

IN RE: PETITION FOR VARIANCE
W/S Old York Road, 780' S of the c/l
York Road
(21298 Old York Road)
7th Election District
3rd Council District

Kenneth Wheat, et ux, Owners;
Camo Construction, Contract Purchasers

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-061-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Kenneth and Gladys Wheat, and Camo Construction, Contract Purchasers. The Petitioners request variance relief from Sections 1A04.3.B.1&2, 304, and 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a buildable lot with an area of .459 acres and side yard setbacks of 27.5 feet each in lieu of the minimum required 1.0 acre area, and 50-foot side yard setbacks, and to approve the subject property as an undersized lot, pursuant to Section 304, with any other variances deemed necessary by the Zoning Commissioner. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Kenneth and Gladys Wheat, property owners, their Grandson, David Wisnom, who prepared the site plan for this property, and Jay Mousavi, on behalf of Camo Construction, Contract Purchasers. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is located on the west side of Old York Road, not far from its dead-end, and south of York Road and west of I-83 in northern Baltimore County. The property is an unimproved, rectangular shaped lot, approximately 100 feet wide by 200 feet deep, and contains a gross area of 20,000 sq.ft., more or less, zoned

ORDER RECEIVED FOR FILING

Date

By

9/13/12
[Signature]

R.C.5. Apparently, Mr. & Mrs. Wheat have owned the property since 1950 and have held it intact since that time. Testimony indicated that in 1952, the Wheats retained a contractor to build a single family dwelling on the property and a building permit was obtained from Baltimore County, a copy of which was submitted at the hearing. Shortly after construction was due to commence, however, the Contractor perished in a house fire. A copy of the April 7, 1952 newspaper article describing the fire was offered at the hearing. Due to the demise of the Contractor, construction was never undertaken and the Petitioners have not utilized the property for over 50 years.

Due to their advancing age, Mr. & Mrs. Wheat have decided to sell the property. A contingency contract has been offered by Mr. Mousavi, a building contractor who proposes to develop the site with a single family dwelling. As shown on the site plan, a building footprint of 45' x 65' is proposed with a front property line setback of 100 feet and a rear property line setback of 50 feet. Additionally, side yard setbacks of 27.5 feet on each side are proposed. Mr. Mousavi has submitted building elevation drawings of the proposed dwelling to the Office of Planning which has approved same.

Based upon the testimony and evidence offered, I am easily persuaded that the variance relief should be granted. The uniqueness of this property is its age and configuration, particularly when compared with other lots in the neighborhood. It is also to be noted that the Wheats apparently offered the subject property for sale to the nearest neighbor; however, that individual declined to purchase the property. The circumstances described are persuasive to a finding that the Petitioners would suffer a practical difficulty if relief were denied. Moreover, variance relief can be granted without detrimental impacts on adjacent properties.

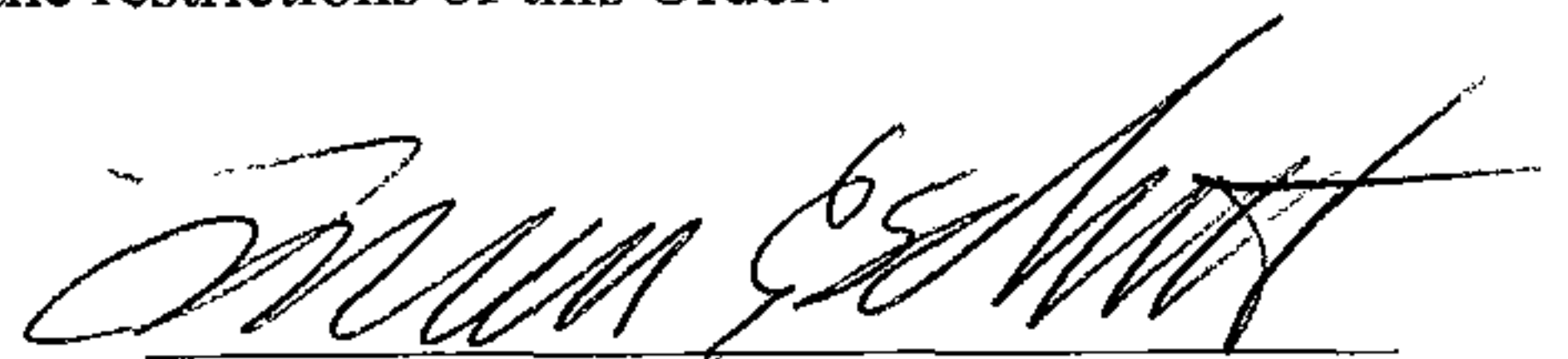
Finally, it is to be noted that a Zoning Advisory Committee (ZAC) comment was received from the Groundwater Division of the Department of Environmental Protection and Resource Management (DEPRM), which indicates that the Petitioner must comply with their requirements relating to private septic and well systems. Obviously, given its location, the property is not served by public utilities. Thus, the Petitioners were instructed at the hearing to contact DEPRM to obtain these approvals.

ORDER RECEIVED FOR FILING
9/13/12
[Signature]

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth hearing, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of September, 2002 that the Petition for Variance seeking relief from Sections 1A04.3.B.1&2, 304, and 500.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a buildable lot with an area of .459 acres and side yard setbacks of 27.5 feet each in lieu of the minimum required 1.0 acre area, and 50-foot side yard setbacks for a proposed dwelling, and to approve the subject property as an undersized lot, pursuant to Section 304, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Petitioners shall comply with the ZAC comment submitted by the Groundwater Division of DEPRM, dated August 27, 2002, a copy of which is attached hereto and made a part hereof.
- 3) The proposed dwelling shall be constructed substantially in accordance with the building elevation drawings approved by the Office of Planning.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 9/13/02
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

September 15, 2002

Mr. & Mrs. Kenneth Wheat
1345 Church Street
Glen Rock, Pennsylvania 17327

RE: PETITION FOR VARIANCE
W/S-Old York Road, 780' S of the c/l York Road
(21298 Old York Road)
7th Election District – 3rd Council District
Kenneth Wheat, et ux, Owners; Camo Construction, Contract Purchasers - Petitioners
Case No. 03-061-A

Dear Mr. & Mrs. Wheat:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is 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 appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. David Wisnom, 231 High Street, Stewartstown, PA 17363
Mr. Jay Mousavi, 9015 Liberty Road, Randallstown, MD 21133
Office of Planning; DEPRM; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21298 OLD YORK RD

which is presently zoned RES

This Petition shall be filed with the Department of Permits and Development Management. 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(s) PA 04.3.B, 1, 2, 3 & 4, 500.6 to allow a buildable lot with an area of 1.459 acre and side setbacks of 27 1/2 ft. each in lieu of the minimum required 1 acre & 50 ft. each respectively. To approve an undersize lot pursuant to S. 304 with any other's Variances as deemed necessary by the Zoning Commissioner, of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

LOT HAD BUILDING PERMIT ISSUED IN 1950's

+ BUILDER DIED IN HOUSE FIRE SINCE THEN WE HAVE BEEN UNABLE TO SELL TO ADJOINING PROPERTY OWNERS

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

CAMO CONSTRUCTION
Name - Type or Print

[Signature] OWNER
Signature

9015 LIBERTY RD 443-506-6383
Address Telephone No.

RANDALLSTOWN MD 21133
City State Zip Code

Attorney For Petitioner:

N/A
Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

KENNETH WHEAT
Name - Type or Print

Kenneth Wheat
Signature

GLADYS WHEAT
Name - Type or Print

Gladys A. Wheat
Signature

1345 Church ST 1-717-235-4409
Address Telephone No.

GLEN ROCK PA 17327
City State Zip Code

Representative to be Contacted:

DAVID WISNOM
Name

231 High ST 717-887-4087
Address Telephone No.

STEWARTSTOWN PA 17363
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 hr

UNAVAILABLE FOR HEARING

Reviewed By [Signature] Date 8-05-02

ORDER RECEIVED FOR FILING

Date 9/15/02
By [Signature]
RECEIVED 9/15/98

23-061-A

Zoning Description
21298 Old York Rd.

Beginning at a point on the west side of Old York Rd, 40 ft wide, 780 ft south of the centerline of York Rd.

Thence running southeast 100 ft; thence south west 200 ft; thence north west 100 ft thence northeast 200 ft. to the point of beginning; containing 20,000 sq ft.

Being known as # 21298, Old York Rd and located in the 7th Election District and 3rd Councilmatic District.

#061

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Ord No. 10429
03-061-A

DATE 8-05-02 ACCOUNT R-001-006-615

AMOUNT \$ 50.00

RECEIVED
FROM:

Mr. + Mrs. Wheat

FOR:

Residential Variance Filing fee
at 21298 Old York Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

8/5/2002 8:57:20 AM
JANIN JFIC JMR DORSEY
RECEIPT # 10102 8/05/2002 OFLH
DEC 5 528 ZONING VERIFICATION
CP 01. 018429

Recpt tot	150.00
.00 OK	20.00 CA
	10.00-05

all items ready, delivered -

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE Case No

Penttonen/Developer

Date of Hearing/Closing

.t™ brand fax transmittal memo 7671		# of pages ▶ 1
To	BETTY LAR ROBIN	From
Co.	ZONTING - COMM Co.	
Dept.		Phone #
Fax #	410-887-3468	Fax #

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #21298 OLD YORK RD.

The sign(s) were posted on

8/21/02
(Month, Day, Year)

~~Sincerely~~

Sincerely,

(Signature of Sign Poster and Date)
PATRICK M. O'KEEFE 8/22/02

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

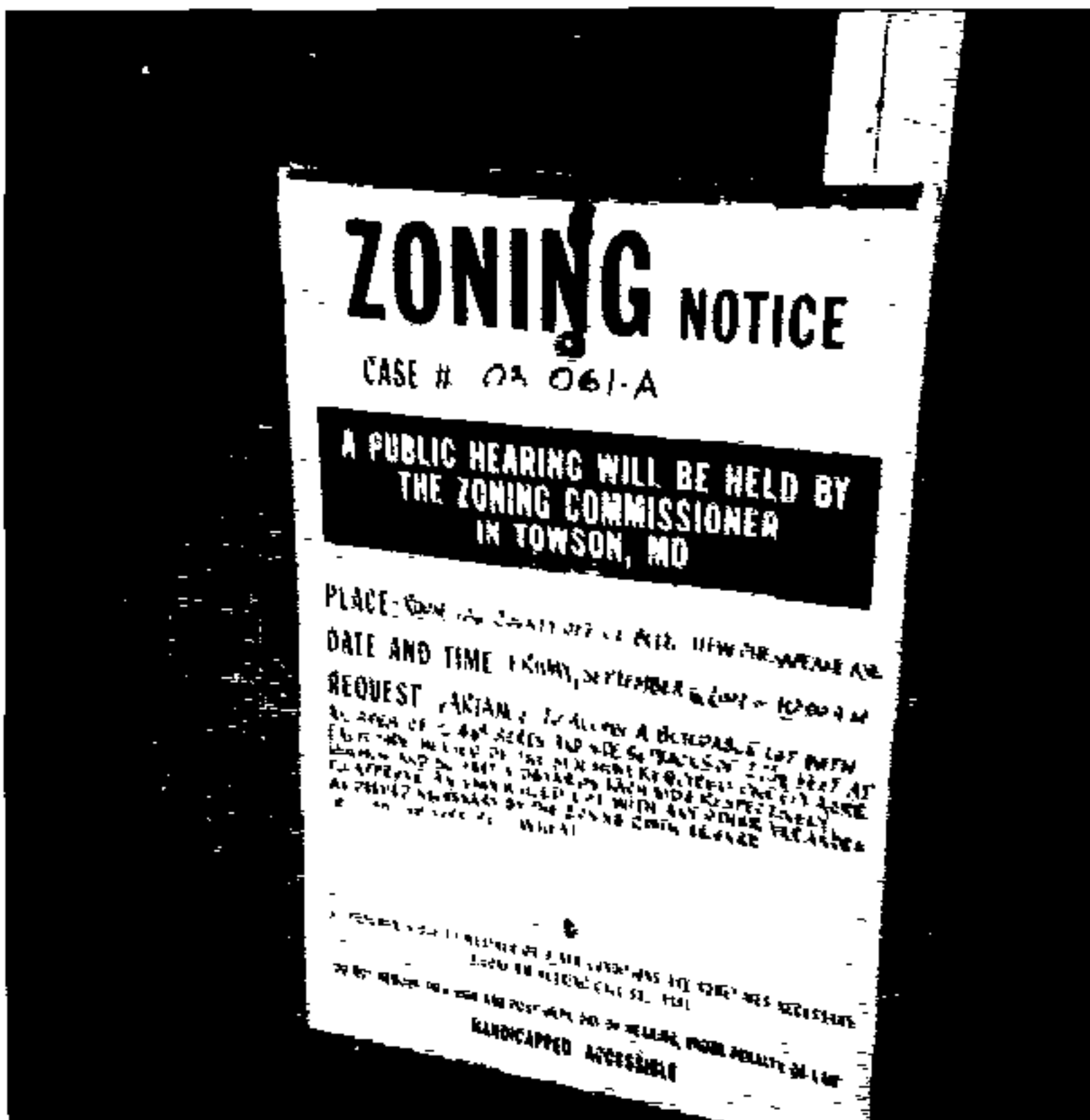
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410 905-8571

(Telephone Number)



03-061A

RE: PETITION FOR VARIANCE.

21298 Old York Road

W/side Old Yord Road, 780' south

of ctrl of York Road

7th Election District, 3rd Councilmanic
District

Legal Owner: Kenneth & Gladys Wheat

Contract Purchaser: Camo Construction

Petitioner(s)

*

BEFORE THE

*

ZONING COMMISSIONER

*

FOR

*

BALTIMORE COUNTY

*

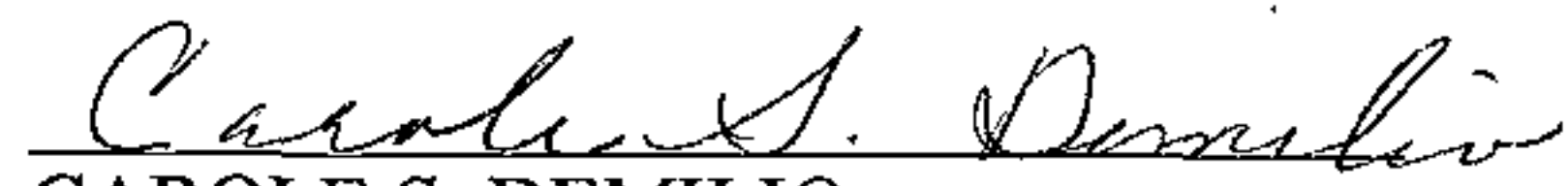
03-061-A

* * * * *

ENTRY OF APPEARANCE

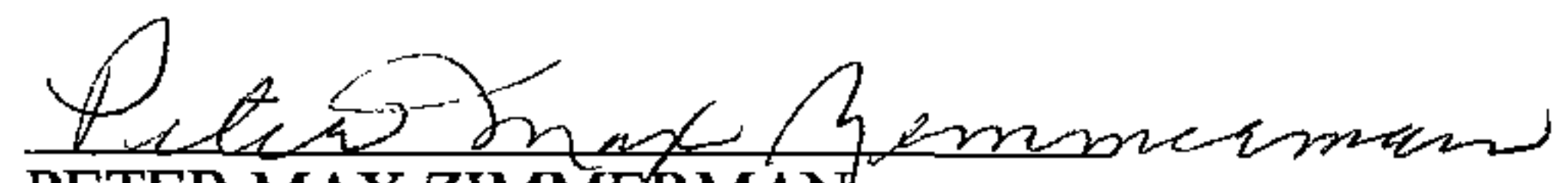
Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of August, 2002, a copy of the foregoing Entry of Appearance was mailed to David Wisnom, 231 High Street, Stewartstown, PA 17363 Representative for Petitioner(s).


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 22, 2002 Issue – Jeffersonian

Please forward billing to:

Kenneth Wheat
1345 Church Street
Glen Rock PA 17327

717-887-4087

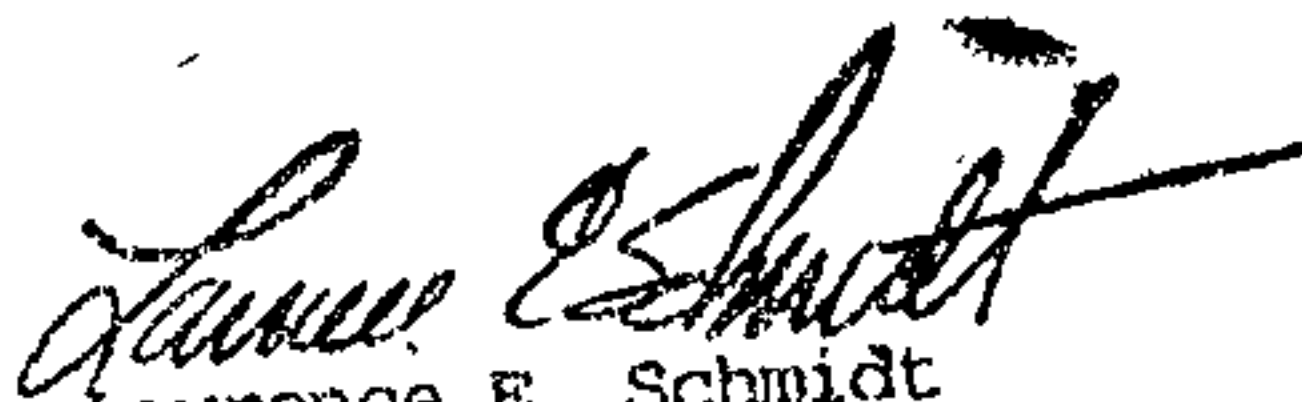
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 03-061-A
21298 Old York Road
W/S Old York Road, 780' S centerline of York Road
7th Election District – 3rd Councilmanic District
Legal Owner: Kenneth & Gladys Wheat

Variance to allow a buildable lot with an area of .459 acres and side setbacks of 27 1.2 feet at each side in lieu of the minimum required one (1) and 50 feet each respectively, to approve an undersized lot with any other variances as deemed necessary by the Zoning Commissioner.

HEARING: Friday, September 6, 2002 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 6D2
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 8, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 03-061-A
21298 Old York Road
W/S Old York Road, 780' S centerline of York Road
7th Election District – 3rd Councilmanic District
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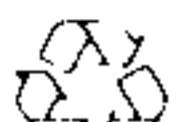
HEARING: Friday, September 6, 2002 at 10:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon 372
Director

C: Mr. & Mrs. Kenneth Wheat, 1345 Church Street, Glen Rock PA 17327
Camo Construction, 9015 Liberty Road, Randallstown 21133
David Wisnom, 231 High Street, Stewartstown PA 17363

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 22, 2002**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 03-061-A

Petitioner: Kenneth Wheat

Address or Location: 1345 Church St Glen Rock, PA,
17327

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same

Address: Same

Telephone Number: 1-717-887-4087

Revised 2/20/98 - SCJ



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 30, 2002

Mr. & Mrs. Kenneth Wheat
1345 Church Street
Glen Rock PA 17327

Dear Mr. & Mrs. Wheat:

RE: Case Number: 03-061-A, 21298 Old York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 05, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Camo construction, 9015 Liberty Road, Randallstown 21133
David Wisnom, 231 High Street, Stewartstown PA 17363
People's Counsel

Come visit the County's Website at www.co.ba.md.us





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 13, 2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF August 12, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:
055, 056, 057, 058, 059, 060, 061, 062, 063, 064, 065, 066 and 067.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley **RBS | TLT**

DATE: August 27, 2002

SUBJECT: Zoning Item 061
Address 21298 Old York Road

Zoning Advisory Committee Meeting of August 12, 2002

The Department of Ground Water Management offers the following comments
On the above-referenced zoning item:

The property must have a 5,000 Sq ft Septic Reserve area. Soil evaluations must
Be conducted. A well meeting minimum setbacks must be drilled. Please contact
Ground Water Management for more info.

Reviewer: Sue Farinetti

Date: August 26, 2002

AP
9/6

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: August 15, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-061

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Lynne J. Urban

AFK/LL:MAC

8/21/02

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: Jeffrey Long
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204

Permit or Case No. 03-061-A

FROM: Arnold Jablon, Director
Department of Permits & Development Management

Residential Processing Fee Paid
(\$50.00)Accepted by [Signature]
Date 8-05-02

RE: Undersized Lots

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

KENNETH + GLADYS WHEAT 1345 Church ST (717) 235-4
Print Name of Applicant 21298 Address GLEN ROCK PA 17327 Telephone Number
Lot Address 01D YORK RD Election District 7 Councilmanic District 3 Square Feet 20,000

Lot Location: NE S W side corner of 01D YORK RD 1000' feet from NE S W corner of YORK RD
(street) (street)

Land Owner: KENNETH + GLADYS WHEAT Tax Account Number 04-07-07230354
Address: 1345 Church ST Telephone Number (717) 235-4409
GLEN ROCK PA 17327

CHECKLIST OF MATERIALS- (to be submitted for design review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!
PROVIDED?

1. This Recommendation Form (3 copies)

YES

NO

2. Permit Application

3. Site Plan

Property (3 copies)

4. Building Elevation Drawings

5. Photographs (please label all photos clearly)

Adjoining Buildings

Surrounding Neighborhood

6. Current Zoning Classification: BC 5

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:



Approval



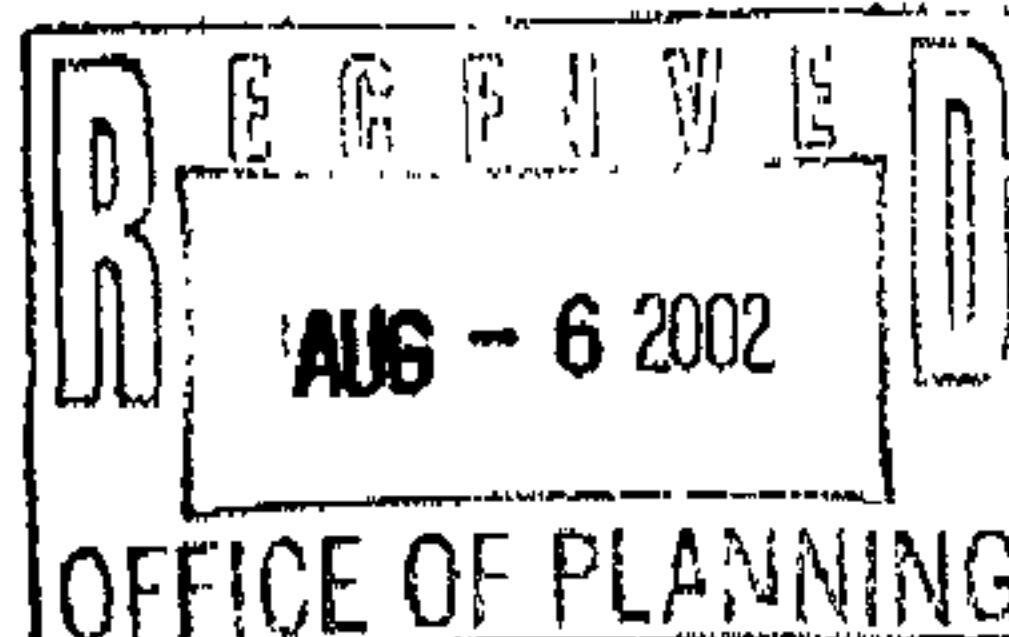
Disapproval



Approval conditioned on required modifications of the application to conform with it

Signed by:

for the Director, Office of Planning and Community Conservation



Date:

8/08/02

Revised 2/05/

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING FOR A
BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2

Date	8/8/02	# of pages	1
From	John Silberman	To	John Silberman
Co.	2000	Co.	2000
Phone #	7400	Phone #	7400
Fax #	2824	Fax #	2824



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 8.12.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 061 JSS

Dear Mr. Zahner:

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 affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

lv Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Maryland Department of Planning

Parris N. Glendon
Governor
Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

August 12, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
Room 111
111 West Chesapeake Avenue
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda - 8/19/02 re: case numbers 03-055-A, 03-056-A, 03-057-A, 03-058-A, 03-059-A, 03-060-A, 03-061-A, 03-062-A, 03-063-A, 03-064-A, 03-065-A, 03-066-A, 03-067-SPH

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 8/9/02. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

<u>Kenneth Wheat</u>	<u>KEN WHEAT</u>	<u>1345 Church St. Glen Rock.</u>
<u>Gladys Wheat</u>	<u>GLADYS WHEAT</u>	<u>1345 Church St. Glen Rock PA 17327-8700</u>
<u>DAVID WISNOM</u>		<u>STEWARTSTOWN PA</u>
<u>JAY MOUSAVI</u>		<u>9015 LIBERTY RD</u>



State of Maryland
 Department of Assessments and Taxation
 BALTIMORE ASSESSMENT OFC
 JEFFERSON BLDG
 105 W CHESAPEAKE AVE STE 200
 TOWSON MD 21204-4737
 410-512-4905
 blco@dat.state.md.us

Assessment Notice
 (This is Not A Tax Bill)

NOTICE #	NOTICE DATE	TAX YEAR BEGINNING
782608	12 28 2001	07 01 2002
DIST MAP	PARCEL SEC	BLOCK LOT USE SUBD
07 7	205	R
PROPERTY LOCATION	PRINCIPAL RESIDENCE	
OLD YORK RD	NO	
0.449AC SWS		
CONTROL #: 0787		

State law requires that all real property be revalued at least every three years. The property described above has been reviewed to determine the new market value effective **01/01/2002**. The new market value is based upon market data available prior to this date. The old total market value of your property was **\$ 21,380**. The new market value of your property is:

New Market Value

2. \$ 21,380 Land	3. \$ 0 Buildings, Other	4. \$ 21,380 TOTAL
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**Phased-In
Market Value/
Assessment**

To lessen the impact of increases in value, State law provides that any increase in the new market value over the old market value be phased in over the next 3 years in equal amounts. Your phased-in new market value/assessment for the next three taxable years is:

5. \$ 21,380 2002	6. \$ 21,380 2003	7. \$ 21,380 2004
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**Assessment
Caps**

If this property is your primary residence, you may have the assessment increase limited by the assessment cap (Homestead Tax Credit). Taxable assessment increases are capped at 10% annually for the state property tax. Counties and municipalities must set an assessment cap of 10% or less each year. Based on current information, if you qualify, we estimate that you will be taxed on the following assessments next year:

8. \$ 21,380 State	9. \$ 21,380 County/Baltimore City	10. \$ NOT APPLICABLE Municipal
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**Your Appeal
Rights**

If you feel that the **Total New Market Value (Box 4)** is incorrect, you may file an appeal. Included in this packet is an explanation of the appeal process and instructions on how to file your appeal. An appeal must be filed or postmarked within 45 days from the date of this notice.

The LAST DAY to file an appeal is: 02/11/2002

ATTENTION: If the address at right is incorrect, please print the correct address below and return to the Assessment Office.

ACCT#04 07 0723035400 / 87
 7 782608 R
 WHEAT KENNETH J
 WHEAT GLADYS A
 1345 CHURCH ST
 GLEN ROCK PA 17327-8200

Look at the information in the box at the top of this page. You should verify whether or not this property is designated as your principal residence. This information affects eligibility for the Homestead Tax Credit. If it is wrong, please complete the information to the right and return to the Assessment Office.

Address of where your principal residence is located:

Number of months you have resided or expect to reside at this address each year: _____

Signature (Required)

Date

NEW BUILDING
APPLICATION

COUNTY COMMISSIONERS OF BALTIMORE COUNTY

OFFICE OF THE BUILDINGS ENGINEER

Reckord Bldg., Towson 4, Md.

No. _____

District **#7**Date **25 February 1952**

Application must be made in Triplicate—METROPOLITAN COPY

Application is hereby made to the Buildings Engineer for a Permit to erect the following building:

Location **.4 (4/10) miles Southeast from York Rd. on #439 Old York Road**
(House No. and Street; N. S. E. or W. side of Street; distance N. S. E. or W. from nearest intersecting street or road)Owner **WHEAT, Kenneth J.** Address **Cockeysville, Maryland**Phone **209-J Neighbor** (If purchased under contract of sale, give seller's name and address) **3rd house on L. after passing Thornton M.**Size of Lot **100' x 200'** Acreage _____ Lot No. _____ Block _____ Section _____Name of Subdivision **none** Plat No. _____ Liber **GLB-2078** Folio **412**Transfer Office Folio _____ Account No. **Receipt 56661** By: _____ Date **25 Feb. 52**

Land Assessment _____ In Av. District? Yes (---) No (---)

Building Assessment _____ Proposed Structure is New (---) Alt. (---) Addn. (---)

Size of Building:

34' X 18' with 18' X 18' wing
position of house on lot to
cause width to be 48'-9" and
depth 37'-6"

Front	Depth	Height	Area	Volume
34'	36'	11'	768	8500 cu.ft.
	with at		sq.ft.	incl. 18'
	wing gables		768	X 34' =
		Total	sq.ft.	8500 cu.ft.

Distance in feet from front street center line to front building line **37' - 6"**

Front Yard Setback _____ (Distance in feet from front property line to front building line)

Distance in feet from side street center line to side building line **no side street**Side Yard Setback **25' on each side** (Corner Lot Only)

Side Yard Setback _____ (Distance in feet from side property line to side building line)

Use of Building **1 family dwelling** Type of Building **1 story cottage**

(1 or 2-Family Dwelling, Apartment, Store, etc.) (Cottage, semi-detached, group dwelling, number of stories)

Character of Construction **24" x 12" pre concrete block for gable** **18' x 34' c.d.**Of New Building **crete block** **stucco**Alteration **8,300.** **oil fired for**Estimated Completed Value of Improvements \$ _____ Type of fuel to be used for heating **hot air**Builder **drill** Architect or Engineer _____

Water Supply—Metro. (---) Well (---) Sewage Disp.—Metro. (---) Septic Tank (---) Privy (---)

The owner hereby agrees to comply with all rules and regulations of all departments of Baltimore County which are applicable hereto and to do no work not specifically covered by this application.

If Fee Is Paid by Check or Money Order, Make Payable to _____ Signed _____

"Baltimore County Buildings Engineer" (Applicant) (Connection with Operation) **York Road, Cockeysville**

(Address, Include Zone Number and Phone No.)

Plan No. _____ Required Yes or No _____ Received _____ Checked by _____ Returned _____

Construction Plans **attached**

Plot Plans _____

Preliminary Inspection _____ By _____ Date _____

Zoning District () _____ By _____ Date _____

Met. District { Sewer _____ } By _____ Date _____

{ Water _____ }

{ Storm Drain _____ }

Planning Commission _____ By _____ Date _____

Highways Department _____ By _____ Date _____

Health Department _____ By _____ Date _____

Fire Prevention Bureau _____ By _____ Date _____

Fee Paid \$ _____

(OVER)

First-House-in-the-Area SPECIAL PRICETo: Mr. & Mrs. *James H. & Mrs. H. H. Hest*Address *101st St. N. W.*City *Rockville*State *MD.*

In consideration of your being the first in your Area to build our exclusive "Western Ranch Type" house, we have given you a SPECIAL PRICE with the understanding that other houses sold for erection in the Area where yours is to be located will be priced \$1,000. higher.

The Area where your house is to be located is described as

Western Potomac County except Oak Ridge Area

This understanding does not prevent us from making a similar offer to two others in the same Area where your house is to be erected providing that they decide on one of the STUCCO - BRICK or STONE which you have not selected.

This SPECIAL PRICE is valid only for the owners who are ready to build and where erection is started within sixty days from date hereof.

HOMEOWNERS HONEST SERVICE, INC.

by *Edith H. Hest*

President

Date *31 January* 1952Place *Rockville, Md.*

1952
House
Contract

DIED →

Gentlemen:

This, with your signature hereon as acceptance of all of the terms and conditions set forth herein will serve as an agreement.

(1) We hand you herewith our deposit of *One Hundred (\$100.00) Dollars* as (part of) the requisite down payment for and in connection with the erection by you of your exclusive "Western Ranch Type" house for us on our property at a total agreed price of *Eight thousand two hundred (\$8246.76) forty six and twenty cents* dollars. General specifications are set forth in the attached ORDER TO BUILD authorization form and detailed specifications in the BUILDING CONTRACT which is to be prepared and signed by you and us before construction work starts. You acknowledge receipt of the above deposit which is to be credited to our account and deposited in the bank account you select to be used by you without restriction.

(2) We understand that this is a firm offer which is not subject to cancellation and that no refund is to be requested by us or paid by you under any circumstances except that, if for any reason the house herein contracted for has not been started within a period of one year from date hereof, we are to receive a refund in full less any expense incurred by you under the authority we have given you and such refund shall be either upon thirty days written notice by us to you or your automatic termination without notice upon the expiration of twelve months from date hereof. In either event, we are to return all papers to you at the time refund payment is made to us. The price of the house herein contracted for is for immediate building and is not binding upon you in the event that you are not permitted to start the construction within sixty days from date hereof.

(3) The location of our property upon which you are to build the house we have contracted for is set forth in the attached ORDER TO BUILD form.

(4) We understand that, unless this is a cash-with-order sale, we are to secure a CONSTRUCTION LOAN for the balance of the purchase price on terms that are acceptable to you. We are to secure necessary BUILDING PERMITS for you to start work but you will attend to all matters of inspection and compliance with building Codes.

(5) We understand that, unless otherwise agreed to in writing, the house herein contracted for is to be built to your standard specifications revised if and when necessary to meet requisite building Codes.

(6) You and we agree to work for each others' benefit to the best of our ability until the house has been delivered to us and this agreement terminated and thereafter in the event we have been accepted by you for the "No-Cost-To-You" Plan. We will hold this agreement and any special privileges it may contain as strictly confidential and will retain all papers in our possession at all times.

Sincerely yours,

ACCEPTED
HOMEOWNERS HONEST SERVICE, INC.
by *[Signature]* Pres.

Mr. *Kenneth J. Wheat* (LS)

Mrs. *Gladys A. Wheat* (LS)

To: HOMEOWNERS HONEST SERVICE, INC.
York Road, Towson 4, Maryland

Page

7. Kitterman, Md.

Gentlemen:

This is to authorize you to proceed with the CONSTRUCTION of one of your "Western Ranch Type" homes as specified below -

..... <i>Stucco</i>	 <i>768</i>	 <i>Three (3)</i>
Stucco - Brick or Stone	Square Feet	Number of Units
<i>(under block)</i>	<i>Special offer</i>	
	Basic Price	\$ 8,246.20 (7046)

EXTRAS

Cellar (1/3 - 2/3 - Full)	\$ 1,200.00
Septic Tank	\$ <i>amount to be bill</i>
Well - dug or drilled <i>at cost</i>	\$
<i>outside driveway to cellar and</i>	\$ <i>none</i>
<i>inside</i>	\$
.....	\$

<i>Balance of \$400. to be</i>	TOTAL	\$ 8,246.20
<i>Previously paid (1/3 minimum)</i>	<i>Homeall</i>	\$ 100.00
<i>on Feb. 7, 1957</i>	<i>1948.73 before starting</i>	\$ 2248.73
<i>construction</i>	TOTAL	\$ 5497.47

To be financed on a CONSTRUCTION LOAN
satisfactory to and for the benefit of
HOMEOWNERS HONEST SERVICE, INC. either
directly or through the undersigned as
the work progresses

We authorize you to proceed with the work, to order essential materials for the erection of the house to be constructed by you as soon as possible on our property described in a Plot Plan showing the location of the house relative to boundaries which Plot Plan, signed by us, will be handed to you within the next few days. This property is located *near*

..... *Darkton - northern Patterson Forest*

Any changes or additions are to be made before that phase of the work has been started or the materials for it ordered and, in such event, we will authorize them in writing to you and agree to pay any extra charges therefor.

Sincerely yours,

ACCEPTED
HOMEOWNERS HONEST SERVICE, INC.
by *[Signature]* Pres.

Mr. *Kenneth J. Wheat* (LS)
Mrs. *Glady A. Wheat* (LS)

NEW BUILDING

PERMIT

COUNTY COMMISSIONERS OF BALTIMORE COUNTY

DEPARTMENT OF PUBLIC WORKS

Office of the Buildings Engineer

No. 14821
District 7
Date March 6, 1952

This New Building Permit Is Hereby Granted To

Kenneth J. Wheat

(Applicant)

Cockeysville, Maryland.

(Address)

To erect the following building:

Location N.E. Old York Rd. 4/10 Mi. E. of York Rd.

Use of Building 1 Fam. Dwelling

Size of Building: Front 34 ft. Depth 36 ft. Height 20 ft.

Setback of Building: Front 37 ft.; Side Setbacks 33 and 33 ft. Corner lot ft. from side street.

Character of Construction Conc. Blk. Blk. Asph.

This Permit does not authorize the performance of any work beyond the property lines of the lot for which issued. Special permit must be obtained from the Highways Dept. to install sidewalks or remove curb. Planting of trees, hedges, shrubbery; erecting walls, fences, etc., is prohibited in the Right-of-Way adjacent to the lot.

Issued By The Buildings Engineer

Roland V. Philp

Fee Paid \$ 12.50

Per

This Permit shall be kept on the premises open to public inspection during the prosecution of the work and until completion of same.

2 Unidentified Persons Perish In House Fire

A man and a woman died today in a spectacular early-morning fire which destroyed a house in Govans and damaged two adjoining dwellings.

Two alarms were sounded for the blaze, which a neighbor said was preceded by an explosion.

Levelled by the flames was the two-story wood frame house at 404 Woodford avenue, from which firemen recovered the two bodies.

The house, according to police, is leased to a Mr. and Mrs. B. D. McClosky. It is owned by Mr. and Mrs. Thomas Massey.

Mrs. Massey, according to neighbors, is living with her parents in Scranton, Pa., while her husband, a first lieutenant in the Marine Corps, is serving in Korea.

The McCloskeys were described by neighbors as an elderly couple, who lived alone in the house.

Explosion Awakens Neighbor

Miss Edith Johnson, who lives across the street from the burned house, said she was awakened by an explosion at 4:50 A.M. When she went to her window and looked out, Miss Johnson reported, the entire side of 404 Woodford avenue was enveloped in flames.

While Miss Johnson was phoning the Fire Department, a box alarm was sounded by an unidentified person.

When the first firemen arrived, they sounded the second alarm for additional equipment and manpower to prevent the flames from spreading to the adjacent dwellings, the sides of which were scorched.

Firemen reported the entire building appeared to be on fire when the first engines arrived.

At first it was thought that no one was in the house. However, while removing debris shortly after 9 A.M., firemen came across the two bodies.

The house at 402 is owned by Mrs. Charles Sweitzer and Henry Byrne is owner of 406. Although they were aroused, neither of the families was forced out. Firemen wetted the sides of the two homes to keep the flames from igniting them.

The cause of the blaze was not immediately determined.

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TODAY'S MOVIES

CENTURY—John Lund in BATTLE OF APACHE PASS. Runs 85 min. 11:30, 1:43, 3:47, 5:51, 7:55, 9:59

HIPPODROME—Mark Stevens in MUTTA. Runs 80 min. 10:50, 12:40, 2:30, 4:20, 6:10, 8:10

KEITHS—Tony Curtis in FLESH AND FURY. Runs 82 min. 10:18, 12:16, 2:14, 4:12, 6:10, 8:08, 10:06

NEW—James Mason in FIVE FINGERS. Runs 117 min. 10:12, 2:4, 6:8, 10

STANLEY—Joan Crawford in THIS WOMAN IS DANGEROUS. Runs 97 min. 10:50, 1:00, 3:10, 5:25, 7:35, 9:50

VALENCIA—Robert Taylor in QUO VADIS. Runs 167 min. 12:10, 3:10, 8:10, 9:10

CENTRE—Cornel Wilde in AT SWORD'S POINT. Runs 81 min. 1:20, 3:01, 4:42, 6:23, 8:04, 9:45

LITTLE—Machiko Kyo in ROSHAMON. Runs 85 min. 12:45, 2:30, 4:20, 6:10, 8:55

MAYFAIR—Richard Widmark in RED SKIES OF MONTANA. Runs 98 min. 10:30, 12:25, 2:20, 4:15, 6:10, 8:05, 10

PARKWAY—Katherine Hepburn in APRIL CAN QUEEN. Runs 104 min. 1:14, 3:22, 5:30, 7:38, 9:46

ROSLYN—SKY HIGH 6:18, 9:05, 11:52, 2:50 A.M.—BLACK HAND. 7:36, 10:13, 1:00 A.M.

TIMES—SKY HIGH 12:32, 3:46, 6:40, 9:24, 12:08, 2:52 A.M.—BLACK HAND 1:56, 4:50, 7:44, 10:28, 1:12 A.M.

TOWN—Robert Cummings in THE FIRST TIME. Runs 89 min. 10:56, 12:46, 2:36, 4:26, 6:16, 8:08, 10

PLAYHOUSE—FOUR IN A JEEP. Runs 98 min. 2:4, 6:8, 10

Complete Motion Picture Theatre Calendar

AERO, Middle River—Ray Milland in BUGLES IN THE AFTERNOON.

ALPHA, 725 Frederick—Marlon Brando in VIVA ZAPATA.

AMBASSADOR, 4606 Liberty Heights.—Marlon Brando in VIVA ZAPATA.

APEX, 1100 Broadway—Humphrey Bogart in SIROCCO.

APOLLO, 1500 Harford—Ray Milland in BUGLES IN THE AFTERNOON.

ARCADE, 5436 Harford—Marlon Brando in VIVA ZAPATA.

ASTOR, 613 Poplar Grove—Maureen O'Hara in AT SWORD'S POINT.

AURORA, 7 E. North Ave.—Judy Holiday in BORN YESTERDAY.

AVALON, 4300 Park Heights—Louis Hayward in SON OF DR. JEKYLL.

AVENUE, 1401 N. Milton—Frank Lovejoy in RETREAT HELL.

BEACON, 1118 Light—Cornel Wilde in AT SWORD'S POINT.

BELNORD, 2700 Phila. Rd.—Ray Milland in BUGLES IN THE AFTERNOON.

BOULEVARD, 3302 Greenmount.—Ray Milland in BUGLES IN THE AFTERNOON.

BROADWAY, 509 S. Broadway—Marlon Brando in VIVA ZAPATA.

BROOKLYN, 3730 S. Hanover—Sterling Hayden in FLAMING FEATHER.

CAMEO, 4707 Harford Rd.—Jean Simmons in SO LONG AT THE FAIR.

CAPITOL, 1530 W. Balto.—Maureen O'Hara in AT SWORD'S POINT.

CARLTON, 1201 Dundalk—Marlon Brando in VIVA ZAPATA.

CLUSTER, 303 S. Broadway—Ray Milland in BUGLES IN THE AFTERNOON.

COLGATE, Dundalk—Maureen O'Hara in AT SWORD'S POINT.

COLUMBIA, 709 Wash. Blvd.—Ray Milland in BUGLES IN THE AFTERNOON.

COLONY, 8123 Harford Rd.—Ray Milland in BUGLES IN THE AFTERNOON.

CREST, 5425 Reisterstown—Cary Grant in ROOM FOR ONE MORE.

DELUXE, 1318 E. Fort Ave.—Richard Basehart in FIXED BAYONETS.

EARLE, 4847 Belair Rd.—Ray Milland in BUGLES IN THE AFTERNOON.

ECHO, 124 E. Foil—Mitzi Gainer in GOLDEN GIRL.

EDGEWOOD, 3500 Edmondson.—Cary Grant in ROOM FOR ONE MORE.

EDMONDSON VILLAGE—Marlon Brando in VIVA ZAPATA.

EDGEHIRE, Edgemere, Md.—Groucho Marx in DOUBLE DYNAMITE.

ELKRIEGE DRIVE IN—Marlon Brando in VIVA ZAPATA.

ELLICOTT, Ellicott City—Sterling Hayden in FLAMING FEATHER.

FINE ARTS—John Wayne in FLYING TIGERS.

FOREST, 3300 Garrison—Cornel Wilde in AT SWORD'S POINT.

GARDEN, Cross & Light—Barry Nelson in MAN WITH MY FACE.

GENERAL PULASKI DRIVE IN—Marlon Brando in VIVA ZAPATA.

GLEN, Glen Burnie—Brian Donlevy in HOODLUM EMPIRE.

GRAND, 509 S. Conkling—Cornel Wilde in AT SWORD'S POINT.

HAMPDEN, 911 W. 36th—Marlon Brando in VIVA ZAPATA.

HARFORD, 2620 Harford—Gregory in DAVID & BATHSHEBA.

HIGHLAND, 3820 East BELLS OF

PROPERTY ADDRESS 21298 010 YORK RD

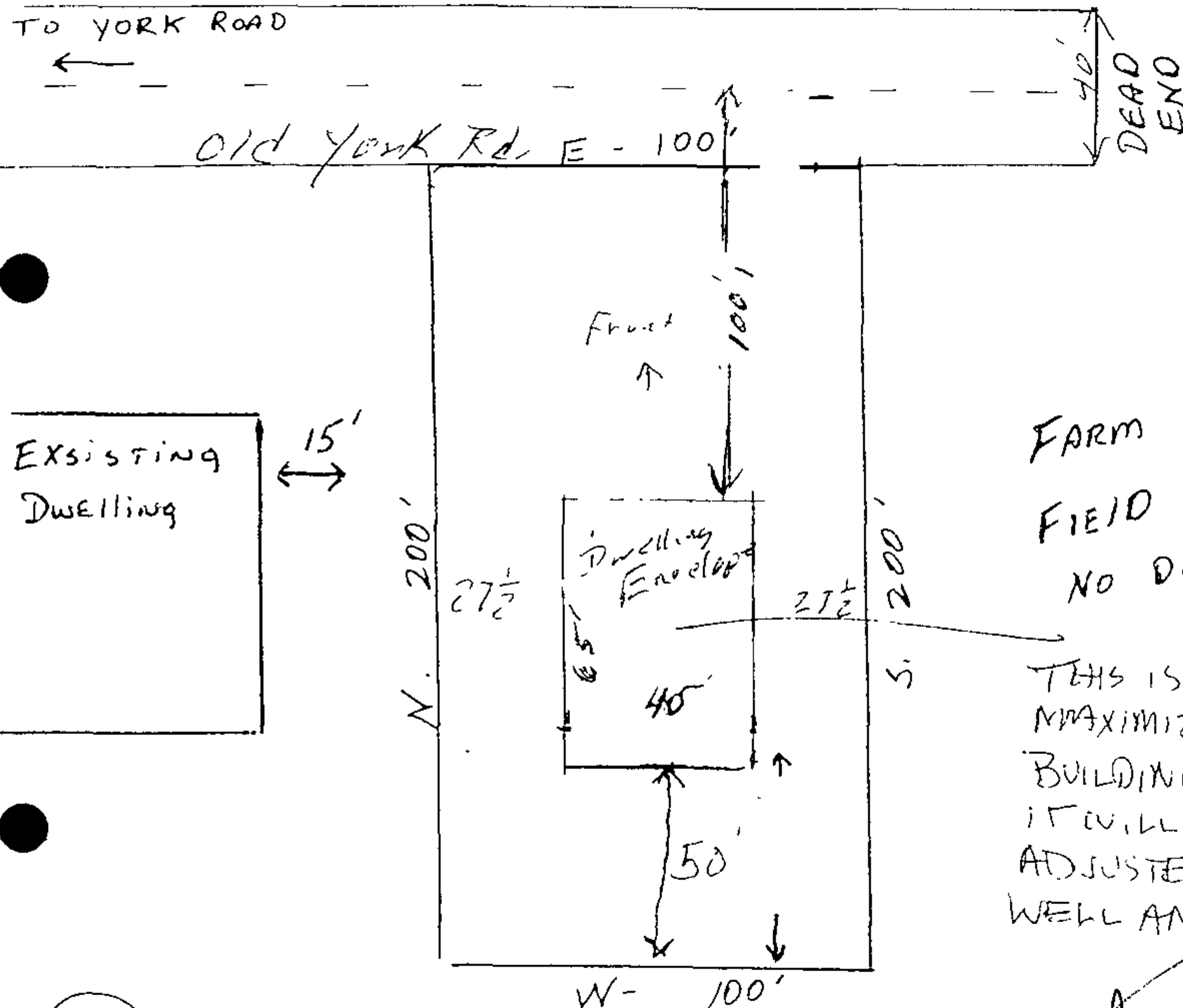
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME NONE

PLAT BOOK ~~#2078~~ FOLIO ~~#112~~ LOT # — SECTION # —

OWNER KENNETH + GLADYS WHEAT

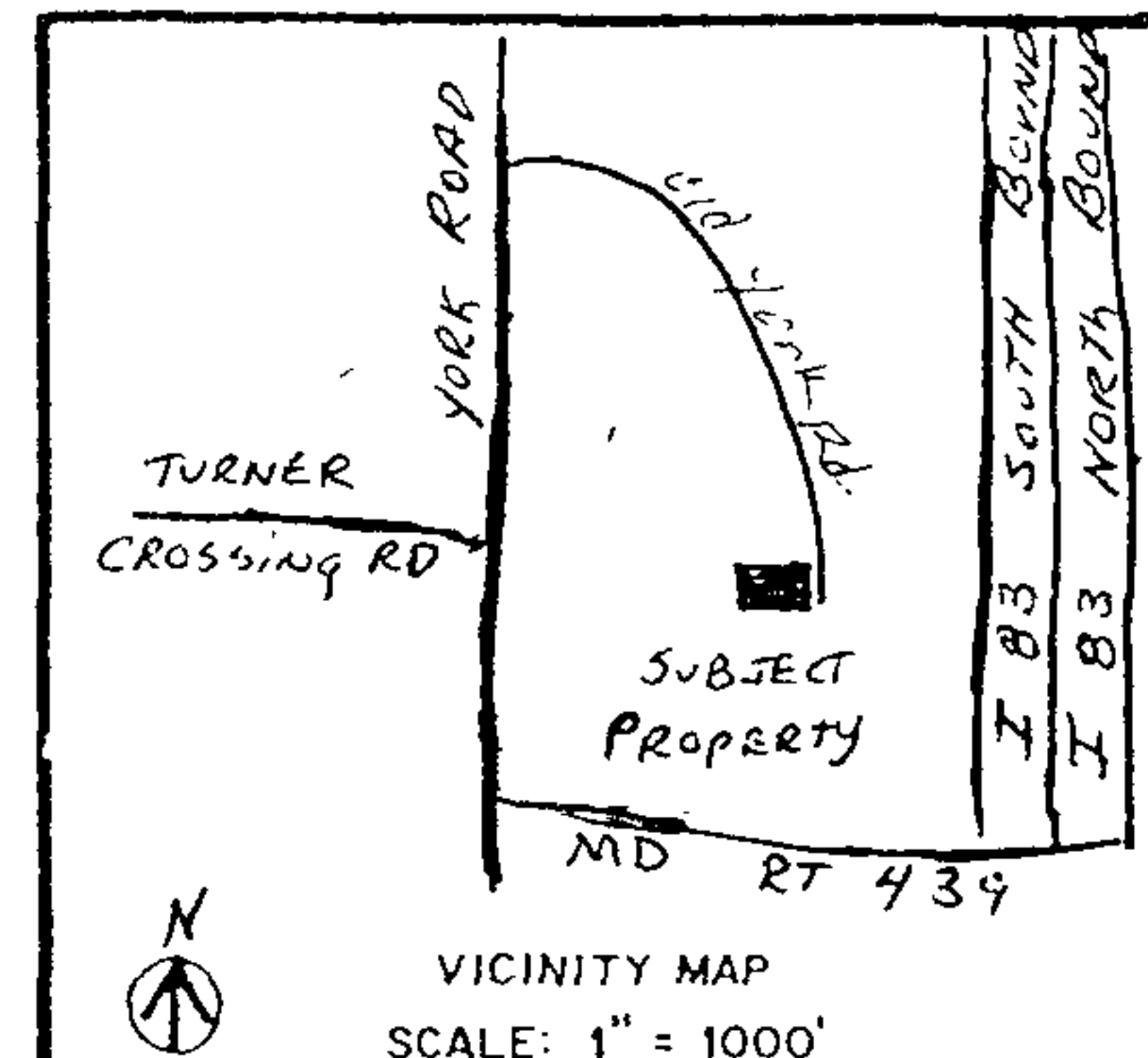
TO YORK ROAD



NORTH

PREPARED BY DAVID WISNOM 717-887-4087

SCALE OF DRAWING: 1" = 50'



LOCATION INFORMATION

ELECTION DISTRICT 7
COUNCILMANIC DISTRICT 3
1" = 200' SCALE MAP # NW, 38-B
ZONING RC 5
LOT SIZE 0.455 20,000
ACREAGE SQUARE FEET
SEWER ☐ PUBLIC ☒ PRIVATE
WATER ☐ PUBLIC ☒ PRIVATE
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING None

ZONING OFFICE USE ONLY
REVIEWED BY BAJ ITEM # 061 CASE #

R.C. 5

STA. CEMETERY
U.S.C. & G.S.

YORK RD.

BALTIMORE

HARRISBURG

BL

R.C.C.

439

R.C. 5

#061

NW 38 B

1" = 200'

R.C. 5

STA. CEMETERY
U.S.C. & G.S.

OLD YORK RD.

BALTIMORE

HARRISBURG

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439

#061

NW 38 B

1" = 200'

R.C. 5

STA. CEMETERY
U.S.C. & G.S.

YORK RD.

BALTIMORE

HARRISBURG

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R.C.C.

439

R.C. 5

#061

NW 38 B

1" = 200'

R.C. 5

STA. CEMETERY
U.S.C. & G.S.

YORK RD.

BALTIMORE

HARRISBURG

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NW 38 B

1" = 200'

[illegible]