

IN RE: <b>PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>(4006 Schroeder Avenue)</b>		
11 <sup>th</sup> Election District	*	OFFICE OF
5th Council District		
Filippo T. Amodeo & Filippa Amodeo	*	ADMINISTRATIVE HEARINGS
<i>Legal Owners</i>	*	FOR BALTIMORE COUNTY
<b>Petitioners</b>	*	<b>Case No: 2021-0261-SPH</b>
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**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Special Hearing filed by Filippo T. Amodeo and Filippa Amodeo, Petitioners for property located at 4006 Schroeder Avenue. The Special Hearing was filed from the Baltimore County Zoning Regulations (“BCZR”) § 500.7 to approve a revised plan that has a lot line adjustment between the two parcels to be in conformance with zoning case 1995-287-XA.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. No County agencies opposed the requested relief. There were no interested citizens or protestants that attended the hearing.

Anthony Amodeo, the son and personal representative of the Estate of Fillipo Amodeo appeared in support of the Petition. Patrick “Rick” Richardson, Jr., of Richardson Engineering, LLC assisted the Petitioners and prepared the site plan. . The site plan that was prepared and sealed was admitted as Petitioner’s Exhibit 1. The site plan from a prior zoning case for the property (Case No. 1995-0287-XA) was admitted as Exhibit 2. The subject is 6.65; 10.21 acres and is split-zoned DR 1 and DR 2. The prior case granted a special exception for the operation of a riding stable, and a variance from the setback requirements from a zoning use division line.

Mr. Richardson explained that in the instant case the Petitioners seek this minor lot line adjustment in order to more efficiently and fairly apportion the property between heirs. He further stated that no residential density units will be gained by the lot line adjustment. Petitioner submitted a letter from W. Carl Richards, the former Zoning Supervisor, conditionally granting the requested relief (Petitioner's Exhibit 4), and a letter from Joseph Merrey from Zoning Review requiring this Special Hearing (Petitioner's Exhibit 5).

Based on the evidence presented I find that the requested relief is within the spirit and intent of Case No. 1995-287-ZA, and that of the BCZR and that the relief will not harm the public health, safety, or welfare.

Good cause having been shown it is, **THEREFORE, ORDERED** this **8th** day of **December, 2021** by this Administrative Law Judge that the Petition for Special Hearing pursuant to the Baltimore County Zoning Regulations ("BCZR") § 500.7 to approve a revised plan that has a lot line adjustment between the two parcels to be in conformance with zoning case 1995-287-XA is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

- 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.

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

Signed  
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PAUL M. MAYHEW  
Managing Administrative Law Judge  
for Baltimore County

PMM/dlm