

M E M O R A N D U M

DATE: May 21, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0273-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 20, 2019. 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	*	BEFORE THE
(7313 Bellona Avenue)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
2 nd Council District		
Steven R. & Roberta J. Shaw, <i>Trustees</i>	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0273-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, Steven R. and Roberta J. Shaw, *Trustees* (“Petitioners”). The Petitioners are requesting Variance relief pursuant to § 400.1 of the Baltimore County Zoning Regulations (“BCZR”) to approve an accessory structure (garage) in the front side yard in lieu of the required rear yard. 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 March 29, 2019, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 4-19-19

By SW

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

Although the Department of Planning did not make any recommendations related to the proposed detached garage's height and usage, I will impose conditions that the garage shall not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, or used for commercial purposes.

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

THEREFORE, IT IS ORDERED, this 19th day of **April, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 400.1 of the Baltimore County Zoning Regulations ("BCZR") to approve an accessory structure (garage) in the front side yard in lieu of the required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

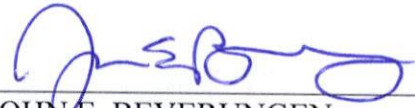
- Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
- Petitioners or subsequent owners shall not convert the garage into a dwelling unit or apartment. The proposed garage shall not contain any sleeping quarters, living area, and kitchen or bathroom facilities.
- The proposed garage shall not be used for commercial purposes.

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Date 4-19-19

By OW

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 4-19-19

By dlw



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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

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

Address 7313 Bellona Ave Currently zoned DR-1
 Deed Reference Book 40916 1 p. 212 10 Digit Tax Account # 1700008266
 Owner(s) Printed Name(s) Steven R Shaw, Trustee and Roberta J Shaw, Trustee

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

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

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

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 BL22 TO APPROVE AN ACCESSORY STRUCTURE (garage) in the front side yard in lieu of the required rear yard

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

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

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

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

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

Owner(s)/Petitioner(s):

Steven R Shaw, Trustee Roberta J Shaw, Trustee
 Name #1 - Type or Print Name #2 - Type or Print

SR Shaw Trustee Roberta J Shaw Trustee
 Signature #1 Signature #2

7313 Bellona Ave Baltimore, MD
 Mailing Address City State

21212 505-695-9253 SRKSHAW@msn.com
 Zip Code Telephone # Email Address

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

Name- Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print
 Signature
 Mailing Address City State
 Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 21 day of April, 2019 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0273-A Filing Date 3/19/19 Estimated Posting Date 3/31/19 Reviewer LF

Affidavit in Support of Administrative Variance

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

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

Address: 7313 Bellona Ave Baltimore MD 21212
Print or Type Address of property City State Zip Code

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

Due to Topography the only location for the detached garage is as shown on the plan. It would be an undue hardship to place it anywhere else because of steep drop-offs to Towson Run.

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

Steven R Shaw
Signature of Owner (Affiant)

Steven R Shaw, Trustee
Name- Print or Type

Roberta J Shaw, Trustee
Signature of Owner (Affiant)

Roberta J Shaw, Trustee
Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of March 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

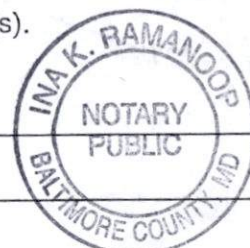
Print name(s) here: STEVEN R. SHAW & ROBERTA J. SHAW

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

AS WITNESS my hand and Notaries Seal

Ina K. Ramanoop
Notary Public

My Commission Expires 9/23/2020



My Commission Expires 9/23/2020

Affidavit in Support of Administrative Variance

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

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Print or Type Address of property City State Zip Code

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

Due to topography the only location for the detached garage is as shown on the plan. It would be an undue hardship to place it anywhere else because of steep drop-offs to Tolson Run.

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

Steven R Shaw, Trustee
Signature of Owner (Affiant)

Steven R Shaw, Trustee
Name- Print or Type

Roberta J Shaw, Trustee
Signature of Owner (Affiant)

Roberta J Shaw, Trustee
Name- Print or Type

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STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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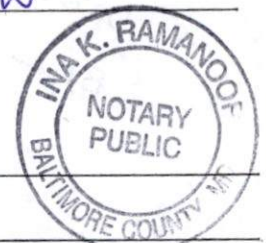
Print name(s) here: STEVEN R. SHAW & ROBERTA J. SHAW

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

AS WITNESS my hand and Notaries Seal

Ina K. Ramonoff
Notary Public

9/23/2020
My Commission Expires



My Commission Expires 9/23/2020
REV. 5/5/2016

DKR



A IN RATIVE ZONING PETITIC

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

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

Address 7313 Bellona Ave Currently zoned PR-1
Deed Reference Book 409116 p 212 10 Digit Tax Account # 1700008266
Owner(s) Printed Name(s) Steven R Shaw, Trustee and Roberta J Shaw, Trustee

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

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

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

- ☒ **ADMINISTRATIVE VARIANCE** from Section(s) 400.1 BC22 TO APPROVE an accessory structure (garage) in the front side yard in lieu of the required rear yard

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

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

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

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

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

Owner(s)/Petitioner(s): Trustee

Steven R Shaw, Trustee Roberta J Shaw, Trustee
Name #1 - Type or Print Name #2 - Type or Print

SR Shaw Roberta J Shaw
Signature #1 Signature #2

7313 Bellona Ave Baltimore, MD
Mailing Address City State

21212 505-695-9253 SRKSHAW@MSN.COM
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this BY day of April, 2019 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019-0273-A Filing Date 3/19/19 Estimated Posting Date 3/31/19 Reviewer CP

Zoning Petition Property Description

PART A: ZONING PROPERTY DESCRIPTION FOR 7313 Bellona Avenue Baltimore 21212.

Beginning at a point on the north side of Bellona Avenue which is 37 feet wide at a distance of 580 feet northwest of the centerline of the nearest improved intersecting street Brightside Road which is 30 feet wide.

PART B - OPTION 2 (Subdivision Lot – lot is part of record plat):

Being Lot #5, in the subdivision of Martin's Choice as recorded in Baltimore County Plat Book #39, Folio #109, containing 6.08 acres. Located in the 9th Election District and 2nd Council District.

2019-0273-1A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 3/29/2019

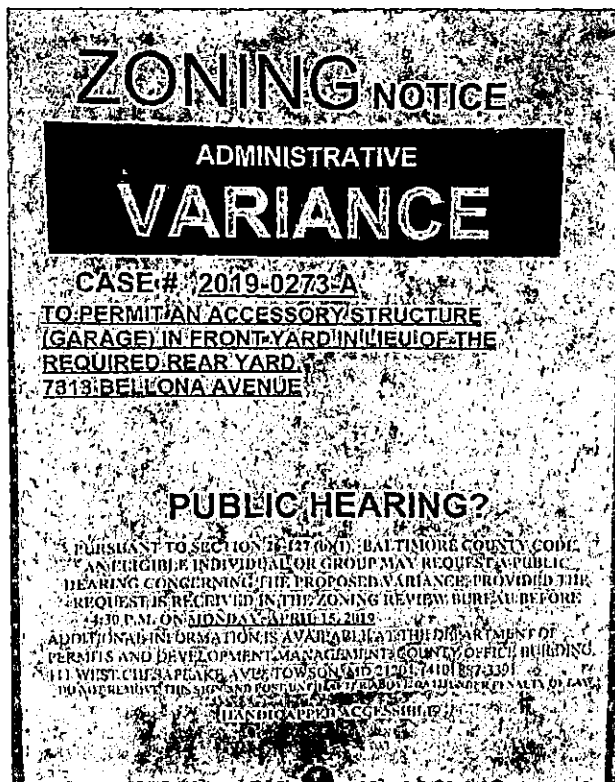
Case Number: 2019-0273-A

Petitioner / Developer: STEVE & ROBERTA SHAW

Date of Closing: APRIL 15, 2019

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:
7313 BELLONA AVENUE

The sign(s) were posted on: **MARCH 29, 2019**



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



Background Photo 1st Sign Posted @ 7313 Bellona Ave. 3/29/2019



Background Photo 2nd Sign Posted @ 7313 Bellona Ave. 3/29/2019
CASE # 2019-0273-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0273 -A Address 7313 Bellona Ave

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

Filing Date: 3-19-19 Posting Date: 3-31-19 Closing Date: 4-15-19

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

- 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.
- DEADLINE:** The closing date is the deadline for a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
- 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.
- 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 2019- 0273 -A Address 7313 Bellona Ave

Petitioner's Name Steve & Robert Shaw Telephone 505-695-9253

Posting Date: 3-31-19 Closing Date: 4-15-19

Wording for Sign: To Permit An Accessory Structure (garage) in Front
Yard in Lieu of The Required Rear yard

Revised 6/30/2019

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

No. **181931**

PAID RECEIPT

Date: **3-19-19**

BUSINESS ACTUAL TIME DRW
 3/19/2019 3/19/2019 10:15:41 5

REG WSDS WALKIN LRB
 >>RECEIPT # 000297 3/19/2019 OFLN

Dept 5 528 ZONING VERIFICATION
 181931

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Recpt Tot \$ 75.00
 75.00 CK .00 CA
 Baltimore County, Maryland

Total: **75.00**

Rec From: **Garage**
~~11111~~ Admin V 2019-0273-A

For: **7313 Bellona Ave**
Steve & Roberta Snow

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 12, 2019

Steven Shaw & Robert Shaw
7313 Bellona Ave
Baltimore MD 21212

RE: Case Number: 2019-0273-A, 7313 Bellona Ave

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 March 19, 2019. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION

STATE HIGHWAY
ADMINISTRATION

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

Date: 3/25/19

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 3/25/19. A field inspection and internal review reveals that an entrance onto MD134 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Administrative Variance, Case Number 2019-0273-A.

Steven R. Shaw, Trustee and Robert D. Shaw
7313 Bellona Avenue
MD134

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 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

4-15

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: March 28, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0273-A
Address 7313 Bellona Avenue
(Shaw Property)

Zoning Advisory Committee Meeting of **April 1, 2019**.

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

Reviewer: Steve Ford

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>3-28</u>	DEPS (if not received, date e-mail sent _____)	<u>UC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>3-25</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>3-29-19</u>	by <u>O'Keefe</u>
SIGN POSTING (2 nd)	Date: _____	by _____
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Tax Exempt:		Special Tax Recapture:
Exempt Class:		NONE
Account Identifier:		District - 09 Account Number - 1700008226
Owner Information		
Owner Name:	SHAW STEVEN ROMEYN TRUSTEE SHAW ROBERTA JEAN TRUSTEE	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	7313 BELLONA AVE BALTIMORE MD 21212-1009	Deed Reference: /40916/ 00212
Location & Structure Information		
Premises Address:	7313 BELLONA AVE BALTIMORE 21212-1009	Legal Description: 6.08 AC 7313 BELLONA AVE MARTINS CHOICE
Map:	Grid:	Parcel:
0069	0023	0713
Sub District:	Subdivision:	Section:
	0000	
Block:	Lot:	Assessment Year:
	5	2017
Plat No:	Plat Ref:	
	0039/ 0109	
Special Tax Areas:		Town: NONE
		Ad Valorem:
		Tax Class:
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1979	2,010 SF	1100 SF
Property Land Area	County Use	
6.0800 AC	04	
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
FRAME	2 full/ 1 half	1 Attached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2017
Land:	872,400	872,400
Improvements	189,700	232,500
Total:	1,062,100	1,104,900
Preferential Land:	0	
		Phase-in Assessments
		As of 07/01/2018
		As of 07/01/2019
		1,090,633
		1,104,900
		0
Transfer Information		
Seller: MCGILL JAMES	Date: 11/29/2018	Price: \$899,900
Type: ARMS LENGTH IMPROVED	Deed1: /40916/ 00212	Deed2:
Seller: HOLDER LAWRENCE E	Date: 12/18/1997	Price: \$465,000
Type: ARMS LENGTH IMPROVED	Deed1: /12559/ 00202	Deed2:
Seller: DUNN EDWARD K,JR	Date: 09/16/1976	Price: \$72,500
Type: ARMS LENGTH IMPROVED	Deed1: /05676/ 00377	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2018
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		

Homestead Application Status: Appl: n received

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

ZAC AGENDA

Case Number: 2019-0272-A **Reviewer:** Aaron Tsui
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Ronald & Jessica Chiu
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 1 **Council Dist:** 1

Property Address: 2313 WESTCHESTER AVE
Location: ES of Westchester Ave; 150 ft NE of the centerline of Oella Ave.

Existing Zoning: DR 1 **Area:** 12,658

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

A side yard setback of 9 feet in lieu of the otherwise required 20 feet per BCZR, 1B02.3.C.1, and a sum of 20 feet side yard width in lieu of the otherwise required 50 feet. To permit a front yard setback of 19 feet in lieu of the otherwise required 50 feet per BCZE and 1B02.3.C.1.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 04/15/2019

Miscellaneous Notes:

Case Number: 2019-0273-A **Reviewer:** Christina Frink
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: Steven R. Shaw, Trustee and Robert J. Shaw
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 7313 BELLONA AVE
Location: On the right side of Bellona Ave, 580 feet NW of Brightside Road.

Existing Zoning: DR 1 **Area:** 264,844

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To approve an accessory structure garage in the front right side yard in lieu of the required rear yard.

Attorney: Not Available

Prior Zoning Cases: None

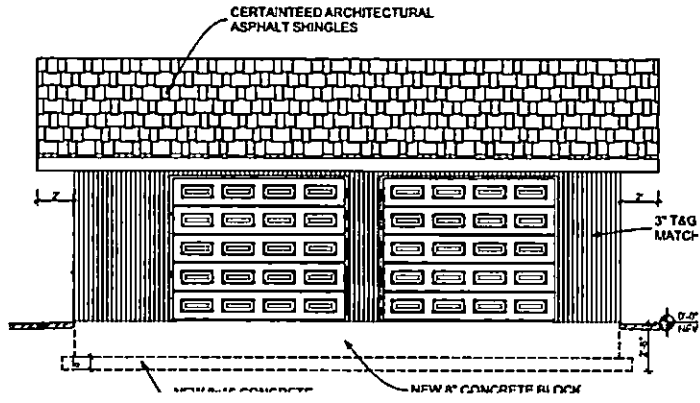
Concurrent Cases: None

Violation Cases: None

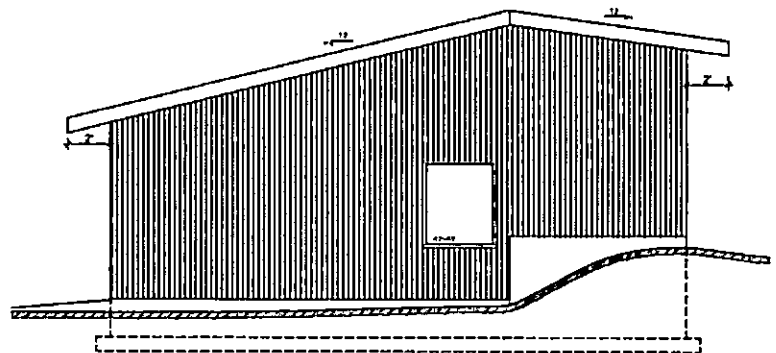
Closing Date: 04/15/2019

Miscellaneous Notes:

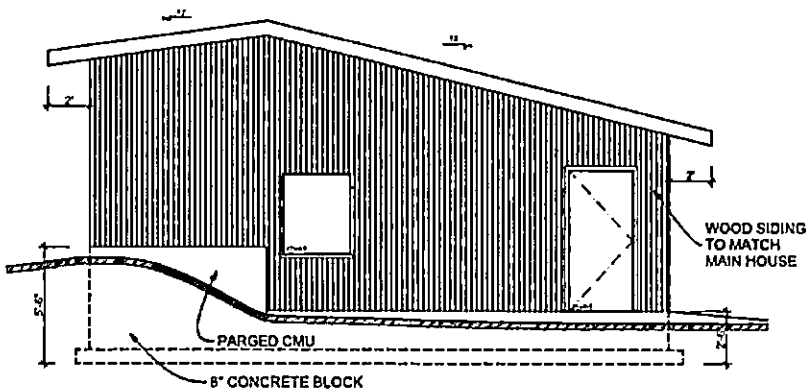
Proposed Detached Garage Elevations



1 GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



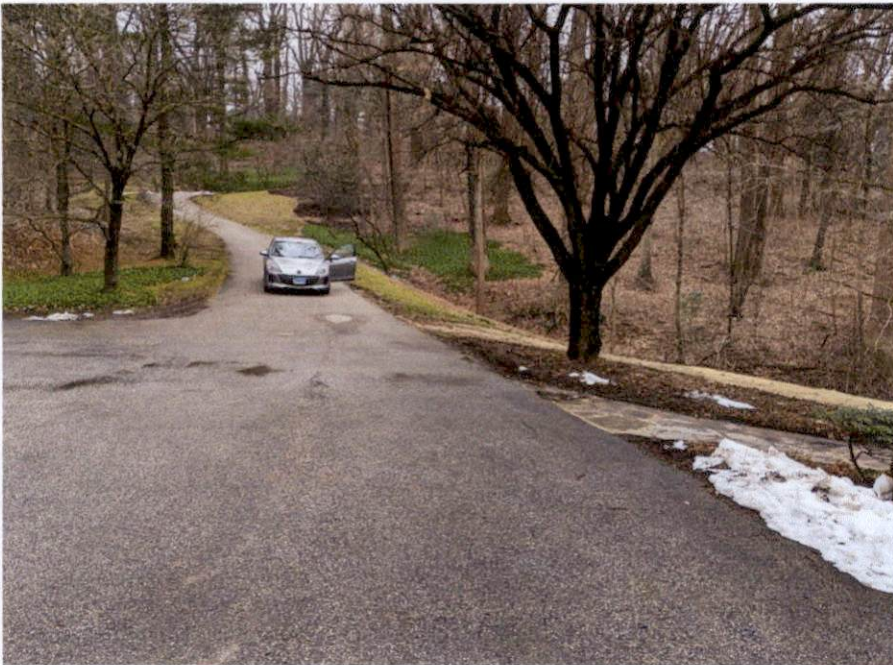
3 GARAGE ELEVATION
SCALE: 1/4" = 1'-0"



2 GARAGE ELEVATION
SCALE: 1/4" = 1'-0"

2019-0273-A

Viewsheds from house at 7313 Bellona Aven



Looking south from existing garage towards 7311 and 7315 Bellona Ave. Long driveway and steep grade buffer views from adjacent properties

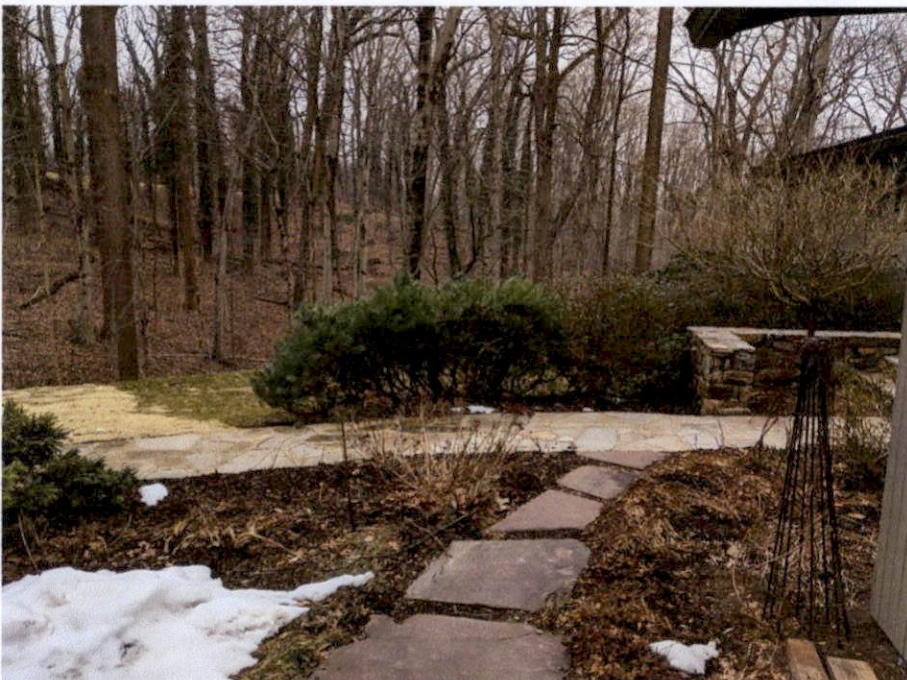


Looking east from existing garage to location of proposed two car detached garage to go where basketball hoop sits. Large, wooded hill buffers this property from adjacent property to the east.

2019-0273-A



Looking southwest from existing garage. White structure in background is the detached garage at 7315 Bellona Avenue.



Looking west from existing garage

2019-0273-A



Looking north from existing garage. Property drops significantly in grade at back of structure towards Towson Run.

Community Association Approval

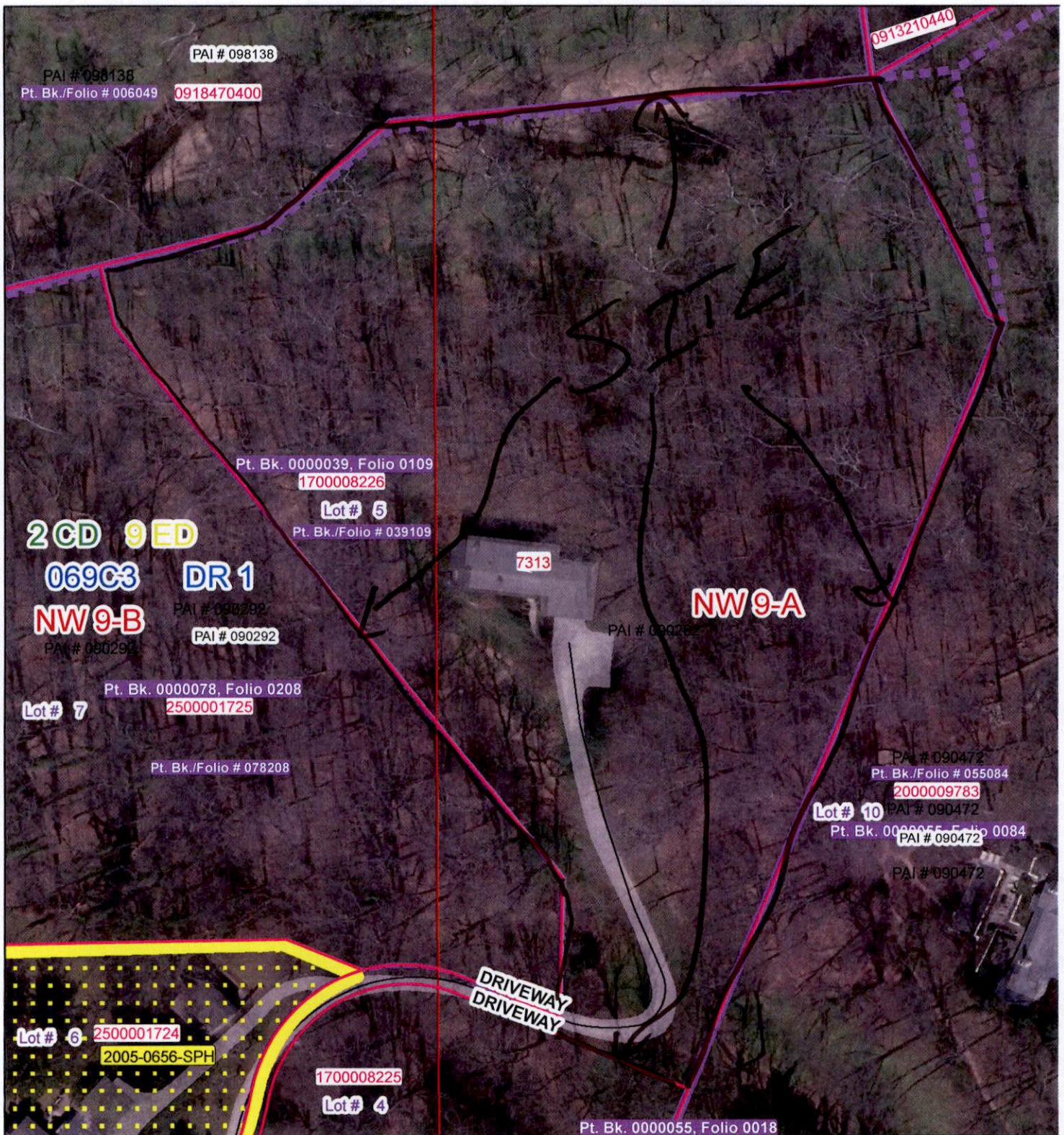
See screenshot of email with Martin's Choice Association Approval to project designer Brian Thim. Please note that Mike Mangan is the Martin's Choice HOA Architectural Review Committee chair and a resident at 7309 Bellona Ave.

From: Mike Mangan [mailto:mdmangan@aol.com]
Sent: Sunday, January 27, 2019 4:04 PM
To: Brian Thim
Cc: 'Mike Mangan'
Subject: RE: Shaw Residence 7313

Brian – I have solicited approval from the Association members, and have not received any objections or concerns. The Architectural Committee hereby approves the project. Best of luck with the project. Regards, Mike

2019-0273-A

7313 Bellona Ave



Publication Date: 3/19/2019



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

2019-0273-A

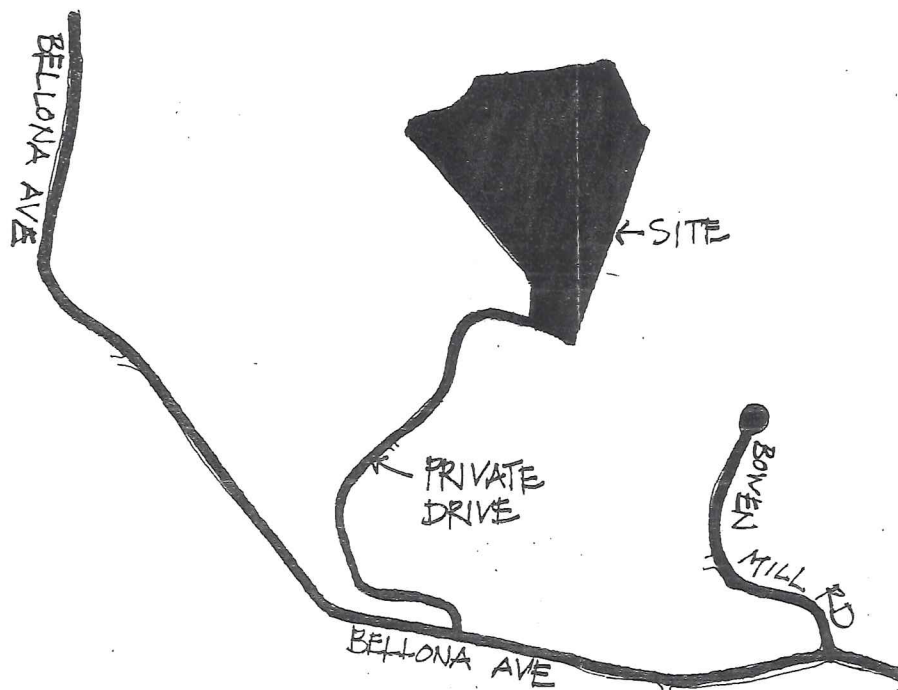


4-21-6 10:10

ZONING HEARING PLAN FOR VARIANCE_____ FOR SPECIAL HEARING_____

ADDRESS: 7313 BELLONA AVENUE OWNERS NAMES: STEVEN AND ROBERTA SHAW
SUBDIVISION NAME: MARTIN'S CHOICE LOT#: 5 BLOCK#: N/A SECTION#: N/A
PLAT BOOK#: 039 FOLIO#: 109 10 DIGIT TAX #: 1700008226 DEED REF.#:40916/212

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP #: 069C3

SITE ZONED: DR-1

ELECTION DISTRICT: 9

COUNCIL DISTRICT: 02

LOT ACREAGE: 6.08

OR SQ FT: 264844.8

HISTORIC? NO

IN CBCA? NO

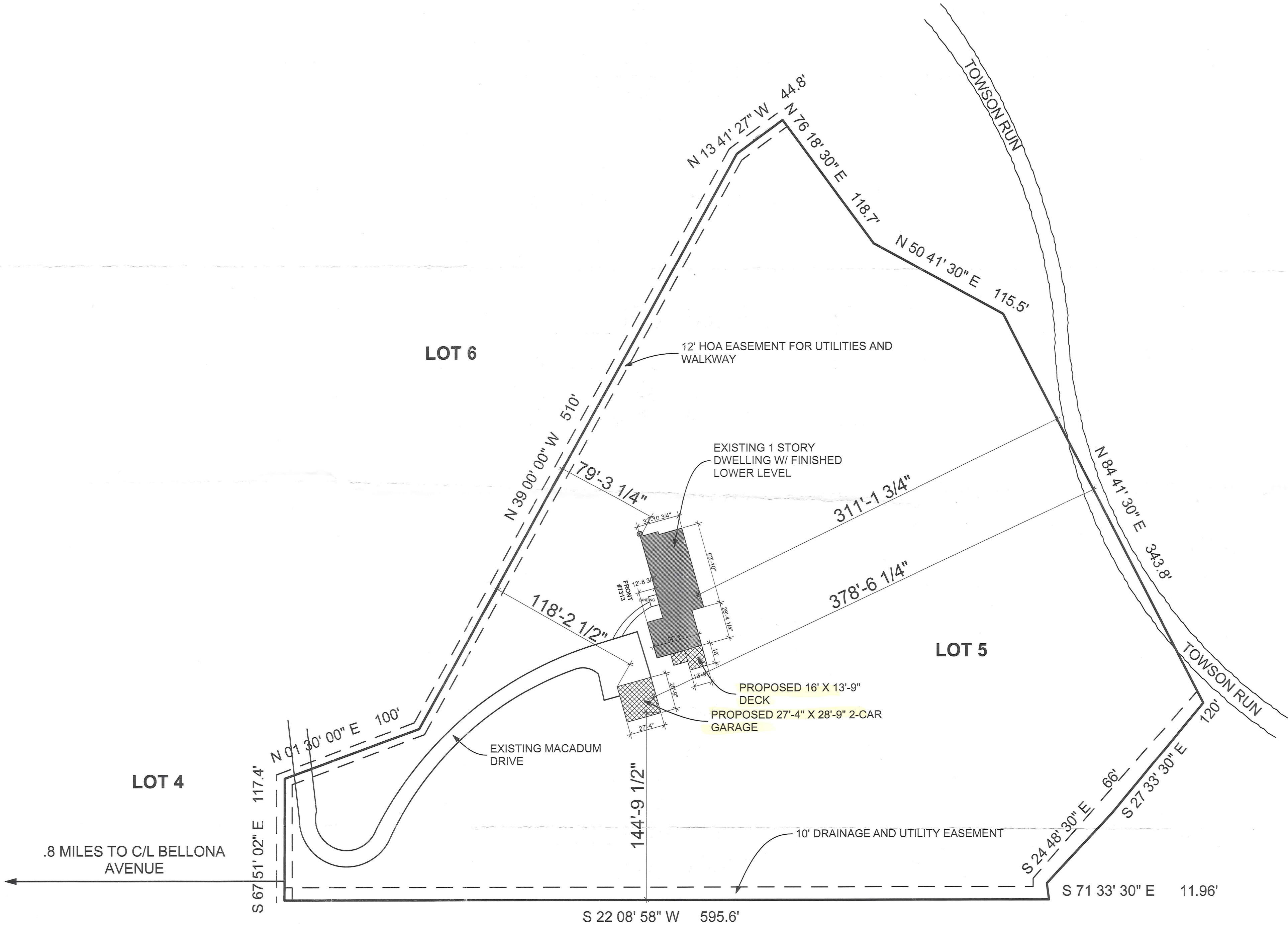
IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:
PUBLIC: X PRIVATE:

SEWER IS:
PUBLIC: X PRIVATE

PRIOR HEARING: NO
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW



PLAN DRAWN BY: BRIAN THIM, CID DATE: MARCH 8, 2019 SCALE: 1" = 50'-0"

VIOLATION CASE INFO:

2019-0273-A Pet. Sch. 1