IN RE: PETITION FOR ADMIN. VARIANCE

NW side of Bullneck Court; 95 feet NE of the c/l of Bullneck Road 12th Election District 7th Councilmanic District (8256 Bullneck Court)

Joseph and Sabrina Doetsch

Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- FOR BALTIMORE COUNTY
- * Case No. 2010-0190-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, Joseph and Sabrina Doetsch for property located at 8256 Bullneck Court. The Variance request is from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 2 recreational vehicles on a residential lot in lieu of the permitted 1, and for both to be located in the front yard in lieu of the required side or rear. The subject property and requested relief are more particularly described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

On February 4, 2010, the undersigned called for a formal hearing on this matter as the property is currently the subject of an active violation case¹. Historically, this Office has requested that the Zoning Review Office not accept Petitions for Administrative Variance on cases that have violations pending, thus requiring a public hearing, as well as in cases where Petitioners are requesting relief to store recreational vehicles and/or boats in the front yard. The hearing was subsequently scheduled for Friday, March 17, 2010 at 9:00 AM in Room 104 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland. In addition, a sign was posted at the

ORDER RECEIVED FOR FILING

Date 3.22.10

property and an advertisement was published in *The Jeffersonian* newspaper, giving neighbors and interested citizens notice of the hearing.

Appearing at the public hearing in support of the variance requests were Petitioners Joseph and Sabrina Doetsch. There were no Protestants or other interested persons in attendance.

Testimony and evidence received in the case revealed that the property is irregular-shaped and contains approximately 4,545 square feet or 0.104 acre, more or less, zoned D.R.5.5. As shown on the site plan and the zoning map that was marked and accepted into evidence as Petitioners' Exhibit 2, the property is located on the northwest side of Bullneck Court just north of Bullneck Road, with Bullneck Creek to the east, in the Dundalk area of Baltimore County. The property is improved with a single-family dwelling that was originally constructed in 1945 as part of the housing that was once provided to Bethlehem Steel workers. Mr. Doetsch testified that he has lived in the area for 55 of his 62 years, having once lived on nearby Longpoint Road. He has lived at the subject property for almost 30 years. The property was originally constructed as a cape cod style 1½- story dwelling. Mr. Doetsch and his wife remodeled the home, removing the roof and creating a full second floor. Petitioners also have a shed situated to the rear of the property and a large concrete parking pad that essentially takes up the street side of the yard. Petitioners submitted photographs of the nearby properties in the court and their home, which were marked and accepted into evidence as Petitioners' Exhibits 4A through 4C.

The travel trailer that is the subject of the variance request is approximately 26 feet long by 8.5 feet wide. Petitioners also own a 27 foot Bayliner Trophy fishing boat and trailer. Petitioners indicated they have always stored the recreational vehicle (RV) and boat with trailer on the parking pad on the street side of their property. In support of the requested variance relief, Mr. Doetsch indicated that the fact that the neighborhood was platted and homes were built prior to the

ORDER RECEIVED FOR FILING

Date	3-22-10	2
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Zoning Regulations in this area with smaller setbacks on each side (6 feet on one side, 7 feet on the other on his property) than would be permitted today significantly limits his ability to comply with the Regulations. He also pointed out that his property, which is located on a court and in proximity to the Bullneck Creek shoreline, results in very odd-shaped lots. Specifically, his lot has an unusual shape in that it is relatively "thin" on the street side (30 feet) and over double that width at the rear (66 feet). There is also a 10 foot right-of-way that cuts across the rear of his property from Bullneck Road to the water. Essentially, the only storage area available for any type of vehicle storage is the parking pad that takes up most of the front of the property. Most of the properties that circle the court have the same constraints. Finally, Mr. Doetsch indicated that the subject area is a waterfront community. Most of the homes are waterfront, or have water access as his does, and store their trailered boats on their property, especially during the winter months. As a result, there is often some confusion over what actually constitutes the "front" yard versus the "rear" yard in these communities, and thus whether storage of an RV or boat on the street side is in the front or rear yard.

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 March 8, 2010 which indicates the community planner visited the site and observed that the property has a dwelling on it which appears to be recently remodeled. The dwelling is very large for the undersized lot on which it sits, reflected by the non-conforming setbacks. A large majority of the site is covered with paving, decks, an above-ground swimming pool and other outside items. While access to the rear or side of the property is not possible for the storage of recreational vehicles, the Planning Office recommends that due to the crowded nature of the site only one

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ORDER RECEIVED FOR FILING

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recreational vehicle be allowed in the front yard. As such, the Planning Office does not oppose the Petitioners' request limited to the storage of one recreational vehicle.

Considering all the testimony and evidence presented, I am persuaded to grant the variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This lot was created many years ago and the dwelling was originally constructed in 1945, prior to the adoption of Zoning Regulations in this area. As such, the current setbacks are nonconforming. The lot also has a very unusual shape, wherein it expands outward from the front to the rear, with very little room in the rear yard and a large parking pad essentially taking up the front yard. In my view, the subject property is unique in a zoning sense.

I further find that Petitioners would suffer practical difficulty and undue hardship if the variance were to be denied. I am mindful of the Office of Planning's comment, but I believe there is a certain balancing that needs to take place where the Regulations allow for one RV or trailered boat to be stored on one residential lot, but here, Petitioners desire two such vehicles. On this issue, I look to what if any negative impact would result if the relief were granted. Because the property is located on a court, it is shielded to some degree by the general traffic on Bullneck Road and the other streets in the area. I also note that the adjacent property owners are supportive of Petitioners' requests, as indicated in the letter that was marked and accepted into evidence as Petitioners' Exhibit 5, and signed by seven of the eight homes located in the court. Finally, I find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

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Date 3.22.10

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 And day of March, 2010 that a Variance from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit two (2) recreational vehicles on a residential lot in lieu of the permitted one (1), and for both to be located in the front yard in lieu of the required side or rear is hereby **GRANTED**, subject to the following:

- 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 relief granted herein shall be limited to Petitioners as the legal property owners. If Petitioners subsequently sell, transfer, or otherwise vacate the premises, or rent the premises to others, the relief granted herein shall be discontinued, unless granted or extended to others via a subsequent variance or special hearing.

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

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By_____



THOMAS H. BOSTWICK Deputy Zoning Commissioner

March 22, 2010

JOSEPH AND SABRINA DOETSCH 8256 BULLNECK COURT BALTIMORE MD 21222

Re: Petition for Administrative Variance

Case No. 2010-0190-A

Property: 8256 Bullneck Court

Dear Mr. and Mrs. Doetsch:

Enclosed please find the decision rendered in the above-captioned case.

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,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: February 4, 2010

TO: Kristen Matthews

Dept. of Permits and Development Management

FROM: Patricia Zook, Legal Secretary to

Thomas Bostwick, Deputy Zoning Commissioner

RE: Petitions for Administrative Variance – Closing Date of 2-1-2010

Case No. 2010-0189-A located at 8264 Bullneck Court Case No. 2010-0190-A located at 8256 Bullneck Court

Hearings Required

After the review of the above-captioned case files, Tom Bostwick has determined that these two cases shall be set in for formal hearings. Case No. 2010-0190-A is currently the subject of an active violation case, namely CO-0070192. Historically this Office has conducted hearings on cases that have violations as well as cases where the Petitioners are requesting relief to store recreational vehicles in the front yard.

We are returning the two files to you for further processing, i.e., notifying the Petitioners, posting of the hearing notices, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Kristen Matthews, Zoning Review Office



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

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This Petition shall be filed with the Department of Peowner(s) of the property situate in Baltimore County and made a part hereof, hereby petition for a Variance from S			
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of the zoning regulations of Baltimore County, to the zoni of this petition form.	ng law of Baltimore Cour	ty, for the reasons	indicated on
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted pursua	, posting, etc. and further a	gree to and are to b	e bounded by th
and restrictions of Balantore County adopted pursua	I/We do solemnly	declare and affirm, i	under the penalt
	is the subject of th	re the legal owner(s is Petition.	o une property
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Attorney For Petitioner:	8256 B	ullneek	Ct 50
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•	Representativ	e to be Contact	
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ORDER RECEIVED FOR FILING	Name	A	
Date 3.2.10	A A A A A A A A A A A A A A A A A A A	SAME	
Address Telephone No.	Address		Telep
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A Public Hearing having been formally demanded and/or found to this day of that the subject matter regulations of Baltimore County and that the property be reposted.	be required, it is ordered by of this petition be set for a pu	by the Zoning Commis blic hearing, advertise	ssioner of Baltimo d, as required by
t waterfront	Zoning Co	mmissioner of Baltimo	re County
CASE NO. 2010-0190 - A	Reviewed By		01.6.10

T. KOTROKO APPROVED ADMIN. FILING.

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	8256	Bullneck	C	4	*
	Balte		ma	TAL N	2/222
The second secon	City	-Ne'r	State		Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship BECAUSE: 1.THIS IS AN OLDER HOUSING 2. IT IS IMPOSSIBLE FOR US TO PARK SOLDED NOT ADAQUATE ROOM TO GET VEHICLES BE ON ONE SIDE OF HOUSE AND 7' ON OTHER 3.WE HAVE ALWAYS HAD A RV AND OR A ROONE HAS EVER COMPLAINED: THIS IS A WE PAD FOR OUR VEHICLES SO WE WOULD NOT 5. FINALLY, WE CANNOT AFFORD TO KEEP THEM. IT IS A SHAME AS A SENIOR CITY OUR LATER YEARS.	p or practical did DEVELOPMENT SAID VEHICLE EYOND THE 8' R)CANNOT EXC BOAT/TRAILER WATER COMMUN I HAVE TO PA P SAID VEHIC	fficulty): THIS DESTRUCT AND IS NOT USE TO CODE END SET BACK FROM SESS BACK YARD USE IN OUR YARD LITY. 4.WE JUSTICES IN STORAGE	A HARDSH JP TO PRES FORCEMENTS OM FRONT O D BECAUSE FOR THE P ST PAID \$5 HE STREET GE SO WE W	IP PRACT ENT DAY REQUIRE F HOUSE(WE HAVE AST 40 Y ,000.00 WHICH IS ILL BE F	ICAL DIFFICULT CODES MENT BECAUSE ONLY HAVE 6' NO ALLEY. EARS AND NO FOR A PARKING LEGAL. ORCED TO SELL
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand indicated in the second in the s	s filed, Affiant(s) ation.	will be requ	Poetsch	a reposting and
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Noseph C. DOETSCH		Name - Type or Pri		DUEIS	
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STATE OF MARYLAND, COUNTY OF BALTIM	ORE, to wit:				
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of Maryland, in and for the County aforesaid, per	sonally appeare	ed, A	_, before the	, a Notary F	Public of the State
Orsoph a Drotsch	and V	La Crina	a Du	Jack	
the offiant(s) herein, personally known or satisfactory	ctorily identified	to me as such Af	fiant(s).	wo i	/83
AS WITNESS my hand and Notarial Seal					
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REV 10/25/01

Beginning at a point on the northwest side of Bullneck Court
which is 40 feet wide at the distance of 95 feet (+/-) northeast
of the centerline of the nearest improved intersecting street

Bullneck Road which is 50 feet wide. *Being Lot # 40

Block 1., Section # B in the subdivision of Murray Point
as recorded in Baltimore County Plat Book # 13., Folio # 66.,
containing 4545 sq ft. Also known as 8256 Eul lneck Court
and located in the 12th Election District, 7th Councilmanic District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2010- 0190 -A Address 8256 BULLING K CT
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 1.6.10 Posting Date: 1.17.10 Closing Date: 2.1.10
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. <u>DEADLINE:</u> 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.
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, usually within 10 days of the closing date if all County agencies' comments are received, 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 2010- 6196 -A Address 8256 BULLNELK CT.
Petitioner's Name J. DoeTSCH Telephone 443-388-6234
Posting Date: /// Closing Date: 2 ///0
Wording for Sign: To Permit 2 PECPEATIONAL VEHILLES TO
BE LOCATED IN THE FRONT YARD IN LIEU of
THE PERMITTED ONE AND LOCATED IN THE
REAR OR SIDE YARDS.
Revised 8/20/09

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 0/90
Petitioner: J. Doetsch
Address or Location: 8256 Bullweck 67.
PLEASE FORWARD ADVERTISING BILL TC
Name: Joseph C. Doetsch
Address 8256 Bullneck Ct
Balto Md 21222

MISCEL	LANEOU	S CASH	RECEIPT	Rev	Sub	Date:	1/	8 11-	
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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: # 2010-0190-A Case: # 2010-0190-A
8256 Bullneck Court
N/west side of Bullneck
Court, 95 ft +/- n/east of
centerline of Bullneck Road
12th Election District
7th Councilmanic District
18th Councilmanic District
18th Councilmanic District Legal Owner(s): Joseph & Sabrina Doetsch

Sabrina Doetsch
Varlance: to permit 2 recreational vehicles on a residential lot in lieu of the permitted one, and for both to be located in the front yard in lieu of the required side or rear yard.
Hearing: Friday, March 19, 2010 at 9:00 a.m. In Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

WILLIAM J. WISEMAN, III
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) 8873391.

3391. 3/040 Mar. 4

231403

CERTIFICATE OF PUBLICATION

3/4 , 2010
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 3/4 ,2010.
★ The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
North County News
S. Wilkingon

LEGAL ADVERTISING

CERTIFICATE OF POSTING

	2010-0190-A RE: Case No.:
	Petitioner/Developer:
	February 1, 2010 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: Kristin Matthews	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perposted conspicuously on the property located at:	jury that the necessary sign(s) required by law were
8256 Bullneck Court	
The sign(s) were posted on	Month, Day, Year) Sincerely,
	Robert Black Jan 202010
	(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)



Posted by Serry Chen

TO: PATUXENT PUBLISHING COMPANY

Thursday, March 4, 2010 Issue - Jeffersonian

Please forward billing to:

Deborah Kendall-Sipple Permits & Development Management 111 West Chesapeake Avenue Towson, MD 21204 410-887-4587

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: 2010-0190-A

8256 Bullneck Court

N/west side of Bullneck Court, 95 feet +/- n/east of centerline of Bullneck Road

12th Election District – 7th Councilmanic District

Legal Owners: Joseph & Sabrina Doetsch

Variance to permit 2 recreational vehicles on a residential lot in lieu of the permitted one, and for both to be located in the front yard in lieu of the required side or rear.

Hearing: Friday, March 19, 2010 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

WHELTAM WISEMAN III

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.



TIMOTHY M. KOTROCO, Director
Department of Permits and
February 22:2010 Management

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: 2010-0190-A

8256 Bullneck Court

N/west side of Bullneck Court, 95 feet +/- n/east of centerline of Bullneck Road

12th Election District – 7th Councilmanic District

Legal Owners: Joseph & Sabrina Doetsch

Variance to permit 2 recreational vehicles on a residential lot in lieu of the permitted one, and for both to be located in the front yard in lieu of the required side or rear.

Hearing: Friday, March 19, 2010 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: Mr. & Mrs. Doetsch, 8256 Bullneck Court, Baltimore 21222

NOTES: (1) THE ZONING OFFICE WILL POST A NOTICE OF HEARING SIGN BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 4, 2010.

(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.



TIMOTHY M. KOTROCO, Director Department of Permits and Development Management

March 11, 2010

Joseph & Sabrina Doetsch 8256 Bullneck Ct. Baltimore, MD 21222

Dear: Joseph & Sabrina Doetsch

RE: Case Number 2010-0190-A, 8256 Bullneck Ct.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 06, 2010. 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.

W. Cul Rilial 9

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

e: People's Counsel



TIMOTHY M. KOTROCO, Director Department of Permits and Development Management

February 1, 2010

Joseph & Sabrina Doetsch 8256 Bullneck Ct. Baltimore, MD 21222

Dear: Joseph & Sabrina Doetsch

RE: Case Number 2010-0190-A, 8256 Bullneck Ct.

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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:lnw

Enclosures

c: People's Counsel

(AV) TB 3/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 8256 Bullneck Court

INFORMATION:

Item Number: 10-190

Zoning: DR 5.5

DATE: March 8, 2010

RECEIVED

MAR 082010

ZONING COMMISSIONER

Requested Action: A Variance to permit 2 recreational vehicles in lieu of 1 to be located in the front yard in lieu of the side and rear yards.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The community planner also had the opportunity to visit the site. The subject property has a dwelling on it, which appears to be recently remodeled. The subject dwelling is very large for the undersized lot on which it sits reflected by the non-conforming setbacks. A large majority of the site is covered with paving, decks, an above ground pool and other outside items.

While access to the rear or side of the property is not possible for the storage of recreational vehicles, the Office of Planning recommends that due to the crowded nature of the site only one recreational vehicle be allowed in the front yard. As, such the Office of Planning does not oppose the petitioner's request limited to the storage of one recreational vehicle.

Prepared By:

Division Chief:

AFK/CM



JOHN J. HOHMAN, Chief Fire Department

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 January 27, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 18, 2010

Item Numbers: 0189,0190,0191,0192,0194,0195,0196,0198,0199

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenart Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: January 22, 2010

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 1, 2010

Item Nos. 2010-0189, 190, 191, 192, 193, 195, 196, 197, 198 and 199

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-02012010 -NO COMNENTS.doc



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

Neil J. Pedersen, Administrator

Beverley K. Swaim-Staley, Secretary

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: JAN. 20,2010

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

RE:

Baltimore County

Item No. 2010-0190-A

8256 BULLNECK CT DOETSCH PROPERTY ADMIN VARCANCE -

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. 2010 . -0190A,

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

Very truly yours,

SDF/mb

PETITION FOR ADMINSTRATIVE RE:

VARIANCE

8256 Bullneck Court; E/S Bullneck Ct, 95'

NE of Bullneck Road

12th Election & 7th Councilmanic Districts

Legal Owner(s): Joseph & Sabrina Doetsch

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

10-190-A

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Conte S Nombro

RECEIVED

FEB 0 1 2010

CAROLE S. DEMILIO

Deputy People's Counsel

Jefferson Building, Room 204

105 West Chesapeake Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of February, 2010, a copy of the foregoing Entry of Appearance was mailed Joseph & Sabrina Doetsch, 8256 Bullneck Court, Baltimore, MD 21222, Petitioner(s).

Peter Max Zummerman

PETER MAX ZIMMERMAN People's Counsel for Baltimore County From:

Patricia Zook

To:

Matthews, Kristen

CC:

Bostwick, Thomas; Wiley, Debra; Williams, LaShenda

Date:

2/4/2010 12:37 PM

Subject:

Case Nos. 2010-0189-A @ 8264 Bullneck Court & 2010-0190-A @ 8256 Bullneck Court-

schedule hearings

Attachments: IO-2010-0189-A and 2010-0190-A AVs- SCHEDULE HEARINGs-VIOLATIONs and RVs

IN FRONT YARD.doc

Kristen -

Please see the attached memos regarding the above-referenced case files.

Note: We have a huge stack of case files that need to be picked up by your office.

Patti Zook **Baltimore County** Office of the Zoning Commissioner 105 West Chesapeake Avenue, Suite 103 Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Dear Mr. Tom Bostwick

Mr. Bostwick I had every intention of testifying on 3/19/10 concerning case's 20100189-A and 20100190-A, but due to other cases I cannot. I would like my commets to be read into the record if you would be so kind. The Watersedge Community Assoc. asked for a sweep of their community. The assigned conducted a sweep of the Watersedge Community. on 10/26/09 and 10/30/09.at that time frame the assigned wrote 25 properties, for no lids on trash cans ,untagged vehicles, Improperly parked recreation vehicles/.no more then one recreational vehicle per property,// with a compliance date ot 11/30/09. Numerous calls were made to explain the codes most came into compliance. The assigned wrote a notice to 8256 Bullneck Cir. for Improperly parked recreation vehicle and only 1 recreational vehicle per property, the assigned received, a call from Mr. Doetsch the owner of 8256 Bullneck Ct. at that time he explained that someone came to their Community meeting and told him" he could park his recreation vehicles in the front yard a Boat and a trailer. If he could not park them in the front this would be a hardship, no one has that authority this only causes confusion and undermines the inspector who is enforcing the codes of Baltimore County.

Fact#1Mr. Doetsch has caused a self-inflicted hardship in my opinion and does not fall under 415A.3 B where states" would create an undue hardship".

Fact#2 This is not water front property and does not fall under 415A.3A Fact #3 If the other property filing for a variance is on the water they are subject to the set back provisions in 415A.1A or B.

Fact#4Judge Cavanaugh ruled that a self-inflicted hardship cannot form the basis for a claim of practical difficulty Speaking for the Court in Cromwell, supra, Judge Cathell noted:" Were we to hold that self-inflicted hardships in and of themselves justified variances, we would, effectively, not only generate a plethora of such hardships but we would also emasculate zoning ordinances. Zoning would become meaningless. We hold that practical difficulty or unnecessary hardship for zoning variance purposes cannot generally be self-inflicted Cromwell," at 722 Example of hardship be low

The owners of 8246 Cornwall rd. need to be informed of the variance process, they received a notice to remove their 5th wheeler it protruded 3ft. beyond the front wall code states 8ft. behind the front wall but at least they tried and met the code 90% they removed it to compile with the notice they should file for a variance this is a hardship

In closing as an officer who is charged with enforcing the codes which were passed by the Balto. County Council, and most answer to constituents who do not understand the process of why one person can do something that they cannot. With that being" said it would be remiss on my part in the future not explain they process of a variance to them having one granted is some else.

Inspector Edward W. Creed Sr. 3/10/10

PuBCu D

Permits and Development Management Code Inspections and Enforcement ty Office Building, Rm. 213 Vest Chesapeake Ave Towson, Maryland 21204





CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CODE INSI ECTIO	AND ENTORCE	EMENT CORRECT	To a second
70192	12-08-0	82-030	10 26 09
NAME(S):	16 00 0		
JOSEPH,	12-08-0 SABRINA	A. DOET	self
MAILING ADDRESS	2 11	THE PARTY OF THE	The proof of the
CITY	BULL HECK STATE	ZIP CO	DE
BATO,	MO	21.	222
VIOLATION ADDRESS	"AAA BUTASEINE	Maringini mi	aga yoyayal / .E
СПУ	STATE	ZIP CO	DE
BALTIMORE	MARY	3003 100 10	Capt on a
DID UNLAWFULLY RESIDENTIAL ZONE CLASSIFICA	VIOLATE THE FOLLO		SIDENTIAL CLASSIFICATION
DR1 DR2 DR3.5			30) BR (236) BM (233)
□ RC2(1A01) □ RC4(1A03) □			(40) ML (253) MH (256)
□ RC3(1A02) □ RC5(1A04) □	RCC (1A06)	C7 (1A08)	3/15 7/16
OTHER:	A swyer ca	OTH	General
	IMORE COUNTY ZO		
AUTHORITY TO ENFORCE ZONI			
 101; 102.1: Definitions; general to 1B01.1: DR Zones-use regulation 	מבינובר בותר סוומו	415A: Improperly par	
 428: License/ Remove all untagge damaged/ disabled motor vehicle 		415A: One recreation 410: Illegal Class II	
□ 1B01.1D: Remove open dump/ju	nk yard	400: Illegal accessor	y structure placement.
☐ 431: Remove commercial vehicle ☐ 101; 102.1: Remove contractors e			degal kennel. Limit 3 dogs in the control of the co
□ I01; 102.1; ZCPM: Cease service		408B: Illegal rooming BCC: 32-3-102; 500.5	
□ 402: Illegal conversion of dwellin □ 101; 102.1; ZCPM: Illegal home			ercial site plan and/or zoning order
	BALTIMORE CO	OUNTY CODE (B.C.C	Less mortass
☐ 13-7-112: Cease all nuisance act	ivity		ullding/ fence/ sign permit
☐ 13-7-115: County to abate nuisa ☐ 13-7-310: Remove all trash & de			ll obstruction(s) at street, alley, road e bird seed / other food for rats
□ 13-7-312: Remove accumulation	s of debris, materials, etc	☐ 32-3-102: Violation	of development plan/ site plan
☐ 13-7-201(2): Cease stagnant poo ☐ 12-3-106: Remove animal feces			Remove/ Repair unsafe d secure all openings to premise
☐ 35-5-208(a)(c): Seal exterior ope	nings from rodents & pest	s 🗆 13-7-401; 13-7-402; 1	3-7-403: Cut & remove all tall
☐ 13-4-201(b)(d): Store garbage in	NAME OF THE OWNER, WAS INCOME.	CAN DESIGNATION CONTRACTOR	eds to three (3) inches in height
901 7280000 201	The same of the same	ED HOUSING (B.C.C)	Collaboration of
☐ 35-5-302(a)(1): Unsanitary cond ☐ 35-5-302(a)(3): Cease			ore all garbage in trash cans pair exterior structure
☐ 35-5-302(b)(1)(2): Repair decor	ative trim, cornices, etc	☐ 35-5-302(b)(1)(3): Re	
☐ 35-5-302(b)(1)(4): Repair chimi ☐ 35-5-302(b)(1)(6): Repair defect		☐ 35-5-302(b)(1)(5): Re	pair metal/wood surfaces pair defective fence
	INVESTMENT	PROPERTY (B.C.C)	
☐ 35-2-404(a)(1)(i): Remove haza	rdous or unsafe condition	□ 35-2-404(a)(1)(ii): R	epair ext. walls / vertical members
☐ 35-2-404(a)(1)(iii): Repair roof of	or horizontal members	☐ 35-2-404(a)(1)(iv): R	
☐ 35-2-404(a)(1)(v): Repair ext. p ☐ 35-2-404(a)(1)(vii): Repair exteri			Vaterproof walls/ roof /foundations temove trash, rubbish, & debris
☐ 35-2-404(a)(1)(3): Repair /remo	ve defective exterior sign(s		Board & secure. Material to match building color of structure
OTHER VIOLATIONS OR REMAR			
P.V. NOEDS	TO 8 E 8	BEHIND	FRONTWALL
of HOME		_	
only 1 R.	V. pen p	ROPALTY	
□ NOTICE POSTED AND MAILE	o		
POTENTIAL FINE: \$\$200 [] \$		per violation and to be n	laced as a lien upon your tax bill.
			- 1 5)
COMPLIANCE DATE: //	30 109 IN	SPECTOR NAME:	PRINT NAME (Ray 9/85)

AGENCY



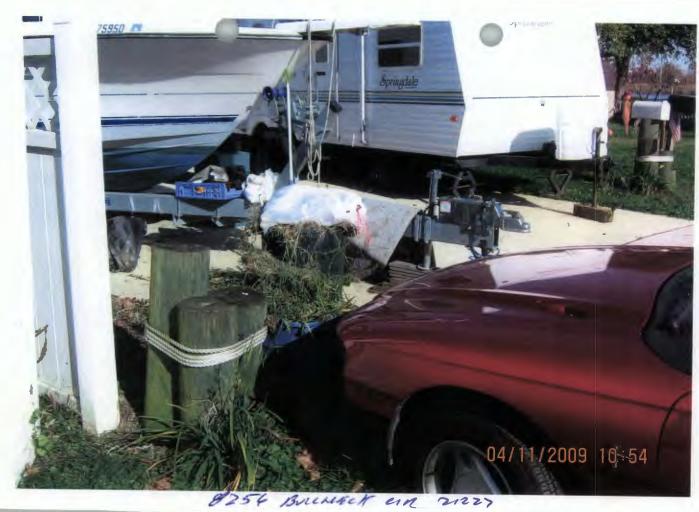
Permits & Development Management Complaint Report

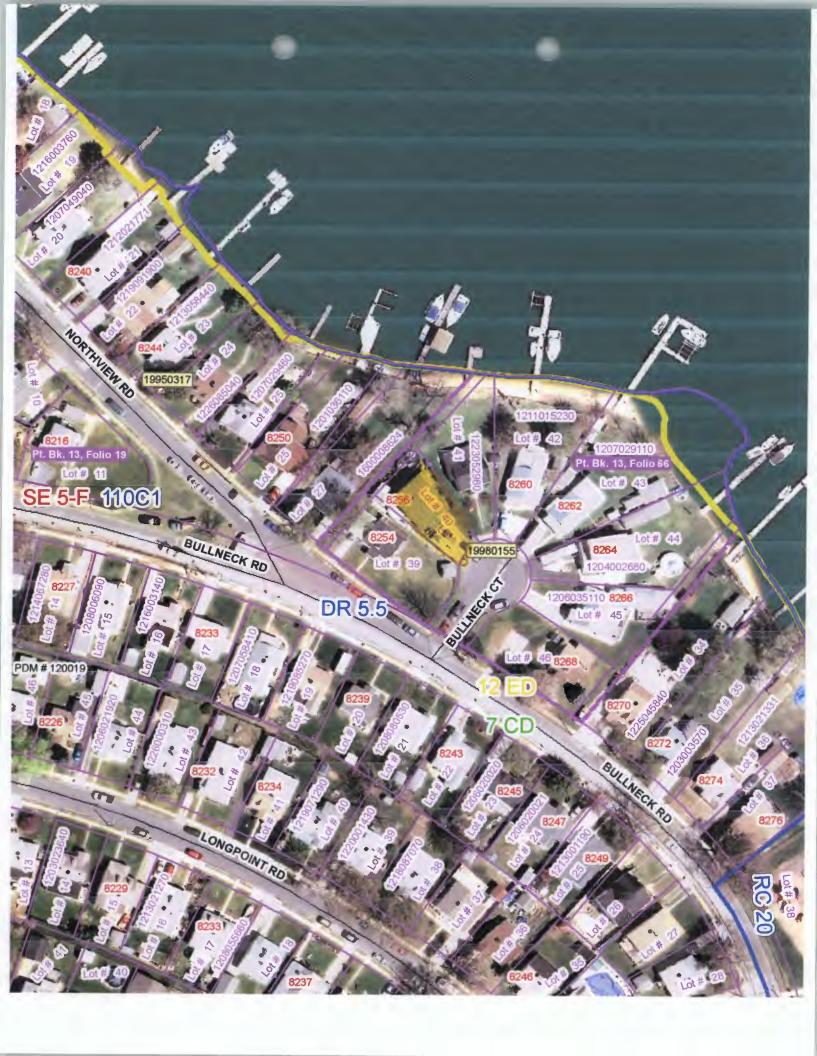
Report Criteria:

Employee(s): EE0000019 to EE0000019 Scheduled Date(s): 11/25/09 to 12/01/09

PE Range: EN01 to EN04

ADC Grid Assigned To Received Date Status Hearing Date Record ID AS/400 Case Assigned Date Scheduled Time Received By Ed Creed 10/26/2009 **44J8** 10/26/2009 Ed Creed Open Normal CO0070192 Complaint Description: sw rv front yard Facility: Owner: Complainant: FA0124574 DOETSCH JOSEPH C DOETSCH SABRINA A SW PDM 1208082030 8256 BULLNECK CT 8256 BULLNECK CT FILE MADE **BALTIMORE MD 21222** DUNDALK, MD, 21222 **Daily Activity Details** Serial Number Action Inspector **Activity Date** Service Result CORRECTION NOTICE ISSUED DA0044581 Ed Creed 10/26/2009 **SWEEP** NOT IN COMPLIANCE Inspector Notes: rec 10/26 09 notice for ry needs to be 8 ft behind front wall p/u 11/30/09 ec Violation Details Violation Record ID: IV0025455 NOT IN COMPLIANCE Comply By: 11/30/2009 Complied On: Status: Program Category/Section Source: BCZR Resource Conservation/RC2 Violation Description Recreational Vehicle - Not Permitted. See 415A Correction Text: Cease use **Violation Text:** Sec. 415A: Use Permitted only after compliance with all Restrictions. **Violation Comment:** Serial Number **Activity Date** Action Inspector Service Result DA0046915 REINSPECTION NOT IN COMPLIANCE CORRECTION NOTICE ISSUED Ed Creed 11/19/2009 Inspector Notes: Violation Details Violation Record ID: IV0026747 Comply By: 11/30/2009 Complied On: NOT IN COMPLIANCE Status: Program Category/Section Source: BCZR Office/ROA Violation Description Recreational Vehicle/Boat-Not Permitted-Sec 415A Correction Text: Cease use Sec. 415A, 202: Use Permitted only after compliance with all Restrictions. **Violation Text:** Violation Comment: **Comment Details - No Comments Lien Information - None** Mileage:







Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search (2007 vwi.1d)

Go Back View Map **New Search**

Account Identifier:

District - 12 Account Number - 1208082030

Owner Information

Owner Name:

DOETSCH JOSEPH C

RESIDENTIAL

DOETSCH SABRINA A

Principal Residence:

YES

Mailing Address:

8256 BULLNECK CT

Deed Reference:

1) /12258/ 553

BALTIMORE MD 21222-6001

Location & Structure Information

Premises Address 8256 BULLNECK CT

Legal Description

8256 BULLNECK CT MURRAY POINT

Map Grid Parcel Sub District Subdivision

Section Block Lot

Assessment Area

Plat No:

110

Special Tax Areas

В

Plat Ref: 13/66

Town **Ad Valorem**

Primary Structure Built

Tax Class **Enclosed Area**

Property Land Area 4,545.00 SF

County Use 04

1945 **Stories**

Basement

Type STANDARD UNIT **Exterior**

1 1/2

NO

SIDING

Value Information

07/01/2009

Base Value

Value As Of

Phase-in Assessments As Of

As Of 07/01/2010

Land Improvements:

Total:

01/01/2009 71,500 71,500

108,960 140,260

1,425 SF

Preferential Land:

180,460 211,760

190,893

201,326

0

0 **Transfer Information**

Date: 06/27/1997

Price: \$0 Deed2:

Type: NOT ARMS-LENGTH Seller: VEST DONALD M

Seller: DOETSCH JOSEPH C

Deed1: /12258/ 553 Date: 06/20/1983

Price: \$52,000

Type: IMPROVED ARMS-LENGTH

Deed1: / 6543/ 153

0

Deed2:

Seller: Type:

Date: Deed1:

000

Price: Deed2:

Exemption Information Partial Exempt Assessments Class 07/01/2009 07/01/2010 000 0 0 County State 000 0 0

Municipal Tax Exempt: **Exempt Class:**

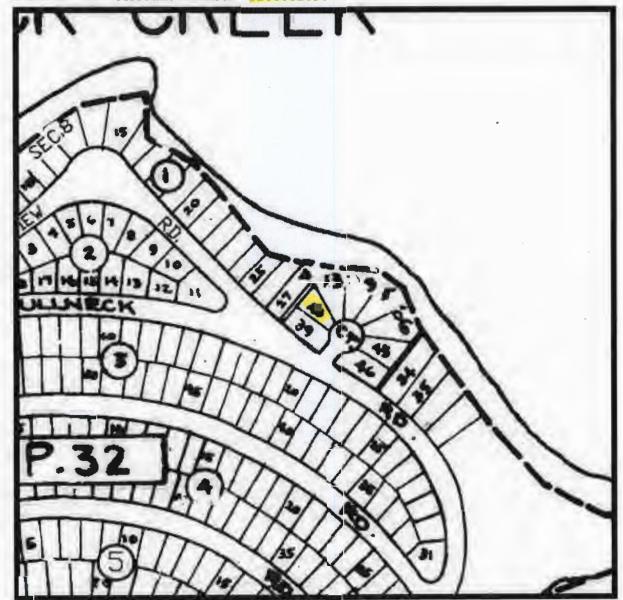
NO

Special Tax Recapture:

* NONE *

0

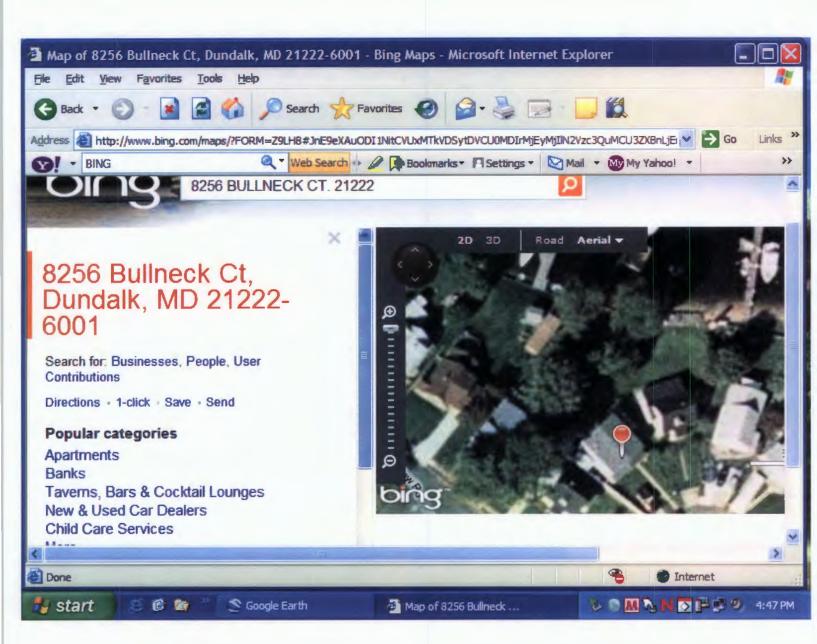
District - 12 Account Number - 1208082030



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Mary land Department of Planning ©2008. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml





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CASE NAME	
CASE NUMBER 7010 - 0190-A	_
DATE 3-19-10	

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Jahrena Doctsch	8256 Bullneck Cf	Batte And 2/222	josephdoetsch Clomcast.net
VOSETH DOETSEH	V	· V	<u></u>
			·

Case No.: 2010-0190-A

Exhibit Sheet

Petitioner/Developer

Protestant

· + 0	
site plan	
somind mak	
aerial photo	
photos of property	
letter of support	
	zoning map aerial photo photos of property



8256 Bull Heck PETITIONER'S EXHIBIT NO. 4A-C





March 15, 2010

To Whom It May Concern:

We are writing this letter regarding the variance that we had petition in January 2010 to have our said Recreational Vehicles parked in front of our house. We posted our sign and no one had appealed the petition. We have signatures of our neighbors who don't mind if the Recreational Vehicles are parked in our driveway. Please see below signatures.

Regards

Joseph & Sabrina Doetsch

Mildred M Joung

Willem E B. ...

Laren games

Dan Orr

Dan Randall

Jerri Shahoord

Lowes Danna

8262 Bullneck Ct.

8264 Bullneck Ct.

8264 Bullneck Ct.

8268 Bullneck Rd

8260 Bullneck Rd

8268 Bullneck Ct

8258 Bullneck Ct

PETITIONER'S
EXHIBIT NO. 5

CHK Nº13.

LEGEND:

Plat for the purpose of description only and not for the purpose of description only and not for the

Outline of Section B shown thus:
The boundaries of streets and other high vays, of lots
and other parcels of land are shown by a solid lin , thus:

House settaons are shown by long dashed lies, thus :-

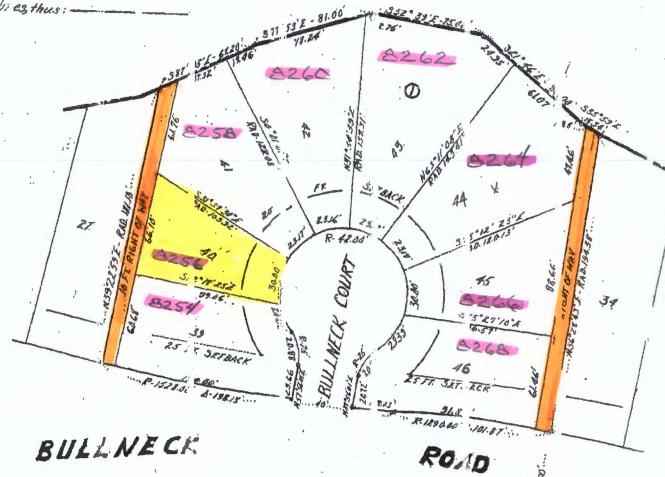
Filed for Fecord.

Black I, Section B.

Murray First

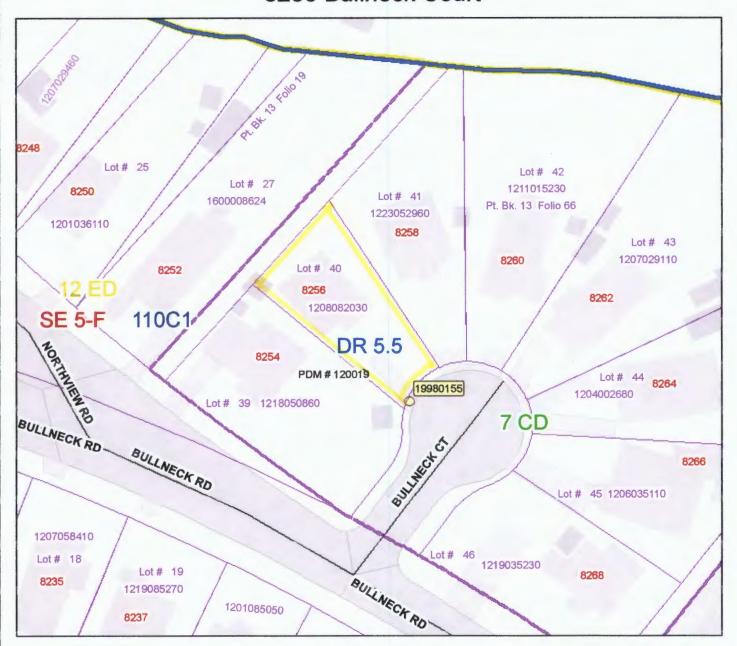
Test Kitch J. Specifical

Other



PLAT OF RES'IBL

8256 Bullneck Court



PETITIONER'S
EXHIBIT NO.

DQ Map Notes



Publication Date: December 18, 2009
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot







PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE PROPERTY ADDRESS 8256 Bullneck CT SEE PAGES 5 & 6 OF THE CHECKLIST FOR SUBDIVISION NAME MUCRAY POINT	E SPECIAL HEARING OR ADDITIONAL REQUIRED INFORMATION
OWNER Joseph C. + Sabrina A. DOGTSCH	Bery
	Bullneck
10. 80	Ollry
390 RIGHT. OF WAY	Bullneck Read
56.71	VICINITY MAP
6 th State of the	SCALE: 1" = 1000' LOCATION INFORMATION
STATE OF THE PERSON OF THE PER	ELECTION DISTRICT 12
Se Ser Mario 3 . Ou 14 o	COUNCILMANIC DISTRICT
Server 13.00	1"=200' SCALE MAP # (10C) ZONING DE 5.5
1-00	LOT SIZE 4545
RVS R=42 Qu KF	ACREAGE SQUARE FEET PUBLIC PRIVATE
Hare	SEWER []
8- 8-	WATER Z
The Box	CHESAPEAKE BAY CRITICAL AREA
Se	100 YEAR FLOOD PLAIN
PETITIONER'S	HISTORIC PROPERTY/
***	PRIOR ZONING HEARING
NORTH S EXHIBIT NO.	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #
PREPARED BY SCALE OF DRAWING: 1" = 30	