

IN RE: PETITION FOR ADMIN. VARIANCE
NW/S Bloomsbury Avenue, 92.94' S of
the c/l Montemar Avenue
(412 Bloomsbury Avenue)
1st Election District
1st Council District

Pathak Raxitkumar
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-031-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Pathak Raxitkumar. The Petitioner seeks relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 14 feet in lieu of the required 40 feet for a proposed 7.5' x 28.9' two-story addition. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed 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 variance 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.

ORDER RECEIVED FOR FILING

Date

By

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 this 18th day of August, 2000 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 14 feet in lieu of the required 40 feet for a proposed 7.5' x 28.9' two-story addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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

ORDER RECEIVED FOR FILING

Date 8/18/00

By [Signature]



Baltimore County
Zoning Commissioner

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

August 18, 2000

Mr. Pathak Raxitkumar
412 Bloomsbury Avenue
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NW/S Bloomsbury Avenue, 92.94' S of the c/l Montemar Avenue
(412 Bloomsbury Avenue)
1st Election District – 1st Council District
Pathak Raxitkumar - Petitioner
Case No. 01-031-A

Dear Mr. Raxitkumar:

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 Department of Permits 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



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

X 412 Bloomsbury Ave
Address
X CATONSVILLE X MD 21228
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):

DEAR SIR/ MAM,

WITH THE EXISTING SITUATION OF MY HOUSE AT 412-
BLOOMSBURY AVE, IT IS HARD TO MEET THE GROWING NEED
OF THE FAMILY. THE HOUSE WAS BUILT LONG AGO IN 1940, AND
IT WAS OK WITH THE OLD ZONING LAWS. SINCE THE NEW
ADMINISTRATIVE REGULATIONS ARE DIFFERENT IN THE
AREA, I FEEL TO MAKE AN ADDITION TO THE EXISTING
BUILDING, TO COVER THE INCREASING DEMANDS OF MY
FAMILY, TO MAKE IT MORE COMFORTABLE, I WOULD REQUEST
YOUR HONOUR TO KINDLY CONSIDER MY CASE, AND PERMIT ME
TO BUILD THE EXTENSION. THANK YOU.

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.


Signature


Name - Type or Print

Signature _____

Name - Type or Print _____

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 20th day of JUNE, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

PATHAK RAKIT KUMAR

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

6/20/2000
Date

Mary Blair Lindren
Notary Public

My Commission Expires Mary Blair Kindred
My Commisson Expires
Aug. 14, 2002



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 412 BLOOMSBURY AVE. CATONSVILLE
which is presently zoned DR 2

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) 1B02.3.C.1: BCZR, TO PERMIT
A FRONT YARD SET BACK OF 14FT. IN LLEN OF THE REQUIRED
40FT FOR AN ADDITION.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

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 01-031A day of January, 2000, 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. 01-031A

REV 9/15/98

Reviewed By [Signature]

Date 7-20-00

Estimated Posting Date 7-30-00

ZONING DESCRIPTION

AS RECORDED IN DEED LIBER 0013052
FOLIO 599 BEING 120' NORTHEAST
OF THE CENTERLINE INTERSECTION OF
MONTEMAR AVE AND BLOOMSBURY THUS,

BEGINNING FOR THE SAME at a point on the northwest side of Bloomsbury Avenue, 30 feet wide, distant south 31 degrees 39 minutes west 92.94 feet more or less from a concrete monument at the bend in said Avenue said monument having been mentioned in a ground rent lease from Raymond K. Angel to Christina Caprarola under date of July 19, 1951 and recorded among the Land Records of Baltimore County in Liber GLB No. 1994, folio 269, north 45 degrees 00 minutes west 114.07 feet more or less to a stake coinciding with the third line in a ground rent lease from Raymond K. Angel to John W. Ward and wife and recorded among the Land Records of Baltimore County in Liber GLB No. 2126, folio 502, thence north 37 degrees 41 minutes east 64.57 feet more or less to a stake on the third line of said ground rent lease from Raymond K. Angel to Christina Caprarola thence running with and binding on the said third line south 46 degrees 12 minutes east 106.25 feet more or less to a stake in the northwest side of said Bloomsbury Avenue thence south 31 degrees 39 minutes west and running with said northwest side of said Bloomsbury Avenue 64.94 feet more or less to the place of beginning. The improvements thereon being known as No. 412 Bloomsbury Avenue.

031

01-031-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083549

DATE 7-20-00 ACCOUNT F-1-6130

AMOUNT \$ 50.00

RECEIVED FROM: F. RAVITZKUMAZ 412 Division Ave

FOR: _____

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
7/20/2000	7/20/2000	14:26:15
REG #304	CASHIER SMAT SMW	INWEN 4
Det	5	528 ZONING VERIFICATION
Receipt #	122021	BFLH
CR NO.	083549	

Receipt Tot 50.00
50.00 CR .00 CA
Baltimore County, Maryland

01-031-A

CASHIER'S VALIDATION

01-031-A

CERTIFICATE OF POSTING

RE: Case No.: 01-031-A

Petitioner/Developer: _____

PATHAK RAXITKUMAR

Date of Hearing/Closing: 8-14-00

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 _____

412 BLOOMSBURY AVE.

The sign(s) were posted on _____

JULY 29, 2000

(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # Q1-031-A

A VARIANCE TO PERMIT A FRONT
YARD SETBACK OF 14 FT. IN
LIEU OF THE REQUIRED
40 FT. FOR AN ADDITION.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-122(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 p.m. ON **AUGUST 14, 2000**
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
1111 FREDERICK AVE. • TEL. 847-3301 •
WWW.BALTIMORECOUNTY.MD

ZONING NOTICE

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WWW.BALTIMORECOUNTY.MD

RECEIVED

JUL 31 2000

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 031 -A Address 412 BLOOMSBURY Ave.
Contact Person: J. Mene Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 7-20-00 Posting Date: 7-30 Closing Date: 8-14

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 01- 031 -A Address 412 BLOOMSBURY Ave.
Petitioner's Name PADMAK RAXITKUMAR Telephone (410)
Posting Date: 7-30-00 Closing Date: 8-14-00
Wording for Sign: A VARIANCE
To Permit TO PERMIT A FRONT YARD
SETBACK of 14 ft. IN LIEU of THE REQUIRED
90 ft. for AN ADDITION.

01-031-A
BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

WCR - Revised 6/28/00

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: 031

Petitioner: RAXIT KUMAR C. PATHAK.

Address or Location: 412. BLOOMSBURY AVE. CATONSVILLE. MD-21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: RAXIT KUMAR C. PATHAK.

Address: 412. BLOOMSBURY AVE. CATONSVILLE. MD - 21228

Telephone Number: 410-744-6967.

Revised 2/20/98 -SCJ

01-031-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 9, 2000

Pathak Raxitkumar C.
412 Bloomsbury Avenue
Catonsville, MD 21228

Dear Petitioner:

RE: Case Number: 01-031-A, 412 Bloomsbury Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 30, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:gdz

Enclosures

C: People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 17, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For August 7, 2000
Item Nos. 022, 023, 024, 026, 027, 028
030, 031, 032, 033, 034, 035, 036

and

00-550-A, Revised 7/14/2000

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

August 8, 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 July 31, 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:

023, 026, 028, 030, 031, 032,

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

FROM: R. Bruce Seeley *ac/RBS*

DATE: September 11, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of July 31, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
024	7103 Milford Industrial Road
025	2900 Taylor Avenue
027	3825 Blenheim Road
028	700 Western Run Road
030	12324 Michaelsford Road
031	412 Bloomsbury Avenue
032	2306 Shaded Brook Drive
036	12040 & 12407 Falls Road
550 Revised	Phillips Purchase

8114 AV

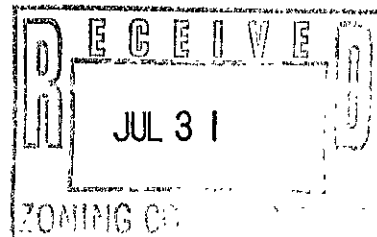
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 31, 2000

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



SUBJECT: Zoning Advisory Petition(s): Case(s) 006 and 031

The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

A handwritten signature in dark ink, appearing to be "Mark A. Cunningham", written over a horizontal line.

Section Chief:

A handwritten signature in dark ink, appearing to be "Gary L. Kerns", written over a horizontal line.

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

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

Date: 7.31.00

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

RE: Baltimore County
Item No. 031

JCM

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,

1~ 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

01-031-A

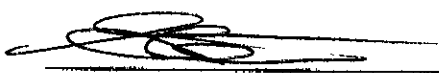
TO WHOMEVER IT MAY CONCERN

Date: 07/10/2000

Dear sir/ madam,

I GREG EASTON hereby declare and agree that we do not have any objection for extension of Kitchen, bath room, bed room and porch for the house at 412 Bloomsebury Ave, Cattonseville, Maryland.

Sincerely,


Sign

GREG EASTON

Name

414 Bloomsebury Ave

031

01-031-A

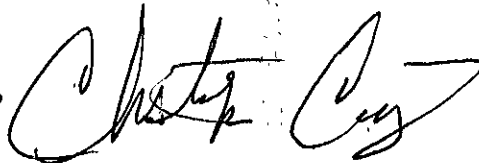
TO WHOMEVER IT MAY CONCERN

Date: 07/10/2000

Dear sir/ madam,

I Christopher Carney hereby declare and agree that we do not have any objection for extension of Kitchen, bath room bed room and porch for the house at 412 Bloomseburry Ave, Cattonseville, Maryland.

Sincerely,

_____
Sign_____
Name

Christopher Carney
410 Bloomsbury Ave
Catonsville, MD, 21028

031

01-031-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

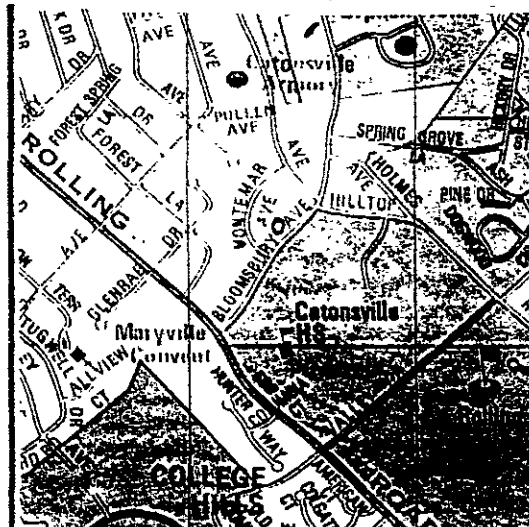
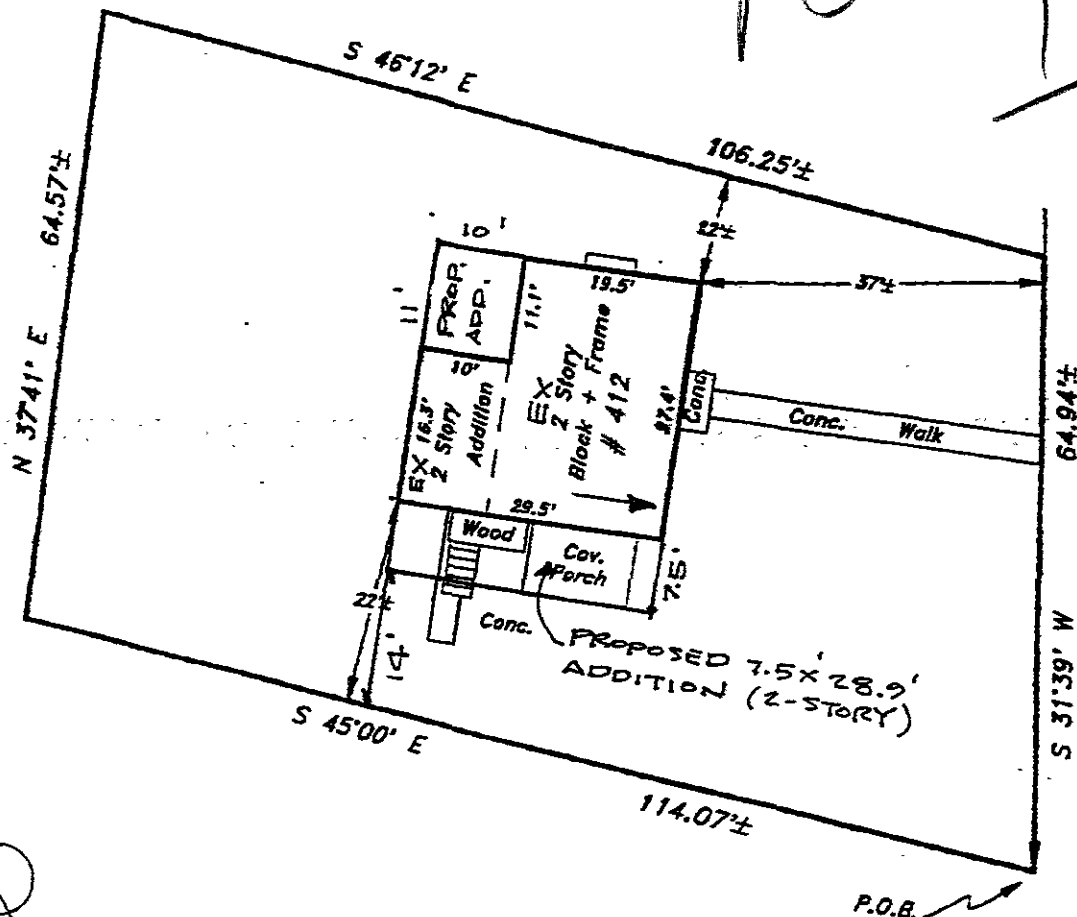
PROPERTY ADDRESS: 412 BLOOMSBURY AVE

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

Subdivision name: K/A
 plat book # 10102, lot # A, section #

OWNER: PATHAK RAXITKUMAR

PET 1



LOCATION INFORMATION

Election District: 1

Councilmanic District: 1

1"=200' scale map #: SW 4 F

Zoning: DR 2

Lot size: 7040 SQ FT
 acreage square feet

SEWER: ☒ public ☐ private
 WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

NONE

Zoning Office USE ONLY!

reviewed by: SUM ITEM #: 0311 CASE#:

North

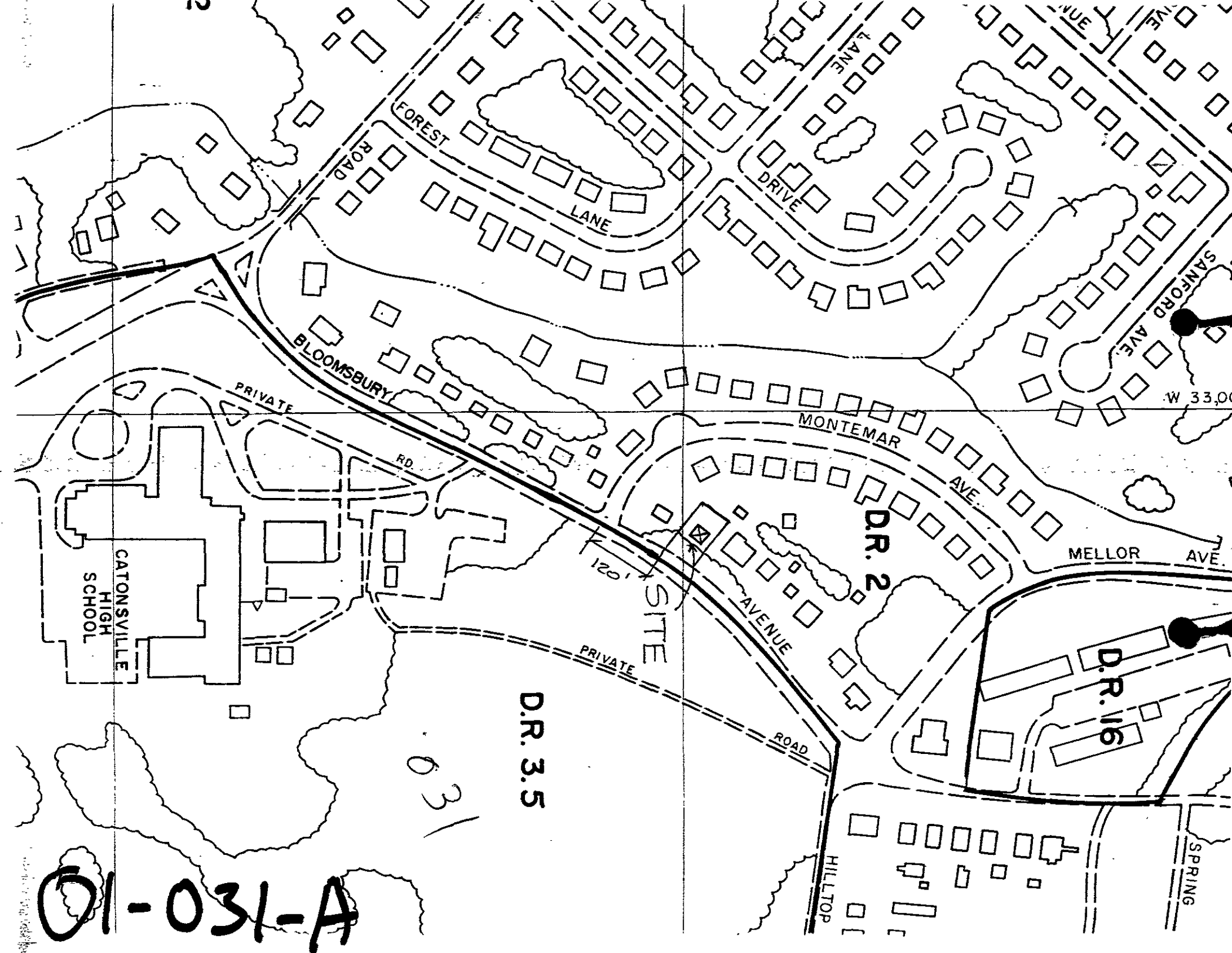
date: 7-6-00

prepared by: Raxit Kumar

Scale of Drawing: 1"= 20'

3 AP-15
4 ES

01-031-A



01-031-A



01-031-A



01-031-A



01-031-A



01-031-A



01-031-A



139

01-031-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE		LOCATION	SHEET
1" = 200' ±			
DATE OF PHOTOGRAPHY JANUARY 1986		CATONSVILLE	S.W. 4-F