IN THE MATTER OF

ROBERT PRITCHARD AND LYNN FONTANA
- LEGAL OWNERS /PETITIONERS
RICHARD AND MARCIE ROSARIO
- CONTRACT PURCHASERS/PETITIONERS
PETITION FOR VARIANCE
FOR THE PROPERTY LOCATED AT

 8^{TH} ELECTION DISTRICT 2^{ND} COUNCILMANIC DISTRICT

12202 HAPPY HOLLOW ROAD

- * BEFORE THE
- * BOARD OF APPEALS
- * OF
- * BALTIMORE COUNTY
- * CASE NO.: 13-256-A

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Edith Hellmers,
Dianne Schroeder, and Robyn Costello, from a decision of the Administrative Law Judge dated
June 7, 2013 in which the requested Petition for Special Hearing was granted.

WHEREAS, the Board is in receipt of a letter of withdrawal of the Petition for Variance, filed September 4, 2013 and signed by Richard and Marie Rosario, Contract Purchasers/
Petitioners, (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Contract Purchasers/Petitioners request that the Petition for Variance taken in this matter be withdrawn as of September 4, 2013,

BOARD OF APPEALS
OF BALTIMORE COUNTY

Andrew M. Belt, Chairman



Poard 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

September 11, 2013

Richard and Marcie Rosario 9603 Deereco Road, Ste 300 Timonium, MD 21093

> RE: In the Matter of: Robert Pritchard and Lynn Fontana – Legal Owners Richard and Marcie Rosario – Contact Purchasers/Lessees

Case No.: 13-256-A

Dear Mr. and Mrs. Rosario:

Enclosed please find a copy of the Order of Dismissal 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,

Krysundra "Sunny" Cannington

Acting Administrator

Enclosure Duplicate Original Cover Letter

c: Robert Pritchard and Lynn Fontana
Edith Hellmers
Dianne Schroeder
Robyn Costello
Leonard Aumiller
Office of People's Counsel
Lawrence M. Stahl, Managing 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

County Board of Appeals of Baltimore County 105 W. Chesapeake Avenue, Ste. 203 Towson, Maryland 21204

Re: APPEAL TO THE BOARD OF APPEALS
Location: 12202 Happy Hollow Road
8th Election District
2nd Council District
Richard H. Rosario and
Marcie S. Rosario, Petitioner
Case No. 2013-0256-A

Dear Clerk:

As the Legal Owners/Petitioners in the above referenced Petition for Administrative Variance, please accept this request of the Petition for Administrative Variance in the accordance with Rule 3.b.2 of the Rules of Practice and Procedure of the Baltimore County Board of Appeals.

As Legal Owners/Petitioner we wish to have the petition withdrawn and dismissed without prejudice. As such, this withdrawal is being filed not less than 10 days before the scheduled hearing date, September 17, 2013. We the Legal Owners/Petitioners understand and acknowledge that the withdrawal of our petition will render the Administrative Law Judge's June 7, 2013 decision moot.

Thank you for your time and consideration of this most important matter.

Sincer

Richard H. Rosario

Marcie S. Rosario

SEP 4 \$ 2013

BALTIMORE COUNTY BOARD OF APPEALS

July 23rd, 2013

Regarding Case No. 2013-0256-A

I would like to bring to the attention of the Office of Administrative Hearings that a document has been falsified directly pertaining to this variance.

In the Zoning Hearing Plan for Variance, Richard H. Rosario represents the dimensions of the accessory structure at 12202 Happy Hollow Rd. as being 30 feet by 18 feet by 29 feet tall. This Application was submitted after the Variance Decision of June 7th.

Included herein is a photograph of the building, clearly showing that it was half that height, at approximately 14 feet tall.

It is probable that the dimensions of this structure were falsified as a contingency to accommodate a possible appeal and reversal of the variance decision. Judge Stahl's variance apprises the contract owner/lessee that it is possible for the variance to be reversed through an appeal process.

If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

In the included application for variance, the building's "original condition" has been falsified, and the building's height has been roughly doubled to a height of 29 feet. It is probable that this was done in the case of a variance reversal, in an attempt to fool the system, and attain a height of 29 feet even if the variance were reversed. These represented dimensions are crucial because the pre-existing accessory structure no longer exists.

The building was systematically dismantled prior to the variance decision of June 7th by Judge Stahl, and was entirely removed, including the concrete footer, by July 19th, 2013.

Further, the pre-existing structure was not a "garage," nor was it ever used as a "garage." It was a storage shed with a storage loft. Historically, it was never used to park or store vehicles. The narrow double door could hardly accommodate a vehicle.

I am obliged to apprise the Office of Administrative Hearings of this falsification.

Richard H. Rossario runs a land settlement company. Included herein is a description of his company. A complaint will be filed with the Maryland Real Estate Commission.

Thank you for your attention to this matter.





KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

July 12, 2013

Robert U. Pritchard Lynn A. Fontana 12202 Happy Hollow Road Cockeysville, Maryland 21030 RECEIVED

JUL 1 2 2013

BALTIMORE COUNTY BOARD OF APPEALS

RE: APPEAL TO BOARD OF APPEALS

Case No. 2013-0256-A

Location: 12202 Happy Hollow Road

Dear Mr. Pritchard and Mrs. Fontana:

Please be advised that an appeal of the above-referenced case was filed in this Office on July 3, 2013. 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.

1-

LAWRENCE M. STAHL

Managing Administrative Law Judge

for Baltimore County

LMS:sln

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Richard and Marcie Rosario, 9603 Deereco Road, Suite 300, Timonium, Maryland 21093
Leonard Aumiller, 12204 Happy Hollow Road, Cockeysville, Maryland 21030



Petition for Variance
(12202 Happy Hollow Road)
8th Election District - 2nd Councilmanic District
Legal Owners: Robert U. Pritchard and Lynn A. Fontana
Case No. 2013-0256-A

Petition for Variance (April 29, 2013)

Zoning Description of Property

Notice of Zoning Hearing (May 29, 2013)

BALTIMORE COUNTY BOARD OF APPEALS

Certificate of Publication (see notation at bottom of right hand corner)

Certificate of Posting (May 12, 2013) by Martin Ogle

Entry of Appearance by People's Counsel (N/A)

Petitioner(s) Sign-in Sheet (N/A)

Zoning Advisory Committee Comments

Petitioner(s) Exhibits
N/A

Miscellaneous (Not Marked as Exhibits) - Formal Demand Request, withdrawn letter and Photos

✓ Administrative Law Judge Order (GRANTED- June 7, 2013)

VNotice of Appeal - July 3, 2013 from Dianne Schroeder, Edith Hellmers, and Robyn Costello

Address List

Petitioner:

Robert Pritchard Lynn Fontana 12202 Happy Hollow Road Cockeysville, MD 21030

Contract Purchaser/Lessee:

Richard and Marcie Rosario 9603 Deereco Road, Ste 300 Timonium, MD 21093 Protestants/Appellants:

Edith Hellmers 12220 Happy Hollow Road Cockeysville, MD 21030

Dianne Schroeder 12203 Happy Hollow Road Cockeysville, MD 21030

Robyn Costello 12402 Happy Hollow Road Cockeysville, MD 21030

Interested Persons:

Leonard Aumiller 12204 Happy Hollow Road Cockeysville, MD 21030

Interoffice:

Office of People's Counsel
Lawrence M. Stahl, Managing 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

APPEAL

Petition for Variance (12202 Happy Hollow Road) 8th Election District – 2nd Councilmanic District Legal Owners: Robert U. Pritchard and Lynn A. Fontana Case No. 2013-0256-A

Petition for Variance (April 29, 2013)

Zoning Description of Property

Notice of Zoning Hearing (May 29, 2013)

Certificate of Publication (see notation at bottom of right hand corner)

Certificate of Posting (May 12, 2013) by Martin Ogle

Entry of Appearance by People's Counsel (N/A)

Petitioner(s) Sign-in Sheet – N/A Citizen(s) Sign-in Sheet – N/A

Zoning Advisory Committee Comments

Petitioner(s) Exhibits-N/A

Miscellaneous (Not Marked as Exhibits) - Formal Demand Request, withdrawn letter and Photos

Administrative Law Judge Order (GRANTED- June 7, 2013)

Notice of Appeal – July 3, 2013 from Dianne Schroeder

To whom it may concern:

We are hereby filing an appeal to the Baltimore County Board of Appeals regarding Case No. 2013-0256-A.

We also formally state that we do not wish to be contacted by Robert U. Pritchard, Lynn A. Fontana, Richard Rosario, Marcie Rosario, or anyone else acting on their behalf.

Edith Hellmers, 12220 Happy Hollow Rd., Cockeysville, MD 21030

Dianne Schroeder, 12203 Happy Hollow Rd., Cockeysville, MD 21030

Robyn Costello, 12402 Happy Hollow Rd., Cockeysville, MD 21030

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JUL 0 3 2013

OFFICE OF ADMINISTRATIVE HEARINGS

IN RE: PETITION FOR ADMIN. VARIANCE *

8th Election District

*

OFFICE OF

BEFORE THE

2nd Councilmanic District

....

Robert U. Pritchard and Lynn A. Fontana,

ADMINISTRATIVE HEARINGS

Legal Owners
Richard and Marcie Rosario.

FOR BALTIMORE COUNTY

Contract Purchaser/Lessee

(12202 Happy Hollow Road)

Case No. 2013-0256-A

Petitioners

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owners of the subject property, Robert U. Pritchard and Lynn A. Fontana, legal owners, and Richard and Marcie Rosario, contract purchaser/lessee, (the "Petitioners"). The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), as follows: (1) To allow an existing accessory structure (garage) to remain in the side yard in lieu of the required rear yard placement, and (2) To allow an existing accessory structure (garage) to be increased to a height of 29 feet in lieu of the maximum 15 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

This matter was originally filed as an Administrative Variance, with a closing date of May 27, 2013. On May 24, 2013, Leonard Aumiller (12204 Happy Hollow Road) requested a formal hearing on this matter. On May 29, 2013, the hearing was subsequently scheduled for Thursday, June 27, 2013 1:30 PM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. However, on June 4, 2013, Mr. Aumiller cancelled his formal demand and the file was forwarded to the Office of Administrative Hearings on the same day.

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Date	6-7-13	
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, ,

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 12, 2013, 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 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.

Although the Department of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the accessory building not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

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, by the Administrative Law Judge for Baltimore County, this 7th day of June, 2013, that a Variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), as follows: (1) To allow an existing accessory structure

2

(garage) to remain in the side yard in lieu of the required rear yard placement, and (2) To allow an ORDER RECEIVED FOR FILING

Date	6 1.13
	(00)
Ry	WCC .

existing accessory structure (garage) to be increased to a height of 29 feet in lieu of the maximum 15 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 3. The garage shall not be used for commercial purposes.

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

AWRENCE M. STAHL

Managing Administrative Law Judge

for Baltimore County

LMS:dlw

ORDER P	ECEIVED FOR FILING	
Date	6-7-13	
D.	(0.5)	



KEVIN KAMENETZ County Executive LAWRENCE M. STAHL

Managing Administrative Law Judge
JOHN E. BEVERUNGEN

Administrative Law Judge

June 7, 2013

Robert U. Pritchard Lynn A. Fontana 12202 Happy Hollow Road Cockeysville, Maryland 21030

RE: PETITION FOR ADMINISTRATIVE VARIANCE

(12202 Happy Hollow Road) Case No. 2013-0256-A

Dear Mr. Pritchard and Ms. Fontana:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Very tryly yours

Managing Administrative Law Judge

for Baltimore County

LMS:dlw Enclosure

c: Richard and Marcie Rosario, 9603 Deereco Road, Suite 300, Timonium, MD 21093 Leonard Aumiller, 12204 Happy Hollow Road, Cockeysville, MD 21030



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 12202 Happy Hollow Rd., Cockeysville which is presently zoned RC5

Deed Reference Liber 18760, Folio 503 10 Digit Tax Account # 2300003872 Property Owner(s) Printed Name(s) Robert U. Pritchard and Lynn A Fontana

(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

1. X	_ ADMINISTRATIVE VARIANCE from section(s)
	SEE A TTACHED

regulations of Baltimore County and that the property be reposted.

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)

restrictions of Baltimore County adopted pursuant to the zoning law for Ba	ations. etc. and further agree to and are to be bounded by the zoning regulations and
Contract Purchaser/Lessee:	Legal Owners:
Richard and Marcie Rosario	Robert U. Pritchard , Lynn A. Fontana
Name- Type or Print	Name #1 - Type or Print Name #2 - Type or Print
Signature	Signature #1 \ Signature # 2
9603 Deereco Road, Ste. 300, Timonium, MD	12202 Happy Hollow Rd., Cockeysville, MD
Mailing Address City State	Mailing Address City State
21093 / 410-404-5526 / rrosario@omniland.net	21030 / 410-404-5526 / rrosario@omniland.net
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address
Attorney for Petitioner:	Representative to be contacted: Richard H. Rosario
Name- Type or Print Signature DER RECEIVED FOR FILING	Name - Type or Print
Signature	Signature
On	9603 Deereco Road, Ste. 300, Timonium, MD
Mailing Address City State	Mailing Address City State
	21093 / 410-561-7525 /
Zip Code # Email Address	Zip Code Telephone # Email Address
A PUBLIC HEARING having formally demanded and/or found to be re	equired, it is ordered by the Office of Administrative Law, of Baltimore County, of this petition be set for a public hearing, advertised, as required by the zoning

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0256-4 Filing Date 4 129 (3 Estimated Posting Date 5 120 (3

Affidavit in Support of Administrative Variance

My Commission Expires, July 6, 2013

(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:	12202 Happy	Hollow Road,	Cockeysville, MD	21030	
	Print or Type Addres		City	State	Zip Code
				acts which I/we base the state practical difficult	
1.The acces	sory building structu	re is not large enough	for automobile storage to	structurally usable for other storag	10.
				architectural original farm house a	
			current accessorry building		
				roperty has no attic storage and a	cellar type basement that is
			making it impossible to st		
3. The prop	erty is in need of ve	hicle protection from w	eather and vandilism as c	urrently there is no enclosed struc	ture for automobile parking
4. The loca	tion of the proposed	accessorry building is	the same as the existing a	accessorry building with a larger w	ridth of approximately 10 feet
and a larger	depth of approxima	tely 6 feet to accomida	te automobile parking.		
Signature	of Affiant H. Rosario, int or Type	Marcie S. Ros	ario	Signature of Affiant Robert U. Pritchar Name-Print or Type	X Syn Aller
STATE	OF MARYLAI	ND, COUNTY C	F BALTIMORE, t	o wit:	
I HERE	BY CERTIFY, he County afore	this <u>A</u> 9	day of April	, 20/3 , before me	a Notary of Maryland, in
Richa the Affia	nt(s) herein, pe	rsonally known or	S. Ausario, Pob r satisfactorily identi	grt U. Pritchard, 2	ynn A. Fontana (s) (Print name(s) here
		and Notaries Sea	1	n 2 Whom	, , ,
	Byron L. Wils NOTARY PUB more County, N	LIC	Notary Public My Commission I	7 6 13 Expires	

Variances:

BCZR: $400.1 \rightarrow$ To allow an existing accessory structure (garage) to remain in the side yard in lieu of the required rear yard placement.

BCZR: 400.3 → To allow an existing accessory structure (garage) to be increased to a height of 29 feet in lieu of the maximum 15 feet.

ZONING HEARING PROPERTY DESCRIPTION

Beginning at a point on the west side of Happy Hollow Road which is 50 foot wide at the distance of 330 feet north of the centerline of the nearest improved intersecting street, West Padonia Road, which is 50 feet wide.

Being Lot 1 in the minor subdivision of Jerico L.L.C. as surveyed by Highland Survey Associates, Inc. dated July 23, 1997 and recorded among the land records of Baltimore County, Maryland at Liber 13037, Folio 11. Located in the 8th Election District and 2nd Council District.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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. <u>For those petitions which require a public hearing</u>, 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:
Petitioner: Richard H. Roscario, Marcie S. Roscario, Robert U. Pritched Lynn A. Fontance Address or Location: 12202 Happy Hollow Rd., Cockeysville, MD 21030
PLEASE FORWARD ADVERTISING BILL TO: Name: Richard H. Rosario Address: 9603 Decreco Rol., Ste. 300 Timonium, MD 21093
Telephone Number: 4/6-56/-7525

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

ADMINIOTRATIVE VARIANCE IN CHIMATICA CHEET AND BATEO
Case Number 2013- 0756 -A Address 12202 HAPPY MOLLOW AS.
Contact Person: Serseum Phone Number: 410-887-3391
Filing Date: 4/24/13 Posting Date: 5/12/13 Closing Date: 5/27/13
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. <u>DEADLINE</u> : 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 0756 -A Address 12702 HAPPY HOLLOW RD
Petitioner's Name ROSARIO Telephone 404-5506
Posting Date: 5 12 13 Closing Date: 5 27 13
Wording for Sign: To Permit AN EXPANSION OF AN EXISTING ACCESSORY STRUCTURE
(GARAGE) LOCATED IN THE SIDE YARD IN LIEU OF THE REGULATED REAR YARD, AND,
TO HAVE A HEIGHT OF 29 FEET IN LIEU OF THE MAXIMUM 15 FEET.

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Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
5-13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC
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	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
5-4	STATE HIGHWAY ADMINISTRATION	No objection
· ·	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	-
ZONING VIOLATIO	ON (Case No	
PRIOR ZONING	(Case No.)
NEWSPAPER ADV	ERTISEMENT Date:	
SIGN POSTING	Date: 5-12-13	by Ogle
PEOPLE'S COUNSE	EL APPEARANCE Yes No C	
2:		

2013-0256-A



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2013-0256-4
Address: 12202 HAPPY HOWOW RD
Petitioner(s): ROSARIO, RICHARD H.
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: Name - Type or Print
City State Zip Gode Legal Owner OR () Resident of // Legal Owner OR () Resident of // Cockus State
which is located approximately / OO feet from the property, which is the subject of the above petition, do hereby formally demand that a public hearing be set in this matter. ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
Signature Jelle 5/34/13

Signature Revised 9/18/98 - wcr/scj Date

CERTIFICATE OF POSTING

RE: Case No 2013-0254-1
Petitioner/Developer Rosaulo

RECEIVED

JUN 0 7 2013

OFFICE OF ADMINISTRATIVE HEARINGS

Date Of Hearing/Closing: 5/27/13

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

Attention:

Ladies and Gentlemen

This sign(s) were posted on

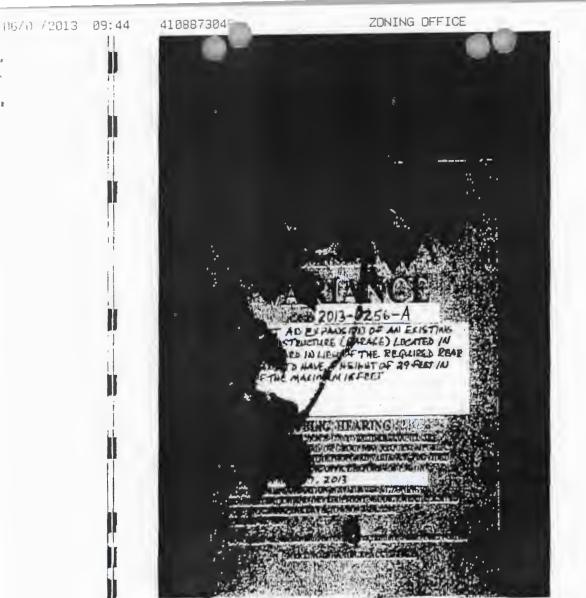
Month, May, Year

Sincerely,

Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltirnore, Md, 21220

443-629-3411



PAGE 02/02

mala Ol 5/12/13

TO: PATUXENT PUBLISHING COMPANY

Thursday, June 6, 2013 Issue - Jeffersonian

Please forward billing to:

Richard Rosario 9603 Deereco Road, Ste. 300 Timonium, MD 21093 410-404-5526

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: 2013-0256-A

12202 Happy Hollow Road

W/corner of intersection of Happy Hollow Road and Padonia Road

8th Election District – 2nd Councilmanic District Legal Owners: Robert Pritchard & Lynn Fontana Contract Purchaser: Richard & Marcie Rosario

Variance to allow an existing accessory structure (garage) to remain in the side yard in lieu of the required rear yard placement. To allow an existing accessory structure (garage) to be increased to a height of 29 feet in lieu of the maximum 15 feet.

Hearing: Thursday, June 27, 2013 at 1:30 p.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.

Per Knoten Lewis

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to with of formal

to demand - therefore

we were for this.



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

May 29, 2013

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: 2013-0256-A

12202 Happy Hollow Road

W/corner of intersection of Happy Hollow Road and Padonia Road

8th Election District – 2nd Councilmanic District

Legal Owners: Robert Pritchard & Lynn Fontana Contract Purchaser: Richard & Marcie Rosario

Variance to allow an existing accessory structure (garage) to remain in the side yard in lieu of the required rear yard placement. To allow an existing accessory structure (garage) to be increased to a height of 29 feet in lieu of the maximum 15 feet.

Hearing: Thursday, June 27, 2013 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Arnold Jablon Director

AJ:kl

C: Mr. & Mrs. Rosario, 9603 Deereco Road, Ste. 300, Timonium 21093 Mr. Pritchard, Ms. Fontana, 12202 Happy Hollow Road, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 7, 2013.

(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.



Poard 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 July 23, 2013

NOTICE OF ASSIGNMENT

CASE #: 13-217-A

IN THE MATTER OF: Robert Pritchard and Lynn Fontana

— Petitioners/Legal Owners

Richard and Marcie Rosario — Contract Purchasers/Lessees

Richard and Marcie Rosario – Contract Purchasers/Lessees 12202 Happy Hollow Road / 8th Election District; 2nd Councilmanic District

Re:

Petition for Variance to permit an existing accessory structure (garage) to remain in the side yard in lieu of the required rear yard, and to allow an existing accessory structure (garage) to be increased to a height of 29 feet in lieu of the maximum 15 feet.

6/7/13

Opinion and Order of Administrative Law Judge wherein all relief was GRANTED.

ASSIGNED FOR: TUESDAY, SEPTEMBER 17, 2013, 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.

Krysundra "Sunny" Cannington Acting Administrator

c: Petition

Petitioners/Legal Owners Contract Purchasers/Lessees : Robert Pritchard and Lynn Fontana

: Richard and Marcie Rosario

Protestants/Appellants

: Edith Hellmers, Dianne Schroeder, Robyn Costello

Leonard Aumiller

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



KEVIN KAMENETZ County Executive

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

June 4, 2013

Robert U Pritchard Lynn A Fontana 12202 Happy Hollow Road Cockeysville MD 21030

RE: Case Number: 2013-0256 A, Address: 12202 Happy Hollow Road

Dear Mr. Pritchard & Ms. Fontana:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 29, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

U. Cal Rilla

WCR: jaf

Enclosures

People's Counsel
 Richard and Marcie Rosario, 9603 Deereco Road, Suite 300, Timonium MD 21093



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Darrell B. Mobley, Acting Secretary Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5-7-13

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

RE: Baltimore County

Item No 2013-0256-A
Administrative Variance
Robert U. & Lynn A. Fontana
12202 Hoppy Hollow Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0256-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 13, 2013

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 10, 2013

Item Nos. 2013- 0249, 0256, 0257, 0258,0259, and 0260.

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

DAK:CEN Cc: file Maryland Department of Assessments and Taxation Real Property Data Search (vw6.1A) BALTIMORE COUNTY Go Back
<u>View Map</u>
<u>New Search</u>
GroundRent Redemption
GroundRent Registration

Accoun	t Identifier	<u>:</u>			District -	· 08 Accou	nt Numbe	r - 2300	003872							
							Owner Inf	ormatio	1							
Owner !	Name:			PRITCHARD ROBERT U				Use:						RESIDENTIAL		
Mailing Address:				FONTANA LYNN A				Principal Residence:					YES 1) /18760/ 00503			
viamng	Address:			12202 HAPPY HOLLOW RD COCKEYSVILLE MD 21030-1709				Deed Reference:					2)			
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	s Address							al Desci	ription							
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			Base	Value	Value		Phase-in A									
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- Homepage
- Company Info
- Closing 101
- Rate Calculator
- FastDocs
- Place an Order
- Contact Us

Omni Land Settlement Corporation



Omni Land Settlement Corporation is committed to providing the highest quality service in the increasingly demanding and competitive mortgage lending industry. We currently serve Maryland, Pennsylvania, Washington D.C., Virginia, Delaware, New Jersey, West Virginia, Florida, Ohio and Indiana.

Our superior service is evident not only in our fast turn around of your title orders, flexible settlements, and low fees, but also because we have full-time attorneys on staff to assist you with complex deals and answer any and all of your questions. Regardless of which state your borrower is in, you can be confident that the settlement will be professionally handled by a highly-skilled Omni Land Settlement Corporation agent.

- 1. Areas of Service
- 2. Employee Difference
- 3. Fast Flexible Settlements



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From your first contact with an Omni Land Settlement Corporation representative to the closing of your transaction, our goal is to provide a fully-responsive, problem-solving environment that makes you successful.

Building our business begins with helping you build yours. Each of our employees has the responsibility to recognize and attend to our client's needs, whether they are internal customers or external customers. Our clients must realize a distinct value that cannot be obtained from our competitors. Instead, we will strive to deliver what is needed, valued, and deserved by our clients. As a result, our clients have peace of mind.

Let Omni Land Settlement Corporation develop a relationship of trust with you. And together, we'll share success.

Because at Omni, Our Success Is Built On Service.TM

Legal Staff Attorney

Richard H. Rosario, Esq. Leo Ramunno, Esq.

Processing Department

Byron Wilson - Vice President of Operations

Suzie Im Jill Glass

Jessica Rudolph

Title Examination Department

Carrie McCauley

Charles Vinci Sammy Stalter

Payoff Department

Kathy Hutson

Disbursement Department

Elizabeth
Phelps
Kathy Hutson

Pennsylvania Office

Chris Torres

Title Changes

Kathy Hutson

General Administration Department

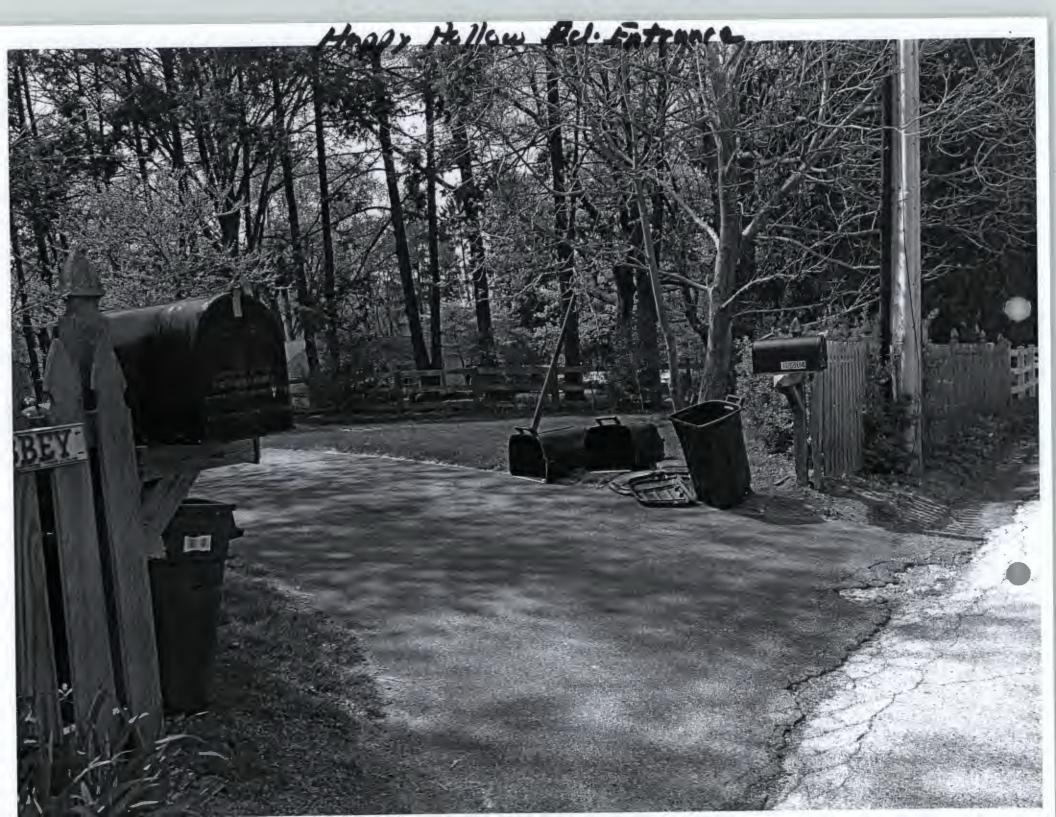
Sheena Serio Kathy Hutson

Eastern Shore (MD) Office

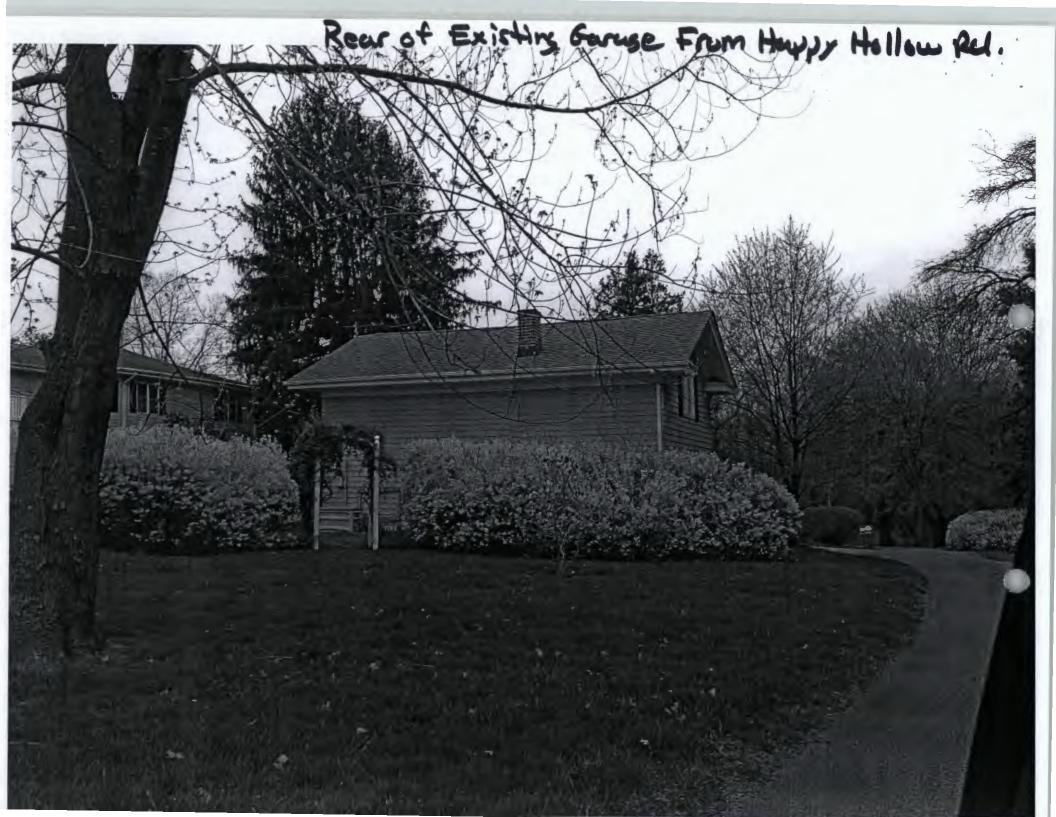
Vonny Lynn Pilchard

Designed by MyTitleRates.com

ZONING PETITION PHOTOS







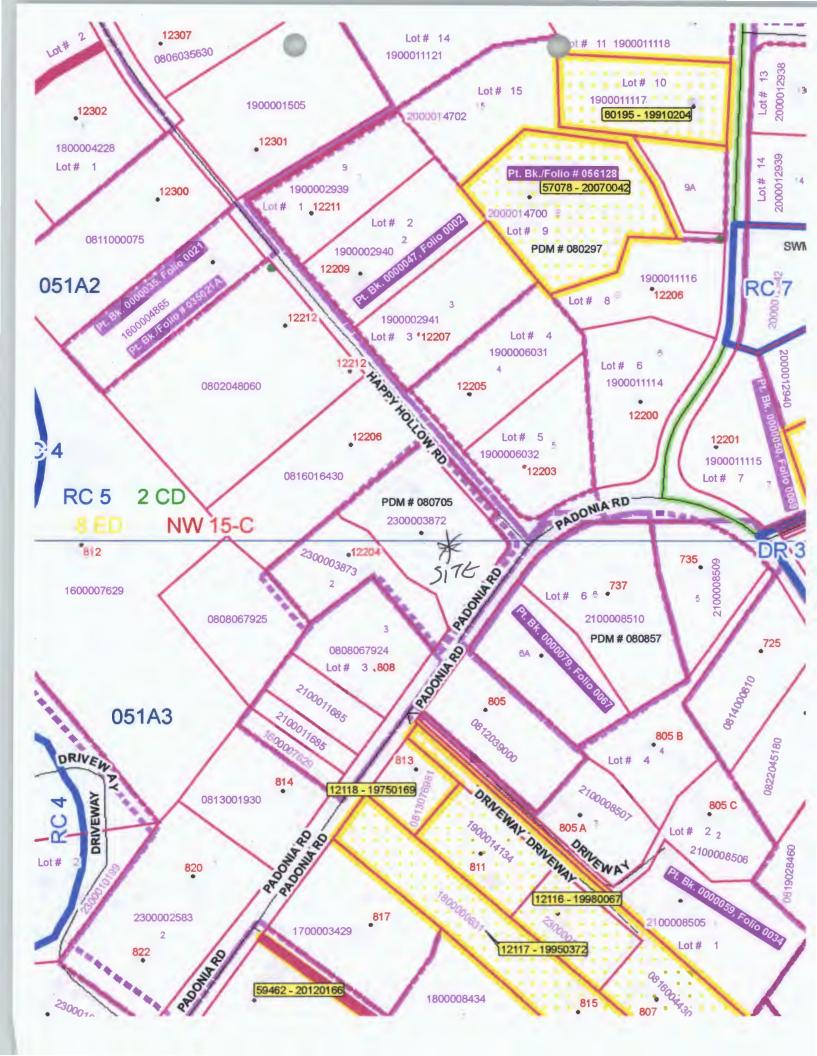














ZONING HEARING PLAN FOR VARIANCE * FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) ADDRESS 12202 Happy Hollow Road, Cockeysville, MD 21030 OWNER(S) NAME(S) Richard and Marcie Rosario
SUBDIVISION NAME JERICO L.L.C. LOT#1 BLOCK# SECTION # PLAT BOOK # 13037 FOLIO # 11 10 DIGIT TAX # 2300003872 DEED REF. # 18760 / 503
HAPPY HOLLOW RD 50' R/W 35.05 N N N 12,85.05N
James and Florence Pearce ID: 0816016430 Deed Liber 2801 Folio 257 N Sel 18-8-655 Deed Liber 16635, Folio 689 DEED TRANSPORTATION OF THE PROPERTY OF THE
PLAN DRAWN BY Richard H. Rosario DATE SCALE: 1 INCH = 80 FEET

ZONING HEARING PLAN FOR VARIANCE x FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) SITE VICINITY MAP ADDRESS 12202 Happy Hollow Road, Cockeysville, MD 21030 OWNER(S) NAME(S) Richard and Marcie Rosario SUBDIVISION NAME JERICO L.L.C. LOT#1 BLOCK # SECTION # 10 DIGIT TAX # 2300003872 DEED REF. # 18760 PLAT BOOK # 13037 FOLIO# 11 HAPPY HOLLOW RD 50' R/W MAP IS NOT TO SCALE N40.28,51,M S45.43, ZONING MAP# 051A2 SITE ZONED RC5 **ELECTION DISTRICT 8** WEST PADONIA RD 50' R/W COUNCIL DISTRICT 2 LOT AREA ACREAGE 1.987 12202 Happy Hollow Rd. 1.987 acres OR SQUARE FEET HISTORIC? NO James and Florence Pearce IN CBCA? NO Story Garage ID: 0816016430 30' X 18' IN FLOOD PLAIN? NO 29' in height Deed Liber 2801 UTILITIES? MARK WITH X Folio 257 WATER IS: PUBLIC PRIVATE X SEWER IS: PUBLIC PRIVATE X PRIOR HEARING ? NO IF SO GIVE CASE NUMBER 563°11'40"B 233.38.14.8 142.13. AND ORDER RESULT BELOW Leonard and Kathryn Aumiller 3.61.84.68S Lot 2, Jerico LLC, ID 2300003873 2013-0256-A Deed Liber 16635, Folio 689 VIOLATION CASE INFO: SCALE: 1 INCH = 80 FEET PLAN DRAWN BY Richard H. Rosario DATE