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IN RE: PETITION FOR ADMIN. VARIANCE

E/S Reynolds Road, 650' +/- S

of Franklinville Road

11th Election District

5th Councilmanic District

(11809 Reynolds Road)

Margaret E. & Jeffrey Johnson, Sr.

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 01-320-A

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Margaret E. & Jeffrey Johnson, Sr., legal owners of that property known as 11809 Reynolds Road in the Bradshaw area of Baltimore County. The Petitioners herein seek relief from Section 1A04.3.B.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 20 ft. for an addition in lieu of the required 50 ft. 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.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Aday of March, 2001, that a variance from Section 1A04.3.B.2 of the B.C.Z.R., to permit a side yard setback of 20 ft. for an addition in lieu of the required 50 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions 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.
- 2) Compliance with the recommendations made by the Department of Environmental Protection and Resource Management dated February 23, 2001, a copy of which is attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:rai



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

Fax: 410-887-3468

March 12, 2001

Mr. & Mrs. Jeffrey Johnson, Sr. 11809 Reynolds Road Bradshaw, Maryland 21087

Re: Petition for Administrative Variance

Case No. 01-320-A

Property: 11809 Reynolds Road

Dear Mr. & Mrs. Johnson:

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

Mustby lotroes

TMK:raj Enclosure

Mr. Lee Bartnik 18134 Gunpowder Road Hampstead, MD 21074





For You, For Baltimore County







Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

ior the broker	the catenat Noor Alexage 777 HT
	which is presently zoned RC-S
made a part hereof, hereby petition for a Variance from Sec	nits and Development Management. The undersigned, legal nich is described in the description and plat attached hereto and stion(s) / A04.3. B.Z.; BCZR, TO PERMIT TO FOR FOR TOR MODITION SO FOR
of the zoning regulations of Baltimore County, to the zoning of this petition form.	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the l, or we, agree to pay expenses of above Variance, advertising, pregulations and restrictions of Baltimore County adopted pursuant	noting ato and further agree to and are to be becaused by it.
Contract Purchaser/Lessee:	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.
COMPACT PURCHASE//Lessee.	<u>Legal Owner(s):</u>
Name - Type or Print	Name - Type or Print X All All All All All All All
Signature	Signature 10
Address Telephone No.	Mame-Type or Print X Manager Solution X Mana
City State Zip Code Attorney For Petitioner:	Signature Records Royal
lame - Type or Print	Address Telephone No. BRASSHAW MD ZIVE
	City State Zip Code Representative to be Contacted:
gnature pmpa y	LOS BARMOIK
	Name 410 239
ddrea Telephone No.	Address Telephone No.
. X S	Mars on down

ublishearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning

CHURCH CHAR

REU 9115198

State

day of that the subject mulations of Baltimore County and that the property be reposted.

Estimated Posting Date 2-18-6

Zoning Commissioner of Baltimore County

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		2 Rex	2000	80	
	Address			~	
	City 72 02-22	SHAW	₩ State	2108	Zip Code
That based upon personal knowledge, the follow	ving are the fac	cts upon which	h I/we base th	e request for an Ac	•
Variance at the above address (indicate hardship	or practical di	fficulty):			
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nam BAZX					
CURRUNT ZOMINE	•	-		_	
Lamel sones					
THAS THIS R.					
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Signature South So	dditional inform	ation. Signature	inganit	E. Johns	on_
I HEREBY CERTIFY, this the day of fellow of Maryland, in and for the County aforesaid, personally known or satisfations.	sonally appeare	d to me as su	uch Affiant(s)	ne, a Notary Public	due form of
AS WITNESS my hand and Notarial Seal 2 -4-0) Date	rth are true and	Public Transition	e best of his/h	er/their knowledge a	nd belief.

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	11809 KarmorD KD
	Address BRADSHAW MD ZHOBS City State Zin Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardshi	wing are the facts upon which I/we base the request for an Administrative p or practical difficulty):
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2 C. 88 mm Zo	1,06 SOFOOT 5,06 SUFBACK
	adic sent Arva Hara Lass Side
Son BACK THAN	THIS REQUES OR ZOFGET
advertising fee and may be required to provide a	
Signature Johnson	Signature Signature Se Marca Se Houses Name - Type or Print
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTING I HEREBY CERTIFY, this Grant aforesaid, pe	$\lambda_{\rm max}$ before me, a Notary Public of the State
the Affiant(s) herein, personally known or satis law that the matters and facts hereinabove set for	factorily identified to me as such Affiant(s), and made oath in due form of orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	BW My
Date	Notary Public My Commission Expires



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	Zoming Commissioner of Battimore County
for	the property located at 11800 Received KD
	which is presently zoned RC-S
This Petition shall be filed with the Departm owner(s) of the property situate in Baltimore Co made a part hereof, hereby petition for a Varian	nent of Permits and Development Management. The undersigned, legal punty and which is described in the description and plat attached hereto and size from Section(s) \\\(\mathbb{R} \mathcal{P} \dagger \mathcal{R} \mathcal{B} \mathcal{Z}'\) \\\\(\mathcal{B} \mathcal{Z}'\) \\\\\(\mathcal{B} \mathcal{Z}'\) \\\\\(\mathcal{B} \mathcal{Z}'\) \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
4 2,00 x400 2013	COMIDAR FOR ANTON
10 riso OF THE RE	
of the zoning regulations of Baltimore County, to of this petition form.	o the zoning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as presell, or we, agree to pay expenses of above Variance, a regulations and restrictions of Baltimore County adoptions	cribed by the zoning regulations. advertising, posting, etc. and further agree to and are to be bounded by the zoning pted 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):
Name - Type or Print	Name - Type or Print
Signature	Signature Downson
Address Tele	ephone No. Name - Type or Print Margaret & Johnson
City State	Zip Code Signature
Attorney For Petitioner:	11809 Reignolds Rd. (410)817-4723 Address Telephone No. Bradshaw MD. 21087
Name - Type or Print	City State Zip Code
Signature	Representative to be Contacted:
Company.	Name 6000000 80 6579
Address Telep	phone No. Address Telephone No.
City State	Zip Code City State Zip Code
A Public Hearing having been formally demanded and his day of that the su egulations of Baltimore County and that the property be rep	for found to be required, it is ordered by the Zoning Commissioner of Baltimore County, bject matter of this petition be set for a public hearing, advertised, as required by the zoning posted.
*	Zoning Commissioner of Baltimore County
CAST NO.	7.00
CASE NO. $0(-320)$ A	Reviewed By 500 Date 2

Estimated Posting Date

2-18-01

BEGINNING for the same at an iron bar driven on or in the east side of the road leading form Franklinville to Bradshaw and at the end of the south 79 degrees 45 minutes west 580.50 foot line of that lot of land conveyed by Audrey E. Rembold to Jacob T. Hagy, Jr., et al, by deed dated September 29, 1942, and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1250, folio 439, and thence leaving the road and binding on said lot reversely and as the magnet here and now points, north 79 degrees 40 minutes east 283.50 feet to a piece of iron pipe, and thence leaving the Hagy lot and running for lines of division through and across the Barton land magnetically to date, north 21 degrees 00 minutes west 100.00 feet to a piece of iron pipe, and thence parallel to the first line hereof, south 79 degrees 40 minutes west 283.50 feet to a piece of iron pipe set on the east side of the aforesaid road, and thence continuing the same line, south 79 degrees 40 minutes west 16.50 feet more to the middle of the road, and thence running with and binding on the middle of the road, south 21 degrees 00 minutes east 100.00 feet to the northwest corner of the Hagy lot, and thence leaving the middle of the road and binding on the Hagy lot reversely north 79 degrees 40 minutes east 16.50 feet to the place of beginning. Containing 0.677 acres, more or less, as laid out by Somerville and Somerville, March 21, 1947.

The improvements thereon being known as 11809 Reynolds Road.

BEING the same lot of ground described in a Deed dated June 23, 1952 and recorded among the Land Records of Baltimore County in Liber GLB 2131 folio 15 was granted and conveyed by Jacob T. Hagy, Sr., and Lena B. Hagy, his wife, unto Orie S. Hagy and Audrey E. Hagy, his wife.

LOCATION, IN THE 11TH ELECTON DISTRICT

320

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No. 01726	5	modernment of the first of the following the		YELLOW - CUSTOMER
BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 2 . C . L ACCOUNT	RECEIVED	FOR:	<u>DISTRIBUTION</u> WHITE - CABHIER PINK - AGENCY YELLOW - CUSTOMER

	RE: Case No.: 01-320-A
	Petitioner/Developer:
	JEFFREY JOHNSON SR.
	Date of Hearing/Closing: 3/5/2001
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 were posted conspicuously on the property l	
The sign(s) were posted on	2/16/2001
CASE # 01-320-A	(Month, Day, Year)
	Sincerely, Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TONI, MO ZIO47 (City, State, Zip Code) (410) 879-3127 (Telephone Number)
11809 REYNOLDS RD	
POSTED 2/16/2001 Ofichell 2/16/01 Ofichell 1/1/2/16/01	•

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.

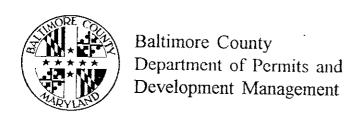
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 320
Petitioner: <u>Jeffrey Johnson</u> , <u>Sr.</u> Address or Location: <u>11809</u> Reyno Los Ro
Address or Location: 11809 Reyno Las Pa
•
PLEASE FORWARD ADVERTISING BILL TO:
Name:
Address:Ame
Telephone Number: (4/0) 239-6279

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 01-	320	-A	Address _	11809	REYNOLAS	Ro.
Conta	ct Person: _	Planner,	Please Print Your N	arne		Phone Number: 4	10-887-3391
Filing	Date: 2		N		2.18	Closing Date:	3.5
Any c throug	ontact made the contact	with this off person (plan	ice regarding ner) using th	the status e case numi	of the adr	ministrative variance	should be
1.	reposting mu is again resp	ist be done of	nly by one of	the sign po	sters on the	ters on the approved all printing/posting approved list and the fice sign must be vitionally ould remain there	costs. Any ne petitioner
	- 101111001 100	400 101 2 1/1	11.7711	P162300 1	inacetana t	or owner within 1,00 hat even if there is closing date.	0 feet to file s no formal
	order that th (typically with	e matter be ain 7 to 10 da	set in for a	requested public hea sing date) a	reliet; (b) q ring. You s to whether	y the zoning or de eny the requested i will receive written the petition has be you by First Class r	elief; or (c) notification
	commissioner changed givin	r), notification	oors formal will be for he hearing da	warded to	by order of you. The	hat must go to a pule the zoning or deposign on the proper As when the sign was bered sign must be fo	outy zoning ty must be
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Petitio	ner: This Pa	rt of the For	m is for the	Sign Poster	Only		
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Case N	lumber 01-	320 -A	Addre	ss 118	09 É	Zeynolos P.	O
Petition	ner's Name _	Jeftper	100	hoin	SR · Te	lephone (4/5) 23	39-6279
Posting	g Date:2	-18.01			sing Date:	3.5.0	
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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

March 5, 2001

Margaret E & Jeffrey Johnson Sr 11809 Reynolds Road Bradshaw MD 21087

Dear Mr. & Mrs. Johnson:

RE: Case Number: 01-320-A, 11809 Reynolds Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 7, 2001.

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. Gル Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Lee Bartnik, 18134 Gunpowder Road, Hampstead 21074 People's Counsel

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley M
DATE:	February 23, 2001
SUBJECT:	Zoning Item #320 11809 Reynolds Road
Zoning	Advisory Committee Meeting of February 20, 2001
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	epartment of Environmental Protection and Resource Management offers lowing comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
	Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
<u>X</u>	Groundwater Management: The proposed addition must be a minimum of 30 feet from the well and 20 feet from the sewage disposal area.

Reviewer: Margie Epps Date: February 23, 2001

AV 3/5

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: February 26, 2001

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

11809 Reynolds Road

INFORMATION:

Item Number:

01-320

Petitioner:

Jeffery Johnson

Zoning:

RC 5

Jeffry N. L.

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to allow a side yard setback of 20 feet in lieu of the required 50 feet.

Prepared by:

Section Chief:

AFK:MAC:



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

February 22, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 20, 2001

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:

315, 317, 318, 319, 320, 322, 323, 324 and 325

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

cc: File





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

Date: 2.21.01

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

RE: Baltimore County

Item No. 320

MSL

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,

1.1. Doll

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director **DATE:** March 7, 2001

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For February 26, 2001

Item Nos. 315, 316, 317, 318, 320, 321,

323, and 324

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 DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

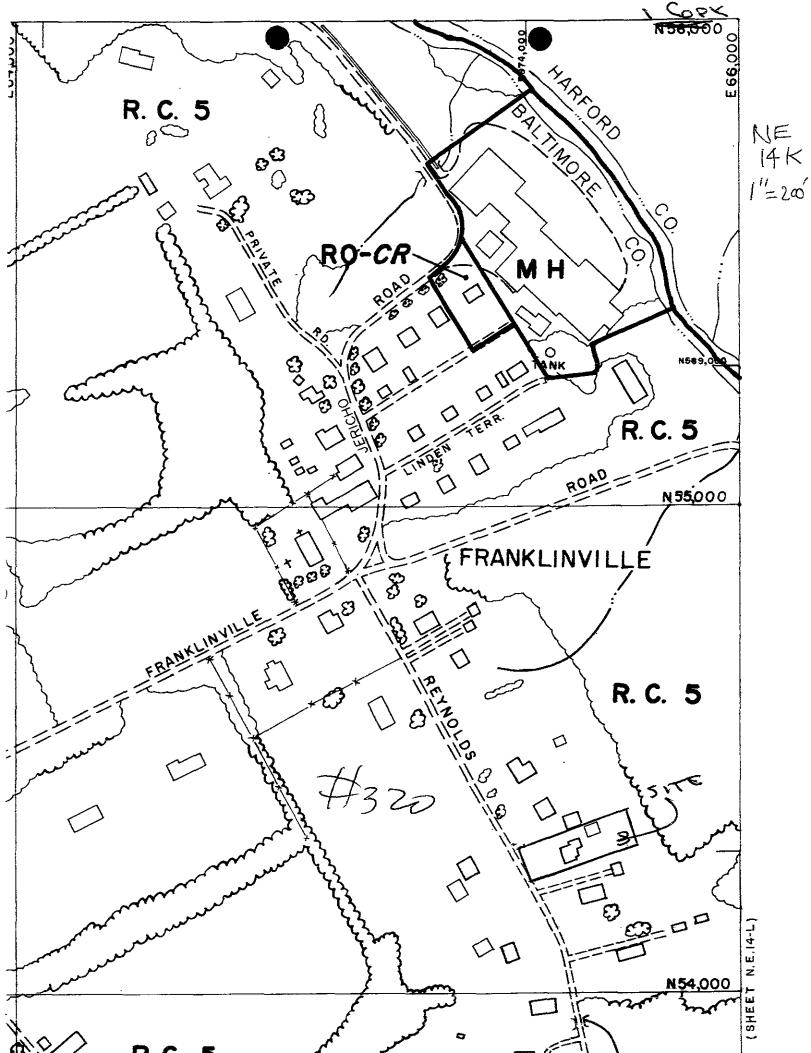
TO: Arnold Jablon R. Bruce Seeley FROM: DATE: February 23, 2001 SUBJECT: Zoning Item #320 11809 Reynolds Road Zoning Advisory Committee Meeting of February 20, 2001 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site. X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item: Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code). Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code). Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code). <u>Groundwater Management</u>: The proposed addition must be a minimum of 30 feet from the well and 20 feet from the sewage disposal area.

Reviewer: Margie Epps Date: February 23, 2001



MAR 2 2001

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT



esap lor Zoon Lining:	e of Drawing: 1'= '60'	2000 12 1 1 20 1 1 1 1 1 1 1 1 1 1 1 1 1	SS: WEGO XETWOIT TO KORS see pages 5 NORGARY TO WASCA Section # South
¥ (Q	CASE#:	LOCATION INFORMATION Election District: 1/ TW Councilmanic District: S'TW T-200' scale map#: NE 14 K Zoning: RC - S Lot size: x'EY Zessco acreage square feet	Special F





01-320-A



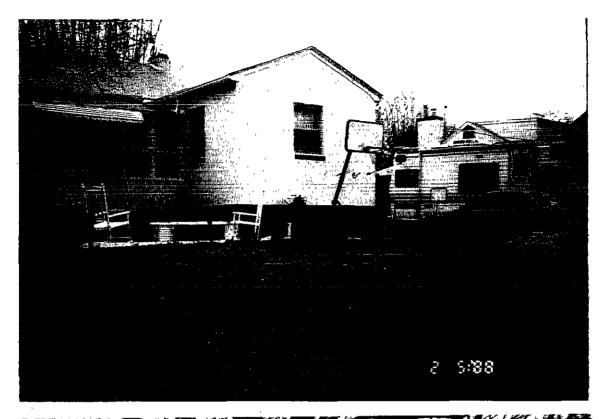


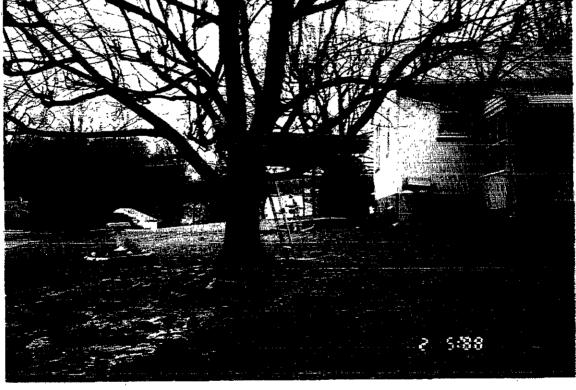
01-320-A





01-320-A





01-320-A





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01-320-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP