

77-159-A 106-86-106 **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Middle River Assembly of God, 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 1302.23 (VBE) (VBE)

to permit a rear yard setback of 15 feet in lieu of the required 30 feet.

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

Due to practical difficulties encountered by the irregular property line at the location of existing church or which the addition will be added.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expense 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 of Baltimore County.

Contract purchaser: Samuel N. Booth, Pres.
Address: 9620 Bird River Road
Baltimore, MD 21220
Petitioner's Attorney: _____
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of December, 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, that property be posted, 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 28th day of February, 1977, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

DEC 13 76 AM

10:30 A
1/18/77

77-159-A
106-86-106

ORDER RECEIVED FOR FILING

RE: PETITION FOR VARIANCE
NW 1/4 of Bird River Rd, 550' E of
Middle River Rd., 15th District
MIDDLE RIVER ASSEMBLY OF GOD,
Petitioners
1 BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 77-159-A

ORDER TO ENTER APPEARANCE

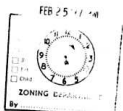
Mr. Commissioner:

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. Kuntz, Jr.
Charles E. Kuntz, Jr.
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of February, 1977, a copy of the foregoing Order was mailed to Mr. Samuel N. Booth, President, Middle River Assembly of God, 9620 Bird River Road, Baltimore, Maryland 21220, Petitioners.

John W. Hession, III
John W. Hession, III



February 28, 1977

Mr. Samuel N. Booth, President
Middle River Assembly of God
9620 Bird River Road
Baltimore, Maryland 21220

RE: Petition for Variance
NW 1/4 of Bird River Road, 550'
E of Middle River Road - 15th
Election District
Middle River Assembly of God -
Petitioner
NO. 77-159-A (Item No. 126)

Dear Mr. Booth:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/sil

Attachments

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

FRANK S. LEE

Registered Land Surveyor

1322 NEWBURN AVE. BALTIMORE, MD 21202

December 19, 1976

Middle River Assembly of God Church
9620 Bird River Road
15th District Baltimore County, Maryland

Beginning for the same on the southeast side of Bird River Road at the distance of 550 feet more or less measured westerly from the east side of Middle River Road, and thence running and binding on the northwest side of Bird River Road the two following courses and distances viz: North 45 degrees 59 minutes East 100 feet and North 39 degrees 50 minutes East 325.20 feet, thence leaving Bird River Road for five lines of division, North 45 degrees 44 minutes East 154 feet, North 39 degrees 50 minutes East 325.20 feet, North 45 degrees 44 minutes East 569 feet, North 45 degrees 59 minutes East 100 feet and South 45 degrees 44 minutes East 100 feet to the place of beginning.

Containing 6 acres of land more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 23, 1977
FROM: Norman E. Gerber, Acting Director of Planning
SUBJECT: Petition 77-159-A, Petition for Variance for a Rear Yard.
Northwest side of Bird River Road 550 feet East of Middle River Road
Petitioner - Middle River Assembly of God

15th District

HEARING: Monday, February 28, 1977 (10:30 A.M.)

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

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

END:GHRW

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Samuel N. Booth, President
Middle River Assembly of God
9620 Bird River Road
Baltimore, Md. 21220

Item 126

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 13th day of December, 1976.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner Middle River Assembly of God

Petitioner's Attorney

cc: Frank S. Lee
1322 Newburn Ave.
Baltimore, Md. 21202

Reviewed by Nicholas W. Commodore
Nicholas W. Commodore
Planning & Zoning
Associate III

PETITION FOR A VARIANCE

15th DISTRICT

NO. 77-159-A
106-86-106

PETITION FOR VARIANCE FOR A REAR YARD.
LOCATION: Northwest side of Bird River Road 550 feet East of Middle River Road.
DATE & TIME: MONDAY, FEBRUARY 28, 1977 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Planning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance from the Zoning Regulations of Baltimore County to permit a rear yard setback of 15 feet instead of the required 30 feet.

The Zoning Regulation to be amended as follows:

Section 1302.23 (VBE) - Rear Yards - 30 feet.

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Middle River Assembly of God, as shown on plat plan filed with the Zoning Department.

Hearing Dates: Monday, February 28, 1977 at 10:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DI NENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

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 and; and it further appearing that by reason of the EXISTING of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a rear yard setback of 15 feet in lieu of the required 30 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of February, 1977, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the 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 27th day of February, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 17, 1977

COUNTY OFFICE BLDG.
111 W. Calverton Ave.
Towson, Maryland 21204

Nicholas B. Commodari
Acting Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PROTECTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
MUNICIPAL
DEVELOPMENT

Mr. Samuel N. Booth, President
Middle River Assembly of God
9610 Bird River Road
Baltimore, Maryland 21220

RE: Variance Petition
Item 126
Middle River Assembly of God -
Petitioner

Dear Mr. Booth:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

This six acre tract, currently improved with a two-story brick church building and parsonage, is located on the northwest side of Bird River Road opposite Lemmerton Road, in the 15th Election District. Abutting this site to the west are the facilities of a clothing manufacturer. Vacant wooded land exists to the rear of this site, while row homes exist on the east side of Bird River Road directly opposite the proposed parking area.

This Variance is necessitated by your proposal to construct an addition to rear of the existing building

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204
(301) 481-3500

STEPHEN E. COLLINS
DIRECTOR

January 14, 1977

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

Re: Item 126 - ZAC - December 13, 1976
Property Owner: Middle River Assembly of God
Location: NW/4 Bird River Rd. 550' NE Middle River Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a rear setback of 15' in lieu of the required 30'.
Acres: 6.0
District: 15th

Dear Mr. DiNenna:

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

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF/hv

Mr. Samuel N. Booth, President
Re: Item 126
February 17, 1977
Page 2

15 feet from the rear property line in lieu of the required 30 feet. Should this request be granted, plans reflecting the proposed 70 foot right-of-way of Bird River Road and the type of paving and screening must be submitted at the building permit stage.

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
Acting Chairman, Zoning
Plans Advisory Committee

NBC:JD

Enclosure

cc: Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

January 5, 1977

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

Dear Mr. DiNenna:

Comments on Item 126, Zoning Advisory Committee Meeting, December 13, 1976, are as follows:

Property Owner: Middle River Assembly of God
Location: NW/4 Bird River Rd. 550' NE Middle River Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a rear setback of 15' in lieu of the required 30'.
Acres: 6.0
District: 15th

Comment: Since Metropolitan water and sewer exist, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin
THOMAS H. DEVLIN, DIRECTOR
BUREAU OF ENVIRONMENTAL SERVICES

THD/LW/cfs

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THOMAS M. MCKINLEY, P.E.
DIRECTOR

January 27, 1977

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

Re: Item 126 (1976-1977)
Property Owner: Middle River Assembly of God
N/W/4 Bird River Rd., 550' N/E Middle River Rd.
Existing Zoning: DR 16
Proposed Zoning: Variance to permit a rear setback of 15' in lieu of the required 30'.
Acres: 6.0 District: 15th

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.

Highways:

Bird River Road, an existing County road, is proposed to be improved in the future with a closed section roadway on a 70-foot right-of-way. Highway improvements, including highway right-of-way widening and any necessary reversible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Bureau of Engineering.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Soil/Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 684-6211

January 25, 1977

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 126, Zoning Advisory Committee Meeting, December 13, 1976, are as follows:

Property Owner: Middle River Assembly of God
Location: NW/4 Bird River Rd. 550' NE Middle River Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a rear setback of 15' in lieu of the required 30'.
Acres: 6.0
District: 15th

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. Winkley
JOHN L. WINKLEY
Planner III
Project and Development Planning

Item #126 (1976-1977)
Property Owner: Middle River Assembly of God
Page 2
January 27, 1977

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

Blawieck M. Dyer, P.E.
Chief, Bureau of Engineering

END/SAH/PMB/BS

cc: J. TUCKER
J. WARFIELD

1-WK Key Sheet
19 & 20 NE 32 Pos. Sheets
NE SH Topo
82 Tax Map

JOHN D. SEVIER
DIRECTOR

December 14, 1976

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

Dear Mr. DiNenna:

Comments on Item # 126 Zoning Advisory Committee Meeting, December 13, 1976
are as follows:

Property Owner: Middle River Assembly of God.
Location: N/A/S Bird River Rd. 550' N/E Middle River Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a rear setback of 15'
in lieu of the required 30'.

Acres: 6.0
District: 15th

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- ☒ B. A building permit shall be required before construction can begin.
- ☐ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☒ D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,

Charles E. Burnham

Charles E. Burnham
Plans Review Chief
CDB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 10, 1976

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

Z.A.C. Meeting of: December 13, 1976

Re: Item 126
Property Owner: Middle River Assembly of God
Location: N/A/S Bird River Rd. 550' N/E Middle River Rd.
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a rear setback of 15'
in lieu of the required 30'.

District: 15th
No. Acres: 6.0

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

WSP/ml

OFFICE OF THE TIMES NEWSPAPERS

TOWSON, MD. 21204

Feb. 10, 19 77

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Variance-- Middle River Assem.
was inserted in the following: of God

- ☐ Catonsville Times
☐ Dundalk Times
☒ Essex Times
☐ Suburban Times East
☐ Towson Times
☐ Arbutus Times
☐ Community Times
☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
28th day of February 19 77, that is to say, the same
was inserted in the issues of Feb. 10, 1977.

STROMBERG PUBLICATIONS, INC.

BY *Ruth Smuk*

CERTIFICATE OF POSTING TOWSON, MARYLAND

#77-159-A

District: 15th
Date of Posting: 2-10-77
Posted for: Heating, Misc. Feb. 28, 1977, C. P. 30-24
Petitioner: Middle River Assembly of God
Location of property: N/A/S of Bird River Rd. 550' East of
Middle River Rd.
Location of Sign: 1 sign posted beside driveway to Church

Remarks:
Posted by: Paul H. Hase Date of return: 2-17-77
Signature

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 46435

DATE: Feb. 28, 1977 ACCOUNT: 07-662

AMOUNT: \$8.75

RECEIVED: Samuel H. Booth, P.O. Box 5041, Balto., Md.
FROM: 21220

FOR: Advertising and posting of property for
Middle River Assembly of God - #77-159-A

86412108 1 48.75 NEW

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 10, 1977

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., once in each
of one time successive weeks before the 19th
day of February 1977, the first publication
appearing on the 19th day of February
1977.

THE JEFFERSONIAN
St. Leach
Manager.

Cost of Advertisement, \$ _____

PETITION FOR A VARIANCE
TO THE BOARD OF EDUCATION
OF BALTIMORE COUNTY
FOR THE PURPOSE OF PERMITTING
A REAR SETBACK OF 15 FEET
INSTEAD OF THE REQUIRED 30 FEET
FOR THE MIDDLE RIVER ASSEMBLY
OF GOD, 550' N/E BIRD RIVER RD.
AND 111' W/ CHESAPEAKE AVENUE,
TOWSON, MARYLAND 21204.
The Board of Education of Baltimore
County, by authority of the
Board of Education, do hereby
certify that the above petition
was published in the JEFFERSONIAN,
a weekly newspaper printed and
published in Towson, Baltimore
County, Md., once in each of
one time successive weeks
before the 19th day of February,
1977, the first publication
appearing on the 19th day of
February, 1977.
Very truly yours,
S. ERIC DINENNA
Zoning Commissioner
Baltimore County
Feb. 10, 1977

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 6th day of
December 1976 Item # _____

Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner
Petitioner: Samuel H. Booth (Asst) Submitted by: Samuel H. Booth
Middle River Assembly of God
Petitioner's Attorney: _____ Reviewed by: Eric DiNenna

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



SUSQUEHANNA TRANS. CO.

S 59°-50' W
329.30

S 45°-44' E
329.1

N 45°-44' W
329.1

6 AC.

PARKING DATA

SEATING CAPACITY OF PROP. CHURCH = 300 SEATS
No. OF PARKING SPACES REQ (1/100 G-SEAT) = 30 SPACES
No. OF " " PROVIDED = 68 SPACES
ENTIRE PARKING AREA TO BE PAVED WITH A
DURABLE DUSTLESS SURFACE AND PROPERLY
DRAINED.

D.R. 10

EXIST. HARBOR
CLOTH. MFG.
M.L.C. IM.

M.L.C. IM.

S 42°-35' W 100'

PROP. ADDITION
(CHURCH)

EX. 100' WALK

EX. 100' WALK

EX. 100' WALK

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15' SETBACK

PROP. BIT. CONC. PARKING

PROP. SCREENING - 4' HIGH COMPACT PLANTING

N 59°-50' E 329.30

BIRD RIVER

MAPLE CREST (GROUP HOMES)

LANCASTER ROAD

550' TO MIDDLE RIVER ROAD

WATER VALVE

EX. 100' WALK

EX. 100' WALK

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ASSEMBLY OF GOD CHURCH

No. 920 BIRD RIVER ROAD

15TH DIST 21CT BALTIMORE CO. MARYLAND

SCALE: 1" = 50'

DATE: 5-1-76

REV 11-19-76

EX. USE - CHURCH
PROP. USE - SAME
EX. ZONING - D.R. 10
PROP. ZONING - SAME, WITH A VARIANCE FOR A REAR YARD OF 5' INSTEAD OF REQ. 30'
EX. B.L.S. - 5,012 SQ. FT. (2ND FLOOR)
PROP. B.L.S. - 4,500 SQ. FT.

UTILITIES

EXIST. 8" SANITARY

EXIST. 12" WATER



FRANK S. LEE
120 HARBOR AVE
BALTIMORE, MD 21201

