

Dismissed

MAP 102-114
36-5
S.D. 8
DATE 1-20-87
200
1000
DP

86-229-SPH
#113

18-5-85
1985
1985

86-229-SPH
#113

ORDER RECEIVED FOR FILING
DATE January 21, 1987
BY [Signature]
Shashikant J. Desai, et ux
86-229-SPH
18-5-85
1985
1985

IN RE: PETITION SPECIAL HEARING * BEFORE THE
NE/corner of Roundridge and * ZONING COMMISSIONER
York Roads (2211 York Road) *
8th Election District * OF BALTIMORE COUNTY
Shashikant J. Desai, et ux, *
Petitioner * Case No. 86-229-SPH

ORDER

After due consideration of the letter received from Counsel for the Contract Purchaser, dated January 16, 1986, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of January, 1986, that the instant case and subsequent Petition for Variances, Item No. 222, be and are hereby DISMISSED without prejudice.

[Signature]
Zoning Commissioner of Baltimore County

AJ/srl
cc: Dr. & Mrs. Shashikant J. Desai
Stephen J. Nolan, Esquire
George W. White, Jr.
People's Counsel

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the amendment of the Special Exception granted on July 1, 1985, in Case No. 80-6X (as amended 2/25/81 in Case No. 81-143) by removing Restriction No. 1 to permit the construction of a medical office building as shown on the plat which accompanies this petition.

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

I, or we, agree to pay expenses of the above Special Hearing 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.

I/We do 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 Petition.

Contract Purchaser:
HUMDECO, INC.
(Type or Print Name)
By: [Signature]
Signature
P.O. Box 1438
Address
Louisville, Kentucky 40201
City and State
Attorney for Petitioner:
Stephen J. Nolan
(Type or Print Name)
Nolan, Plumbhoff and Williams
[Signature]
204 West Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: (301) 823-7800
Legal Owner(s):
SHASHIKANT J. DESAI, M.D.
(Type or Print Name)
Shashikant J. Desai
Signature
HARSHVINA DESAI, his wife
(Type or Print Name)
Harshvina Desai
Signature
10614 Lakespring Way 576-8616
Address Phone No.
Cockeysville, MD 21030
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Stephen J. Nolan
204 West Pennsylvania Avenue 823-7800
Address Towson, MD 21204 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of October, 1985, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of December, 1985, at 10:30 o'clock

[Signature]
Zoning Commissioner of Baltimore County.

(over)

ITEM 222 DISMISSED/86-229-SPH

222

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 413.1(a) to permit an illuminated 60 square foot (30 per face) free-standing business sign in lieu of the maximum permitted non-illuminated sign of 15 square feet on the building; and from Section 413(e) (3) to permit a directional sign with the company name in lieu of the restriction against advertising of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. That the proposed sign location will aid the public in finding the MedFirst medical offices.
2. That a non-illuminated sign projecting not more than 6 inches from the building and limited in surface to 8 square feet will not be properly visible to the public on York Road given the slope of the roadway and the topography of the site.
3. That the requested variances are in harmony with the spirit and intent of the Regulations and without them the petitioners will sustain practical difficulty and unreasonable hardship.

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.

I/We do 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 Petition.

Contract Purchaser:
HUMDECO, INC.
(Type or Print Name)
By: [Signature]
Signature
P.O. Box 1438
Address
Louisville, Kentucky 40201
City and State
Attorney for Petitioner:
Stephen J. Nolan
(Type or Print Name)
Nolan, Plumbhoff & Williams
[Signature]
204 W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: (301) 823-7800
Legal Owner(s):
SHASHIKANT J. DESAI, M.D.
(Type or Print Name)
Shashikant J. Desai
Signature
HARSHVINA DESAI, his wife
(Type or Print Name)
Harshvina Desai
Signature
10614 Lakespring Way
Address Phone No.
Cockeysville, Maryland 21030
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Stephen J. Nolan
204 W. Pennsylvania Avenue, Towson, MD 21204
Address Phone No. (301) 823-7800

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[Signature]
Zoning Commissioner of Baltimore County.

(over)

Description to Accompany Application for Special Hearing - 2211 York Road

Beginning for the same at the point formed by the intersection of the east side of York Road, (and Rte 45), 80 feet wide with the north side of Roundridge Road, 50 feet wide, thence being all of lot 1 as shown on the plat entitled "Plat One, Part of Blocks A & B, Part of Section One, Stratford" recorded among the plat records of Baltimore Co. in plat book 12 folio 29. Containing 0.446 acres of land more or less.

PETITION FOR SPECIAL HEARING
8th Election District

LOCATION: Northeast corner of Roundridge and York Roads (2211 York Road)
DATE AND TIME: Monday, December 2, 1985 at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Special Hearing to approve the amendment of the Special Exception granted on July 31, 1979 in Case No. 80-6X (as amended 2/25/81 in Case No. 81-143) by removing Restriction No. 1 to permit the construction of a medical office building as shown on the plat.

Being the property of Shashikant J. Desai, M.D., et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NE Corner Roundridge & York :
Rds. (2211 York Rd.), :
8th District : OF BALTIMORE COUNTY
SHASHIKANT J. DESAI, M.D., :
et ux, Petitioners : Case No. 86-229-SPH

ENTRY OF APPEARANCE

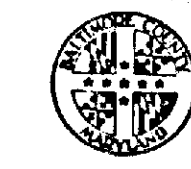
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2158

I HEREBY CERTIFY that on this 8th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Stephen J. Nolan, Esquire, Nolan, Plumbhoff & Williams, 204 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners; and Humdeco, Inc., P. O. Box 1438, Louisville, KY 40201, ATTN: Michael A. Hendricks, Contract Purchaser.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JARLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

November 27, 1985

Stephen J. Nolan, Esquire
Nolan, Plumbhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
NE/corner Roundridge & York Rds.
(2211 York Road)
8th Election District
Shashikant J. Desai, et ux - Petitioners
Case No. 86-229-SPH

Dear Mr. Nolan:

This is to advise you that \$72.25 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 016057
DATE 12-2-85
AMOUNT \$72.25
FOR [Signature]
16-2-85
B. 01605722518 70558
VALIDATION OR SIGNATURE OF CASHIER

re County, Maryland, and remit
Towson, Maryland

PC 877

QED Rec'd 10-18-85

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800

October 17, 1985

Re: Item No. 113 - Petition for Special Hearing
Petitioner: Shashikant J. Desai, M.D.
Contract Purchaser: Humdeco, Inc.
Request for Hearing

Dear Mr. Dyer:

As counsel for the petitioners in the above entitled special hearing case, I am respectfully requesting that this matter be scheduled for a hearing as early as the Commissioner's docket permits.

This case involves a request to amend the special exception granted on July 31, 1979 in Case No. 80-6X by removing one of the restrictions under that former special exception case. Our client, Humdeco, Inc. which is a division of Humana, Inc., the world renowned hospital and medical center in Louisville, Kentucky, plans to construct a modern, first class medical office facility which will, in all respects be in conformity with the existing special exception granted for this property in 1979.

Together with Humdeco Associates, Inc., we stand ready to provide your office with any additional information or documentation which might be necessary to expedite the hearing in this case. During a meeting with Mr. Nick Comodari of your office on August 29, 1985, Commissioner Jablon recommended that we proceed with this approach of seeking an amendment of the prior special exception by means of a petition for a special hearing.

Once again, I greatly appreciate your kind consideration of this request for the assignment of a hearing date.

Hand DELIVERY

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Mr. James E. Dyer
Re: Item No. 113 - Petition for Special Hearing
Petitioner: Shashikant J. Desai, M.D.
October 17, 1985
Page 2

With kind regards, I am

Sincerely,
Stephen J. Nolan

SJN:emd

cc: The Honorable Arnold Jablon,
Zoning Commissioner for Baltimore County

Nicholas B. Comodari

David W. Billingsly
Hudkins Associates, Inc.

John Johnson, Esquire
Humana, Inc.

Joseph McCollum
Humana, Inc.

Howard Patterson
Humana, Inc.

Dr. & Mrs. Shashikant J. Desai, M.D.

Leonard Weinberg
Casey, Miller, Boris & Burns, Inc.

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Case No. 86-229-SPH

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
30th day of October, 1985.

Shashikant J. Desai, M.D.,
Petitioner's Attorney

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

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BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
November 12, 1985

County Office Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

RE: Item No. 113 - Case No. 36-229-SPH
Petitioners - Shashikant J. Desai, M.D.,
et ux
Special Hearing Petition

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following 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 on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:nrr

Enclosures

cc: Hudkins Associates, Inc.
200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204

MicroFILMED

Maryland Department of Transportation
State Highway Administration

William K. Hollmann
Secretary
Hal Kassoff
Administrator

October 3, 1985

RE: Baltimore County
Item No. 113
Property Owner:
Shashikant J. Desai, MD.
Location: NE of centerline
of York and Roundridge
Rds (Maryland Route 45)
Existing Zoning: R.O.
Proposed Zoning: Spec.
Hearing to amend
Spec. Exception granted
July 31, 1979, in Case
#80-6X (as amended in
Case #81-143) by removing
Restriction #1 to permit
the construction of a
medical office bldg.
Acre: .496
District: 8th

Att: James Dyer

Dear Mr. Dyer:

On review of the revised submittal of 9/12/85, the State Highway Administration finds the plan generally acceptable with all access to the site by way of Roundridge Road.

We (S.H.A.) recommends to Baltimore County that the curb section parallel to York Road at the interior parking lot be constructed of State Highway Administration Type "A" concrete curb.

Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

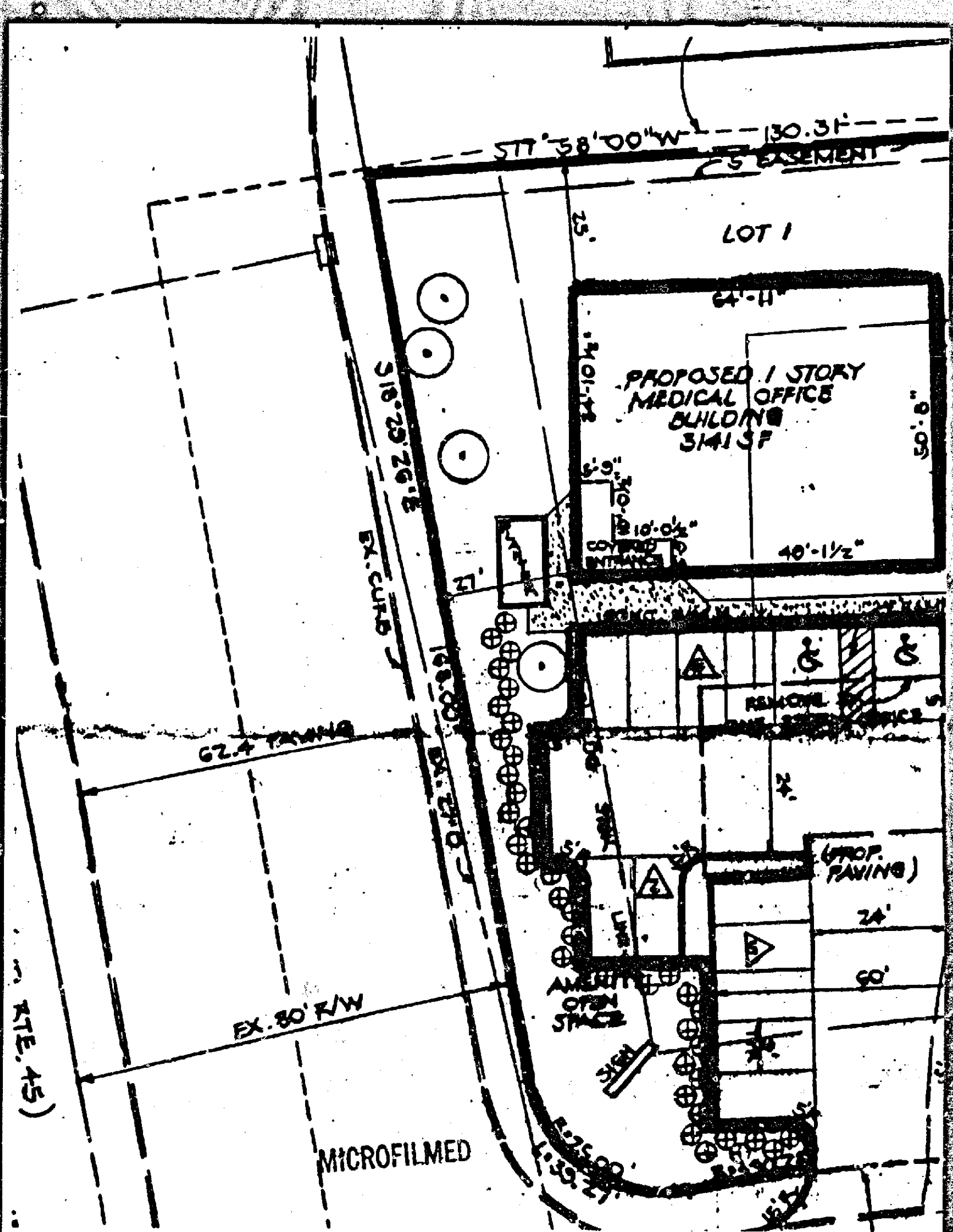
CL-GW:es

cc: J. Ogile

enclosure

My telephone number is 301-659-1350
Teletypewriter for Impaired Hearing or Speech
303-7556 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
496-3350

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

NOVEMBER 12, 1985

Re: Zoning Advisory Meeting of September 24, 1985
Item # 113
Property Owner: SHASHIKANT J. DESAI, MD
Location: NE of York and Roundridge Rds.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The parking on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-58 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on [blank].
- (X) Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by §111.178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is located in a deficient service area controlled by a "D" level intersection as defined by §111.178-79, and as conditions change are re-evaluated annually by the County Council.
- (X) Additional comments:
A LETTER OF COR. PLAN (LW-85-127) WAS MED FIRST BLDG WAS GRANTED BY THE PLANNING BOARD ON 9/19/85

cc: James Howell
Eugene A. Soper
Chief, Current Planning and Development

MicroFILMED

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
492-3350

STEPHEN E. COLLINS
DIRECTOR

September 23, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 113 -ZAC- Meeting of September 24, 1985
Property Owner: Shashikant J. Desai, M.D., et ux
Location: NE of the centerline of York and Roundridge Roads
Existing Zoning: R.O.
Proposed Zoning: Special Hearing to amend Special Exceptions granted July 31, 1979 in Case #80-6X (as Amended in Case #81-143) by removing Restriction #1 to permit the construction of a medical office building.

Acre: .496
District: 8th

Dear Mr. Jablon:

I cannot comment, since I do not know what the restriction #1 is.

MSF/bld

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PAUL H. REINCKE
CHIEF

September 26, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Shashikant J. Desai, M.D., et ux

Location: NE of the centerline of York and Roundridge Roads

Item No.: 113 Zoning Agenda: Meeting of 9/24/85

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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 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 _____

EXCEEDS 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 operation.
- (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", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

Noted and
Approved:

Fire Prevention Bureau

/mb

November 14, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 113 Zoning Advisory Committee Meeting are as follows:

Property Owner: Shashikant J. Desai, M.D., et ux
Location: ne of c/l of York and Roundridge Roads
Districts: 8th.

APPLICABLE ITEMS ARE CIRCLED:

- (A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- (B) A building and other miscellaneous permits shall be required before the start of any construction.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- (D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except R-1, Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____, of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (J) Comments: A separate razing permit is required. Tenant separations of 1 hour rating shall be required. When more than one tenant, each shall have independent exit access.
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

L/22/85

Charles E. Surman
By: C. E. Surman, Chief
Building Plans Review

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: November 21, 1985

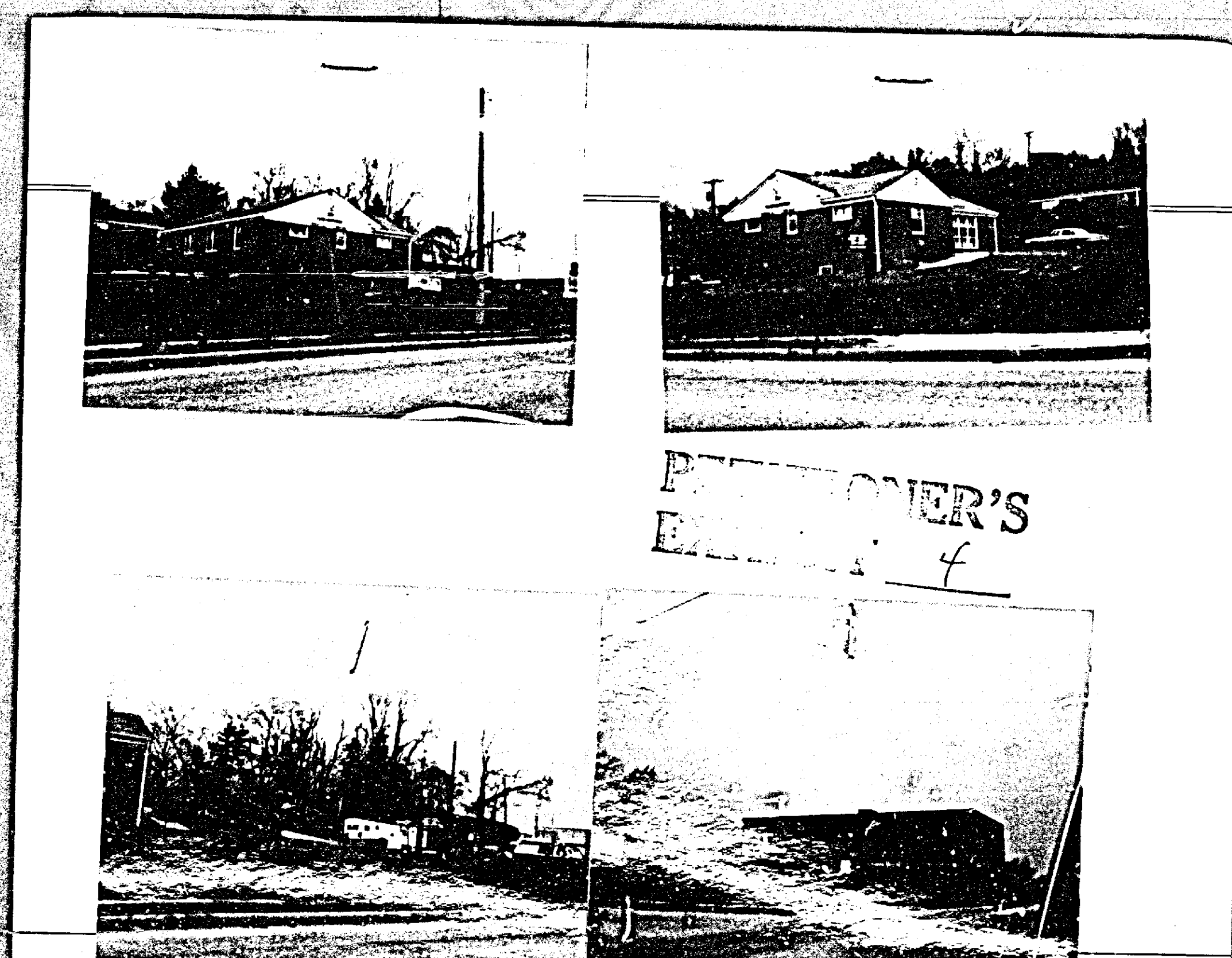
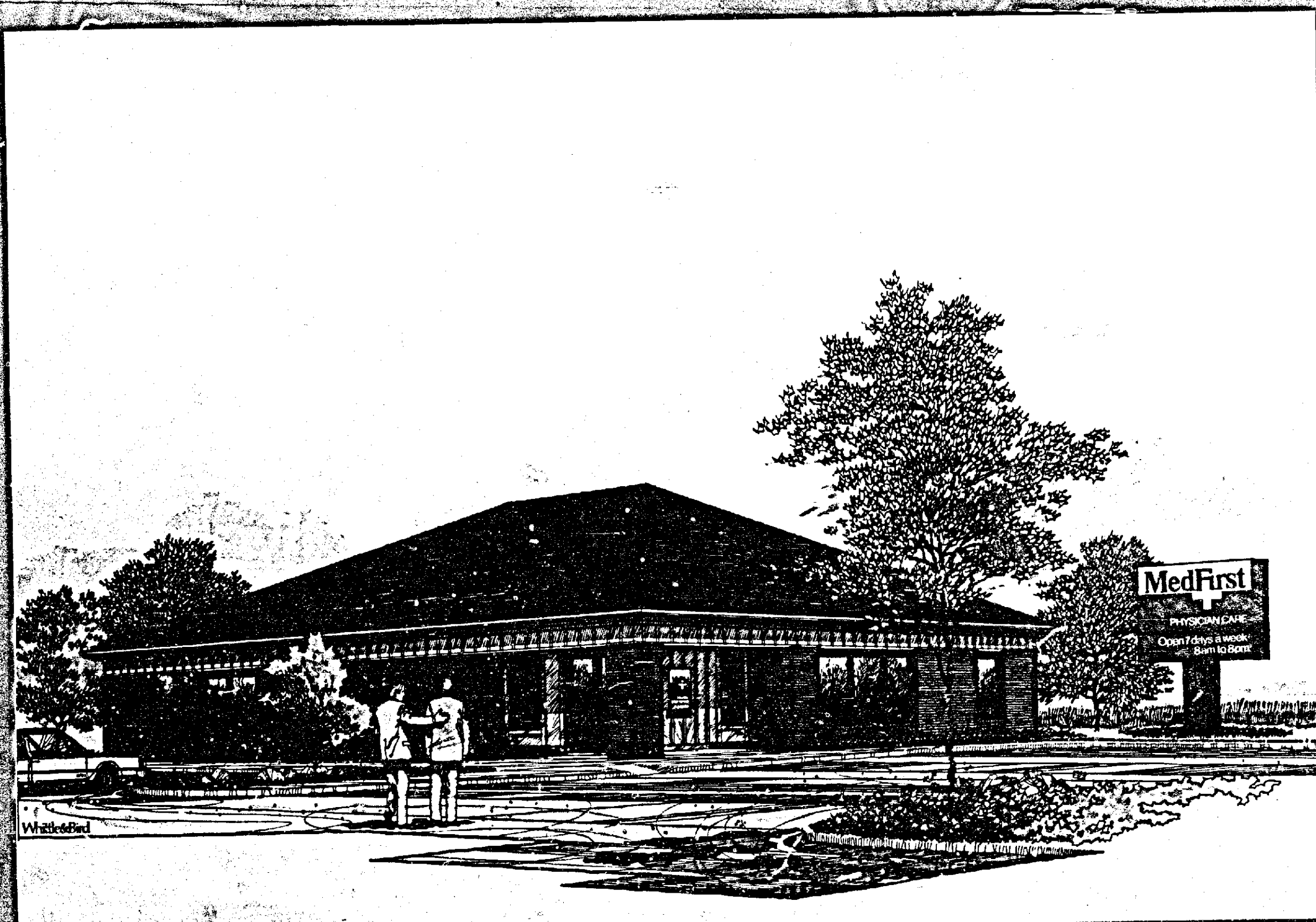
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

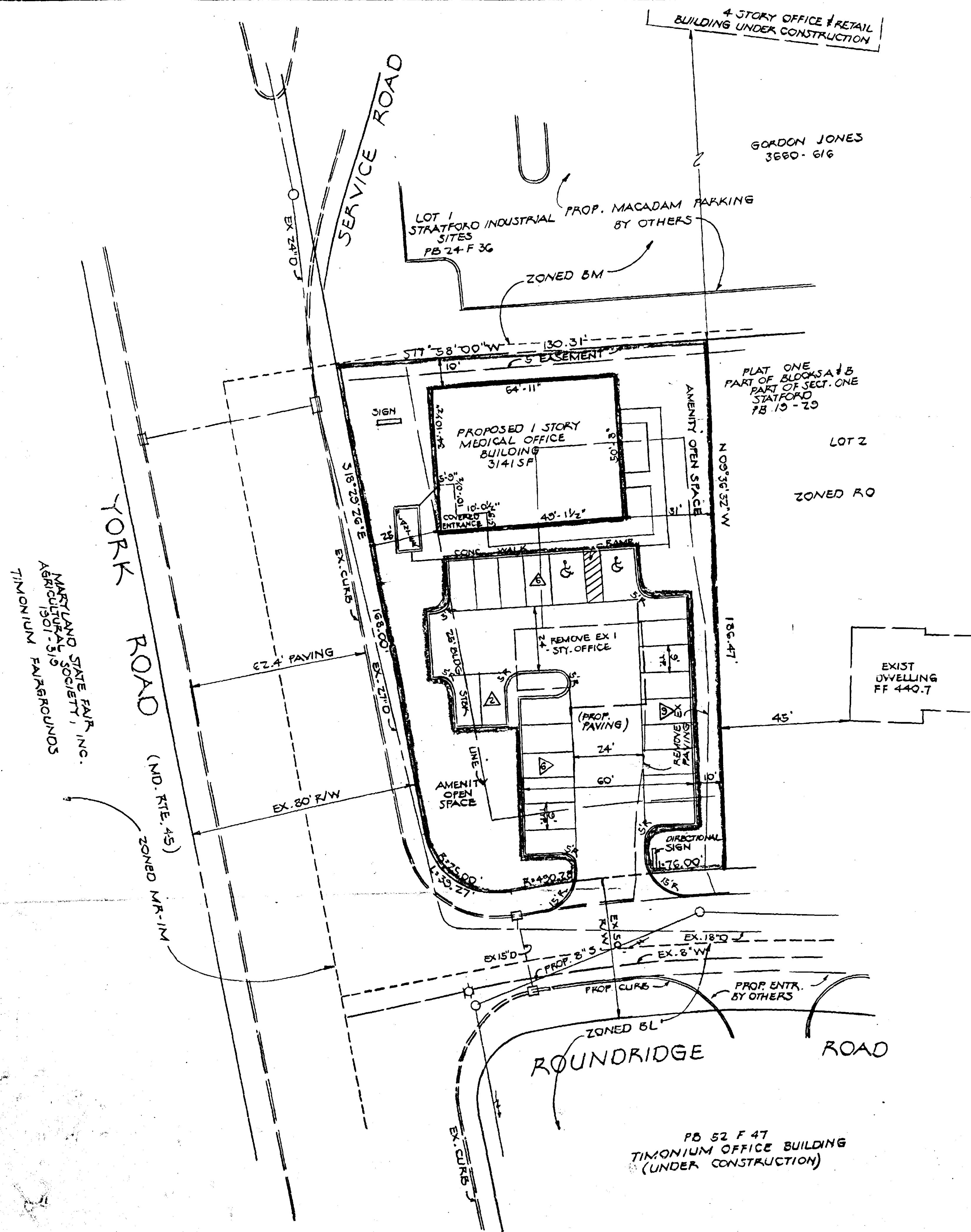
SUBJECT: Zoning Petition No. 86-229-Sph

Assuming compliance with the Division of Current Planning and Development's representative on the Zoning Plans Advisory Committee, this office offers no comment.

Norman E. Gerber
Norman E. Gerber, AICP
Director

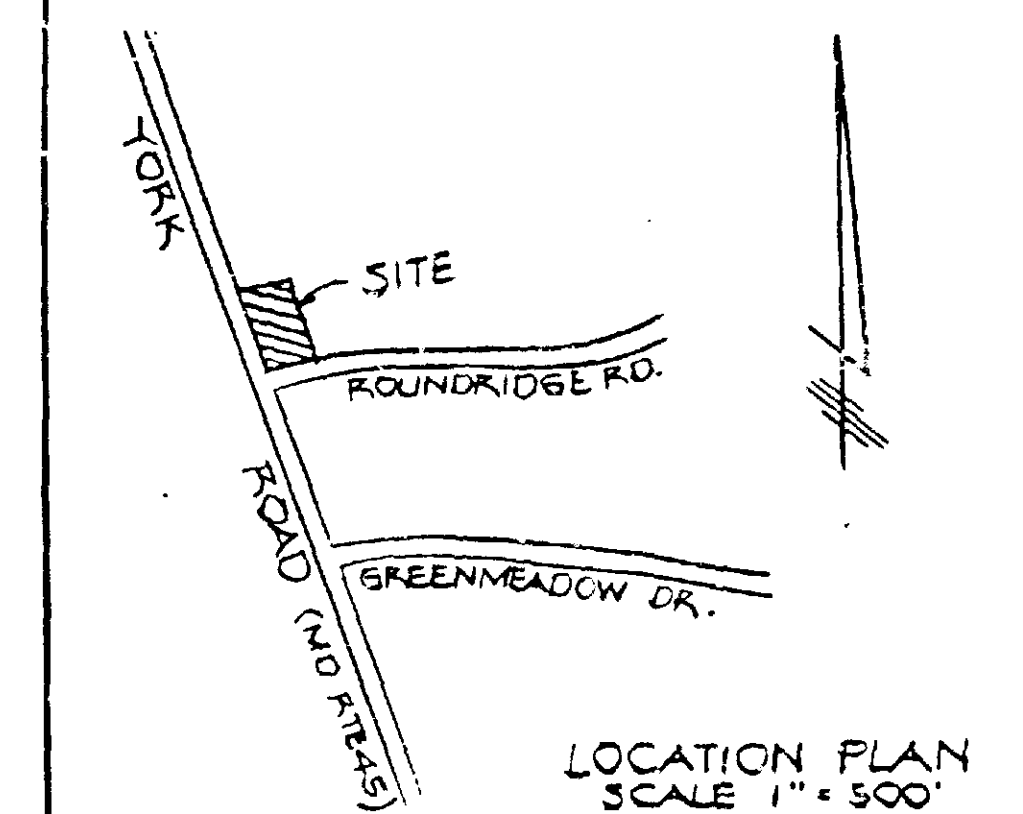
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NOTES

1. ZONING R.O. (SEE CASE # 80-GX AND 81-143)
2. EXIST. USE - MEDICAL OFFICE
3. PROP. USE - CLASS B MEDICAL OFFICE
4. AREA = 0.406 ACRES ±
5. BUILDING AREA
PROPOSED 3141 SF COVERAGE 14.5%
6. AMENITY OPEN SPACE
REQUIRED = 0.406 x 25% = 0.1015 AC.
PROVIDED = 0.25 AC = 50%
7. PARKING DATA
REQUIRED 3141/200 = 16
PROVIDED = 23



PLAN TO ACCOMPANY APPLICATION
FOR SPECIAL HEARING & VARIANCE
2211 YORK ROAD
ELECTION DISTRICT 9
BALTIMORE CO., MARYLAND
SCALE: 1" = 20' AUGUST 31, 1985

REV. SEPT. 12, 1985
NOV. 23, 1985 BLDG. LOCATION REVISED
NOV. 23, 1985 SIGN VARIANCE

MUDKINS ASSOCIATES, INC.
200 EAST JOHNS ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204



ITEM 222
DISMISSED/ORDER 26-2211SP-1