

Letter of Explanation – Revised
RE: Special Exception Application 2025-0141-S
5825 Belle Grove Rd, Brooklyn, MD 21225
Date: July 28, 2025

To the Office of Planning and Zoning:

This letter is submitted in support of the revised Administrative Site Plan and accompanying documents for the above-referenced special exception request to expand a registered nonconforming use at 5825 Belle Grove Road.

In accordance with Section 18-15-103 and Section 18-16-304 of the Anne Arundel County Zoning Code, we offer the following statements to demonstrate compliance with the special exception criteria:

1. Section 18-15-103 – General Standards

- **Harmony with the Comprehensive Plan:** The existing use of the property as a two-unit residential structure has been long established. The proposed expansion does not increase the number of dwelling units, but seeks to formally align current use with zoning standards.
- **No adverse effect on neighboring properties:** The expansion maintains the existing residential character and footprint of the structure, with no anticipated impact on public safety, traffic, or surrounding uses.
- **Public utilities and services:** The property is currently served by public water, sewer, and emergency services and will continue to be adequately served without additional strain.

2. Section 18-16-304 – Expansion of Nonconforming Uses

- **Does not exceed 30% increase:** As shown on the attached Administrative Site Plan, the proposed expansion remains within the 30% threshold per unit, clearly labeled and dimensioned.
- **Maintains compatibility:** No change to the exterior façade is proposed beyond the minimal expansion. The materials, scale, and orientation remain consistent with the original structure.
- **Necessary for continued viability:** The formal expansion is sought to bring the property into compliance and maintain its long-standing residential utility as a multi-unit structure.

We respectfully request your review and consideration of the enclosed materials and appreciate your guidance throughout this process.

Sincerely,
Sharon Turner
Owner of Record
410-598-1231
linetteturner@gmail.com/turnerrentalsllc57@gmail.com

SITE PLAN

Address:

5825 BELLE GROVE RD
BALTIMORE, MD 21225

Assessor's Parcel Number:

05-624-07799400

Parcel Area:

0.09 Acres

Land Use:

Residential

Single Family Residence

Zoning: R5

Legal Description:

LT 361 5825 BELLE GROVE RD
PATAPSCO PARK

Subdivision:

/

Owner: TURNER, SHARON
LINETTE

Paper size & scale:

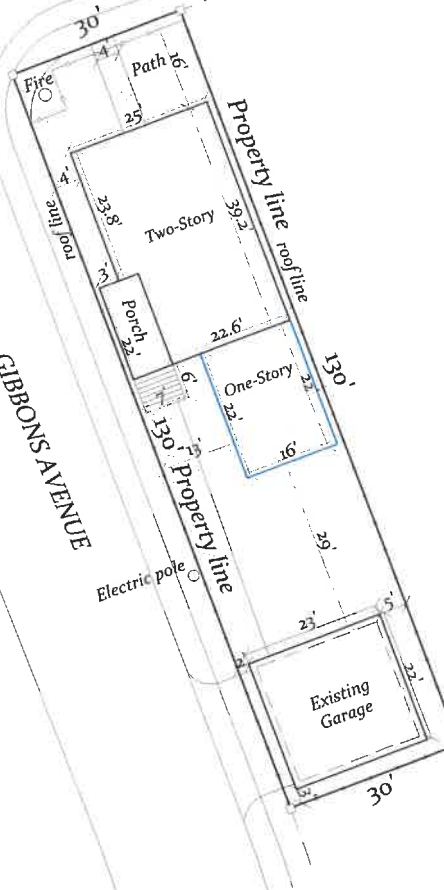
11" x 17"; 1" = 20'

Date: July, 2025

BELLE GROVE RD

GIBBONS AVENUE

Electric pole



Scale:

1" = 20'

Paper size:

11" x 17"

Legend

- Property line
- Topography line
- Wall line
- Roof line
- Retaining wall
- Fence
- Proposed addition

Disclaimer

This is not a Legal Survey, nor is it intended to be or replace one. These measurements are approximate and are for illustrative purposes only.

This work product represents only generalized location of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise location of any feature, object or boundary.

Graphic scale



FLOOR PLAN

Address:

5825 Belle Grove Rd
Brooklyn Park, MD 21225

Assessor's Parcel Number:

05-624-07799400

Parcel Area:

0.09 Acres

Land Use:

Residential
Single Family Residence

Zoning:

R5

Legal Description:

LT 361
5825 BELLE GROVE RD
PATAPSCO PARK

Subdivision:

/

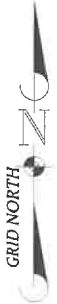
Owner: TURNER, SHARON
LINETTE

Paper size & scale:

11" x 17"; 1/10" = 1'0"

Date:

July, 2025



Scale:
1"=10'

Paper size:
11" x 17"

Legend

- Property line
- Topography line
- Wall line
- Roof line
- Retaining wall
- Fence
- Proposed addition

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Graphic scale



CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 WEST STREET, SUITE 100
ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date: 7/12/2025

Tax Map #	Parcel #	Block #	Lot #	Section
0001	0254		361	

FOR RESUBMITTAL ONLY

Corrections ☐
Redesign ☐
No Change ☐
Non-Critical Area ☐

*Complete Only Page 1
General Project Information

Tax ID: 0562407799400

Project Name (site name, subdivision name, or other) 5825 Belle Grove Road Special Exception

Project location/Address 5825 Belle Grove Rd

City Brooklyn Park Zip 21225

Local case number Pre-File No.: 2025-0049-P

Applicant: Last name Turner First name Sharon

Company

Application Type (check all that apply):

Building Permit	<input type="checkbox"/>	Variance	<input type="checkbox"/>
Buffer Management Plan	<input type="checkbox"/>	Rezoning	<input type="checkbox"/>
Conditional Use	<input type="checkbox"/>	Site Plan	<input type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Special Exception	<input checked="" type="checkbox"/>
Disturbance > 5,000 sq ft	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>
Grading Permit	<input type="checkbox"/>	Other	<input type="checkbox"/>

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

Request for Special Exception to expand floor area within an existing two-family dwelling registered under nonconforming use.

Intra-Family Transfer ☒ Yes
Grandfathered Lot ☐

Growth Allocation ☐ Yes
Buffer Exemption Area ☐

Project Type (check all that apply)

Commercial ☐
Consistency Report ☐
Industrial ☐
Institutional ☐
Mixed Use ☐
Other ☐

Recreational ☐
Redevelopment ☐
Residential ☒
Shore Erosion Control ☐
Water-Dependent Facility ☐

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area	0.09	3,900
LDA Area		
RCA Area		
Total Area	0.09	3,900

Total Disturbed Area Acres Sq Ft

of Lots Created 0

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0	0	Existing Lot Coverage	0.05	2,200
Created Forest/Woodland/Trees			New Lot Coverage	0	0
Removed Forest/Woodland/Trees	0	0	Removed Lot Coverage	0	0
			Total Lot Coverage	0.05	2,200

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance	0.0036	158	Mitigation		

Variance Type

Buffer ☐
Forest Clearing ☐
HPA Impact ☐
Lot Coverage ☐
Expanded Buffer ☐
Nontidal Wetlands ☐
Setback ☐
Steep Slopes ☐
Other ☒ Special Exception for floor area expansion within existing dwelling (nonconforming use)

Structure

Acc. Structure Addition ☐
Barn ☐
Deck ☐
Dwelling ☐
Dwelling Addition ☒
Garage ☐
Gazebo ☐
Patio ☐
Pool ☐
Shed ☐
Other ☐

Critical Area Narrative

5825 Belle Grove Road, Brooklyn, MD 21225

1. Proposed Use of Property

The subject property is an existing two-family residential dwelling registered under a nonconforming use. The proposed Special Exception request seeks to expand the floor area within one of the two approved dwelling units. The property is fully developed and serves as residential use only; no commercial, industrial, or maritime activity exists or is proposed.

2. Vegetation and Mitigation

The property is located within the Chesapeake Bay Critical Area and is designated as IDA (Intensely Developed Area). No forested or heavily vegetated areas exist on site. The site is largely covered by structures, paved driveway, and maintained lawn with ornamental shrubs and grass. No disturbance to existing vegetation is anticipated.

3. Water Quality Protection Measures

The project does not propose any new construction or land disturbance. All stormwater runoff from existing impervious surfaces is managed by existing municipal infrastructure. No additional stormwater management systems or erosion controls are required because no grading or soil disturbance is planned.

4. Impervious Surface Calculation

The property consists of approximately 3,900 square feet (0.09 acres). Current impervious surfaces, including the house, driveway, and walkways, remain unchanged. No new impervious surfaces are proposed, and no reduction in vegetated area is anticipated.

5. Habitat Protection Areas

There are no Habitat Protection Areas (HPAs) on the property. The site contains no expanded buffers, steep slopes greater than 15%, or sensitive habitat areas such as tidal wetlands or rare species habitats. No impact to plant or wildlife habitats of local significance is expected.

ADMINISTRATIVE DECISION

Leona James
5825 Belle Grove Road
Baltimore, MD 21225

ASSESSMENT DISTRICT: Fifth
NC NUMBER: 12-95
PREMISE: 5825 Belle Grove Road
Baltimore, MD 21225

This Administrative Decision is the direct result of an application by Leona James to register 5825 Belle Grove Road, Baltimore, Maryland 21225 as a lawful nonconforming use pursuant to Article 28, Section 14-103 of the Anne Arundel County Zoning Ordinance. Such registration is a prerequisite to obtaining a Zoning Certificate of Use, as required by Article 28, Section 1-128, and for applying for a Special Exception to expand a nonconforming use under the provisions of Article 28, Section 12-220.

The administrative process in this case was undertaken in accordance with the provisions of Article 28, Section 14-103, which charge the Department of Planning and Code Enforcement with the responsibility of determining the lawful nonconforming status of each applicant's operation, and has resulted in the compilation of documents, maps, photographs, and other material supplied by the applicant or collected by this Office. The material supports the following findings of fact.

The subject site consists of 3900 square feet, more or less, located approximately 30 feet along the south side of Belle Grove Road approximately 130 feet east of Gibbons Avenue. The property is designated as Parcel 254, Block 23, Tax Map 1. The site is further described in the latest deed recorded among the Anne Arundel County Land Records at Liber JHH 304 Folio 107.

The site is presently zoned R5 Residential District effective June 12, 1989 the date of the comprehensive rezoning for the Fifth Tax Assessment District.

The site is currently being used as two unit dwelling with the following uses and facilities, as shown on a site plan Exhibit "C" prepared by Paul J. Carter dated May 21, 1995:

First Dwelling Unit - 1st floor with 305 square feet and second floor with 714 square feet for a total of 1019 square feet of floor area used as a residence.

Second Dwelling Unit - 1st floor front lower level efficiency apartment with 670 square feet of floor area used as a residence.

Garage - 405 square feet used as a two car residential garage.

Basement - 265 square feet used for residential storage.

In order to qualify as lawfully nonconforming, each use of the subject property must satisfy the provisions of Article 28, Title 14 of the 1971 Zoning Ordinance as recodified in 1985, and, if appropriate, Sections 13-310 and 13-311 of the 1952 Zoning Ordinance. Article 28, Title 14 of the 1971 Code requires that in order for a nonconforming use to be lawful, such use shall have been lawful under the 1952 Code, and that a nonconforming use lapses if it ceases for a period of time longer than twelve consecutive months. The 1952 Code required that a lawful nonconforming use has to predate the regulations, and could not be abandoned for longer than 12 consecutive months. Therefore, in this case, the Administrative Decision shall determine: (1) whether a lawful nonconforming use existed at the time of adoption of the 1952 regulations, (2) whether a lawful nonconforming use existed at the time of the adoption of the 1971 regulations, (3) whether said use has continuously operated, and (4) the extent of the lawful nonconforming use.

Discussion

The structure that is the subject of this application was specifically designed and built in 1949 as a home with an area at the front of the building designed as a grocery store. From 1949 through 1991 the structure was continuously used as a residence and grocery store. In 1991 the retail grocery, known as "James Grocery", ceased operation and the space was converted to living quarters for rental income. The applicant contends that she and her husband had always planned to convert the grocery store from retail space to residential space upon retirement.

Zoning History

At the time of the adoption of the 1952 Zoning Ordinance, the subject property was zoned E - Heavy Commercial District. Under Section 13-347.1(a) of the 1952 Zoning Ordinance a two unit dwelling and a grocery store were uses permitted by right.

As a result of comprehensive zoning for the Fifth Assessment District, the subject property was reclassified R5 Residential District effective July 12, 1976. Currently the site is classified R5 Residential District. Under Section 2-502 of the Anne Arundel County Zoning Ordinance a two unit dwelling is not permitted as a matter of right. Therefore, the applicants must prove that a two unit dwelling has existed since before July 12, 1976 and has been continuously used as such to date.

The following was submitted by the applicants or collected by this Office to substantiate the continued use of the subject property.

Evidence

1. Maryland State Department of Assessments and Taxation tax

records and worksheets for the subject property for the years 1971 through 1996. The records indicate that the structure was built as a two story structure with basement in 1949. The records also indicate that at some point in time the property had a commercial use code which is evidenced by a "C" use code modified by the assessor from a "C" to "R" for residential.

2. Affidavit of Leona James, undated. In her affidavit Mrs. James states that she has resided at the subject property since 1949. She further states that the structure was used as a grocery store and residence from 1949 to 1991.

3. Notarized affidavit of Bertha Turner dated March 28, 1995. In her affidavit Mrs. Turner states knowledge of the grocery store use at the subject property from 1949 through 1991.

4. State of Maryland License 157259 for 1991 for a vending machine and traders license located at James Grocery of 5828 Belle Grove Road.

5. Cigarette Venders Agreement dated January 18, 1977 between James Grocery and Midfield Vending Company.

6. Letter dated April 6, 1995 from the Circuit Court for Anne Arundel County regarding business records for the subject property. The letter states that license records are kept on file for only four years.

7. Letter from Baltimore Gas and Electric Company dated May 4, 1995 indicating that electric service commenced at the subject property on June 28, 1949.

8. Photocopy of a contract between Arundel Home Improvements and Weldon James dated June 12, 1992 to convert the grocery store space to living quarters at a cost of eight thousand dollars.

9. Photocopy of a contract between Arundel Home Improvements and James Weldon dated August 25, 1992 to complete a bath and install heat at a cost of five thousand dollars.

10. Photocopies of nine cancelled checks from Weldon and Leona James to Sidney Reeds of Arundel Home Improvements. The checks total thirteen thousand four hundred dollars.

11. Seven photographs of the subject property showing the main structure and the garage structure.

Decision

Based on the evidence provided it appears a nonconforming use existed on the subject property prior to July 1, 1952. The grocery store and residence continued until 1991 when the commercial use

changed to a residential use.

The Zoning Ordinance, under Section 14-404, permits a nonconforming use to change as long as the change is a less intense land use permitted within the property's nonconforming classification and does not have a substantially different effect upon the neighborhood.

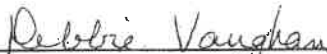
Therefore, it is the decision of the Department of Planning and Code Enforcement that the two story structure containing two dwelling units as described in paragraph five this Administrative Decision qualifies as a lawful nonconforming use.

A decision with respect to the conformance or nonconformance of existing signs located on the subject property is not a part of this Administrative Decision.


Pursuant to Article 28, Section 14-103, which requires the Department of Planning and Code Enforcement classify the overall nonconforming use of a property according to the zoning district in which that use would be permitted, it is the decision of this Office, for reasons previously cited, that the nonconforming use of the subject property is hereby classified as a R5 Residential type nonconforming use which would require special exception approval under the current code.

This Administrative Decision shall be binding unless appealed to the County Board of Appeals within thirty (30) days, as provided by Article 3, Section 1-103 (Appendix B, Rules of the Board of Appeals, Rule 5) of the Anne Arundel County Code (1985).

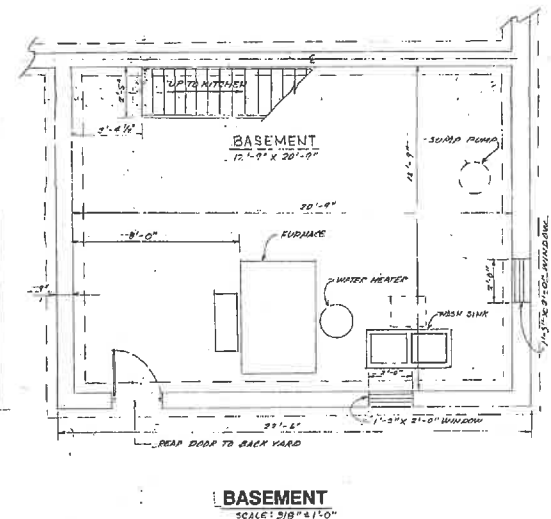
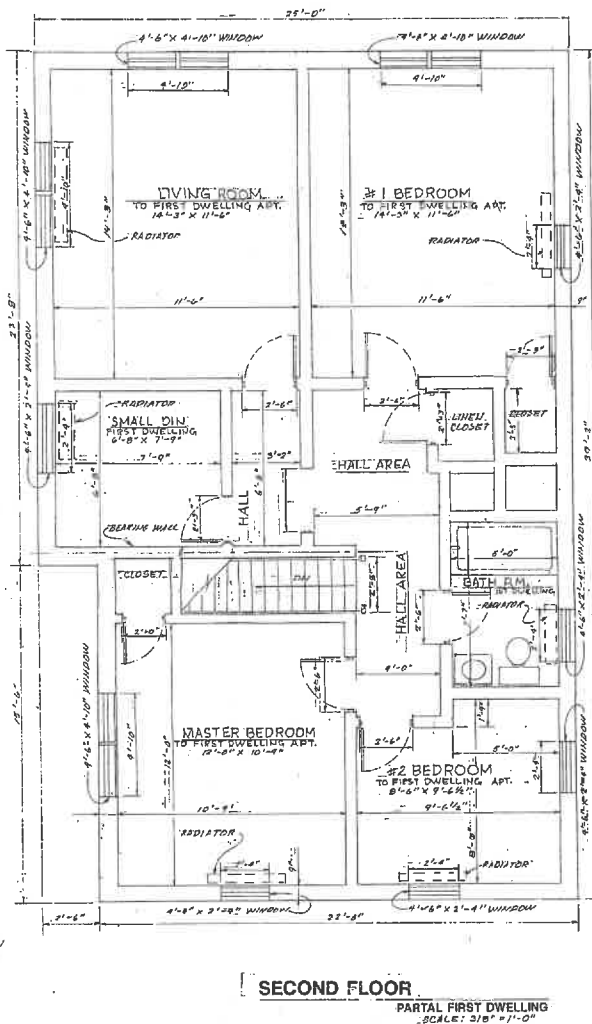
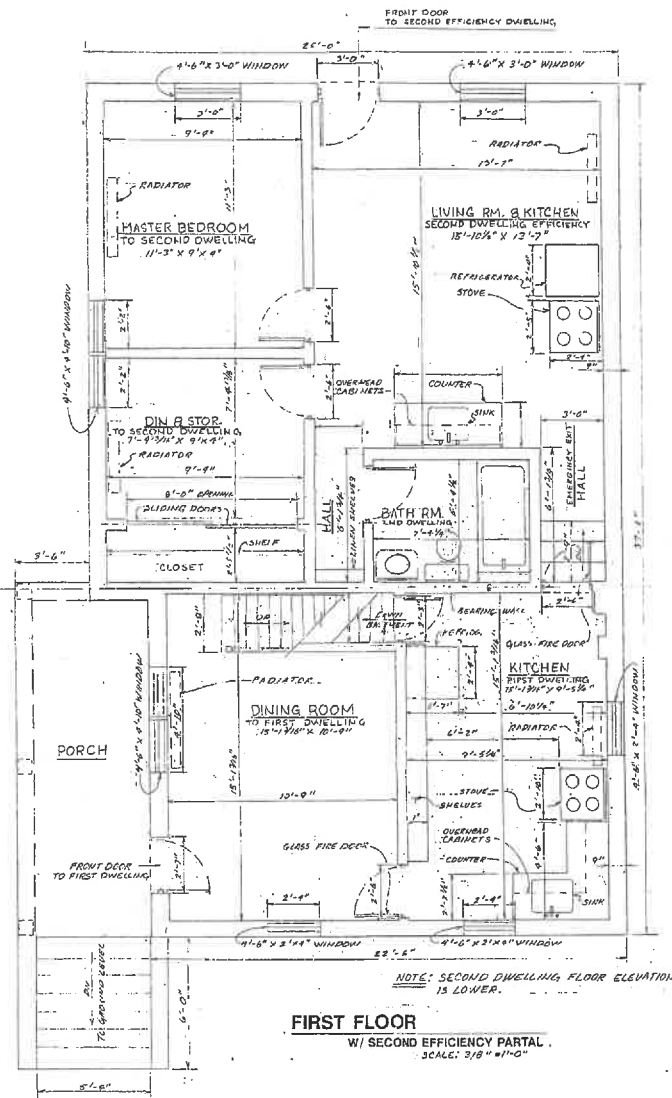
All uses of the subject site not specifically permitted by this decision must conform to the Zoning Regulations of Anne Arundel County for a R5 Residential District.


Deborah Vaughan
Planning Technician

2/14/96
Date


Steven R. Cover, AICP
Director, Planning & Code Enforcement

2-14-96
Date



GENERAL INFORMATION

SQUARE FOOTAGE FOR 1st DWELLING
A. FIRST FLOOR = 301.41 SQ. FT.
B. SECOND FLOOR = 712.68 SQ. FT.
TOTAL = 1014.09 SQ. FT.

SQUARE FOOTAGE FOR 2nd DWELLING
A. FIRST FLOOR FRONT LOWER LEVEL = 669.63 SQ. FT.
TOTAL = 669.63 SQ. FT.

SQUARE FOOTAGE FOR THE BASEMENT = 267.54 SQ. FT.

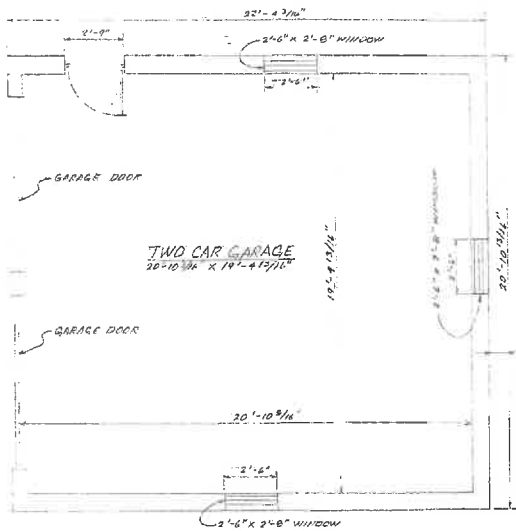
SQUARE FOOTAGE FOR THE GARAGE = 404.49 SQ. FT.

TOTAL HEIGHT OF HOUSE = 30.3'

TOTAL HEIGHT OF GARAGE = 17.2'

PROPERTY OF: MS. LEONA JAMES
5825 BELLE GROVE
BETHESDA, ARK., COUNTY, MD.

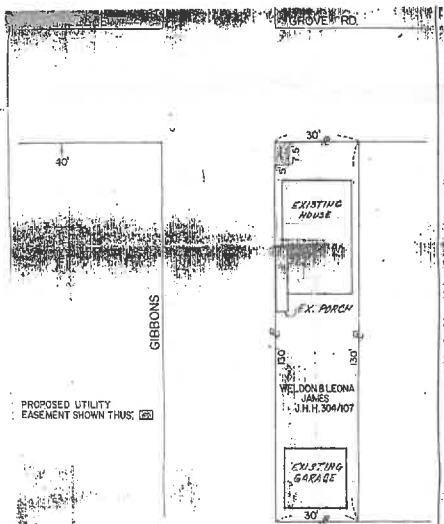
DESIGNER	REVISION NO.	REVISION DATE	DESCRIPTION	PROJECT TITLE	PROJECT NO.
DRAWN: J. CARTER				TWO DWELLING HOUSE	
CHECKED:				SHEET TITLE	SHEET NO.
APPROVED:				EXISTING FLOOR PLANS	1 OF 2
				SCALE: AS SHOWN	DATE: 5-21-95



TWO CAR GARAGE
20'-10 3/4" X 19'-4 1/2"

GARAGE
30'1 1/2" X 11'-0"

PROPERTY OF: MS. LEONA JAMES
5825 BELLE GROVE RD.
ANNE ARUNDEL COUNTY, MD.



DRAWN BY: B.C.C. COUNTY OF ANNE ARUNDEL
TRACED BY: B.C.C. DEPARTMENT OF PUBLIC WORKS
CHECKED BY: PROPOSED EASEMENT THROUGH
DRAWING NO.: JAMES PROPERTY, BELLE GROVE RD.
APPROVED: [signature]
DATE: APRIL 18, 1974
PROJECT NO.: 0-1111
SCALE: 1"=20'

PLAT NO. B.11 BOOK NO. 12 FOLIO 10, 8, 5, 22

PATAPSCO PARK

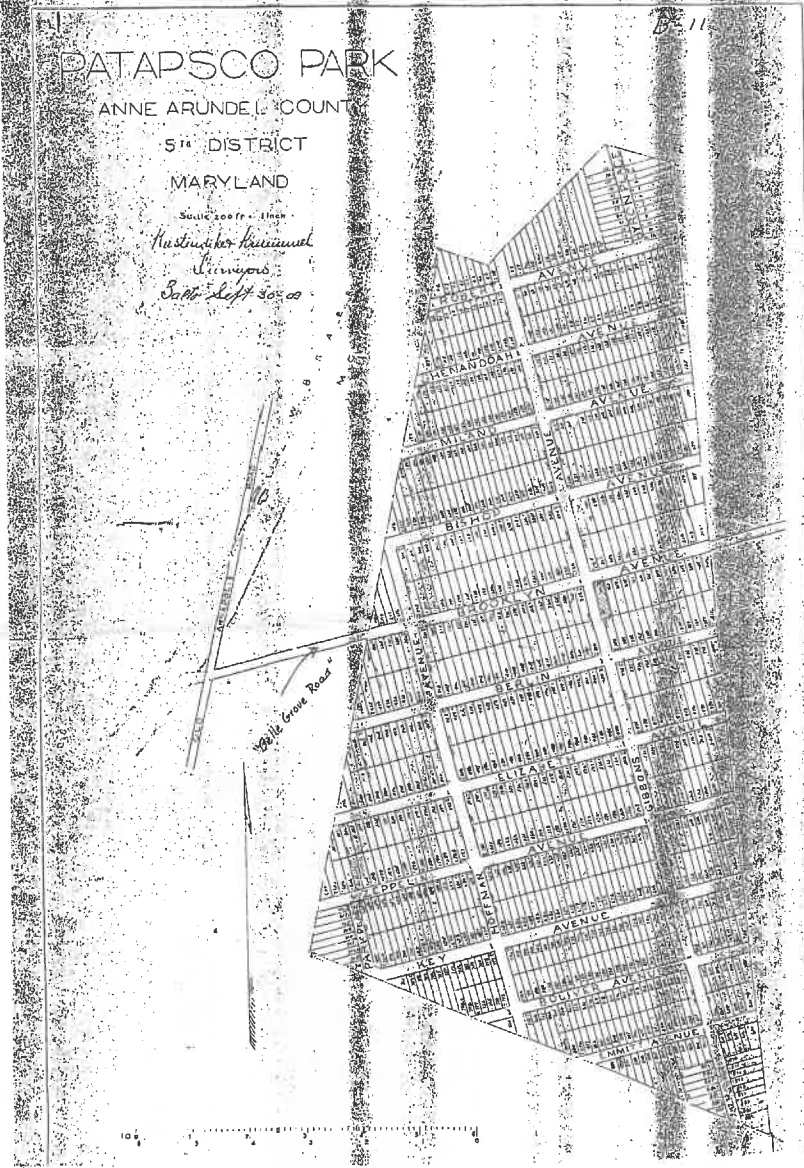
ANNE ARUNDEL COUNTY

5TH DISTRICT

MARYLAND

Scale: 200 ft. = 1 inch

Hustings & Kinnel
Engineers
Belle, Sept 30, 1900



DESIGNED	REVISION NO.	REVISION DATE	DESCRIPTION	PROJECT TITLE	TWO DWELLING HOUSE	PROJECT NO.
DRAWN A. CARTER				SHEET TITLE	GARAGE FLOOR PLAN, PROPERTY & COMMUNITY PLATS	SHEET NO.
CHECKED				SCALE AS SHOWN		2 OF 2
APPROVED				DATE 5-27-85		



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2024-0049-P
DATE: 06/25/2025
OPZ STAFF: Jennifer Lechner

APPLICANT/REPRESENTATIVE: Sharon Turner

EMAIL: linetteturner@gmail.com

SITE LOCATION: 5825 Belle Grove Road, Brooklyn

LOT SIZE: 3,900 square feet

ZONING: R5 **CA DESIGNATION:** IDA **BMA:** NO **BUFFER:** NO **APPLICATION TYPE:** Special Exception

The property is the subject of a non-conforming use, 1995-0012-N, which registered a two-story structure with two dwelling units. A variance, 2007-0252-V, had been granted to allow a dwelling addition with less setbacks than required and more coverage by structures than allowed, constructed under B02244655 (22x16 1-story addition for a bedroom and bathroom). Both the variance and the permit referred to an addition to a single family dwelling, rather than adding a third dwelling unit to the structure.

The applicant is requesting a Special Exception to perfect the expanded nonconforming use (158sqft addition to add a third dwelling unit, resulting in a 9.36% expansion).

COMMENTS

Zoning Administration Section:

In accordance with § 18-15-103(a)(1), a proposed expansion of floor area, land area, or water area may not exceed 30% of the area authorized under the nonconforming status of the property, except that each type of area is to be considered separately and no area may be substituted for another area.

The option to expand the use itself, to add a third dwelling unit, is not included under this provision.

Because 1995-0012-N registered two dwelling units (#1 = 1,019sqft total, #2 = 670sqft total), the floor area of each of those units may be expanded individually up to 30% by Special Exception.

A Special Exception request to perfect the third dwelling unit cannot be supported.

It is recommended that you revise your Special Exception request to propose an expansion of the dwelling unit(s) registered under the nonconforming use (i.e., absorb the third unit into the first and/or second units).

If you choose to expand the dwelling units approved under the nonconforming use, for the submission of the Special Exception application:

- (1) Provide evidence that the nonconforming use has not ceased operation for 12 consecutive months.
- (2) The Administrative Site Plan must be drawn to an engineering scale no smaller than 1"=40' showing the entire property in question. Applicants are required to specify the setbacks, dimensions, height, and number of stories of any structure shown on the administrative site plan, in accordance with [Article 18-16-201\(e\)](#).
- (3) The floorplans should show/indicate each level of the structure and where the units are located, similar to the plans shown in 1995-0012-N.
- (4) The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the special exception, the proposal must address and meet all of the applicable standards provided under Articles [18-15-103](#) and [18-16-304](#). The Letter of Explanation should address each of those standards and provide adequate justification.

INFORMATION FOR THE APPLICANT

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A special exception may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Articles 18-15-103 and 18-16-304. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the special exception request.

A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.