IN RE: PETITION FOR ADMIN. VARIANCE E/S Powers Avenue, 3,000 ft. NE of Osage Road 8th Election District 3rd Councilmanic District

(1111 Powers Avenue)

Lola V. & Robert M. Williar Petitioners BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-220-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by Lola V. and Robert M. Williar, the legal owners of the subject property. The variance request is for property located at 1111 Powers Avenue in the Cockeysville area of Baltimore County. The Petitioners herein seek a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an accessory structure (garage) in the front yard in lieu of the rear yard. 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.

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 day of December, 2002, that a variance from Section 400.1 of the B.C.Z.R., to permit an accessory structure (garage) in the front yard in lieu of the rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

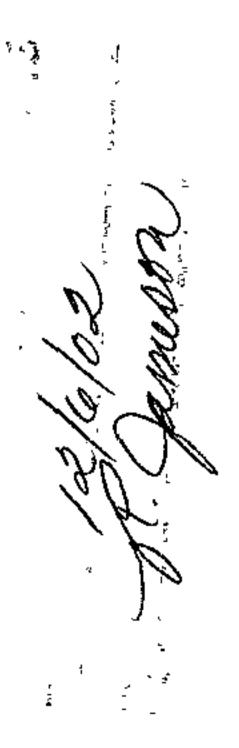
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this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

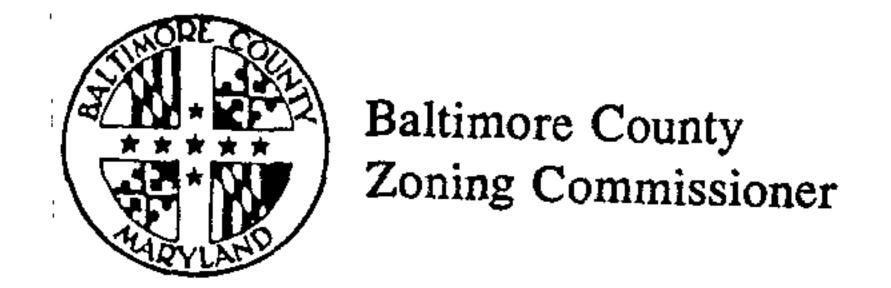
TIMOTHY M. KOTROCO

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

December 6, 2002

Mr. & Mrs. Robert M. Williar 1111 Powers Avenue Cockeysville, Maryland 21030

Re: Petition for Administrative Variance

Case No. 03-220-A

Property: 1111 Powers Avenue

Dear Mr. & Mrs. Williar:

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,

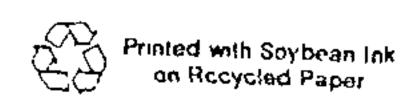
Timothy M. Kotroco

Deputy Zoning Commissioner

Muthy Hotroco

TMK:raj Enclosure

c: Bruce E. Doak Gerhold, Cross & Etzel, Ltd. 320 E. Towsontown Boulevard Towson, MD 21286





Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1111 Powers Avenue	
which is presently zoned	

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

Zoning Commissioner of Baltimore County

Date

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)

100.1 BCZR

TO PERMIT AN ACCESSORY STRUCTURE (GARAGE) IN THE
FRONT YARD IN LIEU OF THE REAR YARD

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.

SENO. 03-220 A

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 the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Robert M. William Name - Type or Print Signature Signature Address Name - Type or Print Telephone No. Zip Code City State Signature 1111 POWERS AVENUE Attorney For Petitioner: Address Telephone No COCKEYSVILLE Mo 21230 Name - Type or Print State Zip Code Representative to be Contacted: Signature BRUCE E. DOAK GERNOLD CROSS & ETZEL, LTD Contpany Name 320 E. TOWSONTOWN BLUD. 410-823-4470 Telephone No Telephone No. Address 21286 lowson City Zip Code State Zip Code State Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, -Wday of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning Mulion's of Baltimore County and that the property be reposted

Reviewed By

Estimated Posting Date

Affida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, a 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.

1111

Address

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

POWERS AVENUE

	COCKEYSVIL	LE Mo	21230
	City	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the facts tip or practical diffic	upon which I/we base tulty):	the request for an Administrative
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13 THE BEST	POSITION.		
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Robert M. Wellian		Jala V. Wi	llices
Signature Robert M. W.LLIAR		Signature LULA 1/1	1.11 120
Name - Type or Print	<u> </u>	Vame - Type or Print	16-1-177
			
STATE OF MARYLAND, COUNTY OF BALTII			
of Maryland, in and for the County aforesaid, pe	_ 1		me, a Notary Public of the State
CONFER CLOS	WILLAR	to me se such Afficial/a	\ and made eath in due form of
the Affiant(s) herein, personally known or satisflaw that the matters and facts hereinabove set	forth are true and c	orrect to the best of his/	her/their knowledge and belief.

My Commission Expires

REV 09/15/98

AS WITNESS my hand and Notarial Seal

Affida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, a 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.

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That the Affiant(s) does/do presently reside at	//// Address	Powers	AUGHUE		
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	City	EY O DI CCG	State	Zip Cod	
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Robert M. Willian			Lala V. Wi	lleas	
Signature Robert M. William		Signa	LOLA V. W. - Type or Print	12LIAR	
Name - Type or Print		1491116	s - Type of Fillit		
STATE OF MARYLAND, COUNTY OF BALTS	MORE, to	 wit:	.,		
I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, in			_, <i>2002</i> _, before	me, a Notary Public of the St	at€
of Maryland, in and for the County aforesaid, (p	ersonally a	ppeared	•		
the Affiant(s) herein, personally known or satillaw that the matters and facts hereinabove set	sfactorily is forth are to	dentified to rue and corre	ne as such Affiant(s) ect to the best of his/h	, and made oath in due form er/their knowledge and belief	1 0 f.
AS WITNESS my hand and Notarial Seal					
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My Commission Expires

REV 09|15|98



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

which is presently zoned RCA

This Petition shall be former(s) of the property made a part hereof, here	situate in Baltir	nore County ar	nd whic	h is described in(s)	d in the descri	agement. The uniption and plat atta	ndersigned, legal ached hereto and
				,	BCZR		
	76 PERMIT	AN ACCES	550AY	STRUCTUR	E GARAGE	e) IN THE	
	FRONT YAR	2D IN LIEU	OF T	YE REDR	YARO		
of the zoning regulations of this petition form.	of Baltimore C	ounty, to the z	oning la	w of Baltimor	e County, for	the reasons indic	ated on the back
Property is to be posted a l, or we, agree to pay experience regulations and restrictions	nses of above Va	ariance, advertis	sina, pos	sting, etc. and f	urther agree to	and are to be bour County.	nded by the zoning
				perjury, the		e and affirm, under t legal owner(s) of the tion.	
Contract Purchaser/L	<u>essee:</u>			<u>Legal O</u>	wner(s):		
Name - Type or Print Signature				Name - Typ Signature	e or Print TM. W	Allian	
Address		Telephone N	<u>√o,</u>	_	V. Wice.	42	
City	State	Zip Co	de	Signature	<i>a</i> t , t , 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1	illear	· · · · · · · · · · · · · · · · · · ·
Attorney For Petition	<u>er:</u>			Address	BWORS AVE	Mo	Telephone No.
Name - Type or Print	<u></u>			City	YSVILLE	State	2/230 Zip Code
Signature	 					e Contacted:	
Company	<u> </u>	· · · · · · · · · · · · · · · · · · ·		Name		MOWN BLUD.	410-823-44
Address		Telephone N	O .	Address		Mo	Telephone No.
City	State	Zip Co	ide	City	<i>,</i>	State	Zip Code
A Public Hearing having beet this day of regulations of Baltimore Country		hat the subject ma				Zoning Commissioner aring, advertised, as re	
CASE NO. <u>0.3</u>	-220A	_	Revi	iewed By	_	oner of Baltimore Coul	6/02_
REV 9115198			Esti	mated Postii	ng Date	11/18/02	



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

October 31, 2002

ZONING DESCRIPTION WILLIAR PROPERTY 11111 POWERS AVENUE BALTIMORE COUNTY, MARYLAND

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point North 82 degrees East 950 feet, more or less, from the center of the intersection formed by Osage Road and Powers Avenue, thence running and binding, the eleven following courses and distances, viz: (1) South 37 degrees 54 minutes 43 seconds East 15.00 feet, (2) South 37 degrees 54 minutes 43 seconds West 208.75 feet, (3) North 52 degrees 05 minutes 17 seconds East 105.00 feet, (4) South 46 degrees 11 minutes 03 seconds East 417.50 feet, (5) North 43 degrees 48 minutes 57 seconds East 15.00 feet, (6) North 52 degrees 05 minutes 17 seconds East 200.00 feet, (7) North 37 degrees 54 minutes 43 seconds West 208.75 feet, (8) North 37 degrees 54 minutes 43 seconds West 208.75 feet, (9) South 52 degrees 05 minutes 17 seconds West 200.00 feet, (10) North 37 degrees 54 minutes 43 seconds West 15.00 feet, and (11) South 52 degrees 05 minutes 17 seconds West 141.25 feet to the zoning point of beginning.

Containing 2.609 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 16363	DATA DEFETOT FRIGHT FOR
	0.06-6150	1 /06/2002 11/06/2002 10:24:40 REG WASA WALKIN DIAL DWD DRAWER >>ACTUML 10:24:40 REG WASA WALKIN DIAL DWD DRAWER FOR \$201790 11/06/2002 Dept 5 528 ZONING VERIFICATION
RECEIVED RECEIVED FROM:	- 111 Pewers Ave	CR 10. 016363
FOR: UAA OCO.		
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER		CASHIER'S VALIDATION

OF LH

BALTIMORE COUNTY, MARYLAND		
OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 16363	DATA DEPETOT THE RESERVE ACTIVE
DATE 1/6/02 ACCOUNT GO	1-006-6170	106/2002 11/06/2002 10:24:40 1604 WALKIN DOOL DWD DKIMER 16EIFT # 201790 11/06/2002 5 528 ZONING VERIFICATION
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FOR: UAA - (O/O).		

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOM	ER	CASHIER'S VALIDATION

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Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286 Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-220-A
PETITIONER/DEVELOPER:
R. WILLIAR
DATE OF CLOSING:
DECEMBER 3, 2002

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVE. TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

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

2002

ON: November 18,

LOCATION: 1111 Powers Lane

ADMINISTRATIVE VARIANCE TO THE TOTAL SEE TO THE TOTAL SEE

DATE:

November 19, 2002

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD SUITE 100 320EAST TOWSONTOWN BLVD TOWSON, MARYLAND 21286 410-823-4470 PHONE 410-823-4473 FAX

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

	Case	Number 03- 220 -A Address 1/1 Power LN.
	Conta	ct Person: Planner Please Print (dur Hame) Phone Number 410-887-3391
	Filing	Date: $1/6/02$ Posting Date: $11/8/02$ Closing Date: $12/3/03$
		contact made with this office regarding the status of the administrative variance should be job the contact person (planner) using the case number.
	1.	<u>POSTING/COST</u> : 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 Dutted Line
	Petiti	oner: This Part of the Form is for the Sign Poster Only
		USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
		Number 03- 220 -A Address 111x Powers Lu-
		oner's Name K- W///AR Telephone 440-823-4470
		ng Date: 1/18/02 Closing Date: 12/3/02
No Sár	Word	ing for Sign: To Permit TD PERMIT A GARAGE TO BE LOCATED
		IN THE FRONT YARD IN LIEM OF THE FOURED PERSON PARD.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

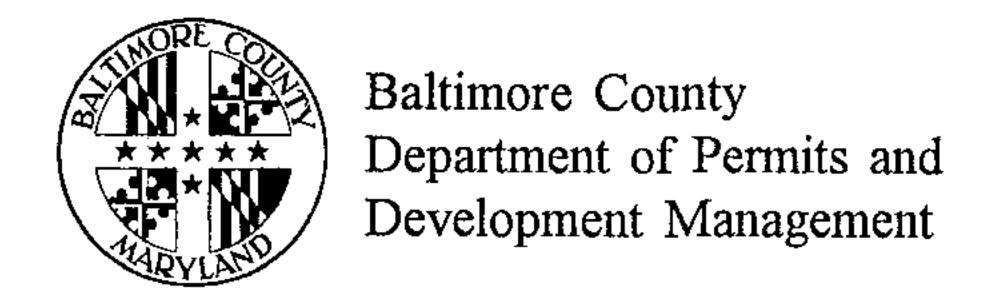
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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: 220
Petitioner: ROBERT & LOCA WILLIAR
Address or Location: 11/11 POWERS AUENUE, COCKEYSUILLE, MD. 21230
PLEASE FORWARD ADVERTISING BILL TO:
Name: GERHOUD, CROSS, + ETZEC
Address: 320 E. TOWSON TOWN BWO.
TOWSON, MO , 21286
Telephone Number: (410) 823- 4470

Revised 2/20/98 - SCJ



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

December 2, 2002

Robert M. Williar Lola V. Williar 1111 Powers Avenue Cockeysville, MD 21230

Dear Mr. and Mrs. Williar:

RE: Case Number: 03-220-A, 1111 Powers Avenue

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

WCR:rlh

Enclosures

c: People's Counsel Bruce E. Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286



Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams
Administrator

Date: //. 27.07

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

RE: Baltimore County

Item No. 227

JCM

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,

/. /. Led L. McDonald Jr., Chief

Engineering Access Permits Division



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

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

November 20, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.: ZAC Dist. Meeting of 11/18/2002

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:

203-209, 2,171=2-27

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



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

November 26, 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 of November 25, 2002

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: 214-223

220

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

-

TO:

Arnold Jablon, Director

DATE: November 27, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-220 – Administrative Variance

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.

Section Chief:

AFK/LL:MAC

Section Chief:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 16, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 2, 2002

Item Nos. 215, 216, 217, 218, 219,

220, and 223

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

RWB:CEN:jrb

cc: File



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

December 2, 2002

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

Re: Zoning Advisory Committee Agenda 12/2/02 re: Case numbers 03-214-SPHA, 03-215-SPH, 03-216-A, 03-217-A, 03-218-SPH, 03-219-SPHA, 03-220-A, 03-221-SPH, 03-222-A, 03-223-SPH

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 11/26/02. 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. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit


cc: Mike Nortrup














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