

MEMORANDUM

DATE: August 13, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0303-A Appeal Period Expired

The appeal period for the above-referenced case expired on August 12, 2013. 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

IN RE: PETITION FOR ADMIN. VARIANCE *
(1411 Forest Glen Court)
1st Election District *
1st Council District *
James N. and Mary Lou Dubyoski *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0303-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, James N. and Mary Lou Dubyoski. The Petitioners are requesting Variance relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to (1) Permit an addition on the side of the dwelling with a side yard setback to tract boundary of 10 ft. in lieu of the required 25 ft., and (2) To amend the Final Development Plan (FDP) of Oak Forest Glen, in Lot 12 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A ZAC comment was received from the Bureau of Development Plans Review (DPR) dated June 21, 2013, indicating that the proposed addition shall be set back at least 1 ft. away from the 10 ft. drainage and utility easement [11 ft. from the property line] so that the footing is not within the easement.

In addition, it is to be noted that letters of support were received from neighbors residing on Forest Glen Court (Thomas A. and Elizabeth A. Walter [1412], John E. and Eva M. Soboleski [1409], Ronald L. Mitzelfelt and Daria C. Malan [1410], Jeffrey S. and Julie J. Bainbridge

ORDER RECEIVED FOR FILING

Date 7-11-13

By kw

[1414], and Christopher C. and Karen E. Walls [1413], all of whom had no objection to the requested relief.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on June 21, 2013, 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 (B.C.C.). 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 11th day of July, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to (1) Permit an addition on the side of the dwelling with a side yard setback to tract boundary of 10 ft. in lieu of the required 25 ft., and; (2) To amend the Final Development Plan (FDP) of Oak Forest Glen, in Lot 12 only, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

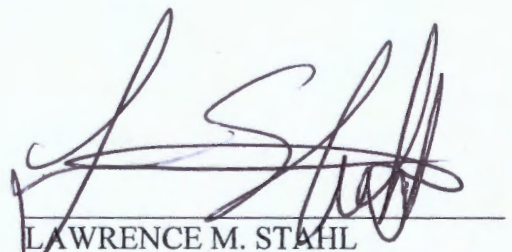
Date 7-11-13

By [Signature]

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for their appropriate permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners must comply with the ZAC comments received from DPR; a copy of which is attached hereto and made a part hereof.

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



LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 7-11-13

By [Signature]



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

July 11, 2013

James N. Dubyoski
Mary Lou Dubyoski
1441 Forest Glen Court
Catonsville, Maryland 21228

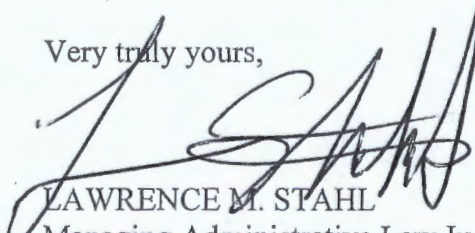
RE: **PETITION FOR ADMINISTRATIVE VARIANCE**
(1441 Forest Glen Court)
Case No. 2013-0303-A

Dear Mr. and Mrs. Dubyoski:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Very truly yours,


LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:dlw
Enclosure

c: Thomas A. and Elizabeth A. Walter, 1412 Forest Glen Court, Catonsville, Maryland 21228
John E. and Eva M. Soboleski, 1409 Forest Glen Court, Catonsville, Maryland 21228
Ronald L. Mitzelfelt and Daria C. Malan, 1410 Forest Glen Court, Catonsville, Maryland 21228
Jeffrey S. and Julie J. Bainbridge, 1414 Forest Glen Court, Catonsville, Maryland 21228
Christopher C. and Karen E. Walls, 1413 Forest Glen Court, Catonsville, Maryland 21228



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 1411 Forest Glen Ct

which is presently zoned DR 2

Deed Reference 12302/00138

10 Digit Tax Account # 2200027314

Property Owner(s) Printed Name(s) JAMES + MARY DUBYOSKI

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ **ADMINISTRATIVE VARIANCE** from section(s) to tract boundary 1B01.2C.1.b to permit an addition on the side of the dwelling with a side yard setback of 10 feet in lieu of the required 25 feet; and, to amend the Final Development Plan of Oak Forest Glen, in Lot 12 only.

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

2. ☐ **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4-416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners:

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, 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.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0303-A

Filing Date 6/13/13

Estimated Posting Date 6/23/13

Reviewer AT

~7/8/13

Rev 10/12/11

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the 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 property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address: 1411 FOREST GLEN CT. CATONSVILLE MD 21228
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

Addition is for a growing family. With the addition there
will still be ±35 ft separation with house #1413.

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

James N. Dubyoski
Signature of Affiant
JAMES N. DUBYOSKI
Name- Print or Type

Mary L. Dubyoski
Signature of Affiant
MARY L. DUBYOSKI
Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12 day of June, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

James N. Dubyoski and Mary L. Dubyoski
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal



R. Kapadia
Notary Public
3-26-2014
My Commission Expires

**Zoning Description For 1411 Forest Glen Court,
Catonsville, MD 21228**

Beginning at the south side of Forest Glen Court, which is 50 feet wide at the distance of 600 feet east of the centerline of the nearest improved intersecting street, Hilton Avenue, which is 50 feet wide.

Being Lot#12, in the Subdivision of Oak Forest Glen, as recorded in Baltimore County Plat Book SM#68, Folio #106, containing 11615 square feet; located in the 1st Election District and 1st Council District.

2013-0303-A

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

No. **099611**
Date: **6/13/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DOW
6/14/2013 6/13/2013 10:24:24 2

REG #002 WALKIN JOHN JEE
> RECEIPT # 628204 6/13/2013 WFLA
Sgt 5 330 JUDING VERIFICATION
099611

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$135

Recpt tot \$135.00
\$135.00 CA \$1.00 CA
Baltimore County, Maryland

Total: **\$135**

Rec From: **MARY LOU DUBYOSKI**
For: **1411 FOREST GLEN CT.**
2013-0303-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 06/24/2013

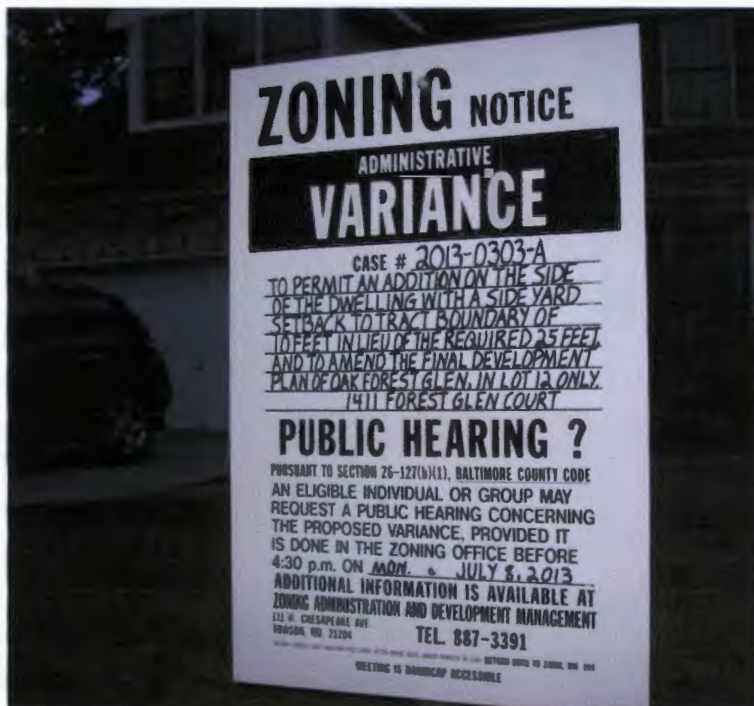
Case Number: 2013-0303-A

Petitioner / Developer: MARY LOU DUBYOSKI

Date of Hearing (Closing): JULY 8, 2013

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:
1411 FOREST GLEN COURT

The sign(s) were posted on: JUNE 21, 2013



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)

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>6-21</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>6-17</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT Date: _____		
SIGN POSTING Date: <u>6-24-13</u> by <u>O'Keefe</u>		
PEOPLE'S COUNSEL APPEARANCE	Yes ☐	No ☐
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐	No ☐

Comments, if any: _____

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0303 -A Address 1411 Forest Glen Court

Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/13/2013 Posting Date: 6/23/13 Closing Date: 7/8/13

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 2013- 0303 -A Address 1411 Forest Glen Court

Petitioner's Name Mary Lou Dubyoski Telephone 410-719-8684

Posting Date: 6/23/13 Closing Date: 7/8/13

Wording for Sign: To Permit an addition on the side of the dwelling with a side yard setback of 10 feet in lieu of the required 25 feet, and, to amend the Final Development Plan of Oak Forest Glen, in Lot 12 only.

to tract boundary

Revised 7/06/11

Baltimore County, MD
Thursday, July 11, 2013

ARTICLE 1B. DENSITY RESIDENTIAL (D.R.) ZONES

SECTION 1B01. Regulations With Respect to D.R. Zones in General

§ 1B01.2. General density, bulk, building separation, open space and other height and area standards and regulations.

A. Density controls.

1. Application of maximum density standards to tract in one zone. The maximum gross residential density permitted in any one D.R. Zone shall control only as applied to the total gross residential acreage within a subdivision tract, and shall not apply to or establish minimum areas of lots created by subdivision within such tract.
2. Application to tract divided by zone boundary. In D.R. 10.5, D.R.16 or in any nonresidential zone which allows residential development, wherever a single tract is divided by a zone boundary so that portions of such tract lie within D.R. Zones of different classification, the total number of dwelling or density units permitted, as determined by multiplying the gross acreage of each portion by the maximum density permitted under Section 1B02.2 in the zone within which that portion lies and totaling the results, shall be permitted without further regard to the zone boundary, and the units may be distributed over the tract as though it were in a single zone. **[Bill No. 2-1992]**

B. Bulk regulations. **[Bill No. 2-1992]**

1. Detached and attached buildings. In the application of the provisions of this article, buildings shall be considered as detached if there are no above-grade structural connections between them. If buildings are, in fact, structurally connected above grade, they shall be considered as mutually attached buildings if divided by lot lines, or as one building if situated on a single lot.
2. Building lengths. The building lengths have been described in accordance with Section 504.2, Comprehensive Manual of Development Policies.

C. Building setback requirements. **[Bill No. 2-1992]**

1. Except as otherwise may be provided under standards adopted pursuant to Section 504.2, the minimum setbacks and heights shall be as set forth in the following tables:

- a. Nonresidential principal building setbacks in DR Zones.

Nonresidential Principal Building Setbacks

	Front Yard (feet)	Side Yard Interior (feet)	Corner Street Side (feet)	Rear Yard (feet)
D.R.1	70	40	65	50
D.R.2	60	30	50	40
D.R.3.5	50	20	35	30
D.R.5.5	40	20	35	30
D.R.10.5	25	20	35	50
D.R.16	30	25	25	30

- b. Single-family detached, two-family alternative site design dwellings.
75-2010]

[Bill No.

Single-Family Detached, Two-Family Alternative Site Design Dwellings

Alternative Site Design Dwellings

	D.R.1 & 2 Zones (feet)	D.R.3.5, 5.5, 10.5 & 16 Zones (feet)	Zero & Zipper Lots All D.R. Zones (feet)	Traditional All D.R. Zones (feet)
From front building face to:				
Public street right-of- -way or property line	25	25	25	10
From side building face to:				
Side building face	30	16 less than 20	16	12

Single-Family Detached, Two-Family Alternative Site Design Dwellings

	Alternative Site Design Dwellings			
	D.R.1 & 2 Zones (feet)	D.R.3,5, 5.5, 10.5 & 16 Zones (feet)	Zero & Zipper Lots All D.R. Zones (feet)	Traditional All D.R. Zones (feet)
		high 20 greater than 20 high		
Public street right-of-way	25	15	15	10
Paving of a private road	30	25	25	20
Tract boundary	25	15	15	10
From rear building face to:				
Rear property line	30	30	20	See CMDP
Public street right-of-way	30	30	20	See CMDP
Additional setbacks:				
Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet.				Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 30 feet.

This table lists minimum setback requirements and building heights for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies (CMDP).

c. Group house (except back-to-back group house).

Group House

From front building face to:

Public street right-of-way or property line

Garage units 25 feet

Non-garage units

Perpendicular parking 13 feet

Parallel parking 15 feet

Parallel parking, traditional 10 feet

From side building face to:

Side building face 25, 20 feet*

Traditional 15 feet

Public street right-of-way 25 feet

Traditional 10 feet

From rear building face to:

Rear property line 30 feet

Traditional — See CMDP

Public street right-of-way 45 feet

Traditional — See CMDP

Any building face to:

Tract boundary 30 feet

Traditional — See CMDP

Additional setbacks:

Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet

Traditional — increased by 30 feet

This table lists minimum setback requirements and building heights for urban residential use. For a fuller explanation of this requirement, consult the Comprehensive Manual of Development Policies (CMDP).

* See CMDP Section II, Single-Family Attached.

d. Back-to-back group houses.

Back-to-Back Group Houses

Building face to building face (there are two fronts)	60 feet
Building to public street	25 feet
Side building face to side building face:	
1 foot of setback per 1 foot of height to soffit line of tallest building	Not less than 40 feet
Building face to tract boundary	40 feet
Additional setbacks:	

Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet

This table lists minimum setback requirements and building heights for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies.

e. Multifamily buildings.

Multifamily Buildings

Building face to building face (front or rear)	60 feet
Building face to public street right-of-way	25 feet
Side building face to side building face:	
1 foot of setback per 1 foot of height to soffit line of tallest building	Not less than 30 feet
Building face to tract boundary:	
Front or rear building face	40 feet
Side building face	30 feet

Multifamily Buildings

Additional setbacks:

Setbacks for buildings located adjacent to arterial roadways shall be increased by an additional 20 feet.

This table lists minimum setback requirements and building heights for urban residential use. For a fuller explanation of these and other requirements, consult the Comprehensive Manual of Development Policies.

2. Under the provisions adopted pursuant to the authority of Section 504.2, development in D.R. Zones may be made subject to additional standards of lot area, yard space, open-space distribution, building distribution or other aspects or characteristics of site planning or project design. Such standards shall be based upon specified existing, prospective or stipulated conditions or circumstances of development, and shall be designed to further the specific purposes of this article and the purposes of these zoning regulations in general.
3. Local open space. Local open space tracts in D.R. Zones shall be designed, established and maintained in accordance with the standards, guidelines and procedures set forth in the Baltimore County Local Open Space Manual as enabled in § 32-4-404 of the Baltimore County Code. *Editor's Note: Former Subsection C, Open Space, Building Separation and Other Area Standards, which followed, was repealed by Bill No. 126-1992.*

[Bill No. 137-2004]

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For June 24, 2013
Item No. 2013-0303

DATE: June 21, 2013

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Proposed addition shall be set back at least 1' away from the 10' drainage and utility easement [11'feet from the property line] so that the footing is not within the easement.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 13-0303-06242013.doc

ORDER RECEIVED FOR FILING

Date 7-11-13

By aw



KEVIN KAMENETZ
County Executive

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

July 9, 2013

James N. & Mary L. Dubyoski
1411 Forest Glen Court
Catonsville MD 21228

RE: Case Number: 2013-0303 A, Address: 1411 Forest Glen Court

Dear Mr. & Ms. Dubyoski:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 13, 2013. 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: jaf

Enclosures

c: People's Counsel



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

Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6/17/13

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

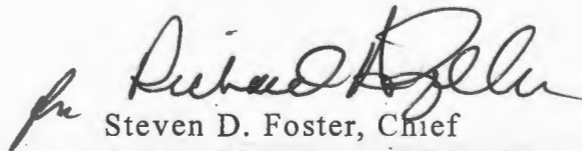
RE: Baltimore County
Item No 2013-0303-A
Administrative Variance
James N. & Mary L. Dubyoski
1411 Forest Glen Court

Dear Ms. Lewis:

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. 2013-0303-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).

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/raz

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

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 01 Account Number - 2200027314

Owner Information

<u>Owner Name:</u>	DUBYOSKI JAMES N DUBYOSKI MARY LOU	<u>Use:</u>	RESIDENTIAL
<u>Mailing Address:</u>	1411 FOREST GLEN CT BALTIMORE MD 21228	<u>Principal Residence:</u>	YES
		<u>Deed Reference:</u>	1) /12302/ 00138 2)

Location & Structure Information

<u>Premises Address</u>	<u>Legal Description</u>
1411 FOREST GLEN CT 0-0000	.267 AC 1411 FOREST GLEN CT SS OAK FOREST GLEN

<u>Map</u>	<u>Grid</u>	<u>Parcel</u>	<u>Sub District</u>	<u>Subdivision</u>	<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Assessment Area</u>	<u>Plat No:</u>	0
0101	0019	0728		0000			12	1	<u>Plat Ref:</u>	0068/ 0106

Town NONE

Special Tax Areas

Ad Valorem
Tax Class

<u>Primary Structure Built</u>	<u>Enclosed Area</u>	<u>Property Land Area</u>	<u>County Use</u>
1997	2,920 SF	11,615 SF	04

<u>Stories</u>	<u>Basement</u>	<u>Type</u>	<u>Exterior</u>
2.000000	YES	STANDARD UNIT SIDING	

Value Information

	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
<u>Land</u>	186,400	140,400		
<u>Improvements:</u>	266,400	352,200		
<u>Total:</u>	452,800	492,600	452,800	466,067
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	MACARI BRIAN G	<u>Date:</u>	07/30/1997	<u>Price:</u>	\$130,000
<u>Type:</u>	NON-ARMS LENGTH OTHER	<u>Deed1:</u>	/12302/ 00138	<u>Deed2:</u>	
<u>Seller:</u>		<u>Date:</u>		<u>Price:</u>	
<u>Type:</u>		<u>Deed1:</u>		<u>Deed2:</u>	
<u>Seller:</u>		<u>Date:</u>		<u>Price:</u>	
<u>Type:</u>		<u>Deed1:</u>		<u>Deed2:</u>	

Exemption Information

<u>Partial Exempt Assessments</u>	<u>Class</u>	07/01/2012	07/01/2013
<u>County</u>	000	0.00	
<u>State</u>	000	0.00	
<u>Municipal</u>	000	0.00	0.00

<u>Tax Exempt:</u>	<u>Special Tax Recapture:</u>
<u>Exempt Class:</u>	NONE

Homestead Application Information

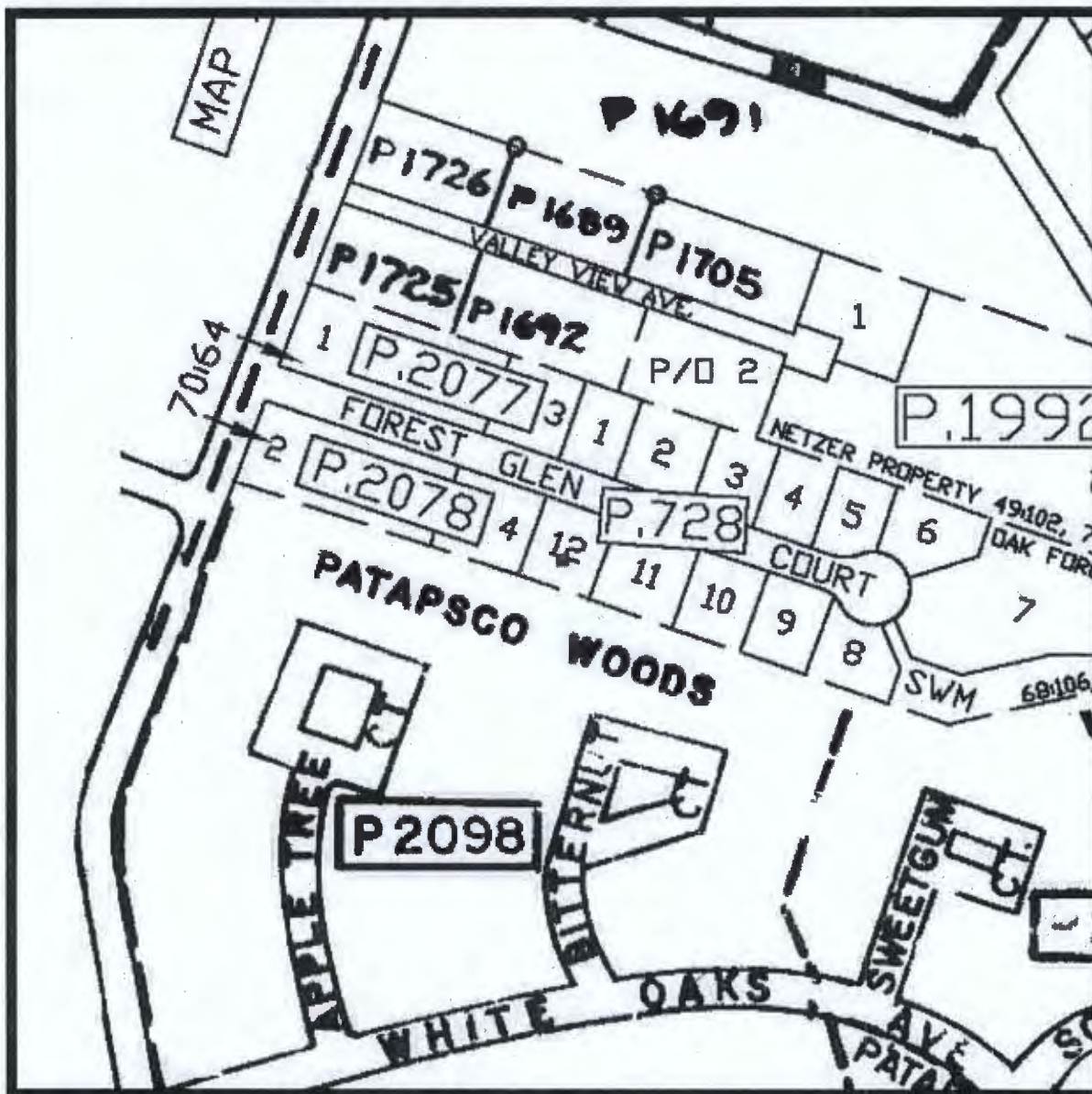
<u>Homestead Application Status:</u>	Approved 12/31/2012
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District - 01 Account Number - 2200027314



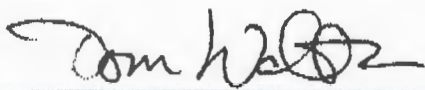
The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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.

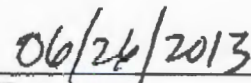
Property maps provided courtesy of the Maryland Department of Planning ©2010.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

June 22, 2013

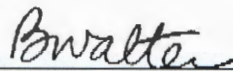
I, the undersigned, am aware that my neighbors at 1411 Forest Glen Ct, Catonsville, MD 21228, would like to build an addition on the side of the dwelling with a side yard setback to tract boundary of 10 feet in lieu of the required 25 feet, and to amend the Final Development Plan of Oak Forest Glen, on Lot 12 only. I am not opposed to this addition and would like to express that with my signature below.



Tom Walter, 1412 Forest Glen Ct.



Date



Beth Walter, 1412 Forest Glen Ct.



Date

2013-0303-A

Maryland Department of Assessments and Taxation
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BALTIMORE COUNTY

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Account Identifier: District - 01 Account Number - 2200027303

Owner Information

Owner Name: WALTER THOMAS A
WALTER ELIZABETH A
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1412 FOREST GLEN CT
BALTIMORE MD 21228-6402
Deed Reference: 1) /12180/ 00039
2)

Location & Structure Information

Premises Address
1412 FOREST GLEN CT
0-0000
Legal Description
.213 AC
1412 FOREST GLEN CT NS
OAK FOREST GLEN

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0101	0019	0728		0000			1	1	
									Plat Ref: 0068/ 0106

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1997	1,944 SF	9,296 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
		01/01/2013	07/01/2012	07/01/2013
Land	185,200	139,200		
Improvements:	221,300	265,900		
Total:	406,500	405,100	406,500	405,100
Preferential Land:	0			0

Transfer Information

Seller: MACARI BRIAN G	Date: 05/15/1997	Price: \$107,000
Type: NON-ARMS LENGTH OTHER	Deed1: /12180/ 00039	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

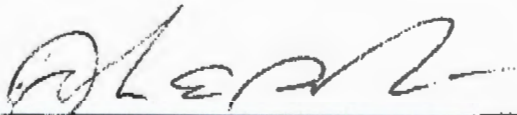
Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:	Approved 01/05/2010
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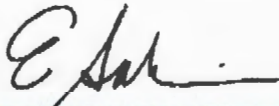
June 22, 2013

I, the undersigned, am aware that my neighbors at 1411 Forest Glen Ct, Catonsville, MD 21228, would like to build an addition on the side of the dwelling with a side yard setback to tract boundary of 10 feet in lieu of the required 25 feet, and to amend the Final Development Plan of Oak Forest Glen, on Lot 12 only. I am not opposed to this addition and would like to express that with my signature below.



John Soboleski, 1409 Forest Glen Ct.

6-23-13
Date



Eva Soboleski, 1409 Forest Glen Ct.

6-23-13
Date

2013-0303-A

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Account Identifier: District - 01 Account Number - 2200027313

Owner Information

Owner Name: SOBOLESKI JOHN E
SOBOLESKI EVA M
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1409 FOREST GLEN CT
BALTIMORE MD 21228-6401
Deed Reference: 1) /13450/ 00630
2)

Location & Structure Information

Premises Address
1409 FOREST GLEN CT
0-0000
Legal Description
.321 AC
1409 FOREST GLEN CT SS
OAK FOREST GLEN

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	0
0101	0019	0728		0000			11	1	Plat Ref:	0068/ 0106

Town NONE
Special Tax Areas
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1999	2,558 SF	13,985 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
		01/01/2013	07/01/2012	07/01/2013
Land	186,900	140,900		
Improvements:	235,600	308,300		
Total:	422,500	449,200	422,500	431,400
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
MACARI BRIAN G	01/14/1999	\$135,000
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/13450/ 00630	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

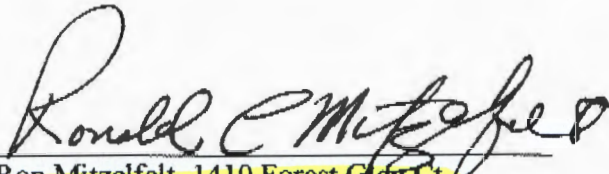
Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

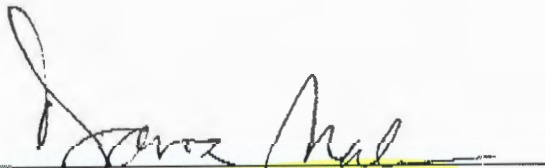
Homestead Application Status: Approved 06/30/2008

June 22, 2013

I, the undersigned, am aware that my neighbors at 1411 Forest Glen Ct, Catonsville, MD 21228, would like to build an addition on the side of the dwelling with a side yard setback to tract boundary of 10 feet in lieu of the required 25 feet, and to amend the Final Development Plan of Oak Forest Glen, on Lot 12 only. I am not opposed to this addition and would like to express that with my signature below.


Ron Mitzelfelt, 1410 Forest Glen Ct.

6-22-13
Date


Daria Malen, 1410 Forest Glen Ct.

6-22-13
Date

2013-0303-A

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[GroundRent Registration](#)

Account Identifier: District - 01 Account Number - 2200027304

Owner Information

Owner Name: MITZELFELT RONALD L
MALAN DARIA C
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1410 FOREST GLEN CT
BALTIMORE MD 21228-6402
Deed Reference: 1) /14017/ 00288
2)

Location & Structure Information

Premises Address: 1410 FOREST GLEN CT
0-0000
Legal Description: .294 AC
1410 FOREST GLEN CT NS
OAK FOREST GLEN

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0101	0019	0728		0000			2	1		0068/ 0106

Town: NONE
Special Tax Areas: Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1998	2,254 SF	12,808 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
		01/01/2013	07/01/2012	07/01/2013
Land	186,700	140,700		
Improvements:	242,600	301,100		
Total:	429,300	441,800	429,300	433,467
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
MACARI BRIAN G	09/10/1999	\$272,500
Type:	Deed1:	Deed2:
ARMS LENGTH IMPROVED	/14017/ 00288	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

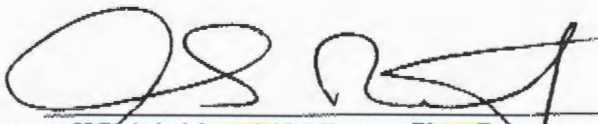
Tax Exempt:
Exempt Class: **Special Tax Recapture:**
NONE

Homestead Application Information

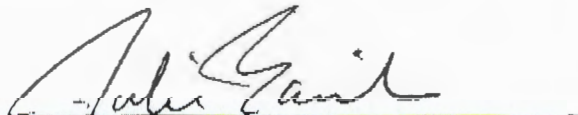
Homestead Application Status: Approved 12/31/2012

June 22, 2013

I, the undersigned, am aware that my neighbors at 1411 Forest Glen Ct, Catonsville, MD 21228, would like to build an addition on the side of the dwelling with a side yard setback to tract boundary of 10 feet in lieu of the required 25 feet, and to amend the Final Development Plan of Oak Forest Glen, on Lot 12 only. I am not opposed to this addition and would like to express that with my signature below.


Jeff Bainbridge, 1414 Forest Glen Ct.

7/4/13
Date


Julie Bainbridge, 1414 Forest Glen Ct.

7/2/13
Date

2013-0303-A

Maryland Department of Assessments and Taxation
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[GroundRent Registration](#)

Account Identifier: District - 01 Account Number - 2300002498

Owner Information

Owner Name: BAINBRIDGE JEFFREY S
BAINBRIDGE JULIE J
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1414 FOREST GLEN CT
BALTIMORE MD 21228-6402
Deed Reference: 1) /13751/ 00041
2)

Location & Structure Information

Premises Address 1414 FOREST GLEN CT
0-0000
Legal Description
.2910 AC
1414 FOREST GLEN CT NS
HELFRICH & WEISKOPF

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0101	0019	2077		0000			3	1		0070/ 0064

Town NONE

Special Tax Areas
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1999	3,010 SF	12,677 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
		01/01/2013	07/01/2012	07/01/2013
<u>Land</u>	177,400	133,700		
<u>Improvements:</u>	262,600	332,000		
<u>Total:</u>	440,000	465,700	440,000	448,567
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u> MACARI BRIAN G	<u>Date:</u> 05/17/1999	<u>Price:</u> \$135,000
<u>Type:</u> NON-ARMS LENGTH OTHER	<u>Deed1:</u> /13751/ 00041	<u>Deed2:</u>
<u>Seller:</u> MOLINARO VALERIE A	<u>Date:</u> 04/07/1998	<u>Price:</u> \$36,000
<u>Type:</u> ARMS LENGTH IMPROVED	<u>Deed1:</u> /12775/ 00525	<u>Deed2:</u>
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
<u>County</u>	000	0.00	
<u>State</u>	000	0.00	
<u>Municipal</u>	000	0.00	0.00

Tax Exempt: Special Tax Recapture:
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: Approved 01/12/2010

Maryland Department of Assessments and Taxation
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Account Identifier: District - 01 Account Number - 2300002499

Owner Information

Owner Name: WALLS CHRISTOPHER C
WALLS KAREN E
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1413 FOREST GLEN CT
BALTIMORE MD 21228-6401
Deed Reference: 1) /19192/ 00719
2)

Location & Structure Information

Premises Address: 1413 FOREST GLEN CT
0-0000
Legal Description: .3330 AC
1413 FOREST GLEN CT SS
HELFRICH & WEISKOPF

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	Plat Ref:
0101	0019	2078		0000			4	1		0070/ 0064

Special Tax Areas: **Town:** NONE
Ad Valorem:
Tax Class:

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2004	3,786 SF	14,507 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
		01/01/2013	07/01/2012	07/01/2013
Land	187,100	141,100		
Improvements:	371,800	428,000		
Total:	558,900	569,100	558,900	562,300
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
MACARI BRIAN G	11/21/2003	\$251,000
Type: ARMS LENGTH IMPROVED	Deed1: /19192/ 00719	Deed2:
WEISKOPF FRANCIS B, JR	04/07/1998	\$64,000
Type: ARMS LENGTH VACANT	Deed1: /12775/ 00528	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: Approved 11/08/2012

June 22, 2013

I, the undersigned, am aware that my neighbors at 1411 Forest Glen Ct, Catonsville, MD 21228, would like to build an addition on the side of the dwelling with a side yard setback to tract boundary of 10 feet in lieu of the required 25 feet, and to amend the Final Development Plan of Oak Forest Glen, on Lot 12 only. I am not opposed to this addition and would like to express that with my signature below.

Chris P. Walls

Chris Walls, 1413 Forest Glen Ct.

7/2/13

Date

Karen Walls

Karen Walls, 1413 Forest Glen Ct.

7/2/13

Date

2013-0303-A

Maryland Department of Assessments and Taxation
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[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 01 Account Number - 2200027314

Owner Information

Owner Name: DUBYOSKI JAMES N
DUBYOSKI MARY LOU
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 1411 FOREST GLEN CT
BALTIMORE MD 21228
Deed Reference: 1) /12302/ 00138
2)

Location & Structure Information

Premises Address
1411 FOREST GLEN CT
0-0000
Legal Description
.267 AC
1411 FOREST GLEN CT SS
OAK FOREST GLEN

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0101	0019	0728		0000			12	1	Plat Ref:	0068/0106

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1997	2,920 SF	11,615 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
		01/01/2013	07/01/2012	07/01/2013
Land	186,400	140,400		
Improvements:	266,400	352,200		
Total:	452,800	492,600	452,800	466,067
Preferential Land:	0			0

Transfer Information

Seller: MACARI BRIAN G	Date: 07/30/1997	Price: \$130,000
Type: NON-ARMS LENGTH OTHER	Deed1: /12302/ 00138	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

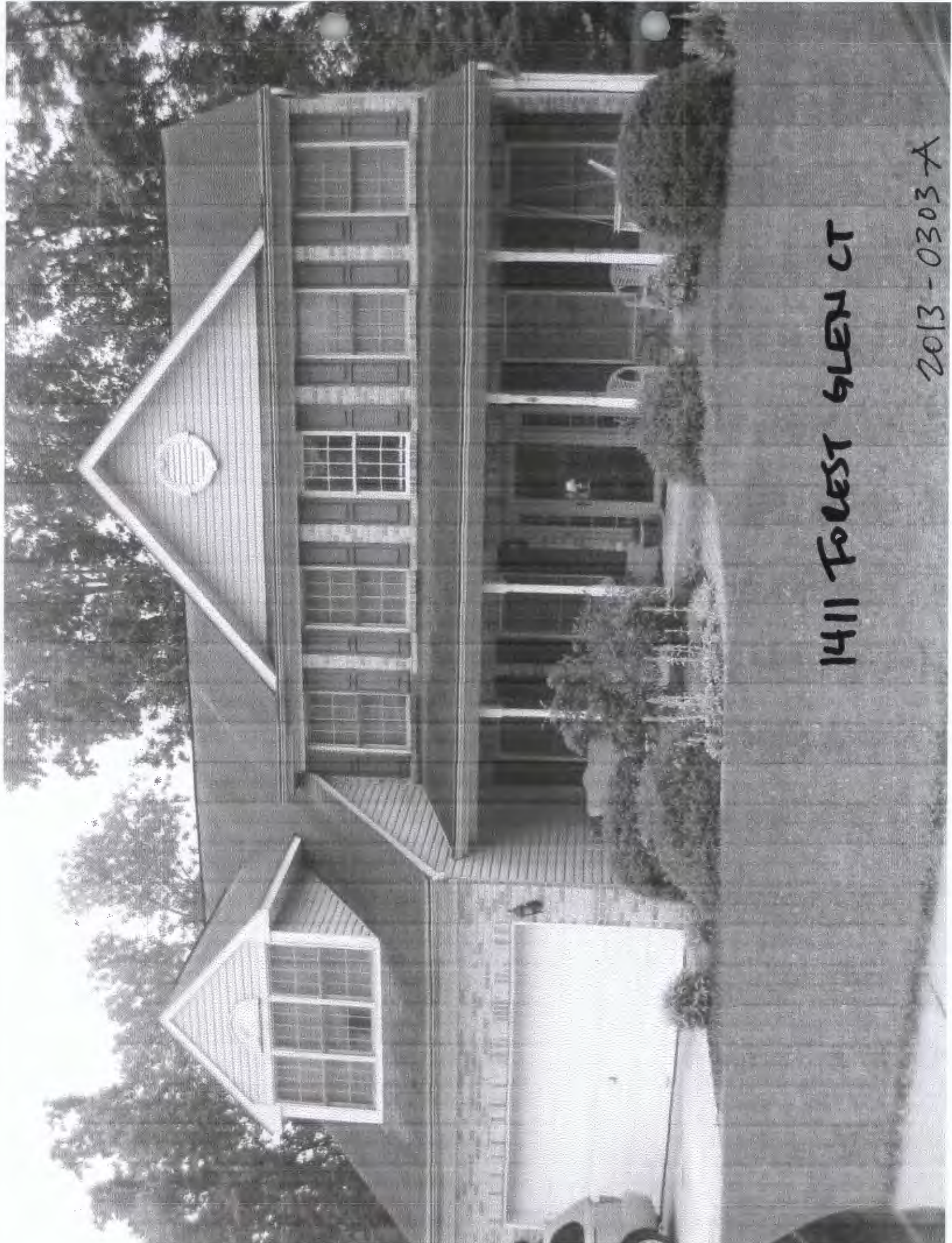
Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00
Tax Exempt:		Special Tax Recapture:	
Exempt Class:		NONE	

Homestead Application Information

Homestead Application Status: Approved 12/31/2012

2013-0303-A



1411 FOREST GLEN CT

2013-0303-A

1411
Forest
Glen Ct



1413
Forest
Glen
Ct



ADDITION

2013-0303-A

1411

FOREST

GLEN A



1413

FOREST

GLEN

CT



ADDITION

2013-0303-A

1411
Forest
blend



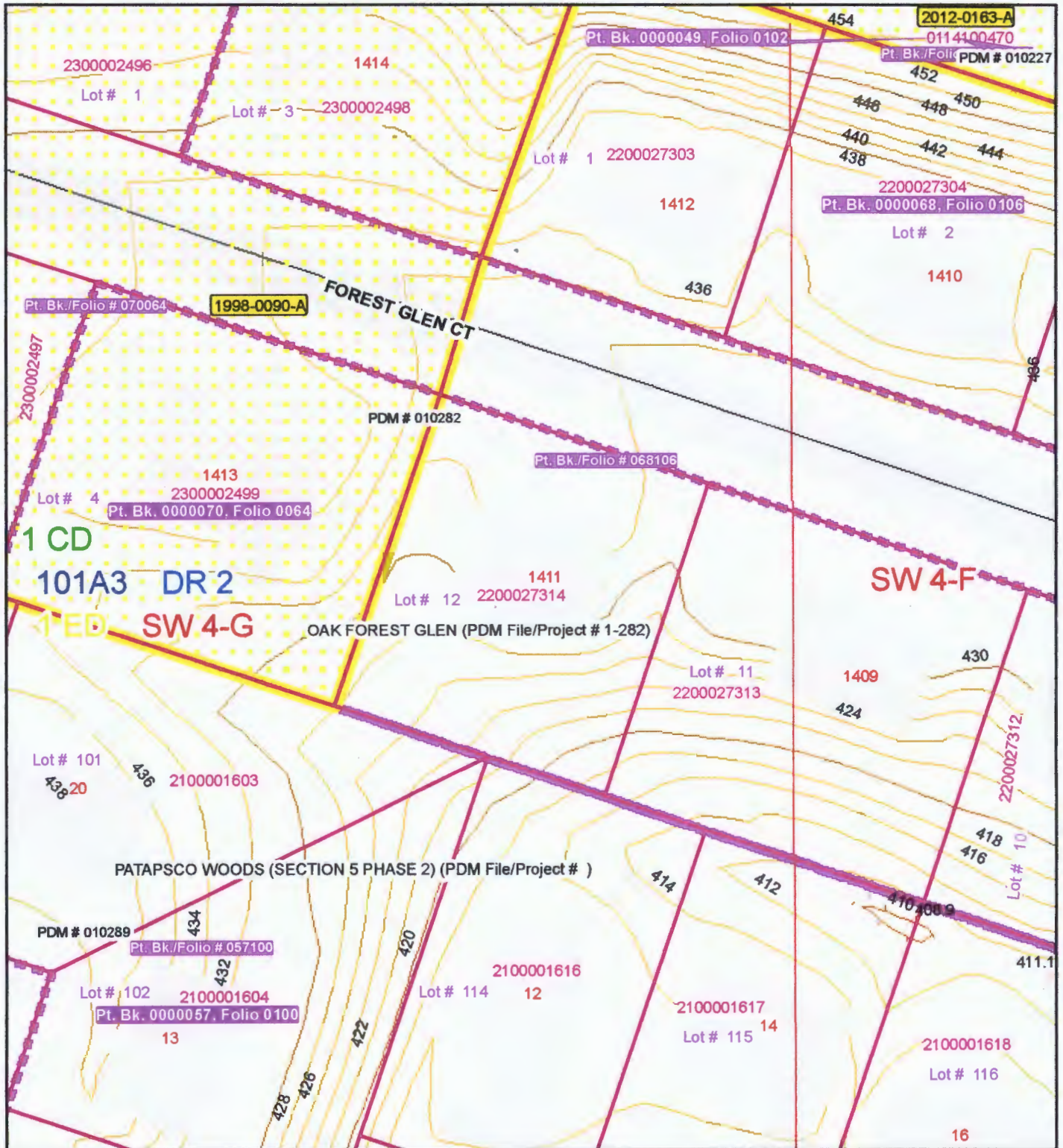
1413
Forest
blend
CT



ADDITION

2013-0303-A

9509 Tulsemere Road



Publication Date: 4/19/2013



Publication Agency: Permits, Approvals & Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100 Feet

1 inch = 50 feet

2013-0303-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 1411 FOREST GLEN CT OWNER(S) NAME(S) JAMES + MARY DUBYOSKI

SUBDIVISION NAME OAK FOREST GLEN LOT # 12 BLOCK # _____ SECTION # _____

PLAT BOOK # 68 FOLIO # 106 10 DIGIT TAX # 2200027314 DEED REF. # 12302/00130

SITE PLAN

1" = 20'

Baylor CAD
DRAFTING SERVICE

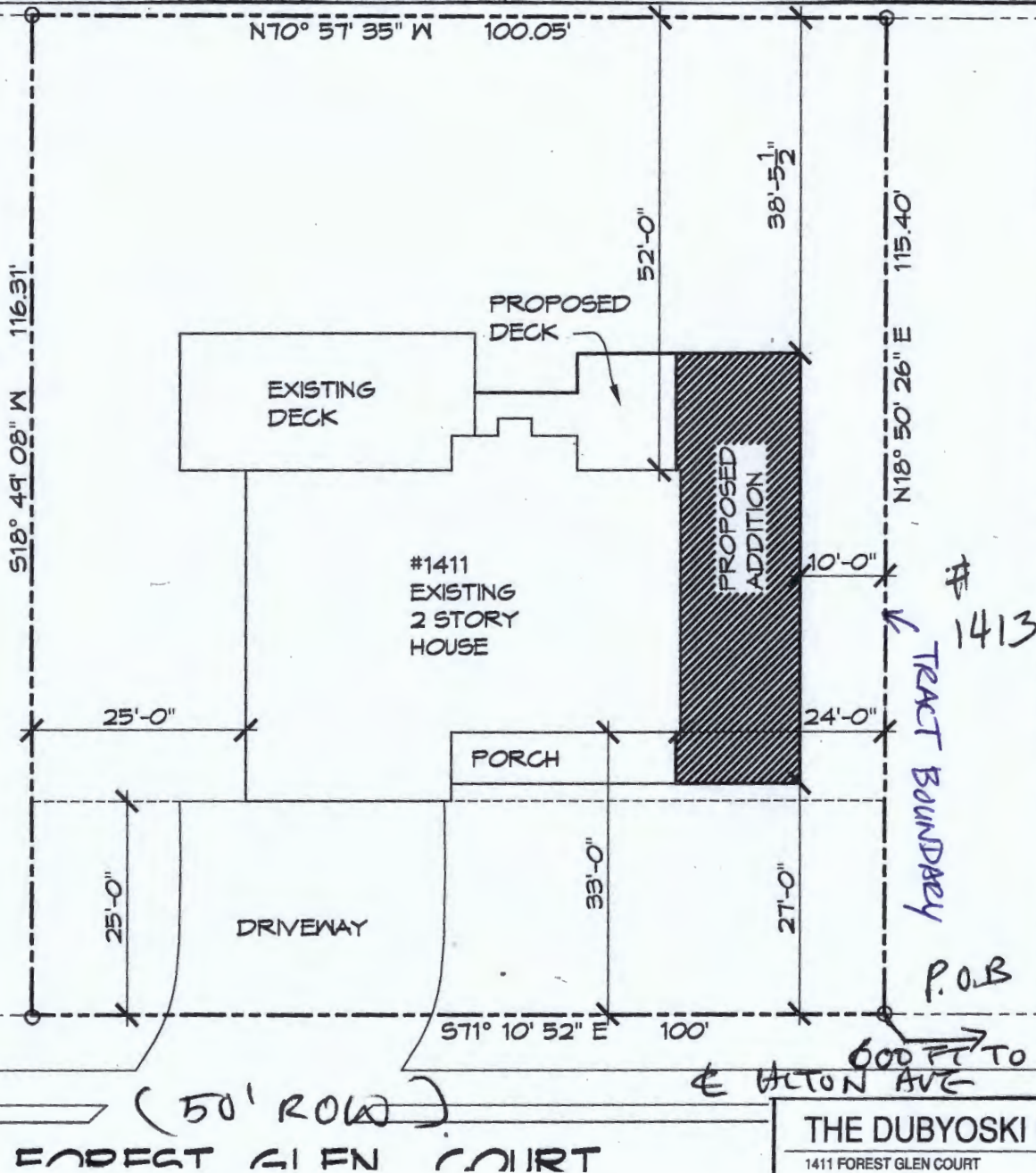
1805 UNIONTOWN RD
WESTMINSTER, MD 21156
443-340-2061 baylorcad@comcast.net

MD.

#1409

NORTH

2013-0303-A



SITE VICINITY



MAP IS NOT TO SCALE

ZONING MAP# 10/A3

SITE ZONED DR 2

ELECTION DISTRICT 1 S

COUNCIL DISTRICT 1 ST

LOT AREA ACREAGE _____

OR SQUARE FEET 11,615 SF

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS: PUBLIC ☒ PRIVATE _____

SEWER IS: PUBLIC ☒ PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

NO

VIOLATION CASE INFO:

FILE: 1324

THE DUBYOSKI RESIDENCE

1411 FOREST GLEN COURT

C1