

MEMORANDUM

DATE: October 6, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0201-A- Appeal Period Expired

The appeal period for the above-referenced case expired on October 5, 2020. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlm

cc: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(7300 Temple Lane) *
11th Election District * OFFICE OF ADMINISTRATIVE
5th Council District *
Johnathan Tyler Busha & Kolleen Busha * HEARINGS FOR
Petitioners *
* BALTIMORE COUNTY
*
* CASE NO. 2020-0201-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, Johnathan Tyler Busha and Kolleen Busha (“Petitioners”). The Petitioners are requesting Variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (“BCZR”), to allow a garage/master bedroom addition on the right side of the house with a front yard setback of 10 ft. in lieu of the required 75 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

The Zoning Advisory Committee (“ZAC”) comments were received and are made part of the record of this case. The property is subject to certain environmental regulations as noted in the ZAC comment, dated August 21, 2020, submitted by the Department of Environmental Protection and Sustainability (DEPS).

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 16, 2020, 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 § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in

ORDER RECEIVED FOR FILING

Date 9-3-2020

By [Signature]

the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

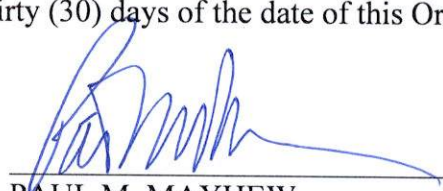
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 3rd day of **September, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR"), to allow a garage/master bedroom addition on the right side of the house with a front yard setback of 10 ft. in lieu of the required 75 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for the appropriate permits and be granted same upon receipt of this Order; however, Petitioners are 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- Petitioners must comply with the DEPS ZAC comment, dated August 21, 2020; a copy of which is attached hereto and made a part hereof.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

ORDER RECEIVED FOR FILING

Date 9-3-2020

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By 100



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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

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

Address 7300 Temple Lane, Kingsville, MD 21087 Currently zoned RC5
 Deed Reference Pending recording - settlement 7/23/20 10 Digit Tax Account # 1102022820
 Owner(s) Printed Name(s) Johnathan Tyler Busha + Kolleen Busha

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

For Administrative Variances, the **Affidavit** on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. **X** **ADMINISTRATIVE VARIANCE** from Section(s)

1A04.3.B.2.b to allow a garage/master bedroom addition on the right side of the house with a front yard setback of 10 ft in lieu of the required 75 ft

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

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

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Johnathan T. Busha, Kolleen Busha

Name #1 – Type or Print

Name #2 – Type or Print

[Signature]
Signature #1

[Signature]
Signature #2

7300 Temple Lane, Kingsville, MD
Mailing Address City State

21087, 443-987-0564, Kmbusha2019@gmail.com
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0201-A

Filing Date 8/6/2020

Estimated Posting Date 8/16/2020

Reviewer CP

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 7300 Temple Lane, Kingsville, MD 21087
Print or Type Address of property City State Zip Code

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

The existing 2 story single family house was built in 1882 and it does not have a garage, adequate parking area, or a master bedroom. We would like to add an attached garage with parking in front of the garage and a master bedroom over top of the garage. We plan to convert one of the existing bedrooms into a laundry room so that the total number of bedrooms remains the same. The property does not have the proper setbacks for the garage; therefore, the variance is necessary. Parking is currently on the existing private lane that is shared with the other houses so the addition of a garage with parking would benefit the neighbors so that cars are not sitting in the lane in front of their houses.

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

Johnathan Tyler Busha
Signature of Owner (Affiant)
Name- Print or Type

Kolleen Busha
Signature of Owner (Affiant)
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF Hartford ~~BALTIMORE~~, to wit:

I HEREBY CERTIFY, this 30 day of July, 2020, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: Johnathan Tyler Busha and Kolleen Busha

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

AS WITNESS my hand and Notaries Seal

John Paul Jones
Notary Public

02/13/2022
My Commission Expires

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Signature of Owner (Affiant)

Johnathan Tyler Busha
Name- Print or Type

Signature of Owner (Affiant)

Kolleen Busha
Name- Print or Type

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Tom Paul Jones
Notary Public

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Owner(s)/Petitioner(s):

Johnathan T. Busha, Kolleen Busha

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

7300 Temple Lane, Kingsville, MD

Mailing Address

City

State

21087, 443-987-0564, Kmbusha2019@gmail.com

Zip Code

Telephone #

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

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Mailing Address

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State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

BY

Administrative Law Judge for Baltimore County

CASE NUMBER 2020-0201-A

Filing Date 8/6/2020

Estimated Posting Date 8/16/2020

Reviewer CF

ZONING PROPERTY DESCRIPTION FOR 7300 Temple Lane, Kingsville, MD 21087

PART A:

Beginning at a point on the South side of the private road called Temple Lane which is approximately 8 feet wide at a distance of approximately 300 feet of the centerline of the nearest improved intersecting street Bel Air Road also called Route 1. *west*

PART B, Option 1:

Thence and following courses and distances beginning at an iron pipe at the southeast corner of the whole tract of land on the south side of Temple lane in front of the BGE pole headed north 125.3 feet to an iron pipe, turning west 115.4 feet to an iron pipe continuing west 115.5 feet to an iron pipe, turning south 138.2 feet to an iron pipe, turning east 173.45 feet back to the point of beginning being all the land granted and conveyed by and described in the Fee Simple Deed dated April 7, 1995 and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 11024, Folio 107, also on Map 0055, Grid 0019, Parcel 0183, containing 0.64 of an acre according to the location survey which is a correction to the reported .799 of an acre recorded in the deed. Located in the 11 Election District and 5 Council District.

2020-0201-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 8/16/2020

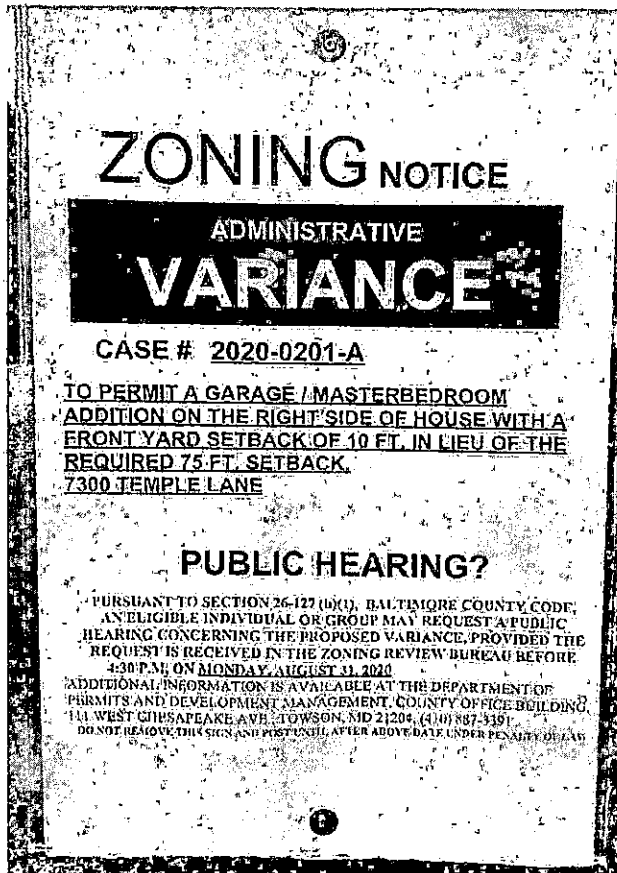
Case Number: 2020-0201-A

Petitioner / Developer: JOHNATHAN BUSHA ~ KOLLEEN BUSHA

Date of Closing: AUGUST 31, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
7300 TEMPLE LANE

The sign(s) were posted on: AUGUST 16, 2020



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



Background Photo 1st Sign @ 7300 Temple Lane ~ 8/16/2020



Background Photo 2nd Sign @ 7300 Temple Lane ~ 8/16/2020
CASE # 2020-0201-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2020- 0201 -A Address 7300 Temple Lane

Contact Person: Christina Frank Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 8-6-2020 Posting Date: 8-16-2020 Closing Date: 8-31-2020

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2020- 0201 -A Address 7300 Temple Lane

Petitioner's Name Jonathan Busha Kathleen Busha Telephone 433-987-0564

Posting Date: 8-16-2020 Closing Date: 8-31-2020

Wording for Sign: To Permit a garage/master bedroom Addition on the Right side
of House with a Front yard setback of 10 FT in lieu of the Required
75 FT setback

Revised 6/30/2018



JOHN A. OLSZEWSKI, JR.
County Executive

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

September 1, 2020

Johnathan T Busha,
7300 Temple Lane
Kingsville MD 21087

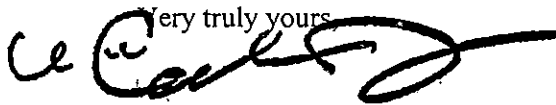
RE: Case Number: 2020-0201-A, 7300 Temple lane Kingsville

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August-06, 2020. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,


W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: August 21, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0201-A
Address 7300 Temple Lane
(Bussha Property)

Zoning Advisory Committee Meeting of August 17, 2020.

The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. Development of the property must comply with Baltimore County Code Article 33. Environmental Protection And Sustainability, Title 3. Protection of Water Quality, Streams, Wetlands, and Floodplains. Depending on the location of streams, wetlands, the 100-year floodplain, and the required forest buffer, a variance to Title 3 may be required.

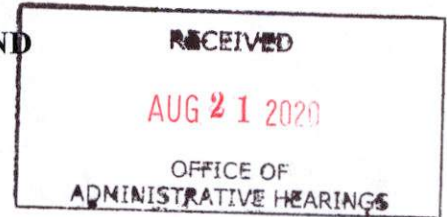
Reviewer: Paul A. Dennis, Environmental Impact Review

2. Ground Water Management must review any proposed permit for a garage, since the property is served by well and septic. Plus the setback (from buildings) to a well is 30 feet, so a well variance from us may be necessary.

Reviewer: Dan Esser, Groundwater Management

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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Office of Administrative Hearings

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

DATE: August 21, 2020

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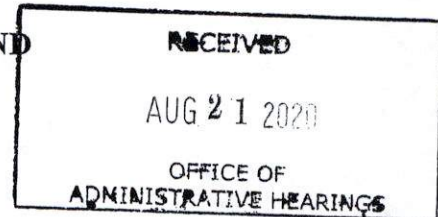
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BALTIMORE COUNTY, MARYLAND

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Reviewer: Dan Esser, Groundwater Management

ORDER RECEIVED FOR FILING

Date 9-3-2020

By [Signature]

CASE NO. 2020- 0201-ACHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>8-21</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>8-16-20</u> by <u>O'Keefe</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Karas & Bradford
File No. 220R-0310
Tax ID # 11 1102022820

This Deed, made this 22nd day of July, 2020, by and between **Edward W. Morgereth, Jr., GRANTOR**, and **Tyler Busha, also known as Johnathan Tyler Busha, and Kolleen Busha, GRANTEES**.

Witnesseth –

That in consideration of the sum of One Hundred Thirty-Two Thousand Nine Hundred and 00/100 Dollars (\$132,900.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey to the said Grantees, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

ALL that lot or parcel of ground situate and lying in the ELEVENTH ELECTION DISTRICT of Baltimore County, Maryland, and described as follows, that is to say:

BEGINNING for the same at a point in the middle of stone wall in the outline of the OldsLand, and being the southwest corner of the whole tract of which the land now being described is a part, lately conveyed by Carl B. Temple and wife to the within grantors, and running thence binding on said whole tract, south 86 degrees 30 minutes east 173.45 feet to an iron pipe, thence leaving the outline and running for new dividing lines through and across the land of the Grantor, north 10 degrees 46 minutes east 125.3 feet to an iron pipe, thence north 80 degrees 27 minutes west 115.4 feet to an iron pipe, thence north 88 degrees 20 minutes west 115.5 feet to an iron pipe, set in the outline of the OldsLand, and thence binding thereon, south 8 degrees 30 minutes east 138.2 feet to the beginning as surveyed July 17, 1947 by Glen C. Deaton, Containing 0.799 of an acre, more or less.

For Informational Purposes Only: The improvements thereon being known as No. 7300 Temple Lane.

BEING the same and all the land granted and conveyed by and described in the Fee Simple Deed dated April 7, 1995 and recorded in the Land Records of the County of Baltimore, Maryland, in Liber 11024, Folio 107, from John B. Bell unto Edward W. Morgereth, Jr.

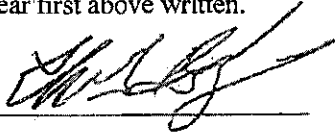
Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

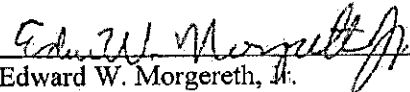
To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Tyler Busha, also known as Johnathan Tyler Busha, and Kolleen Busha, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

2020-0201-A

And the Grantor hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant Specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

In Witness Whereof, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.



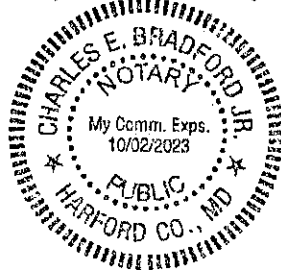
 (SEAL)
Edward W. Morgereth, Jr.

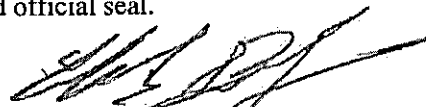
STATE OF MARYLAND
COUNTY OF HARFORD

} ss

I hereby certify that on this 22nd day of July, 2020, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Edward W. Morgereth, Jr., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be his act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

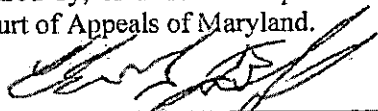
IN WITNESS WHEREOF, I hereunto set my hand and official seal.




Notary Public

My Commission Expires: October 2, 2023

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.


Charles E. Bradford, Attorney

AFTER RECORDING, PLEASE RETURN TO:
Karas & Bradford
325 South Main Street
Bel Air, MD 21014

2020-0201-A

OWNER OCCUPANCY AFFIDAVIT

Tyler Busha and Kolleen Busha, the Grantees in the within Deed hereby certify under the penalties of perjury, as evidenced by the joinder herein, that the land conveyed in this Deed is residentially improved owner-occupied real property and that the residence will be occupied by us.

WITNESS:

As to All

Tyler Busha

(SEAL)

Kolleen Busha

(SEAL)

STATE OF MARYLAND, COUNTY OF HARFORD, to wit:

I HEREBY CERTIFY, that on this 22nd day of July, 2020, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tyler Busha and Kolleen Busha, the parties herein, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged the foregoing to be their act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Notary Public

My Commission Expires:

10/2/2023

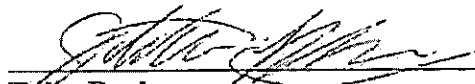
2020-0201-A

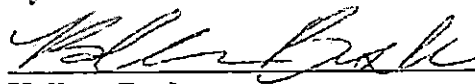
**AFFIDAVIT OF GRANTEES AS
FIRST-TIME MARYLAND HOME BUYERS**

The undersigned each state under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of each individual:

1. Each of the undersigned is a Grantee of residentially improved real property located at 7300 Temple Lane, Kingsville, MD 21087, and being more particularly described as Tax ID Number 1102022820, Baltimore County, Maryland.

2. Each of the undersigned is a first-time Maryland home buyer (defined as an individual who has never owned in the state residential real property that has been the individual's principal place of residence) who will occupy the property as Grantee's principal residence.


Tyler Busha Grantee


Kolleen Busha Grantee

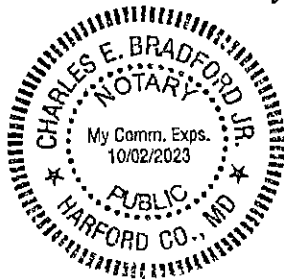
The undersigned each state under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of each individual:

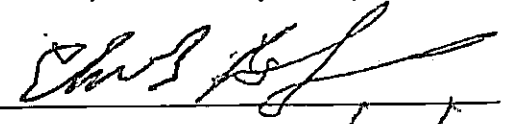
1. Each of the undersigned is a Grantee of residentially improved real property located at 7300 Temple Lane, Kingsville, MD 21087, and being more particularly described as Tax ID Number 1102022820, Baltimore County, Maryland.

2. Each of the undersigned is a co-maker or guarantor of the purchase money mortgage or purchase money deed of trust as defined in §12-108(i) of the Tax Property Article on the property who will not occupy the property as Grantee's principal residence.

Guarantor/co-maker

The above oath or affirmation was given under the penalties of perjury before me, a Notary Public in and for the State of Maryland, County of Harford, this 22nd day of July, 2020.




Notary Public
My Commission Expires: 10/2/23

2020-0201-A

**Certification of Exemption from Withholding Upon
Disposition of Maryland Real Estate Affidavit of
Residence or Principal Residence**

2020

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Edward W. Morgereth, Jr.

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).
7300 Temple Lane, Kingsville, MD 21087

3. Reasons for Exemption

Resident Status

☒

As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

☐

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

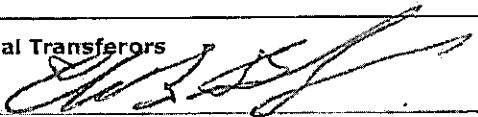
☐

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness



Edward W. Morgereth, Jr.

Name

7/22/20

**Date


Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

**Date

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

7300 Temple Lane, Kingsville, MD 21087 – Zoning Review Property Pictures:

Neighbor

Proposed Garage with Master Bedroom



Proposed Garage with Master Bedroom

Neighbor



2020-0201-A

7300 Temple Lane, Kingsville, MD 21087 – Zoning Review Property Pictures:

Proposed Garage with Master Bedroom



Proposed Garage with Master Bedroom



2020-0201-A

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 11 Account Number - 1102022820		
Owner Information		
Owner Name:	BUSHA TYLER BUSHA KOLLEEN	Use: Principal Residence: RESIDENTIAL YES
Mailing Address:	7300 TEMPLE LANE KINGSVILLE MD 21087	Deed Reference: /43205/ 00163
Location & Structure Information		
Premises Address:	7300 TEMPLE LN KINGSVILLE 21087-	Legal Description: 0.799 AC TEMPLE LANE 7300 TEMPLE LANE SW COR OF BELAIR RD
Map:	Grid:	Parcel:
0055	0019	0183
Neighborhood:	Subdivision:	Section:
11080068.04		
Block:	Lot:	Assessment Year:
		2021
Town:	Plat No:	
None	Plat Ref:	
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1882	1,440 SF	Property Land Area
		34,804 SF
County Use	04	
Stories	Basement	Type
2	NO	STANDARD UNIT
Exterior	Quality	Full/Half Bath
FRAME/	4	1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of
		01/01/2018
Land:	97,700	97,700
Improvements	77,600	77,600
Total:	175,300	175,300
Preferential Land:	0	
		Phase-in Assessments
		As of
		07/01/2020
		As of
		07/01/2021
Transfer Information		
Seller: MORGERETH EDWARD W JR	Date: 08/06/2020	Price: \$132,900
Type: ARMS LENGTH IMPROVED	Deed1: /43205/ 00163	Deed2:
Seller: BELL JOHN B	Date: 04/27/1995	Price: \$88,500
Type: ARMS LENGTH IMPROVED	Deed1: /11024/ 00107	Deed2:
Seller: BELL JOHN B	Date: 09/13/1993	Price: \$0
Type:	Deed1: /10007/ 00550	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00
Special Tax Recapture:	None	
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

ZAC AGENDA

Case Number: 2020-0201-A **Reviewer:** Christina Frink

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Johnathan Tyler Busha & Killen Busha

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 11 **Council Dist:** 5

Property Address: 7300 TEMPLE LN

Location: South side of Temple Lane 300 feet West of Belair Road.

Existing Zoning: RC 5

Area: 34,804 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

1A04.3.B.2.b To allow a garage/master bedroom addition on the right side of the house with a front yard setback of 10 feet in lieu of the required 75 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 08/31/2020

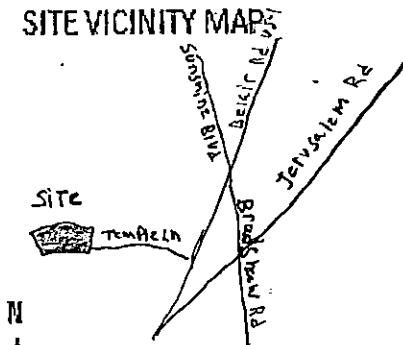
Miscellaneous Notes:

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 7300 Temple Lanz Kingsville OWNER(S) NAME(S) Johnathan Tyler + Kalleen Busha
Map 0055 Grid 0019 Parcel 0183

SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

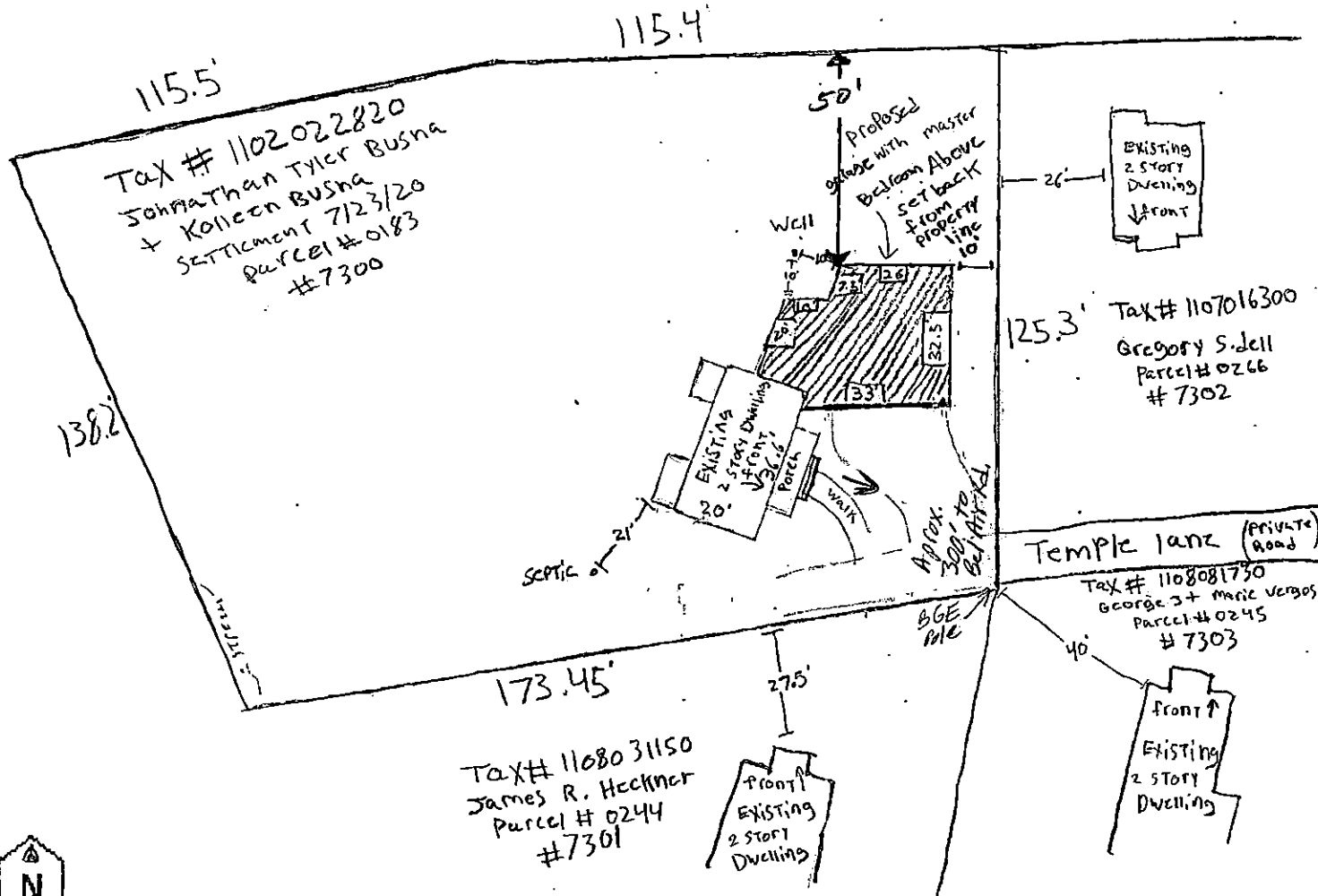
PLAT BOOK # _____ FOLIO # 107 10 DIGIT TAX # 110202282 DEED REF. # Pending Recording



MAP IS NOT TO SCALE

ZONING MAP# 055 A3
SITE ZONED RC 5
ELECTION DISTRICT 11
COUNCIL DISTRICT 5
LOT AREA ACREAGE .749
OR SQUARE FEET 34,804
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK WITH X
WATER IS:
PUBLIC _____ PRIVATE X
SEWER IS:
PUBLIC _____ PRIVATE X
PRIOR HEARING? NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:



PLAN DRAWN BY Johnathan T. Busha DATE 8/5/20 SCALE: 1 INCH = 40 FEET

2020-0201-A

*New owner
See Deed*

Real Property Data Search (w2)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:		District - 11 Account Number - 1102022820
Owner Information		
Owner Name:	MORGERETH EDWARD W JR	Use: RESIDENTIAL
Mailing Address:	7300 TEMPLE LANE KINGSVILLE MD 21087	Principal Residence: YES
		Deed Reference: /11024/ 00107
Location & Structure Information		
Premises Address:	7300 TEMPLE LN KINGSVILLE 21087-	Legal Description: 0.799 AC TEMPLE LANE 7300 TEMPLE LANE SW COR OF BELAIR RD
Map:	Grid:	Parcel:
0055	0019	0183
Neighborhood:	Subdivision:	Section:
11080068.04		
Block:	Lot:	Assessment Year:
		2018
Plat No:	Plat Ref:	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1882	1,440 SF	
Property Land Area	County Use	
34,804 SF	04	
Stories	Basement	Type
2	NO	STANDARD UNIT
Exterior	Quality	Full/Half Bath
FRAME/	4	1 full
Garage	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	97,700	97,700
Improvements	77,600	77,600
Total:	175,300	175,300
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		175,300
		175,300
Transfer Information		
Seller: BELL JOHN B	Date: 04/27/1995	Price: \$88,500
Type: ARMS LENGTH IMPROVED	Deed1: /11024/ 00107	Deed2:
Seller: BELL JOHN B	Date: 09/13/1993	Price: \$0
Type:	Deed1: /10007/ 00550	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

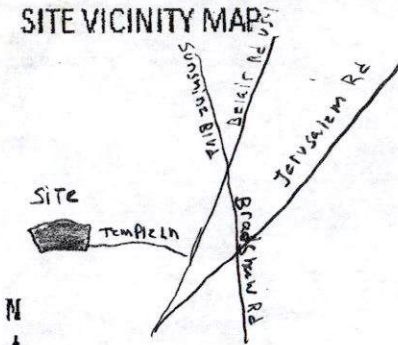
2620-0201-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 7300 Temple Lanz Kingsville OWNER(S) NAME(S) Johnathan Tyler + Kalleen Busha

SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # _____ FOLIO # 107 10 DIGIT TAX # 1102022820 DEED REF. # Pending Regarding



MAP IS NOT TO SCALE

ZONING MAP# 055 A3

SITE ZONED RC 5

ELECTION DISTRICT 11

COUNCIL DISTRICT 5

LOT AREA ACREAGE .799

OR SQUARE FEET 34,804

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE X

SEWER IS:

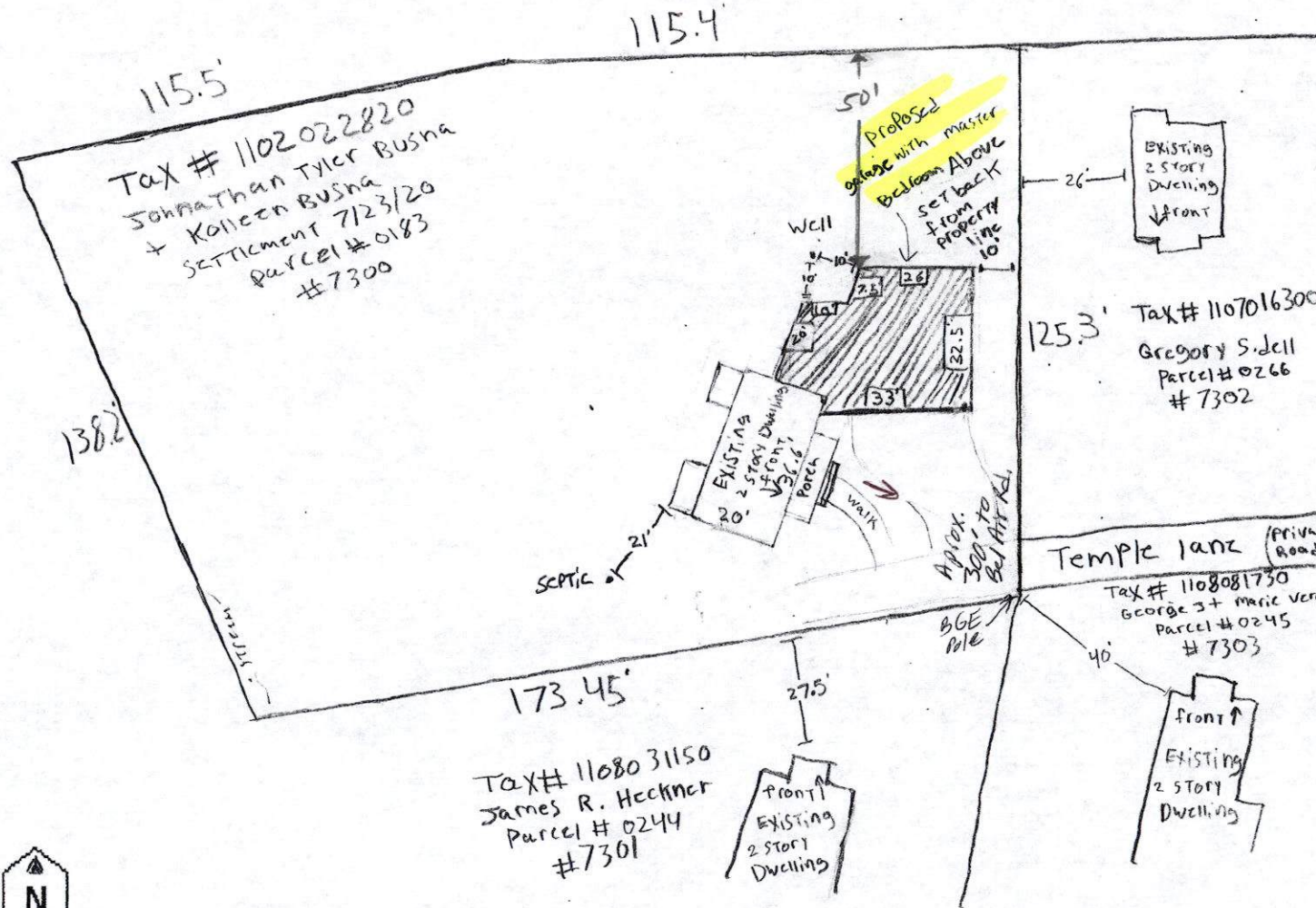
PUBLIC _____ PRIVATE X

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

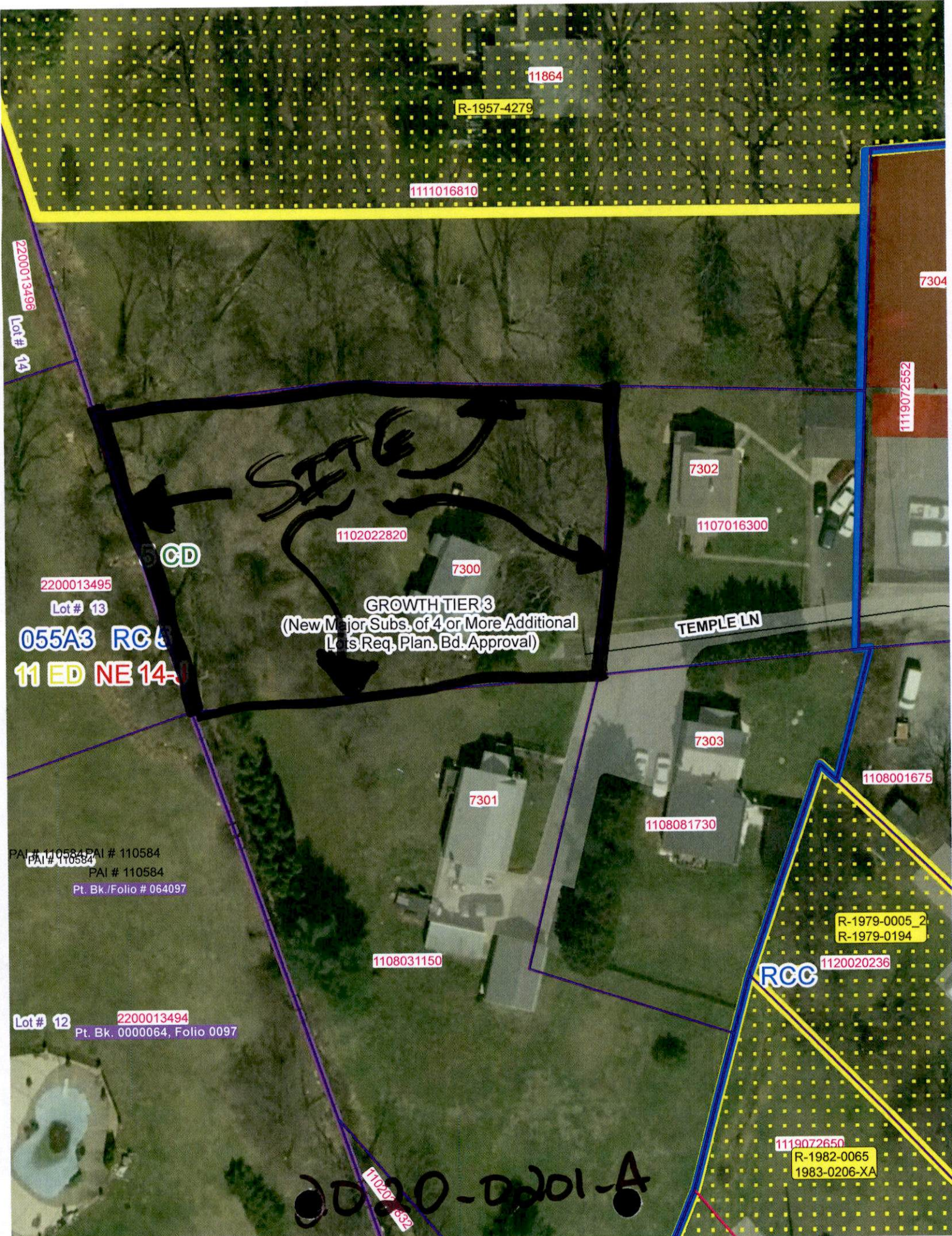
AND ORDER RESULT BELOW

VIOLATION CASE INFO:



PLAN DRAWN BY Johnathan T. Busha DATE 8/5/20 SCALE: 1 INCH = 40 FEET

2020-0201-A Pet Exh. 1



11864

R-1957-4279

1111016810

2200013496

Lot # 14

7304

1119072552

7302

1107016300

1102022820

7300

GROWTH TIER 3

(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

TEMPLE LN

2200013495

Lot # 13

055A3 RC 3

11 ED NE 14-J

PAI # 110584 PAI # 110584

PAI # 110584

Pt. Bk./Folio # 064097

7303

1108081730

7301

1108031150

R-1979-0005_2
R-1979-0194

1120020236

RCC

Lot # 12

2200013494

Pt. Bk. 0000064, Folio 0097

1119072650

R-1982-0065
1983-0206-XA

2020-0201-A

