

72-140-X #71 **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
by authority of Power of Attorney dated July 31, 1969.
I, or we, Robert L. Deitrich, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

SECTION	1
DISTRICT	4th
BY	10/17/71
RECEIVED	10/17/71
FILED	10/17/71

The attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for, a cemetery

Property is to be posted and advertised as prescribed by Zoning Regulations. We, or we, agree to pay expenses of above reclassification and/or Special Exception 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.

By Robert L. Deitrich
Robert L. Deitrich, attorney in fact

Contract purchaser _____ Legal Owner _____
Address _____ Address 3712 Tudor Arms Avenue
Baltimore, Maryland 21211

W. Lee Harrison, Petitioner's Attorney _____ Protester's Attorney _____

Address 306 W. Joppa Road
Towson, Maryland 21204, 823-1200

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of November, 1971, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commission of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 6th day of December, 1971, at 10:00 o'clock.

W. Lee Harrison
Zoning Commissioner of Baltimore County.

(over)

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I, ELMIRA HARPER DEITRICH, residing at 3712 Tudor Arms Avenue, Baltimore, Maryland 21211, being desirous of appointing an attorney in fact to act for me and on my behalf, do hereby nominate, constitute, and appoint my son, ROBERT LEE DEITRICH, residing at 3712 Tudor Arms Avenue, Baltimore, Maryland 21211, my true and lawful attorney in fact, with the following powers for me and in my name and on my behalf:

To sell, transfer, exchange, or otherwise dispose of the following pieces of real estate owned by me, and to execute and deliver good and sufficient Deeds or other instruments for the conveyance or transfer of same:

1. 12 1/2 Acres and 27 square rods of land in the Sixth District of Carroll County, conveyed to me by Deed dated July 18, 1969.
2. 5-8/10 Acres of land in the Fourth District of Baltimore County, conveyed to me by Deed dated July 18, 1969.
3. 3718 Roland Avenue, Baltimore City, conveyed to me by an Assignment dated July 18, 1969.

To lease, manage, and delegate management of aforesaid properties, and to take a lease of or to rent said properties as a tenant.

To deposit in my name and for my account with any bank, trust company, or other financial institution, all monies payable or belonging to me from the aforesaid properties or that may come to said attorney's hands, as such attorney, and all bills of exchange, drafts, checks, promissory notes, and other instruments for money payable or belonging to me from the aforesaid properties, and for that purpose to sign my name and endorse same for deposit or collection.

To withdraw any and all monies deposited with any bank, trust company, or other financial institutions now or hereafter having monies belonging to me from the aforesaid properties, and for that purpose to draw checks in my name.

To have free access to safe deposit boxes and other places of safekeeping and storage, and to withdraw any or all of the property therefrom relating to the aforesaid properties.

To collect, sue, compromise, or otherwise dispose of any claim or debt in which I now or hereafter may have an interest.

To invest and reinvest funds now or hereafter belonging to me from the aforesaid properties in such securities or other properties as my said attorney shall deem proper.

To exercise all present or future rights and powers with respect to any security now or hereafter owned by me.

To do, generally, any and all acts on my behalf on any other matters or things pertaining or belonging to me from the aforesaid properties with the same validity as I might act or could do if personally present.

To exercise all powers and do all acts on my behalf deemed by any said attorney to be incidental to, or necessary or proper to carry into full effect, the foregoing powers, in respect to the aforesaid properties, hereby ratifying and confirming all that my said attorney can lawfully do or cause to be done by virtue hereof.

This power of attorney shall remain in full force and effect until revoked by me, provided further that such revocation shall be of no effect in respect to parties acting or things done in reliance hereof prior to the actual receipt by them of written notice of said revocation.

IN WITNESS WHEREOF, I set my hand and seal this 14th day of November, 1969.

Elmira Harper Deitrich (SEAL)
ELMIRA HARPER DEITRICH

STATE OF MARYLAND, BALTIMORE COUNTY/CITY, to wit:

I HEREBY CERTIFY, that on this 14th day of November, 1969, before me, the subscriber, a Notary Public, in and for the County/City aforesaid, personally appeared ELMIRA HARPER DEITRICH, and she acknowledged the foregoing Power of Attorney to be her act.

AS WITNESS my hand and Notarial Seal.

Notary Public

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 16, 1971

W. Lee Harrison, Esq.,
306 W. Joppa Road
Towson, Maryland 21204

RE: Type of Hearings: Special Exception
Location: SE Cor. of St. Paul Ave. & Central Avenue
Petitioner: Robert L. Deitrich-Attorney-in-Fact
4th District
Item 71 Committee Meeting of Nov. 2, 1971

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is located at the intersection of Central Avenue and St. Paul Avenue in the 4th District of Baltimore County. The property is currently a large, unimproved, wooded tract that was the subject of an earlier petition several years ago for apartment zoning. There is no curb and gutter along either Central Avenue or St. Paul Avenue, and the remainder of the property abutting this to the south, east and west is unimproved residential land.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plot submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Central Avenue, an existing road, is proposed to ultimately be improved as a 40 foot closed type roadway cross section on a 60 foot right-of-way.

St. Paul Avenue, an existing road, is proposed to be ultimately improved as a 30 foot closed type roadway cross section on a 50 foot right-of-way.

W. Lee Harrison, Esq.,
Item 71
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November 16, 1971

Highway Improvements, including highway right-of-way and widening and any necessary reversible slope easements will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil. Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Storm Drainage:

Provisions for accommodating storm water or drainage have not been sufficiently indicated on the submitted plan.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Water and Sanitary Sewers:

Public water supply and sanitary sewerage are not available to serve this property.

FIRE DEPARTMENT:

This office has no comment on the proposed site.

HEALTH DEPARTMENT:

Since no water and sewer will be used on this property, no health hazard are anticipated.

PROJECT PLANNING DIVISION: Under Bill No. 40 the service station would not be permitted as part of a planned shopping center because of the number of entrances that they are requesting. This office feels that this station would not be an interior means of access. If the whole site were planned as a unit instead of cutting it up in pieces indiscriminately.

W. Lee Harrison, Esq.,
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DEPARTMENT OF TRAFFIC ENGINEERING:

The subject Special Exception is not expected to create any traffic problems.

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing. However, we remind the petitioner that the Zoning Commission does have the authority under Section 401 to require any additional setbacks or types of screening or locations of burial plots.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:O
Enc.

MCA
NATE, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS

1620 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

Lester Mace
John C. Childs
Associates
Ronald W. Boyles
George W. Buehly
Robert W. Cramer
Leonard M. Glase
Edmund P. Hale
Norman P. Harman
Paul Lee
A. Mario Linderman
Fred P. Morrison
William P. Quinn
Paul B. Smeton

DESCRIPTION

6.27 ACRE PARCEL, MORE OR LESS

NORTHEAST CORNER OF CENTRAL AVENUE & ST. PAUL AVENUE
BALTIMORE COUNTY, MARYLAND

This Description is for Special Exception for Cemetery Use

Beginning for the same at the point formed by the intersection of the center of Central Avenue with the center of St. Paul Avenue, thence binding on the center of said St. Paul Avenue, North 49° 36' E 864.50 feet to a point, thence South 43° 02' E 467.91 feet to a point, thence South 63° 15' W 461.55 feet, thence North 40° 43' W 146.00 feet, and South 49° 36' W 435.50 feet, to the center of said Central Avenue, thence running with and binding on the center of said avenue North 40° 43' W 212.50 feet to the place of beginning.

Containing 6.27 acres of land, more or less.

RL:smpl

J.O.# 71137

9/28/71



Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Mapping

JUL 20 1971

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. S. Eric DiNenna
TO: Zoning Commissioner
FROM: Richard B. Williams
Project Planning Division
SUBJECT: Zoning Advisory Agenda Item 521

Date: November 18, 1971

November 2, 1971
Robert L. Dietrich, Attorney-in-Fact
SE corner of St. Paul Avenue and Central Avenue
4th District

This plan has been reviewed and the office offers the following comments:

The plan should be revised to show:

- 1) Locating of Office
- 2) Location of storage of tools and equipment
- 3) Location of Mausoleum, if any
- 4) Type of security to be provided and the highest -- height preferably 6' high.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: December 6, 1971
FROM: George E. Gavell, Director of Planning
SUBJECT: Petition #72-140-X, Northeast corner of Central and St. Paul Avenue
Petition for Special Exception for a cemetery.
Robert L. Dietrich, attorney in fact - Petitioner
4th District

HEARING: Monday, December 6, 1971 (1:00 P.M.)

The Planning staff has reviewed the subject petition and has the following advisory comments to make relative to pertinent planning factors:

A cemetery use appears to be acceptable in this location; however, we feel that the site plan is inadequate.

If this request is to be granted, the order should be based on a previously-approved site plan for the cemetery reflecting any points which may be raised at the hearing relative to location and details of screening and fencing, setback of graves, location and architectural treatment of maintenance and office buildings and facilities, etc.

GEG:msh

U. Lee Harrison, Esq.
201 N. Anne Road
Towson, Maryland 21204

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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 2nd day of November 1971

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Robert L. Dietrich, Attorney-in-Fact

Petitioner's Attorney: U. Lee Harrison

Robert L. Dietrich
Reviewed by
Chairman of
Advisory Committee

PETITION MAPPING PROGRESS SHEET

FUNCTION	Map		Original		Duplicats		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>U. Lee Harrison</i>			Revised Plans:							
Previous case:			Change in outline or description	Yes						
			Map #	A-1D						

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met

the above reclassification should be granted, and it further appearing that by reason of

a Special Exception for a Cemetery should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 21st day of June, 1972, that the above described property be and the same is hereby

reclassified from its present use to a Cemetery, and that the same is hereby

granted a Special Exception for a Cemetery, and that the same is hereby

granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

S. Eric DiNenna
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of June, 1972, that the above reclassification be and the same is hereby DENIED, and that the above described property or area be and the same is hereby continued as to remain a Cemetery, and/or the Special Exception for a Cemetery be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORIGINAL

OFFICE OF

THE COMMUNITY TIMES

RANDALLSTOWN, MD. 21133 Nov. 28, 1971

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric DiNenna, Zoning Commissioner of Baltimore County was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One week before the 22nd day of Nov., 1971 that is to say, the same was inserted in the issue of November 16, 1971.

STROMBERG PUBLICATIONS, Inc.

Ruth Morgan
By: Ruth Morgan

PETITION FOR SPECIAL EXCEPTION

TO: BALTIMORE COUNTY

FROM: BALTIMORE COUNTY

SUBJECT: BALTIMORE COUNTY

LOCATION: BALTIMORE COUNTY

DATE: BALTIMORE COUNTY

FILED: BALTIMORE COUNTY

RECEIVED: BALTIMORE COUNTY

BALTIMORE COUNTY

BALTIMORE COUNTY

BALTIMORE COUNTY

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BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 18, 1971

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 18th day of November, 1971, the first publication appearing on the 18th day of November, 1971.

THE JEFFERSONIAN

Robert L. Dietrich
Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *N-14* Date of Posting: *Nov. 20, 1971*
Posted for: *SPECIAL EXCEPTION*
Petitioner: *ROBERT L. DIETRICH*
Location of property: *N.E. COR. OF CENTRAL & ST. PAUL AVES.*
Location of Sign: *1 - N.E. COR. CENTRAL & AVE. 25 FT. E. OF ST. PAUL AVE.
2 - E. S. OF ST. PAUL AVE. 35 FT. N. OF CENTRAL AVE.*
Remarks: *Charles P. Pineda*
Posted by: *Charles P. Pineda* Date of return: *Dec. 3, 1971*
Signature

BALTIMORE COUNTY, MARYLAND

No. 292

OFFICE OF FINANCE REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE: Nov. 15, 1971 ACCOUNT: 01-662

AMOUNT \$50.00

DISTRIBUTION: WHITE - CASHIER, YELLOW - CUSTOMER

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22#1

LOCATION PLAN
SCALE: 1" = 500'

EXISTING ZONING "DR 3.5"
RESIDENTIAL USE 600'

EXISTING ZONING "DR 2"
RESIDENTIAL USE

Central
Average

EXISTING ZONING "DR 3.5"
NO USE

543-74
EXISTING ZONING: DR2
140 D.S.

EXISTING ZONING "DR2"
NO USE

- GENERAL NOTES
- 1- AREA OF PROPERTY EQUALS 6.27 ACRES ±
 - 2- EXISTING ZONING OF PROPERTY "DR-2 / DR 8.5"
 - 3- EXISTING USE OF PROPERTY "No Use"
 - 4- PROPOSED ZONING OF PROPERTY "DR-2 / DR 8.5 WITH SPECIAL EXCEPTION"
 - 5- PROPOSED USE PROPERTY "CEMETARY"

MATZ, CHILDS & ASSOCIATES
1020 CROMWELL BRIDGE ROAD
SA. TIMORE, MARYLAND 21204

ICE NO	GRAB BY	TRACED BY	ANALYZED BY
7127	- R		RL3



10.71157



REVISED: Dec. 2, 1971

EXISTING ZONING "DR 3.5"
RESIDENTIAL USE 600'

EXISTING ZONING "DR. 2"
RESIDENTIAL USE

AVENUE

To Bond

GENERAL NOTES

- 1- AREA OF PROPERTY EQUALS 6.27 ACRES ±
- 2- EXISTING ZONING OF PROPERTY "DR-2 & DR 3.5"
- 3- EXISTING USE OF PROPERTY "NO USE"
- 4- PROPOSED ZONING OF PROPERTY "DR-2 / DR 3.5 WITH SPECIAL EXCEPTION"
- 5- PROPOSED USE PROPERTY "CEMETARY"

MATZ, CHILDS & ASSOCIATES
1020 CROMWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204

JOB NO.	DRAWN BY	TRACED BY	CHECKED BY
711	LR		RLS

A hand-drawn sketch of a building layout. A horizontal line represents a road or path. Above this line, there is a vertical line segment labeled 'EQUIPMENT SHED'. To the right of the 'EQUIPMENT SHED' label, there is a small building with a roofline, labeled 'W'. Below the horizontal line, there are several vertical lines representing a fence or a series of structures. The drawing is done in black ink on a white background.

3' wide

(no action)

TYPICAL MAJORING SECTION

(7th FLOE)
SUBJECT TO COMPUTATION

OFFICE COPY
REVISED PLANS

- DEC 6 - '71

1000

☐ Assist
☐ Recd
☐ Retd
☐ Intd
☐ Chd



ZONING DEPARTMENT

By _____



J.O. 71437

April 24, 1974

Edward R. Jeunette, Esquire
3545 Chestnut Avenue
Baltimore, Maryland 21211

RE: Petition for Special Exception
NE/corner of Central and St.
Paul Avenues - 4th Election
District
Elmira Harper Deltrich -
Petitioner
NO. 72-140-X (Item No. 71)

Dear Mr. Jeunette:

I am in receipt of your letter of March 29, 1974, in which you request a twelve (12) month extension of the Order granting a Special Exception for a cemetery in the above referenced matter.

You state that the installation of necessary storm drains and road improvements to Central Avenue have been forestalled by both the energy crisis and inclement weather.

Under the authority of Section 502 of the Baltimore County Zoning Regulations, I am empowered to grant the requested extension. I have enclosed a copy of the Extension Order, which extends the subject Special Exception until June 21, 1975.

If further explanation or additional information is required, please feel free to contact this office.

Very truly yours,

/s/
S. ERIC DI NENNA
Zoning Commissioner

SED/JBB,III/ari

Edward R. Jeunette, Esquire
Page 2
April 24, 1974

Enclosure

cc: Mr. James E. Dyer
Deputy Zoning Commissioner

Mr. James B. Byrnes, III
Zoning Technician III

EDWARD R. JEUNETTE
LOUIS E. SCHMIDT
JEAN A. KAUFMAN

LAW OFFICES
JEUNETTE & SCHMIDT
LAW BUILDING
3845 CHESTNUT AVENUE
BALTIMORE, MD. 21201

March 29, 1974

Mr. S. Eric Di Nenna
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for extension of
Special Exception granted
June 21, 1972
NE/corner of Central and St. Paul
Avenues - 4th District
Elmira Harper Deltrich - Petitioner
NO. 72-140-X (Item No. 71)

Dear Commissioner De Nenna:

Mr. Robert L. Deltrich, Power of Attorney for Elmira Harper Deltrich, has requested that I write requesting an extension of the Special Exceptions above cited. The reason for the delay is because of the inability of Mr. Deltrich's engineers and that of Baltimore County to reach a mutual understanding for the installation of storm drains, the widening of Central Avenue and the installation of curbs and gutters and, more recently, the energy crisis and freakish type spring weather which has forestalled any progress.

Mr. Deltrich has assured me that a twelve months extension would allow him sufficient time to perform the necessary improvements in accordance with the special exceptions.

Very truly yours,
JEUNETTE, SCHMIDT & HANSEN

Edward R. Jeunette

ERJ:mef



RE: PETITION FOR SPECIAL EXCEP. : BEFORE THE
TION : ZONING COMMISSIONER
NE/corner of Central and St. Paul :
Avenues - 4th Election District :
Elmira Harper Deltrich - Petitioner : OF
NO. 72-140-X (Item No. 71) : BALTIMORE COUNTY

EXTENSION ORDER

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of April, 1974, that the Special Exception for a Cemetery be and the same is hereby extended, in accordance with Section 502 of the Baltimore County Zoning Regulations, for a period of twelve (12) months, beginning June 21, 1974, and ending June 21, 1975.

[Signature]
Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE April 24, 1974

BY John P. Perry, clk.