IN RE: PETITION FOR ADMIN. VARIANCE

(230 Hopkins Lane)
3rd Election District

2nd Council District

Robert S. & Margaret A. Lawrence

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0237-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owners of the property, Robert S. and Margaret A. Lawrence ("Petitioners"). The Petitioners are requesting Variance relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 32 ft. in lieu of the required 50 ft. for a proposed attached garage. 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 Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 24, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 32-3-303 of the Baltimore County Code (B.C.C.). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER	RECEIVED FOR FILING	
Date	6-13-14	
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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 addition 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, this <u>13th</u> day of June, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 32 ft. in lieu of the required 50 ft. for a proposed attached garage, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- The Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 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.
- The garage shall not be used for commercial purposes.

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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______6-13-14

By______



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

June 13, 2014

Robert S. Lawrence, Jr. Margaret A. Lawrence 230 Hopkins Lane Owings Mills, Maryland 21117

RE: Petition for Administrative Variance

Case No. 2014-0237-A Property: 230 Hopkins Lane

Dear Mr. and Mrs. Lawrence:

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.

Sincerely,

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw Enclosure

c: Henry Warfield, P.O. Box 76, Butler, MD 21023

ADMINISTRATIVE ZONING PETMON 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 230 Hopkins Lane which is presently zoned RC-5

Deed Reference 30062/00395 10 Digit Tax Account # 0 3 2 3 0 0
Property Owner(s) Printed Name(s) Lawrence, Robert and Lawrence, Margaret

(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

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

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

1. * ADMINISTRATIVE VARIANCE from section(s) 1A04.3.B.2.b BCZQ to permit a side yard set back of 32 feet in hew of the required so for a proposed attached garage

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/L	essee:		Legal Owners:
Name- Type or Print			Lawrence, Robert / Lawrence, Margaret Name#1-Type or Print Name#2-Type or Print Wat Owner
Signature			Signature #1 Signature # 2
			230 Hopkins Lane. Owings Mills, MD
Mailing Address	City	State	Mailing Address City State
1	1		21117 / 410-356-5790 / meglawrence0225@gmail.c
Zip Code Telepho	ne # Email	Address	Zip Code Telephone # Email Address
Attorney for Petitione	r:		Representative to be contacted:
			Henry Warfield
Name- Type or Print			Name - Type or Print
Name- Type or Print Signature Mailing Address To Code Tolepho	D.		Ham. WM
Signature	FILING		Signature
	FOR		P.O. Box 76 Butler, MD
Mailing Address	2 City	State	Mailing Address City State
OBDER ALL	D		21023 , 410-472-4048 , henry@warfieldarch.com
Zip Code Telepho	ne # Email	Address	Zip Code Telephone # Email Address

A FYBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this ______ day of ______, _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

The undersigned hereby affirms under the penalties of perjury to the Administrative Law Judge of Baltimore County, the following: That the information herein given is within the personal knowledge of the Affiant(s) and that the Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address:	230 Hopkins La	ne, Owings	Mills,	Maryland	21117
	Print or Type Address of proper	rty City		State	Zip Code
Based up	on personal knowled	ge, the following are the	facts which	h I/we base the reg	uest for an
		above address. (Clearly			
,			,		,
Request	permission to const	ruct a one-story gara	ge (attach	ned to the side of	the dwelling
		ner extending to 32 f			
		setback. Most of the			
setback.					
The prop	osed attached garag	e is located in the s	ide yard b	because the grade	drops off steepl
towards	the rear yard makin	g vehicular access di	fficult an	nd presenting drain	inage issues. The
proposed	location also mini	mizes the amount of a	dditional	driveway required	1.
A curren	t one-car garage be	low grade at the base	ment level	l is accessed from	a a narrow, steep
ramp tha	t is difficult to n	avigate, not wide end	ough for sp	port utility vehice	cles and has
created	a reoccurring flood	ing problem. This ope	ning will	be closed in and	the ramp
removed.					
Signature of Robert I	awrence		Marga	re of Affiant ret Lawrence Print or Type	ne
Maric-1 III	it or Type		rame	Third Type	
	The following inform	nation is to be completed b	y a Notary P	ublic of the State of M	aryland
		UNTY OF BALTIMORE,		, before me a Nota	one of Manufond in
	Y CERTIFY, this 32 e County aforesaid, per			, before the a Not	ary or Maryland, in
Robe	rt S Lawrence	TR and Mar	garet #	4 Lawrence	
the Affiant	(s) herein, personally ki	nown or satisfactorily iden	tified to me	as such Affiant(s) (Pr	int name(s) here)
AS WITN	ESS my hand and Nota	ries Seal Aud	My		V
		Notary Public	2015		
	HEIDI KING	My Commission	Evoima		
NOTABY D	LIBLIC STATE OF MARYLAND	IVIV COMMISSION	EXDITES		

My Commission Expires March 16, 2015

REV. 10/12/11

ZONING DESCRIPTION FOR

230 HOPKINS LANE OWINGS MILLS, MD 21117

Beginning at a point on the WEST side of HOPKINS LANE which is 20 FEET wide at the distance of 1186 FEET NORTHEAST of the centerline of the nearest improved intersecting street GOLF COURSE ROAD which is 20 FEET wide. Thence the following courses and distances:

N 27* 11' 45" W	85.00'
N 27* 11' 45" W	195.00°
N 27* 11' 45" W	120.64'
S 65* 03' 04" E	420.82'
N 25* 37' 31" E	104.19'
N 25* 37' 31" E	195.07'
N 25* 37' 31" E	85.03
S 62* 48' 15" W	409.96'

back to the place of beginning as recoreded in Deed Liber 30062 Folio 00395, containing 3.69 acres or 160,256 square feet. Also known as 230 Hopkins Lane located in the 3rd Election District, 2nd Councilmanic District.

F BUD	GET AND	FINANC	E			-1	9900 13/14	PAID RECEIPT MISTRESS ACTUAL TIME 5/14/2014 5/13/2014 10:18:37
Dept	Unit	Sub Unit	Rev Source/ Obi	Sub Rev/ Sub Obi			Amount	DE MSD2 MALKIN TEVA TEE DECEMPT N 879242 5/13/2014 GE DECEMPT 5 528 JUNIOR MERIFICATION
7000	0000	4	S SD				75**	R NO. 109900 Recpt Fat \$75.00 175.00 CK 1.09 CA Saltimore County, Maryland
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CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/25/2014

Case Number: 2014-0237-A

Petitioner / Developer: ROBERT & MARGARET LAWRENCE ~

HENRY WARFIELD, AIA

Date of Hearing (Closing): JUNE 9, 2014

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: 230 HOPKINS LANE

The sign(s) were posted on: MAY 24, 2014



(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)

MEMORANDUM

DATE:

July 18, 2014

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2014-0237-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 14, 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

CHECKLIST

Comment Received	Department	Support/Oppose/ Conditions/ Comments/ No Comment
529	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC
	DEPS (if not received, date e-mail sent)	
	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
5-28	STATE HIGHWAY ADMINISTRATION	No objection
	TRAFFIC ENGINEERING	<u> </u>
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	·
ZONING VIOLATI	ON (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	ZERTISEMENT Date:	
SIGN POSTING	Date: 5-24-14	by O'Keefe
	EL APPEARANCE Yes No DEL COMMENT LETTER Yes No	
Comments, if any: _	·	

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

22211 13 / 2311
Case Number 2014- 02376 -A Address Hopkins Lane 2111
Contact Person: Cary Hour Name Plander, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 5 3 14 Posting Date: 6 25 14 Closing Date: 6 9 1
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST : The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE</u> : 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.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2014- 0231 -A Address 230. Hapkins 2ne 21117 Petitioner's Name Robert & Margaret Lawrence Telephone 410-356-579 Posting Date: 5 25 14 Closing Date: 6 9 14 Wording for Sign: To Permit a Side yard Set back of 32 feet In lieu of the required 50 feet for a proposed a Heiched garage

. Revised 7/06/11



KEVIN KAMENETZ
County Executive

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

June 10, 2014

Robert & Margaret Lawrence 230 Hopkins Lane Owings Mills MD 21117

RE: Case Number: 2014-0237 A, Address: 230 Hopkins Lane

Dear Mr. & Ms. Lawrence:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 13, 2014. 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 &

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel Henry Warfield, P.O. Box 76, Butler MD 21023 **Maryland Department of Transportation**

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

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

Date: 5/28/14

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

RE: **Baltimore County**

Item No 2014-0237-A.
Administrative Variance
Robert & Margaret Lowronce
230 Hopkins Lawe

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. 2014-0237-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

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 29, 2014

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Department of Permits, Approvals

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 26, 2014

Item No. 2014-0236 and 0237

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

DAK:CEN cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC05262014 -.doc

Real Property Data Search (w2)

Search Help

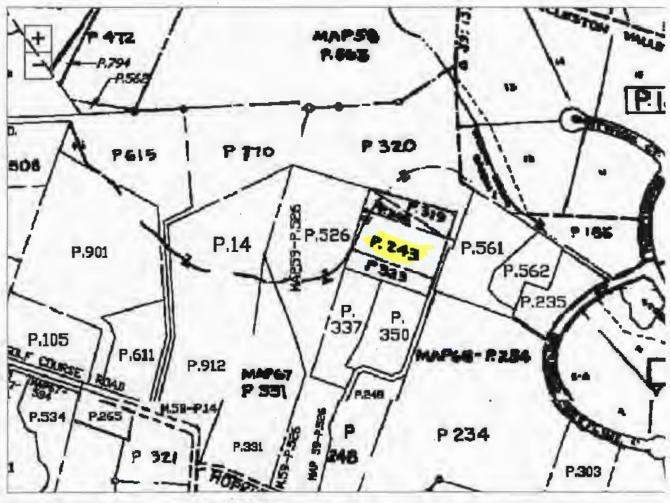
Your feedback is important to us. Please take our short survey.

View Map	View GroundRent Redemption View GroundRent Registration								
Account Identifier:	District - 03 Account Number - 0323003650								
		Own	er Informatio	on					
o v	LAWRE	NCE ROBERT S	S JR	Use:		RESIDENTL	AL .		
Owner Name:	LAWRE	NCE MARGARI	ETA	Principal	Residence	e: YES			
Mailing Address:	230 HOP			Deed Ref	erence.	1) /30062/ 003	95		
Maning Address:	OWINGS	MILLS MD 21			ci ciicc.	2)			
		Location &	Structure Inf	ormation					
Premises Address:	230 HOP 0-0000	KINS LN		Legal Des	scription:	1.858 AC NW 230 HOPKIN HALF WITS	SLN		
Map: Grid: Parcel: 0059 0019 0243	Sub District:	Subdivision: 0000	Section:	Block:	Lot: As	sessment Year: 14	Plat No: Plat Ref:		
Special Tax Areas:			Town: Ad Valor Tax Class	3:		NON	E		
Primary Structure Built 1956	Above Grade 1 3,483 SF	Enclosed Area	Finished I 780 SF	Basement A		roperty Land Area 8500 AC	04		
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		Valu	e Informatio	n					
	Base	Value	Value		Phase-in	Assessments			
			As of		As of	As of			
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Land:		325,500 342,000		260,400 566,400					
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C-II WALCH CENTAGE	- C		0/28/2010			Price: \$825,000			
Seller: WALSH SEMME Type: ARMS LENGTH			/30062/ 0039:	5		Deed2:	,		
Seller: WALSH SEMME			0/04/2004			Price: \$0			
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Seller:	Jan Ville	Date:				Price:			
Type:		Deed1:				Deed2:			
		Exemp	tion Informa	tion					
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Municipal:	000			0.00 0.00		0.00 0.00			
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Exempt Class:		NONE							
Exempt Class:		Homestead A							

Baltimore County

New Search (http://sdat.resiusa.org/RealProperty)

District: 03 Account Number: 0323003650



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://imsweb05.mdp.state.md.us/website/mosp/)

X Loading... Please

Loading... Please Wait.

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#



2014-0237-A



2014-0237-A



2014-0237-A



2614-0237-A



2014-0237-A



2014-0237-A

8 LOOKING SOUTH UP HOPKINS LANE

2014-0237-A



2014-0237-A



2014-0237-A





Environmental Map

Created By Baltimore County My Neighborhood



2014-0337-A

naccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

230 HOPKINS LAWE





Environmental Map

Created By Baltimore County My Neighborhood



2014-0237-A

inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

230 Hopkins Lane

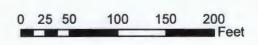


Publication Date: 5/13/2014

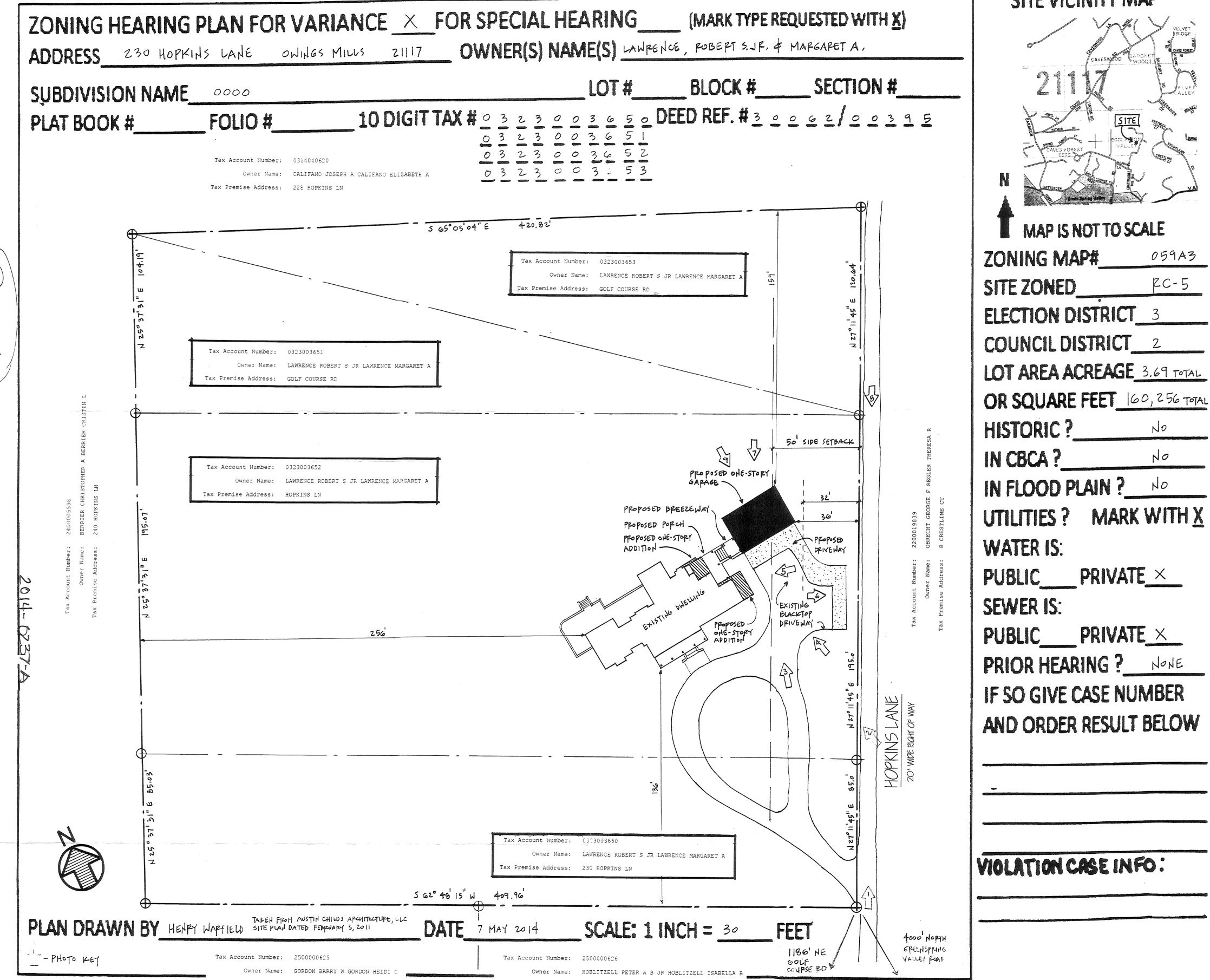


Publication Agency: Permits, Approvals & Inspections Projection/Datum: Maryland State Plane, FIPS 1900, NAD 1983/91 HARN, US Foot





1 inch = 100 feet



Tax Premise Address: 222 HOPKINS LN

Tax Premise Address: 224 HOPKINS LN

SITE VICINITY MAP

