

M E M O R A N D U M

DATE: October 31, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0028-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on October 28, 2016. 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

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(5402 Patterson Road) *

11th Election District *

3rd Council District *

Richard George D'Antonio & *

Kathleen Kohlerman D'Antonio *

Owners/Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2017-0028-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Richard and Kathleen D'Antonio, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") to approve an accessory apartment with a square footage in excess of the permitted 1,200 sq. ft. In addition, a Petition for Variance seeks approval of the 1,255 sq. ft. apartment as constructed in lieu of the maximum allowed 1,200 sq. ft. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests were Richard and Kathleen D'Antonio. 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 the Department of Environmental Protection and Sustainability (DEPS). Neither agency opposed the requests.

The subject property is approximately 1.75 acres in size and is zoned RC-2. The property is improved with a single-family dwelling and detached garage. Petitioners constructed last year an addition to the garage to be used as a hobby room. Since that time their daughter and her

ORDER RECEIVED FOR FILING

Date 9/28/16

By Sen

family have suffered a financial setback and have moved back home. Petitioners propose to convert the hobby room into an accessory apartment pursuant to B.C.Z.R. § 400.4. Since the apartment would be located in a detached structure, the B.C.Z.R. requires a public hearing.

The owners submitted an aerial photo of the subject property and the immediate vicinity. Ex. 2. The property is situated in a rural area which is sparsely populated. There are significant buffers between this property and neighboring homes, and I do not believe the accessory apartment use would have a detrimental impact upon the community. As such the petition for special hearing will be granted.

VARIANCE

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have met this test. The large property has an irregular shape and is therefore unique. Petitioners would experience practical difficulty if the regulations were strictly interpreted because they would be required to raze and/or reconstruct the existing accessory building. Finally, as demonstrated by the lack of any opposition, I do not believe granting the requests would have a detrimental impact upon the community.

THEREFORE, IT IS ORDERED this 28th day of September, **2016**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) to approve an accessory apartment within a detached accessory building on the subject property, be and is hereby GRANTED.

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IT IS FURTHER ORDERED the petition for variance to approve the 1,255 sq. ft. accessory apartment in lieu of the maximum allowed 1,200 sq. ft., be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners 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 obtain approval from the Ground Water Management section of DEPS prior to issuance of permit(s) for the project.
3. Petitioners must obtain from the Department of Permits, Approvals and Inspections a use permit for the accessory apartment.

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/sln

ORDER RECEIVED FOR FILING

Date 9/28/16

By sln



KEVIN KAMENETZ
County Executive

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

September 28, 2016

Richard and Kathleen D'Antonio
5402 Patterson Road
Baldwin, Maryland 21013

RE: Petitions for Special Hearing and Variance
Case No. 2017-0028-SPHA
Property: 5402 Patterson Road

Dear Mr. & Mrs. D'Antonio:

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.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



PETITION FOR ZONING HEARING(S)

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

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

Address 5402 Patterson Road, Baldwin, MD 21013 which is presently zoned RC-2

Deed References: 35353/00309 10 Digit Tax Account # 2300003547

Property Owner(s) Printed Name(s) Richard George D'Antonio and Kathleen Kohlerman D'Antonio

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

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an accessory apartment with a square footage in excess of the permitted 1200 sq. ft. as per Section 400.4.B

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

400.4.B.2 in that the actual square footage of the build-out is 1242 sq. ft. (in lieu of the maximum allowed 1200 sq. ft.)

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)

The property had been permitted for an alternative use that allowed for greater square footage; the owners converted the use to a residential space after the fact when their adult daughter needed a place to move her young family. Removal of the additional square footage would be costly and very difficult.

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 bound 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:

Kelcie L. Longaker, Esq. / Gohn Hankey Stichel & Berlage LLP

Name- Type or Print

Signature

201 N. Charles Street, Suite 2101, Baltimore, MD
Mailing Address City State

21201 / 410.752.9300 / klongaker@ghslp.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Richard George D'Antonio

Kathleen Kohlerman D'Antonio

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

5402 Patterson Road, Baldwin, Maryland

Mailing Address City State

21013 / 443.330.5971 / rdantdf@aol.com
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 2017-0028-SPHA Filing Date 7/28/16

Do Not Schedule Dates:

Reviewer RJ



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Name #1 - Type or Print

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Signature #1

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CASE NUMBER 2017-0028-SPHA Filing Date 7/28/16

Do Not Schedule Dates: _____

Reviewer *[Signature]*

EXHIBIT A

LEGAL DESCRIPTION

ALL that piece or parcel of land situate, lying and being the Eleventh Election District of Baltimore County, State of Maryland and described as follows, to wit:

BEGINNING, for the same in or near the center of Patterson Road at the end of the seventh or North 27 degrees 57 minutes 50 seconds West 151.12 foot line of the first parcel of land which by a deed dated October 1, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr., No. 7017 folio 262 was conveyed by PELICAN INDUSTRIES, Trustees for Walter C. Masland, to Thomas R. Reier and Maryland G. Reier, his wife;

THENCE leaving said Patterson Road and running with and binding on a part of the last line of the said first parcel of land and referring the courses of this description to the Baltimore County Grid Meridian, 1) North 61 degrees 54 minutes 54 seconds East 192.62 feet to the beginning of the parcel of land which by a deed dated November 22, 1993 and recorded among the Land Records of Baltimore County in Liber S.M. No. 10379 folio 410 was conveyed by Glenn Mark Scarff, Personal Representative of the Estate of William Glenn Scarff, Jr., to Thomas R. Reier and Maryland G. Reier, his wife;

RUNNING THENCE with and binding on the first and second lines of said last mentioned parcel of land and on a part of the third or north 70 degrees 09 minutes 20 seconds East 785.11 foot line of the second parcel of land which by a deed dated October 1, 1985 and recorded among the land records of Baltimore County in Liber E.H.K. Jr. No. 7017 folio 262 was conveyed by PELICAN INDUSTRIES, Trustees for Walter C. Masland, to Thomas R. Reier and Maryland G. Reier, his wife, the two following courses and distances, viz:

- 2) North 34 degrees 13 minutes 01 seconds West 375.05 feet to an iron bar heretofore set; and
- 3) North 61 degrees 54 minutes 54 seconds East 267.10 feet to an iron bar and cap now set; and

THENCE RUNNING for a line of division now made in 1998 the two following courses and distances, viz:

- 4) South 10 degrees 15 minutes 20 seconds East 412.73 feet; and
- 5) South 61 degrees 54 minutes 54 seconds West, parallel to and 20 feet measured southeasterly at a right angle from the last line of the aforesaid first parcel of land which was conveyed by PELICAN INDUSTRIES to Reier, 290.45 feet to a point in or near the center of Patterson Road and to intersect the aforesaid seventh line of the first parcel of land which was conveyed by PELICAN INDUSTRIES to Reier, at the distance of 20.20 feet measured reversely along said seventh line from the end thereof;

THENCE RUNNING with and binding on a part of said seventh line and in or near the center of Patterson Road, 6) North 36 degrees 11 minutes 05 seconds West 20.20 feet to the place of beginning.

Containing 1.737 Acres of land, more or less.

TOGETHER WITH the right to use in common with others entitled thereto of a 30 foot wide easement for ingress, egress and utilities and described as follows, to wit:

BEGINNING for the same or near the center of Patterson Road and in the seventh or North 27 degrees 57 minutes 50 seconds West 151.12 foot line of the first parcel of land which by a deed dated October 1, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7017 folio 262 was conveyed by PELICAN INDUSTRIES, TRUSTEE for WALTER C. MASLAND, to Thomas R. Reier, and Maryland G. Reier, his wife, at the distance of 20.20 feet measured reversely from the end of said seventh line, said point of beginning also being at the end of the fifth or South 61 degrees 54 minutes 54 seconds West 290.45 foot line of the herein described 1.737 acres, more or less parcel of land; and

RUNNING THENCE and binding reversely on the said fifth line, 1) North 61 degrees 54 minutes 14 seconds East 290.45 feet;

THENCE RUNNING on the lines of the 30 foot wide easement now made, 2) South 10 degrees 15 minutes 20 seconds East 31.51 feet; and

THENCE RUNNING parallel to and 30 feet measured at a right angle southeasterly from the first line of the easement 3) South 61 degrees 54 minutes 54 seconds WEST 276.53 feet to interest the aforesaid seventh line of the aforesaid first parcel of land and in or near the center of Patterson Road;

THENCE RUNNING with and binding on a part of said seventh line in or near the center of Patterson Road, 4) North 36 degrees 11 minutes 05 seconds West 30.30 feet to the place of BEGINNING.

Containing 0.195 of an acre of land, more or less.

SUBJECT TO a 20 foot wide easement for ingress, egress and utilities and described as follows, to wit:

BEGINNING for the same at the end of the first or North 61 degrees 54 minutes 54 seconds East 290.45 foot line of the herein described 30 foot wide easement and the end of the fourth or South 10 degrees 15 minutes 20 seconds East 412.73 foot line of the herein described 1.737 acres, more or less, parcel of land;

RUNNING THENCE with and binding reversely on the part of the fourth line 1) North 10 degrees 15 minutes 20 seconds West 71.01 feet;

THENCE RUNNING on the lines of the aforesaid 20 foot easement now made, 2) South 79 degrees 44 minutes 40 seconds West 20.00 feet;

THENCE RUNNING parallel to and 20 feet measured at a right angle southwesterly from the first line of the 20 foot wide easement now being described, 3) South 10 degrees 15 minutes 20 seconds East 77.44 feet to intersect the first line of the herein mentioned 30 foot wide easement;

RUNNING THENCE with and binding on a part of said first line, 4) North 16 degrees 54 minutes 54 seconds East 21.01 feet to the place of BEGINNING.

Containing 0.034 of an acre of land, more or less.

See approval by the Baltimore County Development Review Committee for a lot line adjustment, DRC Number 01058B, Dist. 11C6, January 13, 1998.

The improvements being known as 5402 Patterson Road.

BEING THE SAME lot of ground which by Deed dated September 3, 2014 and recorded among the Land Records of Baltimore County at Liber 35353, Folio 309, was granted and conveyed by Carole Stolte Upman formerly known as Carole M. Stolte, Trustee or her Successors in Trust, Under the Carole M. Stolte Trust dated January 15, 2003, unto Richard George D'Antonio and Kathleen Kohlerman D'Antonio, his wife, the Grantors herein.

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Item #0024

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Item #0024

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Item #0024

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

No. **141410**
 Date: **7/28/16**

PAID RECEIPT

BUSINESS ACTUAL TIME DEN
 7/29/2016 7/28/2016 10:53:20 5
 G WS05 WALKIN LRD
 RECEIPT # 862645 7/29/2016 CFLN
 Dept 5 529 ZONING VERIFICATION
 ID. 141410
 Recpt tot \$250.00
 \$250.00 CK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$250.00
Total:								\$250.00

Rec From:
 For: Zoning hearing - case # 2017-0028-SPHM
Dec of Understanding

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

5402 Patterson Road; NE/S Patterson Road

1000' SE of Patterson Farm Road

11th Election & 3rd Councilmanic Districts

Legal Owner(s): Richard & Kathleen D'Antonio

Petitioner(s)

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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY

2017-028-SPHA

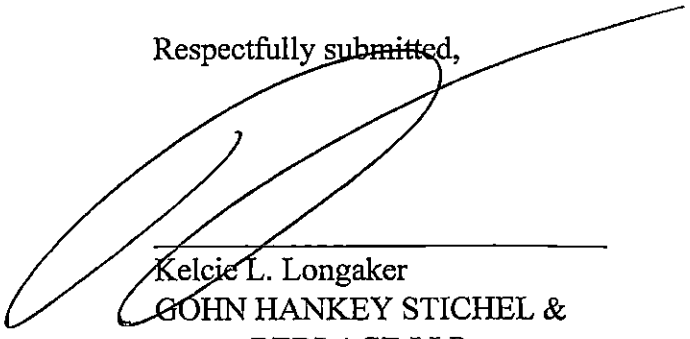
* * * * *

WITHDRAWAL OF APPEARANCE

Attorney Kelcie L. Longaker, and the firm of Gohn Hankey Stichel & Berlage LLP, withdraws their appearance of Petitioners in the above-captioned matters. As of this date, undersigned counsel is unaware of substitute counsel being appointed by Petitioners. As such, all further correspondence in this matter should be directed to Petitioners at the following address:

Dr. Richard G. D'Antonio and Mrs. Kathleen Kohlerman D'Antonio
5402 Patterson Road
Baldwin, MD 21013

Respectfully submitted,



Kelcie L. Longaker
GOHN HANKEY STICHEL &
BERLAGE LLP

201 North Charles Street, Suite 2101
Baltimore, Maryland 21201
Office: 410.752.9300
Fax: 410.752.2519
klongaker@ghsllp.com
Counsel for Petitioners

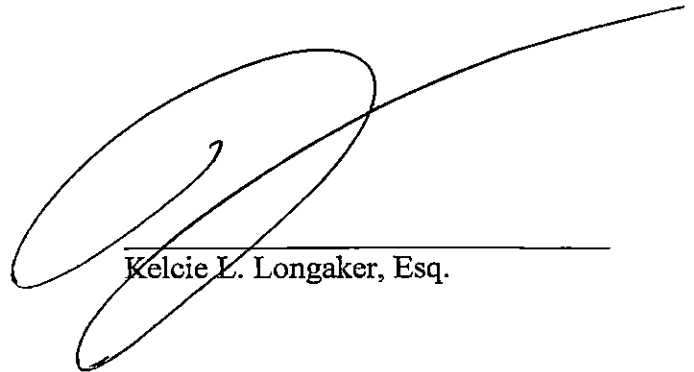
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of September, 2016, a copy of the foregoing Withdrawal of Appearance was mailed to:

Peter Max Zimmerman and Carole S. Demilio
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204

Arnold Jablon
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

R. Brader Locher
Assistant County Attorney
111 West Chesapeake Avenue
Towson, MD 21204



Kelcie L. Longaker, Esq.

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2017-0028-SPHA
Property Address: 5402 Patterson Road
Property Description: NE Side of Patterson Road, 1/4- 1000' SE
of Patterson Farm Road
Legal Owners (Petitioners): Richard & Kathleen D'Antonio
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Richard & Kathleen D'Antonio
Company/Firm (if applicable): _____
Address: 5402 Patterson Road
Baldwin, MD 21013

Telephone Number: 443.330.5971

Revised 5/20/2014



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 4422120

Sold To:

Kelcie L Longaker Law LLC - CU00295023
PO Box 318
Simpsonville, MD 21150

Bill To:

Kelcie L Longaker Law LLC - CU00295023
PO Box 318
Simpsonville, MD 21150

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

Sep 06, 2016

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: # 2017-0028-SPHA	
5402 Patterson Road NE/s Patterson Road, 1000 ft. +/- SE of Patterson Farm Road 11th Election District - 3rd Councilmanic District Legal Owner(s) Richard & Kathleen D'Antonio	
SPECIAL HEARING: to approve an accessory apartment with a square footage in excess of the permitted 1200 sq. ft.	
VARIANCE: 400.4.B.2 in that actual square footage of the building-out is 1242 sq. ft. in lieu of the maximum allowed 1200 sq. ft.	
Hearing: Monday, September 26, 2016 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
JT 9/602 September 6	4422120

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/5/2016

Case Number: 2017-0028-SPHA

Petitioner / Developer: MR. & MRS. D'ANTONIO

Date of Hearing (Closing): SEPTEMBER 26, 2016

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:
5402 PATTERSON ROAD

The sign(s) were posted on: SEPTEMBER 3, 2016



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



KEVIN KAMENETZ
County Executive

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

August 24, 2016

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: 2017-0028-SPHA

5402 Patterson Road

NE/s Patterson Road, 1000 ft. +/- SE of Patterson Farm Road

11th Election District – 3rd Councilmanic District

Legal Owners: Richard & Kathleen D'Antonio

Special Hearing to approve an accessory apartment with a square footage in excess of the permitted 1200 sq. ft. **Variance** 400.4.B.2 in that actual square footage of the build-out is 1242 sq. ft. in lieu of the maximum allowed 1200 sq. ft.

Hearing: Monday, September 26, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director

AJ:ki

C: Kelcie Longaker, 201 N. Charles Street, Ste. 2101, Baltimore 21201
Mr. & Mrs. D'Antonio, 5402 Patterson Road, Baldwin 21013

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 6, 2016**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 6, 2016 Issue - Jeffersonian

Please forward billing to:

Kelcie Longaker
Gahn, Hankey, Stichel & Berlage, LLP
201 N. Charles Street, Ste. 2101
Baltimore, MD 21201

410-752-0502

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: 2017-0028-SPHA

5402 Patterson Road

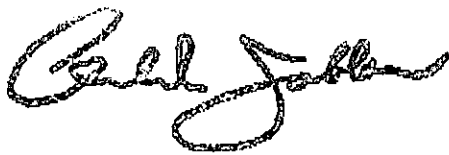
NE/s Patterson Road, 1000 ft. +/- SE of Patterson Farm Road

11th Election District – 3rd Councilmanic District

Legal Owners: Richard & Kathleen D'Antonio

Special Hearing to approve an accessory apartment with a square footage in excess of the permitted 1200 sq. ft. **Variance** 400.4.B.2 in that actual square footage of the build-out is 1242 sq. ft. in lieu of the maximum allowed 1200 sq. ft.

Hearing: Monday, September 26, 2016 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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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
AND VARIANCE *
5402 Patterson Road; NE/S Patterson Road, * OF ADMINISTRATIVE
1000' SE of Patterson Farm Road *
11th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Richard & Kathleen D'Antonio *
Petitioner(s) * BALTIMORE COUNTY
* 2017-028-SPHA

* * * * *

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.

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

RECEIVED
AUG 09 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of August, 2016, a copy of the foregoing Entry of Appearance was mailed to Kelcie Longaker, Esquire, 201 N. Charles Street, Suite 2101, Baltimore, Maryland 21201, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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For Newspaper Advertising:

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Property Description: NE side of Patterson Rd, +/- 1000' SE
of Patterson Farm Rd
Legal Owners (Petitioners): Richard + Kathleen D'Antonio
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kelcie L. Longaker
Company/Firm (if applicable): Gohn, Hankey, Stichel, & Berlage LLP
Address: 201 N Charles St
Suite 2101
Balto
Telephone Number: 410 752 0502



KEVIN KAMENETZ
County Executive

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

September 22, 2016

Richard George D'Antonio
Kathleen Kohlerman D'Antonio
5402 Patterson Road
Baldwin MD 21013

RE: Case Number: 2017-0028 SPHA, Address: 5402 Patterson Road

Dear Mr. & Ms. D'Antonio:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 28, 2016. 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 fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Kelsie L Longaker, Esquire, 201 N Charles Street, Suite 2101, Baltimore MD 21201

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 8/8/16

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No.

2017-0028-SPHA
Special Hearing Variance
Richard George D'Antonio
5402 Patterson Road.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink that reads 'Richard Zeller'.

for Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

9-26
RECEIVED

Inter-Office Correspondence

AUG 12 2016



OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 12, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0028-SPHA
Address 5402 Patterson Road
(D'Antonio Property)

Zoning Advisory Committee Meeting of **August 15, 2016.**

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

1. Ground Water Management must review any future building permit(s) for an accessory apartment, since the house is served by well and septic. (They may be required to upgrade the septic system).

Reviewer: Dan Esser

Date: 8/11/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: September 21, 2016

RECEIVED

FROM: Andrea Van Arsdale
Director, Department of Planning

SEP 22 2016

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-028

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 5402 Patterson Road
Petitioner: Richard G. D'Antonio, Kathleen K. D'Antonio
Zoning: RC 2
Requested Action: Special Hearing, Variance

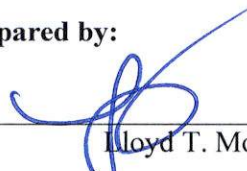
The Department of Planning has received additional materials relative to the above referenced case that has caused the Department to revisit its comments relative thereto.

Upon review of materials received on September 15, 2016 to include a copy of the signed Declaration of Understanding, floor plans and confirmation of the resolution of Enforcement Correction Notice Case No. CC1601524, the Department has no objection to granting the petitioned zoning relief provided the provisions of BCZR 400.4. B and C are met.

Please be aware of a discrepancy in floor area between the 1242 sq. ft. as noted on the petition, 1250 sq. ft. on the plan and 1255 sq. ft. as indicated on the floor plan submitted to this Department.

For further information concerning the matters stated herein, please contact Lloyd Moxley at 410-887-3480.

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
Richard George D'Antonio
Office of the Administrative Hearings
People's Counsel for Baltimore County

4-26

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: September 8, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SEP 13 2016

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-028

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 5402 Patterson Road
Petitioner: Richard G. D'Antonio, Kathleen K. D'Antonio
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The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge (ALJ) should approve an accessory apartment with a square footage in excess of the permitted 1200 sq. ft. and in the alternative the petition for variance to permit an accessory apartment having 1242 sq. ft. in lieu of the maximum allowed 1200 sq. ft.

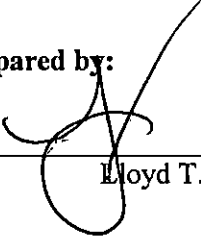
A site visit was conducted on August 11, 2016. The property is the subject of a Baltimore County Code Enforcement Correction Notice Case No. CC1601524 citing violations specific to the instant zoning case.

The Department objects to granting the petitioned zoning relief.

No documentation in support of the petitions addressing the requirements of BCZR § 400.4.B in the form of the required Declaration of Understanding, approved Use Permit and/or specific floor plans of the accessory apartment were received by this Department. Without such information the Department cannot make recommendation to the ALJ as to conformity with BCZR § 502.1. Further, documentation signed by a party identified as counsel for the petitioners and so confirmed on the petition, indicate as fact the desire on the part of the petitioners to utilize the structure as a rental unit. Residential or commercial rentals in combination with the non-agricultural principal residential use is an exceedingly intensive use of this RC 2 zoned property and is beyond what is allowed under BCZR § 400.4 and 1A01. The Department cannot support the current or future use of the property beyond that as permitted and restricted by the BCZR.

For further information concerning the matters stated herein, please contact Lloyd Moxley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice

Kelcie L. Longaker, Esquire, Gohn Hankey Stichel & Bertage, LLP
Richard George D'Antonio
Office of the Administrative Hearings
People's Counsel for Baltimore County

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**



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

DATE: September 21, 2016

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Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-028

INFORMATION:

Property Address: 5402 Patterson Road
Petitioner: Richard G. D'Antonio, Kathleen K. D'Antonio
Zoning: RC 2
Requested Action: Special Hearing, Variance

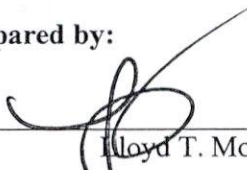
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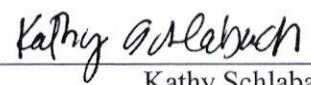
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Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice
Richard George D'Antonio
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE



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

DATE: August 12, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For August 15, 2016
Item No. 2017-0028, 0029, 0030, 0031, 0032, 0034, 0035 and 0037

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\ZAC08152016.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 12, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0028-SPHA
Address 5402 Patterson Road
(D'Antonio Property)

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1. Ground Water Management must review any future building permit(s) for an accessory apartment, since the house is served by well and septic. (They may be required to upgrade the septic system).

Reviewer: Dan Esser

Date: 8/11/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: September 8, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-028

INFORMATION:

Property Address: 5402 Patterson Road
Petitioner: Richard G. D'Antonio, Kathleen K. D'Antonio
Zoning: RC 2
Requested Action: Special Hearing, Variance

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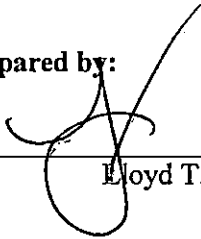
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The Department objects to granting the petitioned zoning relief.

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For further information concerning the matters stated herein, please contact Lloyd Moxley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Kaylee Justice

Kelcie L. Longaker, Esquire, Gohn Hankey Stichel & Bertage, LLP

Richard George D'Antonio

Office of the Administrative Hearings

People's Counsel for Baltimore County

GOHN
HANKEY
STICHEL &
BERLAGE LLP

www.ghsllp.com

201 North Charles Street
Suite 2101
Baltimore, Maryland 21201
410-752-9300
Fax 410-752-2519

Kelcie L. Longaker
Direct Dial: 410-752-0502
KLongaker@ghsllp.com

26 July 2016

Gary Hucik
Permits Approvals and Inspections
County Office Building
111 West Chesapeake Avenue, Suite 105
Towson, Maryland, 21204

Re: Accessory Apartment (In-Law) Application
5402 Patterson Road, Baldwin, MD 21013

Dear Mr. Hucik:

Please find enclosed the formal filing for an accessory apartment for 5402 Patterson Road, Baldwin, MD 21013. The owners of the property, Dr. Richard George D'Antonio and Mrs. Kathleen Kohlerhman D'Antonio have engaged my office to assist with this filing.

The D'Antonios have also engaged Stephen T. Hill, of sthDESIGNAssociates, for the site plan and floor plan associated with their request. Mr. Hill's contact information is as follows:

Stephen T. Hill, Architect
sthDESIGNAssociates
1515 Bellona Avenue
Lutherville, MD 21093
stephenhillarchitect@gmail.com
410-409-7730 office/cell

Mr. Hill had a preliminary meeting with your office on July 13, 2016 wherein you indicated that a few additional items were needed for the final filing. I have attached copies of those items accordingly.

Dr. and Mrs. D'Antonio are the subject of a Code Complaint CC1601524, wherein the County has requested that an application for an accessory apartment be filed. A hearing with the Office of Administrative Hearings is pending.

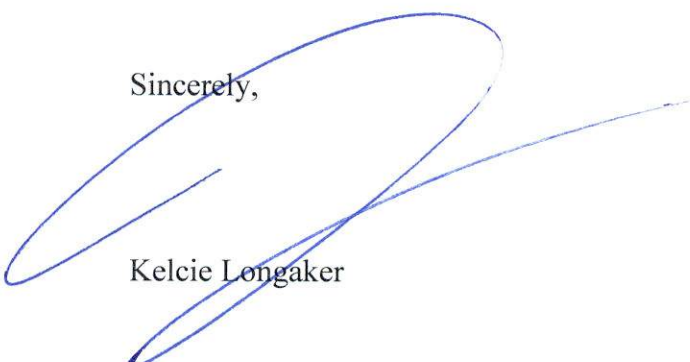
If you have any questions or concerns, please contact my office.

Item #0028

GOHN
HANKEY
STICHEL &
BERLAGE LLP

www.ghsllp.com

Sincerely,



Kelcie Longaker

Enclosures: Petition for Zoning Hearing (1 original and 4 copies)
Declaration of Understanding (1 original and 4 copies)
Floor Plan for 5402 Patterson Road (6 copies)
Site Plan for 5402 Patterson Road (6 copies)
Code Enforcement Correction Notice dated 3/11/16 (4 copies)
Code Enforcement Correction & Inspection Citation dated 6/16/2016 (4 copies)
Check Number 1079 for \$150.00 -
\$75.00 for Special Hearing; and
\$75.00 for Variance.

cc: Brady Locher, Baltimore County Office of Law

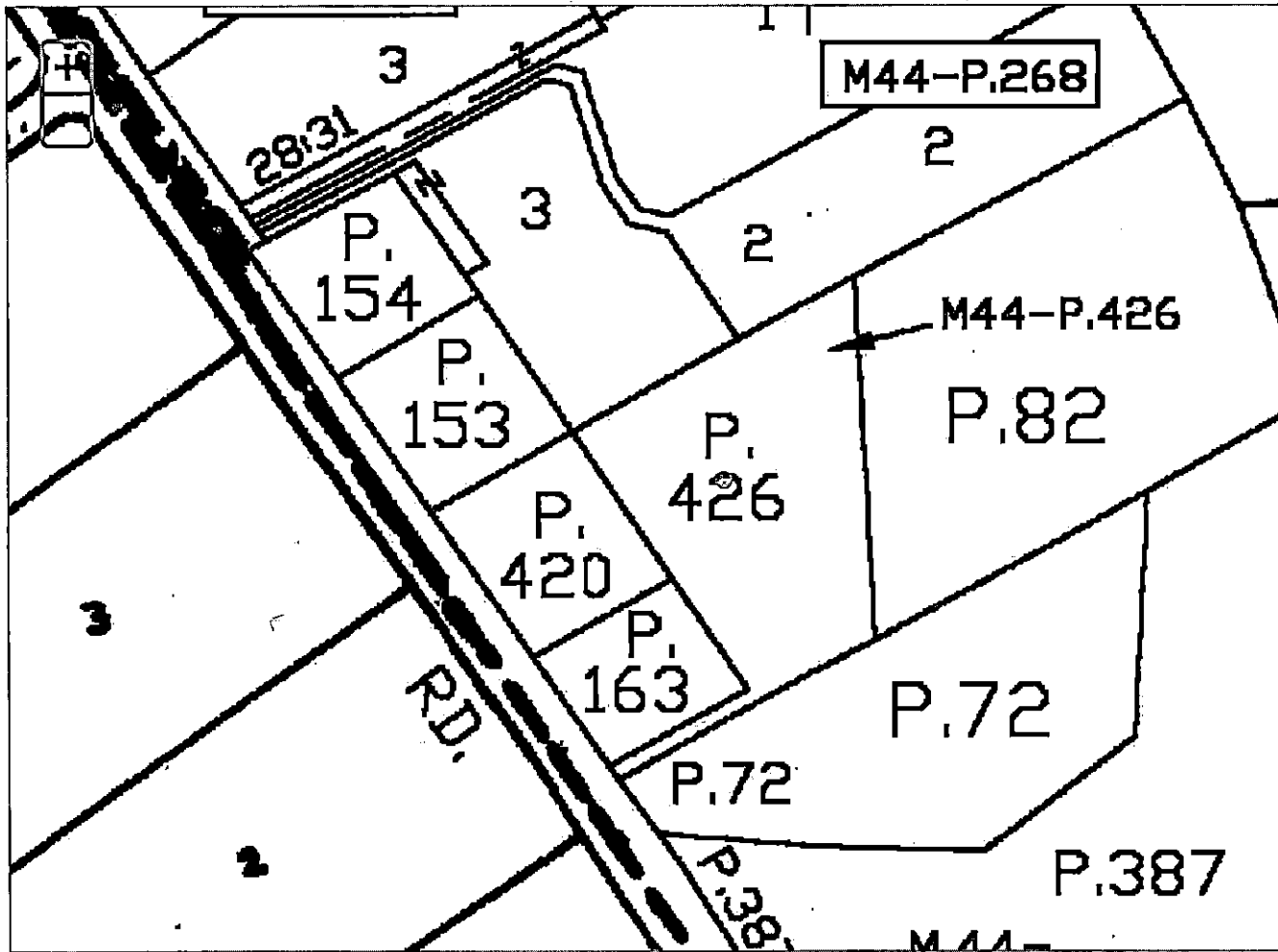
Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 11 Account Number - 2300003547			
Owner Information					
Owner Name:	D'ANTONIO RICHARD GEORGE D'ANTONIO KATHLEEN KOHLERMAN		Use: Principal Residence:	RESIDENTIAL YES	
Mailing Address:	5402 PATTERSON RD BALDWIN MD 21013-0359		Deed Reference:	/35353/ 00309	
Location & Structure Information					
Premises Address:		5402 PATTERSON RD BALDWIN 21013-9359		Legal Description:	1.737 AC 5402 PATTERSON RD ES 1780 FT S SWEET AIR RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0044	0012	0426		0000	2015
Special Tax Areas:			Town: Ad Valorem: Tax Class:	NONE	
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
2000	3,868 SF	1100 SF	1.7400 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT	SIDING	3 full/ 1 half	1Att/2Det 2015
Value Information					
	Base Value	Value As of 01/01/2015	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	128,800	128,800			
Improvements	615,900	615,900			
Total:	744,700	744,700	744,700	744,700	
Preferential Land:	0			0	
Transfer Information					
Seller: STOLTE CAROLE M TR		Date: 09/11/2014	Price: \$625,000		
Type: NON-ARMS LENGTH OTHER		Deed1: /35353/ 00309	Deed2:		
Seller: LIMMER RONALD J, JR		Date: 01/14/2004	Price: \$750,000		
Type: ARMS LENGTH IMPROVED		Deed1: /19441/ 00579	Deed2:		
Seller: REIER THOMAS R		Date: 01/05/2000	Price: \$122,000		
Type: NON-ARMS LENGTH OTHER		Deed1: /14246/ 00275	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2016	07/01/2017		
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 10/16/2014					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **11** Account Number: **2300003547**

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.

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>).

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment8-12DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C8-12DEPS
(if not received, date e-mail sent _____)C

FIRE DEPARTMENT

8-8-168/21/16PLANNING
(if not received, date e-mail sent _____)C8-8-16

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. CC 11601524)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

8-6-16

SIGN POSTING

Date:

8-3-16

by

O'Keefe

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Case No.: 2017-0028-SHA

Exhibit Sheet

Petitioner/Developer

SW
10-31-16

Protestant

Sen
9-28-16

No. 1	plan	
No. 2	aerial photo	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



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 5402 Patterson Road, Baldwin, MD 21013 which is presently zoned RC-2

Deed References: 35353/00309 10 Digit Tax Account # 2300003547

Property Owner(s) Printed Name(s) Richard George D'Antonio and Kathleen Kohlerman D'Antonio

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

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an accessory apartment with a square footage in excess of the permitted 1200 sq. ft. as per Section 400.4.B

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

400.4.B.2 in that the actual square footage of the build-out is 1242 sq. ft.. (in lieu of the maximum allowed 1200 sq. ft.)

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)

The property had been permitted for an alternative use that allowed for greater square footage; the owners converted the use to a residential space after the fact when their adult daughter needed a place to move her young family. Removal of the additional square footage would be costly and very difficult.

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:

Kelcie L. Longaker, Esq. / Gohn Hankey Stichel & Berlage LLP

Name- Type or Print

Signature

201 N. Charles Street, Suite 2101, Baltimore, MD
Mailing Address City State

21201 / 410.752.9300 / klongaker@ghslp.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Richard George D'Antonio

Kathleen Kohlerman D'Antonio

Name #1 - Type or Print

Name #2 - Type or Print

[Signature]
Signature #1

[Signature]
Signature #2

5402 Patterson Road, Baldwin, Maryland

Mailing Address City State

21013 / 443.330.5971 / rdantdf@aol.com
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 2017-0028-SPHA Filing Date 7/28/16

Do Not Schedule Dates: _____

Reviewer [Signature]



Rummel, Klepper & Kahl, LLP *Consulting Engineers*
81 Mosher Street Baltimore, Maryland, 21217 Phone: 410-728-2900

**DESCRIPTION OF
PROPOSED HELIPAD
THE BALTIMORE GAS AND ELECTRIC COMPANY
TAX MAP 87, PARCEL 430
BALTIMORE COUNTY, MARYLAND**

COMMENCING for the same at the point of intersection of the northerly right of way line of Windsor Boulevard, having a right of way width of 60.00 feet and the westerly right of way line of Lord Baltimore Drive, having a right of way width of 60.00 feet, said point being designated as number 1174 on a plat of subdivision entitled "Plat 3, Section Two, Security Industrial Park" as recorded among the Land Records of Baltimore County, Maryland in Plat Book E.H.K, Jr. 37 at Folio 11; thence departing said point so fixed and binding on said Windsor Boulevard with meridian reference to the Baltimore County Metropolitan District North

1. North 78° 56' 10" East, 558.95 feet; thence
2. northwesterly, 345.51 feet along an arc of a curve to the left having a radius of 4,035.00 feet; subtended by a chord of North 76° 07' 50" West, 345.40 feet; thence departing said Windsor Boulevard so as to cross a portion of the land of the Baltimore Gas and Electric Company
3. North 05° 50' 56" East, 623.00 feet to the Point of Beginning of this description; thence departing said point so fixed so as to cross and include a portion of the land of the Baltimore Gas and Electric Company
1. North 90° 00' 00" West, 150.00 feet; thence
2. North 00° 00' 00" West, 150.00 feet; thence
3. North 90° 00' 00" East, 150.00 feet; thence
4. South 00° 00' 00" East, 150.00 feet to the point of beginning.

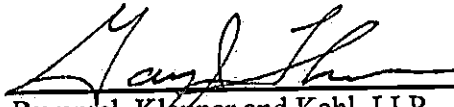
CONTAINING 22,500 square feet or 0.5165 of an acre of land, more or less.

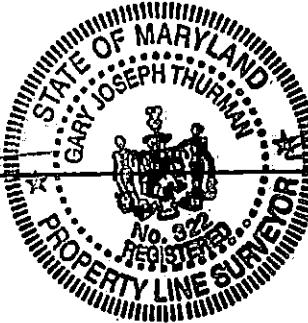
BEING located within the residue of the land conveyed unto the Baltimore Gas and Electric Company by deed dated May 18, 1973 as recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K, Jr. 5361 at Folio 163 and being a portion of Parcel 'A' as shown on a plat of subdivision entitled "Plat 3, Section Two, Security Industrial Park" as recorded among the said Land Records Plat Book E.H.K, Jr. 37 at Folio 11.



Rummel, Klepper & Kahl, LLP Consulting Engineers

Description of
Proposed Helipad
The Baltimore Gas and Electric Company
Page 2


Rummel, Klepper and Kahl, LLP
Gary J. Thurman
Registered Property Line Surveyor
Maryland License No. 322



1 - Aug - 2007
Date

CASE #2017-0028-SPHA

The wording for the ~~Variance~~ request should probably read:

SPH / VAR

Section 400.4.B.2 – to permit an existing detached accessory structure (to be used as an In-law Apartment) to have a square footage of 1242 square feet in lieu of the maximum allowed 1200 square feet. *In the existing dwelling.*

DECLARATION OF UNDERSTANDING

THIS DECLARATION OF UNDERSTANDING (hereinafter referred to as "Declaration") is made on this 26th day of July 20 16, by and between Dr. Richard George D'Antonio and Kathleen Kohlerman D'Antonio (hereinafter referred to as the "Declarants") and the Department of Permits, Approvals and Inspections (hereinafter referred to as "PAI").

Recitals

- A. The Declarants who are the owners of this property have filed an application for use permit and special hearing for the approval of construction added to their existing garage structure that measures 26'1" by 52'1". The property being located at 5402 Patterson Road, Lot: Parcel 426, Liber: 19441, Folio 579, Baltimore County, Maryland, and Is more particularly described by metes and bounds in Exhibit A (The Property) and Exhibit B (The use permit or hearing plans) attached hereto and made a part hereof. The property is zoned RC-2, which is the particular zone in which the property is located.
- B. PAI or The Administrative Law Judge has approved the Declaration request to create an Accessory Apartment complete with dedicated bathing and cooking facilities, located on this owner-occupied property. The accessory apartment will be housing for: Kaitlin D'Antonio Johnson (daughter), Blake Johnson (grandson), Lacy Johnson (granddaughter), Thomas D'Antonio (son), Richard D'Antonio (son). The other residents of the property are Dr. Richard George D'Antonio and Kathleen Kohlerman D'Antonio, being the parents and grandparents of the occupants. The use permit must be renewed by PAI every two years by filing a renewal on a PAI approved form, to be dated from the month of the initial approval.
- C. As a condition of approval of the Declarants request, Bill No. 49-11 requires the filing of this Declaration among the Land Records of Baltimore County, to provide notice to any future owners, subsequent bona fide purchasers of users of the Property that no part of any improvements or addition on this Property may be used for separate living quarters and that all such improvements shall only be used as a single-family residence, unless otherwise approved by and at the discretion of PIA.

(signatures continue on following page)

IN WITNESS WHEREOF, the parties have hereto duly executed this Declaration under seal on the date first above written.

WITNESS:

[Signature]
[Signature]

[Signature]
Kathleen K. Harris

State of Maryland, County of Baltimore to wit:

I HEREBY CERTIFY that on this 26th day of July 2016, before the Subscriber, a Notary Public of State of Maryland, personally appeared Richard D'Antonio & Kathleen D'Antonio.

The declarants herein, who are the owners of this property, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and who acknowledged that they executed for the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, have hereunto set my hand and Notarial Seal.

My Commission Expires:

12/20/16

Tracey Marie Collins
Notary Public

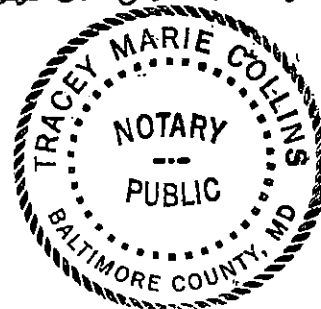


EXHIBIT A
LEGAL DESCRIPTION

ALL that piece or parcel of land situate, lying and being the Eleventh Election District of Baltimore County, State of Maryland and described as follows, to wit:

BEGINNING, for the same in or near the center of Patterson Road at the end of the seventh or North 27 degrees 57 minutes 50 seconds West 151.12 foot line of the first parcel of land which by a deed dated October 1, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr., No. 7017 folio 262 was conveyed by PELICAN INDUSTRIES, Trustees for Walter C. Masland, to Thomas R. Reier and Maryland G. Reier, his wife;

THENCE leaving said Patterson Road and running with and binding on a part of the last line of the said first parcel of land and referring the courses of this description to the Baltimore County Grid Meridian, 1) North 61 degrees 54 minutes 54 seconds East 192.62 feet to the beginning of the parcel of land which by a deed dated November 22, 1993 and recorded among the Land Records of Baltimore County in Liber S.M. No. 10379 folio 410 was conveyed by Glenn Mark Scarff, Personal Representative of the Estate of William Glenn Scarff, Jr., to Thomas R. Reier and Maryland G. Reier, his wife;

RUNNING THENCE with and binding on the first and second lines of said last mentioned parcel of land and on a part of the third or north 70 degrees 09 minutes 20 seconds East 785.11 foot line of the second parcel of land which by a deed dated October 1, 1985 and recorded among the land records of Baltimore County in Liber E.H.K. Jr. No. 7017 folio 262 was conveyed by PELICAN INDUSTRIES, Trustees for Walter C. Masland, to Thomas R. Reier and Maryland G. Reier, his wife, the two following courses and distances, viz:

- 2) North 34 degrees 13 minutes 01 seconds West 375.05 feet to an iron bar heretofore set; and
- 3) North 61 degrees 54 minutes 54 seconds East 267.10 feet to an iron bar and cap now set; and

THENCE RUNNING for a line of division now made in 1998 the two following courses and distances, viz:

- 4) South 10 degrees 15 minutes 20 seconds East 412.73 feet; and
- 5) South 61 degrees 54 minutes 54 seconds West, parallel to and 20 feet measured southeasterly at a right angle from the last line of the aforesaid first parcel of land which was conveyed by PELICAN INDUSTRIES to Reier, 290.45 feet to a point in or near the center of Patterson Road and to intersect the aforesaid seventh line of the first parcel of land which was conveyed by PELICAN INDUSTRIES to Reier, at the distance of 20.20 feet measured reversely along said seventh line from the end thereof;

THENCE RUNNING with and binding on a part of said seventh line and in or near the center of Patterson Road, 6) North 36 degrees 11 minutes 05 seconds West 20.20 feet to the place of beginning.

Containing 1.737 Acres of land, more or less.

TOGETHER WITH the right to use in common with others entitled thereto of a 30 foot wide easement for ingress, egress and utilities and described as follows, to wit:

BEGINNING for the same or near the center of Patterson Road and in the seventh or North 27 degrees 57 minutes 50 seconds West 151.12 foot line of the first parcel of land which by a deed dated October 1, 1985 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 7017 folio 262 was conveyed by PELICAN INDUSTRIES, TRUSTEE for WALTER C. MASLAND, to Thomas R. Reier, and Maryland G. Reier, his wife, at the distance of 20.20 feet measured reversely from the end of said seventh line, said point of beginning also being at the end of the fifth or South 61 degrees 54 minutes 54 seconds West 290.45 foot line of the herein described 1.737 acres, more or less parcel of land; and

RUNNING THENCE and binding reversely on the said fifth line, 1) North 61 degrees 54 minutes 14 seconds East 290.45 feet;

THENCE RUNNING on the lines of the 30 foot wide easement now made, 2) South 10 degrees 15 minutes 20 seconds East 31.51 feet; and

THENCE RUNNING parallel to and 30 feet measured at a right angle southeasterly from the first line of the easement 3) South 61 degrees 54 minutes 54 seconds WEST 276.53 feet to interest the aforesaid seventh line of the aforesaid first parcel of land and in or near the center of Patterson Road;

THENCE RUNNING with and binding on a part of said seventh line in or near the center of Patterson Road, 4) North 36 degrees 11 minutes 05 seconds West 30.30 feet to the place of BEGINNING.

Containing 0.195 of an acre of land, more or less.

SUBJECT TO a 20 foot wide easement for ingress, egress and utilities and described as follows, to wit:

BEGINNING for the same at the end of the first or North 61 degrees 54 minutes 54 seconds East 290.45 foot line of the herein described 30 foot wide easement and the end of the fourth or South 10 degrees 15 minutes 20 seconds East 412.73 foot line of the herein described 1.737 acres, more or less, parcel of land;

RUNNING THENCE with and binding reversely on the part of the fourth line 1) North 10 degrees 15 minutes 20 seconds West 71.01 feet;

THENCE RUNNING on the lines of the aforesaid 20 foot easement now made, 2) South 79 degrees 44 minutes 40 seconds West 20.00 feet;

THENCE RUNNING parallel to and 20 feet measured at a right angle southwesterly from the first line of the 20 foot wide easement now being described, 3) South 10 degrees 15 minutes 20 seconds East 77.44 feet to intersect the first line of the herein mentioned 30 foot wide easement;

RUNNING THENCE with and binding on a part of said first line, 4) North 16 degrees 54 minutes 54 seconds East 21.01 feet to the place of BEGINNING.

Containing 0.034 of an acre of land, more or less.

See approval by the Baltimore County Development Review Committee for a lot line adjustment, DRC Number 01058B, Dist. 11C6, January 13, 1998.

The improvements being known as 5402 Patterson Road.

BEING THE SAME lot of ground which by Deed dated September 3, 2014 and recorded among the Land Records of Baltimore County at Liber 35353, Folio 309, was granted and conveyed by Carole Stolte Upman formerly known as Carole M. Stolte, Trustee or her Successors in Trust, Under the Carole M. Stolte Trust dated January 15, 2003, unto Richard George D'Antonio and Kathleen Kohlerman D'Antonio, his wife, the Grantors herein.

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
KOHLEMAN
5402 PATTERSON RD
BALDWIN, MD 210130359

CASE NUMBER	PROP.TAX ID
CC1601524	2300003547
VIOLATION ADDRESS	
5402 PATTERSON RD BALDWIN, MD 21013	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 402: Illegal conversion of dwelling	BCZR 1A01, 1A01.2: Illegal conversion of permitted workshop/dog bath/art studio into a residence In-law application and approval is required or remove apartment and convert structure back to the permitted workshop/dog bath/art studio (tenant housing is only applicable to farms)

Failure to comply with this correction notice, may result in a **\$200.00** fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 04/14/2016	INSPECTOR NAME: Christina Frink
	ISSUED DATE: 03/11/2016

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. It is important that you read this document carefully, as it charges you with the commission of a crime.
2. If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
3. If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
4. A lawyer can give important assistance to you:
 - (a) on how to correct the violation(s) in order to avoid trial or
 - (b) at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
5. A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
6. It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
7. Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

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Code Enforcement 410-887-3351
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 Building Inspection 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
 KOHLERMAN
 5402 PATTERSON RD
 BALDWIN, MD 210130359

CASE NUMBER CC1601524	PROP.TAX ID 2300003647
VIOLATION ADDRESS 5402 PATTERSON RD BALDWIN, MD 21013	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 402: Illegal conversion of dwelling	BCZR 1A01, 1A01.2: Illegal conversion of permitted workshop/dog bath/art studio into a residence In-law application and approval is required or remove apartment and convert structure back to the permitted workshop/dog bath/art studio (tenant housing is only applicable to farms)

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CODE ENFORCEMENT CORRECTION NOTICE

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
 KOHLERMAN
 5402 PATTERSON RD
 BALDWIN, MD 210130359

CASE NUMBER CC1601524	PROP.TAX ID 2300003547
VIOLATION ADDRESS 5402 PATTERSON RD BALDWIN, MD 21013	

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B.C.Z.R 402: Illegal conversion of dwelling	BCZR 1A01, 1A01.2: Illegal conversion of permitted workshop/dog bath/art studio into a residence In-law application and approval is required or remove apartment and convert structure back to the permitted workshop/dog bath/art studio (tenant housing is only applicable to farms)

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	ISSUED DATE: 03/11/2016

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CODE ENFORCEMENT CORRECTION NOTICE

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 KOHLERMAN
 5402 PATTERSON RD
 BALDWIN, MD 210130359

CASE NUMBER CC1601524	PROP.TAX ID 2300003547
VIOLATION ADDRESS 5402 PATTERSON RD BALDWIN, MD 21013	

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4. A lawyer can give important assistance to you:
 - (a) on how to correct the violation(s) in order to avoid trial or
 - (b) at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
5. A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
6. It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
7. Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

www.baltimorecountymd.gov/Agencies/permits/

CODE ENFORCEMENT & INSPECTION CITATION

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
KOHLERMAN
5402 PATTERSON RD
BALDWIN, MD 210130359

CASE NUMBER

CC1601524

PROP.TAX ID

2300003547

VIOLATION ADDRESS

5402 PATTERSON RD
BALDWIN, MD 21013

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
Other Violation(s)	See below for specific Zoning regulations: BCZR 101.1; 1A01; 1A01.2; 1A01.2.9: Failure to cease use of garage/accessory structure as an illegally converted residence Failure to convert garage/accessory structure back into permitted workshop/dog bath/art studio

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$9400

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 105 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 07/28/2016 TIME: 01:30 P.M.

IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name	Inspector Signature	Issued Date
Christina Frink		06/16/2016

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement	410-887-3351
Electrical Inspection	410-887-3960
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CODE ENFORCEMENT & INSPECTION CITATION

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9. **If the violator wishes NOT to contest this citation, give up your right to a hearing and wish to pay the fine. Please remit the following: a copy of this citation, and a check or money order payable to: Baltimore County Office of Budget and Finance, 400 Washington Ave, Rm 150, Towson, MD 21204**

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
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Code Enforcement 410-887-3351
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CODE ENFORCEMENT & INSPECTION CITATION

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
KOHLEMAN
5402 PATTERSON RD
BALDWIN, MD 210130359

CASE NUMBER	PROP.TAX ID
CC1601524	2300003547
VIOLATION ADDRESS	
5402 PATTERSON RD BALDWIN, MD 21013	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
Other Violation(s)	See below for specific Zoning regulations: BCZR 101.1; 1A01; 1A01.2; 1A01.2.9: Failure to cease use of garage/accessory structure as an illegally converted residence Failure to convert garage/accessory structure back into permitted workshop/dog bath/art studio

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Inspector Printed Name	Inspector Signature	Issued Date
Christina Frink		06/16/2016

Permits, Approvals, and Inspections
Code Inspections & Enforcement
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CODE ENFORCEMENT & INSPECTION CITATION

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CODE ENFORCEMENT & INSPECTION CITATION

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
KOHLERMAN
5402 PATTERSON RD
BALDWIN, MD 210130359

CASE NUMBER	PROP.TAX ID
CC1601524	2300003547
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CODE ENFORCEMENT & INSPECTION CITATION

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
KOHLEMAN
5402 PATTERSON RD
BALDWIN, MD 210130359

CASE NUMBER CC1601524	PROP.TAX ID 2300003547
VIOLATION ADDRESS 5402 PATTERSON RD BALDWIN, MD 21013	

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Inspector Printed Name Christina Frink	Inspector Signature	Issued Date 06/16/2016
--	----------------------------	----------------------------------

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County Office Building, Rm. 213
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Addition Drawn by
Stephen T. Hill, Architect

Landtech Associates, Inc.

10260 Old Columbia Road Rivers Center - Suite "J"
Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299
Email: landtechsurvey@comcast.net



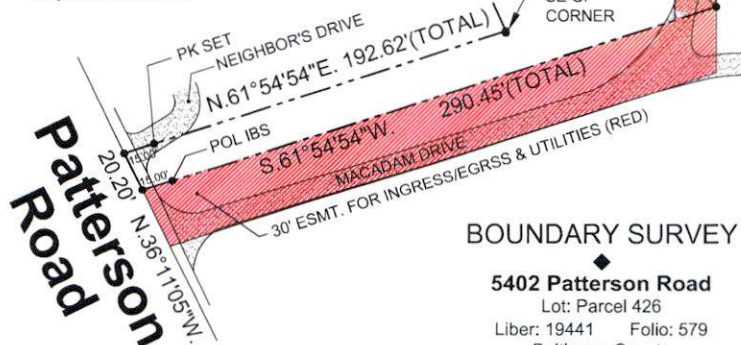
LEGEND	
PF	PIPE FOUND
IBF	IRON BAR FOUND
NF	NAIL FOUND
MF	MONUMENT FOUND
SF	STONE FOUND
CAP	CAPPED PIPE
IBS	IRON BAR SET
PKS	PK SET
POL	POINT ON LINE
RET	RETAINING
CONC	CONCRETE
OH	OVERHANG
G	GATE
R/W	RIGHT-OF-WAY



License Expires: 3/28/2016

Graden A. Rogers

GRADEN A. ROGERS - Property Line Surveyor
Maryland License No. 119



BOUNDARY SURVEY

5402 Patterson Road
Lot: Parcel 426
Liber: 19441 Folio: 579
Baltimore County
MARYLAND
August 19, 2014
Scale: 1"=80'
File No: LT2141439

NOTES:

- 1) Property subject to any/all rights-of-way, easements, and/or covenants of record and/or imposed by law.
- 2) No title report furnished.
- 3) Area Total: 1.737 AC+/- (Plat) 75,676.09 SF+/- or 1.737 AC+/- (Survey)

Site Plan showing Addition

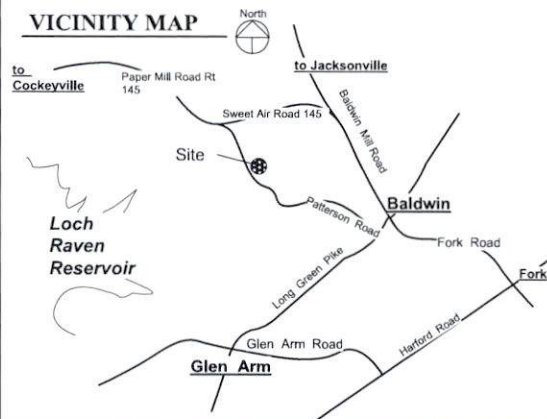
Scale 1" = 40'-0"

Site Information

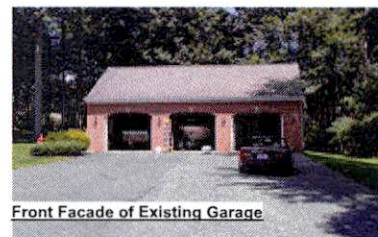
Zoning Map # 045A2
Site Zoned RC2
Election District 11
Council District
Lot Area Coverage 75,676 sf - Total Lot / 4,875 = 1.5%
OR Square Feet 2,675 house + 2,200 Garage = 4,875 sf
Gazebo & Accessory Shed = 350
Historic No
In CBCA No
In Flood Plain No
Utilities
Water Private / Well
Sewer Private / Septic
Prior Hearing No
Violation Case Info Yes

Tax ID # 23-00-003547
Deed Ref # 35353: 0309

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

Existing Conditions Site Plan

Owner

Dr. Richard D'Antonio & Kathleen D'Antonio
5402 Patterson Road, Baldwin, MD 21013
Baltimore County Maryland

Architect

sthDESIGNAssociates
Stephen T. Hill, Architect
1515 Bellona Avenue Lutherville MD 21093
410-409-7730

Revisions

Seal

Date
July 9, 2016

Sheet Number

C-1

STH Proj # 14024

Addition Drawn by
Stephen T. Hill, Architect

Landtech Associates, Inc.

10260 Old Columbia Road
Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299
Email: landtechsurvey@comcast.net

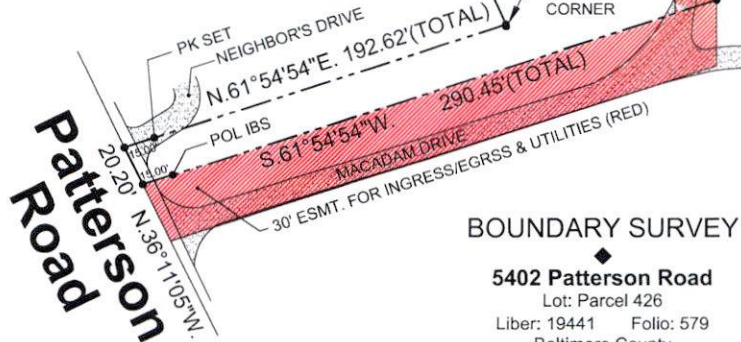


LEGEND	
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G	GATE
R/W	RIGHT-OF-WAY



License Expires: 3/28/2016

GRADON A. ROGERS - Property Line Surveyor
Maryland License No. 119



BOUNDARY SURVEY

5402 Patterson Road

Lot: Parcel 426

Liber: 19441 Folio: 579

Baltimore County

MARYLAND

August 19, 2014

Scale: 1"=80'

File No: LT2141439

NOTES:

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- 3) Area Total: 1.737 AC+/- (Plat) 75,676.09 SF+/- or 1.737 AC+/- (Survey)

Site Plan showing Addition

Scale 1" = 40'-0"

Tax ID # 23-00-003547

Deed Ref # 35353: 0309

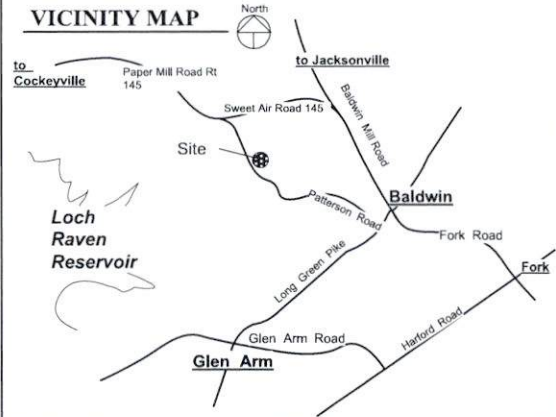
Site Information

Zoning Map # 045A2
Site Zoned RC2
Election District 11
Council District
Lot Area Coverage 75,676 sf - Total Lot / 4,875 = 1.5%

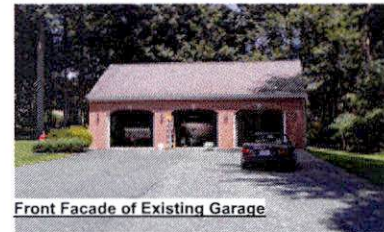
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Gazebo & Accessory Shed = 350

Historic No
In CBCA No
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Utilities
Water Private / Well
Sewer Private / Septic
Prior Hearing No
Violation Case Info Yes

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

Existing Conditions Site Plan

Owner

Dr. Richard D'Antonio & Kathleen D'Antonio
5402 Patterson Road, Baldwin, MD 21013
Baltimore County Maryland

Architect

sthDESIGNAssociates
Stephen T. Hill, Architect
1515 Bellona Avenue Lutherville MD 21093
410-409-7730

Revisions

Seal

Date
July 9, 2016

Sheet Number

C-1

STH Proj # 14024

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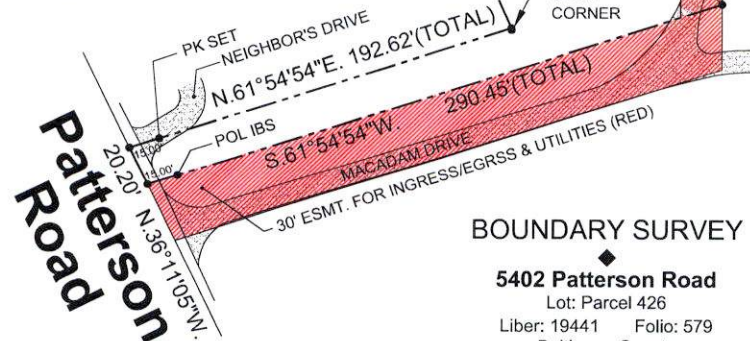
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CAP	CAPPED PIPE
IBS	IRON BAR SET
PKS	PK SET
POL	POINT ON LINE
RET	RETAINING
CONC	CONCRETE
OH	OVERHANG
G	GATE
RAW	RIGHT-OF-WAY



GRADEN A. ROGERS - Property Line Surveyor
Maryland License No. 119



BOUNDARY SURVEY

5402 Patterson Road
Lot: Parcel 426
Liber: 19441 Folio: 579
Baltimore County
MARYLAND
August 19, 2014
Scale: 1"=80'
File No: LT2141439

NOTES:

- 1) Property subject to any/all rights-of-way, easements, and/or covenants of record and/or imposed by law.
- 2) No title report furnished.
- 3) Area Total: 1.737 AC+/- (Plat) 75,676.09 SF+/- or 1.737 AC+/- (Survey)

Site Plan showing Addition

Scale 1" = 40'-0"

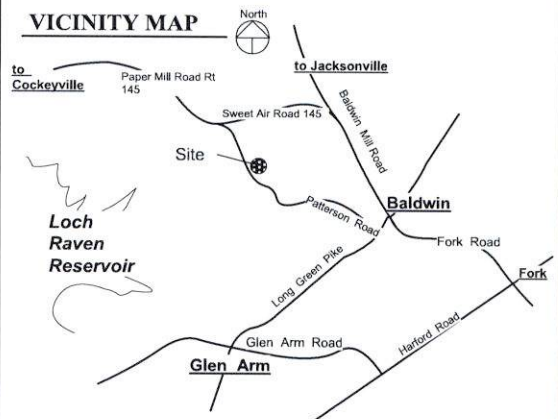
Site Information

Zoning Map #	045A2
Site Zoned	RC2
Election District	11
Council District	
Lot Area Coverage	75,676 sf - Total Lot / 4,875 = 1 5%
OR Square Feet	2,675 house + 2,200 Garage = 4,875 sf Gazebo & Accessory Shed = 350
Historic	No
In CBCA	No
In Flood Plain	No
Utilities	
Water	Private / Well
Sewer	Private / Septic
Prior Hearing	No
Violation Case Info	Yes

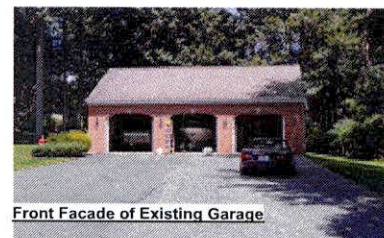
Tax ID # 23-00-003547

Deed Ref # 35353: 0309

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

Existing Conditions Site Plan

Owner

Dr. Richard D'Antonio & Kathleen D'Antonio
5402 Patterson Road, Baldwin, MD 21013
Baltimore County Maryland

Architect

sth**DESIGN**Associates
Stephen T. Hill, Architect
1515 Bellona Avenue Lutherville MD 21093
410-409-7730

Revisions

Seal

Date
July 9, 2016

Sheet Number

C-1

STH Proj # 14024

Addition Drawn by
Stephen T. Hill, Architect

Landtech Associates, Inc.

10260 Old Columbia Road Rivers Center - Suite "J"
Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299
Email: landtechsurvey@comcast.net

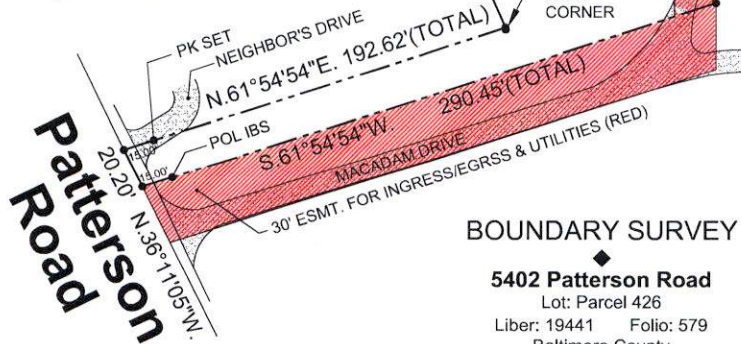


LEGEND	
PF	PIPE FOUND
IBF	IRON BAR FOUND
NF	NAIL FOUND
MF	MONUMENT FOUND
SF	STONE FOUND
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IBS	IRON BAR SET
PKS	PK SET
POL	POINT ON LINE
RET	RETAINING
CONC	CONCRETE
OH	OVERHANG
G	GATE
R/W	RIGHT-OF-WAY



License Expires: 3/28/2016

BRADEN A. ROGERS - Property Line Surveyor
Maryland License No. 119



BOUNDARY SURVEY

5402 Patterson Road
Lot: Parcel 426
Liber: 19441 Folio: 579
Baltimore County
MARYLAND
August 19, 2014
Scale: 1"=80'
File No: LT2141439

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Site Plan showing Addition

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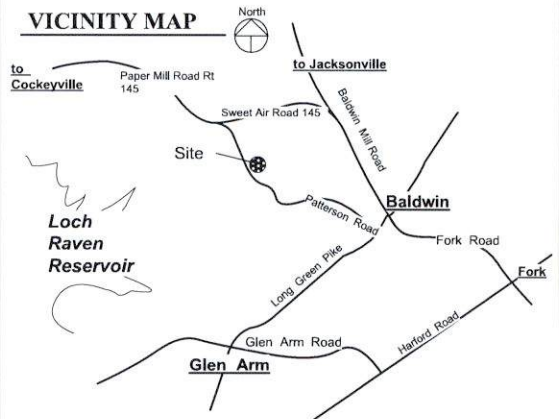
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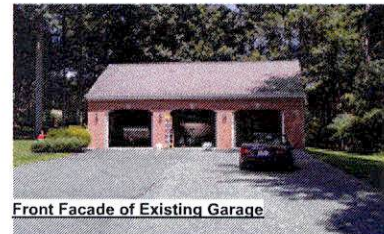
Site Information

Zoning Map #	045A2
Site Zoned	RC2
Election District	11
Council District	
Lot Area Coverage	75,676 sf - Total Lot / 4,875 = 1.5%
OR Square Feet	2,675 house + 2,200 Garage = 4,875 sf Gazebo & Accessory Shed = 350
Historic	No
In CBCA	No
In Flood Plain	No
Utilities	
Water	Private / Well
Sewer	Private / Septic
Prior Hearing	No
Violation Case Info	Yes

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

Existing Conditions Site Plan

Owner

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5402 Patterson Road, Baldwin, MD 21013
Baltimore County Maryland

Architect

sthDESIGNAssociates
Stephen T. Hill, Architect
1515 Bellona Avenue Lutherville MD 21093
410-409-7730

Revisions

Seal

Date
July 9, 2016

Sheet Number

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Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299
Email: landtechsurvey@comcast.net



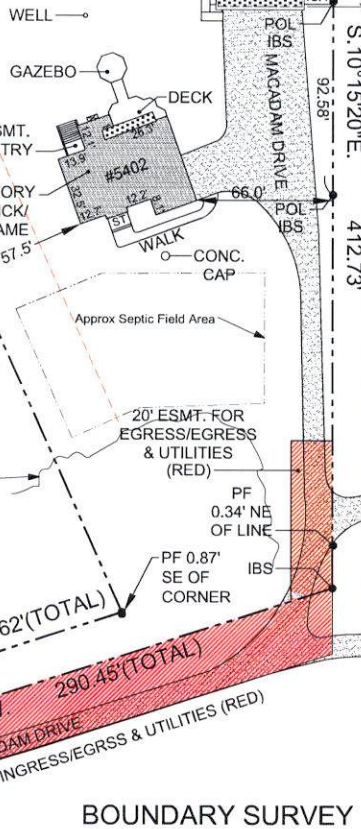
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R/W	RIGHT-OF-WAY



License Expires: 3/28/2016

GRADEN A. ROGERS - Property Line Surveyor
Maryland License No. 119

Patterson Road



BOUNDARY SURVEY

5402 Patterson Road
Lot: Parcel 426
Liber: 19441 Folio: 579
Baltimore County
MARYLAND
August 19, 2014
Scale: 1"=80'
File No: LT2141439

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Scale 1" = 40'-0"

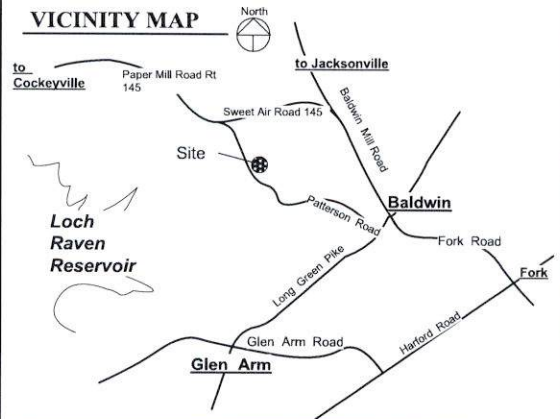
Tax ID # 23-00-003547

Deed Ref # 35353: 0309

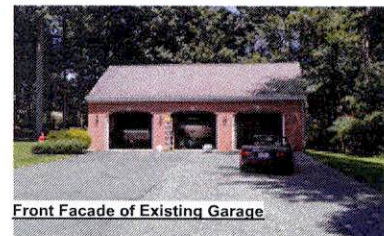
Site Information

Zoning Map #	045A2
Site Zoned	RC2
Election District	11
Council District	
Lot Area Coverage	75,676 sf - Total Lot / 4,875 = 1.5%
OR Square Feet	2,675 house + 2,200 Garage = 4,875 sf Gazebo & Accessory Shed = 350
Historic	No
In CBCA	No
In Flood Plain	No
Utilities	
Water	Private / Well
Sewer	Private / Septic
Prior Hearing	No
Violation Case Info	Yes

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

Existing Conditions Site Plan

Owner

Dr. Richard D'Antonio & Kathleen D'Antonio
5402 Patterson Road, Baldwin, MD 21013
Baltimore County Maryland

Architect

sthDESIGNAssociates
Stephen T. Hill, Architect
1515 Bellona Avenue Lutherville MD 21093
410-409-7730

Revisions

Seal

Date
July 9, 2016

Sheet Number

C-1

STH Proj # 14024

Addition Drawn by
Stephen T. Hill, Architect

Landtech Associates, Inc.

10260 Old Columbia Road
Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299
Email: landtechsurvey@comcast.net



LEGEND

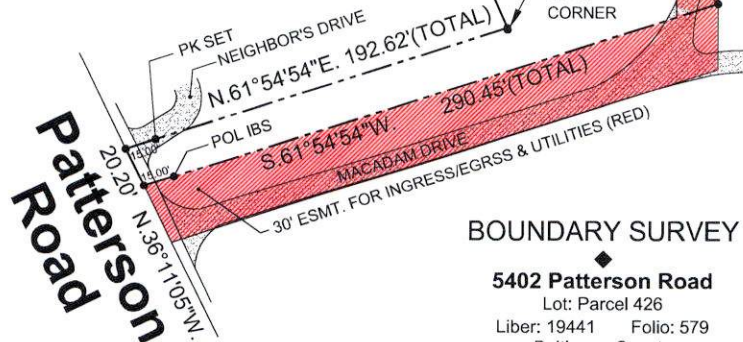
PF — PIPE FOUND
IBF — IRON BAR FOUND
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License Expires: 3/28/2016

Grad A. Rogers

GRADEN A. ROGERS - Property Line Surveyor
Maryland License No. 119



BOUNDARY SURVEY

5402 Patterson Road

Lot: Parcel 426

Liber: 19441 Folio: 579

Baltimore County

MARYLAND

August 19, 2014

Scale: 1"=80'

File No: LT2141439

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Scale 1" = 40'-0"

Tax ID # 23-00-003547

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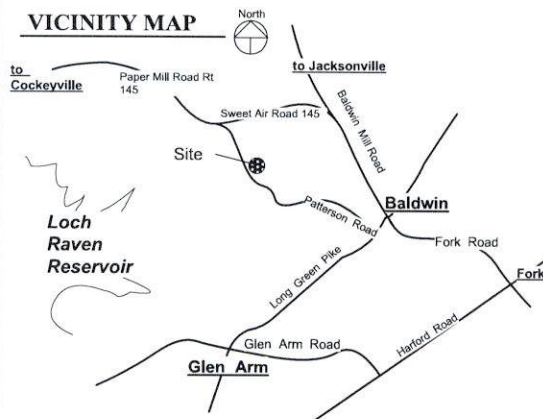
Site Information

Zoning Map # 045A2
Site Zoned RC2
Election District 11
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Lot Area Coverage 75,676 sf - Total Lot / 4,875 = 1 5%

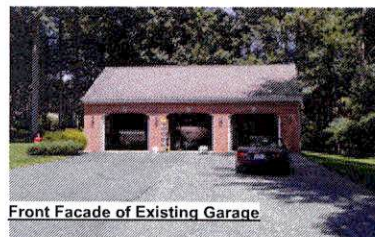
OR Square Feet 2,675 house + 2,200 Garage = 4,875 sf
Gazebo & Accessory Shed = 350

Historic No
In CBCA No
In Flood Plain No
Utilities
Water Private / Well
Sewer Private / Septic
Prior Hearing No
Violation Case Info Yes

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

Existing Conditions Site Plan

Owner

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5402 Patterson Road, Baldwin, MD 21013
Baltimore County Maryland

Architect

sthDESIGNAssociates
Stephen T. Hill, Architect
1515 Bellona Avenue Lutherville MD 21093
410-409-7730

Revisions

Seal

Date
July 9, 2016

Sheet Number

C-1

STH Proj # 14024

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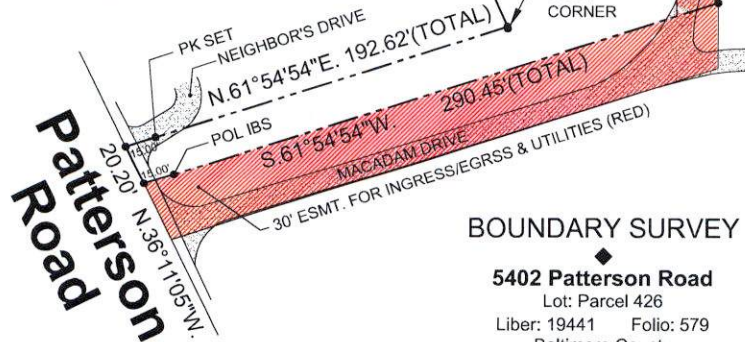
10260 Old Columbia Road Rivers Center - Suite "J"
Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299
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LEGEND	
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GRADEN A. ROGERS - Property Line Surveyor
Maryland License No. 119



BOUNDARY SURVEY

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Liber: 19441 Folio: 579
Baltimore County
of **MARYLAND**
August 19, 2014
Scale: 1"=80'
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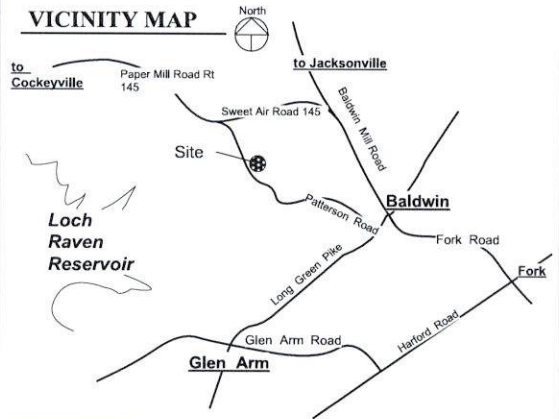
Site Information

Zoning Map #	045A2
Site Zoned	RC2
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Prior Hearing	No
Violation Case Info	Yes

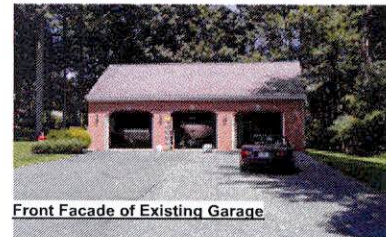
Tax ID # 23-00-003547

Deed Ref # 35353: 0309

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

Existing Conditions Site Plan

Owner

Dr. Richard D'Antonio & Kathleen D'Antonio
5402 Patterson Road, Baldwin, MD 21013
Baltimore County Maryland

Architect

sthDESIGNAssociates
Stephen T. Hill, Architect
1515 Bellona Avenue Lutherville MD 21093
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Revisions

Seal

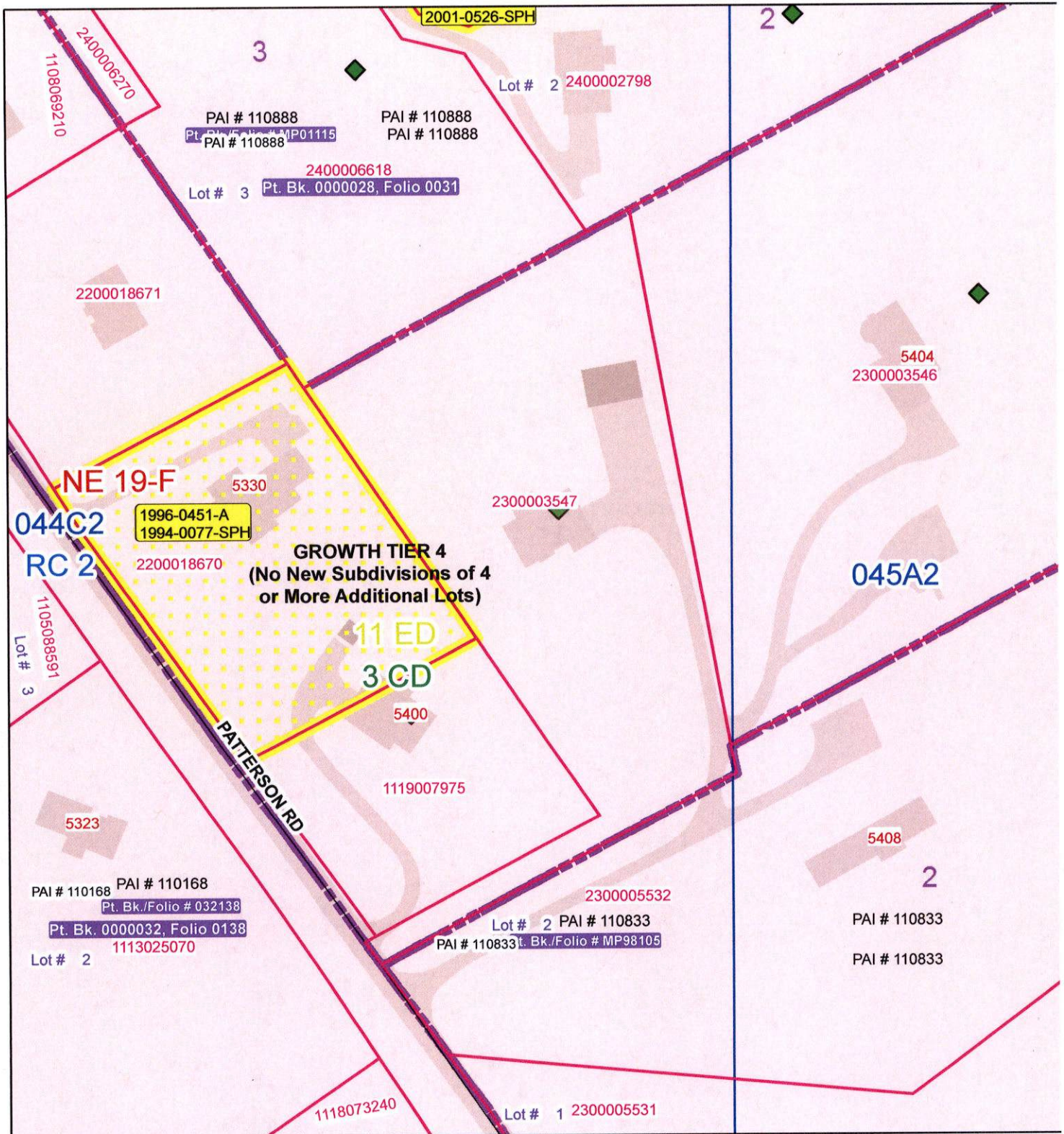
Date
July 9, 2016

Sheet Number

C-1

STH Proj # 14024

5402 Patterson Road



Publication Date: 7/27/2016



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

Item # 0028

044C1

045A1

PAI # 110134 Pt. Bk./Folio # 028031

Pt. Bk. 0000032, Folio 0111
Pt. Bk. 0000032, Folio # 032111

Pt. Bk. 0000034, Folio 0130

Lot # 3 1105079010
PAI # 110134

Lot # 1
2001-0526-SPH 00002797

PAI # 110888

5318

Pt. Bk. 0000028, Folio 0031

PAI # 110888
Pt. Bk./Folio # MP01115
PAI # 110888

5318-B

PAI # 110888

2400002798

Lot # 2

2400006270

5320
1108069210

Lot # 3 2400006618

5318-A

5324
2200018671

3 CD
NE 19-F
RC 2
044C2

11 ED

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

2200018670

1996-0451-A
1994-0077-SPH

1105088591
Lot # 3

2300003547

5402

045A2

2300003546
5404

PATTERSON RD

1119007975

5400

5323

2300005532

Lot # 2

Lot # 2

PAI # 110168
Pt. Bk. 0000032, Folio 0138
PAI # 110168 1113025070
Pt. Bk. 0000032, Folio 0138

PAI # 110833 Folio # MP98105
PAI # 110833
PAI # 110833
PAI # 110833

5408

2300005531

Lot # 1

Lot # 1 1118073240

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
KOHLEMAN
5402 PATTERSON RD
BALDWIN, MD 210130359

CASE NUMBER	PROP.TAX ID
CC1601524	2300003547
VIOLATION ADDRESS	
5402 PATTERSON RD BALDWIN, MD 21013	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.Z.R 402: Illegal conversion of dwelling	BCZR 1A01, 1A01.2: Illegal conversion of permitted workshop/dog bath/art studio into a residence In-law application and approval is required or remove apartment and convert structure back to the permitted workshop/dog bath/art studio (tenant housing is only applicable to farms)

Failure to comply with this correction notice, may result in a \$200.00 fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 04/14/2016	INSPECTOR NAME: Christina Frink
	ISSUED DATE: 03/11/2016

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. It is important that you read this document carefully, as it charges you with the commission of a crime.
2. If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
3. If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
4. A lawyer can give important assistance to you:
 - (a) on how to correct the violation(s) in order to avoid trial or
 - (b) at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
5. A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
6. It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
7. Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

Item #0028

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
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CODE ENFORCEMENT & INSPECTION CITATION

D'ANTONIO GEORGE D'ANTONIO KATHLEEN
KOHLEMAN
5402 PATTERSON RD
BALDWIN, MD 210130359

CASE NUMBER	PROP.TAX ID
CC1601524	2300003547
VIOLATION ADDRESS	
5402 PATTERSON RD BALDWIN, MD 21013	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
Other Violation(s)	See below for specific Zoning regulations: BCZR 101.1; 1A01; 1A01.2; 1A01.2.9: Failure to cease use of garage/accessory structure as an illegally converted residence Failure to convert garage/accessory structure back into permitted workshop/dog bath/art studio

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$9400

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 105 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 07/28/2016 TIME: 01:30 P.M.

IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name	Inspector Signature	Issued Date
Christina Frink		06/16/2016

Item #0028

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



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Building Inspection	410-887-3953

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CODE ENFORCEMENT & INSPECTION CITATION

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. If unable to appear on the designated date, the violator may request in writing to the Code Official within fifteen (15) days from the date of this citation for a rescheduled hearing. If you require the assistance of an interpreter because you do not understand or speak the language in which the proceedings are being conducted you must ask for an interpreter within 72 hours of the court date.
2. At this hearing, you are entitled to be represented by an attorney, present witnesses, present evidence, and cross-examine any witnesses against you. An attorney can be helpful to you by (a) explaining the charges in this citation, (b) helping you at the hearing, and (c) helping you challenge the civil penalty, if found in violation.
3. If Administrative Law Judge finds that a violation has occurred, the Final Order may include (a) a civil penalty, (b) reasonable conditions as to time and manner of correction and (c) requirement to reimburse the County for any lien(s) or costs incurred to correct a violation.
4. (a) Civil penalty a lien.
 - (1) If a final order assesses a civil penalty or an order of the Board of Appeals affirms or modifies a final order that assesses a civil penalty and the violator does not pay the civil penalty within the time required by the order, the Code Official or the Director shall certify to the Director of Budget and Finance the amount owed.
 - (2) If a violator does not pay a civil penalty within the time required as specified in paragraph (1) of this subsection, the amount owed
 - (i) Become a lien on the property on which the violation existed and shall be collectible in the manner provided for the collection of real estate taxes; or
 - (ii) May be collected in the same manner as any civil money judgment or debt may be collected.
- (b) Code Official may procure performance. If a violator fails to comply with a final order or an order of the Board of Appeals, the Code Official or the Director may procure the performance of the work needed to correct the violation in accordance with the procedure authorized in 3-6-402 of this subtitle.
5. If you are the Owner of the property, failure to pay the assessed penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt, which could result in imprisonment.
6. Should the Violator disagree with the Final Order rendered by the Office of Administrative Law, an appeal may be taken to the Baltimore County Board of Appeals within fifteen (15) days of the date of the Order.
7. A filing fee of \$225.00 and a security in the amount of any civil penalty assessed in the Final Order must accompany the notice of appeal and petition. See Baltimore County Code: 3-6-302.
8. Inclement weather procedure: We follow the Baltimore County Circuit Court schedule. Should the Circuit Court be closed, all code enforcement hearings will be cancelled and rescheduled.
9. **If the violator wishes NOT to contest this citation, give up your right to a hearing and wish to pay the fine. Please remit the following: a copy of this citation, and a check or money order payable to: Baltimore County Office of Budget and Finance, 400 Washington Ave, Rm 150, Towson, MD 21204**

Item #0028

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

5402 Patterson Road; NE/S Patterson Road

1000' SE of Patterson Farm Road

11th Election & 3rd Councilmanic Districts

Legal Owner(s): Richard & Kathleen D'Antonio

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
*
* 2017-028-SPHA
*

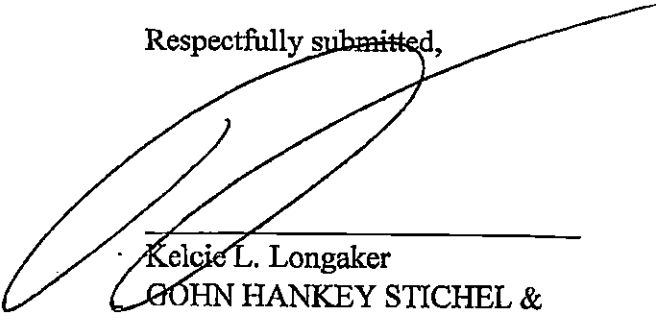
* * * * *

WITHDRAWAL OF APPEARANCE

Attorney Kelcie L. Longaker, and the firm of Gohn Hankey Stichel & Berlage LLP, withdraws their appearance of Petitioners in the above-captioned matters. As of this date, undersigned counsel is unaware of substitute counsel being appointed by Petitioners. As such, all further correspondence in this matter should be directed to Petitioners at the following address:

Dr. Richard G. D'Antonio and Mrs. Kathleen Kohlerman D'Antonio
5402 Patterson Road
Baldwin, MD 21013

Respectfully submitted,



Kelcie L. Longaker
GOHN HANKEY STICHEL &
BERLAGE LLP

201 North Charles Street, Suite 2101
Baltimore, Maryland 21201
Office: 410.752.9300
Fax: 410.752.2519
klongaker@ghsllp.com
Counsel for Petitioners

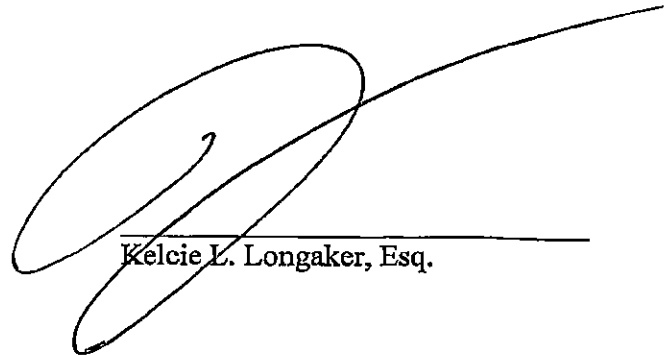
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of September, 2016, a copy of the foregoing Withdrawal of Appearance was mailed to:

Peter Max Zimmerman and Carole S. Demilio
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204

Arnold Jablon
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

R. Brader Locher
Assistant County Attorney
111 West Chesapeake Avenue
Towson, MD 21204



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6 September 2016

Arnold Jablon
Deputy Administrative Officer
Director, Department of Permits, Approvals & Inspections
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: 2017-028-SPHA

Dear Mr. Jablon:

Please find enclosed an updated Advertising Requirements and Procedures for Zoning Hearings in the above captioned matter. My office is no longer representing the petitioners in the matter and no longer has the authority to accept invoices on their behalf. A copy of the Withdrawal of Appearance is also enclosed for your convenience.

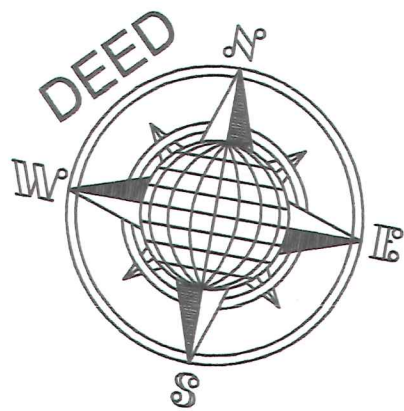
Thank you,

Kelcie Longaker

Addition Drawn by
Stephen T. Hill, Architect

Landtech Associates, Inc.

10260 Old Columbia Road Rivers Center - Suite "J"
Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299
Email: landtechsurvey@comcast.net



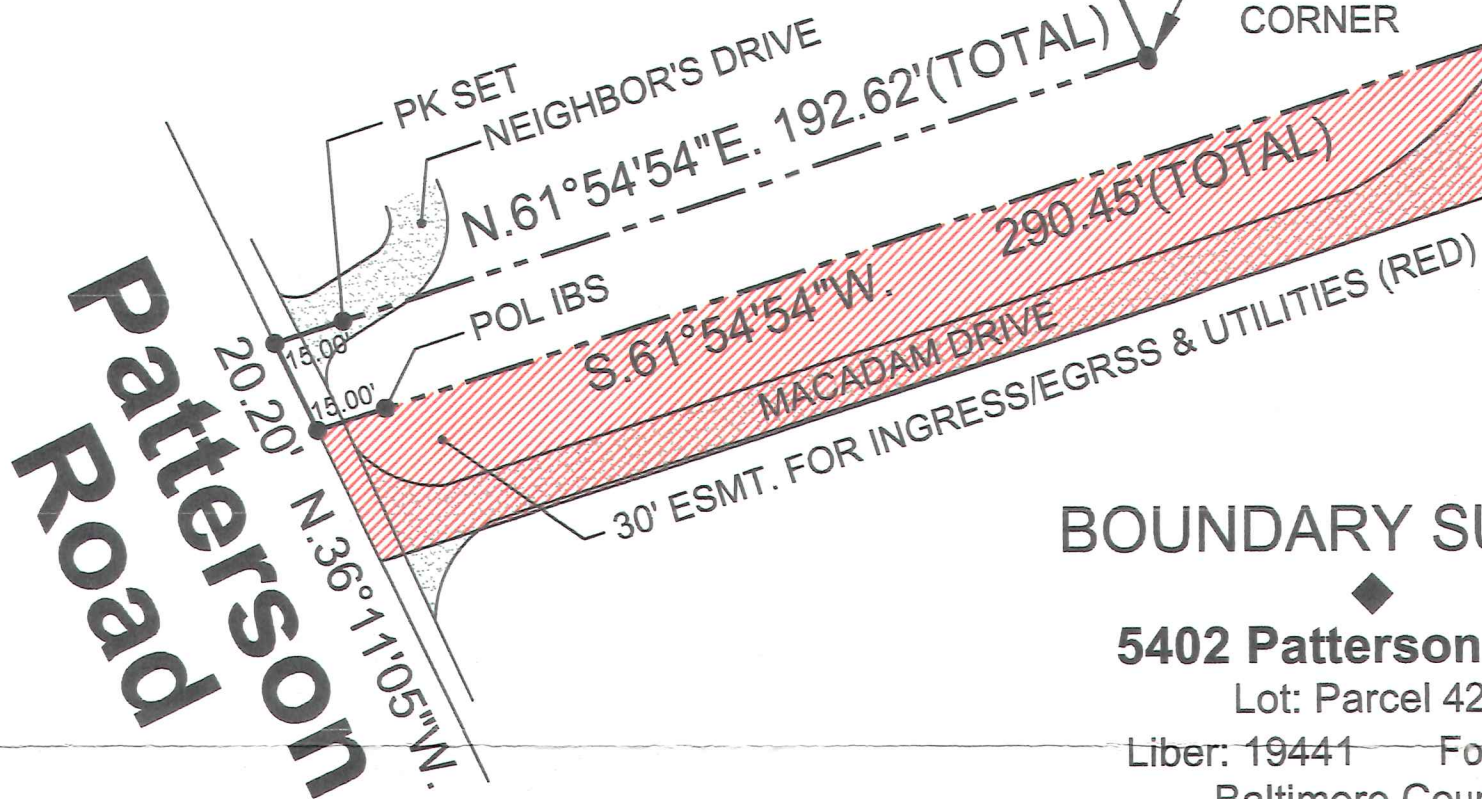
LEGEND	
PF	PIPE FOUND
IBF	IRON BAR FOUND
NF	NAIL FOUND
MF	MONUMENT FOUND
SF	STONE FOUND
CAP	CAPPED PIPE
IBS	IRON BAR SET
PKS	PK SET
POL	POINT ON LINE
RET	RETAINING
CONC	CONCRETE
OH	OVERHANG
G	GATE
R/W	RIGHT-OF-WAY



License Expires: 3/28/2016

Graden A. Rogers

GRADEN A. ROGERS - Property Line Surveyor
Maryland License No. 119



- NOTES:**
- 1) Property subject to any/all rights-of-way, easements, and/or covenants of record and/or imposed by law.
 - 2) No title report furnished.
 - 3) Area Total: 1.737 AC+/- (Plat) 75,676.09 SF+/- or 1.737 AC+/- (Survey)

Site Plan showing Addition

Scale 1" = 40'-0"

Tax ID # 23-00-003547

Deed Ref # 35353: 0309

Site Information

Zoning Map # 045A21044C2
 Site Zoned RC2
 Election District 11
 Council District 3
 Lot Area Coverage 75,676 sf - Total Lot / 4,875 = 1 5%

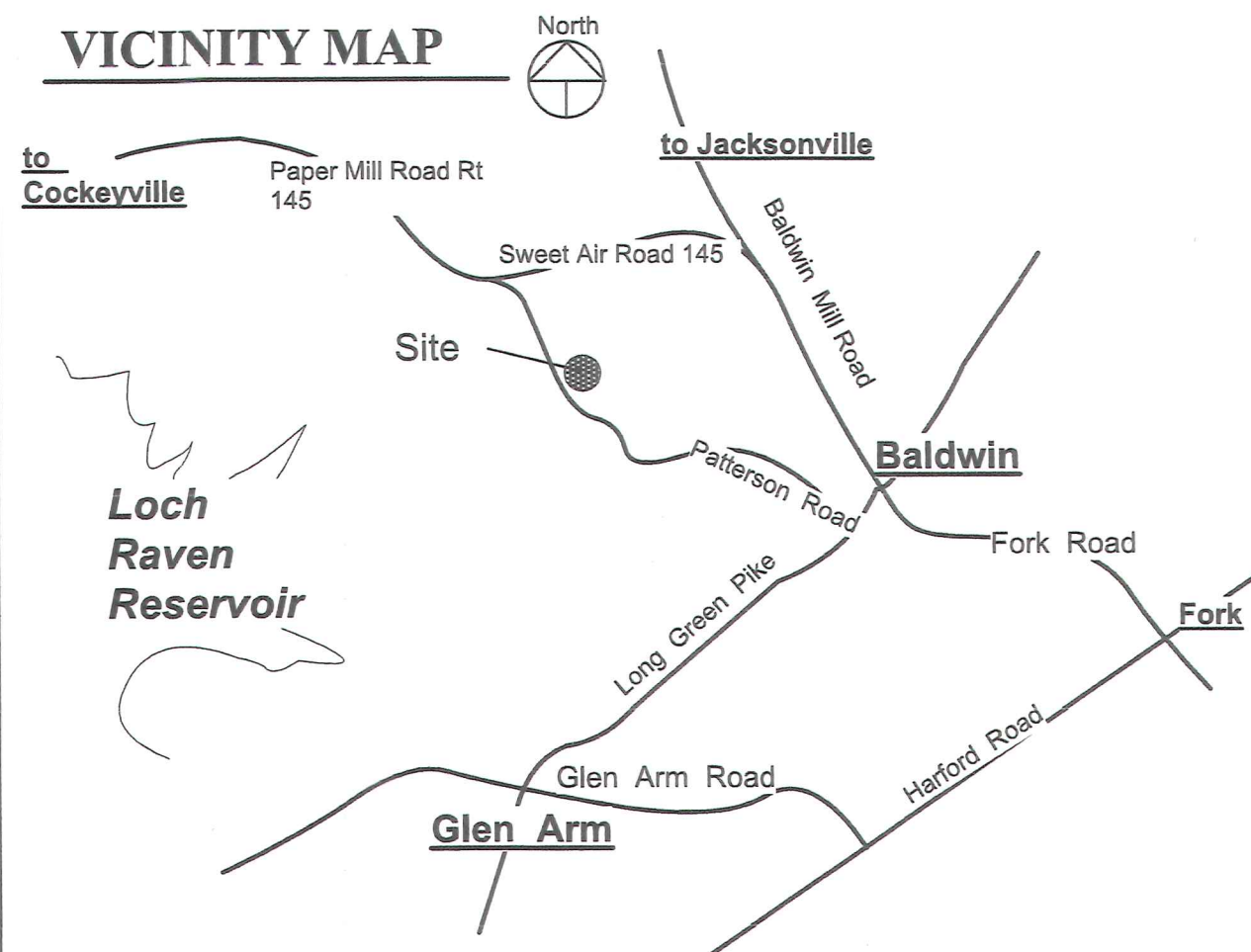
OR Square Feet 2,675 house + 2,200 Garage = 4,875 sf
 Gazebo & Accessory Shed = 350

Historic No
 In CBCA No
 In Flood Plain No
 Utilities
 Water Private / Well
 Sewer Private / Septic
 Prior Hearing No
 Violation Case Info Yes CC1601524

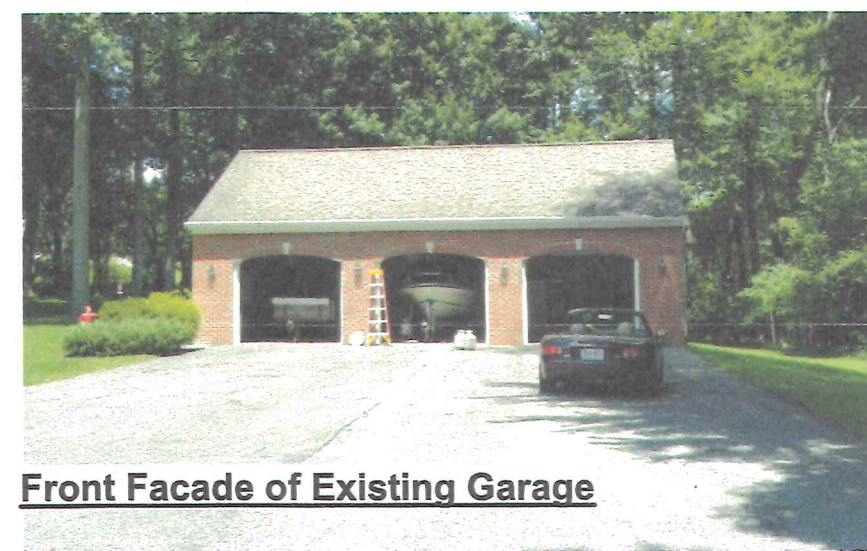
#2017-0028-SPHA

R.T.

VICINITY MAP



Front Facade of Existing House



Front Facade of Existing Garage

EXISTING CONDITIONS SITE PLAN

Owner

Dr. Richard D'Antonio & Kathaleen D'Antonio
 5402 Patterson Road, Baldwin, MD 21013
 Baltimore County Maryland

Architect

sthDESIGNAssociates

Stephen T. Hill, Architect

1515 Bellona Avenue Lutherville MD 21093
 410-409-7730

Revisions

Seal

Date

April 21, 2016
 Variance Request

Sheet Number

C-1

STH Proj # 14024

PLAT FOR Variance and SPECIAL HEARING