

RE: PETITION FOR RECLASSIFICATION : BEFORE THE ZONING COMMISSIONER
SW/5 of the Baltimore Highway,
1200' NW of Wilkens Avenue,
1st District

OF BALTIMORE COUNTY

LYON ASSOCIATES, INC.,
Petitioner

Case No. 79-52-R

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 324.1 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.

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

I HEREBY CERTIFY that on this 9th day of August, 1978, a copy of the foregoing Order was mailed to James D. Nolan, Esquire, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.

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



ICDA APPLICATION FOR
SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

1. OR THE LYON ASSOCIATES, INC., LESSOR OF THE PROPERTY SITUED IN BALTIMORE COUNTY, THE PROPERTY OUTLINE OF WHICH IS SHOWN TO SCALE, COMPLYING WITH THE REQUIREMENTS OF THE ICDA ACT, AND FOR THE SALE OF THE SAME, WHICH ARE ATTACHED HERETO, REQUESTS APPLICATION TO FILE FOR A SPECIAL

EXEMPTION. 2. IN D.R. 15, ZONE TO USE THE HEREIN RECORDED PROPERTY MAP

3. OFFICES AND OFFICE BUILDING

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROUND SITE AREA 11.99 AC. DEED REF. 2009/157

GRADING - 16.5' - 1/2% OF OVERALL SITE WILL REQUIRE GRADING

BUILDING SIZE

GROUND FLOOR 100' x 200' AREA 20,000 S.F.

NUMBER OF FLOORS 2 TOTAL HEIGHT 30'

FLOOR AREA RATIO TOTAL FLOOR AREA DIVIDED BY SITE AREA 0.677

BUILDING USE

GROUND FLOOR OFFICE OTHER FLOORS OFFICE

REQUIRED NUMBER OF PARKING SPACES

GROUND FLOOR 87 OTHER FLOORS 40 TOTAL 107

PAVING

AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 36,520

(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 340)

UTILITIES

WATER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM: *Public Water Main in Public Lane*

SEWER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM: *Relocating 18-inch main in Paradise Avenue and Public Lane*

STORM: *Public Storm Sewer*

UTILITIES SECURITY: *Public Security*

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT, LESSOR OR CONTRACT PURCHASER: *James D. Nolan, Esquire*

ADDRESS: *204 W. Pennsylvania Avenue, Towson, Md. 21204*

DATE: *8/9/78*

THE PLANNING BOARD HAS DETERMINED ON *8/16/78* THAT THE PROPOSED DEVELOPMENT

DOES NOT CONFORM TO THE REQUIREMENTS OF BALTIMORE COUNTY ZONING ORDINANCE

DATE: *8/16/78* BY: *James D. Nolan, Esquire*

ADDRESS: *204 W. Pennsylvania Avenue, Towson, Md. 21204*

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RECEIVED

OFFICE OF PLANNING & ZONING

August 30, 1978

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LAW OFFICES OF
NOLAN, PLUMKOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

JAMES D. NOLAN
J. EARLE PLUMKOFF
WILLIAM M. WILLIAMS
TOWSON, MARYLAND 21204

August 30, 1978

The Honorable George J. Martinak
Deputy Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification to D.R. 16
and Special Exception for Offices for
the Lyon Associates, Inc., Case No. 79-52-R.
Scheduled Zoning Commissioner Hearing Date
Tuesday, September 5, 1978 at 1:00 P.M.
and Resubmitted ICDA Materials.

Dear Commissioner Martinak:

As everyone involved in this matter will recall, earlier this year we filed a Petition for Reclassification and Special Exception for Offices for the Lyon Associates, Inc., covering a 12-acre parcel on the southwest side of the Baltimore County Beltway, northwest of Wilkens Avenue.

At the time of filing the reclassification case, an ICDA Petition was also filed, and the Petition was identified as ICDA No. 78-22X. The property passed every ICDA requirement except water, and due to the placement of the building on the higher elevations of the property, there was thought to be a problem with water pressure.

Our client, Lyon Associates, through their Engineering Division, Maryland Surveying and Engineering, Inc., prepared an ICDA submission with the building relocated to a lower elevation to cure the water pressure problem.

Seven copies of a revised site plan dated August 9, 1978, with the proposed building relocated for a first floor elevation of 240 feet above sea level, are submitted herewith, together with the usual ICDA Petitions, zoning map, aerial photo and topography maps.

Relocating the building at elevation 240, with the second floor at elevation 255 should cure the water pressure problems noted in Mr. Diver's Comments, corroborated in by Mr. Ringger, of May 15, 1978. Some other Comments by Mr.

SUBMITTAL REVIEW COMMENTS
DATE: May 15, 1978
FROM: Ellsworth N. Diver, P.E.,
Chief, Bureau of Engineering

PROJECT NAME: Lyon Associates, Inc.
PROJECT NUMBER: ICDA NO. 78-22X
LOCATION: N/SS Paradise Avenue
DISTRICT: IC1

ICDA PLAN
PRELIMINARY PLAN
TENTATIVE PLAN
DEVELOPMENT PLAN
FINAL PLAN

This application for special exception (No. 78-22X) was received by the Developer Design Approval Section on April 9, 1978, and we comment as follows:

Water: (Reduced Western Third Zone) Urban Area

This property is within the Urban-Rural Demonstration line and in an area designated "Existing Service" on Baltimore County Water Plans V-22A and B, as amended.

The existing 18-inch public water main in Sylvan Lane (Kenwood Avenue), and also in Paradise Avenue, at the southwestern outline of this property, supply water in the Reduced Western Third Zone of water service which is not capable of supplying the water volume, pressure, and fire protection considered adequate to serve this project. Water pressure problems have been reported in the area.

Construction of public water mains so as to supply water from the Western Third Zone of water service would be this and other properties. As adequate public water mains do not actually extend to this property, this project may not be recommended for approval. However, should the petitioner comply with the requirements which guarantee the construction of adequate public water mains, from the Western Third Zone of water supply to this property, per sub-section e)(1)(a) of Bill 12-77, (ICDA), this project may be approved.

Sanitary Sewer: (Herbert Run - Patapsco River Interceptors - Patapsco Sewage Pumping Station - Patapsco Waste Water Treatment Plant) Patapsco Pumping Station - 14.40 mgd.

There is public 10-inch sanitary sewerage along Paradise Avenue, and in Kenwood Avenue approximately 750 feet east of this site. No dry weather flow problems are reported in the area. This property is within the Urban-Rural Demonstration line and in an area designated "Existing Service" on Baltimore County Sewerage Plans E-22A and B, as amended. The requested change in use will not adversely affect the system. This project is recommended for approval.

Page two - George J. Martinak - August 30, 1978

Department of Public Works, most particularly the Zoning Advisory Committee Comments of April 19, 1978, under the water Comments, note water pressure problems in serving properties above elevation 260. Thus, the relocation of all portions of the building below this elevation should cure these problems.

In accordance with our letter of July 21, 1978 to Mr. DiMenna, we would again emphasize that Lyon Associates' only plan for this property is the two-story office building, which has always been shown, and it is on this basis that the case must be tried. Of course, until the property passes all ICDA tests on reclassification, the requested special exception for office building cannot be granted under the terms of the ICDA Bill 12-77. Accordingly, we would respectfully suggest that the case be called on Tuesday, September 5 at 1:00 p.m. and thereafter continued as to the hearing until this resubmitted ICDA material is processed by the Department of Public Works and the Planning Board.

Thanking everyone for their attention to this resubmission and ready to answer any questions that any interested party may have, I am

Respectfully,

James D. Nolan

James D. Nolan

JDN/hl-Enclosures

cc: The Hon. S. Eric DiMenna
Zoning Commissioner

Joseph A. Macfield
Bureau of Public Services
Department of Public Works
County Office Building
Towson, Md. 21204

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering
Department of Public Works

Fredrick M. Ringger, Jr.
Bureau of Engineering
Dept. of Public Works

Nicholas B. Commodari
Office of Planning & Zoning

Ray R. Pectter, Jr.
David C. Flowers
Planning Office
Courts Building 21204

J. Robert Cassell, P.E. & L.S.,
Vice President
Lyon Associates, Inc.
5707 Whitestone Road
Baltimore, Md. 21207
Nannes F. Greenberg, Esquire
Kaplan, Heyman, Greenberg,
Engelman & Belgrad, P.A.
10th Floor, Sun Life Building
Baltimore, Md. 21201

ICDA NO. 78-22X
Lyon Associates, Inc.
Page 2
May 15, 1978

Scour Drains: (Herbert Run - Patapsco River - Chesapeake Bay)

This property drains to Patapsco River via Herbert Run. There are known flooding problems downstream. The petitioner indicates a proposed increase of outlet invert elevations of approximately 30.00 to 30.50 feet. This project, subject to the Baltimore County Storm Water Management Policy, will present no additional impact downstream from the development of this property; this project is recommended for approval. Estimated 100-year design storm runoff: increase of 6.9% cfs.

Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

April 13, 1978

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

Re: Item #2 - ZAC - Cycle 3 - April, 1978
Property Owner: Lyon Associates, Inc.
Location: SW/S Balto. Beltway 1200' NW Wilkens Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: D.R. 16 with Special Exception for offices (IDCA 78-22X)
Acres: 11.90
District: 1st

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 3.5 to D.R. 16 with a special exception for offices on 11.9 acres.

This would increase the trip density from 416 to 1430 or 2800 for the special exception.

Sylvan Lane is not adequate to handle this type of density without improvement. Congestion presently occurs at the interchange of Wilkens Avenue and the Beltway and this increased density can only compound that problem.

Very truly yours,

Charles E. Burman
C. E. Burman
Assistant Traffic Engineer

CEB/baa

April 21, 1978

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

Dear Mr. DiNenna:

Comments on Item #2, Zoning Advisory Committee Meeting for Cycle III, are as follows:
Property Owner: Lyon Associates, Inc.
Location: SW/S Balto. Beltway 1200' NW Wilkens Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: D.R. 16 with Special Exception for offices (IDCA 78-22X)
Acres: 11.90
District: 1st

Metropolitan water and sewer must be extended to the site prior to approval of a building permit application.

Very truly yours,

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

THD/RS/rlh

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Lyon Associates, Inc.

Location: SW/S Balto. Beltway 1200' NW Wilkens Avenue.

Item No. 2 Zoning Agenda Cycle III

Gentlemen:

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

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road 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 _____ within the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 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. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *St. Paul*
Planning Group
Special Inspection Division

Noted and Approved: *Paul H. Reinecke*
Fire Prevention Bureau

April 6, 1978

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

Dear Mr. DiNenna:

Comments on Item #2, Zoning Advisory Committee Meeting, are as follows:

Property Owner: Lyon Associates
Location: SW/S Baltimore Beltway at Kenwood Ave on Sylvan Lane
Existing Zoning: D.R. 3.5
Proposed Zoning: D.R. 16

Acres: 11.90
District: 1st

The items checked below are applicable:

- X. 1. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and other applicable codes.
- X. 2. A building permit shall be required before construction can begin.
- C. 3. Additional _____ Permits shall be required.
2. Building shall be upgraded to new use - requires alteration permit.
3. Three sets of construction drawings will be required to file an application for a building permit.
- X. 7. 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.
- C. 6. 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.
- E. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
1. No Comment.
- X. 2. Comment: Compliance to the State Handicapped Code shall be shown on plat plan. Soil analysis may be required before construction starts.

Very truly yours,

Charles E. Burman
Charles E. Burman
Plans Review Chief

CEB/rsj

June 7, 1978

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

Dear Mr. DiNenna:

Cycle III Revised
Comments on Item #2 Zoning Advisory Committee Meeting, June 6, 1978 are as follows:
Property Owner: Lyon Associates, Inc.
Location: SW/S Baltimore Beltway 1200' NW Wilkens Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: D.R. 16 with Special Exception for offices (IDCA 78-22X)

Acres: 11.90
District: 1st

The items checked below are applicable:

- X. 1. Structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and other applicable codes.
- X. 2. A building permit shall be required before construction can begin.
- C. 3. Additional _____ Permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
3. Three sets of construction drawings will be required to file an application for a building permit.
- X. 7. 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.
- C. 6. 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.
- E. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
1. No Comment.
- X. 2. Comment: See attached sheet for additional notes.

Very truly yours,

Charles E. Burman
Charles E. Burman
Plans Review Chief

CEB/rsj

RE: Permit No. Item #2 Cycle III
District: _____
Address: _____

Dear Sir:

Your revised site plans fail to reflect compliance with the Maryland State Code for the Handicapped and Aged. Specifically Section 316-3 and 316-4.

- (X) Parking Spaces
- (X) Parking Signs
- (X) Ramp to Sidewalks
- (X) Access to Structures
- (X) Curb Cuts

Please review the above sections for total compliance.

Very truly yours,

Charles E. Burman
C.E. Burman, Chief
Plans Review

CEB/rsj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 24, 1978

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

Z.A.C. Meeting of: Cycle III

RE: Item No. 2

Property Owner: Lyon Associates, Inc.
Location: SW/S Balto. Beltway 1200' NW Wilkens Avenue
Present Zoning: D.R. 3.5
Proposed Zoning: D.R. 16 with Special Exception for offices (IDCA 78-22X)

District: 1st
No. Acres: 11.90

Dear Mr. DiNenna:

No adverse effect on student population. Would only result in loss of approximately 19 Elementary, 7 Junior High and 5 Senior High pupils.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich
Field Representative

NNP/bp

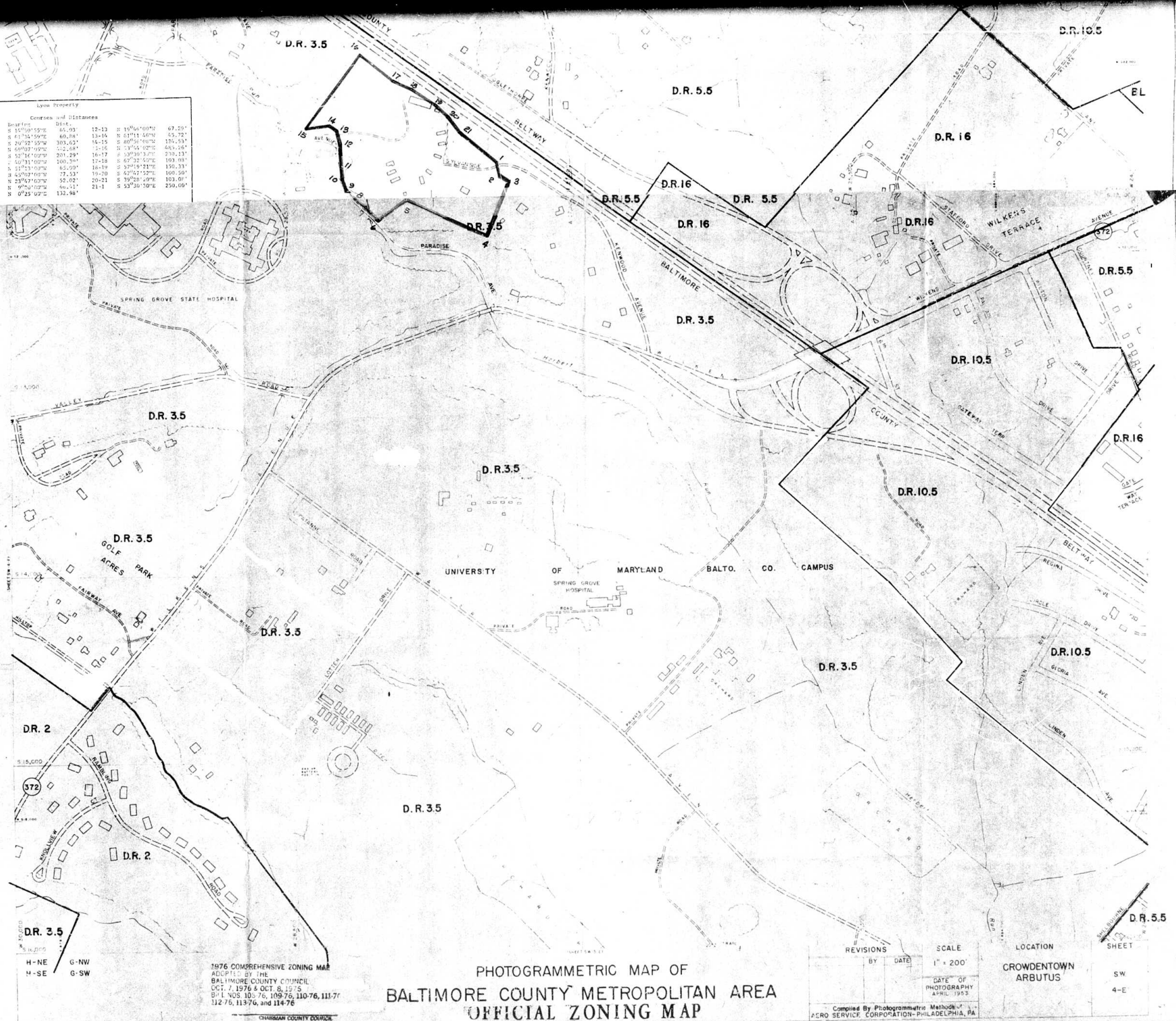
JOSEPH H. MCGOWAN, P. ENGINEER
T. RAYMOND WILLIAMS, JR., SUPERINTENDENT
MARVIN H. BUSHMAN

THOMAS H. BOSTER
R. L. LORRAINE, P. CHIEF
ROGER S. HAYDEN
ROBERT V. DUGAL, SUPERINTENDENT

ALVIN LORRICK
R. E. HULTON, JR., P.E.
RICHARD W. GRACEY, P.E.

LYNN PROPERTY

Line	Bearing	Dist.	Line	Bearing	Dist.
1-2	S 14°08'15"W	66.03	12-13	S 15°04'00"W	67.29
2-3	S 61°14'56"W	60.88	13-14	S 61°11'56"W	55.72
3-4	S 29°02'55"W	103.02	14-15	S 80°01'00"W	124.54
4-5	N 60°07'00"E	112.48	15-16	S 1°04'00"E	463.56
5-6	S 52°16'00"W	201.29	16-17	S 33°30'37"W	210.13
6-7	S 52°18'00"W	200.54	17-18	S 67°32'00"E	100.08
7-8	S 11°53'00"W	65.00	18-19	S 37°19'21"W	150.33
8-9	S 43°07'00"W	77.53	19-20	S 47°47'50"E	100.50
9-10	N 23°02'00"E	52.00	20-21	S 39°25'00"E	103.00
10-11	N 9°02'00"E	66.11	21-1	S 53°30'50"E	250.00
11-12	N 0°25'00"E	132.98			



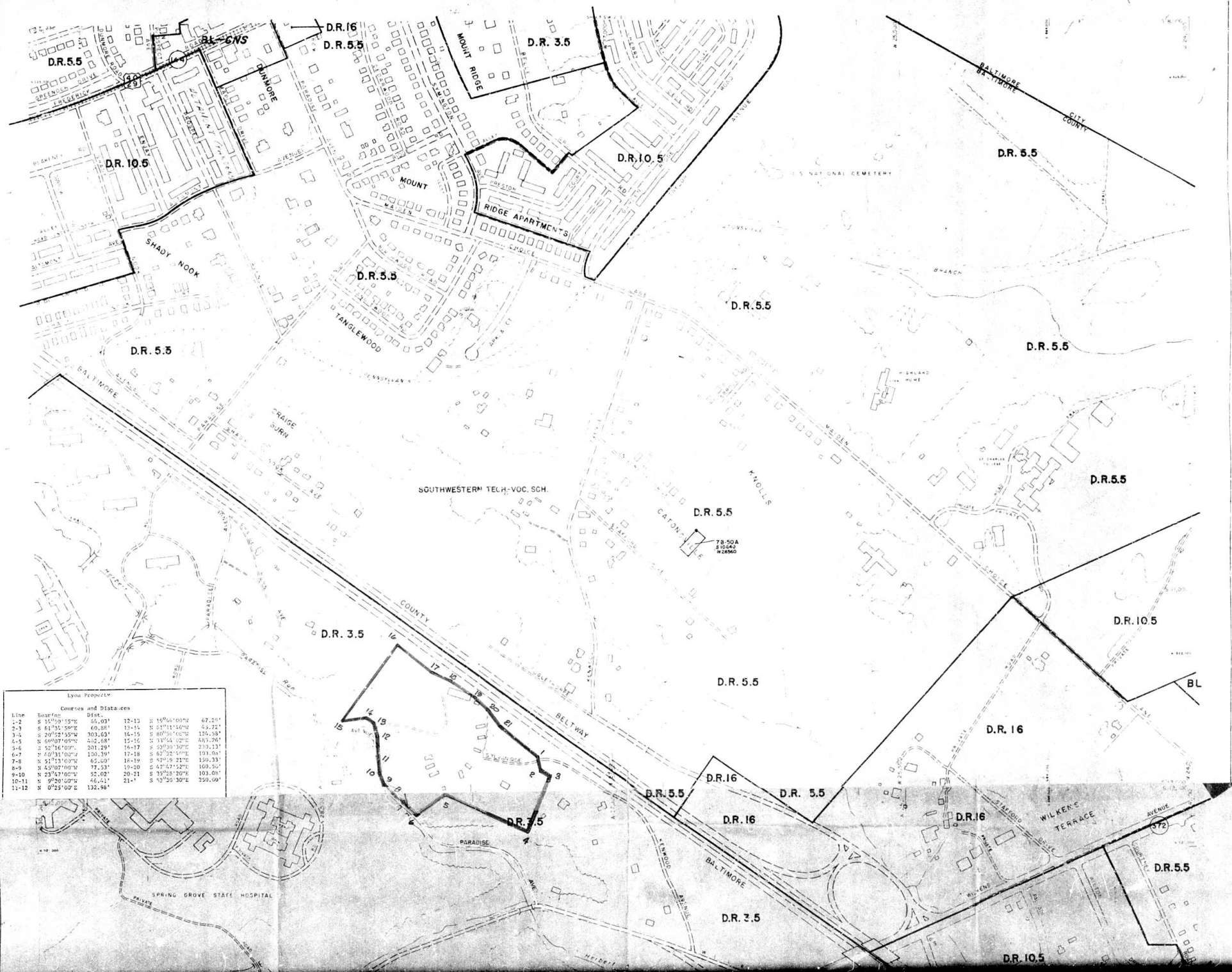
PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
OFFICIAL ZONING MAP

REVISIONS		SCALE	LOCATION
BY	DATE	1" = 200'	CROWDENTOWN ARBUS
		DATE OF PHOTOGRAPHY APRIL 1953	SW 4-E

Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION-PHILADELPHIA, PA

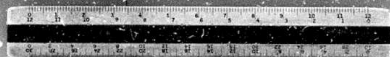
1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1975
BY L NOS 102-76, 109-76, 110-76, 111-76
112-76, 113-76, and 114-76

CHESAPEAKE COUNTY COURSE



Lynn Property

Line	Bearing	Dist.
1-2	S 10°30'55"W	64.03'
2-3	S 41°34'55"W	60.00'
3-4	S 20°52'55"W	303.63'
4-5	N 10°07'10"W	462.64'
5-6	S 59°16'10"W	201.29'
6-7	N 40°11'10"W	100.59'
7-8	N 51°17'10"W	65.00'
8-9	N 54°07'10"W	77.53'
9-10	N 52°57'10"W	122.00'
10-11	N 9°20'10"W	66.41'
11-12	N 0°25'10"E	132.98'



BALTIMORE BELTWAY

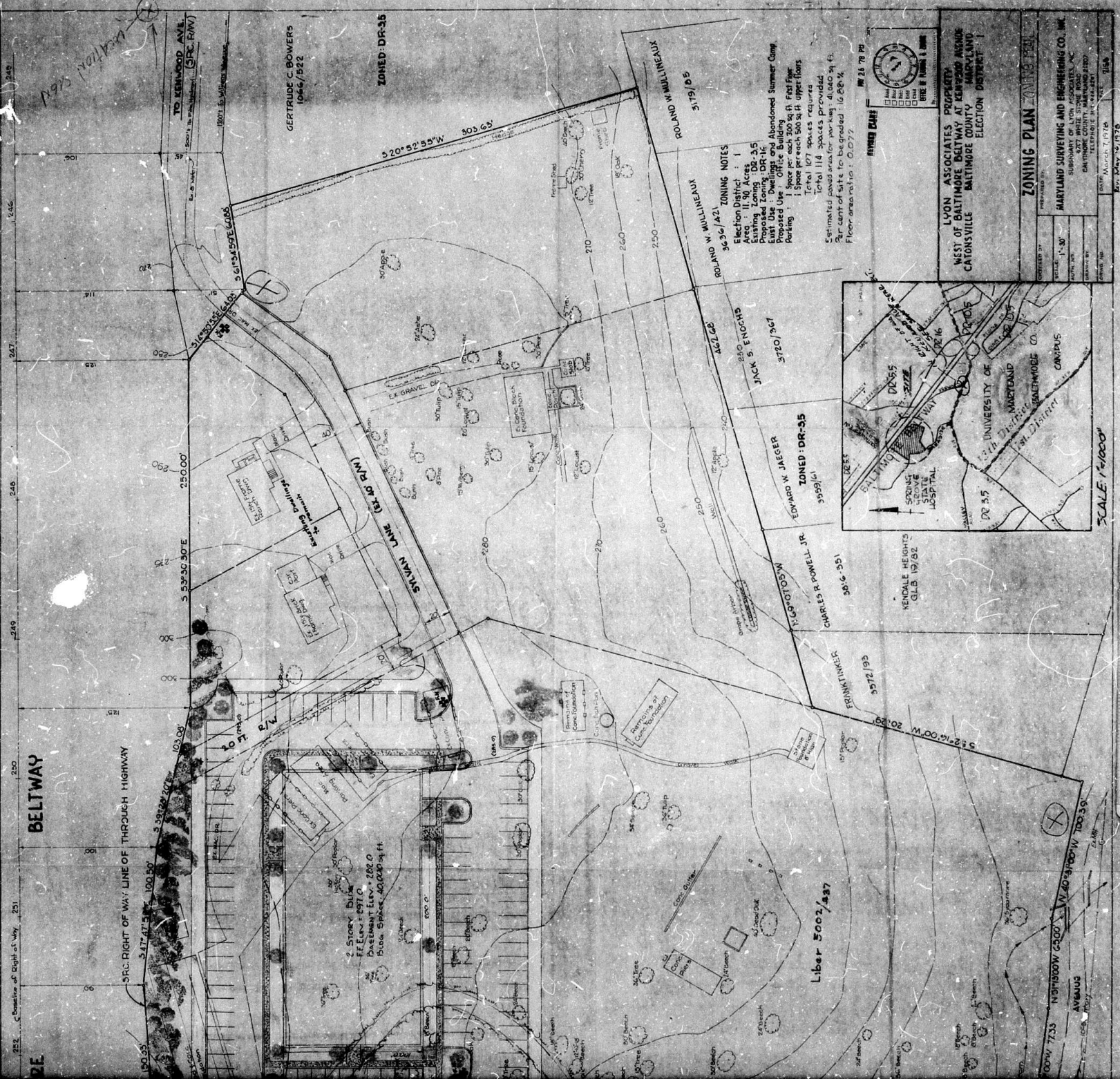
SRC RIGHT OF WAY LINE OF THROUGH HIGHWAY

2-STORY BUILDING
FF ELEV. = 297.0
BASEMENT ELEV. = 282.0
BLDG SPACE 40,000 sq. ft.

Liber 5502/437

SPRING GROVE STATE HOSPITAL
(PUBLIC LAND)



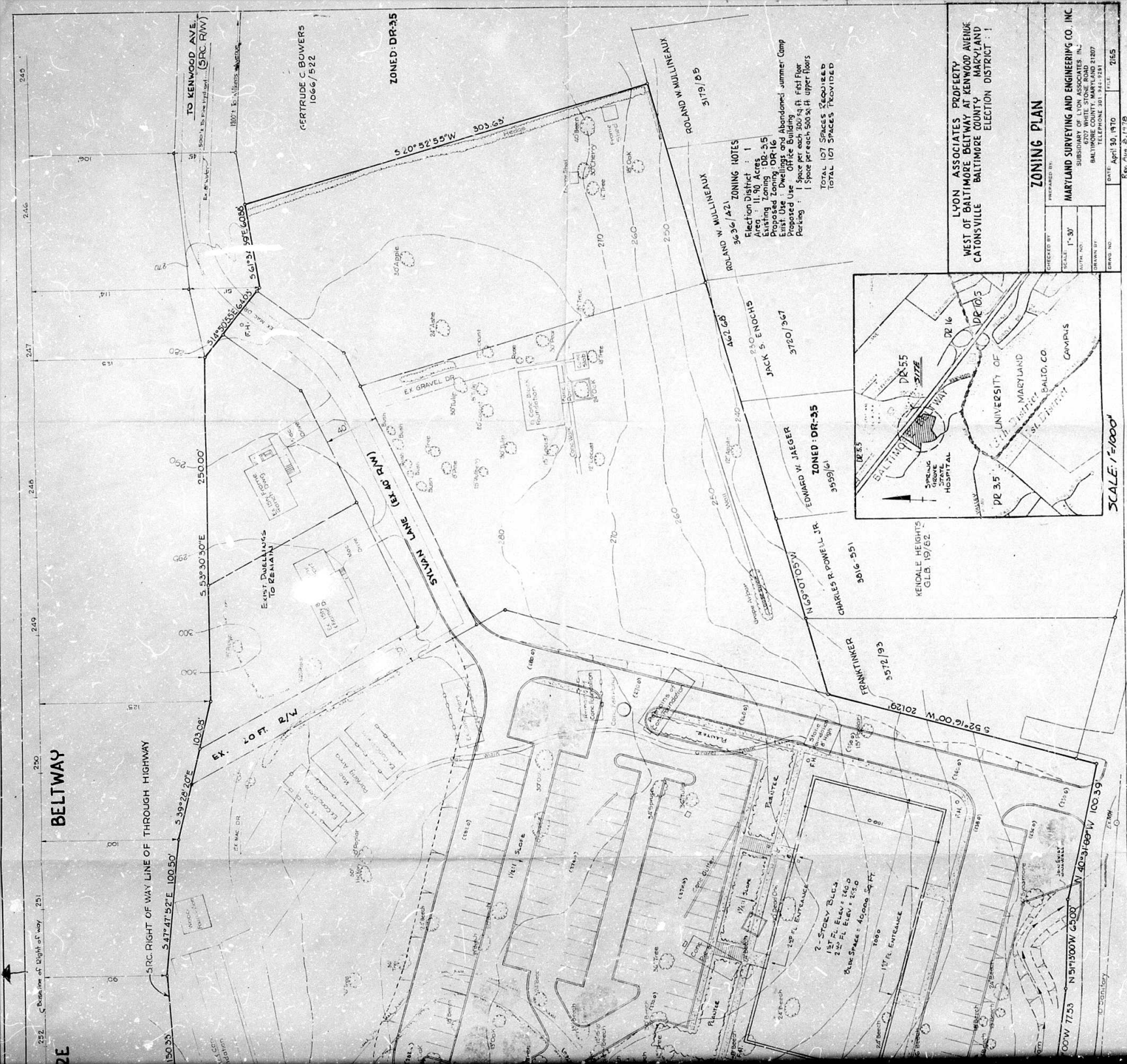


BELTWAY

SRC. RIGHT OF WAY LINE OF THROUGH HIGHWAY

Liber 5002/437

SPRING GROVE STATE HOSPITAL
(PUBLIC LAND)



ORE

BELTWAY

SRC. RIGHT OF WAY LINE OF THROUGH HIGHWAY

S 47° 47' 02" E 100.50'

S 39° 24' 27" E 103.00'

EX. 20 FT. R/W

S 53° 30' 36" E 250.00'

S 61° 34' 59" E 608.80'

S 14° 55' 05" E 340.50'

TO KENWOOD AVE. (SRC. R/W)

SERTRUDE C. BOWERS
1066/522

ZONED: DR-35

SKYLINE LANE (EX. 20 FT. R/W)

S 20° 52' 55" W 303.63'

ROLAND W. MULLINEUX
3179/55

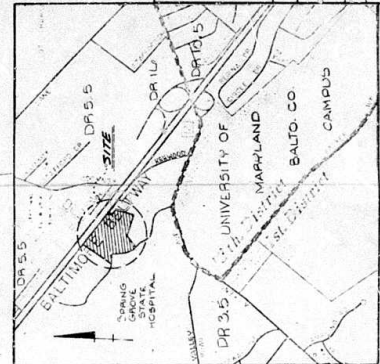
ZONING NOTES
Election District : 1
Area : 11.92 Acres
Existing Zoning : DR-35
Proposed Zoning : DR-16
East Use : Dwellings and Abandoned Summer Camp

EDWARD W. JAEGER
3559/54
ZONED: DR-35

CHARLES R. POWELL JR.
3516/55

FRANKLINER
3572/53

KENDALE HEIGHTS
GLB 15/52



LYON ASSOCIATES PROPERTY
WEST OF BALTIMORE BELTWAY AT KENWOOD AVENUE
CATONSVILLE BALTIMORE COUNTY MARYLAND
ELECTION DISTRICT : 1

ZONING PLAN
RECLASSIFICATION FROM DR.35 TO DR.16

PREPARED BY	LYON ASSOCIATES
CHECKED BY	LYON ASSOCIATES
SCALE	1" = 30'
AUTHOR	LYON ASSOCIATES
DRAWN BY	LYON ASSOCIATES
DATE	April 30, 1970
PROJECT NO.	2165
PROJECT NAME	MARYLAND SURVEYING AND ENGINEERING CO., INC.
PROJECT ADDRESS	6707 WHITE STONE ROAD BALTIMORE COUNTY, MARYLAND 21287

SCALE: 1"=1000'

REV. AUG. 22, 1970

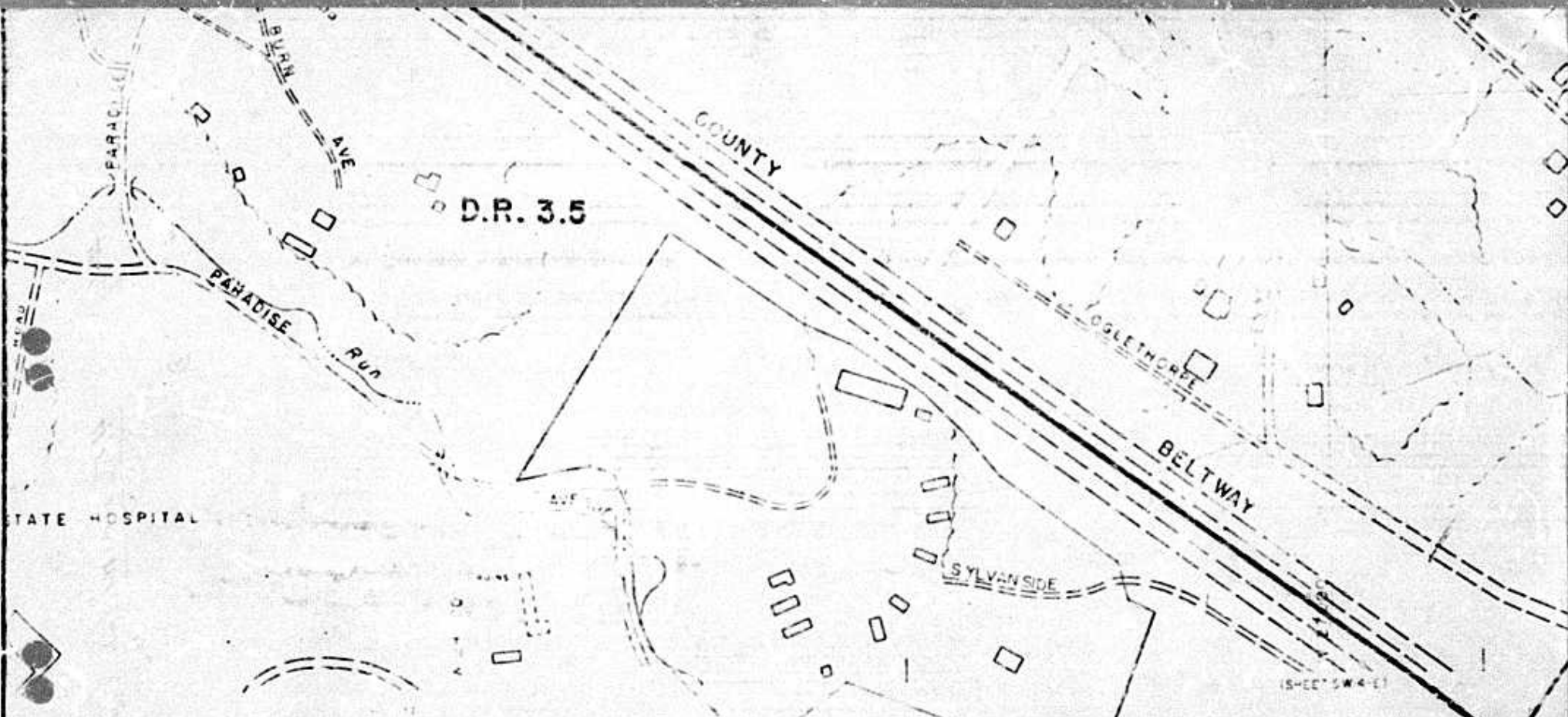
BALTIMORE

BELTWAY

SRC. RIGHT OF WAY LINE OF THROUGH HIGHWAY

SPRING GROVE STATE HOSPITAL
(PUBLIC LAND)

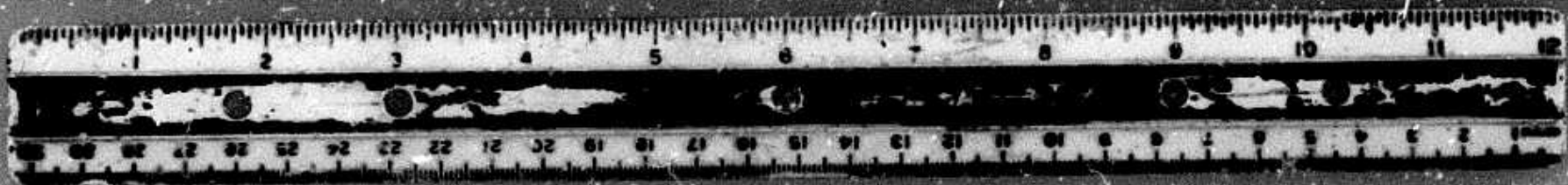




1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
BILL NOS. 108-76, 109-76, 110-76, 111
112-76, 113-76, and 114-76

CHARTERED COUNTY COUNCIL

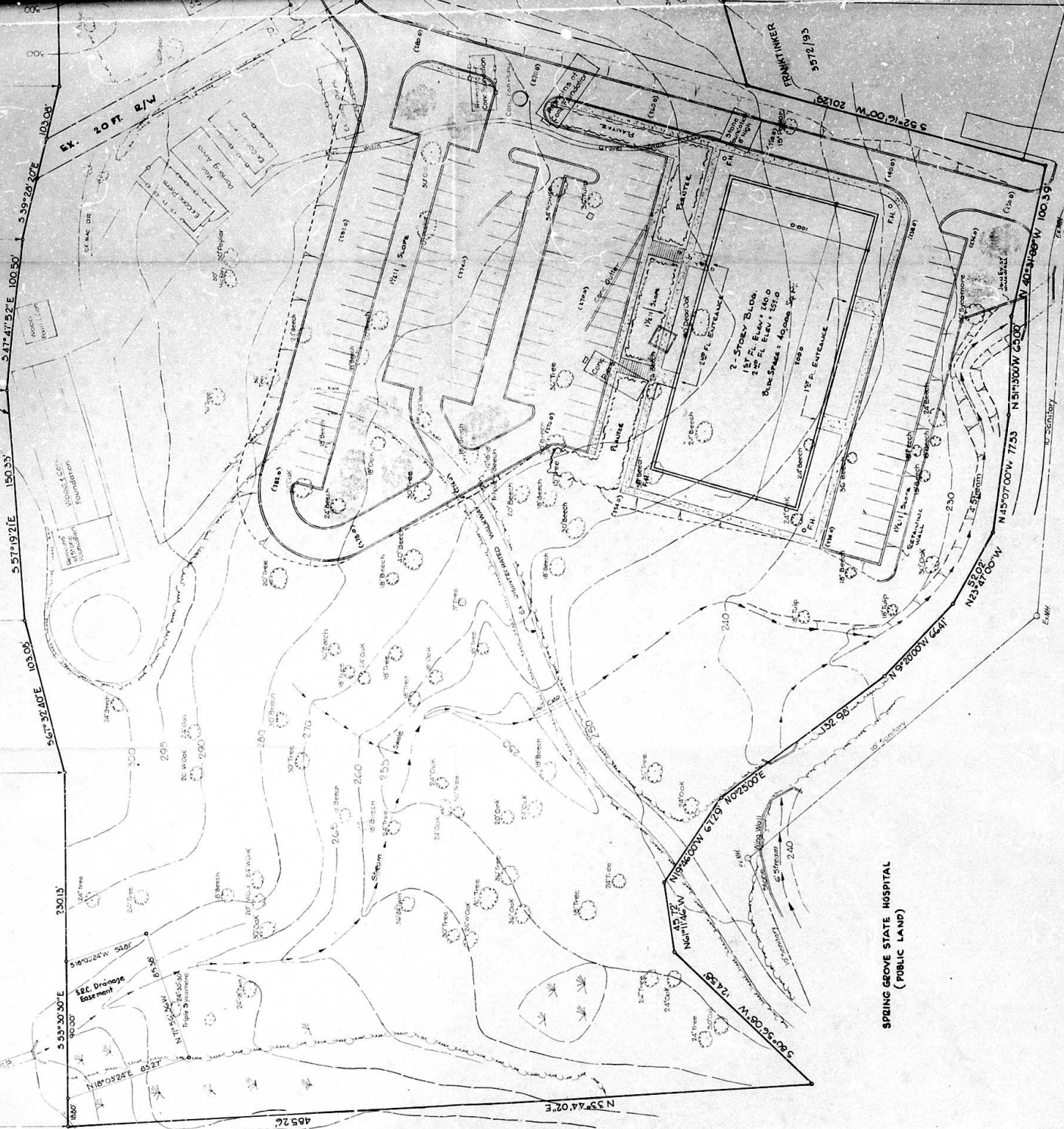
PHOTOGRAMMETRIC MAP
BALTIMORE COUNTY METROPOLITAN
OFFICIAL ZONING



BALTIMORE

BELTWAY

3-RC. RIGHT OF WAY LINE OF THROUGH HIGHWAY



SPRING GROVE STATE HOSPITAL
(PUBLIC LAND)