

M E M O R A N D U M

DATE: May 6, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0174-A- Appeal Period Expired

The appeal period for the above-referenced case expired on May 5, 2016. 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

IN RE: PETITION FOR VARIANCE
(2735 Waldor Drive)
9th Election District
3rd Council District
Ann-Louise & Michael Hardesty
Legal Owners

Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2016-0174-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed for property located at 2735 Waldor Drive. Petitioners are requesting variance relief from Section 100.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit chickens to be kept on a residential property that is 0.51 acres in size in lieu of the minimum required size of 1 acre.

This matter was originally filed as an Administrative Variance, with a closing date of February 22, 2016. On February 17, 2016, James Frost who lives at 2710 Waldor Drive requested a hearing. The hearing was held on Friday April 1, 2016 at 11:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

The subject property is approximately 22,246 square feet and is zoned DR 3.5. Ms. Hardesty explained she lives at the property with her husband and child, and would like to have 2 chickens. The chickens would be kept within an enclosed coop, and Ms. Hardesty believes they would confer health benefits and teach her child about nature and raising animals. Three neighbors attended the hearing and opposed the request. They believe the chickens could encourage

ORDER RECEIVED FOR FILING

Date

4-5-16

By

sln

predatory animals (i.e., hawks, foxes) to frequent the area, and they also worry that granting the request could lead to more chickens or other farm animals in the area, which would disrupt the quiet residential community.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity necessitates variance relief; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have not met this test. While Ms. Hardesty testified her property was unique in that it was located next to an unimproved street (i.e., a paper road), that factor does not generate the need for variance relief. A petitioner requesting a variance faces an uphill battle. In fact, I was unable to locate a Maryland appellate court opinion from the last twenty years which upheld the grant of a variance. Under Maryland law, variances should be granted “sparingly” since it is “an authorization for [that] ... which is prohibited by a zoning ordinance.” Cromwell, 102 Md. App. at 699.

THEREFORE, IT IS ORDERED, this 5th day of April, **2016**, by this Administrative Law Judge, that the Petition for Variance to permit chickens to be kept on a residential property that is 0.51 acres in size in lieu of the minimum required size of 1 acre, be and is hereby DENIED.

ORDER RECEIVED FOR FILING

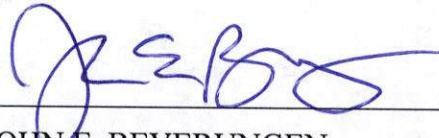
Date

4/5/16

By

sen

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:slh

ORDER RECEIVED FOR FILING

Date 4/5/16
By slh



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 2735 Waldor Dr. Parkville MD 21234 Currently zoned Residential
Deed Reference 35052 100314 10 Digit Tax Account # 0918 101050
Owner(s) Printed Name(s) Ann-Louise and Michael Hardesty

(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. ☒ **ADMINISTRATIVE VARIANCE** from Section(s)

BCZR: 100.6 → To permit chickens to be kept on a residential property that is 0.51 acres in size in lieu of the minimum required size of 1 acre.

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)

AM Not to have 2 hens for pets on the property

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):

Ann-Louise Hardesty Michael Hardesty
Name #1 – Type or Print Name #2 – Type or Print
[Signature] [Signature]
Signature #1 Signature #2
2735 Waldor Dr. Parkville MD
Mailing Address City State
21234 1240-381-1488 loubayce@gmail-c
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

Representative to be contacted:

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 1 **day of** 12 **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 2016-0174-A Filing Date 1/29/16 Estimated Posting Date 2/7/16 Reviewer JS

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: 2735 Waldor Dr. Parkville, MD 21234
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 the owners of above address want to have two hens/chickens living in an enclosed chicken coop on our property as pets. We want our son to learn how to raise an animal and to learn where eggs/food comes from. Our property is 1/2 acre, not the mandate 1 acre. Our neighbors do not oppose us owning hens. The surrounding counties including Baltimore City and Harford County do not have land size restrictions on having hens. The hens on our property will be out of sight from the road and will be sufficiently far enough away from a residential dwelling so that they will not bother anyone due to noise or odor.

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

Ann-Louise Hardesty
Signature of Owner (Affiant)
Ann-Louise Hardesty
Name- Print or Type

Michael Hardesty
Signature of Owner (Affiant)
Michael Hardesty
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 19th day of January, 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: CHRISTINE HURLEY

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

AS WITNESS my hand and Notaries Seal

Christine Hurley
Notary Public
7/21/2019
My Commission Expires

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(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

[Signature]
Signature of Owner (Affiant)
Ann-Louise Hardesty
Name- Print or Type

[Signature]
Signature of Owner (Affiant)
Michael Hardesty
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 7th day of January 2016, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: CHRISTINE HURLEY

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

AS WITNESS my hand and Notaries Seal

Christine Hurley
Notary Public
7/21/2019
My Commission Expires



A ISTRATIVE ZONING ION
FOR ADMINISTRATIVE VARIANCE – OR – ADMINISTRATIVE SPECIAL HEARING
To be filed with the Department of Permits, Approvals and Inspections

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Deed Reference 35052 100314 10 Digit Tax Account # 0918101050
Owner(s) Printed Name(s) Ann-Louise and Michael Hardesty

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

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BCZR: 100.6 → To permit chickens to be kept on a residential property that is 0.51 acres in size in lieu of the minimum required size of 1 acre.

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ALL MIT ~~to have 2 hens for pets on the property~~

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):

Ann-Louise Hardesty Michael Hardesty
Name #1 – Type or Print Name #2 – Type or Print

[Signature] [Signature]
Signature #1 Signature #2

2735 Waldor Dr. Parkville MD
Mailing Address City State

21234 1240-381-1488 louboyc@gmail.com
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

Representative to be contacted:

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 _____ 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 2016-074-1 Filing Date 1/29/16 Estimated Posting Date 2/7/16 Reviewer JS

ZONING PROPERTY DESCRIPTION FOR 2735 Waldor Drive Parkville, MD 21234

Beginning at a point southwest of Waldor Drive which is 60ft wide at the distance of 290ft northwest of the centerline of the nearest improved intersecting street, Old Harford Road, which is 60 feet wide. Being lot #45 in the subdivision of Pine Ridge as recorded in Baltimore County Plat book #17 Folio 47 containing 22,246sf located in the 9th election district and 3rd council district.

2016-0174-A



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4018662

Sold To:

Ann Louise-Hardesty - CU00523932
2735 Waldor Dr
Parkville, MD 21234-1031

Bill To:

Ann Louise-Hardesty - CU00523932
2735 Waldor Dr
Parkville, MD 21234-1031

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Mar 10, 2016

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

NOTICE OF ZONING HEARING	
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:	
Case: # 2016-0174-A	
2735 Waldor Drive	
SW/s of Waldor Drive, 290 ft. NW of centerline of the intersection with Old Harford Road.	
9th Election District - 3rd Councilmanic District	
Legal Owner(s) Ann Louise-Hardesty, Michael Hardesty	
Variance: to permit chickens to be kept on a residential property that is 0.51 acres in size in lieu of the minimum required size of 1 acre.	
Hearing: Friday, April 1, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
3/082 March 10	4018662

CERTIFICATE OF POSTING

RE: Case No. 2016-0174-A

Petitioner: Mike Hardesty

Hearing / Closing Date: 2/22/16

Baltimore County Department of
Permits and Development Management
Room 111, County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204

This letter is to confirm, under penalties of perjury, that the necessary sign(s)
were posted conspicuously on the property located at _____

2735 Waldor Drive

_____ on 2/7/16

Sincerely,

 2/7/16

Richard E. Hoffman

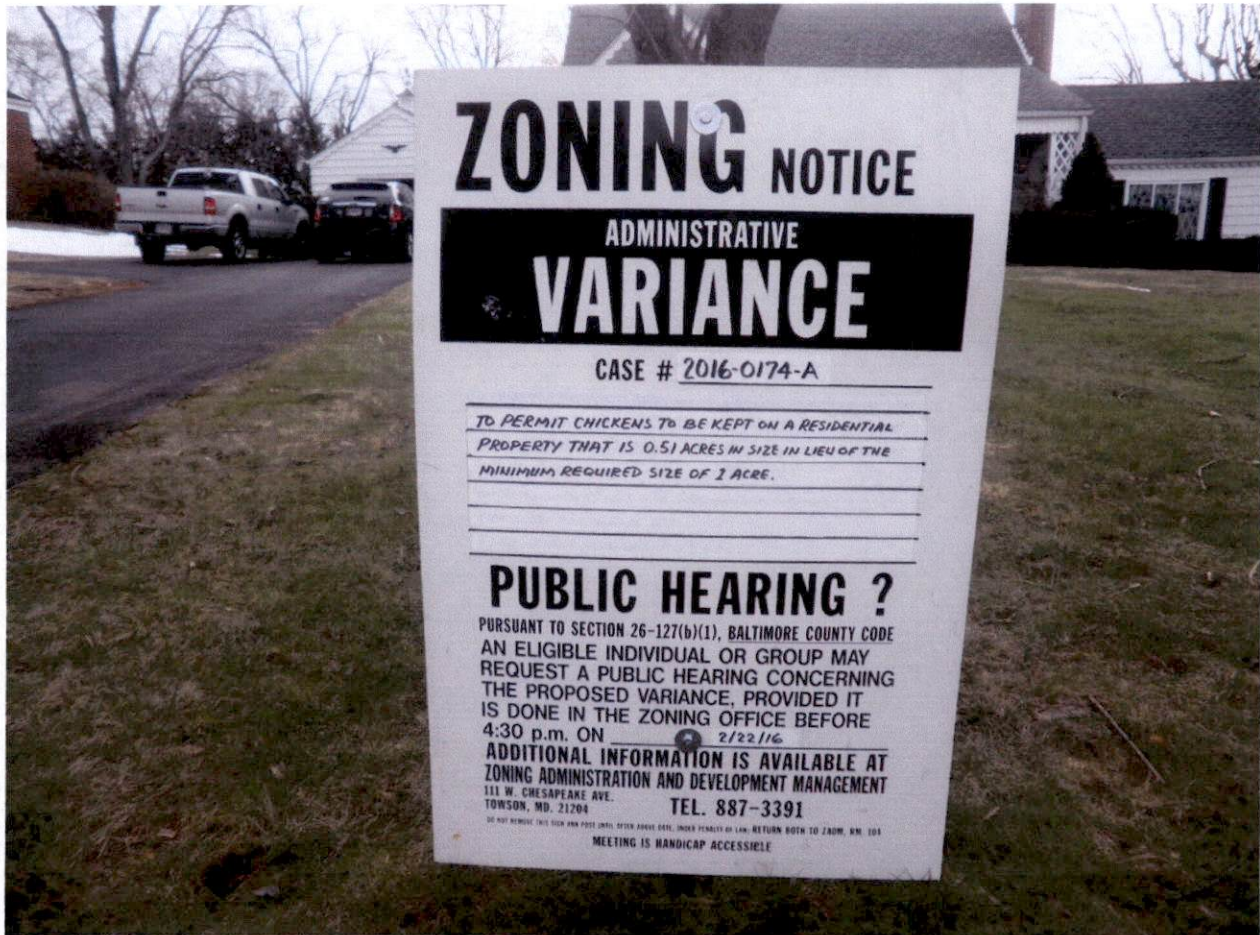
904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

Certificate of Posting

Case No. 2016-0174-A



2735 Waldor Drive

(Posted 2/7/16)

 2/2/16

Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

443-243-7360

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 10, 2016 Issue - Jeffersonian

Please forward billing to:
Ann Louise-Hardesty
2735 Waldor Drive
Parkville, MD 21234

240-381-1488

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0174-A

2735 Waldor Drive

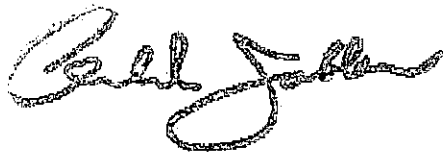
SW/s of Waldor Drive, 290 ft. NW of centerline of the intersection with Old Harford Road

9th Election District – 3rd Councilmanic District

Legal Owners: Ann Louise-Hardesty, Michael Hardesty

Variance to permit chickens to be kept on a residential property that is 0.51 acres in size in lieu of the minimum required size of 1 acre.

Hearing: Friday, April 1, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

February 19, 2016

NOTICE OF ZONING HEARING

The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2016-0174-A

2735 Waldor Drive

SW/s of Waldor Drive, 290 ft. NW of centerline of the intersection with Old Harford Road
9th Election District – 3rd Councilmanic District

Legal Owners: Ann Louise-Hardesty, Michael Hardesty

Variance to permit chickens to be kept on a residential property that is 0.51 acres in size in lieu of the minimum required size of 1 acre.

Hearing: Friday, April 1, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Hardesty, 2735 Waldor Drive, Parkville 21234
James Frost, 2710 Waldor Drive, Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 12, 2016**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2016- 0174 -A Address 2735 WALDOR DRIVE

Contact Person: JASON SEIDENMAN Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 1/29/16 Posting Date: 2/7/16 Closing Date: 2/22/16

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

- 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.
- 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.
- 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.
- 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 2016- 0174 -A Address 2735 WALDOR DRIVE

Petitioner's Name HARGESTY Telephone 240-381-1488

Posting Date: 2-7-16 Closing Date: 2-22-16

Wording for Sign: TO PERMIT CHICKENS TO BE KEPT ON A RESIDENTIAL PROPERTY
THAT IS 0.51 ACRES IN SIZE IN LIEU OF THE MINIMUM REQUIRED
SIZE OF 1 ACRE

Revised 7/21/15

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/neighbor 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: 2016-0174-A
Petitioner: Ann Louise Hardesty (THIS IS CORRECT)
Address or Location: 2735 WALDOR DRIVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: Ann Louise Hardesty
Address: 2735 Waldor Drive
Parkville, MD 21234
Telephone Number: 240 381-1488

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

No. **135740**

Date: **2/17/16**

PAID RECEIPT

BUSINESS ACTUAL TIME DOW
 2/17/2016 2/17/2016 11:59:17 2

BY USER WALKER JENA JEE
 BY RECEIPT # 957670 2/17/2016 OFLN

BY S 528 ZONING VERIFICATION
 BY 135740

Receipt Tot \$40.00
 \$100.00 CR \$10.00 CB

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
0011	506	0000		6130				60.00

Total: **60.00**

Rec From

For

Petition for Formal Demand

2735 Walden Dr

2016-0174A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

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

No. **134148**

Date: **1/29/16**

PAID RECEIPT

BUSINESS ACTUAL TIME BGN
 1/29/2016 1/29/2016 11:07:20 4

REC H304 WALKIN KSHI KHS
 RECEIPT # 694593 1/29/2016 CFLH

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
701	806	0000		6150				\$ 75.00

5 528 ZONING VERIFICATION
 LN 134148

Recpt Tot \$75.00
 \$75.00 CK 1.00 CA
 Baltimore County, Maryland

Total: **\$ 75.00**

Rec From: **HARVEST**

For: **7016-0174-A**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



FORMAL DEMAND FOR HEARING

CASE NUMBER: 2016-0174-A

Address: 2735 Waldor DR

Petitioner(s): Ann-Louise & Michael Hordasty

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We JAMES FROST
Name - Type or Print

☒ Legal Owner OR ☐ Resident of

2710 Waldor Drive
Address

Parkville MD 21234
City State Zip Code

410 661-2985
Telephone Number

which is located approximately _____ feet from the
property, which is the subject of the above petition, do hereby
formally demand that a public hearing be set in this matter.

**ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS
DEMAND.**

James Frost 2-17-2016
Signature Date

Signature Date
Revised 9/18/98 - wcr/scj



KEVIN KAMENETZ
County Executive

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

March 24, 2016

Ann-Louise & Michael Hardesty
2735 Waldor Drive
Parkville MD 21234

RE: Case Number: 2016-0174 SPH, Address: 2735 Waldor Drive

Dear Mr. & Ms. Hardesty:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 28, 2016. 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

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 2/8/16

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

RE: Baltimore County
Item No. 2016-0174-A
Administrative Variance
Ann Louise & Michael Hardisty
2735 Waldor Drive

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. 2016-0174-A.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read 'David W. Peake', is written over a horizontal line.

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



OFFICE OF ADMINISTRATIVE HEARINGS

RECEIVED

FEB 12 2016

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 12, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0174-A
Address 2735 Waldor Drive
(Hardesty Property)

Zoning Advisory Committee Meeting of February 15, 2016.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 02-12-2016

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: February 17, 2016

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For February 15, 2016
Item No. 2016-0164, 0173, 0174, 0175, 0176, 0177, 0178 and 0179

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\ZAC02152016.doc

CASE NAME BRONKHORST
CASE NUMBER 2016-0174-A
DATE _____

[illegible]

CASE NAME

CASE NUMBER

DATE _____

2016-0174-A

4-1-2016

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

C H E C K L I S T

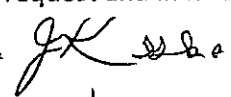
<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>2/17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>2/12</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2/8</u>	STATE HIGHWAY ADMINISTRATION	<u>No Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>1/26</u>	ADJACENT PROPERTY OWNERS	<u>Not Opposed</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
<u>Letter from George E. Knopp @ 2737 Walder Dr.</u>		
NEWSPAPER ADVERTISEMENT	Date: <u>3-10-16</u>	
SIGN POSTING	Date: <u>2-7-16</u> by <u>Hoffman</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

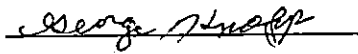
January 26, 2016

Re: ZONING VARIANCE FOR 2735 Waldor Drive Parkville, MD 21234

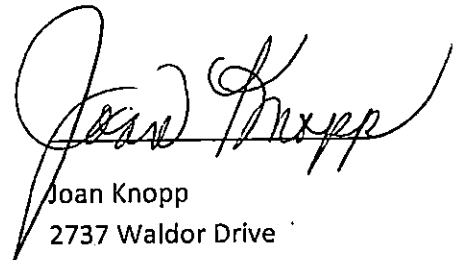
To Whom It May Concern:

We live directly next to the above mentioned address at 2737 Waldor Drive. We are aware that the owners of 2735 Waldor Drive wish to have a chicken coop and a hen/chicken on their property, and that they are applying for a variance to legally do so. We do not oppose the variance request and in fact at one point had chickens ourselves when we lived in Baltimore ~~City~~ County. 

Sincerely,



George Knopp
2737 Waldor Drive
Parkville, MD 21234



Joan Knopp
2737 Waldor Drive
Parkville, MD 21234

Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration				
Account Identifier:			District - 09 Account Number - 0918101050								
Owner Information											
Owner Name:		HARDESTY ANN LOUISE HARDESTY MICHAEL THOMAS WARREN				Use: Principal Residence:		RESIDENTIAL YES			
Mailing Address:		2735 WALDOR DR BALTIMORE MD 21234-				Deed Reference:		/35052/ 00314			
Location & Structure Information											
Premises Address:		2735 WALDOR DR 0-0000				Legal Description:		2735 WALDOR DR PINE RIDGE			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	2	
0071	0003	1103		0000			45	2014	Plat Ref:	0017/0047	
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE				
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use			
1952		1,568 SF		500 SF		22,246 SF		04			
Stories 1 1/2	Basement YES	Type STANDARD UNIT		Exterior FRAME	Full/Half Bath 1 full		Garage 1 Attached	Last Major Renovation			
Value Information											
		Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2015		As of 07/01/2016			
Land:		125,500		107,500							
Improvements		128,500		126,900							
Total:		254,000		234,400		234,400		234,400			
Preferential Land:		0						0			
Transfer Information											
Seller: REIF RICHARD A Type: ARMS LENGTH IMPROVED				Date: 06/10/2014 Deed1: /35052/ 00314				Price: \$275,000 Deed2:			
Seller: REIF RICHARD A Type: NON-ARMS LENGTH OTHER				Date: 11/13/2008 Deed1: /27451/ 00062				Price: \$0 Deed2:			
Seller: KEEN WALTER K Type: NON-ARMS LENGTH OTHER				Date: 11/30/1951 Deed1: /00000/ 00000				Price: \$0 Deed2:			
Exemption Information											
Partial Exempt Assessments:		Class				07/01/2015		07/01/2016			
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: No Application											

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

[illegible]

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>)

Case No.:

2016-174

4/5/16
Sen

Exhibit Sheet

Petitioner/Developer

19w
6-16-16

Protestant

No. 1	site plan	Petition signed by neighbors
No. 2	photos	
No. 3	letter from Disneys	
No. 4	letter from Joyces	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

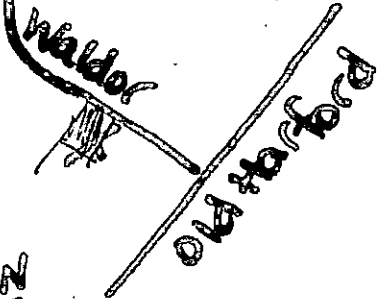
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 2735 Waldor Drive OWNER(S) NAME(S) Ann Louise + Michael Hardesty

SUBDIVISION NAME Pine Ridge LOT # 45 BLOCK # N/A SECTION # N/A

PLAT BOOK # 1818 FOLIO # 239 10 DIGIT TAX # 0918101050 DEED REF. # 35052100314

SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 07181

SITE ZONED DR 3.5

ELECTION DISTRICT 9

COUNCIL DISTRICT 3

LOT AREA ACREAGE 0.51 A

OR SQUARE FEET 22,246 SF

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

NO

VIOLATION CASE INFO:

NO

Pet's Ex. 1

SUNNYBKA ROAD

(55 FT. WIDE)

(UNIMPROVED)

N 55° 30' 10" E 215'

S 55° 30' 10" W 235'

PLAN DRAWN BY Mark + Kunst

DATE 4/17/14

2737
SCALE: 1 INCH = 1/2" = 30' FEET

290' NW TO
E OF OLD HARFORD RD

Pts' Ex. 2

Front View of House from Walda Drive





Front view of house from Waldor Drive
@ edge of property

locat of proposed coop



View of back yard from the side of
the house on the right





view of the neighbor's backyard
on the right from 2735 Waldor Drive
backyard



view of 2733 Waldor Drive from
side of house @ 2735



^{location}
~~of proposed coop~~
View of back yard of 2735 Waldor
from back edge of property
where Chicken Coop is proposed to be
located

100



view of 2133 from proposed location
of chicken coop



view of 2737 from proposed location
of chicken coop.



location
of
proposed loop

view of 2735 backyard from
church property



View of
2733
from church
property





view of 2735 and 2737
from church property

View of 2733 and 2735
at back of property



View of 2737 from edge of
2735 property at the back





view of backyard from left side
of the house



March 30, 2016

To Whom It May Concern,

We live at 2731 Waldor Drive
and we understand that the
lovely family living at
2735 Waldor Drive would
like to raise 2 hens on their
property. We live 2 houses
from them and we have
absolutely no problem with
these chickens being there.

Sincerely,
Cal and Shirley Disney

March 25, 2016

To Whom it May Concern:

My name is Eva Joyce. My husband, Mark and I, and our four children live at 9322 Old Harford Road. Our house is on the corner of Old Harford and Waldor Drive which is two houses away from the Hardesty household.

We understand that the Hardesty's want to have chickens at their residence and we want you to know that we are completely fine with this. We give our permission for chickens to be in our neighborhood.

Sincerely,
Eva & Mark Joyce

Ex. 4

March 28, 2016

To whom it MAY CONCERN,
We, The undersigned oppose The REQUEST FOR a
VARIANCE, RE: case NUMBER 2016-0174-A, To permit
CHICKENS ON a RESIDENTIAL PROPERTY less THAN 1 acre.

SOME REASONS FOR THIS decision listed below.

1. CONCERN FOR drawing predator animals into
neighborhood ex: fox, hawks etc.
2. The straw bedding, feed and waste materials
will draw Rodents.
3. we don't want to change the dynamics of our
quiet, residential neighborhood by opening
up the availability of others raising ANY kind
of farm animals.

1. NAME: Howard W. Grogan; Freda A. Grogan
ADDRESS: 2730 Waldor Drive
2. NAME: Gloria S. Beyer
ADDRESS: 2719 Waldor Drive - 21234
3. NAME: Melinda S. McShin
ADDRESS: 2720 Waldor Drive 21234
4. NAME: _____
ADDRESS: _____
5. NAME: _____
ADDRESS: _____

Prots. #1

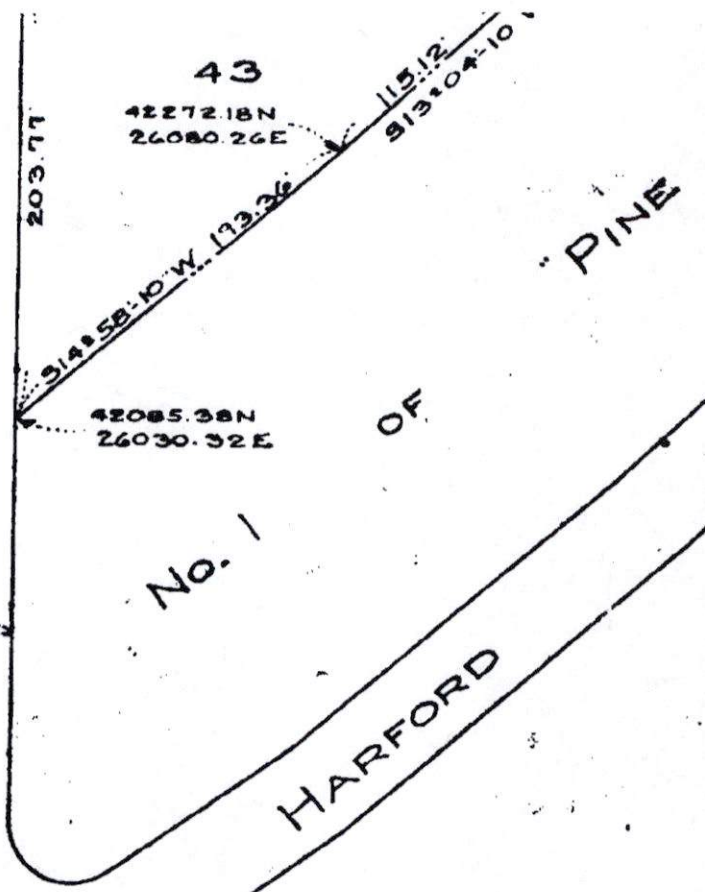
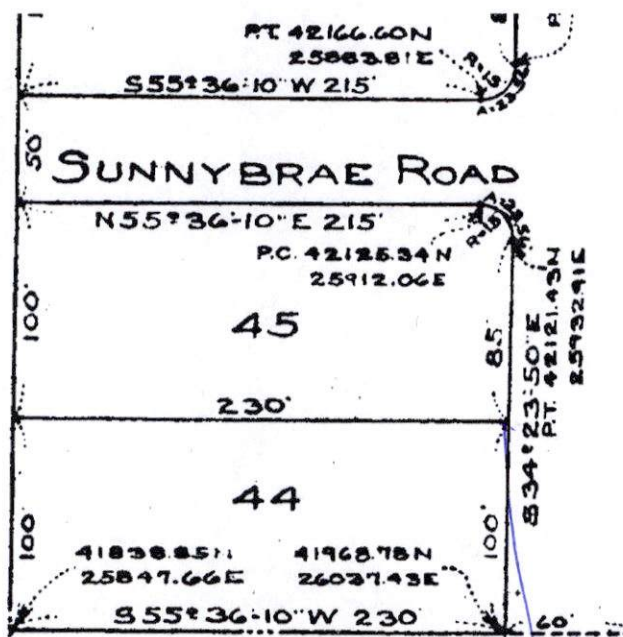
Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0918101050			
Owner Information					
Owner Name:	HARDESTY ANN LOUISE HARDESTY MICHAEL THOMAS WARREN		Use:	RESIDENTIAL YES	
Mailing Address:	2735 WALDOR DR BALTIMORE MD 21234-		Deed Reference:	/35052/ 00314	
Location & Structure Information					
Premises Address:		2735 WALDOR DR 0-0000		Legal Description: 2735 WALDOR DR PINE RIDGE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0071	0003	1103		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	2
	45	2014		0017/ 0047	
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1952	1,568 SF	500 SF	22,246 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	FRAME	1 full	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value As of 01/01/2014	Phase-in Assessments		
			As of 07/01/2015	As of 07/01/2016	
Land:	125,500	107,500			
Improvements	128,500	126,900			
Total:	254,000	234,400	234,400	234,400	
Preferential Land:	0			0	
Transfer Information					
Seller: REIF RICHARD A		Date: 06/10/2014		Price: \$275,000	
Type: ARMS LENGTH IMPROVED		Deed1: /35052/ 00314		Deed2:	
Seller: REIF RICHARD A		Date: 11/13/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /27451/ 00062		Deed2:	
Seller: KEEN WALTER K		Date: 11/30/1951		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /00000/ 00000		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2015		07/01/2016	
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: No Application					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.



PLAT
 WALDOR
 No. 1
 OF
 HARFORD
 PINE

290 FT.

hereon
 for the
 same
 to public
 of is
 tors of
 attached,

hereon
 ablished
 stropolitan
 re referred

1 STY GARAGE

①
30,896 S.F. =
0.709 AC. ±

2 STY. STONE
FRAME DWLG.
9322

OPEN COVERED
ROOF (PRE 1900)
EX. WHC 7

484

PROP. SHC

NBSL 7
N

EX. SHC 2

N 26° 30' 10" E 100.93'
EX. 12" W (63-642,643)

EX. 8" S. (71-0338)
FUT 8'
PER 1/4" W

HARFORD

D.R. 2
ERDMAN
L. 12891 F. 456
0904200020

STOCK SLABER
L. 14606 F. 677
L. 23000 B. 537

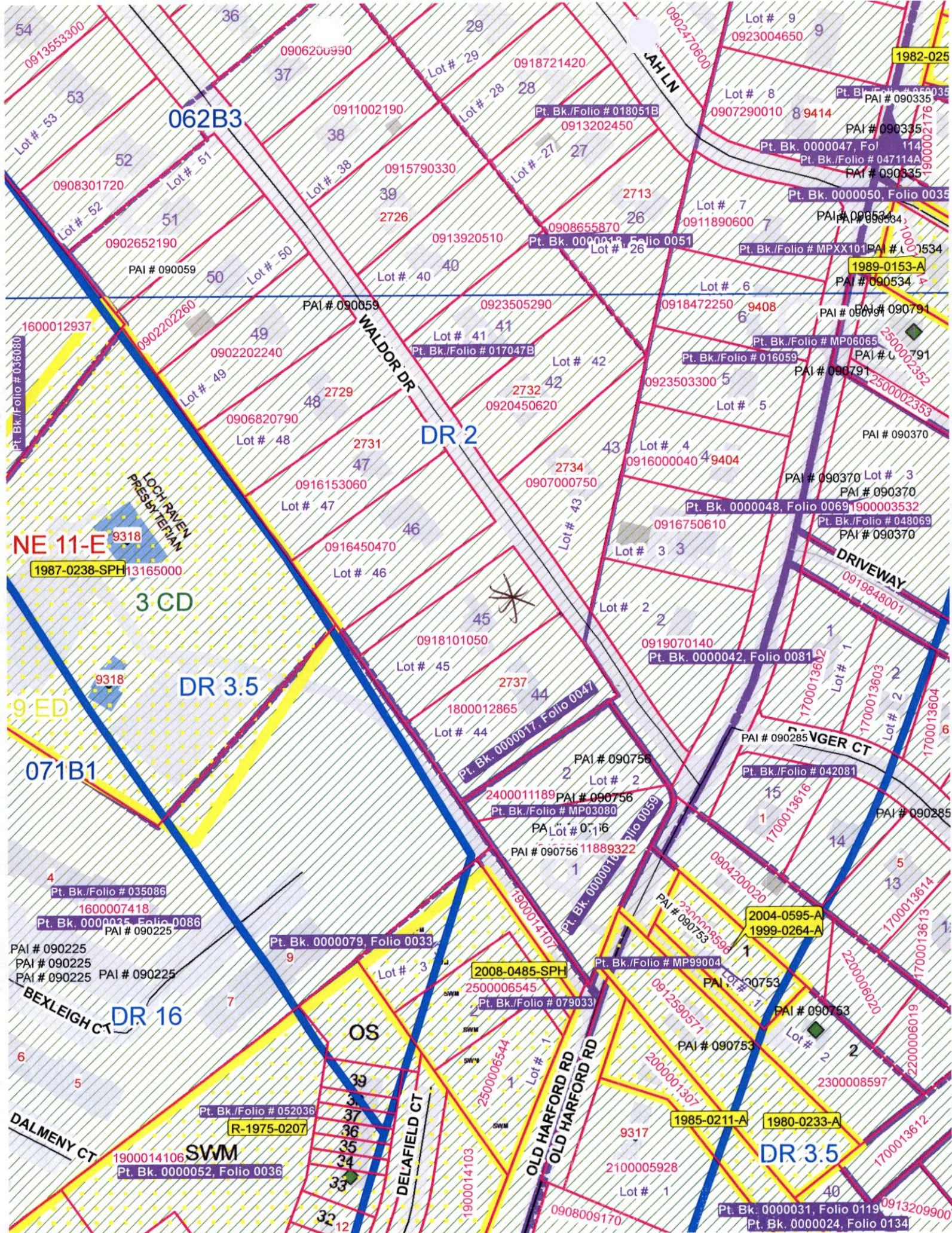
SCHAFER
L. 14550 F. 006
2300008536

↑ EX. DWLG.
9321

↑ EX. DWLG.
9323

N 63° 00'

00214
47200



062B3

DR 2

DR 3.5

071B1

DR 16

OS

SWM

DR 3.5

LAHLN

LOCH RAVEN
PRESBYTERIAN

DRIVEWAY

OLD HARFORD RD
OLD HARFORD RD

DELAFIELD CT

BEXLEIGH CT

DALMENY CT

1982-025

Pt. Bk./Folio # 018051B

Pt. Bk./Folio # 047114A

Pt. Bk. 0000050, Folio 0035

Pt. Bk./Folio # MPXX101

Pt. Bk./Folio # MP06065

Pt. Bk./Folio # 016059

Pt. Bk. 0000048, Folio 0069

Pt. Bk./Folio # 048069

Pt. Bk./Folio # 042081

Pt. Bk./Folio # MP99004

Pt. Bk./Folio # 079033

Pt. Bk./Folio # 052036

Pt. Bk./Folio # 052036

Pt. Bk./Folio # 052036

Pt. Bk./Folio # 052036

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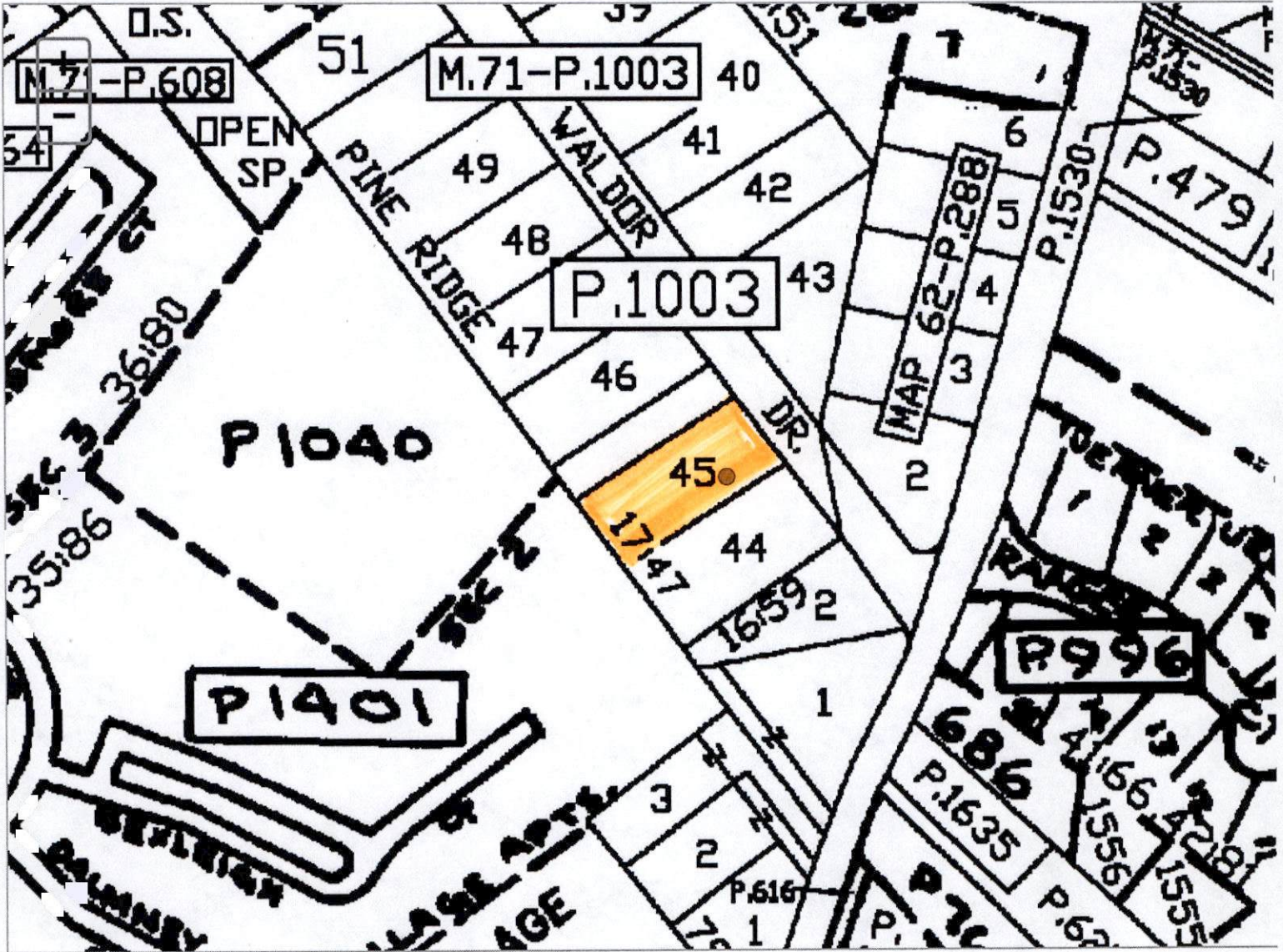
Pt. Bk./Folio # 052036

Pt. Bk./Folio # 052036

Pt. Bk./Folio # 052036

District: **09**

Account Number: **0918101050**



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.

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>).

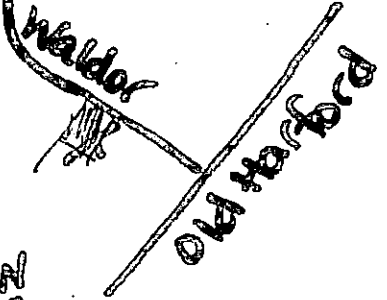
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SUBDIVISION NAME Pine Ridge LOT # 45 BLOCK # N/A SECTION # N/A

PLAT BOOK # 1818 FOLIO # 239 10 DIGIT TAX # 0918101050 DEED REF. # 350521 00314

SITE VICINITY MAP



N
MAP IS NOT TO SCALE

ZONING MAP# 07181

SITE ZONED DR 3.5

ELECTION DISTRICT 9

COUNCIL DISTRICT 3

LOT AREA, ACREAGE 0.514

OR SQUARE FEET 22,246 SF

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

NO

VIOLATION CASE INFO:

NO

SUNNYBKAFF ROAD

(55 FT. WIDE)

(UNIMPROVED)

N 55° 30' 10" E 215'

S 55° 30' 10" W 230'

PLAN DRAWN BY Mark + KUNST

DATE 4/17/14

2737
SCALE: 1 INCH = 1/2" = 30' FEET

290' NW 1/4
E OF OLD FARM ROAD

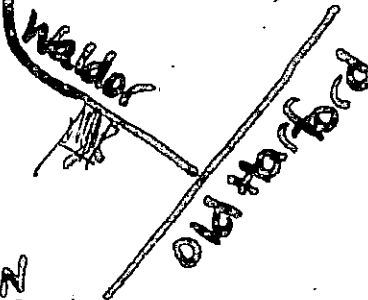
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 2735 Waldor Drive OWNER(S) NAME(S) Ann Louise + Michael Hardesty

SUBDIVISION NAME Pine Ridge LOT # 4 BLOCK # N/A SECTION # N/A

PLAT BOOK # 1818 FOLIO # 239 10 DIGIT TAX # 0918101050 DEED REF. # 35052100314

SITE VICINITY MAP



N
MAP IS NOT TO SCALE

ZONING MAP# 07181

SITE ZONED DR 3.5

ELECTION DISTRICT 9

COUNCIL DISTRICT 3

LOT AREA, ACREAGE 0.51 A

OR SQUARE FEET 22,246 SF

HISTORIC? NO

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WATER IS:

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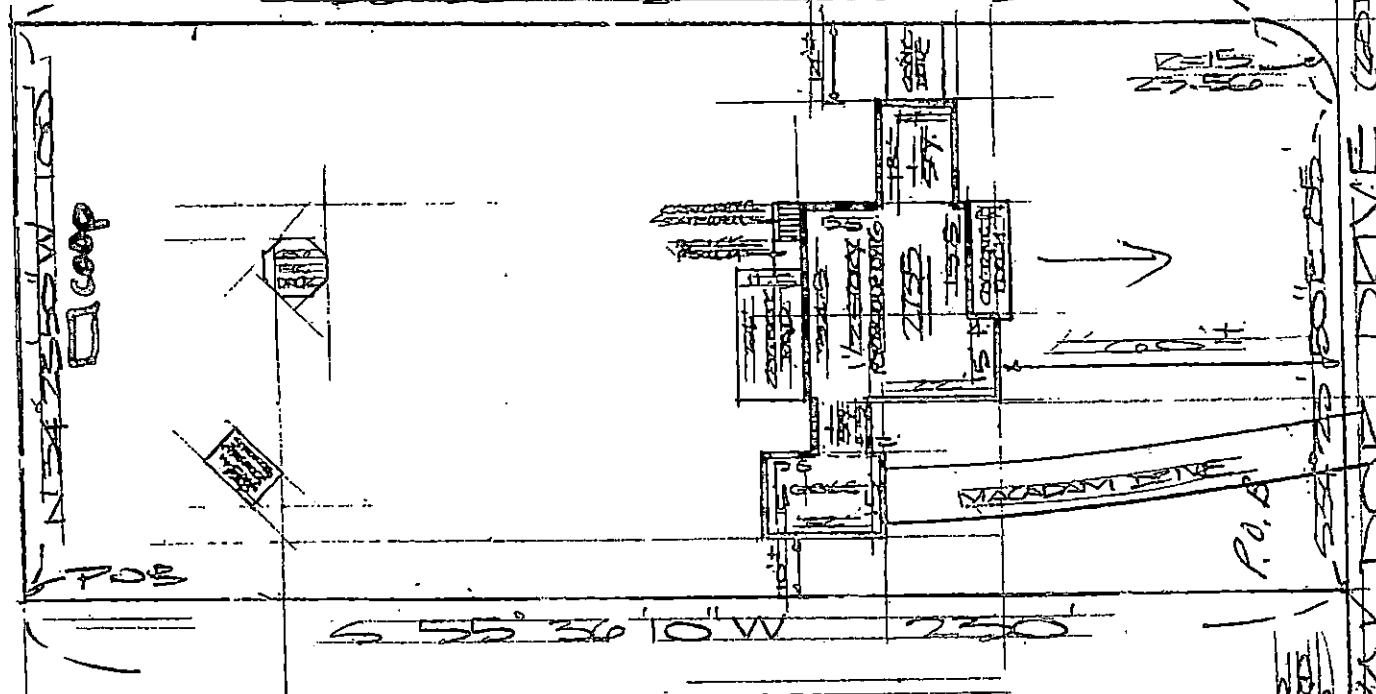
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SUNNYBROOK ROAD

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(UNIMPROVED)

N 55° 36' 10" E 215'



PLAN DRAWN BY Mark + Kunst

DATE 4/17/14

2737
SCALE: 1 INCH = 30' FEET

290' NW TO
E OF OLD HARTFORD RD