

KEVIN KAMENETZ County Executive

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

November 3, 2014

Roger L. Hawkins 1417 Woodbridge Road Baltimore, Maryland 21228

RE:

Petition for Administrative Variance

Case No. 2015-0074-A

Property: 1417 Woodbridge Road

Dear Mr. Hawkins:

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: Dave McMahon, 7110 Golden Ring Road, Baltimore, MD 21221 IN RE: PETITION FOR ADMIN. VARIANCE * (1417 Woodbridge Road)

1st Election District
1st Council District

Roger L. Hawkins

Petitioner

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0074-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Administrative Variance filed by the legal owner of the property, Roger L. Hawkins. The Petitioner is requesting Variance relief from Section 1B02.3.B [1963 to 1971 Regulations] of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open carport addition with a side yard setback of 4 ft. in lieu of the required 9 ft. and a sum of side yard setbacks of 14 ft. in lieu of the required 20 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 submitted from any of the County reviewing agencies.

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on October 12, 2014, 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

OHDER F	RECEIVED FOR FILING
Date	11-3-14
Bv	(DW

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 <u>3rd</u> day of November, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Section 1B02.3.B [1963 to 1971 Regulations] of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an open carport addition with a side yard setback of 4 ft. in lieu of the required 9 ft. and a sum of side yard setbacks of 14 ft. in lieu of the required 20 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 1. The Petitioner may apply for his appropriate permits and be granted same upon receipt of this Order; however, Petitioner is are hereby made aware that proceeding at this time is at his 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.
- 2. Building materials for the carport addition shall be consistent with those of the existing principal dwelling.
- 3. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.

ORDER	RECEIVED FOR FILING
Date	11-3-14
By	

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

By____

Tax account# 0103474000



unty

	to the Zoning Comm	inis cative Varial varial inissioner of Baltimore Co
MARYLAND	for the property located at	1417 Woodbridge Road

which is presently zoned

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section 1B02.3.B 1963 to 1971 Regulations

2015-0074-A

CASE NO.

REV 10/25/01

To permit an open carport addition with a side yard setback of 4 ft. in lieu of the required 9 ft. and a sum of side yard setbacks of 14 ft. in lieu of the required 20 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly declare and perjury, that I/we are the legal is the subject of this Petition.	affirm, under the owner(s) of the p	penalties of property which		
Contract Purchaser/Lessee:			Legal Owner(s):				
		*	HAWKINS, ROGER				
Name - Type or Print			Name - Type or Print	•			
Signature			Signature Gauston	<u></u>			
Address	<u> </u>	Telephone No.	Name - Type or Print.		Marie de la companya della companya della companya della companya de la companya della companya		
City	State	Zip Code	Signature	a control of the			
Attorney For Petitioner:			1417 Woodbridge Road				
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	oten on a state of the second		Baltimore	MD	21228		
Name - Type or Print			City	State	Zip Code		
Signature	SEIVED FOR FILIN	16	Representative to be C	ontacted:			
	ENED 14		Dave McMahon				
Company ORDER RE	11/33		Name 7110 Golden Ring R	d (41)	0)780-0062		
Address		Telephone No.	Address		Telephone No.		
City	State	Zip Code	<u>Baltimore</u> City	MD State	21221 Zip Code		
this day of	been formally demand th county and that the proper	at the subject matter of t	required, it is ordered by the Zoning his petition be set for a public hearing.	advertised, as requ	uired by the zoning		

Estimated Posting Date

Affidavit in Support of Administrative Variance

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

That the Affiant(s) does/do presently reside at	1417 Woodbr	idge Road	ration can be delicated and the second
			01000
	Baltimore City	MD State	21228 Zip Code
That based upon personal knowledge, the folk Variance at the above address (indicate hardsh We would like to construct a carport (24x) our home. Our hardship is that we are cent with a combined side yard set back of 8ft v of 20ft. this is the only place on our proper logically construct this carport, being there driveway in this location. therefore we are yard varience of 4ft combination 14ft in lei 9ft combination 20ft.	owing are the facts up ip or practical difficulty (14) on the side of tered in our lot with a combination ty we can is a existing asking for a side tu of the required	oon which I/we base	the request for an Administrative
That the Affiant(s) acknowledge(s) that it a feature advertising fee and may be required to provide	ormal demand is file additional information	d, Affiant(s) will be	required to pay a reposting and
HAWKINS, ROGER			
Name - Type or Print	Nan	ne - Type or Print	
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		200	
STATE OF MARYLAND, COUNTY OF BALTI	MORE, to wit:	1	
of Maryland, in and for the County aforesaid, pe	ersonally appeared	2014, befor	e me, a Notary Public of the Stat
the Affiant's) herein, personally known or satisf	lastarily identified to m	a as such Affiant(s)	
the Amant(s) herein, personally known or sausi	actorny identified to m	ie as such Amani(s)	
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	THE VENEZA STATE	-	1/21/2017
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ZONIING PROPERTY DESCRIPTIION FOR 1417 Woodbridge Rd

**Begiinniing at a pointt on the northeast side of Woodbridge RD which is (50ft right of way) at a distance of 178ft southeast of the centerline of the neareast improved intersecting street which is haberson rd which is (50ft right of way.) Being Lot #9, Block Q, Section #8 in the subdivision off (WESTVIEW PARK) as recorded n Baltimore Counttyy Plat Book #(30), Folliio #(48), containiing (7,303) Located in the (1st)Election District and (1st) Council district.

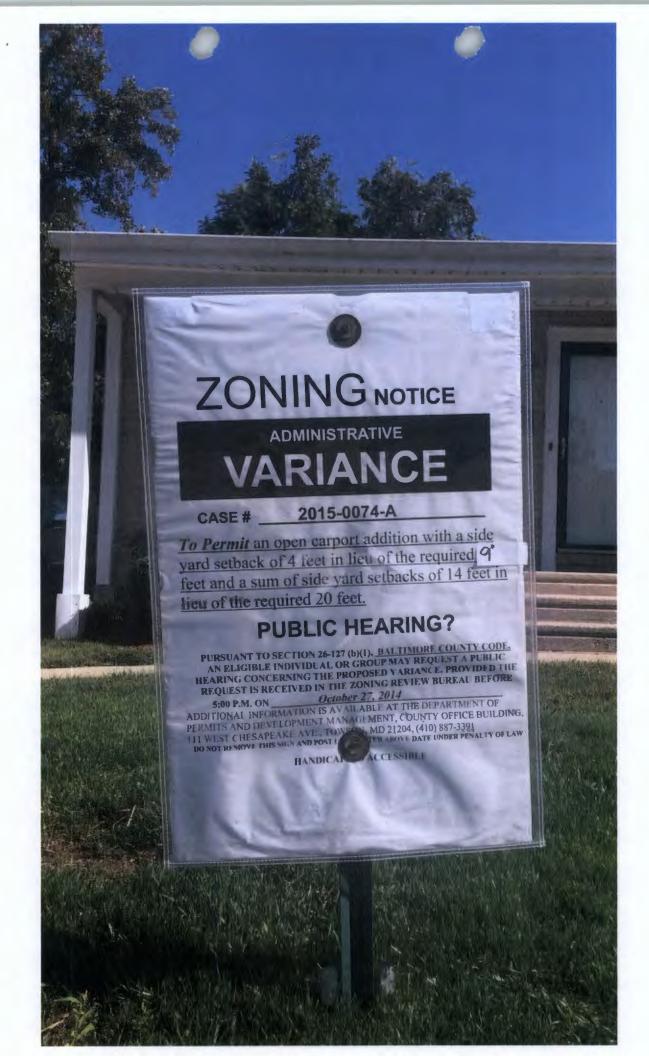
BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES
Case Number 2015- 0074 -A (, Address 1417 Woodbridge Road
Contact Person: Leoward Leoward Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 10/2/14 Posting Date: 10/12/14 Closing Date: 10/27/19
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.
3. ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 2015- 0074-A Address 14/7 Wood haidge Koad
Petitioner's Name Rodgerz HAWKINS Telephone
Posting Date:
Wording for Sign:
To permit an open carport addition with a side yard setback of 4 feet in lieu of the required N feet and a sum of side yard setbacks of 14 in lieu of the required 20 feet.

CERTIFICATE OF POSTING

	2015-0074-A
	RE: Case No.:
	Petitioner/Developer:
	Rodger Hawkins
	October 27, 2014 Date of Hearing/Closing:
Baltimore County Department of Permits, Approvals and Inspections County Office Building, Room 111 111 West Chesapeake Avenue Fowson, Maryland 21204	
Attn: Kristen Lewis:	
Ladies and Gentlemen:	
1417 Woodbridge Rd	October 12, 2014
The sign(s) were posted on	
	(Month, Day, Year)
	Sincerely,
	October 12, 2014
	(Signature of Sign Poster) (Date)
•	SSG Robert Black
ZONING NOTICE ADMINISTRATIVE	(Print Name)
VARIANCE CASE 0 2815-0072-A To Parcer's as open, segment delicion with a side year spends of a need in land of the equipment of	1508 Leslie Road
Seed on a sum of side yard schedus (LH feet to literate the required 20 feet. PUBLIC PIEARING?	(Address)
PROBLEM OF THE WAY TO SERVE THE SALES OF THE	Dundalk, Maryland 21222
HANDE AND ALLESSONS	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)





MEMORANDUM

DATE:

December 4, 2014

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2015-0074-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 3, 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



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

November 3, 2014

Roger L. Hawkins 1417 Woodbridge Road Baltimore, Maryland 21228

RE:

Petition for Administrative Variance

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Property: 1417 Woodbridge Road

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Sincerely,

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw Enclosure

c: Dave McMahon, 7110 Golden Ring Road, Baltimore, MD 21221

IN RE: PETITION FOR ADMIN. VARIANCE *

(1417 Woodbridge Road)

1st Election District 1st Council District Roger L. Hawkins

Petitioner

. 1

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2014-0074-A

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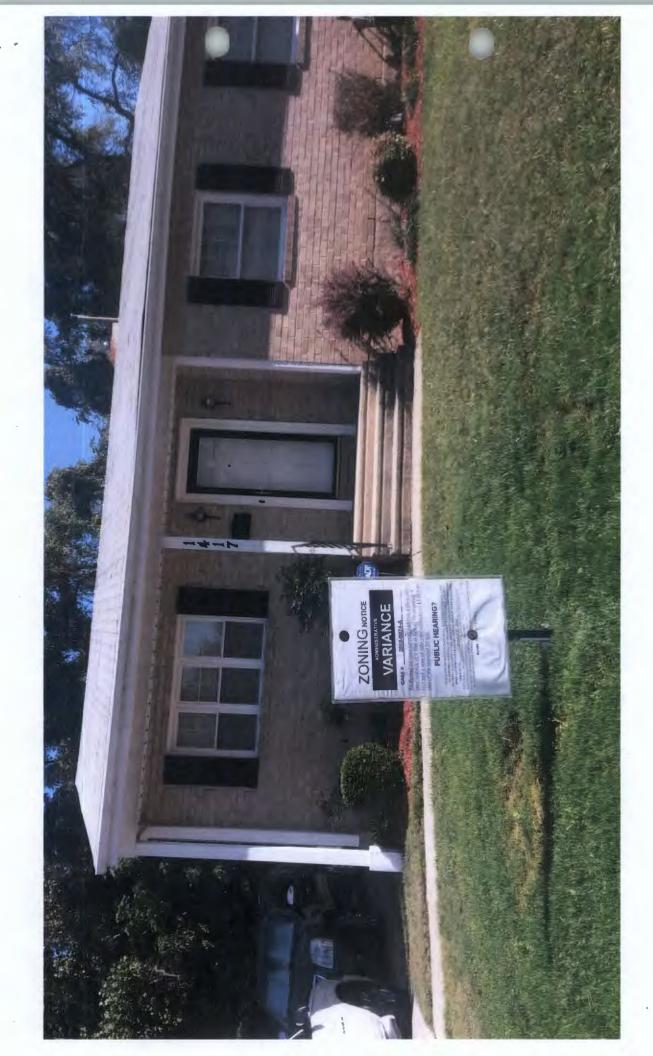
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Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

A-4500 Haw 12, 2





7015-0074-A

CASE NO. 2015- 0074-A

CHECKLIST

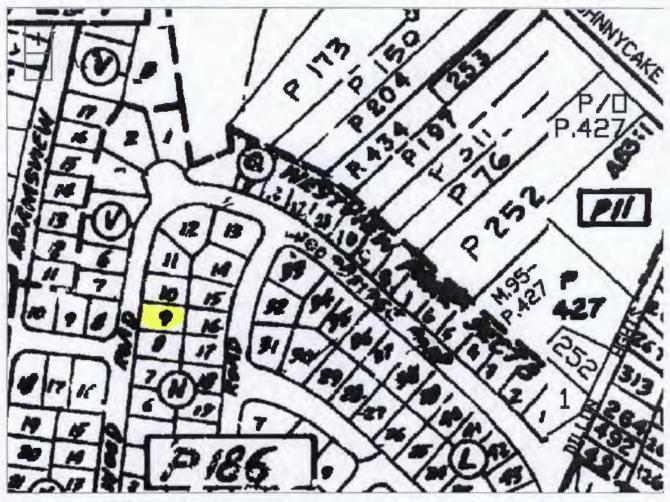
Comment Received	<u>Department</u>		Conditions/ Comments/ No Comment
10-9	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)		No
	DEPS (if not received, date e-mail sent)		•
	FIRE DEPARTMENT		
	PLANNING (if not received, date e-mail sent)		
10-7	STATE HIGHWAY ADMINISTRATION		No objection
	TRAFFIC ENGINEERING		
	COMMUNITY ASSOCIATION		
	ADJACENT PROPERTY OWNERS		
ZONING VIOLATI			
PRIOR ZONING	(Case No.)
NEWSPAPER ADV	VERTISEMENT Date:		
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PEOPLE'S COUNS	SEL APPEARANCE Yes No		
PEOPLE'S COUNS	SEL COMMENT LETTER Yes No		
Comments, if any:			

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Baltimore County

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

District: 01 Account Number: 0103474000



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).



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

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KEVIN KAMENETZ County Executive

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

October 28, 2014

Roger Hawkins 1417 Woodbridge Road Baltimore MD 21228

RE: Case Number: 2015-0074 A, Address: 1417 Woodbridge Road

Dear Mr. Hawkins:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on October 2, 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 Richal y

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Dave McMahon, 7110 Golden Ring Road, Baltimore MD 21221

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



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

Date: 10/7/14

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

RE: Baltimore County

Item No 2015-0074-A
Administrative Variance
Reger Hawkins
1417 WoodbridgeRoad.

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. 2015-0074-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email 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: October 9, 2014

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 13, 2014

Item No. 2015-0071, 0073, 0074, 0075, 0076,0078 and 0079

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

DAK:CEN cc:file



KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

October 28, 2014

Roger Hawkins 1417 Woodbridge Road Baltimore MD 21228

RE: Case Number: 2015-0074 A, Address: 1417 Woodbridge Road

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W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Dave McMahon, 7110 Golden Ring Road, Baltimore MD 21221

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



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

Date: 10/7/14

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

Baltimore County RE:

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Sincerely,

Steven D. Foster, Chief/ Development Manager

Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 9, 2014

Department of Permits, Approvals

And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 13, 2014

Item No. 2015-0071, 0073, 0074, 0075, 0076,0078 and 0079

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\ZAC10132014 -.doc

PLAT TO ACCOMPANY PETITION FOR ZONING VAR PROPERTY ADDRESS 1417 Woodbridge Rd SEE PAGES 5 & 6 OF THE CHEC		Propose to respect	
SUBDIVISION NAME Westview Park	\ \ \ \ \		And the second s
PLAT BOOK # 30 FOLIO # 48 LOT # 9 SECTION # 8 OWNER Roger Hawkins	Н	glanding kit op a blerge buyte glanding	
S 47°00°14" E 67° (P) C.L.F. (TYP.)		7.11f1	To the second se
148 LOT 9 BLK Q BLK Q	Mag.	,	Section of the sectio
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Leation of 24014 Porch Porch Porch		I"= 200" SCALE MAP # ZONING LOT SIZE ACREAGE S	094c2 DR5.5 7,303
Corport 24014 N 4700°14" W 67' (P)			PRIVATE
WOODBRIDGE ROAD (50' R/W)		CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN	YES NO
		HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING	
Pet Ed	-	ZONING OFFICE US REVIEWED BY ITEM #	SE ONLY CASE #
PREPARED BY Gerard Andersen SCALE OF DRAWING: 1" = 30'			

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE PROPERTY ADDRESS 1417 Woodbridge Rd SEE PAGES 5 & 6 OF THE CHECKLIST	CE SPECIAL HEARING
SUBDIVISION NAME Westview Park PLAT BOOK # 30 FOLIO # 48 LOT # 9 SECTION # 8 OWNER Roger Hawkins NORTH 5 47'00'14" E 67' (P) CLF. (17'P.) 10' DE LOT 9 BLK Q BLK Q	And the second s
Shirty 40 10 W Shirty Shirt ENT. Story Shirt ENT. Story Shirt Shir	LOCATION INFORMATION ELECTION DISTRICT 1st COUNCILMANIC DISTRICT 1"=200" SCALE MAP # 094c2 ZONING DR5.5 LOT SIZE ACREAGE PUBLIC PRIVATE PUBLIC PRIVATE CHESAPEAKE BAY CRITICAL AREA 100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING
PREPARED BY Gerard Andersen SCALE OF DRAWING: 1" = 30'	ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE # 2015 0074-A W

PLAT TO ACCOMPANY PETITION PROPERTY ADDRESS 1417 Woodbridge Rd	Region and an annual of	Magazina Graphical P
SUBDIVISION NAME Westview Park	SEE PAGES 5 & 6 OF THE CHECKLIST	FOR ADDITIONAL REGULARD INFORMATION
PLAT BOOK # 30 FOLIO # 48 LOT # 9 SECTION OWNER Roger Hawkins	ON # 8 NORTH	All description of the control of th
S 47°00°14" E 67' (P) C.L.F. (TYP.)	Fernalizationing amount to a state of the st	
148 E BLK Q	C/L 10' D.I	Extract St. Exchange (An investigation of the inves
Owners: BSMT. ENT.	60 40T 8 #1416	
Shirky 40.0'	B. Their	LOCATION INFORMATION ELECTION DISTRICT 1st
Mueller 1 STORY 19 BRICK & FRAME 19 1417 89	Latingilla	COUNCILMANIC DISTRICT 1st
20.0' 0 20.0'	2 25° - 13-12-	1"= 200" SCALE MAP # 094c2
Proposed 24014		ZONING DR5.5 LOT SIZE 7,303 ACREAGE SQUARE FEET
		PUBLIC PRIVATE SEWER
N 47'00'14" W 67' (P)		WATER
WOODBRIDGE ROAD		CHESAPEAKE BAY CRITICAL AREA
(50' R/W)		100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING PRIOR ZONING HEARING
		ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #
PREPARED BY Gerard Andersen	SCALE OF DRAWING: 1" = 30'	2015 0074-A W.

1417 Woodbridge Road 2015-0074-A



Publication Date: 10/2/2014



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



