

IN RE: PETITION FOR ADMIN. VARIANCE
E/S Stonewall Road at the
NE corner of Radstock Road
1st Election District
1st Councilmanic District
(319 Stonewall Road)

Anne L. & Charles M. Stocksdale
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-083-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, Anne L. and Charles M. Stocksdale. The variance request is for property located at 319 Stonewall Road in the Catonsville 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 a rear yard setback of 20 ft. in lieu of the required 30 ft. in a D.R.5.5 zone for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

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

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECORDED FOR FILING
9/16/02
By: [Signature]

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 16th day of September, 2002, that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a rear yard setback of 20 ft. in lieu of the required 30 ft. in a D.R.5.5 zone for an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

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

TMK:raj

9/16/02
H. J. Preston



Baltimore County
Zoning Commissioner

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

September 16, 2002

Mr. & Mrs. Charles M. Stocksdales
319 Stonewall Road
Catonsville, Maryland 21228

Re: Petition for Administrative Variance
Case No. 03-083-A
Property: 319 Stonewall Road

Dear Mr. & Mrs. Stocksdales:

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 M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

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



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 319 STONEWALL ROAD
which is presently zoned RESIDENTIAL
D.R.S.S.

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) 1B02, 3.C.1 (CHART.) to

PERMIT A REAR YARD SETBACK OF 20 FT. IN VIEW OF THE REQUIRED
30 FT. IN A D.R.S.S. ZONE.

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):

CHARLES M. STOCKSDALE

Name - Type or Print

Signature

ANNE L. STOCKSDALE

Name - Type or Print

Signature

319 STONEWALL RD 410-744-1108

Address

Telephone No.

CATONSVILLE MD. 21228-5447

City

State

Zip Code

Representative to be Contacted:

SAME

Name

Address

Telephone No.

City

State

Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 10 day of August 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. 03-083-A

Reviewed By SM Date 08-16-07

Estimated Posting Date 08-07-07

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 319 STONEWALL ROAD
Address
CATONSVILLE MD. 21228-5447
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 applying for this variance to increase the first floor area. Presently, resident Anne L. Stocksdale suffers from extreme osteo-arthritis in both knees. She frequently requires a cane to assist her in walking. Climbing the stairs to our second level is arduous and painful. It is likely that she will soon need to have both knees replaced and will possibly need a wheel-chair. Our plans for an addition have been discussed with the adjacent property owners with no objections. We need to expand our home as many others in the neighborhood have done. Interior layout makes placement elsewhere impractical.

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.

Charles M. Stocksdale
Signature

CHARLES M. STOCKSDALE
Name - Type or Print

Anne L. Stocksdale
Signature

ANNE L. STOCKSDALE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28 day of JUNE, 2002, 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).

AS WITNESS my hand and Notarial Seal

Darryl K. Edwards III
Notary Public
My Commission Expires April 22, 2004

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 319 STONEWALL ROAD
CATONSVILLE, MD 21228

Beginning at a point on the east side of the Stonewall Road with a width of 50' and which is northern corner property intersecting Stonewall Road and Radstock Road also 50' wide.

Being Lot #28.

Block C, Section #TWO in the subdivision of Devere Estates as recorded in Baltimore County Plat Book G.L.B.#24, Folio #125, containing 0.21 acres.

Also known as 319 Stonewall Road and located in the 1st election district, 1st councilman district.

03-083-A

CZ CS3-A

DATE 05-16-07 ACCOUNT R.C.C. C.C.C. GISC

AMOUNT \$ 16

RECEIVED
FROM: WAS Mrs. STEENSTADT

FOR: CC. LAR. (ADOLE) SC

CTAL 26

YELLOW - CUSTOMER

— 207

DATA DIRECT
FBI BUREAU

總機部 電報 103

0:10:28.02 8:10:20.02 11:02:00

PTD 12-13 1401 01 5000 5000 10000

RECEIVED 3 31 47

7 09 JUL 68 11 55 AM

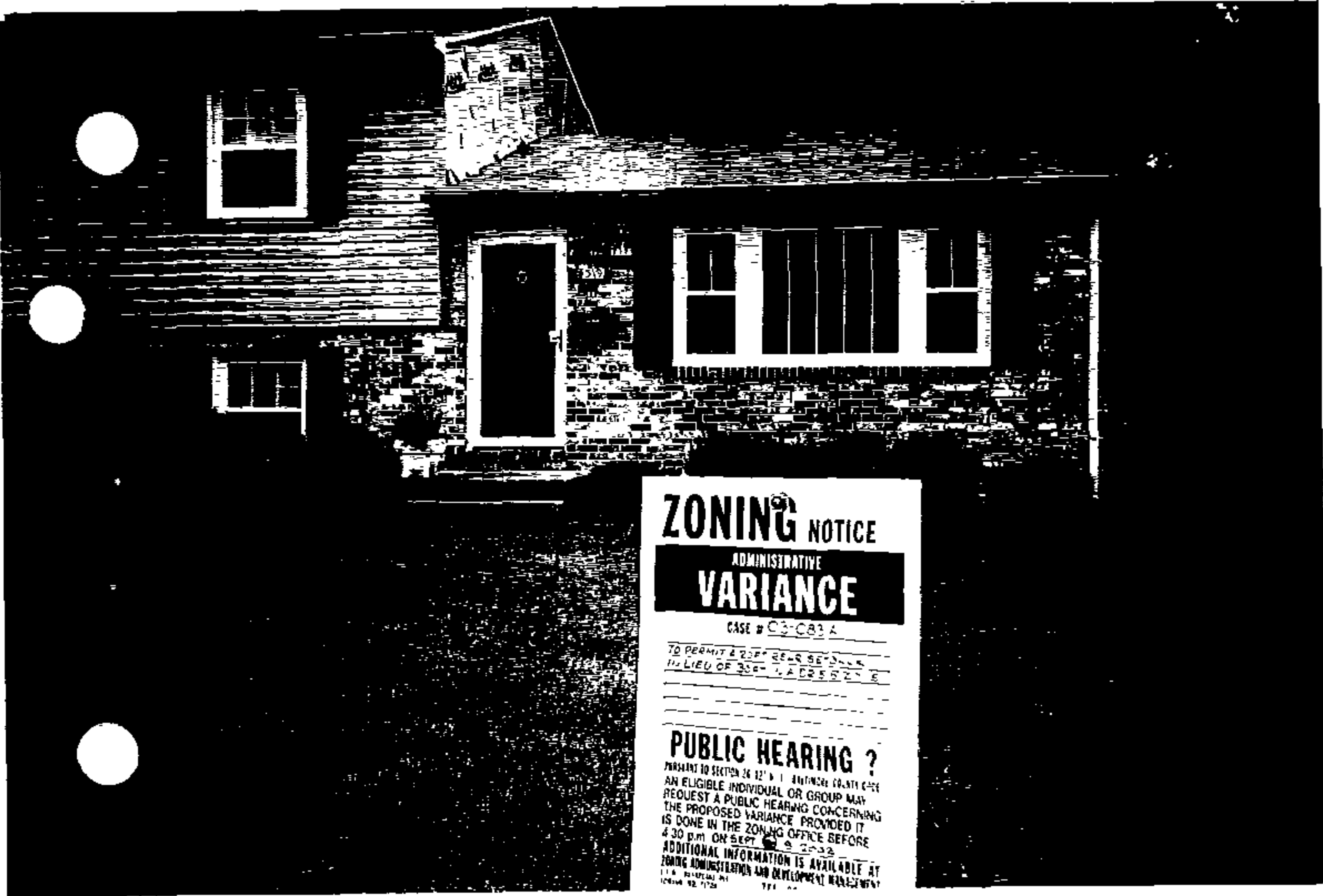
OK. 010959

Rep by _____ dtd _____

9941 12

At the time of the hearing, the following persons were present:

CASHIER'S VALIDATION



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 03-083-A

TO PERMIT A 20 FT REAR SETBACK
IN LIEU OF 30 FT. IN A DR 5.5 ZONE

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON SEPT. 9, 2002.
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 N. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391

ZONING NOTICE

ADMINISTRATIVE VARIANCE

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111 N. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 887-3391

MEETING IS PUBLICLY ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 03-083-A

Petitioner/Developer: _____

CHARLES & ANNE STOCKSDALE

Date of Hearing/Closing: SEPT. 9, 2002

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 # 319 STONEWALL ROAD

The sign(s) were posted on AUGUST 26, 2002
(Month, Day, Year)

Sincerely,

Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 03- 083 -A Address 319 STONEWALL RD.
Contact Person: SCOTT R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 08-16-07 Posting Date: 08-26-07 Closing Date: 09-09-07

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 03- 083 -A Address 319 STONEWALL RD.
Petitioner's Name CHARLES & ANNE STOCKS DALE Telephone 410-744-1108
Posting Date: 08-26-07 Closing Date: 09-09-07
Wording for Sign: To Permit A 20 FT. REAR SETBACK IN LIEU OF
30 FT. IN A DR. S.S. ZONE.

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: 03-083-A

Petitioner: CHARLES M. STOCKSDALE

Address or Location: 319 STONEWALL RD. CATONSVILLE, MD. 21228-5447

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHARLES M. STOCKSDALE

Address: 319 STONEWALL RD.

CATONSVILLE, MD. 21228-5447

Telephone Number: 410-744-1108

Revised 2/20/98 - SCJ

03-083-A

Affidavit in Support of Administrative Variance

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That the Affiant(s) does/do presently reside at 319 STONEWALL ROAD
Address
CATONSVILLE MD. 21228-5447
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):

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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.

Charles M. Stocksdale
Signature

CHARLES M. STOCKSDALE
Name - Type or Print

Anne L. Stocksdale
Signature

ANNE L. STOCKSDALE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this _____ day of _____, _____, 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).

AS WITNESS my hand and Notarial Seal

K. Richard Sipes
Notary Public

My Commission Expires 5-01-06

K. Richard Sipes



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 319 STONEWALL ROAD
which is presently zoned RESIDENTIAL

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) 1B02.3.C1 (CHART) to

PERMIT A REAR YARD SETBACK OF 20 FT. IN LIEU OF THE REQUIRED 30 FT
IN A RL-5.5 ZONE

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):

CHARLES M. STOCKSDALE
Name - Type or Print _____

Charles M. Stocksdale
Signature _____

ANNE L. STOCKSDALE
Name - Type or Print _____

Anne L. Stocksdale
Signature _____

319 STONEWALL RD. 410-744-1108
Address _____ Telephone No. _____

CATONSVILLE MD. 21228-5447
City _____ State _____ Zip Code _____

Representative to be Contacted:

SAME
Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

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

Zoning Commissioner of Baltimore County

CASE NO. 03-083-A

REV 10/25/01

Reviewed By SM Date 08-16-07

Estimated Posting Date 08-026-07



Baltimore County
Department of Permits and
Development Management

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

September 9, 2002

Mr. & Mrs. Charles M Stocksdale
319 Stonewall Road
Catonsville MD 21228-5447

Dear Mr. & Mrs. Stocksdale:

RE: Case Number: 03-083-A, 319 Stonewall Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 16, 2002.

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

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





**Baltimore County
Fire Department**

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

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

August 30, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.:

Dear Mr. Zahner:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items: **083**

081-085, 088, 090-093

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: October 21, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For September 3, 2002
Item Nos. 081, 082, 083, 084, 085,
086, 088, 089, 091, 092, and 093

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

RWB:CEN:jrb

cc: File

AV
9/9

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 5, 2002

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-083 & 03-091

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: [Signature]

AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 8.29.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 083

JRD

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1-

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

JN

To Whom It May Concern:

In regards to the proposed building additions to the property of Charles M. and Anne L. Stocksdales at 319 Stonewall Road, Catonsville, Maryland 21228-5447 which are stipulated in pending case #03-083-A and which have been presented to the Baltimore County Department of Permits and Development Management Zoning Review at 111 W. Chesapeake Avenue, Towson, Maryland 21204. The proposed additions have been presented to and discussed with the adjacent property owners for their approval and concurrence.

We the undersigned property owners concur with the above and voice no objection to the proposed additions.

Property owners of 321 Stonewall Road, Catonsville, Maryland 21228

Linda D. Moreau

Signed

8/27/02

Dated

Robert W. Moreau

Signed

8/27/02

Dated

Property owner of 313 Radstock Road, Catonsville, Maryland 21228

Barbara E. East

Signed

8/27/02

Dated

03-083-A.

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

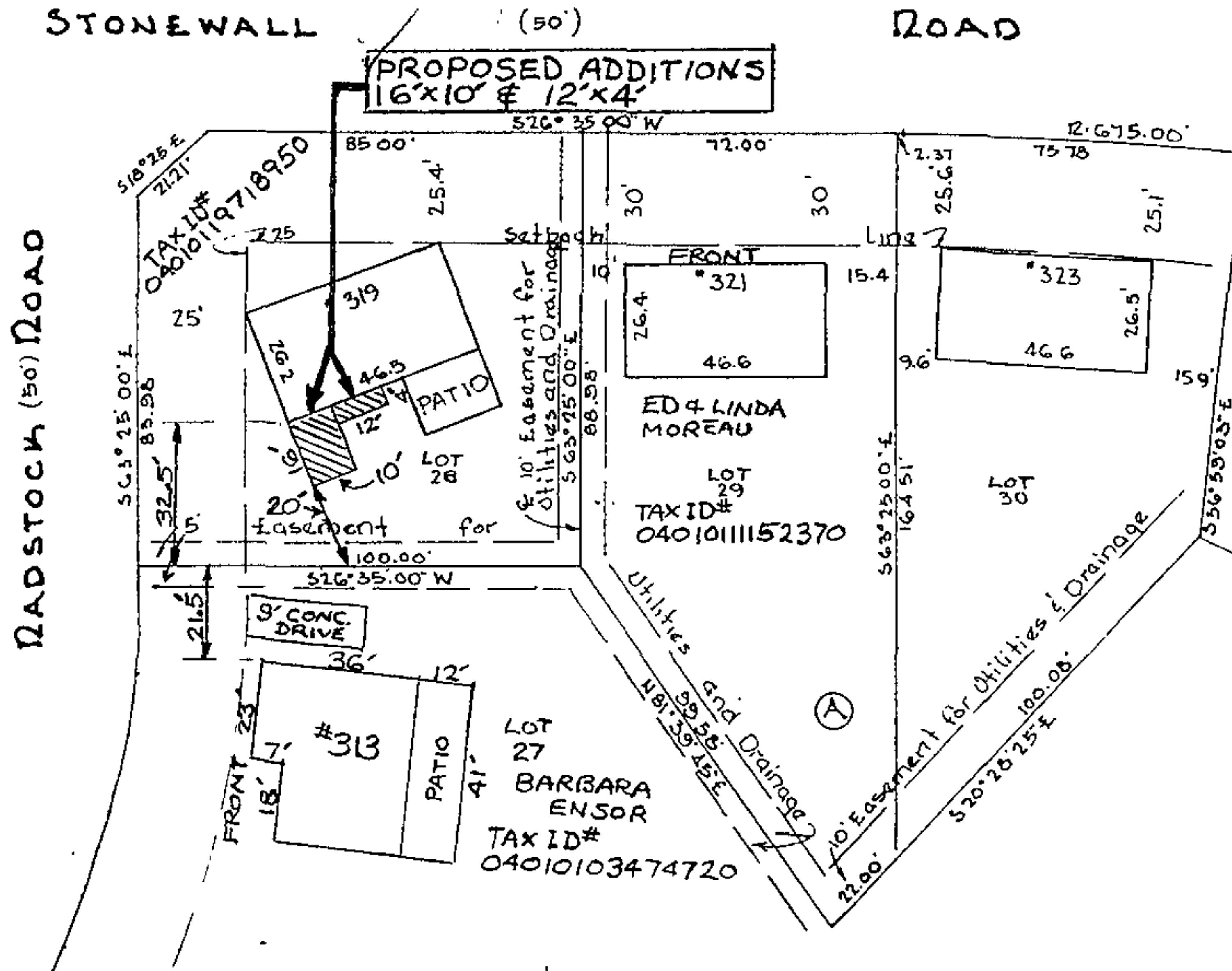
PROPERTY ADDRESS 319 STONEWALL RD

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME DEVERE ESTATES

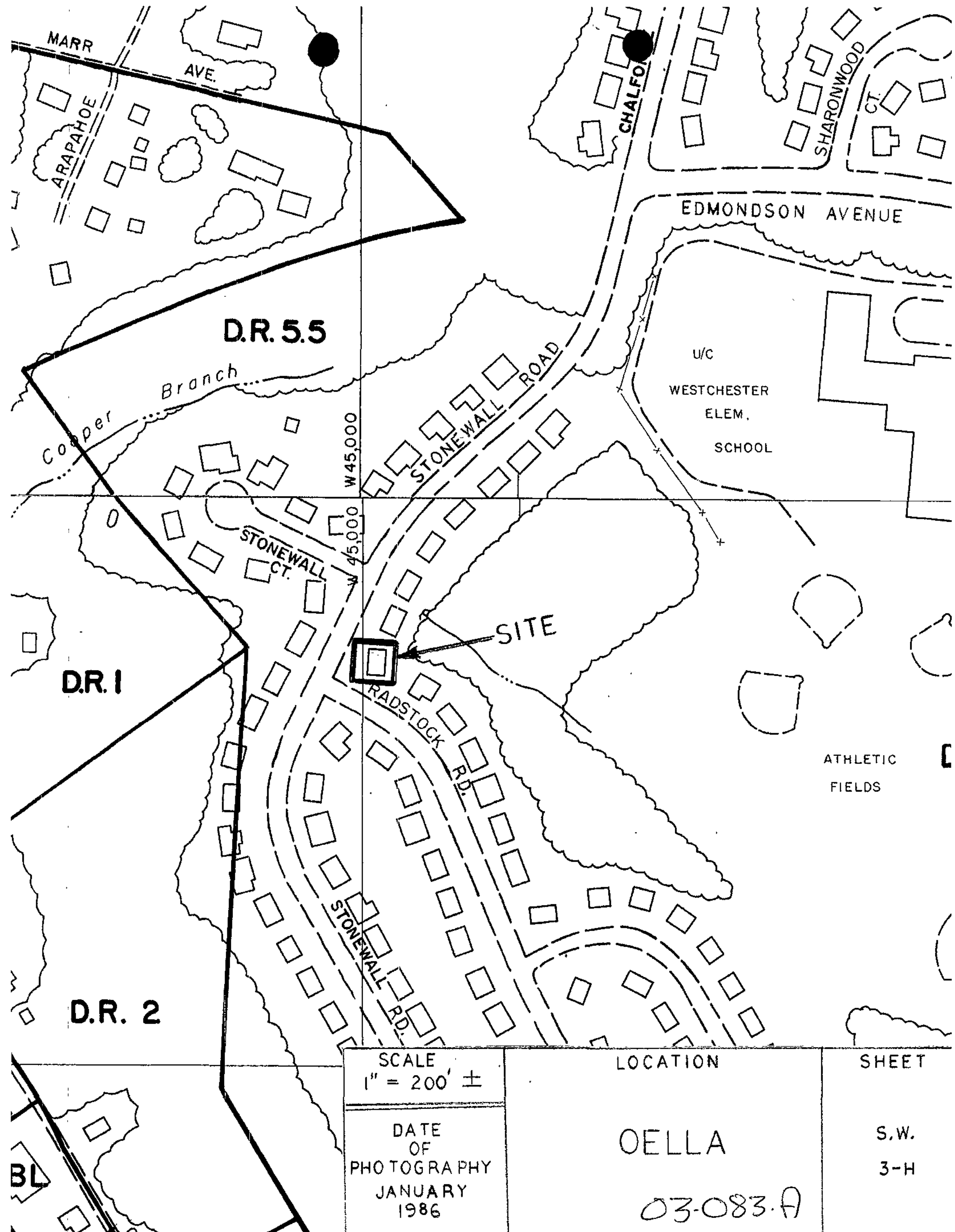
PLAT BOOK # 24 FOLIO # 125 LOT # 28 SECTION # 2

OWNER CHARLES & ANNE STOCKSDALE



NORTH

PREPARED BY CHARLES M. STOCKSDALE SCALE OF DRAWING: 1" = 50'



SCALE
1" = 200' ±

DATE OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

OELLA

03-083-A

SHEET

S.W.

3-H

