## MEMORANDUM

DATE:

February 21, 2019

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2019-0185-A - Appeal Period Expired

The appeal period for the above-referenced case expired on February 18, 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 ADMIN. VARIANCE (14306 Meadow Road)

10<sup>th</sup> Election District 3<sup>rd</sup> Council District

Dimitre P. Petrov & Vania K. Petrova

Petitioners

BEFORE THE

OFFICE OF ADMINISTRATIVE

HEARINGS FOR

\* BALTIMORE COUNTY

CASE NO. 2019-0185-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for Baltimore County for consideration of a Petition for Administrative Variance filed by the legal owners of the subject property, Dimitre P. Petrov and Vania K. Petrova ("Petitioners"). The Petitioners are requesting Variance relief pursuant to § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR"), as follows: (1) To permit a garage addition with a side yard setback of 46' in lieu of the required 50' ft., and (2) To amend the Final Development Plan ("FDP") of Ellerslie Property for Lot No. 8 only. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on December 28, 2018, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code ("BCC"). Based upon the information available, there is no evidence in

ORDER	R RECEIVED FOR FILING
Date	1-17-19
Dv	(2)

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, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 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 <u>17<sup>th</sup></u> day of **January**, **2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 1A04.3.B.2.b of the Baltimore County Zoning Regulations ("BCZR"), as follows: (1) To permit a garage addition with a side yard setback of 46′ in lieu of the required 50′ ft., and (2) To amend the Final Development Plan ("FDP") of Ellerslie Property for Lot No. 8 only, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

 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.

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

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

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1-17-19

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## **ADMINISTRATIVE ZONING PETITION**

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

Address 14306 Oak Meadow Road, Baldwin, M	ID 21013 Currently zoned RC 5
Deed Reference / Owner(s) Printed Name(s) Dimitre Petrov Petrov	10 Digit Tax Account # 2 5 0 0 0 1 3 9 3 2
Owner(s) Printed Name(s) Diffille Petrov Petrov	alid Vallia Killiova Petrova
(SELECT THE HEARING(S) BY MARKING $\underline{X}$ AT THE APP	PROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on the	ne reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the property situattached hereto and made a part hereof, hereby petition f	ate in Baltimore County and which is described in the plan/plat for an:
1. X ADMINISTRATIVE VARIANCE from Section(s)	1A04.3.B.2.6 BCZR
to permit a garage addition in he of the required so! As Plan of Ellers lie Property for of the zoning regulations of Baltimore County, to the zoning	neith a side yard setback of 40 and to amend the Final Development or lot # 8 only.
2 ADMINISTRATIVE SPECIAL HEARING to approximately County Code: (indicate type of work in this space: i.e., to	prove a waiver pursuant to Section 32-4-107(b) of the Baltimore raze, alter or construct addition to building)
of the Baltimore County Code, to the development law of Property is to be posted and advertised as prescribed by the zoning reg I/ we agree to pay expenses of above petition(s), advertising, posting, e Baltimore County adopted pursuant to the zoning law for Baltimore County	gulations. etc. and further agree to be bound by the zoning regulations and restrictions of
	Owner(s)/Petitioner(s):
	Dimitre Petrov Petrov , Vania Kirilova Petrova
	Name #1 Type or Print  Name #2 - Type or Print  Name #2 - Type or Print  Valua Setrova  Signature #1  Signature #2
	A4306 Oak Meadow Road, Baldwin, MD  Mailing Address City State
	Mailing Address City State 21013 , 410-218-5290 , dpetrov64@yahoo.com
	Zip Code Telephone # Email Address
Attorney for Owner(s)/Petitioner(s):	Representative to be contacted:
Name- Type or Print  Signature  Mailing Address  City  State	Name – Type or Print
Signature Signature	Signature
Mailing Address City State	Mailing Address City State
Zip Code Email Address	Zip Code Telephone # Email Address
	to be required, it is ordered by the Office of Administrative Hearings for Baltimor ect matter of this petition be set for a public hearing, advertised, and re-posted as
Admir	inistrative Law Judge for Baltimore County

CASE NUMBER 2019 - 0185 - A Filing Date 12 11 18 Estimated Posting Date 12 23 18 Reviewer

## 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:	14306 Oak Meadow Roa	d, Baldwin,	MD	21013
Pr	int or Type Address of property	City	State	Zip Code
	n personal knowledge, the ive Variance at the above			
	an additional garage to par			
0 0	Il protect our vehicles from	precipitation and also	will protect the vehic	les from theft
and vanda	alism.			
	1/ 1			
Sh		20V	Vaura Jetro Signature of Owner (Affian Vania Kinilor Jame- Print or Type	va t) va PETROVA
STATE OF	MARYLAND, COUNTY O	F BALTIMORE, to w	it:	
and for the C	certify, this 7th county aforesaid, personally a Dimitre Petrov	ppeareu.		Notary of Maryland, in
			11111	G A. FRILL
the Affiant(s)	herein, personally known or	satisfactorily identified t	to me as such Affiant(s)	N. Comments
AS WITNES	<b>S</b> my hand and Notaries Sea	Notary Public 6 6 202  My Commission Expire	es difficient	UBLIC OUNTAINING COUNTAINING REV. 5/5/2016

## THE ZONING PETITION PROPERTY DESCRIPTION 14306 Oak Meadow Road, Baldwin, MD 21013 10<sup>th</sup> E.D; C-3

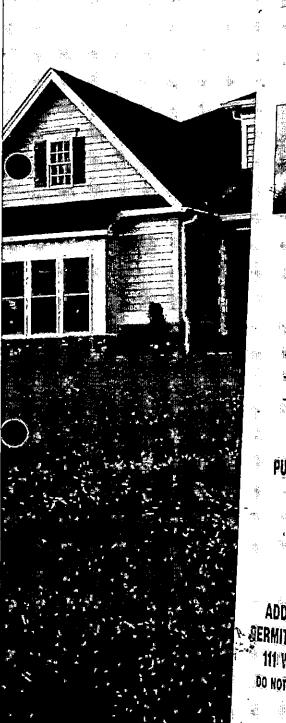
<u>PART A:</u> ZONING PROPERTY DESCRIPTION FOR 14306 Oak Meadow Road, Baldwin, MD 21013 beginning at a point on the south side of Oak Meadow Road which is 82.12' width of the street right-of-way, at a distance of 273.18' south of the centerline of the nearest improved intersecting street Pine Hollow Lane which is 221.21' wide.

Southwest corner of Pine Hollow Line & Oak Meadow Road.

<u>PART B:</u> Being Lot #8, Block N/A, Section # N/A, in the subdivision of Ellerslie Property as recorder in Baltimore County Plat Book #3, Folio # 394, containing 1.5 acres of lot. Located in the (10) Election District and (3) Council District.

## CERTIFICATE OF POSTING

Date: 12 23-18 RE: Case Number: 2019-0185-A Petitioner/Developer: Petrov Date of Hearing/Closing: \_\_(-7-19 This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 14306 Ock Mealow Rd The signs(s) were posted on 12-24-18 (Month, Day, Year) J. LAWRENCE PILSON (Printed Name of Sign Poster) ATTACH PHOTGRAPH 1015 Old Barn Road (Street Address of Sign Poster) Parkton, MD 21120 (City, State, Zip Code of Sign Poster) (Telephone Number of Sign Poster)



## ZONING NOTICE

## ADMINISTRATIVE OF EACH OF EACH

CASE # 2019 - 0185 - A

TO PERMIT A GARAGE ADDITION WITH A

SIDE YARD SETBACK OF 46' IN LIEU OF THE REQUIRED

50' AND TO AMEND THE FINAL DEVELOPMENT PLAN

OF ELLERSLIE PROTERTY FOR LOT #8 ONLY

## PUBLIC HEARING?

PURSUANT TO SECTION 26-127(b)(1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 1/7/19

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF SERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

HANDICARDS JER ABOVE DATE, UNDER DETAIL



# ADMINISTRATIVE COLUMNISTRATIVE

CASE # 2019-0185.-A

TO PERMIT A GARAGE ADDITION WILL A SIDE YARD SETBACK OF 46 IN LIEU OF THE REQUIRED 50' AND TO AHEND THE FINAL DEVELOPMENT RAN OF ELLERSLIE PROPERTY FOR LOT 8 ONLY

## **PUBLIC HEARING?**

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RECEIVED IN THE ZONING REVIEW BUREAU BEFORE
5:00 P.M. ON 1/7/196

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391 DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW HANDICAPPED ACCESSIBLE

## ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case	Number 2019-	0185	-A	Address	14306	DAK N	1EA001	N I	QD.
Conta	ct Person:	JUN FER	SUAND	۵	<del></del>	Phone Nu	ımber: 410	)-887	-3391
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Filing	Date: /2//	1118	Posti	ng Date:	12/23/1	පි Closi	ng Date:	//-	7119
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## DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW OFFICE

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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:
Property Address: 14306 Par Meadow Rd Baldwm MD 21013  Property Description: Single - family home
Legal Owners (Petitioners): Dimitré Petrov Petrov and Vania Kirilova Petro
Contract Purchaser/Lessee:
PLEASE FORWARD ADVERTISING BILL TO:  Name: <u>Dimitre Petrov Petrov</u> Company/Firm (if applicable):  Address: 14306 Oak Meadon Rd
Baldwin MD 21013  Telephone Number: 410-218-5290

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JOHN A. OLSZEWSKI, JR. County Executive

MICHAEL MOHLER, Director
Department of Permits,
Approvals & Inspections

January 15, 2019

Dimitre Petrov Vania Petrova 14306 Oak Meadow Road Baldwin, MD 21013

RE: Case Number: 2019-0185-A, Address: 14306 Oak Meadow Road

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 December 11, 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: kll

**Enclosures** 

c: People's Counsel



Larry Hogan Governor Boyd K. Rutherford Lt. Governor Pete K. Rahn Secretary Gregory Slater

Date: /2/19/18

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. 2019-0185-A

Alministrative Variation Petrova

Dimitre Petrova Vaniationa Petrova

14306 Dall Mendou Rock

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

## **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:

December 27, 2018

SUBJECT:

**DEPS Comment for Zoning Item** 

Address

#2019-0185-A

14306 Oak Meadow Road (Petrov & Petrova Property)

Zoning Advisory Committee Meeting of December 24, 2018.

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

Reviewer:

Steve Ford

## CHECKLIST

Comment Received	<u>Department</u>		Support/Oppose/ Conditions/ Comments/ No Comment
	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent		
12-27	DEPS (if not received, date e-mail sent	)	NO
	FIRE DEPARTMENT		
	PLANNING (if not received, date e-mail sent	)	
12-19	STATE HIGHWAY ADMINISTRA	ATION	No Sjestini
	TRAFFIC ENGINEERING		
	COMMUNITY ASSOCIATION		
	ADJACENT PROPERTY OWNER	S	
ZONING VIOLATIO	ON (Case No		)
PRIOR ZONING	(Case No		
NEWSPAPER ADVI	ERTISEMENT Date:		
SIGN POSTING ( $1^{st}$	Date:	12-28-18	by Pilson
SIGN POSTING (2 <sup>n</sup>	d) Date:		by
PEOPLE'S COUNSE	L APPEARANCE Yes L COMMENT LETTER Yes	No No	
Comments, if any:	7.		

## 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: Currently zoned RC 5 Address 14306 Oak Meadow Road, Baldwin, MD 21013 10 Digit Tax Account # 2 5 0 0 0 1 3 9 3 2 Deed Reference Owner(s) Printed Name(s) Dimitre Petrov Petrov and Vania Kirilova Petrova (SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST) For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized. The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an: 1. X ADMINISTRATIVE VARIANCE from Section(s) 1 AO4.3.8.2.6 BCZR To permit a garage addition with a side yard setback of 46' in lieu of the required so! And to amend the Final Development Plan of Ellerslie Property for 10t # 8 only. of the zoning regulations of Baltimore County, to the zoning law of Baltimore County. 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): Dimitre Petrov Petrov Vania Kirilova Petrova Name #1-Type or Print Name # 2 - Type or Print Varia Betrova Signature # 2 14306 Oak Meadow Road, Baldwin, MD Mailing Address City State 21013 410-218-5290 dpetrov64@yahoo.com Zip Code Email Address Telephone # Attorney for Owner(s)/Petitioner(s): Representative to be contacted: Name-Type or Print Name - Type or Print Signature Signature City Mailing Address State Mailing Address City State Zip Code Telephone # **Email Address** 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 that the subject matter of this petition be set for a public hearing, advertised, and re-posted as day of required by the zoning regulations of Baltimore County.

Administrative Law Judge for Baltimore County

CASE NUMBER 2019 - 0185-A Filing Date RILL 18 Estimated Posting Date 12 21 (8 Reviewer 7 F

## **Affidavit in Support of Administrative Variance**

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

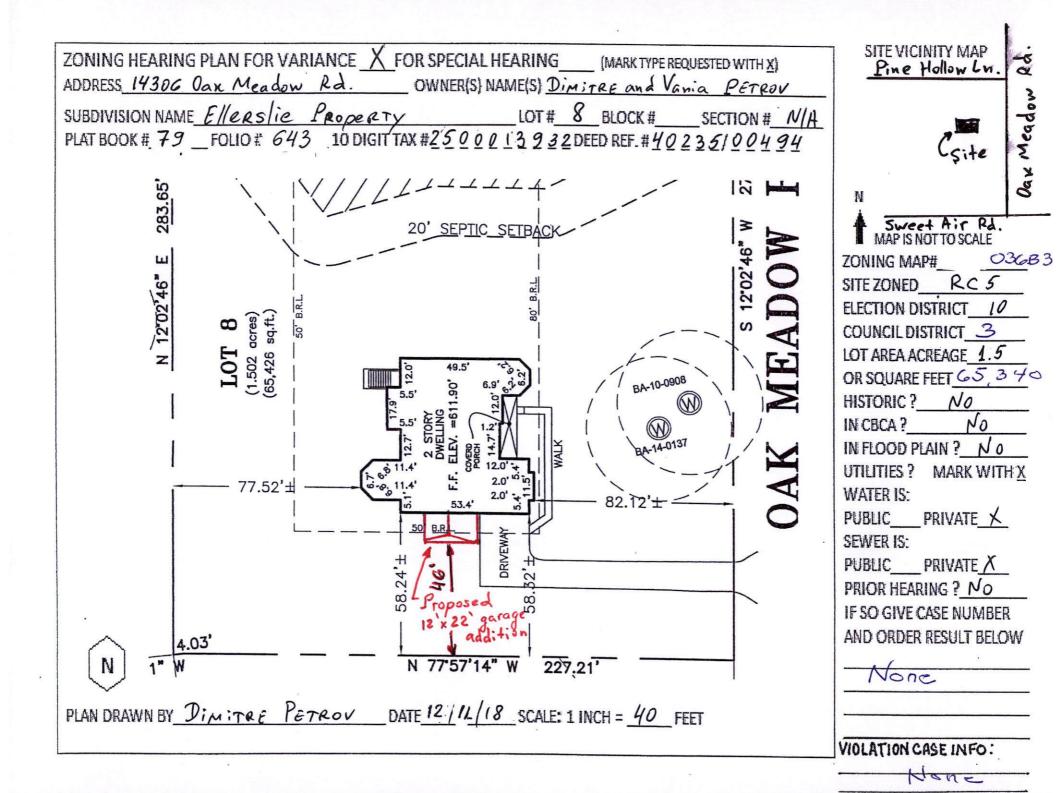
The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in 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.

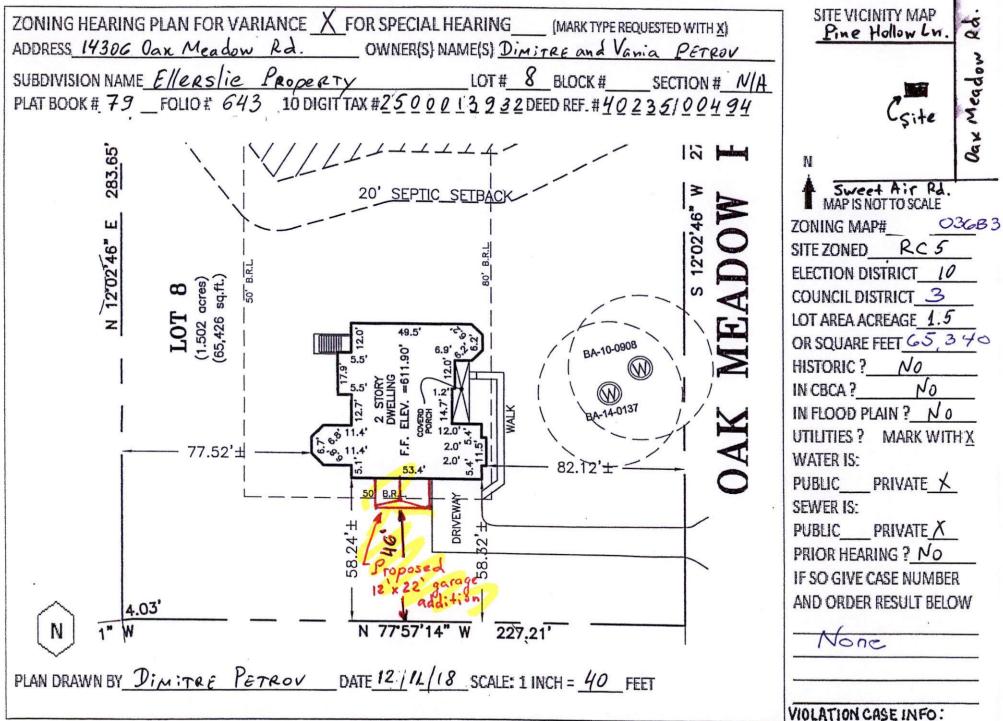
Address:	14306 Oak Meadow Road,	Baldwin,	MD	21013
1	Print or Type Address of property	City	State	Zip Code
	on personal knowledge, the foll ative Variance at the above add			
	d an additional garage to park o			
	vill protect our vehicles from pre	ecipitation and also	will protect the vehicl	es from theft
and vand	dalism.			
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Name- Film	тог туре	INC	ame-Print or Type	
	The following information is to b	e completed by a Not	ary Public of the State of	of Maryland
STATE O	F MARYLAND, COUNTY OF E	BALTIMORE, to wi	:	
I HEREBY	CERTIFY, this day County aforesaid, personally appe	of <u>December</u> , <u>2</u> eared:	<u>∅ l</u> $\xi$ , before me a l	Notary of Maryland, in
Print name(s) her	re: Dinte Petrov	/ Vania Pe	trong in	AIG A. FRIEDING
the Affiant(	s) herein, personally known or sat	isfactorily identified to	me as such Affiant(s)	NOTAR
AS WITNE	SS my hand and Notaries Seal	Crew a.	III I	PUBLIC S
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### Real Property Data Search

### Search Result for BALTIMORE COUNTY

View Map	View GroundRent Red				View Groui	ndRent Registrati	on
Tax Exempt:		Special Tax R	ecapture:				
Exempt Class:		NONE					
Account Identifier:	District - 10 Accou						
		Owner Inf					
Owner Name:	PETROV DIMITRE I		Use: Principal	Residenc		RESIDENTIAL ES	
Mailing Address:	14306 OAK MEADO BALDWIN MD 2101		Deed Ref	erence:	1.	40235/ 00494	
		Location & Struc	ture Informatio	n			
Premises Address:	14306 OAK MEADO BALDWIN 21013-96		Legal Des	scription:	1	.5020 AC 4306 OAK MEAD LLERSLIE PROP	
Map: Grid: Parcel: 0036 0021 0098	Sub District: Subdivision 9641	n: Section:	Block:	Lot: 8	Assessment Yes	ar: Plat No: Plat Ref	
Special Tax Areas:			n: /alorem: Class:			NONE	
Primary Structure Built 2018	Above Grade Living Area 5,090 SF	Finish	ed Basement	Area	Property L 1.5000 AC	and Area	County Use 04
Stories Basement 2 YES	Type STANDARD UNIT	Exterior SIDING	Full/Half Bat 3 full/ 1 half	h	Garage 1 Attached	Last Major Re	novation
		Value Inf	ormation				
UIII %	Base Value	Valu	9		Phase-in Assessi	nents	
		As of 01/0	/2017		As of 07/01/2018	As of 07/01/	2019
Land:	179,500	179,	500				
Improvements	580,200	716,4	100				
Total:	759,700	895,9	900		850,500	895,90	00
Preferential Land:	0					0	
		Transfer Ir					
Seller: TOLL MD XI LIMITED P.		Date: 05/10/20				rice: \$881,839	
Type: ARMS LENGTH IMPROV	/ED	Deed1: /40235	00494		D	eed2:	
Seller:		Date:			Р	rice:	
Type:		Deed1:			D	eed2:	
Seller:		Date:			P	rice:	
Type:		Deed1:			D	eed2:	
		Exemption	nformation				
Partial Exempt Assessments:	Class		07/01/201	8	C	7/01/2019	
County:	000		0.00				
State:	000		0.00				
Municipal:	000		0.00 0.00		C	.00 0.00	
Tax Exempt: Exempt Class:		Special Tax R NONE	ecapture:				
		Homestead Applic	ation Informati	on			
Homestead Application Status:	Approved 07/26/2018				C R		
	Home	owners' Tax Credi	Application In	formation			
Homeowners' Tax Credit Applic			Date:				





et. Ed. 1 None

