IN RE: PETITION FOR ADMIN. VARIANCE

E/S Horn Avenue, 415' N of the c/l

Pent Angel Way (9415 Horn Avenue) 11th Election District 5th Councilmanic District

Steven Meckel, et ux Petitioners BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 00-387-A

*

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Steven and Susan Meckel. The Petitioners seek relief from Section 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.6.B of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit window to lot line setbacks of 12 feet and 3.76 feet in lieu of the required 15 feet each. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, 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.

CHIDER RECEIVED FOR FILING

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County day of April, 2000, that the Petition for Administrative Variance seeking relief from Section 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section V.B.6.B of the Comprehensive Manual of Development Policies (C.M.D.P.)) to permit window to lot line setbacks of 12 feet and 3.76 feet in lieu of the required 15 feet each, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

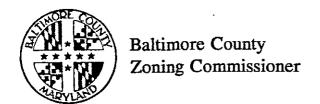
> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

> > LAWRENCE E. SCHMIDT

Zoning Commissioner

for Baltimore County

LES:bjs



April 20, 2000

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

Mr. & Mrs. Steven Meckel 9415 Horn Avenue Baltimore, Maryland 21236

RE: PETITION FOR ADMINISTRATIVE VARIANCE E/S Horn Avenue, 415' N of the c/l Pent Angel Way (9415 Horn Avenue) 11th Election District – 5th Councilmanic District Steven Meckel, et ux - Petitioners Case No. 00-387-A

Dear Mr. & Mrs. Meckel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: People's Counsel; Case File













Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

0145	TT () T) TT	• ******
9415	HUKN	AVENUE

which is presently zoned

DR 5.5

	<u></u>
This Petition shall be filed with the Office of Zoning Administration. The undersigned, legal owner(s) of the property situate in Baltimore hereto and made a part hereof, hereby petition for a Variance from Section of the Period A WI NOON TO LOT LEGAL THE PERIOD IS FIRED LINES.	County and which is described in the description and plat attached ection(s) 504,2 (CHDP 1/R (CR))
of the Zoning Regulations of Baltimore County, to the Zoning Law of practical difficulty) SMALL LOT WITH SHALLOW LOT DEI EXISTING DWELLING REDUCE AVAILABLE REAR YADDITION TO DWELLING. INTERIOR ARCHITECTUADDITION BE CONSTRUCTED TO REAR OF EXIST:	PTH AND IRREGULAR REAR LOT LINES AND YARD DIMENSIONS IN WHICH TO CONSTRUCT URAL CONSIDERATIONS DICTATE THAT
Property is to be posted and advertised as prescribed I, or we, agree to pay expenses of above Variance advertising, postible bound by the zoning regulations and restrictions of Baltimore Cou	ing, etc., upon filing of this petition, and further agree to and are to
Contract Purchaser/Lessee	I/We do solemnly declare and affirm, under the penalties of penury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s)
N/A (Type or Print Name)	STEVEN MECKEL (Type or Print Name) Signature MECKEL
Address City State Zipcode	SUSAN MECKE! (Type or Print Name) Signature Signature
Attorney for Petitioner N/A (Type or Print Name)	9415 HORN AVENUE (410-529-7264) Address Phone No BALTIMORE, MARYLAND 21236 City State Zipcode
Address Phone No	Name, Address and phone number of representative to be contacted BAFITIS & ASSOCIATES, INC. (CLYDE HINKL Name 1249 ENGLEBERTH ROAD (410–391–2336)
City State Zipcode	Address Phone No.

Zoning Commissioner of Baitimore County

REVIEWED BY: OF DATE OF

03-2600

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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	9415 HORN	AVENUE	
-		, MARYLAND State	21236 Zip Code
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or p	ring are the facts upor	n which I/we base the request for	an Administrative
SUBJECT LOT IS 75' DEEP ON	ITS' NORTH	SIDE AND 121' DEEP	ON THE SOUTHSIDE
THE SHORT LOT DEPTH ON THE	NORTH SIDE	SEVERLY REDUCES AV	AILABLE REAR YARD
DIMENSION. INTERIOR ARCHIT	ECTURAL CONS	SIDERATIONS DICTATE	THAT PROPOSED
DWELLING ADDITION BE MADE			
WINDOW TO PROPERTY LINE RE	LATIONSHIPS	ESTABLISHED BY THE	FINAL DEVELOPMEN
PLAN ARE VIOLATED.	···· <u></u>		•
			:
·			
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information of the control of the contr	MORE to wit:	SUSAN MECKEL (type or print name)	reckel
the Affiants(s) herein, personally known or satisfathat the matters and facts hereinabove set forth at AS WITNESS my hand and Notarial Seal.	ectorily identified to a	me as such Affiantt(s), and made the best of his/her/their knowled	oath in due form of law ge and belief.
date / VV	му Соші	MY PUBLIC mission Expires:	· ·

Linda Bafitis, Notary Public
Baltimore County
State of Maryland
My Commission Expires Oct. 1, 2002

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	9415 HORN	AVENUE	
-	BALTIMORE,	, MARYLAND.	21236 Zp Code
That based upon personal knowledge, the follow Variance at the above address: (indicate hardship or p	ring are the facts upo	n which I/we base the request f	for an Administrative
SUBJECT LOT IS 75' DEEP ON	ITS' NORTH	SIDE AND 121' DEF	P ON THE SOUTHSIDE
THE SHORT LOT DEPTH ON THE	NORTH SIDE	SEVERLY REDUCES A	AVAILABLE REAR YARD
DIMENSION. INTERIOR ARCHIT	ECTURAL CONS	SIDERATIONS DICTAT	LE THAT PROPOSED
DWELLING ADDITION BE MADE	IN THE REAR	YARD. WITH ADDITI	ON IN REAR YARD
WINDOW TO PROPERTY LINE RE	LATIONSHIPS	ESTABLISHED BY TH	E FINAL DEVELOPMENT
PLAN ARÉ VIOLATED.			
That Affiant(s) acknowledge(s) that if a protest may be required to provide additional information. STEVEN L MECKEL (type or print name) STATE OF MARYLAND, COUNTY OF BALTING (THEREBY CERTIFY, this 2 1 day of) of Maryland, in and for the County aforesaid, per	MORE, to wit:	(signature) SUSAN MECKEL (type or print name)	Meckel Notary Public of the State
the Affiants(s) herein, personally known or satisfathat the matters and facts hereinabove set forth at AS WITNESS my hand and Notarial Seal.	re true and correct to	me as such Affiantt(s), and ma the best of his/her/their know TY PUBLIC THISSION Expires:	ledge and belief.

Linda Bafitis, Notary Public Baltimore County State of Maryland My Commission Expires Oct. 1, 2002

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

9415 HORN AVENUE

which is presently zoned

DR 5.5

The undersigned, legal owner(s) of the proper hereto and made a part hereof, hereby petition to PERMITA WIND	From the County and which is described in the description and plat attached in for a Variance from Section(s) 504,2000, 000,000,000,000,000,000,000,000,0
practical difficulty) SMALL LOT WITH S EXISTING DWELLING REDUCE AV	y, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or SHALLOW LOT DEPTH AND IRREGULAR REAR LOT LINES AND VAILABLE REAR YARD DIMENSIONS IN WHICH TO CONSTRUCT RIOR ARCHITECTURAL CONSIDERATIONS DICTATE THAT
ADDITION BE CONSTRUCTED TO	
	ř
I, or we, agree to pay expenses of above Var	tised as prescribed by Zoning Regulations. riance advertising, posting, etc., upon filing of this petition, and further agree to and are to rictions 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)
N/A	STEVEN L MECKEL
(Type or Print Name)	(Type or Print Name) Heve & Meakel
Signature	Signature
· ·	SUSAN MECKEL

24/ 12					
(Type or Print Name)			. :	(Type or Print Name)	
Signature			-	Signature Signature	-
a de la companya de l	•		*	SUSAN MECKEL	
Address				(Type or Print Name)	
City	State	Zipcode	:	Susan Methel	
Attorney for Petitioner			·		
N/A (Type or Print Name)			K & L Com William	9415 HORN AVENUE (410–529–7264) Address Phone No	
			į	BALTIMORE, MARYLAND 21236	
Signature				City State Zipcode Name, Address and phone number of representative to be contacted	
-			ť	BAFITIS & ASSOCIATES, INC. (CLYDE HIN	NKLE
Address	Phone No		-	Name 1249 ENGLEBERTH ROAD (410-391-2336	دا
Crby	State	Zipcode		Address Phone No	4

Zoning Commissioner of Baltimore County



DATE: 03-21-00

circulation throughout Baltimore County, and that the property be reposted



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ZONING DESCRIPTION FOR 9415 HORN AVENUE 11th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

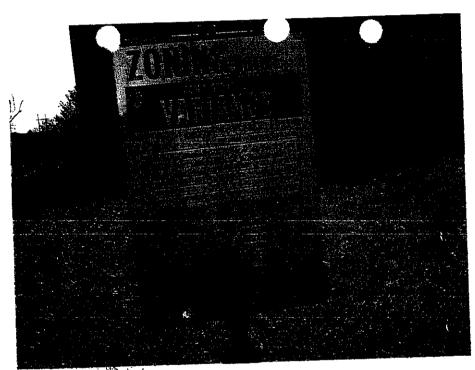
Beginning for same at a point on the east side of Horn Avenue, 50' wide, said point being 415 feet more or less from the centerline of Penn Avenue, 50' wide, thence binding on Horn Avenue North 30°-35'-00" East 62.26 feet to a point; thence leaving Horn Avenue and running the four following courses and distances:

- 1) South 68°-30'-00" East 75.17 feet to a point; thence,
- 2) South 12°-42'-05" East 64.06 feet to a point; thence,
- 3) South 21°-30'-00" West 8.50 feet to a point; thence,
- 4) North 68°-30'-00" West 121.00 to the point of beginning.

Containing 6,183.41 square feet or 0.142 acres more or less.

William N. Bafitis, P.E., Maryland Reg. No. 11641

11/30/99 Date/



Posted at 9415 Horn Ave.

		Nethold I and Justice Critical Comments of the	So. 20. Oc. Ch. Ch. Co. Ch. Co. Ch. Ch. Ch. Ch. Ch. Ch. Ch. Ch. Ch. Ch		CASHIER'S VALIDATION
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HITAN

CERTIFICATE OF POSTING

00-387-A

RE: CASE # 00-387-A
PETITIONER/DEVELOPER
(Steve Meckel)
DATE OF Closing
(4-17-00)

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 SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED

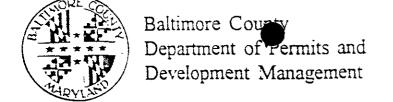
15 Horn Ave. Baltimore, Maryland 21236			
THE SIGN(S) WERE POSTED ON	3-31-00(MONTH, DAY,YEAR)		
	SINCERELY,		
	Ohom Stalzoo (SIGNATURE OF SIGN POSTER & DATE)		
	THOMAS P. OGLE SR		
	325 NICHOLSON ROAD		
	BALTIMORE, MARYLAND 21221		
	410-687-8405		

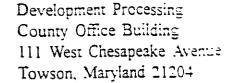
(TELEPHONE NUMBER)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 387 A Address 9415 How Hoe
Contact Person: South Charles Phone Number: 410-887-3391
Filing Date: 03-21-00 Posting Date: 04-02-00 Closing Date: 04-17-00
· ····································
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. <u>DEADLINE:</u> 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.
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- 387 - A Address 9415 Horn Hor
Potitionar's Name TECKEL Telephone 400-5 79. (46)
Positive Pate: $04-03-00$ Closing Date: $04-17-00$
Wasting for Cian: To Parmit A 11) INDITE TO COT LINE OF 12 FT & SFT. LA
- LIEW OF THE REQUIRED 15 FT. & TO AMENO THE FURN
DEVELOPHENT PLAN.
WCR - Revised 7/28/99
\$401/ - 1/641360 1120100





ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

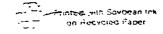
Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

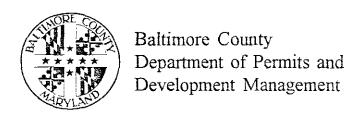
This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	-			
		ARNOLD	JABLON,	DIRECTOR
For newspaper a	advertising:			**************************************
Item No.: 60	-387.A		•	
Petitioner:	STEVEN I.& SUSAN MECKEL		<u> </u>	
Location:	9415 HORN AVENUE			
PLEASE FORWARD	ADVERTISING BILL TO:		-	
NAME:	STEVEN I. MECKEL	-		
ADDRESS:	9415 HORN AVENUE			
	BALTIMORE, MARYLAND 21236	<u> </u>		
PHONE NUMBER:	410–529–7264			
AJ:ggs			/ Dat	risod 09/74/95)





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

April 17, 2000

Mr. Clyde Hinkle Bafitis & Associates, Inc. 1249 Engleberth Road Baltimore MD 21221

Dear Mr. Hinkle:

RE: Case Number 00-387-A, 9415 Horn Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 21, 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, Zoning Supervisor Zoning Review

WCR:ggs

Enclosures

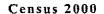


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on Recycled Paper









BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

April 10, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of April 4, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
381	1954 Catanna Avenue
382	19621 Middletown Road
383	50 Westminster Pike
384	245 Ashland Road
(387)	9415 Horn Avenue
388	515 Picadilly Road
389	5504 Dunrovin Lane
390	3738 Butler Road
391	115 Carolstowne Road
392	113 Carolstowne Road
393	142 Carolstowne Road
394	140 Carolstowne Road
395	11930 Jericho Road
397	Glen Arbor North
335	Liberty 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

DATE: April 13, 2000

SUBJECT:

9415 Horn Avenue

INFORMATION:

Item Number:

387

Petitioner:

Steven L. Meckel

Zoning:

DR 5.5

Requested Action: Administrative Variance

Jeffry W Zor,

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the variance request to allow a window 12 feet and 3 feet in lieu of the minimum required 15 feet and 6 feet respectively.

Section Chief:



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

Date: 4.3.00

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

RE: Baltimore County

Item No. 387 JEA

Dear. Ms. Jackson:

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,

Figure 1 A. McDonald Jr., Chief Engineering Access Permits Division

I.J. soll

My telephone number is _____



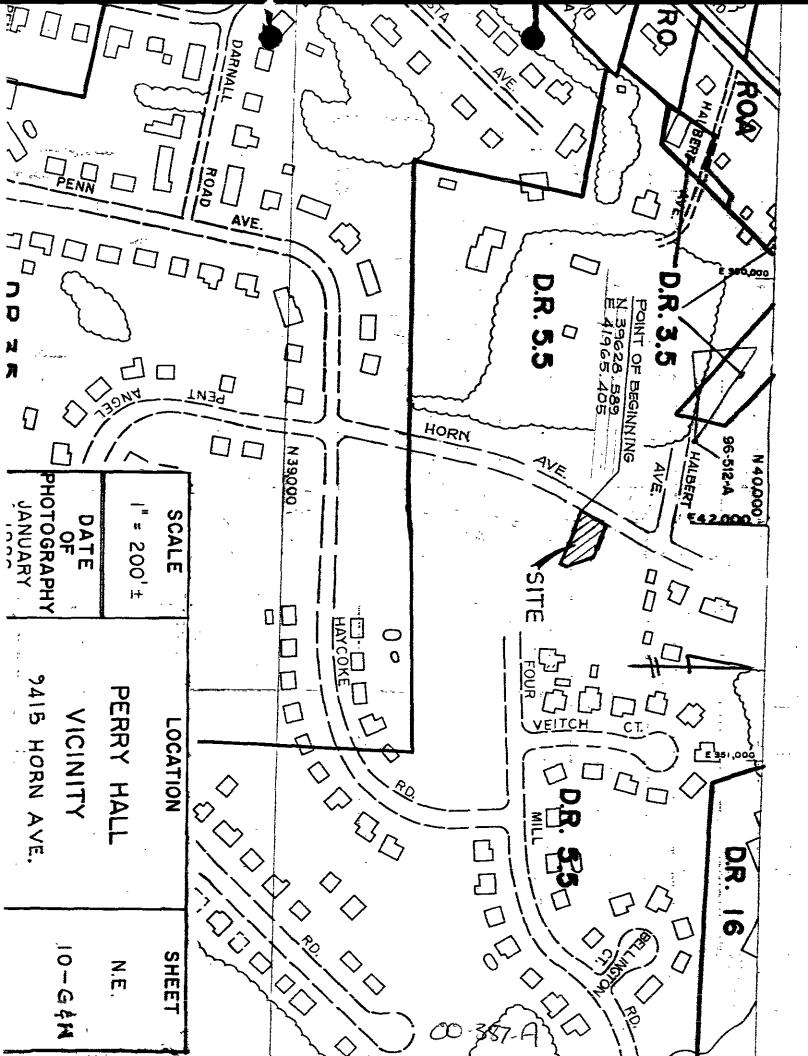
Civil Engineers / Land Planners / Surveyors 1249 Engleberth Rd. Baltimore, Md. 21221

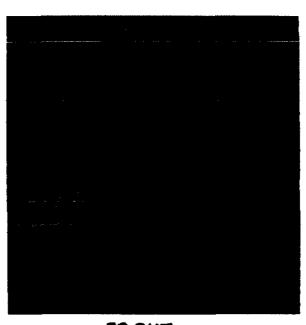
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EPARED BY	r: <u>Aftis</u>	& ASSOCIATES	. P.C.	APPROVED:		
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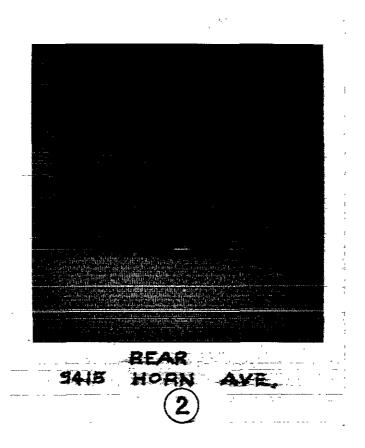
Copy To:

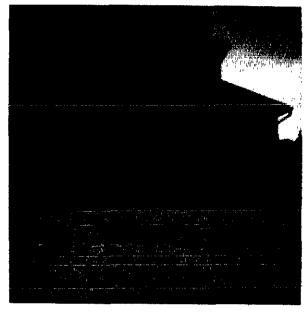
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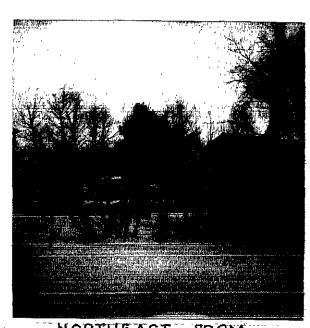


FRONT AVE. 9415



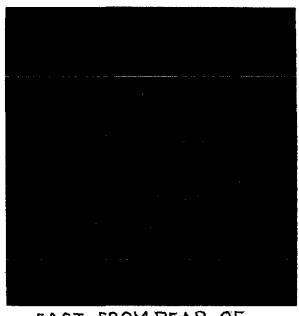


NORTH SIDE 9415 HORN AVE. (3)



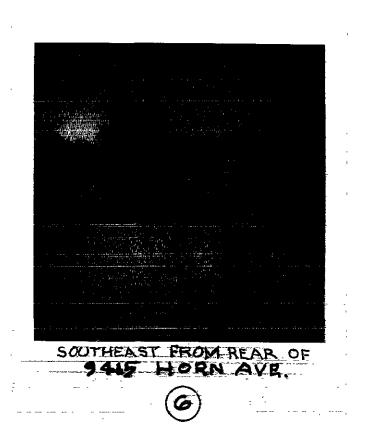
NORTHEAST FROM 9415 HORN AVE.

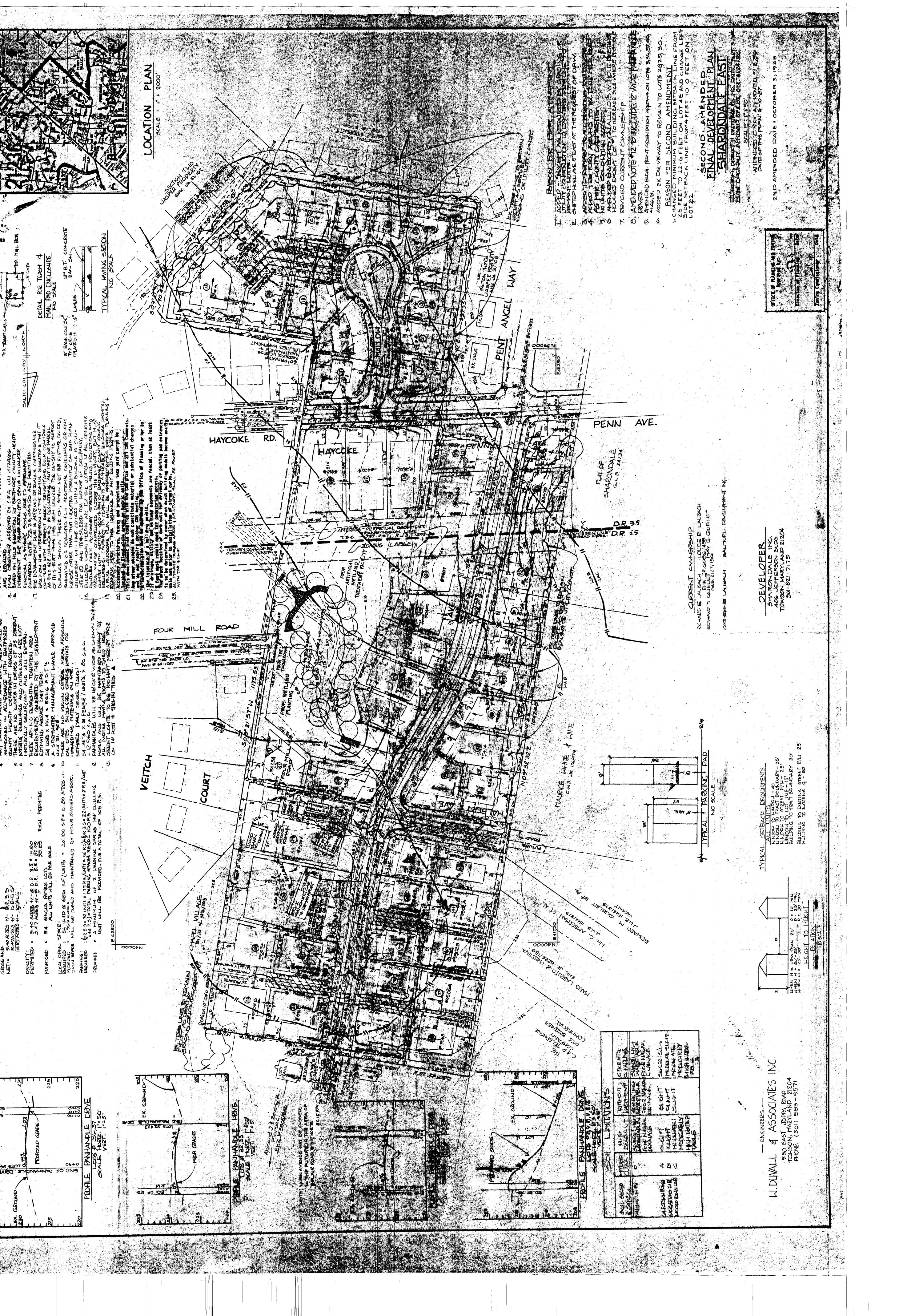


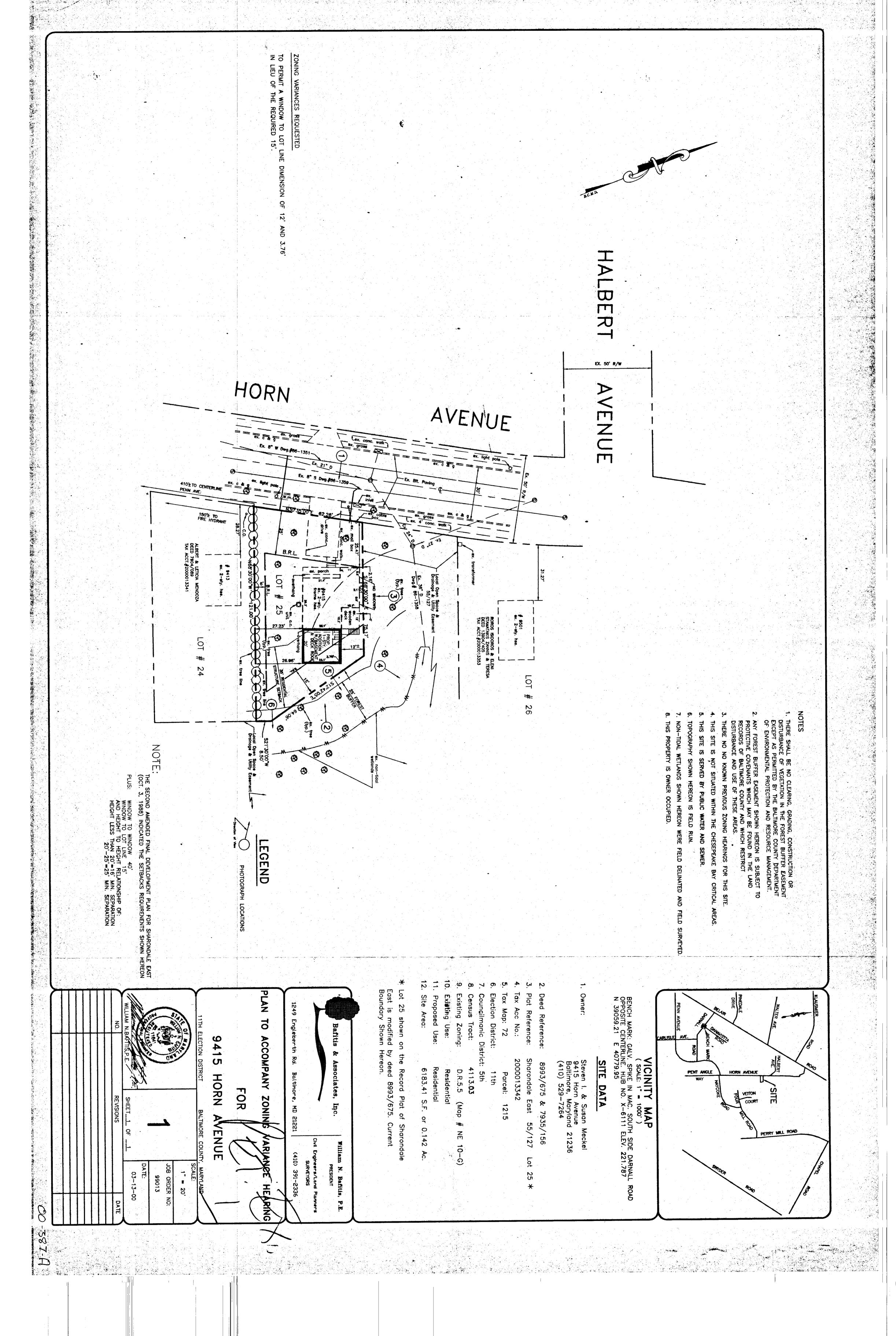


PAST FROM REAR OF 9415 HORN AVE.









SURVEYORS ph. (410) 391-2336