

M E M O R A N D U M

DATE: July 24, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0336-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 22, 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	*	BEFORE THE
(1815 Briarcliff Road)		
9 th Election District	*	OFFICE OF ADMINISTRATIVE
5 th Council District		
David W. & Linda B. Schwandtner	*	HEARINGS FOR
Petitioners		
	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0336-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 W. and Linda B. Schwandtner (“Petitioners”). The Petitioners are requesting Variance relief from § 415.A.1.A of the Baltimore County Zoning Regulations (“BCZR”), to permit a recreational vehicle to be located less than the required 8 ft. behind the front foundation line and less than the required 2 1/2 ft. from the side and rear property line. 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 ZAC comments submitted by any of the County reviewing agencies. However, it is to be noted that six (6) letters of support were received from neighbors residing on Briarcliff and Berrywood Roads; all indicating no objection to Petitioner’s zoning request.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on May 30, 2019, 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 RECEIVED FOR FILING

Date 6-20-19

By [Signature]

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 20th day of **June, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 415.A.1.A of the Baltimore County Zoning Regulations ("BCZR"), to permit a recreational vehicle to be located less than the required 8 ft. behind the front foundation line and less than the required 2 1/2 ft. from the side and rear property line, 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

ORDER RECEIVED FOR FILING

Date 6-20-19

By bw



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 1815 Briarcliff Rd Baltimore 21234 Currently zoned DR 5.5
Deed Reference 21037 / 698 10 Digit Tax Account # 0904352180
Owner(s) Printed Name(s) David and Linda Schwandtner

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

For Administrative Variances, the Affidavit on the reverse of this Petition form must be completed and notarized.

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. X **ADMINISTRATIVE VARIANCE** from Section(s)

See attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. **ADMINISTRATIVE SPECIAL HEARING** to approve a waiver pursuant to Section 32-4-107(b) of the Baltimore County Code: (indicate type of work in this space: i.e., to raze, alter or construct addition to building)

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 Schwandtner, Linda Schwandtner

Name #1 – Type or Print Name #2 – Type or Print

David Schwandtner Linda Schwandtner
Signature #1 Signature #2

1815 Briarcliff Rd Balti MD

Mailing Address City State

21234 443-677-4309 /

Zip Code Telephone # Email Address

ORDER RECEIVED FOR FILING
Date 6-20-19
103

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

J. Neil Lanzi

Name- Type or Print

Neil Lanzi

Signature

102 W. Pennsylvania Ave #406 Towson

Mailing Address City State

21204, 443-991-5917, nlanzi@wcslaw.com

Zip Code Telephone # Email Address

Representative to be contacted:

Neil Lanzi

Name – Type or Print

Neil Lanzi

Signature

102 W. Pennsylvania Ave #406 Towson MD

Mailing Address City State

21204, 443-991-5917, nlanzi@wcslaw.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

2019-0336-A

Filing Date

5/22/19

Estimated Posting Date

6/2/19

Reviewer

AT

Rev 5/5/2016

-6/17/19

ATTACHMENT TO ADMINISTRATIVE ZONING PETITION

1. ADMINISTRATIVE VARIANCE from Section 415A.1.A of Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle to be located less than the required 8 feet behind the front foundation line and less than the required 2½ feet from the side and rear property line.

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: 1815 Briarcliff Rd Baltimore MD 21234
Print or Type Address of property City State Zip Code

Based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. **(Clearly state practical difficulty or hardship here)**

I have lived on this property for over 15 years and kept my recreational vehicle at the same location without complaint from neighbors. My property has a parking pad. There is no rear access to the property and there is no space between the house and adjoining property. The residence was built in 1952.

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

David Schwandtner
Signature of Owner (Affiant)

David Schwandtner
Name- Print or Type

Linda Schwandtner
Signature of Owner (Affiant)

Linda Schwandtner
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 21st day of May, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

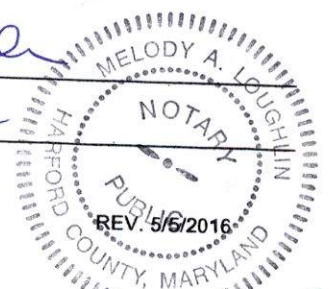
Print name(s) here: David Schwandtner and Linda Schwandtner

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

AS WITNESS my hand and Notaries Seal

Melody A. Loughlin
Notary Public

My Commission Expires 1/18/22



2019-0336-A



Zoning Description

1815 Briarcliff Road
Ninth Election District Fifth Councilmanic District
Baltimore County, Maryland

Beginning at a point on the south side of Briarcliff Road, approximately 460 feet easterly of the centerline of Oakleigh Road

Being Lot 11 of the plat entitled "Oakleigh Hills" and recorded in the land records of Baltimore County in Plat Book 16, page 44.

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



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

2019-0336-A

BALTIMORE COUNTY, MARYL)
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **183795**

Date: **5/22/19**

PAID RECEIPT

BUSINESS ACTUAL TIME ZRM
 5/22/2019 5/22/2019 11:13:44 1
 REG WSO7 WALKIN LJR

>>RECEIPT # 009144 5/22/2019 QFLN

Dept 5 528 ZONING VERIFICATION

Amount **183795**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct
001	806	0000		6150			

\$75 Recpt Tot \$ 75.00
 75.00 CK .00 CA
 Baltimore County, Maryland

Total: **\$75**

Rec
 From:

For:

1815 BRIARCLIFF RD

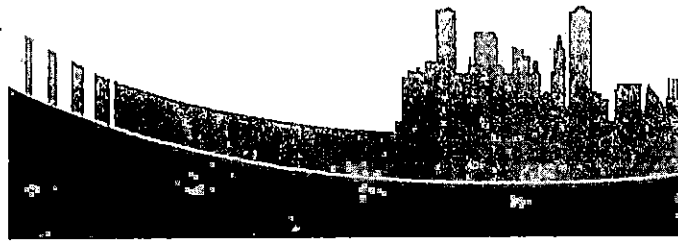
2019-0336-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



CERTIFICATE OF POSTING

May 30, 2019 (amended _____)

Re:
Zoning Case No. 2019-0336-A
Legal Owner: David Schwandtner
Closing date: 6/17/19

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 **1815 Briarcliff Road**.

The signs were posted on **May 30, 2019**.

The signs were inspected again on _____.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

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

ADMINISTRATIVE VARIANCE

CASE NO. 2019-0336-A

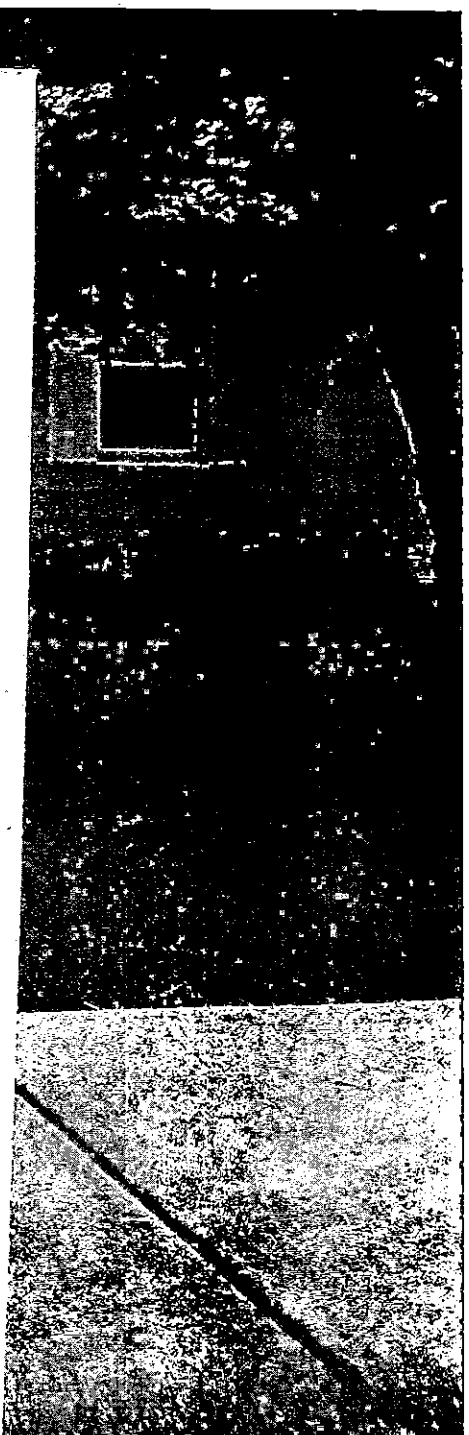
1815 Briarcliff Road

**REQUEST: TO PERMIT A RECREATIONAL
VEHICLE TO BE LOCATED LESS THAN THE
REQUIRED 8 FEET BEHIND THE FRONT
FOUNDATION LINE AND LESS THAN 2 1/2
FEET FROM THE SIDE AND REAR
PROPERTY LINE.**

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 IT IS DONE IN
THE ZONING OFFICE BEFORE JUNE 17, 2019.**

**ADDITIONAL INFORMATION IS AVAILABLE AT ZONING
ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**



ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE NO. 2019-0336-A

1815 Briarcliff Road

**REQUEST: TO PERMIT A RECREATIONAL
VEHICLE TO BE LOCATED LESS THAN THE
REQUIRED 8 FEET BEHIND THE FRONT
FOUNDATION LINE AND LESS THAN 2 1/2
FEET FROM THE SIDE AND REAR
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ADMINISTRATION AND DEVELOPMENT MANAGEMENT 111 W.
CHESAPEAKE AVENUE TOWSON, MD 21204 410-887-3391**

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2019- 0336 - A Address 1815 Briarcliff Road
Contact Person: Aaron Tsui Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 05/22/2019 Posting Date: 06/02/19 Closing Date: 06/17/19

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

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2019- 0336 -A Address: 1815 Briarcliff Road
Petitioner's Name: David Schwandtner Telephone : 443-677-4309
Posting Date: 06/02/2019 Closing Date: 06/17/2019
Wording for Sign: To permit a recreational vehicle to be located less than the required 8 feet
behind the front foundation line and less than 2-1/2 feet from the side and rear property
line.



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

June 18, 2019

J. Neil Lanzi
102 W. Pennsylvania Avenue, Ste. 406
Towson, MD 21204

RE: Case Number: 2019-0336-A, 1815 Briarcliff Road

Dear Mr. & Mrs. Schwandtner:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspections (PAI) on May 22, 2019.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. As of this date, we have not received any comments from any of these agencies

If you need further information or have any questions, please do not hesitate to contact Zoning Review at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

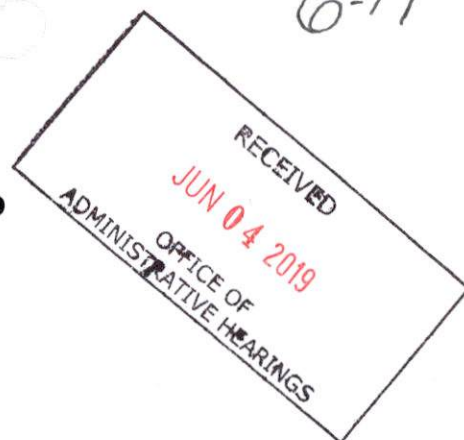
W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: kl

C: People's Counsel
David & Linda Schwandtner, 1815 Briarcliff Road, Baltimore, MD 21234

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: June 4, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0336-A
Address 1815 Briarcliff Road
(Schwandtner Property)

Zoning Advisory Committee Meeting of **June 3, 2019**.

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

Reviewer: Steve Ford

April 30, 2019

John E. Beverungen, Administrative
Law Judge for Baltimore County
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Petition for Administrative Variance
Property Address: 1815 Briarcliff Road, Baltimore, Maryland 21234

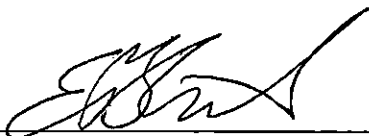
Dear Judge Beverungen:

The purpose of this letter is to express my support for the Administrative Variance being requested by David Schwandtner, owner of 1815 Briarcliff Road, Baltimore, Maryland 21234. I have reviewed the petition and plans for the proposed parking area for the RV, boat and trailer to be located less than 8 feet behind the front foundation line and less than two and a half feet from the side and rear property lines in lieu of the required eight feet behind the front foundation line and two and a half feet from the side and rear property lines under the Zoning Regulations.

I have no objection to the proposal as presented.

Sincerely,

5/20/19
Date



1814 Berrywood Rd
Address
Parkville MD 21239

2019-0336-A

Search Result for BALTIMORE COUNTY

 $\frac{1}{2}$

Homestead Application Status: Approved 05/20/2008

Homeowners' Tax Credit Application Information

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

April 30, 2019

John E. Beverungen, Administrative
Law Judge for Baltimore County
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Petition for Administrative Variance
Property Address: 1815 Briarcliff Road, Baltimore, Maryland 21234

Dear Judge Beverungen:

The purpose of this letter is to express my support for the Administrative Variance being requested by David Schwandtner, owner of 1815 Briarcliff Road, Baltimore, Maryland 21234. I have reviewed the petition and plans for the proposed parking area for the RV, boat and trailer to be located less than 8 feet behind the front foundation line and less than two and a half feet from the side and rear property lines in lieu of the required eight feet behind the front foundation line and two and a half feet from the side and rear property lines under the Zoning Regulations.

I have no objection to the proposal as presented.

Sincerely,

5-20-19
Date

Sancho K. Kelly
1817 Briarcliff Rd.
Address
Parkville MD 21234

2019-0336-A

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 - 09 Account Number - 0905610910							
Owner Information									
Owner Name:		KELLY KAY A KELLY SONDR K RUPPRECHT HELEN M				Use:		RESIDENTIAL	
Mailing Address:		1817 BRIARCLIFF RD BALTIMORE MD 21234-3809				Principal Residence:		YES	
						Deed Reference:		/05400/ 00128	
Location & Structure Information									
Premises Address:		1817 BRIARCLIFF RD 0-0000				Legal Description:		496 E OAKLEIGH RD OAKLEIGH HILLS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0024	0715		0000	A		10	2017	Plat Ref: 0016/0044
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1953		1,296 SF				6,000 SF		04	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
1 1/2	YES	STANDARD UNIT		SIDING	1 full/ 1 half				
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of 01/01/2017		As of 07/01/2018		As of 07/01/2019	
Land:		66,300		66,300					
Improvements		95,900		99,200					
Total:		162,200		165,500		164,400		165,500	
Preferential Land:		0						0	
Transfer Information									
Seller: ENGLISH ROBERT C				Date: 10/04/1973		Price: \$32,000			
Type: ARMS LENGTH IMPROVED				Deed1: /05400/ 00128		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		0.00 0.00			
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									

Homestead Application Status: Approved 12/31/2012

Homeowners' Tax Credit Application Information

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

April 30, 2019

John E. Beverungen, Administrative
Law Judge for Baltimore County
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Petition for Administrative Variance
Property Address: 1815 Briarcliff Road, Baltimore, Maryland 21234

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I have no objection to the proposal as presented.

Sincerely,

May 20, 2019
Date

Edward Baran
1812 Briarcliff Rd
Address
Catonsville, Md - 21234

2019-0336-A

Search Result for BALTIMORE COUNTY

1/2

Homestead Application Status: Approved 04/30/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

April 30, 2019

John E. Beverungen, Administrative
Law Judge for Baltimore County
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

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Property Address: 1815 Briarcliff Road, Baltimore, Maryland 21234

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I have no objection to the proposal as presented.

Sincerely,

5/2/19
Date

Janet DeBough
1813 Briarcliff Road
Address
Baltimore, MD 21234

2019-0336-A

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 - 09 Account Number - 0904202980			
Owner Information					
Owner Name:	DEBAUGH HARRY L		Use:	RESIDENTIAL	
	DEBAUGH MARY J		Principal Residence:	YES	
Mailing Address:	1813 BRIARCLIFF RD		Deed Reference:	/03819/ 00493	
	BALTIMORE MD 21234-3809				
Location & Structure Information					
Premises Address:	1813 BRIARCLIFF RD		Legal Description:		
	0-0000			OAKLEIGH HILLS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0070	0024	0715		0000	A
					Block:
					12
					Lot:
					2017
					Assessment Year:
					Plat No:
					0016/
					Plat Ref:
					0044
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1953	1,296 SF		6,000 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	SIDING	1 full	Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2017	07/01/2018	07/01/2019	
Land:	66,300	66,300			
Improvements	91,500	94,600			
Total:	157,800	160,900	159,867	160,900	
Preferential Land:	0			0	
Transfer Information					
Seller:	Date:	Price:			
Type:	Deed1:	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	0.00 0.00		
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

Homestead Application Status: Approved 07/12/2008

Homeowners' Tax Credit Application Information

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

(AV) 6-17-19

CASE NO. 2019- 0336-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>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>6-4</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
_____	STATE HIGHWAY ADMINISTRATION	_____
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	<u>6 Ltrs. of Support</u> <u>Briarcliff + Bengwood Rds.</u>
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>5-30-19</u>	by <u>Dook</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 - 09 Account Number - 0904352180
Owner Information		
Owner Name:	SCHWANDTNER DAVID WAYNE SCHWANDTNER LINDA B	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	1815 BRIARCLIFF RD BALTIMORE MD 21234-3809	Deed Reference: /21037/ 00698
Location & Structure Information		
Premises Address:	1815 BRIARCLIFF RD 0-0000	Legal Description:
OAKLEIGH HILLS		
Map:	Grid:	Parcel:
0070	0024	0715
Sub District:	Subdivision:	Section:
	0000	A
Block:	Lot:	Assessment Year:
	11	2017
Plat No:	Plat Ref:	
	0016/ 0044	
Special Tax Areas:		Town:
		NONE
Ad Valorem:		
Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1952	1,341 SF	725 SF
Property Land Area	County Use	
6,000 SF	04	
Stories	Basement	Type
1 1/2	YES	STANDARD UNIT
Exterior	Full/Half Bath	Garage
SIDING	2 full	1 Attached
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2017
Land:	66,300	66,300
Improvements	120,400	124,500
Total:	186,700	190,800
Phase-in Assessments		
		As of 07/01/2018
		As of 07/01/2019
Land:	66,300	66,300
Improvements	120,400	124,500
Total:	186,700	190,800
Preferential Land:	0	0
Transfer Information		
Seller: SCHWANDTNER DAVID WAYNE	Date: 11/29/2004	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /21037/ 00698	Deed2:
Seller: SOMERVILLE LEWIS L,JR	Date: 02/16/2000	Price: \$120,000
Type: ARMS LENGTH IMPROVED	Deed1: /14311/ 00525	Deed2:
Seller: SOMERVILLE LEWIS L	Date: 05/06/1986	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07153/ 00356	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2018
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 10/21/2008

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

ZAC AGENDA

Case Number: 2019-0335-A **Reviewer:** Aaron Tsui
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: VARIANCE
Legal Owner: George Dardamanis & Elizabeth Shrader
Contract Purchaser: Bruce E. Doak

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 2018 TRED AVON RD

Location: NS of Tred Avon Road, 470 feet W of the centerline of Antietam Road.

Existing Zoning: DR 3.5

Area: 10,135

Proposed Zoning:

VARIANCE:

To permit an accessory structure (deck) to be located in the front yard in lieu of the required rear yard per section 400.1 BCZR.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Case Number: 2019-0336-A **Reviewer:** Aaron Tsui
Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: ADMINISTRATIVE VARIANCE
Legal Owner: David and Linda Schwandtner
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 9 **Council Dist:** 5

Property Address: 1815 BRIARCLIFF RD

Location: SS of Briarcliff Road, 460 feet E of the centerline of Oakleigh Road.

Existing Zoning: DR 5.5

Area: 6,000 SF

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a recreational vehicle to be located less than the required 8 feet behind the front foundation line and less than the required 2 1/2 feet from the side and rear property line.

Attorney: J. Neil Lanzi

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 06/17/2019

Miscellaneous Notes:

PAI # 090207

Pt. Bk./Folio # 008093

Lot # 78

R-1950-1865

PAI # 090207

Lot # 81

Lot # 82

Lot # 82
2400011956

1979-0146

PAI # 090207

Pt. Bk. 0000008, Folio 0092

0902570230

0902570231

0918354250

0904503160

0906202610

2400011955

Lot # 77

1989-0279-A

Lot # 79

Lot # 80

Lot # 75
0923505560

Lot # 5
0914650400

1810
0911671980
Lot # 6

1812
0908007280
Lot # 7

0919076400
Lot # 8

0914400530
Lot # 9

0911153710
Lot # 1

0903006490
Lot # 2

Lot # 3
0913551770

BRIARCLIFF RD

5 CD

NE-9-C 070C3

DR 5.5

9 ED

Lot # 14

0923502500

PAI # 090049
PAI # 090049

1811
0911890310
Lot # 13
PAI # 090049

1813
0904202980
Lot # 12

Pt. Bk./Folio # 016044

1815
0904352180
Lot # 11
PAI # 090049

1817
0905610910
Lot # 10

Lot # 7
0912904470
Pt. Bk. 0000017, Folio 0062
Pt. Bk./Folio # 017062

Lot # 6
0912402270

Lot # 24

0913752031
Pt. Bk. 0000016, Folio 0044

Lot # 25
0908654240

Lot # 26
0907150690

Lot # 27
0903002770

Lot # 28
0915540110

1818
0904751330
Lot # 8

Lot # 9
0915540270
1820

BERRYWOOD RD

6-CD

0904001850
Lot # 32

0901541870
Lot # 31

Lot # 30
0912004000

Lot # 29
0903200190

1817

Lot # 11
0913202540

1819

Lot # 12
0915370160

1821

Lot # 13
0902657460

2019-0336-A

A-2583-9105

April 30, 2019

John E. Beverungen, Administrative
Law Judge for Baltimore County
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Petition for Administrative Variance
Property Address: 1815 Briarcliff Road, Baltimore, Maryland 21234

Dear Judge Beverungen:

The purpose of this letter is to express my support for the Administrative Variance being requested by David Schwandtner, owner of 1815 Briarcliff Road, Baltimore, Maryland 21234. I have reviewed the petition and plans for the proposed parking area for the RV, boat and trailer to be located less than 8 feet behind the front foundation line and less than two and a half feet from the side and rear property lines in lieu of the required eight feet behind the front foundation line and two and a half feet from the side and rear property lines under the Zoning Regulations.

I have no objection to the proposal as presented.

Sincerely,

5/20/2019
Date

Yanner Gilley

Address

1815 Briarcliff Rd
21234

2019-0336-A

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 - 09 Account Number - 0919890000								
Owner Information										
Owner Name:		GILLEY CHRISTOPHER M GILLEY MAUREEN E				Use:		RESIDENTIAL		
Mailing Address:		1826 BRIARCLIFF RD BALTIMORE MD 21234-3810				Principal Residence:		YES		
						Deed Reference:		/20077/ 00154		
Location & Structure Information										
Premises Address:		1826 BRIARCLIFF RD 0-0000				Legal Description:				
						1826 BRIARCLIFF RD OAKLEIGH HILLS				
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0070	0024	0889		0000	B		A	2017		
								Plat Ref:	0020/ 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		
1955		1,337 SF		300 SF		5,500 SF		04		
Stories	Basement	Type	Exterior			Full/Half Bath	Garage	Last Major Renovation		
1 1/2	YES	STANDARD UNIT	ASBESTOS SHINGLE			1 full				
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of		As of		As of		
				01/01/2017		07/01/2018		07/01/2019		
Land:		65,800		65,800						
Improvements		101,800		105,300						
Total:		167,600		171,100		169,933		171,100		
Preferential Land:		0						0		
Transfer Information										
Seller: SVRJCEK HARRY A				Date: 05/18/2004			Price: \$137,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /20077/ 00154			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			0.00 0.00			
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								

Homestead Application Information

Homestead Application Status: Approved 05/15/2008	
Homeowners' Tax Credit Application Information	
Homeowners' Tax Credit Application Status: No Application	Date:

April 30, 2019

John E. Beverungen, Administrative
Law Judge for Baltimore County
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Petition for Administrative Variance
Property Address: 1815 Briarcliff Road, Baltimore, Maryland 21234

Dear Judge Beverungen:

The purpose of this letter is to express my support for the Administrative Variance being requested by David Schwandtner, owner of 1815 Briarcliff Road, Baltimore, Maryland 21234. I have reviewed the petition and plans for the proposed parking area for the RV, boat and trailer to be located less than 8 feet behind the front foundation line and less than two and a half feet from the side and rear property lines in lieu of the required eight feet behind the front foundation line and two and a half feet from the side and rear property lines under the Zoning Regulations.

I have no objection to the proposal as presented.

Sincerely,

5/6/19
Date

Mrs. Amy M. Rose (Sinner)

1814 Briarcliff Road
Address

Parkville, MD 21234

2019-0336-A

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 - 09 Account Number - 0919076400								
Owner Information										
Owner Name:		FINNEGAN CHRISTOPHER				Use:		RESIDENTIAL		
Mailing Address:		1814 BRIARCLIFF RD BALTIMORE MD 21234-3810				Principal Residence:		YES		
						Deed Reference:		/33801/ 00476		
Location & Structure Information										
Premises Address:		1814 BRIARCLIFF RD 0-0000				Legal Description:		1814 BRIARCLIFF RD OAKLEIGH HILLS		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0070	0024	0715		0000	A		8	2017	Plat Ref: 0016/0044	
Special Tax Areas:					Town:					NONE
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1953		1,464 SF		500 SF		6,000 SF		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
1 1/2	YES	STANDARD UNIT	SIDING	3 full	1 Attached					
Value Information										
		Base Value		Value		Phase-in Assessments				
				As of 01/01/2017		As of 07/01/2018		As of 07/01/2019		
Land:		66,300		66,300						
Improvements		147,100		152,000						
Total:		213,400		218,300		216,667		218,300		
Preferential Land:		0						0		
Transfer Information										
Seller: ROSS CHRISTINE E				Date: 06/19/2013			Price: \$220,000			
Type: ARMS LENGTH IMPROVED				Deed1: /33801/ 00476			Deed2:			
Seller: SCHOU JOHN R				Date: 06/20/2007			Price: \$289,000			
Type: ARMS LENGTH IMPROVED				Deed1: /25817/ 00358			Deed2:			
Seller: SCHOU ARNOLD				Date: 09/13/2006			Price: \$160,000			
Type: NON-ARMS LENGTH OTHER				Deed1: /24457/ 00001			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		0.00 0.00				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								
Homestead Application Information										

Homestead Application Status: Approved 08/21/2018

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

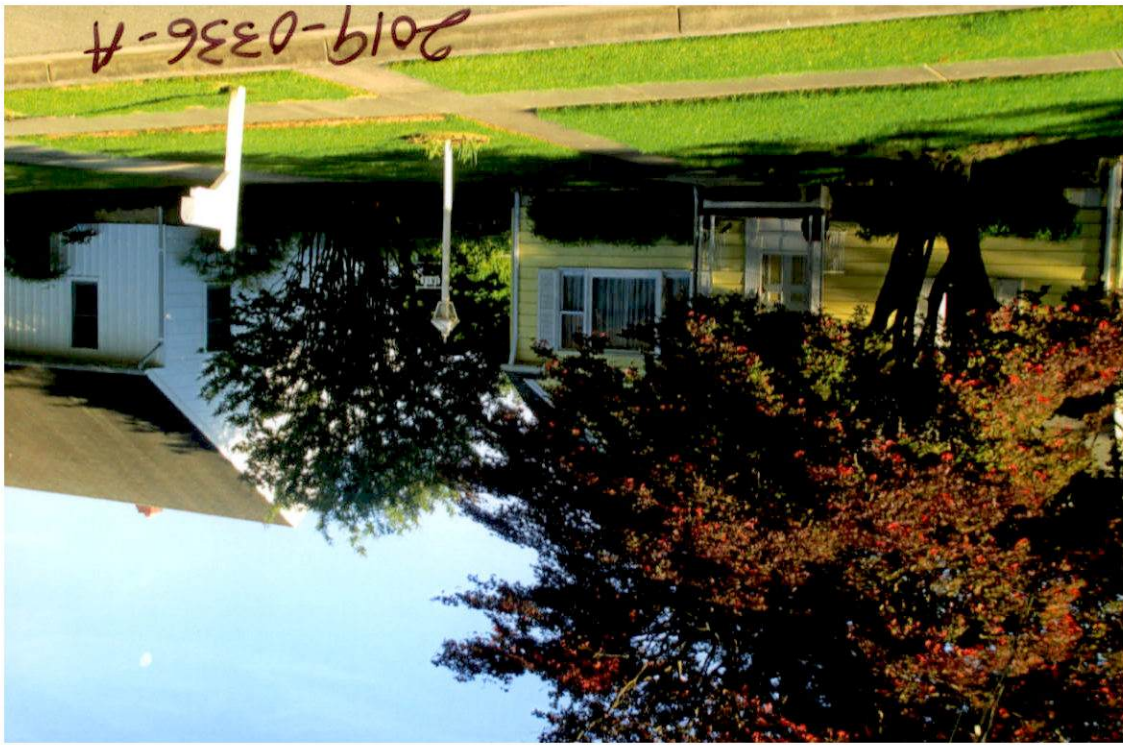
View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 09 Account Number - 0904352180			
Owner Information					
Owner Name:	SCHWANDTNER DAVID WAYNE		Use:	RESIDENTIAL	
	SCHWANDTNER LINDA B		Principal Residence:	YES	
Mailing Address:	1815 BRIARCLIFF RD		Deed Reference:	/21037/ 00698	
	BALTIMORE MD 21234-3809				
Location & Structure Information					
Premises Address:		1815 BRIARCLIFF RD		Legal Description:	
		0-0000		OAKLEIGH HILLS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0070	0024	0715		0000	A
					Block:
					11
					Assessment Year:
					2017
					Plat No:
					0016/ 0044
Special Tax Areas:			Town:		
			NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1952	1,341 SF	725 SF	6,000 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	SIDING	2 full	1 Attached
Last Major Renovation					
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2017		07/01/2018	
				As of	
				07/01/2019	
Land:	66,300	Value	66,300		
Improvements	120,400		124,500		
Total:	186,700		190,800	189,433	190,800
Preferential Land:	0				0
Transfer Information					
Seller: SCHWANDTNER DAVID WAYNE		Date: 11/29/2004		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /21037/ 00698		Deed2:	
Seller: SOMERVILLE LEWIS L, JR		Date: 02/16/2000		Price: \$120,000	
Type: ARMS LENGTH IMPROVED		Deed1: /14311/ 00525		Deed2:	
Seller: SOMERVILLE LEWIS L		Date: 05/06/1986		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07153/ 00356		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		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: Approved 10/21/2008					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application				Date:	

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

2019-0336-A

W-0339-0105

2019-0336-A











2019-0336-A





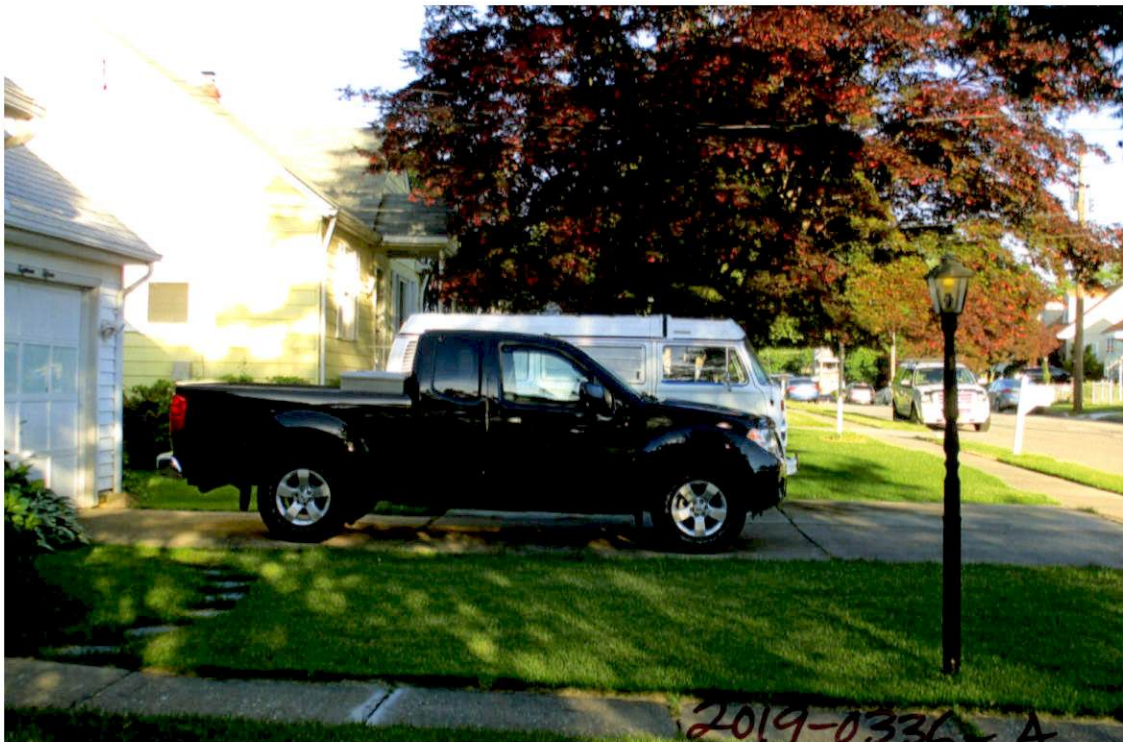
2019-0336-A



2019-0336-A



2019-0336-A



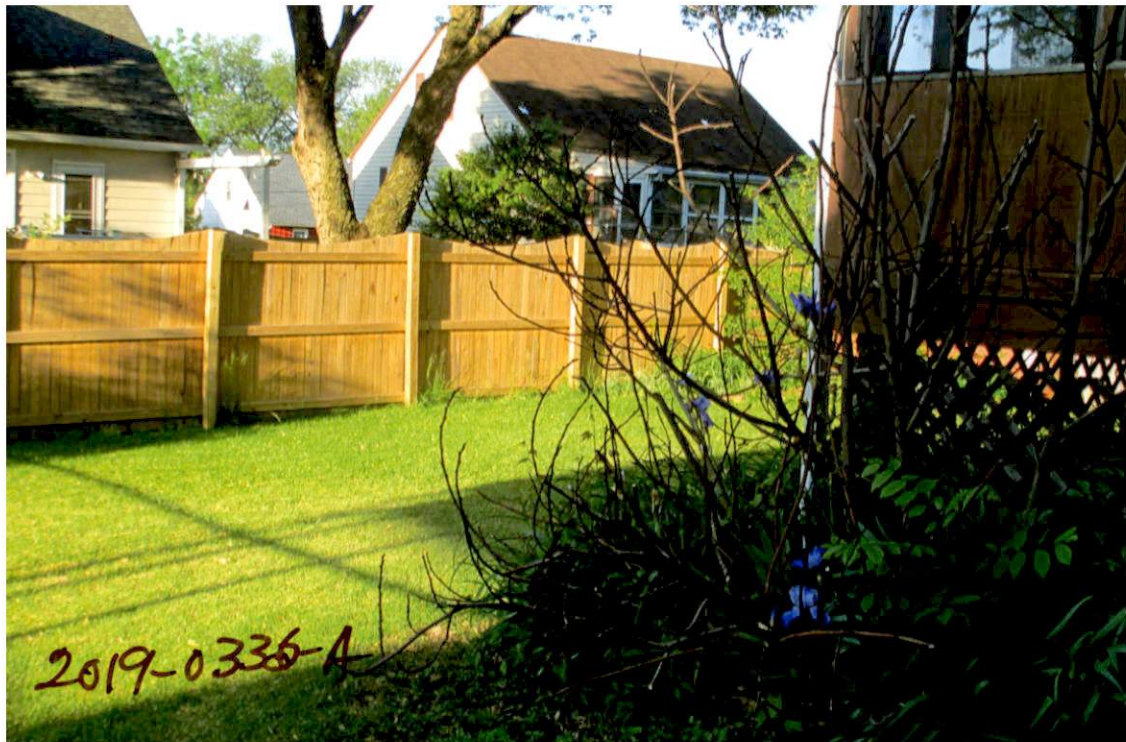
2019-0336 A



2019-0336-A



2019-0336-A







2019-0336-A



GENERAL SITE INFORMATION

- Ownership: David W. Schwandtner & Linda B. Schwandtner
1815 Briarcliff Road Baltimore, MD 21234
- Address: 1815 Briarcliff Road Baltimore, MD 21234
- Deed references: SM 21037/ 698
Lot 11 Oakleigh Hills PB 16/44
- Area: 6,000 square feet (per SDAT)
- Tax Map / Parcel / Tax account #: 70 / 715 / Lot 11/ 09-04-352180
- Election District: 9 Councilmanic District: 5
ADC Map: 4580A9 GIS tile: 070C3 Position sheet: 33NE12
Census tract: 492001 Census block: 240054920012001
Schools: Oakleigh ES Loch Raven Academy Parkville HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 070C3 and the information provided by Baltimore County on the internet.
- Improvements: Single family dwelling, garage & driveway.

OFFICE OF ZONING

Zoning: DR 5.5 There are no previous zoning cases on the subject property.

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2

DR 5.5 Setbacks for Residential Buildings

Front: 25 feet from the street right of way or property line
Side: 10 feet from the property line
Rear: 30 feet from the property line

ENVIRONMENTAL IMPACT

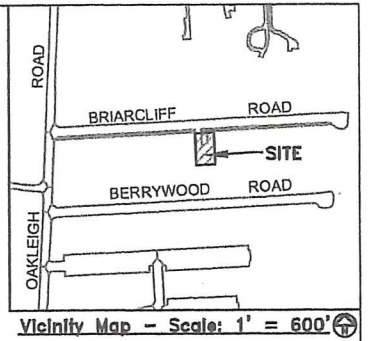
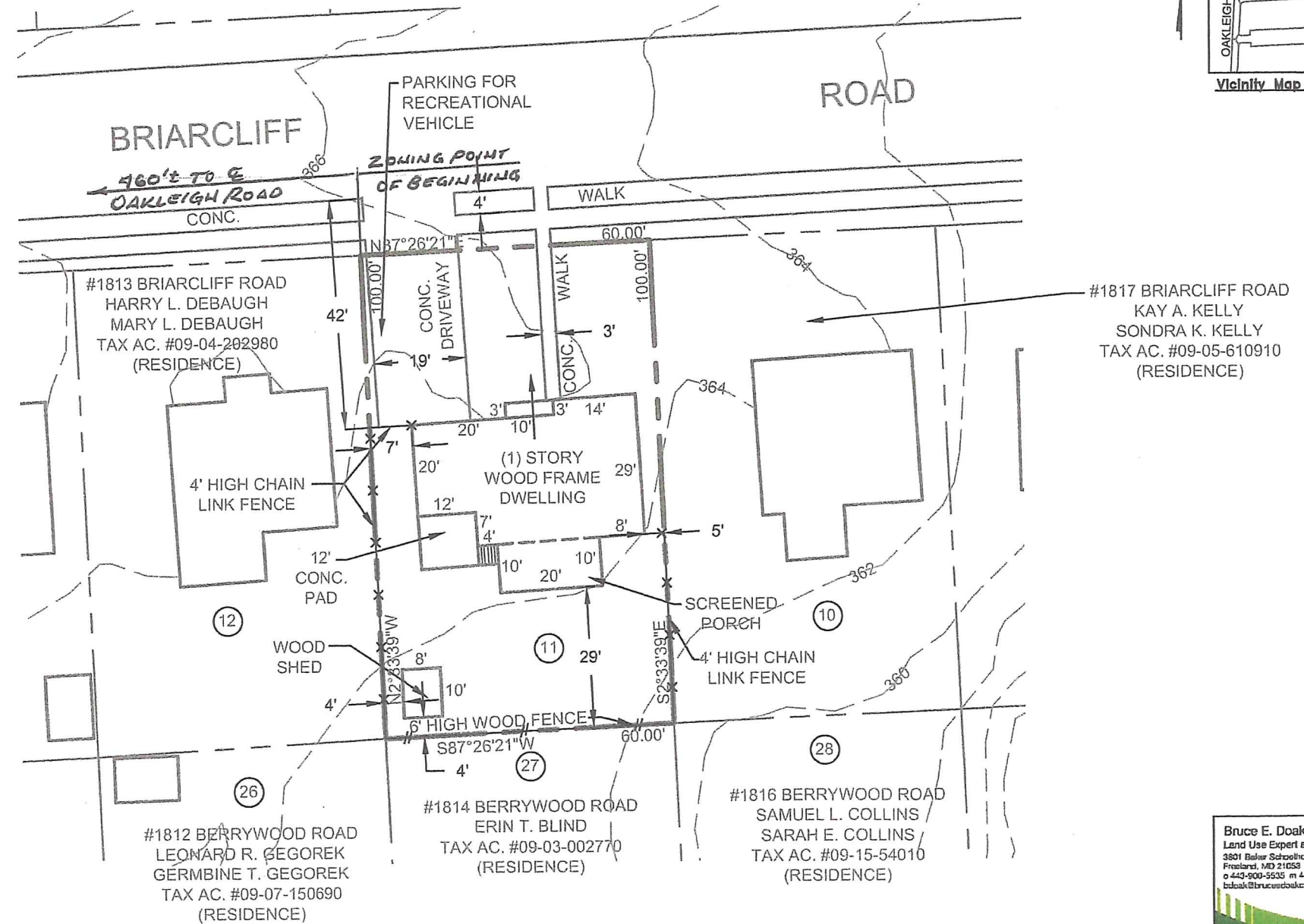
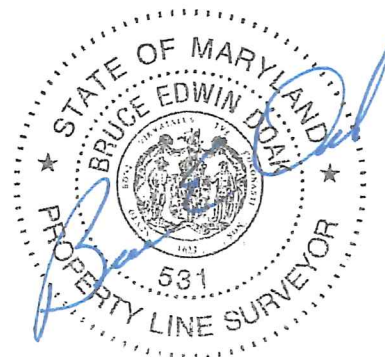
Watershed: Back River URDL land type: 1

- The subject house is currently served by public water and sewer.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Towson District Code: 315

- The subject property is not in a historic district.
- The subject house is not historic.



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	
PLAN TO ACCOMPANY A ZONING PETITION FOR #1815 BRIARCLIFF ROAD	
BALTIMORE COUNTY, MARYLAND 5th COUNCILMANIC DISTRICT	
Date: 5/15/19	Scale: 1"=30'

2019-0336-A

GENERAL SITE INFORMATION

1. Ownership: David W. Schwandtner & Linda B. Schwandtner
1815 Briarcliff Road Baltimore, MD 21234
2. Address: 1815 Briarcliff Road Baltimore, MD 21234
3. Deed references: SM 21037/ 698
Lot 11 Oakleigh Hills PB 16/44
4. Area: 6,000 square feet (per SDAT)
5. Tax Map / Parcel / Tax account #: 70 / 715 / Lot 11/ 09-04-352180
6. Election District: 9 Councilmanic District: 5
ADC Map: 4580A9 GIS tile: 070C3 Position sheet: 33NE12
Census tract: 492001 Census block: 240054920012001
Schools: Oakleigh ES Loch Raven Academy Parkville HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 070C3 and the information provided by Baltimore County on the internet.
8. Improvements: Single family dwelling, garage & driveway.

OFFICE OF ZONING

Zoning: DR 5.5 There are no previous zoning cases on the subject property.

Parking Calculations

Required parking spaces: 2
Parking spaces provided on site: 2

DR 5.5 Setbacks for Residential Buildings

Front: 25 feet from the street right of way or property line
Side: 10 feet from the property line
Rear: 30 feet from the property line

ENVIRONMENTAL IMPACT

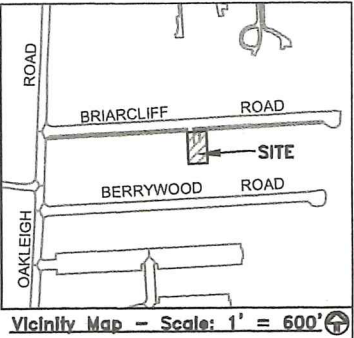
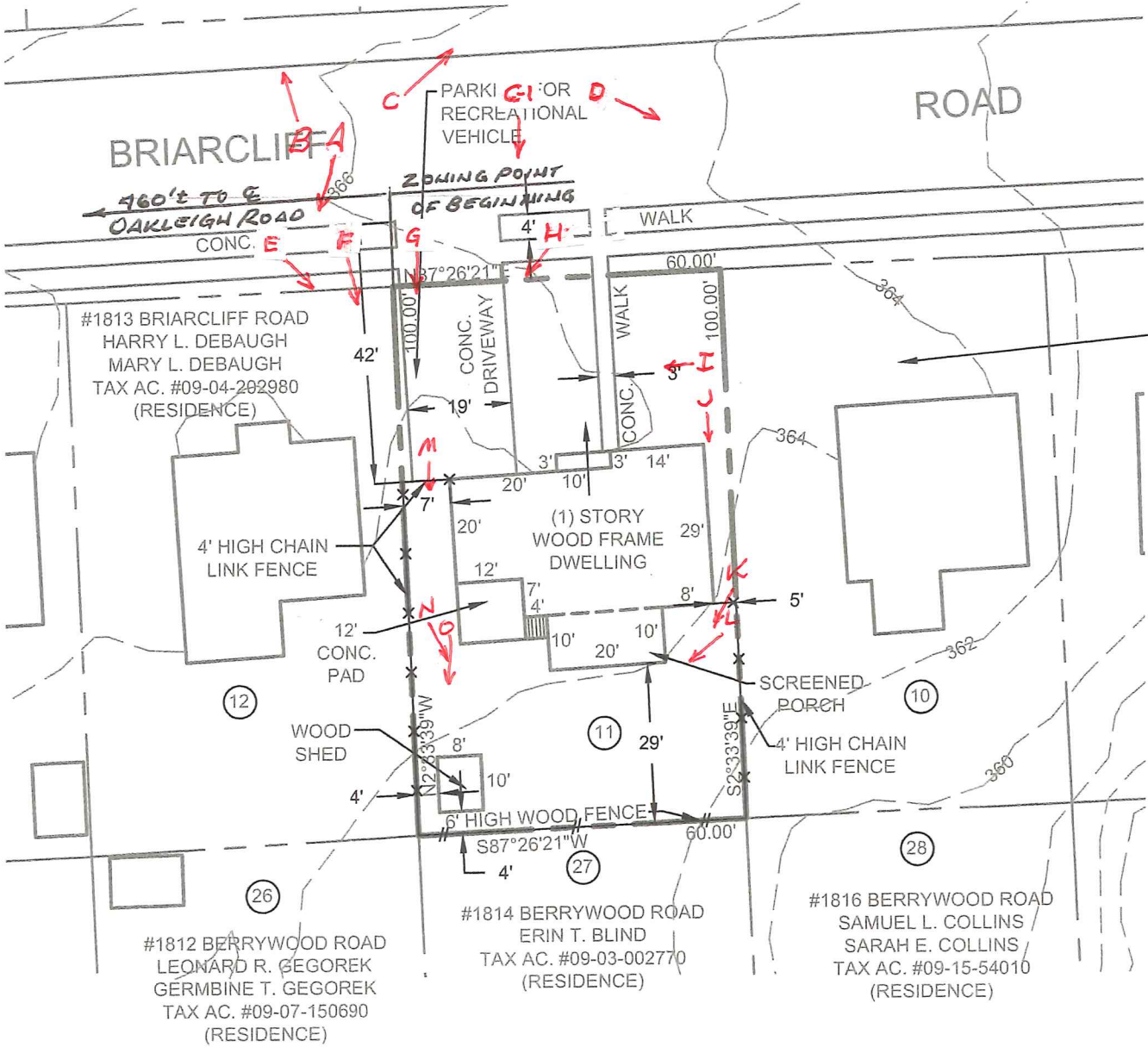
Watershed: Back River URDL land type: 1

1. The subject house is currently served 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: Towson District Code: 315

1. The subject property is not in a historic district.
2. The subject house is not historic.



Bruce E. Doak Consulting, LLC Land Use Expert and Surveyor 3801 Belair Schoolhouse Road Freeland, MD 21058 o 443-900-5535 m 410-419-4306 bdoak@brucedoakconsulting.com	
PLAN TO ACCOMPANY A ZONING PETITION FOR #1815 BRIARCLIFF ROAD	
BALTIMORE COUNTY, MARYLAND 9th ELECTION DISTRICT 5th COUNCILMANIC DISTRICT	
REVISION	Date: 5/15/19 Scale: 1"=30'

PLAN TO ACCOMPANY PHOTOGRAPHS
2019-0336-A