Date 1925/99

IN RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
N/S Grummore Circle, 175' +/E of centerline Tristarm Lane
2nd Election District
3rd Councilmanic District
(8904 Grummore Circle)

Larry R. & Diane Seegull Petitioners

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 00-092-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, Larry and Diane Seegull. The Petitioners are requesting approval of an in-law apartment on an undersized lot and a variance to allow an apartment on a lot with an area of 8,352 sq. ft. with a width of 87 ft. in lieu of the minimum required 12,500 sq. ft. and 90 ft. respectively.

Appearing at the hearing on behalf of the special hearing and variance request were Larry and Diane Seegull, the property owners. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, consists of 0.19 acres, more or less, zoned D.R.3.5. The subject property is improved with a two-story stone and stucco single-family dwelling, wherein the Petitioners reside. At the present time, Mrs. Seegull's mother is residing with the applicants. As a result of the growth of the Petitioners' family, the Petitioners are desirous of constructing an in-law apartment in the unfinished basement within this dwelling. The in-law apartment will be utilized by Ms. Vivian Cohen, who, as stated previously, is Mrs. Seegull's mother. Ms. Cohen is unable to reside on her own and is desirous of viving with her daughter and son-in-law. In order to proceed with the construction of an in-law apartment in the basement of their dwelling a special hearing and variance request is necessary.

ONE 195/18

The Petitioners testified that they have spoken with their neighbors concerning the construction of this in-law apartment in their basement and no one had any objections to their plans. Furthermore, no one appeared in opposition to their request at the hearing.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the

To Joseph Mind

relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' special hearing and variance request should be granted.

THEREFORE, IT IS ORDERED this day of October, 1999, by this Deputy Zoning Commissioner, that the Petitioners' Special Hearing Request for approval of an in-law apartment on an undersized lot and a Variance to allow an apartment on a lot with an area of 8,352 sq. ft. with a width of 87 ft. in lieu of the minimum required 12,500 sq. ft. and 90 ft. respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
- 2) The in-law apartment constructed in the basement of the property located at 8904 Grummore Circle shall be utilized by Ms. Vivian Cohen, the mother of Mrs. Diane Seegull, the Petitioner herein. In the event Ms. Cohen ceases to reside within the in-law apartment, then the property shall be reconverted to a single family dwelling.
- In the event Mr. & Mrs. Seegull, the Petitioners herein, ever sell their property, then the special hearing and variance relief to approve this in-law apartment shall cease and terminate. The permission granted herein to construct this in-law apartment shall not be transferable to any future purchaser or transferee of the property. In the event of the sale of the property, the Petitioners shall reconvert the property to a single-family dwelling.

CRUES PROSIVED FOR FILING Date 10/25/99

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

October 22, 1999

Mr. & Mrs. Larry R. Seegull 8904 Grummore Circle Pikesville, Maryland 21208

Re: Petition for Special Hearing & Variance

Case No. 00-092-SPHA

Property: 8904 Grummore Circle

Dear Mr. & Mrs. Seegull:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing and Variance have 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

TMK:raj Enclosure



REU 9/15/98

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at .	8904	GRUHHOR	E CILCLE	21208
		zonea \mathcal{D}		

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve and the County of the C
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to all ow an apartment on alot with an area of 83525 ft. and a width of 87 ft. in lieu of the minimum required ft. and a width of 87 ft. in lieu of the minimum required 12,500 sq ft. and 90 ft. respectively.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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.

		is the subject of this Petition.
Contract Purchaser/	Lessee:	<u>Legal Owner(s):</u>
Name - Type or Print		Name - Type of Print
Signature		Signature DIANE SEEGULL
Address City.	Telephone No.	Name - Type or Print Oscillation Signal
Attorney For Petition	State Zip Code	Signature 410-602- 8904 GRUMMORE CIRCLE 8475 Address Telephone No. PIKESVIIIE, MARYLAND 21208 City State Zip Code
Name Type or Print Signature Columnary Address		Representative to be Contacted: LARRY ROBERT SEEGULL Name 3904 GRUHMORE CIRCLE 7321 Telephone No.
Address City	Telephone No. State Zip Code	Address Telephone No. PIKESVIIIL, HARYLAND 21208 City State Zip Code
		OFFICE USE ONLY ESTIMATED LENGTH OF HEARING
Case No. <u>00-</u>	92-SpHA	UNAVAILABLE FOR HEARING

Reviewed By

Attachment to Petition for Special Hearing

For the improvement of property at 8904 Grummore Circle, Pikesville, Maryland 21208

Dear Sir/Madam,

We are respectfully seeking approval for the finishing of our basement so that my mother-in-law, Vivian Cohen, can live with us now that she is recently divorced. Vivian is currently unable to live by herself because of a financial hardship. Although she works full time as a cashier at Bibelot book store, she makes less than \$15,000 per year. On her budget she is simply unable to afford even a \$350 monthly payment towards an apartment or a condo.

Vivian has been living with us in our home in a second floor bedroom for some time now. The improvement we are contemplating will allow Vivian to retain some of her privacy even though she will continue to share our home. Moreover, allowing Vivian to "have her own space" will give me and my immediate family some privacy as well.

In particular, we would like to build Vivian a small bedroom, a small living room, a full bathroom with a shower, and a small cooking area. Importantly, none of these changes will require any modifications to the exterior structure of the house. All of the improvements will take place to the interior basement of the existing house.

Please note, we do <u>not</u> plan on giving Vivian a full kitchen. We expect that Vivian will prepare and eat many of her meals in the first floor kitchen with us. Indeed, that is one of the benefits of having Vivian live with us. As our family grows, we expect that Vivian will be an active participant in the cooking of the meals for the family. A small cooking area in the basement, however, will allow Vivian some independence, which she so desperately wants and needs. For instance, if approved, Vivian will be able to make a casserole dish or make soup for herself, without the fear of bothering us or the hassle of leaving her room.

If requested, we are more than willing to tear down any portion of the improvement when we sell the house or make any modification of our plan to accommodate any concerns the County may have. In short, this improvement will greatly benefit our family and my mother-in-law.

Please contact me if I can answer any questions on this matter or be of any further assistance. I can be reached during the day at 410-576-2381. I thank you in advance for your consideration of this request.

Respectfully submitted,

ZONING DESCRIPTION FOR 8904 Grummore Circle, Pikesville, Maryland 21208

Beginning at a point on the North the side of Grummore Circle which is 50 feet wide at the distance of 175 feet East of the centerline of the nearest improved intersecting street, Tristam Lane, which is 50 feet wide. Being Lot # 39, as shown on plat entitled, "Plat C, Resubdivision of Avalon East, (being a Resubdivision of a portion of Avalon East)", which plat is recorded among the Land Records of Baltimore County in Plat Book S.M. # 70, Folio # 19. The improvements thereon being known as No. 8904 Grummore Circle and located in the 3rd Election District, 2nd Councilmanic District.

00.092-SPHA

BALTIMORE COUNTY, MATURAND
OFFICE OF BUDGET & FINANC.
MISCELLANEOUS RECEIPT

DATE 8-31-99

ACCOUNT R-DO1-6150

REG 1903 CASHER PRIES PEU DRAMER
DOPT 5 528 ZINTING UTTI-TORTON
RECEIVED AS. Seegul/
FROM: M5. Seegul/
FOR: Residential Special Hearing and Variance
Filing tee, 18904 Grum more Cir.

CASHIER'S VALIDATION

CASHIER'S VALIDATION

YELLOW - CUSTOMER

DISTRIBUTION WHITE - CASHIER

PINK - AGENCY

A 492- 500.00

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- ,00 (3)

CERTIFICATE OF POSTING

00-92-SPHA RE Case No Petitioner Developer SEEGULL / ETAL

Date of Hearing Closing 10/20/99

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 #8904 GRUMUOFE RD.

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666:5366 ; CELL-410-905-857!

(Telephone Number)



8904 GRUMHORE H-OCT. 20 8900

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in <u>Towson Maryland</u> on the property Identified herein as follows:

CASE NUMBER: 00-092-SPHA
8804 Grummore Circle
N/S Grummore Circle, 175° 4/- E of centerline Tristam Lane
2nd Election District - 3rd Councilmant District
Leval Charles Seepul 8. Lang Robert Seepull

Legal Owner, Diane Seegull & Larry Robert Seegull
Special Hearing, to approve an in-law apartment and an undersized lot. Variance: to allow an apartment on a lot with an area of
8,362 square feet and with a width of 87 feet in lieu of the minimum required 12,500 square feet and 90 feet, respectively.

Heating: Wednesday, October 20, 1999 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Conlact the Zoning Commissioner's Office at (410) 887-4386.

(2) For Information concerning the File and/of Hearing; Contact the Zoning Review Office at (410) 887-3391.

JTU/10/615 October 5

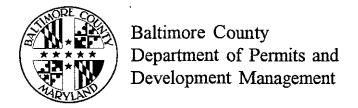
CERTIFICATE OF PUBLICATION

TOWSON, MD.,
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of successive
weeks, the first publication appearing on TOES 105, 1999.

THE JEFFERSONIAN,

1000

LEGAL ADVERTISING



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

September 22, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-092-SPHA

8904 Grummore Circle

N/S Grummore Circle, 175' +/- E of centerline Tristam Lane

2nd Election District – 3rd Councilmanic District

Legal Owner: Diane Seegull & Larry Robert Seegull

<u>Special Hearing</u> to approve an in-law apartment and an undersized lot. <u>Variance</u> to allow an apartment on a lot with an area of 8,362 square feet and with a width of 87 feet in lieu of the minimum required 12,500 square feet and 90 feet, respectively.

HEARING: Wednesday, October 20, 1999 at 9:00 a.m. in Room 106, County Office

Building, 111 West Chesapeake Avenue

Arnold Jablon Director

c: Diane & Larry Seegull, 8904 Grummore Circle, Pikesville 21208

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 5, 1999.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 5, 1999 Issue - Jeffersonian

Please forward billing to:

Larry & Diane Seegull 8904 Grummore Circle Baltimore, MD 21208 410-576-2381 OR 410-602-8475

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-092-SPHA

8904 Grummore Circle

N/S Grummore Circle, 175' +/- E of centerline Tristam Lane

2nd Election District – 3rd Councilmanic District

Legal Owner: Diane Seegull & Larry Robert Seegull

<u>Special Hearing</u> to approve an in-law apartment and an undersized lot. <u>Variance</u> to allow an apartment on a lot with an area of 8,362 square feet and with a width of 87 feet in lieu of the minimum required 12,500 square feet and 90 feet, respectively.

HEARING: Wednesday, October 20, 1999 at 9:00 a.m. in Room 106, County Office

Building, 111 West Chesapeake Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

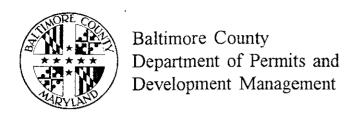
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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: 00-92-5PHA				
Petitioner: Larry & Dean's Seegull				
Address or Location: 8904 Grummore CIR -				
PLEASE FORWARD ADVERTISING BILL TO:				
Name: Same				
Address:				
Balto, Md., 21208				
Telephone Number: (410) 576-238/ OR (410) 602-8475				



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

October 15, 1999

Mr. Larry Seegull 8904 Grummore Circle Pikesville, MD 21208

Dear Mr. Seegull:

RE: 00-092-SPHA, 8904 Grummore Circle

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

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, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:rsj

Enclosures



Printed with Soybean link

on Recycled Paper









BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: September 20, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for September 20, 1999

Item Nos. 070, 073, 074, 075, 076,

077, 079, 080, 081, 082, 083, 084,

085, 086, 087, 088, 090, 091, (092),

093, 094, 097, 098, 099, and 100

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

#10. RWB:HJO:jrb

cc: File



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

Date: 9.13.99

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

RE: Baltimore County

Item No. 092

272

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,

Kenneth A. McDonald Jr.

I. J. Dredle

Acting Chief

Engineering Access Permits Division

Jim 10/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: September 27, 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): 092

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.

effry W. Long

Section Chief:

AFK/JL

RE:	PETITION FOR SPECIAL HEARING
	PETITION FOR VARIANCE
8904	Grummore Circle, N/S Grummore Cir.,
175' -	+/- E of c/l Tristam Ln
2nd E	Election District, 3rd Councilmanic

Legal Owner: Larry R. and Diane Seegull Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 00-92-SPHA

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

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ______ day of September, 1999 a copy of the foregoing Entry of Appearance was mailed to Larry R. and Diane Seegull, 8904 Grummore Circle, Baltimore, MD 21208, Petitioners.

PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS	
LARRY SEEBLIN	7 8984 Grummer Chode	
Digne SSEGUI	- 8984 Grunner Chole Pikesille, MD 21208	

	والمراجع
Plat to accompany Petition for Zoning Variance	e Special Hearing
PROPERTY ADDRESS: 8904 GRUNMORE CIRCLE see pages 5 & 6 of the	CHECKLIST for additional required information
Subdivision name: AVALON EAST	SITE
plat book# 70, tolla# 19, tol# 39, section#	
OWNER: LARRY and DIANE SEEGUL	HATOT
}	ONE PIET FOR CONTE
	N N
ARLENE FISHER Blakor	
3910GRIMMORECITCI E	\rightarrow \sim 7
# 23000016 78	
_ , , , , , , , , , , , , , , , , , , ,	
42) GACIL Jack Libowit 2	* / //
8908 Gruphore Com	Vicinity Map
N 86*44'08" E 87.00' # Z300001677	scale: 1'=1000'
	LOCATION INFORMATION
	Election District: 02
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Janice , stoke & Stucco & Sparie & 121111	, l
	1 200 30210 1125 1 10 00 1
# 2300001674 8 CIrcle	Zoning: D. R. 3.5 Lot size: •19 8352
FIDAT 30 208 SOURCE SETBACK LINE # 23 00001676	Lot size: 19 8352 acreage square feet
CONCRETT CONCRETT	
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Tristam LA. GRUHHOLE CIRCLE	yes no
Tristam 24. Orumnocc	Chesapeake Bay Critical Area:
	Prior Zaning Hearings: NONE
North	Zoning Office USE ONLY!
date:	reviewed by: ITEM #: CASE#:
prepared by: Scale of Drawing: 1'=	1991 92

Pet. Ox#1

