

PETITION FOR ZONING RECLASSIFICATION AND SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Colin A. Hoffman, and Rose M. Hoffman, legal owners 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an N.A. zone to an N.A. zone; for the following reasons: N.A.

areas, members' pro shop, snack and vending area, locker rooms, showers, saunas, exercise and judo rooms, lounges, managers living quarters, accessory buildings, children's play area, indoor and outdoor spectator areas, swimming pools and other related buildings, structures and accessory facilities in a D.R.3.5 Zone pursuant to Sections 1801.1, C.6 and 502.1 of the Regulations.

See 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 community buildings, swimming pool, and other civic, social, recreational and educational uses, namely, an indoor and outdoor tennis facility with indoor and outdoor courts, practice

Property is to be posted and varieted as prescribed by Zoning Regulations. (see above) I, 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.

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Rose M. Hoffman
Address: 2038 Powass Lane
Baltimore County, Md. 21228

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COLIN A. HOFFMAN, ET UX
SE/3 Nuwood Rd. 545' NE of Baltimore Nat'l. Pike
1st District
SE-Community Bldgs., Swimming Pool, Tennis Courts, etc. 7.72 acres

June 30, 1973 Petition filed
Oct. 23 Z.C. GRANTED SE, subject to restrictions
Nov. 19 Appealed to C. B. at A. by Protestants
" 23 " " " by Petitioners
Oct. 23, 1974 Majority Opinion of Board DENYING SE
" " Dissenting Opinion filed by John A. Miller
Nov. 15 Order for Appeal filed in the Circuit Court (File #5425)
" 21 Motion to Extend Time for Transmission of Record to January 20, 1975
Jan. 10, 1975 Record of proceedings filed in the Circuit Court
Feb. 11 Oral Opinion of Judge Raine (typed) *Revised*
Feb. 13 Board REVERSED - Judge John E. Raine, Jr. (Addendum to Oral O.)
" 24 Order of Judge Raine - Board REVERSED, and REMANDED case to the Board
Mar. 19 Order for Appeal filed in the Court of Special Appeals
" " by Mr. Baldwin for Protestants
Feb. 19, 1976 Board AFFIRMED by the Court of Special Appeals *Revised*
Mar. 15 Motion for reconsideration filed
" 22 Motion denied
Apr. 26 Writ of Certiorari filed
May 25 Writ of Certiorari DENIED by Court of Appeals

DENIED

PETITION FOR SPECIAL EXCEPTION: IN THE
for Community Buildings, etc. : CIRCUIT COURT
SE/3 of Nuwood Road :
1st District :
Colin A. Hoffman et al. : FOR
Petitioners. : BALTIMORE COUNTY
AT LAW
Misc. No. 5425
Misc. Docket 9, folio 490

ORDER

The Order For Appeal, Petition On Appeal and Answers thereto by the parties protestant and the County Board of Appeals from the Opinion and Order of the County Board of Appeals dated October 23, 1974, having come on hearing, argument of counsel having been heard, and the record, including the transcript of testimony and exhibits from the board having been reviewed by the Court, a Memorandum having been also considered by the Court, and an Oral Opinion and written Addendum To Oral Opinion having been rendered by the Court therein, it is this 24th day of February, 1975, by the Circuit Court For Baltimore County,

ORDERED that the Opinion and Order of the County Board of Appeals, dated October 23, 1974, denying the requested special exception in these proceedings be, and it hereby is, reversed and it is further

ORDERED that these proceedings be, and they are hereby remanded to the County Board of Appeals for Baltimore County for further action granting the petitioned special exception in accordance with the Oral Opinion and Addendum to Oral Opinion herein, including the taking of further testimony if required by the said Board, as may be necessary or helpful to the Board in imposing such "conditions, restrictions or regulations" pursuant to Section 502.2 of the Baltimore County Zoning Regulations (September

1971, Interim Edition) as the Board may deem "necessary or advisable" for the protection of surrounding and neighboring properties; and with regard to such further proceedings, the attention of the Board is respectfully directed to the six suggested points raised by the Court in its Oral Opinion concerning hours of operation, placement of practice backboards and areas, lighting, appearance of the building and other structures, the suggested prohibition of any outdoor swimming pool, and, finally, the screening and landscaping of the facility, with costs to be paid by the appellants.

WITNESSE

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-3-

COLIN A. HOFFMAN, ROSE M. HOFFMAN and ALTON N. JOYNER

v.

HENRY M. DECKER

IN THE Court of Appeals of Maryland

Petition Docket No. 81

September Term, 1975

(No. 254, September Term, 1975
Court of Special Appeals)

ORDER

Upon consideration of the petition for a writ of certiorari to the Court of Special Appeals in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the said petition be, and it is hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Robert C. Murphy
Chief Judge

Date: May 25, 1976.

Case No. 74-28-X

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 254

September Term, 1975

HENRY M. DECKER, Jr. et al

v.

COLIN A. HOFFMAN, et al.

Moylan,
Davidson,
Melvin, JJ.

Per Curiam

Filed:

This appeal is from an order of the Circuit Court for Baltimore County, reversing a decision of the Baltimore County Board of Appeals (Board) to deny a special exception for a recreational use (tennis club) on approximately 7.72 acres of land classified in the D.R. 3.5 zone (Density-Residential, 3.5 dwelling units per acre). We shall reverse the order of the Circuit Court requiring the grant of the special exception.

The proposed development plan presented to the Board called for the construction of a tennis barn, housing eight indoor tennis courts, and twelve outdoor courts. The outdoor courts, located on the northern segment of the subject property, were to be arranged in three tiers comprised of four courts each. The first and second tiers were to be lighted while the third tier, closest to the northern boundary of the subject property, was to be unlighted. The eight indoor courts were proposed for use year-round, seven days a week, between the hours of 7 a.m. and 11:30 p.m. The eight lighted outdoor courts, in the first and second tiers, were proposed for use from April through November, seven days a week, between the hours of 8 a.m. and 11 p.m. The four unlighted outdoor courts, located nearest the northern boundary of the subject property, were proposed for use from April to October, seven days a week, between the hours of 8 a.m. and 8 p.m.

Two houses adjoin the subject property on the north. The third tier of four unlighted outdoor tennis courts was to be located about 105 feet from one neighboring residence and

dripping of a faucet," which, after a period of time, "gets on your nerves." He stated that the noise could be heard inside his home and that occasionally on Sunday mornings, he was awakened by it.

In Maryland, the applicant for a special exception has the burden of adducing testimony which will show that his use meets the prescribed standards and requirements. If he shows to the satisfaction of the Board that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest, he has met his burden. The extent of any harm or disturbance to the neighboring area and uses is, of course, material. If the evidence makes the question of harm or disturbance fairly debatable, the matter is one for the Board to decide. But if there is no probative evidence of harm or disturbance in light of the nature of the zone involved, a denial of an application for a special exception is arbitrary, capricious and illegal. The case before us falls within the former category.

Here, in order to deny the right of the property owner to enjoy the requested special exception, the Board needed probative evidence that the proposed use would be detrimental to the general welfare of the locality involved. The presumption that the general welfare is promoted by allowing recreational uses in a residential use district notwithstanding their inherent detrimental effects cannot be overcome without strong and substantial evidence that the particular proposed use has

Rec'd 2/20/76
9:30 a.m.

AUG 13 1976

RE: PETITION FOR SPECIAL EXCEPTION : BEFC E
for Community Buildings, Swimming :
Pool, Tennis Facility, etc. : COUNTY BOARD OF APPEALS
SE/S of Nuwood Road 545' :
NE of Baltimore National Pike : OF
1st District :
Colin A. Hoffman, et ux, : BALTIMORE COUNTY
Petitioners :
Alton N. Joyner, : No. 74-28-X
Contract Purchaser :

OPINION

This case comes before the Board on appeal by the Protestants from a decision of the Zoning Commissioner which granted a special exception subject to certain restrictions for a parcel of land located in the First Election District of Baltimore County. The petition is that of Colin A. Hoffman, et ux, the property owners, and Alton N. Joyner, a contract purchaser. The subject property contains approximately 7.72 acres and is located on the southeast side of Nuwood Road, approximately 545 feet northeast of the Baltimore National Pike. The original request for a special exception was for the following:

"community buildings, swimming pool, and other civic, social recreational and educational uses, namely, an indoor and outdoor tennis facility with indoor and outdoor courts, practice areas, members' pro shop, snack and vending area, locker rooms, showers, saunas, exercise and judo rooms, loungers, managers living quarters, accessory buildings, children's play area, indoor and outdoor spectator areas, swimming pools and other related buildings, structures, and accessory facilities in a D.R. 3.5 Zone pursuant to Sections 1801.1, C.6 and 502.1 of the Regulations."

The Zoning Commissioner granted this special exception subject to certain restrictions, those restrictions principally being that the Zoning Commissioner prohibited the construction of a swimming pool and other related buildings, and restricted the seven day operation of this club to the hours between 6 a.m. and 11 p.m. It is from this Order that the Protestants have appealed. Interestingly, the Zoning Commissioner noted in his Order that the sole question submitted by the Petitioner and by the Protestants concerned a certain proposed extension of Nuwood Road. The Board might point out, of course hearing this case de novo, that the issues as will be briefly explained below went well beyond that apparently presented to the Zoning Commissioner. In order to grant any specific ex-

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Briefly, Mr. Cook stated that the tennis facilities across the street from him have adversely affected his personal enjoyment of his own residence. He described the noise as not loud but continuous, further stating that same had a tendency to last all day long and was somewhat analogous to "the dripping of a leaky faucet". Mr. Cook said that his home was approximately 230 feet from the nearest court and yet he could still hear the noise emanating from same, even inside his home, and he further added that the noise coming from early a.m. play on the courts would awaken him at times.

Without further detailing the testimony and evidence presented in this case, suffice it to say that the majority of this Board is not satisfied that the subject petition will in fact fulfill the requirements of Section 502.1 and, therefore, will reverse the findings of the Zoning Commissioner and deny the requested special exception. In doing so the majority of the Board would particularly note Section 502.1 and state that it is unconvinced that the subject petition would not in fact be detrimental to the health and general welfare of the immediate neighborhood that abuts this subject property. Such being the case and in keeping with the spirit and intent of the Zoning Regulations, the majority of the Board feels that it cannot grant the special exception and will so issue an Order denying same.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 23rd day of October, 1974, by the Majority of the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby DENIED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

Robert L. Gilland

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ception, this Board simply and solely must decide whether or not the provisions of Section 502.1 would be satisfied if the requested special exception would be granted. Section 502.1 is as follows:

- "Before any Special Exception shall be granted, it must appear that the use for which the Special Exception is requested will not:
- Be detrimental to the health, safety, or general welfare of the locality involved;
 - Tend to create congestion in roads, streets or alleys therein;
 - Create a potential hazard from fire, panic or other dangers;
 - Tend to overcrowd land and cause undue concentration of population;
 - Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements;
 - Interfere with adequate light and air."

The case before the Board consumed four hearing days. The first witness for the Petitioner was the contract purchaser, Alton N. Joyner, who testified at length and in great detail about the proposed operation if the special exception would be granted. Petitioner's Exhibit #1 is a plat of the subject property prepared by M.C.A. Associates under a revised date of 6/11/74; said exhibit sets out succinctly the proposal of the Petitioner. Basically, the property would be utilized as a private indoor and outdoor tennis club. A large barn would enclose eight indoor courts and as per Petitioner's Exhibit #1, there is proposed twelve outdoor tennis courts, eight of which would be illuminated. It is proposed that the indoor courts would be cooled for summertime play and that there would be in the barn itself a pro shop, shower, sauna, health room, exercise room, etc., as well as an apartment for an on site resident manager. The operation would function seven days a week. The private club would be supported by members; hopefully eleven hundred such persons would pay an initiation fee and thence an annual membership fee as well as monies for court time used.

A witness representing the Devco Lighting Co., a potential installer of the lighting system at the subject property, provided the Board with information concerning all lighting at the subject property, but particularly the lighting proposed for the illuminated outdoor courts. The Board was told that the breakdown of seasons is roughly thirty weeks of indoor play and twenty weeks of both indoor and outdoor play. Initially, Mr. Joyner

RE: PETITION FOR SPECIAL EXCEPTION : BEFOR:
for Community Buildings, Swimming :
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Alton N. Joyner, : No. 74-28-X
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DISSENTING OPINION

This member of the Board disagrees with his fellow Board members in this case, and accordingly is filing this Dissenting Opinion.

For the most part, the general outline of the case as contained in the Majority Opinion is fairly complete but, in the opinion of this Board member, it is significant that this case consumed almost four full days of testimony before this Board, with the Petitioners introducing nineteen exhibits and the Protestants introducing some ten exhibits. In the course of the four days of testimony, the Board heard from the contract purchaser, Mr. Alton Joyner; Mr. Richard Smith, a well qualified engineer; Mr. David Horn, a real estate agent who has testified previously before this Board; Mr. Charles Brandt, a certified architect; Mr. William Kolaletos, an acknowledged authority in the field of lighting; Mr. John Erdman, a traffic engineer well-known to this Board; as well as Mr. Bernard Willemain, an expert in the field of zoning, land planning and city planning. Mr. Edward Bender of the Baltimore County Department of Recreation and Parks, also testified. It should be noted that while the Protestants did offer fairly extensive testimony by a number of individuals, only Mr. Hugh Gelston testified in an expert capacity on their behalf.

Petitioners' Exhibit #1 entitled "Plat to Accompany Petition for Special Exception of Property," revised June 11, 1974, is illustrative of the Petitioners' requested special exception for a community building, swimming pool, and other civic, social, recreational and educational uses, more particularly on indoor and outdoor tennis facility with all the usual allied uses, in a D.R. 2 zone and a D.R. 3.5 zone, pursuant to Section 1801.1, C of the Zoning Regulations. The proposed facility would contain eight indoor

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planned to light the four courts in the center of the tract and eventually light perhaps four more toward the north, these being the four middle courts of the twelve proposed outdoor courts.

Richard Smith of M.C.A. Associates testified on behalf of the Petitioner telling this Board that from an engineering standpoint the site was suitable for the proposed use; this suitability included the availability of the necessary public utilities including water and sewer.

A traffic engineer testified on behalf of the Petitioner, and indicated that he did not feel that the traffic generated by the proposed facility would be detrimental to the existing traffic flow at the area.

A real estate expert added testimony on behalf of the Petitioner, basically stating that in his judgment the proposed land utilization, including the erection of the barn, would not adversely affect the immediately surrounding residential area. Cross-examination seemed to reflect that frankly there was not a fair comparable available in order to equate the impact of this club as to other existing clubs in the County, there being no similar situation combining a relatively large indoor tennis barn facility with twelve outdoor courts, some of which would be illuminated.

Hugh Gelston, a well recognized real estate expert, presented evidence to this Board in opposition to the granting of this petition. It was Mr. Gelston's opinion that the proposal would adversely affect the residences that bordered same. Mr. Gelston looked upon this proposal as a fairly commercial enterprise and felt that the location of such a commercial enterprise near residential homes would be detrimental to same. Mr. Gelston noted that there was no real comparison for the proposal in this instance and hence, it was not easy to judge the exact effect that this proposal might have on surrounding properties. However, it was his conclusion that the provisions of Section 502.1 could not be adequately satisfied by the proposal at hand.

A series of neighborhood residents testified at some length concerning their opposition to this proposal and their reasons for same. In summary, the neighbors were extremely concerned about the potential detrimental effect from the outdoor lighting and the

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tennis courts in a building to be located at the south end of the 7.72 acre parcel directly to the rear of the Topps Shopping Center, which shopping center is located on the south side of Powers Lane. In the central and northern portions of the parcel a total of twelve outdoor courts, in three banks of four courts each, are proposed. Parking is provided in the central portion and the western portion of the tract, with access from the south side of the intersection of Nuwood Road and Dlong Road. The Petitioners' case did not require that Nuwood Road be opened along the western edge of the parcel to connect into the community of Westerlee. In fact, evidence produced before this Board indicated that Baltimore County had agreed with the residents of Westerlee and the contract purchaser, Mr. Joyner, that although the right-of-way for an eventual extension should be preserved, the actual construction need not take place, and perhaps would never materialize.

To this Board member's view, perhaps the most, or one of the most, significant factors in this case is the location of the Hoffman parcel and the uses which surround it. To the south is land zoned B.R. located directly across Powers Lane, which parcel is developed as the Topps Shopping Center, including a large food store, a night club facility, a health club, service station and other smaller retail stores, together with a large parking area to accommodate its patrons. Directly to the west of the Topps Shopping Center, on the north side of Route 40, is located additional lands zoned B.R., occupied by the Fatapoco Inn and the One Mile West Shopping Center, with the B.R. zone located on the west side of Nuwood Road, extending for approximately one-third of the subject parcel's western border. Immediately to the north of the One Mile West Shopping Center, on the north side of Dlong Road, is a D.R. 16 zone which has been developed into garden apartments, which zone comprises approximately the middle third of the subject tract's western border. At the northwestern corner of the subject parcel, comprising the approximate northern third of the western border, is the eastern terminus of Chantilla Road, which has been developed at a D.R. 3.5 density for individual home usage. There are only two homes on the north side and the south side of the end of Chantilla Road, respectively, and these two homes are presently screened by extensive planting and natural

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noise. The neighbors pointed out that due to a swale existing between their residences and the subject property and the need for the subject property to be extensively graded for the installation of the courts, that a resultant adverse storm water runoff condition would be a possibility. The area immediately in question concerning the storm water problem is very swampy now and subject to flooding in times of heavy rains. The neighbors stated that the large parking lots were also not conducive to a residential community, nor was the construction of the large barn which would be necessary for the indoor tennis courts.

Testimony on behalf of the Petitioner indicated that the barn facility would be similar in exterior appearance to the tennis barn recently constructed at the Hilton Hotel along the Baltimore County Beltway at the Reisterstown Road.

Through the efforts of what might best be described as a good performance of homework, one of the Protestants uncovered an additional witness who testified before the Board in opposition to the granting of the proposed special exception. This witness was Carl E. Cook, a resident of Harford County, living at 2208 Old Emmerton Road, near Bel Air, Maryland. This location is directly across the street from the Harford County Tennis Club, which was built some four or five years ago and apparently has at least three indoor courts and a series of six outdoor courts. Mr. Cook advised the Board that he did not know anybody on either side of this particular issue and was not appearing as any sort of a particular expert, paid or otherwise, except for the fact that he did live across the street from an existing tennis facility. The Board certainly feels Mr. Cook's voluntary efforts should be commended, particularly in this day and age when it is difficult to find a totally disinterested person that might come to the aid and assistance of regulatory bodies. Considering the conclusion which will be stated below, I doubt that the Petitioner might share the same thoughts as the Board in this instance regarding the appearance of Mr. Cook. However, the Board does feel that this witness represents a valuable aid as the proposal is unique and there is a general lack of existing comparable uses from which the Board might draw a conclusion in the subject instance as to exactly how this specific use might affect, one way or another, the elements that must be satisfied as set out in Section 502.1.

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tree cover, and are separated from the subject tract by the reserved right-of-way for an eventual extension, if necessary, of Nuwood Road. The northern boundary of the subject property is bordered by two developed lots of the Westerlee community, which homes front on Cedar Circle Drive and which are screened from the subject property in part by the rise of the ground, but more fully by a large grove of trees on the subject property, the greater portion of which grove would be maintained by the Petitioners. To the east is located the remainder of the Hoffman parcel which is developed with a farm house, small agricultural buildings, and is used for farm use, with its access from Powers Lane.

The contract purchaser, Mr. Joyner, stated that it was his intention to develop the subject parcel for a year-round tennis recreational facility, with play concentrated in the indoor facility during the period from October through April, and outdoor play during the period from May through September of each year. While Mr. Joyner stated that a large number of memberships would be sold, it was demonstrated that at any given time no more than eighty persons could use the proposed facility, assuming that all indoor and outdoor courts were used for doubles play. It was also demonstrated that due to this limiting factor of available courts, traffic would distribute itself over the entire playing day, from 7 a.m. until 12 midnight, with little impingement on area roads during peak traffic hours.

According to the testimony produced, the proposed facility, including land cost, would approximate one and one-half million dollars, and this investment would act to insure that the facility would be superior in architecture and construction to much of the existing improvements in the area between Route 40 and the Westerlee community. Concern was expressed by two Protestants with regard to noise and lights used in the course of outdoor nighttime play, but the expert lighting engineer who testified on behalf of the Petitioners demonstrated that a great majority of the light would be directed onto the surface of the courts and would not reach neighboring properties by reason of the use of the patented Devco lighting system. Furthermore, light which might conceivably reach perhaps two or three of the hundreds of homes in the broader geographical area would only be equal to a moonlight night. As far as noise or other disturbances, Mr. Joyner stated

that he would be a full-time resident manager, and would act sharply to curtail any problems which might occur. At this Board member believes that the behavior of tennis players would be more strictly controlled by the etiquette of the game and would not, in fact, prove to be a problem. The basic compatibility of outdoor lighted courts with residential areas of the finest and most highly priced residential character was demonstrated by an extensive series of exhibits presented by Mr. Joyner, showing such club and recreation facilities located in residential sections of Baltimore, Maryland; Virginia, Pennsylvania and New Jersey, with prices of neighboring houses ranging up to one quarter of a million dollars.

Fear was also expressed by certain Protestants regarding devaluation and depreciation of their homes; however, the previously mentioned exhibits presented by the contract purchaser were most persuasive as to the beneficial effects of such a facility on home values, rather than any depreciating effect. Furthermore, on the issue of value, the proposed facility would actually act as an excellent transitional use between the intense commercial activity along U. S. Route 40, Powers Lane and Dlong Road, and the residential community of Waterslee to the north and northwest. The proposed tennis facility, while not bringing additional residents to the area, would augment the recreational facilities available in the area. Testimony is uncontradicted that there is a significant need for additional tennis courts in the Catonsville area, and that this need cannot be met by public facilities alone.

In summary, in the opinion of this member of the Board, the Petitioner's case fully demonstrates the compatibility of the proposed facility and its compliance with Section 502.1 of the Regulations. Ample protection for the legitimate concerns of area residents could have been assured by appropriate conditions imposed upon hours of operation, installation and maintenance of screening and landscaping, and other like reasonable restrictions which would have insured these objectives. For all of these reasons, in my judgment, the subject petition should have been granted with reasonable restrictions as noted, thus affirming the Order of the Zoning Commissioner of October 23, 1973, and including in a Board's Order comparable restrictions forbidding any outdoor swimming pool

on the property, restricting the hours of operation for outdoor play to the hours from 6 a.m. to 11 p.m., providing for appropriate screening by the preservation of most of the trees on the northern portion of the tract, together with such other screening on the western border as may be appropriate, providing that the entire property be fenced, as well as the usual requirement of site plan approval by the State Highway Administration, the Department of Public Works and the Office of Planning and Zoning.

Finally, to further protect the neighborhood, in my opinion, the Board could have more than insured such protection by restricting the Petitioner to demonstrate good faith by adherence to the site plan substantially shown on Petitioner's Exhibits #1 and #5 as to general building location, general placement of driveways and parking areas, general placement of outdoor courts, as well as screening, fencing and natural tree cover and hedges as shown thereon, and as noted in this dissenting opinion.

John A. Miller

Date: October 23, 1973

courts, practice areas, members' pro shop, snack and vending area, locker rooms, showers, saunas, exercise and judo rooms, lounges, managers' living quarters, accessory buildings, children's play area, indoor and outdoor spectator areas, structures and accessory facilities in the D. R. 3.5 Zone pursuant to Sections 1B01.1C.6 and 502.1 of the Baltimore County Zoning Regulations should be and the same is hereby GRANTED from and after the date of this Order, subject to the following restrictions:

1. No swimming pool and other related buildings be installed on the subject property.
2. The hours of operation be from 6:00 A. M. to 11:00 P. M. daily.
3. Proper screening be installed so as not to be detrimental to the adjoining residents or area.
4. Approval of a site plan by the State Highway Administration, Department of Public Works, and the Office of Planning and Zoning.

Julius W. Lichter
Zoning Commissioner of Baltimore County



Lester Matz
John C. Childs
Associates
Ronald W. Broyles
George W. Bushby
Robert W. Craban
Edmund F. Hiale
Norman F. Hermann
Paul Lee
Fred P. Merriman
Wilson P. O'Brien
Paul S. Simonson

DESCRIPTION

7.72 ACRE PARCEL, PART OF LAND OF COLIN A. HOFFMAN AND WIFE,
SOUTHEAST SIDE OF NUWOOD ROAD, NORTHEAST SIDE OF POWERS LANE,
NORTHEAST OF BALTIMORE NATIONAL PIKE, FIRST ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR SPECIAL EXCEPTION.

Beginning for the same at a point in the center line of Nuwood Road, seventy feet wide, at the distance of 545 feet, more or less, as measured northeasterly along said center line from its intersection with the northeast side of Baltimore National Pike, 150 feet wide, said beginning point being in Powers Lane, as widened to sixty feet, and in the last line of the land conveyed to Colin A. Hoffman and wife by deed recorded among the Land Records of Baltimore County in Liber, R. J. S. 1302, page 358, running thence binding on a part of said last line, (1) N 70° 46' 50" W 12 feet, more or less, to the beginning of said land, thence binding on the first line of said land and running for a part of said line in said Nuwood Road, (2) N 11° 35' 01" E 868.52 feet, thence binding on a part of the third line of said land, (3) S 70° 54' 20" E 192 feet, more or less, thence (4) S 11° 35' 01" W 865 feet, more or less, to a point on the last line of the land

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Planning • Reports

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
SE/S of Nuwood Road, 545' NE of : ZONING COMMISSIONER
Baltimore National Pike - 1st District :
Colin A. Hoffman - Petitioner : OF
NO. 74-28-X (Item No. 237) : BALTIMORE COUNTY

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The Petitioner requests a Special Exception for a community building, swimming pool, and other civic, social, recreational and educational uses, namely, an indoor and outdoor tennis facility with indoor and outdoor courts, practice areas, members' pro shop, snack and vending area, locker rooms, showers, saunas, exercise and judo rooms, lounges, managers' living quarters, accessory buildings, children's play area, indoor and outdoor spectator areas, swimming pools and other related buildings, structures and accessory facilities in the D. R. 3.5 Zone pursuant to Sections 1B01.1C.6 and 502.1 of the Baltimore County Zoning Regulations. Said property is located on the south-east side of Nuwood Road, five hundred and forty-five (545) feet northeast of the Baltimore National Pike in the First Election District of Baltimore County, containing 7.72 acres of land, more or less.

Evidence on behalf of the Petitioner indicated that it was the desire of the contractor purchaser, Mr. Alton N. Joyner, to establish a private indoor-outdoor tennis club. Mr. Joyner stated that the play of tennis is becoming increasingly popular throughout the country, and many areas have been establishing indoor-outdoor private tennis clubs. He stated that the anticipated hours of operation would be from 6:00 A. M. to Midnight, the outdoor courts would be illuminated, and the entire property would be screened and landscaped in accordance with the rendering submitted known as Petitioner's Exhibit 5.

Mr. Joyner is the contract purchaser of the subject 7.2 acres of land with an additional option of the right of first refusal for a period of ten years for the remainder of the land owned by the Petitioner, Colin A. Hoffman.

ORDER RECEIVED FOR FILING

DATE: October 23, 1973

BY: Julius W. Lichter



-2-

herein referred to, said point being located S 70° 46' 50" E 382 ± feet from the end of said last line, and thence by a line in Powers Lane and binding on a part of said last line, (5) N 70° 46' 50" W 382 feet, more or less, to the place of beginning.

Containing 7.72 acres of land, more or less.

HGW:dmc

J.O. #73093

April 3, 1973



It is anticipated that the membership of this club will be eleven hundred (1,100). Mr. Joyner pointed out that the maximum number that can play at any one time is eighty (80), with the average session of tennis being one and one-half hours for each court. In essence, the total number that could possibly use the subject property from 6:00 A. M. to Midnight would be nine hundred and sixty (960) individuals.

The sole question submitted, not only by the Petitioner but by the individuals in protest of the subject Petition, is the extension of Nuwood Road from what is now known as Powers Lane through to Cedar Circle Drive. At the present time, Nuwood Road is not improved and would run parallel with the subject property's western boundary line.

It was both the desire of the Petitioner as well as the Protestants that this road would not be improved. A commitment by Baltimore County had been made clear that the County has no intention of improving said road. If the subject property were developed in its present classification, Nuwood Road through Cedar Circle Drive would probably be extended.

Residents of the area in protest of the subject Petition, were concerned with the extension of Nuwood Road and were skeptical with reference to the adjoining and remaining tract owned by the Petitioner.

In order for the Zoning Commissioner to grant the requested Special Exception, the Petitioner must meet the prerequisites of Section 502.1. In the opinion of the Zoning Commissioner, the proposed use is that of a recreational use, said property being between a single family dwelling development and a shopping center. The proposed use would, in fact, act as a buffer, would not be detrimental to the health, safety and general welfare of the community, and would not congest the roads in the general vicinity of the subject property.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 23rd day of October 1973, that the Special Exception for community buildings and other civic, social, recreational and educational uses, namely, an indoor and outdoor tennis facility with indoor and outdoor

- 2 -

BALTIMORE COUNTY, MARYLAND

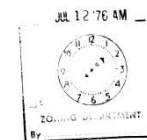
INTER-OFFICE CORRESPONDENCE

S. Eric DiNenna, Zoning Commissioner
TO: Zoning Office Date: July 9, 1976
FROM: Office of Law
SUBJECT: Request for Interpretation
Case No. 74-28-X

Your request for opinion has been received in this office. I have assigned the matter to Julius W. Lichter, Assistant County Solicitor for handling. If you have any questions, please feel free to contact him directly.

Julius W. Lichter
J. CARROLL HOLZER
County Solicitor

JCH:rac



ORDER RECEIVED FOR FILING

DATE: October 23, 1973

BY: Julius W. Lichter

PETITION FOR SPECIAL
EXCEPTION for Community
Buildings, Swimming Pool,
Tennis Facility, etc. SE/8
of Nunwood Road 545' NE of
Baltimore National Pike,
1st District
COLIN A. HOFFMAN
ROSE M. HOFFMAN

Petitioners * February 11, 1975

ALTON N. JOYNER *

Contract Purchaser *

BEFORE: HONORABLE JOHN E. RAINE, JR., Judge

APPEARANCES:

JAMES D. NOLAN, Esquire
On behalf of Petitioners

WILLIAM S. BALDWIN, Esquire
On behalf of Protestants

REPORTED BY
RUSSELL E. ROYAL, JR.
Court Reporter
In The Circuit Court For Baltimore County

APR 22 1975 AM



ORAL OPINION

THE COURT: This case involves an appeal from the County Board of Appeals who, on October 23, 1974, denied the petition of the owner and contract purchaser of the property in question for a special exception. The property consists of 7.72 acres which is north of the Baltimore National Pike and is surrounded on the south by two large shopping centers. The property on the west is partially a shopping center, partially an apartment area known as the Westerlee Apartments. Then the balance of the west and the entire north side is individual homes in the forty to fifty thousand dollar range or perhaps up. The subject site is a portion of the entire property owned by Hoffman so that on the east of the subject property would be the balance of the Hoffman property and, incidentally, all of the Hoffman property, the subject site together with that which will remain in Hoffman, is now used for a small farming operation. Immediately east of the Hoffman property is an area owned by Baltimore County for the purpose of a reservoir. I don't think it's necessary to do anything more than refer to the Petitioner's Exhibit No. 4 for a description of the

subject property.

It is contended that the proposed use, which is a tennis barn which encompasses a very large structure for indoor tennis courts, necessarily it's got to be quite large and, in addition to the indoor courts it is proposed that there be twelve outdoor courts, eight of which would be lighted. The Petitioner's Exhibit No. 1 shows the proposed layout of the building, courts, and the parking area. This is a typical type of tennis barn or tennis club operation as described in the testimony. Play will be limited to paid-up members, but, on the other hand, if you have the money anyone can belong. So, although it can be called a tennis club it certainly smacks of a commercial venture. The testimony is detailed as to the exact nature of the membership and the Court sees no useful purpose in reciting it.

The first question that arises is whether a special exception can be granted legally by the zoning authorities in this D.R. 3.5 zone. The existing zoning regulations permit a special exception in such a zone for community buildings, swimming pools, commercial beaches, golf courses, country clubs, or other similar civic, social,

recreational, or educational uses.

It is argued by the protestants that because of the omission of any specific reference to a tennis barn or tennis club, activity of the type envisioned in this testimony, no special exception can be granted. The Court rejects that contention and holds that a special exception is permissible in a D.R. 3.5 zone. First of all, it seems to me that when you start talking in terms of a commercial beach, or a swimming pool, or a golf course, and it doesn't say public golf course or private golf course, that certainly this type of operation is similar recreational use. The rule of ejusdem generis is applicable. Similar use encompasses everything that is within the scope of the operations or uses specifically described. My feelings on the point are further buttressed and supported by the interpretation that has heretofore been given by the zoning authorities to the Court's interpretation.

That brings us to the question of whether the Petitioner has met the criteria which are demanded by the provisions of Section 502.1 which deal with special exceptions such as are involved here. It is clear and in fact

conceded that no hazard from fire, panic, or other dangers would be involved. There is certainly, in my judgment, no evidence that the land will be overcrowded or that undue concentration of population will result. The case does not involve interference with adequate school provisions, adequate parks, adequate sewerage, adequate transportation, or other public requirements. There is no testimony that there will be any interference with adequate light and air. What the case boils down to is whether the first two criteria, a and b, are complied with.

The testimony is that the use of the property will generate traffic. Obviously, any use of the property other than its existing farm use will increase the traffic, but, certainly the property is served by access roads, to wit, Nunwood Road, leading off at the Baltimore National Pike, Powers Lane leading from Rolling Road to the subject property, Cedar Circle Drive and Chantilla Road as well as D'Long Road lead to the subject property and in view of the fact that a maximum of eighty players can only use the tennis facilities at one time suggests that there is no real danger of traffic congestion, although obviously there will always be more

people on the premises than the number of persons actually engaged in play.

Now, this Court cannot substitute its judgment for that of the Zoning Board who, by a two to one decision, denied this special exception, and I try not to substitute my judgment for that of the Board, but, I must say that the way this opinion is written it is extremely difficult to tell what the judgment of the Board is on some of these particular issues. Now, on Page 3 of their opinion they recite that a traffic engineer testified on behalf of the Petitioner and indicated that he did not feel that the traffic generated by the proposed facility would be detrimental to the existing traffic flow at the area. Now, they did not set forth any testimony to the contrary, nor did they directly or indirectly indicate any caveat to the testimony of the traffic engineer that they referred to in the opinion, so, it seems to me that this Court can justifiably conclude that on the traffic issue the Board was satisfied that the special exception would grant no problem. If they had judged otherwise it seems to me that they would have repeated the contrary testimony and expressed their opinion that a traffic hazard or traffic

congestion would be a result.

With reference to the first criterion, which is the one the Board relied on, there is no question as to any health or safety factor being involved. The Board seemed to feel, as indicated in their opinion, that the grant of a special exception would be detrimental to the general welfare of the locality involved. They do, in the concluding page of their opinion, conclude that the exception would possibly be detrimental to the health of the locality. I see no basis in the record for a finding that the public health is involved in any way. So, it's clear they based their decision on the question of general welfare, yet, they never did state in so many words what aspect of the general welfare would be detrimentally affected. There are two aspects that I can think of offhand and one is the possibility of an adverse effect on property values. In the first place, Mr. Gelston, a real estate expert of wide experience, did state that in his opinion any commercial use affects adjacent residential property. I think that that's a good general statement, but, he gives no comparable factual setups to justify that opinion and he weakens his opinion tremendously, it seems to me,

when he says that a commercial use adjacent to residential property might adversely affect the value, such as gas stations, bowling alleys, or tennis barns. I don't think it is fair to compare a tennis barn of this type with the average bowling alley or gas station and it seems to me that mere possibility of some adverse effect on property values is not sufficient indication of what the regulations mean by detriment to the general welfare. That is a catchall phrase that's hard to define specifically, but, it seems to this Court that if the apartment zoning now existing just to the west of this property projected east and you built apartments on this particular property, that would have an adverse effect on the values of individual homes in the area, and as far as any individual protestant is concerned, if you build a private home next to him so that there is a diminution of your privacy, that also affects the value and I think that there has got to be a stronger showing than there is in this record in order to support a conclusion that the exception would be detrimental to the general welfare. The Board, in its opinion, repeated or made reference to the testimony of Mr. Gelston and said that he noted there wasn't any real

1 comparison for the proposal in this instance and, hence, it
2 wasn't easy to judge the exact effect that his proposal might
3 have on surrounding properties, so that Gelston's testimony
4 loses practically all of its value pursuant to the accepted
5 proposition that the expert's opinion is only as good as the
6 factual basis therefor.

7 Now, I read the testimony carefully of the
8 protestants, particularly that of Mr. Decker. I think quite
9 naturally any judge is apt to weigh carefully the testimony
10 of an attorney who has been at the Bar for many years and is
11 well known, and he is very much afraid of this threat to his
12 privacy and quietude and certainly anyone can appreciate his
13 feeling. He has lived in the premises for a period of over
14 thirteen years and I am quite sure that he and all other
15 residential dwellers don't like to have one extra car coming
16 down their street, they don't like to have any house built
17 where it obstructs their previous unobstructed view, they
18 don't like anything that brings noise into their quiet
19 neighborhood, and I can well appreciate that. On the other
20 hand, all change of the area in question will inevitably have
21 an effect on the peaceful quietude of Mr. Decker's life and

1 same time requiring the Board, in the exercise of its dis-
2 cretion and judgment, to try to minimize any slight impact
3 on individual well-being. I draw a distinction, obviously,
4 between what the law means by general welfare as opposed to
5 minimal inconvenience and disturbance of the well-being of a
6 very few individuals.

7 When it goes back to the Board, of course, I
8 have no jurisdiction existing, but, I would like to suggest
9 to the Board that they at least consider restrictions as to
10 hours. It might well be that Mr. DiNenna did not go far
11 enough in this area, because, even on a summer morning it
12 seems to me 6 o'clock is an ungodly hour to start playing
13 tennis, which means you've got to be going in there at 5:30,
14 or thereabouts, in order to get warmed up to play on the court.
15 The Board also ought to consider restrictions against the use
16 of backboards and practice areas with a view, perhaps, to
17 locating them on the southerly side of the subject property,
18 because, there is nothing in the petition or in these exhibits
19 dealing with practice areas, and I think it can well be
20 argued that practicing on a backboard produces more noise
21 than an ordinary tennis game. The Board might well consider

1 also on the lives of those parties who live across Cedar
2 Circle Drive from him and the other witnesses who testified,
3 but, I don't believe that the incidental diminution of privacy
4 and quietude and a threat of a change in the general living
5 conditions that he has had the privilege of enjoying for the
6 years is enough to amount up to a detriment to the general
7 welfare. I think that the general welfare really means some-
8 thing more than interference with Mr. Decker's right to sit
9 on his patio and have it dark as opposed to somewhat lighter
10 and I believe that his welfare or the general welfare involves
11 more than having fifty or a hundred cars go in and out through
12 Cedar Circle during the day. I believe that the general
13 welfare means something more than having it completely quiet
14 in the early morning so you can hear the birds and late at
15 night when you're sitting on the patio. I have a great deal
16 of sympathy for him because I, like many other people, moved
17 out into the County to get just the same kind of living
18 environment that Mr. Decker has enjoyed and over the course of
19 time I am right in the middle of the lawn mowing suburbanite.
20 When I could look around 360 degrees and not see a light,
21 that was a delightful place to live, but, right now I'm

1 a restriction dealing in more detail with the maintenance of
2 the lighting system on the courts that are to be lighted with
3 reference to the height and the direction of the lights so
4 that the possibility of a later suit for nuisance will not
5 arise, because, obviously, if these lights produce a suffi-
6 ciently disturbing glare into the windows of other people's
7 homes the mere fact they have got a zoning permit would not
8 prevent the Equity court from enjoining a nuisance if it were
9 deemed actionable. I suggest to the Board that they might
10 also consider some restriction on the grant of special
11 exception dealing with the esthetic appearance of the barn.
12 It is a large structure and difficult to do much with
13 esthetically, but, it would seem to me to be beneficial to
14 everybody concerned if it were not an eyesore but something
15 that would be reasonably acceptable. The restriction against
16 the swimming pool ought to be retained. I agree with the
17 minority member of the Board that a swimming pool makes lots
18 more racket than a tennis court. I think greater specificity
19 should be included in the restriction with reference to
20 screening. As I recall, Mr. DiNenna merely said proper
21 screening. I would think that the Board ought to consider

1 wedged between Wakefield and Fox Chapel and the rest of the
2 area subjected to the noise and the lights of the cars coming
3 and going to the Pine Ridge Golf Course across the street.
4 Everybody's way of living is affected by any change, but, I
5 don't believe that that mounts up to general welfare. The
6 Court believes that it ought to comment in a little bit of
7 detail with reference to the fact as to Mr. Decker because I
8 want to compare him, to a degree, with the testimony of Mr.
9 Cook.

10 The closest lighted court from the Decker house
11 will be approximately 450 feet, by the scale. The closest
12 outdoor court will be approximately 300 feet from the Decker
13 house. Now, the hardwood grove of trees is there in the
14 wintertime, of course, but, they will have a tendency to
15 shield the homes on Cedar Circle Drive from the lighted
16 courts and I don't believe that Mr. Cook's testimony is
17 sufficient to act as the entire underpinning for the decision
18 by the Board of Appeals. Mr. Cook doesn't have any trees or
19 any fence between his home and the tennis barn in Harford
20 County and he is substantially closer, being about 230 feet
21 away from the courts, than is Mr. Decker and the gentleman

1 what is proper both as to size, to wit, height, appearance,
2 etc., and write that right into the order granting the
3 special exception. It seems to me that all of those things
4 are well within the power of the Board and if the Petitioner
5 doesn't like it let him take the appeal, but, I think if he
6 accepts the special exception he would have to take it with
7 those conditions.

8 * * *

1 PETITION FOR SPECIAL EXCEPTION : IN THE CIRCUIT COURT
2 for Community Buildings, etc.
3 SE/S of Nuwood Road 545' NE of :
4 1st District : "R BALTIMORE COUNTY
5 COLIN A. HOFFMAN et al. :
6 Petitioners : MISC. No. 5425

1 ADDENDUM TO ORAL OPINION

2 On February 11, 1975, in an oral opinion, this court
3 reversed the action of the County Board of Appeals that had
4 denied a special exception for a tennis facility in a DR-3.5
5 zone. The gist of the opinion was that there was no evidence
6 from which the Board could conclude that the special exception
7 would be detrimental to the general welfare of the locality
8 involved. In support of the oral opinion this court now
9 makes reference to Anderson v. Sawyer, Court of Special Appeals,
10 reported in the Daily Record January 27, 1975, where a special
11 exception for a funeral home was approved as not being detri-
12 mental to the general welfare, even though the court expressed
13 no doubt that the special exception might adversely affect
14 persons residing in the immediate neighborhood in the enjoyment
15 of their homes, and that property values might also be lessened.
16 This case clearly supports the proposition that this court tried
17 to articulate in the oral opinion.

1 February 13, 1975

2 JOHN E. RAINE, JR.
3 JUDGE

1 Rec'd 2-14-75
2 10:15 AM

RE: PETITION FOR SPECIAL EXCEPTION IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 9
Folio No. 490
Zoning File No. 74-28-X File No. 5425

ANSWER TO ORDER OF APPEAL TO CIRCUIT
COURT FOR BALTIMORE COUNTY AND
CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND BOARD
OF APPEALS OF BALTIMORE COUNTY

Mr. Clerk

Please file, etc.

Muriel E. Buddemeier
County Board of Appeals of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 9
Folio No. 490
Zoning File No. 74-28-X File No. 5425

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Walter A. Reiter, Jr., Robert L. Gilland and John A. Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal 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:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER
OF BALTIMORE COUNTY

No. 74-28-X

June 30, 1973 Petition of Colin A. Hoffman, et ux for Special Exception for Community Buildings, Swimming Pool and other civic, social recreational and educational use, namely, an indoor and outdoor tennis facility with indoor and outdoor courts, on property located on the southeast side of Nunwood Road 545 feet northeast of Baltimore National Pike, 1st District - filed
Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for July 30, 1973 at 11:00 a.m.
Comments of Baltimore County Zoning Advisory Committee - filed
July 12 Certificate of Publication in newspaper - filed
13 Posting of property - filed
30 At 11:00 a.m. hearing held on petition by Zoning Commissioner - case held sub curia.
Oct. 23 Order of Zoning Commissioner granting special exception, subject to restrictions
Nov. 19 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner filed by William S. Baldwin, Esq.

cc: Zoning-Anderson
J. Nolan, Esq.
W. Baldwin, Esq.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: County Board of Appeals Date: June 24, 1974
FROM: Office of Law
SUBJECT: Zoning File #74-28-X - Colin A. Hoffman, Petitioner

You have asked our opinion as to whether a "tennis club" is permitted in a D.R. classification zone under the provisions of Section 1B01.1-C (6) of the Baltimore County Zoning Regulations. We assume that the advisory nature of this opinion is understood and that the ultimate responsibility for the decision rests with the Board.

The question to be answered is whether a tennis club bears the attributes necessary, in the language of sub-paragraph (6) of 1B01.1-C, as an "... other, similar civic, social, recreational, or educational ..." use sufficient to bring it within the definitive structure of the section and be thus permitted thereunder.

"Recreation" has been defined by our Court of Appeals thusly:

"Recreation denotes refreshment of body or mind after toil. It may come from any pleasant and diverting exercise or employment (emphasis ours)."
Comptroller v. Rockhill, 205 Md. 226, 137 A2 93

Bathing, fishing, rowing and sailing were in that case specifically mentioned as examples of recreational pursuits.

We suggest that the definition of "Recreational purpose" found in Title 5, Section 1'01 (f), "Natural Resources" of the Annotated Code of Maryland (1974), is also helpful:

" 'Recreational purpose' includes any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, winter sports, horseback riding or horse driving, operating motorized recreational vehicles and viewing or enjoying historical, archeological, scenic or scientific sites."

It is our opinion that tennis is a recreational activity, that property devoted to it is being utilized for a recreational use, and that a tennis club would therefore fall within the purview of Section 1B01.1-C (6) of the Baltimore County Zoning Regulations.

County Board of Appeals
Page -2-
June 24, 1974

In view of the foregoing, it is unnecessary to consider the other regulations mentioned in your request.

Harris James George
Deputy County Solicitor

HJG/bbr

cc: Mr. Richardson

BALTIMORE COUNTY, MARYLAND

Through Walter R. Richardson, INTER-OFFICE CORRESPONDENCE
Administrative Officer
TO: County Solicitor, Office of Law Date: June 19, 1974
FROM: County Board of Appeals
SUBJECT: Zoning File #74-28-X - Colin A. Hoffman, Petitioner

The Board of Appeals would appreciate your opinion reference the above captioned case as to whether or not a tennis club, as proposed in the above mentioned petition, as such a land use would be permitted via a special exception under Section 1B01.1-C (6) of the Zoning Regulations (Bill #100 - 9/19/70). Said Section reads as follows:

"6. Community buildings, swimming pools, commercial beaches, golf course, country clubs, or other, similar civic, social, recreational, or educational uses".

Or, is this proposed use such a land use as contemplated in Section 230.13; i.e.,

"Community building, swimming pool, or other structural or land use devoted to civic, social, recreational, and education activities; off-street parking areas shall be provided to such extent and be so located as the Zoning Commissioner or County Board of Appeals, on appeal, shall agree to be needed in relation to their surroundings; [Bill #64, 1963]"

Or, as under Section 233.2 in the D.M. section of the Regulations; i.e.,

"Commercial recreation enterprises, including dance halls, skating rinks, and others which - in the judgement of the Zoning Commissioner - are similar, but excluding merry-go-rounds and freak shows, shooting galleries and penny arcades;"

The Board has under consideration a Motion by the Protestants to dismiss the above mentioned petition based upon the argument that the proposed land use is specifically not permitted in a D.R. classification. This request for an opinion is most urgent. The arguments on this Motion will be heard by the Board on Tuesday, June 25, 1974. We would appreciate your opinion on this matter by Monday, June 24th.

Very truly yours,

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman
County Board of Appeals

Walter R. Richardson,
Administrative Officer

Colin A. Hoffman, et ux - No. 74-28-X (#5425)

3.

Petitioner's Exhibit No. 14 - Plat - landscape plan

" " " 15 - List of parties favorable
" " " 16A - Elevation rendering
" " " 16B - Plan of Clubhouse
" " " 17 - Zoning Advisory Comments
" " " 18 - List of persons favoring
" " " 19A - Letter to residents, 1/24/74
" " " 19B - Postcard accompanying letter

Protestants' Exhibit A - List of protestants present

" " B - Letter 3/24/74 from Petitioner to Protestants
" " C - List of protestants
" " D - Photo of Yorktowne Racquet Club
" " E - Copy of petition in subject case
" " F1 & F2 - Photographs
" " G - Photographs (1 thru 5) of L'Hirondelle Tennis Club
" " G6 - Diagram
" " H - Resolution, Westlake Community, Inc.
" " I - Affidavit
" " J - Resolution

Jan. 10, 1975 Record of proceedings filed in the Circuit Court for Baltimore County
Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents 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,

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

BALTIMORE COUNTY, MARYLAND

Through Walter R. Richardson, INTER-OFFICE CORRESPONDENCE
Administrative Officer
TO: County Solicitor, Office of Law Date: June 19, 1974
FROM: County Board of Appeals
SUBJECT: Zoning File #74-28-X - Colin A. Hoffman, Petitioner

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Very truly yours,

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman
County Board of Appeals

Walter R. Richardson,
Administrative Officer

RE: PETITION FOR SPECIAL EXCEPTION
for Community Buildings, etc.
SE/8 of Newwood Road
1st District
Colin A. Hoffman, et al.
Petitioners
174-28X
IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Misc. No. 9135
Misc. Docket 9
Folio 494
Case No. 74-28-X

NOTICE OF APPEAL

Mr. Clerk:

Please note an appeal to the Court of Special Appeals by Henry M. Decker, Jr., et ux, Edgar R. Mann, et ux, Thomas M. DeCorpe, et ux, Minantia Glensia, et ux, Leroy E. Lewis, et ux, and William A. Krak, Jr., et ux, from the Opinion and Order of Court in the above entitled case, dated February 24, 1975.

William S. Baldwin
Attorney for Protestants
24 W. Pennsylvania Avenue
Towson, Maryland 21204
823-0760

I HEREBY CERTIFY that a copy of the foregoing Notice of Appeal was mailed this 19th day of March, 1975 to James D. Nolan, Esquire, Nolan, Plunkhoff & Williams, 204 West Pennsylvania Avenue, Towson, Maryland 21204.

William S. Baldwin

COLIN A. HOFFMAN, ET UX
for Special Exception for Community
Buildings, etc.; Tennis Club
SE/8 of Newwood Rd. 545' NE of
Baltimore National Pike
First District
Case No. 74-28-X
BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 74-28-X

**MEMORANDUM IN OPPOSITION TO
PROTESTANTS' MOTION TO DISMISS**

The Petitioners, COLIN A. HOFFMAN and ROSE M. HOFFMAN, and Contract Purchaser, ALTON N. JOYNER, in the above entitled matter respectfully submit this Memorandum In Opposition To Protestants' Motion To Dismiss for the consideration of the Board.

BASIS OF THE REQUESTED SPECIAL EXCEPTION

On May 31, 1973, the Petitioners and Contract Purchaser filed in proper form a Petition For Zoning Special Exception with the Zoning Commissioner requesting a special exception for "community buildings, swimming pool, and other civic, social, recreational and educational uses, namely, an indoor and outdoor tennis facility with indoor and outdoor courts, practice areas, members' pro shop, snack and vending area, locker rooms, showers, saunas, exercise and judo rooms, lounges, managers living quarters, accessory buildings, children's play area, indoor and outdoor spectator areas, swimming pools and other related buildings, structures and accessory facilities in a D.R.3.5 Zone, pursuant to Sections 1801.1, C.6 and 502.1 of the Regulations."

Section 1801.1, C.6 of the Baltimore County Zoning Regulations (1971 Interim Edition), provides:

"C. Uses Permitted by Special Exception. The following uses, only, are permitted by special exception in all D.R. zones:

- 6) Community buildings, swimming pools, commercial beaches,

activity planned on the premises is very vital to this entire case.

With regard to virtually every relevant land use factor, the proposed tennis club is the type of use which the County Council sought to describe in broad terms in the Section in question. Consider the following points:

1. It is a club with a limited membership, not open to an unlimited number of persons from the general public.
2. Tennis as a sport is both recreational and social in nature, yet not as obtrusive as many other recreational and social activities, which everyone acknowledges to be permitted by special exception in a D.R. zone.
3. Tennis courts, both indoors and outdoors, have traditionally been associated with country clubs, private athletic clubs, schools, family and other uses completely compatible with, and usually found in residential areas, including private homes themselves.
4. The proposed indoor/outdoor tennis facility is not an intensive use of the almost eight-acre tract involved due to the very size required for each court, and the limited number of players to a court, not more than four at any time, on the average three players per court for the overall facility. If all twenty courts were filled at any given time, an unlikely event, then this would mean eighty people playing with less than ten employees needed for the operation of the entire facility. In contrast, if fully developed for D.R.3.5 homes, the eight acres would yield about 27 homes, and if each home is occupied by three persons, a conservative estimate, this would mean some eighty-one persons on the tract on a round-the-clock basis, not including friends and commercial visitors.
5. The proposed facility will serve as an excellent visual and sound buffer between Westerlee and the traffic and heavy commercial activity along Route 40, another often used function of use permitted by special exception.

golf courses, country clubs, or other, similar civic, social, recreational or educational uses."

QUESTION PRESENTED

IS A PRIVATE, INDOOR/OUTDOOR TENNIS CLUB A PERMISSIBLE, SPECIAL EXCEPTION PURSUANT TO SECTION 1801.1, C.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS (1971 INTERIM EDITION)?

During the course of the hearing on June 18, 1974, the attorney for the protestants orally presented a motion for dismissal on the grounds that the tennis club and related facilities as described in evidence constituted a commercial recreational enterprise, and as such, the proposed tennis club, the protestants contend, would not be a permitted use by special exception in a D.R.3.5 zone pursuant to Section 1801.1, C.6; but, rather, the facility as a commercial recreation enterprise could only be permitted as a matter of right in either a B.M. zone or a B.R. zone, pursuant to Sections 233.2 and 236.1 of the Regulations, respectively.

DISCUSSION

The Contract Purchaser submits that the private, indoor/outdoor tennis facility which he proposes to construct is properly filed under Section 1801.1, C.6 of the Regulations, hereinafter called the "Section"; and he further submits that the Board is properly considering the requested special exception pursuant to that Section. Furthermore, the Contract Purchaser submits that to have filed this petition under any other section of the Regulations would have been improper.

First of all, the Zoning Commissioner has officially interpreted the Section in question and granted at least one prior application for the construction of a similar facility in a D.R.3.5 zone, namely in Case No. 73-169XA. In that case, which was granted February 20, 1973, the Order permits the construction and operation of the Perring Racquet Club which has been built and

-2-

6. Membership conduct is monitored.

In summary, the Contract Purchaser and the Petitioners believe that the Zoning Commissioner's interpretation of the Section in question is a proper one, and that the proposed tennis facility is a proper use pursuant to the requested special exception and can be properly considered by the Board.

James D. Nolan

Nolan, Plunkhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
823-7800

opened. There is also another case presently pending involving a private tennis club, namely Case No. 74-265, involving the Twin Lakes Facility, located off Milford Mill Road in the Woodlawn Section.

The Zoning Commissioner's Office under Zoning Commissioner Di Nenna has also promulgated a publication entitled "Policy Manual - Zoning Office", and Item 20 therein provides:

"20. A Tennis barn is permitted for the use of tenants only in any D.R. zone. If club membership is required, a Special Exception is necessary. If operated by single owner or corporation and all costs are included in apartment rents, fees no Special Exception will be required." (Emphasis supplied)

The protestants' contention that the proposed private, indoor/outdoor tennis club is not permitted by special exception in the D.R.3.5 zone in question seems to be founded on the fact that Mr. Joyner hopes his venture will be a profit-making one. The Petitioners and Contract Purchaser submit that the profit or non-profit nature of the venture is not the determinative factor, but rather the Section is concerned with the structures and uses which will occupy the land. This viewpoint is supported by a number of factors, including the fact that the Section makes no mention of whether or not the particular uses covered by the Section are operated for profit or not; and, in fact, commercial beaches are included, indicating no prejudice or prohibition against profit-making uses. Furthermore, many golf courses and country clubs throughout the country are operated for profit; and in Baltimore County these profit-making clubs include the Hunt Valley Inn Country Club operated in conjunction with the Hunt Valley Inn, which is situated in an area zoned R.D.P., and which was granted in Case No. 69-183, as well as the Eagle's Nest located in an R.S.C. area off Dulany Valley Road, which case was granted by special exception in Case No. 70-66X. The governing sections covering special exceptions in the R.D.P. and R.S.C.

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November 28, 1975

William S. Baldwin, Esquire
22 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
SE/8 of Newwood Road, 545'
NE of the Baltimore National
Pike - 1st District
Colin A. Hoffman, et ux -
Petitioners
NO. 74-28-X (Item No. 237)

Dear Mr. Baldwin:

Please be advised that a cross appeal has been filed by James D. Nolan, Esquire, on behalf of the Petitioners and Contract Purchaser, from the decision rendered by the Zoning Commissioner of Baltimore County in the above captioned matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the Baltimore County Board of Appeals.

Very truly yours,

/s/
S. ERIC DI NENNA
Zoning Commissioner

SED/scw

zones are couched in much the same language as the Section in question, except that commercial beaches are omitted, and golf courses and country clubs are covered in separate sections of these special exception sections, and are Sections 1A00.2, B.6 and 1A01.2, B.5 of the Regulations respectively. In any case, a tennis facility operated for profit is indistinguishable from one not operated for profit, and this is the real point that should be considered since it is appearance and use of the proposed club which bears on the central issue of the entire special exception hearing, namely of right in the B.M. zone, compatibility with the area.

Section 233.2, covering some of the uses permitted as a matter, speaks in terms of "[c]ommercial recreation enterprises, including dance halls, skating rinks and others which - in the judgment of the Zoning Commissioner are similar..." It would seem clear that tennis courts, both indoors and outdoors, have for years been associated with private homes, swimming pools, country clubs and like facilities, all usual uses in residential areas. In fact, it is often said that homes located, bordering on, or near such clubs and recreational facilities bring premium prices since such facilities are considered to be an amenity to the homes. In contrast, dance halls and skating rinks are types of uses which tend to draw large crowds particularly at night, involve loud music often provided by live bands, and not infrequently either foster or permit the consumption of alcoholic beverages on the premises. The contrast with the proposed tennis club is immediately evident. The entire pattern of approved behavior at a tennis facility is directed toward a lack of noise, and toward orderly quiet play by persons using the club. Such excellent, quiet behavior is evident at virtually every tennis club or facility that one would care to name. There is no reason to believe that this proposed tennis club will be any different with respect to the behavior of its club members, and the type of

Re: Petition for Special Exception
Powers Lane and Nuwood Drive
74-28-X

The proposed use is not a community project, but is a commercial venture, and it is believed by each of us that the granting of the said application for a Special Exception would be detrimental to the health, safety and general welfare of our community, would tend to create congestion in the streets of our community, would have a serious adverse effect upon the residential character of our community and would result in a substantial diminution in the value of our homes.

We therefore respectfully oppose the granting of the said Petition for a Special Exception.

Mr. & Mrs. Carl Casanova	2129 Cedar Circle Dr.
Name _____	Address _____
Mr. & Mrs. J. P. Pappas	2137 Cedar Circle Drive
Name _____	Address _____
Mr. & Mrs. Charles Murphy	2135 Cedar Circle Dr
Name _____	Address _____
Mr. & Mrs. Thomas Johnson	2201 Cedar Circle Dr.
Name _____	Address _____
Mr. & Mrs. Victor P. Lee	2205 Cedar Circle Drive
Name _____	Address _____
John K. Long	2126 Cedar Circle Drive
Name _____	Address _____
Dr. & Mrs. Paul Nichols	2124 CEDAR CR. DR.
Name _____	Address _____
Mrs. Lucille Hagenbush	212 Cedar Circle Drive
Name _____	Address _____
Dr. & Mrs. Samuel P. Schick	2111 Cedar Circle Drive
Name _____	Address _____
Mr. & Mrs. Carl Lawrence	2117 Cedar Circle Dr.
Name _____	Address _____
Mr. & Mrs. L. Bender	2135 Cedar Circle Dr.
Name _____	Address _____
Mr. & Mrs. B. Hall	2135 Cedar Circle Dr.
Name _____	Address _____
Ruth L. Wood	2203 Cedar Circle Dr.
Name _____	Address _____
Mr. & Mrs. L. Keen Jr.	2126 Cedar Circle Drive
Name _____	Address _____

Re: Petition for Special Exception
Powers Lane and Kuwood Drive
74-28-X

The proposed use is not a community project, but is a commercial venture, and it is believed by each of us that the granting of the said Petition for a Special Exception would be detrimental to the health, safety and general welfare of our community, would tend to create congestion in the streets of our community, would have a serious adverse effect upon the residential character of our community and would result in a substantial diminution in the value of our homes.

We therefore respectfully oppose the granting of the said Petition for a Special Exception.

Maria Schless	2118 Chamblin Rd.
Name	Address
Ronald Schless	2115 Chamblin Rd.
Name	Address
Dora M. Griffiths	2120 Chamblin Rd.
Name	Address
Nicholas Smith	2120 Chamblin Rd.
Name	Address
Maria P. Quinte	2120 Chamblin Rd.
Name	Address
Robert Griffiths	2120 Chamblin Rd.
Name	Address
Annette Griffiths	2120 Chamblin Rd.
Name	Address
Corne Roscoe	2122 Chamblin Rd.
Name	Address
Margaret Halden	2122 Chamblin Rd.
Name	Address
Patricia Williams	2122 Chamblin Rd.
Name	Address
Jesse B. Williams	2122 Chamblin Rd.
Name	Address
Name	Address
Name	Address
Name	Address

Re: Petition for Special Exception
Powers Lane and N.wood Drive
74-28-X

The proposed use is not a community project, but in a commercial venture and it is believed by each of us that the granting of the said Petition for a Special Exception would be detrimental to the health, safety and general welfare of our community, would tend to create congestion in the streets of our community, would have a serious adverse effect upon the residential character of our community and would result in a substantial diminution in the value of our homes.

We therefore respectfully oppose the granting of the said Petition for a Special Exception.

Mrs J. O. Anderson	1207 Albany Rd.
Name	Address
John M. Anderson	1203 Albany Rd.
Name	Address
Mad. O. Nelson	"
Name	Address
Michael M. Anderson	1203 Albany Rd.
Name	Address
Joseph M. Anderson	1207 Albany Rd.
Name	Address
Wm. E. Wahl	2103 Cedar Creek Dr.
Name	Address
Frank Wahl	2103 Cedar Creek Dr.
Name	Address
E. John Huse	2105 Cedar Creek Dr.
Name	Address
Pauline Huse	"
Name	Address
Uwe H. Huse	207 Cedar Creek Dr.
Name	Address
Edna Brunner	
Name	Address
Ed. Brunner	8113 Cedar Creek Dr.
Name	Address
Edna Huse	2104 Cedar Creek Dr.
Name	Address
Anna Bakke	2104 Cedar Creek Dr.
Name	Address

Re: Petition for Special Exception
Powers Lane and Nuwood Drive
74-28-X

The proposed use is helia community project, but is a commercial venture and it is helieved by each of us that the granting of the said Petition for a Special Exception would be detrimental to the health, safety and general welfare of our community, would tend to create congestion in the streets of our community, would have a serious adverse effect upon the residential character of our community and would result in a substantial diminution in the value of our homes.

We therefore respectfully oppose the granting of the said Petition for a Special Exapection.

Name	Address
<u>James W. Lytle</u>	<u>2001 Cedar Creek Dr.</u>
<u>Richard Kenford</u>	<u>1901 Cedar Creek Dr.</u>
<u>Ernest J. Dineford</u>	<u>1907 Cedar Creek Dr.</u>
<u>Donny L. Schely</u>	<u>1405 Cedar Creek Dr.</u>
<u>John Schely</u>	<u>1905 Cedar Creek Dr.</u>
<u>Quadrine B. Hollingsworth</u>	<u>2000 Cedar Creek Dr.</u>
<u>Ray J. Hollingsworth</u>	<u>7900 Cedar Creek Drive</u>
<u>James F. Long</u>	<u>2005 Cedar Creek Drive</u>
<u>Harry W. Long</u>	<u>7001 Cedar Creek Drive</u>
<u>Phyllis L. Jones</u>	<u>2003 Long Way</u>
<u>William L. Jones</u>	<u>3402 Long Way</u>
<u>Michael L. Pratt</u>	<u>2001 Cedar Creek Dr.</u>

Re: Petition for Special Exception
Powers Lane and Nuwood Drive
74-28-X

The proposed use is not a community project, but is a commercial venture, and it is believed by each of us that the granting of the Special Exception for a Special Exception would be detrimental to the health, safety and general welfare of our community, would tend to create congestion in the streets of our community, would have a serious adverse effect upon the residential character of our community and would result in a substantial diminution in the value of our homes.

We therefore respectfully oppose the granting of the said Petition for a Special Exception.

Mrs. Mary McLean	2103 Chantilla Rd
Name _____	Address _____
Mr. Richard McElman	2103 Charlotte RD
Name _____	Address _____
Mrs. Mrs. Bernard Lopez	2101 Chantilla Rd
Name _____	Address _____
Ignacio Lopez	2101 Chantilla Rd
Name _____	Address _____
Joseph J. Appelt	2101 Chantilla Rd
Name _____	Address _____
Joan Garland	2105 Chantilla Rd
Name _____	Address _____
Frankie Reid	2109 Chantilla Road
Name _____	Address _____
Mrs. Mrs. Norman Parker	2109 Chantilla Rd
Name _____	Address _____
Mrs. Mrs. Rudolph Perry	2107 Chantilla Rd
Name _____	Address _____
Mr. & Mrs. Lou Rea	2115 Chantilla Rd
Name _____	Address _____
Mr. and Mrs. Kulkarni	2121 Chantilla Rd
Name _____	Address _____
Emilia Rea	2123 Chantilla Rd
Name _____	Address _____
Dr. Mrs. Joe C. Arroyo	2125 Chantilla Rd
Name _____	Address _____
Dr. Mrs. John Pompey	2117 Chantilla Rd
Name _____	Address _____

Re: Petition for Special Exception
Powers Lane and Nuwood Drive
74-28-X

The proposed use is not a community project, but is a commercial venture, and it is believed by each of us that the granting of the said petition for a Special Exception would be detrimental to the health, safety, and general welfare of our community, would tend to create congestion and traffic problems, would have a serious adverse effect upon the residential character of our community and would result in a substantial diminution in the value of our homes.

We therefore respectfully oppose the granting of the said Petition for a Special Exception.

[illegible]

Re: Petition for Special Exception
Powers Lane and Nuwood Drive
74-28-X

The proposed use is not a community project, but is a commercial venture, and it is believed by each of us that the granting of the said Petition for a Special Exception would be detrimental to the health, safety and general welfare of our community, would tend to create congestion in the streets of our community, would have a serious adverse effect upon the residential character of our community and would result in a substantial diminution in the value of our homes.

We therefore respectfully oppose the granting of the said Petition for a Special Exception.

Albert & Mithun	2104 Chantilla Rd
Name	Address
Himmet & Mithun	2104 Chantilla Rd
Name	Address
Shamir Brown	2106 Chantilla Rd
Name	Address
Cole Brown	2106 Chantilla Rd
Name	Address
Pranator Brings	2100 Chantilla Rd
Name	Address
Shane Gwynn	2100 Chantilla Rd
Name	Address
Samuel Rie	2108 Chantilla Rd
Name	Address
Mary Jo Rie	2108 Chantilla Rd
Name	Address
Hennrich & Miller	2110 Chantilla Rd
Name	Address
J. L. & M. L.	2100 Chantilla Road
Name	Address
Robert D. Ellis	2112 Chantilla Road
Name	Address
Sally Ellis	2112 Chantilla Road
Name	Address
Sharon Childs	2116 Chantilla Road
Name	Address
Dorothy Childs	2146 Chantilla Road
Name	Address

June 30, 1973

RE: Petition for Special Exception
Colin A. Hoffman, et ux -
Petitioners
Item No. 237

Dear Mr. Nolan:

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 on the northeast corner of Nuwood Road and Powers Lane, and is currently zoned D.R. 3.5 except for a small portion zoned D.R. 2 along its northernmost property line. This 7.72 acre tract is at present unimproved, and the petitioner is requesting a Special Exception to develop this site as an indoor and outdoor tennis facility.

To the west of the subject site and south of Dlong Road is property zoned Business Roadside (B.R.), developed as a shopping center; to the west is property presently improved with garden apartment buildings zoned D, R, 16 and D, R, 2, and also one (1) family dwellings zoned D, R, 2; and the north and separated from the site by a row of tall trees is property improved with single-family brick and frame dwellings fronting on Cedar Circle Drive.

The subject property is not improved with curb and gutter along its road frontage.

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, not more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours

JOHN J. DILLON, JR.
Chairman, Zoning Advisor, Com

JJD:FTH:gc

AUG 13 1976

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

June 27, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland - 21204

RE: Item No. 237 (1972-1973)

Property Owner: Colin A. Hoffman, et ux
SE/S Nuwood Road, 545 feet NE Baltimore National Pike
Present Zoning: D.R. 2 and D.R. 3.5
Proposed Zoning: Special Exception for Community Buildings, swimming pool, and other civic, social, recreational and educational uses, namely, an indoor and outdoor tennis facility
District: 1st No. Acres: 7.72

Dear Mr. DiNenna:

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

GENERAL: This site appears to be a portion of an overall larger tract of land. The submitted plan must be revised to indicate the entire property including all existing physical features thereon, i.e., dwelling, structures, drives, private well and sewage disposal etc.

HIGHWAYS: Nuwood Drive is proposed to be improved in the future as a 70-foot (minimum) closed-type roadway cross-section on a 70-foot right-of-way.

POWERS LANE: An existing public road is proposed to be improved in the future as a 40-foot closed-type roadway cross-section on a 60-foot right-of-way.

Highway improvements including highway right-of-way and any necessary reversible easements for slope, will be required for both of these roads in connection with any grading or building permit applications.

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 COMMENTS: Development of this property through striping, 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.

June 26, 1973

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #237, Zoning Advisory Committee Meeting, June 11, 1973, are as follows:

Property Owner: Colin A. Hoffman, et ux
Location: SE/S Nuwood Road, 545 feet NE Baltimore National Pike
Present Zoning: D.R. 2 and D.R. 3.5
Proposed Zoning: Special Exception for Community Buildings, swimming pool, and other civic, social recreational and educational uses, namely, an indoor and outdoor tennis facility.

District: 1st
No. Acres: 7.72

This plan has been reviewed and there are no site-planning factors requiring comment, however, if the Special Exception is granted, the petition must comply with the Baltimore County Subdivision Regulations.

Very truly yours,

John L. Wimbley
Planning Specialist II
Plan. & Zoning Division

STORM DRAINS: Provisions for accommodating storm water or drainage from this site have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage 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 COMMENTS: Public water supply can be made available to serve this site and the property to the east by construction of a sanitary sewer extension, approximately 1500 feet (minimum) in length from the existing public sanitary sewer in the north side of Baltimore National Pike (U.S. 40 West) see Drawing 69-1014 (1).

SANITARY SEWER COMMENTS: Public sanitary sewerage can be made available to serve this site and the property to the east by construction of a sanitary sewer extension, approximately 1500 feet (minimum) in length from the existing public sanitary sewer in the north side of Baltimore National Pike (U.S. 40 West) see Drawing 69-1014 (1).

Very truly yours,

Ellenworth H. Dyer
Chief, Bureau of Engineering

END:HAM:FWR:bjh

cc: G. Reier
H. Shalowitz

H NE Key Sheet
28 SW 3 & 4 Position Sheets
SW 1 & 2 & 3 & 4
94 Tax Map

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 237

Property Owner: Colin A. Hoffman, et ux
Location: SE/S Nuwood Road, 545 feet NE Baltimore National Pike
Present Zoning: D.R. 2 and D.R. 3.5
Proposed Zoning: Special Exception for Community Buildings, swimming pool, and other civic, social, recreational and educational uses, namely, an indoor and outdoor tennis facility.

District: 1st
No. Acres: 7.72

Dear Mr. DiNenna:

The area as now zoned could ultimately yield 14 elementary pupils, 4 junior high pupils, and 3 senior high pupils. A Special Exception for the proposed use would only result in a loss of these pupils.

WJT/ml

Very truly yours,
W. Nick Petruvich
Field Representative

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELSER
DEPUTY TRAFFIC ENGINEER

June 14, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 237 - ZAC - June 12, 1973

Property Owner: Colin A. Hoffman, et ux
SE/S Nuwood Road, 545 feet NE Baltimore National Pike
Special Exception for Community Buildings, swimming pool, and other civic, social, recreational and educational uses, namely, an indoor and outdoor tennis facility.
District 1

Dear Mr. DiNenna:

Any development on Nuwood Road can be expected to produce some traffic problems at Baltimore National Pike and Nuwood Road.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF/ph

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

John J. Dillon, Jr., Chairman
TO: Zoning Advisory Committee
William J. Tierney, Director
FROM: Department of Recreation and Parks

Date: July 26, 1973

SUBJECT: Case 74-28X
Position of Baltimore County Department of Recreation and Parks with regard to the provisions of facilities for tennis

In response to a request from Alton N. Joyner, prospective operator of a tennis center proposed for the property of the petitioner, Colin A. Hoffman, we are pleased to submit to your committee, a statement indicating the position of the Department of Recreation and Parks with regard to the availability of tennis facilities open to the public in Baltimore County.

William J. Tierney, Director

WJT:jb

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

June 14, 1973

DONALD J. ROOF, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 237, Zoning Advisory Committee Meeting June 12, 1973, are as follows:

Property Owner: Colin A. Hoffman, et ux
Location: SE/S Nuwood Rd., 545' NE Baltimore National Pike
Present Zoning: D.R. 2 and P.A. 3.5
Proposed Zoning: Special Exception for Community Buildings, a swimming pool and other civic, social, recreational and educational uses, namely outdoor & indoor tennis facility.
District: 1
No. Acres: 7.72

Metropolitan water and sewer must be extended prior to issuance of building permit.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Swimming Pool Comments: Prior to approval of a public pool on this site, two complete sets of plans and specifications of the pool and bathhouse must be submitted to the Baltimore County Department of Health for review and approval. In addition, a plot plan must be submitted showing location of public utilities, pool, bathhouse, parking area and method of disposing filter backwash water.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:map

cc: L.A. Schuppert
J.A. Hessina

BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS

TENNIS BOOM IN BALTIMORE COUNTY

A boom in tennis is being felt all across America, as millions of new participants enter the sport, thousands of new tennis courts are constructed, and/or lighted for extended use, and hundreds of indoor tennis centers are built to provide playing possibilities under a controlled environment. Indeed, tennis has been called the sport of the Seventies.

There are many reasons for this boom. One is the nature of the game which permits an individual of almost any age or physical condition to play enjoyably with one other person of his own choosing. Second has been the growth of public tennis facilities located in heavily populated neighborhoods. Another has been the development of group tennis teaching methods in colleges, schools and recreation departments which have inexpensively brought the fundamentals of tennis to a lot of new players. Another has been the development of tennis playing equipment which has made it possible for individuals of far less than average income to play the game.

Public Tennis Courts

Baltimore County had no public tennis courts in 1949 when the Department of Recreation and Parks got underway. Together with the Board of Education, the Department began in 1951 an orderly program of construction, building tennis courts at senior and junior high school recreation centers. In 1956, an additional program was begun to construct needed courts at elementary school recreation centers where local recreation councils agreed to raise 1/3 of the cost. One gauge of such citizen interest was the sale of \$5,000 worth of brooms in a door-to-door campaign to raise the recreation council's share of construction of courts at Ridewood Elementary in 1970. Four additional tennis courts are now being built at Pinewood Elementary and Villa Cresta Elementary. As a result of this building program, some 176 public all-weather courts are now available to the County's 465,000 people.

Public Tennis Programs

During 1972, as indicated in the attached official report, 45 summer tennis centers operated by the Recreation and Parks Department in conjunction with community recreation councils registered over 9,300 individuals. During the winter months, 7 gymnasiums were utilized for indoor tennis programs. In none of these situations were we able to provide all of the playing time requested by county residents. During the summer of 1973, we have already registered 9,635 players.

NIGHT TENNIS makes sense

the environment is excellent. A few years ago it was impossible to conceive in the tennis business that a court could be sold at \$25 per hour and be booked. This of course is true for indoor environments in certain locales.

I do admit that by installing night tennis, using the finest quality system will not change the facility overnight in dollars and cents, but there will be a complete re-educational program that will take place by tennis players, explaining this new tennis media and becoming aware of the pleasure and desirability of tennis at its best. Like indoor tennis, the first clubs that institute this philosophy will gain the most.

The cost for this new system installed is approximately \$4,000 per court. Let's say you pick up four to five hours per night, per court, you can readily see how quickly the dollar return will come about, also keeping in mind that the pro shop can sell their product lines basically to adults who have the dollars for the purchases.

We have discussed this with country club operators as well as with operators of large condominium country club combinations, and they saw the light of night tennis, and what it will mean to them, and are proceeding to institute it.

One of the largest clubs to be built in the state of Florida is the Fountains Racquet and Golf Club and Condominium complex. Its projection calls for 3,000 homes, townhouse fashion. The Sales Manager, an astute, former advertising executive, Vincent DiFonzo, and his Tennis Professional, Jr., Seymour, a very capable young man, and their various staff, are going to institute this philosophy in their program. They are proceeding to expand their eight tennis courts into a projected forty.



George Winters

and will develop night tennis, realizing its dollar potential. The simple tennis club operation which earns its money only via the tennis route by expanding its prime time, which is usually Saturday, Sunday and holidays, approximately four to five hours a day, now can develop a true operationally profitable business on a nightly basis of five hours per night prime time as long as the weather permits. It certainly does not take a mathematical genius to see that the expenditures to convert tennis to night tennis with the proper equipment would reap gigantic financial rewards.

Editor's Note: The new strobeless, glareless lighting system, was first introduced into the professional ranks for the World's Champion Tennis Tournament held at Miami University. It is the opinion of the key people involved in the tournament, as well as the players, that night tennis has arrived. The system was developed by the Devoe Tennis System Corp. The Virginia Slims Championship Tennis Tournaments that will be played outdoors are encouraging the use of night tennis for its tournaments, utilizing this new system's approach, as it will also bring the greatest dollar return in attendance.

The time has come to show some light on night tennis. While tennis, night tennis and the electric light have been around for decades, why then did day tennis take off, leaving night tennis still in the dark ages? The reason for this retardation in night tennis' evolution is technology. The poor quality of the night lighting has obviously discouraged the players more than the blinding 12 noon sun, simultaneously discouraging club owners; the players can't see the ball, ergo the owners can't see the cash. The modern age for night tennis has begun and will continue to pick up momentum. Its beginning is marked by the advent of revolutionary night illumination systems of strobeless, glareless light.

After a careful study by the most knowledgeable people in the field of tennis, certain basics have been evaluated, and the conclusions reached regarding tennis are as follows:

The tennis we know today will change to become tennis in two forms, night tennis and indoor controlled environmental tennis, which will be the predominant game. As you can readily understand, we are talking in terms of dollars and cents in both these areas. I need not go into detail regarding indoor tennis or environmentally controlled tennis as its success is quite evident. Night tennis with the advent of the new strobeless, glareless systems will take over day tennis because it eliminates the "big sweat"—the hot sun, overall game, wind discomfort and everyone trying to play tennis on the same courts as early as possible in the morning and late afternoon (overcrowding). Whatever the day rates are, there is no question, understanding tennis players' philosophy, that the rates can be doubled for night tennis. The 7 to 12 P.M. period of night tennis can be considered premium time, which accounts prime time during the day, constituting the hours of 9 A.M. to 12 P.M. and 5 to 6 P.M., a total of

The overage lighting systems for the strobeless lighting system.

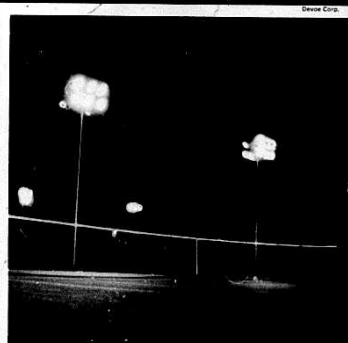


tennis industry



four hours. This requires an operation to run for ten hours in order to obtain four hours of prime time. Of course, we cannot exclude the paying adult who works, both male and female, and who would welcome the opportunity to play tennis after working hours, if he could play his game under the most desirable conditions. This was not possible in the past—20 to 50% of his shots were semi-guesses. This reluctance to play at night was also a matter of self preservation, in trying to cope with these semi-guesses, he was subject to injury by falling or hurting his arm.

Let's synthesize all the facts through a dollars and cents aspect. The same land court surface exists, by putting in the proper lighting system and expanding the dollar return, the operating cost for power with this new system is only approximately 45¢ per hour per court. It would not be considered prohibitive to charge \$6 or \$5 an hour for night tennis if



George Winters

NIGHT TENNIS makes sense



1972 FINAL REPORT TENNIS FACTS

"SPORT OF A LIFETIME"

BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS

SPECIAL THANKS TO

Those 223 active volunteers whose many hours of hard work behind the scenes and on the courts made the tennis program possible.

Those 28 Recreation Councils, and their community organization representatives, which provided the effort in planning, financing and coordinating the 44 local programs and contributed \$1,200.00 toward the Gold Cup Center for Advanced Skills with sessions at Towson, Dundalk and Catonsville.

Those tireless tennis leaders who gave so much of themselves to make the summer tennis program a meaningful activity.

Those friends at Towson State College under Dr. James L. Fisher, President, who made possible the use of their courts for seven weeks of community fun.

Those friends at Essex Community College under Dr. Vernon Wany, President, who loaned their beautiful courts for the 'easers' clinic and the County Championships.

Those friends at University of Maryland, Baltimore Campus, under Dr. Calvin B. T. Lee, President who made courts available for the Southwestern branch of the Gold Cup Center for seven weeks.

Those farighted tennis officials lead by Frank G. Roberts of USLTA, Edward C. Griesenberli, President of MALTA, and Raymond S. Tompkins, Jr., President of the Maryland Tennis Association, whose financial backing of the Gold Cup Center made it a reality, and the Turnbull Family, whose generosity provided the Gold Cup Tournament trophies.

Those County agencies such as the County Executive, County Council, Board of Education and the Board of Recreation and Parks, whose cooperation made it possible for the program to begin.

Those children and adults, the players, who participated in the summer tennis program, and made it fun.

INTRODUCTION AND TABLE OF CONTENTS

For some 23 years now, the Department of Recreation and Parks in Baltimore County and its affiliated local recreation councils have sponsored neighborhood summer tennis programs.

This, the seventh Tennis Report, is an attempt to analyze those programs. It is the hope of this Department that all County citizens will carefully read and study the material contained herein. Only an informed citizenry can be certain that it is getting the most for its tax dollar and its voluntary contributions. The Department believes that the tennis program is a very good one, but holds that all programs can be improved. Reactions and comments to the following will be greatly appreciated:

What was the summer Tennis program?	1
Where were the tennis centers located?	2
What were the highlights of the program?	5
How many registered and attended?	9
Who were the participants?	10
How competitive were the young participants?	12
What was the cost of the tennis program?	15
What recommendations are made for next season?	16

WHAT WAS THE SUMMER TENNIS PROGRAM?

Each summer for 23 years, the Baltimore County Department of Recreation and Parks, in cooperation with local recreation councils, has sponsored tennis programs for County residents at neighborhood school-recreation centers.

Before the programs begin, all leaders selected to direct the tennis programs undergo a week of intensive training. This clinic stresses not only the group method of teaching fundamental skills, but emphasizes the importance of good organization, courtesy and sportsmanship. It should be noted that tennis leaders are not paid for this week of training.

Immediately following the clinic, the summer tennis program begins. Most centers have their eight-week program divided into morning sessions - aimed at youngsters from 9 to 15, and evening sessions - aimed at teens and adults. Instruction in fundamental skills is given to beginners and advanced players, both individually and in groups up to 36 or more.

This was the sixth season for the "Gold Cup Center", to which the most promising players from each of the 44 centers, as selected by the leaders, were sent for individualized instruction and competitive play against others of their age group. A more detailed explanation of this program is found on Page 5.

The following schedule was followed by most of the centers in Baltimore County this past year:

1. Week of June 26 - 30; registration, group instruction; emphasize forehand grip and volley, ladder play for advanced players; July 4th program and parade participation.
2. Week of July 3 - 7; group instruction; emphasis on backhand grip and volley, ladder play for advanced players.
3. Week of July 10 - 14; group instruction; emphasis on serving, lobbing, overhead smash; ladder play for advanced players; Gold Cup Tournament July 14 - 16 at Towson.
4. Week of July 17 - 21; group instruction; ladder play; novice singles tournaments for beginners; Gold Cup Tournament July 21 - 23 at Towson.
5. Week of July 24 - 28; group instruction; ladder play; start of center tournament for boys and girls, singles and doubles.
6. Week of July 31 - Aug. 4; group instruction; ladder play; completion of Gold Cup Tournament for boys and girls, singles and doubles.
7. Week of August 7 - 11; group instruction; ladder play; completion of Area Tournament for boys and girls, singles and doubles, semi-finals of Area Tournament must be reached by Wednesday, August 9.
8. Week of August 14 - 18; group instruction; ladder play, local mixed doubles and/or adult tournament, County tournament at Essex Community College.

WHERE WERE THE TENNIS CENTERS LOCATED.

CENTERS	LEADERS	HOURS
SOUTHWESTERN AREA	Henry A. Eonnet, Superintendent	
ARBUTUS JUNIOR HIGH 3 courts	Wayne S. Roach	9:30-12:30 p.m. 5:00-9:00 p.m.
CATONSVILLE JUNIOR HIGH 3 courts	Odette L. Haylock	9a-12:30 p.m. 5:00-8:30 p.m.
CATONSVILLE SENIOR HIGH 4 courts	Elizabeth H. VanDyke	9:00-12:30 p.m. 3:30-7:00 p.m.
LANSOWNE MIDDLE 4 courts	Steven Burkowske	9:00-12 noon 3:30-7:00 p.m.
NORTHWESTERN AREA	Harry C. Coulter, Jr., Superintendent	
FRANKLIN JUNIOR HIGH 3 courts	Warren W. White	8:30 a.m.-1:00 p.m. 6:00-8:30 p.m.
FRANKLIN SENIOR HIGH 4 courts	Nancy P. Ferguson	9:00 a.m.-1:00 p.m. 5:00-8:00 p.m.
JOHNNYCAKE JUNIOR HIGH 3 courts	Roger C. McCammon	9:00 a.m.-1:00 p.m. 5:30-8:30 p.m.
MILFORD MILL SENIOR HIGH 4 courts	Harry L. Warfield, Jr.	9:00 a.m.-12:30 p.m. 5:00-8:30 p.m.
OLD COURT JUNIOR HIGH 3 courts	Gary G. Goldberger	9:00 a.m.-12:30 p.m. 5:00-8:30 p.m.
PIKESVILLE JUNIOR HIGH 3 courts	Nancy Union	9:00 a.m.-12:30 p.m. 5:00-8:30 p.m.
PIKESVILLE SENIOR HIGH 4 courts	Lois R. Strauss	9:00 a.m.-12:30 p.m. 5:00-8:30 p.m.
RANDALLSTOWN SENIOR HIGH 4 courts	Susan E. Weiss	9:00 a.m.-12:30 p.m. 5:00-8:30 p.m.
SUDBROOK JUNIOR HIGH 3 courts	Victor F. Siegel	9:00 a.m.-1:30 p.m. 5:30-8:00 p.m.
WOODLAWN JUNIOR HIGH 3 courts	Jesse J. Bennett, Jr.	9:00 a.m.-1:00 p.m. 5:00-8:00 p.m.
WOODLAWN SENIOR HIGH 4 courts	John T.B. Harrison, Jr.	9:00 a.m.-1:00 p.m. 5:00-8:00 p.m.

NORTHERN AREA Albert E. Noyes, Superintendent

CARROLL MANOR 2 courts	Linda H. Landon	9:30 a.m.-1:00 p.m.
COCKEYSVILLE JUNIOR HIGH 3 courts	Mary E. Ebmeier	9:00 a.m.-1:00 p.m. 5:00-8:00 p.m.
DULANEY SENIOR HIGH 4 courts	Anne Ebmeier	9:00 a.m.-1:00 p.m. 4:50-7:30 p.m.
DUMBARTON JUNIOR HIGH 3 courts	Dennis S. Quigley	9:00 a.m.-1:00 p.m. 5:30-8:30 p.m.
HEREFORD JR.-SR. HIGH 3 courts	Charles A. Kramer	9:00 a.m.-1:00 p.m. 4:30-7:30 p.m.
LOCH RAVEN ELEMENTARY 2 courts	Kerry B. Fisher	8:00 a.m.-2:00 p.m. 7:00-8:00 p.m.
LOCH RAVEN JUNIOR HIGH 3 courts	Leslie C. McPherson	9:00 a.m.-12 noon 4:00-8:00 p.m.
LUTHERVILLE ELEMENTARY 2 courts	Lloyd V. Schubert	8:30 a.m.-1:30 p.m. 2:30-4:30 p.m.
RIDERWOOD ELEMENTARY 2 courts	Lucy D. Blair	9:00 a.m.-1:00 p.m. 5:30-8:30 p.m.
RIDGELY JUNIOR HIGH 3 courts	Charles E. McCain	8:30 a.m.-1:30 p.m. 2:30-4:30 p.m.
RUXTON ELEMENTARY 2 courts	Susan J. Grayson	9:00 a.m.-2:00 p.m. 5:00-7:00 p.m.
TOWSON SENIOR HIGH 6 courts	Christine E. Schubert	8:30 a.m.-1:30 p.m. 2:30-4:30 p.m.
TOWSONTOWN JUNIOR HIGH 3 courts	Paul R. Gehrman	8:30 a.m.-1:00 p.m. 5:00-8:30 p.m.

NORTHEASTERN AREA James L. Overtoom, Superintendent

GOLDEN RING JUNIOR HIGH 3 courts	Sandra J. Zarl	9:00 a.m.-1:00 p.m. 1:30-8:30 p.m.
HARTFORD HILLS 2 courts	Margaret L. Due	9:00 a.m.-1:00 p.m. 4:30-8:30 p.m.
OVERLEA SENIOR HIGH 4 courts	Nancy C. Sandusky	9:00 a.m.-2:00 p.m. 6:30-8:30 p.m.

NORTHEASTERN AREA (Continued)

PARKVILLE JUNIOR HIGH 3 courts	Gary N. Grammer	9:30 a.m.-2:30 p.m. 4:30-8:30 p.m.
PARKVILLE SENIOR HIGH 4 courts	Carol L. Sirionette	9:00 a.m.-1:00 p.m. 5:30-8:30 p.m.
PERRY HALL JUNIOR HIGH 3 courts	Barbara J. Metz	9:00 a.m.-1:00 p.m. 5:00-8:00 p.m.
EASTERN AREA	Malcolm S. Aldrich, Superintendent	
DEEP CREEK JR.-SR. HIGH 3 courts	Cynthia M. McNeil	9:00 a.m.-12:30 p.m. 5:00-8:30 p.m.
EASTERN VOCATIONAL TECH 3 courts	Frank A. Insinga	9:00 a.m.-12 noon 4:00-9:00 p.m.
KENWOOD SENIOR HIGH 4 courts	Jo Ann Foster	9:00 a.m.-12:30 p.m. 4:00-7:30 p.m.
MIDDLE RIVER JUNIOR HIGH 3 courts	Mary A. Richards	9:30 a.m.-1:00 p.m. 6:00-9:30 p.m.

SOUTHEASTERN AREA Robert R. Staab, Superintendent

DUNDALK ELEMENTARY 4 courts	Susan Miller	9:30 a.m.-1:30 p.m. 5:00-8:00 p.m.
DUNDALK VOCATIONAL 2 courts	Rebecca Jackson	9:00 a.m.-12 noon 4:00-8:00 p.m.
GEN. JOHN STRICKER 3 courts	Robert Jailey	9:00 a.m.-12 noon 4:00-8:00 p.m.
NORTH POINT JUNIOR HIGH 3 courts	Linda J. Doyle	9:00 a.m.-12 noon 4:00-8:00 p.m.
FATAPSCO SENIOR HIGH 4 courts	Phillip D. Steinberg	9:00 a.m.-12 noon 4:00-8:00 p.m.
SPARROWS POINT SENIOR HIGH 4 courts	Linda Powell	9:30 a.m.-1:00 p.m. 4:30-8:00 p.m.

WHAT WERE THE HIGHLIGHTS OF THE PROGRAM?

DID YOU KNOW that Baltimore County's summer tennis program, finishing its 23rd year, is the largest of its kind in the nation? This year, 9,214 players registered for the instruction and play.

DID YOU KNOW that 44 local tennis centers, together with the Gold Cup Centers at UMBC, Dundalk, and Towson State, had an attendance of 155,940 or 71 all-weather courts? That 30 additional courts will be available for programs or informal play in 1973?

DID YOU KNOW that the County tennis program is aimed at both children and adults from ages 9-90? There were literally hundreds of cases where evening classes for adults included the parents, and even some grandparents, of youngsters who were learning in the morning. Adults registered numbered 1,209.

DID YOU KNOW that despite the large numbers of participants in tennis this year, only one serious accident on the courts was reported?

DID YOU KNOW that many of the children registered in County programs have become top players in local high schools, and compete in tournaments throughout the state and nation?

DID YOU KNOW that tennis is considered to be one of the best "carry-over" sports and is recommended by almost every authority on physical fitness? Baltimore County heartily believes that tennis is the sport of a lifetime, and indeed, a way of life.

DID YOU KNOW that while some sports encourage the competitors to get away with anything the officials overlook, tennis insists that each player make the calls on his side of the net, putting a real test on his "honor system"?

DID YOU KNOW about the Baltimore County Tennis Tournament? For years the County has sponsored one of the largest tennis tournaments in the nation. But this report would like to call special attention to the 1972 Baltimore County Tennis Tournament. Actually, the tournament can be thought of in three parts: 1) 44 center tournaments; 2) 6 Area tournaments; 3) the County championships. To qualify for the County championships, a player must be a winner or semi-finalist in both Center and Area tournaments.

For three years, the County championships had been held at Towson State College. The 1971 and 1972 Championships were held at Essex Community College, with fine cooperation of Andrew F. McDonald, Division Chairman of Health, Physical Education and Recreation.

In terms of numbers alone, the tournament was successful. Over 4,275 youngsters participated in local tournaments, 1,617 in area tournaments, and 406 got to the County championships - a total of 6,298 entries.

Continued on page 14



REGISTRATION AND ATTENDANCE

TENNIS CENTER	REGISTRATION			ATTENDANCE		
	Male	Female	Total	Male	Female	Total
SOUTHWESTERN AREA						
Arbutus	85	107	192	1546	2557	4103
Catonsville Junior	53	80	133	1234	1908	3142
Catonsville Sr.	58	100	158	1232	1175	2397
Lansdowne Middle	67	54	121	1912	1572	3484
TOTALS	263	341	604	6074	7302	13376

NORTHWESTERN AREA						
Franklin Junior	108	158	266	1849	2977	4796
Franklin Senior	87	169	256	1493	2018	3511
Johnnysake Junior	125	151	276	2256	1924	4180
Milford Mill Senior	156	149	305	2710	1877	3977
Old Court Junior	160	120	280	1596	1095	2691
Pikesville Senior	61	53	114	1015	782	1797
Pikesville Junior	123	141	264	2836	2342	5178
Randalltown Senior	159	184	343	2100	1877	3977
Sudbrook Junior	123	229	352	2119	2429	4548
Woodlawn Junior	140	105	245	1701	1029	2730
Woodlawn Senior	80	67	147	1832	2159	3991
TOTALS	1322	1526	2848	21507	21075	42582

NORTHERN AREA						
Carroll Manor El.	32	83	115	549	1124	1673
Cockeysville Jr./Sr.	90	60	150	1044	969	2013
Dulaney Senior	83	116	199	1846	1985	3821
Dumbarton Junior	85	175	260	1990	2797	4787
Hereford Senior	69	78	147	1191	1574	2765
Loch Raven Elementary	59	85	144	1077	1195	2272
Loch Raven Junior	72	133	205	1507	2284	3791
Lutherville Elementary	87	91	178	2054	2392	4446
Riderwood Elementary	72	95	167	1511	1943	3454
Ridgely Junior	117	149	266	3541	3980	7521
Ruxton Elementary	64	75	139	1186	1112	2298
Towson Senior	79	99	178	2873	2561	5434
Towson Junior	168	212	380	2889	3251	6140
Towsonville Junior	1077	1351	2528	23258	27127	50485

NORTHEASTERN AREA						
Golden Ring Junior	45	61	106	1035	989	2024
Harford Hills	95	165	260	1427	2346	3773

*Note: Registration refers to the number of individuals who signed up for play; attendance denotes the number of times they actually played at the center during regular sessions.

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REGISTRATION AND ATTENDANCE (Continued)

TENNIS CENTER	REGISTRATION			ATTENDANCE		
	Male	Female	Total	Male	Female	Total
NORTHEASTERN AREA (Continued)						
Overlea Senior	52	84	136	1205	1703	2908
Parkville Junior	83	94	177	1054	1030	2084
Parkville Senior	110	134	244	1609	1781	3390
Perry Hall Junior	76	102	178	1548	1539	3087
TOTALS	461	640	1101	7878	9388	17266

EASTERN AREA						
Deep Creek Jr./Sr.	60	55	115	1205	1006	2211
Eastern Vocational	77	43	120	1064	806	1870
Kenwood	83	33	116	1255	788	2043
Middle River	67	62	129	1059	593	1652
TOTALS	287	193	480	4583	3193	7776

SOUTHEASTERN AREA						
Dundalk Elementary	97	87	184	1688	1597	3285
Dundalk Vocational	88	40	128	2395	919	3314
Gen. John Stricker	108	91	199	2510	1776	4286
North Point Junior	142	84	226	1800	1558	3358
Patapsco Senior	213	173	386	2417	2391	4808
Sparrows Point Senior	116	78	194	1813	1301	3114
TOTALS	764	553	1317	12623	9542	22165

TOTALS BY AREA						
SOUTHWESTERN	263	341	604	6074	7302	13376

NORTHWESTERN	1322	1526	2848	21507	21075	42582
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NORTHERN	1077	1351	2528	23258	27127	50485
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NORTHEASTERN	461	640	1101	7878	9388	17266
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EASTERN	287	193	480	4583	3193	7776
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SOUTHEASTERN	764	553	1317	12623	9542	22165
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GOLD CUP PROGRAM	205	131	336	1298	992	2290
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GRAND TOTALS, BALTIMORE COUNTY	4,379	4,735	9,214	77,221	78,619	155,940
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WHO WERE THE PARTICIPANTS?

Area	YOUTH			ADULTS		
	Male	Female	Total	Male	Female	Total
SOUTHWESTERN						
Arbutus Jr.	47	72	119	38	35	73
Catonsville Jr.	41	50	91	12	30	42
Catonsville Sr.	45	62	107	13	38	51
Lansdowne Middle	48	10	58	19	14	33
TOTALS	181	224	405	82	117	199

NORTHWESTERN						
Franklin Jr.	71	101	172	37	57	94
Franklin Sr.	56	99	155	31	70	101
Johnnysake	80	21	101	15	70	115
Milford Mill	62	60	122	94	89	183
Old Court	50	45	95	110	75	185
Pikesville Jr.	39	23	62	22	30	52
Pikesville Sr.	78	73	151	68	113	181
Randalltown Sr.	75	78	153	84	106	190
Sudbrook Jr.	96	143	239	27	86	113
Woodlawn Jr.	49	28	73	95	77	172
Woodlawn Sr.	21	30	51	59	37	96
TOTALS	673	761	1,434	649	765	1,414

NORTHERN						
Carroll Manor	32	56	88	0	27	27
Cockeysville Jr.	48	54	102	42	42	84
Dulaney Jr.	51	135	186	32	64	96
Dumbarton Sr.	45	110	155	20	65	85
Hereford	46	50	96	23	28	51
Loch Raven El.	42	41	83	17	44	61
Loch Raven Jr.	43	100	143	9	33	42
Lutherville El.	83	81	164	4	8	12
Riderwood	52	64	116	21	51	72
Ridgely	117	149	266	0	0	0
Ruxton	42	57	99	22	18	40
Towson Sr.	71	72	143	8	27	35
Towsonville Jr.	112	140	252	56	72	128
TOTALS	824	1,060	1,884	253	427	680

NORTHEASTERN						
Golden Ring	33	41	74	12	20	32
Overlea	39	48	87	13	36	49
Perry Hall	68	83	151	8	19	27

*Note: Youth include those through age 17; those 18 and over are classified as adults.

Area	YOUTH			ADULTS		
	Male	Female	Total	Male	Female	Total
NORTHEASTERN (Continued)						
Harford Hills	62	118	180	33	47	80
Parkville Jr.	67	65	132	16	29	45
Parkville Sr.	48	74	122	62	60	122
TOTALS	117	429	546	144	211	355

EASTERN						
Eastern Voc.	42	29	71	35	14	49
Kenwood	50	29	79	14	4	18
Middle River	53	50	103	14	12	26
Deep Creek	39	41	80	21	14	35
TOTALS	184	149	333	103	24	127

SOUTHEASTERN						
Patapsco	154	132	286	59	41	100
Sparrows Point	85	51	136	31	27	58
John Stricker	86	56	142	48	36	84
North Point Jr.	76	61	137	32	30	62
Dundalk Reg.	67	35	102	21	5	26
Dundalk El.	42	56	98	29	84	113
TOTALS	510	393	903	246	168	414



COMPARISON OF NUMBERS OF YOUTH REGISTERED VOLUNTEERS ASSISTING, WITH PLAYERS 9-18 COMPETING IN 1972 CENTER, AREA, AND COUNTY TOURNAMENTS

Centers	Youth Reg.	Volunteers No. Hours	Center Tourn. Singles Doubles	Area Tourn. Singles Doubles	County Tourn. Singles Doubles
SW					
Arbutus	119	5 90	65 36	25 22	16 8
Catonsville Jr.	91	2 10	52 50	38 28	18 10
Catonsville Sr.	107	3 8	35 22	17 16	5 4
Lansdowne Middle	65	10 230	36 28	16 20	4 4
	405	20 308	188 136	96 86	35 20
NW					
Franklin Jr.	172	3 55	50 50	28 20	8 8
Franklin Sr.	155	4 290	71 12	19 12	1 4
Johnnysake	161	13 250	84 74	32 42	4 4
Milford Mill	122	1 3	34 72	19 16	1 4
Old Court	95	1 5	31 16	15 0	5 4
Pikesville Jr.	42	0 3	38 0	9 6	2 0
Pikeville Sr.	151	7 29	87 84	19 14	3 3
Randallstown Sr.	153	5 244	84 34	28 14	3 3
Sudbrook Jr.	239	4 30	61 34	28 24	5 5
Woodlawn Jr.	73	3 40	35 32	28 22	0 0
Woodlawn Sr.	51	3 96	33 17	21 22	2 9
	1,434	44 1,002	658 416	248 196	14 28
N					
Carroll Manor	88	3 24	42 2	11 6	2 0
Cockeysville	102	0 0	78 0	12 2	1 0
Dulaney	135	3 12	96 154	21 28	5 10
Dumbarton	75	40 10	150 16	68 14	4 10
Hersford	96	6 45	80 11	32 0	1 0
Loch Raven El.	83	2 40	49 42	13 14	2 6
Loch Raven Jr.	163	4 125	89 15	22 0	12 0
Lutherville	166	8 47	163 18	12 14	0 10
Ridderwood	116	12 62	78 66	15 16	0 10
Ridgewood	246	9 410	125 80	14 8	7 28
Ruxton	99	2 24	32 0	9 10	1 2
Towson Sr.	143	9 50	102 0	28 8	7 8
Towsonstown	252	10 300	87 15	6 3	1 4
	1,885	75 1,179	1,070 712	194 284	37 91



FRANK G. ROBERTS

JUDY BARTA

Whose inspiration, personal drive, and devotion to the development of the best in others, through tennis, has been the guiding spirit behind the Gold Cup Program - his promotion of the Patrons Fund has brought here outstanding teachers of tennis to continually lift the level of skills in Baltimore County.

Whose enthusiasm, professional know-how, personal charm and persistence have convinced would-be tennis teachers that tennis made simple is tennis easily learned - she has hundreds of County tennis leaders - and thousands of their pupils - in her debt.

GOLD CUP FINANCING

A Note of Appreciation to those contributors whose financial backing made possible the 1972 Gold Cup Program:

Community Recreation and Parks Councils

SW	Arbutus	\$30
	Catonville	40
NW	Edmondson-Westview	18
	Liberty Road	50
	Pikesville	64
	Reisterstown	50
	Woodlawn	44
N	Carroll Manor	20
	Cockeysville-Springlake	100
	Hereford	25
	Loch Raven	50
	Lutherville-Timonium	75
	Towson	75
	Towsontowne	75
NE	Overlea-Fullerton	56
	Parkville	100
	Perry Hall	10
E	Back River	18
	Colgate	10
	Essex	18
	Middle River	18
	Stembridge	18
SE	Bear Creek	20
	Dundalk	50
	Edgemere-Sparrows Pt.	15
	Gray Manor-Charlemont	26
	Turner Station	10
	Watersedge	10
	West Inverness	10
	Total	\$1,105

Council Presidents

Mr. George J. Kendrick
Mr. Eugene S. Rest
Mr. Frank Strauch
Mrs. Lois Goldsmith
Mr. David Schenerman
Mr. Daniel Starr
Mr. Roy Abel
Mr. Delmar Patrick
Mr. Robert Nickerson
Mr. Fred Cox
Mr. Hugh Hollenback
Mr. William Snyder
Mr. Walter Caldwell
Mr. Kenneth T. Champness
Mr. Joseph Murray
Mr. Fred H. Levinsky
Mr. George K. Nothen
Mr. John Coxon
Mrs. Mary Kidd
Mr. Deward E. Hart
Mr. William Prash
Mr. James Trader
Father Robert C. Callahan
Mr. William J. Dausies
Mr. Charles Fleming
Mr. Ernest Clinton
Mr. Thomas Shinsberry
Mr. Samuel Young

\$1,105

Organizations and Individuals:

Middle Atlantic Lawn Tennis Ass'n, Edward C. Griepkenrl, Pres.	\$500
Maryland Tennis Association, Raymond S. Tompkins, Jr., Pres.	350
Patrons Association (Plus one "Prince" automatic server, courtesy Howard Head)	1,435
(Gold Cup Tournament trophies, courtesy Turnbull Family)	
Margot and Samuel Shriver, Jr.	25
Sperry & Hutchinson Co., Frank Tafuto, District Manager	25
Edward Ellison	10
Bearings & Transmission of Baltimore, Inc.,	50

Grand Total \$3,500

WHAT WERE THE HIGHLIGHTS OF THE PROGRAM? (Continued)

- 2) Some of the finest young players in the metropolitan area and State competed, and helped as umpires, linesmen, and scorers.
- 3) Hundreds of parents and other interested spectators came to watch the tournaments and enjoy the play of youngsters from all sections of the County.
- 4) Despite its competitive nature, it was still a tournament which stressed and exemplified the aspects of good sportsmanship and fair play along with the desire to be a winner.

DID YOU KNOW about the Gold Cup Centers?

The nation's first public center for the development of advanced tennis skills for youth became a reality in Baltimore County in 1967, under the joint sponsorship of the United States Lawn Tennis Association and the Baltimore County Department of Recreation and Parks, with special help from Frank G. Roberts, Sr.

The 1972 Gold Cup Center, open to both boys and girls, was held closely with the neighborhood tennis centers; the most promising players from each of these 44 local centers, as selected by their tennis leaders, were invited to the Towson State courts twice a week for concentrated instruction by Director Jeff Lamborn and his two assistants, Kathy Nolan and Don Hicks.

Jeff's staff has concentrated on giving as much tennis training as possible to individuals in a group situation where up to 25 juniors of a two-year age span could play competitively on 11 courts, with 3 or 4 expert instructors studying their play to make suggestions on stroke production and game strategy. Hopefully, this free instruction would encourage their competing in more tournaments, especially the Gold Cup Tournament, and equally important, take this skill teaching back to the local centers to be passed on to those not selected for special instruction.

To make sure that travel would not be a drawback, extra sessions led by Wayne Roach and Robert Jolley, were held at UMBC in Arbutus and Dundalk High in Dundalk. During the 1972 season, 336 different youngsters with an attendance of 2,290, came to Gold Cup to uncover weaknesses and learn how to analyze their own skills and progress. The Gold Cup staff was able to set up two additional youth tournaments at McDonough School and L'Hirondelle Club and to hold a series of instructional classes for women.

With the continued support of Frank G. Roberts of the United States Lawn Tennis Association, Edward C. Griepkenrl of Middle Atlantic Tennis Association and Raymond S. Tompkins, Jr., of the Maryland Tennis Association, and the Community Recreation Councils, Baltimore County players are reaching a new plateau of excellence and producing a new crop of champions who are also good sportsmen.

WHAT WAS THE COST OF THE TENNIS PROGRAM?

EXPENDITURES

Department of Recreation and Parks Leadership Cost:

Southwestern Area	\$ 2,680.00
Northwestern Area	7,614.00
Northern Area	9,151.84
Northeastern Area	3,936.00
Eastern Area	2,673.31
Southeastern Area	4,360.00
Gold Cup Program (Towson State)	671.20
TOTAL	\$31,086.35

Community Recreation Councils Expenditures for Equipment, etc.

Southwestern Area	\$ 542.00
Northwestern Area	1,614.79
Northern Area	3,197.07
Northeastern Area	1,166.73
Eastern Area	311.69
Southeastern Area	449.30
MALTA, MTA, Councils Expenditures for Leadership, Equipment, Supplies (Gold Cup Program)	3,500.00
TOTAL	10,781.58

GRAND TOTAL EXPENDITURES BY THE DEPARTMENT, RECREATION COUNCILS, MALTA	41,867.93
LESS VALUE OF EQUIPMENT STORED FOR 1973	1,790.58
TOTAL NET EXPENDITURES	\$40,077.35
Per Capita Cost based on Registration of 9,260 Participants	4.33
Per Capita Cost per session at 194,840 in Attendance	.26

WE RECOMMEND

1. That a serious discussion of this Tennis Report be held by every Recreation Council concerned with the promotion of inexpensive, life-time, individual leisure activities for all ages of both sexes.
2. That for each tennis center, immediate steps be taken to organize a local committee of adults and youth to plan next year's program of summer tennis.
3. That continued efforts be made to provide shade close to the courts to encourage players to share the courts with others who are waiting, either by tree planting this fall, or by purchasing a type of canopy, for erection close to the fence.
4. That recreation councils consider in their 1973-74 budget requests the need for a second leader to extend the daily program of centers where 1972 player registration exceeded 200. (See chart, page 9)
5. That arrangements be made by each center for emergency indoor facilities, such as a gym, multipurpose room or cafeteria, for informal use whenever rain interrupts the regular program.
6. That new efforts be made to have two tennis courts constructed simultaneously with each new elementary school-recreation center, so as to provide a tennis headquarters in each neighborhood.
7. That communities investigate the possibility of adding lights in order to get optimum use of their courts - if need be, bearing the total cost of installation.
8. That wherever possible, provisions be made now to play tennis on weekends during the winter in the larger gyms.
9. That during the summer inter-center competition between adults, especially on weekends, be promoted to aid in forming a "nest" for a volunteer committee at each center.
10. That efforts be made by local tennis committees to hold invitational tournaments for both youth and adults after, as well as prior to, the eight-week summer program.
11. That serious thought be given to scheduling the 1973 summer program for youth during morning and afternoon hours, especially where some shade is available for those waiting to play, in order to free more courts for adult play in the evening. Possibly, instruction for adults could be placed on a fee basis. (See chart page 10)
12. That each Area Superintendent continue to designate one full-time staff person as "Area Tennis Supervisor" to help leaders set up inter-center play, local, and area tournaments, and to complete detailed area reports.

13. That leaders and recreation councils continue to increase their efforts to stimulate young tennis players to seek the challenge of competition in team matches and tournaments, or the theory that only weaklings fear defeat and that playing skills are more quickly acquired by playing better players. (See chart page 12)
14. That greater efforts be made by tennis leaders to use their most experienced players and Gold Cup registrants as "assistants", grooming them as future tennis leaders for the ever-increasing number of new tennis programs.
15. That stronger efforts be made to instruct players in officiating techniques, so that inter-center matches and all tournaments can be assured of competent linesmen and umpires.
16. That advance information on local 1973 tennis programs be distributed to all community agencies well before school ends, so that maximum cooperation can be assured with regard to the recruitment of competent leaders.
17. That the 1973 Gold Cup Center continue outlying afternoon sessions at U.M.B.C. and Dundalk, provided these areas so request, so as to accommodate more players, particularly those from distant centers who have transportation problems.
18. That as soon as possible, additional Gold Cup centers be established, preferably in the western and eastern sections of the County, utilizing the facilities of the community colleges.
19. That the Gold Cup tournament, with trophies provided by the Turnbull Family, be continued as an additional competitive event for all outstanding players registered at the Gold Cup center, and as a basis for USLTA ranking.
20. That additional methods of fund-raising be investigated by local tennis committees, to ensure the continuation of advanced skill training at the Gold Cup Centers.
21. That efforts be continued to establish additional summer tournaments for advanced players in Baltimore County, possibly at sites like McDonough, L'Hirondelle, U.M.B.C., Goucher, Essex and Catonsville Community Colleges.
22. That in view of the greatly increasing number of adults wishing to play tennis and to learn more about fundamental skills, Recreation Councils undertake to operate spring and/or fall programs on a fee basis, making use of some of the outstanding instructional talent developed during the summer as well as of local pros.
23. That signs limiting informal play to one hour when others are waiting, giving adults preference evenings and weekends, be posted on every tennis site.

If you have recommendations for the 1973 Tennis Program will you please call the Department of Recreation and Parks at 494-3834

Cover Photos

Two young lovelies about to start a tournament match at Towson State's 11 court complex, playing in one of the 52 tournaments with 6,298 entries conducted at County sites during the summer, while other young players crowd around the bulletin board to check their progress through the week's play.

The Ready Position

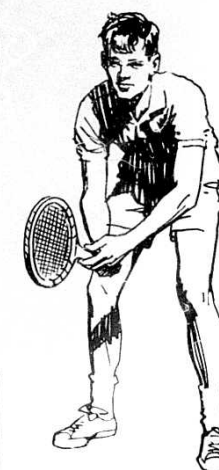


Photo Credits

Many thanks to those leaders who sent in outstanding snapshots to Samuel A. Lauer, Photographer for the Office of Information and Research, E. Jay Miller, Director, who provided the major photography and to Mrs. Catherine Roberts, Office of Central Records, who printed the report.



2 Signs 74-28-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: July 13, 1973

Posted for: Petition For Special Exception

Petitioner: Colin A. Hoffman

Location of property: SE/8 of Nuwood Rd. 545' NE of Baltimore National Pike

Location of Signs: On SE Side Nuwood Rd. 180' from NE of Powers Lane, at end of Dine Rd. On N Side Powers Lane, 130' from E of Nuwood Rd.

Remark: 130' from E of Nuwood Rd.

Posted by: Thomas D. Babin Signature Date of return: July 30, 1973

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 10th day of June 1973.

E. Eric DiNenna
Zoning Commissioner

Petitioner: Colin A. Hoffman, et ux

Petitioner's Attorney: James D. Nolan, Esq. Reviewed by: John J. Dutton Jr.
Richard L. Smith, Esq.
Mats, Childs Assoc.
1020 Cromwell Bridge Road
Towson, Maryland 21204

2 Signs 74-28-X

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: Dec 14, 1973

Posted for: Appeal

Petitioner: Colin A. Hoffman, et ux

Location of property: SE/8 of Nuwood Rd. 545' NE of Baltimore National Pike

Location of Signs: On E Side Nuwood Rd. 180' from NE of Powers Lane, at end of Dine Rd. On N Side Powers Lane, 130' from E of Nuwood Rd.

Remark: 130' from E of Nuwood Rd.

Posted by: Thomas D. Babin Signature Date of return: Dec 21, 1973

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received* this 31st day of May 1973. Item # 1

E. Eric DiNenna
Zoning Commissioner

Petitioner: Hoffman, Colin A. et ux Submitted by: Williams (Nolan)

Petitioner's Attorney: Williams, Esq. Reviewed by: FT Hayes
Cas D. Nolan

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		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: <u>FTH</u>			Revised Plans: Change in outline or description Yes ☐ No ☐							
Previous cases:			Map # _____							

BALTIMORE COUNTY, MARYLAND No. 12752
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE November 27, 1973 ACCOUNT 01-662

AMOUNT \$70.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
William S. Baldwin, Esquire
Cost of Filing of an Appeal on Case No. 74-28-X
SE/8 of Nuwood Road, 545' NE of the Baltimore National Pike - 1st District
Colin A. Hoffman, et ux - Petitioners
70.00 REC

BALTIMORE COUNTY, MARYLAND No. 13081
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE February 5, 1974 ACCOUNT 01-662

AMOUNT \$10.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
William S. Baldwin, Esquire
Cost of Posting Property of Colin A. Hoffman, et ux, for an Appeal Hearing
SE/8 of Nuwood Road, 545' NE of the Baltimore National Pike - 1st District
Case No. 74-28-X
10.00 REC

BALTIMORE COUNTY, MARYLAND No. 13006
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE December 5, 1973 ACCOUNT 01-662

AMOUNT \$10.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
James D. Nolan, Esquire
Cost of posting property of Colin A. Hoffman, et ux, for an appeal hearing.
SE/8 of Nuwood Road, 545' NE of the Baltimore National Pike - 1st District
Case No. 74-28-X
10.00 REC

BALTIMORE COUNTY, MARYLAND No. 10889
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 6, 1973 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
Hess, Nolan, Plumbhoff and Williams
201 W. Penna. Ave.
Towson, Md. 21204
Petition for Special Exception for Colin Hoffman
74-28-X
50.00 REC

BALTIMORE COUNTY, MARYLAND No. 15311
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 11/25/74 ACCOUNT 01-712

AMOUNT \$30.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
Cost of Certified Documents - Case No. 74-28-X
Colin A. Hoffman, et ux
SE/8 of Nuwood Rd. 545' NE of Baltimore National Pike - 1st District
Colin A. Hoffman, et ux - Petitioners
30.00 REC

BALTIMORE COUNTY, MARYLAND No. 12753
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE November 27, 1973 ACCOUNT 01-662

AMOUNT \$70.00

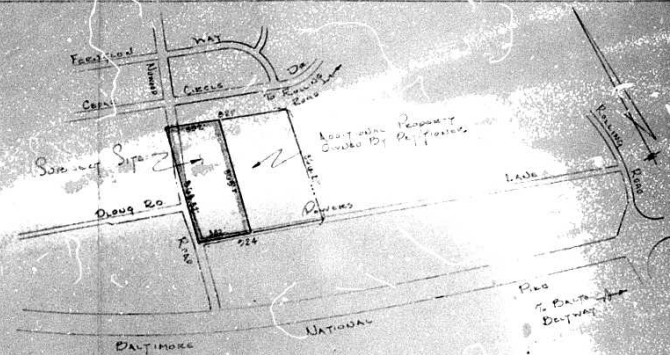
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
James D. Nolan, Esquire
Cost of Filing an Appeal on Case No. 74-28-X
SE/8 of Nuwood Road, 545' NE of the Baltimore National Pike - 1st District
Colin A. Hoffman, et ux - Petitioners
70.00 REC

BALTIMORE COUNTY, MARYLAND No. 11144
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 30, 1973 ACCOUNT 01-662

AMOUNT \$62.50

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
Alton J. Joyner
3612 N. Charles St.
Baltimore, Md. 21218
Advertising and posting of property for
Colin A. Hoffman-74-28-X
62.50 REC

[illegible]

GENERAL Notes

1. Action of Prescon Requesting "Special Exception" Easings 778 Acres
2. Existing Easings of Prescon DRE # DR35
3. Existing Use of Prescon Farm Ops
4. Proposed Easings of Prescon DRE # DR35 with Special Exception
5. Proposed Use of Prescon Tennis Club
6. Total Number of Courtshipers 20
7. Required Planning Easings 60 Acres (3 per Court)
8. Proposed Planning Easings 112 Acres (2.6 per Court)



PLAT TO ACCOMPANY PETITION
FOR
EXEMPTION OF PROPERTY
VICINITY

NEWWOOD ROAD & POWERS LANE
ELECT. DIST. 1
CHARGE: 1.00
MAY 25, 1973
REVISED: JULY 20, 1973



