

MEMORANDUM

DATE: November 27, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0080-A - Appeal Period Expired

The appeal period for the above-referenced case expired on November 26, 2018. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
(3705 Tulip Avenue) *
13th Election District * OFFICE OF ADMINISTRATIVE
1st Council District *
David O. Bryson & Joyce J. Wooten * HEARINGS FOR
Petitioners * BALTIMORE COUNTY
* CASE NO. 2019-0080-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Administrative Variance filed by the legal owners of the property, David O. Bryson & Joyce J. Wooten (“Petitioners”). The Petitioners are requesting variance relief from §§ 1B02.3.B and 504 of the Baltimore County Zoning Regulations (“BCZR”) and V.B.3 of the Comprehensive Manual of Development Policies (“CMDP”), to permit a proposed addition (extension of kitchen and family room) with a window to window setback as close as 34 ft. in lieu of the required 40 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 submitted by any of the County reviewing agencies. However, it is to be noted that a letter of support was received from adjacent neighbor Carole A. Bush (3704 Century Avenue) indicating that she has no objection to Petitioners’ zoning request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on September 23, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

ORDER RECEIVED FOR FILING

Date 10-25-18

By 192

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 Judge, the information and photographs submitted provide sufficient facts that comply with the requirements of Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 25th day of **October, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from §§ 1B02.3.B and 504 of the Baltimore County Zoning Regulations ("BCZR") and V.B.3 of the Comprehensive Manual of Development Policies ("CMDP"), to permit a proposed addition (extension of kitchen and family room) with a window to window setback as close as 34 ft. in lieu of the required 40 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



JOHNE. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
ORDER RECEIVED FOR FILING

Date 10-25-18 2

By 



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 3705 TULIP AVE BALTO, MD 21227 Currently zoned RS OR16
 Deed Reference 16546 / 00508 10 Digit Tax Account # 2100014139
 Owner(s) Printed Name(s) DAVID BRAYSON & JAYCE WOOTEN

(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) ... Sections 1B02.3.B, 504 (BCZR), and V.B.3 (CMDP) – to permit a proposed addition (extension of kitchen and family room) with a window-to-window setback as close as 34 feet in lieu of the required 40 feet.

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):

DAVID BRAYSON / JAYCE WOOTEN
 Name #1 – Type or Print / Name #2 – Type or Print
 [Signature] / [Signature]
 Signature #1 / Signature #2
3705 TULIP AVE BALTO MD
 Mailing Address / City / State
21227 / 410-609-0107 / jwwooten1@aol.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:

John Dickinson; Advance Remarking
 Name – Type or Print
 [Signature]
 Signature
711 W 40th St. Suite 330 Balto MD
 Mailing Address / City / State
21221 / 410-532-5400 / bsullivan@adancemarking.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 2019-0080-A Filing Date 9/13/18 Estimated Posting Date 9/30/18 Reviewer [Signature]

Rev 5/5/2016

100/2
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.

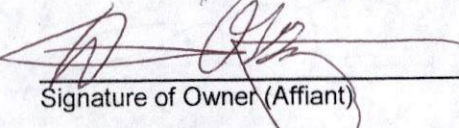
Address: 3705 TUNP AVE BALTO MD 21227
Print or Type Address of property City State Zip Code

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)

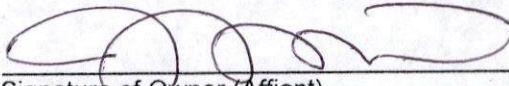
Construct Kitchen Addition on Rear of Existing Dwelling on New
Block Foundation. Work to Replace existing Concrete PAD
Addition is 20' Set back From Property Line & 47' Set back From Rear
Property Line

see attached

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


Signature of Owner (Affiant)

DAVID BRYSON
Name- Print or Type


Signature of Owner (Affiant)

Joyce Wooten
Name- Print or Type

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

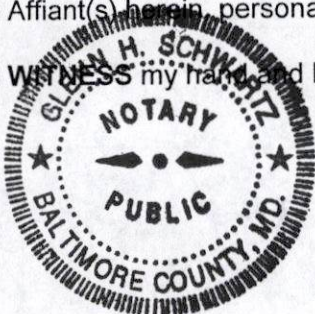
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

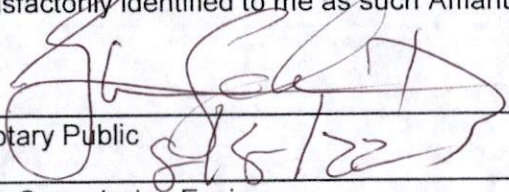
I HEREBY CERTIFY, this 5th day of SEPT, 2018, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: DAVID BRYSON & JOYCE WOOTEN

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

AS WITNESS my hand and Notaries Seal




Notary Public

My Commission Expires 8/8/22

9/13/18

David Bryson and Joyce Wooten

3705 Tulip Ave

Baltimore, MD 21227

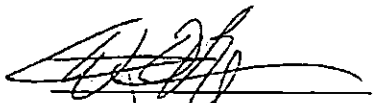
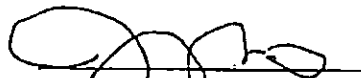
RE: Case number-2019-0080-A

Hardship request for Variance Waiver

To Zoning,

Our existing kitchen and family room is too small for all of the entertaining that we do. The location of the addition is where it is because that is where our kitchen and family room are presently.

Thank you for your consideration,


David Bryson
Joyce Wooten

ZONING PROPERTY DESCRIPTION FOR 3705 TULIP AVENUE

Beginning at a point on the west side of Tulip Avenue, which is 30 feet wide, at a distance of +/-320 feet south of the centerline of the nearest improved intersecting street Daisy Avenue, which is 45 feet wide. Thence the following courses and distances: (1st Point of Call—"POC") N 14° 00' 48" E 27.10', (2nd POC) S 75° 49' 09" E 35.00', (3rd POC) N 14° 50' 50" E 50.03', (4th POC) N 75° 57' 47" W 35.00', (5th POC) N 15° 56' 40" E 19.31', (6th POC) N 85° 36' 20" E 106.06', (7th POC) S 04° 25' 40" E 7.00', (8th POC) N 85° 36' 20" E 62.21', (9th POC) S 27° 00' 00" E 88.75', (10th POC) S 45° 12' 20" E 67.19', (11th POC) S 75° 00' 00" E 32.00', (12th POC) N 77° 36' 20" E 57.42', (13th POC) S 12° 25' 40" E 188.76', (14th POC) N 65° 04' 20" W 457.08' back to the point of beginning, as recorded in Deed Liber #16546, Folio #508, containing 1.22 acres. Located in the 13th Election District and 1st Councilmanic District. Originally Lot #304, Section B, in the subdivision ENGLISH CONSUL ESTATES as recorded in Baltimore County Plat Book #3, Folio #109, it is now known as Lot #1 of minor subdivision #89-073-M, as maintained by the Development Management Division of the Department of Permits, Approvals, and Inspections.

Item #0080

CERTIFICATE OF POSTING

2019-0080-A

RE: Case No.: _____

Petitioner/Developer: _____

D Bryson & J Wooten

October 8, 2018

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

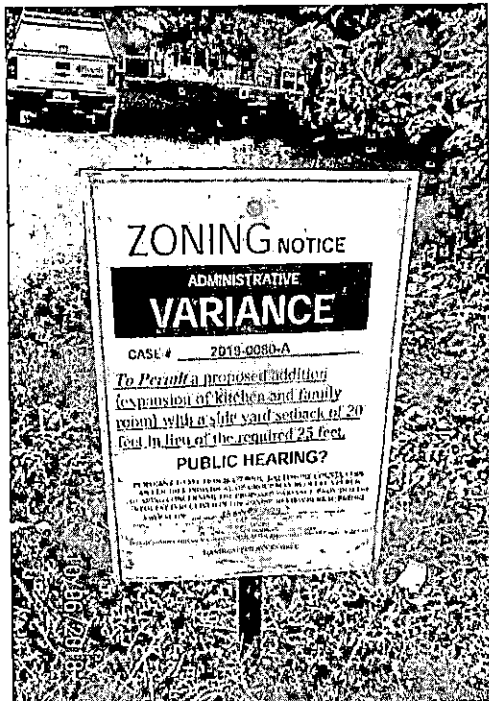
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3705 Tulip Avenue

SIGN 2 Recertification

September 23, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

October 6, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0080-A

RE: Case No.: _____

Petitioner/Developer: _____

D Bryson & J Wooten

October 8, 2018

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

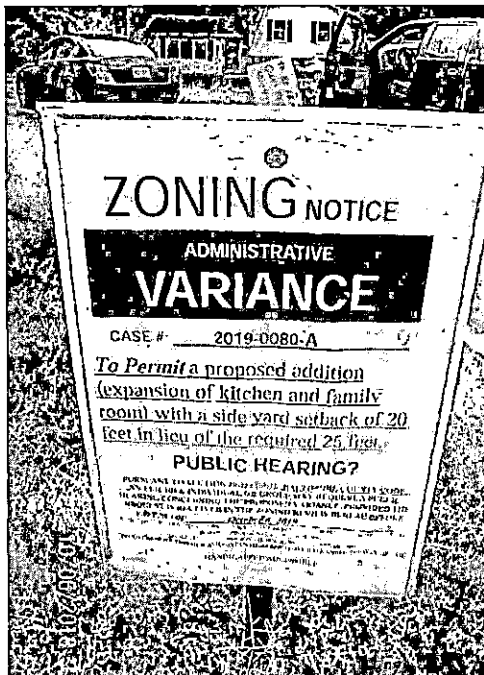
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3705 Tulip Avenue

SIGN 1 Recertification

September 23, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 October 6, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0080-A

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Petitioner/Developer: _____

D Bryson & J Wooten

October 8, 2018

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

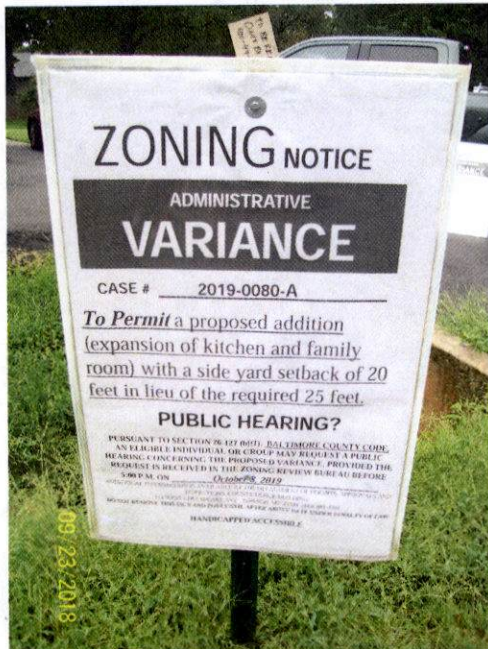
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3705 Tulip Avenue

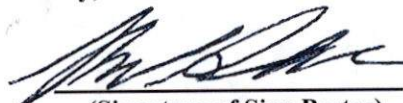
SIGN 1

September 23, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 September 23, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0080-A

RE: Case No.: _____

Petitioner/Developer: _____

D Bryson & J Wooten

October 8, 2018

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3705 Tulip Avenue

SIGN 2

September 23, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 September 23, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0080 -A Address 3705 Tulip Avenue

Contact Person: David Duvall Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 9/13/18 Posting Date: 10/7/18 Closing Date: 10/23/18

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 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 a neighbor (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 Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written 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 Administrative Law Judge), 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 2019- 0080 -A Address 3705 Tulip Avenue

Petitioner's Name David Bryson Telephone 410 607 0107

Posting Date: 10/7/18 Closing Date: 10/22/18

Wording for Sign: To Permit a proposed addition (extension of kitchen and family room) with a window-to-window setback as close as 34 feet in lieu of the required 40 feet

Revised 6/30/2019

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2019-0080-A
Property Address: 325 Tulip Ave, Balto MD 21227
Property Description: Split Level Single Fam Res.
Legal Owners (Petitioners): David Bryson / Joyce Wooten
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Bryan Sullivan
Company/Firm (if applicable): Advance Remodeling, Inc.
Address: 711 W. 90th St.
Balto MD 21211
Suite 330
Telephone Number: 410-532-5400

No. 173221

Date: 11/11/2018

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
9/17/2016 9/13/2016 10:59:56 1

HSOI - BOLKIN LIR

CEIPT # 31612 9/13/2018 OFLN

5-528 ZONING VERIFICATION

40. 173221

Rec'd To: \$75.00

5.00 CR 100.00 20.00 CA

15.00 CG

Baltimore County, Maryland

Total: 0/5

Rec:
From:

For:

zoning hearing - case # 2018 -
0080-A

DISTRIBUTION

WHITE - CASHIER

PINK AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



DONALD I. MOHLER III
County Executive

October 23, 2018

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

David Bryson & Joyce Wooten
3705 Tulip Ave
Baltimore, MD 21227

Dear Mr. Bryson & Ms. Joyce Wooten :

RE: Case Number: 2019-0080A, Address: 3705 Tulip Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 13, 2018. 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 dark ink, reading "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
John Dickinson 711 W. 40th St. Ste 330 Baltimore, MD 21221

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: October 16, 2018

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2018
Item No. 2019-0080-A, 0088-A, 0089-A, 0090-A, 0092-SPH, 0093-A, 0094-
SPHXA, 0095-A, 0096-A, 0097-A and 0098-A

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

*

*

*

*

*

VKD: cen
cc: file

Date: 10/1/13

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019-0080-A.

*Administrative Variance
David & Joyce Bryson
3705 Tulip Avenue*

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,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ



DONALD I. MOHLER III
County Executive

October 23, 2018

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

David Bryson & Joyce Wooten
3705 Tulip Ave
Baltimore, MD 21227

Dear Mr. Bryson & Ms. Joyce Wooten :

RE: Case Number: 2019-0080A, Address: 3705 Tulip Ave.

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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 dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
John Dickinson 711 W. 40th St. Ste 330 Baltimore, MD 21221

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: October 22, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0080-A
Address 3705 Tulip Avenue
(Bryson Property)

Zoning Advisory Committee Meeting of **October 8, 2018.**

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Reviewer: Libby Errickson

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: October 16, 2018

FROM: *MU*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2018
Item No. 2019-0080-A, 0088-A, 0089-A, 0090-A, 0092-SPH, 0093-A, 0094-
SPHXA, 0095-A, 0096-A, 0097-A and 0098-A

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

*

*

*

*

*

VKD: cen
cc: file

Date: 10/1/13

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019-2080-A.

*Administrative Variance
David & Joyce Bryson
3705 Tulip Avenue*

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,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ



PROPOSED ADDITION TO COVER PATIO

Item #0080

PROPOSED ADDITION TO COVER PATIO



Item #0080



Item #0080



PROPOSED ADDITION TO COVER PATIO

Item #0080

10/22

CASE NO. 2019- 0080-A

C H E C K L I S T

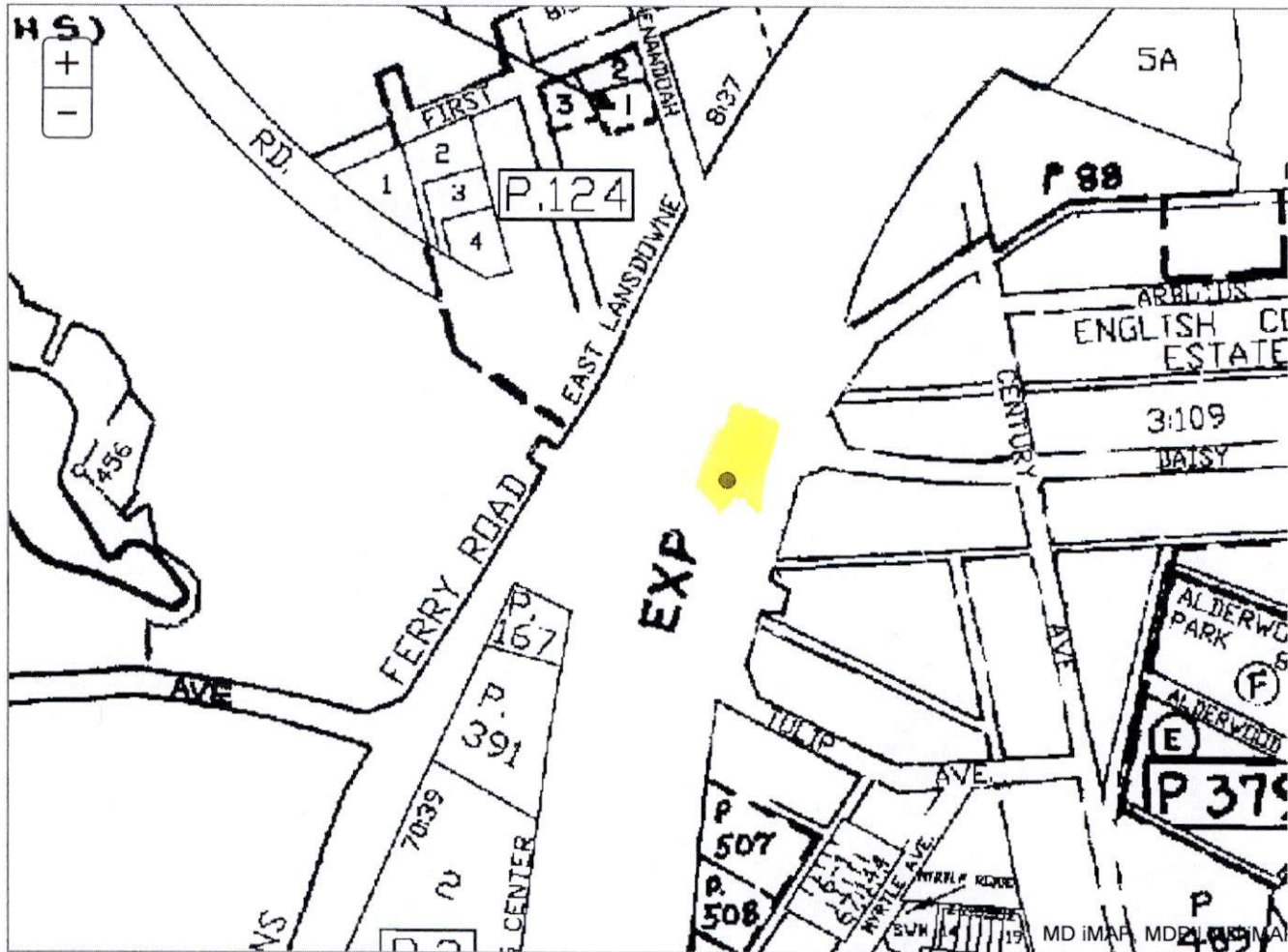
<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10-16</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>10-1</u>	STATE HIGHWAY ADMINISTRATION	<u>No object.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
<u>9-11</u>	ADJACENT PROPERTY OWNERS <u>Carol A. Bush - 3704 Century Ave.</u>	<u>No object.</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>9-23-18</u> by <u>Black</u>	
SIGN POSTING (2 nd)	Date: _____ by _____	
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: _____		

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 13 Account Number - 2100014139			
Owner Information					
Owner Name:	BRYSON DAVID O WOOTEN JOYCE J		Use:	RESIDENTIAL	
Mailing Address:	3705 TULIP AVE BALTIMORE MD 21227- 2144		Principal Residence:	YES	
			Deed Reference:	/16546/ 00508	
Location & Structure Information					
Premises Address:	3705 TULIP AVE 0-0000		Legal Description:	1.217 AC 279 W CENTURY AV ENGLISH CONSUL ESTATES	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 0003/0109
0109	0004	0378		0000	B 304 2019
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area		Finished Basement Area	Property Land Area	County Use
1978	2,684 SF			1.2200 AC	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
2	NO	SPLIT LEVEL	ASBESTOS SHINGLE	1 full/ 1 half	1Att/1Det
Value Information					
	Base Value		Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2016	07/01/2018	07/01/2019
Land:	70,500		70,500		
Improvements	201,600		201,600		
Total:	272,100		272,100	272,100	
Preferential Land:	0				
Transfer Information					
Seller: BROLLIAR LISA A		Date: 06/24/2002		Price: \$127,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /16546/ 00508		Deed2:	
Seller: BROLLIAR ROBERT W		Date: 09/23/1996		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /11812/ 00233		Deed2:	
Seller: POOLE DAVID W		Date: 10/19/1989		Price: \$126,000	
Type: ARMS LENGTH IMPROVED		Deed1: /08301/ 00829		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt:		Special Tax Recapture:			

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **13** Account Number: **2100014139**

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 <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

Exempt Class: NONE

Homestead Application Information

Homestead Application Status: Approved 01/12/2010

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

ZAC AGENDA

Case Number: 2019-0080-A **Reviewer:** Dave Duvall

Existing Use: RESIDENTIAL **Proposed Use:**

Type: ADMINISTRATIVE VARIANCE

Legal Owner: David & Joyce Bryson

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** Yes **Historic:** No **Election Dist:** 13 **Council Dist:** 1

Property Address: 3705 TULIP AVE

Location: W/S Tulip Avenue, +/- 320 ft. S of the centerline Daisy Avenue

Existing Zoning: DR 16

Area: 1.22 ACRES

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a proposed addition (extension of kitchen and family room) with a window to window setback as close as 34 ft. in lieu of the required 40 ft.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 10/22/2018

Miscellaneous Notes:

An administrative variance is required for a planned kitchen addition to our home. This variance will require a hearing set for mid-September. The variance is due to the proximity to the North West property line, construct kitchen addition on rear of existing dwelling on new block foundation. Work to replace existing concrete pad. Addition is 20 feet set back from the property line and 47 feet set back from the rear property.

This hearing may be followed by a period of consideration where the affected neighbor(s) have a chance to dispute the construction. As a pre-emptive measure, we are asking that you provide feedback which can be used at this hearing to support moving forward with this home construction project. This is not a legally binding document, just a simple concurrence that you do not object to this construction.

Thanks for your consideration.

Dave Bryson/Joyce Wooten

Zoning Property Description 3705 Tulip Ave, Baltimore Maryland 21227

Beginning at a point on the North West side of 3705 Tulip Ave which is twenty (20) feet wide at a distance of approximately two hundred and two (202) feet of the centerline of the nearest improved intersecting street of Daisy Ave which is approximately forty (40) feet wide.

Subdivision Lot

Being lot #304, Block 3705, Section B in the subdivision of English Consul Estates as recorded in Baltimore County Plat Book #0003, Ref #0109 containing 1.2200 of acres of lot. Located in the 13th Election District and the 1st Council District.

I (we) do not object to this construction project.

Address:

Carol Bush
3704 Century Ave
Halsethorpe, MD 21227

Dave/Joyce
410 685 0107

Item #0080

Real Property Data Search

Search Result for BALTIMORE COUNTY

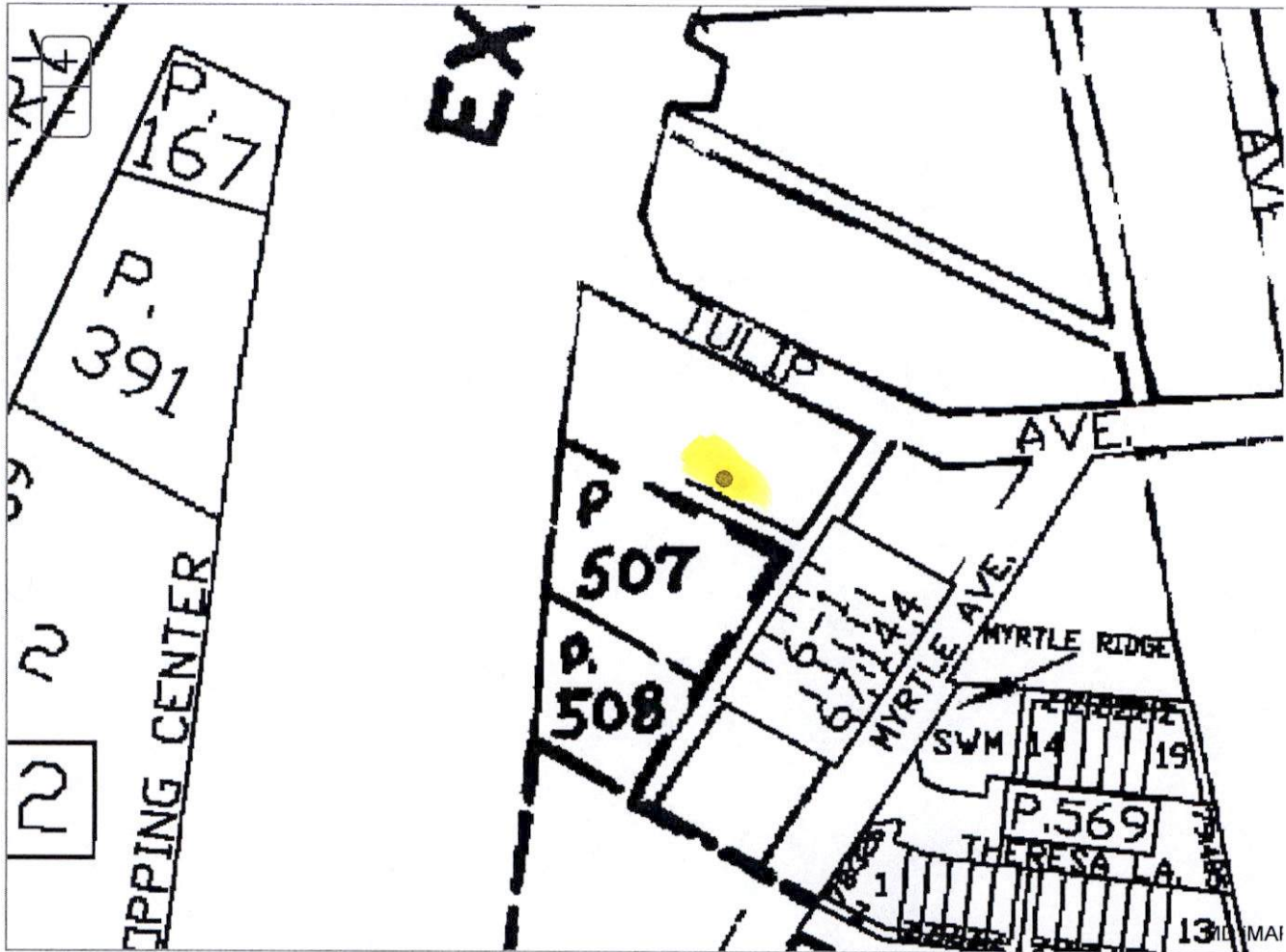
View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 13 Account Number - 2200000213			
Owner Information					
Owner Name:		BUSH CAROLE ANN		Use:	RESIDENTIAL
Mailing Address:		3704 CENTURY AV BALTIMORE MD 21227		Principal Residence:	YES
				Deed Reference:	/09050/ 00076
Location & Structure Information					
Premises Address:		3704 CENTURY AVE 0-0000		Legal Description:	.253 AC PT LT 477 ENGLISH CONSUL ESTATES
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: MS
0109	0004	0378		0000	B 3 2019 Plat Ref: 0003/0109
Special Tax Areas:		Town: NONE			
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area		Property Land Area	County Use
1991	1,076 SF			11,020 SF	04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Split Foyer	YES	SPLIT FOYER	SIDING	2 full/ 1 half	1 Attached
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2016		07/01/2018	
				As of	
				07/01/2019	
Land:	65,600	65,600			
Improvements	115,300	115,300			
Total:	180,900	180,900		180,900	
Preferential Land:	0				
Transfer Information					
Seller: JOHNSON K L WAYN E INC		Date: 02/05/1992		Price: \$106,000	
Type: ARMS LENGTH IMPROVED		Deed1: /09050/ 00076		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00		0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 08/04/2014					

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No
Application

Date:

Baltimore County

[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **13** Account Number: **2200000213**

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Property maps provided courtesy of the Maryland Department of Planning.

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ZONING PROPERTY DESCRIPTION FOR: 3705 Tulip Avenue, Baltimore MD 21227

Beginning at a point on the ~~North~~ ^{South} West side of 3705 Tulip Ave which is twenty (20) feet wide at a distance of approximately two hundred and two (202) feet of the centerline of the nearest improved intersecting street of Daisy Ave which is approximately forty (40) feet wide.

SUBDIVISION LOT

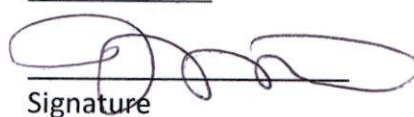
Being lot #304. Block 3705, Section B in the Subdivision of English Consul Estates as recorded in Baltimore County Plat Book# 0003, Ref# 0109, containing 1.2200 of acres of lot. Located in the 13 Election District and the 1st Council district.

Owner:

David Bryson


Signature

Joyce Wooten


Signature

3705 Tulip Avenue, Baltimore MD 21227

Mailing address

Representative:

Advance Remodeling, Inc.

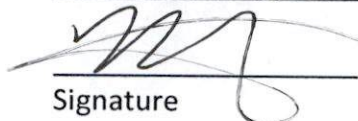
MHIC# 13337

711 W 40TH STREET, SUITE 330

BALTIMORE, MD 21220

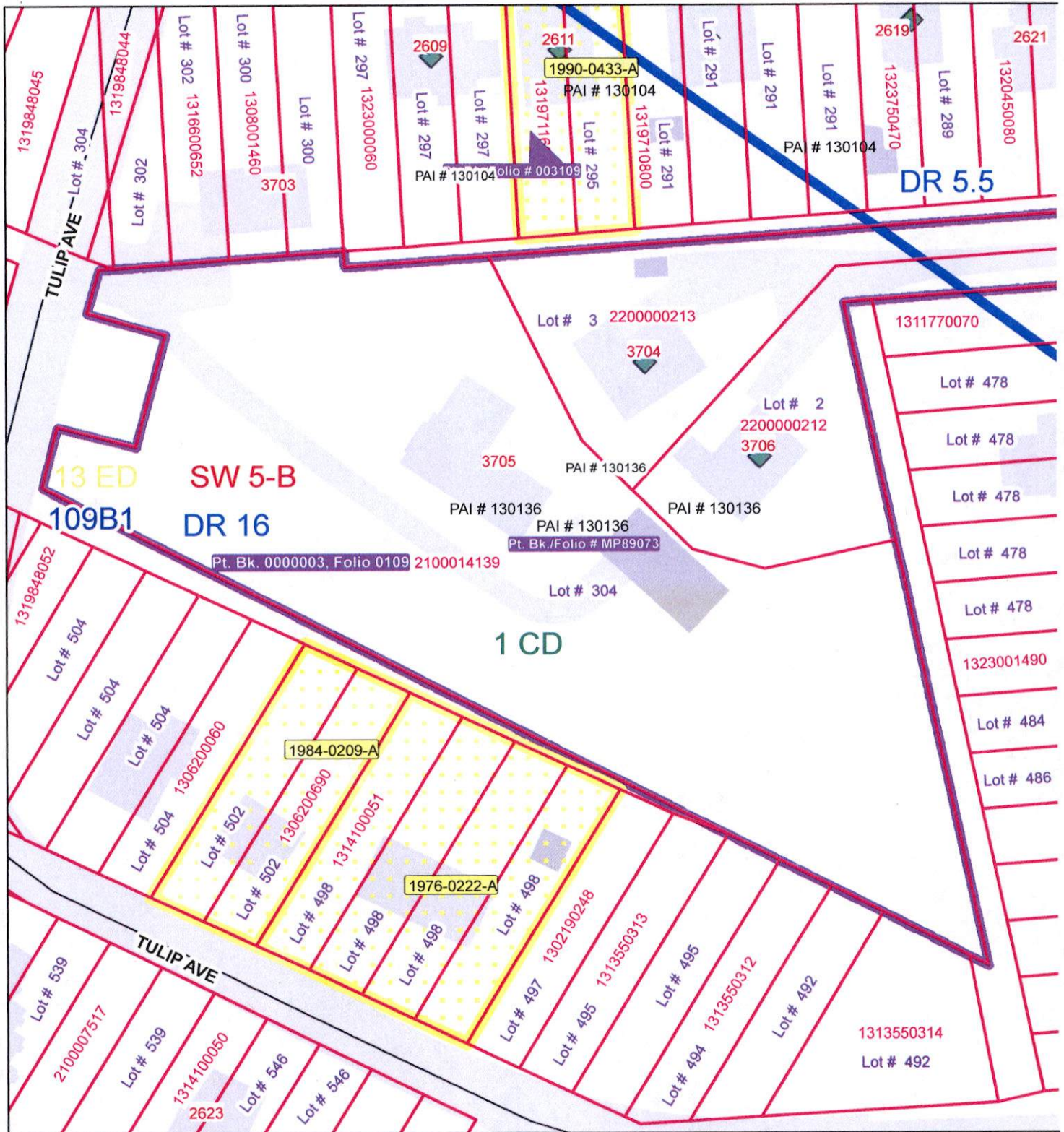
410-532-5400

Email: bsullivan@advanceremodeling.com


Signature

Zip's
21221
per Advance
Telephone 10/24
@ 10:48 AM

3705 Tulip Avenue, Tax #21-00-014-139



Publication Date: 9/7/2018



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

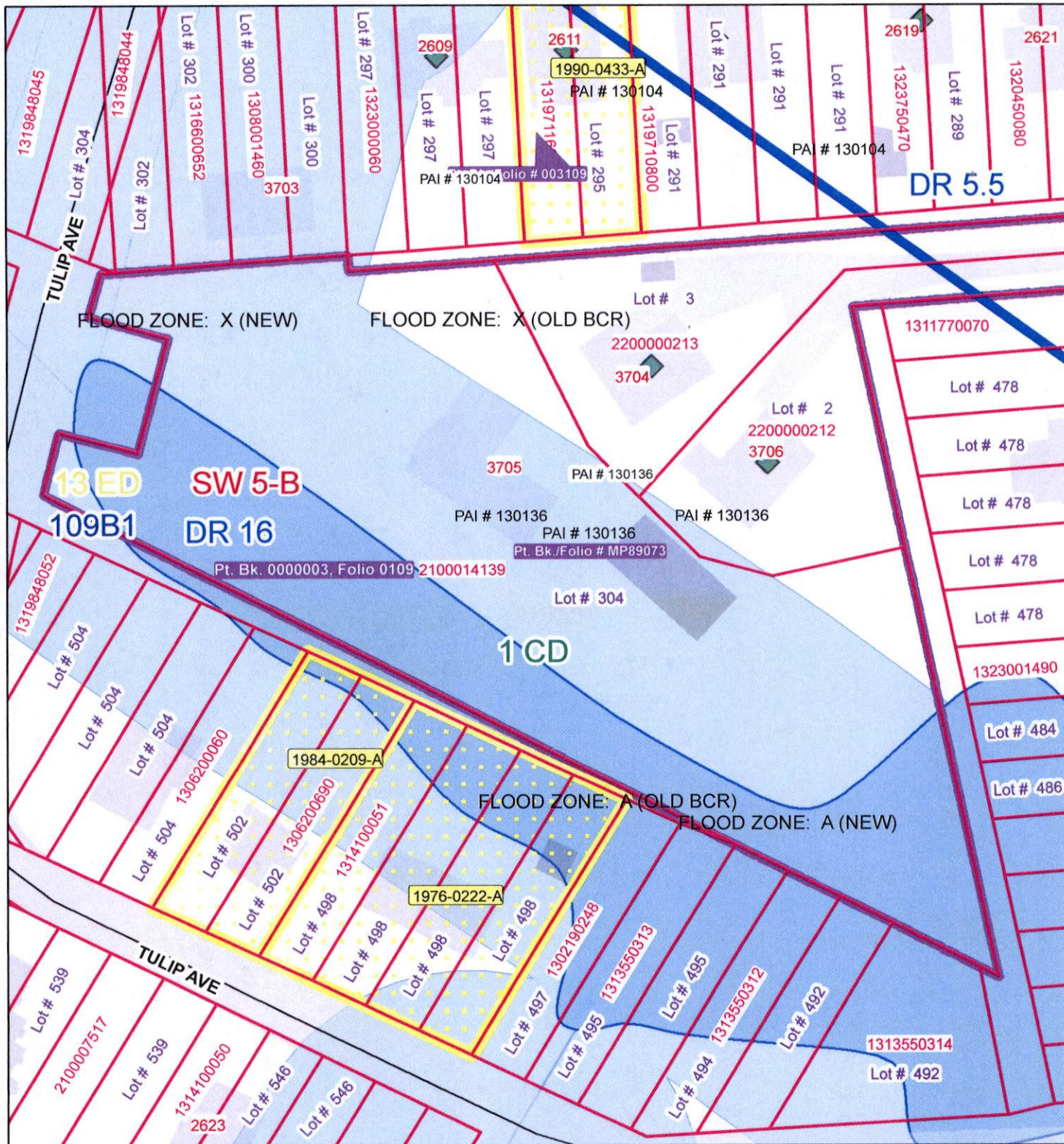


0 15 30 60 90 120 Feet

1 inch = 60 feet

Item #0080

Flood Hazard Areas



Publication Date: 9/7/2018



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



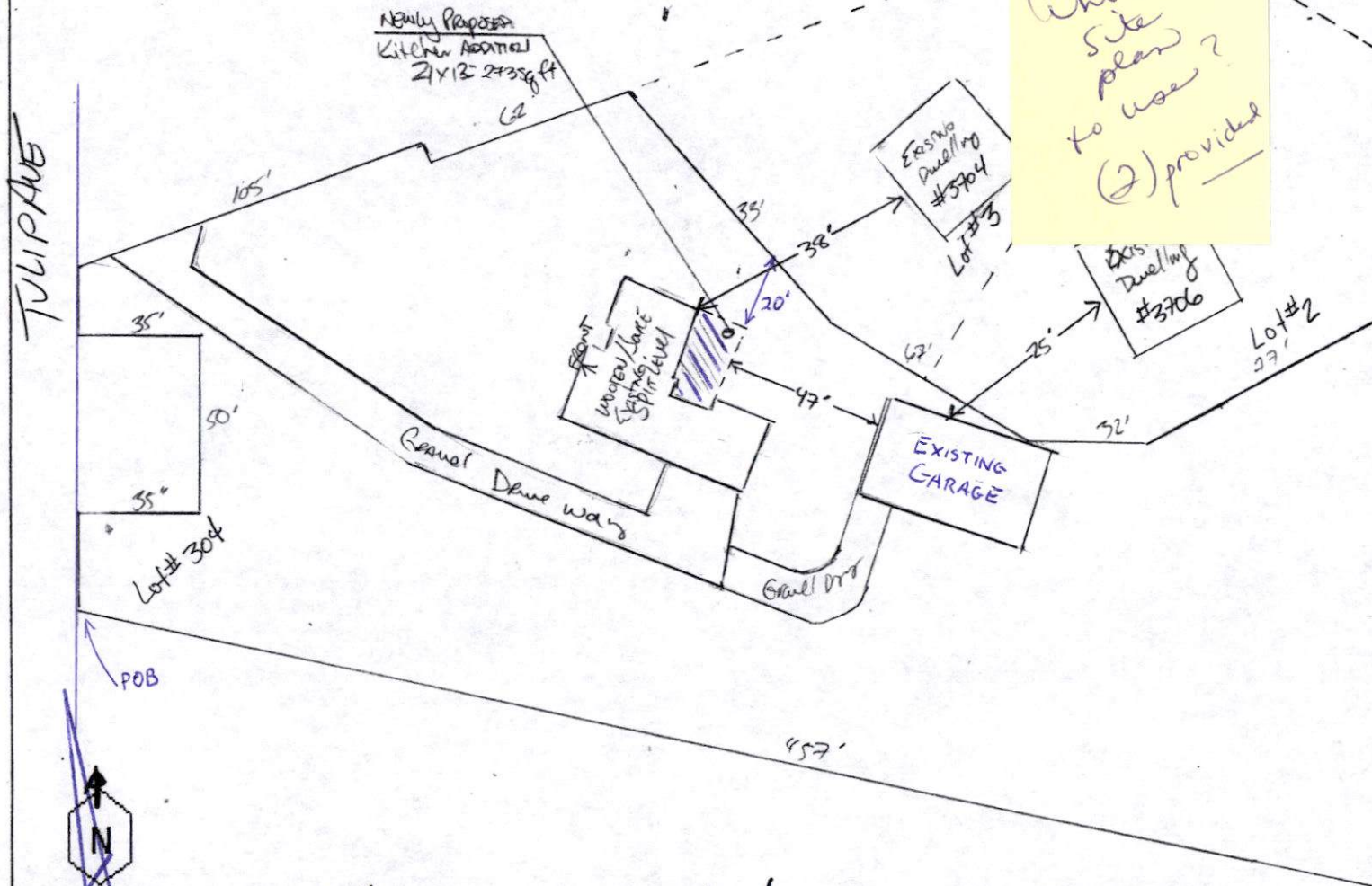
0 15 30 60 90 120 Feet

1 inch = 60 feet

Item #0080

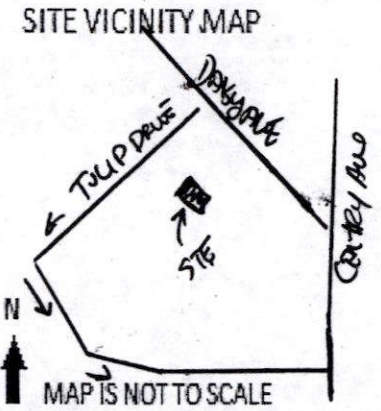
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 3705 TULIP AVE, Baltimore MD 21228 OWNER(S) NAME(S) DAVID BRYSON / JAYCE WOOTEN
 SUBDIVISION NAME ENGLISH CONSUL ESTATES LOT # 304 BLOCK # _____ SECTION # B
 PLAT BOOK # 0003 FOLIO # 109 10-DIGIT TAX # 2100014139 DEED REF # 1151111508

MINOR SUB #89-073-M



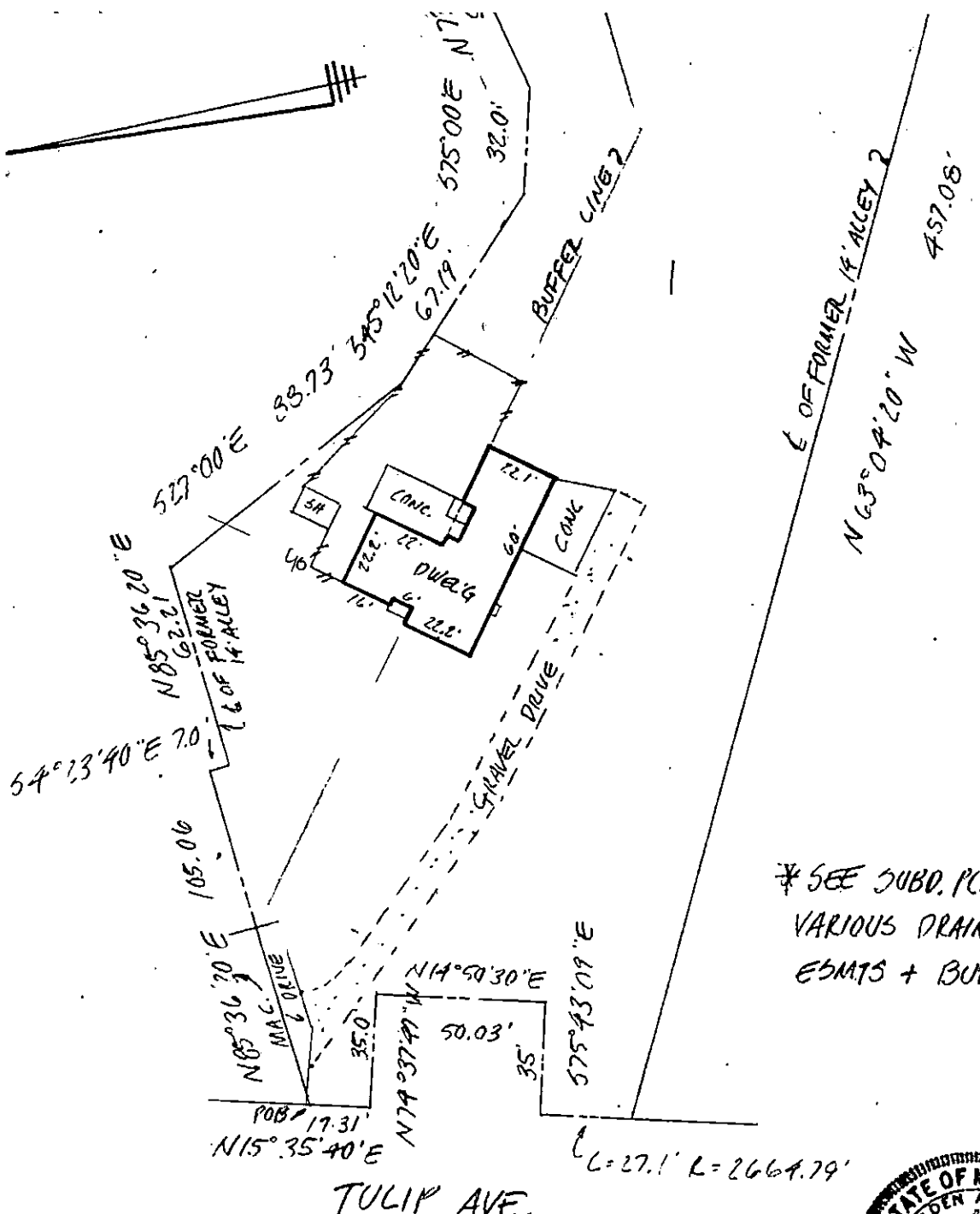
PLAN DRAWN BY B. Sullivan DATE 8/24/18 SCALE: 1 INCH = 50' FEET

#2019-0080-A



ZONING MAP# 009B1
 SITE ZONED DR16
 ELECTION DISTRICT 13th
 COUNCIL DISTRICT 1st
 LOT AREA ACREAGE 1.2260 AC
 OR SQUARE FEET 21684 sq ft
 HISTORIC? NO 53,143.2
 IN CBCA? NO
 IN FLOOD PLAIN? YES
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC ☒ PRIVATE _____
 SEWER IS:
 PUBLIC ☒ PRIVATE _____
 PRIOR HEARING? _____
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:



* SEE SUBD. PLAT FOR
VARIOUS DRAIN + UTIL.
ESMTS + BUFFER AREAS

- Notes:
- 1) This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
 - 2) This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
 - 3) This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.
 - 4) No title report furnished.



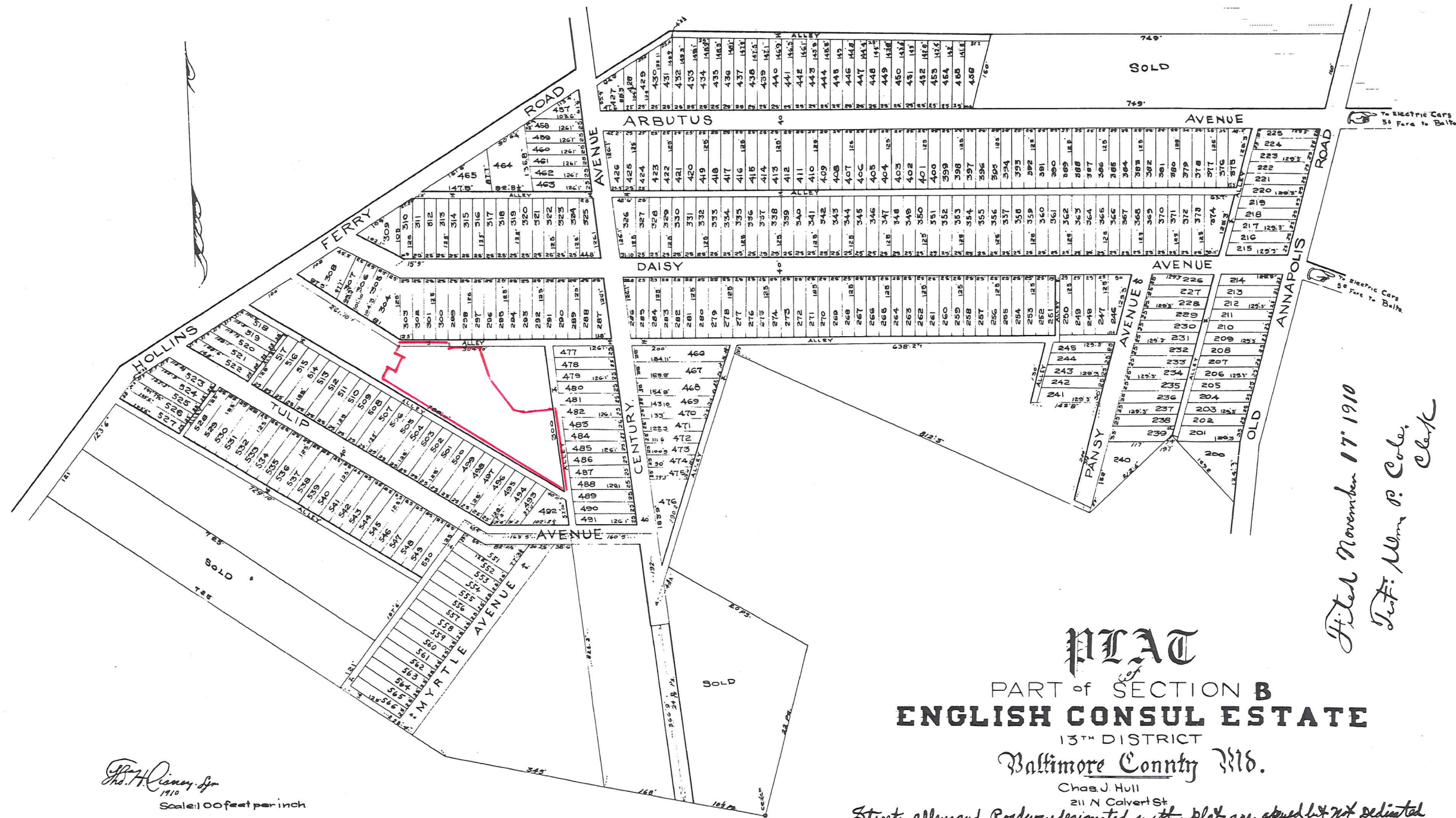
Certification: This is to certify that the improvements indicated hereon are located as shown.

Graden A. Rogers
GRADEN A. ROGERS - Propt. L.S. MD. Lic. No. 119

LIBER	11812	FOLIO	133
LOT	1	BLOCK	SECT.
PLAT ENTITLED	POOLE PROPERTY		
RECORDED IN	BALTO. CO.		
PLAT BOOK	LIBER 8301	FOLIO	836

3705 TULIP AVE.	
SCALE	1" = 50'
DATE	5-22-02
CASE NO.	2002-141
JOB NO.	TOW2002.12

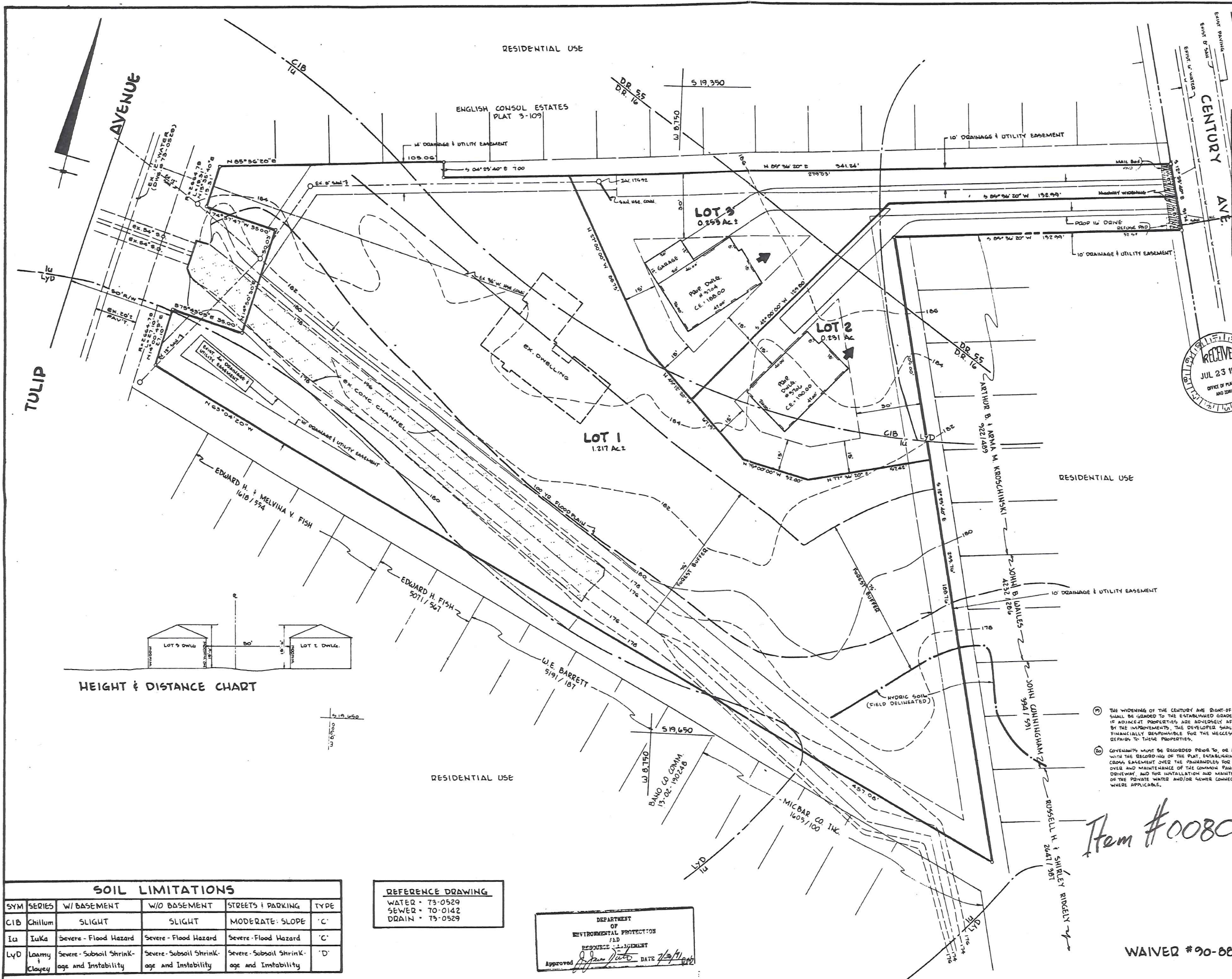
Item #0080



Filed November 17 1910
 Det. Wm. P. Cole,
 Clerk

Street, alleys and Roadway designated on this plat are opened but not dedicated
 Chas. J. Hull

Item #0080



BALTIMORE COUNTY MD. COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On 7/19/94
With The Following Action Taken
PLAN APPROVED
VICINITY MAP
Scale: 1" = 500'
Plan A: [Signature]
Plan B: [Signature]
Plan C: [Signature]
Plan D: [Signature]
Continuation of [Signature]
Plan Reviewed To Plan, Bd.

- SITE DATA & GENERAL NOTES**
- EXISTING ZONING: DR 16 = 1.40 AC;
DR 55 = 0.09 AC
- NO LOTS ALLOWED: 16 x 140 = 22.4 DENSITY UNITS
55 x 0.09 = 0.50 DWELLING UNITS
- NO LOTS PROPOSED: 3
NO OF DENSITY UNITS PROPOSED: 45
DEED REFERENCE: 0515/091
- PROPERTY NUMBERS: LOT 2 22-00-000 212
LOT 3 22-00-000 213
- ALL UNITS ARE TO BE SOLD.
 - THERE WILL BE TWO PAVED OFF-STREET PARKING SPACES PER LOT.
 - THERE WILL BE NO GRADING OF THE ENTIRE SITE. ONLY THAT WHICH IS REQUIRED FOR THE CONSTRUCTION OF HOMES AND DRIVES.
 - ONLY DEAD OR DAMAGED TREES AND TREES IN THE WAY OF CONSTRUCTION WILL BE CUT AND REMOVED FROM LOTS.
 - PAVING DRIVEWAYS WILL BE COMPOSED OF 3" BITUMINOUS CONCRETE & 8" GRANULAR SUB-BASE. DRIVEWAYS WILL BE MAINTAINED BY THE HOME OWNER.
 - THERE ARE NO HISTORIC BUILDINGS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR WATERSHED MATERIALS ON THIS PROPERTY.
 - COMMERCIAL DISTRICT 1
 - CENSUS TRACT: 4301.01
 - WATERPOWER: 29
SUBSEWERPOWER: 79
 - OPEN SPACE REQUIRED: 650 SQ. FT. x 3 LOTS = 0.09 AC.
 - EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL
 - AVERAGE DAILY TRIPS: 5 x 124 = 372 A.D.T.s.
 - A LOCAL OPEN SPACE WAIVER HAS BEEN APPLIED FOR.
 - THE PAVING SHALL BE COMPLETED WITHIN ONE YEAR OF THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT AND PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT OF THE LAST LOT TO BE SERVED WHICHEVER COMES FIRST.
 - ALL SHOWN DENSITY AND AVERAGE HAS BEEN HELD INTACT SINCE 11, 23, 19.
 - THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DRIVELANDS OF VEGETATION IN THE FOREST BUFFER, EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPT. OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
 - ANY FOREST BUFFER SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DRIVELANDS AND USE OF THESE AREAS.
 - HIGHWAY WIDENING: 159.00 SF OR 0.00365 AC



- THE WIDENING OF THE CENTURY AVE RIGHT-OF-WAY SHALL BE GRADED TO THE ESTABLISHED GRADE AND IF ADJACENT PROPERTIES ARE ADVERSELY AFFECTED BY THE IMPROVEMENTS, THE DEVELOPER SHALL BE FINANCIALLY RESPONSIBLE FOR THE NECESSARY REPAIR TO THESE PROPERTIES.
- COVENANTS MUST BE RECORDED PRIOR TO, OR ALONG WITH THE RECORDING OF THE PLAT, ESTABLISHING A CROSS EASEMENT OVER THE PAVING DRIVEWAYS FOR ACCESS OVER AND MAINTENANCE OF THE COMMON PAVING DRIVEWAY, AND FOR INSTALLATION AND MAINTENANCE OF THE PRIVATE WATER AND/OR SEWER CONNECTIONS WHERE APPLICABLE.

Item #0080

WAIVER #90-88

SOIL LIMITATIONS				
SYM	SERIES	W/ BASEMENT	W/O BASEMENT	STREETS & PARKING
CIB	Chillum	SLIGHT	SLIGHT	MODERATE SLOPE
Ia	Iuka	Severe - Flood Hazard	Severe - Flood Hazard	Severe - Flood Hazard
LyD	Loamy Clayey	Severe - Subsoil Shrinkage and Instability	Severe - Subsoil Shrinkage and Instability	Severe - Subsoil Shrinkage and Instability

REFERENCE DRAWING	
WATER	73-0529
SEWER	70-0142
DRAIN	73-0529

DEPARTMENT OF ENVIRONMENTAL PROTECTION
REQUEST FOR ADJUDICATION
Approved: [Signature] DATE: 7/23/94

REVISIONS

NO	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG. TOWSON, MD., 21204
PHONE: 823-3535

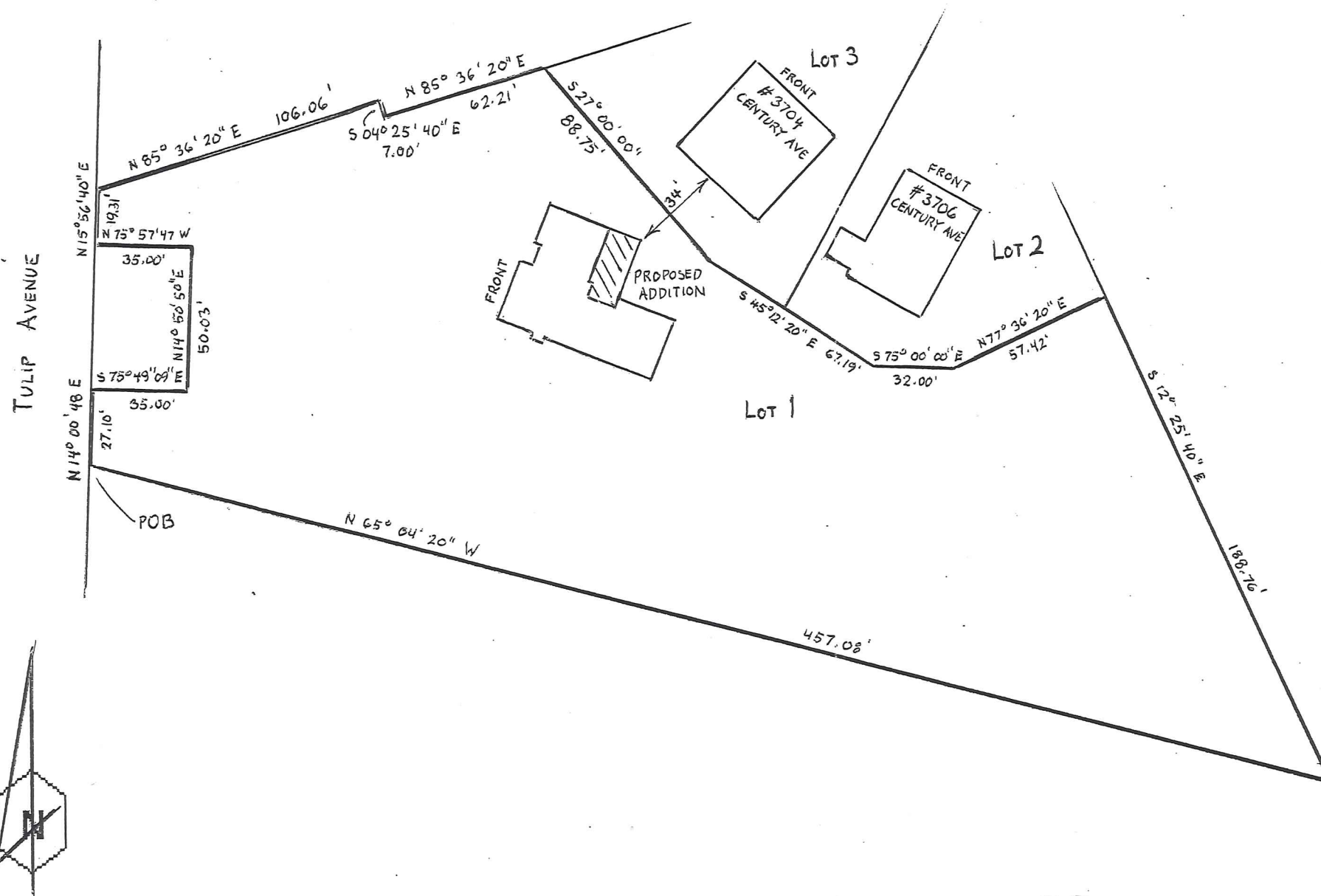
OWNER/DEVELOPER
K.L. WAYNE JOHNSON, INC.
21 LIGHT ST. AVENUE
PASADENA, MD. 21122
WET-3015

C.R.G. PLAN
CENTURY AVENUE

ELECTION DISTRICT # 13 BALTIMORE CO., MD.

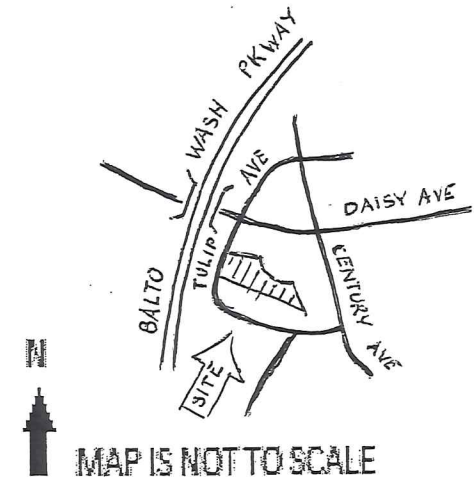
SCALE: 1" = 20' DES BY: J.L.L.
DATE: April, 1990 DRN BY: J.M.B. SHT. 1 OF 1

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH ☒)
 ADDRESS 3705 TULIP AVENUE OWNER(S) NAME(S) D. Bryson / J. Wooten
 SUBDIVISION NAME ENGLISH CONSUL ESTATES LOT# 304 BLOCK# _____ SECTION# B
 PLAT BOOK # 3 FOLIO # 109 10 DIGIT TAX # 2100014139 DEED REF. # 16546/00508
 MINOR SUB # 89-073-M



PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



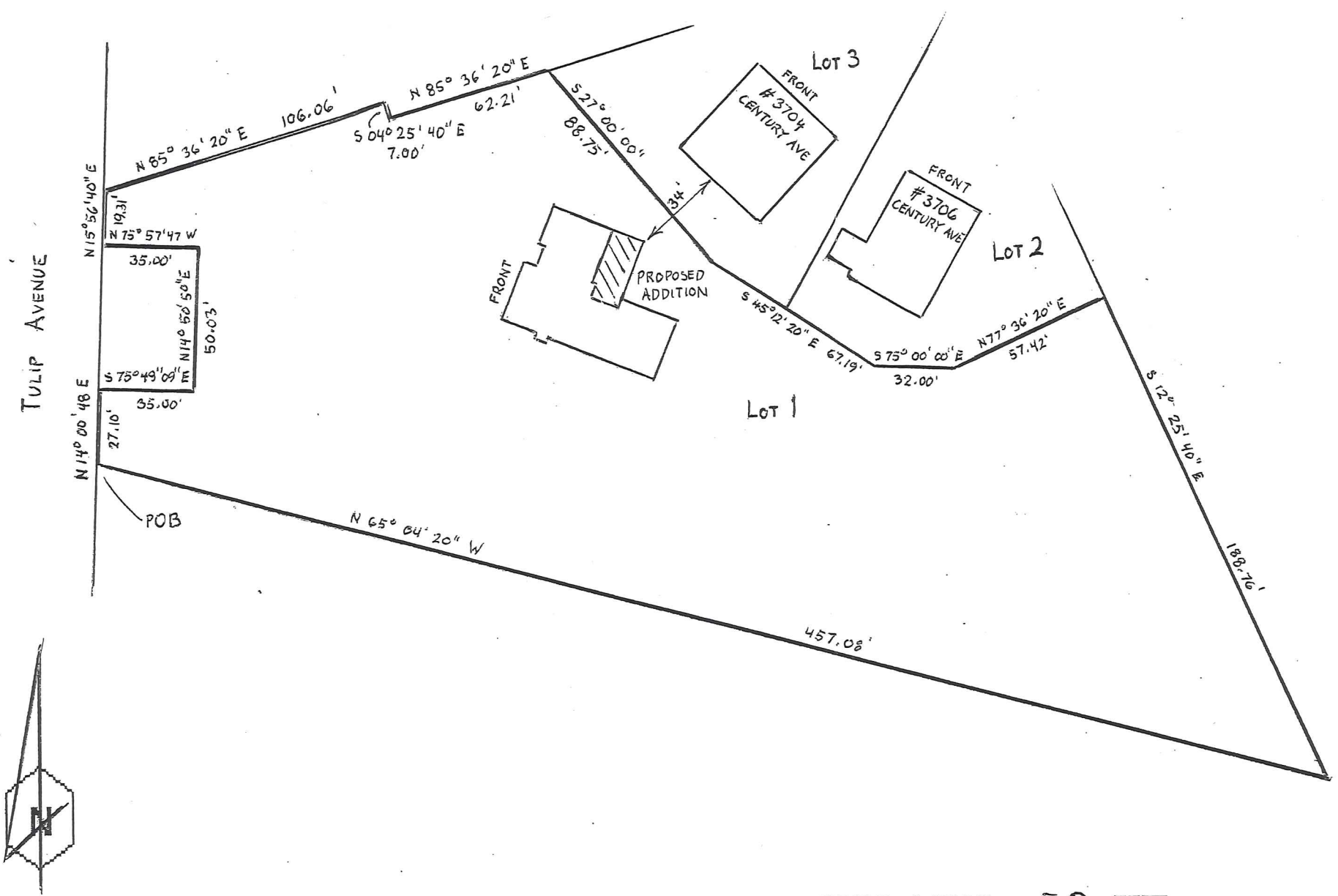
MAP IS NOT TO SCALE
 ZONING MAP# 109B1
 SITE ZONED DR 16
 ELECTION DISTRICT 13TH
 COUNCIL DISTRICT 1ST
 LOT AREA ACREAGE 1.22
 OR SQUARE FEET 53,143.2
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? Yes
 UTILITIES? MARK WITH ☒
 WATER IS:
 PUBLIC ☒ PRIVATE _____
 SEWER IS:
 PUBLIC ☒ PRIVATE _____
 PRIOR HEARING? _____
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

Pet. Enr. 1

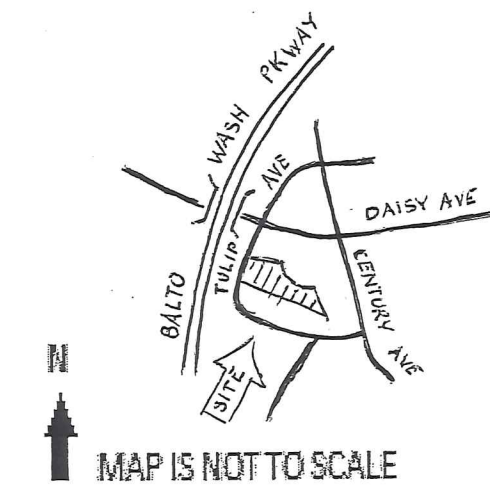
#2019-0080-A

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH ☒)
 ADDRESS 3705 TULIP AVENUE OWNER(S) NAME(S) D. Bryson / J. Wooten
 SUBDIVISION NAME ENGLISH CONSUL ESTATES LOT # 304 BLOCK # _____ SECTION # B
 PLAT BOOK # 3 FOLIO # 109 10 DIGIT TAX # 2100014139 DEED REF. # 16546/00508
 MINOR SUB # 89-073-M



PLAN DRAWN BY _____ DATE _____ SCALE: 1 INCH = 50 FEET

SITE VICINITY MAP



ZONING MAP# 109B1
 SITE ZONED DR 16
 ELECTION DISTRICT 13TH
 COUNCIL DISTRICT 1ST
 LOT AREA ACREAGE 1.22
 OR SQUARE FEET 53,143.2
 HISTORIC? No
 IN CBCA? No
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 UTILITIES? MARK WITH ☒
 WATER IS:
 PUBLIC ☒ PRIVATE _____
 SEWER IS:
 PUBLIC ☒ PRIVATE _____
 PRIOR HEARING? _____
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

R.M.

#2019-0080-A