

Petition for Zoning Re-Classification

To The Zoning Commission of Baltimore County:

I, or we, Egerton Realty, Inc. legal owner... of the property situate

All that parcel of land in the First District of Baltimore County on the West boundary of Baltimore City, County line, beginning 930 feet North of Cooks Lane; thence running Northerly and binding on said City, County line 100.68 feet; thence Northerly 62 degrees 33 minutes West 100 feet; thence South 14 degrees 27 minutes West 555 feet to the East side of proposed Security Blvd. thence Southerly and binding on said Boulevard 777.12 feet; thence Northerly 77.7 feet to the place of beginning.

herby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an B-1 zone.

Reasons for Re-Classification: Shopping Center

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

I, or we, agree to pay expenses 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.

Egerton Realty, Inc.
Robert A. Adams
Legal Owner
c/o Jacob K. Smith, Jr.
Address 147 E. Pratt St. Baltimore, Md.
Phone 2-1111

ORDERED By The Zoning Commission of Baltimore County, this... 19th... day of November... 1956 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... 111 W. Chesapeake Ave., Towson, Baltimore County, on the... 9th... day of January... 1957, at 2 o'clock P. M.

Walter H. Adams
Zoning Commissioner of Baltimore County
(over)

December 17, 1956

\$41.00

RECEIVED of Egerton Realty, Incorporated, petitioner, the sum of Forty-One (\$41.00) dollars, being cost of petition for property situate on West boundary of Baltimore City-County line, beginning 930 feet North of Cooks Lane - 1st. District of Baltimore County.

Thank you.

Zoning Commissioner
of Baltimore County

RECEIVED
Wednesday, January 9, 1956
at 2:00 P.M.

Room 108
County Office Building
111 W. Chesapeake Ave.
Towson 4, Maryland.

RECEIVED
JAN 12 1957
COUNTY CLERK'S OFFICE
778

01622-Advertising-\$10.00
01623-posting-\$31.00

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Walter H. Adams
Zoning Commissioner of Baltimore County
(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st
Posted for 1st day of January 1957
Petitioner: Egerton Realty, Inc.
Location of property West boundary of Baltimore City, County line, beginning 930 feet North of Cooks Lane.
Location of Signs: On the 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211st, 212nd, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 300th, 301st, 302nd, 303rd, 304th, 305th, 306th, 307th, 308th, 309th, 310th, 311st, 312nd, 313th, 314th, 315th, 316th, 317th, 318th, 319th, 320th, 321st, 322nd, 323rd, 324th, 325th, 326th, 327th, 328th, 329th, 330th, 331st, 332nd, 333rd, 334th, 335th, 336th, 337th, 338th, 339th, 340th, 341st, 342nd, 343rd, 344th, 345th, 346th, 347th, 348th, 349th, 350th, 351st, 352nd, 353rd, 354th, 355th, 356th, 357th, 358th, 359th, 360th, 361st, 362nd, 363rd, 364th, 365th, 366th, 367th, 368th, 369th, 370th, 371st, 372nd, 373rd, 374th, 375th, 376th, 377th, 378th, 379th, 380th, 381st, 382nd, 383rd, 384th, 385th, 386th, 387th, 388th, 389th, 390th, 391st, 392nd, 393rd, 394th, 395th, 396th, 397th, 398th, 399th, 400th, 401st, 402nd, 403rd, 404th, 405th, 406th, 407th, 408th, 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1483rd, 1484th, 1485th, 1486th, 1487th, 1488th, 1489th, 1490th, 1491st, 1492nd, 1493rd, 1494th, 1495th, 1496th, 1497th, 1498th, 1499th, 1500th, 1501st, 1502nd, 1503rd, 1504th, 1505th, 1506th, 1507th, 1508th, 1509th, 1510th, 1511st, 1512nd, 1513th, 1514th, 1515th, 1516th, 1517th, 1518th, 1519th, 1520th, 1521st, 1522nd, 1523rd, 1524th, 1525th, 1526th, 1527th, 1528th, 1529th, 1530th, 1531st, 1532nd, 1533rd, 1534th, 1535th, 1536th, 1537th, 1538th, 1539th, 1540th, 1541st, 1542nd, 1543rd, 1544th, 1545th, 1546th, 1547th, 1548th, 1549th, 1550th, 1551st, 1552nd, 1553rd, 1554th, 1555th, 1556th, 1557th, 1558th, 1559th, 1560th, 1561st, 1562nd, 1563rd, 1564th, 1565th, 1566th, 1567th, 1568th, 1569th, 1570th, 1571st, 1572nd, 1573rd, 1574th, 1575th, 1576th, 1577th, 1578th, 1579th, 1580th, 1581st, 1582nd, 1583rd, 1584th, 1585th, 1586th, 1587th, 1588th, 1589th, 1590th, 1591st, 1592nd, 1593rd, 1594th, 1595th, 1596th, 1597th, 1598th, 1599th, 1600th, 1601st, 1602nd, 1603rd, 1604th, 1605th, 1606th, 1607th, 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Approved
County Commissioners of Baltimore County

Date By President

This is ordinarily true where the effectiveness of the action taken is made to depend upon the approval of a public body possessing legislative powers. We have noted in several cases that the power to revise is legislative in character. See Marine et al. vs. Mayor and City Council of Baltimore, 215 Md. 206, 207; Fuller et al. vs. County Commissioners of Baltimore County, et al., 215 Md. 158, 177; cf. Mayor and City Council of Baltimore vs. William T. Hargrove, 197 Md. 528, 529. Where the Council could have delegated the active legislative power in this field to an administrative official is a question we do not reach. Finally, the statute does not confer finality upon the decision of the Board Commission to change boundaries by readjustment. The fact that the Council, and the predecessor, has at times by legislative approval such action does not establish an administrative

The Salt River County Zoning Enabling Act (Chapter 257, Acts of 1931), empowered the County Commissioners to appoint a Zoning Commissioner and a Board of Zoning Appeals, and by Chapter 502, Acts of 1935 and Chapters 369, 370, and 365, Acts of 1937, incorporated in the Code of Public Local Laws of Salt River County, (1955 ed.) at Sec. 537, the County Commissioners were empowered to pass regulations, in accordance with a comprehensive zoning plan, and to delegate certain authority to the Zoning Commissioner. Sec. 537(c) set up the authority for establishing the various zones and territorial divisions, upon recommendation of the Zoning Commissioner after public hearing by him, and after public hearing by the County Commissioners upon his final report. This section provided that the County Commissioners should have power, from time to time, upon recommendation of the Zoning Commissioner, and after hearing by him and by them, "but with respect to the boundaries of zoning districts, to increase or amend the County Commissioners may impose on and vest in the Zoning

Sec. 30 (d) of the Charter provides that legislative acts passed by the Council require the affirmative vote of at least four members. No question is raised on this appeal, and no question seems to have been raised below, as to whether this section is applicable to the action taken in the instant case, or as to the validity of the Council's action in disapproving, or

Sec. 522(f) of the Local Code calls for the appointment of a Board of Hearing Appeals and provides for appeals to it "area and decision of the "acting Commissioner." Subsections (g) and (h) provide for further review, by certiorari, to the Circuit Court, and by appeal to this Court. Cf. Code (1957) Art. 665, sec. 22(f) and (c) of the Public General Laws. Under section 522(a), the petition for certiorari must set forth that "such decision is illegal, in whole or in part, specifying the ground of the illegality. Such petition shall

ORDER REVERSED AND PETITION DISMISSED
COSTS TO BE PAID BY THE APPELLER.

