



PETITION FOR ZONING HEARING(S)

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 4026 Silvage Road Nottingham, MD 21236 Currently Zoned DR 3.5
Deed Reference 48088 / 00314 10 Digit Tax Account # 1800002580
Owner(s) Printed Name(s) Melissa McKemie

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

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

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

3. ☒ a **Variance** from Section(s)

BCZR: 432A.1.C.1. & 432A.1.C.2. → To permit off-street parking and delivery areas for a proposed assisted living facility to be located in the existing front yard driveway in lieu of the required side or rear yard, and to permit the existing driveway parking area to have a 0' setback to the side property line in lieu of the required 10' setback.

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.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Case Number 2023-0198-A Filing Date 9, 22, 23 Do Not Schedule Dates _____ Reviewer JS

Legal Owners (Petitioners):

Melissa McKemie ,
Name #1 - Type or Print Name #2 - Type or Print
Melissa McKemie ,
Signature #1 Signature #2
4026 Silvage Road Nottingham, MD
Mailing Address City State
21236 , (917) 743-1696 MSMELMPC2@gmail.com
Zip Code Telephone #'s (Cell and Home) Email Address

Representative to be contacted:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Case Number: 2023-0198-A
Property Address: 4026 SILVAGE ROAD
Legal Owners (Petitioners): MELISSA MCKENZIE
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): MELISSA MCKENZIE
Address: 4026 SILVAGE ROAD
BALTIMORE, MD 21236

Telephone Number: 917-743-1696

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

Revised 3/2022



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353

<https://www.baltimorecountymd.gov>

Cashier: Jason S.
19-Sep-2023 2:00:51P

Transaction 101935
1 Petition Before ALJ \$500.00

Total \$500.00
DEBIT CARD SALE \$500.00
VISA 0106

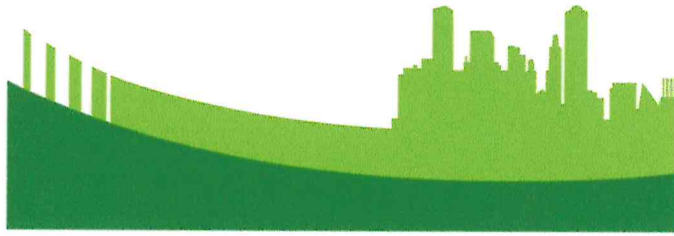
Retain this copy for statement
validation

Station: Permit Processing - Mini

19-Sep-2023 2:01:12P
\$500.00 | Method: EMV
US DEBIT XXXXXXXXXXXX0106
MELISSA MCKENZIE
Reference ID: 326200549484
Auth ID: 002178
MID: *****2995
AID: A0000000980840
AthNtwkNm: INTERLINK
RtInd: DEBIT
PIN VERIFIED

Clover ID: SRWTF4ST7GH7G
Payment HCV6A4CX4KEN6

Clover Privacy Policy
<https://clover.com/privacy>



CERTIFICATE OF POSTING

January 9, 2024

_____ amended for second inspection

Re:

Zoning Case No. 2023-0198-A

Legal Owner: Melissa McKenzie

Hearing date: January 30, 2024

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

Attention: Jeff Perlow

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 **4026 Silvage Road**.

The signs were initially posted on **January 5, 2024**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink that reads "B. E. Doak".

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

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

ZONING NOTICE

CASE NO. 2023-0198-A

4026 Silvage Road

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

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

DATE & TIME: Tuesday January 30, 2024 10:00 AM

REQUEST:

**VARIANCE: FROM BALTIMORE COUNTY ZONING REGULATIONS
(BCZR), SECTIONS 432A.1.C.1 AND 432A.1.C.2 TO PERMIT OFF-
STREET PARKING AND DELIVERY AREAS FOR A PROPOSED
ASSISTED LIVING FACILITY (ALF) TO BE LOCATED IN THE
EXISTING FRONT DRIVEWAY IN LIEU OF THE REQUIRED
SIDE OR REAR YARD, AND TO PERMIT THE EXISTING
DRIVEWAY AREA TO HAVE A 0 FT. SETBACK TO THE SIDE
PROPERTY LINE IN LIEU OF THE REQUIRED 10 FT. SETBACK.**

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

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

THE HEARING IS HANDICAPPED ACCESSIBLE

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POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM THE HEARING CALL 410-867-3391.

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

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**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM THE HEARING CALL 410-987-3391.
DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER PENALTY OF LAW**

THE HEARING IS HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/14/2023

Case Number: 2023-0198-A

Petitioner / Developer: MELISSA MCKENZIE

Date of Hearing: DECEMBER 6, 2023

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:
4026 SILVAGE ROAD

The sign(s) were posted on: NOVEMBER 14, 2023

ZONING NOTICE

CASE # 2023-0198-A

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

DATE AND TIME: WEDNESDAY, DECEMBER 6, 2023
AT 1:30 P.M.

FROM THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR), SECTIONS 432A.1.C.1 AND 432A.1.C.2 TO PERMIT OFF-STREET PARKING AND DELIVERY AREAS FOR A PROPOSED ASSISTED LIVING FACILITY ("ALF") TO BE LOCATED IN THE EXISTING FRONT YARD DRIVEWAY IN LIEU OF THE REQUIRED SIDE OR REAR YARD, AND TO PERMIT THE EXISTING DRIVEWAY AREA TO HAVE A 0 FT. SETBACK TO THE SIDE PROPERTY LINE IN LIEU OF THE REQUIRED 10 FT. SETBACK. 4026 SILVAGE ROAD

For information on how to participate in the hearings
Go to www.baltimorecountymd.gov/adminhearings.
You will be asked to provide your contact information and the case number above. You may also call
410-887-3868, ext. 0

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: October 10, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0198-A
Address: 4026 SILVAGE RD.
Legal Owner: Melissa McKenzie

Zoning Advisory Committee Meeting of October 10, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 10/5/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0198-A

INFORMATION:

Property Address: 4026 Silvage Road
Petitioner: Melissa McKenzie
Zoning: DR 3.5
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance -

1. From Sections 432A.1.C.1 and 432A.1.C.2 of the Baltimore County Zoning Regulations to permit off street parking and delivery areas for a proposed Assisted Living Facilities to be located in the existing front yard driveway in lieu of the required side or rear yard, and to permit the existing driveway parking area to have a 0' setback to the side property line in lieu of the required 10' side setback.

The subject site is an approximately 9,825 square foot parcel in the Nottingham area. It is improved with a one-story single family detached dwelling and a concrete driveway. The driveway is in the front yard of the property, off to the right side. According to County GIS, the driveway measures approximately 18' in width and approximately 59' to 62' in length, measured from the top of the driveway to the edge of the sidewalk. The Petitioner/property owner is currently seeking County approval for a Class I Assisted Living Facility (ALF). Per a letter submitted with the Zoning Petition, the Petitioner would like to use the existing driveway for parking for the ALF clients, rather than extending the driveway to the side and/or rear of the home. The letter states that the driveway can accommodate up to six SUV's without obstructing the pedestrian walkway. No new construction is proposed at this time.

The subject site is predominately surrounded by single family detached residential dwellings. The lots all appear to be approximately the same size, and many of the properties have front yard driveways, either to the left or right of the dwelling. The driveways in the neighborhood do not appear to extend to the sides or rears of the homes. The driveways all appear to be located close to the property line, per County GIS. According to aerial imagery available to the Department of Planning, the driveway for the subject site appears to be consistent with neighboring driveways in location, material, and size.

The subject site is within the boundary of the Perry Hall Community Plan, adopted February 22nd, 2011. The Plan outlines recommendations to improve mobility, the environment, school learning centers, and

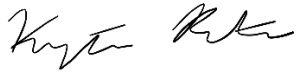
recreation facilities within the plan boundary area, however, no specific recommendations relevant to the petition at hand are provided.

The driveway is existing and is consistent with the surrounding neighborhood in terms of size, location, and material. Extending the driveway to the side and/or rear of the lot would make the driveway less cohesive and less in keeping with the neighborhood. Further, the existing driveway can accommodate up to six SUV's. For the aforementioned reasons, the Department of Planning has no objections to the requested relief, subject to the following condition:

1. Parked vehicles shall not obstruct the pedestrian sidewalk.

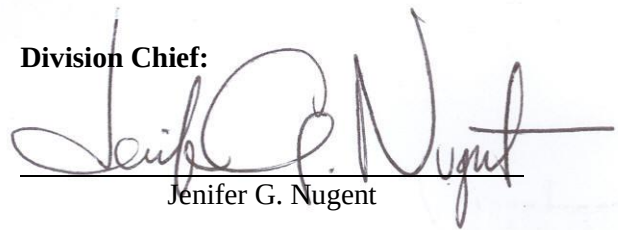
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Melissa McKenzie
David Birkenthal, Community Planner
Ainsley Jacobs, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Subject: Variance request for 4026 Silvae Road

I am writing to formally request a parking variance for my single-family dwelling located at 4026 Silvae Road. The purpose of this variance is to keep the existing driveway, while ensuring the proposed use remains in harmony with the character of the neighborhood and complies with zoning requirements. I am concerned that an expansion will have a negative impact on the surrounding properties and their owners who visually share the aesthetic, thereby promoting and conserving the health, safety, and general welfare of the area.

Currently, the driveway at 4026 Silvae Road spans _____ allowing it to accommodate up to 6 SUVs without obstructing the pedestrian walkways. However, extending the driveway to the rear of the property to create three additional parking spots may disrupt the harmonious relationship with the surrounding neighbors. Moreover, relocating the existing heating/cooling unit and paving the extension will result in significant economic injury to me.

If the parking variance is granted, I assure you that I will comply with all applicable standards and permit conditions.

Thank you for considering my request.

Sincerely,

Melissa McKenzie

2023-0198-A

The Zoning Petition Property Description

Part A

ZONING PROPERTY DESCRIPTION FOR 4026 Silvage Road, Nottingham, MD 21236

Northeast COR Silvage Road

Silver Park Village AMENDED

Part B

Option 2:

Being Lot#4, Block B, Plat Book# 0040/0138, Folio#0138, 9,825 SF. Located in the 11th Election District and 1st Council District.

2023-0198-A

Real Property Data Search ()

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier:	District - 11 Account Number - 1800002580	
Owner Information		
Owner Name:	MCKENZIE MELISSA	Use: RESIDENTIAL Principal Residence: YES
Mailing Address:	4026 SILVAGE RD BALTIMORE MD 21236-1035	
Location & Structure Information		
Premises Address:	4026 SILVAGE RD BALTIMORE 21236-1035	Legal Description: NE COR SILVAGE RD SILVERPARK VLG AMENDED
Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:		
0063 0020 0251	11050044.04 0000	B 4 2024 Plat Ref: 0040/ 0138
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area Property Land Area County Use
1977	1,441 SF	800 SF 9,825 SF 04
Stories Basement Type	Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements	
1 YES STANDARD UNIT SIDING/3	2 full	
Value Information		
	Base Value	Value
		As of 01/01/2021
		As of 07/01/2023
		As of 07/01/2024
Land:	100,200	100,200
Improvements	171,300	171,300
Total:	271,500	271,500
Preferential Land:	0	271,500
Transfer Information		
Seller: DILLER FRANK J JR	Date: 05/26/2023	Price: \$351,000
Type: ARMS LENGTH IMPROVED	Deed1: /48088/ 00314	Deed2:
Seller: SPERL CONSTRUCTI ON CO INC	Date: 09/25/1978	Price: \$70,500
Type: ARMS LENGTH IMPROVED	Deed1: /05939/ 00216	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments: Class	07/01/2023	07/01/2024
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture: None		

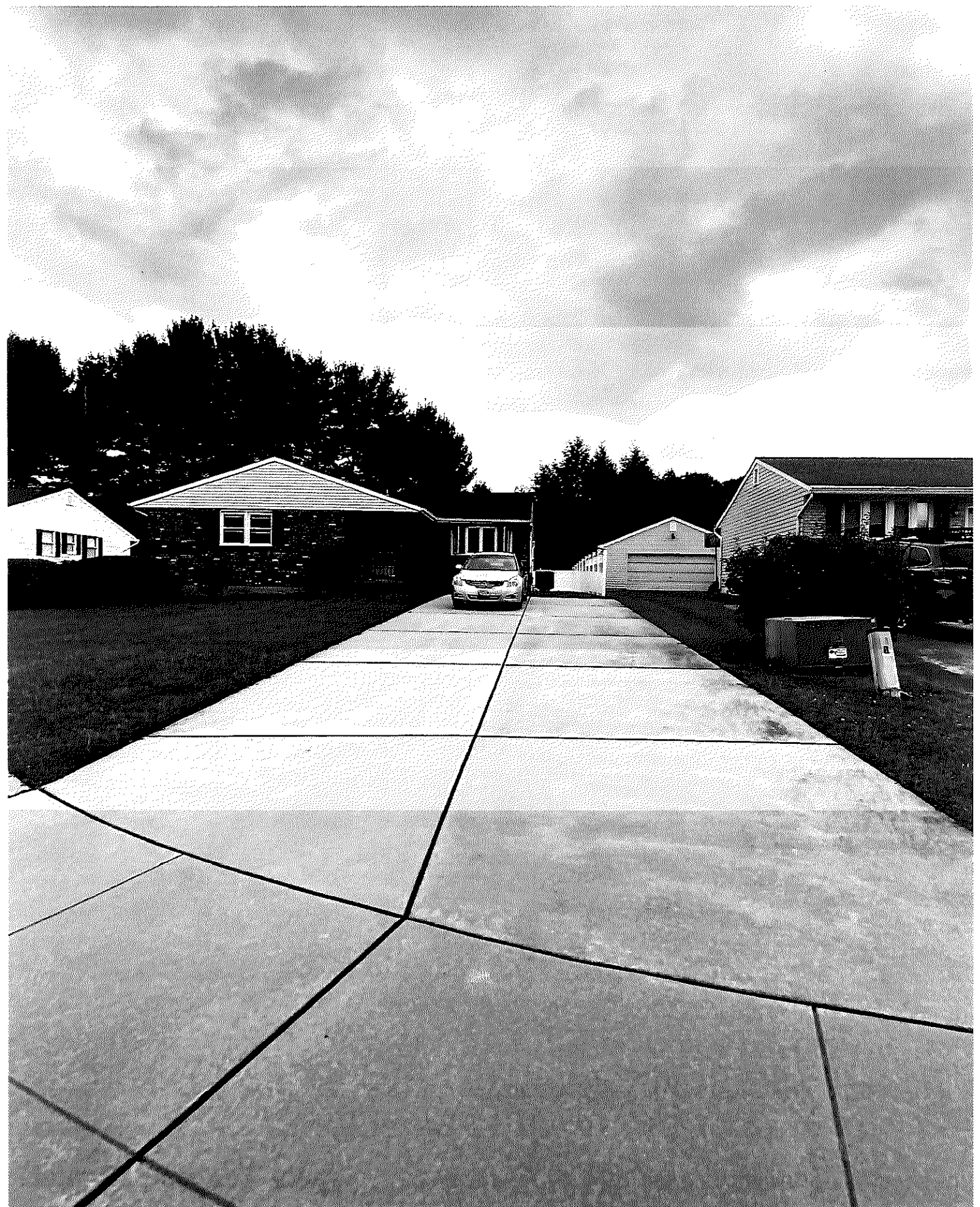
Homestead Application Information

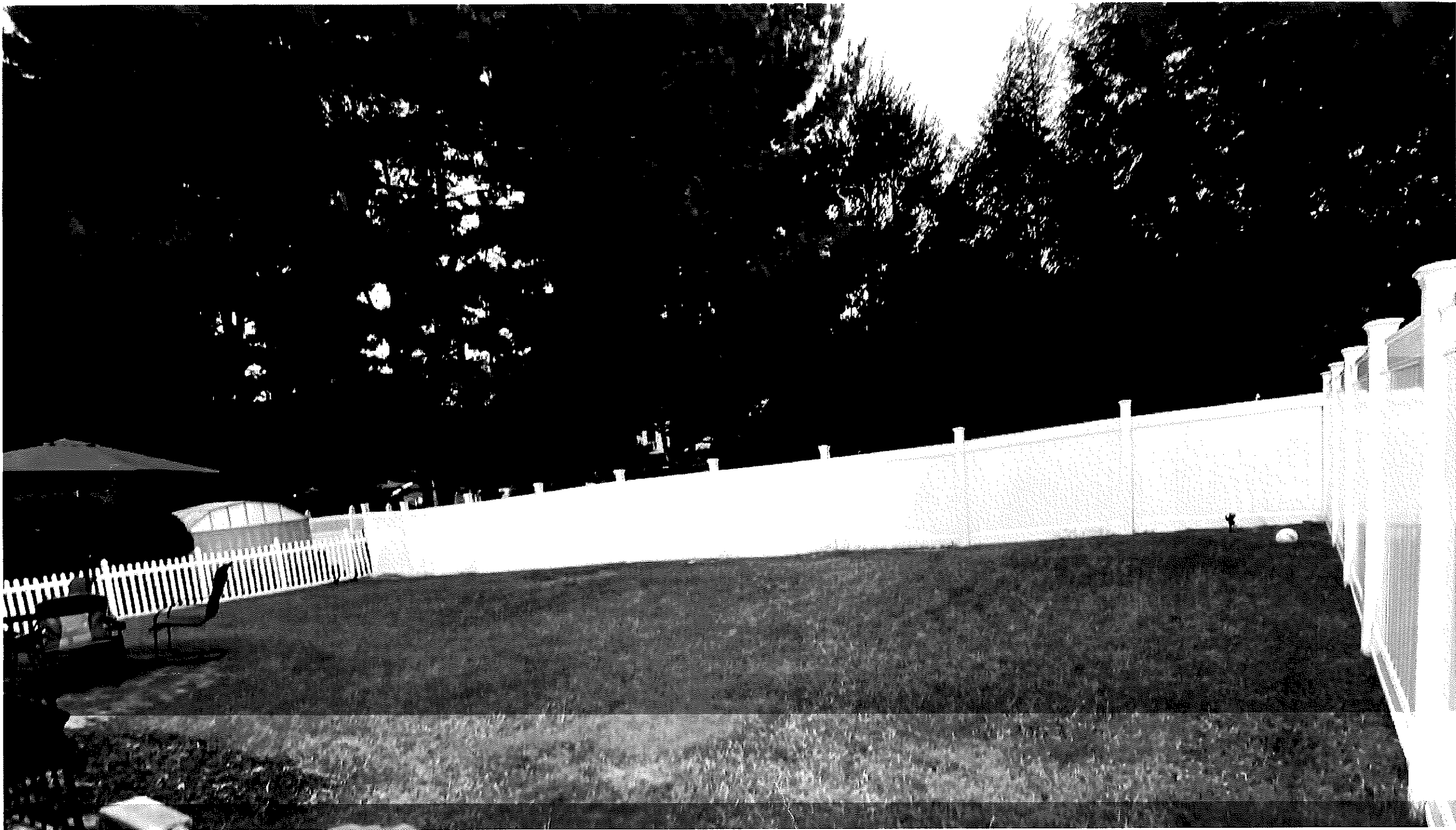
Homestead Application Status: Application received 08/15/2023

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:





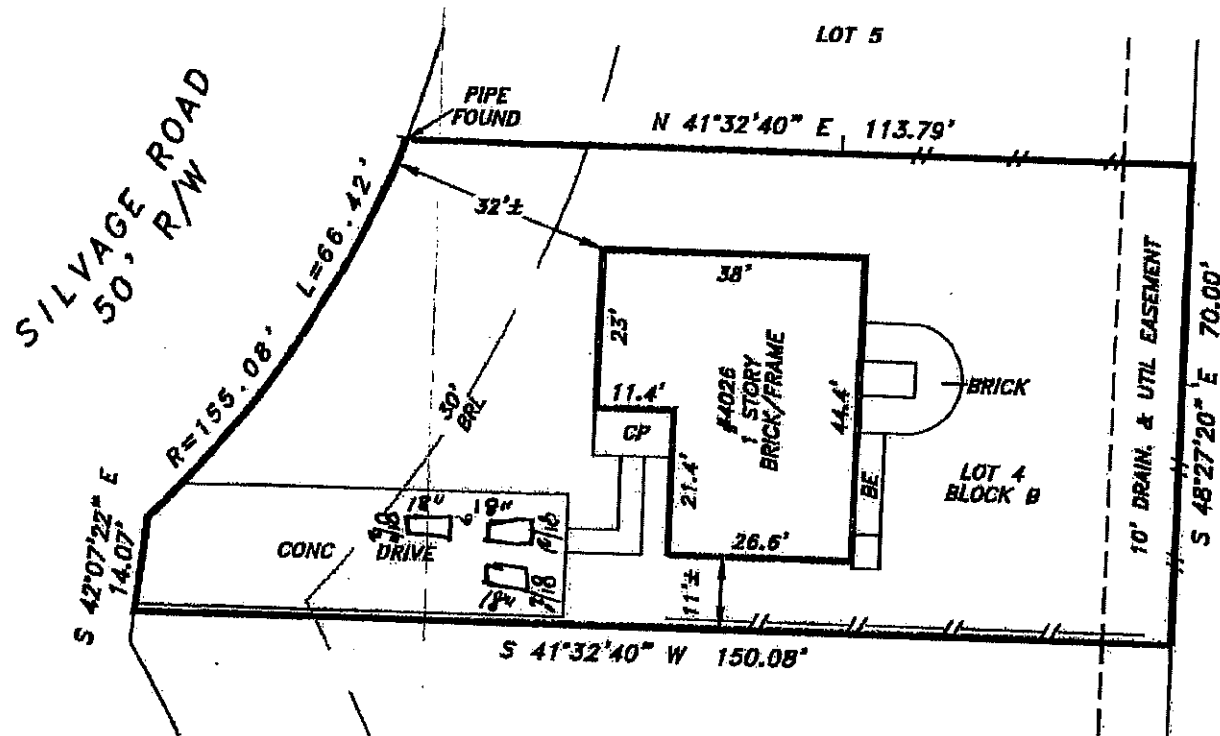








Zoning Hearing Plan for Variance _____ for Special Hearing _____ Mark Type Requested with (X)
 Address 4026 Silvae Road, Nottingham MD 20726 Owners(s) Name(s) Melissa McKenzie
 Subdivision Name Silverpark Village Lot # 4 Block # B Section # N/A
 Plat Book # 40 Folio # 0138 10 Digit Tax # 1800002580 Deed Reference # 48088100314



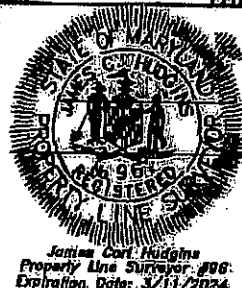
N
 MAP IS NOT TO SCALE
 Zoning Map # 0063
 Zoning DR 3.5
 Election District 11
 Council District _____
 Lot Area Acreage _____
 Lot Square Footage 9825 SF
 Historic (Yes or No) NO
 CBCA (Yes or No) NO
 Flood Plain (Yes or No) NO
 Utilities - Mark with (X)
 Water is:
 Public X Private _____
 Sewer is:
 Public X Private _____

The purpose of this drawing is to locate, describe, and represent the positions of buildings and substantial improvements affecting the property shown hereon, being known as:
 LOT 4, BLOCK B, AMENDED PLAT
 SILVERPARK VILLAGE
 recorded among the land records of Baltimore County, Maryland in
 PLAT BOOK 40 folio 138

PREPARED FOR:



This is page one of a two page document. The advice found on the affixed page is an integral part of this drawing, and is not valid without all pages.



Janice Carr Higgins
 Property Line Surveyor #98
 Expiration Date: 3/31/2024

LOCATION DRAWING
 4026 SILVAE ROAD
 11th ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

NTT Associates, Inc.
 18205 Old Frederick Rd.
 Mt. Airy, Maryland 21771
 Phone: (410) 442-2031
 Fax: (410) 442-1315
 www.nttsurveyors.com

Scale: 1" = 25'
 Date: 4/27/2023
 Field By: CP
 Drawn By: CP
 File No: 23-7445-NF
 Page No: 1 of 2

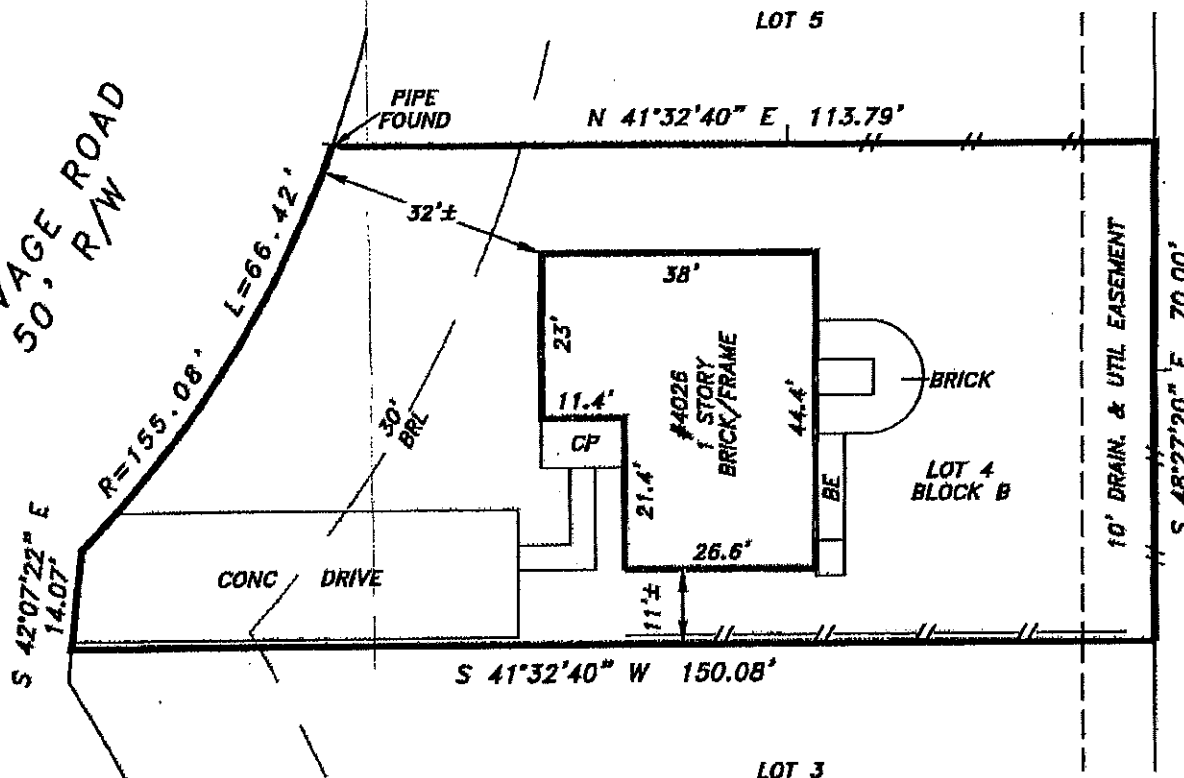
N
 2023-0198-A

Prior Hearing (Yes or No) _____
 f (Yes) list Case Number(s) _____
 and order result(s) below:

Violation Case Number(s)

Plan Drawn By _____ Date _____ Scale: 1 inch = _____ Feet

SILVAGE ROAD
50' R/W



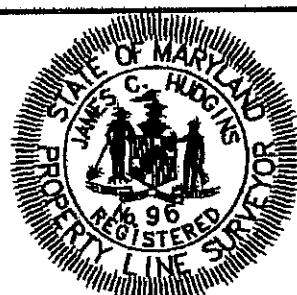
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James Carl Hudgins
Property Line Surveyor #96
Expiration Date: 3/11/2024

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4026 SILVAGE ROAD
11th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

NTT Associates, Inc.
16205 Old Frederick Rd.
Mt. Airy, Maryland 21771
Phone: (410) 442-2031
Fax: (410) 442-1315
www.nttsurveyors.com

Scale:	1" = 25'
Date:	4/27/2023
Field By:	CP
Drawn By:	CP
File No.:	23-7445-NF
Page No.:	1 of 2

