

## MEMORANDUM

DATE: October 15, 2013  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2014-0016-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on October 11, 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 \***  
**(1634 Worthington Heights Pkwy.)**  
8<sup>th</sup> Election District \*  
3<sup>rd</sup> Councilmanic District \*  
John E. and Mary Byrd Demyan \*  
Petitioners \*

BEFORE THE  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
FOR BALTIMORE COUNTY  
**Case No. 2014-0016-A**

\* \* \* \* \*

**MOTION FOR RECONSIDERATION**  
**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings for Baltimore County as a Motion for Reconsideration filed by John E. and Mary Byrd Demyan, by and through their attorney, Timothy M, Kotroco, Esquire, with Whiteford, Taylor & Preston, LLP. The Petitioners originally filed an Administrative Variance for property located at 1634 Worthington Heights Parkway. The relief was requested from Sections 1A00.4, 1B02.3.B, 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed detached accessory structure (garage) to be located in the front yard and have a height of 19' in lieu of the required rear yard and the maximum allowed 15', respectively

By Opinion and Order dated August 26, 2013, the undersigned granted the Administrative Variance request, with conditions, in accordance with the site plan and documentation within the case file.

On September 10, 2013, Timothy M. Kotroco, Esquire on behalf of Petitioners, filed a timely Motion for Reconsideration of my Order dated August 26, 2013. In the Motion he raised concern about Condition No. 2, in particular not being able to have bathroom facilities (toilet and sink) in the garage. Mr. Kotroco disclosed that the garage will be used by Mr. Demyan, who is

**ORDER RECEIVED FOR FILING**

Date 9-11-13

By kw

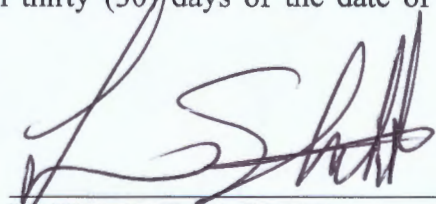
an elderly gentleman and hobbyist who constructs model airplanes, and intends to use the garage for that purpose. Mr. Kotroco also disclosed that it would be inconvenient for Mr. Demyan to walk up to his main house for the purpose of using the bathroom in his main residence. It was also stressed that the Petitioner has no intention of converting the garage into a separate dwelling unit or apartment.

After due consideration of the argument raised by Mr. Kotroco, I must deny the Motion. The petition in this case, as was proper, sought relief from the height and yard placement restrictions set forth in B.C.Z.R. Sections 1A00.4, 1B02.3.B, 400.1 and 400.3. That is the extent of the relief permitted in a variance case. The decision to permit (or not) bathroom facilities must be made by the County's zoning, public works and (in the case of a property served by well and septic) environmental departments.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 11<sup>th</sup> day of September, 2013, that the Petitioners' Motion for Reconsideration, be and is hereby DENIED.

IT IS FURTHER ORDERED that all other terms and conditions of the Order granted on August 26, 2013 shall remain in full force and effect.

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 9-11-13

By [Signature]



KEVIN KAMENETZ  
*County Executive*

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

September 11, 2013

Timothy M. Kotroco, Esquire  
Whiteford, Taylor & Preston, LLP  
Towson Commons, Suite 300  
One West Pennsylvania Avenue  
Towson, Maryland 21204-5025

RE: **MOTION FOR RECONSIDERATION -**  
**PETITION FOR ADMINISTRATIVE VARIANCE**  
(1634 Worthington Heights Parkway)  
Case No. 2014-0016-A

Dear Mr. Kotroco:

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,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name "LAWRENCE M. STAHL".

LAWRENCE M. STAHL  
Managing Administrative Law Judge  
for Baltimore County

LMS:dlw  
Enclosure



IN RE: PETITION FOR ADMIN. VARIANCE \*  
(1634 Worthington Heights Pkwy.)  
8<sup>th</sup> Election District \*  
3<sup>rd</sup> Councilmanic District \*  
John E. and Mary Byrd Demyan \*  
Petitioners \*

BEFORE THE  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
FOR BALTIMORE COUNTY  
Case No. 2014-0016-A

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owners of the subject property, John E. and Mary Byrd Demean, for property located at 1634 Worthington Heights Parkway. The variance request is from Sections 1A00.4, 1B02.3.B, 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed detached accessory structure (garage) to be located in the front yard and have a height of 19' in lieu of the required rear yard and the maximum allowed 15', respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on August 2, 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. Based upon the information available, there is no evidence in the file to

**ORDER RECEIVED FOR FILING**

Date 8-26-13

By DW

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.

Although the Department of Planning did not make any recommendations related to the garage height and usage, I will impose conditions that the garage not be converted into a dwelling unit or apartment, not contain any sleeping quarters, living area, kitchen or bathroom facilities, and not be used for commercial purposes.

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 Administrative Law Judge for Baltimore County, this 26<sup>th</sup> day of August, 2013, that a Variance from Sections 1A00.4, 1B02.3.B, 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a proposed detached accessory structure (garage) to be located in the front yard and have a height of 19' in lieu of the required rear yard and the maximum allowed 15', respectively, be and is hereby GRANTED, subject to the following:

The relief granted herein shall be subject to the following:

1. 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.

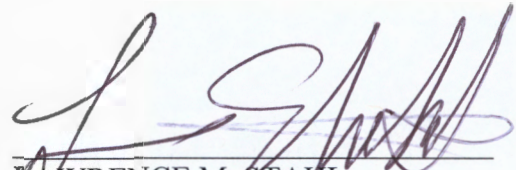
ORDER RECEIVED FOR FILING

Date 8-26-13

By [Signature]

2. The Petitioners or subsequent owners shall not convert the subject garage into a dwelling unit or apartment. The structure shall not contain any sleeping quarters, living area, kitchen or bathroom facilities.
3. The garage shall not be used for commercial purposes.

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 8-26-13

By [Signature]



KEVIN KAMENETZ  
*County Executive*

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

August 26, 2013

John E. Demyan  
Mary Byrd Demyan  
1634 Worthington Heights Parkway  
Cockeysville, Maryland 21030

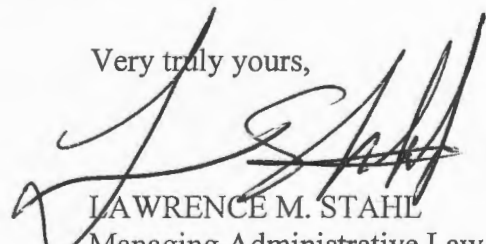
RE: **PETITION FOR ADMINISTRATIVE VARIANCE**  
(1634 Worthington Heights Parkway)  
Case No. 2014-0016-A

Dear Mr. and Mrs. Demyan:

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: Richard E. Matz, PE, Colbert, Matz, Rosenfelt, Inc., 2835 Smith Avenue,  
Suite G, Baltimore, MD 21209





# 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 1634 Worthington Heights Pkwy which is presently zoned RC 7 (vested RDP)

Deed Reference 32909/00242

10 Digit Tax Account # 1700009165

Property Owner(s) Printed Name(s) John Demyan

(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. **X** **ADMINISTRATIVE VARIANCE** from section(s)

Sections 1A00.4, 1B02.3.B, 400.1, and 400.3 – to permit a proposed detached accessory structure (garage) to be located in the front yard and have a height of 19 feet in lieu of the required rear yard and the maximum allowed 15 feet, respectively.

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:**

John E. Demyan

Mary Byrd Demyan

Name #1 – Type or Print

Name #2 – Type or Print

Signature #1

Signature #2

1634 Worthington Heights Pkwy, Cockeysville, MD

Mailing Address

City

State

21030 / (443) 330-5780

Zip Code

Telephone #

Email Address

johnndemyan@gmail.com

**Representative to be contacted:**

Richard E. Matz

Name – Type or Print

Signature

2835 Smith Ave, Ste G, Baltimore, MD

Mailing Address

City

State

21209 / (410) 653-3838

Zip Code

Telephone #

Email Address

DMATZ@cmrengineers.com

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 8 day of July, 2013 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 2014-0016-A

Filing Date 7/23/13

Estimated Posting Date 8/14/13

Reviewer BD



**Affidavit in Support of Administrative Variance**  
(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE JUDICIAL 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: 1634 Worthington Heights Pkwy, Cockeysville, MD 21030  
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)

Based on the existing conditions of the site, the proposed location is the most practical location to place this building. Building is to be used for building airplanes from kits. Building height is necessary to accommodate the height of the airplanes.

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

John E. Denyan  
Signature of Affiant  
John E. Denyan  
Name- Print or Type

\_\_\_\_\_  
Signature of Affiant  
\_\_\_\_\_  
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 23<sup>rd</sup> day of July, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

John E. Denyan & Mary Byrd Denyan  
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

Lynne Ann Strawn  
Notary Public  
8/8/2015  
My Commission Expires



## ZONING DESCRIPTION 1634 WORTHINGTON HEIGHTS PARKWAY

Beginning at a point on the southeast side of Worthington Heights Parkway, which is a 40-foot wide private right-of-way, at the distance of 2,170 feet northeast from the intersection with Cuba Road, being Lot 3 on the Plat titled "Subdivision of Property of Earl G. Reuling & Wife" recorded at E.H.K. 40 Folio 23.

As recorded in Deed Liber 32909, Folio 242 and containing 132,725 square feet (3.047 acres) more or less. Also known as 1634 Worthington Heights Parkway and Parcel 0134 on Tax Map 0033, and located in the 8th Election District and 3rd Councilmanic District.

### Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203

Expiration Date: 11/02/14

Item #0016

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

No. **101525**  
 Date: **7/23/13**

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRW  
 7/23/2013 7/23/2013 10:47:29 6

MSD6 WALKIN TTAY TST  
 RECEIPT # 687428 7/23/2013 OFLH

Dept 5 526 ZONING VERIFICATION  
 MD. 101525

Recpt Tot \$75.00

\$77.00 OT

Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|
| 001  | 806  | 0000 |          | 6150            |                  |          |         | 575    |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |

Total: **575**

Rec From:

For:

**Zoning hearing - case # 2014-0016-A**

**DISTRIBUTION**

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING  
 PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**



IN RE: PETITION FOR VARIANCE  
1634 Worthington Heights Pkwy

8<sup>th</sup> Election District  
3rd Councilmanic District

John E & Mary Byrd Demyan  
Legal Owners  
Petitioner

\* BEFORE THE

\* OFFICE OF

\* ADMINISTRATIVE HEARINGS

\* FOR BALTIMORE COUN TY

\* CASE NO. 2014-0016-A

RECEIVED

SEP 10 2013

OFFICE OF ADMINISTRATIVE HEARINGS

\* \* \* \* \*

### MOTION FOR RECONSIDERATION

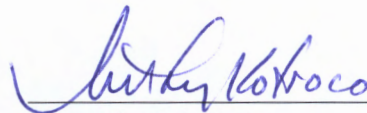
The Petitioner, John E & Mary Byrd Demyan by and through their attorneys, Timothy M. Kotroco and Whiteford Taylor & Preston, LLP, pursuant to Rule 4K of the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer of Baltimore County, as contained within Appendix G of the Baltimore County Zoning Regulations, hereby moves for reconsideration of the Order issued by the Honorable Lawrence M. Stahl in the above-captioned matter, dated the 26th day of August, 2013, and in support thereof, states the following:

1. That your Honor entered his Opinion in the above-captioned matter on August 26, 2013, approving the relief requested by the Petitioner.
2. That your Honor approved a variance to allow the applicant to construct a garage in the front yard of his residential property
3. That restriction number 2 of said Order prohibited facilities within said garage.
4. That the applicant, Mr. John Demyan, an elderly g constructs model airplanes and who intends to use

Dab -  
Tim dropped this  
off. Wanted one  
date stamped + returned  
to him, and one for  
the file/Larry -  
it was ~~an~~ an  
admin  
variance  
case.

5. That the garage to be constructed is located a considerable distance from Mr. Demyan's main residence. Mr. Demyan is desirous of installing a toilet and hand sink within the garage for his personal use during such times as he may be using the garage. It would be inconvenient for Mr. Demyan to have to walk up to his main house for the purpose of using the bathroom in his main residence. He has no intention of converting the garage into a separate dwelling unit or apartment.
6. WHEREFORE, the Petitioner requests that this Motion for Reconsideration be Granted and that the applicant be permitted to install a toilet and sink within the garage to be constructed.

Respectfully submitted;



Timothy M. Kotroco  
Whiteford, Taylor & Preston L.L.P.  
Towson Commons, Suite 300  
One West Pennsylvania Avenue  
Towson, Maryland 21204-5025  
(410) 832-2000

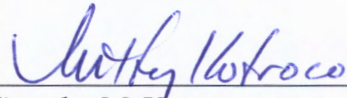
Attorney for Petitioner,

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9<sup>th</sup> day of September, 2013, a copy of the foregoing

Motion was mailed first class, postage prepaid to:

Office of People's Counsel  
105 West Chesapeake Avenue, 2<sup>nd</sup> Floor  
Towson, Maryland 21204

  
\_\_\_\_\_  
Timothy M. Kotroco

427308



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2014-0016-A

Petitioner: John Demyan

Address or Location: 1634 Worthington Heights Parkway

PLEASE FORWARD ADVERTISING BILL TO:

Name: John E. Demyan

Address: 1634 Worthington Heights Parkway  
Cockeysville, Maryland 21030

Telephone Number: (443) 330-5780

# CERTIFICATE OF POSTING

**ATTENTION:** KRISTEN LEWIS

**DATE:** 08/06/2013

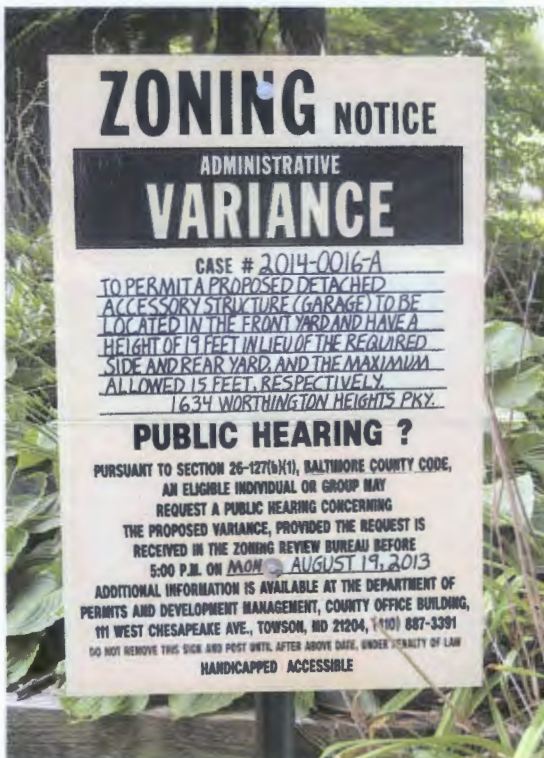
**Case Number:** 2014-0016-A

**Petitioner / Developer:** JOHN DEMYAN~  
COLBERT, MATZ & ROSENFELT, INC.

**Date of Hearing (Closing):** AUGUST 19, 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:  
1634 WORTHINGTON HEIGHTS PKY.

**The sign(s) were posted on:** **AUGUST 2, 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)

CHECKLIST

| <u>Comment Received</u>         | <u>Department</u>                                                     | <u>Support/Oppose/ Conditions/ Comments/ No Comment</u> |
|---------------------------------|-----------------------------------------------------------------------|---------------------------------------------------------|
| <u>8-1</u>                      | DEVELOPMENT PLANS REVIEW<br>(if not received, date e-mail sent _____) | <u>NC</u>                                               |
| _____                           | DEPS<br>(if not received, date e-mail sent _____)                     | _____                                                   |
| _____                           | FIRE DEPARTMENT                                                       | _____                                                   |
| _____                           | PLANNING<br>(if not received, date e-mail sent _____)                 | _____                                                   |
| <u>7-30</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>8-2-13</u> by <u>O'Keefe</u>                                 |                                                         |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                         |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/>              |                                                         |
| Comments, if any: _____         |                                                                       |                                                         |
| _____                           |                                                                       |                                                         |
| _____                           |                                                                       |                                                         |



## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number <sup>2014</sup>~~2013~~ 0016 -A Address 1634 Worthington Heights Pky  
Contact Person: David Duvall Phone Number: 410-887-3391  
Planner, Please Print Your Name  
Posting Date: 7/27/13 Posting Date: 8/04/13 Closing Date: 8/19/13

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

**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.

**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.

**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.

**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 <sup>2014</sup>~~2013~~ 0016 -A Address 1634 Worthington Heights Pky  
Petitioner's Name John Demyan Telephone 443 330 5780  
Posting Date: 8/04/13 Closing Date: 8/19/13  
Wording for Sign: To Permit a proposed detached accessory structure  
(garage) to be located in the front yard and have a height of  
19 feet in lieu of the required ~~min.~~ ~~max.~~ rear yard, and the  
maximum allowed 15 feet, respectively

Revised 7/06/11

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



James T. Smith, Jr., Secretary  
Melinda B. Peters, Administrator

Date: 7-30-13

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

RE: Baltimore County

Item No 2014-0016-A  
Administrative Variance  
John E. & Mary Byrd Demyan  
1634 Worthington Heights  
Parkway

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. 2014-0016-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  
Development Manager  
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](http://www.roads.maryland.gov)

**Debra Wiley - RE: Withdrawal of Motion for Reconsideration filed on behalf of Mr. & Mrs. John Demyan, Case No. 2014-0016-A**

---

**From:** Debra Wiley  
**To:** Kotroco, Timothy  
**Date:** 9/13/2013 3:18 PM  
**Subject:** RE: Withdrawal of Motion for Reconsideration filed on behalf of Mr. & Mrs. John Demyan, Case No. 2014-0016-A

---

Yes, it was denied on 9/11 and the original was put in the mail and a copy was here in case you stopped by.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

>>> "Kotroco, Timothy" <TKotroco@wtplaw.com> 9/13/2013 3:14 PM >>>

OK. He told me he was going to deny it, that is why I was withdrawing my request. Did he deny it? I just gave it to him Wednesday. Tim

Timothy M. Kotroco  
Partner

**Whiteford**  
**Taylor|Preston**

Whiteford Taylor & Preston LLP  
Towson Commons, Suite 300 | One West Pennsylvania Avenue | Towson, MD 21204  
t: 410-832-2004 | f: 410 339-4050  
[tkotroco@wtplaw.com](mailto:tkotroco@wtplaw.com) | [Bio](#) | [vCard](#) | [www.wtplaw.com](http://www.wtplaw.com)

---

**From:** Debra Wiley [mailto:dwiley@baltimorecountymd.gov]  
**Sent:** Friday, September 13, 2013 3:01 PM  
**To:** Kotroco, Timothy  
**Subject:** Re: Withdrawal of Motion for Reconsideration filed on behalf of Mr. & Mrs. John Demyan, Case No. 2014-0016-A

Tim,

Judge Stahl signed and mailed this on Wed., 9/11/13.

Debbie Wiley  
Legal Administrative Secretary



Office of Administrative Hearings  
 105 West Chesapeake Avenue, Suite 103  
 Towson, Md. 21204  
 410-887-3868  
 410-887-3468 (fax)  
 dwiley@baltimorecountymd.gov

>>> "Kotroco, Timothy" <TKotroco@wtplaw.com> 9/13/2013 1:57 PM >>>  
 Dear Chief Administrative Judge Stahl:

I had previously filed with your office, a Motion for Reconsideration filed on behalf of my clients, Mr. & Mrs., John Demyan. Kindly withdraw my reconsideration request as it is no longer necessary to have said motion considered by your office. Thank you for your consideration. I will stop by and retract my motion from the file.

With Kindest regards;

Timothy Kotroco

Timothy M. Kotroco  
 Partner



Whiteford Taylor & Preston LLP

Towson Commons, Suite 300 | One West Pennsylvania Avenue | Towson, MD 21204

t: 410-832-2004 | f: 410 339-4050

[tkotroco@wtplaw.com](mailto:tkotroco@wtplaw.com) | [Bio](#) | [vCard](#) | [www.wtplaw.com](http://www.wtplaw.com)

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**Circular 230 Disclosure:**

To ensure compliance with requirements imposed by Treasury and the IRS, we inform you that any federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used for the purpose of (i) avoiding tax penalties that may be imposed under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another person any transaction or matter addressed herein.

**CONNECT WITH BALTIMORE COUNTY**

|  |  |  |  |  |
|--|--|--|--|--|
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|--|--|--|--|--|

[www.baltimorecountymd.gov](http://www.baltimorecountymd.gov)

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits, Approvals  
And Inspections  
**DATE:** August 1, 2013

**FROM:** <sup>DAK</sup> Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For July 29, 2013  
Item Nos. 2014-0010, 0011, 0012, 0013, 0015, 0016, 0017, 0018 and  
0019.

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

DAK  
cc:file

## Real Property Data Search ( w1)

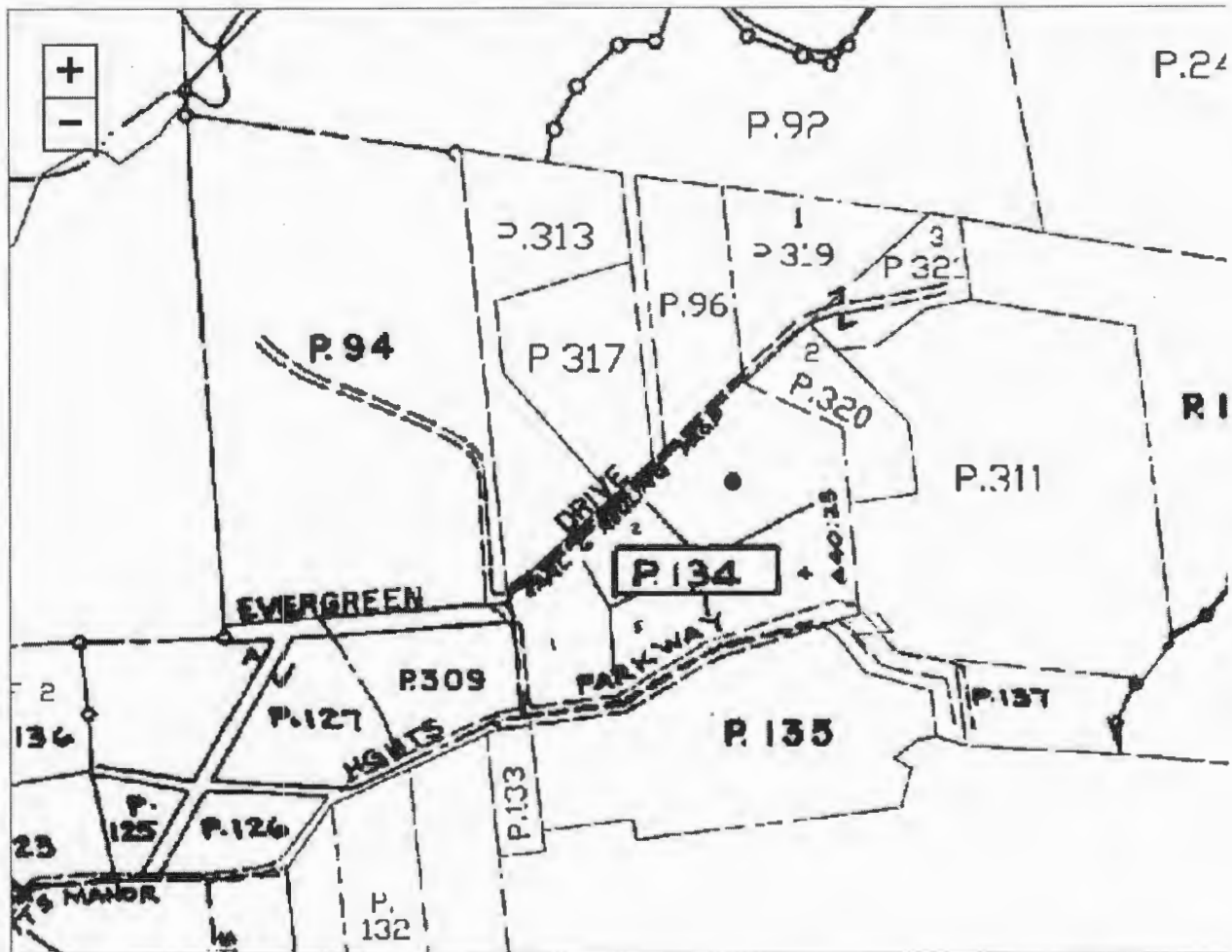
[Search Help](#)

## Search Result for BALTIMORE COUNTY

| <a href="#">View Map</a>                                             | <a href="#">View GroundRent Redemption</a>                  | <a href="#">View GroundRent Registration</a>                       |
|----------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------------------|
| <b>Account Identifier:</b> District - 08 Account Number - 1700009165 |                                                             |                                                                    |
| <b>Owner Information</b>                                             |                                                             |                                                                    |
| <b>Owner Name:</b>                                                   | DEMYAN JOHN E<br>DEMYAN MARY BYRD                           | <b>Use:</b> RESIDENTIAL<br><b>Principal Residence:</b> YES         |
| <b>Mailing Address:</b>                                              | 1634 WORTHINGTON HEIGHTS PKWY<br>COCKEYSVILLE MD 21030-1016 | <b>Deed Reference:</b> 1) /339396/ 00187<br>2)                     |
| <b>Location &amp; Structure Information</b>                          |                                                             |                                                                    |
| <b>Premises Address:</b>                                             | 1634 WORTHINGTON HEIGHTS PKY<br>0-0000                      | <b>Legal Description:</b> 2498 NE CUBA RD<br>EARL G REULING & WIFE |
| <b>Map:</b> 0033                                                     | <b>Grid:</b> 0016                                           | <b>Parcel:</b> 0134                                                |
| <b>Sub District:</b>                                                 | <b>Subdivision:</b> 0000                                    | <b>Section:</b>                                                    |
| <b>Block:</b>                                                        | <b>Lot:</b> 3                                               | <b>Assessment Year:</b> 2014                                       |
| <b>Plat No:</b>                                                      |                                                             | <b>Plat Ref:</b> 0040/ 0023                                        |
| <b>Special Tax Areas:</b>                                            |                                                             | <b>Town:</b> NONE                                                  |
|                                                                      |                                                             | <b>Ad Valorem:</b>                                                 |
|                                                                      |                                                             | <b>Tax Class:</b>                                                  |
| <b>Primary Structure Built</b>                                       | <b>Above Grade Enclosed Area</b>                            | <b>Finished Basement Area</b>                                      |
| 2004                                                                 | 3,694 SF                                                    | 3.0400 AC                                                          |
| <b>County Use</b>                                                    | 04                                                          |                                                                    |
| <b>Stories</b>                                                       | <b>Basement</b>                                             | <b>Type</b>                                                        |
| 2.000000                                                             | YES                                                         | STANDARD UNIT                                                      |
| <b>Exterior</b>                                                      | <b>Full/Half Bath</b>                                       | <b>Garage</b>                                                      |
| FRAME                                                                | 3 full/ 1 half                                              | 1 Attached                                                         |
| <b>Last Major Renovation</b>                                         |                                                             |                                                                    |
| <b>Value Information</b>                                             |                                                             |                                                                    |
|                                                                      | <b>Base Value</b>                                           | <b>Value</b>                                                       |
|                                                                      |                                                             | As of                                                              |
|                                                                      |                                                             | 01/01/2011                                                         |
| <b>Land:</b>                                                         | 255,800                                                     | 255,800                                                            |
| <b>Improvements</b>                                                  | 357,000                                                     | 357,000                                                            |
| <b>Total:</b>                                                        | 612,800                                                     | 612,800                                                            |
| <b>Preferential Land:</b>                                            | 0                                                           | 612,800                                                            |
| <b>Transfer Information</b>                                          |                                                             |                                                                    |
| <b>Seller:</b> HOKE FRANCIS H                                        | <b>Date:</b> 07/15/2013                                     | <b>Price:</b> \$750,000                                            |
| <b>Type:</b> ARMS LENGTH IMPROVED                                    | <b>Deed1:</b> /339396/ 00187                                | <b>Deed2:</b>                                                      |
| <b>Seller:</b> STEWART ANN DONNELL                                   | <b>Date:</b> 04/27/2005                                     | <b>Price:</b> \$0                                                  |
| <b>Type:</b> NON-ARMS LENGTH OTHER                                   | <b>Deed1:</b> /32909/ 00242                                 | <b>Deed2:</b>                                                      |
| <b>Seller:</b> HOKE FRANCIS H                                        | <b>Date:</b> 05/24/2004                                     | <b>Price:</b> \$530,000                                            |
| <b>Type:</b> ARMS LENGTH MULTIPLE                                    | <b>Deed1:</b> /20106/ 00301                                 | <b>Deed2:</b>                                                      |
| <b>Exemption Information</b>                                         |                                                             |                                                                    |
| <b>Partial Exempt Assessments:</b>                                   | <b>Class</b>                                                | <b>07/01/2013</b>                                                  |
| <b>County:</b>                                                       | 000                                                         | 0.00                                                               |
| <b>State:</b>                                                        | 000                                                         | 0.00                                                               |
| <b>Municipal:</b>                                                    | 000                                                         | 0.00                                                               |
| <b>Tax Exempt:</b>                                                   | <b>Special Tax Recapture:</b>                               |                                                                    |
| <b>Exempt Class:</b>                                                 | NONE                                                        |                                                                    |
| <b>Homestead Application Information</b>                             |                                                             |                                                                    |
| <b>Homestead Application Status:</b> No Application                  |                                                             |                                                                    |



## Baltimore County

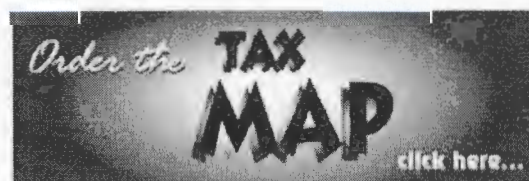
[New Search](#)District: **08** Account Number: **1700009165**

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](http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).

☒ Loading... Please Wait.

Loading... Please Wait.

7/22/2013 1634 WORTHINGTON HEIGHTS PARKWAY

FRONT  
EXISTING HOUSE



EX. GARAGE



VIEW FROM REAR TOWARD  
SITE OF PROPOSED GARAGE

REAR #1634

Item #0016





VIEW TOWARDS #1506



SIDE #1634

Item #0016



WORTHINGTON HEIGHTS Pkwy (W.H.P.)  
APPROACH ROAD



FROM FRONT OF HOUSE  
TO GORMAN PROPERTY  
ACROSS W. H.P.

FRONT YARD 1634



FRONT YARD 1634



INTERSECTION OF WHP & DRIVEWAY TO 1634



AREA OF  
PROPOSED GARAGE  
1634

Item #0016



HOUSE ACROSS WHP.



WHP.

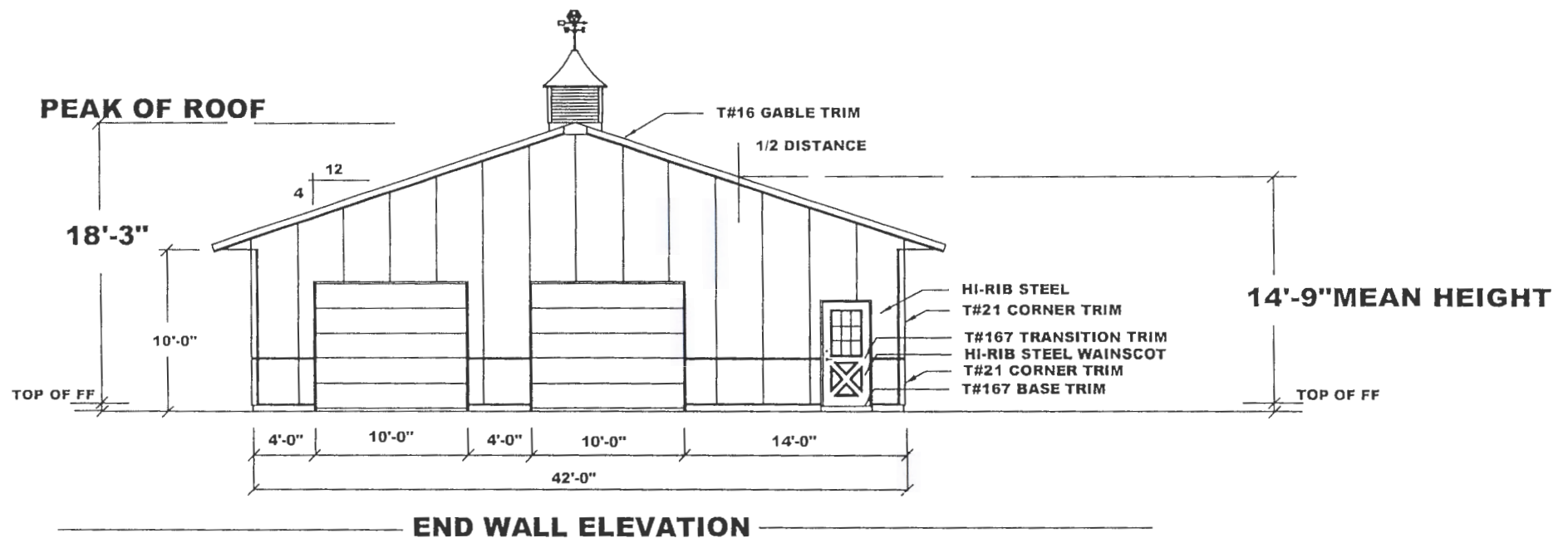
WHP LOOKING TOWARDS #1634



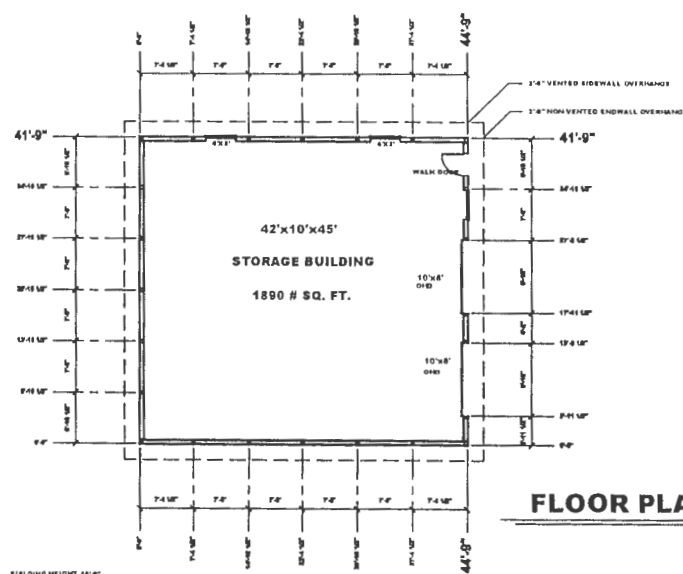
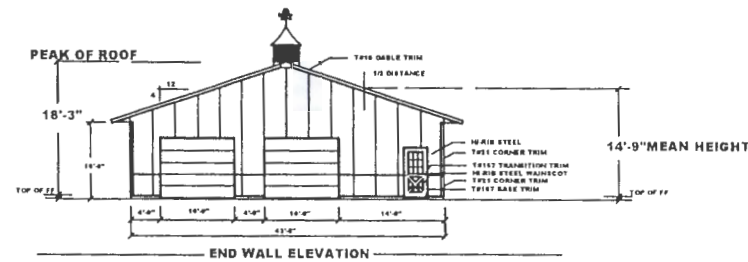
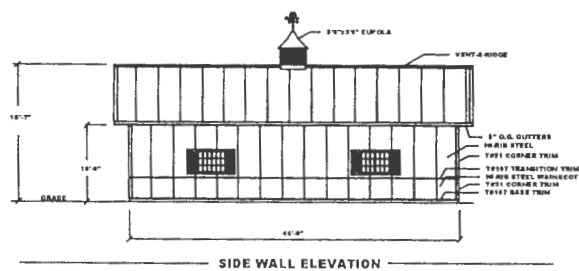
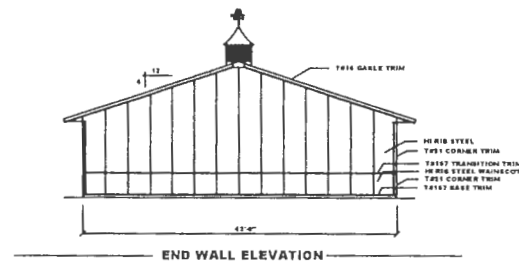
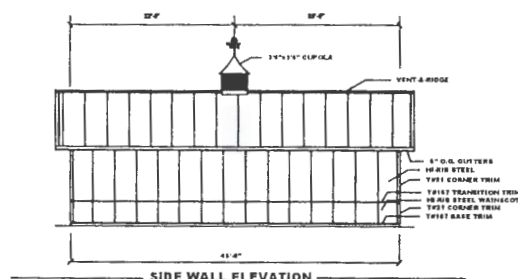
WHP.



Item #0016



Item #0016



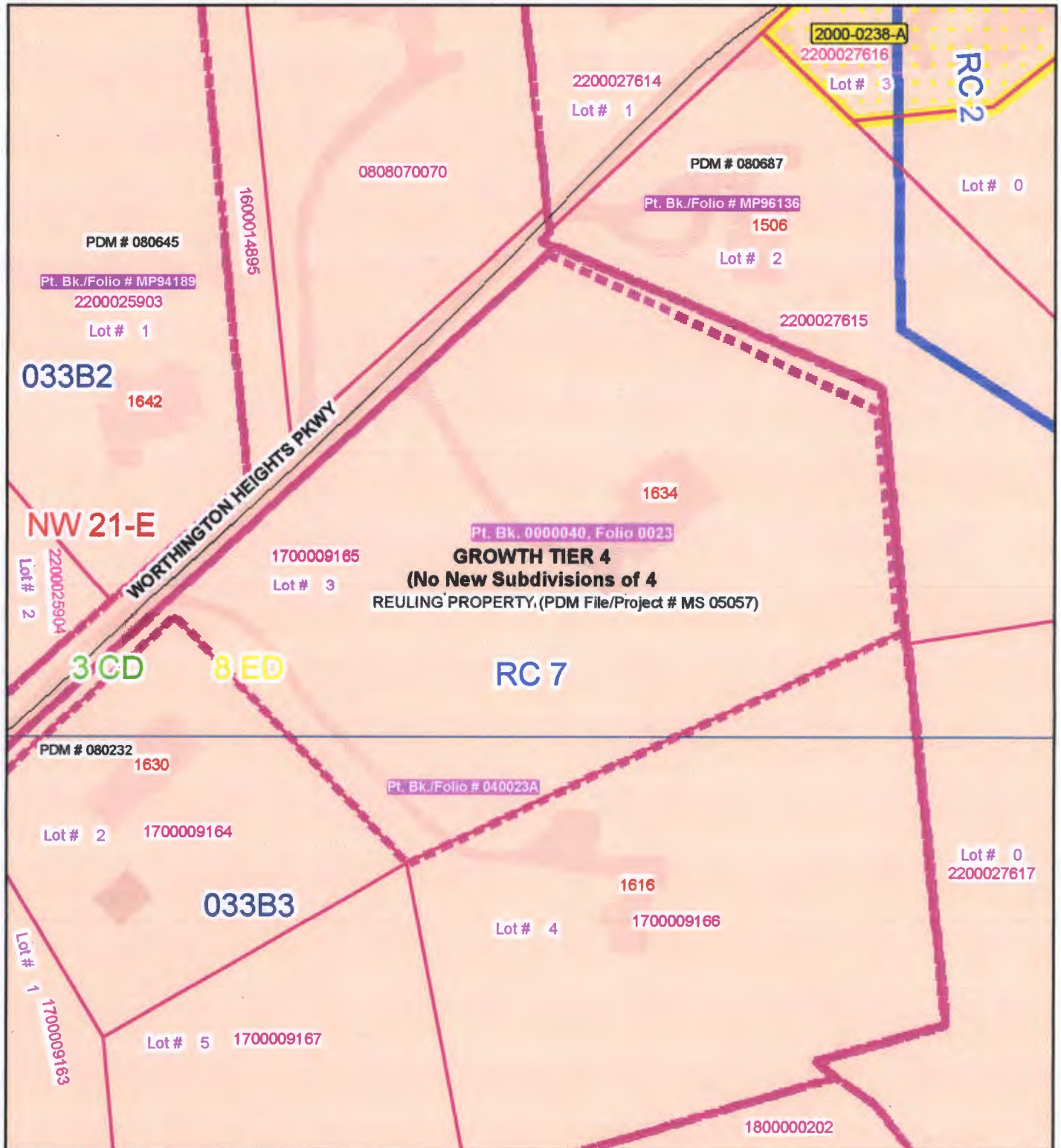
## FLOOR PLAN

SUPPLEMENT TO FORM 86  
Owner's Signature:

Date: \_\_\_\_\_

This document is the property of Morton Buildings, Inc., and represents a preliminary layout and rough sketch of a Morton building. The actual design of your building will be developed and approved by licensed design professionals. Use of this document for purposes of construction is strictly prohibited. Reproduction of this document by anyone for any reason without written permission from Morton Buildings, Inc. is prohibited.

# 1634 Worthington Heights Parkway



Publication Date: 7/23/2013



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

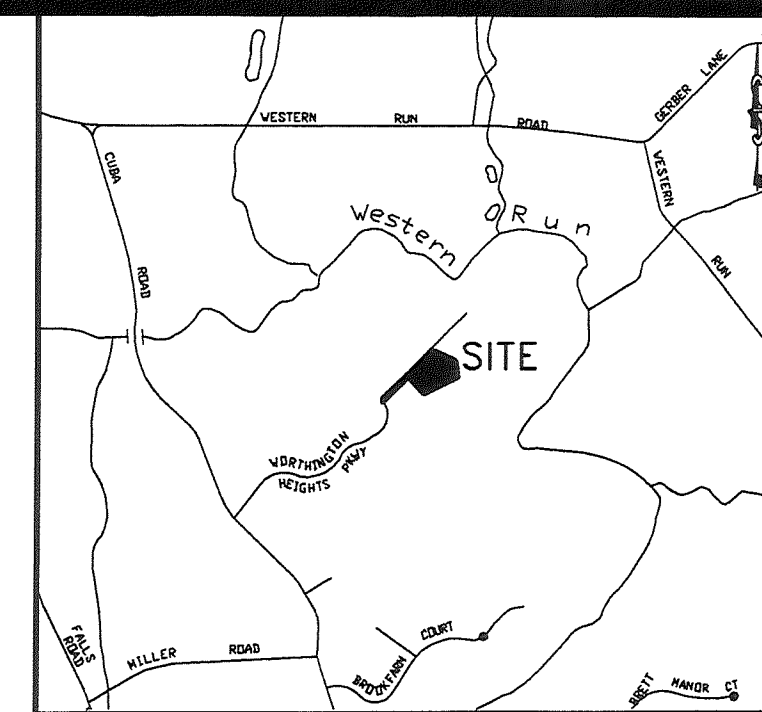
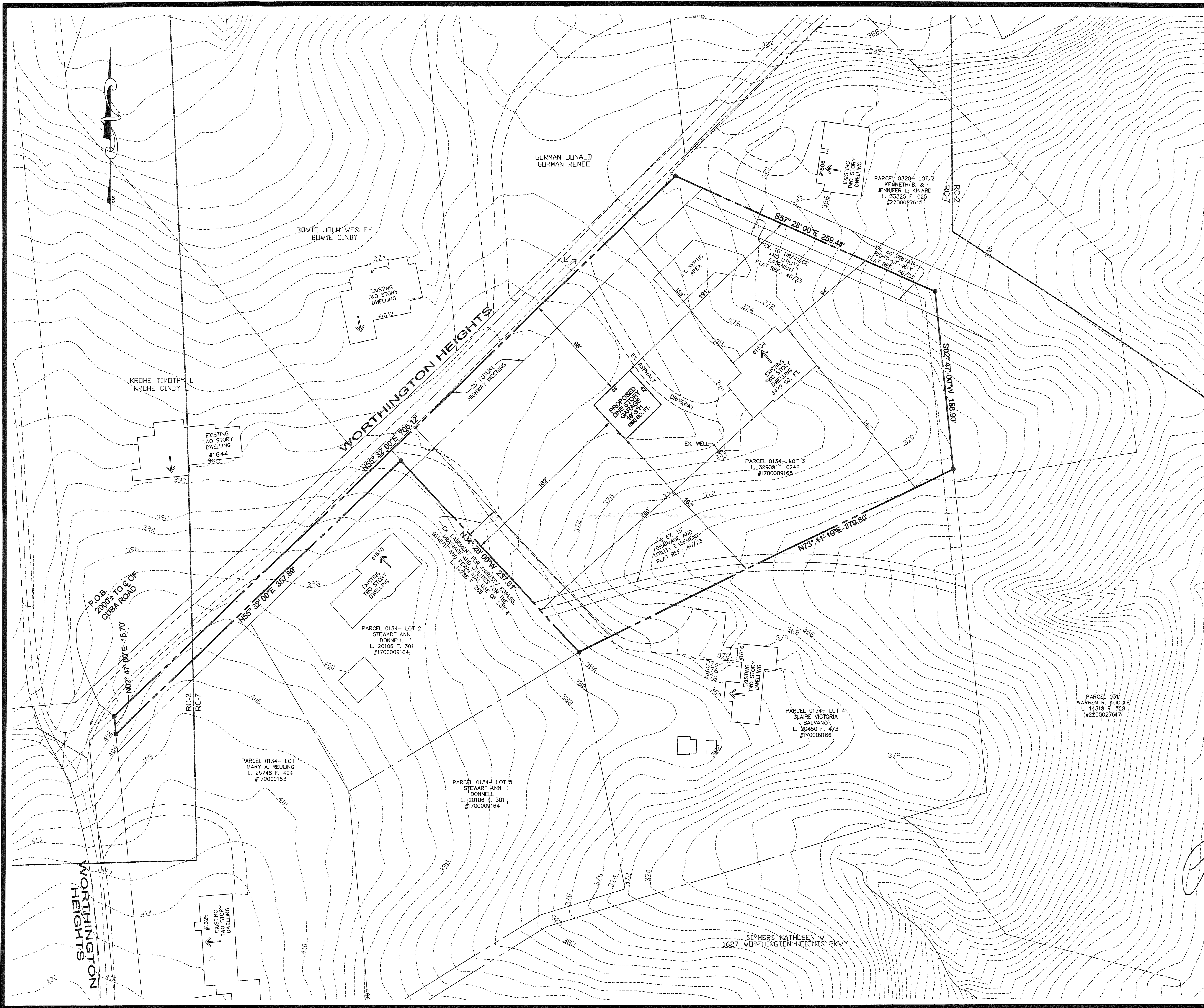


0 25 50 100 150 200 Feet

1 inch = 100 feet

Item #0016





- LEGEND:**
- PROPERTY LINE
  - SOILS BOUNDARY
  - ZONING BOUNDARY
  - EXISTING CONTOURS
  - EXISTING EDGE OF PAVING
  - EXISTING SANITARY
  - EXISTING WATER
  - DIRECTION OF VEHICULAR TRAFFIC
  - NOTES FRONT OF BUILDING

- GENERAL NOTES**
- OWNER/APPLICANT:  
JOHN DEBYAN  
1634 WORTHINGTON HEIGHTS PARKWAY  
COCKEYSVILLE, MD 21030-1016  
DEED REF: L. 32909 F. 242  
PLAT REF: ENK J. 4023
  - SITE DATA:  
TAX ACCOUNT NUMBER: 1700009165  
TAX MAP: 0033 - PARCEL: 0134  
ELECTION DISTRICT: 8  
COUNCILMANIC DISTRICT: 3  
SITE AREA: 132,725 SQ. FT. ± OR 3.047 AC. ±  
TRANSPORTATION ANALYSIS ZONE: 605  
REGIONAL PLANNING DISTRICT: SPARKS  
REGIONAL PLANNING DISTRICT CODE: 304  
LAND MANAGEMENT AREA: AGRICULTURE PRIORITY PRESERVATION AREA  
ELEMENTARY SCHOOL DISTRICT: SPARKS ES  
MIDDLE SCHOOL DISTRICT: HEREFORD MS  
HIGH SCHOOL DISTRICT: HEREFORD HS  
CENSUS BLOCK: 24005402001001  
CENSUS BLOCK GROUP: 24005402001  
CENSUS TRACT: 408200  
WATERSHED NAME: LOCH RAVEN RESERVOIR  
ZIP CODE: 21030  
ZIP COMMUNITY NAME: COCKEYSVILLE  
GIS TILE NUMBER (200 SCALE): 03383 & 03382
  - SITE ZONING: RC 7 & RC 2 (Verted POP) Section 1A00.4 BCZR and 1B02.3.B
  - BUILDING SETBACKS:  
ACCESSORY BUILDINGS ARE PERMITTED IN THE REAR YARD ONLY (VARIANCE REQUIRED)
- |           | REQUIRED | PROPOSED  |
|-----------|----------|-----------|
| FRONT     | N/A      | 98'       |
| INT. SIDE | 2.5'     | 162'/191' |
| S.C. SIDE | 2.5'     | N/A       |
| REAR      | 2.5'     | 162'      |
- MAXIMUM PERMITTED HEIGHT (ACCESSORY BUILDINGS):  
PERMITTED: 15 FEET  
PROPOSED: 19 FEET (VARIANCE REQUIRED)
  - THERE IS NO ZONING HISTORY FOR THIS PROPERTY.
  - THERE ARE NO 100-YEAR FLOOD PLAINS ON-SITE PER FEMA MAP NO. 2400100115F EFFECTIVE DATE 08/28/2008.
  - BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON A DEED PLOT AND AVAILABLE BALTIMORE CITY GIS INFORMATION AND DOES NOT REPRESENT A FIELD RUN SURVEY.

#2014-0016-A R<sub>2</sub>

PLAN TO ACCOMPANY ZONING VARIANCE

**#1634 WORTHINGTON HEIGHTS PARKWAY**

8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE

**Colbert Matz Rosenfelt, Inc.**

Engineers \* Surveyors \* Planners  
2835 Smith Avenue, Suite G  
Baltimore, Maryland 21209  
Telephone: (410) 653-3838  
Facsimile: (410) 653-7953

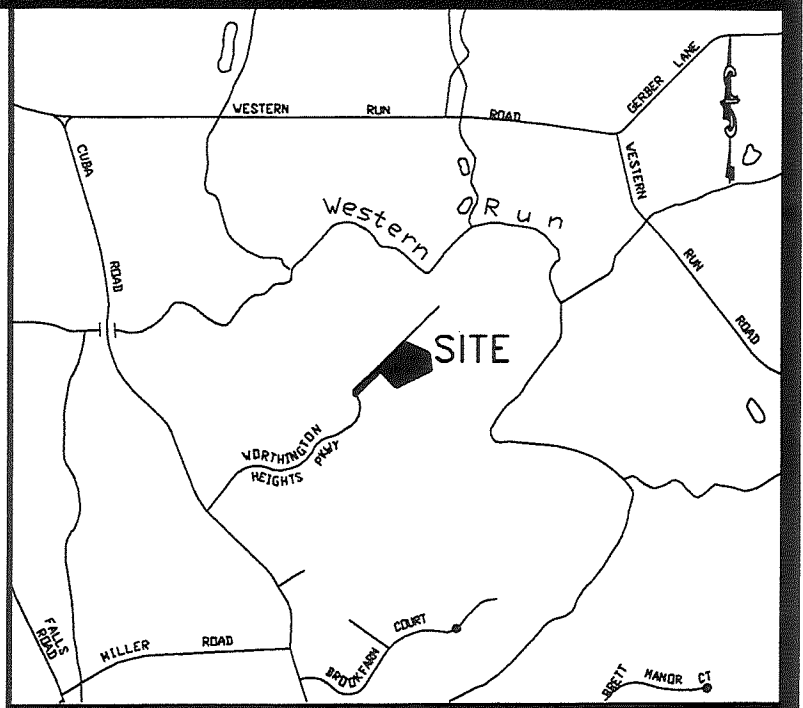
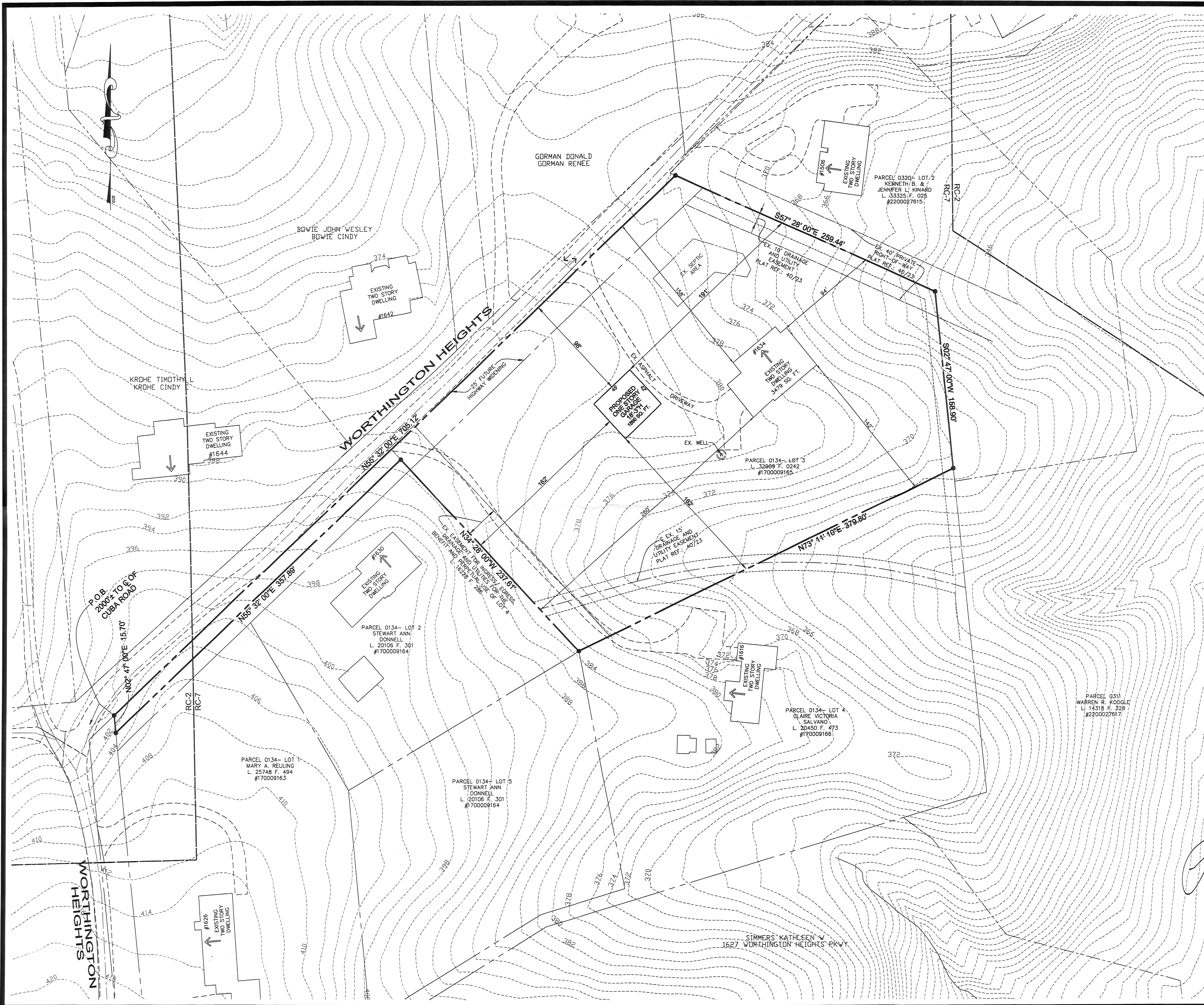
**Professional Certification**  
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203 Expiration Date: 11/02/14

DATE: 07/19/2013  
JOB NO.: 2013-183  
DESIGNED: -  
DRAWN: AKC  
CHECKED: CMR  
FILE: 2013183 GIS PRELIM.dwg  
DRAWING NUMBER:

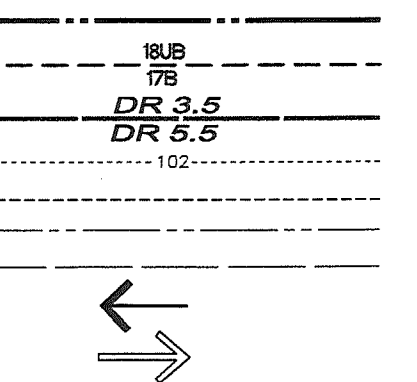
NO. DATE REVISIONS: BY SHEET 1 OF 1





#### LEGEND:

- PROPERTY LINE
- SOILS BOUNDARY
- ZONING BOUNDARY
- EXISTING CONTOURS
- EXISTING EDGE OF PAVING
- EXISTING SANITARY
- EXISTING WATER
- DIRECTION OF VEHICULAR TRAFFIC
- NOTES FRONT OF BUILDING



#### GENERAL NOTES

- OWNER/APPLICANT:  
JOHN DEBAYAN  
1834 WORTHINGTON HEIGHTS PARKWAY  
COCKEYSVILLE, MD 21030-1016  
DEED REF: L. 32909 F. 242  
PLAT REF: ENK J. 4023
- SITE DATA:  
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REGIONAL PLANNING DISTRICT: SPARKS  
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CENSUS BLOCK: 2400540201001  
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ZIP CODE: 21030  
ZIP COMMUNITY NAME: COCKEYSVILLE  
GIS TILE NUMBER (200 SCALE): 03383 & 03382
- SITE ZONING: RC 7 & RC 2 (VESTED RDP) SECTIONS 1A00.4 AND 1B02.3.B BCZR
- BUILDING SETBACKS:  
ACCESSORY BUILDINGS ARE PERMITTED IN THE REAR YARD ONLY (VARIANCE REQUIRED)  

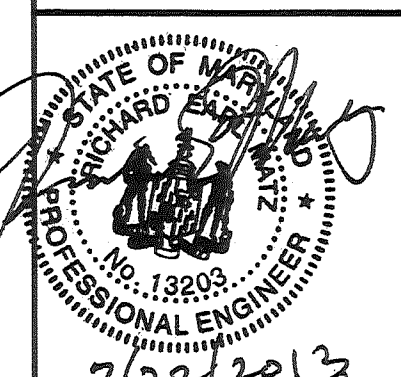
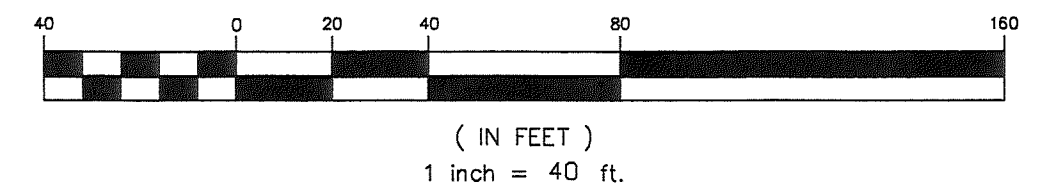
|           | REQUIRED | PROPOSED    |
|-----------|----------|-------------|
| FRONT     | N/A      | 98'         |
| INT. SIDE | 2.5'     | 162'19 1/2" |
| S.C. SIDE | 2.5'     | N/A         |
| REAR      | 2.5'     | 162'        |
- MAXIMUM PERMITTED HEIGHT (ACCESSORY BUILDINGS):  
PERMITTED: 15 FEET  
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#2014-0016-A R3

#### PLAN TO ACCOMPANY ZONING VARIANCE

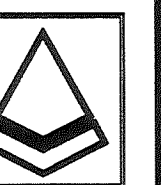
### #1634 WORTHINGTON HEIGHTS PARKWAY

8TH ELECTION DISTRICT - 3RD COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND  
GRAPHIC SCALE



#### Colbert Matz Rosenfelt, Inc.

Engineers \* Surveyors \* Planners  
2835 Smith Avenue, Suite G  
Baltimore, Maryland 21209  
Telephone: (410) 653-3838  
Facsimile: (410) 653-7953



|                                                                                                                                                                                                          |                           |                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------|
| <b>Professional Certification</b><br>I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. |                           | SCALE: 1"=40'                |
| License No. 13203                                                                                                                                                                                        | Expiration Date: 11/02/14 | DATE: 07/19/2013             |
|                                                                                                                                                                                                          |                           | JOB NO.: 2013-183            |
|                                                                                                                                                                                                          |                           | DESIGNED: -                  |
|                                                                                                                                                                                                          |                           | DRAWN: AKC                   |
|                                                                                                                                                                                                          |                           | CHECKED: CMR                 |
|                                                                                                                                                                                                          |                           | FILE: 2013183 GIS PRELIM.dwg |
|                                                                                                                                                                                                          |                           | DRAWING NUMBER:              |
| NO.                                                                                                                                                                                                      | DATE                      | REVISIONS:                   |
|                                                                                                                                                                                                          |                           | BY SHEET 1 OF 1              |