

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Everett Road,
2600' W York Road
7th Election District
3rd Councilmanic District
(236 Everett Road)

Deborah L. & Kenneth C. Bollinger, III
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-411-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, Deborah L. & Kenneth C. Bollinger, III. The variance request is for property located at 236 Everett Road in the Monkton area of Baltimore County. The Petitioners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (pole barn) with a height of 19 ft. in lieu of the required 15 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative 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.

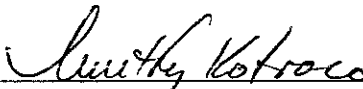
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public 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.

Date 5/14/01
By R. J. G. [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 14th day of May 2001, that a variance from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (pole barn) with a height of 19 ft. in lieu of the required 15 ft., 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

ORDER
Date 5/14/01
By J. P. Jernigan



Baltimore County
Zoning Commissioner

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

May 14, 2001

Mr. & Mrs. Kenneth C. Bollinger, III
236 Everett Road
Monkton, Maryland 21111

Re: Petition for Administrative Variance
Case No. 01-411-A
Property: 236 Everett Road

Dear Mr. & Mrs. Bollinger:

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



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 236 EVERETT ROAD
which is presently zoned RC5

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)

400.3 TO PERMIT AN
ACCESSORY STRUCTURE HEIGHT OF 19 FT. IN LIEU OF THE
REQUIRED 15 FT.

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 N/A
Signature N/A
Address N/A Telephone No. N/A
City N/A State N/A Zip Code N/A

Attorney For Petitioner:

Name - Type or Print N/A
Signature N/A
Company N/A
Address N/A Telephone No. N/A
City N/A State N/A Zip Code N/A

Legal Owner(s):

Name - Type or Print KENNETH C. BOLLINGER, III
Signature [Signature]
Name - Type or Print DEBORAH L. BOLLINGER
Signature [Signature] (410) Home
Address 236 EVERETT RD Telephone No. 357-4594
City MONKTON State MD Zip Code 21111

Representative to be Contacted:

Name KENNETH C. BOLLINGER, III
Address 236 EVERETT RD Telephone No. (410) 965-4008
City MONKTON State MD Zip Code 21111

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. 01-411-A

Reviewed By 5003 Date 04-06-01

Estimated Posting Date 04-15-01

ORDER - REVISED FOR FILING

REC 9/15/95

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

236 EVERETT ROAD
Address
MONKTON, MD 21111-1010
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):

We are building a pole barn and are requesting a variance on the height restriction from 15' to 18' 6". We are planning to buy an antique fire truck and they can be as high as 10' or 11' tall, requiring a 12' door to house them. I have been a volunteer fireman at Hereford Volunteer Fire Company for over 19 years, and just finished serving my 5th year as fire chief in December of 2000. It would be a lot of fun for my family and I to own and house an antique fire truck, maybe even one of Hereford's. It is for this reason that we are applying for a variance to the height restriction.

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.

Kent C. Bollinger
Signature

KENNETH C. BOLLINGER, III
Name - Type or Print

Deborah L. Bollinger
Signature

DEBORAH L. BOLLINGER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4TH day of APRIL, 2001, 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

4/4/01
Date

Jeffrey D. Adams
Notary Public

My Commission Expires 8/1/2003

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

236 EVERETT ROAD
Address

MONKTON, MD 21111-1010
City State Zip Code

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We are building a pole barn and are requesting a variance on the height restriction from 15' to 18' 6". We are planning to buy an antique fire truck and they can be as high as 10' or 11' tall, requiring a 12' door to house them. I have been a volunteer fireman at Hereford Volunteer Fire Company for over 19 years, and just finished serving my 5th year as fire chief in December of 2000. It would be a lot of fun for my family and I to own and house an antique fire truck, maybe even one of Hereford's. It is for this reason that we are applying for a variance to the height restriction.

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.

Kenneth C. Bollinger, III
Signature

KENNETH C. BOLLINGER, III
Name - Type or Print

Deborah L. Bollinger
Signature

DEBORAH L. BOLLINGER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4TH day of APRIL, 2001, 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

Date

4/4/2001

Notary Public

Jeffrey N. Adams

My Commission Expires

8/1/2003



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 236 EVERETT ROAD
which is presently zoned RCS

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) 400.3 to Permit AN-

Accessory Structure Height of 19 Ft. in Lieu of
The Required 15 Ft.

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

N/A

Signature

N/A

Address

N/A

Telephone No.

City

N/A

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

N/A

Signature

N/A

Company

N/A

Address

N/A

Telephone No.

City

N/A

State

Zip Code

Legal Owner(s):

KENNETH C. BOLLINGER, JR.

Name - Type or Print

Signature

DEBORAH L. BOLLINGER

Name - Type or Print

Signature

236 EVERETT RD 357-4594

Address

Telephone No.

MONKTON MD 21111

City

State

Zip Code

Representative to be Contacted:

KENNETH C. BOLLINGER, JR.

Name

236 EVERETT RD (410) 965-4008

Address

Telephone No.

MONKTON MD 21111

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. 01-411-A

REC 9/15/98

Reviewed By JVLA Date 04-06-01

Estimated Posting Date 04-15-01

Zoning Description for 236 Everett Road

Beginning at a point on the North side of Everett Road which is 12 feet wide at the distance of 2600 feet West of the centerline of the nearest improved intersecting street York Road, which is 40 feet wide. Being Lot #4, Section #1 in the subdivision of Hope Meadows as recorded in Baltimore County Plat Book # E.H.K. Jr 40 Folio #59, containing 3.07 acres. Also known as 236 Everett Road and located in the 7th Election District, 3rd Councilman District.

01-411-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 92812

DATE 04 DEC 01 ACCOUNT R. COI ACC G15

RECEIVED FROM: KENNETH BELLEGER

AMOUNT \$ 50.00

FOR: ADMIN VAC - 50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

PAYMENT ACTUAL TIME

1/09/2001 6/06/2001 15:27:54

REG 18005 CASHIER WITE NBS DRAWER 5

>> RECEIPT # 206193

DEPT 5 528 ZONING CERTIFICATION

CR NO. 092812

Receipt Tot

50.00 CA

Baltimore County, Maryland

CERTIFICATE OF POSTING

ADMIN

RE. Case No 01-411-A

Petitioner/Developer: BOLLINGER

Date of Hearing Closing 4/30/01

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

Attention: Ms. Gwendolyn Stephens

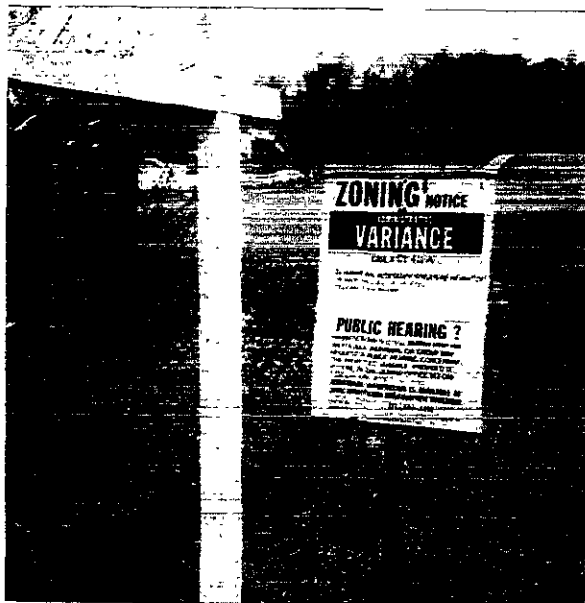
Ladies and Gentlemen

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 #236 EVERETT RD.

The sign(s) were posted on

4/8/01

(Month, Day, Year)



Sincerely,

Patrick M. O'Keefe 4/8/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)

01-411-A
236 EVERETT
Bollinger 4/30

**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: 01-411-A
Petitioner: KENNETH C. BOLLINGER, III
Address or Location: 236 EVERETT RD, MONKTON, MD 21111

PLEASE FORWARD ADVERTISING BILL TO:

Name: KENNETH C. BOLLINGER, III
Address: 236 EVERETT ROAD
MONKTON, MD 21111
Telephone Number: (W) (410) 965-4008 OR (H) (410) 357-4594

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 01- 411 -A Address 236 EDEARTE RD.

Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 04-06-01 Posting Date: 04-15-01 Closing Date: 04-30-01

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- 411 -A Address 236 EDEARTE WAY

Petitioner's Name KENNETH BOLLINGER Telephone 410-357-4594

Posting Date: 04-15-01 Closing Date: 04-30-01

Wording for Sign: To Permit AN ACCESSORY STRUCTURE HEIGHT OF
19 FT. IN LIEU OF 15 FT.

01-411-A



Baltimore County
Department of Permits and
Development Management

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

April 30, 2001

Deborah & Kenneth Bollinger III
236 Everett Road
Monkton MD 21111

Dear Mr. & Mrs. Bollinger:

RE: Case Number: 01-411-A, 236 Everett Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 6, 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. 602
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



AY
4/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 7, 2001

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

12-8

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-402 & 411

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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: Mark A. Cunningham

Section Chief: Jeffrey W. Long

AFK/JL:MAC



Baltimore County
Fire Department

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

April 17, 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 April 16, 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:

379, 383, 395, 396, 397, 398, 399, 400, 402, 404, 405, 406, 407,
409, and 411

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

cc: File

- 3 -

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



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on Recycled Paper



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4 - 12 - 61

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

RE: Baltimore County
Item No. 411 JRA

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,

for 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

To: John Alexander Phone: 887-3391; Fax: 887-2824

April 7, 2001

Additional Paperwork for Zoning Variance number 01-411-A

Description of Project:

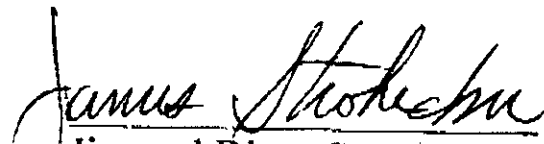
We are building a pole barn and are requesting a variance on the height restriction from 15' to 19'. We are planning to buy an antique fire truck and they can be as high as 10' or 11' tall, requiring a 12' door to house them. I have been a volunteer fireman at Hereford Volunteer Fire Company for over 19 years, and just finished serving my 5th year as fire chief in December of 2000. It would be a lot of fun for my family and I to own and house an antique fire truck, maybe even one of Hereford's. It is for this reason that we are applying for a variance to the height restriction.

Signatures of Neighbors:

We the undersigned have no problem or issue with the zoning variance that is being requested for the construction of the pole barn on the Bollinger property at 236 Everett Road.


Ronald and Debbie Champion
238 Everett Road
Monkton, MD 21111
410-343-1119

4/7/01
Date


Jim and Diane Stroecker
234 Everett Road
Monkton, MD 21111
410-343-1374

4-8-01
Date

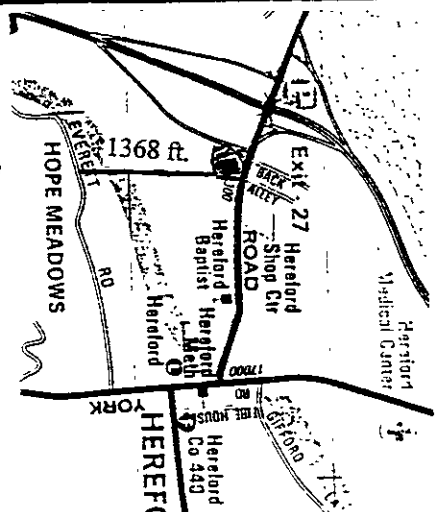
See pages 5 & 6 of the CHECKLIST for additional required information

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

Herbert
of

()

WPH/10/21



Vicinity Map
Scale: 1"=10000'

Price: 3

P#: 116

71

je squ

SEWER. ☐ public ☒ private

SEMI: ☐ ☒

WATER: ☐ ☒

Call Area:

NON

Reviewed by:	ITEM #:	CASE #:
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NW 27C
1" = 200'

LOT #4
236 R.C. 5

R.C. 2

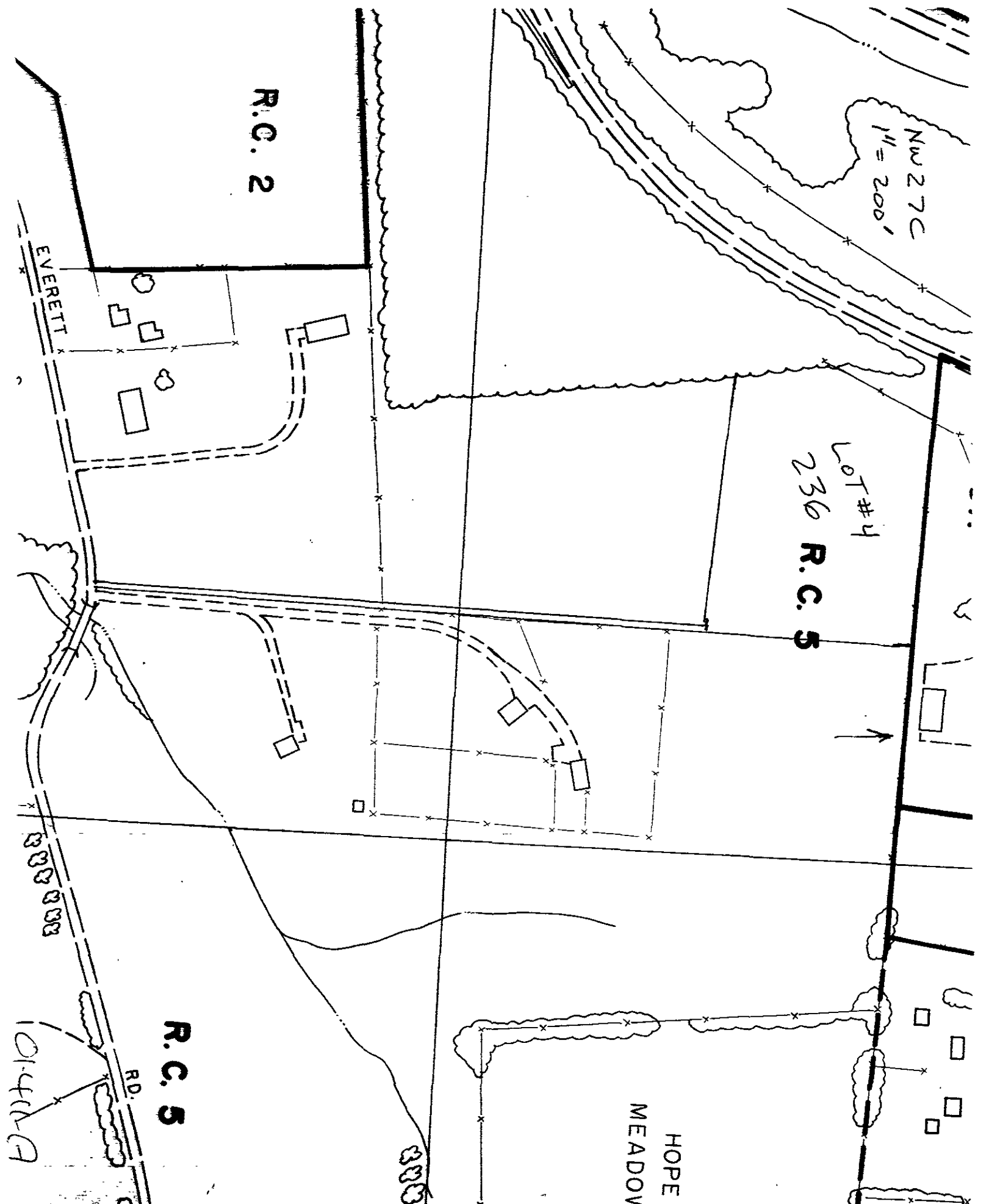
R.C. 5

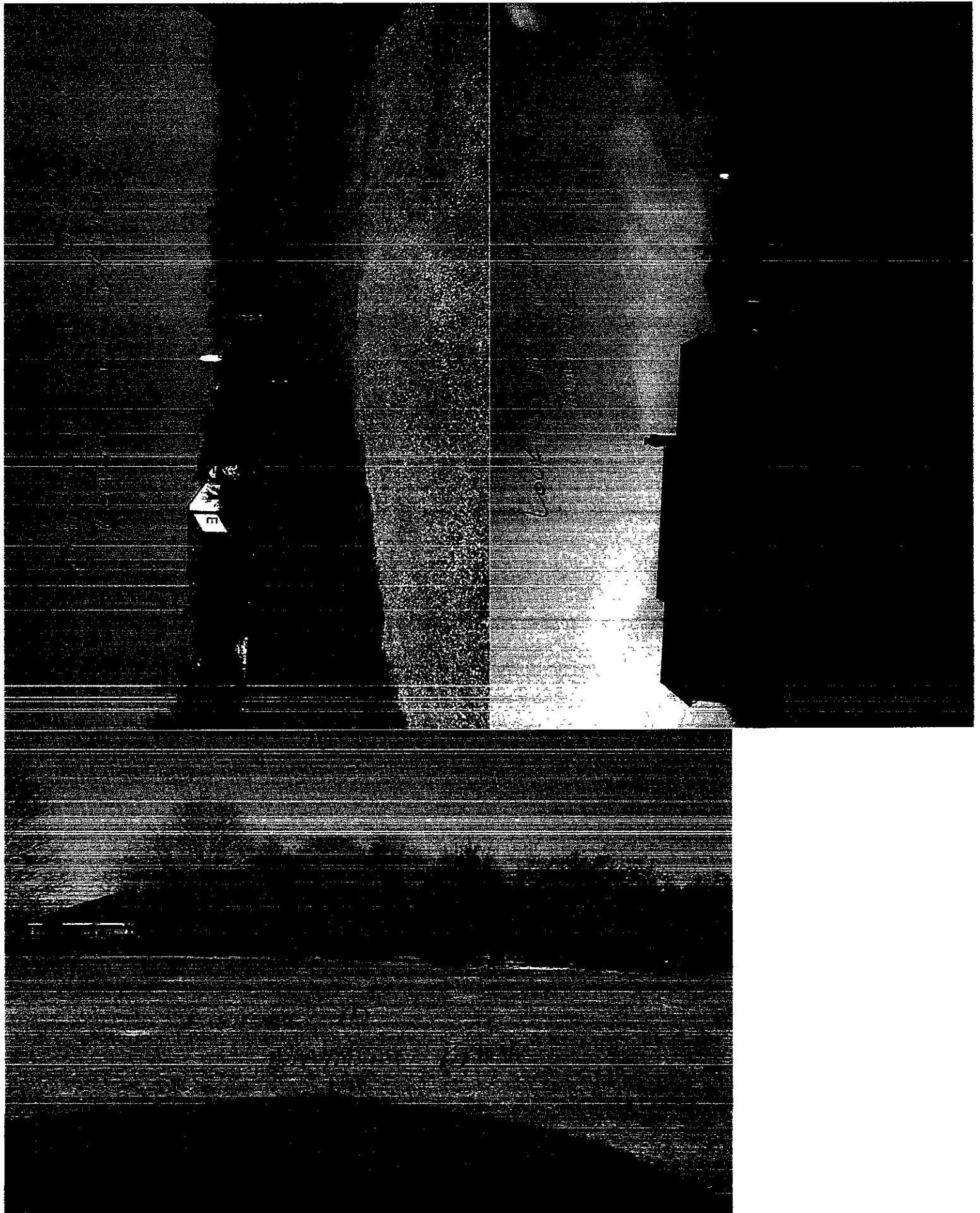
HOPE
MEADOW

EVERETT

RD.

10141A



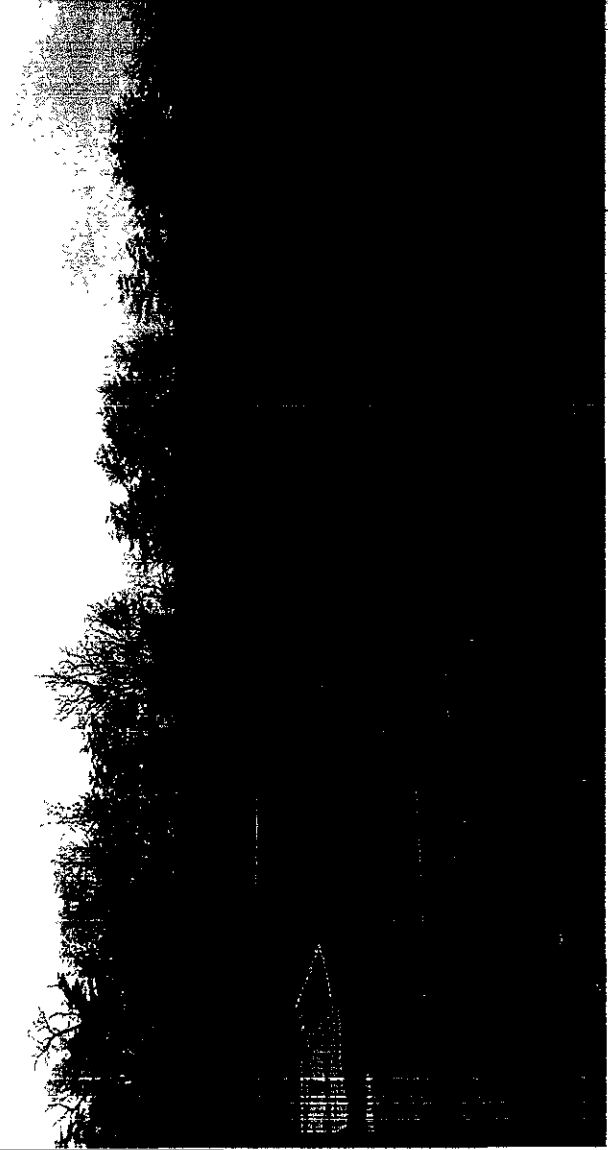


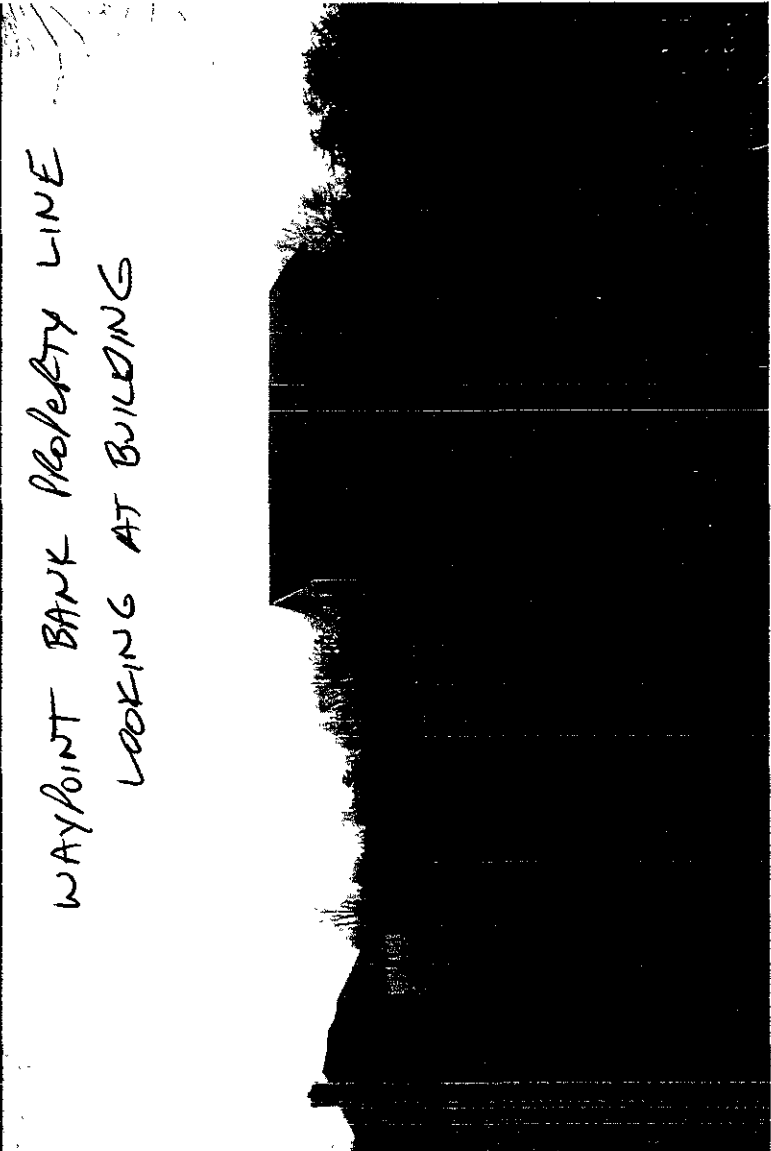
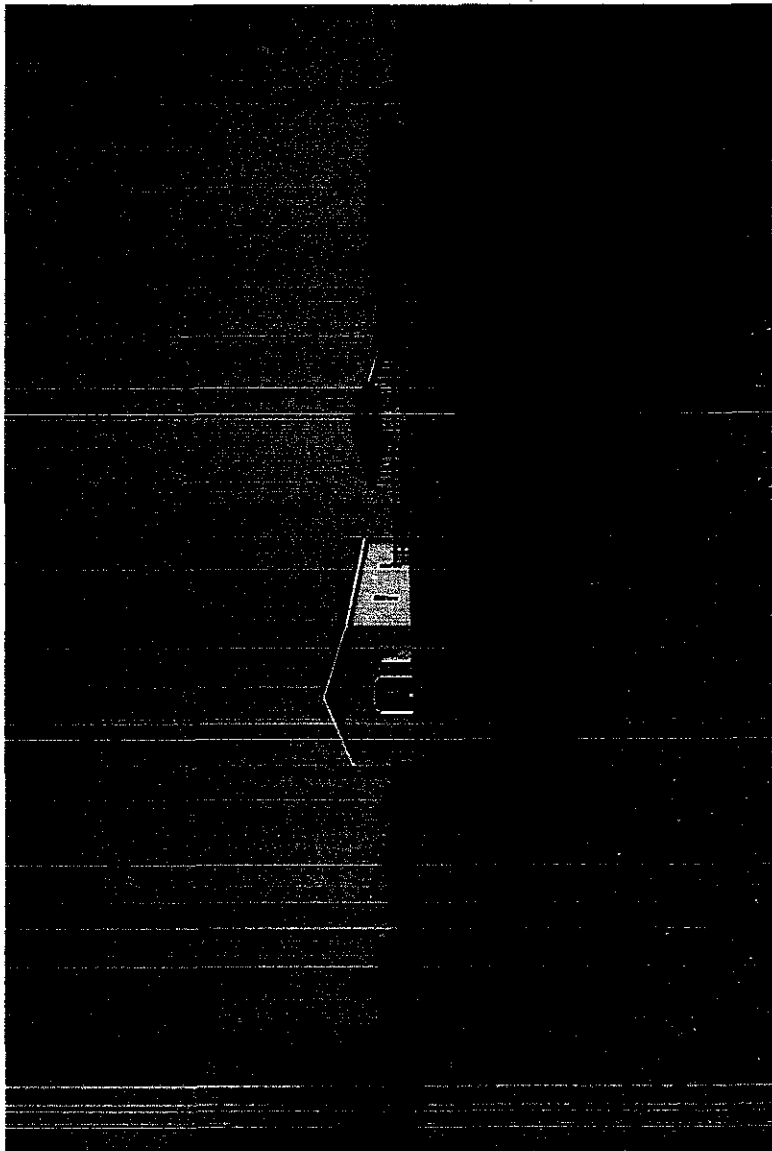
01-411-A

VIEW TOWARDS 234



AT BUILDING; LOOKING TOWARDS
SMA PROPERTY



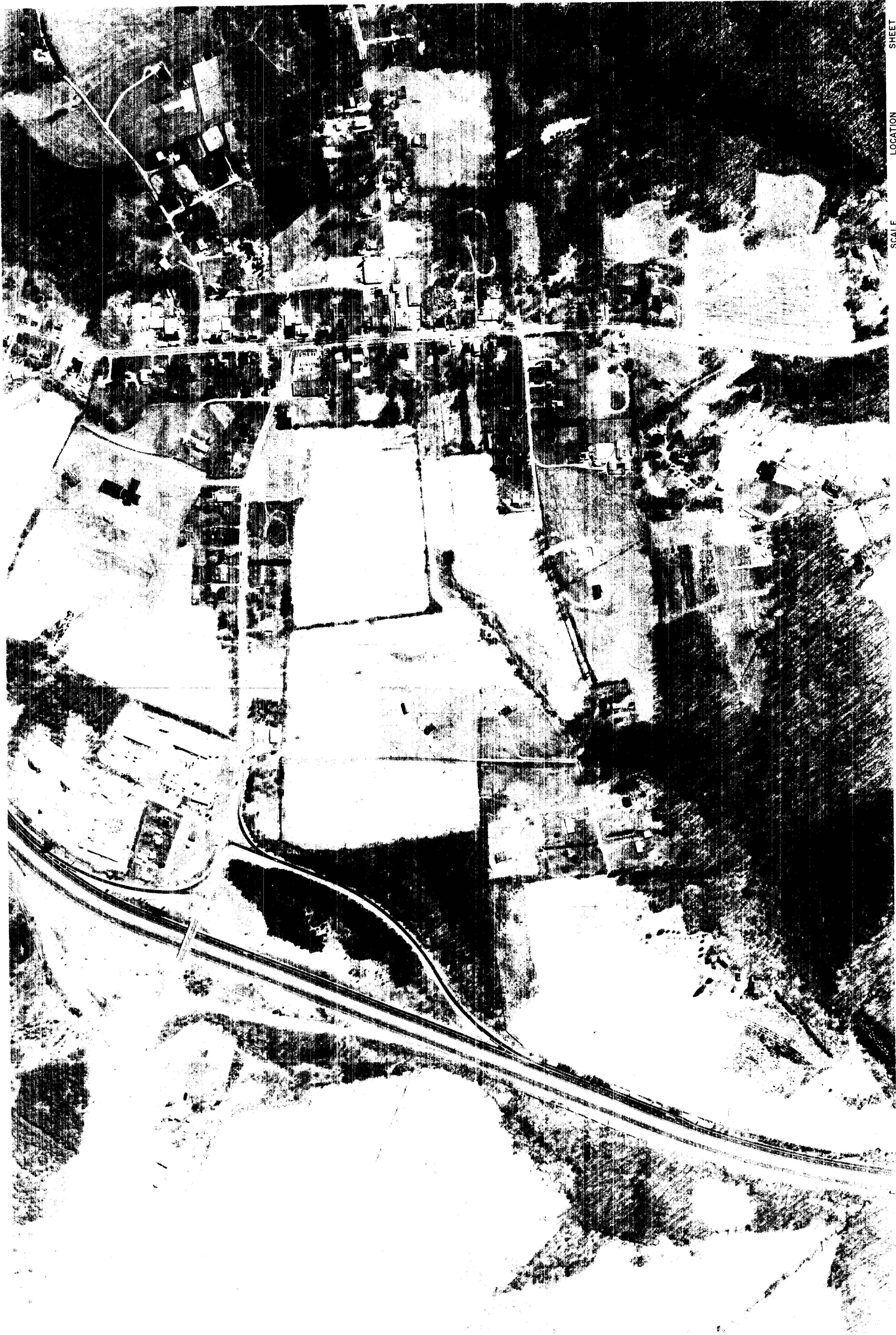


WAYPOINT BANK PROPERTY LINE
LOOKING AT BUILDING



01-411-A

6-1111-10



SHEET

LOCATION

SCALE

1" = 200' ±

HERE FORD

N.W.

27-C

DATE
OF
PHOTOGRAPHY
JANUARY
1986

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP