IN RE: PETITION FOR ADMIN. VARIANCE SW/S Western Run Road, 1100' S of centerline of Gerber Lane 8th Election District

3rd Councilmanic District (1345 Western Run Road)

Christian Parks & Suzanne Peranteau **Petitioners**

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 00-308-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 owners of the subject property, Christian Parks & Suzanne Peranteau. The variance request is for property located at 1345 Western Run Road in the Cockeysville area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 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 Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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.

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 Aday of February, 2000, that a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure in the side yard in lieu of the required rear yard., 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





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

Fax: 410-887-3468

February 29, 2000

Mr. Christian Parks
Ms. Suzanne Peranteau
1345 Western Run Road
Cockeysville, Maryland 21030

Re: Petition for Administrative Variance

Case No. 00-308-A

Property: 1345 Western Run Road

Dear Mr. Parks & Ms. Peranteau:

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,

Timothy M. Kotroco

Deputy Zoning Commissioner

buther latroco

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1345 WESTERN RUN RD which is presently zoned RC 2

I/We do solemnly declare and affirm, under the penalties of

Zoning Commissioner of Baltimore County

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. To allow an accessory structure in the side yard in lieu 4 the required hear 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.

			is the subject of this	e the legal owner(s) of the s Petition.	property writer
Contract Purchas	ser/Lessee:		Legal Owner(s)	<u>):</u>	
			CHRISTIN	AN PARKS	
Name - Type or Print			Name - Type or Print		
Signature		,	Signature	OF DALL	
Address		Telephone No.	SUZAWNE Name, Type or Print	LERANTEAL	/
City	State	Zip Code	Signature		410-
Attorney For Petit	tioner:		1345 WES	TERN RUN,	PD 472-055, Telephone No.
				LLE, MD	21030
Name ∛ Type or Print			City	State	Zip Code
\$ignathre		-,	<u>Representative</u>	to be Contacted:	
pigliature		•			
Company	, , , , , , , , , , , , , , , , , , , 		Name		
Address		Telephone No.	Address		Telephone No.
CITY	State	Zip Code	City	State	Zip Code
Public Hearing having his day of equiations of Baltimore C	. tha	at the subject matter of t	required, it is ordered by nis petition be set for a publ	the Zoning Commissioner of ic hearing, advertised, as rec	of Baltimore County, quired by the zoning

Estimated Posting Date

REV 9/15/98

CASE NO. 00-308-9

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.

2/030

That the Affiant(s) does/do presently reside at

			City		State		ZI	ip Code
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to THE	SEPTIC	SYSTEN	n 3 VER	LY NARRI	, w			
advertising	fee and may be	PARKS	de additional info	Signature	IE PERA)]		
STATE OF	MARYLAND,	COUNTY OF BAL	.TIMORE, to wit:					
I HEREBY	CERTIFY, this	24 day of County aforesaid	January personally above	<u>200</u>	<u>්ට,</u> before n	ne, a Notary	/ Public of the	e State
Chris	tion M.	Parks 91	nd Suzai	one G. P.	erantear			<u></u>
the Affiant/	s) herein nerso	nally known or s	atisfactoriiv ideni	tified to me as su and correct to the	ch Affiant(s), best of his/he	and made er/their knov	oath in due wledge and b	form of elief.
AS WITNE	SS my hand an	d Notarial Seal		^ .	a }			
1-6	14-200	Ð		Joseph	R. K	not	-//	
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			Му	Commission Expi	ires	>- 4 10		
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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	1345	WESTER	N RUN	27		
	Address COCKE	YSUILLE	MD		2/030	
	City		State		Zip	Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	owing are the nip or practical	facts upon which difficulty):	ı I/we base t	he request	for an Adminis	trative
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That the Affiant(s) acknowledge(s) that if a feadvertising fee and may be required to provide Signature CHRISTIAN PARKS Name - Type or Print	ormal demand additional info	Signature	UE PER	22		g and
STATE OF MARYLAND, COUNTY OF BALTING HEREBY CERTIFY, this 24 day of 5 of Maryland, in and for the County aforesaid, potential of the Affiant(s) herein, personally known or satisfactors.	ersonally appe	eared One G P tified to me as su	erantea	ں , and made	y Public of the	orm of
AS WITNESS my hand and Notarial Seal	forth are true a	and correct to the	L L	ner/their kno	Wiedge and be	пет.
Date	Mv	Commission Exp	ires <	3-4-0)2	
REV 09 15 98	•					

ZONING DESCRIPTION FOR 1345 WESTERN RUN RD. COCKEYSVILLE, MARYLAND 21030-1120

Beginning at a point on the southwest side of Western Run Rd. which is 23 feet wide at the distance of 1100 feet south of the centerline of the nearest improved intersecting street Gerber Ln. which is 23 feet wide. As recorded in Deed Liber SM No 8454, page 447,etc. Beginning and binding on a line on the southwest side of Western Run Rd. South 34 degreees East 226.27 feet, thence leaving said road and running in aline South 76 degrees 18 minutes West 131.73 feet to a stake now set. Thence leaving said stake and running for a line of division North 33 degrees 55 minutes West 192.46 feet to a post, thence leaving said post and running in a line North 61 degrees 30 minutes East 123.85 feet to the place of the beginning. Containing 0.593 of an acre of land, more or less and known as 1345 Western Run Rd, Cockeysville, MD., and located in the 8th election district, ***** Councilmanic District.

308

CERTIFICATE OF POSTING

RE: CASE #00-308-A
PETITIONER/DEVELOPER
(Christian Parks)
DATE OF Closing
(Feb 21, 2000)

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

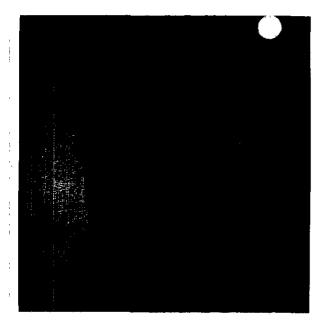
ATTENTION: MS. GWENDOLYN STEPHENS

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 1345 Western Run Road Baltimore, Maryland 21030______

The sign(s) were posted on_____ 2-4-00 ______

[Month, Day, Year]



Sincerely,
Olion Del \$ 3/4/00
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410}-687-8405 (Telephone Number)

DATE ACCOUNT ACCOUNT ACCOUNT ACCOUNT ACCOUNT ACCOUNT ACCOUNT STATE ACCOUNT ACC

YELLÓW - CUSTOMER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

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175/2000 1/24/2000 15:19:10

MED WAR CASHIER JEAR JEK DRIMEP 5

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ER MU. 67/964

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50.00 EA

Valthmore County, Koryland

0-308-A

CASHIER'S VALIDATION

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 308 -A Address 1345 Western Run RA	<u>, </u>
Contact Person: John Sullivan Phone Number: 410-887-339	91
Filing Date: 1-24-00 Posting Date: 2-4-00 Closing Date: 2-2/-	00
Any contact made with this office regarding the status of the administrative variance should through the contact person (planner) using the case number.	be
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. A reposting must be done only by one of the sign posters on the approved list and the petition 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 closic date.	ny ier he
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to f a formal request for a public hearing. Please understand that even if there is no form request for a public hearing, the process is not complete on the closing date.	ile ral
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoni commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or order that the matter be set in for a public hearing. You will receive written notificati (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.	(c) on
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public heari (whether due to a neighbor's formal request or by order of the zoning or deputy zoni commissioner), notification will be forwarded to you. The sign on the property must changed giving notice of the hearing date, time and location. As when the sign was original posted, certification of this change and a photograph of the altered sign must be forwarded this office.	ng be ally
(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- 308 -A Address 1345 western Rd. Run	
Case Number 00- 308 -A Address 1345 western Rd, Run Petitioner's Names C. Parks & S. Penantenu Telephone (410) 472-0551	
Posting Date: 2-4-00 Closing Date: 2-21-00 Wording for Sign: To Permit an accessory structure to be located in the side yand in lieu of the required rearyard.	
Wording for Sign: To Permit an accessory structure to be located in	
the side yand in lier of the required rear yard.	
	

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: 00-308-4
Petitioner: Christian Packs
Address or Location: 1345 Western Run Rd.
PLEASE FORWARD ADVERTISING BILL TO:
Name: Christian Panles
Address: 1345 Western Run Fd
Cockeysville, MD 2:1030
Telephone Number: 4/0 - 472 - 055/



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

February 22, 2000

Mr. & Mrs. Christian Parks 1345 Western Run Road Cockeysville MD 21030

Dear Mr. & Mrs. Parks:

RE: Case Number 00-308-A, January 24, 2000

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 1-24-00-

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.

Sincerely,

W. Carl Richards.

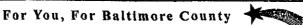
Zoning Supervisor Zoning Review

WCR:ggs

Enclosures

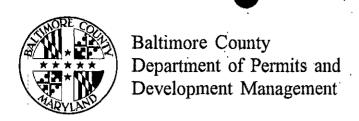












Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 25, 2000

Mr. David K. Gildea Whiteford Taylor & Preston LLP 210 W. Pennsylvania Avenue, 4th Floor Towson MD 21204

Dear Mr. Gildea:

RE: Case Number 00-307-X, Lorraine Park Cemetary

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 24, 2000.

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.

Sincerely.

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



Printed with Soybean Ink

on Recycled Paper











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

February 15, 2000

RECEIVED FEB 2 5 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 February 7, 2000

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:

305, 306, 307, 308, 310, 311, 312,

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

February 18, 2000

DATE:

TO:

Arnold Jablon, Director Department of Permits & Development Management

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 14, 2000

Item Nos. 305, 306, /307) 308, 309,

310, 311, and 312

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

RWB:HJO:jrb

cc: File

DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:		Arnold Jablon
FRON	M:	R. Bruce Seeley Agor RBS
DATE	∃:	February 18, 2000
SUBJ	ECT:	Zoning Item #307 Lorraine Park Cemetery
	Zonin	g Advisory Committee Meeting of February 7, 2000
	The D	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
,	an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
<u>X</u>	The Do	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	<u>X</u>	Development of this property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Section 14-331 through 14-422 of the Baltimore County Code).
	-	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-442 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).
`	<u>X</u>	The 25 foot buffer shown on the existing stream, a Use IV tributary of Dead Run, is incorrect. The minimum buffer is 100 feet off of a stream.

Reviewer: Betty Kelley Date: February 14, 2000

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley Knrps

DATE:

February 18, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of February 7, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
306	350 Poplar Road
308	1345 Western Run Road
309	4201 Wholesale Club Road
310	328 Delight Meadows Road
311	4502 East Joppa Road
312	322 Weatherbee Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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): 291, 293, 299, 304, 306, 308, 310, and 312

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

Date: February 8, 2000



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

Date: 2.7.00

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

RE: Baltimore County

Item No. 308

115

RECEIVED FEB 0 8 2000

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., Chief Engineering Access Permits Division

f. Arell

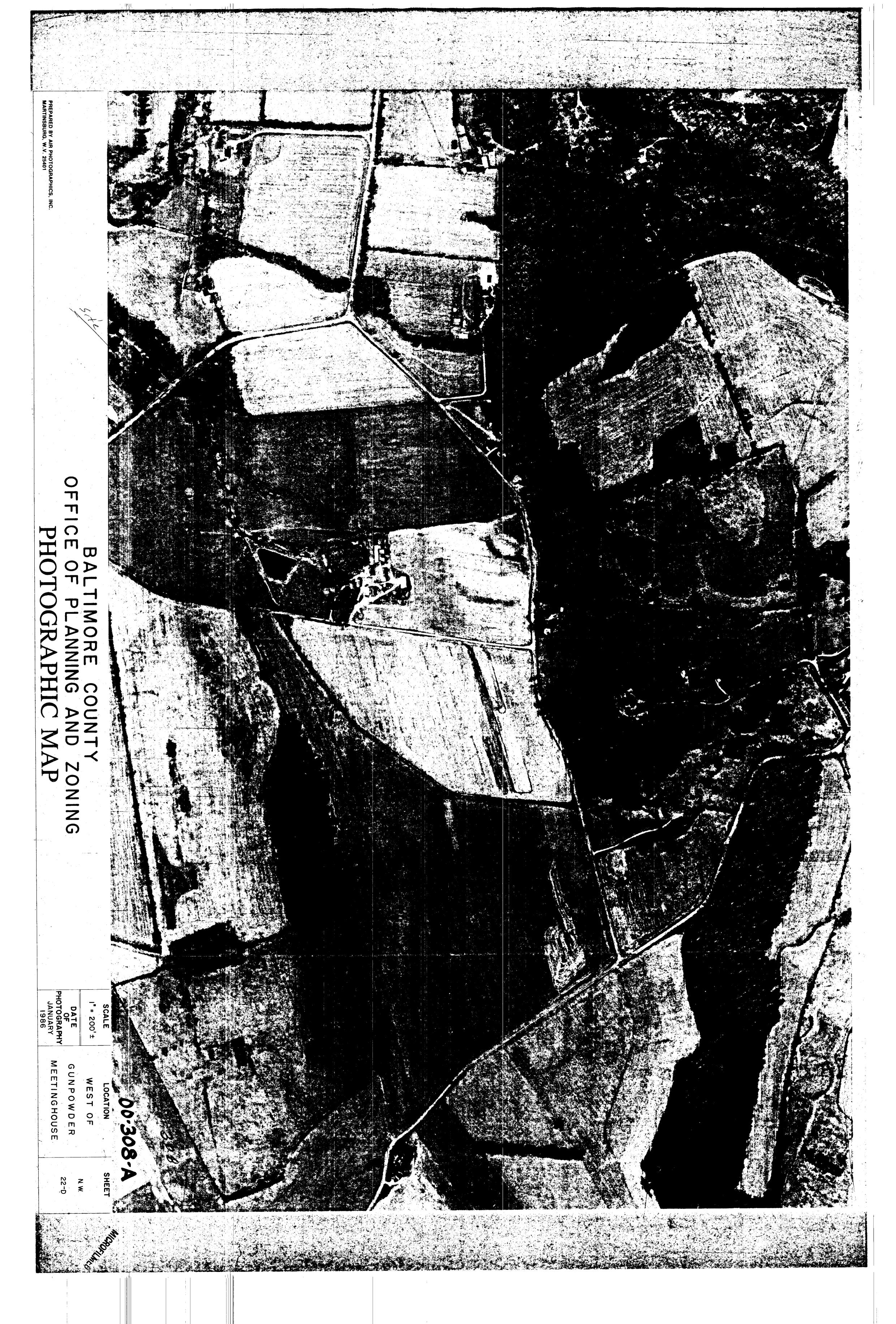
Plat to accompany Petition for Zoning Variance Special Hearing					
PROPERTY ADDRESS: 1345 WESTERN RUN RD. see pages 5 & 6 of the CHECKLIST for additional required information					
Subdivision name:					
plat book#,tolio#,lot#,section#	£ \				
OWNER: CHRISTIAN PARKS & SUZANNE PERANTEAU					
COLD BOTTOM LLC DEEN REF # 11133-724 TAX # 0803052900 146 ACRE AGRICULTURE	WESTERN RUN RO				
	(H) 15				
GERBER ED WESTERN RUN RD CL 23']-7	SUBSECT				
STONE TO be razed DR. 48' STOPHE (TO be razed) STONE TO BE REZED	Vicinity Map scale: 1'=1000'				
FRONT PORCH WALKWAY JOHN BERGE TAX NO.	LOCATION INFORMATION Election District: 8				
8 18 WE 693 - 10ES. 1941 1 2200008761	Councilmanic District: # 3				
SEPTIC WOODED THE PROPOSED WITH THE PETER REF.	1"=200" scale map#: NW, 22-D				
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SEOCE Grade Wildington 81 8 PARCEL 299 INCHERSES BUILDING STORMS 81 PARCEL 299 25.109 ACRE AGRICULTURE	Lot size: .5 21780.0 acreage square feet				
N 520 50' 1 197 W.	Public private				
3 3 772.76	SEWER: 🗌 💢				
ERIST ALICE LEE	WATER: 🗌 🔀				
RES.	Chesapeake Bay Critical Area:				
TAX NO. 08/2020750	Prior Zoning Hearings: None				
DEED REF. 1252-223 PARLEL # 145					
139ACRE	Zoning Office USE ONLY!				
North } " President	reviewed by: ITEM #: CASE#:				
prepared by: C. PARKS Scale of Drawing: 1'= 50'	308				

UN-22D 111=2001 R. C. 2 R. C. 2 00.308-A ADOPTED by THE BALTIMORE COUNTY COUNCIL OCTOBER 8, 1996 Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96 mene EAS. Chairman, County Council IC METHODS البودية والمشرورين المراوين





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00·308-A