

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W side of Amy Lane, 25 feet W of the		
c/l of New Bridge Court	*	OFFICE OF
2 nd Election District		
4 th Council District	*	ADMINISTRATIVE HEARINGS
(4020 Amy Lane)		
	*	FOR BALTIMORE COUNTY
Latifat A. Raimi		
<i>Petitioner</i>	*	CASE NO. 2012-0129A

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as a Petition for Administrative Variance filed by the legal owner of the property, Latifat A. Raimi. The Petitioner is requesting Variance relief pursuant to Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a carport with a side yard setback of 1.5 feet in lieu of the required 7.5 feet. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1. Petitioner desires to construct a carport over the existing driveway and basement stairwell. The carport will prevent the basement entry from becoming blocked by snow and then flooding the basement. The basement entrance is about 7 feet deep which is too difficult to shovel out after snowfalls. The most affected adjacent property owner at 4022 Amy Lane did not express any concern about the request.

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.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 25, 2011, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 12-19-11

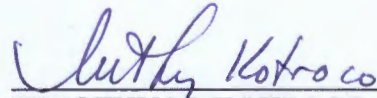
The Petitioner has filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Administrative Law Judge, 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, this 19th day of December, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a carport with a side yard setback of 1.5 feet in lieu of the required 7.5 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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


TIMOTHY M. KOTROCO
Administrative Law Judge for
Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 12-19-11

By 



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

December 19, 2011

LATIFAT A. RAIMI
4020 AMY LANE
RANDALLSTOWN MD 21133

Re: Petition for Administrative Variance
Case No. 2012-0129-A
Property: 4020 Amy Lane

Dear Latifat A. Raimi:

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 with the Department of Permits, Approvals and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:pz

Enclosure



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County for the property located at 4020 AMY LANE, RANDALLSTOWN MD 21133 which is presently zoned DR 5.5

Deed Reference: 300801/212 Tax Account # 1600001989

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.C.1 AND 301.1.BCZR,

TO PERMIT A CARPORT WITH A SIDEYARD SETBACK OF 1.5'
IN LIEU OF THE REQUIRED 7.5'.

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.

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):

LATIFAT A. RAIMI

Name - Type or Print

Signature

Name - Type or Print

Signature

4020 AMY LANE

410-922-2041

Address

Telephone No.

RANDALLSTOWN MD

21133

City

State

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. 2012-0129-A

Reviewed By [Signature]

Date 11/14/11

Estimated Posting Date 11/27/11

ORDER RECEIVED FOR FILING

FRM476_09

Rev 3/09

Date 12-19-11

By [Signature]

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 own and reside at 4020 AMY LANE
Address number Road or Street name

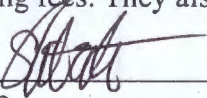
and that this address is the subject of this variance request as required by law.

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 the hardship or practical difficulty; attach an additional sheet if needed) DURING THE WINTER TIME, THE ENTRANCE TO THE

BASEMENT WHICH IS ABOUT 7' DEEP WILL BE FILLED WITH SNOW.
THIS WILL CAUSE FLOODING TO THE BASEMENT AND ALSO WILL CAUSE HARDSHIP
AND DIFFICULTY FOR ME AND MY FAMILY TO DIG OUT, EACH TIME WE HAVE BAD STORM
THE PROPOSED CARPORT/CANOPY OVER THE EXISTING DRIVEWAY WILL PREVENT
THIS HARDSHIP AND PROBLEMS.
(SEE ATTACHED PICTURES)

That the Affiant(s) acknowledge(s) that if a formal demand is filed, and the Affiant(s) desire to proceed with their variance request, they will be responsible for reposting the property and for payment of the advertising fees. They also understand that they may be required to provide additional information.

Signature



Signature

LATIFAT RAIMI

Name- print or type

Name- print or type

A Notary Public must complete the following section prior to the filing appointment.

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, this 24th day of October, 2011, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared:

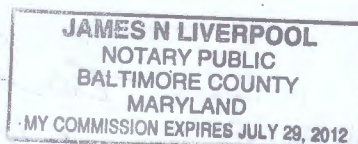
(Name Affiant(s) here): Latifat Raimi
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

J. Lynne
Name of Notary Public

July 29, 2012
Commission expires

PLACE SEAL HERE:



Zoning Property Description
For
4020 Amy Lane, Randallstown MD 21133

Beginning at a point on the west side of Amy Lane which is 50' wide at a distance of 25' west of the center line of the nearest improved intersecting street, New Bridge Court which is 50' wide.

Being Lot #(11) Block (E) Section #(3) in the subdivision of "McDonough Park" as recorded in Baltimore County Plat Book #(33) Folio#(92) containing 7360 square feet. Located in the 2nd Election District and the 4th Council District.

2012-0129-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/27/2011

Case Number: 2012-0129-A

Petitioner / Developer: LATIFAT A. RAIMI

Date of Hearing (Closing): DECEMBER 12, 2011

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
4020 AMY LANE

The sign(s) were posted on: NOVEMBER 25, 2011



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2012- 0129 -A Address 4020 Amy Lane
Contact Person: LEONARD Wasilewski Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 11/14/11 Posting Date: 11/27/11 Closing Date: 12/12/11

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, 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 2012- 0129 -A Address 4020 Amy Lane
Petitioner's Name: Latifat A. RAIMI Telephone 410-922-2041
Posting Date: 11/27/11 Closing Date: 12/12/11
Wording for Sign: _____
To permit an open car port addition with a side yard setback of 1.5 feet in lieu of the required 7.5 feet.

Revised 7/06/11

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 73616

Date: 11/14/11

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				75.00

Total: 75.00

Rec From: Latifat A. Raini

For: 4060 Pay LN

2012-0129-A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

December 5, 2011

Latifat A. Raimi
4020 Amy Lane
Randallstown, MD 21133

RE: Case Number 2012-0129 A, 4020 Amy Lane

Dear Mr. Raimi,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 27, 2011. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Darrell B. Mobley, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-22-11

Ms. Kristen Matthews
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0129-A
Administrative Variance
Latifat A. Raimi
4020 Amy Lane

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. 2012-0129-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at rzeller@sha.state.md.us. Thank you for your cooperation.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/rz

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.roads.maryland.gov

Patricia Zook - Re: Case 2012-0129-A comment needed

From: Dennis Kennedy
To: Zook, Patricia
Date: 12/15/2011 1:37 PM
Subject: Re: Case 2012-0129-A comment needed

Patti:
We had no comment on Item 2012-0129-A.
Dennis Kennedy

>>> Patricia Zook 12/15/2011 1:16 PM >>>
Hello Dennis -

The case file is missing a comment from your office. If you don't have a comment, just reply to this e-mail and I'll place it in the file.

CASE NUMBER: 2012-0129-A
4020 Amy Lane
Location: W side of Amy Lane, 25 feet W of the c/l of New Bridge Court.
2nd Election District, 4th Council District
Legal owner: Latifat A. Raimi

ADMINISTRATIVE VARIANCE to permit a carport with a side yard setback of 1.5 feet in lieu of the required 7.5 feet.

Closing 12/12/2011

Thank you for your help.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

Patricia Zook - Case 2012-0129-A comment needed

From: Patricia Zook
To: Kennedy, Dennis
Date: 12/15/2011 1:16 PM
Subject: Case 2012-0129-A comment needed

Hello Dennis -

The case file is missing a comment from your office. If you don't have a comment, just reply to this e-mail and I'll place it in the file.

CASE NUMBER: 2012-0129-A

4020 Amy Lane

Location: W side of Amy Lane, 25 feet W of the c/l of New Bridge Court.

2nd Election District, 4th Council District

Legal owner: Latifat A. Raimi

ADMINISTRATIVE VARIANCE to permit a carport with a side yard setback of 1.5 feet in lieu of the required 7.5 feet.

Closing 12/12/2011

Thank you for your help.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

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M E M O R A N D U M

DATE: January 20, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0129-A – Appeal Period Expired

The appeal period for the above-referenced case expired on January 18, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

Maryland Department of Assessments and Taxation
Real Property Data Search (vw4.2A)
BALTIMORE COUNTY

2012-0129-A

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 02 Account Number - 1600001989

Owner Information

Owner Name: RAIMI LATIFAT **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 4020 AMY LN **Deed Reference:** 1) /30801/ 00207
RANDALLSTOWN MD 21133- 2)

Location & Structure Information

Premises Address

4020 AMY LN
0-0000

Legal Description

4020 AMY LN WS
MCDONOGH PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
0077	0002	1105		0000	3	E	11	1	Plat Ref:	0033/0092

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1971	1,988 SF	7,360 SF	04

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2011	07/01/2012
Land	73,360	73,300		
Improvements:	197,830	138,600		
Total:	271,190	211,900	211,900	211,900
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
FEDERAL NATIONAL MORTGAGE	05/12/2011	\$180,000
Type:	Deed1: /30801/ 00207	Deed2:
Seller: GALLOWAY DONALD	Date: 10/12/2010	Price: \$250,500
Type: ARMS LENGTH IMPROVED	Deed1: /29983/ 00081	Deed2:
Seller: PERRYMAN THOMAS E	Date: 07/23/1993	Price: \$116,500
Type: ARMS LENGTH IMPROVED	Deed1: /09907/ 00614	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	0.00
State	000	0.00	0.00
Municipal	000	0.00	0.00
Tax Exempt:	Special Tax Recapture:		
Exempt Class:			



(BACK VIEW)



(FRONT VIEW)

A-6210-2102



(BASEMENT ENTRANCE ~ 7' DEEP)



(EXISTING DRIVEWAY WITH BASEMENT ENTRANCE)

2012-0129-A

9101

2200009866 Lot # 1

1600001992 Lot # 14

1600001969
19880304
Lot # 27

2200009867 Lot # 9103

1600001991 Lot # 13 4024

2200009868 Lot #

SUNSET RIDGE (PLAT 1-3) (PDM File/Project #)

067A3

1600001990 Lot # 12 4022

PDM # 020450 9107 Pt. Bk./Folio # 063135

1600001989 Lot # 11

2200009869 Lot # 4

2 ED

NW 8-1

DR 5.5
4 CD
PDM # 020145

1600001988 Lot # 10

4018

Lot # 5 9109 Pt. Bk. 63, Folio 135
2200009870

077A1

1600001987 Lot # 9 4016

2200009871 Lot # 6

1600001986 Lot # 8 4014

Lot # 7
2200009872

Pt. Bk. 63, Folio 137

1600001985 Lot # 7

AMY LN

NEWBRIDGE CT

Lot # 21 Pt. Bk. 4015 Folio 92
1600001964

1600001963 Lot # 20

Lot # 19 1600001962

2012-0129-A

Case No.: 2012-0129-A

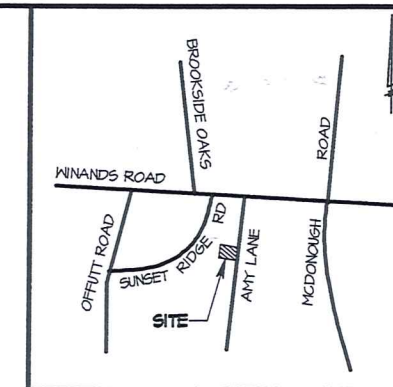
Exhibit Sheet

1/20/12 
1-20-12 

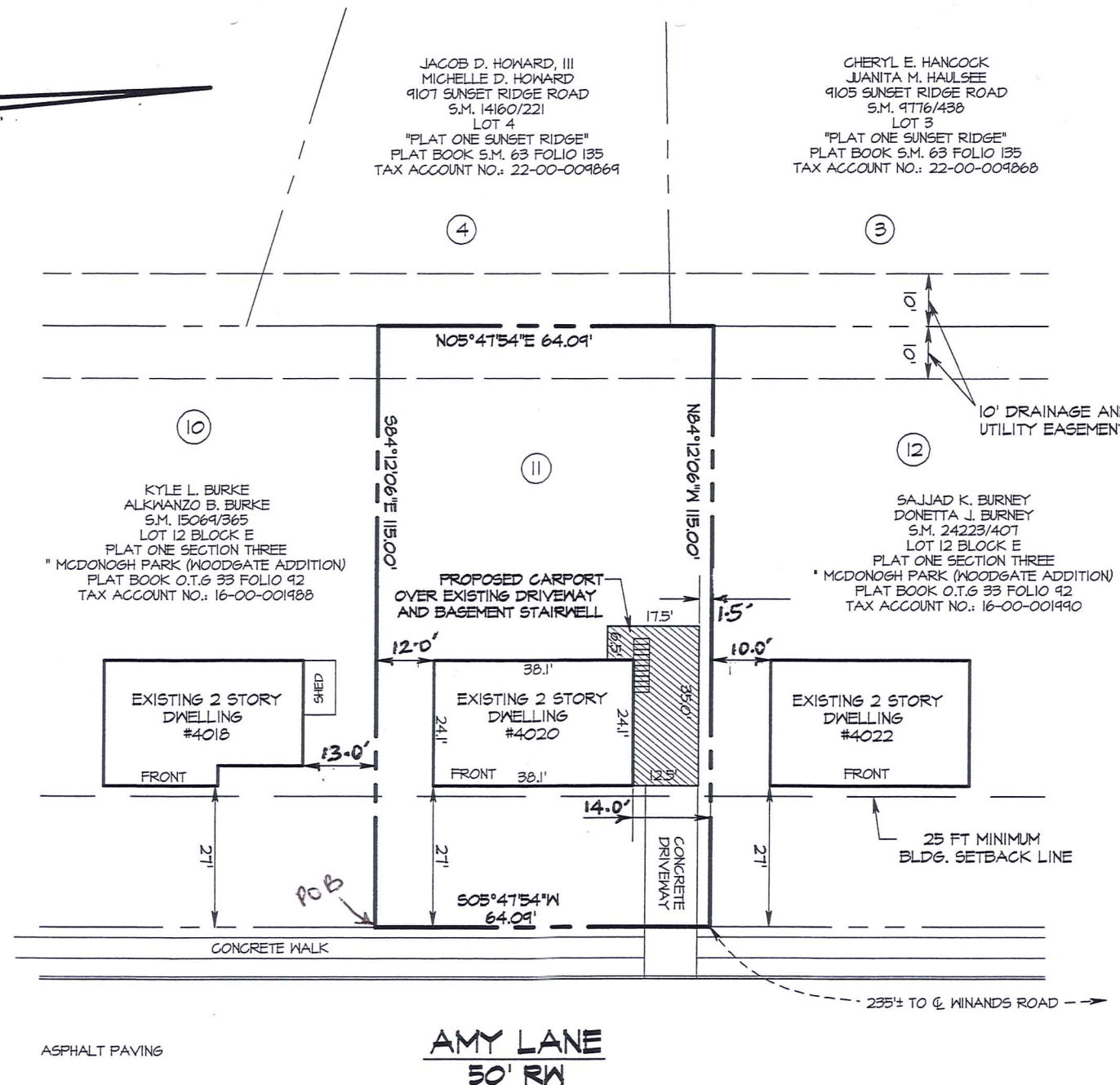
Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



VICINITY MAP
1" = 1000'



GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS BASED ON THE PLAT OF RECORD.
2. CENSUS TRACT 402506 REGIONAL PLANNING DISTRICT RANDALLSTOWN 312 WATERSHED GWYNNS FALLS SUBSEWERSHED SCOTTS LEVEL SCHOOL DISTRICT: ELEMENTARY - RANDALLSTOWN E.S.; MIDDLE - DEER PARK M.S.; HIGH - RANDALLSTOWN H.S.
A.D.C. MAP & GRID OLD: 24F9 & 24F10 NEW: 45T6D9
3. THERE ARE NO KNOWN PRIOR ZONING CASES ON THE SUBJECT PROPERTY.
4. THE SUBJECT PROPERTY IS NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
5. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
6. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
7. THE SUBJECT PROPERTY IS NOT WITHIN A 100 YEAR FLOOD PLAIN.
8. THE SUBJECT PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
9. THE SUBJECT PROPERTY IS 7073 SQUARE FEET OR 0.169 ACRES +/-.
7360

VARIANCE REQUESTED

2012-0129-A

PLAT TO ACCOMPANY
PETITION FOR A VARIANCE
ON THE PROPERTY OF
LATIFAT RAIMI

4020 AMY LANE
Deed Ref: J.L.E. 30801 Folio 207
Lot 11 Block E
Plat One Section Three
" McDonough Park (Woodgate Addition)
Plat Book O.T.G 33 Folio 92
Tax Account No.: 16-00-001989
Zoned D.R. 5.5; GIS Tile 067A3 & 77A1
Tax Map 77; Grid 2; Parcel 1105

2nd ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=30'

Date: November 5, 2011

EXHIBIT 1