IN RE: PETITION FOR ADMIN. VARIANCE

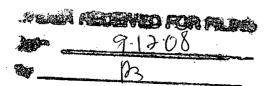
South side of Long Ridge Road, 40 feet West of Barto Lane 8th Election District 2nd Councilmanic District (2401 Long Ridge Road)

Sunit N. and Ina U. Patel Petitioners

- * BEFORE THE
- DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2009-0045-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Sunit N. and Ina U. Patel for property located at 2401 Long Ridge Road. The variance request is from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory building (detached garage and detached breezeway) to be located partially in the side yard in lieu of the required rear yard only, a garage height of 22 feet 8 inches in lieu of the maximum allowed 15 feet, and to amend the Final Development Plan for Long Farm, Plat A, Lot 26. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose a number of improvements to their dwelling including: 6 feet x 15 feet wood deck, 16 feet x 20 feet covered porch, 25 feet x 17 feet stone patio, 16 feet x 9 feet detached breezeway, and 30 feet x 31 feet x 21 feet 8 inches detached garage. The detached breezeway and the detached garage are the subject of this administrative variance request. In photographs submitted by the Petitioners, there appears to be four sets of French doors that lead to the outside, however the outside is not accessible because there is no deck or stairs to the ground. The proposed improvements will make the rear and side yards accessible from inside the home. The additional height on the proposed detached garage is necessary so that it architecturally



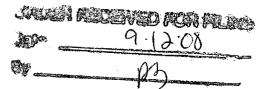
complements the dwelling with similar roof profile and proportions, and also provides necessary storage space. The detached garage will be constructed at the end of the existing driveway with an open breezeway. The rear of the property is encumbered with the septic system and septic reserve field. The subject dwelling contains 5,997 square feet on 1.07 acre.

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: ZAC comments were received from the Office of Planning dated September 3, 2008 which recommends that the accessory structure not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 24, 2008 and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.



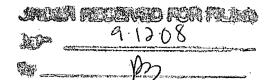
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this ______ day of September, 2008 that a variance from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed accessory building (detached garage and detached breezeway) to be located partially in the side yard in lieu of the required rear yard only, a garage height of 22 feet 8 inches in lieu of the maximum allowed 15 feet, and to amend the Final Development Plan for Long Farm, Plat A, Lot 26 is hereby GRANTED, subject to the following:

- 1. The Petitioners may apply for their building 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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioners or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 3. The accessory structure shall not be used for commercial purposes.

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

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

September 12, 2008

SUNIT N. AND INA U. PATEL 2401 LONG RIDGE ROAD REISTERSTOWN MD 21136

> Re: Petition for Administrative Variance Case No. 2009-0045-A Property: 2401 Long Ridge Road

Dear Mr. and Mrs. Patel:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: David Kerivan, 1101 Saint Paul Street, Suite 2003, Baltimore MD 21202

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property located at 2401 Long Ridge Road, Reisterstown, MD 21136

which is presently zoned RC5 - Rural Residential

Deed Reference:	22424	/ 578	Tax Account #	2400009792

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) 400,1 & 400,3 BCZR, to permit a proposed accessory building (detached garage & detached breezeway) to be located partially in the side yard in lieu of the required rear yard only, a height of 22 feet, 8 inches in lieu of the maximum allowed 15 feet, and to amend the Final Pevelopment Plan for Long farm, Plat A, Lot 26.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Administrative 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 a perjury, that I/we are the le is the subject of this Petitio	gal owner(s) of the	
Contract F	Purchaser/Lesse	<u>:e:</u>		<u>Legal Owner(s):</u> Synit N/ Patel		
Name - Type o	r Print			Name Type or Pri	nt)	
Signature		***************************************		Signerare Ina		-
Address		:	Telephone No.	Name Type or Print	+10	
City		State	Zip Code	Signature		
Attorney F	or Petitioner:			2401 Long Ridge	Road 443	-250-7546
				Address	MD	Telephone No.
Name - Type o	r Print			Reisterstown,	MD State	21136 Zip Code
Name - Type o	,			•	,	Zip Gode
Signature				DAVID KEZI		0.385.0512
Company			,	Name		
Address			Telephone No.	1101 SAINT PAUL	ST., Suite:	2003 Telephone No.
Address			releptione No.		Mr	7 in the state of
City	200000000000000000000000000000000000000	State	Zip Code	BALTI MODE	State	Zip Code
this da	ing having been forma ay of Baltimore County and th	, that	the subject matter of	quired, it is ordered by the Zoning this petition be set for a public hear	Commissioner of Ba ring, advertised, as re	Itimore County, quired by the zoning
Case No.	2009-0	1645-A	Rev	Zoning Commission	Date 8 (12	108
REV 7/20/07		WED FOR	Estimated Po	sting Date $\frac{8/24/0}{}$	<u>8</u>	
		9.12 08				

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

2401 Long Ridge Road Address Reisterstown, MD 21136

State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

Our existing garage is too small to accommodate our needs as a family. There is barely enough room to squeeze the cars into each stall. When this is done it leaves no room for our children's bicycles and toys or the necessary space for tool storage and lawn equipment that we use to maintain our house and yard. This results in one to two cars in the driveway all the time. In addition to our vehicles, my elderly parents will be moving in with us and they will have at least one vehicle if not two.

To help solve our problem we would like to construct a new detached two car garage at the end of our existing driveway with a new open breezeway that stops just short of a rear deck. We believe that the proposed location for the new detached garage is best because the grade drops quickly just beyond the end of the driveway toward the rear of our property and placing the garage farther back from the existing driveway edge would make construction more difficult and costly because of the change in the grade. Also placing the garage farther back into the rear yard would encroach upon the area designated for our septic system which we do not want to do.

We would also like the materials, details and proportions of the new garage to be compatible with our existing house. With this in mind we also request that the roof ridge of the new garage be 22'-6" above the driveway so that the roof profile and proportions of the new garage are similar to the roof profile and proportions on the existing garage.

That the Affiant(s) acknowledge(s) that if advertising fee and may be required to provi	a formal demand is filed, Affiant(s) will be required to pay a reposting and de additional information. Signature
Sunit N. Patel	Ina U. Patel
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BAIL I HEREBY CERTIFY, this 29th day of	
of Maryland, in and for the County aforesaid	, personally appeared
Sunit N. P	atel and Ina U. Patel
the Affiant(s) herein, personally known or sa	tisfactorily identified to me as such Affiant(s).
AS WITNESS my hand and Notarial Seal	Caroline Talbot Bours
REV 7/24/07	Notary Public CAROLINE TALBOTT BOWERS Notary Public-Maryland Baltimoria Commission Expires My Commission Expires My Commission Expires

Zoning Description

Zoning description for 2401 Long Ridge Road, Reisterstown, MD 21136.

Beginning at a point on the south side of Long Ridge Road which is 21'-4" paving wide at the distance of 40'-0" west of the centerline of the nearest improved intersecting street Barto Lane which is 18'-0" paving wide. Being Lot #26, in the subdivision of Long Farm, flat A as recorded in Baltimore County Plat Book #77, Folio # 143, containing 1.070 acres. Also known as 2401 Long Ridge Road and located in the 8 Election District, 2 Councilmanic District.

CERTIFICATE OF POSTING

RE: Case No: 2009-0045-A

Petitioner/Developer: SUNIT

	Date Of Hearing/Closing: 7/8/08
	Baltimore County Department of
	Permits and Development Management
	County Office Building, Room 111
	111 West Chesapeake Avenue
	Attention:
	Ladies and Gentlemen:
	This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property at
	This sign(s) were posted on August 24, 2008
	(Month, Day, Year)
S. Co.	Sincerely,
1	70NING ature of sign Poster and Date)
님	Martin Ogle
	VARIANCE LIST & 2,301-3045 A Sign Poster
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	Address
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DISTRIBI	14	79 - D	1045 PINK-A					CASHIER'S VALIDATION W CUSTOMER

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	2009-	0045	-A	Address	2401	LongA	Ridge Roa	<u>d</u>
Conta	ct Perso	on:	Jeffrey	Perlow)			Phon	e Number: 41	0-887-3391
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JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 9, 2008

Sunit N. & Ina U. Patel 2401 Long Ridge Rd. Reisterstown, MD 21136

Dear: Sunit N. & Ina U. Patel

RE: Case Number 2009-0045-A, 2401 Long Ridge Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 12, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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. Supervisor, Zoning Review

WCR:lnw

Enclosures

People's Counsel
David Kerivan, 1101 Saint Paul ste. 2003, Baltimore, MD 21202



JAMES T. SMITH, JR. County Executive

JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 August 22,2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 🎎 2008

Item Number: 0038,0040,0041,0043,0044 and 0.045

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

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

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4880 (C)443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director Department of Permits &

Development Management

DATE: August 27, 2008

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For August 25, 2008

Item Nos. 09-0038, 0040, 0041, 0042,

0044, and (0045

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

DAK:CEN:lrk cc: File

ZAC- 08272008-NO COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

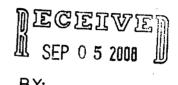
FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

9-045 - Administrative Variance



DATE: September 3, 2008

The Office of Planning does not oppose the petitioner's request to permit an accessory structure (garage) with a height of 22.8 feet in lieu of the maximum permitted 15 feet provided the following conditions are met:

- 1. The petitioner or subsequent owners shall not convert the subject accessory structure into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
- 2. The accessory structure shall not be used for commercial purposes.

For further information concerning the matters stated herein, please contact Jeff Mayhew at 410-887-3480.

Prepared by

AFK/LL: CM

Subj:

FW: 2401 Long Ridge - ARC Request - 2 Car Garage - APPROVED

Date:

8/7/2008 12:54:22 PM Eastern Daylight Time

From: To: spatel@nghotels.com Kerivan@aol.com

David,

Please find attached the approval letter from the HOA. Let me know if this is adequate or you need something else.

Thanks.

-SP

Sonny Patel Chief Operating Officer



57 West Timonium Road, Suite 310 Baltimore, MD 21093

P: 410.941.2477 C: 443.250.7546 F: 410.941.2478

www.nghotels.com

HOA WAHIMOUS

SEE NEXT PAGE AND LAST PAGE OF THIS COPY.

011

From: Dale Russell / Tidewater Property Mgmt [mailto:drussell@tidewaterproperty.com]

Sent: Thursday, August 07, 2008 12:25 PM

To: 'Sonny Patel'

Subject: RE: 2401 Long Ridge - ARC Request - 2 Car Garage - APPROVED

Hi Sonny,

No problem – see attached. The original will go out in either today's late mail or tomorrow morning's mail, unless you prefer to pick it up. Let me know if you do wish to pick it up.

Dale

From: Sonny Patel [mailto:spatel@nghotels.com] **Sent:** Thursday, August 07, 2008 12:01 PM **To:** 'Dale Russell / Tidewater Property Mgmt'

Subject: RE: 2401 Long Ridge - ARC Request - 2 Car Garage - APPROVED

Dale,

Is there a way that you can get me the formal letter by e-mail and then the hard copy by snail mail? I have a meeting with the County on the 10th and that letter is mandatory. If e-mail is not possible, I

don't mind stopping by to pick it up.

Please let me know.

Regards,

-SP

Sonny Patel Chief Operating Officer



www.newgenerationhotels.com

57 West Timonium Road, Suite 310 Baltimore, MD 21093

P: 410.941.2477 C: 443.250.7546 F: 410.941.2478

www.nghotels.com



From: Dale Russell / Tidewater Property Mgmt [mailto:drussell@tidewaterproperty.com]

Sent: Thursday, August 07, 2008 11:45 AM

To: TKManuel1@aol.com **Cc:** SPatel@NGHotels.com

Subject: 2401 Long Ridge - ARC Request - 2 Car Garage - APPROVED

Thanks, Terence – I'll get the formal Approval letter out today.

Dale

From: TKManuel1@aol.com [mailto:TKManuel1@aol.com]

Sent: Wednesday, August 06, 2008 11:14 PM

To: drussell@tidewaterproperty.com

Subject: Fwd: FW: Re: RE: 2401 Long Ridge - ARC Request - 2 Car Garage -

Dale-

The ARC request for Sonny Patel has been unanimously Approved by the Board. I am also casting an Approve vote.

Terence Manuel

Looking for a car that's sporty, fun and fits in your budget? Read reviews on AOL Autos.



Tidewater Property Ranagement, Inc.







RESIDENTIAL / COMMERCIAL 3706 Crondall Lane, Suite 105 Owings Mills, MD 21117-2231

August 7, 2008

Sunit & Ina Patel 2401 Long Ridge Road Reisterstown, MD 21136

Re: Application for Exterior Atteration - Additional 2-Car Garage Project

Dear Mr. and Mrs. Palel.

Your Application for Exterior Alteration request for an additional 2-car-garage dated July 22, 2008, is hereby approved by the Belmont Farm Homeowners Association, Architectural Review Committee per your submission specifications. We suggest you keep a copy of this approval letter with your home documents.

The homeowner hereby agrees that any and all liability caused by or arising from this modification shall not be held against the Association, Management Company, Builder or Developer. Consequently, the Association, Management Company, Builder or Developer will not be held liable for any damage or hazards caused by this modification to said lot or any adjacent lot. Please note that approval by the Architectural Review Committee is for esthetic purposes only and does not imply that any review has been made of the structural or other adequacy nor does it imply nor avert the necessity for approval by appropriate governmental authorities. Nothing may be permanently installed in any lake, drainage or utility easements. Any construction pursuant to the provisions of this approval shall be subject to the continuing effect of the provisions of the Declaration, and of the Rules and Regulations of the Association and the Architectural Review Committee.

Thank you and we sincerely hope you enjoy your additional garages!

Cordially,

TIDEWATER PROPERTY MANAGEMENT INC. Managing Agent for Belmont Farm Homeowners Association

Dale Russell

Property Manager

DRussell@TidewaterProperty.com

Attachment (1) DSR:sp

443-548-0191 * TOLL FREE: 1-877-836-9816 * FAX: 443-548-0196

Exempt Class:

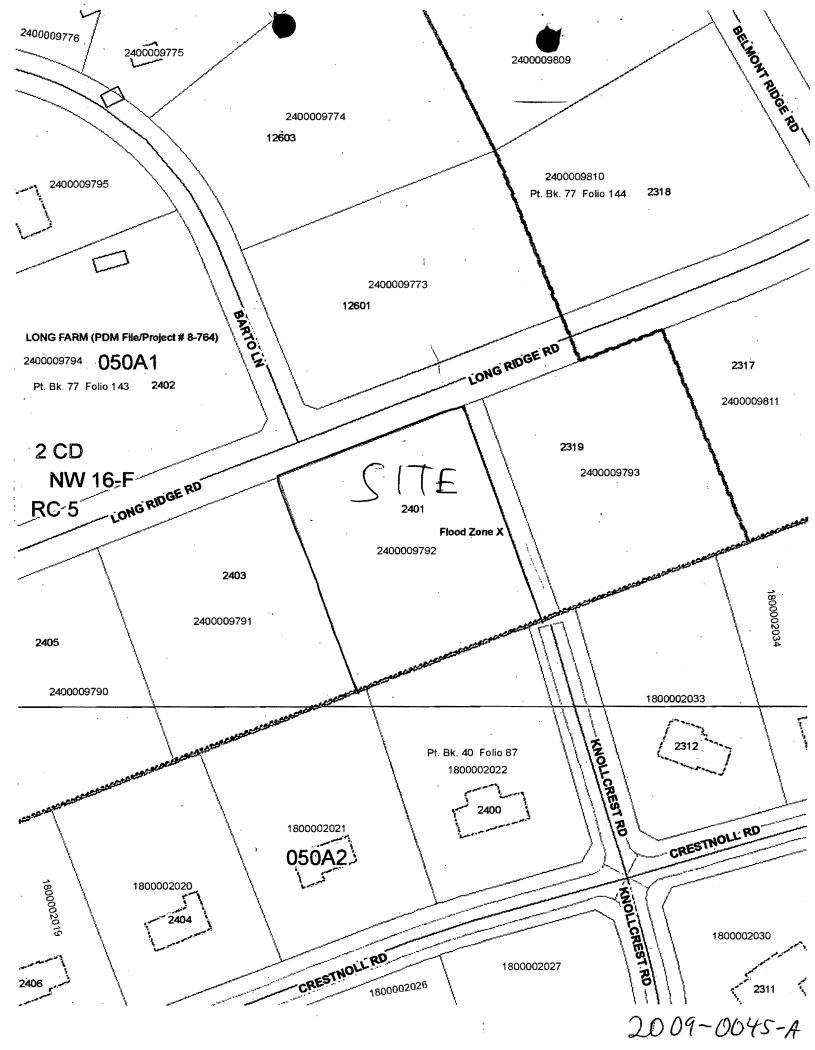




Go Back View Map **New Search**

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* NONE *





2401- PROPERTY W PROPOSED

ADDITIONS IN REAR

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420



HEIGHTOP. 8

HOUSE IN
ON LEPT SIDE

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400



HOUSE BOR ON PIGHT SIDE

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2401 E

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(3)

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图以 25. PROPOSE NATIONAL PROPOS Flow+ 1-51005 151 6128 800613







240) 5 51DE.

750



2401 = 510E/ REAR



240 REAR MAY 0 5 2008 SITE IN REAR DROPS STEEPLY



MAY 0 4 2008

2401 REAR SIDE



REAR SITE DEOP STEEPLY TO REAR -BY MAY 0 6 2008 DRIVEWAY

-009-0045-4

PLAT TO ACCOMMPANY PETITION FOR ZONING VARIANCE

2401 LONG RIDGE ROAD REISTERSTOWN, MD 21136

SUBDIVISION NAME: LONG FARMS

