

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Pinewood Road, 60' W

Woodwell Road

12th Election District

7th Councilmanic District

(2807 West Woodwell Road)

Raymond K. Swann

Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-198-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Raymond K. Swann. The variance request is for property located at 2807 West Woodwell Road, located in the North Point/Gray Manor area of Baltimore County. The Petitioner herein seeks a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) within the closest 1/3 of a side street (10 ft.) in lieu of the furthest 1/3 of a side street (25 ft.) and to allow an accessory structure in the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative 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

RECEIVED BALTIMORE COUNTY ZONING DEPARTMENT

12/12/99

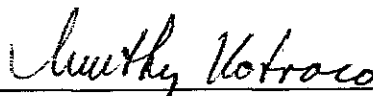
By R. Swann

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.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of December, 1999 that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow an accessory structure (detached garage) within the closest 1/3 of a side street (10 ft.) in lieu of the furthest 1/3 of a side street (25 ft.) and to allow an accessory structure in the side yard in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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.
- 2) The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments.
- 3) The Petitioner shall not allow or cause the accessory structure to be used for the service and repair of automobiles.
- 3) 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

FILED FOR FILING
12/21/99
R. R. [Signature]



Baltimore County
Zoning Commissioner

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

December 20, 1999

Mr. Raymond K. Swann
2807 West Woodwell Road
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 00-198-A
Property: 2807 West Woodwell Road

Dear Mr. Swann:

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 Department of Permits and Development Management. 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 Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2807 WEST WOODWELL ROAD
which is presently zoned DR 5.5

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) 400.1 BCZR (DETACHED GARAGE)

TO ALLOW AN ACCESSORY STRUCTURE WITHIN THE CLOSEST
 $\frac{1}{3}$ OF A SIDE STREET (10') IN LIEU OF THE FURTHEST
 $\frac{1}{3}$ OF A SIDE STREET (25') AND TO ALLOW AN ACCESSORY
STRUCTURE IN THE SIDE YARD IN LIEU OF THE
REQUIRED REAR YARD.

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):

RAYMOND K. SWANN
Name - Type or Print

Signature

Name - Type or Print

Signature

2807 WEST WOODWELL RD 410 285-7544
Address Telephone No.

BALTO
City

MD
State

21222
Zip Code

Representative to be Contacted:

OWNER
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, 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.

CASE NO. 00-198-A

REV 9/15/98

Reviewed By LTW Date 11/5/99

Estimated Posting Date 11/14/99

Zoning Commissioner of Baltimore County

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 2807 WEST WOODWELL ROAD
Address
BALTIMORE MD 21222
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):

DUE TO THE LOT SIZE AND LIMITED REAR YARD AREA, THE PROPOSED GARAGE WOULD NOT FIT. THE ONLY ALTERNATIVE LOCATION FOR THE GARAGE IS AS SHOWN ON THE ATTACHED EXHIBIT.

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.

Raymond K. Swann
Signature
Raymond K. Swann
Name - Type or Print

Signature

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 27 day of OCT, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Raymond K. Swann
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

10/27/99
Date

James A. Cavanaugh
Notary Public
My Commission Expires 9/1/03

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.

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Address
BALTIMORE MD 21222
City State Zip Code

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Raymond K. Swann
Signature
Raymond K. Swann
Name - Type or Print

Signature

Name - Type or Print

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Raymond K. Swann
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AS WITNESS my hand and Notarial Seal

10/27/99
Date

James A. Lawrence
Notary Public

My Commission Expires 9/1/03



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2807 WEST WOODWELL ROAD
which is presently zoned DR 5.5

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(DETACHED GARAGE)
TO ALLOW AN ACCESSORY STRUCTURE WITHIN THE CLOSEST
 $\frac{1}{3}$ OF A SIDE STREET (10') IN LIEU OF THE FURTHEST
 $\frac{1}{3}$ OF A SIDE STREET (25') AND TO ALLOW AN ACCESSORY
STRUCTURE IN THE SIDE YARD IN LIEU OF THE
REQUIRED REAR YARD

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.

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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):

RAYMOND K. SWANN
Name - Type or Print

Signature

Name - Type or Print

Signature

2807 WEST WOODWELL Rd 410 285-75
Address Telephone No.

BALD MD 21222
City State Zip Code

Representative to be Contacted:

OWNER
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. 00-198-A

REV 9/15/98

Reviewed By LTM Date 11/5/99

Estimated Posting Date 11/14/99

ZONING DESCRIPTION
for
2807 West Woodwell Road

00-198-A

BEGINNING at a point on the North side of Pinewood Road which is 50 feet wide at the distance of 60 feet West of the centerline of the nearest improved intersecting street West Woodwell Road which is 55 feet wide. Being Lot #141, Section 2 in the subdivision of Gray Manor-2 as recorded in Baltimore County Plat Book 13, Folio 34, containing 6507 or 0.15 Ac. Also known as 2807 West Woodwell Road and located in the 12th Election District, 7th Councilmanic District.

#198

ULTIMORE COUNTY, MARYLAND
 OFFICE OF BUDGET & FINANCE
 MISCELLANEOUS RECEIPT

#198
 No. 073286

DATE 11/5/99

ACCOUNT 220016150

AMOUNT \$ 50.00

RECEIVED FROM: CASH

FOR: CIO VARIANCE

3UTION
 2 - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

11/05/1999 11/05/1999 14:34:20
 REC 22004 CASHIER JAR J.K. BAKER
 REC 5 528 200000 VERIFICATION
 REC 11 102901
 CR NL 073286
 Receipt Tot 50.00
 50.00 TK
 Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 00-198-A
PETITIONER/DEVELOPER
[Raymond Swann]
DATE OF Closing
[Nov. 29, 1999]

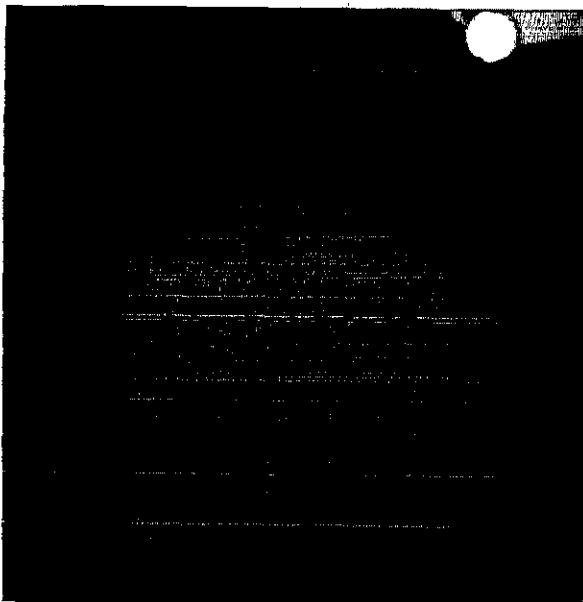
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

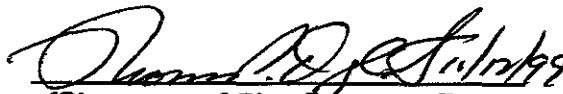
LADIES AND GENTLEMEN:

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
2807 West Woodwell Road Baltimore, Maryland 21222__

The sign(s) were posted on__ 11-12-99 __
[Month, Day, Year]



Sincerely,


[Signature of Sign Poster & Date]

____ Thomas P. Ogle, Sr. ____

____ 325 Nicholson Road ____

____ Baltimore, Maryland 21221 ____

____ (410)-687-8405 ____
[Telephone Number]

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 198 -A Address 2807 WEST WOODWELL RD

Contact Person: LLOYD MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11/5/99 Posting Date: 11/14/99 Closing Date: 11/29/99

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- 198 -A Address 2807 WEST WOODWELL RD
Petitioner's Name RAYMOND SWANN Telephone 410 285 7544
Posting Date: 11/14/99 Closing Date: 11/29/99

Wording for Sign: To Permit AN ACCESSORY STRUCTURE (DETACHED GARAGE) WITHIN THE CLOSEST 1/3 OF A SIDE STREET IN LIEU OF THE FURTHEST 1/3 OF A SIDE STREET. AND TO ALLOW AN ACCESSORY STRUCTURE IN THE SIDE YARD IN LIEU OF THE REQUIRED REAR YARD.

**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: 00-198-A

Petitioner: RAYMOND K. SWANN

Address or Location: 2807 WEST WOODWELL Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: RAYMOND K. SWANN

Address: 2807 WEST WOODWELL Rd

BALTO MD 21222

Telephone Number: 410 285-7544



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

November 29, 1999

RECEIVED JAN 06 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 15, 1999

Item No.: See Below

Dear Ms. Stephens:

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:

183, 185, 186, 187, 189, 190, 191, 192, 193, 194, 195, 196,
197, 198

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 387-4881, MS-1102F

cc: File



AV
11/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 29, 1999

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

30

SUBJECT: 2807 West Woodwell Road

INFORMATION:

Item Number: 198

Petitioner: Raymond K. Swan

Zoning: DR 5.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

A site inspection determined that the location of the detached garage as proposed might be undesirable due the number of existing accessory structures on the subject lot. In addition, the site visit indicated that numerous household items are being stored within the fenced-in area of the property. The Office of Planning recommends that the Zoning Commissioner conduct a site visit prior to rendering a final decision in this matter.

If there should be any questions, please contact Amy Trexler, Seventh District Community Planner, at 410-887-3480.

Section Chief:



AFK/JL



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-~~4386~~ 3868
Fax: 410-887-3468

December 14, 1999

Mr. & Mrs. Leroy Weaver
301 Pinewood Road
Baltimore, Maryland 21222

Re: Petition for Administrative Variance
Case No. 00-198-A
Property: 2807 West Woodwell Road
Petitioner: Raymond K. Swann

Dear Mr. & Mrs. Weaver:

Your neighbor has filed a petition for administrative variance to build a garage in his side yard. After reviewing the site plan, it appears that this structure will be situated near your front yard.

Upon receipt of this letter, please call this office at the above phone number so that we can discuss this matter further. Thank you for your attention and cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, reading "Timothy Kotroco". The signature is written in a cursive, flowing style.

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj

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



Printed with Soybean Ink
on Recycled Paper

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-198-A

Date Completed/Initials

AS
PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

N/A
DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

N/A
TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

N/A
UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

AS
COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

AS
ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file) 11-16

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

10/5/99

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

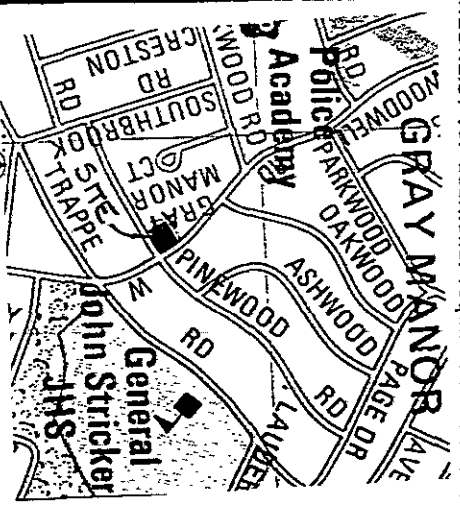
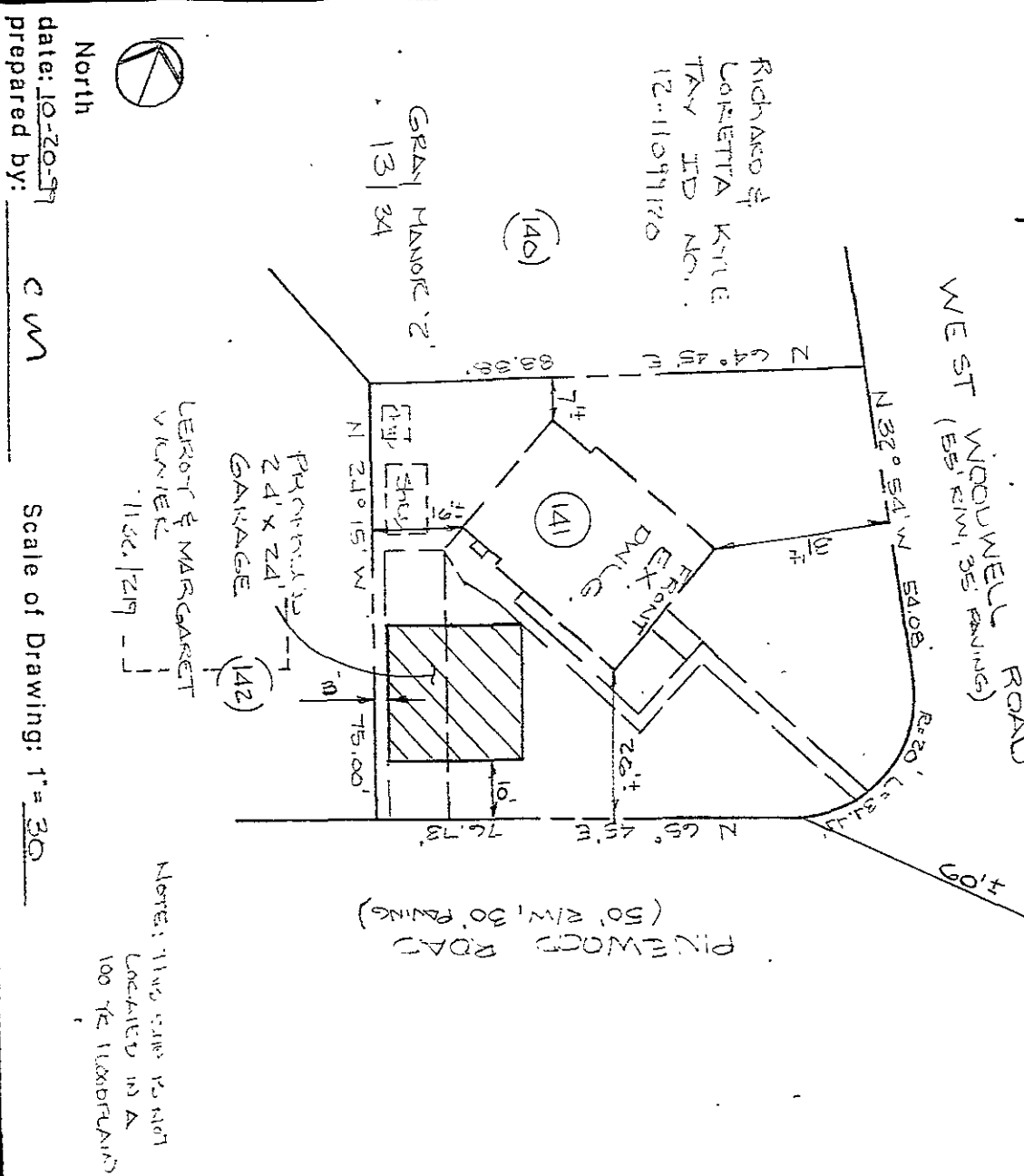
PROPERTY ADDRESS: 2807 WEST WOODWELL ROAD

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

Subdivision name: GRAY MANOR 2

Plat book # 12, folio # 34, lot # 141, section #

OWNER: RAYMOND K. SWANN



LOCATION INFORMATION

Election District: 12

Councilmanic District: 7

1" = 200' scale map#: SE 3F

Zoning: DR 5.5

Lot size: 0.15 6570
acreage square feet

- Public utilities
- SEWER: ☒ ☐
 - WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

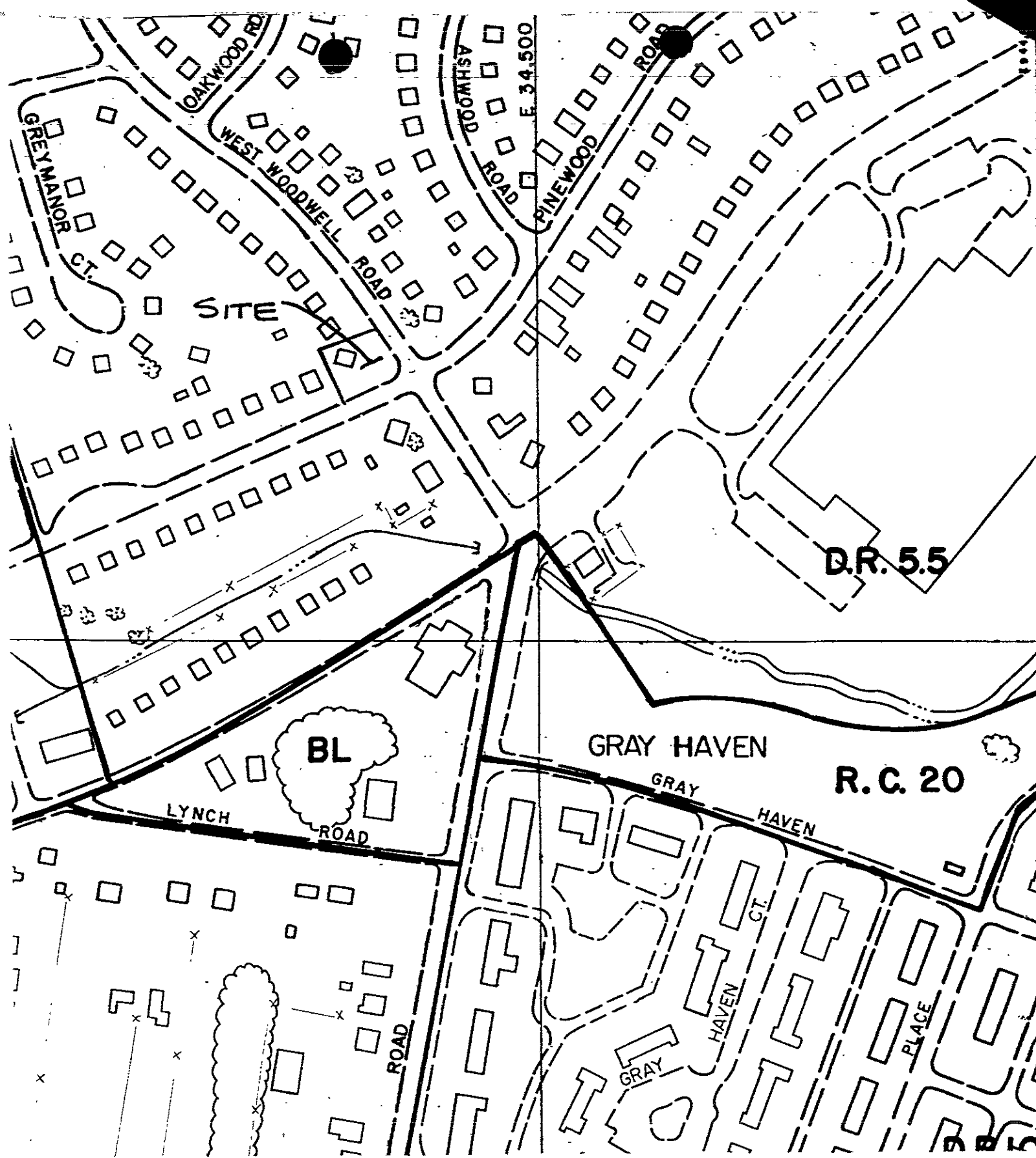
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

LTW 198 00198A

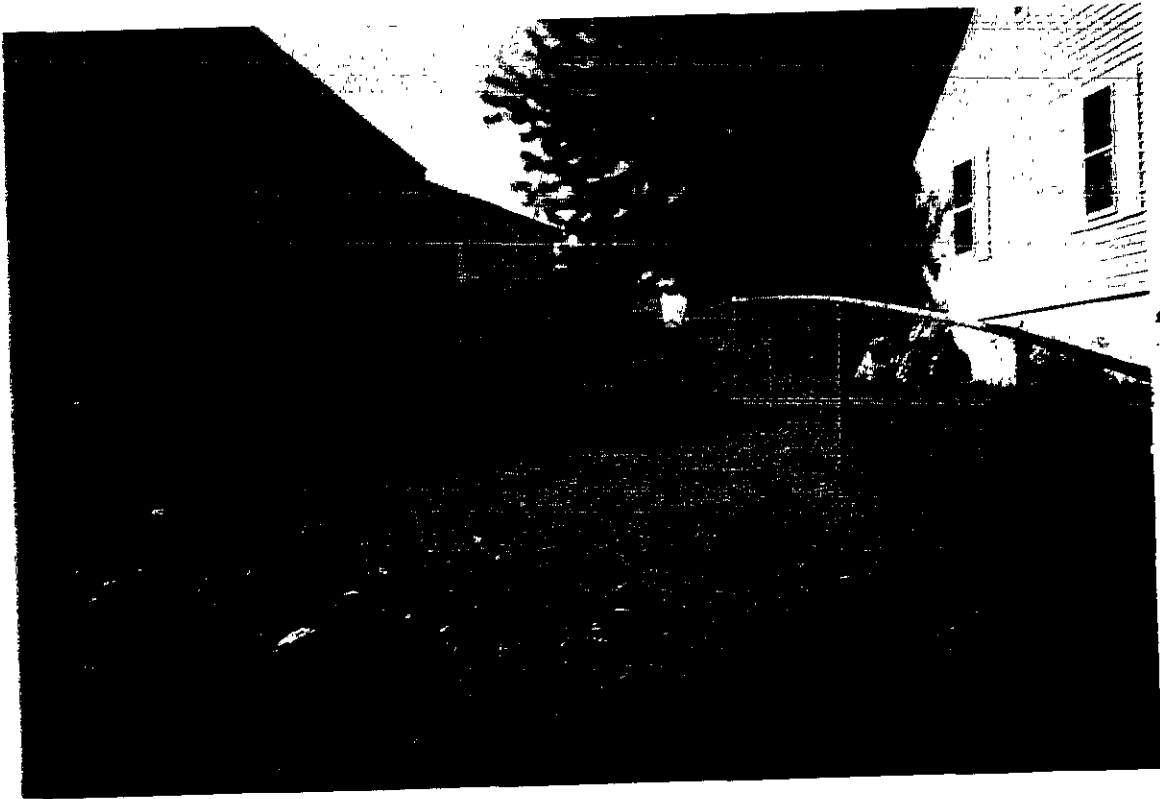
PET. EX.#1



00-198-A

ZONING MAP

#2807 WEST WOODWELL RD
ZOO SCALE MAP SE 3F



00-198-A



SIDE

#198



00-198-A



SIDE
WHERE
GARAGE
IS GOING

198

F-NE E-NW
F-SE E-SW

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE	DATE OF PHOTOGRAPHY
BY	DATE		
		1" = 200'	DEC. 1954

Topography Compiled By Photogrammetric Methods
AERIAL SURVEY CORP. LANSING MICH.

NORTH POINT
GRAY MANOR

00-

#198-A





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
NORTH POINT
GRAY MANOR

SHEET
SE
3-FOO-
#100-A