

IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Falls, 147' SE from
c/l of Ivy Hill Road
8th Election District
2nd Council District
(12519 Falls Road)

Ingeborg and Domenico Occorso
Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2012-0208-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by the legal owners, Ingeborg and Domenico Occorso. The Petitioners are requesting Variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 23' in lieu of the required 50' for a garage. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of March 26, 2012. On March 29, 2012, Judge Timothy Kotroco requested a formal hearing on this matter, since the dwelling in question was not "owner occupied." The hearing was subsequently scheduled for Friday, May 17, 2012 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. In addition, a sign was posted at the property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

Appearing at the public hearing in support of the variance request was Petitioner Ingeborg Occorso. There were no Protestants or other interested parties in attendance. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R.

ORDER RECEIVED FOR FILING

Date 5-17-12

By pm

Testimony and evidence revealed that the subject property is 1.4 acres and zoned RC 5. The Petitioners now live close by, but hope to soon construct a new (replacement) dwelling on this property, with an addition and shed as shown on the plan. Exhibit 1. The Petitioners' immediate neighbors, the Harmans, submitted a letter indicating they do not oppose the variance relief.

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. There were no adverse comments received from any of the County reviewing agencies.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Specifically, the lot has irregular boundaries, and the Petitioners are constrained by existing site conditions, including the present dwelling (12519 Falls Road) they intend to raze and replace with a more modern home. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

Petitioners have met this test.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is amply demonstrated by the support of the adjacent neighbors, as well as the absence of comments by County reviewing agencies.

ORDER RECEIVED FOR FILING

Date 5-17-18 2

By ym

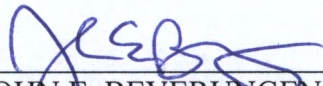
Pursuant to the advertisement, posting of the property and public hearing on this Petition, and after considering the testimony and evidence offered by Ms. Occorso, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 17 day of May, 2012, by this Administrative Law Judge that Petitioners' Variance request from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 23' in lieu of the required 50' for a garage, be and is hereby GRANTED.

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

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

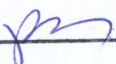
JEB:pz



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 5-17-12

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

May 17, 2012

INGEBORG AND DOMENICO OCCORSO
20112 GUNPOWDER ROAD
MANCHESTER MD 21102

Re: Petition for Administrative Variance
Case No. 2012-0208-A
Property: 12519 Falls Road

Dear Mr. and Mrs. Occorso:

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 with the Department of Permits, Approvals and Inspections an appeal within thirty (30) days from the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", followed by a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 12519 Falls Road which is presently zoned RC5
 Deed References: 23922/00047 10 Digit Tax Account # 1600005867
 Property Owner(s) Printed Name(s) Ingeborg and Domenico Occorso

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☐ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s)

1 A04.3.B.2.b, BC2R TO PERMIT A SIDEYARD SETBACK OF 23FT. IN LIEU OF THE REQUIRE 50FT. FOR AN ADDITION.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

See attached

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Date

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2012-0208-A Filing Date 4, 5, 12 Do Not Schedule Dates: _____ Reviewer JCM

Practical Difficulty / Hardship

Property Location – 12519 Falls Road, Cockeysville, MD 21030

This request is for a variance to the 50 feet setback requirement in order to construct a garage addition measuring 30 feet x 30 feet. The existing dwelling is currently 56 feet from the right side property line. There is no alternative location on the property due to its rectangular shape, and the existing well and septic system located near the front and rear of house. The proposed location takes advantage of the existing parking pad and partial macadam driveway. The adjacent neighbor previously received a variance to build their detached garage and has no objection to our proposal. Dense vegetation will shield the structure from view.

ZONING PROPERTY DESCRIPTION FOR 12519 FALLS ROAD

Being Lot #2 on the Frank Plat as recorded in Baltimore County Plat Book #35, Folio #41, containing 1.40 acres. Located in the 8 Election District and 2 Council District.

NE side of Falls Rd, 147 ft. S.E. from the
E of Ivy Hill Rd.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2012-0208 A

Petitioner: D. OCCORSO

Address or Location: 12519 FALLS Rd., Cockeysville, Md. 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: _____

Address: _____

SA ME

Telephone Number: 410-527-6383

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

No. **81360**

Date **3/2/12**

PAID RECEIPT

BUSINESS ACTIVITY

DATE

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

4/03/2012 3/02/2012 19:55:41

Total

75. -

Rec From: **D. October 50**

Fort: **2012-0208-A**

DISTRIBUTION

WHITE-CASHIER

PINK-AGENCY

YELLOW-CUSTOMER

GOLD-ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

Certificate of Posting

RE: Case NO. 2012-0208-A

Petitioner/Developer _____

Domenic Occorso

Date of Hearing/Closing 5/17/12

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

Attention:

This letter is to certify, under penalties of perjury, that the necessary sign as required by law, was posted conspicuously on the property located at _____

12519 Falls Road

The sign(s) were posted on 5/2/12
(Month, Day, Year)

Sincerely,


(Signature of sign Poster and date)

Richard E. Hoffman
(Printed Name)

See Attached
Photograph

904 Dellwood Drive
(Address)

Fallston, Md. 21047
(City, State, Zip Code)

410-879-3122
(Telephone Number)

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0208-A
12519 Falls Road
N/e side of Falls, 147 feet
+/- SE from centerline of Ivy Hill Road
8th Election District
2nd Councilmanic District
Legal Owner(s): Ingeborg & Domenico Occorso
Variance: to permit a sideyard setback of 23 feet in lieu of the required 50 feet for an addition.
Hearing: Thursday, May 17, 2012 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations - Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT/5/629 May 1 302891

CERTIFICATE OF PUBLICATION

5/3/, 2012

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 5/1/, 2012.

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

J. Wilkinson

LEGAL ADVERTISING



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 26, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0208-A

12519 Falls Road

N/e side of Falls, 147 feet +/- SE from centerline of Ivy Hill Road

8th Election District – 2nd Councilmanic District

Legal Owners: Ingeborg & Domenico Occorso

Variance to permit a sideyard setback of 23 feet in lieu of the required 50 feet for an addition.

Hearing: Thursday, May 7, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Occorso, 20112 Gunpowder Road, Manchester 21102

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 2, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 1, 2012 Issue - Jeffersonian

Please forward billing to:
Domenico Occorso
20112 Gunpowder Road
Manchester, MD 21102

410-527-6383

Corrected

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0208-A

12519 Falls Road

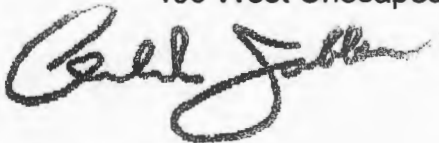
N/e side of Falls, 147 feet +/- SE from centerline of Ivy Hill Road

8th Election District – 2nd Councilmanic District

Legal Owners: Ingeborg & Domenico Occorso

Variance to permit a sideyard setback of 23 feet in lieu of the required 50 feet for an addition.

Hearing: Thursday, May 17, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
12519 Falls Road; N/E side of Falls Road, *
147' SE of c/line Ivy Hill Road * OF ADMINISTRATIVE
8th Election & 2nd Councilmanic Districts *
Legal Owner(s): Domenico & Ingeborg Occorso* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2012-208-A

* * * * *

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

APR 19 2012

.....]

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 19th day of April, 2012, a copy of the foregoing Entry of Appearance was mailed to Ingeborg & Domenico Occorso, 20112 Gunpowder Road, Machester, Maryland 21102, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.: 2012-208-A

192 6/19/12

Exhibit Sheet

5/23/12
B

Petitioner/Developer

Protestant

No. 1	Sitz Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

5/17



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

July 24, 2012

Ingeborg and Domenico Occorso
20112 Gunpowder Road
Manchester, Maryland 21102

Re: Petition for Administrative Variance
Case No. 2012-0208-A
Property: 12519 Falls Road

Dear Mr. and Mrs. Occorso:

I am in receipt of your email concerning the captioned case. You are at the present time seeking a different variance than the one approved on May 17, 2012. Under Baltimore County law, a new variance petition must be filed in these circumstances, and I am obliged to follow those regulations.

As I noted in my earlier correspondence, I believe a petition for administrative variance is appropriate in these circumstances, and that will hopefully dispense with the need for another public hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

John Beverungen - Setback Variance Case No: 2012-0208-A

From: INGA OCCORSO <ioccorso@msn.com>
To: <jbeverungen@baltimorecountymd.gov>
Date: 07/20/12 10:08 AM
Subject: Setback Variance Case No: 2012-0208-A
Attachments: Variance - Letter to Judge Beverungen.doc

Case No: 2012-0208-A

Dear Judge Beverungen,

On July 10, 2012, I sent you the attached letter requesting an amendment to the Opinion and Order granted on May 17, 2012, to include an additional 5' setback variance due to an error made on the original calculations. I received your response dated July 12, 2012, indicating that I would need to repeat the entire process. I apologize for my tenacity, but I respectfully request that you reconsider your decision based on the following:

- Amending a 23' variance to an 18' variance does not materially impact the spirit and intent of the original Order.
- The property in question has already been posted twice. Once in conjunction with an administrative variance and again as part of the standard variance process.
- There were no Protestants or other interested parties in attendance at the hearing.
- A letter from our immediate neighbors, the Harmans, indicating that they do not oppose the variance relief is on file.

I am prepared to repeat the process and incur the additional expense and delay. However, when I came before you at the hearing, you apologized to me for having to appear. You felt that in this case it wasn't warranted. It is because of this that I am contacting you again. I want to ensure that re-filing is my only option.

Thank you for your further consideration.

Regards,

Inga Occorso
410-527-6383

Debra Wiley - Fwd: Setback Variance Case No: 2012-0208-A

From: John Beverungen
To: Debra Wiley; Patricia Zook
Date: 7/2/2012 12:04 PM
Subject: Fwd: Setback Variance Case No: 2012-0208-A
Attachments: variance - Letter to Judge Beverungen.doc

for the file

> > INGA OCCORSO <ioccorso@msn.com> 07/20/12 10:07 AM >>>
Case No: 2012-0208-A

Dear Judge Beverungen,

On July 10, 2012, I sent you the attached letter requesting an amendment to the Opinion and Order granted on May 17, 2012, to include an additional 5' setback variance due to an error made on the original calculations. I received your response dated July 12, 2012, indicating that I would need to repeat the entire process. I apologize for my tenacity, but I respectfully request that you reconsider your decision based on the following:

- Amending a 23' variance to an 18' variance does not materially impact the spirit and intent of the original Order.
- The property in question has already been posted twice. Once in conjunction with an administrative variance and again as part of the standard variance process.
- There were no Protestants or other interested parties in attendance at the hearing.
- A letter from our immediate neighbors, the Harmans, indicating that they do not oppose the variance relief is on file.

I am prepared to repeat the process and incur the additional expense and delay. However, when I came before you at the hearing, you apologized to me for having to appear. You felt that in this case it wasn't warranted. It is because of this that I am contacting you again. I want to ensure that re-filing is my only option.

Thank you for your further consideration.

Regards,

Inga Occorso
410-527-6383

Patricia Zook - Fwd: Setback Variance Case No: 2012-0208-A

From: John Beverungen
To: Debra Wiley; Patricia Zook
Date: 7/20/2012 12:04 PM
Subject: Fwd: Setback Variance Case No: 2012-0208-A
Attachments: Variance - Letter to Judge Beverungen.doc

for the file

>>> INGA OCCORSO <ioccorso@msn.com> 07/20/12 10:07 AM >>>

Case No: 2012-0208-A

Dear Judge Beverungen,

On July 10, 2012, I sent you the attached letter requesting an amendment to the Opinion and Order granted on May 17, 2012, to include an additional 5' setback variance due to an error made on the original calculations. I received your response dated July 12, 2012, indicating that I would need to repeat the entire process. I apologize for my tenacity, but I respectfully request that you reconsider your decision based on the following:

- Amending a 23' variance to an 18' variance does not materially impact the spirit and intent of the original Order.
- The property in question has already been posted twice. Once in conjunction with an administrative variance and again as part of the standard variance process.
- There were no Protestants or other interested parties in attendance at the hearing.
- A letter from our immediate neighbors, the Harmans, indicating that they do not oppose the variance relief is on file.

I am prepared to repeat the process and incur the additional expense and delay. However, when I came before you at the hearing, you apologized to me for having to appear. You felt that in this case it wasn't warranted. It is because of this that I am contacting you again. I want to ensure that re-filing is my only option.

Thank you for your further consideration.

Regards,

Inga Occorso
410-527-6383

Ingeborg & Domenico Occorso

20112 Gunpowder Road
Manchester, MD 21102
Ph: (410) 239-2241 (Home)
Ph: (410) 527-6383 (Work)
Fx: (410) 239-8857

July 10, 2012

John E. Beverungen
Administrative Law Judge
for Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

RE: **Case No. 2012-0208-A**

Dear Judge Beverungen:

On May 17th, 2012, I came before you regarding a variance request to permit a side yard setback of 23' in lieu of the required 50' for a garage which you granted. An administrative variance could not be used as we are unable to live there until construction is complete. In finalizing the blueprints to obtain the necessary building permits, an error has been discovered. The size of the garage remains the same, but the 5' addition to the main house was not included in the original calculations. So instead of a 23' setback, we are in need of an 18' setback. Would it be possible to amend the Opinion and Order to include the additional 5'?

I apologize for the inconvenience, and thank you for your consideration.

Sincerely,

Ingeborg G. Occorso

MEMORANDUM

DATE: June 19 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0208-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 18, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>A-26</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>A-19</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: <u>5-1-12</u>		
SIGN POSTING <u>Missing 5/8 - 12:08 PM</u> Date: <u>5-2-12</u> by <u>Hobbsman</u> <u>5/9 Affirmation indicated as dropped off to Kustan</u>		
<u>Please call to Mr. Hobbsman (sign poster) Left msg.</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: <u>See ltr. from adjacent owners, Harman, dated 2-13-12 (No objection)</u>		

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 1600005867

Owner Information

Owner Name: OCCORSO INGEBORG
OCCORSO DOMENICO
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 20112 GUNPOWDER RD
MANCHESTER MD 21102-2528
Deed Reference: 1) /23922/ 00047
2)

Location & Structure Information

Premises Address **Legal Description**
12519 FALLS RD 1.40 AC
0-0000 12519 FALLS RD
FRANK PLAT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0050	0011	0088		0000			2	2	Plat Ref: 0035/0041

Town NONE
Ad Valorem Tax Class

Special Tax Areas

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1973	1,296 SF	1.4000 AC	04

Stories	Basement	Type	Exterior
1.500000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	208,000	182,000		
Improvements:	149,260	122,700		
Total:	357,260	304,700	304,700	304,700
Preferential Land:	0			0

Transfer Information

Seller: RYBCZNSKI ANITA	Date: 05/31/2006	Price: \$375,000
Type: ARMS LENGTH IMPROVED	Deed1: /23922/ 00047	Deed2:
Seller: OHLER FRANCIS J,3RD	Date: 07/05/1979	Price: \$68,000
Type: ARMS LENGTH IMPROVED	Deed1: /06048/ 00346	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

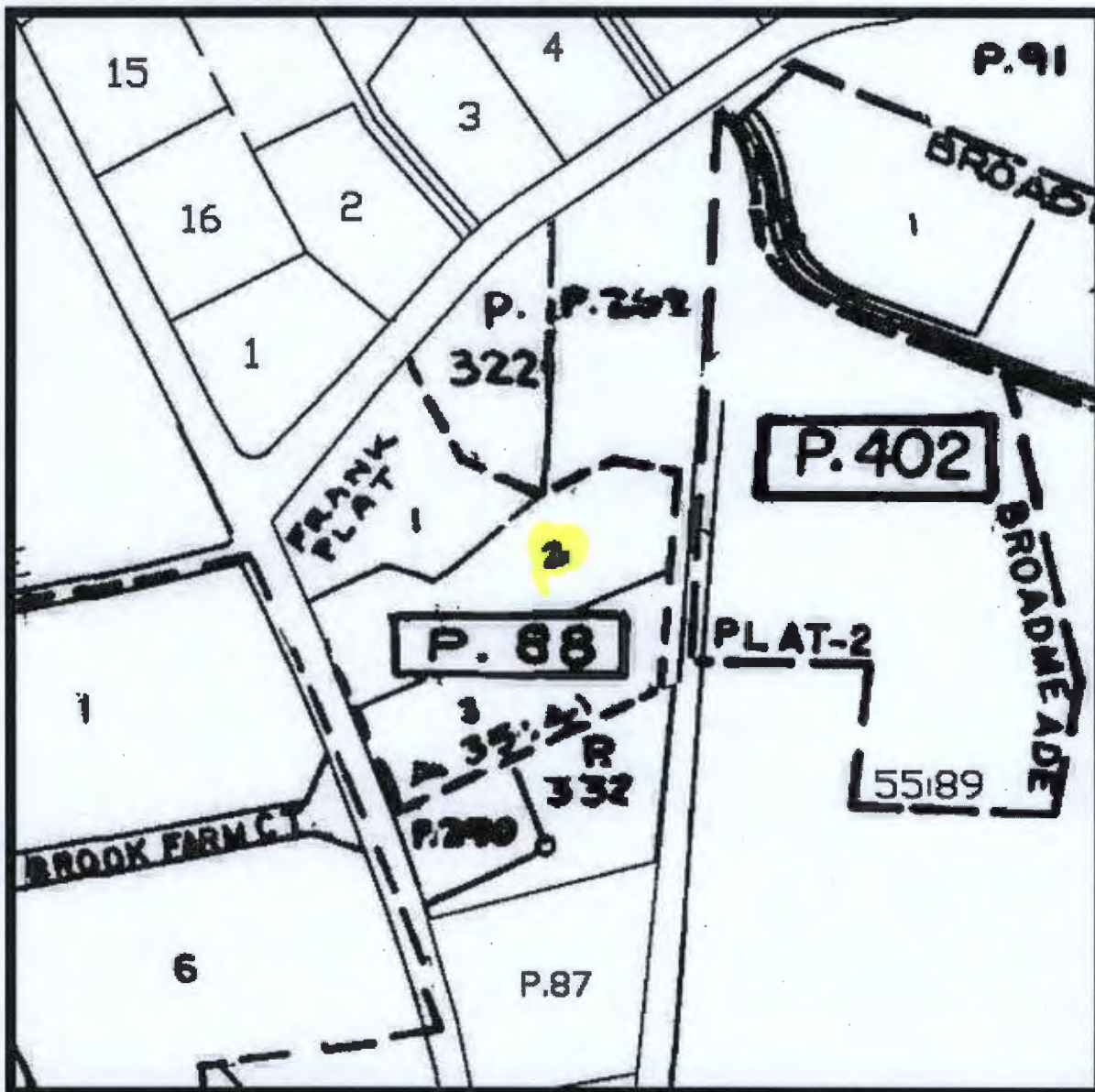
Homestead Application Status: No Application



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

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

District - 08 Account Number - 1600005867



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 ©2010.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

AV closing 3-26-12

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 29, 2012

TO: Kristen Matthews
Dept. of Permits, Approvals and Inspections

FROM: Patricia Zook, Legal Secretary to
Timothy M. Kotroco, Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance
Case No. 2012-0208-A – located at 12519 Falls Road

After a review of the above-captioned case file, Timothy M. Kotroco has determined that this case shall be set in for a public hearing. According to the Maryland Department of Assessments and Taxation, the **subject property is not the Petitioners' principal residence.** Historically this Office has conducted hearings on cases in which the subject property is not the principal residence. **As is policy, non-owner occupied properties shall not be handled as Administrative Variances.**

We are returning the file to you for further processing, i.e., notifying the Petitioners, posting of the hearing notice, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Case File
Kristen Lewis, Zoning Review Office
Debbie Wiley, Office of Administrative Hearings

Debra Wiley - 2012-0208-A - 12519 Falls Rd.

From: Debra Wiley
To: Fisher, June; Lewis, Kristen
Date: 5/9/2012 1:47 PM
Subject: 2012-0208-A - 12519 Falls Rd.

Hi,

Mr. Hoffman (sign poster) has indicated that he dropped off sign posting proof today. Next time you come over, can you bring it. Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Debra Wiley - ZAC Comments - Distribution Mtg. of April 16th

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 4/23/2012 9:38 AM
Subject: ZAC Comments - Distribution Mtg. of April 16th

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0208-A - 12519 Falls Road

No hearing date assigned in data base as of today

2012-0241-A - 238 Colgate Avenue

Administrative Variance - Closing Date: 4/30

2012-0242-A - 5710 Country Farm Road

No hearing date assigned in data base as of today

2012-0243-A - 6600 Baltimore National Pike

No hearing date assigned in data base as of today

2012-0244-A - 3023 Taylor Avenue

No hearing date assigned in data base as of today

2012-0245-A - 519 Maryland Avenue

Administrative Variance - Closing Date: None reflected in data base as of today

2012-0246-SPHA - 7933 Eastern Avenue

No hearing date assigned in data base as of today

2012-0247-A - 601 Goucher Avenue

Administrative Variance - Closing Date: 5/7/12

2012-0248-SPHA - 2204 Lodge Forest Drive - **CRITICAL AREA**

No hearing date assigned in data base as of today

2012-0249-A - 2206 Lodge Forest Drive - **CRITICAL AREA**

No hearing date assigned in data base as of today

2012-0250-A - 513 Piccadilly Road

Administrative Variance - Closing Date: 5/7/12

2012-0251-A - 3516 Bay Drive - **CRITICAL AREA**

Administrative Variance - Closing Date: 5/7/12

Subject: ZAC Comments - Distribution Mtg. of April 16th
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 4/23/2012 9:38 AM
From: Debra Wiley

Recipient	Action	Date & Time	Comment
To: Curtis Murray (cjmurray@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	
To: David Lykens (dlykens@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	
To: Dennis Kennedy (DKennedy@baltimorecountymd.gov)	Pending		
To: Don Muddiman (dmuddiman@baltimorecountymd.gov)	Pending		
To: Jeffrey Livingston (jlivingston@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	
To: Lynn Lanham (mlanham@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

May 8, 2012

Domenico & Ingeborg Occorso
20112 Gunpowder Road
Manchester MD 21102

RE: Case Number: 2012-0208-A, Address: 12519 Falls Road

Dear Mr. & Ms. Ocorro:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 5, 2012. 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 black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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



Maryland Department of Transportation

Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 4-19-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0208-A
Variance
Domenico & Ingeborg
Occorso
12519 Falls Road

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 4-16-12. A field inspection and internal review reveals that an entrance onto MD25 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance. Case Number 2012-0208-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue ink that reads "Richard A. Zeller".
for Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: April 26, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For April 30, 2012
Item Nos. 2012-0208, 0241, 0242, 0243, 0244, 0245, 0246, 0247, 0248,
0249, 0250 And 0252.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04302012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: March 29, 2012

TO: Kristen Matthews
Dept. of Permits, Approvals and Inspections

FROM: Patricia Zook, Legal Secretary to
Timothy M. Kotroco, Administrative Law Judge
Office of Administrative Hearings

RE: Petition for Administrative Variance
Case No. 2012-0208-A – located at 12519 Falls Road

After a review of the above-captioned case file, Timothy M. Kotroco has determined that this case shall be set in for a public hearing. According to the Maryland Department of Assessments and Taxation, the subject property is not the Petitioners' principal residence. Historically this Office has conducted hearings on cases in which the subject property is not the principal residence. As is policy, non-owner occupied properties shall not be handled as Administrative Variances.

We are returning the file to you for further processing, i.e., notifying the Petitioners, posting of the hearing notice, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Case File
Kristen Lewis, Zoning Review Office
Debbie Wiley, Office of Administrative Hearings

From: Patricia Zook
To: Lewis, Kristen
CC: Wiley, Debra
Date: 3/29/2012 11:58 AM
Subject: Case 2012-0208-A AV schedule hearing-not principal residence.doc
Attachments: IO-2012-0208-A AV schedule hearing-not principal residence.doc

Please see the attached memorandum.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

Subject: Case 2012-00008-A AV schedule hearing-not principal residence.doc
Created By: pzook@baltimorecountymd.gov
Scheduled Date:
Creation Date: 3/29/2012 11:58 AM
From: Patricia Zook

Recipient	Action	Date & Time	Comment
CC: Debra Wiley (dwiley@baltimorecountymd.gov)	Delivered	3/29/2012 11:58 AM	
To: Kristen Lewis (klewis@baltimorecountymd.gov)	Delivered	3/29/2012 11:58 AM	



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

March 27, 2012

Ingeborg & Domenico Occorso
20112 Gunpowder Road
Manchester, MD 21102

RE: Case Number: 2012-0208A, Address: 12519 Falls Road

Dear Mr. & Ms. Occorso:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 2, 2012. 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 black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel

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



Maryland Department of Transportation

Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 3-13-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0208-A.
Administrative Variance
Domenico & Ingeborg
Oscorso
12519 Falls Road
MD25

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 3-12-12. A field inspection and internal review reveals that an entrance onto MD25 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance. Case Number 2012-0208-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: March 13, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For March 26, 2012
Item Nos. 2012-178,207,208,209,211
And 213

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03262012-NO COMMENTS.doc

CASE NO. 2012-0208-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3-13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>nc</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>3-13</u>	STATE HIGHWAY ADMINISTRATION	<u>nc</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>2-13</u>	ADJACENT PROPERTY OWNERS	<u>no obj.</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>3-11</u> by <u>Pulson</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any:	<u>12519 Falls Rd is not</u> <u>principal residence -</u> <u>hearing required</u>	

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

2012-0208-A

Account Identifier:

District - 08 Account Number - 1600005867

Owner Information

Owner Name: OCCORSO INGEBORG
OCCORSO DOMENICO
Mailing Address: 20112 GUNPOWDER RD
MANCHESTER MD 21102-2528
Use: RESIDENTIAL
Principal Residence: NO
Deed Reference: 1) /23922/ 00047
2)

Location & Structure Information

Premises Address: 12519 FALLS RD
0-0000
Legal Description: 1.40 AC
12519 FALLS RD
FRANK PLAT

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0050	0011	0088		0000			2	2	Plat Ref: 0035/0041

Special Tax Areas: **Town Ad Valorem Tax Class:** NONE

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1973	1,296 SF	1.4000 AC	04

Stories	Basement	Type	Exterior
1.500000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	208,000	182,000		
Improvements:	149,260	122,700		
Total:	357,260	304,700	304,700	304,700
Preferential Land:	0			0

Transfer Information

Seller: RYBCZNSKI ANITA	Date: 05/31/2006	Price: \$375,000
Type: ARMS LENGTH IMPROVED	Deed1: /23922/ 00047	Deed2:
Seller: OHLER FRANCIS J,3RD	Date: 07/05/1979	Price: \$68,000
Type: ARMS LENGTH IMPROVED	Deed1: /06048/ 00346	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:

Falls Rd is not
their principal residence!



Lending options
and great rates!

Come Home
to BCSB

baltimorewings.com

This advertisement does not constitute or imply an endorsement, recommendation or favoring by the Department of Assessments and Taxation or the State of Maryland.

[Click here for full disclaimer statement](#)

Maryland Department of Assessments and Taxation
Real Property Data Search (v5.1A)
BALTIMORE COUNTY

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

Enter Premises Address

[Search Help](#)

Street Number 12519

Street Name falls

SEARCH

*Street number is not required.
Do not enter street name suffixes (Avenue, Street, Lane, etc.)
Enter as much info as possible to speed up the search.*

While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

2012-0208-A

Account Identifier:

District - 06 Account Number - 2200005354

Owner Information

Owner Name: OCCORSO DOMENICO
OCCORSO INGEBORG G
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 20112 GUNPOWDER RD
MANCHESTER MD 21102-2528
Deed Reference: 1) /20473/ 00007
2)

Location & Structure Information

Premises Address
20112 GUNPOWDER RD
0-0000
Legal Description
6.173 AC
20112 GUNPOWDER RD
SHANNON

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	2
0010	0003	0003		0000			12	2	Plat Ref:	0062/0101

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1992	3,210 SF	6.1700 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	204,190	160,400		
Improvements:	352,940	243,400		
Total:	557,130	403,800	403,800	403,800
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
OCCORSO DOMENICO	08/02/2004	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /20473/ 00007	Deed2:
Seller: OCCORSO DOMENICO	Date: 04/29/1998	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12820/ 00596	Deed2:
Seller: FRACK E JAMES, JR	Date: 08/01/1991	Price: \$76,500
Type: ARMS LENGTH IMPROVED	Deed1: /08872/ 00449	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:

principal residence

Scott and Patricia Harman
12515 Falls Road
Cockeysville, MD 21030
(410) 456-0639

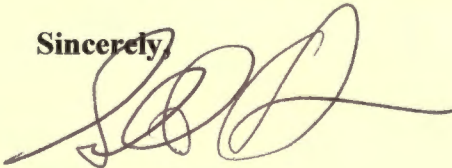
February 13, 2012

Zoning Review
Department of Permits, Approval and Inspections
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Administrative Zoning Petition for 12519 Falls Road

We live at 12515 Falls Road and share a property line with 12519 Falls Road owned by Domenic and Inga Occorso. It has come to our attention that the Occorsos are requesting a variance to the 50 foot setback requirement in order to construct an attached garage. The proposed structure will be shielded from view by existing trees between our two properties, and we have no objection to the variance.

Sincerely,



Scott E. Harman



Patricia L. Harman

Debra Wiley - ZAC Comments - Distribution Mtg. of 3/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 3/9/2012 11:02 AM
Subject: ZAC Comments - Distribution Mtg. of 3/12

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0178-SPHA - 2301 York Road
No hearing date assigned as of today

2012-0207-SPHA - 18827 Spooks Hill Road
No hearing date assigned as of today

2012-0208-A - 12519 Falls Road
Administrative Variance - Closing Date: 3/26/12

2012-0209-SPH - 508 Warren Road
No hearing date assigned as of today

2012-0210-A - 7731 North Cove Road - **CRITICAL AREA & FLOODPLAIN**
No hearing date assigned as of today

2012-0211-A - 19007 Hopkins / 605 Calder Castle Court
No hearing date assigned as of today

2012-0212-A - 702 Stevenson Lane
Administrative Variance - Closing Date: 4/2/12

2012-0213-A - 7418 Eastern Avenue
No hearing date assigned as of today

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

ZAC AGENDA

Case Number: 2012-0208-A

Primary Use: Residential

Reviewer: JCM

Type: ADMINISTRATIVE VARIANCE

Legal Owner: Domenico & Ingeborg Occorso

Contract Purchaser:

Critical Area: NO **Flood Plain:** NO **Historic:** NO **Election Dist:** 8th

Councilmanic Dist: 2nd

Property Address: 12519 Falls Rd

Location: N/E side of Falls, 147 ft. +/- S/E from the centerline of Ivy Hill Road

Existing Zoning: RC 5

Area: 1.40 acres +/-

Proposed Zoning: ADMINISTRATIVE VARIANCE to permit a side setback of 23 ft. in lieu of the required 50 ft. for an addition.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date: 3/26/2012

Miscellaneous:

Case Number: 2012-0209-SPH

Primary Use: Residential

Reviewer: LW

Type: VARIANCE

Legal Owner: Charles R. Casper

Contract Purchaser: George C. Huber, Jr., 2209 Westridge Rd, Timonium MD 21093, 410-561-5932

Critical Area: NO **Flood Plain:** NO **Historic:** NO **Election Dist:** 8th

Councilmanic Dist: 3rd

Property Address: 508 Warren Rd

Location: North side of Warren Rd, 240 ft. West of the centerline of Abbey Rd.

Existing Zoning: DR 3.5

Area: 13,080 sq ft

Proposed Zoning:

VARIANCE To permit a garage addition to an existing garage in the rear yard of a single family dwelling that will be larger than the foot print of the existing house with a height of 20 ft. and a zero ft. side yard setback in lieu of being smaller than the foot print of the existing house 15 ft. of height and 2.5 ft. side yard setback respectively.

Attorney:

Prior Zoning Cases:

Concurrent Cases:

Violation Cases:

Closing Date:

Miscellaneous:

Lot # 2
1700000232

050C1

15181700000231

Pt. Bk./Folio # 037071

0811047177

Lot # 1
Pt. Bk. 37, Folio 71
PDM # 080198

3 CD

1515

0804076800

20050025

RC 4

IVY HILL RD

1600005866

Lot # 1

12529

12519

PDM # 080152

1600005867

Lot # 2

Pt. Bk. 35, Folio 41

Pt. Bk./Folio # 035041A

8 ED NW 16-E

2 CD

RC 5

050C2

NW 16-D

1600005868

Lot # 3

201101712515
20050159

2200004545

Lot # 1

Pt. Bk./Folio # 063091

IVY BROOK FARM CT

PDM # 080555

RC 4

FALLS RD
FALLS RD

2200004550

ot # 6 Pt. Bk. 63, Folio 91

12421

0813001940

0813001941

12419

1900003623

MCCOMAS PROPERTY (PDM File/Project # 8-701)

PDM # 080235

Lot # 1
2000011322

Pt. Bk./Folio # 055089

Lot # 2

Pt. Bk. 55, Folio 89

1505
200 521
199 149

Pt. Bk. 37, Folio 71

3 CD
WYHILL RD

PDM # 080198 o # 037071

050C1

1515

0811047177

0804076800

20050025

1600005866

Lot # 1

12529

8 ED

NW 16-E

12519

2 CD 050C2

1600005867

Lot # 2

NW 16-D

RC 5

PDM # 080152

Pt. Bk./Folio # 035041A

Pt. Bk. 45, Folio 299
PDM # 080235

20030521
19990149

2000011322

Lot # 1

Lot # 2

Pt. Bk. 55, Folio 89

2000011323

1900003623

1600005868
Pt. Bk. 35, Folio 41
Lot # 3

20110177
20050159

12515

0813001941

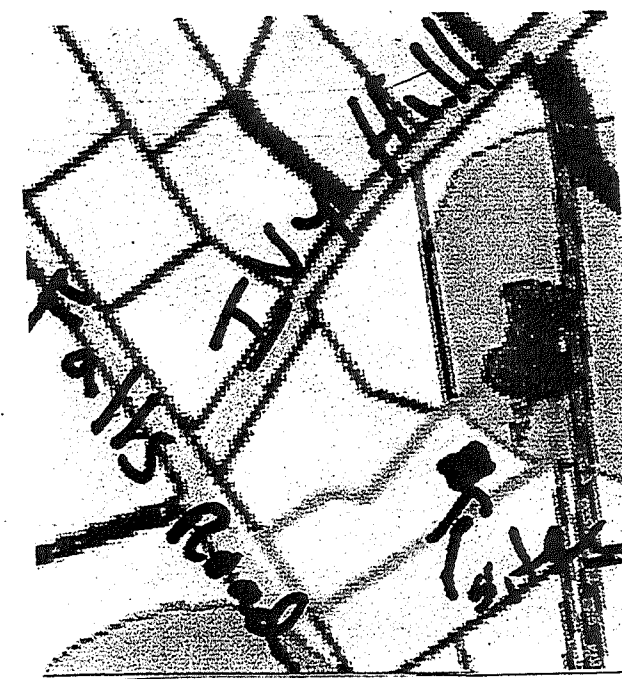
0813001940

0813001000

MCCOMAS PROPERTY (PDM File/Project # 8-701)

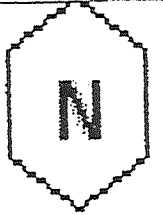
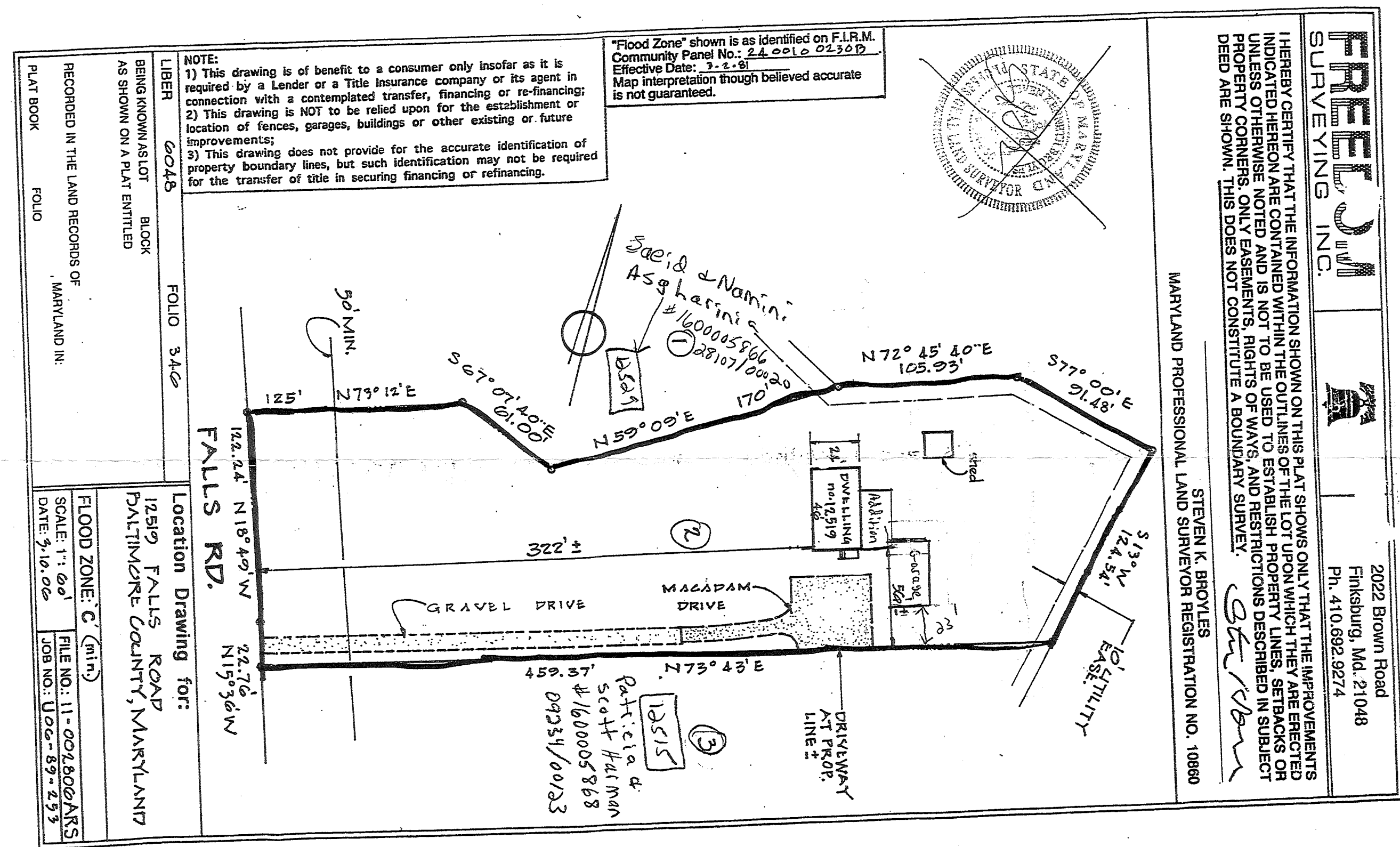
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 12519 Falls Road OWNER(S) NAME(S) Ingeborg & Domenico Occorso
 SUBDIVISION NAME Frank Plat LOT # 2 BLOCK # N/A SECTION # N/A
 PLAT BOOK # 35 FOLIO # 41 10 DIGIT TAX # 1600005867 DEED REF. # 23922/00047

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 050C2
 SITE ZONED RC 5
 ELECTION DISTRICT 8
 COUNCIL DISTRICT 2
 LOT AREA ACREAGE 1.40
 OR SQUARE FEET _____
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? No
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW



PLAN DRAWN BY Domenic Occorso DATE 3/2/12 SCALE: 1 INCH = 60 FEET

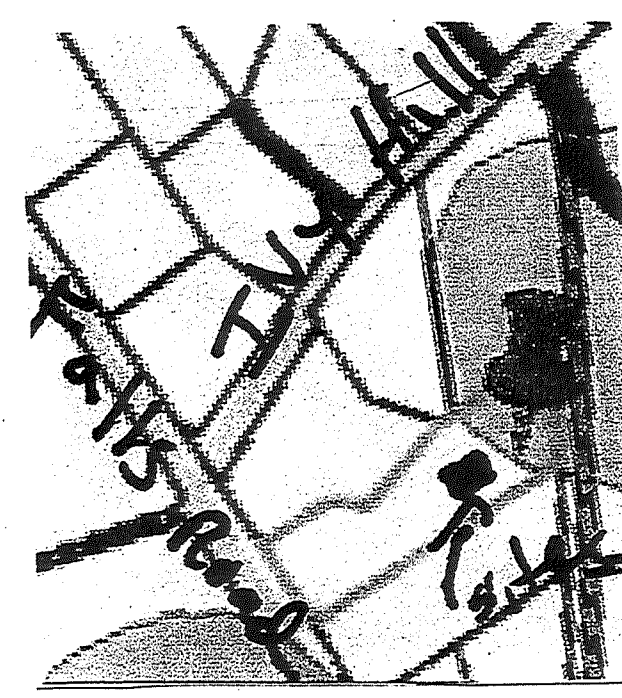
PETITIONER'S
 EXHIBIT NO. 1

2012-0208 A

VIOLATION CASE INFO:

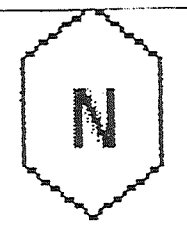
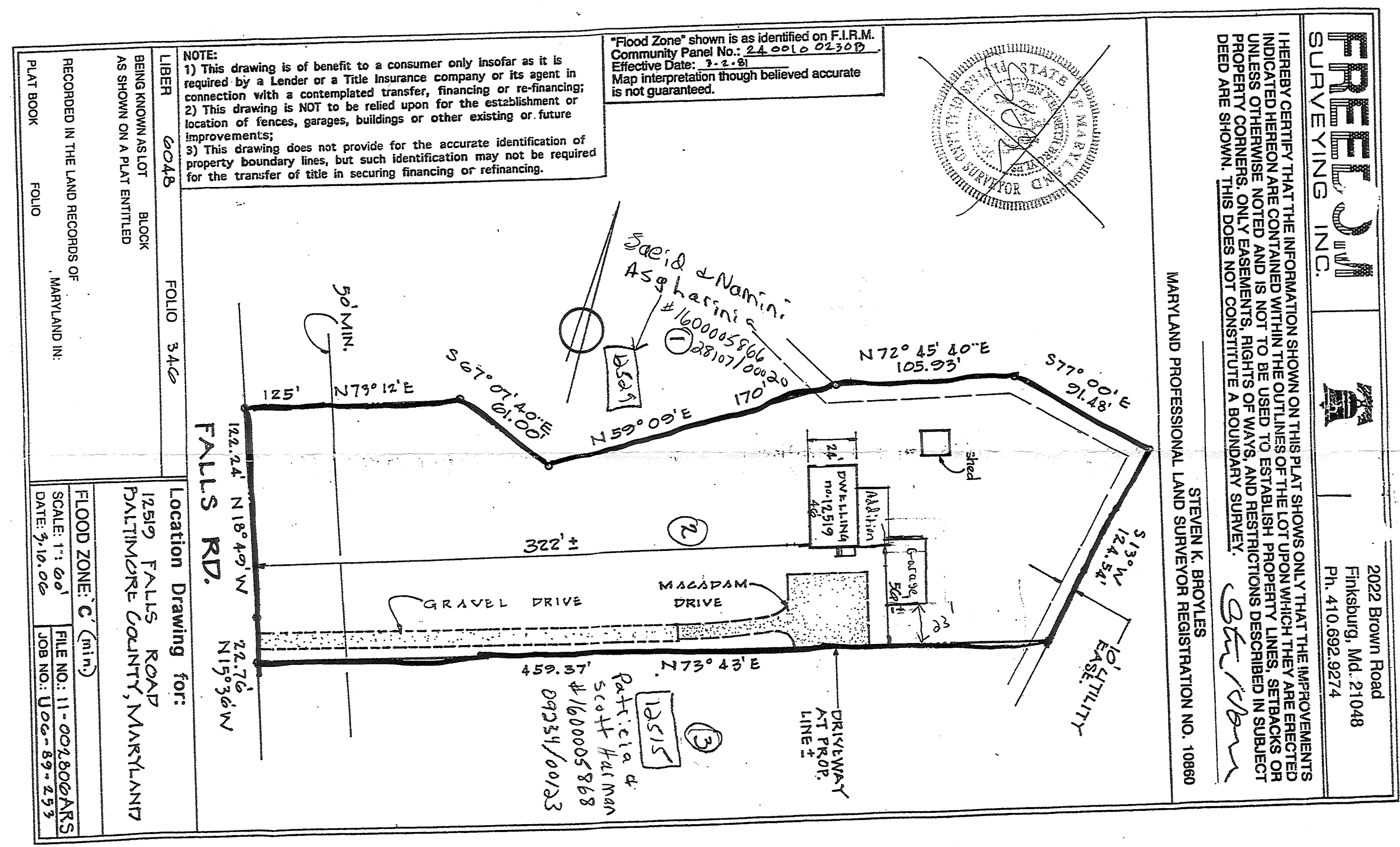
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 12519 Falls Road OWNER(S) NAME(S) Ingeborg & Domenico Occorso
 SUBDIVISION NAME Frank Plat LOT # 2 BLOCK # N/A SECTION # N/A
 PLAT BOOK # 35 FOLIO # 41 10 DIGIT TAX # 1600005867 DEED REF. # 23922/00047

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 050C2
 SITE ZONED RC 5
 ELECTION DISTRICT 8
 COUNCIL DISTRICT 2
 LOT AREA ACREAGE 1.40
 OR SQUARE FEET _____
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? No
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW



PLAN DRAWN BY Domenic Occorso DATE 3/2/12 SCALE: 1 INCH = 60 FEET

2012-02084

VIOLATION CASE INFO:

SITE VICINITY MAP

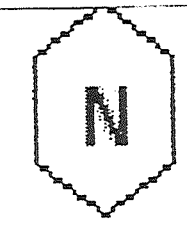
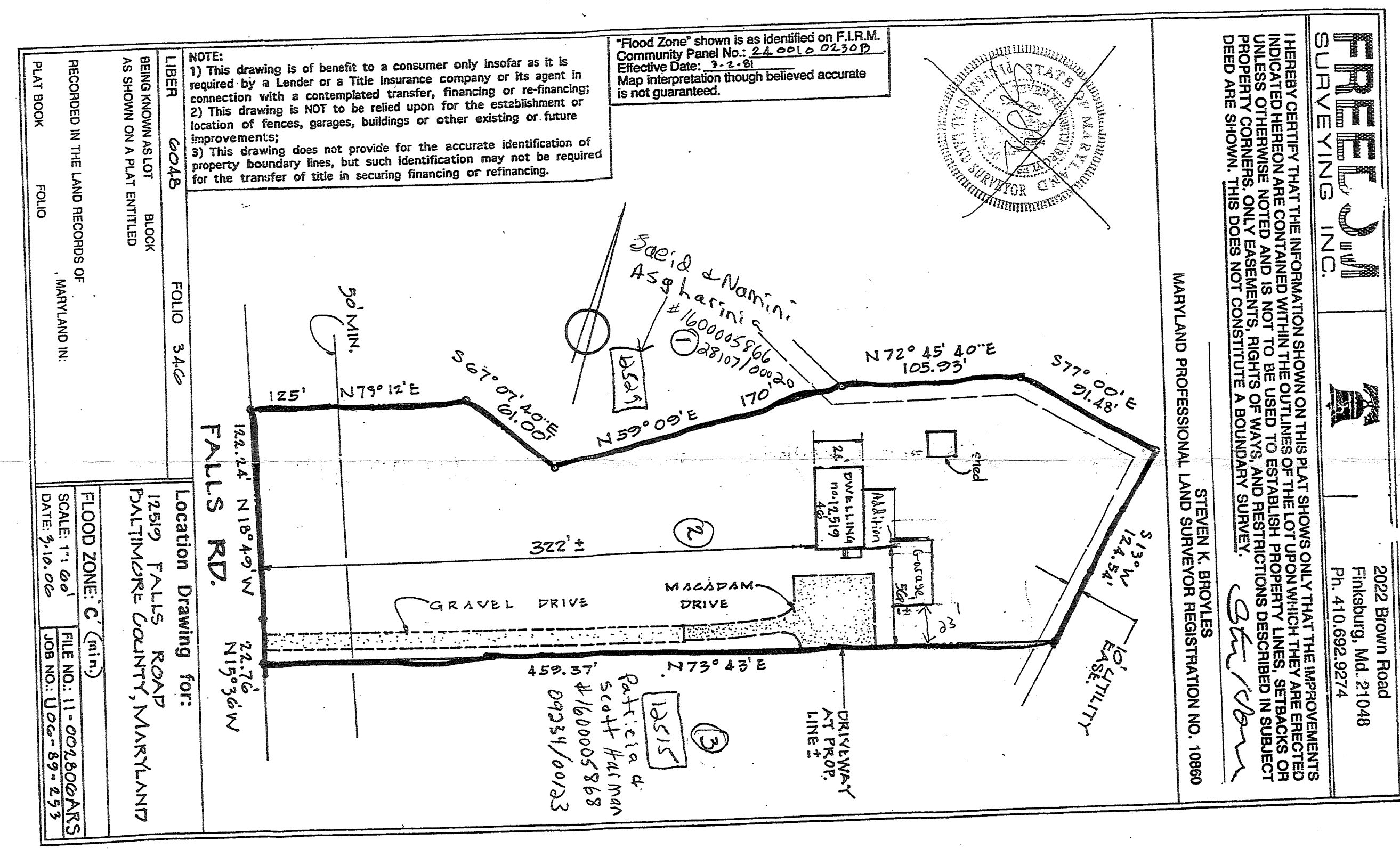


MAP IS NOT TO SCALE

ZONING MAP# 050C2
SITE ZONED RC 5
ELECTION DISTRICT 8
COUNCIL DISTRICT 2
LOT AREA ACREAGE 1.40
OR SQUARE FEET _____
HISTORIC? No
IN CBCA? No
IN FLOOD PLAIN? No
UTILITIES? MARK WITH X
WATER IS: PUBLIC _____ PRIVATE X
SEWER IS: PUBLIC _____ PRIVATE X
PRIOR HEARING? No
IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 12519 Falls Road OWNER(S) NAME(S) Ingeborg & Domenico Occorso
SUBDIVISION NAME Frank Plat LOT# 2 BLOCK# N/A SECTION# N/A
PLAT BOOK# 35 FOLIO# 41 10 DIGIT TAX# 1600005867 DEED REF. # 23922/00047



PLAN DRAWN BY Domenic Occorso DATE 3/2/12 SCALE: 1 INCH = 60 FEET

2012-0208A