MEMORANDUM

DATE: April 1, 2021

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2020-0261-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on March 29, 2021. 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.'

c: Case File
Office of Administrative Hearings

/dlw

IN RE: **PETITION FOR SPECIAL HEARING**	*	BEFORE THE
(900 Army Road)		
9th Election District	*	OFFICE OF
2nd Council District		
Elizabeth & Ziad Bakri	*	ADMINISTRATIVE HEARINGS
Legal Owners		
	*	FOR BALTIMORE COUNTY
Petitioners		
	*	**Case No. 2020-0261-SPH**

* * * * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Special Hearing filed by Elizabeth and Ziad Bakri for the property located at 900 Army Rd., Ruxton, MD (the "Property"). The Special Hearing was filed pursuant to the Baltimore County Zoning Regulations ("BCZR") §500.7 to modify Condition 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. The Petitioner Elizabeth Bakri appeared along with Patrick D. Jarosinski, the architect who prepared a site plan of the Property. (Pet. Ex. 3). Adam Rosenblatt, Esquire and Venable, LLP represented the Petitioners. There were no Protestants or interested citizens in attendance.

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") and from the Department of Environmental Protection and Sustainability ("DEPS"). Those agencies did not oppose the requested relief.

FACTS AND EVIDENCE

The case proceeded by way of modified proffer from Mr. Rosenblatt who described the Property using an aerial photo showing its location. (Pet. Ex. 1). The Property is approximately

2.734 acres and is split-zoned density-residential (DR 1 and DR 2). In 2015, the Petitioners' predecessors in title were granted a variance from side and front yard setbacks as well as from height regulations (Case No. 2015-0006-A). The Order in that case prohibited the detached garage from having bathroom facilities. (Pet. Ex. 2). A photo of the detached garage was presented. (Pet. Ex. 4). Ms. Bakri testified that she is requesting a full bathroom with a tub/shower for personal, family use. Ms. Bakri worked with the Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc. ("RRLRAIA") to prepare a Restrictive Covenant Agreement dated September 8, 2020 wherein the parties have agreed that the garage would not be converted into an apartment or dwelling unit, will not have a bedroom, and will not have a kitchen. (Pet. Ex. 5). Mr. Jarosinski testified that he applied for the Variance relief in the prior case in 2015 and that he designed the detached garage. (Pet. Exs. 2, 4).

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

> The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). After considering the testimony and evidence, I am persuaded that the Petition for Special Hearing is the appropriate relief under BCZR, §500.7 and should be granted. Based on the evidence presented, I find that the bathroom facilities can be added to the existing detached garage within the spirit and intent of

the BCZR and without harming the general public.

THEREFORE, IT IS ORDERED this **25th** day of **February, 2021** by this Administrative Law Judge, that the Petition for Special Hearing seeking relief from the BCZR § 500.7 to Modify Condition No. 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage 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. Petitioners and all subsequent owners shall not convert the detached garage into a dwelling unit or apartment. The detached garage shall not contain any sleeping quarters, living area, and/or kitchen.

3. The detached garage shall not be used for commercial purposes.

4. A copy of the Restrictive Covenant Agreement dated September 8, 2020 is attached hereto and incorporated herein in its entirety.

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

Maureen E. Murphy

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

PMM/dlm
Attachment: Restrictive Covenant Agreement

ORDER RECEIVED FOR FILING

Date 2-25-21

By DW

RESTRICTIVE COVENANT AGREEMENT

THIS RESTRICTIVE COVENANT AGREEMENT (this "Agreement") is made this ___ day of 9/8/___, 2020 (the "Effective Date"), by and between ZIAD BAKRI and ELISABETH BAKRI, (singly and collectively the "Owner"), and THE RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC., a Maryland Corporation ("RRLRAIA"). The Owner and RRLRAIA are collectively referred to as the "Parties."

RECITALS:

A. Owner is the owner by the entireties of property in the Ruxton area of Baltimore County (the "County") with improvements on it known as 900 Army Road and further described in a deed dated November 15, 2019, and recorded among the land records of Baltimore County in Liber 42165, folio193 (the "Property").

B. RRLRAIA is an association of residents in the area surrounding the Property interested in preserving the existing character of the area in the vicinity of the Property and protecting the community from inappropriate types of land uses.

C. The Property was the subject of zoning variance Case No. 2015-0006-A, wherein the prior owner of the Property sought and obtained a variance to construct a detached garage (the "Garage") in the side or front yard of the dwelling on the Property with a height of twenty-two feet (22') in lieu of the maximum permitted fifteen (15') feet. A copy of the zoning order (the "Zoning Order") is attached hereto as Exhibit A. The Zoning Order imposed a condition stating that the then owner and any subsequent owners "... shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living room area, kitchen or bathroom facilities."

D. The Owner desires to convert a portion of the Garage to an exercise room and a play area for their children and to construct a full bathroom with a shower.

E. The Owner is prepared to file a petition for special hearing (the "Special Hearing Request") to modify the conditions imposed in the afore-mentioned Zoning Order to permit the bathroom, exercise room and play area in the Garage.

F. RRLRAIA has expressed a willingness not to contest the Special Hearing Request provided that certain safeguards are put in place to ensure that the garage is not converted into an apartment or living quarters in violation of the BCZR.

WITNESSETH

NOW, THEREFORE, in consideration of the mutual agreements and understandings contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Agreements.**

A. To the Parties knowledge, the foregoing Recitals are true and correct and are incorporated herein by reference.

B. The Owner agrees that:

i. The Garage will not be rented, leased, or otherwise used as a second living space on the Property or contain a bedroom. The Garage will only be used as a recreational room, home gym area, or other area for private, personal use of the residents living in the single-family dwelling on the Property and not as a bedroom.

ii. There shall be no kitchen in the Garage.

iii. In the event the Special Hearing request is granted, Owner and its successors or assigns will permit Baltimore County, upon reasonable notice of at least three (3) days, to inspect the Garage every three (3) years to ensure that it is not converted into an apartment, bedroom or living space or that kitchen equipment has been installed.

C. At the time of the Zoning Special Hearing the Owner shall present a copy of this Restrictive Covenant Agreement for incorporation into any Zoning Order granting the requested relief.

D. This Restrict Covenant Agreement shall become effective upon the Zoning Order granting the Special Hearing relief becoming final and unappealable.

2. **Binding Effect.** Within ten (10) days of any Zoning Order granting the requested relief becoming final, Owner shall record this Agreement among the Land Records of Baltimore County, at Owner's sole expense. This Agreement and the Parties' rights and obligations hereunder shall run with and bind the Property and shall be binding upon and inure to the benefit of the Parties' personal representatives, heirs, successors, and assigns. Upon the assignment or sale by Owner of the Property, Owner shall be relieved of all liabilities hereunder, but all purchasers and assignees shall be bound by the terms hereof. Owner shall promptly provide, at its own cost, a copy of the recorded Agreement to the RRLRAIA. If Owner fails to timely record this Agreement, then the RRLRAIA may do so and the Owner shall reimburse the RRLRAIA for their actual costs within thirty (30) days of Owner's receipt of the bill for such costs.

3. **Enforcement.** If any of the Parties is required to institute legal action to enforce the terms of this Agreement and is successful thereafter (whether by judgment or by settlement) in obtaining enforcement of this Agreement, the successful party shall be entitled to recover reasonable attorneys' fees and other reasonable costs of the action from the party against whom enforcement is obtained. However, as a prerequisite to recovery of fees and costs under this paragraph, the party seeking enforcement shall serve the alleged violator of this Agreement with written notice of the violation, and only if the alleged violator has failed to remedy or make substantial progress toward remedying the violation within thirty (30) days after receipt of this notice may legal action be instituted. Failure in any instance to enforce any of the covenants,

restrictions, and conditions contained in this Agreement shall in no way constitute a waiver or estoppel of the right to enforce the same or any other covenant, restriction, or condition of this Agreement.

4. **Notices.** All notices required by this Agreement shall be hand-delivered or sent by certified mail, postage prepaid, return receipt requested or by nationally recognized overnight delivery service, to the following addresses:

Owner: Ziad Bakri
Elisabeth Rakri
900 Army Road
Towson, Maryland 21204-6703

RRLRAIA: The Ruxton-Riderwood-Lake Roland Improvement Association, Inc.
8013 Bellona Avenue
Towson, Maryland 21204
Attn: Current President

If via USPS:
P. O. Box 204
Riderwood, MD 21139

cc: John B. Gontrum, Esq.
Whiteford Taylor Preston, LLP
1 Pennsylvania Avenue, Suite 300
Towson, MD 21204

Each of the Parties is responsible for updating the other party of any changes in the parties/addresses provided above, and any changes to the identified notice parties/addresses shall be made in writing to the other party.

5. **Miscellaneous.**

A. This Agreement may be amended only by written instrument executed by the Parties or any subsequent owner of the Property and RRLRIA.

B. The Parties hereto warrant and represent that they have taken all necessary action required to be taken by their respective governing documents to authorize the execution of this Agreement.

C. This Agreement, which may be executed in separate counterparts, contains the entire understanding of the Parties.

D. The Parties each warrant that they have carefully read and understand this Agreement, are cognizant of its terms, and have had ample time to consult with counsel of their choice regarding their respective rights and obligations in connection herewith.

IN WITNESS THEREOF, the parties have executed this Agreement as of the date of the last acknowledgement.

WITNESS:

OWNER:

_____ _____(SEAL)
ZIAD BAKRI

_____ _____(SEAL)
ELISABETH BAKRI

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC.

_____ BY: _____(SEAL)

STATE OF MARYLAND, COUNTY OF Baltimore
TO WIT:

I HEREBY CERTIFY, that on this 8th day of September, 2020, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared ZIAD BAKRI and ELISABETH BAKRI known to me, or satisfactorily proven, to be the parties whose names are subscribed to the within instrument, and that they executed the foregoing instrument for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My commission expires: 11-15-2020

GERALD DIAZ
Notary Public, State of Maryland
Baltimore County
Commission Expires Nov. 15 2021

ORDER RECEIVED FOR FILING
Date 2-25-21
By

STATE OF MARYLAND, COUNTY OF Baltimore,
TO WIT:

I HEREBY CERTIFY, that on this 15th day of September, 2020, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Henry Ward Classen known to me, or satisfactorily proven, to be an officer of The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., and affirmed that he/she had the authority to act on its behalf, and that he/she executed the foregoing instrument for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Darlene E Ramsey
Notary Public

DARLENE E. RAMSEY NOTARY PUBLIC BALTIMORE CO., MD

My commission expires: 6-19-22

CERTIFICATION

This is to certify that the within instrument was prepared by an attorney admitted to practice before the Court of Appeals of Maryland.

John B. Gontrum

ORDER RECEIVED FOR FILING
Date 2-25-21
By DW

Debra Wiley

From: Debra Wiley
Sent: Thursday, February 25, 2021 2:06 PM
To: Janice M Kemp
Cc: Donna Mignon
Subject: Web Posting
Attachments: 2020-0261-SPH.docx; Case No. 2020-0261-SPH Restrictive Covenant Agreement - Attachment to Order.pdf

Hi Janice,

Please post the following to the web:

Case No. 2020-0261-SPH
Hearing: 2/16/21; Order: 2/25/21

**** Please make sure that attachment (Restrictive Covenant Agreement) gets posted since it is part of the Order.

Thanks and have a great day.

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 900 Army Road **which is presently zoned** DR 1; DR 2

Deed References: 42165 / 193 10 Digit Tax Account # 0 9 0 2 6 5 3 7 5 0

Property Owner(s) Printed Name(s) Elizabeth and Ziad Bakri

(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. X **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
Special Hearing to modify Condition No. 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.

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).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED

Name #1 – Type or Print Name #2 – Type or Print

Signature #1 Signature # 2

900 Army Rd, Baltimore MD

Mailing Address City State

21204 / 5135208771 / uiblee@gmail.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Adam M. Rosenblatt

Name- Type or Print

Signature

210 W. Pennsylvania Ave, Suite 500, Towson, Maryland

Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com

Zip Code Telephone # Email Address

Representative to be contacted:

Adam M. Rosenblatt

Name – Type or Print

Signature

210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland

Mailing Address City State

21204 / 410-494-6271 / amrosenblatt@venable.com

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 2-25-21

CASE NUMBER 2020-0261-SPH **Filing Date** 10/21/20 **Do Not Schedule Dates:** _____ **Reviewer** JS

REV. 10/4/11

ATTACHMENT TO
ZONING PETITION

OWNER:

900 Army Road
Towson, MD 21204

Name: Elizabeth Bakri

Name: Ziad Bakri

ZONING DESCRIPTION FOR 900 Army Road, Towson, Maryland 21204

Beginning at a point on the North side of Army Road, which is 50' wide at the distance of 105 feet South of the centerline of the nearest improved street (Army Road) which is 50' wide, as recorded in Baltimore County Plat Book # 16, Folio # 76, containing 2.734 acres. Also known as 900 Army Road, Towson, Maryland 21204 and located in the 9th Election District, 1st Councilmanic District.

2020-0261-SPH

2-1-21
10 Am
2020-0261-SPH

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits, Approvals & Inspections

January 8, 2021

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0261-SPH
900 Army Road
North side of Army Road, west of Malvern Avenue
9th Election District – 2nd Councilmanic District
Legal Owners: Ziad & Elizabeth Bakri

Special Hearing to modify Condition No. 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.

Hearing: Monday, February ~~2~~ 1, 2021 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director

MM:kl

C: Adam Rosenblatt, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Mr. & Mrs. Bakri, 900 Army Road, Baltimore 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 12, 2021**

CERTIFICATE OF POSTING

RE: Case No.: **2020-0261-SPH**

Petitioner/Developer: **Ziad & Elisabeth Bakri**

Date of Hearing/Closing: **February 1, 2021**

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN Group**

The sign(s) were posted on **January 15, 2021**
(Month, Day, Year)

Sincerely,

January 15, 2021

(Signature of Sign Poster) ***(Date)***

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 2020-0261-SPH

Petitioner/Developer: Ziad & Elisabeth Bakri

Date of Hearing/Closing: February 1, 2021

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

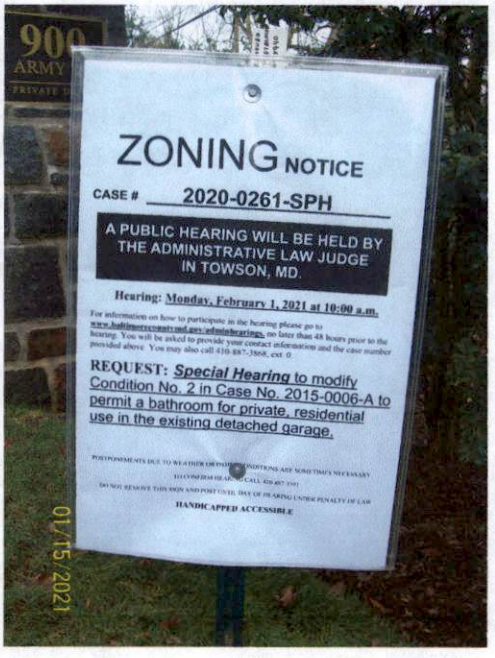
Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN 1**

The sign(s) were posted on January 15, 2021
(Month, Day, Year)



Sincerely,

January 15, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 2020-0261-SPH

Petitioner/Developer: Ziad & Elisabeth Bakri

Date of Hearing/Closing: February 1, 2021

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN 2**

The sign(s) were posted on January 15, 2021
(Month, Day, Year)

Sincerely,

January 15, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

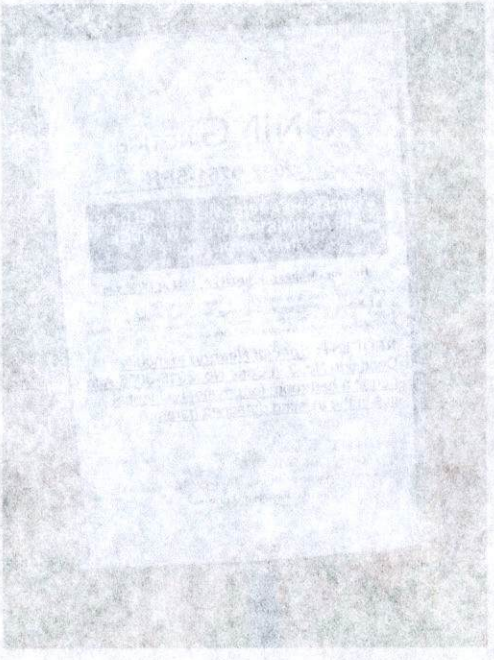
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



2-1-21 now
2-16-21
1:30 pm

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Thursday, January 28, 2021 7:46 PM
To: Barbara Lukasevich; CARobinson@Venable.com; amrosenblatt@venable.com; Administrative Hearings
Subject: Recertification's For 2020-0261-SPH
Attachments: Re-Cert 1 2020-0261-SPH.doc; Re-Cert 2 2020-0261-SPH.doc; Re-Cert Group 2020-0261-SPH.doc

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Recertification's for 900 Army Road. Thanks.

CERTIFICATE OF POSTING

RE: Case No.: 2020-0261-SPH

Petitioner/Developer: Ziad & Elisabeth Bakri

Date of Hearing/Closing: February 1, 2021

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

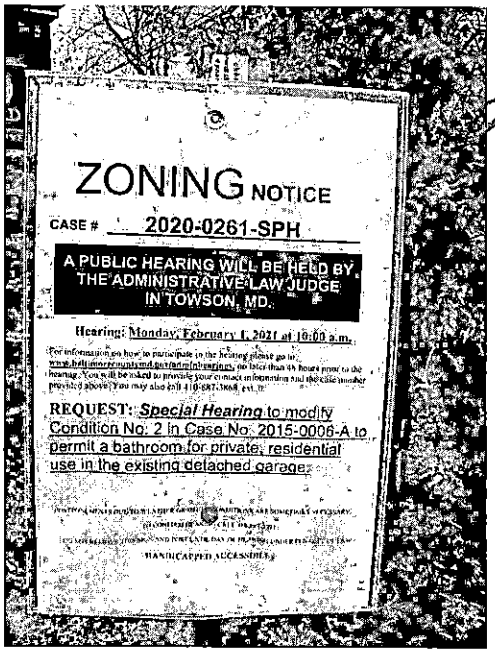
Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN 1 Recertification**

The sign(s) were posted on January 15, 2021
(Month, Day, Year)



Sincerely,

January 27, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 2020-0261-SPH

Petitioner/Developer: Ziad & Elisabeth Bakri

Date of Hearing/Closing: February 1, 2021

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

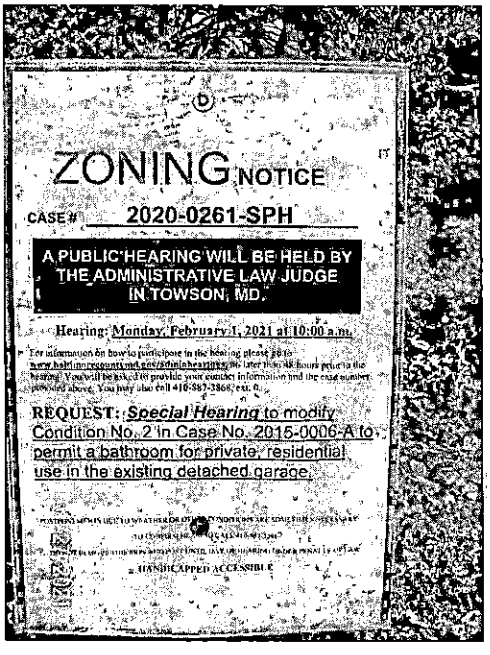
Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN 2 Recertification**

The sign(s) were posted on January 15, 2021
(Month, Day, Year)



Sincerely,

January 27, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 2020-0261-SPH

Petitioner/Developer: Ziad & Elisabeth Bakri

Date of Hearing/Closing: February 1, 2021

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN Group Recertification**

The sign(s) were posted on January 15, 2021
(Month, Day, Year)

Sincerely,

January 27, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

The Daily Record
200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

Order #: 11951005
Case #: 2020-0261-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0261-SPH

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:

1/12/2021

Darlene Miller

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0261-SPH
900 Army Road
North side of Army Road, west of Malvern Avenue
9th Election District - 2nd Councilmanic District
Legal Owners: Ziad & Elizabeth Bakri

Special Hearing to modify Condition No. 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.

Hearing: Monday, February 2, 2021 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

ja12

CERTIFICATE OF POSTING

RE: Case No.: 2020-0261-SPH

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits, Approvals & Inspections

Petitioner/Developer: Ziad & Elisabeth Bakri

Date of Hearing/Closing: February 1, 2021

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

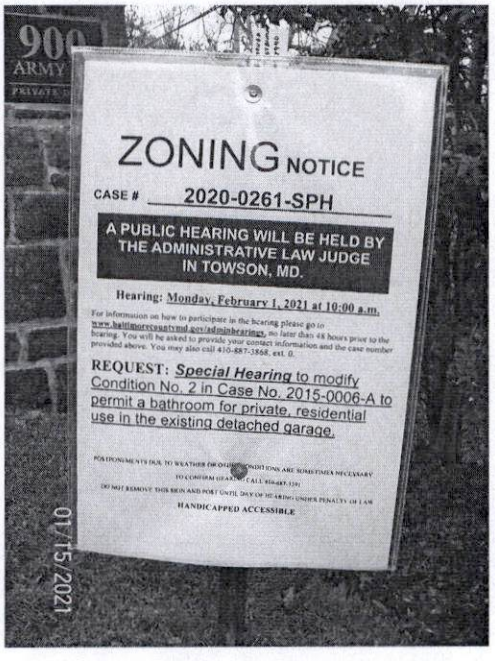
Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN 1**

The sign(s) were posted on January 15, 2021
(Month, Day, Year)



Sincerely,

January 15, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: **2020-0261-SPH**

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
~~*Department of Permits,*~~
Approvals & Inspections

Petitioner/Developer: **Ziad & Elisabeth Bakri**

Date of Hearing/Closing: **February 1, 2021**

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

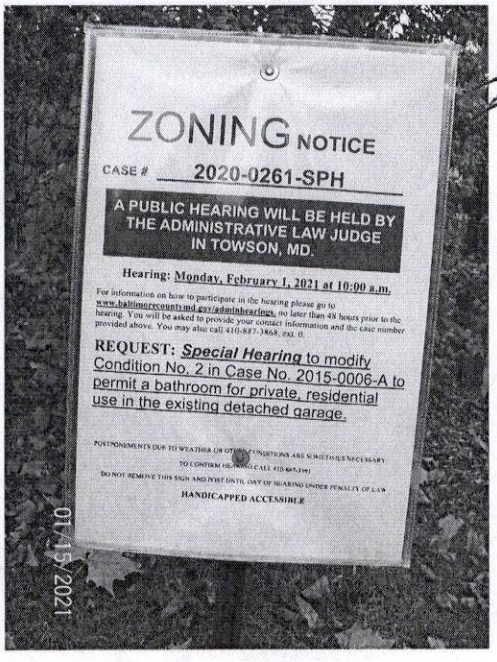
Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN 2**

The sign(s) were posted on **January 15, 2021**
(Month, Day, Year)



Sincerely,

January 15, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 2020-0261-SPH

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits, Approvals & Inspections

Petitioner/Developer: Ziad & Elisabeth Bakri

Date of Hearing/Closing: February 1, 2021

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

900 Army Road **SIGN Group**

The sign(s) were posted on January 15, 2021
(Month, Day, Year)

Sincerely,

January 15, 2021

(Signature of Sign Poster) *(Date)*

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits, Approvals & Inspections

January 8, 2021

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0261-SPH
900 Army Road
North side of Army Road, west of Malvern Avenue
9th Election District – 2nd Councilmanic District
Legal Owners: Ziad & Elizabeth Bakri

Special Hearing to modify Condition No. 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.

Hearing: Monday, February 2, 2021 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd/gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Michael Mallinoff
Director

MM:kl

C: Adam Rosenblatt, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Mr. & Mrs. Bakri, 900 Army Road, Baltimore 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 12, 2021**

TO: THE DAILY RECORD
Tuesday, January 12, 2021 - Issue

Please forward billing to:
Adam Rosenblatt 410-494-6271
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0261-SPH
900 Army Road
North side of Army Road, west of Malvern Avenue
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Michael Mallinoff
Director of Permits, Approvals and Inspections 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/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 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: 2020-0261-SPH

Property Address: 900 ARMY ROAD

Property Description:)

Legal Owners (Petitioners): ELIZABETH + ZIAD BAKRI

Contract Purchaser/Lessee:

PLEASE FORWARD ADVERTISING BILL TO:

Name: BAKRI

Company/Firm (if applicable):

Address: 900 ARMY ROAD
BALTIMORE, MD 21204

Telephone Number: 513-520-8771

Revised 7/9/2015

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

No. 200990

Date: 10/21/20

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				$ 75.00

Total: $ 75.00

Rec From: BAKRI

For: 2020-0261-SPH

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

CASHIER'S VALIDATION

1-2/210 1122

ZIAD BAKRI
900 ARMY RD.
BALTIMORE, MD 21204-6703

DATE 8/25/2020

PAY TO THE ORDER OF Baltimore County, MD $ 75.00

seventy-five 00/100 DOLLARS

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO variance

⑆021000021⑆ 151257686665⑈ 1122

JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP
Director, Department of Permits, Approvals and Inspections

January 26, 2021

Adam Rosenblatt,
210 W Pennsylvania Ave Suite 500
Towson MD 21204

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning 0Review, Department of Permits, Approvals, and Inspection (PAI) on October 21, 2020. 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,

C. PETE GUTWALD, AICP

PCG

Enclosures

CC: People's Counsel
CC: Jeff Perlow

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: October 29, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0261-SPH
Address 900 Army Road
(Bakri Property)

Zoning Advisory Committee Meeting of **November 2, 2020**.

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

Reviewer: Steve Ford

C:\Users\jnjohnson\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\H1PAGF4X\ZAC 20-0261-A 900 Army Road.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: October 29, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0261-SPH
Address 900 Army Road
(Bakri Property)

Zoning Advisory Committee Meeting of **November 2, 2020**.

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

Reviewer: Steve Ford

C:\Users\dmignon\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\5F14KYMH\ZAC 20-0261-A 900 Army Road.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 1/4/2021

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 20-261

INFORMATION:
Property Address: 900 Army Road
Petitioner: Elizabeth & Ziad Bakri
Zoning: DR 1, DR 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for Special Hearing to determine whether or not the Administrative Law Judge should approve modifications to Condition No. 2 in Case 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.

A site visit was conducted on December 10, 2020. The property is 2.73 acres and contains a principle dwelling, detached garage, and pool house.

In the prior case, relief was granted for the detached garage's location and height. However, conditions were imposed that restricted the garage from becoming a dwelling unit or apartment and "shall not contain any sleeping quarters, living area, kitchen or bathroom facilities."

The Department of Planning does not oppose the request to remove "bathroom facilities" from the previous conditions. However, all other conditions should remain intact.

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

Prepared by:

Krystle Patchak

Division Chief:

Jenifer G. Nugent

CPG/JGN/KP/

c: Bill Skibinski, Western Sector Planner
Adam M. Rosenblatt, Venable LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

S:\Planning\Dev Rev\ZAC\ZACs 2020\20-261-SPH Bill Due 10-30\Shell\20-261.docx

2/1/21 @ 10:00 a.m.

CASE NO. 2020-0261-SPH

CHECKLIST

✓ ltr
✓ order

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	
10/29	DEPS (if not received, date e-mail sent _____)	N/C
	FIRE DEPARTMENT	
1/4	PLANNING (if not received, date e-mail sent _____)	Comment No Objection
	STATE HIGHWAY ADMINISTRATION	
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2015-0006-A)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: _____ by _____

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Donna Mignon

From: Donna Mignon
Sent: Tuesday, January 26, 2021 9:25 AM
To: 'Rosenblatt, Adam M.'; 'Robinson, Drew'
Subject: Case No: 2020-0261-SPH - 900 Army Road - Elizabeth and Ziad Bakri

Good Morning,

As you are aware, a virtual webex hearing has been scheduled for February 1, 2021 at 10:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit.

If you have any questions or concerns, please feel free to contact our office.

Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(900 Army Road)		
9th Election District	*	OFFICE OF ADMINISTRATIVE
2nd Council District		
Ross P. and Sandra Flax	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2015-0006-A**

* * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Ross P. and Sandra Flax ("Petitioners"). The Petitioners are requesting Variance relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed detached accessory building (garage) to be located in the side and front yard of an existing dwelling in lieu of the required rear yard, and (2) To permit the proposed detached garage to be 22 ft. in height in lieu of the maximum allowed of 15 ft. 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.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 20, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 8-8-14

By DW

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

Although the Department of Planning did not make any recommendations related to the detached accessory building (garage) height and usage, I will impose conditions that the garage not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the B.C.C. and the B.C.Z.R., and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 8th day of August, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed detached accessory building (garage) to be located in the side and front yard of an existing dwelling in lieu of the required rear yard, and (2) To permit the proposed detached garage to be 22 ft. in height in lieu of the maximum allowed of 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

ORDER RECEIVED FOR FILING

Date 8-8-14

By

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.

3. The garage shall not be used for commercial purposes.

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 8-8-14

By

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 09 **Account Number -** 0902653750

Owner Information

Owner Name:	BAKRI ZIAD BAKRI ELISABETH	**Use:** **Principal Residence:**	RESIDENTIAL YES
Mailing Address:	900 ARMY RD BALTIMORE MD 21204-6703	**Deed Reference:**	/42165/ 00193

Location & Structure Information

Premises Address:	900 ARMY RD BALTIMORE 21204-6703	**Legal Description:**	LT 1,2,3 2.734 AC MALVERN HILL

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0069	0017	0480	9020024.04	0000			1	2020	Plat Ref: 0016/ 0076

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1937	5,019 SF	1000 SF	2.7300 AC	04

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2 1/2	YES	STANDARD UNIT	STONE/ FRAME	7	4 full/ 2 half	1 Detached	

Value Information

	Base Value	Value As of 01/01/2020	Phase-in Assessments As of 07/01/2020	As of 07/01/2021
Land:	638,000	638,000		
Improvements	1,003,800	1,532,000		
Total:	1,641,800	2,170,000	1,817,867	1,993,933
Preferential Land:	0	0		

Transfer Information

Seller: FLAX ROSS P	**Date:** 11/27/2019	**Price:** $3,200,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /42165/ 00193	**Deed2:**
Seller: BROOKS W GILL	**Date:** 03/09/2004	**Price:** $1,450,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /19707/ 00734	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2020	07/01/2021
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: Approved 06/25/2020

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

Debra Wiley

From: Kristen L Lewis
Sent: Monday, January 11, 2021 10:53 AM
To: Debra Wiley; Donna Mignon
Subject: RE: Webex

Sorry about that it's for Monday, 2/1.

Kristen Lewis
PAI – Zoning Review
410-887-3391

-----Original Message-----
From: Debra Wiley
Sent: Monday, January 11, 2021 10:20 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Webex

Kristen,

Just tried to call you but Jenae said you went home.

Can you clarify if this is for 2/1 - Monday OR 2/2 - TUESDAY.

Thanks.

-----Original Message-----
From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Monday, January 11, 2021 9:49 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Webex

Good morning,

Attached is the information needed for a new webex event. Adam Rosenblatt will be sending the list of any attendees to you once he has it compiled. Thanks,

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

Debra Wiley

From: Kristen L Lewis
Sent: Monday, January 11, 2021 10:56 AM
To: Debra Wiley; Donna Mignon
Subject: RE: Webex

Good morning,

Please include the following on the invite list for this case. Thank you,

Adam Rosenblatt: amrosenblatt@venable.com Elizabeth Bakri: uiblee@gmail.com Patrick Jarosinski: patrick@pdjassociates.com

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

-----Original Message-----
From: Debra Wiley
Sent: Monday, January 11, 2021 10:20 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: RE: Webex

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Thanks.

-----Original Message-----
From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Monday, January 11, 2021 9:49 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Webex

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Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

Debra Wiley

From:	Debra Wiley
Sent:	Monday, January 11, 2021 11:03 AM
To:	Kristen L Lewis
Cc:	Donna Mignon
Subject:	Link - 2020-0261-SPH - 2/1 @ 10 AM

Event Information

Event:	Zoning Hearing - Case No. 2020-0261-SPH - 900 Army Rd. - Ziad & Elizabeth Bakri
Type:	Listed Event
Event address for attendees:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e6a85l
Event address for panelists:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ea9d6!
Date and time:	Monday, February 1, 2021 10:00 am Eastern Standard Time (New York, GMT-05:00)
Duration:	1 hour
Description:	Zoning Hearing Case No. 2020-0261-SPH 900 Army Road Ziad & Elizabeth Bakri
Event number:	180 298 4300
Event password:	1234
Host key:	686383
Alternate Host:	Donna Mignon,Henry Ayakwah,Maureen Murphy
Panelist Info:	
Panelist password:	
Panelist numeric password:	839640
Video Address:	1802984300@baltimorecountymd.webex.com You can also dial 173.243.2.68 and enter your meeting number.
Audio conference:	US Toll +1-415-655-0001 Show all global call-in numbers Access code: 180 298 4300

Create Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

Select Contacts... Import Contacts...

Panelists to Invite

Name	Email address	Phone number	Language	Time Zone	Locale
☐ Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐ Adam Rosenblatt, Esq.	amrosenblatt@venable.com	1-	English	New York Time	U.S.
☐ Elizabeth Bakri	uiblee@gmail.com	1-	English	New York Time	U.S.
☐ Patrick Jarosinski	patrick@pdjassociates.com	1-	English	New York Time	U.S.

Invite Select All Clear All Delete Cancel

New Panelist

Full name: (required)

Email address: (required)

Phone number: Country/Region 1 Number (with area/city code)

Time Zone: New York (Eastern Standard Time, GMT-05:00)

Language: English

Locale: U.S.

☐ Add new panelist in my address book

☐ Invite as alternate host

Add to Invitation List

Debra Wiley

From: Kristen L Lewis
Sent: Monday, January 11, 2021 9:49 AM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20210111094718099.pdf

Good morning,

Attached is the information needed for a new webex event. Adam Rosenblatt will be sending the list of any attendees to you once he has it compiled. Thanks,

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

2-16-21 1:30pm

Debra Wiley 2/16 at 1:30 rescheduled from 2/3/21

From: Kristen L Lewis
Sent: Tuesday, February 2, 2021 3:11 PM
To: Debra Wiley
Cc: Donna Mignon
Subject: RE: Case No. Case No. 2020-0261-SPH - 900 Army Road - Ziad & Elizabeth Bakri

Good afternoon,

The case below has been reset for Tuesday, February 16, 2021 at 1:30 p.m. Date and time has been updated in the database. Thank you,

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

From: Debra Wiley
Sent: Tuesday, February 02, 2021 10:41 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: FW: Case No. Case No. 2020-0261-SPH - 900 Army Road - Ziad & Elizabeth Bakri

FYI

From: Debra Wiley
Sent: Sunday, January 31, 2021 8:04 PM
To: 'Adam Rosenblatt, Esq.' <amrosenblatt@venable.com>; 'uiblee@gmail.com' <uiblee@gmail.com>; 'patrick@pdjassociates.com' <patrick@pdjassociates.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Henry Ayakwah <hayakwah@baltimorecountymd.gov>; Maureen E Murphy <mmurphy@baltimorecountymd.gov>
Subject: Case No. Case No. 2020-0261-SPH - 900 Army Road - Ziad & Elizabeth Bakri

Good Evening,

Per the Office of Administrative Hearing's Inclement Weather Policy (see link below), this is to advise you that your case tomorrow has been cancelled. We ask that you contact the Office of Zoning Review and speak to Kristen Lewis to reschedule asap. I believe she's holding a few dates in February that this can be rescheduled pretty quickly.

You will receive a cancellation notification from WebEx shortly.

Thank you, my apologies and be safe.

https://www.baltimorecountymd.gov/departments/adminhearings/weatherpolicy.html

County Offices Closed February 1

https://www.baltimorecountymd.gov/

Debra Wiley

From:	Debra Wiley
Sent:	Tuesday, February 2, 2021 3:21 PM
To:	Kristen L Lewis
Cc:	Donna Mignon
Subject:	Link - 2020-0261-SPH - 2/16 @ 1:30 PM

Event Information

Event:	Zoning Hearing - Case no. 2020-0261-SPH - 900 Army Rd. - Ziad & Elizabeth Bakri
Type:	Listed Event
Event address for attendees:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ee7
Event address for panelists:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e9
Date and time:	Tuesday, February 16, 2021 1:30 pm Eastern Standard Time (New York, GMT-05:00)
Duration:	3 hours
Description:	Zoning Hearing Case No. 2020-0261-SPH 900 Army Rd. Ziad & Elizabeth Bakri
Event number:	180 187 8353
Event password:	1234
Host key:	727153
Alternate Host:	Donna Mignon,Henry Ayakwah,Maureen Murphy
Panelist Info:	
Panelist password:	
Panelist numeric password:	987429
Video Address:	1801878353@baltimorecountymd.webex.com You can also dial 173.243.2.68 and enter your meeting number.
Audio conference:	US Toll +1-415-655-0001 Show all global call-in numbers Access code: 180 187 8353
Maximum number of registrants:	10000

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Adam Rosenblatt, Esq.	amrosenblatt@venable.com	1-	New York Time	English	U.S.
Elizabeth Bakri	uiblee@gmail.com	1-	New York Time	English	U.S.
Patrick Jarosinski	patrick@pdjassociates.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.

OK

2-16-21
1:30 pm
2020-0261-
SPH

PE..TION FOR ZONING HEA..NG(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 900 Army Road **which is presently zoned** DR 1; DR 2

Deed References: 42165 / 193 10 Digit Tax Account # 0 9 0 2 6 5 3 7 5 0

Property Owner(s) Printed Name(s) Elizabeth and Ziad Bakri

(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. X **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
Special Hearing to modify Condition No. 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.

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).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED

Name #1 – Type or Print Name #2 – Type or Print

Signature #1 Signature # 2

900 Army Rd. Baltimore MD

Mailing Address City State

21204, 5125208771, uibleee@gmail.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Adam M. Rosenblatt

Name- Type or Print

Signature

210 W. Pennsylvania Ave, Suite 500, Towson, Maryland

Mailing Address City State

21204, 410-494-6271, amrosenblatt@venable.com

Zip Code Telephone # Email Address

Representative to be contacted:

Adam M. Rosenblatt

Name – Type or Print

Signature

210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland

Mailing Address City State

21204, 410-494-6271, amrosenblatt@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2020-0261-SPH **Filing Date** 10/21/20 **Do Not Schedule Dates:** _____ **Reviewer** JS

REV. 10/4/11

Debra Wiley

Subject:	Web seminar scheduled: Zoning Hearing - Case No. 2020-0261-SPH - 900 Army Rd. - Ziad & Elizabeth Bakri
Location:	https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e24640e9ae194fa135da5fb7e29f6dcec
Start:	Mon 2/1/2021 10:00 AM
End:	Mon 2/1/2021 11:00 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	webex

When it's time, start the Webex event here.

Host: Debra Wiley (dwiley@baltimorecountymd.gov)
Event number (access code): 180 298 4300

Monday, February 1, 2021 10:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:
https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e24640e9ae194fa135da5fb7e29f6
Event address for panelists:
https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e6996335744bd8771bc5a581e16

Start event

Audio conference information
+1-415-655-0001 US Toll
Global call-in numbers

Join from a video system or application

Dial 1802984300@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Panelist numeric password: 839640

If you are a host, click here to view host information:
https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e9d5ba39d12b1777d0884834a4ed94656

Need help? Go to https://help.webex.com

Debra Wiley

From:	messenger@webex.com
Sent:	Monday, January 11, 2021 11:03 AM
To:	Debra Wiley
Subject:	Email delivery status for Web seminar: Zoning Hearing - Case No. 2020-0261-SPH - 900 Army Rd. - Ziad & Elizabeth Bakri

cisco Webex

Webex sent the email message "Panelist Invitation" for your event.

Number of email addresses the message was sent to successfully: 4

Number of email addresses the message could not be sent to: 0

Need help? Go to https://help.webex.com

Debra Wiley

From: messenger@webex.com
Sent: Monday, January 11, 2021 11:03 AM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - Case No. 2020-0261-SPH - 900 Army Rd. - Ziad & Elizabeth Bakri

cisco Webex

Webex sent the email message "Invitation for Alternate Host" for your event.

Number of email addresses the message was sent to successfully: 3

Number of email addresses the message could not be sent to: 0

Need help? Go to https://help.webex.com

ZAC AGENDA

Case Number: 2020-0261-SPH **Reviewer:** Jason Seidelman
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING
Legal Owner: Elizabeth & Ziad Bakri
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 2

Property Address: 900 ARMY RD
Location: North side of Army Road (50'), 250' West of Malvern Ave (50').

Existing Zoning: DR 1 **Area:** 2.734 AC
Proposed Zoning:
SPECIAL HEARING:
500.7 to modify Condition No. 2 in Case No. 2015-0006-A to permit a bathroom for private, residential use in the existing detached garage.
Attorney: Adam M. Rosenblatt
Prior Zoning Cases: None
Concurrent Cases: None
Violation Cases: None
Closing Date:

Miscellaneous Notes:

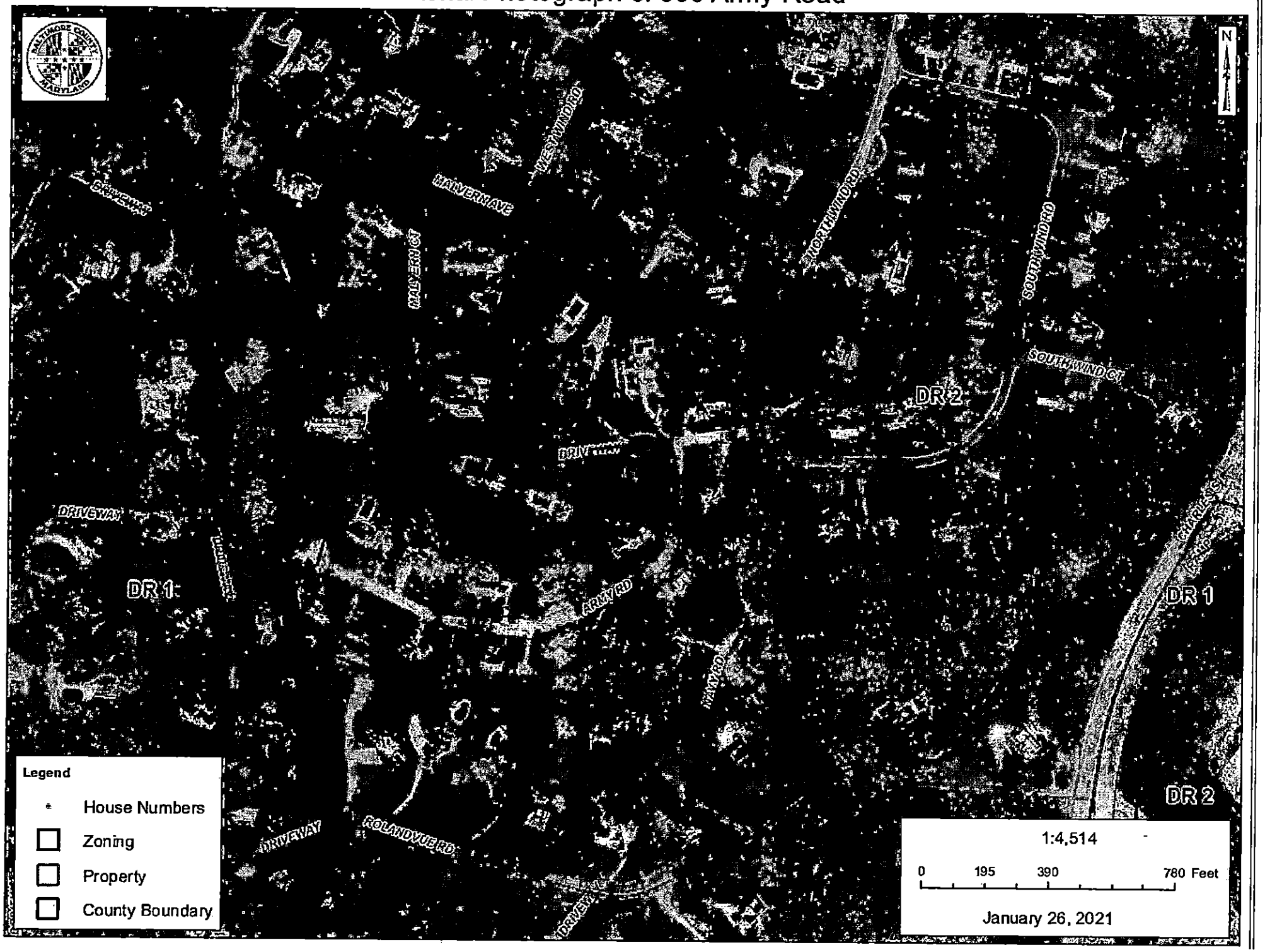
I am attaching the Petitioner's exhibits for this case, which is set for a hearing on Monday:

dw 2-25-21

1. Aerial Photograph
2. Prior Zoning Case
3. Site Plan
4. Photo of Existing Garage
5. Recorded Agreement

DW 4-1-21

Aerial Photograph of 900 Army Road

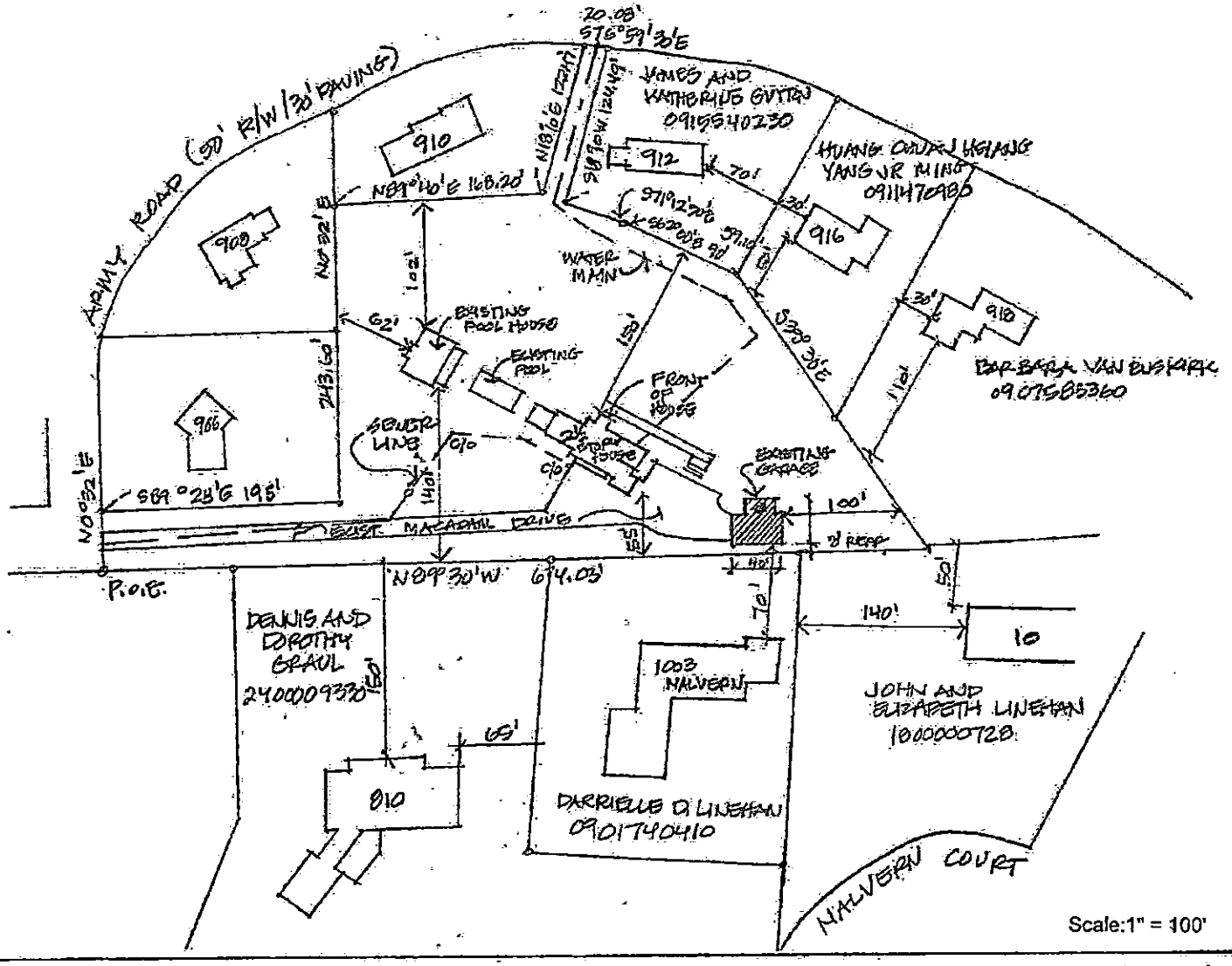


ZONING HEARING PLAN FOR VARIANCE ___ FOR SPECIAL HEARING X

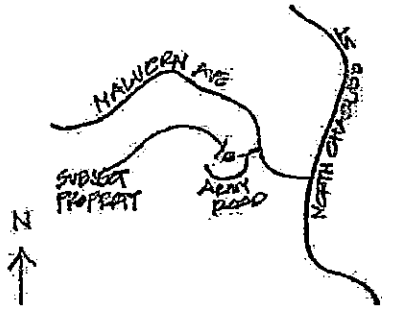
ADDRESS 900 ARMY ROAD RUXTON, MD 21204 OWNER(S) NAME(S) ELISABETH AND ZIAD BAKRI

SUBDIVISION NAME MALVERN HILL LOT# 1 BLOCK# — SECTION# —

PLAT BOOK # 0016 FOLIO # 0076 10 DIGIT TAX # 0902653750 DEED REF. # 12165 / 00193



SITE VICINITY MAP



ZONING MAP# 069C-2

SITE ZONED DR-1

ELECTION DISTRICT 9

COUNCIL DISTRICT 2

LOT AREA ACREAGE 2.73

OR SQUARE FEET 123559

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES?

WATER IS:

PUBLIC X PRIVATE ___

SEWER IS:

PUBLIC X PRIVATE ___

PRIOR HEARING? YES

IF SO GIVE CASE NUMBER:

07-468-A - APPROVED

2015-0006-A APPROVED

VIOLATION CASE INFO:

NO

PREPARED BY: PATRICK D. JAROSINSKI 410-494-1017

MEMORANDUM

DATE: September 9, 2014

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2015-0006-A - Appeal Period Expired

The appeal period for the above-referenced case expired on September 8, 2014. 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.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(900 Army Road)		
9th Election District	*	OFFICE OF ADMINISTRATIVE
2nd Council District		
Ross P. and Sandra Flax	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	**CASE NO. 2015-0006-A**

* * * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Ross P. and Sandra Flax ("Petitioners"). The Petitioners are requesting Variance relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed detached accessory building (garage) to be located in the side and front yard of an existing dwelling in lieu of the required rear yard, and (2) To permit the proposed detached garage to be 22 ft. in height in lieu of the maximum allowed of 15 ft. 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.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments submitted from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 20, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 8-8-14

By

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

Although the Department of Planning did not make any recommendations related to the detached accessory building (garage) height and usage, I will impose conditions that the garage not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

Pursuant to the posting of the property and the provisions of both the B.C.C. and the B.C.Z.R., and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 8th day of August, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed detached accessory building (garage) to be located in the side and front yard of an existing dwelling in lieu of the required rear yard, and (2) To permit the proposed detached garage to be 22 ft. in height in lieu of the maximum allowed of 15 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

ORDER RECEIVED FOR FILING

Date 8-8-14

By

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.

3. The garage shall not be used for commercial purposes.

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 8-8-14

By

EXHIBIT 4

RESTRICTIVE COVENANT AGREEMENT

THIS RESTRICTIVE COVENANT AGREEMENT (this "Agreement") is made this ___ day of 9/8/___, 2020 (the "Effective Date"), by and between ZIAD BAKRI and ELISABETH BAKRI, (singly and collectively the "Owner"), and THE RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC., a Maryland Corporation ("RRLRAIA"). The Owner and RRLRAIA are collectively referred to as the "Parties."

RECITALS:

A. Owner is the owner by the entireties of property in the Ruxton area of Baltimore County (the "County") with improvements on it known as 900 Army Road and further described in a deed dated November 15, 2019, and recorded among the land records of Baltimore County in Liber 42165, folio193 (the "Property").

B. RRLRAIA is an association of residents in the area surrounding the Property interested in preserving the existing character of the area in the vicinity of the Property and protecting the community from inappropriate types of land uses.

C. The Property was the subject of zoning variance Case No. 2015-0006-A, wherein the prior owner of the Property sought and obtained a variance to construct a detached garage (the "Garage") in the side or front yard of the dwelling on the Property with a height of twenty-two feet (22') in lieu of the maximum permitted fifteen (15') feet. A copy of the zoning order (the "Zoning Order") is attached hereto as Exhibit A. The Zoning Order imposed a condition stating that the then owner and any subsequent owners "... shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living room area, kitchen or bathroom facilities."

D. The Owner desires to convert a portion of the Garage to an exercise room and a play area for their children and to construct a full bathroom with a shower.

E. The Owner is prepared to file a petition for special hearing (the "Special Hearing Request") to modify the conditions imposed in the afore-mentioned Zoning Order to permit the bathroom, exercise room and play area in the Garage.

F. RRLRAIA has expressed a willingness not to contest the Special Hearing Request provided that certain safeguards are put in place to ensure that the garage is not converted into an apartment or living quarters in violation of the BCZR.

WITNESSETH

NOW, THEREFORE, in consideration of the mutual agreements and understandings contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Agreements.**

A. To the Parties knowledge, the foregoing Recitals are true and correct and are incorporated herein by reference.

B. The Owner agrees that:

i. The Garage will not be rented, leased, or otherwise used as a second living space on the Property or contain a bedroom. The Garage will only be used as a recreational room, home gym area, or other area for private, personal use of the residents living in the single-family dwelling on the Property and not as a bedroom.

ii. There shall be no kitchen in the Garage.

iii. In the event the Special Hearing request is granted, Owner and its successors or assigns will permit Baltimore County, upon reasonable notice of at least three (3) days, to inspect the Garage every three (3) years to ensure that it is not converted into an apartment, bedroom or living space or that kitchen equipment has been installed.

C. At the time of the Zoning Special Hearing the Owner shall present a copy of this Restrictive Covenant Agreement for incorporation into any Zoning Order granting the requested relief.

D. This Restrict Covenant Agreement shall become effective upon the Zoning Order granting the Special Hearing relief becoming final and unappealable.

2. **Binding Effect.** Within ten (10) days of any Zoning Order granting the requested relief becoming final, Owner shall record this Agreement among the Land Records of Baltimore County, at Owner's sole expense. This Agreement and the Parties' rights and obligations hereunder shall run with and bind the Property and shall be binding upon and inure to the benefit of the Parties' personal representatives, heirs, successors, and assigns. Upon the assignment or sale by Owner of the Property, Owner shall be relieved of all liabilities hereunder, but all purchasers and assignees shall be bound by the terms hereof. Owner shall promptly provide, at its own cost, a copy of the recorded Agreement to the RRLRAIA. If Owner fails to timely record this Agreement, then the RRLRAIA may do so and the Owner shall reimburse the RRLRAIA for their actual costs within thirty (30) days of Owner's receipt of the bill for such costs.

3. **Enforcement.** If any of the Parties is required to institute legal action to enforce the terms of this Agreement and is successful thereafter (whether by judgment or by settlement) in obtaining enforcement of this Agreement, the successful party shall be entitled to recover reasonable attorneys' fees and other reasonable costs of the action from the party against whom enforcement is obtained. However, as a prerequisite to recovery of fees and costs under this paragraph, the party seeking enforcement shall serve the alleged violator of this Agreement with written notice of the violation, and only if the alleged violator has failed to remedy or make substantial progress toward remedying the violation within thirty (30) days after receipt of this notice may legal action be instituted. Failure in any instance to enforce any of the covenants,

restrictions, and conditions contained in this Agreement shall in no way constitute a waiver or estoppel of the right to enforce the same or any other covenant, restriction, or condition of this Agreement.

4. **Notices.** All notices required by this Agreement shall be hand-delivered or sent by certified mail, postage prepaid, return receipt requested or by nationally recognized overnight delivery service, to the following addresses:

Owner: Ziad Bakri
Elisabeth Rakri
900 Army Road
Towson, Maryland 21204-6703

RRLRAIA: The Ruxton-Riderwood-Lake Roland Improvement Association, Inc.
8013 Bellona Avenue
Towson, Maryland 21204
Attn: Current President

If via USPS:
P. O. Box 204
Riderwood, MD 21139

cc: John B. Gontrum, Esq.
Whiteford Taylor Preston, LLP
1 Pennsylvania Avenue, Suite 300
Towson, MD 21204

Each of the Parties is responsible for updating the other party of any changes in the parties/addresses provided above, and any changes to the identified notice parties/addresses shall be made in writing to the other party.

5. **Miscellaneous.**

A. This Agreement may be amended only by written instrument executed by the Parties or any subsequent owner of the Property and RRLRIA.

B. The Parties hereto warrant and represent that they have taken all necessary action required to be taken by their respective governing documents to authorize the execution of this Agreement.

C. This Agreement, which may be executed in separate counterparts, contains the entire understanding of the Parties.

D. The Parties each warrant that they have carefully read and understand this Agreement, are cognizant of its terms, and have had ample time to consult with counsel of their choice regarding their respective rights and obligations in connection herewith.

IN WITNESS THEREOF, the parties have executed this Agreement as of the date of the last acknowledgement.

WITNESS: OWNER:

_____ _____(SEAL)
ZIAD BAKRI

_____ _____(SEAL)
ELISABETH BAKRI

THE RUXTON-RIDERWOOD-LAKE ROLAND AREA IMPROVEMENT ASSOCIATION, INC.

_____ _____(SEAL)
BY:

STATE OF MARYLAND, COUNTY OF Baltimore
TO WIT:

I HEREBY CERTIFY, that on this 8th day of September, 2020, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared ZIAD BAKRI and ELISABETH BAKRI known to me, or satisfactorily proven, to be the parties whose names are subscribed to the within instrument, and that they executed the foregoing instrument for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

_____
Notary Public

My commission expires: 11-15-2020

GERALD DIAZ
Notary Public, State of Maryland
Baltimore County
Commission Expires Nov. 15 2021

STATE OF MARYLAND, COUNTY OF Baltimore
TO WIT:

I HEREBY CERTIFY, that on this 15th day of September 2020, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Henry Ward Classen known to me, or satisfactorily proven, to be an officer of The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc., and affirmed that he/she had the authority to act on its behalf, and that he/she executed the foregoing instrument for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Darlene E Ramsey
Notary Public

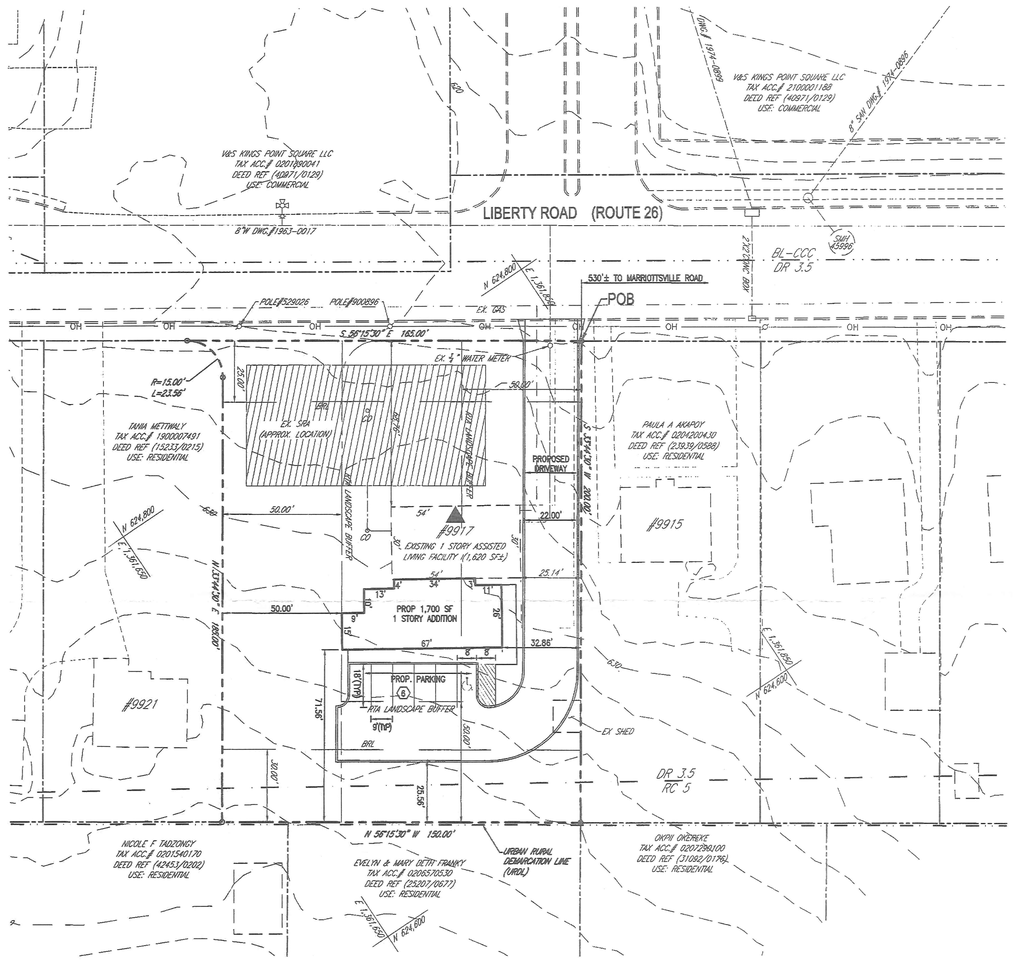
DARLENE E. RAMSEY NOTARY PUBLIC BALTIMORE CO., MD

My commission expires: 6-19-22

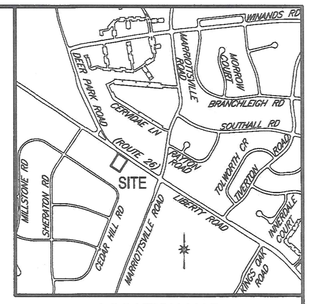
CERTIFICATION

This is to certify that the within instrument was prepared by an attorney admitted to practice before the Court of Appeals of Maryland.

John B. Gontrum



PLAN
SCALE: 1" = 30'



LOCATION MAP
SCALE: 1" = 1,000'

GENERAL NOTES:

1. OWNER:
   THE COMFORTS OF HOME LLC
   9917 LIBERTY ROAD
   RANDALLSTOWN, MD. 21133
2. SITE AREA:
   GROSS: 34,998 SF OR 0.803 AC.±
   NET: 30,048 SF OR 0.690 AC.±
3. EXISTING BUILDING AREA: 1,620 SF
   PROPOSED ADDITION AREA: 1,700 SF
   TOTAL PROPOSED BUILDING AREA: 3,320 SF
4. UTILITIES
   WATER PUBLIC
   SEWER PRIVATE
5. USE
   EXISTING: SINGLE STORY CLASS I ASSISTED LIVING FACILITY
   PROPOSED: SINGLE STORY CLASS II ASSISTED LIVING FACILITY
6. DEED REF: 39737/332
7. TAX ACCOUNT: #2300010233
8. COUNCILMANIC DISTRICT: 4TH
9. REGIONAL PLANNING DISTRICT: HARRISONVILLE
10. CENSUS TRACT: 4022.01
11. WATERSHED: GWYNNS FALLS
12. EXISTING ZONING: DR3.5 & RC5
    (PER 200 SCALE GIS TILE # 66C3 & 76C1)
13. TAX MAP #66, GRID #23, PARCEL #197
14. PREVIOUS ZONING CASES:
    NO KNOWN ZONING CASES.
15. NO PREVIOUS BUILDING PERMITS ON FILE. THE EXISTING STRUCTURE WAS BUILT IN 1960.
16. THE SITE LIES WITHIN FLOOD ZONE "X" (MINIMAL FLOOD HAZARD) AS SHOWN ON F.I.R.M. # 2400100215F, DATED AUGUST 26 2008.
17. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
18. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
19. PARKING CALCULATIONS
    REQUIRED: 1 SPACE PER 3 BEDS
    11 BEDS @ 1 SPACE/3 BEDS 4 SPACES
    TOTAL PARKING PROVIDED (1 HC AND 5 STANDARD) 6 SPACES
20. SETBACKS FOR DR 3.5

TYPE	REQUIRED	PROVIDED
FRONT	25'	68.76'±
SIDE FACE TO SIDE FACE	20'	42'±
REAR	30'	71.56'±

21. BASIC SERVICE MAPS (2020)

TYPE	DEFICIENT (Y/N)	NOTE
WATER	N	–
SEWER	N	–
TRANSPORTATION	N	–

22. ALL SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) SECTION 450, OR VARIANCES WILL BE SOUGHT.
23. THE PROPERTY IS LOCATED WITHIN THE URDL.
24. THE PROPERTY IS NOT LOCATED WITHIN 1,000 FEET OF ANOTHER ASSISTED LIVING FACILITY.
25. AT LEAST 10% OF THE PROPERTY IS USEABLE, CONTIGUOUS AND PRIVATE OPEN SPACE.

DENSITY CALCULATION

	AREA	ALLOWABLE DENSITY	NO OF BEDS PERMITTED
GROSS AREA WITHIN RC5	0.052 AC.±		1*
GROSS AREA WITHIN DR 3.5	0.751 AC.±	2.6 DENSITY UNITS	10
TOTAL	0.803 AC.±		11
NUMBER OF BEDS BASED ON 1 BED PER 0.25 DENSITY UNITS			

* SPECIAL HEARING REQUESTED TO APPROVE 1 BED RESULTING FROM THE DENSITY ASSOCIATED WITH THE RC 5 ZONE.

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16581, EXPIRATION DATE: 06-01-2021

STATE OF MARYLAND · DONALD N. MILLER · NO. 16581 · REGISTERED PROFESSIONAL ENGINEER · 9/28/20

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208
DON@RICHARDSONENGINEERING.NET

PLAN TO ACCOMPANY ZONING PETITION
FOR

THE COMFORTS OF HOME LLC PROPERTY

9917 Liberty Road

BALTIMORE COUNTY — MARYLAND
2ND ELECTION DISTRICT — 4TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	DNM	DNM	1" = 30'
	DATE: 09-28-20	JOB NO.: 20092	SHEET NO.: 1 OF 1

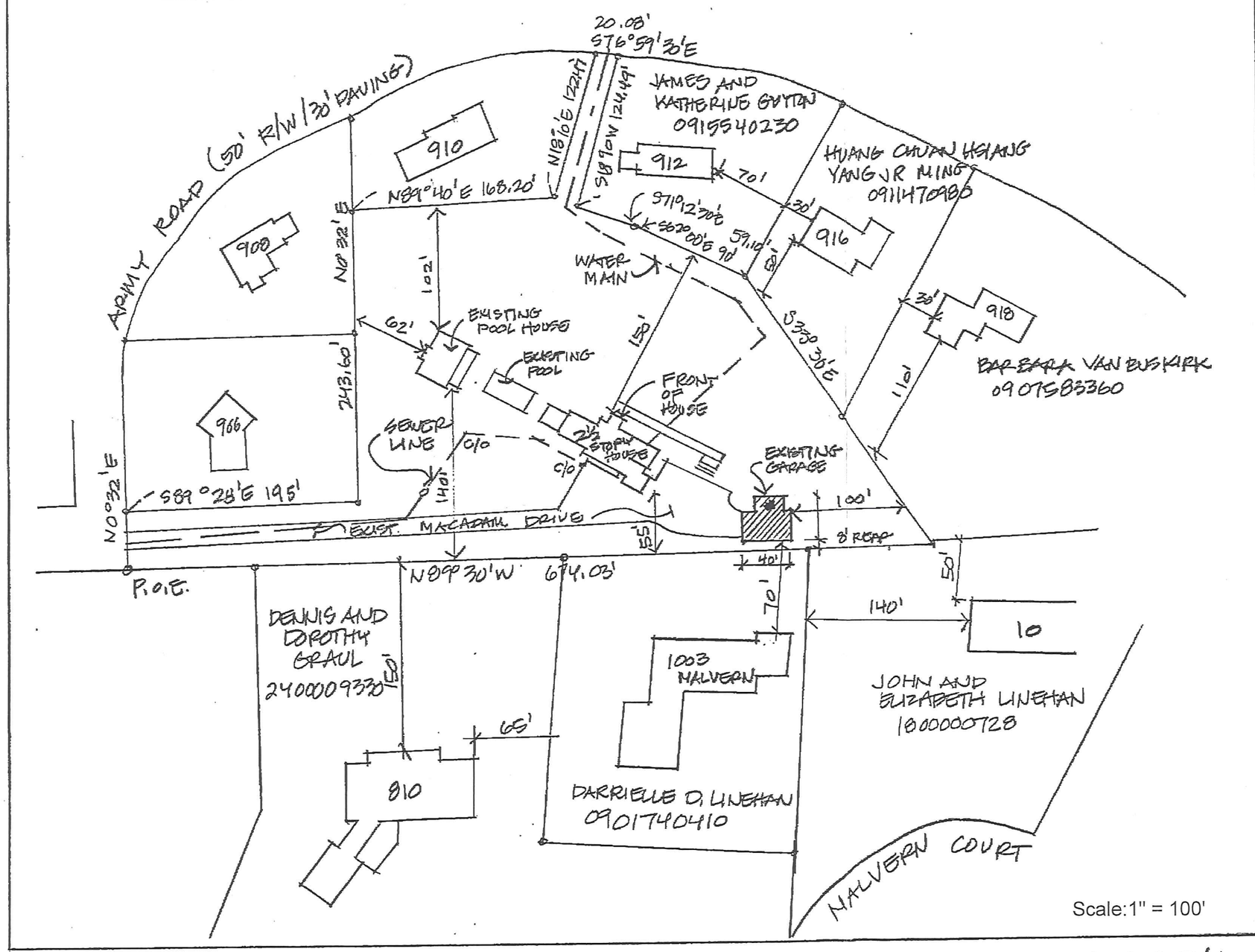
2020-0255-SPHA

ZONING HEARING PLAN FOR VARIANCE ___ FOR SPECIAL HEARING X

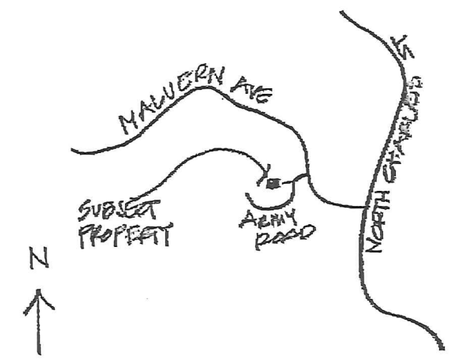
ADDRESS 900 ARMY ROAD RUXTON, MD 21204 OWNER(S) NAME(S) ELISABETH AND ZIAD BAKRI

SUBDIVISION NAME MALVERN HILL LOT# 1 BLOCK# — SECTION# —

PLAT BOOK # 0016 FOLIO # 0076 10 DIGIT TAX # 0902653750 DEED REF. # 42165 / 00193



SITE VICINITY MAP



ZONING MAP# 069C-2

SITE ZONED DR-1

ELECTION DISTRICT 9

COUNCIL DISTRICT 2

LOT AREA ACREAGE 2.73

OR SQUARE FEET 123559

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES?

WATER IS:

PUBLIC X PRIVATE ___

SEWER IS:

PUBLIC X PRIVATE ___

PRIOR HEARING? YES

IF SO GIVE CASE NUMBER:

07-468-A - APPROVED

2015-0006-A - APPROVED

VIOLATION CASE INFO:

NO

PREPARED BY: PATRICK D. JAROSINSKI 410-494-1017

2020-0261-SPH