

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

I, Raywick Realty Co., Inc., legal owner of the property situated

All that parcel of land in the Fifteenth District of Baltimore County situated south 60 degrees 10 minutes 30 seconds east 67°15 feet from the intersection formed by the northwest side of Dorsey Avenue and the southeast side of Myrtle Avenue (Deep Creek Avenue) and running thence from said side of beginning and ending on the northeast side of Dorsey Avenue south 60 degrees 10 minutes 30 seconds east 50 feet; thence leaving Dorsey Avenue and running north 22 degrees 10 minutes 30 seconds east 300 feet; thence running north 60 degrees 10 minutes 30 seconds east 50 feet; thence north 21 degrees 10 minutes 30 seconds east 300 feet to place of beginning.

BEING the same lot of ground described in a deed dated April 19, 1952 from James E. Matthews, Jr. and Emily L. Matthews, his wife and Alexander G. Allan and Dolores M. Allan, his wife, to Guy L. Smith and recorded among the Land Records of Baltimore County in Liber G. L. B. 2101, Folio 287.

North 60 degrees 10 minutes 30 seconds, east 1700 feet along the north side of Franklin Avenue from the northeast corner of Woodworth Avenue and Franklin Avenue as shown on plot of Essex Subdivision Section A and recorded among the Land Records of Baltimore County in W. L. O. 3 Folio 15 and running thence from said beginning point across Franklin Avenue south 21 degrees 10 minutes 30 seconds, east 50 feet; thence along the south side of Franklin Avenue south 60 degrees 10 minutes 30 seconds east 100 feet; thence south 21 degrees 10 minutes 30 seconds, east 300 feet to the north side of Dorsey Avenue; thence along the north side of Dorsey Avenue north 60 degrees 10 minutes 30 seconds, east 550 feet, thence north 21 degrees 10 minutes 30 seconds, east 300 feet; thence north 60 degrees 10 minutes 30 seconds, east 100 feet; thence north 21 degrees 10 minutes 30 seconds, east 195 feet; thence north 60 degrees 10 minutes 30 seconds, east 184.25 feet to the south side of Myrtle Avenue; thence along the south side of Myrtle Avenue and running north 60 degrees 10 minutes 30 seconds, east 539.5 feet, leaving Myrtle Avenue and running north 25 degrees 27 minutes, west 615.09 feet; thence north 60 degrees 10 minutes 30 seconds, east 113 feet; thence south 22 degrees 10 minutes 30 seconds, east 155 feet to place of beginning. Containing 20.44 acres more or less.

BEING the same lot of ground described in a deed dated June 17, 1950 and recorded among the Land Records of Baltimore County in Liber T. L. B. 1862 Folio 458 from William F. Joesmans, et al to James E. Matthews, Jr. et al. Having and accepting therefrom all that lot of ground described in a deed dated September 25, 1951 and recorded among the Land Records of Baltimore County in Liber G. L. B. 2021 Folio 253 from James E. Matthews, Jr. et al to Edward G. Mueller and wife.

Saving and excepting also, from the above land all that lot described in a deed dated October 13, 1951 and recorded among the Land Records of Baltimore County in Liber G. L. B. 2027 Folio 414 from James E. Matthews, Jr. et al to Leah Souffer and wife.

Saving and excepting therefrom, also, all that lot of ground described in a deed dated April 19, 1952 and recorded among the Land Records of Baltimore County in Liber G. L. B. 2101, Folio 287 from James E. Matthews, Jr. et al, to Guy L. Smith.

Subject to restrictions set forth in a deed dated September 23, 1947 and recorded among the Land Records of Baltimore County in Liber W. P. C. Folio 30 from the Taylor Land Co., et al, to Michael Hartman and wife.

By Order of
Zoning Commission
of Baltimore County.

herby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an B-1 zone to an R-1 zone.

Reasons for Re-Classification:

Site and height of building: front 100 feet; depth 100 feet; height 10 feet.
Front and side set backs of building from street lines: front 10 feet; side 10 feet.
Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expense of above re-classification, advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Raywick Realty Co., Inc.
Raywick Realty Co., Inc.
Raywick Realty Co., Inc.
Legal Office

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of August, 1954, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing herein be had in the office of the Zoning Commissioner of Baltimore County, in the Record Building, in Towson, Baltimore County, on the 20th day of September, 1954, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County
(over)

9/10/54
10 AM
5 - signs

NOTICE OF ZONING PETITION FOR RECLASSIFICATION - 15th Dist.

Pursuant to petition filed with the Zoning Commissioner of Baltimore County for change or reclassification from an R-1 Residence Zone to a "B" Residence Zone of the property hereinafter described, the Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in the Board Room, in the basement of the Record Building, 1 east, Maryland.

On Monday, September 20, 1954
at 10:00 a.m.

to determine whether or not the following mentioned and described property should be changed or reclassified as aforesaid for Group House, to wit:

All that parcel of land in the Fifteenth District of Baltimore County situated south 60 degrees 10 minutes 30 seconds east 67°15 feet from the intersection formed by the northwest side of Dorsey Avenue and the southeast side of Myrtle Avenue (Deep Creek Avenue) and running thence from said side of beginning and ending on the northwest side of Dorsey Avenue south 60 degrees 10 minutes 30 seconds east 50 feet; thence leaving Dorsey Avenue and running north 22 degrees 10 minutes 30 seconds east 300 feet; thence running north 60 degrees 10 minutes 30 seconds east 50 feet; thence north 21 degrees 10 minutes 30 seconds east 300 feet to place of beginning.

BEING the same lot of ground described in a deed dated April 19, 1952 from James E. Matthews, Jr. and Emily L. Matthews, his wife and Alexander G. Allan and Dolores M. Allan, his wife, to Guy L. Smith and recorded among the Land Records of Baltimore County in Liber G. L. B. 2101, Folio 287.

North 60 degrees 10 minutes 30 seconds, east 1700 feet along the north side of Franklin Avenue from the northeast corner of Woodworth Avenue and Franklin Avenue as shown on plot of Essex Subdivision Section A and recorded among the Land Records of Baltimore County in W. L. O. 3 Folio 15 and running thence from said beginning point across Franklin Avenue north 21 degrees 10 minutes 30 seconds, east 50 feet; thence along the south side of Franklin Avenue south 60 degrees 10 minutes 30 seconds, east 100 feet; thence south 21 degrees 10 minutes 30 seconds, east 300 feet to the north side of Dorsey Avenue; thence along the north side of Dorsey Avenue north 60 degrees 10 minutes 30 seconds, east 550 feet, thence north 21 degrees 10 minutes 30 seconds, east 300 feet; thence north 60 degrees 10 minutes 30 seconds, east 100 feet; thence north 21 degrees 10 minutes 30 seconds, east 195 feet; thence north 60 degrees 10 minutes 30 seconds, east 184.25 feet to the south side of Myrtle Avenue; thence along the south side of Myrtle Avenue and running north 25 degrees 27 minutes, west 615.09 feet; thence north 60 degrees 10 minutes 30 seconds, east 113 feet; thence south 22 degrees 10 minutes 30 seconds, east 155 feet to place of beginning. Containing 20.44 acres more or less.

October 8, 1954

Raywick Realty Co., Inc.
810 Myrtle Avenue
Baltimore 21, Maryland

Not Petition for Reclassification
of property in Zone 15th
District, Maryland Realty Co.
from a "B" Residence Zone to
a "B" (Group House) Residence
Zone

Dear Mrs. Tourist:

I have today passed my Order denying the reclassification in the above matter.

Kindly notify your co-protestants.

Very truly yours,

Zoning Commissioner

cc: Mr. William L. Gray,
711 Auburn Avenue
Baltimore 21, Md.

Mr. Astor Chapman,
811 Myrtle Avenue,
Baltimore 21, Md.

NOV 8 1954

IN THE MATTER OF:
PETITION FOR RECLASSIFICATION
FROM A "B" RESIDENCE ZONE TO
A "B" RESIDENCE ZONE OF PROPERTY
IN SEAS, FIFTEENTH DISTRICT OF
BALTIMORE COUNTY -
MAYNICK REALTY CO.

BEFORE
WILFRED H. ADAMS
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER FOR APPEAL

Re. Commissioner:

Please enter an Appeal to the Board of Zoning Appeals of Baltimore County in the matter of the Order of the Zoning Commissioner for Baltimore County passed in the above captioned case on October 29, 1954, and transmit all papers and records incident thereto to said Board of Zoning Appeals.

William L. Gray
Attorneys for Petitioner

LOW OFFICE
RECORDS & REVENUE
TOWSON, MARYLAND

September 3, 1954

877.00

RECEIVED OF Mullin & Hession, attorneys, for Raywick Realty Co., Inc., petitioner, the sum of Seventy Seven (\$77.00) Dollars, being cost of petition for Re-classification, advertising and posting property, northwest side of Dorsey Avenue and the southeast side of Myrtle Avenue, north side of Franklin Avenue, 15th District, Baltimore County, Md.

Zoning Commissioner of Baltimore County

Hearings:
Monday, September 20, 1954
at 10:00 a.m.
Record Building
Towson, Md.

PAID
SEP 7 - 1954
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

April 13, 1955

87.20

RECEIVED OF Mullin & Hession, attorneys, for Raywick Realty Co., the sum of \$74.20 being cost of certified copy of petition and other papers filed in the matter of reclassification of property in Zone 15th District of Baltimore County.

Zoning Commissioner

PAID
APR 13 - 1955
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

Dec. 23, 1954

The following notified of appeal hearing scheduled for Friday, January 7, 1955 at 10:00 a.m.

Board of Zoning Appeals

Council to Board

Smalkin & Hession couns 1 for petitioner

Anton Chapman xxxxxx protestant

Mr. R. Gray "

Mrs. Janet Touris "

October 2, 1954

Mrs. Janet Touris,
515 Myrtle Avenue,
Baltimore 21, Maryland

Re: Petition for Reclassification
of property in Block 15th
District, Myrtle Realty Co.
from a "P" Residence Zone to
a "C" (Camp House) Residential
Zone

Dear Mrs. Touris:

I have today passed my Order denying the
reclassification in the above matter.

Kindly notify your co-protestants.

Very truly yours,

Zoning Commissioner

cc: Mr. William R. Gray,
131 Southern Avenue,
Baltimore 21, Md.

Mr. Anton Chapman,
517 Myrtle Avenue,
Baltimore 21, Md.

October 29, 1954

Messrs. Smalkin & Hession,
Campbell Building
Towson 4, Maryland

Attn: H. Richard Smalkin,
Esq.

Re: Petition for Reclassification of
Property in Block, 15th District
Myrtle Realty Co., Inc., Petitioner

Dear Mr. Smalkin:

I have today passed my Order denying the
reclassification, in the above matter, for the reasons stated
in the attached copy of said Order.

Very truly yours,

Zoning Commissioner

October 29, 1954

Messrs. Smalkin & Hession,
Campbell Building
Towson 4, Maryland

Attn: H. Richard Smalkin,
Esq.

Re: Petition for Reclassification of
Property in Block, 15th District
Myrtle Realty Co., Inc., Petitioner

Dear Mr. Smalkin:

I have today passed my Order denying the
reclassification, in the above matter, for the reasons stated
in the attached copy of said Order.

Very truly yours,

Zoning Commissioner

October 29, 1954

S. Herbert Harris, Esq.,
Hunsey Building
Baltimore 4, Maryland

Re: Petition for Reclassification from
a "P" Residence Zone to a "C"
Residence Zone - Property in Block
15th District - Myrtle Realty Co.,
Petitioner

Dear Mr. Harris:

I have today passed my Order denying the
reclassification, in the above matter, for the reasons stated
in the attached copy of said Order.

Very truly yours

Zoning Commissioner

LAW OFFICE
SMALKIN & HESSIAN
CAMPBELL BUILDING
TOWSON 4, MD.

March 21, 1955

H. RICHARD SMALKIN
JOHN W. HESSIAN, JR.
PAUL HESSIAN
JOHN W. HESSIAN, JR.

TELEPHONE
VALLEY 3-8800

Mrs. Jeannette C. Harris
303 Washington Avenue
Towson 4, Maryland

Re: Myrtle Realty Co., Inc.
vs. Charles H. Doing, et al
File No. 8012

Dear Mrs. Harris:

We are enclosing check made payable to the order of
County Commissioners of Baltimore County in the amount of \$7.20
in payment of certified copies and check made payable to your
or in the amount of \$30.00 in payment of transcript of testi-
mony incident to the above captioned zoning appeal. Please re-
ceipt and return the enclosed bills and transmit the testimony
to the Clerk's Office as promptly as possible.

Thanking you for your courteous cooperation herein
and with best personal wishes to you and yours, I am

Sincerely,

H. Richard Smalkin

ENCLOSURE

Messrs. Smalkin & Hession,
Campbell Building
Towson 4, Maryland

to

Feb. 21, 1955

County Commissioners
of Baltimore County
Zoning Department
303 Washington Avenue,
Towson 4, Maryland

Cost of certified copies of petition and other papers filed
in the matter of reclassification of property, R. W. 2506
Norway Ave., and S. W. 2506 Norway Ave., 15th District -
Myrtle Realty Co., Inc. \$7.20

November 17, 1954

\$30.00

RECEIVED of Messrs. Smalkin & Hession, attorneys for
Myrtle Realty Co., petitioner, the sum of Thirty (\$30.00)
Dollars being cost of appeal to the Board of Zoning Appals
from the decision of the Zoning Commissioner denying reclassi-
fication of property, northwest side of Norway Avenue,
15th District.

Zoning Commissioner

RECEIVED
NOV 22 1954

COMPTROLLER'S OFFICE
J. F. Lane

BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

Assignments for Friday, January 7, 1955:

- 10:00 a.m. -- Petition of Mayrick Realty Co. for reclassification from a "B" Residence Zone to a "D" Residence Zone - 15th District, Property in Essex -
- 1:00 p.m. Petition of Clark Certified Concrete Company, Inc., for a special permit for sand and gravel pit - Northwest side of Rd. 417 near 275 ft. at southeast of Clatsco Avenue
- 3:00 p.m. Petition of John A. Ryley for reclassification from an "A" Residential Zone to an "R" Commercial Zone - Northeast corner of Lombard Avenue and East Baltimore Avenue, 45th District -

January 14, 1955

James H. Mallick & Associates
Masonic Building
Towson 4, Maryland
Attn: H. Richard Smallick, Jr.

Dear Mr. Mallick:

The Board of Zoning Appeals of Baltimore County passed its Order on January 14, 1955, affirming the Order of the Zoning Commissioner denying the reclassification, in the above matter, for the reasons stated in the attached copy of said Order.

Very truly yours,

Zoning Commissioner

Mr. Wallace E. Gray,
711 Eastern Avenue,
Baltimore 21, Maryland

Re: Petition for Reclassification of Property in Essex, 15th District from a "B" Residence Zone to a "D" Residence Zone, Mayrick Realty Co., Petitioner

Dear Mr. Gray:

The Board of Zoning Appeals of Baltimore County passed its Order on January 14, 1955, affirming the Order of the Zoning Commissioner denying the reclassification, in the above matter.

Very truly yours,

Zoning Commissioner

cc: Mrs. Janet Young,
310 North Avenue,
Baltimore 21, Md.

State of Maryland, Baltimore County, Md.:

To: Charles H. Deing, Daniel W. Rubens and Carl F. Vohden,
Constituting the Board of Zoning Appeals for Baltimore County
YOU ARE COMMANDED, that the record and proceedings in a certain case of

Mayrick Realty Co., Inc., a body corporate. **SEAL**

with all things touching the same, as fully and perfectly as they remain before you, by whatever

name or names the parties aforesaid, or either of them, are called in the same, you send and certify to

the CIRCUIT COURT FOR BALTIMORE COUNTY, before the Honorable JOHN R. GORHAM

Associate Judge of the Circuit Court for Baltimore County, presiding, together with this writ, immediately after receipt of the same.

WITNESS, the Honorable J. HOWARD MURRAY, Chief Judge of the Circuit Court for

Baltimore County, this 10th day of January, 1955

Issued this 7th day of February 1955

GEORGE L. BIRNEY, Clerk

True Copy Sent
Charles H. Deing, Jr.
Clerk

MAYRICK REALTY CO., INC.,
a body corporate
Masonic Building
Baltimore, Maryland
Plaintiff
vs
AT LAW
CHARLES H. DEING
DANIEL W. RUBENS and
CARL F. VOHLEN,
constituting the Board of
Zoning Appeals of Baltimore
County,
Defendants

ANSWER TO WRIT OF CERTIORARI AND ORIGINAL AND CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

Mr. Clerk:

Please file, etc.

Counsel to
Board of Zoning Appeals
of Baltimore County

MAYRICK REALTY CO., INC.,
a body corporate
Masonic Building
Baltimore, Maryland
Plaintiff
vs
AT LAW
CHARLES H. DEING,
DANIEL W. RUBENS, and
CARL F. VOHLEN, constituting
the Board of ZONING APPEALS
FOR BALTIMORE COUNTY
Defendants

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Charles H. Deing, Daniel W. Rubens and Carl F. Vohden, constituting the Board of Zoning Appeals of Baltimore County, and in answer to the writ of certiorari directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

- No. 1155 ZONING DEPARTMENT FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY
- Aug. 27, 1954 Petition of Mayrick Realty Co., for reclassification of property in Essex, 15th District of Baltimore County, from a "B" Residence Zone to a "D" Residence Zone, filed.
- " " Order of Zoning Commissioner directing a development and posting of property - date of hearing set for Sept. 20, 1954 at 10:00 a.m.
- Sept. 8, " Certificate of posting of property on Sept. 8, 1954, filed.
- " 11, " Certificate of publication in newspaper, filed.
- " 20 " At 10:00 a.m. hearing held on petition by Zoning Commissioner.

- Oct. 29, 1954 Order of Zoning Commissioner denying the reclassification.
- Nov. 8, " Order of appeal to the Board of Zoning Appeals of Baltimore County from Order of Zoning Commissioner, filed.
- Jan. 7, 1955 Hearing on appeal before the Board of Zoning Appeals of Baltimore County.
- " 11, " Order of Board of Zoning Appeals affirming the Order of the Zoning Commissioner denying the petition for reclassification.
- Feb. 8, " Writ of certiorari and appeal to the Circuit Court for Baltimore County served on the Board of Zoning Appeals.
- " 21, " Transcript of testimony taken at the appeal hearing before the Board of Zoning Appeals, filed.
- Filed as Petitioner's Exhibit No. 1.
- Petitions of protest.
- March 21, " Record of proceedings filed in the Circuit Court for Baltimore County.
- Record of proceedings pursuant to which said Order was entered and said Order entered are permanent records of the Zoning Department of Baltimore County and are also the use, district maps and your representatives respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your representatives will produce any and all such rules and regulations together with the zoning use district maps at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted,

Counsel to the
Board of Zoning Appeals
of Baltimore County

LAW OFFICE
SMALKIN & HESSIAN
CAMDEN BUILDING
TOWSON 4, MD.
November 6, 1954

Mr. Wallace E. Adams,
Zoning Commissioner of Baltimore County,
303 Washington Avenue
Towson 4, Maryland

Re: Petition for Reclassification from "B" Residence Zone to "D" Residence Zone of property in Essex, Fifteenth District of Baltimore County - Mayrick Realty Co., Our File No. 8012

Dear Mr. Adams:

We are enclosing Order for Appeal to the Board of Zoning Appeals of Baltimore County from your Order of October 29, 1954, heretofore passed in the above captioned case. Our check made payable to the order of the County Commissioners for Baltimore County in the amount of \$10.00 in payment of costs incident to the filing of said appeal is also enclosed herewith.

Awaiting your further advice and with kind personal regards, we are

Yours very truly,

SMALKIN & HESSIAN

By: H. Richard Smallick

MS:bl
encl.

FEB 8 1955

RAYRICK REALTY CO., INC.,
a body corporate
Honey Building
Baltimore, Maryland
Plaintiff

VS.

CHARLES H. BOING,
DANIEL W. ROBERTS and
CARL F. VOLDEN, constituting
the BOARD OF ZONING APPEALS
FOR BALTIMORE COUNTY,
Defendants

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

AT LAW

PETITION FOR WRIT OF HABEAS CORPUS

TO THE HONORABLE, THE JUDGE OF SAID COURT:

THE Petition of Rayrick Realty Co., Inc., a body corporate, Petitioner, by Shalbin & Hession, its Attorneys, respectfully represents unto your Honor:

1. THAT the Petitioner, Rayrick Realty Co., Inc., is the title holder of a tract or parcel of ground situate on Myrtle Avenue at Essex in the Fifteenth Election District of Baltimore County, State of Maryland.

2. THAT on or about the 26th day of August, 1954, your Petitioner filed an application with the Zoning Commissioner of Baltimore County for the zoning reclassification of the aforementioned tract or parcel of land from a "B" Residence Zone to a "P" Residence Zone, in order to enable your Petitioner to erect group homes on said parcel of land. That a hearing on said Petition was held by the Zoning Commissioner of Baltimore County on the 19th day of September, 1954, and, thereafter, on the 29th day of October, 1954, said Zoning Commissioner passed an Order denying said Petition for reclassification.

3. THAT subsequent to the passage of said Order of October 29, 1954, your Petitioner, on the 6th day of November, 1954, filed an Order for Appeal to the Board of Zoning Appeals for Baltimore County from the aforesaid decision and Order of the Zoning Commissioner of Baltimore County; that said Appeal came on for hearing before said Board of Zoning Appeals for Baltimore County on the 7th day of January, 1955, and, subsequently, on the 14th day of January, 1955, passed an Order sustaining the Order of the Zoning Commissioner of Baltimore County dated October 29, 1954 denying said Petition for reclassification as aforementioned.

4. THAT the aforementioned Decision and Order of the Board of Zoning Appeals for Baltimore County dated January 14, 1955, whereby your Petitioner is aggrieved and injured, is void, illegal, unlawful, without legal force and effect, and should be reversed, set aside and annulled by this Honorable Court for the following reasons, viz:

(a) That said Decision and Order of the Board of Zoning Appeals for Baltimore County constitutes an arbitrary and capricious act and a gross abuse of administrative discretion;

(b) That there was substantial and sufficient evidence, adduced before the Board of Zoning Appeals for Baltimore County, in the proceedings conducted before it, to show definite, specific changes to warrant the reclassification from "B" Residence to a group home zone or "P" Residence Zone.

(c) That there is need for group homes in the area of the land involved in these proceedings; and

(d) For such other and further reasons as may be shown at the hearing on this Petition.

WHEREFORE, your Petitioner prays:

(a) That a Writ of Habeas Corpus be granted by this Honorable Court directed against the Defendants, constituting the Board of Zoning Appeals for Baltimore County, to review the decision and Order of said Board of Zoning Appeals of January 14, 1955, in the within proceedings, and prescribing therein the time within which a return thereto shall be made and served upon the Petitioner's Attorneys;

(b) That said Board of Zoning Appeals for Baltimore County may be required to return to this Honorable Court the original papers acted upon by it or certified or sworn copies thereof, together with a copy of all records in said proceedings and a transcript of all testimony presented before said Board in connection with said proceedings, as well as copies of the Orders entered by said Zoning Commissioner of Baltimore County and Board of Zoning Appeals for Baltimore County;

(c) That this Honorable Court may permit your Petitioner to take such other and further testimony as may be necessary for the proper disposition of this matter;

(d) That this Honorable Court may reverse, set aside, annul, and declare void and of no effect the Decision and Order of the Board of Zoning Appeals for Baltimore County dated January 14, 1955;

(e) And for such other and further relief as the nature of the case may require.

Emotion W. Hession
Solicitors for Petitioner

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, That on this _____ day of February, 1955, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared S. Shalbin & Hession, President of Rayrick Realty Co., Inc., Petitioner herein, and made oath in due form of law that the matters and facts set forth in the foregoing Petition are true to the best of his information, knowledge and belief, and that he is the President of said Corporation.

AS WITNESS my hand and Notarial Seal.

Notary Public

RAYRICK REALTY CO., INC.,
a body corporate
Honey Building
Baltimore, Maryland
Plaintiff

VS.

CHARLES H. BOING,
DANIEL W. ROBERTS and
CARL F. VOLDEN, constituting
the BOARD OF ZONING APPEALS
FOR BALTIMORE COUNTY,
Defendants

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

AT LAW

UPON the foregoing Petition and Affidavit, it is this _____ day of February, 1955, by the Circuit Court for Baltimore County, at Law.

ORDERED that a Writ of Habeas Corpus issue directed to Charles H. Boing, Daniel W. Roberts and Carl F. Volden, constituting the Board of Zoning Appeals for Baltimore County, to review the decision and Order of said Board of Zoning Appeals, dated January 14, 1955, and requiring it to return to this Court all papers, records and proceedings in said matter and a transcript of all testimony presented before said Board in connection with said proceedings, and a copy of any and all rules and regulations pursuant to which said Order was entered, and said Board acted, to enable this Court to review said Order and decision of the Board, and that a return to this Petition shall be made and served upon Petitioner's Attorneys within _____ days from the date of this Order; and

IT IS FURTHER ORDERED that the Board of Zoning Appeals for Baltimore County shall return to this Court all the original papers or certified or sworn copies thereof, and the return shall expressly 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 the testimony taken at the hearings and copies of the Exhibits filed therewith.

Judge

RE: PETITION FOR RECLASSIFICATION FROM A "B" RESIDENCE ZONE TO A "P" RESIDENCE ZONE OF PROPERTY IN ESSEX, FIFTEENTH DISTRICT OF BALTIMORE COUNTY - Rayrick Realty Co., Petitioner

The petition filed in this matter is for the reclassification of property in Essex, Fifteenth District of Baltimore County, seeking a change in classification from a "B" Residence Zone to a "P" Residence Zone.

In August 1952 a petition was denied for reclassification of the subject property from an "A" Residence Zone to a "P" Residence Zone on the grounds that the group houses were inappropriate in this area. In February, 1953 the Board of Zoning Appeals confirmed the previous Order but allowed a reclassification to a "P" Residence Zone. The Board concluded that, while group houses were inappropriate in this area, semi-detached houses were not.

It is the opinion of the Zoning Commissioner that circumstances have not changed since that time and the petition, therefore, should be denied on the grounds previously stated.

It is Ordered by the Zoning Commissioner of Baltimore County, this 29th day of October, 1954, that the above petition be and the same is hereby denied and that the above described property or area be and the same is hereby continued as and to remain a "B" Residence Zone.

William S. Adams
Zoning Commissioner
of Baltimore County

RE: PETITION FOR RECLASSIFICATION FROM A "B" RESIDENCE ZONE TO A "P" RESIDENCE ZONE - Property in Essex, 15th Dist. Rayrick Realty Co., Petitioner

This is an appeal from an order of the Zoning Commissioner of Baltimore County dated October 29, 1954, refusing a reclassification of the subject property a "B" Residence Zone to a "P" Residence Zone. The property was originally classified as an "A" Residence Zone and in August, 1952 the owners filed a petition seeking a reclassification from the "A" classification to a "P" house zone or "P" Residence Zone.

The then Zoning Commissioner refused the reclassification and an appeal was taken to the Board of Zoning Appeals, which by its Order dated the 13th day of February 1953 reclassified the property from an "A" Residence Zone to a "P" Residence Zone. Since that time no changes have taken place in the immediate vicinity of this property which warrant a further reclassification of it. There was no testimony whatever before this Board tending to show definite, specific changes which would warrant this Board disturbing the present classification of the property. The Board, therefore, has no alternative other than to affirm the Order of the Zoning Commissioner.

It is this 11th _____ day of January, 1955, ORDERED by the Board of Zoning Appeals of Baltimore County, that the reclassification sought be denied and the property is to be and remain a "B" Residence Zone.

Charles H. Boing
Chairman
Daniel W. Roberts
Carl F. Volden
Board of Zoning Appeals
of Baltimore County

RE: PETITION FOR RECLASSIFICATION FROM A "B" RESIDENCE ZONE TO A "P" RESIDENCE ZONE OF PROPERTY IN ESSEX, FIFTEENTH DISTRICT OF BALTIMORE COUNTY - Rayrick Realty Co., Petitioner

The petition filed in this matter is for the reclassification of property in Essex, Fifteenth District of Baltimore County, seeking a change in classification from a "B" Residence Zone to a "P" Residence Zone.

In August 1952 a petition was denied for reclassification of the subject property from an "A" Residence Zone to a "P" Residence Zone on the grounds that the group houses were inappropriate in this area. In February, 1953 the Board of Zoning Appeals confirmed the previous Order but allowed a reclassification to a "P" Residence Zone. The Board concluded that, while group houses were inappropriate in this area, semi-detached houses were not.

It is the opinion of the Zoning Commissioner that circumstances have not changed since that time and the petition, therefore, should be denied on the grounds previously stated.

It is Ordered by the Zoning Commissioner of Baltimore County, this _____ day of October, 1954, that the above petition be and the same is hereby denied and that the above described property or area be and the same is hereby continued as and to remain a "B" Residence Zone.

Zoning Commissioner
of Baltimore County

RE: PETITION FOR RECLASSIFICATION FROM A "B" RESIDENCE ZONE TO A "P" RESIDENCE ZONE - Property in Essex, 15th Dist. Rayrick Realty Co., Petitioner

This is an appeal from an order of the Zoning Commissioner of Baltimore County dated October 29, 1954, refusing a reclassification of the subject property a "B" Residence Zone to a "P" Residence Zone. The property was originally classified as an "A" Residence Zone and in August 1952 the owners filed a petition seeking a reclassification from the "A" classification to a group house zone or "P" Residence Zone.

The then Zoning Commissioner refused the reclassification and an appeal was taken to the Board of Zoning Appeals, which by its Order dated the 13th day of February 1953 reclassified the property from an "A" Residence Zone to a "P" Residence Zone. Since that time no changes have taken place in the immediate vicinity of this property which warrant a further reclassification of it. There was no testimony whatever before this Board tending to show definite, specific changes which would warrant this Board disturbing the present classification of the property. The Board, therefore, has no alternative other than to affirm the Order of the Zoning Commissioner.

It is this _____ day of January, 1955, ORDERED by the Board of Zoning Appeals of Baltimore County, that the reclassification sought be denied and the property is to be and remain a "B" Residence Zone.

Chairman
Board of Zoning Appeals
of Baltimore County

RE: PETITION FOR RECLASSIFICATION FROM A
 "B" RESIDENCE ZONE TO A "D" RESIDENCE
 ZONE - Property in Rees, 15th Dist.
 Myrick Realty Co. Petitioner

This is an appeal from an order of the Zoning Commissioner of Baltimore County dated October 29, 1954, refusing a reclassification of the subject property a "B" Residence Zone to a "D" Residence Zone. The property was originally classified as an "A" Residence Zone and in August 1952 the owners filed a petition seeking a reclassification from the "A" classification to a group house zone or "D" Residence Zone.

The then Zoning Commissioner refused the reclassification and an appeal was taken to the Board of Zoning Appeals, which by its Order dated the 13th day of February 1955 reclassified the property from an "A" Residence Zone to a "B" Residence Zone. Since that time no changes have taken place in the immediate vicinity of this property which warrant a further reclassification of it. There was no testimony whatever before this Board tending to show definite, specific changes which would warrant this Board disturbing the present classification of the property. The Board, therefore, has no alternative other than to affirm the Order of the Zoning Commissioner.

It is this _____ day of December, 1955, ORDERED by the Board of Zoning Appeals of Baltimore County, that the reclassification sought be denied and the property is to be and remain a "B" Residence Zone.

Chairman

Board of Zoning Appeals
 of Baltimore County

Petition No. 3108 District No. 15
 Comments by D. J. Stanton
 Hearing Scheduled Mon., Sept. 20, 1954

Attention: Mr. Adams

Subject of Petition: From "B" to "D" - N.W. of Dorsey Avenue

Comments:

This petition is the second request for a change to Group House zoning of this parcel of land.

In August, 1952 the Zoning Commissioner denied a petition for reclassification from "A" to "D" Residence zone on the grounds that group houses were inappropriate in this area. In February, 1953 the Board of Zoning Appeals confirmed the previous order but allowed a reclassification to "B" Residence. They concluded that, while group houses were inappropriate for the area, semi-detached dwellings were not.

It is the opinion of this office that circumstances have not altered since that time and it is recommended that the petition be denied on the grounds previously stated.

9-14-54 bb

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

#3158
 9-8-54

District 15-00 Date of Posting 9-8-54
 Posted for Case B. Rezoning zone to D. Residential zone
 Petitioner: Myrick Realty Co.
 Location of property SW corner of Dorsey Ave. and N.W. of Maryland Avenue (W. of Dorsey Ave.) N.W. of Dorsey Ave. N.W. of Dorsey Ave. N.W. of Dorsey Ave.
 Location of Signs On the N.W. corner of Dorsey Ave. and N.W. of Maryland Avenue
 Posted by George F. Hummel Date of return 9-9-54

9/14

Order of
 Board
 affirmed by
 Court
 9/22/55

I hereby certify that
Mr. Janet Fournier Petitioner
810 Myrtle Ave. 21 ← 7th St.
Subscribed and sworn to
Mr. William E. Gray
1731 E. Ave. - Comm.
Aster Chapman
817 Myrtle Ave.

Planning Com. opinion is correct.
Demitt
MDA

RECEIVED

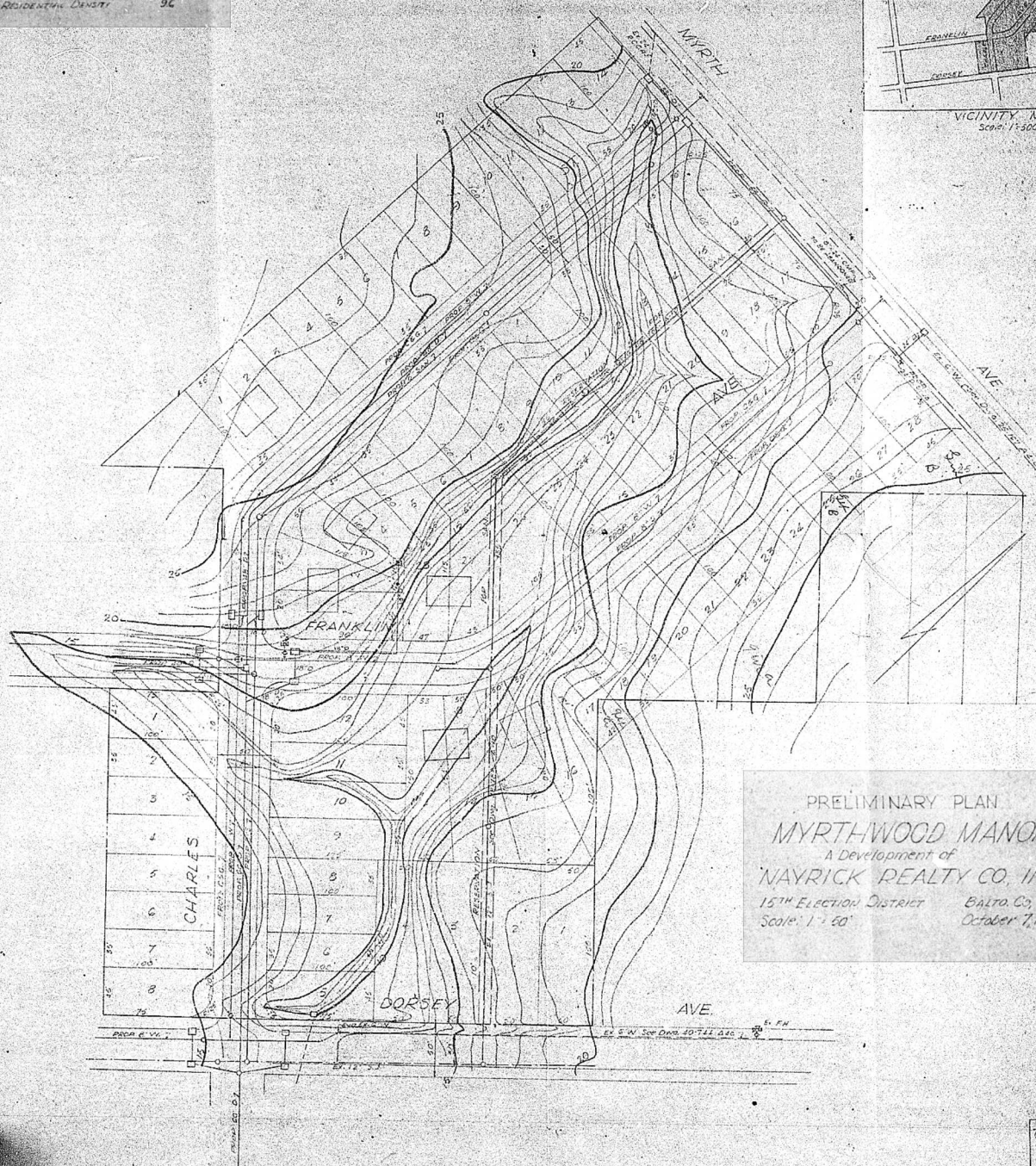
9/22/55

{ Notify Mrs Janet Fournier }
 Wallace E Gray
 Board's decision

9/22/55
 Court - 2 - 1

DENSITY CHART

GROSS ACRES OF TRACT 10 ACRES
 GROSS RESIDENTIAL ACREAGE 10 ACRES
 GROSS RESIDENTIAL DENSITY 10 ACRES
 NET RESIDENTIAL ACREAGE 5.1 ACRES
 TOTAL NUMBER OF LOTS 75
 GROSS RESIDENTIAL DENSITY 7.5
 NET RESIDENTIAL DENSITY 9.6



PRELIMINARY PLAN
 MYRTH-WOOD MANOR
 A Development of
 NAYRICK REALTY CO., INC.
 15th ELECTION DISTRICT BALTO. CO. MO.
 Scale: 1" = 60' October 7, 1923

THOMPSON, GEORGE & SONS
 ENGINEERS
 Fidelity Trust Bldg.
 BALTIMORE, MD.