

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 94-358-SPH

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 10596 Topsfield Drive in Cockeysville. Special Hearing relief is requested to approve an amendment of the Final Development Plan of the subdivision known as Warren Manor to permit a 0 ft. side yard setback for an attached garage. The subject property and requested relief are more particularly shown on the site plan submitted and marked as Petitioners' Exhibit No. 1.

Appearing at the requisite public hearing held for this case were the property owners, Graeme C. Lake and Glenda A. Lake, his wife. There were no other interested persons or Protestants present.

Testimony and evidence presented was that the Petitioner and his wife own the property known as lot No. 25 in the Warren Manor subdivision. This is a residential community of single family houses in Cockeysville. The subject property is .1404 acres in area and is zoned D.R.3.5. The site is improved with a two story single family dwelling, with an attached deck and sunroom. To the rear of the site is a pool.

Although the property currently has an attached one car garage, the Petitioners propose expanding same with an addition on the southeast side of the dwelling. As shown on the site plan, the Petitioners will construct a single story attached garage to the dwelling. The garage is proposed to be 10 ft. in width, however, will extend down the entire

length of the dwelling, some 38.5 ft. Mr. Lake indicated that the existing garage was for one vehicle only and the proposed structure would allow additional space for his family's second vehicle and serve other storage needs. The proposed garage will not have any windows on the side of same and thus, no variances are necessary.

The special hearing relief to amend the Final Development Plan was requested so as to alter the proposed building envelope. It is particularly significant to note that the side of the property on which the proposed addition is to be located abuts a peninsula driveway which serves other lots to the rear of the site. Specifically, a 20 ft. wide peninsula driveway is located immediately adjacent to the Petitioners' property. This peninsula driveway serves five other properties known as lots 29 thru 34 inclusive. Thus, although the proposed addition will abut the property line, the physical appearance of the site is that the Petitioners have a much wider side yard. In fact, Mr. Lahe noted that he maintains the 10 ft. strip owned by these other lot owners which is required for a peninsula driveway use.

After consideration of the evidence and testimony presented, I am persuaded that the Petition for Special Hearing should be granted. It is to be noted that the Petitioners have obtained letters in support of the Petition from affected property owners. There is no evidence in the record that a granting of the special hearing would be in any way adverse to the health, safety and general welfare of the community. Thus, the Petition shall be approved.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, it IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of April, that, pursuant to the Petition for Special Hearing, approval to amend the Final Development Plan of the subdivision known as Warren Manor to permit a 0 ft. side yard setback for an attached garage, in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners will be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

April 22, 199

(410) 887-4386

Mr. and Mrs. Groome C. Lake
10596 Topsfield Drive
Cockeysville, Maryland 2103

RE: Case No. 94-327-SPH
Petition for Special Hearing
Property: 10596 Topasfield Drive

Dear Mr. and Mrs. Lake

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:1
encl

CERTIFICATE OF POSTING
ZINING DEPARTMENT OF BALTIMORE COUNTY
TOWNS, Maryland

Date: 8/28
 Printed for: Samuel Harris
 Position: Program & Records Mgr.
 Location of property: 10526 Fairchild Blvd., 3/1
 Location of Sign: Facing south, on property line across st.
 Remarks:
 Printed by: mtf
 Number of Slides: 10
 Date of return: 4/1/77

EXAMPLE 3 – Zoning Description - 3 copies

Three copies are required. Copies of deeds cannot be used in place of this description. Use this fill-in format provided whenever possible; otherwise, type or print on 8-1/2" x 11" sheet.

ZONING DESCRIPTION FOR 10576 Topsfield Drive
(address)
Election District B 4th Councilmanic District 3

Beginning at a point on the South side of Topsfield
(north, south, east or west)
Drive which is Fifty Feet
(street on which property fronts) (number of feet of right-of-way with
wide at a distance of 222 feet South of the
(number of feet) (north, south, east or west)
centerline of the nearest intersecting street Deerpark Court
(name of street)
which is Fifty Feet wide. *Being Lot 25.
(number of feet of right-of-way width)
Block , Section in the subdivision of
Huntsville as recorded in Baltimore County Plat
(name of subdivision)
Book 58, Folio 2 containing
6114 square feet 0.1404 Ac.
(area of lot and acres)

*If your property is not recorded by Plat Book and Folio Number then DO NOT attempt to use the Lot, Block and Subdivision description as shown. Instead state "As recorded in Deed Lino _____, Folio _____" and include the measurements and directions (meter and bounds only) here and on the plat in the correct location.

Example of meter and bounds: N.57 12' 13" E. 321.1 ft., S.18 27' 03" E.57.2 ft., S.62 19' 00" W. 318 ft., and W.08 15' 22" W. 80 ft. to the place of beginning.

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CERTIFICATE OF PUBLICATION

TOWSON, MD., March 24, 1972
THIS IS TO CERTIFY that the named advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, MD., once in each of 1 consecutive
weeks, the first publication appearing on March 24, 1972.

THE JEFFERSONIAN
A. Henickson
LEGAL AD. - TOWSON

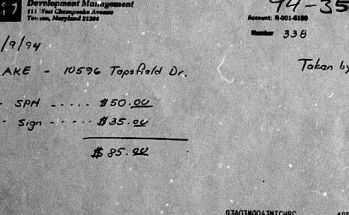
 **Petition for Special Hearing**
74-358-SPH
to the Zoning Commissioner of Baltimore County
for the property located at 1059b Topfield Drive

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission should approve

The amendment of the FDP of Warren Manor to permit a 0 ft. side setback for an attached garage still complying with the BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expense of 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.

[illegible]



Ballistics Laboratory
 Zoning Administration &
 Engineering Administration
 111 West Chesapeake Avenue
 York, Pa. Maryland 21204

74-357-SPH
 Amount: \$401.4339
 Number: 338

Date: 3/9/74
 LAKE - 10536 Tappanfield Dr.
 030 - SPH - \$50.00
 080 - Sign - \$35.00
 \$ 85.00

03A0280043MTCRHC
 DA C002155P003-09-74
 \$85.00

Please Make Checks Payable To: Ballistics Laboratory

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3355

DATE: CLOSING DATE OF HEARING DATE

INVOICE

Grasso and Glenda Lake
10594 Topfield Drive
Cockeysville, Maryland 21030

CASE NUMBER/PROJECT NAME: 94-350-SPE

() Zoning Notice Sign and Post Set(s) @ \$60.00/set = \$60.00 "00"

THIS IS A PENALTY CHARGE. IN LIEU OF PAYMENT, WE WOULD PREFER THAT YOU RETURN THE SIGN/POST SET(S) AND USE OF THE INVOICE WAIVER BELOW.

INVOICE WAIVER

CASE NUMBER/PROJECT NAME: 94-350-SPE

Returned _____ Zoning Notice Sign and Post Set(s).

DATE _____ For ZADM

*Amount Due waived upon return of the complete sign and post set(s). When you return same, bring this form with you.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3355

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURE

Baltimore County Zoning Regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL INVOLVE CANCELLATION OF HEARING ORDER.

Arnold Jablon, Director

For newspaper advertising:

Item No. 338

Petitioner: Grasso Lake

Location: 10594 Topfield Drive

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Grasso Lake

ADDRESS: 10594 Topfield Dr
Cockeysville MD 21030

* PHONE NUMBER: 666-9747

MUST BE SUPPLIED

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

MARCH 18, 1994

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on:

Room 106, Old Courthouse, 600 Washington Avenue, Towson, Maryland 21204 on:

CASE NUMBER: 94-350-SPE (Item 338)
1.0594 Topfield Drive
510 Topfield Drive, 2nd & 3rd of Maryland Court
8th Election District - 3rd Councilmanic
Petitioner(s): Grasso C. Lake and Glenda A. Lake
Hearing: Wednesday, April 20, 1994 at 9:00 a.m. in Room 106, Old Courthouse.

Special Hearing to approve the amendment of the FDP of Warren Manor to permit a new zero foot side setback for an attached garage.

Arnold Jablon, Director

CC: Grasso and Glenda Lake

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 106, 111 W. CHESAPEAKE AVENUE OF THE HEARING DATE.
(2) HEARING IS SUBJECT TO CANCELLATION FOR SPECIAL ADVERTISEMENT VIOLATION CALL 887-3355.
(3) FOR INFORMATION CONCERNING THE FILE NUMBER, HEARING, CONTACT THIS OFFICE BY 887-3355.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3355

April 8, 1994

Mr. and Mrs. Grasso C. Lake
10594 Topfield Drive
Cockeysville, Maryland 21030

RE: Case No. 94-350-SPE, Item No. 338
Petitioner: Grasso C. Lake, et al.
Petition for Special Hearing

Dear Mr. Lake:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 March 9, 1994, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

Q. James Lighthizer
Secretary
H. Kassoff
Administrator

3-17-94

Re: Baltimore County
Item No. 4-306 (JER)

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
David O. Carey, Acting Chief
John Contestabile, Chief
Engineering Access Permits
Division

BS

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 (Statewide Toll Free)
Mailing Address: P.O. Box 717 - Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street - Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 301
Towson, MD 21286-5500

(410) 887-4500

DATE: 03/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda

Gentlemen:

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

G. The Fire Prevention Bureau has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS 338, 339, 340, 341, 342, 343 AND 344.

RECEIVED
MAR 23 1994
ZADM

REVIEWER: LT. ROBERT F. SAUERWALD
Fire Prevention, PHONE 887-4881, HS-1102P

CC: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: March 23, 1994

SUBJECT: 10596 Topfield Drive

INFORMATION:

Item Number: 338

Petitioner: Lake Property

Property Size: _____

Zoning: D.R. 3.5

Requested Action: _____

Hearing Date: _____

SUBJECT OF RECOMMENDATION:

The proposed amendment to the Final Development Plan of Warren Manor to permit a zero foot side setback for an attached garage is not inappropriate.

Prepared by: Jeffrey W. Long
Division Chief: _____
PK/JL:lw

RECEIVED
MAR 24 1994
ZONING COMMISSIONER

ZAC. 338/PCOM/5AC1

To Hearing Officer

In view of the fact that there is no window on the addition of garage; The 0' side yard setback is still in compliance w/ the regulation, but still need to amend the final development plan of Warren Manor to allow an addition outside the building envelope.

Jim Fernando
P & Z Associates

Item # 338

March, 05, 1993

10596 TOPSFIELD DRIVE
COCKEYSVILLE, MD 21030

Dear Neighbor

Graeme and Glenda Lake request that you examine the proposed plan for the addition of a garage to their property.

If you have no objection, to the erection of the garage, please sign in the space provided at the bottom of this note.

Thank you for your cooperation

GRAEME and GLENDA LAKE

I/We the under signed have no objection to the construction of a garage at 10596 Topsfield Drive, Cockeysville [LOT 25 WARREN MANOR]

NAME: Robert J. Tenney and Cynthia W. Tenney

ADDRESS: 10602 Topsfield Drive Cockeysville, MD 21030

LOT NO: _____

SIGNATURE: Robert J. Tenney Cynthia W. Tenney

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March, 05, 1993

10596 TOPSFIELD DRIVE
COCKEYSVILLE, MD 21030

Dear Neighbor

Graeme and Glenda Lake request that you examine the proposed plan for the addition of a garage to their property.

If you have no objection, to the erection of the garage, please sign in the space provided at the bottom of this note.

Thank you for your cooperation.

GRAEME and GLENDA LAKE

I/We the under signed have no objection to the construction of a garage at 10596 Topsfield Drive, Cockeysville [LOT 25 WARREN MANOR]

NAME: HENRY KOENIG

ADDRESS: 10594 TOPSFIELD DR

LOT NO: 24

SIGNATURE: Henry Koenig

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March, 05, 1993

10596 TOPSFIELD DRIVE
COCKEYSVILLE, MD 21030

Dear Neighbor

Graeme and Glenda Lake request that you examine the proposed plan for the addition of a garage to their property.

If you have no objection, to the erection of the garage, please sign in the space provided at the bottom of this note.

Thank you for your cooperation.

GRAEME and GLENDA LAKE

I/We the under signed have no objection to the construction of a garage at 10596 Topsfield Drive, Cockeysville [LOT 25 WARREN MANOR]

NAME: MURRAY HOOPER

ADDRESS: 10598 TOPSFIELD

LOT NO: LOT 20

SIGNATURE: Murray Hooper

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March, 05, 1993

10596 TOPSFIELD DRIVE
COCKEYSVILLE, MD 21030

Dear Neighbor

Graeme and Glenda Lake request that you examine the proposed plan for the addition of a garage to their property.

If you have no objection, to the erection of the garage, please sign in the space provided at the bottom of this note.

Thank you for your cooperation.

GRAEME and GLENDA LAKE

I/We the under signed have no objection to the construction of a garage at 10596 Topsfield Drive, Cockeysville [LOT 25 WARREN MANOR]

NAME: Robert D. & Ann H. Heaton

ADDRESS: 10598 Topsfield Dr.

LOT NO: 19

SIGNATURE: Robert D. Heaton Ann H. Heaton

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March, 05, 1993

10596 TOPSFIELD DRIVE
COCKEYSVILLE, MD 21030

Dear Neighbor

Graeme and Glenda Lake request that you examine the proposed plan for the addition of a garage to their property.

If you have no objection, to the erection of the garage, please sign in the space provided at the bottom of this note.

Thank you for your cooperation.

GRAEME and GLENDA LAKE

I/We the under signed have no objection to the construction of a garage at 10596 Topsfield Drive, Cockeysville [LOT 25 WARREN MANOR]

NAME: Rupert LaRose

ADDRESS: 10598 Topsfield Dr

LOT NO: # 21

SIGNATURE: Rupert LaRose

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Photo 1 View of subject property from Lot 19, Robert and Anne Heaton's property.



Photo 2 View of subject property from Lot 24, Henry and Joan Koenig's property.

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Photo 3 View showing Lot 19, Robert and Anne Heaton's property in the background and subject property on the right.



Photo 4 View of subject property from Topsfield Drive.

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Photo 5 View of subject property and Lot 26, Murray Cooper's property on the right.



Photo 6 View of subject property on the right and Lot 24, Henry and Joan Koenig's property in the rear.

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Plat to accompany Petition for Zoning ☐ Variance ☒ Special Hearing

PROPERTY ADDRESS: 10596 TOPSFIELD DRIVE

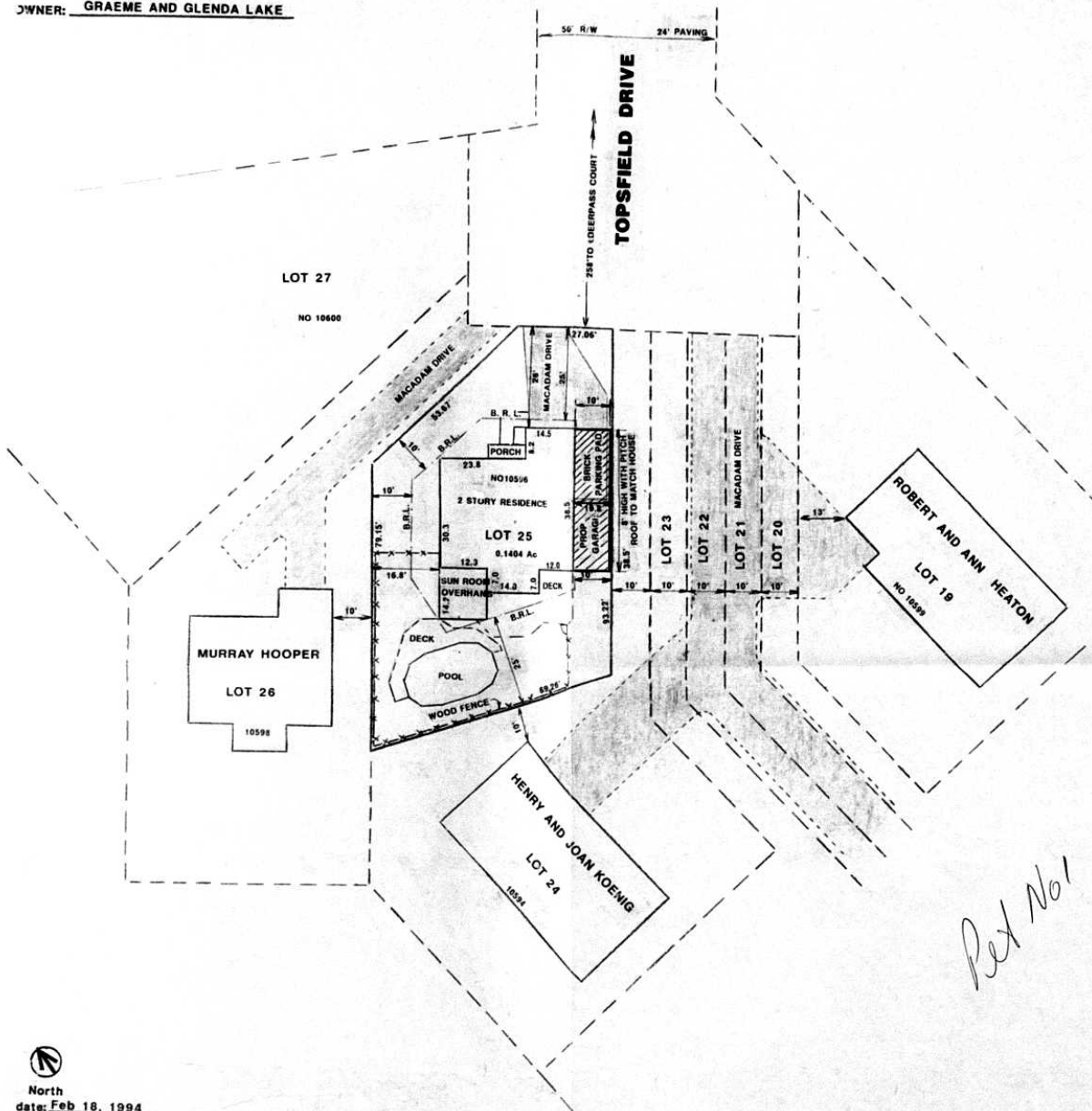
see pages 8 & 9 of the CHECKLIST for additional required information

Subdivision name: WARREN MANOR

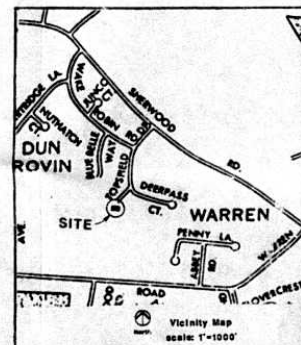
Plat book # 38, folio # 2, lot # 25, section # 1

OWNER: GRAEME AND GLENDA LAKE

94-358-5F#



Ref No 1



LOCATION INFORMATION

Election District: 8th
Councilmanic District: 3
1"-200' scale map#: NW 17. A
Zoning: DR 3.5
Lot size: 1484 square feet

SEWER: ☒
WATER: ☒

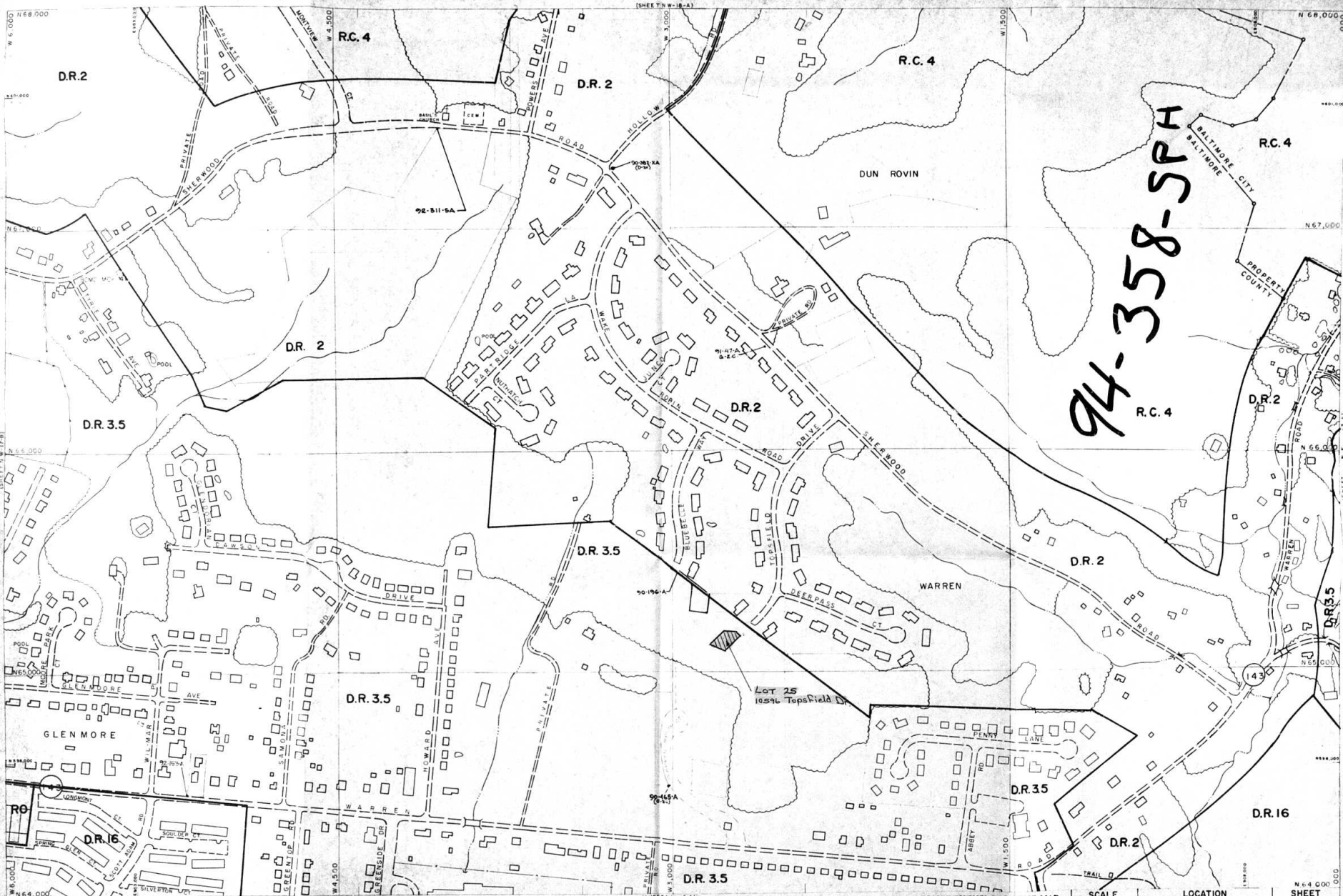
Chesapeake Bay Critical Area:
via Zoning Hearings: NO

Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:
Jf 334



North
date: Feb 18, 1994
prepared by: G.LAKE Scale of Drawing: 1"= 20'



V-SE U-SW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

Map Nos. 140-01, 140-02, 140-03, 140-04, 140-05, 140-06, 140-07, 140-08, 140-09, 140-10, 140-11, 140-12, 140-13, 140-14, 140-15, 140-16, 140-17, 140-18, 140-19, 140-20, 140-21, 140-22, 140-23, 140-24, 140-25, 140-26, 140-27, 140-28, 140-29, 140-30, 140-31, 140-32, 140-33, 140-34, 140-35, 140-36, 140-37, 140-38, 140-39, 140-40, 140-41, 140-42, 140-43, 140-44, 140-45, 140-46, 140-47, 140-48, 140-49, 140-50, 140-51, 140-52, 140-53, 140-54, 140-55, 140-56, 140-57, 140-58, 140-59, 140-60, 140-61, 140-62, 140-63, 140-64, 140-65, 140-66, 140-67, 140-68, 140-69, 140-70, 140-71, 140-72, 140-73, 140-74, 140-75, 140-76, 140-77, 140-78, 140-79, 140-80, 140-81, 140-82, 140-83, 140-84, 140-85, 140-86, 140-87, 140-88, 140-89, 140-90, 140-91, 140-92, 140-93, 140-94, 140-95, 140-96, 140-97, 140-98, 140-99, 140-100

Charmar, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Map Nos. 140-01, 140-02, 140-03, 140-04, 140-05, 140-06, 140-07, 140-08, 140-09, 140-10, 140-11, 140-12, 140-13, 140-14, 140-15, 140-16, 140-17, 140-18, 140-19, 140-20, 140-21, 140-22, 140-23, 140-24, 140-25, 140-26, 140-27, 140-28, 140-29, 140-30, 140-31, 140-32, 140-33, 140-34, 140-35, 140-36, 140-37, 140-38, 140-39, 140-40, 140-41, 140-42, 140-43, 140-44, 140-45, 140-46, 140-47, 140-48, 140-49, 140-50, 140-51, 140-52, 140-53, 140-54, 140-55, 140-56, 140-57, 140-58, 140-59, 140-60, 140-61, 140-62, 140-63, 140-64, 140-65, 140-66, 140-67, 140-68, 140-69, 140-70, 140-71, 140-72, 140-73, 140-74, 140-75, 140-76, 140-77, 140-78, 140-79, 140-80, 140-81, 140-82, 140-83, 140-84, 140-85, 140-86, 140-87, 140-88, 140-89, 140-90, 140-91, 140-92, 140-93, 140-94, 140-95, 140-96, 140-97, 140-98, 140-99, 140-100

SCALE

1" = 200'

LOCATION

COCKEYSVILLE

DATE OF PHOTOGRAPHY

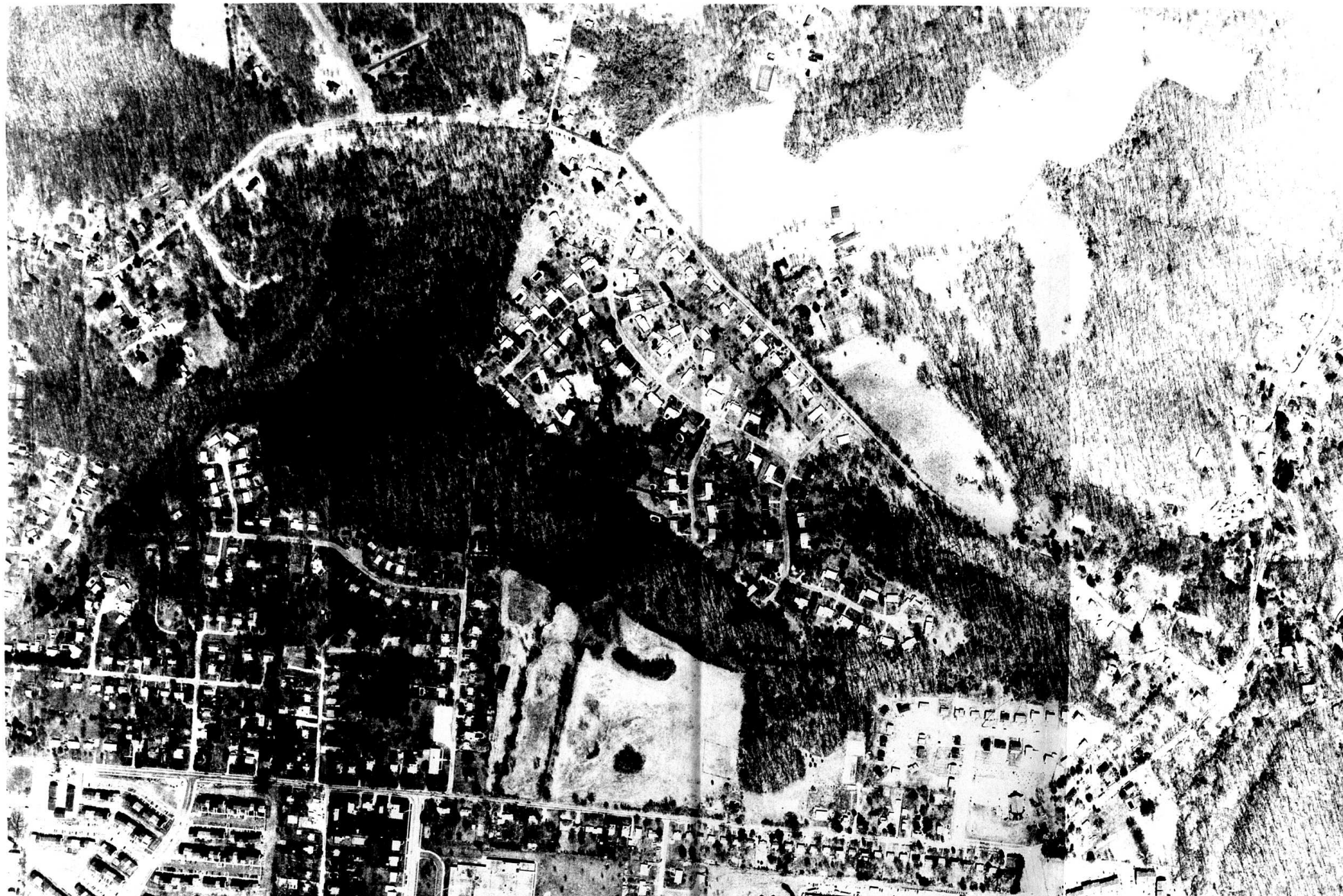
JANUARY 1986

SHEET

N.W. 17-A

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

#335



94-358-SPH

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

COCKEYSVILLE
334

NW
17-A