IN RE: PETITION FOR ADMIN. VARIANCE

(1 Maple Avenue)

1st Election District

1st Council District

Leyla Abdu

Petitioner

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0119-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owner of the property, Leyla Abdu. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a 3 season room addition with a 0 ft. side yard setback in lieu of the required 10 ft. and a combined side yard setback of 20 ft. in lieu of the required 25 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

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 Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on November 24, 2013, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has 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

Date	1-6-14	
Bv	(00)	

ORDER RECEIVED FOR FILING

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 Petitioner.

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 6th day of January, 2014 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a 3 season room addition with a 0 ft. side yard setback in lieu of the required 10 ft. and a combined side yard setback of 20 ft. in lieu of the required 25 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date	1.6.11	_
	(2)	
Rv	(50)	

THOORE CO.

KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

January 6, 2014

Leyla Abdu P.O. Box 36633 Baltimore, Maryland 21286

RE: PETITION FOR ADMINISTRATIVE VARIANCE

(1 Maple Avenue) Case No. 2014-0119-A

Dear Ms. Abdu:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Very truly yours,

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw Enclosure

c: Ashley Mogenhan, Patio Enclosures, Inc., 224 8th Avenue, NW, Glen Burnie, MD 21061

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 / MOUDIE AVE which is presently zoned DR 3 Deed Reference 3112U/00253 10 Digit Tax Account # 2 4 0 0 0 Property Owner(s) Printed Name(s) Leuia (SELECT THE HEARING(S) BY MARKING $\overline{\mathbf{X}}$ 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) 1802.3.C. 1; BCZR, TO PERMIT A 3 SEASON ROOM ADDITION W/ A ZERO FT. SIDE YARD SETBACK IN LIEU OF THE REQUIRED TO FT. AND A COMBINED SIDE YARD SETBACK OF 20FT. IN LIEU OF THE REQUIRED 25Ft. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and

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

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.

CASE NUMBER 2 014-0119-A

ontract Furchas	ser/Lessee:		Legal Owners:
			Leura Abdu
lame- Type or Print			Name #1 - Type or Print
ignature			Signature #2 POBOX 36633 BONTIMORE MD
failing Address	City	State	Mailing Address City State
1		/	2/286,410-747-06371
ip Code Te	elephone #	Email Address	Zip Code Telephone # Email Address
Attorney for Petin	tioner:	FILING	Representative to be contacted:
	SEIVED	4	Ashley Llogenhoun; Patio Enclosures
lame- Type or Project	10		Name - Typel or Print
Signature			Signature
Date			224 8th Ave NW. Glen Burnie MD
Mailing Address	City	State	Mailing Address City State
BY			21061,443-797-0351
ip Code To	elephone #	Email Address	Zip Code Telephone # Email Address

Administrative Law Judge of Baltimore County

Filing Date 11,13,13 Estimated Posting Date 13,215, 13 Reviewer JCM

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:

purchase, reside at the existing awaring	g on said property located	at.	
Address: Maple Ave Print or Type Address of property	Baltimore	State	212d8 Zip Code
Based upon personal knowledge, the for Administrative Variance at the above as			
property line. The house		to enclose From weath	eéned porch
(If additional space for the petition requestion) Signature of Affiant	Signatur	re of Affiant	ch it to this Form)
Name- Print of Type		Print or Type	
The following information is to	o be completed by a Notary P	ublic of the State of M	aryland
STATE OF MARYLAND, COUNTY OF	Anne Arondel BALTIMORE, to wit:		
I HEREBY CERTIFY, this d and for the County aforesaid, personally a	ay of 001, 2017	, before me a Nota	ary of Maryland, in
the Affiant(s) herein, personally known or s	satisfactorily identified to me	as such Affiant(s) (Pr	int name(s) here)
AS WITNESS my hand and Notaries Seal			
•	Notary Public (1)	X,	
	My Commission Expires		
	, Doilingson Empired		

ZONING PROPERTY DESCRIPTION FOR 1 MAPLE AVE, BALTIMORE, MD 21228.

Beginning at a point on the east side of Maple Avenue which is 30' wide at the distance of 200' south of the centerline of the nearest improved intersecting street Frederick Road which is 60' wide.

Being Lot # 2 in the subdivision of Hazlen Terrace as recorded in Baltimore County Plat Book #9, Folio #21 containing 12,675 square feet. Located in the 1st Election District and the 1st Council District.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:
Item Number or Case Number:, 2014-0119-A
Petitioner: LEYLA ABDY
Address or Location: 1 MABLE FERENCE, CATONSUICLE and, 21286
PLEASE FORWARD ADVERTISING BILL TO:
Name: Ashley MOGENHAUN for PATIO ENCLOSURES
Address: 224 8TH AVE., NW
GLEN Bernie Md. 21061
Telephone Number: 443-797-0351

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/ Sub Obj	Date:	BS Acct	Amount	1/13/2013 11/13/2013 07:36:11 SE NSG5 WALKIN RBGS LRB >>===================================
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From:	23	4.148.7		A					

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CERTIFICATE OF POSTING

	Petitioner:	Leyla A	bou
	Hearing / Clos	ing Date:	12/9/13
Baltimore County Department of			
Permits and Development Manager	ment	RE	CEIVED
Room 111, County Office Building			0 2 2014
111 W. Chesapeake Ave.		OFFICE OF ADMINI	STRATIVE HEARINGS
Towson, Md. 21204			
This letter is to confirm, under pena were posted conspicuously on the p			cessary sign(s)
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RE: Case No. 2014-0119A

Certificate of Posting

Case No. 2014-0119-A



1 Maple Avenue

(Posted 11/24/13)

what EA 113

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(410) 879-3122

MEMORANDUM

DATE:

February 14, 2014

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2014-0119-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 5, 2014. 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

RE: PETITION FOR ADMINSTRATIVE

VARIANCE

1 Maple Avenue; E/S Maple Avenue, 200' S of c/line of Frederick Road

1st Election & 1st Councilmanic Districts

Legal Owner(s): Leyla Abdu

Petitioner(s)

BEFORE THE OFFICE

* OF ADMINSTRATIVE

* HEARINGS FOR

* BALTIMORE COUNTY

* 2014-119-A

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of December, 2013, a copy of the foregoing Entry of Appearance was mailed to Ashley Mogenhan, Patio Enclosures, Inc, 224 8th Avenue NW, Glen Burnie, MD 21061, Representative for Petitioner(s).

RECEIVED

DEC 1 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

Comment Received	<u>Department</u>	Support/Oppose/ Conditions/ Comments/ No Comment
11-20	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	No
-	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
11-20	STATE HIGHWAY ADMINISTRATION	No objection
11-14	TRAFFIC ENGINEERING	NC
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATI	ION (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	VERTISEMENT Date:	
SIGN POSTING	missing Date: Rec Poten 11-24	ik Holdman indicated
PEOPLE'S COUNS	SEL APPEARANCE Yes No C	I notified June + Kroter
PEOPLE'S COUNS	SEL COMMENT LETTER Yes No C	get it to Oth.
Comments, if any:		not legisle

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(1 Maple Avenue) 1st Election District	*	OFFICE OF
1 st Council District	*	ADMINISTRATIVE HEARINGS
Leyla Abdu Petitioner	*	FOR
	*	BALTIMORE COUNTY
	* .	Case No. 2014-0119-A
	als de	

AFFIDAVIT

I, Leyla Abdu, am over the age of 18 and have personal knowledge of and am competent to testify to the following:

- The residence at 1 Maple Avenue is owned by Leyla Abdu. No other person or entity has an interest in the operation and/or affairs of 1 Maple Avenue.
- I, Leyla Abdu, reside year round and actually occupy property known as 1
 Maple Avenue, and I consider this to be my principal residence.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

RECEIVED

DEC 16 2013

OFFICE OF ADMINISTRATIVE HEARINGS



State of Maryland

DEPARTMENT OF ASSESSMENTS AND TAXATION

Fax: 4107601988

MARTIN O'MALLEY Covernor

ROBERT E. YOUNG Director

Mamestend Cax Credit Program

December 13, 2013 Leyla Abdu 1 Maple Ave Baltimore, MD 21228

This letter is to inform you that your Homestead Eligibility application for tax credit has been approved. Please keep this document for your records. Thank you.

If you have any questions, you may telephone this office at 410-767-2165.

Sincerely, Maryland State Department of Assessments & Taxation Homestead Eligibility Program

> Room 900 - 301 West Preston Street - Baltimore, Maryland 21201 TTY users call Maryland Relay 1-800-735-2258 FAX (410) 225-9344

15/13/5013 NB: 35 4102259344



Fax Cover Page

To:	Debbie.	Date:	12/12/13
Company:	Balti. Co. A	Fax Number:	410-887-3468
From:	Ashley Mac		6
Re:	Case # 2014-0	119-A Deed	

003/126 253

Colony Title Group File No. 11-39714 Tax ID # 24-00-009283

This Deed, made this 3 day of August, 2011, by and between Anna H. Steffen, party of the first part, Grantor, and Leyla Abdu, party of the second part, Grantee.

- Witnesseth -

That for and in consideration of the sum of Two Hundred Ninety Five Thousand Dollars 00/100 (\$295,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said Leyla Abdu, as sole owner, in fee simple, all that lot of ground situate in the County of Baltimore, State of Maryland and described as follows, that is to say:

BEGINNING FOR THE SAME at a point 5 feet westerly from an iron pipe found on the easterly side of Maple Avenue (30 feet wide) and being also westerly 5 feet from the southernmost corner of Lot 17, as shown on Plat of Hazlen Terrace and recorded among the Land Records of Baltimore County, Maryland in Plat Book 9, follo 21, said point also being the beginning point described in a Deed dated July 13, 1960 and between Kate Fleischman party of the first part and Fritz K. Steffen and Anna Harter parties of the second part, recorded among the Land Records of Baltimore County, Maryland in Deed Liber 3724, folio 564, thence binding on and running with the first, second and part of the third lines described in sald Fleischman to Steffen and Harter Deed the following courses, S 03 degrees 05' 22" W for a distance of 64,98 feet, thence S 86 degrees 54' 38" E for a distance of 5.00 feet to an iron pipe found, thence S 86 degrees 54' 38" E for a distance of 189.76 feet to a rebar and cap set thence leaving said third line and running across the land described in the aforementioned Fleischman to Steffen and Harter Deed for a new line of division N 03 degrees 18' 00" E for a distance of 65.10 feet to a rebar and cap set in the fifth or N86 degrees 47' W 250 foot line of said Deed, thence running with the remainder of said fifth line and the sixth line of the aforementioned line N 86 degrees 56' 38" W for a distance of 190.00 feet to a pipe found, thence N 86 degrees 56' 38 W for a distance of 5.00 feet to the place of beginning. Containing 0.29 acres of land more or less as now surveyed by John C. Mellema, Sr., Inc.

The improvements thereon being known as No. 1 Maple Avenue, Baltimore, Maryland 21228.

BEING all and the same lot of ground which by Deed dated 2/1/05, and recorded among the Land Records of Baltimore County, in Liber No. 21423, Folio 582, was granted and conveyed by Anna H. Steffen unto Anna H. Steffen.

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, BALTIMORE ONLY GREUPER UPBERS, and segrationed thereto, be ording the paper airing unto and of 08/28/2011 to the proper use and benefit of the said Leyla Abdu, as sole owner, in fee simple.

0031126

And the said party of the first part hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:

STATE OF MARYLAND, COUNTY OF STATE

I hereby certify that on this 3 day of , 2011, before me, the subscriber, a Notary Public of the State and County/aforesaid, personally appeared Anna H. Steffen, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

WHEREOF, I hereunto set my hand and official seal.

My commission expires:

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

AFTER RECORDING, PLEASE RETURN TO: Colony Title Group 10500 Little Patuxent Parkway Suite 170 Columbia, MD 21044

0031126 255

AFFIDAVIT OF GRANTEE PRIMARY RESIDENCE

THE UNDERSIGNED STATES UNDER OATH AS FOLLOWS:

- The undersigned is the Grantee of residentially improved real property located at 1 Maple Avenue, Baltimore, Maryland 21228 in Baltimore County, Maryland.
- 2. The undersigned state that the above referenced property will be her principal residence which she will occupy.

Balle (SEAL)	{{SEAL}}
STATE OF MARYLAND COUNTY OF	ablic in and for the State of Maryland, County of
THE NOT THE PARTY OF THE PARTY	Notan Public My Commission Expires: 12/9/4
HOWARD AND MARYLAND M	

2011

FORM

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

	1. Trans	sferor Information				
Name of Transferor Anna H. Steffen						
	2. Reas	ons for Exemption				
Resident Status		f the State of Maryland. as defined in Code of Maryland Regulations (COMAR) ent of Transferor, and I have authority to sign this document				
Principal Residence	Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 and is recorded as such with the State Department of Assessments and Taxation.					
	t, and complete.	ined this declaration and that, to the best of my knowledge, ividual Transferors				
	Ush .	Anna H. Steffen				
Witness	Uf					
Witness	3b. E	Anna H. Steffen				
	3b. E	Anna H. Steffen Name Anna H. Steffen Signature				
	3b. E	Anna H. Steffen Name Aum a H Steffen Signature Intity Transferors				
Witness Witness/Attest	3b. E	Anna H. Steffen Name Signature Anna H. Steffen Steffen Signature Name of Entity				

11-39714

0031126 257

Fax: 4107601988

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	applicable information.	I Maple Avenue, I	Baltimore, M	aryland 21228						
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7		Doc. 1 - Grantor(s) Name(s) Doc. 2 - Grantor(s) Name(s)								
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8		Doc. 1 - Grantee(9) Name(s) Doe. 2 - (Grantee(s) Name(s)				
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	Information	Address: 10500 Little Pataxent Parkway, Suite 170, Columbia, MD 21044								
		Phone: 410-584-1160 Return Address Provided								
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KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

December 11, 2013

Layla Abdu P O Box 36633 Baltimore MD

RE: Case Number: 2014-0119 A, Address: 1 Maple Avenue

Dear Ms. Abdu:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 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,

U. Cal Ribal D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel Ashley Mogenhan, 224 8th Avenue, Glen Burnie MD 21061

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE:

December 12, 2013

TO:

Kristen Lewis, Office of Zoning Review

Department of Permits, Approvals & Inspections (PAI)

FROM:

Lawrence M. Stahl, Managing Administrative Law Judge

Office of Administrative Hearings

RE:

Petition for Administrative Variance - 12/09/13 Closing Date

Case No. 2014-0119-A - 1 Maple Avenue, 21228

After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing. Baltimore County Code (B.C.C.) § 32-3-303(a)(1), states in pertinent part:

"... the Zoning Commissioner may grant variances from area and height regulations without a public hearing if the variance petition involves an owner-occupied lot zoned residential" (Emphasis Added)

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 20, 2013

TO:

Arnold Jablon, Director

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 25, 2013

Item No. 2014-0117, 0118 and 0119

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

DAK:CEN Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC11252013 -.doc



KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 13, 2013

Ashley Mogenhan, Permits Coordinator Patio Enclosures TM 224 8th Avenue N.W. Glen Burnie, Maryland 21061

RE: Petition for Administrative Variance – Leyla Abdu

Case No. 2014-0119-A

Property: 1 Maple Avenue, 21228

Dear Ms. Mogenhan:

Judge Lawrence M. Stahl is in receipt of your email package received today regarding the above. It appears this office, in reliance upon certain Maryland Department of Assessments and Taxation (SDAT) records, determined that the dwelling is not your client's principal residence. Having reviewed your e-mail response, Judge Stahl believes this matter can proceed as an administrative variance, provided your client sign and return to this Office the enclosed Affidavit, which must be notarized.

Should you have further questions or concerns, please feel free to contact me.

Sincerely,

Debra Wiley

Legal Administrative Secretary

Delva Wiley

Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
(1 Maple Avenue) 1 st Election District 1 st Council District	*	OFFICE OF
1 Council District	*	ADMINISTRATIVE HEARINGS
Leyla Abdu Petitioner	*	FOR
	*	BALTIMORE COUNTY
	*	Case No. 2014-0119-A
* * * * *	* *	* *

AFFIDAVIT

I, Leyla Abdu, am over the age of 18 and have personal knowledge of and am competent to testify to the following:

- The residence at 1 Maple Avenue is owned by Leyla Abdu. No other person or entity has an interest in the operation and/or affairs of 1 Maple Avenue.
- I, Leyla Abdu, reside year round and actually occupy property known as 1
 Maple Avenue, and I consider this to be my principal residence.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

Charles and the second		
Leyla Abdu		

12/13 Judge Stable

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BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

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December 12, 2013

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Lawrence M. Stahl, Managing Administrative Law Judge

Office of Administrative Hearings

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Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

Office of People's Counsel c:

12-12 assist Oshley (Patio Encesures) - Judge ments proof that Sport is incorrect - Perhaps Sign afficient



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor James T. Smith, Jr., Secretary Melinda B. Peters, Administrator

Date: //-20-13

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

RE: **Baltimore County**

Item No 2014-0119-A Administration Variance

1 Maple Avenue.

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. 2014-0119-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

Debra Wiley - 2014-0119-A - 1 Maple Ave. - Leyla Abdu

From:

Debra Wiley

To:

ashley.mogenhan@patioenclosures.com

Date:

1/6/2014 3:07 PM

Subject:

2014-0119-A - 1 Maple Ave. - Leyla Abdu

Attachments:

20140106145108203.pdf

Ashley,

As promised, please find attached the cover letter and Opinion & Order for the above-referenced case which was signed today.

Thank you.

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

>>> <officeofhearings@baltimorecountymd.gov> 1/6/2014 2:51 PM >>> This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 01.06.2014 14:51:07 (-0500)

Queries to: officeofhearings@baltimorecountymd.gov

Message Id:

52CB0CEF.EFE: 38: 53259

Subject:

2014-0119-A - 1 Maple Ave. - Leyla Abdu

Created By: Scheduled Date: dwiley@baltimorecountymd.gov

Creation Date:

1/6/2014 3:07 PM

From:

Debra Wiley

Recipients:

Recipient Action Date & Time Comment

patioenclosures.com Transferred 1/6/2014 3:07 PM

To: ashley.mogenhan@patioenclosures.com (ashley.mogenhan@patioenclosures.com)

Post Offices

Post Office	Delivered	Route
patioenclosures.com		patioenclosures.com

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Options

Auto Delete: No **Concealed Subject:** No **Expiration Date:** None **Notify Recipients:** Yes Priority: Standard Reply requested by None Security: Standard To Be Delivered: **Immediate**

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Common Record Id: 52CAC69F.NCH_DOM.NCH_PO.200.2000026.1.44939.1

Debra Wiley - Sign Posting for 2014-0119-A

From:

Debra Wiley

To:

Fisher, June; Lewis, Kristen

Date:

1/6/2014 9:34 AM

Subject:

Sign Posting for 2014-0119-A

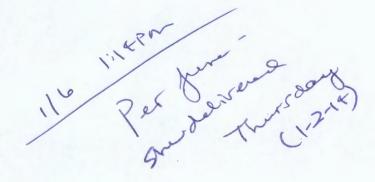
Hi,

HAPPY NEW YEAR !!!

Today is my first day back from vacation and Sherry is not in. I see that the above sign posting came in. Do either of you know when this was delivered here as it's not stamped in?

Thanks in advance.

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



Administrative Hearings - RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

From:

"Mogenhan, Ashley" <ashley.mogenhan@patioenclosures.com>

To:

"administrativehearings@baltimorecountymd.gov" <administrativehearings@b...

Date:

12/16/2013 8:24 AM

Subject:

RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Attachments: ~WRD000.jpg; image001.jpg; image002.jpg; Abdu Principal Residence Affidavit.pdf

Good Morning,

Attached is the signed and notarized affidavit. I will drop off the original sometime today. Where is your office located?

Thank you,

Ashley Mogenhan **Permits Coordinator** Patio EnclosuresTM 224 8th Avenue N.W. Glen Burnie, MD 21061 Direct: (443) 797-0351

Fax: (410) 760-0494

Email: ashley.mogenhan@patioenclosures.com

www.patioenclosures.com

From: administrativehearings@baltimorecountymd.gov [mailto:administrativehearings@baltimorecountymd.gov]

Sent: Friday, December 13, 2013 11:33 AM

To: Mogenhan, Ashley

Subject: RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Ashley,

I've just spoken to Judge Stahl and he has indicated that our office will need the original before we can process. In the meantime, however, you can email me a copy but nothing will happen until receipt of the original.

Thanks.

>>> "Mogenhan, Ashley" <ashley.mogenhan@patioenclosures.com> 12/13/2013 11:10 AM >>>

Debbie,

I will do my best to get the form back to you today. Monday will be the latest I will get the form back. Do you need the original or can I email it back to you?

Thank you,

Ashley Mogenhan Permits Coordinator Patio EnclosuresTM. 224 8th Avenue N.W. Glen Burnie, MD 21061 Direct: (443) 797-0351

Fax: (410) 760-0494

Email: ashley.mogenhan@patioenclosures.com

www.patioenclosures.com

From: Administrative Hearings [mailto:administrativehearings@baltimorecountymd.gov]

Sent: Friday, December 13, 2013 11:02 AM

To: Mogenhan, Ashley

Subject: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Hi Ashley,

Judge Stahl has reviewed your e-mail response, and believes this matter can proceed as an administrative variance, provided Ms. Abdu sign and return to our Office the attached Affidavit, which **must be notarized**.

Please let me know at your earliest convenience when our office might anticipate receiving same, as I need to retrieve Ms. Abdu's file. The Zoning Office was very quick to pick it up late yesterday.

Thanks in advance and please feel free to contact me with any further concerns or questions.

CONNECT WITH BALTIMORE COUNTY www.baltimorecountymd.gov

CONNECT WITH BALTIMORE COUNTY

Debra Wiley - Missing Sign Postings - Administrative Variances (AV)

From:

Debra Wiley

To:

Fisher, June; Lewis, Kristen

Date:

12/24/2013 9:42 AM

Subject: Missing Sign Postings - Administrative Variances (AV)

Good Morning,

I have spoken to numerous sign posters and they've indicated that the original proofs are on their way. If perhaps you receive, our office needs ASAP as the fax/email versions are not legible. They are as follows:

2014-0119-AV - Closed 12/9 - 1 Maple Ave. (Hoffman) 2014-0122-AV - Closed 12/16 - 3512 Blue Coat Rd. (Ogle)

Thanks very much!

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

Administrative Hearings - RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

From:

Administrative Hearings

To:

Mogenhan, Ashley

Date:

12/17/2013 12:02 PM

Subject: RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Hi Ashley,

In reviewing the above referenced file, it appears that there is no proof that the subject property was posted with a sign. Can you please get that from the Petitioner and/or sign poster in order that this can be processed.

Thanks in advance.

>>> "Mogenhan, Ashley" <ashley.mogenhan@patioenclosures.com> 12/16/2013 8:23 AM >>>

Good Morning,

Attached is the signed and notarized affidavit. I will drop off the original sometime today. Where is your office located?

Thank you,

Ashley Mogenhan Permits Coordinator Patio EnclosuresTM 224 8th Avenue N.W. Glen Burnie, MD 21061

Direct: (443) 797-0351 Fax: (410) 760-0494

Email: ashley.mogenhan@patioenclosures.com

www.patioenclosures.com

From: administrativehearings@baltimorecountymd.gov [mailto:administrativehearings@baltimorecountymd.gov]

Sent: Friday, December 13, 2013 11:33 AM

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Subject: RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

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Thanks.

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Debbie,

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www.patioenclosures.com

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CONNECT WITH BAL	TIMORE COUNTY		

Administrative Hearings - RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

From:

"Mogenhan, Ashley" <ashley.mogenhan@patioenclosures.com>

To:

"administrativehearings@baltimorecountymd.gov" <administrativehearings@b...

Date:

12/13/2013 11:35 AM

Subject:

RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Attachments: ~WRD000.jpg; image001.jpg; image002.jpg

Ok, I will get it to you asap. Thanks again!

Ashley Mogenhan **Permits Coordinator** Patio EnclosuresTM 224 8th Avenue N.W. Glen Burnie, MD 21061 Direct: (443) 797-0351

Fax: (410) 760-0494

Email: ashley.mogenhan@patioenclosures.com

www.patioenclosures.com

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Sent: Friday, December 13, 2013 11:33 AM

To: Mogenhan, Ashley

Subject: RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

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Fax: (410) 760-0494 Email: ashley.mogenhan@patioenclosures.com

www.patioenclosures.com

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	www.bal	timorecountymd.gov		
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Administrative Hearings - RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

From:

Administrative Hearings

To:

Mogenhan, Ashley 12/13/2013 11:32 AM

Date:

Subject: RE: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

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www.patioenclosures.com

From: Administrative Hearings [mailto:administrativehearings@baltimorecountymd.gov]

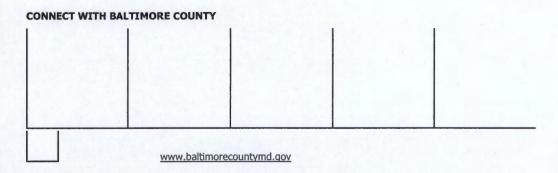
Sent: Friday, December 13, 2013 11:02 AM

To: Mogenhan, Ashley

Subject: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

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Administrative Hearings - Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

From:

Administrative Hearings

To:

ashley.mogenhan@patioenclosures.com

Date:

12/13/2013 11:02 AM

Subject:

Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Attachments:

Message from "zoneprt1"

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Message Id:

52AB2F8B.3F9: 229: 52248

Subject:

Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Created By:

administrativehearings@baltimorecountymd.gov

Scheduled Date: Creation Date:

12/13/2013 11:02 AM

From:

Administrative Hearings

Recipients

Recipient	Action	Date & Time	Comment
		-1	
	Donding		

patioenclosures.com

To: ashley.mogenhan@patioenclosures.com (ashley.mogenhan@patioenclosures.com)

Post Offices

Post Office	Delivered	Route	
patioenclosures.com		patioenclosures.com	

Files

File	Size	Date & Time	
MAIL			
MESSAGE	934	12/13/2013 11:02 AM	shi shi shi shi sana ana sana shi shi sa shi shi shi sa sa shi
TEXT.htm	878	12/13/2013 11:02 AM	- Annual India

Options

Auto Delete: No Concealed Subject: No **Expiration Date:** None **Notify Recipients:** Yes Priority: Standard Reply requested by None Security: Standard To Be Delivered: **Immediate**

Record Id

Record Id: 52AAE93B.NCH_DOM.NCH_PO.100.1796364.1.4A9.1
Common Record Id: 52AAE93B.NCH_DOM.NCH_PO.200.20000E5.1.486E5.1

Administrative Hearings - Fwd: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

From:

Administrative Hearings

To:

Lewis, Kristen

Date:

12/13/2013 11:04 AM

Subject:

Fwd: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Attachments: Case No. 2014-0119-A (Leyla Abdu, 1 Maple Ave., 21228)

Hi Kristen,

Per our conversation, if we receive the attached Affidavit we will need the file returned. I will be sure to let you know ASAP.

Thanks.

Administrative Hearings - Case # 2014-0119-A

"Mogenhan, Ashley" <ashley.mogenhan@patioenclosures.com> From:

To: "administrativehearings@baltimorecountymd.gov" <administrativehearings@b...

12/13/2013 8:43 AM Date: Subject: Case # 2014-0119-A

Attn: Debbie

Good Morning,

Per our phone conversation yesterday afternoon and this morning, the Real Property Data Tax Assessment is incorrect for 1 Maple Ave, 21228. This is the homeowners principal residence. The homeowner resolved some open issues w/ the Homestead Office last night and the tax assessment will be corrected. According to the Homestead and Tax Assessment offices, the process will take about a week. The 2 offices understand we are under a time crunch and informed me they are faxing a letter to me stating the homeowner proved proof of her principal residence at the above mentioned address or something similar. I will forward you the letter asap.

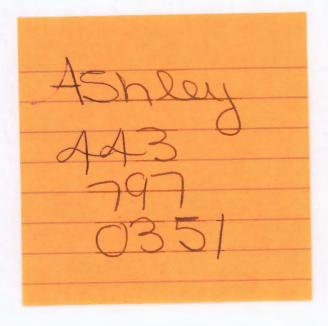
Thank you for your help w/ this matter.

Sincerely, Ashley Mogenhan **Permits Coordinator** Patio EnclosuresTM 224 8th Avenue N.W. Glen Burnie, MD 21061 Direct: (443) 797-0351

Fax: (410) 760-0494

Email: ashley.mogenhan@patioenclosures.com

www.patioenclosures.com





Fax Cover Page

To:	Debbie	Date:	12/13/13
Company:	Boutt. Co. Admin. Vari.	Fax Number:	410-887-3468
From:	Ashley Mogenhan	Total Pages:	2
Re:	Case #2014-0119-6	Home	Stead

Searcn Heip

Real Property Data Search (w2)

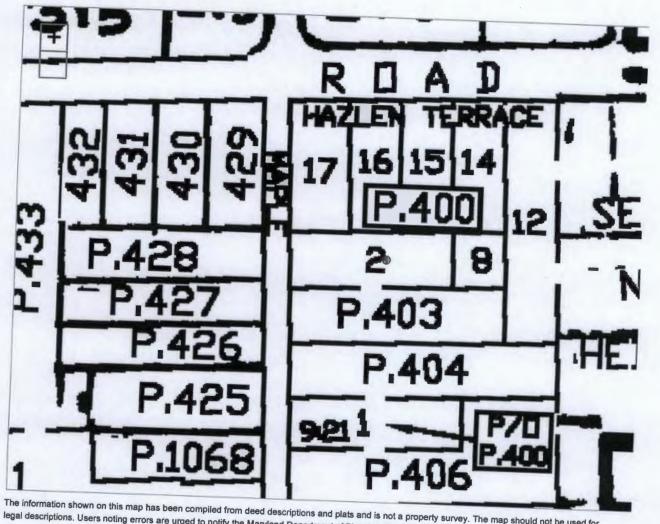
Search Result for BALTIMORE COUNTY

View Map	View GroundRent	Redemption		View Gro	undRent Registra	tion
Account Identifier:	District - 0	1 Account Num	ber - 24000092	831		
		Owner Inf	ormation			
Owner Name:	ABDU LE	YLA	Use: Princip	nal Residence:	RESIDENTI NO	
Mailing Address:	PO BOX 36 BALTIMO	6633 PRE MD 21286-	Deed R	Reference:	1) /3/126/00	253
	Lo	cation & Struc	ture Information	on		
Premises Address:	1 MAPLE BALTIMO		Legal I	Description:	.29 AC PTLT ES MAPLE HAZLEN TI	AVE
Map: Grid: Parcel: 0100 0012 0400	Sub District: Subdivis 0000	ion: Section:	Block: Lot:	Assessment You 2013	ear: Plat No: Plat Ref:	0009/ 0021
Special Tax Areas:		A	own: d Valorem: ax Class:		NONE	
Primary Structure Bui 1952	Above Grade Enclos 1,170 SF		nished Basemer O SF		perty Land Area 75 SF	County Use 04
Stories Basement 1.500000 YES	Type STANDARD UNIT		ull/Half Bath full	Garage 1 Detached	Last Major Rei	novation
		Value Infe	ormation			
	Base Valu	e Va	lue	Phase-in A	ssessments	
	,	As	of /01/2013	As of 07/01/2013	As of 07/01/2	2014
Land:	142,900		7,900			
Improvements	137,400		2,200	200 100	200.10	0
Total:	280,300	280	0,100	280,100	280,10	0
Preferential Land:	0	Transfer In	£		0	
	,					
Seller: STEFFEN ANN		Date: 08/24/2			Price: \$295,000	
Type: ARMS LENGTH		Deed1: /3112			Deed2:	
Seller: STEFFEN ANN Type: NON-ARMS LE		Date: 02/15/2 Deed1: /2142			Price: \$0	
	NOTH OTHER		3/ 00302		Deed2:	
Seller: Type:		Date: Deed1:			Price: Deed2:	
11pt.		Exemption I	nformation		Detuz.	
Dartiel Everent Assessed	Class	Exemption		012	07/01/2014	
Partial Exempt Assessn County:	nents: Class 000		07/01/2 0.00	.013	07/01/2014	
State:	000		0.00			
Municipal:	000		0.00 0.0	00	0.00 0.00	
Tax Exempt:		Special Tax Re				OCT AND DESCRIPTION AND DESCRI
Exempt Class:		NONE				

Baltimore County

New Search

District: 01 Account Number: 2400009283



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.

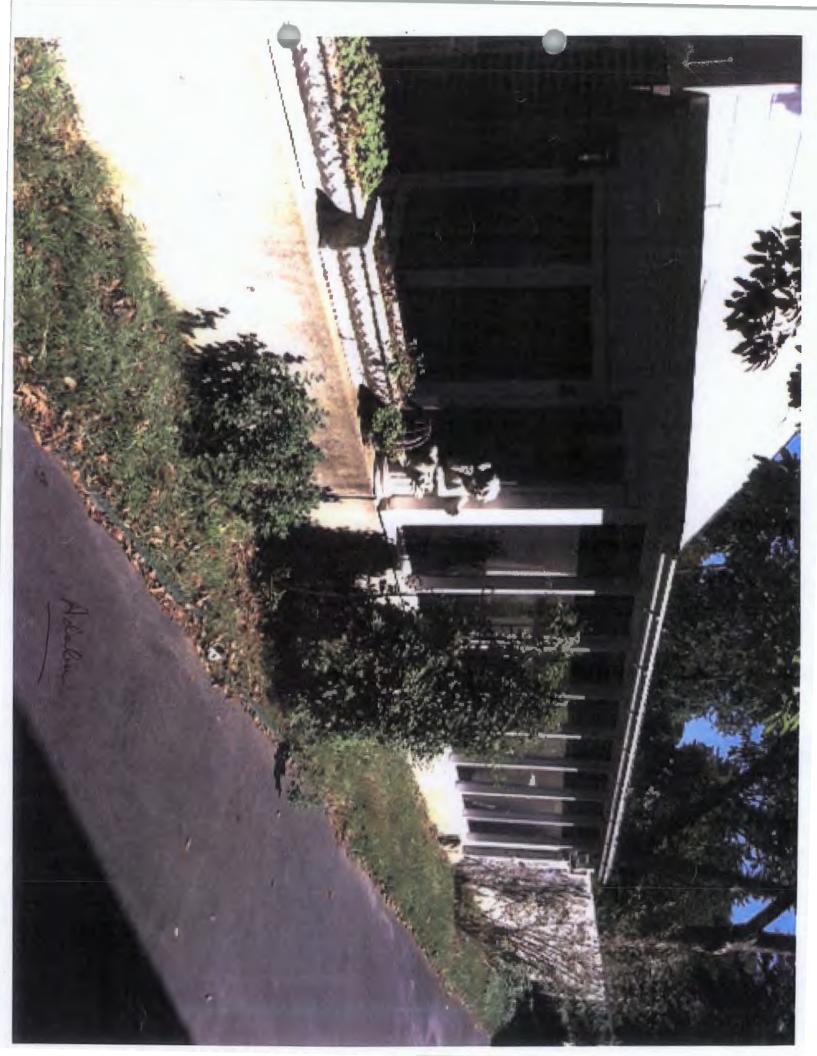
If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland

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



Loading... Please Wait. Loading... Please Wait.



From:

Jeanette Tansey

To:

kmatthews@baltimorecountymd.gov

Date: Subject: 11/14/2013 4:39 PM ZAC Agenda due 11/25/13

Following are the comments for the Department of Recreation and Parks regarding Local Open Space on the above noted agenda:

2014-0115-SPH - This appears to be within the Roland Run environmental greenway, therefore approval is not recommended.

2014-0116-SPHA - No comment

2014-0117-A - No comment

2014-0118-A - No comment

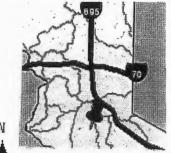
2014-0119-A - No comment

Jeanette M. S. Tansey, R.L.A.
Development Plans Review
Department of Permits, Approvals and Inspections
111 W. Chesapeake Ave, Rm 119
Towson, MD 21204
410-887-3751
410-887-2877 Fax
jtansey@baltimorecountymd.gov

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X) ADDRESS I Manle AVE OWNER(S) NAME(S) LEUIA ANOU SUBDIVISION NAME HOZIEN TETROCE LOT# 2 BLOCK # SECTION# 10 DIGITTAX #24000092 83 DEED REF. #3 1 126/00253 PLAT BOOK # NEG'56'38'W POB, 486°56'00"W 195.00 CONC. WALL BUCK CONC DRIVE AVEN UF CONC WALL GAR. 01/57 3,00,81 CON CONG 58't5 90305 22W 44.8 BRU WALL Exist. 9'x19' screened 1,22 porch to be enclosed EXCOUCHBINEL STONE 586 54'38'E 189,76' 5.00 586 54 35 E

PLAN DRAWN BY Patio Enclosures, Inc. DATE 10/31/13 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP



ZONING MAP#

SITE ZONED DR 3.5

ELECTION DISTRICT 01

COUNCIL DISTRICT 0/

LOT AREA ACREAGE

OR SQUARE FEET 12,675

HISTORIC? NO

IN CBCA?

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE

SEWER IS:

PUBLIC X PRIVATE

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO: