

IN RE: PETITION FOR VARIANCE
NE Corner of Old Lyme Road and
Falls Road
8th Election District
2nd Councilmanic District
(2 Old Lyme Road)

Syed E. and Shahab N. Abidi
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2011-0251-A**

* * * * *

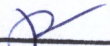
OPINION AND ORDER

This matter came before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Variance filed by the legal owners of the subject property, Syed E. Abidi and Shahab N. Abidi. Petitioners are requesting Variance relief from Section 1A04.4.D.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a fence in the front yard 17 feet from public right-of-way in lieu of the required 50 feet, and a waiver to allow a 6 foot fence in the front yard in lieu of 42 inches. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Petitioner Syed Abidi as well as Laura E. Swartz with Curry Architects, the firm who prepared the site plan and is assisting the Petitioners in the zoning process. Appearing in opposition to the request was Michael F. Wyatt, Esquire, on behalf of Protestants/adjacent property owners: Dr. Melissa Hollander Schneider and Dr. Roger Schneider of 3 Old Lyme Road, Peter O'Brien of 1 Old Lyme Road, Dr. and Mrs. Andrew London of 6 Old Lyme Road, and Dr. and Mrs. Charles Mann of 15 Old Lyme Road. The record in this case reflects that the subject property was properly posted and advertised as required by the Baltimore County Zoning Regulations.

ORDER RECEIVED FOR FILING

Date 4-13-11

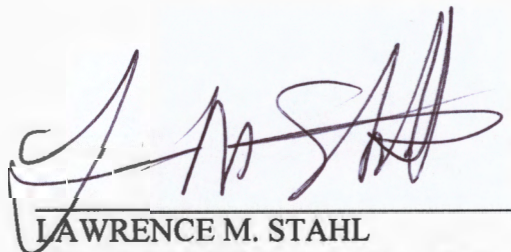
By 

Testimony was presented on behalf of the Petitions by the Petitioner himself, Thomas J. Huff and Shellie Curry. Protestants presented testimony from Daniel Meenan, a member of the Falls Road Community Association, and Richard Azrael, speaking on behalf of the other Protestants.

At the conclusion of the testimony, Petitioner determined to withdraw his Petition for Variance.

THEREFORE, IT IS ORDERED this 13th day of April, 2011 by this Administrative Law Judge that Petitioners' Variance request from Section 1A04.4.D.3 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to allow a fence in the front yard 17 feet from public right-of-way in lieu of the required 50 feet, and a waiver to allow a 6 foot fence in the front yard in lieu of 42 inches, be and is hereby DISMISSED.

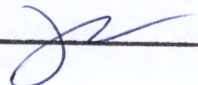
Any appeal of this decision must be made within thirty (30) days of the date of this Order.


LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz

ORDER RECEIVED FOR FILING

Date 4-13-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

April 13, 2011

SYED E. AND SHAHAB N. ABIDI
2 OLD LYME ROAD
LUTHERVILLE MD 21093

Re: Petition for Variance
Case No. 2011-0251-A
Property: 2 Old Lyme Road

Dear Mr. and Mrs. Abidi:

Enclosed please find the decision rendered in the above-captioned case.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "L M Stahl", is written over the printed name.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

Enclosure

c: Shellie Curry, 606 East Joppa Road, Towson MD 21286
Thomas J. Hoff, 512 Virginia Avenue, Towson MD 21286
Michael T. Wyatt, Esquire, 404 Allegheny Avenue, Towson MD 21204
Daniel Meenan, Falls Road Community Association, 2 Rises Court, Lutherville MD 21030
Richard Azrael, 11 Old Lyme Road, Lutherville MD 21093



TAX. ACCOUNT # 2300005836
203756352

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 2 OLD LYME RD, LUTHERVILLE, MD
which is presently zoned RC5 21093

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)

SEE ATTACHED

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

TO BE PRESENTED AT HEARING

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Date _____
City _____ By _____ State _____ Zip Code _____

ORDER RECEIVED FOR FILING
4-13-11

Legal Owner(s):

SYED E. ABIDI
Name - Type or Print _____
Signature Syed E. Abidi
SHAHAB N. ABIDI
Name - Type or Print _____
Signature Shahab Abidi

2 OLD LYME RD 410.561.3774
Address Telephone No.
LUTHERVILLE, MD 21093
City State Zip Code

Representative to be Contacted:

CURRY ARCHITETS, LAURA E. SWARTZ
Name _____
606 E JOPPA RD 410.321.4602
Address Telephone No.
TOWSON, MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By hm Date 2/24/11

Case No. 2011-0251-A

2 OLD LYME ROAD

ZONING RELIEF REQUESTED:

SECTION 1A04.4.D.3

VARIANCE TO ALLOW FENCE IN FRONT YARD 17' FROM PUBLIC RIGHT-OF-WAY IN LIEU OF THE REQUIRED 50'.

WAIVER TO ALLOW 6' FENCE IN FRONT YARD IN LIEU OF 42".

THOMAS J. HOFF
Landscape Architects and Land Development Consultants
512 VIRGINIA AVENUE
TOWSON, MD. 21286
410-296-3668
FAX 410-825-3887

February 23, 2011

Description of Abidi Property, 2 Old Lyme Road, Lot 14, "Old Lyme Road" (formerly "Falls Park"), Plat 71/93 to Accompany Petition for Variance, 8th Election District

BEGINNING FOR THE SAME at a point on the east side of Falls Road, Maryland Route 25 (120' R/W), 55 feet more or less north of the centerline of Old Lyme Road (50' R/W).

Thence leaving the east side of Falls Road and binding on the north side of Old Lyme Road,

- 1) South 56 degrees 14 minutes 09 seconds East 37.64 feet, thence,
- 2) North 74 degrees 56 minutes 13 seconds East 154.96 feet, thence,
- 3) By a curve to the right with a radius of 1175.00 feet and a length of 268.00 feet, subtended by the chord North 81 degrees 28 minutes 16 seconds East 267.42 feet, thence leaving the north side of Old Lyme Road,
- 4) North 01 degrees 59 minutes 41 seconds West 275.59 feet, thence,
- 5) South 65 degrees 18 minutes 29 seconds West 497.75 feet, to the east side of Falls Road thence binding on the east side of Falls Road,
- 6) South 07 degrees 24 minutes 30 seconds East 127.57 feet, to the place of beginning.

Containing 2.15 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No.

64703

Date

2/24/11

PAID RECEIPT

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	000		650				\$ 75.00

Total

\$ 75.00

Rec From

P.J. Inc.

For

County, Md. auto.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

Trans # 0251

Receipt Tot \$75.00
 CR
 Baltimore County Maryland

REG 0000 2/24/2011 10:18:03
 >> RECEIPT # 507245 2/24/2011
 5 528 ZWING VARIOUS
 CR LN

CASHIERS
 VALIDATION



**BUILDING PERMIT PROCESSING
CASH SLIP RECEIPT**

NO. **A** **634851**

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 100
111 W. CHESAPEAKE AVENUE
TOWSON MD 21204
410-887-3900

PAY RECEIPT

BUSINESS ACTUAL TIME
2/24/2011 2/24/2011 10:18:04
REG W503 WALKIN R205 LRS
>>RECEIPT # 509268 2/24/2011 OFLN
Dept 2 209 BUILDING PERMIT APPLICATI
DOCUMENT # A634851

Recpt Tot \$12.00
\$87.00 OK \$1.00 CA
Baltimore County, Maryland

OFFICE OF FINANCE USE ONLY

APPLICANT Syed & Shahab Abidi

ADDRESS 2 Old Lyme Rd.

ZIP CODE

CHECK ITEM	ITEMS	PAY CODE	G/L ACCOUNT NUMBER	FEE
	ABANDONED WATER METER APPLICATION	200	231-2874	
	APPEAL PROCESS FEE	204	001-806-0000-6150	
X	BUILDING PERMIT APPLICATION	209	001-806-0000-2510	\$12.00
	CHANGE OF OCCUPANCY	210	001-806-0000-2520	
	COUNTY FINANCING APPLICATION	211	030-806-0000-7040	
	ELECTRICAL ADMINISTRATIVE BOARD EXAM FEE	212	001-806-0000-6090	
	ELECTRICAL ADMINISTRATIVE BOARD LICENSE	213	001-806-0000-2210	
	ELECTRICAL PERMIT	214	001-806-0000-2600	
	FIRE HYDRANT METER	217	231-806-0000-6180	
	FIRE INSPECTION	246	001-806-0000-6019	
	GAS PERMIT APPLICATION	220	001-806-0000-2420	
	MASTER'S FEE	249	001-806-0000-6135	
	PERCOLATION TEST	224	001-806-0000-6750	
	PHOENIX WATER CHARGE	248	030-806-0000-6133	
	PLUMBING BOARD LICENSE	225	001-806-0000-2220	
	PLUMBING PERMIT APPLICATION	226	001-806-0000-6220	
	SEPTIC TANK PERMIT	228	001-806-0000-2430	
	SEWER PROPERTY CONNECTION APPLICATION	229	231-806-0000-6051	
	SEWER SERVICE CHARGE, PRORATED	230	030-806-0000-6012	
	SEWER SYSTEM CHARGE	231	231-806-0000-6141	
	STORM DRAIN CONNECTION	233	001-806-0000-2440	
	SUB-SOIL DRAIN INSTALLATION	234	001-806-0000-6220	
	WASTEWATER DISCHARGE PERMIT	240	030-806-0000-2630	
	WATER DISTRIBUTION	241	030-806-0000-6043	
	WATER METER APPLICATION	242	231-806-0000-6060	
	WATER METER FEE	243	231-2874	
	WATER SURCHARGE	244	231-806-0000-6151	
	WATER SYSTEM CHARGE	245	231-806-0000-6151	
	HOME BUILDERS GUARANTY FUND	255	001-3010	

CHECK/MONEY ORDER PAYABLE TO BALTIMORE COUNTY, MARYLAND

TOTAL

\$12.00

DESCRIPTION

fence (zoning pet. 2011-0251-9)

PREPARER'S NAME

BN

DATE

2/24/11

THIS IS NOT A PERMIT OR LICENSE AND DOES NOT AUTHORIZE CONSTRUCTION OF ANY KIND.
NO BUILDING, PLUMBING, OR ELECTRICAL PERMIT FEE IS REFUNDABLE.

BALTIMORE COUNTY FENCE USE PERMIT
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE AVENUE, TOWSON, MD 21204

Fees: \$12.00
\$10.00 Residential; \$20.00 Commercial

Permit No. _____
Receipt No. A634851

Make checks payable to Baltimore County, Maryland --- PERMIT FEES ARE NON-REFUNDABLE

Tax Account # 2300005836
203756350

Type or print in ink:

Work Site Address 2 OLD LYME RD, LUTHERVILLE, MD 21093

Election District DISTRICT 8

Owner's Name SYED E. ABIDI, SHAHAB N. ABIDI

Phone No. 410.561.3774

Mailing Address 2 OLD LYME RD, LUTHERVILLE, MD 21093

Owner's Agent CURRY ARCHITECTS, LAURA E. SWARTZ

Phone No. 410.321.4602

COMPLETE BELOW OR ATTACH A PLAN THAT CLEARLY SHOWS:

Property line dimensions, easements, existing buildings, road names, and location of alleys.

Proposed fence, total length 1224' ±, height 10'-0", and type IRON PICKET

Property line setbacks: front 50'-0", sides 50'-0", and 0'-0", and rear 0'-0"

Property use RESIDENTIAL

Rear/Side yard abuts adjoining front yard: Yes ☒ No ☐

Corner Lot: Yes ☒ No ☐

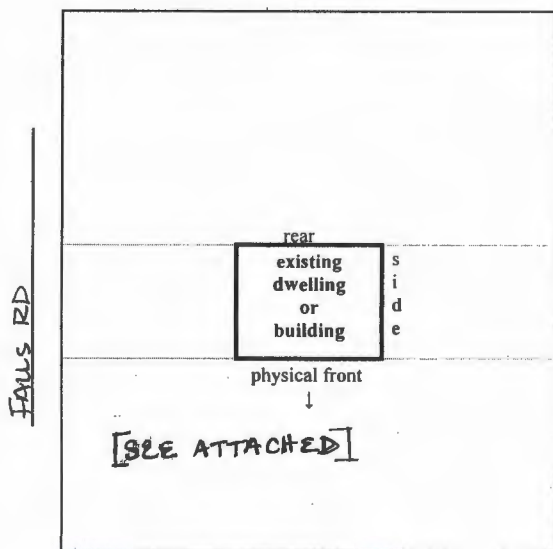
Historic District: Yes ☐ No ☒

REQUESTING VARIANCE

FOR FRONT YARD SETBACK

(17'-0" FROM R.O.W.)

SITE PLAN



Road Name OLD LYME RD

FENCE REGULATIONS

Permit is required for fences over 42 inches high (measured vertical to ground, even if fence is placed on top of wall). Fences erected within easement must be removed at owner's expense, if required.

Building Code, Section 3111:

Residential Fences -- Maximum height of 42 inches in front yard as determined by BCZR and 6 feet in side and rear yards at the property line. Maximum height of 10 feet in side and rear yards, provided set back 2 feet for every vertical foot over 6 feet.

Commercial Fences -- Maximum height of 12 feet.

Building's Engineer may approve higher fence for dangerous, hazardous, or athletic field. Electric and barbed barbed wire fences are only permitted for the retention of livestock and when not a safety hazard to the public. No pointed projections less than 4 feet high. Barbed wire and retarding material may be on top of fence that is at least 6 feet, 9 inches high.

Zoning Code (BCZR) (access easements cannot be fenced)

§102.5 - Corner Lot -- No fence or other obstruction to vision is permitted higher than 3 feet within 25 feet of a corner of two streets, 15 feet of a street and alley, and 10 feet of two alleys.

§427 - Residential Fences in side or rear yard, which adjoins residential front yard (setback and maximum height): zero to 10 feet - 42 inches. Required pool fence up to 48" and houses more than 200 feet apart are exceptions. A fence in a side yard that adjoins a public road in a Historic District is limited to 42 inches in height.

Fence Waivers: All requests for a waiver of heights over 42" in the front yard must be submitted to the Building Engineer. Waiver requests require posting and may require a public hearing if height is contested. Contested front yard waiver hearings are held before the Building Engineer. If a zoning variance and fence waiver are required, both hearings shall be before the Zoning Commissioner.

County Code, Section 21-3, Obstruction of Drivers' View:

Corner Lots: The County Code (Section 21-3) does not allow a fence on a corner lot to obstruct the vision of drivers as they reach the intersection. If a sight problem is noted later, the property owner will be required to move the fence. So, to be safe, contact Traffic Engineering at 410-887-3554 for a free site inspection before you build the fence. An issued permit does **NOT** certify that the fence will be in compliance.

CERTIFICATION (OWNER/AGENT)

I have carefully read the above regulations and hereby certify that the proposed fence will be located on private property, will not violate the codes, and that the information supplied is true, complete, and correct.

Signature LAURA E. SWARTZ

Date Feb 21, 2011

Print or Type Name LAURA E. SWARTZ

Copies: White - Office; Yellow - Applicant

Authority under Section 500.4, BCZR. **PDM APPROVAL (FOR FENCE ONLY)**

Signature

Print Initials

Date



Baltimore County Department of
Permits and Development Management
Buildings Engineer's Office
111 West Chesapeake Avenue
Towson, MD 21204
410-887-3373
FAX 410-887-2824

WAIVERS FOR FENCE HEIGHT

As part of the Baltimore County Code adopted under Council Bill 78-01, a property owner may apply for a waiver of the fence height limitations of section 3111.0. The property must be posted for a period of 15 days, and anyone living within 1,000 feet of the property may request a hearing or submit written comments.

The sign to be posted may be obtained from any of the county's list of approved sign posters. The sign will be the standard 24" x 36" size used for zoning variances, and will contain the following language:

NOTICE

In Accordance with Section 3111.4 of the Baltimore County Code, a request has been made for a waiver to construct a fence higher than allowed.

Request information:

Fence location: FRONT, SIDE, AND REAR YARD

Height allowed: 42"

Height requested: 6'-0"

Anyone living within 1,000 feet of this property may request a public hearing on this matter if such request is made within 15 days of the posting date set forth below or submit written comments for consideration to the address below.

Posting Date: _____

Address: _____

Please contact 410-887-3373 for information

Buildings Engineer for Baltimore County
Department of Permits and Development Management
111 West Chesapeake Avenue, Rm. 105
Towson, MD 21204

Visit the County's Website at www.baltimorecountyonline.info
All Documents are Available In Alternate Formats Upon Request



Application for Administrative Waiver Of Building Code Fence Height Limitations

Per Building Code Section 3111.0

Instructions: Fill out this form and submit to the Buildings Engineer's Office, 111 West Chesapeake Avenue, Towson 21204. Include a location plan, and documentation of sign erection (provided by the sign poster). If no public hearing is requested prior to the 15 day posting period, a waiver decision will be made based on all evidence submitted.

Property Address 2 OLD LYME RD
LUTHERVILLE, MD 21093
Owner SUED ABIDI, SHAKER ABIDI
Owner Address (SAME AS ABOVE)

Corner Lot? ☒ Yes ☐ No Fence located in Telephone 410.561.3774
☒ Front ☒ Side ☐ Rear Yard

Fence Height Allowed by Building Code 42"
Fence Height Requested 6'-0" (Attach fence location drawing.)

Basis for Request:

WAIVER REQUEST FOR FRONT YARD FENCE TO EXCEED THE
PERMITTED 42" TO 6'-0".

REASON FOR HEIGHT OF 6'-0" IS FOR PROTECTIVE MEASURES
(TO DETOUR POTENTIAL INTRUDERS).
- RECENTLY HAD BREAK-IN AND ROBBERY
WHERE INTRUDER JUMPED POOL FENCE AT 48".

Applicant's Signature Sueda Abidi Date: 02-10-2011

(County Use Only)

Waiver Number _____

Date Property Posted _____

Input/comments/protests received within 15 days? _____

Yes/No

Has Hearing been requested? _____

Yes/No

(If Yes, attach record of Hearing)

Final Disposition: _____

Buildings Engineer _____ Date _____

**MARLOW & WYATT
ATTORNEYS AT LAW**

404 ALLEGHENY AVE
BALTIMORE MD 21204-4255

12-94

13923

DATE 3/29/11

7-163/520 MD
2206

PAY
TO THE
ORDER OF

Baltimore County, MD

\$ 22.00

Twenty-two and

00
XX

DOLLARS



Security
Features
Details on
Back.

Bank of America

ACH R/T 052001633

FOR

Schneider, File 20110251A

[Signature]

⑈013923⑈ ⑆052001633⑆ 003933214397⑈

*Phil mail receipt Wed 3-30-11 when
person comes in*

Luisi

X23480

BC OP

CERTIFICATE OF PUBLICATION

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 2011-0251-A
2 Old Lyme Road
N/east corner of Old Lyme Road and Falls Road
8th Election District
2nd Councilmanic District
Legal Owner(s): Syed and Shahab Abidi
Variance: to allow fence in front yard 17' from public right-of-way in lieu of the required 50'; and a waiver to allow 6' fence in front yard in lieu of 42".
Hearing: Friday, April 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/140 Mar. 17 269790

3.21, 2011

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3.17, 2011.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2011-0251-A

Petitioner/Developer THOMAS
T. Hoff

Date Of Hearing/Closing: 4/1/11

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 penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 2 OLD LYME ROAD

This sign(s) were posted on March 14, 2011

Month, Day, Year
Sincerely,

Martin Ogle 3/14/11
Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411

ZONING NOTICE

CASE # 2011-0251-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

Room 205 Jefferson Building 105 West

PLACE: CHESTER AVE. TOWSON, MD 21204

DATE AND TIME: FRIDAY, APRIL 1, 2011
AT 10:00 A.M.

REQUEST: VARIOUS TO ADD FENCE 10' FRONT YARD
17' FROM PUBLIC RIGHT-OF-WAY IN LIEU OF THE
REQUIRED 50' AND A WALKER TO ADD 6' FENCE
IN FRONT YARD IN LIEU OF 42'

POLICE AND FIRE DEPT. ARE NOT REQUIRED TO BE PRESENT AT THE HEARING.

TO ORDER A ZONING MAP, CALL 410-331-3331

UNDESIRABLE ACCESSIBLE

03/16/2011

W. J. J. 3/16/11

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 17, 2011 Issue - Jeffersonian

Please forward billing to:
Syed Abidi
2 Old Lyme Road
Lutherville, MD 21093

410-561-3774

NOTICE OF ZONING HEARING

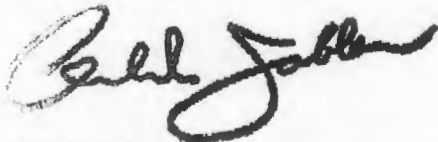
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2 Old Lyme Road
N/east corner of Old Lyme Road and Falls Road
8th Election District – 2nd Councilmanic District
Legal Owners: Syed and Shahab Abidi

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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 7, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0251-A

2 Old Lyme Road

N/east corner of Old Lyme Road and Falls Road

8th Election District – 2nd Councilmanic District

Legal Owners: Syed and Shahab Abidi

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Hearing: Friday, April 1, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Abidi, 2 Old Lyme Road, Lutherville 21093

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 17, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2011-0251-A

Petitioner: SYED AND SHAHAB ABIDI

Address or Location: 2 OLD LYME RD
LUTHERVILLE, MD

PLEASE FORWARD ADVERTISING BILL TO:

Name: SYED E ABIDI

Address: 2 OLD LYME ROAD
LUTHERVILLE, MD

21093

Telephone Number: 410-561-3774

Revised 2/17/11 DT



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 23, 2011

Syed & Shahab Abidi
2 Old Lyme Road
Lutherville, MD 21093

RE: Case Number: 2011-0251 A, 2 Old Lyme Road, Lutherville, MD 21093

Dear Syed & Shahab Abidi,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 24, 2011. 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,

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:mcn

Enclosures

c: People's Counsel
Curry Architets, Laura E. Swartz, 606 E. Joppa Road, Towson, MD 21286

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 17, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-251-A
Address 2 Old Lyme Road
(Abidi Property)

Zoning Advisory Committee Meeting of March 7, 2011.

X The Department of Environmental Protection and Sustainability has no
comments on the above-referenced zoning item.

Reviewer: JWL

RECEIVED

MAR 18 2011

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 14, 2011
Item Nos. 2011- 251, 252, 253, 254,
255, 256 and 258

DATE: March 8, 2011

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03142011 -NO COMMENTS.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Beverly K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 3-8-2011

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

RE: Baltimore County
Item No 2011-0251-A
2 OLD LYME ROAD
ABIDI PROPERTY
VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0251-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For: Steven D. Foster, Chief
Access Management Division

SDF/mb

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



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 8, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 7, 2011**

Item No.:

3-21 3-21

Administrative Variance: 2011-0252A - 0254A

Special Hearing Variance: 2011-0256-SPHA 3-21

Variance: 2011-0251A. 4-1

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: March 29, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

RECEIVED

SUBJECT: 2 Old Lyme Road

MAR 30 2011

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 11-251

Petitioner: Syed Abidi and Shahab Abidi

Zoning: RC 5

Requested Action: Variance

The petitioners request a variance to allow a fence 17 feet from a public right of way in lieu of 50 feet and a waiver to allow a 6 foot high fence in the front yard in lieu of the maximum 42 inches.

The property in question is a corner lot on the northwest corner of Falls Road, a state and county scenic route and Old Lyme Road.

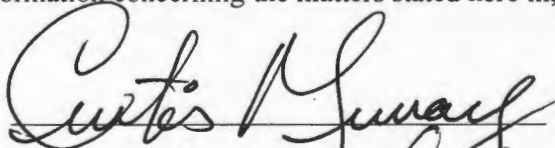
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the requested variance provided the following conditions are met:

1. The fence must be in accordance with a detail provided by Curry Architects showing a two-rail residential iron fence with stucco piers, which will compliment the architectural style of the existing dwelling.
2. Landscape material must be maintained to the extent possible. If material is removed, it should be replanted in kind.

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

Prepared by:



Division Chief:

JM/LL: CM



RE: PETITION FOR VARIANCE
2 Old Lyme Road; NE corner of
Old Lyme Road & Falls Road
8th Election & 2nd Councilmanic Districts
Legal Owner(s): Syed and Shahab Abidi
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 2011-0251-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED
MAR 04 2011

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2011, a copy of the foregoing Entry of Appearance was mailed to Syed and Shahab Abidi, 2 Old Lyme Road, Lutherville, MD 21093, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

LS 4/1/11

RE: PETITION FOR VARIANCE
Syed E. Abidi and Shahab N. Abidi
2 Old Lyme Road
Lutherville, Maryland 21093

Petitioners

* BEFORE THE OFFICE OF
* ADMINISTRATIVE HEARINGS
* OF BALTIMORE COUNTY
* Case No: 2011-0251-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of Michael T. Wyatt and Marlow & Wyatt as attorneys for
the following protestants / adjacent property owners:

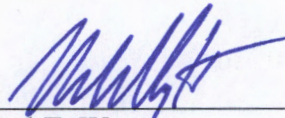
1. Dr. Melissa Hollander Schneider
Dr. Roger Schneider
3 Old Lyme Road
Lutherville, Maryland 21093
2. Mr. Peter O'Brien
1 Old Lyme Road
Lutherville, Maryland 21093
3. Dr. and Mrs. Andrew London
6 Old Lyme Road
Lutherville, Maryland 21093
4. Dr. and Mrs. Charles "Chuck" Mann
15 Old Lyme Road
Lutherville, Maryland 21093

RECEIVED

APR 05 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Respectfully submitted,



Michael T. Wyatt
Marlow & Wyatt
404 Allegheny Avenue
Towson, Maryland 21204
(410) 821-1013
Attorney for Protestants

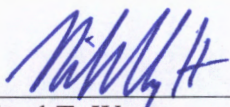
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31 day of March, 2011 a copy of the foregoing was mailed first class postage prepaid to:

Syed E. Abidi
Shahab N. Abidi
2 Old Lyme Road
Lutherville, Maryland 21093
Petitioners

Arnold Jablon, Director
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building
111 West Chesapeake Avenue, Suite 105
Towson, Maryland, 21204

Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, Maryland 21204



Michael T. Wyatt



KEVIN KAMENETZ
County Executive

1 Old Lyme Road

Lutherville-Timonium, Md. 21093
ARNOLD, JABLO
Deputy Administrative Officer
Director, Department of Permits
Approved by Inspector
March 24, 2011

Mr. Arnold Jablon

Deputy Administrative Officer

111 West Chesapeake Avenue, Room 111

Towson, Maryland 21204

RECEIVED

MAR 30 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Mr. Jablon,

I currently reside at 1 Old Lyme Road, Lutherville-Timonium, Maryland. My house lies directly opposite of 2 Old Lyme Road which is seeking a variance to build a fence 17 feet from the right of way and 6 feet tall which exceeds the approved height. The case number for this variance is 20110251.

While I did receive a note from the property owners of their intent to build a fence, I was unaware of its placement until I saw the notice posted on their property. I was also unaware that the height of the wall which they intend to build will exceed current zoning restrictions. I always expected to be given the opportunity to review the planned structure to ascertain whether it was tasteful and in compliance with zoning restrictions. I question why my opinion was not sought previously since the planned wall will interfere with my ability to enjoy my property.

I will be in attendance at the meeting to be held on April 1, 2011. I am writing to inform you of my concern that this planned variance will adversely affect my enjoyment of my property, its valuation and become an impediment to its future resale.

Sincerely,

Peter M. O'Brien

sent to Arnold, but
not received in
ZRO.

sent via e-mail
to Kruster 3/30/11
11:15

LS
4-1-11

To [unclear] Rec'd by [unclear]
4-30-11

Andrew and Anne London
6 Old Lyme Road
Lutherville, MD 21093
March 27, 2011



To the Home
4/1/11

Mr. Arnold Jablon
Deputy Administrative Officer
111 W. Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon,

We are writing to you regarding **case #20110251** about the pending variance request submitted by the Abidi family to construct a fence that falls outside permitted zoning rules and regulations.

As the immediate neighbors, we are writing to strongly **protest** the issuance of any variance to the homeowner for the following reasons:

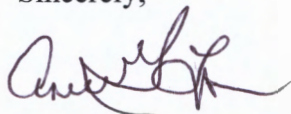
1. We believe that the homeowners did **not follow the protocols indicated in the neighborhood covenants that were provided when the deeds were issued**. There is a precedent where another property owner erected a fence around a pool and was requested by the Neighborhood Architectural Review Committee, to redesign it to fit in more appropriately with the neighborhood's character. They did so and the homeowners and the neighborhood remained happy and friendly.
2. The property in question is a corner lot and according to the Baltimore County Zoning Codes website "**cannot have any obstruction to vision closer than 25 feet of the intersection of the two roads**". Visibility will be restricted. The homeowner already placed a commercial light on their driveway that shines into neighbors homes at night.
3. In addition, the zoning rules clearly state that "**no residential fence may exceed 42 inches in the front yard**." We object to any solid fence, but the 6' fence is deplorable. It indicates that the community is not a safe one and according to the police will not deter a burglar who will then believe that the value of items inside the barrier is significant enough to warrant more extreme measures to get in.
4. We strongly believe that the issuance of this variance and the subsequent barrier proposed by the homeowner will significantly **negatively impact the property values of the other properties on the street**.
5. There is no precedent anywhere in the adjoining communities for such a barrier and such a variance for that barrier.
6. The homeowners purchased the property knowing it was on a corner and with clear understanding of the associated risks. They did have an alarm, but they indicated that they believed the police would get there in time to catch the intruders. They left their valuables in plain sight.
7. We believe that the issuance of this variance will significantly change the character of the community.

We live in a safe and friendly community. We are truly sorry for the Abidi's loss. Many of us have experienced burglaries in the past in our current homes or prior ones, but recognize our personal responsibility for protecting our assets.

We encourage all homeowners to protect their belongings by keeping windows and doors locked and having burglar alarms and/or surveillance systems or dogs and not leaving valuables in plain sight. We encourage all neighbors to have insurance coverage that will reimburse them financially for losses incurred through burglary or any other mishap. We encourage homeowners to make their neighbors aware if they will be away for extended time periods so we can look out for each other. We recognize that burglaries are a fact of life particularly in difficult economic times, but that each of us must take personal responsibility and do our part to protect ourselves and each other.

We would be happy to speak further with you or the judge that is examining this variance request. We are unable to attend in person because of prior commitments, but support the other members of our neighborhood who will attend and who have also sent requests to deny the variance.

Sincerely,



Anne G. London

410-561-4800 (h)
410-309-3620 (w)
410-340-0026(c)



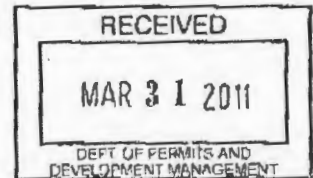
Andrew M. London

443-417-7300 (c)

3/31/11
to 4/5/11
S

CLEARINGS COMMUNITY ASSOCIATION, Inc
1112 Somerset Place
Lutherville, Maryland 21093

March 30 2011



Arnold Jablon,
Deputy Administrative Officer
111 West Chesapeake Avenue
Towson, Md. 21204

Dear Mr. Jablon: RE Case # 20110251 - Fence variance fro 2 Old Lyme Rd

We are a sister community association of 39 homes located just across Falls Road from Old Lyme Road and we are against the granting of this exception.

We object to granting this variance as we believe the applicant has sufficient latitudes to construct a fence as provided by right in the zoning code. If the applicant seeks more than what is granted by right in the zoning code, we think that the applicant should first work with his immediate community of neighbors to get their support for something beyond what the zoning code permits as a right. We understand that the applicant has not reached out to its neighbors for support and to address their misgivings and to seek a mutually agreeable solution. We think denial of this application will lead to a dialogue of that kind.

We think that granting this dramatic variance request will set a bad precedent that could reach beyond the neighbors of Old Lyme to our neighborhood of Somerset Place and Saint David's Lane. Our covenants are adverse to fences in the front yard and to any fence that exceeds zoning code of 42". This request is for 72" fence heigh which is 71% greater than zoning code permits as a right.

Thank you for considering our views.

A handwritten signature in black ink that reads "Robert Chertkof".

Robert Chertkof, Pres.
Clearings Community Asociation

RECEIVED

APR 01 2011

OFFICE OF ADMINISTRATIVE HEARINGS

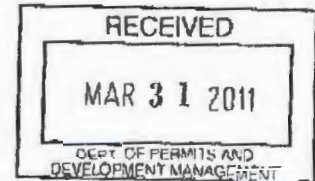
3/31/11

**CHARLES MANN, DMD
15 OLD LYME ROAD
LUTHERVILLE, MARYLAND 21093**

March 28, 2011

Mr. Arnold Jablon, Director
Zoning Review Office
Baltimore County
11 West Chesapeake Avenue, Room 111
Towson, MD 21204

RECEIVED



APR 01 2011

RE: Case# 20110251

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Mr. Jablon,

We are writing to you in strong opposition to the case referenced above. My wife, Susan, and I are very sorry for the loss and emotional anguish Drs. Syed and Shahab Abidi are experiencing as a result of the recent burglary of their home. However, we are ardently against the requested variance to allow a six (6) foot high fence in their front yard. According to local zoning laws, a residential fence may not exceed three-and-one-half (3½) feet in height. The variance also requests the fence to be seventeen (17) feet from the public right-of-way rather than the required fifty (50) feet. We oppose this request as well. These requested variances are significant deviations from our local zoning laws. As a result, this enormous fence will have a detrimental effect on our neighborhood and the Falls Road community at large.

This oversized barrier does not coincide with the personality and appearance of our neighborhood. Old Lyme Road is a verdant environment of old tree growth, landscaped gardens and uniquely-designed, attractive homes. A fence of this magnitude and placement will detract from the character of our beautiful street. The proposed barricade would create a compound-like structure glaringly set as the first house when one turns onto Old Lyme Road. This unsightly structure would suggest an unsafe neighborhood, nullify physical aesthetics and, likely, lower our property values.

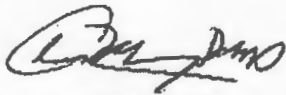
Lastly, there is no proof that a 6-foot fence will deter invaders. On the contrary, it will shield view of criminal activity from the public. We believe there are alternative solutions to deter crime while preserving the character, aesthetics and property values of our neighborhood.

These suggested measures would also provide security for all twelve families on our street. These include: security cameras strategically placed on the street, presence of a security guard at the entrance to Old Lyme Road funded collectively by participating neighbors, and/or privatization of the street thereby making it a gated community.

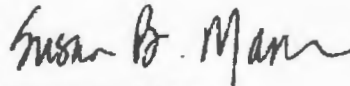
In our opinion, all of these options are real solutions to a real problem and should be fully investigated by the neighbors as a whole rather than granting the requested variances.

Thank you for your careful consideration of this matter.

Sincerely,



Charles Mann, DMD

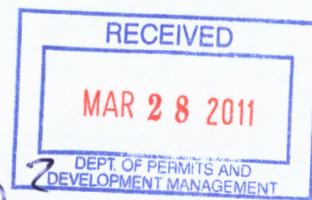


Susan B. Mann

Melissa and Roger Schneider
3 Old Lyme Road
Lutherville, Maryland 21093

3/28/11
TO: B

?
what do
you know?



March 24, 2011

Dear Mr. Jablon,

We are writing to address our concern with case # 20110251, the proposed construction of a six foot fence at a seventeen foot set-back to surround the entire property at 2 Old Lyme Road. A barrier of this height and proximity to the road across the front of the property is not consistent with the character of our neighborhood. We have lived in this peaceful, scenic community for nearly thirty years and do not want to see it transformed by the presence of a barricaded compound across the street from us.

The intended purpose of this barrier is to keep burglars out. All of the neighbors who are opposed to this proposed construction are entirely sympathetic to the homeowners' desired goal of reducing crime. However, experts, including the Cockeysville police department, have informed us that a fence will not keep a determined burglar out. To the contrary, a fence is more likely to serve as a potential hiding place. Alternative measures to enhance the security of their home and the entire street may be much more effective. We have spoken with the majority of homeowners on Old Lyme Road, and all are planning to meet to discuss options such as hiring a security guard and installing high quality cameras to deter crime.

In summary, the residents of Old Lyme Road are opposed to the requested variance to construct a barrier across the front of the property at 2 Old Lyme Road. A barrier of this height and proximity to the road would be unsightly, lower property values, and alter the character of our neighborhood. Furthermore, it would not likely serve the intended goal of being an impermeable barrier to criminals.

We appreciate your consideration of this matter.

Sincerely,

Melissa Schneider
Roger Schneider

Melissa and Roger Schneider

LS
4-1-11

Joe

1/24/11
24-1-11

File

1 Old Lyme Road

Lutherville-Timonium, Md. 21093

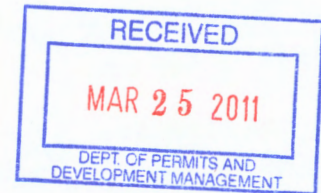
March 24, 2011

Mr. Arnold Jablon

Deputy Administrative Officer

111 West Chesapeake Avenue, Room 111

Towson, Maryland 21204



Dear Mr. Jablon,

I currently reside at 1 Old Lyme Road, Lutherville-Timonium, Maryland. My house lies directly opposite of 2 Old Lyme Road which is seeking a variance to build a fence 17 feet from the right of way and 6 feet tall which exceeds the approved height. The case number for this variance is 20110251.

While I did receive a note from the property owners of their intent to build a fence, I was unaware of its placement until I saw the notice posted on their property. I was also unaware that the height of the wall which they intend to build will exceed current zoning restrictions. I always expected to be given the opportunity to review the planned structure to ascertain whether it was tasteful and in compliance with zoning restrictions. I question why my opinion was not sought previously since the planned wall will interfere with my ability to enjoy my property.

I will be in attendance at the meeting to be held on April 1, 2011. I am writing to inform you of my concern that this planned variance will adversely affect my enjoyment of my property, its valuation and become an impediment to its future resale.

Sincerely,

Peter M. O'Brien

Peter M. O'Brien

March 25, 2011

LS
4-1-11

Mr. Arnold Jablon
Director
Zoning Review Office
Baltimore County
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

Re: Case Number: 2011-0251-A Location: Northeast corner Old Lyme Road and Falls Road

Dear Mr. Jablon:

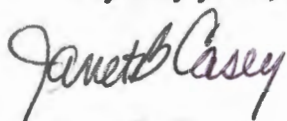
In reference to Syed and Shahab Abidi's request to permit a variance to allow a fence in their front yard 17 feet from a public right-of-way in lieu of the required 50 ft. and a waiver to allow a 6 foot fence in front yard in lieu of 42 inch, we request the variance be denied.

Our position is taken reluctantly as we understand the variance was requested as a result of a recent burglary of their home. Our opposition to their request is made for the following reasons:

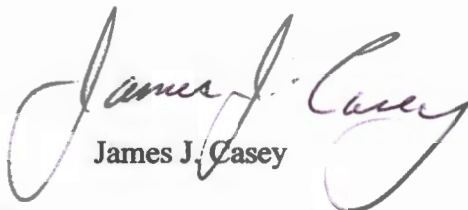
1. We have not been furnished plans of the proposed fence, however, the scope and nature of the request brings into question the negative aesthetic impact it will have on the neighborhood and the surrounding area. A cursory review of existing fences along Falls Road from Greenspring Valley Road to Shawan Road shows no 6 foot high fences. While there are a few fences closer to Falls Road than the required 50 foot setback, they are either decorative or are used to enclose pasture lands.
2. The functionality of the fence is questionable. A 6 foot high fence will not prohibit a burglar from entering a property and could, in fact, aid a burglar in that once over the fence they would be screened from view from the right-of-way.
3. The proposed fence is in violation of Article V and Article VIII, Section 2 of the Declaration of Covenants, Conditions and Restrictions for Old Lyme Venture filed in Baltimore County Land Records Office in Liber 6512, Folio 495.

Please feel free to call us with any questions.

Very truly yours,



Janet B. Casey
12 Old Lyme Road
Lutherville, MD 21093
410-561-8383



James J. Casey

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View N](#)
[New Set](#)
[GroundRent R](#)
[GroundRent R](#)

Account Identifier:

District - 08 Account Number - 2300005836

Owner Information

Owner Name:	ABIDI SYED E ABIDI SHAHAB N	Use:	RESIDENTIAL
Mailing Address:	2 OLD LYME RD LUTH-TIMONIUM MD 21093	Principal Residence:	YES
		Deed Reference:	1)/13752/ 0011 2 2)

Location & Structure Information

Premises Address	Legal Description
2 OLD LYME RD 0-0000	2.15 AC 2 OLD LYME RD NS OLD LYME ROAD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0059	0006	0003		0000			14	2	Plat Ref: 0071/0093

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2001	5,207 SF	2.1500 AC	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT STUCCO	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2010	07/01/2011
Land	278,750	278,700		
Improvements:	1,166,460	763,600		
Total:	1,445,210	1,042,300	1,445,210	1,042,300
Preferential Land:	0			0

Transfer Information

Seller:	AZRAEL MATTHEW H/ANNA R	Date:	05/17/1999	Price:	\$207,000
Type:	ARMS LENGTH VACANT	Deed1:	/13752/ 00112	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:
* NONE *

CASE NAME _____
CASE NUMBER _____
DATE _____

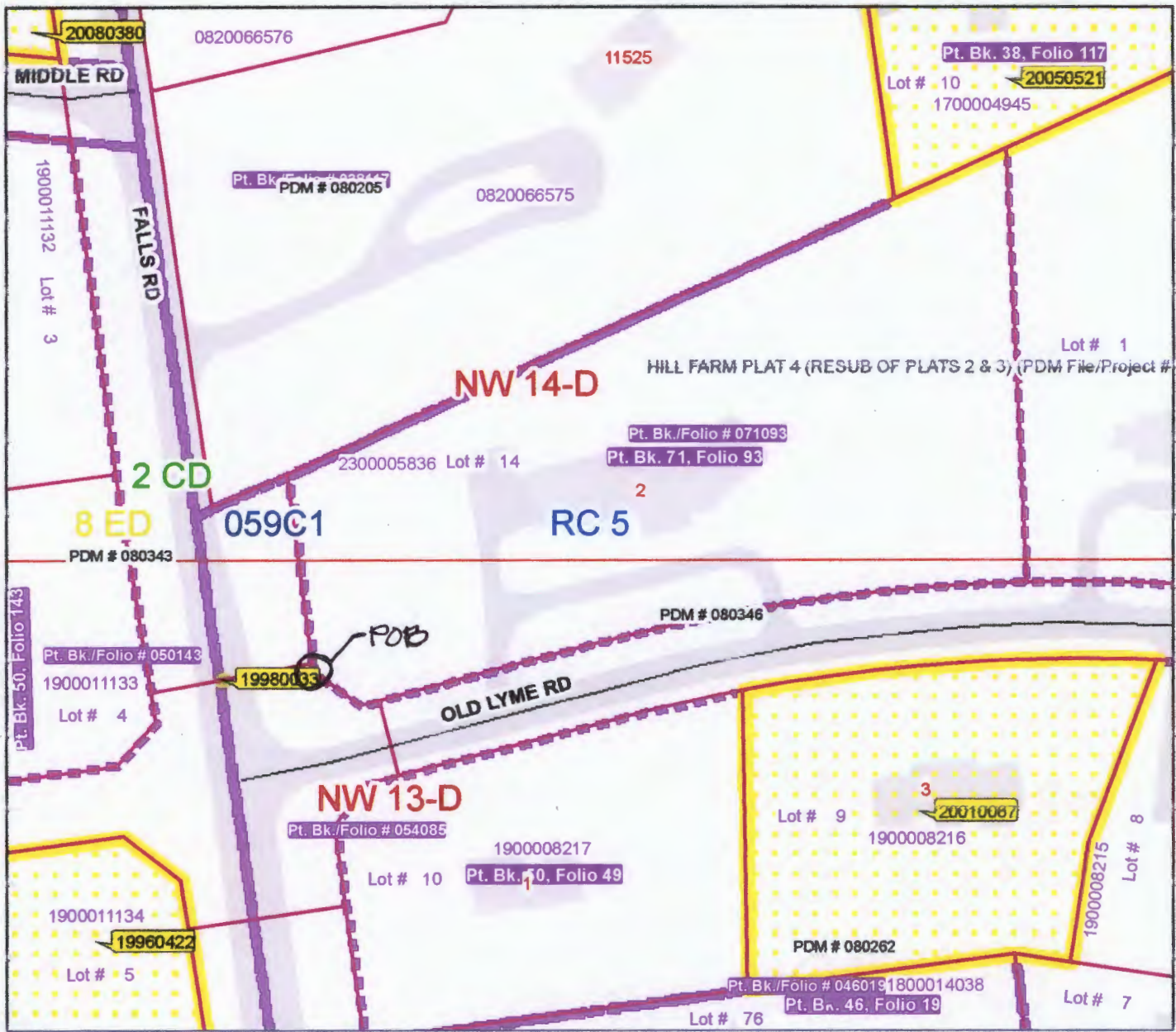
[illegible]

CASE NAME 20115 Al-bidi
CASE NUMBER 2011-0257-A
DATE 4/1/2011

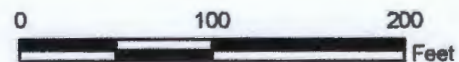
CITIZENS
~~PETITIONER'S~~ SIGN-IN SHEET

[illegible]

2 Old Lyme Road



Publication Date: February 23, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 100 feet

#0251

Case No.:

2 Old Lyme Ct.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan to accompany Deed 3 May 99	
No. 2	Photos of site 1-F G-site sheet	Chateau Builders documents
No. 3	3A Pictures + menu sheet	Wol Byways Purchase
No. 4	Hoff C.D. + elevation	Deed of Conveyance 4-16-83 - 28728-83
No. 5	Landscaping	A Re-record for Petition lot B record Plat - Subdivision
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



(A)

2



(B)

5



E

6



F

RESUME

EXHIBIT NO. 4

THOMAS J. HOFF

THOMAS J. HOFF

512 Virginia Avenue
Towson, Maryland 21286
410-296-3668 Fax 410-825-3887
tom@thomasjhoff.com

EDUCATION:

Bachelor of Science Landscape Architecture,
Magna Cum Laude
West Virginia University, 1976

EXPERIENCE:

January 2011 to Present.

THOMAS J. HOFF

Towson, Maryland

As of January 1st I have been operating as a sole practitioner.

January 1992 to December 2010.

THOMAS J. HOFF, INC.

Towson, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

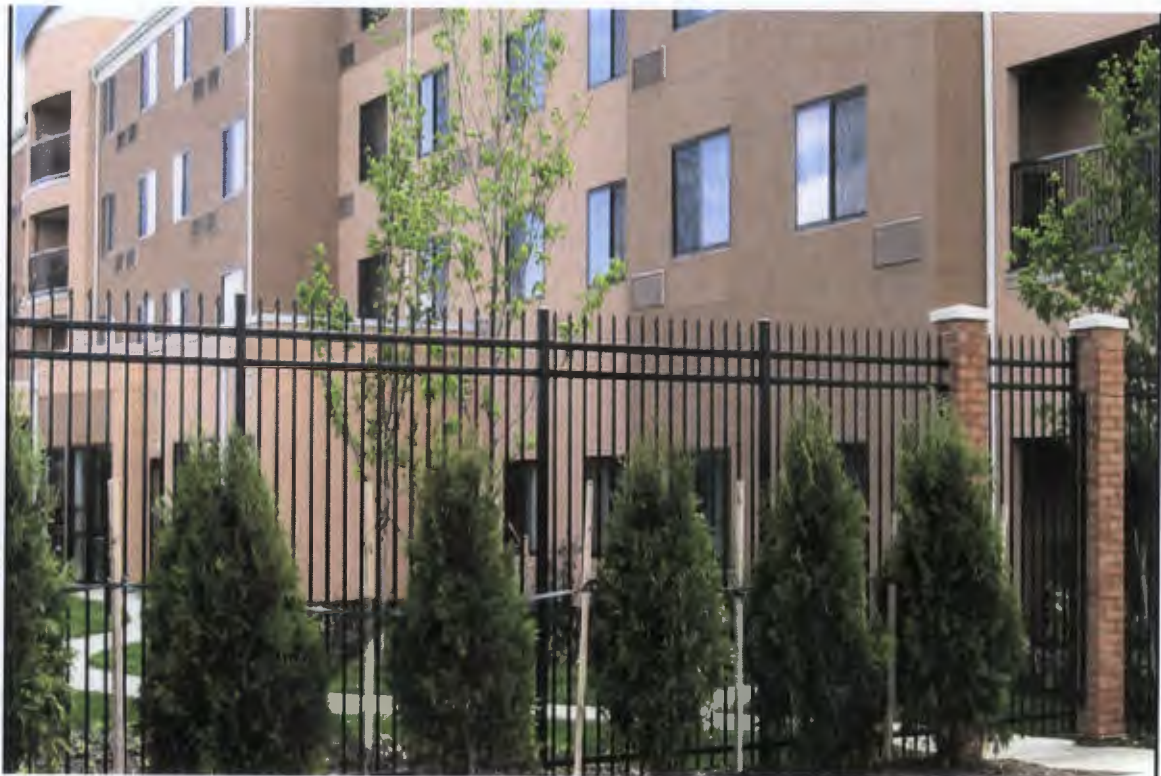
December 1986 to December 1991.

HOFF & ANTONUCCI, INC.

Lutherville, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

B



C

Case No.:

2 Old Lyme Ct.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		deed to property
No. 2		Chateau Builders Brochure
No. 3		Ind. Byways Brochure
No. 4		Declarations & Covenants Old Lyme Building Co. Inc.
No. 5		Plots of cng subdivision A & B
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

THIS DEED

Made this 3rd day of May, 1999, by and between RICHARD AZRAEL and MATTHEW H. AZRAEL; and ANNA R. AZRAEL, parties of the first part, and SYED E. ABIDI and SHAHAB N. ABIDI, husband and wife, parties of the second part.

WITNESSETH, that in consideration of the sum of \$207,000.00, receipt of which is hereby acknowledged and which parties of the first part certify under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said parties of the first part do grant and convey unto the parties of the second part in fee simple as tenants by the entirety, all that property situate in Baltimore County, State of Maryland, described as:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

BEING part of the same lot of ground which was granted and conveyed by a Confirmatory Deed in Dissolution of Corporation dated November 12, 1986 and recorded among the Land Records of Baltimore County in Liber 7323, folio 410, which was vested by operation of law upon the dissolution of Old Lyme Building Company, Inc., a Maryland corporation unto Jonathan A. Azrael and Richard Azrael. Richard Azrael being one of the Grantors herein.

ALSO BEING the same lot of ground which was granted and conveyed by a Deed dated August 1, 1997 and recorded among the Land Records of Baltimore County in Liber 12403, folio 692 from Jonathan A. Azrael unto Matthew H. Azrael and Anna R. Azrael, two of the within Grantors.

Property Address: 2 OLD LYME ROAD, LUTHERVILLE, MARYLAND 21093
Parcel Identifier:
Title Insurer: SECURITY TITLE GUARANTEE CORP

SUBJECT to covenants, easements and restrictions of record.

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only, benefit and behalf forever of said parties of the second part in fee simple.

AND the said parties of the first part covenant that they will warrant specially the property hereby conveyed and that they will execute such further assurances of said land as may be requisite or necessary.

IN TESTIMONY WHEREOF, the said parties of the first part have set their hands and seals the day and year first above written.

Richard Azrael by Matthew H. Azrael (SEAL)
RICHARD AZRAEL, BY MATTHEW H. AZRAEL, HIS ATTORNEY-IN-FACT
Matthew H. Azrael (SEAL)
MATTHEW H. AZRAEL, BY ANNA R. AZRAEL, HER ATTORNEY-IN-FACT
ANNA R. AZRAEL, BY MATTHEW H. AZRAEL, HER ATTORNEY-IN-FACT
BALTIMORE COUNTY CIRCUIT COURT (Land Records) [M]
03/08/2005.

REV
BY

PROTESTANT'S

EXHIBIT NO. 1

CHATEAU & BUILDERS COMMUNITIES

Home

Story of Chateau Builders
Communities

The Chateau Experience

Communities

The Enclave at
Ellicott Hills **SOLD
OUT!**

The Willows of
Westminster **SOLD
OUT!**

Now Open -
Chateau Estates at
Moore's Meadows

Quick Deliveries

Lot Owners Collection

Land Wanted

Contact Us



MHBR#
2851, 2852, 3138,
3137, 4243, 5283

Story of Chateau Builders Communities

A History of Excellence

Since 1968, Chateau Builders Communities has been building an esteemed reputation — among our peers, and most importantly, among our homebuyers. Award-winning architecture, quality materials and fine craftsmanship are the hallmarks of a Chateau residence, and that's why over 3,000 families throughout the Maryland area call us home.

From company owners and managers to contractors and craftsmen, you will find a commitment to excellence in every Chateau home and community. Our attention to detail and customer service begin long before you even purchase your home. Having distinguished ourselves for putting big focus on the small details, Chateau creates homes that possess quality and subtle elegance. In keeping with the lifestyle trends of today, we offer...



- Spacious floorplans
- Sun-filled rooms
- Dramatic features
- The latest amenities

President Richard Azrael plays an integral role in assuring your satisfaction. He is involved with your new home from design to delivery, standing behind it with the confidence that years of experience brings. Working alongside Richard to bring the American Dream to reality for people from all walks of life, is partner Mickey Abrams. Offering a wealth of knowledge and experience in all aspects of the business, Mickey has been instrumental in preserving the company's esteemed reputation.

Working together, working with conscientious and skilled individuals, and working hands-on with you, Richard and Mickey have made quality-crafted homes of distinction a reality for generations of homebuyers.

An Award-Winning Reputation

The homebuilding industry of Maryland has repeatedly recognized Chateau Builders Communities for their award-winning designs. Chateau's single-family homes, townhomes, and condominiums have been recognized by the Home Builders Association of Maryland (HBAM) with their prestigious Award of Excellence for design, quality and affordability. In addition to these accomplishments, Chateau Builders Communities has also been applauded for their exemplary environmental preservation. A Chateau community was awarded special recognition by the Howard County Executive's office for excellence in responsible land development and reforestation. And, HBAM's Land Development Council named this community "Project of the Year."

Mastering the art of home building

Not every builder is a Certified Master Builder. It takes more experience...more professionalism...more quality and dedication to service. Only a select number of builders has earned this distinction,



PROTESTANT'S

EXHIBIT NO. 2

<http://www.chateaubuilderscommuniti...>

4/11 3:04 AM

MARYLAND

BYWAYS

MARYLAND



Explore the Roads Less Traveled



PROTESTANT'S

EXHIBIT NO.

3

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS made this 28th day of July, 1983, by OLD LYME BUILDING COMPANY, INC., hereinafter referred to as "Declarant".

WITNESSETH

WHEREAS, Declarant is the owner of certain property in Baltimore County, State of Maryland, more particularly described as follows:

BEING the lots and parcels of ground shown on the First Amended Final Subdivision plat of Old Lyme Road (formerly Falls Park), dated June 2, 1983, and recorded among the Land Records of Baltimore County in Plat Book EHK, Jr. 50, Folio 49.

WHEREAS, Declarant desires to convey the said land, or parts thereof, and improvements thereon, subject to certain protective covenants, conditions, restrictions, reservations, easements, liens and charges as hereinafter incorporated by reference.

NOW, THEREFORE, Declarant hereby declares that all of its properties described above shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions hereinafter incorporated by reference, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and binding on all parties having any right, title or interest in the described properties, or any part thereof, their heirs, personal representatives and assigns, and shall inure to the benefit of each owner thereof.

The Declarant does hereby adopt, confirm and incorporate by reference as if fully set forth herein, all of those covenants, conditions and restrictions and provisions of a Declaration of Covenants, Conditions and Restrictions made by Old Lyme Venture, a Joint Venture of Richard Asrael and Jonathan Asrael, recorded among the Land Records of Baltimore County in Liber EHK, Jr.

6512, Folio 495, et seq.

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION

237
CLERK

8-4-83
DATE

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE

SIGNATURE

RS

DATE 8-4-83

TRANSFER TAX NOT REQUIRED

DIRECTOR OF TAXES

BALTIMORE COUNTY, MARYLAND

Per [Signature]

Authorized Signature

Date 8-4-83 Sec. 11-85

PROTESTANT'S

EXHIBIT NO. 4



DATE: 02/23/2011

SCALE: AS NOTED

PROJECT NO: 101006

RAWN BY: LES

THESE DRAWINGS ARE PROTECTED UNDER THE
COPYRIGHT ACT OF 1976 AND SHALL NOT BE
USED WITHOUT THE WRITTEN PERMISSION OF
THE ARCHITECT.

THE DATA:

EXISTING USE: RESIDENTIAL

TRAINING + DEVELOPMENT

NER:

WINNING RELIEF

SECTION 1A04.4.D.3:

WAIVER TO ALLOW 6'
FENCE IN FRONT YARD IN
LIEU OF 42".

GENERAL NOTES:

- PROPERTY IS NOT IN THE
CHESAPEAKE BAY
CRITICAL AREA.
- THERE ARE NO STREAMS
OR 100 YEAR
FLOODPLAIN ON SITE.
- THERE ARE NO
HISTORICAL STRUCTURES
LISTED ON THE
HISTORICAL INVENTORY
AS DETERMINED BY THE
LANDMARKS
PRESERVATION
COMMISSION ON SITE.
THE PROPERTY IS NOT IN
A HISTORIC DISTRICT.
- PROPERTY IS NOT IN
ANY MORATORIUM AREA.
- PROPERTY IS SERVED BY
PRIVATE WELL & SEPTIC.

**SITE PLAN TO
ACCOMPANY
VARIANCE + WAIVER
REQUEST**

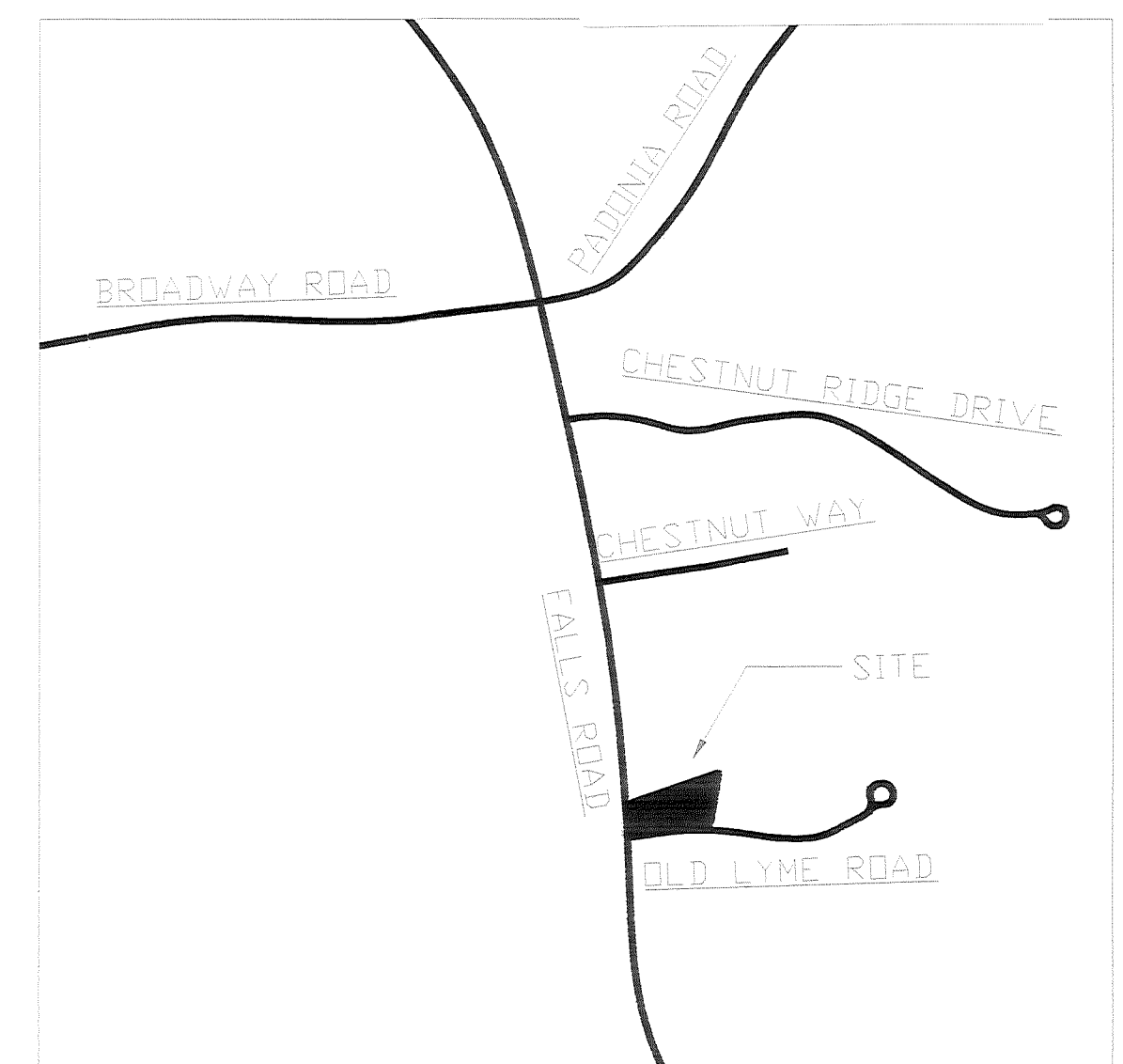
TRACT "A", LOT # 14
TAX MAP # 040059
GRID # 0006
PARCEL # 0003
PLAT 54/85
ELECTION DISTRICT: 8
COUNCILMANIC DISTRICT: 2
BALTIMORE COUNTY, MD

SHEET 1 OF 1

ORIGINAL



EXHIBIT NO. 1



② VICINITY MAP
1" = 1000'

1 SITE PLAN
1" = 20'

Petutz G

#11527 FALLS ROAD
THURSTON R. ADAMS
LOT #10
SUBDIVISION 080000
TAX ACCT # 1700004945
DEED REF. 08465/00232
RC-5

#11525 FALLS ROAD
JOHANNA L. ZENTZ
RACHEL M. ZENTZ
LOT # N/A
SUBDIVISION 080000
TAX ACCT # 0820066575
DEED REF. 27683/00469
RC-5

#6 OLD LYME RD
ANDREW M. LONDON
ANNE G. LONDON
LOT #1
SUBDIVISION 080000
TAX ACCT # 1900008208
DEED REF. 06555/00609
RC-5

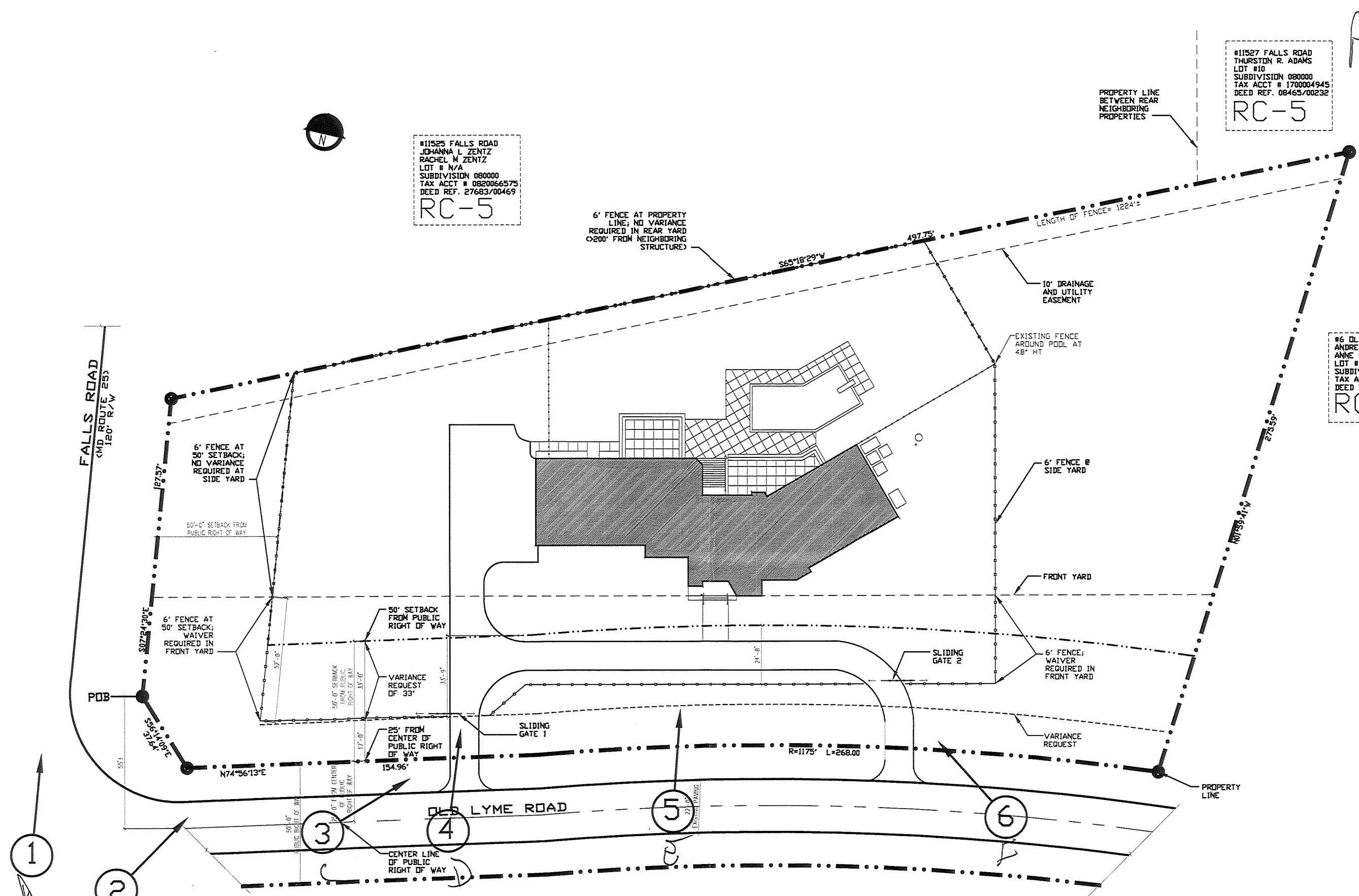


PHOTO KEY
NTS

ABIDI PROPERTY
2 OLD LYME ROAD
LUTHERVILLE, MD 21093

PETITIONER'S

EXHIBIT NO. 3

IRON  WORLD

BASIC DESIGN OF
RAILS
&
TOPS

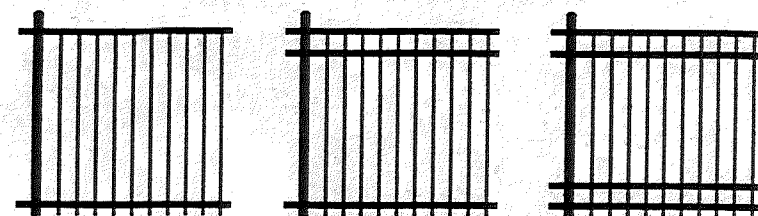
ALL PARTS ARE GALVANIZED
AND POWDER-COATED

MEETS ALL
GOVERNMENT SPECS

TOLL FREE
866-310-2747

FAX
301-776-7449

ABERDEEN

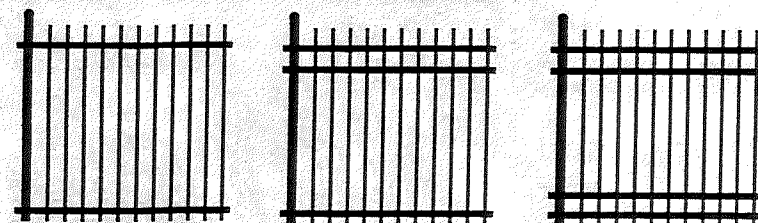


2 horizontal rails

3 horizontal rails

4 horizontal rails

CANTERBURY

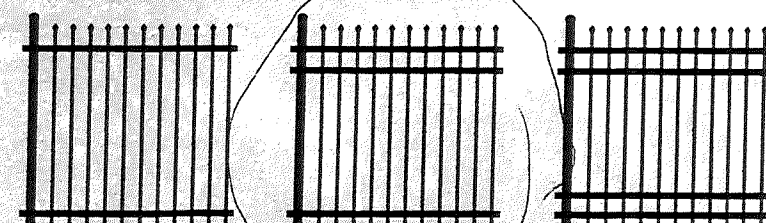


2 horizontal rails

3 horizontal rails

4 horizontal rails

BARCELONA TOP



2 horizontal rails

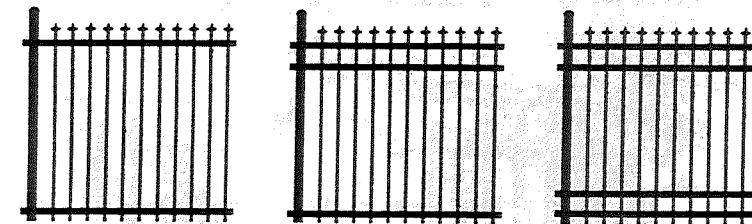
3 horizontal rails

4 horizontal rails



UMP

GEORGETOWN

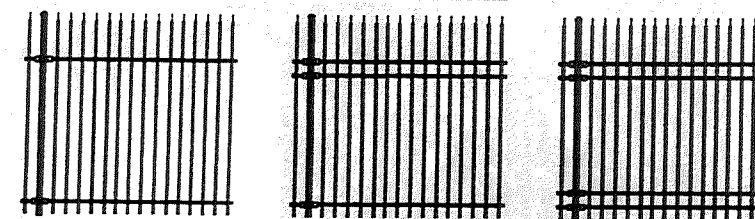


2 horizontal rails

3 horizontal rails

4 horizontal rails

GUARDIAN

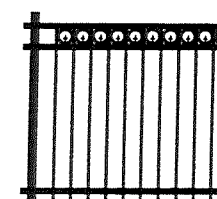


2 horizontal rails

3 horizontal rails

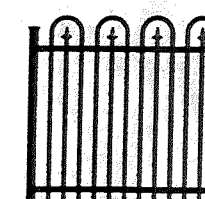
4 horizontal rails

OLD TOWN



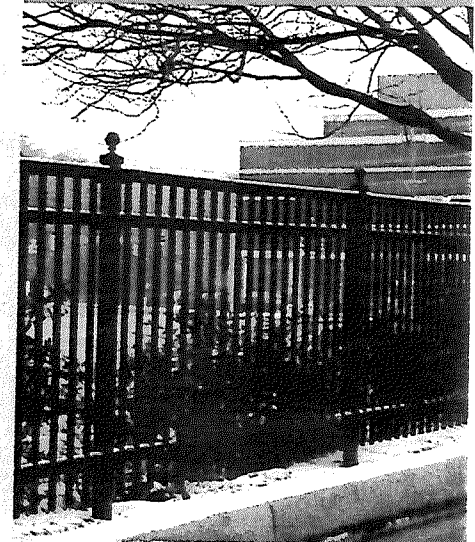
3 horizontal rails

ST. CHARLES AVE.



2 horizontal rails

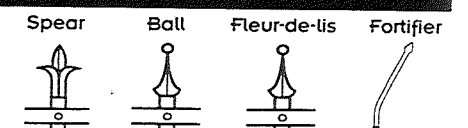
ABERDEEN



ACCESSORY OPTIONS



PICKET TOPS



Sky is the limit...

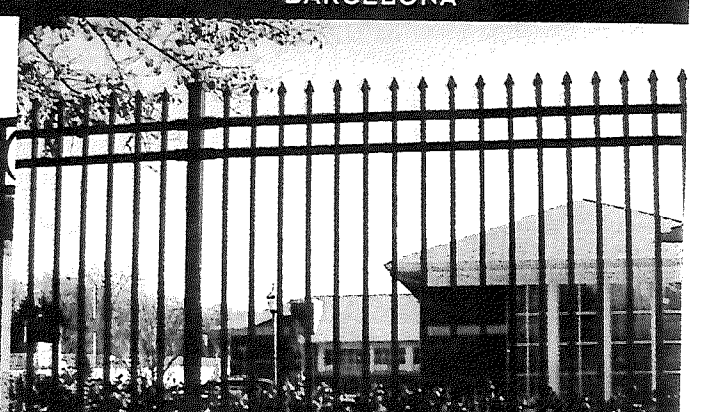
GEORGETOWN



OLD TOWN



BARCELONA





SWING & SLIDE GATES

CUSTOM DESIGN
AVAILABLE!

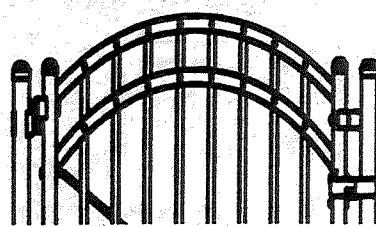
TOLL FREE
866-310-2747

FAX
301-776-7449

ABERDEEN

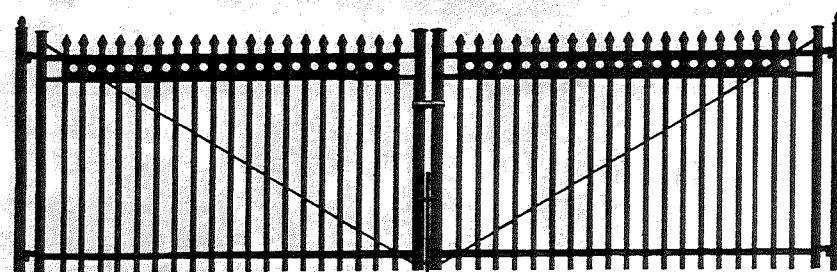


Single Flat Gate



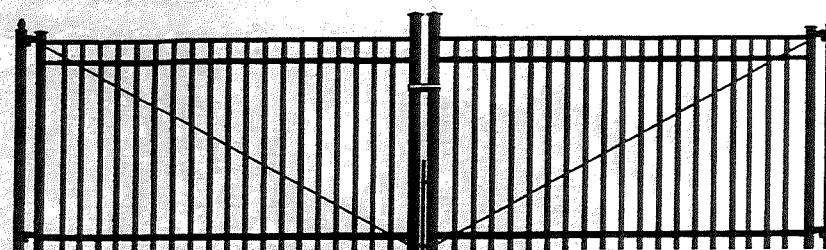
Single Curved Gate

BARCELONA — DOUBLE POINTED TOP GATES



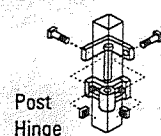
3 Horizontal Rail, 1 Row Rings

ABERDEEN — DOUBLE FLAT GATES

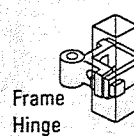


3 Horizontal Rail

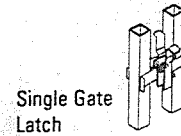
GATE HARDWARE



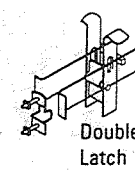
Post Hinge



Frame Hinge



Single Gate Latch



Double Gate Latch



Drop Bar for Double Gate

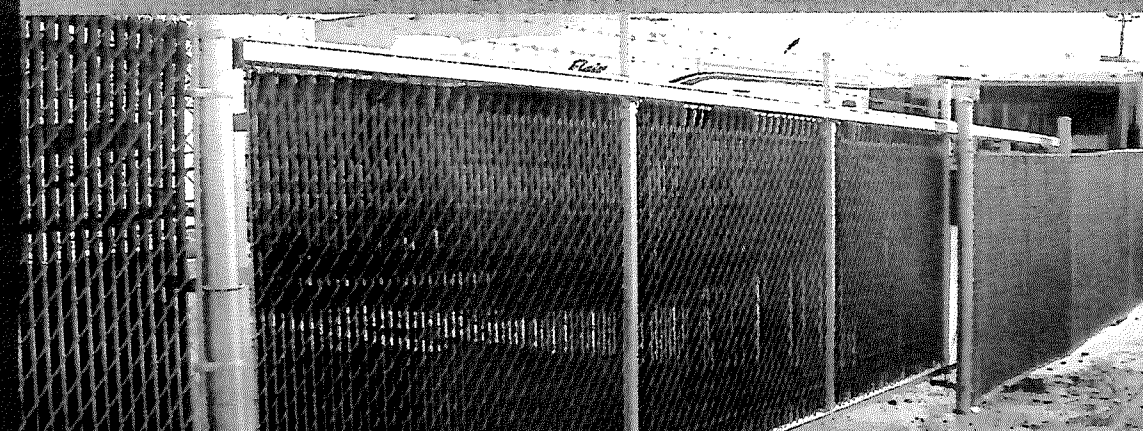
BARCELONA

ABERDEEN



ALUMINUM SLIDE GATES

CHAIN LINK SLIDER WITH SLATS



ALUMINUM SLIDE GATE

Iron World's cantilever slide gates are custom made to fit your opening. Large gates require additional frame members for rigidity. For complete specifications and drawings on the size gate you require, call us at 1-301-776-7448. All specifications and drawings are available in hard copy.

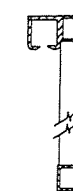
BARCELONA SLIDE GATE



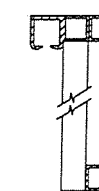
BARCELONA SLIDE GATE

For complete specifications and drawings on the size gate you require, call us at 1-301-776-7448. All specifications and drawings are available in hard copy.

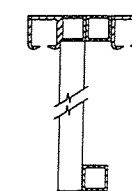
SLIDE GATES HARDWARE



Single Track
Single Gate
3' - 0" to 22' - 0"

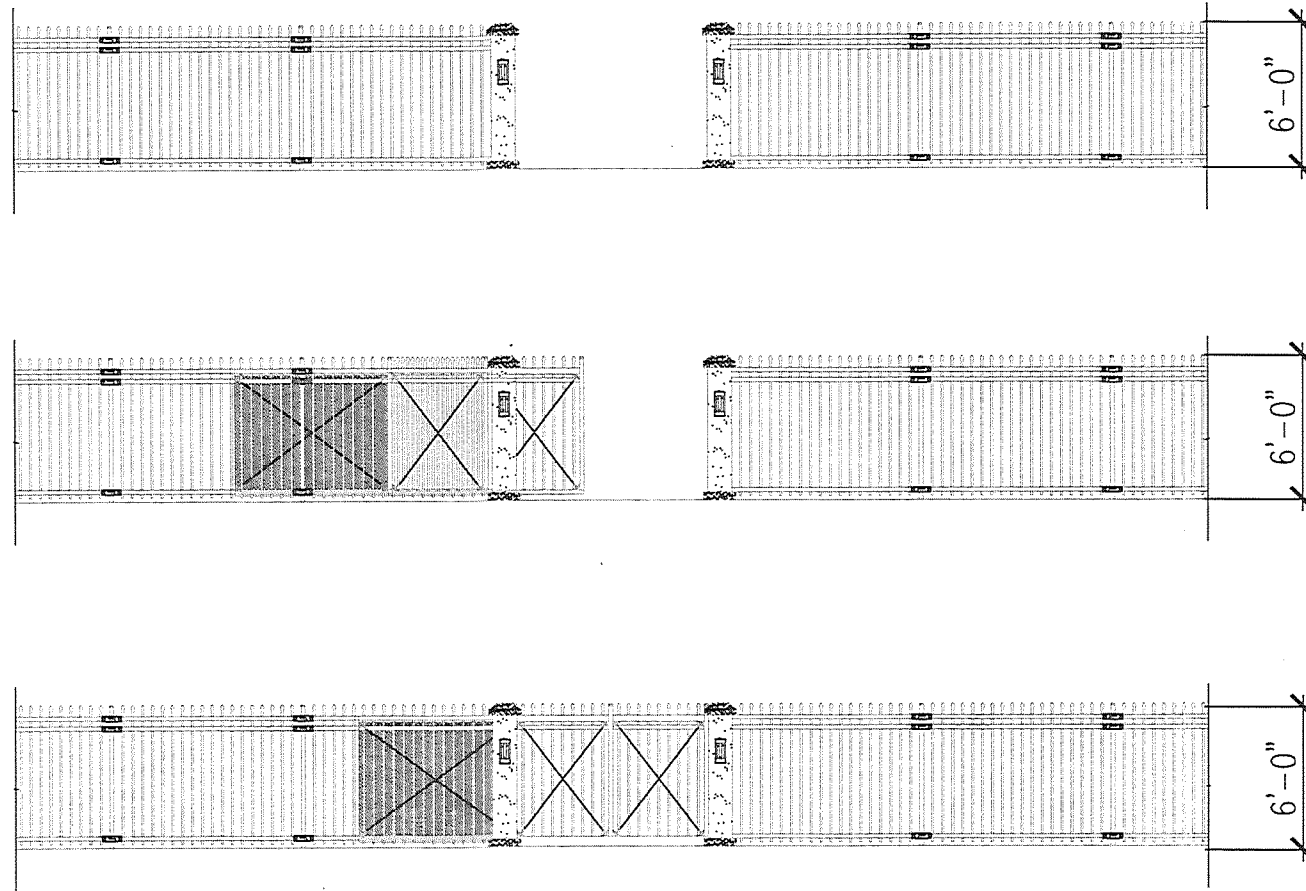


Single Track
Single Gate
Strengthened
23' - 0" to 30' - 0"



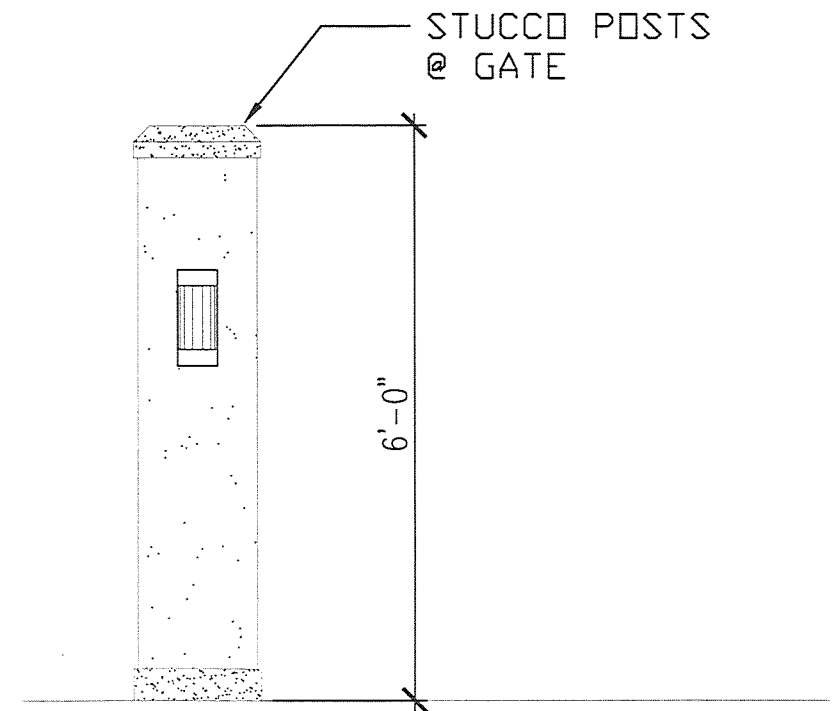
Dual Track
Single Gate
31' - 0" to 40' - 0"

C



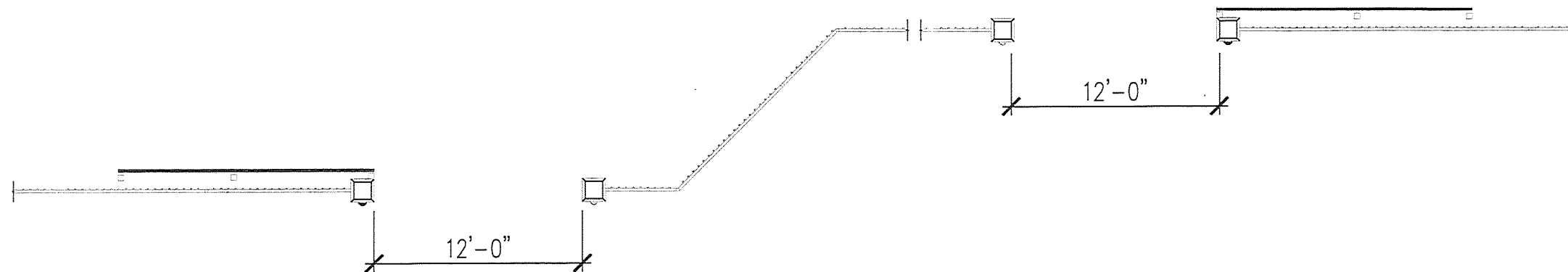
PROPOSED ELEVATION

$\frac{1}{8}'' = 1'$



PROPOSED POSTS

$\frac{1}{2}'' = 1'$



PROPOSED PLAN

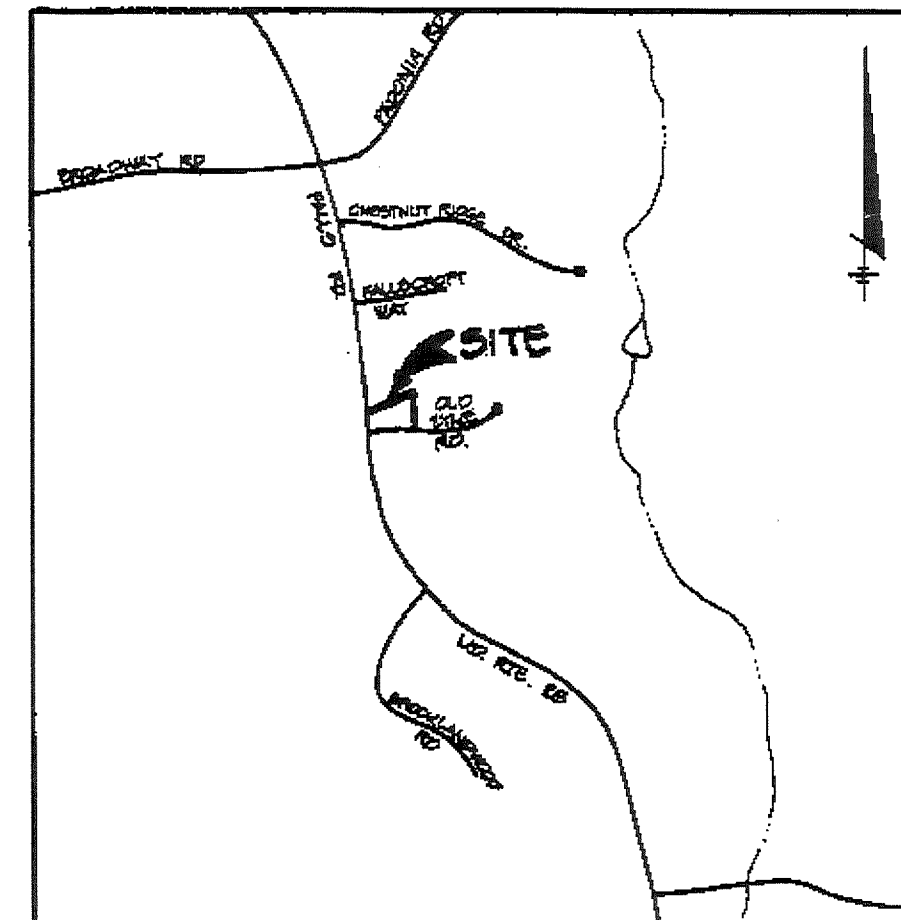
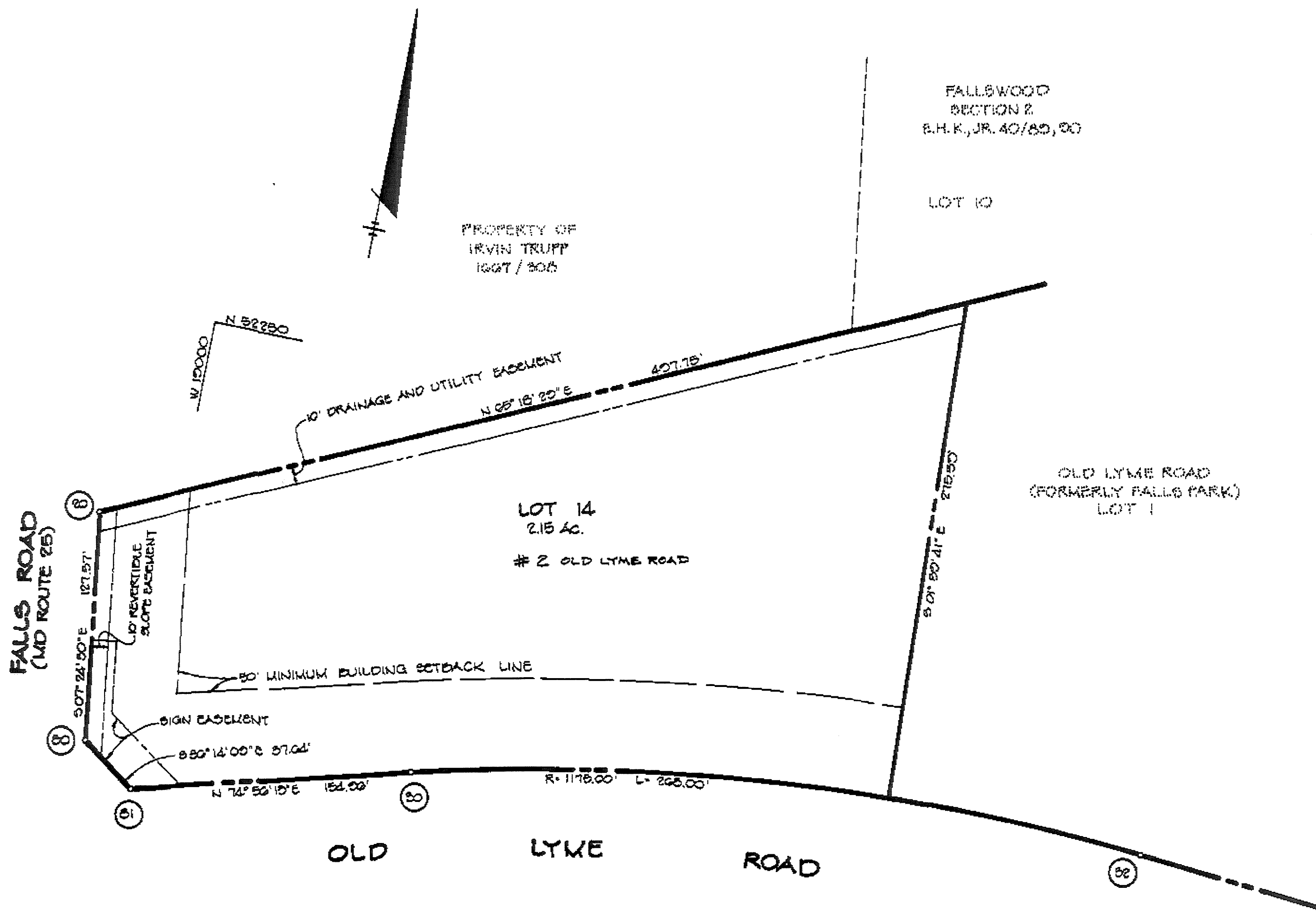
$\frac{1}{8}'' = 1'$

Exhibit 3^E

COORDINATES		
NO	NORTH	WEST
20	52131.04	10045.74
30	52023.94	10046.42
32	52054.74	10046.03
30	52004.54	10027.34
31	51983.67	10046.03

CURVE DATA						
NO	RAD	Δ	TAN	ARC	CHD	LCB
30-32	1175.00'	20° 05' 36"	208.17'	412.07'	404.96'	N 84° 59' 01" E

BALTIMORE COUNTY TRAVERSE POINTS
HUD NO. 11251 N 82° 10' 71" W 10151.00
HUD NO. 11250 N 81° 02' 22" W 10001.50



VICINITY MAP
SCALE: 1"=2000'

NOTES

- BEARINGS AND COORDINATES SHOWN ON THIS PLAT ARE REFERRED TO BALTIMORE COUNTY METROPOLITAN DISTRICT GRID, TRAVERSE STA. 11231.
- STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS OR ASSIGNS.
- HIGHWAY AND HIGHWAY RIGHT-OF-WAY, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST CONSERVATION AND FOREST BUFFER AREAS (IN FEE OR EASEMENT), GREENWAY AREA (IN FEE OR EASEMENT), AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS WILL CONVEY PAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST UNTIL SUCH TIME AS SAID CONVEYANCE IS ACCEPTED BY BALTIMORE COUNTY. THE OWNER AUTHORIZES BALTIMORE COUNTY, ITS AGENTS AND ASSIGNS, THE RIGHT TO ENTER UPON THE PROPERTY FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING AND REPAIRING ROADS, UTILITY LINES AND FACILITIES, AND STORMWATER MANAGEMENT PONDS AND FACILITIES.
- FOR PANHANDLE LOTS, REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND AND THE STREET RIGHT-OF-WAY LINE ONLY, AND NOT ONTO THE PANHANDLE LOT DRIVEWAY.
- THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
- RECORDING THIS PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET EASEMENT, PARK, OPEN SPACE OR OTHER OPEN AREA SHOWN ON THE PLAT.
- THE PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-89 BILL #56-82.
- THE RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
- THE INFORMATION SHOWN MAY BE SUPERCEDED BY A SUBSEQUENT OR AMENDED PLAT.
- ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
- DATE OF PLAN APPROVAL: 8-12-92
- DRC #08094D APPROVED PROCESSING OF REFINEMENT PLAN.

REASON FOR 3rd AMENDED FINAL SUBDIVISION PLAT
DATE 3-15-99

- CHANGE TRACT 'A' TO CREATE LOT 14 BECAUSE OF WELL AND SEPTIC APPROVAL.
- REVISED DENSITY CALCULATION FROM 12 LOTS AND 1 TRACT TO 13 LOTS FOR OVERALL SUBDIVISION. NO OTHER LOTS IN SUBDIVISION ARE AFFECTED.

S.M. 71-93

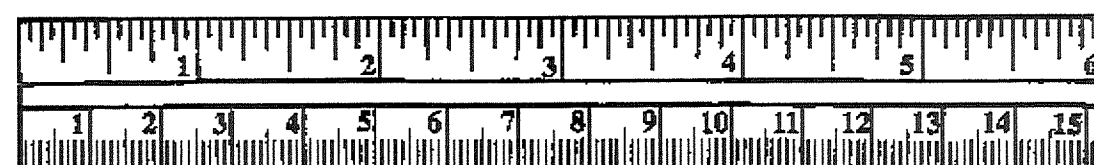
Filed for record
SA 71 FOLIO 93
Date APR 16 1999

Test:
Signature of Clerk
Clerk

I HEREBY CERTIFY THAT I HAVE REVIEWED WITH DUE DILIGENCE THE APPROVED FINAL DEVELOPMENT PLAN DATED AND HAVE PREPARED WITH DUE DILIGENCE THIS RECORD PLAT, PURSUANT TO THAT APPROVED FINAL DEVELOPMENT PLAN.

TAX ACCOUNT # 10-00-000210

DATE	NO.	REVISION
OWNER		ANNA R. AZRAEL RICHARD AZRAEL MATTHEW H. AZRAEL DEED FOR 1988/410 AND 1988/410
DEVELOPER		CHATEAU BUILDERS 8805 COLUMBIA 100 PARKWAY, SUITE 100 COLUMBIA, MARYLAND 21045
PROJECT		OLD LYME ROAD (FORMERLY FALLS PARK)
AREA		6th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
TITLE		3rd AMENDED FINAL SUBDIVISION PLAT PREVIOUSLY RECORDED AS S.M. 71-93, FOLIO 93
RIEMER MUEGGE & ASSOCIATES, INC. ENGINEERING • ENVIRONMENTAL SERVICES • PLANNING • SURVEYING 8818 Centre Park Drive, Columbia, Maryland 21045 tel 410.997.8900 fax 410.997.9282		



FINAL PLAT
SAID TO BE A TRUE AND CORRECT COPY
STREETS NUMBERING 1236-10516
DEV. PLAN REVIEW 3/12/99
DEV. ENGINEER
DIV. OF REAL ESTATE
ASSESSMENTS
REC. & PARKS 3/23/99

APPROVED
DIRECTOR, DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
DATE 4-15-99
APPROVED BY THE DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT PURSUANT TO SECTION 26-215 (c), BALTIMORE COUNTY CODE.
DIRECTOR OF PERMITS AND DEVELOPMENT MANAGEMENT
DATE 4-15-99

OWNER'S CERTIFICATE
THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, HEREBY CERTIFIES THAT, TO THE BEST OF ITS KNOWLEDGE, THE REQUIREMENTS OF SUBSECTION (c) OF SECTION 8-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND HAVE BEEN COMPLIED WITH, INsofar AS SAME CONCERN THE MAKING OF THIS PLAT AND SETTING OF THE MARKERS.
MATTHEW H. AZRAEL, INDIVIDUAL AND POWER OF ATTORNEY FOR ANNA R. AZRAEL (DATED: 1-13-98) AND RICHARD AZRAEL (DATED: 1-14-98)
DATE 3/15/99

SURVEYOR'S CERTIFICATE
THE UNDERSIGNED, A REGISTERED LAND SURVEYOR (PROPERTY LINE SURVEYOR) OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (c) OF SECTION 8-108 OF THE REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, PARTICULARLY INsofar AS SAME CONCERN THE MAKING OF THE PLAT AND THE SETTING OF THE MARKERS.
ARTHUR E. MUEGGE #10751
DATE 3/15/99

DESIGNED BY: CJR
DRAWN BY: MAD
PROJECT NO. 8905B
DATE: MARCH 15, 1999
SCALE: 1"=50'
DRAWING NO. 1 OF 1

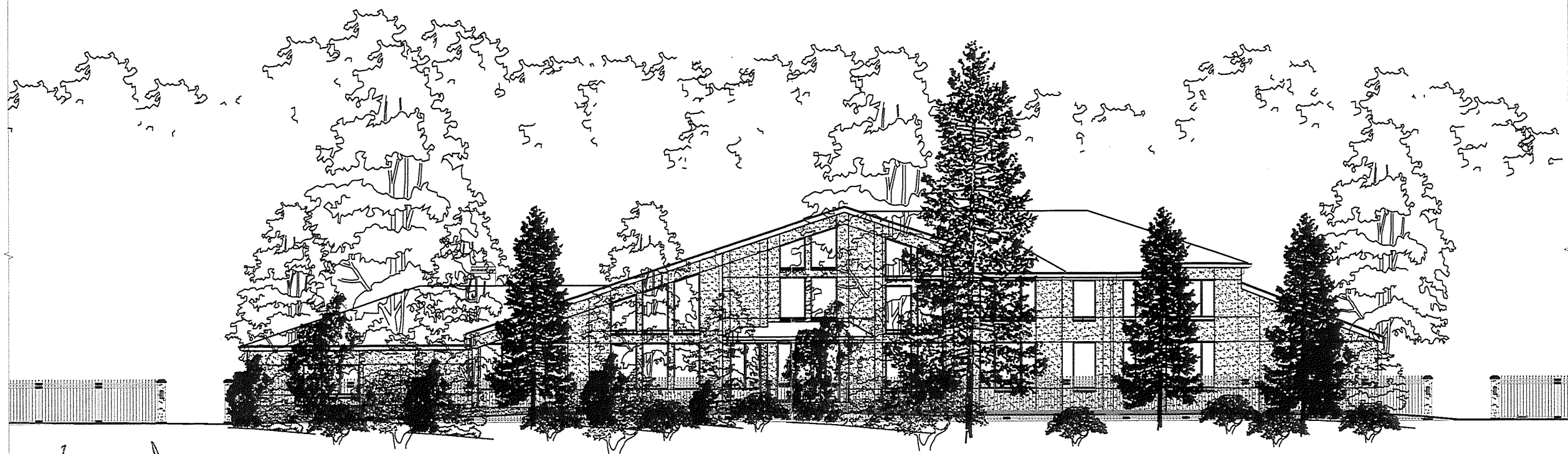
MSA 5511 1236-10516

71-93

PROTESTANT'S
EXHIBIT NO. 50

PETITIONER'S

EXHIBIT NO. 5



Falls Rd.

*Picture show
parade*

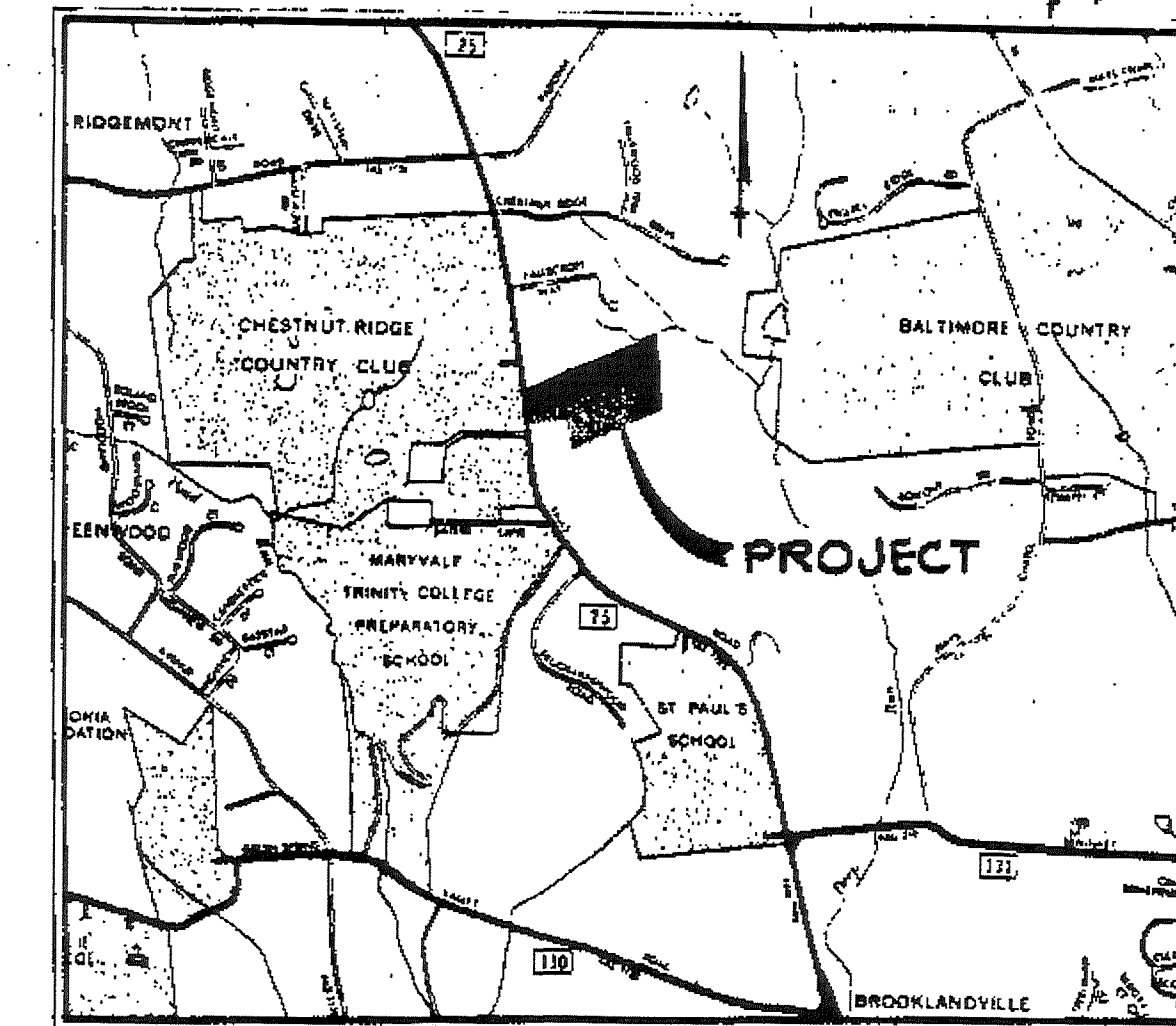
PROPOSED FENCE ELEVATION

$\frac{1}{16}'' = 1'$

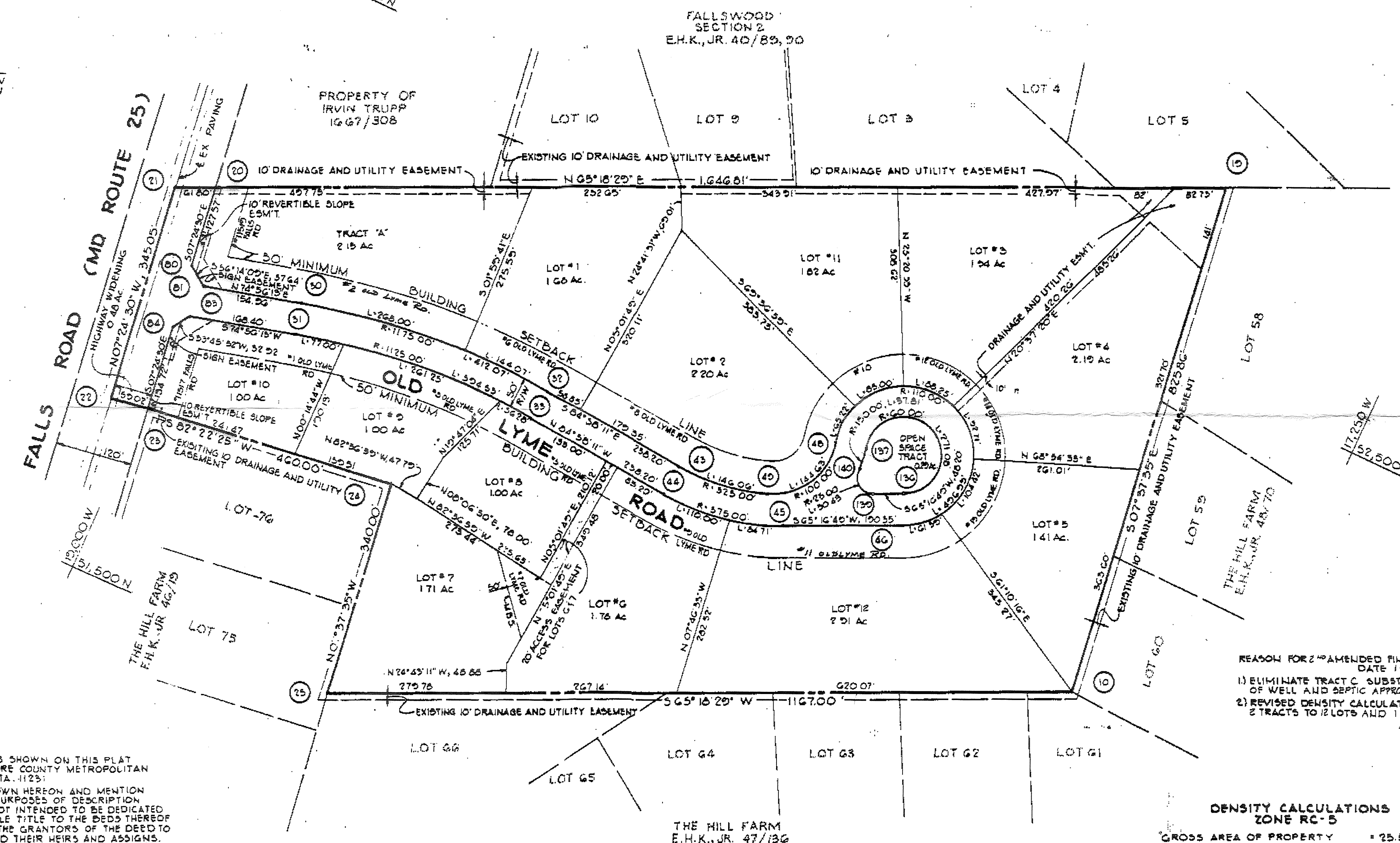
NO.	NORTH	WEST
10	51974.65	17494.11
19	52793.21	17603.71
20	52131.09	17043.79
21	52105.27	17009.58
22	51763.10	17009.58
23	51770.53	16996.96
24	51624.15	16996.96
25	51487.15	16996.96
30	52023.04	16946.42
31	51975.66	16833.43
32	52055.72	16833.43
33	52009.26	16842.42
45	52055.00	16200.75
44	51985.00	16205.13
45	52022.01	16015.44
46	52101.61	17842.53
48	52175.65	17805.45
49	52056.67	18057.27
50	52004.55	19027.34
51	51985.67	18996.09
52	51951.20	18996.04
54	51904.85	19014.85
56	52167.03	17863.44
57	52187.44	17046.86
59	52170.88	17007.81
60	52160.06	17042.07

NO.	RAO	Δ	TAN	ARC	CHD	L.C.B.
30-32	1175.00	20°05'36"	208.17	412.07	409.56	N64°59'01"E
31-33	1125.00	20°05'36"	112.31	324.53	322.51	N64°59'01"E
43-45	325.00	25°44'55"	34.26	146.06	144.85	N62°09'20"E
44-45	375.00	25°45'00"	39.60	164.71	162.53	N60°09'10"E
46-48	1100.00	25°52'01"	112.31	324.53	322.51	N64°59'01"W
48-49	1000.00	27°52'01"	106.77	344.65	342.35	S27°50'40"W
130-137	6000.00	25°52'01"	376.95	1026.81	1026.81	S64°09'12"E
137-140	1500.00	14°26'34"	19.01	37.81	37.71	N00°21'50"W
150-140	25.00	115°54'33"	39.68	50.43	42.30	N50°55'55"W

BALTIMORE COUNTY TRAVERSE POINTS
 HUD NO. 11251 52370.71N 19151.60W
 HUD NO. 11250 51521.22N 15091.50W



VICINITY MAP
 SCALE: 1" = 2,000'



EHK, JR. 54 FOLIO 85

FILED FOR RECORD
 DATE APR 10 1988
 T-1

1-10-86	CHANGED TRACT C TO LOT #12	
4-5-85	CHANGED TRACT B TO LOT #11	
DATE	NO	REVISION
OWNER:	OLD LYME BUILDING COMPANY, INC. 4 CHATEAU PROPERTIES 8555 BALTIMORE NATIONAL PIKE ELLICOTT CITY, MARYLAND 21043 (LG487, E 512)	
DEVELOPER:	CHATEAU PROPERTIES 8555 BALTIMORE NATIONAL PIKE ELLICOTT CITY, MARYLAND 21043	
PROJECT	OLD LYME ROAD (FORMERLY FALLS PARK)	
AREA	8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND	
TITLE	2ND AMENDED FINAL SUBDIVISION PLAT	
THE RIEMER GROUP, INC. 3105 NORTH RIDGE ROAD ELLICOTT CITY, MARYLAND 21043		

- NOTES:
1. BEARINGS AND COORDINATES SHOWN ON THIS PLAT ARE REFERRED TO BALTIMORE COUNTY METROPOLITAN DISTRICT GRID, TRAVERSE STA. 11251.
 2. STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE. THE FEE SIMPLE TITLE TO THE DEEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED THEIR HEIRS AND ASSIGNS.
 3. HIGHWAY AND HIGHWAY WIDENING SLOPE, DRAINAGE AND UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE DEVELOPER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE DEVELOPER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
 4. FOR PANHANDLE LOTS, REFUSE COLLECTION, SNOW REMOVAL AND ROAD MAINTENANCE ARE PROVIDED TO THE JUNCTION OF THE PANHANDLE AND THE STREET RIGHT-OF-WAY LINE ONLY, AND NOT ONTO THE PANHANDLE LOT DRIVEWAY.
 5. THE FORMAL IRREVOCABLE OFFERS OF DEDICATION HAVE BEEN MADE.
 6. RECORDING OF THIS PLAT DOES NOT CONSTITUTE A WRITELY ACCEPTANCE BY THE COUNTY OF ANY STREET EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
 7. THE PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 22-65, B.U.L. § 2-62.
 8. THE RECORDING OF THIS PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
 9. THE INFORMATION SHOWN MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
 10. ADDITIONAL INFORMATION CONCERNING THIS PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
 11. DATE OF PLAN APPROVAL: 3/12/82
 12. SEE PLAT OF "OLD LYME ROAD" RECORDED IN PLAT BOOK 50 FOLIO 49.

All requirements of the Maryland State Department of Health and Baltimore County Department of Health pertaining to private water and/or sewerage systems must be complied with prior to approval of building applications.

NOTE: SOIL PERCOLATION TESTS WILL BE VALID FOR A PERIOD OF THREE YEARS FROM THE DATE THE REPORT WAS SUBMITTED. THE PERIOD OF VALIDITY OF THIS REPORT EXPIRES ON 3/12/85. NEW TESTS MAY BE REQUIRED.

DENSITY CALCULATIONS
 ZONE RC-5
 GROSS AREA OF PROPERTY = 25.931 AC.
 NUMBER OF LOTS = 12 AND 1 TRACT
 DENSITY 12/20.47 = 0.586 LOTS/AC

DEPARTMENT OF PUBLIC WORKS
 APPROVED FOR STREET ALIGNMENT AND LOCATION
 DIRECTOR: [Signature] DATE: 3/10/82
 APPROVED FOR BALTIMORE COUNTY HEALTH DEPARTMENT
 DEPUTY STATE COUNTY HEALTH OFFICER: [Signature] DATE: 3/10/82
 APPROVED FOR BALTIMORE COUNTY
 DIRECTOR OF PLANNING AND ZONING: [Signature] DATE: 3/10/82

OWNER'S CERTIFICATE
 THE REQUIREMENTS OF SECTION 50 TO G2, ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND 1957 EDITION (TITLE: CLERKS OF THE COURT, SUBTITLE: CLERKS OF THE CIRCUIT COURTS) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.
 Richard A. Agnew
 RICHARD A. AGNEW, AGENT FOR OLD LYME BUILDING COMPANY
 3050 BALTIMORE NATIONAL PIKE
 ELLICOTT CITY, MARYLAND 21043
 DATE: 1/21/86

SURVEYOR'S CERTIFICATE
 I, ARTHUR E. MUEGGGE, A REGISTERED PROFESSIONAL SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL NO. 450 CH 1016 OF THE ACTS OF 1965 AND SUBSEQUENT ACTS AMENDATORY THERETO.
 Arthur E. Muegge
 ARTHUR E. MUEGGGE, REG. NO. 1072
 DATE: 1-23-86

DATE OF APPROVAL
 DESIGNED BY LJD
 DRAWN BY T.E.S.
 PROJECT NO 15001
 DATE REV 1-10-82
 SCALE 1"=100'
 DRAWING NO 1 OF 1

MSR 554.1236 - 3227

54/85