

10/9/77 78-52-A **PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Liberty Milford Partnership, 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 409.2 of the Zoning Regulations of Baltimore County to permit a total of 182 Parking Spaces instead of the required 252 Spaces.

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

Approval has been denied on the basis that the shopping center is 32 parking spaces below requirements. However, the largest and primary tenant of the shopping center is a Bingo hall which only operates during evening hours. The Foto Hut which is the proposed new structure would not be operating during the evening hours when the Bingo Hall is in operation and also the majority of other tenants will not be open during the hours that the Bingo Hall is in operation. Petitioner therefore believes that less spaces than required should be allowed for this reason and for other reasons to be presented at the hearing and Petitioner knows of no objections by any means. During hours of operation by Foto Hut, parking lot is considerably under used.

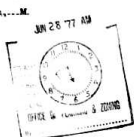
See attached description

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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

DATE September 9, 1977
BY John J. Bloom
Contract purchaser
Address 501 W. Lombard Street
Baltimore, Md. 21201
Legal Owner
Address 401 Washington Ave., Towson, Md. 21204
Protestant's Attorney
John J. Bloom, Petitioner's Attorney
Address 401 Washington Ave., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of September, 1977, 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 17th day of August, 1977, at 10:00 o'clock.



John J. Bloom
Zoning Commissioner of Baltimore County.
(over)

MCA 
MCA ENGINEERING CORPORATION
CONSULTING
ENGINEERS
1020 Cromwell Street, Baltimore, Maryland 21204 - Tel. (301) 823-9900
Cable address: MCAENGR

DESCRIPTION

3.3017 ACRE PARCEL

SOUTHWEST SIDE OF LIBERTY ROAD

SOUTHEAST SIDE OF MILFORD MILL ROAD

SECOND ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

This Description is for Parking Variance

Beginning for the same at the intersection of the southwest side of Liberty Road, eighty feet wide, and the southeast side of Milford Mill Road, sixty feet wide, running thence binding on said southwest side of Liberty Road, (1) S 65° 44' 00" E 400.85 feet to a point on the first line of the land described in the deed recorded among the Land Records of Baltimore County in Liber G.L.B. 3265, page 165, thence binding on a part of said first line, (2) S 39° 40' 00" W 412.93 feet, thence binding on the northeast outline of Section 2,

RE: PETITION FOR VARIANCE :
SW/corner of Liberty and Mil-
ford Mill Roads - 2nd Election : DEPUTY ZONING COMMISSIONER
District :
Liberty Milford Partnership - :
Petitioner :
NO. 78-52-A (Item No. 265) : BALTIMORE COUNTY

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This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Variance to permit a total of 182 parking spaces in lieu of the required 252 spaces at the above location.

Testimony on behalf of the Petitioner indicated that the subject shopping facility, known as the "Milford Mill Center" and comprising 3.3017 acres, more or less, presently has, as a major tenant, a bingo hall, which operates five nights a week and has a capacity of 700 persons. Spokesmen for the Petitioner stated that the present overall parking facilities are adequate and that very few vehicles use the parking lot during the day.

In sharp contrast to the Petitioner's statement concerning parking provisions, nearby residents indicated that patrons of the bingo hall frequently park on streets bordering D.R. (Density, Residential) neighborhoods and thereby cause problems, such as blockage of residential driveways, increased traffic, and difficulty for homeowners seeking to park their vehicles.

Without reviewing the evidence further in detail but based on all the evidence submitted at the hearing, in the judgment of the Deputy Zoning Commissioner, the requested Variance would result in additional traffic and parking problems, both on-site and nearby, and should not be granted. Particular attention is called to the comments of the State Highway Administration, dated July 11, 1977; the Department of Traffic Engineering, dated July 27, 1977; and the Director of Planning, dated August 11, 1977, all of which are part of the Zoning Plans Advisory Committee Comments for this hearing.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 22nd day of September, 1977, that the Variance

to permit a total of 182 parking spaces in lieu of the required 252 spaces should be and the same is hereby DENIED.

John J. Bloom
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW/corner of Liberty & Milford Mill Rd., :
2nd District : OF BALTIMORE COUNTY
LIBERTY MILFORD PARTNERSHIP, et al., : Case No. 78-52-A
Petitioners :
1111111

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. Heslian, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of August, 1977, a copy of the foregoing Order was mailed to Alan J. Bloom, Esquire, 401 Washington Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Heslian, III



MCA 
MCA ENGINEERING CORPORATION

"Rockdale Manor", as shown on the plat thereof rec'd among said Land Records in Plat Book G.L.B. 18, page 59, (3) N 50° 19' 15" W 417.96 feet, thence binding on the southeast side of Milford Mill Road herein referred to, (4) N 45° 32' 15" E 308.01 feet to the place of beginning. Containing 3.3017 acres of land.

HGW:mpe J.O. 1-61048-A May 14, 1977
W.O. 17153-C

Alan J. Bloom, Esquire
Equitable Building
401 Washington Avenue
Towson, Maryland 21204

RE: Petition for Variance
SW/corner of Liberty and Milford
Mill Roads - 2nd Election District
Liberty Milford Partnership -
Petitioner
NO. 78-52-A (Item No. 265)

Dear Mr. Bloom:

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

Very truly yours,

George J. Martinak
Deputy Zoning Commissioner

GJM/srl

Attachments

cc: Mr. Samuel Shulman
3545 Milford Mill Road
Baltimore, Maryland 21207
John W. Heslian, III, Esquire
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNanno, Zoning Commissioner Date: August 11, 1977
FROM: Leslie H. Graef, Director of Planning
SUBJECT: Petition 78-52-A, Petition for Variance for Off-Street Parking.

Southwest corner of Liberty and Milford Mill Roads.
Petitioner - Liberty Milford Partnership, et al

HEARING: Wednesday, August 17, 1977 (10:00 A.M.)

This office shares the concerns expressed by the Zoning Advisory Committee representatives from the State Highway Administration and the Department of Traffic Engineering. The requested variance should not be granted.

Leslie H. Graef
Director of Planning

LHG:JCH:rw

CERTIFICATE OF PUBLICATION

Pikesville, Md., July 28, 1977

THIS IS TO CERTIFY that the annexed advertisement was published in the MORNINGSTAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the _____ day of _____, 19____.

the first publication appearing on the _____ day of July, 1977
the second publication appearing on the _____ day of _____, 19____
the third publication appearing on the _____ day of _____, 19____

THE MORNINGSTAR

Jeffery Ballantyne
Manager

Cost of advertisement, \$8.00

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 5, 1977

COUNCIL OFFICE BLDG.
100 N. EIGHTH ST.
BALTIMORE, MD. 21202

Commodari
BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

MEMBERS

REPRESENTATIVE

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Alan J. Bloom, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: Variance Petition
Item No. 265
Petitioner - Melvin Thomas
Liberty Millford Partnership

Dear Mr. Bloom:

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 advise that all parties who have an interest in the property or problem with regard to the development plans that may have a bearing on this matter. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the southeast corner of Liberty and Millford Mill Roads in the 2nd Election District, and is currently improved with the Millford Mill Center. This B.L.-C.C.C. zoned site is adjacent to single family dwellings, zoned B.R. 5, 5, to the south, south at and north, a vacant B.R. 15 zoned tract to the southeast and service stations zoned B.L. to the northwest and southwest.

The property in question was the subject of a zoning violation complaint due to the fact that there was insufficient parking for the existing Bingo Hall. Overflow parking from the Bingo Hall has resulted in parking along residential streets.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING Item No. 265
Alan J. Bloom, Esquire
401 Washington Avenue 21204
County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204
this 26th Petition has been received and accepted for filing
day of July 1977
Reviewed by
Chairman, Zoning Plans
Advisory Committee
on: MCA Engineering Corporation
1020 Cromwell Bridge Road
Baltimore, Maryland 21204

Alan J. Bloom, Esquire
Page 2
Item No. 265
August 5, 1977

This Variance is necessitated in order to correct this violation and to permit the construction of a Photo Kiosk. The petitioner is requesting a Variance to permit 182 parking spaces in lieu of the required 252 spaces.

Particular attention should be afforded to the comments of the State Highway Administration. The comments from the Department of Traffic Engineering have not as yet been received by this office. They will be forwarded to you as soon as we receive them.

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,
Chairman
Zoning Plans Advisory Committee
M'S DIANA IYER
Planning & Zoning Associate III

NBC:Dirf
cc: MCA Engineering Corporation
1020 Cromwell Bridge Road
Baltimore, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOUNING, P.E.
DIRECTOR

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

July 18, 1977

Re: Item #265 (1976-1977)
Property Owner: Melvin Thomas, et al
S/C cor. Liberty Rd. & Millford Mill Rd.
Existing Zoning: B.L.-C.C.C.
Proposed Zoning: Variance to permit 182 parking spaces in lieu of the required 252 spaces.
Acres: 3.3017 District: 2nd

Dear Mr. DiNenna:

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

General:

Baltimore County highway and utility improvements are not directly involved. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #265 (1976-1977).

Very truly yours,
ELLENWORTH N. DYER, P.E.
Chief, Bureau of Engineering

END:ENM:PMW:as
P-EE Key Sheet
21 MW 27 & 28 Pos. Sheets
MW 6 C Topo
77 Tax Map

Maryland Department of Transportation
State Highway Administration

Reviewed by
Bureau of Engineering
Access Permits

July 11, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204
Attention: Mr. N. Commodari

Re: Z.A.C. Meeting June 28, 1977
Item: 265
Property Owner: Melvin Thomas, et al
Location: SE/C Liberty Rd. (Rte. 26) & Millford Mill Road
Existing Zoning: B.L.-C.C.C.
Proposed Zoning: Variance to permit 182 parking spaces in lieu of the required 252 spaces.
Acres: 3.3017
District: 2nd

Dear Mr. DiNenna:

The proposed parking variance could cause a condition where lack of sufficient parking would result in on-site traffic problems that could extend out onto Liberty Road. The situation would be especially critical due to the fact that the Liberty Road-Millford Mill Road intersection is a major intersection carrying a high volume of traffic.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits
By: John E. Noyers

CL:JEN:dj

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 434-3211

July 27, 1977

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

Dear Mr. DiNenna:

Comments on Item #265, Zoning Advisory Committee Meeting, June 28, 1977, are as follows:

Property Owner: Melvin Thomas, et al
Location: SE/C Liberty Road and Millford Mill Road
Existing Zoning: B.L.-C.C.C.
Proposed Zoning: Variance to permit 182 parking spaces in lieu of the required 252 spaces
Acres: 3.3017
District: 2nd

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 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

July 14, 1977

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

Dear Mr. DiMenna:

Comments on #265, Zoning Advisory Committee Meeting, June 28, 1977, are as follows:

Property Owner: Melvin Thomas, et al.
Location: SE/C Liberty Rd. & Milford Mill Rd.
Existing Zoning: R.L. - C.C.C.
Proposed Zoning: Variance to permit 182 parking spaces in lieu of the required 252 spaces.
Acres: 3.3017
District: 2nd

Metropolitan water and sewer are available. A moratorium was placed on new sewer connections in the German Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on May 14, 1976; therefore approval may be withheld for this connection.

Very truly yours,

John A. Sullivan
JOHN A. SULLIVAN
BUREAU OF ENVIRONMENTAL SERVICES

WD/KS/rth

July 27, 1977

Mr. Eric S. DiMenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item #265 - SAC - June 28, 1977

Property Owner: Melvin Thomas, et al.
Location: SE/C Liberty Rd. & Milford Mill Rd.
Existing Zoning: R.L. - C.C.C.
Proposed Zoning: Variance to permit 182 parking spaces in lieu of the required 252 spaces.
Acres: 3.3017
District: 2nd

Dear Mr. DiMenna:

The requested parking variance can be expected to cause some parking problems in the area.

Sincerely,

Michael S. Fienigan
Michael S. Fienigan
Associate Traffic Engineer

MSF/jlf

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attention: Nicholas S. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Melvin Thomas, et al.

Location: SE/C Liberty Rd. & Milford Mill Rd.

Item No. 265

Zoning Agenda June 28, 1977

Comments:

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

(1) 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) 2. A second means of vehicle access is required for the site.

(3) 3. The vehicle dead end condition shown at _____

violates the maximum allowed by the Fire Department.

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

(5) 5. 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.

(6) 6. Site plans are approved as drawn.

(7) 7. The Fire Prevention Bureau has no comments, at this time.

APPROVED: *H. Kelly*
Planning Bureau
Special Inspection Division

Noted and Approved: *George W. Hagan*
Deputy Chief
Fire Prevention Bureau

June 29, 1977

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

Dear Mr. DiMenna:

Comments on Item #265 Zoning Advisory Committee Meeting, June 28, 1977 are as follows:

Property Owner: Melvin Thomas et al.
Location: SE/C Liberty Rd & Milford Mill Rd
Existing Zoning: R.L. - C.C.C.
Proposed Zoning: Variance to permit 182 Parking spaces in lieu of the required 252 spaces.

Acres: 3.3017
District: 2nd

The items checked below are applicable:

- ☒ A. Proposed 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, C.E.
Plans Review Chief
CBH:rs

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: June 23, 1977

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

Z.A.C. Meeting of: June 28, 1977

RE: Item No: 265
Property Owner: Melvin Thomas, et al.
Location: SE/C Liberty Rd. & Milford Mill Rd.
Present Zoning: R.L. - C.C.C.
Proposed Zoning: Variance to permit 182 parking spaces in lieu of the required 252 spaces.

District: 2nd
No. Acres: 3.3017

Dear Mr. DiMenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

May 17, 1976

Alvin Snyder, Esquire
3701 Twin Lakes Court
Pikesville, Maryland 21207

RE: Permit No. 56854 (C-175-74)
8047 Liberty Road - 2nd
Election District

Dear Mr. Snyder:

On February 25, 1974, this office approved the above referenced Permit for a change of occupancy from a food store to a bingo hall.

A recent review of that Permit, precipitated by neighborhood complaints, has revealed that the structure was erroneously approved for a maximum occupancy of eleven hundred and fifty-two (1152) persons. The actual approval should have been for a maximum of six hundred and eighty-one (681) persons.

For the above reason, this office amends its approval of the Permit from the original maximum number of persons to the corrected number. Full compliance with the new maximum must be attained no later than July 1, 1976.

Additionally, the use was approved for operation by a charitable organization only. Verification of such use must also be made by the aforementioned date.

Failure to comply in either or both of the above required corrections, within the specified time, will result in the matter being scheduled for a violation hearing.

At-in Snyder, Esquire
Page 2
May 17, 1976

If further explanation or additional information is required, please feel free to contact this office.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

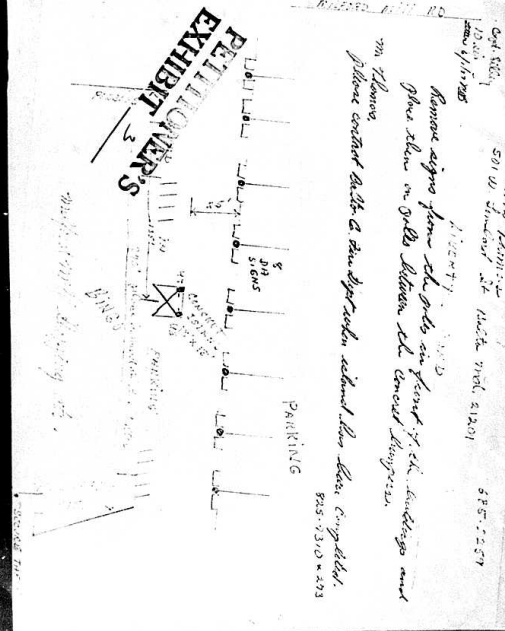
JED/JDB, III/scw

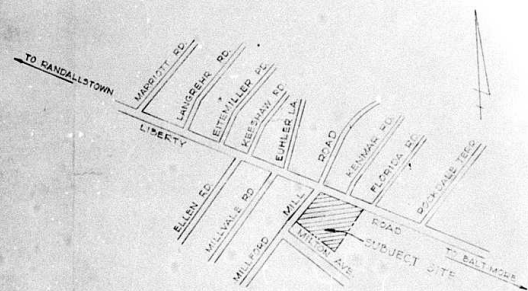
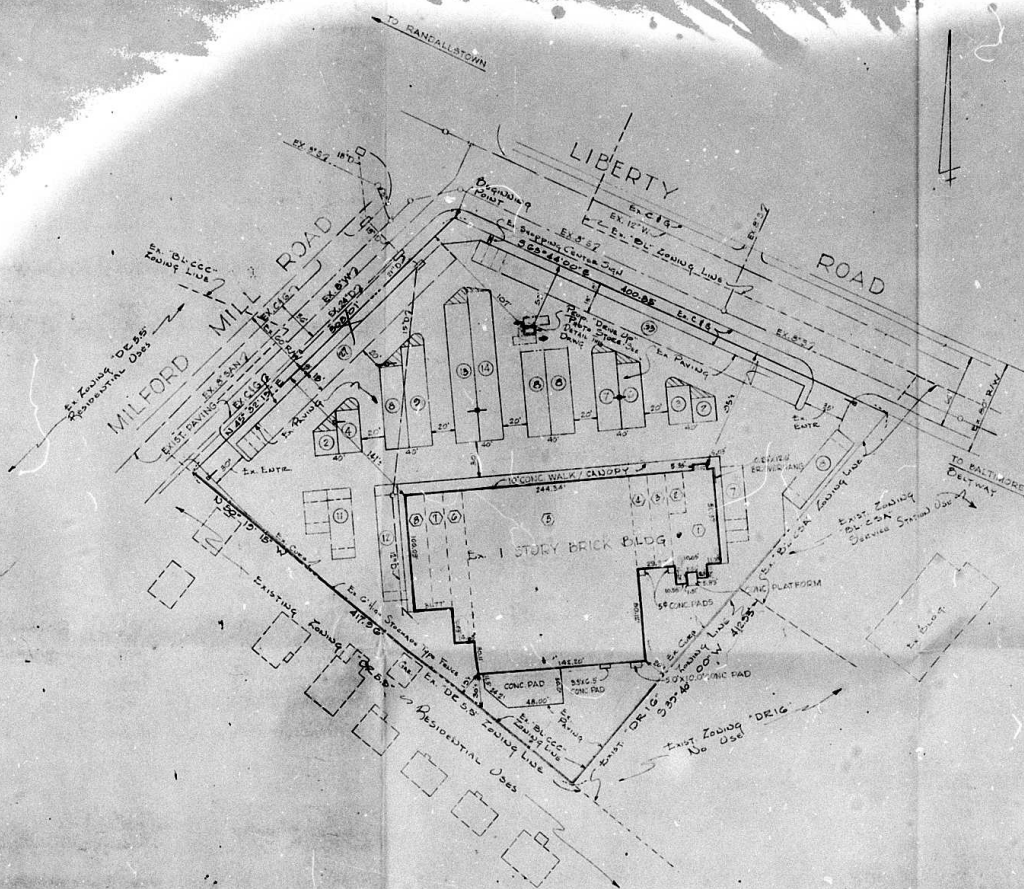
cc: Mr. Lee Wilson
410 South Brunswick Street
Baltimore, Maryland 21223

Mr. S. Eric DiMenna
Zoning Commissioner

Mr. James D. Byrnes, III, Chief
Zoning Enforcement Section

F.L.

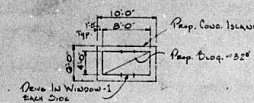




VICINITY MAP
SCALE 1:1500

GENERAL NOTES

1. AREA OF SITE = 2.3017 ACRES
2. EXISTING ZONING OF SITE: B1000
3. EXISTING USE OF SITE: NEIGHBORHOOD SHOPPING CENTER
4. OFF-STREET PARKING DATA:
 - A. AREA OF RESTAURANTS = 8100 Sq. Ft. Requiring 103 Spaces (Min)
 - B. RETAIL FLOOR AREA = 8170 Sq. Ft. Requiring 27 Spaces (Min)
 - C. DRUGO HALL = 20700 Sq. Ft. (Maximum Seating = 700 Persons) Requiring 117 Spaces (1/2 Seated). Maximum Seating = 700 Persons Requiring 117 Spaces
 - D. Total Spaces Required = 255
 - E. Total Spaces Existing (if proposed) = 187
 - F. Spaces Lost For Proposed Photo Store = 5
 - G. Spaces Remaining = 182
5. PETITION IS REQUESTING A VARIANCE TO SECTION 402.2(b) OF THE ZONING CODE TO PERMIT A TOTAL OF 152 PARKING SPACES INSTEAD OF THE REQUIRED 255 SPACES (A VARIANCE OF 70 SPACES)
6. SITE IS LOCATED IN THE GUYMONS FARM DRAINAGE AREA



DIMENSIONS OF PROPOSED DRIVE UP PHOTO STORE
SCALE: 1" = 10'

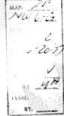
EXISTING BLDG USES

BLDG #	BLDG USE	AREA (Sq. Ft.)	REQUIREMENT	SPACES
1	WHITE COFFEE SH. RESTAURANT	2600	Requiring 88 Spaces	88
2	BARBER SHOP	525		20
3	BEAUTY SHOP	1800		6
4	DAIRY - RICHMOND ICE CREAM	1800		24
5	DRUGO HALL - MAXIMUM SEATING	20700		110.7
6	BOYS CLOTHING STORE	1950		2.7
7	GIRLS CLOTHING STORE	1600		3
8	PERMIES SUN SHOP	1000		32.2
* SEATS IN STORE				
TOTAL REQUIRED:				251.2

NOTE: DRUGO HALL OPERATES FROM 9:30 P.M. UNTIL 11:15 P.M. DAILY EXCEPT WEDNESDAYS & SUNDAYS.

PLAT TO ACCOMPANY PETITION FOR PARKING VARIANCE AT MILFORD MILL CENTER

ELECTION DISTRICT 2 BALTIMORE COUNTY, MD.
SCALE: 1" = 50' MAY 27, 1977
REVISED: JUNE 14, 1977



MCA 000
MCA 000
BALTIMORE COUNTY, MD.