

**IN RE: PETITION FOR VARIANCE**

W/Side of Beck Avenue, 1,350' N of c/line  
of Turkey Point Road  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
(506 Beck Avenue)

Thomas J. and Jennifer Mullen  
*Petitioners*

\* BEFORE THE  
\* OFFICE OF ADMINISTRATIVE  
\* HEARINGS FOR  
\* BALTIMORE COUNTY  
\* CASE NO. 2011-0285-A

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by Thomas J. and Jennifer Mullen, the legal owners of the subject property. Petitioners request Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- To permit a proposed dwelling with a side yard setback of 12¾ feet and a combination of side yard setbacks of 22¾ feet in lieu of the required 15 and 25 feet respectively, and
- To permit a lot width of 61¾ feet in lieu of the required 70 feet.

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.

Appearing at the requisite public hearing in support of the variance request were Thomas J. and Jennifer Mullen, property owners. Also attending was their architect, Robert Moll. There were no Protestants or other interested parties in attendance.

Testimony and evidence offered revealed that the property is located at 506 Beck Avenue in the Essex area of the County. The subject property is a waterfront lot and is zoned DR 3.5. At this time the property is improved with an existing single family dwelling which has been uninhabitable for several years. The owners of the property reside in another waterfront

**ORDER RECEIVED FOR FILING**

Date 5-12-11

By JZ

community in Essex. However, they are desirous of razing the old shore shack on this waterfront lot and constructing a new home in its place. Architectural renderings of the new home to be constructed on the property were submitted into evidence by Mr. Robert Moll, the architect who has designed the subject dwelling. In order to proceed with the construction of this new home on this property, the variance relief is necessary.

Photographs submitted into evidence show that the property owners have made tremendous improvements to the site by way of a clean up of the shoreline of the property, the installation of riprap along the shoreline and the construction of a new floating pier on the property. The property owners have also discussed the construction of their new home with their neighbors, many of whom submitted letters of support for the variance relief requested herein.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Sustainability (DEPS) dated May 2, 2011 which indicates that the DEPS has reviewed the subject zoning petition for compliance with goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, their comments are offered as follows:

1. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). Based on the plan that accompanies this zoning petition, it appears that the proposed dwelling will be located outside of the 100-foot buffer. Lot coverage is limited to 25% of the property area, without mitigation, and with approval, up to 31 1/4% of the property area, with mitigation. Allowing a zoning variance for reduced side-yard setbacks and/or reduced lot width is not contrary to CBCA lot coverage limits and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore, the subject zoning petition will conserve, fish, wildlife and plant habitat.

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Date 5-12-11

2

By 

3. The proposed development will be required to meet all LDA and BMA requirements and therefore, will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request.

Additionally, I find that strict enforcement of the B.C.Z.R. would cause the Petitioners to suffer practical difficulty and undue hardship.

I further find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety, and general welfare. Thus, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

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

THEREFORE, IT IS ORDERED this 12<sup>th</sup> day of May, 2011 by this Administrative Law Judge that Petitioners' Variance request from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- To permit a proposed dwelling with a side yard setback of 12  $\frac{3}{4}$  feet and a combination of side yard setbacks of 22 $\frac{3}{4}$  feet in lieu of the required 15 and 25 feet respectively, and
- To permit a lot width of 61 $\frac{1}{4}$  feet in lieu of the required 70 feet

be and are hereby GRANTED.

ORDER RECEIVED FOR FILING

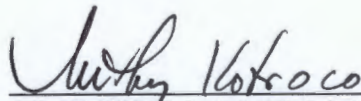
Date 5-12-11

By [Signature]

The relief granted herein shall be 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.
2. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). Based on the plan that accompanies this zoning petition, it appears that the proposed dwelling will be located outside of the 100-foot buffer. Lot coverage is limited to 25% of the property area, without mitigation, and with approval, up to 31 ¼% of the property area, with mitigation. Allowing a zoning variance for reduced side-yard setbacks and/or reduced lot width is not contrary to CBCA lot coverage limits and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
3. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore, the subject zoning petition will conserve, fish, wildlife and plant habitat.
4. The proposed development will be required to meet all LDA and BMA requirements and therefore, will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

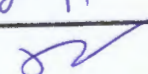
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

  
TIMOTHY M. KOTROCO  
Administrative Law Judge  
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

4

Date 5-12-11  




KEVIN KAMENETZ  
*County Executive*

LAWRENCE M. STAHL  
*Managing Administrative Law Judge*  
JOHN E. BEVERUNGEN  
TIMOTHY M. KOTROCO  
*Administrative Law Judges*

May 12, 2011

THOMAS J. AND JENNIFER MULLEN  
7 MARINERS WALK WAY  
MIDDLE RIVER MD 21220

Re: Petition for Variance  
Case No. 2011-0285-A  
Property: 506 Beck Avenue

Dear Mr. and Mrs. Mullen:

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.

Sincerely,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Administrative Law Judge  
for Baltimore County

TMK/pz

Enclosure

c: Robert Moll, 217 Mariners Point Drive, Middle River MD 21220

C B C A



# Petition for Variance

**to the Zoning Commissioner of Baltimore County for the property**  
**located at** 506 Beck. Avenue, Essex, MD 21221  
**which is presently zoned** DR 3.5

Deed Reference: 25313 / 363 Tax Account # 1511470830

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)

1B02.3.C.1 - to permit a proposed dwelling with a side yard setback of  $12\frac{3}{4}$  feet and a combination of side yard setbacks of  $22\frac{3}{4}$  feet in lieu of the required 15 and 25, respectively; and to permit a lot width of  $61\frac{3}{4}$  feet in lieu of the required 70

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

**TO BE DISCUSSED AT HEARING**

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:

Thomas J. Mullen and Jennifer Mullen

Name - Type or Print

Signature

7 Mariners Walk Way

410-687-6256

Address

Telephone No.

Middle River

MD

21220

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

Thomas J. Mullen

Name - Type or Print

Signature

Jennifer Mullen

Name - Type or Print

Signature

7 Mariners Walk Way

410-687-6256

Address

Telephone No.

Middle River

MD

21220

City

State

Zip Code

## Representative to be Contacted:

Self represented (info. above)

Name

Address

Telephone No.

City

State

Zip Code

Case No. 2011-0285-A

## Office Use Only

Estimated Length of Hearing  
Unavailable For Hearing

Reviewed by

Date

3/24/11

ORDER RECEIVED FOR FILING

Date

5-12-11

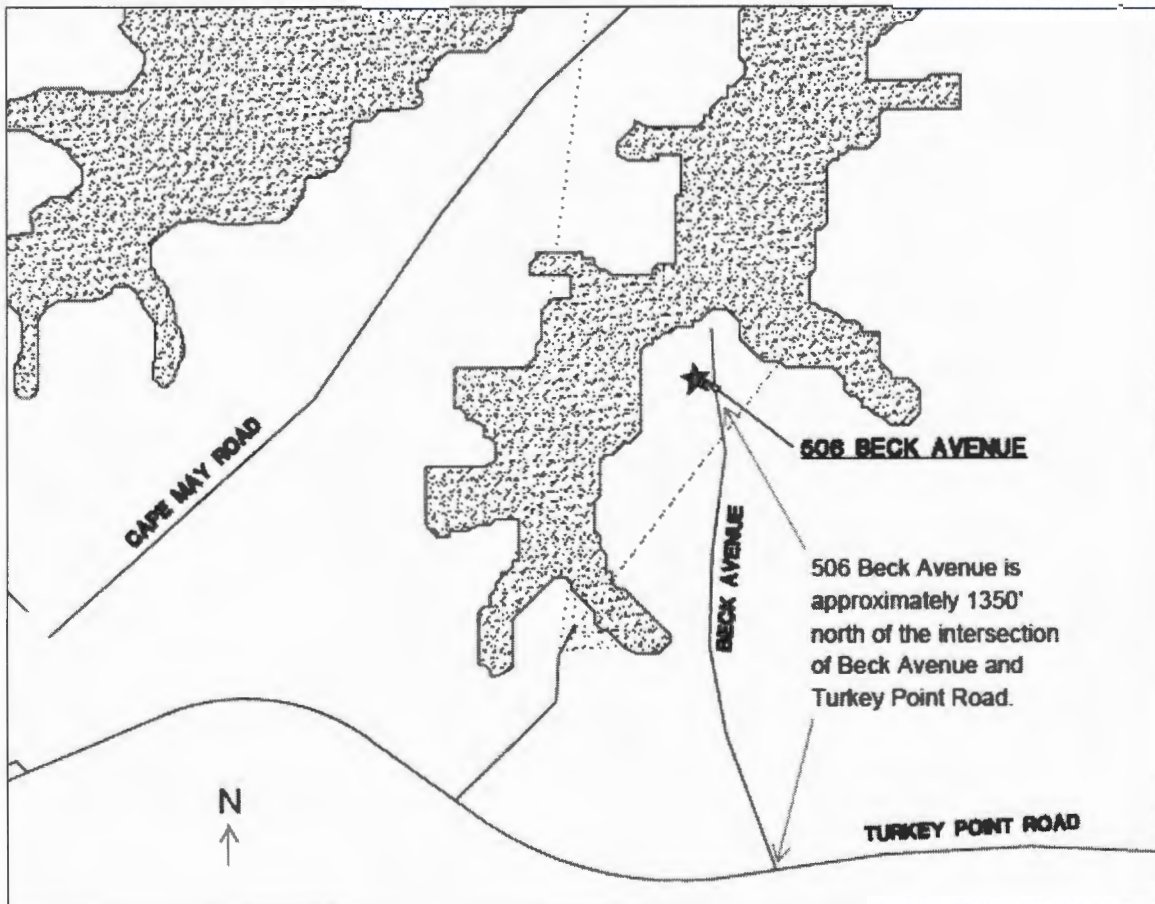
By

*[Signature]*

ZONING DESCRIPTION FOR 506 Beck Avenue, Essex, MD 21221.

Beginning at a point on the northwest side of a right-of-way 20 feet wide leading southwesterly to Beck Avenue said beginning pipe at the beginning point of the lot of ground running thence and binding on the northwest side of said right of way with use in common with others entitled thereto south 9 degrees 07 minutes west 87.00 feet thence leaving the right of way running north 37 degrees 49 minutes west to the waters of Hogpen Creek then running north 42 degrees one minute east 61.70 feet to then running south 38 degrees 32 minutes east 224.50 feet to the beginning. Being lot number 5, Block 1165 in the John T. Josehans plat, folio # 416, Map 98, Parcel # 397 containing 18,352 square feet. 506 Beck Avenue is 1,350 +/- feet northward of the intersection of Beck Avenue and Turkey Point Road.

Also known as 506 Beck Avenue and located in 15<sup>th</sup> Election District, 6<sup>th</sup> Councilmanic District.



Item # C285



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

Date April 19, 2011

Mr. & Mrs. Mullen  
7 Mariners Walk Way  
Middle River, MD 21220

RE: Case Number 2011-0285 A, 506 Beck Avenue

Dear Mr. Parker,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 24, 2011. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel



KEVIN KAMENETZ  
County Executive

JOHN J. HOHMAN, *Chief*  
*Fire Department*

March 31, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **April 4, 2011**

Item No.:

**Administrative Variance:** 2011-0284A, 2011-0286A, 2011-0288A, 2011-0291A, 2011-0294A

**Special Hearing:** 2011-0283-SPHX, 2011-0293-SPH

**Variance:** 2011-0285A, 2011-0287-SPHA, 2011-0289-SPHA, 2011-0290A, 2011-0292A

**Comments:**

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
Office: 410-887-4880  
dmuddiman@baltimorecountymd.gov  
cc: File

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections

**DATE:** April 11, 2011

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For April 11, 2011  
Item Nos. 2011- 283, 284, 285, 286,  
287, 288, 289, 290, 291, 292 and  
293

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04112011 -NO COMMENTS.doc



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

State Highway  
Administration

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

Maryland Department of Transportation

Date: 4-6-11

Ms. Kristen Matthews  
Baltimore County Department of  
Permits, Approvals and Inspections  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 2011-0285-A  
Variance  
Thomas & Jennifer Mallen  
506 Beck Avenue

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0285-A

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at ([rzeller@sha.state.md.us](mailto:rzeller@sha.state.md.us)). Thank you for your cooperation.

Sincerely,

Steven D. Foster, Chief  
Access Management Division

SDF/rz

RE: PETITION FOR VARIANCE \* BEFORE THE  
506 Beck Avenue; Westside Beck Avenue, \* ZONING COMMISSIONER  
1350 ft. North of Center Line Turkey Pt. Rd. \*  
15<sup>th</sup> Election & 6<sup>th</sup> Councilmanic Districts \*  
Legal Owner(s): Thomas & Jennifer Mullen \* FOR  
Petitioner(s) \*  
BALTIMORE COUNTY  
\*  
2011-0285-A

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO  
Deputy People's Counsel  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED  
MAR 31 2011  
*[Signature]*

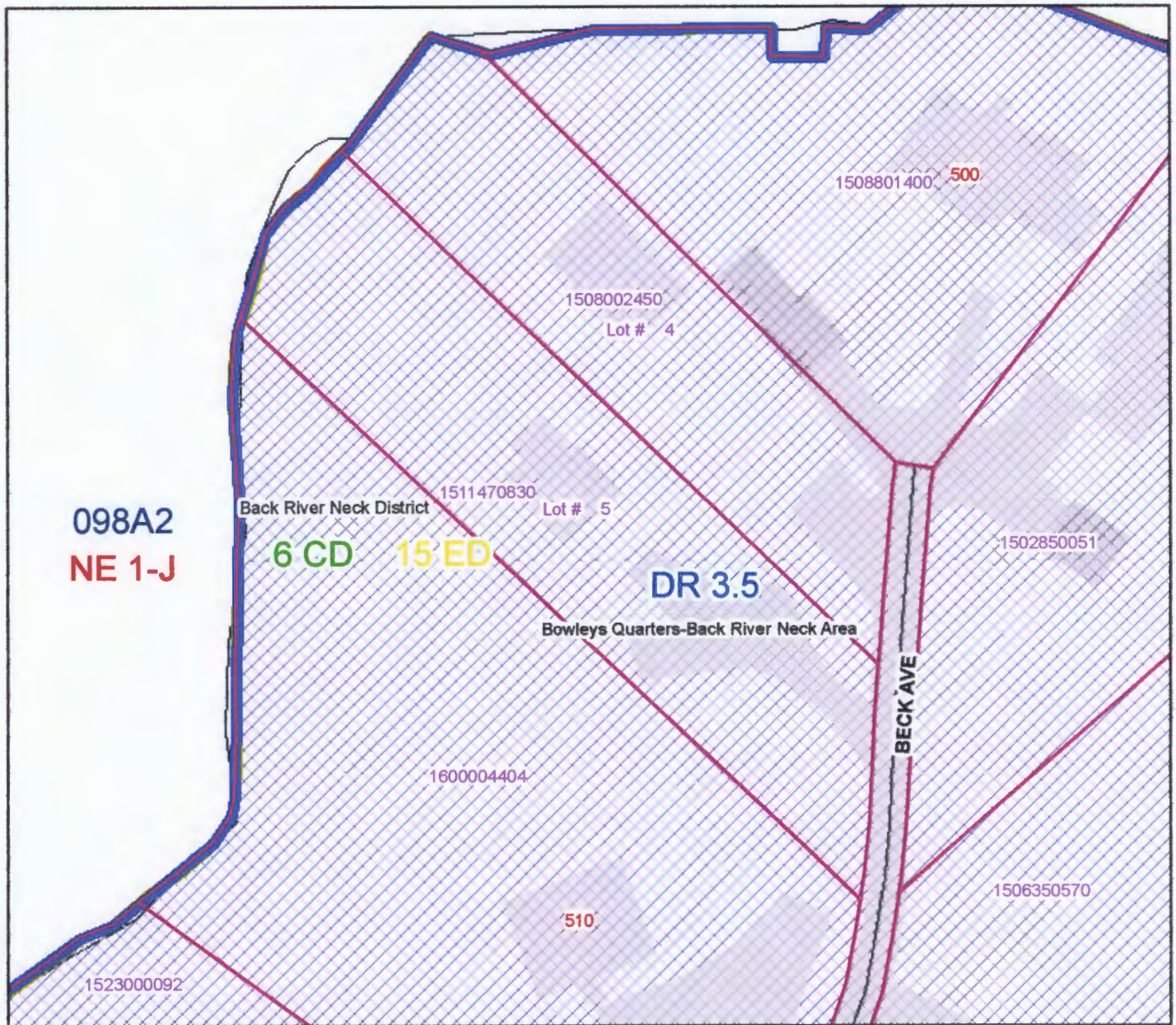
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 31<sup>st</sup> day of March, 2011, a copy of the foregoing Entry of Appearance was mailed to Thomas & Jennifer Mullen, 7 Mariners Walk Way, Middle River, Maryland 21220, Petitioner(s).

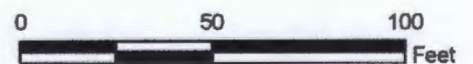
*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

# 506 Beck Avenue



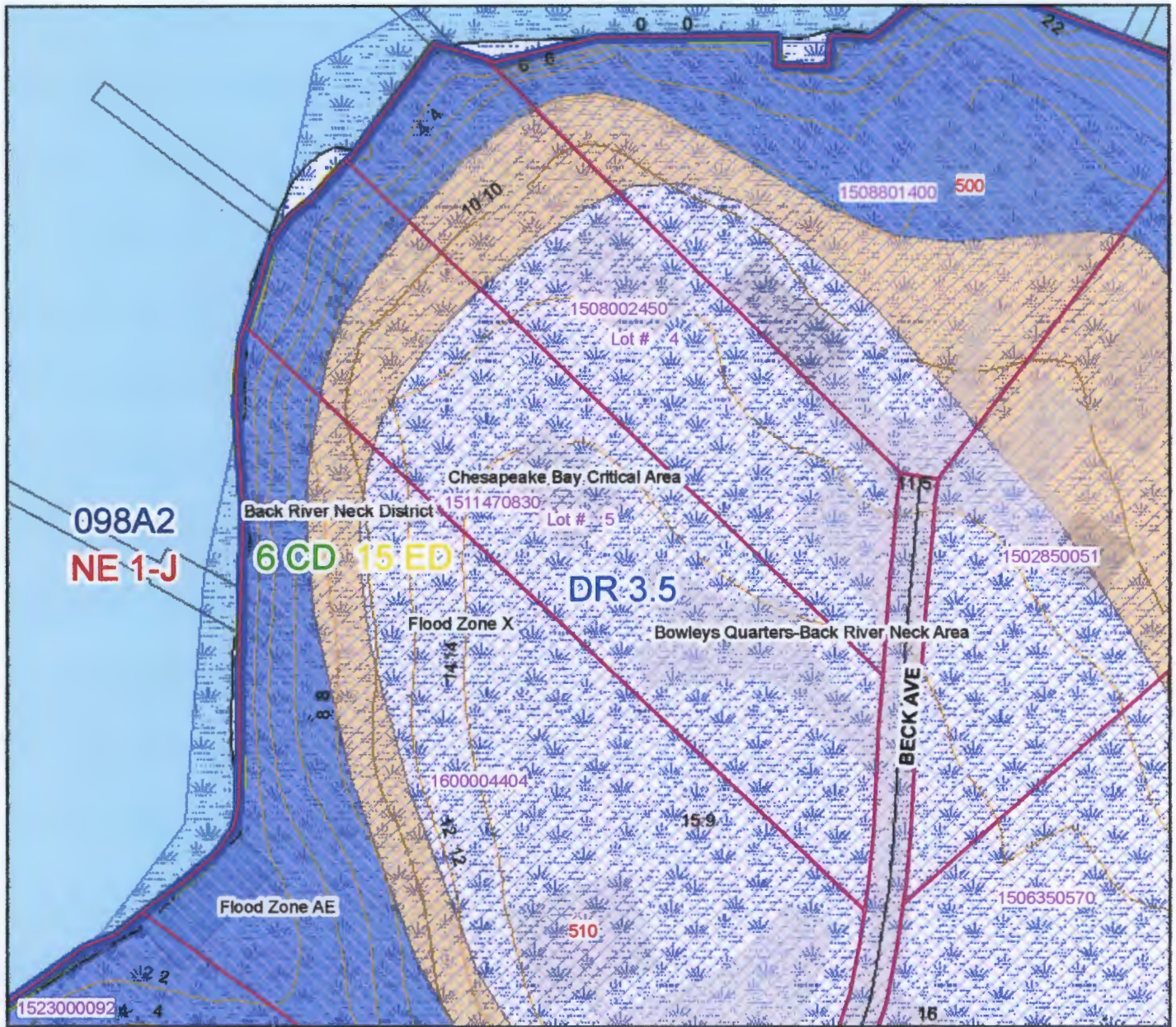
Publication Date: February 16, 2011  
Publication Agency: Department of Permits & Development Management  
Projection/Datum: Maryland State Plane,  
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 50 feet

Item #0285

# Elevations and Flood Hazards



Publication Date: February 18, 2011  
 Publication Agency: Department of Permits & Development Management  
 Projection/Datum: Maryland State Plane,  
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 50 100 Feet

1 inch = 50 feet

Item #0285

Case No.:

2011-0285-A

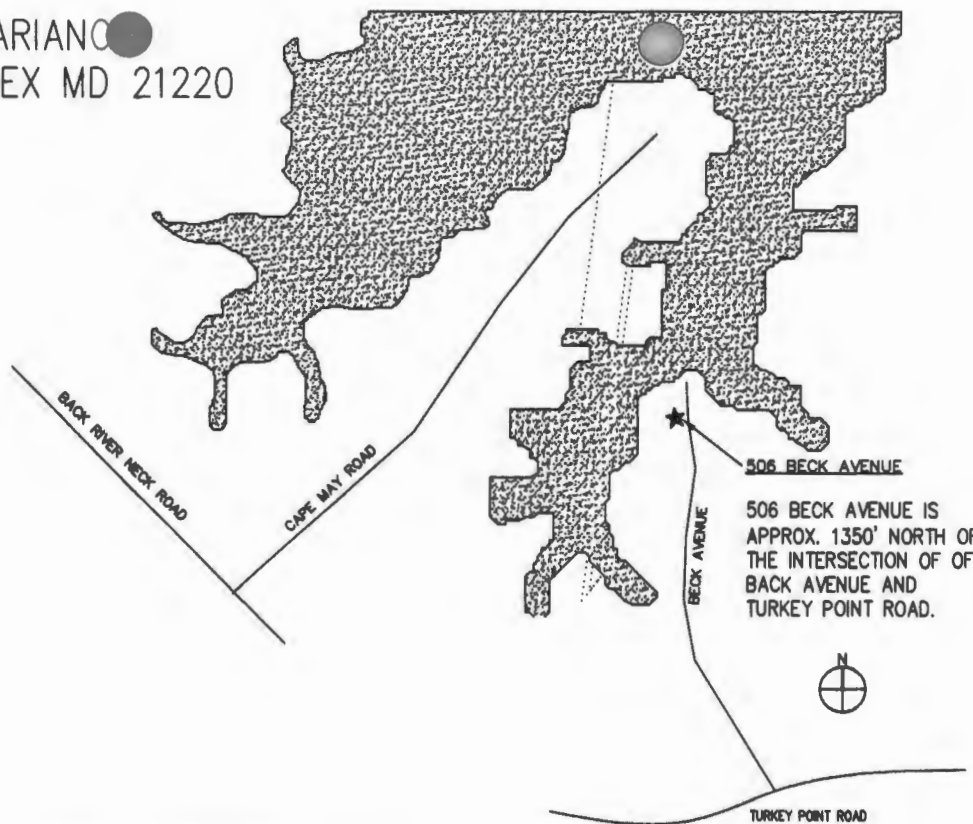
Exhibit Sheet

Petitioner/Developer

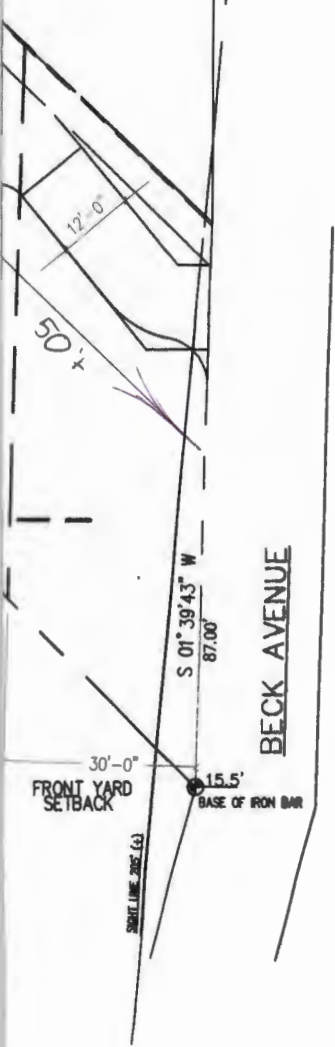
Protestant

|        |                                            |  |
|--------|--------------------------------------------|--|
| No. 1  | Site Plan of the property                  |  |
| No. 2  | Photos of the site                         |  |
| No. 3  | Architectural Drawing of house to be built |  |
| No. 4  |                                            |  |
| No. 5  |                                            |  |
| No. 6  |                                            |  |
| No. 7  |                                            |  |
| No. 8  |                                            |  |
| No. 9  |                                            |  |
| No. 10 |                                            |  |
| No. 11 |                                            |  |
| No. 12 |                                            |  |

PETITION FOR ZONING VARIANCE  
506 BECK AVENUE, ESSEX MD 21220  
O #416, LOT 5  
AND JENNIFER MULLEN



SIDE SETBACK 12'-0"



PROJECT DESCRIPTION

DEMOLITION OF EXISTING STRUCTURE AND CONSTRUCTION OF A NEW TWO STORY FRAME DWELLING ON THE PROPERTY AT 506 BECK AVENUE, BALTIMORE COUNTY, MD.

LOT AREA CALCULATIONS

|                                                            |                |
|------------------------------------------------------------|----------------|
| 1. DEEDED LOT AREA                                         | 18,352 SQ. FT. |
| 2. RESIDENCE FOOTPRINT (INCLUDING PORCHES, DECKS AND SHED) | 2,875 SQ. FT.  |
| 3. DRIVEWAY AREA (INCLUDING WALKWAY)                       | 1,771 SQ. FT.  |
| TOTAL IMPERVIOUS AREA = 4,646 SQ. FT. = 25.31% OF LOT AREA |                |

ROBERT D. MOLL -ARCHITECT- INC. 217 MARINER'S POINT DRIVE, BALTIMORE, MD. 21220  
410-952-4302

PETITIONER'S

EXHIBIT NO. 1

LOCATION INFORMATION

ELECTION DISTRICT- 15  
COUNCILMANIC DISTRICT- 6  
1"=200' SCALE MAP #NE 1-J 098A2  
ZONING DR 3.5  
DEEDED LOT SIZE- 0.42 AC 18,352 SQFT  
PUBLIC SEWER- YES  
PUBLIC WATER- YES  
CHESAPEAKE BAY CRITICAL AREA- YES  
100 YEAR FLOOD PLAIN- NO  
HISTORIC PROPERTY/BUIDLING- NO  
PRIOR ZONING HEARING- NO

ZONING OFFICE USE ONLY

REVIEWED BY

ITEM #

CASE #

*[Signature]*

2011-0285-A

PLEASE PRINT CLEARLY

CASE NAME \_\_\_\_\_  
CASE NUMBER \_\_\_\_\_  
DATE \_\_\_\_\_

## PETITIONER'S SIGN-IN SHEET

[illegible]

TK- 5/3 10am

**CERTIFICATE OF POSTING**

RE: Case No. 2011-0287-SPHA

Petitioner/Developer  
BOB INFUSSI EXPEDITE LLC

*Hearing*  
*5/3/11*

Date Of Hearing/Closing: 5/3/11

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

RECEIVED

MAY 05 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property  
at 11424 PULASKI HIGHWAY

This sign(s) were posted on April 19, 2011

Month, Day, Year

Sincerely,

*Martin Ogle* 4/19/11  
Signature of Sign Poster and Date

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

TK  
5-2-11

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**

**RECEIVED**

**MAY 02 2011**



**OFFICE OF ADMINISTRATIVE HEARINGS**

**TO:** Lawrence M. Stahl; Managing Administrative Law Judge  
Office of Administrative Hearings

**FROM:** David Lykens, Department of Environmental Protection and Sustainability  
(DEPS) - Development Coordination

**DATE:** May 2, 2011

**SUBJECT:** DEPS Comment for Zoning Item # 11-285-A  
Address 506 Beck Avenue  
(Mullen Property)

Zoning Advisory Committee Meeting of April 4, 2011.

DEPS has reviewed the subject zoning petition for compliance with goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. This lot is located within a Limited Development Area (LDA) and Buffer Management Area (BMA) of the Chesapeake Bay Critical Area (CBCA). Based on the plan that accompanies this zoning petition, it appears that the proposed dwelling will be located outside of the 100-foot buffer. Lot coverage is limited to 25% of the property area, without mitigation, and with approval, up to 31 1/4% of the property area, with mitigation. Allowing a zoning variance for reduced side-yard setbacks and/or reduced lot width is not contrary to CBCA lot coverage limits and the BMA requirements, and will therefore minimize adverse impacts on water quality that result from development activities.
2. The proposed development must comply with all LDA and BMA requirements, including the 15% afforestation requirement and CBCA lot coverage requirements, prior to building permit approval. Therefore, the subject zoning petition will conserve, fish, wildlife and plant habitat.
3. The proposed development will be required to meet all LDA and BMA requirements and therefore, will be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

Reviewer: *Thomas Panzarella; Environmental Impact Review*

**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: 2011-0285 - A

Petitioner: T J Mullen

Address or Location: 506 Beck Avenue, Essex, MD 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: T. J. Mullen

Address: 7 Mariners Walk Way  
Middle River, MD 21220

Telephone Number: 410-687-6256

Revised 2/20/98 - SCJ



KEVIN KAMENETZ  
County Executive

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

April 6, 2011

### NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0285-A**

506 Beck Avenue

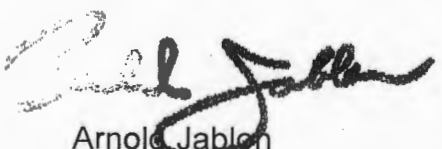
W/side of Beck Avenue, 1350 feet north of the centerline of Turkey Point Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Thomas & Jennifer Mullen

Variance to permit a proposed dwelling with a side yard setback of 12  $\frac{3}{4}$  feet and a combination of side yard setbacks of 22  $\frac{3}{4}$  feet in lieu of the required 15 and 25. Respectively, and to permit a lot with of 61  $\frac{3}{4}$  feet in lieu of the required 70 feet.

Hearing: Monday, May 2, 2011 at 2:30 p.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon  
Director

AJ:kl

C: Mr. & Mrs. Mullen, 7 Mariners Walk Way, Middle River 21220

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 16, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Thursday, April 14, 2011 Issue - Jeffersonian

Please forward billing to:

T.J. Mullen  
7 Mariners Walk Way  
Middle River, MD 21220

410-687-6256

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## NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0285-A**

506 Beck Avenue

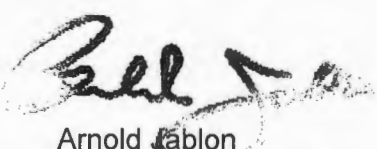
W/side of Beck Avenue, 1350 feet north of the centerline of Turkey Point Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owners: Thomas & Jennifer Mullen

Variance to permit a proposed dwelling with a side yard setback of 12  $\frac{3}{4}$  feet and a combination of side yard setbacks of 22  $\frac{3}{4}$  feet in lieu of the required 15 and 25. Respectively, and to permit a lot with of 61  $\frac{3}{4}$  feet in lieu of the required 70 feet.

Hearing: Monday, May 2, 2011 at 2:30 p.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



Arnold Fablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**THOMAS J. MULLEN, III**

*Rec'd 4/13/11  
for hearing 5/21/11*

April 11, 2011

Baltimore County Zoning Review Office  
Department of P. A. I.  
111 W. Chesapeake Avenue, Rm. 111  
Towson, MD 21204

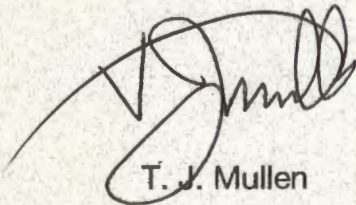
SUBJ: Case # 2011-0285-A

To Whom It May Concern:

Please find attached, copies of letters of support for our variance from adjacent property owners and the neighbor across the street from our property at 506 Beck Avenue. I will bring the originals to the hearing.

Please contact me if you have any questions or concerns.

Sincerely,



T. J. Mullen

Cc: People's Council for Baltimore County

Mr. and Mrs. Thomas J. Mullen  
7 Mariners Walk Way  
Middle River, MD 21220

SUBJ: 506 Beck Avenue, Zoning Case #2011-0285-A

Dear TJ and Jennifer:

Thank you for your letter explaining the need to get a variance to build a house on your property at 506 Beck Avenue. We understand the issues you are seeking relief from are as follows:

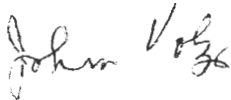
1. Your lot is slightly under 62' wide, and current zoning (R 3.5) requires a minimum lot width of 70'.
2. The current minimum side setback requirement is 15' one side and 10' on the other, for a total of 25'. Your house will have a side set back of 12'-9" on the side adjacent to 504 Beck (Dellape) and the required 10' on the side adjacent to 510 Beck (our property), for a total set back of 22'-9".

As such, we appreciate you letting us know about issues, and have no objections to your plans or seeking a variance for the purpose of building your house.

Please feel free to submit this letter to Baltimore County as evidence of our support for the granting of a variance in Case #2011-0285-A as listed above.

Please feel free to have the county contact us if they have questions.

Sincerely,



---

John and Ann Volz  
510 Beck Avenue  
Essex, MD 21221

3/29/11

---

Date

Mr. and Mrs. Thomas J. Mullen  
7 Mariners Walk Way  
Middle River, MD 21220

SUBJ: 506 Beck Avenue, Zoning Case #2011-0285-A

Dear TJ and Jennifer:

Thank you for your letter explaining the need to get a variance to build a house on your property at 506 Beck Avenue, which is next to my property. We understand that the issues you are seeking relief from are as follows:

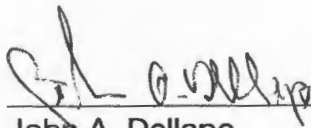
1. Your lot is slightly less than 62' wide, and current zoning (R 3.5) requires a minimum lot width of 70'.
2. The current minimum side setback requirement is 15' one side and 10' on the other, for a total of 25'. Your house will have a side set back of 12'-9" on the side adjacent to 504 Beck (my property) and the required 10' on the side adjacent to 510 Beck (Volz), for a total set back of 22'-9".

As such, we appreciate you letting us know about these issues, and have no objections to your plans or seeking a variance for the purpose of building your house.

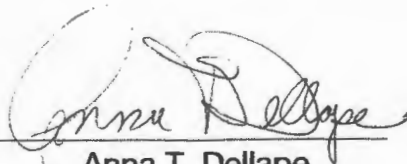
Please feel free to submit this letter to Baltimore County as evidence of our support for the granting of a variance in Case #2011-0285-A as listed above.

Please feel free to have the county contact us if they have questions.

Sincerely,



John A. Dellape  
504 Beck Avenue  
Essex, MD 21221



Anna T. Dellape

4/7/11  
Date

# CERTIFICATE OF POSTING

2011-0285-A

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

**Thomas & Jennifer Mullen**

**May 2, 2011**

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen Matthews:

Ladies and Gentlemen:

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

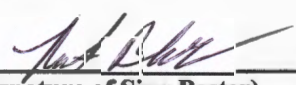
**506 Beck Avenue**

**April 16, 2011**

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)

Sincerely,

**April 18, 2011**

  
(Signature of Sign Poster)

(Date)

**SSG Robert Black**

(Print Name)

**1508 Leslie Road**

(Address)

**Dundalk, Maryland 21222**

(City, State, Zip Code)

**(410) 282-7940**

(Telephone Number)

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2011-0285-A

506 Beck Avenue

W/side of Beck Avenue, 1350 feet north of the centerline of Turkey Point Road

15th Election District — 6th Councilmanic District  
Legal Owner(s): Thomas & Jennifer Mullen

**Variance:** to permit a proposed dwelling with a side yard setback of 12 3/4 feet and a combination of side yard setbacks of 22 3/4 feet in lieu of the required 15 and 25. Respectively, and to permit a lot with 61 3/4 feet in lieu of the required 70 feet.

**Hearing:** Monday, May 2, 2011 at 2:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.  
04/09/11 April 14 272543

CERTIFICATE OF PUBLICATION

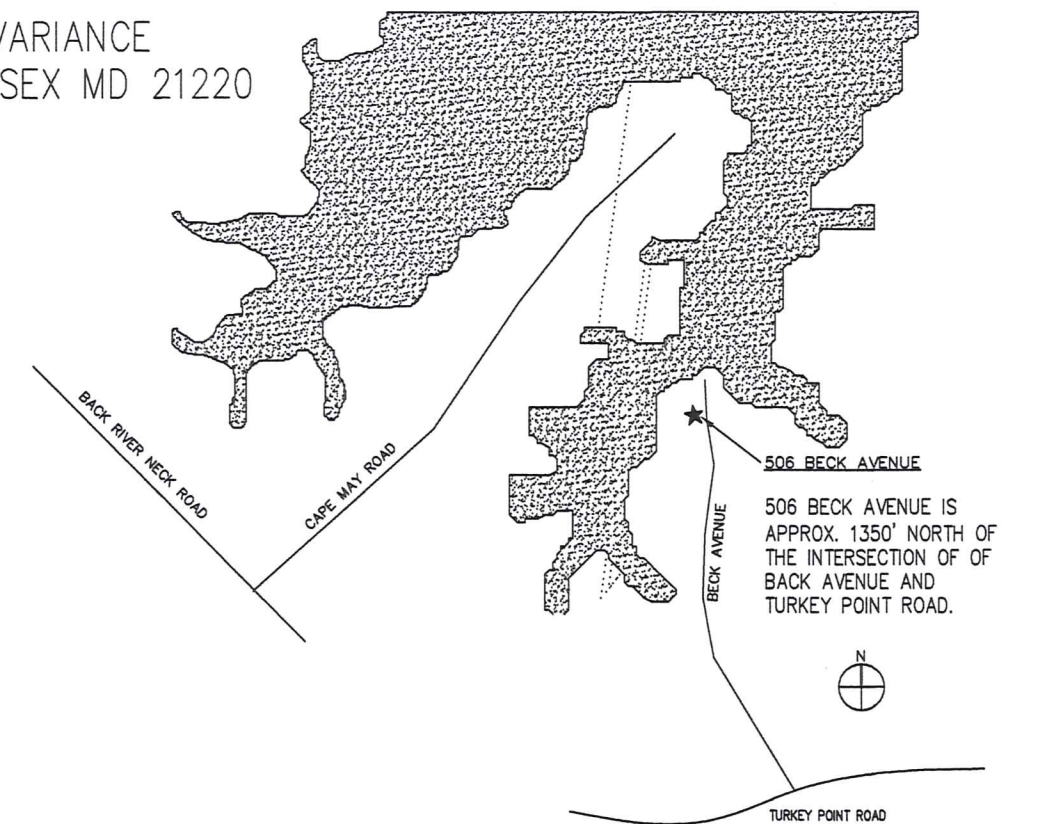
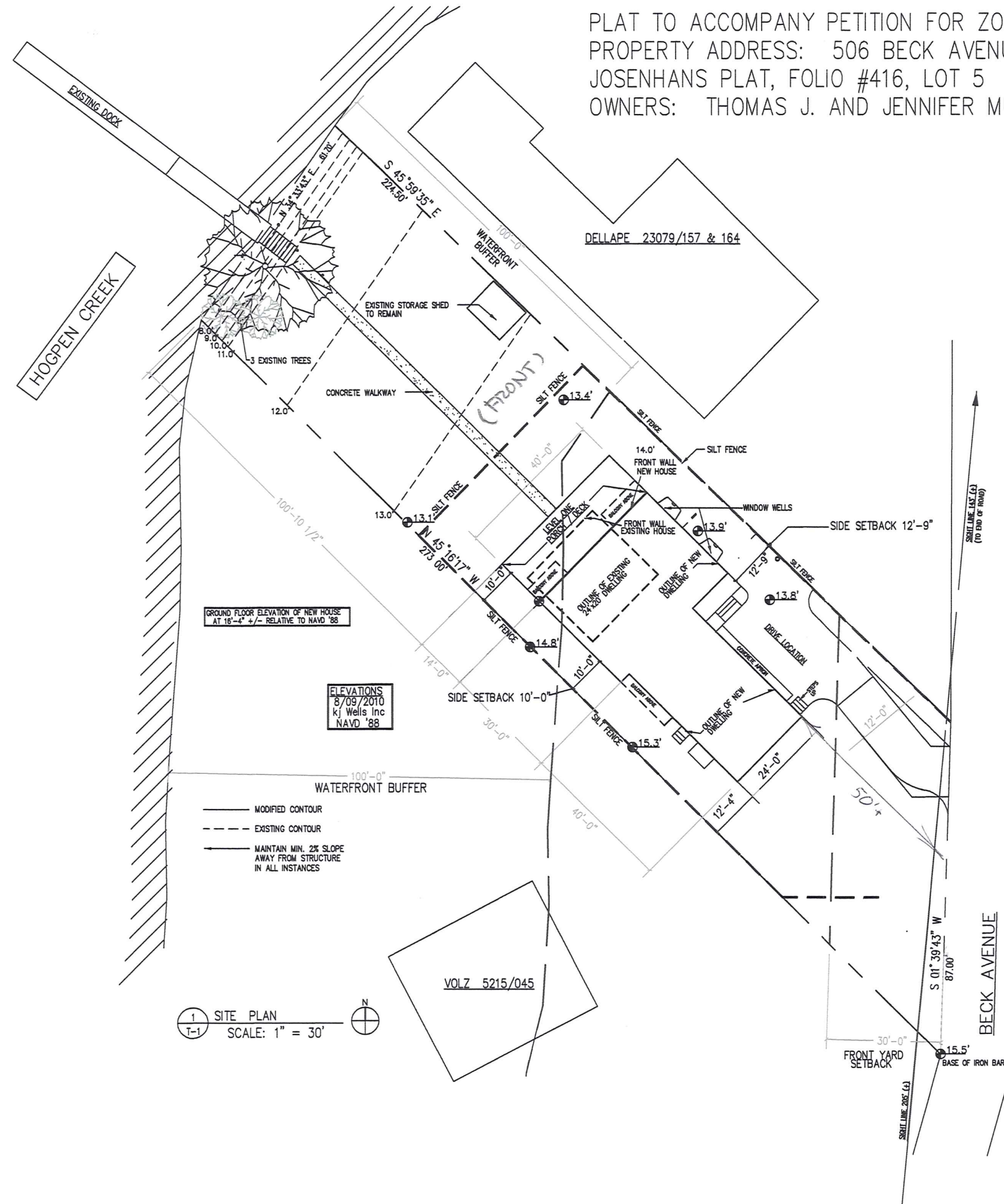
4/14/2011

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 4/14/, 2011.

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

*J. Wilkinson*

LEGAL ADVERTISING



### PROJECT DESCRIPTION

DEMOLITION OF EXISTING STRUCTURE AND CONSTRUCTION OF A NEW TWO STORY FRAME DWELLING ON THE PROPERTY AT 506 BECK AVENUE, BALTIMORE COUNTY, MD.

### LOT AREA CALCULATIONS

|                                                            |                |
|------------------------------------------------------------|----------------|
| 1. DEEDED LOT AREA                                         | 18,352 SQ. FT. |
| 2. RESIDENCE FOOTPRINT (INCLUDING PORCHES, DECKS AND SHED) | 2,875 SQ. FT.  |
| 3. DRIVEWAY AREA (INCLUDING WALKWAY)                       | 1,771 SQ. FT.  |
| TOTAL IMPERVIOUS AREA = 4,646 SQ. FT. = 25.31% OF LOT AREA |                |

ROBERT D. MOLL -ARCHITECT- INC. 217 MARINER'S POINT DRIVE, BALTIMORE, MD. 21220  
410-952-4302 rdm@mollarch.com

### LOCATION INFORMATION

ELECTION DISTRICT- 15  
COUNCILMANIC DISTRICT- 6  
1"=200' SCALE MAP #NE 1-J 098A2  
ZONING DR 3.5  
DEEDED LOT SIZE- 0.42 AC 18,352 SQFT  
PUBLIC SEWER- YES  
PUBLIC WATER- YES  
CHESAPEAKE BAY CRITICAL AREA- YES  
100 YEAR FLOOD PLAIN- NO  
HISTORIC PROPERTY/BUILDING- NO  
PRIOR ZONING HEARING- NO

### ZONING OFFICE USE ONLY

REVIEWED BY

ITEM #

CASE #

2011-0285-A

# 506 Beck Avenue

**“AFTER” view of restored creek bank with stabilized shoreline featuring new, safe and aesthetically pleasing dock and stairs. This is the current condition of the property, and indicative of the further improvement to the property the new home will make**



# **506 Beck Avenue**

**“BEFORE” view of rubble and trash strewn creek bank with derelict dock suffering severe erosion immediately prior to purchase by the Mullens**



# 506 Beck Avenue

**View of rear of existing structure  
from creek side of property**



# 506 Beck Avenue

**View of northeast side of existing  
structure, Hogpen Creek in  
background**



# **506 Beck Avenue**

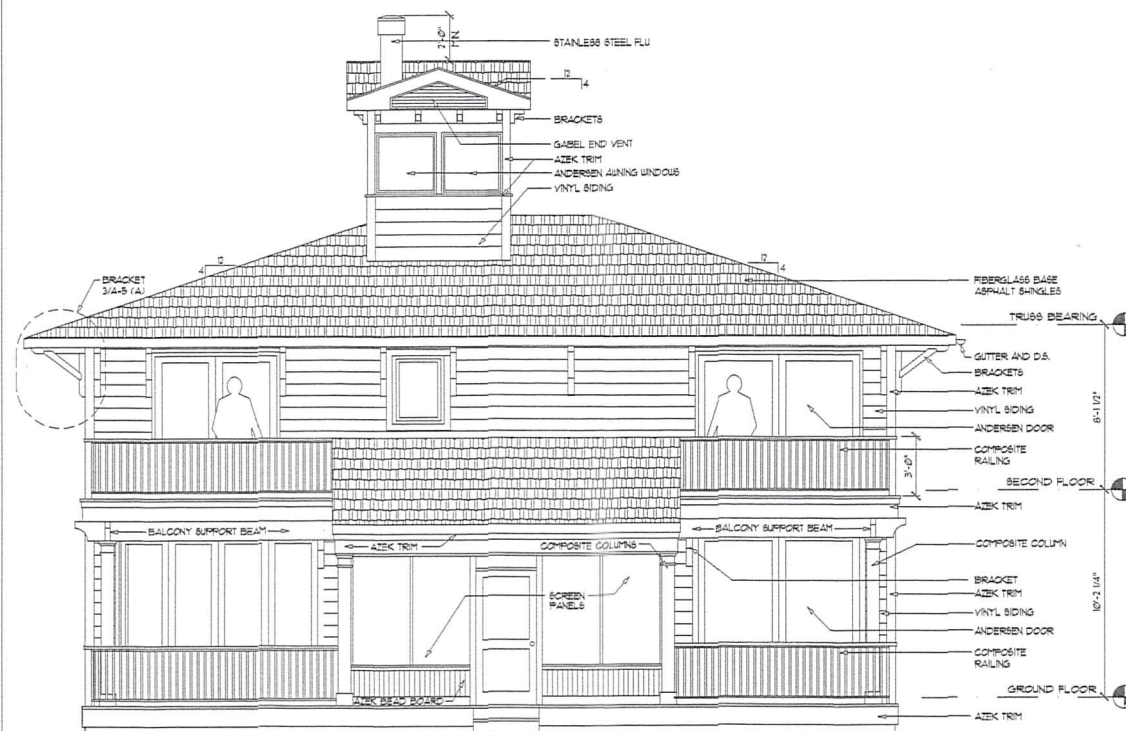
**View from street showing  
northeast side of existing  
structure, adjacent to  
Dellape, 504 Beck**



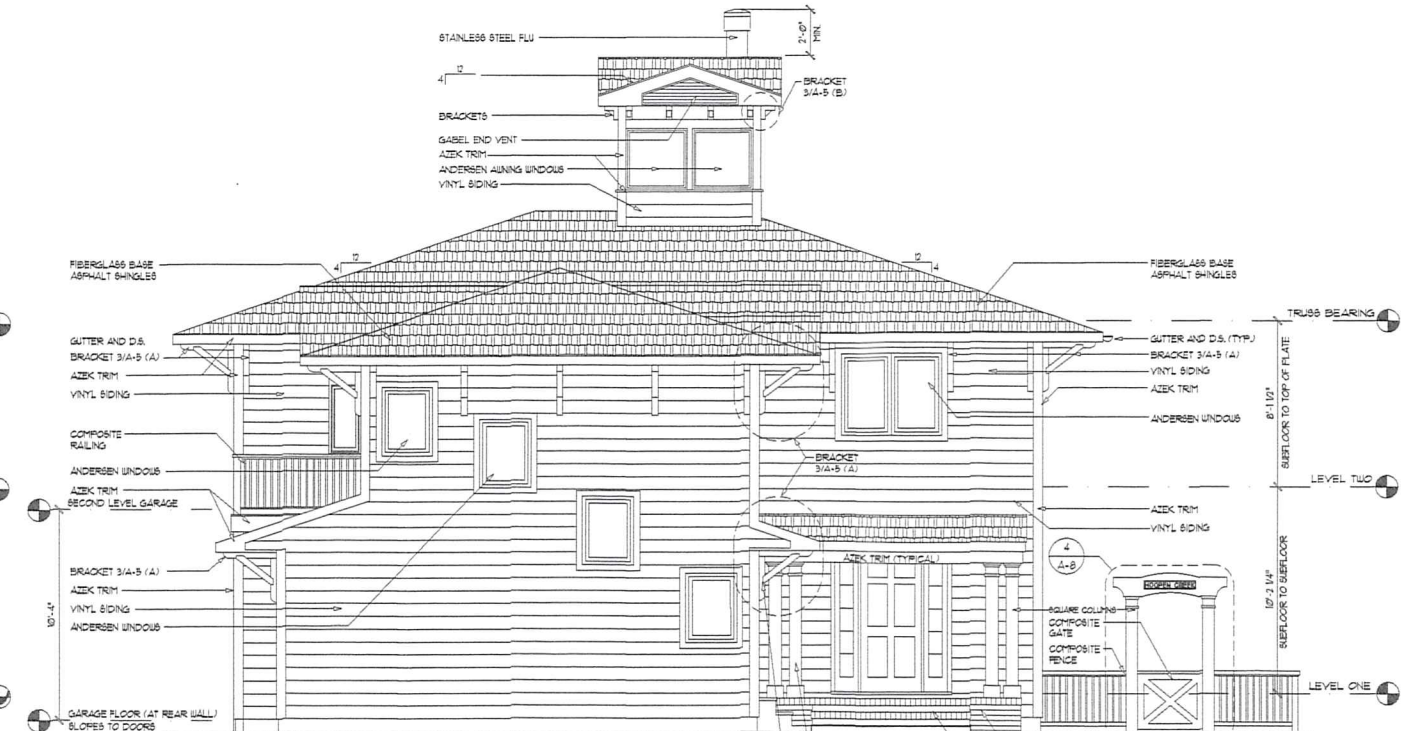
# 506 Beck Avenue

## View from street showing Zoning Notice

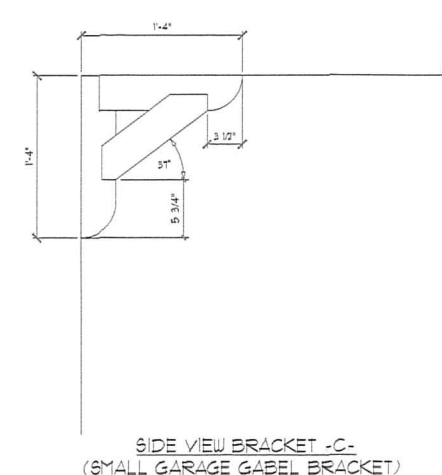




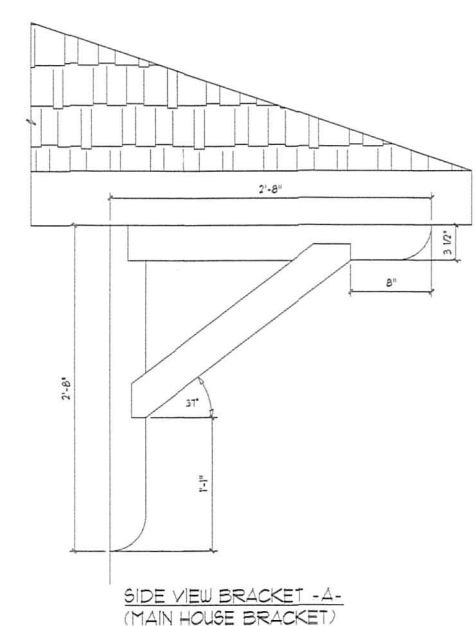
1 CREEK ELEVATION  
A-B  
Scale: 1/4"=1'-0"



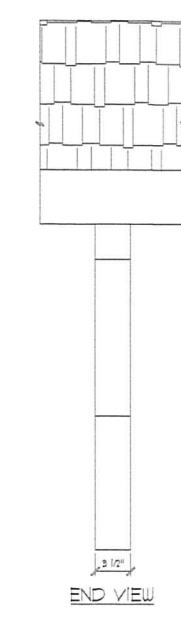
2 STREET ELEVATION  
A-B  
Scale: 1/4"=1'-0"



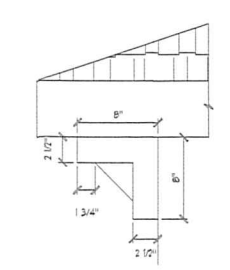
SIDE VIEW BRACKET -C-  
(SMALL GARAGE GABLE BRACKET)



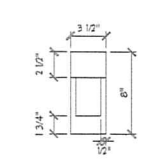
SIDE VIEW BRACKET -A-  
(MAIN HOUSE BRACKET)



END VIEW



SIDE VIEW BRACKET -B-  
(CUPOLA BRACKET)



END VIEW

3 BRACKET DETAILS  
A-B  
Scale: 1 1/2"=1'-0"

**Robert D. Moll A.I.A.**  
ROBERT MOLL - ARCHITECT - INC.  
217 Mariner's Point Drive  
Baltimore, Maryland 21220  
410-952-4302 rdm@mollarch.com mollarch.com

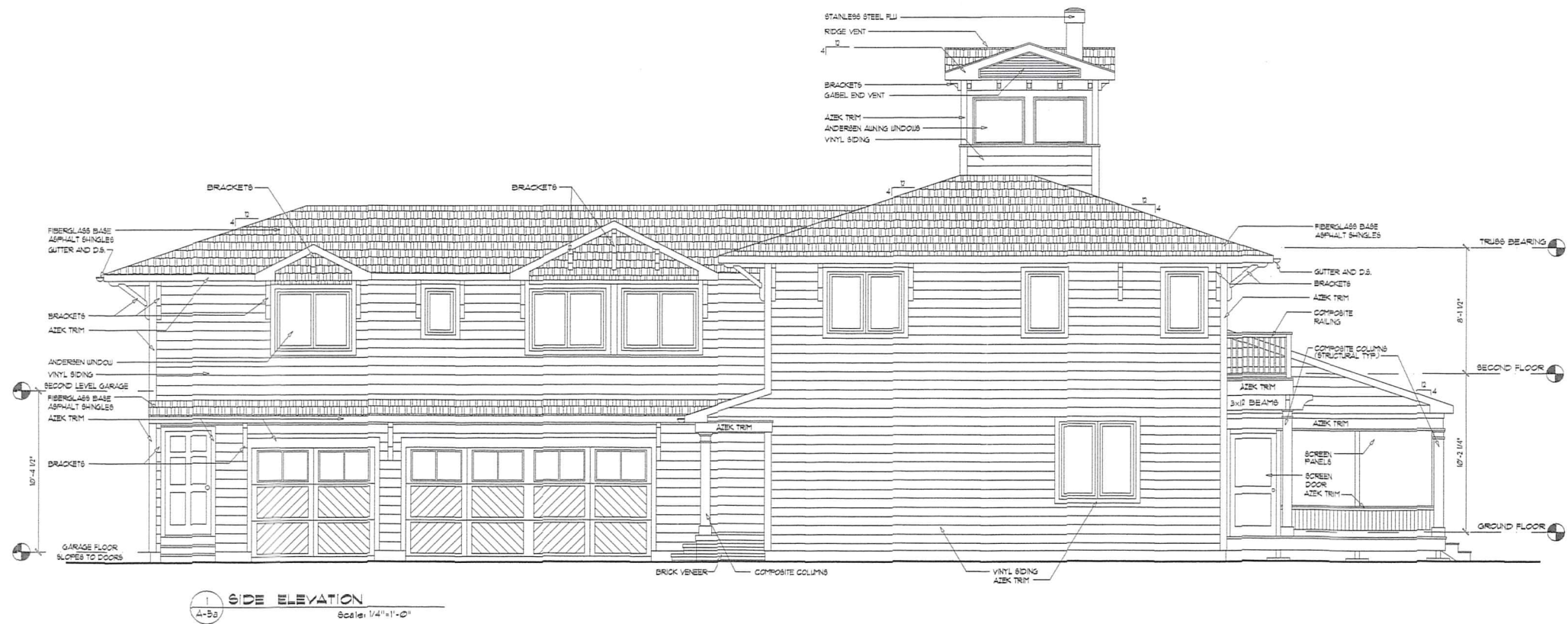
**Mullen Residence on Hogpen Creek**

508 BECK AVENUE  
ESSEX, MARYLAND  
21221

| Revisions | Date |
|-----------|------|
|           |      |
|           |      |
|           |      |
|           |      |

PROJECT NO. 2001-001  
Prepared By: RDM  
Checked By: RDM  
Date: DEC 30, 2010  
Scale: As shown

**A-5**  
PERMIT DWGS.  
Aug 18 of 30



1 SIDE ELEVATION  
Scale: 1/4"=1'-0"



2 SIDE ELEVATION  
Scale: 1/4"=1'-0"

**Robert D. Moll A.I.A.**  
 ROBERT MOLL - ARCHITECT - INC.  
 217 Mariner's Point Drive  
 Baltimore, Maryland 21220  
 410-952-4302 rdm@mollarch.com mollarch.com

**Mullen Residence on Hogpen Creek**

508 BECK AVENUE  
 ESSEX, MARYLAND  
 21221

| Revisions | Date |
|-----------|------|
|           |      |
|           |      |
|           |      |
|           |      |

Project No.:  
 Drawn By: RDM  
 Checked By: RDM  
 Date: Dec. 26, 2000 Scale: As shown