

IN THE MATTER OF
THE APPLICATION OF
JOHN R. HALLING – LEGAL OWNER /
PETITIONER FOR SPECIAL HEARING AND
VARIANCE ON PROPERTY LOCATED ON
THE W/S VINCENT ROAD, 40' S OF C/L OF
PINE HILL ROAD (10324 VINCENT ROAD)

15TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 05-140-SPHA

* * * * *

OPINION

This matter is before the Board on an appeal filed by the Petitioner, John R. Halling, from a decision of the Zoning Commissioner in which the Zoning Commissioner granted the Petition for Special Hearing to approve an accessory building (detached garage) to be larger than the principal dwelling in accordance with Petitioner's Exhibit 1 and denied the variance relief from § 400 of the *Baltimore County Zoning Regulations* (BCZR) to permit a side yard setback of 1 foot in lieu of the minimum required 2 ½ feet for an existing accessory structure.

A hearing was held before the Board on July 12, 2005. Mr. Halling appeared without an attorney and represented himself *pro se*. The Protestants, Mr. and Mrs. Jerome Wodarczyk, also appeared without an attorney and represented themselves *pro se*.

At the beginning of the hearing, Mr. Halling stated that he realized that his building should be constructed 2 ½ feet from the property line and that he was willing to tear down the wall and reconstruct the building so that it complied with the BCZR with respect to the 2 ½-foot setback from the property line.

Mr. and Mrs. Wodarczyk indicated that they were agreeable to such an agreement and would consent to such an agreement if the Board so ordered. It was made clear that the wall, the roof of the building, including gutters and downspouts, on the structure must be 2 ½ feet back from the property line. Mr. Halling agreed to this during the hearing.

ORDER

THEREFORE, IT IS THIS 27th day of July, 2005 by the
County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing to approve an accessory building
(detached garage) to be larger than the principal dwelling in accordance with Petitioner's Exhibit 1
be and is hereby **GRANTED**; and it is further

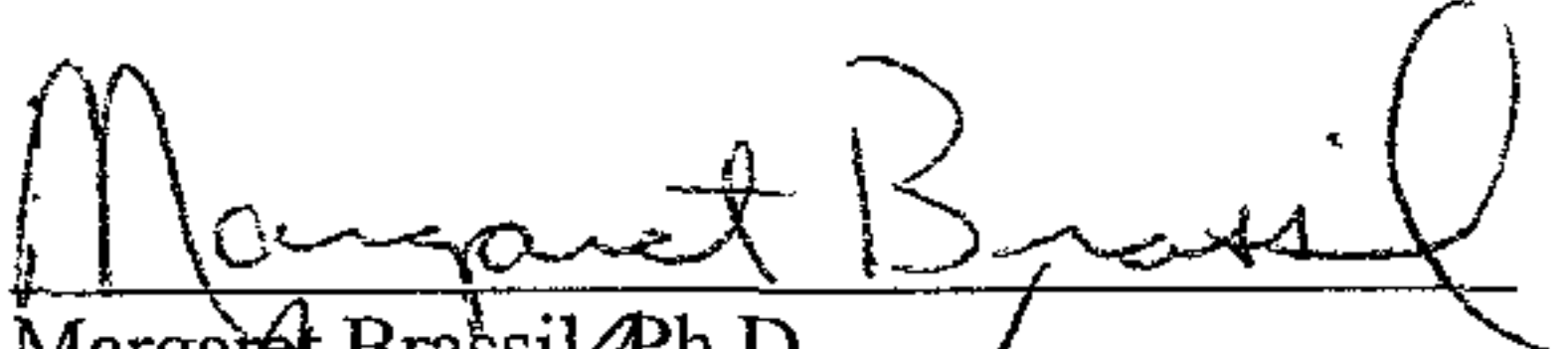
ORDERED that the Petition for Variance seeking relief from § 400 of the *Baltimore
County Zoning Regulations* (BCZR) to permit a side yard setback of 1 foot in lieu of the minimum
required 2 ½ feet for an existing accessory structure be and is hereby **DENIED**; and it is further

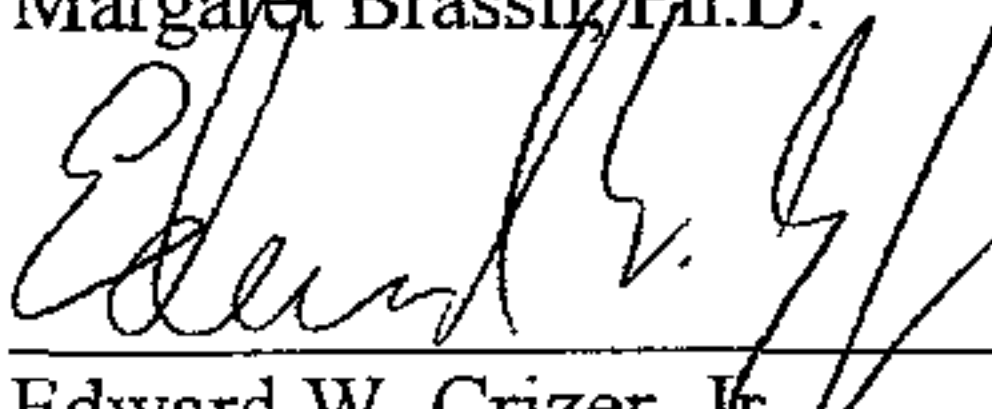
ORDERED that within 120 days of the date of this Order the Petitioner shall reduce the
size of the garage structure so as to provide a minimum side yard setback of 2 ½ feet on the south
side, immediately adjacent to the Wodarczyk property. Moreover the Petitioner shall install gutters
and downspouts on the structure to divert all water runoff away from the Wodarczyk property. The
roof, gutters and downspouts shall be set back at least 2 ½ feet from the south side immediately
adjacent to the Wodarczyk property.

Any petition for judicial review from this decision must be made in accordance with Rule 7-
201 through Rule 7-210 of the *Maryland Rules*.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Chairman


Margaret Brassil, Ph.D.


Edward W. Crizer, Jr.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

July 27, 2005

Mr. John R. Halling
10324 Vincent Road
White Marsh, MD 21162

RE: *In the Matter of: John R. Halling – Legal Owner*
/Petitioner Case No. 05-140-SPHA

Dear Mr. Halling:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, with a photocopy provided to this office concurrent with filing in Circuit Court. **Please note that all subsequent Petitions for Judicial Review filed from this decision should be noted under the same civil action number as the first Petition.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Kathleen C. Bianco
Kathleen C. Bianco
Administrator

Enclosure

c: Mr. and Mrs. Jerome Wodarczyk
Annette Halling
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
James Thompson, Code Enforcement / CC-04-2798
Timothy M. Kotroco, Director /PDM



IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – W/5 Vincent Road,
40' S of the c/l Pine Hill Road
(10324 Vincent Road)
15th Election District
6th Council District

John R. Halling
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-140-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, John R. Halling. The Petitioner requests a special hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an accessory structure (detached garage) larger than the principal dwelling. In addition, variance relief is requested from Section 400.1 of the B.C.Z.R. to permit a side yard setback of 1 foot in lieu of the minimum required 2½ feet for said structure. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was John Halling, property owner. Appearing as Protestants in the matter were Jerome and Linda Wodarczyk, adjacent property owners, and Annette Halling, the Petitioner's estranged wife.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the west side of Vincent Avenue, just south of Pine Hill Road in White Marsh. The property is approximately 1 acre in area, zoned R.C.3, and is improved with a single-family dwelling, accessory shed and aboveground pool. In addition to these improvements, the property is improved with a detached garage in the rear yard, approximately 1 foot from the south side property line, immediately adjacent to the Wodarczyk property. It is this garage which is the subject of the instant request. In this regard, the Petitioner has owned and resided on the property

RECEIVED FOR FILING

Date

By

since 1998. Shortly after his purchase of the property, the Petitioner made certain renovations to existing structures, without benefit of a building permit, including two additions to the existing garage to create a recreational room and a storage area. It is these additions which are the subject of the instant request; however, it need be emphasized that construction was completed in 1999. In this regard, testimony indicated that in April 2004, Jerome and Linda Wodarczyk registered a complaint with the Code Enforcement Division of the Department of Permits and Development Management relative to the subject garage. Subsequently, the Petitioner was cited with a violation relative to the location of the structure too close to the property line. Additionally, as a result of the additions, the garage is now larger than the dwelling. As shown on the site plan, the garage is approximately 52'4" x 37'4" in dimension and the house is 36' x 50' in dimension. Thus, the requested relief is necessary in order to legitimize existing conditions.

At the hearing, Mr. Halling testified that all parties in this case were aware of his plans to expand the garage and had assisted him in planning the layout and the locations of the proposed additions. In fact, Mr. Wodarczyk had supplied the Petitioner with a copy of a lot survey that had been prepared in 1984 by Keller & Keller Registered Land Surveyors (Petitioner's Exhibit 2) to establish the location of the property lines and measure the placement of the foundation walls for the proposed additions. It was indicated that the additions were needed to provide more storage space and a recreational room for his family.

Mr. & Mrs. Wodarczyk testified in opposition to the request. They have owned and resided on their property since 1984. Mrs. Wodarczyk indicated that during the construction of the additions, she recommended that a new survey be prepared before Mr. Halling continued further. She indicated that she and her husband were concerned that the improvements were too close to the property line and might actually be partially located in their yard. Despite their urgings, the construction continued and their relationship became strained. Ms. Wodarczyk also testified that Mr. Halling's property is at a higher elevation and they are concerned about increased water runoff onto their property as a result of the additions to the garage structure. They contend that the diverted water is eroding their stone-based driveway. Moreover, the lack of gutters and

downspouts from the overhanging roof causes water runoff during a heavy rain to inundate their property.

Mrs. Halling also appeared and testified on behalf of Mr. & Mrs. Wodarczyk. She corroborated the testimony offered by the neighbors and indicated that Mr. Halling has changed the topography of the subject property to divert water runoff. Photographs were submitted which show the location of the garage structure in relation to the Wodarczyk property and flooding conditions that exist after a hard rain.

After due consideration of the testimony and evidence presented, I am persuaded to grant the special hearing. It is clear that the improvements at issue have existed for many years without complaint and that it is as a result of the breakdown in the relationship between these neighbors that this case comes before me now. However, it is equally clear that the location of the garage has caused a negative impact on the subject property. Moreover, there is some question as to whether a portion of the structure may be located on the Protestants' property. In order to address the concerns raised by the Protestants, I will approve the special hearing relief sought; however, will deny the requested variance. Specifically, I will require that the garage structure be reduced in size so as to provide a minimum 2½-foot setback from the Wodarczyk property. Moreover, the Petitioner shall install gutters and downspouts on the structure to divert all water runoff away from the Wodarczyk property.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted in part and denied in part.

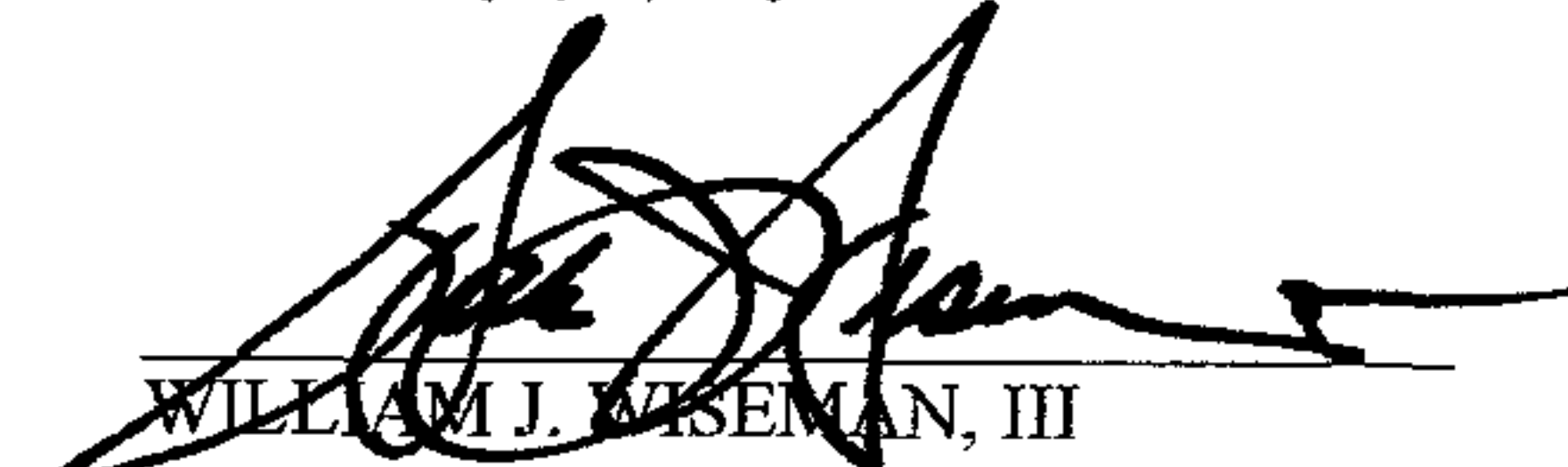
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of November 2004 that the Petition for Special Hearing to approve an accessory building (detached garage) to be larger than the principal dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 400 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1 foot

in lieu of the minimum required 2½ feet for an existing accessory structure, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that within 120 days of the date of this Order, the Petitioner shall reduce the size of the garage structure so as to provide a minimum side yard setback of 2½ feet on the south side, immediately adjacent to the Wodarczyk property. Moreover, the Petitioner shall install gutters and downspouts on the structure to divert all water runoff away from the Wodarczyk property.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

COPIES RECEIVED FOR FILING
Date 11/19/04
By [Signature]



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10324 VINCENT RD

which is presently zoned RC-3

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

AN ACCESSORY STRUCTURE LARGER THAN THE DWELLING ON A LOT (EXISTING GARAGE)

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

I, or we, agree to pay expenses of above Special Hearing, 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):

JOHN R. HALLING

Name - Type or Print

Signature

Name - Type or Print

Signature

10324 VINCENT RD 410335-6954

Address

Telephone No.

WHITEMARSH

MD

21162

City

State

Zip Code

Representative to be Contacted:

JOHN HALLING

Name

10324 VINCENT RD 410-335-6954

Address

Telephone No.

WHITEMARSH

MD

21162

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING -

Reviewed By JL

Date 9/14/04

Case No. 05/40 SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 10324 VINCENT RD
which is presently zoned RC 3

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) 400 BCZR TO PERMIT A GARAGE SETBACK
OF 1 FT. IN LIEU OF 2 1/2 FT

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Determined at hearing

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):

JOHN R. HALLING
Name - Type or Print _____
J. R. Halling
Signature _____
Name - Type or Print _____

10324 VINCENT RD 410 335-6954
Address _____ Telephone No. _____
WHITEMARSH MD. 21162
City _____ State _____ Zip Code _____

Representative to be Contacted:

JOHN HALLING
Name _____
10324 VINCENT RD 410 335-6954
Address _____ Telephone No. _____
WHITEMARSH MD. 21162
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 05-140 SPHA

ESTIMATED LENGTH OF HEARING 1 HR.

UNAVAILABLE FOR HEARING _____
Reviewed By JL Date 9/14/04

ZONING DESCRIPTION FOR

10324 V. VINCENT RD
(address)

Beginning at a point on the WEST side of
(north, south, east or west)

VINCENT RD which is ~~45 FT~~ 45 FT
(name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 40 FT. SOUTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street PINE HILL RD.
(name of street)

which is 30 FT. PAVING wide. ~~Being 45 FT.~~
(number of feet of right-of-way width)

THEN 100 FT. SOUTH, 437 FT. WEST, 100 FT. NORTH,
437 FT. EAST ~~BACK~~ BACK TO THE POINT OF
BEGINNING BEING 1 AC. ± IN THE 15TH E.D.
6TH C.D.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 41035

DATE 12/13/04 ACCOUNT 001-006-6150
AMOUNT \$ 300⁰⁰

RECEIVED FROM: John Halling
FOR: Appeal Case No. 05-140-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	DATE	TIME	INCH
12/14/2004	12:13 PM	12:07:20	2
RECEIPT # 303	12/13/04	12:07:20	0713
Dept 5	NOT RECORDED	12/13/04	
OR NO.	241015		
Receipt #	1211 00		
PROD. #	1211 00		
Prod. #	1211 00		

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 40924

140 JV

DATE 9/14/04

ACCOUNT 001 005 6150

RECEIVED FROM HALLMAN

AMOUNT \$ 130.00

FOR RES. SP4 + VPR

10324 Vincent RD.

DISTRIBUTION
WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

PAID RECEIPT

BUSINESS NO. 104
9/15/2004 9/14/2004 15:00:00

POST OFFICE MAIL JUNE 2004

POST OFFICE NO. 341270 9/14/2004

POST OFFICE 3 358 200409 (RECEIVED)

CF NO. 140924

Receipt Tot \$130.00

\$130.00 PR 1.00 04

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

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

Case: #05-140-SPHA
10324 Vincent Road
W/side of Vincent Road, 40
ft. s/of Pine Hill Road
15th Election District
5th Councilmanic District
Legal Owner(s): John R.
Halling

Variance: to permit a garage setback of 1 foot in lieu of 2 1/2 feet. Special Hearing: to permit an accessory structure larger than the principal structure. Hearing: Wednesday, October 27, 2004 at 2:00 p.m. in Room 407, County Courts Building, 401 Busley Avenue, Towson, MD 21204.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT10/666 Oct.12 25489

CERTIFICATE OF PUBLICATION

10/14/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/12/, 2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-140-SPHA

Petitioner/Developer: JOHN R. HALLING

Date of Hearing/Closing: 10/27/04

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

ATTN: Kristen Matthews {(410) 887-3394}

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: _____

10324 VINCENT ROAD

The sign(s) were posted on OCT 9, 2004
(Month, Day, Year)

Sincerely,

Robert Black 10/12/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

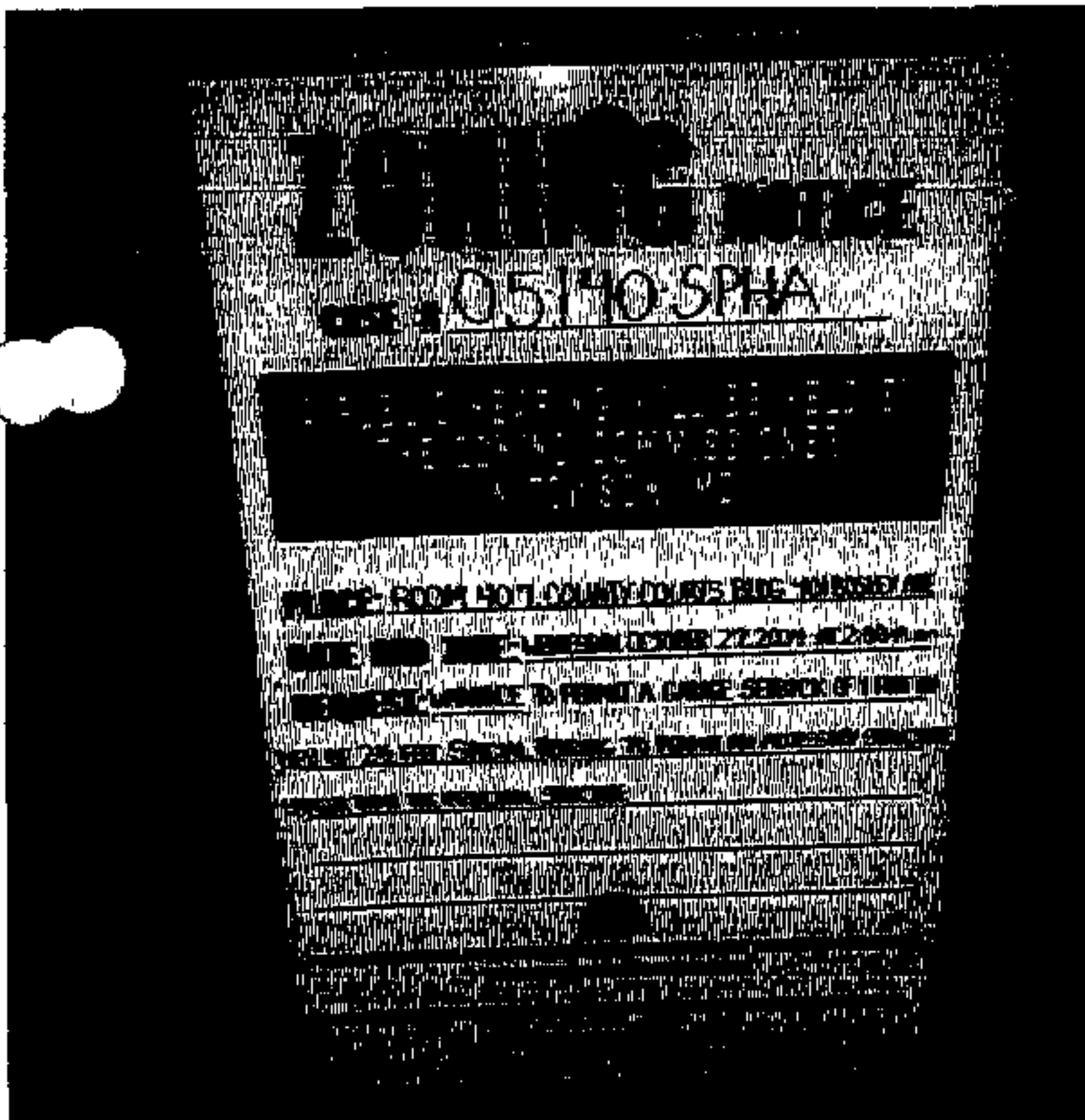
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



APPEAL SIGN POSTING REQUEST

CASE NO.: 05-140-SPHA

JOHN R. HALLING - LEGAL OWNER

10324 VINCENT ROAD, WHITE MARSH

15TH ELECTION DISTRICT

APPEALED: 12/13/2004

RECEIVED AT BOARD ON 1/24/2005

ATTACHMENT – (Plan to accompany Petition – Petitioner’s Exhibit No. 1)

*******COMPLETE AND RETURN BELOW INFORMATION*******

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 05-140-SPHA

Petitioner/Developer:

JOHN R. HALLING - LEGAL OWNER

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

10324 VINCENT ROAD, WHITE MARSH

The sign was posted on 3/10, 2005

By:



(Signature of Sign Poster)

GARY FREWALD

(Printed Name)

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: 05 140 SPHA

Petitioner: HALLING

Address or Location: 10324 VINCENT RD

PLEASE FORWARD ADVERTISING BILL TO

Name: * JOHN HALLING

Address: * 10324 VINCENT RD

+ WHITE MARSH MD. 21162

Telephone Number: * 410 335-6954

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 12, 2004 Issue - Jeffersonian

Please forward billing to:
John Halling
10324 Vincent Road
White Marsh, MD 21162

410-335-6954

NOTICE OF ZONING HEARING

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

CASE NUMBER: 05-140-SPHA

10324 Vincent Road
W/side of Vincent Road, 40 ft. s/of Pine Hill Road
15th Election District – 6th Councilmanic District
Legal Owner: John R. Halling

Variance to permit a garage setback of 1 foot in lieu of 2 ½ feet. Special Hearing to permit an accessory structure larger than the principal structure.

Hearing: Wednesday, October 27, 2004 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson MD 21204



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

May 31, 2005

NOTICE OF ASSIGNMENT

CASE #: 05-140-SPHA

IN THE MATTER OF: JOHN R. HALLING - Petitioner
10324 Vincent Road 15th Election District; 6th Councilmanic District

11/19/04 – Z.C.'s Decision in which special hearing relief was GRANTED;
zoning relief for setbacks DENIED.

ASSIGNED FOR:

TUESDAY, JULY 12, 2005 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Appellant /Petitioner

: John Halling

Protestants

: Mr. and Mrs. Jerome Wodarczyk
Annette Halling

Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
James Thompson, Code Enforcement / **CC-04-2798**
Timothy M. Kotroco, Director /PDM



**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 20, 2004

John R. Halling
10324 Vincent Road
White Marsh, Maryland 21162

Dear Mr. Halling:

RE: Case Number:05-140-SPHA , 10324 Vincent Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 14, 2004.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

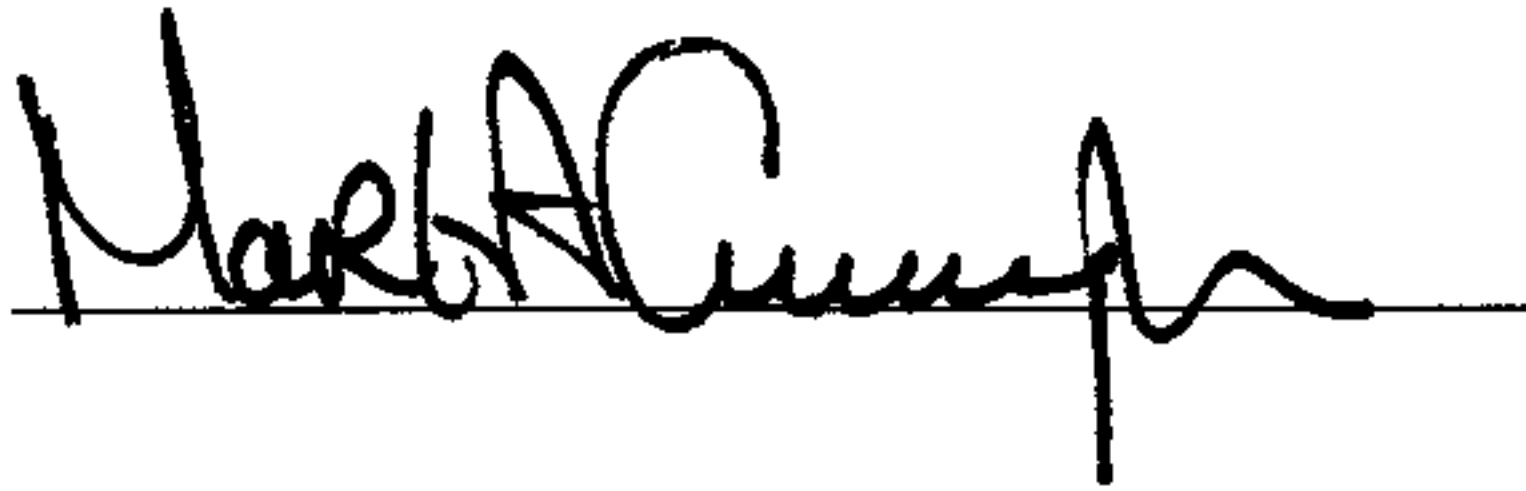
DATE: October 12, 2004

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-140 and 5-157

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:



Division Chief:



MAC/LL

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: October 7, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For October 4, 2004
Item Nos. 138, 139, (140) 141, 142,
and 143

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

RWB:CEN:jrb

cc: File

Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

September 29, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: September 27, 2004

Item No.: 138-143

190

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 9.28.04

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

RE: Baltimore County
Item No. 140 JLL

Dear Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Acting Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr *pd*
DEPRM

DATE: December 10, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of September 27, 2004.

 X The Department of Environmental Protection and Resource Management has no
comments on the following zoning items:

05-138

05-139

05-140

05-142

05-143

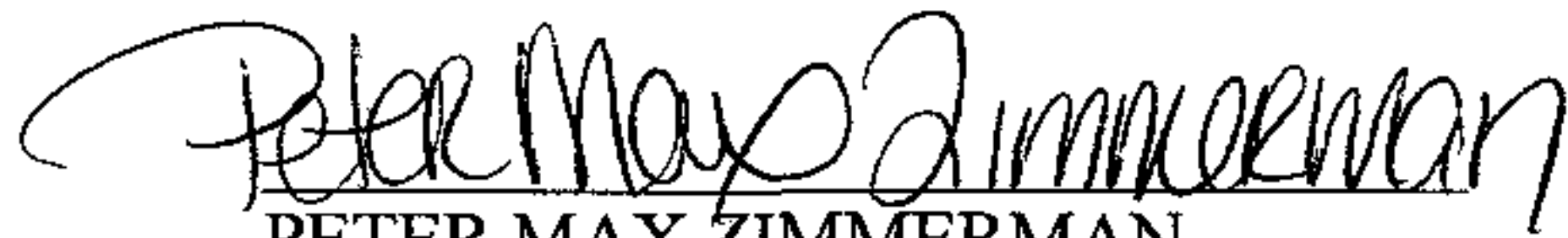
Reviewers: Sue Farinetti, Dave Lykens

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE
10324 Vincent Road; W/side of Vincent Rd, * ZONING COMMISSIONER
40' S of Pine Hill Road
15th Election & 6th Councilmanic Districts * FOR
Legal Owner(s): John R. Halling
Petitioner(s) * BALTIMORE COUNTY
* 05-140-SPHA

* * * * *

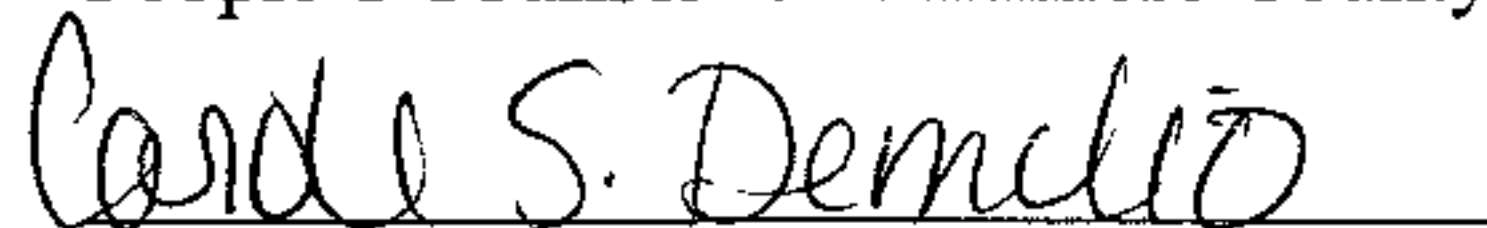
ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to John Halling, 10324 Vincent Road, White Marsh, MD 21162, Petitioner(s).

RECEIVED

OCT 6 2004

Per.....



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

**Department of Permits and
Development Management**

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708



Baltimore County

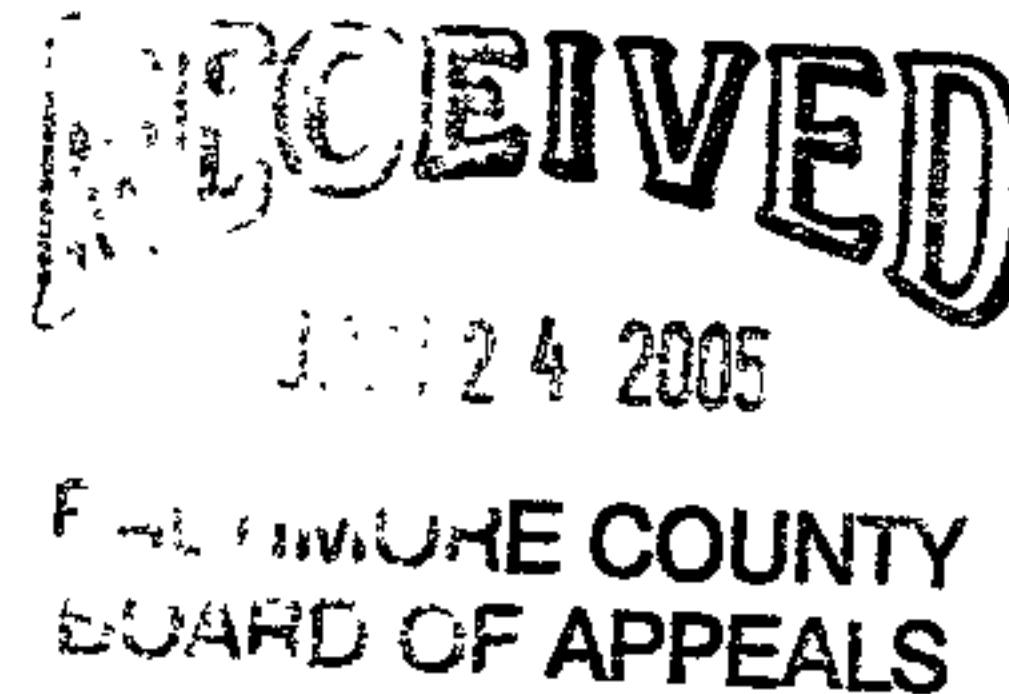
James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

January 21, 2005

John R. Halling
10324 Vincent Road
White Marsh, MD 21162

Dear Mr. Halling:

RE: Case: 05-140-SPHA, 10324 Vincent Road



Please be advised that this office received your appeal of the above-referenced case on December 13, 2004. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, which appears to read "Timothy Kotroco", is written over a horizontal line.

Timothy Kotroco
Director

TK:klm

c: William Wiseman, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Mr. & Mrs. Jerome Wodarczyk, 10320 Vincent Rd., White Marsh 21162
Ms. Annette Halling, P.O. Box 342, White Marsh 21162

APPEAL

Petitions for Special Hearing & Variance
10324 Vincent Road
W/s Vincent Rd., 40' s/of c/l Pine Hill Road
15th Election District – 6th Councilmanic District
John R. Halling – Petitioner

Case No.: 05-140-SPHA

✓ Petition for Special Hearing & Variance (September 14, 2004)

✓ Zoning Description of Property

✓ Notice of Zoning Hearing (September 27, 2004)

✓ Certification of Publication (The Jeffersonian – October 12, 2004)

✓ Certificate of Posting (October 9, 2004) by SSG Robert Black

✓ Entry of Appearance by People's Counsel (October 4, 2004)

✓ Petitioner(s) Sign-In Sheet – One Sheet

✓ Protestant(s) Sign-In Sheet - None

✓ Citizen(s) Sign-In Sheet – One Sheet

✓ Zoning Advisory Committee Comments

zc Exhibit sheet 10-20-04

✓ Petitioners' Exhibit

✓ 1. Plat to accompany Petition for Variance & Special Hearing

~~2. Photographs~~ *trw*

2. Field Location Survey (Keller & Keller)

✓ Protestants' Exhibits: ~~None in file~~ *Photographs 1-A to H 1J & 1K*

✓ Miscellaneous (Not Marked as Exhibit)

✓ 1. Active Violation Case Document

✓ Zoning Commissioner's Order (Special Hearing – GRANTED; Variance – DENIED – November 19, 2004)

*✓ Notice of Appeal received on December 13, 2004 from John Halling

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Mr. John Halling, 10324 Vincent Road, White Marsh 21162
Mr. & Mrs. Jerome Wodarczyk, 10320 Vincent Rd., White Marsh 21162
Ms. Annette Halling, P.O. Box 342, White Marsh 21162
Code Enforcement

*MR. JOHN HALLING
10324 VINCENT ROAD
WHITE MARSH, MD 21162
APPLICANT/APPELLANT

MR. AND MRS. JEROME WODARCZYK
10320 VINCENT ROAD
WHITE MARSH, MD 21162

MS. ANNETTE HALLING
PO BOX 342
WHITE MARSH, MD 21162

RECEIVED
JAN 24 2005

BALTIMORE COUNTY
BOARD OF APPEALS

Case No. 05-140-SPHA

In the Matter of: John R. Halling - Petitioner

SPH -- To approve accessory structure (detached garage) larger than principal dwelling; VAR -- To permit side yd setback of 1' ilo minimum req'd 2.5' for said structure.

11/19/04 - Z.C.'s Order in which requested special hearing relief was GRANTED; requested VAR relief was DENIED.

5/31/05 -Notice of Assignment sent to following; assigned for hearing on Tuesday, July 12, 2005 at 10:00 a.m.:

John Halling
Mr. and Mrs. Jerome Wodarczyk
Annette Halling
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
James Thompson, Code Enforcement / **CC-04-2798**
Timothy M. Kotroco, Director /PDM

7/12/05 -- Board convened for hearing (Wescott, Brassil, Crizer); agreement by Petitioner that he will move the garage required distance to provide setback. (3)

10/19/05 -- T/C from Linda Wodarczyk -- regarding her photographs entered at ZC hearing; had been told by PDM that she could retrieve her photos after the 30-day appellate period from this Board's Order; that period has expired (our order issued 7/27/05). Copies have been made of the photos (she needs them for upper court matter); she will pick up the photos and sign the necessary form at that time.

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: September 30, 2004

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 140
Legal Owner/Petitioner: Halling, John R
Contract Purchaser: N/A
Property Address: 10324 Vincent Rd
Location Description:

VIOLATION INFORMATION: Case No. 04-2798
Defendants: Halling, John R.

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Jeane Wodarczyk	410-335-7166

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/lm
C: Code Enforcement Officer

CC E ENFORCEMENT REPORT

03-5159

CB

DATE: 4/15/04 INTAKE BY: JRA CASE #: 04-2798 INSPEC: 17

COMPLAINT LOCATION: 10324 VINCENT RD.

ZIP CODE: 21162 DIST: 15

COMPLAINANT NAME: Jerome Wodarczyk PHONE #: (H) 410-335-7166 (W)

ADDRESS: ZIP CODE:

PROBLEM: Addition to existing GARAGE w/o permit AND violation of Accessory structure to close to property line. "Compl. has photo's"

IS THIS A RENTAL UNIT? YES NO
IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: 15-11-890850 ZONING:

INSPECTION: 4/20/04 - Visited Site, Spoke with Complainant. COMPLAINT HAS BEEN HANDLED BEFORE, PAST LIMITS OF AUTHORITY AND JURISDICTION. OLD ADDITION - ~~CASE~~ Close Case Lew Mays

REINSPECTION: KX CB

REINSPECTION:

REINSPECTION:

Code enforcement - Daily Worksheet

Inspector - _____

Area Case # Location Apt Zip Date Rec Reinsp Dt
 017 04-2798 10324 VINCENT RD 21162 4/15/2004 9/28/2004

Tax Acct #: 1511890850

Owner:

Complainant Name: (Last) WODARCYK (First) JEROME

Addr:

Str # Dir Street Name Type Apt

City ST Zip

Phone: (Home) 410/335-7166 (Work)

Problem: ADDITION TO EXISTING GARAGE W/O PERMIT & VIOLATIOB OF ACCESS
 ARY STRUCTURE TO CLOSE TO PROP. LINE. COMPL. HAS PHOTOS.

Notes:

04/20/04 VISTED SITE, SPOKE W/COMPL. COMPLAINT HAS BEEN HAND
 LED BEFORE. PAST LIMITS OF AUTHORITY & JURISDICTION. OLD ADD.
 CLOSE CASE. L.MAYER/KH.*** 07/21/04 REOPEN CASE. ISSUED
 CORR. NO. TO OBTAIN VAR. FOR GAR. ADD. LESS THAN 1 FT. FROM
 PROP. P/U 08/16/04. L.MAYER/KH.***
 08/17/04 APPT. DATE OF 09/14/04. NOTIFIED COMPL.
 OF DATE. COMPL. CALLED INSP. L.MAYER/KH.*** 9/15/04 VA
 RIANCE APPLICATION ACCEPTED. NO HEARING DATE SET. NOTIFY COM
 PLAINANT OF ACTION. P/U 9/21/04 L.MAYER/NS***
 09/22/04 CASE 05-140 SPHA HAS NO DATE SET FOR HE
 AR. P/U 09/28/04. L.MAYER/KH.***

P/U Date		Closed Date		Gary F to update	
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary	
Executive office Complaint	Yes	No	If Yes is Executive memo attached?	Yes	No

DATE: 09/29/2004

STANDARD ASSESSMENT INQUIRY (1)

TIME: 13:00:14

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 11 890850	15	3-0	04-00	H	NO		06/15/04

HALLING JOHN R
10324 VINCENT RD
DESC-1.. IMPS
DESC-2.. NAYLOR TRACT
PREMISE. 10324 VINCENT RD
00000-0000

WHITE MARSH MD 21162-1918 FORMER OWNER: HALLING JOHN R

FCV			PHASED IN		
PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	38,450	44,450	FCV	ASSESS	ASSESS
IMPV:	89,950	102,370	TOTAL..	140,680	140,680
TOTL:	128,400	146,820	PREF...	0	0
PREF:	0	0	CURT...	140,680	140,680
CURT:	128,400	146,820	EXEMPT.	0	0
DATE:	10/99	08/02			

TAXABLE BASIS FM DATE
ASSESS: 140,680 08/21/03
ASSESS: 134,540
ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001C

DATE: 09/29/2004

STANDARD ASSESSMENT INQUIRY (2)

TIME: 13:00:20

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 11 890850	15	3-0	04-00	H	NO		06/15/04

LOT.... 5 BOOK.... 0000 MAP..... 0083 LOT WIDTH..... 50.00
BLOCK.. FOLIO... 0000 GRID.... 0007 LOT DEPTH..... .00
SECTION.. PARCEL.. 0451 LAND AREA.. 21800.000 S
PLAT.. YEAR BUILT..... 65

TRANSFER DATA		EXEMPT DATA	
NUMBER.....	148663	STATUS.....	
DATE.....	09/02/98	CLASS CODE.....	000
PURCHASE PRICE.....	0	STATE EXEMPT CODE.....	000
GROUND RENT.....	0	COUNTY EXEMPT CODE.....	000
DEED REF LIBER.....	13121	CURR STATE EX ASMT....	0
DEED REF FOLIO.....	0309	PRIOR STATE EX ASMT...	0
CONVEYED IND.....	9	CURR COUNTY EX ASMT...	0
TOT-PART TRAN IND.....	T	PRIOR COUNTY EX ASMT..	0

STRUCTURE	
AREAS CODE	SQ. FEET
CRITICAL NEW CONST CARD 04553	1240

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

RA1001D

DATE: 09/29/2004

STANDARD ASSESSMENT INQUIRY (3)

TIME: 13:00:26

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 11 890850	15	3-0	04-00	H	NO		06/15/04

STATE GEO CODE N/A LAND-USE
82 NO R

REC CREATE DATE.. 10/23/92
DELETE CODE..... T
DATE DELETED.....
LAST FM DATE..... 08/21/03
LAST FM TYPE..... Z
PREV FM DATE.....
PREV FM TYPE.....

COUNTY
LAST LOAD DATE... 06/15/04
PRIOR LOAD DATE.. 02/13/04

STATE TAXABLE ASSESS

ASSESS: 140,680

ASSESS: 134,540



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 04-2798	Property No. 1511 890850	Zoning:
------------------------------	-----------------------------	---------

Name(s): JOHN R. HALLING

Address: 10324 VINCENT RD, WHITE MARSH MD 21162

Violation Location: 10324 VINCENT RD

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCZR 101; 102.1; 4-00

FAILURE TO OBTAIN VARIANCE TO
PLACE GARAGE LESS THAN 30' FROM
PROPERTY

OBTAIN VARIANCE FOR GARAGE
FOR SETBACKS LESS THAN 1 FT
FROM PROPERTY LINE

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 8/17/04	Date Issued: 7/20/04
--------------------------	-------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: Lewis Mayer

INSPECTOR: Laura A. Meyer

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:	Date Issued:
-----------------	--------------

INSPECTOR: _____

AGENCY

COUNTY BOARD OF APPEALS

ROOM 49, OLD COURTHOUSE •
400 WASHINGTON AVENUE • TOWSON, MD 21204
PHONE: 410-887-3180 • FAX: 410-887-3182

FACSIMILE TRANSMITTAL SHEET

TO AND FAX NUMBER:

JIM THOMPSON – PDM

FAX : 410-887-2824

FROM:

KATHLEEN BIANCO

FAX : 410-887-3182

TELEPHONE : 410-887-3180

DATE:

OCTOBER 7, 2005

TOTAL NO. OF PAGES INCLUDING
COVER:

THREE (3)

RE: HALLING MATTER – CALL FROM
LINDA WODARCZYK

URGENT

FOR REVIEW

FOR YOUR RECORDS

PLEASE REPLY

PLEASE RECYCLE

PERSONAL AND CONFIDENTIAL

JIM:

AS WE DISCUSSED, ATTACHED IS A COPY OF THE BOARD'S DECISION IN 05-140-SPHX
/JOHN R. HALLING.

LINDA WODARCZYK TELEPHONED BECAUSE SHE BELIEVED THAT MR. HALLING WAS
NOT COMPLYING WITH THE AGREEMENT REACHED BETWEEN THE PARTIES AT THE
HEARING BEFORE THE BOARD, AS SET OUT IN THE ATTACHED OPINION.

WHEN SHE READ OUR ORDER, SHE WAS CONCERNED BECAUSE THE WALL WAS NOT
MENTIONED IN THE ORDER ON THE SECOND PAGE, ALTHOUGH THE WALL WAS
INCLUDED IN THE AGREEMENT AS REFERENCED ON PAGE 1 OF THE OPINION - THAT
THE ENTIRE STRUCTURE, INCLUDING GUTTERS AND DOWNSPOUTS, BE 2 ½ FEET FROM
THE PROPERTY LINE.

IF YOU WOULD CALL HER AND LET HER KNOW WHAT YOU CAN DO TO INSURE
COMPLIANCE WITH OUR OPINION/ORDER, I KNOW SHE WOULD BE GRATEFUL. HOME
410-335-7166; MONDAY, WEDNESDAY & FRIDAY AT WORK: 410-574-4750.

THANKS

MENSANA CLINIC, 1718 Greenspring Valley Rd. Stevenson, Md, 21153, 410-653-2403

184 New Eval # 2 John Halling 6/13/03 Worse pains in hands and feet with swelling.

COURSE: Lost his wife since he can't have sex with her. Being sent back to work but he needs voc rehab. Depressed since he can't get treatment. Since Nov. '02, symptoms in neck R arm

CC: Waiting to schedule lumbar fusion, but still needs approval for discogram. Dr. Davis did ACF C5-6 -4/3/02, with improvement. Worse L leg with hot burning pain. Still change in personality. J'aime vu and increasing episodes of loss of not knowing where he is. No burning tingling pain in L thumb, all fingers R, palms, radial forearm, outside upper arm. Still if elevates arms, biceps burn, back of neck, pain over L ear, click, ringing in ears. between shoulder blades. Lower back weakness. Still pain in back of head, over ears to eyes.

HPI: Started with electrical shock, in R hand and out L. Burn on R index, 277 V. to wire he was holding. Aug. 13, '99. In ER 4 hours. He had heart palpitations, and brown urine. No operations, gets skipped beats, runs of 170 beats/minute. Cough/Sneezing pain in palms, all fingers, EX of head neck pain, down arms, FLEX of neck tingling to pinkies, TURN: L neck hurts, R then R arm hurts LEAN: R pain in R bicep, L 0, + LaSague in back of L leg.

COUGHING/SNEEZING/BM hurts between blade, EX pain in back of L leg, FLEX pain in L leg TWISTING back hurts, LEANING To R worsens R leg pain, to L 0, WORSE: use of arm over head, BETTER: relax, TFA 0, AWAKE: nightmares sweats 5/7

PAST HX: ops: T&A, R knee op, Mono 0, VD 0, TB 0, Hepatitis 0, but fatty liver CVS CVA age 21 in L, arm, leg, loss of L side vision. Scarlet fever 0, RH/F 0 Asthma 0, Ca 0, thyroid 0, diabetes 0, ulcer duodenal, Arthritis 0. Reflux 0, Kidney stone? p accident.

PE: 5'11" wt. 255 after steroids and meds. B.P. 132/86, pulse 80 and reg: without meds, leg pain is 9/10, PEARLA, EOM wnl. No goiter, no kyphosis, no lordosis, nor scoliosis, - Spurling, + LaSague L leg, + Roos bilat, scalene tender gait and station WNL, No cyanosis, clubbing nor edema of fingers, no lymphedema of either hand. - EtOH drop/swipe-no signs of RSD, C2 tender at apex of posterior triangle, SCM tender, click in jaw, ringing in ears, - tincl elbow, ++ tincl wrist, - Phalen bilat, - radial groove bilat, DTR 1+ knees, 0+ ankle, 1+ biceps, 1+ BR, C and L paraspinous tender. No pain in AC, SS tendon, bicipital tendon abduction of arm, No pain with rotation -Romberg, finger nose ok, CVA not tender, rib tip tender

MSE: Alert oriented X 3 WM MAA depressed, no suicide ideas, no suicide attempt Psych A: 0, since Dr. Petock. 3 wishes 1) feel better 2) no pain 3) less irritable

TESTS: neurometer of legs and arms shows radial damage on L, and sural on L, R peroneal, R tibial, PET scan of brain WNL, 3D-CT of L3-S1 + for pseudoarthrosis L4-5, and retrolisthesis, central disc, and NFS with root swelling, stenosis

Provoked EMG/NCV, TOS, C2-3, C5-6, L4-5, L5-S1, and L6-S1. Vascular flow studies arms up/down + with head turned, EMG-NCV, SSEP of arms/legs + C5-6 radic, and L4-5-S1 radiculopathy, and TOS

syndromes T4-T10, discs T4-T10, T11, and T12

MEDS: (D/C Neurontin, Topamax, AndroGel, Prozac, Desyrel, Zanaflex, Effexor)

TPI X 4 Bilat C2 and splenius with .5% Marcaine ½ cc/site for head pain with relief.

DIAGNOSIS: S post ACF C5-6 with plates. R/O C2-3, and C6-7 disc, instability and C6-7 radiculopathy, L5-S1 radiculopathy, L6-S1 disc, instability proven by EMG and provocative discometry, non-fatal electrical injury, electrical damage to median nerve, and ulnar nerve, TOS electrical CNS damage, Partial complex seizures, Rib tip T10, syringomyelia T4-T10, discs T4-9

PLAN: Body jacket with R thigh spika, M of C2-3 and L2-S1, Ex X rays, with obliques of L2-S1, C5-6, and L4-5, discogram C5-6, C6-7, and L4-5

C2-3, C5-6, C6-7, and L4-5, median nerve block, facet blocks C2-C4, and C4-C7, neuropsych testing, facet rhizotomy L3-S1 with Dr. Goll, Dr. Reggie Davis for ACF.

Nelson Hendler, M.D





SOCIAL SECURITY ADMINISTRATION

Refer To: 214-78-1911

Office of Hearings and Appeals
The Rotunda, Room 415
711 W 40th Street
Baltimore, Maryland 21211
410-962-3361

Date:

JUN 06 2001

John R. Halling
10324 Vincent Road
White Marsh, Maryland 21162

NOTICE OF DECISION - FULLY FAVORABLE

I have made the enclosed decision in your case. Please read this notice and the decision carefully.

This Decision is Fully Favorable To You

Another office will process the decision and send you a letter about your benefits. Your local Social Security office or another office may first ask you for more information. If you do not hear anything for 60 days, contact your local office.

The Appeals Council May Review The Decision On Its Own

The Appeals Council may decide to review my decision even though you do not ask it to do so. To do that, the Council must mail you a notice about its review within 60 days from the date shown above. Review at the Council's own motion could make the decision less favorable or unfavorable to you.

If You Disagree With The Decision

If you believe my decision is not fully favorable to you, or if you disagree with it for any reason, you may file an appeal with the Appeals Council.

How To File An Appeal

To file an appeal you or your representative must request the Appeals Council to review the decision. You must make the request in writing. You may use our Request for Review form, HA-520, or write a letter.

You may file your request at any local Social Security office or a hearing office. You may also mail your request right to the Appeals Council, Office of Hearings and Appeals, 5107 Leesburg Pike, Falls Church, VA 22041-3255. Please put the Social Security number shown above on any appeal you file.

See Next Page

BALTIMORE NEUROSURGICAL ASSOCIATES, P.A.

6569 North Charles Street, Suite #403

Baltimore, Maryland 21204

Office Phone (410) 828-4621

Office Fax (410) 321-9773

Reginald J. Davis, M.D., F.A.C.S.

Amiel W. Bethel, M.D.

Howard M. Eisenberg, M.D., F.A.C.S.

Satellite office ———Ambulatory Care Center

Upper Chesapeake Hospital

520 Upper Chesapeake Drive, Suite 210

Bel Air, MD 21014

October 13, 2004

Dear Patient:

This is the confirmation of your upcoming surgery:

PATIENT: Halling, John
PROCEDURE: Anterior Lumbar Interbody Fusion and Posterior with Instrumentation
PROCEDURE DATE: November 10, 2004
HOSPITAL: Greater Baltimore Medical Center
Type of Admission: ☐ Outpatient
☒ Inpatient-Estimated length of stay 3 days

Where/when to report on date of admission: Admissions Office-Main Lobby of hospital-check in at information desk upon arrival at **5:30am**. Your surgery is scheduled at 7:30am.

☒ Other: Dr. Cohen is the General Surgeon who will also be participating in this procedure. You will be contacted to schedule an appointment. Any questions regarding this appointment should be directed to Dr. Cohen's office at 443-849-3470. A copy of the schedule for the GBMC Joint & Spine Center is enclosed. Please contact them directly to schedule an appointment.

Pre-Op Testing: See Enclosure
Pre-Op Instructions: See Enclosure
Post-Op Instructions: See Enclosure (blue paper)
Blood Donation: ☒ No-Not applicable ☐ Yes-*See instructions above

Be sure to read all of the enclosures with this letter. They contain specific instructions and information about your surgery. Review them now so that you are aware of what to expect, where and when to report for your pre-surgical testing, and where to report on the day of surgery. The enclosures will answer questions regarding what you can and cannot do before and after your surgery. ***Please also complete the attached form requesting your prescription information and take to the hospital with you.***

Enclosed are the dates for your wound check appointment with one of our nurses and your 6 week post-operative exam with your surgeon.

Wound check 11/10/04 @ 3:00pm

Post-operative exam 12/23/04 @ 9:45am

If you have any questions after reviewing all of the information, please do not hesitate to contact the office.

Sincerely,


Andrea Gregg
Surgery Posting Coordinator

CASE # 05-140-SPHA

I JOHN HALLING OF 10324 VINCENT RD
WHITE MARSH MD. 21162 WISH TO APPEAL
THE DECISION FOR VARIANCE ON GARAGE

I AM PHYSICALLY DISABLED SINCE AUGUST 18 1999
I HAD A FUSION IN MY NECK JUNE 4 2004 C4C5C6
AND RECENTLY HAD ANOTHER FUSION IN MY LOWER
BACK NOV. 10 2004 4 DISC WERE FUSED L4-S1

I STILL HAVE TO GO THROUGH MONTHS OF REHAB
BEFORE I AM ABLE TO DO ANY KIND OF LIGHT WORK
WHICH MAKES IT IMPOSSIBLE FOR ME TO DO THE WORK

MY INCOME IS LIMITED BECAUSE I AM ON
SSI AND MY PENSION SO THIS ALSO CAUSES A
MONETARY HARDSHIP FOR ME WHICH I AM JUST
GETTING BY SO I CANNOT PAY SOMEONE TO
DO THE WORK FOR ME

I WAS GETTING WORKMANS COMP BUT DO TO MY
NEIGHBOURS VIDEO TAPING ME WORKING AROUND
MY HOUSE WITH OTHERS THAT WAS CUT OUT
AT A HEARING

JRH/g

DEC 13 2004

clb

JOHN HALLING 10324 VINCENT RD

Case No.: 05-140 SPAA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	PLAT prepared by Petitioner	Photographs. (1A) thru ~~10~~ 1J
No. 2	Survey of Protestant	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

DATE _____

E-MAIL

[illegible]

DATE _____

E-MAIL

Linda Wodarczyk

10320 Vincent Kc

10320 Vincent Rd

Unit Marshes 2116

white marks in

N 27,000

STAHL RD

GAMBRILL

#140

ROAD

R.C. 3

VINCENT

LYTLE

R.C. 3

N 26,000

(SHEET N.E. 7-J)

SITE

PINE

HILL

ROAD

NE-7-J

ROAD

LAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

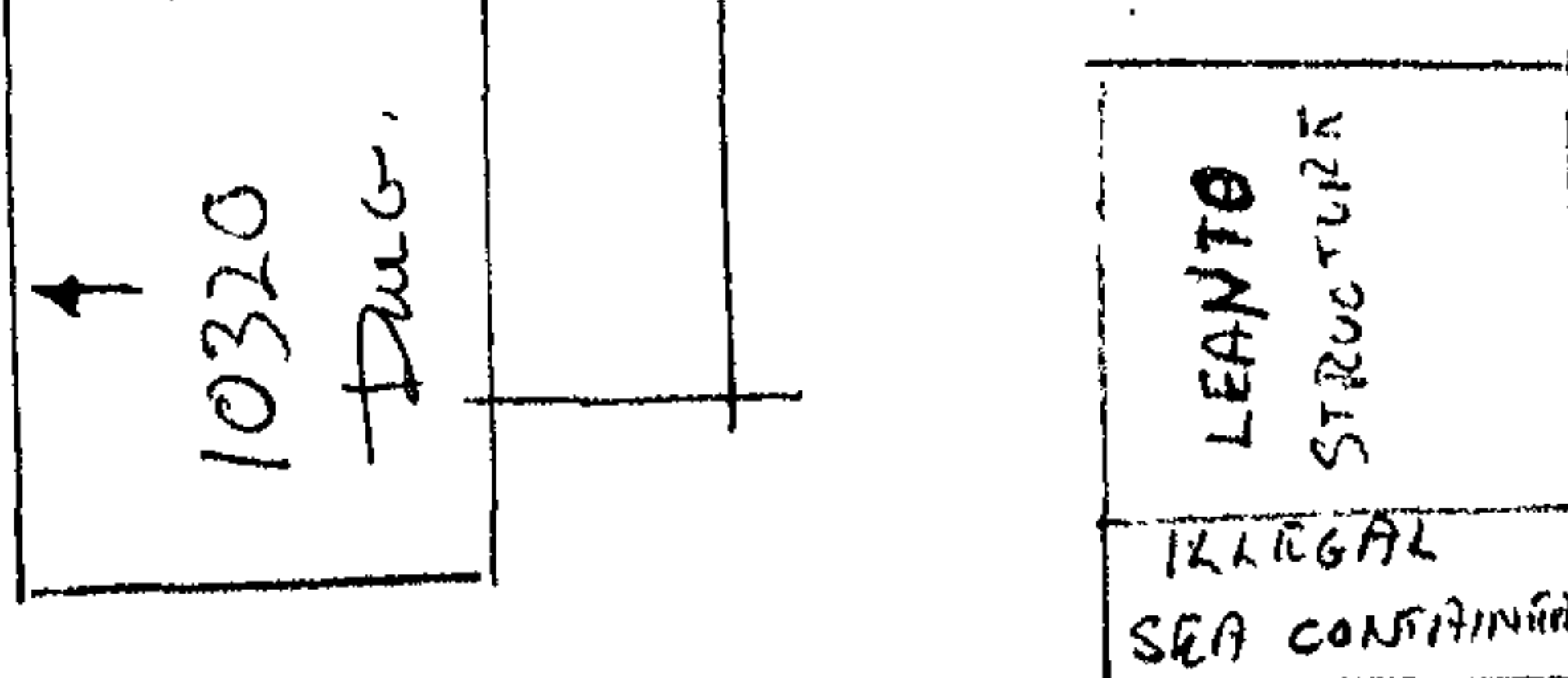
PROPERTY ADDRESS 10324 VINCENT RD

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

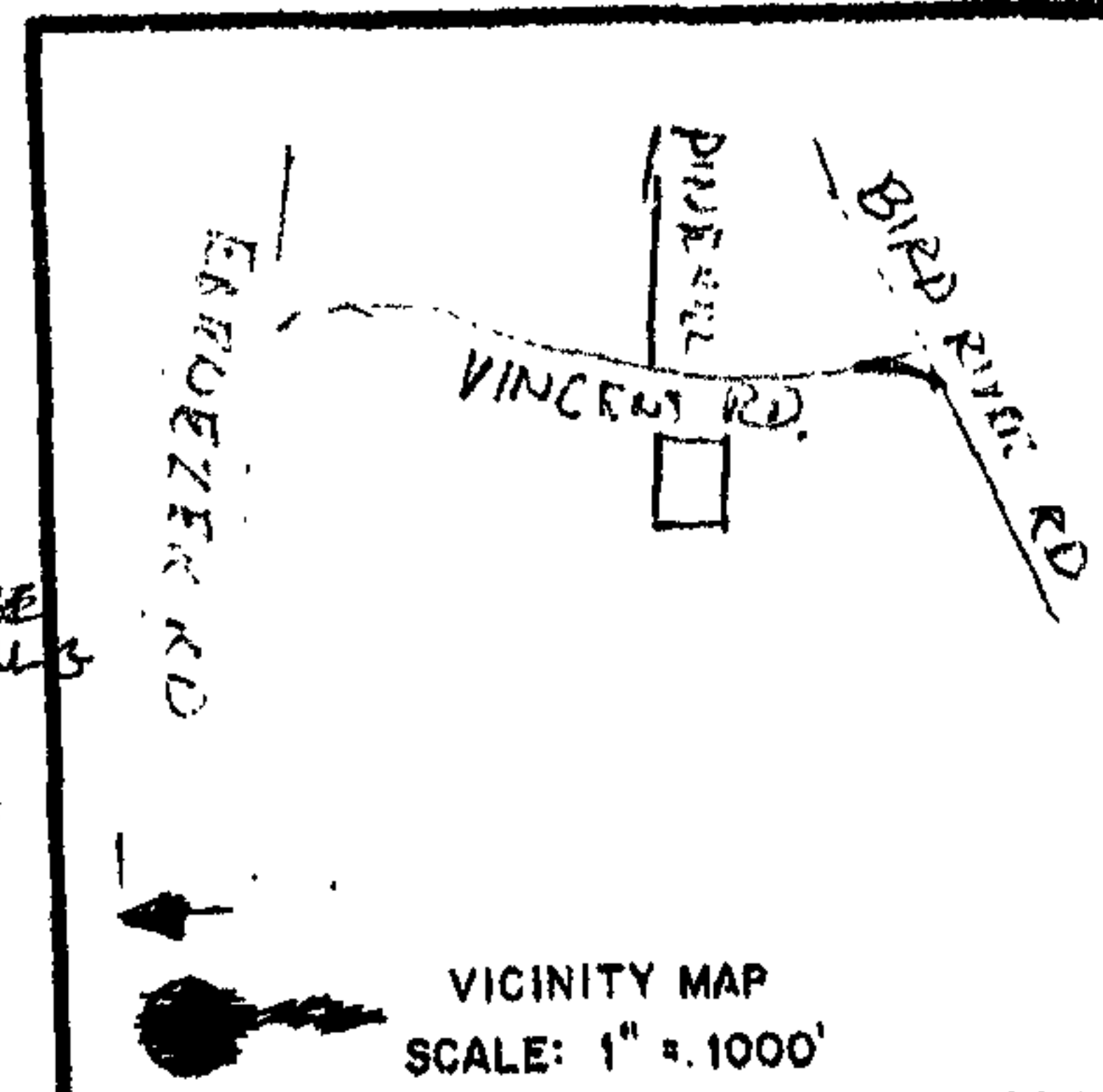
SUBDIVISION NAME N/A

PLAT BOOK # 103 FOLIO # 25 LOT # 1 SECTION # 1

OWNER JOHN HALLING



* SPH FOR GARAGE LARGER THAN DULB VARIANCE FOR EXISTING GARAGE TO BE 12" (1 FT.) FROM PROPERTY LINE



LOCATION INFORMATION

ELECTION DISTRICT 15

COUNCILMANIC DISTRICT 6

1" = 200' SCALE MAP # 1" = 50'

ZONING RC 3

LOT SIZE 1 ACRE 43629.00
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING		

ZONING OFFICE USE ONLY
REVIEWED BY JL ITEM # 05-140-SPHA CASE #

I ACCEPT RESPONSIBILITY FOR THE ACCURACY OF ALL INFO. DRAWN & WRITTEN BY BALTO. CO. AS IT INVOLVES THIS ZONING PETITION.

John Halling 9-14-04
DATE

PREPARED BY JOHN HALLING

SCALE OF DRAWING: 1" = 50'

EXHIBIT 1

PHONE: 483-5150

KELLER & KELLER

State Registered Land Surveyors

SINCE 1924

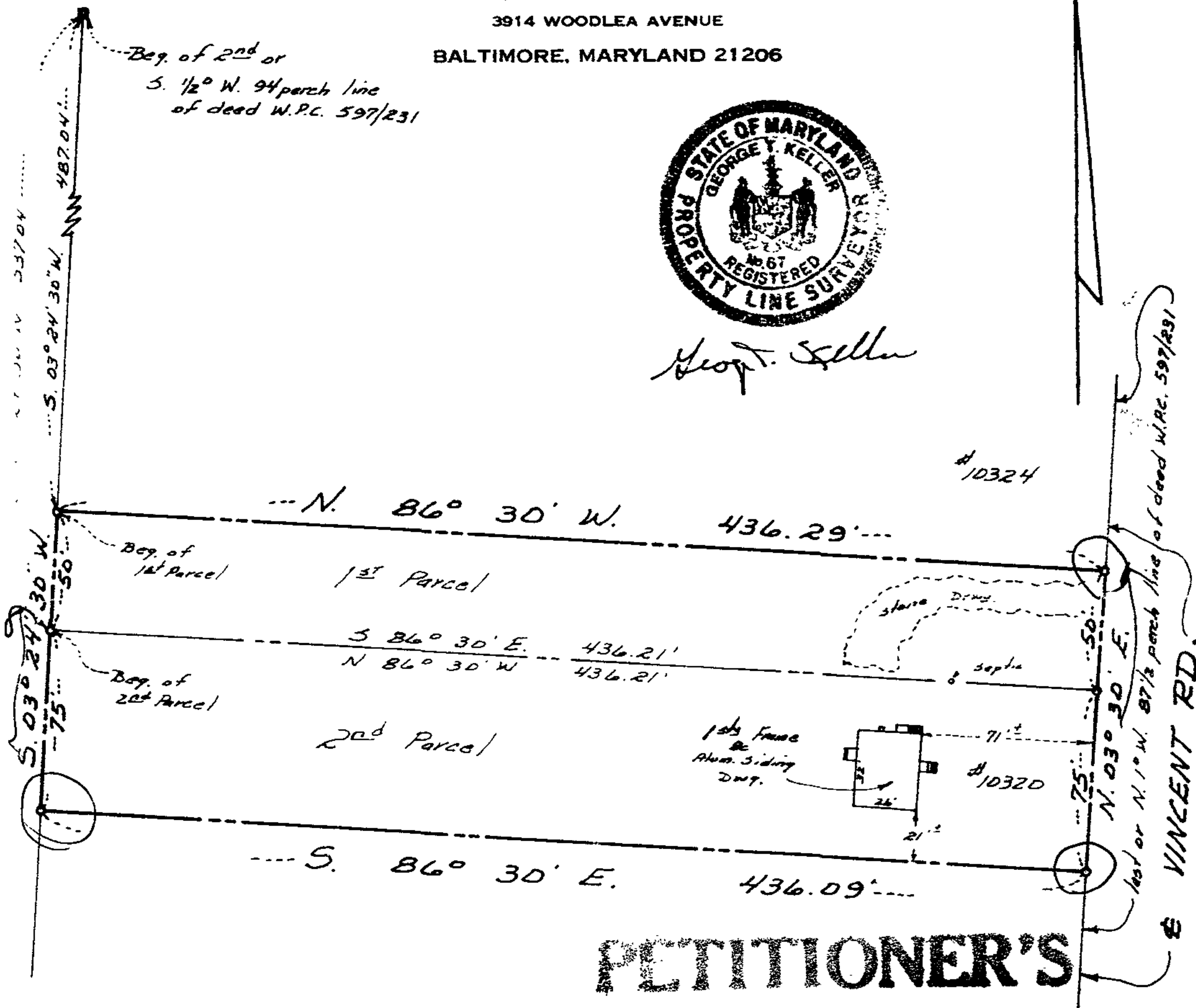
LAND SURVEYS

3914 WOODLEA AVENUE

BALTIMORE, MARYLAND 21206



Geoff. Keller



PETITIONER'S

EXHIBIT 2

This is to Certify that we have this day made a Field Location

Survey of #10320 VINCENT RD. & that house
and ■ property lines are as shown on this Plat.

Scale: 1" = 60'

Date: Jan. 26th, 1984

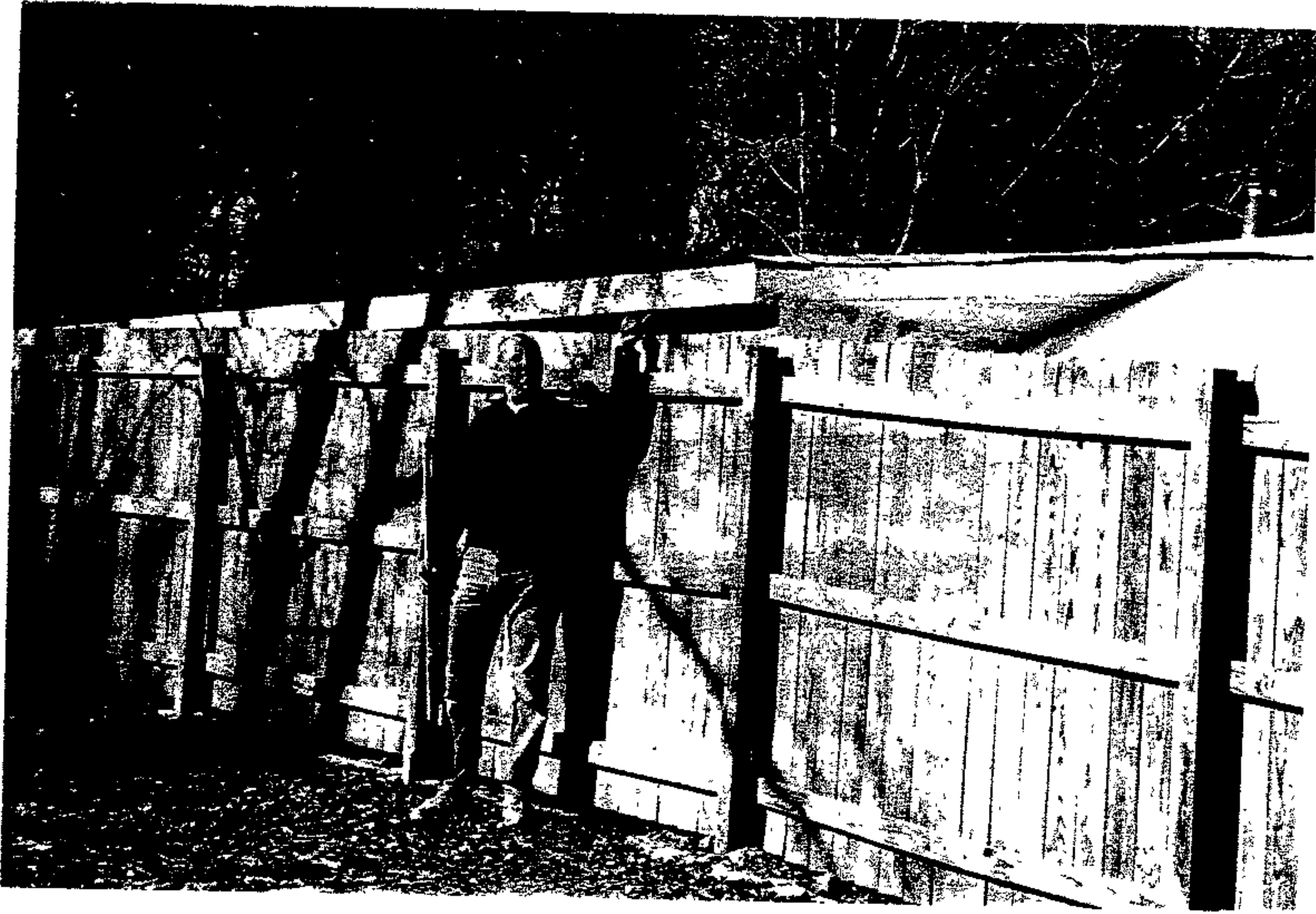
Keller & Keller

Deed Reference:
Balto. Co.
5817/907

THIS PLAT IS INTENDED TO SHOW
THE IMPROVEMENTS ONLY AND IS
NOT TO BE CONSTRUED AS AN
ESTABLISHMENT OF PROPERTY LINES.



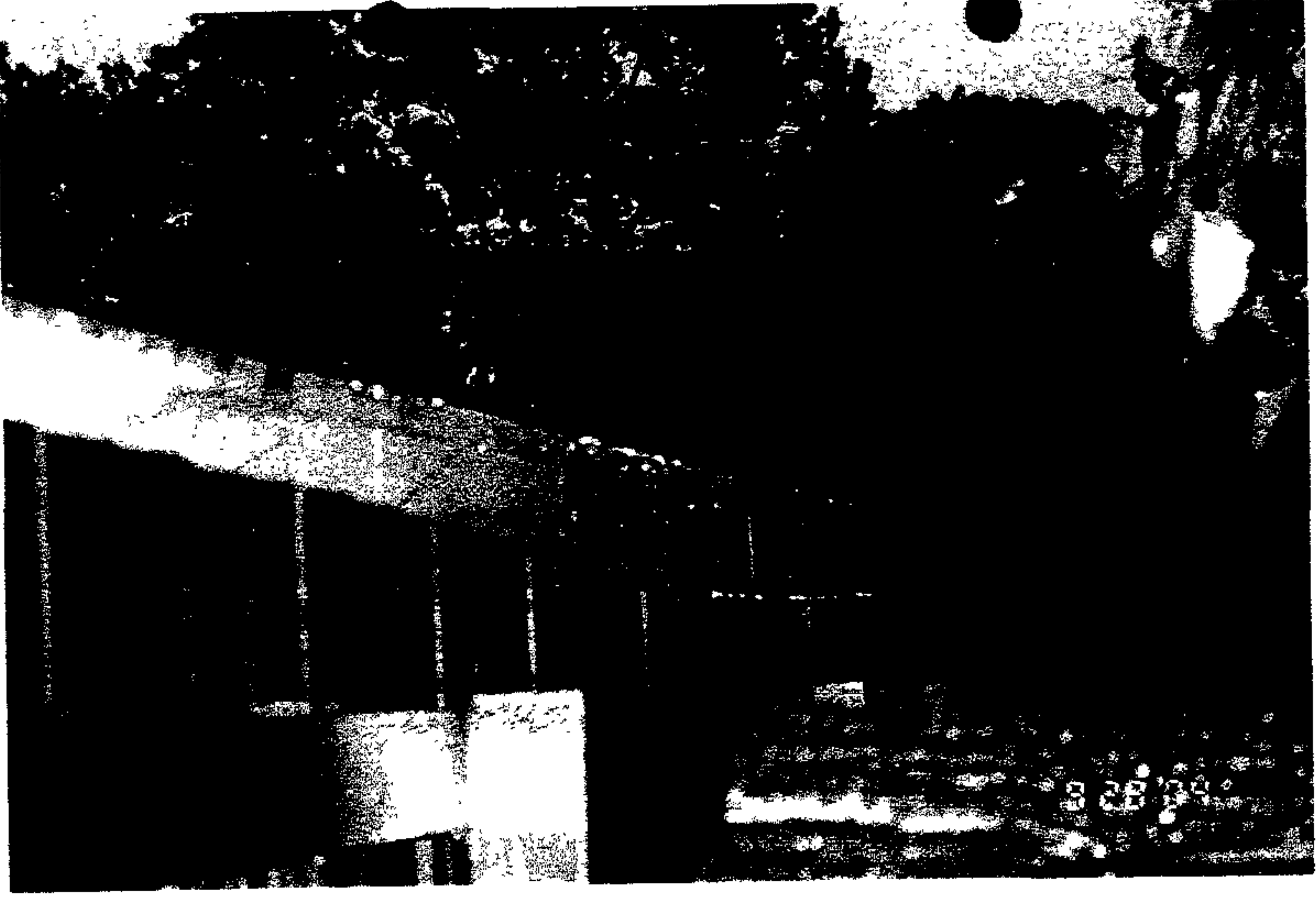
Protestants 1-G



Protestants 1-F



Protestants 1-D



Protestants 1-E



Prentiss 1-C



Prentiss 1-B