

IN RE: PETITION FOR ADMIN. VARIANCE

E side of Cornwall Road, 317 feet S of the
c/l Belclare Road
12th Election District
7th Councilmanic District
(3311 Cornwall Road)

Thomas K. and Patricia A. Trojan
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* **Case No. 08-498-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, Thomas K. and Patricia A. Trojan for property located at 3311 Cornwall Road. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed dining room extension and basement area way addition on side of existing dwelling with a side setback of 4.5 feet in lieu of the required 10 feet. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. The Petitioners desire to construct a 12 foot x 14 foot addition with new stairs to new basement entrance.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated May 2, 2008 which indicates that the subject home is small and well-kept with a large three-car garage filling half of the rear yard. There are also a small detached shed and an air conditioning ground unit in the side yard proposed for the addition. Both of which must be removed as a condition of permitting the addition. Additionally, the privacy fence may come forward in the side yard no further than the rear of the proposed addition.

2008 RECEIVED FOR FILING

6-3-08 *[Signature]*

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 4, 2008 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 32-3-303 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 3rd day of June, 2008 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a proposed dining room extension and basement area way addition on side of existing dwelling with a side setback of 4.5 feet in lieu of the required 10 feet is hereby GRANTED, subject to the following:

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.
2. The privacy fence shall come forward in the side yard no further than the rear of the proposed addition.

COPIES RESERVED FOR FILING

16-3-08

PM

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

 6-3-08
 _____



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 3, 2008

Thomas K. and Patricia A. Trojan
3311 Cornwall Road
Baltimore MD 21222-6032

Re: Petition for Administrative Variance
Case No. 08-498-A
Property: 3311 Cornwall Road

Dear Mr. and Mrs. Trojan:

Enclosed please find the decision rendered in the above-captioned case. The petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Th. H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



TAX. ACCOUNT

1205074590

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3311 Cornwall Road
which is presently zoned DR5.5

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) BCZR | B02.3.c.1

TO PERMIT A PROPOSED DINING ROOM EXTENSION AND BASEMENT AREAWAY ADDITION ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 4.5 FEET 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):

Thomas K. Trojan

Name - Type or Print

Signature

Patricia A. Trojan

Name - Type or Print

Signature

3311 Cornwall Road

Address

443-463-6610

Telephone No.

Baltimore

City

MD

State

21222-6032

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 2008-0498-A

REV 10/25/01

Reviewed By A. Tsui Date 04/22/2008

Estimated Posting Date 05/04/08 - 05/19/08

63-08

pm

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 3311 Cornwall Road
Address
Baltimore MD 21222-6032
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):

This variance is requested to provide an exterior basement entrance primarily for fire safety and to provide an extension to the undersized first floor dining room to provide space for family dinners at special events.

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.

Signature

Thomas K. Trojan

Name - Type or Print

Signature

Patricia A. Trojan

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

THOMAS + PATRICIA TROJAN

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 5-1-2011



TAX. ACCOUNT

1205074590

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to the Zoning Commissioner of Baltimore County

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TO PERMIT A PROPOSED DINING ROOM EXTENSION AND BASEMENT AREAWAY ADDITION ON SIDE OF EXISTING DWELLING WITH A SIDE SETBACK OF 4.5 FEET 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.

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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):

Thomas K. Trojan

Name - Type or Print

Signature

Patricia A. Trojan

Name - Type or Print

Signature

3311 Cornwall Road

Address

443-463-6610

Telephone No.

Baltimore

City

MD

State

21222-6032

Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO. 2008-0498-A

REV 10/25/01

Reviewed By A. Tsui Date 04/22/2008

Estimated Posting Date 05/04/08 - 05/19/08

6-3-08

PM

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Signature

Thomas K. Trojan
Name - Type or Print

Signature

Patricia A. Trojan
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of April, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

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

AS WITNESS my hand and Notarial Seal

Thomas J. Green
Notary Public

My Commission Expires 5-1-2011



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3311 Cornwall Road
which is presently zoned DR5.5

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I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

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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):

Thomas K. Trojan

Name - Type or Print

Signature

Patricia A. Trojan

Name - Type or Print

Patricia A. Trojan

Signature

3311 Cornwall Road

Address

443-463-6610

Telephone No.

Baltimore

City

MD

State

21222-6032

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

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

Zoning Commissioner of Baltimore County

CASE NO. 2008-0498-A

Reviewed By A. Tsui Date 04/22/2008

REV 10/25/01

FORM RECEIVED FOR FILING

Estimated Posting Date 05/04/08 - 05/19/08

6-3-08 ps

**ZONING DESCRIPTION FOR
No. 3311 CORNWALL ROAD
12th ELECTION DISTRICT
7th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD 21222-6032**

BEGINNING AT A POINT on the east side of Cornwall Road which is 50 feet wide right-of-way, at the distance of 317 feet, more or less, south of the centerline of Belclare Road, which is 60 feet wide right-of-way.

BEING LOT No. 58, Block 2, in the subdivision of Dundalk, Plat No. 6B as recorded in Baltimore County Plat Book No. 14, Folio No. 8, containing 6,396 square feet of land, more or less.

Civil Consultant Services, Ltd.
5706 Arnhem Road
Baltimore, Md. 21206
410-866-8198

Date: 18 April 2008



Jacob E. Evans

2008-0498-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. **14037**

Date: **04/23/08**

PAID RECEIPT

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			615				65.00
Total:								\$65.00

Rec
From:

For:

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

BUSINESS ACTUAL TIME DEM
 4/22/2008 4/22/2008 09:11:10 2
 SJS WALKER DRDL DND
 RECEIPT # 441395 4/22/2008 DETM
 5 528 JIMING VERIFICATION
 014037
 Recpt Tot 145.00
 145.00 0 1.00 14
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

Thomas Trojau
3311 PENNELL Rd
ADDY - VAR
2008-0498-A

CERTIFICATE OF POSTING

RE: Case No.: 08-0498-A

Petitioner/Developer: THOMAS

TROJAN

Date of Hearing/Closing: _____

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

ATTN: Kristen Matthews ((410) 887-3394)

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: _____

3311 CORNWALL RD

The sign(s) were posted on 5-4-08
(Month; Day, Year)

Sincerely,

Robert Black 5-8-08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

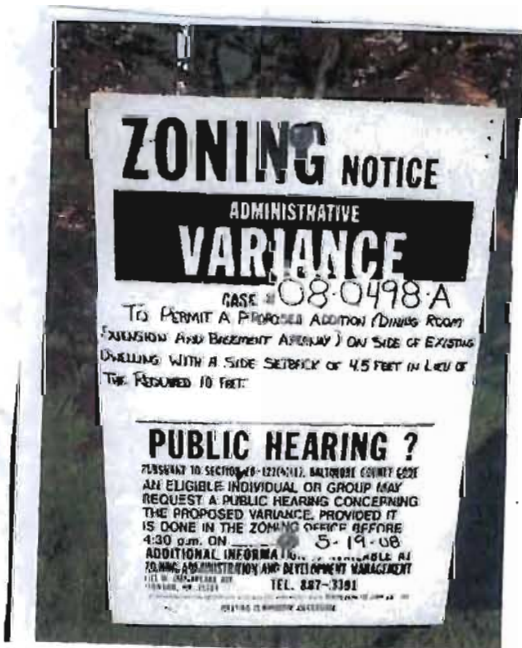
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No. 08-431-A

Petitioner/Developer: LISA

THOMAS

Date of Hearing/Closing: 5-20-08

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

ATTN: Kristen Matthews ((410) 887-3394)

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:

1123 ST AGNES LANE

The sign(s) were posted on

5-4-08
(Month, Day, Year)

Sincerely,

Robert Black 5-8-08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

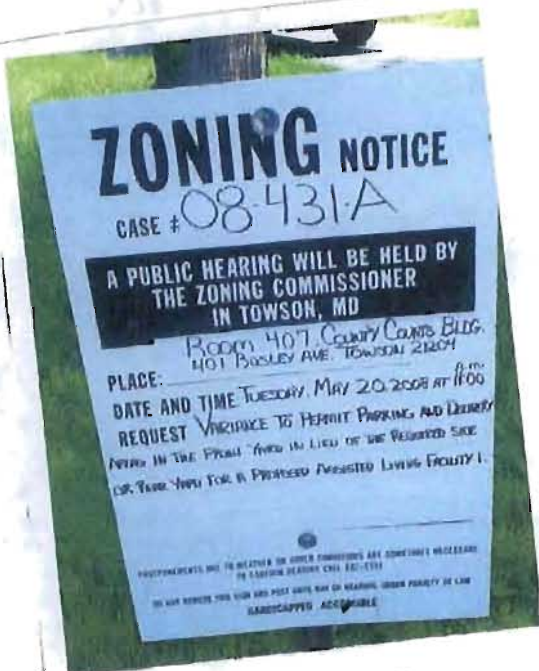
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 08- 0498 -A Address 3311 CORNWALL RDContact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 04/22/2008 Posting Date: 05/04/08 Closing Date: 05/19/08

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 FORMATCase Number 08- 0498 -A Address 3311 CORNWALL ROAD
Petitioner's Name THOMAS TROJAN Telephone 443-463-6610

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit A PROPOSED ADDITION (DINING ROOM EXTENSION
AND BASEMENT AREAWAY) ON SIDE OF EXISTING DWELLING
WITH A SIDE SETBACK OF 4.5 FEET IN LIEU OF THE
REQUIRED 10 FEET

WCR - Revised 6/25/04



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.

County Executive

Thomas K. & Patricia A. Trojan
3311 Cornwall Rd.
Baltimore, MD 21222

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
May 19, 2008

Dear Thomas K. & Patricia A. Trojan:

RE: Case Number: 2008-0498-A, Address: 3311 Cornwall Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 19, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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:amf

Enclosures

c: People's Counsel



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: ~~April~~ 30, 2008

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 8-498-A
3311 CORNWALL ROAD
TROJAN PROPERTY
ADMINISTRATIVE VARIANCE

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-498-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey
For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 1, 2008

FROM: ^{DAK}Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For May 5, 2008
Item Nos. 08-489, 490, 491, 492, 493,
494, 495, 496, 497, 498, 499, 500, 501,
502, and 503.

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

DAK:CEN:lrk

cc: File

ZAC-5012008-NO COMMENTS

#3311

2008-0498-A

#3311

#3401

FRONT VIEW

2008-0498-A

#3401

#3311

REAR VIEW
2008-0498-A



PROPOSED
ADDITION

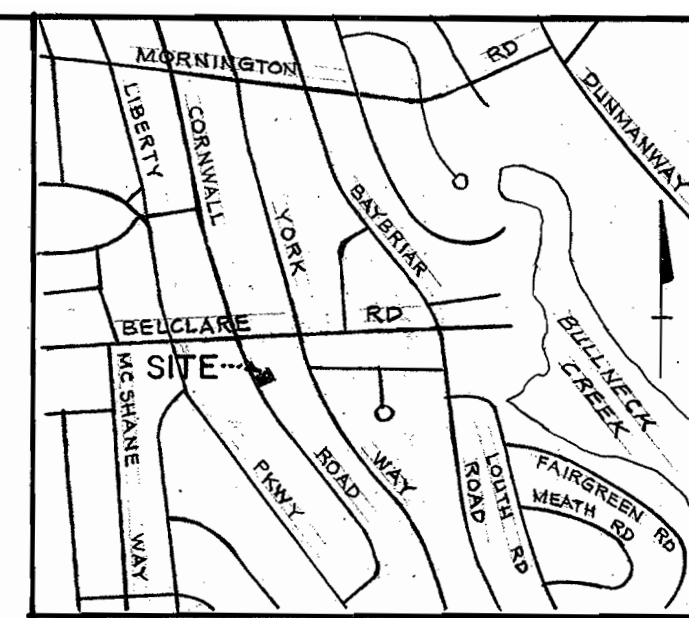
2008-0498-A

SITE DATA

PLAT REFERENCE: PLAT NO. 6B OF DUNDALK P.B. 14, F. 8
 BLOCK 2, LOT 58
 DEED REFERENCE: L. 6758 F. 452
 TAX ACCOUNT NO.: 1205074590
 SITE AREA: 6,396 SQ. FT. = 0.147 AC.
 ELECTION DISTRICT: 12
 COUNCILMANIC DIST.: 7
 1"=200' SCALE ZONING MAP NO. 103B3
 ZONING: DR 5.5
 YARDS: FRONT 25', SIDE 10', REAR 30'
 DWELLING HEIGHT: 20' (1 1/2 STORY)
 GARAGE HEIGHT: EXISTING GARAGE 15'
 EXISTING GARAGE ADDITION 13'

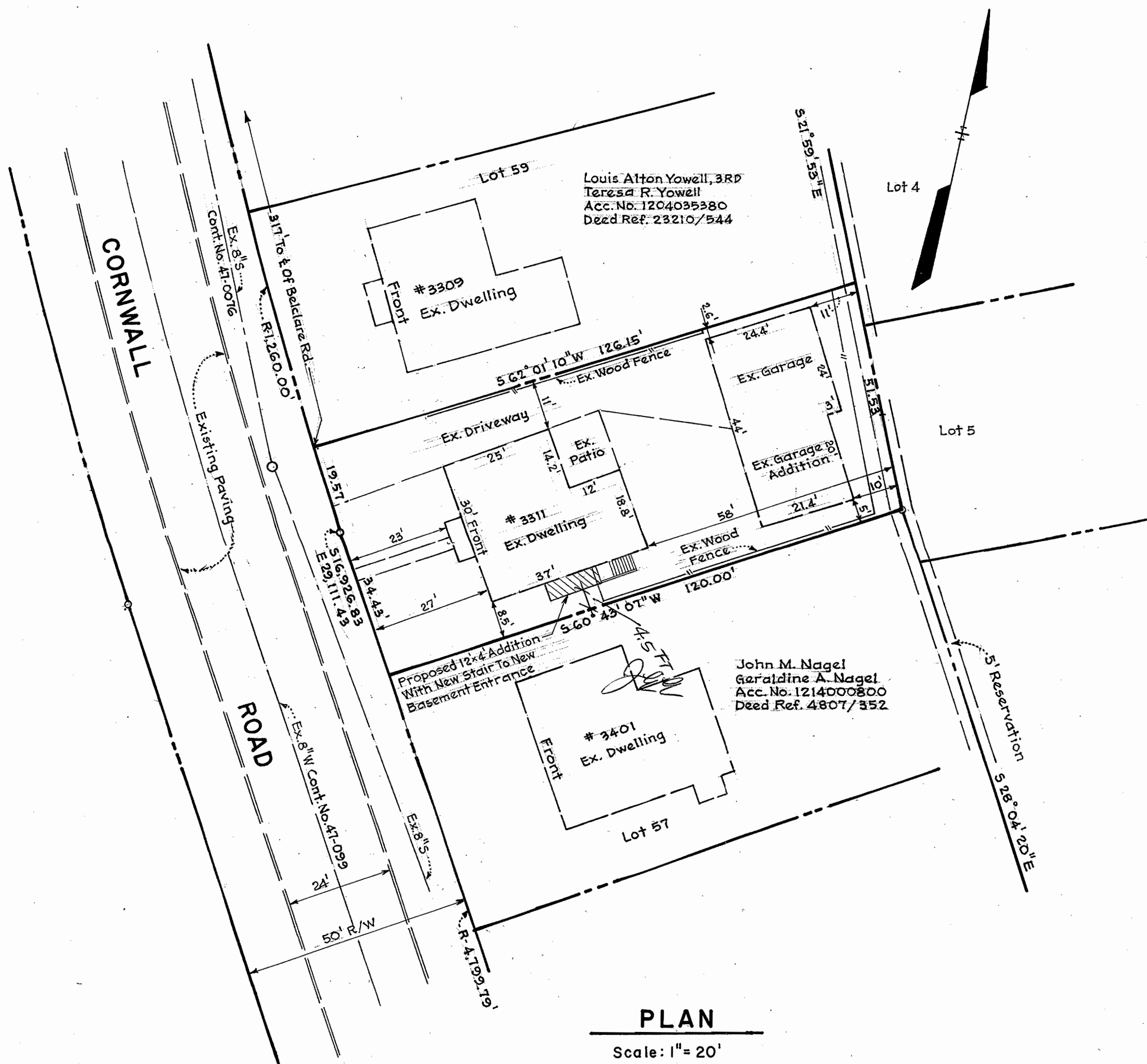
GENERAL NOTES

1. THE SUBJECT PROPERTY IS SERVED BY PUBLIC WATER AND SEWER FACILITIES.
2. THE SUBJECT PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
3. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
4. THE SUBJECT PROPERTY IS NOT A HISTORICAL SITE NOR DOES IT LIE WITHIN A HISTORICAL DISTRICT.
5. THERE ARE NO PRIOR ZONING HEARINGS RELATED TO THE SUBJECT PROPERTY.
6. THE EXISTING GARAGE WAS CONSTRUCTED IN 1985 UNDER COUNTY BUILDING PERMIT AND APPROVED BY COUNTY INSPECTIONS.
7. THE EXISTING GARAGE ADDITION WAS CONSTRUCTED IN 2005 UNDER BUILDING PERMIT NO. B598769 AND APPROVED BY COUNTY INSPECTIONS.



VICINITY MAP

Scale: 1"=1000'



PLAN

Scale: 1"=20'

OWNER:
 THOMAS K. TROJAN
 PATRICIA A. TROJAN
 3311 CORNWALL ROAD
 BALTIMORE, MD 21222-6032

Civil Consultant Services, Ltd.

Engineering Design • Studies

5706 Arnhem Road
 Baltimore, MD 21206-2925
 (410) 866-8198 Fax (410) 866-8442

DESIGNED BY	PROJECT NO.
DRAWN BY	CHECKED BY
FILE NAME	
SCALE	
DATE	

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

3311 CORNWALL ROAD

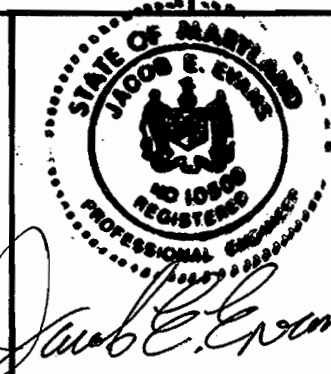
BALTIMORE MD 21222

ZONING OFFICE USE ONLY
 REVIEWED BY ITEM NO. CASE NO.

A. Faw 10498 2008-0498-A

SHEET NO.

1
 OF
 1



Data Sources:
Planametric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004