

MEMORANDUM

DATE: June 13, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0276-A - Appeal Period Expired

The appeal period for the above-referenced case expired on June 12, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(Dogwood Road)

2nd Election District

4th Council District

Sher Ahmad & Zardana Noori

Legal Owners

Petitioners

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0276-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Sher Ahmad & Zardana Noori, legal owners of the subject property (“Petitioners”). Petitioners are requesting variance relief from Section 1A07.8.B.5.b of the Baltimore County Zoning Regulations (“BCZR”) to permit a dwelling with a setback of 150 ft. to the property line of a property that was cultivated or used for pasture land in the last three years (NW side of property) in lieu of the required 200 ft. setback. A site plan was marked as Petitioners’ Exhibit 1.

Sher Ahmad and architect Mohammed Mufti appeared in support of the petition. Two neighbors attended the hearing to obtain additional information regarding the request. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and the Department of Environmental Protection and Sustainability (“DEPS”). Neither agency opposed the request.

The site is approximately 16.324 acres in size and is zoned RC-6. Petitioners propose to construct a single-family dwelling on the lot but require zoning relief due to the 200 ft. setback requirement in the RC-6 regulations.

ORDER RECEIVED FOR FILING

Date 5/13/19

By Sen

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The large tract is more than four times deeper than it is wide. As such the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to construct a dwelling in the location proposed, which is essentially in the center of the lot. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this 13th day of May, 2019, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations ("BCZR") to permit a dwelling with a setback of 150 ft. to the property line of a property that was cultivated or used for pasture land in the last three years (NW side of property) in lieu of the required 200 ft. setback, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Prior to issuance of permits, Petitioners must comply with the ZAC comments submitted by the DOP and DEPS, copies of which are attached.
3. The adjoining property is in active agricultural use and Petitioners may be subject to noise, odors, fumes and similar discomforts. Such agricultural operation shall not be considered a public or private nuisance provided it is operated in compliance with

ORDER RECEIVED FOR FILING

Date 5/13/19
By Den

federal, state and/or county requirements.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slm

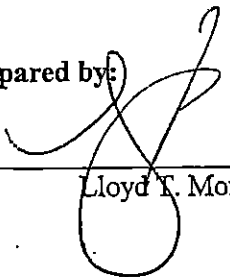
ORDER RECEIVED FOR FILING

Date 5/13/19

By slm

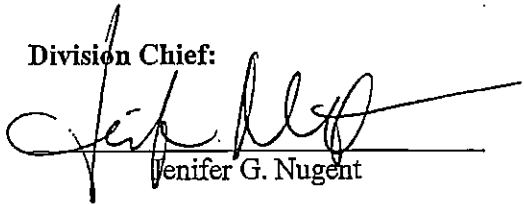
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

JM/JGN/LTM/

c: Wally Lippincott
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Mohammed Mufti
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

5/13/19

By

Sen



PETITION FOR ZONING HEARING(J,

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 DOGWOOD ROAD which is presently zoned RC 6
 Deed References: 41037/00332 10 Digit Tax Account # 160009009
 Property Owner(s) Printed Name(s) SHER AHMAD & ZARDANA NOORI

(SELECT THE HEARING(S) BY MARKING ☒ 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 whether or not the Zoning Commissioner should approve

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

3. ☒ a Variance from Section(s)

1A07.8.B.5.b. → To permit a new dwelling with a setback of 150 feet to the property line of a property that was cultivated or used for pasture land in the last 3 years (NW side of property) in lieu of the required 200 feet setback.

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)

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).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

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):

SHER AHMAD / ZARDANA NOORI
 Name #1 - Type or Print Name #2 - Type or Print

Signature #1

Signature #2

2507 HOLLIFIELD LANE, ELICOTT CITY, MD
 Mailing Address City State

21043 / 410-336-6504 / SHERAHMAD24@HOTMAIL
 Zip Code Telephone # Email Address COM

Representative to be contacted:

MOHAMMED MUFTI
 Name - Type or Print

Signature

12440 FREDERICK RD. WEST FRIENDSHIP, MD
 Mailing Address City State

21794 / 443-604-3127 / brmufti@gmail.com
 Zip Code Telephone # Email Address

CASE NUMBER 2019-0276-A

Filing Date 3/22/19

Do Not Schedule Dates: _____

Reviewer JS

THESE DOCUMENTS SONT LA PROPRIETE DE LA BIBLIOTHEQUE DE LA MAIRIE DE MONTREAL
ET NE DOIVENT PAS ETRE PRETES A LA DISPOSITION DU PUBLIC

 VARIANCE FROM ZONING SECTION

DIFFICULTY

REQUIRED BUILDING SETBACK ON NORTHWEST PROPERTY LINE IS 200 FEET DUE TO CULTIVATION OR PASTURE USE OF ADJACENT PROPERTY. CURRENTLY, ADJACENT PROPERTY IS NOT USED FOR AGRICULTURAL CULTIVATION AND OR AGRICULTURE.

 WE REQUEST A BUILDING SETBACK OF 150 FEET IN-LIEU OF REQUIRED 200 FEET. PLACING THE HOUSE WITH REQUIRED 200 FEET SETBACK WILL RESULT IN PUTTING THE HOUSE IN A STEEP SLOPE AREA.

2019-0776-1

Sherry Nuffer

From: Marty Ogle <mert1114@aol.com>
Sent: Thursday, May 9, 2019 3:27 PM
To: Administrative Hearings
Subject: 2019-0276-A



CAUTION: This message from mert1114@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

2nd set of certificates for Dogwood Rd.

CERTIFICATE OF POSTING

CASE NO. 2019-0276-A
PETITIONER/DEVELOPER
SHER AHMAD
ZARDANA NOEL
DATE OF HEARING/CLOSING
5/10/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMAN
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT DOGWOOD ROAD SIGN #2

THIS SIGN(S) POSTED ON April 18, 2019 May 7, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle 4/18/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

A photograph of a white sign with black text that reads "ZONING" and "Case # 2019-0276-A". The sign is posted on a grassy area next to a road. Below the photograph, there is a handwritten signature "Marty Ogle" and the date "5/7/19".

RECEIVED
JAN 10 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

10-1-64

CERTIFICATE OF POSTING

CASE NO. 2019-0276-A

PETITIONER/DEVELOPER

SHER ALIAD

ZARDANA NOOL

DATE OF HEARING/CLOSING

5/10/19

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 CONSCIOUSLY ON
THE PROPERTY LOCATED AT

DREAMS ROAD

500 #1

THE SIGN(S) POSTED ON

April 10, 2019

(MONTH, DAY, YEAR)

April 7, 2019

SINCERELY,

[Signature] 4/10/19

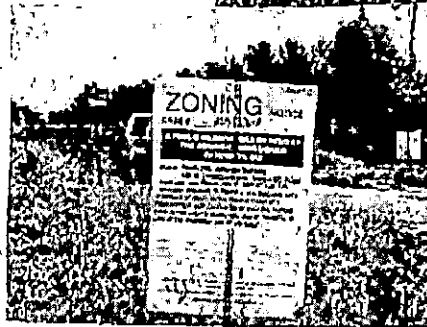
SIGNATURE OF SIGN POSTER

MARTIN COLE

9912 MAIDSBROOK ROAD

PARKVILLE, MD 21234

410-679-3411



[Signature] 5/10/19

Sent from my iPhone

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

4/19/2019

Order #: 11730130
Case #: 2019-0276-A
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0276-A



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0276-A

Dogwood Road

NE/s Dogwood Road, s/east of Wrights Mill Road

2nd Election District - 4th Councilmanic District

Legal Owners: Sher Ahmad, Zardana Noori

Variance to permit a new dwelling with a setback of 150 ft. to the property line of a property that was cultivated or used for pasture land in the last 3 years (N/w side of property) in lieu of the required 200 ft. setback.

Hearing: Friday, May 10, 2019 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

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 410-837-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-837-3391.

ap19

CERTIFICATE OF POSTING

CASE NO. 2019-0276-A

PETITIONER/DEVELOPER

SHER AHMAD
ZARDANA NOORI

DATE OF HEARING/CLOSING

5/10/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

DOGWOOD ROAD SIGN #2

THIS SIGN(S) POSTED ON April 18, 2019
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 4/18/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

SIG 2

ZONING NOTICE

CASE # 20M-0276-A

**A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD**

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave., Towson MD 21204

DATE AND TIME: FRIDAY, MAY 3, 2019 AT 1:30 P.M.

REQUEST: (VARIOUS) TO PERMIT A NEW DWELLING WITH A
SETBACK 180 FT TO THE PROPERTY LINE OF A PROPERTY THAT
WAS QUANTIFIED TO BE USED FOR INDUSTRIAL LAND IN THE LAST
3 YEARS (NEW SIDE OF PROPERTY) IN LIEU OF THE REQUIRED
200 FT. SETBACK

THIS NOTICE IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY. THE INFORMATION CONTAINED HEREIN IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY.

HANDICAPPED ACCESSIBLE

Walter Sle 4/18/19

CERTIFICATE OF POSTING

CASE NO. 2019-0276-A

PETITIONER/DEVELOPER

SHER AHMAD
ZARDANA NOORI

DATE OF HEARING/CLOSING

5/10/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

DOGWOOD ROAD SIGN #1

THIS SIGN(S) POSTED ON April 18, 2019
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 4/18/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

4/18/19 of [Signature]

56495

ZONING

NOTICE

CASE # 2019-0276-A

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

Place: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204
DATE AND TIME: Friday, May 10, 2019 at 1:30 P.M.
REVIEWER: WAHLEND TO REVIEW A ZED DISTRICT WITH
A SEVERAL 1ST ST. IN THE PROPERTY LOTS AT A
PROPERTY THAT WAS CURRENTLY IN USE FOR MUTUAL
LAND IN THE LAST 2 YEARS (IN USE OF PROPERTY IN
LIVE OF THE REQUESTS AND IN STRIKE

PLANNED AND APPROVED AFTER CONSIDERATION
DATE: 4/18/19



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 11, 2019

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: 2019-0276-A

Dogwood Road

NE/s Dogwood Road, s/east of Wrights Mill Road

2nd Election District – 4th Councilmanic District

Legal Owners: Sher Ahmad, Zardana Noori

Variance to permit a new dwelling with a setback of 150 ft. to the property line of a property that was cultivated or used for pasture land in the last 3 years (N/w side of property) in lieu of the required 200 ft. setback.

Hearing: Friday, May 10, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Mike Mohler".

Mike Mohler
Director

MM:kl

C: Sher Ahmad, Zardana Noori, 2507 Hollifield Lane, Ellicott City 21043
Mohammad Mufti, 12440 Frederick Road, West Friendship 21794

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 21, 2019.**
- (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.**

TO: THE DAILY RECORD
Friday, April 20, 2019 - Issue

Please forward billing to:
Sher Ahmad
2507 Hollifield Lane
Ellicott City, MD 21043

410-336-6504

NOTICE OF ZONING HEARING

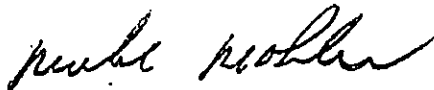
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CASE NUMBER: 2019-0276-A

Dogwood Road
NE/s Dogwood Road, s/east of Wrights Mill Road
2nd Election District – 4th Councilmanic District
Legal Owners: Sher Ahmad, Zardana Noori

Variance to permit a new dwelling with a setback of 150 ft. to the property line of a property that was cultivated or used for pasture land in the last 3 years (N/w side of property) in lieu of the required 200 ft. setback.

Hearing: Friday, May 10, 2019 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Mike Mohler
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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
Dogwood Road; NE/S Dogwood Road, 2100' *
SE of the c/line with Wrights Mill Road * OF ADMINISTRATIVE
2nd Election & 4th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Sher Ahmad & Zardana Noori*
Petitioner(s) * BALTIMORE COUNTY
* 2019-276-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.

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

RECEIVED

APR 04 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to Mohammed Mufti, 12440 Frederick Road, West Friendship, MD 21794, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**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/neighbor 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 twenty (20) 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: 2019-0276-A

Property Address: DOLWOOD ROAD (16-00-009009)

Property Description: 2950' SE OF WRIGHTS MILL ROAD, 16.324 ACRES

Legal Owners (Petitioners): SHER AHMAD + ZARANA MUHAMMAD

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: SHER AHMAD

Company/Firm (if applicable): _____

Address: 2507 HOLIFIELD LANE

ELLICOTT CITY, MD 21043

Telephone Number: 410-336-6504

Revised 7/9/2015

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

No. **181961**

PAID RECEIPT

Date: **3/22/19**

BUSINESS 3/25/2019 ACTUAL 3/22/2019 TIME 11:12:15 DRN 5

REG MSD5 WALKIN LRB
 >>RECEIPT # 000854 3/22/2019 OFLN

Dept 5 528 ZONING VERIFICATION
 181961

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6100				\$ 75.00

Recpt Tot \$ 75.00
 .00 CK 80.00 CA
 5.00- CG
 Baltimore County, Maryland

Total: **\$ 75.00**

Rec

From: **ARMAS/ MOORE**

For:

2019-0276-A

**CASHIER'S
 VALIDATION**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, Director
Department of Permits,
Approvals & Inspections

May 1, 2019

Sher Ahmad & Zardana Moori
2507 Hollifield Lane
Ellicott City MD 21043

RE: Case Number: 2019-0276-A, Dogwood Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 22, 2019. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Mohammep Mufti 12440 Frederick Road West Friendship MD 21794

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Department of Permits, Approvals and Inspections

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-276

DATE: 4/17/2019



INFORMATION:

Property Address: Dogwood Road (East of 8322 Dogwood Road)
Petitioner: Sher Ahmad, Zardana Noori
Zoning: RC 6
Requested Action: Variance

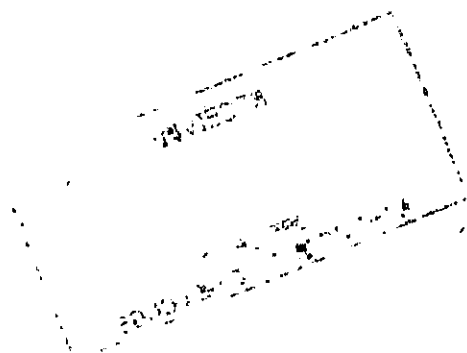
The Department of Planning has reviewed the petition for a variance to permit a new dwelling with a setback of 150 feet to the property line that was cultivated or used for pasture in the last 3 years (NW side of property) in lieu of the required 200 foot setback.

A site visit was conducted on April 12, 2019. Dogwood Road is a Baltimore County Scenic Route.

The site is within the Patapsco//Granite Area Community Plan which seeks to preserve the rural character of the area.

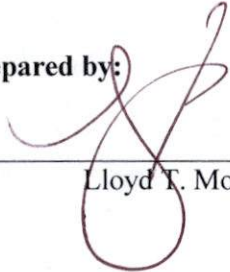
The Department finds the requested zoning action is consistent with applicable BCZR regulation and has no objection to granting the petitioned zoning relief provided certain performance standards, as established in BCZR § 1A07.8.C and discussed below, are followed:

- The principal residence shall be sited forward or closer to the public right of way at least 75' to be consistent with the improvements on each side and to avoid the natural swale occurring on site.
- Pursuant to BCZR § 1A07.8.C.2.c buildings must reflect the traditional rural character of the area. Petitioners shall submit to the contact person listed below architectural elevations for the principal residence and any accessory structure requiring permit at the time of application for said permits.
- Orient the dwelling front to the public right-of-way.
- Building(s) shall have similar treatment of materials to all exterior walls with respect to color and architectural details.
- As per Division VI, Section A of the Comprehensive Manual of Development Policies (CMDP) retain the berm along Dogwood Road and supplement with additional plantings of indigenous species to create a naturalistic focused view as described within the CMDP.



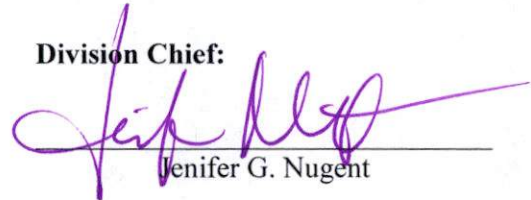
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

JM/JGN/LTM/

c: Wally Lippincott
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Mohammed Mufti
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Department of Permits, Approvals and Inspections

DATE: 4/17/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-276

INFORMATION:

Property Address: Dogwood Road (East of 8322 Dogwood Road)

Petitioner: Sher Ahmad, Zardana Noori

Zoning: RC 6

Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit a new dwelling with a setback of 150 feet to the property line that was cultivated or used for pasture in the last 3 years (NW side of property) in lieu of the required 200 foot setback.

A site visit was conducted on April 12, 2019. Dogwood Road is a Baltimore County Scenic Route.

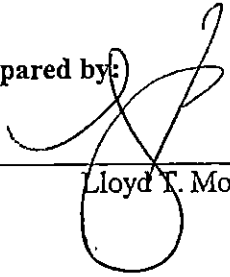
The site is within the Patapsco//Granite Area Community Plan which seeks to preserve the rural character of the area.

The Department finds the requested zoning action is consistent with applicable BCZR regulation and has no objection to granting the petitioned zoning relief provided certain performance standards, as established in BCZR § 1A07.8.C and discussed below, are followed:

- The principal residence shall be sited forward or closer to the public right of way at least 75' to be consistent with the improvements on each side and to avoid the natural swale occurring on site.
- Pursuant to BCZR § 1A07.8.C.2.c buildings must reflect the traditional rural character of the area. Petitioners shall submit to the contact person listed below architectural elevations for the principal residence and any accessory structure requiring permit at the time of application for said permits.
- Orient the dwelling front to the public right-of-way.
- Building(s) shall have similar treatment of materials to all exterior walls with respect to color and architectural details.
- As per Division VI, Section A of the Comprehensive Manual of Development Policies (CMDP) retain the berm along Dogwood Road and supplement with additional plantings of indigenous species to create a naturalistic focused view as described within the CMDP.

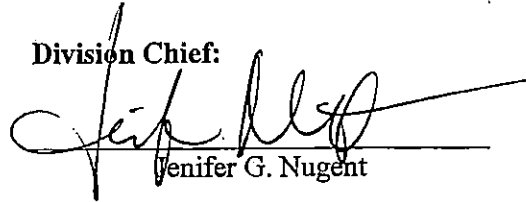
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

JM/JGN/LTM/

c: Wally Lippincott
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Mohammed Mufti
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

DATE: April 22, 2019

FROM: *MCD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For April 08, 2019
Item No. 2019-0276-A, 0277-SPH, 0278-A, 0279-A & 0280-A

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

*

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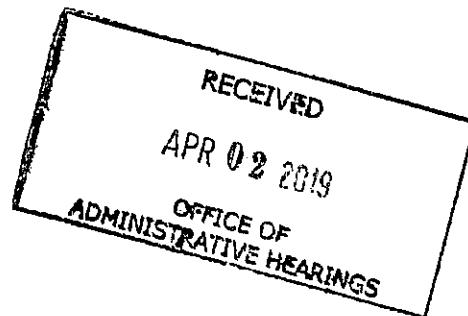
*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: April 2, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0276-A
Address Dogwood Road
(Ahmad & Noori Property)

Zoning Advisory Committee Meeting of April 8, 2019.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Prior to building permit approval, a Forest Buffer Easement and Declaration of Protective Covenants must be recorded via Exhibit A and a Single Lot Declaration of Intent to address Forest Conservation Law filed with EPS if forest clearing will not exceed 20,000 square feet.

Reviewer: Glenn Shaffer

ORDER RECEIVED FOR FILING

Date 5/13/19

By Sh

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Department of Permits, Approvals and Inspections

FROM: Jeff Mayhew
Acting Director, Department of Planning

DATE: 4/17/2019

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
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ORDER RECEIVED FOR FILING

Date

5/13/19

By

sen

5-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
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DATE: April 2, 2019

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(Ahmad & Noori Property)

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Reviewer: Glenn Shaffer

Date: 4/1/19

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019-0276A

Variance
Sher Ahmad & Zandana Noori
Dogwood Road

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

4/22

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

NO Comments

4/2

DEPS
(if not received, date e-mail sent _____)

Comment

4/17

FIRE DEPARTMENT
PLANNING
(if not received, date e-mail sent _____)NO objection
w/ conds

4/1

STATE HIGHWAY ADMINISTRATION

NO
objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 4/19/19

SIGN POSTING (1st) Date: 4/18/19 by CgeSIGN POSTING (2nd) Date: 5/7/19 by CgePEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

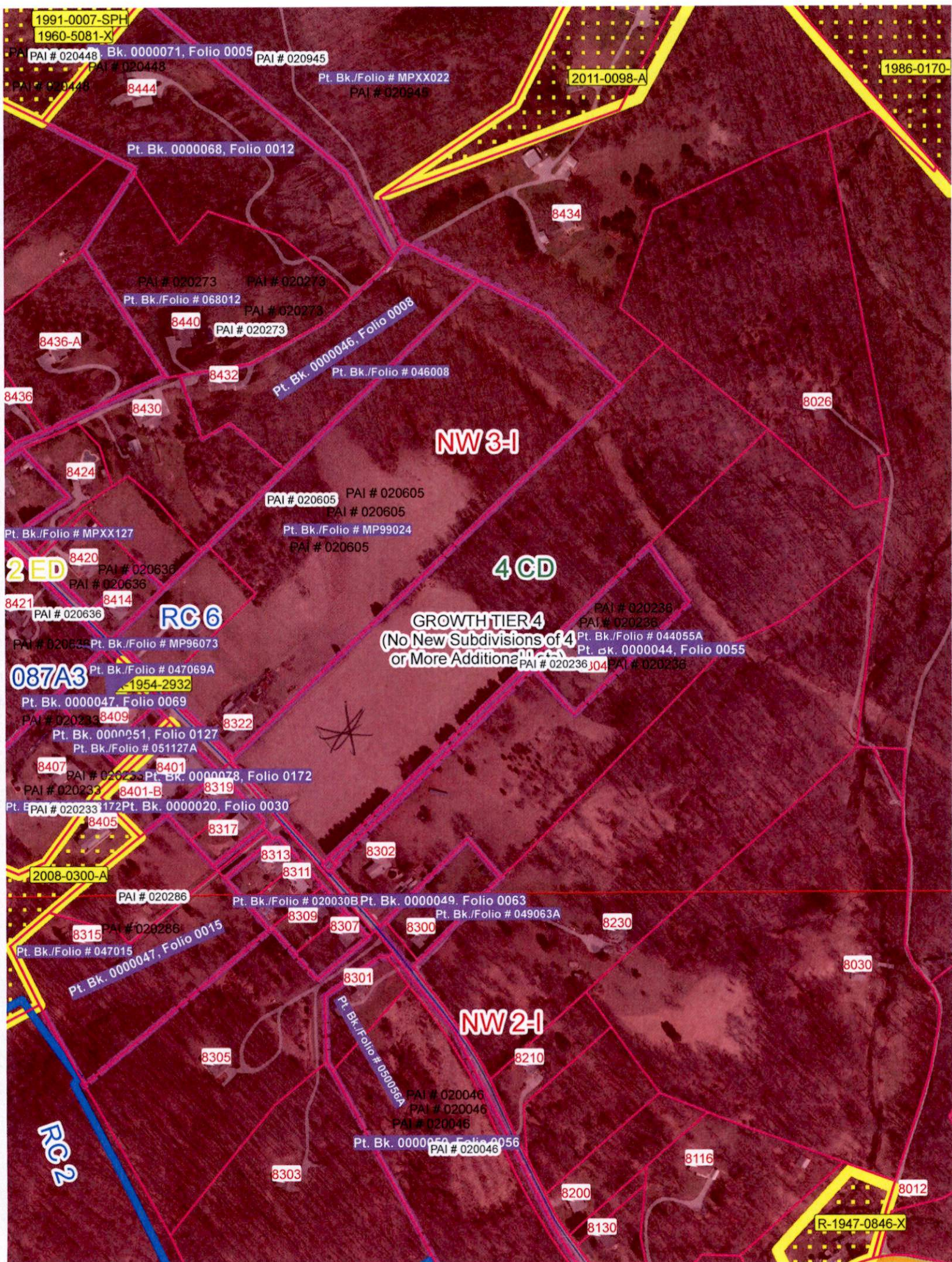
Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 02 Account Number - 1600009009			
Owner Information					
Owner Name:	AHMAD SHER NOORI ZARDANA		Use:	RESIDENTIAL	
Mailing Address:	2507 HOLLIFIELD LANE ELLCOTT CITY MD 21043-		Principal Residence:	NO	
			Deed Reference:	/41037/ 00332	
Location & Structure Information					
Premises Address:		DOGWOOD RD 0-0000		Legal Description:	16.324 AC NES DOGWOOD 2950 SE WRIGHTS MILL RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0087	0020	0506		0000	
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			16.3240 AC	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2019	07/01/2018	07/01/2019	
Land:	130,600	130,600			
Improvements	0	0			
Total:	130,600	130,600	6,100	130,600	
Preferential Land:	0			0	
Transfer Information					
Seller: GRILL TALBOTT C		Date: 01/09/2019		Price: \$250,000	
Type: ARMS LENGTH IMPROVED		Deed1: /41037/ 00332		Deed2:	
Seller: GRILL TALBOTT C		Date: 07/31/1990		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /08554/ 00201		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Homeowners' Tax Credit Application Status: No Application

Date:



1991-0007-SPH
1960-5081-X

PAI # 020448 Bk. 0000071, Folio 0005 PAI # 020945

PAI # 020448

Pt. Bk./Folio # MPXX022
PAI # 020945

2011-0098-A

1986-0170-

Pt. Bk. 0000068, Folio 0012

PAI # 020273 PAI # 020273
Pt. Bk./Folio # 068012 PAI # 020273

PAI # 020273

Pt. Bk. 0000046, Folio 0008

Pt. Bk./Folio # 046008

NW 3-1

PAI # 020605 PAI # 020605
PAI # 020605
Pt. Bk./Folio # MP99024
PAI # 020605

4 CD

2 ED

RC 6

GROWTH TIER 4
(No New Subdivisions of 4
or More Acres)

087A3

PAI # 020636 Pt. Bk./Folio # MP96073

Pt. Bk./Folio # 047069A

1954-2932

Pt. Bk. 0000047, Folio 0069

PAI # 020233 8409

Pt. Bk. 0000051, Folio 0127

Pt. Bk./Folio # 051127A

PAI # 020233 Pt. Bk. 0000078, Folio 0172

PAI # 020233 8401-B 8319

Pt. Bk. 0000020, Folio 0030

PAI # 020233 8405

2008-0300-A

PAI # 020286

Pt. Bk./Folio # 020030B Pt. Bk. 0000049, Folio 0063

Pt. Bk./Folio # 049063A

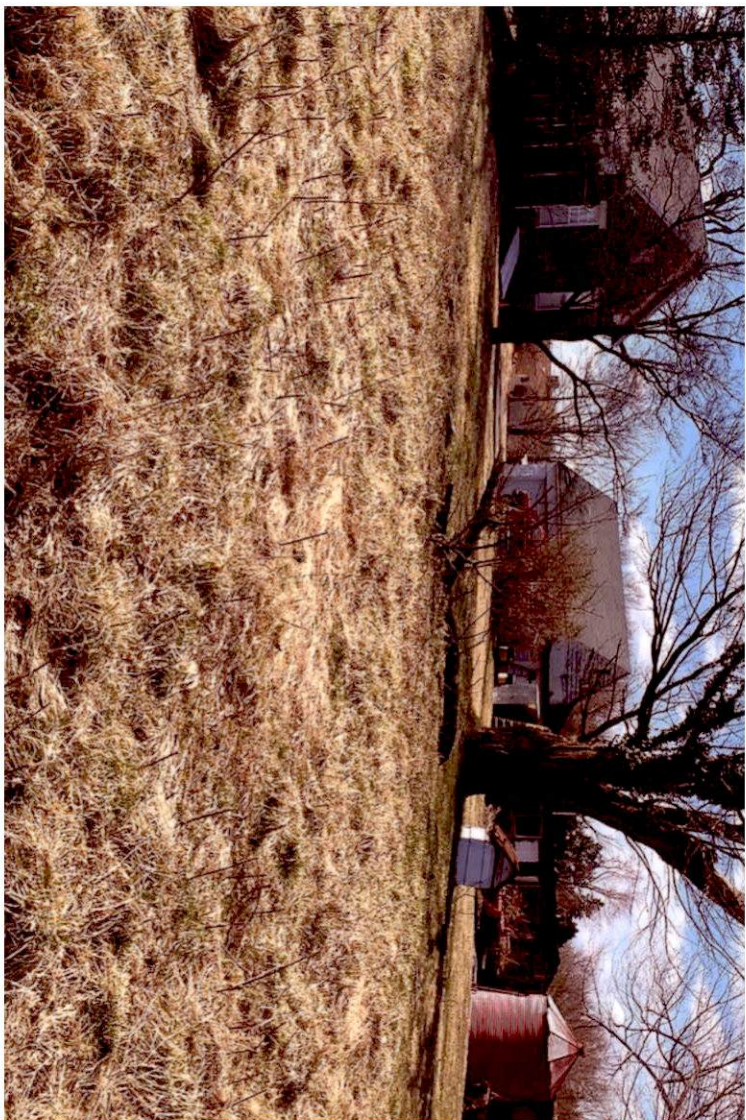
Pt. Bk./Folio # 047015
Pt. Bk. 0000047, Folio 0015

RC 2

NW 2-1

Pt. Bk./Folio # 050056A
PAI # 020046
PAI # 020046
PAI # 020046
Pt. Bk. 0000050, Folio 0056
PAI # 020046

R-1947-0846-X



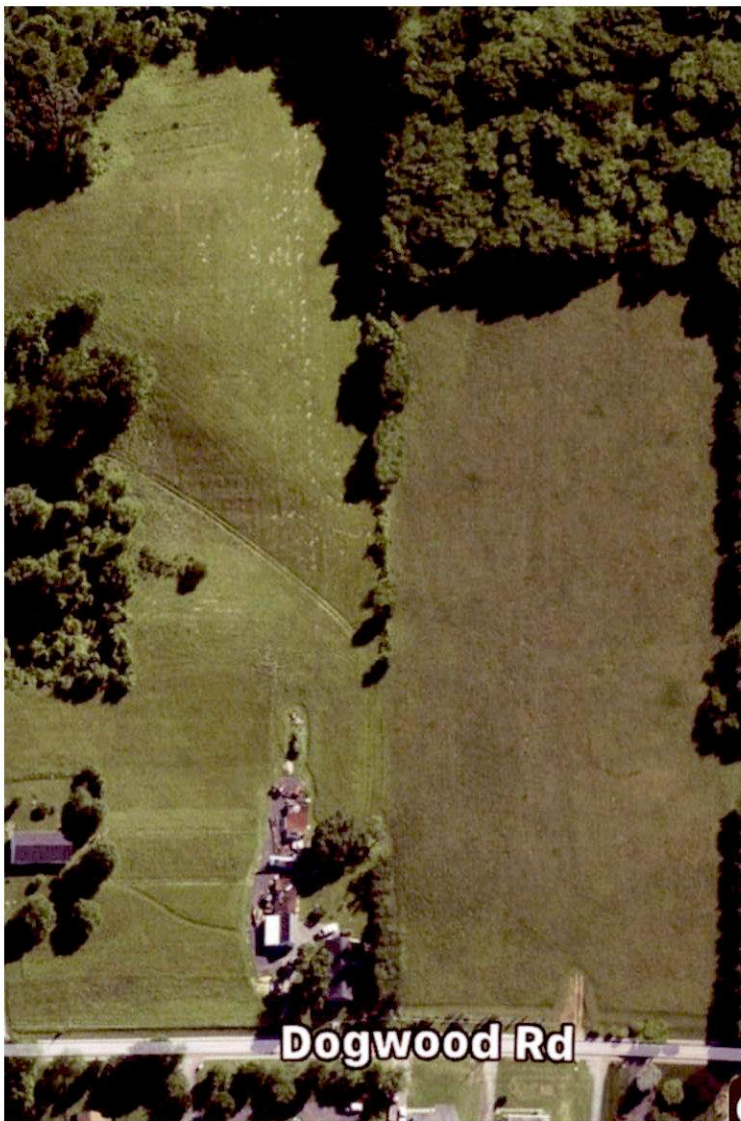


NEIGHBOUR'S PROPERTY









Dogwood Rd

An aerial photograph showing a rural landscape. A large, open field occupies the center-left portion of the image. To the left of the field is a dense, dark green forest. To the right of the field is a road labeled "Dogwood Rd" in white text. Along the road, there are several houses and buildings, some with dark roofs and others with lighter roofs. The road runs vertically through the right side of the image. The overall scene is a mix of natural and developed land.

Dogwood Rd



8322 Dogwood Rd



2D



