

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Samantha's Court, 450' +/- E
Sacred Heart Lane
4th Election District
3rd Councilmanic District
(417 Samantha's Court)

Heather P. and Timothy A. Ryan
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-479-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Heather P. and Timothy A. Ryan, legal owners of that property known as 417 Samantha's Court in the Glyndon area of Baltimore County. The Petitioners herein seek relief from Sections 1B02.3.B and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 0 ft. in lieu of the required 11.25 ft. for a deck, and to amend the Final Development Plan of the DeFlora property. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, 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 Section 26-127 (b)(1) of the Baltimore County Code. 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 welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 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.

ORDER RECEIVED FOR FILING

Date

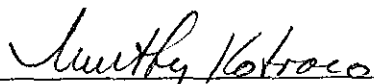
By

10/12/01
R. J. [Signature]

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 by the Deputy Zoning Commissioner for Baltimore County this 12th day of June, 2001, that a variance from Sections 1B02.3.B and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 0 ft. in lieu of the required 11.25 ft. for a deck, and to amend the Final Development Plan of the DeFlora property, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 6/12/01
By R. J. [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 12, 2001

Mr. & Mrs. Timothy A. Ryan
417 Samantha's Court
Glyndon, Maryland 21071

Re: Petition for Administrative Variance
Case No. 01-479-A
Property: 417 Samantha's Court

Dear Mr. & Mrs. Ryan:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure





Petition for Administrative Variance

to Amend the FDP of the DeFlora Property.
to the Zoning Commissioner of Baltimore County

for the property located at 417 SAMANTHA'S CT.
which is presently zoned DR3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B & 504.2; BCZR,

To Permit a sideyard setback of zero feet in Lieu of the required 11.25 feet for a deck, And to amend the Final Development plan of the DeFlora property.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

Name - Type or Print

Name - Type or Print

Signature

Signature

Address

Telephone No.

City

State

Zip Code

Signature

Address

Telephone No.

Name - Type or Print

City

State

Zip Code

Signature

Company

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 01-479A

Reviewed By JCM Date 5-11-01

Estimated Posting Date 5-20-01

REV 9/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 417 Samantha's Court
Address
Glyndon MD 21071
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Since the house is a flag lot, and is situated sideways, the minimal backyard area would be greatly reduced if the deck were to be entirely on the back side of the house.

This would also reduce the areas between our home, and our neighbors. Thus crowding the existing area.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Timothy A. Ryan
Signature
Timothy A. Ryan
Name - Type or Print

Heather P. Ryan
Signature
Heather P. Ryan
Name - Type or Print

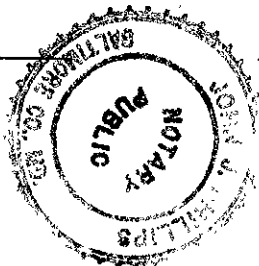
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2nd day of May, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Timothy A. Ryan + Heather P. Ryan
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

May 2, 2001
Date



John D. Phibbs
Notary Public

My Commission Expires May 1, 2002

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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City State Zip Code

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Timothy A. Ryan
Signature
Timothy A. Ryan
Name - Type or Print

Heather P. Ryan
Signature
Heather P. Ryan
Name - Type or Print

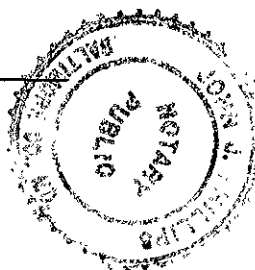
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 2ND day of May, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Timothy A. Ryan & Heather P. Ryan
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

May 2, 2001
Date



Joe J. Phillips
Notary Public
My Commission Expires May 1, 2002



Petition for Administrative Variance

TO AMEND THE FDP OF the Deflora Property.
to the Zoning Commissioner of Baltimore County

for the property located at 417 SAMANTHA'S CT.
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B & 504.2; BCZR,

To Permit a sideyard setback of zero ft. in lieu of the required 11.25 ft. for a deck, and to amend the final development plan of the Deflora property.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

TIMOTHY A. RYAN
Name - Type or Print _____

[Signature]
Signature _____

HEATHER P. RYAN
Name - Type or Print _____

[Signature]
Signature _____

417 SAMANTHAS COURT (410) 526-5674
Address _____ Telephone No. _____

Glydon MD 21071
City _____ State _____ Zip Code _____

Representative to be Contacted: (301) 581-2259

Same
Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 01-479A

Reviewed By JCM Date 5.11.01

Estimated Posting Date 5.20.01

R20 9/15/98

ZONING DESCRIPTION FOR

417 SAMANTHA'S CT.

BEGINNING AT A POINT ON THE SOUTH
SIDE OF SAMANTHA'S CT., 450' $\pm$ EAST
OF SACRED HEART LANE. BEING LOT
#20 IN THE SUBDIVISION OF THE
DELFORA PROPERTY, AS RECORDED IN
BALTO. Co. PLAT BOOK, 68 / folio 67.

CONTAINING .155 ACRES $\pm$.

E.D. 4 ; C.D. 3

479

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

479
92883

DATE

5-11-01

ACCOUNT

001-006-6150

AMOUNT

\$ 100.00

RECEIVED
FROM:

T. RYAN

417 SAMANTHA'S

FOR:

(010) Ad. UAR

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PAYMENT ACTUAL TIME
5/11/2001 5/11/2001 10:33:02

REG MS04 CASHIER DIOU DND DRAWER 2

RECEIPT # 141236

OFLN

Def 5 528 ZONING VERIFICATION

CR NO. 092883

Rept Tot 100.00

100.00 OK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No: 01-479-A
Petitioner/Developer: Timothy Ryan
Date of Closing: 6/4/01

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

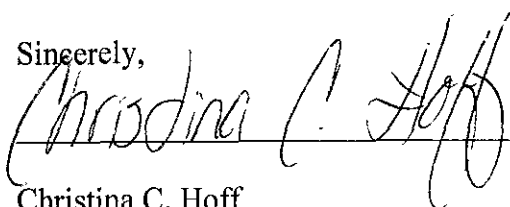
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

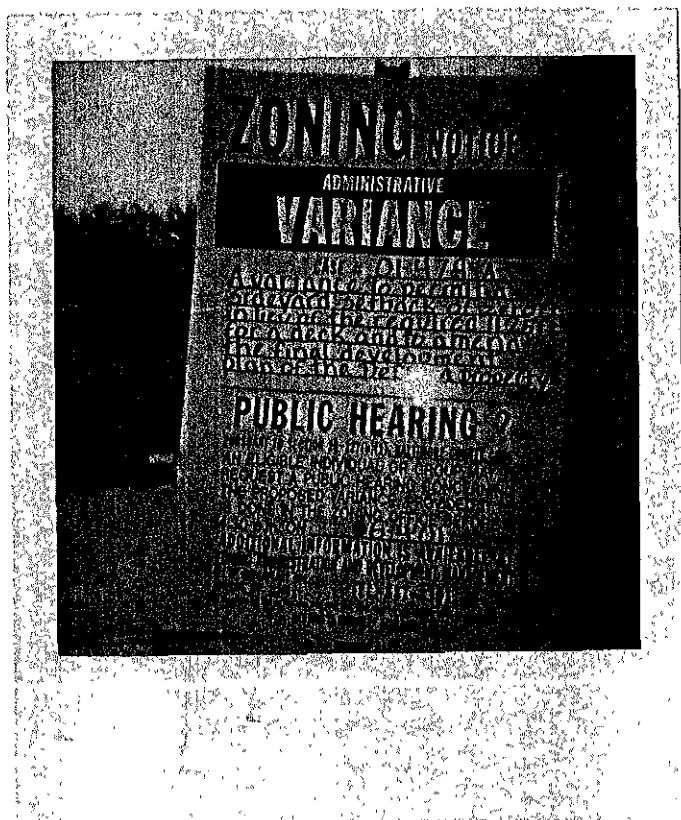
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **417 SAMANTHA'S CT.**

The sign(s) were posted on **5/17/01.**

Sincerely,



Christina C. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



Name: Timothy A. Ryan
Address: 417 Samanthas Court
Glyndon MD 21071
Telephone Number: (410) 526-5674

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 479 -A Address 417 SAMANTHA'S CT.

Contact Person: J. Mennery Planner, Please Print Your Name Phone Number: 410-887-3391

Filing Date: 5.11.01 Posting Date: 5.20.01 Closing Date: 6.4.01

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 (on the reverse side of this form) 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. **DEADLINE:** The closing date is the deadline for an 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.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The 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 zoning or deputy zoning commissioner), 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 01- 479 -A Address 417 SAMANTHA'S CT.
Petitioner's Name TIMOTHY RYAN Telephone 410-526-5674
Posting Date: 5.20.01 Closing Date: 6.4.01

Wording for Sign: BY A VARIANCE
TO PERMIT TO PERMIT A SIDEYARD SETBACK
OF ZERO FT. IN LIEU OF THE REQUIRED 11.25ft.
FOR A DECK, AND TO AMEND THE FINAL
DEVELOPMENT PLAN OF THE DEFORD PROPERTY.

TAR



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 5, 2001

Heather P & Timothy A Ryan
417 Samantha's Court
Glyndon MD 21071

Dear Mr. & Mrs. Ryan:

RE: Case Number: 01-479-A, 417 Samantha's Court

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 11, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies. You may verify any possible comments by contacting the agency directly at the numbers listed below:

Development Plans Review (Traffic)	410-887-3751
Fire Department	410-887-4880
State Highway Administration	410-545-5600
Office of Planning & Community Conservation	410-887-3480
Department of Environmental Protection and Resource Management (DEPRM)	410-887-5859
Recreation and Parks	410-887-3824
Maryland Office of Planning - Chesapeake Bay Critical Area (CBCA)	410-767-4489
Department of Natural Resources - Floodplain	410-631-3914

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDR
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: People's Counsel



AV
6/4

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: June 5, 2001

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 29, 2001
Item No. 479

The Bureau of Development Plans Review has reviewed the subject zoning item.

Our record drawing number 95-0646 for Samanthas Court indicates an existing 15-inch diameter storm drain pipe in the 20-foot-wide drainage and utility centered on the southern property line of this lot.

Baltimore County policy prohibits the construction of a permanent structure within a designated utility easement and the proposed deck is directly over the existing public storm drain pipe.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

June 5, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 21, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

461, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474,
477, 478, 479, 482, 483,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



AV
6/4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: June 4, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-464, 01-473, 01-474, ⁰¹~~18~~-477, & 01-479

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Zor

AFK/JL:MAC

I Billie Pollard, have reviewed the design of the
(PRINT NAME)

future deck to be installed at the residence of Heather and Timothy

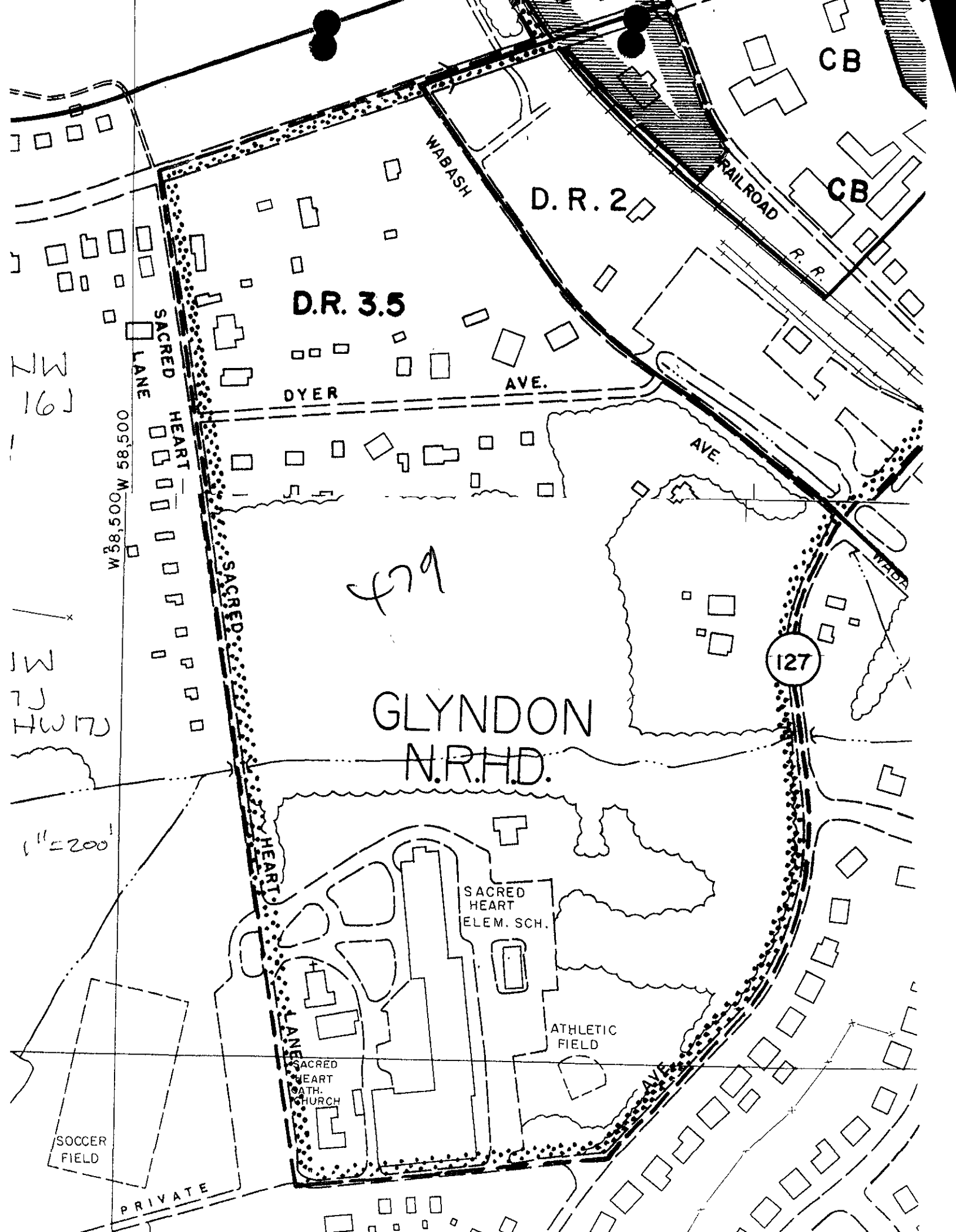
Ryan, 417 Samanthas Court. I have no reservations or objections to

it's planned design or location.

Billie Pollard 5/8/01
(SIGN NAME) (DATE)

409 Samanthas Ct. Reisterstown MD 21131
(ADDRESS)

479



CB

CB

D.R. 2

D.R. 3.5

WABASH

RAILROAD

R. R.

AVE.

DYER

AVE.

W 38,500 W 58,500

SACRED HEART LANE

SACRED HEART LANE

479

GLYNDON
N.R.H.D.

127

SACRED HEART
ELEM. SCH.

ATHLETIC
FIELD

SACRED HEART
CHURCH

SOCCER
FIELD

PRIVATE

NW
16J

W 7J
HW 17J

1" = 200'

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: 417 SAMANTHAS COURT

see pages 5 & 6 of the CHECKLIST for additional required information

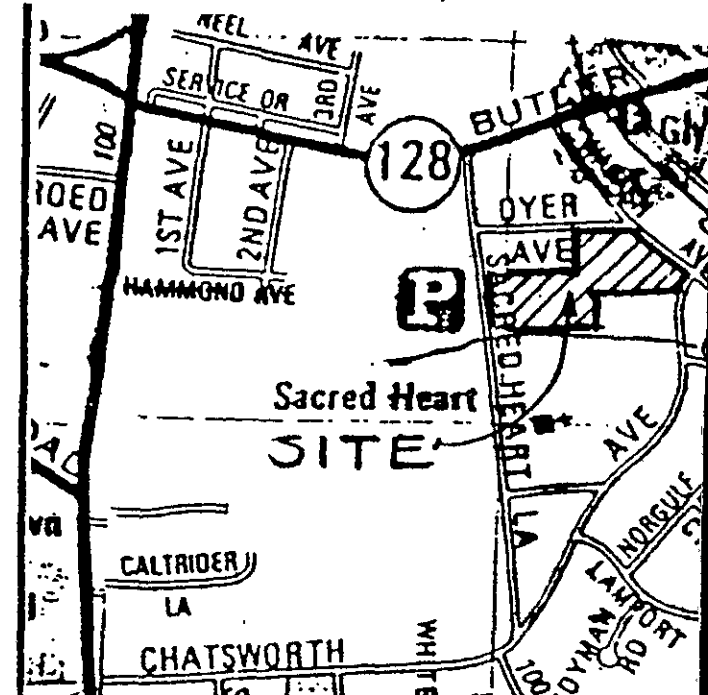
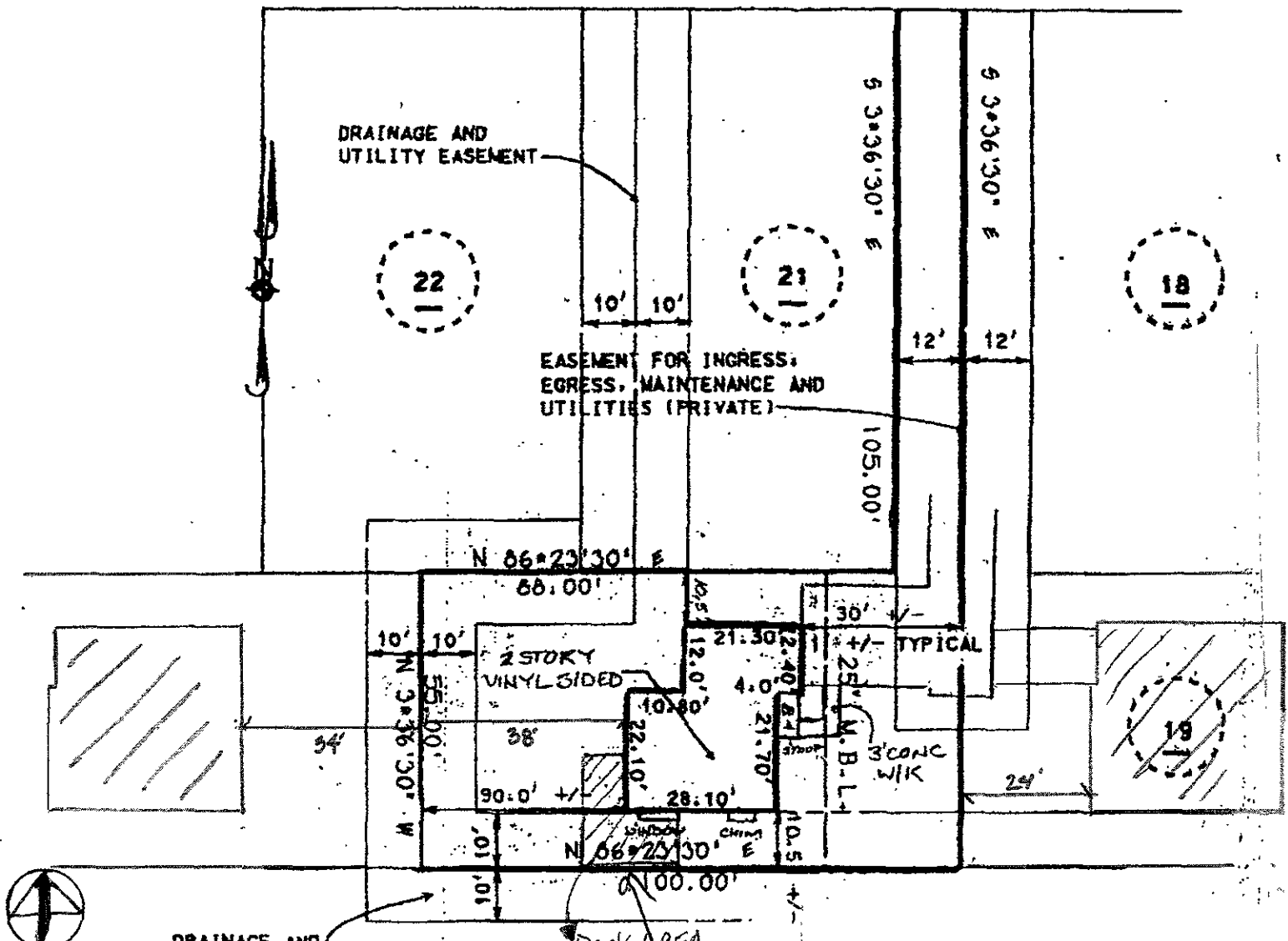
Subdivision name: ~~WILSON & SONS~~ DeFlora Property

plat book# 68, folio# 22, lot# 20, section# — (DE FLORA PROP.)

OWNER: James A. Ryan Heather P. Ryan

SAMANTHAS COURT
50' R/W

N 86°23'30" E
12.00'



LOCATION INFORMATION

Election District: 4
Councilmanic District: 3
1"=200' scale map#: NW 16-J
Zoning: DR 3-5
Lot size: .155 acreage square feet

	public	private
SEWER:	☒	☐
WATER:	☒	☐

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: SCM ITEM #: 479 CASE#:

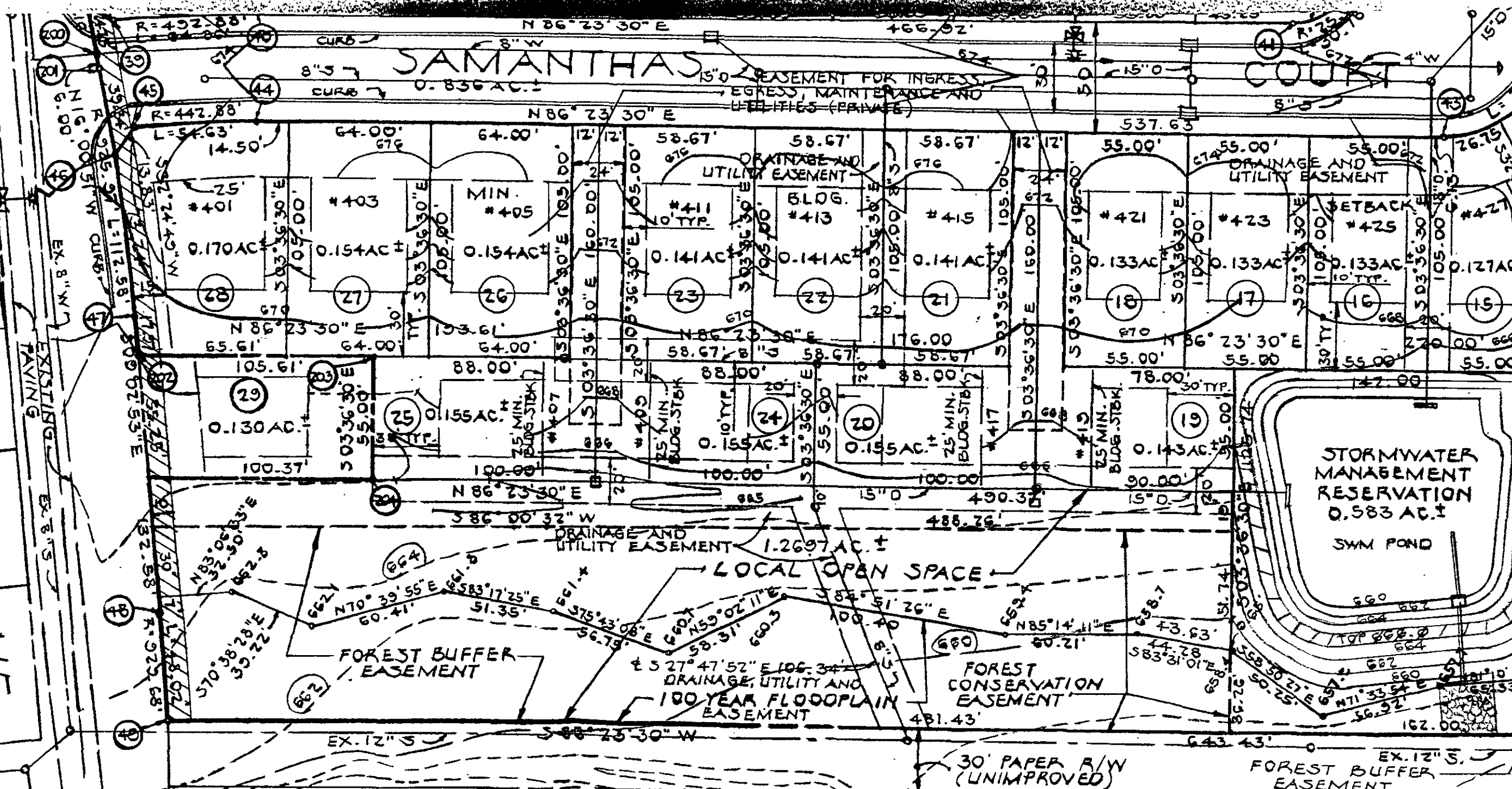
North
date: _____
prepared by: _____

Scale of Drawing: 1"= 30'

Plat. E. #1

32
 THE ROBINSON GRANT
 1890-260 1890-274
 (ZONED DR 3.5)
 GHEE 5998-68
 MICHAEL 6422-105
 RUBENSTEIN 9640-318

LOT 98
 GLYNODON GATE
 64-62 & 64-63

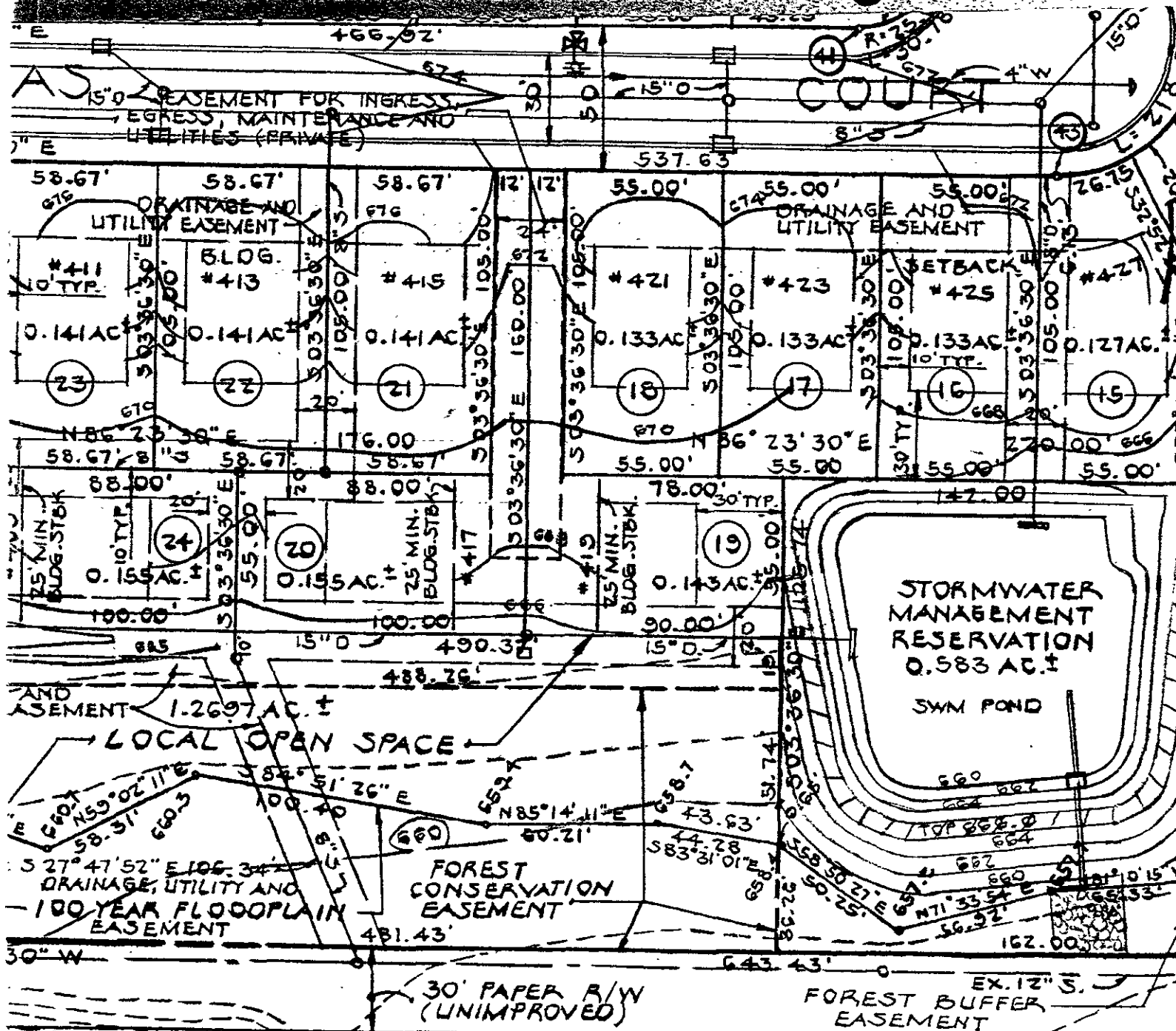


BROOKLAND
 JAMES ROOSEVELT BAYLEY
 ARCHBISHOP OF BALTO.
 87-340

(ZONED DR 3.5)

NOTE: Envelopes shown on single family lots dictate a orientation which allows compliance with the Bal Zoning Regulations and should the orientation ch setbacks required by Section 1801.20.1B, must be

Front Building Face To:



OKLAND

JOSEVELT BAYLEY
OP OF BALTO.
340

(ZONED DR 3.5)

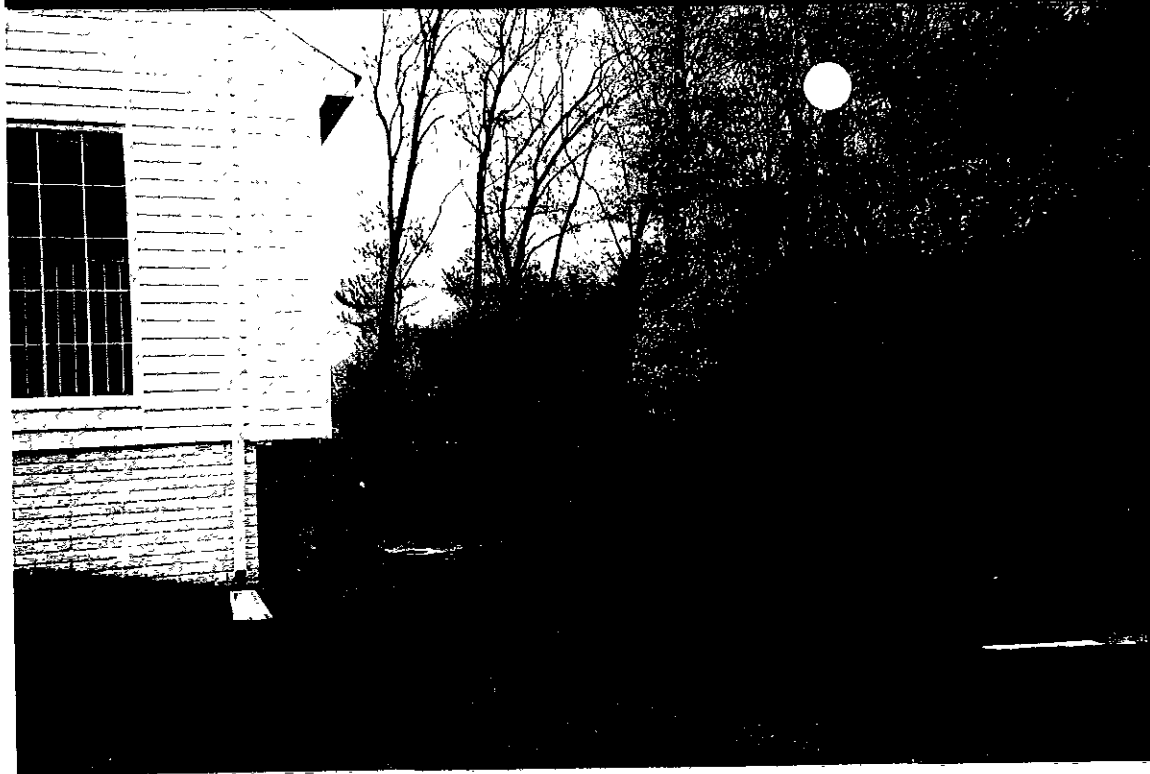
479

NOTE: Envelopes shown on single family lots dictate a orientation which allows compliance with the Bal Zoning Regulations and should the orientation ch setbacks required by Section 1301.2C.1B, must be

From Front Building Face To:

Planning Officer/Deputy Zoning







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	REISTERSTOWN GLYNDON	N.W. 16-J
DATE OF PHOTOGRAPHY JANUARY 1986		

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: _____

479

Petitioner: Timothy A. RYAN, HEATHER P. RYAN

Address or Location: 417 Samanthas Court, Glyndon MD 21071

PLEASE FORWARD ADVERTISING BILL TO:

Name: Timothy A. RYAN

Address: 417 Samanthas Court

Glyndon MD 21071

Telephone Number: (410) 526-5674

Revised 2/20/98 - SCJ