

IN RE: PETITION FOR ADMIN. VARIANCE

S/S of Cockpit Street, 230' NE
centerline of Left Wing Drive
15th Election District
5th Councilmanic District
(12 Cockpit Street)

Loyd and Denise Martin
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 00-044-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Loyd & Denise Martin, property owners, for that property known as 12 Cockpit Street in the Stemmers Run area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 ft. in lieu of the required 30 ft. to build an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners 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 Petitioners have 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 Petitioners.

ORDER RECEIVED FOR FILING

Date

8/26/99

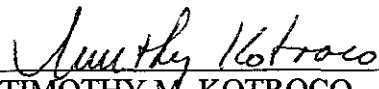
By

R. Jameson

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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of August, 1999 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 25 ft. in lieu of the required 30 ft. to build an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit 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, the Petitioners 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

ORDER RECEIVED FOR FILING
Date 8/26/99
By J.R. Jameson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 26, 1999

Mr. & Mrs. Loyd Martin, Jr.
12 Cockpit Street
Baltimore, Maryland 21220

Re: Petition for Administrative Variance
Case No. 00-044-A
Property: 12 Cockpit Street

Dear Mr. & Mrs. Martin:

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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12 Cockpit St.
which is presently zoned ~~21020~~ DR5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.C.1 to permit a

rear yard setback of 25 ft. in lieu of the required 30 ft.

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

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

Legal Owner(s):

Loyd Raybuen Martin Jr.
Name - Type or Print _____
X Lloyd R Martin Jr.
Signature _____
Denise Lynn Martin
Name - Type or Print _____
X Denise L Martin
Signature _____ day & evening
12 Cockpit Street 410-574-0673
Address _____ Telephone No. _____
Baltimore, MD 21220
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-44-A

Reviewed By BR Date 7/30/99

Estimated Posting Date 8/8/99

ORDER RECEIVED FOR FILING
8/26/99

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 12 Cockpit Street
Address
Baltimore MD 21220
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):

We would like to add an addition to the rear of the home for a bedroom, do to our growing family. Oddly shaped back yard has made this request necessary. We also would like to remain at our present location because of our elderly parents, live 2 streets away.

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.

Lloyd Rayburn Martin Jr
Signature

Lloyd Rayburn Martin Jr
Name - Type or Print

Denise Lynn Martin
Signature

Denise Lynn Martin
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of June, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Lloyd Rayburn and Denise Lynn Martin
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 forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

June 25, 1999
Date

Raurie Brown
Notary Public

My Commission Expires 3-1-03

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 12 Cockpit Street
Address
Baltimore MD 21220
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):

We would like to add an addition to the rear of the home for a bedroom, do to our growing family. Oddly shaped back yard has made this request necessary. We also would like to remain at our present location because of our elderly parents, live 2 streets away.

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.

Lloyd Raybuen Martin Jr
Signature

Lloyd Raybuen Martin Jr
Name - Type or Print

Denise Lynn Martin
Signature

Denise Lynn Martin
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of June, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Lloyd Raybuen and Denise Lynn Martin
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 forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

June 25, 1999
Date

Ramie Brown
Notary Public

My Commission Expires 3-1-03



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12 Cockpit St.
which is presently zoned 21220 D25.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02.3.c.1 to permit

a rear yard setback of 25 ft. in lieu of the
required 30 ft.

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

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

Legal Owner(s):

Loyd Raybuen Martin Jr
Name - Type or Print _____
X Loyd Martin Jr
Signature _____
Denise Lynn Martin
Name - Type or Print _____
X Denise L Martin
Signature _____
12 Cockpit Street Day & evening
Address _____ Telephone No. _____
Baltimore MD 21220
City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 00-44-A

REV 9/15/98

Reviewed By BR Date 7/30/99
Estimated Posting Date 8/2/99

Zoning Description

ZONING DESCRIPTION FOR 12 Cockpit Street
(address)

Beginning at a point on the South side of
Cockpit Street which is 20 feet
wide at the distance of 230 feet North East of the
centerline of the nearest improved intersecting street Left Wing Dr
which is 50 feet wide. *Being lot # 264
Block —, Section # 1 in the subdivision of Aero
Acres as recorded in Baltimore County Plat Book # 13,
Folio # 139 containing 5,400 sq. ft.. Also known as
12 Cockpit Street and located in the 15th Election
District, 5th Councilmanic District.

00-044-A
#44

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 070475

DATE 7/30/99

ACCOUNT

Room - 6150

AMOUNT

\$ 50.00

RECEIVED FROM:

Lloyd Martin

FOR:

Cash on Zoning Variance

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 44

PAID RECEIPT

PROCESSED ACTUAL TIME
7/30/1999 7/30/1999 14:30:33
REG # 005 CASHIER WSTE MES DRAHER 5
Dept 5 528 ZONING VERIFICATION
Receipt # 114278
CR NO. 070475

Receipt Tot 50.00
50.00 CR
Baltimore County, Maryland

00.044.A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 00-44-A

Petitioner/Developer: _____

LOYD & DENISE MARTIN

Date of Hearing/Closing: 8-23-99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

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 _____

12 COCKPIT STREET

The sign(s) were posted on AUGUST 6TH 1999
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

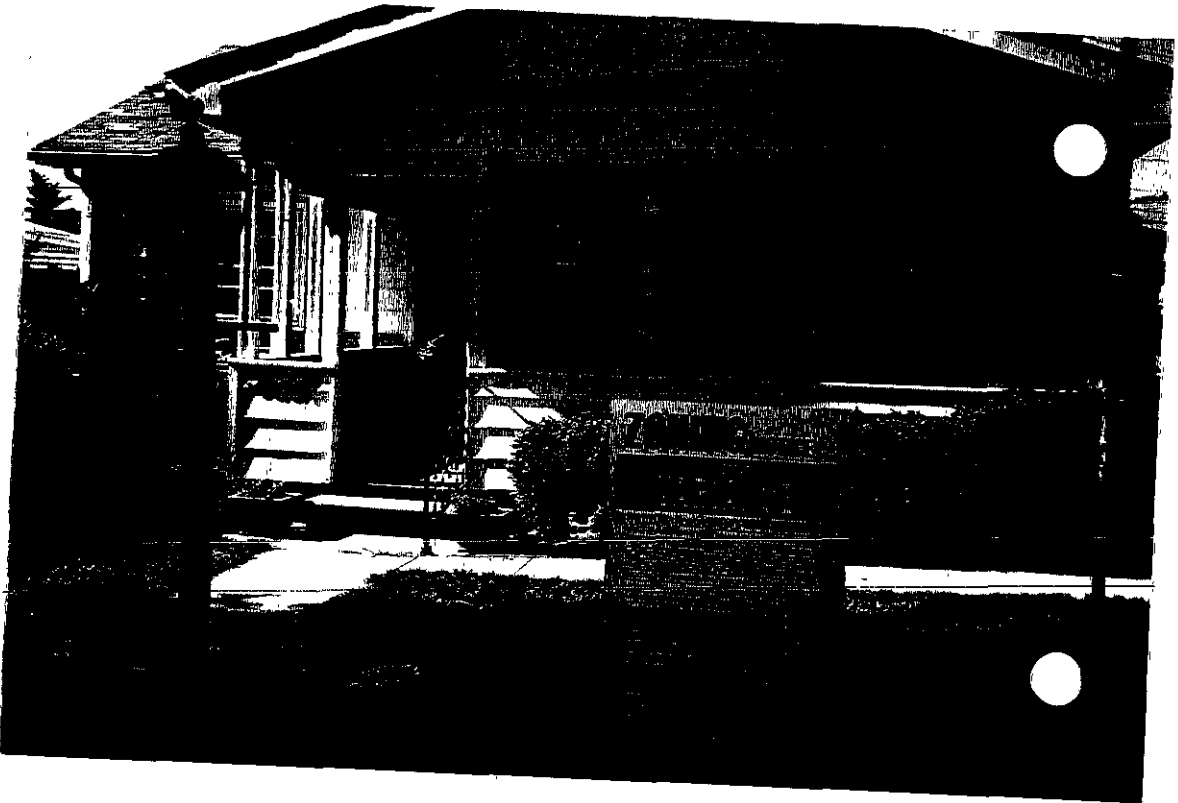
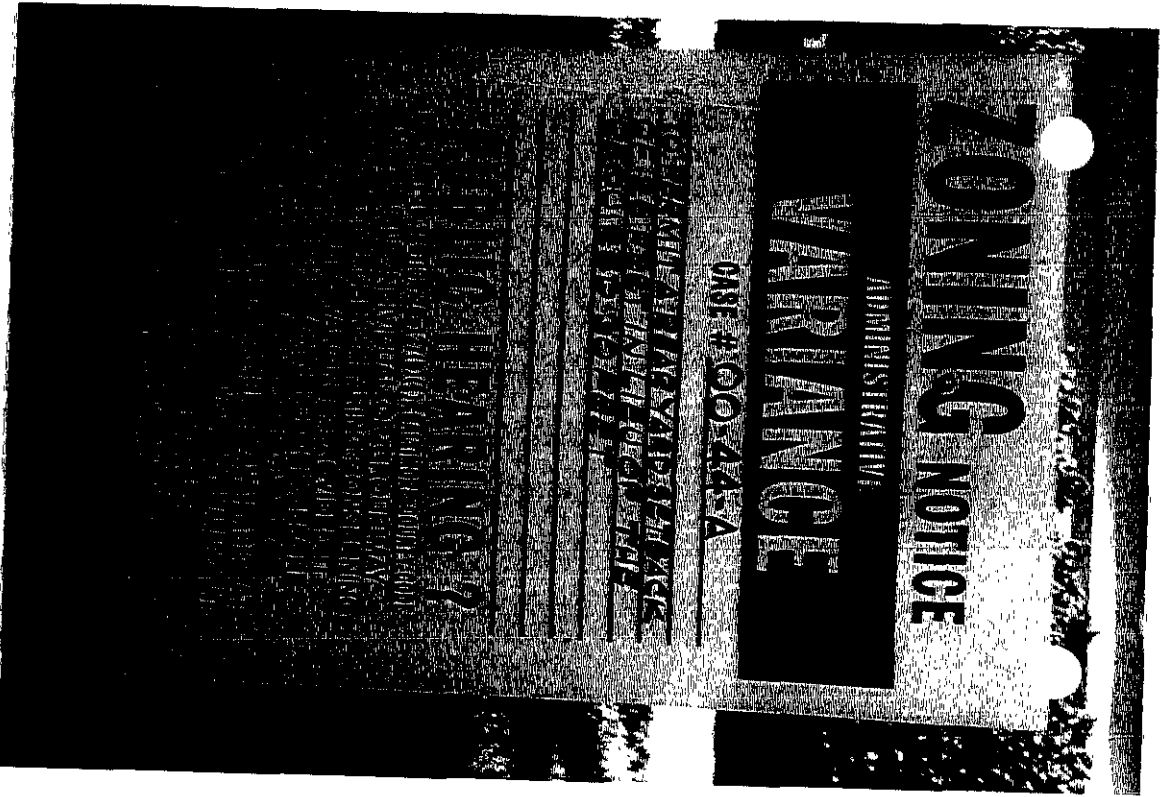
(Address)

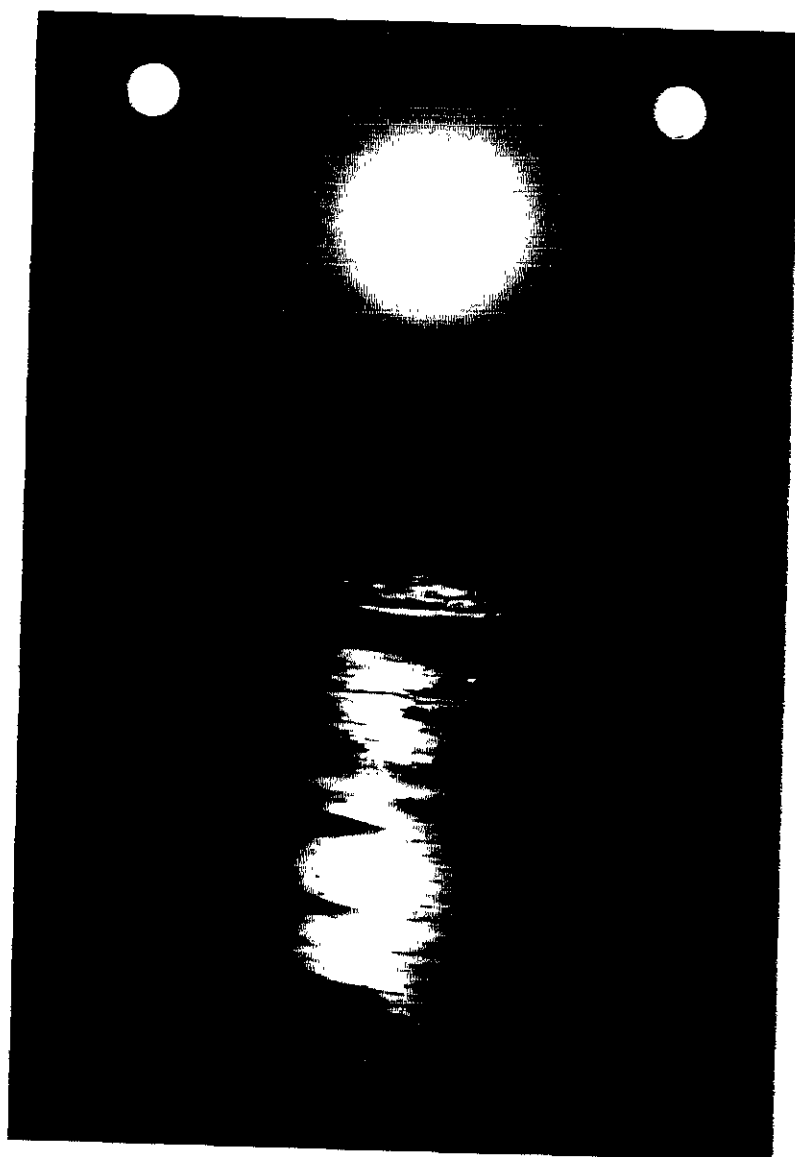
BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)





ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number ⁰⁰~~99~~ 44 -A Address 12 Cockpit st.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 7/30/99 Posting Date: 8/8/99 Closing Date: 8/23/99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number ⁰⁰~~99~~ 44 -A Address 12 Cockpit st.

Petitioner's Name Lloyd & Denise Martin Telephone 410-574-0673

Posting Date: 8/8/99 Closing Date: 8/23/99

Wording for Sign: To Permit a rear yard setback of 25 ft. in lieu of
the required 30 ft.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 00-44-A

Petitioner: Loyd & Denise Martin

Address or Location: 12 Cockpit st.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Loyd & Denise Martin

Address: 12 Cockpit st.

Balto. Md 21220

Telephone Number: 410-574-0673

Revised 2/20/98 - SCJ

#44



Baltimore County
Department of Permits and
Development Management

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

August 24, 1999

Mr. & Mrs. Loyd Raybuen Martin, Jr.
12 Cockpit Street
Baltimore, MD 21220

Dear Mr. & Mrs. Martin:

RE: Case No.: 00-44-A
Petitioner: Loyd and Denise Martin
Location: 12 Cockpit Street

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on July 30, 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,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: August 16, 1999

FROM: *for* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for August 16, 1999
Item Nos. 016, 017, 018, 019, 020,
021, 022, 023, 024, 026, 028, 030,
031, 032, 033, 034, 035, 042, 043,
044

and

Case Number 99-200-SPHXA
1010 Eastern Avenue and
1017 Eastern Boulevard

Item #37 (commercial)
Radcliffe Shopping Center
1017 York Road

Item #38 (residential)
OXEYE ROAD - Greengate
2208 OXEYE ROAD

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

RWB:HJO:jrb

cc: File

ZAC08169.NOC

8/23 AV

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

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

Date: August 11, 1999

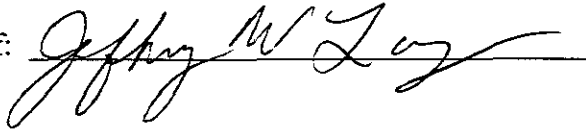
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 001, 005, 023, 028, 030, 031, 032, 033, 034, 035, 038, 043, and 044

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



Maryland Department of Transportation
State Highway Administration

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

Date: 8.10.99

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

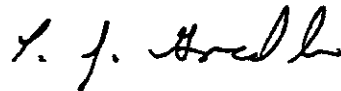
RE: Baltimore County
Item No. 044 BR

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,

10 
Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

We the undersigned neighbor's of Loyd & Denise Martin, 12 Cockpit Street Baltimore Md 21220 have been advised that they have requested a permit for an addition to the rear of their home. We foresee no problem with this request.

Thank you,

Michael R. Smith

11 Cockpit St, Balto, Md. 21220

Elizabeth J. Murney

13 Cockpit St Balto Md 21220

Doug A. Meredith

14 Cockpit St 21220

Eleanor Bryson

11 Left Wing Dr 21220

Mary Moore

10 Cockpit St 21220

John C. Swann Jr.

7 Left Wing Dr. 21220

00-044-A

#44

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

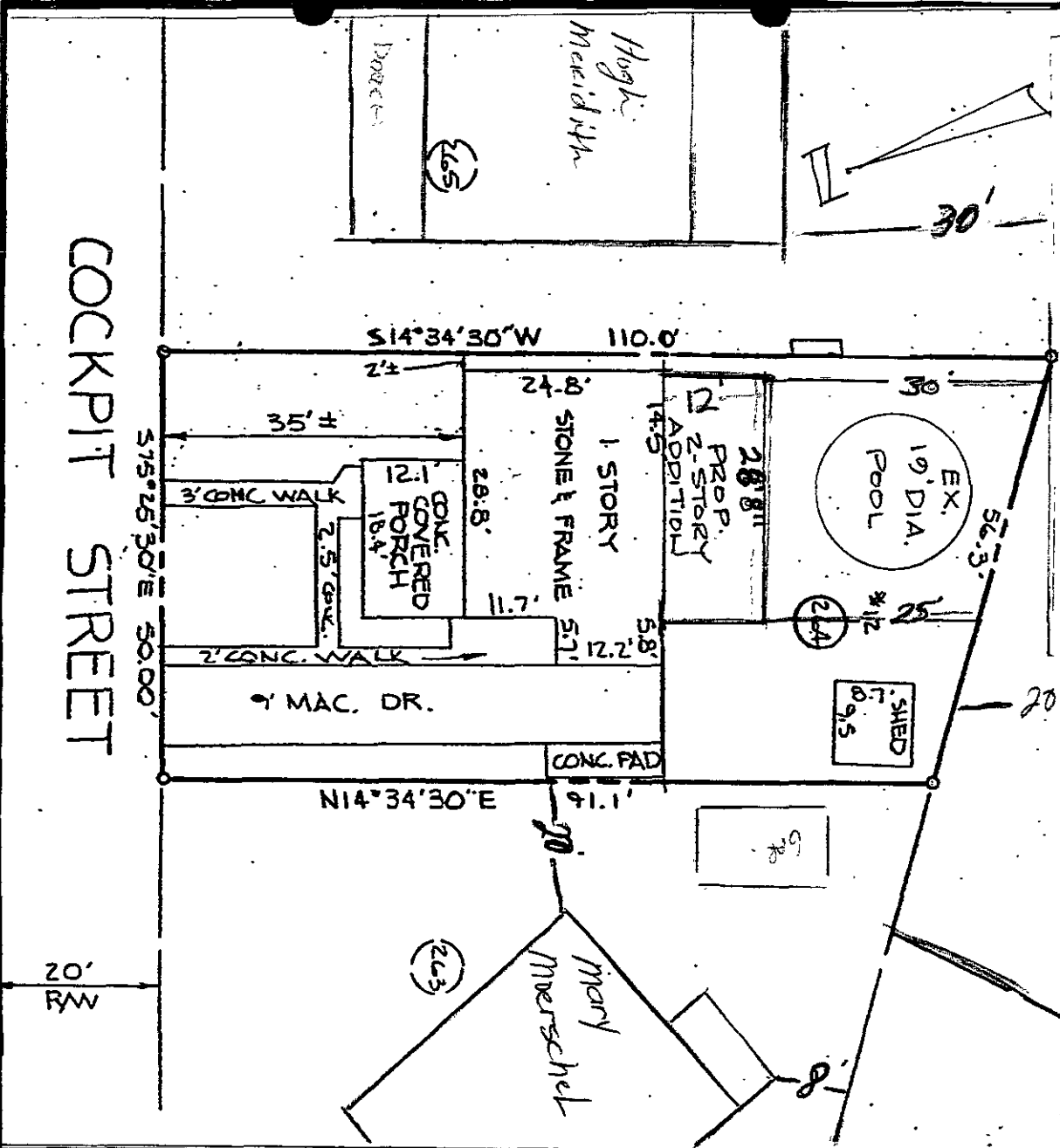
PROPERTY ADDRESS: 12 COCKPIT STREET

Subdivision name: AERO ACRES

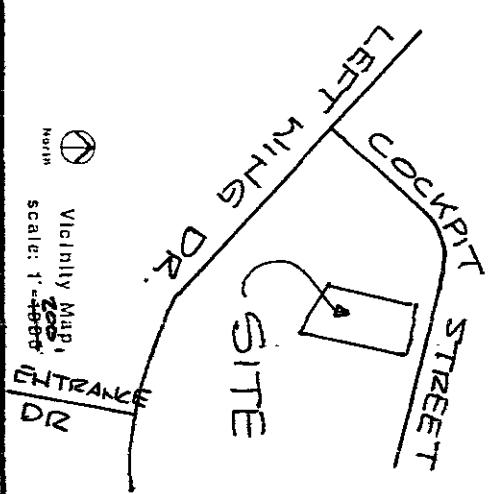
Plat book # 13, folio # 132, lot # 264, section # 1

John Swann Sr.

see pages 5 & 6 of the CHECKLIST for additional required information



OWNER: LOYO RAYBURN MARTIN JR ET UX



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: HE 3H

Zoning: DE 5.5

Lot size: 5400 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____

BR 44 20-44-A

PET. EX. 1

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

For Newspaper Advertising:

Item Number or Case Number: _____

Petitioner: _____

Address or Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

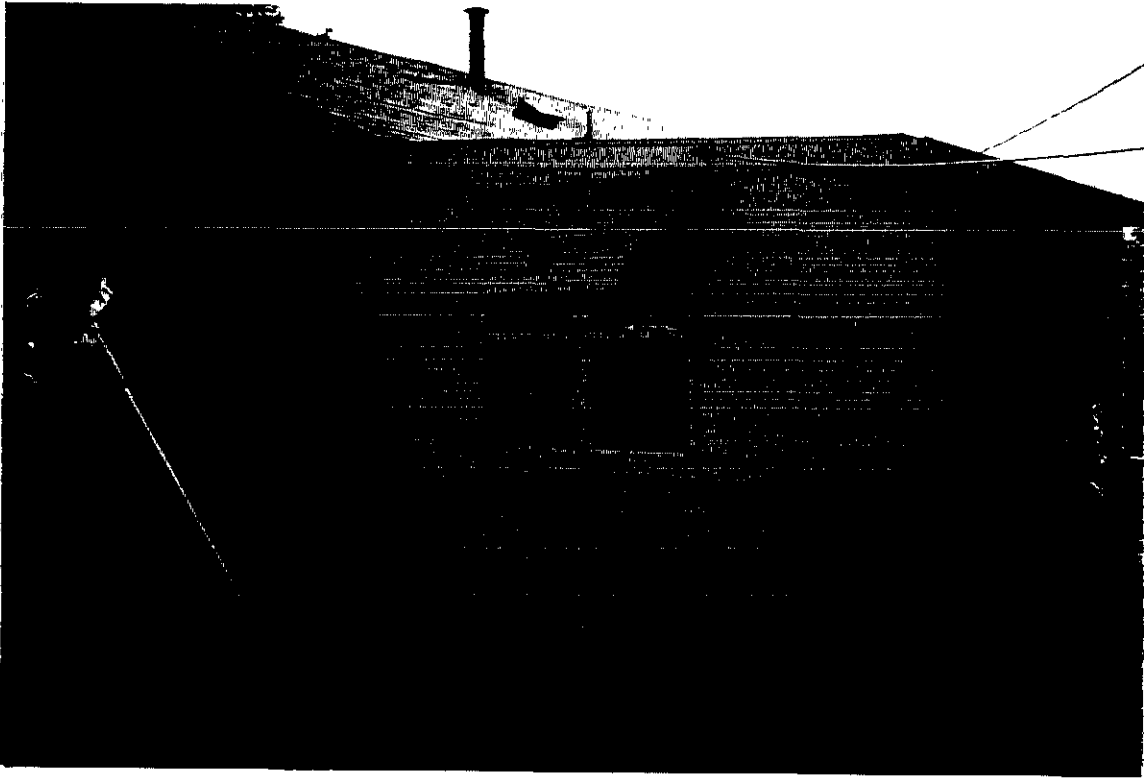
Name: _____

Address: _____

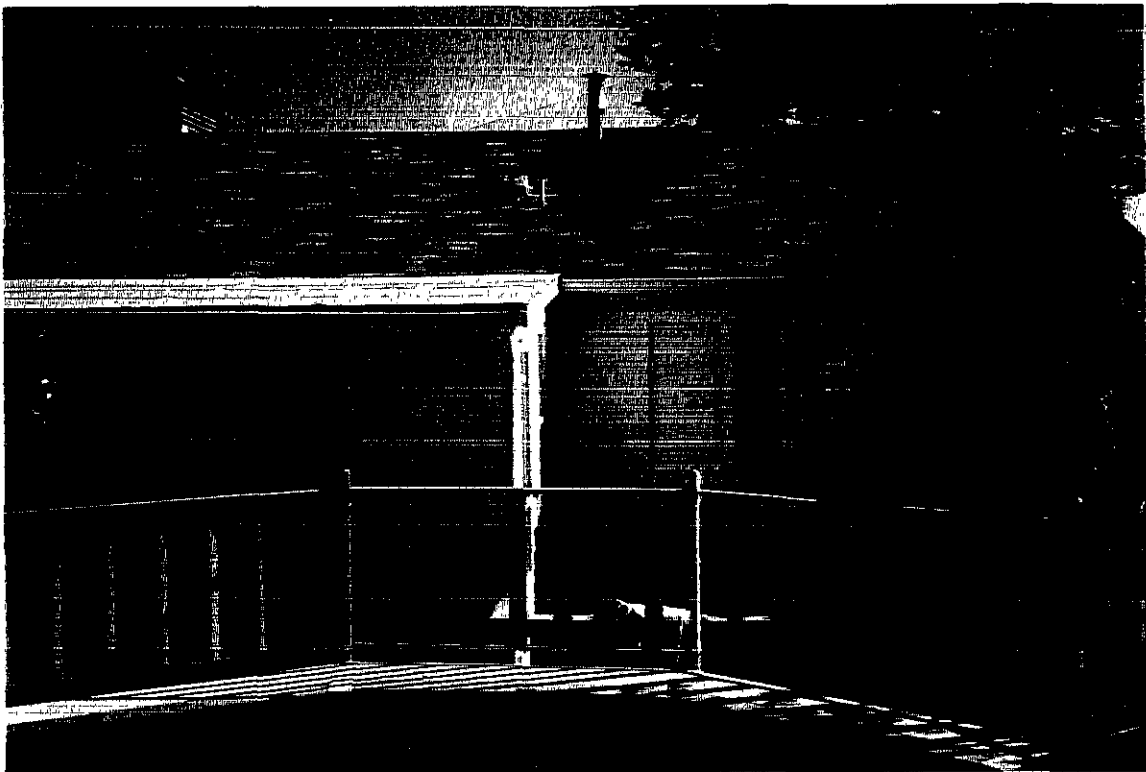
Telephone Number: _____

Revised 2/20/98 - SCJ

[illegible]



Rear View Proposal for two story addition



00-044-A

#44

hh#



LOCATION		SHEET
STEMMERS RUN AERO ACRES		N.E. 3-H
SCALE	DATE OF PHOTOGRAPHY	
1" = 200'	JANUARY 1986	

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

00-044-A