

# PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

HOWARD G. WILLIAMS  
I, or we, MARGARET A. WILLIAMS, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an M.L.R. and BL zone to an ML zone, for the following reasons:

(see attached brief)

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:

Property is to be posted and advertised as prescribed by Zoning Regulations.

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.

Contract purchaser

HOWARD G. WILLIAMS  
MARGARET A. WILLIAMS Legal Owner  
Address:

Robert A. DiCicco  
Petitioner's Attorney

Protestant's Attorney

Address: 208 W. Pennsylvania Avenue  
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of October, 1976, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of March, 1977, at 10:00 o'clock A.M.

(over)

IN THE PETITION OF  
HOWARD G. WILLIAMS et ux  
707 Stemmers Run Road  
FOR RECLASSIFICATION

## MEMORANDUM IN SUPPORT OF PETITION

Your Petitioners, Howard G. Williams and Margaret A. Williams, by Robert A. DiCicco, Askew, Wilson and DiCicco, respectfully submit the following memorandum in support of their claim that the Zoning requested should be granted because of the error in the map and because of a change in the neighborhood:

1. Error in the Map-- The property in question is located in a prime manufacturing and industrial area of Baltimore County. It is serviced by major industrial roads and a railroad. Opposite the property the land is zoned ML. At the time of the adoption of the Zoning Maps, the former owner requested the planning commission to zone the property ML and was subsequently advised that the request was accepted and that the property would be so zoned. Therefore, because the only appropriate zoning for the property is ML and because the planning commission advised that the planning board would recommend ML zoning and that the same would be adopted, it was a mechanical and judgment error in the failure to so zone the property.
2. Change in the neighborhood-- The following changes in the neighborhood of the subjects' property justify re-zoning to ML from M.L.R. and BL to wit: (a) a tremendous increase in the volume of traffic at the subjects' site; (b) a change in the existing roads and road patterns in the vicinity to give access to major interstate highways;

LAW OFFICE  
ASKEW, WILSON  
& DICICCO  
TOWSON, MD 21204

LAW OFFICE  
ASKEW, WILSON  
& DICICCO  
TOWSON, MD 21204

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS  
5/3 of Stemmers Run Road  
74' E. of Golden Ring Road  
15th District : FOR BALTIMORE COUNTY  
HOWARD G. WILLIAMS, et ux, Petitioners : Case No. 75-224-R

## ORDER

Upon the foregoing Petition by the People's Counsel for Baltimore County, the Board having noted that there are no other Appellants of record in said case, it is, this 13th day of May, 1976, by the County Board of Appeals for Baltimore County, ORDERED that the foregoing Appeal of the People's Counsel for Baltimore County herein be and it is hereby DISMISSED with prejudice.

Walter A. Keltner, Jr., Chairman

John A. Miller

Robert L. Gifford

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS  
5/3 of Stemmers Run Road  
74' E. of Golden Ring Road  
15th District : FOR BALTIMORE COUNTY  
HOWARD G. WILLIAMS, et ux, Petitioners : Case No. 75-224-R

## PETITION FOR DISMISSAL

To the Honorable, Members of Said Board:

The Petition of the People's Counsel for Baltimore County respectfully represents, viz:

1. That by his Order under date of March 27, 1975, the Zoning Commissioner for Baltimore County granted Reclassification of the above described property from an M.L.R. and B.L. zone to an M.L. zone.
2. That although the Planning Board in its Report to the Zoning Commissioner (Cycle VII, Item 33), requested reclassification be granted, your petitioner was apprehensive that a reclassification of the property involved in this proceeding would effect a change upon which the petitioners in two other cases, specifically, Lloyd Realty, Inc., Case No. 75-223-RX, and BTR Realty, Inc., Case No. 75-225-R, might seek to justify the changes sought in their cases; that the petitioner in "Lloyd" did in fact attempt to use the instant case as a basis to sustain its petition, an effort which was thwarted because of the lack of finality in this proceeding, and the petition in "BTR" is now in such status that the likelihood of the instant case having an impact thereon is virtually nil.
3. That the planning staff, and the Planning Board, as a part of the process involved in the 1976 comprehensive rezoning, recommended that the property be reclassified on the new Comprehensive Map in the M.L. category.
4. That because the reclassification herein sought has in the course of events lost its ability to perniciously affect the result of the other cases mentioned; because the planning staff and the Planning Board have properly, in a comprehensive proceeding, made their recommendation for the 1976 Comprehensive Map; and because there are no individual protestants involved herein, your petitioner has concluded that the public interest is no longer served by the maintenance of this Appeal and respectfully prays that it be dismissed.

AND AS IN DUTY BOUND, etc.,

John W. Heslian, III  
People's Counsel

I HEREBY CERTIFY that on this 13th day of May, 1976, a copy of the foregoing Petition and accompanying Order was mailed to Robert A. DiCicco, Esquire, Askew, Wilson & DiCicco, 208 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorneys for Petitioners.

John W. Heslian, III

C. F. SAYRE, & ASSOCIATES  
Baltimore Professional Land Surveyors  
201 COURTLAND AVENUE  
TOWSON, MARYLAND 21204

OFFICE RECORD

September 25, 1974

REFERENCE FILE

## DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION PROPERTY OF HOWARD G. WILLIAMS AND WIFE

Beginning for the same at the point on the south right of way line of Stemmers Run Road at a distance of 74'± from the east right of way line of Golden Ring Road said point being at the end of the 3rd or N28°45'E 118'± line of the land which by deed dated July 31, 1974 and recorded among the Land Records of Baltimore County in Liber BW, Jr. 5466, folio 940 was conveyed by Elizabeth B. Kellock to Howard G. Williams and wife running thence and binding the south right of way line of Stemmers Run Road and on the 4th, 5th and 6th lines in aforesaid deed the three following courses and distances: (1) by curve to the right for a distance of 46'±; (2) N77°E 166.17'± thence; (3) by a curve to the right 4'± thence leaving the right of way of Stemmers Run Road and binding on the 7th or last line in the aforesaid deed southerly 182.3'± running thence and binding on the 1st line in aforesaid deed N69°15'W 223'± to the east right of way line of Golden Ring Road running thence and binding on the eastern right of way line of Golden Ring Road by a curve to the right for a distance 52'± thence leaving the eastern right of way line of Golden Ring Road and binding on the 3rd line in aforesaid deed N28°45'E 118'± to the place of beginning.

Containing 0.90 Acres of land more or less.

Being all of the land which by deed dated July 31, 1974

1617

and recorded among the Land Records of Baltimore County in Liber BW, Jr. 4366, folio 940 was conveyed by Elizabeth B. Kellock to Howard G. Williams and wife.



Ex-File  
Baltimore  
Reg. Prof. Land Surveyor  
No. 2246

1617



Division of Engineering  
ELLISWORTH N. DIVER, P. E. CHIEF

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

October 23, 1974

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

Re: Item #33 (Cycle VIII - October 1974 - April 1975)  
Property Owners: Howard G. & Margaret A. Williams  
5/8 corner of Stemmers Run & Golden Ring Roads  
Existing Zoning: M.L.R., R.L.  
Proposed Zoning: M.L.  
No. of Acres: 0.9 District: 15th

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.

Highways:

Golden Ring Road is an existing County road which shall ultimately be improved as a 60-foot curbed paving cross-section on the existing 60-foot right-of-way. Although no improvements are required at this time, future construction of curb and gutter and additional paving may be required if Golden Ring Road is used for access.

Stemmers Run Road is an existing County road, which will not require any further improvements.

Storm Drains:

Provisions for the accommodation of storm drainage have not been shown on the plan; however, surface improvements resulting in increased storm water run-off, particularly the paving of parking areas, grading thereof or other surface improvements, may necessitate the Petitioner to provide facilities for this drainage. Before these surface improvements are made, drainage provisions must be submitted to the Department of Public Works for approval prior to any construction.

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

Item #33 (Cycle VIII - October 1974 - April 1975)  
Property Owner: Howard G. & Margaret A. Williams  
Page 2  
October 23, 1974

Sediment Control:

Drainage studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Water:

There is an existing 10-inch water main in Stemmers Run Road, as shown on Drawing #31-066.

Sanitary Sewer:

There is an existing 8-inch sanitary sewer in Stemmers Run Road, as shown on Drawing #68-077H.

Very truly yours,

*Ellisworth N. Diver*  
ELLISWORTH N. DIVER, P. E.  
Chief, Bureau of Engineering

END/AMH:ESS

1-2W Key Sheet  
11 & 12 NE 27 Fox. Sheets  
NE 3 G Tops  
90 "ax Map

WILLIAM D. FROMM  
DIRECTOR  
S. ERIC DINENNA  
ZONING COMMISSIONER



November 6, 1974

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

Dear Mr. DiNenna:

Comments on Item #33, Zoning Cycle VIII, October 1974, are as follows:

Property Owner: Howard G. & Margaret A. Williams  
Location: SE. c of Golden Ring Road and Stemmers Run Road  
Existing Zoning: M.L.R.  
Proposed Zoning: M.L.  
No. of Acres: 0.9  
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment

Very truly yours,

*John L. Wimbley*  
John L. Wimbley  
Planning Specialist II  
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
ROUTE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204  
AREA CODE 301 PLANNING 4643811 ZONING 4643811

BALTIMORE COUNTY, MARYLAND  
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING  
EUGENE J. CLIFFORD, P.E.  
DIRECTOR  
WAL T. HELLEN  
DEPUTY TRAFFIC ENGINEER

October 28, 1974

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

Re: Item 33 - Cycle Zoning 8 - October 1974 through April 1975  
Property Owner - Howard G. & Margaret A. Williams  
SE corner of Stemmers Run & Golden Ring Roads  
M.L.  
District 15

Dear Mr. DiNenna:

The requested zoning change should have no effect on trip density.

Very truly yours,

*C. Richard Moore*  
C. Richard Moore  
Assistant Traffic Engineer

CRM/rmg

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF HEALTH



JEFFERSON BUILDING  
TOWSON, MARYLAND 21204

October 16, 1974

DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE AND 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 #33, Zoning Reclassification,  
Cycle #8, are as follows:

Property Owner: Howard G. & Margaret A. Williams  
Location: SE/C of Golden Ring Rd. & Stemmers Run Rd.  
Existing Zoning: M.L.R.  
Proposed Zoning: M.L.  
No. of Acres: 0.9  
District: 15th

Metropolitan water and sewer are available.

Water Resources Administration Comments: If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with Water Resources Administration requirements.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Very truly yours,

*Thomas H. Devin*  
Thomas H. Devin, Director  
BUREAU OF ENVIRONMENTAL SERVICES

HVB/ncp  
CC--W.L. Phillips

BOARD OF EDUCATION  
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 8, 1974

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

Z.A.C. Meeting of: October 1, 1974 (Cycle #8)

Re: Item #33  
Property Owner: Howard G. & Margaret A. Williams  
Location: SE/C of Golden Ring Road & Stemmers Run Road  
Present Zoning: M.L.R.  
Proposed Zoning: M.L.

District: 15th  
No. Acres: 0.9

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

*W. Nick Petrovich*  
W. Nick Petrovich,  
Field Representative.

H. EMBLE PARKS, President  
EUGENE C. WESS, Vice-President  
MR. ROBERT L. KEARNEY

MARCUS M. BOTSARIS  
JOSEPH N. MURPHY  
ALVIN LORICK  
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.  
RICHARD W. TRACY, V.M.D.  
MR. RICHARD J. WUERTZEL

LAW OFFICES  
ASKEW, WILSON & DICICCO

208 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204

TELEPHONE  
AREA CODE 301  
823-5400

JOHN L. ASKEW  
MEREDITH A. WILSON  
ROBERT A. DICICCO

January 22, 1976

Mr. Walter A. Reiter, Jr.  
Chairman, Board of Appeals  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Howard G. Williams, et al.  
Item No. 33, No. 75-223-A

Dear Mr. Reiter:

In further support of the Memorandum of Law submitted by Petitioner, I call your attention to the recent Supreme Court case of *Worth v. Seldin*, June 25, 1975, 35 S. Ct. 2157, wherein it was held that Plaintiff's "standing to challenge zoning ordinance where he was unable to establish demonstrable injury to himself."

The Supreme Court addressed itself to the question whether the petitioners were entitled to have standing in the federal courts, which was a complex matter in view of the numerous categories of petitioners. Such constitutional limitations upon federal court jurisdiction as well as the "prudential limitations" the Court places upon the exercise of its jurisdiction were the subject of the Court's inquiry. In its constitutional dimension, standing "imports justiciability: whether the plaintiff has made out a 'case or controversy' between himself and the defendant within the meaning of Article III" of the Constitution. This is the threshold question in every federal case, and it must be determined whether a plaintiff has alleged such a personal stake in the outcome of the controversy to warrant his invocation of federal court jurisdiction (*Saker v. Carr*, 359 U.S. 100 (1959)).

Apart from this minimum constitutional mandate, the Supreme Court has recognized other limitations on the class of persons who may invoke the courts' decisions and remedial powers.

"First, the Court has held that when the asserted harm is a 'generalized grievance' shared by substantially equal measure by 'a large class of citizens, that harm alone normally does not warrant exercise of jurisdiction... the plaintiff generally must assert his own legal rights and interests, and cannot rest his claim

ASKEW, WILSON & DICICCO

Page Two

January 22, 1976

Mr. Walter A. Reiter, Jr.

to relief on the legal rights or interest of third parties... Without such limitations - closely related to Art. III concerns but essentially matters of judicial self-governance - the courts would be called upon to decide abstract questions of wide public significance even though other governmental institutions may be more competent to address the questions and even though judicial intervention may be unnecessary to protect individual rights. See, e.g., *Schlesinger v. Reservists Committee to Stop the War*, 415 U.S., at 222, 34 S. Ct., at 233."

The Supreme Court affirmed the judgments of the lower courts that the petitioners had no standing in the federal courts. It is the responsibility of the complainant clearly to allege the facts demonstrating that he is a proper party to invoke judicial resolution of a dispute, and this was not present in the case at hand. None of the petitioners came within the threshold requirements for the rules of standing whether, under Article III of the Constitution requiring a case of controversy, or under the "prudential considerations rule" which limits the role of the courts.

In the words of the Court:

"We hold only that a plaintiff who seeks to challenge exclusionary zoning practices must allege specific, concrete facts demonstrating that the challenged practices harm him, and that he personally would benefit in a tangible way from the courts' intervention."

Looking forward to a prompt ruling by this Honorable Board, I remain,

*Robert A. Dicicco*  
Robert A. Dicicco

RAW/rmg

cc: Mr. Howard Williams,  
John Hession, III, Esquire

Rec'd 1-23-76  
10:10 AM

BEFORE THE BOARD  
OF APPEALS FOR  
BALTIMORE COUNTY  
No. 75-224-R (Item No. 33)

ANSWER TO MOTION TO DISMISS APPEAL

The Answer of the People's Counsel for Baltimore County to the Motion to Dismiss the Appeal heretofore filed respectfully shows:

1. The matters and facts mentioned and alleged in Paragraphs Nos. 1, 2, 3, 4, 5 and 6 of said Motion are admitted.
2. Such portions of Paragraphs Nos. 7 and 8 of said Motion which state facts are admitted; conversely, such portions of said Paragraphs which are profers of Counsel's conclusions and arguments are denied.
3. Further and generally answering said Motion, it is respectfully submitted that the statutory right of appeal granted any person or official of the County is not predicated upon appearance and participation in a hearing before the Zoning Commissioner; it is clear under the previous ruling of the Court of Appeals of Maryland that such appearance and participation is not necessary to preserve the right of appeal.

WHEREFORE, having fully answered said Motion, the Respondent prays that it be hence denied.

John W. Hessian, III  
People's Counsel for Baltimore County

Charles E. Kountz, Jr.  
Deputy People's Counsel  
County Office Building  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY, That a copy of the foregoing Answer was mailed this 23<sup>rd</sup> day of September, 1975, to Robert A. DiCicco, Esq., Askew, Wilson

was exercising its authority under the provisions of Section (X), "Planning and Zoning" of Article 25A. This is the sole statutory source for the creation of the Zoning Commissioner's Office. Might not the fair question be that if the Council and electorate could not create the People's Counsel under that authority, could they create the Zoning Commissioner? Perhaps both are a nullity, a not unpleasant thought, but certainly if one exists, the other may.

Finally, and contrary to the teachings of "Shore Acres," the Petitioner seems to feel that physical presence under the terms of Section 524.1 (3) A of the Baltimore County Charter is necessary for the Respondent to become a "party" as therein mentioned. Merely to meet the thrust of the contention, and not to concede the germaneness thereof, "Brynlaraki", beloved by the Petitioner, itself establishes the theory that a written appearance is sufficient to establish status as a "party," and thus if the Board wishes to ignore "Shore Acres" the fact remains that the Respondent is in compliance with the requirement of "Brynlaraki."

On either ground, the correct "Shore Acres" teaching, or the inapposite "Brynlaraki" doctrine, the Petitioner's Motion should therefore be denied.

Respectfully submitted,

John W. Hessian, III  
People's Counsel for Baltimore County

Charles E. Kountz, Jr.  
Deputy People's Counsel  
County Office Building  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY, That a copy of the foregoing Memorandum was mailed this 23<sup>rd</sup> day of September, 1975, to Robert A. DiCicco, Esq., Askew, Wilson

& DiCicco, 208 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorneys for Petitioners.

John W. Hessian, III

BEFORE THE BOARD  
OF APPEALS FOR  
BALTIMORE COUNTY  
No. 75-224-R (Item No. 33)

RESPONDENT'S MEMORANDUM

The Petitioner has assembled a collage of statutory and decisional phrases to achieve his conclusions. A cursory review of his decisional foundation sheds a far different light on his proposition.

The Petitioner ignores the italicized warning trumpeted by the Court of Appeals at the threshold of its opinion in "Hyson v. Montgomery County Council," 242 Md. 55, 217 A<sup>2</sup> 578, at page 62:

"It should be carefully noted and remembered that the holding in any zoning or rezoning case, here or elsewhere, cannot be accurately appraised without a knowledge and consideration of the constitutional and statutory provisions and the local laws and zoning regulations prevailing at the time of the decisions, below and here." (Emphasis in Opinion).

The Court in "Hyson" was construing a Montgomery County ordinance which contained the words, "interested person," and its opinion was confined to that ordinance in the context of the Montgomery County zoning procedure, itself grounded in statutory authority different from the authority upon which zoning in Baltimore County and other "Charter" counties is based.

It is of course possible to trace the course of Petitioner's approach through "Brynlaraki" and come to the conclusion that Respondent even under the criteria there found could appeal but in truth "Brynlaraki" deals primarily with the right of a party to appeal from the Board to the Courts, a question not here appropriate and one to be fought another day and in another place. There is a shorter, more direct and conclusive way to approach the issue raised by the Petitioner. The Court of Appeals ruled on the very point raised by the Petitioner in "Shore Acres Improvement Association, Inc., et al v. Anne Arundel County Board of Appeals, et al," 251 Md. 310, 247 A<sup>2</sup> 402 (1968).

Mindful of the admonition in "Hyson", it is appropriate to

PETITION FOR RECLASSIFICATION  
S/S of Stemmers Run Road  
74' E. of Golden Ring Road  
15th District  
Howard G. Williams et ux  
Petitioners  
BEFORE THE BOARD  
OF APPEALS FOR  
BALTIMORE COUNTY  
No. 75-224-R (Item No.33)

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MOTION TO DISMISS THE APPEAL

Howard G. Williams, et ux, Petitioners, by Robert A. DiCicco, Askew, Wilson & DiCicco, their attorneys, move that this Honorable Board dismiss the appeal in the above-captioned matter for the following reasons:

1. On September 30, 1974, Petitioners filed a Petition for Reclassification of the tract of land known as "Stemmers Run Road, 74' East of Golden Ring Road, in the 15th Election District of Baltimore County", which Petition request that the zoning classification of said property be changed from MLR and PL to ML.
2. As a result of said Petition, a hearing on the matter was scheduled for 10:00 A.M. March 26, 1975, before the Zoning Commissioner of Baltimore County.
3. Prior to said hearing, notice thereof in the form of an Inter-Office Correspondence from the Baltimore County Office of Planning and Zoning dated March 3, 1975 was duly forwarded to the People's Counsel in the ordinary course of business.
4. On March 13, 1975, the People's Counsel, pursuant to Section 524.1 of the Baltimore County Charter entered his appearance in the above-captioned case and

LAW OFFICES  
ASKEW, WILSON  
& DICICCO  
TOWSON, MD. 21204

first establish the statutory similarities between "Shore Acres" and this matter, viz:

1. Both Baltimore County and Anne Arundel County are "Chartered" counties under Article 25A of the Annotated Code of Maryland; thus the Section 5 (U) that Petitioner cites for Baltimore County and the Section 5 (U) in "Shore Acres" are the same public general law, whereas the Court cites a different statutory base in "Hyson."

2. Section 22-27 of the Baltimore County Code provides (similarities with Section 386 of the Anne Arundel Code, infra, emphasized for comparison):

"Any person or persons, jointly or severally, or any taxpayer or any official, office, department, board or bureau of the county, feeling aggrieved by any decision of the zoning commissioner shall have the right to appeal therefrom to the county board of appeals."

3. Section 536 of the Anne Arundel County Code provides (emphasized as above):

"Within 30 days after a decision of the Zoning Hearing Officer is rendered, any person or persons, jointly or severally, or any taxpayer of (sic) any official, office, department, corporation, board or bureau of Anne Arundel County aggrieved by any decision of the Zoning Hearing Officer shall have the right of appeal therefrom to the County Board of Appeals."

Thus we have in "Shore Acres" the proper statutory base appropriate to this matter; the same public general law and substantially the same public local law enacted pursuant thereto. The Petitioner questions the right of the Respondent to appeal from the decision of the Zoning Commissioner following a hearing in which the Respondent filed a written notice but did not further participate. The Court answered the question in "Shore Acres" when it said, at page 315:

"It should be noted that Sec. 536 does not require the person or entity taking the appeal from the Zoning Hearing Officer to the County Board of Appeals to be a party to the proceeding before the Zoning Hearing Officer." (Emphasis ours).

Petitioner seems to question the authority of the County Council and the electorate of the County to create a People's Counsel. The Council

requested additional notice therein of all scheduled and planned hearings.

5. On March 14, 1975, an official Baltimore County News Release was distributed, which release announced that the hearing in question would be held as scheduled on March 26, 1975. A copy of said News Release was duly forwarded to the People's Counsel in the ordinary course of business.

6. Notwithstanding such notices and the entering of his appearance, neither People's Counsel nor his representative attended the hearing, presented any evidence, nor filed any written opposition to the Petitioners' request for reclassification.

7. As a result of (a) overwhelming evidence presented at said hearing by the Petitioners; (b) the recommendation of the Planning Board; (c) the failure of the People's Counsel to appear or present any opposition despite notice of said hearing; and (d) the absence of any protestants or representatives thereof at the hearing before the Zoning Commissioner; the Petitioners' request in regard to the subject property was granted on March 27, 1975.

8. On April 8, 1975, notwithstanding his failure to appear, offer evidence or present exceptions at the prior hearing, the People's Counsel filed an Order of Appeal to this Honorable Board. As a result thereof, Petitioners have been greatly inconvenienced, have been put to great expense, and have suffered further harm and injuries. Consequently, Petitioners' move that the appeal noted by the People's Counsel be stricken for the further reasons which appear attached hereto.

ROBERT A. DICICCO  
Askew, Wilson & DiCicco  
208 W. Pennsylvania Avenue  
Towson, Maryland 21204-823-5400  
Attorneys for Petitioners

# NEWS RELEASE

from - BALTIMORE COUNTY, MARYLAND  
COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21204

March 14, 1975

E. JAY MILLER, DIRECTOR

OFFICE OF INFORMATION - RESEARCH

494 - 2470

## FOR IMMEDIATE RELEASE

Baltimore County Zoning Hearings (in room 106) are as follows:

### MONDAY, MARCH 24, 1975 - ZONING COMMISSIONER

10:00 A.M. Southwest corner of Holabird and West Avenues - 12th District  
Petition for Reclassification from D.R. 5.5 to B.L.  
Thomas W. Mooney - Petitioner  
#75-221-R  
Item #30  
11:00 A.M. Northwest corner of Essex and Franklin Avenues - 15th District  
Petition for Reclassification from D.R. 5.5 to B.L.  
Kevin Lynch - Petitioner  
#75-222-R  
Item #31  
1:00 P.M. Southeast corner of Stemmers Run Road and Margaret Avenue - 15th District  
Petition for Reclassification from D.R. 5.5 to D.R. 16 Zone.  
Petition for Special Exception for Offices.  
Lloyd Realty, Inc. - Petitioners  
#75-223-RX  
Item #32

### WEDNESDAY, MARCH 26, 1975 - ZONING COMMISSIONER

10:00 A.M. South side of Stemmers Run Road 74 feet East of Golden Ring  
Road - 15th District  
Petition for Reclassification from M.L.R. and B.L. to M.L. Zone.  
Howard Williams - Petitioner  
#75-224-R  
Item #33  
11:00 A.M. North side of Orens Road and Orens Road Relocated 180 feet East  
of Sunnyside Lane. - 15th District  
Petition for Reclassification from M.L.R.-I.M., M.L.-I.M. and  
D.R. 5.5 to D.R. 16 Zone.  
BTR Realty, Inc. - Petitioners  
#75-225-R  
Item #34

NOTE: QUESTIONS CONCERNING THE ABOVE SHOULD BE DIRECTED TO 494-3391.  
Parties interested in Board of Appeals hearings -- not listed --  
should contact the Board of Appeals Office, 494-3180.

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Hon. Theodore G. Yenetsoulis Date: March 3, 1975

FROM: S. Eric DiCicco

SUBJECT: Zoning Hearings

### MONDAY, MARCH 24, 1975 - ZONING COMMISSIONER

10:00 A.M. Southwest corner of Holabird and West Avenues - 12th District  
Petition for Reclassification from D.R. 5.5 to B.L.  
Thomas W. Mooney - Petitioner  
#75-221-R  
Item #30  
11:00 A.M. Northwest corner of Essex and Franklin Avenues - 15th District  
Petition for Reclassification from D.R. 5.5 to B.L.  
Kevin Lynch - Petitioner  
#75-222-R  
Item #31  
1:00 P.M. Southeast corner of Stemmers Run Road and Margaret Avenue - 15th District  
Petition for Reclassification from D.R. 5.5 to D.R. 16 Zone.  
Petition for Special Exception for Offices.  
Lloyd Realty, Inc. - Petitioners  
#75-223-RX  
Item #32

### WEDNESDAY, MARCH 26, 1975 - ZONING COMMISSIONER

10:00 A.M. South side of Stemmers Run Road 74 feet East of Golden Ring  
Road - 15th District  
Petition for Reclassification from M.L.R. and B.L. to M.L. Zone.  
Howard Williams - Petitioner  
#75-224-R  
Item #33  
11:00 A.M. North side of Orens Road and Orens Road Relocated 180 feet East  
of Sunnyside Lane. - 15th District  
Petition for Reclassification from M.L.R.-I.M., M.L.-I.M. and  
D.R. 5.5 to D.R. 16 Zone.  
BTR Realty, Inc. - Petitioners  
#75-225-R  
Item #34

S.D.B. E. Jay Miller  
cc: E. Jay Miller  
Walter Richardson

S. ERIC DICICCO  
ZONING COMMISSIONER

PETITION FOR RECLASSIFICATION  
5/8 of Stemmers Run Road  
74' E. of Golden Ring Road  
15th Election District  
Howard G. Williams et ux,  
Petitioners,

BEFORE THE BOARD OF  
APPEALS FOR BALTIMORE  
COUNTY, No. 75-224-R  
(Item No. 33)

### MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS APPEAL

Howard G. Williams, et ux, Petitioners, by Robert A.  
DiCicco, Askew, Wilson & DiCicco, their attorneys, say in  
support of their Motion to Dismiss the Appeal in the above-  
captioned matter that:

A. The People's Counsel is not permitted to  
maintain an appeal in the instant case  
because he is not an "interested person"  
within the meaning of Article 25A, §5(U),  
Annotated Code of Maryland.

Article 25A, §5(U), authorizes a county to create  
by proper legislation a County Board of Appeals which shall  
have both original and appellate jurisdiction in zoning and  
other administrative matters. Under Section 5(U), a decision  
by the Board may be rendered "on petition by any interested  
person and after notice and opportunity for hearing and on  
the basis of the record before the board." Thus, Section 5(U)  
is in the nature of enabling legislation which, while giving  
a county certain discretion over the jurisdiction, rules and  
regulations of said Board, nevertheless sets the limitation  
that no appeal from a decision of the Zoning Commissioner  
may be maintained by anyone other than an "interested person".  
In Hyson v. Montgomery County Council, 242 Md. 55,  
217 A2d 578 (1966), the Maryland Court of Appeals defined  
"interested persons" as used in the Montgomery County Code, as  
follows:

"The 'interested persons' mentioned therein  
are, we think, the same class of persons  
who can qualify as 'aggrieved persons' under

LAW OFFICES  
ASKEW, WILSON  
& DICICCO  
TOWSON, MD. 21204

Rec'd 6-9-75  
10:30 AM

our decisions relative to qualifications  
can be entitled to appeal. It scarcely  
can be seriously argued that the legislative  
body intended that any and all persons,  
irrespective of where they lived or owned  
property, or the nature of 'interest' they  
might have, were entitled to be heard."

Thus, for the purpose of prosecuting a zoning appeal, the  
Court of Appeals has ruled that "interested persons" and  
"aggrieved persons" have similar legal interests.

In Bryniarski v. Montgomery County Board of Appeals  
274 Md. 137, 230 A2d 289 (1967), the Court of Appeals stated  
the general rule to be used in ascertaining whether a  
particular person is "aggrieved".

"Generally speaking, the decisions indicate  
that a person aggrieved by the decision of  
a board of zoning appeals is one whose  
personal or property rights are adversely  
affected by the decision of the board. The  
decision must not only affect a matter in  
which the protestant has a specific interest  
or property right but his interest therein  
must be such that he is personally and  
specially affected in a way different from  
that suffered by the public generally."

Using such criteria, then, it is apparent that the  
People's Counsel does not have the requisite personal interest  
or stake in the outcome of the litigation to justify his  
maintaining an appeal. If it is argued that Counsel is  
acting in a representative capacity under Section 524.1 of  
the County Charter, he again is not permitted to maintain  
an appeal for two reasons.

First, because Bryniarski and Article 25A, §5(U),  
specifically reject the idea that an appeal can be maintained  
by any "person" not "interested" or "aggrieved". This rule  
in its literal and ordinary sense supersedes Rule 500.10  
of the Baltimore County Zoning Regulations, which allow  
an appeal from and order of the Zoning Commissioner by any

person who simply feels aggrieved.

Secondly, Article 25A and Bryniarski, when applied  
to a case of claimed representation, clearly imply that  
the representative--here the People's Counsel--must be  
acting on behalf of persons who are themselves "aggrieved"  
or "interested" and not simply on behalf of any and all  
citizens. Any attempt by the County in Section 524.1 of the  
Charter to expand the class of persons entitled to appeal  
include representatives of "non-aggrieved" and "non-interested"  
persons is, therefore, in excess of its authority and is void.

Consequently, the appeal of the People's Counsel  
should be stricken on the above grounds.

B. Section 524.1 of the Baltimore County  
Charter is an unconstitutional attempt  
to confer standing upon a public official  
who would not otherwise be entitled to sue.

The general rule to be applied in all questions  
concerning standing is that a party to an action must have  
a requisite personal stake in its outcome "so as to insure  
that the dispute sought to be adjudicated will be presented  
in an adversary context and in a form historically viewed  
as capable of judicial resolution." *Fliat v. Cohen*, 392 U.S.  
83, 88 S.Ct. 1942, 20 LEd 947.

The *Fliat* rule was discussed in *Sierra Club v.*  
*Morton*, 405 U.S. 727, 92 S.Ct. 1361, 31 LEd. 636 (1972), a  
case interpreting the Federal Administrative Procedure Act,  
5 U.S.C.A. § 702. While noting that the trend has been to  
expand the concept of what sort of injuries will survive a  
challenge to one's standing, the Supreme Court also noted:

"But broadening the categories of  
injury that may be alleged in support  
of standing is a different matter from  
abandoning the requirement that the  
party seeking review must himself have  
suffered injury."

The Court ruled that the Sierra Club had no  
standing to oppose a recreational development based on its  
representative capacity.

Petitioners urge that the attempt by the County  
to expand the categories of those persons entitled to  
argue and appeal zoning matters is an unconstitutional  
attempt to confer standing, and to deprive Petitioners'  
of Due Process of Law. The Act, as it appears in Section  
524.1 of the Charter, mandates that the People's Counsel appear  
as a party in hearings before the Zoning Commissioner in order  
to defend the interest of the public "in general". The  
Act fixes Counsel with such a duty without regard to whether  
or not there exist legitimately "aggrieved" persons who would  
themselves be entitled to appear.

Similarly, the People's Counsel is authorized  
to maintain appeals as an "aggrieved party" without regard  
to whether or not he represents the truly "aggrieved" and  
without regard to whether or not such persons even exist. Taken  
in the abstract, such legislation might appear to some as a  
legitimate attempt by the County to insure the full discussion of  
proposed zoning changes. But, taken from the perspective of  
Petitioners, other similarly situated, and potentially every  
property owner in the community, such an Act works "an undue  
burden and hardship on petitioners by forcing them to litigate  
and defend on appeal against "non-aggrieved" persons whose  
interests are not adverse under the rules in *Fliat* and *Sierra*  
*Club*. As such, the Act works an unnecessary, unwarranted and  
unjustified deprivation of Due Process of law, and is uncon-  
stitutional not only in its present and prospective application,  
but also on its face.

C. The failure of the People's Counsel  
to appear at the hearing before the  
Zoning Commissioner precluded an appeal  
from the decision therein to the County  
Board of Appeals

Section 524.1 (3)(A) of the Baltimore County  
Charter provides in part:

"The People's Counsel shall have the  
following powers and duties:

A. He shall appear as a party  
before the Zoning Commissioner of Baltimore  
County . . . He shall have in such appearance,  
all the rights of counsel for a party in  
interest, including but not limited to the  
right to present his case, to cross  
examine, to object, to be heard, and to  
file and prosecute an appeal in this  
capacity a People's Counsel from any Order  
or Act of the Zoning Commissioner of  
Baltimore County" (emphasis supplied)...

It is clear that the statute allows appeals only  
in cases where the People's Counsel appear before the  
Zoning Commissioner, for the Act provides that "in such  
appearance" People's Counsel shall have the right to  
conduct his case an appeal from the decision.

To interpret this Act as allowing the People's  
Counsel to avoid or bypass the Zoning Commissioner, would  
be tantamount to a doing away of the office of the Zoning  
Commissioner. Such an interpretation would be  
inconsistent with every rule of statutory construction,  
as well as, an insult to common sense. Therefore, because of  
the People's Counsel's failure to personally appear and  
participate at the Zoning Commissioner's level, he is precluded  
by statutory mandate from appealing the Zoning Commissioner's  
decision.

WHEREFORE, as a result of the foregoing reasons, and  
for such other reasons as may appear at the hearing on the  
merits, Petitioners pray that this Honorable Board pass an

LAW OFFICES  
ASKEW, WILSON  
& DICICCO  
TOWSON, MD. 21204

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& DICICCO  
TOWSON, MD. 21204

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& DICICCO  
TOWSON, MD. 21204

LAW OFFICES  
ASKEW, WILSON  
& DICICCO  
TOWSON, MD. 21204

Order striking the appeal of the People's Counsel and declaring Section 524.1 of the Baltimore County Charter unconstitutional on its face.

Robert A. DiCicco  
Askew, Wilson & DiCicco  
208 W. Pennsylvania Avenue  
Towson, Maryland 21204  
823-5400  
Attorneys for Petitioners

THIS IS TO CERTIFY that on this 6 day of June, 1975, a copy of the foregoing Memorandum of Law in Support of Motion to Dismiss Appeal was sent to John W. Hessian, III, Esquire, and Charles E. Kountz, Jr., Esquire, People's Counsel.

Robert A. DiCicco

-6-

Case No. 75-224-R (Item No. 33) - Howard G. Williams, et ux  
E of Stemmers Run Road, 74'  
E of Golden Ring Road - 15th  
Election District

Petition for Reclassification with the Order of the Zoning Commissioner, dated March 27, 1975 - GRANTED

Memorandum in Support of Petition for Reclassification from Robert A. DiCicco, Esquire

Description of Property

Plat of Subject Property, dated September 25, 1974

Zoning Plans Advisory Committee Comments, dated October 25, 1974

Baltimore County Planning Board Recommendations and Accompanying Map

200' Scale Location Plan

1000' Scale Location Plan

Certificates of Publication

Certificate of Posting (One (1) Sign)

Petitioners' Exhibit 1 - Plat of Subject Property, dated September 25, 1974

Petitioners' Exhibit 2 - Aerial Photograph

Petitioners' Exhibit 3 - Aerial Photograph

Order for Appeal from John W. Hessian, III, Esquire, People's Counsel, received April 8, 1975

Robert A. DiCicco, Esquire  
208 West Pennsylvania Avenue  
Towson, Maryland 21204

Counsel for Petitioners

John W. Hessian, III, Esquire  
People's Counsel  
Jefferson Building  
Towson, Maryland 21204

People's Counsel

Mr. Clyde L. Lew, Field Engineer  
The C & P Telephone Company  
of Maryland  
305 West Chesapeake Avenue  
Towson, Maryland 21204

Requests Notification

RE: PETITION FOR RECLASSIFICATION  
S/S of Stemmers Run Road, 74'  
Ring Road - 15th District  
Howard G. Williams, et ux  
Petitioners  
No. 75-224-R (Item No. 33)

BEFORE THE  
ZONING COMMISSIONER  
FOR  
BALTIMORE COUNTY

# ORDER FOR APPEAL

Mr. Commissioner:

Please note an appeal from your decision in the case of Howard G. Williams, et ux to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.



John W. Hessian, III  
JOHN W. HESSIAN, III  
People's Counsel

Charles E. Kountz, Jr.  
CHARLES E. KOUNTZ, JR.  
Deputy People's Counsel  
County Office Building  
Towson, Maryland 21204  
494-3212

I HEREBY CERTIFY That a copy of the foregoing Order for Appeal was mailed this 6th day of April, 1975 to Robert A. DiCicco, Esquire, Askew, Wilson & DiCicco, 208 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hessian, III

March 27, 1975

Robert A. DiCicco, Esquire  
208 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Reclassification  
S/S of Stemmers Run Road, 74'  
E of Golden Ring Road - 15th  
Election District  
Howard G. Williams, et ux -  
Petitioners  
NO. 75-224-R (Item No. 33)

Dear Mr. DiCicco:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DI NENNA  
Zoning Commissioner

SED/scw

Attachments

cc: Mr. Clyde L. Lew  
Field Engineer  
C&P Telephone Company  
305 West Chesapeake Avenue  
Towson, Maryland 21204

John W. Hessian, III, Esquire  
People's Counsel  
Jefferson Building  
Towson, Maryland 21204

RE: PETITION FOR RECLASSIFICATION :  
FROM N.L.R. AND S.L. TO N.L.  
South side of Stemmers Run  
Road 74 feet East of Golden  
Ring Road, 15th District.

BEFORE THE  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

HOWARD G. AND MARGARET A.  
WILLIAMS

Case No. 75-224-R

## ORDER TO ENTER APPEARANCE

Mr. Commissioner:

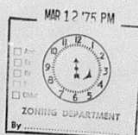
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.  
CHARLES E. KOUNTZ, JR.  
Deputy People's Counsel

John W. Hessian, III  
JOHN W. HESSIAN, III  
People's Counsel  
County Office Building  
Towson, Maryland 21204  
494-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 12th day of March, 1975, to Robert A. DiCicco, Esquire, Askew, Wilson & DiCicco, 208 W. Pennsylvania Avenue, Towson, Maryland, 21204, Attorney for Petitioner.

John W. Hessian, III  
JOHN W. HESSIAN, III



I WILL NOT ATTEND.



C&P Telephone

February 21, 1975

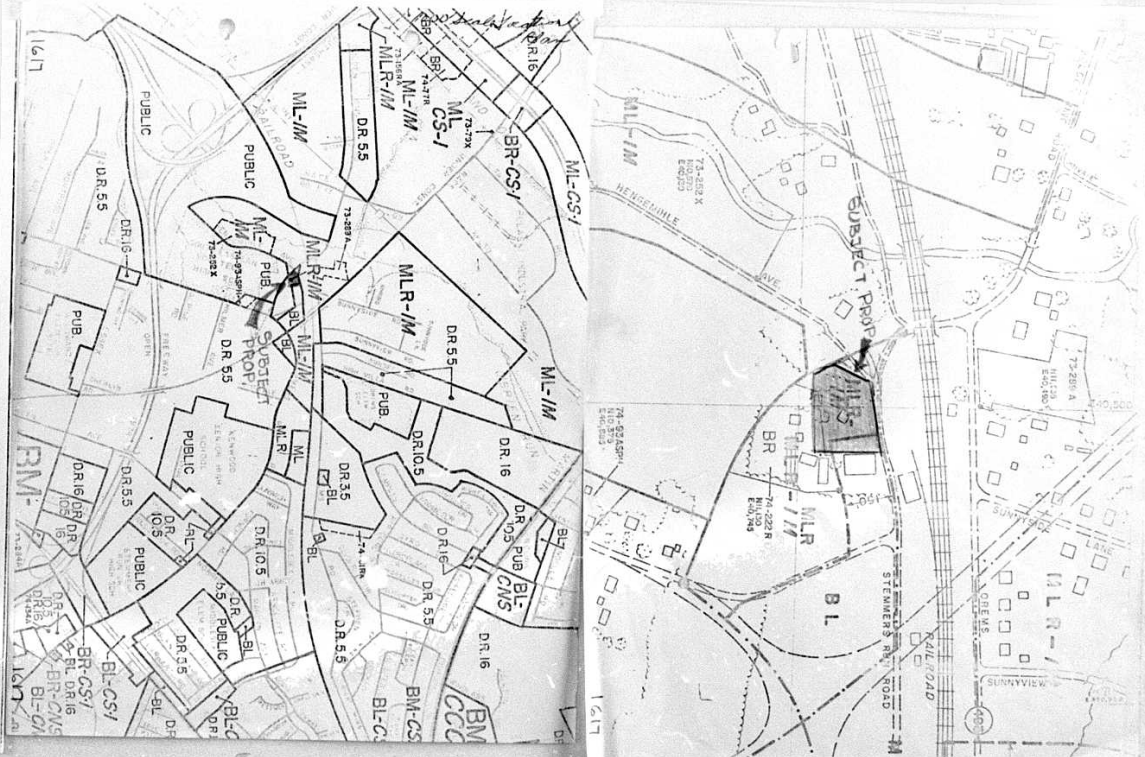
Baltimore County Office of Planning & Zoning  
County Office Building  
Towson, Maryland 21204

Re: Item 33 - 75-224 H. Williams

In order to anticipate future changes in service requirements, I would appreciate the result of the scheduled zoning Reclassification Hearing for the October, 1974 - April, 1975 zoning Reclassification Cycle. Please forward the decision when it becomes available to Mr. Clyde L. Lew, Field Engineer, 305 W. Chesapeake Avenue, Towson, Maryland, 21204.

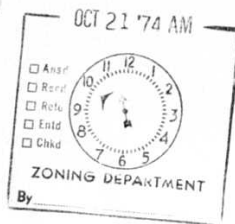
Very truly yours,  
Clyde L. Lew  
Field Engineer

CLL/nk



WILLIAM D. FROMM  
DIRECTOR

S. ERIC DINENNA  
ZONING COMMISSIONER



October 18, 1974

Mr. Robert A. DiCicco  
Askew, Wilson and DiCicco  
203 W. Pennsylvania Avenue  
Towson, Maryland 21204

Re: Request for exemption from cyclical procedures  
Howard G. Williams et ux property  
707 Stemmers Run Road

Dear Mr. DiCicco:

At its meeting of October 17, 1974, the Baltimore County Planning Board unanimously agreed not to recommend exemption of the subject petition from the zoning cycle procedures; the request did not qualify either as an "emergency" or as in the "public interest".

Sincerely,

William D. Fromm, Secretary  
Baltimore County Planning Board

WDF:JGS:mac

cc: Eric S. DiNenna, Zoning Commissioner ✓

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204  
AREA CODE 301 PLANNING 484-3211 ZONING 484-3351

*Appeal*  
**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

75-224-R

District 15

Posted for:

Date of Posting 4/24/75

Petitioner: Howard G. Williams

Location of property: 5/5 of Stemmers Run Road 74' E of Golden Ring Rd

Location of Signs: 1 Sign Posted on Stemmers Run Rd approx 74' East of Golden Ring

Remarks:

Posted by Mark H. Hess  
Signature

Date of return: 5-1-75

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
SCCELLANEOUS CASH RECEIPT

No. 20203

DATE April 17, 1975 ACCOUNT 01-662

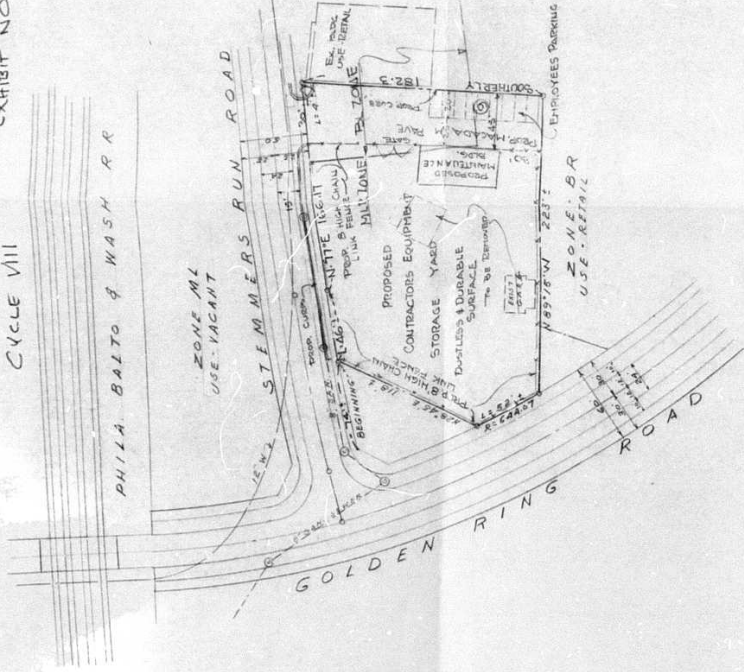
AMOUNT \$75.00

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER  
W. Hessian, III, Esquire

Statement of Filing of an Appeal and Posting of Property on  
Case No. 75-224-R (Item No. 33)  
5 of Stemmers Run Road, 74' E of Golden Ring Road -  
5th Election District  
Howard G. Williams, et ux - Petitioners



75-244-12



**GENERAL DATA**

AREA OF PROPERTY 1.0 AC.  
EXISTING ZONE MLR  
PROPOSED ZONE RESIDENTIAL  
PROPOSED USE CENTR. EQUIPMENT  
STORAGE YARD

**PARKING DATA**

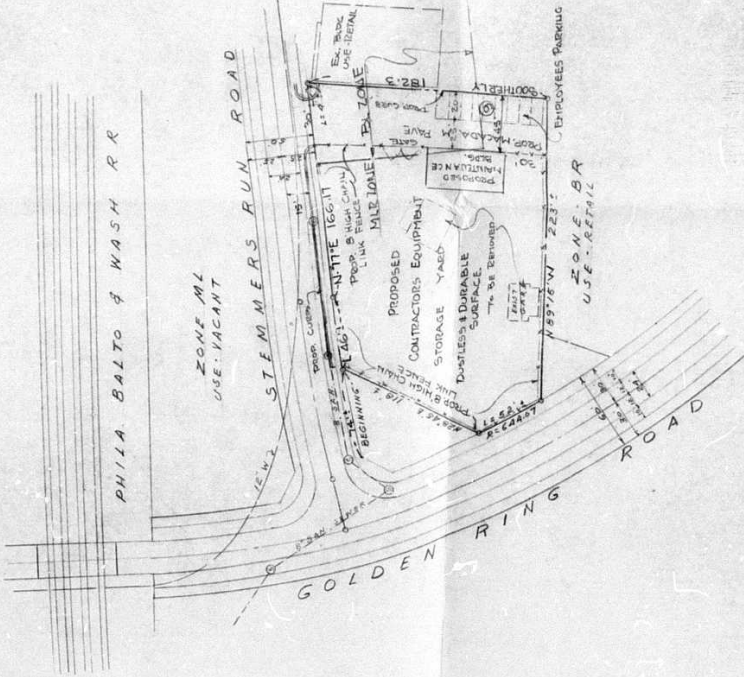
AREA PROPOSED BLDG.  
PARKING RATIO 1.97/2600 EMPLOYEE  
EST. NO. EMPLOYEES 5  
% 5  
SPACES REQUIRED 25  
SPACES PROVIDED 25

PLAT TO ACCOMPANY PETITION FOR  
ZONING RECLASSIFICATION  
PROPERTY OF  
HOWARD G. WILLIAMS & WIFE  
15TH FLEET DIST. - BALTO. COMD  
SCALE 1"=50' SEPT. 25, 1974

E. F. RAPHEL & ASSOCIATES  
REG. LAND SURVEYORS  
COURTLAND AVE.  
TOWSON 4, MARYLAND

1617

ZONE ML  
USE VACANT



GENERAL DATA  
AREA OF PROPERTY : 0.5 AC.  
EXISTING ZONE : M-LR  
EXISTING USE : RESIDENTIAL  
PROPOSED ZONE : PD  
PROPOSED USE : COMM. YARD  
STORAGE YARD

PARKING DATA  
AREA PROPOSED BLDG.  
PARKING RATIO 1 SP/2 EMPLOYEE  
ESTIM. EMPLOYEES-5  
3 = 5 SPACES REQUIRED  
5 SPACES PROVIDED

|      |    |        |   |      |          |      |    |    |    |
|------|----|--------|---|------|----------|------|----|----|----|
| NAME | 4B | RECORD | 5 | DATE | 10-10-72 | TIME | 10 | BY | AM |
|------|----|--------|---|------|----------|------|----|----|----|

PLAT TO ACCOMPANY PETITION FOR  
ZONING RECLASSIFICATION  
PROPERTY OF  
HOWARD G. WILLIAMS & WIFE  
15TH EREET DIST. - BALTO. CO. MD.  
SCALE 1"=50' SEPT. 25, 1974

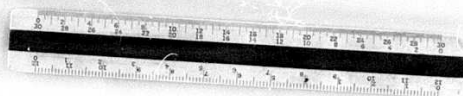
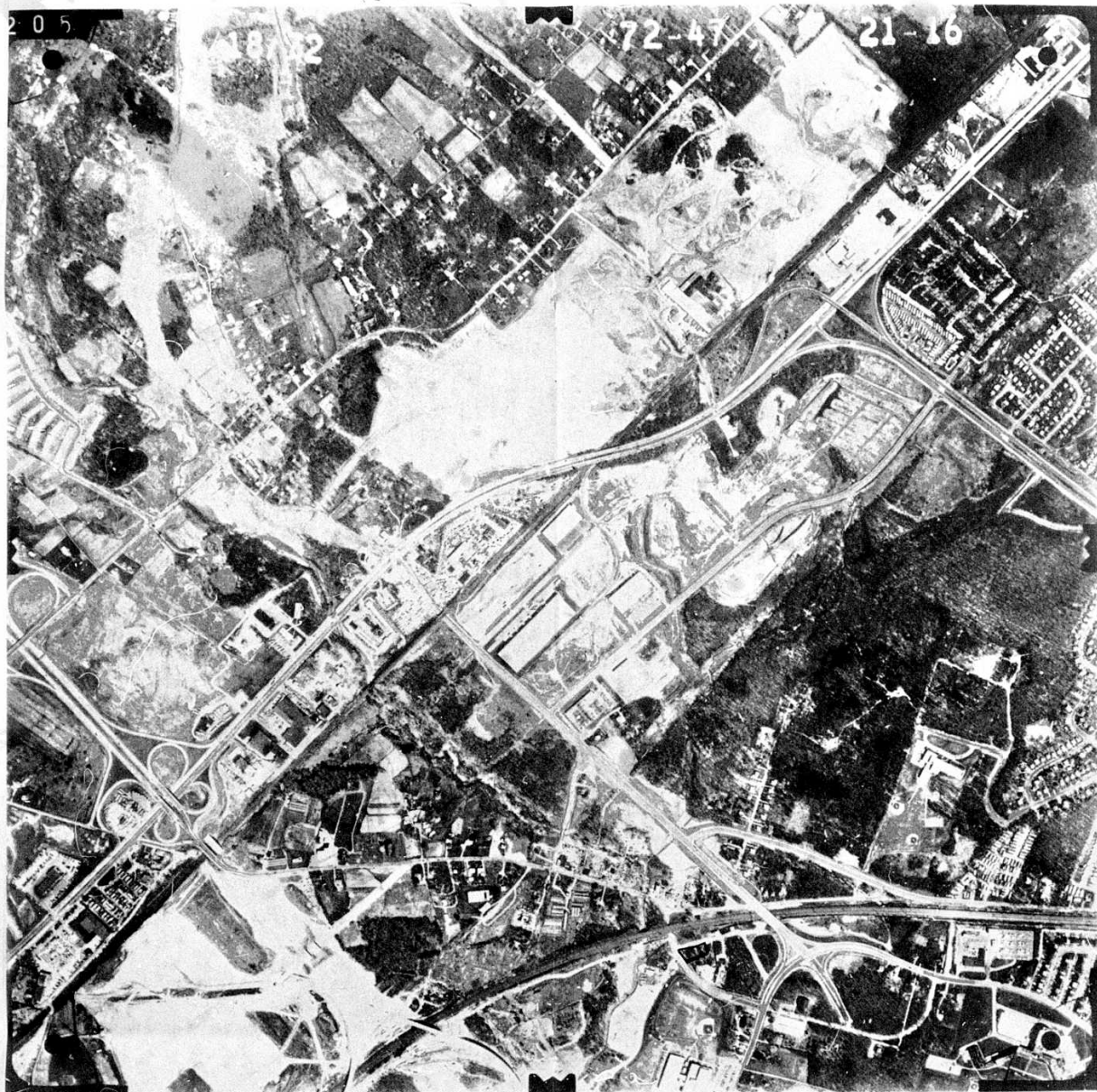
E. F. RAPHEL & ASSOCIATES  
REG. LAND SURVEYORS  
COURTLAND AVE.  
TOWSON 4, MARYLAND

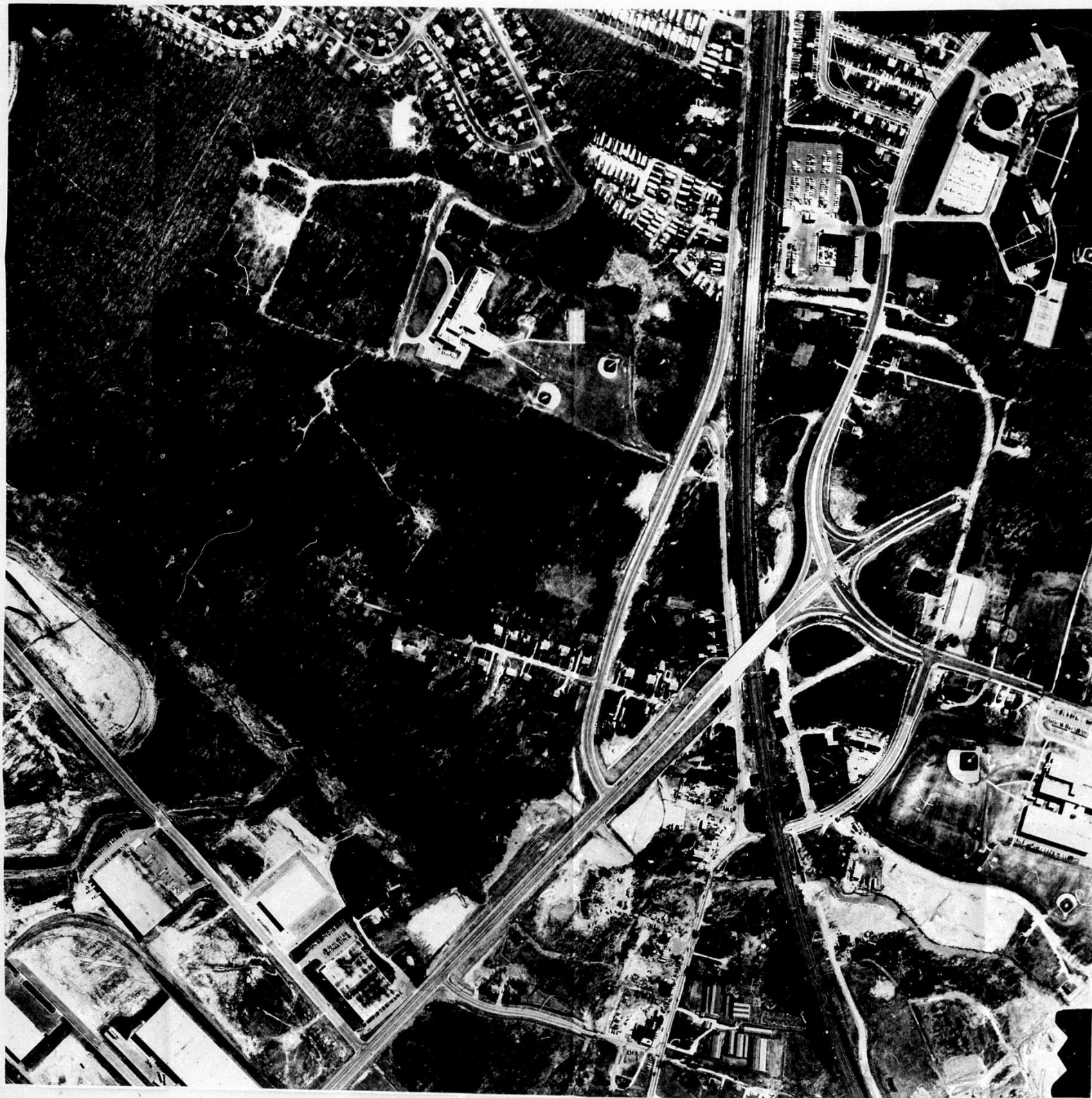


2.C. PETITIONERS  
EXHIBIT  
3

Item 33  
CYCLE VIII

75-204-K





21-16 SE

2C.  
PETITIONERS  
EXHIBIT 2

ITEM 33  
CYCLE VIII

75-224-R

4