

IN RE: PETITION FOR ADMIN. VARIANCE

E/S of Yeoho Road, 700' N
centerline of Dubbs Road
5th Election District
3rd Councilmanic District
(16817 Yeoho Road)

Jennifer and James Fortier
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 01-103-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, Jennifer and James Fortier. The variance request is for property located at 16817 Yeoho Road, in the Sparks area of Baltimore County. The variance request is from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 15 ft. in lieu of the required 35 ft. to construct an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for 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.

ORDER RECEIVED FOR FILING

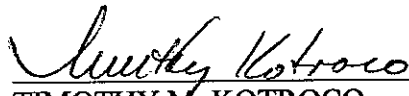
Date 2/27/00

By [Signature]

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 27th day of September, 2000, that a variance from Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 15 ft. in lieu of the required 35 ft. to construct 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 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

RECEIVED
BALTIMORE COUNTY
ZONING DEPARTMENT
SEP 27 2000
BY: [Signature]
[Signature]



Baltimore County
Zoning Commissioner

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

September ²⁷26, 2000

Mr. & Mrs. James Fortier
16817 Yeoho Road
Sparks, Maryland 21152

Re: Petition for Administrative Variance
Case No. 01-103-A
Property: 16817 Yeoho Road

Dear Mr. & Mrs. Fortier:

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

TMK:raj
Enclosure





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 16817 Yeoko Rd

which is presently zoned RC-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) 1A 01-3.B-3 to permit a side yard setback of 15 feet in lieu of the required 35 feet.

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):

Jennifer Fortier

Name - Type or Print _____

Signature _____

James Fortier

Name - Type or Print _____

Signature _____

16817 Yeoko Rd 410-771-4338
Address Telephone No.

Sparks MD 21152
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 _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 01-103-A

Reviewed By RDD Date 9-1-00

Estimated Posting Date 9-10-00

REU 9/15/98

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 16817 Yeoho Rd
Address
Sparks mo 21152
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):

Our two bedroom house with one full bath does not provide the accommodations needed for our current family of four. Therefore, we would like to build an addition, which would include another bedroom and full bath. The location of our existing well and septic system eliminates the options of adding onto the back or front of the house. The option of building up is not practical considering the fact that we are planning on retiring in our current home and would prefer not to have stairs to contend with in our senior years. I am hopeful that our request will be approved so that we may continue to reside at our current location. Your attention into this matter is greatly appreciated.

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.

Jennifer Fortier
Signature
Jennifer Fortier
Name - Type or Print

James E. Fortier
Signature
JAMES E. Fortier
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of August, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

August 30, 2000
Date

Blanche Medley
Notary Public
My Commission Expires Sept 10, 2003

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 16817 Yecko RD
Address
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City State Zip Code

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Jennifer Fortier
Signature
Jennifer Fortier
Name - Type or Print

James E. Fortier
Signature
JAMES E. Fortier
Name - Type or Print

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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

Aug. 30, 2000
Date

Michelle Mesley
Notary Public
My Commission Expires Sept 10, 2003



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 16817 Yeoko Rd

which is presently zoned RC-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) 1A01.3.B.3 to permit a side yard setback of 15 feet in lieu of the required 35 feet

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):

Jennifer Fortier

Name - Type or Print

Jennifer Fortier

Signature

James Fortier

Name - Type or Print

[Signature]

Signature

16817 Yeoko Rd

Address

410-771-4338

WK 410-614-6591

Telephone No.

Sparks

City

MD

State

21152

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 day of , that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 01-103-A

Reviewed By RDD Date 9-1-00

REU 9/15/98

Estimated Posting Date 9-10-00

Zoning Discription For 16817 Yeoho RD, Sparks MD 21152

Beginning for the same at a point in or near the center of Yeoho Road at the beginning of the second or South 81 degrees 35 minutes East 22.0 foot line of that parcel of land which by deed dated February 17, 1992 and recorded among the Land Records of Baltimore County in Liber S.M. No. 9119 folio 656.

5th Election District Councilmanic District 3
Zone 6

Zoning Description For 16817 Yeoho Rd

Beginning at a point on the East side of Yeoho Rd which is 50' wide at the distance of 700' North of the centerline of the nearest improved intersecting Street Dubois which is 50 feet wide

01-103-A

#01-103-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 083776

DATE 9-1-00 ACCOUNT F001 6-50

AMOUNT \$ 50.00

RECEIVED FROM: Tax for Electric (see pg. 200)

FOR: Home Inc. in Van (see # 01-004)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PRINTED ACTUAL TIME

9/01/2000 9/01/2000 11:29:04

REG 4592 CASHIER UNIT 105 NUMBER 3

Dept 5 529 ZWINE REIFICATION

Receipt # 139506 (PL)

CM NO. 083776

Receipt Tot 50.00

50.00 OK 100 OK

Baltimore County, Maryland

01-103-A

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 01-103-A

Petitioner/Developer: Jennifer

FORTIER

Date of Hearing/Closing: 25 Sep 00

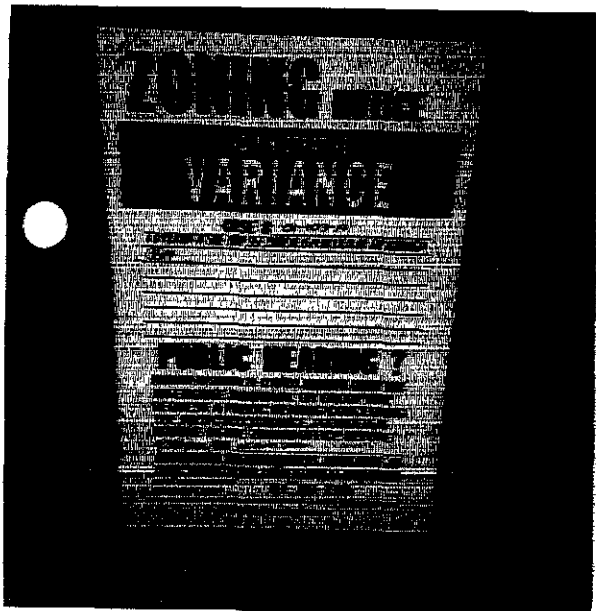
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

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 16817 Yeoho Rd

The sign(s) were posted on 10 Sep 00
(Month, Day, Year)



Sincerely,

RAH 10 Sep 00

(Signature of Sign Poster and Date)

SSG Robert BLACK

(Printed Name)

1508 Loshie Rd

(Address)

Dundalk Md 21222

(City, State, Zip Code)

410-282-7940

(Telephone Number)

**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: 103

Petitioner: Jennifer Fortner

Address or Location: 16817 Yeoko RD Sparks MD 21152

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jennifer Fortner

Address: 16817 Yeoko Rd

Sparks MD 21152

Telephone Number: 410-771-4338

Revised 2/20/98 - SCJ

01-103-A

01-103-A

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 103 -A Address 16817 Yecko Rd

Contact Person: David Duvall (Jr E) Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9-1-00 Posting Date: 9-10-00 Closing Date: 9-25-00

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. **DEADLINE:** The closing date is the deadline for a formal request for a public hearing.

3. **ORDER:** After the clerk's order, the petitioner must order that the matter be decided (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.

Post-It* Fax Note	7671	Date	9-6-00	# of pages	2
To	Bob B. Luke	From	Tom Dugan		
Co./Dept.		Co.			
Phone #	410-282-7440	Phone #	410-687-8445		
Fax #		Fax #			

300 feet to file is no formal

deputy zoning relief; or (c) notification

(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- 103 -A Address 16817 Yecko Rd.

Petitioner's Name Jennifer Fortier Telephone 410-771-4339

Posting Date: 9-10-00 Closing Date: 9-25-00

Wording for Sign: To Permit a side yard setback of 25 feet in lieu of the required 35 feet

WCR - Revised 6/28/00

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

83 Ext 27
Hartford (MT Carmel Rd) 4 miles
Pretty Boy Dam Rd (CHALK) Left
1 mile Yecko Rd Left - Bottom of Mt Sphtail Left



Baltimore County
Department of Permits and
Development Management

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

September 25, 2000

Jennifer & James Fortier
16817 Yeoho Road
Sparks, MD 21152

Dear Mr. & Mrs. Fortier:

RE: Case Number: 01-103-A, 16817 Yeoho Road

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

W. Carl Richards, Jr.

W. Carl Richards, Jr. G7Z
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: October 3, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For September 18, 2000
Item Nos. 070, 071, 072, 073, 075, 078,
079, 081, 082, 085, 086, 087, 088, 089,
090, 091, 092, 093, 094, 095, 097, 098,
100, 101, 103, and 104

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

September 19, 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 September 11, 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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS REGARDING THE FOLLOWING:

ITEM #'S 070, 071, 072, 073, 074, 075, 079, 080, 081, 082, 083,
084, 085, 086, 087, 088, 089, 092, 093, 094, 095, 097,
098, 099, 100, 101, 102, 103, AND 104

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

cc: File

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



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 11, 2000

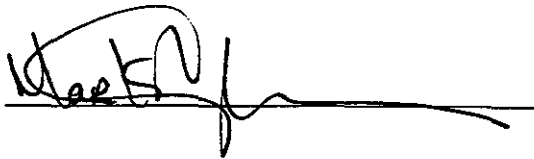
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-073, 01-074, 01-075, 01-082, 01-087,
and 01-103.

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:



Section Chief:



AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

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

Date: 10-2-00

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

RE: Baltimore County
Item No. 103 RDD

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

John and Rebecca Gurley
16813 Yeoho RD
Sparks, MD 21152
410-472-6764

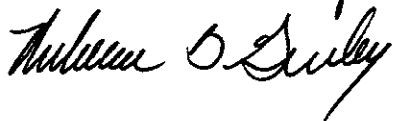
August 30, 2000

Zoning Review
111 West Chesapeake Avenue
RM 111
Towson, MD 21204

To Whom It May Concern:

We would like the records to show, that we are in full support of Jennifer and James Fortier's variance request. The new addition that the Fortier's would like to build will not interfere in any way with our space or privacy needs.

Thank you,


John and Rebecca Gurley


01-103-A

01-103-A

John and Rebecca Gurley
16813 Yeoho RD
Sparks, MD 21152
410-472-6764

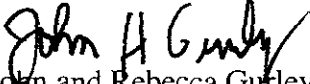
August 30, 2000

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RM 111
Towson, MD 21204

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John and Rebecca Gurley

#01-103-A

01-103-A

John and Rebecca Gurley
16813 Yeoho RD
Sparks, MD 21152
410-472-6764

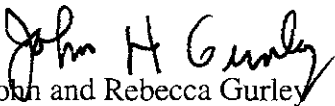
August 30, 2000

Zoning Review
111 West Chesapeake Avenue
RM 111
Towson, MD 21204

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Thank you,


John and Rebecca Gurley

#01-103-A

01-103-A

Beginning for the same at a point in or near the center of Yeoko Rd
at the beginning of the second or 1" = 60'
South 81 degrees 35 minutes EAST 22.0 feet 5th Election District
line of that Parcel of land which by deed Zone 6
dated February 17, 1992 and recorded among the land
Records of Baltimore County in Liber S.M. No 9119 folio 656
01-103-A

NW 27F

1" = 200'

1996 COMPREHENSIVE ZONING MAP

#01-103-A

E 873.000

DUBBS RD

W 34.500

R.C. 2

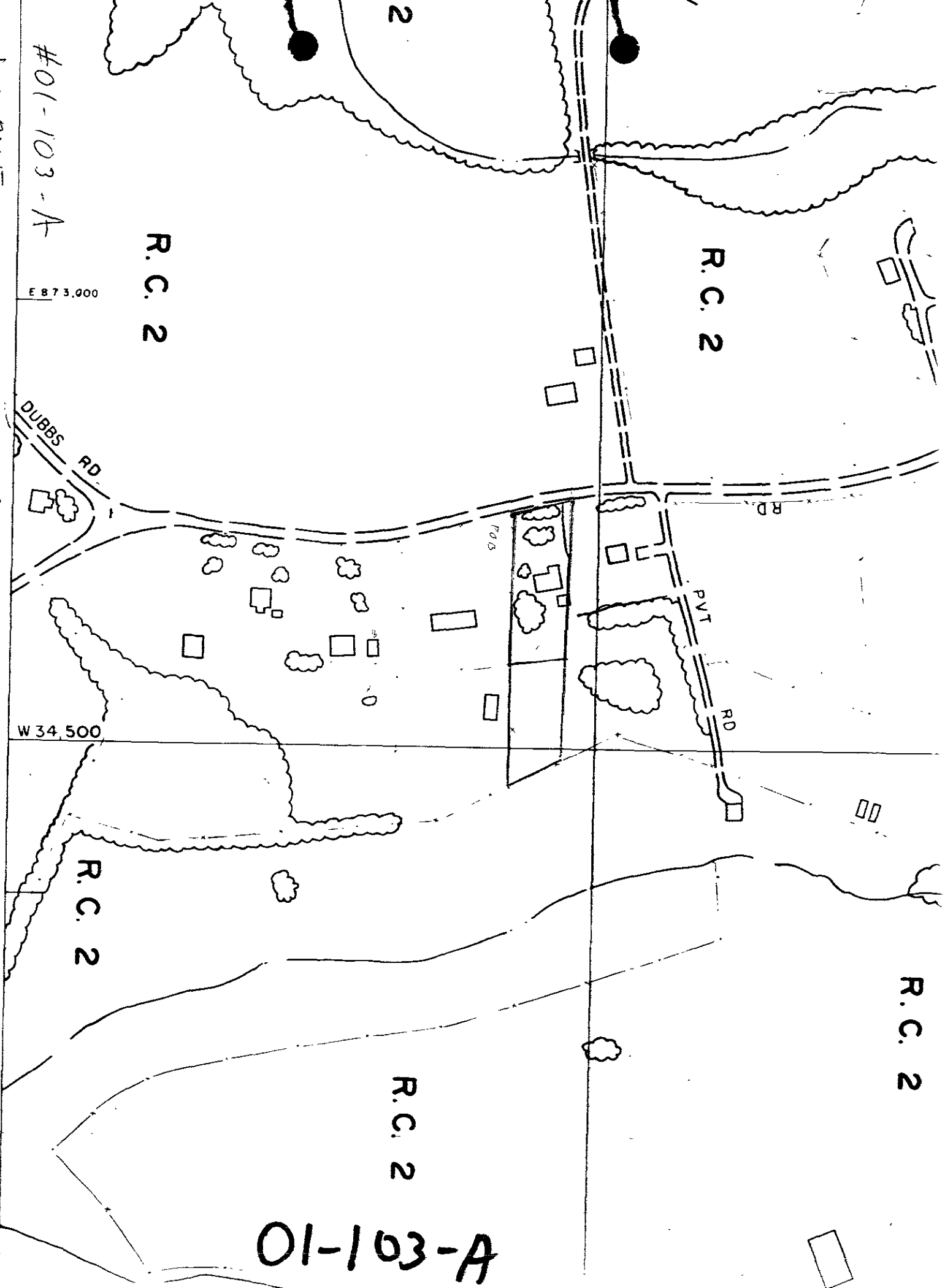
R.C. 2

R.C. 2

R.C. 2

R.C. 2

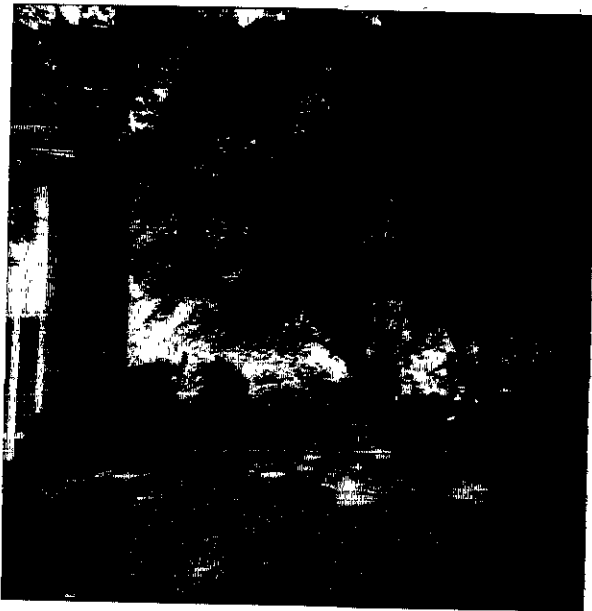
01-103-A





VIEW FROM NEIGHBORS AT
PROPOSED BUILDING SITE

01-103-A

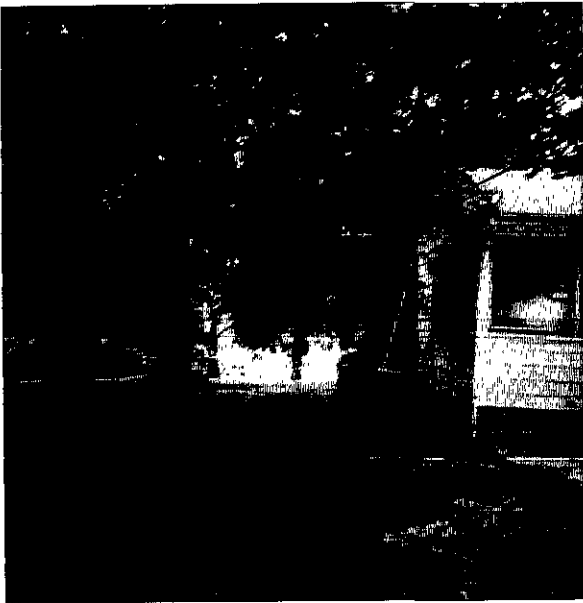


SIDE YARD PROPOSED
ADDITION
FRONT VIEW

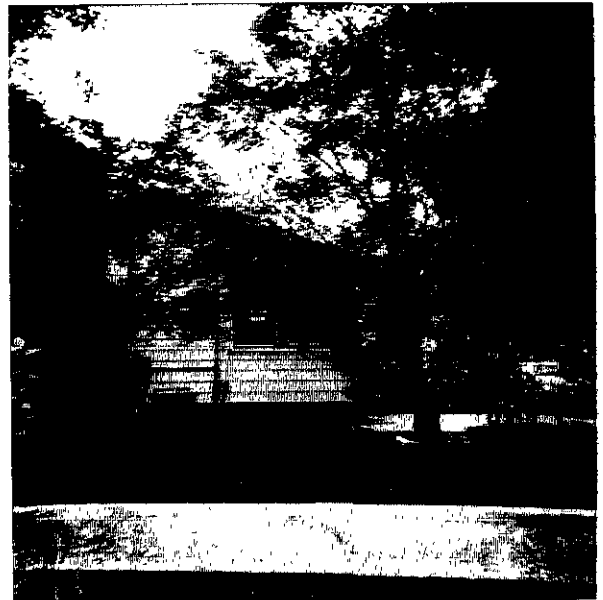


NEIGHBORS HOUSE
GREEN AREA IS PROPOSED
BUILDING SITE

01-103-A



SIDE YARD PROPOSED
ADDITION BACK VIEW



PROPOSED BUILDING SITE
SIDE VIEW

01-103-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200'

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1961

MT CARMEL

NW
27F

01-103-A

01-103-A