

IN RE: PETITION FOR VARIANCE

(7022 Bellona Avenue)

9th Election District

5th Council District

Suat Yelken

Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NOS. 2014-0272-A
& 2014-0273-A

*

*

*

*

*

*

*

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed on behalf of the legal owner of the subject property. The property is approximately 1 acre in size, zoned DR 3.5, and is improved with an existing single family dwelling that has suffered extensive fire damage. The Petitioner proposes to subdivide the property and create a three (3) lot subdivision. The subdivision process is separate from this case, which concerns only the lot width of proposed Lots 2 & 3. The Petition seeks variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §1B02.3.C.1 to permit a minimum lot width of 45 feet in lieu of the required 70 feet for proposed Lots 2 & 3. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing in support of the requests was Suat Yelken. Bruce Doak, whose firm prepared the site plan, assisted the Petitioner. Several neighbors attended the hearing and opposed the requests. The Petition was advertised and posted as required by the B.C.Z.R. A Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP) dated July 29, 2014, indicating that agency is supportive of the requests.

To obtain variance relief requires a showing that:

ORDER RECEIVED FOR FILING

Date

9/9/14

By

sen

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has not met this test.

No evidence was presented concerning the uniqueness of the property. In addition, no testimony was presented showing that Petitioner would experience a practical difficulty or hardship if the regulations were strictly interpreted.

Petitioner proposes to create two (2) 45' wide lots, both of which would fall well short of the 70' lot width required in the zone. In these circumstances, the need for variance relief is self-imposed; i.e., the Petitioner could subdivide the one (1) acre parcel into two (2) lots without needing zoning relief. While it is understandable a property owner desires to increase the return on his investment, variance relief cannot be granted to accommodate this goal.

THEREFORE, IT IS ORDERED, this 9th day of September, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from B.C.Z.R. §1B02.3.C.1 to permit a minimum lot width of 45 feet in lieu of the required 70 feet for proposed Lots 2 & 3, be and is hereby DENIED.

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

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date

9/9/14

By

sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

September 9, 2014

Bruce E. Doak
3801 Baker Schoolhouse Road
Freeland, Maryland 21053

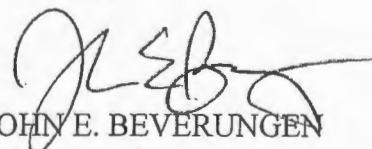
RE: Petition for Variance
Property: 7022 Bellona Avenue
Case Nos. 2014-0272-A & 2014-0273-A

Dear Mr. Doak:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slm
Enclosure

c: Evan and Misty McGlone, 6315 LaGrange Lane, Baltimore, Maryland 21212
MaryEileen Aldana, 6317 LaGrange Lane, Baltimore, Maryland 21212
Sam Sessa 7018 Bellona Avenue, Baltimore, Maryland 21212
Morton Foster, 6311 LaGrange Lane, Baltimore, Maryland 21212
John Riina, 101 Armagh Drive, Baltimore, Maryland 21212
Jeannette McGowan, 6311A LaGrange Lane, Baltimore, Maryland 21212
Congzhe Chen, 7020 Bellona Avenue, Baltimore, Maryland 21212



PETITION FOR ZONING HEARING(S)

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

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

Address 7022 BELLONA AVENUE which is presently zoned DR 3.5
Deed References: SM 20231 / 687 10 Digit Tax Account # 0923500541
Property Owner(s) Printed Name(s) SUAT YELKEN

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s)

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT THE HEARING

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1- Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

BRUCE E. DOAK

BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

300AK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2014-0273-A

Filing Date 6/17/14

Do Not Schedule Dates:

Reviewer BH

PETITION REQUESTS

Variance

1. To permit a minimum lot width of 45 feet in lieu of the required 70 feet per Section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3.

Bruce E. Doak Consulting, LLC

Land Use Expert and Surveyor

3801 Baker Schoolhouse Road

Freeland, MD 21053

o 443-900-5535 m 410-419-4906

bdoak@bruceedoakconsulting.com

*PLAN TO ACCOMPANY
A ZONING PETITION*

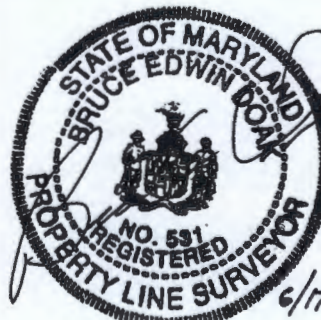
7022 BELLONA AVENUE

BALTIMORE COUNTY, MARYLAND

9TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT

Date: 6/17/2014

Scale: 1"=20'



REVISION

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

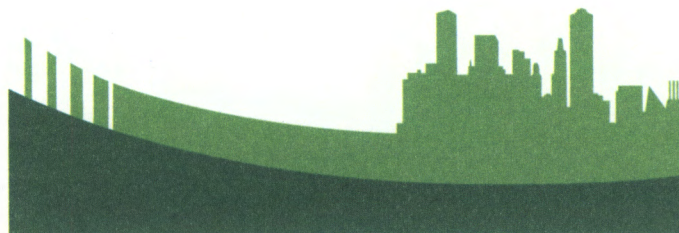
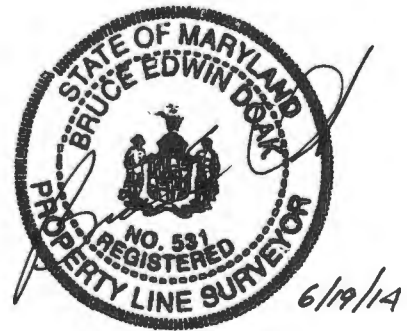
Zoning Description

Proposed Lot 3- Bellona Avenue
Ninth Election District Fifth Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southwest side of Bellona Avenue, said point of beginning being southeasterly 316 feet from the intersection of the centerline of LaGrange Lane and the centerline of Bellona Avenue and southwesterly 40 feet from the centerline of Bellona Avenue, thence binding on the southwest side of Bellona Avenue and binding on the outlines of the subject property, the following course and distance, viz. 1) Northwesterly by a line curving to the left with a radius of 1588.63 feet for a distance of 45.01 feet, thence leaving the southwest side of Bellona Avenue and continuing to bind on the outlines of the subject property, the four following courses and distances, viz 2) South 28 degrees 46 minutes 00 seconds West 140.53 feet, 3) South 79 degrees 35 minutes 36 seconds West 101.39 feet, 4) South 69 degrees 35 minutes 36 seconds East 124.93 feet, and 5) North 28 degrees 46 minutes 00 seconds East 198.57 feet to the point of beginning.

Containing 10,531 square feet of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Land Use Expert and Surveyor

2014-0273-A

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2014-0273-A
Property Address: 7022 BELLONA AVENUE / Lot 3
Property Description: _____

Legal Owners (Petitioners): SUAT YELKEN
Contract Purchaser/Lessee: NA

PLEASE FORWARD ADVERTISING BILL TO:

Name: SUAT YELKEN
Company/Firm (if applicable): NA
Address: 7022 BELLONA AVENUE BALTIMORE MD 21212

Telephone Number: 410-227-1427

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

No. **113807**

Date: **6/17/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 6/18/2014 6/17/2014 11:16:42
 R/S MG05 WALKIN RDOS LRB
 RECEIPT # 742547 6/17/2014
 pt 5 528 ZONING VERIFICATION
 NO. 113807
 Recpt Tot \$150.00
 \$150.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	800	000		150				150.00

Total: **150.00**

Rec From: **Bruce Dusk**

For: **Administrative Variance**
Lot 2 2014 0273 A / Lot 3 2014 0273 A

Check # 1254

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

August 14, 2014

Re:

Case Number: **2014- 0273-A**

Petitioner / Developer: Suat Yelken

Date of Hearing: September 5, 2014

Baltimore County Department of Permits, Approvals & Inspections
County Office Building, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

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 **7022 Bellona Ave.**

The sign(s) were posted on **August 13, 2014.**

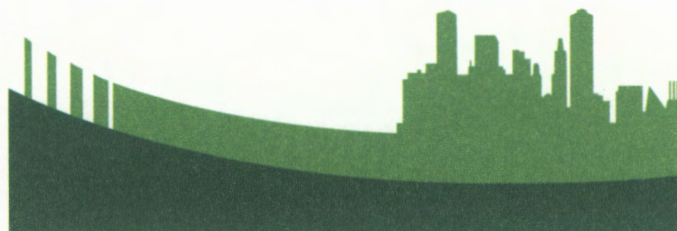
Sincerely,



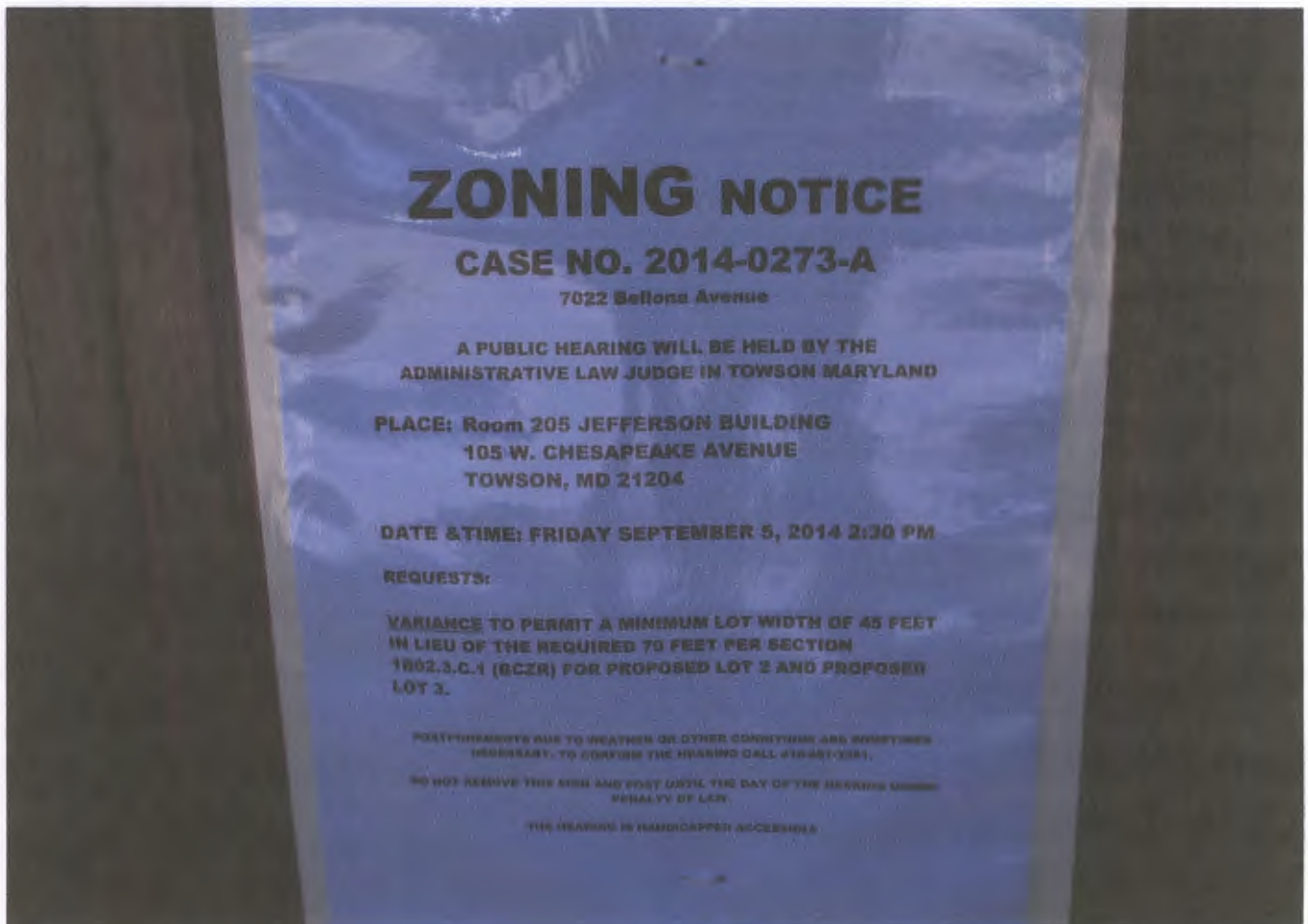
Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor





THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

July 31, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on July 29, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2014-0273-A

7022 Bellona Avenue

SW/s of Bellona Avenue, 316 ft. SE of LaGrange Avenue

9th Election District - 5th Councilmanic District

Legal Owner(s): Suat Yelken

Variance to permit a minimum lot width of 45 ft. in lieu of the required 70 ft. per Section 1802.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3

Hearing: Monday, August 18, 2014 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.

JT 7/858 July 29

988293



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

August 14, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on August 14, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2014-0273-A

7022 Bellona Avenue
SW/s of Bellona Avenue, 316 ft. SE of centerline of
LaGrange Avenue
9th Election District - 5th Councilmanic District
Legal Owner(s): Suat Yelken

Variance to permit a minimum lot width of 45 ft. in lieu of the required 70 ft. per Section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3

Hearing: Friday, September 5, 2014 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.

8/116 August 14

990149

JULY 22, 2014

ARNOLD LABOW
BALTIMORE COUNTY OFFICE OF ZONING

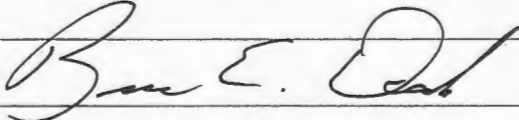
RE: CASES 2014-0272-A ; 2014-273-A

DEAR SIR,

I AM WRITING THIS LETTER TO REQUEST THAT THE
HEARINGS FOR EACH OF THE CASES BE POSTPONED
FROM AUGUST 18, 2014 TO A DATE AS SOON AFTERWARDS
AS POSSIBLE. THE REASON FOR THE REQUESTED
POSTPONEMENT IS THAT THE PERSON REPRESENTING
THE PETITIONERS WILL BE OUT OF TOWN THAT DAY.

THANK YOU FOR YOUR ATTENTION TO MY REQUEST.

WITH REGARDS,


BRUCE E. DOAK



KEVIN KAMENETZ
County Executive

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

July 17, 2014

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0272-A

7022 Bellona Avenue

Sw/s of Bellona Avenue, 273 ft. SE of centerline of LaGrange Lane

9th Election District – 5th Councilmanic District

Legal Owners: Suat Yelken

Variance to permit a minimum lot width of 45 ft. in lieu of the required 70 ft. per section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3

Hearing: Monday, August 18, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Suat Yelkin, 7022 Bellona Avenue, Baltimore 21212
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 29, 2014**
- (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.



KEVIN KAMENETZ
County Executive

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

July 17, 2014

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0273-A

7022 Bellona Avenue
SW/s Bellona Avenue, 316 ft. SE of LaGrange Avenue
9th Election District – 5th Councilmanic District
Legal Owner: Suat Yelken

Variance to permit a minimum lot width of 45 feet in lieu of the required 70 feet per Section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3.

Hearing: Monday, August 18, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Suat Yelken, 7022 Bellona Avenue, Baltimore 21212
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 29, 2014.**
- (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
Tuesday, July 29, 2014 Issue - Jeffersonian

Please forward billing to:

Suat Yelken
7022 Bellona Avenue
Baltimore, MD 21212

410-227-1427

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: 2014-0273-A

7022 Bellona Avenue
SW/s Bellona Avenue, 316 ft. SE of LaGrange Avenue
9th Election District – 5th Councilmanic District
Legal Owner: Suat Yelken

Variance to permit a minimum lot width of 45 feet in lieu of the required 70 feet per Section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3.

Hearing: Monday, August 18, 2014 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 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.



KEVIN KAMENETZ
County Executive

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

July 30, 2014

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0273-A

7022 Bellona Avenue
SW/s Bellona Avenue, 316 ft. SE of LaGrange Avenue
9th Election District – 5th Councilmanic District
Legal Owner: Suat Yelken

Variance to permit a minimum lot width of 45 feet in lieu of the required 70 feet per Section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3.

Hearing: Friday, September 5, 2014 at 2:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Suat Yelken, 7022 Bellona Avenue, Baltimore 21212
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21212

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, AUGUST 16, 2014.**
- (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, August 14, 2014 Issue - Jeffersonian

Please forward billing to:

Suat Yelken
7022 Bellona Avenue
Baltimore, MD 21212

410-227-1427

NOTICE OF ZONING HEARING

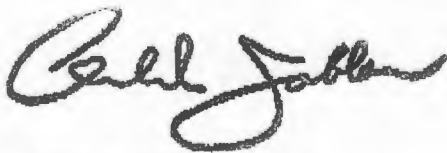
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0273-A

7022 Bellona Avenue
SW/s Bellona Avenue, 316 ft. SE of LaGrange Avenue
9th Election District – 5th Councilmanic District
Legal Owner: Suat Yelken

Variance to permit a minimum lot width of 45 feet in lieu of the required 70 feet per Section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot 3.

Hearing: Friday, September 5, 2014 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 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.

MEMORANDUM

DATE: October 10, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case Nos. 2014-0272-A & 2014-0273-A -
Appeal Period Expired

The appeal period for the above-referenced case expired on October 9, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

* * * * *

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014- 0273-A

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

7/7

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

7/29

PLANNING
(if not received, date e-mail sent _____)

C

6/30

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 8/14/14

SIGN POSTING Date: 8/13/14

by DOCK

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL

Comments, if any: _____

Exhibits are
in companion

Case NO: 2014-0272-A



KEVIN KAMENETZ
County Executive

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

August 27, 2014

Suat Yelken
7022 Bellona Avenue
Baltimore MD 21212

RE: Case Number: 2014-0273 A, Address: 7022 Bellona Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 17, 2014. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Bruce E Doak, Bruce E Doak Consulting LLC, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 6/30/14

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

RE: Baltimore County
Item No. 2014-0273-A
Variance
Seat Yet Ken
7022 Bellona Avenue.

Dear Ms. Lewis:

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. 2014-0273-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).

Sincerely,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 7, 2014

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 7, 2014
Item No. 2014-0272, 0273, 0274, 0281, 0282, 0284, 0285 and 0287

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC07072014 -.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 15, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7022 Bellona Avenue

INFORMATION:

Item Numbers: 14-272 and 14-273

Petitioner: Suat Yelken

Zoning: DR 3.5

Requested Action: Variance

RECEIVED

JUL 17 2014

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioners request for variance from Section 1B02.3.C.1 of the BCZR to permit a minimum lot width of 45 ft. in lieu of the required 70 ft. on proposed lots 2 and 3 of a three lot future minor subdivision.

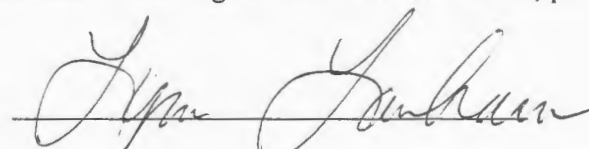
The existing site has a vacant single family dwelling (SFD) with access off of LaGrange Lane. The house is not visible from Bellona Avenue. There is an existing wood fence and trees that surrounds the property. The proposal would include keeping the existing access off of LaGrange Lane for the proposed SFD on lot 1. A new driveway will be constructed off of Bellona for the proposed duplex on lots 2 and 3.

The Department of Planning has no objection to the request pending the following conditions:

1. Revise site plan to show existing fence and trees along Bellona Avenue.
2. Reduce the width of the shared driveway off of Bellona Avenue.
3. Provide architectural elevations for review and approval prior to issuance of permit – high quality materials are recommended.
4. Revise the site plan to show orientation of the dwellings (existing and proposed).
5. Revise the site plan to show driveway off of LaGrange Lane – note that it will be used for proposed SFD.
6. Reconfigure lot 3 to provide a more useable rear yard/deck space.

For further information concerning the matters stated here in, please contact Krystle Patchak at 410-887-3480.

Division Chief:
AVA/LL



9/5/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 29, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 7022 Bellona Avenue

INFORMATION:

Item Numbers: 14-272 and 14-273 Amended Comments

Petitioner: Suat Yelken

Zoning: DR 3.5

Requested Action: Variance

RECEIVED

JUL 30 2014

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioners request for variance from Section 1B02.3.C.1 of the BCZR to permit a minimum lot width of 45 ft. in lieu of the required 70 ft. on proposed lots 2 and 3 of a three lot future minor subdivision.

The existing site has a vacant single family dwelling (SFD) with access off of LaGrange Lane. The house is not visible from Bellona Avenue. There is an existing wood fence and trees that surrounds the property. The proposal would include keeping the existing access off of LaGrange Lane for the proposed SFD on lot 1. A new driveway will be constructed off of Bellona for the proposed duplex on lots 2 and 3.

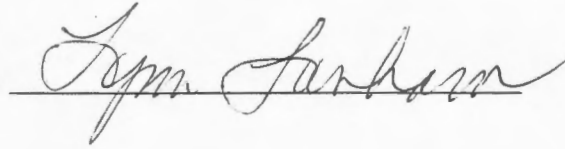
The Department of Planning has no objection to the request pending the following conditions:

1. Revise site plan to show existing fence and trees along Bellona Avenue.
2. Reduce the width of the shared driveway off of Bellona Avenue.
3. Provide architectural elevations for review and approval prior to issuance of permit – high quality materials are recommended.
4. Revise the site plan to show orientation of the dwellings (existing and proposed).
5. Revise the site plan to show driveway off of LaGrange Lane – note that it will be used for proposed SFD.
6. Reconfigure lot 3 to provide a more useable rear yard/deck space.

As of July 23, 2014 the site plan has been revised and the Department of Planning is in support of this request pending review of the architectural elevations which are to be submitted prior to issuance of permit. All conditions have been met, with the exception of item 3.

For further information concerning the matters stated here in, please contact Krystle Patchak at 410-887-3480.

Division Chief:
AVA/LL

A handwritten signature in cursive script, appearing to read "Lynn Farhman", is written over a horizontal line.

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0923500541			
Owner Information					
Owner Name:	YELKEN SUAT		Use:	RESIDENTIAL	
Mailing Address:	7022 BELLONA AVE BALTIMORE MD 21212-1109		Principal Residence:	YES	
			Deed Reference:	/20231/ 00687	
Location & Structure Information					
Premises Address:	7022 BELLONA AVE BALTIMORE 21212-1109		Legal Description:	1 AC 7022 BELLONA AVE SS 850FT NE STEVENSON LA	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0079	0006	0142		0000	2014 0001/0003
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1949	2,675 SF		35,216 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1 1/2	YES	STANDARD UNIT	STONE	2 full	
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2014 As of 07/01/2015		
Land:	134,000	115,200			
Improvements		0			
Total:	134,000	115,200	115,200	115,200	
Preferential Land:	0			0	
Transfer Information					
Seller: WINTER MYRTLE H		Date: 06/14/2004	Price: \$340,000		
Type: ARMS LENGTH IMPROVED		Deed1: /20231/ 00687	Deed2:		
Seller:		Date:	Price:		
Type:		Deed1:	Deed2:		
Seller:		Date:	Price:		
Type:		Deed1:	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014	07/01/2015		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Approved 09/17/2013					

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)

District: 09 Account Number: 0923500541



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please Wait. Loading... Please Wait.

->

1. Ownership: Suat Yelken
2. Address of owners: 7022 Bellona Avenue Baltimore MD 21212
3. Deed references / Tax acc. #s / Acreage / Tax Map / Parcel:
SM 20231 / 687 09-23-500541 0.844 Acre (deeds) TM 79 / Parcel 142
4. Use of the property: Residential
5. Election District: 09 Councilmanic District: 05
ADC par: 4578K9 & 4578K10 GIS tile: 079C1 Position sheet: 31NW2
Census tract: 490603 Census block: 240054906032002
Schools: West Towson ES Dumbarton MS Towson HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 079C1 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling (to be razed)

Zoning: DR 3.5 There are no previous zoning cases on the subject parcels.

DR 3.5 requirements per Section 1B02.3C1 (BCZR)

Minimum lot size: 10,000 sq. ft.
Minimum lot width: 70'
Minimum front yard depth: 30'
Minimum side yard depth: 10'
Minimum side yard widths: 25'
Minimum rear yard depth: 30'

Watershed: Jones Falls URDL land type: 0

1. The existing dwelling is served by public water and sewer. The proposed dwellings will also be served by public water and sewer.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.

Regional Planning District: Towson District Code: 315 Growth Tier: 1
Public sewer & inside URDL Area

To construct one single family dwelling and two semi-detached dwellings

Residential use (3 dwellings)= 6 spaces required
6 spaces provided (shown)

Variance

1. To permit a minimum lot width of 45 feet in lieu of the required 70 feet per Section 1B02.3.C.1 (BCZR) for proposed Lot 2 and proposed Lot3.

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

7022 BELLONA AVENUE

BALTIMORE COUNTY, MARYLAND
9TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT

Date: 6/17/2014

Scale: 1"=20'

