MEMORANDUM

DATE:

January 9, 2018

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2018-0131-A - Appeal Period Expired

The appeal period for the above-referenced case expired on January 8, 2018. 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

IN RE: PETITION FOR ADMIN. VARIANCE * (6621 Edenvale Road)

BEFORE THE

3rd Election District 2nd Council District OFFICE OF ADMINISTRATIVE

Michael E. & Melissa B. Bondi Petitioners

HEARINGS FOR

* BALTIMORE COUNTY

CASE NO. 2018-0131-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the property, Michael E. and Melissa B. Bondi ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), as follows: (1) To permit a proposed addition with a rear yard setback of 18 ft. in lieu of the required 30 ft.; and (2) To amend the Final Development Plan ("FDP") for Bonnie View Estates Phase 3, Lot No. 5 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee ("ZAC") comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on November 19, 2017, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("B.C.C."). Based upon the information available, there is no evidence

Date	12-7-17	
Ву	00	

ORDER RECEIVED FOR FILING

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

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 7th day of December, 2017, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), as follows: (1) To permit a proposed addition with a rear yard setback of 18 ft. in lieu of the required 30 ft.; and (2) To amend the Final Development Plan ("FDP") for Bonnie View Estates Phase 3, Lot No. 5 only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

 Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

ORDER	RECEIVED FOR FILING
Date	2-1-17
Bv	

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

Administrative Law Judge for

Baltimore County

JEB:dlw

ORDER	RECEIVED FOR FILING
Date	5-7-17
Dv	00



an

ADMINISTRATIVE ZONING PETHION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

To the Office of Administrative Hearings Address 621 EDENVALE RD BALTIMORE MD 21209	s for Baltimore County for the property located at: Currently zoned DR2
Deed Reference 33922 / 00420 Owner(s) Printed Name(s) MICHAEL & MELISSA BONDI	10 Digit Tax Account # 2500000663
(SELECT THE HEARING(S) BY MARKING X AT THE APPR	ROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on the	e reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the property situat attached hereto and made a part hereof, hereby petition fo	te in Baltimore County and which is described in the plan/plat or an:
1. X ADMINISTRATIVE VARIANCE from Section(s) I litton with a rear yard set back of the amend the FIDP (Bonnie Vir	BOI. 2.C.I.b. To permit a proposed of 18 feet in lieu of the regulard 3c es Estats Phase 3) for 10+#5.
of the zoning regulations of Baltimore County, to the zonin	g law of Baltimore County.
 ADMINISTRATIVE SPECIAL HEARING to appropriate to approximate type of work in this space: i.e., to remain the space of the	rove a waiver pursuant to Section 32-4-107(b) of the Baltimore raze, alter or construct addition to building)
of the Baltimore County Code, to the development law of E Property is to be posted and advertised as prescribed by the zoning regul I/ we agree to pay expenses of above petition(s), advertising, posting, etc Baltimore County adopted pursuant to the zoning law for Baltimore Coun	lations. c. and further agree to be bound by the zoning regulations and restrictions of
	MICHAEL BONDI / MELISSA BONDI
	Name #1 - Type or Print Name #2 - Type or Print Muls Signature #1 Signature #2
	6621 EDENVALE RD BALTIMORE MD
	Mailing Address City State
	21209 / 443-844-1680 / Email Address MEBONDI@ICLOUD.COM
Attorney for Owner(s)/Petitioner(s):	Representative to be contacted:
Name-Type or Print Signature	Name – Type or Print
Signature	Signature
TOPP PILL ST	6803 CHEROKEE DR BALTIMORE MD
Mailing Address City State	Mailing Address City State 21209 / 443-929-2377 DONNYANKRI@GMAIL.CO
Zip Code 21 Email Address	Zip Code Telephone # Email Address
	to be required, it is ordered by the Office of Administrative Hearings for Baltimore ct matter of this petition be set for a public hearing, advertised, and re-posted as
Admin	nistrative Law Judge for Baltimore County
CASE NUMBER 2018-0131-4 Filling Date 11.8	1/7 Estimated Posting Date 1/19/17 Boulever C

Rev 5/5/2016

Ai davit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

Address:	6621 EDENVALE RD	BALTIMORE	MD	21209	
	Print or Type Address of property	City	Sta	ate	Zip Code
Based up	oon personal knowledge,	the following are the f	acts upon whi	ch I/we base the req	uest for an
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(If add	itional space for the petition	request or the above sta	itement is neede	ed, label and attach it t	o this Form)
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Signature	of Owner (Affiant)		Signature of C	Owner (Affiant)	
MICHAEL	BONDI		MELISSA BO	NDI	
Name- Pri			Name- Print o		
, (0.110				••	
	The following information	on is to be completed by	a Notary Public	of the State of Marylan	ıd
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STATE (OF MARYLAND, COUNT	Y OF BALTIMORE, to	o wit:		
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and for th	e County aforesaid, person	ally appeared:			
	michael for	di, Melissa J	Bra-O'c		
Print name(s) h	iere: 111101001 1001	<u> </u>	50104		
the Affian	t(s) herein, personally know	n or satisfactorily identif	ied to me as su	ch Affiant(s).	
AS WITN	ESS my hand and Notaries	Seal (). M	blo		
		Notary Public	<u> </u>	 .	
		, , abile	12/15/18		
		My Commission E	xpires		

THE ZONING HEARING PROPERTY DESCRIPTION

Part A

Zoning Property Description For: 6621 Edenvale Road Baltimore MD 21209

Beginning at a point on the East side of Edenvale Rd which is 60 feet wide at the distance of 175 feet South of the centerline of the nearest improved intersecting street Greenspring Ave which is 60 feet wide.

Part B

Option 2 (subdivision lot - lot is part of record plat):

Being Lot #5, Block # N/A Section # N/A in the subdivision of Bonnie View Estates as recorded in Baltimore County Plat Book #78, Folio #135 containing 8,583 square feet, located in the 3rd Election District and the 2nd Council District.

CERTIFICATE OF POSTING

Date: 11-19-17

RE: Case Number: 2018-0131-A

Petitioner/Developer: <u>Helessa Bordi</u>

Date of Hearing/Closing: [2-4-17

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 6621 Chewale Rd



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2018- 0131 -A Address 6621 Eden vale Rd
Contact Person: Cary Hock Phone Number: 410-887-3391
Filing Date: 11/8/17 Posting Date: 11/19/17 Closing Date: 12/4/17
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2018-0131 -A Address 6621 Eder vale Rd 21209
Petitioner's Name Michael Bond, Mellisa Bond Telephone 443-844-1680
Posting Date: Closing Date:
Wording for Sign: To Permit a proposed addition with a rear
yard set back of 18 feet in lieu of the required
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Revised 6/30/2018

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KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

December 5, 2017

Michael & Melissa Bondi 6621 Edenvale Road Baltimore MD 21209

RE: Case Number: 2018-0131 A, Address: 6621 Edenvale Road

Dear Mr. & Ms. Bondi:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 8, 2017. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Daniel Ankri, 6803 Cherokee Drive, Baltimore MD 21209

(AV) 12-4-17

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 1 5 2017

OFFICE OF ADMINISTRATIVE HEARINGS

TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

November 15, 2017

SUBJECT:

DEPS Comment for Zoning Item

2018-0131-A

Address

6621 Edenvale Road

(Bondi Property)

Zoning Advisory Committee Meeting of November 20, 2017.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer:

Steve Ford

Date: 11-15-2017







STATE HIGHWAY ADMINISTRATION Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater Administrator

Date: 11/13/17

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2018-0131-A

Administrative Variance

Michael = Melissa Bondi

6621 Edenvale Road

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.

Metropolitan District Engineer

Maryland Department of Transportation

State Highway Administration

District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Hon. Lawrence M. Stahl; Managing Administrative Law Judge

Office of Administrative Hearings

FROM:

Jeff Livingston, Department of Environmental Protection and

Sustainability (EPS) - Development Coordination

DATE:

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SUBJECT:

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2018-0131-A

Address

6621 Edenvale Road

(Bondi Property)

Zoning Advisory Committee Meeting of November 20, 2017.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer:

Steve Ford

Date: 11-15-2017

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 5, 2017

Department of Permits, Approvals

And Inspections

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 20, 2017 Item No. 2018-0131-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Amend the Final Development Plan (Bonnie View Estates Phase 3) for Lot #5.

VKD: efc cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 26, 2018

Department of Permits, Approvals

MY

FROM:

Vishnu Desai, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 12, 2018

Item No. 2019-0129-A, 0130-A, 0131-A, 0132-A, 0133-SPHA, 0134-A, 0135-A, 0136-A, 0137-A, 0096-A, 0139-A, 0140-A, 0144-SPHA and 0149-

Α

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

VKD: cen cc: file

Real Property Data Search (w3)

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2018-013/-A





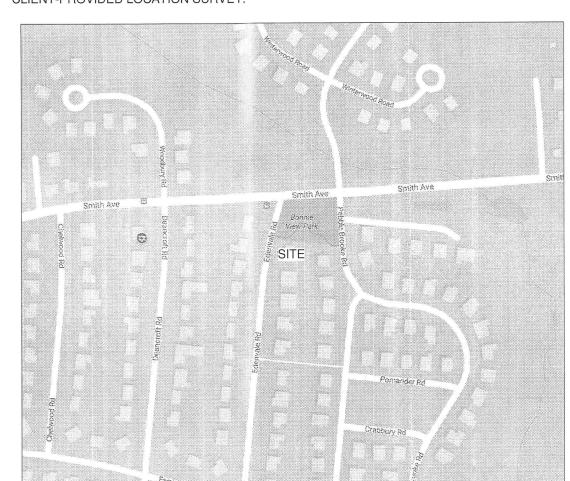
Real Property Data Search

Search Result for BALTIMORE COUNTY

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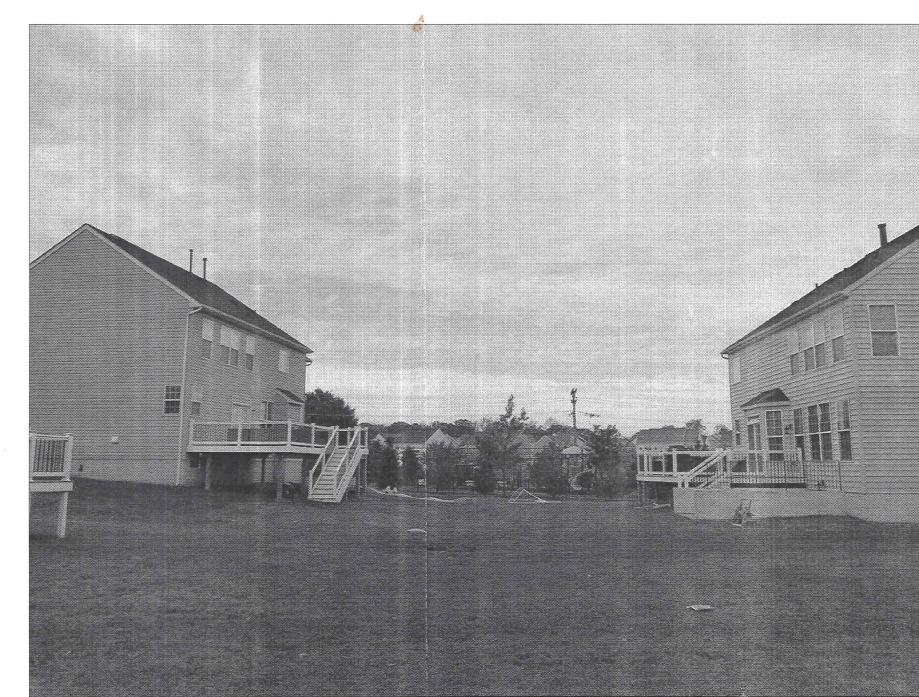
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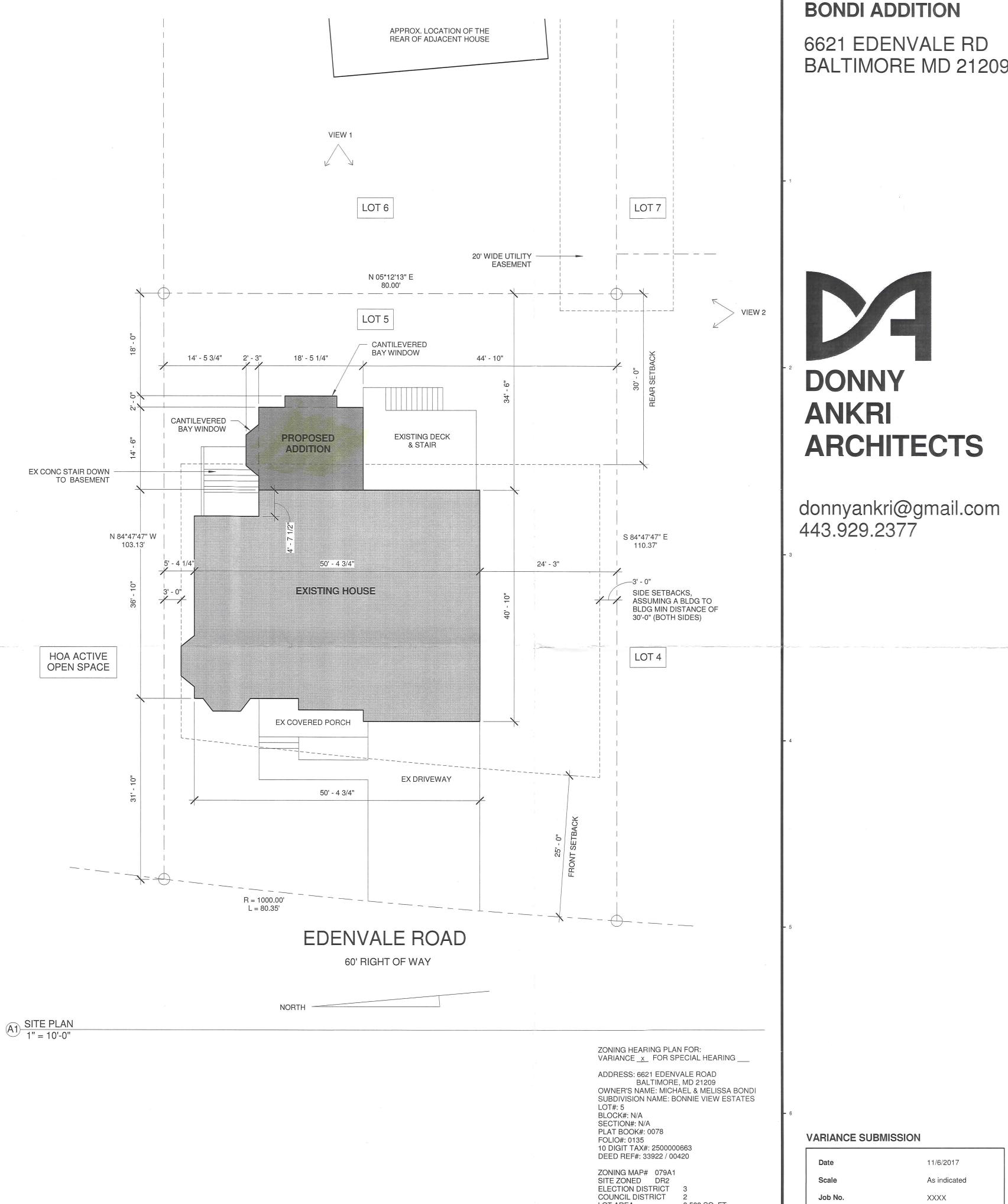
VICINITY PLAN (NOT TO SCALE) TAKEN FROM GOOGLE MAPS



EXISTING PHOTO - VIEW 1



EXISTING PHOTO - VIEW 2



VARIANCE SUBMISSION

8,583 SQ. FT. NO

LOT AREA

LOT AREA 8,58
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK X
WATER IS:
PUBLIC _x PRIVATE __
SEWER IS:
PUBLIC _x PRIVATE __
PRIOR HEARING? NO

11/6/2017 As indicated Drawn By

BONDI ADDITION

DONNY

ANKRI

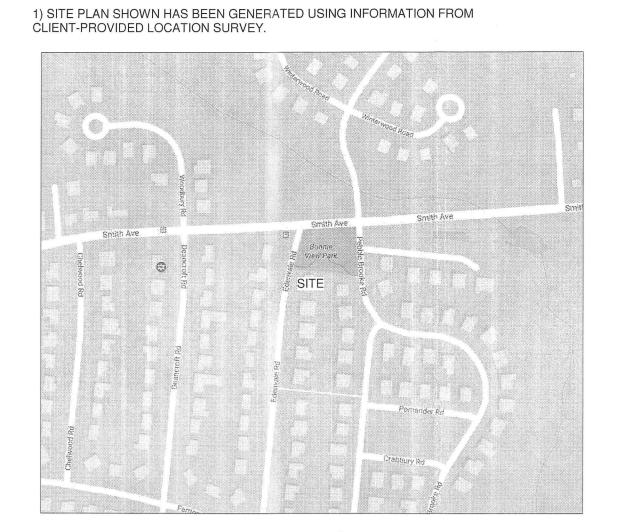
ARCHITECTS

6621 EDENVALE RD

BALTIMORE MD 21209

Drawing No. A0.01
2018 - 0131-A

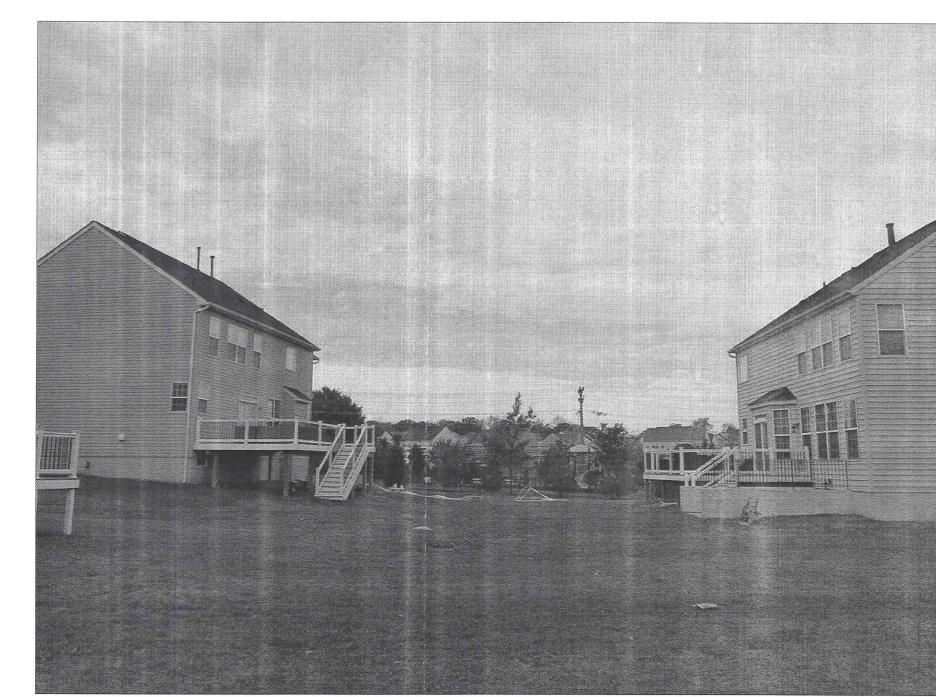
NOTES



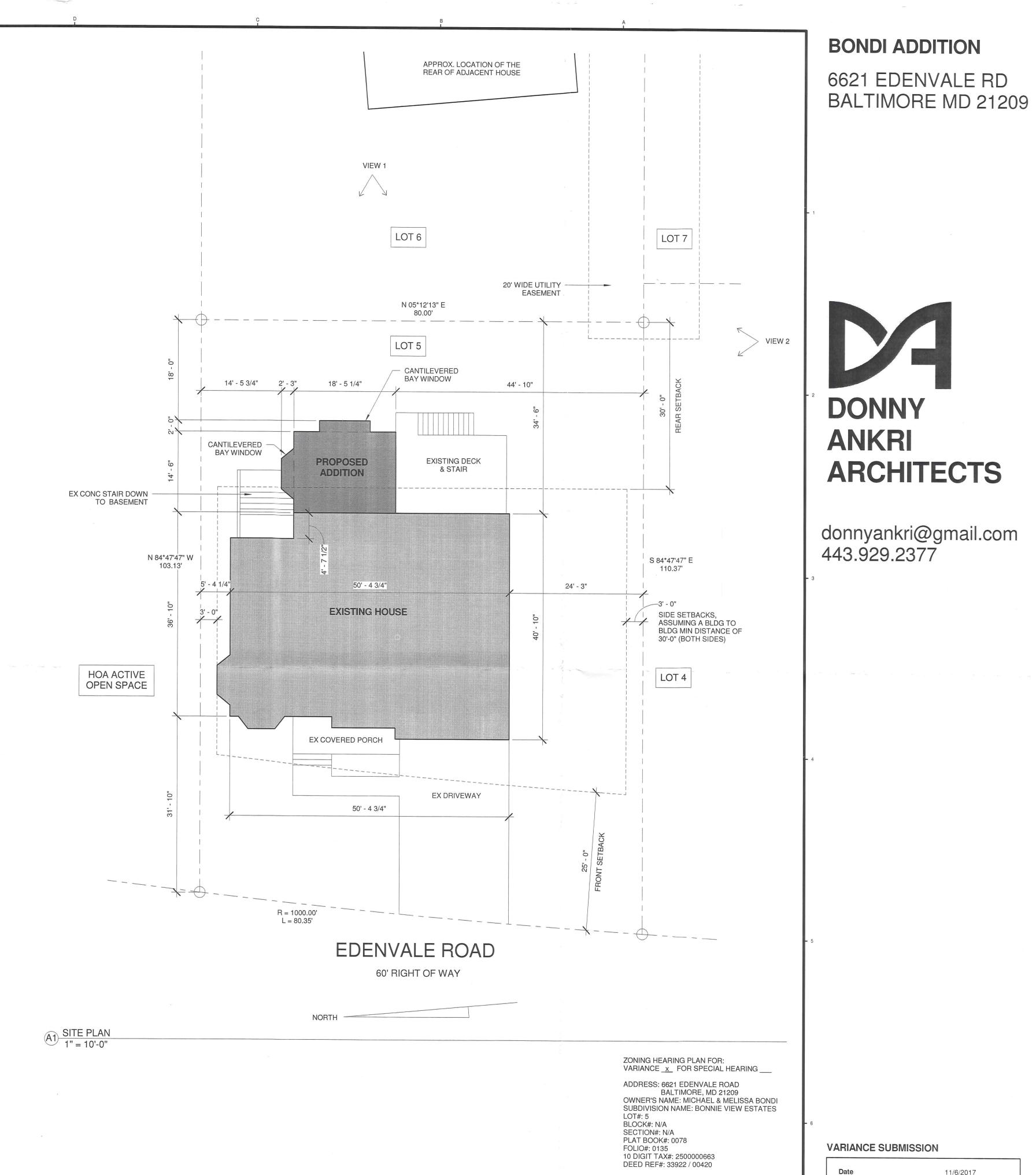
VICINITY PLAN (NOT TO SCALE) TAKEN FROM GOOGLE MAPS



EXISTING PHOTO - VIEW 1



EXISTING PHOTO - VIEW 2



VARIANCE SUBMISSION

11/6/2017 As indicated Job No. XXXX Drawn By DA

SITE PLAN

ZONING MAP# 079A1 SITE ZONED DR2 ELECTION DISTRICT COUNCIL DISTRICT

COUNCIL DISTRICT 2
LOT AREA 8,583
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES? MARK X
WATER IS:
PUBLIC _x PRIVATE __
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PUBLIC _x PRIVATE __
PRIOR HEARING? NO

8,583 SQ. FT.

Drawing No. **A0.01**

