieu of the required 75 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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 (Petitioners):

Robert Scott

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1211 Engleberth Road

Baltimore

Maryland

Mailing Address

City

State

21221

410-215-3830

drooler01@comcast.net

Zip Code

Telephone #

Email Address

Representative to be contacted:

Brian Dietz, Dietz Surveying

Name - Type or Print

Signature

8119 Oakleigh Road

Baltimore

Maryland

Mailing Address

City

State

21234

410-661-3160

bdietz@dietzsurveying.net

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0208-A

Filing Date 8/2/2020

Do Not Schedule Dates: _____

Reviewer [Signature]

REV. 10/4/11

Zoning Description
For
1211 Engleberth Road

Beginning at a point on the West side of Engleberth Road, which is 20 feet wide, at the distance of 687.6 feet South of the centerline of the Cross Road, which is 30 feet wide. Being Lot 13, in the subdivision of Eagles Nest, as recorded in Baltimore County Plat Book W.P.C. 8, Folio 70, containing 11,929 sq.ft. of land. Also known as 1211 Engleberth Road and located in the 15th Election District, 7th Councilmanic District.

2020-0208-A

CERTIFICATE OF POSTING

2020-0208-A

RE: Case No.: _____

Petitioner/Developer: _____

Robert Scott

January 4, 2021

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

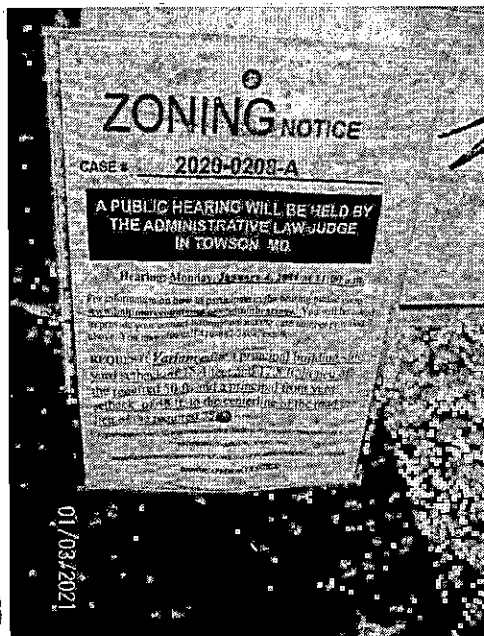
Ladies and Gentlemen:

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: _____

1211 Engleberth Road **SIGN 1 Recertification**

December 15, 2020

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



Sincerely,

 January 3, 2021
(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)

CERTIFICATE OF POSTING

2020-0208-A

RE: Case No.: _____

Petitioner/Developer: _____

Robert Scott

January 4, 2021

Date of Hearing/Closing: _____

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Permits, Approvals and Inspections
County Office Building, Room 111
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Towson, Maryland 21204

Attn: Kristen Lewis:

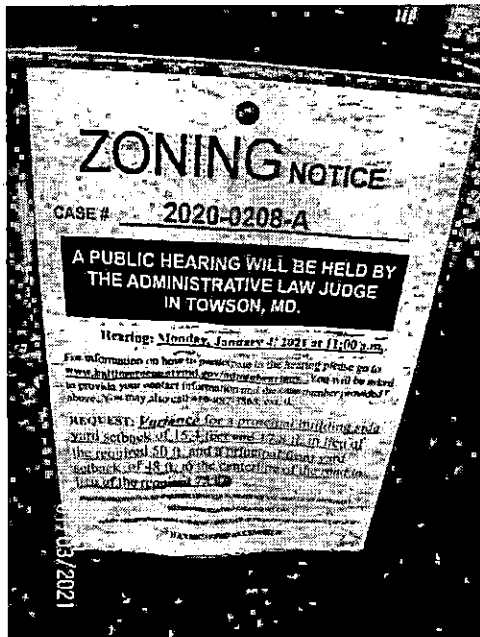
Ladies and Gentlemen:

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: _____

1211 Engleberth Road **SIGN 2 Recertification**

December 15, 2020

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



Sincerely,

 January 3, 2021
(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)

CERTIFICATE OF POSTING

2020-0208-A

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Petitioner/Developer: _____

Robert Scott

January 4, 2021

Date of Hearing/Closing: _____

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

Attn: Kristen 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: _____

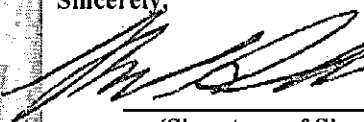
1211 Engleberth Road

SIGN 1

December 15, 2020

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

Sincerely,



December 15, 2020

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

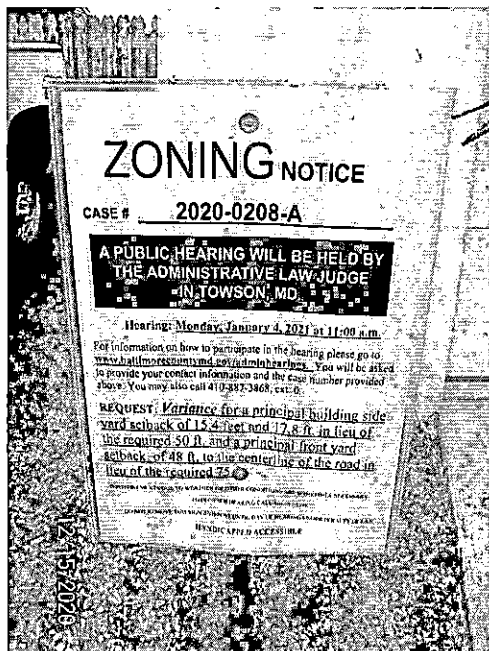
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2020-0208-A

RE: Case No.: _____

Petitioner/Developer: _____

Robert Scott

January 4, 2021
Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

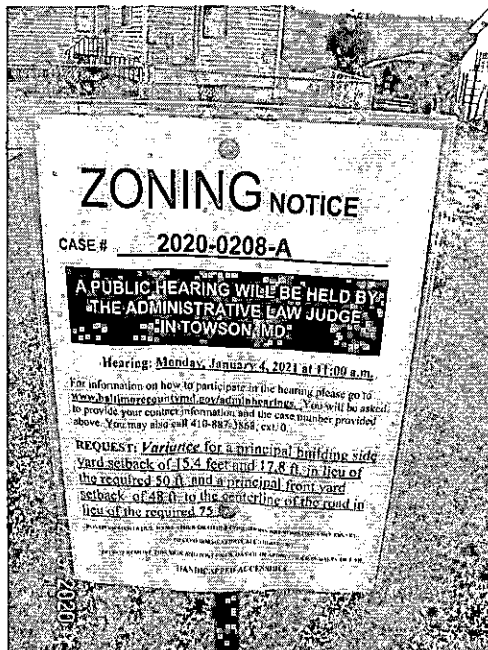
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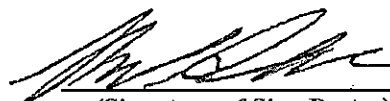
1211 Engleberth Road **SIGN 2**

December 15, 2020

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



Sincerely,

 December 15, 2020
(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)



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

December 10, 2020

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0208-A

1211 Engleberth Road

E/s Engleberth Road, south 687 ft. of Cross Road

15th Election District

Legal Owners: Robert Scott

Variance for a principal building side yard setback of 15.4 feet and 17.8 ft. in lieu of the required 50 ft. and a principal front yard setback of 48 ft. to the centerline of the road in lieu of the required 75 ft.

Hearing: Monday, January 4, 2020 at 11:00 a.m. in Room 205

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Robert Scott, 1211 Engleberth Road, Baltimore 21221
Brian Dietz, 8119 Oakleigh Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY ON TUESDAY, DECEMBER 15, 2020.

TO: THE DAILY RECORD
Tuesday, December 15, 2020 - Issue

Please forward billing to:
Robert Scott
1211 Engleberth Road
Baltimore, MD 21221

410-215-3830

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0208-A
1211 Engleberth Road
E/s Engleberth Road, south 687 ft. of Cross Road
15th Election District
Legal Owners: Robert Scott

Variance for a principal building side yard setback of 15.4 feet and 17.8 ft. in lieu of the required 50 ft. and a principal front yard setback of 48 ft. to the centerline of the road in lieu of the required 75 ft.

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Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1211 Engleberth Road; E/S of Engleberth Road,	*	OF ADMINSTRATIVE
South 687' to c/line of Cross Road	*	HEARINGS FOR
15 th Election & 7 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Robert Scott	*	2020-208-A
Petitioner(s)		

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all 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
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of August, 2020, a copy of the foregoing Entry of Appearance was emailed to Brian Dietz, Dietz Surveying, 8119 Oakleigh Road, Baltimore Maryland 21234, bdietz@dietzsurveying.net, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

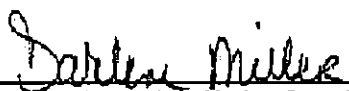
Order #: 11943724
 Case #: 2020-0208-A
 Description:

PUBLISHER'S AFFIDAVIT

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0208-A

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

12/15/2020



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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CASE NUMBER: 2020-0208-A

1211 Engleberth Road

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Michael Maltinoff

Director of Permits, Approvals and Inspections for Baltimore County

d15

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 20200208-A
Property Address: 1211 Englebert Road
Property Description: 1
Legal Owners (Petitioners): Robert Scott
Contract Purchaser/Lessee: /

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert Scott
Company/Firm (if applicable): _____
Address: 1211 Englebert Road
Balt, MD 21221
Telephone Number: 410-215-3830

This agreement made on this day, August 4, 2020
between John O. Doby Sr. and Victoria Doby 1209 Engleberth Road,
Essex Md. 21221 and Robert H. Scott Jr. 1211 Engleberth Road,
Essex, Md. 21221 that we have viewed the house plans and have
no objection to the construction for a new home built located on
1211 Engleberth Road, Essex, Md. 21221

Robert H. Scott Jr.
John O. Doby Sr.
Victoria J. Doby

7-11 3071
520

3021

ROBERT H SCOTT JR.
1211 ENGLEBERTH RD.
BALTIMORE, MD 21221-2010

DATE 6 August 2020 

PAY TO THE ORDER OF Baltimore County \$ 75.00

Seventy Five DOLLARS  MyChoice Premium

M&T Bank

MEMO filing fee Harriet L Scott 

⑈052000⑈1⑈3⑈ 18400256⑈3021

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

No. 199603
Date: 8/12/2020

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					75
Total:									<u>75</u>

Rec From: Robert H Scott Jr.

For: 2020-0208-A
1211 Engleberth Road

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

**CASHIER'S
VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

December 28, 2020

Brian Dietz,
8119 Oakleigh Road
Baltimore MD 21234

RE: Case Number: 2020-0208-A, 1211 Engleberth Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 02, 2020. 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, appearing to read "W. Carl Richards, Jr.", is written over the words "Very truly yours,".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0208-A
Address 1211 Engleberth Road
(Scott Property)

Zoning Advisory Committee Meeting of August 24, 2020.

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 Modified Buffer Area (MBA) and is subject to Critical Area requirements. The proposed development must meet LDA and MBA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Based on the property area above mean high water (11,929 square feet), the maximum Critical Area defined lot coverage allowance for this property is 3,428 square feet with mitigation for any new amount over 25%. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property with a required Critical Area buffer covering about three-quarters of the property. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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;

If the proposed development can be designed to meet the Critical Area defined lot coverage requirements, and meet all modified buffer area, tree, and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/31/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-208

INFORMATION:

Property Address: 1211 Engleberth Road
Petitioner: Robert Scott
Zoning: RC 5
Requested Action: Variance

The Department of Planning has reviewed the petition for a Variance from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (BCZR) to permit a principal building side yard setback of 15.4 feet and 17.8 feet in lieu of the required 50 feet, and a principal building front yard setback of 48 feet to the centerline of the road in lieu of the required 75 feet.

A site visit was conducted on 8/26/2020. The property is located on Brown's Creek in Essex at the end of the Back River Neck peninsula. It is partially within the floodplain and the Chesapeake Bay Critical Area Modified Buffer Area. The area is outside the URDL and is zoned RC 5.

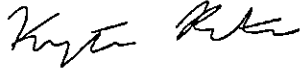
The applicant is proposing to raze the existing primary structure and detached two-story garage and replace with a new two-story dwelling and driveway. The proposal is in keeping with the neighborhood and would likely be an improvement over the existing structures on the property. The requested variances are not uncommon for the area.

The Department of Planning has no objections to the request for variance; provided the following conditions are met.

1. The applicant must comply with all pertaining critical area laws and 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 (500.14.A of the BCZR).
2. Architectural elevations must be submitted to the Department of Planning for review at permitting. Elevations must comply with RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.

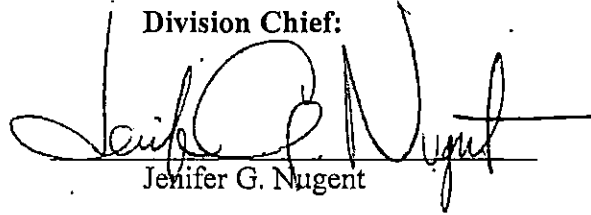
For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Brian Dietz, Brian Dietz Surveying
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/31/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-208

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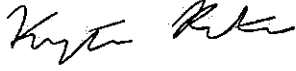
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2. Architectural elevations must be submitted to the Department of Planning for review at permitting. Elevations must comply with RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.

For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

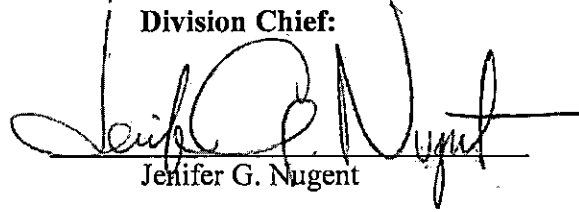
Date: 8/31/2020
Subject: ZAC # 20-208
Page 2

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Brian Dietz, Brian Dietz Surveying
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0208-A
Address 1211 Engleberth Road
(Scott Property)

Zoning Advisory Committee Meeting of **August 24, 2020**.

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 Modified Buffer Area (MBA) and is subject to Critical Area requirements. The proposed development must meet LDA and MBA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Based on the property area above mean high water (11,929 square feet), the maximum Critical Area defined lot coverage allowance for this property is 3,428 square feet with mitigation for any new amount over 25%. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property with a required Critical Area buffer covering about three-quarters of the property. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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;

If the proposed development can be designed to meet the Critical Area defined lot coverage requirements, and meet all modified buffer area, tree, and mitigation requirements, the relief requested will be consistent with established land-use policies..

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 28, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0208-A
Address 1211 Engleberth Road
(Scott Property)

Zoning Advisory Committee Meeting of August 24, 2020.

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 Modified Buffer Area (MBA) and is subject to Critical Area requirements. The proposed development must meet LDA and MBA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Based on the property area above mean high water (11,929 square feet), the maximum Critical Area defined lot coverage allowance for this property is 3,428 square feet with mitigation for any new amount over 25%. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage, the relief requested can result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

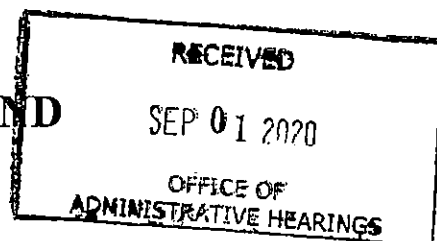
This is a waterfront property with a required Critical Area buffer covering about three-quarters of the property. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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;

If the proposed development can be designed to meet the Critical Area defined lot coverage requirements, and meet all modified buffer area, tree, and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 8/31/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-208

INFORMATION:

Property Address: 1211 Engleberth Road

Petitioner: Robert Scott

Zoning: RC 5

Requested Action: Variance

The Department of Planning has reviewed the petition for a Variance from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (BCZR) to permit a principal building side yard setback of 15.4 feet and 17.8 feet in lieu of the required 50 feet, and a principal building front yard setback of 48 feet to the centerline of the road in lieu of the required 75 feet.

A site visit was conducted on 8/26/2020. The property is located on Brown's Creek in Essex at the end of the Back River Neck peninsula. It is partially within the floodplain and the Chesapeake Bay Critical Area Modified Buffer Area. The area is outside the URDL and is zoned RC 5.

The applicant is proposing to raze the existing primary structure and detached two-story garage and replace with a new two-story dwelling and driveway. The proposal is in keeping with the neighborhood and would likely be an improvement over the existing structures on the property. The requested variances are not uncommon for the area.

The Department of Planning has no objections to the request for variance, provided the following conditions are met.

1. The applicant must comply with all pertaining critical area laws and 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 (500.14.A of the BCZR).
2. Architectural elevations must be submitted to the Department of Planning for review at permitting. Elevations must comply with RC 5 Performance Standards as listed in Section 1A04.4 of the BCZR.

For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

ORDER RECEIVED FOR FILING

Date

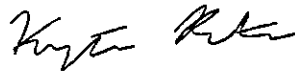
1/16/21

By

[Signature]

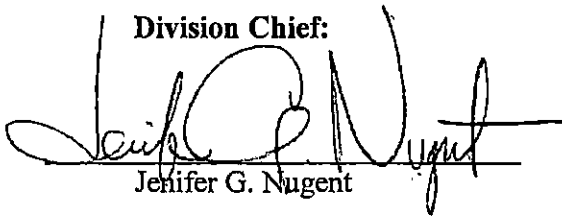
Date: 8/31/2020
Subject: ZAC # 20-208
Page 2

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

CPG/JGN/kma/

c: Joseph Fraker
Brian Dietz. Brian Dietz Surveying
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

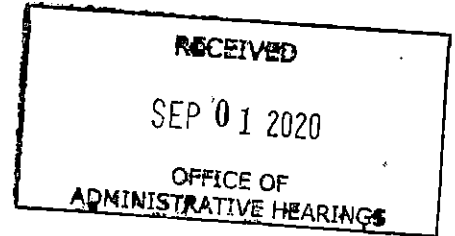
1/10/21

By

D. Mignon

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: September 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0208-A
Address 1211 Engleberth Road
(Scott Property)

Zoning Advisory Committee Meeting of **August 24, 2020**.

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 Modified Buffer Area (MBA) and is subject to Critical Area requirements. The proposed development must meet LDA and MBA requirements for Critical Area lot coverage. Critical Area lot coverage is defined in State of Maryland Natural Resources Article §8-1802(a)(17). Based on the property area above mean high water (11,929 square feet), the maximum Critical Area defined lot coverage allowance for this property is 3,428 square feet with mitigation for any new amount over 25%. If the applicant can meet these requirements, and meet all mitigation requirements for lot coverage, the relief requested can result in minimal adverse impacts to water quality.

ORDER RECEIVED FOR FILING

Date

By

1/10/21
DMignon

2. Conserve fish, plant, and wildlife habitat;

This is a waterfront property with a required Critical Area buffer covering about three-quarters of the property. Meeting the modified buffer area requirements, lot coverage requirements, tree requirements, and any mitigation requirements for buffer impacts will aid in the conservation of fish, plant, and wildlife habitat in the watershed.

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;

If the proposed development can be designed to meet the Critical Area defined lot coverage requirements, and meet all modified buffer area, tree, and mitigation requirements, the relief requested will be consistent with established land-use policies.

Reviewer: Paul Dennis

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 15 Account Number - 1512203110		
Owner Information		
Owner Name:	SCOTT ROBERT H JR	Use: RESIDENTIAL
		Principal Residence: YES
Mailing Address:	1211 ENGLEBERTH RD BALTIMORE MD 21221-2010	Deed Reference: /29947/ 00328
Location & Structure Information		
Premises Address:	1211 ENGLEBERTH RD BALTIMORE 21221-2010 Waterfront	Legal Description: 1211 ENGLEBERTH RD EAGLES NEST POINT
Map:	Grid:	Parcel:
0105	0004	0212
Neighborhood:	Subdivision:	Section:
15080078.04	0000	A
Block:	Lot:	Assessment Year:
	13	2021
		Plat No:
		Plat Ref: 0008/ 0070
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1950	1,133 SF	
		Property Land Area
		12,640 SF
		County Use
		34
Stories	Basement	Type
1	NO	STANDARD UNIT
Exterior	Quality	Full/Half Bath
SIDING/	3	2 full
Garage	Last Notice of Major Improvements	
1 Detached		
Value Information		
	Base Value	Value
		As of
		01/01/2018
Land:	262,100	262,100
Improvements	132,700	132,700
Total:	394,800	394,800
Preferential Land:	0	
Phase-in Assessments		
		As of
		07/01/2020
		As of
		07/01/2021
Transfer Information		
Seller: SCOTT ROBERT H,SR	Date: 09/30/2010	Price: \$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	
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
		0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: Approved 12/31/2012		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

Debra Wiley

From: Debra Wiley
Sent: Thursday, September 17, 2020 9:56 AM
To: Jenae Johnson; Gary M Hucik
Subject: Case No. 2020-0208-A - 1211 Engleberth Rd.
Attachments: 20200917095727512.pdf

1-4-21
11 Am
9-18-20
Per Gary,
my variance
for hearing

Good Morning,

Please find attached the ZAC Agenda for the above-referenced matter.

The attachment reflects a closing date of 9/7; however, that is not appearing in the database and we did not receive the file.

Can you please clarify if this is an admin., and if so. What date, or will be set in for a hearing.

As always, thanks.

-----Original Message-----

From: adminhearingscpr@baltimorecountymd.gov <adminhearingscpr@baltimorecountymd.gov>
Sent: Thursday, September 17, 2020 9:57 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Message from "RNP002673F6C9D3"

This E-mail was sent from "RNP002673F6C9D3" (MP 3055).

Scan Date: 09.17.2020 09:57:27 (-0400)

Queries to: adminhearingscpr@baltimorecountymd.gov

ZAC AGENDA

Case Number: 2020-0208-A **Reviewer:** Gary Hucik
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Robert Scott
Contract Purchaser: No Contract Purchaser was set.

Critical Area: Yes **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 1211 ENGLEBERTH RD

Location: West side of Engleberth Road South 687 feet to the center line of Cross Road.

Existing Zoning: RC 5

Area: 11,929 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

1A04.3.B.2.b. for a principal building side yard setback of 15.4 feet and 17.8 feet in lieu of the required 50 feet, and a principal front yard setback of 48 feet to the center line of the road in lieu of the required 75 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 09/07/2020

Miscellaneous Notes:

*Pet. filed on 8/12
Not in data base for 9/7 AV or hearing as of 9-14-2020*



✓
JOHN A. OLSZEWSKI, JR.
County Executive

✓ Order
✓ Itrc
MICHAEL D. MALLINOFF, Director
Department of Permits,
Approvals & Inspections

December 10, 2020

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0208-A

1211 Engleberth Road

E/s Engleberth Road, south 687 ft. of Cross Road

15th Election District

Legal Owners: Robert Scott

Variance for a principal building side yard setback of 15.4 feet and 17.8 ft. in lieu of the required 50 ft. and a principal front yard setback of 48 ft. to the centerline of the road in lieu of the required 75 ft.

Hearing: Monday, January 4, 2020 at 11:00 a.m. in Room 205

For information on how to participate in the hearings please go to

www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Robert Scott, 1211 Engleberth Road, Baltimore 21221
Brian Dietz, 8119 Oakleigh Road, Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY ON TUESDAY, DECEMBER 15, 2020.



PETITION FOR ZONING HEARING(S)

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 1211 Engleberth Road

which is presently zoned RC-5

Deed References: 29947-328

10 Digit Tax Account # 1512203110

Property Owner(s) Printed Name(s) Robert Scott

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s)

Requesting a variance to Section.1A04.3.B.2.b. for a principal building side yard setback of 15.4 feet and 17.8 feet in lieu of the required 50 feet, and a principal building front yard setback of 48 feet to the centerline of the road in lieu of the required 75 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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 (Petitioners):

Robert Scott

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1211 Engleberth Road

Baltimore

Maryland

Mailing Address

City

State

21221

410-215-3830

/ drooker01@comcast.net

Zip Code

Telephone #

Email Address

Representative to be contacted:

Brian Dietz, Dietz Surveying

Name - Type or Print

Signature

8119 Oakleigh Road

Baltimore

Maryland

Mailing Address

City

State

21234

410-661-3160

/ bdietz@dietzsurveying.net

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0208-A

Filing Date 8/2/2020

Do Not Schedule Dates: _____

Reviewer [Signature]

REV. 10/4/11

Debra Wiley

From: Debra Wiley
Sent: Friday, December 11, 2020 10:18 AM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 2020-0208-A

Event Information

Event: Zoning Hearing - Case No. 2020-0208-A - 1211 Engleberth Rd. - Robert Scott
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eb843b>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e88888>
Date and time: Monday, January 4, 2021 11:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 1 hour
Description: Zoning Hearing
Case No. 2020-0208-A
1211 Engleberth Road
Robert Scott
Event number: 180 128 2067
Event password: 1234
Host key: 114473
Alternate Host: Donna Mignon, Henry Ayakwah, Maureen Murphy
Panelist Info:
Panelist password:
Panelist numeric password: 369302
Video Address: 1801282067@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 180 128 2067

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Brian Dietz	bdietz@dietzsurveying.net	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Robert Scott	drooler01@comcast.net	1-	New York Time	English	U.S.

Debra Wiley

Subject: Web seminar scheduled: Zoning Hearing - Case No. 2020-0208-A - 1211 Engleberth Rd.
- Robert Scott

Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ecf27d1d89a9e57a46218f717de2f567c>

Start: Mon 1/4/2021 11:00 AM

End: Mon 1/4/2021 12:00 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: webex

CAUTION: This message from messenger@webex.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

When it's time, start the Webex event here.

Host: Debra Wiley (dwiley@baltimorecountymd.gov)

Event number (access code): 180 128 2067

Monday, January 4, 2021 11:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ecf27d1d89a9e57a46218f717de2>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e22c7124e74aa7ea9b369515762>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1801282067@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 369302

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=ee3687b7ac3f66b2a3c37e11c11509722>

Need help? Go to <http://help.webex.com>

Order ✓
ltr ✓
Exh. ✓

1/4/20@
11-

CASE NO. 2020-0208A

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

9/1

DEPS
(if not received, date e-mail sent _____)

Critical
Area

FIRE DEPARTMENT

8/31

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

Comments
no objection

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 12-15-20

SIGN POSTING (1st) Date: 12-15-20 by Black

SIGN POSTING (2nd) Date: 1-3-21 by "

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Debra Wiley

From: webmaster@baltimorecountymd.gov
Sent: Monday, January 4, 2021 6:59 AM
To: Administrative Hearings
Subject: Request to Testify

Results of Form Submission

Request to Testify

Label	Value
First Name	John
Last Name	Neukam
Email	johnn9353@aol.com
Phone	14103919858
Address	1213 ENGLEBERTH RD
City	ESSEX
State	Maryland
ZIP Code	21221
Case Number	2020-0208a
Scheduled Hearing Date	1-4-2021



Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Brian Dietz	bdietz@dietzsurveying.net	1-	New York Time	English	U.S.
John Neukam	johnn9353@aol.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Robert Scott	drooler01@comcast.net	1-	New York Time	English	U.S.

Debra Wiley

From: Administrative Hearings
Sent: Tuesday, December 29, 2020 1:08 PM
To: RLS
Subject: RE: 20201228_184507.pdf

Ms. Scott,

I have received your exhibits. Is there any way you can send me a blank sheet listing each exhibit with a number and then a brief description so that I can properly label and place in the shared folder for your hearing.

Here's an example:

Exhibit List:

1. Zoning Description
2. Petition
3. Etc. – List Exhibits 1 through 12

Thanks and please let me know if you need any clarification.

From: RLS <drooler01@comcast.net>
Sent: Tuesday, December 29, 2020 1:00 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: 20201228_184507.pdf

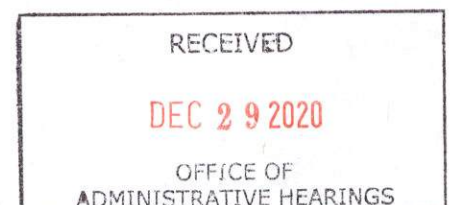
CAUTION: This message from drooler01@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Debbie,
Case # 2020-0208-A
1211 Engleberth Road

Exhibits for case hearing on January 4th, Monday

-Robert and Rhoda Scott

Sent from my iPhone



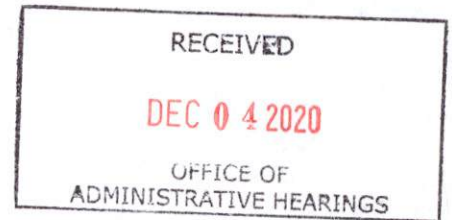
1-4-21
11am

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, January 3, 2021 6:54 PM
To: drooler01@comcast.net; Administrative Hearings
Subject: Recertification's For 2020-0208-A
Attachments: Re-Cert 1 2020-0208-A.doc; Re-Cert 2 2020-0208-A.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 1211 Engleberth Road. Thanks and have a Happy New Year to ALL.



Donna Mignon

From: Donna Mignon
Sent: Tuesday, December 22, 2020 1:19 PM
To: 'bdietz@dietzsurveying.net'
Subject: 1211 Engleberth Road Case No: 2020-0208-A

Good Afternoon,

As you are aware, a virtual webex hearing has been scheduled for January 4, 2021 at 11:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Case # 2020-0208-A

1. Zoning Description
2. Petition
3. Zoning Plat
4. Record Plat for Engleberth Road neighborhood (Est. 1925)
5. Street view of 1211 Engleberth Road (center house)
6. Street view of 1211 Engleberth Road adjacent to 1213 Engleberth Road
7. Street view of 1211 Engleberth Road adjacent to 1209 Engleberth Road
8. Street view (close up) of 1211 and 1213 property line
9. Waterview of 1211 Engleberth Road
10. New residence for 1211 Engleberth Road- front and rear views
11. New residence for 1211 Engleberth Road- side elevation view from 1213 Engleberth Road
12. New residence for 1211 Engleberth Road- side elevation view from 1209 Engleberth Road

1/4/21

11 Am

1/6/21

DM

1/4/21
11 Am

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#1

Zoning Description
For
1211 Engleberth Road

Beginning at a point on the West side of Engleberth Road, which is 20 feet wide, at the distance of 687.6 feet South of the centerline of the Cross Road, which is 30 feet wide, Being Lot 13, in the subdivision of Eagles Nest, as recorded in Baltimore County Plat Book W.P.C. 8, Folio 70, containing 11,929 sq.ft. of land. Also known as 1211 Engleberth Road and located in the 15th Election District, 7th Councilmanic District.

#2



PETITION FOR ZONING HEARING(S)

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 1211 Engleberth Road

which is presently zoned RC-5

Deed References: 29947-328

10 Digit Tax Account # 1512203110

Property Owner(s) Printed Name(s): Robert Scott

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. **X** a **Variance** from Section(s)

Requesting a variance to Section 1A04.3.B.2.b. for a principal building side yard setback of 15.4 feet and 17.8 feet in lieu of the required 50 feet, and a principal building front yard setback of 48 feet to the centerline of the road in lieu of the required 75 feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or Indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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 (Petitioners):

Robert Scott

Name #1 -- Type or Print

Name #2 -- Type or Print

Signature #1

Signature #2

1211 Engleberth Road

Baltimore

Maryland

Mailing Address

City

State

21221

410-215-3830

/ drooler01@comcast.net

Zip Code

Telephone #

Email Address

Representative to be contacted:

Brian Dietz, Dietz Surveying

Name -- Type or Print

Signature

8119 Oakleigh Road

Baltimore

Maryland

Mailing Address

City

State

21234

/ 410-661-3160

/ bdietz@dietzsurveying.net

Zip Code

Telephone #

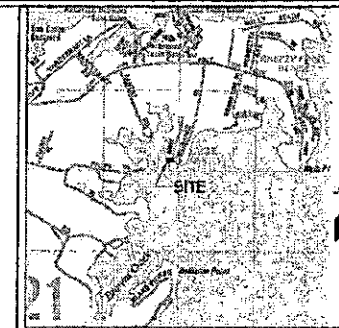
Email Address

CASE NUMBER: _____ Filing Date: / /

Do Not Schedule Dates: _____ Reviewer: _____

REV. 10/4/11.

BROWN'S CREEK



Vicinity Map

Scale 1" = 2300'

Notes

1. Owner: Robert Scott Jr.
1211 Englehardt Road
Baltimore MD. 21221
2. Tax. # 1512203110
3. Area= 11929 sq.ft. or 0.274 Ac.+/-
4. Zoned: RCB
5. This site is in the Chesapeake Bay Critical Area.
6. This site is in the 100 year flood plain.
7. There are no underground fuel tanks..
8. This is not a historic property/building.
9. This site is serviced by public sewer and water.
10. Prior Zoning Code: 85-431-A. Variance to allow a detached garage with a height of 27' and a street setback of 14' in lieu of the required 15' and 75' to the street center line respectively. Granted 09/11/1995.

Plat to Accompany a Petition for a Variance

Scott Property

1211 Engleberth Road
Baltimore County, Maryland

15th Election District 7th Councilmanic District
Scale: 1"=30' Date: July 22, 2020

LOT COVERAGE

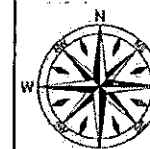
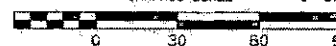
EXISTING LOT COVERAGE = 3389 sq. ft. or 28.4%

PROPOSED LOT COVERAGE = 3181 sq.ft. or 26.5%



Proctor

GRAPHIC SCALE 1"=30'



Dietz Surveying Co.

Land Surveying and Land Planning

8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163

www.dietzsurveying.net

File Name: C:\AngelData\Vol 121\AngelData 1211 Set Files

File Date 1/22/2020

150-912

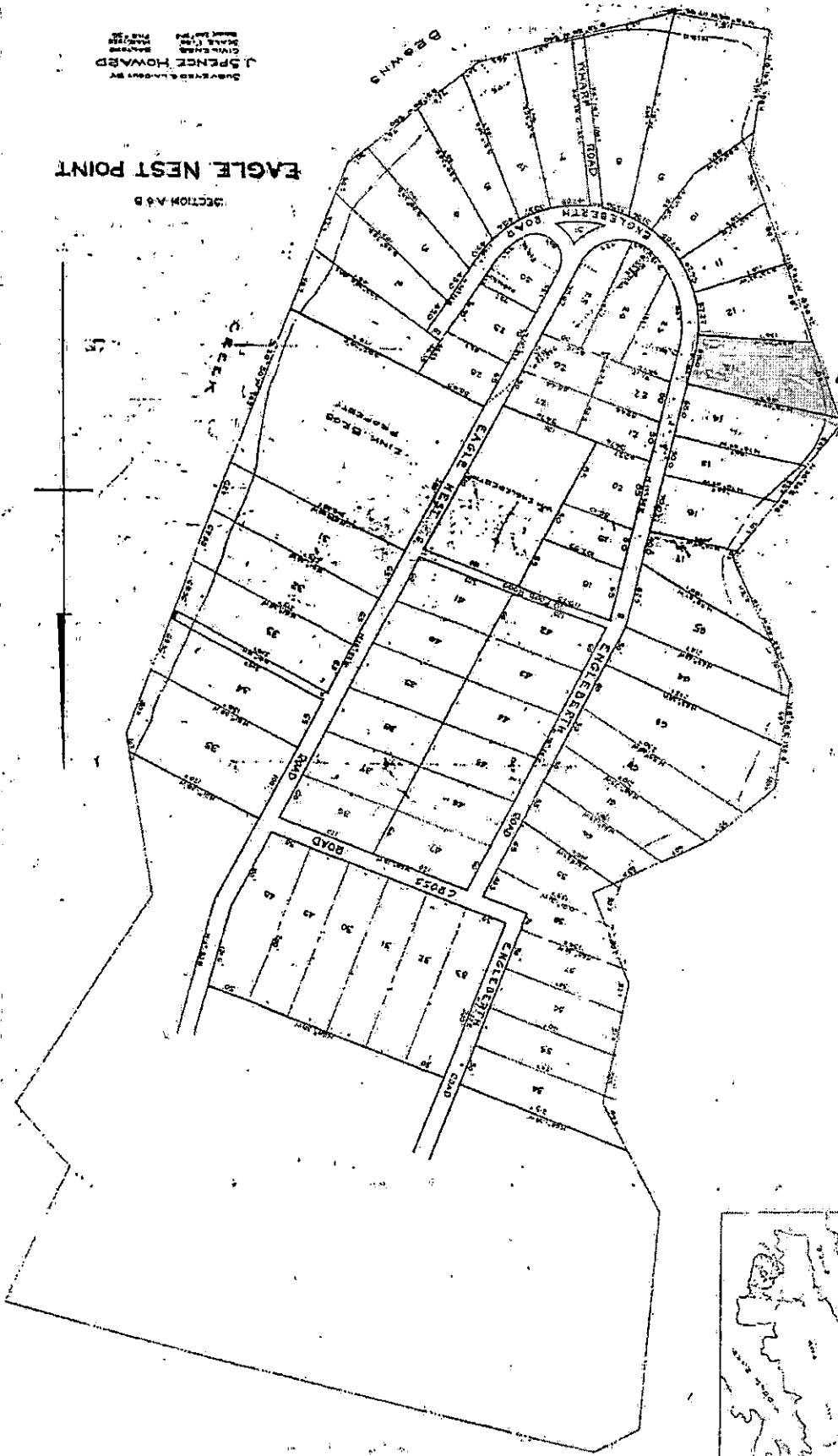
DATA FILES

2025 17152

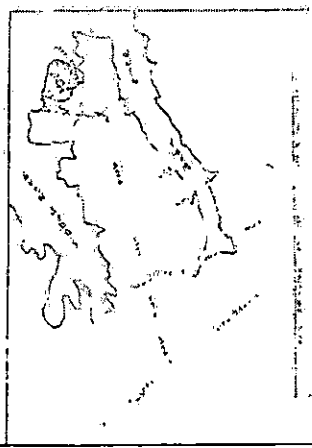
J. SPENCE HOWARD
CIVIL ENGINEER
BOSTON
MASS.
1912

EAGLE NEST POINT

SECTION A & B



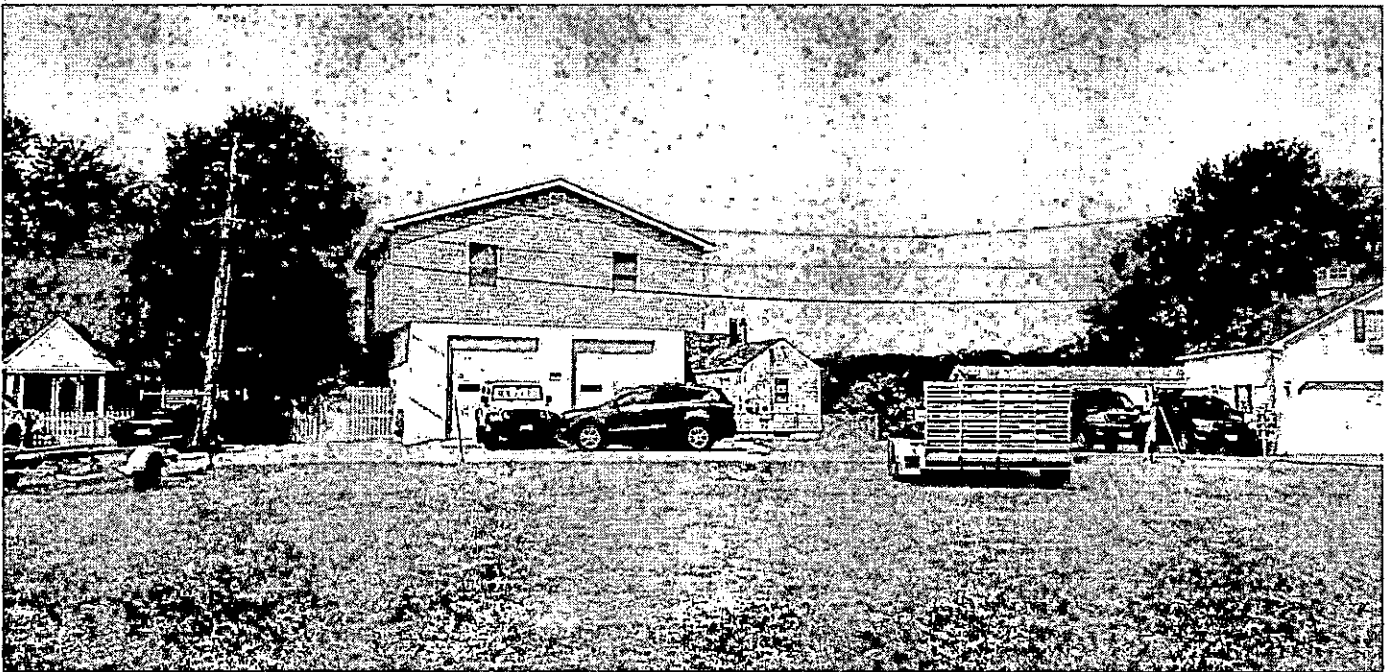
1211
Englebert Road →



#4

#5

Street view of house
located - center



1211 Engleberth Rd.
Essex, Md. 21221

#6

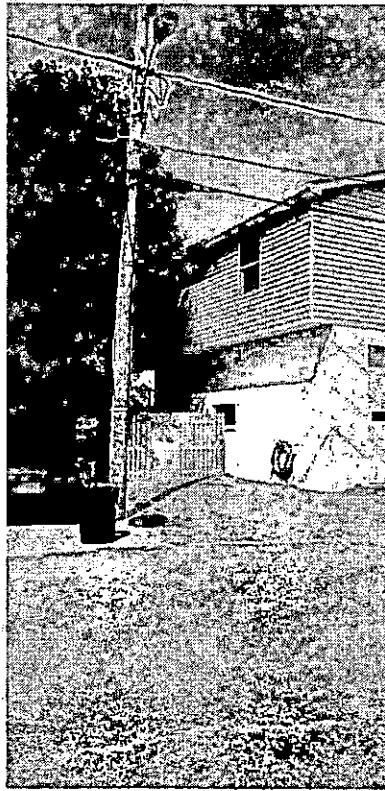
Street view of house
on angle from property line



1211 Engleberth Road
Essex, Md. 21221

#7

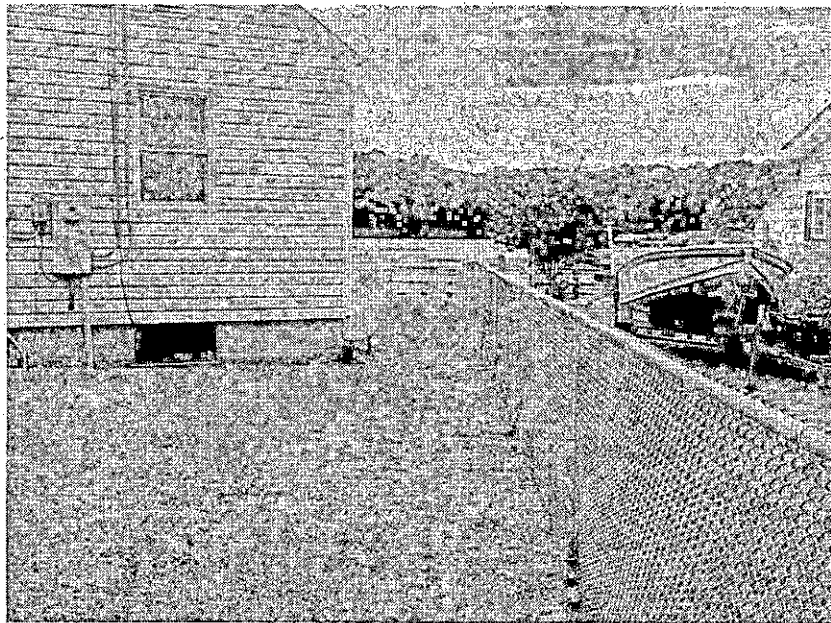
Street view of garage angle
from property line



1211 Englebert Road
Essex, Md. 21221

#8

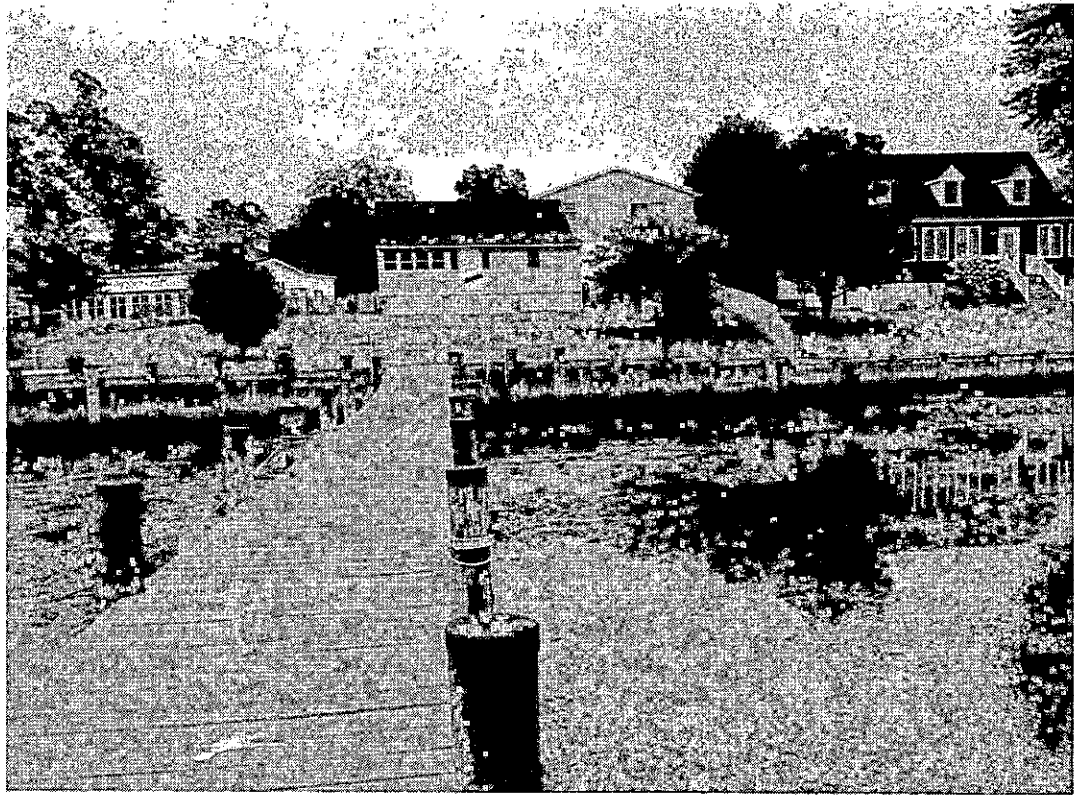
Street view of house (corner)
from property line



1211 Engleberth Road
Essex, Md. 21221

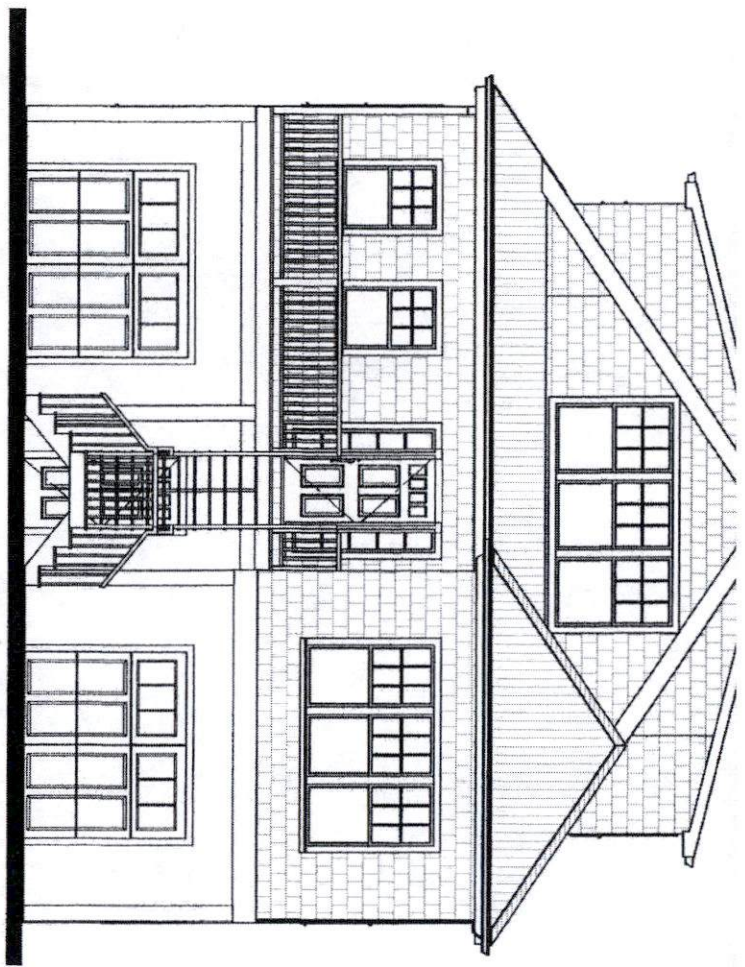
#9

Waterfront view of house
located - center



1211 Engleberth Rd
Essex, Md. 21221

#10



FRONT ELEVATION
SCALE 1/8" = 1'-0"



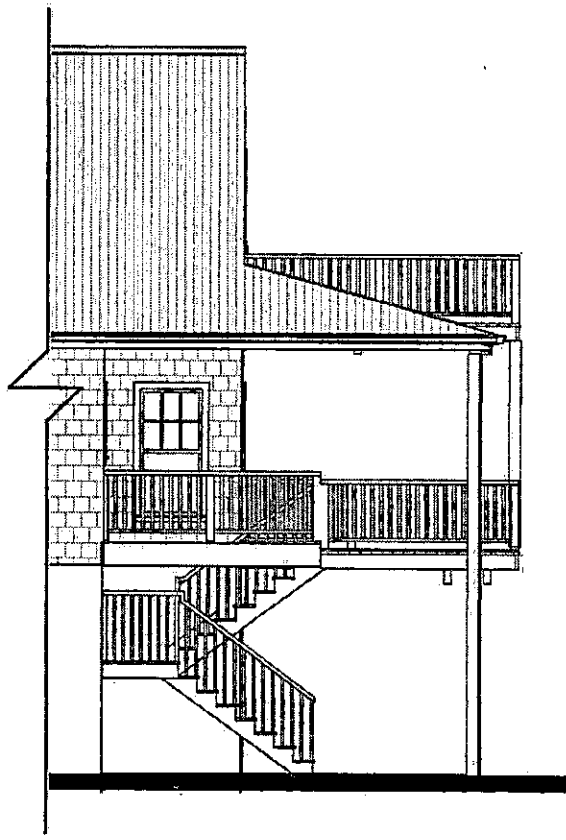
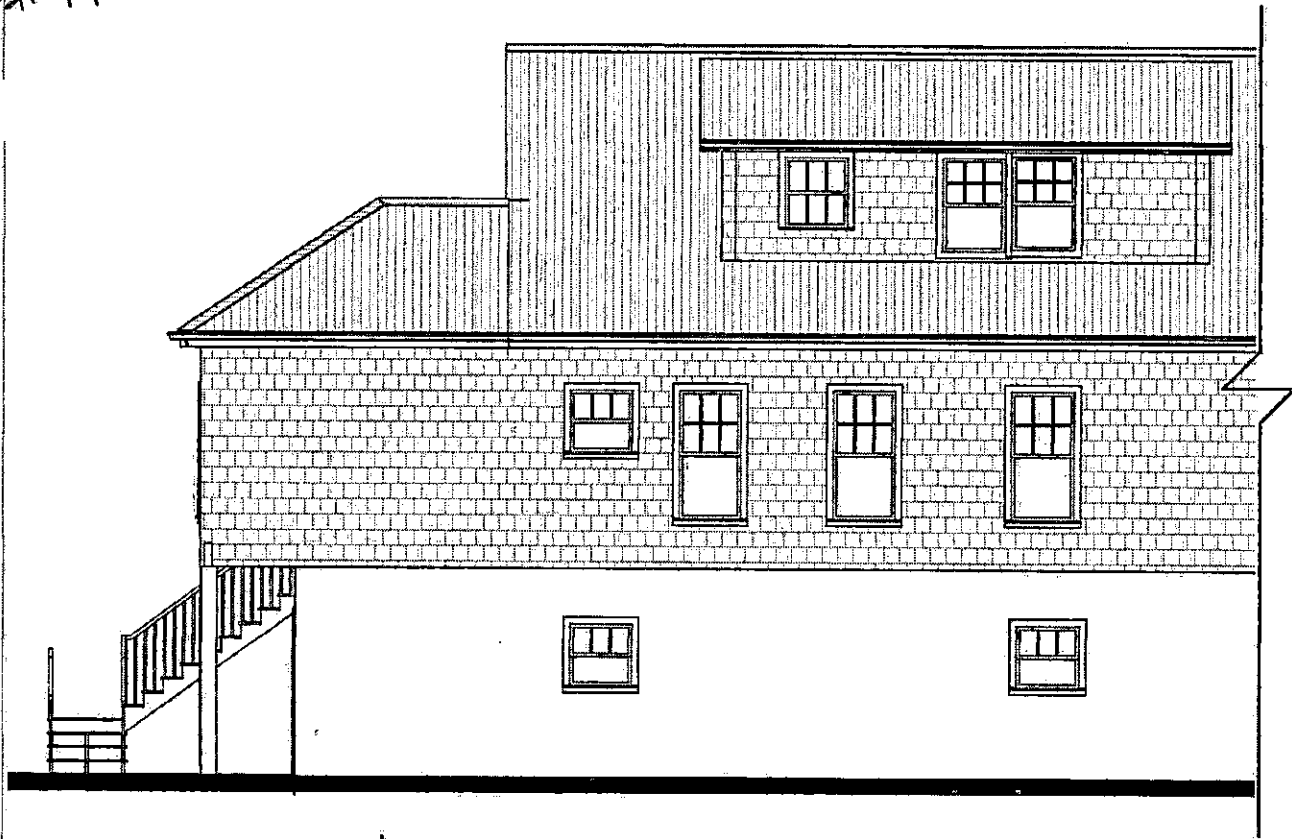
REAR ELEVATION
SCALE 1/8" = 1'-0"

NEW RESIDENCE FOR THE SCOTT FAMILY 1211 ENGLEBERTH ROAD, ESSEX, MD 21221

#11



MAUREEN
COPELAND
717.599.9590



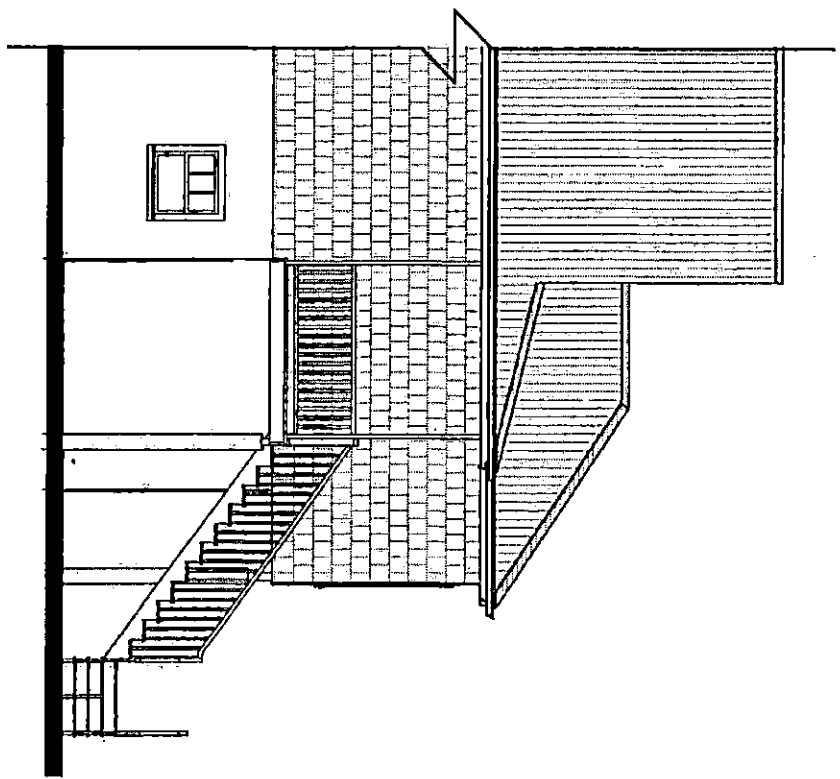
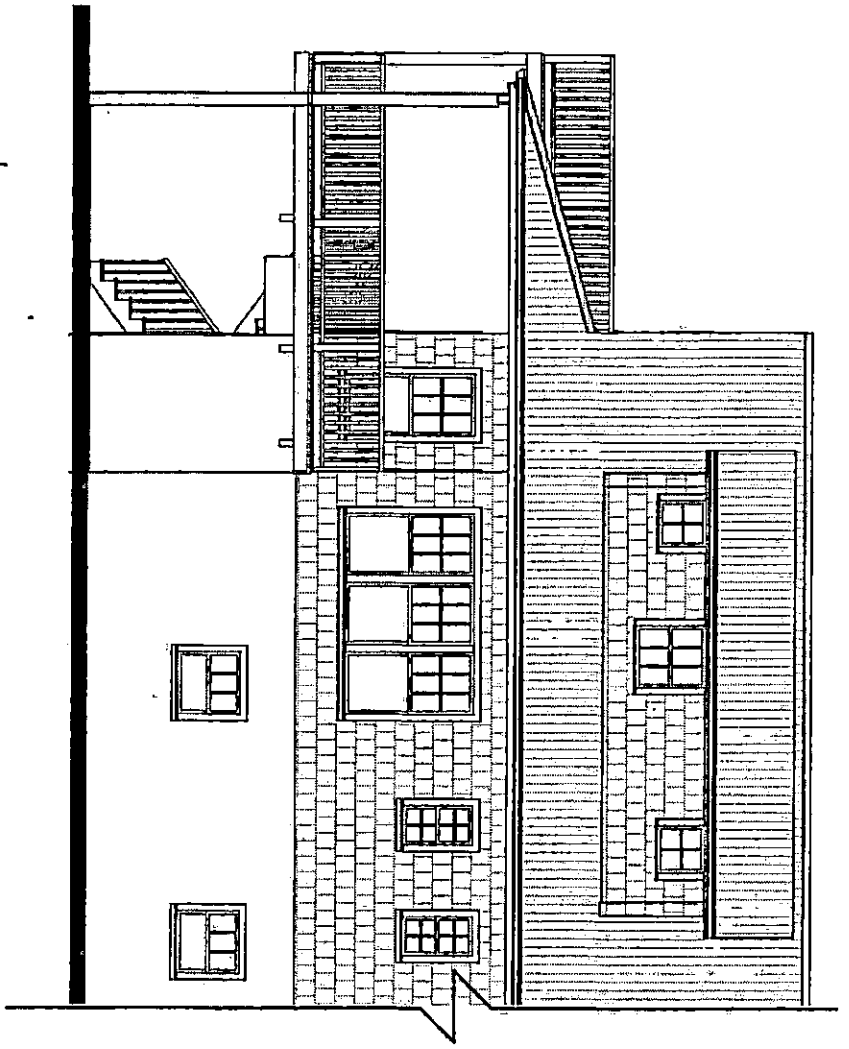
SIDE ELEVATION 1
SCALE 1/8" = 1'-0"

NEW RESIDENCE FOR THE SCOTT FAMILY
1211 ENGLEBERTH ROAD, ESSEX, MD 21221

SCHEMATIC
PLANS
10.3.2019

A4

#12



SIDE ELEVATION 2
SCALE 1/8" = 1'-0"

MAUREEN
COPELAND
717.399.0570



NEW RESIDENCE FOR THE SCOTT FAMILY
1211 ENGLEBERTH ROAD, ESSEX, MD 21221

SCHEMATIC
PLANS
10.3.2019

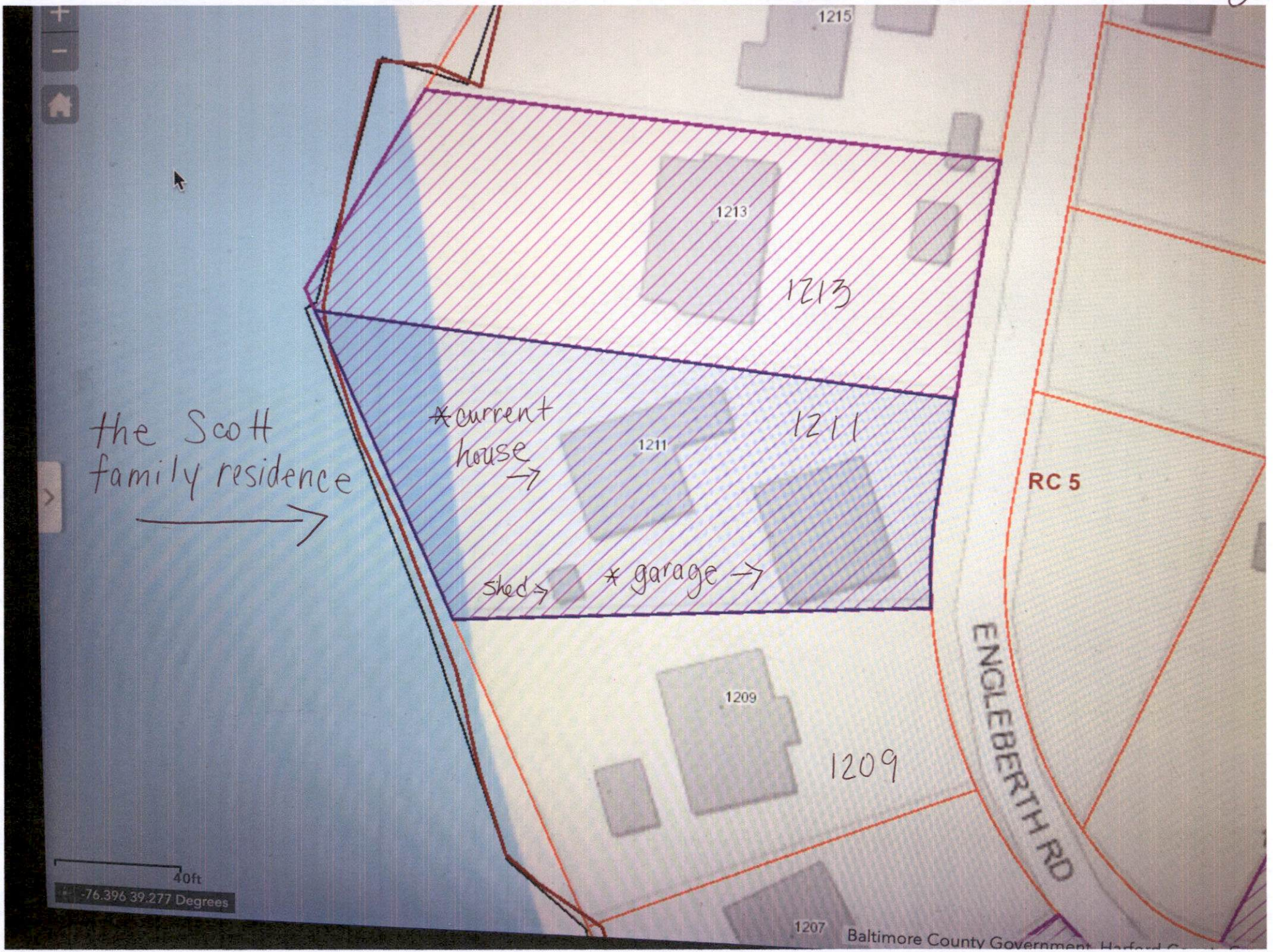
A5

Water front
view of
house from
property line

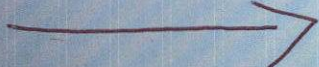


1211 Engleberth Rd
Essex, Md. 21221





the Scott family residence



*current house →

shed →

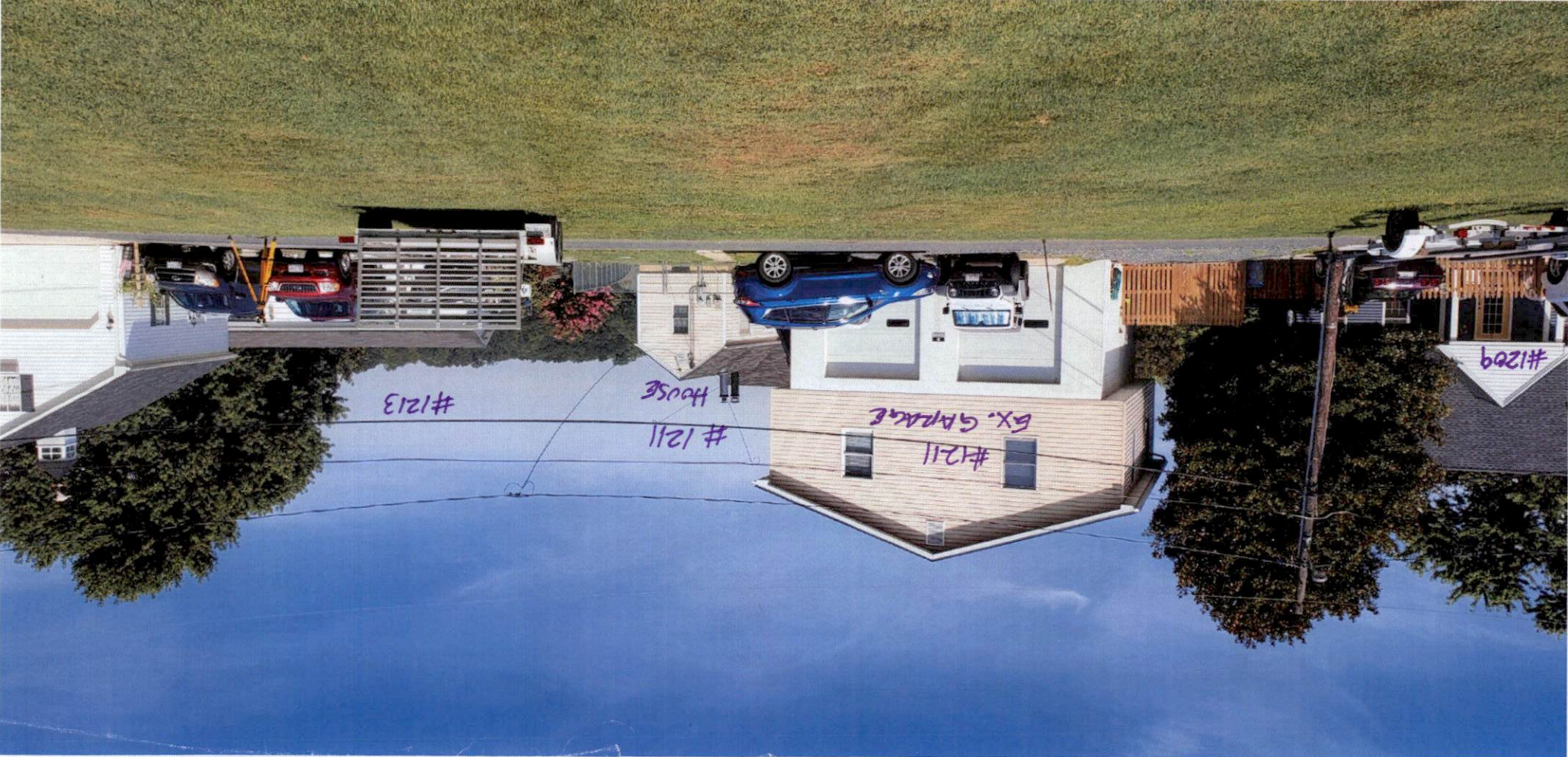
*garage →

RC 5

ENGLEBERTH RD

40ft

-76.396 39.277 Degrees



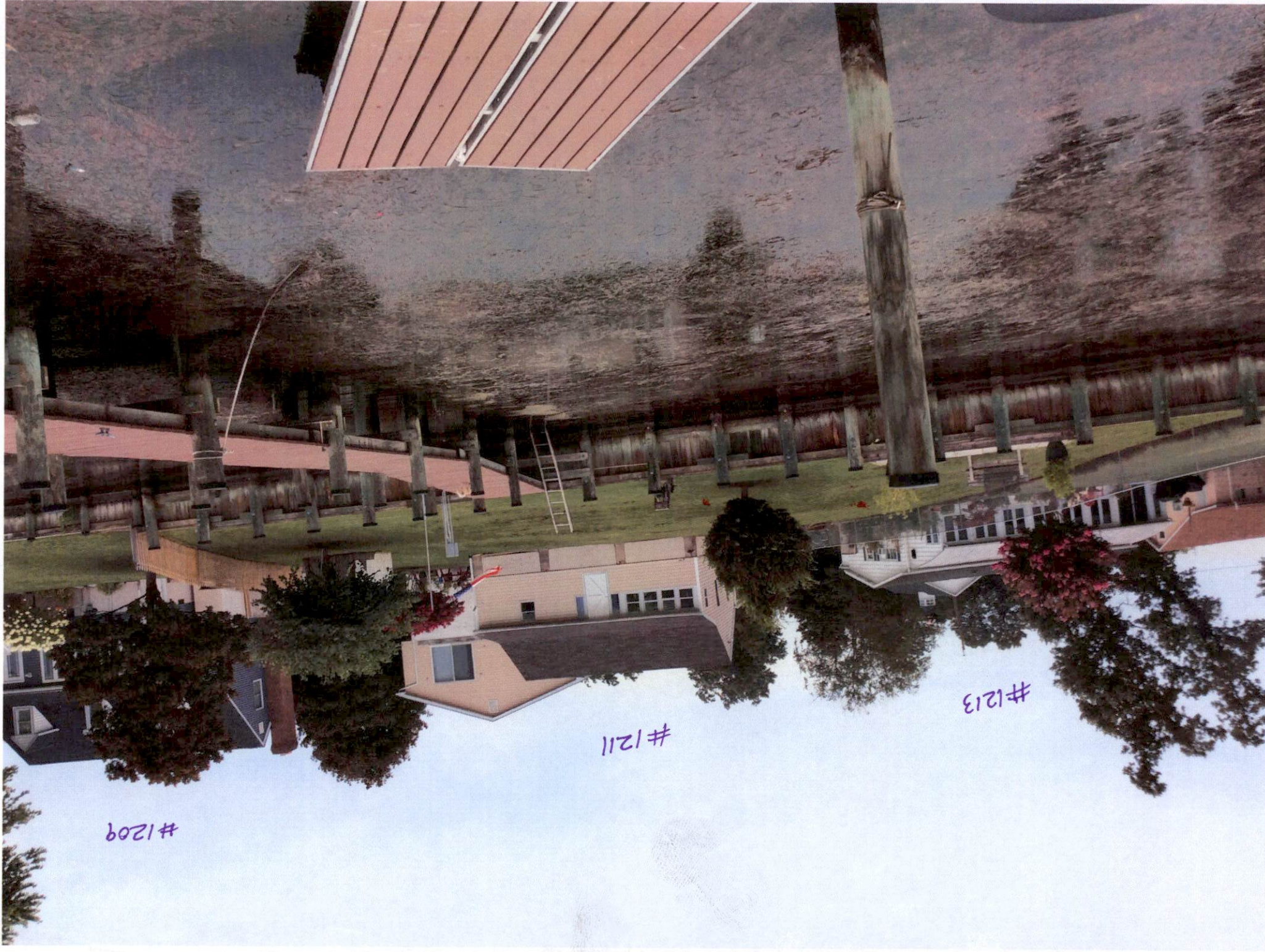
1211 ENGLEBORTH ROAD

STREET SIDE VIEW OF EXISTING HOUSE



1211 ENGLEBERTH ROAD

SHOWING HOW CLOSE THE EXISTING HOUSE IS TO THE PROPERTY LINE



1211 ENGLERBETH ROAD

WATER FRONT SIDE OF EXISTING HOUSE

#1211

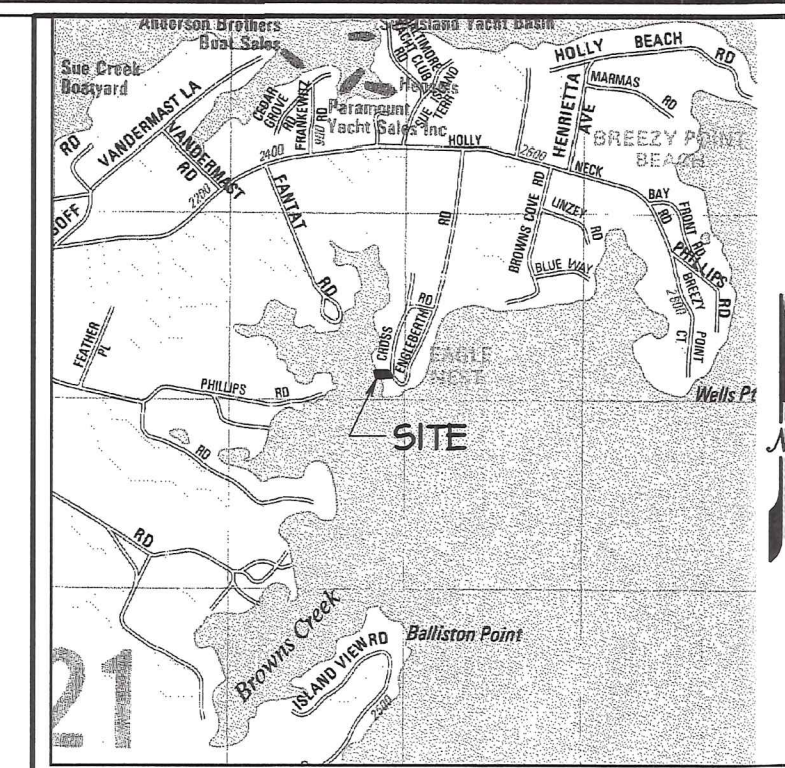
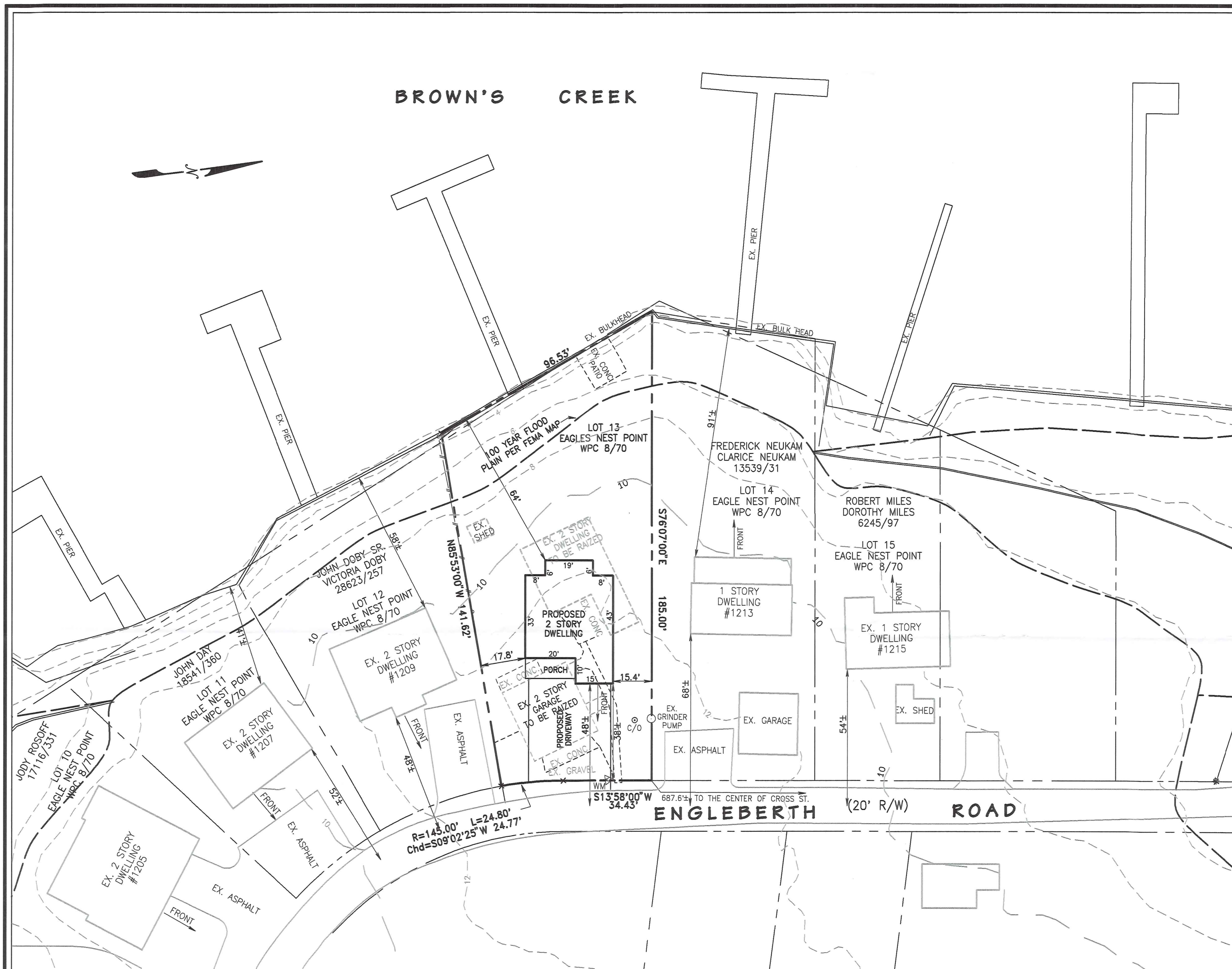
#1213

#1209

Waterfront side
of garage corner
from property
line



1211 Englebert Rd.
Essex, Md. 21221



Vicinity Map Scale: 1" = 2000'

Notes

- Owner: Robert Scott Jr.
1211 Engleberth Road
Baltimore MD. 21221
- Deed: 29947/328
Tax # 1512203110
- Area= 11929 sq.ft. or 0.274 Ac.+/-
- Zoned: RC5
- This site is in the Chesapeake Bay Critical Area.
- This site is in the 100 year flood plain.
- There are no underground fuel tanks.
- This is not a historic property/building.
- This site is serviced by public sewer and water.
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**Plat to Accompany
a Petition for an
Administrative Variance
Scott Property
1211 Engleberth Road
Baltimore County, Maryland**

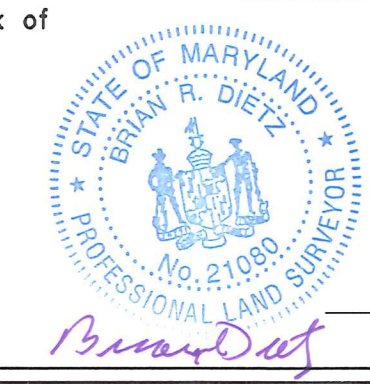
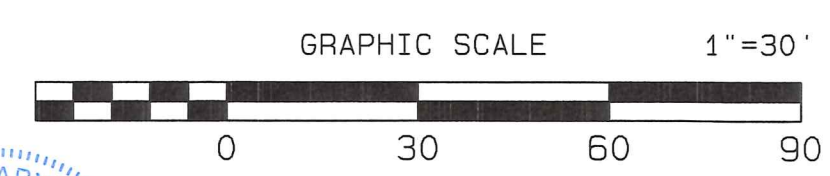
15th Election District 7th Councilmanic District
Scale: 1"=30' Date: July 22, 2020

Lot Coverage

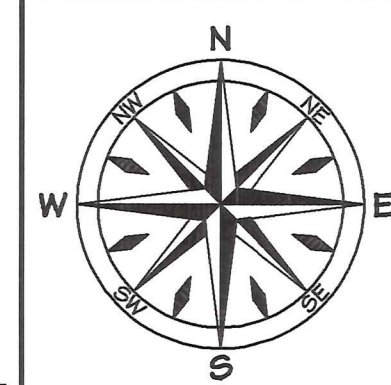
EXISTING LOT COVERAGE = 3388 sq.ft. or 28.4%
PROPOSED LOT COVERAGE = 3161 sq.ft. or 26.5%

Variance Request

Requesting a variance to Section 1A04.3.B.2.b. for a principal building side yard setback of 15.4 feet and 17.8 feet in lieu of the required 50 feet, and a principal building front yard setback of 48 feet to the centerline of the road in lieu of the required 75 feet.



Revisions	Date



Dietz Surveying Co.
Land Surveying and Land Planning
8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsurveying.net

File Name: J:\Engleberth Rd 1213\Engleberth 1211 SITE PLAN.pro

Plot Date: 8/5/2020	FIELD: BRD	DRAWN: BRD	Job No. 17157
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