IN RE: PETITION FOR ADMIN. VARIANCE

W side of Anita Road; 255 feet S of the c/l of Maxine Circle

3rd Election District

2nd Councilmanic District

(8210 Anita Road)

Craig Richard and Andrea Nusinov Petitioners

- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- * FOR BALTIMORE COUNTY
- * Case No. 2010-0214-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, Craig Richard and Andrea Nusinov for property located at 8210 Anita Road. The variance request is from Section 202.3 (1955 regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 5 feet minimum and 30 feet total side yard setback in lieu of the required 20 feet minimum and 50 feet total. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1. Petitioners propose several improvements to their dwelling and property to include a 302 square feet one-story addition, 821 square feet one-story addition, 242 square feet one-story addition, and 251 square feet covered porch, and driveway reconfiguration. The existing one-story dwelling contains 3,126 square feet and was constructed in 1962. The house does not have a garage and Petitioners desire to construct an attached garage. This proposed two-car garage is being placed on the side of the house where the kitchen/secondary entry is located. Due to the location of the existing dwelling on the lot, the remaining space is 5 feet from the property line. The addition on the south side of the house is to add a new master bathroom. This room would meet the minimum setbacks if not for the variance required on the north side of the house for the garage as it is 25 feet from the south property line.

ORDER	RECEI\	/ED	FOR	FILING
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Date	3-10-10	
Ву	Ph	

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief. Comments were received from the Office of Planning dated March 1, 2010 which indicates that the property is a lot improved with an existing single family dwelling that is on the plat of Stevenson Ridge approved under 1955 zoning regulations. The Petitioners request a side yard setback variance of 5 feet in lieu of the required 20 feet and sum of side yard setback of 30 feet in lieu of the total required of 50 feet. If granted, this would allow for the construction of a new one story garage and the reconfiguration of the driveway from a 10 foot wide driveway to a 12 foot wide semi-circular driveway. If the Petitioners demonstrate uniqueness and that there is a resulting hardship or practical difficulty and the variance is granted, Petitioners shall provide landscaping or fencing along the Finkelstein property line.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on February 14, 2010 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.

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Date	3.1	10.10	
Date			

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this day of March, 2010 that a variance from Section 202.3 (1955 regulations) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 5 feet minimum and 30 feet total side yard setback in lieu of the required 20 feet minimum and 50 feet total 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. Petitioners shall provide landscaping or fencing along the Finkelstein (8212 Anita Road) property line.

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

for Baltimore Count

THB:pz

ORDER RECEIVED FOR FILING

Ву_____



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

March 10, 2010

CRAIG RICHARD AND ANDREA NUSINOV 8210 ANITA ROAD BALTIMORE MD 21208

Re: Petition for Administrative Variance

Case No. 2010-0214-A Property: 8210 Anita Road

Dear Mr. and Mrs. Nusinov:

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

c: Richardson Engineering LLC, 30 East Padonia Road, Suite 500, Timonium MD 21093

Petition for Administrative Variance



to the Zoning Commissioner of Baltimore County for the property located at 8210 Anita Road

which is presently zoned DR-1

Deed Reference: 21159 / 575 Tax Account # 0311048190

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

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3.B to permit a 5' minimum and 30' total side yard setback in lieu of the required 20' minimum and 50' total

* Section 202.3 (1955 Regs)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Administrative 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.

			is the subject of this Peti	tion	te property water
Contract Purchase	r/Lessee:		Legal Owner(s):		
			Craig R. Nus	sinov	
Name - Type or Print			/ Name - Type or		
**			MIN		
Sgrature			Andrea Nusinov		
Address		Telephone No.	Name - Type or Print -		
		•	andrea 1	(uson)	
City	State	Zip Code	Signature		kada na halimitaliya diyaga dan data da daga karang da daga karang karang sa karang da da da da da da da da da
Attorney For Petiti	oner:		8210 Anita Road		
			Address	AAD	Telephone No.
Name - Type or Print			Baltimore	MD	21208 Zp Code
rearns - Type or Print					50 C008
Signature			Representative to	be Contacted:	
Official service			Richardson Engir	neering, LLC	
Company			Name 00 5 Postania Con	-4 0-4- 500	440 500 4500
			30 E. Padonia Ro	ad, Suite 500	410-560-1502 Telephone No.
Address		Telephone No.	Timonium.	MD	21093
City	State	Zip Code	City	State	Zip Code
this day of regulations of Baltimore Co	unity and that the propert	nat the subject matter of y be reposted	oquired, it is ordered by the Zor this publich be set for a public h	ioner of Ball More Co	required by the zoning
Case No. 201	0-0214-	A Rev	newed By) Date _ 2/	5/10
REV 7/20/07		Estimated P	osting Data 2		
ORDER RECEI	VED FOR FILI	NG	/ /	10	
Date	3.10.10				
Bv	m				

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

8210 Anita Road

Baltimore MD 21208
City State 2p Code

Îtem #0214

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):

See Attached.

That the Affiant(s) acknowledge(s) that if a formal dema advertising fee and may be required to provide additional in Signature	and is filed, Affiant(s) will be required to pay a reposting and information. Adua Musician Signature
Craig R. Nusinov	Andrea Nusinov
Name - Type or Print	Name - Type or Pfint
STATE OF MARYLAND, COUNTY OF BALTIMORE, to w I HEREBY CERTIFY, this / > day of February of Maryland, in and for the County aforesaid, personally ap	2010, before me, a Notary Public of the State
the Affant(s) herein, personally known or satisfactorily idea	
AS WITNESS my hand and Notarial Seal	lotary Public My Commission Expires 4813
REV 7/24/07	

EREMY ACIO

Justification for Variance:

The house exists on the site as constructed in 1962. The house does not have a garage at this time and one is desired. The attached 2-car garage is being placed on the side of the house where the kitchen/secondary entry is located in the house as would normally be done. Due to the location of the existing house on the lot, the remaining space is 5' from the property line, and thus the request for the variance.

The addition on the south side of the house is to add a new master bathroom. This room would meet the minimum setbacks if not for the variance required on the north side of the house for the garage as it is 25' from the south property line.

30 East Padonia Road, Suite 500 Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

ZONING DESCRIPTION 8210 ANITA ROAD 3rd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point on the West side of Anita Road which is 50 feet wide at the distance of 255 feet South of the centerline of the nearest improved intersecting street Maxine Circle which is 50 feet wide. Being lot #2, Block E, Section #6 in the subdivision of Stevenson Ridge as recorded in Baltimore County Plat Book #26, Folio #124, containing 36,041 square feet or 0.827 acres. Also known as 8210 Anita Road and located in the 3rd Election District, 2nd Councilmanic District.

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case I	Number 2010-	0214	A	Address_	8210	Anita	Road	
Contac	ct Person:	Planner Ple	ase Print Your N	Vall		Phone Nur	mber: 410-887-	
Filing	Date: 2	5/10	Posti	ing Date:	2/14/10	Closin	ng Date: 3/	1/10
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2.		est for a publ	ic hearing	. Please	understand	that even i	thin 1,000 feet f there is no fe te.	
	commissioner order that the within 10 days	He may: (a matter be set i s of the closi etition has bee) grant the n for a pub ng date if en granted,	e requested olic hearing all County	I relief; (b) o You will re agencies'	deny the re- ceive writter comments	ng or deputy z quested relief; n notification, us are received, g. The order w	or (c) sually as to
4.	(whether due commissioner) changed giving	to a neighbor, notification of the	r's formal will be for hearing da	request or warded to ate, time ar	by order or you. The nd location.	of the zoning sign on the As when th	o to a public he g or deputy zo e property mus e sign was orig nust be forward	oning st be inally
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Petitio	ner's Name	C. R. Nu	ISLNOV		T	elephone _	/ /	
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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

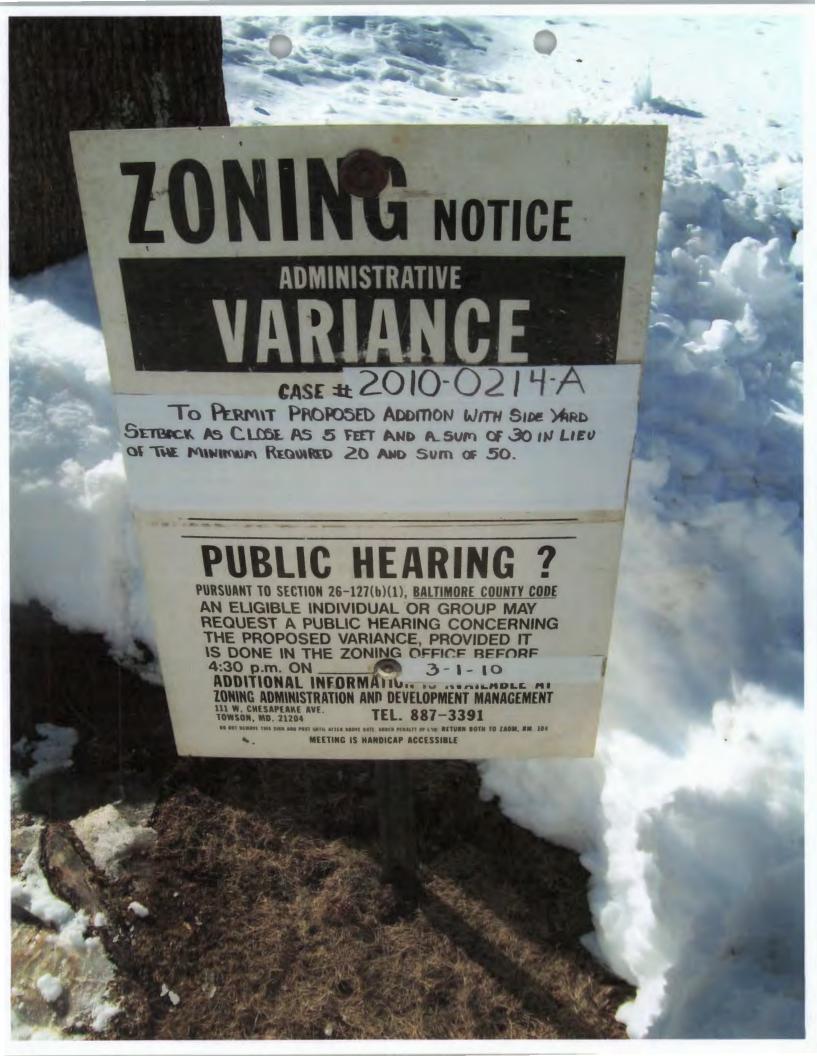
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 2010 - 0214 - A
Petitioner: CRAG ANDREA NUSINOV
Address or Location: 820 ANITA RD
PLEASE FORWARD ADVERTISING BILL TO: Name: CRAIG NOSINOV
Address: 8210 ANITA RD
BALTIMORE MD 21208
Telephone Number:

				Rev Source/	Sub Rev/	Date:			
Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	
				- 12					
Rec						Total:			
From:						•			
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								.,	CASH
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+-CERTIFICATE OF POSTING

•	2010-0214-A
	RE: Case No.:
	Petitioner/Developer:
	C.R. Nusinov
	Date of Hearing/Closing:
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Towson, Maryland 21204	
Attn: Kristin Matthews	
Ladies and Gentlemen:	
	perjury that the necessary sign(s) required by law were at:
The sign(s) were posted on	February 14 2010
	(Month, Day, Year)
	Sincerely,
	Robert Black 2/15/10
	(Signature of Sign Poster) (Date
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
~	(Telephrone Number)





JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

March 1, 2010

Craig & Andrea Nusinov 8210 Anita Rd. Baltimore, MD 21208

Dear: Craig & Andrea Nusinov

RE: Case Number 2010-0214-A, 8210 Anita Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 05, 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.

Very truly yours,

U. Cul Ribal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel Richardson Engineering, LLC; 30 E. Padonia Rd. Ste. 500; Timonium, MD 21093

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: February 25, 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 March 8, 2010

Item Nos. 2010-192, 209, 210, 211, 212, 214, 215, 216, 217 and 218

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-03082010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

8210 Anita Road

INFORMATION:

Item Number:

10-214

Petitioner:

Craig and Andrea Nusinov

Zoning:

DR 1

Requested Action:

Administrative Variance

RECEIVED

DATE: March 1, 2010

MAR 01 2010

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The property in question is a lot improved with an existing single-family dwelling that is on the plat of Stevenson Ridge approved under 1955 zoning regulations. The petitioners request a side yard setback variance of 5' in lieu of the required 20 feet and s sum of side yard setback of 30' in lieu of the total required of 50'. If granted, this would allow for the construction of a new 1-story garage and the reconfiguration of the driveway from a 10' wide driveway to a 12' wide semi-circular driveway.

SUMMARY OF RECOMMENDATIONS:

If the petitioner demonstrates uniqueness and that there is a resulting hardship or practical difficulty and the variance is granted, provide landscaping or fencing along the Finkelstein property line.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:

AFK/LL: CM

SIAA StateHighway Administration 8

Martin O'Malley, Governor Anthony G. Brown, Lt. Governor Beverley K. Swaim-Staley, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: FEB. 25, 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. 2010-0214-A
8210 ANITA ROAD
NUSINON PROPERTY
ADMIN. 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. 2010.

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,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/mb

BALTIMORE COUNTY, MARYLAND

AU 3-1-10

Inter-Office Correspondence



RECEIVED

APR 12 2010

ZONING COMMISSIONER

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

April 12, 2010

SUBJECT:

Zoning Item # 10-214-A

Address

8210 Anita Road

(Nusinov Property)

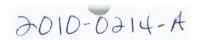
Zoning Advisory Committee Meeting of February 22, 2010.

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer:

JWL

Date: 4/12/10





Go Back **View Map** New Search

Account Identifier:	District - (3 Account Nu								
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							ITA ROAD ON RIDGE			
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North end of existing house. Garage to be on right where parking pad is.



Side where garage is to go with access to side door for garage access.



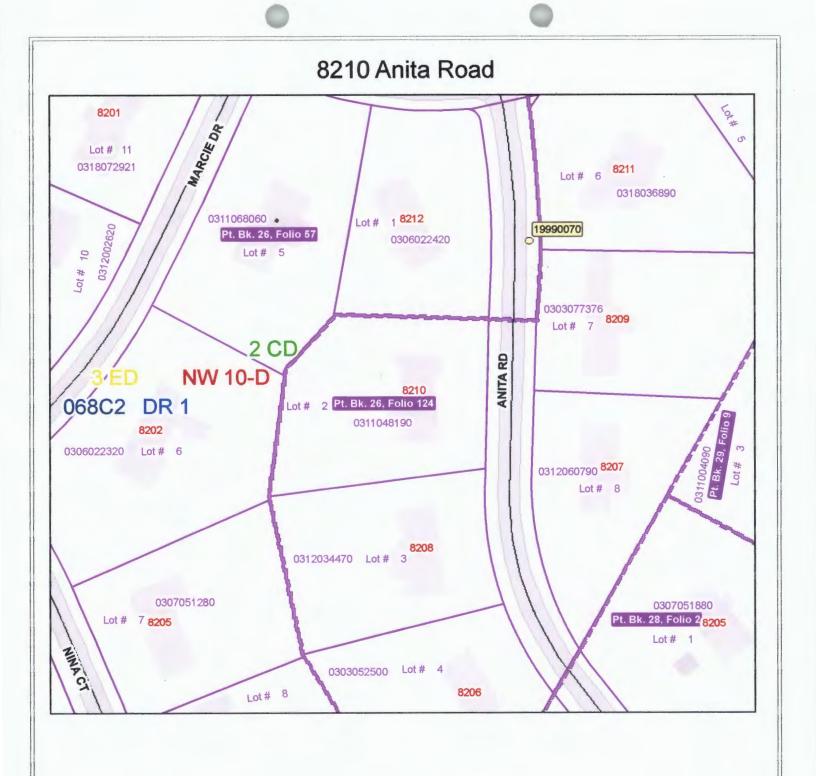
Center of house where new porch will be constructed.



Master bath addition will be on the right side (rear picture) extending out.



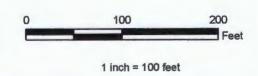
Front of where Master Bath addition (to left)

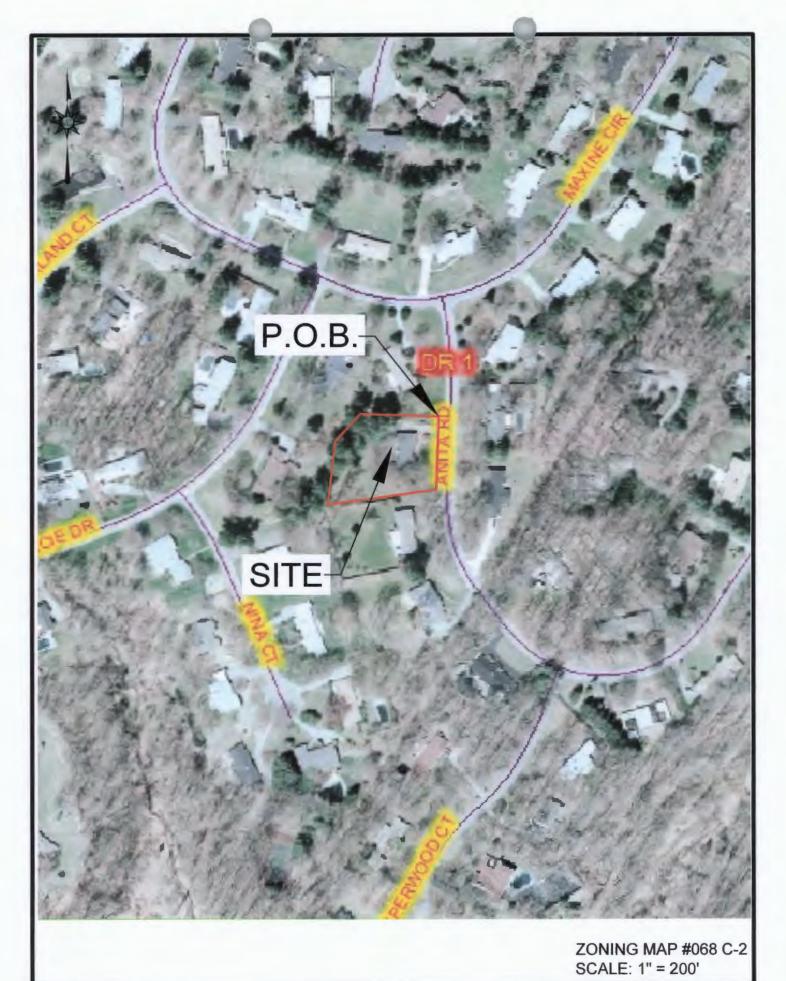


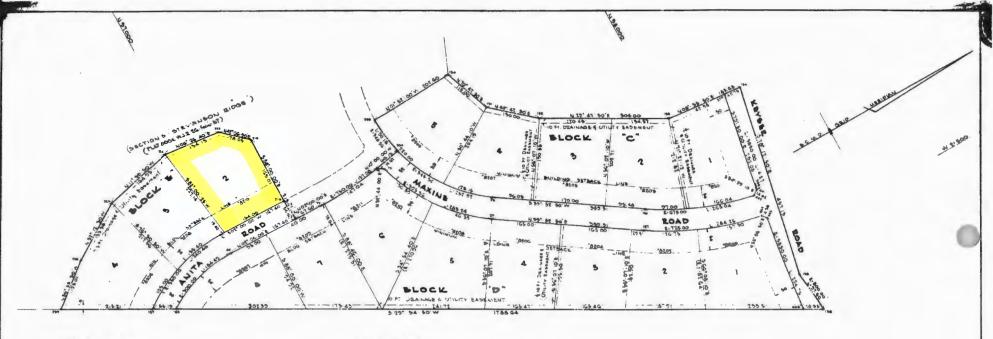


Publication Date: February 05, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot









COORDINATES

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WLE. 26 FOLIO 1 24

RECEIVED for Booord

THIS PHOTO TAKEN FROM THE RECORDS OF THE CIRCUIT LOURT FOR BALTIMORE COUNTY IS FOR OFFICIAL USE ONLY AND NOT TO BE DUPLICATED FOR SALE OR

STEVENSON RIDGE

ELECTION DIST. 3

BALTIMORE CO., MD.

SCALE: 1"-100"

Nov. 18. 1959

MARCIE HOMES, INC. R.R.T., PIKESVILLE 8, MD.

357/7 W.L.R.

1. 8.164

AFFZOVET

DATE DATE

AFFZCIED

OWNERS CERTIFICATE

The requirements of Section T2.8.
Article it of the American Code of Lordiand
Chical, 1941 Supplement, do for obtaing relate
to the preparation of this 7101 lave been
Complied with

MARCIE HOMES, INC.

SURVEYORS CORTIFICATE

I NORMAN FRANCIS HERRANAN e Gaspelerad Lend bourvagerel, The Stets of Mathjands do traves, Earl fig year me, and a they interes or to Stets I did not 7 cm in p. pls i Instruct prapared in secendards with the provisions of

THOMAS FLOWER HEAD 11/21/59



MATZ CHILDS 4 ASSOCIATES 2129 N. CHARLES ST. BALTIMORE 18, MD.

Item # 0214

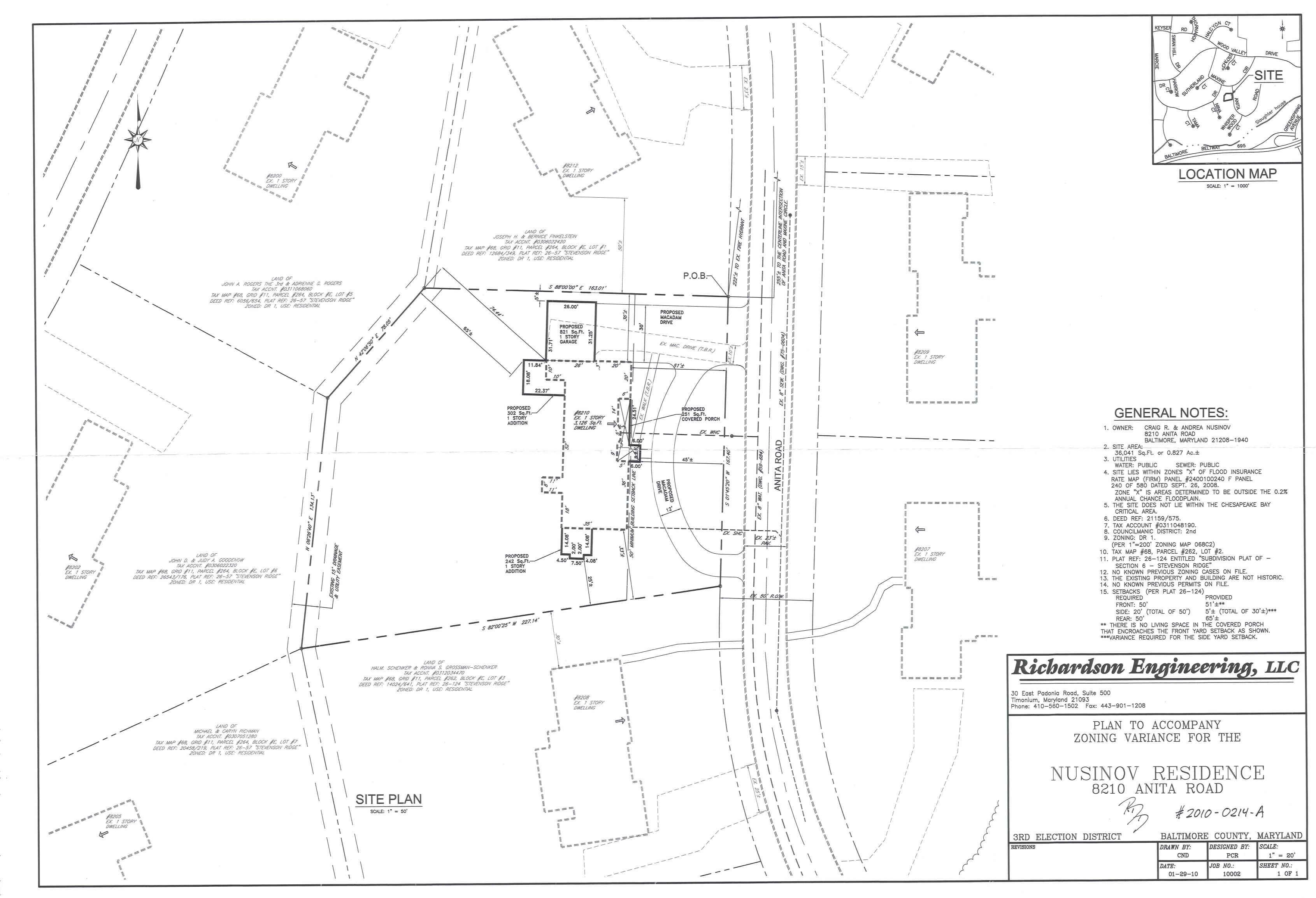
Dec 1 18 / Superior

APPROVED, BALTIMORE COUNTY PLANE US PTATE

12/11/57 William H. 7 Warther M. D. DATE DEPUTY STATES COUNTY SEAT OF THE

FOWNEZ: 7:

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