



KEVIN KAMENETZ
County Executive

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

February 12, 2015

Malcolm D. Williams
Betty Jean Williams
265 Sunnyking Drive
Reisterstown, Maryland 21136

RE: Petition for Administrative Variance
Case No. 2015-0155-A
Property: 265 Sunnyking Drive

Dear Mr. and Mrs. Williams:

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,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE *
(265 Sunnyking Drive)
4th Election District *
4th Council District *
Malcolm D. and Betty Jean Williams *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2015-0155-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 owners of the property, Malcolm D. and Betty Jean Williams ("Petitioners"). The Petitioners are requesting Variance relief pursuant to §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit a proposed barn (accessory structure) located in the front yard in lieu of the required rear yard, and (2) To allow a height of 19 ft. in lieu of the maximum height of 15 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. 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 January 22, 2015, 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 § 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 2-12-15

By BW

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 § 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 accessory structure height and usage, I will impose conditions that the barn shall 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 12th day of February, 2015 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 400.1 and 400.3 of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit a proposed barn (accessory structure) located in the front yard in lieu of the required rear yard, and (2) To allow a height of 19 ft. in lieu of the maximum height of 15 ft., and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

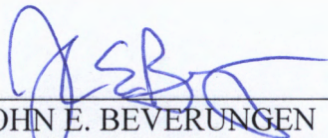
ORDER RECEIVED FOR FILING

Date 2-12-15

By DW

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

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 2-12-15

By EW



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 Hearings for Baltimore County for the property located at:

Address 265 Sunnyking Drive, Reisterstown, MD 21136 **Currently zoned** RC 5
Deed Reference 12260 / 00459 **10 Digit Tax Account #** 2 3 0 0 0 1 0 0 3 1
Owner(s) Printed Name(s) Malcolm D. Williams and Betty Jean Williams

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

SEE Attached

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

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code. to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Malcolm D. Williams / Betty Jean Williams
Name #1 – Type or Print Name #2 – Type or Print

Malcolm D. Williams / *Betty Jean Williams*
Signature #1 Signature #2

265 Sunnyking Drive, Reisterstown, MD
Mailing Address City State
21136 / 410-526-9003 / cabinfrtoo@aol.com
Zip Code Telephone # Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print
Signature
2-12-15
Mailing Address City State
Date
Zip Code Telephone # Email Address

Representative to be contacted:

Malcolm D. Williams
Name – Type or Print

Malcolm D. Williams
Signature

265 Sunnyking Drive, Reisterstown, MD
Mailing Address City State
21136 / 443-928-8115 / cabinfrtoo@aol.com
Zip Code Telephone # Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0155-A Filing Date 1/14/15 Estimated Posting Date 1/25/15 Reviewer G.14

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 and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 265 Sunnyking Drive, Reisterstown, MD 21136

Print or Type Address of property

City

State

Zip Code

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

We are in the process of replacing our barn that burned down in March 2014.

We want to put the new barn in the same location as the old one was in previously. We understand that we must have a waiver to do this because the location is in the front of our property (house). We ask that the County allow us to build the new structure in the same location because the area is already cleared and ready for building, we are limited in areas on our property where a barn can be built because of floodplains, etc., and the new barn would not be a detriment to the view of our home or to our neighborhood. Our home and property butts up to Soldiers Delight State Park and we are not part of a development. Our location is very private.

In addition to this waiver request, we would also like to request a height waiver for the new barn. The current restriction is 15 feet. The proposed location is 8 feet below grade level of the ground floor of our home and 160 feet away. We would like to request a height waiver, so that the new structure will better match the architectural design of our home and allow for more storage.

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

Malcolm D. Williams

Signature of Owner (Affiant)

Malcolm D. Williams

Name- Print or Type

Betty Jean Williams

Signature of Owner (Affiant)

Betty Jean Williams

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of December, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

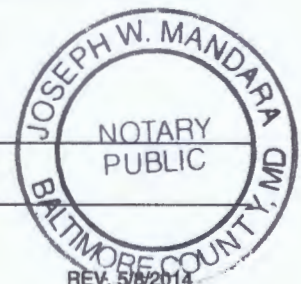
Print name(s) here: Malcolm D. Williams + Betty Jean Williams

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Joseph W. Mandara
Notary Public

My Commission Expires 4/12/16



January 14, 2015

Case # 2015-0155-A

Administrative Variance: Sections 400.1 & 400.3 of the BCZR

To permit a proposed barn (accessory structure) located in the front yard in lieu the required rear yard, and to allow a height of 19 feet in lieu of the maximum height of 15 feet.



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 Hearings for Baltimore County for the property located at:

Address 265 Sunnyking Drive, Reisterstown, MD 21136

Currently zoned RC 5

Deed Reference 12260

/ 00459

10 Digit Tax Account # 2 3 0 0 0 1 0 0 3 1

Owner(s) Printed Name(s) Malcolm D. Williams and Betty Jean Williams

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. ☒ ADMINISTRATIVE VARIANCE from Section(s)

SBE Attached

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

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

Malcolm D. Williams / Betty Jean Williams

Name #1 – Type or Print

Name #2 – Type or Print

Malcolm D. Williams

Signature #1

Betty Jean Williams

Signature #2

265 Sunnyking Drive, Reisterstown, MD

Mailing Address

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State

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Zip Code

/ 410-526-9003

Telephone #

/ cabinfrtoo@aol.com

Email Address

Attorney for Owner(s)/Petitioner(s):

Name- Type or Print

Signature

Mailing Address

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Telephone #

Email Address

Representative to be contacted:

Malcolm D. Williams

Name – Type or Print

Malcolm D. Williams

Signature

265 Sunnyking Drive, Reisterstown, MD

Mailing Address

City

State

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Zip Code

/ 443-928-8115

Telephone #

/ cabinfrtoo@aol.com

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, it is ordered by the Office of Administrative Hearings for Baltimore County, this 2-12-15 day of February, that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0155-A

Filing Date 1/14/15

Estimated Posting Date 1/25/15

Reviewer G. A.

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 and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

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In addition to this waiver request, we would also like to request a height waiver for the new barn. The current restriction is 15 feet. The proposed location is 8 feet below grade level of the ground floor of our home and 160 feet away. We would like to request a height waiver, so that the new structure will better match the architectural design of our home and allow for more storage.

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

Malcolm D. Williams

Signature of Owner (Affiant)

Malcolm D. Williams

Name- Print or Type

Betty Jean Williams

Signature of Owner (Affiant)

Betty Jean Williams

Name- Print or Type

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

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30 day of December, 2014, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

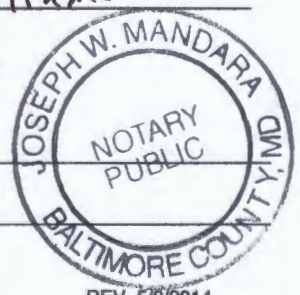
Print name(s) here: Malcolm D. Williams & Betty Jean Williams

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Joseph W. Mandara
Notary Public

My Commission Expires 4/12/16



January 14, 2015

Case # 2015-0155-A

Administrative Variance: Sections 400.1 & 400.3 of the BCZR

To permit a proposed barn (accessory structure) located in the front yard in lieu the required rear yard, and to allow a height of 19 feet in lieu of the maximum height of 15 feet.



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FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING

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Currently zoned RC 5

Deed Reference 12260

/ 00459

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Malcolm D. Williams

/ Betty Jean Williams

Name #1 – Type or Print

Name #2 – Type or Print

Malcolm D. Williams

Signature #1

Betty Jean Williams

Signature #2

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Mailing Address

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Mailing Address

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/ 443-928-8115

Telephone #

/ cabinfrtoo@aol.com

Email Address

A PUBLIC HEARING having been formally demanded and/or found to be required, It is ordered by the Office of Administrative Hearings for Baltimore County, this 14 day of 15 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2015-0155-A

Filing Date 1/14/15

Estimated Posting Date 1/25/15

Reviewer E. G.

Affidavit in Support of Administrative Variance

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Malcolm D. Williams

Signature of Owner (Affiant)

Malcolm D. Williams

Name- Print or Type

Betty Jean Williams

Signature of Owner (Affiant)

Betty Jean Williams

Name- Print or Type

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STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

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Print name(s) here: Malcolm D. Williams & Betty Jean Williams

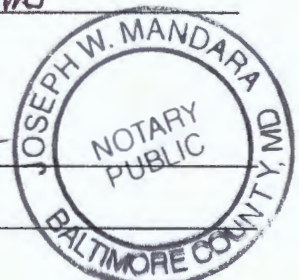
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notaries Seal

Joseph W. Mandara

Notary Public

My Commission Expires 4/12/16



REV. 5/8/2014

January 14, 2015

Case # 2015-0155-A

Administrative Variance: Sections 400.1 & 400.3 of the BCZR

To permit a proposed barn (accessory structure) located in the front yard in lieu the required rear yard, and to allow a height of 19 feet in lieu of the maximum height of 15 feet.

THE ZONING HEARING PROPERTY DESCRIPTION

ZONING PROPERTY DESCRIPTION FOR 265 Sunnyking Drive, Reisterstown, MD 21136 (right of way and Lots 2 and 3).

Right of Way for Lots 2 and 3 - Beginning for the first parcel at a point, said point, intended to be on the Northerly right of way of Sunnyking Drive extended, said point also being N.17 52' 07" E. 28.12' from a stone found at the end of the S.09 04' 35" W. 357.32' line of the fifth parcel of land granted and conveyed by Samuel R. Zetzer, the Homewood Holding Company, a body corporate of the State of Maryland, and Robert A. Sindall, Jr. to the State of Maryland to the use of the Department of Forests and Parks, a body corporate of the State of Maryland in a deed dated December 9, 1971 and recorded among the land records of Baltimore County, Maryland in Liber 5236, folio 982 ("ZETZER").

Thence binding on a part of and running reversely with the aforementioned line the following course and distance as now surveyed: (1st Point of Call "POC") N.17 52' 07" E. 329.21' to a point at end of N.49 14' 10" W. 471.07' line of that parcel of land granted and conveyed by D. Paul Gore and Dorothy B. Gore, his wife to Baltimore Gas and Electric Company, a corporation of the State of Maryland, dated April 24, 1968 and recorded among the land records of Baltimore County in liber 4872, folio 437 ("GORE"), said point being the Southerly margin of said 66' right of way, (2nd POC) S.40 35' 47" E. 62.50' to a point, (3rd POC) S.49 24' 13" W. 78.91', (4th POC) S.17 52' 07" W. 223.09' to a point on the Northerly right of way for Sunnyking Drive extended, (5th POC) S.80 38' 25" W. 13.50' to the place of beginning, as recorded in Liber 12060, folio 360, containing 0.132 acres of land. Located in the 4th Election District and 4th Council District. Also known as Lot #2 in the minor subdivision of the Pressman Property, as maintained by and recorded among the Land Records of Baltimore County in Plat Book S.M. 1, folio 110.

Lot 2 - Beginning for the second parcel at a point, said point, being on the Northerly margin of a 66' right of way at the beginning of the S.49 14' 10" E. 545.95' line of GORE, said point also being at the end of S.09 04' 35" W. 125.86' line of ZETZER.

Thence running reversely with and binding on said first line, the following course and distance as now surveyed: (1st POC) N.17 52' 07" E. 127.03' at a point, (2nd POC) S.83 09' 37" E. 1.83' to a point being Southeasterly corner of Lot #9, Block "I", Section Three, "Sunnybrook Farms", plat book 22, folio 79, thence binding on and running reversely with a portion of the S.03 39' 37", 1,193.23' line, (3rd POC) 39' 37" W. 239.31' to a point being the Southwesterly corner of Lot #27, Section #2, "Delight Mead plat book 44, folio 30; thence binding on and running reversely with the S.59 06' 07" W. 174.90' line, (4th POC) N.67 38' 45" E. 172.93 to a point being the common corner between Lot #26 and Lot #27; thence binding on and running reversely with a portion of the N.33 00' 10" W. 1,503.23' line, (5th POC) S.32' E. 579.02' to a point, (6th POC) S.49 24' 13" W. 256.62' to a point on the Northerly margin of aforementioned 66' right of way; thence running reversely with and binding on a portion of the 10" E. 545.95 of GORE, (7th POC) N.40 35' 47" W. 353.96' to the place of beginning as recorded in Liber 12060, folio 360, containing 3.845 acres of land. Located in the 4th Election District and 4th Council District. Also known as Lot #2 in the minor subdivision of the Pressman Property, as maintained by and recorded among the Land Records of Baltimore County in plat book S.M. 1, folio 110.

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among

2013-0135A

THE ZONING HEARING PROPERTY DESCRIPTION

ZONING PROPERTY DESCRIPTION FOR 265 Sunnyking Drive, Reisterstown, MD 21136 (right of way and Lots 2 and 3).

Right of Way for Lots 2 and 3 - Beginning for the first parcel at a point, said point, intended to be on the Northerly right of way of Sunnyking Drive extended, said point also being N.17 52' 07" E. 28.12' from a stone found at the end of the S.09 04' 35" W. 357.32' line of the fifth parcel of land granted and conveyed by Samuel R. Zetzer, the Homewood Holding Company, a body corporate of the State of Maryland, and Robert A. Sindall, Jr. to the State of Maryland to the use of the Department of Forests and Parks, a body corporate of the State of Maryland in a deed dated December 9, 1971 and recorded among the land records of Baltimore County, Maryland in Liber 5236, folio 982 ("**ZETZER**").

Thence binding on a part of and running reversely with the aforementioned line the following course and distance as now surveyed: (**1st Point of Call "POC"**) N.17 52' 07" E. 329.21' to a point at end of N.49 14' 10" W. 471.07' line of that parcel of land granted and conveyed by D. Paul Gore and Dorothy B. Gore, his wife to Baltimore Gas and Electric Company, a corporation of the State of Maryland, dated April 24, 1968 and recorded among the land records of Baltimore County in liber 4872, folio 437 ("**GORE**"), said point being the Southerly margin of said 66' right of way, (**2nd POC**) S.40 35' 47" E. 62.50' to a point, (**3rd POC**) S.49 24' 13" W. 78.91', (**4th POC**) S.17 52' 07" W. 223.09' to a point on the Northerly right of way for Sunnyking Drive extended, (**5th POC**) S.80 38' 25" W. 13.50' to the place of beginning, as recorded in Liber 12060, folio 360, containing 0.132 acres of land. Located in the 4th Election District and 4th Council District. Also known as Lot #2 in the minor subdivision of the Pressman Property, as maintained by and recorded among the Land Records of Baltimore County in Plat Book S.M. 1, folio 110.

Lot 2 - Beginning for the second parcel at a point, said point, being on the Northerly margin of a 66' right of way at the beginning of the S.49 14' 10" E. 545.95' line of **GORE**, said point also being at the end of S.09 04' 35" W. 125.86' line of **ZETZER**.

Thence running reversely with and binding on said first line, the following course and distance as now surveyed: (**1st POC**) N.17 52' 07" E. 127.03' at a point, (**2nd POC**) S.83 09' 37" E. 1.83' to a point being the Southeasterly corner of Lot #9, Block "I", Section Three, "Sunnybrook Farms", plat book 22, folio 79, thence binding on and running reversely with a portion of the S.03 39' 37", 1,193.23' line, (**3rd POC**) N.03 39' 37" W. 239.31' to a point being the Southwesterly corner of Lot #27, Section #2, "Delight Meadows" plat book 44, folio 30; thence binding on and running reversely with the S.59 06' 07" W. 174.90' line, (**4th POC**) N.67 38' 45" E. 172.93 to a point being the common corner between Lot #26 and Lot #27; thence binding on and running reversely with a portion of the N.33 00' 10" W. 1,503.23' line, (**5th POC**) S.24 27' 32" E. 579.02' to a point, (**6th POC**) S.49 24' 13" W. 256.62' to a point on the Northerly margin of the aforementioned 66' right of way; thence running reversely with and binding on a portion of the S.49 14' 10" E. 545.95 of **GORE**, (**7th POC**) N.40 35' 47" W. 353.96' to the place of beginning as recorded in liber 12060, folio 360, containing 3.845 acres of land. Located in the 4th Election District and 4th Council District. Also known as Lot #2 in the minor subdivision of the Pressman Property, as maintained by and recorded among the Land Records of Baltimore County in plat book S.M. 1, folio 110.

Lot 3 Right of Way (Power lines) – Beginning for the first parcel at a point, said point, intended to be on the Northerly right of way of Sunnyking Drive extended, said point also being N.17 52' 07" E. 28.12' N.80 38' 25" E. 13.50' from a stone found at the end of the S.09 04' 35" W. 357.32' line of ZETZER.

Thence the following course and distance as now surveyed: (1st POC) N.17 52' 07" E. 223.09' to a point, (2nd POC) N.49 24' 13" E. 78.91' to a point on the Southerly margin of a 66' right of way, said point being S.40 35' 47" E. 62.50' from the end of the N.49 14' 10" W. 471.07' line of GORE, (3rd POC) S.40 35' 47" E. 312.60', (4th POC) S.49 24' 13" W. 12' to a point, (5th POC) N.40 35' 47" W. 285.60' to a point, (6th POC) N.85 35' 47" W. 21.21' to a point, (7th POC) S.49 24' 13" W. 48.52' to a point, (8th POC) S.17 52' 07" W. 213.53 to a point intended to be on the Northerly right of way of Sunnyking Drive extended, (9th POC) S.80 38' 25" W. 13.5' to the place of the beginning, as recorded in Liber 12060, folio 360, containing 0.167 acres of land. Located in the 4th Election District and 4th Council District. Also known as Lot #3 in the minor subdivision of the Pressman Property, as maintained by and recorded among the Land Records of Baltimore County in plat book S.M. 1, folio 110.

Lot 3 – Beginning for the second parcel at a point, said point, being on the Northerly margin of a 66' right of way said point being N.40 35' 47" W. 192.00' from the end of the S.49 14' 10" E. 545.95' line of GORE, said point also being at the end of the First of S.09 04' 35" W. 125.86' line of ZETZER.

Thence leaving said Northerly right of way and running for a line of new division the following course and distance as now surveyed: (1st POC) N.49 24' 13" E. 256.62' to a point being on the N.33 00' 10" W. 1,503.23 foot line of "Delight Meadows, Section #2" plat book 44, folio 30, said point being S.24 27' 32" E. 579.02' from the beginning of said line, (2nd POC) S.24 27' 32" E. 294.59' to a point being at the end of the N.68 06' 59" E. 195.92' line of the ZETZER, (3rd POC) S.76 54' 31" W. 197.01' to a point on the Northerly margin of a 66' right of way, said point being the end of the S.49 14' 10" E. 545.95' line of GORE, (4th POC) N.40 35' 47" W. 192.00' to the place of the beginning, as recorded in Liber 12060, folio 360, containing 1.219 acres of land. Located in the 4th Election District and 4th Council District. Also known as Lot #3 in the minor subdivision of the Pressman Property, as maintained by and recorded among the Land Records of Baltimore County in Plat Book S.M. 1, folio 110.

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

No.

119768

Date:

1/14/15

DATE RECEIVED
 TIME

1/15/2015 1:14 PM
 RECEIVED BY: [Signature]
 1/14/2015
 \$75.00
 \$75.00
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	000		0150				75.00

Total: 75.00

Rec From: Malcolm Williams

For: 265 Sunnyking Dr

2015-0155-A

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2015-0155-A

Petitioner: Malcolm & Betty Williams

Address or Location: 265 SunnyKing Drive, Reisterstown, MD 21136

PLEASE FORWARD ADVERTISING BILL TO:

Name: Malcolm Williams

Address: 265 SunnyKing Drive,
Reisterstown, MD 21136

Telephone Number: 410-526-9003

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0155 -A Address 265 Sunnyking Dr 21136

Contact Person: Gary Hunt Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/14/15 Posting Date: 1/25/15 Closing Date: 2/9/15

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2015- 0155 -A Address 265 Sunnyking Dr 21136

Petitioner's Name Malcolm & Betty Williams Telephone 410-526-9003

Posting Date: 1/25/15 Closing Date: 2/9/15

Wording for Sign: To permit a proposed barn located in the front yard in lieu of the required rear yard, and to a height of 19 feet in lieu of the maximum of 15 feet.

Revised 7/18/14

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 1/23/2015

Case Number: 2015-155-A

Petitioner / Developer: MALCOLM & BETTY WILLIAMS

Date of Hearing (Closing): FEBRUARY 9, 2015

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:
265 SUNNYKING DRIVE

The sign(s) were posted on: JANUARY 22, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

MEMORANDUM

DATE: March 17, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0155-A – Appeal Period Expired

The appeal period for the above-referenced case expired on March 16, 2015. 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

CASE NO. 2015- 0155-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>1-23</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>1-22</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>1-22-15</u>	by: <u>O'Keefe</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 04 Account Number - 2300010031			
Owner Information					
Owner Name:	WILLIAMS MALCOLM D WILLIAMS BETTY JEAN		Use:	RESIDENTIAL	
Mailing Address:	265 SUNNYKING DR REISTERSTOWN MD 21136-6104		Principal Residence:	YES	
			Deed Reference:	/12260/ 00459	
Location & Structure Information					
Premises Address:		265 SUNNYKING DR 0-0000		Legal Description: 5.064 AC PRT LT 2,3 ESR SUNNYKING DR 4000 FT SE CHURCH RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: MS
0057	0023	0392		0000	2 2013 Plat Ref:
Special Tax Areas:			Town: NONE		
			Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area		Property Land Area	County Use
2000	3,534 SF			5.0600 AC	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		STANDARD UNIT	FRAME	3 full/ 1 half	1 Attached
Value Information					
	Base Value	Value As of 01/01/2013	Phase-in Assessments As of 07/01/2014 As of 07/01/2015		
Land:	168,300	126,200			
Improvements	328,500	365,900			
Total:	496,800	492,100	492,100	492,100	
Preferential Land:	0			0	
Transfer Information					
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014	07/01/2015		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: Approved 01/12/2010					

Baltimore County

[New Search \(http://sdad.resiusa.org/RealProperty\)](http://sdad.resiusa.org/RealProperty)

District: 04 Account Number: 2300010031

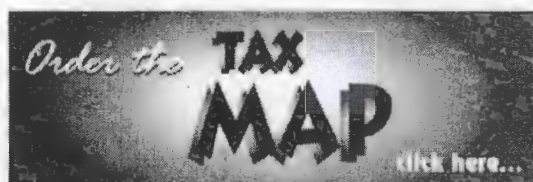


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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>).

[\(http://imsweb05.mdp.state.md.us/website/mosp/\)](http://imsweb05.mdp.state.md.us/website/mosp/)☒ Loading... Please

Loading... Please Wait.

-->

Driveway 11' Lower
Then Floor of Barn.

View N.W



12-29-2014 13:23

Proposed Barn 160' From Home.
8' Lower Then SubFloor of Home.

2015-0155-A

Six
One of ~~the~~ many
Pictures of
265 Sunnyking Dr.

Home 630' away at End
of Sunnydale Way Lot 9
Sunnybrook Farms

View N.W.

Original barn 24' x 36' Located on cleared
Pad. Barn burned down. Trees cut were burned.



12.29.2014 13:24

2015-0155-A

2 of 5

View West

Floor of Proposed Barn 11' Lower than Driveway.



12.29.2014 13:27

2015-0155-A

3 of 6
~~1 of 5~~
mow

View S.E

Owner's home 160' -
Driveway To Right of Picture 28' away



4 of 6

2015-0155-A

~~2015-0155-A~~ now

View S.W

Driveway 11' Higher than Barn Floor.
Home 450' away Lynn Pressman owner
269 Sunnyking Dr



12.29.2014 13:26

View N.E

View of Homes of Delight Meadows 720' away,
Lot 26 Lot 23 Bonnie Meadow Cir.



12.29.2014 13:26



KEVIN KAMENETZ
County Executive

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

February 10, 2015

Malcolm D & Betty Jean Williams
265 Sunnyking Drive
Reisterstown MD 21136

RE: Case Number: 2015-0155 A, Address: 265 Sunnyking Dr

Dear Mr. & Ms. Williams

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 14, 2015. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

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



MARYLAND DEPARTMENT OF TRANSPORTATION

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

Date: 1/22/15

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

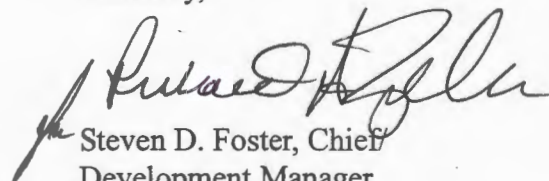
RE: Baltimore County
Item No 2015-0155-A.
Administrative Variance

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. *2015-0155-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
Department of Permits, Approvals
And Inspections

DATE: January 23, 2015

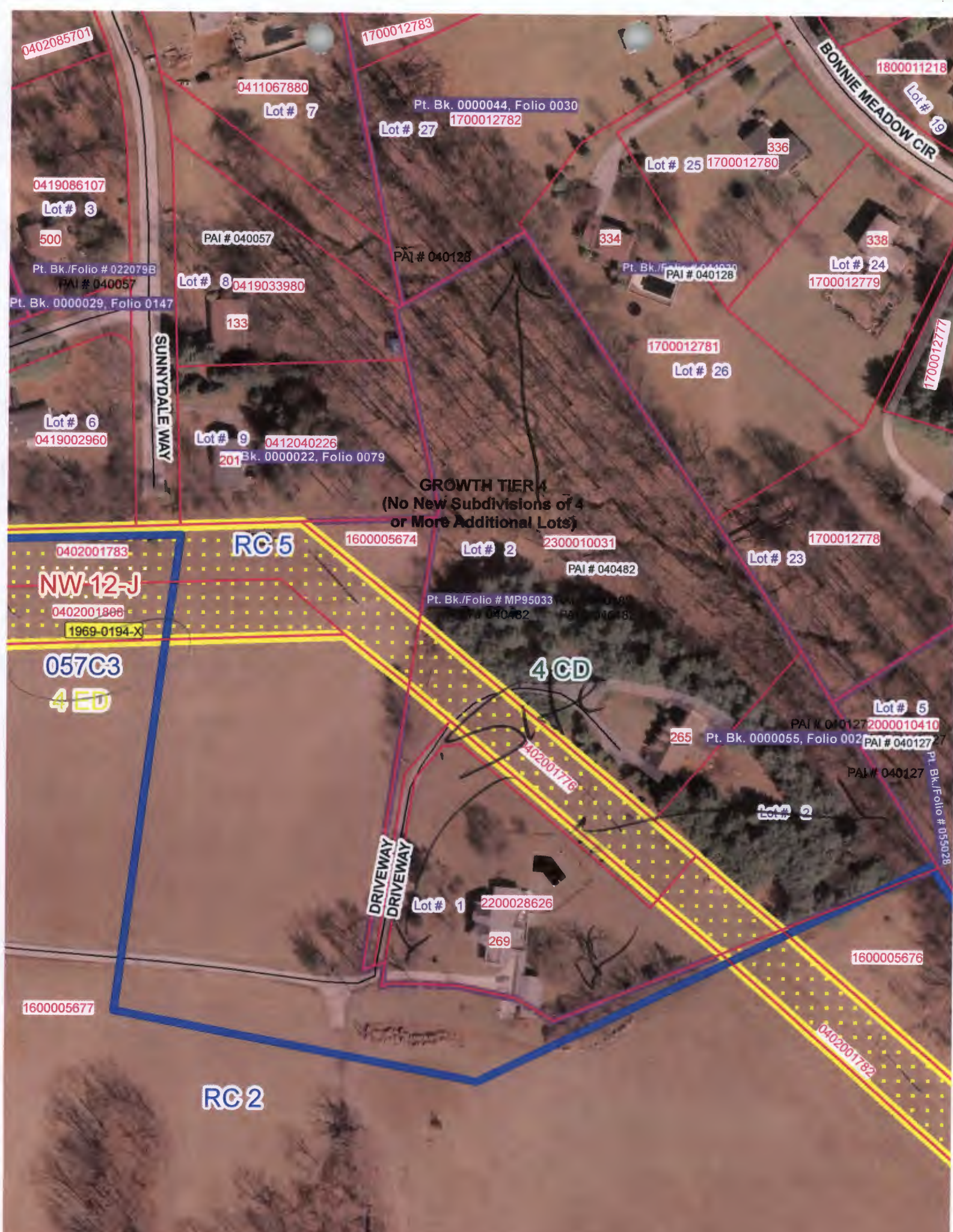
FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For January 29, 2015
Item No. 2015-0149, 0150, 0151, 0152, 0154 and 0155

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\ZAC01232015 -.doc





NW 12-K

RC 2

NW 11-K

NW 12-J

NW 11-J

057C2

RC 5

4 ED

057C3

4 CD

GROWTH TIER 4
(No New Subdivisions of
4 or More Additional Lots)

1977-0171-A

2008-0344-A

2000-0408-A

2013-0029-A

2000-0480-S

2006-0077-A

2000-0310-A

2003-0289-A

2008-0050-SPH

1969-0194-X

SUNSPOT RD

SUNLIGHT RD

SUNRAY RD

SUNNYDALE WAY

SUNBROOK RD

JELIGHT MEADOWS RD

BONNIE MEADOW CIR

BRYAN WAY

DRIVEWAY

DRIVEWAY

Pt. Bk./Folio # 040135

Pt. Bk./Folio # 022079

Pt. Bk. 0000040, Folio 0095

Pt. Bk./Folio # 053103

PAI # 040561

Pt. Bk./Folio # 074075

PAI # 040581

PAI # 040551

Pt. Bk. 0000404, Folio 0075

Pt. Bk. 0000053, Folio 0103

Pt. Bk./Folio # 040095

PAI # 040128

Pt. Bk./Folio # 040133

Pt. Bk. 0329040, Folio 0133

Pt. Bk. 0000022, Folio 0079

Pt. Bk./Folio # 022079B

Pt. Bk./Folio # 029147A

Pt. Bk. 0000029, Folio 0147

PAI # 040030

Pt. Bk./Folio # 044030

Pt. Bk. 0000044, Folio 0030

Pt. Bk./Folio # 063040

Pt. Bk. 0000063, Folio 0040

Pt. Bk./Folio # 055028

PAI # 040127

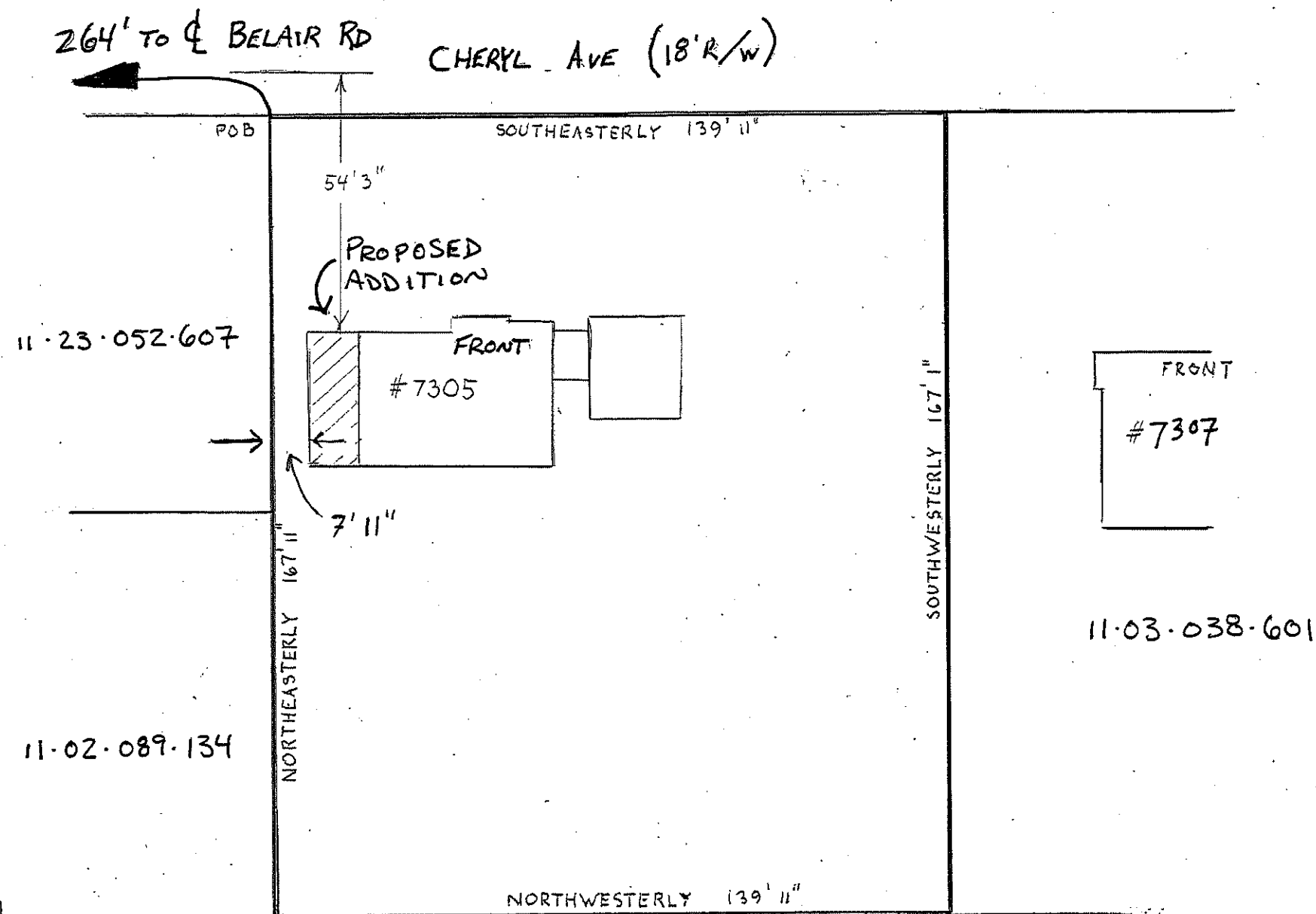
PAI # 040127

PAI # 040127

PAI # 040127

Pt. Bk. 0000079, Folio 0080

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
ADDRESS 7305 Cheryl Ave OWNER(S) NAME(S) Margaret Wilhelm + Robert Wilhelm
SUBDIVISION NAME N/A LOT # N/A BLOCK # N/A SECTION # N/A
PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1123052606 DEED REF. # 25787100628



PLAN DRAWN BY _____

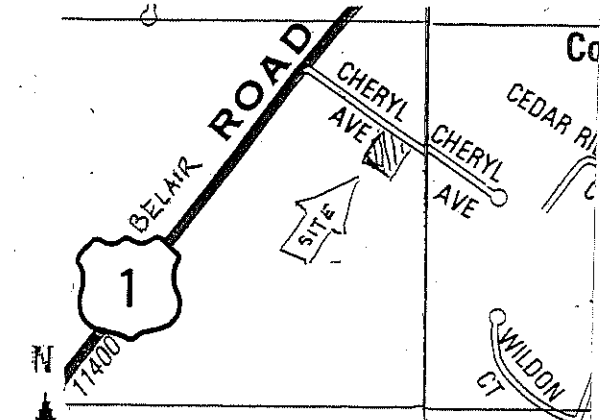
PETITIONER'S _____

EXHIBIT NO. 1

DATE 1/12/15

SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 064A1

SITE ZONED RC5

ELECTION DISTRICT 11

COUNCIL DISTRICT 3

LOT AREA ACREAGE 0.64

OR SQUARE FEET 17,728

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC _____ PRIVATE ☒

SEWER IS:

PUBLIC _____ PRIVATE ☒

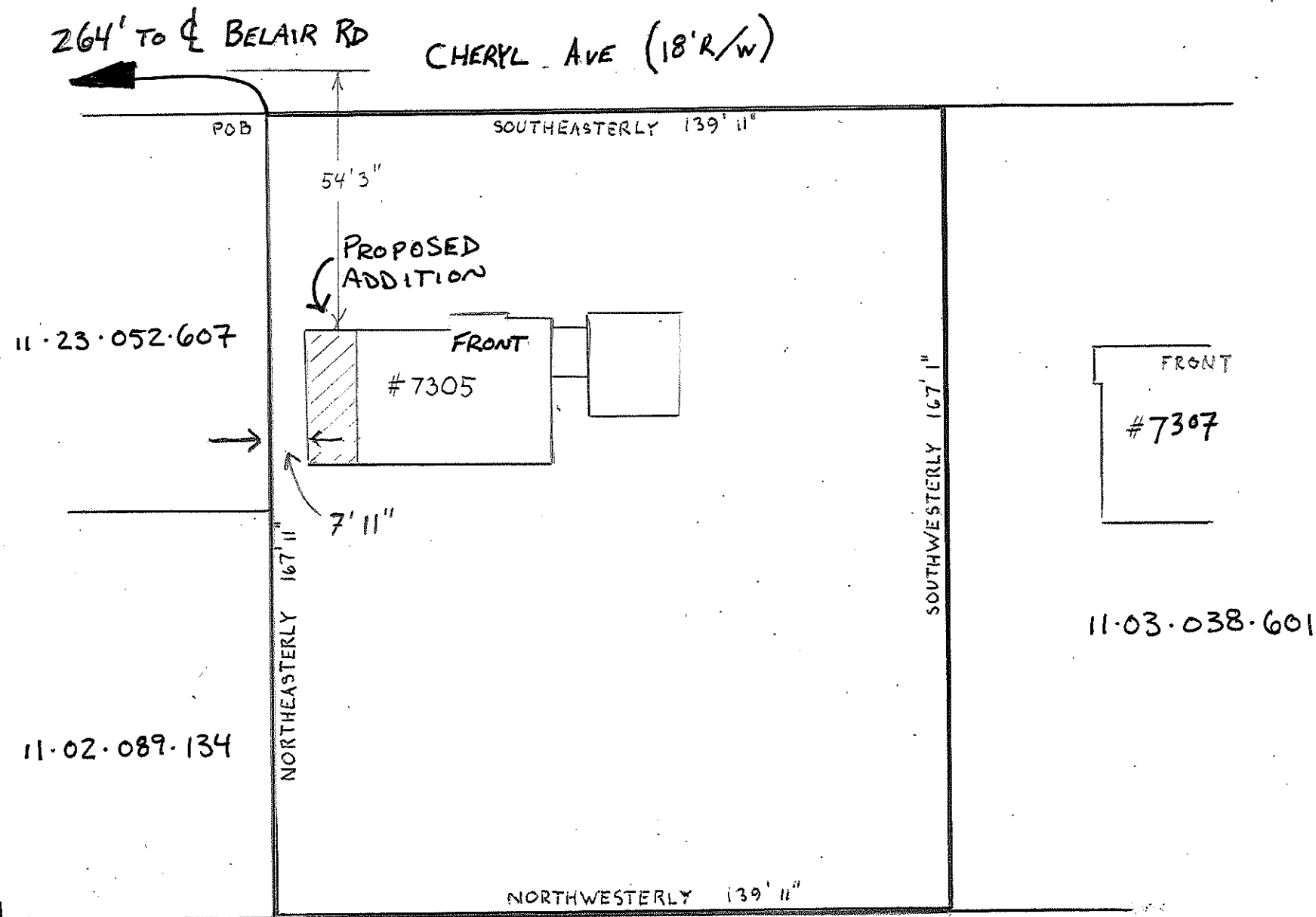
PRIOR HEARING? NO

IF SO GIVE CASE NUMBER
AND ORDER RESULT BELOW

VIOLATION CASE INFO:

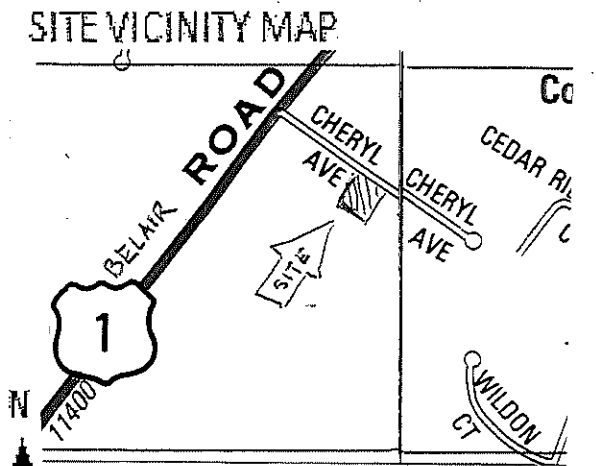
#2015-0154-A

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 7305 Cheryl Ave OWNER(S) NAME(S) Margaret Wilhelm + Robert Wilhelm
 SUBDIVISION NAME N/A LOT # N/A BLOCK # N/A SECTION # N/A
 PLAT BOOK # _____ FOLIO # _____ 10 DIGIT TAX # 1123052606 DEED REF. # 25787/00628



PLAN DRAWN BY _____

DATE 1/12/15 SCALE: 1 INCH = 30 FEET



MAP IS NOT TO SCALE
 ZONING MAP# 064A1
 SITE ZONED RC5
 ELECTION DISTRICT 11
 COUNCIL DISTRICT 3
 LOT AREA ACREAGE 0.64
 OR SQUARE FEET 17,728
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC _____ PRIVATE X
 SEWER IS:
 PUBLIC _____ PRIVATE X
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

RDM
 #2015-0154-A