



## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Mr. James A. Dyke, Chairman  
Zoning Advisory Committee

Date: September 22, 1965

FROM: Inspector Alvin B. Nehus

SUBJECT: The Sisters of Mercy in the City of Balto.  
1/3 Charles Street 950' N of Gittings Ave.  
Dist. 9 9/28/65

The submitted site plan did not indicate on site fire hydrant locations. Re advised, this protection shall be provided in accordance with the Baltimore County Standard Design Manual 1964 edition.

For additional information or assistance please contact Inspector Alvin B. Nehus at Valley 5-7310.

PBR/jjs

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21204

September 29, 1965

W. William Adelson, Esq.  
1035 Maryland National Bank Bldg.  
Baltimore, Maryland 21202

SUBJECT: Reclassification from R-10 to R-1, and Special Exception for Elevator Apartment Buildings for The Sisters of Mercy in the City of Baltimore, located on the East side of Charles Street North of Gittings Avenue, 9th District. (Item 3 - September 17, 1965)

Dear Sir:

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

**STATE ROADS COMMISSION:** The proposed entrance located on Charles Street will be subject to the approval of the State Roads Commission.

**DEPARTMENT OF PUBLIC WORKS:** This Bureau will review and comment if necessary.

**STATE BUREAU, PLANS REVIEW:** Comments attached.

**BUREAU OF ENGINEERING:**

**Utilities:** Water - Existing 10" water in Bellona Avenue  
Existing 10" water in Charles Street Avenue  
Existing 8" water in Madison Avenue  
It may be necessary to pump to adequately supply the upper floors of the high rise buildings.  
Sewer - Existing 8" sewer in Madison Avenue; however, a study will be required to determine if this line is adequate to serve the subject site. If it is determined that the sewer is not adequate, an extension to the existing interceptor in Charles Street Avenue at North Avenue may be necessary.  
Adequacy of existing utilities to be determined by developer or his engineer.

The above comments are not intended to indicate the appropriateness of the zoning action rec noted, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commission's hearing.

The following members had no comment to offer:

Board of Education  
Health Department  
Industrial Development Commission  
Buildings Department  
Office of Planning and Zoning, Project Planning Division  
Office of Planning and Zoning, Zoning Administration Division

Very truly yours,

cc: Mr. J. Myers, St. Rd. Comm.  
Mr. L. Moore, Bur. of Traf. Eng.  
Miss Morris, Fire Bureau  
Mr. C. Brown, Bur. of Eng.

MICROFILMED

DUE, WHITEFORD, TAYLOR &amp; PRESTON

PAUL J. DUE  
WHITEFORD, TAYLOR & PRESTON  
ATTORNEYS AT LAW  
1000 BALTIMORE AVENUE  
BALTIMORE, MARYLAND 21201  
TELEPHONE 3-1200

SUN LIFE BUILDING  
CHARLES CENTER  
BALTIMORE, MARYLAND 21201  
TELEPHONE 3-1200

November 10, 1967

REPLY TO TOWSON OFFICE

William S. Baldwin, Chairman  
Board of Appeals for Baltimore County  
County Office Building  
Towson, Maryland 21204

Re: Petition for reclassification from R-10 zone to R-4 zone, and Special Exception for elevator apartment buildings, The Sisters of Mercy in the City of Baltimore, No. 66-114-RX, also known as: June Finney, et al vs. William S. Baldwin, et al, constituting the County Board of Appeals for Baltimore County and the Sisters of Mercy in the City of Baltimore and C & B Realty, Inc., interveners Appellees, in the Circuit Court for Baltimore County, Misc. Docket No. 8, Folio 231, Case No. 3608  
Our File No: C-10,003

Dear Mr. Baldwin:

At a hearing before Judge Proctor on November 9, 1967, on appeal from the Board's Order of Dismissal in the above entitled case, the Judge ordered that the Board's order of Dismissal be reversed and the case remanded to the Board. We requested that the attorneys for the parties agree on the form of the Order and submit it to the Court for signature.

At the time of the aforesaid hearing, the Intervening Appellees made an oral request (following the overruling of their Demurrer) that they be permitted to file an Answer, but this request was denied.

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner  
DATE: October 29, 1965

FROM: GEORGE R. SAVRELLIS, Director

SUBJECT: 66-114-RX... Reclassification and Special Exception from R-10 to R-4 Zoning, for Elevator Apartment Buildings. East side of Charles Street 950 feet North of Gittings Avenue. Being the property of The Sisters of Mercy in the City of Baltimore.

9th District

HEARING: Monday, November 8, 1965 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to R-4 zoning together with a Special Exception for elevator apartment buildings. It has the following advisory comments to make with respect to pertinent planning factors:

1. The subject property now is devoted to an institutional use of extremely low intensity. Single-family residential development abuts the property on the north and on the south as well as partly to the east. Group house development also exists immediately to the east of Bellona Avenue. Charles Street has provision for four lanes of traffic. Bellona Avenue has varying widths in the City and County.
2. In connection with its studies for new elevator apartment zones, the Planning staff notes that the subject property could comply with prospective locational criteria for suburban elevator apartments. Obviously, these criteria are not yet a matter of regulation and can not be exercised until such time as the Zoning Regulations are changed. The Planning staff attempted in its drafts for new apartment zones to limit new elevator apartment sites to areas with good relationships to major shopping facilities or to areas with high accessibility or with high accessibility and service by public transit. It is the latter criterion with which the subject property is in compliance.

GEG:bms

MICROFILMED

William S. Baldwin, Chairman  
Board of Appeals for Baltimore County  
Page Two  
November 10, 1967

Very truly yours,

Ernest C. Trimble  
Attorney for Protestants-Appellants

ECT:dm

cc: M. William Adelson, Esquire  
W. Lee Harrison, Esquire

Rec'd 11/10/67  
2:20 PM

M. WILLIAM ADELSON  
ATTORNEY AND COUNSELLOR AT LAW  
1035 MARYLAND NATIONAL BANK BUILDING  
BALTIMORE, MARYLAND 21202

November 16, 1967

Messrs. William S. Baldwin,  
W. Giles Parker and John A. Slovick,  
constituting the Board of Appeals  
Towson, Maryland 21204

Re: Sisters of Mercy, et al.  
Case No. 66-114-RX

Gentlemen:

Replying to the November 10, 1967 letter of Ernest C. Trimble, Esq., addressed to Hon. William S. Baldwin, Chairman of the Board of Appeals, and concerning the ruling of Judge Proctor at the November 9, 1967 hearing on the appeal in the above matter, I write to advise that the Sisters of Mercy in the City of Baltimore and C. & B. Realty, Inc. propose to appeal from the final Order of the Circuit Court for Baltimore County, when entered, to the Court of Appeals of Maryland.

In view of the foregoing, we respectfully request that the Board maintain the status quo in this case until expiration of the period for appeal from the decision of the Circuit Court, with no appeal having been entered, or, if an appeal be entered, until the matter is finally determined by the Court of Appeals of Maryland. At this point, further delay will harm no one and can only serve to further the interests of justice.

Respectfully yours,

W. William Adelson

EPA/A

Mr. John G. Rose,  
Zoning Commissioner  
Baltimore County Office of  
Planning & Zoning  
County Office Building  
Towson, Maryland 21204

Re: Petition for Reclassification from a R-10 to a R-4 Zone and Special Exception for Elevator Apartment Buildings R/S of Charles Street 950' North of Gittings Avenue, 9th Election District of Baltimore County, Maryland, The Sisters of Mercy in the City of Baltimore, Legal Owners, and C. & B. Realty, Inc., Contract Purchaser, Petitioners - Case No. 66-114-RX

Dear Mr. Rose:

On behalf of the Petitioners, The Sisters of Mercy in the City of Baltimore and C. & B. Realty, Inc., please enter an appeal to the County Board of Appeals from the decision of the Deputy Zoning Commissioner, dated November 12, 1965, denying the reclassification and special exception requested in the above matter. This appeal is taken pursuant to Section 23-26, Title 23, Baltimore County Code, as enacted by Bill No. 80, approved June 10, 1960.

A check for \$70.00 is enclosed herewith to cover the cost of the instant appeal.

Respectfully yours,

W. William Adelson  
Attorney for The Sisters of Mercy  
in the City of Baltimore and C. & B. Realty, Inc., Petitioners

WMA/kay  
Encl.

MICROFILMED

RE: PETITION FOR RECLASSIFICATION  
R-10 to R-4 Zone  
East side of Charles Street 950'  
North of Gittings - 9th  
The Sisters of Mercy in the  
City of Baltimore

BALTIMORE COUNTY  
No. 66-114-RX

The Petitioner seeks a reclassification of his property from an R-10 Zone to an R-4 Zone and a Special Exception to permit the construction of Town House, Duplex and Multi-Family Apartments.

Mr. Joseph Kelly, Vice-President of the Corporate Contractor Purchaser, was the sole witness testifying on behalf of the Petitioner. His testimony was concerned primarily with the proposed plans for the apartment complex.

Without reviewing the testimony in detail, the Deputy Zoning Commissioner is of the opinion the Petitioner has failed to show an error in the original zoning or any substantial changes in the character of the neighborhood that would justify granting the re-zoning. Since the Petition for reclassification fails, as must the request for a Special Exception if it also fails.

For the foregoing reasons, it is recommended by the Deputy Zoning Commissioner of Baltimore County that the same is hereby continued as and to remain an R-10 Zone and the Special Exception for elevator apartment buildings be and the same is hereby denied.

Ernest C. Trimble  
Deputy Zoning Commissioner

Rec'd 11/10/67  
9:30 AM

JUNE FINNEY  
I. RIDGEMAN TRIMBLE  
W. CARL LOMBARD  
KENNETH F. MOLT  
WILLIAM C. SCHNEIDER, JR.

vs.  
WILLIAM S. BALDWIN  
W. GILES PARKER and  
JOHN A. SLOAN  
Constituting the County Board  
of Appeals for Baltimore County

and  
THE SISTERS OF MERCY IN THE  
CITY OF BALTIMORE  
and  
C. & B. REALTY, INC.

IN THE CIRCUIT COURT  
FOR BALTIMORE COUNTY  
Misc. Docket No. 8  
Folio 231  
Case # 3808

#### OPINION

In this case the decision of the Deputy Zoning Commissioner, adverse to the petitioners, was rendered some time prior to November 15, 1965. On that date the petitioners filed an appeal to the County Board of Appeals of Baltimore County. Thereafter, hearings were held on four different days - apparently full days - the last of which was April 27, 1967. On that date upon the conclusion of testimony, the parties, petitioners and protestants, announced that the case was submitted to the Board for decision. On July 13, 1967, W. Lee Harrison, of counsel for the petitioners, wrote a letter to the County Board of Appeals, as follows: "Please dismiss the appeal filed in the above captioned matter to the Board of Appeals of Baltimore County on behalf of Applicant, the Sisters of Mercy." On July 18th, Mr. Harrison wrote an amended letter reading as follows: "My letter of dismissal dated July 13, 1967, should have been on behalf of The Sisters of Mercy in the City of Baltimore and C & B Realty, Inc., Petitioners. Please accept this letter

as a correction of my letter of July 13, 1967."

The Protestants objected to the dismissal of the appeal. However, after argument before the Board, its Rule 3b was interpreted as permitting dismissal of the appeal at any time prior to decision. On August 8, 1967, the Board signed an order "that said appeal be and the same is hereby dismissed."

Protestants filed an appeal from that order to this court. The petitioners have demurred and have asserted several grounds for their demurrer. Two of these give the court no concern. One is that the members of the Board, constituting such Board are not proper parties. Maryland Rule 82a was amended effective September 1, 1967, to broaden the Rule so as to avoid the quandary which was presented by the decision of the Court of Appeals in *Adler v. Baltimore*, 242 Md. 329. For years in Baltimore County appeals have been captioned exactly as was this one, and in my judgment the caption is proper in spite of the provisions of the Maryland Rule referred to above. Second, that the Appellants are not "aggrieved parties." It is argued that not only are the Protestants-Appellants not aggrieved by the order from which they have appealed, but the effect of that order is to make them the successful litigants. This argument has only surface appeal so far as this Court is concerned. The Court cannot forget the expense incurred by all parties in zoning matters, with which the Court was quite familiar before ascending the Bench. The Court is also well aware of the provisions of the Zoning Regulations which requires a lapse of eighteen months between the date of an adverse decision and the re-filing of another petition for the same property. The object of that provision of the Zoning Regulations was twofold: First, to allow lapse of time so that there might be some change in conditions. Second, so as to provide protestants

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with a period during which they might recoup their financial strength. If the petitioners are right, and they have a right to dismiss the appeal to the County Board of Appeals, then the eighteen months in this case would run from the date of the Deputy Zoning Commissioner's decision. The eighteen months period would have already elapsed. Clearly in my judgment, this constitutes prejudice and makes the Appellants aggrieved parties.

The third and final ground of the Demurrer is not quite as simple, and the answer to it is not as clear cut as the first two grounds. The County Board of Appeals interpreted its Rule 3.b. "An appeal may be withdrawn or dismissed at any time prior to the conclusion of the hearing on said appeal", to mean that the withdrawal or the dismissal could be entered at any time before the Board handed down its decision.

The petitioners have referred the Court to several decisions which deal with the meaning of the word hearing. One of them is *International Banding Machine Co. v. Commissioner*, 37 Fed 2d 660 at 662. (Second Circuit) In that case the Second Circuit was dealing with a rule of the Commissioner of Internal Revenue reading as follows: "Upon motion made, the board may, in its discretion, at any time before the conclusion of the hearing, permit a party to a proceeding to amend the pleadings to conform to the proofs." It is interesting to note that the rule there involved merely the amendment of the pleadings, not dismissal or withdrawal of an appeal such as is presented here. In construing the expression, "before the conclusion of the hearing," the Court said: "As ordinarily used, 'hearing' means the whole proceeding, down to and including the decision although sometimes from its context, it may be confined to the introduction of evidence and the submission of oral or written argument thereon."

3.

Does the context in this case indicate that the word hearing should be given a meaning other than the primary meaning given to the word by the Second Circuit Court of Appeals? The word "hearing", or the plural "hearings", is used in several other places in Rule 4 which is captioned, "Conduct of Hearings." In three of the four sections of that Rule, the word is used at least once. In the judgment of the Court, as used in Rule 4, the word must be construed to mean the taking of testimony and hearing of arguments before the Board. For example, Section a. - "All hearings held by the county board of appeals shall be open to the public." This patently is directed to the proceedings before the Board where testimony is taken and argument is heard. "No hearing shall be private even though all parties agree," is again directed to the proceedings during which testimony is taken and argument is heard. No one would contend that anyone, other than board members, can attend the discussions of the board concerning their decision.

Section b., "The chairman shall regulate the course of hearing and shall rule upon procedural matters, applications, modifications and objections made during the course of the hearing, subject to the concurrence of the majority of the board conducting the hearing." Again, it seems clear to me that where the word "hearings" is used in that section, it is directed to the part of the proceedings up to, but not including, the decision of the case.

Section c., "A hearing may be adjourned from time to time for good cause shown and if the time and place of reconvening the hearing is announced at adjournment, no further notice of reconvening shall be required." Obviously, this is directed to

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the part of the proceeding at which testimony is taken and argument of counsel is heard.

So that, if my construction of the meaning of the word in Rule 4 is correct (and I believe that the context in which the word is used in that Rule directs such meaning), then either one of two things follows: either we are going to have two meanings of the word as used in the Rules of the County Board of Appeals, or the right to withdraw or dismiss an appeal is limited to the period of time up to, but not extending beyond, the conclusion of the public proceedings before the board at which testimony is taken and argument of counsel is heard. Unless there is something which would require the same word to have two different meanings in the same set of rules, the Court obviously should see that it has a uniform meaning. In my judgment, not only is there nothing to require that the word be given two meanings, but examining Rule 3b by itself indicates to me that when the Rule says, "he conclusion of the hearing on said appeal," they are talking about the phase of the case up to, but not including, the decision by the board. It is my judgment that the petitioners had no right to dismiss the appeal at the time when they did, and the board had no power to dismiss the appeal when it did.

The next question presented to me is whether or not I should, having made this decision, summarily remand the case to the board with instructions that they should strike out the order of dismissal and proceed to decide the case, or should the oral request of the petitioners that the case be reopened for the taking of additional testimony. It seems to me that the short answer to that question is that the board refused to open the case for the taking of additional testimony, and the petitioners did not take

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an appeal from that ruling. Under the decisions, not only in this court but also in the Court of Appeals, if the petitioners had wished to do so they could have appealed from that ruling. Even though it was not in the form of a formal order, it was final as far as the petitioners were concerned, and therefore, in my judgment, appealable.

In addition, I don't know, nor have I been advised, exactly what the proposed additional testimony is or would be. It has been hinted that a very recent decision concerning property in the Towson area is what brought about the request for additional testimony, and that the additional testimony would bring formally to the attention of the Board that decision. If that is the case, in my judgment, the request came too late because there would never be an end to these proceedings if the property owners were permitted to bring before the board matters which were not even in existence as of the date of filing of the petitions.

So that, I will sign an Order sending the case back to the board, directing the board to strike out the order of dismissal and directing the board to go ahead and decide the case forthwith.

Mr. Smith: May I ask that the record show that the petitioners requested authority of the court to answer the petition?

The Court: Yes, I can refer to that. The petitioners during the course of argument asked leave of court, if I overruled the demurrer, to file an answer to the Petition for Appeal in which would be asserted a request that the matter be returned to the Board for the taking of additional testimony. As I indicated in the decision, I have refused this request. However, I don't want the fact that I have refused permission to file an answer to be construed by anyone as a ruling on the merits on the question of the taking of additional testimony.

Dec 21 1967

Judge

INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection and Receipts  
COURT HOUSE  
TOWSON, MARYLAND 21204

INVOICE No. 33457  
DATE 12/16/67

TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Md. 21201

REMITTANCE TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Md. 21201

REPORT TO ACCOUNT NO. 00-000

QUANTITY

DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Station of Mary  
City of Baltimore  
400-114-01

TOTAL AMOUNT \$100.00

12-160 4713 \* 33457 11P- 6000

MICROFILMED

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND  
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection and Receipts  
COURT HOUSE  
TOWSON, MARYLAND 21204

INVOICE No. 33533  
DATE 12/16/67

TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Maryland 21201

REMITTANCE TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Maryland 21201

REPORT TO ACCOUNT NO. 00-000

QUANTITY

DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Cost of appeal - The Sisters of Mercy  
No. 00-114-01

TOTAL AMOUNT \$70.00

12-160 4713 \* 33533 11P- 6000

MICROFILMED

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND  
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection and Receipts  
COURT HOUSE  
TOWSON, MARYLAND 21204

INVOICE No. 33511  
DATE 12/16/67

TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Md. 21201

REMITTANCE TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Md. 21201

REPORT TO ACCOUNT NO. 00-000

QUANTITY

DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Advertising and posting of property for the Sisters of Mary to the  
City of Baltimore  
400-114-01

TOTAL AMOUNT \$100.00

12-160 4713 \* 33511 11P- 15050

MICROFILMED

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND  
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE  
Division of Collection and Receipts  
COURT HOUSE  
TOWSON, MARYLAND 21204

INVOICE No. 41092  
DATE 9/26/67

TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Md. 21201

REMITTANCE TO: R. William Adams, Inc.,  
100 Maryland National Bank Bldg.,  
Baltimore, Md. 21201

REPORT TO ACCOUNT NO. 00-000

QUANTITY

DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Cost of official documents - File 400-114-01

TOTAL AMOUNT \$10.00

12-160 4713 \* 41092 11P- 6000

MICROFILMED

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND  
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

RE: PETITION FOR RECLASSIFICATION  
from R-10 zone to R-A zone, and  
Special Exception for Elevator  
Apartment Buildings  
E/S Charles Street 550' North of  
Sitting Avenue  
9th District  
The Sisters of Mercy in  
The City of Baltimore,  
Petitioners

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
No. 66-114-RX

#### OPINION

This case comes before the Board of Appeals from the Deputy Zoning Commissioner on an application for rezoning from R-10 to R-A, and for a Special Exception for elevator apartments. The Deputy Zoning Commissioner's decision having been adverse, the appeal was taken by the petitioners.

The Board is making no decision as to the merits of the case but will only point out that four days were spent in the taking of testimony and approximately half of another day was occupied by a hearing and arguments of counsel on the subject matter of this Opinion. Following the conclusion of the taking of testimony on April 27, 1967 the Board announced that it would take the case under advisement. No final Order has been passed.

On June 23, 1967 application was made by letter from counsel for the petitioner-appellant for an additional supplemental hearing to take further testimony. This request was denied by the Board, whereupon on July 13, 1967 counsel for the petitioners filed a notice to dismiss the appeal. This was objected to by counsel for the respondents, and a hearing was held on July 28, 1967 at which arguments were presented pro and con on the right under the applicable rules to dismiss the appeal under the circumstances as stated above.

The Baltimore County Zoning Regulations provide in Section 501.3:

"Subject to the approval of the County Council, the County Board of Appeals shall have authority to adopt and amend from time to time rules of practice and procedure to cover the conduct of its proceedings. Such rules may include matters relating to filing fees, meetings and hearings conducted by the Board, the manner in which the Chairman of the Board shall be selected and the term for which he shall serve as Chairman, and all other matters deemed appropriate or necessary for the Board to conduct its proceedings. Said rules and regulations when approved by the County Council shall have the force and effect of law."

Under this Section the County Board of Appeals has adopted Rules of Practice and Procedure which were approved by the County Council by Bill No. 108 on January 6, 1966, and hence " \* \* \* have the force and effect of law." Rule 3 b. states - "An appeal may be withdrawn or dismissed at any time prior to the conclusion of the hearing on said appeal." The sole issue before the Board at this time relates exclusively to the meaning of this Rule in the light of the appellants' letter of dismissal filed in July of 1967, and its determination must hinge on the narrow interpretation of the meaning of the word "hearing" as used in said Rules. It has been said that "the long-age of a statute is its own best expositor", and even if at the time of the adoption of the Rule the adopting authority had something else in mind, the word must be construed in its ordinary meaning in general parlance, and specifically its meaning to practitioners before the Board under the Rules as published.

The meaning of this word has been considered by many courts, and apparently it was originally used in chancery proceedings, being analogous to the word "trial" as used in the law courts and, subject to the broad powers of chancery, has always been construed to embrace every step in a chancery proceeding down to and including the final decision ruling for or against any party to the cause. The "hearing" therefore is not concluded until some action is taken which may materially affect the rights of the parties. This is clear on the authority of many cases, most of which are cited in "Words and Phrases", Vol. 19, p. 162, et seq.; 39 C.J.S., p. 875, et seq.; Black's Law Dictionary, among the more interesting of which are:

Equitable Life Insurance Co. of Iowa vs. McNamara,  
278 N.W. 910

In re Enger's Will, 30 N.W. 2d, 694 at 700

International Bonding Machine Co. v. Internal Revenue,  
37 Fed. 2d 660

State v. State Roads Commission, 131 S.E. 7

State v. Chavez, 113 P. 2d

Chicago Railway Co. v. Blair, 20 F. 2d 10

Grant v. Michaels, 23 P. 2d 266

People v. Blair, 33 N.Y.S. 2d 183

Bowles v. Boer, 142 F. 2d 787

Keown v. Keown, 121 N.E. 153

State v. Ireland, 138 P. 2d 569

Without going into exhaustive quotations from all of the above cases, it suffices to say that a large number of them deal with the rules of administrative bodies and are all pretty much in agreement with the language as used in Equitable Life Insurance Company v. McNamara (supra):

"We are inclined to accept the definition of 'hearing' as meaning the trial of a case, including the introduction of the evidence, the arguments, the consideration by the Court, and the final decree and order."

We have been able to find only one decision which would seem to rule to the contrary, a case perhaps not quite as dry as some others cited above, i.e. Commonwealth of Pennsylvania v. Seventeen Half Barrels of Beer, 94 Pa. Super 430, which involved a rule giving a claimant the right to demand a jury trial in court within five days after the conclusion of the hearing. It was held in this case that the claimant had five days after the conclusion of the taking of testimony and not after the Board handed down its final decision, for the obvious reason that otherwise the claimant could perish from thirst during the indefinite period the Board held the case under advisement.

While it is true that in common law any plaintiff was entitled to dismiss his suit at any time prior to the actual entry of the verdict, this has been changed by

Rule 541(b) of the Maryland Rules of Practice and Procedure, neither of which have any applicability to the present case, and the Board is impelled to rule that in the within case the petitioner has the absolute permissive right to dismiss his appeal under the Board's Rule 3 b.

Purely as a matter of information, the Board would like to say that it is at present considering an amendment to its Rules, subject, of course, to approval of the County Council, to limit the dismissal of cases to a time prior to the conclusion of the taking of testimony.

The appeal must, therefore, be entered as dismissed, and the prior Order of the Deputy Zoning Commissioner remains in effect.

#### ORDER OF DISMISSAL

For the reasons stated in the above Opinion, it is this 27th day of August, 1967, by the County Board of Appeals ORDERED that said appeal be and the same is hereby DISMISSED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William S. Baldwin, Chairman  
W. Giles Parker  
John A. Slawik

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: Oct 23 1965  
Posted for: Reclassification of Special Exception  
Petitioner: The Sisters of Mercy in the City of Baltimore  
Location of property: 550' North of Charles St. E/S Sitting Ave.  
Location of Sign: 100' West of Charles St. E/S Sitting Ave. 550' North of Charles St. E/S Sitting Ave.  
Remarks: 140 S.E. of Sitting Ave. on 6th Charles St. E/S Sitting Ave. 550' North of Charles St. E/S Sitting Ave.  
Posted by: J. H. Adams  
Date of return: Oct 28 1965

12 Signs

By William Adams, Esq.  
1000 Maryland National Bank Building  
Baltimore, Md. 21205

October 6, 1965

#### BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
day of September, 1965.

JOHN U. BIRD  
Zoning Commissioner

Petitioner: The Sisters of Mercy in Baltimore City

Petitioner's Attorney: William Adams, Esq.

Reviewed by: James S. Byrne  
Chairman of Advisory Committee

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: Nov 27 1965  
Posted for: Appeal  
Petitioner: Sisters of Mercy  
Location of property: 550' North of Charles St. E/S Sitting Ave.  
Location of Sign: 100' West of Charles St. E/S Sitting Ave. 550' North of Charles St. E/S Sitting Ave.  
Remarks: 140 S.E. of Sitting Ave. on 6th Charles St. E/S Sitting Ave. 550' North of Charles St. E/S Sitting Ave.  
Posted by: J. H. Adams  
Date of return: Nov 3 1965

4 Signs

#### BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts  
COUNTY HOUSE  
TOWSON, MARYLAND 21204

No. 60738

DATE: Nov. 22, 1965

Admission and posting of property for Edward A. Glass

Admission and posting of property for Edward A. Glass

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#### BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts  
COUNTY HOUSE  
TOWSON, MARYLAND 21204

No. 33553

DATE: 1/26/65

To: William Adams, Esq.  
1000 Maryland National Bank Bldg.  
Baltimore, Maryland 21205

Office of Planning & Zoning  
119 County Office Bldg.  
Towson, Md. 21204

REPORT TO ACCOUNT NO. 01-522

QUANTITY

DETAILS: UPPER SECTION AND RETURN WITH YOUR REMITTANCE

COST

Cost of posting property for appeal hearing 4 signs 320.00

The Sisters of Mercy - No. 66-114-RX

12-140 3310 • 33553 11P-

2000

MICROFILMED

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND

PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

RE: PETITION FOR RECLASSIFICATION :  
from R-10 zone to an R-A zone,  
and SPECIAL EXCEPTION for  
Elevator Apartment Buildings  
E/S Charles Street 950' North  
of Gittings Avenue  
9th District  
The Sisters of Mercy in the  
City of Baltimore, Petitioners  
C. & B. Realty, Inc.,  
Contract Purchaser

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
No. 66-114-RX

#### OPINION

The petitioners in this case seek a reclassification of a twenty-four acre tract of land situated on the east side of Charles Street approximately 950 feet north of Gittings Avenue in the Ninth Election District of Baltimore County, from an R-10 zone to an R-A zone and a special exception for Elevator Apartment Buildings.

In order for the reader to completely understand the litigation with regard to this property, we will briefly outline chronologically the history of this case before the Board, and its subsequent course through the Circuit Court for Baltimore County and the Court of Appeals of Maryland.

The hearing of the case before the Board required four full days of testimony, the date of the last hearing being April 27, 1967 at which time the Board concluded the taking of testimony and held the matter sub curia. On June 23, 1967 counsel for the petitioners, by a letter to the Board, requested a supplemental hearing to take further testimony. This request was denied by the Board. On July 13, 1967 counsel for the petitioners filed a Motion to Dismiss Appeal before the Board. On July 25, 1967 counsel for the petitioners filed a Motion in opposition. On July 28, 1967 the Board held a special hearing to allow counsel for both sides to argue their Motions. On August 8, 1967 the Board passed an Order allowing the petitioners to discontinue the appeal. This Order was subsequently appealed to the Circuit Court for Baltimore County by the attorney for the petitioners. On November 17, 1967 the Circuit Court for Baltimore County by Judge Proctor reversed the Board's Order, and remanded the case to the Board with instructions that the Board reach a decision on the merits of the case. On December 13, 1967 the petitioners, by their attorney, filed an Order of Appeal from Judge Proctor's Order to the Court of Appeals of Maryland. On April 28, 1968 the petitioners' attorney filed an Order to Dismiss their appeal in the Court of Appeals of Maryland, and the case was subsequently remanded to the Board for its decision.

C. & B. Realty, Inc., the contract purchaser, proposes a mixture of garden apartments, town houses, and mid-rise apartment buildings, totaling 454 apartment

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units on the subject property. The mid-rise buildings are six and eight stories respectively, and from the testimony will be 54 feet and 72 feet in the air respectively. The property is rectangular in shape having 655 feet of frontage on the east side of Charles Street extending for a depth of 2100 feet easterly to Bellona Avenue. The subject tract has 510 feet of frontage on the west side of Bellona Avenue. It is part of a larger (48 acre) tract of ground owned by the Sisters of Mercy, a Catholic Order which has occupied the property since 1920 and has used the property as a nursing home.

The subject tract is completely surrounded by residentially zoned land. The zoning to the north of the subject property is R-10, and the portion of that land that is not owned by the Sisters of Mercy is developed with substantial cottage houses ranging in value from \$30,000 to \$40,000. West of the subject property, across Charles Street, is the Elkridge Club which is zoned R-20 and is presently being used for a golf course. South of the subject property the zoning is R-20 and R-10. This land is also developed with substantial cottage houses ranging in value, from the testimony, from \$50,000 to in excess of \$125,000. Easterly, across Bellona Avenue, the zoning is R-G, and the land is developed in a substantial group house development known as Rodgers Forge.

Francis X. Gallagher, Esq., testified on behalf of the Sisters of Mercy as their attorney, that the Sisters have entered into a contract of sale with C. & B. Realty, Inc. to sell C. & B. the twenty-four acre parcel for \$30,000 an acre contingent upon the contract purchaser's being able to obtain R-A zoning. He further testified that the Sisters presently intend to retain the remaining twenty-four acres of their property, and that the Sisters wish to sell the subject tract for the highest price obtainable in order to build a new nursing home.

All of the witnesses for both the petitioners and the protestants agreed that the topography of the land is suitable for any sort of residential development including R-10. One of the principals of C. & B. Realty, Inc. testified that he felt that the land was too valuable for single family cottage residences, however, he did agree that he did not think that it would be any problem obtaining \$8,000 per lot if the property were developed in its R-10 classification.

Expert witnesses appearing on behalf of the petitioners testified to various changes in the neighborhood since the adoption of the comprehensive zoning map for the Ninth District in November of 1955. A realtor testifying for the petitioners stated that in his opinion there were many road changes in the area; such as, the opening of the Baltimore County Beltway in 1962; the dualization of Charles Street and its extension northerly to the Baltimore County Beltway in 1958; Case #5213, the reclassification of the Charles Fountain Apartments from R-10 to R-A, approximately 1600 feet north of the

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subject property; and various other reclassifications east of the property along the York Road, particularly Case #66-105, the property of the St. Vincent's Orphanage, which was a reclassification from R-6 to Business Local. He did agree, however, that none of the changes he referred to can be seen from the subject property, and that all of the changes, except the Charles Fountain Apartments, were from three-quarters of a mile to two miles away. An examination of the zoning map shows the Baltimore County Beltway to be nearly three miles north of the subject tract, while the Greater Baltimore Medical Center and the St. Joseph's Hospital are in excess of a mile away from the subject property.

There was conflicting testimony by traffic experts who testified on behalf of both the petitioners and the protestants. However, in view of the Board's decision with regard to the reclassification we do not feel it necessary to go into this testimony, nor to make a determination as to whether or not the proposed apartment project would, in fact, create congestion on the surrounding streets.

George E. Gavrilis, Director of Planning for Baltimore County, testified that in 1955 at the time of the adoption of the Ninth District comprehensive zoning map there was not in existence any criteria for apartment location, nor was there any demand for apartment zoning in 1955. He testified that the subject tract, from the standpoint of accessibility and location on a major arterial highway, does comply with one of the present criteria for apartment zoning. He did state that usually apartment: are not proposed in the middle of a cottage house complex without relationship to major streets, and that a reclassification here "could" constitute a change in the neighborhood.

The petitioners produced testimony by an engineer as to the availability of utilities, and without going into detail as to his testimony he testified to general improvements and reinforcements to the sewer and water systems in the area.

Bernard Willemain, a recognized expert in the field of city planning, testified that the character of Charles Street, from University Parkway in Baltimore City northerly to the Baltimore County Beltway, is a mixture of large homes, apartments, and institutional uses. He further testified that the Ninth District map made little, if any, provision for apartments in 1955, and it would have been logical in his opinion to place R-A zoning on this land. In his opinion the utility changes, road changes, and changes in land use justify the reclassification requested.

Burford M. Hayden, an expert in the field of city planning testifying on behalf of the protestants, disagreed with Mr. Willemain, and stated that in his opinion the map was correct and that there have been no changes in the immediate area to justify the requested reclassification. He felt that the Charles Fountain Apartments have no effect on the subject property, and that the other changes testified to by the petitioners

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witnesses were too remote to have any effect on the neighborhood. He stated that he could not in his opinion see how any of the reclassifications along the York Road that were mentioned by Mr. Klaus, who testified on behalf of the petitioners, have any influence on the subject property. He felt very strongly that the proposed apartment zoning was not compatible with the surrounding land uses, and that the erection of an eight-story apartment building on a piece of property only 180 feet in width would definitely be detrimental to the community. Also, he felt strongly that the character of the community is definitely single family residential homes, and that there was no error in zoning this property R-10 in 1955 in view of the surrounding R-10 and R-20 developments.

C. Gordon Gilbert, an expert realtor testifying on behalf of the protestants, disagreed with the petitioners' witnesses, and stated that he did not feel that the R-10 zoning here is in error, and that in his opinion a general need for apartments does not justify apartment use here between the existing R-10 and R-20 zones. He felt that the road improvements are too remote to have any effect on the subject property. He also felt that the reclassifications and other changes cited by the petitioners' witnesses were too remote to affect the subject property. He stated that in his opinion the development of this property as proposed would definitely be detrimental to the surrounding property because it would constitute a change in the character of the neighborhood, and would lower values of the homes in the area. He further testified that he feared a reclassification here might lead to a request for a reclassification on the balance of the Sisters' property. He testified that in his opinion the type of "road change" that would affect a property would be one where a new major road went through the property, or completely alongside the property. He did not feel that the road changes relied on by the petitioners affected the property because the character of development along Charles Street is generally the same now as it was in 1955.

Numerous residents of the area testified in opposition to the proposed reclassification and special exception, and in general most of the witnesses felt that the proposal would create traffic congestion; would depreciate the value of their homes; would be detrimental to the general health, safety, and welfare of the community; and that the reclassification here would constitute a change in the character of the neighborhood that would be completely incompatible with the existing homes in this area.

In order to be consistent if a Board feels constrained to follow its decision in Case #65-145-R, the petition of William T. Childs, et al., on the east side of Charles Street approximately 1600 feet north of the subject property, wherein the same general changes in roads, institutional uses, etc. were found not to justify a reclassification from an R-10 zone to an R-A zone. For the reasons given above, the Board feels that the petitioners have failed to overcome the presumption of correctness of the comprehensive zoning map, nor

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have they shown sufficient changes in the character of the neighborhood to justify the reclassification.

#### ORDER

For the reasons set forth in the foregoing Opinion, it is this 19 day of November, 1968 by the County Board of Appeals, ORDERED that the reclassification and special exception petitioned for, be and the same are hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

John A. Slowik

#### CERTIFICATE OF PUBLICATION

TOWSON, MD. - October 22, 1968.  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., under the name of THE JEFFERSONIAN, on the 21st day of October, 1968, at 11:11 a.m., and on the 22nd day of October, 1968, at 10:55 a.m., and on the 23rd day of October, 1968, at 10:55 a.m., and on the 24th day of October, 1968, at 10:55 a.m., and on the 25th day of October, 1968, at 10:55 a.m., and on the 26th day of October, 1968, at 10:55 a.m., and on the 27th day of October, 1968, at 10:55 a.m., and on the 28th day of October, 1968, at 10:55 a.m., and on the 29th day of October, 1968, at 10:55 a.m., and on the 30th day of October, 1968, at 10:55 a.m., and on the 31st day of October, 1968, at 10:55 a.m., and on the 1st day of November, 1968, at 10:55 a.m., and on the 2nd day of November, 1968, at 10:55 a.m., and on the 3rd day of November, 1968, at 10:55 a.m., and on the 4th day of November, 1968, at 10:55 a.m., and on the 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PETITION FOR  
RECLASSIFICATION AND  
SPECIAL EXCEPTION

9th DISTRICT

ZONING: From R-10 to R.A.

Zone:

Petition for Special Exception

for Elevator Apartment Build-

ings.

LOCATION: East side of Char-

les Street 350 feet North of

Gittings Avenue.

DATE: TIME: MONDAY, NO-

VEMBER 8, 1955 at 10:00 A.M.

Public Hearing: Room 105,

County Office Building, 111

W. Chesapeake Avenue, Tow-

son, Maryland

The Zoning Commissioner of

Baltimore County, by authority

of the Zoning Act and Regu-

lations of Baltimore County,

will hold a public hearing:

Present Zoning: R-10

Proposed Zoning: R.A. with

Special Exception for Ele-

vator Apartment Buildings.

All that parcel of land is the

Ninth District of Baltimore

County.

Beginning for the same at a

point on the east side of Char-

les Street Avenue 350 feet wide

as shown on State Roads Com-

mission of Maryland Right of

Way Plat No. 11545, said point

of beginning being 150 feet

more or less north of Gittings

Avenue, said point of begin-

ning being also on the second

line of the fifth parcel of land

as described by deed from

N. Charles Burke, Trustee, to

The Sisters of Mercy in the

City of Baltimore dated July

21, 1920 and filed among the

Land Records of Baltimore

County in Liber W.P.C. 529,

Folio 328 running thence bind-

ing on part of said second

line of the fifth parcel of land

in the above mentioned deed

as now surveyed North 64 de-

grees 22 minutes 30 seconds

East 1048.14 feet to the be-

ginning of the fifth line of the

fourth parcel of land as de-

scribed in the above mention-

ed deed, running thence bind-

ing on part of the said fifth

line as now surveyed North

55 degrees 23 minutes 30

seconds East 1039.30 feet to

the west side of Bellocca

Avenue as it now exists

running thence along on the

west side of said Bellocca

Avenue the four following

courses and distances as now

surveyed viz: first, North 12

degrees 00 minutes 50 seconds

West 304.50 feet; second, by a

line curving to the right with

a radius of 1525.00 feet for a

distance of 105.11 feet, said

curve being subtended by a

chord bearing North 10 de-

grees 21 minutes 50 seconds

West 103.10 feet; third, North

5 degrees 42 minutes 50 sec-

onds West 34.25 feet; and

fourth by a line curving to the

left with a radius of 700.00

feet for a distance of 44.17

feet, said curve being sub-

tended by a chord bearing

North 10 degrees 31 minutes

18 seconds West 44.16 feet

running thence for a line of

division as now surveyed

South 87 degrees 22 minutes

00 seconds West 3534.86 feet

to the beginning of the second

line of the sixth parcel of

land as described in the a-

bove mentioned deed running

thence binding on the said

second line of the last men-

tioned sixth parcel and also

binding on part of the fourth

line of the above mentioned

fifth parcel of land as now

surveyed South 55 degrees

26 minutes 00 seconds West

345.44 feet to the southeast

corner of Lot No. 40 as shown

on a Plat entitled "Amended

Plat of Woodbrook Village"

dated November 17, 1953 and

filed among the Plat Records

of Baltimore County in Liber

G.L.C. 19, Folio 120 running

thence binding on the east side

of said Lot No. 40 and Lot

No. 39 as shown on the above

mentioned plat as now sur-

veyed North 5 degrees 29 min-

utes 10 seconds West 260.00

feet to the northeast corner

of said Lot No. 39 running

thence binding on the north

side of said Lot No. 39 as

now surveyed South 55 de-

grees 26 minutes 00 seconds

West 150.00 feet to the east

side of said Charles Street

Avenue running thence bind-

ing on the east side of said

Charles Street Avenue the two

following courses and dis-

tances as now surveyed viz:

first, South 5 degrees 28 min-

utes 10 seconds East 505.16

feet and second, South 5 de-

grees 33 minutes 15 seconds

East 150.00 feet to the place

of beginning.

Containing 23.45 Acres of

land more or less.

Being parts of the first, sec-

ond, third, fourth and fifth

parcels of land as described

in a deed from N. Charles

Burke, Trustee, to The Sis-

ters of Mercy in the City of

Baltimore dated July 21, 1920

and filed among the Land Rec-

ords of Baltimore County in

Liber W.P.C. 529, Folio 328.

Also being Lots Nos. 39

and 40 as shown on a plat en-

titled "Amended Plat of Wood-

brook Village" dated Novem-

ber 17, 1953 and filed among

the Plat Records of Baltimore

County in Liber G.L.C. 19,

Folio 120.

Being the property of The

Sisters of Mercy in The City

of Baltimore, as shown on plat

upon filed with the Zoning De-

partment.

Hearing: Monday, November 8,

1955 at 10:00 A.M.

Public Hearing: Room 105,

County Office Building, 111

W. Chesapeake Avenue, Tow-

son, Maryland.

By Order Of

John G. Rose

Zoning Commissioner Of

Baltimore County

## CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. October 22 . 19 55.

THIS IS TO CERTIFY. That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of 308 successive weeks before the 8th

day of November . 19 55 . the first publication

appearing on the 21st day of October

1955 .

THE TIMES.

Manager.

John H. Martin

Cost of Advertisement \$ 47.00

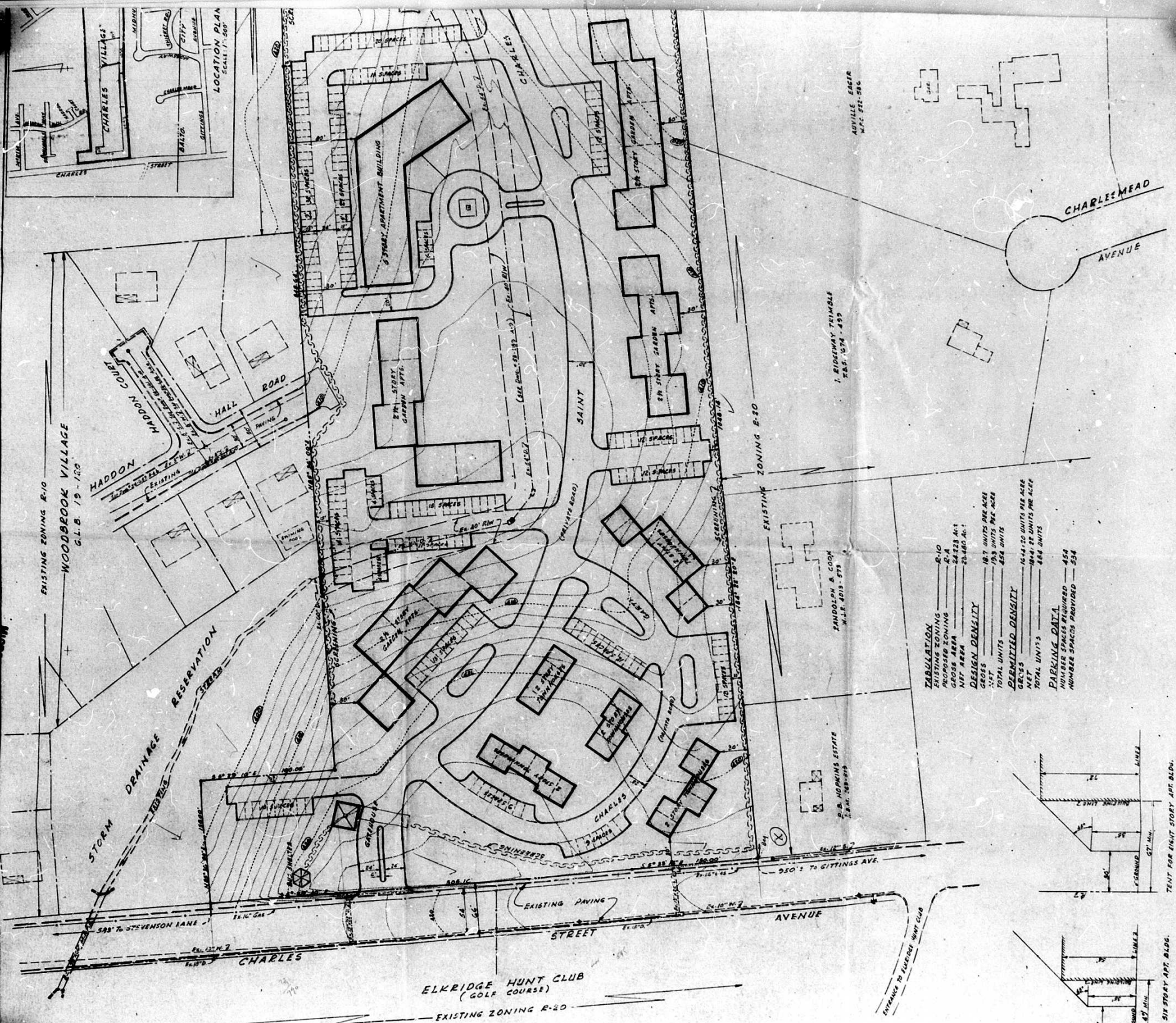
Purchase Order B5838

Requisition No. P7408

MICROFILMED

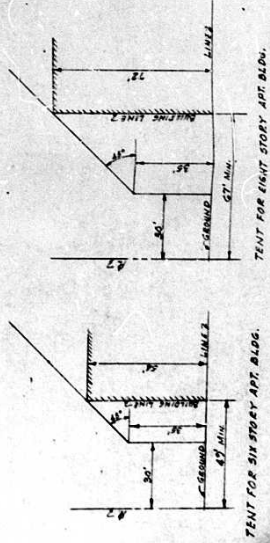
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MICROFILMED



**TABULATION**

|                          |                        |
|--------------------------|------------------------|
| EXISTING ZONING          | R-10                   |
| PROPOSED ZONING          | R-1A                   |
| GROSS AREA               | 24,433 sq. ft.         |
| NET AREA                 | 20,460 sq. ft.         |
| <b>DESIGN DENSITY</b>    |                        |
| GROSS                    | 18.7 UNITS PER ACRE    |
| NET                      | 19.3 UNITS PER ACRE    |
| <b>TOTAL UNITS</b>       | 454 UNITS              |
| <b>PERMITTED DENSITY</b> |                        |
| GROSS                    | 16.4-20 UNITS PER ACRE |
| NET                      | 18.4-20 UNITS PER ACRE |
| <b>TOTAL UNITS</b>       | 464 UNITS              |
| <b>PARKING DATA</b>      |                        |
| NUMBER SPACES REQUIRED   | 454                    |
| NUMBER SPACES PROVIDED   | 554                    |



ADVILLE EAGER  
W.P.C. 221-286

1. RIDGEWAY TRIMBLE  
TAB. 1574 - 455

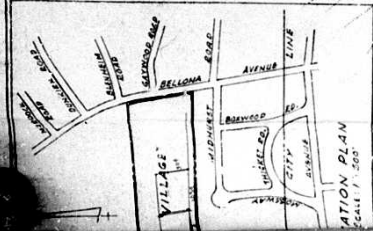
PANDOLPH & COOK  
W.P.C. 4019 - 675

P.D. HODGINS ESTATE  
W.P.C. 100-019

ELKRIDGE HUNT CLUB  
(GOLF COURSE)

EXISTING ZONING R-20

EXISTING ZONING R-20



THE SISTERS OF MERCY  
W.P.C. 529-1330

LOCATION PLAN  
SCALE 1" = 50'

EXISTING ZONING R-3  
GAYWOOD  
C.H.K. 13-36

EXISTING ZONING R-10

EXISTING ZONING R-10  
DINEHURST  
W.P.C. 8183

MAP #9  
SEC. 3-C  
NW-7A  
NW-8A

OFFICE  
COPY

PRELIMINARY PLAN

# CHARLES VILLAGE

BALTIMORE COUNTY, MD  
ELECTION DIST #5  
AUGUST 1965  
SCALE: 1" = 50'

OWNERS  
THE SISTERS OF MERCY IN THE CITY OF BALTIMORE  
% FRANCIS X. GALLAGHER  
1 CHARLES ST. FEE  
BALTO., MD. 21201

PLAT PREPARED BY  
DONALD L. SHOWN  
216 N. 3423  
K. 1 YOUNG ROAD  
WYOMING, DELAWARE

