



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

December 11, 2023

William C. Parler, Esquire – w.parler@parlerlaw.com
311 Gailridge Road
Timonium, MD 21093

RE: Motion to Dismiss
Case No. 2023-0069-A
Property: 1310 Hollins Lane

Dear Mr. Parler:

Enclosed please find a copy of the Corrected Order on the Motion to Dismiss in regard to the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order 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,

A handwritten signature in cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

c: *-Continued to next page -*

Benjamin Ouazana – bouazana@kw.com
Mostafa Izadi – mizadi@aec-engineers.biz
Christian Johnson – christian1995@yahoo.com
Drew Weitzel – anthonyweitzel@gmail.com
Jamie Cahn – jemcahn@comcast.net
Jeffrey Budnitz – jbudnitz@comcast.net
John M. McGlone – scrumager1@comcast.net
Lee Shropshire – leeshropshire@aol.com
Melissa McMacken – melissamcmacken@gmail.com
Mostafa Izadi – mizadi@aec-engineers.biz
Ruxton Ridgerwood Lake Roland Improvement Assoc. – office@rrlraia.org
Veronica Piskor – veepea22@gmail.com
Ben – bouazana@kw.com
C. Bruce Boswell – thebruce55@verizon.net
Tom S – tslau410@gmail.com

IN RE: PETITION FOR VARIANCE
(1310 Hollins Lane)
9th Election District
2nd Council District
1310 Hollins St, LLC
Legal Owner

Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF
* BALTIMORE COUNTY
* **CASE NO. 2023-0069-A**

* * * * *

CORRECTED OPINION AND ORDER ON PETITIONER'S MOTION TO DISMISS

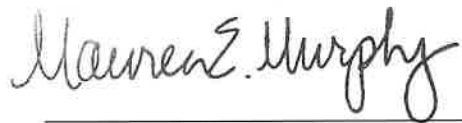
This matter comes before the Office of Administrative Hearings ("OAH") on Petitioner's Motion to Dismiss the Petition for Variance filed by 1310 Hollins St., LLC ("Petitioner") for property located at 1310 Hollins Lane, Ruxton (the "Property"). Petitioner requested Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §1B02.3.C.1 and from the Zoning Commissioner Policy Manual ("ZCPM") 1B02.3.C.1.A to approve a 3-story house on a double frontage corner lot with front street and side street setbacks of 25 feet in lieu of the required 30 feet.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on June 12, 2023 before ALJ Paul Mayhew. The Petition was properly advertised and posted. Mostafa Izadi, PE who appeared at the hearing in support of the Petition and prepared and sealed a Minor Subdivision Plan. (Pet. Ex. 1). William C. Parler, Jr., Esquire represented the Petitioner. The following persons also attended: James Cahn, President of the Ruxton Riderwood Lake Roland Community Association ("RRLRCA"); Drew Weitzel, 1101 Hollins Lane; Christian Johansson, 6138 Falls Rd.; Lee Shropshire, 1404 Wiltwyck Rd.; C. Bruce Boswell, 6201 Falls Rd.; Matthew McGlone, 1201 Malvern Ave.; Jeffrey Budnitz, 6115 Falls Rd.; and Veronica Piskor, 1406 Gardman Ave.

At the hearing, at the request of the Petitioner and RRLRC, ALJ Mayhew held this matter *sub curia* pending an agreement between the parties about the proposed home at 1312 Hollins Lane. Petitioner, by and through its counsel, filed a Motion to Dismiss the Petition for Variance which will be granted, without prejudice.

THEREFORE, IT IS ORDERED, this **11th** day of **December, 2023**, by the Administrative Law Judge for Baltimore County, that the Motion to Dismiss the Petition for Variance filed in the above-captioned case be, and it is hereby, **GRANTED**, *without prejudice*.

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

A handwritten signature in dark ink, reading "Maureen E. Murphy". The signature is written in a cursive style with a horizontal line underneath the name.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

December 11, 2023

William C. Parler, Esquire – w.parler@parlerlaw.com
311 Gailridge Road
Timonium, MD 21093

RE: Motion to Dismiss
Case No. 2023-0069-A
Property: 1310 Hollins Lane

Dear Mr. Parler:

Enclosed please find a copy of the Order on the Motion to Dismiss in regard to the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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,

A handwritten signature in cursive script that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm
Enclosure

c: -Continued to next page -

Benjamin Ouazana – bouazana@kw.com
Mostafa Izadi – mizadi@aec-engineers.biz
Christian Johnson – christian1995@yahoo.com
Drew Weitzel – anthonyweitzel@gmail.com
Jamie Cahn – jemcahn@comcast.net
Jeffrey Budnitz – jbudnitz@comcast.net
John M. McGlone – scrumager1@comcast.net
Lee Shropshire – leeshropshire@aol.com
Melissa McMacken – melissamcmacken@gmail.com
Mostafa Izadi – mizadi@aec-engineers.biz
Ruxton Ridgerwood Lake Roland Improvement Assoc. – office@rrlraia.org
Veronica Piskor – veepeer22@gmail.com
Ben – bouazana@kw.com
C. Bruce Boswell – thebruce55@verizon.net
Tom S – tslau410@gmail.com

IN RE: PETITION FOR VARIANCE

(1310 Hollins Lane)

9th Election District

2nd Council District

1310 Hollins St, LLC

Legal Owner

Petitioner

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS OF

*

BALTIMORE COUNTY

*

CASE NO. 2023-0069-A

*

*

*

*

*

*

*

*

*

OPINION AND ORDER ON PETITIONER'S MOTION TO DISMISS

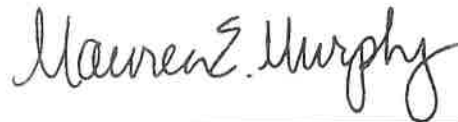
This matter comes before the Office of Administrative Hearings ("OAH") on Petitioner's Motion to Dismiss the Petition for Variance filed by 1310 Hollins St., LLC ("Petitioner") for property located at 1310 Hollins Lane, Ruxton (the "Property"). Petitioner requested Variance relief from the Baltimore County Zoning Regulations ("BCZR"), §1B02.3.C.1 and from the Zoning Commissioner Policy Manual ("ZCPM") 1B02.3.C.1.A to approve a 3-story house on a double frontage corner lot with front street and side street setbacks of 25 feet in lieu of the required 30 feet.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on June 12, 2022 before ALJ Paul Mayhew. The Petition was properly advertised and posted. Mostafa Izadi, PE who appeared at the hearing in support of the Petition and prepared and sealed a Minor Subdivision Plan. (Pet. Ex. 1). William C. Parler, Jr., Esquire represented the Petitioner. The following persons also attended: James Cahn, President of the Ruxton Riderwood Lake Roland Community Association ("RRLRCA"); Drew Weitzel, 1101 Hollins Lane; Christian Johansson, 6138 Falls Rd.; Lee Shropshire, 1404 Wiltwyck Rd.; C. Bruce Boswell, 6201 Falls Rd.; Matthew McGlone, 1201 Malvern Ave.; Jeffrey Budnitz, 6115 Falls Rd.; and Veronica Piskor, 1406 Gardman Ave.

At the hearing, at the request of the Petitioner and RRLRC, ALJ Mayhew held this matter *sub curia* pending an agreement between the parties about the proposed home at 1312 Hollins Lane. Petitioner, by and through its counsel, filed a Motion to Dismiss the Petition for Variance which will be granted, without prejudice.

THEREFORE, IT IS ORDERED, this **11th** day of **December, 2023**, by the Administrative Law Judge for Baltimore County, that the Motion to Dismiss the Petition for Variance filed in the above-captioned case be, and it is hereby, **GRANTED**, *without prejudice*.

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

A handwritten signature in cursive script that reads "Maureen E. Murphy". The signature is written in dark ink and is positioned above a horizontal line.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

September 23, 2023

Ms. Kristen Lewis
Development/Management/Permits
Inspections & Approvals
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Ms. Lewis:

Thank you for the opportunity to review the Site Plan for 1310 Hollins Lane at MD 25 in Baltimore County. The Maryland Department of Transportation, State Highway Administration (MDOT SHA) has completed their review of the plan submittal below and is pleased to respond.

**1310 Hollins Lane
County No. 2023-00069-A
MD 25
Baltimore County**

- 1. The plan shows a 30' Highway Widening Right of Way in MD 25. It appears that the front property line for 1310 Hollins Lane is in the middle of MD 25. Therefore, MDOT SHA has no objection to the subdivision of the lots however the MDOT SHA is requesting that the 30' Right of Way dedication be platted and deeded to MDOT SHA before issuance of any building permits. The dedication shall run along the full frontage of Falls Rd, MD 25 as shown on the Site Plan.** For plat and deed preparation, MDOT SHA requires that any right-of-way or easement donation (dedication) be platted to MDOT SHA standards. Go to: <https://roads.maryland.gov/mdotsha/pages/Index.aspx?PageId=106> then follow the link to Developer Donation Plat Standards. Please contact Mr. Robert Hammond Bey, Chief, Records & Research Section, Office of Real Estate: 410-545-0358 RHammondbey@mdot.maryland.gov for existing right-of-way information. Note that any plats produced for the MDOT SHA shall be on NAD83/91 datum. Please contact Mr. Erik Donald of the Plats & Surveys Division (PSD): 410-545-8976 EDonald@mdot.maryland.gov for SHA-GPS control location and information. All plats must be submitted for review, checking and final issuance.

Please utilize the Salesforce link located at <https://mdotsha.force.com/accesspermit/login?ec=302&inst=4v&startURL=%2Faccesspermitt> to submit your right of way plat. Subsequent plat submissions shall be made directly to the Plats and Surveys Division. Please contact Mr. Matthew Bloedorn PLS, Assistant Division Chief, Plats & Surveys Division (PSD): 410-545-8916 MBloedorn@mdot.maryland.gov for

Ms. Kristen Lewis
September 23, 2023

additional information about the Donation Plat review process. Additionally, contact Mr. Robertallen Webb, Chief, District 4 Right-of-Way: 410-229-2401

RWebb@mdot.maryland.gov for information about the Donation Deed requirements and procedures.

2. The applicant must apply for a District Utility permit to install any utility connections in MD 25, Falls Rd.

Upon receipt of the recorded plat and deed, MDOT will have no objection to the building permit issuance. If there are any questions, please contact Ms. Teresa Eller by email at teller@mdot.maryland.gov.

Sincerely,

Teresa Eller for

Sutapa Samanta
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

CERTIFICATE OF POSTING

CASE NO. 2023-0069-A

PETITIONER/DEVELOPER

Mostafa Izadi

DATE OF HEARING/CLOSING

June 12, 2023

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

1310 Hollins Lane

Sign 1



THE SIGN(S) POSTED ON May 22, 2023

(MONTH, DAY, YEAR)

SINCERLEY,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE, MD 21234

443-629-3411

CERTIFICATE OF POSTING

CASE NO. 2023-0069-A

PETITIONER/DEVELOPER

Mostafa Izadi

DATE OF HEARING/CLOSING

June 12, 2023

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

1310 Hollins Lane

Sign 2



THE SIGN(S) POSTED ON May 22, 2023

(MONTH, DAY, YEAR)

SINCERLEY,

MARTIN OGLE

MARTIN OGLE

9912 MAIDBROOK RD.

PARKVILLE, MD 21234

443-629-3411