

BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 18, 2009

HOWARD L. AND CHARLOTTE L. ASTARITA
18 RYAN FROST WAY
BALTIMORE MD 21221

Re: Petition for Variance
Case No. 2008-0576-A
Property: 18 Ryan Frost Way

Dear Mr. and Mrs. Astarita:

I am in receipt of your letter dated February 24, 2009 pertaining to the above-referenced case. In that case, I granted your request for a side yard setback Variance for a carport accessory structure. As I recall, the carport is located in front of an existing detached garage that would provide you with more storage space for your speedboat and vehicles.

As part of my September 24, 2008 Order, I also directed you to provide landscape screening along the side of the garage as well as the side wall of the carport, including appropriate shrubbery to lessen the visual impact of the carport. I affirmed this decision in a subsequent December 2008 Order on Motion for Reconsideration.

I then received an email from you and your wife dated January 13, 2009 indicating that, in addition to your planned landscape screening, you were considering installing a garage style door on the front of the carport to also improve the appearance. I indicated in a reply email that same date that I thought the garage door was a good idea, but was unfamiliar with what, if any, permit requirements this might entail.

In your aforementioned letter, you indicated that you checked the Zoning Office and was informed by John Altmeyer, a Code Inspections/Enforcement Supervisor, that enclosing the carport with a garage style door would constitute a "building" and not a "carport" and would not be in compliance with my September 24, 2008 Order and might require additional zoning relief.

After consulting on this matter with Mr. Altmeyer and discussing it with him, please be advised that in my view, adding a garage style door to the front of the carport accessory structure is within the spirit and intent of my original Order on this matter. In granting your Variance for the carport, one of my goals was to lessen the visual impact of the carport since it would be relatively close to the common driveway right-of-way for several homes near your property.

HOWARD L. AND CHARLOTTE L. ASTARITA

March 18, 2009

Page 2

One method of accomplishing this was to require adequate landscaping around the carport. Another method is to permit a tasteful garage style door at the front of the carport. This would keep stored items out of sight and result in a cleaner appearance. In speaking with Mr. Altmeyer, he was in agreement with my assessment. Hence, I shall clarify my Order to indicate that a garage style door on the front of the carport is permissible in this instance.

I hope this letter is responsive to your concerns and addresses any ambiguities going forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick", written in a cursive style.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

February 24, 2009

Baltimore County Maryland
Thomas H. Bostwick, Deputy Zoning Commissioner
Jefferson Building
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

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FEB 27 2009

ZONING COMMISSIONER

Dear Deputy Commissioner Bostwick,

RE: Petition for Variance
Case #2008-0576-A
Property: 18 Ryan Frost Way

We wanted to check with you to see if you can provide some guidance to us regarding the possibility of putting a door on the carport structure that was addressed in the above referenced case number.

During our variance hearing, you had suggested that we put up a door on the carport to alleviate the eyesore from our neighbor, Lynda Weiss. We agreed that we felt this would be a good idea and would hopefully help to appease her.

You had approved the variance for the 2' side set back, and we are now beginning the thought process of putting up landscape screening as you required as a contingency to the variance. We were considering putting up the door at that time as well.

We checked with the Zoning Office to see if we need to get any additional permits to put up such door, and we were advised by Mr. John Altmeyer that it would not be possible to put up the door since the structure is defined as a "carport" in lieu of a "building." We certainly do not want to do anything to cause any problems to arise, so we wanted to check with you to see what you think we may be able to do about this situation.

We would appreciate it if you would check into this matter for us and get back to us with your findings. Thank you for your continued assistance in this matter. Hopefully, we will complete this project soon and we can all put this matter behind us.

Sincerely,
Howard & Charlotte Astarita
Charlotte L. Astarita
Howard & Charlotte Astarita
18 Ryan Frost Way
Baltimore, MD 21221

IN RE: PETITION FOR VARIANCE

S side of Ryan Frost Way, 238 feet SE
of Russell Frost Court
15th Election District
6th Councilmanic District
(18 Ryan Frost Way)

Howard L. and Charlotte L. Astarita
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2008-0576-A**

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

This matter comes before this Deputy Zoning Commissioner for consideration of a Motion for Reconsideration filed by Lynda Weihs of 25 Ryan Frost Way. The Motion for Reconsideration was filed pursuant to Rule 4(k) of Appendix G of the Baltimore County Zoning Regulations ("BCZR") wherein the "Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer for Baltimore County" are set forth. Specifically, Rule 4(k) permits a party to file a Motion for Reconsideration of an Order issued by the Zoning Commissioner. This Motion must be filed within 30 days of the date the Order was issued, and must state with specificity the grounds and reasons for their request. It should also be noted that the filing of a Motion for Reconsideration stays all further proceedings in the matter, including the time limits/deadlines for the filing of an appeal.

In the instant matter, Petitioners requested Variance relief from Section 400.1 of the Baltimore County Zoning Regulations to permit an accessory structure (carport) with a side yard of zero feet in lieu of the required 2.5 feet, and to amend the Final Development Plan for Lot #20 in Cape May Landing. The property is part of the subdivision known as "Cape May Landing" and is located at the terminus of the Ryan Frost Way cul-de-sac, south of Cape May Road and east of Back River Neck Road in the Essex area of Baltimore County. The property also backs

up to Turkey Point Road to the south. The property is improved with an existing single-family dwelling and detached two car garage. The property is also improved with the carport that was the subject of this variance request. A Code Enforcement citation had been issued in the case because Petitioners' carport allegedly encroached on neighboring property. After considering the testimony and evidence produced at the requisite public hearing on this matter, the undersigned granted the requested variance in an Order dated September 24, 2008.

Thereafter, on October 24, 2008, Ms. Weihs, who attended the hearing and testified in opposition to the variance request, filed the instant Motion for Reconsideration. In addition, on October 28, 2008, Ms. Weihs submitted a photograph as an addendum to her original Motion for Reconsideration. In support of her Motion, Ms. Weihs indicates that she believes the location of the carport hinders the view of cars or children when exiting the shared driveway, near where the carport is situated. She also believes the carport is unsightly and may impact the value of her property. Ms. Weihs also refers to a Declaration of Easement that limits Petitioners' driveway width at 12 feet, and that the driveway is over 30 feet wide, exceeding the permitted width. Finally, Ms. Weihs submitted a photograph of a small motorboat stored on the opposite side of Petitioners' home from where the carport is located. She indicates Petitioners stated at the hearing that one of the reasons for the carport was for storage of the said motorboat, but that the photograph evidences otherwise.

Following receipt of the Motion for Reconsideration, the undersigned on October 30, 2008 forwarded a copy to Petitioners and offered them the opportunity to respond if they so chose. The undersigned then received a letter dated November 5, 2008 and packet of documentation from Petitioners responding to the Motion for Reconsideration.

All of the aforementioned documents are contained within the case file. Moreover, hopefully, the preceding recitation has given Petitioners a better understanding of the procedures under which this Office operates. In particular, I can only assume Petitioners were ignorant of these procedures when they wrote to me in the third paragraph of page two of their letter that "I am assuming that you have taken a personal interest in Ms. Weiss' letter that caused you to feel the need to not require the normal guidelines that other Baltimore County citizens must adhere to in order for their case to be heard." As Petitioners now hopefully realize, the undersigned has not taken a "personal" interest in this matter, but is merely affording the parties their respective rights under the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer for Baltimore County. One of those rights is the right of a party to file a Motion for Reconsideration.

A summary of Petitioners' response is that, in terms of storage of their motorboat, they do store the boat in the carport during the boating season; however, when the season is concluded, they winterize and "shrink wrap" the boat and store it on the other side of the home for the winter, out of the way. Petitioners also indicated they have four vehicles, and they use the carport to help store those vehicles out of the elements in the winter months. As for the other assertions in Ms. Weihs' Motion, Petitioners maintain they are simply not supported by the evidence, but are more a product of the ill will that exists from Ms. Weihs toward Petitioners.

In considering the Motion for Reconsideration, the undersigned reviewed the file as well as notes taken during the hearing and the Findings of Fact and Conclusions of Law dated September 24, 2008. The undersigned also reviewed the Motion for Reconsideration and the response submitted by Petitioners. After reviewing these documents, I am persuaded to deny the Motion. In particular, I shall not disturb my decision granting the variance. I believe both the

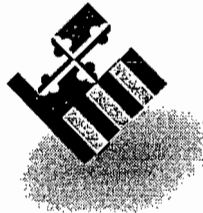
evidence and applicable law support that decision. In addition, the substance of the assertions put forth by Ms. Weihs in her Motion were raised at the hearing and already considered by me in rendering my decision. These assertions shall not be re-litigated now. Hence, the Motion for Reconsideration in opposition to the granting of the variance shall be denied.

WHEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 4th day of December, 2008 that the aforementioned Motion for Reconsideration be and is hereby DENIED.

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick", is written over a horizontal line.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 4, 2008

LYNDA WEIHS
25 RYAN FROST WAY
BALTIMORE MD 21221

Re: Petition for Variance
Order on Motion for Reconsideration
Case No. 2008-0576-A
Property: 18 Ryan Frost Way

Dear Mrs. Weihs:

Enclosed please find the decision rendered in the above-captioned case.

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 black ink, appearing to read "Th. H. Bostwick", written over a horizontal line.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Howard L. And Charlotte L. Astarita, 18 Ryan Frost Way, Baltimore MD 21221
David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040
Karl Weihs, 2425 Cub Hill Road, Baltimore MD 21234

November 5, 2008

Baltimore County Maryland
Thomas H. Bostwick, Deputy Zoning Commissioner
Jefferson Building
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

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NOV 06 2008

BY:.....

Dear Deputy Commissioner Bostwick,

RE: Petition for Variance
Case # 2008-0576-A
Property: 18 Ryan Frost Way

This letter is in response to the letter that we received from you dated 10/30/08 regarding a hand written letter you received from the complainant, Lynda Weiss.

I am a bit confused, and hope that you can educate me about the process of variances and the right to appeal. I received an approval from you dated 9/24/08 granting the variance that we had requested regarding our carport. In that document, it stated that either party has the right to appeal the decision if an appeal is filed within (30) days of the date of the letter by paying a fee and filing the appropriate documentation with the Department of Permits and Development Management. I called that office on 10/28/08 to confirm that no appeals were filed, and was told by Lashonda that none had been filed.

I am now in receipt of a letter from you showing that Ms. Weiss sent letters to you dated 10/24/08 and 10/28/08 asking you to repeal your decision, and you are apparently considering the matter. Did Ms. Weiss pay the appropriate fee and file the appropriate paperwork with the Department of Permits and Development Management as per your letter and the Baltimore County guidelines? If so, than I would anticipate another hearing to be scheduled. Your letter does not confirm that; rather, it seems to be a response to a simple letter sent to you after 30 days to ask you to reconsider. I would have assumed that you would have responded to such letter by reaffirming the appeal process and advising Ms. Weiss that her appeal would not be considered since it was not filed properly nor in the proper time frame. Hence, my confusion.

In response to your letter, we keep our boat under the carport during the summer months. This way, the boat is secure from the weather and does not need to be covered after each use. During the winter months, we have the boat winterized and shrink wrapped for storage purposes as do most boat owners. I have enclosed receipts where we had the boat winterized and shrink wrapped on 10/21/08 and put the boat on the other side of the house for winter storage. To my knowledge, Ms. Weiss did not go down and pay a fee to file for an appeal on that day or the next day. Rather, she waited until the time was up to play upon your sympathies. We saw her in our yard a few times since the boat was moved taking pictures of our house, our carport and our boat as she does regularly. We no longer bother the police because she is in our yard regularly taking our pictures and making nasty comments to try and initiate an argument.

Although you cited the boat as one of the reasons that granted the variance, which is relevant in the summer months, we were not under the impression during the hearing that this was the only reason you granted the variance. In fact, you suggested that we put up a door to enclose the structure so that she wouldn't have to look at the boat or vehicles kept in the structure. We would like to take your advice and put up a door, but feel that everything we do causes her to complain. If you find the door to be acceptable to her complaint regarding the eyesore, we would be happy to comply. Perhaps a review of the transcripts from the hearing might clarify some of these issues.

We also have 4 motor vehicles. I have taken pictures of them for your review and have copies of the registration cards enclosed as well. During the summer months, we park my car in the front parking pad to allow room for the boat. During the winter months, I prefer to keep it under the carport since it is a convertible, and the boat is shrink wrapped for winter storage. I did not interpret the variance to be granted only upon our need for the boat to be covered. If the boat were sold some time in the future, would you then rescind your decision simply because we no longer own the boat? Ms. Weiss also references her concern about our having "access" to more than 12" for ingress/egress to the garage. We did not pour the blacktop in the driveway or the area to access our garage. This was done by the builder when our home was originally built. There is no way for us to somehow block off 12" to deter our access. None of our vehicles, including our boat, is any wider than 12". Therefore, we do not use more than 12" for ingress/egress. Ms. Weiss has also spray painted our driveway marking what she says is our allowable access, and we adhere to it since as I've indicated, none of our vehicles are wider than 12". As you can well imagine, her spray painting in our driveway looks hideous but we have tolerated it as we have tolerated much of Ms. Weiss' behavior over the years. In fact, she also spray painted her property lines in our driveway (photo enclosed) which are the lines that we worked off of to put up the carport. She also references concern about children in the driveway which is extremely ironic considering the fact that all the neighborhood children fear her when she pulls in the driveway because of the excessive speed that drives at. She also tried to run me and my vehicle down in the driveway which could have caused serious harm to someone. The presence of our carport has nothing to do with that.

I am assuming that you have taken a personal interest in Ms. Weiss' letter that caused you to feel the need to not require the normal guidelines that other Baltimore County citizens must adhere to in order for their case to be heard. Since you are apparently allowing additional information to be submitted for consideration, I am also providing additional information for consideration. Please understand that this will very possibly be an ongoing process for some time as Ms. Weiss has regularly complained about everything we do. Since you are considering her current complaint, I would imagine that she will complain when we complete the required landscape screening and continue to find things to complain about. This has been our history with this neighbor, and I would anticipate her continued complaints as she has told us that she has made it her mission in life to continually inconvenience and harass us.

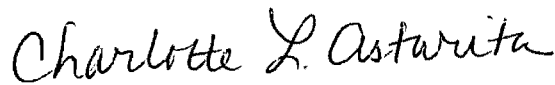
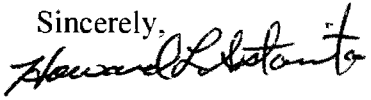
When we were in your court on 9/24/08, we assumed that this was a variance hearing and that you did not want to hear all of the background that was associated to the case between ourselves and Ms. Weiss. I respected you and your court and did not bring forth all of the issues of harassment that we have experienced from this woman over the years. Since you are taking these matters further, I now feel the need to present all of the information that is relevant.

I have enclosed a copy of the journal that I have kept regarding the continued harassment as suggested by Baltimore County Police to document dates and times of Ms. Weiss' behavior. I have also enclosed a copy of the Peace Order that we had to get against her in 2006 when she destroyed our property and threatened us with bodily harm.

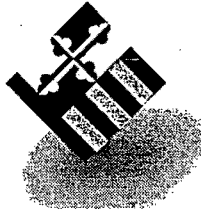
As you can now see, there is a much bigger picture at hand than what has been presented to you in the variance hearing and the letter presented to you by Ms. Weiss. I am hoping for closure on this issue so that we can have our surveyor, Dave Billingsley, come out and formally mark the property lines.

We will await your response and appreciate your time and efforts with regards to this matter.

Sincerely,



Howard & Charlotte Astarita
18 Ryan Frost Way
Baltimore, MD 21221



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

October 30, 2008

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

Howard L. and Charlotte L. Astarita
18 Ryan Frost Way
Baltimore, Maryland 21221

Re: Petition for Variance
Case No. 2008-0576-A
Property: 18 Ryan Frost Way

Dear Mr. and Mrs. Astarita:

Please be advised that I am in receipt of a letter received in this office on October 24, 2008 from Ms. Lynda Weihs of 25 Ryan Frost Way requesting that I reconsider my decision granting your Variance request in the above-captioned matter. Ms. Weihs also sent a follow-up letter dated October 28, 2008, along with a photograph. Copies are attached for your reference.

As you may recall, in an Order dated September 24, 2008, I granted your Variance request from Section 400.1 of the Baltimore County Zoning Regulations to permit an accessory structure (carport) with a side yard setback of zero (0) feet in lieu of the required 2.5 feet, and to amend the Final Development Plan for Lot #20 in Cape May Landing. Ms. Weihs now requests that I reconsider the granting of the Variance. Among other things, Ms. Weihs states that the current storage location of the speedboat is on the other side of your home, which is contrary to the testimony given at the zoning hearing, wherein you stated the primary necessity for the carport was for storage of said boat.

Please review the aforementioned documents. You may respond to Ms. Weihs' letter, but you are not required to do so. If you wish to respond to the request for reconsideration, please do so in writing within 14 days of the date of this letter. If I do not hear from you by that date, I will then proceed to make a decision on the request for reconsideration. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:dlw
Enclosures

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040
Lynda Weihs, 25 Ryan Frost Way, Baltimore MD 21221
Karl Weihs, 2425 Cub Hill Road, Baltimore MD 21234

IN RE: PETITION FOR VARIANCE

S side of Ryan Frost Way, 238 feet SE
of Russell Frost Court
15th Election District
6th Councilmanic District
(18 Ryan Frost Way)

Howard L. and Charlotte L. Astarita
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 2008-0576-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Howard and Charlotte Astarita. The property owners are requesting variance relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (carport) with a side yard of zero feet in lieu of the required 2.5 feet, and to amend the Final Development Plan for Lot #20 in Cape May Landing. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioners Howard and Charlotte Astarita. Also appearing in support of the requested relief was David Billingsley with Central Drafting & Design, Inc., the professional land surveyor who prepared the site plan. Appearing in opposition to the requested relief was a nearby neighbor, Lynda Weihs, of 25 Ryan Frost Way.

It should be noted that this matter is currently the subject of an active violation case (Case No. 08-1961) in the Division of Code Inspections and Enforcement. A citation for code violation had been issued in this matter due to the fact that the new carport was allegedly encroaching on neighboring property. The citation indicated that the carport would need to be moved off

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neighboring property and would need to meet all property line setbacks. The fact that a zoning violation is issued is generally not relevant to a zoning case. This means that Petitioners cannot attempt to benefit from the fact that a structure has been built in order to set a precedent to allow the use to continue. Nor does the fact that a structure may be costly to remove or modify come into consideration of the zoning case. Conversely, the fact that a structure may have been erected in violation of the regulations is not held against Petitioners in deciding the discrete issues involved in this zoning case as an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. Such is not the province of this Commission.

Testimony and evidence offered revealed that the subject property is an irregular-shaped lot consisting of approximately 8,840 square feet or 0.203 acre, more or less, zoned D.R.3.5. As shown on the record plat that was marked and accepted into evidence as Petitioners' Exhibit 4, the property is part of the subdivision known as "Cape May Landing" and is located at the terminus of the Ryan Frost Way cul-de-sac, south of Cape May Road and east of Back River Neck Road in the Essex area of Baltimore County. The property also backs up to Turkey Point Road to the south. The property is improved with an existing single-family dwelling and detached two car garage. The property is also improved with a carport that is the subject of this variance request.

At this juncture, Petitioners desire to add the carport to the front of their two car garage. They indicated that they are in need of additional storage space, namely in order to store their speedboat and trailer. Although Petitioners have a driveway located in front of their home leading to a concrete walkway, as depicted on the site plan, they also retain the use of a private driveway that runs along the left side of their property and provides access from Ryan Frost Way to Lots 18 and 19. Pursuant to an Amended Declaration of Easement dated October 15, 1993, which was

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marked and accepted into evidence as Petitioners' Exhibit 5, Petitioners have use of the private driveway for access to their detached garage (and, ostensibly, the proposed carport addition).

Initially, when the carport was erected, it was found to be encroaching on the property owned by the adjacent property owner, Ms. Weihs. After determining via land surveys that the carport was located partly on Ms. Weihs' property, Petitioners changed the configuration of the carport by angling the side wall facing the private driveway. Although the carport no longer encroaches on Ms. Weihs' property, due to the side yard setback requirements, Petitioners are in need of variance relief. As presently configured, the carport would have a side yard setback of zero feet in lieu of the required 2.5 feet.

Photographs that were marked and accepted into evidence as Petitioners' Exhibits 7A through 7G depict Petitioners' home, the private driveway, the carport as it exists in front of the detached garage, and the other homes that are accessed by the private driveway, including Ms. Weihs' home. In support of the variance request, Mr. Billingsley pointed out several unusual characteristics of the property that include the property's irregular shape, and the fact that Ms. Weihs' property essentially cuts into the right rear portion of Petitioners' lot. The lots must have been laid out in this fashion when Cape May Landing was platted in 1990; however, it does reduce the available land for Petitioners and limits their options with regard to an accessory structure such as a carport. In addition, the pie-shape of the lot also limits where the carport can be placed based on access to the structure. Although there is potentially space for the carport behind the dwelling, there is no practical way to access that rear yard area. The fact that the subject property also backs up to a public road is another unusual characteristic of the property. Finally, Petitioners presented a letter in support of the carport in its present location dated August 9, 2008 and signed by

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9-24-08
By _____

adjacent neighbors at 16, 21, 19, and 23 Ryan Frost Way. This letter was marked and accepted into evidence as Petitioners' Exhibit 8.

Testifying in opposition to the carport was the adjacent neighbor, Ms. Weihs. Ms. Weihs is very concerned about the present location of the carport because she believes it could potentially impact access to her property via the private driveway. As Ms. Weihs pointed out, the aforementioned Amended Declaration of Easement allows the use of that driveway by Petitioners only for access to their garage and does not contemplate access for a carport. In addition, according to paragraph 2 of that agreement, the width of Petitioners' driveway access from their property is not to exceed 12 feet; however, it is obvious from the photographs that Petitioners' driveway access exceeds 12 feet in width. Simply put, it is apparent from her testimony that Ms. Weihs has had a contentious relationship with Petitioners and feels that they have ignored her property rights by initially constructing a portion of the carport on her property, and have ignored the zoning regulations with regard to placement of the carport in violation of the required setback. She also believes the structure is an unattractive eyesore and should be moved further back if permitted to remain.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

Considering all the testimony and evidence presented, I am persuaded to grant the requested relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The unusual configuration of the property combined with the space limitations shown on the site plan and photographs, as well as being bounded to the north and south by two streets, make this property unique in a zoning sense. I

~~NOT FOR RELEASED FOR PUBLIC~~

~~9-24-08~~

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further find that the imposition of zoning on this property disproportionately impacts the subject property as compared to others in the zoning district.

Finally, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. With respect to Ms. Weihs' concerns, I believe the overall impact to her property will be minimal, especially given its location further back from the cul-de-sac. In addition, other adjacent neighbors have expressed support for the project, so, again, I believe the impact of the carport will be minimal.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 24th day of September, 2008 by this Deputy Zoning Commissioner, that Petitioners' variance request from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (carport) with a side yard setback of zero feet in lieu of the required 2.5 feet, and to amend the Final Development Plan for Lot #20 in Cape May Landing be and is hereby GRANTED, subject to the following:

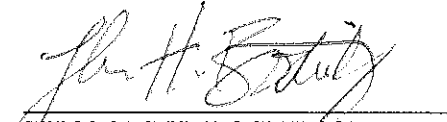
1. Petitioners are advised that they may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners shall provide landscape screening along the side of their detached garage facing the private driveway and shall also provide landscape screening along the same outside wall of the carport that faces the private driveway. This screening shall include appropriate shrubbery in order to lessen the visual impact of the carport.

STAMP: RESUBMITTED FOR FILING

DATE: 9-24-08

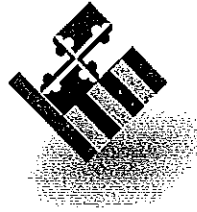
BY: [Signature]

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

STATION APPROVED FOR FILING
9.24.08
107



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 24, 2008

HOWARD L. AND CHARLOTTE L. ASTARITA
18 RYAN FROST WAY
BALTIMORE MD 21221

Re: Petition for Variance
Case No. 2008-0576-A
Property: 18 Ryan Frost Way

Dear Mr. and Mrs. Astarita:

Enclosed please find the decision rendered in the above-captioned case.

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 black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: David Billingsley, Central Drafting & Design, Inc., 601 Charwood Court, Edgewood MD 21040
Lynda Weihs, 25 Ryan Frost Way, Baltimore MD 21221
Karl Weihs, 2425 Cub Hill Road, Baltimore MD 21234



VIOLATION +
CBCA

TAX. ACCOUNT # 22000006314

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 18 RYAN FROST WAY

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)

SEE ATTACHED

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

TO BE PRESENTED 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):

Howard L. Astarita

Name - Type or Print

Howard Astarita

Signature

Charlotte L. Astarita

Name - Type or Print

Charlotte L. Astarita

Signature

18 Ryan Frost Way 443-

Address

Baltimore, MD

City

State

Telephone No.

867-3510

Zip Code

Representative to be Contacted:

Name

CENTRAL DRAFTING

AND DESIGN, INC.

(410) 679-8719

Address

601 CHARWOOD COURT

City

EDGEWOOD, MD 21040

City

State

Telephone No.

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

UNAVAILABLE FOR HEARING —

Reviewed By JL

Date 6/13/08

SECTION 400.1 (BCZR) TO PERMIT AN ACCESSORY STRUCTURE (CARPORT)

WITH A SIDE YARD OF 0 FEET IN LIEU OF THE REQUIRED 2.5 FEET.

*AND TO AMEND THE FINAL DEVELOPMENT PLAN FOR
LOT # 20 IN CAPE MAY LANDING.*

0516

ZONING DESCRIPTION

18 RYAN FROST WAY

Beginning at a point on the south side of Ryan Frost Way (50 feet wide) distant 238 feet southeasterly from it's intersection with the center of Russell Frost Court (50 feet wide), thence being all of Lot 20 as shown on the plat entitled Cape May Landing recorded among the Baltimore County plat records in Plat Book 63 Folio 4.

Containing 8,840 square feet or 0.203 acre +/-.

Being known as 18 Ryan Frost Way. Located in the 15TH Election District, 6TH

Councilmanic District of Baltimore County, Md.

**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: #2008-0576-A
18 Ryan Frost Way
S/side of Ryan Frost Way, 238 feet s/east of Russell Frost Court
15th Election District
6th Councilmanic District
Legal Owner(s): Howard L. & Charlotte Aslarita
Variance: to permit an accessory structure (carport) with a side yard of 0 feet in lieu of the required 2.5 feet and to amend the Final Development Plan for Lot #20 in Cape May Landing.
Hearing: Friday, August 22, 2008 at 9:00 a.m. in Hearing Room 1, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

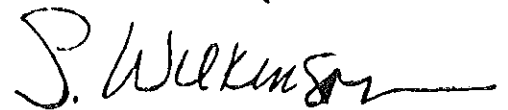
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
8/021 Aug 7 180258

CERTIFICATE OF PUBLICATION

8/7/, 2008

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 8/7/, 2008.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 2008-0576-A

Petitioner/Developer: DAVE BILLINGSLEY
CENTRAL DRAFTING & DESIGN

Date Of Hearing/Closing: 8/22/08

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

Attention:

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
at 18 RYAN FROST WAY

This sign(s) were posted on July 30, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 7/30/08
(Signature of sign Poster and Date)

Martin Ogle

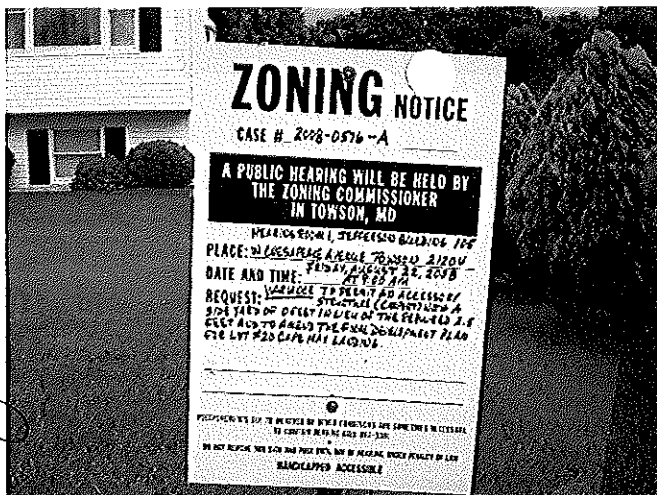
Sign Poster

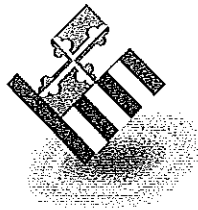
Salix Court

Address

P. Md 21220

3-629 3411)





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

~~July 9, 2008~~
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 2008-0576-A

18 Ryan Frost Way

S/side of Ryan Frost Way, 238 feet s/east of Russell Frost Court

15th Election District – 6th Councilmanic District

Legal Owners: Howard L. & Charlotte Astarita

Variance to permit an accessory structure (carport) with a side yard of 0 feet in lieu of the required 2.5 feet and to amend the Final Development Plan for Lot #20 in Cape May Landing.

Hearing: Friday, August 22, 2008 at 9:00 a.m. in Hearing Room 1, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Howard & Charlotte Astarita, 18 Ryan Frost Way, Baltimore 21221
Central Drafting & Design, 601 Charwood Court, Edgewood 21040

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 7, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 7, 2008 Issue - Jeffersonian

Please forward billing to:
Howard Astarita
18 Ryan Frost Way
Baltimore, MD 21221

443-867-3510

NOTICE OF ZONING HEARING

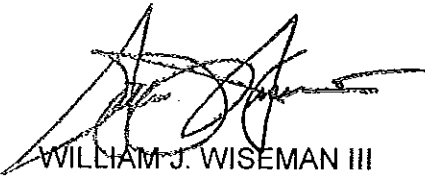
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S/side of Ryan Frost Way, 238 feet s/east of Russell Frost Court
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105 W. Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
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.

**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.

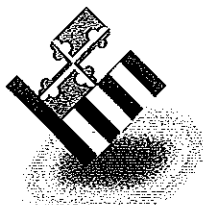
For Newspaper Advertising:

Item Number or Case Number: 2008-0576-A
Petitioner: HOWARD & CHARLOTTE ASTARITA
Address or Location: 18 RYAN FROST WAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: HOWARD ASTARITA
Address: 18 RYAN FROST COURT
BALTO MD 21221

Telephone Number: (443) 867-3510



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

August 13, 2008

Howard L. & Charlotte L. Astarita
18 Ryan Frost Way
Baltimore, MD 21221

Dear: Howard L. & Charlotte L. Astarita

RE: Case Number 2008-0576-A, 18 Ryan Frost Way

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 13, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

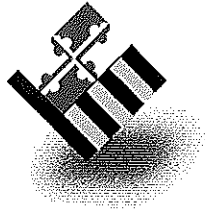
A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Central Drafting and Design, INC, 601 Charwood Ct., Edgewood, MD 21040



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

July 3, 2008, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 23, 2008

Item Number: 0572, 0573, 0574, 0576, 0577, 0578, 0579, 0580

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.

1The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 26, 2008

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For June 30, 2008
Item Nos. 08-0572, 0573, 0574, 0576,
0577, 0578, and 0579

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

DAK:CEN:lrk

cc: File

ZAC-06262008-NO COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 25, 2008

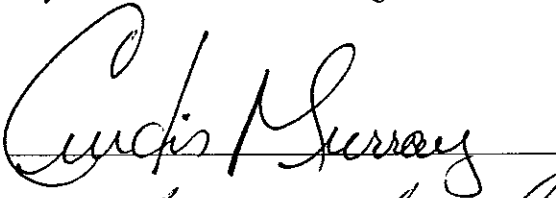
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-576- Variance

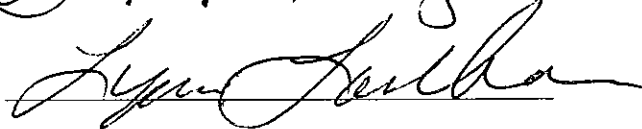
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:
CM/LL





Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 6-23-2008

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

RE: Baltimore County
Item No 2008-0576-A
18 RYAN FROST WAY
ASTARITA PROPERTY
VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2008-0576-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For 
Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: August 19, 2008

SUBJECT: Zoning Item # 08-576-A
Address 18 Ryan Frost Way
(Astarita Property)

Zoning Advisory Committee Meeting of June 23, 2008

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: TAK

Date: 7/17/08

RE: PETITION FOR VARIANCE * BEFORE THE
18 Ryan Frost Way; S/S Ryan Frost Way, *
238' SE of Russell Frost Court * ZONING COMMISSIONER
15th Election & 6th Councilmanic Districts *
Legal Owners: Howard & Charlotte Astarita * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-576-A

* * * * *

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 and all documentation filed in the case.

RECEIVED

JUL 01 2008

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of July, 2008, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, Inc, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CODE ENFORCEMENT REPORT

DATE: 4/29/08 INTAKE BY: _____ CASE #: 08-1961 INSPEC: 15

COMPLAINT LOCATION: 18 Ryan Frost Way

ZIP CODE: _____ DIST: _____

COMPLAINANT NAME: Lindy Weeks PHONE #: (H) 410-780-3978 (W) 410-661-7390

ADDRESS: _____ ZIP CODE: _____

PROBLEM: Accessory structure over neighboring property line.

IS THIS A RENTAL UNIT? YES _____ NO _____

IF YES, IS THIS SECTION 8? YES _____ NO _____

OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: Inspected on 4/30/08 Notice issued for carport over neighboring property line.
Recheck 5/30/08 Gary Dink NJ

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____



Baltimore City
Department of Permits and
Development Management

Code Inspections & Cement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

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

Building Inspection: 410-887-3951

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 08-1961	Property No. 22 00 006314	Zoning DR
------------------------------	------------------------------	--------------

Name(s):

Howard L. Astarita
Chacotte L. Astarita

Address:

18 Ryan Frost Way Baltimore MD 21221

Violation
Location:

SAME

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCZR 101; 102.1; 400 Accessory Structure placement

New carport is encroaching
neighboring property
Structure will need be moved
off of neighboring property and will
need to meet all property line set-backs

Post on Site

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

On or Before: 5/30/08	Date Issued: 4/30/08
--------------------------	-------------------------

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

Gary Hucik
Gary Hucik

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FORGOING 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:

On or Before:	Date Issued:
---------------	--------------

AGENCY

STANDARD ASSESSMENT INQUIRY (1)

DATE: 04.30/2008
TIME: 07:23:44PROPERTY NO. 22 00 006314
DIST 15
GROUP 3-0CLASS 04-00
OCC. HISTORIC H NODEL LOAD DATE
02/15/08ASTARITA HOWARD L
ASTARITA CHARLOTTE L
18 RYAN FROST WAYDESC-1... IMPS.2029 AC
DESC-2... CAPE MAY LANDING
PREMISE. 00018 RYAN FROSTWAY
00000-0000

BALTIMORE

MD 21221-1646 FORMER OWNER: ASTARITA HOWARD L/CHARLOTT

FCV		PHASED IN		PRIOR	
PRIOR	PROPOSED	CURR	ASSESS	CURR	ASSESS
LAND: 32,460	62,460	TOTAL... 205,700	205,700	191,376	0
IMPV: 130,270	143,240	PREF... 0	0	191,376	0
TOTL: 162,730	205,700	CURT... 205,700	205,700	0	0
PREF: 0	0	EXEMPT.	0		
CURT: 162,730	205,700				
DATE: 07/02	08/05				

FM DATE
08/23/07

TAXABLE BASIS

ASSESS: 205,700

ASSESS: 191,376

ASSESS: 0

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

Patricia Zook - DEPRM comments need for hearing on August 22

From: Patricia Zook
To: Livingston, Jeffrey
Date: 8/15/2008 11:48 AM
Subject: DEPRM comments need for hearing on August 22
CC: Bostwick, Thomas

Good morning Jeff -

We need DEPRM comments for the following case that is scheduled for a hearing next week:

2008-0576 - 18 Ryan Frost Way - hearing is Friday, August 22

Patti Zook
Baltimore County
Office of the Zoning Commissioner
Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

CASE NAME 18 RYAN FROST WAY
CASE NUMBER 2008-0576-A
DATE 8/22/08

[illegible]

CASE NAME 18RYAN FROST KAY
CASE NUMBER 2008-0576 A
DATE 8-22-08

NAME

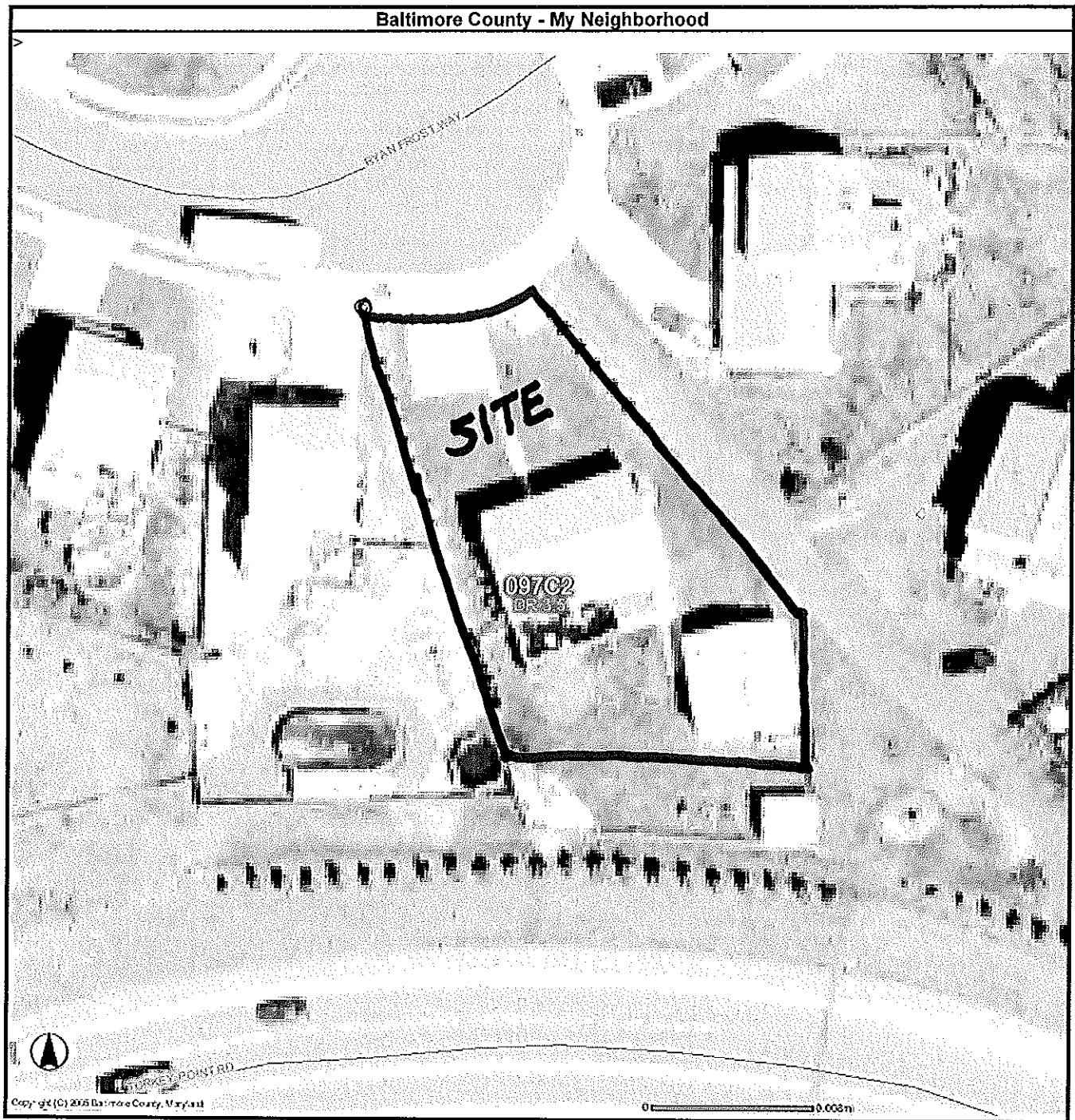
CITY, STATE, ZIP

E-MAIL

LYNDA WEIHS
KARL WEIHS

25 RYAN FROST WAY	BALTO, MD	21221
2425 CUB HILL RD	BALTO, MD	21234

lyndawe1hs@gmail.com

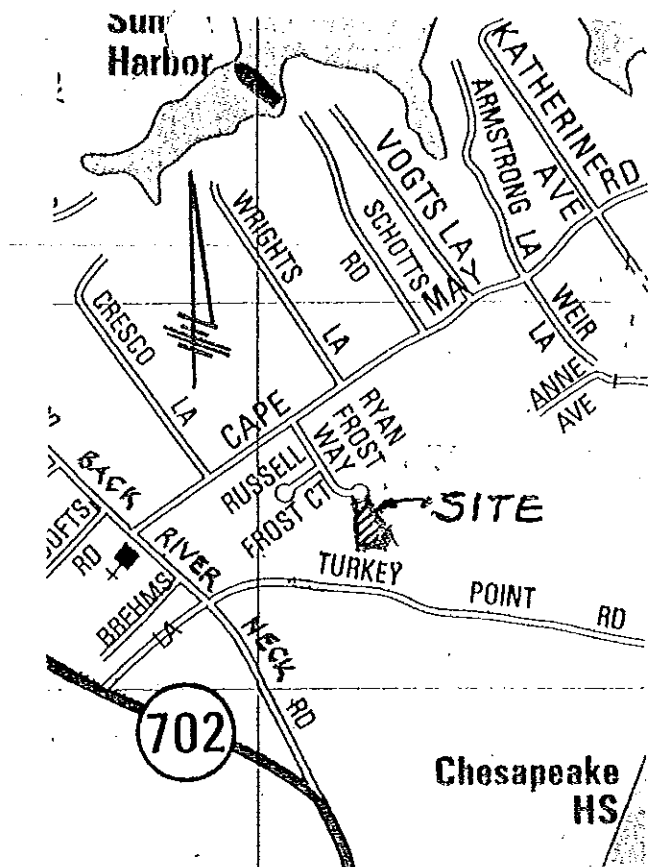
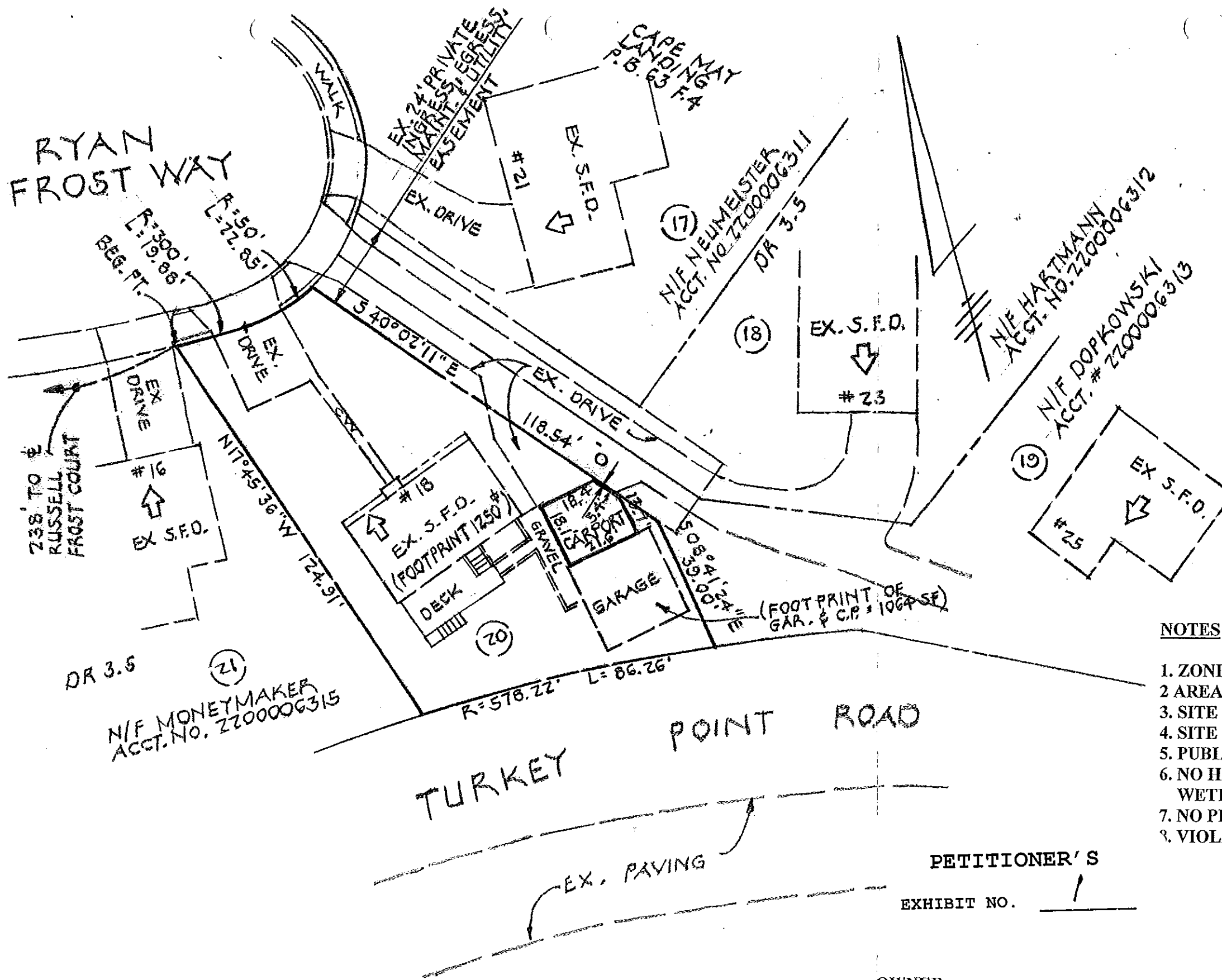


0576

18 RYAN FROST WAY
(CASE NO. 2008-0276-A

PETITIONER'S EXHIBITS

1. SITE PLAN (JUNE 10, 2008)
2. SDAT REAL PROPERTY DATA SEARCH
3. DEED OF RECORD
4. COPY OF PLAT "CAPE MAY LANDING" P.B. 63 F. 4
5. COPY OF AMENDED DECLARATION OF EASEMENT L10426 F033
6. COPY OF VIOLATION NOTICE
7. PHOTOS (7a - 7g)
8. ADJACENT OWNERS APPROVAL



- NOTES**
1. ZONING.....DR 3.5 (MAP NO. 097C2)
 2. AREA.....8,840 S.F. = 0.203 ACRE +/-
 3. SITE IS LOCATED IN CBCA
 4. SITE IS NOT LOCATED IN 100 YEAR FLOOD AREA
 5. PUBLIC WATER AND SEWER IS EXISTING
 6. NO HISTORIC STRUCTURES, ARCHEOLOGICAL SITES, WETLANDS OR UNDERGROUND FUEL STORAGE TANKS EXIST
 7. NO PREVIOUS ZONING HISTORY
 8. VIOLATIONS...CASE NO. 08-1961 FOR CARPORT CONSTRUCTED WITHIN REQUIRED SETBACK

PETITIONER'S
EXHIBIT NO. 1

OWNER
 HOWARD L. AND CHARLOTTE L. ASTARITA
 18 RYAN FROST WAY
 BALTIMORE, MD. 21221
 DEED REF. L.12729 F.231
 ACCT. NO. 2200006314

**PLAT TO ACCOMPANY PETITION
 FOR ZONING VARIANCE
 18 RYAN FROST WAY
 LOT 20 CAPE MAY LANDING P.B. 63 F. 4
 ELECTION DISTRICT 15C6
 BALTIMORE COUNTY, MARYLAND
 SCALE: 1 INCH = 30 FEET JUNE 10, 2008
 REV. : 8/11/08 (CARPORT DIM)**

CENTRAL DRAFTING & DESIGN, INC.
 601 CHARWOOD COURT
 EDGEWOOD, MD 21040
 (410) 679-8719

#2008-0576-A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 15 **Account Number -** 2200006314

Owner Information

Owner Name:	ASTARITA HOWARD L ASTARITA CHARLOTTE L	Use:	RESIDENTIAL
Mailing Address:	18 RYAN FROST WAY BALTIMORE MD 21221-1646	Principal Residence:	YES
		Deed Reference:	1) /12729/ 231 2)

Location & Structure Information

Premises Address	Legal Description
18 RYAN FROST WAY	.2029 AC 18 RYAN FROST WAY CAPE MAY LANDING

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
97	18	130					20	3	Plat Ref: 63/ 4

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1993	1,220 SF	8,840.00 SF	04
Stories	Basement	Type	Exterior
SPFOY		SPLIT FOYER	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2006	07/01/2007	07/01/2008
Land	32,460	62,460		
Improvements:	130,270	143,240		
Total:	162,730	205,700	191,376	205,700
Preferential Land:	0	0	0	0

Transfer Information

Seller: ASTARITA HOWARD L/CHARLOTTE L	Date: 03/17/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /12729/ 231	Deed2:
Seller: FROST BROTHERS DEVELOPMENT CORP	Date: 02/12/1993	Price: \$132,505
Type: IMPROVED ARMS-LENGTH	Deed1: / 9601/ 403	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

PETITIONER' S

EXHIBIT NO. 2

FEE SIMPLE-DEED-INDIVIDUAL GRANTOR-LONG FORM

Bankers Title Co., Inc.
100 West Road, Suite 400
Towson, Maryland 21204

FILE NO. 79-48-8141

TAX ID NO. 15/22-00-006314

THIS DEED, MADE THIS 24th day of Feb. in the year one thousand nine hundred and ninety-eight by and between HOWARD L. ASTARITA, CHARLOTTE L. ASTARITA and EARL R. HUTCHINS, of Baltimore County, State of Maryland, Grantor(s) and parties of the first part, and HOWARD L. ASTARITA and CHARLOTTE L. ASTARITA, Grantee(s) and parties of the second part.

WITNESSETH, That in consideration of the sum of ZERO CONSIDERATIONS, (\$0.00), the actual consideration paid, or to be paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said parties of the first part do grant and convey to the said parties of the second part, as tenants by the entirety, their assigns, the survivor of them and unto the survivor's personal representatives and assigns, forever, in fee simple, all that lot of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 20, as shown on the Plat entitled, "PLAT OF CAPE MAY LANDING", which Plat is recorded among the Land Records of Baltimore County in Plat Book S.M., No. 63, folio 4.

The improvements thereon being known as No. 18 Ryan Frost Way.

BEING that same lot of ground which by Deed dated January 28, 1993 and recorded among the Land Records of Baltimore County in Liber No. 9601, folio 404 was granted and conveyed by Frost Brothers Development Corp., a Maryland Corporation unto Howard L. Astarita, Charlotte L. Astarita unto Earl R. Hutchins, the Grantor(s) herein.

The said Earl R. Hutchins is the father of Charlotte L. Astarita and the father-in-law of Howard L. Astarita, therefore, this conveyance is exempt from state and local transfer taxes.

THIS CONVEYANCE is made subject to the restrictions, rights of way, and conditions, if any, contained in the Deeds forming the chain of title to this property.

PETITIONER'S

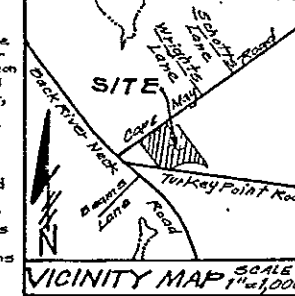
EXHIBIT NO. 3

CURVE DATA						
NO.	RADIUS	DELTA	LENGTH	TANGENT	CHORD	DIST.
A	576.12	40°01'55"	404.25	212.71	404.25	182.78
B	50.00	41°24'35"	30.14	16.20	30.14	13.50
C	50.00	-	120.80	-	-	-
D	50.00	41°24'35"	30.14	16.20	30.14	13.50
E	300.00	27°35'13"	207.55	108.12	207.55	203.44
F	50.00	37°19'00"	40.57	24.07	40.57	31.55
G	50.00	31°00'11"	101.40	63.66	101.40	100.66

COORDINATES		EAST	
NO.	SOUTH	NO.	EAST
1	633.9150	21	5255.4127
2	332.5177	22	5255.7451
3	344.9918	23	5256.1701
4	418.5140	24	5256.6862
5	508.1194	25	5257.2934
6	535.6586	26	5257.9917
7	506.9233	27	5258.7804
8	1043.8160	28	5259.6594
9	1013.6067	29	5260.6293
10	960.9257	30	5261.6893
11	1014.1637	31	5262.8393
12	904.6750	32	5264.0793
13	516.7021	33	5265.4093
14	343.6787	34	5266.8293
15	270.7815	35	5268.3393
16	214.2844	36	5269.9393
17	169.1316	37	5271.6293
18	135.7122	38	5273.4093
19	114.1006	39	5275.2793
20	101.1266	40	5277.2393
21	76.2599	41	5279.2893
22	57.9591	42	5281.4293
23	40.8160	43	5283.6593
24	29.8409	44	5285.9793
25	16.9267	45	5288.3893
26	8.1433	46	5290.8893
27	1.6040	47	5293.4793
28	0.0000	48	5296.1593
29	0.0000	49	5298.9293
30	0.0000	50	5301.7893
31	47.1455	51	5304.7393

NOTES

- Highway and highway widening, slope easements, drainage and utility easements, access easements and storm water management areas, no matter how entitled, shown hereon are reserved unto the owner and are hereby offered for dedication to Baltimore County, Maryland. The Owner, his personal representative and assigns shall convey said areas by deed to Baltimore County, Maryland, at no cost.
- Streets and/or roads shown hereon and mentioned thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to Public Use; the fee simple title to the beds thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.
- This plat may expire in accordance with the provisions of the Baltimore County Code, Section 22-68.
- The recording of this plat does not guarantee the installation of Streets or Utilities by Baltimore County.
- The information shown hereon may be superseded by a subsequent or amended plat.
- Additional information concerning this plat may be obtained from The Baltimore County Office of Planning and Zoning, and the Department of Public Works.
- The recording of this plat does not constitute or imply acceptance by the County of any Street, easement, park, open space or other public area shown on the plat.
- The plan for the property or this plat was approved on May 11, 1989.
- Except as otherwise indicated, all building restriction lines shown hereon have been placed as the result of an interpretation only of currently applicable regulations and policies of the Baltimore County Office of Planning and Zoning. Exceptions to these restrictions may apply, including the minimum setback of 22' feet to be held from the street right-of-way line to the garage or carport entered directly from the street.
- Trash collection, snow removal, and road maintenance are to be provided to the junction of the peninsula and street right-of-way.
- The owner/developer will comply with the best management practices adopted by Baltimore County Dept. of Environmental Protection & Resource Management.



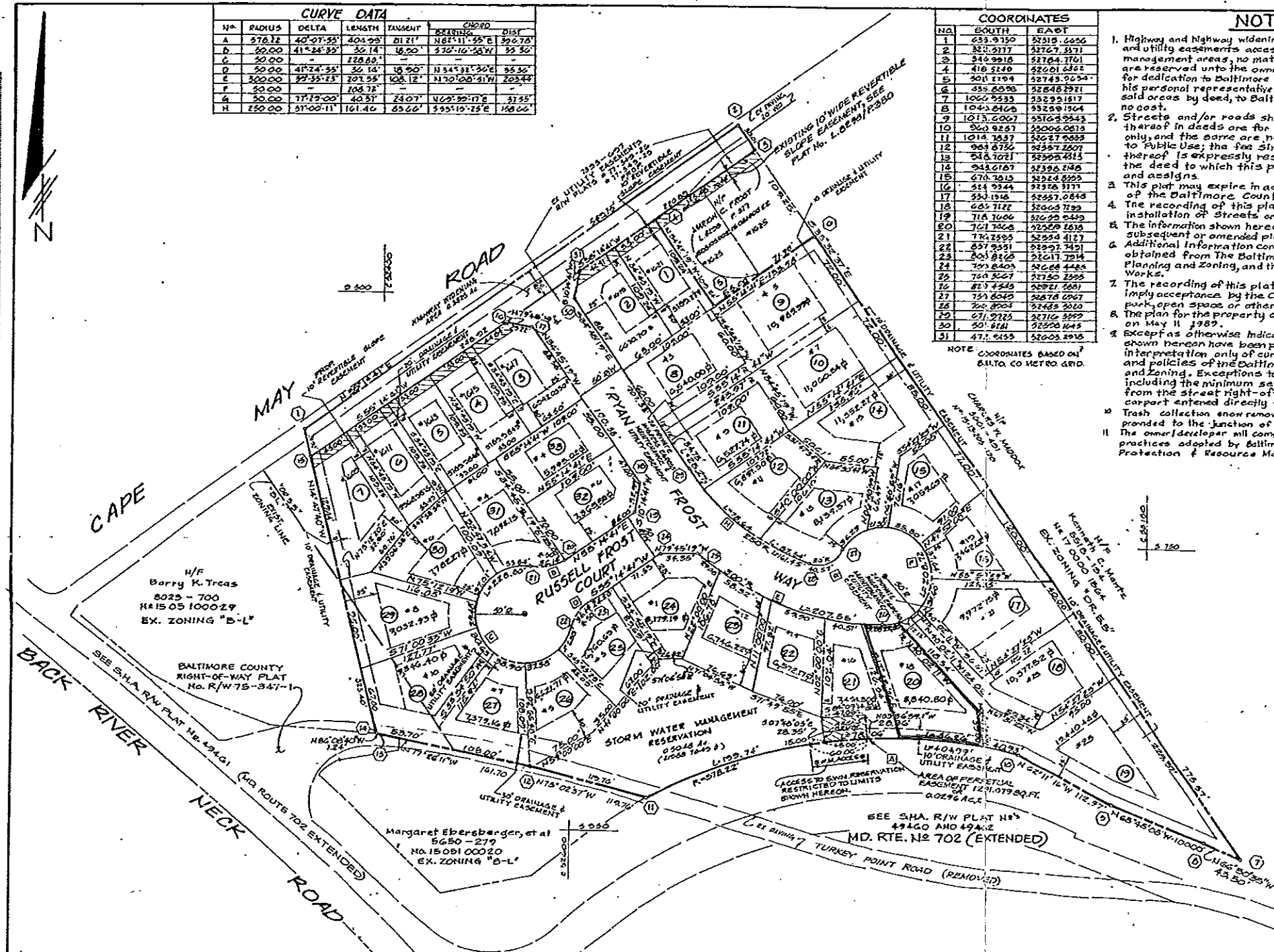
DENSITY CALCULATIONS

GROSS ACRES	8.880 AC.
NET ACRES	6.160 AC.
CE ZONING	DR 55 & 60
UNITS ALLOWED	43
UNITS PROPOSED	33
LOCAL OPEN SPACE	WATERSHED MAY 1989
PARKING SPACE REQUIRED	2 x 31 UNITS = 66 RS
PARKING SPACE PROVIDED	6 RS
HIGHWAY WIDENING	0.5623 AC.
AREA OF ROADS TOTAL	1.0546 AC.
AREA RUSSELL FROST WAY	0.1122 AC.
AREA RUSSELL FROST CT	0.8420 AC.
AREA SHR RESERVATION	0.5046 AC.

NOTE:

- OWNER: FROST BROTHERS DEVELOPMENT CORP.
16 DE 221 A FROST
34 RUSSELL FROST
PHOENIX, MD 21131
41 6003-502-1257
- TITLE REFERENCE: 6155/363
- PROPERTY ACCT NO: 15-05-100012

APPROVED: _____
J.B. BARTON, BALTO. CO. DEPT. OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT



APPROVED: _____
DIRECTOR OF PUBLIC WORKS

APPROVED: _____
DIRECTOR OF PLANNING AND ZONING

APPROVED: _____
DIRECTOR OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

SURVEYOR'S CERTIFICATE

The undersigned, a registered land surveyor of the State of Maryland, does hereby certify that he is the surveyor that prepared this plat and that the land shown on this plat has been laid out and the plat thereon has been prepared in compliance with subsection (c) of the Section 3-106 of the real property article of the Annotated Code of Maryland, particularly insofar as same concerns the making of the plat and the setting of the markers.

Registered Land Surveyor

OWNER'S CERTIFICATE

The undersigned, Owner of the land shown on this plat, hereby certifies that to the best of his knowledge the requirements of subsection (c) of Section 3-106 of the real property article of the Annotated Code of Maryland, has been complied with, insofar as same concerns the making of the plat and the setting of the markers.

OWNER

PLAT COMPLETED 159002 (S.N.)

FINAL PLAT CHECKED: _____

PLANNING: _____

FINANCING: _____

STREET NAMES: _____

HOUSE NOS: _____

NOTE:

COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVELING STATIONS

48307 3 890.40 E 31000.48
48308 3 890.111 E 31000.115

PLAT OF CAPE MAY LANDING

SOUTHEASTSIDE OF CAPE MAY ROAD
330 NORTHWEST OF BACK RIVER NECK ROAD
ELECTION DISTRICT 1816 BALTIMORE CO. MARYLAND
SCALE: 1" = 30'

CHARLES R. CROCKEN
SUD ASSOCIATES INC.
2100 ROUTE 100
P.O. BOX 100
POTOMAC, MD 21154-1000

DATE: 07-11-90
PLAT: 150
DRAWN BY: CMC
CHECKED BY: CMC
SCALE: 1" = 30'
DRAWING NO. 1 OF 1

PETITIONER'S

EXHIBIT NO. 4

#2008-0576-A

AFTER RECORDING PLEASE MAIL TO:
CAPITOL TITLE INSURANCE AGENCY, INC.
10716 Little Patuxent Parkway #100
Columbia, MD 21044
H93-04-027

010426.033

AMENDED DECLARATION OF EASEMENT

THIS AMENDED DECLARATION OF EASEMENT, Made this 15th day
of OCTOBER, 1993, by and between FROST BROTHERS
DEVELOPMENT CORP., a Maryland Corporation (hereinafter referred
to as "Developer"), and EDWARD DOPKOWSKI, JR. and LYNDIA H.
DOPKOWSKI, his wife (hereinafter referred to as "Dopkowski"), and
EARL R. HUTCHINS, HOWARD L. ASTARITA and CHARLOTTE L. ASTARITA,
his wife (hereinafter referred to as "Hutchins/Astarita"), and
STANLEY W. BURDETTE and EDWARD A. KOUNESKI, Trustees for ATLANTIC
RESIDENTIAL MORTGAGE CORPORATION (hereinafter referred to as
"Trustees").

WHEREAS, Developer owns certain residential building lots
located in the Cape May Landing Subdivision on the south side of
Cape May road in the Fifteenth Election District of Baltimore
County, Maryland, as depicted on that certain Subdivision Plat
entitled "Cape May Landing", recorded among the Land Records of
Baltimore County in Plat Book S.M. No. 63, folio 4, (hereinafter
referred to as "the Subdivision Plat"), including, but not
limited to, Lot Number 18 as shown on the Subdivision Plat; and

WHEREAS, Developer executed a Declaration of Easement
(hereinafter referred to as the "Declaration") dated August 14,
1992 and recorded among the Land Records of Baltimore County in
Liber S.M. No. 9331, folio 299, regarding, among other things,

TRANSFER TAX NOT REQUIRED
Director of Finance
BALTIMORE COUNTY MARYLAND

BA CIRCUIT COURT (Land Records, [10716 Little Patuxent Parkway #100] SM 10426, p. 0033. Printed 06/01/2008. Online 03/03/2005.)

Per May H
Data 3-24-94 Sec. 33-139 ETS

PETITIONER'S

EXHIBIT NO. 5

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Baltimore County

J. Hutchins 3/24/94
Date

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE J. Hutchins DATE 3/24/94



Balti
Department of Permits and
Development Management

DATE

BUILDING INSPECTOR

ement

111 West Chesapeake Avenue
Towson, MD 21204

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. 08-1961	Property No. 2200 000314	Zoning: DK
------------------------------	-----------------------------	---------------

Name(s): Howard L Astarita
Charlotte L Astarita

Address: 18 Ryan Frost Way Baltimore MD 21221

Violation Location: SAME

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCZR 101; 102.1; 400 Accessory Structure placement

New curppd is encroaching
neighboring property.
Structure will need be moved
off of neighboring property and will
need to meet all property line set-backs

Post on Site

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

On or Before: 5/30/08	Date Issued: 4/30/08
-----------------------	----------------------

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 Gary Hucik

INSPECTOR: Gary Hucik

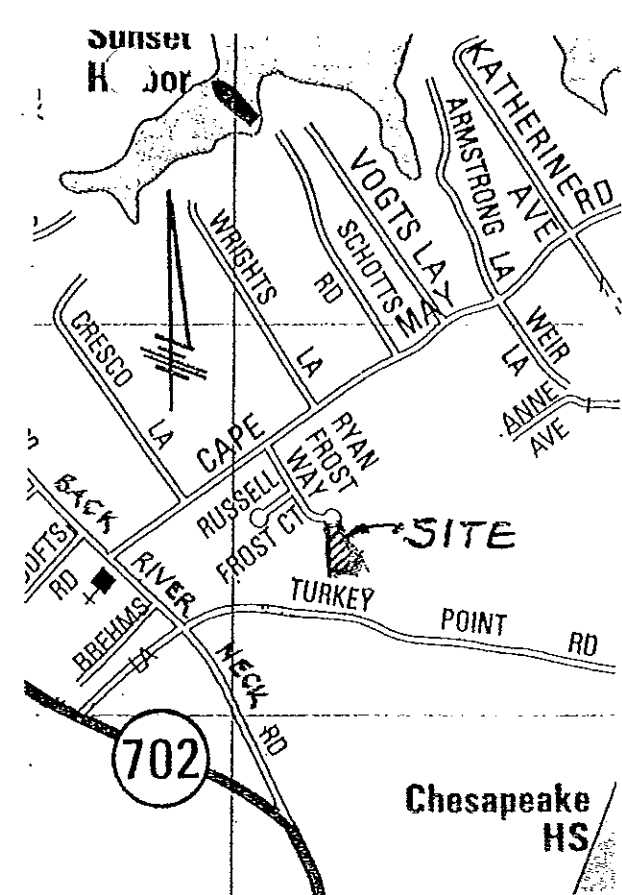
STOP WORK NOTICE

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:

On or Before:	Date Issued:
---------------	--------------

PETITIONER'S

INSPECTOR: EXHIBIT NO. 6



CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719



d



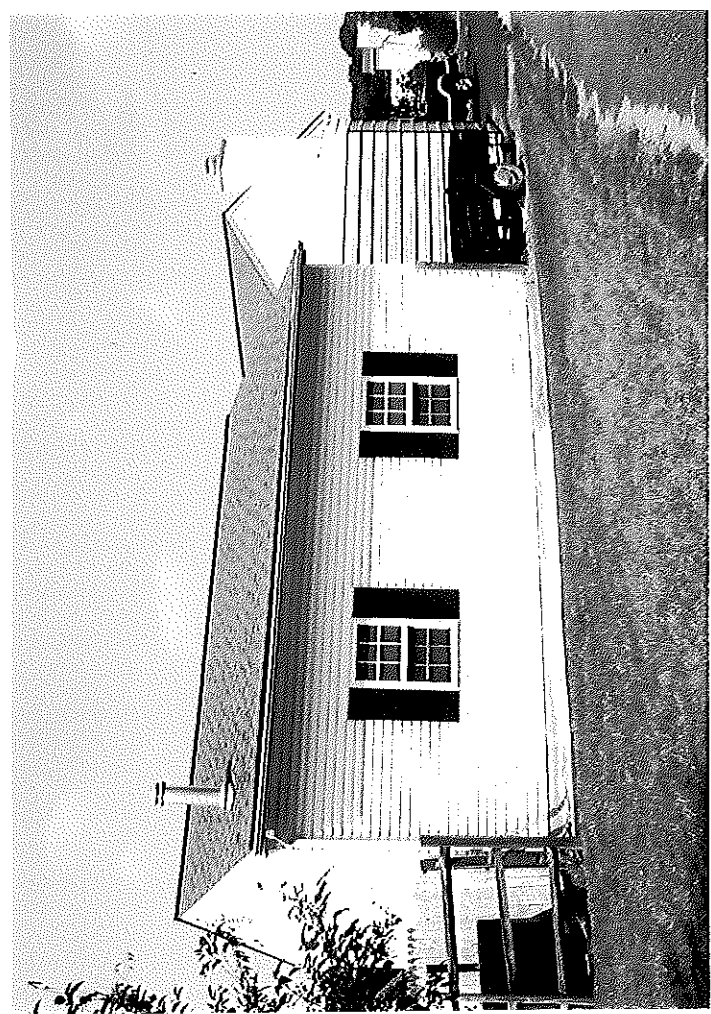
b



c



a



August 9, 2008

This is to verify that we, as neighbors of the Astaritas at 18 Ryan Frost Way Essex, MD 21221, do NOT have any problems regarding the carport that they have put up at their property.

We own the adjacent properties, and we do NOT find the carport a hindrance in any way. We have no problem with their keeping the carport the way they have it without the 2 1/2' side setback.

Michael R. Moneymaker

Diane Moneymaker

Diane & Michael Moneymaker
16 Ryan Frost Way

Jean Neumeister
John Neumeister

Jean & John Neumeister
21 Ryan Frost Way

Paul & Christine

Chris & Paul Christine
19 Ryan Frost Way

Carl Hartmann
Susan D. Hartmann

Susan & Carl Hartmann
23 Ryan Frost Way

Brian W. McGee

Notary

MY COMMISSION EXPIRES 12-1-09

PETITIONER'S

EXHIBIT NO. 8

21214 ASTARITA
EX # 0810

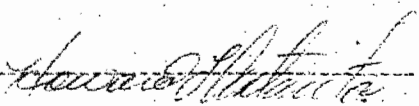
RIVERSIDE MARINE ESSEX
600 RIVERSIDE DR
ESSEX, MD 21221
(410) 684-1500

DATE: 10/21/08 TIME: 09:55
MEM#: 000000577554 TERM: 0001
S-A-L-E-S-D-R-A-F-T

REF: 0004 BCH: 254
CD TYPE: VI
TR TYPE: PR
AMOUNT: \$578.39

ACCT: *****9523 EXP: ***
AP: 465352
NAME: HOWARD L ASTARITA

CARDMEMBER ACKNOWLEDGES RECEIPT OF
GOODS AND/OR SERVICES IN THE AMOUNT OF
THE TOTAL SHOWN HEREON AND AGREES TO
PERFORM THE OBLIGATIONS SET FORTH BY THE
CARDMEMBER'S AGREEMENT WITH THE ISSUER

X 

TOP COPY-MERCHANT BOTTOM COPY-CUSTOMER



Phone: 1406108

600 Riverside Dr.
Baltimore, Maryland 21128
CUSTOMER WORK ORDER

R.O. # 217111

CUSTOMER INFORMATION **STOCK INFORMATION**

ASTARITA, HOWARD LUKE (124703)
18 RYAN FROST
ESSEX, MARYLAND
21221

Phone: 443-867-3510 Bus: INV#203189
410-574-1139

13912 - 2007 OBOW FOUR WINNS HORIZ
S# GFNMB363J607
C#
MILEAGE:
SOLD: 02 MAY 08
TAG#:
PROMISED:

LIC #:
DELIV: 16 OCT
IN: 14 OCT 08

ESTIMATE #1 **ESTIMATE #2** **APPLIANCE & COMPONENT INFORMATION**

Amount:
Date:
Contact: ☐ Person ☐ Phone

Amount:
Date:
Contact: ☐ Person ☐ Phone

Brand Model Serial No.
FOUR WIN DO180BS 42KCD2P1572000252
2007 VOL 135 4012202705
VOLVO PE 3.0GL 4012202705

JOB INFORMATION

- 116 - E - 20 HOUR SERVICE CHECK ON 3.0 VOLVO PENTA. TECHNICIAN PERFORMS A
- E - 22 POINT INSPECTION. COPY OF INSPECTION WILL BE GIVEN TO CUSTOMER
- E - AT BOAT PICK UP.
- WI1 - E - WINTERIZE I/O ___ STABILIZE FUEL IN TANK ___ CHECK DRIVE OIL FOR
- E - WATER - NOTE DRAIN AND REFILL STRONGLY SUGGESTED ___ FLUSH ENGINE
- E - W/FRESH WATER PER ENG TYPE (CARB/EFI) ___ FOG INTERNAL ENGINE
- E - COMPONENTS PER ENGINE TYPE (CARB/ EFI) ___ DRAIN AND FILL BLOCK
- E - W/ANTIFREEZE ___ CORROSION GUARD EXTERNAL ENGINE COMPONENTS
- E - **ADDITIONAL \$44.50 FOR EFI/MPI ENGINES** ___ FULL TANK OF GAS
- E - FOR MAXIMUM PROTECTION.

JOB	QTY	PARTS	AMOUNT	JOB	HOURS	LABOR	AMOUNT
I1	1	6-56 MARINE FORMULA	3.87	116	2.00	20HR CK 3.0 VOLVO	178.00
I1	4	FREEZE BAN 50 GALLON	19.96	WI1	1.75	WINTERIZE ENGINE	155.75
I1	1	STARTRON GAS ADDITIVE PIN	18.70	WI1	0.00	WINTERIZE EFI	0.00
I1	1	STORAGE SEAL RUST INHIBIT	6.68	W18	1.80	SHRINKWRAP BOAT	160.20
I1	5	VOLVO GAS ENGINE OIL	22.75				
I1	1	5.0/5.7 VOLVO OIL FILTER	7.99				

JOB	QTY	SUBLET	AMOUNT	JOB	QTY	EXTRAS	AMOUNT
				116	1	SHOP SUPPLIES EXTE	7.50
				W18	18	SHRINKWRAP	46.80
				116	1	PARTS DISCOUNT	-8.00
				116	1	LABOR DISCOUNT	-49.31

Customer Comments:

lx#
VISA ~~\$\$\$~~ 8.10

NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON BACK.

I hereby authorize the repair work herein set forth to be done by you, together with the furnishing by you of the necessary parts and other material for such repair, and agree: that you are not responsible for any delays caused by unavailability or delayed availability of parts or material for any reason; that you neither assume nor authorize any other person to assume for you any liability in connection with such repair; that you shall not be responsible for loss of or damage to the above vehicle, or articles left therein, in case of fire, theft or other cause beyond your control; that an express mechanic's lien is hereby acknowledged on the above vehicle to secure the amount of repairs thereto; that your employees may operate the above vehicle on streets, highways or elsewhere for the purpose of testing and/or inspecting such vehicle.

Customer Acknowledges Receipt of a Copy Hereof

X *Howard A. Astarita*

PARTS TOTAL
LABOR TOTAL
SUBLET TOTAL
EXTRAS TOTAL
TAXES

YOU PAY



DISTRICT COURT OF MARYLAND FOR

0804 50 13 72

Located at

120 E. Chesapeake Ave

Case No.

Baltimore

Howard Astarita

Court Address

VS.

Lynda Dopkowski

Petitioner

Respondent

FINAL PEACE ORDER

After the appearance of the ☒ Petitioner ☐ Petitioner's Counsel ☐ Respondent ☐ Respondent's Counsel, and in consideration of the Petition and evidence, the Court makes the following findings:

A. ☒ That the Respondent consents to the entry of a peace order.

OR

☐ 1. That there is clear and convincing evidence that within 30 days before the filing of the Petition, the Respondent committed the following act(s):

☐ Act(s) which caused serious bodily harm:

☐ Act(s) which placed Petitioner in fear of imminent serious bodily harm:

☐ Assault in any degree

☐ Stalking

☐ Rape or a statutory sexual offense (or attempt) in any degree

☐ Trespass

☐ False Imprisonment

☐ Malicious Destruction of Property

☐ Harassment

☐ 2. That there is clear and convincing evidence that Respondent is likely to commit a prohibited act in the future against the Petitioner.

B. ☐ The parties have agreed to waive the Temporary Peace Order hearing.

Based on the foregoing findings, the Court hereby ORDERS:

☒ 1. That, unless stated otherwise below, this Order is effective until September 30, 2006

☒ 2. That the Respondent SHALL NOT commit or threaten to commit any of the following acts against Petitioner: an act which causes serious bodily harm; an act that places the Petitioner in fear of imminent serious bodily harm; assault; rape, attempted rape, sexual offense, or attempted sexual offense; false imprisonment; harassment; stalking; trespass; or malicious destruction of property.

☒ 3. That the Respondent SHALL NOT contact (in person, by telephone, in writing, or by any other means), attempt to contact, or harass the Petitioner.

☐ 4. That the Respondent SHALL NOT enter the residence of the Petitioner at: 18 Ryan Frost Way
(Residence includes yard, grounds, outbuildings, and common areas surrounding the dwelling.)

☐ 5. That the Respondent SHALL STAY AWAY from:

☐ The temporary residence of Petitioner at:

☐ The Petitioner's school(s) at:

☐ The Petitioner's place(s) of employment at:

☐ 6. That the Respondent and/or Petitioner shall participate in counseling as follows:

☐ 7. That the parties shall participate in mediation as follows:

☐ 8. That the ☐ Petitioner ☐ Respondent shall pay the filing fees and costs of these proceedings.

3/31/06
Date

Judge

NOTICE TO RESPONDENT

Violation of this Peace Order may be a crime or contempt of court or both, and could result in imprisonment or fine or both.



DISTRICT COURT OF MARYLAND FOR

DISTRICT COURT TOWSON

Located at

Case No.

City/County

SP1372-06

Howard L. Astarita

Petitioner

130 E. CHESAPEAKE AVE
TOWSON, MD 21204-3301

VS.

Lynda Dopkowski

Respondent

TEMPORARY PEACE ORDER

After appearance of the ☐ Petitioner ☐ Petitioner's Counsel ☐ Respondent ☐ Respondent's Counsel, andA. ☐ The Respondent's consent to the entry of a Temporary Peace Order; orB. ☐ Considering the petition and evidence, the Court finds reasonable grounds to believe that Respondent:☐ 1. Has committed the following act(s) against Petitioner within 30 days before the filing of the Petition:

- | | |
|---|--|
| ☐ Act(s) which caused serious bodily harm to Petitioner | ☐ False Imprisonment |
| ☐ Act(s) which placed Petitioner in fear of imminent serious bodily harm | ☐ Harassment |
| ☐ Assault in any degree | ☐ Stalking |
| ☐ Rape or a statutory sexual offense (or attempt) in any degree | ☐ Trespass |
| | ☐ Malicious Destruction of Property |

☐ 2. Is likely to commit a prohibited act against the petitioner in the future.

Based on the foregoing findings, the Court hereby ORDERS:

- ☐ 1. That the Respondent SHALL NOT commit or threaten to commit any of the following acts against Petitioner: an act which causes serious bodily harm; an act that places the Petitioner in fear of imminent serious bodily harm; assault; rape, attempted rape, sexual offense, or attempted sexual offense; false imprisonment; harassment; stalking; trespass; or malicious destruction of property.
- ☐ 2. That the Respondent SHALL NOT contact (in person, by telephone, in writing, or by any other means), attempt to contact, or harass the Petitioner.
- ☐ 3. That the Respondent SHALL NOT enter the residence of the Petitioner at:
(Residence includes yard, grounds, outbuildings, and common areas surrounding the dwelling.)
- ☐ 4. That the Respondent SHALL STAY AWAY from:
- ☐ The temporary residence of Petitioner at:
- ☐ The Petitioner's school(s) at:
- ☐ The Petitioner's place(s) of employment at:

5. This Order supersedes and overrides any previously entered Interim Peace Order issued by a Commissioner.

THAT A FINAL PEACE ORDER HEARING SHALL BE HELD ON

Date AT Time A.M./P.M.

AT Court Address

Date Time Judge

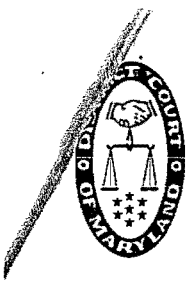
Print Name

This Order is extended for not more than 30 days until:

New Hearing Date Judge Date

New Hearing Date Judge Date

New Hearing Date Judge Date



District Court of Maryland for Baltimore County

Located at 120 E. Chesapeake Avenue, Towson Maryland 21286

Case No.: 0804SP013722006

Date: 03/29/2006 10:10 p.m.

ASTARITA, HOWARD LUKE

vs DOPKOWSKI, LYNDIA

INTERIM PEACE ORDER

Considering the petition (which was filed when the office of the District Court was closed) and evidence, the Commissioner finds reasonable grounds to believe that Respondent:

1. Has committed the following act(s) against Petitioner within 30 days before the filing of the Petition:

Act(s) which placed Petitioner in fear of imminent serious bodily harm

Trespass

Malicious Destruction of Property

2. Is likely to commit a prohibited act against the Petitioner in the future.

Based on the foregoing findings, the Court hereby ORDERS:

1. That the Respondent SHALL NOT commit or threaten to commit any of the following acts against Petitioner: an act which causes serious bodily harm; an act that places the Petitioner in fear of imminent serious bodily harm; assault; rape, attempted rape, sexual offense, or attempted sexual offense; false imprisonment; harassment; stalking; trespass; or malicious destruction of property.
2. That the Respondent SHALL NOT contact (in person, by telephone, in writing, or by any other means), attempt to contact, or harass the Petitioner.
3. That the Respondent SHALL NOT enter the residence of the Petitioner at 18 RYAN FROST WAY BALTIMORE, MD 21221.
(Residence includes yard, grounds, outbuildings, and common areas surrounding the dwelling.)
4. This Order is effective until the end of the second business day after the date of signing below, or the Temporary Peace Order hearing, whichever occurs first.

MAR 29 2006
Date

10:22pm
Time

Kristen King
Commissioner

8518
ID#

See Important Information on Page 2 of this Order

ASTARITA, HOWARD LUKE

vs DOPKOWSKI, LYNDIA

Important Information

Upcoming Court Hearings in this Case

Temporary Peace Order Hearing. This case is set for a Temporary Peace Order hearing before a District Court judge on 03/31/2006 at 09:00 AM at the District Court at 120 E. Chesapeake Avenue, Towson Maryland 21286

Final Peace Order Hearing. If a judge signs a Temporary Peace Order, the tentative date and time of the Final Peace Order Hearing is 04/07/2006 at 09:00 AM in the same location. Hearing dates and places are subject to change, and you should call the District Court Clerk's Office at (410)512-2000 to be sure you know when and where your hearing(s) will occur. You are responsible for knowing when and where hearings will occur.

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If someone seeks a peace order when the Clerk's Office is open, the petition goes before a judge for a Temporary Peace Order hearing.

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Any peace order (Interim, Temporary or Final) may order a respondent: not to commit or threaten to commit any prohibited act; not to contact, attempt to contact, or harass; to refrain from entering a residence; to remain away from a school, workplace or temporary residence. A Final Peace Order may also order counseling and mediation, and that the Respondent pay costs.

Violation of a peace order is a crime. With probable cause to believe a violation has occurred, an officer shall arrest the respondent and take him/her into custody, with or without a warrant.



District Court of Maryland for Baltimore County

Located at 120 E. Chesapeake Avenue, Towson Maryland 21286

Case No.: 0804SP013722006

Date: 03/29/2006 10:10 p.m.

ASTARITA, HOWARD LUKE

vs DOPKOWSKI, LYNDIA

ADDENDUM TO PEACE ORDER PETITION

DESCRIPTION OF RESPONDENT

(Provided by Petitioner)

(This information will be used to help the law enforcement officer serve these papers on the Respondent. Be as specific as possible.)

Height 5'6" Weight 140 Sex F Race 2 Hair Color BRN Eye Color

Skin Tone MEDIUM Date of Birth 10/26/1954 Other (Tattoos, scars, etc.)
Light/Medium/Dark

Where on body and description

Driver's License No.

Employer.

Respondent's Work Address, Work Hours and Telephone Number.

Other places where Respondent can be found:

Home Address: 25 RYAN FROST WY, ESSEX, MD 21221 Date:

Home Address: Date:

Home Address: Date:

Date Petition Completed: 03/29/2006

Date Description Revised:

Date Description Revised:

Date Description Revised:



DISTRICT COURT OF MARYLAND FOR

Located at 126 E Chesapeake Ave Case No. 0704 City/County Baltimore

Petitioner

HOWARD LUKE ASTARITA

Respondent

LYNDA DOPKOWSKI

Street Address, Apt. No.

18 RYAN FROST WY

Street Address, Apt. No.

25 RYAN FROST WY

City, State, Zip Code

BALTO., MD 21221Home: 410 574 1139Work: 443 867 3510

Telephone Number(s)

City, State, Zip Code

BALTO., MD 21221Home: 410 780 3978

Work:

Telephone Number(s)

PETITION FOR PEACE ORDER

(NOTE: Fill in the following, checking the appropriate boxes. If you need additional paper, ask the clerk.)

1. I want protection from LYNDA DOPKOWSKI

Respondent

The Respondent committed the following acts against Howard L. Astarita

Victim

within the past 30 days on the dates stated below. (check all that apply) ☐ kicking ☐ punching ☐ choking ☐ slapping
☐ shooting ☐ rape or other sexual offense (or attempt) ☐ hitting with object ☐ stabbing ☐ shoving ☒ threats of violence
☒ harassment ☐ stalking ☐ detaining against will ☒ trespass ☒ malicious destruction of property ☒ other

The details of what happened are: (Describe injuries. State the date(s) and place(s) where these acts occurred. Be as specific as you can.) FEB. 06 - ADVISED MY NEIGHBOR AND MYSELF THAT I MADE A FATAL MISTAKE REGARDING A BARRIER FENCE 3FT HIGH - 12 FT LONG PLACED ON COUNTY PROPERTY TO PREVENT VEHICLES FROM DRIVING THROUGH PROPERTY. I HAVE CONCERN/FEAR FOR MY FAMILY

2. I know of the following court cases involving the Respondent and me:

Court

Kind of Case

Year Filed

Results or Status (if you know)

N/A

3. Describe all other harm the Respondent has caused you and give date(s), if known.

DESTRUCTION OF SMALL FENCE DEC. 2005

I want the Respondent to be ordered:

☒ NOT to commit or threaten to commit any of the acts listed in paragraph 1 against HOWARD LUKE ASTARITA

Name

☒ NOT to contact, attempt to contact, or harass HOWARD LUKE ASTARITA☒ NOT to go to the residence(s) at 18 RYAN FROST WY 21221

Name

Address

☐ NOT to go to the school(s) at

Name of school and address

☐ NOT to go to the work place(s) at☐ To go to counseling ☐ To go to mediation ☐ To pay the filing fees and court costs☐ Other specific relief

I solemnly affirm under the penalties of perjury that the contents of this Petition are true to the best of my knowledge, information, and belief.

3/29/06

Date

Howard L. Astarita

Petitioner

NOTICE TO PETITIONER

Protective Order Continuation

SP1372-06
Case No.

HOWARD LUKE ASTARITA
Petitioner

vs.

LYNDA DOPKOWSKI
Respondent

AND MYSELF.

HARASSMENT - KNOCKING ON DOOR, DESTRUCTION OF PROPERTY (LAWN & GARDEN FIXTURES)

CAUSING GENERAL TURMOIL IN NEIGHBORHOOD UNPROVOKED; MAKING FALSE

ACCUSATIONS ABOUT US TO TRANSIENT HIGH SCHOOL STUDENTS CUTTING THROUGH

NEIGHBORHOOD TO AND FROM SCHOOL. 3/28/06 & 3/29/06

TRESPASS - WALKING ONTO PROPERTY TO MAKE BIRTHDAYS & TO DEFACE PROPERTY

PLACING BROKEN LAWN FIXTURES THAT SHE DESTROYED ON MY PROPERTY

MALICIOUS DESTRUCTION OF PROPERTY - DESTROYED BORDER TO GARDEN BOUNDARY

HOLDING DECORATIVE GARDEN STONES IN PLACE @ VALUE \$100.00 TO REPLACE => 3/28/06

ANOTHER DECORATIVE GARDEN ISLAND CONSTRUCTED BY NEIGHBORS AND

MYSELF WAS PULLED APART AND DUMPED ON MY PROPERTY (POLICE ORDERED

TO REMOVE DESTROYED PROPERTY AND SHE DID NOT COMPLY) POLICE

ORDERED HER TO CORRECT WHILE THEY OBSERVED. POLICE ADVISED THAT

SHE SEEMS UNSTABLE AND IRRATIONAL AND THAT I SHOULD PURSUE

PEACE ORDER, POLICE BELIEVES SHE MAY ACT OUT IN FUTURE. VALUE OF

NAUTICAL GARDEN ISLAND DESTROYED VALUED AT @ \$800.00 => 3/28/06

OTHER: GENERAL CONCERN LYNDA WILL CONTINUE TO ANTAGONIZE

CHESAPEAKE HIGH STUDENTS TO DEFACE OR DESTROY MY HOME OR

NEIGHBORS HOMES

3/29/06

x Howard Luke Astarita
Petitioner's signature



DISTRICT COURT OF MARYLAND FOR

City/County

Baltimore

Located at

20 E. Chesapeake Ave

Case No.

SP 1372-06

Court Address

Howard L. Astarita

vs.

Lynda Dopkowsky

Petitioner

Respondent

ADDENDUM TO PEACE ORDER PETITION

DESCRIPTION OF RESPONDENT

(Provided by Petitioner)

(This information will be used to help the law enforcement officer serve these papers on the Respondent. Be as specific as possible.)

Height 5'6" Weight 140 lbs Sex FEMALE Race 2 Hair Color BROWN Eye Color

Skin Tone MEDIUM Date of Birth 10/20/54 Other (Tattoos, scars, etc.)

Light/Medium/Dark

Where on body and description

Driver's License No. UNKNOWN

Employer UNKNOWN

Respondent's Work Address, Work Hours and Telephone Number

UNKNOWN

Other places where Respondent can be found: ~~HOME~~ UNKNOWN

Home Address: 25 RYAN FROST WAY BALTO MD 21221 Date: 3/29/06

Home Address: Date:

Home Address: Date:

Petition Completed: 3/29/06

Description Revised:

Description Revised:

Description Revised:



District Court of Maryland for Baltimore County

Located at 120 E. Chesapeake Avenue, Towson Maryland 21286

Case No.: 0804SP013722006

Date: 03/29/2006 10:10 p.m.

ASTARITA, HOWARD LUKE

vs DOPKOWSKI, LYNDIA

INTERIM PEACE ORDER

Considering the petition (which was filed when the office of the District Court was closed) and evidence, the Commissioner finds reasonable grounds to believe that Respondent:

1. Has committed the following act(s) against Petitioner within 30 days before the filing of the Petition:

Act(s) which placed Petitioner in fear of imminent serious bodily harm

Trespass

Malicious Destruction of Property

2. Is likely to commit a prohibited act against the Petitioner in the future.

Based on the foregoing findings, the Court hereby ORDERS:

1. That the Respondent SHALL NOT commit or threaten to commit any of the following acts against Petitioner: an act which causes serious bodily harm; an act that places the Petitioner in fear of imminent serious bodily harm; assault; rape, attempted rape, sexual offense, or attempted sexual offense; false imprisonment; harassment; stalking; trespass; or malicious destruction of property.
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MAR 29 2006

Date

10:11 PM

Time

Kristen M. King

Commissioner

ID#

See Important Information on Page 2 of this Order



ASTARITA, HOWARD LUKE

vs DOPKOWSKI, LYNDIA

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FEE NOTICE - PEACE ORDER

Case #: 0401 5001372-2006

Petitioner: HOWARD LUKE ASTARITA

Respondent: LYNDA DOPKOWSKI

LYA

I have been advised that I am responsible, unless waived by the court, for a court fee of \$30.00 and a service fee of \$30.00 for the Interim Peace Order.

LYA

I understand that I am to appear at the clerk's office at 120 E. Chesapeake Avenue, Towson, Maryland 21286 on 3/31/06 at 9:00 a.m. to pay the costs owed and to have a Temporary Hearing.

LYA

The court fee may be paid in cash or by check payable to District Court. The service fee is to be paid by check made payable to the District Court of Maryland.

Signature of Petitioner:

Howard Luke Astarita

Date 3-29-06

Signature of Commissioner:

Kristen Amy

Date 3-29-06



DISTRICT COURT OF MARYLAND

Located at

120 E. Chesapeake Ave
Court Address

Case No

SP01372-2004

Petitioner

vs.

Respondent

PEACE ORDER SUPPLEMENT

Dating Violence

1. Do you contend that YOU are (or were) in a dating relationship whereby the respondent engaged in a course of conduct with the intent to kill, injure, intimidate, or harass you in a manner that placed you in a reasonable fear of death or physical harm?

Yes ☐

No ☒

Sexual Assault

2. Do you contend that the respondent engaged in a sexual assault against you and without your consent that placed you in fear of physical harm or danger?

Yes ☐

No ☒

Stalking

- Do you contend that the respondent has engaged in a malicious course of conduct in which the respondent approached or pursued you with intent to place you in reasonable fear of serious bodily injury or death?

Yes ☐

No ☒

Howard Duke Pata
Signature of Petitioner

RECEIVED
OCT 24 2008

To Whom It May Concern,

BY:.....

I Lynda Weihs would like to request to have case #2008-0576-A reconsidered due to my strong belief that the variance in this case should not have been granted. I feel that the carport hinders the view of cars or children when exiting the driveway. The unsightliness of the carport also may have an impact on the value of my property. The Declaration of Easement that was accepted into evidence states that the driveway may not exceed twelve feet. The driveway is over thirty feet and now he wants his carport which is about eight feet right on the property line. For these reasons I ask you to please reconsider the decision to allow the carport to stay on the property line.

Thank you,
Lynda Weihs
25 Ryan Frost Way
Baltimore, Md. 21221
410-780-3978

RECEIVED
OCT 29 2008

Mn. Bostwick

BY:.....

10-28-08

Please accept this picture as an addendum to the letter that was turned in on Oct. 24TH asking for reconsideration on the variance that was granted on Sept 24TH. (Case #2008-0576-A). The picture was taken on Oct 28TH showing the boat being stored on the opposite side of the home which was moved after the 30 day appeal process had passed.

Thank You
Lynnda Weeks



RECEIVED
OCT 29 2008

BY:.....

Lynda Dopkowski 12/05

We were always very amicable with Lynda in the past. In fact, we lent her one of our vehicles when hers needed work. Buddy even worked on her car for her and helped her when her boyfriend was trying to beat her up. Unfortunately, she has changed, so I am now keeping this journal to record events related to our situation as suggested by the Baltimore County Police Department.

Over the last few months she has been experiencing some problems with her personal life. Neighbor Carl & Buddy put up a fence on county property behind all of our properties to avoid traffic from coming in and out of the properties. We also planted trees for this purpose. Lynda was very unhappy about the fence and tried to tear it down. She sent her daughter to our house at 10:00 at night on a Sunday to cuss us out and tell us that the fence had to go. We told her daughter that there were several black young men cutting through our yard and we were trying to deter this. The daughter took this as a prejudiced comment and started screaming. The next day Lynda told Carl that Buddy had made a "fatal mistake" in saying that black guys were cutting through the yard. We did nothing prejudice in any way, we simply described them as black. We never used any derogatory terms at all, but her daughter cussed like a sailor. Lynda called our house and left a message and I returned her call. We talked and decided that in the spring the fence could be removed and she would put bushes there instead if Carl & Buddy agreed to this. I told her that I wanted us all to get along, but that she was way out of line threatening Buddy "to fight him to the death" and that she was over reacting to the comment about the "black" individuals who come onto our property. She and her daughter now think we are prejudice and are apparently telling this to all the African Americans at Chesapeake High School where the daughter attends school as indicated by her daughter. She agreed that this would stop if we were to get rid of the fence. She just hated the fence. This was around the holidays and I was dealing with my Mom becoming ill, so I told her I would take care of it asap. This was mutually agreed upon. As soon as we could, I had Buddy remove the fence and planted bushes at our expense to try and make her happy.

Lynda had parked two untagged vehicles in the driveway, one by her house, and one up against our garage. She had asked me previously if it was legal to do that, and I told her no. Apparently she didn't believe me and wanted to start a fight by parking the one vehicle up against our garage. We contacted the county and they had her remove the vehicles. Apparently this action sent her into a rage, but you cannot leave untagged vehicles on property in Baltimore County. It is an eyesore and it is not legal. The county sent her formal notification and she removed the vehicles.

We thought everything was okay until she put several piles of goods out in front of our house for the Purple Heart. Two days after she left everything out there, the stuff was taken. For a reason unknown to us, she thought we took the items and gave them to a thrift store. On 2/5/06, she left a note on our door accusing us of stealing the goods for the Purple Heart and indicated that we should remove all lawn decorations that were on her property. I'm assuming she was referring to the bushes and the landscape scene. I called the Purple Heart myself and spoke to Debbie who confirmed that they did, in fact, pick up the property she had left. I then put a note on her door that she should check her facts before accusing me of stealing her trash and that she could call the Purple Heart herself to confirm this.

A few weeks went by, and as soon as the weather broke, she started another rampage. On 3/28/06, she tore out the beach scene that Carl, Buddy, and John (all neighbors) had created on County Property to beautify the area. She tore out the wooden planks, the boat, the bird decorations, etc. The police were called in the afternoon and we were told to contact the zoning department of Baltimore County to see what our rights were. At this point, she was acting so crazy that we just didn't want to have anything to do with her, but that night she went crazy again. She threw all of the debris against our fence in the back yard on County property and she tore out part of our garden in the front yard which is on our property, not hers nor the county's. She was doing this in the dark while it was raining. Clearly, she is disturbed.

We called the police again and the officers agreed that she was irrational. They knocked on her door and told her that she had until 2:00p.m. on 3/29/06 to remove the debris or she would be cited for dumping on county property. She was also told that she should have her property surveyed to formally determine property boundaries before she destroyed any other property.

We had obtained a 6 month peace order running approximately from March 30, 2006-September 30, 2006 and things were quiet until 5/14/07 when she started again.

She has had a surveyor come out a few times to mark her property lines, and I spoke to them when they were out on 5/11/07. They advised that she keeps calling them to do it over again, but it's easy because the markers are already there, so they don't mind coming back out because they keep getting paid by her even though she calls them a lot.

On 5/14/07, she remarked to Buddy that he had better move his garden off her property or she will. We took photos showing the orange property line markers that the surveyors sprayed clearly showing that none of our garden is on her property. She was a bit enraged for some reason that night, so she came out with a hatchet and wood and went out in our front yard trying to put the stake in the ground w/a hatchet. I took photos of her in her rage slamming down the hatchet several times. Diane Money maker, and Skittle's mom saw her out there with the hatchet. I told her if she started up again, I would be forced to call the police, so I had to sit out on my front steps to watch her while she was out there with the hatchet for fear that she would vandalize my car that was parked a few feet from her. Photos were downloaded and neighbors witnessed.

On 6/26/07, when the trash men left the can, her wheels came off her can again. She leaves everything laying out in our front yard for days, so I put her lid and the wheels in the can and sat in along the driveway for her to pick up and take back to her house. Well, I suppose she thinks we tore the wheels off again because she put the can in our front yard (on her side of the property line so there is nothing we can do) and she left it there. She will leave it there indefinitely. I took pictures of the eyesore that it is because I have to look at her trash can in my front yard every day. Her trash including tampons and condoms were strewn

in front of our house which I had to clean up before the kids saw them. Pictures downloaded.

On or about 8/26/07, Buddy and Johnny were out in the driveway looking to see if we could put up a car port, and she got all excited and called her father. He came barreling up the driveway almost hitting them and Buddy decided to talk to him calmly. They had a fair conversation and Buddy told him to recall when Buddy was a police officer how he used to go by Carl (Linda's dad) house every night and check on him.....he remembered and he said what is he supposed to do?...this is his daughter, and he has to help. Buddy said that is fine, we haven't had any altercations with her at all, in fact, we haven't even said anything to her lately when she leaves her trash can in our front yard for days at a time. We decided to postpone the carport to avoid additional confrontation.

On 9/25/07, Buddy was out in the driveway looking at what he might be able to do to make a shelter for my vehicle. As soon as he left, she and her dad came out and were all around the yards. We have neighbors who witnessed this, even Kayla emailed us saying she was in our yard. When Buddy came home for lunch she had put more posts in the ground and had tied a string along the entire front side of our house along her property line. We wouldn't mind it if there was a purpose, but she only did it to try and provoke us. She left the posts and string there for some time and we have to look at yet another eye sore from her in our front yard. Photos were taken and downloaded.

On 10/2/07, she left her trash can out front four days after trash pickup and apparently it is now missing, and she thinks that we took it again. So, on Friday 10/5/07, she came out with a spray can and started spraying what she thinks are her property lines in our driveway. Her father and her daughter were out there with her and they both told her that she was too far over, but she was in a tirade. They went back to the house and I stayed at my window to make sure that she didn't spray paint my vehicle or our garage. When she saw me looking, she was leaning on Buddy's trailer and she jumped up because she knew she didn't belong there. I told her she should get some help and she said she said she does need help because she knows she is going crazy because someone keeps stealing her trash cans. I told her that she is responsible

for her cans and we are responsible for ours and it is a public nuisance to leave her can and trash in front of my house even if it is on her property. All the neighbors put their cans away within 24 hours except for her because she knows it sits in front of our house and bothers us. I told her that I saw her spray painting our driveway. She yelled, It's just temporary!! You'll see I can do more than you all my myself without a man!....She is obviously still having difficulty dealing with her husband leaving her. I agreed with her that it should be temporary since it is quite an eyesore, but she meant it in a different way. She yelled at me that she doesn't need a man like I do, (although she manages to drag her poor father into all her problems.) She pulled up her temporary stakes and strings and stormed home. One 10/8/07, we are making calls to the county about easements, trash regulations, Miss Utility, etc to prepare for what she may do next. She is clearly out of control.

Buddy purchased an older motorcycle and on 1/30/08 was coming back to our house via the culdisac, and Lynda's father was coming down our driveway leaving her house. He swerved his car intentionally to try and knock Buddy off of the bike w/o actually making contact with him. Fortunately, he was able to keep control of the bike and did not have an accident. We have advised our daughter as well as the other neighborhood children to watch for Lynda, her father, and her daughter because they drive extremely fast and in a dangerous manner throughout the culdisac. Neighbor Paul has said that he and his children have seen her flying through the culdisac and driveway as well and warned us to be careful.

We are planning to put up a carport in front on the garage, so on 11/7/07, we got the permit. We had waited to put it up, but we need shelter for our vehicles and boat. We cannot live our lives in hiding because of her. Baltimore County came out and ok'd the structure, and it is compliant. We posted the permit for the required amount of time, and filed it. We put the carport where she had spray painted her property line.

On 2/29/08, we received a notice from Baltimore County permits advising us that someone had complaint that we did not have a permit for the carport, which we are sure was Lynda because two days before that, on Wednesday, 2/27/08, she was out in the driveway with her sticks

and strings as usual trying to mark her property lines again. Buddy told her that the carport is not on her property, and she said, "Oh you don't even know what I'm doing! I'm going to make it my mission in life to make things hard on you!" We called Baltimore County and spoke to Nikki who confirmed that Grant had ok'd the structure and we did in fact have the permit already, so we could disregard the notice we received. I mailed them a letter on 3/17/08 also just as a follow up that we have been advised that the case is closed.

On 3/17/08 at 7:45 in the morning, I was backing out of my garage and I saw Lynda in her driveway. When she saw me backing out, she intentionally floored her car so our front ends were almost touching. She basically pushed me down the driveway almost hitting my car. When we got to the end of the drive, she cut to the left and hit some of her small fencing and almost jumped the curb to get around me and floored the car to about 50 miles an hour through the culdisack before I could even get my car into drive. She tried to hit my car with hers. She is getting out of control. Someone could have been injured.

On 4/1/08 she tried to send us a certified letter and we refused it as she has harassed us in so many ways, I don't need her using the postal system too. She then filed a complaint with Baltimore County about the carport and had a formal survey done of the property line. After much investigation, many phone calls and a \$1295 expense for our own survey, it was determined that the corner of the carport was a few inches over the property line. We are cutting the carport back to get it off of the line and we are requesting a variance from Baltimore County for the 2.5 feet set back. There will be a hearing date scheduled.

On 5/1/08, we emailed Jim Smith, the County Executive, to ask him to investigate this matter for us. On 5/2/08, we received a call from his office from Sharon Paul 410-887-2450. I returned her call the same day at 11:50 and left her a message to call me back so that I can give her the pertinent information to investigate the situation. I spoke to Sharon at 3:37 and gave her the information. She will check into this and get back to me.

We had to hire a surveyor, Central Drafting and Design and paid them \$1295. We paid about \$300 to change the configuration of the carport so that it did not encroach on her property line in any way. Then we

had to go to Baltimore County and deal with all of that and ultimately request a hearing to request a variance on the 2.5 ' setback which Dave Billingsley of Central Drafting & Design agreed to attend with us for an additional \$140.

One 8/9/08 she called the police on our grass cutter while we were out of town on vacation. She keeps insisting that he crosses her property line when he gets to our yard. She wants him to park up on the hill and come down. The police said he cannot park his vehicle there and it is unsafe for her to even suggest such a thing. We need to find another way to get his mower into our yard because she said she will call the police every time even though the police said there is nothing he can do. He cannot read a survey or arrest the guy for crossing the property line. She has a no trespassing sign and according to the officer, it needs to be registered to be valid, so she took it down. One of the grass cutters is a police officer himself.

We ended up going to a variance hearing on 8/22/08. She showed up with her father and they acted like children telling us that they should be shuffling papers to look official too, and they needed to be close to the bathroom in case they needed to pee....it was awful. While we awaited the commissioner, she kept making snide comments...even making fun of our surveyor, which he heard as well. She complained about everything throughout the hearing and said she would be taking us to court again next about the 12" ingress/egress issue because we have access to additional space.

We received notice dated 9/24/08 that we were granted the variance but that we had to plant landscape screening along the side of the carport and the garage. We have to wait 30 days to see if she appeals. I'm sure she will be out there raging when we put it up, but it is a requirement of the variance, so I will have the paperwork handy so if she calls the police, I can show that it is required by the court.



Photos of our vehicles
and registration cards.

- ① Charlotte's convertible - used daily
- ② Howard's work van - used daily
- ③ Howard's classic/restored montecarlo
- ④ Howard's personal vehicle - pickup truck



→ She spray painted her property line and indicated arrows towards her house.

→ This is the 12" that she feels is designated for our use. This is the area we use for ingress/egress to try and appease her.



Maryland Motor
Vehicle Administration
6601 Ritchie Highway, N.E.
Glen Burnie, Maryland 21062

REGISTRATION CERTIFICATE

TAG NUMBER

UNIT #

STICKER NUMBER

TITLE NUMBER		MAKE AND BODY STYLE OF VEHICLE	
33-27-71		CHEV TR	
YEAR	CLASS	EXCEPT.	VEHICLE IDENTIFICATION NUMBER
96	EPO	N/A	1GCDT19X9T8130136
GR. VEH. WT.	GR. COMB. WT.	FEE	EXPIRATION DATE
7000	00N/A	154.50	08/31/09
OWNER'S DRIVER LICENSE/SOUNDEX NO.		CO-OWNER'S DRIVER LICENSE/SOUNDEX NO.	
A236313560765			
NAME(S) AND ADDRESS OF REGISTERED OWNER(S)			
HOWARD LUKE ASTARITA 18 RYAN FROST WAY ESSEX MD 21221			

IMPORTANT NOTICE:

Maryland Law requires this vehicle be insured at all times.

Tags must be returned PRIOR to any cancellation of insurance on this vehicle.

Failure to comply will result in suspension of registration and penalty of up to \$2,500 per vehicle, per year.



Maryland Motor
Vehicle Administration
6601 Ritchie Highway, N.E.
Glen Burnie, Maryland 21062

REGISTRATION CERTIFICATE

TAG NUMBER

UNIT #

STICKER NUMBER

29V423

triVIN

1770922

TITLE NUMBER		MAKE AND BODY STYLE OF VEHICLE	
38611749		CHEV TR	
YEAR	CLASS	EXCEPT.	VEHICLE IDENTIFICATION NUMBER
96	EPO	N/A	1GCDT19X9T8130136
GR. VEH. WT.	GR. COMB. WT.	FEE	EXPIRATION DATE
7000	00N/A	154.50	08/31/09
OWNER'S DRIVER LICENSE/SOUNDEX NO.		CO-OWNER'S DRIVER LICENSE/SOUNDEX NO.	
A236313560765			
NAME(S) AND ADDRESS OF REGISTERED OWNER(S)			
HOWARD LUKE ASTARITA 18 RYAN FROST WAY ESSEX MD 21221			

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Vehicle Administration
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Glen Burnie, Maryland 21062

REGISTRATION CERTIFICATE

TAG NUMBER UNIT # STICKER NUMBER

TITLE NUMBER		MAKE AND BODY STYLE OF VEHICLE	
2A111381		CHEV 2S	
YEAR	CLASS	EXCEPT.	VEHICLE IDENTIFICATION NUMBER
02	ASY	N/A	W5AL8334XYE039701
GR. VEH. WT.	GR. COMB. WT.	FEE	EXPIRATION DATE
-3700	00N/A	\$138.00	12/31/00
OWNER'S DRIVER LICENSE/SOUNDEX NO.		CO-OWNER'S DRIVER LICENSE/SOUNDEX NO.	
A236213060765		A2362130497442	

NAME(S) AND ADDRESS OF REGISTERED OWNER(S)

HOWARD LUKL ASTARITA
CHARLOTTE LEL ASTARITA
10 RYAN FIRST WAY
ESSEX MD 21221



Maryland Motor
Vehicle Administration
6601 Ritchie Highway, N.E.
Glen Burnie, Maryland 21062

REGISTRATION CERTIFICATE

TAG NUMBER UNIT # STICKER NUMBER

TITLE NUMBER		MAKE AND BODY STYLE OF VEHICLE	
3A858047		CHEV 2S	
YEAR	CLASS	EXCEPT.	VEHICLE IDENTIFICATION NUMBER
06	L	N/A	1616Z376AGRL72753
GR. VEH. WT.	GR. COMB. WT.	FEE	EXPIRATION DATE
00N/A	00N/A	\$13.00	01/31/10
OWNER'S DRIVER LICENSE/SOUNDEX NO.		CO-OWNER'S DRIVER LICENSE/SOUNDEX NO.	
A236213060765			

NAME(S) AND ADDRESS OF REGISTERED OWNER(S)

HOWARD LUKL ASTARITA
10 RYAN FIRST WAY
ESSEX MD 21221

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