# M E M O R A N D U M

DATE: March 5, 2019

TO: Zoning Review Office

FROM: Office of Administrative Hearings

RE: Case No. 2019-0153-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on March 4, 2019. 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 VARIANCE**<br>(467 Pembrooke Blvd.)<br>12th Election District<br>7th Council District<br>Joseph Citrano, Jr.<br>*Legal Owner*<br>Kierra Thomas<br>*Lessee*<br><br>**Petitioners** | *<br><br>*<br><br>*<br><br>*<br><br>* | BEFORE THE OFFICE<br><br>OF ADMINISTRATIVE<br><br>HEARINGS FOR<br><br>BALTIMORE COUNTY<br><br>**CASE NO. 2019-0153-A** |

* * * * * * *

## OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Joseph Citrano, Jr., legal owner of the subject property and Kierra Thomas, lessee ("Petitioners"). Petitioners are requesting variance relief from Sections 409.4 and 424.1 of the Baltimore County Zoning Regulations ("BCZR") as follows: (1) to permit two (2) employee parking spaces which do not have direct access to an aisle for an office building less than 5,000 sq. ft.; and (2) to permit proposed 5' high stockade style fence with a setback as close as 0' to the property line in lieu of the required 20'. A redlined site plan was marked as Petitioners' Exhibit 1.

Surveyor Bruce Doak and Joe Citrano appeared in support of the petition. An adjoining owner attended the hearing to obtain additional information regarding the requests. The petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee ("ZAC") comments were received from the Bureau of Development Plans Review ("DPR") and the Department of Planning ("DOP"). Neither agency opposed the requests.

The site is approximately 5,622 square feet in size and is split-zoned BL and DR 5.5. The property is improved with a duplex-style commercial building used by two tenants. A hair salon is operated at 465 Pembrooke Blvd. and Petitioners propose to operate a child care center (with

19 children enrolled) at 467 Pembrooke, the subject property.

As originally filed the site plan proposed four parking spaces along the eastern side of the commercial building. However, the adjoining owner opposed this configuration and indicated the deed to her property at 465 Pembrooke Ave. granted her an easement to use the 24' wide driveway in that location to access the rear of her property. The parties discussed the plan just prior to the hearing and Mr. Doak submitted a redlined site plan (admitted as Petitioners' Exhibit 1) which proposed just two off-street parking spaces in this area, leaving at least a 12' wide drive aisle to access the rear of the property. The proposed wood stockade fence enclosing the play area was also relocated on the plan to allow for vehicular ingress/egress. The redlined plan shows four off-street parking spaces, which is sufficient for the proposed use. The reconfigured parking spaces have access to a drive aisle, and thus the first variance request is no longer needed.

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 must necessitate 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).

The subject property and improvements have an unusual configuration. As such the property is unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to operate the child care facility at this location, a use permitted by right in the zone. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare.

THEREFORE, IT IS ORDERED, this **1st** day of **February, 2019**, by the Administrative

ORDER RECEIVED FOR FILING
Date 2/1/19
By Sen

Law Judge for Baltimore County, that the Petition for Variance to permit a proposed 5' high stockade style fence with a setback as close as 0' to the property line in lieu of the required 20' be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

2. As noted in DPR's ZAC comment dated December 19, 2018, the stockade fence cannot be located within the boundaries of the existing drainage and utility easement as shown on the subdivision plat marked and admitted as Petitioners' Exhibit 3.

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:sln

ORDER RECEIVED FOR FILING
Date 2/1/19
By Sln

# PETITION FOR ZONING HEARING(S)

**To be filed with the Department of Permits, Approvals and Inspections**

**To the Office of Administrative Law of Baltimore County for the property located at:**

**Address** 467 PEMBROOKE BOULEVARD **which is presently zoned** BL & DR5.5

Deed References: 19036/212 10 Digit Tax Account # 2100010989

Property Owner(s) Printed Name(s) JOSEPH CITRANO, JR.

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

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1.____ **a Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2.____ **a Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X **a Variance** from Section(s)

SEE ATTACHED PAGE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)**

TO BE PRESENTED AT THE HEARING

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.
**Legal Owner(s) Affirmation:** I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

**~~Contract Purchaser~~/Lessee:**

X KIERRA THOMAS
Name- Type or Print

X Kthomas
Signature

X 1621 RENAISSANCE DRIVE BALTIMORE MD
Mailing Address City State

X 21221 / 443-703-9554 / KIERRA6688@AOL.COM
Zip Code Telephone # Email Address

**Attorney for Petitioner:**

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

**Legal Owners (Petitioners):**

JOSEPH CITRANO, JR.
Name #1 – Type or Print Name #2 – Type or Print

X Joseph Citrano Jr. /
Signature #1 Signature # 2

5366 GLENTHOME COURT BALTIMORE MD
Mailing Address City State

21237 / 410-802-1683 /
Zip Code X Telephone # X Email Address

**Representative to be contacted:**

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
Name – Type or Print

Bruce E Doak
Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
Mailing Address City State

21053 / 410-419-4906 / BDOAK@BRUCEEDOAKCONSULTING.COM
Zip Code Telephone # Email Address

**CASE NUMBER** 2019-0153-A **Filing Date** 11/07/18 **Do Not Schedule Dates:** _____ **Reviewer** gh

ORDER RECEIVED FOR FILING REV. 10/4/11

Date 2/1/19

By Sen

#467 Pembrooke Boulevard

Case# 2019-0153-A

Partitions Requested

Per Section 409.4.B.2 BCZR

Variance:

To permit 2 employee parking spaces which do not have direct access to an aisle for an office building less than 5,000 square feet.

PER SECTION 424.1.B BCZR

VARIANCE:

TO PERMIT A PROPOSED 5 FOOT HIGH STOCKADE STYLE FENCE WITH A SETBACK AS CLOSE AS 0 FEET TO THE PROPERTY LINE IN LIEU OF THE REQUIRED 20 FEET.

## Zoning Description

#467 Pembrooke Boulevard
12th Election District 7th Councilmanic District
Baltimore County, Maryland

Beginning at a point on the northeast side of Pembrooke Boulevard, 60 feet wide, approximately 136 feet northwesterly of the north side of Eastern Avenue,

Being Lot 2 as shown on the plat entitled "Subdivision Plat Amelia Richards Property" as recorded in the Land Records of Baltimore County in Plat Book SM 59, page 145.

Containing 5,662 square feet of land, more or less.

**This description is part of a zoning petition and is not intended for any conveyance purposes.**

STATE OF MARYLAND
BRUCE EDWIN DOAK
#31
PROPERTY LINE SURVEYOR

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

2018-0153-A

JB 1/29/19
1:30 PM

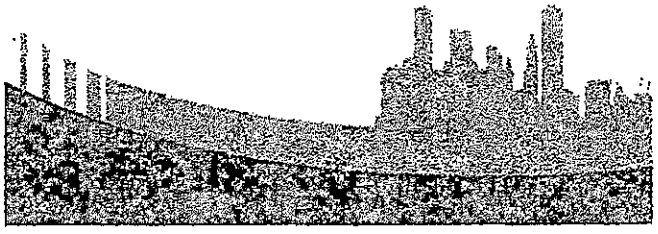
**Debra Wiley**

**From:** Kristen L Lewis
**Sent:** Friday, January 11, 2019 12:01 PM
**To:** Debra Wiley
**Subject:** FW: Message from "RNP002673BFB3B1"
**Attachments:** 20190111080257422.pdf

Debbie,

This is the posting for Bruce Doak's case that is being held over there, thanks!

Kristen Lewis
PAI – Zoning Review
410-887-3391



# CERTIFICATE OF POSTING

January 09, 2019
_____ amended for second inspection

Re:
Zoning Case No. 2019-0153-A
Legal Owner: Joseph Citano, Jr.
Lessee: Kierra Thomas
Hearing date: January 29, 2019

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at 467 Pembroke Boulevard.

The signs were initially posted on January 8, 2019.

The subject property was also inspected on _____.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

# ZONING NOTICE

## CASE NO. 2019-0153-A

## 467 Pembrooke Boulevard

**A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE LAW JUDGE IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING**
**105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

**DATE & TIME: Tuesday January 29, 2019 1:30 PM**

**REQUEST:**
**VARIANCE TO PERMIT 2 EMPLOYEE PARKING SPACES WHICH DO NOT HAVE DIRECT ACCESS TO AN AISLE FOR AN OFFICE BUILDING LESS THAN 5000 SQ. FT. TO PERMIT A PROPOSED 5 FT. HIGH STOCKADE STYLE FENCE WITH A SETBACK AS CLOSE AS 0 FT. TO THE PROPERTY LINE IN LIEU OF THE REQUIRED 20 FT.**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE

# ZONING NOTICE

## CASE NO. 2019-0153-A

## 467 Pembrooke Boulevard

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THE HEARING IS HANDICAPPED ACCESSIBLE

**The Daily Record**
11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
http://www.thedailyrecord.com

**Order #:** 11660088
**Case #:** 2019-0153-A
**Description:**

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0153-A

# PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

12/14/2018

Darlene Miller

**Darlene Miller, Public Notice Coordinator**
(Representative Signature)

---

**Baltimore County**

**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: 2019-0153-A**
467 Pembrooke Boulevard
Northeast side of Pembrooke Blvd., northwest of Eastern Avenue
12th Election District - 7th Councilmanic District
Legal Owners: Joseph Citrano, Jr.
Lessee: Kierra Thomas

Variance to permit 2 employee parking spaces which do not have direct access to an aisle for an office building less than 5,000 sq. ft. To permit a proposed 5 ft. high stockade style fence with a setback as close as 0 ft. to the property line in lieu of the required 20 ft.

Hearing: Thursday, January 3, 2019 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.

d14

| | | |
|---|---|---|
| RE: PETITION FOR VARIANCE<br>467 Pembrooke Boulevard; NE/S Pembrooke Blvd, 136' NE to c/line of Eastern Avenue<br>12th Election & 7th Councilmanic Districts<br>Legal Owner(s): Joseph Citrano, Jr.<br>Contract Purchaser(s): Kierra Thomas<br>Petitioner(s) | *<br>*<br>*<br>*<br>* | BEFORE THE OFFICE<br>OF ADMINSTRATIVE<br>HEARINGS FOR<br>BALTIMORE COUNTY<br>2019-153-A |

* * * * * * * * * * * * *

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15th day of November, 2018, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DONALD I. MOHLER III
*County Executive*

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

November 28, 2018

# 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:

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Northeast side of Pembrooke Blvd., northwest of Eastern Avenue
12th Election District – 7th Councilmanic District
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Lessee: Kierra Thomas

Variance to permit 2 employee parking spaces which do not have direct access to an aisle for an office building less than 5,000 sq. ft. To permit a proposed 5 ft. high stockade style fence with a setback as close as 0 ft. to the property line in lieu of the required 20 ft.

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105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053
Kierra Thomas, 1621 Renaissance Drive, Baltimore 21221
Joseph Citrano, Jr., 5366 Glenthome Court, Baltimore 21237

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, DECEMBER 14, 2018.**
(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.

TO: THE DAILY RECORD
Friday, December 14, 2018 - Issue

Please forward billing to:
Kierra Thomas
1621 Renaissance Drive
Baltimore, MD 21221

443-703-9554

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## 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:

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467 Pembrooke Boulevard
Northeast side of Pembrooke Blvd., northwest of Eastern Avenue
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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.

# 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 fifteen (15) 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: 2019-0153-A

Property Address: #467 PEMBROOKE BOULEVARD

Property Description: LOT #2 "SUBDIVISION PLAT AMELIA

Legal Owners (Petitioners): JOSEPH CITRANO, JR.

Contract ~~Purchaser~~/Lessee: KIERRA THOMAS

PLEASE FORWARD ADVERTISING BILL TO:

Name: KIERRA THOMAS

Company/Firm (if applicable): N/A

Address: 1621 RENAISSANCE DRIVE
BALTIMORE MD 21221

Telephone Number: 443-703-9554

Revised 5/20/2014

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

No. 177158

Date: 11/7/12

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|---|---|---|---|---|---|---|---|---|
| [illegible] | 80[illegible] | 0000 | | 1250 | | | | 500 |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Total: 500.00

Rec From: Bruce Dark

For: 407 Pembroke Blvd

Case # 2012-0153

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S VALIDATION**

JOHN A. OLSZEWSKI, JR.
*County Executive*

DIRECTOR
*Department of Permits, Approvals & Inspections*

December 27, 2018

Kierra Thomas
1621 Renaissance Drive
Baltimore, MD 21221

RE: Case Number: 2019-0153-A, Address: 467 Pembrooke Boulevard

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 7, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Joseph Citrano, Jr., 5366 Glenthome Court, Baltimore 21237
Bruce Doad, 3801 Baker Schoolhouse Road, Freeland 21053

1-3

# BALTIMORE COUNTY, MARYLAND
## INTER-OFFICE MEMORANDUM



**TO:** Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

**DATE:** 11/30/2018

**FROM:** Andrea Van Arsdale
Director, Department of Planning

**SUBJECT:** **ZONING ADVISORY COMMITTEE COMMENTS**
Case Number: 19-153

**INFORMATION:**
**Property Address:** 467 Pembrooke Boulevard
**Petitioner:** Joseph Citrano, Jr.
**Zoning:** BL, DR 5.5
**Requested Action:** Variance

The Department of Planning has reviewed the petition for variance to permit 2 employee parking spaces which do not have direct access to an aisle for an office building less than 5,000 square feet and to permit a proposed 5 foot high stockade style fence with a setback as close as 0 feet to the property line in lieu of access and the required 20 feet.

A site visit was conducted on November 19, 2018.

The Department has no objections to granting the petitioned zoning relief conditioned upon the following:

- To the extent possible the parking area shall be landscaped in accordance with BCZR §409.A.1.
- The parking area shall be paved in accordance with BCZR §409.A.2.
- Petitioners shall demonstrate to the satisfaction of the Administrative Law Judge that the stockade fence can be maintained without trespass.

For further information concerning the matters stated herein, please contact Josephine Selvakumar at 410-887-3480.

**Prepared by:**

Lloyd T. Moxley

**Division Chief:**

Jenifer G. Nugent

AVA/JGN/LTM/
c: Josephine Selvakumar
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Bruce E. Doak, Bruce E. Doak Consulting, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

s:\planning\dev rev\zac\zacs 2019\19-153.docx

RECEIVED
NOV 29 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

**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: November 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0153-A *correction*
Address 467 Pembrook Blvd.
(Citrano, Jr. Property)

Zoning Advisory Committee Meeting of **November 26, 2018**.

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

Reviewer: Steve Ford

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 11/15/18

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. 2019-0153-A

Variance
Joseph Citrano Jr.
~~5366 Glenthorne Court~~

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,

Richard A. Zeller

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

WW/RAZ

# BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

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

**DATE:** December 19, 2018

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

**SUBJECT:** Zoning Advisory Committee Meeting
For November 26, 2018
Item No. 2019-0153-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments

We noticed that the record plat (59/145) shows an existing drainage and utility easement on the property in the northeast property corner. The easement is not shown on the plan. The proposed fence is to be built in the drainage and utility easement boundary shown on the plat. There is also an existing sewer main located within the drainage and utility easement and on the property as shown of drawing #1972-0937. The fence should be moved out of the easement boundary.

* * * * *

VKD: cen
cc: file

# BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director
Department of Permits, Approvals

**DATE:** December 5, 2018

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

**SUBJECT:** Zoning Advisory Committee Meeting
For November 18, 2018
Item No. 2019-0153-A

In reviewing a Variance for case 2019-0153-A, 467 Pembrooke Boulevard is erroneously shown as 5366 Glenthome Court in the agenda. We noticed that the record plat (59/145) shows an existing drainage and utility easement on the property in the northeast property corner. The easement is not shown on the plan. The proposed fence is to be built in the drainage and utility easement boundary shown on the plat. There is also an existing sewer main located within the drainage and utility easement and on the property as shown of drawing #1972-0937. The fence should be suggested to be moved out of the easement boundary for your use.

* * * * *

VKD: can
cc: file

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 2019-0153-A
DATE 1/29/19

# PETITIONER'S SIGN-IN SHEET

| NAME | ADDRESS | CITY, STATE, ZIP | E - MAIL |
|---|---|---|---|
| JOE CITRANO | 22 WOODMANS CT | ESSEX, MD 21221 | JCITRANOJR@yahoo.com |
| BRUCE E. DOAK | 3801 BAKER SCHOOLHOUSE ROAD | FREDERICK MD 21053 | BDOAK@BRUCEEDOAKCONSULTING.COM |
| Kierra Thomas | 1621 Renaissance Drive Balt MD | 21221 | Kierra6688@aol.com |
| Gwen Thomas | 6523 Ridgeborne Drive | Baltimore MD 21237 | gwendolynthomas56@yahoo.com |

PLEASE PRINT CLEARLY

CASE NAME 2019-153-A
CASE NUMBER
DATE 1/29/2019

# CITIZEN'S SIGN - IN SHEET

| NAME | ADDRESS | CITY, STATE, ZIP | E - MAIL |
|---|---|---|---|
| MARY JADE HARTER | 2228 Bank St | BALTO. MD 21231 | |
| GARY CARTWRIGHT | 2229 WILHELM AVE | BALTO. MD 21237 | |

1/29/19
1:30PM

**Debra Wiley**

**From:** Kristen L Lewis
**Sent:** Wednesday, January 02, 2019 8:20 AM
**To:** John E. Beverungen
**Cc:** Debra Wiley; Sherry Nuffer
**Subject:** RE: 2019-153

Good morning,

Thanks again John, I have confirmed the date (1/29/19 at 1:30 p.m., Rm. 205) with Bruce Doak and he is aware that the sign needs to be posted for 20 days. Have a great new year.

*Kristen Lewis*
PAI – Zoning Review
410-887-3391

---

**From:** John E. Beverungen
**Sent:** Monday, December 31, 2018 2:04 PM
**To:** Kristen L Lewis <klewis@baltimorecountymd.gov>
**Cc:** Debra Wiley <dwiley@baltimorecountymd.gov>; Sherry Nuffer <snuffer@baltimorecountymd.gov>
**Subject:** RE: 2019-153

As we just discussed, signs need to be posted for the full 20 day period, but another newspaper posting/advertisement is not required. I have penciled in January 29 at 130 p.m. for this hearing.

**From:** Kristen L Lewis
**Sent:** Monday, December 31, 2018 1:56 PM
**To:** John E. Beverungen <jbeverungen@baltimorecountymd.gov>
**Cc:** Debra Wiley <dwiley@baltimorecountymd.gov>; Sherry Nuffer <snuffer@baltimorecountymd.gov>
**Subject:** RE: 2019-153

Hi John, I am on the phone with Bruce now, will the sign with the new hearing date have to be posted for 20 days still? He said you indicated that we can fit it in last week of January or first week of February, and will a new advertisement need to be done to reflect the new date?

*Kristen Lewis*
PAI – Zoning Review
410-887-3391

---

**From:** John E. Beverungen
**Sent:** Monday, December 31, 2018 1:53 PM
**To:** Kristen L Lewis <klewis@baltimorecountymd.gov>
**Cc:** Debra Wiley <dwiley@baltimorecountymd.gov>; Sherry Nuffer <snuffer@baltimorecountymd.gov>
**Subject:** 2019-153

Just after I got off the phone with you Bruce Doak called and said he did not post the property. He said you told him you sent the notice (which is what the file reflects) and he believes you, but he didn't get it? In any event, the property

wasn't posted so the 11 a.m. hearing on 1-3-2019 cannot go forward. I will keep the file over here in case anyone shows up (Bruce said there is no opposition), and then I suppose we'll send it back over to you for posting and rescheduling.

Thanks, John.

CASE NO. 2019-0153-A

# CHECKLIST

| Comment Received | Department | Support/Oppose/ Conditions/ Comments/ No Comment |
|---|---|---|
| 12/5 | DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____) | Comment |
| 11/27 | DEPS (if not received, date e-mail sent _____) | no Comment |
| | FIRE DEPARTMENT | |
| 12/3 | PLANNING (if not received, date e-mail sent _____) | No Obj w/ Conditions |
| 11/5 | STATE HIGHWAY ADMINISTRATION | No Obj |
| | TRAFFIC ENGINEERING | |
| | COMMUNITY ASSOCIATION | |
| | ADJACENT PROPERTY OWNERS | |

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 12/14/18

SIGN POSTING (1st) Date: 1/8/19 by Dock

SIGN POSTING (2nd) 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:
Exempt Class:
Special Tax Recapture: NONE

Account Identifier: District - 12 Account Number - 2100010989

Owner Information

Owner Name: CITRANO JOSEPH JR
Use: COMMERCIAL
Principal Residence: NO
Mailing Address: 5366 GLENTHOME CT
BALTIMORE MD 21237-
Deed Reference: /19036/ 00212

Location & Structure Information

Premises Address: 467 PEMBROOKE BLVD
0-0000
Legal Description: .13 AC
467 PEMBROOKE BLVD
AMELIA RICHARDS PROP

| Map: | Grid: | Parcel: | Sub District: | Subdivision: | Section: | Block: | Lot: | Assessment Year: | Plat No: | |
|---|---|---|---|---|---|---|---|---|---|---|
| 0096 | 0021 | 0240 | | 0000 | | | 2 | 2019 | Plat Ref: | 0059/ 0145 |

Special Tax Areas:
Town: NONE
Ad Valorem:
Tax Class:

| Primary Structure Built | Above Grade Living Area | Finished Basement Area | Property Land Area | County Use |
|---|---|---|---|---|
| 1969 | 1260 | | 5,662 SF | 06 |

| Stories | Basement | Type | Exterior | Full/Half Bath | Garage | Last Major Renovation |
|---|---|---|---|---|---|---|
| | | RETAIL STORE | | | | |

Value Information

| | Base Value | Value As of 01/01/2016 | Phase-In Assessments As of 07/01/2018 | As of 07/01/2019 |
|---|---|---|---|---|
| Land: | 56,600 | 56,600 | | |
| Improvements | 66,500 | 66,500 | | |
| Total: | 123,100 | 123,100 | 123,100 | |
| Preferential Land: | 0 | | | |

Transfer Information

Seller: RICHARDS RICHARD A
Type: ARMS LENGTH IMPROVED
Date: 10/27/2003
Deed1: /19036/ 00212
Price: $100,000
Deed2:

Seller: RICHARDS AMELIA K
Type: NON-ARMS LENGTH OTHER
Date: 11/15/2001
Deed1: /08481/ 00674
Price: $0
Deed2:

Seller:
Type:
Date:
Deed1:
Price:
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:
Exempt Class:
Special Tax Recapture: NONE

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application
Date:

A

B

C

D


Gwen's
CHILD CARE CENTER
Little Treasures
443-703-9554
Hair-Raising Experience
(410) 894-7876
EASTWOOD
BARBER
SHOP
LEARNING
CENTER
MON-SAT
7AM-6PM
CHILDCARE PROVIDER TRAININGS
BEFORE & AFTER SCHOOL CARE
CPR & FIRST AID COURSES
EXTENDED CARE
NOTARY SERVICES
WEEKEND SERVICES AVAILABLE

F


Gwen's
Little Treasures
443-703-9554
CHILD CARE CENTER
sing Experience
4-7876
EASTWOOD
BARBER
SHOP
410.284.2310
465
LEARNING
CHILDCARE
PROVIDER
TRAININGS
CPR & FIRST AID
COURSES
NOTARY
SERVICES
MON-SAT
7AM-6PM
BEFORE & AFTER
SCHOOL CARE
EXTENDED CARE
WEEKEND
SERVICES
AVAILABLE

G


2 HR PARKING
9AM-5PM
MON THRU FRI
Gwen's
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NOTARY
SERVICE

H


Owen's
Little Treasures
443 703 9554
CHILD CARE CENTER
EASTWOOD
BARBER
SHOP

I

K

M

N

## GENERAL SITE INFORMATION

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3. Deed references: SM 19036/ 212
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   Census tract: 420500 Census block: 240054205001
   Schools: Colgate ES Holabird MS Dundalk HS
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## OFFICE OF ZONING

Zoning: BL & DR 5.5 Previous zoning case: R-1950-1833

Parking Calculations

Required parking spaces: 2 (2 employees) + 2 (drop off/ pick up) = 4
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Building height: 15 ft.

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1. The existing building is serviced by public water and sewer.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

## OFFICE OF PLANNING

Regional Planning District: Dundalk/ Turners Station District Code: 329

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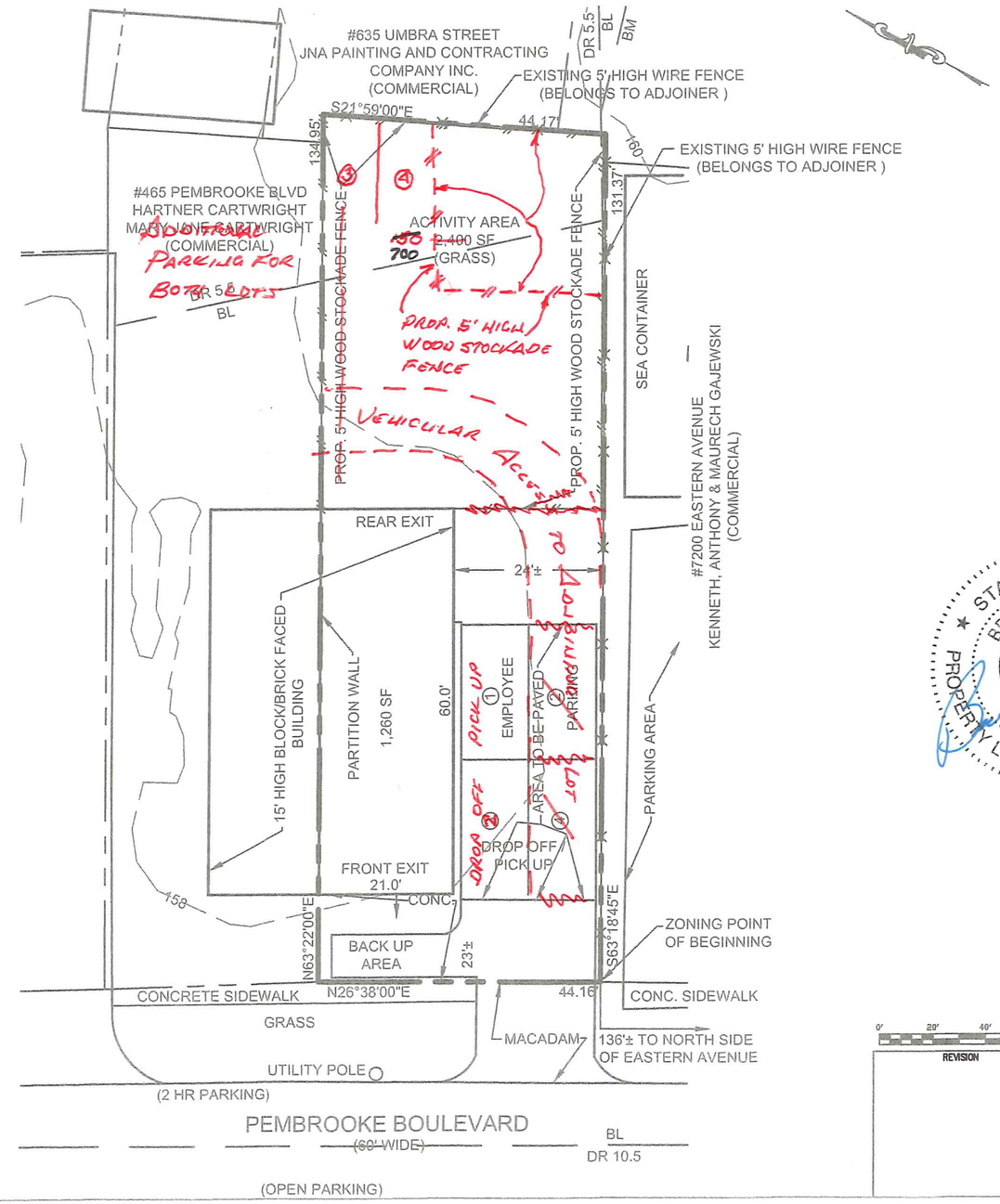
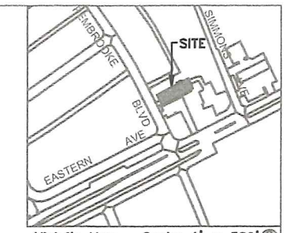
## PROPOSED DEVELOPMENT

To utilize the building as a day care

## DAY CARE INFO

Number of children: 19
Number of staff: 2




Vicinity Map – Scale: 1" = 500'

STATE OF MARYLAND
BRUCE EDWIN DOAK
PROPERTY LINE SURVEYOR
No. 531


Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@brucedoakconsulting.com


0' 20' 40' 60'

REVISION

PLAN TO ACCOMPANY A ZONING PETITION
FOR
#467 PEMBROOKE BOULEVARD

BALTIMORE COUNTY, MARYLAND
12th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

Date: 11/4/18
Scale: 1"=20"

Amended Plan 1/29/19

PETITIONER'S

EXHIBIT NO. 1

## GENERAL SITE INFORMATION

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Parking Calculations

Required parking spaces: 2 (2 employees) + 2 (drop off/ pick up) = 4
Parking spaces provided on site: 4

Building size: 1,26o sq. ft. (per SDAT)
Building height: 15 ft.

## ENVIRONMENTAL IMPACT

1. The existing building is serviced by public water and sewer.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

## OFFICE OF PLANNING

Regional Planning District: Dundalk/ Turners Station District Code: 329

1. The subject building is not historic. The subject property is not in a historic district.

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To utilize the building as a day care

## DAY CARE INFO

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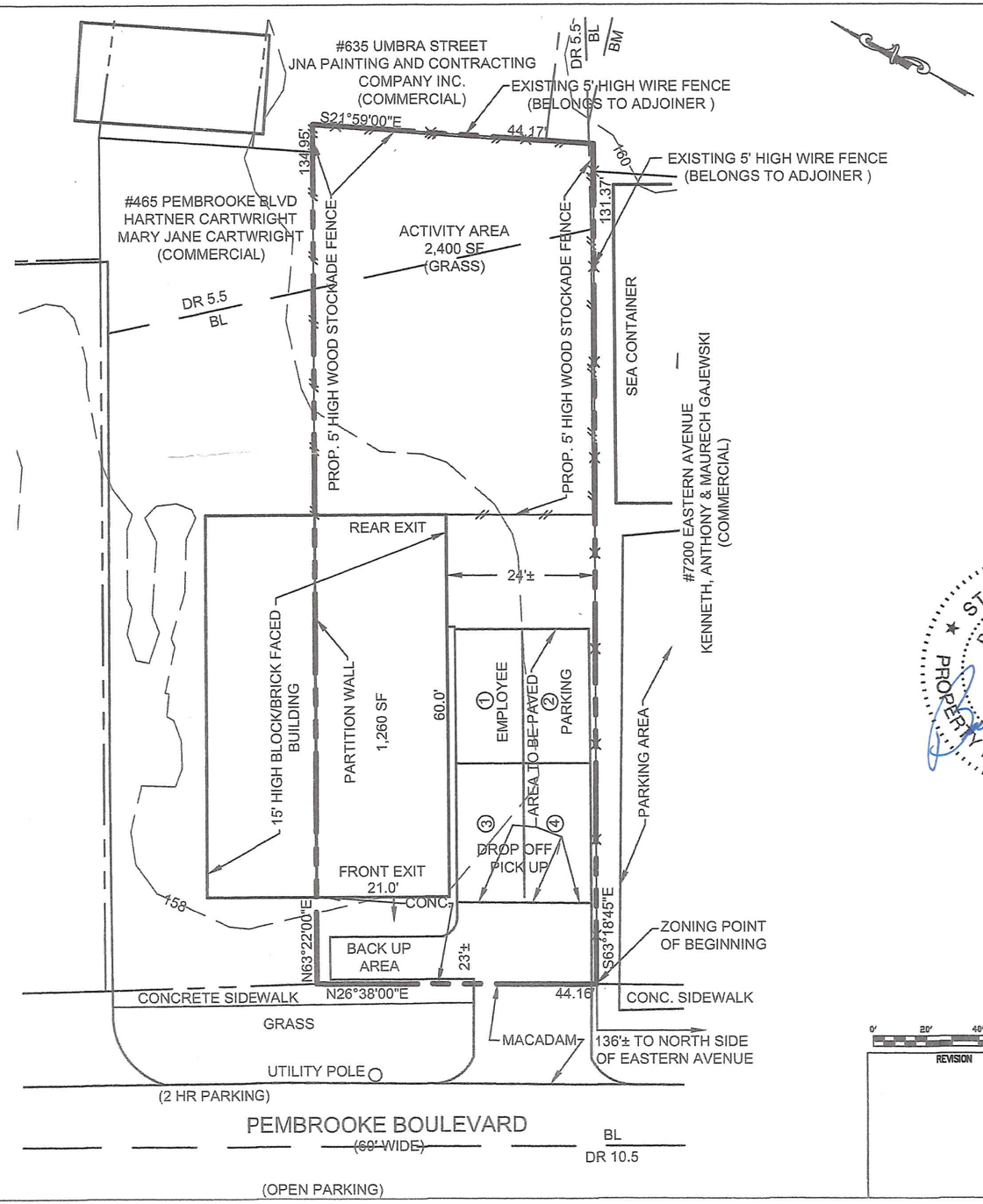
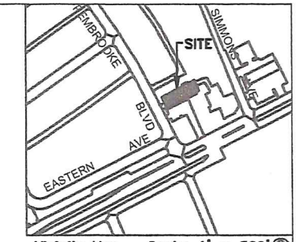
Number of staff: 2




Vicinity Map – Scale: 1' = 500'

STATE OF MARYLAND
BRUCE EDWIN DOAK
531
PROPERTY LINE SURVEYOR

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5035 m 410-419-4906
bdoak@brucedoakconsulting.com

0' 20' 40' 60'

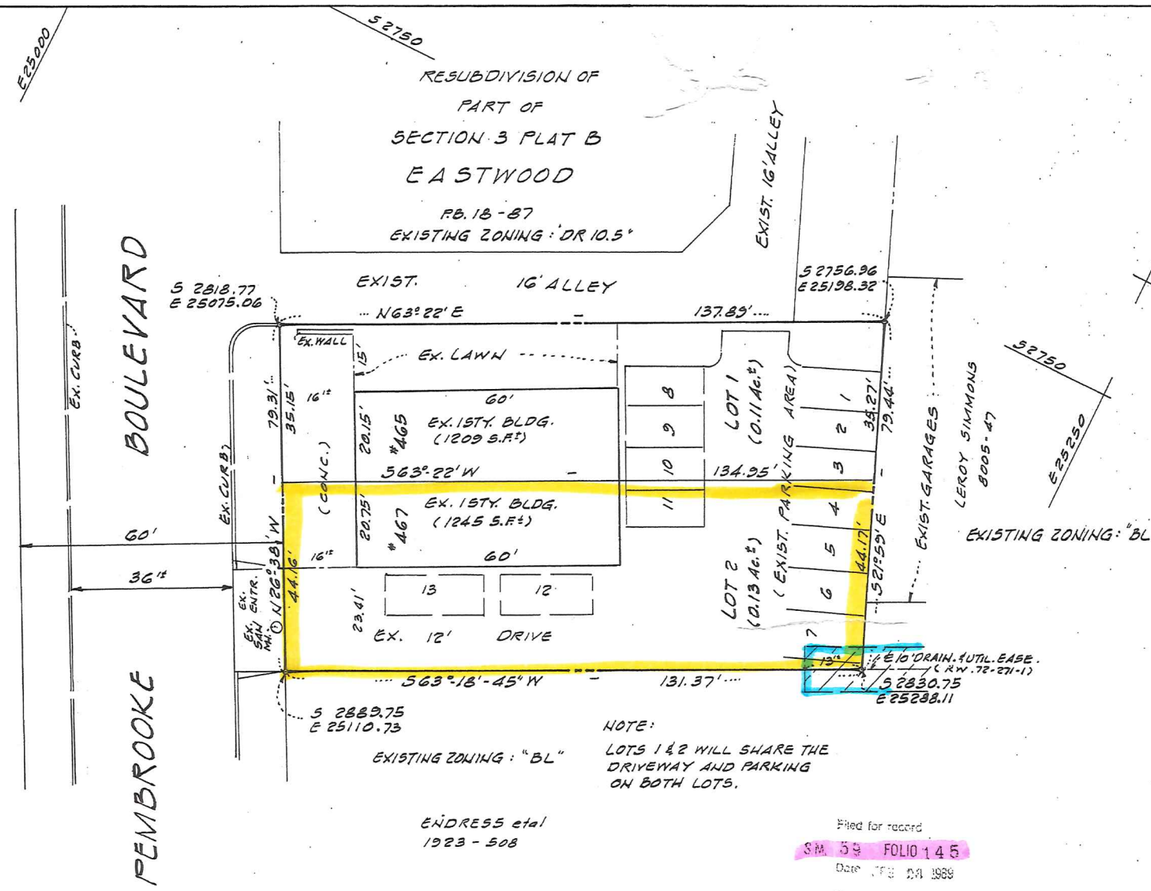
REVISION

PLAN TO ACCOMPANY A ZONING PETITION
FOR
#467 PEMBROOKE BOULEVARD

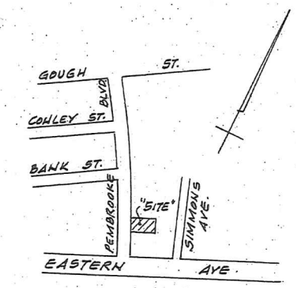
BALTIMORE COUNTY, MARYLAND
12th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

Date: 11/4/18
Scale: 1"=20"

PET. EX. 2
#2019-0153-A




NOTE:
LOTS 1 & 2 WILL SHARE THE DRIVEWAY AND PARKING ON BOTH LOTS.




LOCATION PLAN
SCALE: 1" = 500'

GENERAL NOTES

1. GROSS AREA = 0.295 Ac.± (0.24 Ac.± NET)
2. EXISTING ZONING = "BL"
3. NUMBER OF LOTS = 2
4. NUMBER OF P.S. REQ'D. = 2454 S.F. @ 5/1000 = 13 P.S.
5. NUMBER OF P.S. SHOWN = 13 P.S.

Filed for record
SM. 59 FOLIO 145
Date FEB 24 1989
Test:
Clerk

SUBDIVISION PLAT

# AMELIA RICHARDS PROPERTY

(DEED 5748-38, PROP.# 12-18-036611)

# PEMBROOKE BOULEVARD

12TH ELECT. DIST. BALTIMORE COUNTY, MD.

SCALE: 1" = 20' DEC. 6, 1988

1. THE FORMAL IRREVOCABLE OFFER OF DEDICATION HAVE BEEN MADE.
2. RECORDING OF THE PLAT DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE, OR OTHER PUBLIC AREA SHOWN ON THE PLAT.
3. THIS PLAT MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF SECT. 22-68, BALTIMORE COUNTY CODE.
4. THE RECORDING OF THE PLAT DOES NOT GUARANTEE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
5. THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAT.
6. ADDITIONAL INFORMATION CONCERNING THE PLAT MAY BE OBTAINED FROM THE OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
7. HIGHWAY AND HIGHWAY WIDENING, SLOPE, DRAINAGE & UTILITY EASEMENTS SHOWN HEREON ARE RESERVED UNTO THE OWNER AND ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND. THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS SHALL CONVEY SAID AREAS BY DEED TO BALTIMORE COUNTY, MARYLAND AT NO COST.

OWNER
AMELIA RICHARDS
7835 CHARLESMONT RD.
BALTIMORE, MARYLAND 21222

APPROVED: DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT.
2-9-89 Robert W. Sheesley 2-9-89
DATE DIRECTOR

APPROVED: OFFICE OF PLANNING & ZONING
DATE DIRECTOR

APPROVED: DEPARTMENT OF
DATE DIRECTOR

PETITIONER'S EXHIBIT NO. 3

NOTE:
STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSE OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE; THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.

NOTE:
COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE SYSTEM OF COORDINATES ESTABLISHED IN THE BALTIMORE COUNTY METROPOLITAN DISTRICT AND ARE BASED ON THE FOLLOWING TRAVERSE STATIONS.

SECTION 3 PLAT B
"EASTWOOD"
P.B. 18-87

X-7570 S 6613.12 W 20207.66
X-7572 S 2638.12 W 24343.32

OWNER'S CERTIFICATE
THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT HEREBY CERTIFIES THAT, TO THE BEST OF ITS KNOWLEDGE, THE REQUIREMENT OF SUBSECTION (C) OF SECTION 3-108 OF REAL PROPERTY ARTICLE OF THE ANNOTATED CODE OF MARYLAND, HAS BEEN COMPLIED WITH IN SO FAR AS SAME CONCERNS THE MAKING OF PLAT AND SETTING OF THE MARKERS

Amelia Richards 12-6-88
AMELIA RICHARDS - OWNER DATE

SURVEYOR'S CERTIFICATE
THE UNDERSIGNED, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DOES HEREBY CERTIFY THAT HE IS THE SURVEYOR WHO PREPARED THIS PLAT AND THAT THE LAND SHOWN ON THIS PLAT HAS BEEN LAID OUT AND THE PLAT THEREOF HAS BEEN PREPARED IN COMPLIANCE WITH SUBSECTION (C) OF SECT. 3-108 OF THE REAL PROPERTY ARTICLE OF ANNOTATED CODE OF MARYLAND PARTICULARY IN SO FAR AS CONCERNS THE MAKING OF THE PLAT AND SETTING OF THE MARKERS.

Frank S. Lee 12-6-88
REGISTERED PROPERTY LINE SURVEYOR #11 DATE

FRANK S. LEE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21237

MSA SM 1236-9690 59/145

## GENERAL SITE INFORMATION

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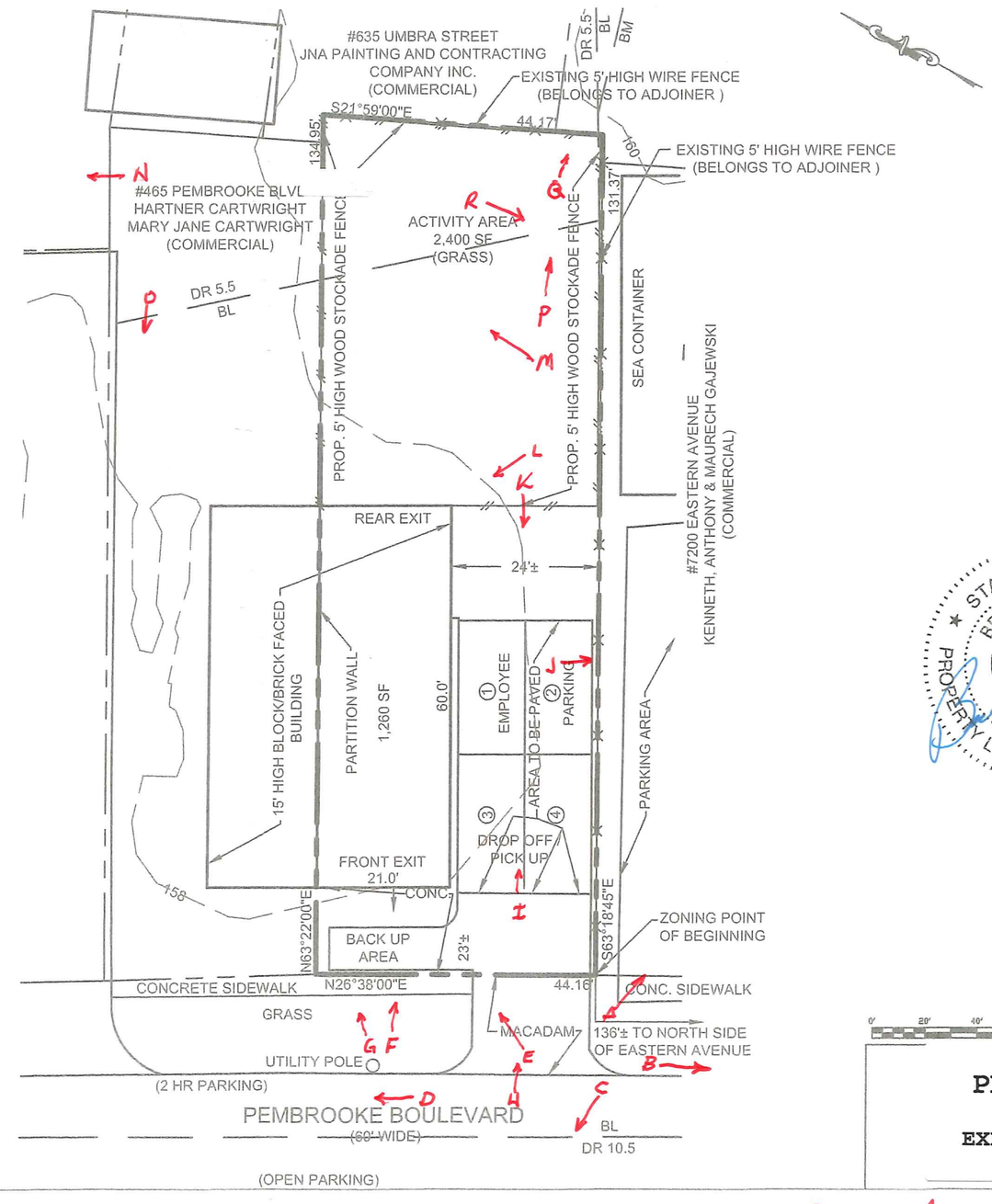


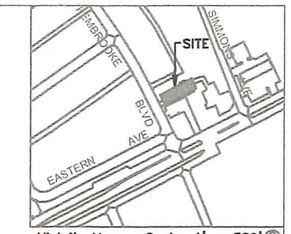


Vicinity Map – Scale: 1' = 500'

STATE OF MARYLAND
BRUCE EDWIN DOAK
531
PROPERTY LINE SURVEYOR


Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3501 Baker Schoolhouse Road
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o 443-900-5535 m 410-419-4906
bdoak@brucedoakconsulting.com


PLAN TO ACCOMPANY A ZONING PETITION
FOR
#467 PEMBROOKE BOULEVARD

0' 20' 40' 60'

**PETITIONER'S**
**EXHIBIT NO.** 4 PHOTOS A-R

PLAN TO ACCOMPANY PHOTOGRAPHS - 1/08/19

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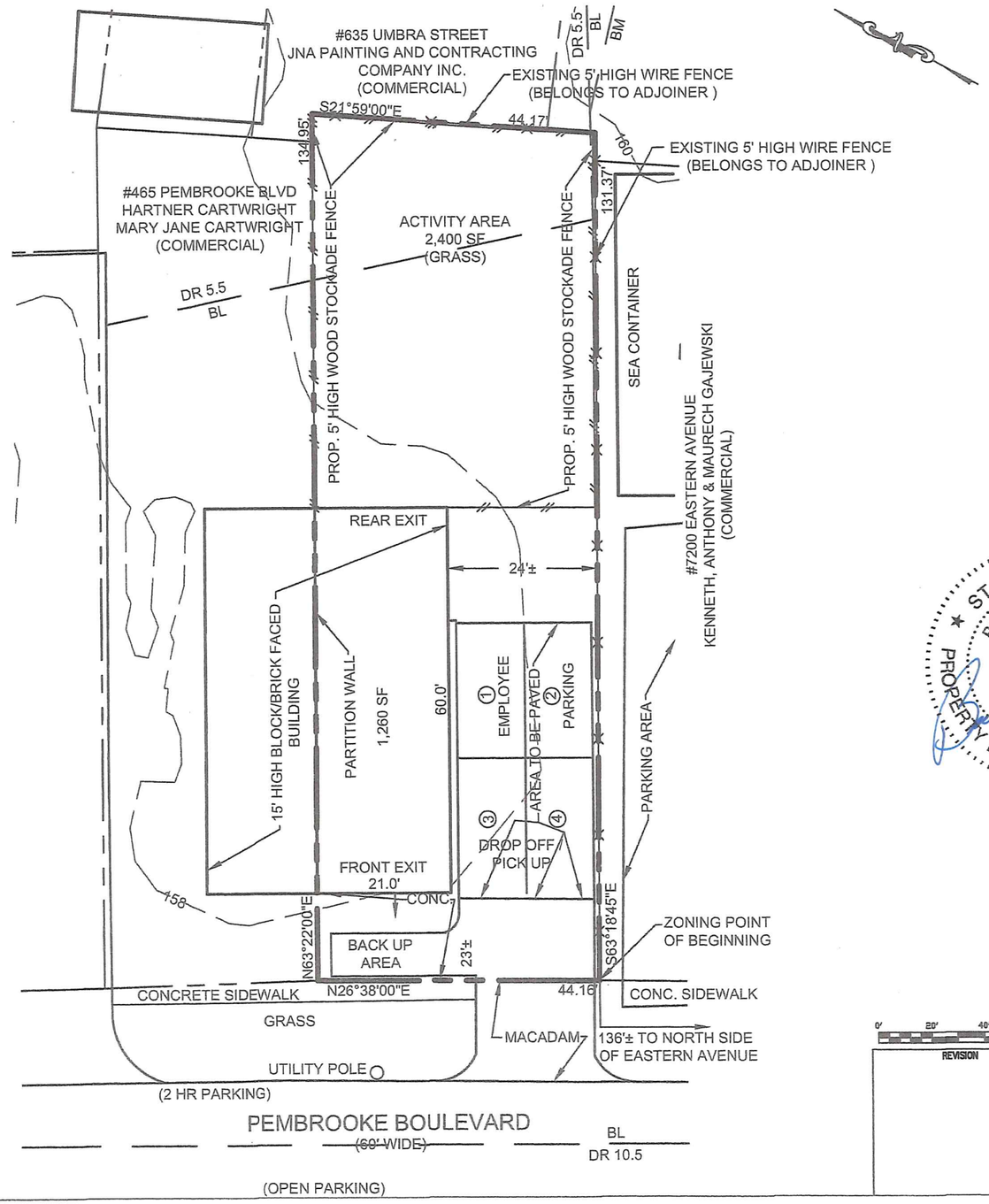
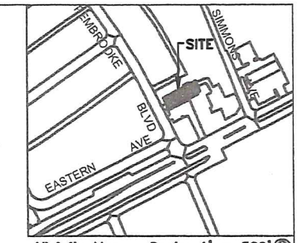
Number of staff: 2




Vicinity Map – Scale: 1" = 500'

STATE OF MARYLAND
BRUCE EDWIN DOAK
531
PROPERTY LINE SURVEYOR


Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4306
bdoak@brucedoakconsulting.com


0' 20' 40' 60'

REVISION

PLAN TO ACCOMPANY A ZONING PETITION
FOR
#467 PEMBROOKE BOULEVARD

BALTIMORE COUNTY, MARYLAND
12th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

Date: 11/4/18
Scale: 1"=20"

# 2019-0153-A