IN RE: PETITION FOR ADMIN. VARIANCE

N/S Howard Forest Lane, 94' W centerline of Old House Court 3rd Election District 2nd Councilmanic District

(8818 Howard Forest Lane)

Vicki Margolis Petitioner BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* CASE NO. 01-207-A

\*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner as a Petition for Administrative Variance filed by the legal owner of the subject property, Vicki Margolis. The variance request is for property located at 8818 Howard Forest Lane in the Pikesville area of Baltimore County. The Petitioner herein seeks a variance from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with an open projection (deck) to have a side yard setback of 11 ft. in lieu of the required 23.5 ft. and to amend the Final Development Plan. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner 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 Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts

TO SECTION FOR FILMS

that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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 Zoning Commissioner for Baltimore County this day of December, 2000, that a variance from Section 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with an open projection (deck) to have a side yard setback of 11 ft. in lieu of the required 23.5 ft. and to amend the Final Development Plan, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ZAWRENCE E. SCHMIDT ZONING COMMISSIONER

FOR BALTIMORE COUNTY

LES:rai



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

Fax: 410-887-3468

December 13, 2000

Ms. Vicki Margolis 8818 Howard Forest Lane Baltimore, Maryland 21208

Re: Petition for Administrative Variance

Case No. 01-206-A

Property: 8818 Howard Forest Lane

Dear Ms. Margolis:

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.

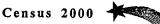
Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:raj Enclosure

c: Mr. Brian Kish 4113 Aquarium Place Baltimore, MD 21215

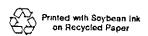














### Petition for Administrative Variance

### to the Zoning Commissioner of Baltimore County

MARYLAND	•			<del></del> )	
fo	r the property	located at 🏄	18 HOWARD	Sules	T LA
		which is	presently zoned	REGISEN	TIAL
This Petition shall be filed with the Depart owner(s) of the property situate in Baltimore made a part hereof, hereby petition for a Vari	tment of Permits County and which ance from Sectior	s and Developm is described in the	ent Management. ne description and A (BCZR	The unders	signed, lega I hereto and
TO PERMIT AN EXIST	INC, SINC	PLE FAM	ILY DW8	LING	いいて
AN OPEN PROJECTION	(PECK)	TO HAVE	A YARS	DP 11	PEST
IN LIEU OF THE RE					
AND TO AMMEND TH	B P.L.F	٥.			
of the zoning regulations of Baltimore County of this petition form.	, to the zoning law	v of Baltimore Co	unty, for the reaso	ns indicated	on the back
Property is to be posted and advertised as produced in the property of the pro	a adverticina nacti	ng, etc. and further the zoning law for E	agree to and are to Baltimore County.		
		I/We do solemni perjury, that I/we is the subject of	y declare and affirm, e are the legal owner this Petition.	under the pe (s) of the prop	nalties of perty which
Contract Purchaser/Lessee:		Legal Owner			
Name - Type or Print		VICKI	MARGOLIS	>	
Trains Type of Tank		Name - Type or Pr	-, /		
Signature		Signature			
Address	elephone No.	Name - Type or Pr	int	· · · · · · · · · · · · · · · · · · ·	
Attorney For Petitioner:  Name - ypt or Print	Zip Code	Signature  State  Address  City	re, MS	ST LA 1 2/20	lelephone No.
<u> </u>		Representati	ve to be Contac		
Signature 2		BRIAN	1 KISH	YAMI	
Company	1	Name	D. 10	), H2	7 76 76
Address Tie	lephone No.	Address	puncium 1	Te	lephone No.
City State	Zip Code	City City	ores MC	tate	12(5 Zip Code
A Public Hearing having been formally demanded arthis day of that the regulations of Baltimore County and that the property be resulted to the county and the c		uired, it is ordered petition be set for a p	by the Zoning Commi ublic hearing, advertise	ssioner of Balti ed, as required	more County, by the zoning
		Zoning C	ommissioner of Baltimo		
CASE NO. 01-207-A	Review	red By	n Date _	11/16/	00
REU 9 15 98	Estima	ited Posting Dat	re 11/2	0/00	

## 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	8818 HOWARD	S PORSST	LA,
	Address BALTIMURS,	MS	212045
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardsh	wing are the facts upon wi ip or practical difficulty):	hich I/we base the re	equest for an Administrative
DUB TO THE FACT THAT			
priperby Have BECKS OF	SIMILAR CONS	TRUCTION;	THE HOMBOWNERS
ASSOCIATION AND MANAGEME	NT COMPANY	HAVB APPR	NBO THE BECK
AS PROPOSED; AND THE	e Beck wil	L NOT AL	VBRSBLY APPBLT
THIS ABSTHETIC OR	INTER PERE	WITH TH	BTRACTICAL
USB OF THE SAIL	> PROPERTIES	S 6R SU	RROUND (NZ)
PROPERTLES.			
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ermal demand is filed, Affi additional information.	ant(s) will be require	ed to pay a reposting and
Signature	Signature		
( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	Signaturo		
Name - Type or Print	Name - Typ	pe or Print	
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:		
of Maryland, in and for the County aforesaid, pe	rsonally appeared	りひし_, before me, a	a Notary Public of the State
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	actorily identified to me as orth are true and correct to	s such Affiant(s), and the best of his/her/th	I made oath in due form of eir knowledge and belief.
AS WITNESS my hand and Notarial Seal $11/15/\infty$	Lens	49 Stu	
Date /	Notary Public		
	My Commission E	xoires /2-0/	-00

REV 09/15/98

# 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	9818 HOWARD 1	FOREST 1	LA,
<u>^</u>	BATIMORE,	MS	21206
That based upon personal knowledge, the following Variance at the above address (indicate hardship of the control of the contr	ng are the facts upon which I or practical difficulty):	State /we base the reque	Zip Code st for an Administrative
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TURBABY HAVE DECKS OF	SIMILAR CONS-	TRUCTION,	THE HUME
DWARRS ASSOCIATION AND	MANAGEMENT	COMPAN	-1 HAVE APPROV
THE BOCK AS PROPOSED.	S, AND THE	8 BECK	WILL NOT
ADVERSELY APPELT TITE	E ABSTHETIC	S OR IN	TBRPERE
WITH THE PRACTICAL			
OR SURROUNDING PROPER	TIBS.		
That the Affiant(s) acknowledge(s) that if a form advertising fee and may be required to provide add Signature  Name - Type or Print	al demand is filed, Affiant(s) ditional information.  Signature  Name - Type or P		pay a reposting and
STATE OF MARYLAND, COUNTY OF BALTIMO  I HEREBY CERTIFY, this 2 day of of Maryland, in and for the County aforesaid, personally known or satisfact law that the matters and facts hereinabove set forti	nally appeared	Affiant(s) and ma	tary Public of the State  de oath in due form of nowledge and belief.
AS WITNESS my hand and Notarial Seal  Date	Notary Public  My Commission/Expire	Siles	

REV 09/15/98



REV 9/15/98

### Petition for Administrative Variance

00

	the Zoning	Commissioner of Baltimore County
	for the proper	ty located at 8818 HOWARD BREST LA
		which is presently zoned RESIDENTIAL
This Petition shall be filed with the D owner(s) of the property situate in Baltin made a part hereof, hereby petition for a	epartment of Perm nore County and what Variance from Sec	nits and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and tion(s) 361.1. ♣ (BCZ₽)
TO PERMIT AN EXISTI	NG SINGLE	PAMILY BUBLLING WITH AN OPEN
PROJECTION (BECK) TO	HAVE A YA	RS of 11 PERT IN LIEU OF THE
REQUIRES 23.5 P		,
AND TO AMMENS	THE P.	b. P.
of the zoning regulations of Baltimore Co of this petition form.	ounty, to the zoning	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised a l, or we, agree to pay expenses of above Va regulations and restrictions of Baltimore Cou	riance adverticing no	orting of a and further serves to such as to built at the contract of the cont
		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):
Name - Type or Print		VICKI MARGOUS  Name - Type or Brint
Signature		Signature
Address	Telephone No.	Name - Type or Print
City State	Zip Code	Signature
Attorney For Petitioner:		Address Howard Forms TLA # 402 Address Telephone No.
Name - Type or Print		City State Zip Code
Signature	· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted:
Company		BRIAN KISH
Address	Telephone No.	4113 Aguarium PL #358-757 Address Telephone No.
City State	Zip Code	City State Zip Code
thisday of that regulations of Baltimore County and that the proper	led and/or found to be it the subject matter of the ty be reposted.	required, it is ordered by the Zoning Commissioner of Baltimore County, nis petition be set for a public hearing, advertised, as required by the zoning
		Zoning Commissioner of Baltimore County
CASE NO	-A Revi	iewed By CTM Date 11/16/00

Estimated Posting Date

ZONINING DESCRIPTION FOR: 8818 Howard Forest Lane, Baltimore, MD 21208

Beginning at a point on the north side of Howard Forest Lane which is 27 feet wide at the distance of 94 feet west of the centerline of the nearest improved intersecting street of Old House Court which is 27 feet wide. Being Lot # 02, Block --, Section # B13 in the subdivision of Grey Rock as recorded in Baltimore County Plat Book #20, Folio #129, containing 2,774 square feet. Also known as 8818 Howard Forest Lane and located in the 3<sup>rd</sup> Election District, 2<sup>nd</sup> Councilmanic District.

#207

TO SECTION THE PROPERTY OF THE PARTY OF THE	Delicate Courts, Navigal	CASHIER'S VALIDATION
NO. 676	AMOUNT \$ 100 CENT. OR IN ORSER. IN SECTION OF THE PROPERTY OF	YELOW - CUSTOMER
BALTIMORE COUNTY, MAR OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	RECEIVED FROM:	<u>DISTRBUTION</u> WHITE - CASHIER PINK - AGENCY

### CERTIFICATE F POSTING

	Petitioner/Developer: VICKI MARGOLI.
	Date of Hearing/Closing: 11 Dec 2000
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:	
The sign(s) were posted on	11 25 2000
The sign(s) were posted on	11 25 2000 (Month, Day, Year)
The sign(s) were posted on	1/ 25 2000 (Month, Day, Year) Sincerely,
The sign(s) were posted on	(Month, Day, Year)
The sign(s) were posted on	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG Robert Black
The sign(s) were posted on	(Month, Day, Year)  Sincerely,  11/25/2000  (Signature of Sign Poster and Date)
The sign(s) were posted on	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG Robert Black (Printed Name)  1508 Leslie Road
The sign(s) were posted on	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG Robert Black (Printed Name)  1508 Leslie Road (Address)
The sign(s) were posted on	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG Robert Black (Printed Name)  1508 Leslie Road (Address)  Dundalk Maryland 21222
The sign(s) were posted on	(Month, Day, Year)  Sincerely,  (Signature of Sign Poster and Date)  SSG Robert Black (Printed Name)  1508 Leslie Road (Address)

### 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: 01-207-A  Petitioner: VICKI MARGOLIS
Address or Location: <u>8818 Howard Robert LA. BALTO. MS</u>
PLEASE FORWARD ADVERTISING BILL TO:
Name: BRUAN KISH
Address: 4113 Apriliam P.
BALTO, MS 21215
Telephone Number: # 35%-7578

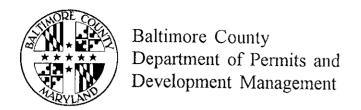
Revised 2/20/98 - SCJ

#207

#### **ZONING REVIEW**

### ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

		Г							,
	Case I	Number 01-	207	-A	Address	8018	HOWAR	N FORES	<u> </u>
1	Conta	ct Person:	L ( O Y O Planner,	T. M	Name	<u> </u>	Phone N	Number: 410-8	887-3391
W.	Filing	Date: _ l /	16/00	_ Pos	sting Date:	11/26/00	O Clo	sing Date: 17	11100
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_			uest for a p	ublic hearin	ng. Please	understand	that ever	within 1,000 fe if there is n date.	
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	Petition	ner's Name 🔼	JICKI V	MARGO	DLIS	Т	elephone	410 602	3817
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Permits and Licenses County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 (410) 887-3900

Fax: (410) 887-2824

December 11, 2000

Vicki Margolis 8818 Howard Forest Lane Baltimore, MD 21208

Dear Ms. Margolis:

RE: Case Number: 01-207-A, 8818 Howard Forest Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 16, 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.

Supervisor, Zoning Review

WCR: qdz

**Enclosures** 

C: Brian Kish, 4113 Aquarium Place, Baltimore 21215 People's Counsel

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 4, 2000

Department of Permits & Development Mgmt.

FROM: ()

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 4, 2000

Item Nos. 204, 206, 207, 208, & 210

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

RWB:HJO:jrb

cc: File

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

**DATE:** January 11, 2002

Department of Permits & Development Mgmt.

**FROM:** Robert W. Bowling, Supervisor

Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting

For December 24, 2001

Item No. 207

The Bureau of Development Plans Review has reviewed the subject zoning item.

The elevation protection for this site is 11.2 fcet.

The rear of buildings may not be constructed within 20 feet of the flood plam as established for a 100-year flood level with a 1-foot freeboard. See Plate D19 in the Baltimore County Design Manual.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must at 1 foot above the flood plain elevation in all construction.

In accordance with *Bill No. 18-90, Section 26-276*, filling within a flood plain is prohibited.

The developer is responsible for the cost of temporary structures and measures required in the event of sectional development.

The building engineer shall require a permit for this project.

Building shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure with materials resistant to flood damage.

RWB:HJO:jrb

cc: File



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

November 30, 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

Property Owner: SEE BELOW RE:

Location: DISTRIBUTION MEETING OF November 27, 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

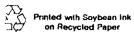
The Fire Marshal's Office has no comments at this time, 8. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

204, 205, 206, 207, and 210

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 / RBS

DATE:

December 5, 2000

SUBJECT:

**Zoning Petitions** 

Zoning Advisory Committee Meeting of November 27, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
204	11809 Meylston Drive
205	9534 Cross Road
206	8816 Howard Forest Lane
207	8818 Howard Forest Lane
208	6824 & 6826 Dogwood Road
· 210	1500 Maywood Avenue
• 210	1500 Maywood Avenue

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 4, 2000

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 01-206 & 207

The Office of Planning has reviewed the above referenced case(s) 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



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

Date: 11.26.00

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

Baltimore County RE:

Item No. 207 (LTM)

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.ind.us).

Very truly yours,

P. J. Dredl

- Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

C7m 80 861	prepared by: Suk Scale of Drawing: 1'= 50'
reviewed by: ITEM #: CASE#:	rth
	However Forget Lange
SEWER: XX	TO FRONT
zoning: D.R 10.5  Lot size: 3 004  Lot size: 3 004	ENSTING #88/6 PRINTS SANGEL BONDERS SANGEL BONDERS SANDERS SAN
LOCATION INFORMATION  Election District: # 03  Councilmanic District: # 02	Mercans 235 Retaining White
Wicinity Map  North Scale: 1'=1000'	# 100 T
PEISTER OF THE PORT OF THE PROPERTY OF THE PRO	Juty
CIS TANK	OWNER: LEFT PREIDNAN
Subject Subjec	Nock   Section   813
e Special Hearing	Plat to accompany Petition for Zoning X Variance

Det. Q.#/



#1- RBAR OF \$818 HOWARD FOREST LANG.
(2M UNT PROM BND)



# 207

#2-VIEW FROM BAST SIDB OF BBIG HOWARD FORBSTON LAMB
(2ND UNIT FROM END.)

\* PROPOSED DECK WILL ONLY EXTEND TO THE END OF BUILDER PENCE.

#9019 Howard ParesT

#3- SIMILAR OXISTING DECKS ON NEIGHBORS
HOUSES IN SAME ROW AS 8618 HOWARD
ROPEST LANS.



#4- VIEW FROM OVEST SIDE OF 8619 HOWARD FOREST LAWS.

# 8818 HOWARD GUESST \* 171

\* PROPOSED DECK WILL ONLY EXTEND TO THE END OF EXISTING DIVIDER PENCE.

10%