

IN RE: PETITION FOR ADMIN. VARIANCE

S/S Worthington Heights Parkway

(private drive), 1100' E c/l

Worthington Heights Parkway

8th Election District

3rd Councilmanic District

(1508 Worthington Heights Parkway)

Warren Richard Koogle

Petitioner

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 00-238-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Warren Richard Koogle, property owner, for that property known as 1508 Worthington Heights Parkway located in the Cockeysville area of Baltimore County and zoned RC-4/RC-2. The Petitioner herein seeks a variance from Section 1A03.4.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear setback of 10 ft. in lieu of the required 25 ft. in an RC-4 zone, to build an addition. 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.

ORDER RECEIVED FOR FILING

Date

By

1/18/2000

R. J. Jamison

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of January, 2000, that a variance from Section 1A03.4.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a rear setback of 10 ft. in lieu of the required 25 ft. in an RC-4 zone, 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 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.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

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

January 18, 2000

Mr. Warren Richard Koogle
1508 Worthington Heights Parkway
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance
Case No. 00-238-SPH
Property: 1508 Worthington Heights Parkway

Dear Mr. Koogle:

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 & 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 black ink, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 1508 Worthington Heights Parkway

which is presently zoned RC-4 / RC-2

This Petition shall be filed with the Office of Zoning Administration & 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)

1A03.4.B.2.a of the BCZR for a rear setback of 10 feet in lieu of 25 feet required in an R.C.-4 zone.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

When the lot in question was created, the existing house was shown by the Engineer to be removed. The Developer was not aware of this and had a contract from Mr. Koogle, who intended to keep the existing house, where, in fact, he still resides.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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

Legal Owner(s):

(Type or Print Name)

Warren Richard Koogle

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City State Zipcode

Signature

Night 410-785-4053

Attorney for Petitioner:

1508 Worthington Heights Parkway

(Type or Print Name)

Address Phone No.
Day 410-566-4119
Cockeysville, MD 21030

Signature

City State Zipcode
Name, Address and phone number of representative to be contacted.

Richard E. Matz, P.F.
Colbert Matz Rosenfelt, Inc.

Address

Name
2835 Smith Ave., Ste. G

City State Zipcode

Address Phone No.
Baltimore, MD 21209 410-653-3838

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: BR DATE: 12/7/99

ITEM #: 238

ESTIMATED POSTING DATE: 12/19/99

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 1508 Worthington Heights Parkway
address
Cockeysville, MD 21030
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)

When the lot in question was created, the existing house was shown by the Engineer to be removed. The Developer was not aware of this and had a contract from Mr. Koogle, who intended to keep the existing house, where, in fact, he still resides.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

* Warren Richard Koogle
(signature)

Warren Richard Koogle
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of Nov., 19 99, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Warren Richard Koogle

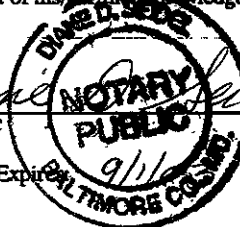
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

11/12/99
date

NOTARY PUBLIC

My Commission Expires



Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

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Warren Richard Koogle
(signature)

Warren Richard Koogle
(type or print name)



(signature)

(type or print name)

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Warren Richard Koogle

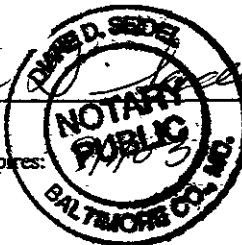
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AS WITNESS my hand and Notarial Seal.

11/12/99
date

NOTARY PUBLIC

My Commission Expires:





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1508 Worthington Heights Parkway
which is presently zoned RC-4/RC-2

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1A03.4.B.2.a of the BCZR for a rear setback of 10 feet in lieu of 25 feet required in an R.C.4 zone.

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Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City

Phone No.

Zipcode

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.

Legal Owner(s):

Warren Richard Koogle

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Night 410-785-4053

1508 Worthington Heights Parkway

Address

Phone No.

Day 410-566-4119

Cockeysville, MD 21030

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Richard E. Matz, P.E.

Colbert Matz Rosenfelt, Inc.

Name

2835 Smith Ave., Ste. G

Address

Phone No.

Baltimore, MD 21209 410-653-3838

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of ___, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: BK DATE: 12/7/99

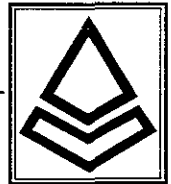
ESTIMATED POSTING DATE: 12/19/99

ITEM #: 238



Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



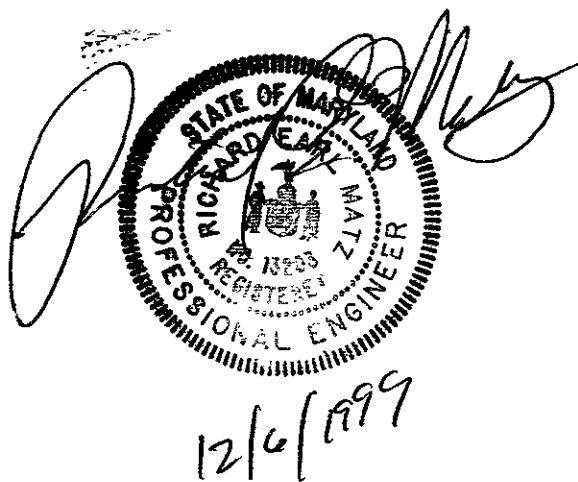
00-238-A

ZONING DESCRIPTION FOR 1508 WORTHINGTON HEIGHTS PARKWAY

Beginning at a point on the south side of a private drive, also known as Worthington Heights Parkway, in an easement 40 feet wide, at the distance of 1100 feet east of Worthington Heights Parkway, which is 40 feet wide. Thence the following courses and distances:

N 33 degrees 37 minutes 43 seconds E 394.59 ft.,
N 83 degrees 43 minutes 32 seconds E 68.97 ft.,
S 21 degrees 59 minutes 20 seconds E 199.50 ft.,
S 64 degrees 37 minutes 27 seconds W 110.25 ft.,
S 38 degrees 32 minutes 30 seconds W 149.08 ft.,
S 70 degrees 48 minutes 31 seconds W 98.93 ft., and thence
S 59 degrees 09 minutes 57 seconds E 88.32 ft., to the place of
beginning.

Being Lot 3 in the Minor Subdivision of Ridge View, Minor Subdivision No. 96-136-M, as recorded at Liber 11917, Folio 241 and containing 1.478 acres. Also known as 1508 Worthington Heights Parkway and located in the 8th Election District, 3rd Councilmanic District.



CERTIFICATE OF POSTING

RE Case No 00-238-A

Petitioner/Developer KOOGLE

c/o R. MATZ

Date of Hearing/Closing 1/3/00

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 #1508 WORTHINGTON
HEIGHTS PARKWAY

The sign(s) were posted on 12/18/99
(Month, Day, Year)

FIXED

Sincerely,

Patrick M. O'Keefe 12/26/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)

CERTIFICATE OF POSTING

ADMIN

RE Case No. 00-238-A

Petitioner/Developer KOOGLE, ETAL
MATE

Date of Hearing/Closing: 1/3/00

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:

COMMISS
HAS HIS
PHOTO &
ORIG.

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 #1508 WORTHINGTON
HEIGHTS PKWY

The sign(s) were posted on 12/16/99
(Month, Day, Year)

Sincerely,

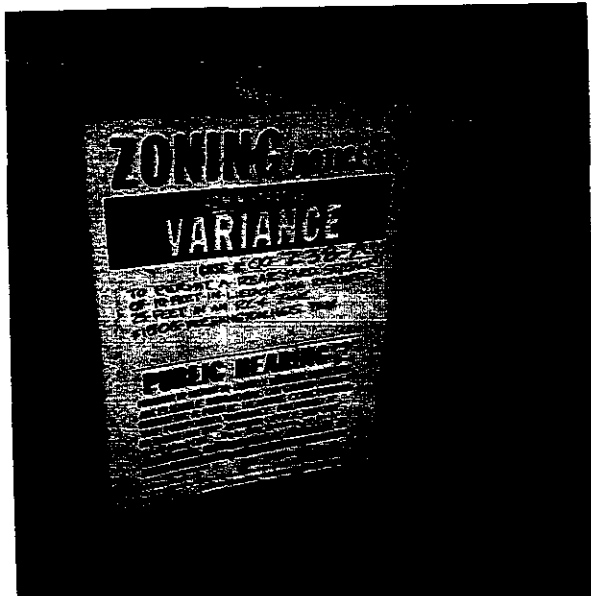
Patrick M. O'Keefe 1/1/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



F-3468
#1508 WORTHINGTON HTS
PKWY
KOOGLE
CL 1/3/00

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **076656**

DATE 12/7/99 ACCOUNT 001-6130
AMOUNT \$ ~~50.00~~ 30.00

RECEIVED FROM: Baltimore County, Maryland

FOR: role and zoning verification

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 233

PAID RECEIPT

PAYMENT	ACTUAL	TIME
12/07/1999	12/07/1999	10:49:27
REG 4506	CASHIER JYAR JLK - BROWER	5 -
Dept	520 ZONING VERIFICATION	
Receipt \$	097807	0FLN
CP NO.	076656	
Receipt Tot	50.00	
50.00	OK	.00 00
Baltimore County, Maryland		

CASHIER'S VALIDATION

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 238 -A Address 1508 Worthington Heights Parkway
Contact Person: Bruno Rudartis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 12/6 Posting Date: 12/14/99 Closing Date: 1/3/2000

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- 238 -A Address 1508 Worthington Heights Parkway
Petitioner's Name Koogle Telephone 410-566-4119 day
Posting Date: 12/19/99 Closing Date: 1/3/2000
Wording for Sign: To Permit a rear setback of 10 ft. in lieu of the
required 25 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: 00-238-A
Petitioner: WARREN RICHARD KOOGLE
Address or Location: 1508 WORTHINGTON HEIGHTS PARKWAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: WARREN RICHARD KOOGLE
Address: 1508 WORTHINGTON HEIGHTS PARKWAY
COCKEYSVILLE, MD 21030
Telephone Number: 410-785-4053

1/5/00
8
WCR

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: December 28, 1999

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

RECEIVED JAN 06 2000

SUBJECT: Zoning Advisory Committee Meeting
for January 3, 2000
Item Nos. 236, 237, 238, 240, 241,
242, 243

and

Airey Property
Case No. 99-297-SPH

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

RWB:HJO:jrb

cc: File

ZAC01030.NOC



Baltimore County
Fire Department

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

January 11, 2000

RECEIVED JAN 13 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

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:

236, 237, (238), 240, 241, 242, AND 243

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

RECEIVED JAN 10 2000

FROM: R. Bruce Seeley *ms*

DATE: January 3, 2000

SUBJECT: Zoning Item #238
1508 Worthington Heights Pkwy

Zoning Advisory Committee Meeting of December 27, 1999

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X The Existing house needs to be at least 35 feet from the Forest Conservation Easement or a variance is required.

AV
1/3

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: December 21, 1999

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

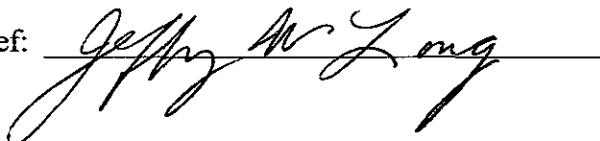
SUBJECT: Zoning Advisory Petitions

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

Item No(s): 238 and 243

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: 12.20.99

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

RE: Baltimore County
Item No. 238

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,

for Kenneth A. McDonald Jr., 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

00-238-A



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: November 29, 1999

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

SUBJECT: Zoning Advisory Committee Meeting
for November 22, 1999
Items No. 183, 185, 187, 188, 189,
190, 191, 192, 193, 194, 195, 196,
197 & 198

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

RWB:HJO:cab

cc: File

ZAC1122.NOC

00-238-A



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: November 29, 1999

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

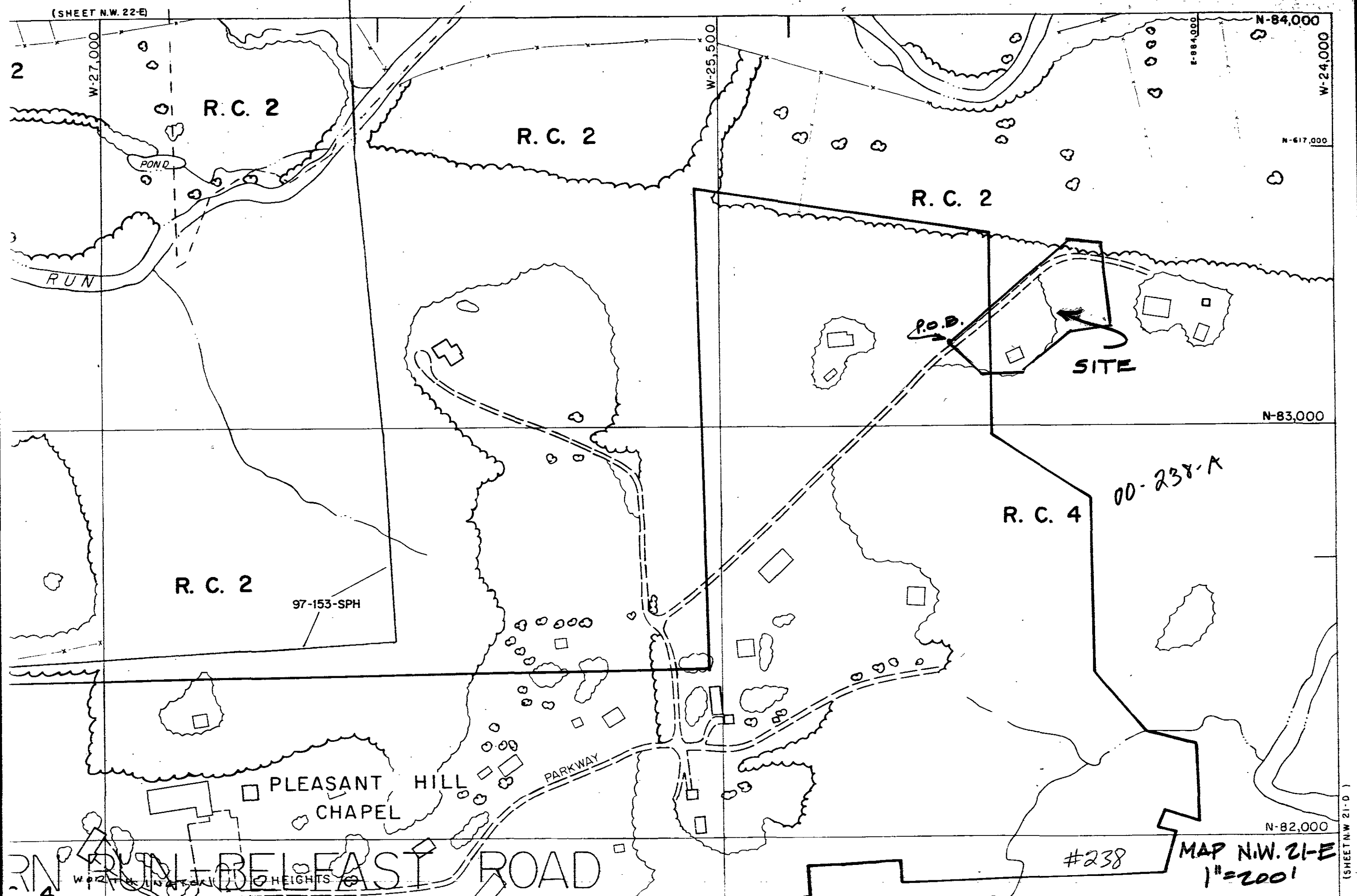
SUBJECT: Zoning Advisory Committee Meeting
for November 22, 1999
Items No. 183, 185, 187, 188, 189,
190, 191, 192, 193, 194, 195, 196,
197 & 198

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

RWB:HJO:cab

cc: File

ZAC1122.NOC





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	PLEASANT HILL CHAPEL	N W 21-E
DATE OF PHOTOGRAPHY JANUARY 1986		