

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
E side of Bellona Avenue, 550 feet S of the		
c/l of Midhurst Road	*	DEPUTY ZONING
9 th Election District		
5 th Councilmanic District	*	COMMISSIONER
(6303 Bellona Avenue)		
	*	FOR BALTIMORE COUNTY
Jason and Lisa Manuel		
<i>Petitioners</i>	*	Case No. 2009-0274-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by Jason and Lisa Manuel, the legal property owners, for property located at 6303 Bellona Avenue. The Variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition to have a side yard setback of 5 feet in lieu of the minimum required 10 feet. The subject property and requested relief are more particularly described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of May 11, 2009. On May 8, 2009, Nancy Maronick, President of the Bellona-Gittings Community Association, filed a Formal Demand for Hearing. The hearing was subsequently scheduled for Thursday, June 4, 2009 at 9:00 AM in Room 106 of the County Office Building, 111 West Chesapeake Avenue, Towson, Maryland. In addition, a sign was posted at the property on May 19, 2009 and an advertisement was timely published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

Appearing at the public hearing in support of the requested relief was Petitioner Jason Manuel. Also appearing in support was Sharon Stockfield of 6305 Bellona Avenue. Appearing as

6-5-09


Protestants were Nancy Maronick of 5911 Charlesmead Avenue, President of the Bellona-Gittings Community Association who filed the formal demand for hearing, and Stephany Harper of 6405 Pinehurst Road.

Testimony and evidence offered revealed that the subject property is rectangular in shape, though is somewhat diagonal on its frontage at Bellona Avenue. At the outset, it should be noted that the property is very unusual in that it lies in both Baltimore County and Baltimore City. As depicted on the site plan, the small portion of the property that is the subject of the instant variance request contains approximately 2,352 square feet zoned D.R.3.5 and is located on the north side of the property in Baltimore County. The remainder of the property contains approximately 7,649 square feet and is located in Baltimore City. The property is improved with an existing brick two-story single-family dwelling, all of which is located in the "City" portion of the property. There is a single lane driveway running along the southern property line to a garage located at the rear of the property, also located in the City. A zoning map that was marked and accepted into evidence as Petitioner's Exhibit 2 confirms the unusual geography of the property vis-à-vis the improvements thereon.

The Pinehurst subdivision where Petitioner's property is located is truly one of the classic, older Baltimore County/Baltimore City neighborhoods situated between Charles Street and York Road and north of Lake Avenue. The age of the homes span from the late 19th century through the early 20th century, into the 1940's. Most of the homes have kept their traditional character and are well maintained. As indicated in the SDAT data search that was marked and accepted into evidence as Petitioner's Exhibit 6, Petitioner's home was built in 1937. Photographs of the home were marked and accepted into evidence as Petitioner's Exhibits 3A and 3B. Petitioner and his wife have owned the subject property for the past three years. At this juncture, they desire to

construct a sunroom to the north side of their home measuring approximately 10 feet wide by 25 feet deep. This addition would necessitate a five foot encroachment into the 10 foot side yard setback required in the D.R.3.5 Zone; hence the instant request for variance relief.

In support of the requested relief, Petitioner referred to the two photographs of his home (Petitioner's Exhibits 3A and 3B) and photographs of his next door neighbors' properties that were marked and accepted into evidence as Petitioner's Exhibits 3C and 3D, respectively. The side yard on the north side of the property as shown in Petitioner's Exhibit 3C is the location of the proposed sunroom. Petitioner also referred to the affidavit that accompanied the Petition, which was marked and accepted into evidence as Petitioner's Exhibit 4. In the affidavit, Petitioner and his wife indicate that there is essentially no other practical location for the sunroom. Locating the sunroom on the south side of the home would interfere with the existing driveway leading to the garage, and locating the sunroom off the back of the home would be infeasible due to a basement stairwell. Petitioner also points out that his lot is unique compared with other lots in his neighborhood surrounding Bellona Avenue, Midhurst Road, and Blenheim Road in that his lot is smaller than most others. As a result, unlike almost every other home in the neighborhood that has a sunroom-type addition to the side of the home, Petitioner is unable to construct a similar improvement due to the size of his lot. By way of illustration, Petitioner submitted 19 photographs that were marked and accepted into evidence as Petitioner's Exhibits 5A through 5S. These photographs were taken by Petitioner during a "walk around" of his neighborhood and confirm that just about every home has an additional side room.

Also testifying in support of the variance request was Sharon Stockfield, who has lived next door adjacent to the north side of Petitioner's property for approximately 20 years. Ms. Stockfield indicated that the subject property was owned for many years by Ms. Marie Cox and

her husband. During those prior years, there was an open patio/porch with railings in the area where Petitioner now desires to add the sunroom. There is a door that leads from this side of the home to the outside. After the death of Ms. Cox's husband about 15 years ago, Ms. Cox had the porch removed and had a small portico constructed above the doorway. This area where the porch existed now consists of grass and landscaping and Petitioner desires to construct the sunroom in this location. Ms. Stockfield indicated she has been impressed with work that Petitioner has put into his home and the improvements that have been made. She believes the proposed sunroom on the side of the property facing her property would have no negative impacts and does not oppose Petitioner's variance request.

Testifying in opposition to the requested relief was Nancy Maronick, President of the Bellona-Gittings Community Association (the "Association"), and Stephany Harper, who is on the Board of the Association and Zoning Chairperson. Ms. Maronick and Ms. Harper indicated that the Association is committed to preserving the zoning codes in their neighborhood in order to maintain the architectural appearances and property values in their community. They are very concerned about Petitioner's request to alter the existing setback restrictions and the precedent that granting such a request might set. They believe there are few, if any, circumstances where the setbacks should be altered in their neighborhood. They also stressed that their Association's decision to request a formal hearing and oppose the variance request is not personal to Petitioners, and that in order to maintain their impartiality in these types of matters, they would likely oppose any request involving encroachment into setbacks in their community.

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.

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I am certainly mindful of the testimony put forth by Protestants, and I believe their stated concern about the setbacks in their community being maintained is both understandable and legitimate. But after considering all the testimony and evidence presented in this case, I am persuaded to grant the variance request in this particular instance. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The subject property is located both in the City and the County. As a result, I find it very unusual that Petitioner essentially has to abide by two separate sets of zoning codes for his property. As shown on the SDAT Data Search printouts, Petitioner also has two tax bills -- one for the City and one for the County. Therefore I find the property unique in a zoning sense. I also find that the setback restrictions in this case disproportionately impact Petitioner's property as compared to others in the district. Here, it is evident that almost every other property in Petitioner's neighborhood has a side room (or enclosed porch or sunroom) off the main area of the dwelling. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Indeed, Petitioner desires a similar improvement to his property, but is denied that opportunity as a result of the size of the lot and the location of his home closer to the north side of the lot than the south side, which was built prior to the imposition of zoning on the property.

Finally, I find this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. Obviously, one of the primary goals of the side yard setback regulations is to provide adequate spacing between adjacent properties and create a degree of uniformity in the layout of communities. However, in this instance, I note that the adjacent property to the south at 6301 Bellona Avenue, which was built in 1927 according to SDAT Data records, is eight feet

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from the property line rather than the required 10 feet, according to Petitioner's site plan. This is likely due to the fact that the home was constructed well prior to the adoption of zoning regulations in this area. This two foot encroachment into the setback has very little, if any, impact on Petitioner's neighboring property because Petitioner's side yard area plus the width of his driveway running along that side of the property measures 22 feet to the property line, creating a substantial distance of 30 feet between the homes. In that same vein, when Petitioner's sunroom is constructed, there will be a five foot setback to his northern property line. There is currently a side sunroom and driveway on the south side of Ms. Stockfield's property adjacent to Petitioner's property with a distance from the sunroom to her property line of 21 feet. This will create an acceptable distance between the homes of 26 feet, which I believe is within the spirit and intent of the setback regulations.

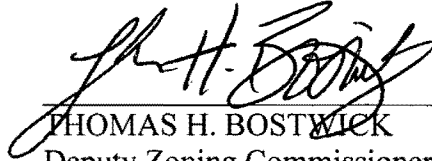
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the parties, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 5th day of June, 2009, that the Administrative Variance request from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed addition to have a side yard setback of 5 feet in lieu of the minimum required 10 feet be and is hereby GRANTED, subject to the following:

1. 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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6-509
[Signature]

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

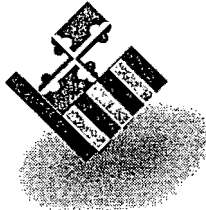
THB:pz

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6-5-09





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 5, 2009

JASON AND LISA MANUEL
6303 BELLONA AVENUE
BALTIMORE MD 21212

Re: Petition for Administrative Variance
Case No. 2009-0274-A
Property: 6303 Bellona Avenue

Dear Mr. and Mrs. Manuel:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in black ink, appearing to read "Tom H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Sharon Stockfield, 6305 Bellona Avenue, Baltimore MD 21212
Nancy Maronick, President of the Bellona-Gittings Community Association, 5911 Charlesmead Avenue, Baltimore MD 21212
Stephany Harper, 6405 Pinehurst Road, Baltimore MD 21212



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6303 BELLONA AVENUE
which is presently zoned DR 3.5

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 - TO PERMIT A PROPOSED

ADDITION TO HAVE A SIDE YARD SETBACK OF 5 FEET IN LIEU OF THE MINIMUM REQUIRED 10 FEET.

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):

JASON MANUEL
Name - Type or Print _____
Signature _____
LISA MANUEL
Name - Type or Print _____
Signature _____
6303 BELLONA AVENUE H: (410) 377-4417
Address _____ Telephone No. _____
BALTIMORE MD 21212
City _____ State _____ 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. 2009-0274-A

Reviewed By D.T. Date 4/15/09

REV 10/25/01

Estimated Posting Date 4/26/09

6.5.09 pm

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 6303 BELLENA AVENUE
Address
BALTIMORE MD 21212
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):

THE PROPERTY IS UNIQUE, UNUSUAL, AND DIFFERENT IN THAT A "SUNROOM" CANNOT PRACTICALLY BE ADDED TO ANY OTHER SIDE OF THE DWELLING OTHER THAN THE NORTH SIDE. UNFORTUNATELY, THE NORTH SIDE OF OUR HOME IS ONLY 4-5' FROM THE 10' ZONING SETBACK AND A SUNROOM THAT IS ONLY 4-5' WIDE ON THE EXTENSION (AND THIS EVEN LESS ON THE INTENSION) IS NOT FEASIBLE AS IT WOULD ONLY ALLOW MINIMAL SPACE BETWEEN EXTERIOR WALL AND ANY FURNITURE, CREATING A HOST OF COMFORT AND SAFETY-RELATED ISSUES. WITH REGARD TO THE EAST SIDE (FACING THE BACKYARD), THE BASEMENT STAIRWELL WOULD NEED TO BE FILLED IN AND ALL ESTIMATES RECEIVED FROM LOCAL CONTRACTORS WERE AT LEAST TWICE AS EXPENSIVE. WITH REGARD TO THE SOUTH SIDE (FACING THE DRIVEWAY), WE WOULD BE PUT UNDER UNDUE FINANCIAL HARDSHIP TO RIP UP THE DRIVEWAY AND RECONSTRUCT ANOTHER DRIVEWAY ON THE NORTH SIDE; AND IT WOULD BE PRACTICALLY DIFFICULT TO HAVE THE RECONSTRUCTED DRIVEWAY CUT THROUGH THE BACKYARD AND OVER TO THE GARAGE, ONLY TO BE INACCESSIBLE TO CARS. WITH REGARD TO THE WEST SIDE (THE FRONT OF THE HOUSE), IT WOULD BE ILLOGICAL AND WOULD DESTROY THE "CURB APPEAL" OF OUR HOME AND ENRAGE ALL OF OUR NEIGHBORS.

WHAT MAKES OUR PROPERTY SO UNIQUE IS THAT OUR DRIVEWAY IS LESS THAN 2' FROM OUR HOME, WHEREAS EVERY OTHER HOME ON OUR BLOCK HAS THEIR DRIVEWAY ON THE NORTH SIDE OR AT LEAST 10' FROM THE SOUTH SIDE OF THEIR HOME. STRICT COMPLIANCE WITH THE 10' ZONING SETBACK REQUIREMENT WOULD UNREASONABLY PREVENT THE USE OF A SUNROOM, SOMETHING EVERY OTHER HOME ON OUR BLOCK CURRENTLY HAS (6304, 6305, 6306, 6307, 6308, 6309, 6310, AND 6311 BELLENA AVENUE).

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.

[Signature]
Signature
JASON MANUEL
Name - Type or Print

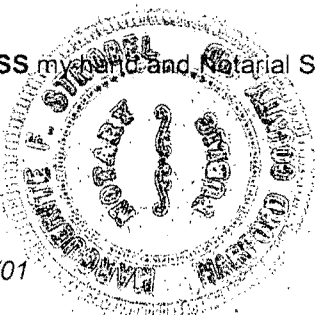
[Signature]
Signature
LISA MANUEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of APRIL, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



[Signature]
Notary Public
My Commission Expires January 1, 2011
Marguerite F. Strobel
My Commission Expires

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 6303 BELLONA AVENUE
Address
BALTIMORE MD 21212
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):

THE PROPERTY IS UNIQUE, UNUSUAL, AND DIFFERENT IN THAT A "SUNROOM" CANNOT PRACTICALLY BE ADDED TO ANY OTHER SIDE OF THE DWELLING OTHER THAN THE NORTH SIDE. UNFORTUNATELY, THE NORTH SIDE OF OUR HOME IS ONLY 4-5' FROM THE 10' SETBACK AND A SUNROOM THAT IS ONLY 4-5' WIDE ON THE OUTSIDE (AND THUS EVEN LESS ON THE INSIDE) IS NOT FEASIBLE AS IT WOULD ONLY ALLOW MINIMAL ROOM BETWEEN EXTERIOR WALL AND ANY FURNITURE, CREATING A HOST OF SAFETY-RELATED ISSUES.

WITH REGARD TO THE EAST SIDE (FACING THE BACKYARD), THE BASEMENT STAIRWELL WOULD NEED TO BE FILLED IN AND ALL ESTIMATES RECEIVED FROM LOCAL CONTRACTORS WERE AT LEAST THREE AS EXPENSIVE. WITH REGARD TO THE SOUTH SIDE (FACING THE DRIVEWAY), WE WOULD BE PUT UNDER UNDOE FINANCIAL HARDSHIP TO RIP UP THE DRIVEWAY AND RECONSTRUCT ANOTHER DRIVEWAY ON THE NORTH SIDE; AND IT WOULD BE PRACTICALLY DIFFICULT TO HAVE THE RECONSTRUCTED DRIVEWAY CUT THROUGH THE MIDDLE OF THE BACKYARD AND OVER TO THE GARAGE, ONLY TO BE INACCESSIBLE TO CARS. WITH REGARD TO THE WEST SIDE (ON THE FRONT OF THE HOUSE), IT WOULD BE ILLOGICAL TO BUILD A SUN ROOM IN FRONT OF THE HOUSE AND WOULD DESTROY THE "CURB APPEAL" OF OUR HOME AND ENRAGE ALL OF OUR NEIGHBORS.

WHAT MAKES OUR PROPERTY SO UNIQUE IS THAT OUR DRIVEWAY IS LESS THAN 2' FROM OUR HOME, WHEREAS EVERY OTHER HOME ON OUR BLOCK HAS THEIR DRIVEWAY ON THE NORTH SIDE ON AT LEAST 10' FROM THE SOUTH SIDE OF THEIR HOME. STRICT COMPLIANCE WITH THE SETBACK REQUIREMENT WOULD UNREASONABLY PREVENT THE USE OF A SUNROOM, SOMETHING EVERY OTHER HOME ON OUR BLOCK CURRENTLY HAS (6304, 6305, 6306, 6307, 6308, 6309, 6310, AND 6311 BELLONA AVENUE).

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.

Signature

JASON MANUEL
Name - Type or Print

Signature

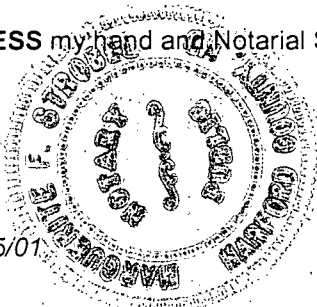
LISA MANUEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of APRIL, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



Notary Public

My Commission Expires

Margaret F. Strobel
My Commission Expires
January 1, 2011



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6303 BELLONA AVENUE
which is presently zoned DR 3.5

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

PROPOSED ADDITION TO HAVE A SIDE YARD SETBACK OF 5 FEET IN
LIEU OF THE MINIMUM REQUIRED 10 FEET.

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):

JASON MANUEL
Name - Type or Print _____
Signature _____
LISA MANUEL
Name - Type or Print _____
Signature _____
6303 BELLONA AVENUE W: (443) 670-4980
Address _____ H: (410) 377-4417
Baltimore MD 21212
City State 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. 2009-0274-A

Reviewed By D.T. Date 4/15/09

REV 10/25/01

Estimated Posting Date 4/26/09

6-5-09

pm

ZONING DESCRIPTION FOR 6303 BELLONA AVENUE

Beginning at a point on the East side of Bellona Avenue which is 50 feet wide at the distance of 550 feet (+/-) South of the centerline of the nearest improved intersecting street Midhurst Road which is 50 feet wide.

Being part of Lot #3 (part in City), Block A in the subdivision of Pinehurst as recorded in Baltimore County Plat Book #8, Folio 73, containing 2,352 square feet (in County).

Also known as 6303 Bellona Avenue and located in 9 Election District, 5 Councilmanic District.

2009-0274-A



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2009-0274 - A

Address: 6303 BELLONA AVE

Petitioner(s): JASON MANUEL

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/we Bellona-Littings Comm. Assoc.
Name - Type or Print

() Legal Owner OR (☒) Resident of
5911 Charlesmead Ave
Address

Baltimore, MD 21212
City State Zip Code

410-435-8387 Nancy P. Maronick
Telephone Number President

which is located approximately within 1000 feet from the
property, which is the subject of the above petition, **do hereby
formally demand that a public hearing be set in this matter.**

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

Nancy P. Maronick 5/08/09
Signature Date

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

No. **39263**

Date: **4/15/09**

PAID RECEIPT

ORDER NO. 4/16/2009 4/15/2009 14:21:00 2
 6 MAIL MAIL JENA ICE
 RECEIPT # 611651 4/15/2009 0011
 BY 2 2009 0011 VERIFICATION
 BY 00200
 BY 00200
 BY 00200
 BY 00200

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		250					65.00

Total: **65.00**

Rec From: **JASON MARTEL**

For: **2009-0274-A**
6303 BELLOVA AVE.

D THOMPSON

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2009-0274-A
6303 Bellona Avenue
E/side of Bellona Avenue,
550 feet south of centerline
of Midhurst Road
9th Election District
5th Councilmanic District
Legal Owner(s): Jason &
Lisa Manuel

Variance: to permit a proposed addition to have a side yard setback of 5 feet in lieu of the minimum required 10 feet.

Hearing: Thursday, June 4, 2009 at 9:00 a.m. In Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

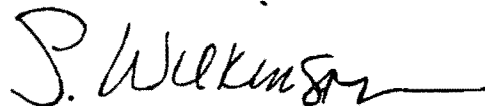
JT 5/833 May 19 201548

CERTIFICATE OF PUBLICATION

5/21, 2009

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/19, 2009.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

William D. Gulick, Jr.
Baltimore County Approved Sign Poster
Notary Public
2944 Edgewood Avenue
Baltimore, MD 21234
410-530-6293

LETTER OF TRANSMITTAL

TO: PDM / Zoning Office

DATE: May 19, 2009

JOB NO. 2009-012

ATTENTION: Ms. Kristen Matthews / Ms. Donna Thompson

RE: Manuel Property

6303 Bellona Avenue

Case No. 2009-0274-A

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover the following items:

☐ Copy of letter ☐ Prints ☒ Documents ☐ Other ☐

No. of Copies	Date	Description
1	May 19, 2009	Certificate Of Posting
2	May 19, 2009	Site Photos

TRANSMITTALS are as checked below:

☒ For approval ☒ For your use ☐ As requested ☐ For review & comment

☐ Other ☐

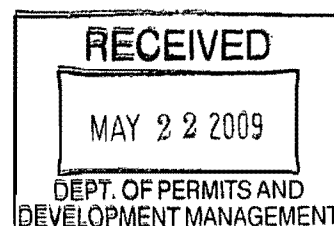
REMARKS: 2nd Posting

SIGNED:

WILLIAM D. GULICK, JR.

cc:Manuel

File #



CERTIFICATE OF POSTING

Department of Permits & Development Management
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

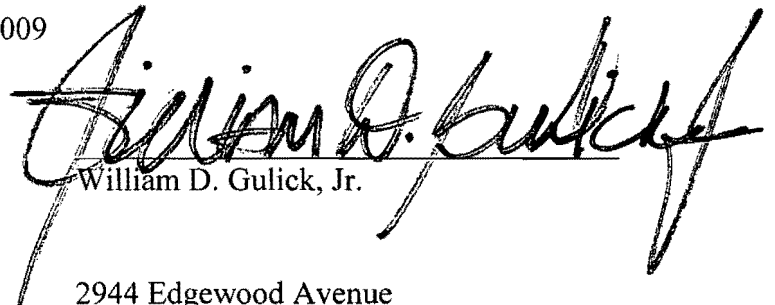
Date: May 19, 2009

Zoning Office
Attention: Ms. Donna Thompson

Re: Case Number: 2009-0274-A
Petitioner/Developer: Jason & Lisa Manuel
Date of Hearing/Closing: June 4, 2009

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: 6303 Bellona Avenue

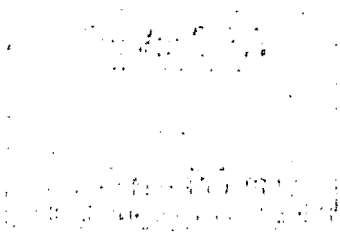
The sign (s) were posted on: May 19, 2009



William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

SEE ATTACHED SITE PHOTOS



RECEIVED
MAY 22 2009
DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

ZONING NOTICE

CASE # 2009-0274-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

COUNTY OFFICE BUILDING, ROOM 106
111 WEST CHEESAPEAKE AVENUE
PLACE: TOWSON, MD 21204

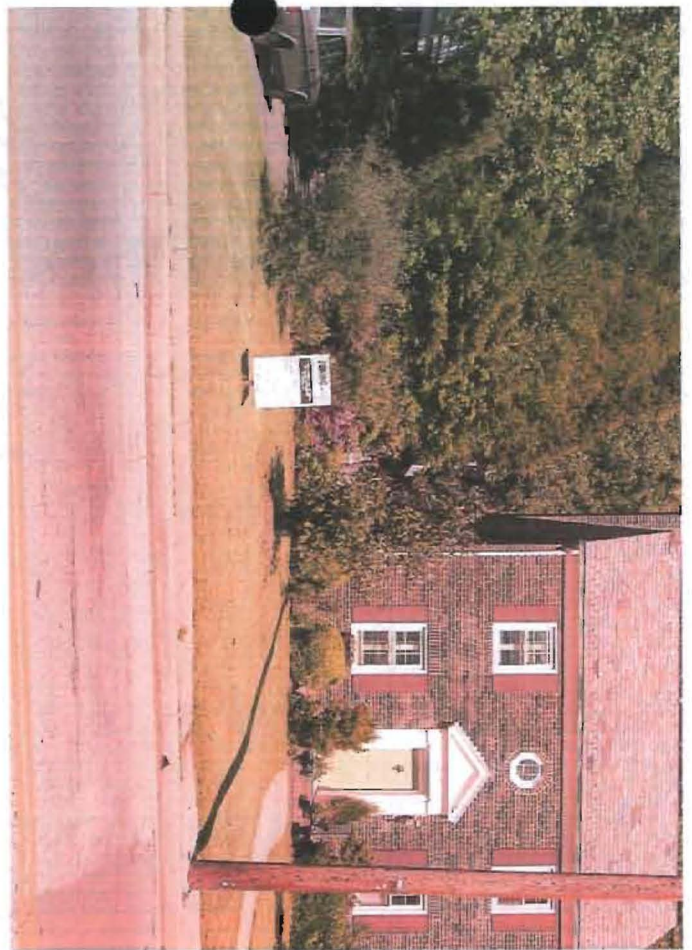
DATE AND TIME: ^{THURSDAY} JUNE 4, 2009 @ 9:00 AM

REQUEST: VARIANCE TO PERMIT A
PROPOSED ADDITION TO HAVE A SIDE
YARD SETBACK OF 5 FEET IN LIEU OF
THE MINIMUM REQUIRED 10 FEET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 867-3391 (410)

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



RECEIVED

MAY 22 2009

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

William D. Gulick, Jr.
Baltimore County Approved Sign Poster
Notary Public
2944 Edgewood Avenue
Baltimore, MD 21234
410-530-6293

LETTER OF TRANSMITTAL

TO: PDM / Zoning Office

DATE: April 28, 2009

JOB NO. 2009-010

ATTENTION: Ms. Kristen Matthews / Ms. Donna Thompson

RE: Manuel Property
6303 Bellona Avenue
Case No. 2009-0274-A

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover the following items:

☐ Copy of letter ☐ Prints ☒ Documents ☐ Other ☐

No. of Copies	Date	Description
1	April 26, 2009	Certificate Of Posting
2	April 26, 2009	Site Photos

TRANSMITTALS are as checked below:

☒ For approval ☒ For your use ☐ As requested ☐ For review & comment
☐ Other ☐

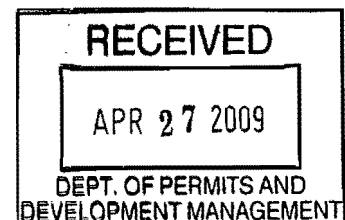
REMARKS:

SIGNED:

WILLIAM D. GULICK, JR.

cc:Manuel

File #



CERTIFICATE OF POSTING

Department of Permits & Development Management
Baltimore County
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

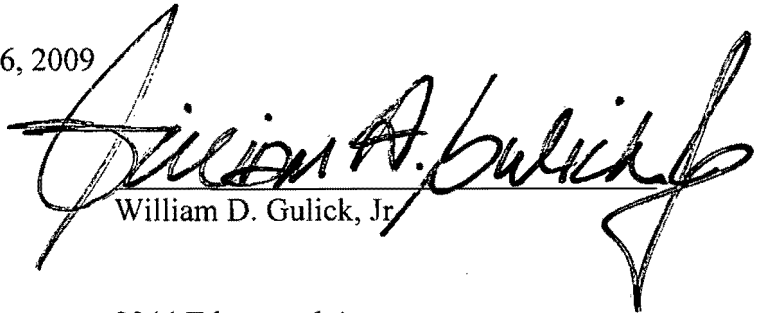
Date: April 28, 2009

Zoning Office
Attention: Ms. Donna Thompson

Re: Case Number: 2009-0274-A
Petitioner/Developer: Jason & Lisa Manuel
Date of Hearing/Closing: May 11, 2009

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: 6303 Bellona Avenue

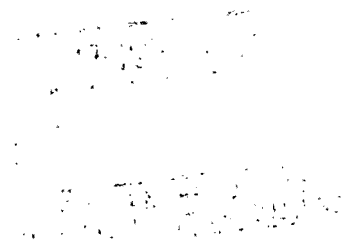
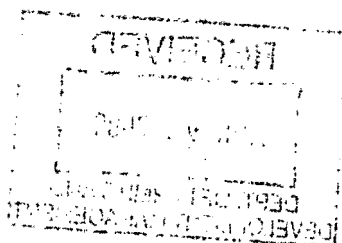
The sign (s) were posted on: April 26, 2009

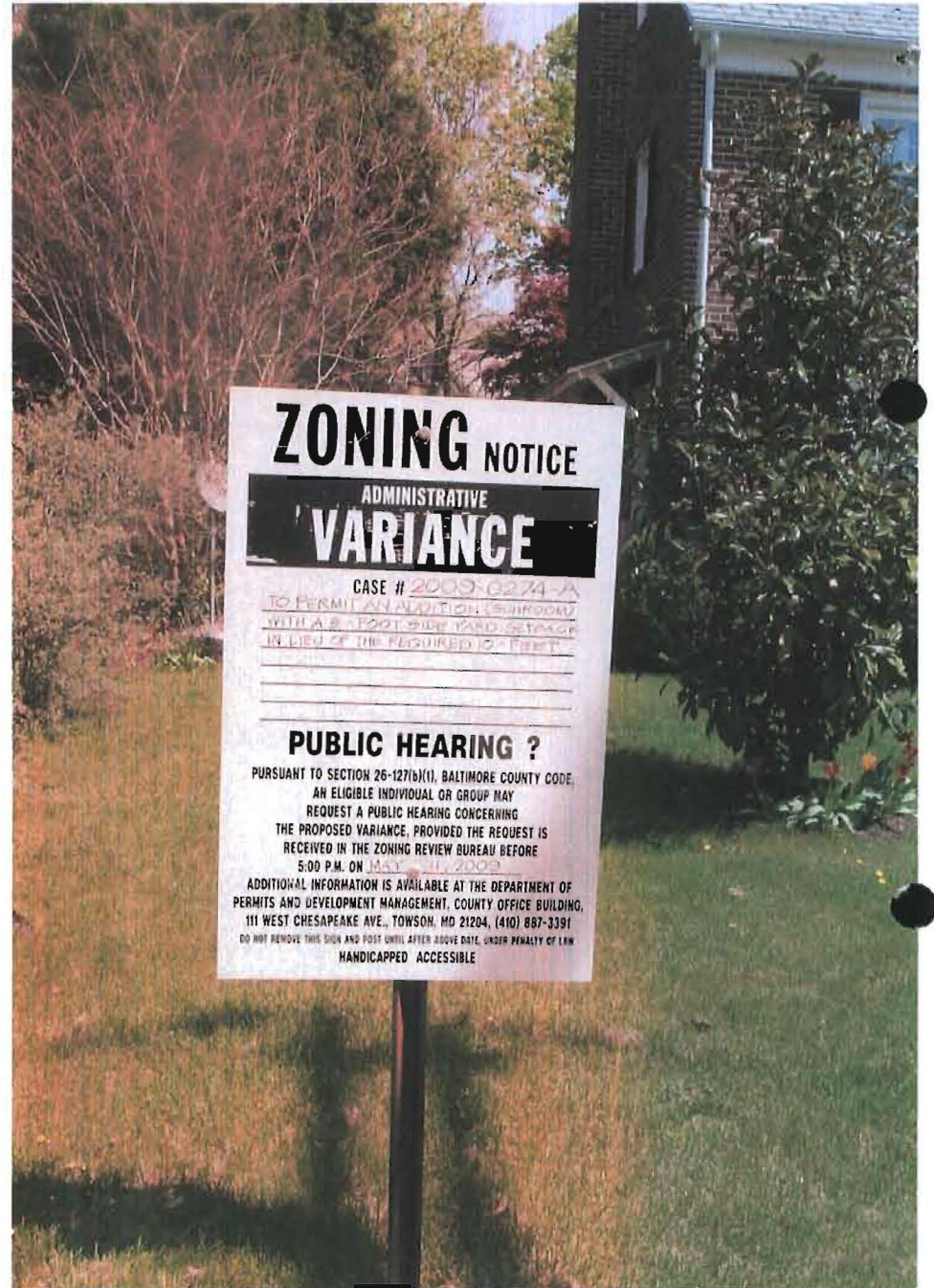
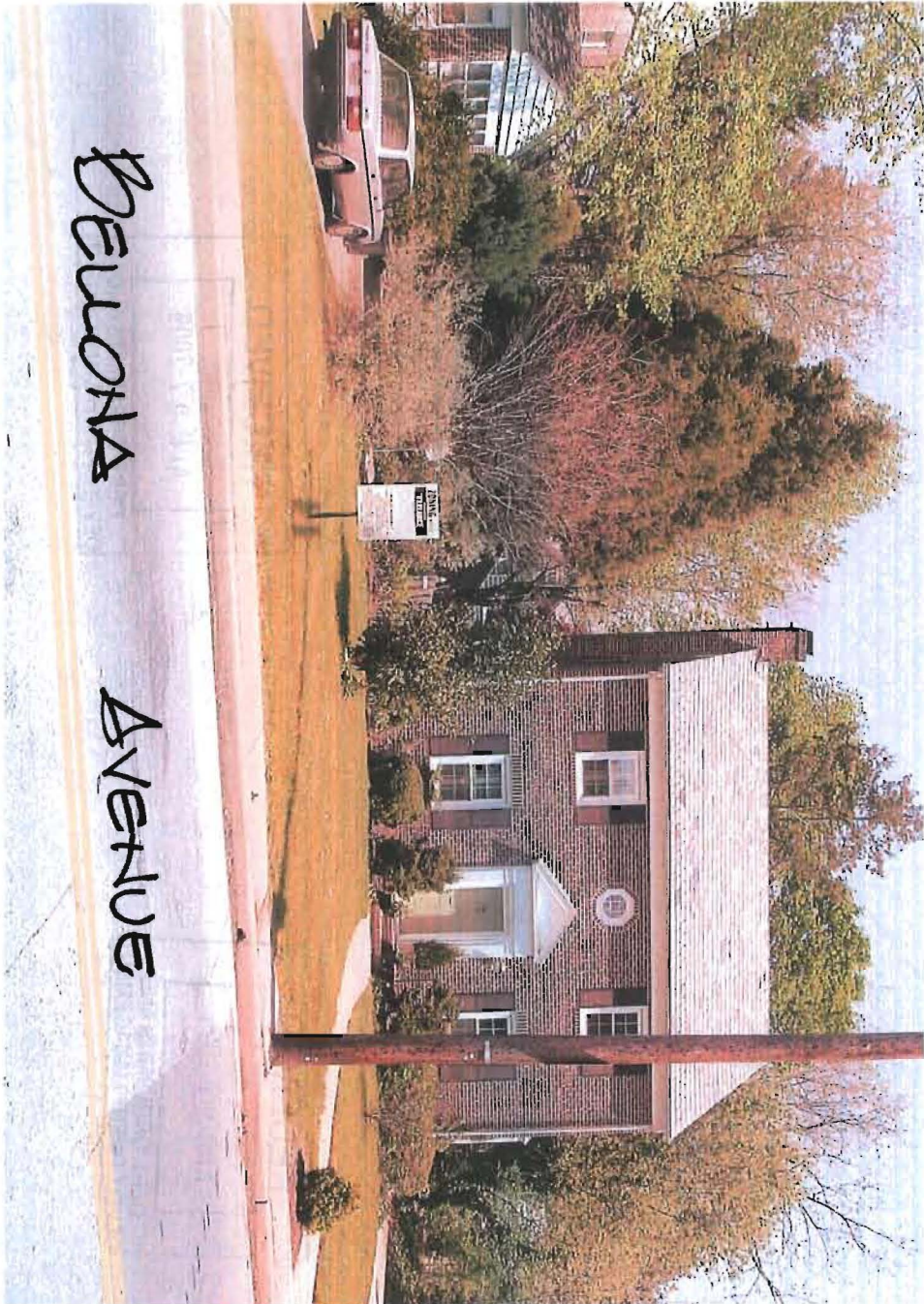


William D. Gulick, Jr.

2944 Edgewood Avenue
Baltimore, MD 21234
(410) 530-6293

SEE ATTACHED SITE PHOTOS







BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0274 -A Address 6303 BELLONA AVE.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 4/15/09 Posting Date: 4/26/09 Closing Date: 5/11/09

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 2009- 0274 -A Address 6303 BELLONA AVE.

Petitioner's Name MANUEL Telephone 410-377-4417

Posting Date: 4/26/09 Closing Date: 5/11/09

Wording for Sign: To Permit AN ADDITION (SUNROOM) WITH A 5-FOOT SIDE
YARD SETBACK IN LIEU OF THE REQUIRED 10-FEET.

WCR - Revised 7/7/08

**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: 2009-0274-A

Petitioner: MANUEL

Address or Location: 6303 BELLONA AVE.

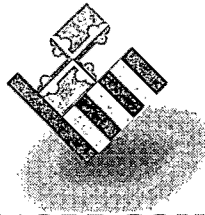
PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. JASON MANUEL

Address: 6303 BELLONA AVE.

BALTIMORE, MD 21212

Telephone Number: 410-377-4417



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

May 12, 2009
TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0274-A

6303 Bellona Avenue

E/side of Bellona Avenue, 550 feet south of centerline of Midhurst Road

9th Election District – 5th Councilmanic District

Legal Owners: Jason & Lisa Manuel

Variance to permit a proposed addition to have a side yard setback of 5 feet in lieu of the minimum required 10 feet.

Hearing: Thursday, June 4, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Jason Manuel, 6303 Bellona Avenue, Baltimore, MD 21212
Bellona-Gittings Comm. Assoc., 5911 Charlesmead Ave., Baltimore 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 20, 2009.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 19, 2009 Issue - Jeffersonian

Please forward billing to:
Jason Manuel
6303 Bellona Avenue
Baltimore, MD 21212

410-377-4417

NOTICE OF ZONING HEARING

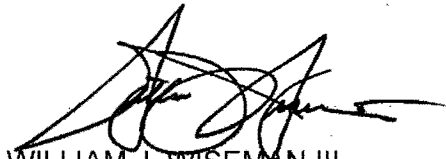
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0274-A

6303 Bellona Avenue
E/side of Bellona Avenue, 550 feet south of centerline of Midhurst Road
9th Election District – 5th Councilmanic District
Legal Owners: Jason & Lisa Manuel

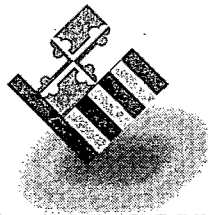
Variance to permit a proposed addition to have a side yard setback of 5 feet in lieu of the minimum required 10 feet.

Hearing: Thursday, June 4, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
May 29, 2009

Jason & Lisa Manuel
6303 Bellona Ave.
Baltimore, MD 21212

Dear: Jason & Lisa Manuel

RE: Case Number 2009-0274-A, Address

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 15, 2009. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 13, 2009

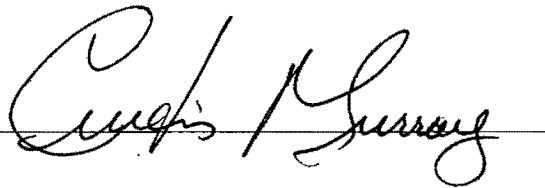
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-274- 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL

A handwritten signature in black ink, appearing to read "Chris Murray", is written over a horizontal line.

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 May 4, 2009
Item Nos. 2008-189, 2009-273, 274,
276, 277, 278, 279, 280 and 282

DATE: May 4, 2009

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

DAK:CEN:cab
cc: File
ZAC-05042009 -NO COMMENTS



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

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: April 30, 2009

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

RE: Baltimore County
Item No 2009-0274-A
6303 BELLONA AVENUE
MANUEL 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. 2009-0274-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,

For Steven D. Foster, Chief
Engineering Access Permits
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
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 4, 2009
Item Nos. 2009-273, 274, 276, 277,
278, 279, 280 and 282

DATE: June 10, 2009

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

DAK:CEN:cab
cc: File
ZAC-05042009 -NO COMMENTS

CASE NAME _____
CASE NUMBER 2009-0274-A
DATE 6-9-09

[illegible]

CASE NAME _____
CASE NUMBER 2009-0274-A
DATE 6-4-09

[illegible]

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

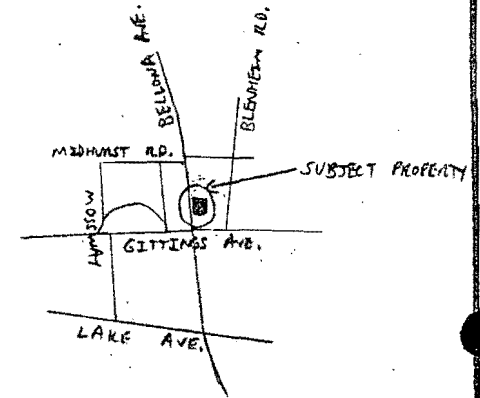
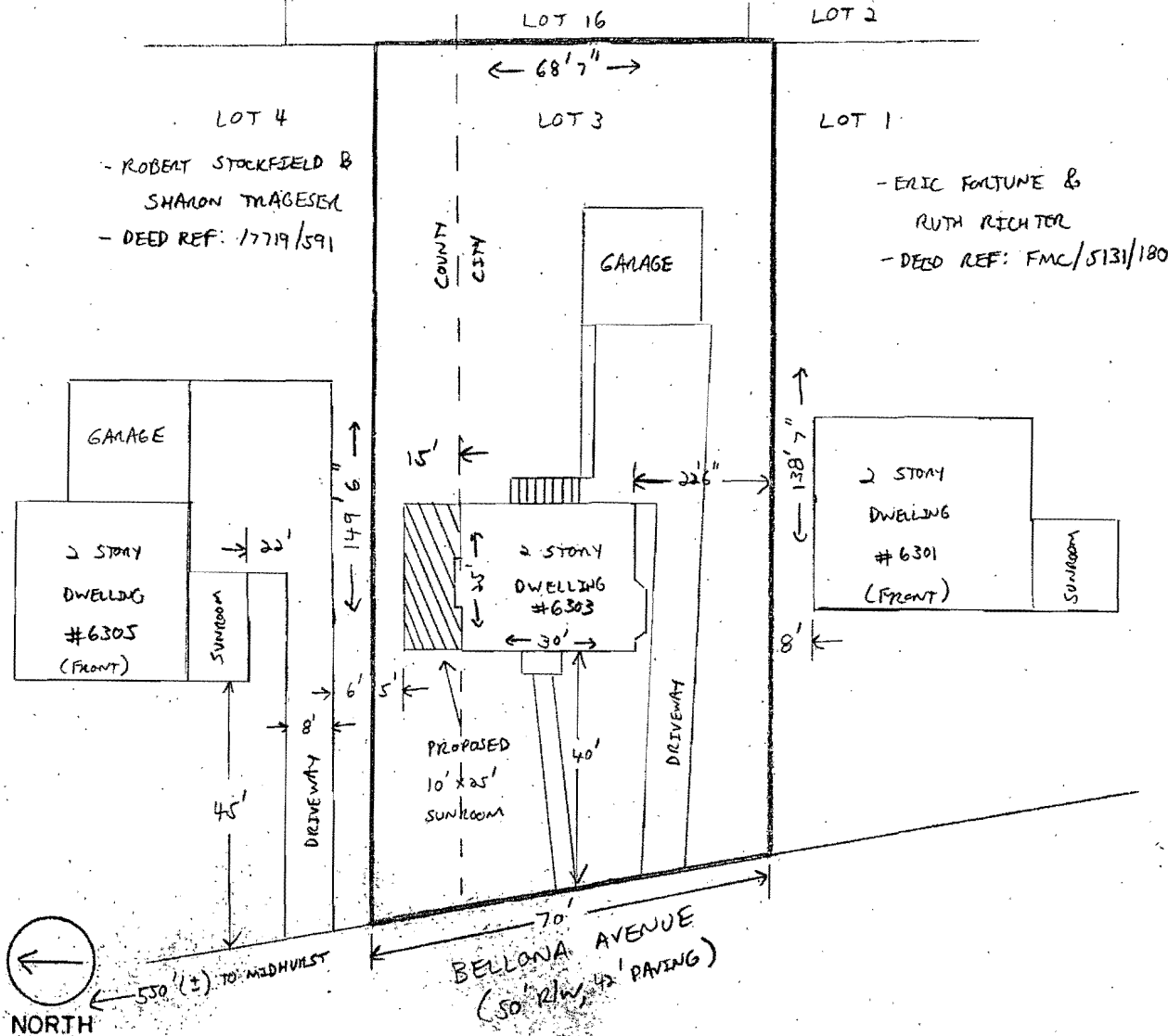
PROPERTY ADDRESS 6303 BELLONA AVENUE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME PINEHURST

PLAT BOOK # 8 FOLIO # 73 LOT # 3 SECTION # -

OWNER JASON & LISA MANUEL



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1"=200' SCALE MAP # 079C1

ZONING DR 3.5

LOT SIZE 0.05
ACREAGE

COUNTY PROP.
2,352.00
SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ ☐

WATER ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA

YES NO
☐ ☒

100 YEAR FLOOD PLAIN

☐ ☒

HISTORIC PROPERTY/
BUILDING

☐ ☒

PRIOR ZONING HEARING

NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

D.T.

0274

2009-
0274-A

PREPARED BY RUXTON DESIGN CORPORATION

SCALE OF DRAWING: 1" = 30'



Maryland Department of Assessments and Taxation
BALTIMORE CITY
Real Property Data Search (2007 vw1.1)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: Ward - 27 Section - 66 Block - 5076 Lot - 002

Owner Information

Owner Name: MANUEL, JASON M.B.
 MANUEL, LISA A.
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 6303 BELLONA AVE
 BALTIMORE MD 21212
Deed Reference: 1) FMC/ 7789/ 602
 2)

Location & Structure Information

Premises Address
 6303 BELLONA AVE
 BALTIMORE 21212-2403
Legal Description
 55-2X138-8

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
27					66	5076	2	1	Plat Ref:

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1937	1,407 SF	7,649.00 SF	11110

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2007	07/01/2008	07/01/2009	
Land	61,190	204,820			
Improvements:	250,770	255,520			
Total:	311,960	460,340	410,880	460,340	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: TAYLOR IV, EDWARD E.	Date: 05/15/2006	Price: \$486,057
Type: IMPROVED ARMS-LENGTH	Deed1: FMC/ 7789/ 602	Deed2:
Seller: HOPPER, GREGORY G.	Date: 05/23/2003	Price: \$322,725
Type: IMPROVED ARMS-LENGTH	Deed1: FMC/ 3815/ 177	Deed2:
Seller: SNYDER, TROY W.	Date: 03/06/2001	Price: \$277,884
Type: NOT ARMS-LENGTH	Deed1: FMC/ 1139/ 317	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER' S

EXHIBIT NO. 6



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 09 Account Number - 0903477070

Owner Information

Owner Name:	MANUEL JASON M B MANUEL LISA S	Use:	RESIDENTIAL
Mailing Address:	6303 BELLONA AVE BALTIMORE MD 21212-2403	Principal Residence:	YES
		Deed Reference:	1) /23753/ 140 2)

Location & Structure Information

Premises Address	Legal Description
6303 BELLONA AVE	PT LT 3 PT IN CTY 6303 BELLONA AVE PINEHURST

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
79	12	177					3	2	Plat Ref: 8/ 73

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		2,352.00 SF	04

Stories	Basement	Type	Exterior
----------------	-----------------	-------------	-----------------

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2008	07/01/2009
Land	1,170	1,170		
Improvements:	0	0		
Total:	1,170	1,170	1,170	1,170
Preferential Land:	0	0	0	0

Transfer Information

Seller: TAYLOR EDWARD E,4TH	Date: 04/28/2006	Price: \$488,500
Type: NOT ARMS-LENGTH	Deed1: /23753/ 140	Deed2:
Seller: HOPPER GREGORY G	Date: 05/21/2003	Price: \$325,000
Type: IMPROVED ARMS-LENGTH	Deed1: /18033/ 693	Deed2:
Seller: SNYDER TROY W	Date: 02/27/2001	Price: \$279,900
Type: IMPROVED ARMS-LENGTH	Deed1: /15001/ 117	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

Case No.:

2009-0274-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Zoning Map	
No. 3 A-D	Photos of subject property and adjacent 2 properties	
No. 4	Petitioners' Affidavit	
No. 5	Photos of properties in neighborhood all w/ sunrooms	
No. 6	SDAT Data Searches	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

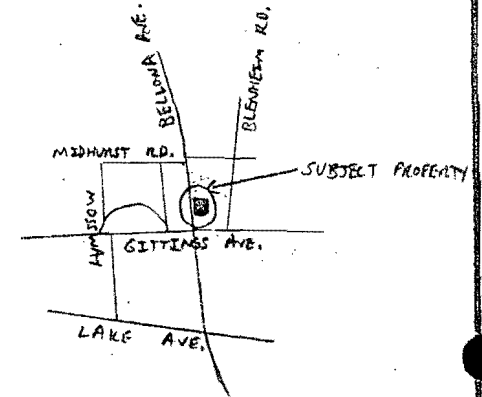
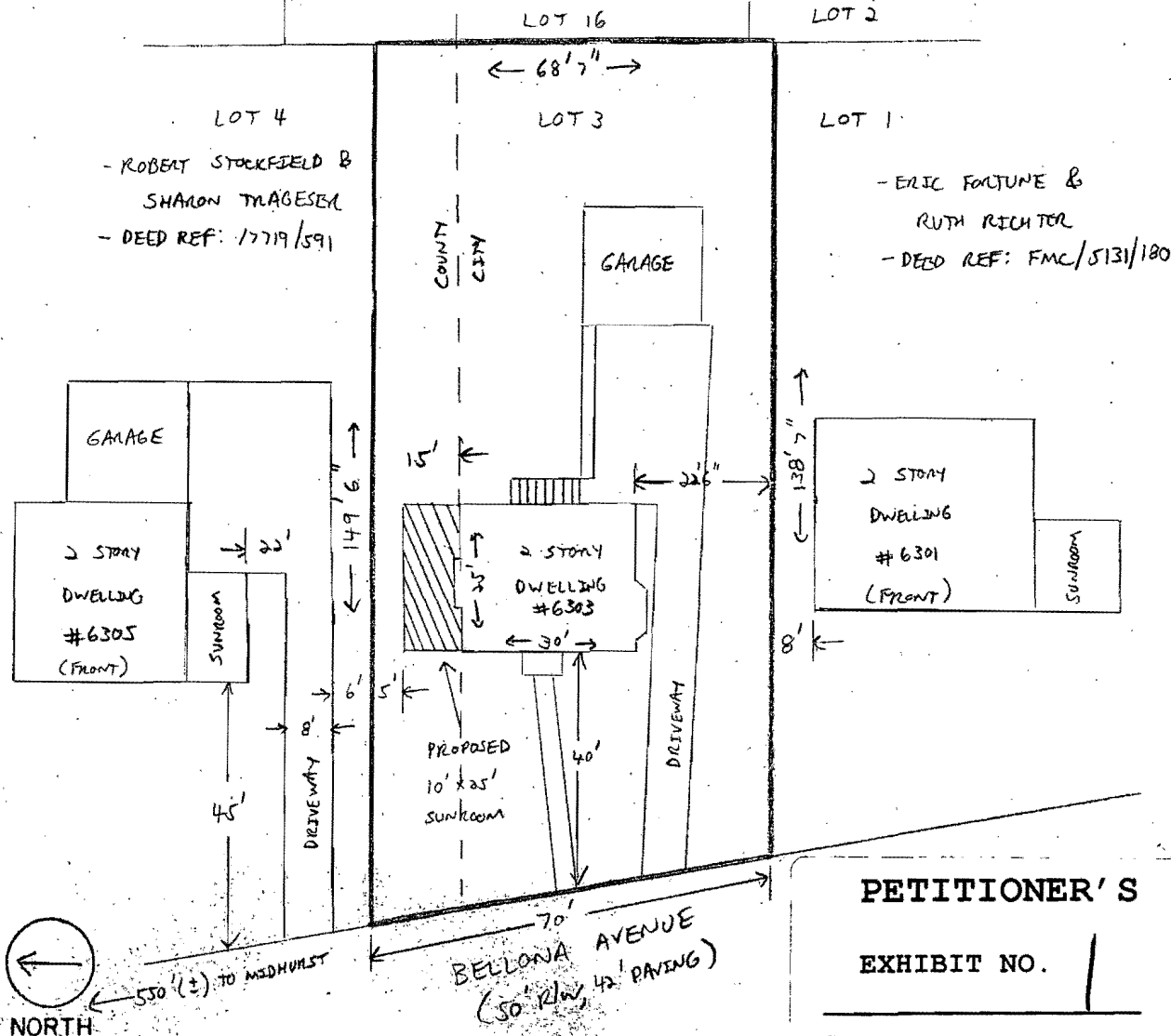
PROPERTY ADDRESS 6303 BELLONA AVENUE

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME PINEHURST

PLAT BOOK # 8 FOLIO # 73 LOT # 3 SECTION # -

OWNER JASON & LISA MANUEL



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 9

COUNCILMANIC DISTRICT 5

1" = 200' SCALE MAP # 079C1

ZONING DR 3.5

LOT SIZE 0.05 2,352.00
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒

	YES	NO
100 YEAR FLOOD PLAIN	☐	☒

	YES	NO
HISTORIC PROPERTY/ BUILDING	☐	☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

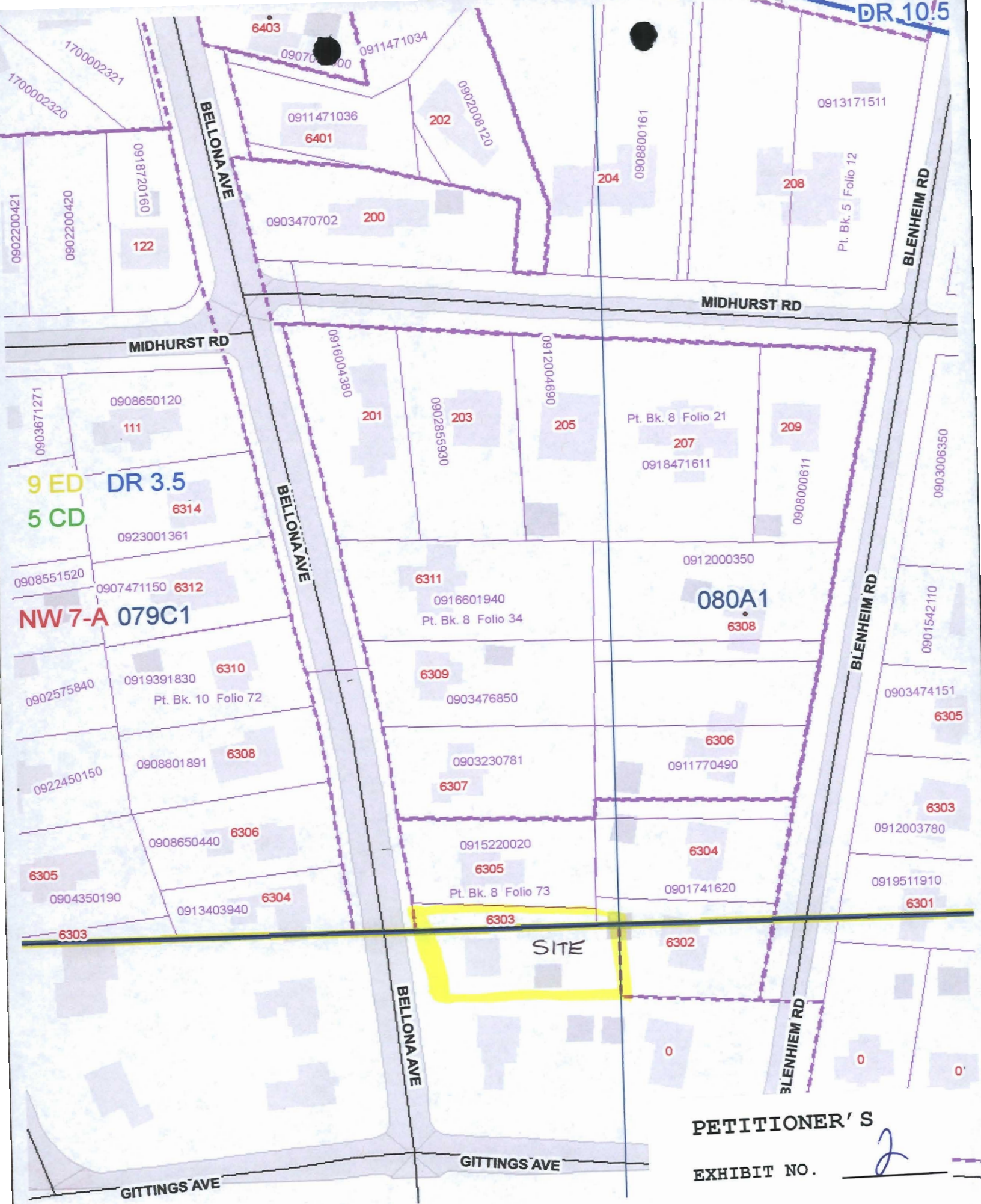
D.T. 0274 2009-
0274-A

PETITIONER'S

EXHIBIT NO. 1

PREPARED BY RUXTON DESIGN CORPORATION

SCALE OF DRAWING: 1" = 30'



9 ED DR 3.5
5 CD

NW 7-A 079C1

PETITIONER'S

EXHIBIT NO. 2

2009-0274-A

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 6303 BELLENA AVENUE
Address
BALTIMORE MD 21212
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):

THE PROPERTY IS UNIQUE, UNUSUAL AND DIFFERENT IN THAT A "SUNROOM" CANNOT PRACTICALLY BE ADDED TO ANY OTHER SIDE OF THE DWELLING OTHER THAN THE NORTH SIDE. UNFORTUNATELY, THE NORTH SIDE OF OUR HOME IS ONLY 4-5' FROM THE 10' SETBACK AND A SUNROOM THAT IS ONLY 4-5' WIDE ON THE EXTERIOR (AND THUS EVEN LESS ON THE INTERIOR) IS NOT FEASIBLE AS IT WOULD ONLY ALLOW MINIMAL SPACE BETWEEN EITHER WALL AND ANY FURNITURE, CREATING A HOST OF SAFETY-RELATED ISSUES.

WITH REGARD TO THE EAST SIDE (FACING THE BACKYARD), THE BASEMENT STAIRWELL WOULD NEED TO BE FILLED IN AND ALL ESTIMATES RECEIVED FROM LOCAL CONTRACTORS WERE AT LEAST TWICE AS EXPENSIVE. WITH REGARD TO THE SOUTH SIDE (FACING THE DRIVEWAY), WE WOULD BE PUT UNDER UNDUE FINANCIAL HANDSHIP TO RIP UP THE DRIVEWAY AND RECONSTRUCT ANOTHER DRIVEWAY ON THE NORTH SIDE; AND IT WOULD BE PRACTICALLY DIFFICULT TO HAVE THE RECONSTRUCTED DRIVEWAY CUT THROUGH THE BACKYARD AND OVER TO THE GARAGE, ONLY TO ^{BE} INACCESSIBLE TO CARS. WITH REGARD TO THE WEST SIDE (THE FRONT), IT WOULD BE ILLOGICAL AND WOULD DESTROY THE "CURB APPEAL" OF OUR HOME AND ENRAGE ALL OF OUR NEIGHBORS.

WHAT MAKES OUR PROPERTY SO UNIQUE IS THAT OUR DRIVEWAY IS LESS THAN 2' FROM OUR HOME, WHEREAS EVERY OTHER HOME ON OUR BLOCK HAS THEIR DRIVEWAY ON THE NORTH SIDE OR AT LEAST 10' FROM THE SOUTH SIDE OF THEIR HOME. STRICT COMPLIANCE WITH THE 10' SETBACK REQUIREMENT WOULD UNREASONABLY PREVENT THE USE OF A SUNROOM, SOMETHING EVERY OTHER HOME ON OUR BLOCK CURRENTLY HAS (6304, 6305, 6306, 6307, 6308, 6309, 6310, AND 6311 BELLENA AVE.).

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.

[Signature]
Signature
JASON MANUEL
Name - Type or Print

[Signature]
Signature
LISA MANUEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of APRIL, 2009, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal



[Signature]
Notary Public
My Commission Expires January 1, 2011
Marguerite F. Strobel
My Commission Expires

REV 10/25/01

PETITIONER'S

EXHIBIT NO.

4



TAX. ACCOUNT # 0903477070

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6303 BELUNA AVENUE
which is presently zoned DR 3.5

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 B O 2.3.C.1 - TO PERMIT A

PROPOSED ADDITION TO HAVE A SIDE YARD SETBACK OF 5 FEET IN LIEU
OF THE MINIMUM REQUIRED 10 FEET.

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):

JASON MANUEL
Name - Type or Print

Signature

JASON MANUEL
Name - Type or Print

Signature W: (443) 670-4980

6303 BELUNA AVENUE H: (410) 377-4417
Address Telephone No.

BALTIMORE MD 21212
City State 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. 2009-0274-A

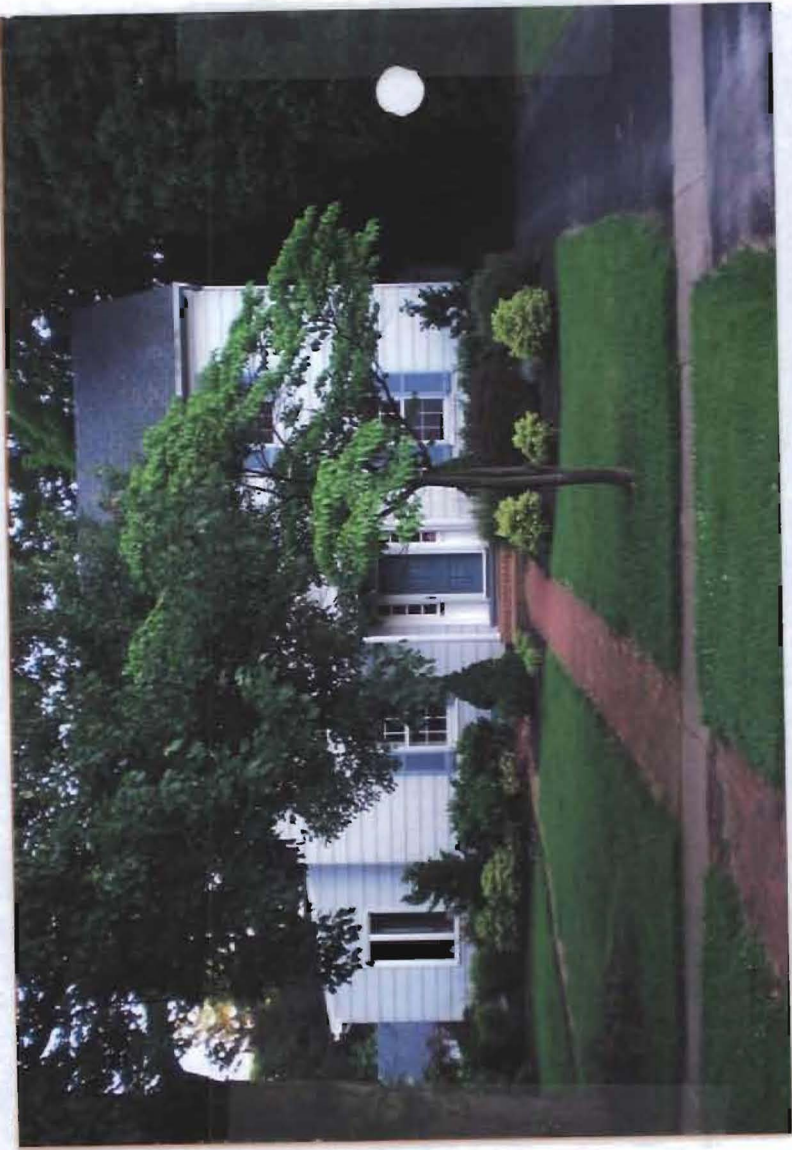
REV 10/25/01

Reviewed By D.T. Date 4/15/09

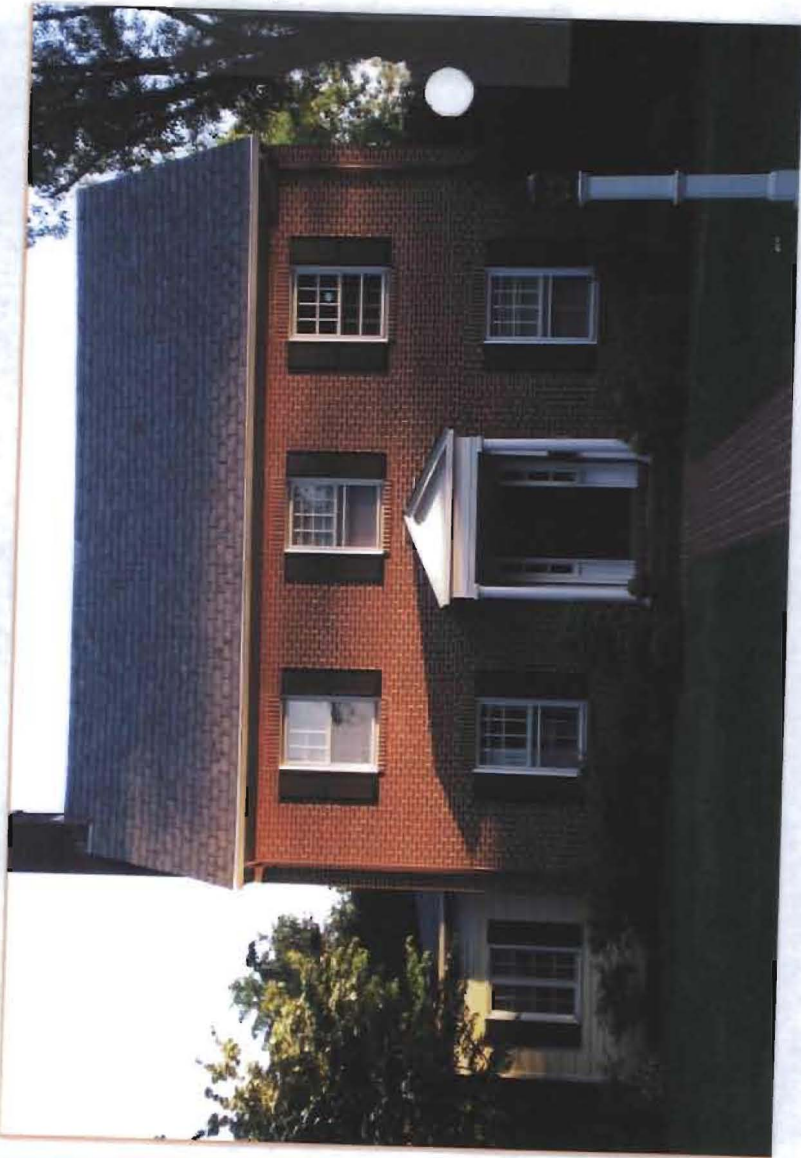
Estimated Posting Date 4/26/09











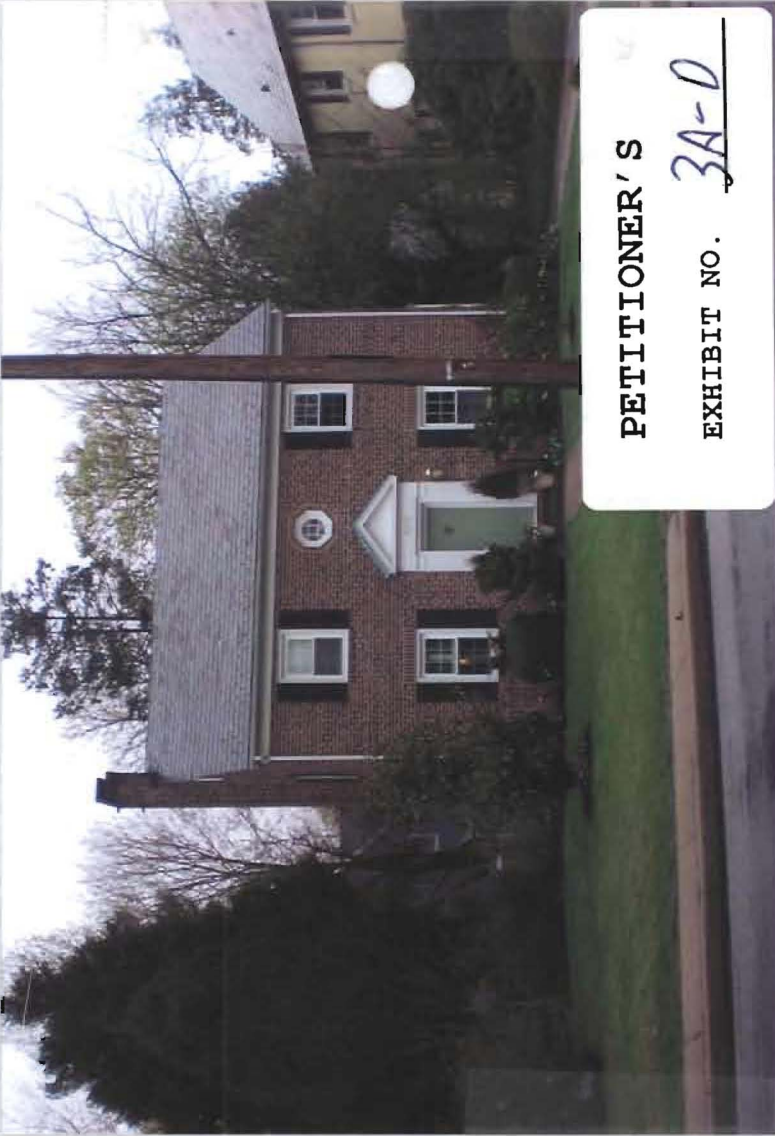




PETITIONER'S

EXHIBIT NO. 5A-5





PETITIONER'S

EXHIBIT NO.

3A-D

