

1/4/13

IN THE MATTER OF
THE APPLICATION OF
INGEBORG AND DOMENICO OCCORSO
-LEGAL OWNERS
FOR A VARIANCE ON THE PROPERTY
LOCATED AT 12519 FALLS ROAD
NE SIDE OF FALLS, 147' SE FROM
C/LINE OF IVY HILL ROAD
8TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO.: 13-021-A
*

* * * * *

OPINION

This matter comes before the Baltimore County Board of Appeals on an appeal of the decision of the Administrative Law Judge (ALJ), dated August 30, 2012, wherein the ALJ granted a Petition for a Variance filed by the legal owners of the subject property, Ingeborg and Domenico Occorso, herein referred to as Petitioners. Petitioners are requesting variance relief from section 1.A04.3.B.2.b of the Baltimore County Zoning Regulations (BCZR). The Petitioners propose to construct a replacement dwelling with a side yard setback of 17 feet in lieu of the required 50 feet to accommodate a garage on the side of the house.

Protestant, Saeid Asgharinia, a neighbor at 12529 Falls Road, filed a timely appeal on September 26, 2012.

A hearing was held before the Board on November 13, 2012. The Petitioners, Ingeborg and Domenico Occorso were not represented by Counsel, and appeared *pro se*. Protestant, Saeid Asgharinia, was represented by Francis X. Borgerding, Jr., Esquire. Oral argument was held at the close of the hearing on November 13, 2012 and no closing briefs were filed. A public deliberation was conducted on December 11, 2012.

Background

Petitioners, Mr. and Mrs. Occorso purchased the subject property, which is 1.4 acres, zoned RC5 and known as 12519 Falls Road. The lot contains a dwelling which the Occorsos intend to replace. The Petitioners filed for an Administrative Variance with a closing date of March 26, 2012. On March 29, 2012, Administrative Law Judge (ALJ) Timothy Kotroco requested a formal hearing on the matter, since the dwelling in question was not "owner occupied". A hearing was scheduled on May 17, 2012 before ALJ John Beverungen and the Petitioners appeared and presented their evidence. No other Protestant or party to the matter was in attendance at that time.

By decision dated May 17, 2012, ALJ Beverungen granted Petitioner's request for a Variance from 1A04.3.B.2.b of the Baltimore County Zoning Regulations (BCZR), to permit a side yard set back of 23 feet in lieu of the required 50 feet for a garage.

Subsequently, on July 20, 2012, Mrs. Occorso requested Judge Beverungen to amend his Order to allow a variance of 18 feet rather than 23 feet, since there was an error made in the original calculations. By letter dated July 12, 2012, Judge Beverungen indicated to Petitioner that he was unable to amend the Order and that in order to obtain relief the Petitioners would have to file a new Petition for a Variance, since the property was not "owner occupied".

On August 1, 2012, Petitioners filed a second Petition for Administrative Variance requesting a proposed replacement dwelling with a side yard set back of 17 feet in lieu of the required 50 feet.

On August 30, 2012, Judge Beverungen issued an Opinion and Order granting the requested Administrative Variance for the property, since it had been posted on August 12, 2012 and there had been no request for a public hearing. Based upon the documentation presented to

him and supporting affidavits he granted a variance from Section 1A04.3.B.2.b of the BCZR to permit a replacement dwelling with a side yard setback of 17 feet in lieu of the required 50 feet for a garage. The documentation for that decision consisted of a letter from Scott E. and Patricia L. Harman, the occupants of 12515 Falls Road, the neighbors to the south of the Petitioners property at 12519 Falls Road.

On September 26, 2012 an appeal was filed by the neighbor on the north side of the Petitioners property Mr. Saeid Asgharinia, and a hearing was held as set forth above.

Throughout the hearing it appeared that the Protestant was not so concerned about the variance requested for the south side of the property, with respect to the garage, but was concerned that the new house was constructed less than 50 feet from his property, thereby requiring another variance for the north side.

At the hearing before the Board, Petitioners agreed that that there was a need for a variance for the construction of the house, with respect to the north side of the property . They stated that they had filed for a variance and it was in the process of working its way through the procedure.

Testimony and Evidence

In testimony before the Board, Petitioners contended that the property was unique because of the irregular shape of the property. The Petitioner stated that the garage could not be located in any other location because of the septic system in the rear of the property. Petitioners presented a diagram which portended to show the septic system in the rear of the property, the diagram was hand drawn and was not made to scale.

Protestants presented J. Colbert, a Civil Engineer, accepted as an expert in site planning for residential, commercial and other non-residential land development projects. Mr. Colbert testified that in his opinion the property was not unique and confirmed that with several exhibits, one being an overlay of the area from Baltimore County as well as an environmental map which showed the outlines of various properties in the area. While it is true that the Petitioners property is an irregular shape, there are numerous irregular shape properties in and around the area of 12519 Falls Road. Therefore, it was the conclusion of Mr. Colbert that the Petitioner's property was not unique.

Protestant testified that his property was located just north of the Petitioner's property and that he would be able to see the garage if it was constructed in the proposed place. He felt that the proposed house was not in keeping with the neighborhood on Falls Road and that it would devalue his home. He was also concerned about the location of the new house with respect to his property, as far as the location to his property line. However, this was not an issue in the hearing before the Board.

Decision

Petitioner is seeking variance relief from section 1A04.3.B.2b of the BCZR. The Board reviewed its notes and the evidence presented in the hearing. The burden of proof for a variance rests with the Petitioners, who must show uniqueness and practical difficulty or hardship.

The Board specifically finds that under Cromwell v. Ward (102 Md.App. 691, 651 A.2d 424, (1995)), the Petitioners do not meet the requirement of "uniqueness." In that case, the Court, at page 710 quoted its decision in North v. St Mary's County (99 Md.App. 502, 638 A.2d 1175 (1994)) where it stated:

"Uniqueness" of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to such characteristics as unusual architectural aspects in bearing or parting walls.

If the Board finds that the property is not unique, there is no need to review the findings with respect to hardship.

In the present case the Board finds that the Petitioners have not met the burden of proof to show that the property is unique. The documentation presented by the Protestants indicates that there are numerous irregular shaped pieces of property in the vicinity of the property in question. Therefore, this property is not unique.

However, in his Order of May 17, 2012, ALJ Beverungen granted the Petitioner's variance request from 1A04.3.B.2b of the BCZR to permit a side yard setback of 23 feet in lieu of the required 50 feet for a garage. That decision was never appealed; therefore, the 23 foot variance is in effect. The Board has no authority to change that.

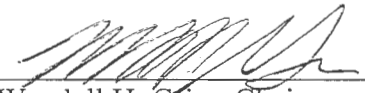
ORDER

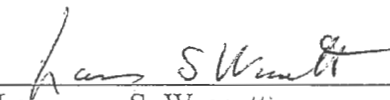
THEREFORE, IT IS, this 4th day of January, 2013, by the Board of Appeals of Baltimore County,

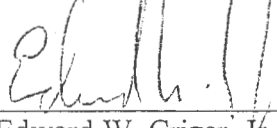
ORDERED that the Petitioners' request for Variance in Case No.: 13-021-A, seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (BCZR) wherein the Petitioners propose to construct a replacement dwelling with a side yard setback of 17 feet in lieu of the required 50 feet., be and is hereby **DENIED**.

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

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Wendell H. Grier, Chairman


Lawrence S. Wescott


Edward W. Crizer, Jr.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

January 4, 2013

Ingeborg and Domenico Occorso
20112 Gunpowder Road
Manchester, MD 21102

Francis X. Borgerding, Jr., Esquire
Mercantile-Towson Building
409 Washington Avenue, Suite 600
Towson, MD 21204

RE: *In the Matter of: Ingeborg and Domenico Occorso – Legal Owners/Petitioners*
Case No.: 13-021-A

Dear Mr. and Mrs. Occorso and Mr. Borgerding:

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

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

Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc
Enclosure
Duplicate Original Cover Letter

c: Saeid Asgharinia
Scott and Patricia Harman
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

8/30/12

IN RE: PETITION FOR ADMIN. VARIANCE

NE side of Falls, 147' SE from the
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. 2013-0021-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 replacement dwelling with a side yard setback of 17' in lieu of the required 50' for a garage¹. 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.

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.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 12, 2012 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the

¹ Petitioners sought similar relief in Case No. 2012-0208-A; however, due to an error in calculations, a side yard setback of 23' was requested instead of the needed 17'. This Order will allow the additional 6' setback relief to accommodate the proposed garage.

ORDER RECEIVED FOR FILING

Date 8-30-12

By DW

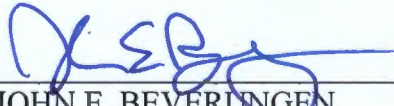
Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 30th day of August, 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 to permit a replacement dwelling with a side yard setback of 17' in lieu of the required 50' for a garage, be and is hereby GRANTED.

1. The Petitioners may apply for their appropriate 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, 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.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
ORDER RECEIVED FOR FILING

Date 8-30-12 2
By kw



KEVIN KAMENETZ
County Executive

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

August 30, 2012

Ingeborg and Domenico Occorso
20112 Gunpowder Road
Manchester, Maryland 21102

Re: Petition for Administrative Variance
Case No. 2013-0021-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 long horizontal stroke.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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 Reference 23922 / 00047 10 Digit Tax Account # 16 00005867

Property Owner(s) Printed Name(s) Ingeborg and Domenico Occorso

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

- ☒ **ADMINISTRATIVE VARIANCE** from section(s) 1A04.3.B.2.b - to permit a proposed replacement dwelling with a side yard setback of 17 feet in lieu of the required 50

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

- ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Ingeborg Occorso, Domenico Occorso

Name #1 - Type or Print

Name #2 - Type or Print

Ingeborg Occorso, Domenico Occorso

Signature #1

Signature #2

20112 Gunpowder Rd, Manchester, MD

Mailing Address

City

State

21102, 410-527-6383, ioccorso@msn.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this 8 day of August, 2012 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0021-A

Filing Date 8/1/12

Estimated Posting Date 8/12/12

Reviewer [Signature]

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 12519 Falls Road Cockeysville MD 21030
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

On May 17th, 2012, a variance request was granted from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations to permit a side yard setback of 23' in lieu of the required 50' for a garage. Due to an error in calculations, a 23' variance was requested instead of the needed 17' setback. This request is for an additional variance of 6' from the right side property line for a total setback of 17'. As stated in the original request, there is no alternative location for the proposed garage on the property due to its rectangular shape and the existing well and septic system located near the front and rear of the 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.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Ingeborg Occorso
Signature of Affiant

Domenico Occorso
Signature of Affiant

Ingeborg Occorso
Name- Print or Type

Domenico Occorso
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of July, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Ingeborg Occorso & Domenico Occorso
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Austin D. Young
Notary Public
2/11/15
My Commission Expires

Item #0021

ZONING DESCRIPTION FOR 12519 FALLS ROAD

Beginning at a point on the east side of Falls Road, which has an 80-foot right-of-way, at the distance of 140 feet (+/-) southeast of the centerline of the nearest improved intersecting street Ivy Hill Road, which has a 60-foot right-of-way. Being Lot #2 on the FRANK PLAT as recorded in Baltimore County Plat Book #35, Folio#41, containing 1.4 acres. Located in the 8th Election District and 2nd Councilmanic District.

Item #0021

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ²⁰¹³~~2012~~-0021-A Address 12519 Falls Rd
Contact Person: David Duval Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 8/1/12 Posting Date: 8/12/12 Closing Date: 8/27/12

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number ²⁰¹³~~2012~~-0021-A Address 12519 Falls Rd
Petitioner's Name I-D Occosso Telephone 410 527 6383
Posting Date: 8/12/12 Closing Date: 8/27/12
Wording for Sign: To Permit a proposed replacement dwelling with a
side yard setback of 17 feet in lieu of the required 50

Revised 7/06/11

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: 2013-0021-A

Petitioner: Frageborg & Domenico Occorso

Address or Location: 12519 Falls Road, Cockeysville MD 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: INGA Occorso

Address: 20112 Gunpowder Rd
Manchester, MD 21102

Telephone Number: 410-527-6383

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

No.

87115

Date:

8/1/12

PAID RECEIPT

BUSINESS ACTUAL TIME
8/01/2012 8/01/2012 10:45:23

REG 1501 MAIL 1800 NTR

>>RECEIPT # 4/5071 8/01/2012 0

Dep 5 528 ZONING VERIFICATION

CE NO. 087115

Recpt Tot \$75.00

\$75.00 CR \$1.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub-Obj	Dept Obj	BS Acct	Amount
001	306	0000		6150				\$ 75 ⁰⁰

Total:

\$ 75 ⁰⁰

Rec

From:

For:

Zoning hearing - case # 2013-0021 - A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

Certificate of Posting

RE: Case NO. 2013-0021-A

Petitioner/Developer _____

Domenic Occorso

Date of Hearing/Closing 8/27/12

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

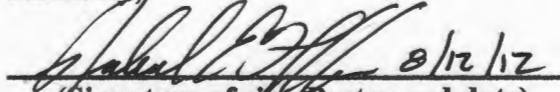
Attention:

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 8/12/12
(Month, Day, Year)

Sincerely,

 8/12/12
(Signature of sign Poster and date)

Richard E. Hoffman
(Printed Name)

904 Dellwood Drive
(Address)

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

410-879-3122
(Telephone Number)

See Attached
Photograph

Certificate of Posting
Photograph Attachment

Re: 2013-0021-A

Petitioner/Developer: _____

Domenic Occorso

Date of Hearing/Closing: 8/27/12



12519 Falls Road

Posting Date: 8/12/12

[Signature] 8/12/12
(Signature and date of sign poster)



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

October 16, 2012

NOTICE OF ASSIGNMENT

CASE #: 13-021-A

IN THE MATTER OF: Ingeborg and Domenico Occorso
Legal Owners / Petitioners

12519 Falls Road / 8th Election District; 2nd Councilmanic District

Re: Petition for Administrative Variance to permit a replacement dwelling with a side yard setback of 17' in lieu of the required 50' for a garage.

8/30/12 Opinion and Order of Administrative Law Judge GRANTING the requested Administrative Variance.

ASSIGNED FOR:

TUESDAY, NOVEMBER 13, 2012, AT 10:00 A.M.

LOCATION:

Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

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

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

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

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

Theresa R. Shelton, Administrator

c: Petitioner/Legal Owners

: Ingeborg and Domenico Occorso

Appellant

: Saeid Asgharinia

Scott and Patricia Harman

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

November 26, 2012

NOTICE OF DELIBERATION

CASE #: 13-021-A

IN THE MATTER OF: Ingeborg and Domenico Occorso
Legal Owners / Petitioners

12519 Falls Road / 8th Election District; 2nd Councilmanic District

Re: Petition for Administrative Variance to permit a replacement dwelling with a side yard setback of 17' in lieu of the required 50' for a garage.

8/30/12 Opinion and Order of Administrative Law Judge GRANTING the requested Administrative Variance.

Having concluded this matter on 11/1/11 a public deliberation has been scheduled for the following:

DATE AND TIME: **TUESDAY, DECEMBER 11, 2012 at 10:00 a.m.**

LOCATION : Jefferson Building - Second Floor - Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

NOTE: ALL PUBLIC DELIBERATIONS ARE OPEN SESSIONS; HOWEVER, ATTENDANCE IS NOT REQUIRED. A WRITTEN OPINION /ORDER WILL BE ISSUED BY THE BOARD AND A COPY SENT TO ALL PARTIES.

Theresa R. Shelton
Administrator

c: Petitioner/Legal Owners	: Ingeborg and Domenico Occorso
Counsel for Appellant	: Francis X. Borgerding, Jr., Esquire
Appellant	: Saeid Asgharinia

Scott and Patricia Harman

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
John E. Beverungen, Administrative Law Judge
Arnold Jablon, Director/PAI
Andrea Van Arsdale, Director/Department of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

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

August 28, 2012

Ingeborg & Domenico Occorso
20112 Gunpowder Road
Manchester MD 21102

RE: Case Number: 2013-0021 A, Address: 12519 Falls Road, 21030

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 August 1, 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, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:jaf

Enclosures

c: People's Counsel

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



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

Date: 8-6-12

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

RE: Baltimore County
Item No. 2013-0021-A
Administrative Variance
Ingelborg & Domenico DeCorso
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 8-6-12. 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 2013-0021-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 dark ink, appearing to read 'Steven D. Foster', is written over a horizontal line.

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 09, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For August 20, 2012
Item Nos. 2013-0018, 0019, 0020, 0021 and 0023.

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-08202012-NO COMMENTS.doc

09/26/12

Case No 2013-0021-A

Property: 12519 falls Road

I SAEID ASGHARINIA am Making a formal
Request to appeal The Administrative
Law Judge decision rendered in The
Refrence case

Sincerly
SAEID ASGHARINIA
12529 Falls RD
Cockeysville MD 21030

S. A.

cell (703) 906-9561
Home (410) 560-9986

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

No. **74420**

Date: **9-26-12**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	000		6175				265.00

Total: **265.00**

Rec From: **Saeid Asgharinia 703-906-9561**

For: **Appeal - Variance - Case # 2015-0021-H**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

BUSINESS ACTUAL TIME AMT

9/26/2012 9/26/2012 12:12:30 2

REC 1502 INDI JESS JEE

> RECEIPT & 700011 9/26/2012 0FLM

Dept 5 550 0000000000 00

No. 074420

Recpt Tot 1265.00

1265.00 00 1.91 00

Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

October 9, 2012

Ingeborg and Domenico Occorso
20112 Gunpowder Road
Manchester, Maryland 21102



RE: APPEAL TO BOARD OF APPEALS
Case No. 2013-0021-A
Location: 12519 Falls Road

Dear Mr. and Mrs. Occorso:

Please be advised that an appeal of the above-referenced case was filed in this Office on September 26, 2012. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

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

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

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

c: ✓ Baltimore County Board of Appeals
People's Counsel for Baltimore County
Arnold Jablon, Director, Department of Permits, Approvals, and Inspections
Saeid Asgharinia, 12529 Falls Road, Cockeysville, MD 21036



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

November 27, 2012

Ingeborg and Domenico Occorso
20112 Gunpowder Road
Manchester, MD 21102

Re: Transcript request

Dear Mr. and Mrs. Occorso:

I am in receipt of your request for transcript in the above referenced matter. Please be advised that we have sent the recording to the typist listed below.

The typist has been instructed to contact you by phone upon receipt of the recording. She will be able to provide you with the estimated cost, required deposit, and projected completion date.

Please direct all payments and questions regarding the transcript to the typist listed below.

Very truly yours,

Sunny Cannington
Sunny Cannington

Typist:	Debbie Eichner
Telephone #:	410-404-2110 -Home: 410-477-1242
Mailing Address:	8101 Bletzer Road, Baltimore, MD 21222

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County

Phone: 410-887-3180

Fax: 410-887-3182

To: Debbie

From: Sunny Cannington, Legal Secretary

Date: November 27, 2012

Re: In the matter of: Ingeborg and Domenico Occorso
Case No: 13-021-A

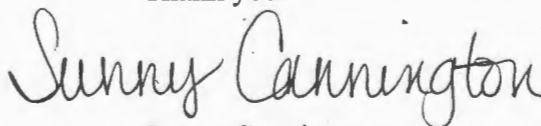
Hi Debbie,

The attached is the recording from the above referenced case. The Board members who sat on this case are Wendell H. Grier, Chairman, Lawrence S. Wescott, operated Courtsmart; and Edward W. Crizer, Jr., took Exhibits.

I have prepared a letter to Mrs. Occorso who is requesting the transcript, a copy of which is enclosed for your convenience. I have also enclosed a copy of the Address List for name identification.

Should you have any questions or problems, please do not hesitate to contact me.

Thank you.


Sunny Cannington

Ingeborg and Domenico Occorso
20112 Gunpowder Road
Manchester, MD 21102
Phone: 443-797-2675

Debra Wiley - ZAC Comments - Distribution Mtg. of 8/6

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 8/14/2012 12:05 PM
Subject: ZAC Comments - Distribution Mtg. of 8/6

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.

2013-0018-SPH - 1312 Burkeigh Rd.
No hearing in data base as of 8/14

2013-0019-A - 3601 Buckingham Rd.
Administrative Variance - Closing Date: 8/27

2013-0020-A - 8243 Longpoint Road
No hearing in data base as of 8/14

2013-0021-A - 12519 Falls Rd.
Administrative Variance - Closing Date: 8/27

2013-0023-A - 20-22 W. Timonium Rd.
No hearing in data base as of 8/14

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

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Ingeborg and Domenico Occorso

13-021-A

DATE: December 11, 2012

BOARD/PANEL: Lawrence S. Wescott
 Wendell H. Grier
 Edward W. Crizer, Jr.

RECORDED BY: Theresa R. Shelton – Administrative Legal Secretary

PURPOSE: To deliberate the following:

1. Petition for Administrative Variance to permit a replacement dwelling with a side yard setback of 17' ilo the req'd 50' for a garage.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

STANDING

- This property is not unique and therefore fails the first test for a variance under *Cromwell*. Property is irregularly shaped as are all the properties. The physical characteristics of the property are not unique.
- No Protestants below and no specifics in ALJ Order granting the requested variance.
- If the garage was moved to face the side, the Appellants would not need a variance.
- The Protestant was concerned with the left side of the house (the garage is on the right). Both sides require a variance and the law does not favor variances.

DECISION BY BOARD MEMBERS: The Board decided that the property failed to meet the first leg in granting a variance; namely, uniqueness. The Board determined that property is just like every other property. The Board will reverse the ALJ and deny the variance requested.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to DENY the Petition for Variance.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,


Theresa R. Shelton

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

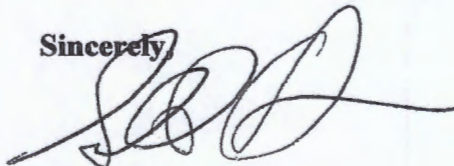
February 13, 2012

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

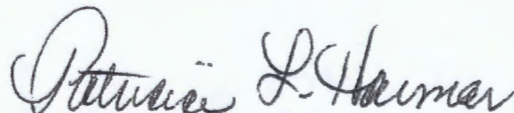
RE: Administrative Zoning Petition for 12519 Falls Road

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

Item #0021



KEVIN KAMENETZ
County Executive

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

July 12, 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 letter dated July 10, 2012, concerning the above-captioned case. You indicate that the variance granted in that case is insufficient, and that you need an additional 5' setback relief to accommodate the proposed dwelling.

Unfortunately, I am unable to amend the Order in that fashion. To obtain that relief, you must file with the County a petition for administrative variance. I believe that an administrative variance is appropriate in these circumstances, because you and your husband will live in the house when it is completed, and in that regard this is an "owner occupied" property. Assuming no one objects or files a request with the County, you would be able to obtain the variance without the necessity of another hearing.

Sincerely,

A handwritten signature in blue ink, appearing to read "JEB", is written over a light blue rectangular background.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

Item #0021

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

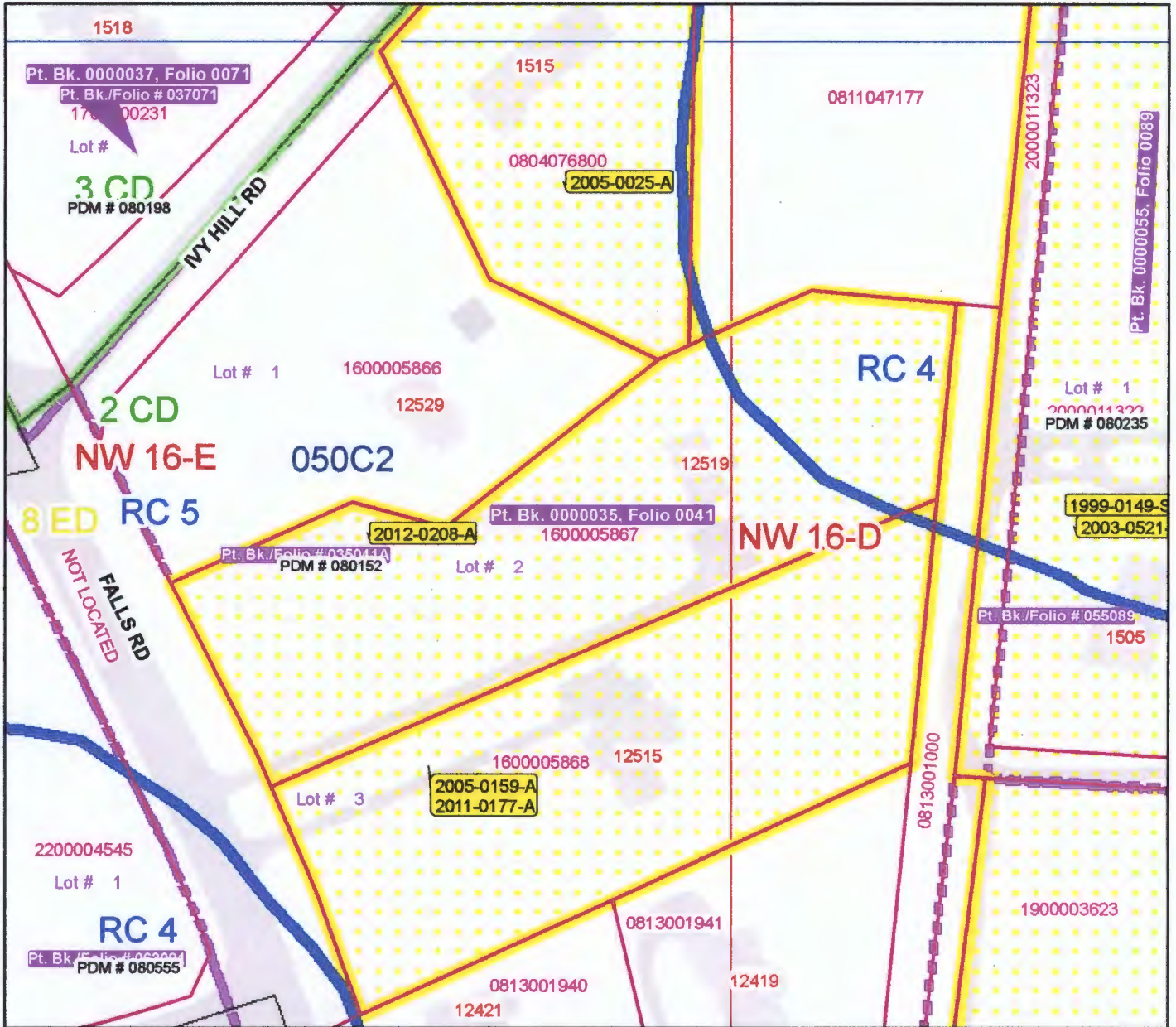
This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by the legal owners, Ingeborg and Domenico Occorso. The Petitioners are requesting Variance relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (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.

Item #0021

12519 Falls Road



Publication Date: August 01, 2012
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

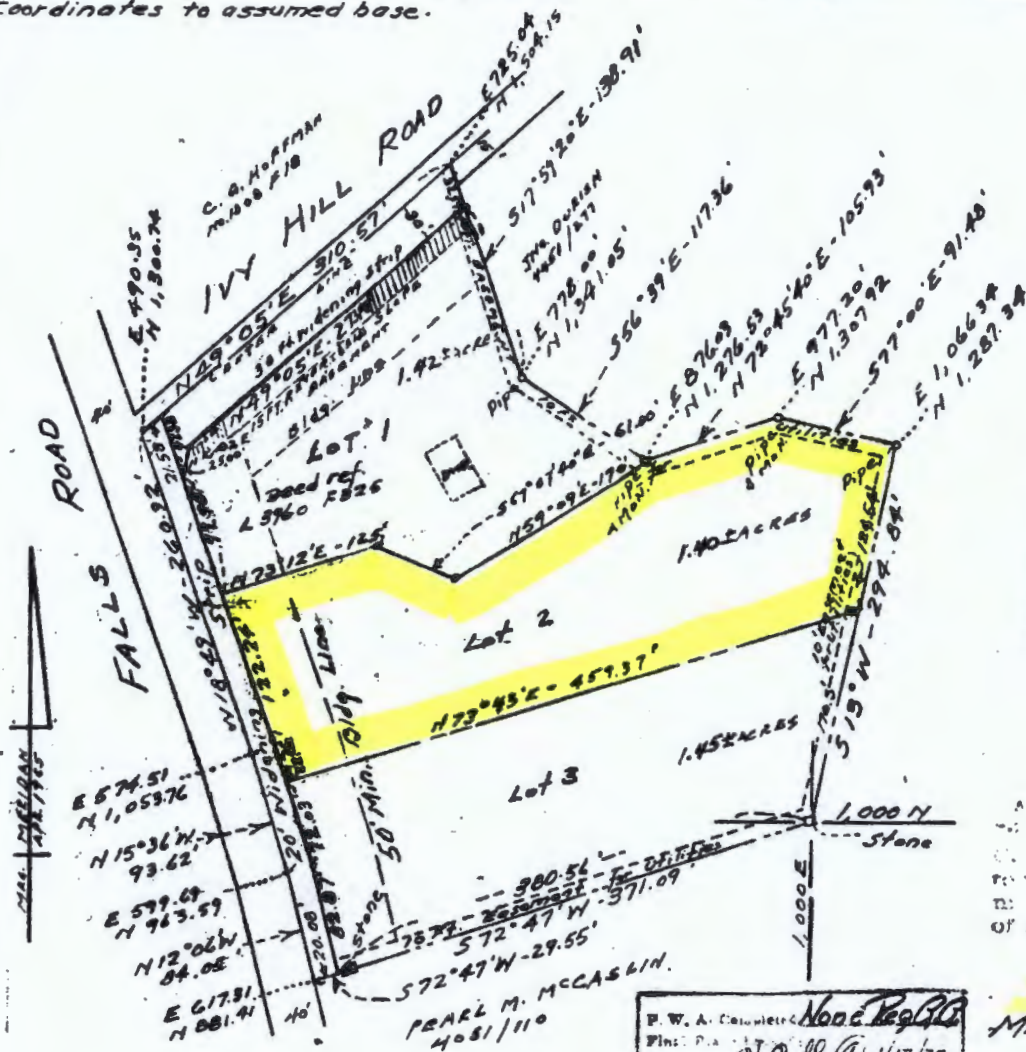


A horizontal scale bar with markings at 0, 100, and 200. The word "Feet" is written at the right end of the bar.

1 inch = 100 feet

Item #0021

Coordinates to assumed base.



O.T.G. 35 FOLD 41

RECEIVED for Record

JAN 28 1972 at A.M. P.M.

same day recorded in Liber
O.T.G. No. folio
One of the Records of
Baltimore County and ex-
amined, per

Charles T. Gault

Clerk

must be shown with a plan for approval
of building applications.

"FRANK" PLAT

MRS. JOHN L. FRANK - OWNER
FALLS ROAD, COCKEYSVILLE, MD
EIGHTH DIST., BALTO. CO., MD.
Scale: 1"=100 - Feb. 17, 1970

Revised 1/19/71

ROBT. C. NORRIS - REG. SURVEYOR No. 759
OLD COURT RD. BALTO., MD. 21207

The streets and/or roads as shown hereon and the mention
thereof in deeds are for the purpose of description only and the
same are not intended to be dedicated to public use; the fee simple
title thereof is expressly reserved in the grantor's of the deed
to which this plat is attached, their heirs and assigns.

APPROVED FOR BALTIMORE COUNTY
PLANNING BOARD

George E. Jones 1/26/72
DIRECTOR

APPROVED FOR BALTIMORE COUNTY
HEALTH DEPARTMENT

Robert C. Norris 1/17/72
DEPUTY STATE AND COUNTY HEALTH OFFICER
M.K.C.

APPROVED FOR HIGHWAY DEPARTMENT
OF BALTIMORE COUNTY.

Robert C. Norris 1/17/72
COUNTY ROADS ENGINEER



The requirements of Sections 71 thru 74 inc. of Article 17
of the Annotated Code of MD., 1951 Supplement (Title: Clerks
of Courts, Subtitle: Clerks of Circuit Courts) as far as they
relate to the making of this plat, have been complied with.

Owner: *John L. Frank*
Reg. Surveyor: *Robert C. Norris*

Item #0021



Item # 0021



Item # 0021



Item # 0021

APPEAL

Petition for Administrative Variance
NE side of Falls, 147' SE from c/line of Ivy Hill Road
(12519 Falls Road)
8th Election District – 2nd Councilmanic District
Legal Owners: Ingeborg and Domenico Occorso
Case No. 2013-0021-A

✓ Undated	Zoning Description of Property
✓ Undated	Advertising Requirements and Procedures for Zoning Hearings
✓ Undated	Administrative Variance Information Sheet and Dates
✓ February 13	Correspondence from Scott E. and Patricia L. Harman
✓ May 17	Prior Zoning Relief – 2012-0208-A
✓ July 10	Correspondence from Ingeborg G. Occorso
✓ July 12	Correspondence from John E. Beverungen
✓ July 20	E-mail from Inga Occorso
✓ July 24	Correspondence from John E. Beverungen
✓ August 1	Misc. Cash Receipt for filing of Zoning hearing
✓ August 1	Administrative Zoning Petition
✓ Undated	Photos submitted with petition (2 pgs.)
✓ 1972	"Frank" Plat submitted with petition
✓ August 1	DPM – Projection/Datum: Md. St. Plane
✓ August 12	Certificate of Posting
✓ August 14	E-mail from Debra Wiley re: ZAC comments
✓ August 28	Correspondence from W. Carl Richards, Jr. and ZAC Comments
✓ August 30	Opinion and Order & Cover letter from John E. Beverungen - GRANTED
	✓ <u>Petitioners' Exhibits:</u>
	✓ 1 – Site Plan (submitted with petition)
✓ September 26	Miscellaneous Cash Receipt and Notice of Appeal from Saeid Asgharinia

RECEIVED
OCT 9 2012
BALTIMORE COUNTY
BOARD OF APPEALS

c: Baltimore County Board of Appeals
Carole Demilio, People's Counsel for Baltimore County
Arnold Jablon, Director, Department of Permits, Approvals and Inspections

Date Sent: October 9, 2012

Case No: 13A13-021-A Case Name: Ingeborg + Domenico Occorso

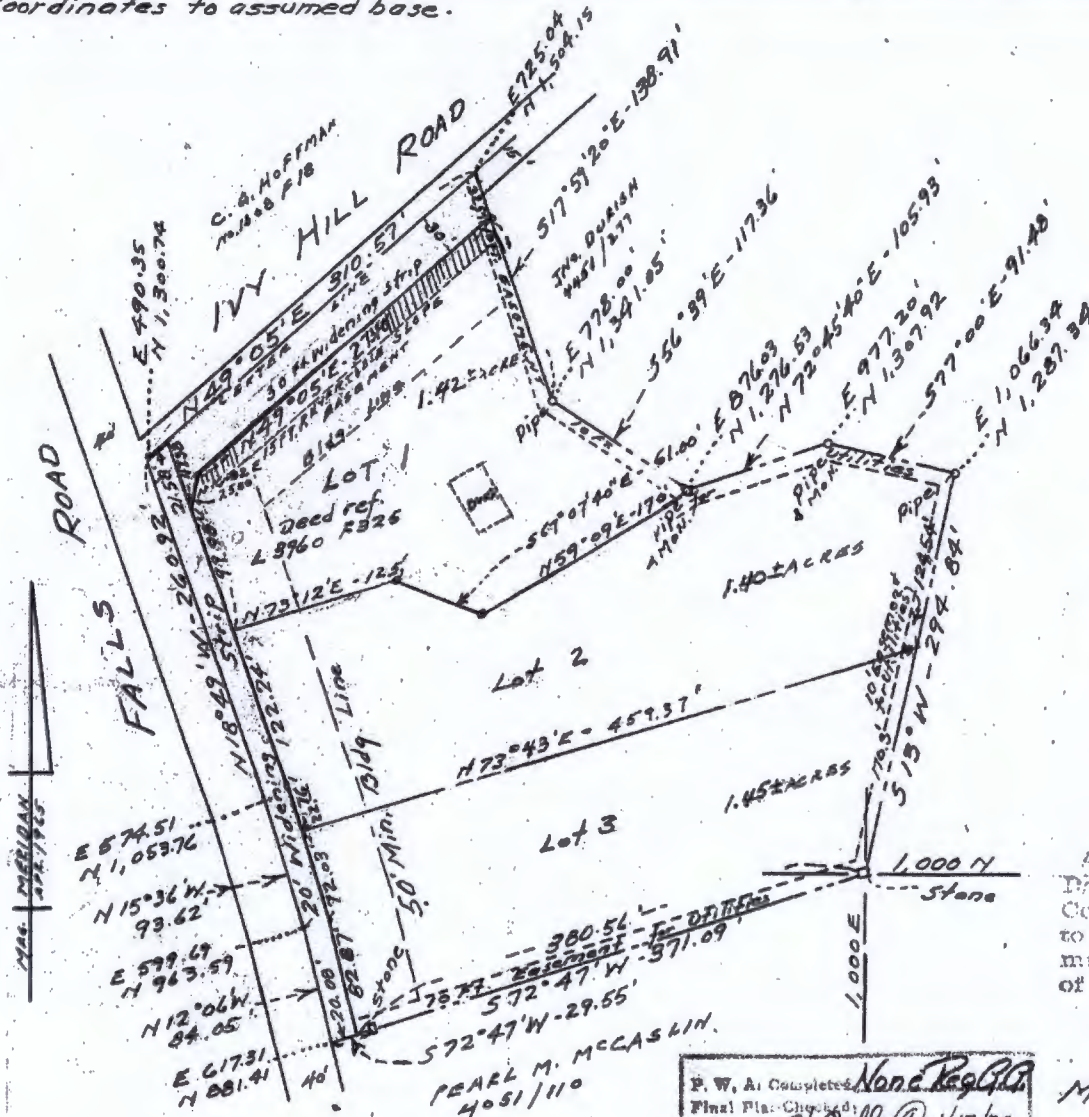
Exhibit List

Party: Petitioners Date: 11-13-12

Exhibit No:	Description:
✓ 1	Picture of Property
✓ 2	Plat
✓ 3	overlay from zoning
✓ 4	New House Plans 7 pages
✓ 5A-E	Pictures of Subject property
✓ 6	Site Plan
	VERIFIED BY <u>KAC</u> DATE: <u>11/13/12</u>



Coordinates to assumed base.



O.T.G. 35 FOLIO 41

RECEIVED for Record

JAN 26 1972 at A.M. P.M.

same day recorded in Liber
 O.T.G. No. _____ folio _____
 One of the _____ Records of
 Baltimore County and ex-
 amined, per

Charles T. Goulet

Clerk

All applications for the recording of deeds, mortgages, and other instruments to private land and other interests must be completed with prior to approval of building applications.

"FRANK" PLAT
 MRS. JOHN L. FRANK - OWNER
 FALLS ROAD, COLKEYSVILLE, MD
 EIGHTH DIST., BALTO. CO., MD.
 Scale: 1" = 100' - Feb. 17, 1970



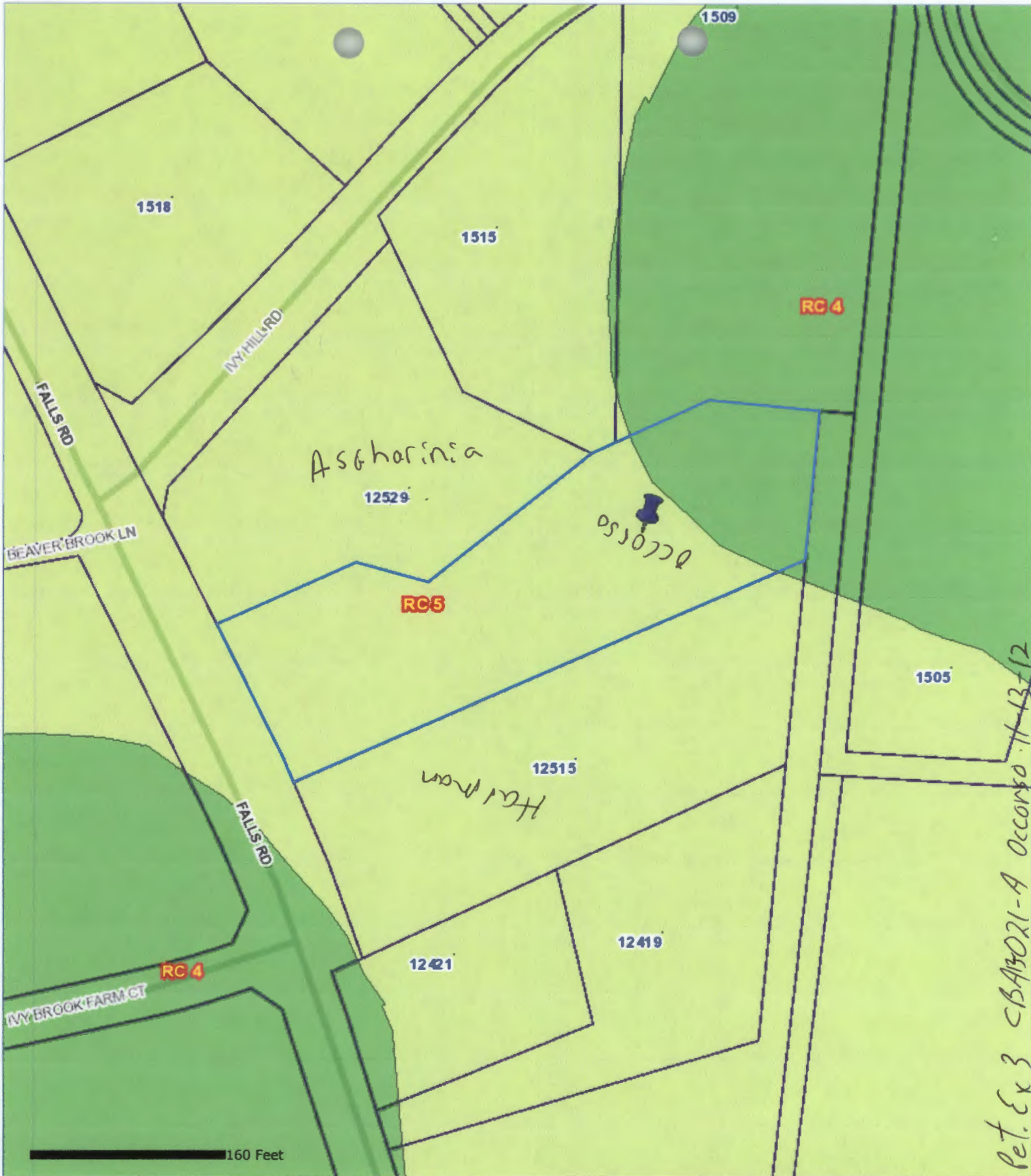
Revised 1/19/71

ROBT. C. NORRIS - REG. SURVEYOR No. 759
 OLD COURT RD. BALTO., MD. 21207

The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

APPROVED FOR BALTIMORE COUNTY PLANNING BOARD <i>George E. Goulet</i> 1/26/72 DIRECTOR	APPROVED FOR BALTIMORE COUNTY HEALTH DEPARTMENT <i>Robert C. Norris</i> 1/17/72 DEPUTY STATE AND COUNTY HEALTH OFFICER	APPROVED FOR HIGHWAY DEPARTMENT OF BALTIMORE COUNTY. <i>Robert C. Norris</i> 1/17/72 COUNTY ROADS ENGINEER
--	---	---

Per Ex 2 CBAB 021-A Occorso 11-13-12 MNC. P. 78702 MSA 554 1236-3843 35-41



My Neighborhood Map

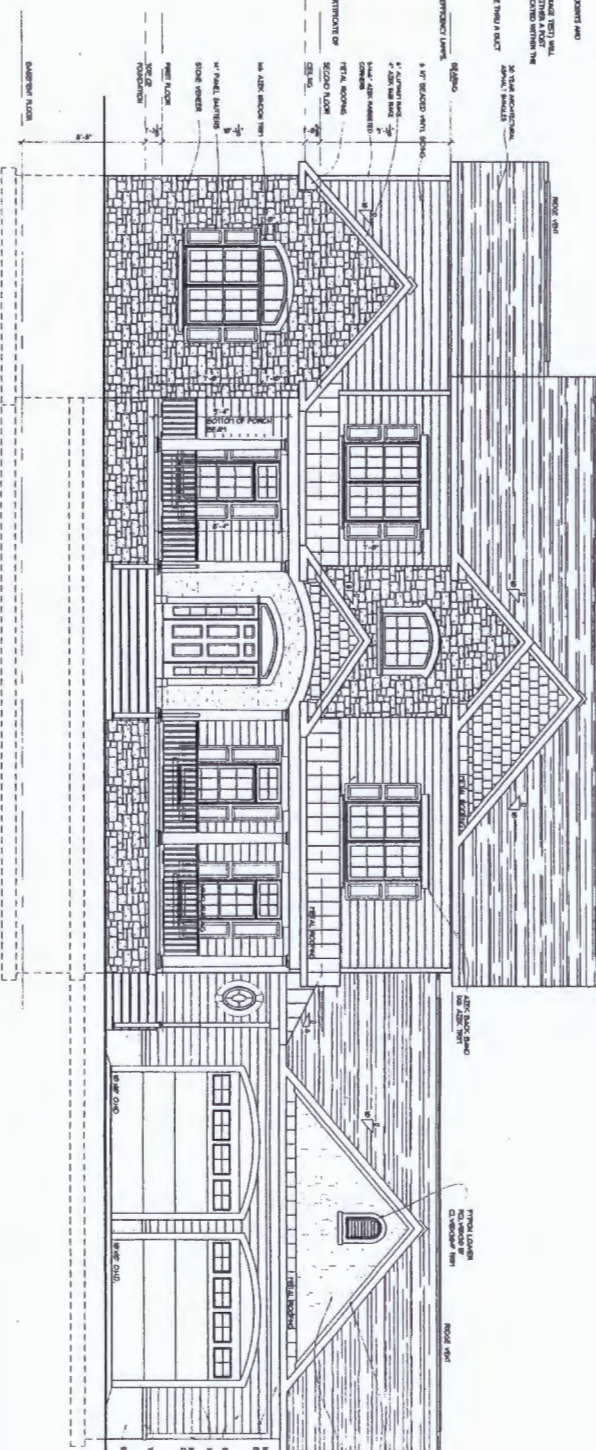
Created By
Baltimore County
My Neighborhood



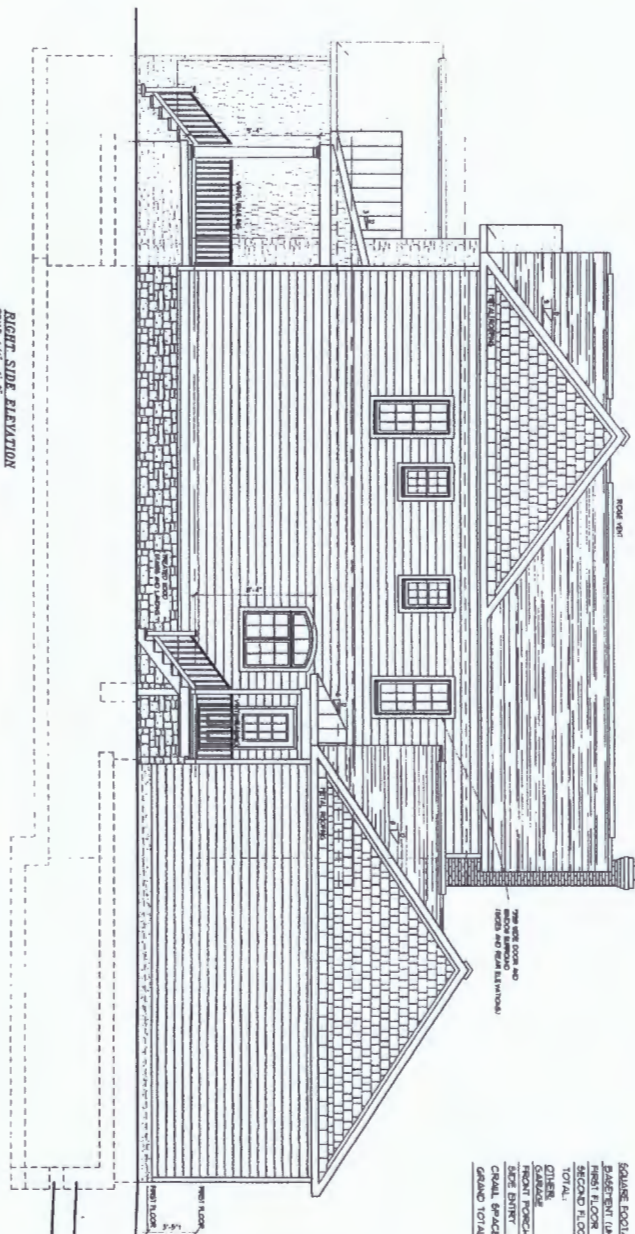
This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

FRONT ELEVATION

Note: This bar should equal 1" if drawing is at full scale.



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



SQUARE FOOTAGE ANALYSIS	
BASEMENT (UNFINISHED)	
FIRST FLOOR	7284 SQT
SECOND FLOOR	7673 SQT
TOTAL:	14957 SQT
OTHER:	
GARAGE	
FRONT PORCH	834 SQT
SIDE ENTRY	338 SQT
	77 SQT
CRAWL SPACE	203 SQT
GRAND TOTAL:	17044 SQT

Richard P. Linn
10/5/12



Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 10882
Expiration Date: 12/31/2013

A-1 1 of 6	SHEET NO.	PROJECT TITLE OCCORSO RESIDENCE 12519 Falls Road Cockeysville, MD 21030	 RLC Design & Engineering 13040 Old Haines Road, Rettersvorsen, Maryland 21116 Phone: 410.833.1300 Fax: 410.833.1403	DESIGNED SDK		FINAL PMG 10/08/17	Contractor shall verify all dimensions and conditions and inform any discrepancy to the attention of RLC Design & Engineering LLC before proceeding with the work. All signs reserved. This work submitted is the document in the exclusive property of RLC Design & Engineering LLC. Nothing contained herein, including the design concept, may be sold, copied, or distributed in any way or by any means without the express written permission of RLC Design & Engineering LLC.
		ELEVATION FRONT AND RIGHT SIDE		DRAWN MAG		CHECKED	
	SHEET TITLE						
	SCALE	As Noted		DATE		10-05-12	







I HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS INDICATED HEREON ARE CONTAINED WITHIN THE OUTLINES OF THE LOT UPON WHICH THEY ARE ERECTED UNLESS OTHERWISE NOTED AND IS NOT TO BE USED TO ESTABLISH PROPERTY LINES, SETBACKS OR PROPERTY CORNERS. ONLY EASEMENTS, RIGHTS OF WAYS, AND RESTRICTIONS DESCRIBED IN SUBJECT DEED ARE SHOWN. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

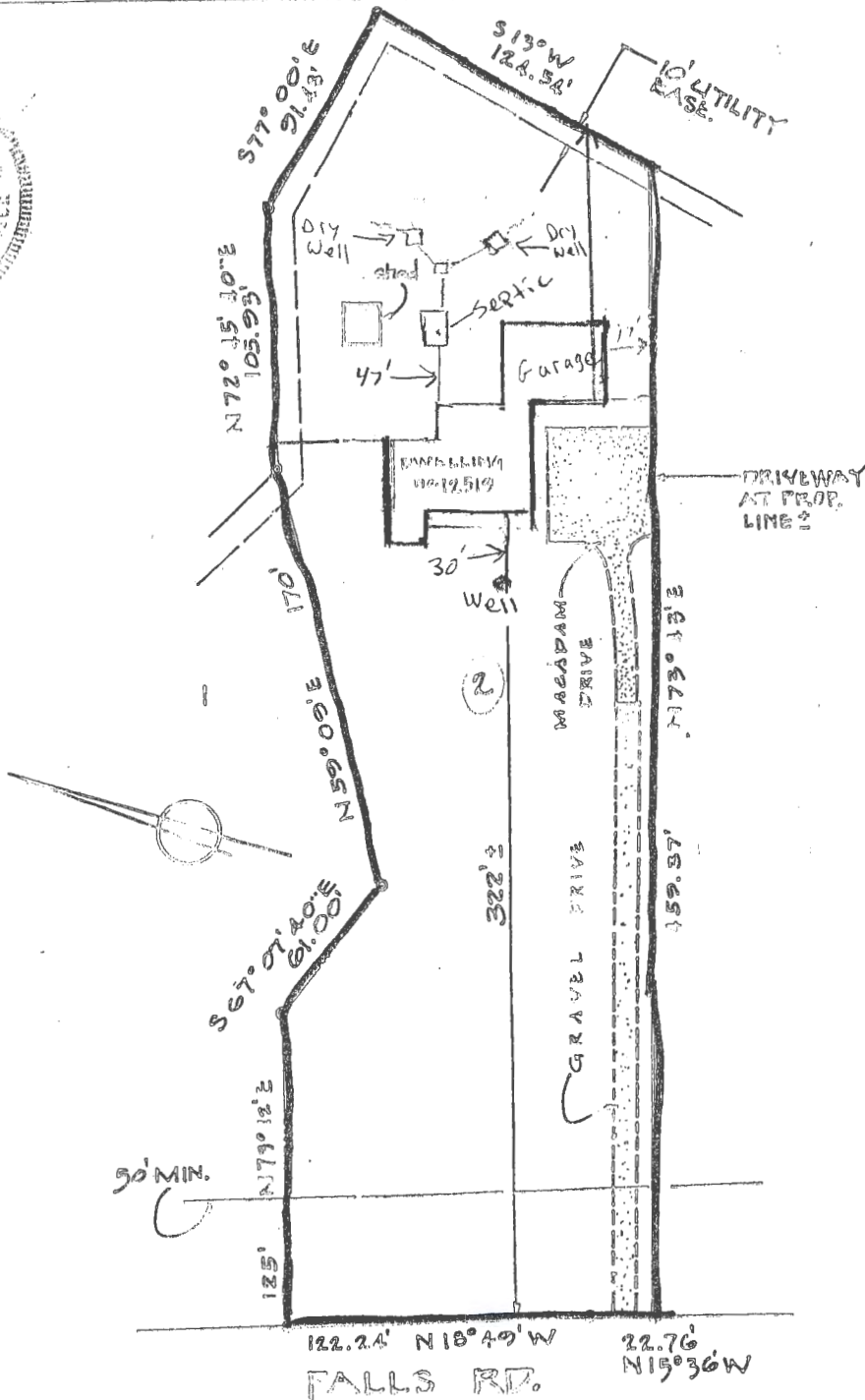
Steven K. Broyles

STEVEN K. BROYLES
MARYLAND PROFESSIONAL LAND SURVEYOR REGISTRATION NO. 10960



Flood Zone shown is as identified on F.I.R.M. Community Panel No. 2-4-01-0 02-20-12
Effective Date: 2-2-01
Map interpretation though believed accurate is not guaranteed.

NOTE:
1) This drawing is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with a contemplated transfer, financing or re-financing.
2) This drawing is NOT to be relied upon for the establishment or location of fences, garages, buildings or other existing or future improvements.
3) This drawing does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title in securing financing or refinancing.



LIBER 604B

FOLIO 340

BEING KNOWN AS LOT BLOCK
AS SHOWN ON A PLAT ENTITLED

RECORDED IN THE LAND RECORDS OF

MARYLAND IN:

PLAT BOOK

FOLIO

Location Drawing for:

12519 FALLS ROAD
BALTIMORE COUNTY, MARYLAND

FLOOD ZONE: 'C' (min.)

SCALE: 1" = 60'
DATE: 9-10-06

FILE NO.: 11-002806ARS
JOB NO.: 006-R9-253

Pct. Ex 6 CBA-13-021-A Occorso 11-13-12

Case No: CBA 13-021-A Case Name: Ingeborg + Domenico Occorso

Exhibit List

Party: Protestants

Date: 11-13-12

Exhibit No:	Description:
✓ 1	Site Plan from County records
✓ 2	Kenneth J. Colbert C.V.
✓ 3	overlay from zoning
✓ 4	"Frank" Plat
✓ 5	Environmental Map
✓ 6	Economic Map
✓ 7	created site Map
✓ 8	Field notes
✓ 9	Topo Map
	VERIFIED BY <u>KAC</u> DATE: <u>11/13/12</u>

RESUME

PROFESSIONAL BACKGROUND AND EXPERIENCE

KENNETH J. COLBERT
2835 SMITH AVENUE, SUITE G
BALTIMORE, MD 21209

PROFESSIONAL STATUS: Professional Engineer, Maryland, PE No. 9752

EDUCATION: University of Missouri-Rolla
Rolla, Missouri
B.S. in Civil Engineering - 1968

PROFESSIONAL BACKGROUND AND EXPERIENCE:

Mr. Colbert is a 1968 graduate of the University of Missouri with a Bachelor of Science in Civil Engineering. He has extensive experience in the field of Civil Engineering and Site Planning for residential, commercial, and other non-residential land development projects. He has prepared plans and has managed construction projects throughout central Maryland. Responsibilities include project coordination, project design, assisting in bid process, review of studies, reports and construction documents, and quality control.

Accepted as an expert in those areas, and testified before the following:

Anne Arundel County Administrative Hearing Officer
Anne Arundel County Board of Appeals
City of Annapolis City Council
City of Annapolis Planning Commission
Baltimore County Board of Appeals
Baltimore County Zoning Commissioner
Baltimore County Liquor Board
Baltimore City Board of Municipal Zoning Appeals
Cecil County Board of Appeals
City of Elkton Planning Board
City of Elkton City Council
City of Gaithersburg Planning Board
City of Gaithersburg City Council
Harford County Board of Appeals
Howard County Hearing Examiner
Howard County Board of Appeals
Montgomery County Planning Board
Montgomery County Hearing Examiner
Montgomery County Board of Appeals
City of Rockville Planning Commission
City of Rockville Board of Appeals
City of Westminster Planning Board

Testified as an expert witness in the field of Civil Engineering for Land Development in the District Courts of Baltimore County and Howard County.

PRO. EX 2 CBA - 13-021-A Occorso 11-13-12

9/17/12 DTN

JK

12529 FALLS RD.

appearing

(F 170.05)

170.05

N59.09E

59.51

59.51

appearing

appearing

206.48.38

CONC. MON. P.B.

10, 123.709
4943.796

N67.07.46W
61.06.96

(F 125.84)

573-12W 125

66.217

S85.57.38W 176.31

(F 177.11)

998158

48.4131

CONC. MON. P.B.

10, 12.175.869

S85.57.38W 176.31

206.48.38

177.11

73.12

67.07.40

140.19.40

219.40.20

125.84

219-35.40

11-13-12

Oconso

CB A - 13-021-A



KEVIN KAMENETZ
County Executive

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

October 9, 2012

RECEIVED
OCT 9 2012

Ingeborg and Domenico Occorso
20112 Gunpowder Road
Manchester, Maryland 21102

BALTIMORE COUNTY
BOARD OF APPEALS

RE: APPEAL TO BOARD OF APPEALS
Case No. 2013-0021-A
Location: 12519 Falls Road

Dear Mr. and Mrs. Occorso:

Please be advised that an appeal of the above-referenced case was filed in this Office on September 26, 2012. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

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

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

Sincerely,

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
✓ Arnold Jablon, Director, Department of Permits, Approvals, and Inspections
Saeid Asgharinia, 12529 Falls Road, Cockeysville, MD 21036

APPEAL

**Petition for Administrative Variance
NE side of Falls, 147' SE from c/line of Ivy Hill Road
(12519 Falls Road)
8th Election District – 2nd Councilmanic District
Legal Owners: Ingeborg and Domenico Occorso
Case No. 2013-0021-A**

Undated	Zoning Description of Property
Undated	Advertising Requirements and Procedures for Zoning Hearings
Undated	Administrative Variance Information Sheet and Dates
February 13	Correspondence from Scott E. and Patricia L. Harman
May 17	Prior Zoning Relief – 2012-0208-A
July 10	Correspondence from Ingeborg G. Occorso
July 12	Correspondence from John E. Beverungen
July 20	E-mail from Inga Occorso
July 24	Correspondence from John E. Beverungen
August 1	Misc. Cash Receipt for filing of Zoning hearing
August 1	Administrative Zoning Petition
Undated	Photos submitted with petition (2 pgs.)
1972	“Frank” Plat submitted with petition
August 1	DPM – Projection/Datum: Md. St. Plane
August 12	Certificate of Posting
August 14	E-mail from Debra Wiley re: ZAC comments
August 28	Correspondence from W. Carl Richards, Jr. and ZAC Comments
August 30	Opinion and Order & Cover letter from John E. Beverungen - GRANTED
	<u>Petitioners' Exhibits:</u>
	1 – Site Plan (submitted with petition)
September 26	Miscellaneous Cash Receipt and Notice of Appeal from Saeid Asgharinia

c: Baltimore County Board of Appeals
Carole Demilio, People's Counsel for Baltimore County
Arnold Jablon, Director, Department of Permits, Approvals and Inspections



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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 Reference 23922 / 00047

10 Digit Tax Account # 16 00005867

Property Owner(s) Printed Name(s) Ingeborg and Domenico Occorso

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) 1A04.3.B.2.b - to permit a proposed replacement dwelling with a side yard setback of 17 feet in lieu of the required 50

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners:

Ingeborg Occorso, Domenico Occorso

Name #1 - Type or Print

Name #2 - Type or Print

Ingeborg Occorso

Domenico Occorso

Signature #1

Signature #2

20112 Gunpowder Rd, Manchester, MD

Mailing Address

City

State

21102, 410-527-6383, ioccorso@msn.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this 8 day of August, 2012 that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0021-A

Filing Date 8/1/12

Estimated Posting Date 8/12/12

Reviewer RD

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 12519 Falls Road Cockeysville MD 21030
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

On May 17th, 2012, a variance request was granted from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations to permit a side yard setback of 23' in lieu of the required 50' for a garage. Due to an error in calculations, a 23' variance was requested instead of the needed 17' setback. This request is for an additional variance of 6' from the right side property line for a total setback of 17'. As stated in the original request, there is no alternative location for the proposed garage on the property due to its rectangular shape and the existing well and septic system located near the front and rear of the 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.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Ingeborg Occorso
Signature of Affiant

Ingeborg Occorso
Name- Print or Type

Domenico Occorso
Signature of Affiant

Domenico Occorso
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of July, 2012, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

Ingeborg Occorso & Domenico Occorso
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Austin D. Jones
Notary Public
2/11/15
My Commission Expires

Item # 0021

ZONING DESCRIPTION FOR 12519 FALLS ROAD

Beginning at a point on the east side of Falls Road, which has an 80-foot right-of-way, at the distance of 140 feet (+/-) southeast of the centerline of the nearest improved intersecting street Ivy Hill Road, which has a 60-foot right-of-way. Being Lot #2 on the FRANK PLAT as recorded in Baltimore County Plat Book #35, Folio#41, containing 1.4 acres. Located in the 8th Election District and 2nd Councilmanic District.

Item # 0021

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment8-9DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NCDEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)8-6

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

2-13

ADJACENT PROPERTY OWNERS

No objection

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 292-0208-A (AV-) Order 5/17/12
JRS)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 8-12-12 by HoffmanPEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____



Economic Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

PRO. EX 6 CBA - 13-021-A OCCORSO 11-13-12

Printed 11/10/2012



Pro. Ex 9 CBA-13-021-A Occorso 11-13-12 Printed 11/10/2012



Environmental Map

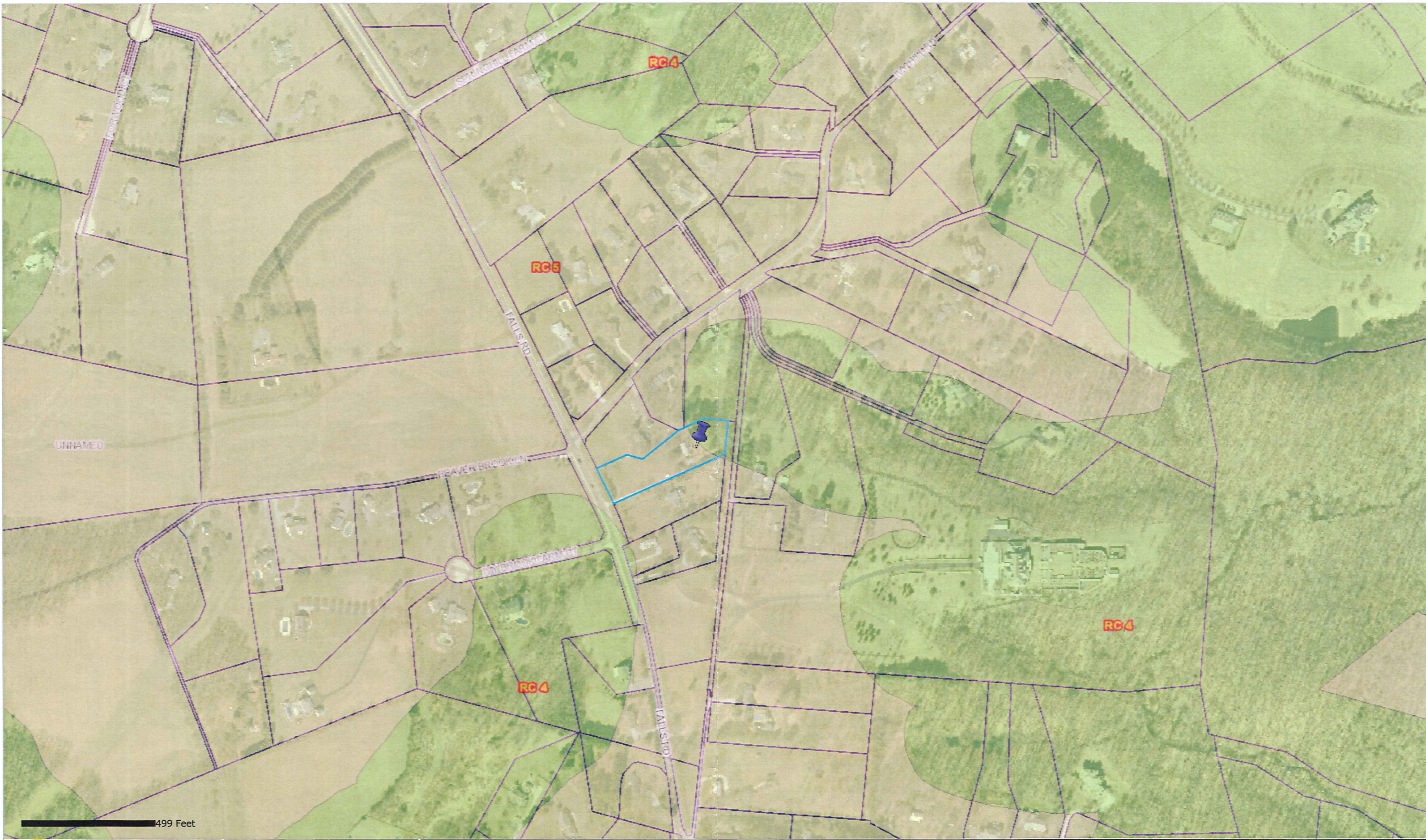
Created By
Baltimore County
My Neighborhood



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Printed 11/10/2012

Pro. Ex 5 CBA-13-021-A Occorso 11-13-12



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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Printed 11/10/2012

Pro. Ex 3 CBA-13-021-A Occorso 11-13-12

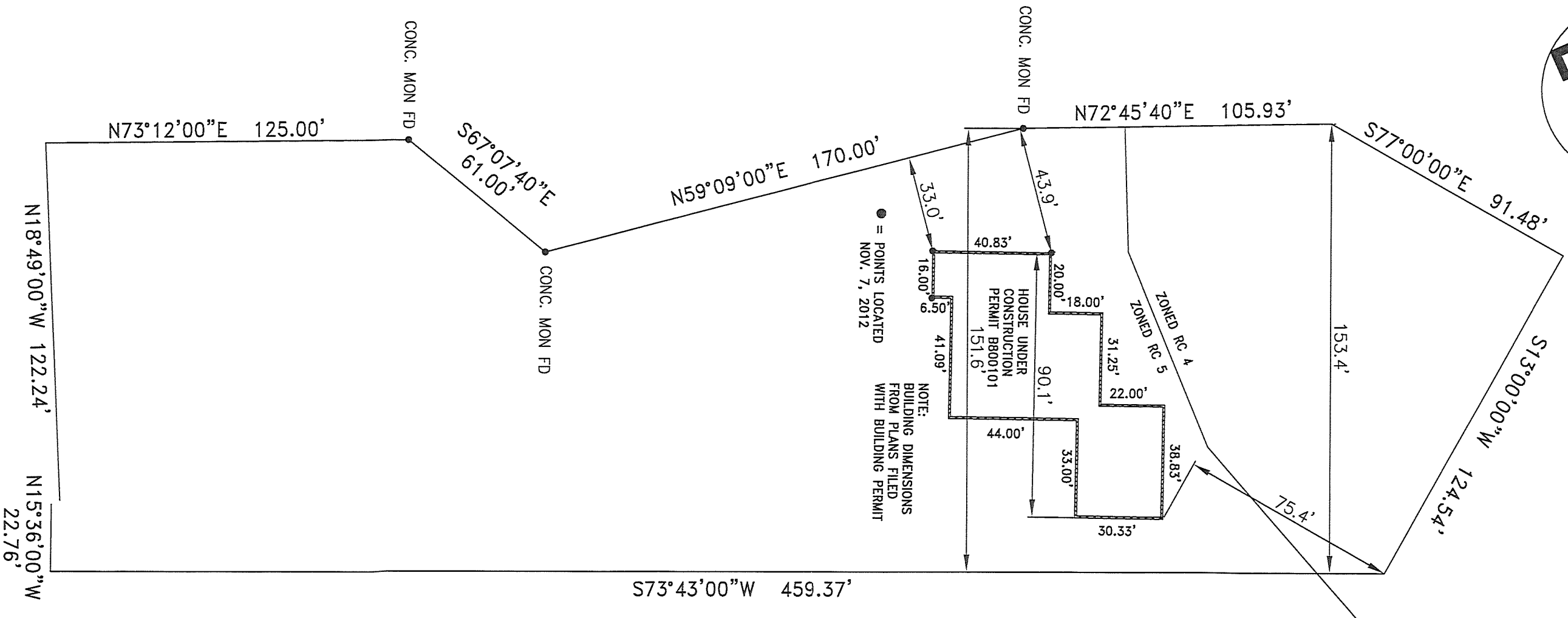
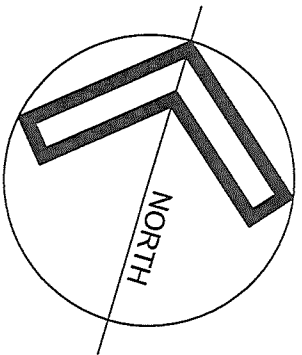


EXHIBIT
BOARD OF APPEALS
CASE #2013-0021-A
12519 FALLS ROAD

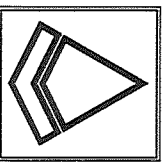
BALTIMORE COUNTY, MD.
LIBER 6048/346
SCALE: 1" = 50' DATE: 11/9/12
CMR NO 2012321

Colbert Matz Rosenfelt, Inc.

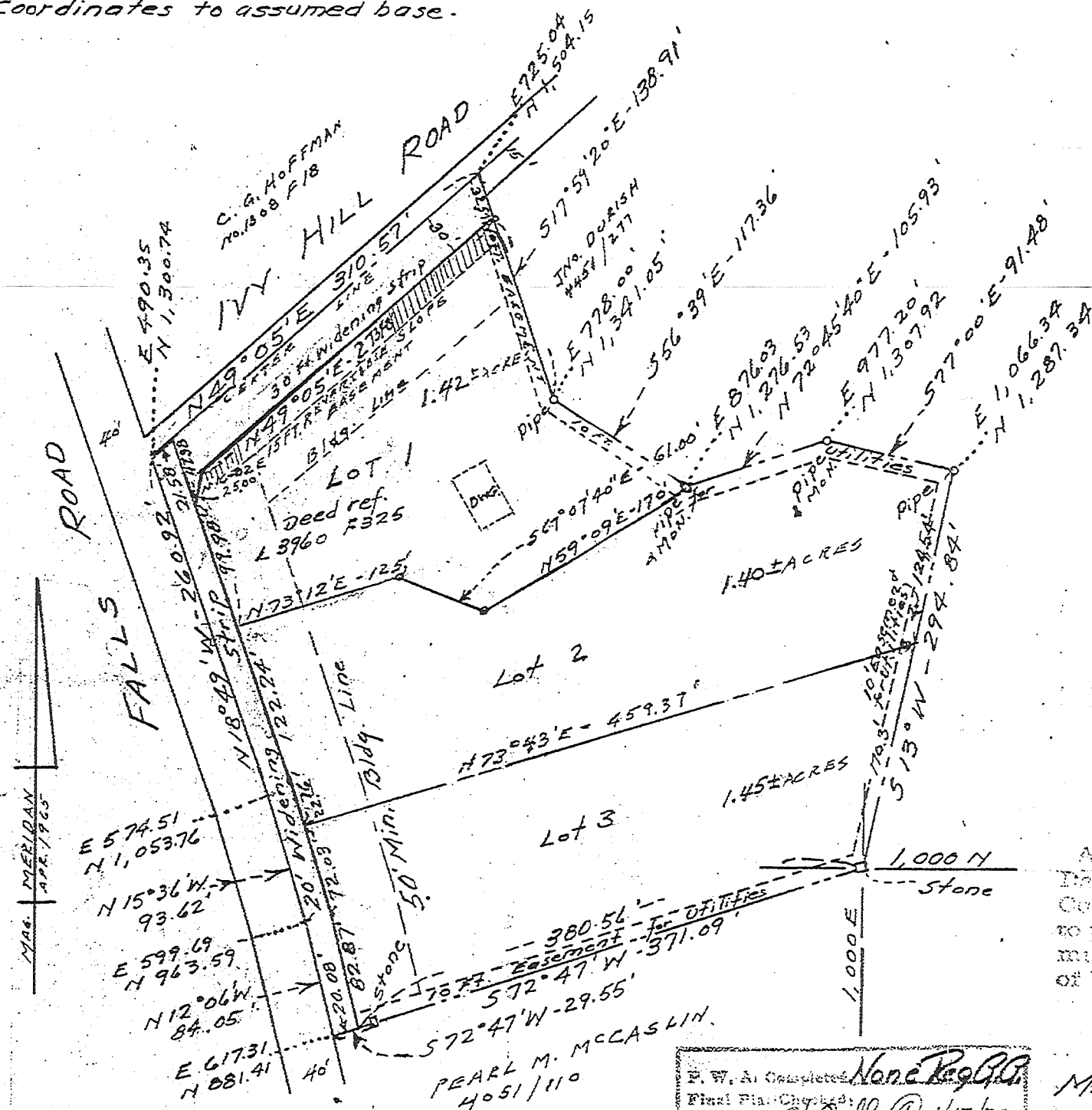
*Engineers * Surveyors * Planners*

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209

Telephone: (410) 653-3838
Facsimile: (410) 653-7953



Coordinates to assumed base.



The streets and/or roads as shown hereon and the mention thereof in deeds are for the purpose of description only and the same are not intended to be dedicated to public use; the fee simple title thereof is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.

APPROVED FOR BALTIMORE COUNTY
PLANNING BOARD

APPROVED FOR BALTIMORE COUNTY
HEALTH DEPARTMENT

APPROVED FOR HIGHWAY DEPARTMENT
OF BALTIMORE COUNTY.

George E. Swenson 1/26/72
DIRECTOR

Deputy State and County Health Officer 1/17/72

Charles A. Herring 1/17/72
COUNTY ROADS ENGINEER

O.T.G. 35 FOLIO 41

RECEIVED for Record

JAN 26 1972 at A.M.
P.M.

same day recorded in Liber
O.T.G. No. _____ folio _____
One of the _____ Records of
Baltimore County and ex-
amined, per _____

Paul T. Gosnell

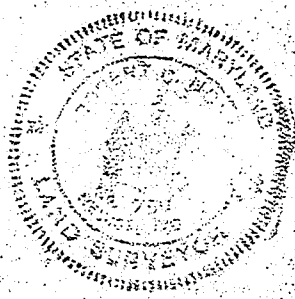
Clerk

Any application for a building permit to install a new or modified fire alarm system must be completed with prior to approval of building applications.

"FRANK" PLAT
MRS. JOHN L. FRANK - OWNER
FALLS ROAD, COCKEYSVILLE, MD.
EIGHTH DIST., BALTO. CO., MD.
Scale: 1"=100' Feb. 17, 1970

Revised 1/19/71

ROBT. C. NORRIS-REG. SURVEYOR No. 759
OLD COURT RD. BALTO., MD. 21207



The requirements of Sections 71 thru 74 inc. of Article 17 of the Annotated Code of Md., 1951 Supplement (Title: Clerks of Courts, subtitle, Clerks of Circuit Courts) as far as they relate to the making of this plat, have been complied with.

OWNER: Walter M. Frank

REG. SURVEYOR: W. B. C. Jones, Jr.

Maryland State Archives

Pro. Ex. 4 CBA-13021-A Occorso 11-13-12

TK KC. P 78702 MSA SSU 1236-3843

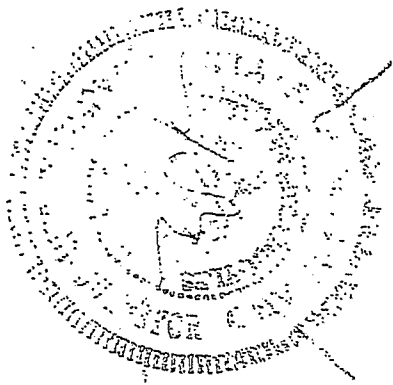
72



I HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS INDICATED HEREON ARE CONTAINED WITHIN THE OUTLINES OF THE LOT UPON WHICH THEY ARE ERRECTED UNLESS OTHERWISE NOTED AND IS NOT TO BE USED TO ESTABLISH PROPERTY LINES, SETBACKS OR PROPERTY CORNERS. ONLY EASEMENTS, RIGHTS OF WAYS, AND RESTRICTIONS DESCRIBED IN SUBJECT DEED ARE SHOWN. THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY.

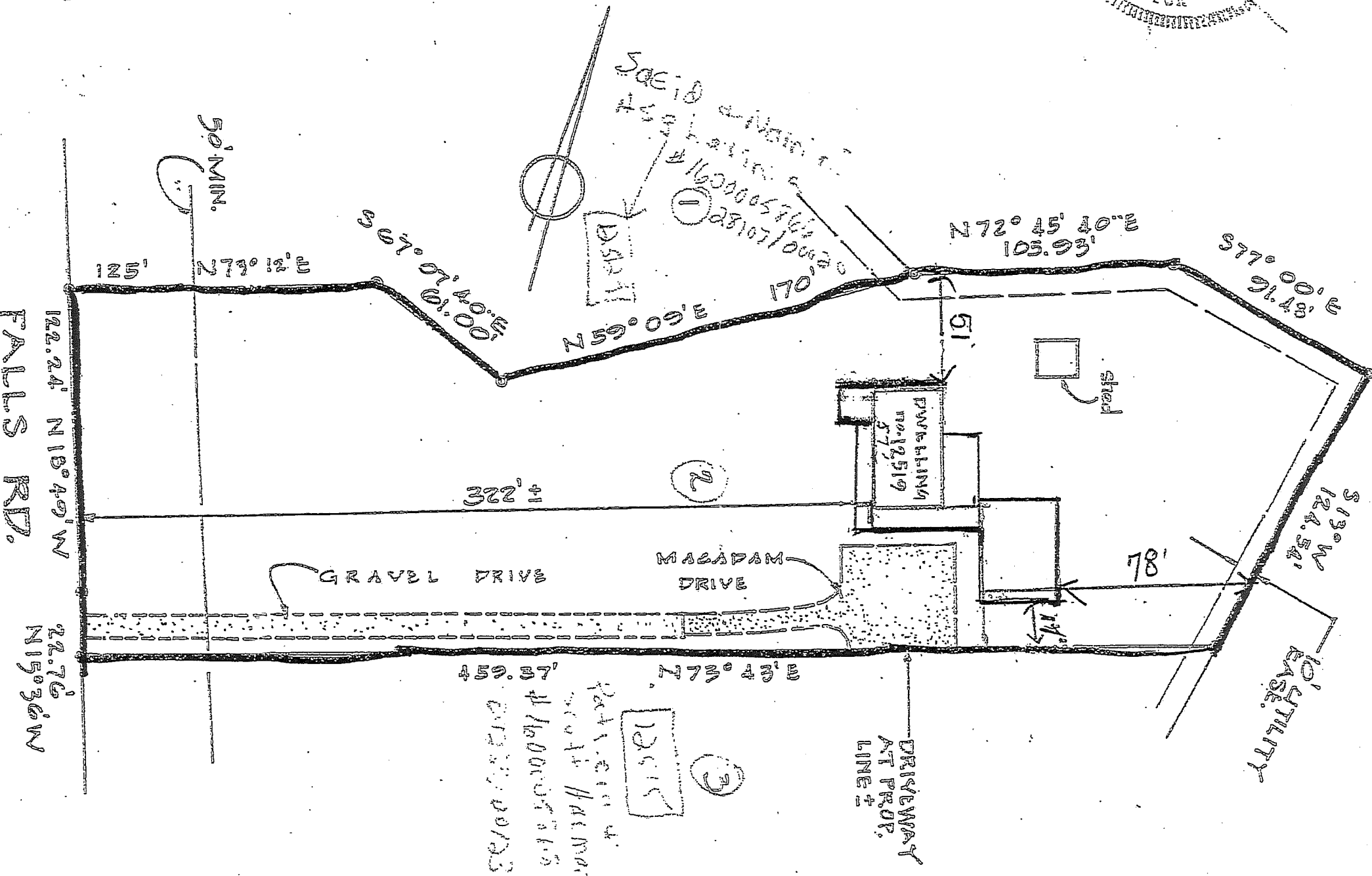
Steven K. Broyles

STEVEN K. BROYLES
MARYLAND PROFESSIONAL LAND SURVEYOR REGISTRATION NO. 10860



"Flood Zone" shown is as identified on F.I.R.M.
Community Panel No.: 240010 0230D
Effective Date: 3-2-21
Map interpretation though believed accurate is not guaranteed.

NOTE:
1) This drawing is of benefit to a consumer only insofar as it is required by a Lender or a Title Insurance company or its agent in connection with a contemplated transfer, financing or re-financing;
2) This drawing is NOT to be relied upon for the establishment or location of fences, garages, buildings or other existing or future improvements;
3) This drawing does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title in securing financing or refinancing.



LIBER 604B

FOLIO 34C

BEING KNOWN AS LOT BLOCK
AS SHOWN ON A PLAT ENTITLED

Location Drawing for:

12519 FALLS ROAD
BALTIMORE COUNTY, MARYLAND

RECORDED IN THE LAND RECORDS OF

MARYLAND IN:

PLAT BOOK FOLIO

FLOOD ZONE: C (min)
SCALE: 1" = 60'
DATE: 3-10-06
FILE NO.: 11-002806ARS
JOB NO.: 1106-89-253

Protestants Ex 1 CBA-13-021-A Occorso 11-13-12

#B-800101
PROT #1

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



N



MAP IS NOT TO SCALE

ZONING MAP# 050C2

SITE ZONED RC 5/RC 4

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

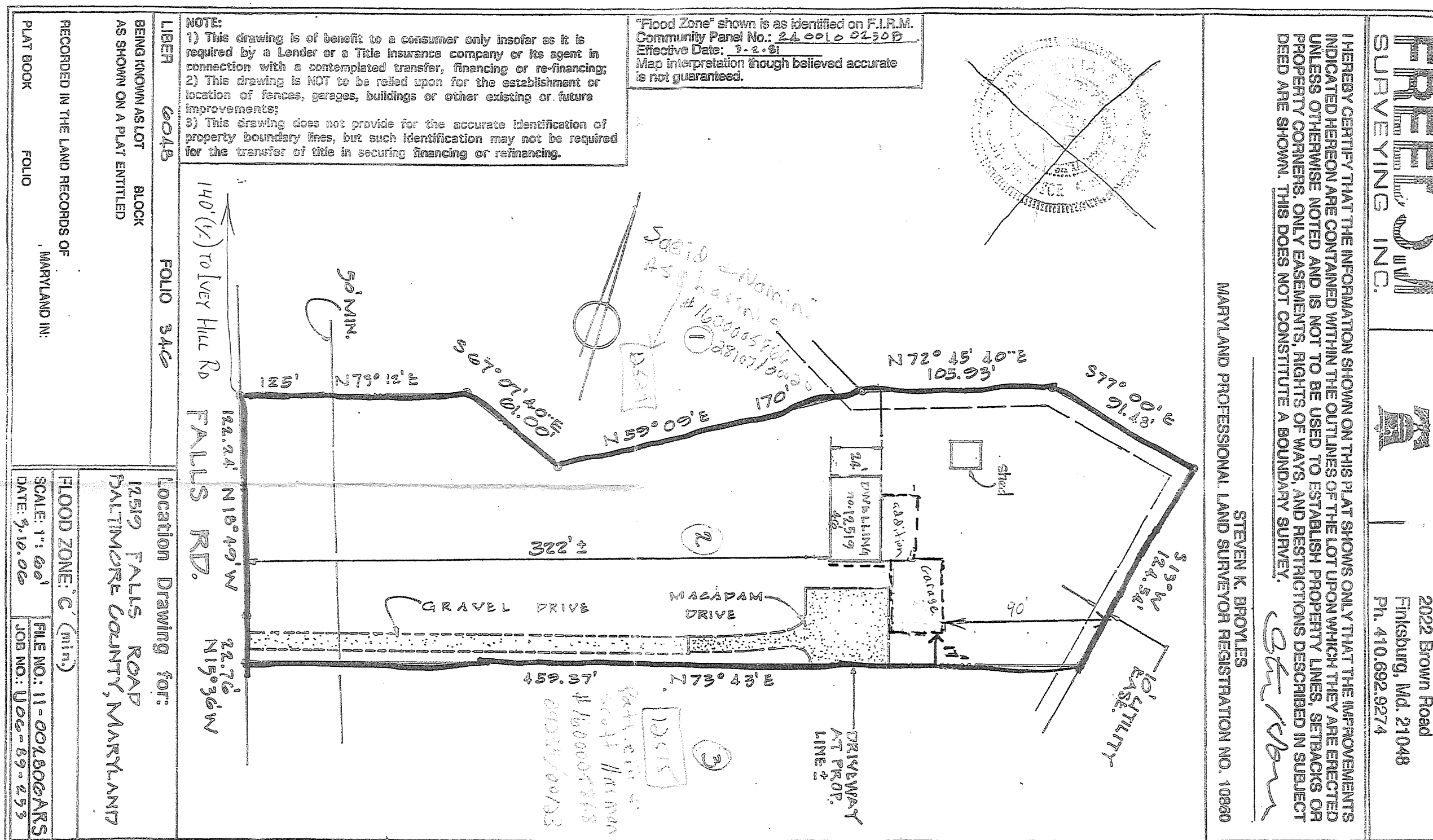
PRIOR HEARING? No

IF SO GIVE CASE NUMBER #2013-0021-A
AND ORDER RESULT BELOW

RJD

VIOLATION CASE INFO:

PRIOR: #2012-0208-A



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

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 # 36 FOLIO # 41 10 DIGIT TAX # 1600005867 DEED REF. # 23922/00047

SITE VISIT MAP



MAP IS NOT TO SCALE

ZONING MAP# 050C2

SITE ZONED RC 5/RC 4

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 2.

PUBLIC PRIVATE **X**

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

PRIOR: # 2012-0208-A

#2013-0021-A

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

VIOLATION CASE INFO:
