

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

Edwin G. Winter, vs Board of Zoning Appeals
et al
(Show, rev stat)

Case No. 1352, 296

Tentative June 23, 1952 10 A.M.
Action of Board of Zoning Appeals reversed
Hearings to be prepared for trial on that date.GEORGE L. HYERLY, Clerk
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EDWIN G. WINTER, IN THE CIRCUIT COURT
CHARLES A. WISE, FOR
ROBERT J. ALLEN, BALTIMORE COUNTY
ANDREW MACDONALD and
SUDROCK PARK IMPROVEMENT
ASSOCIATION, INCORPORATED
-vs-
BOARD OF ZONING APPEALS
FOR BALTIMORE COUNTY

Under the authority of various Acts of the General Assembly, the County Commissioners in 1945 promulgated a comprehensive zoning ordinance for Baltimore County. It established seven zones, four of varying residential classifications, one commercial and the other two industrial. With minor exceptions the third, fourth, fifth, sixth, seventh, eighth, tenth and eleventh election districts are zoned residential "A", that is cottage type, the most restricted classification.

The Fairhill Building Company owns 122 acres in the third district, lying generally south of Milford Mill Road, approximately a mile from Pikesville and adjoining Sudrock Park, an individual home development of long standing. This property was purchased by the Building Company subsequent to the zoning of the area. An Mr. William F. Chew in the sole owner of the company, the property will be referred to as belonging to him. He filed an application with the zoning commission for a re-classification of this acreage from "A" residential to commercial, "C" residential and "H" residence. If approved this re-classification will permit the property to be developed first by a buffer group of cottages, then semi-detached houses, then apartments and group houses, with a shopping center, parking area, roads and other necessary servicing facilities. Upon completion the development will contain approximately 1000 housing units, serving an estimated population of 3500 people. Mr. Chew also owns about 70 acres on the Milford Mill Road across from this property, which is now being developed for individual homes.

The zoning commission disapproved the re-classification because of his finding that the property was restricted against the proposed re-class-

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fication uses, and as it was not available therefore even if the re-classification were granted, the application was pre-empted.

Upon appeal his action was reversed by a vote of two to one of the Board of Zoning Appeals, their order reading as follows:

"It appearing from the facts and evidence adduced at the appeal hearing that the petition should have been granted, as hereinafter provided, due to the fact that the granting of the same would not adversely affect adjoining or adjacent property, there being no valid reason from the standpoint of health, safety, morals and the general welfare of the community for the refusal of such petition."

The order then described the parcels by estate, bounds and acreage, and the permitted uses of each parcel. For example, the shopping center was described in that manner and designated "first parcel shopping center." Each of the other parcels was similarly described for its own particular use.

The re-classification was opposed by a number of residents in the affected area. In addition to Mr. Chew the other witnesses were Mr. Joseph D. Thompson, a Consulting Engineer, who testified as to the adequacy of the highway and sidewalks; the Director of the Planning Commission, who "testatively" approved the plans for the development, including the adequacy of the facilities; and six witnesses on behalf of the protestants. No testimony was presented by Mr. Chew to show the inadequacy of the property for use in its present classification. His testimony, was solely to the effect that multiple housing is badly needed in Baltimore County for low income groups unable to afford individual homes, that this development is planned primarily for that purpose with all of the needs which such a development involves, simultaneously admitting the greater profit from the sale of the land, or the creation of ground rents thereon, which would be thereby permitted.

On behalf of the protestants the evidence was that there is no need for the shopping center as far as the present community is concerned, that Sudrock Park in an old line, valuable and substantial cottage home community, the value of which would be substantially depreciated by the projected development, traffic on the main arteries would be tremendously

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increased, additional school facilities would be needed, that the property is equally available for cottage type development and that there has been no change in the conditions existing between the time of the "A" residential zoning and the present. This testimony is undisputed.

The petition to review the approval of the Board of Zoning Appeals contains only the formal allegations that its action was invalid because

"as it is an arbitrary and capricious act and a gross abuse of administrative discretion, that there is no evidence legally sufficient to justify said order, that the re-classification will not promote the health, safety, morals and general welfare, that it was made solely for the benefit of William F. Chew, that it was made solely for the application for building permits were not made prior thereto and that a number of applications for re-classifications are included in one proceeding."

This is the same form of every petition which has been filed in this court to review actions of the Board of Zoning Appeals. It will be considered as adequate for that purpose even though there is doubt as to its sufficiency, because the statute permitting such appeals requires that the petition for certiorari shall "specify the grounds of illegality." It can hardly be contended that such a petition meets this requirement. However in view of prior approvals given to this form of procedure, it will be permitted in this instance.

The Court now however, directs attention to the fact that something more than mere formal conclusions should be stated in such petitions, that the facts which lead to these conclusions should at least be summarized. In the future, appeals in the present form may be held insufficient.

The case has been thoroughly presented. Elaborate and well considered briefs have been filed by the parties. In addition, the Home Builders Association of Maryland, Inc., was permitted to intervene as amicus curiae, and it has filed a brief supporting the re-classification. While this corporation has no interest as such in the proceeding, it was permitted to participate because of the Court's desire to obtain all of the assistance possible on the interesting question involved.

A preliminary jurisdictional question has been raised by the

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protestants. They contend that there is no right of appeal from the action of the zoning commission to the Board of Zoning Appeals because statutory prerequisites thereto have been ignored. As to re-classification, it is provided that applications for building permits shall first be submitted to the zoning commission for approval before any permit is issued and that in cases in which the permit applied for is for a use not permitted under regulations then in effect, the zoning commission may entertain a petition for the re-classification of such property. No application for a building permit was filed in this instance. It is further provided that after the hearing thereon the zoning commission shall pass his order granting or refusing the re-classification which shall not become effective and binding until approved in writing by the County Commissioners. This too, has not yet been done here, and on these grounds the protestants dispute the validity of this appeal. It is manifest, however, that the proposed use of the property involved is in an area not permitted under the present zoning regulations, and that it would have been meaningless to preliminarily apply for a building permit which would necessarily have been rejected. Therefore the filing of a re-classification petition without going through the formality of first filing an application for a building permit, could not possibly injure the protestants, and under the circumstances here existing was not a jurisdictional pre-requisite.

Even though re-classification is a legislative and not administrative procedure, and is actually not final until approved by the County Commissioners it does not follow that such approval should precede either an appeal to the zoning board, or prior to an appeal to this Court from the action. The approval by the County Commissioners does not affect the legal principles which govern this Court on such an appeal, and it is accordingly held that there is no legal necessity for them to approve the re-classification as a condition precedent to the appeal nor under consideration.

See HILLCOIT -vs- BALTIMORE 180 Md., 176. The protestants further contend

action of the zoning commission in promulgating a requested classification. The holding in *Id.* is not applicable for such an appeal. The protestants contend however, that when the zoning commission has disapproved an application for re-classification, the Board of Zoning Appeals lacks authority on appeal to reverse his action and approve re-classification, because of the statutory provision that the zoning commission is the official charged with the duty of recommending re-classifications to the County Commissioners. In other words it is asserted that either an appeal exists to the Board of Zoning Appeals, it is a futile and nugatory right, because even if the Board finds the zoning commission to have been in error, it lacks the power to correct the error. Such a construction would be an absurdity. If the Board of Zoning Appeals has authority to hear such appeals, as it plainly does, then it has equal authority to determine the validity and correctness of the order appealed from. If it does not, the right of appeal to it is meaningless. It certainly was not the legislative intention to create a Board of Zoning Appeals, assign certain rights and responsibilities to it, but deny it the power to enforce those rights. Accordingly the holding in this case is that the Board does possess the power to hear appeals from the action of the zoning commission in granting or refusing applications for re-classification, and that in doing so it possesses all of the powers necessary to correct any error legally or factually existing on the part of the zoning commission.

All of the protestants' jurisdictional objections are rejected. No variance has been made to the fact that this appeal involves a legislative rather than an administrative action.

It is important therefore to consider the scope and nature of the Court's review in such a proceeding. It is clearly not the same as in cases involving applications for special exceptions or special permits. They fall in the administrative category. There the burden is placed on the person applying for the special consideration thereby permitted. A special excep-

tion seems essentially what the ordinary grammatical use of the words imply, a specially permitted use in a particular area without re-zoning it, granted only for overwhelming and compelling reasons not applying to the whole area, and based on "need," "hardship" and other related foundations. In reviewing appeals in those situations, the Court is required to view the record to see whether or not the record supports the Board's action. The burden on such an applicant is heavy and its showing must be convincing and clear. For these reasons the decisions of the Court of Appeals in such cases, which have been submitted to as an controlling the decision in this case, are not in point. Typical of such cases are:

HEATH -vs- BALTIMORE, 187 Md., 296;
CITY -vs- THUR, 171 Md., 634;
CLEMAN -vs- BALTIMORE ZONING APPEALS ASSOCIATION,
75 Md. (2d) 164.

On the other hand re-classification which simply means re-zoning, being legislative in character, requires a different type of review. Here the legislative action must be sustained if it is reasonably defensible. The Board functions as a committee, the Court is not authorized to substitute its judgment or discretion for that of the Board, even though independently it might arrive at a different conclusion, provided always there is substantial evidence to sustain the Board. (HEATH vs. BALTIMORE 187 Md., 296.)

It will thus be observed that the Court's review of re-classification proceedings is more limited than in the case of special permits or special exceptions. This does not mean that an appeal to the Court in such cases is a mere formality and that the Court lacks authority of any kind to decide the disputed questions. It does mean though that every intended should be resolved in favor of the Board's action, and that it should only be reversed where compelling reasons exist requiring such action and that in all other cases the judgment of the Board, being the judgment of experts, should be upheld. It is not the Court's duty, right or function to re-zone or re-classify. It is the Court's function and right only to determine whether in re-zoning the Board has properly applied the law governing such situations to the facts disclosed by the record. If reasonable debate is proper as to whether or not

debate can exist, and the record is barren of facts legally justifying the Board's action, that the Court can legitimately reverse it. In this respect the Court's function is closely analogous to that which it performs in the jury trial of an ordinary action at law. If there is legally sufficient evidence to submit to the jury as to the existence of a given state of facts, the Court must do so even though independently it disbelieves those facts. In such cases it is only when such facts, even if believed, create a legal right of action, that the Court is authorized to direct a verdict on a matter of law, to have if there exist facts legally sufficient to support the determination of the Board it must be upheld, even though the Court disbelieves such facts and would itself have decided differently.

In this class of cases there is no room for the application of the strict or conventional burden of proof either before the Board or before the Court on appeal. The assumption on appeal here is that the Board acted correctly and it may be argued that the burden is on those assailing the action to overcome that presumption. In my opinion however no burden of proof exists on either applicant or protestants. The aim and substance of it all is that the record must show, regardless of the source from which the showing emanates, that the Board acted on substantial evidence predicated upon legal considerations.

This naturally leads to the inquiry as to what legal principles determine the basis upon which the facts are to be judged. Upon what considerations, as a matter of law, may re-classification be permitted?

In *CHITTAT V. MARLBOROUGH JOCKEY CLUB*, 179 Md., 390, the Court of Appeals indicated that re-zoning, so far as applied to the reduction of burdensome regulations, was not to be tested by the same requirements which must be shown to exist to justify the imposition of the zoning regulations. It announced the rule that:

"Restrictions imposed by the State upon private property can only be justified where they are required for the reasonable protection of the public health, safety, morals or welfare."

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but further said,

"... as a principle is quite different from the situation here presented. We have been cited no case applying this principle to a situation of re-zoning from a higher to a lower class."

That case held in effect that in re-zoning from a higher to a lower class the presumption favors the lower classification, and unless clear proof is had that such re-classification jeopardizes the public health, morals, safety or welfare, the power to re-zone exists as a matter of right. The Chitt case is the only Maryland case so holding, at least in these terms. It was decided in 1911. It is my judgment that it does not express the law of Maryland today in such matters. For example, it contains this statement:

"In order to impose restrictions some valid exercise of the police power must be proved. But such power is involved for the protection of the property restricted and not to give protection to surrounding property."

Compare that statement with this quotation from ELLIOTT v. BALTIMORE, supra, decided only ten months later:

"In the effort to bring about the greatest good of the greatest number, collective communal action is indispensable, and, therefore, the State requires, and may lawfully exact, of every individual that he submit to such restraints in the exercise of his liberty or his rights of property as may, under the State and Federal Constitutions, reasonably be necessary for the common good."

This is far from saying, as the Chitt case did, in referring to zoning regulations that, "each power is involved for the protection of the property restricted and not to give protection to surrounding property." If the Chitt case has not actually been reversed, clearly it has been ignored and no longer represents the present day view of the Court of Appeals on the basis of justification for re-zoning.

It has been referred to in only three subsequent cases and then not on the point now urged upon the Court and being considered here.

If then it is not correct to hold that re-zoning from a higher to a lower classification is a matter of right, and when does must be sustained unless it is substantially proven that such action will jeopardize public health, safety,

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welfare and morals, upon what basis may re-zoning be had and judicially sustained? It seems to me that the basis for such action and the grounds which must be shown to exist before a re-zoning ordinance or regulation can survive judicial scrutiny, can be very simply stated. To begin with, it must be kept in mind that there is a presumption that some have been properly planned and arranged of a more or less permanent nature, subject to change only to most genuine changes in conditions. (FRASER v. WHITEHEAD, 79 A. (2d) 387).

The Court of Appeals in that case used very simple language to state the legal basis which must be shown to exist before a re-classification or re-zoning is permitted:

"Where property is re-zoned it must appear that either there was some mistake in the original zoning, or that the character of the neighborhood had changed to such an extent that such action ought to be taken."

To the same effect is the prior case of NORTHINGTON MICHIGANES TRUST v. CHASE, 191 Md., 171, quoted with approval in the Fraser case.

The applicant directs attention to the fact that these two cases involved the increase, rather than the reduction, of zoning restrictions. In both of them the re-zoning was from a commercial to a residential classification, thus imposing a more restrictive, and necessarily more burdensome property use. He accordingly contends that the language in these cases applies only to such a situation and not to a situation where the re-classification reduces the zoning burden, and permits a freer use of the property than was possible under the original regulation. In my judgment this conclusion does not follow. The Court of Appeals in terms at least did not so restrict its language and in logic and reason there is no justification for doing so.

If there is no legal test by which re-classification is to be judged, other than the nebulous and negative showing that the public health, welfare, safety and moral will not be jeopardized (when it has already been determined that the original regulations were needed to protect them) what would be the value of zoning at all? If zoning is a legal function of government and a valid

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exercise of the police power, is it to be abandoned by either legislative or administrative procedure without any more substantial basis than just indicated, for doing so? Is the Court on appeal relegated to the status of a mere rubber stamp for the Board of Zoning Appeals, required to approve its action when no factual showing whatever is made to justify it, merely because of the presumption which it attaches to that Board's decision? If so, the judicial appeal is a negatory and futile thing, a mere subterfuge, permitting an appeal to the courts by persons aggrieved at the action of the Board, but denying to the Court any power to relieve such grievances, because there exists no legal basis upon which the Court can test its action. The statute certainly contemplated no such vacuum and no court of last resort has even recently indicated its existence. As zoning itself must be predicated upon the legal conditions heretofore mentioned, so re-zoning must have some similar basis, and in my judgment that basis is as expressed in the Fraser and O'Rourke cases, even though these expressions were made in cases involving dissimilar factual situations.

This construction of these cases is re-affirmed in the very recent case of Brumby Brothers, Inc. v. Mayor and City Council of Baltimore, appearing in the Daily Record of May 20th. In that case only enough, the re-zoning ordinance attacked by the applicant re-classified the land there involved from commercial to residential, the converse of the Fraser and O'Rourke cases but was nevertheless approved by the Court of Appeals on the basis of the legal principles which they established. It is true that the ordinance so doing was apparently not attacked at the time of its passage, some ten years ago, but it was attacked by Brumby, so far as its application applied to it, and the Court of Appeals sustained it against that attack. In doing so, it quoted this language from the O'Rourke case, indicating clearly to me that the Court of Appeals intended that language to apply to both types of re-zoning, from a higher to a lower classification and vice versa:

"We hold that no consideration at all was given to the character of the district, and its peculiar suitability for particular uses, or to encouraging the most appropriate

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prudent use of the land, or to anything except gratifying the wishes of an organized neighborhood."

The area affected in the Brumby case is the unincorporated

village of Orangeville, which in the original ordinance of 1921 was zoned for industrial uses although it was then entirely residential, because of the belief that its future use would be industrial. When it was re-zoned to residential in 1942, the industrial development in the village itself had not materialized, although it was practically surrounded by industry. In sustaining this re-zoning, according to the law which was being made of the land, and for no other reason, the Court said:

"There had been no change in conditions in the re-zoned area, and the re-zoning was in the nature of the correction of an original error and was not a change in use caused by the new circumstances."

In referring to the Fraser and O'Rourke cases the Court said:

"The properties in them, second residential have never had any residential possibilities, and with the passage of years, the situation there gave some instead of better."

It is not clear then that the Brumby case re-affirms Fraser and O'Rourke as to the basis of re-zoning, and definitely applies that basis to re-zoning from a lower to a higher classification, as well as from a higher to a lower one?

In my opinion it clearly does and on the basis of these cases this Court holds that to justify re-zoning or re-classification, the record must show facts which if believed, are legally sufficient to prove either that there was an error made in the original zoning or that there has been such a change of conditions as reasonably justify the re-zoning. If this were not true re-zoning could be had upon "a platitude of neighbors", a platitude of builders and developers or any other form of platitudes which could be arranged. If this were true zoning would not promote the orderly growth of communities, that growth would then be disorderly, haphazard and uncontrolled, because today's legitimate zoning could without any showing at all be undone tomorrow and the protection which persons are reasonably entitled to receive from zoning would vanish with the wind of any group which might be able to obtain a receptive audience. This would result in zoning, it would result

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in chaos.

To this conclusion the applicant gives two answers.

To begin with he cites the well-known and phenomenal growth of the County and contends that the original zoning of this area was only an interim or stop-gap proposition and is not to be given the validity of the zoning ordinances of Baltimore, whose growth has become established and defined. He says this because obvious when consideration is given to the large area of the County which was zoned residential under the 1915 regulation, comprising as he puts it, 150 square miles or one-half of the County's territory. If the area involved does consist of 150 square miles it is only one-quarter of the total area of the County, but what is of greater importance is the fact that all of the area involved here was zoned in accordance with the law then being made of the land, a procedure expressly approved in the Brumby case. The third, fourth, eighth and eleventh districts were then and still are used for individual cottage type purposes. The fifth, sixth, seventh and tenth districts are primarily agricultural. The zoning in these accordingly was not interim or stop-gap but was comprehensive and correct. This is not to say that these districts are to be forever restricted to these uses, but it is to say that these uses are to be changed only when justified by a genuine change in conditions.

The applicant says that the record in this case meets that test. He concedes that the only showing in the record in this respect is that a great number of people, lacking the means to purchase individual cottage type homes, desire to move into Baltimore County but can only do so if row housing is available for them. There is certainly no other showing of a genuine change in conditions.

The narrow question now presented is whether that showing alone is sufficient. In my judgment it clearly is not. If it is, it would apply with equal force to every "A" residential area in the County and for practical purpose that classification would fade out of existence. The applicant says that the buffer row of cottages gives the necessary protection to the "A" zone and therefore shows the reasonableness of the Board's action. It helps,

but it falls short. Suppose the applicant is not able to sell these houses because of their close proximity to the other planned uses. The record in this case is unconvincing as to the satisfactory experience of developers with such a buffer zone. If the applicant's hopes of his profitable disposition of these cottages does not fail, he would probably be entitled to a re-classification of the land they occupy to row or group housing, because of an error in the re-zoning or a real and genuine change in conditions, namely, nobody will occupy them. Of what protection then, is the buffer zone? The applicant contends that no other showing except this desire can be made, and that unless this is deemed sufficient all of the territory involved in this proceeding will be forever restricted to cottage type development. He then paints a dire picture of stagnation which will occur in Baltimore County from such a rule. His apprehensions are unjustified.

It is not the Court's function nor right to prepare the development of zoning, it is merely the Court's duty to test it by legal principles. However, it should be plain that stagnation can and will occur which will justify re-classification. The decision in this case is limited strictly to holding that law for row or group housing alone is not enough. There are many legal and legitimate ways of accomplishing this result and it does not follow that the denial of this re-classification will have the fatal consequences envisioned by the applicant. On the other hand it will have a salutary effect. It will give protection when legitimately needed to these areas now properly zoned, and likewise leave room for a change in the zoning of these areas when the change meets the legal standards which must be present to justify it. If this re-classification were approved not only would there be a failure of protection to the areas now zoned residential, but the future could cause a similar failure to these purchasing in row housing developments.

As is true of the cottage type development today, whose value would be depreciated and the advantages accruing to them by reason of that classification, upon which reliance was legitimately placed when the development was projected, unless the standards here mentioned are applied, so the row house owner might tomorrow find himself in similar danger. A tract of

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land across the street might then be re-zoned light industrial, or even industrial, thus destroying his own property values and security, without any real showing to justify the change. The end result would be true devastation where now the end result is protection plus orderly growth based on legally acceptable reasons to justify the change of classification.

This is not a difficult task for those charged with the administration of zoning. They can adopt standards and tests which if reasonable will be sustained by the Court, as the basis upon which petitions for re-classification will be considered. They can take into consideration many elements, some of which obviously is whether or not all of the undeveloped land in the County now zoned for row housing developments has been utilized. Re-classification is not granted as a favor, it is permitted only when justified under the precepts referred to. These factors are mentioned only to show that the County will not stagnate as a result of this ruling, they are not intended as an expression from the Court in connection with matters over which the zoning authorities have exclusive control. When they exercise that control reasonably and according to the legal principles which must guide them in its exercise, their actions will have the Court's complete approval.

In this connection it is only fair to observe that the Board of Zoning Appeals gave the Court but little assistance in the disposition of this problem. That Board is not expected or required to give elaborate reasons for its action. It is not too much to expect however that it give some reasons, which it utterly failed to do in this case. It has been pointed out that the order merely recited that the re-classification would not jeopardize the public health, safety, welfare and morals, and with that statement only it proceeded to define the area which it re-classified. It could at least have indicated the reasons prompting its conclusions.

As the record clearly shows that the re-zoning was ordered, without any legal basis or justification, as has been burdensomely pointed out, the Board's action in doing so falls into the classification of being legally arbitrary and without factual justification and its order will accordingly be reversed.

J. Howard Murray, Judge

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RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO A "B" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "C" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "D" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "E" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "F" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "G" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "H" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "I" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "J" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "K" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "L" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "M" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "N" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "O" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "P" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "Q" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "R" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "S" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "T" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "U" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "V" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "W" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "X" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "Y" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "Z" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "AA" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "BB" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "CC" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "DD" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "EE" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "FF" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "GG" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "HH" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "II" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "JJ" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "KK" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "LL" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "MM" RESIDENCE ZONE; 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RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO A "B" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "C" RESIDENCE ZONE; FROM AN "A" RESIDENCE ZONE TO A "D" RESIDENCE ZONE; AND FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - MILFORD MILL, CAMPFIELD AND ROCKRIDGE ROADS, 3RD DISTRICT, WILLIAM F. CHEW, PETITIONER.

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Zoning Commissioner of Baltimore County

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Edward H. Burke, Esquire,
909 Mercantile Building,
Baltimore 2, Md.

to Feb. 23, 1961

County Commissioners of
Baltimore County,
4 Zoning Department,
Breckard Building,
Towson 4, Maryland

Certified copies of petition and other papers
filed in the matter of reclassification of property
Rock Ridge, Campfield and Milford Mill Roads,
3rd District, William F. Chew, petitioner

\$6.20

Pa-

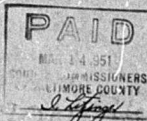
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March 13, 1961

\$6.20 ✓

RECEIVED of Edward H. Burke, Attorney, for
protestants, the sum of \$6.20 being cost of certified
copy of petition and other papers filed in the matter
of appeal to the Board of Zoning Appeals of Baltimore
County for reclassification of property on Milford
Mill, Campfield and Rockridge Roads, 3rd District,
William F. Chew, petitioner.

Zoning Commissioner



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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1728

District: 3 Date of Posting: May 24/60
Posted for: A to E - A to B - A to C and A to D
Petitioner: Wm F. Chew
Location of property: Milford Mill, Campfield and Rockridge
Roads
Location of Signs: as shown on plat, plan filed with
petition 3 to E 12 A to B 2 A to C and 8 A to D
Remarks:
Posted by: Harry C. Lattide Date of return: May 24/60

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NO PLAT
IN
THIS FOLDER