



KEVIN KAMENETZ
County Executive

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

March 26, 2015

Robert Eaton
3524 Meadowside Road
Gwynn Oak, Maryland 21207

RE: Petition for Administrative Variance
Case No. 2015-0186-A
Property: 3524 Meadowside Road

Dear Mr. Eaton:

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", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

IN RE: PETITION FOR ADMIN. VARIANCE *
(3524 Meadowside Road)
2nd Election District *
4th Council District *
Robert Eaton *
Petitioner *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2015-0186-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, Robert Eaton. The Petitioner is requesting Variance relief from §§ 1B02.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed addition with a rear yard setback of 19 ft.; (2) To approve an existing dwelling with a rear yard setback of 3 ft. 1 in. in lieu of the required 30 ft., respectively; and (3) To permit an existing shed to be located in the side yard in lieu of the required rear yard. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

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

The Petitioner having filed a Petition for Administrative Variance and the subject property having been posted on March 8, 2015, 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 welfare of the public and should therefore be granted. In the opinion of the Administrative Law

ORDER RECEIVED FOR FILING

Date 3-26-15

By AW

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.

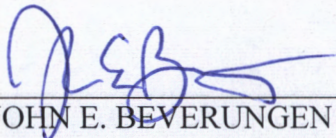
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 26th day of **March, 2015**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking Variance relief from §§ 1B02.3.C.1 and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), as follows: (1) To permit a proposed addition with a rear yard setback of 19 ft.; (2) To approve an existing dwelling with a rear yard setback of 3 ft. 1 in. in lieu of the required 30 ft., respectively; and (3) To permit an existing shed to be located in the side yard in lieu of the required rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his 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, Petitioner would be required to return the subject property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 3-26-15

By low



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 3524 Meadowside Road Gwynn Oak, MD 21207

Currently zoned Residential

Deed Reference 14891 / 00613

10 Digit Tax Account # 0 2 1 3 2 0 2 5 0 0

Owner(s) Printed Name(s) Robert Eaton

(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)
to construct addition to existing 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):

Robert Eaton

Name #1 – Type or Print

Name #2 – Type or Print

Robert C. Eaton

Signature #1

Signature #2

3504 Meadowside Rd Gwynn Oak MD

Mailing Address

City

State

21207 (410) 526 5959

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name – Type or Print

Atty

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

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 21.2.2 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.

21.2.2 Administrative Law Judge for Baltimore County

CASE NUMBER 2015-018-A

Filing Date 2/23/15

Estimated Posting Date 3/8/15

Reviewer BR

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: 3524 Meadowside Rd. Gwynn Oak MD 21207
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)**

The home needs additional space to meet my family needs. Tearing down the existing structure would be too large of a financial hardship in addition to being displaced for that period of time with small children. There are currently no active zoning violations on the site.

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

Robert C. Eaton
Signature of Owner (Affiant)

Signature of Owner (Affiant)

Robert Eaton
Name- Print or Type

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 18th day of Feb, 2015, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

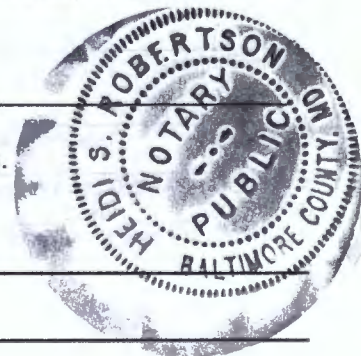
Print name(s) here: Moses Menckel & Robert C Eaton

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

AS WITNESS my hand and Notaries Seal

Heidi S. Robertson
Notary Public

5.5.15
My Commission Expires



1B02.3.C.1 to permit a proposed addition with a rear yard setback of 19 ft. and to approve an existing dwelling with a rear yard setback of 3 ft. 1" in lieu of the required 30 ft., respectively and Section 400.1 to permit an existing shed to be located in the side yard in lieu of the required rear yard.

ZONING DESCRIPTION
3524 Meadowside Road

Beginning at a point on the north-west side of **Meadowside Road** which is **40 feet** wide at the distance of **210 feet** south-west of the centerline of the nearest improved intersecting street **Liberty Heights Avenue** which is **66 feet** wide.

Thence the following courses and distances: (1st POC) N 45 16' E 92.72', (2nd POC) S 44 44' E 112.00', (3rd POC) S 45 16' W 92.72', and (4th POC) N44 44' W 112.00', back to the point of beginning as recorded in Deed Liber CWB, Jr. No. 1038, Folio 534, containing 14,864 SF. Located in Election District 2 and Council Councilmanic District 4.

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: 2015-0186-A

Petitioner: Merrell Building

Address or Location: 3524 Meadowside Rd Gwynn Oak, MD 21207

PLEASE FORWARD ADVERTISING BILL TO:

Name: Merrell Building

Address: 1021 Stone Rd

Westminster, MD 21157

Telephone Number: 410.526.5959

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015- 0186 -A Address 3524 Meadowside Rd.

Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 2/23/15 Posting Date: 3/8/15 Closing Date: 3/23/15

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- 0186 -A Address 3524 Meadowside Rd.

Petitioner's Name Moses Merrell Telephone 443-289-5615

Posting Date: 3/8/15 Closing Date: 3/23/15

Wording for Sign: To Permit a proposed addition with a rear setback of 19 ft.
and an existing dwelling with a rear yard setback of 3 ft. 1", and an
existing shed located in the side yard in lieu of the required 30 ft.
30 ft. and rear yard, respectively.

Revised 7/18/14

CERTIFICATE OF POSTING

Date: 3-8-15

RE: Case Number: 2015-0186-A

Petitioner/Developer: Moses Merrell

Date of Hearing/Closing: 3-23-15

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 3524 Meadowside Rd

The signs(s) were posted on JLP 3-28-15
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 2015-0186-A

TO PERMIT A PROPOSED ADDITION WITH
A REAR SETBACK OF 4 FT AND AN EXISTING DRIVE
WITH A REAR YARD SETBACK OF 3 FT 11" AND AN
EXISTING SHED LOCATED IN THE SIDE YARD IN LIEU OF
THE REQUIRED 20 FT 30 FT AND REAR YARD
RESPECTIVELY

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
REQUEST A VARIANCE, PROVIDED THE REQUEST IS
REQUESTED BEFORE THE ZONING REVIEW BUREAU.

THE PROPOSED IN THE ZONING REVIEW BUREAU OF
RECEIVED IN THE ZONING REVIEW BUREAU OF
5:00 P.M. ON 3/23/16
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
MANAGEMENT, COUNTY OFFICE BUILDING,
TOWSON, MD 21204, (410) 887-3391
WITH AFTER ABOVE DATE, UNDER PENALTY OF LAW
ACCESSIBLE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For March 9, 2015
Item No. 2015-0183, 0185, 0186, 0188 and 0190

DATE: March 9, 2015

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\ZAC03092015.doc

Enclosure



KEVIN KAMENETZ
County Executive

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

March 23, 2015

Robert Eaton
3504 Meadowside Road
Gwynn Oak MD 21207

RE: Case Number: 2015-0186 A, Address: 3524 Meadowside Road

Dear Mr. Eaton:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 23, 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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Lawrence J. Hogan, Jr., Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Acting Secretary
Melinda B. Peters, Administrator

Date: 3/9/15

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

RE: Baltimore County
Item No 2015-0186-A
Administrative Variance
Robert Eaton
3524 Meadowside Road.

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. 2015-0186-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,

A handwritten signature in dark ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

Enclosure



KEVIN KAMENETZ
County Executive

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

March 23, 2015

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Gwynn Oak MD 21207

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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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 9, 2015
Item No. 2015-0183, 0185, 0186, 0188 and 0190

DATE: March 9, 2015

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\ZAC03092015.doc

M E M O R A N D U M

DATE: April 28, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0186-A – Appeal Period Expired

The appeal period for the above-referenced case expired on April 27, 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- 2867A

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

3-9

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 _____)

3-9

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING Date: 3-8-15 by Pilson

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Robert Eaton
3524 Meadowside Rd



#018x

Robert Eaton
#3524 Meadowside Rd
Area of proposed changes







Donald + Beverly Parker
#3520 Meadowside Rd.

Evan Johnson
#3526 Meadowside Rd



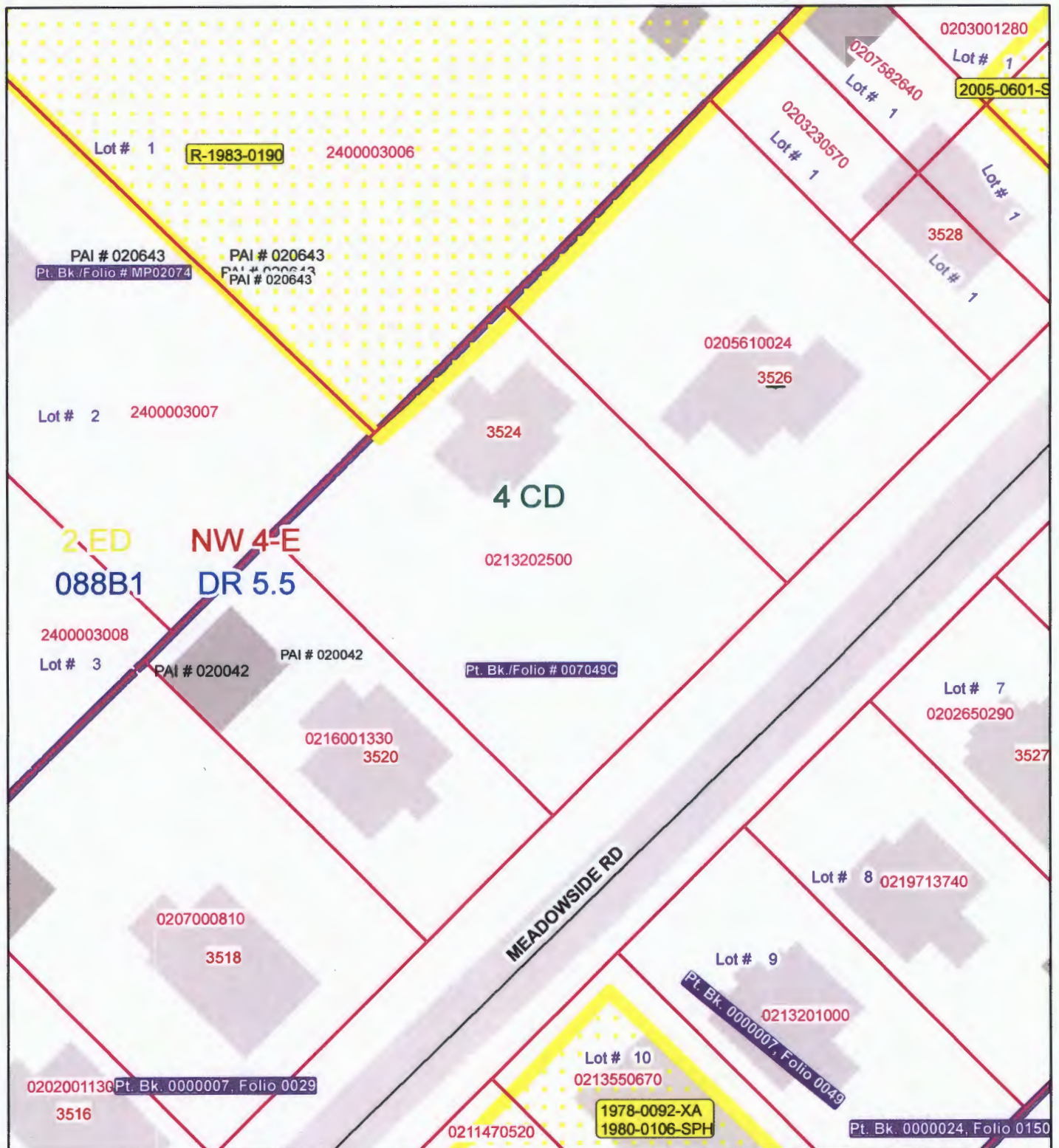
#0186



Google

Meadowside

3524 Meadowside Road



Publication Date: 2/11/2015



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



1 inch = 40 feet

#0186

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3524 Meadowside Rd. OWNER(S) NAME(S) Robert Eaton

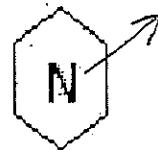
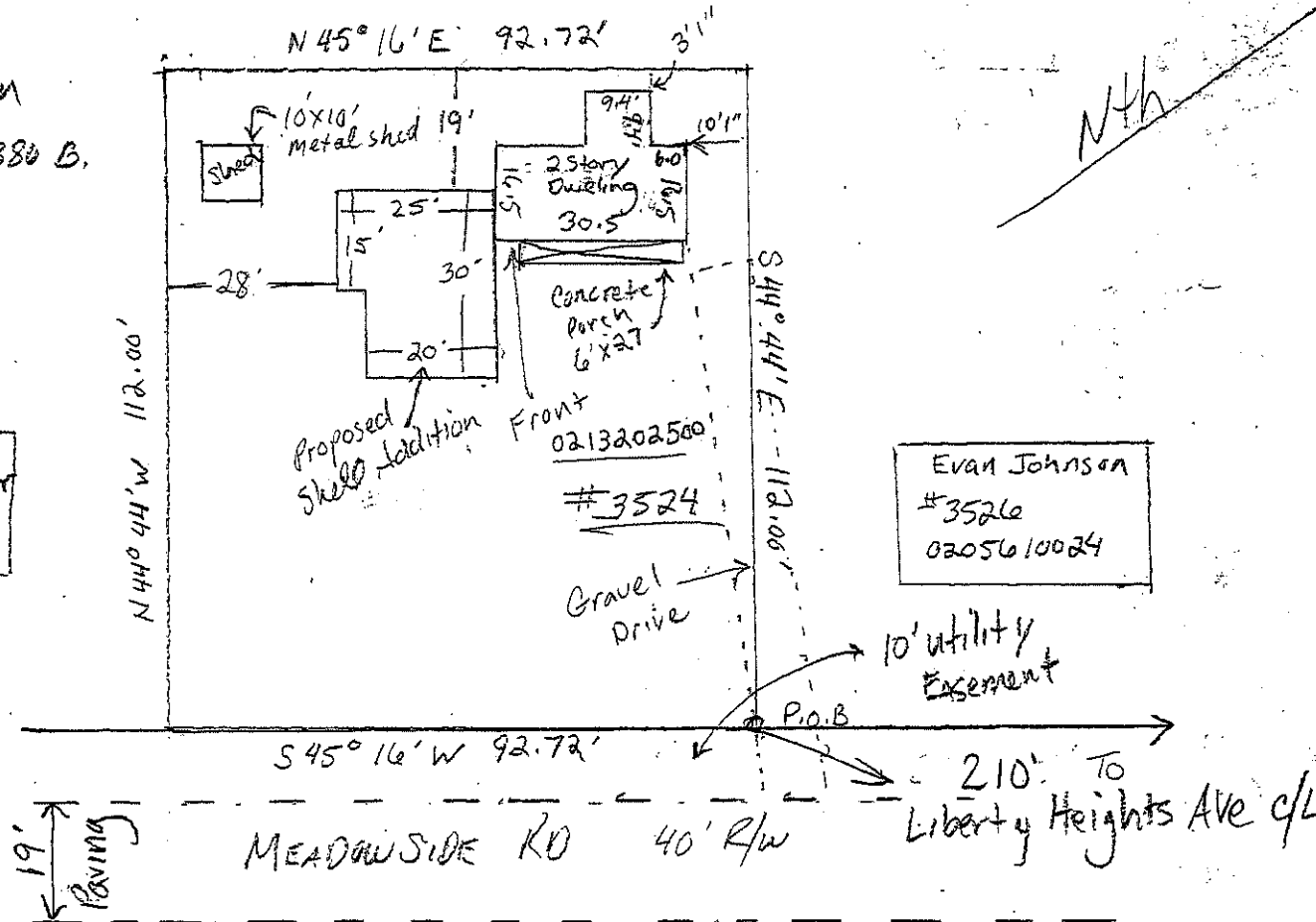
SUBDIVISION NAME _____ LOT # _____ BLOCK # _____ SECTION # _____

PLAT BOOK # 1038 FOLIO # 534 10 DIGIT TAX # 0213202500 DEED REF. # 14891/00613

Note:

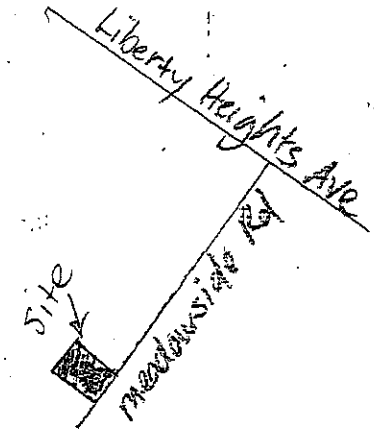
This property lies within
Flood Zone "C" (Area of
Normal Flooding) as shown
on Firm map No. 240010380 B.
Dated March 2, 1981

Donald +
Beverly Parker
#3520
0216001330



PLAN DRAWN BY Moses Merrell DATE 2/16/15 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP



N



MAP IS NOT TO SCALE

ZONING MAP# 088B1

SITE ZONED DR 5.5

ELECTION DISTRICT 2

COUNCIL DISTRICT 4

LOT AREA ACREAGE _____

OR SQUARE FEET 14,864

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

#0186

Pet.
Exp.
1

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 3524 Meadowside Rd. OWNER(S) NAME(S) Robert Eaton

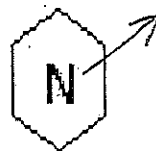
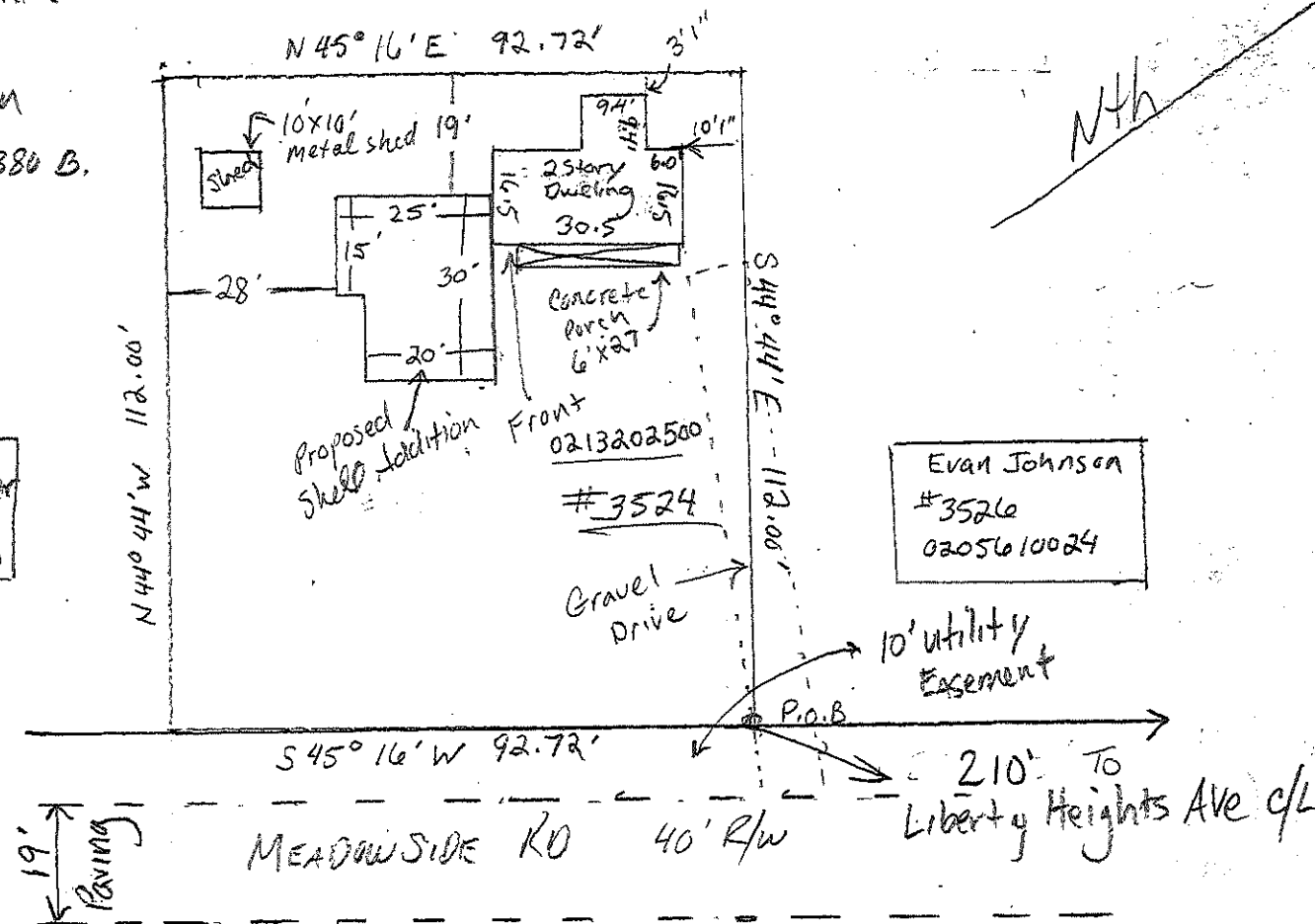
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PLAT BOOK # 1038 FOLIO # 534 10 DIGIT TAX # 0213202500 DEED REF. # 14891/00613

Note:

This property lies within
Flood Zone "C" (Area of
Normal Flooding) as shown
on Firm map No. 240010380 B.
Dated March 2, 1981

Donald +
Beverly Parker
#3520
0216001330



PLAN DRAWN BY Moses Merrell DATE 2/16/15 SCALE: 1 INCH = 30 FEET

SITE VICINITY MAP

N



MAP IS NOT TO SCALE

ZONING MAP# 088B1

SITE ZONED DR 5.5

ELECTION DISTRICT 2

COUNCIL DISTRICT 4

LOT AREA ACREAGE _____

OR SQUARE FEET 14,864

HISTORIC? No

IN CBCA? No

IN FLOOD PLAIN? No

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? No

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

#0186