Board of Appeals of Baltimore County

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

October 27, 2021

NOTICE OF ASSIGNMENT

IN THE MATTER OF: Lucky Star, LLC
11 Lynbrook Road
21-109-A 15th Election District; 7th Councilmanic District

Re: Petition for Variance relief from BCZR § 400.3 to allow an accessory structure (garage) to be 20' height in lieu of the permitted 15' height.

7/20/21 Opinion and Order of the Administrative Law Judge wherein the Petition for Variance was DISMISSED AS MOOT, and the garage permitted to remain as constructed with no additional building permit required.

8/9/21 Motion for Reconsideration filed by People's Counsel for Baltimore County.

8/11/21 Response to Motion for Reconsideration filed by Dino C. La Fiandra, Esquire on behalf of Lucky Star, LLC, Petitioner.

8/11/21 E-mail to ALJ from People's Counsel for Baltimore County providing additional information.

8/13/21 E-mail to ALJ from People's Counsel for Baltimore County responding to Response to Motion for Reconsideration.

8/13/21 E-mail to ALJ from People's Counsel for Baltimore County providing an algebraic mathematical correction.

9/9/21 Order on Motion for Reconsideration wherein the Administrative Law Judge GRANTED the Motion based on the Petitioner's residential use of the garage as reflected in the Site Plan (Pet. Ex. 1); and the Petition for Variance was GRANTED, with conditions.

ASSIGNED FOR: FEBRUARY 17, 2022, AT 10:00 A.M.

The above scheduled hearing will be held remotely using WebEx for audio and video participation. **Call-in information and a link to the hearing will be posted on our web calendar at** www.baltimorecountymd.gov/departments/appeals **the night before.**

A complete set of **exhibits must be emailed** at least **48 hours before the hearing** to **appealsboard@baltimorecountymd.gov** in a format that complies with MDEC (Maryland Electronic Court) standards.

NOTICE:

- This appeal is an evidentiary hearing. Parties should consider the advisability of retaining an attorney.
- Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.
- No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).
- If you require special accommodations, please contact this office at least one week prior to hearing date.

If you do not have access to a computer or smart device, please contact our office for the call-in information the day before the scheduled hearing.

Krysundra Cannington, Administrator

c. Counsel for Petitioners : Dino C. La Fiandra, Esquire
Legal Owner : Lucky Star, LLC

People's Counsel for Baltimore County/Appellant : Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire

Patrick C. Richardson, Jr./Richardson Engineering, LLC

Paul M. Mayhew, Managing Administrative Law Judge
Steve Lafferty, Director/Department of Planning
C. Pete Gutwald, Director/PAI
James R. Benjamin, Jr., County Attorney
Nancy C. West, Assistant County Attorney