

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E side of Rayville Road; 197 feet NE of		
the c/l of Spooks Hill Road	*	DEPUTY ZONING
6 th Election District		
2 nd Councilmanic District	*	COMMISSIONER
(1747 Rayville Road)		
	*	FOR BALTIMORE COUNTY
Michael P. Lamonica, Doris P.		
Lamonica and Linda L. Monk	*	
<i>Petitioners</i>		CASE NO. 2011-0140-SPH
	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") that involves the above-captioned property known as Parcel 17 and owned by Thomas and Michael Lamonica, Parcel 189 owned by Thomas and Michael Lamonica, Parcel 185 owned by Doris and Thomas Lamonica and Linda Monk as Trustees, and Parcel 119 owned by John and Sandra Betsill. The Special Hearing request is to allow the non-density transfer of 1.5071 acres of land from one parcel to another in an R.C.2 Zone. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing relief was Petitioner Michael P. Lamonica and Rick Richardson with Richardson Engineering, LLC, the professional engineer who prepared the site plan. There were no Protestants or interested persons in attendance.

Testimony and evidence presented revealed that the aforementioned properties are located at the eastern intersection of Rayville Road and Spook Hill Road in the Parkton area of northern

ORDER RECEIVED FOR FILING

Date 12-13-10

By [Signature]

Baltimore County. The site plan shows the exact location of the parcels, which are situated side by side in an easterly direction from Rayville Road. The parcels have been in the Lamonica family for many years, having been purchased originally in 1973. A subdivision to create two lots as shown on the site plan was done in 1996. This created Lot 2 (also known as Parcel 119) and Lot 1 (also known as Parcel 185), and in 1998 Lot 2 was sold to Mr. and Mrs. Betsill.

Thereafter in 2004, Petitioners created the smaller Parcel 189 off of Lot 1 (Parcel 185). According to Mr. Richardson, Petitioner's consulting engineer, a property description was created and was recorded in the Land Records of Baltimore County as Parcel 189, but it is not a valid separate parcel for subdivision purposes. It is essentially an illegal subdivision of Lot 1, even though Lot 1 had no further density rights. Petitioner currently resides at the one acre Parcel 17 that fronts Rayville Road. At this juncture, Petitioner desires approval of a non-density transfer of Parcel 189 into Parcel 17. This would give the combined property owned by Petitioner an area of approximately 2.5 acres. On the surface, this might enable Petitioner to then turn around and subdivide his property and re-establish a separate property of at least 1 acre in the R.C.2 Zone.¹ However, in requesting the instant special hearing relief for a non-density transfer of Parcel 189 into Parcel 17, Petitioner acknowledges and agrees that he cannot do this and that there is no density associated with Parcel 189 and there shall be no ability to subdivide the combined parcels any further if the transfer is approved. Petitioner is also aware that he would still need to request a lot line adjustment before the Development Review Committee ("DRC") in order to re-draw the property line for the combined Parcels 189 and 17 owned by Petitioner.

¹ Section 1A01.3.B.1 of the B.C.Z.R. states that "[n]o lot of record lying within an R.C.2 Zone and having a gross area of less than two acres may be subdivided. No such lot having a gross area between two and 100 acres may be subdivided into more than two lots (total), and ... [a] lot having an area less than one acre may not be created in an R.C.2 Zone."

ORDER RECEIVED FOR FILING

2 Date 12-13-10

By PS

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments were received from the Office of Planning dated November 8, 2010 which indicates that they do not oppose the request provided the transfer will not pave the way for, nor create an additional building lot. Comments were received from the Department of Environmental Protection and Resource Management dated December 1, 2010 which indicates that development of the property must comply with the Forest Conservation Regulations.

After considering the testimony and evidence, I am persuaded to grant the requested special hearing relief. The granting of the relief will correct an illegality associated with the creation of Parcel 189, without creating or extending any further density rights to Parcel 189. Essentially, Parcel 189 (which should not have been created or recorded in the first place) will, for all intents and purposes "go away" and cease to exist. It will become part of Parcel 17 and will increase the size of Petitioner's property from one acre to 2.5 acres, but with no right to subdivide or create any additional lot(s) from Petitioner's new, larger property. In my view, this is a sensible and equitable result, and a fitting demise for Parcel 189.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 13th day of December, 2010 that Petitioners' request for Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow the non-density transfer of 1.5071 acres of land from one parcel (known as Parcel 189) to another parcel (known as Parcel 17) in an R.C.2 Zone, in accordance with the site plan accepted

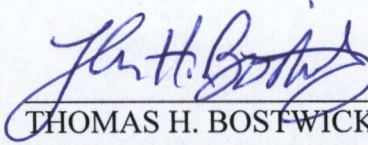
ORDER RECEIVED FOR FILING

Date 12-13-10
By [Signature]

into evidence as Petitioner's Exhibit 1, be and is hereby **GRANTED** subject to the following conditions:

1. Petitioners may apply for 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. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
3. Petitioner acknowledges and agrees that there is no density associated with Parcel 189 and there shall be no ability to further subdivide the combined Parcels 189 and 17 into another separate lot.
4. Petitioner is aware that, notwithstanding the granting of the special hearing relief, he will be required to request a lot line adjustment before the Development Review Committee ("DRC") in order to re-draw the property line for the combined Parcels 189 and 17 owned by Petitioner.

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

ORDER RECEIVED FOR FILING

Date 12-13-10

By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 13, 2010

MICHAEL P. LAMONICA
1747 RAYVILLE ROAD
PARKTON MD 21120

Re: Petition for Special Hearing
Case No. 2011-0140-SPH
Property: 1747 Rayville Road

Dear Mr. Lamonica:

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.

Sincerely,

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: Rick Richardson, Richardson Engineering LLC, 30 East Padonia Road, Suite 500, Timonium
MD 21093



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1747 Rayville Road

which is presently zoned RC-2

(This petition must be filed in person, in the zoning office, in triplicate, with original signatures.)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
(This box to be completed by planner)

THE NON-DENSITY TRANSFER OF 1.5071 ACRES OF LAND FROM ONE PARCEL
TO ANOTHER IN AN RC-2 ZONE

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Michael P. Lamonica

Name - Type or Print _____
Signature _____
Doris P. Lamonica LINDA L. MONK
Name - Type or Print _____
Signature _____
1747 Rayville Road 410-458-0030
Address _____ Telephone No. _____
Parkton, MD 21120
City _____ State _____ Zip Code _____

Representative to be Contacted:

Richardson Engineering, LLC

Name _____
30 E. Padonia Road, Suite 500 410-560-1502
Address _____ Telephone No. _____
Timonium, MD 21093
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2011-0140-SPH

REV 9/13/98

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 10/15/10

ORDER RECEIVED FOR FILING

Date 12-13-10

By [Signature]

**ZONING DESCRIPTION
1747 RAYVILLE ROAD
6 TH ELECTION DISTRICT
2nd Councilmanic District
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the East side of Rayville Road (18 feet wide) at a distance of 197 feet Northeast of the centerline of the nearest improved intersecting street Spooks Hill Road (18 feet wide), thence running and binding on the East side of Rayville Road (1) North 55 degrees 40 minutes 47 seconds East 42.00 feet, (2) North 16 degrees 55 minutes 49 seconds East 75.00 feet, thence leaving the East side of Rayville Road the following courses and distances, (3) South 73 degrees 04 minutes 11 seconds East 105.64 feet, (4) South 39 degrees 31 minutes 27 seconds East 180.00 feet, (5) South 49 degrees 17 minutes 18 seconds West 316.00 feet, (6) North 53 degrees 42 minutes 22 seconds West 223.75 feet, to the point of beginning; Containing a net area of 1.5071 acres of land, more or less.

Also being part of lot #1 on the subdivision plat "LAMONICA PROPERTY" Spook Hill Road and being described as:

BEGINNING FOR THE SAME at a point on the East side of Rayville Road (18 feet wide) at a distance of 197 feet Northeast of the centerline of the nearest improved intersecting street Spooks Hill Road (18 feet wide), thence running and binding on the East side of Rayville Road (1) North 55 degrees 40 minutes 47 seconds East 42.00 feet, (2) North 16 degrees 55 minutes 49 seconds East 75.00 feet, thence leaving the East side of Rayville Road the following courses and distances, (3) South 73 degrees 04 minutes 11 seconds East 105.64 feet, (4) South 39 degrees 31 minutes 27 seconds East 776.09 feet, (5) South 48 degrees 08 minutes 14 seconds West 578.70 feet to a point in the center of Spooks Hill Road, thence binding on the center of Spooks Hill Road the following courses and distances, (6) North 33 degrees 55 minutes 30 seconds West 162.16 feet, (7) North 36 degrees 53 minutes 44 seconds West 347.78 feet, (8) North 78 degrees 53 minutes 02 seconds West 52.12 feet, (9) North 55 degrees 40 minutes 47 seconds East 209.62 feet to the point of beginning; Containing a net area of 6.5124 acres of land, more or less.

Item #0140

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

No. **60091**

Date: **10/15/10**

PAID RECEIPT

BUSINESS /ACTUAL TIME INM
 10/10/2010 10/15/2010 14:31:33 5

REC MSG03 WALKIN 1000 LBB
 >>RECEIPT # 485079 10/15/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
201	806	0000		6150						\$65.00

Dept 5 52B ZONING VERIFICATION

CR NO. 060071

Recpt Tot 465.00
 465.00 CK 1.00 CA
 Baltimore County, Maryland

Total: **\$65.00**

Rec From:

For: **Zoning hearing - case # 2011-0140-SPH**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2011-0140-SPH

RE: Case No.: _____

Petitioner/Developer: _____
Michael & Doris Lamonica

Dec.3 2010
Date of Hearing/Closing: _____

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

Attn: Kristin Matthews:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously
1747 Rayville Road

November 18 2010

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black November 20 2010
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE #2011-0140-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

Room 104, JEFFERSON BUILDING
PLACE: 105 WEST CHESAPEAKE AVE. Towson 21204

DATE AND TIME: FRIDAY, DECEMBER 3, 2010 AT 11:00 A.M.

REQUEST: SPECIAL HEARING FOR THE NON-DENSITY TRANSFER
OF 1.5071 ACRES OF LAND FROM ONE PARCEL TO ANOTHER IN AN
RC-2 ZONE.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 847-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

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 2011-0140-SPH

Petitioner: MICHAEL LAMONICA, DORIS LAMONICA, LINDA MORRIS

Address or Location: 1747 RAYVILLE RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL LAMONICA

Address: 1747 RAYVILLE RD

PARKTON, MD 21120

Telephone Number: 410-458-0030

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 9, 2010 Issue - Jeffersonian

Please forward billing to:
Michael Lamonica
1747 Rayville Road
Parkton, MD 21120

410-458-0030

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: 2011-0140-SPH

1747 Rayville Road

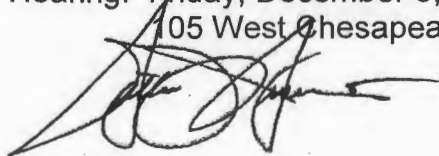
E/side of Rayville Road, 197 feet n/east of the centerline of Spooks Hill Road

6th Election District – 2nd Election District

Legal Owners: Michael & Doris Lamonica

Special Hearing for the non-density transfer of 1.5071 acres of land from one parcel to another in an RC-2 zone.

Hearing: Friday, December 3, 2010 at 11:00 a.m. in Room 104, 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 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.



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
November 3, 2010

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: 2011-0140-SPH

1747 Rayville Road

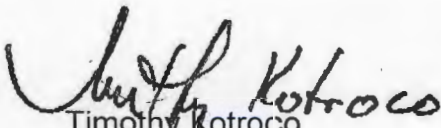
E/side of Rayville Road, 197 feet n/east of the centerline of Spooks Hill Road

6th Election District – 2nd Election District

Legal Owners: Michael & Doris Lamonica

Special Hearing for the non-density transfer of 1.5071 acres of land from one parcel to another in an RC-2 zone.

Hearing: Friday, December 3, 2010 at 11:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Timothy Kotroco
Director

TK:kl

C: Mr. & Mrs. Lamonica, 1747 Rayville Road, Parkton 21120
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 9, 2010**
- (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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

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

November 29, 2010

Michael P. & Doris P. Lamonica
1747 Rayville Road
Timonium, Maryland 21120

Dear Michael & Doris:

RE: 2011-0140-SPH 1747 Rayville Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 15, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc
Enclosures

c: People's Counsel
Richardson Engineering, LLC 30 E. Padonia Rd Ste 500 Timonium, MD 21093

TB
12-3-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 01 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 1, 2010
SUBJECT: Zoning Item # 11-140-SPH
Address 1747 Rayville Road
(Lamonica Property)

Zoning Advisory Committee Meeting of October 25, 2010.

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

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

Reviewer: CGB Date: 12/1/10

TB - 123 11Am

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

12-3

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

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For November 8, 2010
Item Nos. 2011-126, 137, 140, 141,
142, 144, 145, 146 and 147

DATE: November 1, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11082010 -NO COMMENTS.doc

TB- 1213 HAM
109

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 8, 2010

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

RECEIVED

SUBJECT: 1747 Rayville Road

NOV 10 2010

INFORMATION:

Item Number: 11-140

ZONING COMMISSIONER

Petitioner: Michael P. Lamonica

Zoning: RC 2

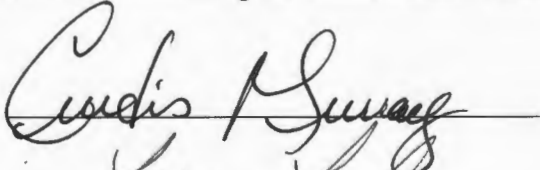
Requested Action: Special Hearing

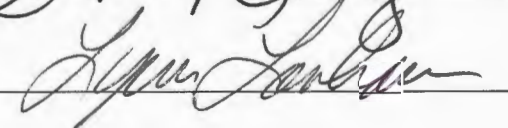
The petitioner requests a special hearing for a non-density transfer of 1.5071 acres of land from one parcel to another in a RC 2 zone.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to transfer of 1.5071 acres of land from one parcel to another, provided the transfer will not pave the way nor create an additional building lot.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by: 

Division Chief: 
AFK/LL: CM



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: Oct 27, 2010

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

RE: Baltimore County
Item No. 2011-0140-SPH
1747 RAYVILLE RD
LANONICA PROPERTY
SPECIAL HEARING-

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. 2011-0140-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 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.sha.maryland.gov

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
1747 Rayville Road; E/S Rayville Road, * ZONING COMMISSIONER
197' NE of c/line of Spooks Hill Road *
6th Election & 2nd Councilmanic Districts * FOR
Legal Owner(s): Michael Lamonica *
Petitioner(s) * BALTIMORE COUNTY
* 2011-140-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

OCT 26 2010

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 26th day of October, 2010, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30. E. Padonia Road, Suite 500, Timonium, MD 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 1747 RAYVILLE RD
CASE NUMBER 2011-140SPH
DATE DEC 3, 2011

[illegible]

Case No.:

2011-0140-SPH

Exhibit Sheet

Petitioner/Developer

Protestant

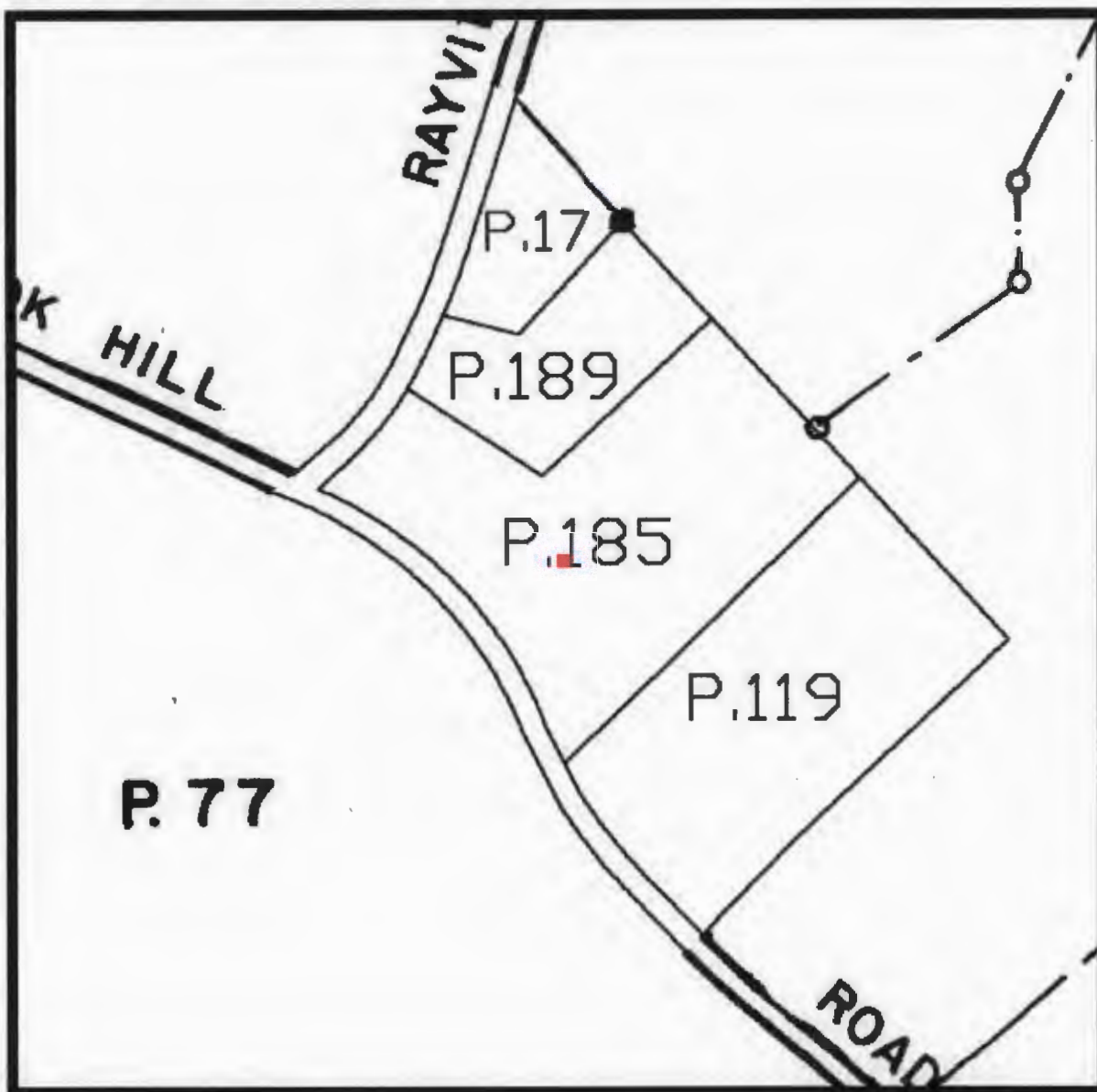
No. 1	site plan	
No. 2	parcel map	
No. 3	property Deed	
No. 4	aerial photograph	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 06 **Account Number - 2200027609**



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/Our

PETITIONER'S

EXHIBIT NO.

2

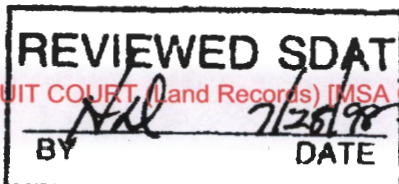
PETITIONER'S

EXHIBIT NO. 3

THIS DEED, made this 7th day of May, 1998 by and between DORIS P. LaMONICA, Grantor, party of the first part and JOHN EDWARDS BETSILL, and SANDRA BOSLEY BETSILL, his wife, Grantees, parties of the second part.

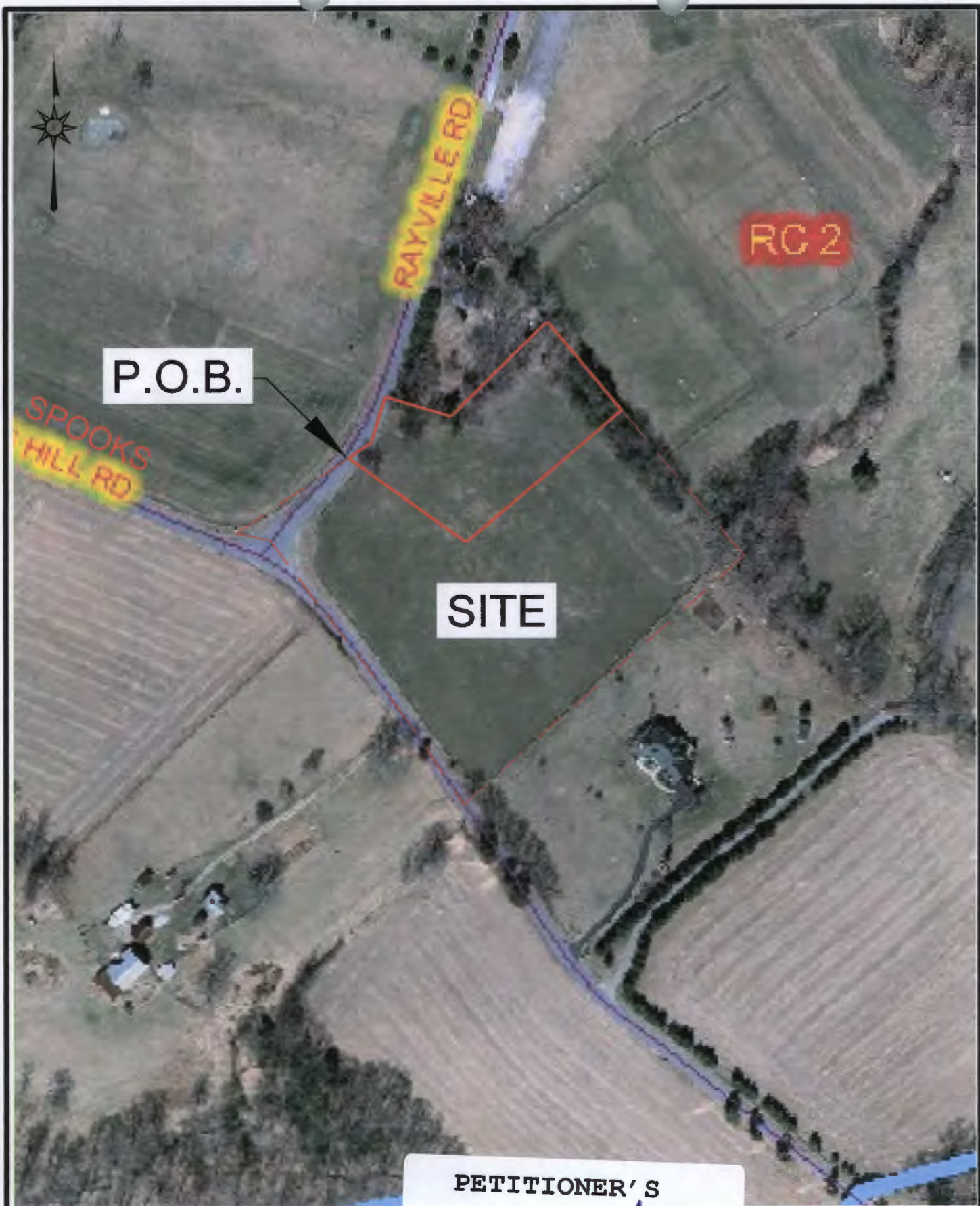
WITNESSETH that in consideration of sum of One Hundred Twenty-eight Thousand Dollars and No Cents (\$128,000.00) consideration, the receipt whereof is hereby acknowledged, the said party of the first part does grant unto the parties of the second part, as Tenants by the Entireties, their heirs and assigns, the survivors of them and unto the survivor's personal representatives and assigns, in fee simple, all her interest in that lot of ground or parcel of ground situate in Baltimore County, State of Maryland and described as follows, that is to say:

BEGINNING for the same at a point on the third line of that parcel of land which by Deed dated June 2, 1973, and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 5393, Folio 43, was conveyed by Russell P. Hedrick to Thomas A. LaMonica and wife at the distance of 476.09 feet measured southeasterly along said line from the beginning thereof and running thence and binding on a part of said third line and on the fourth and fifth lines of said land South



AGRICULTURAL TRANSFER TAX

AMOUNT \$2560⁰⁰ DATE 7/28/98SIGNATURE ERCODED F



PETITIONER'S

EXHIBIT NO.

4

ZONING MAP #016 B-1
SCALE: 1" = 200'

Item # 0140

Patricia Zook - Posting & Advertising Certifications needed for 2 Friday cases

From: Patricia Zook
To: Campbell, Rose; Lewis, Kristen
Date: 11/29/2010 4:17 PM
Subject: Posting & Advertising Certifications needed for 2 Friday cases
CC: Bostwick, Thomas

Ladies -

Please look and see if you can find the advertising certification for cases 2011-0140-SPH and 2011-0126-SPH which are scheduled for hearings on Friday, December 3.

I also need the posting certification for case 2011-0126-SPH.

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

410-887-3868

pzook@baltimorecountymd.gov

Account Identifier:

District - 06 Account Number - 2100013614

Owner Information

Owner Name: LAMONICA THOMAS P **Use:** RESIDENTIAL
LAMONICA MICHAEL P **Principal Residence:** YES
Mailing Address: 1747 RAYVILLE RD **Deed Reference:** 1)/21451/ 155
PARKTON MD 21120-9081 2)/21451/ 161

Location & Structure Information

Premises Address **Legal Description**
1747 RAYVILLE RD 1.050 AC
1747 RAYVILLE RD
275 NE SPOOK HILL RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
16	4	17						2	

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1874	1,563 SF	1.05 AC	04

Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value As Of 01/01/2008	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	150,750	150,750		
Improvements:	122,980	122,980		
Total:	273,730	273,730	273,730	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller:	Type:	Date:	Deed1:	Price:	Deed2:
LAMONICA DORIS P	NOT ARMS-LENGTH	02/18/2005	/21451/ 155	\$0	/21451/ 161
LA AND DEVELOPMENT	IMPROVED ARMS-LENGTH	08/15/2002	/16710/ 400	\$105,000	
MORSE EDWARD HYDE, JR	NOT ARMS-LENGTH	04/26/2000	/14432/ 7	\$105,000	

Exemption Information

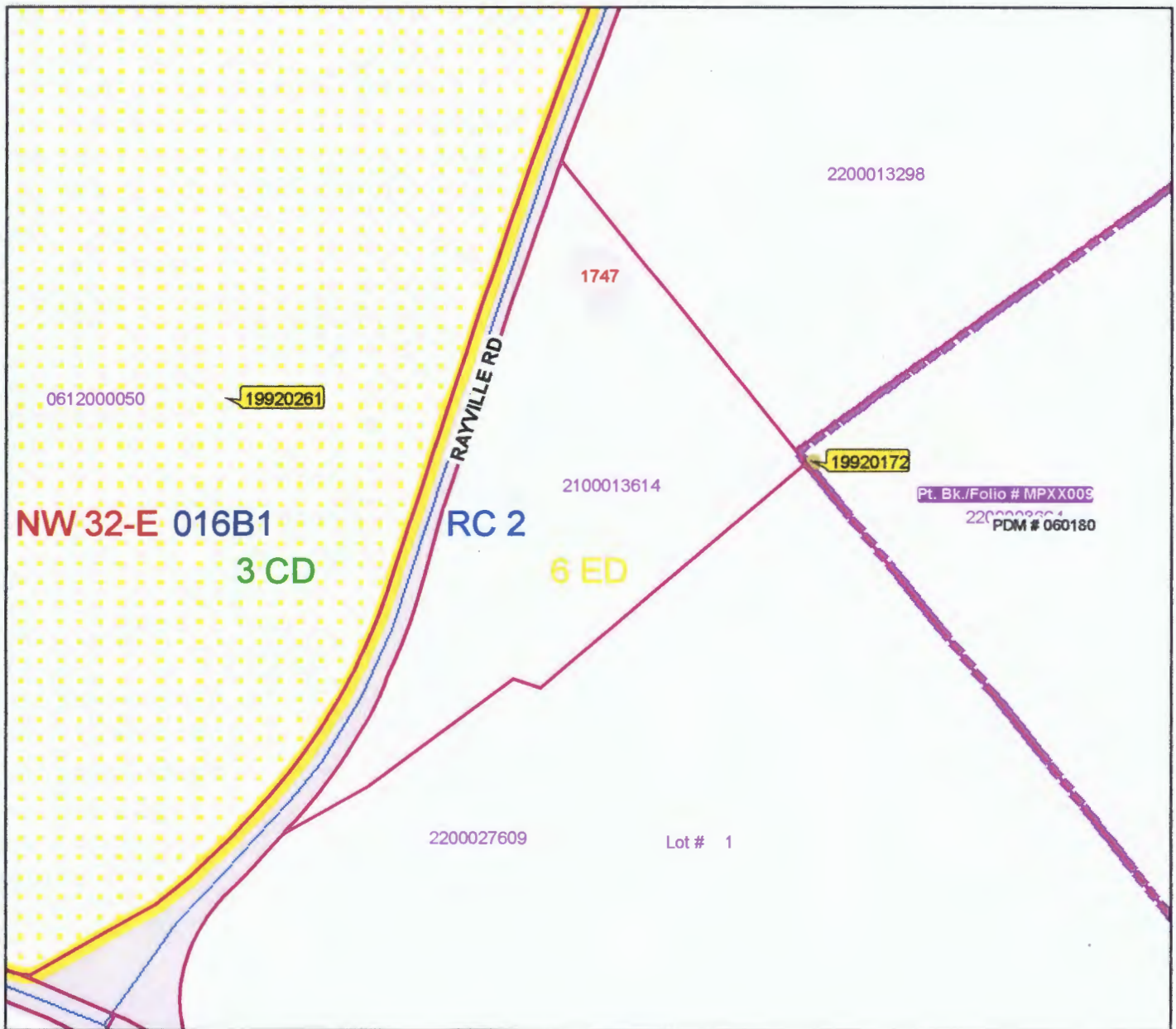
Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

Item #0140

1747 Rayville Road



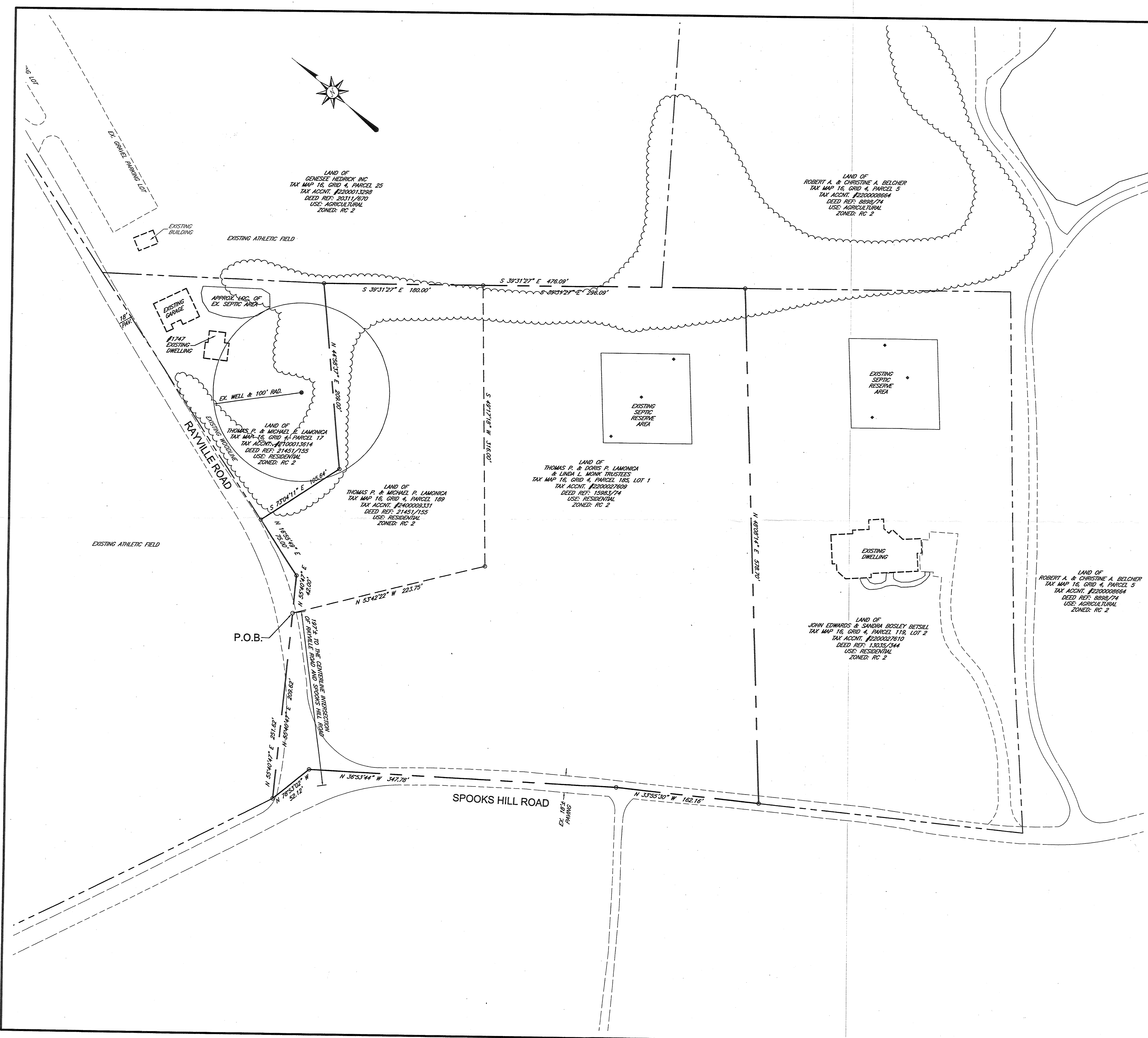
Publication Date: October 14, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 100 200
Feet

1 inch = 100 feet

Item #0140



PARCEL #17

1. OWNER:
THOMAS P. & MICHAEL P. LAMONICA
1747 RAYVILLE ROAD
PARKTON, MARYLAND 21120-9081
2. TAX MAP #16, GRID #4, PARCEL #17
3. TAX ACCOUNT #2100013614
4. DEED REFERENCE: 21451/155 & 21451/161
5. SITE ADDRESS: 1747 RAYVILLE ROAD
6. SITE AREA: 1.050 Ac.± (PER DEED)

PARCEL #119

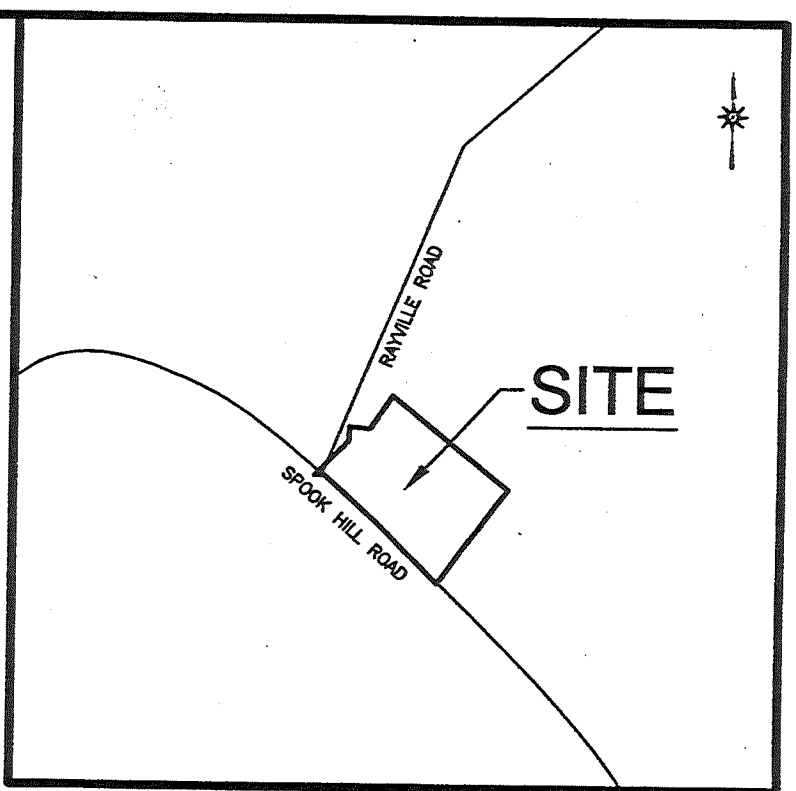
1. OWNER:
JOHN E. & SANDRA B. BETSILL
18657 SPOOKS HILL ROAD
PARKTON, MARYLAND 21120-9074
2. TAX MAP #16, GRID #4, PARCEL #119, LOT #2
3. TAX ACCOUNT #2200027610
4. DEED REFERENCE: 13035/344
5. SITE ADDRESS: 18657 SPOOKS HILL ROAD
6. SITE AREA: 4.0271 Ac.± (PER DEED)
7. MINOR SUBDIVISION PLAT "LAMONICA PROPERTY"

PARCEL #185

1. OWNER:
DORIS P. & THOMAS P. LAMONICA
AND LINDA L. MONK TRUSTEES
1700 RAYVILLE ROAD
PARKTON, MARYLAND 21120-9080
2. TAX MAP #16, GRID #4, PARCEL #185, LOT #1
3. TAX ACCOUNT #2200027609
4. DEED REFERENCE: 15983/74
5. SITE ADDRESS: SPOOKS HILL ROAD
6. SITE AREA: 6.5124 Ac.± (PER DEED)
7. MINOR SUBDIVISION PLAT "LAMONICA PROPERTY"

PARCEL #189

1. OWNER:
THOMAS P. & MICHAEL P. LAMONICA
1819 LAUREL RIDGE DRIVE
PARKTON, MARYLAND 21120-9682
2. TAX MAP #16, GRID #4, PARCEL #189
3. TAX ACCOUNT #2400009331
4. DEED REFERENCE: 21451/155 & 21451/161
5. SITE ADDRESS: SPOOKS HILL ROAD
6. SITE AREA: 1.5071 Ac.± (PER DEED)



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

1. TOTAL SITE AREA:
36,041 Sq.Ft. or 0.827 Ac.±
2. UTILITIES
WATER: PRIVATE WELL SEWER: PRIVATE SEPTIC
3. SITE LIES WITHIN ZONES "X" OF FLOOD INSURANCE
RATE MAP (FIRM) PANEL #2400100240 F PANEL
40 OF 580 DATED SEPT. 26, 2008.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2%
ANNUAL CHANCE FLOODPLAIN.
4. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY
CRITICAL AREA.
5. COUNCILMANIC DISTRICT: 2nd
6. ZONING: RC 2
(PER 1"-200' ZONING MAP 016B1)
7. NO KNOWN PREVIOUS ZONING CASES ON FILE.
8. THE EXISTING PROPERTY AND BUILDING ARE NOT HISTORIC.
9. NO KNOWN PREVIOUS PERMITS ON FILE.
10. SETBACKS FOR RC 2
REQUIRED PROVIDED
75' FROM CENTERLINE 35' FROM PROPERTY LINE

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY
ZONING VARIANCE FOR THE

LAMONICA PROPERTY
1747 RAYVILLE ROAD

Richardson #2011-0140-SPH

6TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS		PETITIONER'S		
		EXHIBIT NO. <u>1</u>		
DRAWN BY:	CND	DESIGNED BY:	PCR	SCALE: 1" = 50'
DATE:	10-12-10	JOB NO.:	10076	SHEET NO.: 1 OF 1