IN RE: PETITION FOR ADMIN. VARIANCE
E/S of Vincent Farm Lane, 187' N
centerline of Gambrill Road
15th Election District
6th Councilmanic District
(10505 Vincent Farm Lane)

Florence E. & Charles H. Burrs, Sr. *Petitioners*

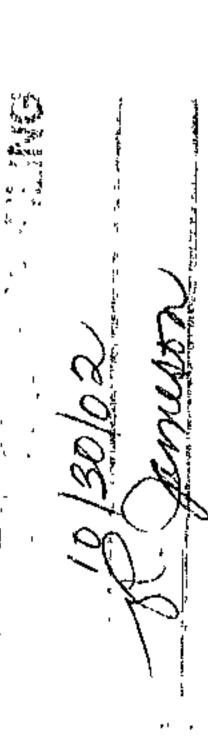
- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 03-165-A

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, Florence E. and Charles H. Burrs, Sr. The variance request is for property located at 10505 Vincent Farm Lane in the White Marsh area of Baltimore County. The variance request is from Section 1A02.3.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a new addition with a front yard setback of 67 ft. in lieu of the required 75 ft. from the centerline of any street. 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 30 day of October, 2002, that a variance from Section 1A02.3.B.4 of the B.C.Z.R. to permit a new addition with a front yard setback of 67 ft. in lieu of the required 75 ft. from the centerline of any street, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

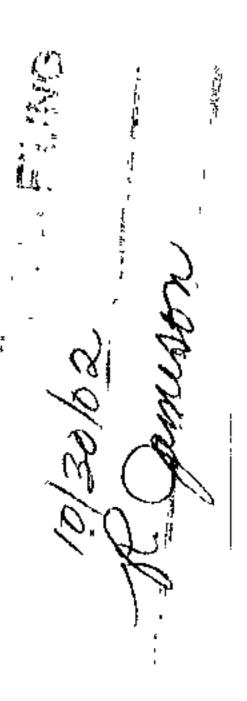
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

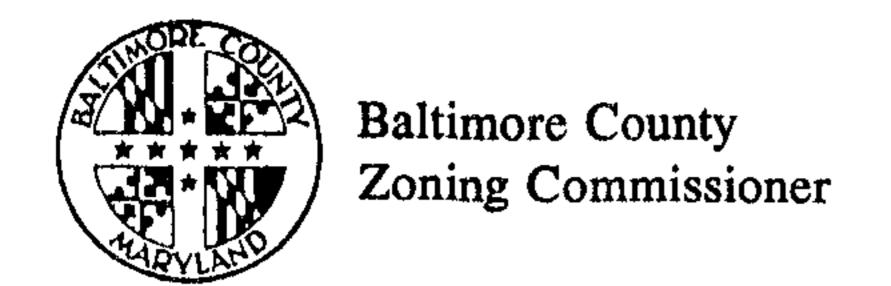
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





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

Fax: 410-887-3468

October 30, 2002

Mr. & Mrs. Charles H. Burrs, Sr. 10505 Vincent Farm Lane White Marsh, Maryland 21162

Re: Petition for Administrative Variance Case No. 03-165-A Property: 10505 Vincent Farm Lane

Dear Mr. & Mrs. Burrs:

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

Muthy lotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	10505	Vincent	- Farm Lane				
which is presently zoned <u>23</u>							

I/We do solemnly declare and affirm, under the penalties of

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) / AO2.3.B.4 BCZE

To permit an addition with a front yard setback of 67 ft. in lieu of the required 75 ft. from the centerline of any street.

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.

			perjury, that I/we are is the subject of this	e the legal owner Petition.	(s) of the pr	operty which
Contract Purchaser/	Lessee:		Legal Owner(s)	<u>:</u>		
Name - Type or Print Signature			Name - Type or Print Signature	Burro	irrs.	<u>Sr</u>
Address		Telephone No.	Name - Type or Print	e E. C	urrs	
City	State	Zip Code	Signature	E. Bu	iks_	410-
Attorney For Petition Name - Type or Print	<u>ler:</u>		Address White M City	larsh 1	ZIM C.C State	2. 335 - 82 Telephone No. 2.1162 Zip Code
Signature		······································	Representative	to be Contac	:ted:	
Company			Name			
Address		Telephone No.	Address	····		Telephone No.
Çity	State	Zip Code	City	<u> </u>	State	Zip Code
		ty be reposted Rev	Zoning Committee By	missioner of Baltim	ed, as require	ed by the zoning
REV 10/25/01		Esti	mated Posting Date	10-14-	U 4	

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	That the	Affiant(s)	does/do	presently i	reside at
---	----------	------------	---------	-------------	-----------

10505 Vincent 7 Address

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):

The residents, both Mr. Charles Burrs and Mrs. Florence Burrs, are handicapped senior citizens. As evidenced by the handicapped ramps, located both outside and inside of their house, both have extreme difficulty using steps. As exists now, their bedrooms are on the second floor of the house. This Administrative Variance is requested so remodeling can be done to the first floor of their residence so as to accommodate a bedroom for Mr. and Mrs. Burrs on that floor. Topography and the existing layout of the house prevent the addition from being placed on the sides or on the rear of the house.

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 # Burro Sr. Signature

Charles H. Burrs

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this The day of Deplember of Maryland, in and for the County aforesaid, personally appeared

DD before me, a Notary Public of the State

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

REV 10/25/01

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

Address

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):

The residents, both Mr. Charles Burrs and Mrs. Florence Burrs, are handicapped senior citizens. As evidenced by the handicapped ramps, located both outside and inside of their house, both have extreme difficulty using steps. As exists now, their bedrooms are on the second floor of the house. This Administrative Variance is requested so remodeling can be done to the first floor of their residence so as to accommodate a bedroom for Mr. and Mrs. Burrs on that floor. Topography and the existing layout of the house prevent the addition from being placed on the rear or on the sides of the house.

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.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this

_ day of September of Maryland, in and for the County aforesaid, personally appeared

before me, a Notary Public of the State

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10505 Vincent Farm Lane which is presently zoned RC3

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) 1AO2. 3. B.4

To permit an addition with a front yard setback of 67 ft.

in lieu of the required 75 ft. from the center line of any street.

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 perjury, that I/we is the subject of the subjec	are the legal of	affirm, under the owner(s) of the	ne penalties of property which
Contract Purchaser	/Lessee:		Legal Owner(<u>(s):</u>		
Name - Type or Print	 	· · · · · · · · · · · · · · · · · · ·	Name - Type or Prin		Burrs	<u>Sr.</u>
Signature	~~····································		Signature Signature	* BW	rro Sar	
Address		Telephone No	Name Type or Prin		Dur	<u>rs</u>
City	State	Zip Code	Signature	e C (13	upps	, 410
Attorney For Petitio	ner:		Address	Vincer	it Feirm	Telephone No.
Name - Type or Print			City Nite N	1ersh	State	21162 Zip Code
Signature	······································		Representativ	<u>∕e to be Co</u>	ntacted:	
Company	——————————————————————————————————————	······································	Name			
Address	'	Telephone No	Address		· 	Telephone No.
City	State	Zip Code	City		State	Zip Code
A Public Hearing having be this day of regulations of Baltimore Cour	en formally demand th ity and that the proper	ded and/or found to be at the subject matter of the reposted.	required, it is ordered this petition be set for a pu	by the Zoning (ublic hearing, a	Commissioner of dvertised, as req	Baltimore County, uired by the zoning
			Zoning Co	ommissioner of	Baltimore Count	у
CASE NO. 03	-165-A	Re	riewed By JR	j= Da	te <u>10 - 9</u>	2-02
REV 10/25/01		Est	imated Posting Date	e 10-	14-02	

ZONING DESCRIPTION FOR 10505 VINCENT FARM LANE

Beginning at a point on the center of Vincent Farm Lane which is 23 ft, wide at the distance of 187 ft. north of the centerline of the nearest improved street Gambrill Road which is 23ft. wide as recorded in Deed Liber 2148, Folio 348.

Metes and Bounds: S. 78 15' 30" E. 225.31 ft., N. 14 45' E. 90 ft., N. 58 49' W. 71.13 ft., N. 86 46' W. 160 ft., S. 14 45' W. 90 ft. to the place of beginning containing 20,520 square feet. Also known as 10505 Vincent Farm Lane and located in the 15th Election District, 6th Councilmanic District.

BALTIMORE COUNTY, MARY OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT

No.17832

AMOUNT \$ 50.00

RECEIVED Charles Buris
FROM: 10505 Vincent Form In. Trem # 105
FOR: 01. VARIANCE TAREN DY: Jor

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Daltimore County, Maryland

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DISTRIBUTION

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PINK - AGENCY

YELLOW - CUSTOMER

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CENTIFICATE OF POSTING

RE Case No

Petitioner/Developer BURRS, ETAL

Date of Hearing/Closing:

10/

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

Attention. Ms. Gwendolyn Stephens & GEORGE ZAHNER

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 #10505.VIINCENT

The sign(s) were posted on

(Month Day Year)

(Signature of Sign Foster and Date)

PATRICK M. O'KEEFE (Printed Name)

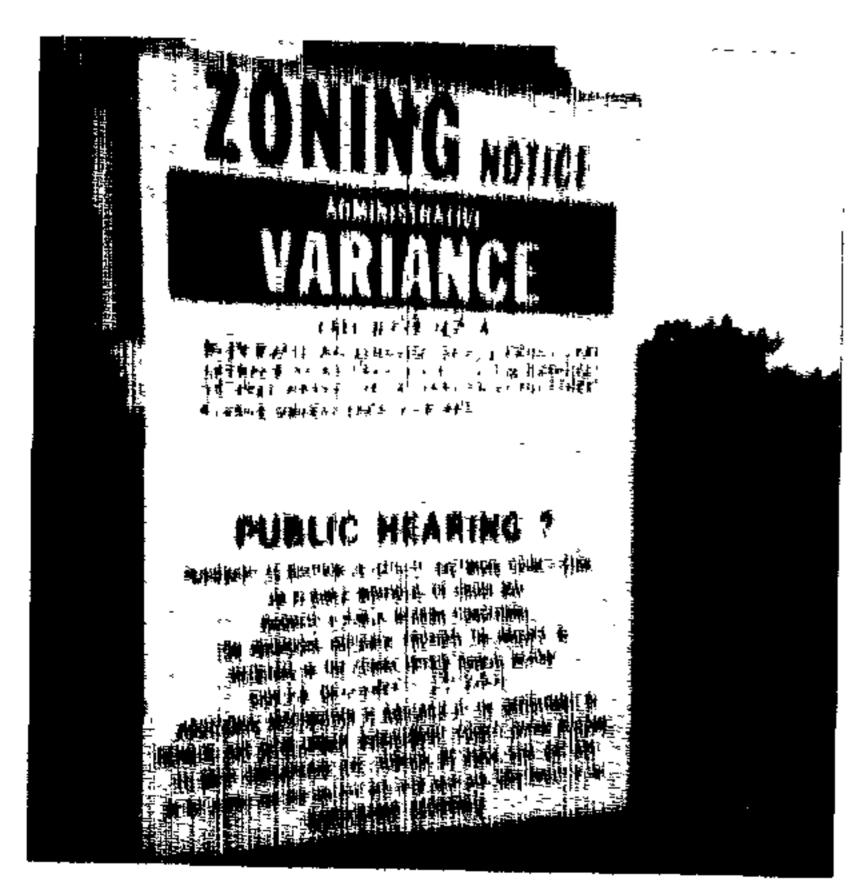
523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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



of pages

and fax transmittal memo 7671

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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.

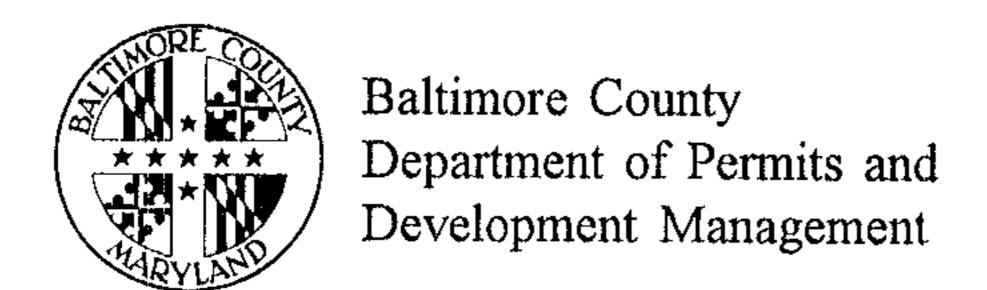
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: <u>03-165A</u>
Petitioner: Charles & Florence Burrs
Address or Location: 10505 Vincent Form Lane
PLEASE FORWARD ADVERTISING BILL TO:
Name: Charles & Florence Burrs
Address: 10505 Vincent Farm Lone
White Marsh, MO 21162
Telephone Number: 410-335-8276

Revised 2/20/98 - SCJ

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number	03-	165	,	-A		Address	1050	25	VII	4CEN	TF	MSA	LA
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Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 29, 2002

Mr. and Mrs. Charles H. Burrs, Sr. 10505 Vincent Farm Lane White Marsh, MD 21162

Dear Mr. and Mrs. Burrs:

RE: Case Number: 03-165-A, 10505 Vincent Farm Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 2, 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.
Supervisor, Zoning Review

U. Callibal)

WCR:rlh

Enclosures

c: People's Counsel



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

October 15, 2002

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

ATTENTION: George Zahner

Distribution meeting: 10/15/02

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: 159 & 160, 162-172

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 30, 2002

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 21, 2002

Item No. 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, and 172

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley R65/767

DATE:

November 6, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 15, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

160, 162-165, 167-172

10/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 18, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

-

SUBJECT:

10505 Vincent Farm Lane

INFORMATION:

Item Number:

03-165

Petitioner:

Charles H. Burrs. Sr.

Zoning:

RC3

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request to permit an addition (handicap ramp) with a front yard setback of 67 feet in lieu of the minimum required 75 feet.

Prepared by:

Section Chief:

AFK/LL:MAC:



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams

Administrator

Date: 10.11.02

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

RE: Baltimore County

Item No. 165 JRF

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. 1. Ired.

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



Parris N. Glendening Governor Kathleen Kennedy Townsend L.t. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

October 16, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111, Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 10/21/02 re: case numbers 03-159-SPHA, 03-160-SPH, 03-161-SPH, 03-162-A, 03-163-A, 03-164-A, 03-165-A, 03-166-A, 03-167-A, 03-168-A, 03-169-A, 03-170-A03-172-A

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 10/15/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatte

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

OCT 2 1 2002

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

BALTIMORE COUNTY GOVERNMENT DEPARTMENT OF PUBLIC WORKS DIRECTOR'S OFFICE 410-887-3452 OR 410-887-3984

FLOODPLAIN DETERMINATION

Date:

9/11/02

Prepared By:

Suzi Hale

Requested By:

Mr. & Mrs. Charles H. Burrs 10505 Vincent Farm Lane

White Marsh, MD 21162-1909

Address:

10505 Vincent Farm Lane

Floodmap:

240010-0435B

Zone:

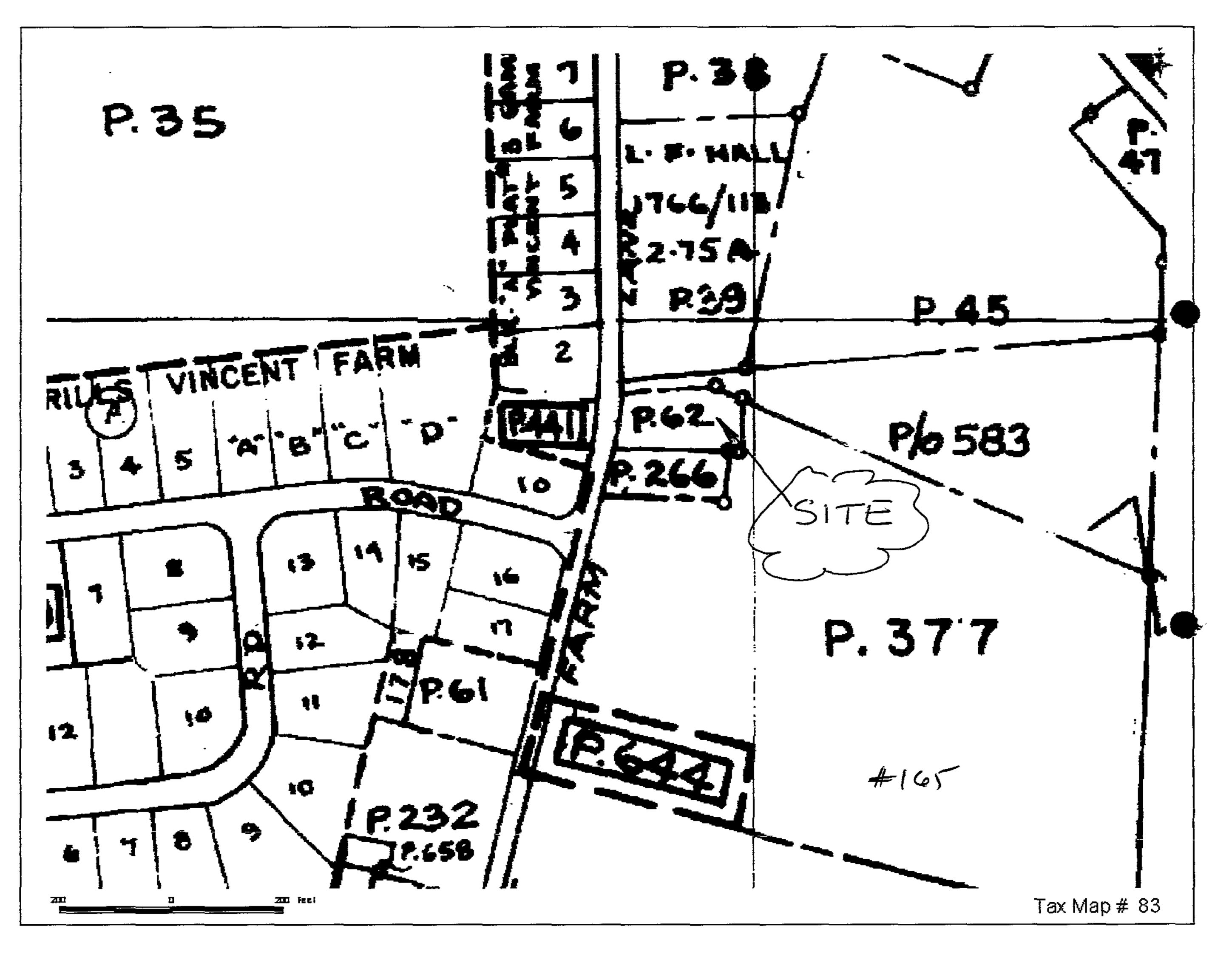
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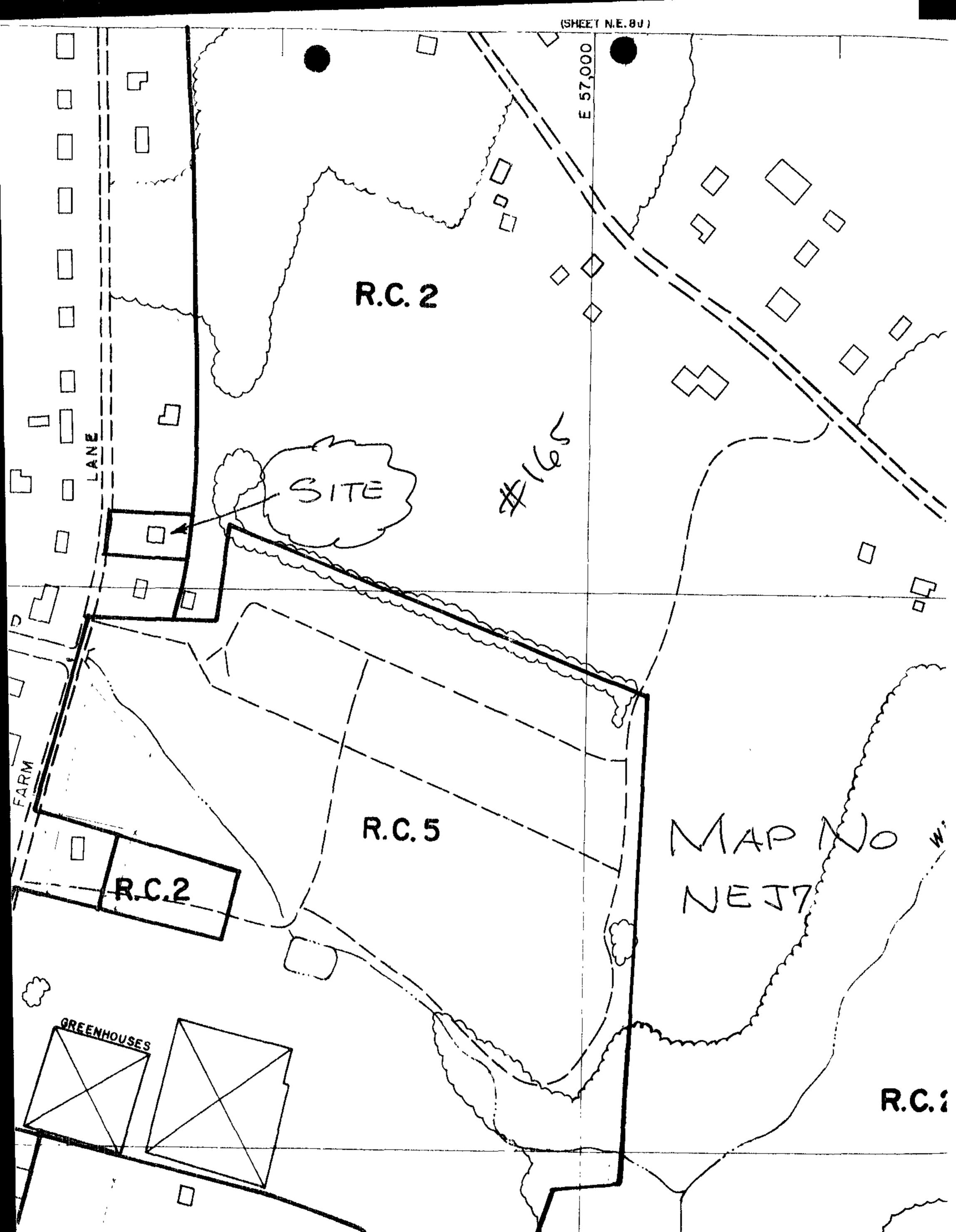
Elevation:

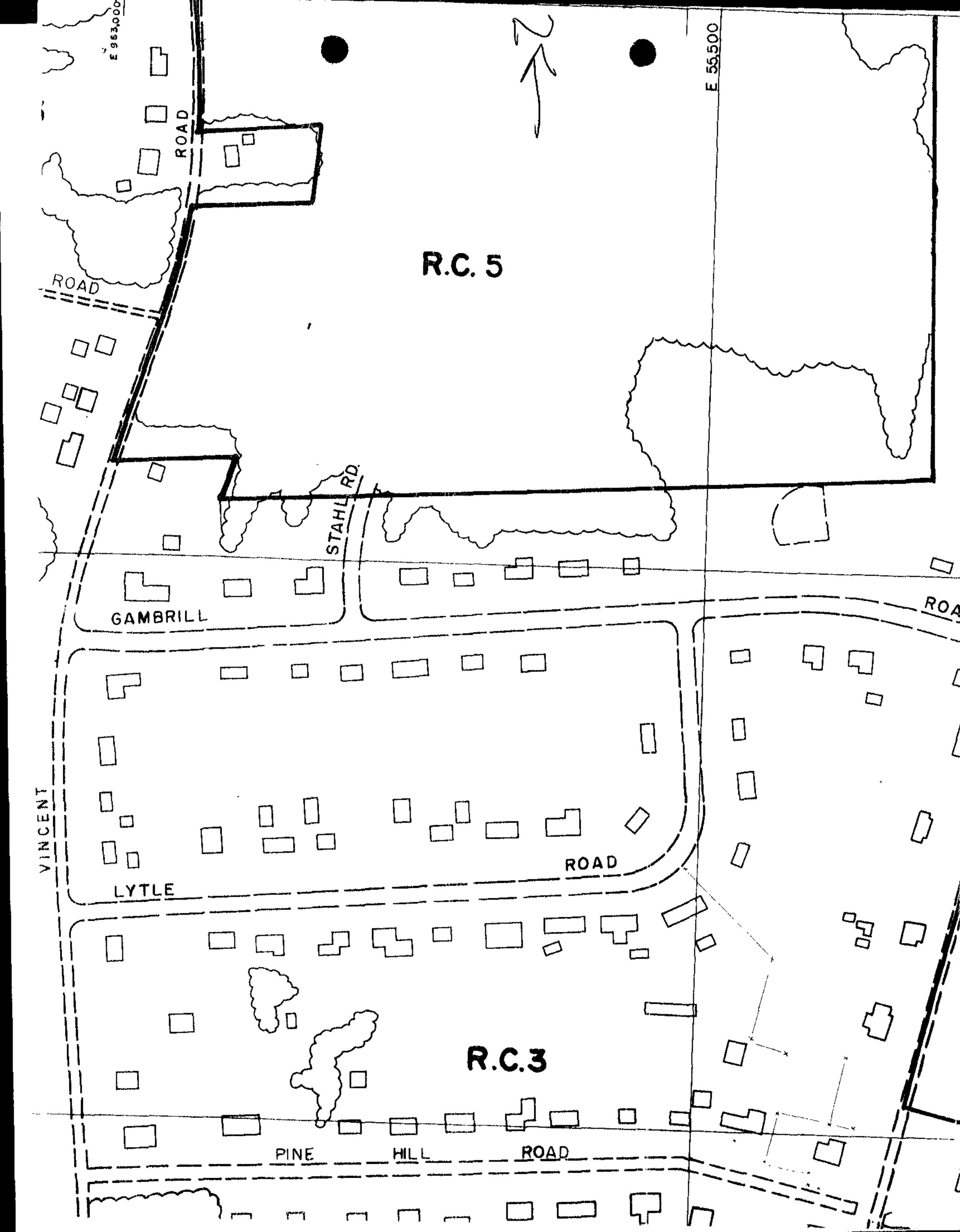
Comments:

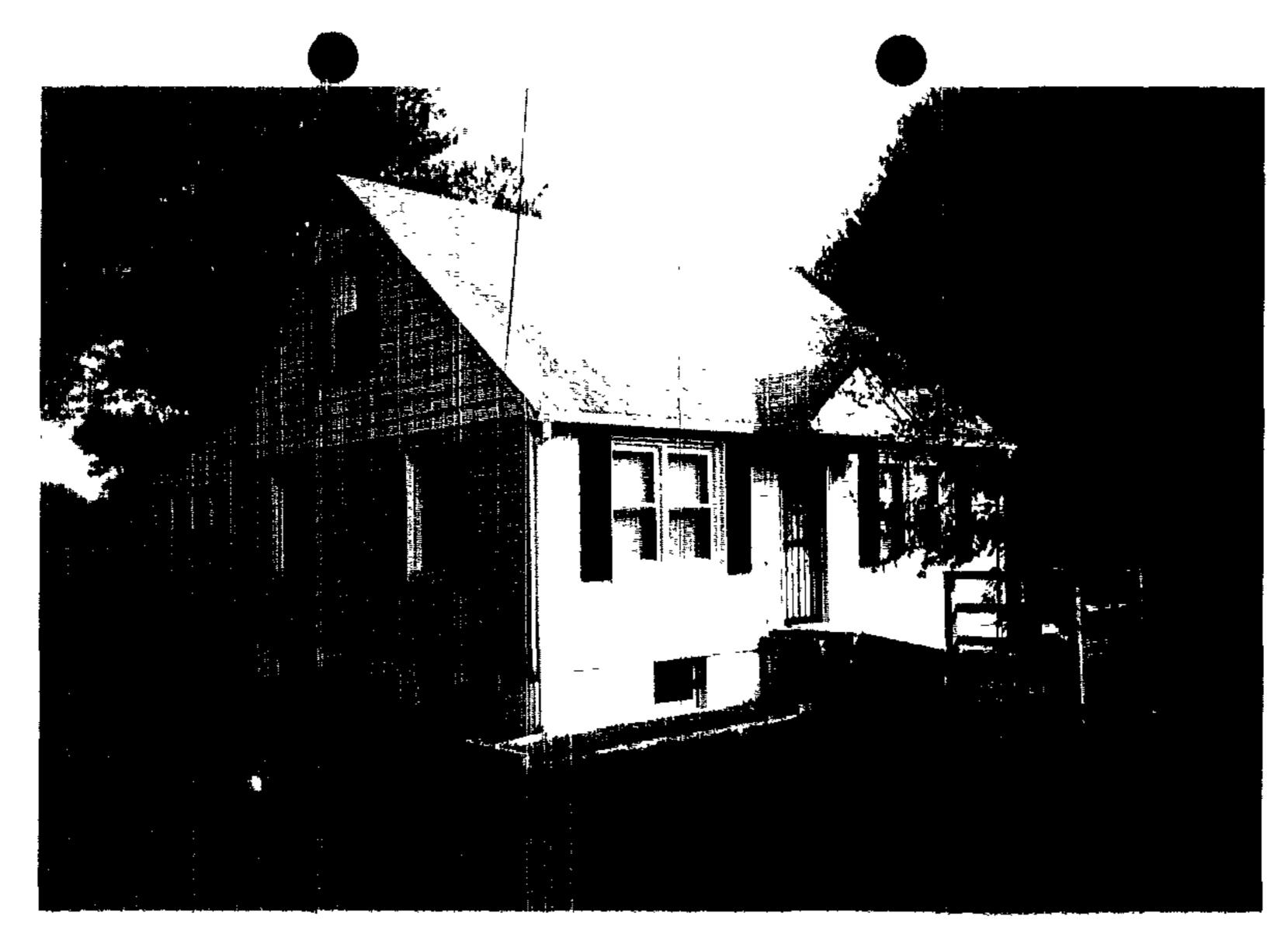
This determination is based on the best information made available to Baltimore County. This letter does not imply that the referenced property will or will not be free from flooding or damage. A property not in a flood zone may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This letter does not create liability on the part of the County, or any officer or employee thereof, for any damage that results from reliance on this determination.

PLAT TO ACCOMPANY PETITION FOR ZONI PROPERTY ADDRESS 10505 Vincent Farm La SEE PAGES	NG XARIANCE SPECIAL HEARING 5 8 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION
SUBDIVISION NAME	
PLAT BOOK # - FOLIO # - LOT # - SECTION # - OWNER Charles & Florence Burrs	GAMBRILL BD.
15-08-002980 GEORGE & DIANE BURLESON CLOSEST DWELLING IS AT LEAS	T 115' AWAY PINE HILL DR DR
PROPOSED 8' X 12' ROOM ADDITION	BIRD RIVER RD VICINITY MAP T SCALE: 1" = 1000'
ROOM ADDITION ROOM ADDITION EXISTING DWELLING TO	LOCATION INFORMATION ELECTION DISTRICT 15
67' # 10505	COUNCILMANIC DISTRICT
8	1 = 200 SCALE MAP # NEJ /
HANDICAPPED	ZONING RC3
PROPOSED 8' X 18'	LOT SIZE 0.47 20,520 ACREAGE SQUARE FEET
OPEN PORCH ADDITION 225.31'	PUBLIC PRIVATE
	SEWER 🔀
15-02-851910 NAT & JESSIE BURLESON	WATER YES NO CHESAPEAKE BAY CRITICAL AREA
EXISTING DWELLING	100 YEAR FLOOD PLAIN
DWELLING S DWELLING	HISTORIC PROPERTY/ BUILDING
(A) 150 # 10503	PRIOR ZONING HEARING NOOC
NORTH	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #
PREPARED BY SCALE OF DRA	WING: 1" = 40 JPF 165
Hotelet	









FRONT OF HOUSE SHOWING NORTHWEST CORNER – LOCATION OF PROPOSED 8' X 12' ADDITION



NORTH SIDE OF HOUSE

#145

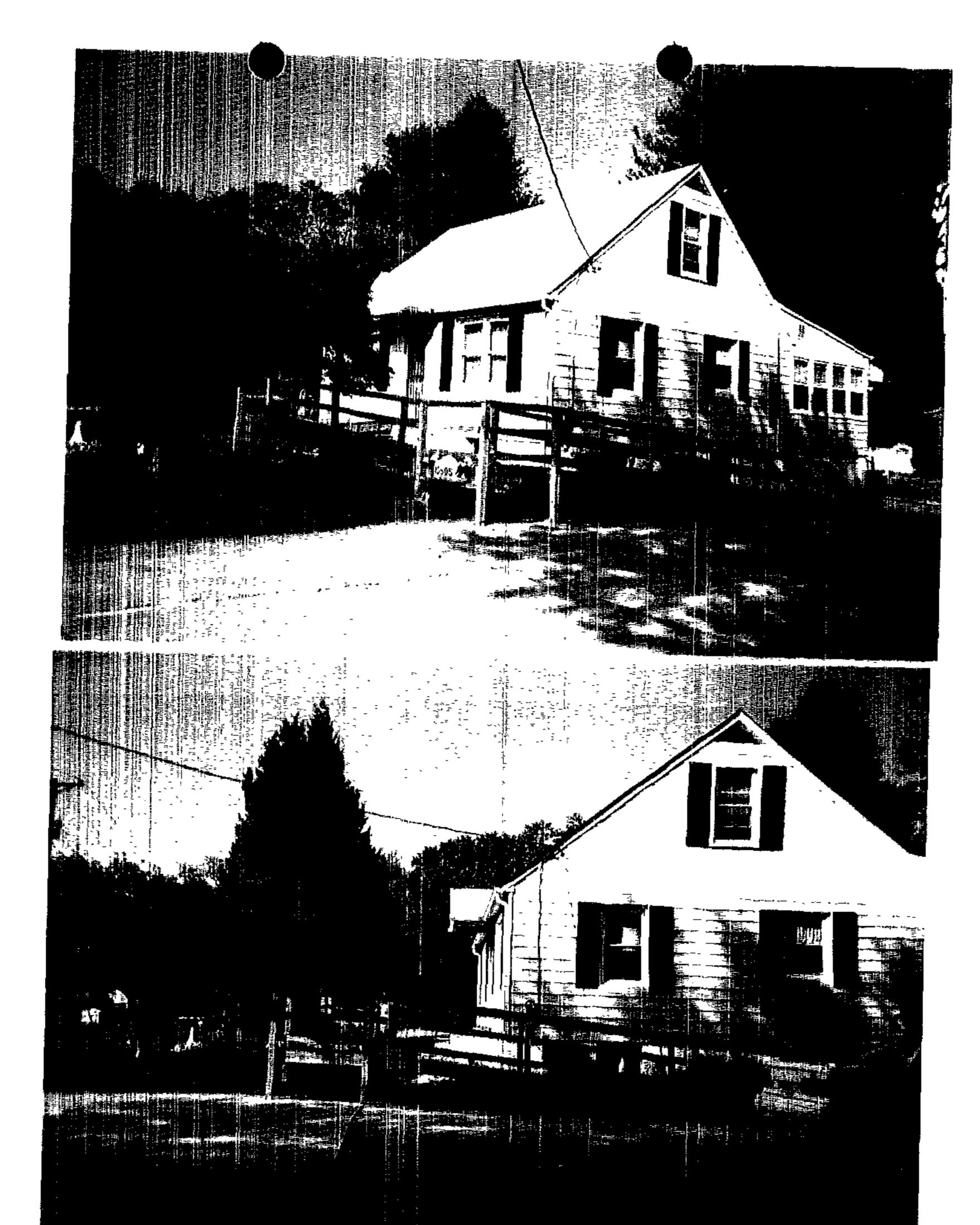


FRONT OF HOUSE



ADDITIONAL VIEW OF SOUTH SIDE OF HOUSE AND EXISTING HANDICPPED RAMP

#165



SOUTHWEST CORNER AND SOUTH SIDE OF HOUSE-SHOWING EXISTING HANDICAP RAMP WHICH WILL BE REPLACED

REPLACED

AFTER ADDITION IS COMPLETE

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