

IN RE: PETITION FOR ADMIN. VARIANCE	* BEFORE THE
SW/S Second Road, 340' SE of the c/l	
Dogwood Road	* ZONING COMMISSIONER
(1210 Second Road)	
15 th Election District	* OF BALTIMORE COUNTY
6 th Council District	
	* Case No. 06-158-A
Matthew D. Wunder, et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Matthew D. Wunder, and his wife, Brenda Wunder, as Power of Attorney. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) as referenced by Section 1B02.3.C.2.c thereof (for yard setback) and from Section 400 of the B.C.Z.R. to permit a detached accessory structure (carport) to be located in the side/front yard in lieu of the required rear yard, with a street right-of-way setback of as close as 8 feet in lieu of the required 25 feet (principal dwelling setback). The subject property and requested relief are more particularly described on the site plan submitted with the Petition and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate. In this regard, it is to be noted that the Petition was filed as the result of an anonymous complaint registered with the Department of Permits and Development Management

ORDER RECEIVED FOR FILING
 Date 10/15/15
 By [Signature]

(DPDM) relative to the proposed construction. Apparently, construction of the subject carport commenced without benefit of a building permit and the Petitioners were subsequently advised to file the instant Petition.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 (a)(2)(i) of the Baltimore County Code and the property was duly posted with notice of the requested relief on September 24, 2005. There being no requests for a public hearing on the matter, a decision shall be rendered based upon the documentation contained within the case file.

Based upon the evidence contained therein, I am persuaded to grant the requested relief. Variance relief is necessary given the unique configuration and layout of existing improvements on the property. In this regard, the orientation of the existing dwelling is such that the front of the house faces the south side property line. Moreover, the house is situated towards the back of the lot, approximately 21 feet from the (west) side property line and 20 feet from the "rear" property line. Thus, the "front" (east side) of the lot is the most practical location for the proposed carport. In addition, the carport has been placed over an existing driveway that leads into the property from Second Road, apparently to avoid the added expense of extending the driveway and removal of mature trees. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency, and the neighbors who reside on either side of the property support the proposal, as evidenced by their signed statements which are contained within the case file. Thus, I am persuaded that the relief requested can be granted without detrimental impact to adjacent properties or the surrounding locale. However, given the property's close proximity to Stansbury Creek, the proposed improvements must comply with Chesapeake Bay Critical Areas regulations. The Petitioners shall contact the Department of Environmental Protection and Resource Management for further information in this regard.

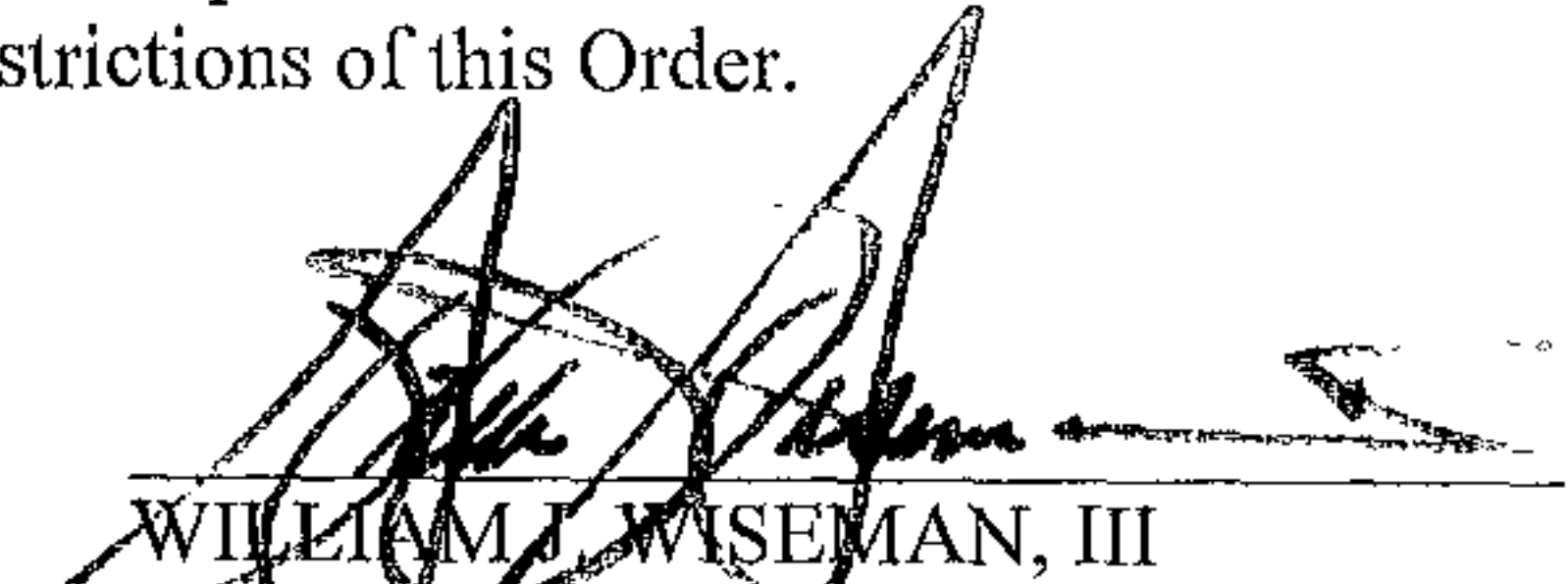
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of October 2005 that the Petition for Administrative Variance seeking relief

ORDER RECEIVED FOR FILING
10/18/05
Date
[Signature]

from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) as referenced by Section 1B02.3.C.2.c thereof (for yard setback) and from Section 400 of the B.C.Z.R. to permit a detached accessory structure (carport) to be located in the side/front yard in lieu of the required rear yard, with a street right-of-way setback of as close as 8 feet in lieu of the required 25 feet (principal dwelling setback), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with Chesapeake Bay Critical Areas regulations.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
2/15/15
bjs



COBCA

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1210 SECOND ROAD
which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 AS REFERENCED BY POLICY MANUAL 1802.3.C.2.C (FOR YARD SETBACK) AND SECTION 400 BCZR. To permit a detached ACCESSORY STRUCTURE (CARPORT) to be located in the side and front yards ^{IN LIEU OF REAR YARD} WITH A STREET RIGHT OF WAY SETBACK OF AS CLOSE AS 8 FT. in lieu of 25 FT. (ie, principal dwelling setback)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____

Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, 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.

Legal Owner(s):

MATTHEW D WUNDER
Name - Type or Print _____
Brenda Wunder (POA)
Signature _____
BREND WUNDER FOR MATTHEW WUNDER (see POA)
Name - Type or Print _____
Brenda Wunder for Matthew Wunder (see POA)
Signature _____
1210 SECOND ROAD 410-686-7984
Address _____ Telephone No. _____
BALTIMORE MARYLAND 21220
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Zoning Commissioner of Baltimore County

CASE NO. 06 158 A

Reviewed By JC Date 9/15/05

Estimated Posting Date 9/25/05

REV 10/20/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1210 Second Road
Address
Baltimore Maryland 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty): It was decided to build a carport in order to protect our vehicles from the elements and trees in our yard, and neighboring trees. Leaves and sap from the trees fall on the vehicles requiring frequent washing to protect the paint. Also, a branch had fallen and cracked the windshield requiring repair. We feel more comfortable parking in the yard as our neighbors car was vandalized while parked on the street. This area of the property is the most logical place to build the carport as it allows access directly to the street, and is positioned on the side of the house. The way the house is positioned on the property, it is too close to the property line in the back, and the "front" of the house faces the SW side of the property line.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Brenda Wunder (POA)
Signature
BRENDA WUNDER (POA)
Name - Type or Print

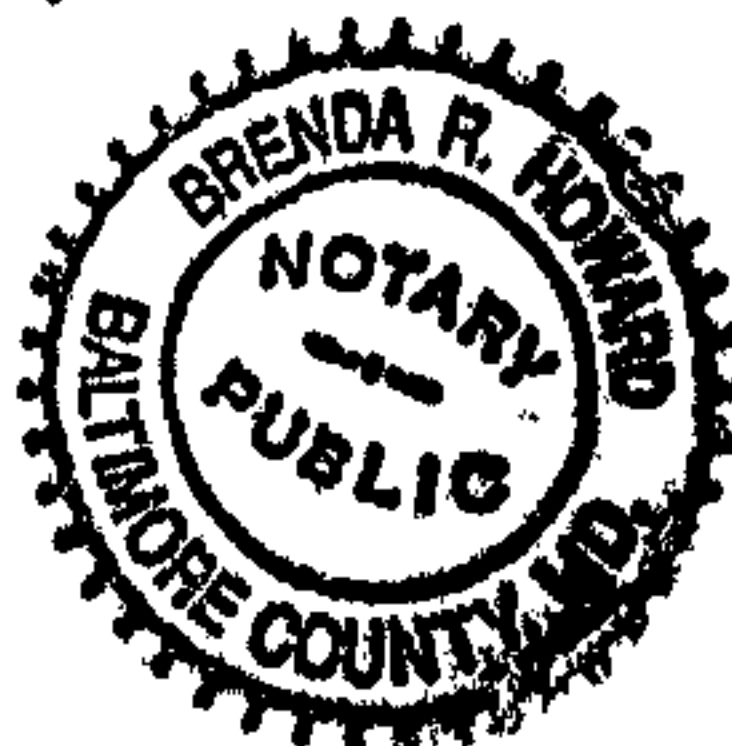
BREND WUNDER for MATTHEW WUNDER (POA)
Signature
Brenda Wunder for Matthew Wunder (See POA)
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of September, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

BRENDA WUNDER, POA, FOR MATTHEW WUNDER,
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



Brenda R. Howard
Notary Public
My Commission Expires 5-1-2007

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1210 Second Road
Address
Baltimore Maryland 21220
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

SEE ATTACHED!

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Brenda Wunder (POA)
Signature
BRENDA WUNDER (POA)
Name - Type or Print

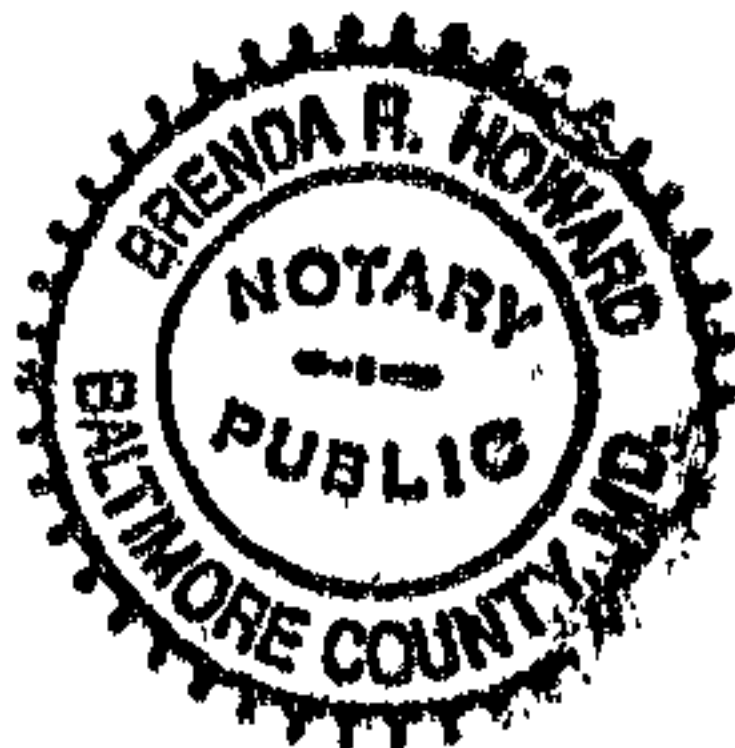
BRENDA WUNDER for MATTHEW WUNDER (See S)
Signature
Brenda Wunder for Matthew Wunder (See S)
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of September, 2005, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

BRENDA WUNDER, POA, FOR MATTHEW WUNDER.
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal



REV 10/25/01

Brenda R. Howard
Notary Public
My Commission Expires 5-1-2007



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1210 SECOND ROAD
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 BOZ.3.C.1 AS REFERENCED by Policy

MANUAL 1 BOZ.3.C.2 C (FOR YARD SETBACK) AND SECTION 400 BCZR. to PERMIT
A DETACHED ACCESSORY STRUCTURE (CARPORT) to be located in the side and
FRONT yards, IN LIEU OF REAR YARD.
with a STREET Right of way setback of AS CLOSE AS 8 FT IN
LIEU of 25 FT (IE; PRINCIPAL dwelling setback)
of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Matthew D Wunder

Name - Type or Print

Brenda Wunder (POA)

Signature

Brenda Wunder FOR Matthew Wunder (See POA)

Name - Type or Print

Brenda Wunder Matthew Wunder (See POA)

Signature

1210 SECOND Rd

Address

410-686-7986

Telephone No.

Baltimore

City

Md.

State

21220

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 06 158 A

Reviewed By JL Date 9/15/05

REV 10/25/01

Estimated Posting Date 9/25/05

It was decided to build a carport in order to protect our vehicles from the elements and trees in our yard, and neighboring trees. Leaves and sap from the trees fall on to the vehicles requiring frequent washing to protect the paint. Also, a branch had fallen from the tree and cracked the windshield requiring repair. We feel more comfortable parking the vehicles in the yard as our neighbors' car was vandalized while parked on the street. This area of the property is the most logical place on the property to build the carport as it allows access directly to the street, and is positioned on the side of the house. The way the house is positioned on the property, it is too close to the property line in the back, and the "front" of the house faces the SW side of the property line.

Zoning Description

158

1210 SECOND ROAD.

BEGINNING AT A POINT ON THE SOUTH WEST SIDE
OF SECOND RD A 30 FT. RW AT A DISTANCE OF 340 FT ±
SOUTH EAST OF DOGWOOD PRINE BEING LOT # 6 IN THE
SUBDIVISION OF STANSBURY MANOR RECORDED IN PLAT BOOK
13 FOLIO 138 SECTION 4. IN THE 15TH E.D., 6TH C.D.
7,800 SQ FT ± AREA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT # 150

No. 0050

DATE 9/15/05 ACCOUNT 001 006 6150

AMOUNT \$ 65.00

RECEIVED FROM Wm. J. R.

FOR RV FILING 1210 SECOND RD

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME EPA
9/16/2005 9/15/2005 11:30:07 2

REG #002 MAIL JENIA JEE

RECEIPT # 425757 9/15/2005 CFM

Dept 5 528 ZONES VERIFICATION

CR NO. 00000

Receipt Tot \$65.00

\$1.00 CR \$70.00 IN

\$5.00 - 05

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 06-158-A

Petitioner/Developer: MATT &
BRENDA WUNDER

Date Of Hearing/Closing: 10/10/05

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

Attention:

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
at 1210 SECOND ROAD

This sign(s) were posted on September 24, 2005
(Month, Day, Year)

Sincerely,

Martin Ogle 9/24/05
(Signature of sign Poster and Date)

Martin Ogle

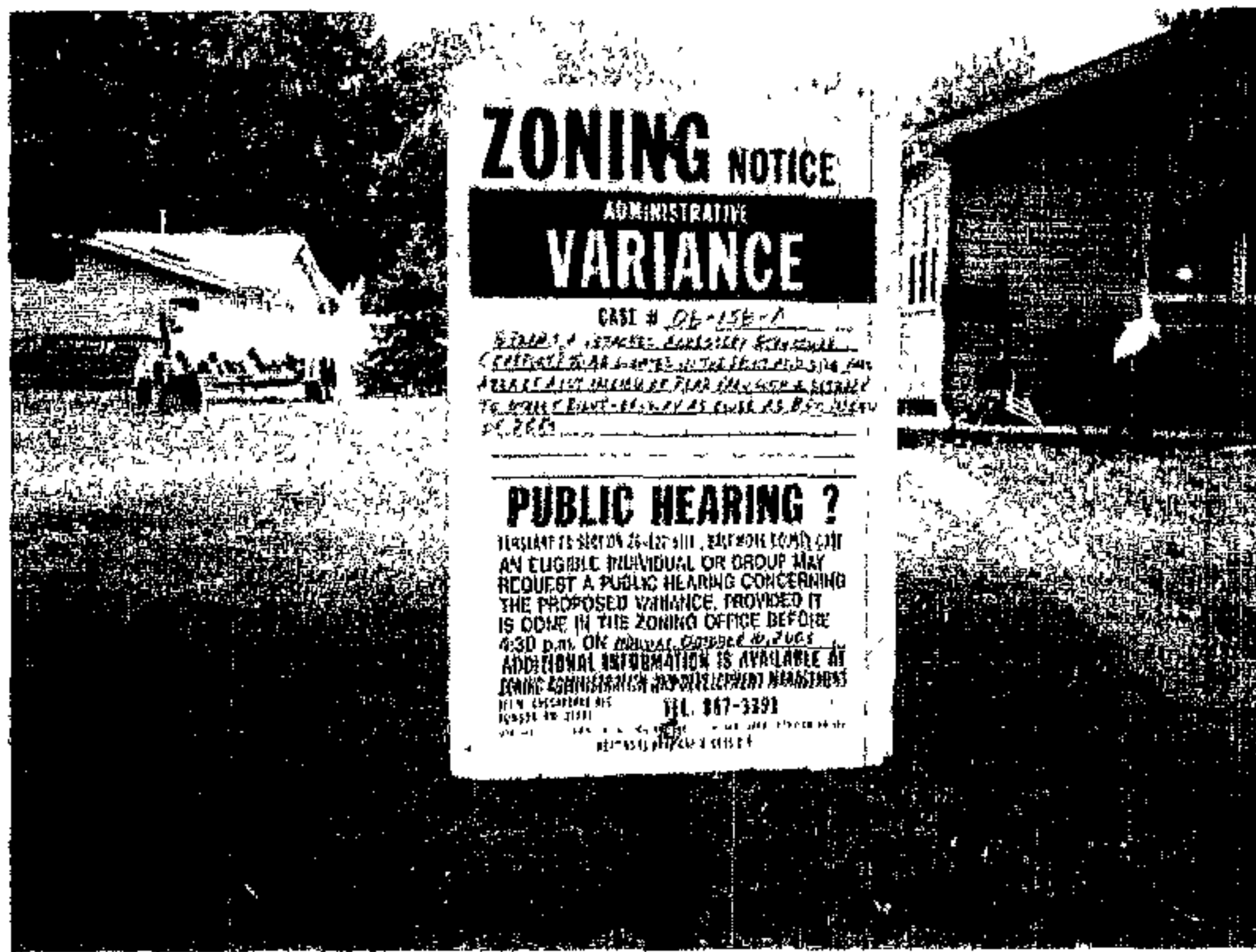
Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



Myatt Ogle September 24, 2005

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 06 158 A

Petitioner: * BRENDA WUNDER

Address or Location: * 1210 SECOND Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRENDA WUNDER

Address: 1210 SECOND Rd.

BALTIMORE Md. 21220

Telephone Number: (410) 686-7986

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 06- 158 -A

Address 1210 SECOND RD.

Contact Person: JOHN LEWIS
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 9/15/05

Posting Date: 9/25/05

Closing Date: 10/10/05

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 (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
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 06- 158 -A

Address 1210 SECOND RD.

Petitioner's Name MATT & BRENDA WUNDER

Telephone 410-686-7786

Posting Date: 9/25/05

Closing Date: 10/10/05

Wording for Sign: To Permit A DETACHED ACCESSORY STRUCTURE ^(GARAGE) TO BE LOCATED IN
THE FRONT AND SIDE YARD AREA OF A LOT IN LIEU OF REAR YARD WITH A SETBACK
TO STREET RIGHT-OF-WAY AS CLOSE AS 8 FT. IN LIEU OF 25 FT.

WCR - Revised 6/25/04

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 11, 2005

Matthew D. Wunder
Bernadette Wunder
1210 Second Road
Baltimore, Maryland 21220

Dear Mr. and Mrs. Wunder:

RE: Case Number: 06-158-A, 1210 Second Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 15, 2005.

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, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

September 22, 2005

ATTENTION: Zoning review planners

Distribution Meetings of: **October 3, 2005**

Item No.: **155-166**

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant J.D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: September 27, 2005

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 10, 2005
Item No. 158

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right-of-way for all public roads in Baltimore County is 40-feet. Show the 40-foot right-of-way for Second Road centered on the existing 30-foot right-of-way. Then adjust the setback accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 158-09272005.doc

BALTIMORE COUNTY, MARYLAND

RECEIVED

SEP 27 2005

INTER-OFFICE CORRESPONDENCE

ZONING COMMISSIONER

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: September 26, 2005

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 6-158 Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact David Pinning in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 9.21.05

RE: Baltimore County
Item No. 158 JLL

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

Dear Ms. Matthews:

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

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

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

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.marylandroads.com

Code Enforcement - Daily Worksheet

69

Inspector -

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
017	05-5841	1210 SECOND RD		21220	8/25/2005	

Tax Acct #: 1512401510

Owner:

Complainant Name: (Last) ANONYMOUS (First)

Addr:

Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work)

Problem: BUILDING GARAGE (EDGE OF STREET) W/O PERMIT

Entered NS

CODE ENFORCEMENT REPORT

1913

DATE: 8/25/05 INTAKE BY: Shelton CASE #: 05-5841 INSPEC:

COMPLAINT

LOCATION: 1210 Second RD

ZIP CODE: 21220 DIST: 15

COMPLAINANT

NAME: Anonymous PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: Building Garage - Edge of Street - w/o permit

IS THIS A RENTAL UNIT? YES NO

IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT

INFORMATION:

TAX ACCOUNT #: 1512401510 ZONING:

INSPECTION: 8/26/05, Visited site, wrote SUD. for garage / carport, talked to neighbor, closer out of town.

P/O 9/14/05
Groll Ill

RSH

REINSPECTION:

REINSPECTION:

REINSPECTION:

DATE: 08/25/2005

STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:50:24

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 12 401510	15	3-0	04-00	H	NO		05/02/05
WUNDER MATTHEW D				DESC-1.. IMPS			
				DESC-2.. STANSBURY MANOR			
1210 2ND RD				PREMISE. 01210 SECOND			RD

00000-0000

BALTIMORE MD 21220-5516 FORMER OWNER: APPERSON SHERWOOD W, JR

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	35,820	35,820		FCV	ASSESS	ASSESS
IMPV:	31,390	41,810	TOTAL..	77,630	77,630	74,156
TOTL:	67,210	77,630	PREF...	0	0	0
PREF:	0	0	CURT...	77,630	77,630	74,156
CURT:	67,210	77,630	EXEMPT.		0	0
DATE:	07/99	07/02				

---- TAXABLE BASIS ---- FM DATE

ASSESS:	77,630	08/10/04
ASSESS:	74,156	
ASSESS:	0	

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

Case Entry/Update
Format : CASREC

Mode : CHANGE
File : PDLV0001

Dt Rec: 8252005 Intake: SHELTON Act: Case #: 05-5841
Insp: ECKER, E Insp Grp: ENF Insp Area: 17 Tax Acct: 1512401510
Address: 1210 SECOND RD Apt #: Zip: 21220
Owner:

Problem Descript.: BUILDING GARAGE (EDGE OF STREET) W/O PERMIT

Complainant Name (Last): ANONYMOUS (First):
Complainant Addr:
Complainant City: State: Zip:
Complainant Phone (H): (W):
Date of Reinspection: 11152005 Date Closed: Delete Code (P):

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes: 08/26/05 VISITED SITE, WROTE SWO FOR GARAGE/CARPORT. TALKED TO NEIGHBOR,
OWNER OUT OF TOWN. P/U 09/14/05. E.ECKER/KH.***
09/15/05 OWNERS FATHER CALLED. OWNER IS IN IRAQ. HE HAD COME IN. A ZONING VAR IS
REQ. P/U 11/15/05. E.ECKER/KH.***

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change



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DURABLE GENERAL POWER OF ATTORNEY

DATA REQUIRED BY THE PRIVACY ACT OF 1974
AUTHORITY: 5 U.S.C. Section 301 (5 U.S.C. 552a)

This is a **MILITARY POWER OF ATTORNEY** prepared pursuant to Title 10, United States Code, Section 1044b and executed by a person authorized to receive legal assistance from the military services. Federal law exempts this power of attorney from any requirement of form, substance, formality, or recording that is prescribed for powers of attorney under the laws of a state, the District of Columbia, or a territory, commonwealth, or possession of the United States. Federal law specifies that this power of attorney shall be given the same legal effect as a power of attorney prepared and executed in accordance with the laws of the jurisdiction where it is presented.

KNOW ALL PERSONS BY THESE PRESENTS that on this date I, Matthew D. Wunder,
now serving as a member of or accompanying the United States Armed Forces at Ft. Leonard Wood, Missouri do make, constitute and
appoint Brenda D. Wunder as my true and lawful attorney-in-fact to manage and conduct all my affairs and
exercise the power to act in all matters in my name and in my behalf. Such powers shall include the power:

1. To lease, sell, use, establish title to, register, insure, transfer, mortgage, maintain, manage, pledge, exchange or otherwise dispose of or encumber any and all of my property, real, personal, or mixed, including motor vehicles of any kind, and to execute and deliver goods and sufficient deeds or other instruments for the lease, conveyance, mortgage, maintenance, or transfer of the same.
2. To buy, receive, lease, accept or otherwise acquire in my name and for my account, property, real, personal or mixed upon such terms, considerations and conditions as my said attorney-in-fact shall deem appropriate.
3. To transact all business of mine on my behalf including entering into contracts and the making of such investments as my attorney shall deem sound.
4. To institute and prosecute, or to appear and defend, any claims or litigation involving me or my interests. This shall include, but not be limited to, the authority to present a claim against the United States for damage to or loss of personal property.
5. To prepare, execute, and file all tax returns and to receive and negotiate all tax refund checks.
6. To execute all documents needed for travel of my family members and transportation or storage of my property, as authorized by law and military regulations, to sign for and clear government or other quarters in the best interests of my family members and in accordance with law and military regulations.
7. To demand, act to recover, and receive, all sums of money which are now or will become owing or belonging to me, and to institute accounts on my behalf and to deposit, draw upon or expend such funds of mine as are necessary in furtherance of the powers granted herein. This shall include, but not be limited to, the authority to receive, endorse, cash, or deposit negotiable instruments made payable to me and drawn upon the Treasurer, or other fiscal officer or depository, of the United States.
8. To take possession of my household goods, personal baggage, or other personal property; to cause such property to be removed from any location; to cause it to be shipped to any warehouse, depot, dock, or other place of storage or safekeeping, governmental or private, directly by orders of appropriate U.S. Government transportation officials; and to execute and deliver all necessary forms, papers, certificates and receipts to carry out the foregoing.

The above-described powers are merely **examples** of the authority granted by this document and not in limitation or definition thereof. However, my Agent shall have no rights or powers hereunder with respect to the following:

- a. Life Insurance: My attorney-in-fact shall have no rights or powers hereunder to cancel or change the beneficiary of any policy of life insurance owned by me.
- b. Fiduciary Powers: My attorney-in-fact shall have no rights or powers hereunder with respect to any act, power, duty, right or obligation, relating to any person, matter, transaction or property, owned by me or in my custody as a trustee, custodian, personal representative or other fiduciary capacity for someone else.

BY THIS DOCUMENT I GIVE AND GRANT TO my attorney-in-fact full power and authority to perform every act that is necessary or appropriate to accomplish the purposes for which this Power of Attorney is granted, as fully and effectually as I could do if I were present.

I HEREBY RATIFY ALL THAT MY ATTORNEY-IN-FACT SHALL LAWFULLY DO OR CAUSE TO BE DONE BY VIRTUE OF THIS DOCUMENT.

All business transacted hereunder for me or for my account shall be transacted in my name, and all endorsements and instruments executed by my attorney-in-fact for the purpose of carrying out the foregoing powers shall contain my name, followed by that of my attorney-in-fact and the designation "attorney-in-fact"

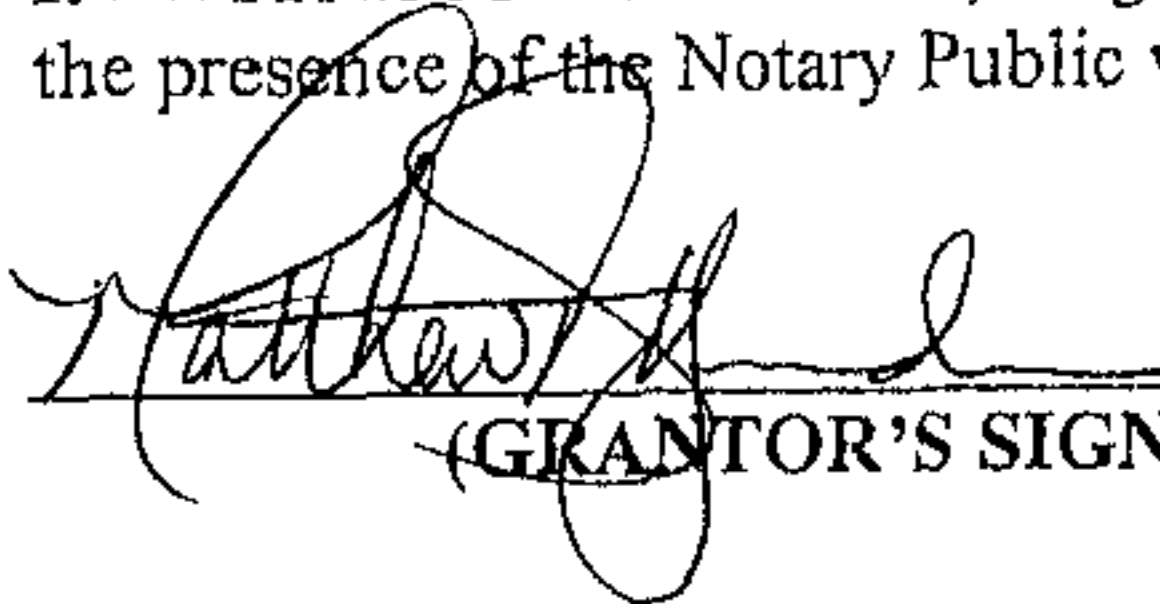
Unless sooner revoked or terminated by me, this Power of Attorney shall be for an indefinite period of time. I intend for this to be a DURABLE Power of Attorney. This Power of Attorney will continue to be effective if I become disabled, incapacitated, or incompetent.

I HEREBY AUTHORIZE MY ATTORNEY-IN-FACT TO INDEMNIFY AND HOLD HARMLESS ANY THIRD PARTY WHO ACCEPTS AND ACTS UNDER OR IN ACCORDANCE WITH THIS POWER OF ATTORNEY.

I direct my attorney-in-fact to seek legal counsel in order to determine the existence of legal requirements, such as required filing or placement of notices, which may affect the validity of this document.

Notwithstanding my inclusion of a specific expiration date herein, if on the above-specified expiration date, or during the sixty (60) day period preceding that specified expiration date, I should be or have been determined by the United States Government to be a military status of "missing", "missing in action", or "prisoner of war", then this Power of Attorney shall remain valid and in full effect until sixty (60) days after I have returned to the United States military control following termination of such status **UNLESS OTHERWISE REVOKED OR TERMINATED BY ME.**

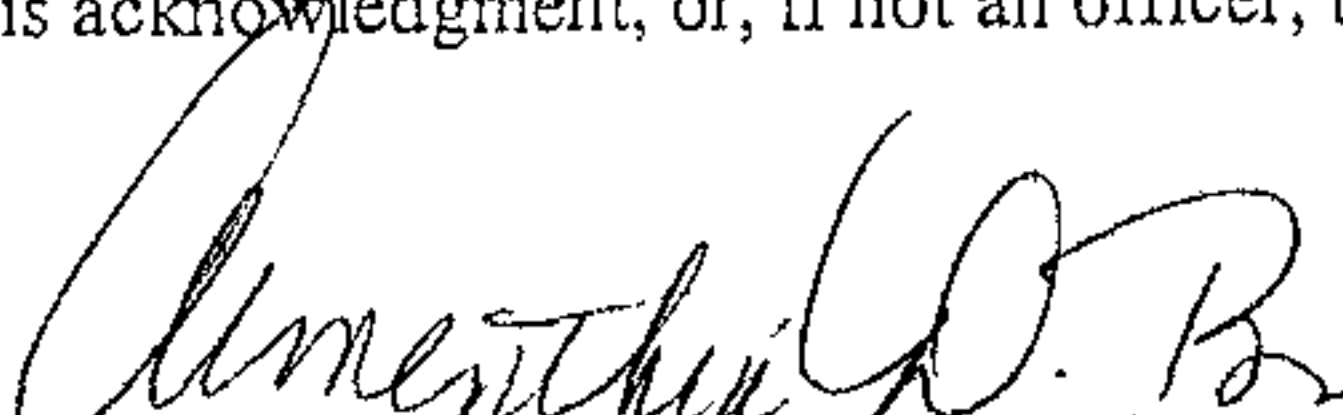
IN WITNESS WHEREOF, I sign, seal, declare, publish, make and constitute this as and for my Power of Attorney in the presence of the Notary Public witnessing it at my request this date, 9/11/03.


(GRANTOR'S SIGNATURE)

ACKNOWLEDGMENT

**WITH THE UNITED STATES ARMED FORCES
AT FORT GEORGE G. MEADE, MARYLAND**

I, the undersigned, certify that I am either an officer having the General Powers of a Notary Public under the provisions of 10 USC 1044a; under which no seal is required, or a commissioned, authorized notary public in and for the State of Maryland. Before me, personally, within the territorial limits of my warrant of authority, on 9/11/03, who is known by me to be the person who is described herein, whose name is subscribed to, and who signed this Power of Attorney as Grantor, and who, having been duly sworn, acknowledged that this instrument was executed after its contents were read and duly explained, and that such execution was a free and voluntary act and deed or the uses and purposes herein set forth. This acknowledgment is executed in my official capacity under the authority granted by Title 10, United States Code, Section 1044a which also states that no seal is required on this acknowledgment, or, if not an officer, by the State of Maryland.

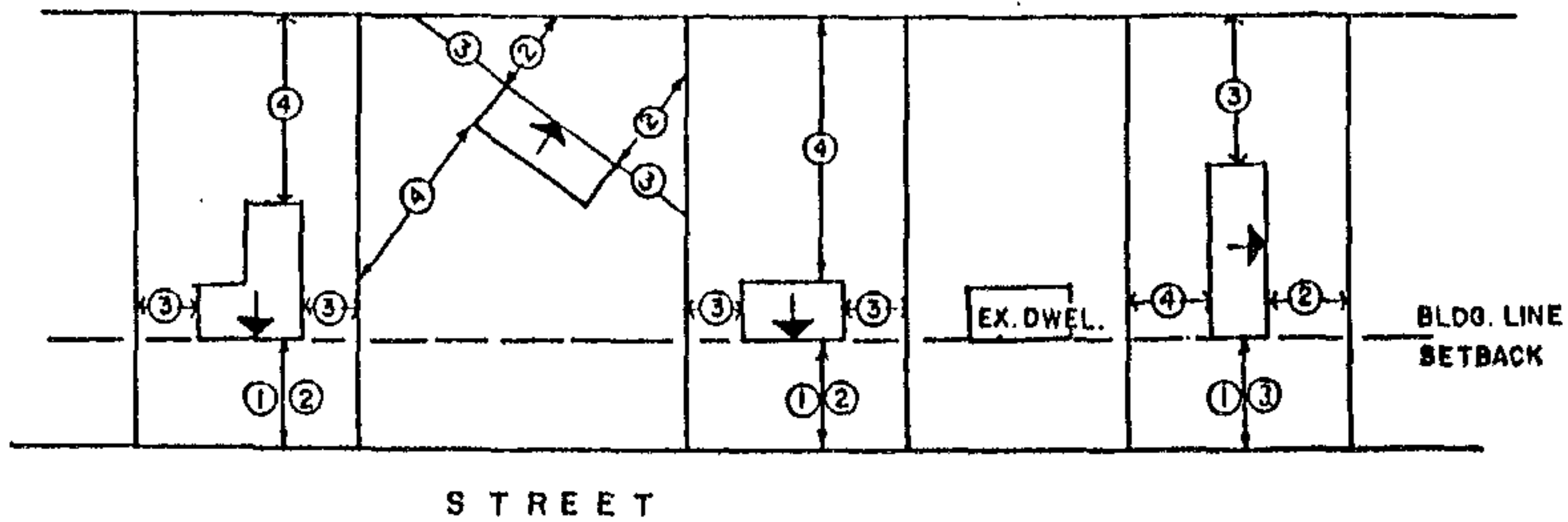

(NOTARY SIGNATURE)

ARMENTHIA D. BROWN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires April 1, 2007

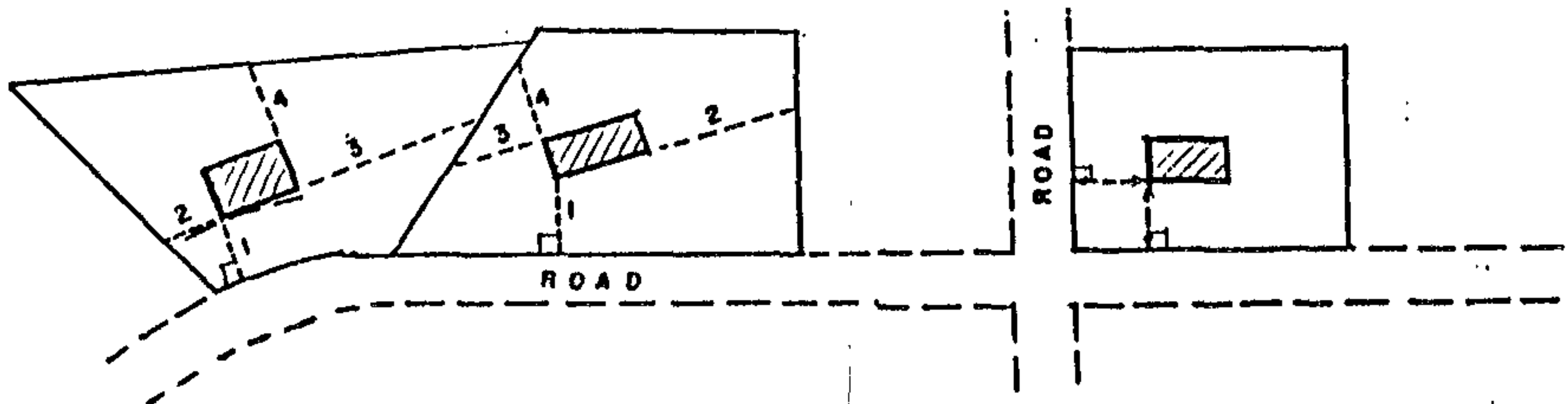
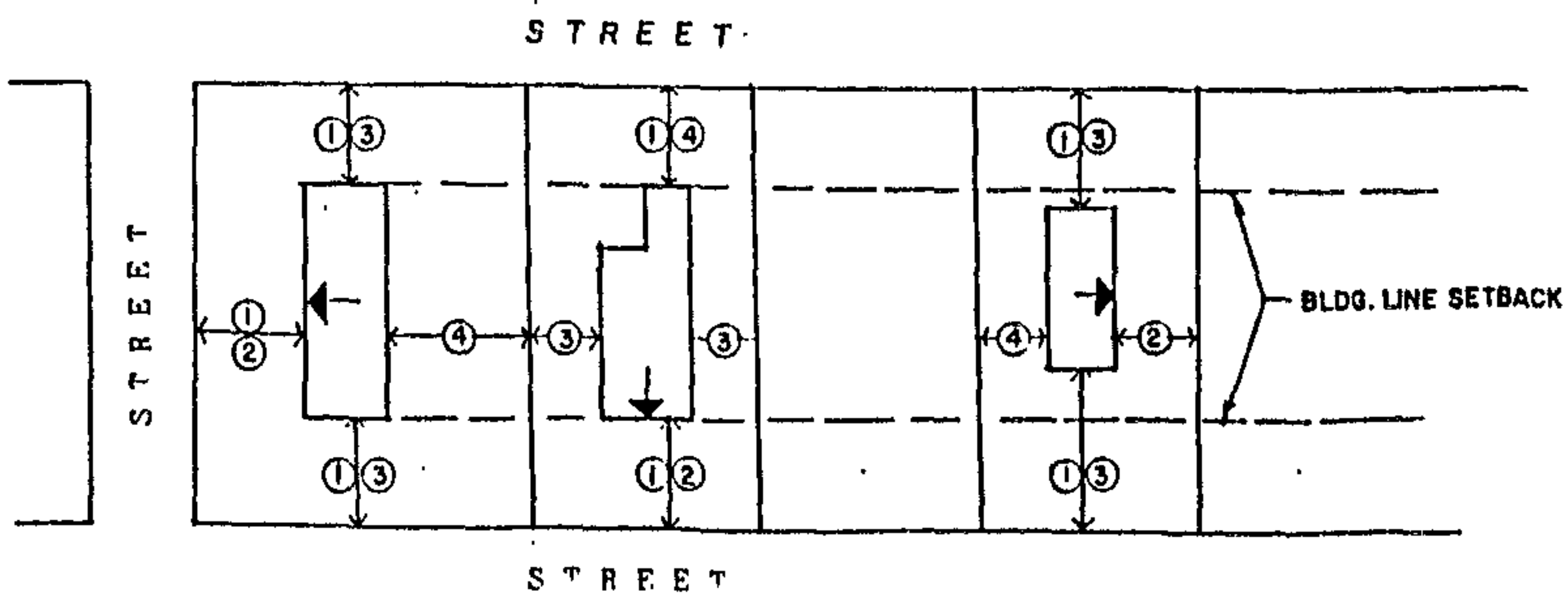
(NOTARY OFFICIAL STAMP OR IF MILITARY. RANK/COMPONENT)

SECTION 1B02.3.C.2.c

v. Diagrams



1. Street Building Line Setback (If two setbacks conflict the greater of the two shall be maintained)
 2. Front Yard Setback
 3. Side Yard Setback
 4. Rear Yard Setback
- = FRONT OF BUILDING



(See Section 103.3 ZCPM, Page 1-43.1 for diagrams showing method of measuring setback in R.C. zones).

ZONING COMMISSIONER'S POLICY MANUAL

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DR's

SECTION

1102.3.C.2 - SMALL LOT TABLE APPLICATIONS

- a. Between September 19, 1970 (Bill 100) and September 25, 1981 (Bill 124), if a tract of land qualified to be subdivided under the small lot table, the residential transition use and area charts would not have been used. Density and the 75 foot setback in D.R. 16 would also not have been applied. However, the transition use chart was used partially as a guide as follows:

- i. If the zoning was D.R. 1, 2, 3.5, 5.5 it was determined that the intent was to permit single family detached dwellings only. And this use limitation was carried over to a small lot table.
- ii. If the zoning was D.R. 10.5 or 16 it was determined that the intent was to permit townhouses or apartments, but the transition use chart was used partially as a guide so as not to conflict with existing developments or adjacent properties.

Bill 124-B1 (effective September 25, 1981) deleted the limitation of only one principal dwelling on a lot, the Residential Transition Area chart, and also deleted the 75 foot setback in D.R. 16.

- b. Subsequently, any tract of land that qualifies for the small lot table would continue to use the bulk regulations of the chart and the concept of the use regulations would be applied as before under a.. The difference being that more than one dwelling could occupy the same lot provided that planning would not require subdivision and the combined area, setbacks, lot width, and distances between principal buildings are complied with.

c. METHOD OF MEASURING SETBACKS

- Street Frontage & Building to Lot Line Orientation

- i. The front setback distance is measured radial or perpendicular to the road or front right-of-way.
- ii. Side and rear setback distances are measured by extending the foundation wall lines to the nearest intersection of the property line.
- iii. The building line setback required by the lot's zoning classification must be maintained from all abutting street frontages.
- iv. Additionally, if a building is oriented so as to face or front a lot line other than a street, applicable front, side and rear setbacks relative to the building's front must also be maintained as required by the property's class.

I Stewart W. Diffenderfer live at 1208 Second Rd. I live next door to Matthew and Brenda Wunder. I have seen the plans for the proposed carport, I have also discussed these plans with Mr. Wunder and I do not see any problems with his proposal. They have been courteous and accommodating to all of their neighbors. I hope you allow them to continue this project.

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Thank you,

Stewart W. Diffenderfer.

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My name is Matthew Goldstraw, and I live at 1212 Second Road with my wife Kristen. Matthew and Brenda Wunder are our neighbors. We have seen the plans for the carport they plan to build. I have also discussed them with Mr. Wunder and I do not see any problems with this structure they would like to build on their property. They have been courteous and accommodating to their neighbors. If you have any questions feel free to contact us at the number below.

Thank you,

A handwritten signature in cursive script, appearing to read "Matthew Goldstraw", enclosed within a large, loopy oval flourish.

CELL 410-979-0942

HOME 410-574-3818

#158

I, BREND WUNDER UNDERSTAND THAT DUE TO A COMPLAINT,
THERE MAY BE A HEARING ^{DEMAND} OPPOSING MY PETITION FOR AN
ADMINISTRATIVE VARIANCE. MY HUSBAND MATTHEW WUNDER,
THE OWNER OF THE PROPERTY IS OUT OF THE COUNTRY DUE TO
MILITARY SERVICE, IS UNAVAILABLE TO BE HERE. I HAVE HIS
POWER OF ATTORNEY, SO I AM HERE ON HIS BEHALF.

TO H.O.
ADDENDUM FROM REVIEWING PLANNER,

THE NOTIFICATION TO CORRECT FROM THE
BUILDING INSPECTOR WAS TO OBTAIN A BUILDING
PERMIT. SINCE THIS IS NOT YET AT ACTIVE VIOLATION
STAGE STAFF BELIEVES THAT THE ADMIN. PROCESS
REMAINS AN OPTION. CITATION# 05-5841

THE APPLICANT WAS ADVISED OF THE INHERENT
RISKS ONCE A COMPLAINT IS INVOLVED.

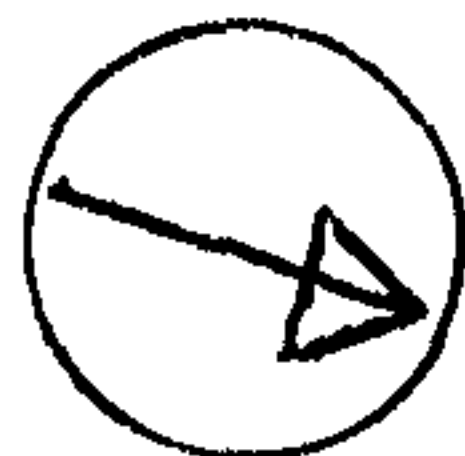
JOHN LEWIS
PLANNER II

MATTHEW & BRENDA WUNDER

Lot Size 7,800 $\pm$

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06-158-A

PA. OK

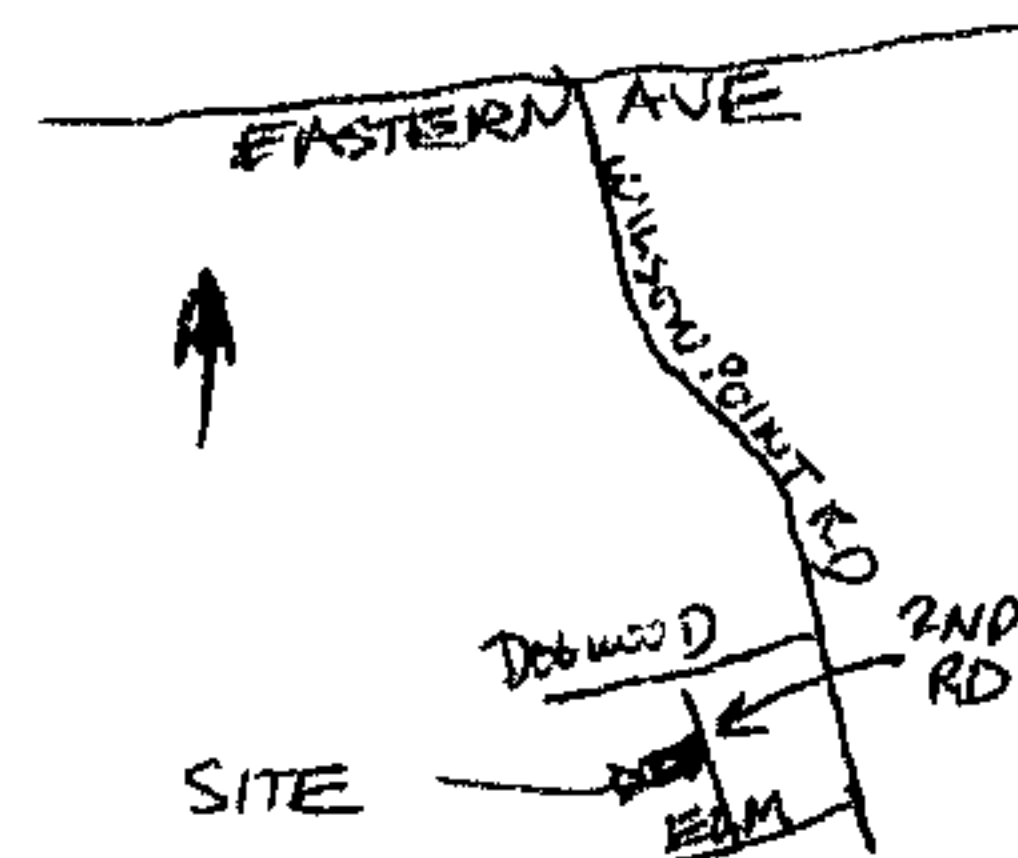


SCALE 1" = 30'

I THE UNDERSIGNED AM RESPONSIBLE
FOR THE ACCURACY OF ALL INFORMATION
WRITTEN OR DRAWN BY BALTO. CO.,
REGARDING THIS PETITION.

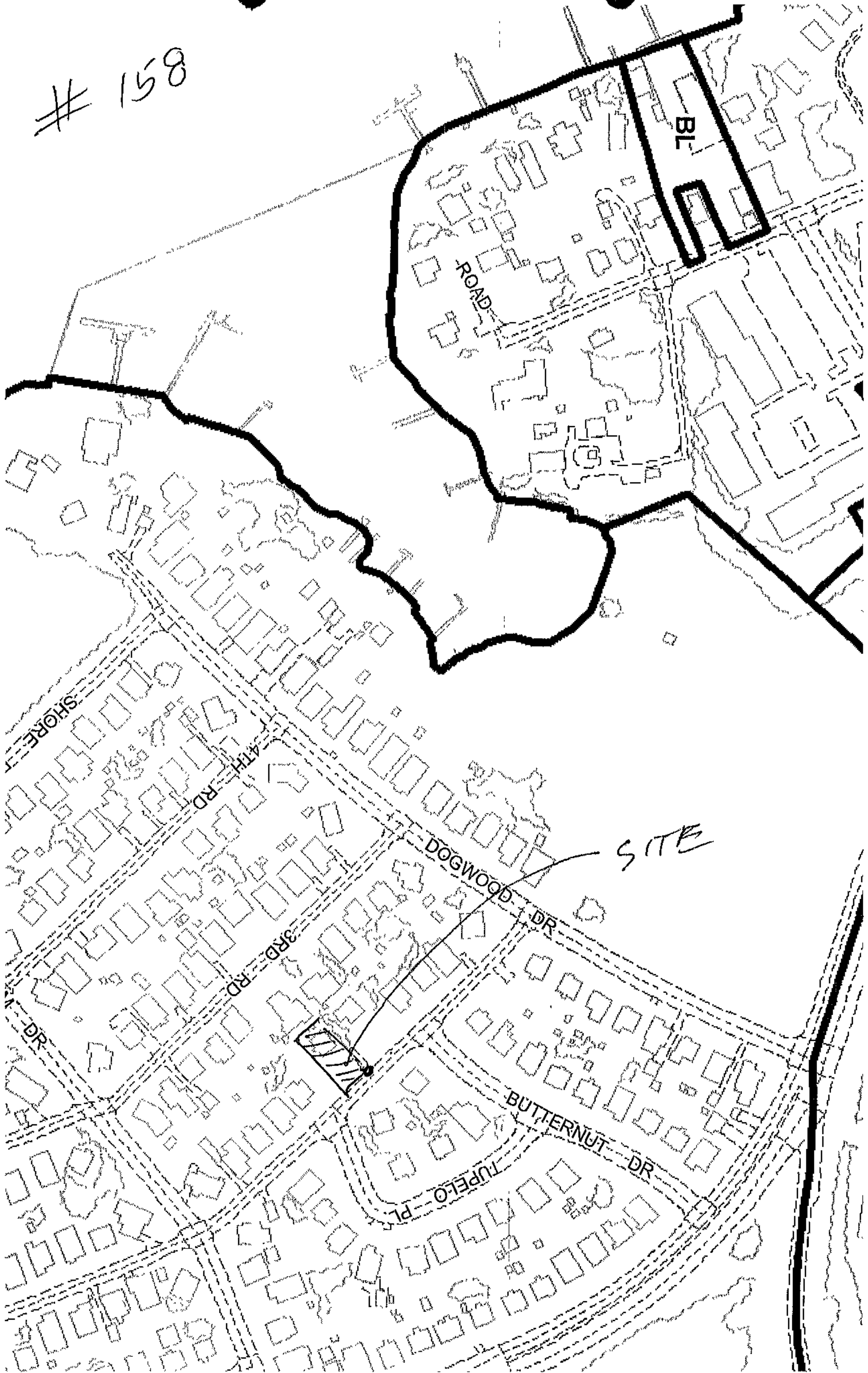
Brenda Kunder

9/05/05



VICINITY MAP
NTS.

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front door faces neighbors yard

#158



Side of building faces street.

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abundance of trees over head of the
vehicles.

The Car port's proposed site.

#158



the trees that jeopardize the safety of our
vehicles.

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View from the street, side of house
faces street.

#158



View from ● neighbors yard, facing front
of house

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