

4:30 PM, January 10, 1976 16# 4-86-L-7 77-98-A 911 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Vernon E. Marshall, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section... 238.2 to permit a side yard setback of 25.0' in lieu of the required 30.0' setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- (1) To handle public accommodations
- (2) Only expanding area available

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Vernon E. Marshall
Vernon E. Marshall
Contract purchaser
Address 9 Rusemar Drive
Ellicott City, Maryland
Petitioner's Attorney
Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of October, 1976, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of November, 1976, at 10:00 o'clock A.M.

(over)

Mr. Vernon E. Marshall
Re: Item 71
November 22, 1976
Page 2

Should this Variance be granted, the petitioner must make the correction as noted by the Bureau of Engineering comments when filing his building permit.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Acting Chairman, Zoning
Plans Advisory Committee

NBC:JD
Enclosure

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

November 17, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #71 (1976-1977)
Property Owner: Vernon Marshall
S/S Baltimore National Pike, 3750' W. Rolling Rd.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 30'.
Acres: 2.55 District: 1st

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item #211 (1975-1976) are referred to for your consideration.
The existing Baltimore County 10-foot and 15-foot drainage and utility easements and the onsite public sanitary sewerage which serve this subdivision are not correctly shown (see RW 68-170 and Drawing #68-0631, File 1).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #71 (1976-1977).

Very truly yours,

Thornton M. Mouring
THORNTON M. MOURING, P.E.
Chief, Bureau of Engineering

END:JAN:PMH:SS

1-11 Key Sheet
4 SW 29 Box, Sheet
SW 1 & 2 H Topo
94 Tax Map

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Item 71
Mr. S. Eric DiNenna
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 10th day of October, 1976.

S. Eric DiNenna
Zoning Commissioner

Petitioner Vernon Marshall

Petitioner's Attorney

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari,
Planning & Zoning
Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 22, 1976

Mr. Vernon E. Marshall
9 Rusemar Drive
Ellicott City, Maryland 21043

Mr. S. Eric DiNenna
Zoning Commissioner

MEMBERS:

Mr. S. Eric DiNenna
Zoning Commissioner

Mr. S. Eric DiNenna
Zoning Commissioner

Mr. S. Eric DiNenna
Zoning Commissioner

Mr. S. Eric DiNenna
Zoning Commissioner

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Mr. S. Eric DiNenna
Zoning Commissioner

Mr. S. Eric DiNenna
Zoning Commissioner

Maryland Department of Transportation
State Highway Administration

Harry M. Hughes
Secretary
Richard M. Evans
Administrator

October 21, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting 10-19-76

ITEM: 71
Property Owner: Vernon Marshall
Location: S/S Balto. National Pike (Route 40) - 3750' W Rolling Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 30'.
Acres: 2.55
District: 1st

Dear Mr. DiNenna:

The existing entrances into the captioned site are acceptable to the State Highway Administration. The proposed addition should have no adverse effects on the highway.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Details

By: John E. Meyers

CLJ:JEN:vrd

Baltimore County
Department of Health
101/50N MARYLAND 21204
DEPUTY STATE AND COUNTY HEALTH OFFICER

October 20, 1976

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #71, Zoning Advisory Committee Meeting, October 10, 1976, are as follows:

Property Owner: Vernon Marshall
Location: S/S Baltimore Nat'l. Pike 3750' W. Rolling Rd.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 30'.
Acres: 2.55
District: 1st

Public water and sewer existing.
Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and/or specifications must be submitted to Plans Review Section, Division of Food Protection, Baltimore County Department of Health, for review and approval.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

TDH:JVS:G

CC: L.A. Schuppert

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner:

the above Variance should be had; and it further appearing that by reason of the aforesaid facts, the Variance requested not adversely affecting the health, safety and general welfare of the community, a Variance to permit a side yard setback of 25 feet instead of the required 30 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27th day of December, 1976, that the herein Petition for the aforesaid Variance should be and the same is hereby GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, Department of Public Works, and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of:

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of December, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3500

STEPHEN E. COLLINS
DIRECTOR

November 15, 1976

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 71 - SAC - October 19, 1976
Property Owner: Vernon Marshall
Location: S/S Balto. National Pike 3750' W Rolling Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 25' in lieu of req. 30'
Acres: 2.55
District: 1st

Dear Mr. DiNenna:

No traffic engineering problems are anticipated by the requested variance to the side yard setback.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MDF:nc

Baltimore County
Department of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Heinicke
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Wick Comodori, Chairman
Zoning Advisory Committee

Re: Property Owner: Vernon Marshall

Location: S/S Balto. Nat'l. Pike 3750' W Rolling Rd.

Item No. 71 Zoning Agenda October 19, 1976

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____ EXCEEDED the maximum allowed by the Fire Department.

- (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

For Site Location: The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy.

- () 5. Site plans are approved as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *St. H. Brady*
Planning Group
Special Inspection Division

Noted and
Approved: *George J. Martinak*
Baltimore Chief
Fire Prevention Bureau

November 16, 1976

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 71, Zoning Advisory Committee Meeting, October 19, 1976, are as follows:

Property Owner: Vernon Marshall
Location: S/S Baltimore National Pike 3750' W. Rolling Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 30'
Acres: 2.55
District: 1st

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 18, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: October 8, 1976

Re: Item 71
Property Owner: Vernon Marshall
Location: S/S Balto. Nat'l. Pike 3750' W. Rolling Rd.
Present Zoning: B.R.
Proposed Zoning: Variance to permit a side setback of 25' in lieu of the required 30'.

District: 1st.
No. Acres: 2.55

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

Wick Comodori
W. Wick Comodori,
Field Representative.

JOHN W. HUSTON, PRESIDENT
P. PATRICK HUGHES, JR., VICE-PRESIDENT
JAMES R. HUNTER

HAROLD M. BOGGS
THOMAS W. BOWEN
WILLIAM L. BOWEN
J. J. BOWEN

ROGER B. HAYES
ALVIN L. LEE
RICHARD M. LEE
RICHARD M. LEE

December 9, 1976

Mr. Vernon E. Marshall
9 Rosemar Drive
Ellicott City, Maryland 21043

RE: Petition for Variance
S/S of Baltimore National Pike, 3750'
W of Rolling Road - 1st Election District
Vernon E. Marshall - Petitioner
NO. 71-91-A (Item No. 71)

Dear Mr. Marshall:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/me

Attachments

cc: John W. Huston, III, Esquire
People's Counsel

The site located on the south side of Baltimore National Pike, the northwest corner of the site being approximately 3750' from the west side of Rolling Road. Beginning at that point going S 18°-10'-10" W for 378.80' to the corner of the property. Then S 67°-03'-30" E for 297.83 feet to the next corner. Then N 15°-51'-30" E for 383.16 feet to the corner. Then S 65°-42'-23" W for 30.121 to the next point: S 15°-51'-30" W for 199.46' to the next point. Then N 65°-42'-23" W for 80.51' to the next point. Then N 18°-51'-30" E for 196.59' to the next point. Then S 65°-42'-23" W for 199.31'. The property owned by Vernon E. Marshall Lots 1, 2, and 3--lots 2 and 3 having been consolidated--the lots having 2.55 acres, in the first Election District Baltimore County, Maryland.

MAR 29 1977

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
5/5 of Baltimore National Pike 3750' : OF BALTIMORE COUNTY
W of Rolling Rd., 1st District
VERNON E. MARSHALL, Petitioner : Case No. 77-98-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

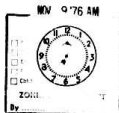
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204

I HEREBY CERTIFY that on this 9th day of November, 1976, a copy of the foregoing Order was mailed to Mr. Vernon E. Marshall, 9 Rosemar Drive, Ellicott City, Maryland 21043, Petitioner.

John W. Hession, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinkens, Zoning Commissioner Date: November 24, 1976
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: 77-98-A. Petition for Variance for a Side Yard.
South side of Baltimore National Pike 3750 feet West of Rolling Road.
Petitioner - Vernon E. Marshall

1st District

HEARING: Monday, November 29, 1976 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

NEG:JGH:tw

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 11, 1976
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 11th day of November, 1976, the first publication appearing on the 11th day of November, 1976.

THE JEFFERSONIAN
H. Frank Johnston
Manager

Cost of Advertisement, \$

RECEIVED FOR A VARIANCE
Petition for a Variance
for a Side Yard
for the property
located at
South side of Baltimore National Pike 3750 feet West of Rolling Road
Petitioner - Vernon E. Marshall
Case No. 77-98-A
November 11, 1976
H. Frank Johnston
Manager
The Jeffersonian
Towson, Maryland
Baltimore County, Maryland

THE TIMES
CATONSVILLE

ELICOTT CITY, MD. Nov. 10, 1976

THIS IS TO CERTIFY that the annexed advertisement of Petition for a Variance-- Marshall was inserted in THE CATONSVILLE TIMES, a weekly newspaper printed and published in Catonsville, Maryland, once a week for one successive weeks before the 29th day of Nov. 1976, that is to say the same was inserted in the issues of Nov. 10, 1976.

STROMBERG PUBLICATIONS, Inc.

By: P. E. Smink

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

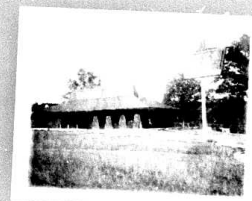
District: 1st Date of Posting: Nov. 13, 1976
Posted for: PETITION FOR VARIANCE
Petitioner: VERNON E. MARSHALL
Location of property: 5/5 of Baltimore Nat. Pike, 3750' W of Rolling Rd.
Location of Sign: 5/5 of Baltimore Nat. Pike, 3640' W of Rolling Rd.
Remarks: L. Hession, III
Posted by: L. Hession, III Date of return: Nov. 17, 1976

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received * this 4 day of
OCT. 1976. Filing Fee \$ 25 Received ☒ Check
Cash
Other
S. Eric Dinkens
Zoning Commissioner
Petitioner: MARSHALL Submitted by: BENNETT
Petitioner's Attorney Reviewed by: NBC

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

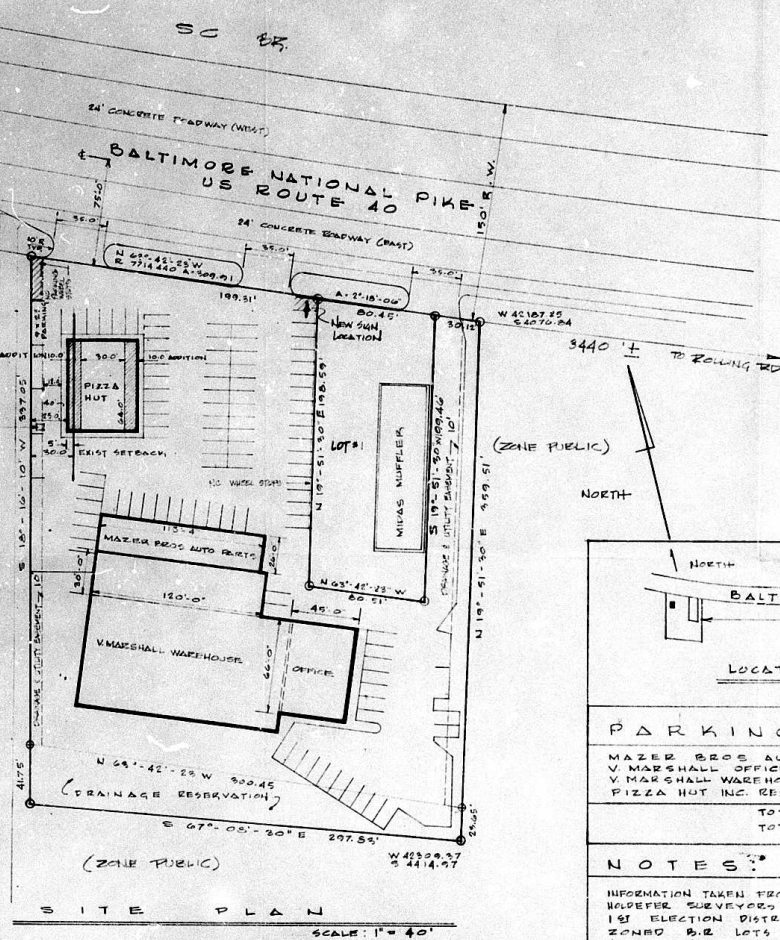
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 40464
DATE: Nov. 3, 1976 ACCOUNT: 01-662
AMOUNT: \$25.00
RECEIVED: Daniel Bennett, Jr. Suite 107 Green Plaza
Columbia, Md. 21046
FOR: Petition for Variance for Vernon E. Marshall
#77-98-A
\$25.00 RECEIVED 5 25.00 CASH
VALIDATION OR SIGNATURE OF CARRIER

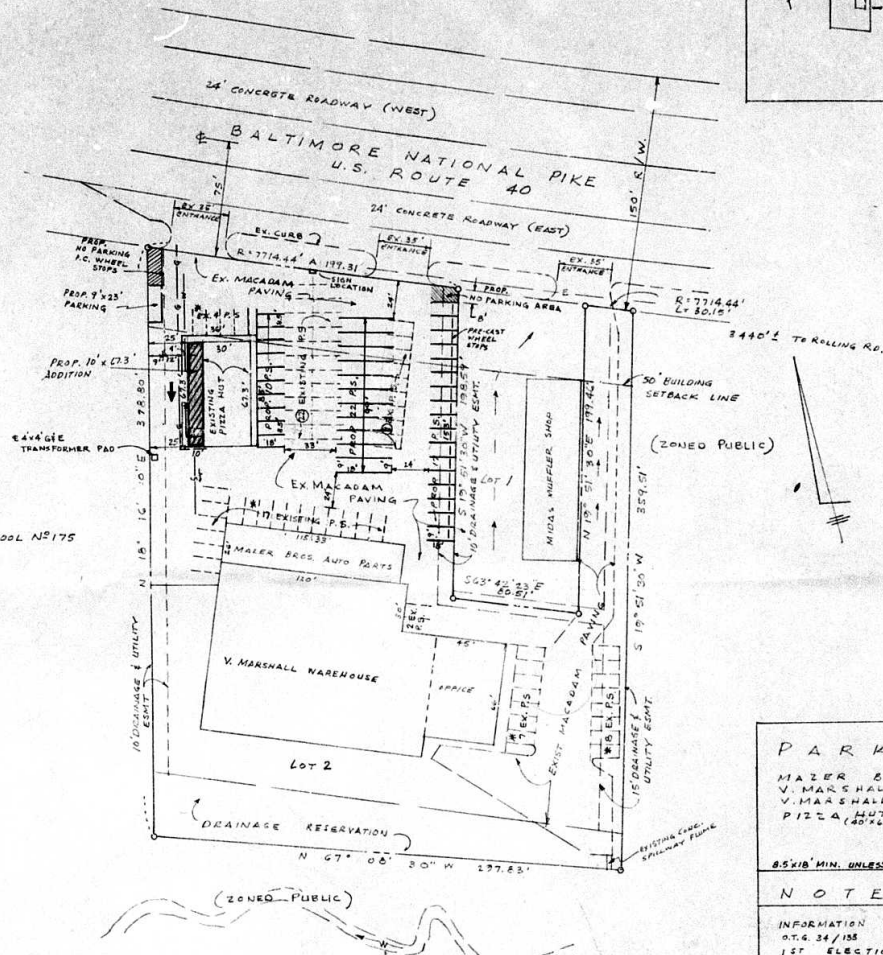
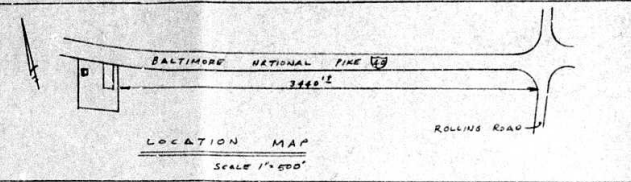


BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 42808
DATE: Dec. 8, 1976 ACCOUNT: 01-662
AMOUNT: \$47.25
RECEIVED: Plaza Bldg of Maryland, Inc., Suite 303 American
City Building, Columbia, Md. 21046
FOR: Advertising and posting of property for Vernon
E. Marshall #77-98-A
\$47.25 RECEIVED 8 47.25 CASH
VALIDATION OR SIGNATURE OF CARRIER

SITE DESCRIPTION

THE SITE IS APPROXIMATELY 2.5 ACRES LOCATED ON THE SOUTH SIDE OF BALTIMORE NATIONAL PIKE IN BALTIMORE COUNTY. THE NORTHEAST CORNER OF THE SITE IS APPROXIMATELY 3,440 FEET WEST OF ROLLING ROAD. THE NORTHERN BOUNDARY OF THE TRACTS ON BALTIMORE NATIONAL PIKE THE SITE CONVEYANCE IS ROUGHLY RECTILINEAR WITH AN OUT TACKER IN THE NORTHEAST SECTION AS THE INTERVIEW. THE APPROXIMATE PROPERTY LINE LENGTHS ARE: NORTHSIDE 125 FEET, WEST SIDE 175 FEET, SOUTHSIDE 225 FEET AND EAST SIDE 345 FEET. THE SITE AND LOT LINES ARE SHOWN ON THE SITE PLAN THIS SHEET.





GEORGE F BRAGG SCHOOL NO 175
(BALTIMORE CITY)
(ZONED PUBLIC)

- GENERAL NOTES**
1. BENCH ELEVATION IS EXIST. FLOOR OF PIZZA HUT.
 2. THE EXISTING UTILITIES AND OBSTRUCTION SHOWN ARE FOR THE CONVENIENCE OF THE CONTRACTOR AND SHALL BE VERIFIED BY HIM BEFORE CONSTRUCTION. NECESSARY PRECAUTIONS SHALL BE TAKEN BY THE CONTRACTOR TO PROTECT EX. SERVICES, AND ANY DAMAGE TO THEM SHALL BE REPAIRED IMMEDIATELY AT HIS OWN EXPENSE.
 3. BUILDING PERMIT MUST BE OBTAINED PRIOR TO CONSTRUCTION.
 4. THE CONTRACTOR SHALL NOTIFY THE BALTIMORE GAS & ELECTRIC CO. FIVE(5) DAYS BEFORE STARTING WORK.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 6-12-77
77-33 A

PARKING DATA:

MAZER BROS. AUTO PARTS	3,030 S.F./200	= 15 SPACES
V. MARSHALL OFFICE	2,994 S.F./200	= 15 SPACES
V. MARSHALL WAREHOUSE EMPLOYEES	6	= 2 SPACES
PIZZA HUT INC. RESTAURANT	2,692 S.F./50	= 54 SPACES
(40'x73')		
TOTAL SPACES REQUIRED		= 86 SPACES
TOTAL SPACES SHOWN		88 SPACES

8.5' MIN. UNLESS OTHERWISE NOTED.

NOTES:

INFORMATION TAKEN FROM A RE-SUBDIVISION PLAT OF LOTS 2 & 3 VERNON E. MARSHALL PROPERTY D.T.G. 34/155
1ST ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND.
ZONED D.R. LOT 1 AND 2
AREA LOT #2 2/8 AC. TOTAL OF LOTS 1, 2 AND 3 EQUAL 2.5 AC.; LOTS 1 & 3 REMAINED.
PROPERTY OWNED BY: VERNON E. MARSHALL
2 ROSEMAR DRIVE
ELLICOTT CITY, MARYLAND. 21043
THIS DRAWING IS ONLY FOR PIZZA HUT, FOR ADDITION TO EXIST. RESTAURANT, SIDEYARD VARIANCE TO 25 FEET FILED AND APPROVED IN CASE NO. 77-28-A ITEM NO. 71.
WITH BALTIMORE COUNTY ZONING BOARD.

DRAWING PREPARED BY: HUDKINS ASSOCIATES INC.

FOR: PIZZA HUT INC.
SUITE 106 GORMAN PLAZA
COLUMBIA, MD. 21045

101 SHELL BLDG.
200 E. JOPPA RD.
TOWSON, MD. 21204

REVISIONS

DATE 7-26-77

5497

PLOT PLAN
SCALE: 1"=40'

LEGEND

- PROPOSED PARKING SHOWN THUS ———
- EXISTING PARKING TO REMAIN SHOWN THUS #17 ———
- EXISTING PARKING TO BE REMOVED SHOWN THUS ———
- EXISTING GAS CONNECTION SHOWN THUS —G—
- EXISTING WATER CONNECTION SHOWN THUS —W—

