

M E M O R A N D U M

DATE: December 17, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0484-A - Appeal Period Expired

The appeal period for the above-referenced case expired on December 16, 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
(7107 Oliver Beach Road) *
15th Election District * OFFICE OF ADMINISTRATIVE
6th Council District *
James O. & Deborah O. Adeoye * HEARINGS FOR
Petitioners * BALTIMORE COUNTY
* CASE NO. 2019-0484-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, James O. and Deborah O. Adeoye (“Petitioners”). The Petitioners are requesting Variance relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (“BCZR”), to permit a rear yard addition (replaces deck) with a rear setback of 20 ft. in lieu of the required 30 ft. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners’ Exhibit 1.

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

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on October 13, 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 Section 32-3-303 of the Baltimore County Code (“BCC”). Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general

ORDER RECEIVED FOR FILING

Date 11-15-19

By GW

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 Section 307.1 of the BCZR. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

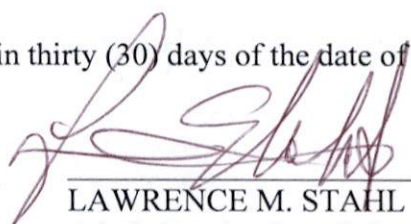
Pursuant to the posting of the property and the provisions of both the BCC and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, this 15th day of **November, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance relief from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("BCZR"), to permit a rear yard addition (replaces deck) with a rear setback of 20 ft. in lieu of the required 30 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

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



LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS:dlw

ORDER RECEIVED FOR FILING

Date 11-15-19

By 123



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 7107 OLIVER BEACH ROAD, BALT. MD 21220 Currently zoned DR5.5

Deed Reference 11357 / 00247 10 Digit Tax Account # 1800009029

Owner(s) Printed Name(s) JAMES & DEBORAH ADEOYE

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

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

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

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

BCZR: 1B01.2.C.1.b. → To permit a rear yard addition (replaces deck) with a rear setback of 20 feet in lieu of the required 30 feet.

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

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

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

JAMES ADEOYE / DEBORAH ADEOYE
Name #1 – Type or Print Name #2 – Type or Print

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

7107 OLIVER BEACH RD. BALTIMORE, MD
Mailing Address City State

21220 / 443-794-2130 / JOADEOYE@COMCAST-NE
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

MOHAMMED MUFTI
Name – Type or Print

Signature

12440 FREDERICK RD. WESTFRIENDSHIP, MD
Mailing Address City State

21794 / 443-604-3127 / BRmufti@gmail.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 2019-0484-A Filing Date 10/4/19 Estimated Posting Date 10/13/19 Reviewer JS

Affidavit in Support of Administrative Variance

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

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

Address: 7107 OLIVER BEACH ROAD BALTIMORE MD 21220
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)

SEE ATTACHED

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

[Signature]
Signature of Owner (Affiant)

JAMES ADEOYE
Name- Print or Type

[Signature]
Signature of Owner (Affiant)

DEBORAH ADEOYE
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 2nd day of October, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here: James O Adeoye & Deborah O Adeoye

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

AS WITNESS my hand and Notaries Seal



[Signature]
Notary Public

06-01-2022
My Commission Expires

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.

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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)

SEE ATTACHED

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

[Signature]
Signature of Owner (Affiant)

JAMES ADEOYE
Name- Print or Type

[Signature]
Signature of Owner (Affiant)

DEBORAH ADEOYE
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 2nd day of October, 2019, before me a Notary of Maryland, in and for the County aforesaid, personally appeared:

Print name(s) here:

James O Adeoye & Deborah O Adeoye

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

AS WITNESS, and Notaries Seal



[Signature]
Notary Public

06-01-2022
My Commission Expires



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 7107 OLIVER BEACH ROAD, BALT. MD 21220 Currently zoned DR5.5
Deed Reference 11357 / 00247 10 Digit Tax Account # 1800009029
Owner(s) Printed Name(s) JAMES & DEBORAH ADEOYE

(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)

BCZR: 1B01.2.C.1.b. → To permit a rear yard addition (replaces deck) with a rear setback of 20 feet in lieu of the required 30 feet.

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

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

of the Baltimore County Code, to the development law of Baltimore County.

Property is to be posted and advertised as prescribed by the zoning regulations.

I/we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Owner(s)/Petitioner(s):

JAMES ADEOYE / DEBORAH ADEOYE
Name #1 – Type or Print Name #2 – Type or Print

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

7107 OLIVER BEACH RD. BALTIMORE, MD
Mailing Address City State

21220 / 443-794-2130 / JOADEOYE@COMCAST.N
Zip Code Telephone # Email Address

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

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

MOHAMMED MUFTI
Name – Type or Print

Signature

12440 FREDERICK RD. WESTFRIENDSHIP, MD
Mailing Address City State

21794 / 443-604-3127 / BRMUFTI@gmail.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 2019-0484-A Filing Date 10/4/19 Estimated Posting Date 10/13/19 Reviewer JS

3. VARIANCE FROM ZONING SECTION

TAX ACCOUNT #1800009029 - 7107 Oliver Beach Road

DIFFICULTY

REQUIRED BUILDING SETBACK ON SOUTH SIDE OF THE PROPERTY LINE IS 30 FEET AS REAR SETBACK IN DR5.5 ZONING. 7107 OLIVER BEACH ROAD IS A CORNER PROPERTY WITH HAVING A 25 FEET FRONT AND LEFT SIDE SETBACKS. 30 FEET REAR SETBACK AND 10 FEET RIGHT SIDE SETBACK. ALL FOUR SIDES SETBACKS LEAVE LIMITED AREA FOR THE HOUSE EXPANSION. THE FAMILY REQUIRE A LARGER KITCHEN WITH LARGER FAMILY AND THE KITCHEN EXPANSION AREA WILL BE WITHIN THE LIMIT OF THE EXISTING COVERED DECK IN THE REAR YARD, AN IDEAL LOCATION FOR KITCHEN EXPANSION.

WE REQUEST A REAR BUILDING SETBACK OF 20 FEET IN-LIEU OF REQUIRED 30 FEET. THE EXISTING COVERED DECK WILL BE CONVERTED INTO A KITCHEN FOR THE EXISTING HOUSE. EXISTING KITCHEN IN THE HOUSE IS VERY SMALL AND MEASURES 9'-0"X7'-0".

EXISTING COVERED DECK MEASURES 18'-0"X12'-4" AND WILL BE CONVERTED TO A NEW KITCHEN. NEW FOUNDATIONS AND WOOD FRAME ONE STORY STRUCTURE WILL BE BUILT. WE WILL OBTAIN BUILDING PERMIT UPON THE APPROVAL OF THIS VARIANCE.

2019-0484-A

ZONING PETITION PROPERTY DESCRIPTION

TAX ACCOUNT #1800009029 - 7107 Oliver Beach Road

PART A

Zoning Property Description for 7107 Oliver Beach Road, Baltimore County, MD 21220.

Beginning for the same at a point on the North side of Oliver Beach Road, which is 60 feet wide at the distance of 50 feet East of the centerline of the nearest improved intersecting street Olivia Road which is 50 feet wide. Being Lot #4, Block D, Section D, in the subdivision of Cunningham Cove as recorded in Baltimore County Plat Book # 51, Folio #111, containing 8,102 square feet. Also known as 7107 Oliver Beach Road and located in the 15 Election District, 6 Councilmanic District. Deed Reference 11357/00247.

PART B

Tax Account # 1800009029

Being Lot #(4), Block (D), Section #(D) , Map (84) in Baltimore County Plat Book #(51), Folio #(111), containing 0.1860 Acres. Located in the (15 Election District and (6th) Councilmanic District. Cunningham Cove.

2019-0484-A

Debra Wiley

From: Marty Ogle <mert1114@aol.com>
Sent: Friday, October 25, 2019 2:20 PM
To: Administrative Hearings
Subject: 2019-0484-A

CAUTION: This message from mert1114@aol.com originated from a non Baltimore County Government or non BCPL email system.
Hover over any links before clicking and use caution opening attachments.

2nd set of certificates

CERTIFICATE OF POSTING

CASE NO. 2019-0484-A
PETITIONER/DEVELOPER
ADEDEYE

DATE OF HEARING/CLOSING
10/28/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION:
LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT
7802 OLIVER BEACH ROAD SECT 2

THIS SIGN(S) POSTED ON October 13, 2019 October 25, 2019
(MONTH, DAY, YEAR)

SINCERELY,
Marty Ogle 10/13/19
SIGNATURE OF SIGN POSTER

MARTIN OGLE
2912 MAIDBROOK ROAD
PARKVILLE, MD, 21234
443-629-3411

ZONING NOTICE
VARIANCE
PUBLIC HEARING?

Marty Ogle 10/25/19



CERTIFICATE OF POSTING

CASE NO. 2019-0194-A

PETITIONER/DEVELOPER

ADDEYE

DATE OF HEARING/CLOSING

10/28/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

7107 OLIVER BEACH ROAD

SE 1/4

THIS SIGN(S) POSTED ON

October 13, 2019

October 25, 2019

(MONTH, DAY, YEAR)

SINCERELY,

M. OGLE 10/13/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE
ADMINISTRATIVE
VARIANCE

PUBLIC HEARING ?

M. OGLE 10/25/19

Sent from my iPhone



CERTIFICATE OF POSTING

CASE NO. 2019-0484-A

PETITIONER/DEVELOPER

ADEOYE

DATE OF HEARING/CLOSING

10/28/19

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

2107 OLIVER BEACH ROAD

SIGN #1

THIS SIGN(S) POSTED ON

October 13, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/13/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

Sign 1

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE# 2019-0484-A
TO PERMIT A REAR ADDITION (REPLACES DECK) WITH A
REAR SETBACK OF 20 FEET IN LIEU OF THE REQUIRED
30 FEET

PUBLIC HEARING ?

PURSUANT TO SECTION 28-127(D) (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
4:30 P.M. ON MONDAY, OCTOBER 28, 2019
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER MONDAY, OCTOBER 28, 2019. VIOLATION OF LAW
MEETING IS HANDICAP ACCESSIBLE

F POSTING

Martin Ogle 10/13/19

COUNTY OFFICE BUILDING ROOM 111

111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

7107 OLIVER BEACH ROAD

SIG #2

THIS SIGN(S) POSTED ON

October 13, 2019

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 10/13/19

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

5160 2

ZONING NOTICE

ADMINISTRATIVE VARIANCE

CASE # 2019-0484-A

TO PERMIT A REAR YARD ADDITION (REPLACES DECK)
WITH A REAR SETBACK OF 20 FEET IN LIEU OF THE
REQUIRED 30 FEET.

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
4:30 p.m. ON MONDAY, OCTOBER 28, 2019
ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT

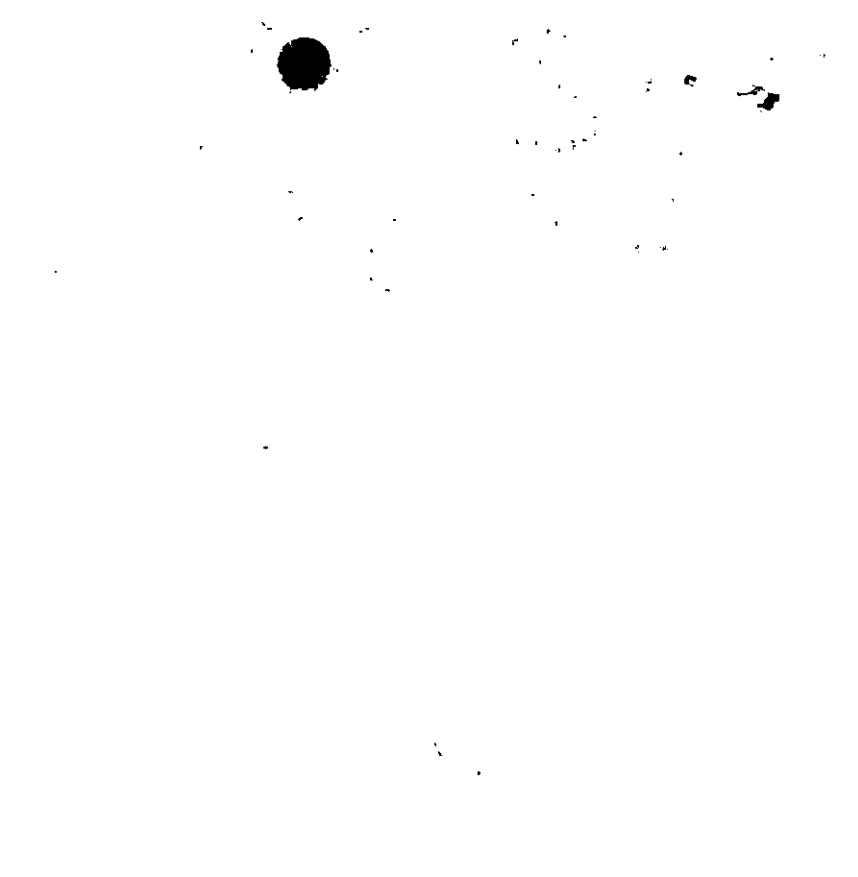
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

TEL. 410-887-3391

DO NOT REMOVE THIS SIGN AND POST HERE AFTER ABOVE DATE. CRIMINAL PENALTY OF LAW.

MEETING IS HANDICAP ACCESSIBLE

myah 10/13/19



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 2019- 0484 -A Address 7107 OLIVER BEACH ROADContact Person: JASON SEIDELMAN Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 10/4/19 Posting Date: 10/13/19 Closing Date: 10/28/19

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 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 a neighbor (occupant or owner) within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the Administrative Law Judge. The judge may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. If all County/State agencies' comments are received, you will receive written notification as to whether the petition has been granted, denied, or will proceed to a public hearing. This decision is usually made within 10 days of the closing date. The written order will be mailed to you by First Class mail.
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 Administrative Law Judge), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMATCase Number 2019- 0484 -A Address 7107 OLIVER BEACH ROADPetitioner's Name ADEOYE Telephone 443-794-2130Posting Date: 10/13/19 Closing Date: 10/28/19Wording for Sign: TO PERMIT A REAR YARD ADDITION (REPLACES DECK) WITH A REAR SETBACK OF 20 FEET IN LIEU OF THE REQUIRED 30 FEET.

Revised 6/30/2019

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Case Number: 2019-0484-A

Property Address: 7107 OLIVER BEACH RD. MIDDLE RIVER, MD 21220

Property Description: RESIDENTIAL 2 STORY FRAME

Legal Owners (Petitioners): JAMES & DEBORAH ADEOYE

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: JAMES ADEOYE

Company/Firm (if applicable): _____

Address: 7107 OLIVER BEACH ROAD
MIDDLE RIVER, MD 21220

Telephone Number: 443-794-2130

Revised 7/9/2015



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 28, 2019

Mohammed Mufti
12440 Fredrick Road
Baltimore MD 21794

RE: Case Number: 2019-0484-A, 7107 Oliver Beach 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 October 04, 2019. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
James Adeoye 7107 Oliver Beach Road Baltimore MD 21220

Date: 10/17/19

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. 2019-0484-A

*Administrative Variance
James & Deborah Adeoye
7107 Oliver Beach Road.*

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



7107 OLIVER BEACH ROAD – EXISTING DECK



7107 OLIVER BEACH ROAD – EXISTING DECK

2019-0484-4



7107 OLIVER BEACH ROAD – EXISTING DECK



7107 OLIVER BEACH ROAD – SIDE YARD DECK

2019-0484-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>10-18</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>10-17</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: <u>10-13-19</u>	by <u>Ogle</u>
SIGN POSTING (2 nd)	Date: <u>10-25-19</u>	by <u>"</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	
Comments, if any: <u>Affidavit sent to Pet. 11-1-19 + Rec'd 11-14-19</u>		

IN RE: PETITION FOR ADMIN. VARIANCE *
15th Election District
6th Councilmanic District *
(7107 Oliver Beach Road) *

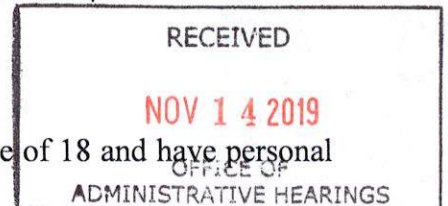
James O. Adeoye & Deborah O. Adeoye
Petitioners *

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
Case No. 2019-0484-A

* * * * *

AFFIDAVIT

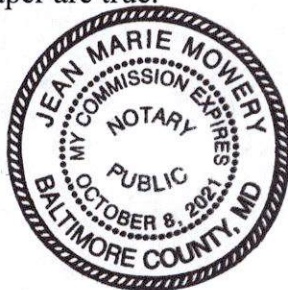
We, James O. Adeoye and Deborah O. Adeoye, are over the age of 18 and have personal knowledge of and are competent to testify to the following:



1. The residence at 7107 Oliver Beach Road, Baltimore, MD, 21220, is owned by James O. Adeoye and Deborah O. Adeoye. No other person or entity has an interest in the operation and/or affairs of 7107 Oliver Beach Road, Baltimore, MD, 21220.
2. **We reside year round and actually occupy** the property known as 7107 Oliver Beach Road, Baltimore, MD, 21220, and **consider this to be our principal residence.**

We solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

11/12/19
Date

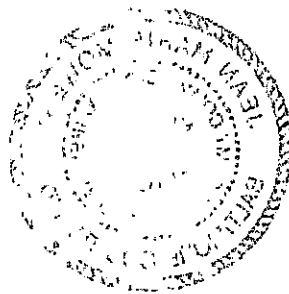


11/12/19
Date

Jean Marie Mowery
11/12/19

James O. Adeoye
James O. Adeoye
7107 Oliver Beach Road
Baltimore, MD, 21220

Deborah O. Adeoye
Deborah O. Adeoye
7107 Oliver Beach Road
Baltimore, MD, 21220





JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
LAWRENCE M. STAHL
Administrative Law Judge

November 1, 2019

James O. Adeoye
Deborah O. Adeoye
7107 Oliver Beach Road
Baltimore, MD 21220

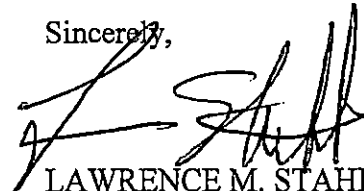
Re: Petition for Administrative Variance
Case No. 2019-0484-A
Property: 7107 Oliver Beach Road, 21220

Dear Mr. and Mrs. Adeoye:

I am writing in regard to the above captioned matter, wherein an administrative variance has been requested. The Baltimore County Code ("BCC") requires that a property be **owner occupied** in order to qualify for administrative variance relief. State records in this case show the property is not your principal residence. As such, a public hearing is usually required in this scenario.

We're unable to process your request as an administrative variance unless you **sign the attached Affidavit with notary seal**, attesting to the fact that this is your primary residence, no other person or entity has an interest in the operation and/or affairs of 7107 Oliver Beach Road, 21220, and that you reside at this address year round. Otherwise, a public hearing would be necessary.

Sincerely,


LAWRENCE M. STAHL
Administrative Law Judge
for Baltimore County

LMS:dlw
Attachment

c: Mohammed Mufti, 12440 Frederick Road, West Friendship, MD 21794

IN RE: PETITION FOR ADMIN. VARIANCE *
15th Election District
6th Councilmanic District *
(7107 Oliver Beach Road) *

James O. Adeoye & Deborah O. Adeoye *
Petitioners *

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
Case No. 2019-0484-A

* * * * *

AFFIDAVIT

We, James O. Adeoye and Deborah O. Adeoye, are over the age of 18 and have personal knowledge of and are competent to testify to the following:

1. The residence at 7107 Oliver Beach Road, Baltimore, MD, 21220, is owned by James O. Adeoye and Deborah O. Adeoye. No other person or entity has an interest in the operation and/or affairs of 7107 Oliver Beach Road, Baltimore, MD, 21220.
2. **We reside year round and actually occupy** the property known as 7107 Oliver Beach Road, Baltimore, MD, 21220, and **consider this to be our principal residence.**

We solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

Date

James O. Adeoye
7107 Oliver Beach Road
Baltimore, MD, 21220

Date

Deborah O. Adeoye
7107 Oliver Beach Road
Baltimore, MD, 21220

Real Property Data Search

You may experience issues today as SDAT works to restore all services. SDAT apologizes for any inconvenience the last few days, and asks for patience as we continue to work to make the site better.

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Tax Exempt: None		Special Tax Recapture: None
Exempt Class: None		
Account Identifier: District - 15		Account Number - 1800009029
Owner Information		
Owner Name:	ADEOYE JAMES O ADEOYE DEBORAH O	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	7107 OLIVER BEACH RD BALTIMORE MD 21220-1149	Deed Reference: /11357/ 00247
Location & Structure Information		
Premises Address:	7107 OLIVER BEACH RD BALTIMORE 21220-1149	Legal Description: 0.1860 AC 7107 OLIVER BEACH RD CUNNINGHILL COVE
Map: 0084	Grid: 0007	Parcel: 0074
Neighborhood: 15020012.04	Subdivision: 0000	Section: D
Block: D	Lot: 4	Assessment Year: 2018
Plat No: 1		Plat Ref: 0051/ 0111
Special Tax Areas: None		Town: None
		Ad Valorem: None
		Tax Class: None
Primary Structure Built: 1985	Above Grade Living Area: 2,284 SF	Finished Basement Area: 8,102 SF
Property Land Area: 04	County Use: 04	
Stories: 2	Basement: NO	Type: SPLIT LEVEL
Exterior: SIDING/	Quality: 3	Full/Half Bath: 2 full
Garage:	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
Land:	86,000	86,000
Improvements:	168,400	170,200
Total:	254,400	256,200
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
		255,600
		256,200
Transfer Information		
Seller: LEWIS CHARLES A	Date: 12/21/1995	Price: \$118,000
Type: NON-ARMS LENGTH OTHER	Deed1: /11357/ 00247	Deed2:
Seller: LOYOLA FINANCIAL &	Date: 01/03/1985	Price: \$88,205
Type: ARMS LENGTH IMPROVED	Deed1: /06848/ 00515	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
		0.00 0.00
Tax Exempt: None		Special Tax Recapture: None
Exempt Class: None		
Homestead Application Information		

Debra Wiley

From: Jason Seidelman
Sent: Thursday, October 31, 2019 11:06 AM
To: Debra Wiley
Subject: FW: Variance petition - 7107 Oliver beach Road
Attachments: James and Deborah Adeoye - MD Driver's Licenses.pdf

Here are the driver's license scans for the Adeoyes; 2019-0484-A.

Jason
X3391

*10/31
per Judge Stebe,
d.r. not enough.
Prepare affidavit.*

From: James ADEOYE [mailto:joadeoye@comcast.net]
Sent: Thursday, October 31, 2019 7:09 AM
To: Jason Seidelman <jseidelman@baltimorecountymd.gov>
Subject: Fwd: Variance petition - 7107 Oliver beach Road

CAUTION: This message from joadeoye@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good morning Jason,
As requested, attached are the copies of our driver's licenses (James and Deborah Adeoye) as requested at 7107 Oliver Beach Road. Please call me if you have any questions at 443-794-2130.

Thanks

James

----- Forwarded message -----

From: Jason Seidelman <jseidelman@baltimorecountymd.gov>
Date: Wed, Oct 30, 2019 at 9:15 AM
Subject: Variance petition - 7107 Oliver beach Road
To: brmufti@gmail.com <brmufti@gmail.com>

Good morning,

As we discussed, we need to see driver's license scans for James & Deborah Adeoye.

Thank you,

Jason Seidelman

Zoning Review

Baltimore County, MD

410-887-3391



CONNECT WITH BALTIMORE COUNTY



MARYLAND
Driver's License

DL

Customer Identifier
A-300-367-660-697

Family name
ADEOYE

Given names
JAMES OLUSEGUN

Address
**7107 OLIVER BEACH RD
BALTIMORE MD 21220**

Date of birth
07/30/1954

Sex
M

Height
5'-06"

Weight
170

Date of exp.
07/30/2020

Restrictions
B

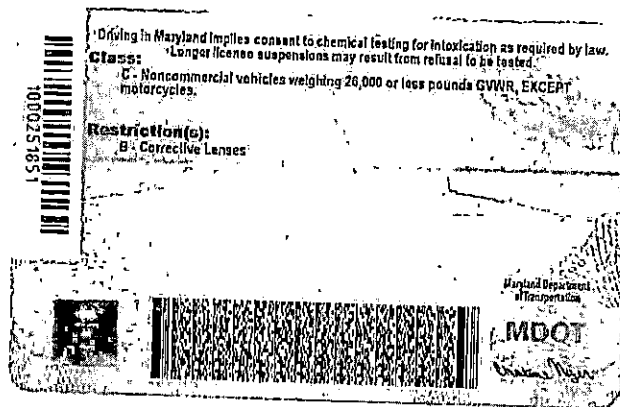
Classifications
C

Endorsements

Date of issue
07/26/2016

Signature

AT004528E



THE MARYLAND
DMV Driver's License

DL

Customer Identifier
A-300-139-650-258

Family Name
ADEOYE

Given Name
DEBORAH OLUBUKOLA

Address
7107 OLIVER BEACH RD
BALTIMORE MD 21220

Date of Birth
04/01/1958

Sex
F

Height
5-03"

Weight
150

Date of Exp.
04/01/2026

Classifications
C

Endorsements
None

Date of Issue
04/02/2019

2501182AE

Driving in Maryland implies consent to chemical testing for intoxication as required by law.
Longer license suspensions may result from refusal to be tested.

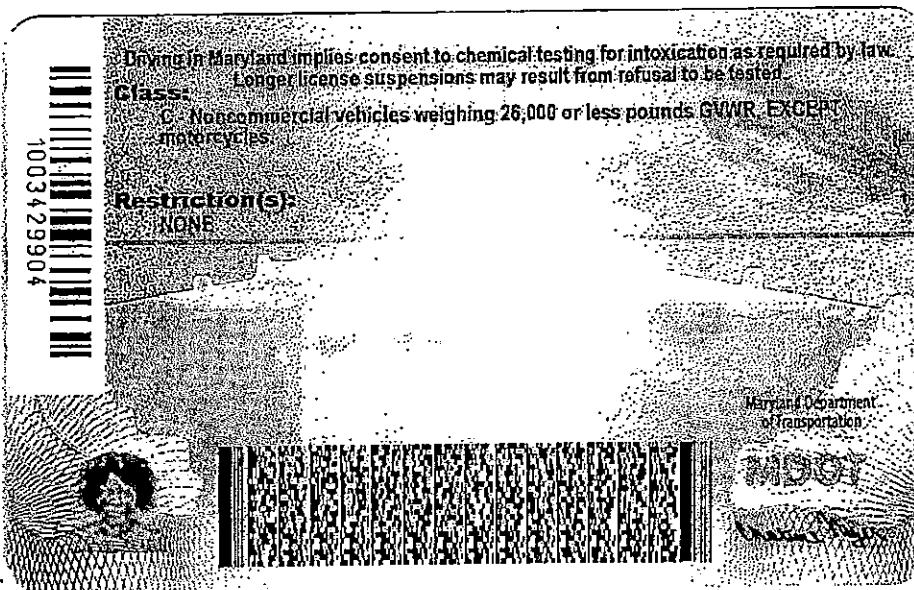
Class:
C - Noncommercial vehicles weighing 26,000 or less pounds GVWR, EXCEPT motorcycles.

Restriction(s):
NONE

1003429904

Maryland Department of Transportation

MDOT



Debra Wiley

From: Debra Wiley
Sent: Wednesday, October 30, 2019 9:40 AM
To: Jason Seidelman
Subject: RE: Administrative Variance Case No. 2019-0484-A (Closing date: 10/28)

Hi Jason,

For future reference, a Deed would be accepted first before a driver's license.

Thanks.

From: Jason Seidelman <jseidelman@baltimorecountymd.gov>
Sent: Wednesday, October 30, 2019 9:17 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Administrative Variance Case No. 2019-0484-A (Closing date: 10/28)

I've made contact with their representative and I'm expecting to have scans of their driver's licenses in the near future.

Jason

From: Debra Wiley
Sent: Friday, October 25, 2019 2:54 PM
To: Jason Seidelman <jseidelman@baltimorecountymd.gov>
Cc: Jenae Johnson <jjohnson@baltimorecountymd.gov>
Subject: Administrative Variance Case No. 2019-0484-A (Closing date: 10/28)

Hi Jason,

It appears the above-referenced case (per attached copy of SDAT), is not the Petitioners' principal residence.

Please make sure that the file contains proof that they in fact own and reside year-round at this residence, or it cannot be processed as an administrative variance.

Thanks in advance.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Debra Wiley

From: Debra Wiley
Sent: Tuesday, October 29, 2019 10:13 AM
To: Jason Seidelman
Cc: Jenae Johnson
Subject: RE: Administrative Variance Case No. 2019-0484-A (Closing date: 10/28)

Good Morning,

Our office is in receipt of the above-referenced file.

Unfortunately, we are unable to process. Please contact Petitioners or their representative regarding the SDAT.

If we do not hear from you within a few days, we will return the file to your office.

Thank you.

From: Debra Wiley
Sent: Friday, October 25, 2019 2:54 PM
To: Jason Seidelman <jseidelman@baltimorecountymd.gov>
Cc: Jenae Johnson <jnjohnson@baltimorecountymd.gov>
Subject: Administrative Variance Case No. 2019-0484-A (Closing date: 10/28)

Hi Jason,

It appears the above-referenced case (per attached copy of SDAT), is not the Petitioners' principal residence.

Please make sure that the file contains proof that they in fact own and reside year-round at this residence, or it cannot be processed as an administrative variance.

Thanks in advance.

Debra Wiley, Legal Administrative Secretary
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

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Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Tax Exempt: None		Special Tax Recapture: None
Exempt Class: None		
Account Identifier:		District - 15 Account Number - 1800009029
Owner Information		
Owner Name:	ADEOYE JAMES O ADEOYE DEBORAH O	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	7107 OLIVER BEACH RD BALTIMORE MD 21220-1149	Deed Reference: /11357/ 00247
Location & Structure Information		
Premises Address:	7107 OLIVER BEACH RD BALTIMORE 21220-1149	Legal Description: 0.1860 AC 7107 OLIVER BEACH RD CUNNINGHILL COVE
Map: 0084	Grid: 0007	Parcel: 0074
Neighborhood: 15020012.04	Subdivision: 0000	Section: D
Block: D	Lot: 4	Assessment Year: 2018
Plat No: 1		Plat Ref: 0051/ 0111
Special Tax Areas: None		Town: None
		Ad Valorem: None
		Tax Class: None
Primary Structure Built: 1985	Above Grade Living Area: 2,284 SF	Finished Basement Area: 8,102 SF
		County Use: 04
Stories: 2	Basement: NO	Type: SPLIT LEVEL
Exterior: SIDING/	Quality: 3	Full/Half Bath: 2 full
Garage:	Last Notice of Major Improvements	
Value Information		
	Base Value	Value
		As of 01/01/2018
		Phase-in Assessments
		As of 07/01/2019
		As of 07/01/2020
Land:	86,000	86,000
Improvements:	168,400	170,200
Total:	254,400	256,200
Preferential Land:	0	0
Transfer Information		
Seller: LEWIS CHARLES A	Date: 12/21/1995	Price: \$118,000
Type: NON-ARMS LENGTH OTHER	Deed1: /11357/ 00247	Deed2:
Seller: LOYOLA FINANCIAL &	Date: 01/03/1985	Price: \$88,205
Type: ARMS LENGTH IMPROVED	Deed1: /06848/ 00515	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2019
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt: None	Special Tax Recapture: None	
Exempt Class: None		
Homestead Application Information		

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

ZAC AGENDA

Case Number: 2019-0484-A **Reviewer:** Jason Seidelman

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Type: ADMINISTRATIVE VARIANCE

Legal Owner: James & Deborah Adeoye

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 15 **Council Dist:** 6

Property Address: 7107 OLIVER BEACH RD

Location: SW corner of intersection of Oliver Beach (60') and Oliver Road (50').

Existing Zoning: DR 5.5

Area: 8,102 SQ FT

Proposed Zoning:

ADMINISTRATIVE VARIANCE:

To permit a rear yard addition (replaces deck) with a rear setback of 20 feet in lieu of the required 30 feet.

Attorney: Not Available

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date: 10/28/2019

Miscellaneous Notes:

10-28-19

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: October 18, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0484-A
Address 7101 Oliver Beach Road
(Adeoye Property)

Zoning Advisory Committee Meeting of **October 11, 2019**.

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

Reviewer: Steve Ford

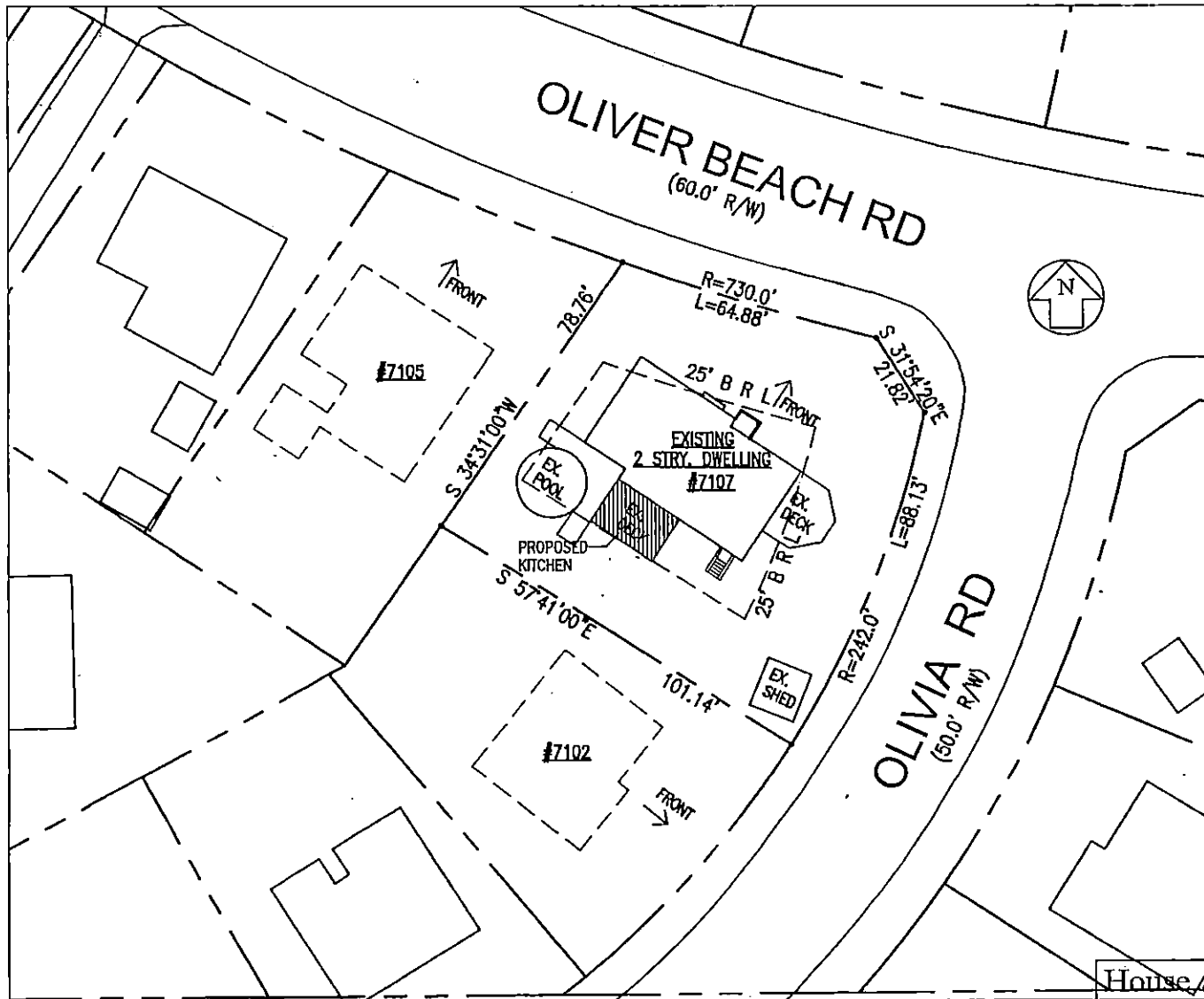
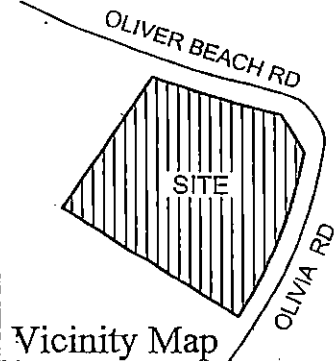
ZONING HEARING PLAN FOR VARIANCE X SPECIAL HEARING

ADDRESS 7107 OLIVER BEACH ROAD, MIDDLE RIVER MD 21220 OWNER NAME(S) JAMES & DEBORAH ADEOYE

SUBDIVISION NAME CUNNINGHILL COVE LOT# 4 BLOCK# D SECTION# D

PLAT BOOK# 51 FOLIO# 111 10 DIGIT TAX# 1800009029 DEED REF.# 11357/00247

2019-0484-A



ZONING MAP# 084A1
SITE ZONED DR5.5
ELECTION DISTRICT 15
COUNCIL DISTRICT 6
LOT AREA ACREAGE (.186 AC)
OR SQUARE FEET 8,102 SF
HISTORIC? NO
IN CBCA? NO
IN FLOOD PLAIN? NO
UTILITIES?
WATER IS: PUBLIC
PUBLIC-Y-PRIVATE
SEWER IS: PUBLIC
PUBLIC-Y-PRIVATE
PRIOR HEARING? 1999-0377-A
IF SO GIVE CASE NUMBER AND
ORDER RESULT BELOW
YES
APPROVED
(SHED LOCATION)
VIOLATION CASE NO

House Addition w/ 20' Rear Setback

SCALE: 1" = 40'

DATE: 10/5/19

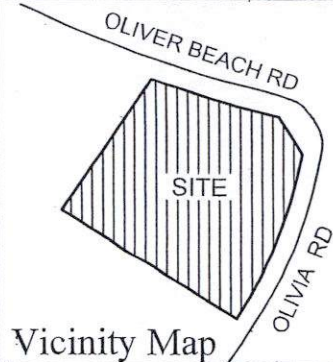
SHEET NO: C-1

7107 Oliver Beach Road
Middle River, MD 21220

House Addition

Mufti & Associates, Inc.

6413 Windsor Mill Road
Baltimore, MD 21207
Phone: 443-604-3127



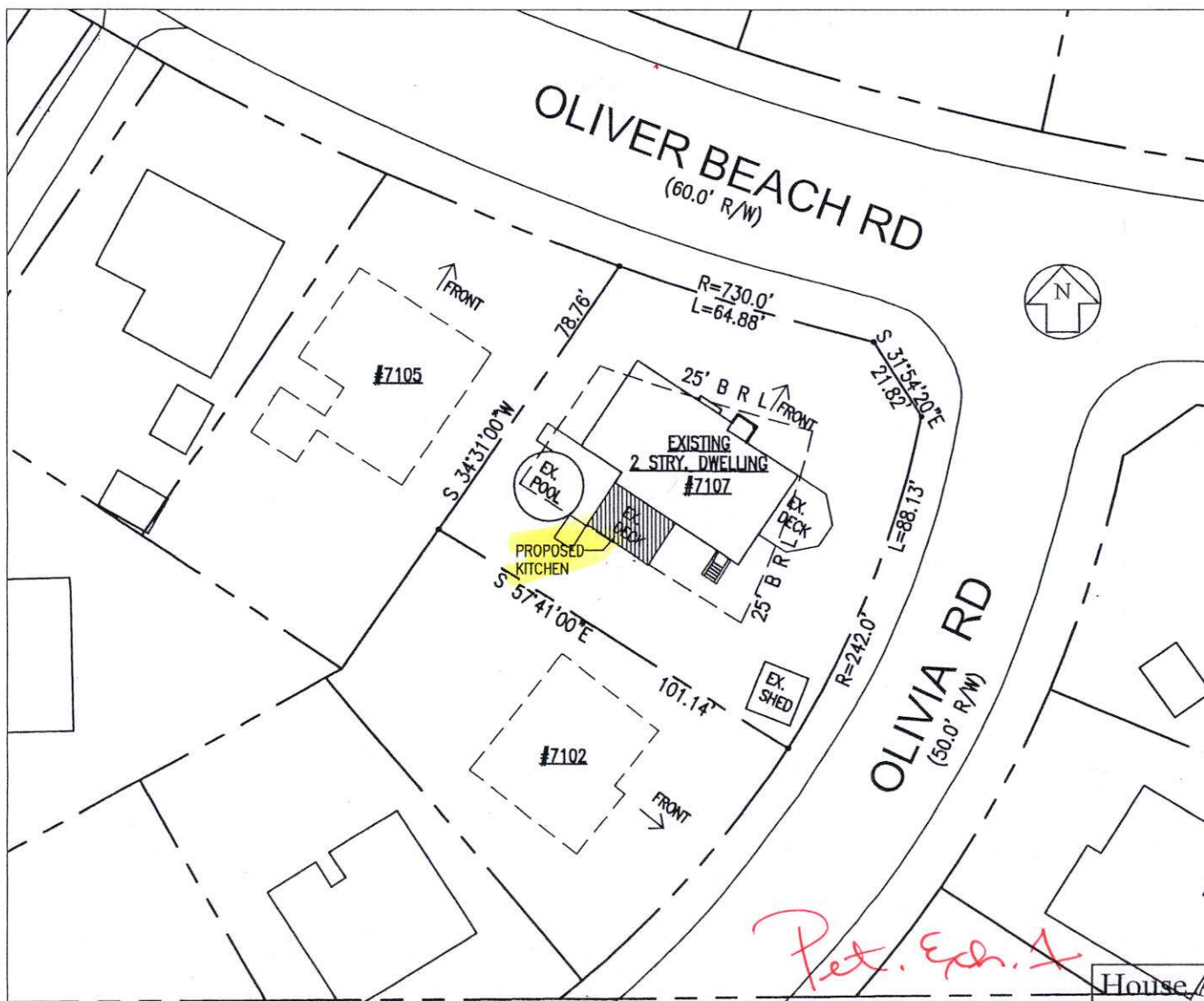
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ADDRESS 7107 OLIVER BEACH ROAD, MIDDLE RIVER MD 21220 OWNER NAME(S) JAMES & DEBORAH ADEOYE

SUBDIVISION NAME CUNNINGHILL COVE LOT# 4 BLOCK# D SECTION# D

PLAT BOOK# 51 FOLIO# 111 10 DIGIT TAX# 1800009029 DEED REF.# 11357/00247

2019-0484-A



ZONING MAP# 084A1
 SITE ZONED DR5.5
 ELECTION DISTRICT 15
 COUNCIL DISTRICT 6
 LOT AREA ACREAGE (.186 AC)
 OR SQUARE FEET 8,102 SF
 HISTORIC? NO
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 WATER IS: PUBLIC
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 IF SO GIVE CASE NUMBER AND
 ORDER RESULT BELOW
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APPROVED
(SHED LOCATION)
 VIOLATION CASE NO

House Addition w/ 20' Rear Setback

SCALE: 1" = 40'

DATE: 10/5/19

SHEET NO: C-1

7107 Oliver Beach Road
Middle River, MD 21220

TITLE:

House Addition

Mufti & Associates, Inc.

6413 Windsor Mill Road
Baltimore, MD 21207
Phone: 443-604-3127