BOARD OF ZONING APPEALS OF BALTIMORE COUNTY, ET AL. Two appeals in separate records from the Circuit Court for Baltimore County, J. Howard Murray, Judge.

Submitted on brief by John B. Roser and Harold M. Vick and Roser, Roser and Vick all of Baltimore, Md., for appellants Argued by Charles W. Held, Jr., Townson, Md., in No. 167 and Charles R. Booley, Baltimote, Md. in No. 168 for appellers.

Argued before BRUNE, C. J., DELAPLAINE, COLLINS HENDERSON and HAMMOND, JJ. a university the Enderso To Support Fielding, claim non-readstrating use of land as Josh yard. Zon-ter found non-conferming use ratiofied only to test to coloure was confirming as to use of other land for Board of Ending Appeals and Circuit Cours afficand

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Court for Baltimore County affirming orders of the Board or Zoning Appeals declaring that LeRoy Baniels had established a non-conforming use as to the rear portion of lots 23 to 28, inclusive, in Block 6 of Catonsville Womor, but not elsewhere, and that Willar: A. Daniels had failed to matablish a non-conforming and in Block 5 of Catonsville Manor. The cases originated before the Zoning Commissioner, apparently on the complaint of neighboring residents, the appellants here appealing from his orders to the Board of Zoning Appeals. The authority of the Zoning Commissioner to conduct hearings and pass the orders is not questioned, under Rule 7 of the regulations adopted pursuant to the provisions of Chapter 502, Acts of 1945 and Title 23, Secs. 366, and 367 of Smith's Code of Public Local Laws of Baltimore County. This rale provides: "In addition to his aforesaid powers the Zonies Commissioner shall have the power, upon notice to the parties in interest, to conduct hearings involving any violation or alleged violation or non-compliance with any spning regulations, or the proper interpretation thereof, and to pass his order thereon, subject to the right of appeal to the Board of Zoning appeals

These appeals are from the action of the Circuit

as hereinafter provided." The violation for which they were rited was funding and dismantling automobiles in ac area somed residential. They claimed a walid and subsisting non-conforming uns.

The appellants concend that the burden of proving the abandonment or discontinuance of a non-conforming use rests upon the protestents, citing Appeal of Hallur Baking Co., 295 Pa. 257; 145 A. 17, 79. If that be a correct statement of the law, it would seem to follow that the burder of establishing a non-conferming use in the first instance would rest upon the claiment. We find it unnecessary to pass upon these questions for here the case was decided, adversely to the claimant; at every stage, upon voluminous testimony produced by eac side, including a remand to the Board for the taking of additional testimony, and the determinative question is wether there was substantial evidence to support the findings. Cf. Mayor & C. C. of Balto, v. Shapiro, 187 Md. 623; beniel v. Mayor and City Council of Baltimore, Md. ____, 101 A. 2d 826, and City of Baltimore v. Weinberg, Md. ___, 103 A. 2d 567.

Section XI of the Baltimore County Regulations recognises that "a lawful non-conforming use existing on the effective date of theadoption of these regulations may continue, provided, however, upon any change from such nonconforming use to a confoming use, or any attempt to change

from such non-conforming use to a different nonuse or any discontinuance of such non-conforming use for a period of one year, the right to continue to resume such non-conforming use shall perminate, provided, however, that any such lawful non-conforming use may be extended or enlarged to an extent not apre than once again the area of the land used in the original non-conforming use." While there was some evidence of abandonment, in the reports by Inspectors of the Zoning Jepartment that they found no physical evidences of an automobile junk yard anywhere on the tract in July, 1947, it a time when Lekoy Daniels, by his own admission, was in jail for a period of seven months the main stress, in the offnions of both the Board of Zoning appeals and the tral court, was on the failure of the appellants to show that the use claimed was existing prior to the effective data of the regulations on January

LeRcy Daniels tetified that the junking business began in 1936, when his ficher, Willard E. Daniels, moved to Carroll Street, in Blog 6, with his four sons. At that time there were few house in the neighborhood, and no paved streets. The father's house was located on lot 27. LeRoy Daniels testified they use the whole block, which he described at one point as a field, for wrecking care, although the father only owned lote 2)-28, inclusive. In 1941, Lekoy

built a house of his own on Queen Anne Street in Block 6, behind his father's house, on two lots he purchased at that time at a tax sule. We testified that the care junked were "up in the thousands," but he admitted that during the war years they were "down to 10, 12 or 25." The principal business of the family during that period seemed to be private hauling, particularly of building materials. LeRoy was in the army during 1943; in 1945 he purchased at tax sales a number of lots, or groups of lots, in the neighborhood. Some of these were transferred to his brother, Willard A. Daxiels. LeRoy claimed that he had permission from the former owners to use these lots before he purchased them, but could not recall the name of any of these owners. He admitted that he had no written records, and that they never kept books in the business although he filed tax returns

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There was testimony from a number of witnesses residing in the neighborhood that there was no junking in the whole area between 1944 and 1947, except for a few cars in the back of Willard R. Batel's home: that the business did not start on its present scale until 1951.

Willard A. Daniels testified that he had been in the junking business since 1942, and had been using the area of Block 5 for cars "most of it since 1940." At that time he was 17 or 18 years old, and living with his father. He

did not own any property at that time, but claimed to have had permission from the owners. He built a house on St. Mary's Street "around 1942 or 1943." St. Mary's Street was not paved until 1947 of 1948. It was shown in crosse mainstion that he worked as a mechanic at Fort Holabird from October, 1943, until December 14, 1944.

The witness Doub, a farmer in the neighborhood, testified he went to see the Daniels in the spring of 1944 to buy some farm equipment. He saw 2 or 3 pleasure cars, a truck and a farm tractor, in back of Willard E. Daniel's home in Block 6. He tried to purchase the tractor. These were the only vehicles in slock 6, and there was no junk in Block 5 at all. This tistimony was corroborated by other witnesses. Mrs. Pruitt, for example, was positive that there was no junking in either block until 1947. She has lived on Carroll Street since 1928. She testified that Willard S. Daniels was in the hauling business, the sons were truck drivers. Occasionally they would dismantle a car. The big expansion of the business was in 1951.

we fully agree with the finding of the trial court that "the Board has not been clearly shown to be wrong", in finding that a non-conforming use was not established, as of January 24, 1945, except in the rear of lots 2) to 28, inclusive, of Block 6. It may be noted that the order allows LeRay Daniels to extend the use, to the extent speci-

fied in the regulation, upon his adjoining or contiguous lots. There was substantial evidence to support the contention that on the crucial date. January 2d. 1945, and for a considerable time prior thereto, there was no junking activity anywhere in the neighborhood, except in the rear of the lots mentioned. Even if the testimony of the Daniels is accepted, the use of other lots would seem to have been only casual. In the Shapiro case, surea, which dealt with the dismantling of automobiles, it was held that activity of this kind on a few occasions, on a vacast lot wholly unadapted for the conduct of a business, did not establish an eviating use within the meaning of the city ordinance. Use subsequent to the passage of the county ordinance would only be lawful if it were a continuance of an existing use.

Moreover, there is grave doubt whether the use testified to by the Daniels, prior to their acquisition of the lots at tax sales in 1945 and thereafter, could be considered lawful in any sense. If they were more squatters, it seems clear that the use was un'awful. Their testimony as to permission given by owners whom they could not name or identify is too vague and indefinite to be entitled to much credence. We cannot fine that the Board was clearly wrong in rejecting it, or that its finding was arbitrary or unaupported by substantial evidence.

ORDERS AFFIRMED, WITH COSTS.

THE COURT OF APPEALS OF MARYLAND 1

Nos. 167 - 168 October Term, 1953

LEROY DANIELS, et al w.

BOARD OF ZONING APPEALS OF BALTIMORE COUNTY, et al

WILLARD A. DANIELS, ot al ٧.

BOARD OF ZONING APPEALS OF BALTIMORE COUNTY, et al

Brune, C. J. Delapiaine Collins Henderson

Opinion by Hendarson J.

Piled: June 23, 1954.

TO THE HOSORABLE, THE JUDGE OF SAID COURTS

The Answer of the County Constantment of Baltimore George to the Petition of Laboy Business for release from the Groupy Ault responsibility shows the Tour Responsions shalts then entd taboy Residue has pumped hazard of concepts of the Boureault Gent's the resource all nationalities, truit, parts, six., used in connection with the operation of his automatic just yet.

parts, ste., used in connection with the operation of his automobile past yet and dimension business from his preparty in Black 6 of Catanomille Manny, with the exception of the 12,000 equary foot kinded area about on the Explait Plack with said Partition, and had about the said from the conduction of the 12 DITE MONEY, when the conduction of the Date of the Date of the Date of the Catanomic Place of the Date of the Date of the Catanomic Place of the Date of

Issistant County Solicitor

(g) And for such other and further reasons that may be shown at the hearing hereof.

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70 THE END THEREFORE: -

That a Writ of Carticovari be greated by this Honoreble Court directed against said defendants, constituting the Board of Zening Appeals of Baltimore County, to review the desisten and order of said Board of October 17, 1992 in this proceeding and precepting therein the time in which a return thereto shall be made and served upon the Afformer for the defendants.

That said Seard of Tenting 'appeals of Saltimore County may be required to return to this Sencewhile Court the original papers seted upon by it, or cortical copies thereof, together with a copy of all rescards in said proceedings and a transcript of all testimony taken before said Board is consciouted with said proceedings, as well as a copy of the Order entered by said Seard and a copy of the order entered by said Seard and a copy of the said order via copy of the order entered by said Seard ward to which said Order via control and said Seard warded to sait.

That this Economials Court may permit your Petitioner to take such other and further testimony as may be necessary for the proper disposition of this matter.

That this Homerable Court may reverse, set saids, annul and declare wild and of no effect the decision and order of the Board of Zonling Appeals for Baltimore County of Ontabar 17, 1942.

And for such other and further relief so the nature of their case may require,

AND AS IN DUTY BOOMD, oto.

John N. Howe

Baruld N. Vick

Attorneys for Politicans

LEMON DANIELA, and MANAKET DANIELA, ble wife IN TORK
Publishmen GIRCHIT COMPR'ES BALTHURE CONFIT.

M. OFF CANPERL, DANIEL W, HUNDES and COLD. F. VERIOR, being and cold. F. VERIOR, being and confit. The confit of the confit of

PRITION FOR WELT OF GENTLORANI

The Petition of LeMay Daniels and Margaret Daniels, his wife, by John B. Nove and Harold N. Wiel, their ettorneys, respectfully representaunts your Monores-

- That your Petitioners are property owners and tapayers of Saltimers County, and are engaged in the business of buying and salting used care, dismanting used care, and salting parts, accessories and the and steel screp reconsent these from.
- 2. That is the inveseration of this beatines is which they have been such as the 150 and prior thereto they have continuously used the preparty which is the undjeet of these recentions, all of which is located in Hock 6, Gatomaville Manor, plat of which is on file in the Office of the Circuit Court for baltimore County, and in particular lets 13 to 34, Inclusive and lots 20 to 6, Inclusive of Hock 6 officeasts.
- 3. That on or about Fabrancy 20, 1952, LeBoy Daniels, one of your Petitioners, pursuant to a summon issued by the Zoning Countesioner of Baltimere County, appeared before said officer and was emmined on the question of whether or not he was violating the reming laws of Baltimore County by using this property in a manner not conforming to said source laws and in violation of said laws.
- 4. That your Petitioner was called upon and required by the Zoning Communicationer at the bearing on February 20, 1952 to establish the fact that

STATE OF MARTLAND: to wit

I REEEN CENTEY, That on this day of November, 1952, before me the subscriber, a Notary Public of the State of Naryland, in and for Bultimore City, personally superred LEGG DAURES, one of the Potitioners in the above case, and made cath in due form of law that the sutters and facts contained in the foregoing Petition are true to the best of his information, invaledge and belief.

Notary Public

he had the right to use the subject property in a numer not conforming to said nonling laws,

- 5. That following and hearing an Order was passed by the Ecching Countsationer of Baltimore County dated June 11, 1932, finding that a learnil moner adventing use of the subject property ordered as to Lote Nov. 2, 24, 25, 27 and 22 of Elect 6 of Cotonwills None, but that he/mo-conforming use existed as to any other lote in Eleck 6, and ordered all lote except the aforested Nov. 23 26, inclusive, to be cleared within sixty days of mild order.
- 6. That your relitioners fooling agriced at the passage of said order by the Smaing Constantoner of Smithners County entered an appeal to the Smarl of Sming Appeals from said order, accepting therefore that part of said order applying to take Nos. 23 - 28, inclusive, of Nicke 6, Ontonvilla Manor.
- 7. That a hearing before the Board of Zoning Aspends was held on September 25, 1959, and thereafter by Order, dated Outober 17, 1952, the said Board of Zoning Appends affirmed the Order of the Boning Commissioner of Bultimore Country, in general, but reduced the area of the lawful non-conforming use as found by the Zoning Commissioner of Bultimore Country to exist, to the rear 50 ft, northware of total Son. 2, 10 and 100 ft, or 100 ft.
- 8. That your Petitioners are aggrieved by the Jecision of the Board of Toning Speaks of Baltimore County and awar that such decision is illegal and should be reversed, set aside and samulled by this Nonorable Court for the following reasons:-
- (a) That said Order of the Board of Zoning Appeals of Bultimore County constitutes an arbitrary and capricious act and a gross abuse of administrative discretion.
- (b) That both the Zoning Commissioner and the Board of Zoning Appeals required your Petitioner, LeRoy Daniels, to establish by a preponderance of

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evidence - (1) that he use the owner of all of the lots them being used by him for his business, and (2) that he had been using all of those lots for his business purposes price to and on Armany 2, 1945, (the effective date of the Sening Lees of Smithner County), which was othered lagal entherity and contrary to the constitutional rights of your retitioners.

- (a) That your Petitioner, Lashuy bunishe, as will uppear from the records of the Sming Board, bereinstier purped to be filed in this case, was not charged with a righting of the Sming Laws, but appeared in response to a summons formed by the Sming Commissioner; that he did appear and although he was not charged with a willation of the Joning Laws was ordered to establish the outstones of a lawful non-comforming was of the subject property, which action, both by the Juning Commissioner and the Board of Juning Aspeals, was arbitrary, Illegal and unconstitutional.
- (d) That your Petitioner Aligne and therefor awars that the burden of proof beyond a reasonable doubt of any violation of the finite laws was upon the Comissioner and/or the Board of Toning uponals, and the testinopy and records, hereinafter prayed to be filed in this case, clearly stabilish that your Petitioner, LeBuy Boatche, was required to prove by a preponderance of positive testinony, through Misself and disinterested vitaneses, that he was not violating the Toning Laws, and a squister this positive wideones the only other testinony offered was the negative testinony of certain residents that no use was made by your Politioner of the subject property, exception lots Nos. 25 - 25, including, prior to January 2, 1045.
- (6) That there was no substantial evidence before the Zoning Commissioner or the Board of Toning typeals of Baltimore County in these preceedings to justify and support the Orders of June 11, 1952 and October 17, 1952, respectively.
- (f) That the Order of the Zoning Commissioner of Bultimore County dated June 19, 1952 and the Order of the Board of Zoning Ayeals of Bultimore County dated Ortober 11, 1952, constitute an attempted unlawful and unconstitutional exercise of authority.

- 3 -

RE: HEARING TO DETERMINE NON-CONFORMING USE OF PROPERTY OF LeROY DANIELS -Catomaville Manor, lat District of Bultimore County

The appeal in the above entitled matter coming on for hearing before the Board of Zening appeals of Baltimore occurry on September 25, 1952, determing a non-conforming use of the property described in said Order; and it appearing from the fracts and avidence adduced at the appeal that there is a lawful non-conforming use as to Lots Nos. 2) to 28, Inclusive, of Slock 6 of Catonaville Kanper.

It is this for a developer, 1952, ORDERED that said lots shall be recognized as bearing a non-conforming use, but that none of the other of said lots rentlioned or described in those proceedings shall beer a non-conforming use for an automobile junkyard or disamiling of automobiles or any other such similar or related business; and further, that all lots excepting the rear 50 ft. of Lots Nos. 23 to 28. inclusive, of Blook 6 be classed within sixty (60) days from the date of this Order, with exception of an area of land equal to that of the 50 ft. depth of Lots Nos. 23 to 28, inclusive; and provided further, that said extension shall be adjoining and contiguous to Lots Nos. 25 to 28, inclusive.

Last F Truly

Board of Zoning Appeals of Baltimore County

OMER

Upon the foregoing Petition and Afridavit, it is this little day of November, 1952, by the Circuit Court for Multimore County,

COUNTRY that a Writ of Cartiforeri be issued to M. Gay Compbell, Duniel M. Subrer and Carl F. Vochica, constituting the Board of Zening Appeals of Sultisers County, to review the decision and order of said board of Zening Appeals, educated October 17, 1932, and require the endel Board to return to this Court all papers, records and proceedings in said matter and a transcript of all testimany presented before the Board in connection with said proceedings that a copy of any and all rules and regulations pursuant to which said order was sotered and said Board acted, to enable this Court to review said order and decision of the Board and that a return to this Potition shall be made and served upon the Defosionts' Attorney in ten days from the date of this freeze.

IT IN FURTHER OFFICER that the eath feared of feating Aspeals of Reltimore County shall return to this Court all the original papers, or cartified or swars copies thereof and the return shall consistly set forth such other facts as may be pertinent to show the grounds of the decision and order appealed from, together with a transcript of all testingny taken at the hearing and copies of exhibits filled therewith.

True Copy Yest

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This is an appeal by LeRoy Daniels from an Order Zoning Commissioner of Baltimore County dated June 11, 1952, determining that a non-conforming use is applicable for the operating of an automobile junk yard on Lots Nos. 23, 24, 25, 26, 27, and 28 of Block 6 of Catonsville Manor, under the Zoning Regulations and Restrictions for a mon-conforming use. to be extended or enlarged to an extent not more than once again the area of land used in Lots Nos. 23 to 28, inclusive, and that no non-conforming use exists for the use of any other

The case ame on for hearing before the Board, testimony was taken, and counsel heard.

The property which is the subject of consideration consists of Lots Nos. 9 to 34, inclusive, Block 6 of Catonsville Manor, and Lots Nos. 49 to 64, inclusive, Block 6, Catonsville These are the lots which are now being used by LeRoy Deniels for the operation of an automobile junk yard. In addition to these lots LeRoy Daniels owns Lots Nos. 39, 40, and 41, Slock 6; Lots Nos. 21, 24, 29, 30, 37, 44, 54, 55, 57, and 72 of Block 9. He testified that he has never used Lots Nos. 39, 40, and 41 in Block 6, nor any of the lots in Block 9.

The Board finds from the testimony in this case that LeRoy Daniels was using the rear portions of Lots Nos. 23, 24, 25, 26, 27, and 28 of Block 6 of Catonsville Manor; but that the front portions of these lots along Carroll Street, having a depth of 75 feet from the edge of said street were never used for junking or automobile dismantling because of the house, driveway, and side lawn prior to January 1, 1945.

And, therefore, the Board will pass its Order in

accordance with this opinion.

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Board of Zoning Appeals of Baltimore County

FILED JUN 20 1952

AUGUSTINE J. MULLER, ZONING COMMISSIONER

LE ROY LANIELS
Catonsville Manor, 1st District of
Baltimore County, Maryland

June 19, 1952

Mr. Augustine J. Muller 303 Washington Avenue Towson 4, Maryland Dear Stre

Leroy Daniels feeling aggrieved by the decision of the Zoning Commissioner, represented by a final order dated June 11, 1952, in the above entitled case, hereby enters an appeal to the Board of Zoning Appeals from said final order. except for that part of said final order applying to Lots Nos. 23 to 28, inclusive, of Block 6, of Catonsville Manor.

Please send all papers to the Board of Zoning Appeals.

Firstel M. Violo John B. Rowe Attorneys for LeRoy Daniels

The property which is the subject of consideration for the establishment of a monomic rule use by lawy Davids consists of lots to 60, includes, and lot Sea. 19 to 60, includes, David Colorestilla Limenton and Law Sea. 19 to 60, includes, David Colorestilla Limenton Colorestin or an automobile paint year. In addition to these lots talky Davids one on lots loss, 39, 10 and 11, Hock 6, lots Nos. 21, 20, 29, 30, 37, his, 50, 59, 57 and 72 of Hock 9.

LeRey Daniels testified that he has never used lots Nos. 39, he and hi, in Blook 6, nor any of the lots recited in Blook 9 for the operation of a junk year and therefore, these lots will not be considered in this case for LeRey Daniels shatts he has no right of a momentormizing use on these lots

Let Nov. 22, 21, 25, 26, 27 and 23, Manch 4, ware ampaired by Millerd Panicles, the father of Letty Dunish at 1936. Letty Dunish teatified that "about 1936 or maybe before" he started the junk business on his others property. So the teatified that in 1930 he started on the other property, and the teatified that in 1930 he started chiefe property. He teatings as to the late and the extent of his operations other than no late Inc. 23 to 25 to most clars.

The testberry of Harry F. Edward, 5950 Queen Arms Avenue, was to the serve that the Box 23 to 25, including, were used for the justing of cares that the Most 23 to 25, including, were used for the justing of cares the properties were being carried on, one my property in Hock of in 1940. He also testified that the busines started to expend to lots other than Now. 23 to 25, including in "alout 1970 or 1958".

Millism Rernhard, 59k7 Frinco George Amense, testified that he neved to the above address in 19k7 and that he could see no cars on the property at that time. It was efter this that the garage on the lefs fronting on Queen Amen Amense was constructed and that after this "the cars started to core int's

Derothe: Siecke, 5912 Queen Anne Avenue testified that she moved to the above address after the fourth of July 1917 and "there were not any care that I could see unless they were on the other side of the bouse, not even a car in the drive".

Mildred I. Burger, 1326 Lafeyetts Avenue, Baltimore 7, Haryland, testified that she inspected the property at the corner of Porchaster and Queen Anne Avenue in Waly 1947, the property being for sale and there were no cars there at that time.

hrs. Pruitt, 5930 Carroll Avenue, testified that in 1937 and 1936 cars were junked on the father's property on lots Nos. 23 to 28, inclusive, and that the expansion to other lots took place in 1950.

hewichn Lindenberger, 1120 Derchaster Road, tostified that in 19h8 when ahe moved to the above address there were no cars on LeRoy Daniels' property.

Then the forespic testings it is near that last New. 22 houses, the control of the property of the property of the property of an automobile just year and that this operation he not been discontinuous for a paried or nor year sizes that time. It appears also this own property of the pr

Biltimore Courty that a lared accordingto use exists for the operation of an extending special courty, that a lared accordingto use exists for the operation of an extending special court of the court of the region of the property of the court of the region of the court of th

The control of the co

in writing of the area of land so to be used in addition to lots Res. 23 to 25, said land to be contiguous to lots Nos. 23 to 25, said land to be contiguous to lots Nos. 23 to 25, inclusive.

Angust 21, 1951

August 21, 1951

Mr LeRoy Daniels, Queen Anne Street, Catonsville Manor, Baltimore 7, Maryland

Dear Mr Daniels;

Dear Mr Daniels;
In connection with the investigation made by this department as to the junk yard which you are operating in Catonsville Manor, we would like to state as follows:

Chris of the coor. According to the records in the office of lets Nos. 9, 1014. In Creson, we find that you have forced by 53 and 53 of 12. 13, 13, 23, 13, 13, 16, 14, 15, 15, 15 of 15, 15 and 15, 15 and 15, 15 and 15 of 1

Lots Nos. 21 and 22, Mock No. 5, Catonsville Manor, were purchased by Willard A. Daniels in 1946.

purchased after January 2, 1945 are apparently being used either by

On the lots, mentioned above, which bear no date of purchase you are berely directed that unless you can show proof that these lots were purchased prior to January 2, 1915, this also will prohibit the operation you are now conducting.

If there is any additional information necessary regarding his matter, please advise.

Very truly yours.

Zoning Engineer

co/ Charles W. Held, Jr., Esq., Neckord Building, Towson L, Maryland

Ang 7/51 - To Daniels Junk Yard to see Mrs Lindenberg, Complainent. Also to Zoning office to see Mr Heinsteller to go over Daniels Junk Yards plans.

Aug 22/51 - Checked with Mr Heinsuller about Daniels Junk Yardx plans.

X Sep 1/51 - Checked with Zoning Dept. about Daniels Junk Yard. Oct 31/52 - in Heinmaller of Zoning Dept m requested Maisel to check with Lieut Enopp of Catomwille F.D. about Dariels Junk Yard and strike him he would be called to swear under oath as to what was said at hearing. September 21, 1951

On August 22, 1971 a registered latter was malled to Nr., Leby Dimitis, Geom June Street, Jutim ville Homey & Geton-ville, Naryland, a copy of which was referred to Getter that the Nr. Installs was inside the state of Control Section Regulations and the state of the Control Section Section Regulations are not only to the control of the control of the Regulation of the control of the control of the control of the theory of the control of the control of the control of the theory of the control of the control of the control of the violation of these Regulations and "satisfactions".

We also informed Mr. Denials at that these that there were certain lots, which apparently were not recorded in the Charit's Cfrice, for which we asked him to show proof that he comed some prior to demany 2, 1915.

In view of the above the only assumption that this Department can make is that this operation communed after January 2, 1916 and, therefore, the said LeRey Deniels has no right to a lawful non-conforming use.

We are referring this matter to you for shatover action you may down mecassary.

Zoning Engineer

JULY 16, 1953

ECSIVED of Boxe, Sous & Wick, Attorneys for Millard A. Paniels, the sum of Sixteen (\$15,00) being cost of certified copies of patition and other papers filed in the matter of property in Catonsville Memor, 1st District

Loning Convissioner

PAID JUL 1 6 3
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY THE COUNTY February 1, 1952

Oscillate scoretic de specific of your just you is the received compilate scoretic de specific of your just you is Coloravilli to could get be secretion of your just you is Coloravilli to could get be secretioned whether you have a laberal monoenferding one for the specific or this just your, and if outh a right outsite the extent to which it sudden.

representing the precision to the operation of this Junkyus, the processing of the Junkyus, the processing of the Junkyus, the harring will be held on the decisions, whereasy 00, 192 at 100 p. m. in the Hearing Boom, in the hearent of the Restord militing, Foreign Maryland.

It is recommended that you produce at this hearing any records or data which might be of help in determining your rights in the operation of this junk yard.

Very truly yours,

Zoning Commissioner

Dac 9 1950
April 13, 1951
kay 1, 1951
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kay 10, 1951
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May 23,1951 Wirvin May 21, 1951 Wirvin May 21, 1951 Wirvin May 29, 1951 Wirvin May 29,1951 Wirtinger May 31, 1951 June 1, 1951 June 6, 1951 June 6, 1951 June 6, 1951 June 11, 1951 June 16, 1951 Wisimum 20, 1950 Wisimum 1850 June 16, 1951 Wisimum 1850 June 16, 1951 Wisimum 1850 June 16, 1951 Wisimum 1850 June 20, 1950 Ju Met Mr Mahle Atty

w/Heimseller

w/Heinsuller

Mrs Schooldens garage -resident complaint. June 26, 1951 June 29, 1951 July 2, 1951 July 3, 1951 July 6, 1951 July 7, 1951 July 1951 July 21, 1951 July 21, 1951 July 21, 1951 July 21, 1951 July 31, 1951 June 26/51 - Called 11.30 P.M. Central Ave-burning of junk. Upon arrival found no fire.

DATES DANIELS JUNK YARD INSPECTED

Dec 9/50 - Complaint on Queen Arms Ed Catonsville Manor, Daniels Junk Tard. Was moving & making clearing around buildings.

May 10/51 - Talked to Roy Daniels was informed me he would continue to chear & clean Junk Yard as instructed.

June 1/51 - To Dantals Junk Yard to most with the Mahla, Atty for Dantals. To Mahlos office, Nocdawn . Meeting with Dantals and Mahle also the Barrahartt of Rolling Rd Depression of Rolling Rd Depression in Wahls would not be the Barrahart with Mahle would not be the Barrahart with in on meeting.

June 6/51 - Picked up pictures of Junk Yard from Catonsville Police.

June 20/51- Visited Junk Yard with Mr

June 25/51- To Daniels Junk Yard and

Heinmuller of Zoning Dept. Met with Off.Pittinger at Police Dept in connection with Junk Yd.

July 2h/51 - Visited Junk Id with Mr 1 Visited Junk Id with Hr Heismaller of Tooling Dippt and Hr Lokhorr of Highway and Hr Lokhorr of Highway conditions; also to check if corrections had been made to date. Little had been dome as recommended. Albert Jundels was not easy to talk to. Bofused to answer questions Trom Match! Heismaller showed badgo before he would asswer questions for all concerned.

July 31/51 -Worked with Heimsullar and Ecobmer checking Daniels ownership of property in Transfer office.

\$22.00

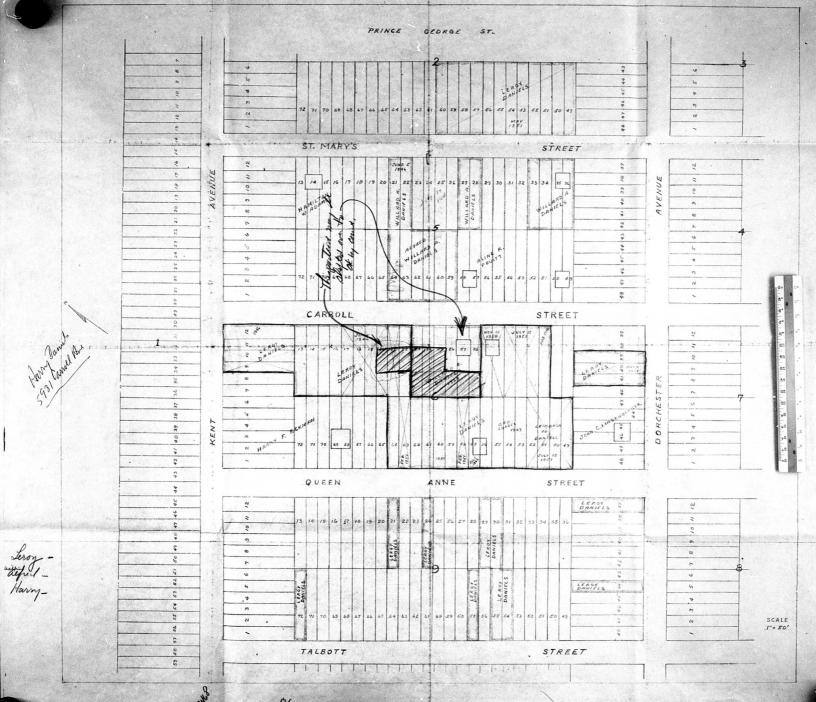
RECEIVED of Harold M. Vick, Attorney for LaRcy Daniels. the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Joard of Zoning Appeals of BE timore County from the decision of the Zoning Commissioner rendered in the matter of a nonconforming the of property in Catonsville Manor, let District of Baltimore County.

Zoning Comissioner

PAID JUN 2 5 1952 OF BALTIMORE COUNTY January 16, 1961

MCKIVED of Barold H. Vick, the sun of Five (\$5.00) Dollars, being cost of cartified copies of pepers filed in the matter of non-conforming use of property of Le Ray Daniels, Catonsville Manor, First District.

Meeting Country ioner



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