

IN THE MATTER OF
JOHN D. AND MICHELLE K.
CARROLL, JR. - PETITIONERS
FOR ZONING VARIANCE ON
PROPERTY LOCATED ON THE
NE/S FALLS ROAD,
3445' SE OF THE c/l
Upper Beckleysville Road
(18617 Falls Road)
5th Election District
3rd Councilmanic District

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 05-632-A
*

* * * * *

OPINION AND ORDER

Upon consideration of the evidence in a *de novo* hearing held on May 18, 2006, and upon public deliberations that same day, this Board enters the following Opinion and Order upon the Petition for Administrative Variance, and other relief in this case.

The subject property is located on the North East side of Falls Road in the north central area of Baltimore County. The property contains a gross area of 2.797 acres, more or less, zoned R.C. 2 and is improved with a single family dwelling, known as 18617 Falls Road. The Petitioners reside on the property and have filed a minor subdivision plan to create a second building lot to the rear of the existing dwelling.

Petitioners were represented by Deborah C. Dopkin, Esquire. Also in attendance were Mr. Carroll, and Bruce Doak, a registered surveyor and principal of Gerhold, Cross & Etzel, who prepared the minor subdivision and zoning plats. Appearing on behalf of Appellants Kimberly C. Cassidy and Harry B. Wildasin, III was J. Neil Lanzi, Esquire.

Also in attendance were Mr. and Mrs. Alexander Seidler, whose property in part abuts the proposed new lot.

The Board heard testimony proffered by Deborah Dopkin, counsel for Petitioner/Appellee and J. Neil Lanzi, counsel for Respondents/Appellants. Ms. Dopkin proffered that the subject property and the improvements thereon have existed in their current configuration since as early as 1965, thus predating the adoption and application of the R.C. 2 zoning classification. As such, the property is uniquely affected by the requirements of the zone. Ms. Dopkin further proffered that because of the rather long and narrow configuration of the property, topography, the existing mature trees and long standing improvements, the requirements of the R.C. 2 zone affected the property in a manner different from other properties. In fact, the existing dwelling necessitates the relief requested pursuant to Section 1A01.3.B.3 of the Baltimore County Zoning Regulations.

An amended site plan was submitted due to concerns raised by Appellants regarding the location of the driveway serving the proposed new lot. By agreement of all aforementioned parties, the amended site plan formed the basis for Appellants withdrawing their opposition to the requested variance relief and for entering into an agreement with Petitioners. The amended site plan was accepted into the record as Petitioner's Exhibit 1. A copy of the agreement and site plan are attached hereto. The parties, through their attorneys presented to the Board the essential terms of a settlement agreement negotiated and agreed upon, together with additional conditions, the substance of which was acknowledged by the parties before the Board. The Board hereby adopts

and incorporates that agreement, as evidenced by Exhibit A as documentation of the agreed upon terms as if it were fully set forth herein as part of our Opinion and Order.

Further, based on the evidence, the Board finds the variance and proposed use, as conditioned below, satisfies the requirements of the Baltimore County Zoning Regulations as set forth in Section 307.1, and as set forth in the case law for relief to be granted to enable the Petitioners to utilize the property as proposed. The proposal as conditioned will not have a particular adverse impact on the neighborhood and there will be no detriment to the health, safety and general welfare of the surrounding locale.

ORDER

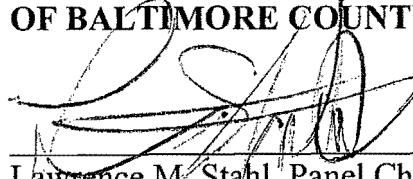
It is this 22nd day of June, 2006, **ORDERED**, that the Petition for Administrative Variance is hereby **GRANTED** subject to the following restrictions:

1. Petitioners shall provide evergreen landscaping along the rear property line of Lot 1 to completely screen its view of Lot 2;
2. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order;
3. Petitioners shall reference this case in the deeds to be prepared and recorded by Petitioners in the Land Records for Baltimore County for Lots 1 and 2 within thirty (30) days of Baltimore County approval of the minor subdivision of 18617 Falls Road and in any deed by Petitioner conveying Lot 1 or Lot 2 thereafter;
4. The driveway, as relocated to the South side of the property and as shown on Petitioner's Exhibit 1 shall not be relocated without a further hearing before the Zoning Commissioner of Baltimore County;

5. At such time as a residence is constructed on Lot 2, landscaping shall be installed on the Lot 2 north of the proposed house to mitigate the visual impact of that house on the adjoining residence; and
6. Compliance with the terms of the attached letter agreement dated May 11, 2006 between the parties and attached site plan (Exhibit 1).

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

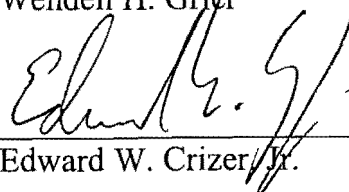
**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence M. Stahl, Panel Chairman



Wendell H. Grier



Edward W. Crizer, Jr.

Kim Cassidy
Harry Wildasin
18621 Falls Road
Hampstead, Maryland 21074

May 11, 2006

Michelle K. Carroll, Jr.
John D. Carroll
18617 Falls Road
Hampstead, MD 21074

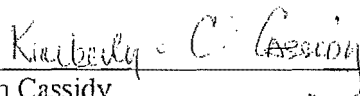
Re: In the Matter Of John D. and Michelle K. Carroll, Jr.
Case NO. 05-632-A, 18617 Falls Road

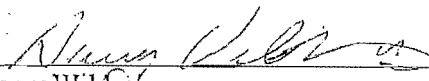
Dear Mr. and Mrs. Carroll:

This letter will confirm the terms of the settlement agreement between us as conveyed by our respective counsel. Specifically, in consideration of your agreement to relocate the right of way and driveway to Lot 2 as shown on the attached Exhibit 1, we agree to note our approval to the County Board of Appeals of Baltimore County of the modified site plan and variance petition necessary for the minor subdivision of your property. Our approval will be noted at the Board hearing presently scheduled for May 18, 2006 at 10:00 a.m. either by direct testimony or proffer by our legal counsel. In addition, we agree to not pursue any further appeals to your minor subdivision plan.

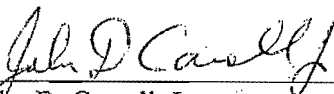
Your minor subdivision shall otherwise comply with Baltimore County and Maryland law.

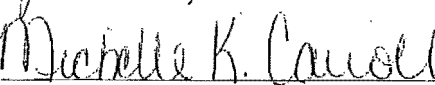
Very truly yours,


Kim Cassidy


Harry Wildasin

We have read the above and agree and accept its terms.

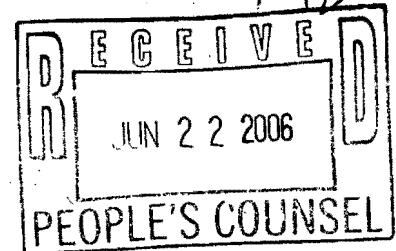

John D. Carroll, Jr.


Michelle K. Carroll



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182



June 22, 2006

Deborah C. Dopkin, Esquire
1000 Mercantile-Towson Building
409 Washington Avenue
Towson, MD 21204

J. Neil Lanzi, Esquire
Mercantile Building, Suite 617
409 Washington Avenue
Towson, MD 21204

RE: *In the Matter of: JOHN D. AND MICHELLE K. CARROLL, JR.*
-Legal Owners /Petitioners Case No. 05-632-A

Dear Counsel:

Enclosed please find a copy of the final Decision and Order issued this date by the
County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Administrator

Enclosure

c: Kimberly Cassidy and Harry Wildasin III
John D. and Michelle K. Carroll, Jr.
Bruce Doak / Gerhold Cross & Etzel Ltd.
Mr. and Mrs. Alex Seidler
Patricia Shook
✓ Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM





Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

May 11, 2006

CAROLÉ S. DEMILIO
Deputy People's Counsel

Lawrence S. Wescott, Chairman
County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

RECEIVED
MAY 11 2006

Re: John & Michelle Carroll
18617 Falls Road
Hearing Date: May 18, 2006
Case No.: 05-632-A

**BALTIMORE COUNTY
BOARD OF APPEALS**

Dear Mr. Wescott:

Please enter our appearance in this matter. Our office reviewed the decision of the ZC granting a variance for a property line setback for an existing dwelling arising from a proposed subdivision of the site for an additional residential lot in the rear. The opposing neighbors filed an appeal.

It has come to our attention that the Petitioner and appellants reached an agreement regarding location of the improvements, which will be reflected on an amended site plan to be submitted at the hearing. For these reasons, our office will not attend the hearing.

Even so, it is our understanding that a setback variance is still required. We would like to state our position that the Petitioner must present evidence to satisfy the variance standards under BCZR 307.1 and applicable case law in order for the Board to make a finding and support its decision in a written Opinion and Order.

Thank you for your attention to this matter.

Sincerely,

Carole S. Demilio
Deputy People's Counsel for Baltimore County

CSD\rmw

cc: J. Neil Lanzi, Esquire
Bruce E. Doak
John & Michelle Carroll

C10

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

COLUMBIA

Suite 420, Parkside Bldg
10500 Little Patuxent Parkway
Columbia, Maryland 21044-3563

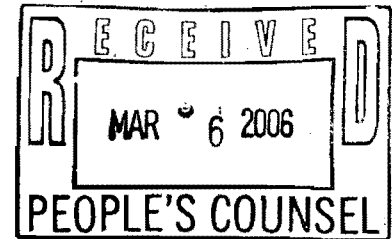
Reply to Towson

March 3, 2006

Sent Via Facsimile: 410-887-3182
and Regular Mail

Kathleen C. Bianco, Administrator
County Board of Appeals
Of Baltimore County
400 Washington Avenue
Old Courthouse, Room 49
Towson, Maryland 21204

Re: Case No. 05-632-A
John and Michelle Carroll, Jr., Petitioners
18617 Falls Road



Dear Ms. Bianco:

On behalf of Appellants\Protestants, Kim Cassidy and Harry Wildasin in the above captioned case, I am filing an Entry of Appearance. In addition, by this letter, I respectfully request a postponement of the hearing currently scheduled for Thursday, March 30, 2006 at 10:00 a.m. The basis for the postponement is I was just retained today and have less than thirty days to investigate and prepare for the hearing. More importantly, it will be necessary to retain the eservices of an expert and therefore additional time is necessary.

Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. Neil Lanzi".

J. Neil Lanzi

JNL\mal

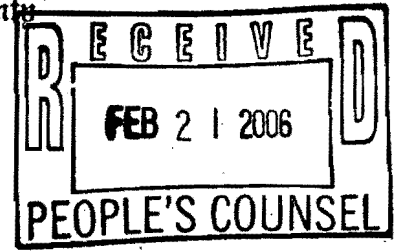
cc: Bruce Doak

Michelle and John Carroll
People's Counsel



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182



Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

February 15, 2006

AMENDED NOTICE OF ASSIGNMENT /
TO REFLECT CORRECT PROPERTY ADDRESS *

CASE #: 05-632-A

IN THE MATTER OF: JOHN D. & MICHELLE K. CARROLL, JR.
– Legal Owners /Petitioners **18617 Falls Road**
5th Election District; 3rd Councilmanic District

10/05/2005 –Z.C.'s Order in which requested variance relief was GRANTED
with restrictions.

* This amended notice is being sent to correct the property address reflected above to read 18617 Falls Road; no other changes have been made; the hearing date remains as originally assigned.

ASSIGNED FOR:

THURSDAY, MARCH 30, 2006 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: 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 have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Appellants /Protestants : Kimberly Cassidy and Harry Wildasin III
Petitioners /Legal Owners : Mr. and Mrs. John D. Carroll, Jr.
Bruce Doak / Gerhold Cross & Etzel Ltd.
Mr. and Mrs. Alex Seidler
Patricia Shook
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM



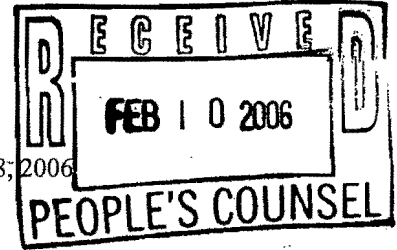


County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

crd
PC involved?
PMZ

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue



February 8, 2006

NOTICE OF ASSIGNMENT

CASE #: 05-632-A

IN THE MATTER OF: JOHN D. & MICHELLE K. CARROLL, JR.
– Legal Owners /Petitioners 437 E. Pennsylvania Avenue
5th Election District; 3rd Councilmanic District

10/05/2005 –Z.C.'s Order in which requested variance relief was GRANTED
with restrictions.

ASSIGNED FOR:

THURSDAY, MARCH 30, 2006 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the
advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: 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 have a disability requiring special accommodations, please contact this office at least one week prior to
hearing date.

Kathleen C. Bianco
Administrator

c: Appellants /Protestants : Kimberly Cassidy and Harry Wildasin III
Petitioners /Legal Owners : Mr. and Mrs. John D. Carroll, Jr.
Bruce Doak / Gerhold Cross & Etzel Ltd.
Mr. and Mrs. Alex Seidler
Patricia Shook
Office of People's Counsel
William J. Wiseman III /Zoning Commissioner
Pat Keller, Planning Director
Timothy M. Kotroco, Director /PDM

**Department of Permits and
Development Management**

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



C.D. / PM
Baltimore County

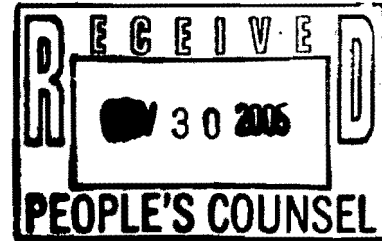
James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

November 28, 2005

John D. Carroll, Jr.
Michelle Carroll
18617 Falls Road
Hampstead, MD 21074

Dear Mr. & Mrs. Carroll:

RE: Case: 05-632-A, 18617 Falls Road



Please be advised that an appeal of the above-referenced case was filed in this office on October 28, 2005 by Ms. Kimberly Cassidy and Mr. Harry Wildasin, III. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286
Harry Wildasin & Kimberly Cassidy, 18621 Falls Rd., Hampstead, MD 21074
Mr. & Mrs. Alex Seidler, 18627 Falls Road, Hampstead 21074
Patricia Shook, 18613 Falls Road, Hampstead 21074

Visit the County's Website at www.baltimorecountyonline.info



APPEAL

Petition for Administrative Variance
18617 Falls Road
NE/s Falls Rd., 3445' SE of c/l Upper Beckleysville Road
5th Election District – 3rd Councilmanic District
Legal Owners: John D. & Michelle K. Carroll, Jr.

Case No.: 05-632-A

Petition for Administrative Variance (May 25, 2005)

Zoning Description of Property

Closing Date: June 20, 2005

Request for Formal Hearing Received: June 13, 2005 from Kimberly Cassidy

Notice of Zoning Hearing (July 7, 2005)

Certification of Publication (July 26, 2005 – The Jeffersonian)

Certificate of Posting (July 26, 2005) by Bruce E. Doak

Entry of Appearance by People's Counsel (No Entry Appearance Made in this case)

Petitioner(s) Sign-In Sheet – 1 Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet – 1 Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Site Plan to accompany Photographs
2. Photographs (A thru K)
3. Aerial Map
4. Amended Red Line Site Plan

Protestants' Exhibits:

1. Letter dated June 25, 2005 from Scientific Plan Service, Inc.
2. Photographs (A thru G)
3. Letters of opposition (A thru C)

Miscellaneous (Not Marked as Exhibit)

1. Real Property Search Report
2. Emails regarding 05-632-A

Zoning Commissioner's Order (GRANTED w/restrictions – October 5, 2005)

Notice of Appeal received on October 28, 2005 from Kimberly Cassidy and Harry Wildasin, III

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner
Timothy Kotroco, Director of PDM
Mr. & Mrs. John D. Carroll, Jr., 18617 Falls Road, Hampstead 21074
Mr. Bruce Doak, 320 E. Towson Blvd., Towson 21286
Harry Wildasin & Kimberly Cassidy, 18621 Falls Road, Hampstead 21074
Mr. & Mrs. Alex Seidler, 18627 Falls Road, Hampstead 21074

IN RE: PETITION FOR ADMIN. VARIANCE	* BEFORE THE
NE/S Falls Road, 3445' SE of the c/l	
Upper Beckleysville Road	* ZONING COMMISSIONER
(18617 Falls Road)	
5 th Election District	* OF BALTIMORE COUNTY
3 rd Council District	
	* Case No. 05-632-A
John D. Carroll, Jr., et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, John D. Carroll, Jr., and his wife, Michelle K. Carroll. The Petitioners seek relief from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed lot line setback of 28 feet in lieu of the required 35 feet each for an existing dwelling. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 32-3-303 of the Baltimore County Code. That Section allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate. In this case, the adjacent property owners, Kimberly C. Cassidy and Harry B. Wildasin, III, requested a public hearing on the matter and thus, a hearing was scheduled before the undersigned for July 28, 2005. However, at the request of Mr. & Mrs. Carroll, was rescheduled to August 11, 2005 due to a scheduling conflict with business travel.

Appearing at the hearing in support of the request were John D. Carroll, Jr., property owner, and Bruce E. Doak, the Surveyor who prepared the site plan for this property. Appearing

as interested citizens/Protestants were Kimberly Cassidy and Harry Wildasin, adjacent property owners to the north, and Alex and Elizabeth Seidler, who reside to the rear of the subject property. In addition, a letter was received from Patricia A. Shook, a concerned neighbor who resides south of the subject property.

Testimony and evidence offered disclosed that the property at issue is a rectangular shaped parcel located on the east side of Falls Road, south of Upper Beckleysville Road, in Hampstead. The property contains a gross area of 2.797 acres, more or less, zoned R.C.2 and is improved with a single family dwelling, known as 18617 Falls Road. The Petitioners have owned and resided on the property since March 2002 and are desirous of subdividing the parcel to create a second building lot to the rear of the existing home. Testimony indicated that Mrs. Carroll's 84-year old Grandmother, Nanny Davis, currently resides alone in Ohio and that they want to build a small home for her so that they can bring her to Maryland. The new home will bear the address 18619 Falls Road. The Petitioners proceeded through the minor subdivision process, and the Office of Planning has approved the proposal. However, due to the location of the existing dwelling and the R.C.2 zoning of the property, the requested variance is necessary. In this regard, Section 32-4-409(b) of the Code requires a 20-foot wide panhandle in-fee strip be provided for the new lot. Due to site constraints associated with the property and the location of existing improvements thereon, the proposed driveway access will be located along the northern property line, adjacent to the Wildasin/Cassidy property. In this regard, the Petitioners testified that both sides of the property were evaluated when considering placement of the panhandle driveway. However, the north side of the property was determined to be the most accommodating, given the topography of the land and the need for extensive grading and removal of trees along its southern boundary. Moreover, the Petitioners noted that their driveway access is on the south side of the property and that a separate driveway access for the new lot would be more appropriate from a marketing standpoint.

There was substantial opposition from the attending neighbors who reside adjacent to the subject property. They believe that the property is too small and should not be subdivided to

support another single family dwelling. They also expressed concerns regarding the likelihood of damage to the trees that border the property along the northern boundary should any construction affect the root systems. In support of their position, the Protestants submitted a letter to that effect from Scientific Plant Services, Inc. (see Protestants' Exhibit 1), as well as numerous photographs, depicting the 40-plus year mature stand of trees along the property line. Ms. Cassidy and Mr. Wildasin, who will be most affected by the proposal, believe that the future dwelling will impact the privacy and security of their property. The Seidlers adopted their concerns. They reside to the rear of the subject property and find the proposal distasteful. They further believe the proposed construction will further exacerbate storm water and drainage problems in the area.

Further discussion of these issues ensued and the Petitioners offered to realign the proposed driveway in an effort to address the concerns raised by the Protestants. At the conclusion of the hearing, the parties agreed that the record of the case would remain open pending the receipt of a redlined amended site plan reflecting the relocation of the proposed panhandle driveway. The amended site plan was received on September 13, 2005 and marked into evidence as Petitioner's Exhibit 4. As shown thereon, the driveway has been shifted 10 feet further from the northern property line for a distance of approximately 180 feet from Falls Road and the existing trees within 20 feet of the property line in that area will not be disturbed. A copy of the revised plan was forwarded to all parties to the case for their review and consideration prior to my making a decision on the matter. Despite the Petitioners' efforts to accommodate the Protestants' concerns, the neighbors reaffirmed their position and requested that the Petitioners' request be denied.

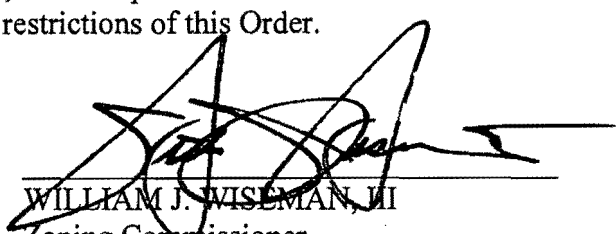
This is a close case. I am appreciative that the neighbors desire to see the property remain in its present state. However, the owners are entitled under the law to utilize and improve their property as they believe it appropriate for so long as it complies with the law. After due consideration of all of the testimony and evidence presented, I am persuaded to grant the requested variance. I find that the Petitioners have met the requirements of Section 307.1 of the B.C.Z.R. for relief to be granted and that there will be no detriment to the health, safety and general welfare of the surrounding locale. There were no adverse comments submitted by any County reviewing

agency and the Office of Planning supports the proposal. Moreover, I find that the amended plan sufficiently addresses the concerns expressed by the neighbors relative to security/privacy issues. For all of these reasons, I am persuaded to grant modified relief in accordance with the amended plan and will allow a property line setback of 18 feet. However, in granting the relief, the Office of Planning has requested that the Petitioners be required to landscape along the rear of Lot 1 to completely screen its view from Lot 2. Thus, as a condition of approval, I will require such landscaping be installed.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of October 2005 that the Petition for Administrative Variance seeking relief Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed ~~property line setback of 18 feet in lieu of the required 35 feet each for an existing dwelling, in~~ accordance with the amended plan marked as Petitioner's Exhibit 4, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the 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) Petitioners shall provide evergreen landscaping along the rear property line of Lot 1 to completely screen its view of Lot 2.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



40/PM/105
Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

AK

October 5, 2005

Mr. & Mrs. John D. Carroll, Jr.
18617 Falls Road
Hampstead, Maryland 21074

RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
NE/S Falls Road, 3445' SE of the c/l Upper Beckleysville Road
(18617 Falls Road)
5th Election District – 3rd Council District
John D. Carroll, Jr., et ux - Petitioners
Case No. 05-632-A

Dear Mr. & Mrs. Carroll:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has 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 large, stylized handwritten signature of William J. Wiseman, III.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Towson, Md. 21286
Mr. Harry Wildasin & Ms. Kimberly Cassidy, 18621 Falls Road, Hampstead, Md. 21074
Mr. & Mrs. Alex Seidler, 18627 Falls Road, Hampstead, Md. 21074
Ms. Patricia A. Shook, 18613 Falls Road, Hampstead, Md. 21074
Office of Planning; People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info



DIVISION OF CENTRAL PRINTING SERVICES

PLANNING & ZONING
PEOPLE'S COUNSEL
001 012 1206



CODE

COST \$ 3 00

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NO. OF ORIGINALS	SIZE	NO. OF PRINTS EA.	COST	
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SPECIAL INSTRUCTIONS _____

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PUNCH & BIND	_____	_____
BINDERS	_____	_____

INITIAL & DATE COMPLETED

2/21/66

REQUESTED BY R. M. 10 EXT. 106

**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

August 1, 2005

John D. Carroll, Jr.
Michelle K. Carroll
18617 Falls Road
Hampstead, Maryland 21074

Dear Mr. and Mrs. Carroll:

RE: Case Number: 05-632-A, 18617 Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 25, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Gerhold, Cross & Etzel 320 E. Towsontown Blvd, Ste. 100 Towson 21286

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

June 2, 2008

ATTENTION: Zoning Review planners

Distribution Meeting of: **June 6, 2008**

Item No.: 595, **608-632**

Pursuant to your request, the referenced plan(s) have been reviewed at this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant J.D. Mezick
Fire Marshal's Office
(O) 410-887-4951 (C) 443-9228-247
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 6-3-05

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 632 JLL

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 25 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

Steven D. Foster, Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: June 6, 2005

FROM: ^{DAK} Dennis A. Kennedy, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 607, 610, 614, 615, 616, 618,
620, 621, 623, 625, 628, 630, 631, 632

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-06062005.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 17, 2005

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

SUBJECT: 18617 Falls Road

INFORMATION:

Item Number: 5-632

Petitioner: John D. Carroll

Zoning: RC 2

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit a dwelling with a setback of 28 feet in lieu of the required minimum 35 feet. However, to mitigate the front to rear relationship between dwellings, the rear yard of lot 1 shall be completely screened from view of lot 2. Screening shall begin on line with the rear building wall of the dwelling on lot 1 and continue along the northern side lot line and along the rear lot line of said lot.

For further information concerning the matters stated here in, please contact Bill Hughey at 410-887-3480.

Prepared by:

Curtis Murray

Division Chief:

John F. Keller

AFK/LL: CM

200
7/28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 17, 2005

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

RECEIVED

JUN 20 2005

SUBJECT: 18617 Falls Road

INFORMATION:

Item Number: 5-632

Petitioner: John D. Carroll

Zoning: RC 2

Requested Action: Administrative Variance

ZONING COMMISSION

SUMMARY OF RECOMMENDATIONS:

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For further information concerning the matters stated here in, please contact Bill Hughey at 410-887-3480.

Prepared by:

Curtis Murray

Division Chief:

Lynn L. L...

AFK/LL: CM

IN THE MATTER OF:
John D. and Michelle K. Carroll, Jr.
Legal Owners/Petitioners
18617 Falls Road

5th Election District
3rd Councilmanic District

* BEFORE THE
* COUNTY BAORD OF APPEALS
* FOR
* BALTIMORE COUNTY
* Case No. 05-632-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of J. Neil Lanzi for Kim Cassidy and Harry Wildasin,
Appellants/Protestants in the above-captioned matter. Notice should be sent of any hearing dates
or other proceedings in this matter.



J. NEIL LANZI
Counsel for the Appellants/Protestants
409 Washington Avenue, Suite 617
Towson, Maryland 21204
(410) 296-0686

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of March, 2006, a copy of the foregoing
Entry of Appearance was mailed to People's Counsel for Baltimore County, Old Courthouse,
Room 47, 400 Washington Avenue, Towson, Maryland 21204 and Michelle and John Carroll,
18617 Falls Road, Hampstead, Maryland 21074.


J. NEIL LANZI

From: "Harry Wildasin" <hwildasin@earthlink.net>
To: Bill Wiseman
Date: Friday - September 16, 2005
Subject: Case # 05632A

Dear Mr. Weisman,

Case # 05632A * Property 18617 Falls Road

We are responding, as you requested, concerning the revised plat we received on September 14th from Mr. Doak of Gerhold, Cross & Etzel, Ltd.

The revision will place the proposed driveway a near 18 feet from Mr. Carroll's home.

The grade of the land at his foundation is around 6 feet above grade from our property line. A simple roadway from that point does not seem feasible without significant regrading of land and a retaining wall of some sort near his foundation.

As for the concern of our trees, the new plat shows that no trees will be disturbed for 180 feet from Falls Road on Mr. Carroll's lot. We stated at the hearing on August 11th that 40+ year old trees exist along our property line that is 290 feet.

We talked to Mr. Murray in the Office of Planning shortly after our hearing, only to find out that there were problems with the Carroll's proposed plan for their developing Lot 2. One significant problem was that two driveways were not acceptable and that the existing driveway would have to be removed, if the proposed roadway was built, making this a shared driveway. This being known, why was this issue not brought up in our hearing on August 11th?

There are already a total of 5 driveways entering Falls Road from both sides, along the frontage of our two properties alone.

My husband and I bought our home because of the beauty of the lot and that the area was developed decades ago with a natural country charm. Falls Road is a "Scenic Maryland Byway" and because we have zoning regulations such as the requirement of a 35 foot setback this will continue to remain so.

We respectfully request that you visit this lot as you stated you may at the public hearing and see for yourself that which can not be represented clearly on paper.

We await your comments/decision. Please feel free to call or e-mail us at any time.

410-239-0231

hwildasin@earthlink.net

Sincerely,

Kimberly C. Cassidy and Harry B. Wildasin III

18621 Falls Road, Hampstead, MD. 21074

Harry Wildasin

hwildasin@earthlink.net

Why Wait? Move to EarthLink.

From: Bill Wiseman
To: Wildasin, Harry
Subject: Re: Case # 05632A

Thank you for your comments. I will be enjoying a weeks vacation and upon return will make a site visit and contact all interested parties.

>>> "Harry Wildasin" <hwildasin@earthlink.net> 09/16/05 11:34 AM >>>

Dear Mr. Weisman,

Case # 05632A * Property 18617 Falls Road

We are responding, as you requested, concerning the revised plat we received on September 14th from Mr. Doak of Gerhold, Cross & Etzel, Ltd.

The revision will place the proposed driveway a near 18 feet from Mr. Carroll's home.

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410-239-0231

hwildasin@earthlink.net

Sincerely,

Kimberly C. Cassidy and Harry B. Wildasin III
18621 Falls Road, Hampstead, MD. 21074

Harry Wildasin

hwildasin@earthlink.net

Why Wait? Move to EarthLink.

From: "bdoak" <bdoak@gcelimited.com>
To: Bill Wiseman
Date: Friday - September 16, 2005
Subject: RE: Case # 05632A

I can appreciate their concerns. The bottom line is, Mr. Carroll can what he pleases on his property. The driveway needs to come back to the property line so that the septic researve area can be utilized so only a very few trees in Mr. Carroll's woods will be disturbed. It is impossible to please the adjoiners on both sides. WE ARE TRYING. The plan that I have submitted impacts the fewest people, the least amount. The Office of Planning only recommended the sharing of the driveways. Mr. Carroll would if the existing driveway wasn't so very close to his house and on the side that they use (inside & outside).

Thanks for the heads up. It seems that a man's property is not his own any longer.

-----Original Message-----

From: Bill Wiseman [mailto:wwiseman@co.ba.md.us]
Sent: Friday, September 16, 2005 11:45 AM
To: Harry Wildasin
Subject: Re: Case # 05632A

Thank you for your comments. I will be enjoying a weeks vacation and upon return will make a site visit and contact all interested parties.

>>> "Harry Wildasin" <hwildasin@earthlink.net> 09/16/05 11:34 AM >>>

Dear Mr. Weisman,

Case # 05632A * Property 18617 Falls Road

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We await your comments/decision. Please feel free to call or e-mail us at any time.

410-239-0231

hwildasin@earthlink.net

Sincerely,

Kimberly C. Cassidy and Harry B. Wildasin III

18621 Falls Road, Hampstead, MD. 21074

Harry Wildasin

hwildasin@earthlink.net

Why Wait? Move to EarthLink.

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]

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BALTIMORE COUNTY
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Account Identifier: District - 05 Account Number - 2200017079

Owner Information

Owner Name: ALSTER MICHAEL S Use: RESIDENTIAL
ALSTER ELIZABETH D
Principal Residence: YES
Mailing Address: 4207 BECKLEYSVILLE RD Deed Reference: 1) /11054/ 663
HAMPSTEAD MD 21074 2)

Location & Structure Information

Premises Address
4207 BECKLEYSVILLE RD

Legal Description
2.619 AC
4207 BECKLEYSVILLE RD SS
2650 FT E OF FALLS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	MS
15	2	237					1	2	Plat Ref:	

Special Tax Areas Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1927	1,914 SF	2.62 AC	04
Stories 2	Basement YES	Type STANDARD UNIT	Exterior SIDING

Value Information

	Base Value	Phase-in Assessments		
		Value As Of 01/01/2005	As Of 07/01/2005	As Of 07/01/2006
Land:	58,100	92,960		
Improvements:	144,220	165,680		
Total:	202,320	258,640	221,093	239,866
Preferential Land:	0	0	0	0

Transfer Information

Seller: ABBOTT PAUL E,SR	Date: 05/22/1995	Price: \$134,000
Type: NOT ARMS-LENGTH	Deed1: /11054/ 663	Deed2:
Seller: ABBOTT PAUL E,SR	Date: 09/20/1993	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /10022/ 449	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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 Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search	Go Back View Map New Search Ground Rent
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Account Identifier: District - 05 Account Number - 0508080130

Owner Information

Owner Name: WILDASIN HARRY B,3RD CASSIDY KIMBERLY Mailing Address: 18621 FALLS RD HAMPSTEAD MD 21074-2814	Use: RESIDENTIAL Principal Residence: YES Deed Reference: 1) /13441/ 107 2)
--	---

Location & Structure Information

Premises Address 18621 FALLS RD	Legal Description 1 AC ES FALLS RD 3600FT N.BRICK STORE RD
---	--

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
15	1	105						2	Plat Ref:

Special Tax Areas	Town Ad Valorem Tax Class
Primary Structure Built 1957	Enclosed Area 1,120 SF
Stories 1	Property Land Area 1.00 AC
Basement YES	County Use 04
Type STANDARD UNIT	Exterior BRICK

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	50,000	80,000		
Improvements:	107,740	117,370		
Total:	157,740	197,370	170,950	184,160
Preferential Land:	0	0	0	0

Transfer Information

Seller: HUNTER JOSEPH S	Date: 01/11/1999	Price: \$154,900
Type: IMPROVED ARMS-LENGTH	Deed1: /13441/ 107	Deed2:
Seller: ROBERTS LAWRENCE H	Date: 04/13/1962	Price: \$14,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 3977/ 132	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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BALTIMORE COUNTY
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STR

Account Identifier: District - 05 Account Number - 1600007064

Owner Information

Owner Name: BOUTWELL ROBERT R Use: AGRICULTURAL
BOUTWELL MAXINE E
Principal Residence: NO
Mailing Address: 115 BELMORE RD Deed Reference: 1) / 5276/ 900
LUTH-TIMONIUM MD 21093-6111 2)

Location & Structure Information

Premises Address
FALLS RD

Legal Description
.614 AC RER 250 FT
ESR FALLS RD
2650 FT N BRICKSTORE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
15	8	166						2	

Special Tax Areas	Town Ad Valorem Tax Class	Primary Structure Built	Enclosed Area	Property Land Area	County Use
		0000		.61 AC	05
Stories	Basement		Type	Exterior	

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006	PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Land:	220	220			
Improvements:	0	0			
Total:	220	220	220	220	
Preferential Land:	220	220	220	220	

Transfer Information

Seller: COLE DONALD AG U SE 83-84	Date: 06/26/1972	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5276/ 900	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
AGRICULTURAL TRANSFER TAX

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BALTIMORE COUNTY
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Account Identifier: District - 05 Account Number - 0504050140

Owner Information

Owner Name: SHOOK PATRICIA A
SHOOK CHRISTOPHER/PATRICIA Z
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 18613 FALLS RD
HAMPSTEAD MD 21074-2814
Deed Reference: 1) /14438/ 36
2)

Location & Structure Information

Premises Address

18613 FALLS RD

Legal Description

2 AC
ES FALLS RD
3960 N OF BRICK STORE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
15	8	131						2	Plat Ref:

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built
1969

Enclosed Area
1,744 SF

Property Land Area
1.97 AC

County Use
04

Stories
SPFOY

Basement

Type
SPLIT FOYER

Exterior
SIDING

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	54,850	87,760		
Improvements:	102,730	132,780		
Total:	157,580	220,540	178,566	199,552
Preferential Land:	0	0	0	0

Transfer Information

Seller: SHOOK GEORGE E,JR	Date: 04/28/2000	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /14438/ 36	Deed2:
Seller: AHERN JANET	Date: 11/19/1984	Price: \$69,900
Type: IMPROVED ARMS-LENGTH	Deed1: / 6823/ 503	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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BALTIMORE COUNTY
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STR

Account Identifier: District - 05 Account Number - 0503077461

Owner Information

Owner Name: BOUTWELL ROBERT R
BOUTWELL MAXINE E
Use: AGRICULTURAL
Principal Residence: NO
Mailing Address: 115 BELMORE RD
LUTHERVILLE MD 21093-6111
Deed Reference: 1) / 5222/ 476
2)

Location & Structure Information

Premises Address
FALLS RD

Legal Description
1.548 AC ES FALLS RD
2400 N BRICK STORE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
15	8	87						2	

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		1.54 AC	05

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006	
Land:	570	570			PREFERENTIAL LAND VALUE INCLUDED IN LAND VALUE
Improvements:	0	0			
Total:	570	570	570	570	
Preferential Land:	570	570	570	570	

Transfer Information

Seller: CUMOR WALTER AG USE 83-84	Date: 10/04/1971	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 5222/ 476	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
AGRICULTURAL TRANSFER TAX



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
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Account Identifier: District - 05 Account Number - 0513092080

Owner Information

Owner Name: CARROLL JOHN D, JR
 CARROLL MICHELLE K
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 18617 FALLS RD
 HAMPSTEAD MD 21074-2814
Deed Reference: 1) /16171/ 129
 2)

Location & Structure Information

Premises Address 18617 FALLS RD
Legal Description 2.796 AC
 18617 FALLS RD
 4300FT N BRICK STORE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
15	1	2						2	Plat Ref:

Special Tax Areas Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1965	1,263 SF	2.79 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	58,950	94,320		
Improvements:	87,560	95,040		
Total:	146,510	189,360	160,793	175,076
Preferential Land:	0	0	0	0

Transfer Information

Seller: MYERS GEORGE V	Date: 03/06/2002	Price: \$184,900
Type: IMPROVED ARMS-LENGTH	Deed1: /16171/ 129	Deed2:
Seller: MARTIN DONALD W & PHOEBE	Date: 07/01/1966	Price: \$24,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 4640/ 297	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

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BALTIMORE COUNTY
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[Ground Rent](#)

Account Identifier: District - 05 Account Number - 0504000210

Owner Information

Owner Name: SEIDLER ALEXANDER JOHN Use: RESIDENTIAL
SEIDLER ELIZABETH SIMPSON
Principal Residence: YES
Mailing Address: 18627 FALLS RD Deed Reference: 1) / 7580/ 201
HAMPSTEAD MD 21074-2814 2)

Location & Structure Information

Premises Address 18627 FALLS RD Legal Description
6.116 AC
NES FALLS RD
3050 S UPPER BECKLYSVILE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
15	2	121						2	

Special Tax Areas	Town Ad Valorem Tax Class
Primary Structure Built	Enclosed Area

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1880	2,168 SF	6.11 AC	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	72,770	116,440		
Improvements:	73,670	84,850		
Total:	146,440	201,290	164,723	183,006
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
ADAMS KATHLEEN G	06/22/1987	\$125,000
Type:	Deed1:	Deed2:
IMPROVED ARMS-LENGTH	/ 7580/ 201	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

[Click here for a plain text ADA compliant screen.](#)



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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[View Map](#)
[New Search](#)
[Ground Rent](#)

Account Identifier: District - 05 Account Number - 0513092080

Owner Information

Owner Name: CARROLL JOHN D, JR
CARROLL MICHELLE K
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 18617 FALLS RD
HAMPSTEAD MD 21074-2814
Deed Reference: 1) /16171/ 129
2)

Location & Structure Information

Premises Address: 18617 FALLS RD
Legal Description: 2.796 AC
18617 FALLS RD
4300FT N BRICK STORE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
15	1	2						2	

Special Tax Areas	Town Ad Valorem Tax Class
Primary Structure Built 1965	Enclosed Area 1,263 SF

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005 07/01/2006	
Land:	58,950	94,320		
Improvements:	87,560	95,040		
Total:	146,510	189,360	160,793	175,076
Preferential Land:	0	0	0	0

Transfer Information

Seller: MYERS GEORGE V	Date: 03/06/2002	Price: \$184,900
Type: IMPROVED ARMS-LENGTH	Deed1: /16171/ 129	Deed2:
Seller: MARTIN DONALD W & PHOEBE	Date: 07/01/1966	Price: \$24,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 4640/ 297	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2005	07/01/2006
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Need Aerial w/ Prop lines & Owner's names



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
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[Ground Rent](#)

by Mar 3

Account Identifier: District - 05 Account Number - 0513092080

Owner Information

Owner Name: CARROLL JOHN D, JR
CARROLL MICHELLE K
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 18617 FALLS RD
HAMPSTEAD MD 21074-2814
Deed Reference: 1) /16171/ 129
2)

Location & Structure Information

Premises Address
18617 FALLS RD

Legal Description
2.796 AC
18617 FALLS RD
4300FT N BRICK STORE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
15	1	2						2	

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1965	1,263 SF	2.79 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	FRAME

Value Information

	Base Value	Value As Of 01/01/2005	Phase-in Assessments As Of 07/01/2005	As Of 07/01/2006
Land:	58,950	94,320		
Improvements:	87,560	95,040		
Total:	146,510	189,360	160,793	175,076
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Type: IMPROVED ARMS-LENGTH	Deed1: / 4640/ 297	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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Page 1 of 1

Name	Account	Street	OWN OCC	Town Parcel Lot
<u>CARROLL JOHN DJR</u>	05 0513092080	18617 FALLS RD	H	000 2
<u>PAPPAS JAMES PETER</u>	05 1900004613	18716 FALLS RD	H	000 2
<u>PONTIOUS WILLIAM E</u>	05 1900004610	18720 FALLS RD	H	000 2 1
<u>BONBREST LOUIS J</u>	05 1900004611	18718 FALLS RD	H	000 2 2
<u>TUMA RAFID J</u>	05 1900004612	18714A FALLS RD	H	000 2 4



June 25, 2005

Mr. Harry Wildasin
18621 Falls Road
Hampstead, Md 21074



Dear Mr. Wildasin

I stopped by your property on Wednesday, June 22, 2004 to inspect the Maple, right front, and the evergreens located on the right side of the property after our discussion concerning the possible disturbing of the area close to these trees by construction.

In my opinion, there is likelihood of damage to any of these trees on the right side of the property should there be ANY construction that would affect their root-zones. I have enclosed information regarding root damage which would occur from construction, which I copied from several sources.

Please call should you have questions.

Sincerely,

A handwritten signature in cursive script that reads "Damian G. Varga". The signature is written in dark ink and is positioned below the word "Sincerely,".

Damian G. Varga
Licensed Tree Expert #399

PROTESTANT'S

EXHIBIT NO.

1

Similar problems may arise when heavy construction equipment must be used near trees. A bulldozer or a truck not only can make a dangerous gash in a tree trunk but its very weight can compress the soil so much over the roots that the proper amount of air and moisture can no longer reach them. Piles of construction materials and excavated soil, if left on the ground over tree roots long enough, have a similar suffocating effect. The heat from fires built by workmen under trees can do irreparable damage to branches some distance in the air.

The best way to avoid such harm is to go over your property before construction starts, show the contractor the trees you are concerned about (you can tie rags around their trunks so there is no question) and ask him to put temporary fences around them. He can easily nail up such fences out of scrap lumber and it hardly matters what they look like as long as they accomplish their purpose, which is to keep his workmen and their heavy equipment away from the trees. Such fences should be placed to protect the roots over as wide an area as possible and they ought to be no closer to the trunk than the outermost reach of the branches.

If construction or landscaping alters the ground level around a tree by more than 6 inches, you will have to take special steps to preserve the tree's health. Both adding dirt and removing it have the same harmful result—the roots are denied their normal supply of food, air and water. The remedies involve some digging, but seldom more than a gardener can undertake on his own.

If the ground level is to be raised and the fill will be less than a foot deep, an open tree well to keep the soil away from the trunk, plus a bed of coarse gravel laid over the original surface before the fill is added, will usually allow enough air and moisture to penetrate to the roots. If the fill is to be deeper than a foot, it is advisable to install a system of perforated pipes leading to the well around the trunk, and then to cover the pipes with coarse gravel and soil (*drawing, page 84*). The pipes will act as conduits for air and moisture, as well as for supplementary watering with a hose during dry spells and for feeding with water-soluble fertilizer.

If, on the other hand, the grade is to be lowered, you should build some sort of retaining wall on one or more sides of the tree to keep most of its roots at their normal growing level (*drawing, page 85*). If the grade must be changed by more than 2 feet, the tree will probably blow over and you should seriously consider cutting it down and starting over by planting a new, young tree on the new level of the site. Such a tree will grow more vigorously because of its youth and the fact that it has ample room to establish its roots at the proper level in the soil; moreover, the total cost of the job, including that of removing the old tree and planting the new one,

ARISTOCRATS AMONG TREES

The American Forestry Association maintains a Social Register of Big Trees that admits only the biggest known tree of each species growing in the United States. The Association welcomes new nominations; if you know of a champion, send the details—height, circumference 4½ feet above ground level, spread of crown—to the Association at 919 17th Street N.W., Washington, D.C. 20006. The 13 tallest deciduous trees on the most recent list:

TREE AND LOCATION	HEIGHT	SPREAD
PECAN Mer Rouge, Louisiana	160 ft.	95 ft.
SWEET GUM Richland County, South Carolina	145 ft.	75 ft.
AMERICAN BEECH Jamaica Plain, Massachusetts	144 ft.	96 ft.
PEPPERIDGE Easterly, Texas	139 ft.	83 ft.
RED MAPLE Macomb County, Michigan	136 ft.	95 ft.
TULIP TREE Macon County, North Carolina	135 ft.	55 ft.
PIN OAK Saint Davis, Pennsylvania	135 ft.	135 ft.
EASTERN POPLAR Wayne, Michigan	131 ft.	129 ft.
CUCUMBER TREE Great Smoky Park, Tennessee	125 ft.	60 ft.
CALIFORNIA PLANE TREE Santa Barbara, California	116 ft.	158 ft.
AMERICAN LINDEN Grand Traverse County, Michigan	115 ft.	76 ft.
BLACK WALNUT Anne Arundel County, Maryland	108 ft.	128 ft.
HONEY LOCUST Big Oak Tree State Park, Missouri	105 ft.	58 ft.

steps demand nothing more than ordinary gardening skills. But it is also necessary to know when professional help is needed.

Weed killers are among the most dangerous enemies of trees, mainly because they are so easily misused. A man who prides himself on a nice green lawn notices some dandelions creeping in one summer and rushes for the weed killer. He applies twice the specified amount on the theory that he will get rid of the pesky weed once and for all. Before long the leaves on the fine old maple at the edge of the lawn begin to yellow and curl for no apparent reason. By then it may be too late; so much weed killer has been absorbed by the tree's system that it is likely to die.

Misguided attempts to get rid of poison ivy can have the same result. The most effective poison ivy killers are nonselective herbicides that are equally deadly to all broad-leaved plants, including deciduous trees. Soaking the offensive vines can administer a fatal dose to the trees they grow on. Harm may be caused even if the poison ivy does not grow right next to a tree; I know of one gardener who applied a powerful herbicide in a brush-filled corner of his lot only to have the chemical drain downhill through the soil and sicken a fine dogwood 50 feet away.

Poison ivy should, however, be removed if it is climbing a tree, and not only because it is a health hazard. Along with certain other vines such as woodbine, honeysuckle, wisteria and wild grape, it can either wrap itself around the trunk of a young tree, killing it by impeding the flow of sap just beneath the bark, or it can climb above the tree's branches, casting shade that causes the tree to lose vigor or even die.

The best way to avoid trouble with a vine like poison ivy is to uproot it (wearing gloves) and dispose of it in a trash bag. Do not burn the ivy; its virulent poison is easily carried by smoke. If you do use a herbicide, follow the directions on the package closely.

BUILDING NEAR TREES

Many trees are harmed by physical rather than chemical alteration of the ground around the roots. One of the most common problems arises when a homeowner decides to build a patio around a tree so he can put some chairs and a table in the shade. If the patio is a solid layer of masonry—concrete, or flagstones set in mortar—the impenetrable surface will deprive roots of needed air and water. Unless the paving is fitted with drains at frequent intervals the tree may suffer and, if the paving extends far enough around the tree, it may die. This difficulty can be avoided if a continuous masonry surface is not used; a patio can be made of flagstones, bricks or lightweight concrete slabs laid in a bed of sand with gravel underneath, leaving gaps between the stones or bricks to allow air and water through.

A BRIEF OVERVIEW OF SOME UNIQUE FEATURES OF TREES

Trees are the tallest, most massive, longest-lived organisms ever to grow on earth.

Trees, like other plants, cannot move. However, trees, unlike other plants, are big, woody, and perennial, which means they are easy targets for constant wounding.

Trees are super survivors mainly because they grow in ways that give them defense systems that are highly effective against infections from wounds.

Trees have the capacity to adjust rapidly to changes that threaten their survival.

Animals move to get food, water, and shelter. They move to avoid destructive agents. When animals are injured and infected, processes of restoration and repair start. Animals heal after wounding.

~~When trees are injured and infected, processes of boundary formation start. Trees do not restore or repair wood that is injured and infected. In this sense, trees do not heal. Instead,~~ trees compartmentalize wound infections.

Compartmentalization is the tree's defense process after injuries where boundaries form that resist the spread of infections. The boundaries also protect systems involving water, air, energy storage, and mechanical support. In a sense, the boundaries are like an inside bark.

To support their massive systems for long periods, trees require high amounts of energy. Trees trap more of the sun's energy than any other group of organisms. In a sense, trees are like big batteries, the biggest on earth.

Trees use energy very efficiently with almost no waste. They pass energy on to many associates, and the associates provide

many benefits in return to the trees. Trees help soils to remain healthy.

Trees, as big batteries, store energy as insoluble starch and oils in living cells in the wood of branches, trunks, and woody roots. The wood itself is a form of stored energy for other organisms because cellulose is made up of long twisting chains of glucose — sugar.

In animals, a process of programmed cell death regularly takes place. Dead cells are broken down and eliminated. Other processes form new living cells in the same positions of those that died. Animals are regenerating systems. Regenerating means new cells form in old places.

Trees are generating systems. Generating means new cells form in new places. In trees, the woody framework consists of highly ordered connections of living and dead cells. Some dead cells function for liquid transport. Other dead cells maintain mechanical support, and hold water. Unlike animals that are constantly replacing dead cells, trees incorporate dead cells into their framework.

Trees regulate their growth within the limits of available energy, water, elements, and space. Trees do not grow beyond their means. Trees use and shed leaves and needles, reproductive parts, non-woody roots, and dead twigs, branches, and woody roots.

Trees in nature are connected with each other and with many communities of other organisms in ways that ensure long-term survival for the trees and their associates. This system is called a natural forest.

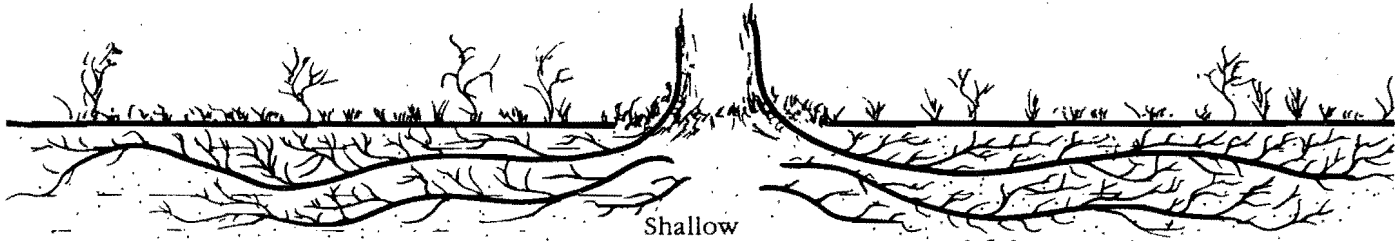
We will discuss tree defense first because long-term survival is dependent on strong defense.

WOODY ROOTS

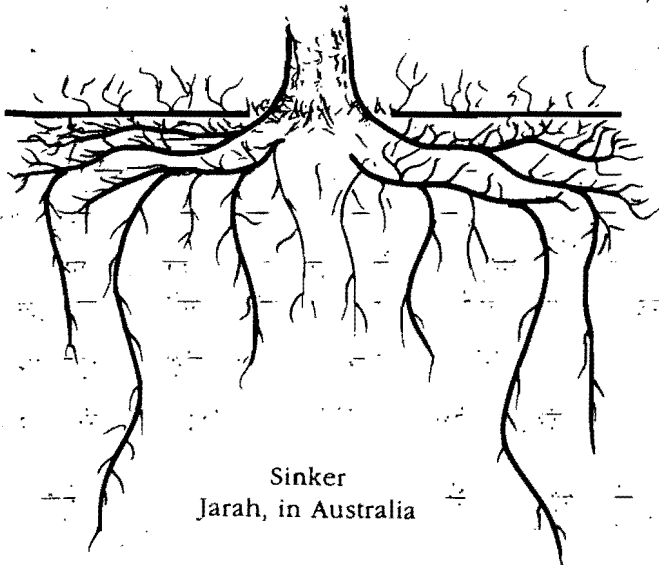
Woody roots are organs that:

1. Anchor the tree.
2. Transport free water and substances dissolved in it.
3. Store energy reserves and hold water.
4. Make substances essential for the life of the tree.

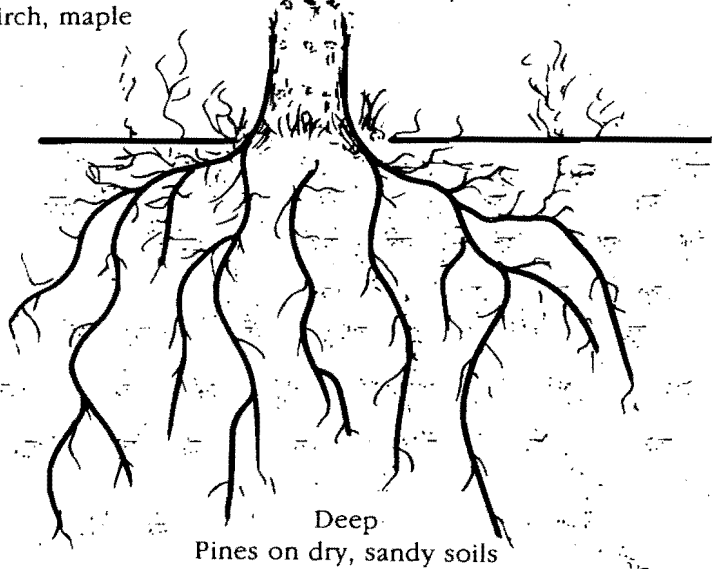
Many different types of trees in different parts of the world, in different soils, have different patterns of growth of woody roots. Here are a few examples:



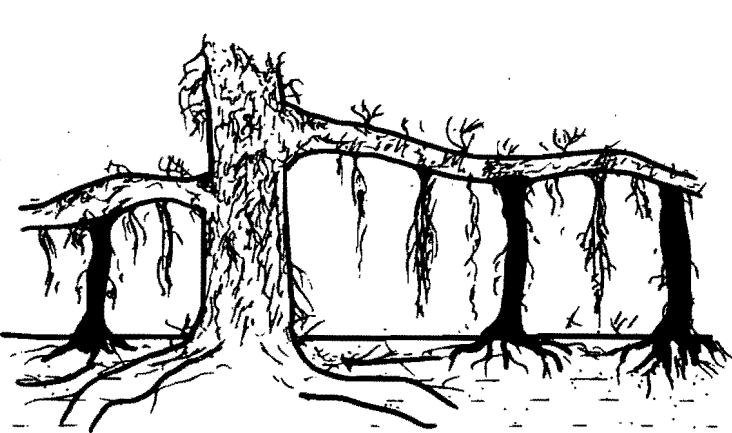
Shallow
Beech, birch, maple



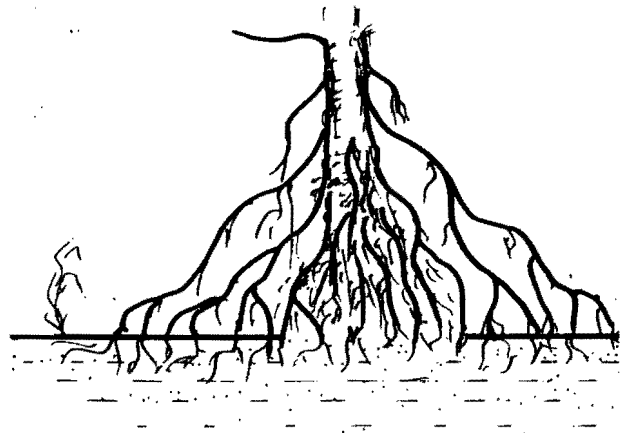
Sinker
Jarrah, in Australia



Deep
Pines on dry, sandy soils



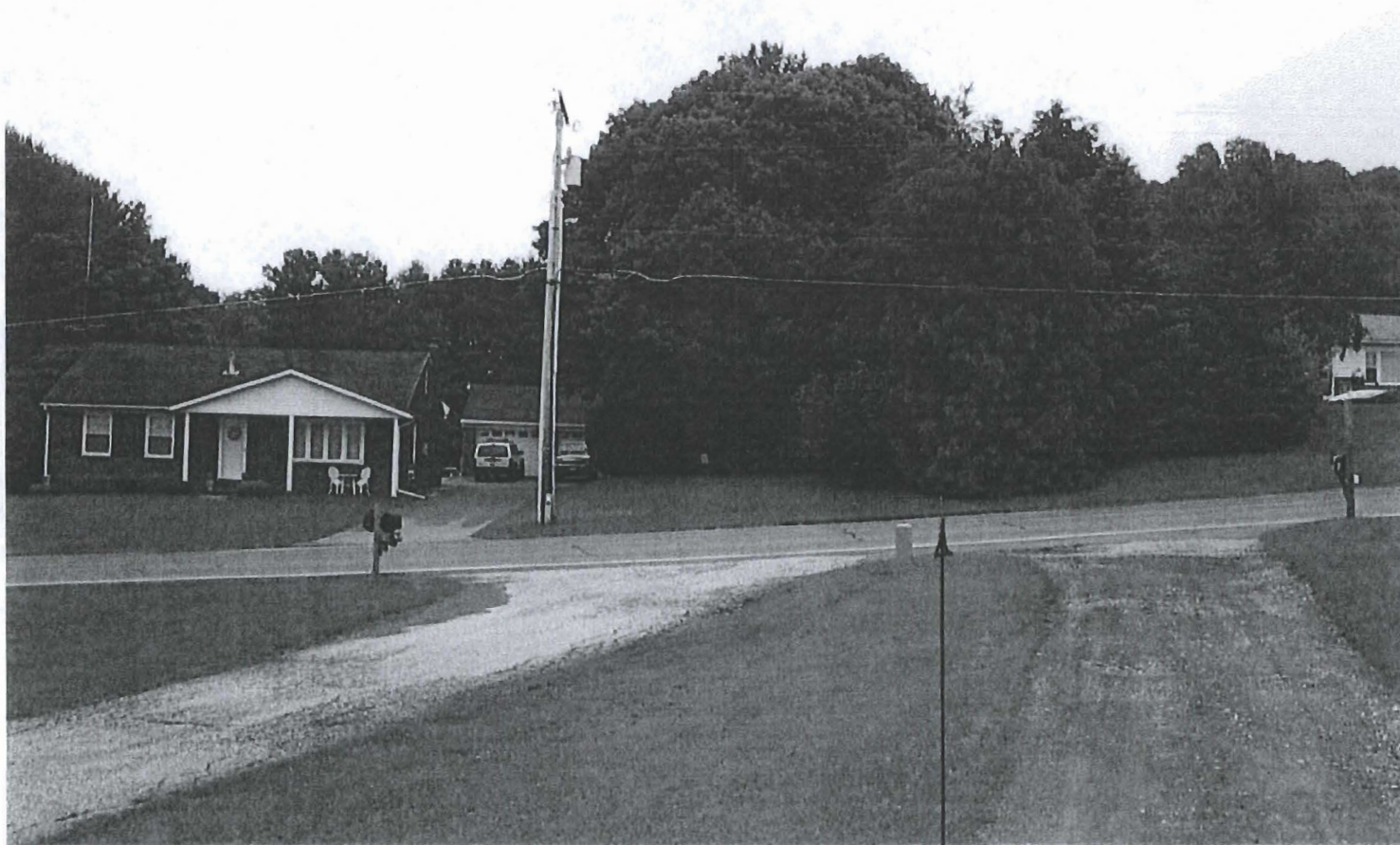
Aerial or Prop Roots
Banyan and other fig (*Ficus*) species



Stilt
Mangroves, Pandanus

copy of variance 014 (1600x1200x24b jpeg)

18621



1867

Property Line

PROTESTANT'S

EXHIBIT NO. 2 A

im001098 (1600x1200x24b jpeg)



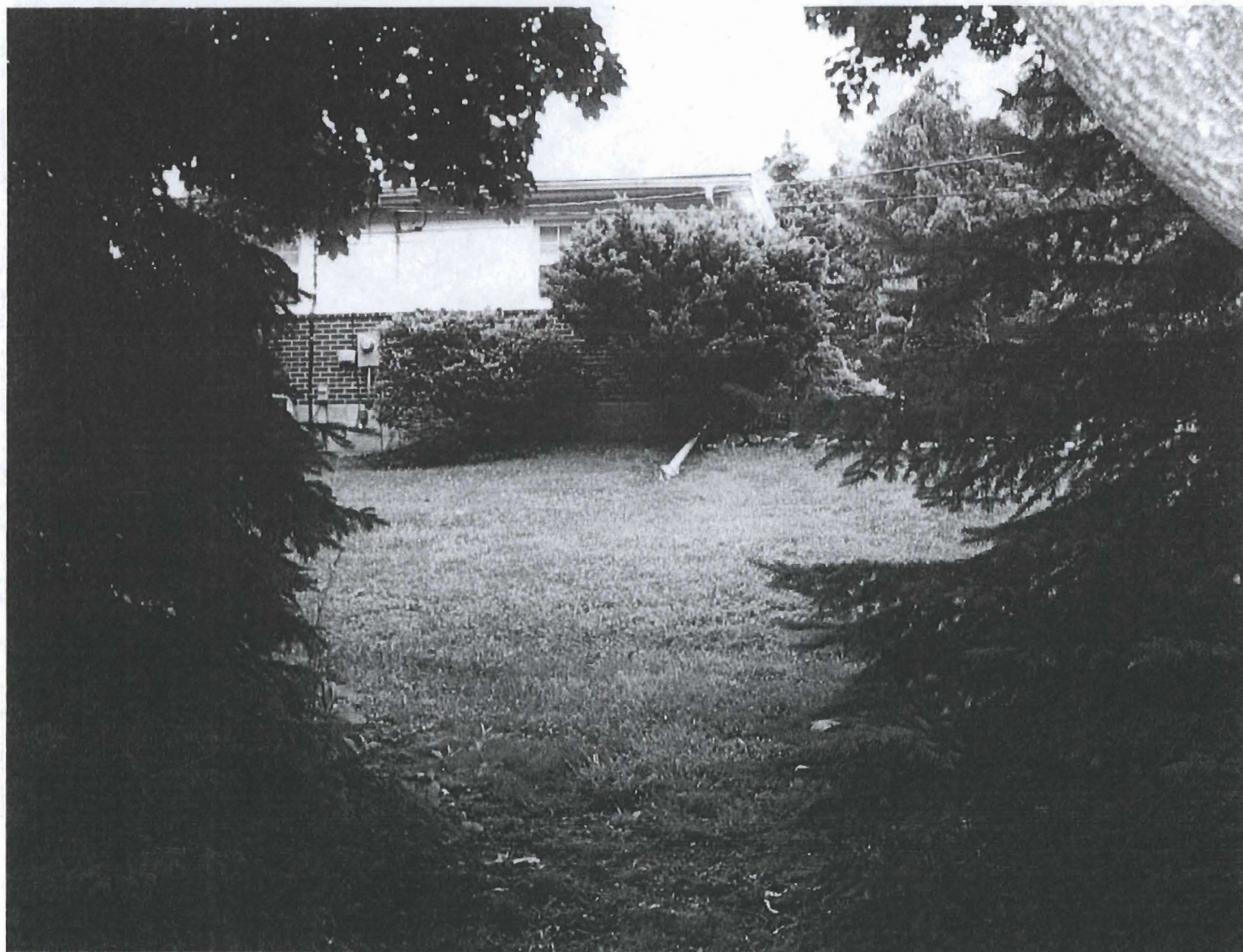
← 18621

↑
Property Line

18617 →

2B

variance 012 (1600x1200x24b jpeg)



Grade AT property Line of 18621
To Dwelling of 18617

variance 009 (1600x1200x24b jpeg)



← 18617

↑
Property Line

18621 →

variance 017 (1600x1200x24b jpeg)



Rear 18621

2E

im001123 (1600x1200x24b jpeg)



Rear 18621

im001124 (1600x1200x24b jpeg)



REAR 18621



PETITIONER'S

EXHIBIT NO. 2

2A

05-632-A

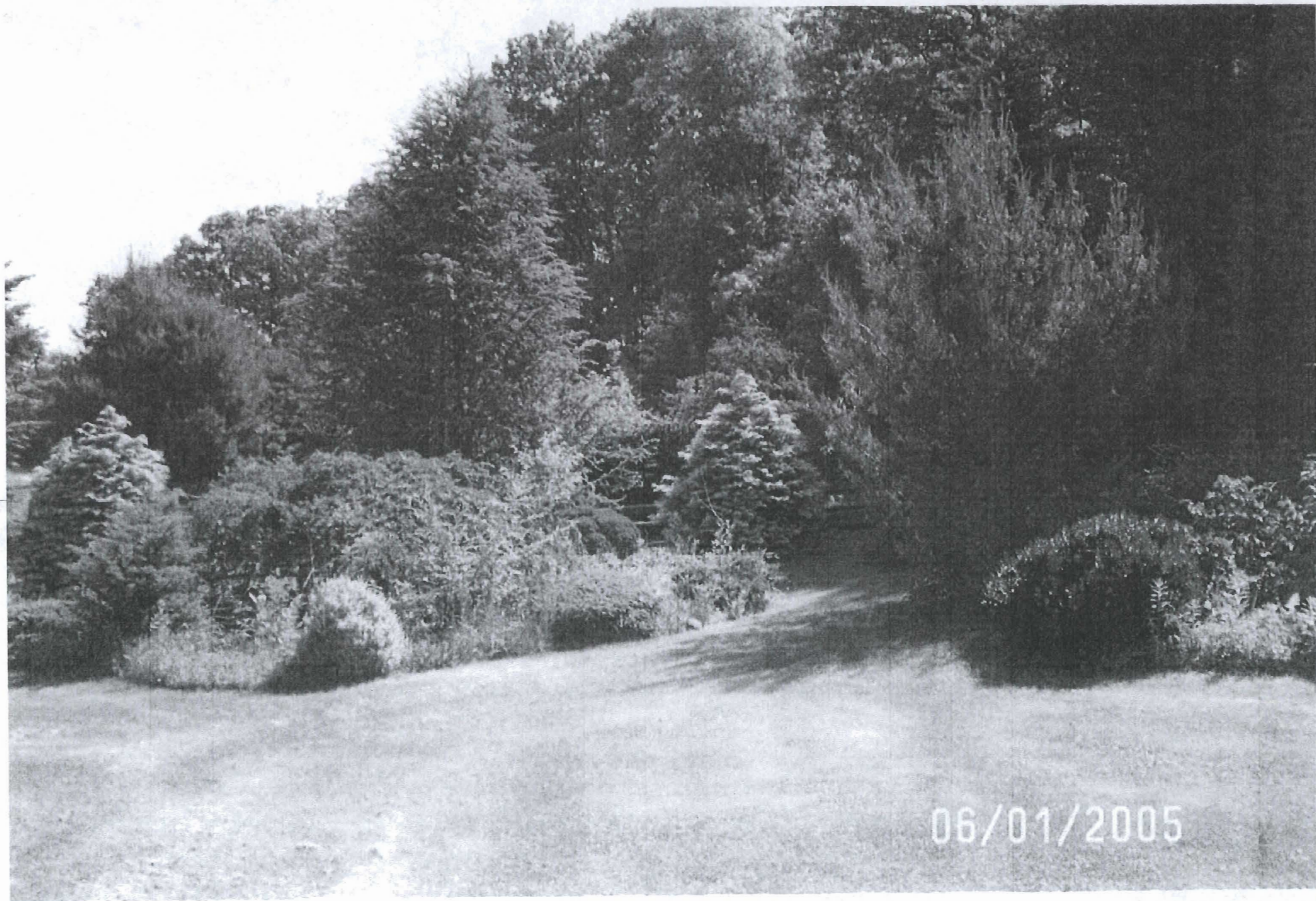


06/01/2005

2B 1

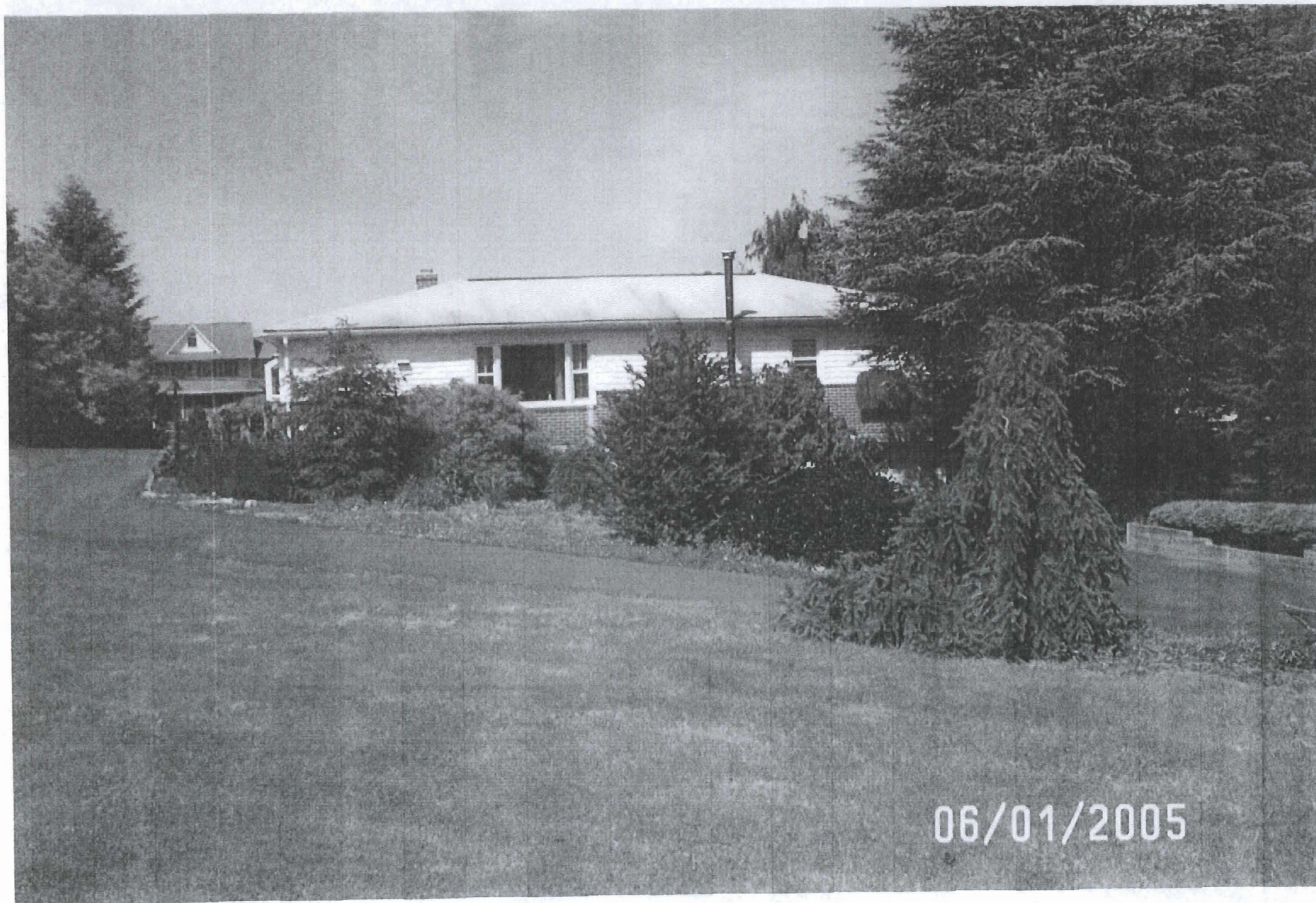
05-632-A





06/01/2005

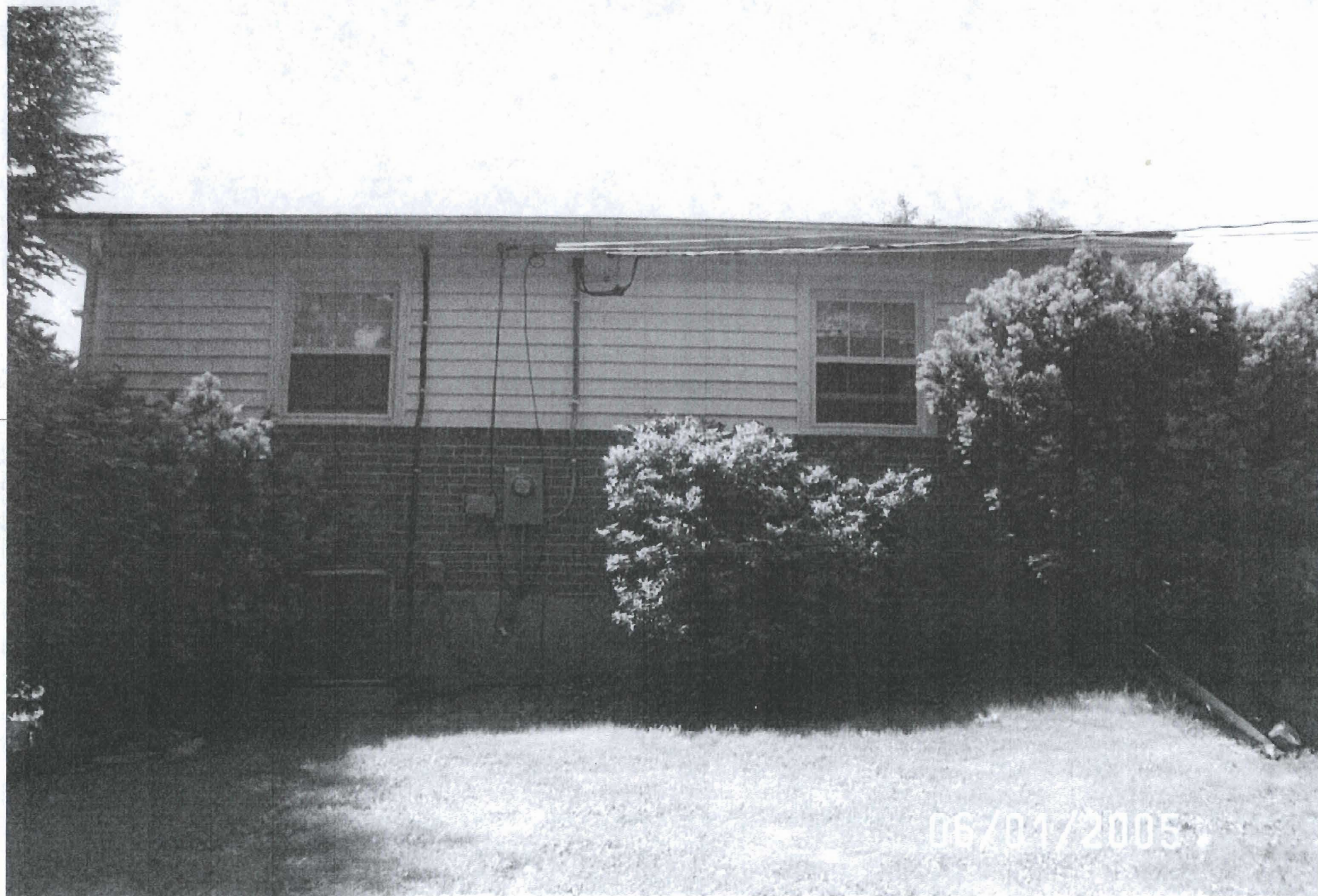
05-632-A



06/01/2005

2E 9

05-632-A



2F



06/01/2005

05-632-A



06/01/2005

2H 6

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE #: 05-632-A

To permit an existing dwelling
setback to a proposed lot line
of 28 ft. in lieu of 35 ft.

PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON June 13, 2005

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

HEARINGS ARE HANDICAPPED ACCESSIBLE

06/01/2005

05-632-A



06/01/2005

2J4

05-632-A



06/01/2005

2K3

18613 Falls Road
Hampstead, Md. 21074
June 10, 2005

RECEIVED

JUN 13 2005

ZONING COMMISSIONER

Mr. William Wiseman, Zoning Commissioner
Baltimore County Office
401 Bosley Avenue
Towson, MD 21204

Dear Mr. Wiseman,

As a homeowner, we have concerns on the variance request - case 05632 A. Since we are located next to the Carroll property, our feelings are that these homes, when built, were graded with proper drainage/runoff in mind and that any further shift in the grounds may cause water problems.

In 1984 we purchased our house. After talking with residents in the area, we were left with the impression that this area was considered Rural Conservation because of the close proximity of the Pretty Boy Reservoir and the surrounding farmlands.

Another concern of ours is that Northern Baltimore County, being one of the last beautiful countryside's left, will be just another real estate developers dream.

Since I cannot attend the hearing, I would appreciate any information on the outcome of this case.

Sincerely,

Patricia A. Shook

Phone: (410) 239-8327
Email: cps365@bellatlantic.net

*Widow -
on other side of Carroll property*

PROTESTANT'S

EXHIBIT NO. 3

A

18621 Falls Road
Hampstead, MD. 21074
June 9, 2005

Mr. William Wiseman, Zoning Commissioner
Baltimore County Office
401 Bosley Avenue
Towson, MD. 21204

RECEIVED

JUN 10 2005

ZONING COMMISSIONER

Dear Mr. Wiseman,

I am writing to protest an Administrative Variance - Case# 05-632-A - to permit an existing dwelling setback to a proposed lot line of 28 feet in lieu of 35 feet, which is being requested by Mr. and Mrs. Carroll at 18617 Falls Road, Hampstead, MD.

My husband and I live at 18621 Falls Road, which is the adjacent property where the proposed access road is to be located. The proposed roadway extends down to the property line also shared with Mr. and Mrs. Seidler at #18627 Falls Road, who are also impacted by this potential variance.

There is a row of 40+ year-old trees on both sides of our property line, which is not shown on the surveyor's plat. These trees are clearly shown in the aerial photo as seen in the folder of this case. I can see no way that the Carroll's trees can be removed and a roadway built at my property line, without seriously damaging the health of my trees.

The impact of damaging the root system and losing these trees will have an effect on the symmetry, beauty and value of our existing property. These trees that have grown for over 40 years can not be replaced.

The addition of a roadway to access the proposed future dwelling #18619 Falls Road, along our property lines will also seriously impact the privacy and security of our properties.

This proposed variance to the setback is unacceptable to the Seidlers and us and we graciously request that you deny this variance.

We would ask that you would please notify us of the outcome after your deliberation.

Sincerely,

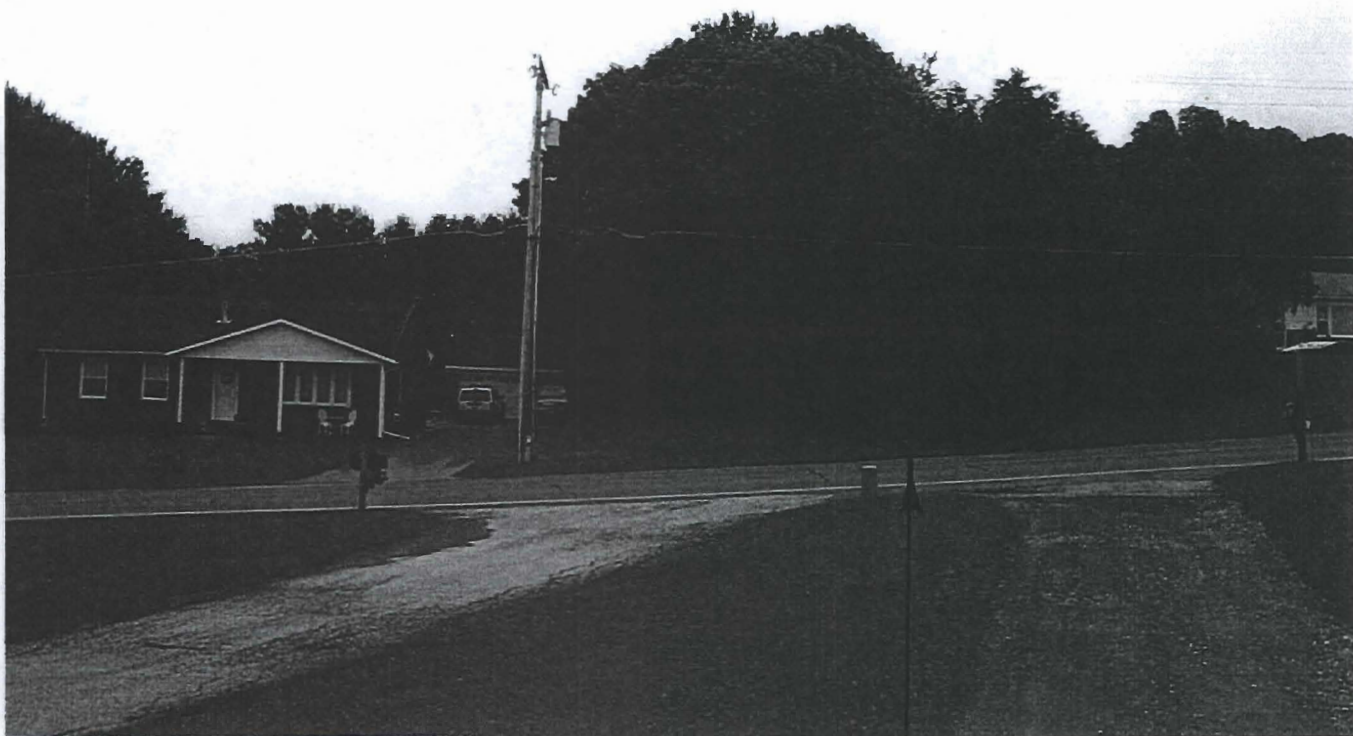
Kimberly C. Cassidy

Harry B. Wildasin III

Kimberly C. Cassidy
Harry B. Wildasin III

Phone: 410-239-0231
Email: hwildasin@earthlink.net

3B



18621

18617

PROPERTY LINE

3B

Harry Will

JUNE 10, 2005

18627 Falls Road
Hampstead, MD 21704
June 9, 2005

Mr. William Wiseman, Zoning Commissioner
Baltimore County Office
401 Bosley Avenue
Towson, MD 21204

RECEIVED

JUN 10 2005

Dear Mr. Wiseman,

We are concerned about the variance request - case 05632 A. The land they want to sell is adjacent to our back acreage and the road they are proposing is next to our property line and will likely cause drainage problems.

The area directly off Falls Rd, where the driveway would start, will also cause run off problems. There is a double row of trees, not shown on the plan, one row on the Carroll property and the other on the Cassidy-Wildasin property. If the variance is approved the Carroll's trees would be removed and the others damaged. The strip is really a hilly drop off, not indicated on the plan. It would require leveling either by cutting down on the side by the Carroll's house and/or building up on the property line. Retaining wall or walls would probably be needed, before a level road could be built.

In the approximately 2 years since the Carrolls moved in, the beautiful and tasteful landscaping has been nearly destroyed and the defacement will no doubt continue.

When we asked about the water problems with the back section they said they have had it perked. But when asked about the septic arrangement (which would drain into our rear property) they didn't answer and didn't seem to have thought about that, or care.

In 1987, when we purchased our 6+ acres and its 200+ year old house, we were told none of the properties in this area including ours could be divided. One of the reasons we were given was that the septic tanks had to be limited because of drainage into Pretty Boy watershed. Apparently there have been changes in the zoning and regulations of which we are unaware.

As we cannot attend the hearing we would appreciate being made aware of the outcome of case 05632 A.

Thank you for your time and attention.

Sincerely,

Alexander / Seidler

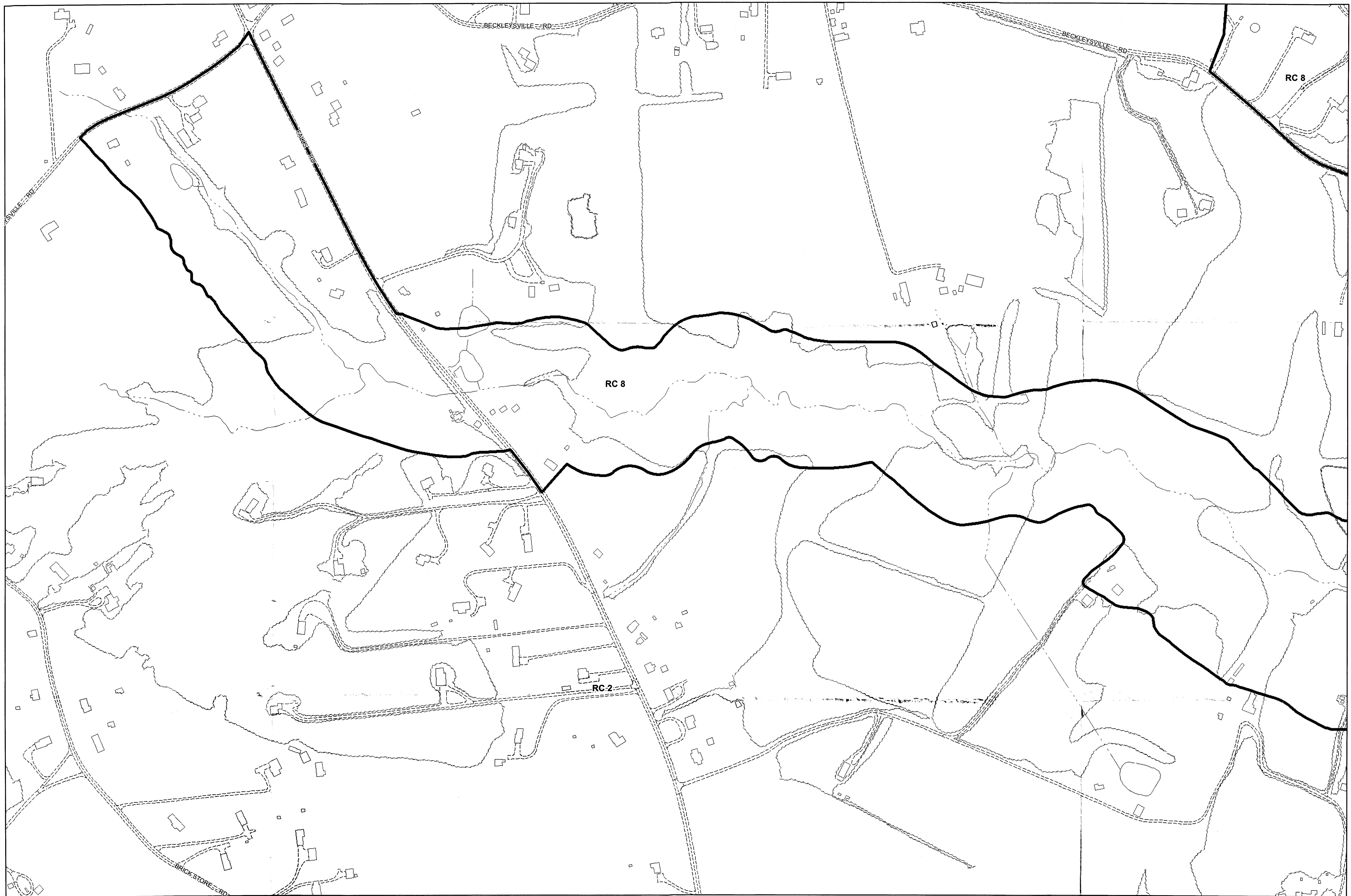
Elizabeth Seidler

Phone: 410 374 5186
EMail: ALEXBET @ ATT.NET

Alexander and Elizabeth Seidler

3C





Plan Sheet: 015A1

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

- Buildings
- Zoning
- Streams
- Roads
- Vegetation
- Rail Lines

Baltimore County Office of Planning and Zoning Official Zoning Map

009C3	010A3	010B3	010C3
014C1	015A1	015B1	015C1
014C2	015A2	015B2	015C2

Scale

1" = 200'

0 100 200 400 Feet

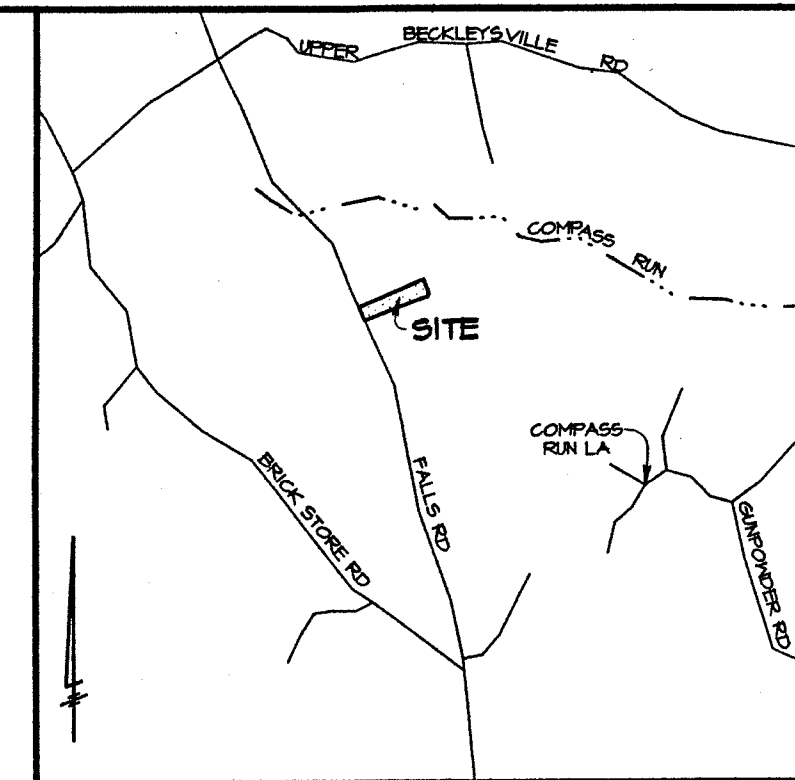
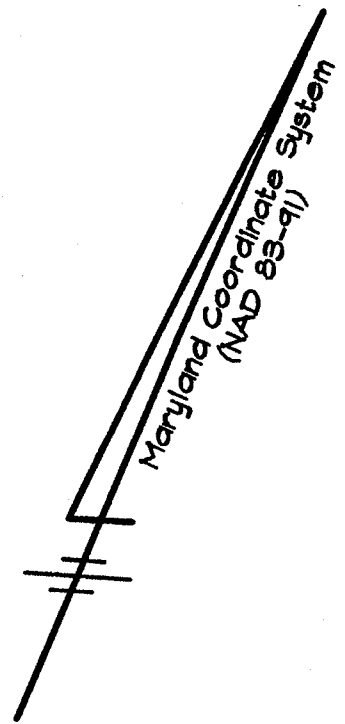
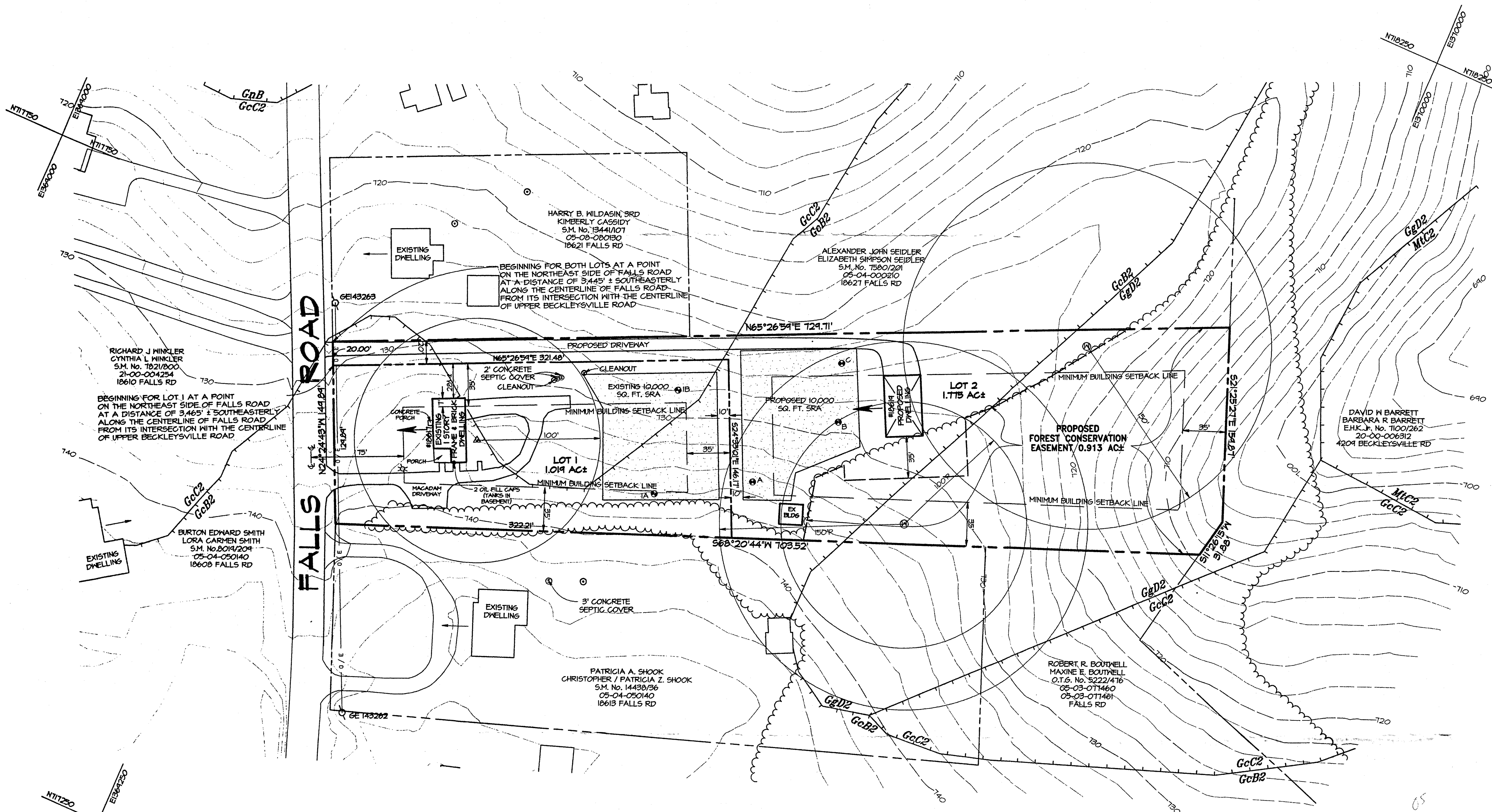
1

Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

R.C. 2 PRINCIPAL STRUCTURE OR DWELLING SETBACKS

FROM ANY BUILDING FACE TO:
CENTERLINE OF ANY STREET 75'

FROM ANY BUILDING FACE TO:
LOT LINE OTHER THAN A STREET LINE 35'



VICINITY MAP
1" = 2000'

GENERAL NOTES

- THE BOUNDARY SHOWN HEREON IS FROM A SURVEY BY GERHOLD, CROSS, & ETZEL, LTD.
- THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 15A1
- THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY INSET B SHEET 1.
- CENSUS TRACT 4050.00 REGIONAL PLANNING DISTRICT 302
- WATERSHED PRETTYBOY SUBWERSHED NONE
- SCHOOL DISTRICT: ELEMENTARY - FIFTH DISTRICT ES; MIDDLE - HEREFORD M.S.; HIGH - HEREFORD H.S.
- A.D.C. MAP # GRID 05 E3
- THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
- THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SUBJECT PROPERTY IS NOT WITHIN A 100' YEAR FLOOD PLAIN.
- ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
- ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
- THE ENVELOPES SHOWN HEREON ARE FOR THE LOCATION OF ALL PRINCIPAL BUILDINGS ONLY. ACCESSORY STRUCTURES, FENCES, AND PROJECTIONS INTO YARDS MAY BE CONSTRUCTED OUTSIDE THE ENVELOPE BUT MUST COMPLY WITH SECTIONS 400 AND 301 OF THE BALTIMORE COUNTY ZONING REGULATIONS (SUBJECT TO COVENANTS AND APPLICABLE BUILDING PERMITS).
- THIS PROPERTY, AS SHOWN HEREON, HAS BEEN HELD INTACT SINCE JULY 1, 1966. THE DEVELOPER'S SURVEYOR HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.

DENSITY CALCULATIONS

GROSS AREA 2.747 AC ±
HIGHWAY WIDENING 0.00 AC ±
NET AREA 2.747 AC ±
LOTS PERMITTED 2.149 AC ± = 2 Lots
LOTS PROPOSED 2

OWNER

JOHN D. CARROLL, JR.
MICHELLE K. CARROLL
18617 FALLS ROAD
HAMPSTEAD, MD 21074
(410)-716-2425

PETITION

FOR VARIANCE FROM SECTION 1A01.3.B.3 OF THE B.C.Z.R.T.O ALLOW THE EXISTING DWELLING SIDE YARD SETBACK OF 28 FEET IN LIEU OF THE REQUIRED 35 FEET.

LEGEND

- EXISTING WELL
- EXISTING CLEANOUT
- PROPOSED PERC TEST
- UTILITY POLE
- YARD LAMP
- PROPOSED WELL AREA
- EXISTING DWELLING
- PROPOSED DWELLING
- SOIL LINE
- WOODS LINE
- EXISTING PAVING
- PROPERTY LINE
- CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING
GcB2	Slight	Slight	Moderate: slope
GcC2	Moderate: slope	Moderate: slope	Severe: slope
GcD2	Severe: slope	Severe: slope	Severe: slope
GcB	Severe: high water table, moderately slow permeability.	Severe: high water table	Severe: high water table
Mic2	Severe: less than 3 feet to bedrock	Moderate: less than 3 feet to rippable bedrock, slope	Severe: slope

AGRICULTURAL NOTE

ANY DWELLING MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING, BUT NOT LIMITED TO, NOISE, ODORS, FUMES, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE, IF THE OPERATION COMPLIES WITH THESE REGULATIONS AND ALL FEDERAL, STATE, OR COUNTY HEALTH OR ENVIRONMENTAL REQUIREMENTS.



PLAT TO ACCOMPANY A PETITION FOR ADMINISTRATIVE VARIANCE FOR THE

CARROLL PROPERTY

18617 FALLS ROAD
Deed Ref: S.M. No. 16171 folio 129
Tax Account No.: 05-13-092080
Zoned R.C.- 2; Map NW 31-1
Tax Map 15; Grid 01; Parcel 02
5th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=50'

Date: MAY 24, 2005

GERHOLD, CROSS & ETZEL, LTD.

REGISTERED PROFESSIONAL LAND SURVEYORS

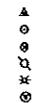
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION DATE COMPUTED: DRAWN: C.J.S. CHECKED: M.E.A. FILE: X:\carroll\zoning\pro

FROM ANY BUILDING FACE TO: CENTERLINE OF ANY STREET	75'
FROM ANY BUILDING FACE TO: LOT LINE OTHER THAN A STREET LINE	5'

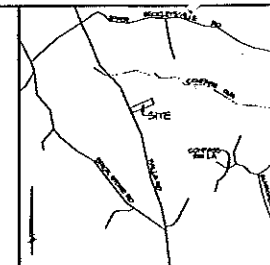
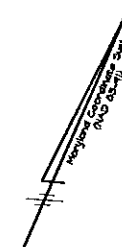


EXISTING WELL
EXISTING CLEANOUT
PROPOSED PUMP TEST
UTILITY POLE
YARD LAMP
PROPOSED WELL AREA



TYPE	SEEPING FILTER FIELDS	UNPAVED W/ BASEMENT	STREETS & PARKING
C029	Slight	Slight	Moderate slope
C032	Moderate slope	Moderate slope	Severe slope
C033	Severe slope	Severe slope	Severe slope
C034	Severe, high water table, moderate to storm permeability	Severe, high water table	Severe, high water table
C035	Severe, less than 2' foot to bedrock slope	Severe, less than 2' foot to bedrock slope	Severe slope

ANY FLYING MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING BUT NOT LIMITED TO: ROSE, COORDS, FUEL, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION OF SPRAYS OR OTHERS OF CHEMICAL FERTILIZERS, SOIL ENHANCERS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE IF THE OPERATION COMPLIES WITH ALL APPLICABLE STATE AND ALL FEDERAL, STATE, OR COUNTY HEALTH AND ENVIRONMENTAL REQUIREMENTS.



VICINITY MAP
1" = 2000'

[illegible]

GROSS AREA	2.717 Ac.s
HIGHWAY INDENTING	0.00 Ac.s
NET AREA	2.717 Ac.s
LOTS PERMITTED	2-149 Ac.s = 2 Lots
LOTS PROPOSED	2

JOHN D. CARROLL, JR.
MICHELLE K. CARROLL
18617 FALLS ROAD
HAMPSTEAD, MD 21074
(410) 76-2429

FOR VARIANCE FROM SECTION 1A03.B3 OF THE BGCZ TO ALLOW THE EXISTING DWELLING SIDE YARD SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 35 FEET.

CARROLL PROPERTY

18617 FALLS ROAD
Deed Ref: S.M. No. 16171 Folio 129
Tax Account No.: 05-13-042080
Zoned R.C.- 2; Map NN 31-1
Tax Map 15; Grid O1; Parcel 02
5th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Date: MAY 24, 2005

REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
520 East Tonsontonn Boulevard
Tonsen, Maryland 21286
(410) 823-4470

		820 East Tonsontown Boulevard Tonsen, Maryland 21286 (410) 823-4470			
NEEDLE REVISIONS		94306			
REVISION PER FIELD LOCATION OF TREES		42205			
REVISION	DATE	COMPILED C.J.S.	DRAWN C.J.S.	CHECKED B.A.L.	FILED/CORRECTED/NOTED pro