

IN RE: **PETITION FOR SPECIAL HEARING**

(17203 Falls Road)

5th Election District

5th Council District

Justin R. Howard & Amanda R. Saffer

Legal Owners

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0267-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Justin R. Howard & Amanda R. Saffer, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve an accessory structure exceeding the square footage of the dwelling.

Appearing at the public hearing in support of the request was Dennis Howard, the Petitioners' father. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP), and two of the conditions suggested by that agency are included in the Order below.

The subject property is 17,990 square feet and zoned RC 2. The property is improved with a modest single family dwelling (i.e., 780 sq. ft.) constructed in 1951. Petitioners would like to have additional space for storage of household items, and propose to construct a large garage (40' x 24') for that purpose. Since the "footprint" of the garage is larger than the single family dwelling, zoning officials informed Petitioners that special hearing relief was required. The

ORDER RECEIVED FOR FILING

Date

7/16/15

By

Deh

property is rural and is surrounded by very large farms. The adjoining neighbor at 17205 Falls Road submitted a letter (Exhibit 2) indicating she does not oppose the request.

THEREFORE, IT IS ORDERED this 16th day of July, 2015 by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve an accessory structure exceeding the square footage of the dwelling, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must provide bushes, shrubs or other vegetation along the property boundary line adjoining 17205 Falls Road.
3. The accessory structure shall not be used as a dwelling or for any residential purpose.
4. The accessory structure shall not be used for any commercial activity or purpose.

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

JEB:sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 7/16/15
By sln



PETITION FOR ZONING HEARING(S)

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

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

Address 17203 FALLS ROAD UPPERCO MD 21155 which is presently zoned RC-2
 Deed References: 35549/00228 10 Digit Tax Account # 0520030425
 Property Owner(s) Printed Name(s) JUSTIN R. HOWARD AMANDA R. SAFFER

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

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN ACCESSORY STRUCTURE EXCEEDING THE SQ. FT. OF THE DWELLING, (BCZR § 106).
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☐ a **Variance** from Section(s)

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

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 (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2015-0267-SPH Filing Date 5/22/15

Do Not Schedule Dates:

Reviewer JCM

THE ZONING HEARING PROPERT DESCRIPTION:

PART A;

ZONING PROPERTY DESCRIPTION FOR 17203 Falls Road

Beginning at a point on the northeast side of Falls Road which is 22 feet wide at the distance of 125 feet northwest of Ridge Road of the centerline of the nearest improved intersecting street of Ridge Road which is 22 feet wide.

PART B:

OPTION 1:

Thence the following courses and distances:

First Point of Call – N. 80° 01' 30" W. 80'

Second Point of Call – N. 71° 58' 30" E. 226.37'

Third Point of Call – S. 17° 31' E. 80'

Fourth Point of Call – S. 71° 58' 30" W. 225.6

Back to the point of beginning as recorded in Deed Liber 35.549, Folio 228, containing 17990 square feet (.413 acre).

Located in the 05 Election District and 05 Council District

2015-0267 *SLH*

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

No. **125474**
Date: **5/22/15**

PAID RECEIPT

BUSINESS ACTUAL TIME
5/22/2015 5/22/2015 10:17:26
NEG #501 WALKEH LMS LIR
RECEIPT # 583327 5/22/2015
5-528 ZIVINGS VERIFICATION
125474
Recpt Tot \$75.00
\$75.00 CH \$4.00 CA
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: **75.00**

Rec From: **DENNIS HOWARD**

For: **2015-0267-SPH**

DISTRIBUTION

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

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

Date: 6-21-15

RE: Case Number: 2015-0267-SPH

Petitioner/Developer: Justin
Dennis Howard

Date of Hearing/Closing: 7-15-15

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 17203 Falls Rd

The signs(s) were posted on 6-21-15
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2015-0267-SFH

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

JEFFERSON BUILDING - RM205

PLACE: 150 W. CHESTNUT AVE., TOWSON 21204

DATE AND TIME: WED JULY 15, 2015 1:30 PM

REQUEST: SPECIAL HEARING TO APPROVE AN

ACCESSORY STRUCTURE EXCEEDING THE

SQUARE FOOTAGE OF THE DWELLING.

FOR FURTHER INFO TO REGISTER OR OTHER CONDITIONS ARE SOMETHING
TO CONTACT HEARING CALL 887-3333
DO NOT REMOVE THIS SIGN AND POST



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3374116

Sold To:

Justin Howard - CU00452330
17203 Falls Rd
Upperco, MD 21155-9451

Bill To:

Justin Howard - CU00452330
17203 Falls Rd
Upperco, MD 21155-9451

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jun 25, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

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: # 2015-0267-SPH
17203 Falls Road
NE/Falls Road, 125 ft. NW of Ridge Road
5th Election District - 5th Councilmanic District
Legal Owner(s) Justin Howard & Amanda Saffer

Special Hearing to approve an accessory structure exceeding the sq. ft. of the dwelling.

Hearing: Wednesday, July 15, 2015 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 accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/339 June 25 3374116



KEVIN KAMENETZ
County Executive

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

June 8, 2015

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A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Justin Howard, Amanda Saffer, 17203 Falls Road, Upperco 21155
Dennis Howard, 6016 Snowdens Run Road, Eldersburg 21784

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 25, 2015.**
- (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.

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: 2015-0267-SPH

Petitioner: Justin Howard

Address or Location: 17203 Falls Rd, Upperco MD 21155

PLEASE FORWARD ADVERTISING BILL TO:

Name: Justin Howard

Address: 17203 Falls Rd

Upperco, MD 21155

Telephone Number: 410-428-8201

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 25, 2015 Issue - Jeffersonian

Please forward billing to:
Justin Howard
17203 Falls Road
Upperco, MD 21155

410-428-2801

NOTICE OF ZONING HEARING

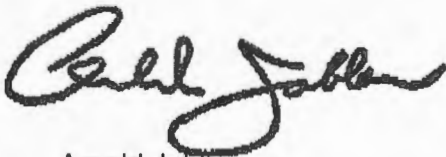
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
17203 Falls Road; NE/S of Falls Road,		
125' NW Ridge Road	*	OF ADMINISTRATIVE
5 th Election & 5 th Councilmanic Districts		
Legal Owner(s): Justin Howard & Andrea Saffer*		HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-267-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

JUN 04 2015

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of June, 2015, a copy of the foregoing Entry of Appearance was mailed to Dennis Howard, 6016 Snowden Run Road, Eldersburg, Maryland 21784, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MARYLAND GENERAL DURABLE POWER OF ATTORNEY

**THE POWERS YOU GRANT BELOW ARE EFFECTIVE
EVEN IF YOU BECOME DISABLED OR INCOMPETENT**

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE UNIFORM STATUTORY FORM POWER OF ATTORNEY ACT. IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

I, Justin Howard
17203 Falls Rd, Upperco MD 21155 [insert your name and address] appoint
Dennis Howard [insert the name and address of the person
appointed] as my Agent (attorney-in-fact) to act for me in any lawful way with respect to the following
initialed subjects:

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF (N) AND IGNORE THE LINES IN FRONT OF THE OTHER POWERS.

TO GRANT ONE OR MORE, BUT FEWER THAN ALL, OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF EACH POWER YOU ARE GRANTING.

TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF IT. YOU MAY, BUT NEED NOT, CROSS OUT EACH POWER WITHHELD.

Note: If you initial Item A or Item B, which follow, a notarized signature will be required on behalf of the Principal.

INITIAL

____ (A) **Real property transactions.** To lease, sell, mortgage, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any interest in real property whatsoever, on such terms and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair, tear down, alter, rebuild, improve manage, insure, move, rent, lease, sell, convey, subject to liens, mortgages, and security deeds, and in any way or manner deal with all or any part of any interest in real property whatsoever, including specifically, but without limitation, real property lying and being situated in the State of Maryland, under such terms and conditions, and under such covenants, as my Agent shall deem proper and may for all deferred payments accept purchase money notes payable to me and secured by mortgages or deeds to secure debt, and may from time to time collect and cancel any of said notes, mortgages, security interests, or deeds to secure debt.

____ (B) **Tangible personal property transactions.** To lease, sell, mortgage, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any personal property whatsoever, tangible or intangible, or interest thereto, on such terms and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens or mortgages, or to take any other security interests in said property which are recognized under the Uniform Commercial Code as adopted at that time under the laws of the State of Maryland or any applicable state, or otherwise hypothecate (pledge), and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or any interest therein, that I own at the time of execution or may thereafter acquire, under such terms and conditions, and under such covenants, as my Agent shall deem proper.

____ (C) **Stock and bond transactions.** To purchase, sell, exchange, surrender, assign, redeem, vote at any meeting, or otherwise transfer any and all shares of stock, bonds, or other securities in any business, association, corporation, partnership, or other legal entity, whether private or public, now or hereafter belonging to me.

_____ **(D) Commodity and option transactions.** To buy, sell, exchange, assign, convey, settle and exercise commodities futures contracts and call and put options on stocks and stock indices traded on a regulated options exchange and collect and receipt for all proceeds of any such transactions; establish or continue option accounts for the principal with any securities or futures broker; and, in general, exercise all powers with respect to commodities and options which the principal could if present and under no disability.

_____ **(E) Banking and other financial institution transactions.** To make, receive, sign, endorse, execute, acknowledge, deliver and possess checks, drafts, bills of exchange, letters of credit, notes, stock certificates, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of banks, savings and loans, credit unions, or other institutions or associations. To pay all sums of money, at any time or times, that may hereafter be owing by me upon any account, bill of exchange, check, draft, purchase, contract, note, or trade acceptance made, executed, endorsed, accepted, and delivered by me or for me in my name, by my Agent. To borrow from time to time such sums of money as my Agent may deem proper and execute promissory notes, security deeds or agreements, financing statements, or other security instruments in such form as the lender may request and renew said notes and security instruments from time to time in whole or in part. To have free access at any time or times to any safe deposit box or vault to which I might have access.

_____ **(F) Business operating transactions.** To conduct, engage in, and otherwise transact the affairs of any and all lawful business ventures of whatever nature or kind that I may now or hereafter be involved in. To organize or continue and conduct any business which term includes, without limitation, any farming, manufacturing, service, mining, retailing or other type of business operation in any form, whether as a proprietorship, joint venture, partnership, corporation, trust or other legal entity; operate, buy, sell, expand, contract, terminate or liquidate any business; direct, control, supervise, manage or participate in the operation of any business and engage, compensate and discharge business managers, employees, agents, attorneys, accountants and consultants; and, in general, exercise all powers with respect to business interests and operations which the principal could if present and under no disability.

_____ **(G) Insurance and annuity transactions.** To exercise or perform any act, power, duty, right, or obligation, in regard to any contract of life, accident, health, disability, liability, or other type of insurance or any combination of insurance; and to procure new or additional contracts of insurance for me and to designate the beneficiary of same; provided, however, that my Agent cannot designate himself or herself as beneficiary of any such insurance contracts.

_____ **(H) Estate, trust, and other beneficiary transactions.** To accept, receipt for, exercise, release, reject, renounce, assign, disclaim, demand, sue for, claim and recover any legacy, bequest, devise, gift or other property interest or payment due or payable to or for the principal; assert any interest in and exercise any power over any trust, estate or property subject to fiduciary control; establish a revocable trust solely for the benefit of the principal that terminates at the death of the principal and is then distributable to the legal representative of the estate of the principal; and, in general, exercise all powers with respect to estates and trusts which the principal could exercise if present and under no disability; provided, however, that the Agent may not make or change a will and may not revoke or amend a trust revocable or amendable by the principal or require the trustee of any trust for the benefit of the principal to pay income or principal to the Agent unless specific authority to that end is given.

_____ **(I) Claims and litigation.** To commence, prosecute, discontinue, or defend all actions or other legal proceedings touching my property, real or personal, or any part thereof, or touching any matter in which I or my property, real or personal, may be in any way concerned. To defend, settle, adjust, make allowances, compound, submit to arbitration, and compromise all accounts, reckonings, claims, and demands whatsoever that now are, or hereafter shall be, pending between me and any person, firm, corporation, or other legal entity, in such manner and in all respects as my Agent shall deem proper.

_____ **(J) Personal and family maintenance.** To hire accountants, attorneys at law, consultants, clerks, physicians, nurses, agents, servants, workmen, and others and to remove them, and to appoint others in their place, and to pay and allow the persons so employed such salaries, wages, or other remunerations, as my Agent shall deem proper.

_____ **(K) Benefits from Social Security, Medicare, Medicaid, or other governmental programs, or military service.** To prepare, sign and file any claim or application for Social Security, unemployment or military service benefits; sue for, settle or abandon any claims to any benefit or assistance under any federal, state, local or foreign statute or regulation; control, deposit to any account, collect, receipt for, and take title to and hold all benefits under any Social Security, unemployment, military service or other state, federal, local or foreign statute or regulation; and, in general, exercise all powers with respect to Social Security, unemployment, military service, and

governmental benefits, including but not limited to Medicare and Medicaid, which the principal could exercise if present and under no disability.

_____ **(L) Retirement plan transactions.** To contribute to, withdraw from and deposit funds in any type of retirement plan (which term includes, without limitation, any tax qualified or nonqualified pension, profit sharing, stock bonus, employee savings and other retirement plan, individual retirement account, deferred compensation plan and any other type of employee benefit plan); select and change payment options for the principal under any retirement plan; make rollover contributions from any retirement plan to other retirement plans or individual retirement accounts; exercise all investment powers available under any type of self-directed retirement plan; and, in general, exercise all powers with respect to retirement plans and retirement plan account balances which the principal could if present and under no disability.

_____ **(M) Tax matters.** To prepare, to make elections, to execute and to file all tax, social security, unemployment insurance, and informational returns required by the laws of the United States, or of any state or subdivision thereof, or of any foreign government; to prepare, to execute, and to file all other papers and instruments which the Agent shall think to be desirable or necessary for safeguarding of me against excess or illegal taxation or against penalties imposed for claimed violation of any law or other governmental regulation; and to pay, to compromise, or to contest or to apply for refunds in connection with any taxes or assessments for which I am or may be liable.

_____ **(N) ALL OF THE POWERS LISTED ABOVE.** YOU NEED NOT INITIAL ANY OTHER LINES IF YOU INITIAL LINE (N).

SPECIAL INSTRUCTIONS:

ON THE FOLLOWING LINES YOU MAY GIVE SPECIAL INSTRUCTIONS LIMITING OR EXTENDING THE POWERS GRANTED TO YOUR AGENT.

All matters attaining to construction of
the barn at 17203 Falls Rd, Upperco MD
21155.

THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.

THIS POWER OF ATTORNEY SHALL BE CONSTRUED AS A GENERAL DURABLE POWER OF ATTORNEY AND SHALL CONTINUE TO BE EFFECTIVE EVEN IF I BECOME DISABLED, INCAPACITATED, OR INCOMPETENT.

(YOUR AGENT WILL HAVE AUTHORITY TO EMPLOY OTHER PERSONS AS NECESSARY TO ENABLE THE AGENT TO PROPERLY EXERCISE THE POWERS GRANTED IN THIS FORM, BUT YOUR AGENT WILL HAVE TO MAKE ALL DISCRETIONARY DECISIONS. IF YOU WANT TO GIVE YOUR AGENT THE RIGHT TO DELEGATE DISCRETIONARY DECISION-MAKING POWERS TO OTHERS, YOU SHOULD KEEP THE NEXT SENTENCE, OTHERWISE IT SHOULD BE STRICKEN.)

Authority to Delegate. My Agent shall have the right by written instrument to delegate any or all of the foregoing powers involving discretionary decision-making to any person or persons whom my Agent may select, but such delegation may be amended or revoked by any agent (including any successor) named by me who is acting under this power of attorney at the time of reference.

(YOUR AGENT WILL BE ENTITLED TO REIMBURSEMENT FOR ALL REASONABLE EXPENSES INCURRED IN ACTING UNDER THIS POWER OF ATTORNEY. STRIKE OUT THE NEXT SENTENCE IF YOU DO NOT WANT YOUR AGENT TO ALSO BE ENTITLED TO REASONABLE COMPENSATION FOR SERVICES AS AGENT.)

Right to Compensation. My Agent shall be entitled to reasonable compensation for services rendered as agent under this power of attorney.

(IF YOU WISH TO NAME SUCCESSOR AGENTS, INSERT THE NAME(S) AND ADDRESS(ES) OF SUCH SUCCESSOR(S) IN THE FOLLOWING PARAGRAPH.)

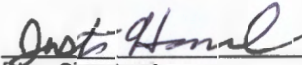
Successor Agent. If any Agent named by me shall die, become incompetent, resign or refuse to accept the office of Agent, I name the following (each to act alone and successively, in the order named) as successor(s) to such Agent:

Choice of Law. THIS POWER OF ATTORNEY WILL BE GOVERNED BY THE LAWS OF THE STATE OF MARYLAND WITHOUT REGARD FOR CONFLICTS OF LAWS PRINCIPLES. IT WAS EXECUTED IN THE STATE OF MARYLAND AND IS INTENDED TO BE VALID IN ALL JURISDICTIONS OF THE UNITED STATES OF AMERICA AND ALL FOREIGN NATIONS.

I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my Agent.

I agree that any third party who receives a copy of this document may act under it. Revocation of the power of attorney is not effective as to a third party until the third party learns of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

Signed this 21 day of May, 2015


[Your Signature]

STATEMENT OF WITNESS

On the date written above, the principal declared to me in my presence that this instrument is his general durable power of attorney and that he or she had willingly signed or directed another to sign for him or her, and that he or she executed it as his or her free and voluntary act for the purposes therein expressed.

_____[Signature of Witness #1]
_____[Printed or typed name of Witness #1]
_____[Address of Witness #1, Line 1]
_____[Address of Witness #1, Line 2]

_____[Signature of Witness #2]
_____[Printed or typed name of Witness #2]
_____[Address of Witness #2, Line 1]
_____[Address of Witness #2, Line 2]

A Note About Selecting Witnesses: The agent (attorney-in-fact) may not also serve as a witness. Each witness must be present at the time that principal signs the Power of Attorney in front of the notary. Each witness must be a mentally competent adult.

MEMORANDUM

DATE: August 18, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0267-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on August 17, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CASE NO. 2015- 0267-SPH

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6/9</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>6/23</u>	PLANNING (if not received, date e-mail sent _____)	<u>G</u>
<u>6/3</u>	STATE HIGHWAY ADMINISTRATION	<u>no obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>6/25/15</u>	
SIGN POSTING	Date: <u>6/21/15</u>	by <u>Pipson</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

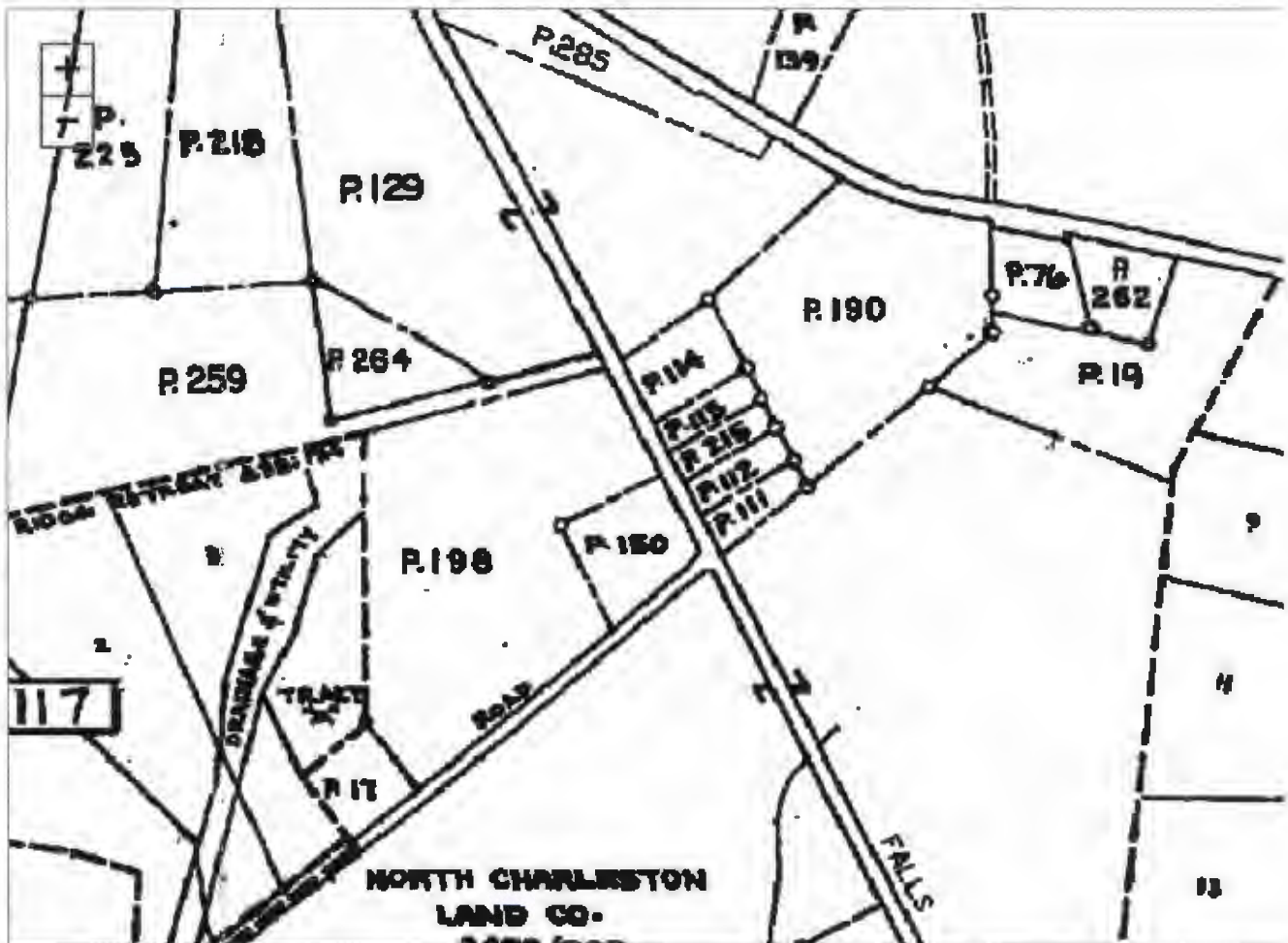
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption			View GroundRent Registration				
Account Identifier:		District - 05 Account Number - 0520030425							
Owner Information									
Owner Name:		HOWARD JUSTIN R SAFFER AMANDA R			Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		17203 FALLS RD UPPERCO MD 21155- 8451			Deed Reference:		/35549/ 00228		
Location & Structure Information									
Premises Address:		17203 FALLS RD 0-0000			Legal Description:		.413 AC 17203 FALLS RD WS 1450FT S OF HEREFORD RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0020	0010	0112		0000				2014	
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE		
Primary Structure Built 1951		Above Grade Enclosed Area 780 SF			Finished Basement Area		Property Land Area 17,990 SF		County Use 04
Stories 1 1/2	Basement YES	Type STANDARD UNIT		Exterior STUCCO	Full/Half Bath 1 full		Garage	Last Major Renovation	
Value Information									
		Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2014			As of 07/01/2015
Land:		83,400		75,400					
Improvements		76,900		73,600					
Total:		160,300		149,000		149,000		149,000	
Preferential Land:		0							0
Transfer Information									
Seller: THOMPSON TIMOTHY B Type: ARMS LENGTH IMPROVED				Date: 11/10/2014 Deed1: /35549/ 00228			Price: \$215,000 Deed2:		
Seller: LEBO TIMOTHY Type: ARMS LENGTH IMPROVED				Date: 12/27/2007 Deed1: /26518/ 00472			Price: \$223,000 Deed2:		
Seller: ALLENDER CASEY BROOKS Type: ARMS LENGTH IMPROVED				Date: 02/25/2005 Deed1: /21478/ 00135			Price: \$205,000 Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: Approved 02/18/2015									

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **05** Account Number: **0520030425**

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

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

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please Wait. Loading... Please Wait.

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KEVIN KAMENETZ
County Executive

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

July 9, 2015

Justin R Howard
Amanda R Shaffer
17203 Falls Road
Upperco MD 21155

RE: Case Number: 2015-0267 SPH, Address: 17203 Falls Road

Dear Mr. Howard & Ms. Amanda Shaffer:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 22, 2015. 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Dennis Howard, 6016 Snowdens Run Road, Eldersburg MD 21784

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 6/3/15

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

RE: Baltimore County
Item No. 2015-0267-SPH
Special Hearing
Justin R. Howard &
Andrea R. Satter
17203 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 6/3/15. 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 Special Hearing Case Number 2015-0267-SPH.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) X 5598 or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'David W. Peake'.

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



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Sincerely,

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 23, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 17203 Falls Road

JUL 01 2015

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 15-267

Petitioner: Justin Howard and Amanda Saffer

Zoning: RC 2

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve an accessory structure exceeding the square footage of the principal structure (dwelling).

The property is improved with a dwelling of 780 square feet on a lot of 0.413 acres. No variance relief is sought.

The Department has no objection to the granting of the petitioned relief conditioned upon the following:

- Minimize the impact of the oversized building on the neighboring property at 17205 Falls Rd. by locating the proposed structure 20 ft. farther to the rear of the property (if septic requirements allow). This provides a more complementary layout and less congested area adjacent to neighboring property and will reduce the visual impact of the accessory structure from Falls Road, a Baltimore County Scenic Route. Design the accessory structure with a peaked roof to complement other adjacent structures.
- A vegetative buffer should be planted along the common property line to mitigate the view from 17205 Falls Rd.
- The proposed accessory structure shall not be converted to residential or commercial use.

For further information concerning the matters stated herein, please contact Carmela M. Iacovelli at 410-887-3480.

Division Chief: Kathy Sredan

AVA/KS

C: Carmela M. Iacovelli

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 8, 2015
Item No. 2015-0263 and 0267

DATE: June 9, 2015

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\ZAC06082015.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 23, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 17203 Falls Road

INFORMATION:

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Division Chief: Kathy Sredan
AVA/KS

C: Carmela M. Iacovelli

Case No.:

2015-267-SPH

Exhibit Sheet

Petitioner/Developer

Protestants

10-18-15

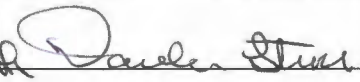
Alv
11-16-15

No. 1	site plan	
No. 2	letter of support	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Petition to Construct an Accessory Structure

Petition summary and background: Construction of an Accessory Structure at 17203 Falls Rd, Upperco MD, 21155 to be placed at the end of the current driveway extending 40 feet long and being 24 feet wide, with a height of 14.5 feet.

Action petitioned for: We, the undersigned, are concerned citizens who urge our leaders to act now to allow construction of an accessory structure at 17203 Falls Rd, Upperco MD, 21155

Printed name	Signature	Address	Comment	Date
Danielle Smith		17203 Falls Rd.	none	6-6-15

PETITIONER'S

EXHIBIT NO.

2



17209

0520030075

0513021203

Lot # 4

1994-0420-A

0508000525

Lot # 3

0508000526

5 ED NW 28-F

0520055050

020B2

RC 2

0520030425

17203

GROWTH TIER 4
(No New Subdivisions of 4
or More Additional Lots)

3 CD

Lot # 1

0519032025

17201

0508000900

17200

0514065040

FALLS RD

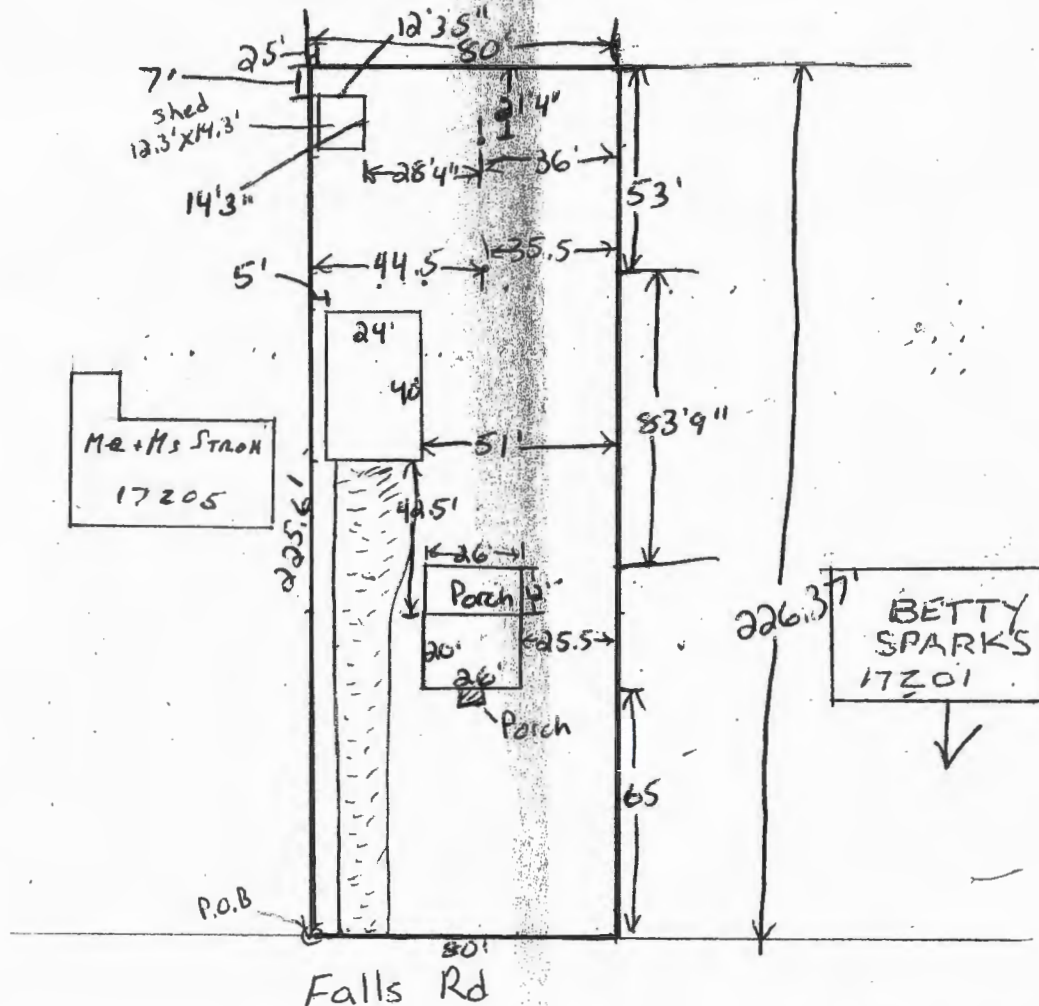
RIDGE RD

FALLS RD

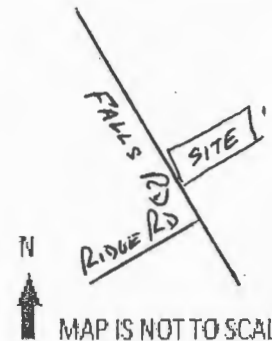
ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

ADDRESS 17203 Falls Rd, Upperco, MD 21155 OWNER(S) NAME(S) Justin Howard Amanda Saffer

SUBDIVISION NAME ~~LOT #~~ ~~BLOCK #~~ ~~SECTION #~~
 PLAT BOOK # ~~FOLIO #~~ 10 DIGIT TAX # 0520030425 DEED REF. # 35549100228



SITE VICINITY MAP



ZONING MAP# 020 B2
 SITE ZONED RC2
 ELECTION DISTRICT 5
 COUNCIL DISTRICT 3
 LOT AREA ACREAGE .413
 OR SQUARE FEET 17990
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 PUBLIC PRIVATE X
 SEWER IS:
 PUBLIC PRIVATE X
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

PLAN DRAWN BY Justin Howard DATE 5/16/15 SCALE: 1 INCH = 50 FEET

VIOLATION CASE INFO:

2015-0267 SPH

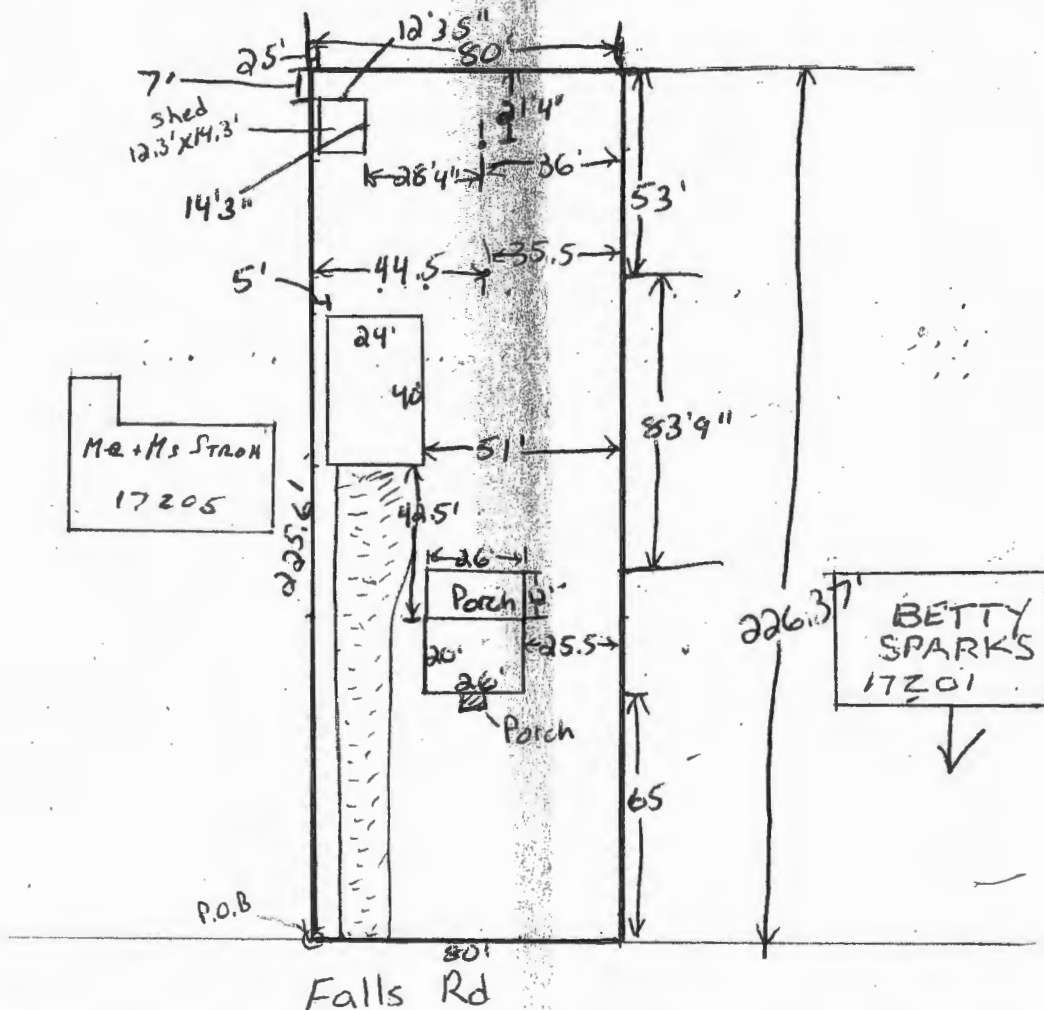
2015-0267 SPH

ZONING HEARING PLAN FOR VARIANCE FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)

ADDRESS 17203 Falls Rd, Upperco, MD 21158 OWNER(S) NAME(S) Justin Howard Amanda Saffer

SUBDIVISION NAME ~~LOT #~~ ~~BLOCK #~~ ~~SECTION #~~

~~PLAT BOOK #~~ ~~FOLIO #~~ 10 DIGIT TAX # 0520030425 DEED REF. # 35549100228



SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 020 B2

SITE ZONED RC2

ELECTION DISTRICT 5

COUNCIL DISTRICT 3

LOT AREA ACREAGE .413

OR SQUARE FEET 17990

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC PRIVATE X

SEWER IS:

PUBLIC PRIVATE X

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

PETITIONER'S

EXHIBIT NO. 1

PLAN DRAWN BY Justin Howard DATE 5/16/15 SCALE: 1 INCH = 50 FEET

2015-0267 SPH