IN RE: PETITION FOR ADMIN. VARIANCE
W side Lincoln Drive, 110 feet E and
N of c/l Ridge Avenue
13th Election District
1st Councilmanic District
(1704 Lincoln Drive)

Ronald W. and Carol L. Bungay *Petitioners* 

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* BALTIMORE COUNTY

\* CASE NO. 08-054-A

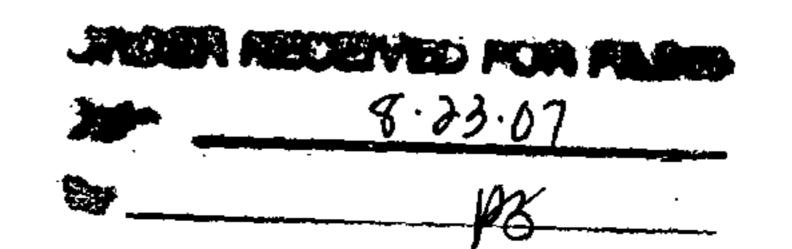
#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

\*

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Ronald W. and Carol L. Bungay for property located at 1704 Lincoln Drive. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a side yard setback of 7.5 feet and a rear yard setback of 21 feet in lieu of the required 10 and 30, respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners propose to construct an 11 foot x 11 foot 2-story addition onto the rear of the home and increase the size of the kitchen and add an additional bedroom upstairs. The home was constructed in 1930 and additional living space is needed. The current kitchen measures 9 feet x 10 feet in size. The site of the proposed addition as shown on the site plan is the only practical location.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 3, 2007 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.



The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this <u>J3d</u> day of August, 2007 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an addition with a side yard setback of 7.5 feet and a rear yard setback of 21 feet in lieu of the required 10 and 30, respectively be and is hereby GRANTED, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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

PHOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

ROBA RECEIVED FOR FLORING 8.23.07



JAMES T. SMITH, IR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

August 22, 2007

RONALD W. AND CAROL L. BUNGAY 1704 LINCOLN DRIVE HALETHORPE MD 21227

Re: Petition for Administrative Variance Case No. 08-054-A

Property: 1704 Lincoln Drive

Dear Mr. and Mrs. Bungay:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz.

Enclosure



## Petition for Administrative Variance

## to the Zoning Commissioner of 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

for the property located at	1704	Lincoln	Dr.	
		tly zoned	<u> </u>	

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 - to permit an addition with a side xard setback of 7/2 feet and a rear yard setback of 21/2 feet in lieu of the required 10 and 30, respectively

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.

is the subject of this Petition. Legal Owner(s): Contract Purchaser/Lessee: Name - Type or Print Signature Name - Type or Print Address Telephone No. Zip Code City State Signature Attorney For Petitioner: Telephone No. Address Name - Type or Print Representative to be Contacted: Signature Name Company Address Address Telephone No. Telephone No. Zip Code State Zip Code City City State · · · 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 \_ day of regulations of Baltimore County and that the property be reposted. Zoning Commissioner of Baltimore County CASE NO. Reviewed By Date Estimated Posting Date REV 10/25/01

# Affida Vit in Support of Administrative Variance

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STATE OF MARYLAND, COUNTY OF BALT	_	<b>ቃ</b>	~~ <i>f</i> ]	Nistana (Dadalin nekalan 1
I HEREBY CERTIFY, this 21th day of of Maryland, in and for the County aforesaid, p	personally appea	, <u>@</u> 1/ ared	before me, a	Notary Public of the S
Konald W. Bunga	4	Carol	Z. Dun	gan
the Affiant(s) herein, personally known or satis	stactorily identific	ed to me as suc	h Affiant(s).	
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AS WITNESS my hand and Notarial Seal				
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REV 10/25/01 The addition would				*



# Petition for Administrative Variance

## to the Zoning Commissioner of Baltimore County

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		, <b>FF</b> J	which is presently 2		
This Petition shall be filed with owner(s) of the property situate made a part hereof, hereby petit addition with a side of 21 feet in lieu	in Baltimore Coun ion for a Variance	ty and which from Section	is described in the description $(s)$ $1B02.3.C.1$	on and plat attac - to perm	hed hereto and
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of the zoning regulations of Balti of this petition form.	imore County, to th	ne zoning lav	of Baltimore County, for the	e reasons indicat	ed on the back
Property is to be posted and adv I, or we, agree to pay expenses of a regulations and restrictions of Baltin	above Variance, adv	ertising, posti	ng, etc. and further agree to an	d are to be bound unty.	ed by the zoning
			I/We do solemnly declare an perjury, that I/we are the legal is the subject of this Petition.	al owner(s) of the p	e penalties of property which
Contract Purchaser/Lessee	<u>:</u>	•	Legal Owner(s):		
Name - Type or Print			Ronald W Name - Type or Print	Bungay	<u> </u>
Signature			Signature Signature	2012	
Address	Teleph	one No.	Name - Type or Print	ungay	
City	State Z	ip Code	Signature	ymodo.	410 242 45
Attorney For Petitioner:	•		Address U. J. H.	Dr.C	7/0 627~ C3 Telephone No.
Name - Type or Print	<del></del>	<u> </u>	City	State	Zip Code
Signature			Representative to be	Contacted:	
Company		<del></del>	Name	<u> </u>	
Address	Telepho	ne No.	Address		Telephone No.
City	State Z	ip Code	City	State	Zip Code
A Public Hearing having been formathis day of, regulations of Baltimore County and that	that the subje	ect matter of this	equired, it is ordered by the Zoning petition be set for a public hearing Zoning Commissioner	g, advertised, as requ	uired by the zoning
	254-A	Revie	wed By	Date	07
REV 10/25/01	EVED FOR R	Estim	ated Posting Date	<u>8/5/3</u>	7

# 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	/704 / i	nochn Dr.		
	- Halethorp	State	d	2/227 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardshill With this addition the present residence:  Present kitchen is margine. 2nd bedroom (on 2nd sloom)  Kitchen is located in the have a kitchen bedroom  To locate the addition	por practical difficult ent structure al as is, app is small, lo' e NW corner addition,	would be a roximately x 10' the hou	much more 9'x10' use where w	desirable e propose t
financial burden.			e an unrea	sonable
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature  Ronald W. Bungay  Name - Type or Print	additional information	ed, Affiant(s) will be a large and a large	e required to pay a source of the second sec	reposting and
STATE OF MARYLAND, COUNTY OF BALTIN	ORE, to wit:	<i>_</i>		
of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfations.	a Uat Ca	Sol X.	ore me, a Notary Pu	blic of the State
AS WITNESS:my hand and Notarial Seal  REV 10/25/01	Notary Pub	olic ssion Expires	Berner 0/1/07	

## Zoning Description

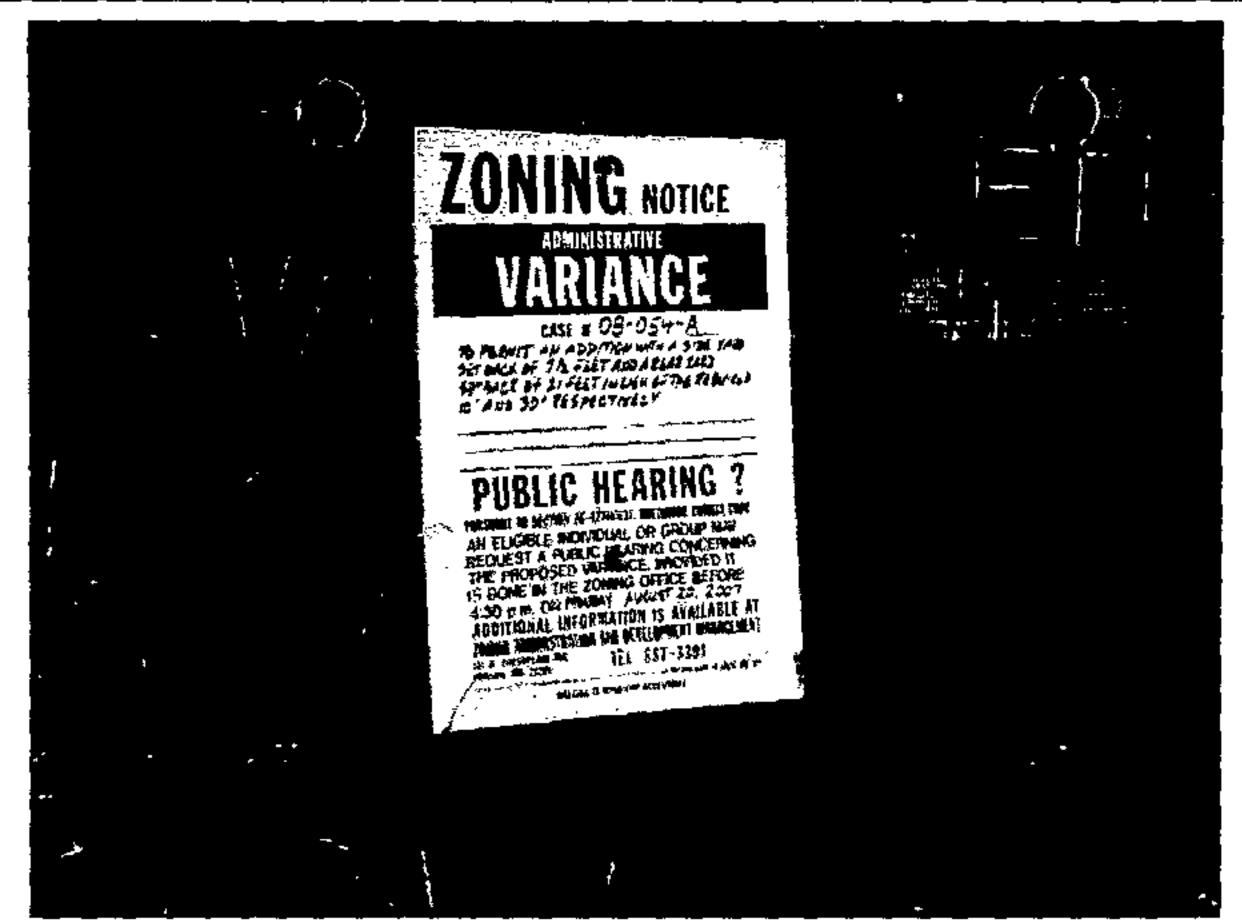
Zoning Description for: 1704 Lincoln Dr. Halethorpe, Md. 21227

Beginning at a point on the West side of Lincoln Drive which is 30 ft, wide at the distance of 110 ft. east of the centerline of the nearest improved intersecting street Ridge Ave which is wide 60ft. wide. Being Lot # 2 in the subdivision of Halethorpe as recorded in Baltimore County Book # 8, Folio# 64 containing 6,732 square feet. Also known as 1704 Lincoln Drive and located in the 13th Election District, 1<sup>st</sup> Councilmanic District.

Item #054

## CERTIFICATE OF POSTING

	RE: Case No: <u>08-054-A</u>
	Petitioner/Developer:
•••	Date Of Hearing/Closing: 8/20/07
Baltimore County Department of Permits and Development Manage County Office Building, Room 111 111 West Chesapeake Avenue	
Attention:	
Ladies and Gentlemen:	
This letter is to certify under the postesign(s) required by law were postest  1704	enalties of perjury that the necessary of conspicuously on the property  LINCOLN DL
	(Month, Day, Year) Sincerely, Signature of sign Poster and Date)  Martin Ogle Sign Poster  16 Salix Court  Address  Balto. Md 21220  (443-629 3411)



njatha Gle 8/3/07

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### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 08- 054 -A Address 1704 Lincoln Dr
Contact Person: David Duval Phone Number: 410-887-3391
Filing Date: $\frac{7/27/07}{27/07}$ Posting Date: $\frac{8/5/07}{5}$ Closing Date: $\frac{8/20/05}{5}$
Any contact made with this office regarding the status of the administrative variance should be hrough the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
(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 08- 054 -A Address 1704 Lincoln Dr
Petitioner's Name R+C Bungay Telephone 410 242 4592
Posting Date: 8/5/07 Closing Date: 8/20/07
Nording for Sign: To Permit an addition with a side yard setback of 71/2 feet
and a rear yard sotback of 21 feet in lieu of the required 10
and 30, respectively
WCR - Revised 6/25/04

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 08-054-A
Petitioner: Ron & Carol Bungay
Address or Location: 1704 Lincoln De
Halethorpe, Md. 21227
PLEASE FORWARD ADVERTISING BILL TO:
Name: Wra Mrs Ron Bungay
Address: 1704 Lincoln Tx
Halethorpe, Md 21227
Telephone Number: 410 · 242 · 4592



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 21, 2007

Ronald W. Bungay Carol L. Bungay 1704 Lincoln Drive Halethorpe, MD 21227

Dear Mr. and Mrs. Bungay:

RE: Case Number: 08-054-A, 1704 Lincoln Drive

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 27, 2007. 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,

u. Calliball

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



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

Neil J. Pedersen. Administrator

John D. Porcari, Secretary

Maryland Department of Transportation

Date: AUGUST 13,2007

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

RE:

Baltimore County

Item No. 8-54-A

BUNGAY PROPERTY

ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-54-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

Fon Engineering Access Permits

Division

SDF/MB



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 August 14, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 14, 2007

Item Number: Item Number 49 and 052 through 075

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.

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**DATE:** August 16, 2007

ECEIVE AIIG 17 2007

3 Y: \_\_\_\_

SUBJECT:

Zoning Advisory Petition(s): Case(s) 08-054- 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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By

**Division Chief:** 

CM/LL

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** August 15, 2007

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For August 20, 2007

Item Nos. 052(054, 056, 057, 058, 061, 062, 063, 065, 066, 067, 068, 071, 072,

073, 074, and 075

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

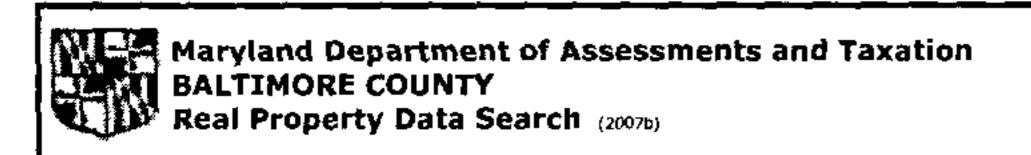
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cc: File

ZAC-NO COMMENTS-08152007.doc

1926

**Exempt Class:** 



Go Back View Map New Search GroundRent

<u></u>	District -	13 Account N	umber - 130	4870050		
·		Ow	ner Informa	tion		
Owner Name: Mailing Address:	BUNGAY RO RICKER CAP 1704 LINCO	ROL	-	Use: Principal Residence: Deed Reference:		RESIDENTIAL YES 1)/13567/33
		MD 21227-44	10	Deca non		2)
		Location 8	Structure I	nformation	1	
Premises Address					Legal Des	cription
1704 LINCOLN DR		•			1704 LINC	
Map Grid Parcel S 108 12 594	Sub District	Subdivision	Section B	lock Lot 2	Assessmer 1	it Area Plat No: Plat Ref: 8/6
Special Tax Areas	Ac	wn I Valorem Ix Class				
Primary Struct 1930			ed Area 52 SF	•	erty Land Ar ,732.00 SF	ea County Use 04
Stories	Basem	ent		Туре		Exterior
2	YES		S	TANDARD L	TINL	SIDING
		Va	lue Informat	ion	<del></del>	
	Base Value	Value	Phase-in As	sessment:	S	
_		As Of 01/01/2007	As Of 07/01/2006	As 07/01/20		
Land	33,730	90,730				
Improvements:	109,960	171,090	142 600	102 0	66	
Total: Preferential Land:	143,690 0	261,820 0	143,690 0	183,0	0	
- Preferencial Condi	_ <del></del>	<del></del>	sfer Inform	ation		
Seller: LADD ROXANN	E C				4/1999	Price: \$139,900
Type: IMPROVED ARM				eed1: /135	•	Deed2:
Seller: ALLEN RAYMON	ND L		Ð	ate: 08/2	26/1996	Price: \$127,000
Type: IMPROVED ARM	MS-LENGTH_			eed1:/117	64/ 190	Deed2:
Seller: HOUGH H EDG	AR,JR		מ	ate: 12/0	6/1978	Price: \$46,500
Type: IMPROVED ARM	MS-LENGTH_		D	<b>eed1:</b> / 59	66/ 722	Deed2:
TYPE: IN ROVED ARE		Exem	ption Inform	nation		
THI KOTED AK						
Partial Exempt Asses	sments		Clas	s 07/0	1/2006	07/01/2007
	sments		<b>Clas</b> : 000	07/0 0	1/2006	07/01/2007 0
Partial Exempt Asses	sments		•		1/2006	• •

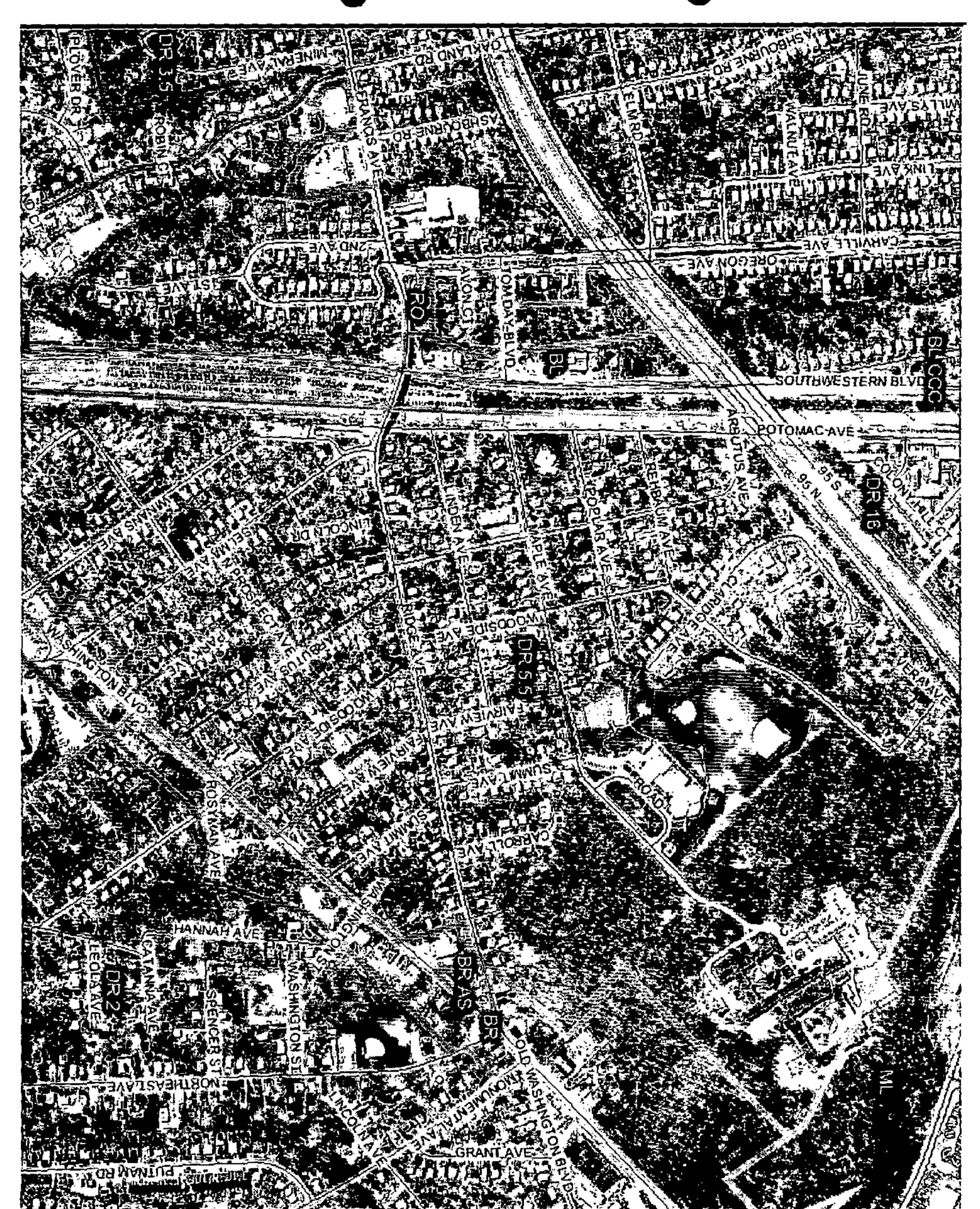
Item #054

\* NONE \*



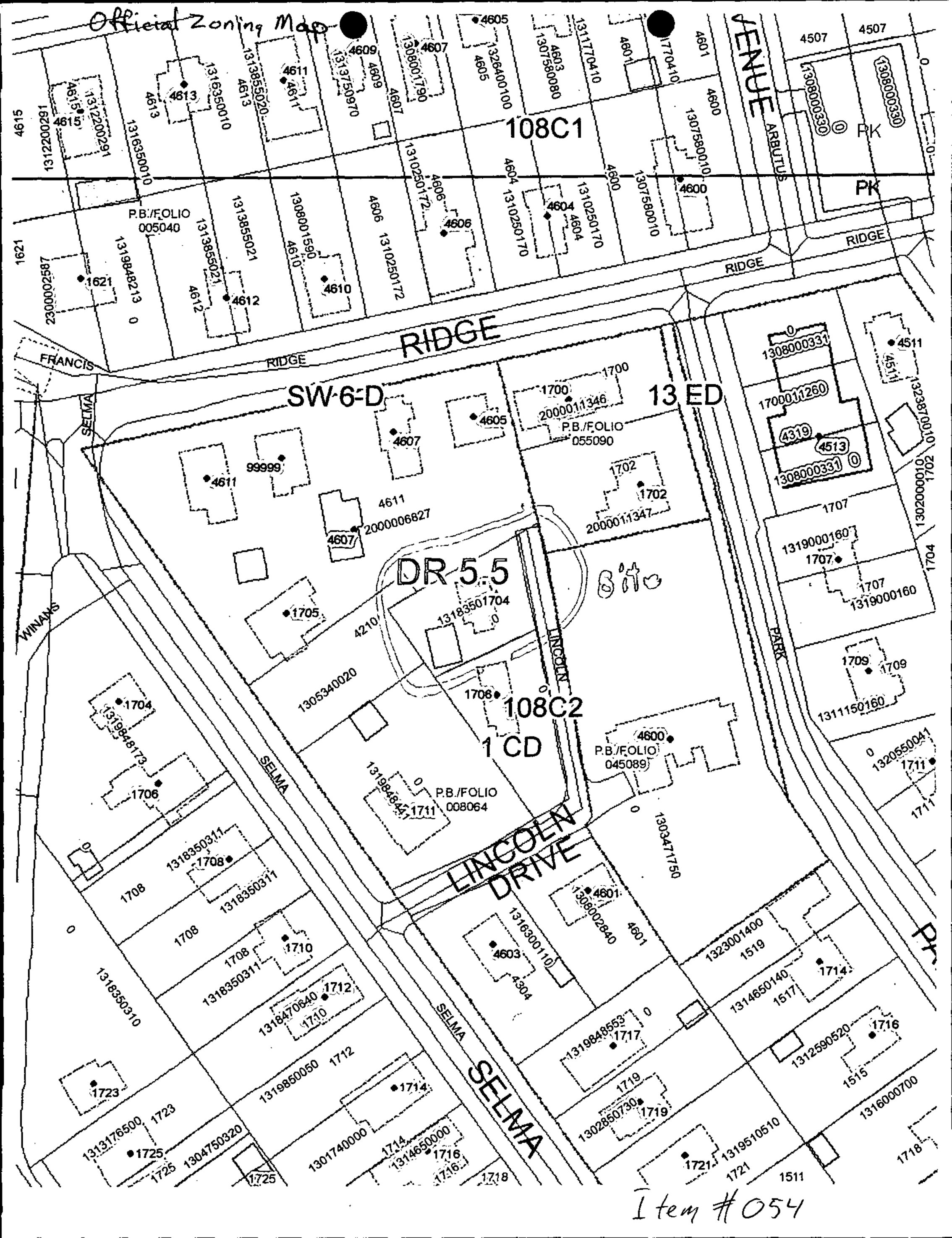
Item #054

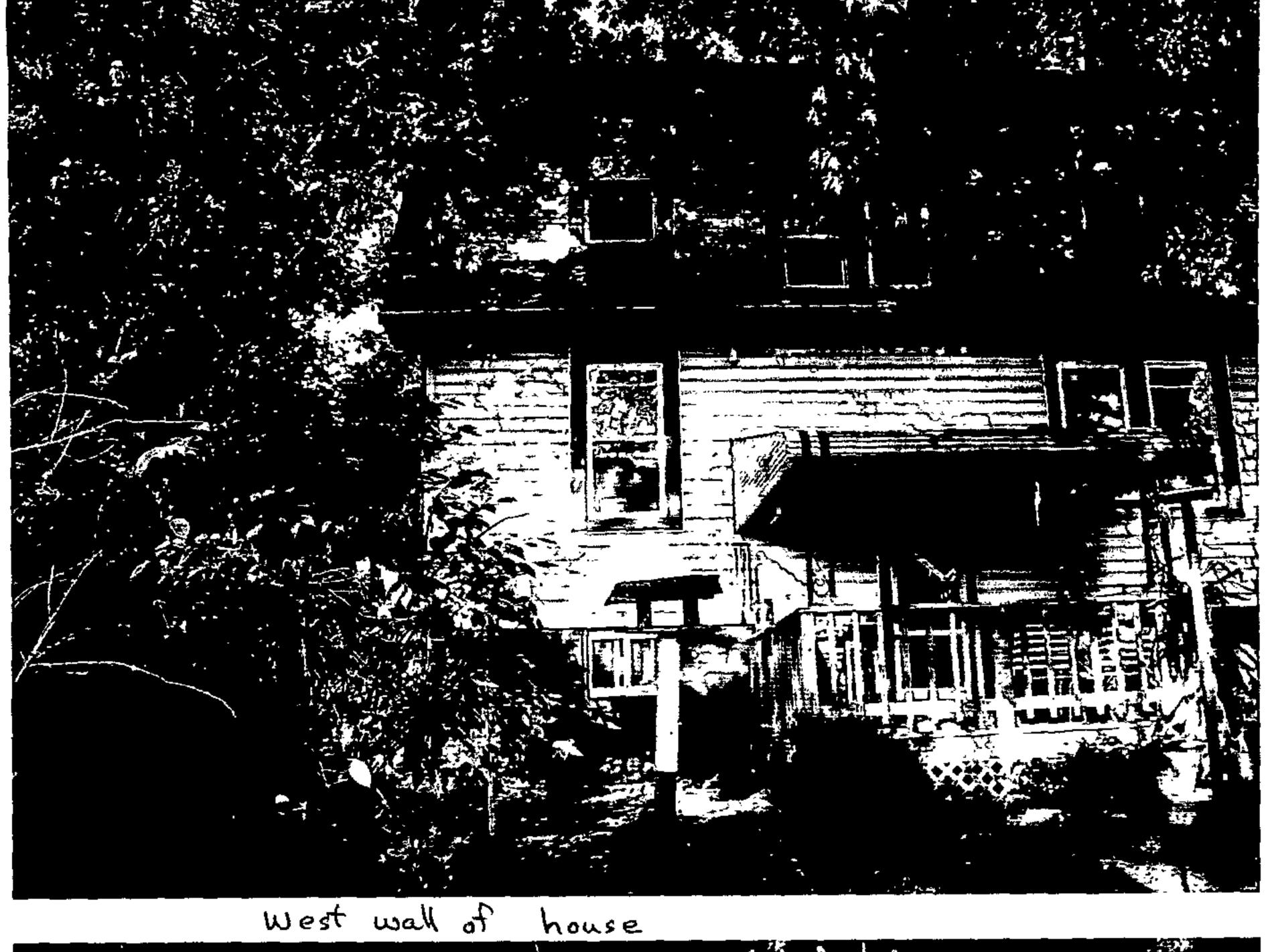
⊱False



Item #054

=False



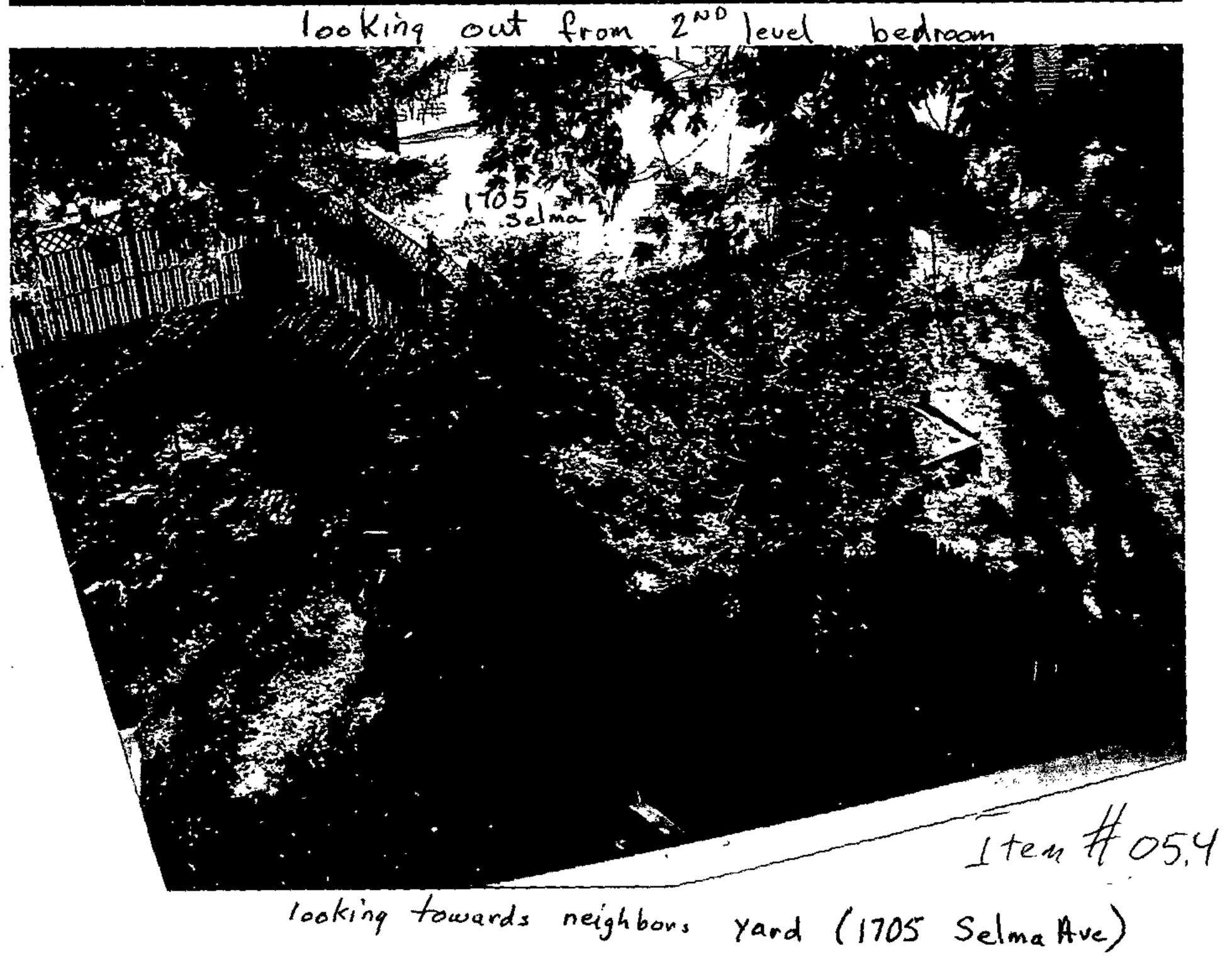




Item #054

outside wall of kitcher





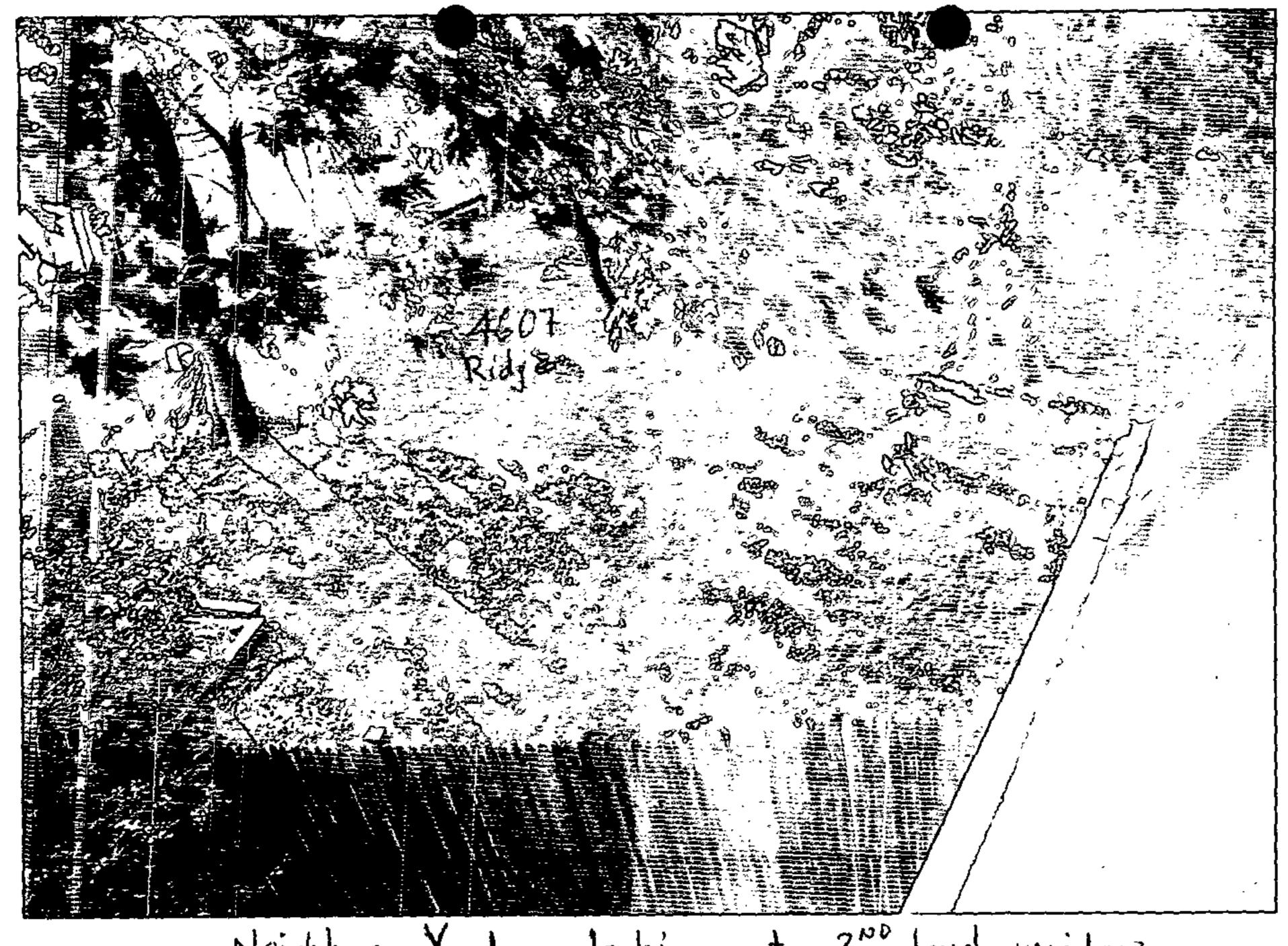


View towards 4605 Ridge Ave



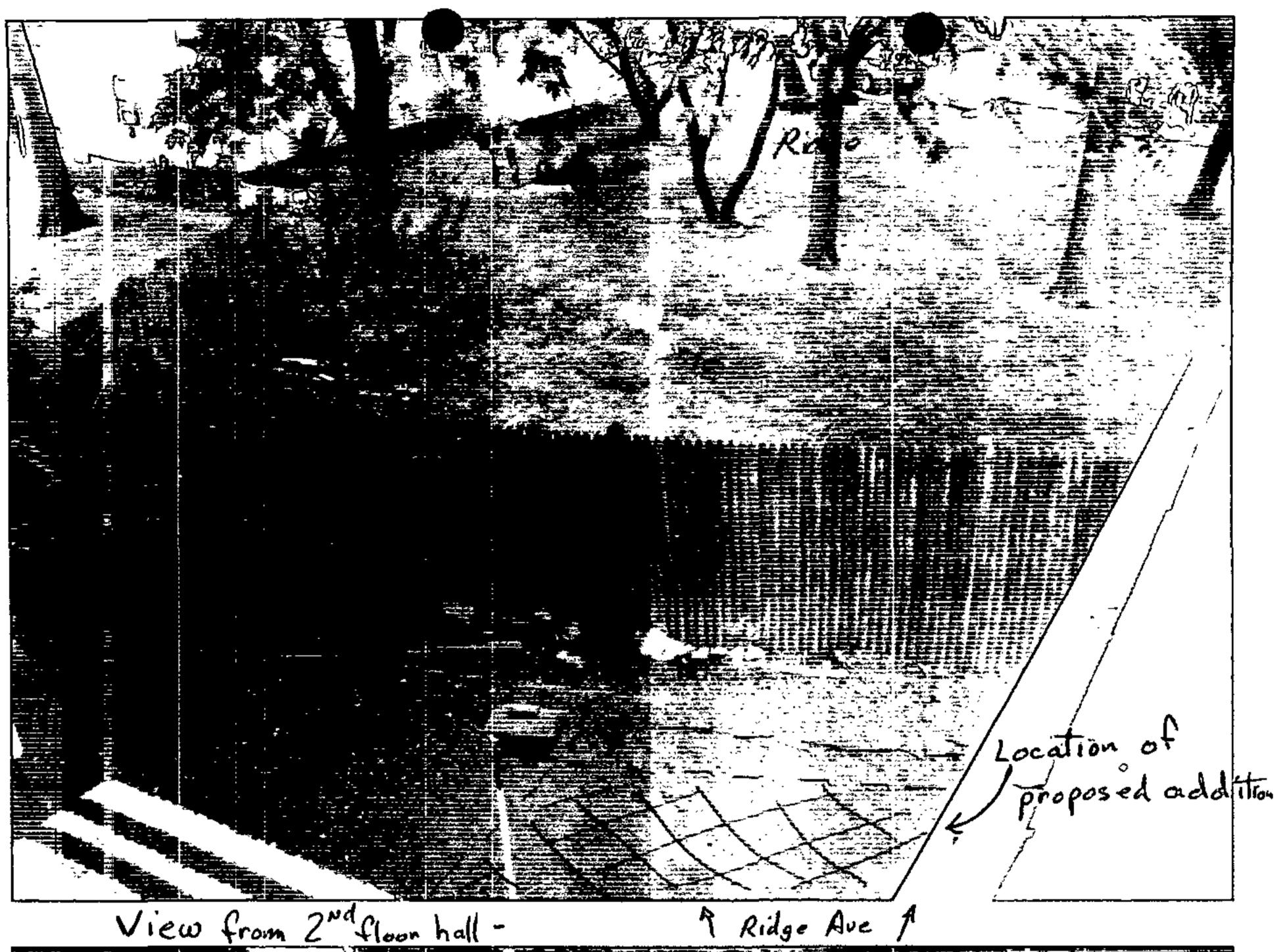
Item #054

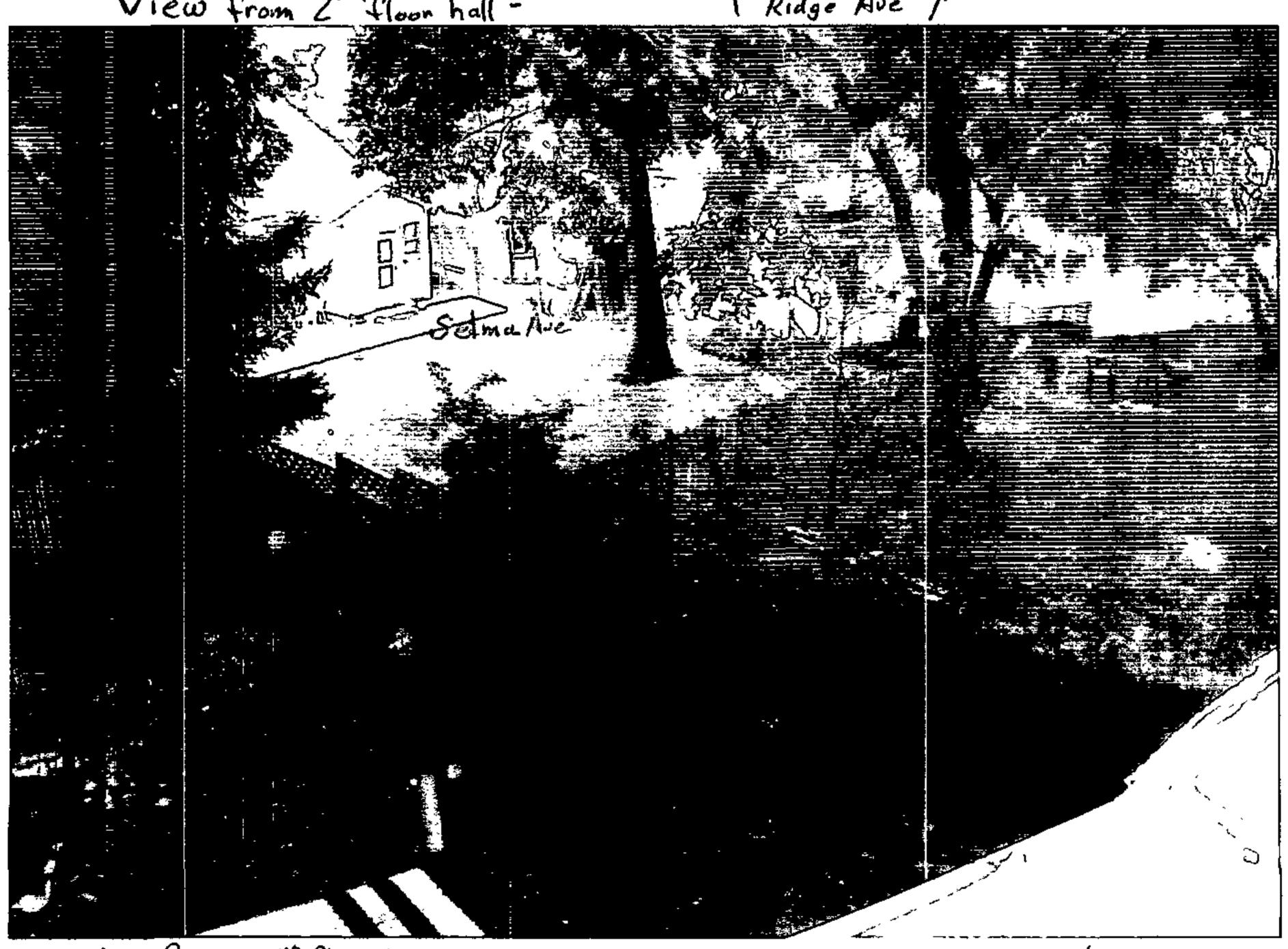
Vard - looking towards neighbors on Ridge Ave # 4605



Neighbors Yard looking out 2<sup>ND</sup> level window 4607 Ridge

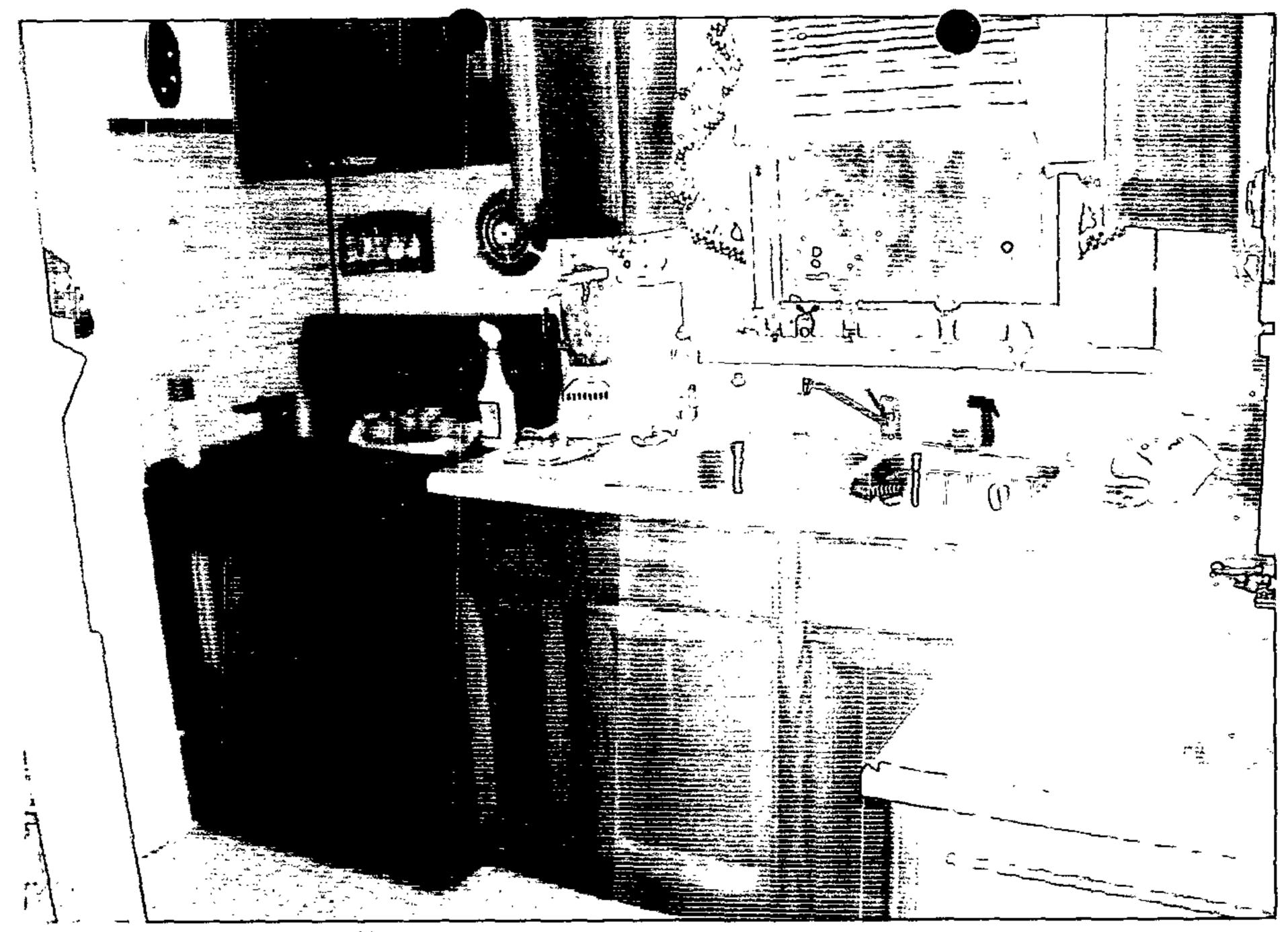
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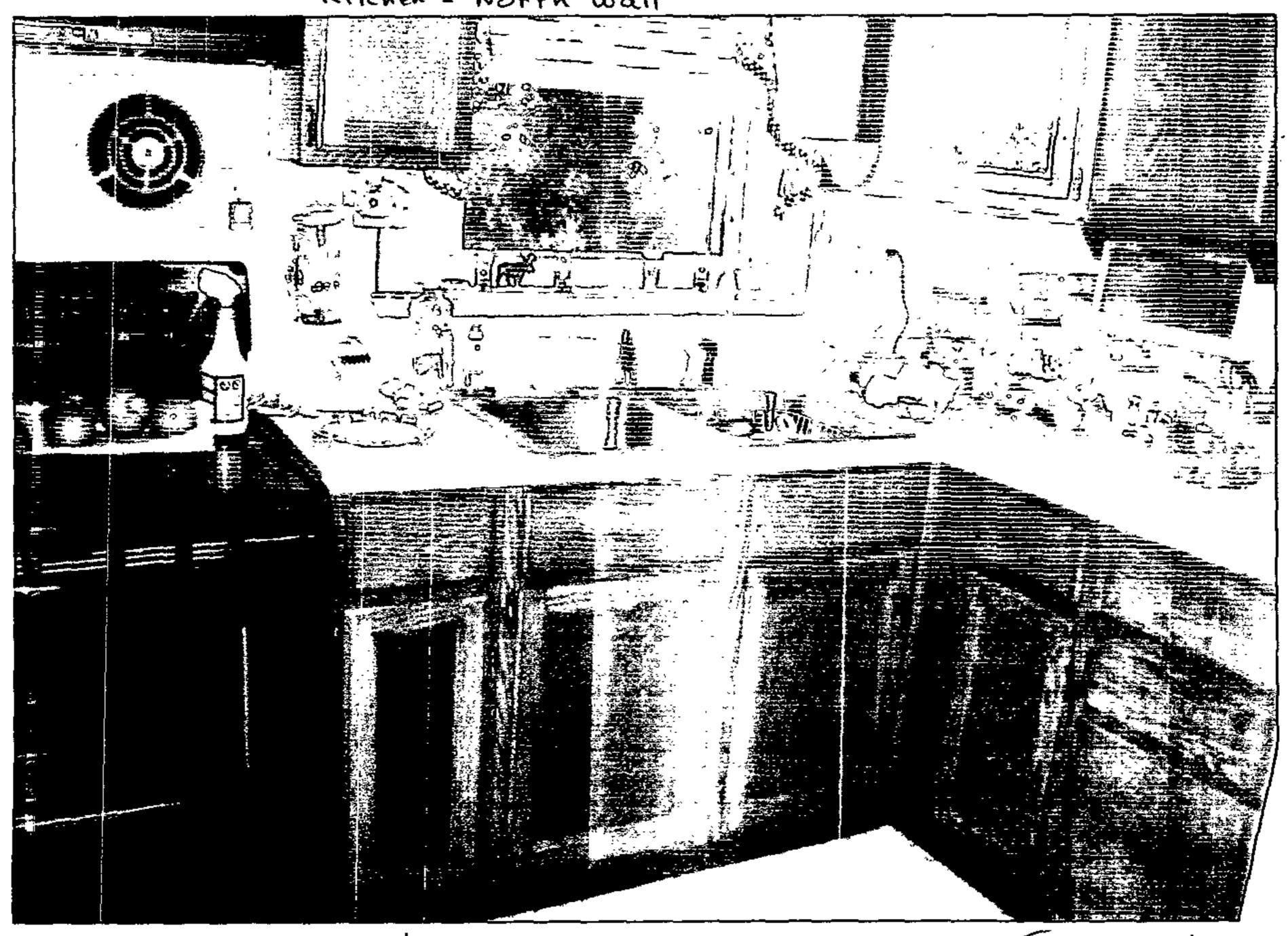


View from 200 floor hall -

Item #054

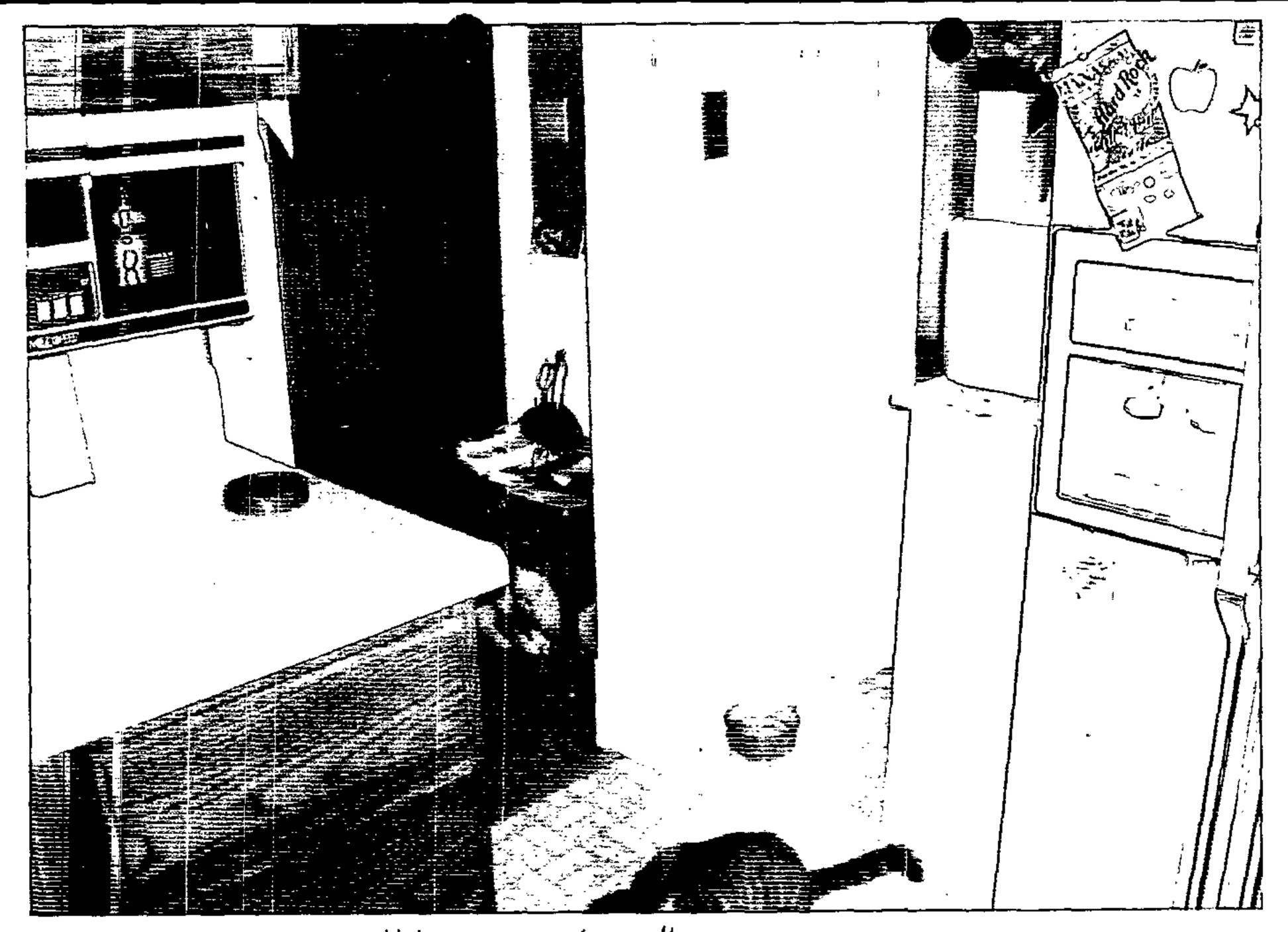


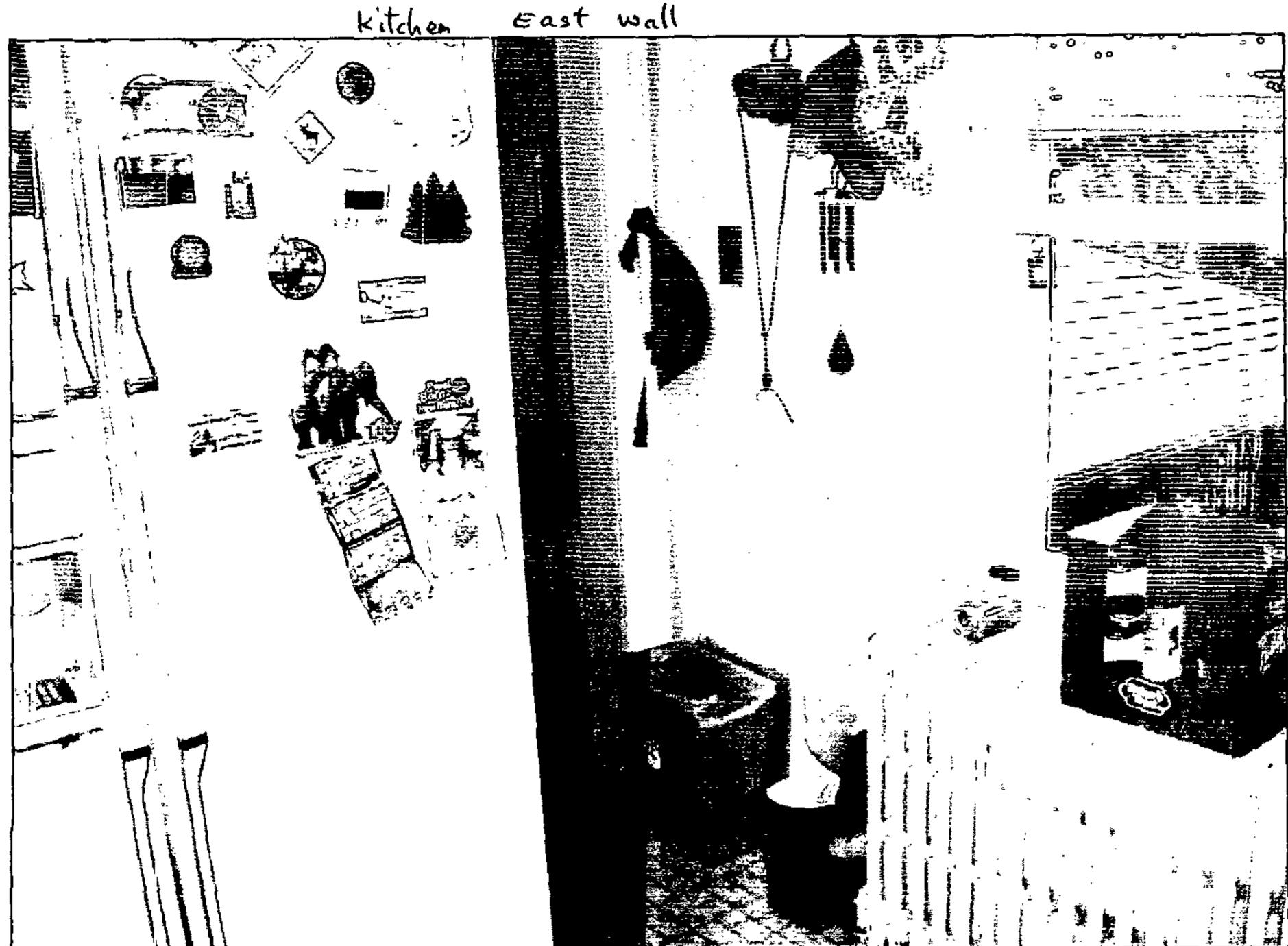
Kitchen - North wall



Kitchen NE corner

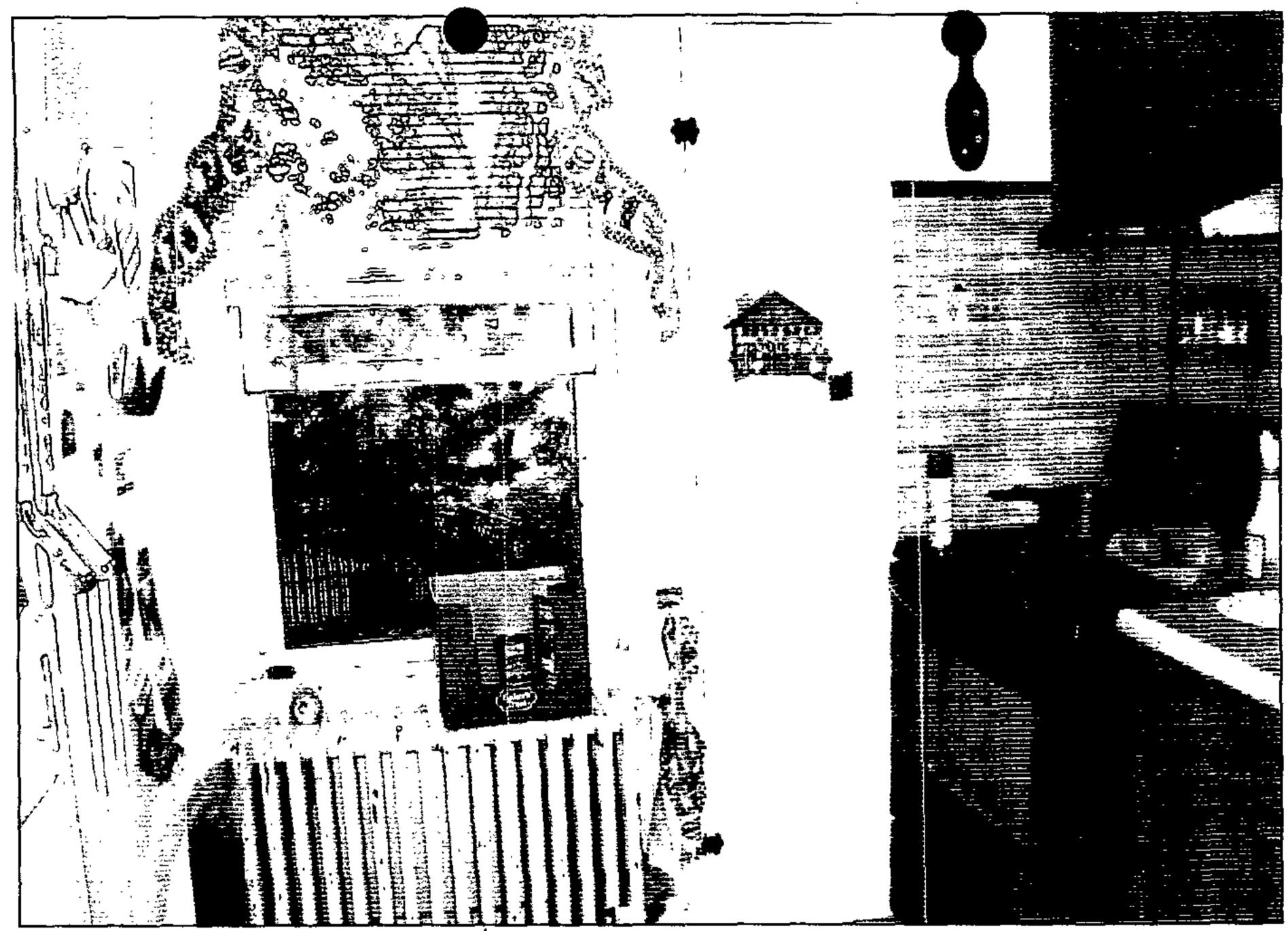
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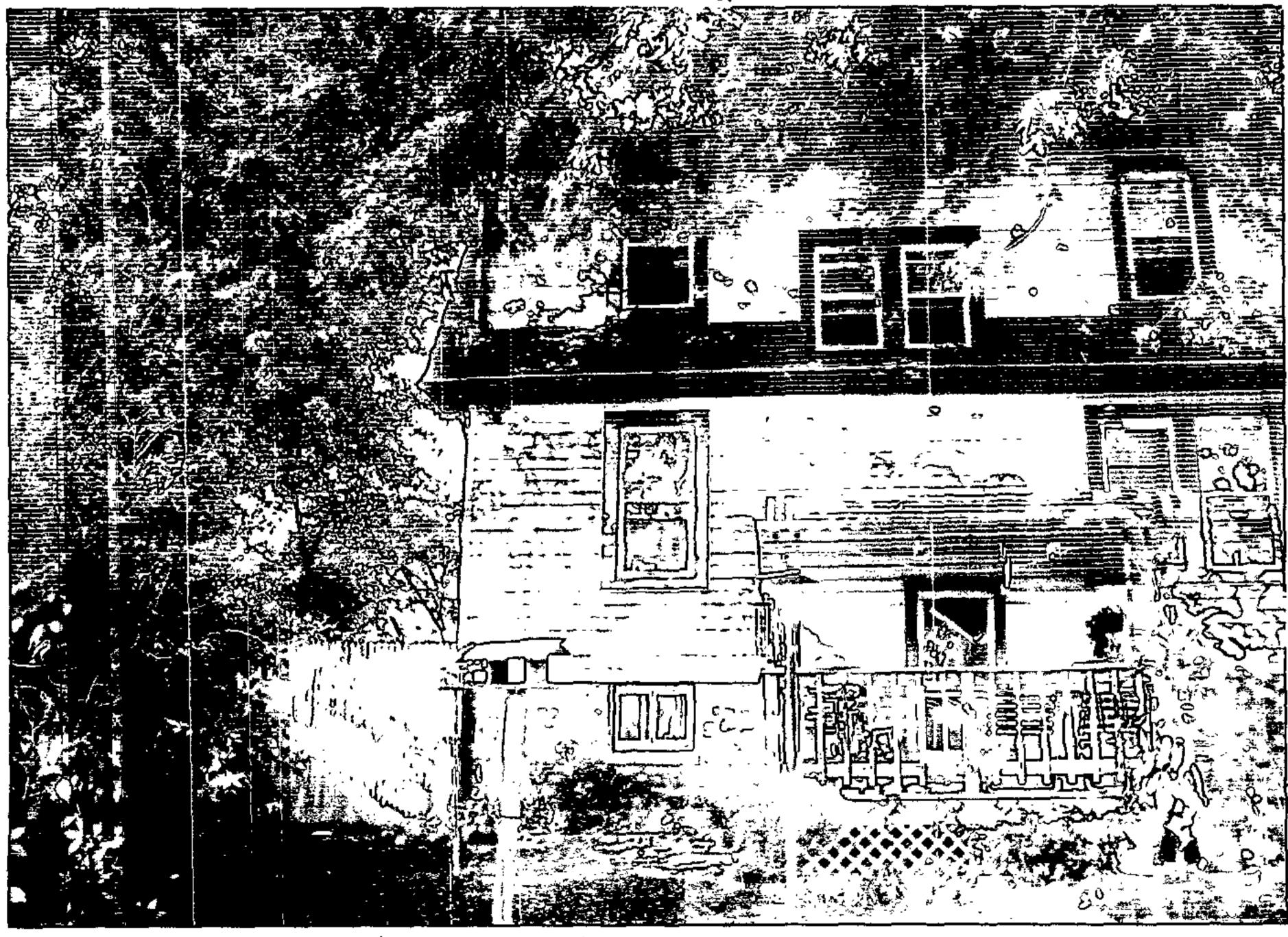


Kitcher SW corner

Item#054

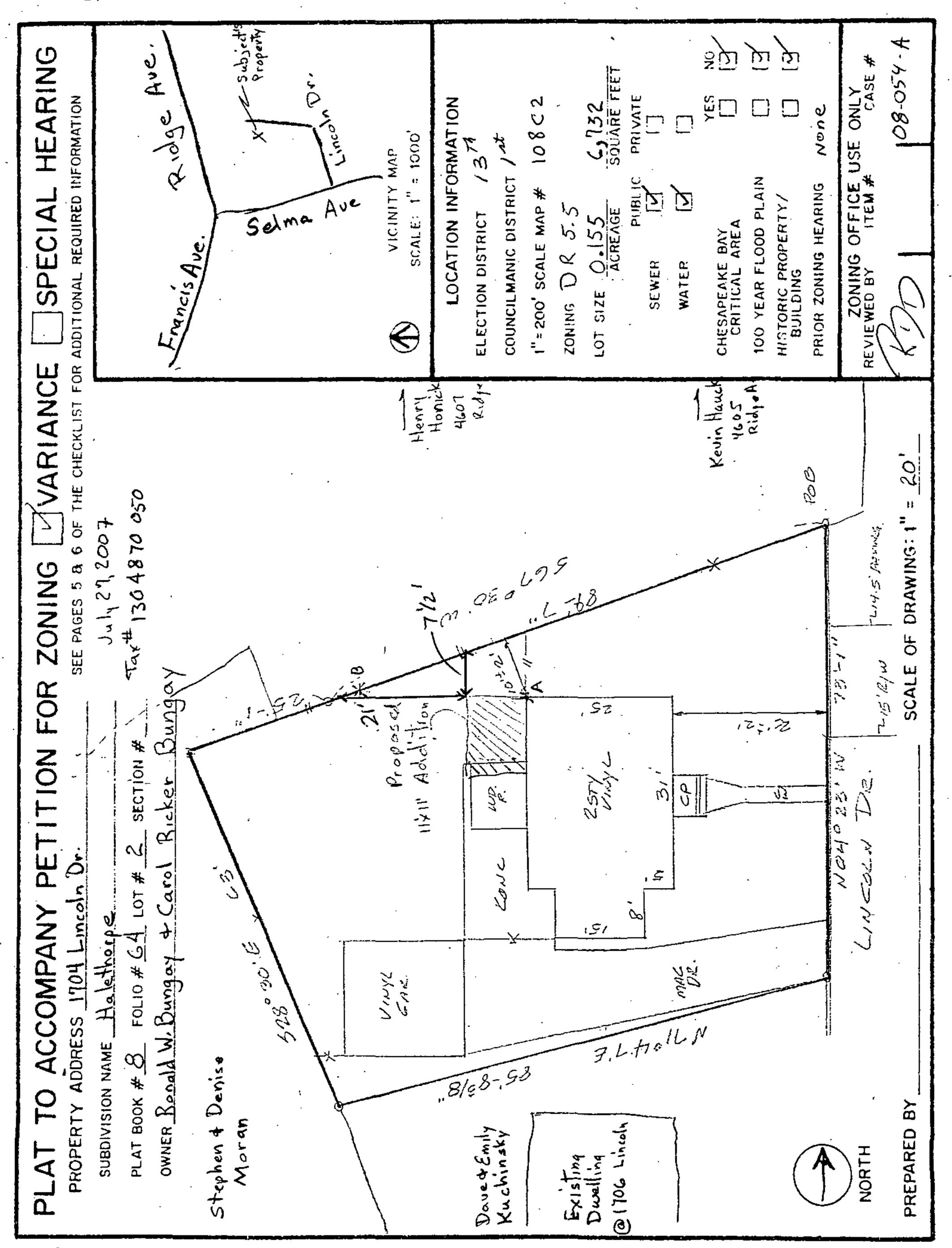


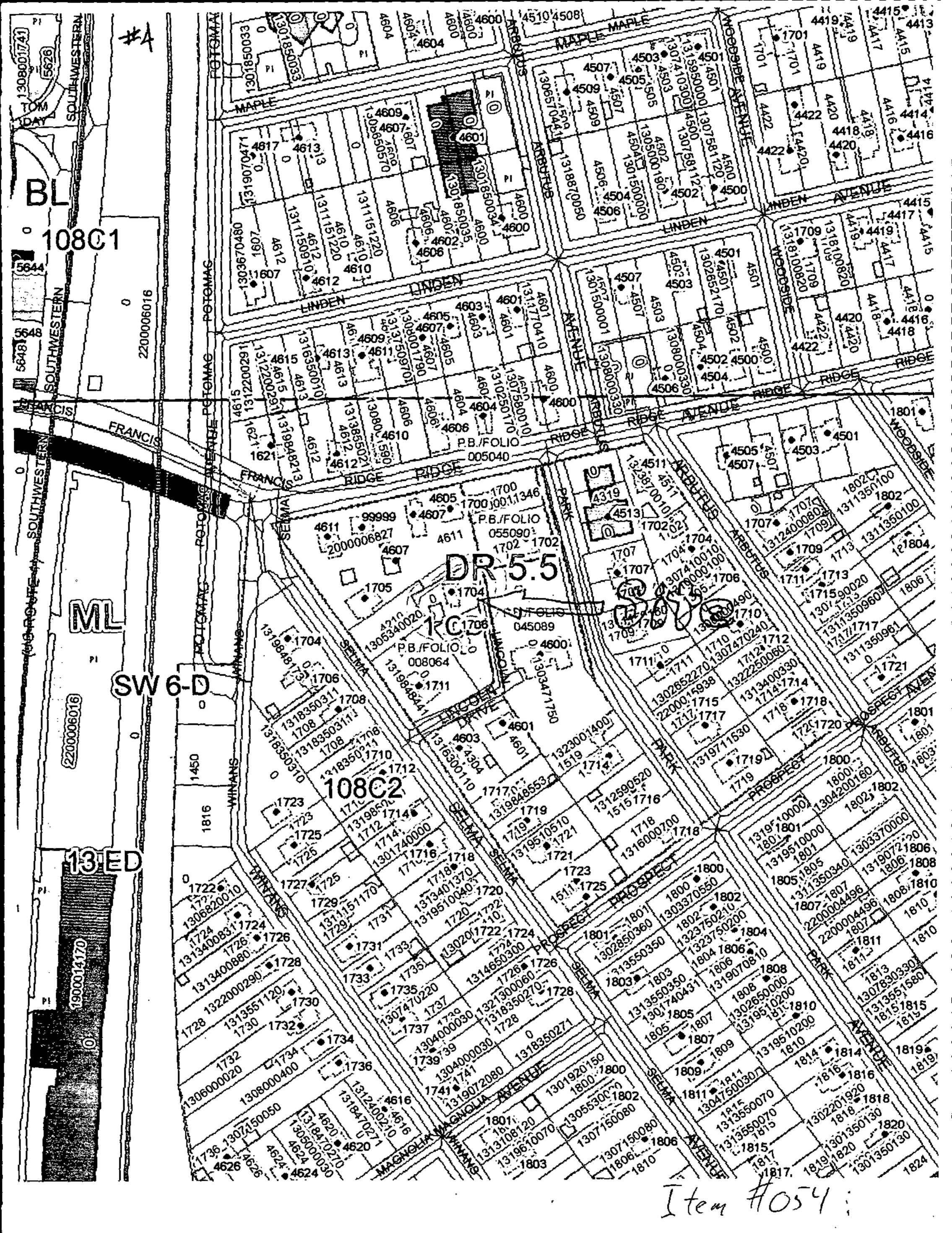
Kitchen west wall



Rear of house, NW corner Kitchen window in center

1 tam #054





BALTIMORE COUNTY
OFFICE OF BUDGE WHITE CASHER SOC PER - AGENCY