CADES PECETYET FOR PILING

IN RE: PETITION FOR ADMIN. VARIANCE S/S of Pidco Road, 36' W of centerline of Carolstowne Road 4th Election District 3rd Councilmanic District (221 Pidco Road)

> Kelly A. Sullender Petitioner

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- CASE NO. 00-07-A

* * * * * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Kelly A. Sullender, property owner, for that property known as 221 Pidco Road in the Reisterstown area of Baltimore County. The Petitioner herein seeks a variance from Sections 301.1.a and B01.2.c.1 of the Baltimore County Zoning Regulations (BCZR), to permit a 15 ft. rear yard setback in lieu of the required 22.5 ft. for an open deck. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

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

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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

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

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

August 6, 1999

Ms. Kelly A. Sullender 221 Pidco Road Reisterstown, Maryland 21136

Re: Petition for Administrative Variance

Case No. 00-07-A

Property: 221 Pidco Road

Dear Ms. Sullender:

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

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

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Mustby Motroco

TMK:raj Enclosure



JACON MECEIVED FOR PALING

R21 9115198

Pethion for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 221 Pidco Rd. Reisterstown, MD 21136 which is presently zoned DR 10-5

This Petition shall be file	d with the Department of Permits	and Development Ma	anagement. The undersigned,	legal
owner(s) of the property sit	uate in Baltimore County and which	is described in the des	cription and plat attached hereto	o and
made a part hereof, hereby	petition for a Variance from Section	1(s) 309 1 0 5	1 RM2 = 9 =	
	(2)	OOT (1 4 ()	I OUT YICLE @	

PERMIT A REAR PARD SETBACK OF 15 FT. LA CIGNOF THE REQUIRED 22.5 FT. FOR AN OPEN PROTECTION (DECK)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

			I/We do solemnly declare perjury, that I/we are the is the subject of this Peti	legal owner(s) of the	e penalties of property which
Contract Purch	haser/Lessee:		Legal Owner(s):		
Name - Type or Print			Name - Type or Print	Sullende	<u>کر</u>
Signature			Signature Sul		
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature	(w) 410-5	545-8074
Attorney For P	etitioner:		221 Pidco T		517-815) Telephone No.
			Reistersta	TM MT	21136
Mame - Type or Print			City	State	Zip Code
	,		Representative to I	<u>be Contacted:</u>	
Signature					
Соптыну			Name		
gerares		Telephone No.	Address		Telephone No.
	State	Zip Code	City	State	Zip Code
offinis i day of	aving been formally demand that the County and that the propert	t the subject matter of ti	required, it is ordered by the Z is petition be set for a public hea	Coning Commissioner of iring, advertised, as requ	Baltimore County, uired by the zoning
		_	Zoning Commissi	oner of Baltimore County	
CASE NO.	00-07	Rev	iewed By 5007	Date	799_

Estimated Posting Date ____

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at 221 Pidco Rd. Address
Reisterstown MD 21136 City State Zip Code
That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):
Practical Difficulty
- The proposed 11'x11' deck is beyond the
required 22.5' offset from the property line. A 15.7' offset is requested. The previous zoning does not allow for a deck of sufficient size to accomposate table and chairs (see attached) The rear lot slopes which does not allow for level ground on which to set a tab. That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information. Signature Signature
Name - Type or Print Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 1 Aday of 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set for in a strue and correct to the best of his/her/their knowledge and belief.
7 16 99 PUBLIC S OCH TOLONG
Date O.CO. Motary Public My Commission Expires
ZEV 09115198

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at	221 Pi	dco Rd	•	
	Reister	rstown	MD	21136 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ving are the fact o or practical diffi	s upon which I/w culty):	e base the reque	st for an Administrative
Practical Difficulty				
-The proposed 11'	×II, 96	ck is b	eyond t	ne
required 22.5' of A 15.7' off set	is req	from to	he pro	perty line.
- The previous zoni			مااهس	
For a deck of				_
accomodate tab				•
- the rear lot s	slopes	mhich	does r	10t
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is idditional information	filed, Affiant(s) valion.	will be required to	o pay a reposting and
Kes Bulu Signaturé	·	Signature		
Kelly A. Sullender Name-Type or Print		Name - Type or Prin	it	
STATE OF MARYLAND, COUNTY OF BALTIM	JORE, to wit:	1999	before me, a No	otary Public of the State
of Maryland, in and for the County aforesaid, per Kelly A. Julieuder			-	
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	orth are true and	to me as such correct to the be	Affiant(s), and mast of his/her/their	ade oath in due form of knowledge and belief.
2/10/99	NOTARY PUBLIC	One	htos	ay
Date	Netary	Public nmission Expires	2/1/02	
72 09 15 198		_	т	



REU 9/15/98

Petrion for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 221 Pidco Rd. Reisterstown, MD 21136 which is presently zoned DR 10-5

This Petition shall be filed with the Department of Permits and Development Managem	ent. The undersigned, legal
owner(s) of the property situate in Baltimore County and which is described in the description :	and plat attached hereto and
made a part hereof, hereby petition for a Variance from Section(s) 306.1 4 5 1 R	int - c c -

PERMIT A REPAR CARD SETBACK OF 15 FT. IN LIGHT THE REQUIRED 22,5FT. FOR ANOTEN PROJECTION (DECK.)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

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

			I/We do solemnly deci perjury, that I/we are t is the subject of this P	lare and affirm, under the he legal owner(s) of the p etition.	penalties of property which
Contract Purchaser/L	essee:		Legal Owner(s):		
Name - Type or Print			Kelly A. Name - Type or Print	Sullender	
Signature			Signature)		
Address		Telephone No.	Name - Type or Print		
City Attorney For Petitions	State	Zip Code	Signature 221 Piàco Address	(W)410- 3 Rd. (H) 410	545-8074 -517-8\5 Telephone No.
Name - Type or Print	<u> </u>		Reisters'	TOWN MD State	21136 Zip Code
Signature			<u>Representative to</u>	o be Contacted.	
Company			Name		
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City	State	Zip Code
A Public Hearing having been this day of regulations of Baltimore County	, tha	t the subject matter of t	his petition be set for a public	nearing, advertised, as requ	ned by the zoning
CASE NO O	007A	Ray	Zoning Commi	ssioner of Baltimore County	799

The previous Pariance allowed the profildings to have a 25' set back and did not take into account the open projection, therefore a 22.5' offet is required. This only allows a 2.5' deck which is not practical.

ZONING DESCRIPTION FOR 221 PIDCO ROAD

Beginning at a point on the <u>south</u> side of <u>Pidco Road</u>, which is <u>80 feet</u> wide at a distance of <u>36 feet west</u> of the centerline of the nearest improved intersecting street, <u>Carolstowne Road</u>, which is <u>62 feet</u> wide. Being lot # <u>15</u>, Block <u>B</u>, Section — in the subdivision of <u>Reisterstown Village (Stonemill)</u> as recorded in Baltimore County Plat Book # <u>65</u>, Folio # <u>116</u>, containing <u>0.0683 acres</u>. Also known as <u>221 Pidco Road</u> and located in the <u>4th Election District</u>, <u>3rd Councilmanic District</u>.

JA 00-07-A

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER OF THE CONTROL OF TH	BALTIMORE COUNTY, MARYLAND STOPNO 070426 OFFICE OF BUDGET & FINAN MISCELLANEOUS RECEIPT DATE 7.7.99 ACCOUNT \$ 50 04 REGENVED FROM: FROM:
CASHIEN'S VALIDATION	PAID RECEIPT PRUSES ACTIVAL TIME PRUSES ACTIVAL FOR ACTIVAL TIME PRUSES ACTIVAL FOR AC

CERTIFICATE OPPOSTING

111 West Chesapeake Avenue

Towson, MD 21204

Ladies and Gentlemen:

The sign(s) were posted on

ZONING was

Petitioner/Developer: SULLENDER, ETAL Date of Hearing/Plosing: Baltimore County Department of Permits and Development Management st-it Fax Note County Office Building, Room 111 SCHMIDT Co/Dept. 512 4621 Attention: Ms. Gwendolyn Stephens 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 #221 PIDCO PATRICK M. O'KEEFE (Printed Name) PENNY LANE (Address) HUNT VALLEY, MD. 21030 (City, State, Zip Code) 410-666-5366; CELL-410-905-8571 (Telephone Number)

RE: Case No.: 00-007-A

00-007-A # 221-910co 20 SULLENDER, ETAL

Cu-8/2/29

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

			İ		77 .	6	
Case I	Number 00-	07	-A	Address _	721	Proce Ra	<u> </u>
Conta	ct Person: _	Sorta	Please Print Your	ANDON, Name		Phone Number:	410-887-3391
Filing	Date:	7.99.	_ Post	ing Date: _	<u> 7.18.99</u>	Closing Da	te: <u>8 - 2 - 99</u>
Any c throug	ontact made h the contac	with this of t person (plan	fice regarding iner) using the	g the status e case numb	of the adroer.	ministrative varia	nce should be
1.	reverse side reposting m is again res	e of this form) ust be done of ponsible for a	and the pet only by one of all associated	itioner is res f the sign po l costs. The	sponsible for sters on the e zoning not	sters on the appror r all printing/posti e approved list an tice sign must be remain there thro	ing costs. Any d the petitioner visible on the
2.	a formal re-	guest for a p	ublic hearing	ງ. Please ເ	understand	or owner within 1 that even if ther e closing date.	,000 feet to file e is no formal
3.	commission order that to the commission order that the commission of the commission	er. He may: he matter be thin 7 to 10 de	a) grant th) set in for a ays of the clo	e requested a public hea osing date) a	relief; (b) o aring. You as to whethe	by the zoning or deny the request will receive write or the petition has byou by First Clas	ten notification been granted,
4.	(whether du commission changed give	ie to a neigher), notification	nbor's formal on will be fo the hearing d	request or rwarded to late, time ar	by order or you. The ord location.	that must go to a of the zoning or sign on the pro As when the sign tered sign must b	deputy zoning perty must be was originally
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Petitic	ner's Name	Kerry	<u> 9-Su</u>	LENDE	<u>s</u> T	elephone	
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Wordi	ng for Sign:	To Permit	A REA	2 YAR	SE CE	BREK OF L	5 FT. 12
	EIW OF	= 22.5	Catago.	FOU AN	OPEN +	Prosection	(Deck.)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

APPROVED SIGN POSTERS

Stacy Gardner
Shannon-Baum Signs, Inc.
105 Competitive Goals Drive
Eldersburg, MD 21784

Telephone: 410-781-4000 Toll Free: 800-368-2295 Fax: 410-781-4673

Richard Hoffman 904 Dellwood Drive Fallston, MD 21047 Telephone: 410-879-3122

Garland E. Moore 3225 Ryerson Circle Baltimore, MD 21227 Telephone: 410-242-4263 Mobile: 410-382-4470

Tom Ogle 325 Nicholson Road Baltimore, MD 21221 Telephone: 410-687-8405 Mobile: 410-262-8163

Fax:

410-687-4381

Patrick M. O'Keefe, Sr. 523 Penny Lane Hunt Valley, MD 21030 Telephone: 410-666-5366
Cell: 410-905-8571
Fax: 410-628-2574
410-882-2469

Linda M. Jones Telephone: 410-296-3333
Daft-McCune-Walker, Inc. Fax: 410-296-4705

Towson, MD 21286

200 East Pennsylvania Avenue

THE PETITIONER MUST USE ONE OF THE SIGN POSTERS ON THIS APPROVAL LIST. ANY REPOSTING MUST BE ALSO BE DONE BY ONE OF THESE APPROVED POSTERS. IF YOU WISH TO SELECT A POSTER NOT SHOWN ON THE LIST ABOVE, PRIOR APPROVAL BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW IS REQUIRED.

THIS DEPARTMENT IS NOT ASSOCIATED WITH ANY OF THE ABOVE POSTERS, NOR DO WE RECOMMEND ANY SPECIFIC ONE. WE DO SUGGEST THAT YOU CONTACT A NUMBER OF THEM TO COMPARE PRICES SINCE THEIR CHARGES MAY VARY.

WCR - Revised 10/21/98

DEPARTMENT OF PERMITS AND DEVELOPMENT ZONING REVIEW

1 copy advertising and posting form

ADVERTISING REQUIREMENTS AND PROCEDURES FOR Z

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

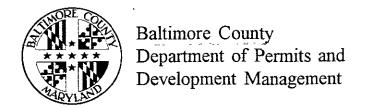
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

For Newspaper Advertising:
Item Number or Case Number:
Petitioner: Kelly A. Sullender
Address or Location: 221 Pidco Rd. Reisterstown MD 21136
PLEASE FORWARD ADVERTISING BILL TO:
Name: Kelly A. Sullender
,
Address: 221 Pidco Rd.
Reisterstown, MD 21136
Telephone Number: (+) 410-517-8151 (w) 410-545-8074

Revised 2/20/98 - SCJ

-50A 00-07-9.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

August 4, 1999

Ms. Kelly A. Sullender 221 Pidco Road Reisterstown, MD 21136

Dear Ms. Sullender:

RE: Case No.: 00-07-A, Petitioner: Kelly A. Sullender,

Location: 221 Pidco Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 7, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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 regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:ggs

Enclosures





Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date:

7.20.99

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

RE:

Baltimore County

Item No. 007

JRA

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

In Michael M. Lenhart, Chief

f. J. Godl

Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 20, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 525, 528, 003, 004, and 007)

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

July 21, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 19, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

525, 526, 528, 529, 531, 532, 002, 003, 004, 007, 008, 009, 010, 011, 012, AND 013.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 7.24.00

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

RE: Baltimore County

Item No. 007

WCR

Dear. Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.tnd.us).

Very truly yours,

1. f. South

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

AV 8/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: July 20, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 525, 528, 003, 004, and 007

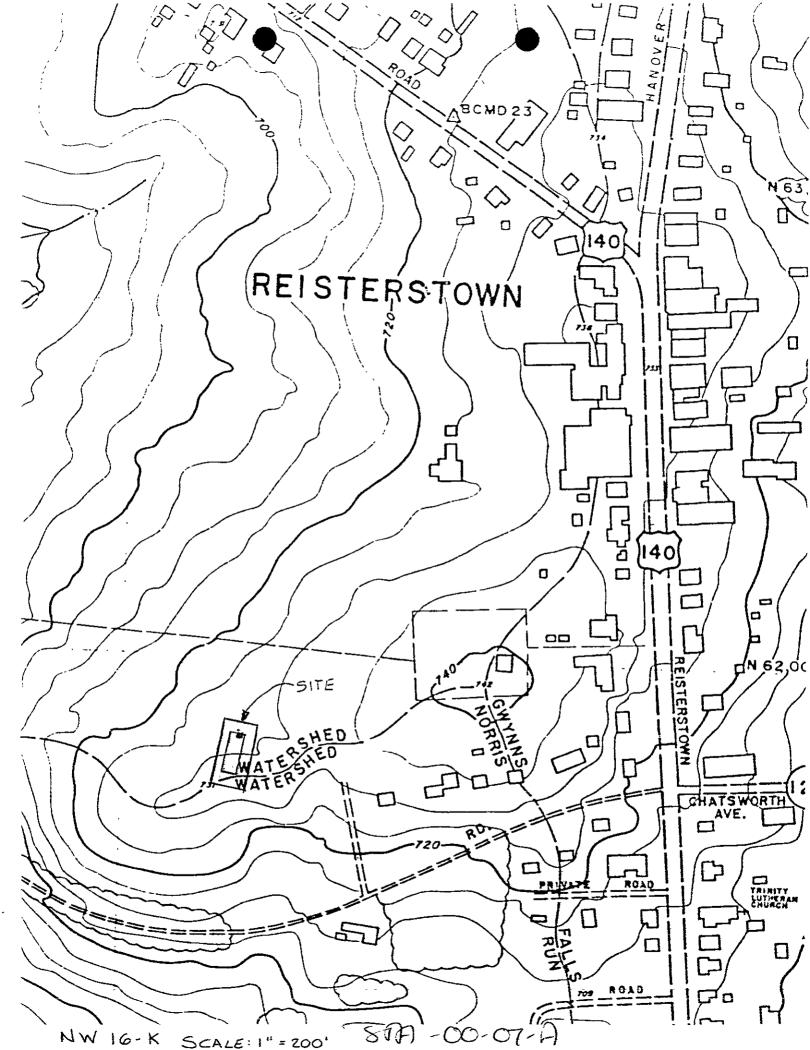
If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

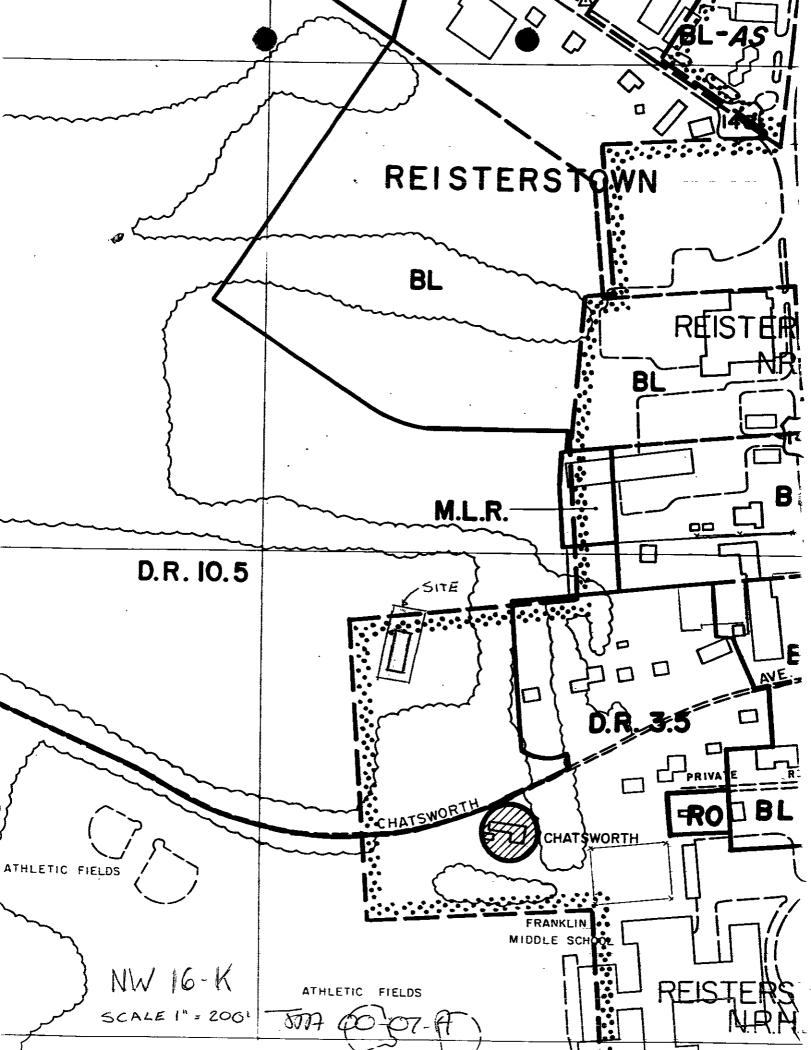
Section Chief: Jeffler, M. Zong

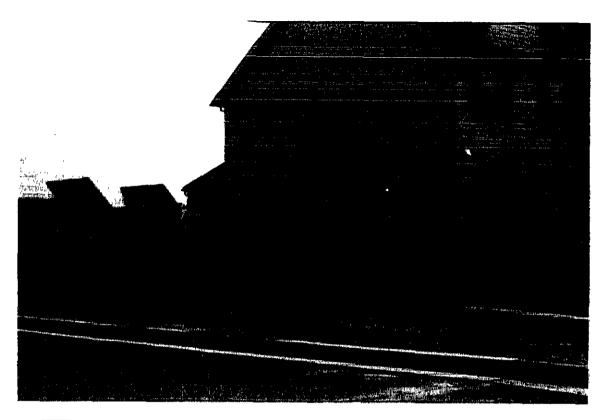
AFK/JL

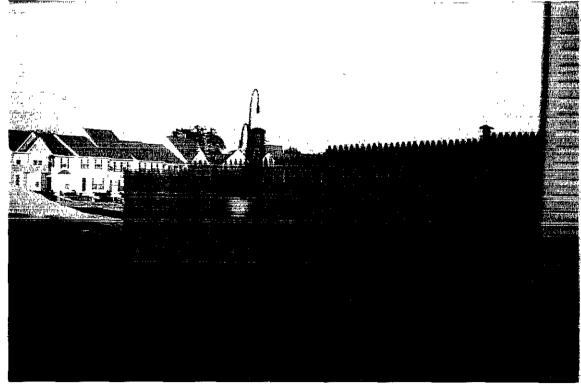
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200 CD COOTA	Zoning Office USE ONLY!	Case No. 93-118-A	Chesapeake Bay Critical Area: [] [] Prior Zoning Hearings:	WATER [7 []	Figure programme of the	Lat size: O.O.683 2975	1,200, scale map#: 乙爻 16 - 六	Councilmanic District.	Election District.	LOCATION INFORMATION	North Scale: 1'-1000'	M	7.7	CENER RO	7	/	ANTENNA PRINCE	& 6 of the CHECKLIST for additional required information	e Special Hearing

PET. EX-1-15-













00.007-A

