

HOWARD COUNTY HEARING EXAMINER

IN THE MATTER OF
DR. SARA VIA, ET AL.

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REGARDING

Case No. BA-821D

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4411 Manor Lane
Ellicott City, MD 21042

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**Motion for Preliminary Determination that the Department of Planning and Zoning
Failed to Comply with the Hearing Examiner's Previous Decision and Order**

Citizen-Petitioners, Dr. Sara Via, Vladimir Blyukher, Anzhelika Artamoshyna, Filip Braekman, Joan Pontius, Yvonda Brooks, Christian Domerchie, Sara Domerchie, William Flanigan, Karan Flanigan, Harry Hoffman, Suzanne Hoffman, Russell Howey, Constance Reed, Honor Reed, Verity Weston-Truby, Anne D. Colburn, Samuel Ellis, Stephanie Ellis, Virginia Valenzia (collectively "Citizen-Petitioners"), by their attorneys, G. Macy Nelson and Alex Votaw, file this Motion for Preliminary Determination that the Howard County Department of Planning and Zoning ("DPZ") failed to comply with the Hearing Examiner's previous Decision and Order of Remand in BA-806, issued on February 27, 2025, ("BA-806 D&O") when DPZ issued its response letter on May 28, 2025 for the reasons set forth in the accompanying memorandum.

Accordingly, Citizen-Petitioners respectfully request that the September 9, 2025, hearing date be limited to legal argument about whether DPZ's decision complied with the BA-806 D&O.

In accordance with Section 7.5 of the Hearing Examiner's Rules of Procedure, Citizen-Petitioners' counsel certify that a copy of this Motion was provided to all persons entitled to written notification under Section 2.203 of the Board's Rules of Procedure (identified in Attachment A). Counsel further certify that counsel stated in such correspondence that, "any person interested in responding to this motion must file a written response with the hearing examiner within fifteen days of the date that the motion was filed."

Respectfully Submitted,

G. Macy Nelson / A.L.V.

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Counsel for Citizen-Petitioners

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(410) 296-8166

Counsel for Citizen-Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 2025, a copy of the foregoing Motion for Preliminary Determination that DPZ Failed to Comply with the Hearing Examiner's Previous Decision and Order was served electronically on the Hearing Examiner with a copy served electronically to:

David Moore, Esq.
Senior Assistant County Solicitor
3450 Court House Drive
Ellicott City, Maryland 21043
dmoore@howardcountymd.gov

Adjoining Property Owners and Interested Persons
(See Attachment A)
Via U.S. Mail

G. Macy Nelson /A.L.V.
G. Macy Nelson

Attachment A

Subject Property:

4411 Manor Lane
Ellicott City, MD 21042

Adjoining Properties:

The Marriner Family Irrevocable Trust
4415 Manor Lane
Ellicott City, MD 21042
Mailing Address: 4411 Manor Lane
Ellicott City, MD 21042

The Marriner Family Irrevocable Trust
4425 Manor Lane
Ellicott City, MD 21042
Mailing Address: 4411 Manor Lane
Ellicott City, MD 21042

Mary E. Marriner Tr and Marriner Family Irrevocable Trust
Manor Lane
Ellicott City, MD 21042
Mailing Address: 4411 Manor Lane
Ellicott City, MD 21042

Russell P. Howey
4515 Manor Lane
Ellicott City, MD 21042

Clarkland Farm, LLC
10572 State Route 108
Ellicott City, MD 21042
Mailing Address: 4370 Centennial Lane
Ellicott City, MD 21042

Howard County, Maryland Department of Public Works
Pudding Lane
Ellicott City, MD 21043
Mailing Address: 3430 Court House Drive
Ellicott City, MD 21043

Arian Hamidi and Liela C. Hamidi
10540 Pudding Lane
Ellicott City, MD 21042

Seung Chung and Sharon Chung
10549 Pudding Lane
Ellicott City, MD 21042

John Lee Carroll, Jr.
Manor Lane
Ellicott City, MD 21042
Mailing Address: 3841 Manor Lane
Ellicott City, MD 21042

Genevieve Anne Carroll
Manor Lane
Ellicott City, MD 21402
Mailing Address: P.O. Box 35
Queenstown, MD 21658

Pamela J. Miller and Kenneth M. Griffin
4380 Mannor Lane
Ellicott City, MD 21042

Gerald Henline and Anna Marie Henline
4400 Manor Lane
Ellicott City, MD 21042

Daniel D. Helfrich and Mary S. Helfrich
4420 Manor Lane
Ellicott City, MD 21042

Russell P. Howey
4510 Manor Lane
Ellicott City, MD 21042