

IN RE: PETITION FOR ADMIN. VARIANCE

N side of Lombardy Drive, 330 E of the
c/l of Woodwell Road
12th Election District
7th Councilmanic District
(33 Lombardy Drive)

Terry Ann Schunck
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2011-0187-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 owner of the subject property, Terry Ann Schunck for property located at 33 Lombardy Drive. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of 1 foot in lieu of the required 7.5 feet for a proposed carport. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1. Petitioner desires to install a carport measuring 11 feet x 26 feet to protect a vehicle from the weather.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated December 14, 2010 which indicates they do not oppose the request, provided certain conditions are met: 1) Written support from the adjacent neighbor at 35 Lombardy Drive; 2) The shed on the opposite side of the subject dwelling appears to be in violation of County regulations. There is no record of a variance for a shed in the side yard. 3) Trim and roofing materials shall be the same as is on the subject dwelling.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on December 9, 2010 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 12-29-10

By

The Petitioner has 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, 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. I will not require the Petitioner to obtain written support for the carport from the adjacent neighbor at 35 Lombardy Drive. The property was duly posted and the neighbor did not voice any concern or opposition to the variance request.

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 29th day of December, 2010 that a Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of 1 foot in lieu of the required 7.5 feet for a proposed carport is hereby GRANTED, subject to the following:

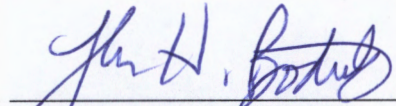
1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order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

ORDER RECEIVED FOR FILING

Date 12-29-10

By PJ

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

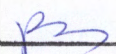


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 12-29-10

By  3



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 29, 2010

TERRY ANN SCHUNCK
33 LOMBARDY DRIVE
DUNDALK MD 21222

Re: Petition for Administrative Variance
Case No. 2011-0187-A
Property: 33 Lombardy Drive

Dear Ms. Schunck:

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.

Sincerely,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: James Westcot, 4319 Harford Road, Baltimore MD 21214



ACC # 1223052240

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 33 Lombardy DR
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 B02.3.c.1 to permit a
side yard setback of 1 ft. in lieu of the required 7.5 ft. for
a proposed carport.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

33 Lombardy DR

Address

Telephone No.

Dundalk

City

MD

State

21222

Zip Code

Representative to be Contacted:

Name

Address

City

James Westcott

4319 Hatford Rd

410-977-1431

Telephone No.

Baltimore, MD

State

21214

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 12-29-10 day of Dec 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. 2011-0187-A

Reviewed By gh Date 11/22/10

REV 10/25/01

Estimated Posting Date 12/15/10

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 33 Lombardy DR
Address
Pundalk MD 21222
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):

NEED a PLACE To PARK car off The Street and be Protected From The Weather.

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.

Terry Schumck
Signature

TERRY SCHUMCK
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of November, 2010, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Terry Schumck
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

James Westcott
Notary Public

My Commission Expires 10/11/11

ZONING DESCRIPTION

Zoning Description For 33 Lombardy Drive

Beginning at a point on the North side of Lombardy Drive, which is 50 feet wide at the distance of 330 ft. east of the centerline of the nearest improved intersecting street Woodwell Road, which is 50 ft. wide. Being Lot # 92 in the subdivision of Gray Manor as recorded in Baltimore County Plat Book #0013, Folio# 0034, containing 6,000 square feet. Also known as 33 Lombardy Drive and located in the 12th Election District, 7th Councilmanic District.

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

No. 61127

Date: 11/22/10

PAID RECEIPT

BUSINESS ACTUAL TIME 11/23/2010 11/22/2010 10:49:17

REC 0502 MAIL JEV A JET
>>RECEIPT # 712989 11/22/2010 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	506	0000		6150				165.00

Dept 5 520 ZONING VERIFICATION
CR NO. 061127

Recpt Tot 165.00
165.00 CR 165.00 CR
Baltimore County, Maryland

Total: 165.00

Rec From: James Westcott

For: Zoning Adm. Variance

CASHIER'S
VALIDATION

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

11/22/10

CERTIFICATE OF POSTING

RE: Case No. 2011-0187-A

Petitioner/Developer G.E.
CONTRACTORS

Date Of Hearing/Closing: 12/20/10

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 penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 33 LOMBARDY DR

This sign(s) were posted on December 9, 2010

Month, Day, Year

Sincerely,

Martin Ogle 12/5/10

Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2011-0187-A

TO PERMIT A 1 FT. SIDE YARD SETBACK IN LIEU
OF THE REQUIRED 7.5 FT. FOR A PROPOSED CARPORT

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON MONDAY - DECEMBER 20, 2010
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
131 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391

12/05/2010

James M. O'G 12/5/10

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2011- 0187 -A

Address 33 Lombardy Drive

Contact Person: Bruno Rudaitis
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 11/22/10

Posting Date: 12/5/10

Closing Date: 12/20/10

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2011- 0187 -A

Address 33 Lombardy Dr.

Petitioner's Name Terry Schuck

Telephone 443-326-3773

Posting Date: 12/5/10

Closing Date: 12/20/10

Wording for Sign: To Permit a 1 ft. ^{sideyard} setback in lieu of the required 7.5 ft. for a proposed carport.

WCR - Revised 7/7/08

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, (Interim) Director
Department of Permits and
Development Management

DATE: December 14, 2010

FROM: Michael J. Mayhew
(Acting) Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 11-187- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and does not oppose the petitioner's request provided the following conditions are met:

1. Written support from the adjacent neighbor at 35 Lombardy Drive.
2. The shed on the opposite side of the subject dwelling appears to be in violation of county regulations. There is no record of a variance for a shed in the side yard.
3. Trim and roofing materials shall be the same as which is on the subject dwelling.

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

Prepared By:
CM/LL



RECEIVED

DEC 15 2010

ZONING COMMISSIONER



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

December 20, 2010

Terry Schunck
33 Lombardy Dr.
Dundalk, Md 21222

Dear Terry:

RE: 2011-0187-A 33 Lombardy Dr.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 22, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc
Enclosures

c: People's Counsel
James Wescot 4319 Harford Rd. Baltimore MD 21214

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

December 09, 2010

ATTENTION: Kristen Mathews
ZAC 12-6-2010

Case Number(s): 2011-0152-SPHA
2011-0180-A
2011-0181-A
2011-0182-A
2011-0183-SPH
2011-0184-A
2011-0185-SPH
2011-0186-A
2011-0187-A
2011-0188-A

The fire marshal's office has no comments at this time.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

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



Printed on Recycled Paper



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: DEC 3, 2010

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

RE: Baltimore County
Item No 2011-0187-A
33 LOMBARDY DRIVE
SCHLICK PROPERTY
ADMIN. 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. 2011-0187-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,

Fos Steven D. Foster, Chief
Access Management Division

SDF/mb

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George Klunk, (Interim) Director
Department of Permits and
Development Management

DATE: December 14, 2010

FROM: Michael J. Mayhew
(Acting) Director, Office of Planning

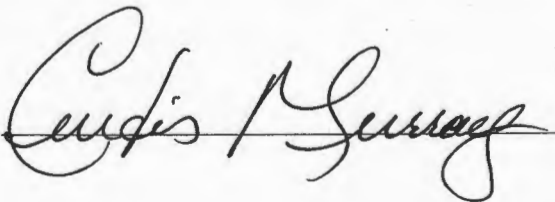
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For further questions or additional information concerning the matters stated herein, please contact John Alexander in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For December 13, 2010
Item Nos. 2011- 152, 180, 182, 183,
184, 185, 186, [REDACTED] and 188

DATE: December 9, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-12132010 -NO COMMENTS.doc

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.3)
BALTIMORE COUNTY

Account Identifier: District - 12 Account Number - 1223052240

Owner Information

Owner Name: SCHUNCK TERRY ANN **Use:**
Mailing Address: 33 LOMBARDY DR **Principal Residence:**
BALTIMORE MD 21222-2309 **Deed Reference:**

Location & Structure Information

Premises Address Legal Description
33 LOMBARDY DR

GRAY MANOR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area
103	6	436					92	3

Special Tax Areas **Town Ad Valorem Tax Class**

Primary Structure Built **Enclosed Area** **Property Land Area**
1943 702 SF 6,000.00 SF

Stories **Basement** **Type** **Exterior**
1 NO STANDARD UNIT SIDING

Value Information

	Base Value	Value As Of 01/01/2009	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	48,000	48,000		
Improvements:	78,000	100,110		
Total:	126,000	148,110	140,740	148,110
Preferential Land:	0	0	0	0

Transfer Information

Seller: BRENNAN ALFRED L, JR **Date:** 08/03/1987 **Price:**
Type: IMPROVED ARMS-LENGTH **Deed1:** / 7628/ 80 **Deed2:**

Seller: **Date:** **Price:**
Type: **Deed1:** **Deed2:**

Seller: **Date:** **Price:**
Type: **Deed1:** **Deed2:**

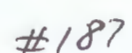
Exemption Information

Partial Exempt Assessments	Class	07/01/2010	0
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Rec
*** NONE**





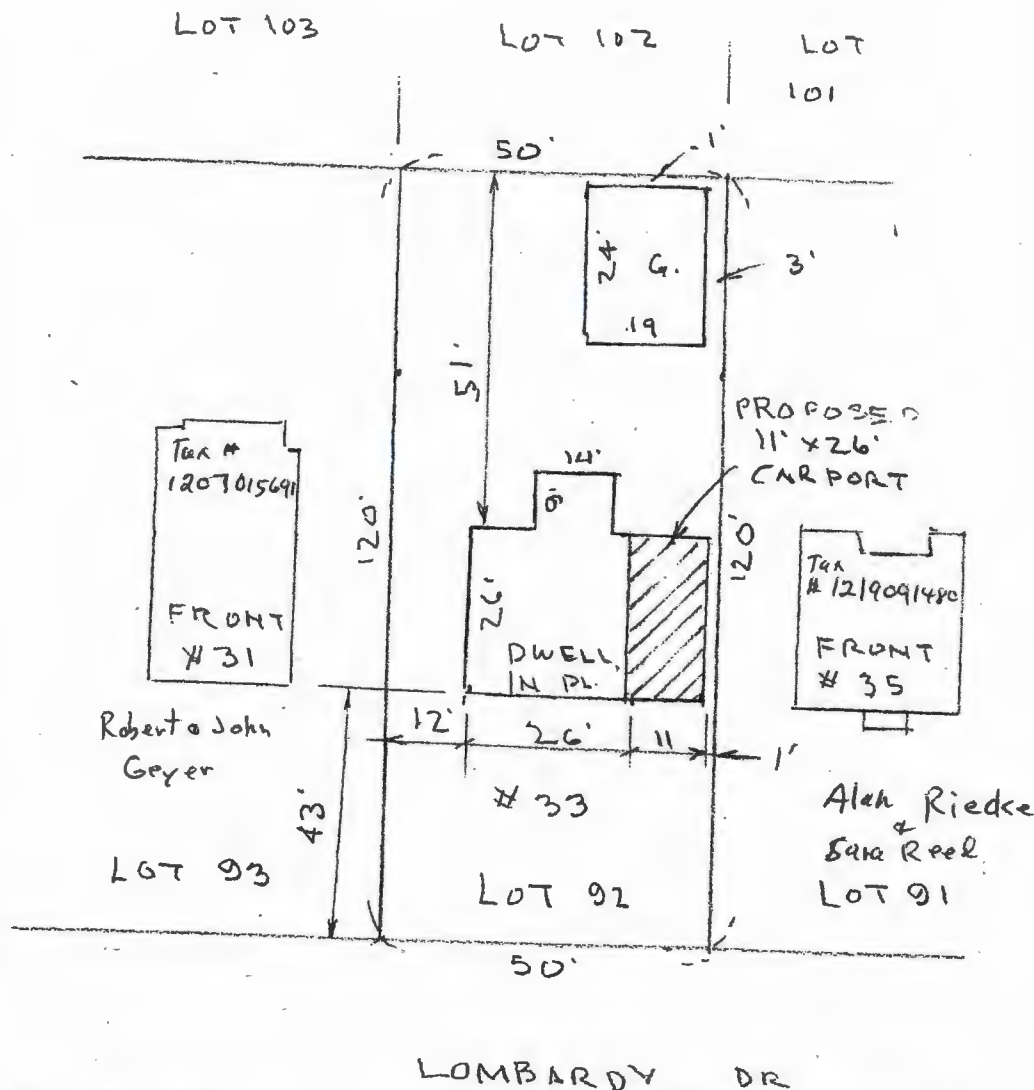
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 33 Lombardy Drive SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Gray Manor

PLAT BOOK # 13 FOLIO # 34 LOT # 92 SECTION #

OWNER Terry Ann Schunck



VICINITY MAP
SCALE: 1" = 200'

LOCATION INFORMATION

ELECTION DISTRICT 12

COUNCILMANIC DISTRICT 7

1" = 200' SCALE MAP # 103C1

ZONING DR-5.5

LOT SIZE
ACREAGE 6.000
SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒
100 YEAR FLOOD PLAIN YES ☐ NO ☒
HISTORIC PROPERTY/BUILDING YES ☐ NO ☒
PRIOR ZONING HEARING

ZONING OFFICE USE ONLY

REVIEWED BY Item # CASE #

134

0187

2011-0187-A

PREPARED BY Juan

SCALE OF DRAWING: 1" = 30'