IN RE: PETITION FOR ADMIN. VARIANCE S/S Highpoint Road, 70' SE of the c/l Birmingham Avenue **(8008 Highpoint Road)** 9th Election District 5th Council District Allan D. Wolfe, et ux Petitioners	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 04-342-A

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Allan D. Wolfe and his wife, Deborah L. Wolfe. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 1 foot in lieu of the required 10 feet for a proposed two-story garage addition. The subject property and requested relief are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petition was filed through the administrative variance process, pursuant to Section 26-127 of the Baltimore County Code, which allows an individual to seek variance relief for an owner-occupied residential property without the need for a public hearing. Under the Code, any property owner residing within 1,000 feet of the property in question who objects to the relief requested has 15 days from the date of the sign posting to demand a public hearing for a determination as to the merits of the request. Additionally, the Zoning Commissioner/Deputy Zoning Commissioner can schedule the matter for a public hearing if deemed appropriate. In this regard, although there was no neighborhood opposition, adverse Zoning Advisory Committee (ZAC) comments were received from the Office of Planning relative to the proposed location of the garage. Moreover, the undersigned Zoning Commissioner had concerns regarding the overall size of the structure. Thus, the matter was scheduled for a public hearing before the undersigned Zoning Commissioner on May 20, 2004.

ORDER RECEIVED FOR FILING
Date 5/21/04
By

Appearing at the public hearing in support of the request were Allan Wolfe, property owner, and Bruce E. Doak, the surveyor who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel with frontage on Highpoint Road, near Perring Parkway and Taylor Avenue in Parkville. The property is comprised of Lots 302, 303 and part of 304 of the subdivision known as Parkville Heights, which was recorded in the Land Records of Baltimore County many years ago. Thus, many of the lots in this community are undersized by current standards. Collectively, the subject property is approximately 50 feet wide and 130 feet deep, and contains a gross area of 0.152 acres, more or less, zoned D.R.5.5. The Petitioners have owned and resided on the property for the past 19 years. The property is improved with a two-story brick duplex dwelling, which features an attached wood deck to the rear and shares a common wall with the adjacent dwelling known as 8010 Highpoint Road. Also existing on the property is a stone walkway and concrete driveway leading into the site from Highpoint Road, and a freestanding shed in the rear yard. The Petitioners propose the construction of a two-story garage addition, 21' x 32' in dimension, on the east side of the existing dwelling. The proposed addition will encompass nearly the entire side yard and will maintain a 1-foot setback from the dwelling known as 8006 Highpoint Road. The Petitioners indicated that the size of the garage was necessary to provide needed storage space for household items and wide enough to accommodate two vehicles. It was also indicated that the addition was designed to be architecturally compatible with the existing dwelling and that there would be no windows on the side. Letters of support were received from neighbors on both sides of the property. In addition, photographs of the subject property and others in the neighborhood were also submitted at the hearing which show that the proposal is consistent with the area.

As noted above, I had concerns relative to the size of the structure. One concern was over the Petitioners' ability to move lawn mowers and other equipment from the front yard to the rear yard if the garage were built. In response, Mr. Wolfe indicated that in addition to the garage

ORDER RECEIVED/FOR FILING
Date 3/21/14
By

door in the front, there would be 6-foot wide, double doors in the rear of the structure to allow access for moving sizable items from the front to the rear yard, if necessary.

It is also to be noted that prior to the hearing, the Petitioners submitted building elevation drawings of the proposed structure to the Office of Planning and a revised site plan showing the new location of the garage for their review and comment. In this regard, an amended ZAC comment was received from that agency indicating that they are no longer opposed to the Petitioners' plans, provided that the addition is constructed in the location shown on the revised site plan and in accordance with the building elevation drawings submitted. The revised site plan has been marked as Petitioner's Exhibit 1A.

Based upon all of the testimony and evidence presented, I find that the relief requested meets the spirit and intent of Section 307.1 of the B.C.Z.R. and will not result in any detriment to the health, safety and general welfare of the surrounding locale. There were no adverse comments submitted by any County reviewing agency and apparently none of the neighbors are opposed. For all of these reasons, I am persuaded to grant the variance.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of May 2004 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 0 feet in lieu of the required 10 feet for a proposed (attached) garage, in accordance with Petitioner's Exhibit 1A, be and is hereby GRANTED, subject to the following restriction:

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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

ORDER RECEIVED FOR FILING
Date 5/21/04
By

2) The proposed garage addition shall be constructed substantially in accordance with the building elevation drawings reviewed and approved by the Office of Planning. There shall be no windows on the side of the structure and it shall not block the view of the property to the east.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 7/21/04
By

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468

Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

May 21, 2004

Mr. & Mrs. Allan D. Wolfe
8008 Highpoint Road
Baltimore, Maryland 21234

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Highpoint Road, 70' E of c/l Birmingham Avenue
(8008 Highpoint Road)
9th Election District – 5th Council District
Allan D. Wolfe, et ux - Petitioners
Case No. 04-342-A

Dear Mr. & Mrs. Wolfe:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Towson, Md. 21286
Office of Planning; People's Counsel; Case File

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8008 Highpoint Road
which is presently zoned D.R. 5.5

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)

1B02.3C.1 (B.C.R.R.)
TO PERMIT AN ADDITION (GARAGE) WITH A 1-FOOT SETBACK IN LIEU OF THE REQUIRED 10-FEET.

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):

Allan D. Wolfe
Name - Type or Print

Allan D. Wolfe
Signature

Deborah L. Wolfe
Name - Type or Print

Deborah L. Wolfe
Signature

8008 Highpoint Road — 410-668-9544 — 332-6920
Address — Telephone No

Baltimore — MD — 21234
City — State — Zip Code

Representative to be Contacted:

Bruce E. Doak
Gerhold Cross & Etzel, Ltd
Name

320 E. Towsontown Blvd — 410-823-4470
Address — Telephone No

Towson — MD — 21286
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

ORDER RECEIVED FOR FILING
Date 1/29/04
By

CASE NO. 04-342-A

Reviewed By D. THOMPSON **Date** 1/29/04

Estimated Posting Date 2/8/04

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 8008 HighPoint Road
Address

Baltimore MD 21234
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):

1. If we were to have to detach the garage it would take up too much of our yard. We have four grand children that range in ages 4-9 years old and our yard provides a safe area for them to play.
2. We have a 110 pound dog that needs the yard space.
3. With this being to only semi detached house in the neighborhood we feel the addition of a garage will make a nice selling feature
4. We feel a garage will enhance the apperance of the neighborhood
5. We have very small closets in our house and the area above the garage could provide additional storage space for us.

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.

Allan D. Wolfe
Signature

Allan D Wolfe
Name - Type or Print

Deborah L. Wolfe
Signature

DEBORAH L. WOLFE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of January, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Alan Wolfe Deborah Wolfe 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 09/01/05

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 8008 HIGHPOINT ROAD
Address

BALTIMORE MD 21234
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):

1. If we were to have to detach the garage it would take up too much of our yard. We have four grand children that range in ages 4-9 years old and our yard provides a safe area for them to play.
2. We have a 110 pound dog that needs the yard space
3. With this being the only semi detached house in the neighborhood we feel the addition of a garage will make a nice selling point.
4. We feel a garage will enhance the apperance of the neighborhood
5. We have very small closets in our house and the area above the garage could provide additional storage space for us

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.

Allan D Wolfe
Signature

Allan D Wolfe
Name - Type or Print

Deborah L Wolfe
Signature

DEBORAH L. WOLFE
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25 day of JUN 2004, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Deborah Wolfe Alan Wolfe 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 02/01/05

REV 10/25/01

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8008 HIGHPOINT ROAD

which is presently zoned D.R. 5.5

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)

1B02.3C.1 (B.C.Z.R.)

TO PERMIT AN ADDITION (GARAGE) WITH A 1-FOOT SETBACK IN LIEU OF THE REQUIRED 10-FEET.

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):

ALLAN D. WOLFE
Name - Type or Print

Allan D. Wolfe
Signature

DEBORAH L. WOLFE
Name - Type or Print

Deborah L Wolfe
Signature

8008 HIGHPOINT ROAD — 410-668-9544
Address — Telephone No.

BALTIMORE — MD. — 21234
City — State — Zip Code

Representative to be Contacted:

BRUCE E. DOAK
GERWOLD CROSS & ETZEL, LTD.
Name

320 E. TOWSONTOWN BLVD. — 410-823-4470
Address — Telephone No.

TOWSON — MD — 21286
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. 04-342-A

Reviewed By D. THOMPSON **Date** 1/29/04

Estimated Posting Date 2/8/04

REV 10/25/01

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

January 12, 2004

WOLFE PROPERTY
8008 HIGHPOINT ROAD
BALTIMORE, MARYLAND 21234

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

Beginning for the same at a point on the south side of Highpoint Road, which is 40 feet wide at the distance of 70 feet, more or less, southeasterly from the intersection formed by Highpoint Road and Birmingham Avenue, which is 40 feet wide, thence 20 feet, more or less, perpendicular southerly to the zoning point of beginning. Being Lots # 302, 303 and the easterly 1/2 of 304, in the subdivision of "Parkville Heights" as recorded in Baltimore County Plat Book W.P.C. # 7, folio 38, containing 6,602 square feet. This property is also known as 8008 Highpoint Road and located in the 9th Election District, 5th Councilmanic District.

Containing 0.152 of an Acre 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

STATE OF MARYLAND
GRUCE EDWIN DORAN
No. 531
REGISTERED
PROPERTY LINE SURVEYOR

1/12/04

X:\WolfeHigh\zoningdescrip..doc

04-342-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23058

DATE 1/29/04 ACCOUNT 001006.6150

AMOUNT $ 65.00

RECEIVED FROM: GERHOLD CROSS + ETZEL

FOR: ITEM # 342 04-342-A

8008 HIGHPOINT RD BY D THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DATE RECEIPT
FROM RECEIPT
BUSINESS ACTUAL TIME DRW
1/29/2004 1/29/2004 10:48:12 2
REC 1502 MAIL JEWA JEE
RECEIPT # 318986 1/29/2004 OPER
Dept 5 528 ZONING VERIFICATION
CR NO. 023058
Recpt Tot $65.00
$65.00 CK $.00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-342-A
8008 Highpoint Road
S/side of Highpoint Road, 70 ft. s/east from the corner of Highpoint Road and Birmingham Ave.
9th Election District - 5th Councilmanic District
Legal Owner(s): Allan and Deborah Wolfe

Administrative Variance: to permit an addition (garage) with a 1-foot setback in lieu of the required 10 feet.

Hearing: Thursday, May 20, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 5/613 May 4 3410

CERTIFICATE OF PUBLICATION

5/5/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/4/, 2004.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

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 NO. 04-342-A
PETITIONER/DEVELOPER:
Allan & Deborah Wolfe
DATE OF HEARING:
N/A

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

ATTENTION: KRISTEN MATTHEWS

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

LOCATION:
8008 Highpoint Road

POSTED ON: March 12, 2004

DATE:
March 15, 2004

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 4, 2004 Issue - Jeffersonian

Please forward billing to:
Catherine Burger
Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

410-887-3353

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-342-A
8008 Highpoint Road
S/side of Highpoint Road, 70 ft. s/east from the corner of Highpoint Road and Birmingham Ave.
9th Election District – 5th Councilmanic District
Legal Owners: Allan and Deborah Wolfe

Administrative Variance to permit an addition (garage) with a 1-foot setback in lieu of the required 10 feet.

Hearing: Thursday, May 20, 2004, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 14, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-342-A
8008 Highpoint Road
S/side of Highpoint Road, 70 ft. s/east from the corner of Highpoint Road and Birmingham Ave.
9th Election District – 5th Councilmanic District
Legal Owners: Allan and Deborah Wolfe

~~Administrative~~ Variance to permit an addition (garage) with a 1-foot setback in lieu of the required 10 feet.

Hearing: Thursday, May 20, 2004, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Allan & Deborah Wolfe, 8008 Highpoint Road, Baltimore 21234
Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 5, 2004.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits an
Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M Kotroco, Director

April 14, 2004

4/14/04

The Zoning Comr Act and Regulations
of Baltimore Cou he property identified
herein as follows:

Dave,

CASE NUMBER:
8008 Highpoint R nd Birmingham Ave.
S/side of Highpoi
9th Election Distri
Legal Owners: A

Administrative Va k in lieu of the
required 10 feet.

Hearing: Thursd rts Building,
401 Bo

this needs to posted by Gary Freund by May 5, 2004. I will also let Gary know to get the sign from you.

Thanks

Timothy k

Timothy Kotroco
Director

TK:klm

C: Allan & Debor
Bruce Doak, C n 21286

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 5, 2004.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Printed on Recycled Paper

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 04-342 -A Address 8008 HIGHPOINT RD.

Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/29/04 **Posting Date:** 2/8/04 **Closing Date:** 2/23/04

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 04-342 -A Address 8008 HIGHPOINT RD.

Petitioner's Name WOLFE Telephone

Posting Date: 2/8/04 **Closing Date:** 2/23/04

Wording for Sign: *To Permit* AN ADDITION (GARAGE) WITH A 1-FOOT SETBACK IN LIEU OF THE REQUIRED 10-FEET.

WCR - Revised 6/28/00

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: 04-342-A

Petitioner: WOLFE

Address or Location: 8008 HIGHPOINT RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MR. + MRS. ALLAN D. WOLFE

Address: 8008 HIGHPOINT RD.
BALTO. MD 21234

Telephone Number: 410-668-9544

Revised 2/20/98 - SCJ

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

February 23, 2004

Allan D. Wolfe
Deborah K. Wolfe
8008 High Point Road
Baltimore, Maryland 21234

Dear Mr. and Mrs. Wolfe:

RE: Case Number:04-342-A, 8008 Highpoint Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 29, 2004.

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.
Supervisor, Zoning Review

WCR:clb

Enclosures

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

Printed with Soybean Ink
on Recycled Paper

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

May 10, 2004

Allan D. Wolfe
Deborah L. Wolfe
8008 Highpoint Road
Baltimore, Maryland 21234

Dear Mr. and Mrs. Wolfe:

RE: Case Number:04-342-A, 8008 Highpoint Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 29, 2004.

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: clb

Enclosures

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

Printed on Recycled Paper

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 10, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: February 9, 2004

Item No.: 342, 344-354

Dear Ms. Hart:

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: February 24, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For February 16, 2004
Item Nos. 342, 343, 344, 345, 346, 347,
348, 350, 352, and 353

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: Tim Kotroco

FROM: R. Bruce Seeley RBS

DATE: March 10, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of February 9, 2004

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-342

04-344

04-346

04-350

04-352

04-353

04-354

Reviewers: Sue Farinetti, Dave Lykens

S:\Devcoord\ZACNC2-9-04.doc

(2/23 AM)
5/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 19, 2004

RECEIVED
MAY 19 2004
ZONING COMMISSIONER

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

SUBJECT: 8008 Highpoint Road

INFORMATION:

Item Number: 4-342

Petitioner: Allan D. Wolfe

Zoning: DR 5.5

Requested Action: Administrative Variance – **REVISED COMMENTS**

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the proposed addition is constructed in accordance with the revised site plan (attached). The proposed addition shall not block the view of the adjoining property to the east.

Prepared by: Mark A Cumpton

Section Chief: Lyn Lanham
AFK/LL:MAC:

ORDER RECEIVED FOR FILING
Date 5/21/04
By

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 19, 2004

RECEIVED

FEB 24 2004

ZONING COMMISSIONER

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

SUBJECT: 8008 Highpoint Road

INFORMATION:

Item Number: 4-342

Petitioner: Allan D. Wolfe

Zoning: DR 5.5

Requested Action: Administrative Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to construct a garage addition with at 1-foot setback from the side property line in lieu of the minimum required 10 feet.

This office is of the opinion that there are no special circumstances of conditions that are peculiar to the subject property or structure where compliance with the Baltimore County Zoning Regulations would result in practical difficulty or unreasonable hardship.

This office does not oppose an addition to the existing dwelling providing it complies with the minimum required side yard.

Prepared by: Martha A Cumpston

Section Chief: Lynn Lanham
AFK/LL:MAC:

Robert L. Ehrlich, Jr., *Governor*
Michael S Steele, *Lt. Governor*

State Highway Administration
Driven to Excel
MARYLAND DEPARTMENT OF TRANSPORTATION

Robert L Flanagan, *Secretary*
Neil J Pedersen, *Administrator*

Date: 2·6·04

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

RE: Baltimore County
Item No. 342 DT

Dear. Ms. Hart:

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,

L. J. Gredlein

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

Bette FYI 5/20

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

TO: Kristen Matthews
Dept. of Permits & Development Mgmt.

DATE: April 6, 2004

FROM: Robin Jameson, Secretary to
John V. Murphy
Deputy Zoning Commissioner

SUBJECT: Petitions for Administrative Variance
Case No. 04-342-A (8008 Highpoint Road – Wolfe) 2/23/04 closing
Case No. 03-390-A (31 Locust Drive – Robertson) 3/22/04 closing

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Attached please find two administrative variance files that Larry Schmidt has requested hearings be scheduled for in the not too distant future.

It would be appreciated if you would have Dave Duvall prepare "Notice of Hearing" signs for each and have Gary Freund post the properties.

Thank you for your attention and cooperation in this matter.

:raj

Department of Permits and Development Management

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

Baltimore County

James T. Smith, Jr., County Executive
Timothy M Kotroco, Director

April 14, 2004

Allan Wolfe
Deborah Wolfe
8008 Highpoint Road
Baltimore, MD 21234

Dear Mr. and Mrs. Wolfe:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 04-342-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superceded by the zoning commissioner requiring a public hearing concerning the above proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. The sign will be reposted with the hearing information for you at no charge by a county employee.

The property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will not be billed by the Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact Donna Thompson at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm

C: Bruce Doak, Gerhold, Cross & Etzel, 320 E. Towsontown Blvd., Towson 21286

Helen -

Set this up for a hearing -

The problems/issues are:

1) OP adverse comment

2) The reasons listed by the BOA's for the need for relief do not have anything to do with the request (e.g. what does the grandchildren's dog yard area) have to do with the garage

3) How would one get from front to rear outside to cut grass, etc, with only a 1 foot setback

Perhaps a narrower garage would work, even if a variance is needed.

[illegible] LES

4/5/04

To Whom it May Concern,

I have no objections to Mr. and Mrs. Wolfe building a garage on their property at 8008 Highpoint Road. I reside at 8010 Highpoint Road.

Josephine Baralo to

1/19/04
Date

04-342-A

HIGHPOINT ROAD (40' R/W) (MACADAM PAVEMENT)

EXISTING 8" SANITARY

℄ OF ROAD

70'± TO THE INTERSECTION OF BIRMINGHAM AVENUE AND HIGHPOINT ROAD

EXISTING 30

STORM DRAIN INLET

N79°53'W 151'±

ZONING POINT OF BEGINNING

35'

STONE WALKWAY

DRIVEWAY (CONCRETE)

N24°47'E 138'±

EXISTING DWELLING

BIRMINGHAM AVENUE

CONCRETE SIDEWALK

2 STORY BRICK DUPLEX DWELLING

S24°47'W 125'±

PARTITION WALL

2 STORY BRICK DUPLEX DWELLING #8008

28'

A/C UNIT

PROPOSED GARAGE

WOOD DECK

BRICK STEPS

21'

CAR PORT

PART OF LOT 304, 305, 306
VINCENT J. BARALOTO
JOSEPHINE E. BARALOTO
G.L.B. 1976/335
8010 HIGHPOINT ROAD
09-02-002130

LOT 300, 301
TRISHA A. DONNELLY
BRYAN G. DONNELLY
S.M. 15341/672
8006 HIGHPOINT ROAD
09-02-370422

SHED

SHED

S65°13'E 50.00'

EXISTING DWELLING

PART OF LOT 371, LOT 372
WALTER E. MORSEY
7859 BIRMINGHAM AVENUE
09-13-751660

EXISTING DWELLING

Pet. Ex. 1A

RECEIVED

MAY 19 2004

ZONING COMMISSIONER

ORDER RECEIVED FOR FILING
Date 5/21/04
By

To: Mark Cunningham

From: Allan & Deborah Wolfe

Date: May 17, 2004

Subject: Case Number 04-342-A

Dear Mr. Cunningham,

The attached drawing shows the set back that Karen Brown and myself agreed to in a phone conversation on 4/19/04. We have no problem with the set back that has been requested. I am hoping that we can get revised comments from your office for our hearing that is scheduled for May 20, 2004. Thank you for your attention to this matter. Should you need to contact me, I may be reached at 443-465-6618.

Sincerely,

Allan Wolfe

Allan Wolfe

RECEIVED

MAY 19 2004

ZONING COMMISSIONER

RECEIVED

MAY 18

OFFICE OF PLANNING

ORDER RECEIVED FOR FILING

Date 5/21/04

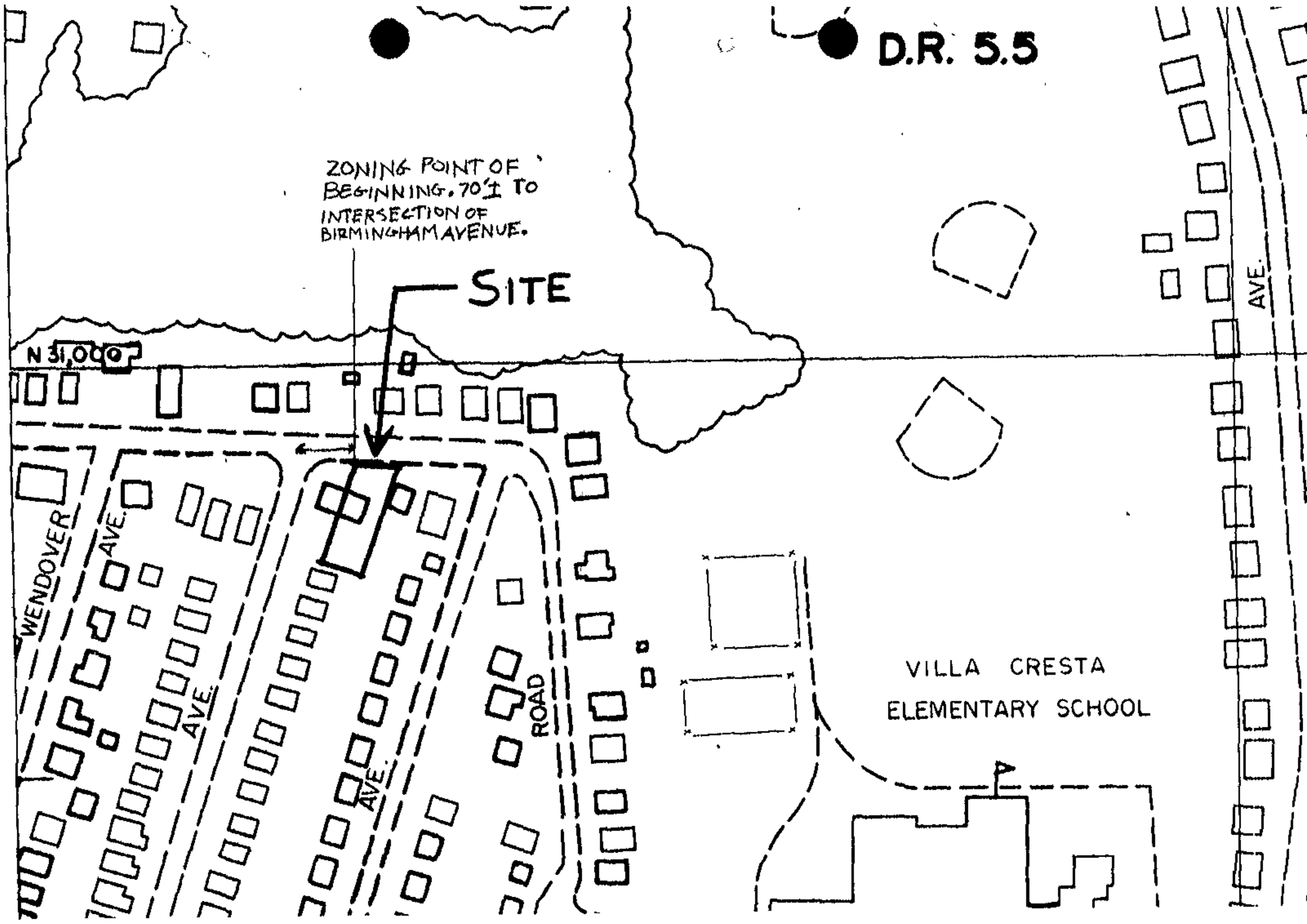
By

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Bruce E. Doak	320 E. Towsontown Blvd	Towson MD 21286	
Gorrhold Cross & Ezer			
Allan Wolfe	8008 Highpoint Rd	Balt. MD 21234	

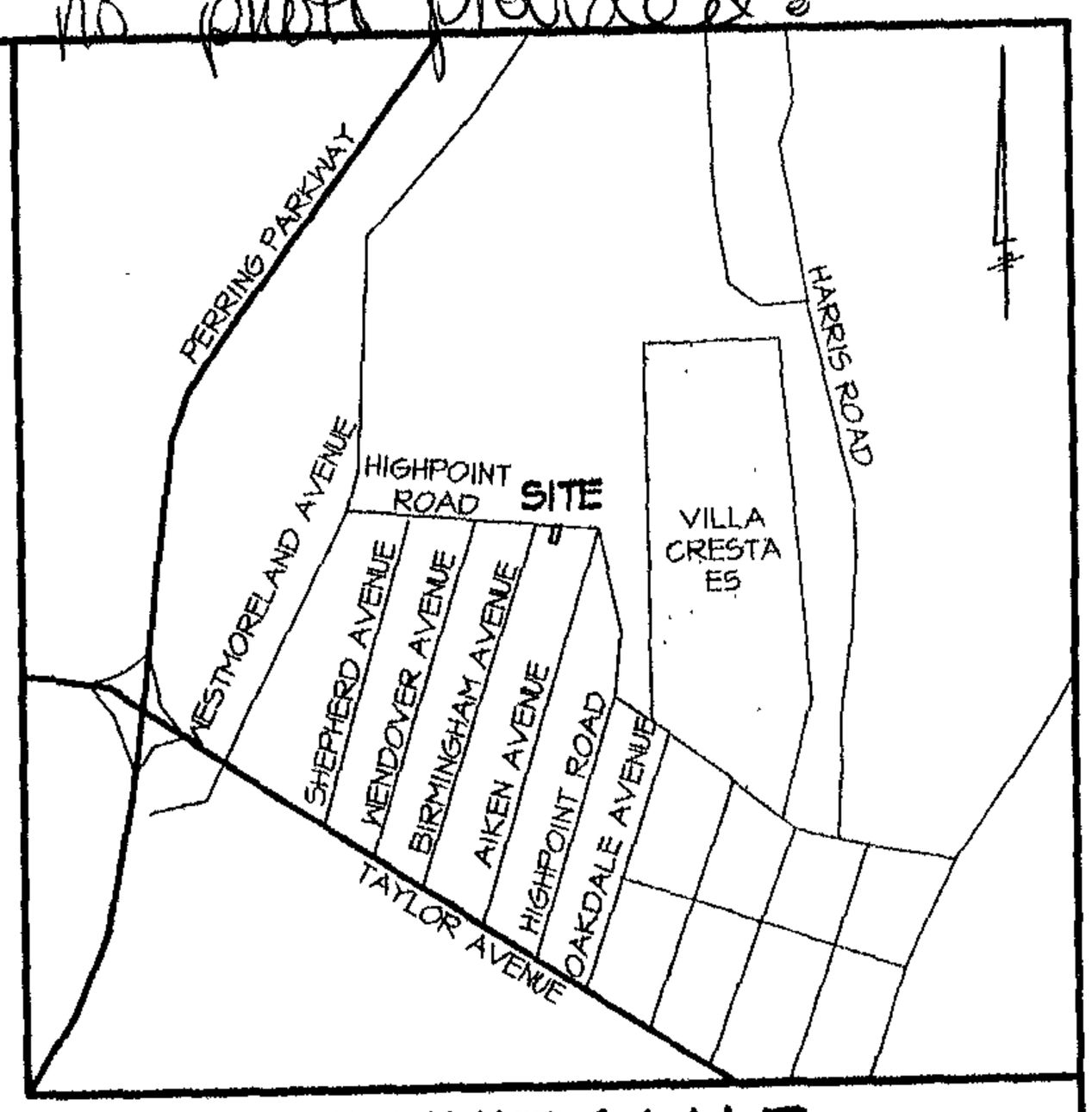


Camera unavailable, no photo provided.

Case No: 04-342-A

8008 Highpoint Rd

5/4/04
POSTED SIGN
2:30 PM
GF

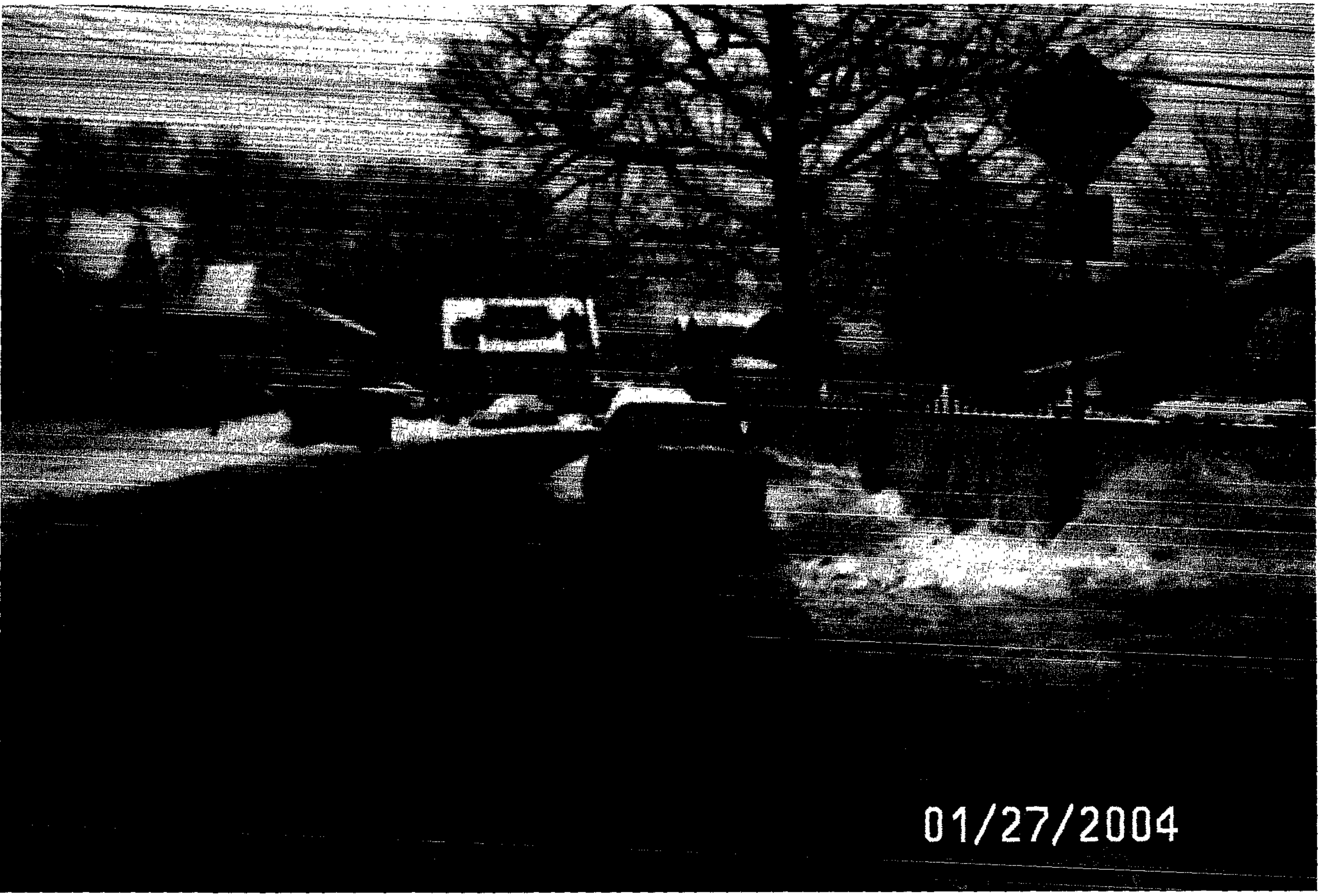


VICINITY MAP

(1)

04-342-A

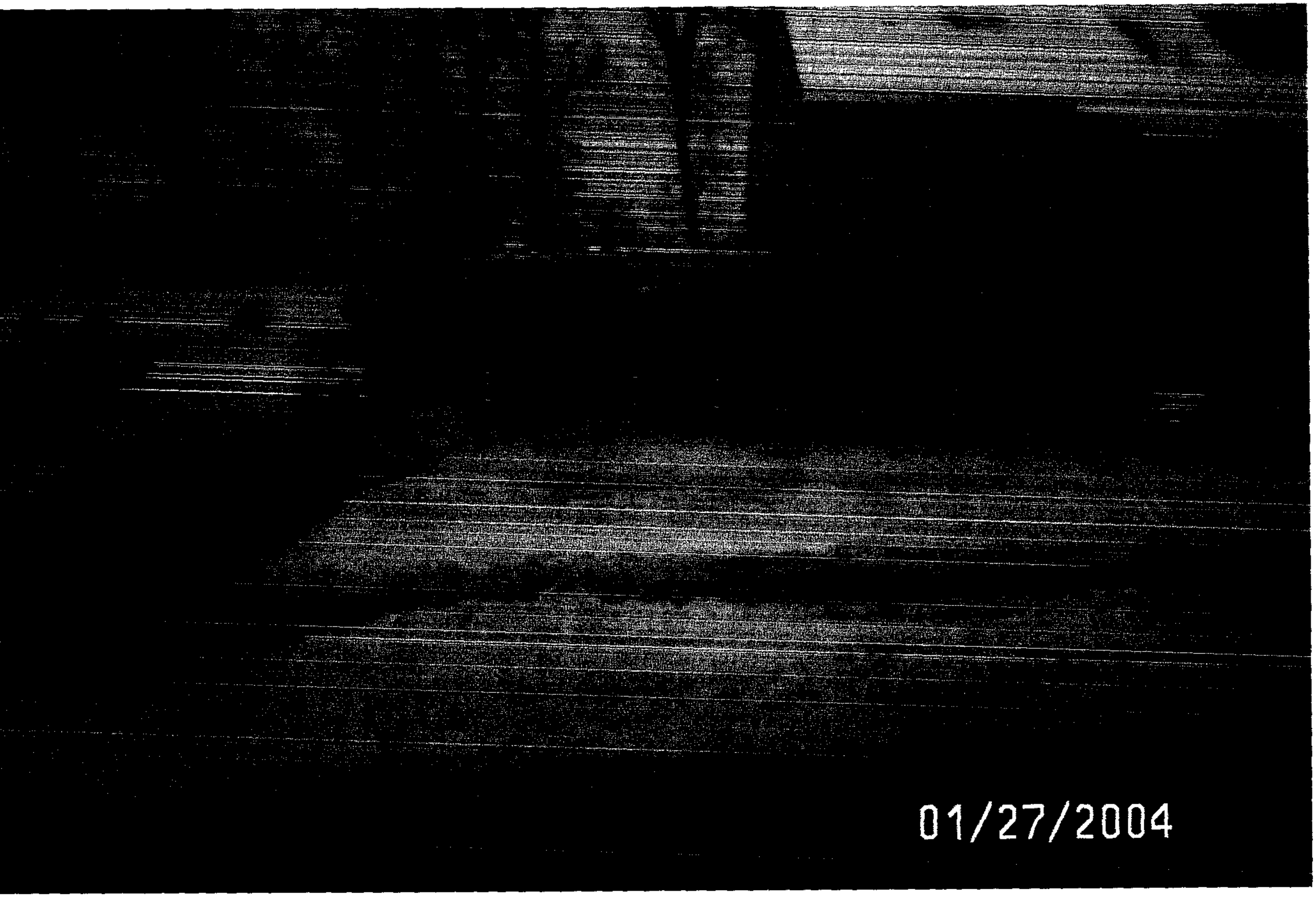
(2)



04-349-A

(3)

04-342-A



04-342-A

04-342-A

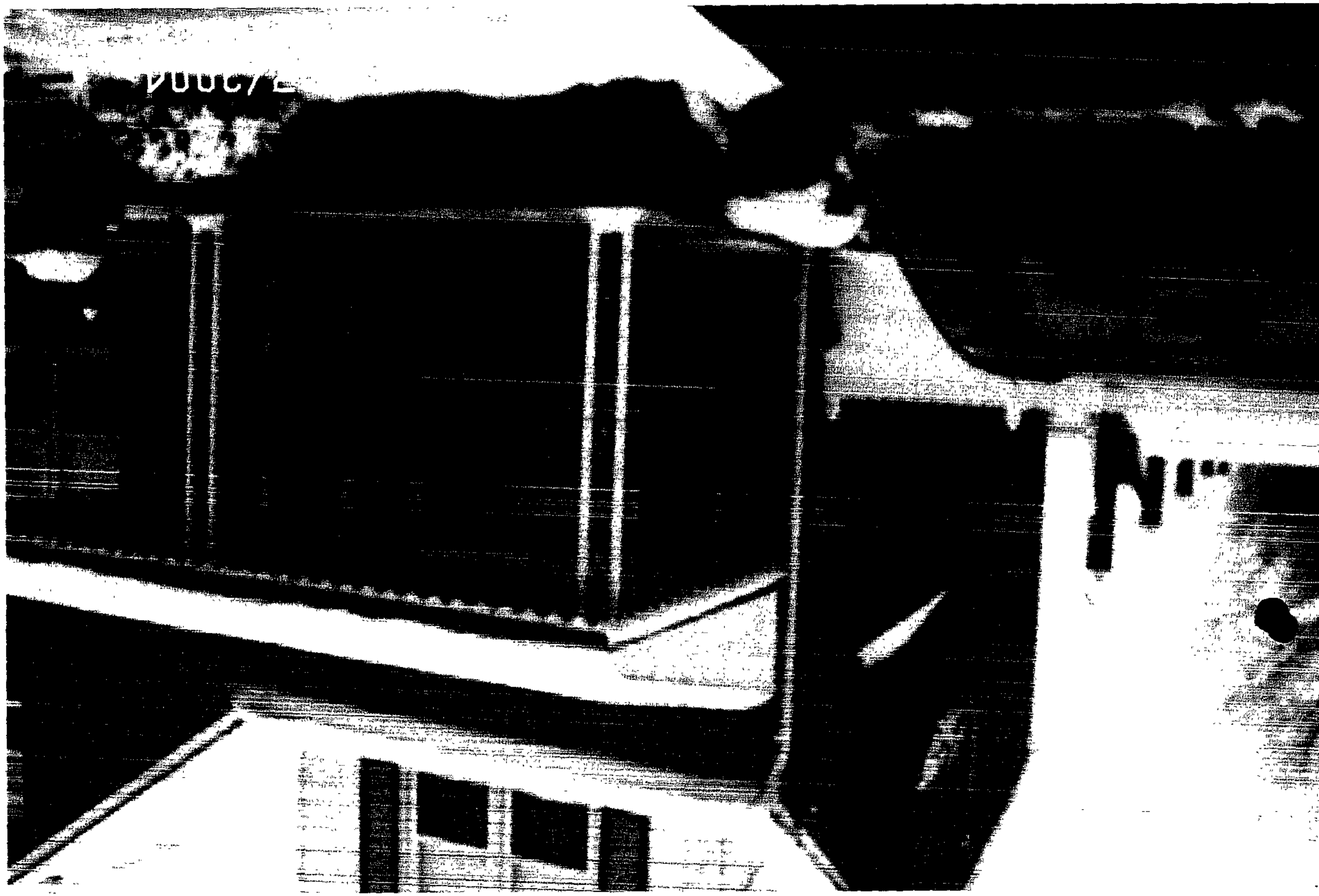
04-342-A

04-342-A

(8)

01/27/2004

04-342-A



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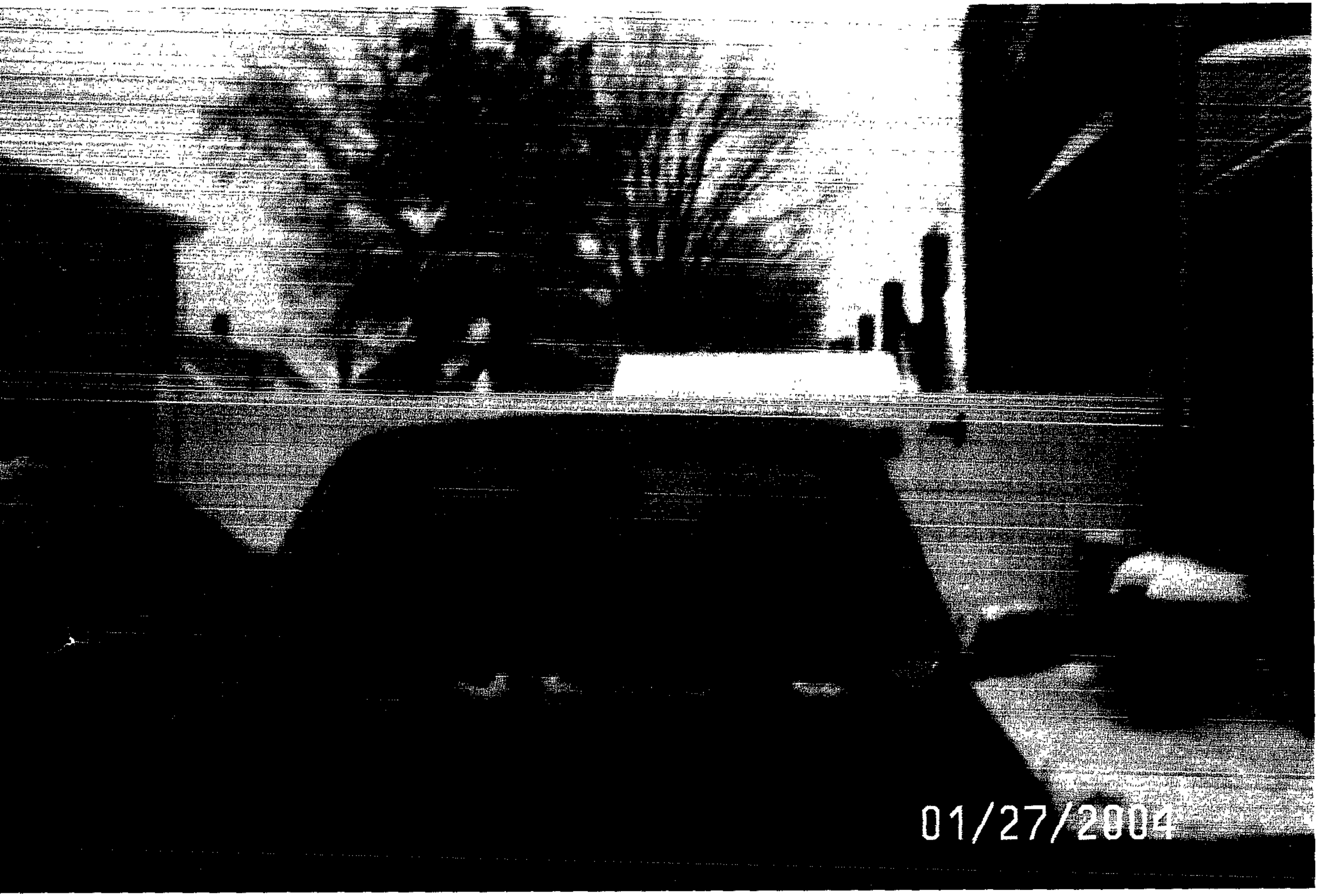
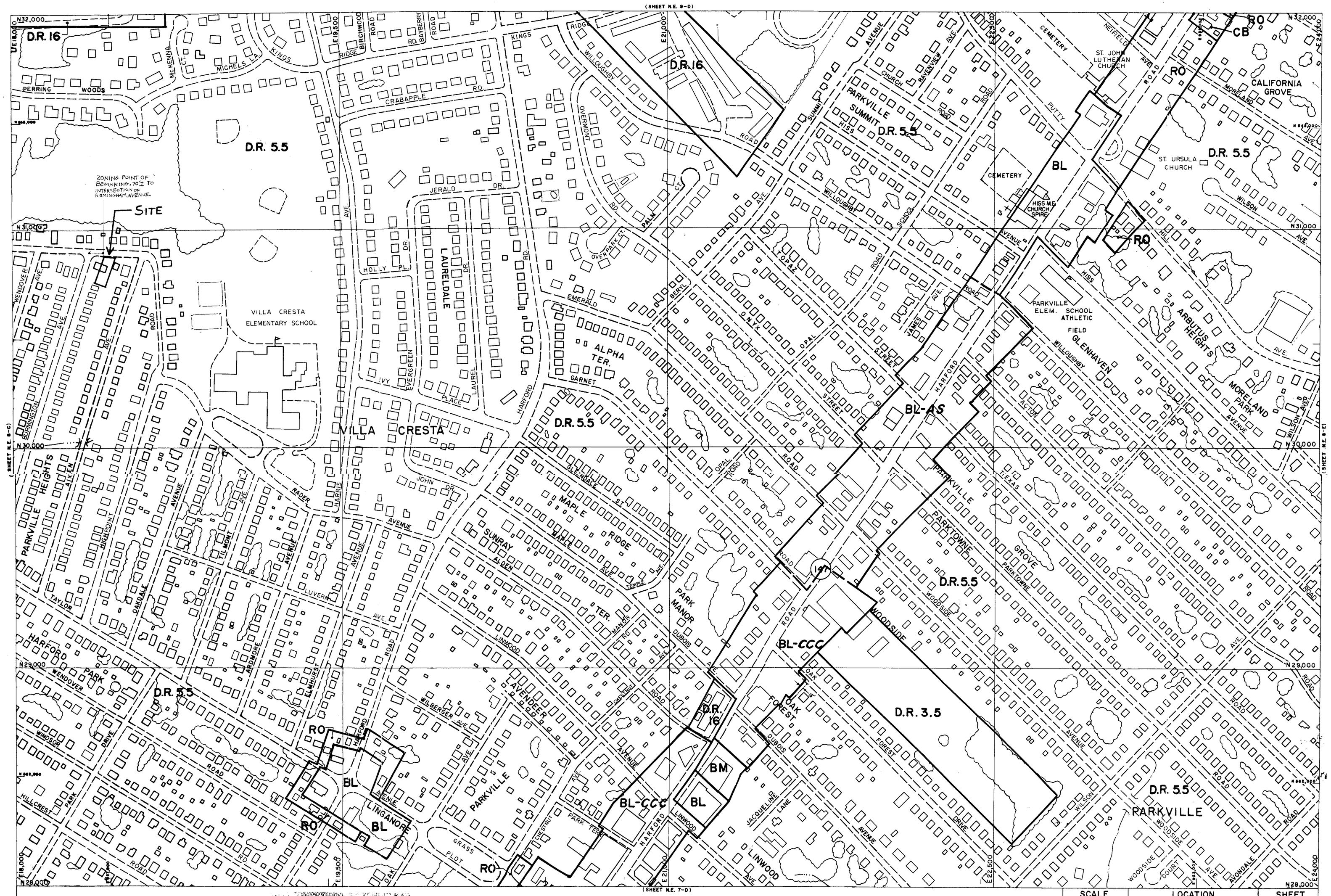


04-342-A

(11)

04-342-A



N-SE
N-NE

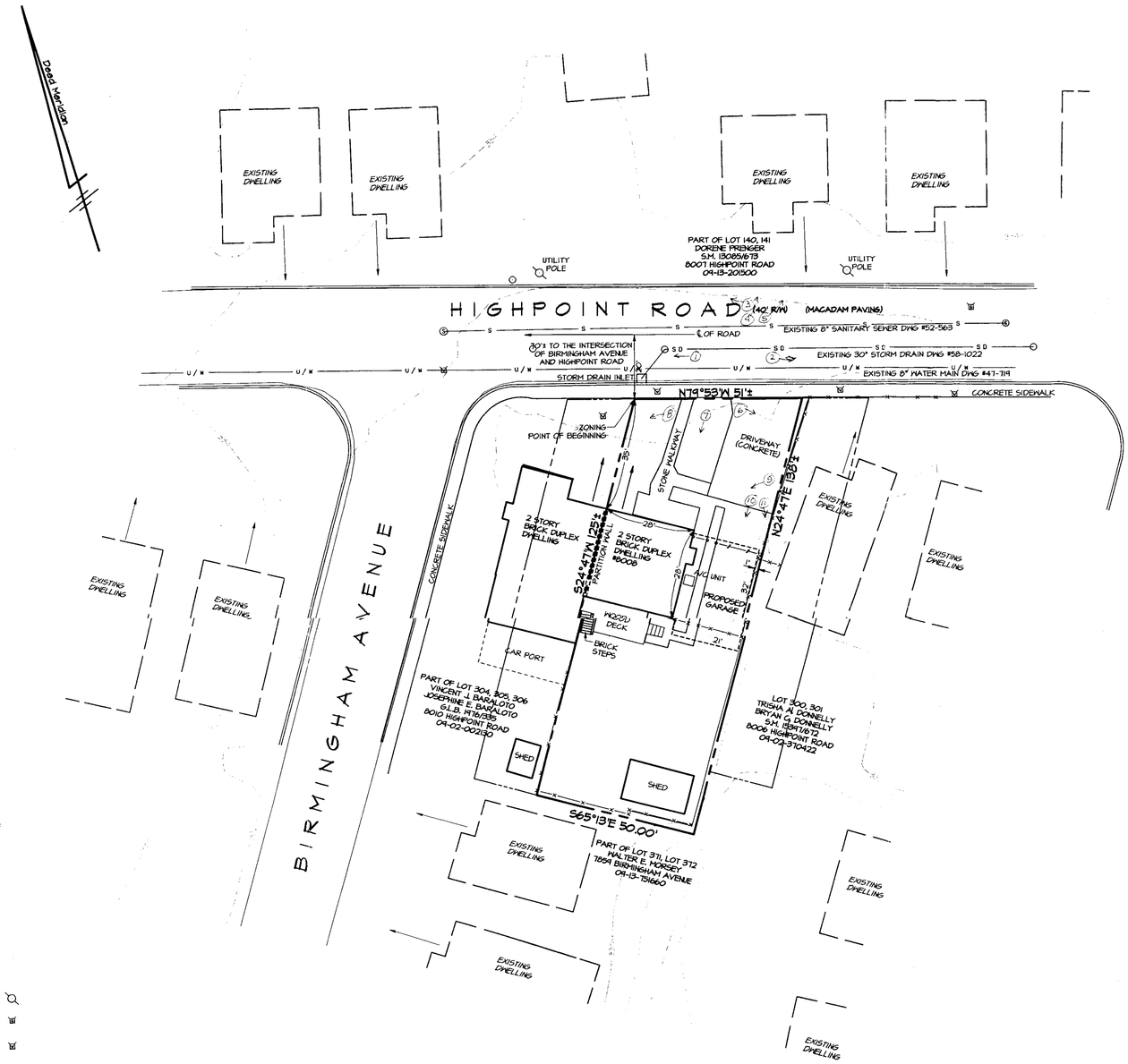
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

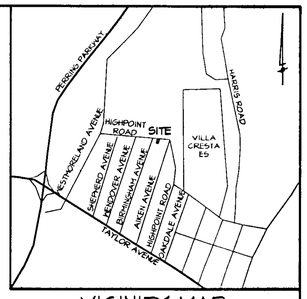
COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCTOBER 3, 1980

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200'±	PARKVILLE	N.E. 8-D
DATE OF PHOTOGRAPHY JANUARY 1986		

NE 8 D





VICINITY MAP

1" = 1000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED.
2. THE TOPOGRAPHY SHOWN HEREON HAS TAKEN FROM BALTIMORE COUNTY GIS TILE 71A3.
3. CENSUS TRACT 4920.02 A.D.C. MAP & GRID 28 A10
   WATERSHED BACK RIVER SUBSEWERSHED 50
   SCHOOL DISTRICT 67 REGIONAL PLANNING DISTRICT 316
4. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THERE ARE NO ZONING LINES WITHIN 100' OF THE SUBJECT PROPERTY.
7. THERE ARE NO KNOWN PRIOR ZONING CASES CONCERNING THE SUBJECT PROPERTY.
8. THE SUBJECT PROPERTY IS SERVED BY PUBLIC WATER & SEWER.
9. THERE ARE NO 100 YEAR FLOODPLAINS ON OR NEAR THE SUBJECT PROPERTY.

LEGEND

UTILITY POLE	
GAS VALVE	
WATER VALVE	
STORM DRAIN MANHOLE	
SANITARY SEWER MANHOLE	S
EXISTING DWELLING	
EXISTING PAVING	
PROPOSED PAVING	
CHAIN LINK FENCE	X—X—X—X—X
WOOD FENCE	o—/—/—/—o
SANITARY SEWER	S
WATER MAIN	W
STORM DRAIN	SD
PROPERTY LINE	
CONTOURS	

VARIANCE REQUESTED

1' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10' SIDE YARD SETBACK PER SECTION 1B02.3C01 B.C.Z.R. & 301.1 B.C.Z.R.

OWNER\DEVELOPER
ALLAN D. & DEBORAH L. WOLFE
8008 HIGHPOINT ROAD
BALTIMORE, MARYLAND 21234

PLAN TO ACCOMPANY PHOTOGRAPHS

PLAT TO ACCOMPANY A PETITION FOR AN ADMINISTRATIVE VARIANCE

OF THE

WOLFE PROPERTY

#8008 HIGHPOINT ROAD
LOTS 302, 303 & PART OF 304
"PARKVILLE HEIGHTS"
PLATBOOK W.P.C. No. 7 folio 38
Deed Ref: E.H.K.,Jr. No. 6874 folio 327
Tax Account No.: 09-02-651800
Zoned D.R. 5.5; Map: NE 8D
Tax Map 81; Grid 1; Parcel 688
9th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

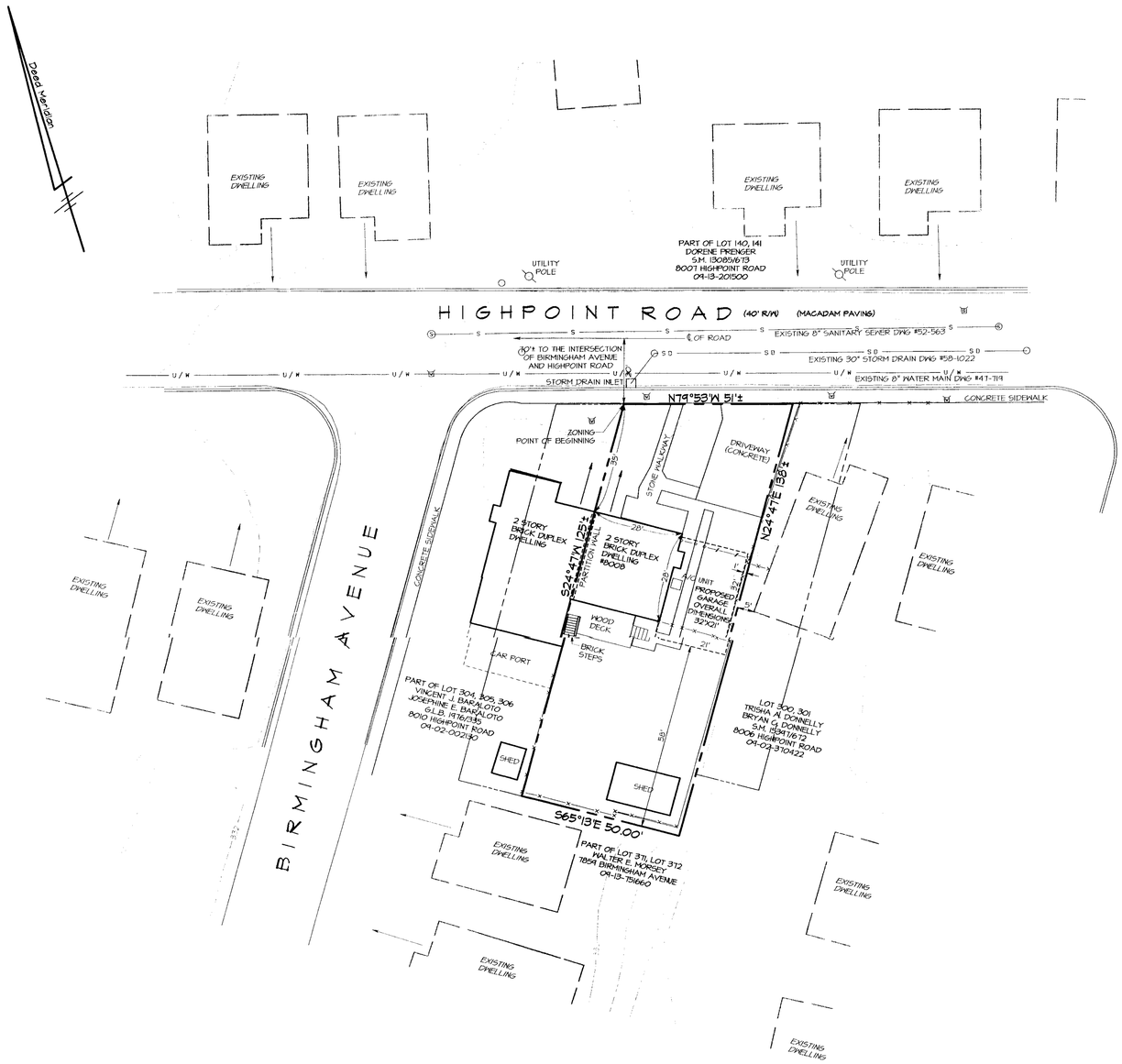
Scale: 1"=20' Date: JANUARY 12 , 2004

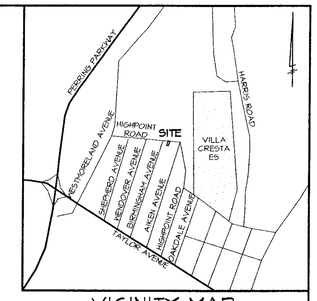
GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

REVISION	DATE	COMPUTED:	DRAWN: C.J.S.	CHECKED: B.E.D.	FILE:X:\Wolfehigh\zoning.pro

Jan 12, 2004

04-342-A





VICINITY MAP

1" = 1000'

GENERAL NOTES

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OWNER\DEVELOPER

ALLAN D. & DEBORAH L. WOLFE
8008 HIGHPOINT ROAD
BALTIMORE, MARYLAND 21234

LEGEND

- UTILITY POLE
- GAS VALVE
- WATER VALVE
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- EXISTING DWELLING
- EXISTING PAVING
- PROPOSED PAVING
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- WOOD FENCE
- SANITARY SEWER
- WATER MAIN
- STORM DRAIN
- PROPERTY LINE
- CONTOURS

VARIANCE REQUESTED

1' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10' SIDE YARD SETBACK PER SECTION 1B02.3C01 B.C.Z.R. & 301.1 B.C.Z.R.

STATE OF MARYLAND — BRUCE EDWIN WARE — No. 501 — REGISTERED PROPERTY LINE SURVEYOR — 1/29/04

PLAT TO ACCOMPANY A PETITION FOR AN ADMINISTRATIVE VARIANCE

OF THE

WOLFE PROPERTY

#8008 HIGHPOINT ROAD
LOTS 302, 303 & PART OF 304
"PARKVILLE HEIGHTS"
PLATBOOK W.P.C. No. 7 folio 38
Deed Ref: E.H.K.,Jr. No. 6874 folio 327
Tax Account No.: 09-02-651800
Zoned D.R. 5.5; Map: NE 8D
Tax Map 81; Grid 1; Parcel 688
9th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20' Date: JANUARY 29, 2004

REVISION	DATE

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

COMPUTED:	DRAWN: C.J.S.	CHECKED: B.E.D.	FILE:X:\WolfeHigh\zoning.pro

JAN 29, 2004

04-349-A