



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

August 11, 2016

RECEIVED
AUG 11 2016

Timothy M. Kotroco, Esq.
305 Washington Avenue, Suite 502
Towson, Maryland 21204

Brian J. Murphy, Esq.
1206 St. Paul Street
Baltimore, Maryland 21202

BALTIMORE COUNTY
BOARD OF APPEALS

RE: **APPEAL TO BOARD OF APPEALS**
Case No. 2016-0308-SPH
Location: 14 Aigburth Road

Dear Counsel:

Please be advised that an appeal of the above-referenced case was filed in this Office on August 8, 2016. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over a horizontal line.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/dlw

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County

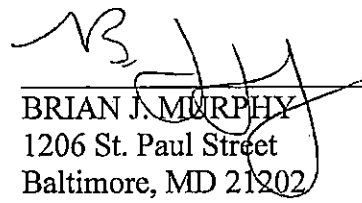
8/15/11
TO WCR

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
14 Aigburth Road; S/S of Aigburth Road	*	
210' W of c/line of Cedar Avenue	*	OF ADMINISTRATIVE
9 th Election & 5 th Councilmanic Districts	*	
Legal Owner(s): Friends of Lubavitch, Inc.	*	HEARINGS FOR
By David Zoll, Paul Hartman, <i>et al.</i>	*	
Petitioner(s)	*	BALTIMORE COUNTY
	*	CASE NO. 2016-308-SPH

* * * * *

NOTICE OF APPEAL

Petitioners, David Zoll, 16 Aigburth Road, Towson, MD 21286; Paul Hartman, 18 ½ Cedar Avenue, Towson, MD 21286; Robin Taylor Zoll, Trustee, 16 Aigburth Road, Towson, MD 21286; Wanda Combs, 76 Cedar Avenue, Towson, MD 21286; Timothy and Lyn Phelps, 23 Aigburth Road, Towson, MD 21286; Preston and Kristin Schultze, 21 Aigbuth Road, Towson, MD 21286; Diana and Donald Dagati, 20 Aigburth Road, Towson, MD 21286; Thomas and Lisa Kelly, 74 Cedar Avenue, Towson, MD 21286; Richard and Brenda Ames-Ledbetter, 9 Maryland Avenue, Towson, MD 21286; Sally Malena, 18 Aigburth Road, Towson, MD 21286; Howard Taylor and Flo Newman, 8 Maryland Avenue, Towson, MD 21286; and Devin Leary and Alexis Rohde, 81 Cedar Avenue, Towson, MD 21286, by and through their attorney, Brian J. Murphy, feeling aggrieved by the decision of the Administrative Law Judge in the above-captioned case, hereby appeal that decision in accordance with Baltimore County Charter, Section 602 and Baltimore County Code, Section 32-3-401 by filing this Notice of Appeal with the Director of the Baltimore County Department of Permits, Approvals, and Inspections, with a copy to the Baltimore County Board of Appeals and Office of Administrative Hearings.


BRIAN J. MURPHY
1206 St. Paul Street
Baltimore, MD 21202
(410) 347-2030
lawyermurphy@aol.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 2016, a copy of the foregoing

Notice of Appeal was mailed to:

Arnold Jablon, Director
Department of Permits, Approvals and Inspections
111 West Chesapeake Avenue
Towson, MD 21204

Lawrence Stahl, Esquire
John Beverungen, Esquire
Administrative Law Judges
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 203
Towson, MD 21204

Krysundra Kannington
Board of Appeals of Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

Timothy Kotroco, Esquire
305 Washington Avenue, Suite 502
Towson, MD 21204

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


BRIAN J. MURPHY

8/15/16
D. W. J.

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(14 Aigburth Road)	*	BOARD OF APPEALS
9 th Election District	*	OF BALTIMORE COUNTY
5 th Councilmanic District	*	ALJ CASE NO. 2016-0170-SPH
Friends of Lubavitch, Inc.,	*	
<i>Legal Owner</i>	*	
Petitioner	*	

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(14 Aigburth Road)	*	BOARD OF APPEALS
9 th Election District	*	OF BALTIMORE COUNTY
5 th Councilmanic District	*	ALJ CASE NO. 2016-0308-SPH
Friends of Lubavitch, Inc.,	*	
<i>Legal Owner</i>	*	
David Zoll, Paul Hartman, <i>et al.</i> , Petitioners	*	

* * * * *

MOTION TO CONSOLIDATE HEARINGS

Now come David Zoll, Paul Hartman, *et al.*, Appellants, by and through their attorney, Brian J. Murphy, and respectfully request that the two above-captioned cases— ALJ Case No. 2016-0170-SPH and ALJ Case No. 2016-0308-SPH—be consolidated for a hearing. As reasons therefor, Appellants assert:

1. ALJ Case No. 2016-0170-SPH was a Petition for Special Hearing filed by Friends of Lubavitch, Inc., the legal owner of 14 Aigburth Road. ALJ Case No. 2016-0308-SPH was a Petition for Special Hearing filed by David Zoll, Paul Hartman, *et al.*, property owners adjacent to and nearby 14 Aigburth Road.

2. An appeal to this Board was filed on June 22, 2016 in ALJ Case No. 2016-0170-SPH. That appeal has been set for a hearing before this Board on August 23, 2016. An appeal to this Board was filed on August 8, 2016 in ALJ Case No. 2016-0308-SPH; a hearing date has not yet been set in that case.

3. Both cases involve the same issues, the same parties, and essentially the same witnesses. In ALJ Case No. 2016-0170-SPH, the legal owner petitioned for permission to build a residential addition; that permission was granted after a hearing. At the hearing, the adjacent and nearby property owners disputed the legal owner's contention that the addition was residential, alleging that the evidence showed that the addition was to be used as a religious or community building, in violation of the Baltimore County Zoning Regulations. However, the Administrative Law Judge made no finding as to whether the proposed addition was, in fact, to be used as a residence or, instead, as a religious or community building. Instead, the Administrative Law Judge ruled that the issue of use "is an issue which must be decided in a code enforcement proceeding." That failure to address the use of the property is the reason for the appeal to this Board in that case.

4. In ALJ Case No. 2016-0308-SPH, the adjacent and nearby property owners petitioned for a determination that the legal owner's proposed addition and property was not actually to be put to a residential use but, rather, was to be put to a religious or community use, in violation of the Baltimore County Zoning Regulations. The petitioners proceeded in that fashion because of the Administrative Law Judge's failure to address the question of use in ALJ Case No. 2016-0170-SPH. However, that petition was dismissed by the Administrative Law Judge, who ruled, again, that "a determination [of use] must be made in a code enforcement proceeding."

5. The primary issue, then, in both cases is the same—whether a Petition for Special Hearing is the proper forum in which to seek a determination as to the use of a property. According to the Court of Appeals, the answer to that question is “yes.” *See Marzullo v. Kahl*, 366 Md. 158 (2001). A secondary issue, of course, is the actual use of the property, an issue that was not reached due to the Administrative Law Judge’s ruling on the primary issue. The parties, of course, are the same in both cases. Likewise, for the most part, the witnesses are the same in both cases—the legal owner and the adjacent and nearby property owners, some expert witnesses, and a few county agency witnesses.

6. Due to the similarity of the issues, the parties, and the witnesses, it would serve the cause of judicial economy to consolidate these two cases for a hearing before this Board. This is especially true to avoid the possibility of conflicting decisions on the common issues if the cases are heard separately. Consolidation would also serve to promote further judicial economy in the likely event that there is an appeal to the circuit court in these matters. In addition, consolidation of these two hearings on August 23, 2016 would be in full compliance with the notice provisions of Rule 2.a. of the Rules of Practice and Procedure of the Baltimore County Board of Appeals.

WHEREFORE, the Appellants respectfully request that the two above-captioned cases—ALJ Case No. 2016-0170-SPH and ALJ Case No. 2016-0308-SPH—be consolidated for a hearing on August 23, 2016.

Respectfully submitted,



BRIAN J. MURPHY
1206 St. Paul Street
Baltimore, MD 21202
(410) 347-2030
lawyermurphy@aol.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 2016, a copy of the foregoing

Motion to Consolidate Hearings was mailed to:

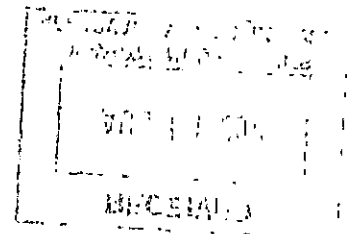
Arnold Jablon, Director
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People's Counsel for Baltimore County
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204





BRIAN J. MURPHY

RECEIVED

AUG 11 2016

**DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS**

8/9/16
TO WCL
for file

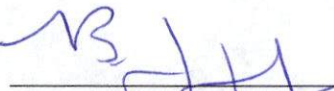
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14 Aigburth Road; S/S of Aigburth Road	*	OF ADMINISTRATIVE
210' W of c/line of Cedar Avenue	*	HEARINGS FOR
9 th Election & 5 th Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Friends of Lubavitch, Inc.	*	CASE NO. 2016-308-SPH
By David Zoll, Paul Hartman, <i>et al.</i>		
Petitioner(s)		

* * * * *

NOTICE OF APPEAL

Petitioners, David Zoll, 16 Aigburth Road, Towson, MD 21286; Paul Hartman, 18 ½ Cedar Avenue, Towson, MD 21286; Robin Taylor Zoll, Trustee, 16 Aigburth Road, Towson, MD 21286; Wanda Combs, 76 Cedar Avenue, Towson, MD 21286; Timothy and Lyn Phelps, 23 Aigburth Road, Towson, MD 21286; Preston and Kristin Schultze, 21 Aigburth Road, Towson, MD 21286; Diana and Donald Dagati, 20 Aigburth Road, Towson, MD 21286; Thomas and Lisa Kelly, 74 Cedar Avenue, Towson, MD 21286; Richard and Brenda Ames-Ledbetter, 9 Maryland Avenue, Towson, MD 21286; Sally Malena, 18 Aigburth Road, Towson, MD 21286; Howard Taylor and Flo Newman, 8 Maryland Avenue, Towson, MD 21286; and Devin Leary and Alexis Rohde, 81 Cedar Avenue, Towson, MD 21286, by and through their attorney, Brian J. Murphy, feeling aggrieved by the decision of the Administrative Law Judge in the above-captioned case, hereby appeal that decision in accordance with Baltimore County Charter, Section 602 and Baltimore County Code, Section 32-3-401 by filing this Notice of Appeal with the Director of the Baltimore County Department of Permits, Approvals, and Inspections, with a copy to the Baltimore County Board of Appeals and Office of Administrative Hearings.




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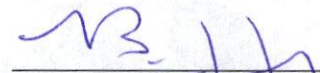
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Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204


BRIAN J. MURPHY

Arnold Jablon

From: Devin Leary <devinleary1@gmail.com>
Sent: Wednesday, July 27, 2016 11:52 AM
To: Arnold Jablon
Subject: Re: Chabad Lubavitch of Towson

7/27/16
WCL
put in file

2016-308
SPH

Thanks you for the input. I just met with Tim Kotroco. I wanted to make sure the owner was aware of the issue and should stop work on their own. The Zoll's who live next door are preparing a filing with the circuit court.

On Wed, Jul 27, 2016 at 10:45 AM, Arnold Jablon <ajablon@baltimorecountymd.gov> wrote:

The issue of enforcement of restrictive covenants has been a recurring issue, especially in rezoning issues during the Comprehensive Map cycle. The Courts have been consistent: a governmental entity does not have the authority to enforce covenants because the governmental entity is not a party to the covenants. The County thus does not have the authority to issue a stop work order based on the covenants. You are correct, however, the property owner is proceeding at its own risk. Should a court agree that the property owner is in violation of a covenant, the moving party should request an injunction be issued ordering the removal and/or correction of the violation. Be forewarned, though, if a violation of a covenant is confirmed, a court order would be required to have the violation corrected. The County cannot enforce the covenant even if the court finds a violation. You would need a court order giving the County the authority to enforce.

From: Devin Leary [mailto:devinleary1@gmail.com]
Sent: Wednesday, July 27, 2016 9:44 AM
To: Arnold Jablon <ajablon@baltimorecountymd.gov>; tkotroco@gmail.com
Subject: Chabad Lubavitch of Towson

Good Morning - On behalf of Robin and David Zoll and the Aigburth Manor Association of Towson I submit the attached documents. Please review at your earliest convenience and we hope that a stop work order can be issued in a timely manner.

Thanks,

Devin M. Leary

81 Cedar Ave.

Towson, MD 21286

7/27/16
TO CO
sent in file

2016-0308-JPH

The Aigburth Manor Association of Towson, Inc.

P.O. Box 20143 • Towson, Maryland 21284-0143



VIA Hand Delivery and Email

July 27, 2016

Mr. Arnold Jablon, Director
Baltimore County
Permits, Approvals and Inspections
111 West Chesapeake Avenue, Suite 105
Towson, MD 21204

Re: Chabad-Lubavitch of Towson
14 Aigburth Road, Towson, MD 21286

Dear Mr. Jablon:

It has recently come to our attention that the deed to the property for 14 Aigburth Road contains restrictive covenants running with the land. The covenants, among other restrictions, requires a building setback of which the current construction is in violation. Please find the enclosed opinion of title and restrictions which evidences the current violations by the owner of 14 Aigburth Road, Friends of Lubavitch, Inc.

The Aigburth Manor Association of Towson as well as one of the adjoining property owners intend to enforce these covenants and thus request that you issue a stop work order immediately. If you do not issue a stop work order and construction in violation of the covenants continues, the Friends of Lubavitch continues at its own risk.

This letter serves as notice to all copied parties that the current construction is in violation of the restrictive covenants. Enforcement of these covenants will require that all nonconforming construction be removed at the expense of the current property owner.

Sincerely,

Paul S. Hartman
Vice President Aigburth Manor
Association of Towson, Inc.

cc: Mr. Timothy Kotroco, via hand delivery and email
Rabi Mendy Rivkin, via U.S. Mail
Friends of Lubavitch, Inc., via U.S. Mail
Mr. David Marks, via U.S. Mail

Law Offices of
David L. Thurston
A Professional Association

One Sanford Avenue, Baltimore, Maryland 21228 • 410-719-2210 • FAX 410-719-9772

July 26, 2016

Robin Taylor Zoll, Trustee
16 Aigburth Road
Towson, MD 21286

RE: Friends of Lubavitch, Inc.
14 Aigburth Road
Towson, MD 21286

Dear Ms. Zoll:

Our opinion as to the status of title and restrictions for 14 Aigburth Road is as follows:

PRESENT OWNER: Friends of Lubavitch, Inc., in Fee Simple.

This Law Firm has reviewed the Land Records Baltimore County and the records have indicated the following:

TITLE HAS BEEN EXAMINED from January 1, 1950 through July 10, 2016

The information provided herein is for informational purposes only. No liability will be assumed by this company unless converted to a binder and/or policy.

TITLE DEED: Liber 27395, folio 112 dated September 29, 2008.
GRANTEES: Friends of Lubavitch, Inc.

JUDGMENTS: NONE

EXCEPTIONS: COVENANTS BINDING WITH THE LAND PER RESTRICTIONS IN DEED
RECORDED IN LIBER 1886, FOLIO 318:

1. That only one dwelling be erected on the above described lot of ground;
2. That the dwelling to be erected thereon shall have a setback equal to one-half of the total set backs of the two houses erected on the lots adjoining to the East & West thereof, measured to the centre of said houses, exclusive of porches;
3. That the dwelling to be erected on said lot of ground shall be of stone, brick or stucco construction, with a slate roof;

4. That the kitchen of said dwelling and the driveway shall be located on the west side of said dwelling and lot.

TAX INFORMATION: Note: No liability is hereby assumed as to tax figures. Call Treasurer for exact figures before closing. These are for informational purposes only.
PAID THROUGH: December 30, 2015
ACCT#: 09-22-2500090
ANNUAL TAX: \$789.19- PAID
DELINQUENCIES: NONE

Next Payment : Is DUE September 30, 2016 in the amount of \$803.40

LEGAL DESCRIPTION:

SEE EXHIBIT "A"

Sincerely,



David L. Thurston

EXHIBIT 'A'

BEGINNING for the same at a stone located on the southernmost side of Aigburth Avenue, at the beginning of the land which by Deed dated December 4, 1928 and recorded among the Land Records of Baltimore County in Liber W.H.M. No. 661, Folio 253, etc., was conveyed by Dora Thomas and husband, to George W. Hyde; said point of beginning being distant 210.55 feet westerly from the southwest corner of Aigburth Avenue and Cedar Avenue; and running thence South 71 degrees 08 minutes east binding on the southernmost side of Aigburth Avenue, 80 feet; thence running for lines of division now made the two following courses and distances, viz: South 20 degrees no minutes West parallel with Cedar Avenue, 218.42 feet and North 71 degrees 08 minutes West, parallel with Aigburth Avenue, 76.85 feet to intersect the last line of description of the whole land conveyed as aforesaid by Dora Thomas and husband, to George W. Hyde, and thence binding on said last mentioned line of description, North 19 degrees 11 minutes East 218.42 feet to the place of beginning.

Performance Abstract and Closing Services, LLC
One Sanford Avenue
Baltimore, MD 21228

Client Name: Law Offices of David L Thurston Client Case #: 14Aigburth No Judg
Good Through: 07/10/2016 Searched From: 10/02/1950 Search Date: 07/26/2016

Property Address: 14 AIGBURTH RD, TOWSON, MD, 21286

County: BALTIMORE

Legal Description:

Metes & Bounds description being 14 Aigburth Road

Exceptions found: Restrictions in Deed 1886/318 and are cited as follows...

1. That only one dwelling be erected on the above described lot of ground.
2. That the dwelling to be erected thereon shall have a setback equal to one-half of the total set backs of the two houses erected on the lots adjoining to the East & West thereof, measured to the centre of said houses, exclusive of porches.
3. That the dwelling to be erected on said lot of ground shall be of stone, brick or stucco construction, with a slate roof.
4. That the kitchen of said dwelling and the driveway shall be located on the west side of said dwelling and lot.

Deed Information

Vested Owner:	FRIENDS OF LUBAVITCH, INC.
Land Status:	Fee Simple
Grantor:	JACKSON Y. DOTT & KATHLEEN M. DOTT
Dated:	09/29/2008
Recorded:	10/16/2008
Book: 27395	Page: 112

Mortgage/Deed of Trust Information

Free and Clear

Tax ID #: 09-0922250090 (See tax bill print out)

ABTRACTOR : BJ Syms
Email : bjsyms@performanceabs.com

This report is intended for informational purposes only, and is not an opinion of title, nor a policy of title insurance, nor a commitment to issue such policy. All information contained herein was obtained by an examination of public records in the above named jurisdiction, and is as accurate as reasonable care can make it. Performance Abstract and Closing Services, LLC, makes no warranties, expressed or implied, regarding the insurability or marketability of title for the property and assumes no liability whatsoever for the security of the information contained herein beyond the exercise of such reasonable care. No liability is assumed for items not indexed or misindexed. PLEASE NOTE: Performance Abstract & Closing Services, LLC does not run bank names for judgments & liens in cases where the property title is/was owned by the bank. This includes all Banks/HUD/Veterans Affairs/Sheriffs.

BALTIMORE COUNTY, MARYLANDwww.baltimorecountymd.gov

Real Property Tax[Logout](#)

Account Information

Parcel ID:	09-22-250090
Owner Name:	Friends Of Lubavitch Inc
Parcel/Situs Address:	14 Algburth Rd

The balance due information is a valid payment amount through the end of the current month. Please note that only 30 bills can be displayed by this system.

Real Property Tax Search Results:

Fiscal Year	Balance Due	Bill Type		
2017 July 1, 2016 To June 30, 2017	\$803.40	Full Year	View Details	Print Bill
2016 July 1, 2015 To June 30, 2016	\$0.00	Full Year	View Details	Print Bill
2015 July 1, 2014 To June 30, 2015	\$0.00	Full Year	View Details	Print Bill
2014 July 1, 2013 To June 30, 2014	\$0.00	Full Year	View Details	Print Bill
2013 July 1, 2012 To June 30, 2013	\$0.00	Full Year	View Details	Print Bill
Total Tax Amount:		\$803.40		

Note: If paying by credit card, a convenience fee will be added to the total amount.

[Pay with Credit Card](#) [Pay with Electronic Check](#)

[Return To Search Menu](#)

400 Washington Avenue - Courthouse - Towson, MD 21204

BALTIMORE COUNTY, MARYLAND		www.baltimorecountymd.gov																																																						
Real Property Tax		Logout																																																						
Ownership and Address Information																																																								
Parcel ID: 09-22-250090 Tax Year: 2017 Owner Name: Friends Of Lubavitch Inc Mailing Address: 14 Algburth Rd, Towson, MD 21286 Parcel/Situs Address: 14 Algburth Rd District: 09 Property Class: 01 Fully Exempt Semi-Annual Eligible: No Miscellaneous:																																																								
Legal Description																																																								
CHAR EX 14 ALGBURTH RD SS																																																								
Assessment Information																																																								
Full Year: 0 Tax rate for Full Year: County \$1.10000, State \$0.11200 per \$100 of Assessed Value																																																								
Tax Receivable Amounts																																																								
Bill Date: 07/01/2016 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Billed Amount</th> <th>Paid</th> <th>Outstanding</th> <th>First SA</th> <th>Second SA</th> </tr> </thead> <tbody> <tr> <td>Taxes/Charges</td> <td>803.40</td> <td>.00</td> <td>803.40</td> <td>.00</td> <td>.00</td> </tr> <tr> <td>Fees</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> </tr> <tr> <td>Gross/Base</td> <td>803.40</td> <td>.00</td> <td>803.40</td> <td>.00</td> <td>.00</td> </tr> <tr> <td>Discount Applied</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> </tr> <tr> <td>New Discount</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> </tr> <tr> <td>Interest Applied</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> </tr> <tr> <td>New Interest</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> <td>.00</td> </tr> <tr> <td>Total</td> <td>803.40</td> <td>.00</td> <td>803.40</td> <td>.00</td> <td>.00</td> </tr> </tbody> </table> Date to calculate interest amount owed (mm/dd/yyyy): 07/31/2016 Recalculate If the recalculation process does not change the amount due, please contact the Office of Budget and Finance for further assistance at 410-887-2404				Billed Amount	Paid	Outstanding	First SA	Second SA	Taxes/Charges	803.40	.00	803.40	.00	.00	Fees	.00	.00	.00	.00	.00	Gross/Base	803.40	.00	803.40	.00	.00	Discount Applied	.00	.00	.00	.00	.00	New Discount	.00	.00	.00	.00	.00	Interest Applied	.00	.00	.00	.00	.00	New Interest	.00	.00	.00	.00	.00	Total	803.40	.00	803.40	.00	.00
	Billed Amount	Paid	Outstanding	First SA	Second SA																																																			
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<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Amount</th> <th>Tax Credits</th> </tr> </thead> <tbody> <tr> <td>County Tax</td> <td>.00</td> <td></td> </tr> <tr> <td>State Tax</td> <td>.00</td> <td></td> </tr> <tr> <td>Bay Res Fee</td> <td>60.00</td> <td></td> </tr> <tr> <td>Sewer Service</td> <td>600.03</td> <td></td> </tr> <tr> <td>Storm Water Remediation Fee</td> <td>17.00</td> <td></td> </tr> <tr> <td>Water Distribution</td> <td>126.37</td> <td></td> </tr> <tr> <td>Total</td> <td>803.40</td> <td></td> </tr> </tbody> </table> The receivable tax amounts reflect the application of the tax credits listed.			Description	Amount	Tax Credits	County Tax	.00		State Tax	.00		Bay Res Fee	60.00		Sewer Service	600.03		Storm Water Remediation Fee	17.00		Water Distribution	126.37		Total	803.40																															
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Back Return To Search Menu Print Bill Print Page																																																								

2017 Annual Due

BALTIMORE COUNTY, MARYLAND		www.baltimorecountymd.gov
Real Property Tax		Logout
Ownership and Address Information		
Parcel ID:	09-22-250090	
Tax Year:	2016	
Owner Name:	Friends Of Lubavitch Inc	
Mailing Address:	14 Algburth Rd, Towson, MD 21286	
Parcel/Status Address:	14 Algburth Rd	
District:	09	
Property Class:	04 Residential	
Semi-Annual Eligible:	No	
Miscellaneous:		
Legal Description		
CHAR EX 14 ALGBURTH RD SS		
Assessment Information		
Full Year: 0 Tax rate for Full Year: County \$1.10000, State \$0.11200 per \$100 of Assessed Value		
Tax Receivable Amounts		
Bill Date: 07/01/2015		
	Billed Amount	Paid
Taxes/Charges	720.93	720.93
Fees	25.00	25.00
Gross/Base	745.93	745.93
Discount Applied	.00	.00
New Discount	.00	.00
Interest Applied	43.26	43.26
New Interest	.00	.00
Total	789.19	789.19
Date to calculate interest amount owed (mm/dd/yyyy): 07/31/2016		
Recalculate		
If the recalculation process does not change the amount due, please contact the Office of Budget and Finance for further assistance at 410-687-2404		
Payments Received		
Payment	Payment Type	Interest/Discount Calculation Date
Full	FY	03/23/2016
		Amount Paid
		789.19
Detailed Breakdown of Receivable Amounts		
	Description	Amount
	County Tax	.00
	State Tax	.00
	Bay Res Fee	60.00
	Sewer Service	522.10
	Storm Water Remediation Fee	26.00
	Water Distribution	112.83
	Postage Tax Sale	25.00
	Total	745.93
The receivable tax amounts reflect the application of the tax credits listed.		
Back Return To Search Menu Print Bill Print Page		

2016 DMT



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 14 Aigburth Road

which is presently zoned DR 5.5

Deed References: 27395/00112

10 Digit Tax Account # 0922250090

Property Owner(s) Printed Name(s) Friends of Lubavitch, Inc.

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine

Please see attached.

2. ☐ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ **a Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s). ^{^ vicinal}

Contract Purchaser/Lessee: Legal owner:

Friends of Lubavitch, Inc.

Name- Type or Print

Yo Mendel Menachem Rivkin, Rabbi

Signature

14 Aigburth Rd, Towson, MD

Mailing Address

City

State

21286

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners): ^{^ of vicinal property}

See attached

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature # 2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Same as Above

Name – Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER 2016-0308-SPH Filing Date 6/3/2016

Do Not Schedule Dates:

Reviewer JNP

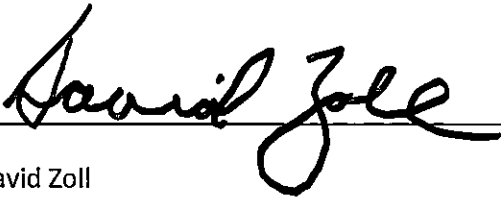
Attachment to Petition for Zoning Relief for 14 Aigburth Road

Special Hearing to determine:

- (1) What the use of the property is under the BCZR; and
- (2) Whether the current use of the property constitutes a violation or noncompliance with the zoning regulations for **(a)** failure to obtain a change of occupancy permit to change the “use” of a residential dwelling to a church, other building for religious worship, other religious institution or some other use as provided in BCZR § 500.4 and BCBC § 113.4; **(b)** failure to obtain variances for building setback and parking requirements as provided in BCZR §§ 101, 102.1, 1B01.1.A.3, 1B01.1.B.1.b(1), 1B01.1.B.1.d(1), 1B01.2.C.1.a, 407 and 409; and
- (3) Any other matters deemed necessary to bring the current use into compliance with County rules and regulations.

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:



David Zoll

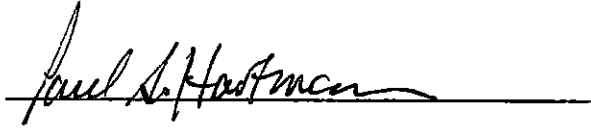
16 Aigburth Road, Towson, MD, 21286

E-mail: zollmediag@aol.com

Phone: 443-255-6067

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

A handwritten signature in black ink, appearing to read "Paul S. Hartman", is written over a horizontal line.

Paul S. Hartman

18 ½ Cedar Avenue, Towson, MD, 21286

E-mail: paul@gtcca.org

Phone: 410-296-6934

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

Robin Taylor Zoll, Trustee

Robin Taylor Zoll, authorized as trustee of the Madge S Taylor and James F Taylor Trust

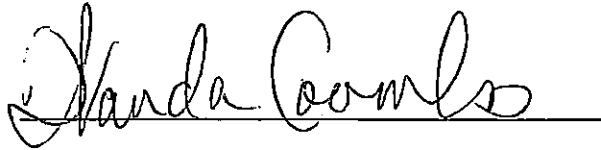
16 Aigburth Road, Towson, MD, 21286

E-mail: RobinZOLL16@gmail.com

Phone: 443-256-6067

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

A handwritten signature in cursive script, reading "Wanda Combs", written over a horizontal line.

Wanda Combs

76 Cedar Avenue, Towson, MD, 21286

E-mail: wanda-coombs@yahoo.com

Phone: 443-829-1263

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

Timothy H. & Lyn G. Phelps

23 Aigburth Road, Towson, MD, 21286

E-mail: lyn.phelps@yahoo.com

Phone: 443 - 691 - 0587

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

Kristin C. Schultz & Preston Schultz

Preston R. & Kristin C. Schultze

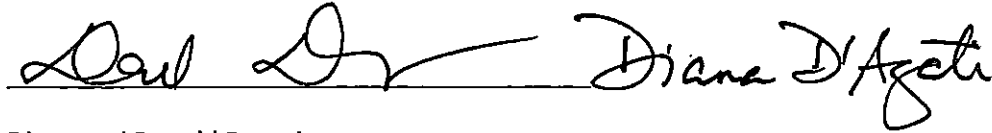
21 Aigburth Road, Towson, MD, 21286

E-mail: lcschulze@hotmail.com

Phone: 410-372-0082

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

Handwritten signatures of Donald and Diana Dagati.

Diana and Donald Dagati

20 Aigburth Road, Towson, MD, 21286

E-mail: dagati@comcast.net

Phone: 410-825-8258

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

Lisa Kelly

Thomas P. and Lisa M. Kelly

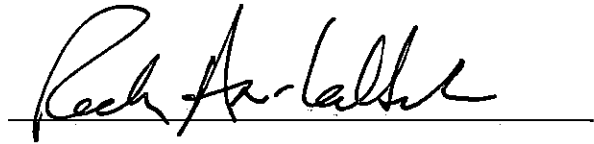
74 Cedar Avenue, Towson, MD, 21286

E-mail: j0s2415@Verizon

Phone: 410-583-5587

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

A handwritten signature in black ink, appearing to read "Richard L. and Brenda D. Ames-Ledbetter", written over a horizontal line.

Richard L. and Brenda D. Ames-Ledbetter

9 Maryland Avenue, Towson, MD, 21286

E-mail: amesledbetter@gmail.com

Phone: 443.823.0217

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

Sally A. Malena
Sally A. Malena

18 Aigburth Road, Towson, MD, 21286

E-mail: SALLY MALENA@HOTMAIL.COM

Phone: 410 337 3788

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:

Howard Taylor Florence Newman

Howard & Flo Newman

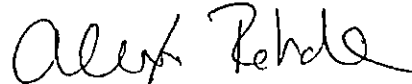
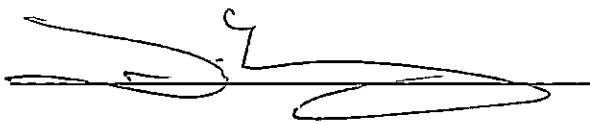
^{taylor}
8 Maryland Avenue, Towson, MD, 21286

E-mail: fn Newman@towson.edu

Phone: 410-339-7141

Attachment to Petition for Zoning Relief for 14 Aigburth Road

Signature(s) of Vicinal Property Owner(s) on Petition for Special Hearing under Sections 500.6 & 500.7 of
the Baltimore County Zoning Regulations:



Devin Leary and Alexis Rohde

81 Cedar Avenue, Towson, MD, 21286

E-mail: DevinLeary12@gmail.com

Phone: (410) 585-4041

June 2, 2016

Description of Friends of Lubavitch, Inc. Property to Accompany Petition for a Special Hearing, 14 Aigburth Road Towson, Maryland 21286 9th Election District, 15th Councilmanic District

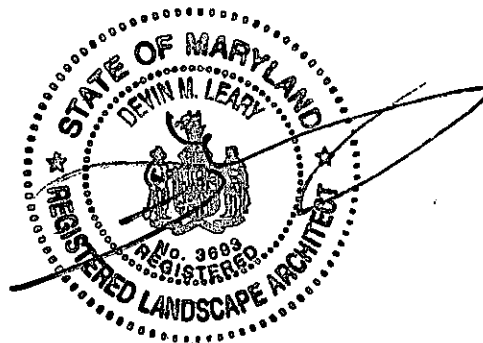
BEGINNING FOR THE SAME at point 210.55± feet west of the southwest corner of Aigburth Avenue and Cedar Avenue.

Thence:

1. South 71 degrees 08 minutes East 80.00 feet, thence,
2. South 20 degrees 00 minutes West 218.42 feet, thence,
3. North 71 degrees 08 minutes West 76.85 feet, thence,
4. North 19 degrees 11 minutes West 218.42 feet, to the place of beginning.

Containing 0.39 acres of land more or less.

Note: This Description has been prepared for zoning purposes only.



2016-0308-SP4

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 14, 2016 Issue - Jeffersonian

Please forward billing to:
David Zoll
16 Aigburth Road
Towson, MD 21286

443-255-6067

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2016-0308-SPH

14 Aigburth Road

S/s Aigburth Road, 210 ft. W/of Cedar Avenue

9th Election District – 5th Councilmanic District

Legal Owners: Friends of Lubavitch, Inc. c/o Mendel Menachem Rivkin, Rabbi
Petitioners of vicinal property (Aigburth Road, Cedar Avenue, Maryland Avenue)

Special Hearing: 1. To determine what the use of the property is under the BCZR; and
2. Whether the current use of the property constitutes a violation or noncompliance with the zoning regulations for (a) failure to obtain a change of occupancy permit to change the "use" of a residential dwelling to a church, other building for religious worship, other religious institution or some other use; (b) failure to obtain variances for building setback and parking requirements; and 3. Any other matters deemed necessary to bring the current use into compliance with County rules and regulations.

Hearing: Thursday, August 4, 2016 at 1:30 p.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 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.

David Zoll

16 Aigburth Road, Towson, MD, 21286

Howard & Flo Newman

^{taylor}
8 Maryland Avenue, Towson, MD, 21286

Paul S. Hartman

18 1/2 Cedar Avenue, Towson, MD, 21286

Devin Leary and Alexis Rohde

81 Cedar Avenue, Towson, MD, 21286

Robin Taylor Zoll, authorized as trustee of the Madge S Taylor and James F Taylor Trust

16 Aigburth Road, Towson, MD, 21286

Wanda Combs

76 Cedar Avenue, Towson, MD, 21286

Timothy H. & Lyn G. Phelps

23 Aigburth Road, Towson, MD, 21286

Preston R. & Kristin C. Schultze

21 Aigburth Road, Towson, MD, 21286

Diana and Donald Dagati

20 Aigburth Road, Towson, MD, 21286

Thomas P. and Lisa M. Kelly

74 Cedar Avenue, Towson, MD, 21286

Richard L. and Brenda D. Ames-Ledbetter

9 Maryland Avenue, Towson, MD, 21286

Sally A. Malena

18 Aigburth Road, Towson, MD, 21286

PETITIONERS TO BE
NOTIFIED

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/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 legal owner/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:

Case Number: 2016-0308-SPH
Property Address: 14 Aigburth Road, Towson, MD 21286
Property Description: S/S of Aigburth Road, 210' W. of Cedar Avenue

~~Legal Owners~~ (Petitioners): David Zoll, Paul Hartman, et.al
~~Contract Purchaser/Lessee~~: Legal Owner: Friends of Lobavitch, Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: David Zoll
Company/Firm (if applicable): _____
Address: 16 Aigburth Rd.
Towson MD 21286

Telephone Number: 443-255-6067

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

No. **139293**
 Date: **6/3/2016**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 6/06/2016 6/03/2016 10:52:36 3
 WSD3 WALKIN CAM
 RECEIPT # 679720 6/03/2016 OFLN
 Dept 5 528 ZONING VERIFICATION
 CT NO. 139293
 Recpt Tot \$75.00
 \$75.00 CK 4.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	1000		6150					75.00

Total: **75.00**

Rec From: **Devin Leary**
 For: **Special Hearing - 14 Algonquin Road**
2016-0302-SPH (David Zoli, Paul Hartman, et al.)

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

PAI # 090278 Pt. Bk. 0000038, Folio 0038

1966-0082-XA
1983-0062-XA
1971-0283-A

1700000871

8025

PAI # 090278

Pt. Bk./Folio # 038038A

DR 16

8021

9
0913129600

0913755030

2008-0118-SPHA
R-1973-0209-X

0913750031
17

19

0901020150

070A2

1978-0064-XA

4

2002-0513-SPH

10

2100005082

12

0920450090

1989-0093-A

1987-0017-SPHXA

2100005083

1997-0057-SPH

2002-0583-A

1999-0215-SPH

PAI PERMIT HOLD (See Arnold Jablon/Carl Richar)

0922250090

2016-0170-SPH
2015-0223-SPH

14

0904351760

16

5 CD

1

Lot # 1

PAI # 090806 2500004753

PAI # 090806 2008-0055-A

PAI # 090806

Pt. Bk./Folio # 0907403

PAI # 090806

NE 9-A

DR 5.5

070A3

CEDAR AVE

2

Lot # 2

2500004754
77
0913065600

Issue # 5-095

(No Development Allowed)

0915100040

74

0903230331

0902206160

Issue # 5-096

(No Development Allowed) 2016-0308-SPH

0923353480

0911350830

Lot # 3

0902656370

Lot # 2

Lot # 1
0902654590

R-1950-1685