

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE – E/S Fairmount Avenue,  
120' N of the c/l Pennsylvania Avenue \* ZONING COMMISSIONER  
(502 Fairmount Avenue)  
9<sup>th</sup> Election District \* OF BALTIMORE COUNTY  
4<sup>th</sup> Council District \*  
Seyed Shirazi, et ux \* Case No. 02-132-SPHA  
Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Seyed and Maria Shirazi. The Petitioners seek approval of a Class A Child Care Center on the subject property and variance relief from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence with a setback of 0 feet in lieu of the required 20 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Seyed Shirazi, property owner. Also present were J. Carroll Holzer, a nearby property owner, and John F. Etzel. Mr. Etzel appeared on behalf of Leroy Y. Haile, Jr. who also owns adjacent property. Mr. Etzel delivered a letter regarding the case from Mr. Haile which has been included in the case file.

Testimony and evidence presented revealed that the subject property is a rectangular shaped parcel located on the west side of Fairmount Avenue, near its intersection with East Pennsylvania Avenue in Towson. The property contains a gross area of 5,490 sq.ft., more or less, zoned R.O. and is improved with a two-story dwelling, which features a covered front porch, and a macadam paved driveway which leads to a parking area to the rear. The surrounding neighborhood features a mix of residential and office uses. Mr. Haile's properties, which abut the subject site on two sides, are improved with single family or apartment buildings. Mr. Holzer's law office is located immediately down the street at 508 Fairmount Avenue.

ORDER RECEIVED FOR FILING

Date 12/3/11

By [Signature]

Mr. & Mrs. Shirazi recently purchased the subject property and are desirous of opening a Class A Child Care Center therein. The Petitioners currently reside in another area of Towson and operate a Child Care Center for 8 children in their home. They propose to expand that facility to accommodate up to 12 children and relocate same to the subject property. The children will range in age from 6 months to 2 years and child care will be provided from 7:30 AM to 5:30 PM, Monday through Friday. There will only be two employees on site, namely, Mr. & Mrs. Shirazi.

Concerns were expressed over the heavy volume of traffic on Fairmount Avenue and the proposed drop-off area for the children. In this regard, Mr. Shirazi indicated that the macadam parking area to the rear of the building had recently been added to provide parking and a drop-off area. Children will not be dropped off on Fairmount Avenue. There is sufficient maneuvering room for vehicles to enter the site at the existing curb cut and access the rear parking area and then turn around and exit after the children are dropped off or picked up.

The site plan also shows a play area of 1236 sq.ft. This play area occupies the rear and side yard of the subject property. As shown on the plan, the perimeter of the play area will feature a 5-foot high fence. In this regard, the letter from Mr. Haile suggested a modification to the site plan. Specifically, Mr. Haile indicated that although the proposal is appropriate in that the site will be put to a "productive use", the fence should be a minimum of 6 feet in height and should be of a wooden stockade character to cut down on noise levels and provide more privacy. Mr. Shirazi agreed to such a modification of the proposal and I concur that it is appropriate.

Sections 101 and 424 of the B.C.Z.R. define and regulate child care facilities. A group child care center is defined in Section 101 as "A building or structure wherein care, protection and supervision is provided for part or all of the day, on a regular schedule, at least twice a week for at least 9 children, including children of the adult provider." A Class A group child care center is defined as "A group child care center wherein group child care is provided for no more than 12 children at one time."

ORDER RECEIVED FOR FILING

Date

By

Section 424 of the B.C.Z.R. regulates group child care centers. Such centers are permitted in the R.O. zone, subject to certain conditions. Those conditions are defined in Section 424.4.6 of the B.C.Z.R.

Based upon the testimony and evidence offered, I am persuaded that the Class A group child care center proposed here should be permitted. Limited to 12 children, I believe that the use is appropriate and will not adversely impact the surrounding neighborhood. As conditions to this approval, I will restrict the number of children to 12, will limit the hours and days of operation, and will also require a fence substantially similar to that suggested by Mr. Haile. Those restrictions are agreeable to the Petitioner and are appropriate.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

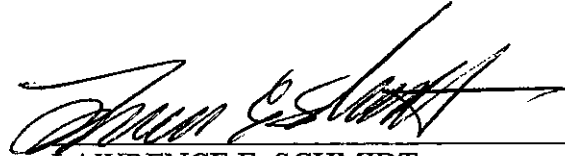
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of December, 2001 that the Petition for Special Hearing seeking approval of a Class A Child Care Center on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence with a setback of 0 feet in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their use permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is limited to a Class A Group Child Care Center for no more than 12 children. The hours and days of operation shall be limited to 7:30 AM to 5:30 PM, Monday through Friday.
- 3) All children shall be dropped off and picked up on the parking area to the rear of the dwelling. No drop-offs or pick-ups shall occur on Fairmount Avenue.

ORDER RECEIVED FOR FILING  
Date 12/3/01  
By [Signature]

- 4) A 6-foot high, board on board privacy fence shall be installed along the perimeter of the play area in lieu of the 5-foot high fence shown on the site plan.
- 5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING  
Date 12/3/01  
By [Signature]



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

December 4, 2001

Mr. & Mrs. Seyed Shirazi  
500 McManus Way  
Towson, Maryland 21286

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE  
E/S Fairmount Avenue, 120' N of the c/l Pennsylvania Avenue  
(502 Fairmount Avenue)  
9<sup>th</sup> Election District - 4<sup>th</sup> Council District  
Seyed Shirazi, et ux - Petitioners  
Case No. 02-132-SPHA

Dear Mr. & Mrs. Shirazi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: J. Carroll Holzer, Esquire, 508 Fairmount Avenue, Towson, Md. 21286  
Mr. John F. Etzel, 1108 Valewood Road, Towson, Md. 21286  
Leroy Y. Haile, Jr., 1503 Providence Road, Towson, Md. 21286  
People's Counsel; Case File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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on Recycled Paper



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 502 FAIRMOUNT AV.

which is presently zoned RO

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A CLASS A CHILD

CARE CENTER.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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.

I/We do 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 Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

## Legal Owner(s):

SETEO. SHIRAZI

Name - Type or Print

Signature

MARIA. SHIRAZI

Name - Type or Print

Signature

500 MC MANUS WAY (410) 938 966

Address

Telephone No.

TOWSON, MD

21286

City

State

Zip Code

## Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRF

Date 9/20/01

Case No. 02-132-SPHA

Date 9/15/98

ORDER RECEIVED FOR FILING



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 502 FAIRMOUNT AV.

which is presently zoned RO

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 424.1.B BC2R

To allow a fence with a setback of 0' in lieu of the required 20'.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, 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.

I/We do 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 Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

SEYED. SHIRAZI

Name - Type or Print

Signature

MARIA. SHIRAZI

Name - Type or Print

Signature

502 FAIRMOUNT AVE. (410) 9388966

Address

Telephone No.

TOWSON

MD

21286

City

State

Zip Code

## Representative to be Contacted:

SEYED. SHIRAZI

Name

500 MC MANUS WAY (410) 9388966

Address

Telephone No.

TOWSON,

MD

21286

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING

Reviewed By JRF

Date 9/26/01

ORDER RECEIVED FOR FILING

Date 9/13/01

By [Signature]

No. 02-132-SPHA

220 9/15/98

# EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description: - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 502 FAIRMOUNT AVE.  
(address)

Beginning at a point on the EAST side of  
(north, south, east or west)  
FAIRMOUNT AVE. which is 50'  
(name of street on which property fronts) (number of feet of right-of-way width)  
wide at the distance of 120' NORTH of the  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street PENNSYLVANIA AVE.  
(name of street)  
which is 50' wide. \*Being Lot # —,  
(number of feet of right-of-way width)  
Block —, Section # — in the subdivision of —  
(name of subdivision)  
as recorded in Baltimore County Plat Book # —, Folio # —,  
containing 5,490. Also known as —  
(square feet or acres) (property address)  
and located in the 9<sup>th</sup> Election District, 4<sup>th</sup> Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber —, Folio —" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E. 87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning

132



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No.

5686

DATE 9-20-01 ACCOUNT 501-056-0150

AMOUNT \$ 500.00

RECEIVED FROM: SEYED SHIRAZI  
502 FAIRMOUNT AVE. ITEM # BR 132  
FOR: 01 VARIANCE & SDH TAKEN BY: JRM

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT METHOD: CASH DATE: 9/20/2001 TIME: 10:30 AM  
BY: WENDY R. HARRIS RECEIVED BY: WENDY R. HARRIS  
RECEIPT # 100005 OFFER: OFFER  
DATE: 9/20/2001 TIME: 10:30 AM  
LOCATION: BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**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 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 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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 02-132-SPHA

Petitioner: SEYED and MARIA. SHIRAZI

Address or Location: 502 FAIRMOUNT AVE.

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: SEYED. SHIRAZI

Address: 500 MC MANUS WAY TOWSON, MD 21286

Telephone Number: (410) 9388966

TO: PATUXENT PUBLISHING COMPANY  
Thursday, November 8, 2001 – Jeffersonian

Please forward billing to:  
Seyed Shirazi  
500 McManus Way  
Towson, MD 21286

410-938-8966

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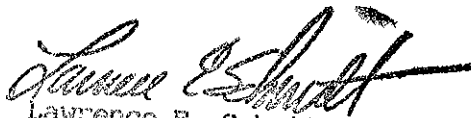
## NOTICE OF ZONING HEARING

The Zoning Commissioner 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: 02-132-SPHA  
502 Fairmount Avenue  
E/S of Fairmount Avenue 120' N of centerline of Pennsylvania Avenue  
9<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner Maria & Seyed Shirazi

Variance to allow a fence with a setback of zero feet in lieu of the required 20 feet.  
SPECIAL HEARING to approve a use permit for a Class A Child Care center.

HEARING: Monday, November 26, 2001 at 2 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

October 29, 2001

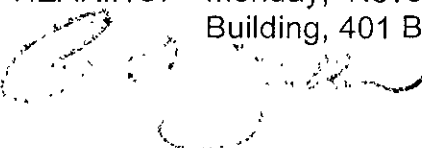
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502 Fairmount Avenue  
E/S of Fairmount Avenue 120' N of centerline of Pennsylvania Avenue  
9<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner Maria & Seyed Shirazi

Variance to allow a fence with a setback of zero feet in lieu of the required 20 feet.  
SPECIAL HEARING to approve a use permit for a Class A Child Care center.

HEARING: Monday, November 26, 2001 at 2 p.m. in Room 407, County Courts  
Building, 401 Bosley Avenue

  
Arnold Jablon  
Director

C:

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY Saturday, November 10, 2001**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

November 21, 2001

Maria & Seyed Shirazi  
500 McManus Way  
Towson MD 21286

Dear Mr. & Mrs. Shirazi:

RE: Case Number: 02-132-SPHA, 502 Fairmount Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 26, 2001.

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,

*W. Carl Richards, Jr.*

W. Carl Richards, Jr. GDZ  
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

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**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development Mgmt.

**DATE:** November 26, 2001

**FROM:** Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For November 5, 2001  
Item No. 132

The Bureau of Development Plans Review has reviewed the subject zoning item.

The issue of children drop-off area needs to be addressed.

RWB:HJO:jrb

cc: File



**Baltimore County  
Fire Department**

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

October 30, 2001

Department of Permits and  
~~Development Management (PDM)~~  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: Brenda & John Creighton - 129  
Carol Grap - 131  
Maria & Seyed Shirazi - 132  
Mehm T. Thaung, Myanmar Buddhist Meditation Society - 162

Location: DISTRIBUTION MEETING OF October 29, 2001

Item No.: 129, 131, 132, and 162

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

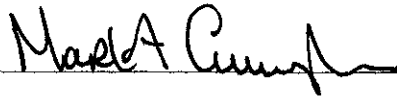
**DATE:** December 3, 2001

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-132, 02- 168 & 02-171

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

\_\_\_\_\_

Section Chief:

\_\_\_\_\_

AFK/JL:MAC





**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 10.27.01

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 132, JRF

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING  
PETITION FOR VARIANCE  
502 Fairmount Avenue, E/S Fairmount Ave,  
120' N of c/I Pennsylvania Ave  
9th Election District, 4th Councilmanic

Legal Owner: Seyed & Maria Shirazi  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 02-132-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 30<sup>th</sup> day of November, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Seyed & Maria Shirazi, 500 McManus Way, Towson, MD 21286, Petitioner.

  
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

SE7EN SHIRAZI

502 FAIRMOUNT AVE BALTIMORE  
MD 21286

JOHN F. FITZEL

1108 VALEWOOD RD 21286



Revised 4/17/00

**LeROY Y. HAILE, JR.**  
**1503 PROVIDENCE ROAD**  
**TOWSON, MARYLAND 21286-1524**  
**Phone: (410) 825-8277**

November 26, 2001

Baltimore County Office of Planning and Zoning  
County Courts Building, Room 407  
Towson, Maryland 21204

Re: Zoning Case 02-132SPHA

Dear Sir/Madam:

Because of a bout with influenza I'm unable to attend the hearing scheduled for today at 2 PM. I'll be at home and can be reached by telephone should the need arise.

Enclosed is an old sales circular showing the 0.54 acre + or - tract my wife and I own on the northeasterly corner of Fairmount Avenue and East Pennsylvania Avenue in Towson. It abuts 502 Fairmount Avenue on two sides.

We are pleased to see the subject property being put to productive use. We have a concern about the 60' by 77' lot being used for a child care center. We understand the current operators of the proposed center operate at present in a townhouse..

If the proposed fence with a 0 foot setback instead of the required 20 foot setback were constructed of solid material such as a wooden stockade fence 6 feet high it would cut down on the noise level and provide more privacy.

It would be appreciated if you would specify that the petitioners have a solid fence constructed along the south and rear property lines that abut our properties.

Very truly yours,

*LeRoy Y. Haile, Jr.*  
LeRoy Y. Haile, Jr.

# LEROY Y. HAILE, INC.

REALTOR

*Real Estate and Insurance*

13 W. CHESAPEAKE AVE. P. O. BOX 6781

TOWSON, MARYLAND 21204

MEMBER  
GREATER BALTIMORE  
BOARD OF REALTORS

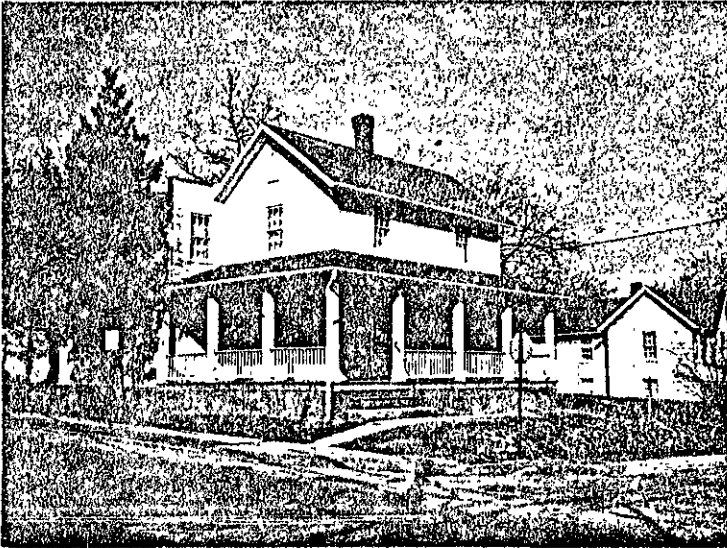
PHONE (301) 823-8506 OR 823-1656

MEMBER  
CENTRAL MARYLAND  
MULTIPLE LISTING SERVICE

## TOWSON

500 Fairmount Avenue

405, 407, and 409 East  
Pennsylvania Avenue

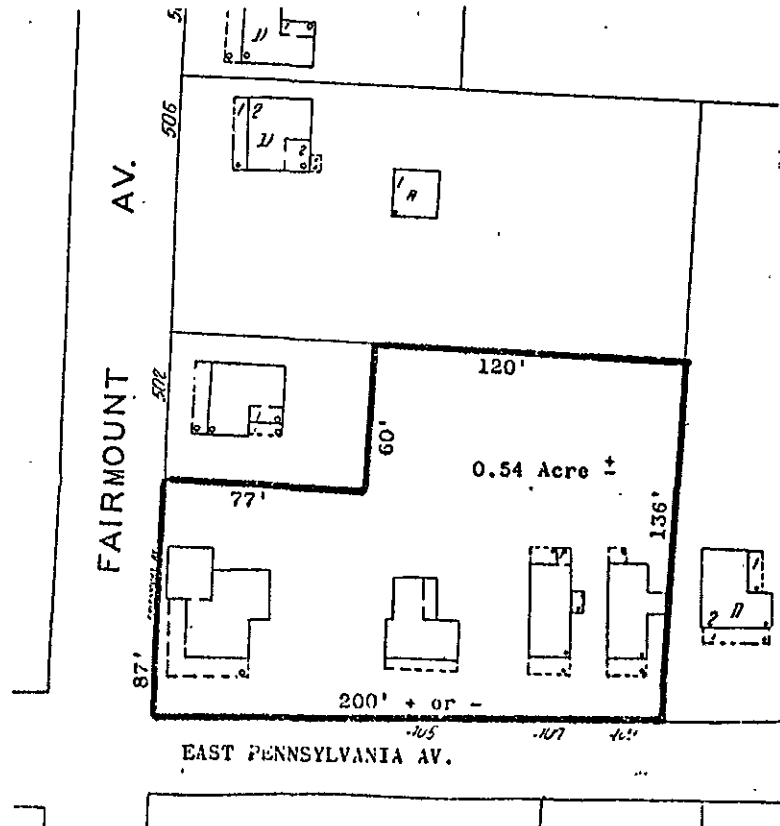


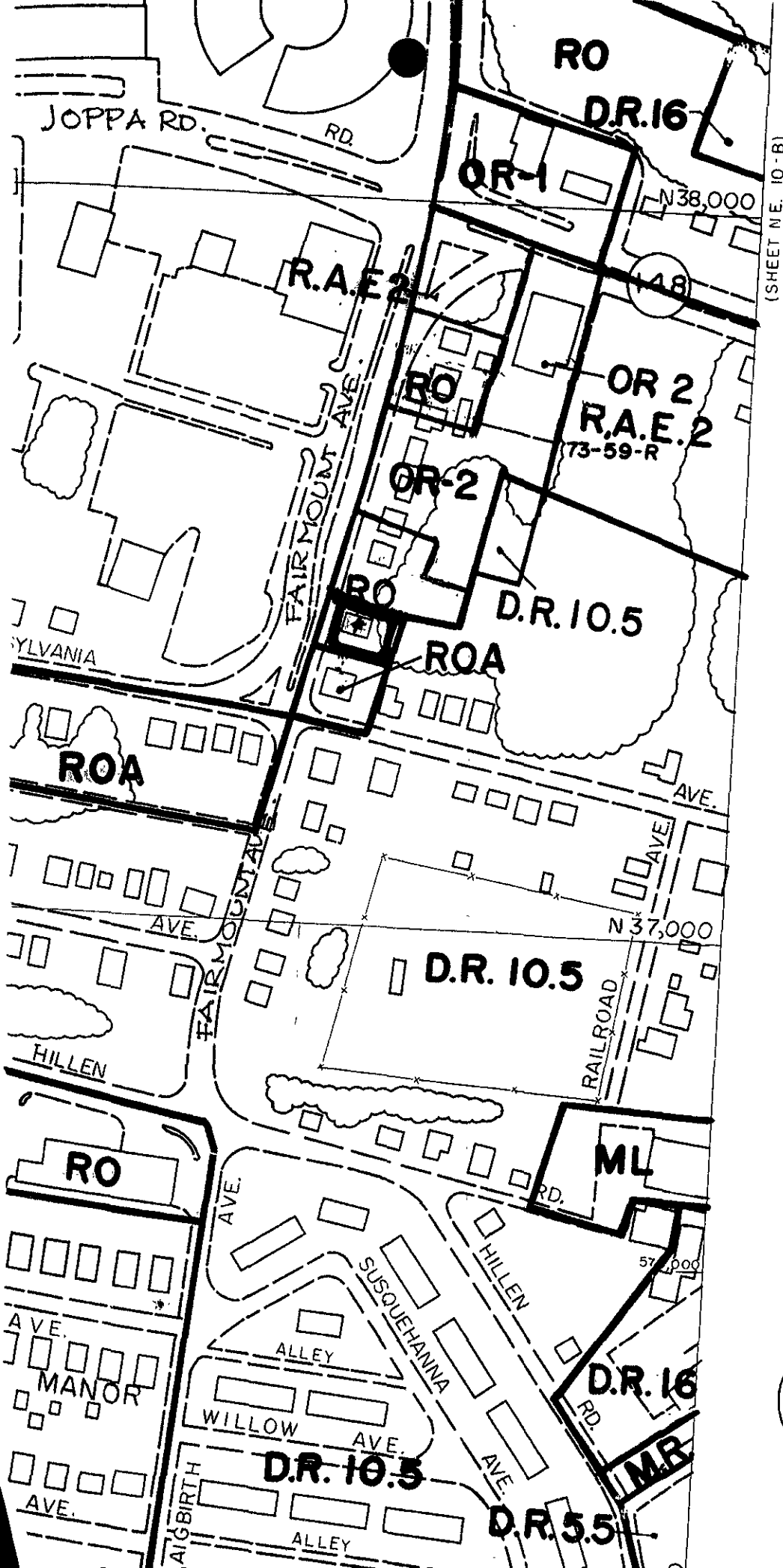
This property, on the northeast corner, has frontage on the "Ring Road" around central Towson. There are four old rental properties rented to good tenants producing gross rents of \$7,536 per year.

Area of land: 23,000 sq. ft.  
Zoning is Residential-Office (RO) and  
Dwelling Residential (DR 10)

Taxes: \$1,681.94

Price: \$170,000 in fee



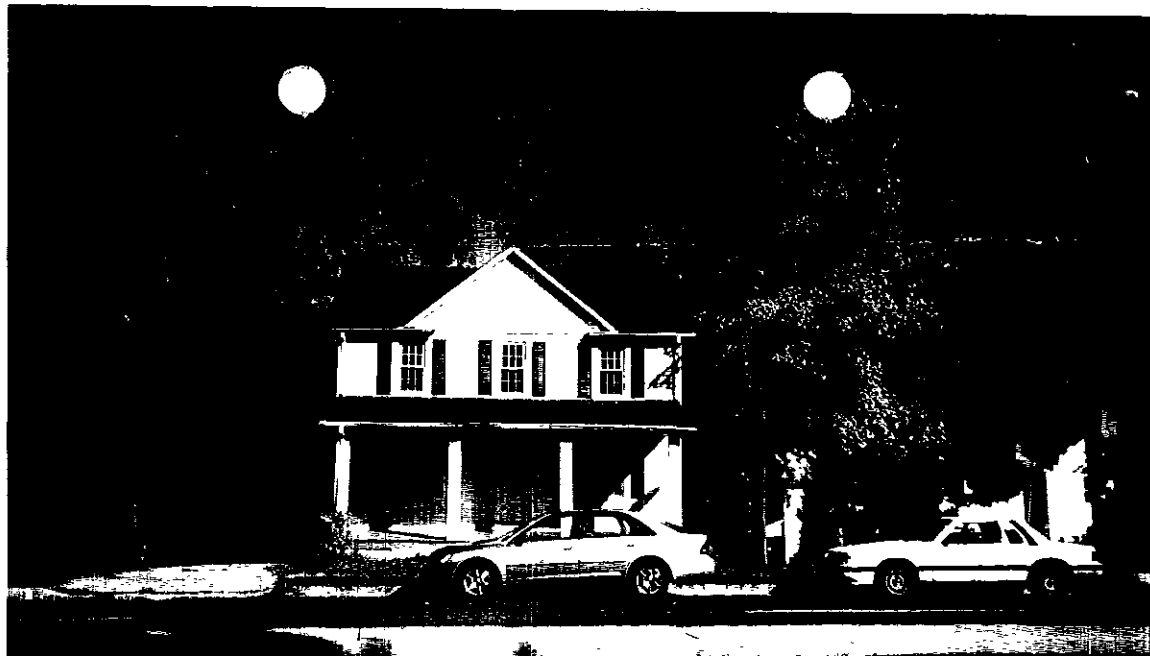


(SHEET N.E. 10-B)

NE 10A  
1002-1  
11-200

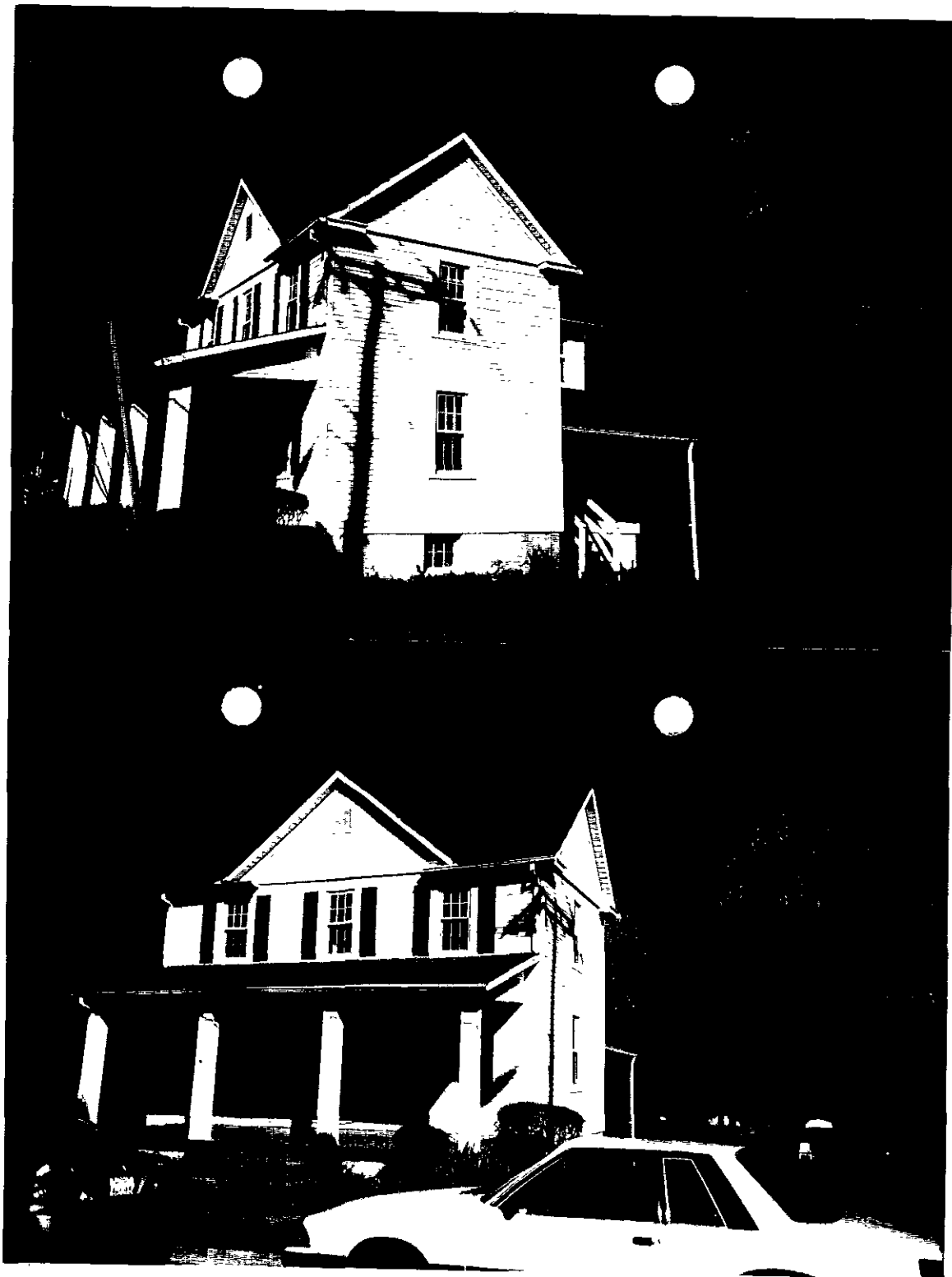
132

NE



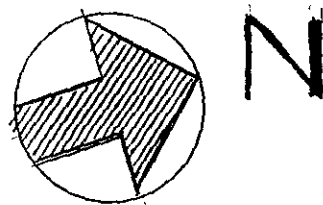




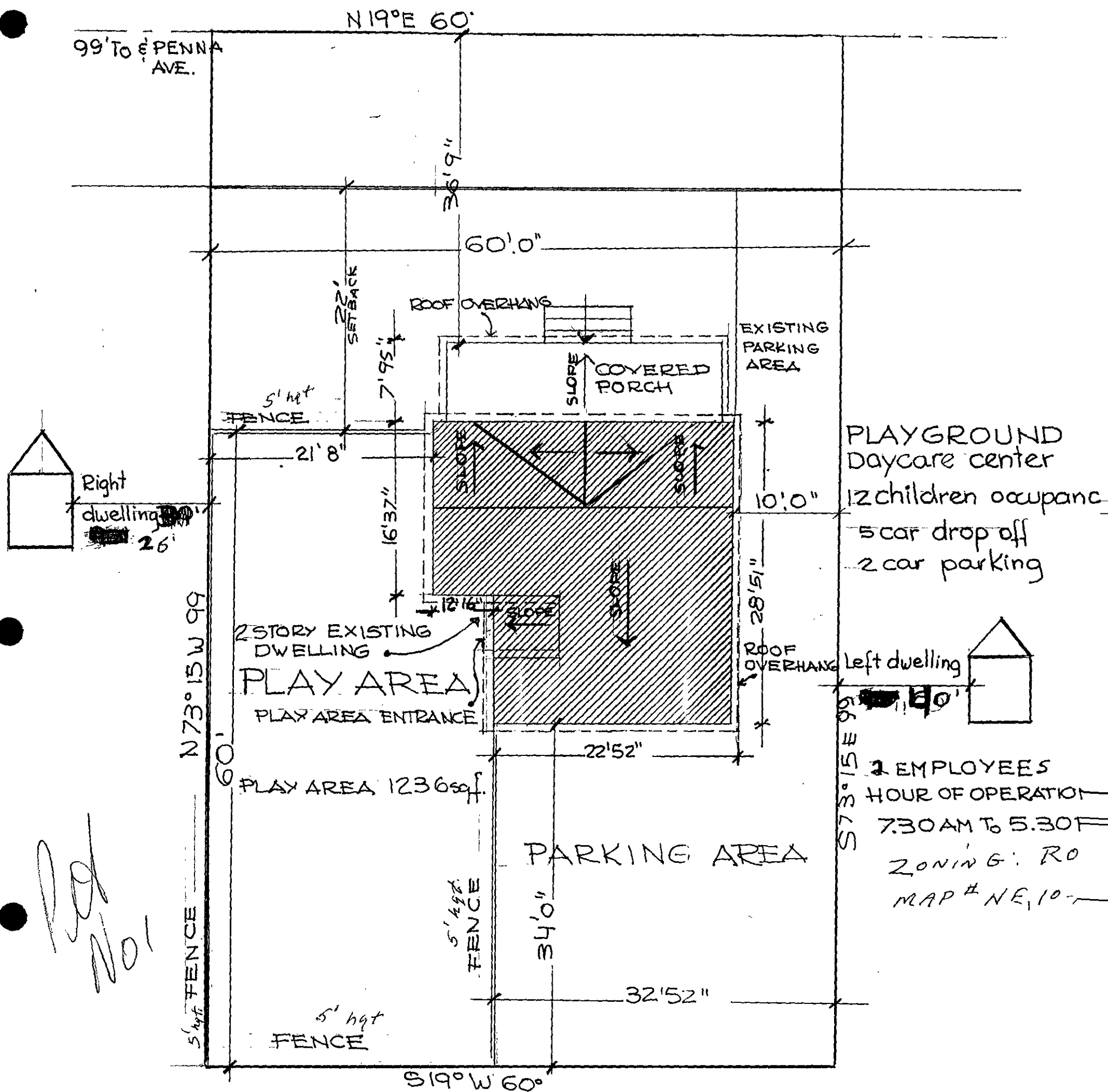


PETITION FOR VARIANCE AND SPECIAL HEARING  
Owner: SEYED, SHIRAZI & MARIA SHIRAZI

DAY CARE CENTER FOR  
12 CHILDREN (CLASS A)  
at: 502 FAIRMOUNT AVE.  
-TOWSON, MD 21286



FAIRMOUNT AVE.



SITE PLAN  
SCALE : 1"=10'

# 132

**NOTICE OF PUBLIC HEARING**

The Zoning Commissioner 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: #02-132-SPHA

502 Fairmount Avenue

ES of Fairmount Ave. 120' N. of centerline of Pains/Maria Ave.

9th Election District - 4th Councilmanic District

Legal Owner(s): Maria & Seyed Shirazi

Variance: to allow a fence with a setback of zero feet in lieu of the required 20 feet. **SPECIAL HEARING:** to approve a use permit for a Class A Child Care center.

Hearing: Monday, November 26, 2001 at 2 p.m. in Room 407, County Courts Building, 401 Bostley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 867-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 867-3391.

11/104 November 8

CS04659

## CERTIFICATE OF PUBLICATION

11/9, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/8, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

*J. Williams*  
LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 02-132-SPHA

Petitioner/Developer: SHIRAZI, ETAL

Date of Hearing/Closing: 11/26/01

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens / GEORGE ZAHNER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at #502 FAIRMOUNT AVE

The sign(s) were posted on 11/10/01  
(Month, Day, Year)

Sincerely,

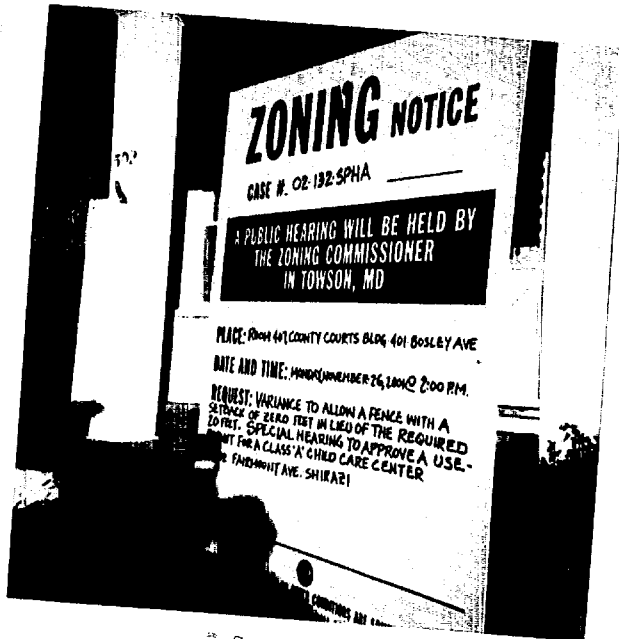
Patrick M. O'Keefe 11/10/01  
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE  
(Printed Name)

523 PENNY LANE  
(Address)

HUNT VALLEY, MD. 21030  
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571  
(Telephone Number)



02-132-SPHA  
502 FAIRMOUNT AVE  
SHIRAZI  
11/26/01

|                          |                           |
|--------------------------|---------------------------|
| To: <u>ROBIN O'KEEFE</u> |                           |
| Co. <u>ZONING-COM</u>    | Phone # <u>512-4611</u>   |
| Dept. <u></u>            | Fax # <u>410-337-3460</u> |