

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Bengies Road, 50' E of		
Pineview Place	*	DEPUTY ZONING COMMISSIONER
15th Election District		
5th Councilmanic District	*	OF BALTIMORE COUNTY
(711 Bengies Road)		
	*	CASE NO. 02-114-A
Janice and Carl Eckstein		
Petitioners	*	

* * * * *

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, Janice and Carl Eckstein. The variance request is for property located at 711 Bengies Road, in the eastern area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with a minimum side yard setback of 8 ft. and sum of both sides of 15.5 ft. in lieu of the required 20 ft. and a sum of both sides totaling 50 ft. respectively. The subject property and requested relief are more particularly described on Petitioner's 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 BY ZONING

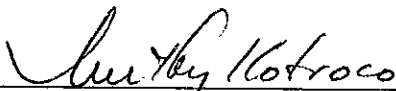
Date 10/18/01

[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 18th day of October, 2001, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an addition (garage) with a minimum side yard setback of 8 ft. and sum of both sides of 15.5 ft. in lieu of the required 20 ft. and a sum of both sides totaling 50 ft. respectively, 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

10/18/01
By [Signature]



Baltimore County
Zoning Commissioner

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

October 18, 2001

Mr. & Mrs. Carl Eckstein
711 Bengies Road
Baltimore, Maryland 21220

Re: Petition for Administrative Variance
Case No. 02-114-A
Property: 711 Bengies Road

Dear Mr. & Mrs. Eckstein:

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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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 711 Bengies Rd, BALTO. MD 21220
which is presently zoned D.R.

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) 1802.3.C.1 (B.C.Z.R.)

TO PERMIT AN ADDITION (GARAGE) WITH A MINIMUM SIDE YARD SETBACK OF 8 FEET AND SUM OF BOTH SIDES OF 15 1/2 FEET IN LIEU OF THE REQUIRED 20 FEET AND A SUM OF BOTH SIDES TOTALING 50 FEET RESPECTFULLY.

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):

Carl R Eckstein

Name - Type or Print

Carl R Eckstein

Signature

JANICE M ECKSTEIN

Name - Type or Print

Janice M Eckstein

Signature

711 Bengies Rd

Address

410 780 3175

Telephone No.

Balt

City

md

State

21220

Zip Code

Representative to be Contacted:

Carl R Eckstein

Name

711 Bengies Rd

Address

410 780 3175

Telephone No.

Balt

City

md

State

21220

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 10/18/01 day of October 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. 02-114-A

Reviewed By D.T.

Date

9/17/01

Estimated Posting Date

9/30/01

ORDER RECEIVED FOR FILING

Date 10/18/01
By [Signature]
REV 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 711 Bengies Rd
Address
Baltimore MD 21220
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):

I am filing this affidavit based on several reasons. First reason is elevation. Our lot is sloped high by the street and real low in the back. It would cost too much to fill lot and make level. Second, when it rains water runs down my neighbors driveway and across my back yard, making it wet and soft most of the time. Finally I would have to cut down several trees to clear a spot to put it.

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.

Carl R Eckstein
Signature

Carl R Eckstein
Name - Type or Print

Janice M Eckstein
Signature

JANICE M ECKSTEIN
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of Sept., 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Carl R. Eckstein + Janice M. Eckstein
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

9-14-01
Date

Debra E. Stevens
Notary Public

My Commission Expires 8-1-03

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

711 Bengies Rd
Address
Baltimore md 21220
City State Zip Code

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Carl R Eckstein
Signature

Carl R Eckstein
Name - Type or Print

Janice M Eckstein
Signature
JANICE M ECKSTEIN
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14th day of Sept, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Carl R Eckstein & Janice M Eckstein

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

9-17-01
Date

Debra E. Stevens
Notary Public

My Commission Expires 5-1-03



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 711 Bengies Rd BALTO. MD 21220
which is presently zoned D.R. 1

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) 1802.3.C 1 (B.C.Z.R)

TO PERMIT AN ADDITION (GARAGE) WITH A MINIMUM SIDE YARD SETBACK OF 8 FEET AND SUM OF BOTH SIDES OF 15 1/2 FEET IN LIEU OF THE REQUIRED 20 FEET AND A SUM OF BOTH SIDES TOTALING 50 FEET RESPECTFULLY.

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.

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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):

Carl R Eckstein

Name - Type or Print _____

Carl R Eckstein

Signature _____

JANICE M ECKSTEIN

Name - Type or Print _____

Janice M Eckstein

Signature _____

711 Bengies Rd

Address _____

410 780 3175

Telephone No. _____

Balt

City _____

md

State _____

21220

Zip Code _____

Representative to be Contacted:

Carl R Eckstein

Name _____

711 Bengies Rd

Address _____

410 780 3175

Telephone No. _____

Balt

City _____

md

State _____

21220

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. 02-114-A

Reviewed By D.T. Date 9/17/01

Estimated Posting Date 9/30/01

REV 9/15/98

Zoning Description For 711 Bengies Rd

Beginning at a point on the South side of Bengies Rd which is 50 feet wide at the irregular distance of 261 feet, more or less, on the westerly title line and a depth of 244', more or less, on the easterly title line and being known and designated as lot No. 42 + 41 as shown on a Plat entitled, "Plat of Grantleigh, Middle River."

Plat Book # 12, Folio # 84 Containing 12,852 square feet.

Also known AS 711 Bengies Rd and located in the 15th election district 5th Councilmanic Distric.

Item # 114

BALTIMORE COUNTY, MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

No.

5650

DATE

9/17/01

ACCOUNT

R00100 66150
~~R00100 66150~~

AMOUNT \$

50.00

RECEIVED
FROM:

CARL ECKSTEIN

FOR:

FILING FEE - ADM. VARIANCE

ITEM # 114

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT

ACTUAL

TIME

9/17/2001

9/17/2001

11:45:10

BY

M-03 CASHIER R001

RD DRAFTER

3

DATE

9/17/2001

OFFER

BY

M-03 CASHIER R001

RD DRAFTER

BY

M-03 CASHIER R001

50.00

50.00

50.00

50.00

50.00

50.00

50.00

50.00

Baltimore County

Baltimore County

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 02-114-A

Petitioner/Developer: CARL R.
ECKSTEIN

Date of Hearing/Closing: 10/15/01

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 711 BENGLIES Rd

The sign(s) were posted on 9/30/01
(Month, Day, Year)

Sincerely,

[Signature] 9/30/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

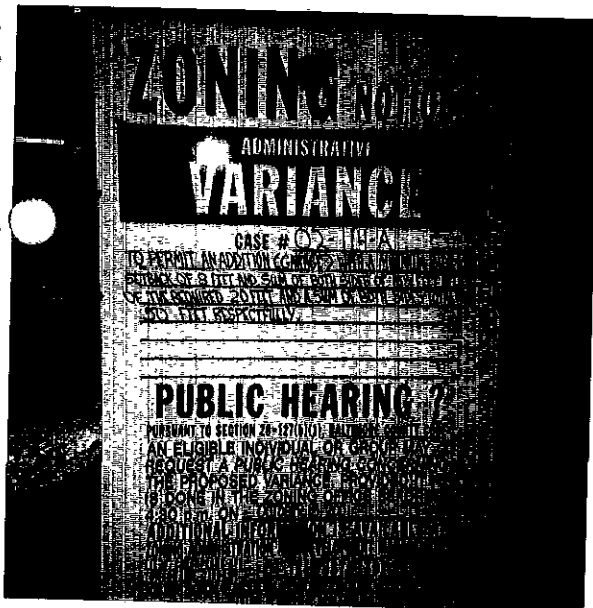
(Address)

Dundalk, Maryland 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: 02-114-A

Petitioner: Carl R Eckstein

Address or Location: 711 Bengies Rd Balt md 21220

PLEASE FORWARD ADVERTISING BILL TO:

Name: Carl R Eckstein

Address: 711 Bengies Rd Balt md 21220

Telephone Number: 410 780 3175

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 02- 114 -A Address 711 BENGIES RD., 21220
Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/17/01 Posting Date: 9/30/01 Closing Date: 10/15/01

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 02- 114 -A Address 711 BENGIES RD., 21220
Petitioner's Name CARL R. ECKSTEIN Telephone _____
Posting Date: 9/30/01 Closing Date: 10/15/01
Wording for Sign: To Permit AN ADDITION (GARAGE) WITH A MINIMUM
SIDE YARD SETBACK OF 8 FEET AND SUM OF BOTH SIDES OF
15 1/2 FEET IN LIEU OF THE REQUIRED 20 FEET AND A SUM OF
BOTH SIDES TOTALING 50 FEET RESPECTFULLY.

WCR - Revised 6/28/00



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmilandacq@co.ba.md.us

October 15, 2001

Janice M & Carl R Eckstein
711 Bengies Road
Baltimore ;MD 21220

Dear Mr. & Mrs. Eckstein:

RE: Case Number: 02-114-A, 711 Bengies Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 17, 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. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel



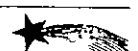
Census 2000



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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 16, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2001
Item Nos. 082, 101, 104, 105, 107,
108, 110, 111, 112, 113, 114, 115,
116, 117, and 118

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**

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

October 15, 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 October 1, 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:

082, 102, 103, 104, 105, 106, 107, 109, 110, 111,
112, 113, 114, 115, 116, 117, and 118

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

cc: File

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



AV
10/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 12, 2001

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

1012

SUBJECT: 711 Bengies Road

INFORMATION:

Item Number: 02-114

Petitioner: Carl R. Eckstein

Zoning: DR 1

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit an addition with a minimum side yard setback of 8 feet in lieu of the required 20 feet and a sum of side yards of 15.5 feet in lieu of the minimum 50 feet

Prepared by: Mark A. Cumpton

Section Chief: Jeffrey W. Long

AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.5.01

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

RE: Baltimore County
Item No. 114 DT

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,

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

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

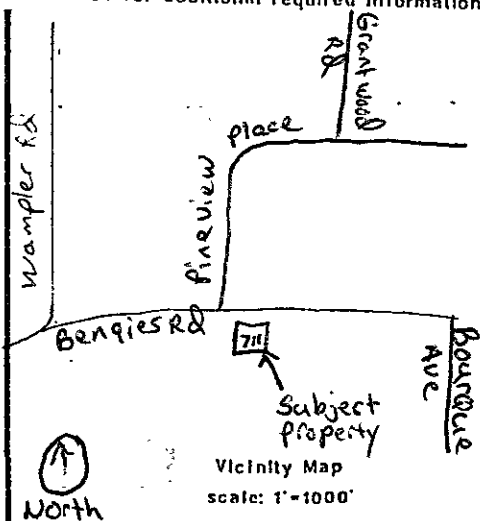
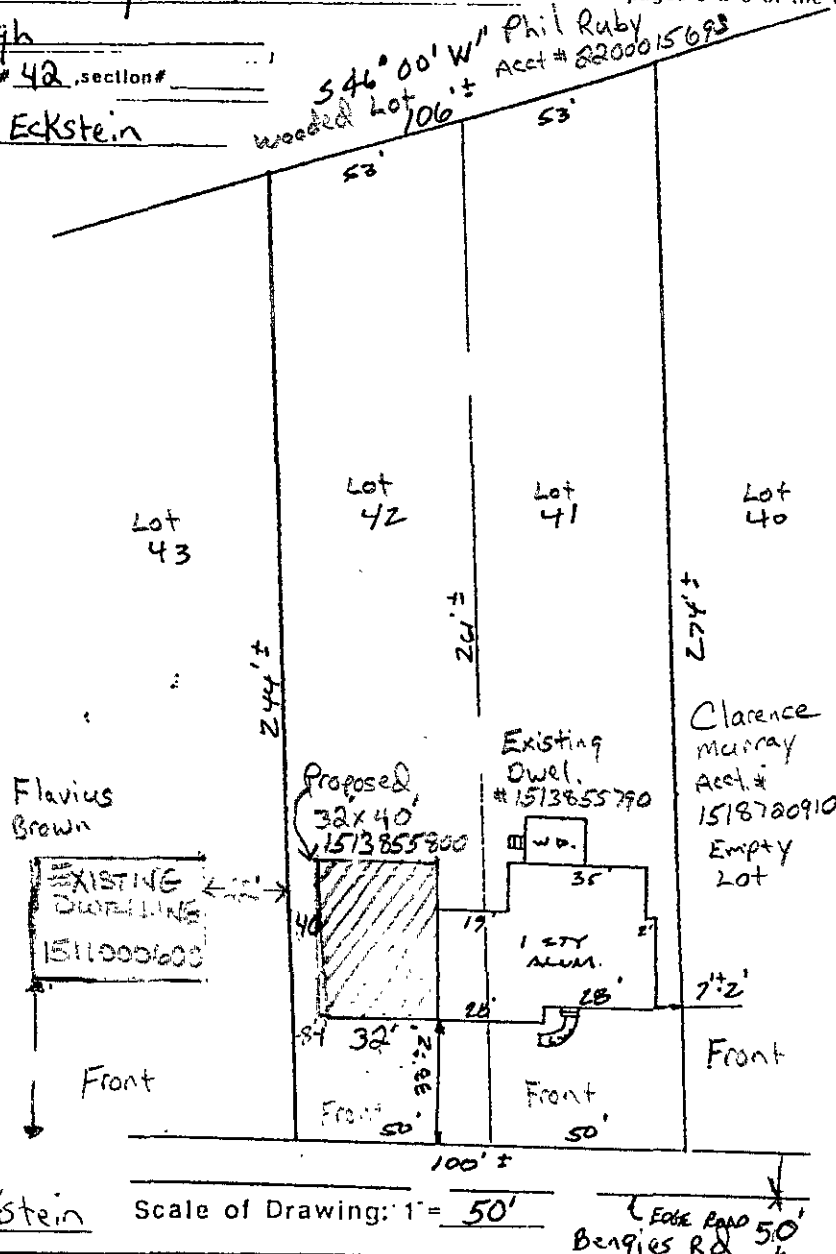
PROPERTY ADDRESS: 711 Bengies Rd

Subdivision name: Grantleigh

plat book# 12, folio# 84, lot# 42, section#

OWNER: Carl & Janice Eckstein

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



LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#: NE S I

Zoning: DR-1

Lot size: .295 acreage 12852 square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

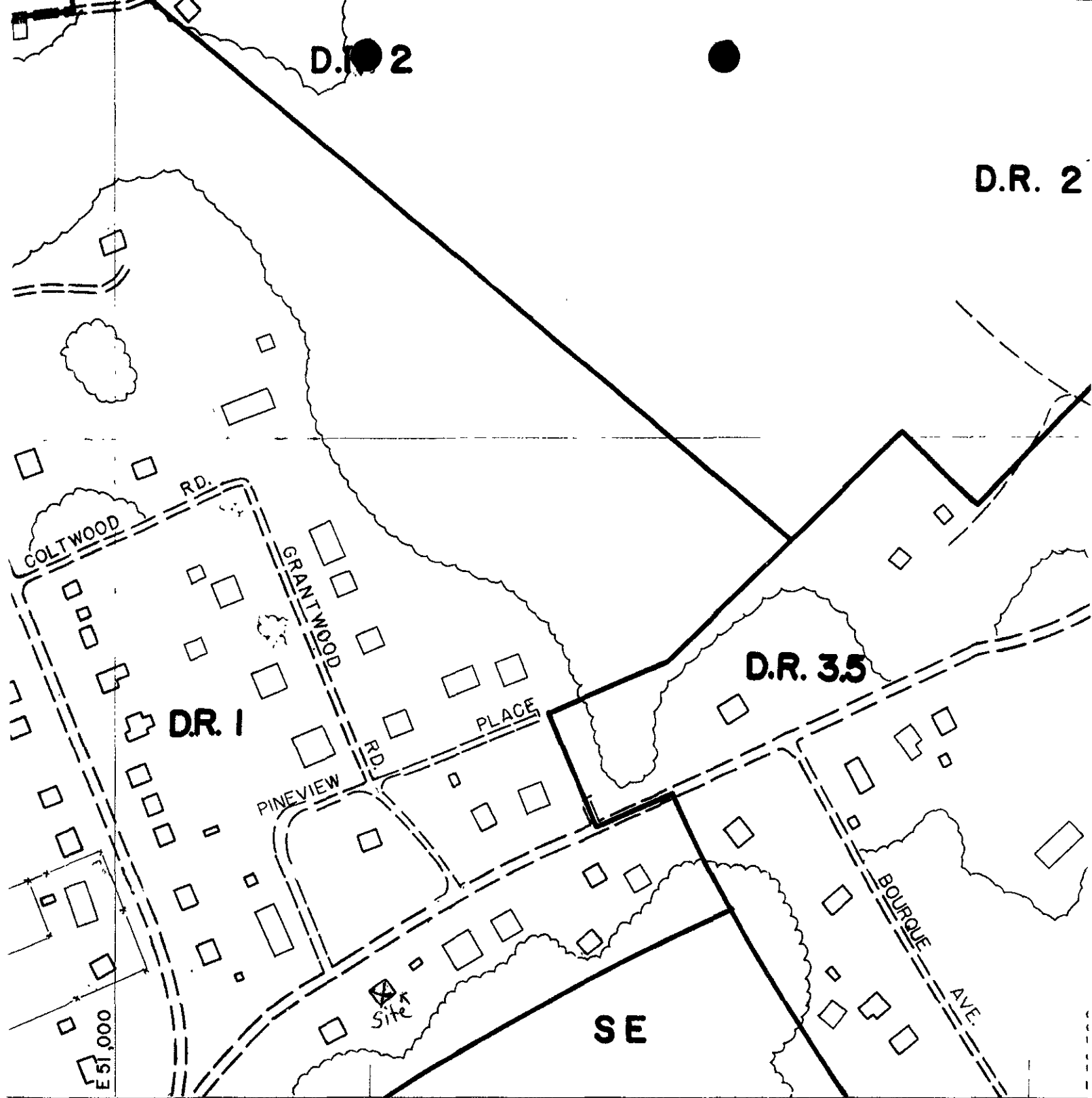
Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

DT/RD 114 02-114-A



(SHEET N.E. 4-1)

ORE COUNTY ANNING AND ZONING ZONING MAP

NE 5-I



Distance between houses

ITEM # 114



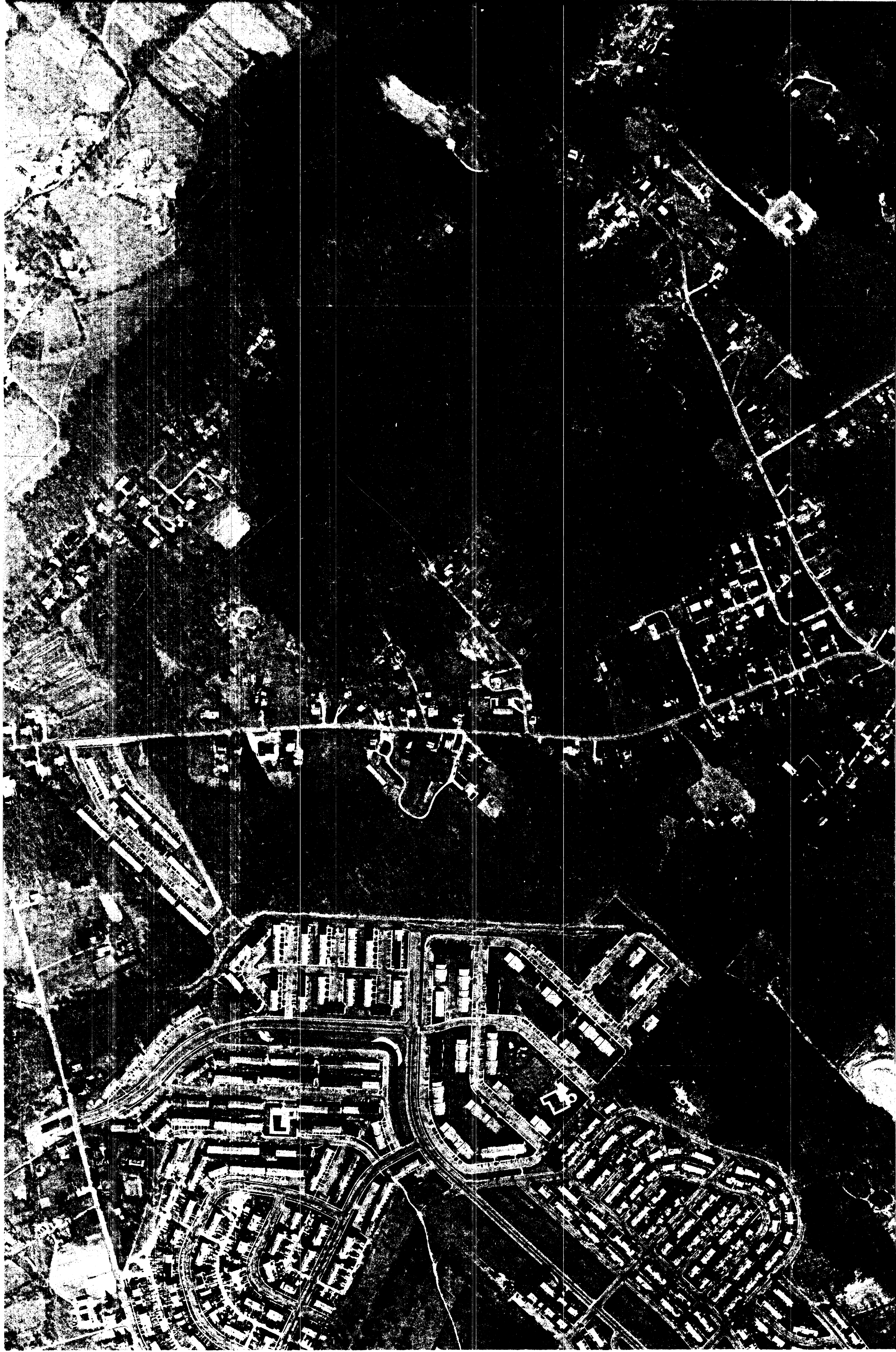
Looking up property line

ITEM # 114



One of the trees in yard

ITEM # 114



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SHEET

LOCATION

SCALE
1" = 200' ±

BENGRES VICINITY

N.E.

5-1

Item # 114

DATE
OF
PHOTOGRAPHY
JANUARY
1986